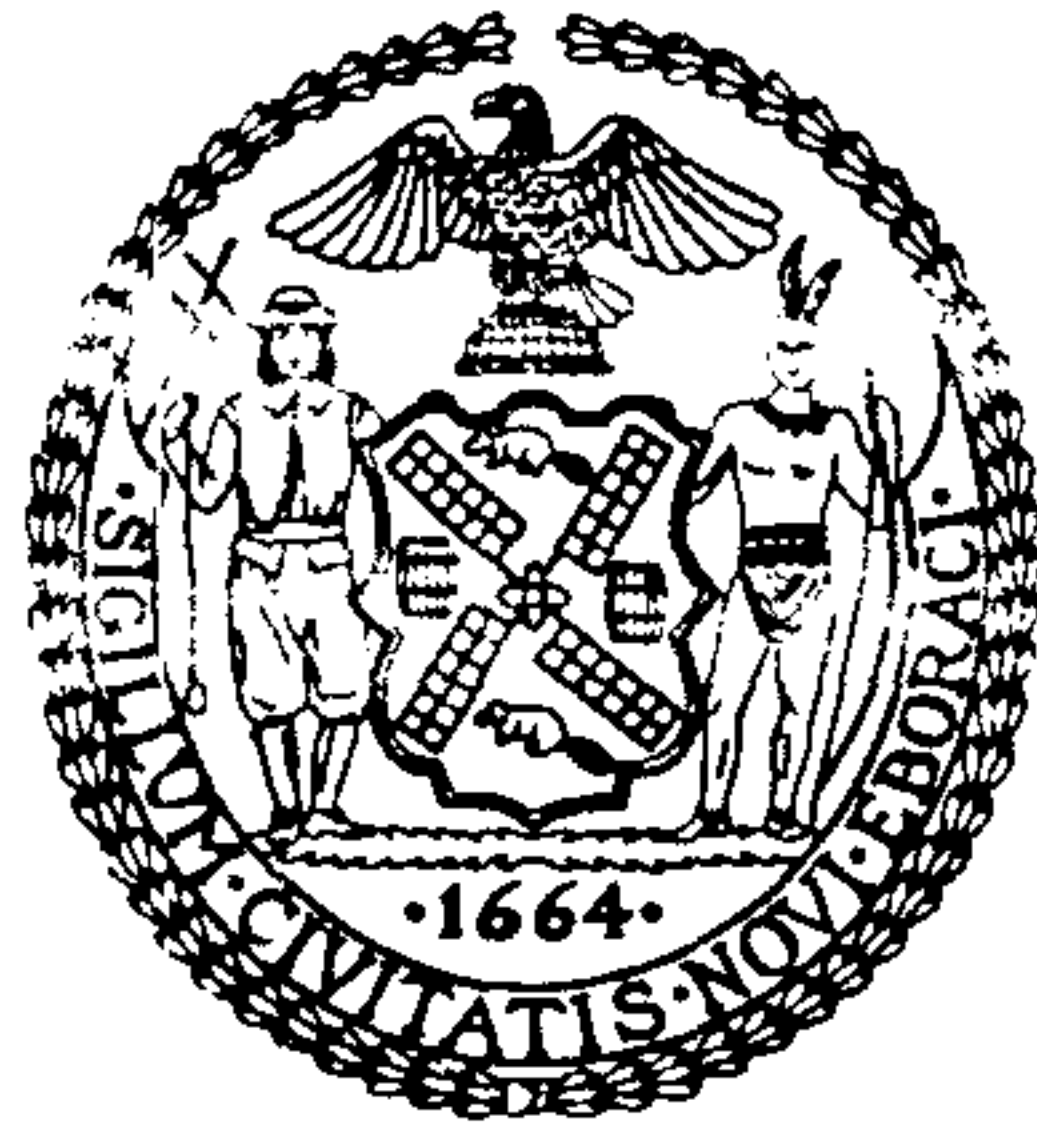


CITY PLANNING COMMISSION • DEPARTMENT OF CITY PLANNING

THE CITY OF NEW YORK



**ZONING MAPS**  
and  
**RESOLUTION**

75  
-8

THE CITY OF NEW YORK  
ROBERT F. WAGNER, *Mayor*

CITY PLANNING COMMISSION  
2 Lafayette Street, New York 7, N. Y.

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*Secretary*

PAULINE J. MALTEF

EFFECTIVE DECEMBER 15, 1961

Based upon a Comprehensive Amendment of the Zoning Resolution adopted by  
the Board of Estimate on December 15, 1960 and as subsequently amended.

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# Preamble

This resolution is adopted in order to promote and protect public health, safety, and general welfare. These general goals include, among others, the specific purposes set forth in the statements of legislative intent for the respective districts and groups of districts.

## Article I General Provisions

### Chapter 1 Title, Establishment of Controls, and Interpretation of Regulations

#### 11-00 TITLE

#### 11-01

##### Long Title

A resolution regulating the height and bulk of buildings and other structures, regulating and determining the area of yards, courts and other open spaces, and the density of population, and regulating and restricting the location of trades and industries and the location of buildings designed for specific uses within The City of New York, and for such purposes dividing the City into districts.

#### 11-02

##### Short Title

This resolution shall be known and may be cited as the Zoning Resolution of The City of New York.

#### 11-10 ESTABLISHMENT AND SCOPE OF CONTROLS, ESTABLISHMENT OF DISTRICTS, AND INCOR- PORATION OF MAPS

#### 11-11

##### Establishment of Control over Use and Bulk

#### 11-111

##### For new uses

In all districts, after the effective date of this resolution, any new *building or other structure* or any tract of land shall be used, constructed, or *developed* only in accordance with the *use, bulk*, and all other applicable regulations of this resolution.

#### 11-112

##### For existing uses

In all districts, after the effective date of this resolution, and except as otherwise provided in Article V (Non-Conforming Uses and Non-Complying Buildings),

(a) The *use* of any existing *building or other structure* may be continued, changed, or *extended*,

(b) The *use* of any existing tract of land may be continued, changed, or *enlarged*, or

(c) Any existing *building or other structure* may be *enlarged*, altered, converted, reconstructed, or relocated

only in accordance with the *use, bulk*, and all other applicable regulations of this resolution.

#### 11-12

##### Establishment of Districts

In order to carry out the purposes and provisions of this resolution, the following districts are hereby established:

##### Residence Districts

- R1-1 Single-Family Detached Residence District
- R1-2 Single-Family Detached Residence District
- R2 Single-Family Detached Residence District
- R3-1 General Residence District (L)
- R3-2 General Residence District
- R4 General Residence District
- R5 General Residence District
- R6 General Residence District
- R7-1 General Residence District
- R7-2 General Residence District
- R8 General Residence District
- R9 General Residence District
- R10 General Residence District

##### Commercial Districts

- C1-1 Local Retail District
- C1-2 Local Retail District
- C1-3 Local Retail District
- C1-4 Local Retail District
- C1-5 Local Retail District
- C1-6 Local Retail District
- C1-7 Local Retail District
- C1-8 Local Retail District
- C1-9 Local Retail District
- C2-1 Local Service District
- C2-2 Local Service District
- C2-3 Local Service District
- C2-4 Local Service District
- C2-5 Local Service District
- C2-6 Local Service District
- C2-7 Local Service District
- C2-8 Local Service District

## 11-12 (Continued)

- C3 Waterfront Recreation District
- C4-1 General Commercial District  
C4-2 General Commercial District  
C4-3 General Commercial District  
C4-4 General Commercial District  
C4-5 General Commercial District  
C4-6 General Commercial District  
C4-7 General Commercial District
- C5-1 Restricted Central Commercial District  
C5-2 Restricted Central Commercial District  
C5-3 Restricted Central Commercial District  
C5-4 Restricted Central Commercial District
- C6-1 General Central Commercial District  
C6-2 General Central Commercial District  
C6-3 General Central Commercial District  
C6-4 General Central Commercial District  
C6-5 General Central Commercial District  
C6-6 General Central Commercial District  
C6-7 General Central Commercial District
- C7 Commercial Amusement District
- C8-1 General Service District  
C8-2 General Service District  
C8-3 General Service District  
C8-4 General Service District

## Manufacturing Districts

- M1-1 Light Manufacturing District  
(High Performance)  
M1-2 Light Manufacturing District  
(High Performance)  
M1-3 Light Manufacturing District  
(High Performance)  
M1-4 Light Manufacturing District  
(High Performance)  
M1-5 Light Manufacturing District  
(High Performance)  
M1-6 Light Manufacturing District  
(High Performance)
- M2-1 Medium Manufacturing District  
(Medium Performance)  
M2-2 Medium Manufacturing District  
(Medium Performance)  
M2-3 Medium Manufacturing District  
(Medium Performance)  
M2-4 Medium Manufacturing District  
(Medium Performance)
- M3-1 Heavy Manufacturing District  
(Low Performance)  
M3-2 Heavy Manufacturing District  
(Low Performance)

## 11-13

## Public Parks

District designations indicated on *zoning maps* do not apply to *public parks*. In the event that a *public park* or portion thereof is sold, transferred, exchanged, or in any other manner relinquished from the control of the Commissioner of Parks, no building permit shall be issued, nor shall any *use* be permitted on such former *public park* or portion thereof, until a zoning amendment designating a zoning district therefor has been adopted by the City Planning Commission and has become effective after submission to the Board of Estimate in accordance with the provisions of Section 75-00 (Procedure for Amendments).

## 11-14

## Incorporation of Maps

The location and boundaries of the districts established by this resolution are shown upon the *zoning maps*, which are hereby incorporated into the provisions of this resolution. The said *zoning maps* in their entirety, including all amendments thereto, shall be as much a part of this resolution as if fully set forth and described herein.

## 11-20 INTERPRETATION OF PROVISIONS

## 11-21

## Provisions Are Minimum Requirements

In interpreting and applying the provisions of this resolution, such provisions shall be considered as the minimum requirements:

- (a) To promote and protect health, safety, and general welfare, as set forth in the preamble to this resolution and in the statements of legislative intent for the respective districts and other regulations, and
- (b) To provide a gradual remedy for existing conditions which are detrimental thereto.

## 11-22

## Application of Overlapping Regulations

Whenever any provision of this resolution and any other provisions of law, whether set forth in this resolution or in any other law, ordinance, or resolution of any kind, impose overlapping or contradictory regulations over the *use* of land, or over the *use* or *bulk* of buildings or other structures, or contain any restrictions covering any of the same subject matter, that provision which is more restrictive or imposes higher standards or requirements shall govern.

In case of any conflict between the performance standards and the rules and regulations adopted by the Board of Air Pollution Control, the more restrictive shall apply.

## 11-30 BUILDING PERMITS ISSUED BEFORE EFFECTIVE DATE OF RESOLUTION OR AMENDMENT

## 11-31

## General Provisions

For the purposes of Sections 11-32 or 11-33, relating to Building Permits Issued before Effective Date of Resolution or Amendment, the following terms and general provisions shall apply:

- (a) A lawfully issued building permit shall be a building permit which is based on an approved application showing complete plans and specifications, authorizes the entire construction and not merely a part thereof, and is issued prior to the effective date of this resolution or any applicable amendment thereto. In the case of a multiple dwelling for which such a building permit is issued prior to the effective date of this resolution, such complete plans and specifications shall also comply with the provisions of Sections 26 and 27 of the Multiple Dwelling Law as in full force and effect prior to the enactment of Chapter 1072 of the Laws of 1960 of the State of New York.

## 11-31 (Continued)

For the purposes of Section 11-32 (Building Permits Issued before Effective Date of Resolution) only, a lawfully issued building permit shall also include a permit which is issued after the effective date of this resolution, which permit is based on an approved application showing complete plans and specifications and authorizes the entire construction and not merely a part thereof, provided that the application has been filed before such effective date.

(b) The rights set forth in these Sections shall be retained only if all modifications relating to zoning made in such plans after the effective date of this resolution or any applicable amendment thereto, result in compliance or do not increase the degree of *non-compliance* with the provisions of this resolution.

(c) As used in Sections 11-32 (Building Permits Issued before Effective Date of Resolution) or 11-33 (Building Permits for Minor or Major Development Issued before Effective Date of Amendment),

(1) "Minor development" shall include:

(a) Construction of any single *building* which will be *non-conforming* or *non-complying* under the provisions of this resolution or any applicable amendment thereto; or

(b) Construction of two or more *buildings* which under the provisions of this resolution or any applicable amendment thereto either will be *non-conforming* or, if designed for use as one-family or two-family *detached residences*, will be *non-complying*; or

(c) A major *enlargement*, which is an *enlargement* requiring the installation of foundations and involving at least 50 percent of the total *floor area* of such enlarged *building*, and which *enlargement* will be *non-conforming* or *non-complying* under the provisions of this resolution or any applicable amendment thereto.

(2) "Major development" shall include a development of two or more *buildings* which will be *non-complying* under the provisions of this resolution or any applicable amendment thereto, with the exception of such a development designed for use as one-family or two-family *detached residences*.

(3) "Other construction" shall include:

(a) Any *enlargement* other than a major *enlargement*, or

(b) Any *extension*, conversion, or structural alteration, or

(c) Construction of any structure other than a *building*,

which will be *non-conforming* or *non-complying* under the provisions of this resolution or any applicable amendment thereto.

## 11-32

**Building Permits Issued before Effective Date of Resolution**

## 11-321

**Right to start or continue construction**

If, before the effective date of this resolution, a building permit authorizing construction has been lawfully issued to a person with a possessory interest in a *zoning lot*, such construction may be started or continued after the effective date. In the event that the construction permitted herein has not been completed, and a certificate of occupancy issued therefor,

(a) In the case of major or minor development, within two years after the effective date of this resolution, or

(b) In the case of other construction, within three months after the effective date of this resolution,

the building permit shall automatically lapse and the right to continue construction shall terminate. An application to renew such building permit may, however, be made to the Board of Standards and Appeals not later than 30 days after the lapse of such permit.

## 11-322

**Extension of period to complete construction**

The Board may renew such building permit in accordance with the following provisions:

(a) For a minor development, the Board may authorize an extension of time, limited to one term of not more than one year, to permit the completion of any *building*, provided that the Board finds that, on the date the building permit lapsed, substantial construction above the foundations had been completed for such *building* (or each such *building*) and substantial expenditures had been made in connection with the superstructure.

(b) For a major development, the Board may authorize an extension of time, limited to one term of not more than two years, to permit the continued construction of such development (including the start of new *buildings*) provided that the Board finds that, on the date the building permit lapsed, for at least one *building* of the development substantial construction above the foundations had been completed and substantial expenditures had been made in connection with the superstructure. Thereafter, the Board may authorize an additional extension, limited to one term of not more than one year, solely for the completion of those *buildings* for which the Board finds that, on the date of expiration of the extended building permit, substantial construction above the foundations had been completed, and substantial expenditures had been made in connection with the superstructures.

(c) For other construction, the Board may authorize an extension of time, limited to one term of not more than three months, to permit the completion of such construction, provided that the Board finds that, on the date the building permit lapsed, a substantial portion of such construction had been completed and substantial expenditures in connection with such construction had been made.

## 11-33

**Building Permits for Minor or Major Development Issued before Effective Date of Amendment**

## 11-331

**Right to construct if foundations completed**

If, before the effective date of an applicable amendment of this resolution, a building permit has been lawfully issued to a person with a possessory interest in a *zoning lot*, authorizing a minor development or a major development, such construction may be continued provided that:

(a) In the case of a minor development, all work on foundations had been completed prior to such effective date; or

(b) In the case of a major development, the foundations for at least one *building* had been completed prior to such effective date.

In the event that such required foundations have been commenced but not completed before such effective date, the building permit shall automatically lapse on the effective date and the right to continue construction shall terminate. An application to renew the building permit may be made to the Board, not more than 30 days after the lapse of such building permit. The Board may renew the building permit and authorize an extension of time limited to one term of not more than six months to permit the completion of the required foundations, provided that the Board finds that, on the date the building permit lapsed, excavation had been completed and substantial progress made on foundations.

## 11-332

**Extension of period to complete construction**

In the event that the construction permitted in Section 11-331 (Right to construct if foundations completed) has not been completed and a certificate of occupancy issued therefor within two years after the effective date of any applicable amendment, the building permit shall automatically lapse and the right to continue construction shall terminate. Such building permit may, however, be renewed by the Board in the same manner and under the same conditions as set forth in Section 11-322 (Extension of period to complete construction).

**11-40 EXCEPTIONS, VARIANCES, OR PERMITS PREVIOUSLY AUTHORIZED**

## 11-41

**General Provisions**

Whenever under the provisions of the zoning resolution of July 25, 1916, as amended (including the comprehensive amendment of June 28, 1940 and subsequent amendments thereto), either the Board of Standards and Appeals, or the City Planning Commission with the approval of the Board of Estimate, has authorized any *use* to locate in a district in which it is not permitted as of right by issuing a variance, exception, or permit, such *use* may be continued, changed, *extended*, *enlarged* or structurally altered only as provided in this Section or in Article VII, Chapter 3 or 4.

## 11-411

**Renewals**

Where no limitation as to duration of the *use* was imposed at the time of authorization, such *use* may be continued. Where such *use* was authorized subject to a term of years, such *use* may be continued until the expiration of the term, and thereafter, the agency which originally authorized such *use* may, in appropriate cases, extend the period of continuance for one or more terms of not more than ten years each. The agency may prescribe appropriate conditions and safeguards to minimize adverse effects of such *use* on the character of the neighborhood.

## 11-412

**Alterations, extensions, or enlargements**

Repairs or *incidental alterations* may be made and, in appropriate cases, the authorizing agency may permit structural alterations, *extensions*, or *enlargements*. However, the *use* of any *building* or *other structure* shall not be *extended*, and the *building* or *other structure* shall not be *enlarged*, in excess of 50 percent of the *floor area* of such *building* (or size of such structure) occupied or utilized by the *use* on the effective date of this resolution.

## 11-413

**Change of use**

In no event shall such *use* change, and no agency shall be empowered to permit such *use* to change, to any *use* except a conforming *use*. For the purposes of this Section, a change of *use* is a change to another *use* listed in the same or any other Use Group. A change in ownership or occupancy shall not, by itself, constitute a change of *use*.

**11-50 SEPARABILITY**

It is hereby declared to be the legislative intent that:

(a) If a court of competent jurisdiction finds any provisions of this resolution to be invalid or ineffective in whole or in part, the effect of such decision shall be limited to those provisions which are expressly stated in the decision to be invalid or ineffective, and all other provisions of this resolution shall continue to be separately and fully effective.

(b) If a court of competent jurisdiction finds the application of any provision or provisions of this resolution to any *zoning lot*, *building* or *other structure*, or tract of land to be invalid or ineffective in whole or in part, the effect of such decision shall be limited to the person, property, or situation immediately involved in the controversy, and the application of any such provision to other persons, property, or situations shall not be affected.

**11-60 VIOLATIONS**

The owner, general agent, lessee, or tenant of any *building* or *other structure* or tract of land in which a violation of this resolution has been committed or shall exist; or the general agent, architect, builder, or contractor; or any other person who commits, takes part, or assists in any such violation or who maintains any *building* or *other structure* or tract of land in which any such violation shall exist, shall be guilty of a misdemeanor.

11-60 (Continued)

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

In addition to the foregoing remedies, the City may maintain an action for an injunction to restrain any violation of such resolution.

11-70 EFFECTIVE DATE

This resolution shall take effect one year after the date of its approval by the Board of Estimate.

After the date of approval by the Board of Estimate, applications for permits to build in accordance with the provisions of this resolution may be filed with and approved by the Department of Buildings, provided that no building permit shall be lawfully issued under this resolution until such effective date or thereafter.

## Chapter 2 Construction of Language and Definitions

### 12-00 RULES FOR CONSTRUCTION OF LANGUAGE

#### 12-01

#### Rules Applying to Text of Resolution

The following rules of construction apply to the text of this resolution:

- (a) The particular shall control the general.
- (b) In case of any difference of meaning or implication between the text of this resolution and any caption, illustration, summary table, or illustrative table, the text shall control.
- (c) The word "shall" is always mandatory and not discretionary. The word "may" is permissive.
- (d) Words used in the present tense shall include the future; and words used in the singular number shall include the plural, and the plural the singular, unless the context clearly indicates the contrary.
- (e) A "building" or "structure" includes any part thereof.
- (f) The phrase "used for" includes "arranged for," "designed for," "intended for," "maintained for," or "occupied for."
- (g) The word "person" includes an individual, a corporation, a partnership, an incorporated association, or any other similar entity.
- (h) Unless the context clearly indicates the contrary, where a regulation involves two or more items, conditions, provisions, or events connected by the conjunction "and," "or," or "either . . . or," the conjunction shall be interpreted as follows:
  - (1) "And" indicates that all the connected items, conditions, provisions, or events shall apply.
  - (2) "Or" indicates that the connected items, conditions, provisions, or events may apply singly or in any combination.
  - (3) "Either . . . or" indicates that the connected items, conditions, provisions or events shall apply singly but not in combination.
- (i) The word "includes" shall not limit a term to the specified examples, but is intended to extend its meaning to all other instances or circumstances of like kind or character.
- (j) References within a Section or cross-references to a Section numbered with four digits shall include all following Sections with numbers whose first four digits are identical with such Section number; but references or cross-references to a Section numbered with five digits shall refer only to such specific five-digit Section.

#### 12-02

#### Rules for Interpretation of Columnar Chart

The columnar chart appearing at the right side of certain pages of this resolution is an integral part of the text of this resolution. When one or more district designations appear in such columnar chart opposite a Section of the text of this resolution, such Section applies to such district or districts.

When a Section includes a table, and one or more district designations appear in the columnar chart opposite a specific item or number in such table, such item or number applies specifically to such district or districts only.

A double line drawn across the columnar chart indicates the end of the applicability of a Section to the district or districts designated. A single line underlining an item or number in a table and one or more district designations in the columnar chart indicates that such item or number applies only to such district or districts, but does not end the applicability of the Section to the districts designated in subsequent portions of the table or of the Section.

For a Section in which the columnar chart is not utilized, the provisions of such Section shall be construed to apply to all districts under consideration in the Article in which the Section appears, or, if specified, only to those districts set forth in the Section itself. For this purpose, Article II applies to all *Residence Districts*, Article III applies to all *Commercial Districts*, and Article IV applies to all *Manufacturing Districts*. All other Articles apply to all districts, unless otherwise provided.

### 12-10 DEFINITIONS

Words in the text or tables of this resolution which are *italicized* shall be interpreted in accordance with the provisions set forth in this Section.

#### Accessory use, or accessory

An "accessory use":

- (a) Is a *use* conducted on the same *zoning lot* as the principal *use* to which it is related (whether located within the same or an *accessory building or other structure*, or as an *accessory use* of land), except that, where specifically provided in the applicable district regulations, *accessory off-street parking or loading* need not be located on the same *zoning lot*; and
- (b) Is a *use* which is clearly incidental to, and customarily found in connection with, such principal *use*; and
- (c) Is either in the same ownership as such principal *use*, or is operated and maintained on the same *zoning lot* substantially for the benefit or convenience of the owners, occupants, employees, customers, or visitors of the principal *use*.

When "accessory" is used in the text, it shall have the same meaning as *accessory use*.

An *accessory use* includes:

- (a) Living or sleeping accommodations for servants
- (b) Living or sleeping accommodations for caretakers in connection with any *use* listed in Use Group 3 through 18, inclusive
- (c) Living or sleeping accommodations for employees in connection with *commercial or manufacturing uses*
- (d) Keeping of domestic animals, but not for sale or hire. A commercial stable or kennel is not an *accessory use*.
- (e) Swimming pools not located within a *building* listed in Use Group 1 or 2, provided that:

(Continued on next page)

## 12-10 (Continued)

(1) The use of such pools shall be restricted to occupants of the principal *use* and guests for whom no admission or membership fees are charged;

(2) If *accessory* to a *use* listed in Use Group 2, the edge of the pool shall be located not less than 100 feet from any *lot line*;

(3) If *accessory* to a *use* listed in Use Group 1, the edge of the pool shall be located not less than 10 feet from any *lot line*, and in the event that such pool is located less than 50 feet from any *rear lot line* or *side lot line*, it shall be screened by a continuous fence, supplemented with a strip of densely planted trees or shrubs at least four feet high at the time of planting, along such *rear lot line* and that portion of any *side lot line* adjacent to such pool;

(4) Illumination of such pools shall be limited to underwater lighting.

Swimming pool clubs are not *accessory uses*.

(f) Domestic or agricultural storage in a barn, shed, tool room, or similar *building or other structure*

(g) *Home occupations*

(h) A newsstand primarily for the convenience of the occupants of a *building*, which is located wholly within such *building* and has no exterior *signs* or displays

(j) Incinerators

(k) In connection with *commercial* or *manufacturing uses*, the storage of goods normally carried in stock, used in, or produced by such *uses*, unless the storage is expressly prohibited under the applicable district regulations. The *floor area* used for such *accessory* storage shall be included in the maximum *floor area* permitted for specified *uses* set forth in the Use Groups.

(l) Incidental repairs, unless expressly prohibited under the applicable district regulations. The *floor area* used for such *accessory* repairs shall be included in the maximum *floor area* permitted for specified *uses* set forth in the Use Groups.

(m) The removal for sale of sod, loam, clay, sand, gravel, or stone in connection with the construction of a *building or other structure* on the same *zoning lot*, or in connection with the regrading of a *zoning lot*, but in the latter case not below the legal *street grade*

(n) *Accessory* off-street parking spaces, open or enclosed

(o) *Accessory* off-street loading berths

(p) *Accessory signs*

(q) *Accessory* radio or television towers

(r) *Accessory* activities when conducted underground as part of the operation of railroad passenger terminals, such as switching, storage, maintenance, or servicing of trains.

## Alterations, incidental, or to alter incidentally

"Incidental alterations" are:

(a) Changes or replacements in the non-structural parts of a *building or other structure*, without limitation to the following examples:

(1) Alteration of interior partitions to improve livability in a *non-conforming residential building*, provided that no additional *dwelling units* are created thereby

(2) A minor addition on the exterior of a *residential building*, such as an open porch

(3) Alteration of interior non-load-bearing partitions in all other types of *buildings or other structures*

(4) Replacement of, or minor changes in, the capacity of utility pipes, ducts, or conduits; or

(b) Changes or replacements in the structural parts of a *building or other structure*, limited to the following examples or others of similar character or extent:

(1) Making windows or doors in exterior walls

(2) Replacement of *building facades*

(3) Strengthening the load-bearing capacity, in not more than 10 percent of the total *floor area*, to permit the accommodation of a specialized unit of machinery or equipment.

To "alter incidentally" is to make an *incidental alteration*.

## Arcade

An "arcade" is a continuous area open to a *street* or to a *plaza*, which is open and unobstructed to a height of not less than 12 feet, is accessible to the public at all times, and either:

(a) Adjoins a *front lot line* or a *plaza boundary*, is not less than 10 feet or more than 30 feet in depth (measured perpendicular to the *front lot line* or *plaza boundary* which it adjoins), and extends for the full length of, or at least 50 feet along, such *front lot line* or *plaza boundary*, whichever is the lesser distance; or

(b) On a *corner lot*, is bounded on two sides by the two intersecting *street lines*, and has an area of not less than 500 square feet and a minimum dimension of 10 feet.

Such an *arcade* shall not at any point be above the level of the *street* or *plaza* which it adjoins, whichever is higher. Any portion of an *arcade* occupied by *building* columns shall be considered to be part of the area of the *arcade* for the purpose of computing a *floor area* bonus.

## Area of restricted access

An "area of restricted access" relating to an entrance to or exit from a *school*, playground, park, or other facility shall include:

(a) The entire frontage to the nearest intersecting *street*, in both directions from such entrance or exit, on both sides of the *street* on which such entrance or exit is located, but in no event shall such area extend more than 300 feet, measured in a straight line, in either direction from such entrance or exit, and

(b) Any area within 200 feet, measured along the customary lines of pedestrian travel, from such entrance or exit.

## Automotive service station

An "automotive service station" is a *building or other structure* or a tract of land used exclusively

(Continued on next page)

## 12-10 (Continued)

for the storage and sale of gasoline or other motor fuels and for any *uses accessory* thereto.

The sale of lubricants, accessories, or supplies, the lubrication of motor vehicles, the minor adjustment or repair of motor vehicles with hand tools only, or the occasional washing of motor vehicles are permitted *accessory uses*.

A *public parking lot* or *public parking garage* is not a permitted *accessory use*. For the purposes of this definition, ownership of a *zoning lot* to be used for an *automotive service station* shall be deemed to include a lease of not less than 10 years duration.

**Basement**

A "basement" is a *story* (or portion of a *story*) partly below *curb level*, with at least one-half of its height (measured from floor to ceiling) above *curb level*. On *through lots* the *curb level* nearest to a *story* (or portion of a *story*) shall be used to determine whether such *story* (or portion of a *story*) is a *basement*.

**Block**

A "block" is a tract of land bounded by:

- (a) *Streets*,
- (b) *Public parks*,
- (c) Railroad rights-of-way, when located at or above ground level but not including sidings or spurs in the same ownership as the *zoning lot*,
- (d) Airport boundaries,
- (e) Pierhead lines (or shore lines, where no pierhead lines have been established), or
- (f) Corporate boundary lines of New York City.

**Boatel**

A "boatel" is a *building* or group of *buildings* which:

- (a) Contains living or sleeping accommodations used primarily for transient occupancy, and
- (b) Is immediately accessible by boat.

**Building**

A "building" is any structure which:

- (a) Is permanently affixed to the land, and
- (b) Has one or more floors and a roof, and
- (c) Is bounded by either open area or the *lot lines* of a *zoning lot*.

A *building* shall not include such structures as billboards, fences, or radio towers, or structures with interior surfaces not normally accessible for human use, such as gas holders, tanks, smoke stacks, grain elevators, coal bunkers, oil cracking towers, or similar structures.

A *building* may, for example, consist of a one-family *detached residence*, a two-family *residence*, either a row house or a series of row houses (depending on location of *lot lines*), a row of garden apartments with individual entrances, or an apartment house; a single store or a row of stores (depending on location of *lot lines*); or a single factory or a loft.

**Building, mixed**

A "mixed building" is a *building* in a *Commercial District* used partly for *residential use* and partly for *community facility* or *commercial use*.

**Building or other structure**

A "building or other structure" includes any *building* or any other structure of any kind.

**Building, residential (see Residence)****Bulk**

"Bulk" is the term used to describe the size of *buildings* or *other structures*, and their relationships to each other and to open areas and *lot lines*, and therefore includes:

- (a) The size (including height and *floor area*) of *buildings* or *other structures*, and
- (b) The area of the *zoning lot* upon which a *residential building* is located, and the number of *dwelling units* or *rooms* within such *building* in relation to the area of the *zoning lot*, and
- (c) The shape of *buildings* or *other structures*, and
- (d) The location of exterior walls of *buildings* or *other structures* in relation to *lot lines*, to other walls of the same *building*, to *legally required windows*, or to other *buildings* or *other structures*, and
- (e) All open areas relating to *buildings* or *other structures* and their relationship thereto.

**Cellar**

A "cellar" is a space wholly or partly below *curb level*, with more than one-half its height (measured from floor to ceiling) below *curb level*. On *through lots* the *curb level* nearest to such space shall be used to determine whether such space is a *cellar*.

**Commercial building**

A "commercial building" is a *building* used only for a *commercial use*.

**Commercial District**

A "Commercial District" includes any district whose designation begins with the letter "C."

A "C1 District" includes any district whose designation begins with the symbol "C1".

A "C2 District" includes any district whose designation begins with the symbol "C2".

A "C4 District" includes any district whose designation begins with the symbol "C4".

A "C5 District" includes any district whose designation begins with the symbol "C5".

A "C6 District" includes any district whose designation begins with the symbol "C6".

A "C8 District" includes any district whose designation begins with the symbol "C8".

**Commercial use**

A "commercial use" is any *use* listed in Use Groups 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, or 16.

**Community facility building**

A "community facility building" is a *building* used only for a *community facility use*.



12-10 (Continued)

**Community facility use**

A "community facility use" is any use listed in Use Group 3 or 4.

**Completely enclosed**

A "completely enclosed" building is a building separated on all sides from the adjacent open area, or from other buildings or other structures, by a permanent roof and by exterior walls or party walls, pierced only by windows or entrances or exit doors normally provided for the accommodation of persons, goods, or vehicles. However, a public parking garage, or a building containing accessory off-street parking spaces which has less than 50 percent of its outer wall space open, shall be considered a completely enclosed building.

**Court**

A "court" is either an inner court or an outer court.

**Court, depth of outer**

The "depth of outer court" is the maximum horizontal distance between the opening of an outer court and the wall opposite such opening, measured perpendicular to the direction of the outer court opening. The opening of an outer court shall be considered the shortest imaginary line which can be drawn between any intersection of a court wall with another wall, and the opposite court wall.

**Court, inner**

An "inner court" is any open area, other than a yard or portion thereof, which is unobstructed from its lowest level to the sky and which is bounded by either:

- (a) Building walls, or
- (b) Building walls and one or more lot lines other than a front lot line, or
- (c) Building walls, except for one opening on any open area along a side lot line or rear lot line which has a width of less than 30 feet at any point.

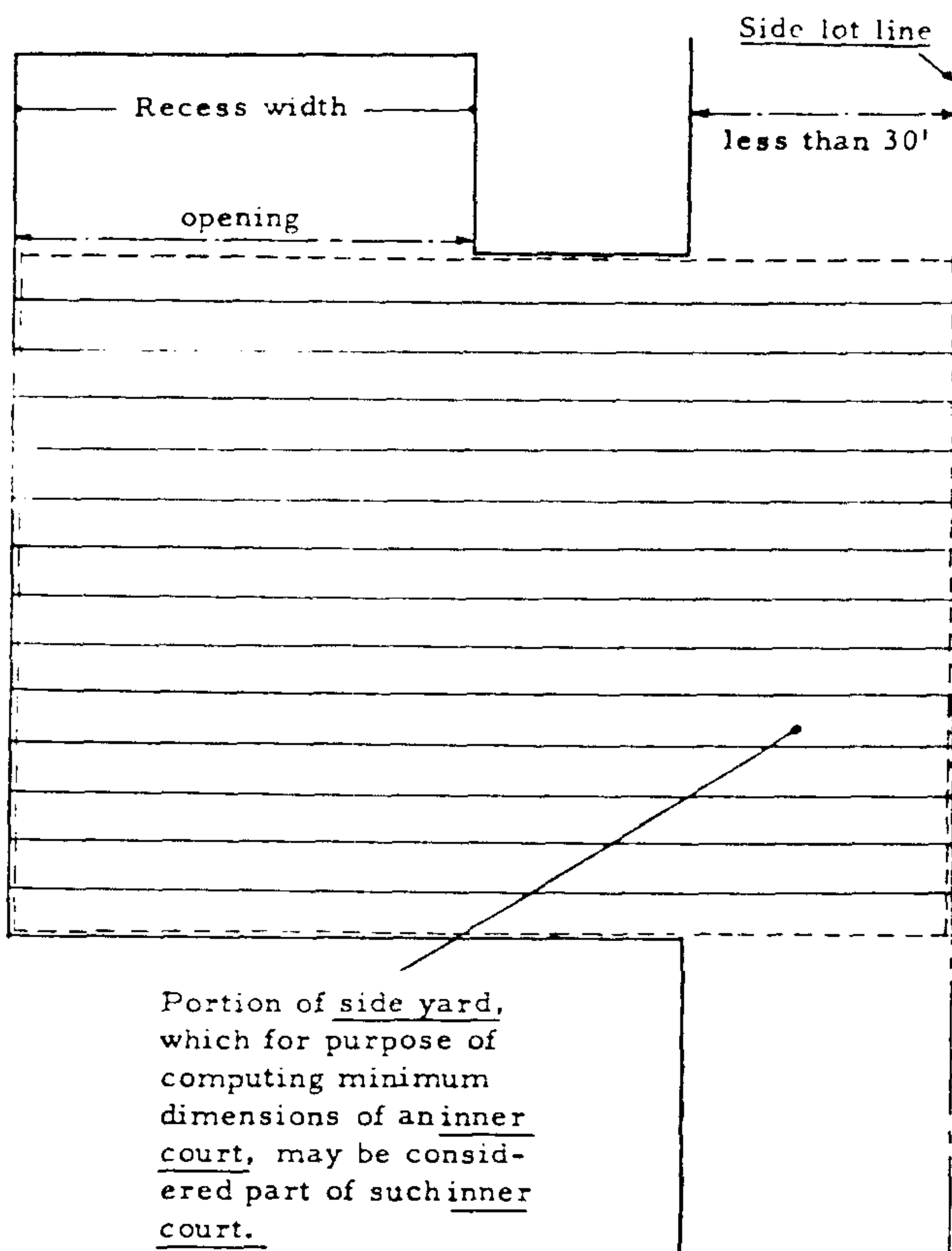


ILLUSTRATION OF INNER COURT RECESS

**Court recess, inner**

An "inner court recess" is any portion of an inner court which cannot be included within the single largest horizontal rectangle which may be inscribed within such inner court.

**Court, outer**

An "outer court" is any open area, other than a yard or portion thereof, which is unobstructed from its lowest level to the sky and which, except for one opening upon:

- (a) A front lot line,
- (b) A front yard,
- (c) A rear yard, or
- (d) Any open area along a rear lot line, or along a side lot line having a width or depth of at least 30 feet, and which open area extends along the entire length of such rear or side lot line,

is bounded by either:

- (a) Building walls, or
- (b) Building walls and one or more lot lines other than a front lot line.

**Court recess, outer**

An "outer court recess" is any portion of an outer court which, when viewed directly from above, cannot be covered by imaginary lines drawn perpendicular to a line drawn across the outer court opening.

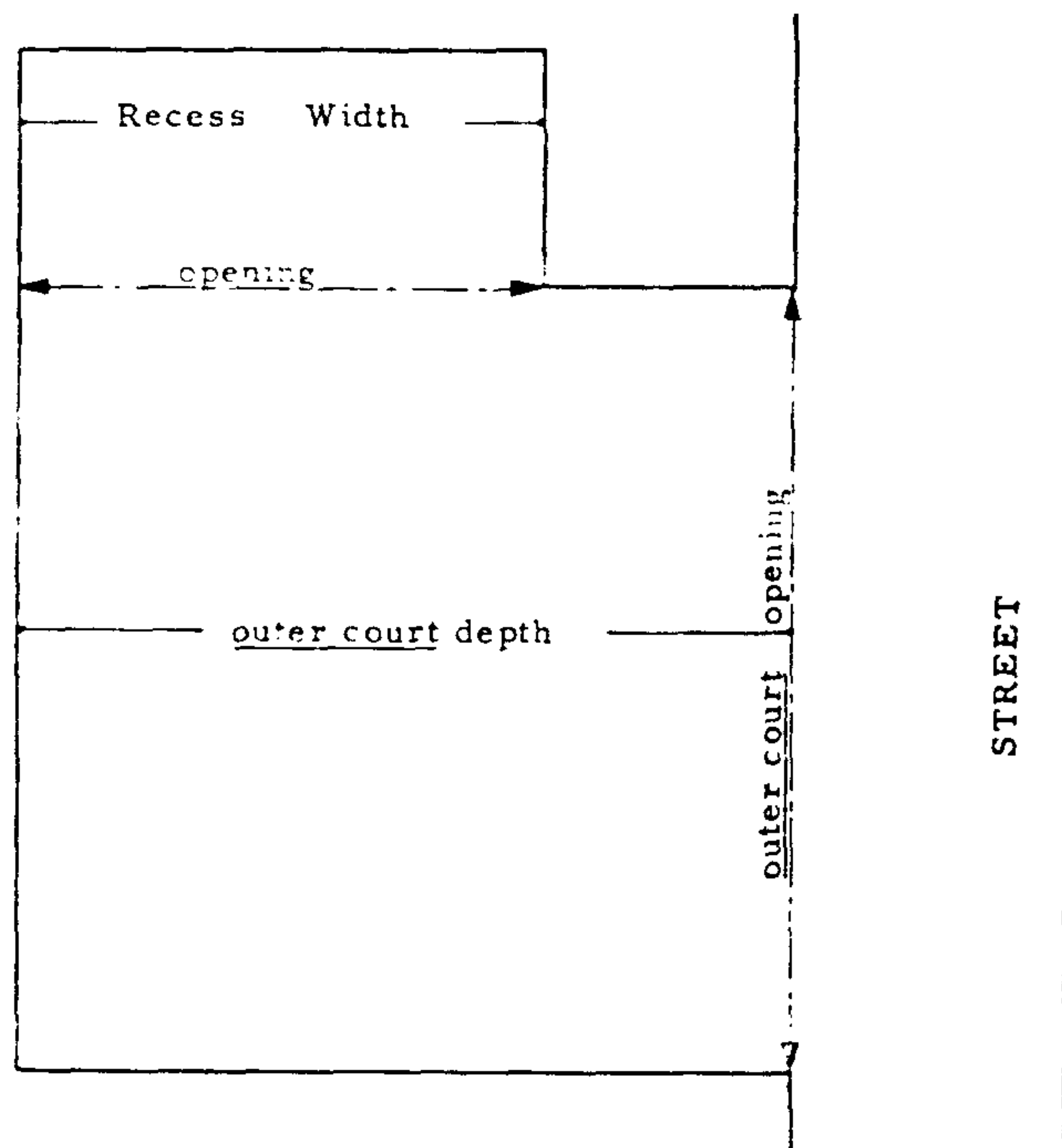


ILLUSTRATION OF OUTER COURT RECESS

**Court, width of outer**

The "width of outer court" is the minimum horizontal dimension of an outer court, excluding an outer court recess, measured parallel to the opening of such outer court.

**Curb level**

"Curb level" is the mean level of the curb adjoining a zoning lot. On corner lots, curb level is the average of the mean levels of the adjoining curbs on the intersecting streets, except that, for the purpose of regulating and determining the level of yards, courts, or other open areas on corner lots, the curb level is the highest of the mean levels of the curbs on the intersecting streets. On through lots, the height and setback regulations based upon curb

(Continued on next page)

Italicized words are defined in Section 12-10.

## 12-10 (Continued)

level shall apply separately on each *street* on which such *through lot* fronts; and, for purposes of establishing the level of a *rear yard equivalent*, the *curb level* shall be the mean of the levels of the curbs on each *street* on which such *through lot* fronts.

**Designed for residential use**

A *building* "designed for residential use" is a *building*, located in a *Residence District*, which was originally designed for *residential use* and in which at least 25 percent of the *floor area* is occupied for *residential use*.

**Detached**

A "detached" *building* is a *building* surrounded by *yards* or other open area on the same *zoning lot*.

**Development, or to develop**

A "development" includes the construction of a new *building* or other *structure* on a *zoning lot*, the relocation of an existing *building* on another *zoning lot*, or the *use* of a tract of land for a new *use*.

To "develop" is to create a *development*.

**Dwelling unit**

A "dwelling unit" consists of one or more rooms in a *residential building* or *residential* portion of a *building*, which are arranged, designed, used, or intended for use by one or more persons living together and maintaining a common household, and which include lawful cooking space and lawful sanitary facilities reserved for the occupants thereof.

In counting the number of *rooms* in a *dwelling unit* for the purpose of determining the *lot area* requirements, no *rooming unit* shall be counted as part of the *dwelling unit*.

**Enlargement, or to enlarge**

An "enlargement" is an addition to the *floor area* of an existing *building*, an increase in the size of any other *structure*, or an increase in that portion of a tract of land occupied by an existing *use*.

To "enlarge" is to make an *enlargement*.

**Extension, or to extend**

An "extension" is an increase in the amount of existing *floor area* used for an existing *use*, within an existing *building*.

To "extend" is to make an *extension*.

**Family**

A "family" is either:

- (a) A single person occupying a dwelling and maintaining a household, including not more than one "boarder, roomer or lodger" as defined in Section D26-2.2 of the Multiple Dwelling Code, or
- (b) Two or more persons related by blood or marriage, occupying a dwelling, living together and maintaining a common household, including not more than one such boarder, roomer, or lodger, or
- (c) Not more than four unrelated persons occupying a dwelling, living together and maintaining a common household.

A common household shall be deemed to exist if all members thereof have access to all parts of the dwelling.

**Floor area**

"Floor area" is the sum of the gross areas of the several floors of a *building* or *buildings*, measured from the exterior faces of exterior walls or from the center lines of walls separating two *buildings*. In particular, *floor area* includes:

- (a) *Basement* space, except as specifically excluded in this definition
- (b) Elevator shafts or stairwells at each floor
- (c) Floor space in penthouses
- (d) Attic space (whether or not a floor has been laid) providing structural headroom of eight feet or more
- (e) Floor space in interior balconies or mezzanines
- (f) Floor space in open or roofed terraces, exterior balconies, breezeways or porches, if more than 50 percent of the perimeter of such terrace, balcony, breezeway, or porch is enclosed, and provided that a parapet not higher than three feet, eight inches, or a railing not less than 50 percent open and not higher than four feet, six inches, shall not constitute an enclosure.
- (g) Any other floor space used for dwelling purposes, no matter where located within a *building*, when not specifically excluded
- (h) Floor space in *accessory buildings*, except for floor space used for *accessory* off-street parking
- (i) Floor space used for permitted or required *accessory* off-street parking spaces located more than 23 feet above *curb level*
- (j) Floor space used for *accessory* off-street loading berths in excess of 200 percent of the amount required by the applicable district regulations
- (k) Any other floor space not specifically excluded.

However, the *floor area* of a *building* shall not include:

- (a) *Cellar* space, except that *cellar* space used for retailing shall be included for the purpose of calculating requirements for *accessory* off-street parking spaces and *accessory* off-street loading berths
- (b) Elevator or stair bulkheads, *accessory* water tanks, or cooling towers
- (c) Uncovered steps
- (d) Attic space, whether or not a floor actually has been laid, providing structural headroom of less than eight feet
- (e) Floor space in open or roofed terraces, exterior balconies, breezeways, or porches, provided that not more than 50 percent of the perimeter of such terrace, balcony, breezeway, or porch is enclosed, and provided that a parapet not higher than three feet, eight inches, or a railing not less than 50 percent open and not higher than four feet, six inches, shall not constitute an enclosure
- (f) Floor space used for permitted or required *accessory* off-street parking spaces located not more than 23 feet above *curb level*
- (g) Floor space used for *accessory* off-street loading berths, up to 200 percent of the amount required by the applicable district regulation

(Continued on next page)

## 12-10 (Continued)

## (h) Floor space used for mechanical equipment

(i) The lowest *story* (whether a *basement* or otherwise) of a *residential building*, provided that:

(1) Such *building* contains not more than two *stories* above such *story*, and

(2) Such *story* and the *story* immediately above it are portions of the same *dwelling unit*, and

(3) Such *story* is used as a furnace room, utility room, auxiliary recreation room, or for other purposes for which *basements* are customarily used, and

(4) Such *story* has at least one-half its height below the level of the ground along at least one side of such *building*, or such *story* contains a garage.

**Floor area ratio**

"Floor area ratio" is the total *floor area* on a *zoning lot*, divided by the *lot area* of that *zoning lot*. (For example, a *building* containing 20,000 square feet of *floor area* on a *zoning lot* of 10,000 square feet has a *floor area ratio* of 2.0)

**Group parking facility**

A "group parking facility" is a *building* or *other structure* or a tract of land used for the storage of motor vehicles, which contains more than one parking space, which has access to the *street* common to all spaces, and which, if *accessory* to a *residential use*, is designed to serve more than one *dwelling unit*.

A *group parking facility* shall include, but is not limited to, the following:

(a) An open parking area

(b) Parking spaces included within, or on the roof of, a *building* not primarily used for parking

(c) A *building* or *buildings* used primarily for parking, including a group of individual garages.

**Height factor**

The "height factor" of a *building* is equal to the total *floor area* of the *building* divided by its *lot coverage*. If two or more *buildings* are located on the same *zoning lot*, their *height factor* is the sum of their *floor areas* divided by the sum of their *lot coverages*. The *height factor* is thus equal to the number of *stories*, if the *building* were erected without setbacks. In computing a *height factor*, a fraction of .5 or more may be considered a whole number, and smaller fractions shall be disregarded.

**Home occupation**

A "home occupation" is an *accessory* use which:

(a) Is clearly incidental to or secondary to the *residential use* of a *dwelling unit* or *rooming unit*, and

(b) Is carried on within a *dwelling unit*, *rooming unit*, or *accessory building* by one or more occupants of such *dwelling unit* or *rooming unit*, except that, in connection with the practice of a profession, one person not residing in such *dwelling unit* or *rooming unit* may be employed, and

(c) Occupies not more than 25 percent of the total *floor area* of such *dwelling unit* or *room-*

*ing unit* and in no event more than 500 square feet of *floor area*.

In connection with the operation of a *home occupation* it shall not be permitted:

(a) To sell articles produced elsewhere than on the premises

(b) To have exterior displays, or a display of goods visible from the outside

(c) To store materials or products outside of a principal or *accessory building* or *other structure*

(d) To display, in an R1 or R2 District, a nameplate or other *sign* except as permitted in connection with the practice of a profession

(e) To make external structural alterations which are not customary in *residential buildings*

(f) To produce offensive noise, vibration, smoke, dust or other *particulate matter*, odorous matter, heat, humidity, glare, or other objectionable effects.

*Home occupations* include:

(a) Fine arts studios

(b) Professional offices

(c) Teaching of not more than four pupils simultaneously, or, in the case of musical instruction, of not more than a single pupil at a time.

However, *home occupations* shall not include:

(a) Advertising or public relations agencies

(b) Barber shops

(c) Beauty parlors

(d) Commercial stables or kennels

(e) Depilatory, electrolysis, or similar offices

(f) Interior decorators' offices or workshops

(g) Real estate or insurance offices

(h) Stockbrokers' offices.

**Hotel, apartment**

An "apartment hotel" is a *building* or part of a *building* in which:

(a) The *dwelling units* or *rooming units* are used primarily for permanent occupancy, and

(b) One or more common entrances serve all such units, and

(c) One or more of the following services are provided: maid, telephone, desk, or bellboy service, or the furnishing or laundering of linens.

Restaurants, cocktail lounges, or indoor swimming pools are permitted *accessory uses*, provided that in *Residence Districts*, such facilities shall be accessible only through the lobby and there shall be no *signs* except as permitted by the applicable district regulations. Public banquet halls, ballrooms, or meeting rooms are not permitted *accessory uses*.

**Hotel, transient**

A "transient hotel" is a *building* or part of a *building* in which:

(a) Living or sleeping accommodations are used primarily for transient occupancy, and may be rented on a daily basis, and

(b) One or more common entrances serve all such living or sleeping units, and

(Continued on next page)

## 12-10 (Continued)

(c) Twenty-four hour desk service is provided, in addition to one or more of the following services: maid, telephone, or bellboy service, or the furnishing or laundering of linens.

Permitted *accessory uses* include restaurants, cocktail lounges, public banquet halls, ballrooms, or meeting rooms.

**Initial setback distance**

An "initial setback distance" is a horizontal distance measured from a *street line* into a *zoning lot* for a depth as set forth in the district regulations.

**Land with minor improvements**

"Land with minor improvements" is a tract of land which:

(a) Does not involve any *building* or *other structure*; or

(b) Involves *buildings* or *other structures*, or other improvements, located underground or substantially at ground level, with a total assessed valuation of less than \$2,000, as determined from the assessment rolls in effect on the applicable date on which such *use* is changed, damaged or destroyed, or to be terminated, in accordance with the provisions of Sections 52-32, 52-52, or 52-72 (Land with Minor Improvements).

**Large-scale community facility development**

A "large-scale community facility development" is a *development* or *enlargement* used for *community facility uses*, on a tract of land containing a single *zoning lot* or two or more *zoning lots* which are contiguous or would be contiguous but for their separation by a *street*, which tract of land:

(a) Has or will have an area of at least three acres, and

(b) Is designated by its owner as a tract, all of which is to be used, *developed*, or *enlarged* as a unit under single ownership.

For the purposes of this definition, ownership shall include a lease of not less than 50 years duration, with an option to renew such lease so as to provide a total lease of not less than 75 years duration, or possessory interest or control as evidenced by a binding agreement between two or more owners to develop such tract of land as a unit.

Such tract of land may include any land occupied by *buildings* existing at the time an application is submitted to the City Planning Commission under the provisions of Article VII, Chapter 8, provided that such *buildings* form an integral part of the planned *development* or *enlargement*.

**Large-scale residential development**

A "large-scale residential development" is a *development* used for *residential uses*, on a tract of land containing a single *zoning lot* or two or more *zoning lots* which are contiguous or would be contiguous but for their separation by a *street*, which tract of land:

(a) Has or will have an area of at least 20 acres, or an area of at least three acres and a total of at least 500 *dwelling units*, and

(b) Is designated by its owner as a tract, all of which is to be used or *developed* as a unit under single ownership.

For the purposes of this definition, ownership shall include a lease of not less than 50 years duration, with an option to renew such lease so as to provide a total lease of not less than 75 years duration.

**Legally required window**

A "legally required window" is a window or portion of a window (including a window either in addition to or as a substitute for mechanical ventilation) which is required by any applicable law or statute to provide light or ventilation to a "living room," as defined in Section 4 of the Multiple Dwelling Law.

**Lot area**

"Lot area" is the area of a *zoning lot*, provided that if a *zoning lot* includes any part of the area of a *street* closed subsequent to the effective date of this resolution, not more than one-half the area of such closed *street* shall be counted as *lot area*, and provided further, that in *Commercial* or *Manufacturing Districts*, if the total area of *streets* so closed exceeds 20 percent of the total *zoning lot*, the entire area of such *streets* in excess of such 20 percent may be counted as *lot area* for any permitted *commercial* or *manufacturing use*.

**Lot area per dwelling unit**

"Lot area per dwelling unit" is that portion of the *lot area* required for each *dwelling unit* located on a *zoning lot*.

**Lot area per room**

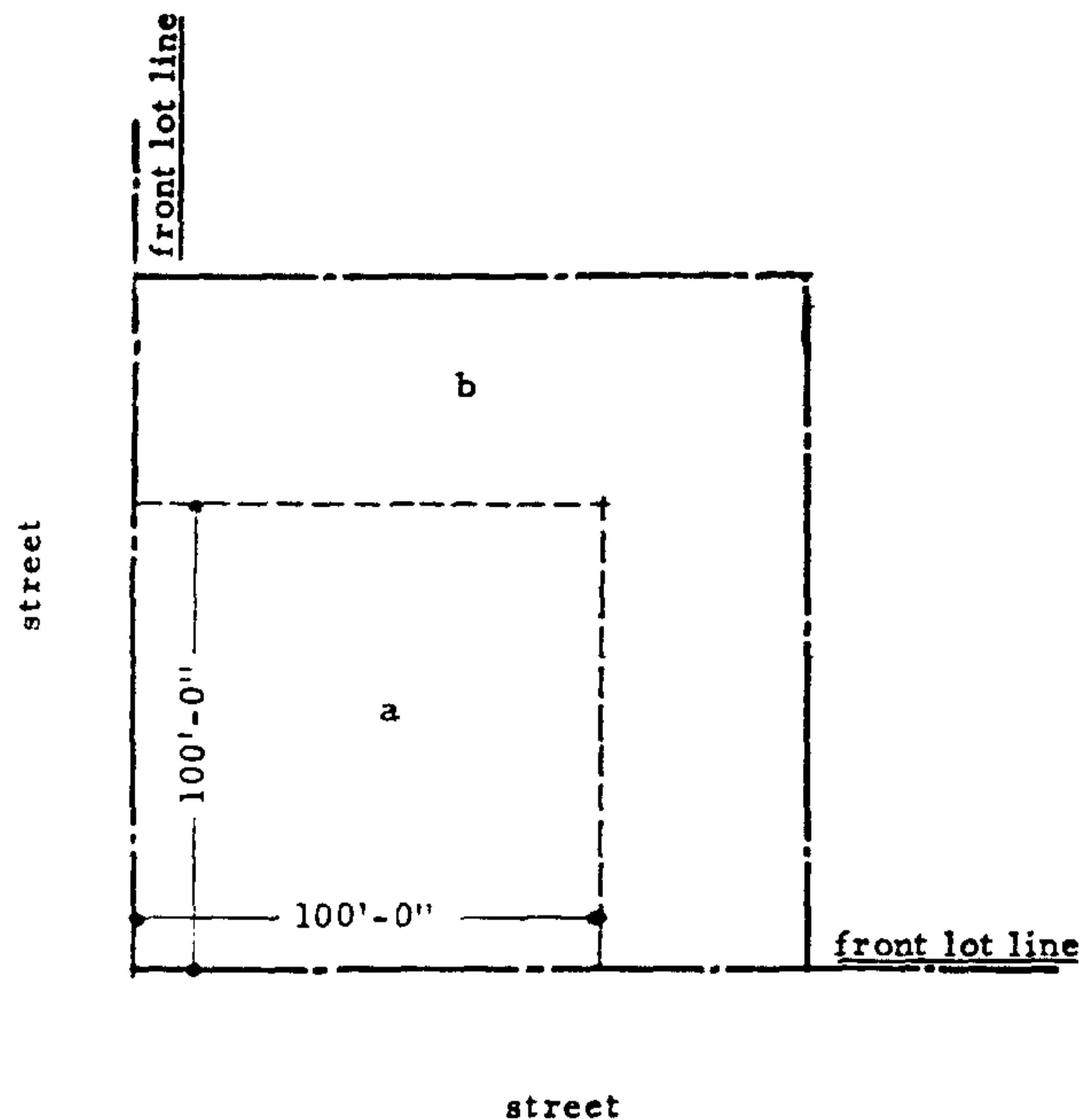
"Lot area per room" is that portion of the *lot area* required for each *room* located on a *zoning lot*.

**Lot, corner**

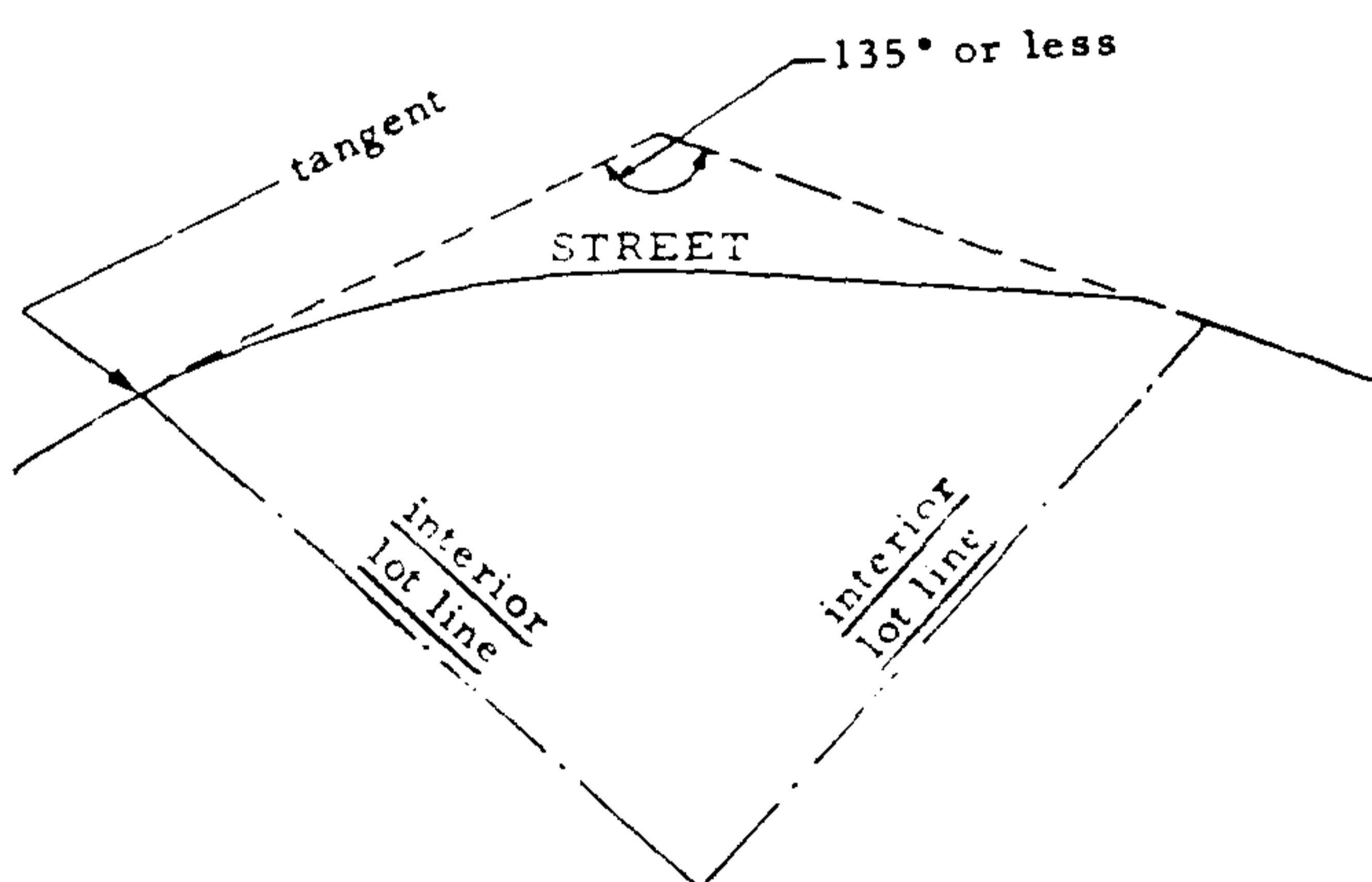
A "corner lot" is either a *zoning lot* bounded entirely by *streets*, or a *zoning lot* which adjoins the point of intersection of two or more *streets* and in which the interior angle formed by the extensions of the *street lines* in the directions which they take at their intersections with *lot lines* other than *street lines*, forms an angle of 135 degrees or less. In the event that any *street line* is a curve at its point of intersection with a *lot line* other than a *street line*, the tangent to the curve at that point shall be considered the direction of the *street line*. Any portion of a *corner lot* whose nearest frontage is more than 100 feet from the point of intersection of the two *street lines* or of the two tangents shall be subject to the regulations for a *through lot* or for an *interior lot*, whichever is applicable, and shall be required to provide a *rear yard* or *rear yard equivalent* as if such portion were a separate *zoning lot*.

(Continued on next page)

12-10 (Continued)



- a portion of corner lot subject to corner lot regulations
- b portion of corner lot subject to interior or through lot regulations.



ILLUSTRATIONS OF CORNER LOT

Lot coverage

"Lot coverage" is that portion of a zoning lot which, when viewed directly from above, would be covered by a building or any part of a building. However, for purposes of computing a height factor, any portion of such building covered by a roof which qualifies as open space, or any terrace, balcony, breezeway, or porch or portion thereof not included in the floor area of a building, shall not be included in lot coverage.

Lot depth

"Lot depth" is the mean horizontal distance between the front lot line and rear lot line of a zoning lot. In the case of a corner lot, the lot depth is the greater of the mean horizontal distances between the front lot lines and the respective side lot line opposite each.

Lot, interior

An "interior lot" is any zoning lot neither a corner lot nor a through lot.

Lot line

A "lot line" is a boundary of a zoning lot.

Lot line, front

A "front lot line" is a street line.

Lot line, rear

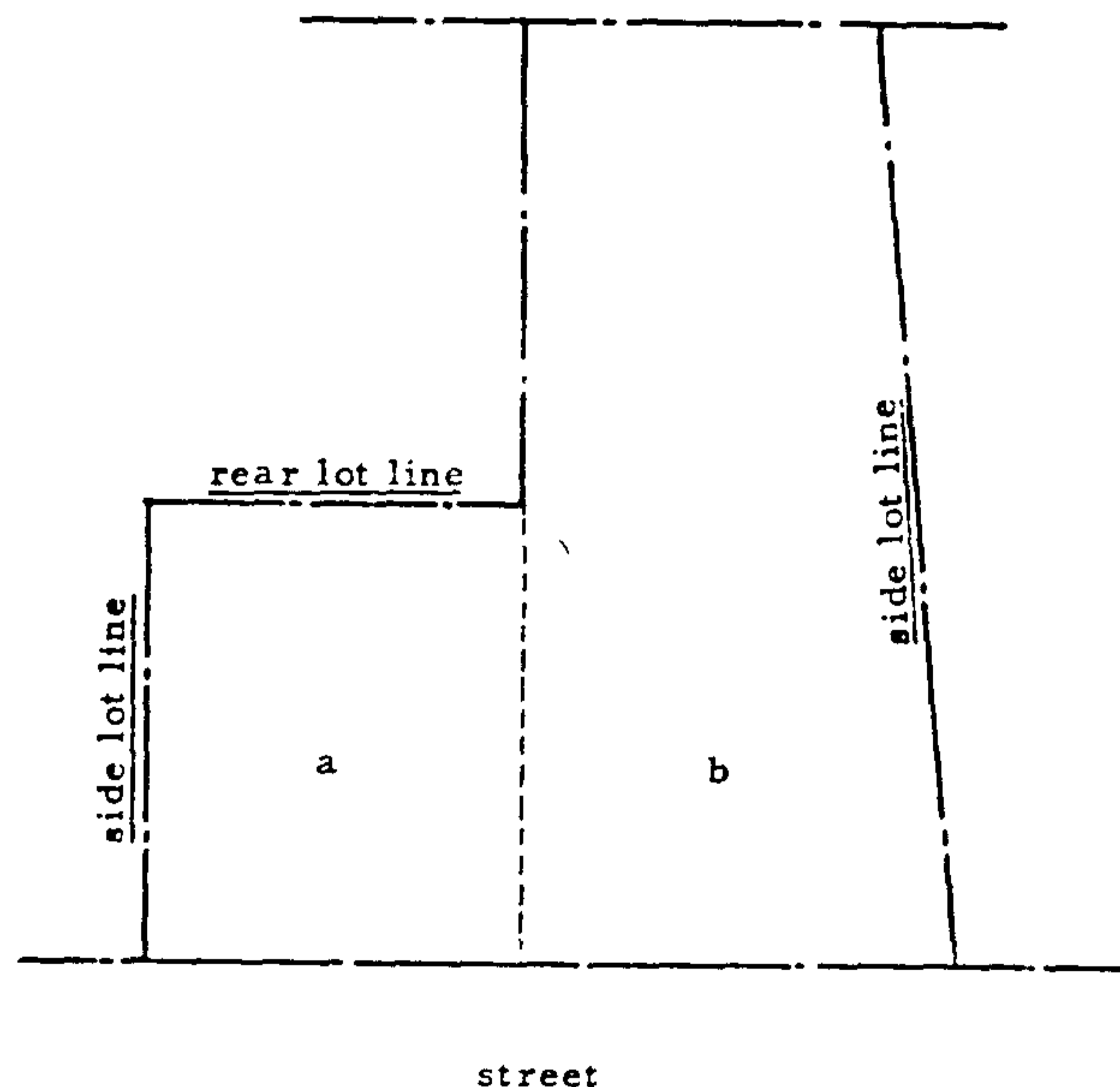
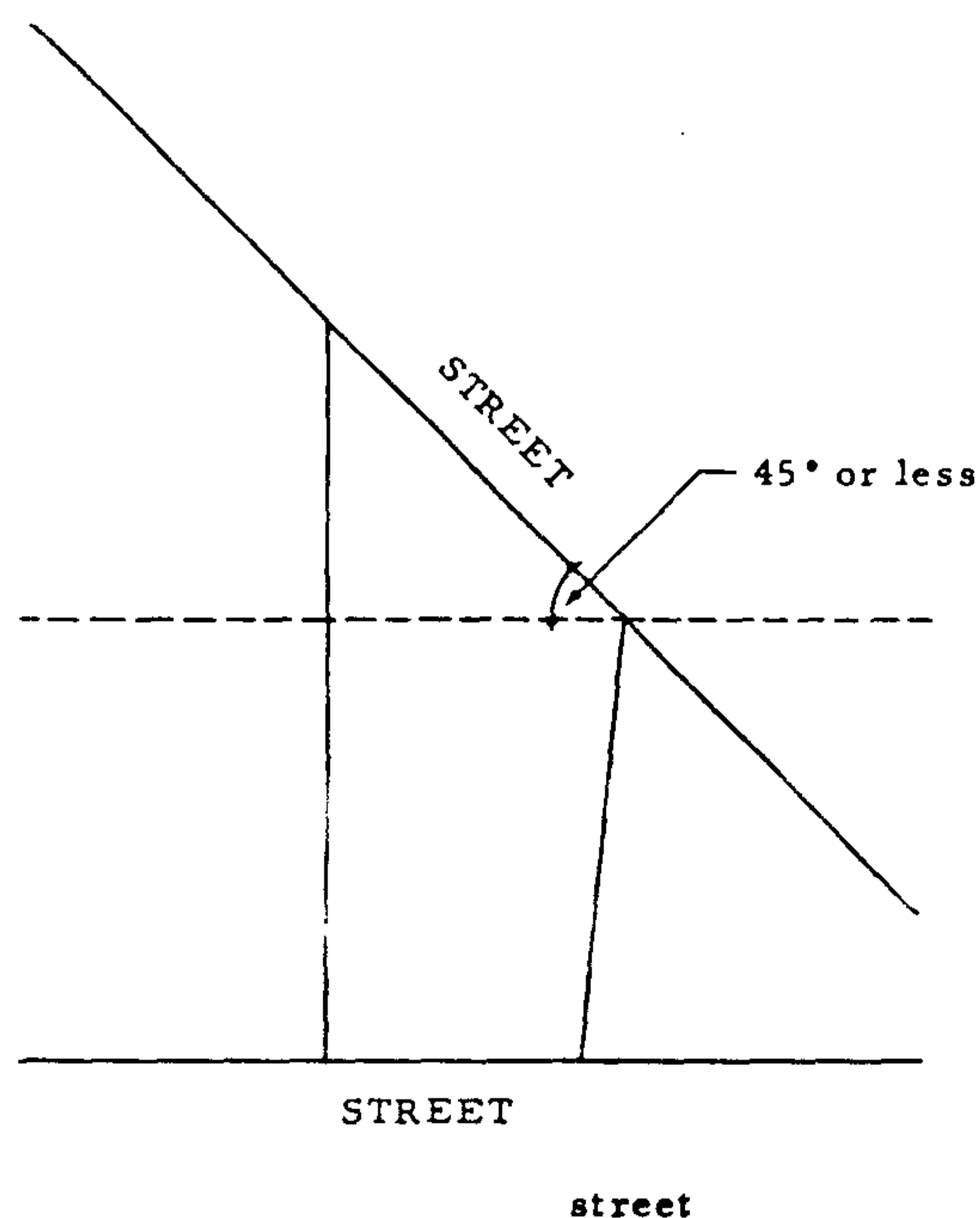
A "rear lot line" is any lot line of a zoning lot, except a front lot line, which is parallel or within 45 degrees of being parallel to, and does not intersect, any street line bounding such zoning lot.

Lot line, side

A "side lot line" is any lot line which is not a front lot line or a rear lot line.

Lot, through

A "through lot" is any zoning lot, not a corner lot, which adjoins two street lines opposite to each other and parallel or within 45 degrees of being parallel to each other. Any portion of a through lot which is not or could not be bounded by two such opposite street lines and two straight lines intersecting such street lines shall be subject to the regulations for an interior lot.



- a portion of lot subject to interior lot regulations
- b portion of lot subject to through lot regulations

ILLUSTRATIONS OF THROUGH LOT

Italicized words are defined in Section 12-10.

## 12-10 (Continued)

**Lot width**

"Lot width" is the mean horizontal distance between the *side lot lines* of a *zoning lot*.

Lot, zoning (see Zoning lot)

**Manufacturing District**

A "Manufacturing District" includes any district whose designation begins with the letter "M".

An "M1" District includes any district whose designation begins with the symbol "M1".

An "M2" District includes any district whose designation begins with the symbol "M2".

An "M3" District includes any district whose designation begins with the symbol "M3".

**Manufacturing use**

A "manufacturing use" is any *use* listed in Use Group 17 or 18.

**Motel or tourist cabin**

A "motel" or "tourist cabin" is a *building* or group of *buildings* which:

(a) Contains living or sleeping accommodations used primarily for transient occupancy, and

(b) Has individual entrances from outside the *building* to serve each such living or sleeping unit.

**Non-complying, or non-compliance**

A "non-complying" *building* or *other structure* is any lawful *building* or *other structure* which does not comply with any one or more of the applicable district *bulk* regulations either on the effective date of this resolution or as a result of a subsequent amendment thereto.

A "non-compliance" is a failure by a *non-complying building* or *other structure* to comply with any one of such applicable *bulk* regulations.

**Non-conforming, or non-conformity**

A "non-conforming" *use* is any lawful *use*, whether of a *building* or *other structure* or of a tract of land, which does not conform to any one or more of the applicable *use* regulations of the district in which it is located, either on the effective date of this resolution or as a result of any subsequent amendment thereto.

A *non-conforming use* shall result from failure to conform to the applicable district regulations on either permitted Use Groups or performance standards.

A "non-conformity" is a failure by a *non-conforming use* to conform to any one of such applicable *use* regulations.

However, no existing *use* shall be deemed *non-conforming*, nor shall a *non-conformity* be deemed to exist, solely because of any of the following:

(a) The existence of less than the required *accessory* off-street parking spaces or loading berths; or

(b) The existence of *non-conforming accessory signs*; or

(c) The existence of conditions in violation of the provisions of either Sections 32-41 to 32-43, inclusive, relating to Supplementary Use Regulations, or Sections 32-51 and 32-52 relating to Special Provisions Applying along Dis-

trict Boundaries, or Sections 42-41 to 42-45, inclusive, relating to Supplementary Use Regulations and Special Provisions Applying along District Boundaries.

**Open space**

"Open space" is that part of a *zoning lot*, including *courts* or *yards*, which:

(a) Is open and unobstructed from its lowest level to the sky, except as provided below, and

(b) Is accessible to and usable by all persons occupying a *dwelling unit* or a *rooming unit* on the *zoning lot*, and

(c) Is not part of the roof of that portion of a *building* containing *dwelling units* or *rooming units*.

*Open space* may include roofed areas the total area of which is less than 10 percent of the unroofed or uncovered area of a *zoning lot*, provided that such roofed area is not enclosed on more than one side, or on more than 10 percent of the perimeter of the roofed area, whichever is greater.

The roof of a garage attached to a *residential building*, or of a garage portion of a *residential building*, or of a portion of a *mixed building* used for other than *residences*, or of a *community facility building* or portion of a *building* used for *community facility use*, may be considered as *open space* if such roof area meets the requirements set forth in this definition, and:

(a) Is not higher than 23 feet above *curb level*, provided that this restriction does not apply to the roof of a portion of a *building* used for other than *residences*, and

(b) Is at least two and one-half feet below the sill level of all *legally required windows* opening on such roof area, and

(c) Is directly accessible by a passageway from a *building*, or by a ramp (with a grade of less than 10 percent) from a *building*, *yard*, *court*, or *street*, except that in R8 or R9 Districts such roof area need not be accessible to occupants and is therefore exempt from this requirement, and

(d) Has no dimension less than 25 feet; except that in R8 or R9 Districts, when such roof area adjoins a *street line* or a *rear yard*, it may have a minimum depth of nine feet and a minimum length, along such *street line* or *rear yard*, equal to at least twice its depth, or the full width of the *zoning lot*, or 50 feet, whichever is the least distance.

**Open space ratio**

The "open space ratio" of a *zoning lot* is the number of square feet of *open space* on the *zoning lot*, expressed as a percentage of the *floor area* on that *zoning lot*. (For example, if for a particular *building* an *open space ratio* of 20 is required, 20,000 square feet of *floor area* in the *building* would necessitate 4,000 square feet of *open space* on the *zoning lot* upon which the *building* stands; or, if 6,000 square feet of *lot area* were in *open space*, 30,000 square feet of *floor area* could be in the *building* on that *zoning lot*.) Each square foot of *open space* per 100 square feet of *floor area* is referred to as one point.

**Plaza**

A "plaza" is an open area accessible to the public at all times, which is either:

(a) A continuous open area along a *front lot line*, not less than 10 feet deep (measured per-

(Continued on next page)

## 12-10 (Continued)

pendicular to the *front lot line*), with an area of not less than 750 square feet, and extending for its entire depth along the full length of such *front lot line* or for a distance of at least 50 feet thereof, whichever is the lesser distance; or

(b) A continuous open area on a *through lot*, extending from *street* to *street* and not less than 40 feet in width, measured perpendicular to the nearest *side lot line*; or

(c) On a *corner lot*, an open area of not less than 500 square feet, which is bounded on two sides by the two intersecting *street lines* and which has a minimum dimension of 10 feet; or

(d) An open area of not less than 8,000 square feet, with a minimum dimension of 80 feet and which is bounded on one side by a *front lot line* or which is connected to the *street* by means of an *arcade* or by an open area not less than 40 feet wide.

Except for an open area as set forth in (d) above, no portion of such an open area which is bounded on all sides, except for one opening, by either *building walls*, or *building walls* and a *side lot line*, shall be considered part of the *plaza*, unless the opening of such portion is at least 50 feet in width.

A *plaza* shall not at any point be more than five feet above the *curb level* of the nearest adjoining *street*, and shall be unobstructed from its lowest level to the sky, except that those obstructions permitted in Sections 23-44, 24-33, 33-23, or 43-23 (Permitted Obstructions in Required Yards or Rear Yard Equivalents) shall also be considered permitted obstructions in *plazas*.

**Public park**

A "public park" is any publicly-owned park, playground, beach, parkway, or roadway within the jurisdiction and control of the Commissioner of Parks, except for park strips or malls in a *street* the roadways of which are not within his jurisdiction and control.

**Public parking garage**

A "public parking garage" is a *building* or other *structure* which:

(a) Provides parking or storage for motor vehicles, but not for commercial or public utility vehicles or the dead storage of motor vehicles, and

(b) Is not *accessory* to a *use* on the same or another *zoning lot*.

Sale of motor fuel or motor oil or minor repairs incidental to the parking or storage of motor vehicles are permitted *accessory uses*, if carried on within a *completely enclosed building*.

**Public parking lot**

A "public parking lot" is any tract of land which:

(a) Is used for the parking or storage of motor vehicles, but not for commercial or public utility vehicles or the dead storage of motor vehicles, and

(b) Is not *accessory* to a *use* on the same or another *zoning lot*.

Minor repairs incidental to the parking or storage of motor vehicles is a permitted *accessory use*.

**Residence, or residential**

A "residence" is a *building* or part of a *building* containing *dwelling units* or *rooming units*, including one-family or two-family houses, multiple dwellings, boarding or rooming houses, or *apartment hotels*. However, *residences* do not include:

(a) Such transient accommodations as *transient hotels*, *motels* or *tourist cabins*, or *trailer camps*, or

(b) Dormitories, fraternity or sorority houses, monasteries, or convents, or

(c) Nurses' residences, sanitariums, nursing homes, or other living or sleeping accommodations in *community facility buildings* or portions of *buildings* used for *community facility uses*, or

(d) In a *mixed building*, that part of the *building* used for any non-residential uses, except *accessory* to *residential uses*.

"Residential" means pertaining to a *residence*.

**Residence District**

A "Residence District" includes any district whose designation begins with the letter "R."

An "R1" District includes any district whose designation begins with the symbol "R1".

An "R3" District includes any district whose designation begins with the symbol "R3".

An "R7" District includes any district whose designation begins with the symbol "R7".

**Residence, single-family**

A "single-family residence" is a *building* containing only one *dwelling unit* and occupied by only one *family*.

**Residence, two-family**

A "two-family residence" is a *building* containing only two *dwelling units*, and occupied by only two *families*.

**Residential use**

A "residential use" is any *use* listed in Use Group 1 or 2.

**Room**

The number of "rooms" in a *dwelling unit*, for the purpose of complying with the *lot area* requirements, is computed in the following manner:

(a) The number of "living rooms," as defined in Section 4 of the Multiple Dwelling Law, is determined, except that:

(1) Kitchens or other cooking spaces (without limit as to size) shall not be counted as "living rooms."

(2) Dining alcoves, dinettes, or other dining spaces (without limit as to size) when not separated by walls or doors from other "living rooms" or cooking spaces, shall not be counted as "living rooms."

(3) Dining rooms, in *dwelling units* containing three or more bedrooms, shall not be counted as "living rooms," except that such dining rooms may be counted in determining the degree of *non-compliance* under the provisions of Section 54-31 (General Provisions).

(Continued on next page)

## 12-10 (Continued)

(b) The number of *rooms* to be counted in computing *lot area* requirements is then determined from the following table:

Number of "living rooms," as computed in (a) above	Rooms to be counted
1	2½
2	3½
3	4½
4	5½
5	6½
6	7½
Additional	1 each

The number of *rooms* in a *rooming unit* shall be counted as 2.

**Rooming unit**

A "rooming unit" consists of any "living room," as defined in Section 4 of the Multiple Dwelling Law, in a *residential building* or a *residential* portion of a *building*, which is:

- (a) In a "class B multiple dwelling," a "rooming house," or a "furnished room house" as defined in Section 4 of the Multiple Dwelling Law, or
- (b) Used "for class B occupancy," as defined in Section D-26-2.2 of the Multiple Dwelling Code, or
- (c) Used for "single room occupancy," as defined in Section 4 of the Multiple Dwelling Law, or
- (d) Occupied by a "boarder," "roomer," or "lodger," as defined in Section D-26-2.2 of the Multiple Dwelling Code; provided, however, that if not more than two such boarders, roomers, or lodgers reside within a *dwelling unit*, the room or rooms occupied by such boarders, roomers, or lodgers shall be counted as part of the *dwelling unit* and shall not be counted as *rooming units*, or
- (e) Any other "living room" in a *residential building* or a *residential* portion of a *building* which is not a *dwelling unit* or part of a *dwelling unit*.

**School**

A "school" is:

- (a) An institution providing full time day instruction and a course of study which meets the requirements of Sections 3204, 3205, and 3210 of the New York State Education Law, or
- (b) A nursery school or kindergarten:
  - (1) Whose annual session does not exceed the school sessions for full-time day schools prescribed in Section 3204 of the New York State Education Law, and
  - (2) Which is operated by the Board of Education, any established religious organization as part of an elementary school, or under a permit issued pursuant to Section 47.03 of the New York City Health Code.

**Show window**

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 window is less than six feet above the sidewalk or the established sidewalk grade beneath the window, shall be a *show window*.

**Sign**

A "sign" is any writing (including letter, word, or numeral); pictorial representation (including illustration or decoration); emblem (including device, symbol, or trademark); flag (including banner or pennant); or any other figure of similar character, which:

- (a) Is a structure or any part thereof, or is attached to, painted on, or in any other manner represented on a *building* or *other structure*, and
- (b) Is used to announce, direct attention to, or advertise, and
- (c) Is visible from outside a *building*. A *sign* shall include writing, representation, or other figure of similar character within a *building* only when illuminated and located in a window.

The following shall not be subject to the provisions of this resolution:

- (a) Signs of a duly constituted governmental body: including traffic or similar regulatory devices, legal notices, or warnings at railroad crossings
- (b) Flags or emblems of a political, civic, philanthropic, educational, or religious organization
- (c) Temporary signs announcing a campaign, drive, or event of the above organizations
- (d) Memorial signs or tablets
- (e) Signs denoting architect, engineer, or contractor when placed on construction sites and not exceeding 25 square feet in area
- (f) Signs required to be maintained by law or governmental order, rule, or regulation, with a total *surface area* not exceeding ten square feet on any *zoning lot*
- (g) Small signs displayed for the direction or convenience of the public, including signs which identify rest rooms, freight entrances, or the like, with a total *surface area* not exceeding five square feet on any *zoning lot*.

When two sides of a double-faced *sign* are located not more than 28 inches apart at the widest point and not more than 18 inches apart at the narrowest point and display identical writing or other representation, the *surface area* shall include only one of the sides. Any additional side of a multi-faced *sign* shall be considered as a separate *sign* for purposes of computing the total *surface area* of the *sign*.

**Sign, advertising**

An "advertising sign" is a *sign* which directs attention to a business, profession, commodity, service, or entertainment conducted, sold, or offered elsewhere than upon the same *zoning lot*.

**Sign, business**

A "business sign" is an *accessory sign* which directs attention to a profession, business, commodity, service, or entertainment conducted, sold, or offered upon the same *zoning lot*.

**Sign, flashing**

A "flashing sign" is any *illuminated sign*, whether stationary, revolving, or rotating, which exhibits changing light or color effects, provided that revolving or rotating *signs* which exhibit no changing light or color effects other than those produced by revolution or rotation, shall be deemed *flashing signs* only if they exhibit sudden or marked changes in such light or color effects.

(Continued on next page)



## 12-10 (Continued)

*Illuminated signs* which indicate the time, temperature, weather, or other similar information shall not be considered *flashing signs*, provided that:

- (a) The total *surface area* of such *sign* is not greater than 16 square feet,
- (b) The vertical dimension of any letter or number is not greater than 24 inches, and
- (c) Color or intensity of light is constant except for periodic changes in the information displayed, which occur not more frequently than once every minute.

**Sign, illuminated**

An "illuminated sign" is a *sign* designed to give forth any artificial light or reflect such light from an artificial source.

**Sign, surface area of (see Surface area)****Sign with indirect illumination**

A "sign with indirect illumination" is any *illuminated non-flashing sign* whose illumination is derived entirely from an external artificial source and is so arranged that no direct rays of light are projected from such artificial source into *residences* or *streets*.

**Sky exposure plane**

A "sky exposure plane" is an imaginary inclined plane:

- (a) Beginning above the *street line* (or, where so indicated, above the *front yard line*) at a height set forth in the district regulations, and
- (b) Rising over a *zoning lot* at a ratio of vertical distance to horizontal distance set forth in the district regulations.

**Story**

A "story" is that part of a *building* between the surface of a floor (whether or not counted for purposes of computing *floor area ratio*) and the ceiling immediately above. However, a *cellar* is not a *story*.

**Street**

A "street" is:

- (a) A way shown on the City Map, or
- (b) A way designed or intended for general public use, connecting two ways shown on the City Map, which:
  - (1) Performs the functions usually associated with a way shown on the City Map, and
  - (2) Is at least 50 feet in width throughout its entire length, and
  - (3) Is covenanted by its owner to remain open and unobstructed throughout the life of any *building* or *use* which depends thereon to satisfy any requirement of this resolution; or
- (c) Any other open area intended for general public use and providing a principal means of approach for vehicles or pedestrians from a way shown on the City Map to a *building* or *other structure*, which:
  - (1) Performs the functions usually associated with a way shown on the City Map, and
  - (2) Is at least 50 feet in width throughout its entire length, and

(3) Is approved by the City Planning Commission as a "street" to satisfy any requirement of this resolution, and

(4) Is covenanted by its owner to remain open and unobstructed throughout the life of any *building* or *use* which depends thereon to satisfy any requirement of this resolution, or

(d) Any other public way which on the effective date of this resolution was performing the functions usually associated with a way shown on the City Map.

A driveway which serves only to give vehicular access to an *accessory* parking or loading facility, or to allow vehicles to take on or discharge passengers at the entrance to a *building*, shall not be considered a *street*.

**Street line**

A "street line" is a *lot line* separating a *street* from other land.

**Street, narrow**

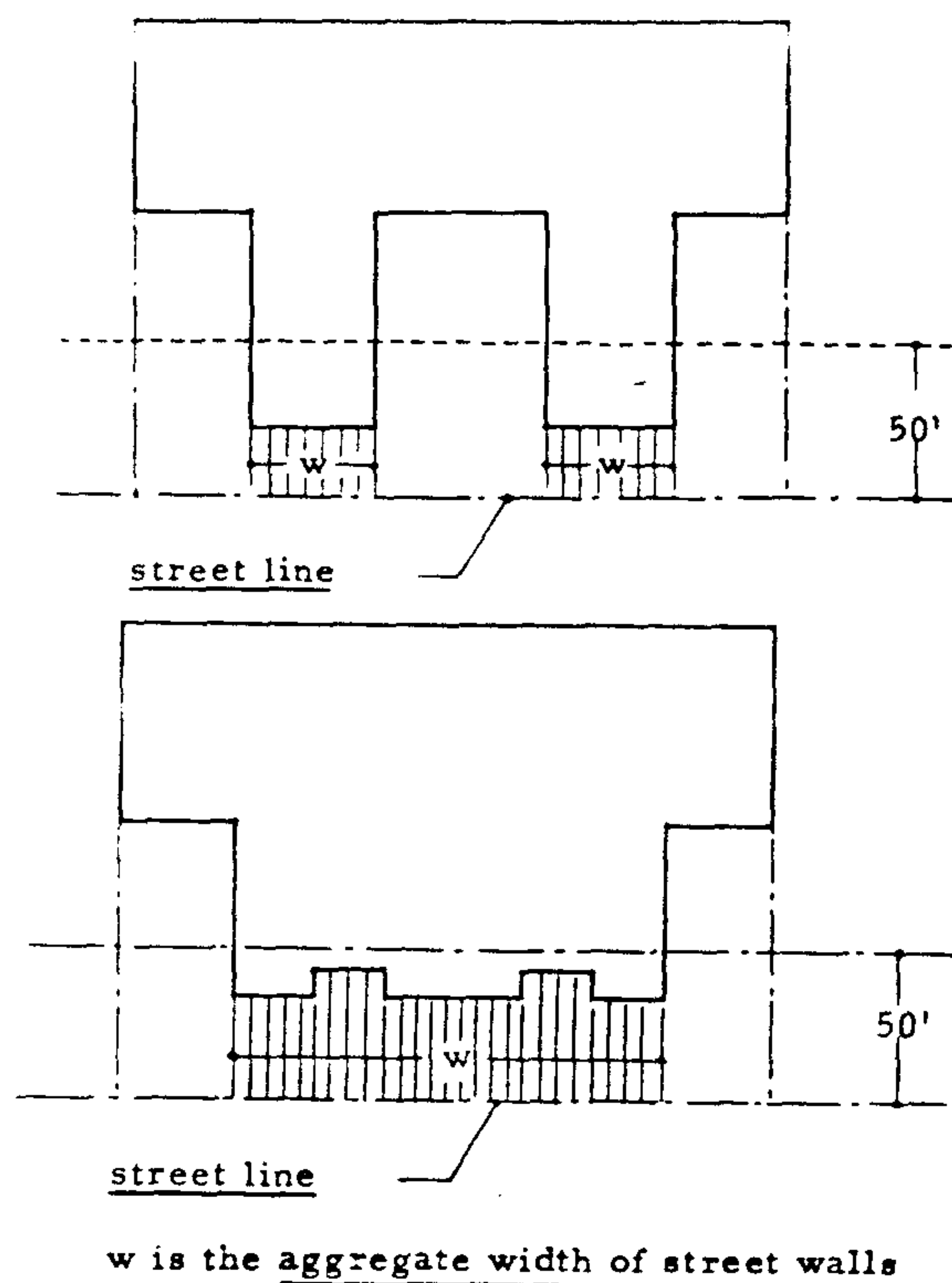
A "narrow street" is any *street* less than 75 feet wide.

**Street wall**

A "street wall" is a wall or portion of a wall of a *building* facing a *street*.

**Street walls, aggregate width of**

The "aggregate width of street walls" at any given level is the sum of the maximum widths of all *street walls* of a *building* within 50 feet of a *street line*. The width of a *street wall* is the length of the *street line* from which, when viewed directly from above, lines perpendicular to the *street line* may be drawn to such *street wall*.



ILLUSTRATIONS OF AGGREGATE WIDTH OF STREET WALLS

## 12-10 (Continued)

**Street, wide**

A "wide street" is any *street* 75 feet or more in width.

**Surface area (of a sign)**

The "surface area" of a *sign* shall be the entire area within a single continuous perimeter enclosing the extreme limits of writing, representation, emblem, or any figure of similar character, together with any material or color forming an integral part of the display or used to differentiate such *sign* from the background against which it is placed. In any event, the supports or uprights on which such *sign* is supported shall not be included in determining the *surface area* of a *sign*.

**Trailer**

A "trailer" is a vehicle standing on wheels or rigid supports which is used for living or sleeping purposes.

**Trailer camp**

A "trailer camp" is a tract of land used or designed for the *use* of two or more *trailers*.

**Use**

A "use" is:

- (a) Any purpose for which a *building* or other *structure* or a tract of land may be designed, arranged, intended, maintained, or occupied, or
- (b) Any activity, occupation, business, or operation carried on, or intended to be carried on, in a *building* or other *structure* or on a tract of land.

**Yard**

A "yard" is that portion of a *zoning lot* extending open and unobstructed from the lowest level to the top along the entire length of a *lot line*, and from the *lot line* for a depth or width set forth in the applicable district *yard* regulations.

**Yard equivalent, rear**

A "rear yard equivalent" is an open area which may be required on a *through lot* as an alternative to a required *rear yard*.

**Yard, front**

A "front yard" is a *yard* extending along the full length of a *front lot line*.

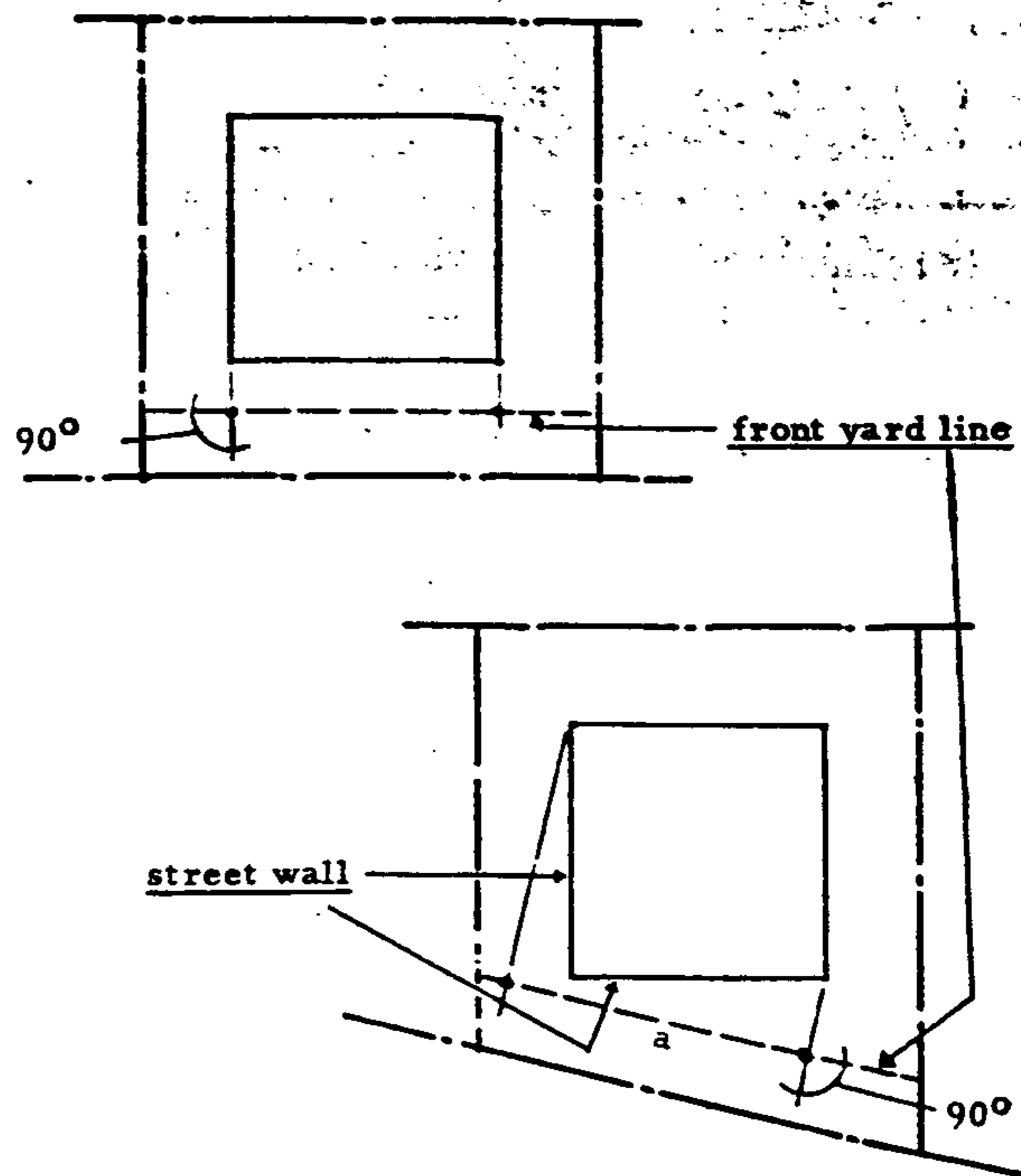
In the case of a *corner lot*, any *yard* extending along the full length of a *street line* shall be considered a *front yard*.

**Yard line, front**

A "front yard line" is a line drawn parallel to a *front lot line* at a distance therefrom equal to the depth of a required *front yard*.

**Yard line, front, level (of)**

The "front yard line level" is the mean level of that portion of the *front yard line* from which, when viewed directly from above, lines perpendicular to the *front yard line* may be drawn to a *street wall*. On *corner lots*, the *front yard line level* is the mean of the *front yard line levels*.



a portion of *front yard line* used to determine *front yard line level*

## ILLUSTRATIONS OF FRONT YARD LINE LEVEL

**Yard line, rear**

A "rear yard line" is a line drawn parallel to a *rear lot line* at a distance therefrom equal to the depth of a required *rear yard*.

**Yard, rear**

A "rear yard" is a *yard* extending for the full length of a *rear lot line*.

**Yard, side**

A "side yard" is a *yard* extending along a *side lot line* from the required *front yard* (or from the *front lot line* if no *front yard* is required) to the required *rear yard* (or to the *rear lot line*, if no *rear yard* is required). In the case of a *corner lot*, any *yard* which is not a *front yard* shall be considered a *side yard*.

**Zoning lot**

A "zoning lot" is either:

- (a) A lot of record existing on the effective date of this resolution or any applicable subsequent amendment thereto, or
- (b) A tract of land, either unsubdivided or consisting of two or more contiguous lots of record, located within a single *block*, which, on the effective date of this resolution or any applicable subsequent amendment thereto, was in single ownership, or
- (c) A tract of land, located within a single *block*, which at the time of filing for a building permit (or, if no building permit is required, at the time of filing for a certificate of occupancy), is designated by its owner or developer as a tract all of which is to be used, *developed*, or built upon as a unit under single ownership.

(Continued on next page)

## 12-10 (Continued)

A *zoning lot* therefore may or may not coincide with a lot as shown on the official tax maps of the City of New York, or on any recorded subdivision plat or deed.

For the purposes of this definition, ownership of a *zoning lot* shall be deemed to include a lease of not less than 50 years duration, with an option to renew such lease so as to provide a total lease of not less than 75 years duration.

A *zoning lot* may be subdivided into two or more *zoning lots*, provided that all resulting *zoning lots*

and all *buildings* thereon shall comply with all of the applicable provisions of this resolution. If such *zoning lot*, however, is occupied by a *non-complying building*, such *zoning lot* may be subdivided provided such subdivision does not create a new *non-compliance* or increase the degree of *non-compliance* of such *building*.

**Zoning maps**

"Zoning maps" are the maps incorporated into the provisions of this resolution in accordance with the provisions of Section 11-14 (Incorporation of Maps).

## Article II

# Residence District Regulations

### Chapter 1 Statement of Legislative Intent

#### 21-00 GENERAL PURPOSES OF RESIDENCE DISTRICTS

The Residence Districts established in this resolution are designed to promote and protect public health, safety, and general welfare. These general goals include, among others, the following specific purposes:

- (a) To provide sufficient space in appropriate locations for residential development to meet the housing needs of the City's present and expected future population, with due allowance for the need for a choice of sites.
- (b) To protect residential areas against fire, explosions, toxic and noxious matter, radiation, and other hazards, and against offensive noise, vibration, smoke and other particulate matter, odorous matter, heat, humidity, glare, and other objectionable influences.
- (c) To protect residential areas, as far as possible, against heavy traffic and against through traffic of all kinds.
- (d) To protect residential areas against congestion, as far as possible, by regulating the density of population and the bulk of buildings in relation to the land around them and to one another, and by providing for off-street parking spaces; to require the provision of open space in residential areas wherever practicable; and to encourage the provision of additional open space by permitting moderately higher bulk and density with better standards of open space, in order to open up residential areas to light and air, to provide open areas for rest and recreation, and to break the monotony of continuous building bulk, and thereby to provide a more desirable environment for urban living in a congested metropolitan area.
- (e) To provide for access of light and air to windows and for privacy, as far as possible, by controls over the spacing and height of buildings and other structures.
- (f) To provide appropriate space for those educational, religious, recreational, health, and similar facilities which serve the needs of the nearby residents, which generally perform their

own activities more effectively in a residential environment, and which do not create objectionable influences.

(g) To provide freedom of architectural design, in order to encourage the development of more attractive and economic building forms.

(h) To promote the most desirable use of land and direction of building development in accord with a well-considered plan, to promote stability of residential development, to protect the character of the district and its peculiar suitability for particular uses, to conserve the value of land and buildings, and to protect the City's tax revenues.

#### 21-10 PURPOSES OF SPECIFIC RESIDENCE DISTRICTS

##### 21-11

#### R1 and R2 Single-Family Detached Residence Districts

These districts are designed to provide a suitable open character for single-family detached dwellings at low densities. These districts also include community facilities and open uses which serve the residents of these districts or are benefited by an open residential environment.

##### 21-12

#### R3, R4, R5, R6, R7, R8, R9, and R10 General Residence Districts

These districts are designed to provide for all types of residential buildings, in order to permit a broad range of housing types, with appropriate standards for each district on density, open space, and spacing of buildings. The various districts are mapped in relation to a desirable future residential density pattern, with emphasis upon accessibility to transportation facilities and to various community facilities, and upon the character of existing development. These districts also include community facilities and open uses which serve the residents of these districts or are benefited by an open residential environment.

### Chapter 2 Use Regulations

#### 22-00 GENERAL PROVISIONS

In order to carry out the purposes and provisions of this resolution, the *uses of buildings or other structures* and of tracts of land have been classified and combined into Use Groups. A brief statement is inserted at the start of each Use Group to describe and clarify the basic characteristics of that Use Group. Use Groups 1, 2, 3, and 4, including each *use* listed separately therein, are permitted in *Residence Districts* as indicated in Sections 22-11 to 22-14, inclusive.

The following chart sets forth the Use Groups permitted in the *Residence Districts*.

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

The *uses* listed in the various Use Groups set forth in Sections 22-11 to 22-14, inclusive, are also listed in alphabetical order in the Index at the end of this resolution, for the convenience of those using the resolution. Whenever there is any difference in meaning or implication between the text of these Use Groups and the text of the Index, the text of these Use Groups shall prevail.

22-00 (Continued)

USE GROUPS  
PERMITTED IN RESIDENCE DISTRICTS

DISTRICTS		USE GROUPS			
		RESIDENTIAL		COMMUNITY FACILITIES	
		1	2	3	4
SINGLE FAMILY DETACHED RESIDENCE	R1 R2				
GENERAL RESIDENCE	R3 - R10				

DISTRICTS										
R1	R2	R3	R4	R5	R6	R7	R8	R9	R10	

22-10 USES PERMITTED AS OF RIGHT

22-11

Use Group 1

Use Group 1 consists of *single-family detached residential development*.

R1 R2 R3 R4 R5 R6 R7 R8 R9 R10

A. RESIDENTIAL USES

*Single-family detached residences*

B. Accessory Uses

22-12

Use Group 2

Use Group 2 consists of all other types of *residential development*.

R3 R4 R5 R6 R7 R8 R9 R10

A. RESIDENTIAL USES

*Residences of all kinds, including apartment hotels, except that in R3-1 Districts residential uses shall be limited to single- or two-family residences, detached or semi-detached.*

B. Accessory Uses

22-13

Use Group 3

Use Group 3 consists of community facilities which:

R1 R2 R3 R4 R5 R6 R7 R8 R9 R10

(1) May appropriately be located in *residential areas* to serve educational needs or to provide other essential services for the residents, or

(2) Can perform their activities more effectively in a *residential environment*, unaffected by objectionable influences from adjacent industrial or general service uses, and

(3) Do not create significant objectionable influences in *residential areas*.

Italicized words are defined in Section 12-10.

DISTRICTS										
R1	R2	R3	R4	R5	R6	R7	R8	R9	R10	
R1	R2	R3	R4	R5	R6	R7	R8	R9	R10	

22-13 (Continued)

A. COMMUNITY FACILITIES

\*Colleges or universities, including professional schools, but excluding business colleges or trade schools

\*College or school dormitories or fraternity or sorority houses

Libraries, museums, or non-commercial art galleries

Monasteries, convents, or novitiates

Philanthropic or non-profit institutions with sleeping accommodations, including nursing homes or sanitariums, provided that not more than 25 percent of the floor area shall be used for central office purposes

\*Proprietary nursing homes or sanitariums

Schools

B. Accessory Uses

22-14

Use Group 4

Use Group 4 consists primarily of community facilities which:

R1	R2	R3	R4	R5	R6	R7	R8	R9	R10
----	----	----	----	----	----	----	----	----	-----

(1) May appropriately be located in residential areas to provide recreational, religious, health, and other essential services for the residents, or

(2) Can perform their activities more effectively in a residential environment, unaffected by objectionable influences from adjacent medium and heavy industrial uses, and

(3) Do not create significant objectionable influences in residential areas.

Those open uses of land which are compatible with a residential environment are also included.

A. COMMUNITY FACILITIES

Churches, rectories, or parish houses

\*Clubs, except:

(a) Clubs, the chief activity of which is a service predominantly carried on as a business,

(b) Non-commercial outdoor swimming pool clubs, or

(c) Any other non-commercial clubs with outdoor swimming pools located less than 500 feet from any lot line.

Community centers or settlement houses

Health centers

Medical offices or group medical centers, including the practice of dentistry or osteopathy, limited to a location below the level of the first story ceiling, except that in multiple dwellings such uses may be located on the second floor, if

(a) Separate access to the outside is provided, or

(b) Such use existed on January 1, 1948.

Non-commercial recreation centers

\*A use in Use Group 3 or 4, marked with an asterisk, is not permitted in R1 or R2 Districts as of right.

Italicized words are defined in Section 12-10.

DISTRICTS									
R1	R2	R3	R4	R5	R6	R7	R8	R9	R10

22-14 (Continued)

Non-profit or voluntary hospitals and related facilities, except animal hospitals

Philanthropic or non-profit institutions without sleeping accommodations, provided that not more than 25 percent of the *floor area* shall be used for central office purposes

\*Proprietary hospitals and related facilities, except animal hospitals

Seminaries

\*Welfare centers

B. OPEN USES

Agricultural *uses*, including greenhouses, nurseries, or truck gardens, provided that no offensive odors or dust are created, and that there is no sale of products not produced on the same *zoning lot*

\*Cemeteries

Golf courses

\*Outdoor tennis courts or ice skating rinks, provided that all lighting shall be directed away from nearby *residential zoning lots*

*Public parks* or playgrounds or private parks

Railroad rights-of-way

C. Accessory Uses

22-20 USES PERMITTED BY SPECIAL PERMIT Parking Requirement Category

22-21

By the Board of Standards and Appeals

In the districts indicated, the following *uses* are permitted by special permit of the Board of Standards and Appeals, in accordance with standards set forth in Article VII, Chapter 3.

		R1	R2	R3	R4	R5	R6	R7	R8	R9	R10
Camps, overnight or outdoor day	H	R1	R2	R3	R4	R5	R6	R7	R8	R9	R10

Clubs, except:		R1	R2								
(a) Clubs, the chief activity of which is a service predominantly carried on as a business,											
(b) Non-commercial outdoor swimming pool clubs, or											
(c) Any other non-commercial clubs with outdoor swimming pools located less than 500 feet from any <i>lot line</i>											

Colleges or universities, including professional schools, but excluding business colleges or trade schools		R1	R2								
------------------------------------------------------------------------------------------------------------	--	----	----	--	--	--	--	--	--	--	--

College or school dormitories or fraternity or sorority houses		R1	R2								
----------------------------------------------------------------	--	----	----	--	--	--	--	--	--	--	--

Outdoor tennis courts or ice skating rinks, provided that all lighting shall be directed away from nearby <i>residential zoning lots</i>		R1	R2								
------------------------------------------------------------------------------------------------------------------------------------------	--	----	----	--	--	--	--	--	--	--	--

\* A use in Use Group 4, marked with an asterisk, is not permitted in R1 or R2 Districts as of right.

Italicized words are defined in Section 12-10.

RESIDENCE DISTRICTS

Use Regulations

22-21 (Continued)

	Parking Requirement Category	DISTRICTS									
		R1	R2	R3	R4	R5	R6	R7	R8	R9	R10
Public utility or public service facilities		R1	R2	R3	R4	R5	R6	R7	R8	R9	R10
Electric or gas utility substations, limited in each case to a site of not more than 10,000 square feet											
Electric utility substations, limited to a site of not less than 10,000 square feet nor more than 40,000 square feet											
Public transit or railroad electric substations, limited in each case to a site of not less than 10,000 square feet nor more than 40,000 square feet											
Public utility stations for oil or gas metering or regulating											
Telephone exchanges or other communications equipment structures											
Terminal facilities at river crossings for access to electric, gas, or steam lines											
Water or sewage pumping stations											
Radio or television towers, non-accessory		R1	R2	R3	R4	R5	R6	R7	R8	R9	R10
Riding academies or stables	C	R1	R2	R3	R4	R5	R6	R7	R8	R9	R10
Sand, gravel, or clay pits		R1	R2	R3	R4	R5	R6	R7	R8	R9	R10
Welfare centers		R1	R2								

22-22

By the City Planning Commission

In the districts indicated, the following *uses* are permitted by special permit of the City Planning Commission, in accordance with standards set forth in Article VII, Chapter 4.

Fire stations	C	R1	R2	R3	R4	R5	R6	R7	R8	R9	R10
Non-commercial clubs with outdoor swimming pools less than 500 feet from any lot line		R1	R2	R3	R4	R5	R6	R7	R8	R9	R10
Non-commercial outdoor swimming pool clubs		R1	R2	R3	R4	R5	R6	R7	R8	R9	R10
Police stations	C	R1	R2	R3	R4	R5	R6	R7	R8	R9	R10
Public transit, railroad, or electric utility substations, limited in each case to a site of not less than 40,000 square feet and not more than 10 acres		R1	R2	R3	R4	R5	R6	R7	R8	R9	R10
Railroad passenger stations		R1	R2	R3	R4	R5	R6	R7	R8	R9	R10

Italicized words are defined in Section 12-10.



22-30 SIGN REGULATIONS

22-31

Definitions (repeated from Section 12-10)

Sign

A "sign" is any writing (including letter, word, or numeral); pictorial representation (including illustration or decoration); emblem (including device, symbol, or trademark); flag (including banner or pennant); or any other figure of similar character, which:

- (a) Is a structure or any part thereof, or is attached to, painted on, or in any other manner represented on a *building or other structure*, and
- (b) Is used to announce, direct attention to, or advertise, and
- (c) Is visible from outside a *building*. A *sign* shall include writing, representation, or other figure of similar character within a *building* only when illuminated and located in a window.

The following shall not be subject to the provisions of this resolution:

- (a) Signs of a duly constituted governmental body: including traffic or similar regulatory devices, legal notices, or warnings at railroad crossings
- (b) Flags or emblems of a political, civic, philanthropic, educational, or religious organization

- (c) Temporary signs announcing a campaign, drive, or event of the above organizations
- (d) Memorial signs or tablets
- (e) Signs denoting architect, engineer, or contractor when placed on construction sites and not exceeding 25 square feet in area
- (f) Signs required to be maintained by law or governmental order, rule, or regulation, with a total *surface area* not exceeding ten square feet on any *zoning lot*
- (g) Small signs displayed for the direction or convenience of the public, including signs which identify rest rooms, freight entrances, or the like, with a total *surface area* not exceeding five square feet on any *zoning lot*.

When two sides of a double-faced *sign* are located not more than 28 inches apart at the widest point and not more than 18 inches apart at the narrowest point and display identical writing or other representation, the *surface area* shall include only one of the sides. Any additional sides of a multi-faced *sign* shall be considered as a separate *sign* for purposes of computing the total *surface area* of the *sign*.

Sign, business

A "business sign" is an *accessory sign* which directs attention to a profession, business, commodity, service, or entertainment conducted, sold, or offered upon the same *zoning lot*.

DISTRICTS

R1	R2	R3	R4	R5	R6	R7	R8	R9	R10
----	----	----	----	----	----	----	----	----	-----

22-32

Permitted Accessory Signs

In all districts, as indicated, *non-illuminated accessory business signs* are permitted as set forth in this Section, subject to the provisions of Section 22-33 (Additional Regulations).

R1	R2	R3	R4	R5	R6	R7	R8	R9	R10
----	----	----	----	----	----	----	----	----	-----

22-321

Nameplates or identification signs

(a) For all *residential buildings*, one nameplate, with an area not exceeding one square foot and indicating only the name or address of the occupant or a permitted occupation, is permitted for each *dwelling unit or rooming unit*.

(b) For multiple dwellings, including *apartment hotels*, or for permitted *non-residential buildings or other structures*, one identification *sign*, with an area not exceeding 12 square feet and indicating only the name of the permitted *use*, the name or address of the *building*, or the name of the management thereof, is permitted. For *community facility uses*, a bulletin board, with an area not exceeding 16 square feet, is also permitted. For any *sign* on awnings or canopies, the height of letters on any side of such awnings or canopies shall not exceed 12 inches.

Italicized words are defined in Section 12-10.

DISTRICTS									
R1	R2	R3	R4	R5	R6	R7	R8	R9	R10
R1	R2	R3	R4	R5	R6	R7	R8	R9	R10

22-32 (Continued)

22-322

**“For sale” or “for rent” signs**

“For sale” or “for rent” signs, with an area not exceeding 12 square feet, are permitted. If located on vacant land, such a sign shall not be within 15 feet of the street line, nor within six feet of any other lot line.

22-323

**Signs for parking areas**

One sign, with an area not exceeding two square feet, designating each entrance to or exit from an off-street parking area, open or enclosed, is permitted. No such sign shall be higher than seven feet above curb level.

22-33

**Additional Regulations**

In all districts, as indicated, any sign permitted under the provisions of Section 22-32 (Permitted Accessory Signs) shall conform to the regulations set forth in this Section.

R1	R2	R3	R4	R5	R6	R7	R8	R9	R10

22-331

**Projecting signs**

No sign shall project across a street line more than 12 inches.

22-332

**Height of signs**

No sign shall extend above the ground floor ceiling, or more than 20 feet above curb level, whichever is less.

22-333

**Number of signs**

Not more than one sign is permitted for each use, building, or dwelling unit, and not more than two signs for each professional office, except as otherwise provided in Section 22-32 (Permitted Accessory Signs). On a corner lot, or through lot, one sign (or for professional offices, two signs) are permitted on each street.

Italicized words are defined in Section 12-10.

## Chapter 3 Bulk Regulations for Residential Buildings in Residence Districts

### 23-00 APPLICABILITY AND GENERAL PURPOSES

#### 23-01

##### Applicability of this Chapter

The *bulk regulations* of this Chapter apply to any *building or other structure*, other than a *community facility building* or a *building* used partly for *community facility use*, on any *zoning lot* or portion of a *zoning lot* located in any *Residence District*, including all new *development, enlargements*, and, where so specified, *extensions* or conversions. As used in this Chapter, the term "any *building*" shall therefore not include a *community facility building* or a *building* used partly for *community facility uses*, the *bulk regulations* for which are set forth in Article II, Chapter 4. In addition, the *bulk regulations* of this Chapter or of specified Sections thereof also apply in other provisions of this resolution where they are incorporated by cross reference.

Existing *buildings or other structures* which do not comply with one or more of the applicable *bulk regulations* are *non-complying buildings or other structures* and are subject to the regulations set forth in Article V, Chapter 4.

Special regulations applying to *large-scale residential developments* or *residential uses in large-scale community facility developments* are set forth in Article VII, Chapter 8.

#### 23-02

##### General Purposes of Residential Bulk Regulations

The following *bulk regulations* are adopted in order to protect residential areas against congestion and to encourage the development of desirable and stable residential neighborhoods. In order to achieve these purposes, a direct control of density as well as of the physical volume of buildings is established. In order to open up residential areas to light and air and encourage better standards of open space, moderately higher levels of density and of building volume are permitted when greater amounts of open space are provided.

### 23-10 OPEN SPACE AND FLOOR AREA REGULATIONS

#### Definitions and General Provisions

#### 23-11

##### Definitions (repeated from Section 12-10)

##### Arcade

An "arcade" is a continuous area open to a *street* or to a *plaza*, which is open and unobstructed to a height of not less than 12 feet, is accessible to the public at all times, and either:

- (a) Adjoins a *front lot line* or a *plaza boundary*, is not less than 10 feet or more than 30 feet in depth (measured perpendicular to the *front lot line* or *plaza boundary* which it adjoins), and extends for the full length of, or at least 50 feet along, such *front lot line* or *plaza boundary*, whichever is the lesser distance; or

- (b) On a *corner lot*, is bounded on two sides by the two intersecting *street lines*, and has an area of not less than 500 square feet and a minimum dimension of 10 feet.

Such an *arcade* shall not at any point be above the level of the *street* or *plaza* which it adjoins, whichever is higher. Any portion of an *arcade* occupied by *building* columns shall be considered to be part of the area of the *arcade* for the purpose of computing a *floor area* bonus.

##### Floor area ratio

"Floor area ratio" is the total *floor area* on a *zoning lot*, divided by the *lot area* of that *zoning lot*. (For example, a *building* containing 20,000 square feet of *floor area* on a *zoning lot* of 10,000 square feet has a *floor area ratio* of 2.0.)

##### Height factor

The "height factor" of a *building* is equal to the total *floor area* of the *building* divided by its *lot coverage*. If two or more *buildings* are located on the same *zoning lot*, their *height factor* is the sum of their *floor areas* divided by the sum of their *lot coverages*. The *height factor* is thus equal to the number of *stories*, if the *building* were erected without setbacks. In computing a *height factor*, a fraction of .5 or more may be considered a whole number, and smaller fractions shall be disregarded.

##### Lot coverage

"Lot coverage" is that portion of a *zoning lot* which, when viewed directly from above, would be covered by a *building* or any part of a *building*. However, for purposes of computing a *height factor*, any portion of such *building* covered by a roof which qualifies as *open space*, or any terrace, balcony, breeze-way, or porch or portion thereof not included in the *floor area* of a *building*, shall not be included in *lot coverage*.

##### Lot area

"Lot area" is the area of a *zoning lot*, provided that if a *zoning lot* includes any part of the area of a *street* closed subsequent to the effective date of this resolution, not more than one-half the area of such closed *street* shall be counted as *lot area*, and provided further, that in *Commercial* or *Manufacturing Districts*, if the total area of *streets* so closed exceeds 20 percent of the total *zoning lot*, the entire area of such *streets* in excess of such 20 percent may be counted as *lot area* for any permitted *commercial* or *manufacturing use*.

##### Open space

"Open space" is that part of a *zoning lot*, including *courts* or *yards*, which:

- (a) Is open and unobstructed from its lowest level to the sky, except as provided below, and
- (b) Is accessible to and usable by all persons occupying a *dwelling unit* or a *rooming unit* on the *zoning lot*, and
- (c) Is not part of the roof of that portion of a *building* containing *dwelling units* or *rooming units*.

*Open space* may include roofed areas the total area of which is less than 10 percent of the unroofed or uncovered area of a *zoning lot*, provided that such roofed area is not enclosed on more than one side, or on more than 10 percent of the perimeter of the roofed area, whichever is greater.

(continued on following page)

## 23-11 (Continued)

The roof of a garage attached to a *residential building*, or of a garage portion of a *residential building*, or of a portion of a *mixed building* used for other than *residences*, or of a *community facility building* or portion of a *building* used for *community facility use*, may be considered as *open space* if such roof area meets the requirements set forth in this definition and:

- (a) Is not higher than 23 feet above *curb level*, provided that this restriction does not apply to the roof of a portion of a *building* used for other than *residences*, and
- (b) Is at least two and one-half feet below the sill level of all *legally required windows* opening on such roof area, and
- (c) Is directly accessible by a passageway from a *building*, or by a ramp (with a grade of less than 10 percent) from a *building, yard, court, or street*, except that in R8 or R9 Districts such roof area need not be accessible to occupants and is therefore exempt from this requirement, and
- (d) Has no dimension less than 25 feet; except that in R8 or R9 Districts, when such roof area adjoins a *street line* or a *rear yard*, it may have a minimum depth of nine feet and a minimum length, along such *street line* or *rear yard*, equal to at least twice its depth, or the full width of the *zoning lot*, or 50 feet, whichever is the least distance.

**Open space ratio**

The "open space ratio" of a *zoning lot* is the number of square feet of *open space* on the *zoning lot*, expressed as a percentage of the *floor area* on that *zoning lot*. (For example, if for a particular *building* an *open space ratio* of 20 is required, 20,000 square feet of *floor area* in the *building* would necessitate 4,000 square feet of *open space* on the *zoning lot* upon which the *building* stands; or, if 6,000 square feet of *lot area* were in *open space*, 30,000 square feet of *floor area* could be in the *building* on that *zoning lot*.) Each square foot of *open space* per 100 square feet of *floor area* is referred to as one point.

**Plaza**

A "plaza" is an open area accessible to the public at all times, which is either:

- (a) A continuous open area along a *front lot line*, not less than 10 feet deep (measured perpendicular to the *front lot line*), with an area of not less than 750 square feet, and extending for its entire depth along the full length of such *front lot line* or for a distance of at least 50 feet thereof, whichever is the lesser distance; or
- (b) A continuous open area on a *through lot*, extending from *street* to *street* and not less than 40 feet in width, measured perpendicular to the nearest *side lot line*; or
- (c) On a *corner lot*, an open area of not less than 500 square feet, which is bounded on two sides by the two intersecting *street lines* and which has a minimum dimension of 10 feet; or
- (d) An open area of not less than 8,000 square feet, with a minimum dimension of 80 feet and which is bounded on one side by a *front lot line* or which is connected to the *street* by means of an *arcade* or by an open area not less than 40 feet wide.

Except for an open area as set forth in (d) above, no portion of such an open area which is bounded on all sides, except for one opening, by either *building walls*, or *building walls* and a *side lot line*, shall be considered part of the *plaza*, unless the opening of such portion is at least 50 feet in width.

A *plaza* shall not at any point be more than five feet above the *curb level* of the nearest adjoining *street*, and shall be unobstructed from its lowest level to the sky, except that those obstructions permitted in Sections 23-44, 24-33, 33-23, or 43-23 (Permitted Obstructions in Required Yards or Rear Yard Equivalents) shall also be considered permitted obstructions in *plazas*.

**Residence, or residential**

A "residence" is a *building* or part of a *building* containing *dwelling units* or *rooming units*, including one- or two-family houses, multiple dwellings, boarding or rooming houses, or *apartment hotels*. However, *residences* do not include:

- (a) Such transient accommodations as *transient hotels, motels or tourist cabins, or trailer camps*
- (b) Dormitories, fraternity or sorority houses, monasteries, or convents
- (c) Nurses' residences, sanitariums, nursing homes, or other living or sleeping accommodations in *community facility buildings* or portions of *buildings* used for *community facility uses*, or
- (d) In a *mixed building*, that part of the *building* used for any non-residential uses, except uses accessory to residential uses.

"Residential" means pertaining to a *residence*.

**Zoning lot**

A "zoning lot" is either:

- (a) A lot of record existing on the effective date of this resolution or any applicable subsequent amendment thereto, or
- (b) A tract of land, either unsubdivided or consisting of two or more contiguous lots of record, located within a single *block*, which on the effective date of this resolution or any applicable amendment thereto, was in single ownership, or
- (c) A tract of land, located within a single *block*, which at the time of filing for a building permit (or, if no building permit is required, at the time of filing for a certificate of occupancy), is designated by its owner or developer as a tract all of which is to be used, *developed*, or built upon as a unit under single ownership.

A *zoning lot* therefore may or may not coincide with a lot as shown on the official tax maps of the City of New York, or on any recorded subdivision plat or deed.

For the purposes of this definition, ownership of a *zoning lot* shall be deemed to include a lease of not less than 50 years duration, with an option to renew such lease so as to provide a total lease of not less than 75 years duration.

A *zoning lot* may be subdivided into two or more *zoning lots*, provided that all resulting *zoning lots* and all *buildings* thereon shall comply with all of the applicable provisions of this resolution. If such *zoning lot*, however, is occupied by a *non-complying building*, such *zoning lot* may be subdivided provided such subdivision does not create a new *non-compliance* or increase the degree of *non-compliance* of such *building*.

DISTRICTS									
R1	R2	R3	R4	R5	R6	R7	R8	R9	R10

23-12

**Permitted Obstructions in Open Space**

In the districts indicated, the following shall not be considered obstructions when located in any *open space* required on a *zoning lot*, except that no portion of such *open space* which is also a required *yard* or *rear yard equivalent*, or is needed to satisfy the minimum required area or dimensions of a *court*, may contain any obstructions not permitted in such *yard*, *rear yard equivalent*, or *court*:

R1	R2	R3	R4	R5	R6	R7	R8	R9
----	----	----	----	----	----	----	----	----

(a) Driveways, private streets, open *accessory* off-street parking spaces or open *accessory* off-street loading berths, provided that the total area occupied by all these items does not exceed 50 percent of the total required *open space* on the *zoning lot*

(b) Unenclosed terraces, fire escapes, planting boxes, or air conditioning units, provided that no such items project more than six feet into or over such *open space*

(c) Breezeways

(d) Unenclosed balconies, subject to the provisions of Section 23-13 (Balconies)

(e) Eaves, gutters, or downspouts, projecting into such *open space* not more than 16 inches or 20 percent of the width of such *open space*, whichever is the lesser distance

(f) Enclosed *accessory* off-street parking spaces, not to exceed one space per *dwelling unit*, when *accessory* to a one-family *detached* or two-family *detached residence*, provided that the total area occupied by a *building* used for such purposes does not exceed 20 percent of the total required *open space* on the *zoning lot*.

23-13

**Balconies**

In the districts indicated, balconies which:

R3	R4	R5	R6	R7	R8	R9	R10
----	----	----	----	----	----	----	-----

(a) Are unenclosed except for a parapet not exceeding three feet, eight inches in height or a railing not less than 50 percent open and not exceeding four feet, six inches in height, and

(b) Are located at or higher than the floor level of the fourth *story* of a *building*, and

(c) Have an aggregate length, at the level of any *story*, not exceeding 30 percent of the length at that level of the plane surface of the *building* wall from which they project,

may, by a distance not exceeding six feet, penetrate any *sky exposure plane*, or project into or over any required open area set forth in the following Sections:

(a) *Open space*, as defined in Section 12-10 (Definitions)

(b) *Plazas*, as defined in Section 12-10 (Definitions)

(c) *Rear yards*, as defined in Section 12-10 (Definitions)

(d) *Initial setback distances* or *sky exposure planes*, as set forth in Section 23-63 (Maximum Height of Front Wall and Required Front Setbacks)

(e) Alternate front setbacks or *sky exposure planes*, as set forth in Section 23-64 (Alternate Front Setbacks)

(f) Open areas not occupied by towers, as set forth in Section 23-65 (Tower Regulations)

(g) Required side and rear setbacks, as set forth in Section 23-66 (Required Side and Rear Setbacks)

(h) Required distances between *buildings*, as set forth in Section 23-71 (Minimum Distance between Buildings on a Single Zoning Lot).

Italicized words are defined in Section 12-10.

DISTRICTS									
R1	R2	R3	R4	R5	R6	R7	R8	R9	R10

**Basic Regulations**

23-14

**Minimum Required Open Space Ratio and Maximum Floor Area Ratio in R1 through R9 Districts**

In the districts indicated, except as otherwise provided in Section 23-19 (Special Provisions for Zoning Lots Divided by District Boundaries), for any *building* on a *zoning lot*, the minimum required *open space ratio* shall not be less than set forth in this Section, and the maximum *floor area ratio* shall not exceed the *floor area ratio* set forth in this Section. Any given *lot area* or area of *open space* shall be counted only once in determining the *floor area ratio* or the *open space ratio*.

R1 R2 R3 R4 R5 R6 R7 R8 R9

Any *building*, in addition to complying with the provisions of this Section, shall be subject to the provisions set forth in Section 23-22 (Required Lot Area per Dwelling Unit or per Room) as well as all other applicable *bulk* regulations as set forth in this Chapter.

23-141

**In R1, R2, R3, or R4 Districts**

In the districts indicated, the minimum required *open space ratio* and the maximum *floor area ratio* for any *building* on a *zoning lot* shall be as set forth in the following table:

R1 R2 R3 R4

Minimum required <i>open space ratio</i>	Maximum <i>floor</i> <i>area ratio</i>	R1	R2	R3	R4
150.0	0.50	R1	R2	R3	
80.0	0.75				R4

23-142

**In R5, R6, R7, R8, or R9 Districts**

In the districts indicated, the minimum required *open space ratio* and the maximum *floor area ratio* for any *building* on a *zoning lot* shall be as set forth in the following table for *buildings* with the *height factor* indicated in the table.<sup>1</sup>

R5 R6 R7 R8 R9

MINIMUM REQUIRED OPEN SPACE RATIO AND MAXIMUM FLOOR AREA RATIO, R5 THROUGH R9 DISTRICTS

For <i>buildings</i> with a <i>height</i> <i>factor</i> of	In R5 Districts		In R6 Districts		In R7 Districts		In R8 Districts		In R9 Districts	
	Min. required <i>open space</i> <i>ratio</i>	Max. <i>floor</i> <i>area</i> <i>ratio</i>	Min. required <i>open space</i> <i>ratio</i>	Max. <i>floor</i> <i>area</i> <i>ratio</i>	Min. required <i>open space</i> <i>ratio</i>	Max. <i>floor</i> <i>area</i> <i>ratio</i>	Min. required <i>open space</i> <i>ratio</i>	Max. <i>floor</i> <i>area</i> <i>ratio</i>	Min. required <i>open space</i> <i>ratio</i>	Max. <i>floor</i> <i>area</i> <i>ratio</i>
1	47.0	0.68	27.5	0.78	15.5	0.87	5.9	0.94	1.0	0.99
2	50.0	1.00	28.0	1.28	16.0	1.52	6.2	1.78	1.4	1.95
3	53.0	1.16	28.5	1.62	16.5	2.01	6.5	2.51	1.8	2.85
4	56.0	1.23	29.0	1.85	17.0	2.38	6.8	3.14	2.2	3.68
5	59.0	1.26	29.5	2.02	17.5	2.67	7.1	3.69	2.6	4.42
6	62.0	1.27	30.0	2.14	18.0	2.88	7.4	4.15	3.0	5.08
7	65.0	1.26	30.5	2.23	18.5	3.05	7.7	4.55	3.4	5.65
8	68.0	1.24	31.0	2.30	19.0	3.17	8.0	4.88	3.8	6.13
9	71.0	1.22	31.5	2.35	19.5	3.27	8.3	5.15	4.2	6.54
10	74.0	1.19	32.0	2.38	20.0	3.33	8.6	5.38	4.6	6.85
11	77.0	1.16	32.5	2.40	20.5	3.38	8.9	5.56	5.0	7.09
12	80.0	1.13	33.0	2.42	21.0	3.41	9.2	5.71	5.4	7.30
13	83.0	1.10	33.5	2.43	21.5	3.42	9.5	5.81	5.8	7.41
14	86.0	1.07	34.0	2.43	22.0	3.44	9.8	5.92	6.2	7.52
15	89.0	1.04	34.5	2.43	22.5	3.42	10.1	5.95	6.6	7.52
16	92.0	1.02	35.0	2.42	23.0	3.41	10.4	5.99	7.0	7.52
17	95.0	0.99	35.5	2.42	23.5	3.40	10.7	6.02	7.4	7.52
18	98.0	0.97	36.0	2.40	24.0	3.38	11.0	6.02	7.8	7.46
19	101.0	0.94	36.5	2.39	24.5	3.36	11.3	6.02	8.2	7.41
20	104.0	0.92	37.0	2.38	25.0	3.33	11.6	6.02	8.6	7.35
21	107.0	0.89	37.5	2.36	25.5	3.30	11.9	5.99	9.0	7.25

<sup>1</sup> For the convenience of users of this resolution, illustrative tables showing various possible combinations of *open space ratio* and *floor area ratio* for *buildings* with different *height factors* will be found at the end of this Chapter. A second set of illustrative tables shows percentages of *lot coverage* at different *open space ratios* and *height factors*.

Italicized words are defined in Section 12-10.

DISTRICTS									
R1	R2	R3	R4	R5	R6	R7	R8	R9	R10

23-143

**For high buildings in R5, R6, R7, R8, or R9 Districts**

In the districts indicated, for *buildings with height factors greater than 21*, the minimum required *open space ratio* shall be as set forth in the following table:

R5 R6 R7 R8 R9

OPEN SPACE RATIO FOR HIGH BUILDINGS

Minimum required <i>open space ratio</i> at height factor of 21	Additional required <i>open space ratio</i> for each additional height factor	
107.0	3.0	R5
37.5	0.5	R6
25.5	0.5	R7
11.9	0.3	R8
9.0	0.4	R9

For such *buildings*, the maximum *floor area ratio* shall be such as can be attained at the required *open space ratio* for the *height factor*.<sup>2</sup>

23-15

**Maximum Floor Area Ratio in R10 Districts**

In the district indicated, the *floor area ratio* for any *building* on a *zoning lot* shall not exceed 10.0, except as provided in the following Sections:

R10

- Section 23-16 (Floor Area Bonus for a Plaza)
- Section 23-17 (Floor Area Bonus for a Plaza-Connected Open Area)
- Section 23-18 (Floor Area Bonus for BARcades)
- Section 23-19 (Special Provisions for Zoning Lots Divided by District Boundaries).

Notwithstanding any other provision of this resolution, the maximum *floor area ratio* shall not exceed 12.0.

Any *building*, in addition to complying with the provisions of this Section, shall be subject to the provisions set forth in Section 23-22 (Required Lot Area per Dwelling Unit or per Room), as well as to all other applicable *bulk regulations* as set forth in this Chapter.

Supplementary Regulations

23-16

**Floor Area Bonus for a Plaza**

In the district indicated, for each square foot of *plaza* or portion of a *plaza* provided on a *zoning lot*, the total *floor area* permitted on that *zoning lot* under the provisions of Section 23-15 (Maximum Floor Area Ratio in R10 Districts) may be increased by six square feet.

R10

<sup>2</sup> The *floor area ratio* attainable at a given *height factor* and a given *open space ratio* may be computed from the following formula:

$$\frac{1}{\text{F.A.R.}} = \frac{\text{O.S.R.}}{100} + \frac{1}{\text{H.F.}}$$

Italicized words are defined in Section 12-10.

DISTRICTS									
R1	R2	R3	R4	R5	R6	R7	R8	R9	R10

23-17

**Floor Area Bonus for a Plaza-Connected Open Area**

In the district indicated, for each square foot of open area unobstructed from its lowest level to the sky, which has a minimum dimension of 40 feet and which connects two plazas or a plaza with a street, the total floor area permitted on a zoning lot under the provisions of Section 23-15 (Maximum Floor Area Ratio in R10 Districts) may be increased by six square feet.

R10

Permitted obstructions in such open area shall be the same as those set forth in Section 23-44 (Permitted Obstructions in Required Yards or Rear Yard Equivalents).

23-18

**Floor Area Bonus for Arcades**

In the district indicated, for each square foot of arcade provided on a zoning lot, the total floor area permitted on that zoning lot under the provisions of Section 23-15 (Maximum Floor Area Ratio in R10 Districts) may be increased by three square feet.

R10

**Regulations Applying in Special Situations**

23-19

**Special Provisions for Zoning Lots Divided by District Boundaries**

In all districts, as indicated, whenever a zoning lot is divided by a boundary between districts with different minimum required open space ratios or different maximum floor area ratios, the provisions set forth in Article VII, Chapter 7, shall apply.

R1 R2 R3 R4 R5 R6 R7 R8 R9 R10

**23-20 DENSITY REGULATIONS — REQUIRED LOT AREA PER DWELLING UNIT OR PER ROOM**

**Definitions**

23-21

**Definitions (repeated from Section 12-10)**

**Dwelling unit**

A "dwelling unit" consists of one or more rooms in a residential building or residential portion of a building, which are arranged, designed, used or intended for use by one or more persons living together and maintaining a common household, and which include lawful cooking space and lawful sanitary facilities reserved for the occupants thereof.

In counting the number of rooms in a dwelling unit for the purpose of determining the lot area requirements, no rooming unit shall be counted as part of the dwelling unit.

**Lot area per dwelling unit**

"Lot area per dwelling unit" is that portion of the lot area required for each dwelling unit located on a zoning lot.

**Lot area per room**

"Lot area per room" is that portion of the lot area required for each room located on a zoning lot.

**Room**

The number of "rooms" in a dwelling unit, for the purpose of complying with the lot area require-

ments, is computed in the following manner:

(a) The number of "living rooms," as defined in Section 4 of the Multiple Dwelling Law, is determined, except that:

- (1) Kitchens or other cooking spaces (without limit as to size) shall not be counted as "living rooms."
- (2) Dining alcoves, dinettes, or other dining spaces (without limit as to size) when not separated by walls or doors from other "living rooms" or cooking spaces, shall not be counted as "living rooms."
- (3) Dining rooms, in dwelling units containing three or more bedrooms, shall not be counted as "living rooms," except that such dining rooms may be counted in determining the degree of non-compliance under the provisions of Section 54-31 (General Provisions).

(b) The number of rooms to be counted in computing lot area requirements is then determined from the following table:

Number of "living rooms," as computed in (a) above	Rooms to be counted
1	2½
2	3½
3	4½
4	5½
5	6½
6	7½
Additional	1 each

The number of rooms in a rooming unit shall be counted as: 2.

Italicized words are defined in Section 12-10.



**Rooming unit**

A "rooming unit" consists of any "living room," as defined in Section 4 of the Multiple Dwelling Law, in a residential building or a residential portion of a building which is:

- (a) In a "class B multiple dwelling," a "rooming house," or a "furnished room house" as defined in Section 4 of the Multiple Dwelling Law, or
- (b) Used for "class B occupancy," as defined in Section D-26-2.2 of the Multiple Dwelling Code, or
- (c) Used for "single room occupancy," as defined in Section 4 of the Multiple Dwelling Law, or

(d) Occupied by a "boarder," "roomer," or "lodger," as defined in Section D-26-2.2 of the Multiple Dwelling Code; provided, however, that if not more than two such boarders, roomers, or lodgers reside within a dwelling unit, the room or rooms occupied by such boarders, roomers, or lodgers shall be counted as part of the dwelling unit and shall not be counted as rooming units, or

(e) Any other "living room" in a residential building or a residential portion of a building which is not a dwelling unit or part of a dwelling unit.

DISTRICTS									
R1	R2	R3	R4	R5	R6	R7	R8	R9	R10

23-22

**Required Lot Area per Dwelling Unit or per Room**

In all districts, as indicated, the total lot area of a zoning lot shall not be less than as set forth in this Section, except as provided in the following Sections:

R1	R2	R3	R4	R5	R6	R7	R8	R9	R10
----	----	----	----	----	----	----	----	----	-----

- Section 23-23 (Density Bonus for a Plaza, Plaza-Connected Open Area, or Arcade)
- Section 23-24 (Adjustment for Lot Area Remainder)
- Section 23-25 (Special Provisions for Buildings Used Partly for Permitted Non-Residential Uses)
- Section 23-26 (Lot Area Bonus for a Plaza, Plaza-Connected Open Area, or Arcade)
- Section 23-27 (Special Provisions for Existing Small Zoning Lots)
- Section 23-23 (Special Provisions for Zoning Lots Divided by District Boundaries).

In R1 or R2 Districts, the lot area requirement is expressed in terms of dwelling units. In all other districts it is expressed in terms of rooms.

Any given lot area shall be counted only once in meeting the lot area requirements.

This Section shall apply to all conversions, extensions, or enlargements of existing buildings which increase the number of dwelling units, rooms, or rooming units, as well as to all new development.

23-221

**In R1 or R2 Districts**

In the districts indicated, the required lot area per dwelling unit shall not be less than as set forth in the following table:

R1	R2
----	----

REQUIRED LOT AREA PER DWELLING UNIT  
(in square feet)

9,500	R1-1
5,700	R1-2
3,800	R2

DISTRICTS									
R1	R2	R3	R4	R5	R6	R7	R8	R9	R10

23-222

In R3, R4, or R10 Districts

In the districts indicated, the required *lot area per room* shall not be less than as set forth in the following table:

REQUIRED LOT AREA PER ROOM (in square feet)									
375							R3		R10
275							R4		
30									R10

23-223

In R5, R6, R7, R8, or R9 Districts<sup>1</sup>

In the districts indicated, the required *lot area per room* shall not be less than as set forth in the following table, and the requirements for a given *zoning lot* shall be determined in the following manner:

- (a) For each district, the basic *lot area* requirement per *room* is set forth in column A.
- (b) For each district, an *open space ratio* base point is set forth in column B.
- (c) For each district, there is set forth in column C an amount by which the basic *lot area* requirement in column A may be reduced for each point by which the *open space ratio* provided on the *zoning lot* exceeds the *open space ratio* base point in column B.
- (d) However, in no event shall the required *lot area per room* be less than the amount set forth in column D.

Fractions of a point of *open space ratio* or of a square foot shall be retained in computing such reduction, except that after the reduced requirement per *room* has been determined, a fraction of .5 or more of a foot shall be considered one square foot, and smaller fractions may be disregarded.

REQUIRED LOT AREA PER ROOM				
A Basic <i>lot area</i> requirement (square feet)	B <i>Open space ratio</i> base point	C Reduction per point of <i>open space ratio</i> above <i>open space ratio</i> base point (square feet)	D Minimum <i>lot area</i> requirement (square feet)	
215	44.0	1.75	173	R5
110	27.0	1.75	96	R6
85	15.0	1.20	72	R7
60	5.6	3.00	44	R8
45	0.6	0.70	39	R9

23-224

Regulation of rooming units in low bulk districts

In the districts indicated, any *dwelling unit* shall be occupied by only one *family*, and no *rooming units* shall be permitted.

<sup>1</sup> For the convenience of users of this resolution, illustrative tables showing the *lot area per room* required at various *open space ratios* will be found at the end of this Chapter.

Italicized words are defined in Section 12-10.

DISTRICTS										
R1	R2	R3	R4	R5	R6	R7	R8	R9	R10	

**Supplementary Regulations**

23-23

**Density Bonus for a Plaza, Plaza-Connected Open Area, or Arcade**

In the district indicated, for each percent of the total *lot area* provided as a *plaza* or *plaza-connected* open area, or for each two percent of the total *lot area* covered by an *arcade*, the *lot area* requirements set forth in Section 23-22 (Required Lot Area per Dwelling Unit or per Room) shall be reduced by .6 of one percent. However, in no event shall such reduction exceed 17 percent of the applicable *lot area* requirements set forth in Section 23-22.

R10

23-24

**Adjustment for Lot Area Remainder**

In all districts, as indicated, if an amount of *lot area* not allocated to a *dwelling unit* or *room* is less than that required for one such *dwelling unit* or *room* as applicable, in Section 23-22 (Required Lot Area per Dwelling Unit or per Room), such remaining *lot area* may be used to satisfy such *lot area* requirements if it represents not less than three-fourths thereof.

R1 R2 R3 R4 R5 R6 R7 R8 R9 R10

**Regulations Applying in Special Situations**

23-25

**Special Provisions for Buildings Used Partly for Permitted Non-Residential Uses**

In all districts, as indicated, if a *building* is used partly for *residences* and partly for permitted *non-residential uses* (other than *community facility uses*, the provisions for which are set forth in Article II, Chapter 4), for each 100 square feet of *floor area* used for such *non-residential use*, at least the amount of *lot area* set forth in the following table shall be provided. (Such *lot area* shall be in addition to that required for the *residential uses* under the provisions of Section 23-22 (Required Lot Area per Dwelling Unit or per Room)).

R1 R2 R3 R4 R5 R6 R7 R8 R9 R10

REQUIRED LOT AREA  
PER 100 SQUARE FEET OF FLOOR AREA  
(in square feet)

200	R1	R2	R3							
130				R4						
100					R5					
45						R6				
30							R7			
20								R8		
15									R9	
10										R10

23-26

**Lot Area Bonus for a Plaza, Plaza-Connected Open Area, or Arcade**

In the district indicated, for each percent of the total *lot area* provided as a *plaza* or *plaza-connected* open area, or for each two percent of the total *lot area* covered by an *arcade*, the *lot area* requirements set forth in Section 23-25 (Special Provisions for Buildings Used Partly for Permitted Non-Residential Uses) shall be reduced by .6 of one percent. However, in no event shall such reduction exceed 17 percent of the applicable *lot area* requirements set forth in Section 23-25.

R10

Italicized words are defined in Section 12-10.

DISTRICTS									
R1	R2	R3	R4	R5	R6	R7	R8	R9	R10

23-27

**Special Provisions for Existing Small Zoning Lots**

In all districts, as indicated, notwithstanding the provisions of Section 23-22 (Required Lot Area per Dwelling Unit or per Room), one *single-family detached residence*, or, where permitted, one *single-family residence*, may be built upon a *zoning lot* consisting entirely of a tract of land:

- (a) Which has less than the prescribed required lot area, and
- (b) Which was owned separately and individually from all other adjoining tracts of land, both on the effective date of this resolution and on the date of application for a building permit.

R1	R2	R3	R4	R5	R6	R7	R8	R9	R10
----	----	----	----	----	----	----	----	----	-----

23-28

**Special Provisions for Zoning Lots Divided by District Boundaries**

In all districts, as indicated, whenever a *zoning lot* is divided by a boundary between districts with different requirements for *lot area per dwelling unit or per room*, or for *lot area* for permitted non-residential uses, the provisions set forth in Article VII, Chapter 7, shall apply.

R1	R2	R3	R4	R5	R6	R7	R8	R9	R10
----	----	----	----	----	----	----	----	----	-----

23-30 **LOT AREA AND LOT WIDTH REGULATIONS**

**Definitions and General Provisions**

23-31

**Definitions (repeated from Section 12-10)**

**Lot area**

"Lot area" is the area of a *zoning lot*, provided that if a *zoning lot* includes any part of the area of a *street* closed subsequent to the effective date of

this resolution, not more than one-half of the area of such closed *street* shall be counted as *lot area*, and provided further, that in *Commercial* or *Manufacturing Districts*, if the total area of *streets* so closed exceeds 20 percent of the total *zoning lot*, the entire area of such *streets* in excess of such 20 per cent may be counted as *lot area* for any permitted *commercial* or *manufacturing use*.

**Lot width**

"Lot width" is the mean horizontal distance between the *side lot lines* of a *zoning lot*.

DISTRICTS									
R1	R2	R3	R4	R5	R6	R7	R8	R9	R10

**Basic Regulations**

23-32

**Minimum Lot Area or Lot Width for Residences**

In all districts, as indicated, except as provided in Section 23-33 (Special Provisions for Existing Small Lots), no *residence* is permitted on a *zoning lot* with a total *lot area* or *lot width* less than as set forth in the following table:

REQUIRED MINIMUM LOT AREA AND LOT WIDTH

Type of residence	Minimum lot area (in square feet)	Minimum lot width (in feet)									
<i>Single-family detached</i>	9,500	100	R1-1								
	5,700	60	R1-2								
	3,800	40	R2								
<i>One- or two-family detached</i>	3,800	40		R3	R4	R5	R6	R7	R8	R9	R10
<i>Any other permitted</i>	1,700	18		R3	R4	R5	R6	R7	R8	R9	R10

Italicized words are defined in Section 12-10.

DISTRICTS									
R1	R2	R3	R4	R5	R6	R7	R8	R9	R10

**Regulations Applying in Special Situations**

23-33

**Special Provisions for Existing Small Lots**

In all districts, as indicated, either one *single-family detached residence* or, where permitted, one *single-family residence* may be built upon a *zoning lot* consisting entirely of a tract of land:

R1 R2 R3 R4 R5 R6 R7 R8 R9 R10

(a) Which has less than the prescribed minimum *lot area* or *lot width*, and

(b) Which was owned separately and individually from all other adjoining tracts of land, both on the effective date of this resolution and on the date of application for a building permit.

23-34

**Special Provisions for Zoning Lots Divided by District Boundaries**

In all districts, as indicated, whenever a *zoning lot* is divided by a boundary between districts with different requirements for minimum *lot area* or *lot width* for residences, the provisions set forth in Article VII, Chapter 7, shall apply.

R1 R2 R3 R4 R5 R6 R7 R8 R9 R10

**23-40 YARD REGULATIONS**

**Definitions and General Provisions**

23-41

**Definitions (repeated from Section 12-10)**

**Yard**

A "yard" is that portion of a *zoning lot* extending open and unobstructed from the lowest level to the sky along the entire length of a *lot line*, and from the *lot line* for a depth or width set forth in the applicable district regulations.

**Yard, front**

A "front yard" is a *yard* extending along the full length of a *front lot line*. In the case of a *corner lot*, any *yard* extending along the full length of a *street line* shall be considered a *front yard*.

**Yard line, front**

A "front yard line" is a line drawn parallel to a *front lot line* at a distance therefrom equal to the depth of a required *front yard*.

**Yard, rear**

A "rear yard" is a *yard* extending for the full length of a *rear lot line*.

**Yard line, rear**

A "rear yard line" is a line drawn parallel to a *rear lot line* at a distance therefrom equal to the depth of a required *rear yard*.

**Yard equivalent, rear**

A "rear yard equivalent" is an open area which may be required on a *through lot* as an alternative to a required *rear yard*.

**Yard, side**

A "side yard" is a *yard* extending along a *side lot line* from the required *front yard* (or from the *front lot line*, if no *front yard* is required) to the required *rear yard* (or to the *rear lot line*, if no *rear yard* is required). In the case of a *corner lot*, any *yard* which is not a *front yard* shall be considered a *side yard*.

23-42

**Level of Yards**

In all *Residence Districts*, the level of a *yard* or of a *rear yard equivalent* shall not be higher than *curb level*, except that natural grade level need not be disturbed in order to comply with this requirement. No *building* or *other structure* shall be erected above ground level in any required *yard* or *rear yard equivalent*, except as otherwise provided in Section 23-44 (Permitted Obstructions in Required Yards or Rear Yard Equivalents).

23-43

**Measurement of Yard Width or Depth**

In all *Residence Districts*, the width or depth of a *yard* or *rear yard equivalent* shall be measured perpendicular to *lot lines*.

23-44

**Permitted Obstructions in Required Yards or Rear Yard Equivalents**

In all *Residence Districts*, the following shall not be considered obstructions when located within a required *yard* or *rear yard equivalent*:

(a) In any *yard* or *rear yard equivalent*:

- Arbors and trellises
- Awnings or canopies
- Chimneys projecting not more than three feet into, and not exceeding two percent of the area of, the required *yard* or *rear yard equivalent*
- Eaves, gutters, or downspouts, projecting into such *yard* or *rear yard equivalent* not more than 16 inches or 20 percent of the width of such *yard* or *rear yard equivalent*, whichever is the lesser distance
- Fences
- Flag poles

Italicized words are defined in Section 12-10.

23-44 (Continued)

Open *accessory* off-street parking spaces, except such spaces located within a *front yard*, which are:

(1) *Accessory* to one-family or two-family residences, detached or attached, or

(2) Not screened from *zoning lots* situated across the *street* in the manner specified in Section 25-66 (Screening).

Open terraces or porches

Steps

Walls not exceeding eight feet in height and not roofed or part of a *building*.

(b) In any *rear yard* or *rear yard equivalent*:

*Accessory* non-commercial greenhouses

*Accessory* off-street parking spaces, provided that:

(1) The height of a building used for such purposes, if *accessory* to a one-family or two-family *detached* or *semi-detached residence*, shall not exceed one story, and, if located in an R1 District,

such *building* may not be nearer than five feet to a *rear lot line* or *side lot line*.

(2) If *accessory* to any other kind of *residential building*, the height of such *accessory building* shall not exceed six feet above *curb level* in R3, R4, or R5 Districts, or fourteen feet above *curb level* in R6, R7, R8, R9, or R10 Districts.

*Accessory* sheds, tool rooms, or other similar *buildings* or *other structures* for domestic or agricultural storage, with a height not exceeding 10 feet above the level of the *rear yard* or *rear yard equivalent*

Breezeways

Fire escapes

Recreational or drying yard equipment

Unenclosed balconies, subject to the provisions of Section 23-13 (Balconies).

However, no portion of a *rear yard equivalent* which is also a required *front yard* or required *side yard* may contain any obstructions not permitted in such *front yard* or *side yard*.

DISTRICTS

R1 R2 R3 R4 R5 R6 R7 R8 R9 R10

Basic Regulations

Front Yards

23-45

Minimum Required Front Yards

In the districts indicated, *front yards* shall be provided as set forth in the following table, except that for a *corner lot* in an R1-2 District, one *front yard* may have a depth of 15 feet, and for a *corner lot* in an R3 or R4 District, one *front yard* may have a depth of 10 feet.

R1 R2 R3 R4 R5

FRONT YARD  
(in feet)

20

R1

15

R2 R3 R4

10

R5

Side Yards

23-46

Minimum Required Side Yards

In all districts, as indicated, *side yards* shall be provided on any *zoning lot* as specified in this Section, except as otherwise provided in the following Sections:

R1 R2 R3 R4 R5 R6 R7 R8 R9 R10

Section 23-48 (Special Provisions for Existing Narrow Zoning Lots)

Section 23-49 (Special Provisions for Party Walls)

Section 23-50 (Exceptions for Subdivision of Zoning Lots after Development)

Section 23-51 (Special Provisions Applying along District Boundaries).

Italicized words are defined in Section 12-10.

DISTRICTS										
R1	R2	R3	R4	R5	R6	R7	R8	R9	R10	

23-461

Side yards for one- or two-family residences

In all districts, as indicated, for one-family *detached residences* or, where permitted, for two-family *detached residences*, *side yards* shall be provided as set forth in the following table:

R1	R2	R3	R4	R5	R6	R7	R8	R9	R10
----	----	----	----	----	----	----	----	----	-----

MINIMUM REQUIRED SIDE YARDS

Number required	Required total width (in feet)	Required minimum width of any <i>side yard</i> (in feet)	
2	35	15	R1-1
2	20	8	R1-2
2	13	5	R2 R3 R4 R5 R6 R7 R8 R9 R10

23-462

Side yards for all other residential buildings

In the districts indicated, for all other *residential buildings*, *side yards* shall be provided as follows:

R3	R4	R5	R6	R7	R8	R9	R10
----	----	----	----	----	----	----	-----

(a) In the districts indicated, two *side yards*, each with a minimum required width of eight feet, shall be provided. However, if a *detached residential building* has an *aggregate width of street walls* of more than 80 feet, two *side yards* shall be provided, each equal to not less than 10 percent of such *aggregate width of street walls*. For *residential buildings* not exceeding two *stories* and *basement* in height, no such *side yard* need be more than 15 feet wide.

R3	R4	R5
----	----	----

(b) In the districts indicated, no *side yards* are required. However, if any open area extending along a *side lot line* is provided, it shall be at least eight feet wide.

R6	R7	R8	R9	R10
----	----	----	----	-----

23-463

Maximum aggregate width of street walls

In the districts indicated, the *aggregate width of street walls* of a *residential building* shall not exceed the length set forth in the following table:

R3	R4	R5
----	----	----

MAXIMUM AGGREGATE WIDTH OF STREET WALLS (in feet)

125	R3
185	R4 R5

23-464

Side yards for buildings used for permitted non-residential uses

In the districts indicated, if a *building* used for permitted *non-residential uses* has an *aggregate width of street walls* equal to 60 feet or less, two *side yards* shall be provided, each with a minimum required width of eight feet. If such *building* has an *aggregate width of street walls* equal to more than 60 feet, two *side yards* shall be provided, each equal to not less than 15 percent of the *aggregate width of street walls*.

R1	R2	R3	R4	R5
----	----	----	----	----

Italicized words are defined in Section 12-10.

DISTRICTS									
R1	R2	R3	R4	R5	R6	R7	R8	R9	R10

**Rear Yards**

23-47

**Minimum Required Rear Yards**

In all districts, as indicated, one *rear yard* with a depth of not less than 30 feet shall be provided on any *zoning lot* except a *corner lot* and except as otherwise provided in Section 23-52 (Special Provisions for Shallow Interior Lots), Section 23-53 (Special Provisions for Through Lots), or Section 23-54 (Other Special Provisions for Rear Yards).

R1	R2	R3	R4	R5	R6	R7	R8	R9	R10
----	----	----	----	----	----	----	----	----	-----

**Regulations Applying in Special Situations**

**Side Yards**

23-48

**Special Provisions for Existing Narrow Zoning Lots**

In all districts, as indicated, the required total width of *side yards* for a one-family *detached* or two-family *detached residence* may be reduced by four inches for each foot by which the width of a *zoning lot* is less than that required under the provisions of Section 23-32 (Minimum Lot Area or Lot Width for Residences) if such *zoning lot* consists entirely of a tract of land:

R1	R2	R3	R4	R5	R6	R7	R8	R9	R10
----	----	----	----	----	----	----	----	----	-----

(a) Which has less than the prescribed minimum *lot width*, and

(b) Which was owned separately and individually from all other adjoining tracts of land, both on the effective date of this resolution and on the date of application for a building permit.

However, in no event shall the required width of a *side yard* be less than five feet.

23-49

**Special Provisions for Party Walls**

In the districts indicated, a *residence* may be constructed so as to:

R3	R4	R5
----	----	----

(a) Utilize a party wall or party walls existing on the effective date of this resolution or lawfully erected under the terms of this resolution; or

(b) Incorporate a straight line extension of a party wall or of an independent wall adjacent to a party wall existing on the effective date of this resolution or lawfully erected under the terms of this resolution; or

(c) Share a party wall or party walls with other *residences* being erected at the same time on an adjoining *zoning lot* or *zoning lots*.

If a *residence* is so constructed, the *side yard* requirements shall be waived along that boundary of the *zoning lot* coincident with said party wall or party walls, and one *side yard* at least eight feet wide shall be provided along any *side lot line* of the *zoning lot* where a party wall is not so utilized.

Italicized words are defined in Section 12-10.



DISTRICTS									
R1	R2	R3	R4	R5	R6	R7	R8	R9	R10

23-50

**Exceptions for Subdivision of Zoning Lots after Development**

In the districts indicated, notwithstanding the provisions of Section 23-462 (Side yards for all other residential buildings), after a *detached residential building* has been constructed on a *zoning lot*, such *zoning lot* may be subdivided, subject to any other applicable regulations of this resolution, so that portions of the *building* are located on different *zoning lots*.

R3 R4 R5

After such a subdivision, *side yard* requirements shall apply only:

- (a) Where *side yard* requirements applied along a *side lot line* of the original *zoning lot*, and
- (b) Where *side lot lines* of the subdivided *zoning lot* separate *detached buildings*.

23-51

**Special Provisions Applying along District Boundaries**

In the districts indicated, if the boundary of an adjoining R1, R2, R3, R4, or R5 District coincides with a *side lot line* of a *zoning lot*, a *side yard* at least eight feet wide shall be provided along such boundary within the districts indicated.

R6 R7 R8 R9 R10

**Rear Yards**

23-52

**Special Provisions for Shallow Interior Lots**

In the districts indicated, if an *interior lot* consists entirely of a tract of land:

R6 R7 R8 R9 R10

- (a) Which was owned separately and individually from all other adjoining tracts of land, both on the effective date of this resolution and on the date of application for a building permit, and
- (b) Which is less than 70 feet deep at any point,

the depth of a required *rear yard* for such *interior lot* may be reduced by one foot for each foot by which the maximum depth of such *zoning lot* is less than 70 feet. No *rear yard* is required on any *interior lot* with a maximum depth of 50 feet or less.

23-53

**Special Provisions for Through Lots**

In all districts, as indicated, the regulations of this Section shall apply to all *through lots*, except that in the case of a *zoning lot* occupying an entire *block*, no *rear yard* or *rear yard equivalent* shall be required.

R1 R2 R3 R4 R5 R6 R7 R8 R9 R10

23-531

**Excepted districts**

In the districts indicated, no *rear yard* regulations shall apply to any *through lots*, except as otherwise provided in Section 23-543 (For portions of through lots).

R1 R2 R3

23-532

**Excepted through lots**

In the districts indicated, no *rear yard* regulations shall apply to any *through lots* which extend less than 110 feet in maximum depth from *street* to *street*.

R4 R5 R6 R7 R8 R9 R10

Italicized words are defined in Section 12-10.

DISTRICTS									
R1	R2	R3	R4	R5	R6	R7	R8	R9	R10

23-533

**Required rear yard equivalents**

In the districts indicated, on any *through lot* 110 feet or more in maximum depth from *street to street*, one of the following *rear yard equivalents* shall be provided:

R4 R5 R6 R7 R8 R9 R10

(a) An open area with a minimum depth of 60 feet, linking adjoining *rear yards*, or if no such *rear yards* exist, then an open area, with a minimum depth of 60 feet, midway (or within five feet of being midway) between the two *street lines* upon which such *through lot* fronts

(b) Two open areas, each adjoining and extending along the full length of a *street line*, and each with a minimum depth of 30 feet measured from such *street line*

(c) An open area adjoining and extending along the full length of each *side lot line*, with a minimum width of 30 feet measured from each such *side lot line*.

Any such *rear yard equivalent* shall be unobstructed from its lowest level to the sky, except as provided in Section 23-44 (Permitted Obstructions in Required Yards or Rear Yard Equivalents).

23-54

**Other Special Provisions for Rear Yards**

In all districts, as indicated, the *rear yard* requirements set forth in Section 23-47 (Minimum Required Rear Yards) shall be modified as set forth in this Section.

R1 R2 R3 R4 R5 R6 R7 R8 R9 R10

23-541

**Within one hundred feet of corners**

In all districts, as indicated, no *rear yard* shall be required within 100 feet of the point of intersection of two *street lines* intersecting at an angle of 135 degrees or less.

R1 R2 R3 R4 R5 R6 R7 R8 R9 R10

23-542

**Along short dimension of block**

In all districts, as indicated, whenever a *front lot line* of a *zoning lot* coincides with all or part of a *street line* measuring less than 220 feet in length between two intersecting *streets*, no *rear yard* shall be required within 100 feet of such *front lot line*.

R1 R2 R3 R4 R5 R6 R7 R8 R9 R10

23-543

**For portions of through lots**

In all districts, as indicated, along any *rear lot line* of a portion of a *through lot* which coincides with a *rear lot line* of an adjoining *zoning lot*, a *rear yard* shall be required as if such portion were an *interior lot*.

R1 R2 R3 R4 R5 R6 R7 R8 R9 R10

**All Yards**

23-55

**Special Provisions for Zoning Lots Divided by District Boundaries**

In all districts, as indicated, whenever a *zoning lot* is divided by a boundary between districts with different *yard* regulations, the provisions set forth in Article VII, Chapter 7, shall apply.

R1 R2 R3 R4 R5 R6 R7 R8 R9 R10

Italicized words are defined in Section 12-10.

**23-60 HEIGHT AND SETBACK REGULATIONS**

**Definitions and General Provisions**

**23-61**

**Definitions (repeated from Section 12-10)**

**Initial setback distance**

An "initial setback distance" is a horizontal distance measured from a *street line* into a *zoning lot* for a depth as set forth in the district regulations.

**Public park**

A "public park" is any publicly-owned park, playground, beach, parkway, or roadway within the jurisdiction and control of the Commissioner of Parks, except for park strips or malls in a *street* the roadways of which are not within his jurisdiction and control.

**Sky exposure plane**

A "sky exposure plane" is an imaginary inclined plane:

- (a) Beginning above the *street line* (or, where so indicated, above the *front yard line*) at a height set forth in the district regulations, and
- (b) Rising over a *zoning lot* at a ratio of vertical distance to horizontal distance set forth in the district regulations.

**Street, narrow**

A "narrow street" is any *street* less than 75 feet wide.

**Street, wide**

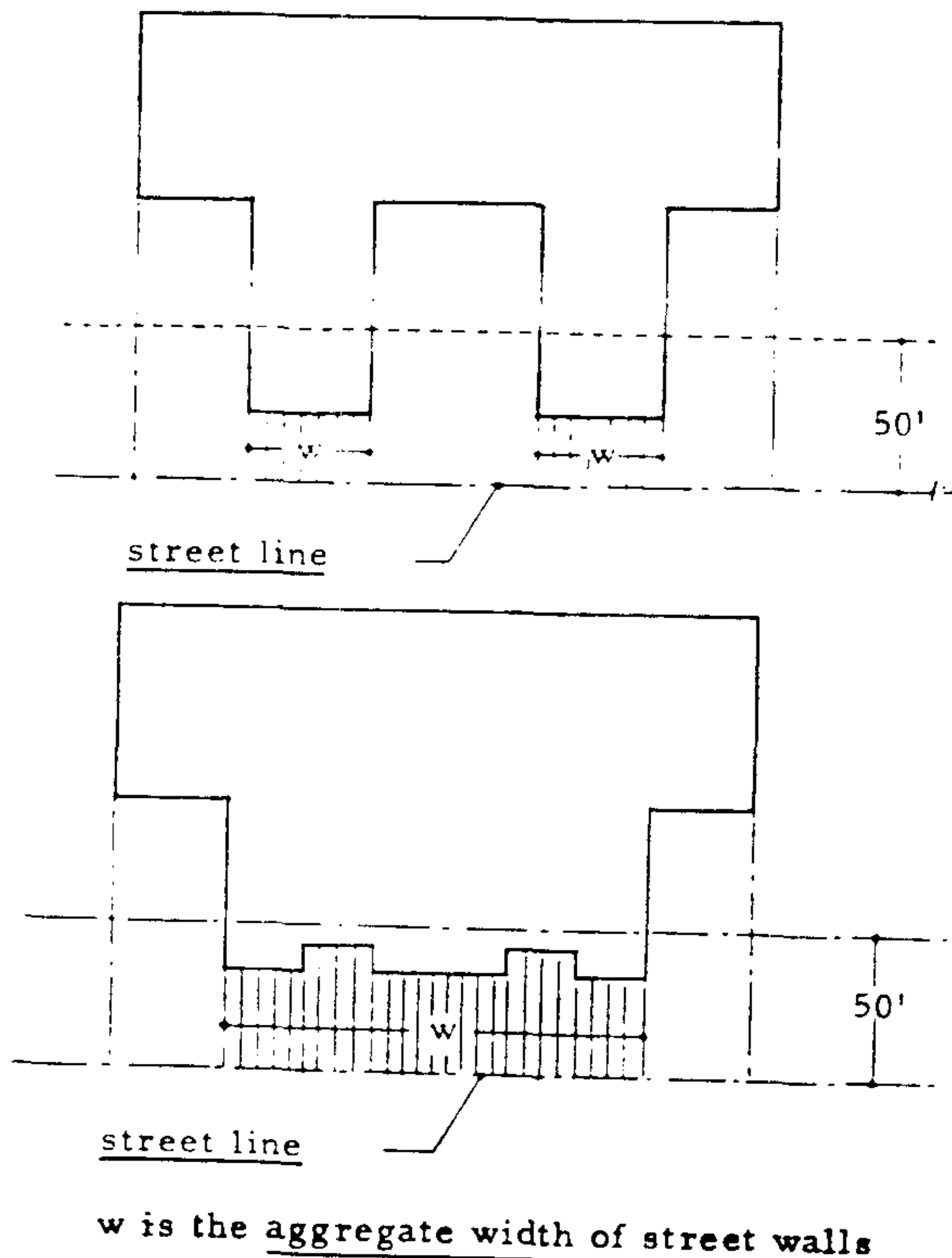
A "wide street" is any *street* 75 feet or more in width.

**Street wall**

A "street wall" is a wall or portion of a wall of a *building* facing a *street*.

**Street walls, aggregate width of**

The "aggregate width of street walls" at any given level is the sum of the maximum widths of all *street walls* of a *building* within 50 feet of a *street line*. The width of a *street wall* is the length of the *street line* from which, when viewed directly from above, lines perpendicular to the *street line* may be drawn to such *street wall*.



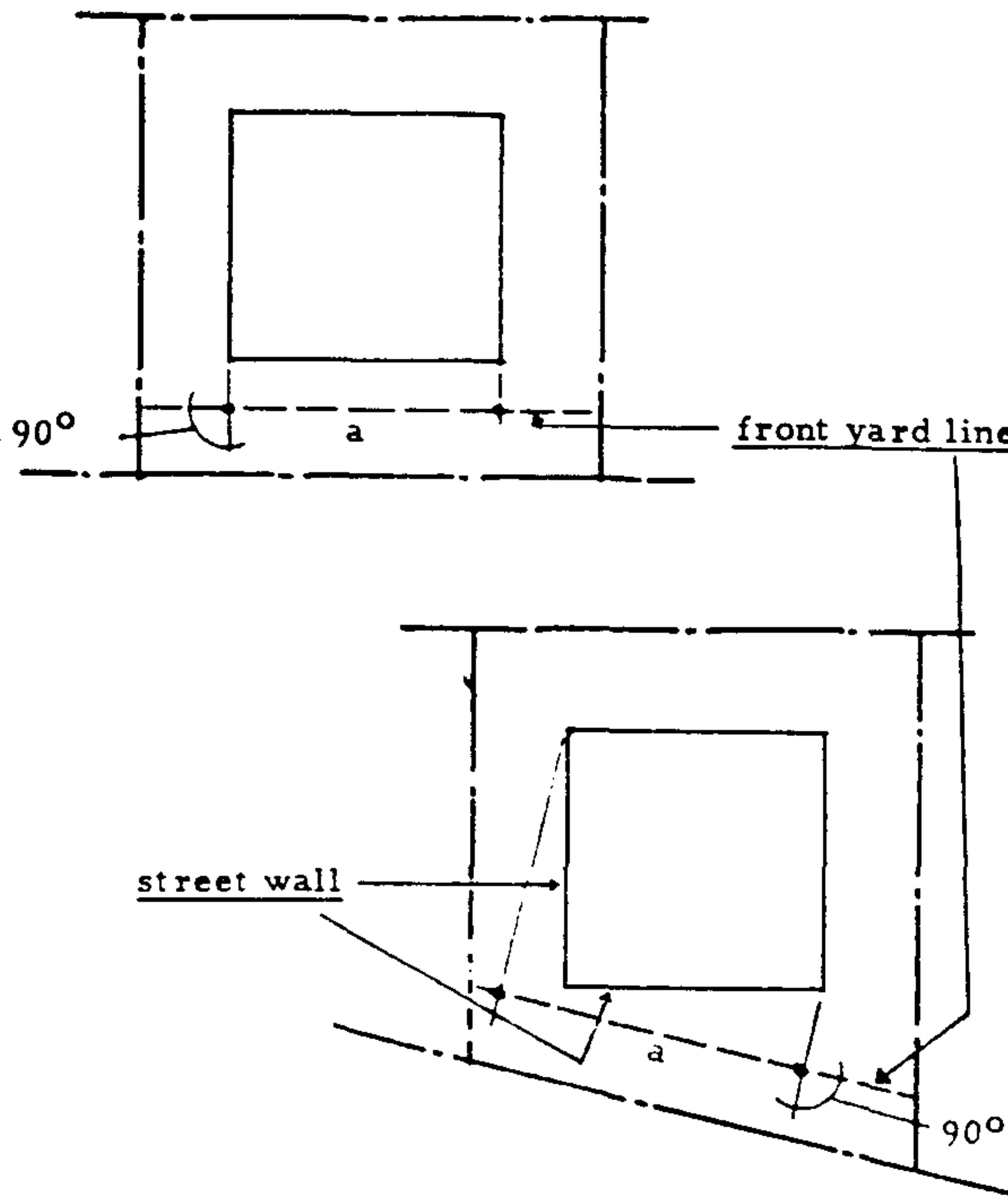
ILLUSTRATIONS OF AGGREGATE WIDTH OF STREET WALLS SECTION 23-61

**Yard line, front**

A "front yard line" is a line drawn parallel to a *front lot line* at a distance therefrom equal to the depth of a required *front yard*.

**Yard line, front, level (of)**

The "front yard line level" is the mean level of that portion of the *front yard line* from which, when viewed directly from above, lines perpendicular to the *front yard line* may be drawn to a *street wall*. On *corner lots*, the *front yard line level* is the mean of the *front yard line levels*.



ILLUSTRATIONS OF FRONT YARD LINE LEVEL SECTION 23-61

**Yard line, rear**

A "rear yard line" is a line drawn parallel to a *rear lot line* at a distance therefrom equal to the depth of a required *rear yard*.

**23-62**

**Permitted Obstructions**

In all *Residence Districts*, the following shall not be considered obstructions and may thus penetrate a maximum height limit or a *sky exposure plane* set forth in Section 23-63 (Maximum Height of Front Wall and Required Front Setbacks) or Section 23-64 (Alternate Front Setbacks):

- (a) Chimneys or flues, with a total width not exceeding 10 percent of the *aggregate width of street walls* of a *building* at any level
- (b) Dormers having an *aggregate width of street walls* equal to not more than 50 percent of the width of the *street wall* of a *detached* or *semi-detached* one- or two-family *residence*
- (c) Elevator or stair bulkheads, roof water tanks, or cooling towers (including enclosures), each having an *aggregate width of street walls* equal to not more than 30 feet. However, the product, in square feet, of the *aggregate width of street walls* of such obstructions facing each *street frontage*, times their average height, in feet, shall not exceed a figure equal to four times the width, in feet, of the *street wall* of the *building* facing such frontage.
- (d) Flagpoles or aerials
- (e) Parapet walls not more than four feet high

(continued on following page)

Italicized words are defined in Section 12-10.

23-62 (Continued)

- (f) Unenclosed balconies, subject to the provisions of Section 23-13 (Balconies)
- (g) Wire, chain link, or other transparent fences.

Building columns having an aggregate width equal to not more than 20 percent of the *aggregate width of street walls of a building* are a permitted obstruction, to a depth not exceeding 12 inches, in an *initial setback distance*, optional front open area, or any other required setback distance or open area set forth in Section 23-63, Section 23-64, or Section 23-65 (Tower Regulations).

DISTRICTS

R1	R2	R3	R4	R5	R6	R7	R8	R9	R10
----	----	----	----	----	----	----	----	----	-----

Basic Regulations

23-63

Maximum Height of Front Wall and Required Front Setbacks

In all districts, as indicated, the maximum height of a front wall or of any other portion of a *building or other structure* shall be as set forth in this Section, except as otherwise provided in Section 23-62 (Permitted Obstructions), Section 23-64 (Alternate Front Setbacks), or Section 23-65 (Tower Regulations).

R1	R2	R3	R4	R5	R6	R7	R8	R9	R10
----	----	----	----	----	----	----	----	----	-----

23-631

Front Setbacks in districts where front yards are required

In the districts indicated, where *front yards* are required, the front wall or any other portion of a *building or other structure* shall not penetrate the *sky exposure plane* set forth in the following table:

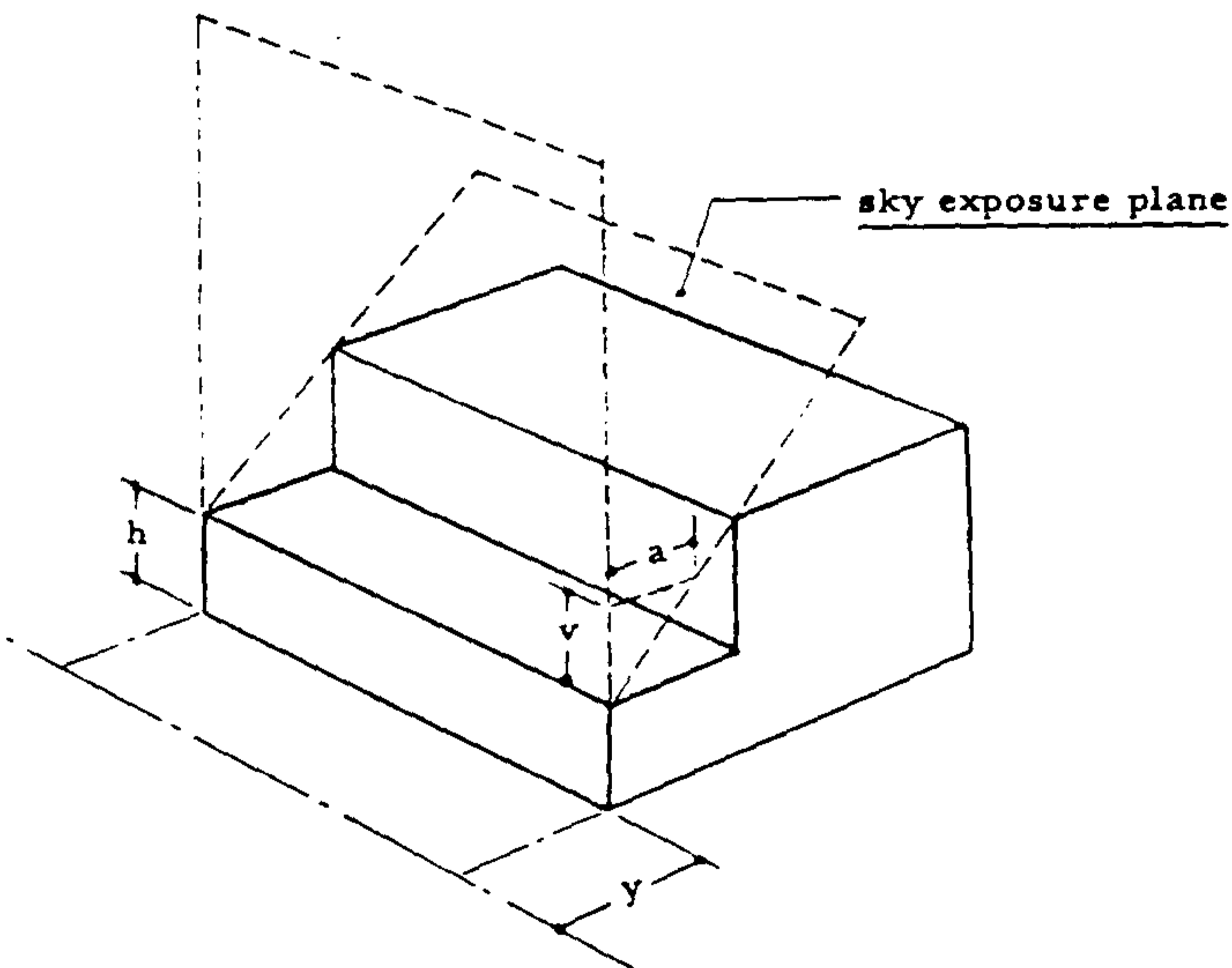
R1	R2	R3	R4	R5
----	----	----	----	----

MAXIMUM HEIGHT OF FRONT WALL AND REQUIRED FRONT SETBACKS

*Sky exposure plane*

Height above front yard line (in feet)	Slope over zoning lot (expressed as a ratio of vertical distance to horizontal distance)			
	On narrow street		On wide street	
	Vertical distance	Horizontal distance	Vertical distance	Horizontal distance
25	1	to 1	1	to 1
35	1	to 1	1	to 1

R1	R2	R3	R4	R5
----	----	----	----	----



- y* is the depth of required front yard
- h* is the height of sky exposure plane above front yard line level
- v* is the vertical distance
- a* is the horizontal distance

ILLUSTRATION OF SKY EXPOSURE PLANE SECTION 23-631

Italicized words are defined in Section 12-10.

DISTRICTS									
R1	R2	R3	R4	R5	R6	R7	R8	R9	R10

23-632

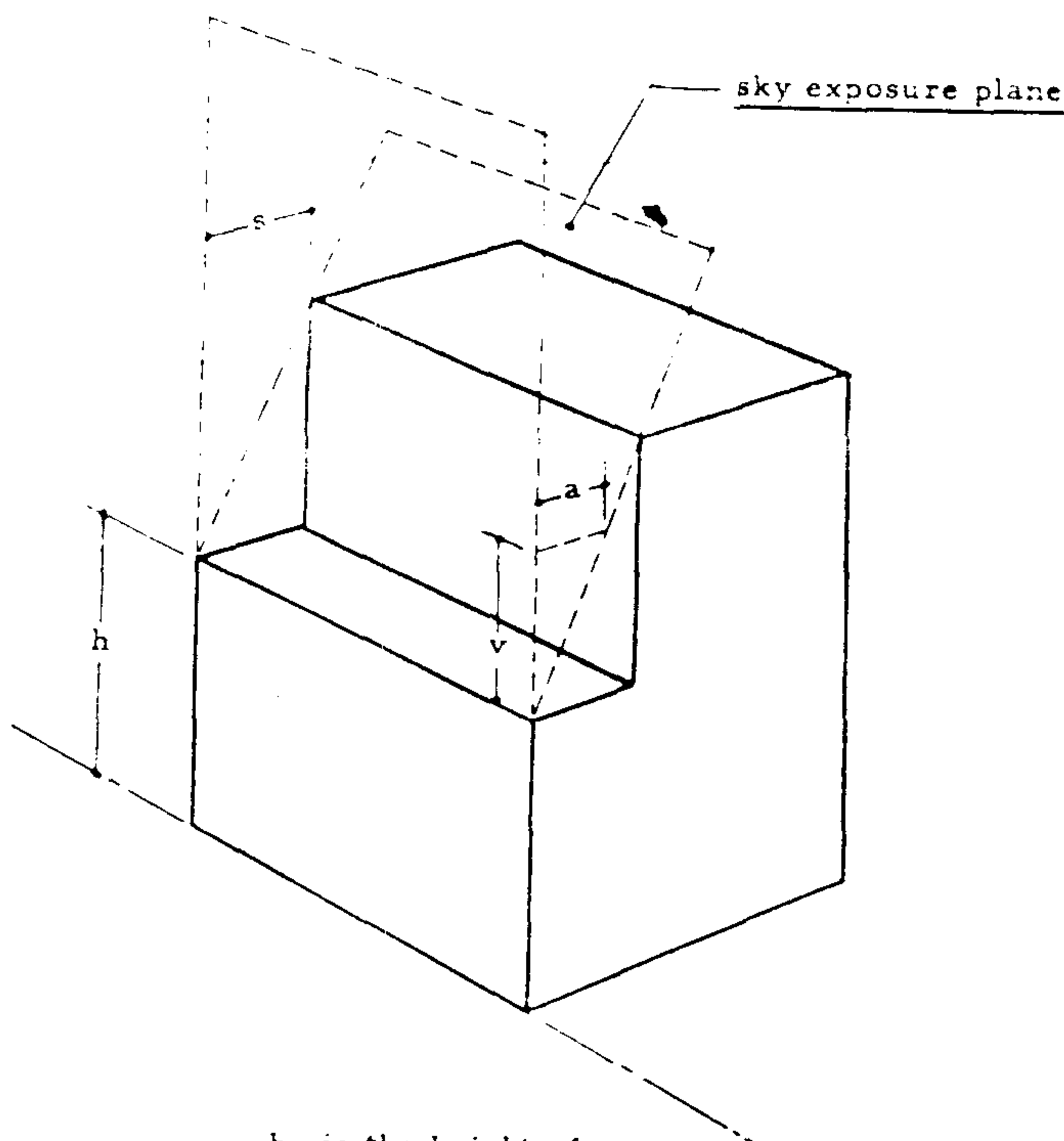
**Front setbacks in districts where front yards are not required**

In the districts indicated, where *front yards* are not required, if the front wall or other portion of a *building or other structure* is located at the *street line* or within the *initial setback distance* set forth in the following table, the height of such front wall or other portion of a *building or other structure* shall not exceed the maximum height above *curb level* set forth in the following table. Above such specified maximum height and beyond the *initial setback distance*, the *building or other structure* shall not penetrate the *sky exposure plane* set forth in the following table:

R6 R7 R8 R9 R10

MAXIMUM HEIGHT OF FRONT WALL AND REQUIRED FRONT SETBACKS

Initial setback distance (in feet)		Maximum height of a front wall, or other portion of a building, within the initial setback distance	Height above street line (in feet)	Sky exposure plane				
				Slope over zoning lot (expressed as a ratio of vertical distance to horizontal distance)				
On narrow street	On wide street			On narrow street	On wide street			
				Vertical distance	Horizontal distance	Vertical distance	Horizontal distance	
20	15	60 feet or six stories, whichever is less	60	2.7	to 1	5.6	to 1	R6 R7
20	15	85 feet or nine stories, whichever is less	85	2.7	to 1	5.6	to 1	R8 R9 R10



- h is the height of sky exposure plane above street line
- s is the initial setback distance
- v is the vertical distance
- a is the horizontal distance

ILLUSTRATION OF SKY EXPOSURE PLANE  
SECTION 23-632

Italicized words are defined in Section 12-10.

DISTRICTS									
R1	R2	R3	R4	R5	R6	R7	R8	R9	R10

23-64

Alternate Front Setbacks

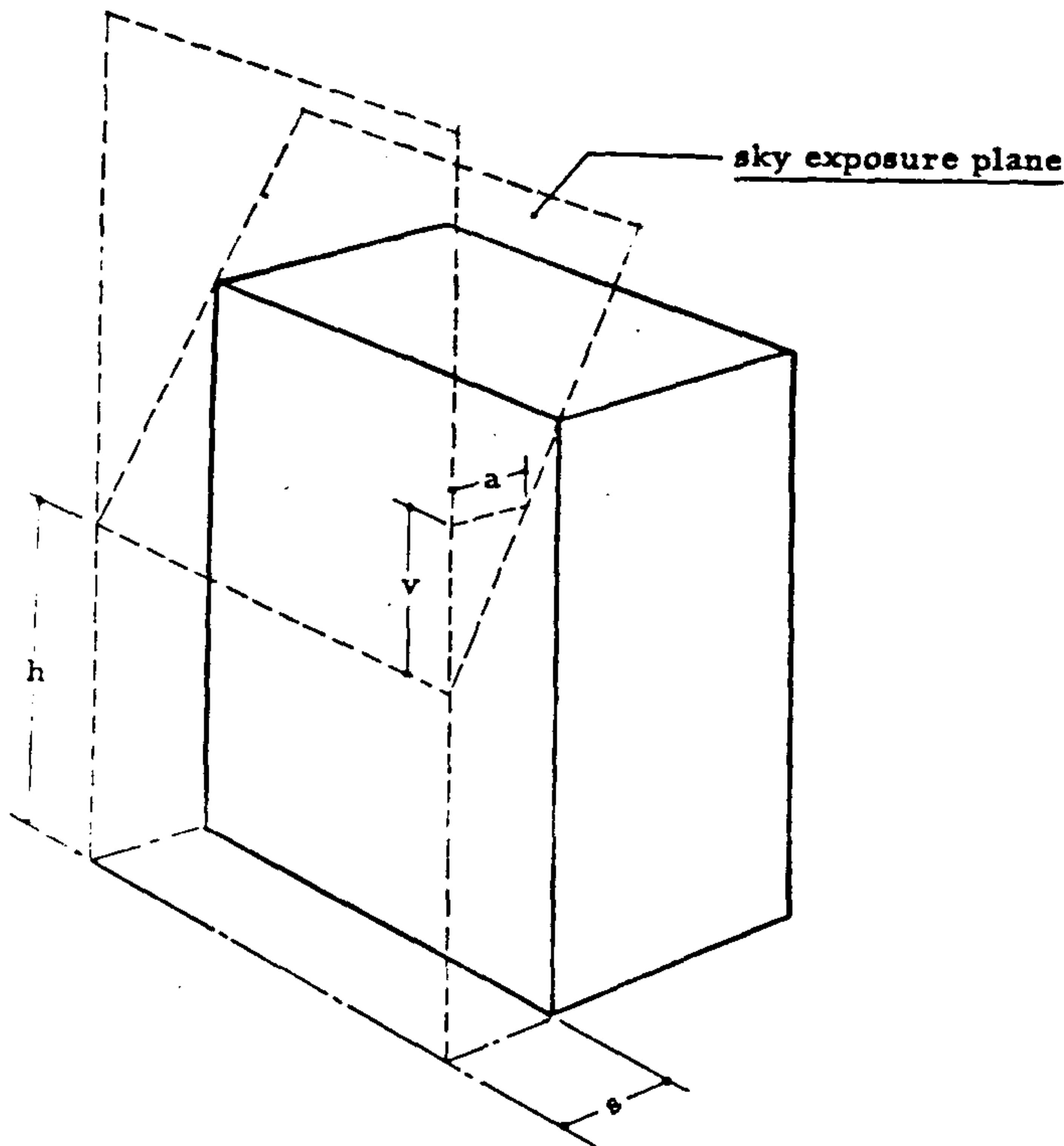
In the districts indicated, if an open area is provided along the full length of the *front lot line* with the minimum depth set forth in the following table, the provisions of Section 23-63 (Maximum Height of Front Wall and Required Front Setbacks) shall not apply. The minimum depth of such an open area shall be measured perpendicular to the *front lot line*. However, in such instances, except as otherwise provided in Section 23-62 (Permitted Obstructions) or Section 23-65 (Tower Regulations), no *building or other structure* shall penetrate the alternate *sky exposure plane* set forth in the following table, and the *sky exposure plane* shall be measured from a point above the *street line*.

R6 R7 R8 R9 R10

If the open area provided under the terms of this Section is a *plaza*, such open area may be counted for the bonus provided for a *plaza* in the districts indicated in Section 23-16 (Floor Area Bonus for a Plaza), Section 23-23 (Density Bonus for a Plaza, Plaza-Connected Open Area, or Arcade), or Section 23-26 (Lot Area Bonus for a Plaza, Plaza-Connected Open Area, or Arcade).

ALTERNATE REQUIRED FRONT SETBACKS

Depth of optional front open area (in feet)		Height above street line (in feet)	Slope over zoning lot (expressed as a ratio of vertical distance to horizontal distance)				
On narrow street	On wide street		On narrow street		On wide street		
			Vertical distance	Horizontal distance	Vertical distance	Horizontal distance	
15	10	60	3.7	to 1	7.6	to 1	R6 R7
15	10	85	3.7	to 1	7.6	to 1	R8 R9 R10



- h is the height of sky exposure plane above street line
- s is the depth of the optional front open area
- v is the vertical distance
- a is the horizontal distance

ILLUSTRATION OF ALTERNATE SKY EXPOSURE PLANE  
SECTION 23-64

Italicized words are defined in Section 12-10.

DISTRICTS									
R1	R2	R3	R4	R5	R6	R7	R8	R9	R10

### Supplementary Regulations

23-65

#### Tower Regulations

R9 R10

In the districts indicated, any *building* or *buildings* or portion thereof which in the aggregate occupy not more than 40 percent of the *lot area* of a *zoning lot* or, for *zoning lots* of less than 20,000 square feet, the percent set forth in Section 23-651 (Towers on small lots), may penetrate an established *sky exposure plane*. (Such *building* or portion thereof is hereinafter referred to as a tower.) However, at any level, such tower shall be set back from a *street line* as follows:

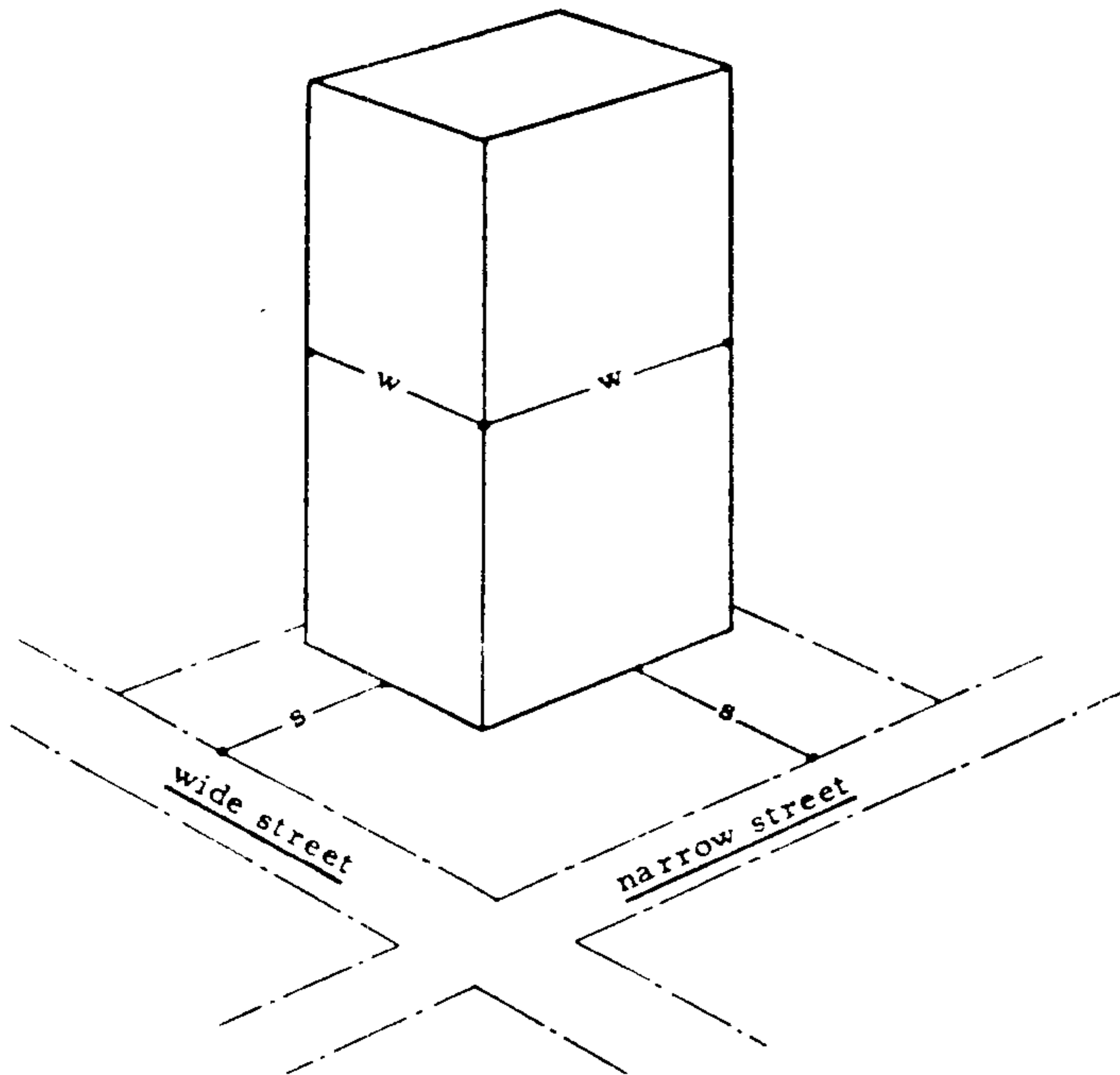
(a) On *narrow streets*, by a distance at least one-third of the *aggregate width of street walls* of the tower at such level, provided that such setback need not exceed 50 feet.

(b) On *wide streets*, by a distance at least one-fourth of the *aggregate width of street walls* of the tower at such level, provided that such setback need not exceed 40 feet.

If the *building* of which such tower is a portion does not occupy at any level more than the maximum percent of the *lot area* set forth in this Section or Section 23-651 for towers, each required setback as set forth in (a) and (b) of this Section may be reduced by five feet, provided that no such reduced setback shall be less than 20 feet in depth.

Unenclosed balconies, subject to the provisions of Section 23-13 (Balconies) are permitted to project into or over open areas not occupied by towers.

The provisions of this Section shall not apply to any *building*, located wholly or partly in a *Residence District*, which is within 100 feet of (a) a *public park* with an area of one acre or more, or (b) a *street line* opposite such a *public park*.



s is the required setback from streets

w is the aggregate width of street walls

ILLUSTRATION OF TOWER  
SECTION 23-65

DISTRICTS										
R1	R2	R3	R4	R5	R6	R7	R8	R9	R10	

**23-651**

**Towers on small lots**

In the districts indicated, a tower may occupy the percent of the *lot area* of a *zoning lot* set forth in the following table:

R9 R10

LOT COVERAGE OF TOWERS  
ON SMALL ZONING LOTS

Area of zoning lot (in square feet)	Maximum percent of lot coverage
10,500 or less	50
10,501 to 11,500	49
11,501 to 12,500	48
12,501 to 13,500	47
13,501 to 14,500	46
14,501 to 15,500	45
15,501 to 16,500	44
16,501 to 17,500	43
17,501 to 18,500	42
18,501 to 19,999	41

**23-66**

**Required Side and Rear Setbacks**

In all districts, as indicated, side and rear setbacks shall be provided as specified in this Section. Unenclosed balconies, subject to the provisions of Section 23-13 (Balconies), are permitted to project into or over any open areas required by the provisions of this Section.

R1 R2 R3 R4 R5 R6 R7 R8 R9 R10

**23-661**

**Required side and rear setbacks for tall residential buildings in low bulk districts**

In the districts indicated, no portion of any *residential building* which is more than 30 feet or more than three *stories*, whichever is lower, above the level of a *side yard* or *rear yard*, shall be nearer to a *side lot line* or *rear lot line* bounding such *yard* than a distance equal to one-half the height above *yard level* of such portion of the *residential building*.

R1 R2 R3 R4 R5

**23-662**

**Required side and rear setbacks for permitted non-residential uses in low bulk districts**

In the districts indicated, no portion of any *building* used for permitted *non-residential uses* which is more than 30 feet or more than three *stories*, whichever is less, above the level of a *side yard* or *rear yard*, shall be nearer to a *side lot line* or *rear lot line* bounding such *yard* than a distance equal to the height above *yard level* of such portion of the *building*.

R1 R2 R3 R4 R5

Italicized words are defined in Section 12-10.



DISTRICTS										
R1	R2	R3	R4	R5	R6	R7	R8	R9	R10	

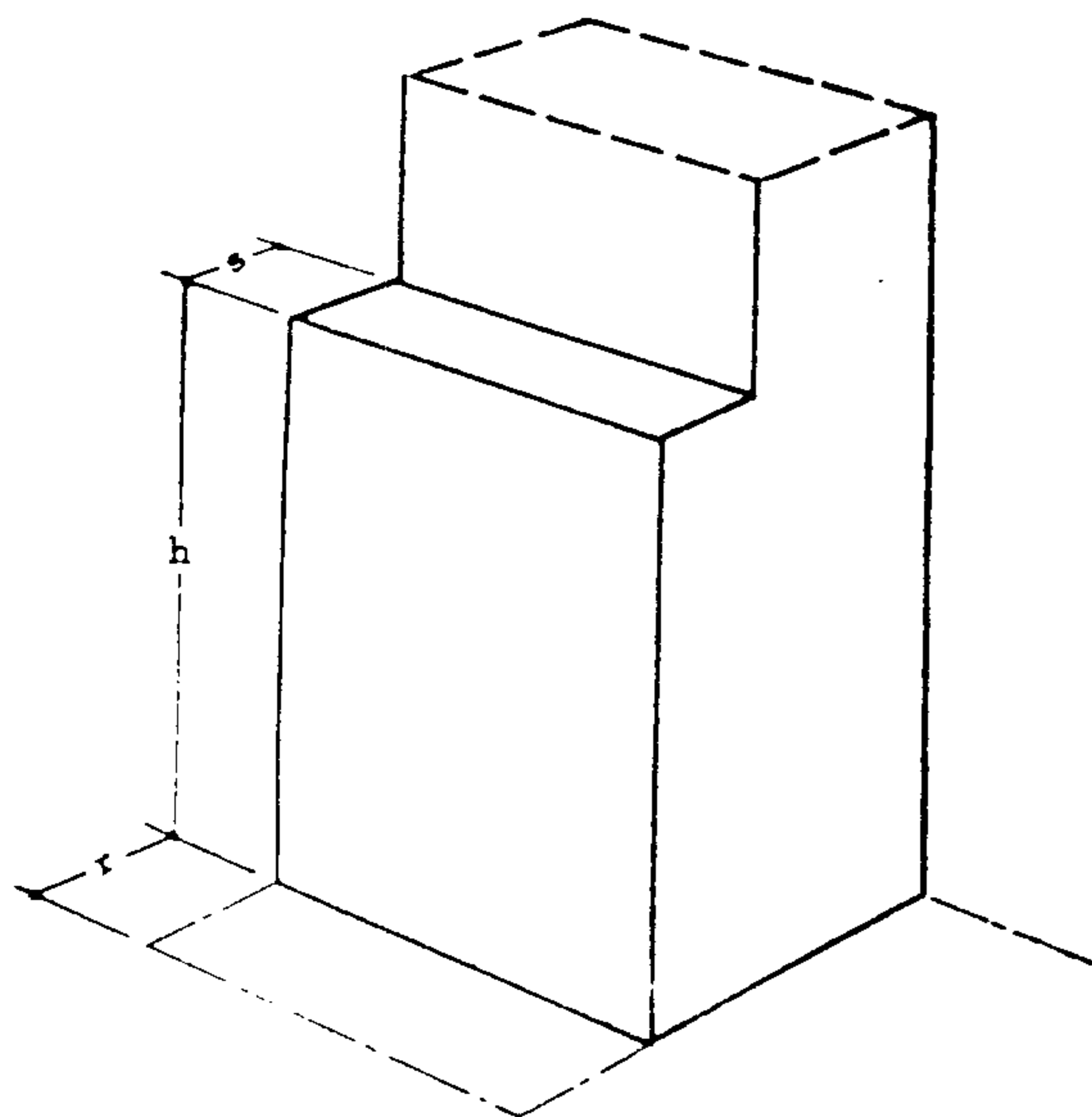
23-663

**Required rear setbacks for tall buildings in other districts**

In the districts indicated, no portion of a *building* more than 125 feet above *yard* level shall be nearer to a *rear yard line* than 20 feet. However, this provision shall not apply to any portion of a *building* which qualifies as a tower under the provisions of Section 23-65 (Tower Regulations).

R6 R7 R8 R9 R10

In the case of a *through lot* on which a *rear yard equivalent* is provided as set forth in paragraph (a) of Section 23-533 (Required rear yard equivalents), the requirements of this Section shall apply as if such *rear yard equivalent* were two adjoining *rear yards*. If a *rear yard equivalent* is provided as set forth in paragraphs (b) or (c) of Section 23-533, the requirements of this Section shall not apply.



- r is the depth of required rear yard
- s is the depth of required rear yard setback
- h is the height of wall above rear yard

ILLUSTRATION OF REAR SETBACK  
SECTION 23-663

**Regulations Applying in Special Situations**

23-67

**Special Provisions for Zoning Lots Directly Adjoining Public Parks**

In all districts, as indicated, a *public park* with an area of between one and fifteen acres shall be considered a *wide street* for the purpose of applying the regulations set forth in Section 23-63 (Maximum Height of Front Wall and Required Front Setbacks) to any *building or other structure* on a *zoning lot* adjoining such *public park*. However, the provisions of this Section shall not apply to *public park* more than 75 percent of which is paved.

R1 R2 R3 R4 R5 R6 R7 R8 R9 R10

Italicized words are defined in Section 12-10.

DISTRICTS										
R1	R2	R3	R4	R5	R6	R7	R8	R9	R10	

23-68

**Special Provisions for Zoning Lots Divided by District Boundaries**

In all districts, as indicated, whenever a *zoning lot* is divided by a boundary between districts with different height and setback regulations, or whenever a *zoning lot* is divided by a boundary between a district to which the provisions of Section 23-65 (Tower Regulations) apply and a district to which such provisions do not apply, the provisions set forth in Article VII, Chapter 7, shall apply.

R1	R2	R3	R4	R5	R6	R7	R8	R9	R10
----	----	----	----	----	----	----	----	----	-----

23-70 **MINIMUM REQUIRED DISTANCE BETWEEN TWO OR MORE BUILDINGS ON A SINGLE ZONING LOT**

**Basic Regulations**

23-71

**Minimum Distance between Buildings on a Single Zoning Lot**

In all districts, as indicated, the minimum distance between any two *buildings* on any single *zoning lot* shall be as provided in this Section, except that these provisions do not apply: (a) to the extent that two *buildings* are separated from each other by a *rear yard equivalent* as set forth in Section 23-533 (Required rear yard equivalents), or (b) to space between a one-family *detached* or two-family *detached residence* and a *garage accessory* thereto.

R1	R2	R3	R4	R5	R6	R7	R8	R9	R10
----	----	----	----	----	----	----	----	----	-----

Unenclosed balconies, subject to the provisions of Section 23-13 (Balconies), are permitted to project into or over any open areas required by the provisions of this Section.

23-711

**Standard minimum distance between buildings**

In all districts, as indicated, except as provided in Section 23-712 (Minimum distance between buildings in high bulk districts), the minimum distance between any two *buildings* (referred to as *building A* and *building B*) shall vary according to the length and height of such *buildings*. Such minimum distance shall be either 30 feet or the distance required under the following formula, whichever is the greater distance:

R1	R2	R3	R4	R5	R6	R7	R8	R9	R10
----	----	----	----	----	----	----	----	----	-----

$$S = \frac{L_A + L_B + 2(H_A + H_B)}{6} \quad \text{where:}$$

S = required minimum horizontal distance between any wall of *building A*, at any given level, and any wall of *building B*, at any given level, or the vertical prolongation of either.

L<sub>A</sub> = total length of *building A*.

The total length of *building A* is the length of that portion or portions of a wall or walls of *building A* from which, when viewed directly from above, lines drawn perpendicular to *building A* will intersect any wall of *building B*.

L<sub>B</sub> = total length of *building B*.

The total length of *building B* is the length of that portion or portions of a wall or walls of *building B* from which, when viewed directly from above, lines drawn perpendicular to *building B* will intersect any wall of *building A*.

H<sub>A</sub> = height of *building A*.

The height of *building A* at any given level is the height above natural grade level of any portion or portions of a wall or walls along the total length of *building A*.

Italicized words are defined in Section 12-10.

DISTRICTS									
R1	R2	R3	R4	R5	R6	R7	R8	R9	R10
R1	R2	R3	R4	R5	R6	R7	R8	R9	R10

23-711 (Continued)

$H_B$  = height of *building B*.

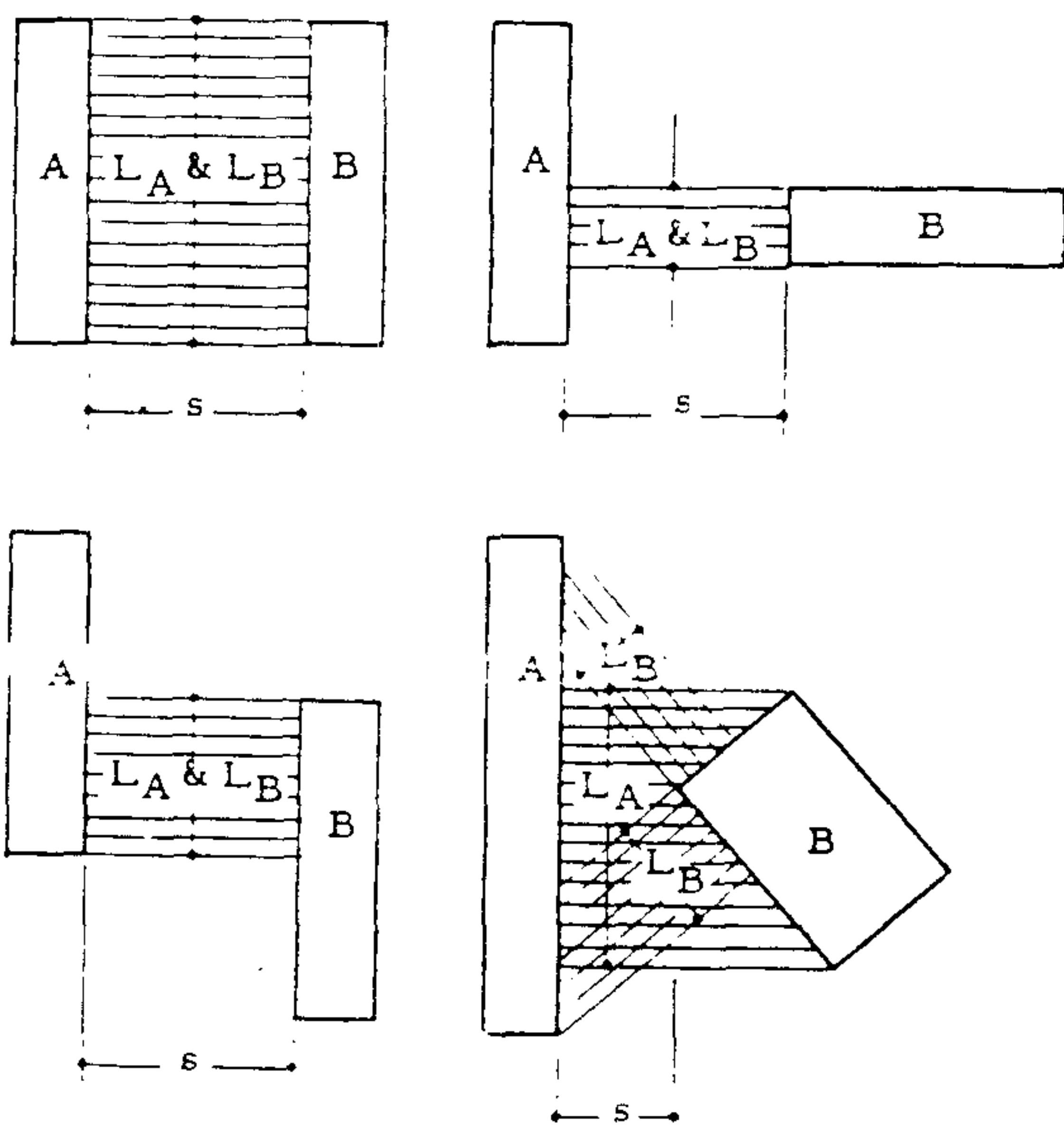
The height of *building B* at any given level is the height above natural grade level of any portion or portions of a wall or walls along the total length of *building B*.

For the purposes of this Section, natural grade level shall be the mean level of the ground immediately adjoining the portion or portions of the wall or walls along the total length of the *building* on the side facing the other *building*.

If " $L_A + L_B$ " is equal to zero, the formula set forth above shall not apply, and the minimum distance shall be 30 feet.

However, the minimum required distance between two *buildings* on a single zoning lot as derived from the formula set forth in this Section shall be reduced by 15 percent in the event that:

- (a) One of the said two *buildings* has a height of two *stories* or less, and the other has a height of six *stories* or more, and
- (b) The difference in height between the said two *buildings* is 60 feet or more.

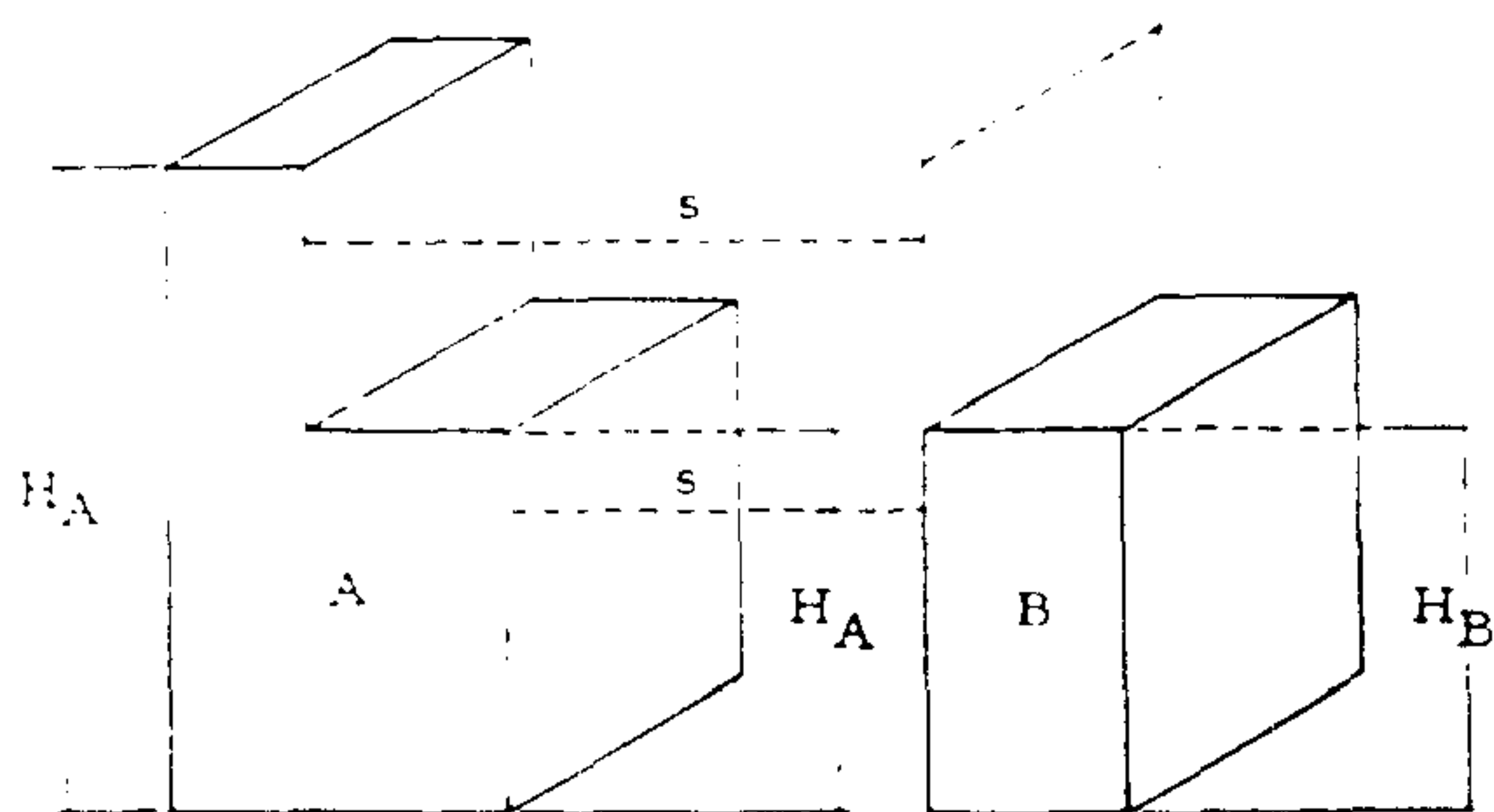


$s$  is the required minimum distance between a wall of *building A* and a wall of *building B*.

$L_A$  is the length of *building A*, as defined.

$L_B$  is the length of *building B*, as defined.

ILLUSTRATIONS OF SECTION 23-711



$H_A$  is the height of *building A*, as defined.

$H_B$  is the height of *building B*, as defined.

ILLUSTRATION OF SECTION 23-711  
SIDE VIEW

DISTRICTS									
R1	R2	R3	R4	R5	R6	R7	R8	R9	R10

23-712

**Minimum distance between buildings in high bulk districts**

In the districts indicated, on any single zoning lot having a lot area of not more than 100,000 square feet, the minimum distance between any two buildings shall be either 30 feet or the minimum distance required under the following formula, whichever is the greater distance:

R8 R9 R10

$$S = \frac{L_A + L_B + H_A + H_B}{6} \quad \text{where:}$$

S, L<sub>A</sub>, L<sub>B</sub>, H<sub>A</sub>, and H<sub>B</sub> shall have the same meaning as in Section 23-711 (Standard minimum distance between buildings).

If "L<sub>A</sub>+L<sub>B</sub>" is equal to zero, the formula set forth above shall not apply, and the minimum distance shall be 30 feet.

However, if neither of two buildings exceeds in height nine stories or 85 feet, whichever is less, the minimum distance required between such buildings need not be more than 80 feet.

**Supplementary Regulations**

23-72

**Subdivision of a Zoning Lot after Development**

In all districts, as indicated, after any portion of a zoning lot has been developed under the provisions of Section 23-71 (Minimum Distance between Buildings on a Single Zoning Lot) such zoning lot may be divided into smaller zoning lots only if each resulting zoning lot and building or buildings thereon comply with all the bulk regulations of the district in which they are located, except as provided in Article VII, Chapter 8.

R1 R2 R3 R4 R5 R6 R7 R8 R9 R10

23-80 **COURT REGULATIONS AND MINIMUM DISTANCE BETWEEN WINDOWS AND WALLS OR LOT LINES**

**Definitions and General Provisions**

23-81

**Definitions (repeated from Section 12-10)**

**Court**

A "court" is either an *inner court* or an *outer court*.

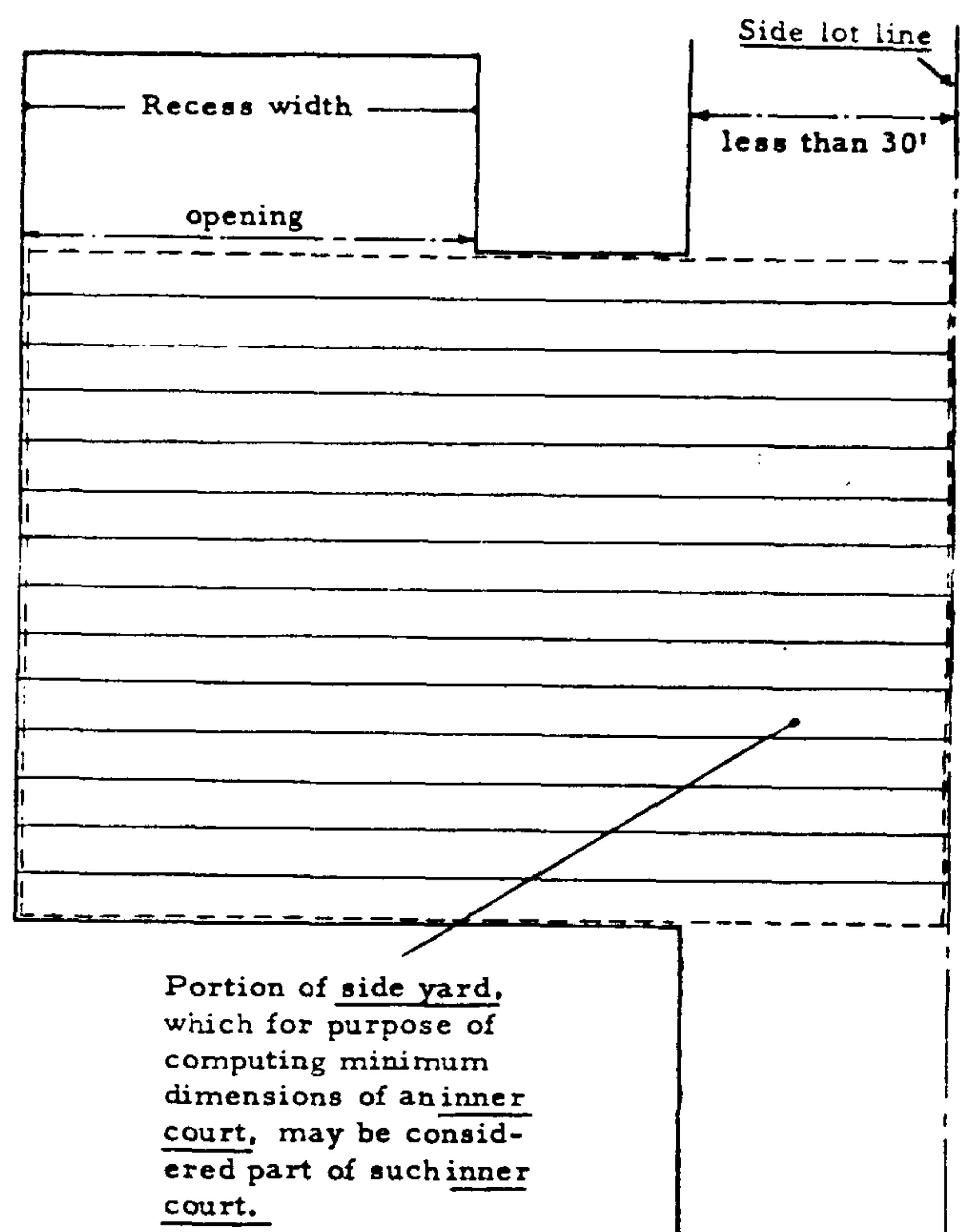
**Court, inner**

An "inner court" is any open area, other than a yard or portion thereof, which is unobstructed from its lowest level to the sky and which is bounded by either:

- (a) Building walls, or
- (b) Building walls and one or more lot lines other than a front line, or
- (c) Building walls, except for one opening on any open area along a side lot line or rear lot line which has a width of less than 30 feet at any point.

**Court recess, inner**

An "inner court recess" is any portion of an inner court which cannot be included within the largest single horizontal rectangle which may be inscribed within such inner court.



**ILLUSTRATION OF INNER COURT RECESS SECTION 23-81**

Italicized words are defined in Section 12-10.

23-81 (Continued)

**Court, outer**

An "outer court" is any open area, other than a yard or portion thereof, which is unobstructed from its lowest level to the sky and which, except for one opening upon:

- (a) A front lot line, or
- (b) A front yard, or
- (c) A rear yard, or
- (d) Any open area along a rear lot line or along a side lot line having a width or depth of at least 30 feet, and which open area extends along the entire length of such rear or side lot line,

is bounded by either:

- (a) Building walls, or
- (b) Building walls and one or more lot lines other than a front lot line.

**Court, depth of outer**

The "depth of outer court" is the maximum horizontal distance between the opening on an outer court and the wall opposite such opening, measured perpendicular to the direction of the outer court opening.

**Court, width of outer**

The "width of outer court" is the minimum horizontal dimension of an outer court, excluding an outer court recess, measured parallel to the opening of such outer court.

**Court recess, outer**

An "outer court recess" is any portion of an outer court which, when viewed directly from above, cannot be covered by imaginary lines drawn perpendicular to a line drawn across the outer court opening.

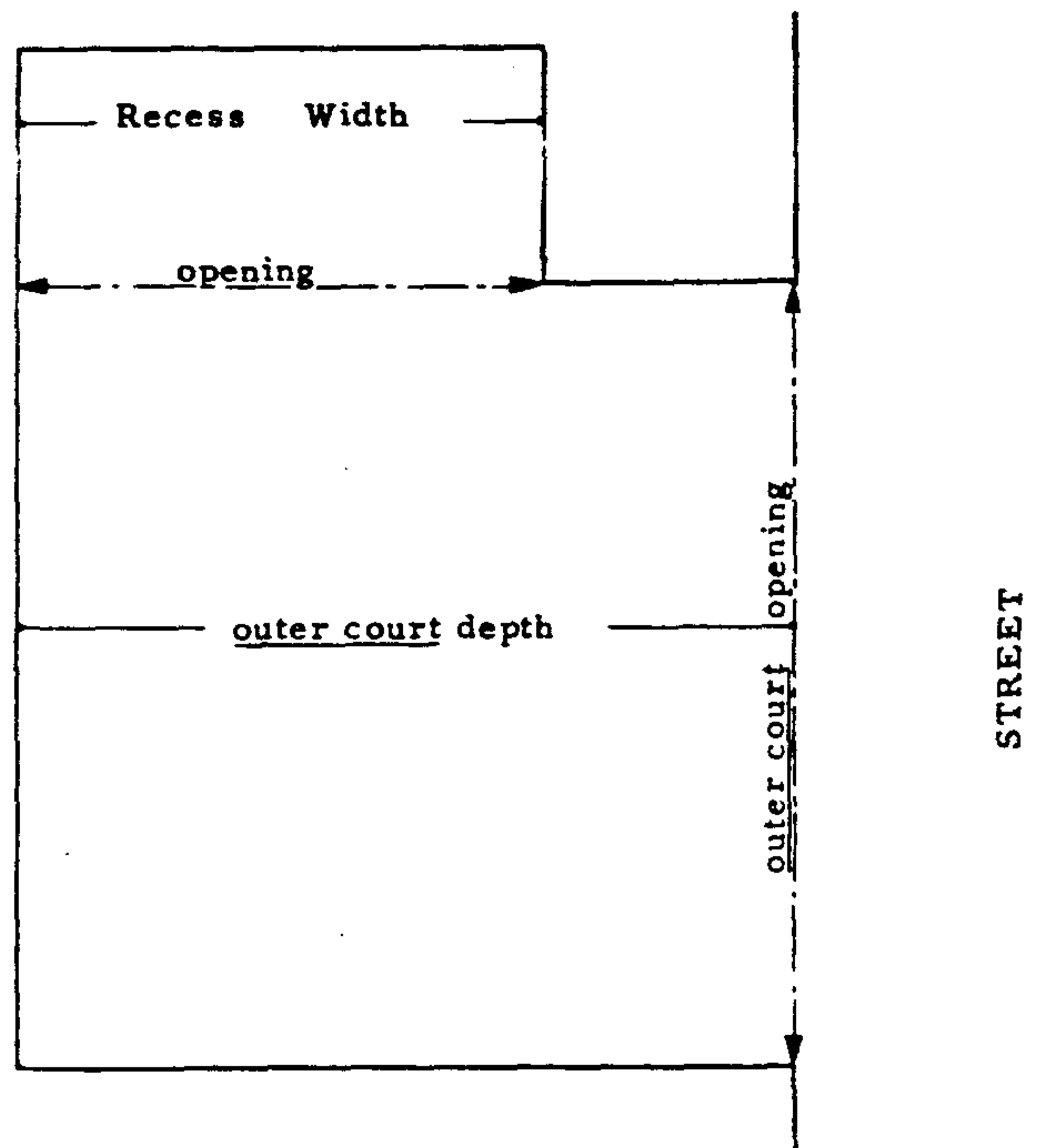


ILLUSTRATION OF OUTER COURT RECESS SECTION 23-81

**Legally required windows**

A "legally required window" is a window or portion of a window (including a window either in addition to or as a substitute for mechanical ventilation) which is required by any applicable law or statute to provide light or ventilation to a "living room," as defined in Section 4 of the Multiple Dwelling Law.

DISTRICTS									
R1	R2	R3	R4	R5	R6	R7	R8	R9	R10

**Basic Regulations**

23-82

**Building Walls Regulated by Minimum Spacing Formula**

In all districts, as indicated, at any level at which two portions of a single building are not connected one to the other, such portions shall be deemed to be two separate buildings, and the provisions set forth in Section 23-71 (Minimum Distance between Buildings on a Single Zoning Lot) shall apply. In applying such provisions, the height of the two portions shall be measured from the roof of the connecting portion of such building instead of from natural grade level.

R1	R2	R3	R4	R5	R6	R7	R8	R9	R10
----	----	----	----	----	----	----	----	----	-----

23-83

**Building Walls Regulated by Other than Minimum Spacing Formula**

In all districts, as indicated, to the extent that the provisions of Section 23-82 (Building Walls Regulated by Minimum Spacing Formula) do not apply, the minimum distance between different walls of the same building shall conform to the regulations set forth in the following Sections:

R1	R2	R3	R4	R5	R6	R7	R8	R9	R10
----	----	----	----	----	----	----	----	----	-----

- 23-84 (Outer Court Regulations)
- 23-85 (Inner Court Regulations)
- 23-86 (Minimum Distance between Legally Required Windows and Walls or Lot Lines).

However, these regulations shall not apply to any one-family or two-family detached residence.

A corner of a court may be cut off between walls of the same building, provided that the length of the wall of such cut-off does not exceed seven feet.

Italicized words are defined in Section 12-10.

DISTRICTS									
R1	R2	R3	R4	R5	R6	R7	R8	R9	R10

23-84

**Outer Court Regulations**

In all districts, as indicated, *outer courts* shall be in compliance with the provisions of this Section.

R1	R2	R3	R4	R5	R6	R7	R8	R9	R10
----	----	----	----	----	----	----	----	----	-----

23-841

**Narrow outer courts**

In all districts, as indicated, if an *outer court* is less than 30 feet wide, the width of such *outer court* must be at least twice the depth of such *outer court*.

R1	R2	R3	R4	R5	R6	R7	R8	R9	R10
----	----	----	----	----	----	----	----	----	-----

23-842

**Wide outer courts**

In all districts, as indicated, if an *outer court* is 30 feet or more in width, the width of such *outer court* must be at least equal to the depth of such *outer court*, except that such width need not exceed 60 feet.

R1	R2	R3	R4	R5	R6	R7	R8	R9	R10
----	----	----	----	----	----	----	----	----	-----

23-843

**Outer court recesses**

In all districts, as indicated, the width of an *outer court recess* shall be at least twice the depth of the recess, except that such width need not exceed 60 feet.

R1	R2	R3	R4	R5	R6	R7	R8	R9	R10
----	----	----	----	----	----	----	----	----	-----

23-85

**Inner Court Regulations**

In all districts, as indicated, *inner courts* shall be in compliance with the provisions of this Section.

R1	R2	R3	R4	R5	R6	R7	R8	R9	R10
----	----	----	----	----	----	----	----	----	-----

23-851

**Minimum dimensions of inner courts**

In all districts, as indicated, the area of an *inner court* shall not be less than 1,200 square feet, and the minimum dimension of such *inner court* shall not be less than 30 feet. For the purpose of this Section, that portion of an open area not part of an *inner court* and over which, when viewed directly from above, lines perpendicular to a *lot line* may be drawn into such *inner court*, shall be considered part of such *inner court*.

R1	R2	R3	R4	R5	R6	R7	R8	R9	R10
----	----	----	----	----	----	----	----	----	-----

23-852

**Inner court recesses**

In all districts, as indicated, the width of an *inner court recess* shall be at least twice the depth of the recess. However, if the recess opening is 60 feet or more in width, this provision shall not apply.

R1	R2	R3	R4	R5	R6	R7	R8	R9	R10
----	----	----	----	----	----	----	----	----	-----

23-86

**Minimum Distance between Legally Required Windows and Walls or Lot Lines**

In all districts, as indicated, the minimum distance between *legally required windows* and walls or *lot lines* shall be as set forth in this Section, except that this Section shall not apply to *legally required windows* in:

R1	R2	R3	R4	R5	R6	R7	R8	R9	R10
----	----	----	----	----	----	----	----	----	-----

- (a) *Residential buildings* of less than three stories, or
- (b) *Three-story residential buildings*, whose lowest story is either a *basement* or is excluded from *floor area* by definition.

Italicized words are defined in Section 12-10.

DISTRICTS										
R1	R2	R3	R4	R5	R6	R7	R8	R9	R10	

23-861

**General provisions**

In all districts, as indicated, except as otherwise provided in Section 23-862 (Minimum distance between legally required windows and lot lines on small corner lots in R9 or R10 Districts) or Section 23-863 (Minimum distance between legally required windows and any wall in an inner court), the minimum distance between a *legally required window* and:

R1	R2	R3	R4	R5	R6	R7	R8	R9	R10
----	----	----	----	----	----	----	----	----	-----

- (a) Any wall
- (b) A *rear lot line*, or vertical projection thereof, or
- (c) A *side lot line*, or vertical projection thereof,

shall be 30 feet, measured in a horizontal plane at the sill level of, and perpendicular to, such window for the full width of the rough window opening; provided, however, that a *legally required window* may open on any *outer court* meeting the requirements of Section 23-84 (Outer Court Regulations).

23-862

**Minimum distance between legally required windows and lot lines on small corner lots in R9 or R10 Districts**

In the districts indicated, on a *corner lot* less than 10,000 square feet in *lot area*, a *legally required window* may open on a *yard* bounded on one side by a *front lot line* and having a minimum width of 20 feet, provided that the provisions of Section 23-44 (Permitted Obstructions in Required Yards or Rear Yard Equivalents) shall not apply to such *yard*.

R9	R10
----	-----

23-863

**Minimum distance between legally required windows and any wall in an inner court**

In all districts, as indicated, the minimum horizontal distance between a *legally required window* opening on an *inner court* and any wall opposite such window on the same *zoning lot* shall not be less than 30 feet, nor shall any such wall be nearer to such window than a distance equal to one-half the total height of such wall above the sill level of such window. Such minimum distance need not exceed 60 feet.

R1	R2	R3	R4	R5	R6	R7	R8	R9	R10
----	----	----	----	----	----	----	----	----	-----

Such minimum distance shall be measured in a horizontal plane at the sill level of, and perpendicular to, the *legally required window* for the full width of the rough window opening, between such window and a projection of such wall onto such horizontal plane.

Italicized words are defined in Section 12-10.

RESIDENCE DISTRICTS

Illustrative Table Showing Open Space Ratios and Floor Area Ratios For Buildings of Selected Height Factors

R5 DISTRICTS

Open Space Ratio	Floor Area Ratio by Height Factor													
	1	2	3	4	5	6	7	8	9	10	11	12	13	14
47.0	0.68	....	....	....	....	....	....	....	....	....	....	....	....	....
50.0	0.67	1.00	....	....	....	....	....	....	....	....	....	....	....	....
53.0	0.65	0.97	1.16	....	....	....	....	....	....	....	....	....	....	....
56.0	0.64	0.94	1.12	1.23	....	....	....	....	....	....	....	....	....	....
59.0	0.63	0.92	1.08	1.19	1.26	....	....	....	....	....	....	....	....	....
62.0	0.62	0.89	1.05	1.15	1.22	1.27	....	....	....	....	....	....	....	....
65.0	0.61	0.87	1.02	1.11	1.18	1.22	1.26	....	....	....	....	....	....	....
68.0	0.60	0.85	0.99	1.08	1.14	1.18	1.22	1.24	....	....	....	....	....	....
71.0	0.58	0.83	0.96	1.04	1.10	1.14	1.17	1.20	1.22	....	....	....	....	....
74.0	0.57	0.81	0.93	1.01	1.06	1.10	1.13	1.16	1.18	1.19	....	....	....	....
77.0	0.56	0.79	0.91	0.98	1.03	1.07	1.10	1.12	1.14	1.15	1.16	....	....	....
80.0	0.56	0.77	0.88	0.95	1.00	1.03	1.06	1.08	1.10	1.11	1.12	1.13	....	....
83.0	0.55	0.75	0.86	0.93	0.97	1.00	1.03	1.05	1.06	1.08	1.09	1.10	1.10	....
86.0	0.54	0.74	0.84	0.90	0.94	0.97	1.00	1.02	1.03	1.04	1.05	1.06	1.07	1.07

R6 DISTRICTS

Open Space Ratio	Floor Area Ratio by Height Factor																			
	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	
28.5	1.62	....	....	....	....	....	....	....	....	....	....	....	....	....	....	....	....	....	....	
29.0	1.61	1.85	....	....	....	....	....	....	....	....	....	....	....	....	....	....	....	....	....	
29.5	1.59	1.83	2.02	....	....	....	....	....	....	....	....	....	....	....	....	....	....	....	....	
30.0	1.58	1.82	2.00	2.14	....	....	....	....	....	....	....	....	....	....	....	....	....	....	....	
30.5	1.57	1.80	1.98	2.12	2.23	....	....	....	....	....	....	....	....	....	....	....	....	....	....	
31.0	1.56	1.79	1.96	2.10	2.21	2.30	....	....	....	....	....	....	....	....	....	....	....	....	....	
31.5	1.54	1.77	1.94	2.07	2.18	2.27	2.35	....	....	....	....	....	....	....	....	....	....	....	....	
32.0	1.53	1.75	1.92	2.05	2.16	2.25	2.32	2.38	....	....	....	....	....	....	....	....	....	....	....	
32.5	1.52	1.74	1.90	2.03	2.14	2.22	2.29	2.35	2.40	....	....	....	....	....	....	....	....	....	....	
33.0	1.51	1.72	1.89	2.01	2.11	2.20	2.27	2.33	2.38	2.42	....	....	....	....	....	....	....	....	....	
33.5	1.50	1.71	1.87	1.99	2.09	2.17	2.24	2.30	2.35	2.39	2.43	....	....	....	....	....	....	....	....	
34.0	1.49	1.69	1.85	1.97	2.07	2.15	2.22	2.27	2.32	2.36	2.40	2.43	....	....	....	....	....	....	....	
34.5	1.47	1.68	1.83	1.95	2.05	2.13	2.19	2.25	2.29	2.34	2.37	2.40	2.43	....	....	....	....	....	....	
35.0	1.46	1.67	1.82	1.93	2.03	2.11	2.17	2.22	2.27	2.31	2.34	2.38	2.40	2.42	....	....	....	....	....	
35.5	1.45	1.65	1.80	1.92	2.01	2.08	2.15	2.20	2.24	2.28	2.31	2.35	2.37	2.39	2.42	....	....	....	....	
36.0	1.44	1.64	1.79	1.90	1.99	2.06	2.12	2.17	2.22	2.26	2.29	2.32	2.34	2.36	2.39	2.40	....	....	....	
36.5	1.43	1.63	1.77	1.88	1.97	2.04	2.10	2.15	2.19	2.23	2.26	2.29	2.31	2.34	2.36	2.38	2.39	....	....	
37.0	1.42	1.61	1.75	1.86	1.95	2.02	2.08	2.13	2.17	2.21	2.24	2.27	2.29	2.31	2.33	2.35	2.36	2.38	....	
37.5	1.41	1.60	1.74	1.85	1.93	2.00	2.06	2.11	2.15	2.18	2.21	2.24	2.26	2.28	2.30	2.32	2.34	2.35	2.36	

Illustrative Table Showing Required Lot Area Per Room and Corresponding Permitted Rooms Per Acre, At Specified Open Space Ratios

R5 DISTRICTS

Open Space Ratio	Required Lot Area per Room (in square feet)	Rooms per Acre
47.0	210	207
50.0	205	212
53.0	199	219
56.0	194	224
59.0	189	230
62.0	183	238
65.0	178	244
68.0	173	252
71.0	173	252
74.0	173	252
77.0	173	252
80.0	173	252
83.0	173	252
86.0	173	252

R6 DISTRICTS

Open Space Ratio	Required Lot Area per Room (in square feet)	Rooms per Acre
28.5	107	407
29.0	107	407
29.5	106	411
30.0	105	415
30.5	104	419
31.0	103	423
31.5	102	427
32.0	101	431
32.5	100	435
33.0	99	440
33.5	99	440
34.0	98	444
34.5	97	449
35.0	96	454
35.5	96	454
36.0	96	454
36.5	96	454
37.0	96	454
37.5	96	454

(See footnote on page 58.)





RESIDENCE DISTRICTS

Illustrative Table Showing Open Space Ratios and Floor Area Ratios (Continued)

R9 DISTRICTS

Open Space Ratio	Floor Area Ratio by Height Factor															
	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21
3.0	5.08	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
3.4	4.98	5.65	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
3.8	4.88	5.52	6.13	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
4.2	4.78	5.41	5.99	6.54	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
4.6	4.69	5.29	5.85	6.37	6.85	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
5.0	4.61	5.18	5.71	6.21	6.67	7.09	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
5.4	4.52	5.08	5.59	6.06	6.49	6.90	7.30	.....	.....	.....	.....	.....	.....	.....	.....	.....
5.8	4.44	4.98	5.46	5.92	6.33	6.71	7.09	7.11	.....	.....	.....	.....	.....	.....	.....	.....
6.2	4.37	4.88	5.35	5.78	6.17	6.54	6.90	7.19	7.52	.....	.....	.....	.....	.....	.....	.....
6.6	4.29	4.78	5.24	5.65	6.02	6.37	6.71	6.99	7.30	7.52	.....	.....	.....	.....	.....	.....
7.0	4.22	4.69	5.13	5.52	5.88	6.21	6.54	6.80	7.09	7.30	7.52	.....	.....	.....	.....	.....
7.4	4.15	4.61	5.03	5.41	5.75	6.06	6.37	6.62	6.90	7.09	7.30	7.52	.....	.....	.....	.....
7.8	4.08	4.52	4.93	5.29	5.62	5.92	6.21	6.45	6.71	6.90	7.09	7.30	7.46	.....	.....	.....
8.2	4.02	4.44	4.83	5.18	5.49	5.78	6.06	6.29	6.54	6.71	6.90	7.09	7.25	7.41	.....	.....
8.6	3.95	4.37	4.74	5.08	5.38	5.65	5.92	6.13	6.37	6.54	6.71	6.90	7.04	7.19	7.35	.....
9.0	3.89	4.29	4.65	4.98	5.26	5.52	5.78	5.99	6.21	6.37	6.54	6.71	6.85	6.99	7.14	7.25

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This table is not a part of the text of this resolution but is intended as an aid in the application of its regulations in the districts indicated. A building having a given Open Space Ratio and a given Height Factor will have the Floor Area Ratio shown in this table. Conversely, a building having a given Floor Area Ratio and a given Height Factor will have the Open Space Ratio shown. All combinations shown on this table comply with the provisions of Section 23-142. Floor Area Ratios have been rounded to the nearest hundredth.

Illustrative Table Showing Required Lot Area Per Room and Corresponding Permitted Rooms Per Acre

(Continued)  
R9 DISTRICTS

Open Space Ratio	Required Lot Area per Room (in square feet)	Rooms per Acre
3.0	48	1,018
3.4	48	1,018
3.8	48	1,018
4.2	42	1,037
4.6	42	1,037
5.0	42	1,037
5.4	42	1,037
5.8	41	1,062
6.2	41	1,062
6.6	41	1,062
7.0	41	1,062
7.4	40	1,089
7.8	40	1,089
8.2	40	1,089
8.6	39	1,117
9.0	39	1,117

This table is not a part of the text of this resolution but is intended as an aid in the application of its regulations in the districts indicated. Lot Area per Room and Rooms per Acre have been rounded to the nearest whole number.

Illustrative Table Showing Percentage of Lot Coverage at Specified Open Space Ratios for Buildings of Selected Height Factors

R5 DISTRICTS

Open Space Ratio	Height Factor													
	1	2	3	4	5	6	7	8	9	10	11	12	13	14
47.0	68	..	..	..	..	..	..	..	..	..	..	..	..	..
50.0	67	50	..	..	..	..	..	..	..	..	..	..	..	..
53.0	65	48	38	..	..	..	..	..	..	..	..	..	..	..
56.0	64	47	37	31	..	..	..	..	..	..	..	..	..	..
59.0	63	46	36	30	25	..	..	..	..	..	..	..	..	..
62.0	62	44	35	29	24	21	..	..	..	..	..	..	..	..
65.0	61	43	34	28	24	20	18	..	..	..	..	..	..	..
68.0	60	42	33	27	23	20	17	15	..	..	..	..	..	..
71.0	58	41	32	26	22	19	17	15	14	..	..	..	..	..
74.0	57	40	31	25	21	18	16	14	13	12	..	..	..	..
77.0	56	39	30	24	21	18	16	14	13	11	10	..	..	..
80.0	56	38	29	24	20	17	15	13	12	11	10	9	..	..
83.0	55	37	29	23	19	17	15	13	12	11	10	9	8	..
86.0	54	37	28	22	19	16	14	13	11	10	9	9	8	8

R6 DISTRICTS

Open Space Ratio	Height Factor																			
	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	
28.5	54	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	
29.0	54	46	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	
29.5	53	46	40	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	
30.0	53	45	40	36	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	
30.5	52	45	40	35	32	..	..	..	..	..	..	..	..	..	..	..	..	..	..	
31.0	52	45	39	35	31	29	..	..	..	..	..	..	..	..	..	..	..	..	..	
31.5	51	44	39	35	31	28	26	..	..	..	..	..	..	..	..	..	..	..	..	
32.0	51	44	38	34	31	28	26	24	..	..	..	..	..	..	..	..	..	..	..	
32.5	51	43	38	34	30	28	25	23	22	..	..	..	..	..	..	..	..	..	..	
33.0	50	43	38	33	30	27	25	23	22	20	..	..	..	..	..	..	..	..	..	
33.5	50	43	37	33	30	27	25	23	21	20	19	..	..	..	..	..	..	..	..	
34.0	50	42	37	33	30	27	25	23	21	20	18	17	..	..	..	..	..	..	..	
34.5	49	42	37	32	29	27	24	22	21	19	18	17	16	..	..	..	..	..	..	
35.0	49	42	36	32	29	26	24	22	21	19	18	17	16	15	..	..	..	..	..	
35.5	48	41	36	32	29	26	24	22	20	19	18	17	16	15	14	..	..	..	..	
36.0	48	41	36	32	28	26	23	22	20	19	17	17	16	15	14	13	..	..	..	
36.5	48	41	35	31	28	25	23	21	20	18	17	16	15	15	14	13	12	..	..	
37.0	47	30	35	31	28	25	23	21	20	18	17	16	15	14	14	13	12	12	..	
37.5	47	40	35	31	27	25	23	21	19	18	17	16	15	14	13	12	12	12	11	

(See footnote on page 61.)

(Tables continued on following page.)

RESIDENCE DISTRICTS

Illustrative Table Showing Percentage of Lot Coverage (Continued)

R7 DISTRICTS

Open Space Ratio	Height Factor																				
	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21		
16.5	67	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..		
17.0	66	60	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..		
17.5	66	59	53	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..		
18.0	65	58	53	48	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..		
18.5	64	57	52	47	44	..	..	..	..	..	..	..	..	..	..	..	..	..	..		
19.0	64	57	51	47	43	40	..	..	..	..	..	..	..	..	..	..	..	..	..		
19.5	63	56	50	46	42	39	86	..	..	..	..	..	..	..	..	..	..	..	..		
20.0	63	55	50	45	42	38	86	33	..	..	..	..	..	..	..	..	..	..	..		
20.5	62	55	49	45	41	38	85	33	81	..	..	..	..	..	..	..	..	..	..		
21.0	61	54	49	44	40	37	85	32	30	28	..	..	..	..	..	..	..	..	..		
21.5	61	54	48	44	40	37	84	32	30	28	26	..	..	..	..	..	..	..	..		
22.0	60	53	47	43	39	36	84	31	29	27	26	25	..	..	..	..	..	..	..		
22.5	60	53	47	43	39	36	83	31	29	27	25	24	28	..	..	..	..	..	..		
23.0	59	52	47	42	38	35	83	30	28	27	25	24	23	21	..	..	..	..	..		
23.5	59	51	46	41	38	35	82	30	28	26	25	23	22	21	20	..	..	..	..		
24.0	58	51	45	41	37	34	82	29	27	26	24	23	22	21	20	19	..	..	..		
24.5	58	50	45	40	37	34	81	29	27	25	24	23	21	20	19	18	18	..	..		
25.0	57	50	44	40	36	33	81	28	27	25	23	22	21	20	19	18	17	17	..		
25.5	57	49	44	39	36	33	80	28	26	25	23	22	21	20	19	18	17	16	16		

R8 DISTRICTS

Open Space Ratio	Height Factor																				
	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21					
7.4	69	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..		
7.7	68	65	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..		
8.0	67	64	61	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..		
8.3	67	63	60	57	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..		
8.6	66	62	59	56	54	..	..	..	..	..	..	..	..	..	..	..	..	..	..		
8.9	65	61	58	55	53	51	..	..	..	..	..	..	..	..	..	..	..	..	..		
9.2	64	61	58	55	52	50	48	..	..	..	..	..	..	..	..	..	..	..	..		
9.5	64	60	57	54	51	49	47	45	..	..	..	..	..	..	..	..	..	..	..		
9.8	63	59	56	53	50	48	46	44	42	..	..	..	..	..	..	..	..	..	..		
10.1	62	59	55	52	50	47	45	43	41	40	..	..	..	..	..	..	..	..	..		
10.4	61	58	55	52	49	47	45	42	41	39	87	..	..	..	..	..	..	..	..		
10.7	61	57	54	51	48	46	44	42	40	38	87	85	..	..	..	..	..	..	..		
11.0	60	56	53	50	47	45	43	41	39	38	86	85	88	..	..	..	..	..	..		
11.3	59	56	52	49	47	44	42	40	39	37	85	84	88	82	..	..	..	..	..		
11.6	59	55	52	49	46	44	42	40	38	36	85	84	82	81	80	..	..	..	..		
11.9	58	54	51	48	46	43	41	39	38	36	84	83	82	81	80	80	..	..	..		

(See footnote on page 61.)

(Tables continued on following page.)

RESIDENCE DISTRICTS

Illustrative Table Showing Percentage of Lot Coverage (Continued)

R9 DISTRICTS

Open Space Ratio	Height Factor															
	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21
3.0	85	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..
3.4	83	81	..	..	..	..	..	..	..	..	..	..	..	..	..	..
3.8	81	79	77	..	..	..	..	..	..	..	..	..	..	..	..	..
4.2	80	77	75	73	..	..	..	..	..	..	..	..	..	..	..	..
4.6	78	76	73	71	68	..	..	..	..	..	..	..	..	..	..	..
5.0	77	74	71	69	67	64	..	..	..	..	..	..	..	..	..	..
5.4	75	73	70	67	65	63	61	..	..	..	..	..	..	..	..	..
5.8	74	71	68	66	63	61	59	57	..	..	..	..	..	..	..	..
6.2	73	70	67	64	62	59	57	55	54	..	..	..	..	..	..	..
6.6	71	68	65	63	60	58	56	54	52	50	..	..	..	..	..	..
7.0	70	67	64	61	59	56	54	52	51	49	47	..	..	..	..	..
7.4	69	66	63	60	57	55	53	51	49	47	46	44	..	..	..	..
7.8	68	65	62	59	56	54	52	50	48	46	44	43	41	..	..	..
8.2	67	63	60	57	55	52	50	48	47	45	43	42	40	39	..	..
8.6	66	62	59	56	54	51	49	47	46	44	42	41	39	38	37	..
9.0	65	61	58	55	53	50	48	46	45	42	41	39	38	37	36	35

This table is not a part of the text of this resolution, but is intended as an aid in the application of its regulations in the districts indicated. Percentages have been rounded to the nearest whole number.

**Summary of Bulk Regulations in Residence Districts**  
(for Residential Buildings)

District	Maximum Floor Area Ratio 1	Minimum Required Open Space Ratio 3	Minimum Required Lot Area 4 (in square feet)		Corresponding Dwelling Units or Rooms per Acre 4		Minimum Lot Size				Yard Requirements							
			Per dwelling unit	Per room	Dwelling units	Rooms	One-family detached or two-family detached residences		Other types of residences		Yards Front	Rear Yards 8	Side Yards			Other types of residences		
							Area (in square feet)	Width (in feet)	Area (in square feet)	Width (in feet)			Number required	Minimum width (in feet)		Number required	Minimum width of yard, or of open area if provided (in feet)	
			Combined	Each	Combined	Each												
			Depth (in feet)	Depth (in feet)	Number required	Combined	Each	Number required	Combined	Each								
R1-1	0.50	150.0	9,500		4		9,500 <sup>8</sup>	100 <sup>8</sup>	..	..	20	30	2 <sup>8</sup>	35 <sup>8</sup>	15 <sup>8</sup>	..	..	..
R1-2	0.50	150.0	5,700		7		5,700 <sup>8</sup>	60 <sup>8</sup>	..	..	20 <sup>14</sup>	30	2 <sup>8</sup>	20 <sup>8</sup>	8 <sup>8</sup>	..	..	..
R2	0.50	150.0	3,800		11		3,800 <sup>8</sup>	40 <sup>8</sup>	..	..	15	30	2 <sup>8</sup>	13 <sup>8</sup>	5 <sup>8</sup>	..	..	..
R3	0.50	150.0		375		116	3,800	40	1,700	18	15 <sup>14</sup>	30	2	18	5	2	16	8
R4	0.75	80.0		275		158	3,800	40	1,700	18	15 <sup>14</sup>	30	2	13	5	2	16	8
R5	1.00 to 1.25	50.0 to 62.0		205 to 173		212 to 252	3,800	40	1,700	18	10	30	2	13	5	2	16	8
R6	2.00 to 2.40	29.5 to 33.0		106 to 96		411 to 454	3,800	40	1,700	18	None	30	2	13	5	None	16	8
R7	2.80 to 3.40	18.0 to 21.0		81 to 72		538 to 605	3,800	40	1,700	18	None	30	2	13	5	None	16	8
R8	4.80 to 6.00	8.0 to 10.4		53 to 44		822 to 990	3,800	40	1,700	18	None	30	2	13	5	None	16	8
R9	6.50 to 7.50	4.2 to 6.2		42 to 39		1,037 to 1,117	3,800	40	1,700	18	None	30	2	13	5	None	16	8
R10	10.00 <sup>2</sup>	None		30 <sup>5</sup>		1,425 <sup>5</sup>	3,800	40	1,700	18	None	30	2	13	5	None	16	8

(See footnotes on following page.)

(Tables continued on following page.)

**Summary of Bulk Regulations in Residence Districts (Continued)**  
(for Residential Buildings)

District	Height and Setback Requirements												Minimum Dimensions of Courts							
	Standard Regulations						Alternate Regulations						Minimum width of outer court		Minimum area and minimum dimension of inner court			Minimum Distance between Windows and Walls or Lot Lines		
	Initial setback distance (in feet)		Maximum height of front wall or building within setback distance		Sky exposure plane		Depth of optional front open area (in feet)		Sky exposure plane		Minimum Spacing between Any Two Buildings on Same Zoning Lot (in feet)		If less than 80 feet wide	If more than 80 feet wide	Area (in square feet)	Dimension (in feet)	Minimum Distance between Windows and Walls or Lot Lines			
	Narrow street	Wide street	(in feet)	(in stories)	Height above street line or front yard line (in feet)	Slope over zoning lot (vertical distance to horizontal distance)	Narrow street	Wide street	Depth of optional front open area (in feet)	Height above street line or front yard line (in feet)	Slope over zoning lot (vertical distance to horizontal distance)	Narrow street					Wide street	Between window and any wall or rear or side lot line (in feet)	Between window on inner court and court wall (in feet)	
R1	None	None	Street level	Street level	25 <sup>6</sup>	1 to 1	1 to 1	..	..	..	..	..	..	30 or formula <sup>9</sup>	2 x depth	1 x depth	1,200	30	30 <sup>11</sup>	½ height of wall
R2	None	None	Street level	Street level	25 <sup>6</sup>	1 to 1	1 to 1	..	..	..	..	..	..	30 or formula <sup>9</sup>	2 x depth	1 x depth	1,200	30	30 <sup>11</sup>	½ height of wall
R3	None	None	Street level	Street level	25 <sup>6</sup>	1 to 1	1 to 1	..	..	..	..	..	..	30 or formula <sup>9</sup>	2 x depth	1 x depth	1,200	30	30 <sup>11</sup>	½ height of wall
R4	None	None	Street level	Street level	25 <sup>6</sup>	1 to 1	1 to 1	..	..	..	..	..	..	30 or formula <sup>9</sup>	2 x depth	1 x depth	1,200	30	30 <sup>11</sup>	½ height of wall
R5	None	None	Street level	Street level	35 <sup>6</sup>	1 to 1	1 to 1	..	..	..	..	..	..	30 or formula <sup>9</sup>	2 x depth	1 x depth	1,200	30	30 <sup>11</sup>	½ height of wall
R6	20	15	60	6	60 <sup>7</sup>	2.7 to 1	5.6 to 1	15	10	60 <sup>7</sup>	3.7 to 1	7.6 to 1	30 or formula <sup>9</sup>	2 x depth	1 x depth	1,200	30	30 <sup>11</sup>	½ height of wall	
R7	20	15	60	6	60 <sup>7</sup>	2.7 to 1	5.6 to 1	15	10	60 <sup>7</sup>	3.7 to 1	7.6 to 1	30 or formula <sup>9</sup>	2 x depth	1 x depth	1,200	30	30 <sup>11</sup>	½ height of wall	
R8	20	15	85	9	85 <sup>7</sup>	2.7 to 1	5.6 to 1	15	10	85 <sup>7</sup>	3.7 to 1	7.6 to 1	30 or formula <sup>9</sup> or <sup>10</sup>	2 x depth	1 x depth	1,200	30	30 <sup>11</sup>	½ height of wall	
R9	20	15	85	9	85 <sup>7</sup>	2.7 to 1	5.6 to 1	15	10	85 <sup>7</sup>	3.7 to 1	7.6 to 1	30 or formula <sup>9</sup> or <sup>10</sup>	2 x depth	1 x depth	1,200	30	30 <sup>11</sup>	½ height of wall	
R10	20	15	85	9	85 <sup>7</sup>	2.7 to 1	5.6 to 1	15	10	85 <sup>7</sup>	3.7 to 1	7.6 to 1	30 or formula <sup>9</sup> or <sup>10</sup>	2 x depth	1 x depth	1,200	30	30 <sup>11</sup> or 20 <sup>12</sup>	½ height of wall	

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<sup>1</sup> When a range of *floor area ratios* is shown, the lower is for lowest *building* typical of the district, and the higher is the maximum achievable in the district for taller *buildings*. (Numbers have been rounded.)

<sup>2</sup> The *floor area ratio* shown is exclusive of the bonuses for *plazas*, *plaza-connected open areas*, or *arcades*, which can add up to 20 percent to this amount.

<sup>3</sup> When a range of *open space ratios* is shown, the lower is the minimum required at the lower *floor area ratio* shown, and the higher is the minimum required at the higher *floor area ratio* shown.

<sup>4</sup> When a range of required *lot areas per room*, or *rooms per acre*, is shown, the first number is the density permitted at the lowest *open space ratio* shown, and the second is the maximum density permitted in the district.

<sup>5</sup> The *lot area* requirement and number of *rooms per acre* shown are exclusive of the bonus for *plazas*, *plaza-connected open areas*, or *arcades*, which can reduce the *lot area* requirements up to 17 percent and increase the possible *rooms per acre* up to 20 percent in this district.

<sup>6</sup> Above *front yard line*.

<sup>7</sup> Above *street line*.

<sup>8</sup> *Single-family detached residences* only.

$$^9 S = \frac{L_A + L_B + 2(H_A + H_B)}{6}$$

$$^{10} S = \frac{L_A + L_B + H_A + H_B}{6}$$

This formula is applicable to all zoning lots containing not more than 100,000 square feet in R8, R9, or R10 Districts.

<sup>11</sup> Except one- or two-story *residential buildings*.

<sup>12</sup> Special provision for small *corner lots* (Section 23-862).

<sup>13</sup> No *rear yards* are required for *corner lots*.

<sup>14</sup> On *corner lots*, one *front yard* may have a lesser depth; 15 feet in R1-2, 10 feet in R3 or R4 Districts.

Italicized words are defined in Section 12-10.

## Chapter 4 Bulk Regulations for Community Facility Buildings in Residence Districts

### 24-00 APPLICABILITY, GENERAL PURPOSES, AND DEFINITIONS

24-01

#### Applicability of this Chapter

The *bulk regulations* of this Chapter apply to any *community facility building* or any *building* used partly for a *community facility use* on any *zoning lot* located in any *Residence District* in which such building is permitted. As used in this Chapter, the term "*any building*" shall therefore not include a *residential building*, the *bulk regulations* for which are set forth in Article II, Chapter 3. In addition, the *bulk regulations* of this Chapter or of specified Sections thereof also apply in other provisions of this resolution where they are incorporated by cross reference.

Existing *buildings* or other structures which do not comply with one or more of the applicable *bulk regulations* are *non-complying buildings* or other structures and are subject to the regulations set forth in Article V, Chapter 4.

Special regulations applying to *large-scale community facility developments* or to *community facility uses* in *large-scale residential developments* are set forth in Article VII, Chapter 8.

24-02

#### General Purposes of Community Facility Bulk Regulations

The following *bulk regulations* are adopted in order to protect residential areas against congestion and to encourage the development of desirable and stable residential neighborhoods. In order to achieve these purposes, a direct control of the physical volume of buildings and their degree of lot coverage is established. In order to open up residential areas to light and air and to encourage better standards of open space, moderately greater building volume is permitted in appropriate districts when larger open areas are provided.

24-03

#### Definitions (repeated from Section 12-10)

##### Community facility building

A "*community facility building*" is a *building* used only for a *community facility use*.

##### Community facility use

A "*community facility use*" is any *use* listed in Use Group 3 or 4.

##### Lot coverage

"Lot coverage" is that portion of a *zoning lot* which, when viewed directly from above, would be covered by a *building* or any part of a *building*. However, for purposes of computing a *height factor*, any portion of such *building* covered by a roof which qualifies as *open space*, or any terrace, balcony, breeze-way, or porch or portion thereof not included in the *floor area* of a *building*, shall not be included in *lot coverage*.

#### Residence, or residential

A "*residence*" is a *building* or part of a *building* containing *dwelling units* or *rooming units*, including one-family or two-family houses, multiple dwellings, boarding or rooming houses, or *apartment hotels*. However, *residences* do not include:

- (a) Such transient accommodations as *transient hotels*, *motels* or *tourist cabins*, or *trailer camps*, or
- (b) Dormitories, fraternity or sorority houses, monasteries, or convents, or
- (c) Nurses' residences, sanitariums, nursing homes, or other living or sleeping accommodations in *community facility buildings* or portions of *buildings* used for *community facility use*, or
- (d) In a *mixed building*, that part of the *building* used for any non-residential uses, except accessory to residential uses.

"Residential" means pertaining to a *residence*.

#### Zoning Lot

A "*zoning lot*" is either:

- (a) A lot of record existing on the effective date of this resolution or any applicable subsequent amendment thereto,
- (b) A tract of land, either unsubdivided or consisting of two or more contiguous lots of record located within a single *block*, which, on the effective date of this resolution or any applicable subsequent amendment thereto, was in single ownership, or
- (c) A tract of land, located within a single *block*, which, at the time of filing for a building permit (or, if no building permit is required, at the time of filing for a certificate of occupancy) is designated by its owner or developer as a tract, all of which is to be used, *developed*, or built upon as a unit under single ownership.

A *zoning lot* therefore may or may not coincide with a lot as shown on the official tax maps of The City of New York or on any recorded subdivision plat or deed.

For the purposes of this definition, ownership of a *zoning lot* shall be deemed to include a lease of not less than 50 years duration, with an option to renew such lease so as to provide a total lease of not less than 75 years duration.

A *zoning lot* may be subdivided into two or more *zoning lots*, provided that all resulting *zoning lots* and all *buildings* thereon shall comply with all of the applicable provisions of this resolution. If such *zoning lot*, however, is occupied by a *non-complying building*, such *zoning lot* may be subdivided provided such subdivision does not create a new *non-compliance* or increase the degree of *non-compliance* of such *building*.



DISTRICTS										
R1	R2	R3	R4	R5	R6	R7	R8	R9	R10	

**24-10 FLOOR AREA AND LOT COVERAGE REGULATIONS**

**24-11**

**Maximum Floor Area Ratio and Percent of Lot Coverage**

In all districts, as indicated, for any *community facility building* or any *building* used partly for a *community facility use* on any *zoning lot*, the maximum *floor area ratio* and maximum percent of *lot coverage* shall not exceed the *floor area ratio* and *lot coverage* set forth in the table at the end of this Section except as otherwise provided in the following Sections:

R1 R2 R3 R4 R5 R6 R7 R8 R9 R10

Section 24-13 (Floor Area Bonus for Deep Front and Wide Side Yards)

Section 24-14 (Floor Area Bonus for a Plaza)

Section 24-15 (Floor Area Bonus for a Plaza-Connected Open Area)

Section 24-16 (Floor Area Bonus for Arcades)

Section 24-18 (Special Provisions for Zoning Lots Divided by District Boundaries).

Any given *lot area* shall be counted only once in determining the *floor area ratio*.

Notwithstanding any other provision of this resolution, the maximum *floor area ratio* in an R9 or R10 District shall not exceed 12.00.

MAXIMUM FLOOR AREA RATIO AND MAXIMUM LOT COVERAGE

Floor area ratio	Lot coverage (percent of lot area)		
	Corner lot	Interior lot or through lot	
1.00	60	55	R1
1.00	60	55	R2
1.00	60	55	R3
2.00	60	55	R4
2.00	60	55	R5
4.80	70	65	R6
4.80	70	65	R7-1
6.50	70	65	R7-2
6.50	75	65	R8
10.00	75	65	R9
10.00	75	65	R10

**24-12**

**Height and Application of Lot Coverage**

In the districts indicated, any portion of a *building* located at any height up to but not exceeding 14 feet above *curb level* may be excluded in determining the percent of *lot coverage* set forth in Section 24-11 (Maximum Floor Area Ratio and Percent of Lot Coverage). Obstructions permitted under the provisions of Section 24-33 (Permitted Obstruction in Required Yards or Rear Yard Equivalent) shall not be included in *lot coverage*.

R3 R4 R5 R6 R7 R8 R9 R10

Italicized words are defined in Section 12-10.

DISTRICTS										
R1	R2	R3	R4	R5	R6	R7	R8	R9	R10	

24-13

**Floor Area Bonus for Deep Front and Wide Side Yards**

In the districts indicated, the maximum *floor area ratio* set forth in Section 24-11 (Maximum Floor Area Ratio and Percent of Lot Coverage) may be increased to the *floor area ratio* set forth in the table at the end of this Section if *yards* are provided as follows:

R3 R4 R5

(a) On *interior lots*, a *front yard* not less than 30 feet in depth, and a *side yard* not less than 15 feet in width along any *side lot line*

(b) On *corner lots*, two *front yards*, each not less than 30 feet in depth

(c) On *through lots*, a *front yard* not less than 30 feet in depth along each *front lot line*; provided, however, that if the *rear yard equivalent* required for such *through lot* is provided as set forth in alternative (b) of Section 24-382 (Required rear yard equivalents), at least one *side yard* not less than 30 feet in width shall be provided in addition.

No portion of a *rear yard equivalent* which is also a *front yard* or a *side yard* provided under this Section may contain any obstructions not permitted in a *front yard* or *side yard* under the provisions of Section 24-33 (Permitted Obstructions in Required Yards or Rear Yard Equivalents).

MAXIMUM FLOOR AREA  
RATIO PERMITTED

1.60	R3
2.40	R4
2.40	R5

24-14

**Floor Area Bonus for a Plaza**

In the districts indicated, for each square foot of *plaza* provided on a *zoning lot*, the total *floor area* permitted on that *zoning lot* under the provisions of Section 24-11 (Maximum Floor Area Ratio and Percent of Lot Coverage) may be increased by six square feet.

R9 R10

24-15

**Floor Area Bonus for a Plaza-Connected Open Area**

In the districts indicated, for each square foot of open area unobstructed from its lowest level to the sky, which has a minimum dimension of 40 feet and which connects two *plazas* or a *plaza* with a *street*, the total *floor area* permitted on a *zoning lot* under the provisions of Section 24-11 (Maximum Floor Area Ratio and Percent of Lot Coverage) may be increased by six square feet.

R9 R10

Permitted obstructions in such open area shall be the same as those set forth in Section 24-33 (Permitted Obstructions in Required Yards or Rear Yard Equivalents).

Italicized words are defined in Section 12-10.

DISTRICTS										
R1	R2	R3	R4	R5	R6	R7	R8	R9	R10	

**24-16**

**Floor Area Bonus for Arcades**

In the districts indicated, for each square foot of *arcade* provided on a *zoning lot*, the total *floor area* permitted on that *zoning lot* under the provisions of Section 24-11 (Maximum Floor Area Ratio and Percent of Lot Coverage) may be increased by three square feet.

R9 R10

**24-17**

**Special Provisions for Buildings Used Partly for Residential and Partly for Community Facility Uses**

In all districts, as indicated, if a *building* is used partly for *community facility use* and partly for *residential* or other permitted non-*residential use*, the *floor area ratio* and *open space ratio* regulations shall apply as set forth in this Section.

R1 R2 R3 R4 R5 R6 R7 R8 R9 R10

**24-171**

**Maximum floor area ratio**

In all districts, as indicated, the maximum *floor area ratio* for a *building* used partly for *community facility use* and partly for *residential* or other permitted non-*residential use*, shall be the maximum *floor area ratio* as set forth in Section 24-11 (Maximum Floor Area Ratio and Percent of Lot Coverage) or under the applicable bonus provisions set forth in Sections 24-13 to 24-16, inclusive.

R1 R2 R3 R4 R5 R6 R7 R8 R9 R10

**24-172**

**Floor area ratio for residential portion**

In all districts, as indicated, the maximum *floor area ratio* for the *residential* portion of the *building* or for the portion used for non-*residential use* other than *community facility use* shall be the applicable maximum *floor area ratio* permitted for *residential buildings* under the provisions of Article II, Chapter 3.

R1 R2 R3 R4 R5 R6 R7 R8 R9 R10

**24-173**

**Open space ratio for residential portion**

In the districts indicated, the *residential* portion of the *building* shall have a minimum *open space ratio* as required under the provisions of Article II, Chapter 3. For the purposes of this Section:

R1 R2 R3 R4 R5 R6 R7 R8 R9

(a) The *floor area* counted in determining the *open space ratio* shall be only that *floor area* in the *residential* portion of the *building*;

(b) The *lot coverage* of the *residential* portion of the *building* shall be deemed to be that portion of the *zoning lot* which, when viewed directly from above, would be covered by the *residential* portion of the *building* at any level; and

(c) The applicable *height factor*, if the maximum permitted *residential floor area ratio* is less than the total *floor area ratio* permitted for such *building*, shall be the *height factor* of the *residential* portion of the *building*.

DISTRICTS									
R1	R2	R3	R4	R5	R6	R7	R8	R9	R10

24-174

**Location of open space for residential portion**

In the districts indicated, the *open space* required for the residential portion of the *building* under the provisions of Article II, Chapter 3, may be at a level higher than 23 feet above *curb level*. Such *open space* may be provided at ground floor level or upon the roof of the *community facility* portion of such *building*, provided that the level of any *open space* may not be higher than two and one-half feet below the sill level of any *legally required window* facing and within 30 feet of such *open space*, in the residential portion of such *building*.

R1 R2 R3 R4 R5 R6 R7 R8 R9

24-175

**Balconies**

In the districts indicated, the regulations set forth in this Section shall apply to the residential portion of a *building* used partly for *residential use* and partly for *community facility use* or to any portion of a *building* used for living or sleeping accommodations.

R3 R4 R5 R6 R7 R8 R9 R10

Balconies which:

- (a) Are unenclosed except for a parapet not exceeding three feet, eight inches in height or a railing not less than 50 percent open and not exceeding four feet, six inches in height, and
- (b) Are located at or higher than the floor level of the fourth *story* of a *building*, and
- (c) Have an aggregate length, at the level of any *story*, not exceeding 30 percent of the length at that level of the plane surface of the *building* wall from which they project,

may, by a distance not exceeding six feet, penetrate any *sky exposure plane* or project into or over any required open area set forth in the following Sections:

- (a) *Open space*, as defined in Section 12-10 (Definitions)
- (b) *Plazas*, as defined in Section 12-10 (Definitions)
- (c) *Rear yards*, as defined in Section 12-10 (Definitions)
- (d) *Initial setback distances* or *sky exposure planes*, as set forth in Section 24-52 (Maximum Height of Front Wall and Required Front Setbacks)
- (e) Alternate front setbacks or *sky exposure planes*, as set forth in Section 24-53 (Alternate Front Setbacks)
- (f) Open area not occupied by towers, as set forth in Section 24-54 (Tower Regulations)
- (g) Required side and rear setbacks, as set forth in Section 24-55 (Required Side and Rear Setbacks).

24-18

**Special Provisions for Zoning Lots Divided by District Boundaries**

In all districts, as indicated, whenever a *zoning lot* is divided by a boundary between districts with different maximum *floor area ratios*, different minimum *open space ratios*, or different maximum percents of *lot coverage*, the provisions set forth in Article VII, Chapter 7, shall apply.

R1 R2 R3 R4 R5 R6 R7 R8 R9 R10

Italicized words are defined in Section 12-10.

DISTRICTS										
R1	R2	R3	R4	R5	R6	R7	R8	R9	R10	

**24-20 LOT AREA REQUIREMENTS FOR BUILDINGS USED PARTLY FOR RESIDENTIAL USES**

**24-21**

**Required Lot Area**

In all districts, as indicated, if a *building* is used partly for *residence* and partly for *community facility use*, for each 100 square feet of *floor area* used for such *community facility use*, at least the amount of *lot area* set forth in the following table shall be provided. Such *lot area* shall be in addition to that required for the *residential uses*, which shall be as set forth in Section 23-22 (Required Lot Area per Dwelling Unit or per Room).

R1 R2 R3 R4 R5 R6 R7 R8 R9 R10

Any given *lot area* shall be counted only once in meeting the *lot area* requirements.

REQUIRED LOT AREA  
PER 100 SQUARE FEET OF FLOOR AREA  
USED FOR COMMUNITY FACILITY USE  
(in square feet)

100	R1	R2	R3							
50				R4	R5					
20						R6	R7-1			
15							R7-2	R8		
10									R9	R10

**24-22**

**Lot Area Bonus for a Plaza, Plaza-Connected Open Area, or Arcade**

In the districts indicated, for each percent of the total *lot area* provided as a *plaza* or *plaza-connected open area*, or for each two percent of the total *lot area* covered by an *arcade*, the *lot area* requirements set forth in Section 24-21 (Required Lot Area) shall be reduced by 0.6 of one percent. However, in no event shall such reduction exceed 17 percent of the applicable *lot area* requirement set forth in Section 24-21.

R9 R10

**24-23**

**Special Provisions for Zoning Lots Divided by District Boundaries**

In all districts, as indicated, whenever a *zoning lot* is divided by a boundary between districts with different *lot area* requirements, the provisions set forth in Article VII, Chapter 7, shall apply.

R1 R2 R3 R4 R5 R6 R7 R8 R9 R10

**24-30 YARD REGULATIONS**  
**General Provisions**

**24-31**

**Level of Yards**

In all *Residence Districts*, the level of a *yard* or of a *rear yard equivalent* shall not be higher than *curb level*, except that natural grade level need not be disturbed in order to comply with this requirement. No *building* or *other structure* shall be erected above

ground level in any required *yard* or *rear yard equivalent*, except as otherwise provided in Section 24-33 (Permitted Obstructions in Required Yards or Rear Yard Equivalents).

**24-32**

**Measurement of Yard Width or Depth**

In all *Residence Districts*, the width or depth of a *yard* or *rear yard equivalent* shall be measured perpendicular to *lot lines*.

Italicized words are defined in Section 12-10.

24-33

**Permitted Obstructions in Required Yards or Rear Yard Equivalents**

In all *Residence Districts*, the following shall not be considered obstructions when located within a required *yard* or *rear yard equivalent*:

(a) In any *yard* or *rear yard equivalent*:

- Arbors or trellises
- Awnings or canopies
- Chimneys projecting not more than three feet into, and not exceeding two percent of the area of, the required *yard* or *rear yard equivalent*
- Eaves, gutters, or downspouts, projecting into such *yard* or *rear yard equivalent* not more than 16 inches or 20 percent of the width of such *yard* or *rear yard equivalent*, whichever is the lesser distance
- Fences
- Flag poles
- Open *accessory* off-street parking spaces
- Open terraces or porches
- Steps
- Walls not exceeding eight feet in height and not roofed or part of a *building*.

(b) In any *rear yard* or *rear yard equivalent*:

- Accessory* non-commercial greenhouses
- Accessory* sheds, tool rooms, or other similar *buildings* or other structures for do-

mestic or agricultural storage, with a height not exceeding 10 feet above the level of the *rear yard* or *rear yard equivalent*

Any *building* or portion of a *building* used for *community facility uses*, except that any portion of a *building* containing rooms used for living or sleeping purposes (other than a room in a hospital used for the care or treatment of patients), shall not be a permitted obstruction, and provided that the height of such *building* shall not exceed one *story*, nor in any event 23 feet above *curb level*. However, such *building* shall not be a permitted obstruction in R1 or R2 Districts.

Breezeways

Fire escapes

Off-street parking spaces *accessory* to a *community facility building* or a *building* used partly for *community facility uses*, provided that the height of an *accessory building* used for such purposes shall not exceed 14 feet above *curb level*. However, such *accessory building* shall not be a permitted obstruction in R1 or R2 Districts.

Recreation or drying yard equipment

Unenclosed balconies, subject to the provisions of Section 24-175 (Balconies).

However, no portion of a *rear yard equivalent* which is also a required *front yard* or required *side yard* may contain any obstructions not permitted in such *front yard* or *side yard*.

DISTRICTS

R1	R2	R3	R4	R5	R6	R7	R8	R9	R10
----	----	----	----	----	----	----	----	----	-----

Basic Regulations

Front Yards

24-34

**Minimum Required Front Yards**

In the districts indicated, *front yards* shall be provided as set forth in the following table, except that for a *corner lot* in an R1-2 District, one *front yard* may have a depth of 15 feet.

FRONT YARD  
(in feet)

20

R1

15

R2 R3

R4

10

R5

Side Yards

24-35

**Minimum Required Side Yards**

In the districts indicated, if a *building* used for *community facility use* has an *aggregate width of street walls* equal to 80 feet or less, two *side yards* shall be provided, each with a minimum required width of eight feet. If such *building* has an *aggregate width of street walls* equal to more than 80 feet, two *side yards* shall be provided, each equal to not less than 10 percent of the *aggregate width of street walls*.

R1

R2 R3

R4 R5

Italicized words are defined in Section 12-10.

DISTRICTS									
R1	R2	R3	R4	R5	R6	R7	R8	R9	R10

24-351

**Special provisions applying along district boundaries**

In the districts indicated, if the boundary of an adjoining R1, R2, R3, R4, or R5 District coincides with a *side lot line* of a *zoning lot*, a *side yard* at least eight feet wide shall be provided along such boundary within the districts indicated.

R6 R7 R8 R9 R10

**Rear Yards**

24-36

**Minimum Required Rear Yards**

In all districts, as indicated, one *rear yard* with a depth of not less than 30 feet shall be provided on any *zoning lot* except a *corner lot* and except as otherwise provided in Section 24-37 (Special Provisions for Shallow Interior Lots), Section 24-38 (Special Provisions for Through Lots), or Section 24-39 (Other Special Provisions for Rear Yards).

R1 R2 R3 R4 R5 R6 R7 R8 R9 R10

24-37

**Special Provisions for Shallow Interior Lots**

In the districts indicated, if an *interior lot* consists entirely of a tract of land:

R6 R7 R8 R9 R10

- (a) Which was owned separately and individually from all other adjoining tracts of land, both on the effective date of this resolution and on the date of application for a building permit, and

- (b) Which is less than 70 feet deep at any point,

the depth of a required *rear yard* for such *interior lot* may be reduced by one foot for each foot by which the maximum depth of a *zoning lot* is less than 70 feet. No *rear yard* is required on any *interior lot* with a maximum depth of 50 feet or less.

24-38

**Special Provisions for Through Lots**

In all districts, as indicated, the regulations of this Section shall apply to all *through lots*, except that in the case of a *zoning lot* occupying an entire *block*, no *rear yard* or *rear yard equivalent* shall be required.

R1 R2 R3 R4 R5 R6 R7 R8 R9 R10

24-381

**Excepted through lots**

In all districts, as indicated, no *rear yard* regulations shall apply to any *through lots* which extend less than 110 feet in maximum depth from *street* to *street*.

R1 R2 R3 R4 R5 R6 R7 R8 R9 R10

Italicized words are defined in Section 12-10.

DISTRICTS									
R1	R2	R3	R4	R5	R6	R7	R8	R9	R10

24-382

**Required rear yard equivalents**

In all districts, as indicated, on any *through lot* 110 feet or more in maximum depth from *street to street*, one of the following *rear yard equivalents* shall be provided:

R1	R2	R3	R4	R5	R6	R7	R8	R9	R10
----	----	----	----	----	----	----	----	----	-----

(a) An open area with a minimum depth of 60 feet, linking adjoining *rear yards*, or if no such *rear yards* exist, then an open area, with a minimum depth of 60 feet, midway (or within five feet of being midway) between the two *street lines* upon which such *through lot fronts*

(b) Two open areas, each adjoining and extending along the full length of a *street line*, and each with a minimum depth of 30 feet measured from such *street line*

(c) An open area adjoining and extending along the full length of each *side lot line*, with a minimum width of 30 feet measured from each such *side lot line*.

Any such *rear yard equivalent* shall be unobstructed from its lowest level to the sky, except as provided in Section 24-33 (Permitted Obstructions in Required Yards or Rear Yard Equivalents).

24-39

**Other Special Provisions for Rear Yards**

In all districts, as indicated, the *rear yard* requirements set forth in Section 24-36 (Minimum Required Rear Yards) shall be modified as set forth in this Section.

R1	R2	R3	R4	R5	R6	R7	R8	R9	R10
----	----	----	----	----	----	----	----	----	-----

24-391

**Within one hundred feet of corners**

In all districts, as indicated, no *rear yard* shall be required within 100 feet of the point of intersection of two *street lines* intersecting at an angle of 135 degrees or less.

R1	R2	R3	R4	R5	R6	R7	R8	R9	R10
----	----	----	----	----	----	----	----	----	-----

24-392

**Along short dimension of block**

In all districts, as indicated, whenever a *front lot line* of a *zoning lot* coincides with all or part of a *street line* measuring less than 220 feet in length between two intersecting *streets*, no *rear yard* shall be required within 100 feet of such *front lot line*.

R1	R2	R3	R4	R5	R6	R7	R8	R9	R10
----	----	----	----	----	----	----	----	----	-----

24-393

**For portions of through lots**

In all districts, as indicated, along any *rear lot line* of a portion of a *through lot* which coincides with a *rear lot line* of an adjoining *zoning lot*, a *rear yard* shall be required as if such portion were an *interior lot*.

R1	R2	R3	R4	R5	R6	R7	R8	R9	R10
----	----	----	----	----	----	----	----	----	-----

Italicized words are defined in Section 12-10.



DISTRICTS										
R1	R2	R3	R4	R5	R6	R7	R8	R9	R10	

**All Yards**

24-40

**Special Provisions for Zoning Lots Divided by District Boundaries**

In all districts, as indicated, whenever a *zoning lot* is divided by a boundary between districts with different *yard regulations*, the provisions set forth in Article VII, Chapter 7, shall apply.

R1	R2	R3	R4	R5	R6	R7	R8	R9	R10
----	----	----	----	----	----	----	----	----	-----

**24-50 HEIGHT AND SETBACK REGULATIONS**

24-51

**Permitted Obstructions**

In all *Residence Districts*, the following shall not be considered obstructions and may thus penetrate a maximum height limit or a *sky exposure plane* set forth in Section 24-52 (Maximum Height of Front Wall and Required Front Setbacks) or Section 24-53 (Alternate Front Setbacks):

- (a) Chimneys or flues, with a total width not exceeding 10 percent of the *aggregate width of street walls of a building* at any level
- (b) Elevator or stair bulkheads, roof water tanks, or cooling towers (including enclosures), each having an *aggregate width of street walls* equal to not more than 30 feet. However, the product, in square feet, of the *aggregate width of street walls* of such obstructions facing each *street* frontage, times their average height, in feet, shall not exceed a figure equal to four

times the width, in feet, of the *street wall* of the *building* facing such frontage.

- (c) Flagpoles or aerials
- (d) Ornamental church towers having no *floor area* in portion of tower penetrating such height limit or *sky exposure plane*
- (e) Parapet walls not more than four feet high
- (f) Spires or belfries
- (g) Unenclosed balconies, subject to the provisions of Section 24-175 (Balconies)
- (h) Wire, chain link, or other transparent fences.

Building columns having an aggregate width equal to not more than 20 percent of the *aggregate width of street walls of a building* are a permitted obstruction, to a depth not exceeding 12 inches, in an *initial setback distance*, optional front open area, or any other required setback distance or open area set forth in Section 24-52, Section 24-53, or Section 24-54 (Tower Regulations).

DISTRICTS										
R1	R2	R3	R4	R5	R6	R7	R8	R9	R10	

**Basic Regulations**

24-52

**Maximum Height of Front Wall and Required Front Setbacks**

In all districts, as indicated, the maximum height of a front wall or of any other portion of a *building* or *other structure* shall be as set forth in this Section, except as otherwise provided in Section 24-51 (Permitted Obstructions), Section 24-53 (Alternate Front Setbacks), or Section 24-54 (Tower Regulations).

R1	R2	R3	R4	R5	R6	R7	R8	R9	R10
----	----	----	----	----	----	----	----	----	-----

Italicized words are defined in Section 12-10.

DISTRICTS									
R1	R2	R3	R4	R5	R6	R7	R8	R9	R10

24-521

Front setbacks in districts where front yards are required

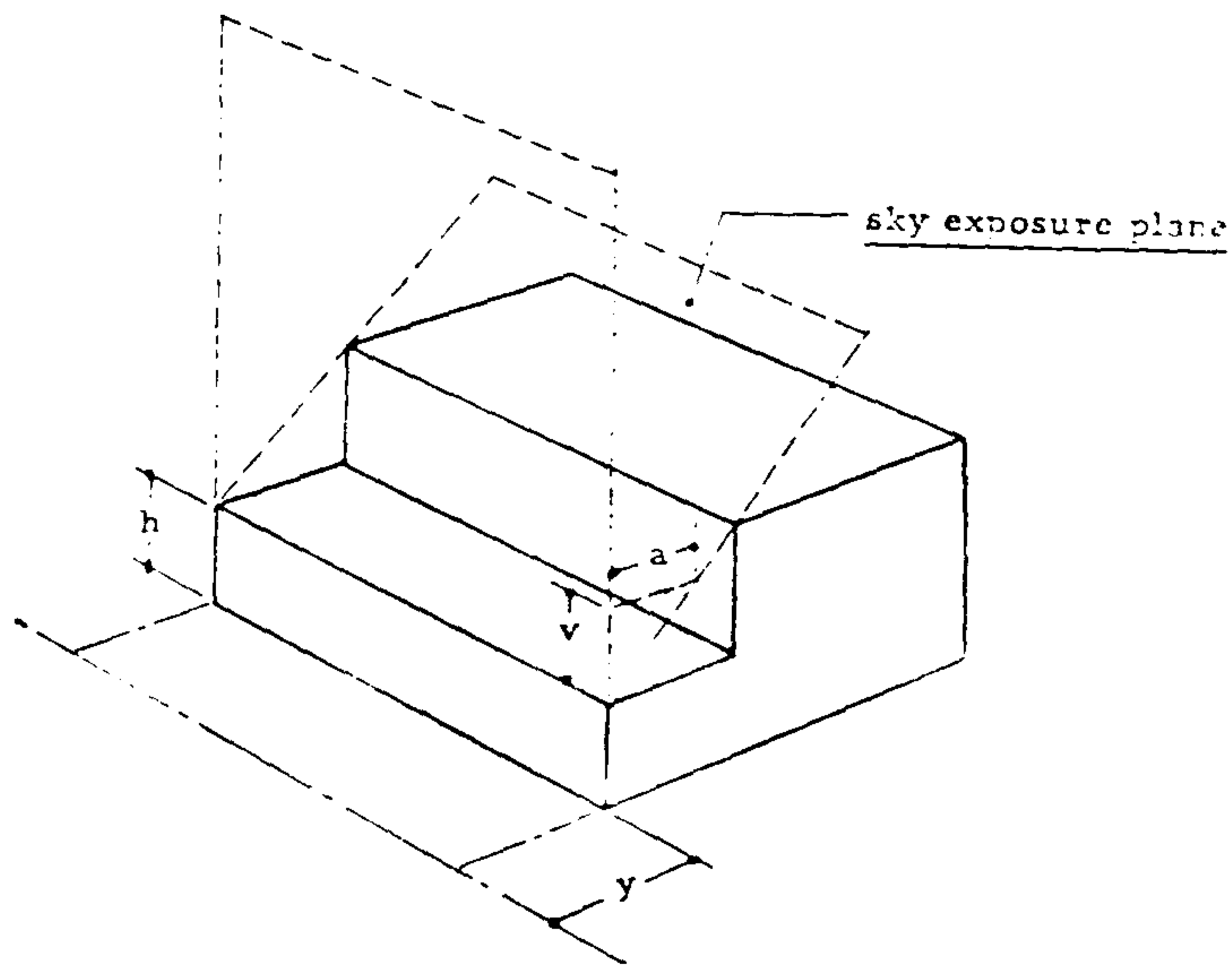
In the districts indicated, where *front yards* are required, the front wall or any other portion of a *building or other structure* shall not penetrate the *sky exposure plane* set forth in the following table:

R1 R2 R3 R4 R5

MAXIMUM HEIGHT OF FRONT WALL  
AND REQUIRED FRONT SETBACKS

*Sky exposure plans*

Height above front yard line (in feet)	Slope over zoning lot (expressed as a ratio of vertical distance to horizontal distance)				R1	R2	R3	R4	R5
	On narrow street		On wide street						
	Vertical distance	Horizontal distance	Vertical distance	Horizontal distance					
25	1	to 1	1	to 1					
35	1	to 1	1	to 1				R4	R5



- y is the depth of required front yard
- h is the height of sky exposure plane above front yard line level
- v is the vertical distance
- a is the horizontal distance

ILLUSTRATION OF SKY EXPOSURE PLANE  
SECTION 24-521

Italicized words are defined in Section 12-10.

DISTRICTS									
R1	R2	R3	R4	R5	R6	R7	R8	R9	R10

24-522

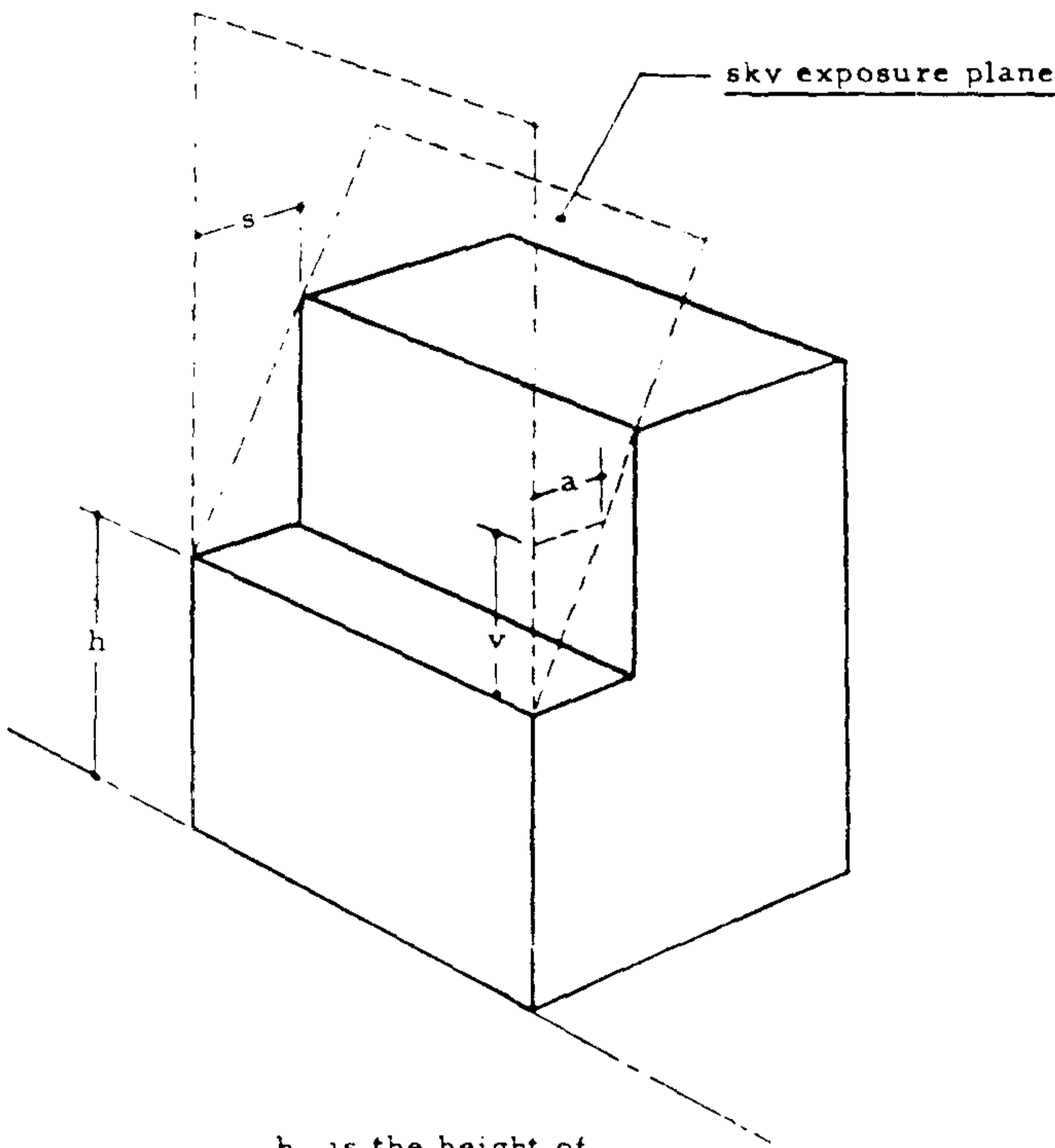
**Front setbacks in districts where front yards are not required**

In the districts indicated, where *front yards* are not required, if the front wall or other portion of a *building or other structure* is located at the *street line* or within the *initial setback distance* set forth in the following table, the height of such front wall or other portion of a *building or other structure* shall not exceed the maximum height above *curb level* set forth in the following table. Above such specified maximum height and beyond the *initial setback distance*, the *building or other structure* shall not penetrate the *sky exposure plane* set forth in the following table:

R6 R7 R8 R9 R10

MAXIMUM HEIGHT OF FRONT WALL AND REQUIRED FRONT SETBACKS

Initial setback distance (in feet)		Maximum height of a front wall or other portion of a <i>building</i> , within the <i>initial setback distance</i>	Height above <i>street line</i> (in feet)	Sky exposure plane				
				Slope over <i>zoning lot</i> (expressed as a ratio of vertical distance to horizontal distance)				
On narrow street	On wide street			On narrow street Vertical distance	Horizontal distance	On wide street Vertical distance	Horizontal distance	
20	15	60 feet or six stories, whichever is less	60	2.7	to 1	5.6	to 1	R6 R7
20	15	85 feet or nine stories, whichever is less	85	2.7	to 1	5.6	to 1	R8 R9 R10



- h is the height of sky exposure plane above street line
- s is the initial setback distance
- v is the vertical distance
- a is the horizontal distance

ILLUSTRATION OF SKY EXPOSURE PLANE  
SECTION 24-522

Italicized words are defined in Section 12-10.

DISTRICTS									
R1	R2	R3	R4	R5	R6	R7	R8	R9	R10

24-53

Alternate Front Setbacks

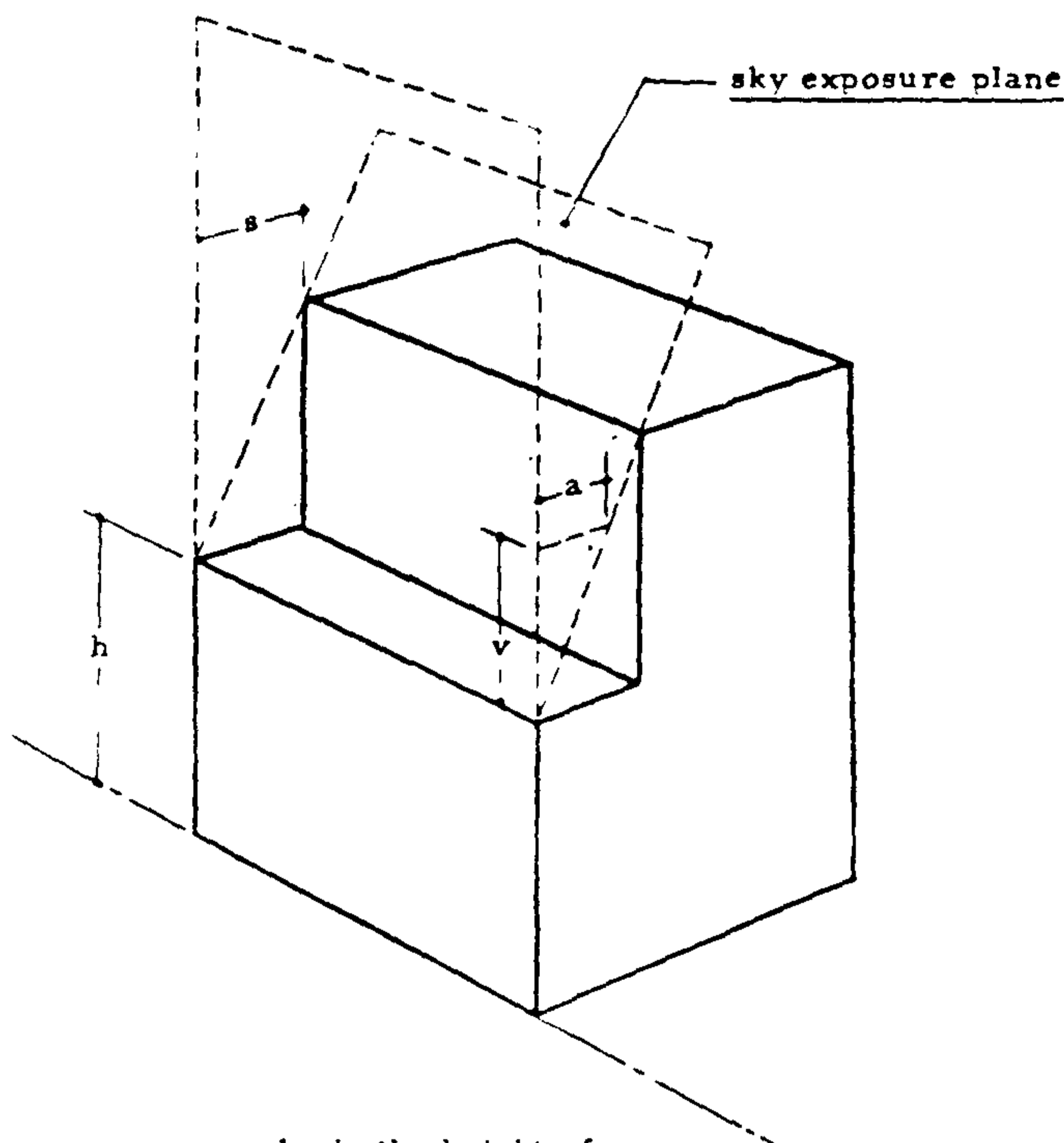
In the districts indicated, if an open area is provided along the full length of the *front lot line* with the minimum depth set forth in the following table, the provisions of Section 24-52 (Maximum Height of Front Wall and Required Front Setbacks) shall not apply. The minimum depth of such an open area shall be measured perpendicular to the *front lot line*. However, in such instances, except as otherwise provided in Section 24-51 (Permitted Obstructions) or Section 24-54 (Tower Regulations), no *building or other structure* shall penetrate the alternate *sky exposure plane* set forth in the following table, and the *sky exposure plane* shall be measured from a point above the *street line*.

R6 R7 R8 R9 R10

If the open area provided under the terms of this Section is a *plaza*, such open area may be counted for the bonus provided for a *plaza* in the districts indicated in Section 24-14 (Floor Area Bonus for a Plaza) and Section 24-22 (Lot Area Bonus for a Plaza, Plaza-Connected Open Area, or Arcade).

ALTERNATE REQUIRED FRONT SETBACKS

Depth of optional front open area (in feet)		Height above street line (in feet)	Slope over zoning lot (expressed as a ratio of vertical distance to horizontal distance)				
On narrow street	On wide street		On narrow street		On wide street		
			Vertical distance	Horizontal distance	Vertical distance	Horizontal distance	
15	10	60	3.7	to 1	7.6	to 1	R6 R7
15	10	85	3.7	to 1	7.6	to 1	R8 R9 R10



*h* is the height of sky exposure plane above street line

*s* is the initial setback distance

*v* is the vertical distance

*a* is the horizontal distance

ILLUSTRATION OF ALTERNATE SKY EXPOSURE PLANE  
SECTION 24-53

Italicized words are defined in Section 12-10.

DISTRICTS									
R1	R2	R3	R4	R5	R6	R7	R8	R9	R10

### Supplementary Regulations

24-54

#### Tower Regulations

R7-2 R8 R9 R10

In the districts indicated, any *building* or *buildings* or portion thereof which in the aggregate occupy not more than 40 percent of the *lot area* of a *zoning lot* or, for *zoning lots* of less than 20,000 square feet, the percent set forth in Section 24-541 (Towers on small lots), may penetrate an established *sky exposure plane*. (Such *building* or portion thereof is hereinafter referred to as a tower.) However, at any level, such tower shall be set back from a *street line* as follows:

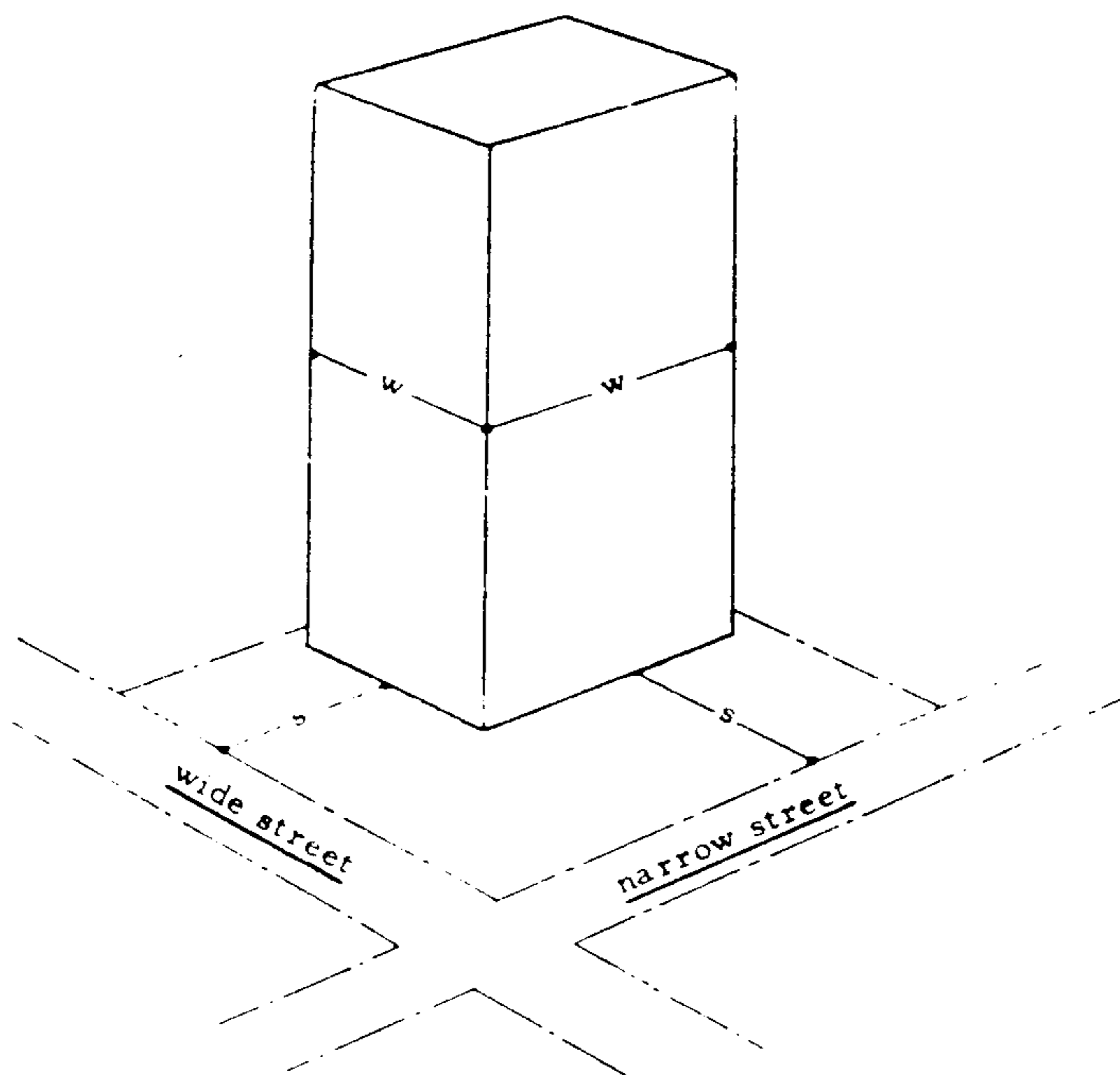
(a) On *narrow streets*, by a distance at least one-third of the *aggregate width of street walls* of the tower at such level, provided that such setback need not exceed 50 feet

(b) On *wide streets*, by a distance at least one-fourth of the *aggregate width of street walls* of the tower at such level, provided that such setback need not exceed 40 feet.

If the *building* of which such tower is a portion does not occupy at any level more than the maximum percent of the *lot area* set forth in this Section or Section 24-541 for towers, each required setback as set forth in (a) and (b) of this Section may be reduced by five feet, provided that no such reduced setback shall be less than 20 feet in depth.

Unenclosed balconies, subject to the provisions of Section 24-175 (Balconies) are permitted to project into or over open areas not occupied by towers.

The provisions of this Section shall not apply to any *building*, located wholly or partly in a *Residence District*, which is within 100 feet of (a) a *public park* with an area of one acre or more, or (b) a *street line* opposite such a *public park*.



s is the required  
setback from streets

w is the aggregate  
width of street walls

ILLUSTRATION OF TOWER  
SECTION 24-54

DISTRICTS									
R1	R2	R3	R4	R5	R6	R7	R8	R9	R10

24-541

**Towers on small lots**

In the districts indicated, a tower may occupy the percent of the *lot area* of a *zoning lot* set forth in the following table:

R7-2 R8 R9 R10

LOT COVERAGE OF TOWERS ON SMALL ZONING LOTS

Area of <i>zoning lot</i> (in square feet)	Maximum percent of <i>lot coverage</i>
10,500 or less	50
10,501 to 11,500	49
11,501 to 12,500	48
12,501 to 13,500	47
13,501 to 14,500	46
14,501 to 15,500	45
15,501 to 16,500	44
16,501 to 17,500	43
17,501 to 18,500	42
18,501 to 19,999	41

24-55

**Required Side and Rear Setbacks**

In all districts, as indicated, side and rear setbacks shall be provided as specified in this Section. Unenclosed balconies, subject to the provisions of Section 24-175 (*Balconies*), are permitted to project into or over any open areas required by the provisions of this Section.

R1 R2 R3 R4 R5 R6 R7 R8 R9 R10

24-551

**Required side setbacks for tall buildings  
in low bulk districts**

In the districts indicated, no portion of any *building* which is more than 35 feet or more than three *stories*, whichever is lower, above the level of a *side yard*, shall be nearer to a *side lot line* bounding such *yard* than a distance equal to one-half the height above *yard* level of such portion of the *building*.

R1 R2 R3 R4 R5

Italicized words are defined in Section 12-10.

DISTRICTS									
R1	R2	R3	R4	R5	R6	R7	R8	R9	R10

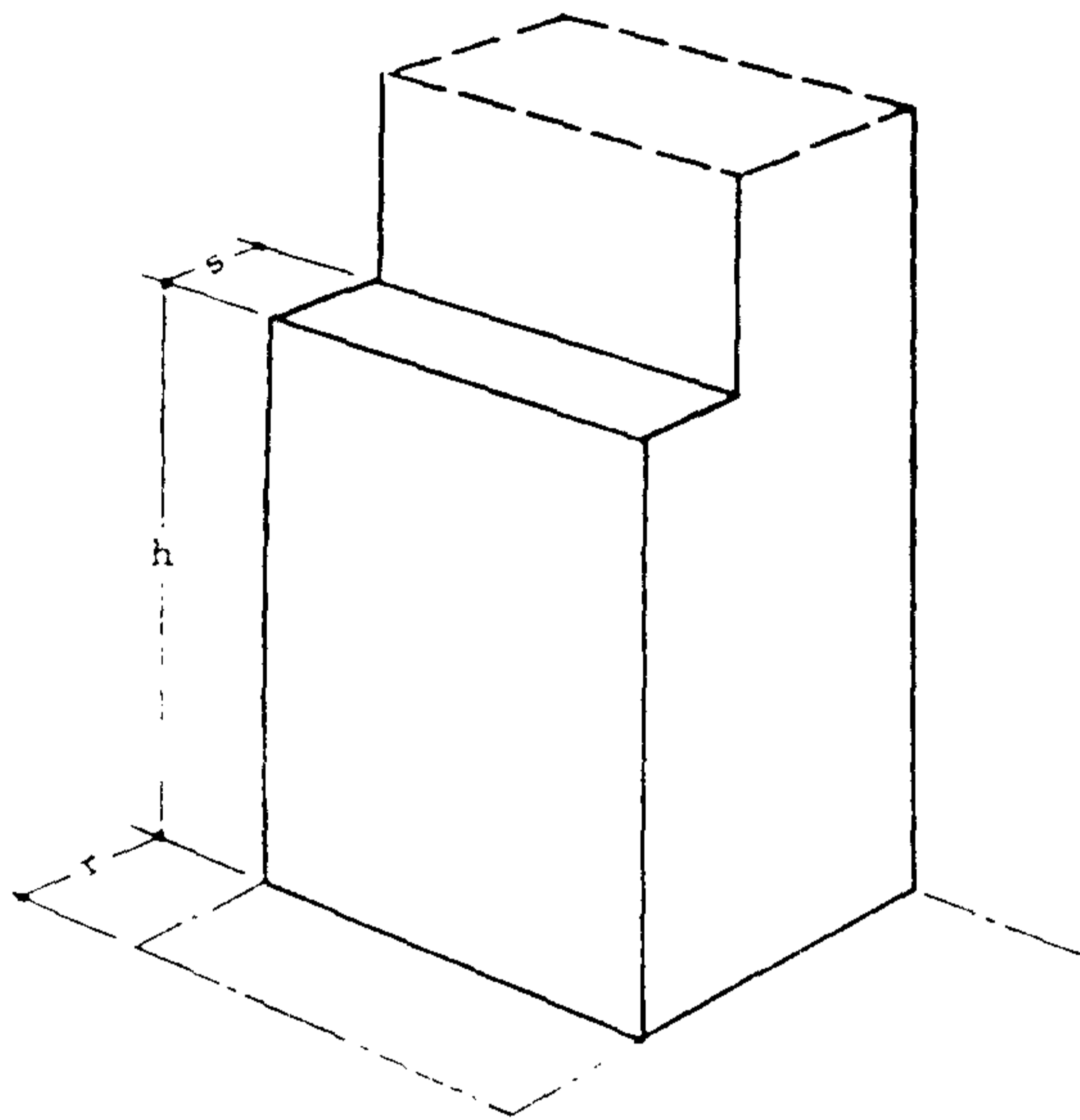
**24-552**

**Required rear setbacks for tall buildings**

In all districts, as indicated, no portion of a *building* more than 125 feet above yard level shall be nearer to a *rear yard line* than 20 feet. However, this provision shall not apply to any portion of a *building* which qualifies as a tower under the provisions of Section 24-54 (Tower Regulations).

In the case of a *through lot* on which a *rear yard equivalent* is provided as set forth in paragraph (a) of Section 24-382 (Required rear yard equivalents), the requirements of this Section shall apply as if such *rear yard equivalent* were two adjoining *rear yards*. If a *rear yard equivalent* is provided as set forth in paragraphs (b) or (c) of Section 24-382, the requirements of this Section shall not apply.

R1	R2	R3	R4	R5	R6	R7	R8	R9	R10
----	----	----	----	----	----	----	----	----	-----



- r is the depth of required rear yard
- s is the depth of required rear yard setback
- h is the height of wall above rear yard

ILLUSTRATION OF REAR SETBACK  
SECTION 24-552

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**Regulations Applying in Special Situations**

**24-56**

**Special Provisions for Zoning Lots Directly Adjoining Public Parks**

In all districts, as indicated, a *public park* with an area of between one and fifteen acres shall be considered a *wide street* for the purpose of applying the regulations set forth in Section 24-52 (Maximum Height of Front Wall and Required Front Setbacks) to any *building or other structure* on a *zoning lot* adjoining such *public park*. However, the provisions of this Section shall not apply to a *public park* more than 75 percent of which is paved.

R1	R2	R3	R4	R5	R6	R7	R8	R9	R10
----	----	----	----	----	----	----	----	----	-----

---

Italicized words are defined in Section 12-10.

DISTRICTS										
R1	R2	R3	R4	R5	R6	R7	R8	R9	R10	

24-57

**Modifications of Height and Setback Regulations**

In all districts, as indicated, for certain *community facility uses* in specified situations, the Board of Standards and Appeals may modify the regulations set forth in Sections 24-51 to 24-55, inclusive, relating to Height and Setback Regulations, in accordance with the provisions of Section 73-64 (Modifications for Community Facility Uses).

R1	R2	R3	R4	R5	R6	R7	R8	R9	R10
----	----	----	----	----	----	----	----	----	-----

24-58

**Special Provisions for Zoning Lots Divided by District Boundaries**

In all districts, as indicated, whenever a *zoning lot* is divided by a boundary between districts with different height and setback regulations, or whenever a *zoning lot* is divided by a boundary between a district to which the provisions of Section 24-54 (Tower Regulations) apply and a district to which such provisions do not apply, the provisions set forth in Article VII, Chapter 7, shall apply.

R1	R2	R3	R4	R5	R6	R7	R8	R9	R10
----	----	----	----	----	----	----	----	----	-----

24-60 **COURT REGULATIONS AND MINIMUM DISTANCE BETWEEN WINDOWS AND WALLS OR LOT LINES**

24-61

**General Provisions and Applicability**

In all districts, as indicated, the provisions set forth in Sections 24-62 to 24-66, inclusive, relating to Court Regulations and Minimum Distance between Windows and Walls or Lot Lines, shall apply only to *community facility buildings* or portions of *buildings* used for *community facility uses* containing living accommodations with required windows. For the purposes of these Sections, a required window shall be deemed to be a window or part of a window which:

R1	R2	R3	R4	R5	R6	R7	R8	R9	R10
----	----	----	----	----	----	----	----	----	-----

- (a) Opens into any room used for living or sleeping purposes, other than a room in a hospital used for the care or treatment of patients; and
- (b) Is required to provide adequate light or ventilation to such room by any applicable law or statute.

The provisions of Sections 24-62 to 24-66, inclusive, shall apply only to portions of *buildings* at or above the sill level of the lowest required window.

24-62

**Minimum Dimensions of Courts**

In all districts, as indicated, the minimum distance between different walls of the same *building* shall conform to the regulations set forth in the following Sections:

R1	R2	R3	R4	R5	R6	R7	R8	R9	R10
----	----	----	----	----	----	----	----	----	-----

- 24-63 (Outer Court Regulations)
- 24-64 (Inner Court Regulations)
- 24-65 (Minimum Distance between Required Windows and Walls or Lot Lines).

A corner of a court may be cut off between walls of the same *building*, provided that the length of the wall of such cut-off does not exceed seven feet.

24-63

**Outer Court Regulations**

In all districts, as indicated, *outer courts* shall be in compliance with the provisions of this Section.

R1	R2	R3	R4	R5	R6	R7	R8	R9	R10
----	----	----	----	----	----	----	----	----	-----

Italicized words are defined in Section 12-10.



DISTRICTS										
R1	R2	R3	R4	R5	R6	R7	R8	R9	R10	

**24-631**

**Narrow outer courts**

In all districts, as indicated, if an *outer court* is less than 20 feet wide, the width of such *outer court* must be at least twice the depth of such *outer court*.

R1	R2	R3	R4	R5	R6	R7	R8	R9	R10
----	----	----	----	----	----	----	----	----	-----

**24-632**

**Wide outer courts**

In all districts, as indicated, if an *outer court* is 20 feet or more in width, the width of such *outer court* must be at least equal to the depth of such *outer court*, except that such width need not exceed 40 feet.

R1	R2	R3	R4	R5	R6	R7	R8	R9	R10
----	----	----	----	----	----	----	----	----	-----

**24-633**

**Outer court recesses**

In all districts, as indicated, the width of an *outer court recess* shall be at least twice the depth of the recess, except that such width need not exceed 40 feet.

R1	R2	R3	R4	R5	R6	R7	R8	R9	R10
----	----	----	----	----	----	----	----	----	-----

**24-64**

**Inner Court Regulations**

In all districts, as indicated, *inner courts* shall be in compliance with the provisions of this Section.

R1	R2	R3	R4	R5	R6	R7	R8	R9	R10
----	----	----	----	----	----	----	----	----	-----

**24-641**

**Minimum dimensions of inner courts**

In all districts, as indicated, the area of an *inner court* shall not be less than 600 square feet, and the minimum dimension of such *inner court* shall not be less than 20 feet. For the purpose of this Section, that portion of an open area not part of an *inner court* and over which, when viewed from directly above, lines perpendicular to a *lot line* may be drawn into such *inner court*, shall be considered part of such *inner court*.

R1	R2	R3	R4	R5	R6	R7	R8	R9	R10
----	----	----	----	----	----	----	----	----	-----

**24-642**

**Inner court recesses**

In all districts, as indicated, the width of an *inner court recess*:

R1	R2	R3	R4	R5	R6	R7	R8	R9	R10
----	----	----	----	----	----	----	----	----	-----

(a) If 20 feet or less, shall be at least twice the depth of the recess.

(b) If more than 20 feet but less than 40 feet, shall be at least equal to the depth of the recess.

(c) Need not be greater than 40 feet, whatever the depth of the recess.

**24-65**

**Minimum Distance between Required Windows and Walls or Lot Lines**

In all districts, as indicated, the minimum distance between required windows and walls or *lot lines* shall be as set forth in this Section, except that this Section shall not apply to required windows in *buildings* of three *stories* or less.

R1	R2	R3	R4	R5	R6	R7	R8	R9	R10
----	----	----	----	----	----	----	----	----	-----

Italicized words are defined in Section 12-10.

DISTRICTS										
R1	R2	R3	R4	R5	R6	R7	R8	R9	R10	

**24-651**

**General provisions**

In all districts, as indicated, except as otherwise provided in Section 24-652 (Minimum distance between required windows and certain walls), the minimum distance between any required windows and:

- (a) Any wall
- (b) A rear lot line, or vertical projection thereof, or
- (c) A side lot line, or vertical projection thereof

shall be 20 feet, measured in a horizontal plane at the sill level of, and perpendicular to, such window; provided, however, that a required window may open on any outer court meeting the requirements of Section 24-63 (Outer Court Regulations).

R1 R2 R3 R4 R5 R6 R7 R8 R9 R10

**24-652**

**Minimum distance between required windows and certain walls**

In all districts, as indicated, the minimum horizontal distance between a required window opening on an inner court and any wall opposite such window on the same zoning lot or between a required window and any wall of any other building opposite such window on the same zoning lot, shall not be less than 20 feet, nor shall any such wall be nearer to such window than a distance equal to one-third the total height of such wall above the sill level of such window. Such minimum distance need not exceed 40 feet.

Such minimum distance shall be measured in a horizontal plane at the sill level of, and perpendicular to, the required window for the full width of the rough window opening between such window and a projection of such wall onto such horizontal plane.

For the purposes of this Section, at any level at which two portions of a single building are not connected one to the other, such portions shall be deemed to be two separate buildings and shall be subject to the provisions of this Section.

R1 R2 R3 R4 R5 R6 R7 R8 R9 R10

**24-66**

**Modifications of Court Regulations or Distance Requirements**

In all districts, as indicated, for certain community facility uses in specified situations, the Board of Standards and Appeals may modify the regulations set forth in Sections 24-61 to 24-65, inclusive, relating to Court Regulations and Minimum Distance between Windows and Walls or Lot Lines, in accordance with the provisions of Section 73-64 (Modifications for Community Facility Uses).

R1 R2 R3 R4 R5 R6 R7 R8 R9 R10

**24-67**

**Special Provisions for Buildings Used Partly for Residential Uses**

In all districts, as indicated, whenever a building is used partly for community facility uses and partly for residential uses, the provisions of this Section shall apply to any portion of such building used for residential uses.

R1 R2 R3 R4 R5 R6 R7 R8 R9 R10

Italicized words are defined in Section 12-10.

DISTRICTS										
R1	R2	R3	R4	R5	R6	R7	R8	R9	R10	

**24-671**

**Courts**

In all districts, as indicated, at any level at which a *building* is used for *residential use*, any *court* upon which a *legally required window* opens shall be subject to the provisions set forth in Sections 23-84 (Outer Court Regulations) or 23-85 (Inner Court Regulations).

R1 R2 R3 R4 R5 R6 R7 R8 R9 R10

**24-672**

**Walls opposite legally required windows**

In all districts, as indicated, *legally required windows* in portions of *buildings* used for *residential use* shall be subject to the provisions set forth in Section 23-86 (Minimum Distance between Legally Required Windows and Walls or Lot Lines). The provisions of Section 23-863 (Minimum distance between legally required windows and any wall in an inner court) shall also apply to a *legally required window* opposite a wall of any other *building* on the same *zoning lot*.

R1 R2 R3 R4 R5 R6 R7-1 R8 R9 R10

For the purposes of this Section, at any level at which two portions of a single *building* are not connected one to the other, such portions shall be deemed to be two separate *buildings* and shall be subject to the provisions of Section 23-863.

Italicized words are defined in Section 12-10.

Chapter 5 Accessory Off-Street Parking and Loading Regulations

OFF-STREET PARKING REGULATIONS

25-00 GENERAL PURPOSES AND DEFINITIONS

25-01

General Purposes

The following regulations on permitted and required accessory off-street parking spaces are adopted in order to provide needed space off the streets for parking in connection with new residences, to reduce traffic congestion resulting from the use of streets as places for storage of automobiles, to protect the residential character of neighborhoods, to provide for a higher standard of residential development within the City, and thus to promote and protect public health, safety, and general welfare.

25-02

Definitions (repeated from Section 12-10)

Group Parking Facility

A "group parking facility" is a *building or other structure* or a tract of land, used for the storage of motor vehicles, which contains more than one parking space, which has access to the *street* common to all spaces, and which, if *accessory* to a *residential use*, is designed to serve more than one *dwelling unit*.

A *group parking facility* shall include, but is not limited to, the following:

- (a) An open parking area
- (b) Parking spaces included within or on the roof of a *building* not primarily used for parking
- (c) A *building or buildings* used primarily for parking, including a group of individual garages.

DISTRICTS

R1 R2 R3 R4 R5 R6 R7 R8 R9 R10

25-10 PERMITTED ACCESSORY OFF-STREET PARKING SPACES

25-11

General Provisions

In all districts, as indicated, *accessory* off-street parking spaces, open or enclosed, may be provided for *residences*, for permitted *community facility uses*, for *commercial uses* permitted as *accessory uses* in *large-scale residential developments*, or for *uses* permitted by special permit, subject to the provisions set forth in the following Sections:

- Section 25-12 (Maximum Size of Accessory Group Parking Facilities)
- Section 25-15 (Maximum Spaces for Single-Family Detached Residences)
- Section 25-16 (Maximum Spaces for Other than Single-Family Detached Residences)
- Section 25-18 (Maximum Spaces for Permitted Community Facility or Commercial Uses).

R1 R2 R3 R4 R5 R6 R7 R8 R9 R10

25-12

Maximum Size of Accessory Group Parking Facilities

In all districts, as indicated, no *group parking facility accessory* to *residences* shall contain more than 200 off-street parking spaces, and no such facility *accessory* to permitted *community facility* or *commercial uses* shall contain more than 150 off-street parking spaces, except as provided in Section 25-13 (Modification of Maximum Size of Accessory Group Parking Facilities).

R1 R2 R3 R4 R5 R6 R7 R8 R9 R10

25-13

Modification of Maximum Size of Accessory Group Parking Facilities

In all districts, as indicated, a *group parking facility* may contain additional spaces not to exceed 50 percent of the maximum number otherwise permitted under the provisions of Section 25-12 (Maximum size of Accessory Group Parking Facilities), if the Commissioner of Buildings determines that:

R1 R2 R3 R4 R5 R6 R7 R8 R9 R10

- (a) Access for such facility is located so as to draw a minimum of vehicular traffic to and through streets having predominantly residential frontages, and
- (b) Such facility has separate vehicular entrances and exits thereto, located not less than 25 feet apart, and

Italicized words are defined in Section 12-10.

DISTRICTS										
R1	R2	R3	R4	R5	R6	R7	R8	R9	R10	
R1	R2	R3	R4	R5	R6	R7	R8	R9	R10	

25-13 (Continued)

(c) Such facility, if *accessory* to a permitted *community facility* or *commercial use* is located on a street not less than 60 feet in width, and

(d) Such facility, if *accessory* to a permitted *commercial use*, has adequate reservoir space at the entrance to accommodate a minimum of 10 automobiles.

The Commissioner of Buildings shall establish appropriate additional regulations with respect to the design of such facility to minimize adverse effects on the character of the surrounding area, such as requirements for shielding of floodlights.

25-14

**Exceptions to Maximum Size of Accessory Group Parking Facilities**

25-141

**For hospitals**

In all districts, as indicated, the Board of Standards and Appeals may permit *group parking facilities accessory* to hospitals, with more than 225 spaces, in accordance with the provisions of Section 73-48 (Exceptions to Maximum Size of Accessory Group Parking Facilities).

R1 R2 R3 R4 R5 R6 R7 R8 R9 R10

25-142

**For accessory commercial uses in large-scale residential developments**

In all districts, as indicated, the City Planning Commission may permit *group parking facilities accessory* to *commercial uses* in *large-scale residential developments*, with more than 225 spaces, in accordance with the provisions of Section 74-53 (Accessory Group Parking Facilities for Commercial Uses in Large-Scale Residential Developments).

R1 R2 R3 R4 R5 R6 R7 R8 R9 R10

25-15

**Maximum Spaces for Other than Single-Family Detached Residences**

In all districts, as indicated, not more than three off-street parking spaces shall be provided for a *single-family detached residence*, except on *zoning lots* with a lot area of 10,000 square feet or more. For the purposes of this Section, a driveway shall not be considered as off-street parking space.

R1 R2 R3 R4 R5 R6 R7 R8 R9 R10

25-16

**Maximum Spaces for Other than Single-Family Detached Residences**

In the districts indicated, the provisions of this Section shall apply to all *dwelling units* or *rooming units* in *residential buildings* other than *single-family detached residences*, except as provided in Section 25-17 (Modification of Maximum Spaces for Other than Single-Family Detached Residences).

R3 R4 R5 R6 R7 R8 R9 R10

25-161

**In R3, R4, or R5 Districts**

In the districts indicated, not more than two off-street parking spaces shall be provided for each *dwelling unit*, and not more than one off-street parking space shall be provided for each *rooming unit*.

R3 R4 R5

Italicized words are defined in Section 12-10.

DISTRICTS										
R1	R2	R3	R4	R5	R6	R7	R8	R9	R10	

**25-162**

**In R6 or R7 Districts**

In the districts indicated, on a zoning lot used for residences, not more than one off-street parking space shall be provided for every 300 square feet of lot area.

R6 R7

**25-163**

**In R8, R9, or R10 Districts**

In the districts indicated, on a zoning lot used for residences, not more than one off-street parking space shall be provided for every 225 square feet of lot area.

R8 R9 R10

**25-17**

**Modification of Maximum Spaces for Other than Single-Family Detached Residences**

In the districts indicated, a greater number of off-street parking spaces than permitted under the provisions of Section 25-16 (Maximum Spaces for Other than Single-Family Detached Residences) may be provided if the Commissioner of Buildings determines that:

R3 R4 R5 R6 R7 R8 R9 R10

- (a) Such additional spaces are needed for residents of the development to which such spaces are *accessory*, in order to prevent excessive on-street parking, and
- (b) Such spaces are designed in such a way as to minimize traffic on streets with predominantly residential frontages.

The Commissioner of Buildings shall establish appropriate additional regulations with respect to the design of the parking areas to minimize adverse effects on the character of surrounding areas.

**25-18**

**Maximum Spaces for Permitted Community Facility or Commercial Uses**

In all districts, as indicated, on a zoning lot used for permitted *community facility* or *commercial uses*, not more than one off-street parking space shall be provided for every 400 square feet of lot area, except as provided in Section 25-19 (Modification of Maximum Spaces for Permitted Community Facility or Commercial Uses).

R1 R2 R3 R4 R5 R6 R7 R8 R9 R10

**25-19**

**Modification of Maximum Spaces for Permitted Community Facility or Commercial Uses**

In all districts, as indicated, a greater number of off-street parking spaces than permitted under the provisions of Section 25-18 (Maximum Spaces for Permitted Community Facility or Commercial Uses) may be provided if the Commissioner of Buildings determines that:

R1 R2 R3 R4 R5 R6 R7 R8 R9 R10

- (a) Such additional spaces are needed for the occupants, visitors, customers, or employees of the use or uses to which such spaces are *accessory*, and
- (b) Such spaces are designed in such a way as to minimize traffic on streets with predominantly residential frontages.

The Commissioner of Buildings shall establish appropriate additional regulations with respect to the design of the parking area, to minimize adverse effects on the character of surrounding areas.

Italicized words are defined in Section 12-10.

DISTRICTS									
R1	R2	R3	R4	R5	R6	R7	R8	R9	R10

**25-20 REQUIRED ACCESSORY OFF-STREET PARKING SPACES FOR RESIDENCES**

**25-21**

**General Provisions**

In all districts, as indicated, *accessory* off-street parking spaces, open or enclosed, shall be provided for all new *residences* constructed after the effective date of this resolution, in accordance with the provisions of the following Sections and the other applicable provisions of this Chapter, as a condition precedent to the *use* of such *residences*.

R1	R2	R3	R4	R5	R6	R7	R8	R9	R10
----	----	----	----	----	----	----	----	----	-----

Section 25-22 (Requirements Where Individual Parking Facilities Are Provided)

Section 25-23 (Requirements Where Group Parking Facilities Are Provided)

Section 25-24 (Modification of Requirements for Small Zoning Lots)

Section 25-25 (Modification of Requirements for Public Housing)

Section 25-28 (Special Provisions for Zoning Lots Divided by District Boundaries).

After the effective date of this resolution, for all *enlargements* which increase the number of *dwelling units* or *rooming units* in a *building*, the same requirements shall apply to the additional *dwelling units* or *rooming units* created by such *enlargements*.

For the purposes of these Sections, three *rooming units* shall be considered the equivalent of one *dwelling unit*.

In the event that the number of *accessory* off-street parking spaces required under the provisions of these Sections exceeds the maximum number of spaces permitted under the provisions of Section 25-16 (Maximum Spaces for Other than Single-Family Detached Residences) the Commissioner of Buildings shall reduce the required number of spaces to the maximum number permitted.

**25-211**

**Application of requirements to conversions**

In the districts indicated, the requirements of Section 25-21 (General Provisions) shall apply to the additional *dwelling units* or *rooming units* created by conversions on *zoning lots* with 5,000 or more square feet of *lot area*, except as otherwise provided in Section 25-262 (For conversions) and Section 73-46 (Waiver of Requirements for Conversions).

R1	R2	R3	R4	R5	R6	R7-1
----	----	----	----	----	----	------

**25-22**

**Requirements Where Individual Parking Facilities Are Provided**

In the districts indicated, where *group parking facilities* are not provided, one *accessory* off-street parking space, open or enclosed, shall be provided for each *dwelling unit*.

R1	R2	R3	R4	R5	R6	R7-1
----	----	----	----	----	----	------

**25-23**

**Requirements Where Group Parking Facilities Are Provided**

In all districts, as indicated, for all new *residences* developed under single ownership or control where *group parking facilities* are provided, *accessory* off-street parking spaces shall be provided for at least that percentage of the total number of *dwelling units* set forth in the following table. Such spaces shall be kept available to the residents of the *building* or *development*, in accordance with the provisions of Section 25-41 (Purpose of Spaces, and Rental to Non-Residents).

R1	R2	R3	R4	R5	R6	R7	R8	R9	R10
----	----	----	----	----	----	----	----	----	-----

Italicized words are defined in Section 12-10.

DISTRICTS									
R1	R2	R3	R4	R5	R6	R7	R8	R9	R10

25-23 (Continued)

PARKING SPACES REQUIRED WHERE GROUP PARKING FACILITIES ARE PROVIDED

Percent of total dwelling units

	R1	R2	R3	R4	R5	R6	R7	R8	R9	R10
100										
85					R5					
70						R6				
60							R7-1			
50							R7-2			
40								R8	R9	R10

25-24

Modification of Requirements for Small Zoning Lots

In the districts indicated, for small zoning lots, the requirements set forth in Section 25-23 (Requirements Where Group Parking Facilities Are Provided) shall be modified in accordance with the provisions of this Section.

R6 R7 R8 R9 R10

25-241

Reduced requirements

In the districts indicated, for zoning lots of 10,000 or 15,000 square feet or less, the number of required accessory off-street parking spaces is as set forth in the following table:

R6 R7 R8 R9 R10

REDUCED REQUIREMENTS FOR SMALL ZONING LOTS

Lot area	Parking spaces required as a percent of total dwelling units	
	50	R6
10,000 square feet or less	30	R7-1
	30	R7-2
10,001 to 15,000 square feet	20	R8 R9 R10

25-242

Waiver of requirements for small zoning lots in high bulk districts

In the districts indicated, the requirements set forth in Section 25-23 (Requirements Where Group Parking Facilities Are Provided) shall be waived for zoning lots of 10,000 square feet or less.

R7-2 R8 R9 R10

25-25

Modification of Requirements for Public Housing

In all districts, as indicated, for all new residences in low-rent public housing developments owned by the New York City Housing Authority and receiving cash subsidies, accessory off-street parking spaces shall be provided initially for at least that percentage of the total number of dwelling units set forth in the following table.

R1 R2 R3 R4 R5 R6 R7 R8 R9 R10

In addition to the requirements set forth in the table, area shall be reserved in sufficient amount and so located as to enable ultimate provision, when needed, of the full number of accessory off-street parking spaces required under the provisions of Section 25-23 (Requirements Where Group Parking Facilities Are Provided) or Section 25-24 (Modification of Requirements for Small Zoning Lots) in compliance with the restrictions set forth in Section 25-64 (Restrictions on Use of Required Open Space for Parking).

Italicized words are defined in Section 12-10.



DISTRICTS									
R1	R2	R3	R4	R5	R6	R7	R8	R9	R10

25-25 (Continued)

PARKING SPACES INITIALLY REQUIRED FOR PUBLIC HOUSING DEVELOPMENTS

Percent of total dwelling units

	R1	R2	R3	R4	R5	R6	R7	R8	R9	R10
50										
42.5										
35										
30										
15										
12										

25-26

Waiver of Requirements for Small Number of Spaces

In the districts indicated, the requirements set forth in Section 25-21 (General Provisions) shall be waived if the required number of *accessory* off-street parking spaces resulting from the application of such requirements is no greater than the maximum number as set forth in this Section.

R6 R7 R8 R9 R10

25-261

For new developments or enlargements

In the districts indicated, for all new *developments* or *enlargements*, the maximum number of *accessory* off-street parking spaces for which requirements are waived is as set forth in the following table:

R6 R7 R8 R9 R10

MAXIMUM NUMBER OF SPACES WAIVED

5										
15										

25-262

For conversions

In the districts indicated<sup>1</sup>, for conversions in *buildings*, or portions thereof, which result in the creation of additional *dwelling units* or *rooming units*, the maximum number of *accessory* off-street parking spaces for which requirements are waived is 20 spaces, provided that the Board of Standards and Appeals may waive requirements for a greater number of spaces in accordance with the provisions of Section 73-46 (Waiver of Requirements for Conversions).

R6 R7-1

25-27

Waiver of Requirements for All Zoning Lots Where Access Would Be Forbidden

In all districts, as indicated, the requirements set forth in Section 25-21 (General Provisions) shall not apply to any *building* or *zoning lot* as to which the Commissioner of Buildings has certified that there is no way to arrange the required spaces with access to the *street* to conform to the provisions of Section 25-63 (Location of Access to the Street). The Commissioner of Buildings may refer such matter to the Department of Traffic for report and may base his determination on such report.

R1 R2 R3 R4 R5 R6 R7 R8 R9 R10

25-28

Special Provisions for Zoning Lots Divided by District Boundaries

In all districts, as indicated, whenever a *zoning lot* is divided by a boundary between districts having different requirements for *accessory* off-street parking spaces, the provisions set forth in Article VII, Chapter 7, shall apply.

R1 R2 R3 R4 R5 R6 R7 R8 R9 R10

<sup>1</sup> No *accessory* off-street parking is required for additional *dwelling units* created by conversions in R7-2, R8, R9, or R10 Districts. See Section 25-211 (Application of requirements to conversions).

Italicized words are defined in Section 12-10.

DISTRICTS										
R1	R2	R3	R4	R5	R6	R7	R8	R9	R10	

**25-30 REQUIRED ACCESSORY OFF-STREET PARKING SPACES FOR PERMITTED NON-RESIDENTIAL USES**

25-31

**General Provisions**

In all districts, as indicated, *accessory* off-street parking spaces, open or enclosed, shall be provided in conformity with the requirements set forth in the table at the end of this Section for all new *development* after the effective date of this resolution for the *uses* listed in the table. In addition, all other applicable requirements of this Chapter shall apply as a condition precedent to the *use* of such *development*.

A parking space is required for a portion of a unit of measurement one-half or more of the amount set forth in the table.

For the purposes of this Section, a tract of land on which a group of such *uses* is *developed* under single ownership or control shall be considered a single *zoning lot*.

For those *uses* for which rated capacity is specified as the unit of measurement, the Commissioner of Buildings shall determine the rated capacity as the number of persons which may be accommodated by such *uses*.

After the effective date of this resolution, if an *enlargement* results in a net increase in the *floor area* or other applicable unit of measurement specified in the table in this Section, the same requirements set forth in the table shall apply to such net increase in the *floor area* or other specified unit of measurement.

The requirements of this Section shall be waived in the following situations:

(a) When, as the result of the application of such requirements, a smaller number of spaces would be required than is specified by the provisions of Section 25-33 (Waiver of Requirements for Spaces below Minimum Number).

(b) When the Commissioner of Buildings has certified, in accordance with the provisions of Section 25-34 (Waiver of Requirements for All Zoning Lots Where Access Would Be Forbidden) that there is no way to arrange the spaces with access to the *street* to conform to the provisions of Section 25-63 (Location of Access to the Street).

In the event that the number of *accessory* off-street parking spaces required under the provisions of this Section exceeds the maximum number of spaces permitted under the provisions of Section 25-18 (Maximum Spaces for Permitted Community Facility or Commercial Uses), the Commissioner of Buildings shall reduce the required number of spaces to the maximum number permitted.

REQUIRED OFF-STREET PARKING SPACES FOR NON-RESIDENTIAL USES

Type of use	Parking spaces required in relation to specified unit of measurement	R1	R2	R3	R4	R5	R6	R7	R8	R9	R10
FOR COMMUNITY FACILITY USES											
Hospitals and related facilities <sup>1</sup>	1 per 5 beds										
	1 per 8 beds										
	1 per 10 beds										
	Square feet of floor area:										
Medical offices or group medical centers	None required										
	1 per 500										
	1 per 800										

<sup>1</sup> Requirements on the table are in addition to area used for ambulance parking.

Italicized words are defined in Section 12-10.

RESIDENCE DISTRICTS

Parking Regulations

25-31 (Continued)	Type of use	Parking spaces required in relation to specified unit of measurement	DISTRICTS									
			R1	R2	R3	R4	R5	R6	R7	R8	R9	R10
			R1	R2	R3	R4	R5	R6	R7	R8	R9	R10
<b>FOR COMMUNITY FACILITY USES</b>												
Churches		None required							R7-2	R8	R9	R10
		1 per 10 fixed seats	R1	R2	R3							
		1 per 15 fixed seats				R4	R5					
		1 per 20 fixed seats						R6	R7-1			
			Rated Capacity:									
Clubs, community centers, or settlement houses; philanthropic or non-profit institutions without sleeping accommodations; golf course club houses; health centers; non-commercial recreation centers; or welfare centers		None required							R7-2	R8	R9	R10
		1 per 10 persons	R1	R2	R3	R4	R5					
		1 per 20 persons						R6	R7-1			
			Square feet of floor area:									
Libraries, museums, or non-commercial art galleries <sup>1</sup>		None required							R7-2	R8	R9	R10
		1 per 1,000	R1	R2	R3	R4	R5					
		1 per 2,000						R6	R7-1			
Philanthropic or non-profit institutions with sleeping accommodations; all types of nursing homes or sanitariums		None required							R7-2	R8	R9	R10
		1 per 10 beds	R1	R2	R3	R4	R5					
		1 per 20 beds						R6	R7-1			
College dormitories or fraternity or sorority houses		None required							R7-2	R8	R9	R10
		1 per 6 beds	R1	R2	R3	R4	R5					
		1 per 12 beds						R6	R7-1			
			Square feet of floor area:									
Colleges, universities, or seminaries	(a) Classrooms, laboratories, student centers, or offices	None required							R7-2	R8	R9	R10
		1 per 1,000	R1	R2	R3	R4	R5					
		1 per 2,000						R6	R7-1			
(b) Theatres, auditoriums, gymnasiums, or stadiums		None required							R7-2	R8	R9	R10
	1 per 8 persons	R1	R2	R3	R4	R5						
	1 per 16 persons						R6	R7-1				
			Square feet of lot area used for selling purposes:									
Agricultural uses, including greenhouses, nurseries, or truck gardens		None required							R7-2	R8	R9	R10
	1 per 1,000	R1	R2	R3	R4	R5						
	1 per 2,500						R6	R7-1				
			Square feet of lot area:									
Outdoor skating rinks		None required							R7-2	R8	R9	R10
	1 per 800	R1	R2	R3	R4	R5						
	1 per 2,000						R6	R7-1				
			Number of Courts:									
Outdoor tennis courts		None required							R7-2	R8	R9	R10
	1 per 2 courts	R1	R2	R3	R4	R5						
	1 per 5 courts						R6	R7-1				

<sup>1</sup> Requirements on the table apply only to the floor area not used for storage.

Italicized words are defined in Section 12-10.

RESIDENCE DISTRICTS

Parking Regulations

		DISTRICTS									
		R1	R2	R3	R4	R5	R6	R7	R8	R9	R10
25-31 (Continued)		R1	R2	R3	R4	R5	R6	R7	R8	R9	R10
Type of use	Parking spaces required in relation to specified unit of measurement										
FOR ACCESSORY COMMERCIAL USES IN LARGE-SCALE RESIDENTIAL DEVELOPMENTS											
Square feet of floor area:											
Food stores with 2,000 or more square feet of floor area per establishment—Uses in parking requirement category A in Use Group 6A	None required								R7-2	R8	R9 R10
	1 per 100	R1	R2	R3							
	1 per 200				R4	R5					
	1 per 300							R6	R7-1		
Square feet of floor area:											
General retail uses—Food stores with less than 2,000 square feet of floor area or uses in parking requirement category B in Use Group 6A	None required								R7-2	R8	R9 R10
	1 per 150	R1	R2	R3							
	1 per 300				R4	R5					
	1 per 400							R6	R7-1		
FOR USES PERMITTED BY SPECIAL PERMIT											
Camps, overnight or day, with a minimum of either 10,000 square feet of lot area or 10 employees	1 per 2,000 square feet of lot area or 1 per 3 employees, whichever will require a lesser number of spaces	R1	R2	R3	R4	R5	R6	R7	R8	R9	R10
Square feet of floor area:											
Fire or police stations	None required								R7-2	R8	R9 R10
	1 per 500	R1	R2	R3	R4	R5					
	1 per 800							R6	R7-1		
Square feet of floor area:											
Riding academies or stables	None required								R7-2	R8	R9 R10
	1 per 500	R1	R2	R3	R4	R5					
	1 per 800							R6	R7-1		

25-32

Special Provisions for a Single Zoning Lot with Uses Subject to Different Parking Requirements

In all districts, as indicated, where any building or zoning lot contains two or more uses having different parking requirements as set forth in the following Sections, the parking requirements for each type of use shall apply to the extent of that use.

- Section 25-21 (General Provisions)
- Section 25-31 (General Provisions).

R1 R2 R3 R4 R5 R6 R7 R8 R9 R10

25-33

Waiver of Requirements for Spaces below Minimum Number

In all districts, as indicated, except for the uses listed in Section 25-331 (Exceptions to application of waiver provisions), the parking requirements set forth in Section 25-31 (General Provisions) or Section 25-32 (Special Provisions for a Single Zoning Lot with Uses Subject to Different Parking Requirements) shall not apply to permitted non-residential uses, if the total number of accessory off-street parking spaces required for all such uses on the zoning lot is less than the number of spaces set forth in the following table:

R1 R2 R3 R4 R5 R6 R7 R8 R9 R10

NUMBER OF SPACES

10	R1	R2	R3	R4	R5						
25						R6	R7-1				
40								R7-2	R8	R9	R10

Italicized words are defined in Section 12-10.

DISTRICTS									
R1	R2	R3	R4	R5	R6	R7	R8	R9	R10

23-331

**Exceptions to application of waiver provisions**

In all districts, as indicated, the waiver provisions of Section 25-33 (Waiver of Requirements for Spaces below Minimum Number) shall not apply to the following types of *uses*:

- Agricultural *uses*, including greenhouses, nurseries, or truck gardens
- Outdoor tennis courts
- Camps, overnight or day.

R1	R2	R3	R4	R5	R6	R7	R8	R9	R10
----	----	----	----	----	----	----	----	----	-----

25-34

**Waiver of Requirements for All Zoning Lots Where Access Would Be Forbidden**

In all districts, as indicated, the requirements set forth in Section 25-31 (General Provisions) or Section 25-32 (Special Provisions for a Single Zoning Lot with Uses Subject to Different Parking Requirements) shall not apply to any *building* or *zoning lot* as to which the Commissioner of Buildings has certified that there is no way to arrange the required spaces with access to the *street* to conform to the provisions of Section 25-63 (Location of Access to the Street). The Commissioner of Buildings may refer such matter to the Department of Traffic for report and may base his determination on such report.

R1	R2	R3	R4	R5	R6	R7	R8	R9	R10
----	----	----	----	----	----	----	----	----	-----

25-35

**Special Provisions for Zoning Lots Divided by District Boundaries**

In all districts, as indicated, whenever a *zoning lot* is divided by a boundary between districts having different requirements for *accessory* off-street parking spaces, the provisions set forth in Article VII, Chapter 7, shall apply.

R1	R2	R3	R4	R5	R6	R7	R8	R9	R10
----	----	----	----	----	----	----	----	----	-----

25-40 **RESTRICTIONS ON OPERATION OF ACCESSORY OFF-STREET PARKING SPACES**

25-41

**Purpose of Spaces, and Rental to Non-Residents**

In all districts, as indicated, all permitted or required off-street parking spaces, open or enclosed, which are *accessory* to *residences* shall comply with the provisions of this Section.

R1	R2	R3	R4	R5	R6	R7	R8	R9	R10
----	----	----	----	----	----	----	----	----	-----

25-411

**In R1 or R2 Districts**

In the districts indicated, such spaces shall be designed and operated exclusively for the long-term storage of the private passenger motor vehicles used by the occupants of such *residences*.

R1	R2
----	----

25-412

**In all other Residence Districts**

In the districts indicated, such spaces shall be designed and operated primarily for the long-term storage of the private passenger motor vehicles used by the occupants of such *residences*.

R3	R4	R5	R6	R7	R8	R9	R10
----	----	----	----	----	----	----	-----

However, such spaces may be rented for periods of not less than one week and not more than one month to persons who are not occupants of the *residences* to which such spaces are *accessory* for the accommodation of the private passenger motor vehicles used by such non-residents, provided that such spaces are operated in accordance with the regulations promulgated by the Commissioner of Buildings, in a manner which will not adversely

Italicized words are defined in Section 12-10.

DISTRICTS										
R1	R2	R3	R4	R5	R6	R7	R8	R9	R10	

25-412 (Continued)

affect the residential character of the neighborhood. Such spaces shall be made available to the occupants of the *residences* to which they are *accessory* within 30 days after written request therefor is made to the landlord.

25-42

**Use of Spaces Accessory to Permitted Non-Residential Uses**

In all districts, as indicated, all permitted or required off-street parking spaces, open or enclosed, which are *accessory* to permitted *non-residential uses* shall be used only by occupants, visitors, customers, or employees of such *uses* and shall not be rented.

R1	R2	R3	R4	R5	R6	R7	R8	R9	R10
----	----	----	----	----	----	----	----	----	-----

25-43

**Restrictions on Automotive Repairs and Sale of Motor Fuel**

In all districts, as indicated, automotive repairs or the sale of motor fuel, motor oil, or automotive accessories are not permitted, except as provided in this Section in specified districts.

R1	R2	R3	R4	R5	R6	R7	R8	R9	R10
----	----	----	----	----	----	----	----	----	-----

25-431

**Limited repairs or motor fuel sales permitted in specified districts**

In the districts indicated, within a *completely enclosed garage, detached from a residential building* and containing not less than 150 *accessory* off-street parking spaces, minor automotive repairs (not including body work) are permitted, and not more than three motor fuel pumps may be provided. However, no motor fuel shall be sold to persons who are not using the parking spaces.

R3	R4	R5	R6	R7	R8	R9	R10
----	----	----	----	----	----	----	-----

**25-50 RESTRICTIONS ON LOCATION OF ACCESSORY OFF-STREET PARKING SPACES**

25-51

**General Provisions**

In all districts, as indicated, all permitted or required off-street parking spaces, open or enclosed, *accessory to residences*, to permitted *community facility uses*, to *commercial uses* permitted as *accessory uses* in *large-scale residential developments*, or to *uses* permitted by special permit, shall be provided on the same *zoning lot* as the *building* or *use* to which such spaces are *accessory*, except as provided in the following Sections:

R1	R2	R3	R4	R5	R6	R7	R8	R9	R10
----	----	----	----	----	----	----	----	----	-----

- Section 25-52 (Off-Site Spaces for Residences)
- Section 25-53 (Off-Site Spaces for Permitted Non-Residential Uses)
- Section 25-54 (Joint Facilities)
- Section 25-55 (Additional Regulations for Required Spaces When Provided Off Site)
- Section 73-45 (Modification of Off-Site Parking Provisions).

Italicized words are defined in Section 12-10.

DISTRICTS									
R1	R2	R3	R4	R5	R6	R7	R8	R9	R10

25-52

**Off-Site Spaces for Residences**

In the districts indicated, all permitted or required off-street parking spaces *accessory to residences* may be provided on a *zoning lot* other than the same *zoning lot* as the *residences* to which such spaces are *accessory*, provided that in such instances all such spaces are:

R3 R4 R5 R6 R7 R8 R9 R10

(a) Located in a district other than a *Residence District*, or provided in a joint facility located in a district other than an R1 or R2 District, on the same *zoning lot* as one of the *buildings* to which it is *accessory*, and conforming to the provisions of Section 25-54 (Joint Facilities), and

(b) Not further than the maximum distance from the *zoning lot* specified in this Section.

25-521

**Maximum distance from zoning lot**

In the districts indicated, all such spaces shall not be further than the distance set forth in the following table from the nearest boundary of the *zoning lot* occupied by the *residences* to which they are *accessory*.

R3 R4 R5 R6 R7 R8 R9 R10

MAXIMUM DISTANCE  
FROM ZONING LOT

(a) 600 feet

R3 R4 R5 R6 R7-1

(b) 1000 feet

R7-2 R8 R9 R10

25-53

**Off-Site Spaces for Permitted Non-Residential Uses**

In the districts indicated, all permitted or required off-street parking spaces *accessory to permitted non-residential uses* may be provided on a *zoning lot* other than the same *zoning lot* as such *uses*, but within the same district or an adjoining district other than an R1, R2, R3, or R4 District, provided that in such instances all such spaces located in a *Residence District* shall be not further than 200 feet from the nearest boundary of the *zoning lot* containing such *uses*, and all such spaces located in a *Commercial or Manufacturing District* shall be not further than 600 feet from the nearest boundary of such *zoning lot*, and provided further that the Commissioner of Buildings determines that:

R5 R6 R7 R8 R9 R10

(a) There is no way to arrange such spaces on the same *zoning lot* as such *uses*, and

(b) Such spaces are so located as to draw a minimum of vehicular traffic to and through streets having predominantly residential frontages.

Such parking spaces shall conform to all additional regulations promulgated by the Commissioner of Buildings to minimize adverse effects on the character of surrounding areas.

25-54

**Joint Facilities**

In all districts, as indicated, all required *accessory* off-street parking spaces may be provided in facilities designed to serve jointly two or more *buildings* or *zoning lots*, provided that:

R1 R2 R3 R4 R5 R6 R7 R8 R9 R10

(a) The number of spaces in such joint facilities shall be not less than that required in the following Sections for the combined number of *dwelling units* or the combined *floor area*, *lot area*, rated capacity, or other such unit of measurement in such *buildings* or *zoning lots*:

Section 25-21 (General Provisions)

Section 25-31 (General Provisions)

Italicized words are defined in Section 12-10.

DISTRICTS									
R1	R2	R3	R4	R5	R6	R7	R8	R9	R10
R1	R2	R3	R4	R5	R6	R7	R8	R9	R10

25-54 (Continued)

Section 25-32 (Special Provisions for a Single Zoning Lot with Uses Subject to Different Parking Requirements);

(b) All such spaces are located in a district where they are permitted under the applicable provisions of Section 25-52 (Off-Site Spaces for Residences), Section 25-53 (Off-Site Spaces for Permitted Non-Residential Uses), or Section 73-45 (Modification of Off-Site Parking Provisions); and

(c) The design and layout of such joint facilities meet standards of adequacy set forth in regulations promulgated by the Commissioner of Buildings.

25-55

Additional Regulations for Required Spaces When Provided Off Site

In all districts, as indicated, when required *accessory* off-street parking spaces are provided off the site in accordance with the provisions of Section 25-52 (Off-Site Spaces for Residences), Section 25-53 (Off-Site Spaces for Permitted Non-Residential Uses), or Section 25-54 (Joint Facilities), the following additional regulations shall apply:

R1	R2	R3	R4	R5	R6	R7	R8	R9	R10
----	----	----	----	----	----	----	----	----	-----

(a) Such spaces shall be in the same ownership as the use to which they are *accessory*, and shall be subject to deed restrictions filed in an office of record, binding the owner and his heirs and assigns to maintain the required number of spaces available throughout the life of such use.

(b) Such spaces shall conform to all applicable regulations of the district in which they are located.

25-60 ADDITIONAL REGULATIONS FOR PERMITTED OR REQUIRED ACCESSORY OFF-STREET PARKING SPACES

25-61

General Provisions

In all districts, as indicated, all permitted or required *accessory* off-street parking spaces shall conform to the provisions of the following Sections:

R1	R2	R3	R4	R5	R6	R7	R8	R9	R10
----	----	----	----	----	----	----	----	----	-----

- Section 25-62 (Size of Spaces)
- Section 25-63 (Location of Access to the Street)
- Section 25-64 (Restrictions on Use of Required Open Space for Parking)
- Section 25-65 (Surfacing)
- Section 25-66 (Screening).

Special regulations applying to *large-scale residential developments* or *large-scale community facility developments* are set forth in Article VII, Chapter 8.

25-62

Size of Spaces

In all districts, as indicated, for all *accessory* off-street parking spaces, open or enclosed, each 300 square feet of unobstructed standing or maneuvering area shall be considered one parking space. However, an area of less than 300 square feet, but in no event less than 200 square feet, may be considered as one space, where the layout and design of the parking area are adequate to permit convenient access and maneuvering in accordance with regulations promulgated by the Commissioner of Buildings, or where the developer or applicant for a building permit or certificate of occupancy certifies that such spaces will be fully attended.

R1	R2	R3	R4	R5	R6	R7	R8	R9	R10
----	----	----	----	----	----	----	----	----	-----

Italicized words are defined in Section 12-10.



DISTRICTS									
R1	R2	R3	R4	R5	R6	R7	R8	R9	R10
R1	R2	R3	R4	R5	R6	R7	R8	R9	R10

25-62 (Continued)

In any case where a reduction of the required area per parking space is permitted on the basis of the developer's certification that such spaces will be fully attended, it shall be set forth in the certificate of occupancy that paid attendants employed by the owners or operators of such spaces shall be available to handle the parking and moving of automobiles at all times when such spaces are in use.

In no event shall the dimensions of any parking stall be less than 18 feet long and eight feet, six inches wide.

25-63

**Location of Access to the Street**

In all districts, as indicated, the entrances and exits for all permitted or required *accessory group parking facilities* with 10 or more spaces shall be located not less than 50 feet from the intersection of any two *street lines*. However, access located within 50 feet of such intersection may be permitted, if the Commissioner of Buildings certifies that such a location is not hazardous to traffic safety and not likely to create traffic congestion. The Commissioner of Buildings may refer such matter to the Department of Traffic for report and may base his determination on such report.

R1	R2	R3	R4	R5	R6	R7	R8	R9	R10
----	----	----	----	----	----	----	----	----	-----

The waiver provisions of Sections 25-27 or 25-34 (Waiver of Requirements for All Zoning Lots Where Access Would Be Forbidden) shall apply when the Commissioner of Buildings has certified that there is no way to arrange the spaces with access to the *street* to conform to the provisions of this Section.

25-64

**Restrictions on Use of Required Open Space for Parking**

In the districts indicated, in accordance with the provisions of Section 23-12 (Permitted Obstructions in Open Space), not more than 50 percent of the required *open space* on any *zoning lot* may be used for driveways, private *streets*, open *accessory off-street parking spaces*, or open *accessory off-street loading berths*.

R1	R2	R3	R4	R5	R6	R7	R8	R9
----	----	----	----	----	----	----	----	----

25-65

**Surfacing**

In all districts, as indicated, all open off-street parking spaces shall be surfaced with asphaltic or portland cement concrete, or other hard-surfaced dustless material, at least four inches thick.

R1	R2	R3	R4	R5	R6	R7	R8	R9	R10
----	----	----	----	----	----	----	----	----	-----

25-66

**Screening**

In all districts, as indicated, all open off-street parking areas or groups of individual garages with 10 spaces or more, which are located either at natural grade or on a roof, shall be screened from all adjoining *zoning lots*, including such *zoning lots* situated across a *street*, by either:

R1	R2	R3	R4	R5	R6	R7	R8	R9	R10
----	----	----	----	----	----	----	----	----	-----

(a) A strip at least four feet wide, densely planted with shrubs or trees which are at least four feet high at the time of planting and which are of a type which may be expected to form a year-round dense screen at least six feet high within three years, or

(b) A wall or barrier or uniformly painted fence of fire-resistant material at least six feet high, but not more than eight feet above finished grade (or above the roof level, if on a roof). Such wall, barrier or fence may be opaque or perforated provided that not more than 50 percent of the face is open.

Italicized words are defined in Section 12-10.

DISTRICTS										
R1	R2	R3	R4	R5	R6	R7	R8	R9	R10	
R1	R2	R3	R4	R5	R6	R7	R8	R9	R10	

25-66 (Continued)

In addition, such screening:

- (a) Shall be maintained in good condition at all times,
- (b) May be interrupted by normal entrances or exits, and
- (c) Shall have no signs hung or attached thereto other than those permitted in Section 22-323 (Signs for parking areas).

OFF-STREET LOADING REGULATIONS

25-70 GENERAL PURPOSES

The following regulations on permitted and required accessory off-street loading berths are adopted in order to provide needed space off public streets for loading and unloading activities, to re-

strict the use of the streets for such activities, to help relieve traffic congestion in residential areas within the city, and thus to promote and protect public health, safety, and general welfare.

DISTRICTS										
R1	R2	R3	R4	R5	R6	R7	R8	R9	R10	

25-71

Permitted Accessory Off-Street Loading Berths

In all districts, as indicated, *accessory* off-street loading berths, open or enclosed, may be provided for *residences*, for permitted *community facility uses*, for *commercial uses* permitted as *accessory uses* in *large-scale residential developments*, or for *uses* permitted by special permit, under rules and regulations promulgated by the Commissioner of Buildings, and subject to the provisions set forth in Section 25-75 (Location of Access to the Street), Section 25-76 (Surfacing), and Section 25-77 (Screening).

R1	R2	R3	R4	R5	R6	R7	R8	R9	R10
----	----	----	----	----	----	----	----	----	-----

25-72

Required Accessory Off-Street Loading Berths

In all districts, as indicated, *accessory* off-street loading berths, open or enclosed, shall be provided in conformity with the requirements set forth in the table in this Section for all new *development* after the effective date of this resolution for the *uses* listed in the table, as a condition precedent to the *use* of such *development*.

R1	R2	R3	R4	R5	R6	R7	R8	R9	R10
----	----	----	----	----	----	----	----	----	-----

After the effective date of this resolution, if the *use* of any *building or other structure* is *enlarged*, the requirements set forth in the table shall apply to the *floor area* of the *enlarged* portion of such *building*.

REQUIRED OFF-STREET LOADING BERTHS FOR NEW CONSTRUCTION OR ENLARGEMENTS

Type of use	For floor area (in square feet)	Required berths	R1	R2	R3	R4	R5	R6	R7	R8	R9	R10
Hospitals and related facilities <sup>1</sup>	First 10,000	None										
	Next 290,000	1										
	Each additional 300,000 or fraction thereof	1	R1	R2	R3	R4	R5	R6	R7	R8	R9	R10
<i>Commercial uses</i> in <i>large-scale residential developments</i>	First 8,000	None										
	Next 17,000	1										
	Next 15,000	1										
	Next 20,000	1										
	Next 40,000	1										
	Each additional 150,000 or fraction thereof	1	R1	R2	R3	R4	R5	R6				
	First 25,000	None										
	Next 15,000	1										
	Next 60,000	1										
	Each additional 150,000 or fraction thereof	1							R7	R8	R9	R10

<sup>1</sup> Requirements are in addition to area utilized for ambulance parking.

Italicized words are defined in Section 12-10.

DISTRICTS									
R1	R2	R3	R4	R5	R6	R7	R8	R9	R10

25-73

**Special Provisions for Zoning Lots Divided by District Boundaries**

In all districts, as indicated, whenever a *zoning lot* is divided by a boundary between districts having different requirements for *accessory off-street loading berths*, the provisions set forth in Article VII, Chapter 7, shall apply.

R1 R2 R3 R4 R5 R6 R7 R8 R9 R10

25-74

**Size of Required Berths**

In all districts, as indicated, all required off-street loading berths, open or enclosed, shall conform to the regulations on minimum dimensions set forth in the following table. The dimensions of off-street berths shall not include drive-ways or entrances to or exits from such off-street berths.

R1 R2 R3 R4 R5 R6 R7 R8 R9 R10

MINIMUM DIMENSIONS FOR REQUIRED ACCESSORY OFF-STREET LOADING BERTHS (in feet)

	Length	Width	Vertical clearance
Hospitals and related facilities	33	12	12
<i>Commercial uses in large-scale residential developments</i>	33	12	14

25-75

**Location of Access to the Street**

In all districts, as indicated, no permitted or required *accessory off-street loading berth*, and no entrance or exit thereto, shall be located less than 50 feet from the intersection of any two *street lines*. However, a location closer to such intersection may be permitted if the Commissioner of Buildings certifies that such a location is not hazardous to traffic safety and not likely to create traffic congestion.

R1 R2 R3 R4 R5 R6 R7 R8 R9 R10

The requirements for *accessory off-street loading berths* set forth in Section 25-72 (Required Accessory Off-Street Loading Berths) shall not apply to any *building* as to which the Commissioner of Buildings certifies that there is no way to arrange the required berths to conform to the provisions of this Section.

The Commissioner of Buildings may refer such matters requiring his certification to the Department of Traffic for report and may base his determination on such report.

25-76

**Surfacing**

In all districts, as indicated, all permitted or required open off-street loading berths shall be surfaced with asphaltic or portland cement concrete, or other hard-surfaced dustless material, at least six inches thick.

R1 R2 R3 R4 R5 R6 R7 R8 R9 R10

25-77

**Screening**

In all districts, as indicated, all permitted or required open off-street loading berths shall be screened from all adjoining *zoning lots*, including such *zoning lots* situated across a *street*, by either:

R1 R2 R3 R4 R5 R6 R7 R8 R9 R10

- (a) A strip at least four feet wide, densely planted with shrubs or trees which are at least four feet high at the time of planting and which are of a type which may be expected to form a year-round dense screen at least six feet high within three years, or

Italicized words are defined in Section 12-10.

DISTRICTS									
R1	R2	R3	R4	R5	R6	R7	R8	R9	R10
R1	R2	R3	R4	R5	R6	R7	R8	R9	R10

25-77 (Continued)

(b) A wall or barrier or uniformly painted fence or fire-resistant material, at least six feet but not more than eight feet above finished grade. Such wall, barrier, or fence may be opaque or perforated provided that not more than 50 percent of the face is open.

In addition, such screening:

- (a) Shall be maintained in good condition at all times,
- (b) May be interrupted by normal entrances and exits, and
- (c) Shall have no *signs* hung or attached thereto other than those permitted in Section 22-32 (Permitted Accessory Signs).

Italicized words are defined in Section 12-10.

## Article III

# Commercial District Regulations

### Chapter 1 Statement of Legislative Intent

#### 31-00 GENERAL PURPOSES OF COMMERCIAL DISTRICTS

The Commercial Districts established in this resolution are designed to promote and protect public health, safety, and general welfare. These general goals include, among others, the following specific purposes:

(a) To provide sufficient space, in appropriate locations in proximity to residential areas, for local retail development catering to the regular shopping needs of the occupants of nearby residences, with due allowance for the need for a choice of sites.

(b) To provide appropriate space, and in particular sufficient depth from a street, to satisfy the needs of modern local retail development, including the need for off-street parking spaces in areas to which a large proportion of shoppers come by automobile, and to encourage the natural tendency of local retail development to concentrate in continuous retail frontage, to the mutual advantage of both consumers and merchants.

(c) To protect both local retail development and nearby residences against fire, explosions, toxic and noxious matter, radiation, and other hazards, and against offensive noise, vibration, smoke, dust and other particulate matter, odorous matter, heat, humidity, glare, and other objectionable influences.

(d) To protect both local retail development and nearby residences against congestion, particularly in areas where the established pattern is predominantly residential but includes local retail uses on the lower floors, by regulating the intensity of local retail development, by restricting those types of establishments which generate heavy traffic, and by providing for off-street parking and loading facilities.

(e) To provide sufficient and appropriate space, and in particular sufficient depth from the street, to meet the needs of the city's expected future economy for modern commercial floor space in central, major, or secondary commercial centers, including the need for off-street parking space in areas where a large proportion of customers come by automobile, with due allowance for the need for a choice of sites, and to encourage the natural tendency of commercial development to concentrate in continuous retail frontage, to the mutual advantage of both consumers and merchants.

(f) To protect commercial development in central, major, or secondary commercial centers, as far as is possible and appropriate in each area, against fire, explosions, toxic and noxious matter, radiation, and other hazards, and against offensive noise, vibration, smoke, dust and other particulate matter, odorous matter, heat, humidity, glare, and other objectionable influences.

(g) To protect commercial development in central, major, or secondary commercial centers

against congestion, as far as possible, by limiting the bulk of buildings in relation to the land around them and to one another, by restricting those types of establishments which generate heavy traffic, and by providing for off-street parking and loading facilities.

(h) To provide sufficient space in appropriate locations for all types of commercial and miscellaneous service activities, with due allowance for the need for a choice of sites.

(i) To provide freedom of architectural design, in order to encourage the development of more attractive and economic building forms, within proper standards.

(j) To promote the most desirable use of land and direction of building development in accord with a well-considered plan, to promote stability of commercial development, to strengthen the economic base of the City, to protect the character of the district and its peculiar suitability for particular uses, to conserve the value of land and buildings, and to protect the City's tax revenues.

#### 31-10 PURPOSES OF SPECIFIC COMMERCIAL DISTRICTS

##### 31-11

##### C1 Local Retail Districts

These districts are designed to provide for local shopping and include a wide range of retail stores and personal service establishments which cater to frequently recurring needs. Since these establishments are required in convenient locations near all residential areas, and since they are relatively unobjectionable to nearby residences, these districts are widely mapped. The district regulations are designed to promote convenient shopping and the stability of retail development by encouraging continuous retail frontage and by prohibiting local service and manufacturing establishments which tend to break such continuity.

##### 31-12

##### C2 Local Service Districts

These districts are designed to provide for a wide range of essential local services not involving regular local shopping. Since these establishments are less frequently visited by customers, they tend to break the continuity of prime retail frontage and, therefore, hamper the development of convenient shopping. The permitted services create relatively few objectionable influences for nearby residential areas.

##### 31-13

##### C3 Waterfront Recreation District

This district is designed to provide for the growing recreational activities of pleasure boating and fishing by permitting rental, servicing, and storage of boats in appropriate waterfront areas, normally adjacent to residential development.

31-14

**C4 General Commercial Districts**

These districts comprise the City's major and secondary shopping centers, which provide for occasional family shopping needs and for essential services to business establishments over a wide area, and which have a substantial number of large stores generating considerable traffic. The district regulations are designed to promote convenient shopping and the stability of retail development by encouraging continuous retail frontage and by prohibiting service and manufacturing establishments which tend to break up such continuity.

31-15

**C5 Restricted Central Commercial Districts**

These districts are designed to provide for office buildings and the great variety of large retail stores and related activities which occupy the prime retail frontage in the central business district, and which serve the entire metropolitan region. The district regulations also permit a few high-value custom manufacturing establishments which are generally associated with the predominant retail activities, and which depend on personal contacts with persons living all over the region. The district regulations are also designed to provide for continuous retail frontage.

31-16

**C6 General Central Commercial Districts**

These districts are designed to provide for the wide range of retail, office, amusement, service, custom manufacturing, and related uses normally found in the central business district, but to exclude non-retail uses which generate a large volume of trucking.

31-17

**C7 Commercial Amusement District**

This district is designed to permit large open commercial amusement parks and is mapped in only a few areas.

31-18

**C8 General Service Districts**

These districts are designed to provide for necessary services for a wider area than is served by the Local Service Districts. Since these service establishments often involve objectionable influences, such as noise from heavy service operations and large volumes of truck traffic, they are incompatible with both residential and retail uses. New residential development is excluded from these districts.

**Chapter 2 Use Regulations**

**32-00 GENERAL PROVISIONS**

In order to carry out the purposes and provisions of this resolution, the *uses of buildings or other structures* and of tracts of land have been classified and combined into Use Groups. A brief statement is inserted at the start of each Use Group to describe and clarify the basic characteristics of that Use Group. Use Groups 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, and 16, including each *use* listed separately therein, are permitted in *Commercial Districts* as indicated in Sections 32-11 to 32-25, inclusive.

In a C8 District, any *use* listed in Use Group 11A or 16 which involves the production, processing, cleaning, servicing, testing, or repair of products, goods, or materials shall conform to the performance standards for the M1 Districts as set forth in Sections 42-20 to 42-28, inclusive, relating to Performance Standards.

The following chart sets forth the Use Groups permitted in the various *Commercial Districts*.

USE GROUPS PERMITTED IN COMMERCIAL DISTRICTS

DISTRICTS		USE GROUPS															
		RESIDENTIAL		COMMUNITY FACILITIES		RETAIL AND COMMERCIAL						RECREATION				GEN. SERVICE	
		1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16
LOCAL RETAIL	C1	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
LOCAL SERVICE	C2	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
WATERFRONT RECREATION	C3	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
GENERAL COMMERCIAL	C4	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
RESTRICTED CENTRAL COMMERCIAL	C5	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
GENERAL CENTRAL COMMERCIAL	C6	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
COMMERCIAL AMUSEMENT	C7	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
GENERAL SERVICE	C8	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓

Italicized words are defined in Section 12-10.

32-00 (Continued)

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

The letters A, B, B1, C, D, E, F, G, or H in the column entitled Parking Requirement Category following a *use* listed in Sections 32-14 to 32-25, inclusive, refer to the classification of *commercial uses* to determine required *accessory* off-street parking

spaces as set forth in the table in Section 36-21 (General Provisions).

The *uses* listed in the various Use Groups set forth in Sections 32-11 to 32-25, inclusive, are also listed in alphabetical order in the Index at the end of this resolution, for the convenience of those using the resolution. Whenever there is any difference in meaning or implication between the text of these Use Groups and the text of the Index, the text of these Use Groups shall prevail.

	Parking Requirement Category	DISTRICTS							
		C1	C2	C3	C4	C5	C6	C7	C8
<b>32-10 USES PERMITTED AS OF RIGHT</b>									
<b>32-11 Use Groups 1 and 2</b>									
Use Groups 1 and 2, as set forth in Section 22-11 and Section 22-12.		C1	C2	C3	C4	C5	C6	C7	
<b>32-12 Use Group 3</b>									
Use Group 3, as set forth in Section 22-13.		C1	C2	C3	C4	C5	C6	C7	
<b>32-13 Use Group 4</b>									
Use Group 4, as set forth in Section 22-14.		C1	C2	C3	C4	C5	C6	C7	C8
<b>32-14 Use Group 5</b>									
Use Group 5 consists of hotels used primarily for transient occupancy.	H	C1	C2		C4	C5	C6	C7	C8
A. <i>TRANSIENT ACCOMMODATIONS</i> <i>Hotels, transient</i>									
B. <i>Accessory Uses</i>									
<b>32-15 Use Group 6</b>									
Use Group 6 consists primarily of retail stores and personal service establishments which:		C1	C2		C4	C5	C6	C7	C8
(1) Provide for a wide variety of local consumer needs, and									
(2) Have a small service area and are, therefore, distributed widely throughout the City.									
Public service establishments serving small areas are also included. Retail and service establishments are listed in two sub-groups, both of which are permitted in all C1 Districts.									
The <i>uses</i> listed in A below are also permitted within <i>large-scale residential developments</i> , to provide daily convenience shopping for residents of the <i>development</i> .									

Italicized words are defined in Section 12-10.

Parking Requirement Category

DISTRICTS							
C1	C2	C3	C4	C5	C6	C7	C8
C1	C2		C4	C5	C6	C7	C8

32-15 (Continued)

A. CONVENIENCE RETAIL OR SERVICE ESTABLISHMENTS

- Bakeries, provided that *floor area* used for production shall be limited to 750 square feet per establishment B
- Barber shops B
- Beauty parlors B
- Drug stores B
- \*Dry cleaning or clothes pressing establishments or receiving stations dealing directly with ultimate consumers, limited to 2,000 square feet of *floor area* per establishment, and provided that only solvents with a flash point of not less than 138.2 degrees Fahrenheit shall be used, and total aggregate dry load capacity of machines shall not exceed 60 pounds B
- Eating or drinking places, including those which provide outdoor table service or incidental musical entertainment either by mechanical device or by not more than three persons playing piano, organ, accordion, guitar, or any string instrument B
- Food stores, including supermarkets, grocery stores, meat markets, or delicatessen stores Either A or B<sup>1</sup>
- Hardware stores B
- \*Laundry establishments, hand or automatic self-service B
- Package liquor stores B
- Post offices B
- \*Shoe or hat repair shops B
- Stationery stores B
- Tailor or dressmaking shops, custom B
- Variety stores, limited to 10,000 square feet of *floor area* per establishment B

B. OFFICES

- Offices, business, professional, or governmental B1

C. RETAIL OR SERVICE ESTABLISHMENTS

- Antique stores B
- Art galleries, commercial B
- Artists' supply stores B
- Automobile supply stores, with no installation or repair services B
- Banks, including drive-in banks B
- Bicycle sales B
- Book stores B
- Candy or ice cream stores B
- Carpet, rug, linoleum, or other floor covering stores, limited to 10,000 square feet of *floor area* per establishment B1
- Cigar or tobacco stores B

<sup>1</sup> Food stores with 2,000 square feet or more of *floor area* per establishment are classified in parking requirement category A. Food stores with less than 2,000 square feet of *floor area* are classified in parking requirement category B. See Section 36-21 (General Provisions).

\*In a C5 District, a *use* in Use Group 6, marked with an asterisk, shall not be located on the ground floor of a *building* unless such *use* is at least 50 feet from the *street wall* of the *building* in which it is located, as provided in Section 32-423 (Limitation on ground floor location).

Italicized words are defined in Section 12-10.



	Parking Requirement Category	DISTRICTS							
		C1	C2	C3	C4	C5	C6	C7	C8
		C1	C2	C4	C5	C6	C7	C8	
32-15 (Continued)									
Clothing or clothing accessory stores, limited to 10,000 square feet of <i>floor area</i> per establishment	B								
Dry goods or fabrics stores, limited to 10,000 square feet of <i>floor area</i> per establishment	B								
Electrolysis studios	B								
Fishing tackle or equipment, rental or sales	B1								
Florist shops	B								
*Frozen food lockers	B								
Furniture stores, limited to 10,000 square feet of <i>floor area</i> per establishment	B1								
Furrier shops, custom	B								
Gift shops	B								
Interior decorating establishments, provided that <i>floor area</i> used for processing, servicing, or repairs shall be limited to 750 square feet per establishment	B								
Jewelry or art metal craft shops	B								
Leather goods or luggage stores	B								
*Loan offices	B1								
*Locksmith shops	B								
Medical or orthopedic appliance stores	B								
*Meeting halls	D								
Millinery shops	B								
Music stores	B								
Newstands, open or enclosed	B								
Optician or optometrist establishments	B								
Paint stores	B								
Pet shops	B								
*Photographic developing or printing establishments	B								
Photographic equipment or supply stores	B								
Photographic studios	B								
Picture framing shops	B								
Record stores	B								
Seed or garden supply stores	B								
Sewing machine stores, selling household machines only	B								
Shoe stores	B								
Sporting or athletic stores	B								
Stamp or coin stores	B								
Telegraph offices	B								
Television, radio, phonograph, or household appliance stores, limited to 10,000 square feet of <i>floor area</i> per establishment	B								
Toy stores	B								
Travel bureaus	B								
Typewriter stores	B								
Wallpaper stores	B								
Watch or clock stores or repair shops	B								
D. PUBLIC SERVICE ESTABLISHMENTS									
Court houses	C								
*Electric or gas utility substations, open or enclosed, limited in each case to a site of not more than 10,000 square feet									

\*In a C5 District, a *use* in Use Group 6, marked with an asterisk, shall not be located on the ground floor of a *building* unless such *use* is at least 50 feet from the *street wall* of the *building* in which it is located, as provided in Section 32-423 (Limitation on ground floor location).

Italicized words are defined in Section 12-10.

	Parking Requirement Category	DISTRICTS							
		C1	C2	C3	C4	C5	C6	C7	C8
		C1	C2		C4	C5	C6	C7	C8
32-15 (Continued)									
Fire or police stations	C								
*Public utility stations for oil or gas metering or regulating									
Telephone exchanges or other communications equipment structures									
*Terminal facilities at river crossings for access to electric, gas, or steam lines									
*Water or sewage pumping stations									
E. CLUBS									
Non-commercial clubs without restrictions on activities or facilities	D								
F. Accessory Uses									

32-16

Use Group 7

Use Group 7 consists primarily of home maintenance or repair services which:

C2 C6 C7 C8

- (1) Fulfill recurrent needs of residents in nearby areas, and
- (2) Have a relatively small service area and are, therefore, widely distributed throughout the City, and
- (3) Are incompatible in primary retail districts since they break the continuity of retail frontage.

A. TRANSIENT ACCOMMODATIONS

*Motels or tourist cabins, or boatels* H

*Trailer camps*, provided that the total lot area of the zoning lot shall include not less than 2,000 square feet per trailer, that a 30 foot rear yard and 20 foot front and side yards shall be provided, and that the minimum distance between individual trailers shall be 16 feet

B. RETAIL OR SERVICE ESTABLISHMENTS

Bicycle rental or repair shops B1

Electrical, glazing, heating, painting, paper hanging, plumbing, roofing, or ventilating contractors' establishments, limited to 2,500 square feet of floor area per establishment B1

Exterminators B1

Funeral establishments H

Monument sales establishments, with incidental processing to order, but not including the shaping of headstones C

Moving or storage offices, with storage limited to items for retail sale and to 1,500 square feet of floor area per establishment B1

Refreshment stands, drive-in H

Sailmaking establishments C

Sign painting shops, limited to 2,500 square feet of floor area per establishment B1

Taxidermist shops B1

\*In a C5 District, a use in Use Group 6, marked with an asterisk, shall not be located on the ground floor of a building unless such use is at least 50 feet from the street wall of the building in which it is located, as provided in Section 32-423 (Limitation on ground floor location).

Italicized words are defined in Section 12-10.

	Parking Requirement Category	DISTRICTS							
		C1	C2	C3	C4	C5	C6	C7	C8
32-16 (Continued)			C2				C6	C7	C8
Venetian blind, window shade, or awning shops, custom, limited to 2,500 square feet of floor area per establishment	B1								
C. WHOLESALE ESTABLISHMENTS									
Wholesale establishments, with not more than 1,500 square feet of accessory storage per establishment	B1								
D. AUTOMOTIVE SERVICE ESTABLISHMENTS									
Automobile glass and mirror shops	B1								
Automobile seat cover or convertible top establishments, selling or installation	B1								
Tire sales establishments, including installation services	B1								
E. Accessory Uses									

32-17

Use Group 8

Use Group 8 consists primarily of amusement or service establishments which:

C2 C4 C6 C7 C8

- (1) Are appropriate in local service districts to serve nearby residential areas, or
- (2) Depend on a wide service radius and may appropriately be located in secondary or major commercial centers.

Since these establishments are generally patronized by customers for special purposes not associated with retail shopping, they are appropriate neither in local shopping areas nor in the restricted central commercial areas.

A. AMUSEMENTS

- \*Billiard parlors or pool halls D
- \*Bowling alleys, limited to not more than 16 lanes per establishment D
- Theaters D

B. RETAIL OR SERVICE ESTABLISHMENTS

- \*Automobile driving schools B
- \*Pawn shops B1
- Television, radio, phonograph, or household appliance repair shops B
- \*Upholstering shops dealing directly with consumers B1

C. AUTOMOTIVE SERVICE ESTABLISHMENTS

- Automobile rental establishments
- Public parking garages or public parking lots, with capacity of less than 150 spaces, subject to the provisions set forth for accessory off-street parking spaces in Section 36-53 (Location of Access to the Street), Section 36-55 (Surfacing), Section 36-56 (Screening), and Section 32-43 (Public Parking Garages, Public Parking Lots, or Automotive Service Stations near Schools, Parks, or Playgrounds)*

D. Accessory Uses

\*In a C4 District, a use in Use Group 8, marked with an asterisk shall not be located on the ground floor of a building unless such use is at least 50 feet from the street wall of the building in which it is located, as provided in Section 32-423 (Limitation on ground floor location).

Italicized words are defined in Section 12-10.

32-18

Use Group 9

Use Group 9 consists primarily of business and other services which:

- (1) Serve a large area and are, therefore, appropriate in secondary, major, or central commercial shopping areas, and
- (2) Are also appropriate in local service districts, since these are typically located on the periphery of major or secondary centers.

A. RETAIL OR SERVICE ESTABLISHMENTS

Parking Requirement Category	C1	C2	C3	C4	C5	C6	C7	C8
Automobile, motorcycle, <i>trailer</i> , or boat showrooms, with no repair services								
*Blueprinting or photostating establishments								
*Business schools or colleges								
*Catering establishments								
*Clothing or costume rental establishments								
*Physical culture or health establishments, including gymnasiums, reducing salons, masseurs, or steam baths								
*Medical or dental laboratories for research or testing, not involving any danger of fire or explosion nor of offensive noise, vibration, smoke or other particulate matter, odorous matter, heat, humidity, glare, or other objectionable effects								
*Musical instrument repair shops								
Plumbing, heating, or ventilating equipment showrooms, without repair facilities								
*Printing establishments, limited to 2,500 square feet of <i>floor area</i> per establishment for production								
*Public auction rooms								
*Studios, music, dancing, or theatrical								
*Trade or other schools for adults, not involving any danger of fire or explosion nor of offensive noise, vibration, smoke or particulate matter, dust, odorous matter, heat, humidity, glare, or other objectionable effects								
*Typewriter or other small business machine repair shops								
*Umbrella repair shops								
*Wedding chapels or banquet halls								

B. WHOLESALE ESTABLISHMENTS

Photographic developing or printing establishments, limited to 2,500 square feet of <i>floor area</i> per establishment								
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C. Accessory Uses

\*In C4 or C5 Districts, a use in Use Group 9, marked with an asterisk, shall not be located on the ground floor of a *building* unless such use is at least 50 feet from the *street wall* of the *building* in which it is located, as provided in Section 32-423 (Limitation on ground floor location).

Italicized words are defined in Section 12-10.

32-19

Use group 10

Use Group 10 consists primarily of large retail establishments (such as department stores) which:

C4 C5 C6 C7 C8

- (1) Serve a wide area, ranging from a community to the whole metropolitan area, and are, therefore, appropriate in secondary, major, or central shopping areas, and
- (2) Are not appropriate in local shopping or local service areas because of the generation of considerable pedestrian, automobile, or truck traffic.

A. RETAIL OR SERVICE ESTABLISHMENTS

- Carpet, rug, linoleum, or other floor covering stores, with no limitation on *floor area* per establishment B1
- Clothing or clothing accessory stores, with no limitation on *floor area* per establishment B
- Department stores B
- Dry goods or fabrics stores, with no limitation on *floor area* per establishment B
- Eating or drinking places, without restrictions on entertainment or dancing, but limited to location in hotels D
- Furniture stores, with no limitation on *floor area* per establishment B1
- Office or business machine stores, sales or rental B1
- Radio or television studios D
- Television, radio, phonograph, or household appliance stores, with no limitation on *floor area* per establishment B
- Variety stores, with no limitation on *floor area* per establishment B

B. WHOLESALE ESTABLISHMENTS

- Wholesale offices or showrooms, with storage restricted to samples B1

C. Accessory Uses

32-20

Use Group 11

Use Group 11 consists of a few types of essentially custom manufacturing activities which:

C5 C6 C8

- (1) Benefit from a central location and are appropriate in the central business district, and
- (2) Generally do not create any significant objectionable influences, and
- (3) Involve products characterized by a high ratio of value to bulk, so that truck traffic is kept to a minimum.

A. MANUFACTURING ESTABLISHMENTS

- \*Art needle work, hand weaving, or tapes-tries F
- \*Books, hand binding or tooling F
- \*Ceramic products, custom manufacturing F

\*In a C5 District, a use in Use Group 11, marked with an asterisk, shall not be located on the ground floor of a *building* unless such use is at least 50 feet from the *street wall* of the *building* in which it is located, as provided in Section 32-423 (Limitation on ground floor location).

Italicized words are defined in Section 12-10.

	Parking Requirement Category	DISTRICTS							
		C1	C2	C3	C4	C5	C6	C7	C8
<b>32-20 (Continued)</b>						C5	C6		C8
*Clothing, custom manufacturing or altering for retail	F								
*Hair products, custom manufacturing	F								
*Jewelry manufacturing from precious metals	F								
*Medical, dental, drafting instruments, optical goods, or similar precision instruments	F								
*Musical instruments, except pianos and organs	F								
*Orthopedic or medical appliances, custom manufacturing	F								
*Printing, custom, limited to 2,500 square feet of <i>floor area</i> per establishment for production, provided that such <i>floor area</i> limitation shall not apply in C6 Districts	F								
*Watch making	F								
<b>B. WHOLESALE OR SIMILAR ESTABLISHMENTS</b>									
*Ship chandlers	F								
*Wholesale establishments, with <i>accessory</i> storage limited to 2,500 square feet of <i>floor area</i> per establishment	B1								
<b>C. Accessory Uses</b>									

**32-21**

**Use Group 12**

Use Group 12 consists primarily of fairly large entertainment facilities which:

C4 C6 C7 C8

- (1) Have a wide service area and generate considerable pedestrian, automotive, or truck traffic, and
- (2) Are, therefore, appropriate only in secondary, major, or central commercial areas.

Certain public service establishments are also included.

**A. AMUSEMENTS**

- Arenas or auditoriums, with capacity limited to 2,500 seats D
- \*Bowling alleys or table tennis halls, with no limitation on number of bowling lanes per establishment D
- Eating or drinking places, without restrictions on entertainment or dancing D
- \*Public dance halls D
- Skating rinks, enclosed D
- Stadiums, with capacity limited to 2,500 seats D
- Trade expositions, with rated capacity for not more than 2,500 persons, as determined by the Commissioner of Buildings D

**B. PUBLIC SERVICE ESTABLISHMENTS**

- Prisons H

**C. Accessory Uses**

\*In a C5 District, a use in Use Group 11 and in C4 Districts, a use in Use Group 12, marked with an asterisk, shall not be located on the ground floor of a *building* unless such use is at least 50 feet from the *street wall* of the *building* in which it is located, as provided in Section 32-423 (Limitation on ground floor location).

Italicized words are defined in Section 12-10.

Parking  
Requirement  
Category

DISTRICTS							
C1	C2	C3	C4	C5	C6	C7	C8

32-22

Use group 13

Use Group 13 consists of open or low coverage *uses*, mostly open amusement establishments, which either:

C7 C8

(1) Generate noise and traffic, particularly at night, and are therefore not appropriate in local retail or local service areas, or

(2) Attract customers for special purposes not associated with retail shopping, and are therefore not appropriate in local, secondary, major, or central shopping areas.

A. AMUSEMENTS, OPEN OR ENCLOSED

- Camps, overnight or outdoor day H
- Childrens' amusement parks, provided that the total area of the *zoning lot* shall not exceed 10,000 square feet, and that no amusement attractions shall be located within 20 feet of a *Residence District* boundary E
- Circuses, carnivals, or fairs of a temporary nature E
- Commercial beaches or swimming pools E
- Golf driving ranges E
- Miniature golf courses E

B. AUTOMOTIVE SERVICE ESTABLISHMENTS

- Automotive service stations*, open or enclosed, provided that facilities for lubrication, minor repairs, or washing are permitted only if located within a *completely enclosed building*
- Boat fuel sales, open or enclosed, without restriction as to location C

C. *Accessory Uses*

32-23

Use Group 14

Use Group 14 consists of the special services and facilities required for boating and related activities.

C2 C3 C7 C8

A. RETAIL OR SERVICE USES

- Boat fuel sales, open or enclosed, restricted to location within 10 feet of a boat dock berth C
- Boat rentals, open or enclosed H
- Boat storage, repair, or painting, including the incidental sale of boats, boat parts, or accessories, restricted to boats less than 100 feet in length, provided that such *use* or portion thereof may be conducted outside a *completely enclosed building* only if located at a distance greater than 100 feet from a *Residence District* boundary C
- Docks for pleasure boats less than 100 feet in length H
- Fishing tackle or equipment, rental or sales B1
- Sailmaking establishments C

Italicized words are defined in Section 12-10.

	Parking Requirement Category	DISTRICTS							
		C1	C2	C3	C4	C5	C6	C7	C8
32-23 (Continued)			C2	C3				C7	C8
<b>B. CLUBS</b>									
Non-commercial clubs without restrictions on activities or facilities	D								
<b>C. PUBLIC SERVICE ESTABLISHMENTS</b>									
Fire stations	C								
<b>D. Accessory Uses</b>									

32-24

Use Group 15

Use Group 15 consists of large open commercial amusement establishments which:

C7

- (1) Generate considerable noise or traffic, and
- (2) Are appropriate only in a few areas designated for open amusement parks.

A. AMUSEMENTS

Children's amusement parks, with no limitation on <i>floor area</i> per establishment	E
Ferris wheels, roller coasters, whips, parachute jumps, merry-go-rounds, or similar open midway attractions	E
Freak shows, wax museums, dodgem scooters, or similar open or enclosed midway attractions	E
Open booths with games of skill or chance, including shooting galleries	E
Penny arcades	E

32-25

Use Group 16

Use Group 16 consists of automotive and other necessary semi-industrial *uses* which:

C8

- (1) Are required widely throughout the city, and
- (2) Involve offensive noise, vibration, smoke, dust, or other particulate matter, odorous matter, heat, humidity, glare, or other objectionable influences, making such *uses* incompatible with *residential uses* and other types of commercial development.

A. RETAIL OR SERVICE ESTABLISHMENTS

Animal hospitals or kennels	B1
Animal pounds or crematoriums	C
Automobile, motorcycle, trailer, or boat sales, open or enclosed	C
Blacksmith shops	C
Building materials sales, open or enclosed, limited to 5,000 square feet of <i>lot area</i> per establishment	B1
Carpentry, custom woodworking, or custom furniture making shops	B1
Crematoriums, human	C
Electrical, glazing, heating, painting, paper hanging, plumbing, roofing, or ventilating contractors' establishments, open or enclosed, with open storage limited to 5,000 square feet of <i>lot area</i> per establishment	B1
Fuel, ice, oil, coal, or wood sales, open or enclosed, limited to 5,000 square feet of <i>lot area</i> per establishment	B1

Italicized words are defined in Section 12-10.



	Parking Requirement Category	DISTRICTS							
		C1	C2	C3	C4	C5	C6	C7	C8
32-25 (Continued)		C8							
Household or office equipment or machinery repair shops, such as refrigerators, washing machines, stoves, deep freezers, or air conditioning units	B1								
Machinery rental or sales establishments	B1								
Mirror silvering or glass cutting shops	B1								
Poultry or rabbit killing establishments, for retail sale on the same <i>zoning lot</i> only	B1								
Riding academies, open or enclosed	C								
Sign painting shops, with no limitation on <i>floor area</i> per establishment	B1								
Silver plating shops, custom	B1								
Soldering or welding shops	B1								
Stables for horses	C								
Tool, die, or pattern making establishments, or similar small machine shops	B1								
Trade schools for adults	B1								
B. AUTOMOTIVE SERVICE ESTABLISHMENTS									
Automobile laundries, provided that the <i>zoning lot</i> contains reservoir space for not less than 10 automobiles per washing lane									
Automobile, truck, or motorcycle repairs, except body repairs	C								
C. VEHICLE STORAGE ESTABLISHMENTS									
Commercial or public utility vehicle storage, open or enclosed, including <i>accessory</i> motor fuel pumps	G								
Dead storage of motor vehicles									
Public transit yards, open or enclosed, including <i>accessory</i> motor fuel pumps	G								
D. HEAVY SERVICE, WHOLESALE, OR STORAGE ESTABLISHMENTS									
Carpet cleaning establishments	F								
Dry cleaning or cleaning and dyeing establishments, with no limitation on type of operation, solvents, <i>floor area</i> , or capacity per establishment	F								
Laundries, with no limitation on type of operation	F								
Linen, towel, or diaper supply establishments	F								
Moving or storage offices, with no limitation as to storage or <i>floor area</i> per establishment	G								
Packing or crating establishments	G								
Photographic developing or printing, with no limitation on <i>floor area</i> per establishment	C								
Trucking terminals or motor freight stations, limited to 20,000 square feet of <i>lot area</i> per establishment	G								
Warehouses	G								
Wholesale establishments, with no limitation on <i>accessory</i> storage	C								
E. Accessory Uses									

Italicized words are defined in Section 12-10.

**32-30 USES PERMITTED BY SPECIAL PERMIT**

32-31

**By the Board of Standards and Appeals**

In the districts indicated, the following *uses* are permitted by special permit of the Board of Standards and Appeals, in accordance with standards set forth in Article VII, Chapter 3.

*Automotive service stations*, open or enclosed, with sites of not less than 7,500 square feet per establishment, and provided that facilities for lubrication, minor repairs, or washing are permitted only if located within a *completely enclosed building*

	Parking Requirement Category	DISTRICTS							
		C1	C2	C3	C4	C5	C6	C7	C8
<i>Boatels</i>	H			C3					
Camps, overnight or outdoor day	H	C1	C2	C3					
Children's amusement parks, with sites of not less than 10,000 square feet nor more than 75,000 square feet per establishment	E								C8
Commercial beaches	E			C3					
Commercial swimming pools	E			C3					
Eating or drinking places, including those which provide outdoor table service or incidental musical entertainment either by mechanical device or by not more than three persons playing piano, organ, accordion, guitar, or any string instrument	B			C3					
Electric utility substations, limited to a site of not less than 10,000 square feet nor more than 40,000 square feet		C1	C2	C3	C4	C5	C6	C7	C8
Funeral establishments	H	C1			C4				
Newspaper publishing establishments							C6		
Public transit or railroad electric substations, limited in each case to a site of not more than 40,000 square feet		C1	C2	C3	C4	C5	C6	C7	C8
Radio or television towers, non-accessory		C1	C2	C3	C4	C5	C6	C7	C8
Riding academies or stables	C		C2				C6	C7	
Sand, gravel, or clay pits		C1	C2	C3	C4	C5	C6	C7	C8
<i>Schools</i> , provided they have no living or sleeping accommodations									C8
Theatres, limited to a maximum capacity of 500 persons	D	C1							

32-32

**By the City Planning Commission**

In the districts indicated, the following *uses* are permitted by special permit of the City Planning Commission, in accordance with standards set forth in Article VII, Chapter 4.

Arenas, auditoriums, or stadiums with a capacity in excess of 2,500 seats	D				C4		C6	C7	C8
Bus stations									
With less than 10 berths		C1	C2		C4		C6	C7	C8
With 10 or more berths					C4		C6		

Italicized words are defined in Section 12-10.

	Parking Requirement Category	DISTRICTS							
		C1	C2	C3	C4	C5	C6	C7	C8
32-32 (Continued)		C1	C2	C3	C4	C5	C6	C7	C8
Children's amusements parks with sites of not less than 75,000 square feet nor more than 10 acres per establishment	E								C8
Drive-in theatres, with a maximum capacity of 500 automobiles								C7	C8
Heliports							C6		C8
<i>Public parking lots or public parking garages</i>									
Limited in capacity to 100 spaces		C1							
With capacity of 150 spaces or more			C2		C4		C6	C7	C8
With any capacity					C5				
Public transit, railroad or electric utility substations, limited in each case to a site of not less than 40,000 square feet nor more than 10 acres		C1	C2	C3	C4	C5	C6	C7	C8
Racetracks									C8
Railroad passenger stations		C1	C2	C3	C4	C5	C6	C7	C8
Trade expositions with a rated capacity for more than 2,500 persons	D				C4		C6	C7	C8
Trucking terminals or motor freight stations with sites in excess of 20,000 square feet per establishment	G								C8

32-40 SUPPLEMENTARY USE REGULATIONS

32-41

Enclosure within Buildings

In the districts indicated, except for *accessory* off-street parking spaces or loading berths, and except as otherwise specifically provided in the Use Groups permitted in such districts, all permitted *uses* which are created by new *development*, or which are *enlarged* or *extended*, or which result from a change of *use* shall be subject to the provisions of this Section with respect to enclosure within *buildings*. With respect to the *enlargement* or *extension* of an existing *use*, such provisions shall apply to the *enlarged* or *extended* portion of such *use*.

C1 C2 C3 C4 C5 C6 C8

32-411

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

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

C1 C5 C6-5 C6-7

32-412

In other Commercial Districts

In the districts indicated, all such *uses* shall be located within *completely enclosed buildings* or within *buildings* which are *completely enclosed* except for store fronts or store windows which may be opened to serve customers outside the *building*.

C2 C3 C4 C6-1 C6-2 C6-3 C6-4 C6-6 C8

Italicized words are defined in Section 12-10.

Parking  
Requirement  
Category

DISTRICTS							
C1	C2	C3	C4	C5	C6	C7	C8

32-42

Location within Buildings

32-421

Limitation on floors occupied by non-residential uses

In the districts indicated, in any *building* or portion of a *building* occupied on one or more of its upper *stories* by *residential uses* listed in Use Group 1 or 2 or by *community facility uses* listed in Use Group 3 or 4, no *non-residential uses* listed in Use Group 6, 7, 8, 9, or 14 shall be located above the level of the first *story* ceiling. In any other *building*, or portion thereof, not more than two floors may be occupied by *non-residential uses* listed in Use Group 6A, 6B, 6C, 6F, 7, 8, 9, or 14; and for this purpose a *basement* occupied by such *non-residential uses* shall be counted as one floor.

C1 C2 C3

32-422

Location of floors occupied by non-residential uses

In the districts indicated, in any *building* or portion of a *building* occupied by *residential uses* listed in Use Group 1 or 2, *non-residential uses* listed in Use Group 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, or 16 may be located only on a floor below the lowest floor occupied in whole or in part by such *residential uses*, except that below the level of the first *story* ceiling this limitation shall not apply.

C4 C5 C6 C7

32-423

Limitation on ground floor location

In the districts indicated, *uses* in the Use Groups listed in the following table and marked with asterisks in the Use Group listing shall be located only as follows and as set forth in the following table:

C4 C5

- (a) On a floor above or below the ground floor, or
- (b) On the ground floor, but not within 50 feet of any *street wall* of the *building* and with no *show window* facing on the *street*.

USE GROUP  
IN WHICH LIMITATION APPLIES

8, 9, or 12

C4

6, 9, or 11

C5

32-43

Public Parking Garages, Public Parking Lots, or Automotive Service Stations near Schools, Parks, or Playgrounds

In all districts, as indicated, vehicular entrances or exits for new *public parking garages*, *public parking lots*, or *automotive service stations* shall not be located within an *area of restricted access* relating to entrances or exits designed for the use of children attending *schools* or *playgrounds accessory* thereto, or relating to entrances or exits to *public parks* or *public playgrounds* of one-half acre or more.

C1 C2 C3 C4 C5 C6 C7 C8

32-50 SPECIAL PROVISIONS APPLYING ALONG DISTRICT BOUNDARIES

32-51

Limitations on Business Entrances, Show Windows, or Signs

In all districts, as indicated, the location of primary business entrances, *show windows*, or *signs* shall be subject to the provisions of this Section.

C1 C2 C3 C4 C5 C6 C7 C8

Italicized words are defined in Section 12-10.

DISTRICTS							
C1	C2	C3	C4	C5	C6	C7	C8
C1	C2	C3	C4	C5	C6	C7	C8

32-51 (Continued)

For the purposes of this Section, a lot of record or a group of contiguous lots of record held in single ownership or control at the effective date of this resolution or any applicable amendment thereto shall be considered a single *zoning lot*, regardless of any subsequent subdivision.

For the purposes of this Section, a *corner lot* shall include the entire *zoning lot* notwithstanding the 100 foot limitation in the definition of *corner lots* in Section 12-10 (Definitions). All other *zoning lots* shall be considered *zoning lots* with single frontage.

The provisions of this Section shall not apply to:

- (a) Vehicular entrances or exits for permitted drive-in *uses* or automotive service establishments or for permitted or required *accessory* off-street parking spaces or loading berths,
- (b) Service entrances, or other entrances less than three feet, six inches in width,
- (c) Windows other than *show windows*, or
- (d) Ventilators, fire escapes, or other appurtenances required by law.

32-511

**For zoning lots with single frontage**

In all districts, as indicated, for *zoning lots* with single frontage, no primary business entrance, *show window*, or *sign* shall be located on that portion of the *street* frontage within a distance of 20 feet from frontage on the same side of the *street* in a *Residence District*.

C1	C2	C3	C4	C5	C6	C7	C8
----	----	----	----	----	----	----	----

However, where the *street* frontage of such *zoning lot* or portion thereof within the *Commercial District* is less than 30 feet in length, the minimum distance shall be reduced to 10 feet. For *zoning lots* with a frontage of more than 30 feet, an application may be made to the Board of Standards and Appeals to reduce such minimum distance to 10 feet, as provided in Section 73-50 (Special Provisions Applying along District Boundaries).

32-512

**For corner lots**

In all districts, as indicated, no primary business entrance, *show window*, or *sign* shall be located on that portion of the *street* frontage of a *corner lot* within 75 feet of frontage on the same side of the *street* in a *Residence District*.

C1	C2	C3	C4	C5	C6	C7	C8
----	----	----	----	----	----	----	----

However, primary business entrances, *show windows*, or *signs* may be located on frontage less than 75 feet, but not less than 20 feet, from a *Residence District* boundary:

- (a) If the total length of the *block* face containing such frontage is less than 220 feet, or
- (b) If such frontage adjoins frontage on a *corner lot* in a *Residence District*, or
- (c) If such frontage is separated from frontage in the *Residence District* by one or more *zoning lots* with single frontage.

32-52

**Exceptions for Integrated Developments Divided by District Boundaries**

In all districts, as indicated, primary business entrances, *show windows*, or *signs* may be located on any frontage within a *Commercial District*, if the Commissioner of Buildings finds that the *zoning lot* on which the business entrance, *show window* or *sign* is to be located:

C1	C2	C3	C4	C5	C6	C7	C8
----	----	----	----	----	----	----	----

Italicized words are defined in Section 12-10.

DISTRICTS							
C1	C2	C3	C4	C5	C6	C7	C8
C1	C2	C3	C4	C5	C6	C7	C8

32-52 (Continued)

(a) Is divided by a boundary between the *Commercial District* and a *Residence District*, or

(b) Is presently in the same ownership as adjoining property located in a *Residence District* and no *building* in the *Residence District* exists, or will in the future be erected, within a distance of 75 feet from the *Commercial District*, as evidenced by deed restrictions filed in an office of record binding the owner and his heirs and assigns.

32-60 SIGN REGULATIONS

32-61

Definitions (repeated from Section 12-10)

Sign

A "sign" is any writing (including letter, word, or numeral); pictorial representation (including illustration or decoration); emblem (including device, symbol, or trademark); flag (including banner or pennant); or any other figure of similar character, which

(a) Is a structure or any part thereof, or is attached to, painted on, or in any other manner represented on a *building or other structure*, and

(b) Is used to announce, direct attention to, or advertise, and

(c) Is visible from outside a *building*. A *sign* shall include writing, representation, or other figure of similar character within a *building* only when illuminated and located in a window.

The following shall not be subject to the provisions of this resolution:

(a) Signs of a duly constituted governmental body; including traffic or similar regulatory devices, legal notices, or warnings at railroad crossings

(b) Flags or emblems of a political, civic, philanthropic, educational, or religious organization

(c) Temporary signs announcing a campaign, drive, or event of the above organizations

(d) Memorial signs or tablets

(e) Signs denoting architect, engineer, or contractor when placed on construction sites and not exceeding 25 square feet in area

(f) Signs required to be maintained by law or governmental order, rule, or regulation, with a total *surface area* not exceeding 10 square feet on any *zoning lot*

(g) Small signs displayed for the direction or convenience of the public, including signs which identify rest rooms, freight entrances, or the like, with a total *surface area* not exceeding five square feet on any *zoning lot*.

When two sides of a double-faced *sign* are located not more than 28 inches apart at the widest point and not more than 18 inches apart at the narrowest point and display identical writing or other representation, the *surface area* shall include only one of the sides. Any additional side of a multi-faced *sign* shall be considered as a separate *sign* for purposes of computing the total *surface area* of the *sign*.

Sign, advertising

An "advertising sign" is a *sign* which directs attention to a business, profession, commodity, service, or entertainment conducted, sold, or offered elsewhere than upon the same *zoning lot*.

Sign, business

A "business sign" is an *accessory sign* which directs attention to a profession, business, commodity, service, or entertainment conducted, sold, or offered upon the same *zoning lot*.

Sign, flashing

A "flashing sign" is any *illuminated sign*, whether stationary, revolving, or rotating, which exhibits changing light or color effects, provided that revolving or rotating *signs* which exhibit no changing light or color effects other than those produced by revolution or rotation, shall be deemed *flashing signs* only if they exhibit sudden or marked changes in such light or color effects. *Illuminated signs* which indicate the time, temperature, weather, or other similar information shall not be considered *flashing signs*, provided that:

(a) The total *surface area* of such *sign* is not greater than 16 square feet

(b) The vertical dimension of any letter or number is not greater than 24 inches, and

(c) Color or intensity of light is constant except for periodic changes in the information displayed, which occur not more frequently than once every minute.

Sign, illuminated

An "illuminated sign" is a *sign* designed to give forth any artificial light or reflect such light from an artificial source.

Sign with indirect illumination

A "sign with indirect illumination" is any *illuminated non-flashing sign* whose illumination is derived entirely from an external artificial source and is so arranged that no direct rays of light are projected from such artificial source into *residences* or *streets*.

Surface area (of a sign)

The "surface area" of a *sign* shall be the entire area within a single continuous perimeter enclosing the extreme limits of writing, representation, emblem, or any figure of similar character, together with any material or color forming an integral part of the display or used to differentiate such *sign* from the background against which it is placed. In any event, the supports or uprights on which such *sign* is supported shall not be included in determining the *surface area* of a *sign*.

Italicized words are defined in Section 12-10.

DISTRICTS							
C1	C2	C3	C4	C5	C6	C7	C8

**32-62**

**Permitted Accessory Business Signs**

In all districts, as indicated, *accessory business signs* are permitted subject to the provisions of the following Sections:

C1	C2	C3	C4	C5	C6	C7	C8
----	----	----	----	----	----	----	----

- Section 32-64 (Surface Area and Illumination Provisions)
- Section 32-65 (Permitted Projection or Height of Signs)
- Section 32-67 (Special Provisions Applying along District Boundaries)
- Section 32-68 (Permitted Signs on Residential Buildings).

**32-63**

**Permitted Advertising Signs**

In the districts indicated, *advertising signs* are permitted subject to the applicable provisions of the following Sections:

C6-5	C7	C8
------	----	----

- Section 32-64 (Surface Area and Illumination Provisions)
- Section 32-65 (Permitted Projection or Height of Signs)
- Section 32-66 (Additional Regulation for Advertising Signs)
- Section 32-67 (Special Provisions Applying along District Boundaries)
- Section 32-68 (Permitted Signs on Residential Buildings).

**32-64**

**Surface Area and Illumination Provisions**

In all districts, as indicated, all permitted *signs* shall be subject to the restrictions on *surface area* and illumination as set forth in this Section, provided that the following *signs* shall be exempted from such restrictions on *surface area*:

C1	C2	C3	C4	C5	C6	C7	C8
----	----	----	----	----	----	----	----

*Illuminated non-flashing business signs* located in a window within a *building*, with a total *surface area* not exceeding eight square feet on any *zoning lot* and limited to not more than three such *signs* in any window.

For the purpose of determining permitted *surface area* of *signs* for *zoning lots* occupied by more than one establishment, any portion of such *zoning lot* occupied by a *building* or part of a *building* accommodating one or more establishments on the ground floor may be considered as a separate *zoning lot*.

**32-641**

**Total surface area of signs**

In all districts, as indicated, the total *surface area* of all permitted *signs*, including non-*illuminated* or *illuminated signs*, shall not exceed the limitation established for non-*illuminated signs*, as set forth in Section 32-642 (Non-illuminated signs).

C1	C2	C3	C4	C5	C6	C7	C8
----	----	----	----	----	----	----	----

Italicized words are defined in Section 12-10.

DISTRICTS							
C1	C2	C3	C4	C5	C6	C7	C8

32-642

**Non-illuminated signs**

In all districts, as indicated, *non-illuminated signs* with total *surface areas* not exceeding those shown in the following table are permitted:

MAXIMUM SURFACE AREA (in square feet)	C1	C2	C3	C4	C5	C6	C7	C8
50			C3					
Three times the <i>street</i> frontage of the <i>zoning lot</i> (in feet), but in no event more than 150 for <i>interior</i> or <i>through lots</i> or 150 on each frontage for <i>corner lots</i> .	C1	C2						
Three times the <i>street</i> frontage of the <i>zoning lot</i> (in feet), but in no event more than 200 for <i>interior</i> or <i>through lots</i> or 200 on each frontage for <i>corner lots</i> .					C5-1 C5-2 C5-3			
Five times the <i>street</i> frontage of the <i>zoning lot</i> (in feet), but in no event more than 500 for <i>interior</i> or <i>through lots</i> or 500 on each frontage for <i>corner lots</i> .				C4	C5-4	C6-1 C6-2 C6-3 C6-4 C6-6		
Five times the <i>street</i> frontage of the <i>zoning lot</i> (in feet), but in no event more than 500 for each <i>sign</i> .								C8
No restrictions as to size						C6-5 C6-7	C7	

32-643

**Illuminated non-flashing signs**

In the districts indicated, *illuminated non-flashing signs* are permitted with a total *surface area* (in square feet) not exceeding three times the *street* frontage of the *zoning lot* in feet, but in no event shall the total *surface area* exceed 50 square feet for *interior* or *through lots* or 50 square feet on each frontage for *corner lots*.

C1 C2

32-644

**Illuminated or flashing signs in C4, C5-4, C6, or C7 Districts**

In the districts indicated, *illuminated* or *flashing signs* with total *surface areas* not exceeding those shown in the following table are permitted:

MAXIMUM SURFACE AREA (in square feet)	C4	C5-4	C6	C7
Five times the <i>street</i> frontage of the <i>zoning lot</i> (in feet), but in no event more than 500 for <i>interior</i> or <i>through lots</i> or 500 on each frontage for <i>corner lots</i>	C4	C5-4	C6-1 C6-2 C6-3 C6-4 C6-6	
No restrictions as to size			C6-5 C6-7	C7

32-645

**Illuminated or flashing signs in C8 Districts**

In the district indicated, *illuminated* or *flashing business signs* or *advertising signs with indirect illumination* are permitted, provided that the total *surface area* of all such *signs* (in square feet) shall not exceed five times the *street* frontage of the *zoning lot* (in feet) and that the *surface area* of each *sign* shall not exceed 500 square feet.

C8

32-65

**Permitted Projection or Height of Signs**

In all districts, as indicated, all permitted *signs* are subject to the applicable regulations of this Section.

C1 C2 C3 C4 C5 C6 C7 C8

Italicized words are defined in Section 12-10.



DISTRICTS							
C1	C2	C3	C4	C5	C6	C7	C8

**32-651**

**Permitted projection in C6-5, C6-7, or C7 Districts**

In the districts indicated, no permitted *sign* shall project across a *street line* more than eight feet.

C6-5  
C6-7 C7

**32-652**

**Permitted projection in all other Commercial Districts**

In the districts indicated, no permitted *sign* shall project across a *street line* more than 18 inches for double- or multi-faced *signs* or 12 inches for all other *signs*.

C1	C2	C3	C4	C5	C6-1 C6-2 C6-3 C6-4 C6-6	C7	C8
----	----	----	----	----	--------------------------------------	----	----

**32-653**

**Additional regulations for projecting business signs**

In all districts, as indicated, the following *accessory business signs* are also permitted:

C1	C2	C3	C4	C5	C6	C7	C8
----	----	----	----	----	----	----	----

(a) *Non-illuminated signs* on awnings or canopies permitted by Section C26-219.0 of the Administrative Code, with a *surface area* not exceeding 12 square feet and with the height of letters not exceeding 12 inches, provided that such *signs* shall be limited to identification of the name or address of the *building* or an establishment contained therein.

(b) *Signs* on marquees permitted by Section C26-219.0 of the Administrative Code, provided that no such *sign* shall extend beyond the limits of the marquee on which it is located, except that individual free-standing letters may project to a height of 24 inches above said marquee.

**32-651**

**Height of signs in C8 Districts**

In the district indicated, permitted *signs* shall not extend to a height greater than 40 feet above *curb level*, provided that *non-illuminated signs* or *signs with indirect illumination* may extend to a maximum height of 58 feet.

C8

**32-655**

**Height of signs in all other Commercial Districts**

In the districts indicated, no permitted *sign* shall extend above *curb level* at a height greater than the following:

C1	C2	C3	C4	C5	C6	C7
----	----	----	----	----	----	----

MAXIMUM HEIGHT  
(in feet)

20	C1	C2	C3	C5-1 C5-2 C5-3	C6-1 C6-2 C6-3 C6-4 C6-6	C7
40				C4	C5-4	
No restriction as to height					C6-5 C6-7	C7

**32-656**

**Height of signs above roof**

In the districts indicated, no wall *sign* shall be permitted to extend more than five feet above the parapet wall or roof of any *building* or other *structure*.

C1	C2	C3	C4	C5	C6-1 C6-2 C6-3 C6-4 C6-6
----	----	----	----	----	--------------------------------------

Italicized words are defined in Section 12-10.

DISTRICTS							
C1	C2	C3	C4	C5	C6	C7	C8

**32-657**

**Roof signs**

In the districts indicated, no *signs* shall be permitted on the roof of any *building*.

						C6-1	
						C6-2	
						C6-3	
						C6-4	
C1	C2	C3	C4	C5		C6-6	

**32-66**

**Additional Regulations for Advertising Signs**

In the districts indicated, no *advertising sign* shall be located, nor shall an existing *advertising sign* be structurally altered, relocated, or reconstructed within 200 feet of an arterial highway or of a *public park* with an area of one-half acre or more, if such *advertising sign* is within view of such arterial highway or *public park*. For the purposes of this Section, arterial highways shall include all highways which are shown on the Master Plan of Arterial Highways and Major Streets as "principal routes," "parkways," or "toll crossings," and which have been designated by the City Planning Commission as arterial highways to which the provisions of this Section shall apply. However, beyond 200 feet from such arterial highway or *public park*, an *advertising sign* shall be located at a distance of at least as many linear feet therefrom as there are square feet of *surface area* on the face of such *sign*.

						C6-5	
						C6-7	C8

**32-67**

**Special Provisions Applying along District Boundaries**

In the districts indicated, and within 100 feet of the *street line* of any *street* or portion thereof in which the boundary of an adjoining *Residence District* is located, or which adjoins a *public park* of one-half acre or more, all *signs* which face at an angle of less than 165 degrees away from such *Residence District* or park boundary shall be limited to *accessory business signs* and shall conform with all the *sign regulations* applicable in C1 Districts as set forth in Sections 32-61 to 32-68, inclusive, relating to Sign Regulations.

		C2	C3	C4	C5	C6	C7	C8
--	--	----	----	----	----	----	----	----

**32-68**

**Permitted Signs on Residential Buildings**

In the districts indicated, any *use* listed in Use Group 1 or 2 shall conform to the *sign regulations* for *Residence Districts* set forth in Sections 22-31 to 22-33, inclusive. In *residential* or *mixed buildings*, *residential sign regulations* shall apply to a *building* or part of a *building* used for *residential purposes*.

C1	C2	C3	C4	C5	C6	C7	
----	----	----	----	----	----	----	--

Italicized words are defined in Section 12-10.

## Chapter 3 Bulk Regulations for Commercial or Community Facility Buildings in Commercial Districts

### 33-00 APPLICABILITY, DEFINITIONS, AND GENERAL PROVISIONS

#### 33-01

##### Applicability of this Chapter

The *bulk regulations* of this Chapter apply to *commercial buildings, community facility buildings, or buildings used partly for commercial use and partly for community facility use*, on any *zoning lot* or portion of a *zoning lot* located in any *Commercial District*, including all new *development or enlargements*. As used in this Chapter, the term "any *building*" shall therefore not include a *residential building* or a *mixed building*, the *bulk regulations* for which are set forth in Article III, Chapter 4, and Article III, Chapter 5, respectively. In addition, the *bulk regulations* of this Chapter or of specified Sections thereof also apply in other provisions of this resolution where they are incorporated by cross reference.

Existing *buildings or other structures* which do not comply with one or more of the applicable *bulk regulations* are *non-complying buildings or other structures* and are subject to the regulations set forth in Article V, Chapter 4.

Special regulations applying to *large-scale residential developments, community facility uses in large-scale residential developments, or large-scale community facility developments* are set forth in Article VII, Chapter 8.

#### 33-02

##### Definitions (repeated from Section 12-10)

##### Building, commercial

A "commercial building" is a *building* used only for a *commercial use*.

##### Building, community facility

A "community facility building" is a *building* used only for a *community facility use*.

### 33-10 FLOOR AREA REGULATIONS

#### Definitions

#### 33-11

##### Definitions (repeated from Section 12-10)

##### Arcade

An "arcade" is a continuous area open to a *street* or to a *plaza*, which is open and unobstructed to a height of not less than 12 feet, is accessible to the public at all times, and either:

(a) Adjoins a *front lot line* or a *plaza boundary*, is not less than 10 feet or more than 30 feet in depth (measured perpendicular to the *front lot line* or *plaza boundary* which it adjoins), and extends for the full length of, or at least 50 feet along, such *front lot line* or *plaza boundary*, whichever is the lesser distance; or

(b) On a *corner lot*, is bounded on two sides by the two intersecting *street lines*, and has an area of not less than 500 square feet and a minimum dimension of 10 feet.

Such an *arcade* shall not at any point be above the level of the *street* or *plaza* which it adjoins, whichever is higher. Any portion of an *arcade* occupied by *building columns* shall be considered to be part of the area of the *arcade* for the purpose of computing a *floor area bonus*.

##### Floor area ratio

"Floor area ratio" is the total *floor area* on a *zoning lot*, divided by the *lot area* of that *zoning lot*. (For example, a *building* containing 20,000 square feet of *floor area* on a *zoning lot* of 10,000 square feet has a *floor area ratio* of 2.0).

##### Plaza

A "plaza" is an open area accessible to the public at all times, which is either:

(a) A continuous open area along a *front lot line*, not less than 10 feet deep (measured perpendicular to the *front lot line*), with an area of not less than 750 square feet, and extending for its entire depth along the full length of such *front lot line* or for a distance of at least 50 feet thereof, whichever is the lesser distance; or

(b) A continuous open area on a *through lot*, extending from *street* to *street* and not less than 40 feet in width, measured perpendicular to the nearest *side lot line*; or

(c) On a *corner lot*, an open area of not less than 500 square feet, which is bounded on two sides by the two intersecting *street lines* and which has a minimum dimension of 10 feet; or

(d) An open area of not less than 8,000 square feet, with a minimum dimension of 80 feet and which is bounded on one side by a *front lot line* or which is connected to the *street* by means of an *arcade* or by an open area not less than 40 feet wide.

Except for an open area as set forth in (d) above, no portion of such an open area which is bounded on all sides except for one opening, by either *building walls*, or *building walls* and a *side lot line*, shall be considered part of the *plaza*, unless the opening of such portion is at least 50 feet in width.

A *plaza* shall not at any point be more than five feet above the *curb level* of the nearest adjoining *street*, and shall be unobstructed from its lowest level to the sky, except that those obstructions permitted in Sections 23-44, 24-33, 33-23, or 43-23 (Permitted Obstructions in Required Yards or Rear Yard Equivalents) shall also be considered permitted obstructions in *plazas*.

##### Zoning lot

A "zoning lot" is either:

(a) A lot of record existing on the effective date of this resolution or any applicable subsequent amendment thereto, or

(b) A tract of land, either unsubdivided or consisting of two or more contiguous lots of record, located within a single *block*, which, on the effective date of this resolution or any applicable subsequent amendment thereto, was in single ownership, or

33-11 (Continued)

(c) A tract of land, located within a single block, which at the time of filing for a building permit (or, if no building permit is required, at the time of filing for a certificate of occupancy), is designated by its owner or developer as a tract all of which is to be used, developed, or built upon as a unit under single ownership.

A zoning lot therefore may or may not coincide with a lot as shown on the official tax maps of the City of New York, or on any recorded subdivision plat or deed.

For the purposes of this definition, ownership of

a zoning lot shall be deemed to include a lease of not less than 50 years duration, with an option to renew such lease so as to provide a total lease of not less than 75 years duration.

A zoning lot may be subdivided into two or more zoning lots, provided that all resulting zoning lots and all buildings thereon shall comply with all of the applicable provisions of this resolution. If such zoning lot, however, is occupied by a non-complying building, such zoning lot may be subdivided provided such subdivision does not create a new non-compliance or increase the degree of non-compliance of such building.

DISTRICTS

C1 C2 C3 C4 C5 C6 C7 C8

Basic Regulations

33-12

Maximum Floor Area Ratio

In all districts, as indicated, for any building on any zoning lot, the maximum floor area ratio shall not exceed the floor area ratio set forth in this Section, except as otherwise provided in the following Sections:

- Section 33-13 (Floor Area Bonus for a Plaza)
- Section 33-14 (Floor Area Bonus for a Plaza-Connected Open Area)
- Section 33-15 (Floor Area Bonus for Arcades)
- Section 33-16 (Floor Area Bonus for Front Yards)
- Section 33-17 (Special Provisions for Zoning Lots Divided by District Boundaries).

Any given lot area shall be counted only once in determining the floor area ratio.

Notwithstanding any other provision of this resolution, the maximum floor area ratio shall not exceed this amount by more than 20 percent.

C1 C2 C3 C4 C5 C6 C7 C8

33-121

In districts with bulk governed by Residence District bulk regulations

C1-1 C2-1  
C1-2 C2-2  
C1-3 C2-3  
C1-4 C2-4  
C1-5 C2-5

In the districts indicated, the maximum floor area ratio for a commercial or community facility building is determined by the Residence District within which such Commercial District is mapped and shall not exceed the maximum floor area ratio set forth in the following table:

MAXIMUM FLOOR AREA RATIO

District	For commercial buildings	For community facility buildings	For buildings used for both commercial and community facility uses
R1	1.00	1.00	1.00
R2	1.00	1.00	1.00
R3	1.00	1.00	1.00
R4	1.00	2.00	2.00
R5	1.00	2.00	2.00
R6	2.00	4.80	4.80
R7-1	2.00	4.80	4.80
R7-2	2.00	6.50	6.50
R8	2.00	6.50	6.50
R9	2.00	10.00	10.00
R10	2.00	10.00	10.00

In buildings used for both commercial uses and community facility uses, the total floor area used for commercial use shall not exceed the amount permitted for commercial buildings.

Italicized words are defined in Section 12-10.

DISTRICTS							
C1	C2	C3	C4	C5	C6	C7	C8

33-122

**Commercial buildings in all other Commercial Districts**

In the districts indicated, the maximum *floor area ratio* for a *commercial building* shall not exceed the *floor area ratio* set forth in the following table:

C1-6							
C1-7	C2-6						
C1-8	C2-7						
C1-9	C2-8	C3	C4	C5	C6	C7	C8

MAXIMUM FLOOR AREA RATIO

0.50							C3
1.00							C4-1 C8-1
2.00							C1-6 C1-7 C2-6 C1-8 C2-7 C1-9 C2-8 C7 C8-2 C8-3
3.40							C4-2 C4-3 C4-4 C4-5 C4-6
4.00							C5-1
5.00							C8-4
6.00							C6-1 C6-2 C6-3
10.00							C4-7 C5-2 C5-4 C6-4 C6-5
15.00							C5-3 C6-6 C6-7

33-123

**Community facility buildings or buildings used for both community facility and commercial uses in all other Commercial Districts**

In the districts indicated, the maximum *floor area ratio* for a *community facility building* or for a *building* used for both *commercial* and *community facility uses* shall not exceed the *floor area ratio* set forth in the following table:

C1-6							
C1-7	C2-6						
C1-8	C2-7						
C1-9	C2-8	C3	C4	C5	C6	C7	C8

MAXIMUM FLOOR AREA RATIO

1.00							C3
2.00							C4-1 C7
2.40							C8-1
4.80							C4-2 C4-3 C8-2
6.50							C1-6 C1-7 C2-6 C4-4 C4-5 C6-1 C6-2 C8-3 C8-4
10.00							C1-8 C2-7 C1-9 C2-8 C4-6 C4-7 C5-1 C5-2 C5-4 C6-3 C6-4 C6-5
15.00							C5-3 C6-6 C6-7

In *buildings* used for both *commercial uses* and *community facility uses*, the total *floor area* used for *commercial use* shall not exceed the amount permitted for *commercial buildings* in Section 33-122.

DISTRICTS							
C1	C2	C3	C4	C5	C6	C7	C8

**Supplementary Regulations**

**33-13**

**Floor Area Bonus for a Plaza**

**33-131**

**Commercial buildings in certain specified Commercial Districts**

C5-2  
C5-3  
C4-7 C5-4 C6

In the districts indicated, for each square foot of *plaza* or portion of a *plaza* provided on a *zoning lot*, the total *floor area* permitted on that *zoning lot* under the provisions of Section 33-12 (Maximum Floor Area Ratio) for a *commercial building* may be increased as set forth in the following table:

FLOOR AREA BONUS			
Permitted additional <i>floor area</i> per square foot of <i>plaza</i> (in square feet)			
10		C5-3	C6-6 C6-7
6		C4-7 C5-2 C5-4	C6-4 C6-5
4			C6-1 C6-2 C6-3

**33-132**

**Community facility buildings in C1 or C2 Districts with bulk governed by surrounding R9 or R10 District**

C1-1 C2-1  
C1-2 C2-2  
C1-3 C2-3  
C1-4 C2-4  
C1-5 C2-5

In the districts indicated, when mapped within an R9 or R10 District, for each square foot of *plaza* or portion of a *plaza* provided on a *zoning lot*, the total *floor area* permitted on that *zoning lot* under the provisions of Section 33-12 (Maximum Floor Area Ratio) for a *community facility building* or a *building* used for both *commercial* and *community facility uses*, may be increased by six square feet.

**33-133**

**Community facility buildings in certain other specified Commercial Districts**

C1-8 C2-7 C4-6  
C1-9 C2-8 C4-7 C5 C6

In the districts indicated, for each square foot of *plaza* or portion of a *plaza* provided on a *zoning lot*, the total *floor area* permitted on that *zoning lot* under the provisions of Section 33-12 (Maximum Floor Area Ratio) for a *community facility building* or a *building* used for both *commercial* and *community facility uses* may be increased as set forth in the following table:

FLOOR AREA BONUS			
Permitted additional <i>floor area</i> per square foot of <i>plaza</i> (in square feet)			
10		C5-3	C6-6 C6-7
6	C1-8 C2-7 C1-9 C2-8	C4-6 C5-1 C4-7 C5-2	C6-3 C6-4 C6-5
4			C6-1 C6-2

Italicized words are defined in Section 12-10.

DISTRICTS							
C1	C2	C3	C4	C5	C6	C7	C8

**33-14**

**Floor Area Bonus for a Plaza-Connected Open Area**

**33-141**

**Commercial buildings in certain specified Commercial Districts**

In the districts indicated, for each square foot of open area unobstructed from its lowest level to the sky, which has a minimum dimension of 40 feet and which connects two *plazas* or a *plaza* with a *street*, the total *floor area* permitted on a *zoning lot* under the provisions of Section 33-12 (Maximum Floor Area Ratio) for a *commercial building* may be increased as though such open area were part of the *plaza* eligible for the bonus set forth in Section 33-131 (Commercial buildings in certain specified Commercial Districts).

C5-2  
C5-3  
C4-7 C5-4 C6

Permitted obstructions in such open area shall be the same as those set forth in Section 33-23 (Permitted Obstructions in Required Yards or Rear Yard Equivalents).

**33-142**

**Community facility buildings in C1 or C2 Districts with bulk governed by surrounding R9 or R10 District**

In the districts indicated, when mapped within an R9 or R10 District, the provisions set forth in Section 33-141 (Commercial buildings in certain specified Commercial Districts) shall apply to a *community facility building* or a *building* used for both *commercial* and *community facility uses*.

C1-1 C2-1  
C1-2 C2-2  
C1-3 C2-3  
C1-4 C2-4  
C1-5 C2-5

**33-143**

**Community facility buildings in certain other specified Commercial Districts**

In the districts indicated, the provisions set forth in Section 33-141 (Commercial buildings in certain specified Commercial Districts) shall apply to a *community facility building* or a *building* used for both *commercial* and *community facility uses*.

C1-8 C2-7 C4-6  
C1-9 C2-8 C4-7 C5 C6

**33-15**

**Floor Area Bonus for Arcades**

**33-151**

**Commercial buildings in certain specified Commercial Districts**

In the districts indicated, for each square foot of *arcade* provided on a *zoning lot*, the total *floor area* permitted on that *zoning lot* under the provisions of Section 33-12 (Maximum Floor Area Ratio) for a *commercial building* may be increased as set forth in the following table:

C5-2  
C5-3  
C4-7 C5-4 C6

**FLOOR AREA BONUS**

Permitted additional *floor area*  
per square foot of *arcade*  
(in square feet)

3	C6-4 C5-2 C6-5 C5-3 C6-6 C4-7 C5-4 C6-7
2	C6-1 C6-2 C6-3

Italicized words are defined in Section 12-10.

DISTRICTS							
C1	C2	C3	C4	C5	C6	C7	C8

**33-152**

**Community facility buildings in C1 or C2 Districts with bulk governed by surrounding R9 or R10 District**

C1-1 C2-1  
 C1-2 C2-2  
 C1-3 C2-3  
 C1-4 C2-4  
 C1-5 C2-5

In the districts indicated, when mapped within an R9 or R10 District, for each square foot of *arcade* provided on a *zoning lot*, the total *floor area* permitted on that *zoning lot* under the provisions of Section 33-12 (Maximum Floor Area Ratio) for a *community facility building* or a *building* used for both *commercial* and *community facility uses* may be increased by three square feet.

**33-153**

**Community facility buildings in certain other specified Commercial Districts**

C1-8 C2-7 C4-6  
 C1-9 C2-8 C4-7 C5 C6

In the districts indicated, for each square foot of *arcade* provided on a *zoning lot*, the total *floor area* permitted on that *zoning lot* under the provisions of Section 33-12 (Maximum Floor Area Ratio) for a *community facility building* or a *building* used for both *commercial* and *community facility uses* may be increased as set forth in the following table:

FLOOR AREA BONUS  
 Permitted additional *floor area*  
 per square foot of *arcade*  
 (in square feet)

					C6-3
					C6-4
					C6-5
					C6-6
3	C1-8 C2-7	C4-6			C6-7
	C1-9 C2-8	C4-7 C5			
					C6-1
2					C6-2

**33-16**

**Floor Area Bonus for Front Yards**

**33-161**

**In districts with bulk governed by Residence District bulk regulations**

C1-1 C2-1  
 C1-2 C2-2  
 C1-3 C2-3  
 C1-4 C2-4  
 C1-5 C2-5

In the districts indicated, when mapped within an R1, R2, R3, R4, or R5 District, on any *zoning lot* on which there are provided *yards* as set forth in this Section, the maximum *floor area ratio* set forth in Section 33-12 (Maximum Floor Ratio) for a *community facility building* or a *building* used partly for *commercial use* and partly for *community facility use* may be increased to the *floor area ratio* set forth in the table at the end of this Section, provided that :

- (a) On *interior lots*, a *front yard* not less than 30 feet in depth is provided.
- (b) On *corner lots*, two *front yards*, each not less than 20 feet in depth, are provided.
- (c) On *through lots*, a *front yard* not less than 30 feet in depth is provided along each *front lot line*.

MAXIMUM FLOOR AREA RATIO

When mapped within R1, R2, or R3 Districts	1.60
When mapped within R4 or R5 Districts	2.40

Italicized words are defined in Section 12-10.



DISTRICTS							
C1	C2	C3	C4	C5	C6	C7	C8

**33-162**

**In certain other Commercial Districts**

In the districts indicated, the provisions set forth in Section 33-161 shall also apply as set forth in the following table:

MAXIMUM FLOOR AREA RATIO

1.60	C3
2.40	C4-1 C7

**Regulations Applying to Special Situations**

**33-17**

**Special Provisions for Zoning Lots Divided by District Boundaries**

In all districts, as indicated, whenever a zoning lot is divided by a boundary between districts with different maximum floor area ratios, the provisions set forth in Article VII, Chapter 7 shall apply.

C1	C2	C3	C4	C5	C6	C7	C8
----	----	----	----	----	----	----	----

**33-20 YARD REGULATIONS**

**Definitions and General Provisions**

**33-21**

**Definitions (repeated from Section 12-10)**

**Yard**

A "yard" is that portion of a zoning lot extending open and unobstructed from the lowest level to the sky along the entire length of a lot line, and from the lot line for a depth or width set forth in the applicable district yard regulations.

**Yard, front**

A "front yard" is a yard extending along the full length of a front lot line. In the case of a corner lot, any yard extending along the full length of a street line shall be considered a front yard.

**Yard, rear**

A "rear yard" is a yard extending for the full length of a rear lot line.

**Yard equivalent, rear**

A "rear yard equivalent" is an open area which may be required on a through lot as an alternative to a required rear yard.

**Yard, side**

A "side yard" is a yard extending along a side lot line from the required front yard (or from the front lot line, if no front yard is required) to the required rear yard (or to the rear lot line, if no rear yard is required). In the case of a corner lot, any yard which is not a front yard shall be considered a side yard.

**33-22**

**Level of Yards**

In all Commercial Districts, the level of a yard or of a rear yard equivalent shall not be higher than curb level. However, this Section shall not be construed to require that natural grade level be disturbed in order to comply with this requirement.

No building or other structure shall be erected above ground level in any required yard or rear yard equivalent except as otherwise provided in Section 33-23 (Permitted Obstructions in Required Yards or Rear Yard Equivalents).

**33-23**

**Permitted Obstructions in Required Yards or Rear Yard Equivalents**

In all Commercial Districts, the following shall not be considered obstructions when located within a required yard or rear yard equivalent:

(a) In any yard or rear yard equivalent:

Arbors or trellises

Awnings or canopies

Chimneys projecting not more than three feet into, and not exceeding two percent of the area of, the required yard or rear yard equivalent

Eaves, gutters, or downspouts, projecting into such yard, or rear yard equivalent not more than 16 inches or 20 percent of the width of such yard or rear yard equivalent, whichever is the lesser distance

Fences

Flag poles

Open accessory off-street parking spaces

Open terraces or porches

Steps

Walls not exceeding eight feet in height and not roofed or part of a building.

(b) In any rear yard or rear yard equivalent:

Accessory off-street parking spaces, provided that the height of an accessory building used for such purposes and located in a required rear yard or rear yard equivalent shall not exceed 23 feet above curb level

Italicized words are defined in Section 12-10.

33-23 (Continued)

Any *building* or portion of a *building* used for any permitted *use* other than *residences*, except that any portion of a *building* containing rooms used for living or sleeping purposes (other than a room in a hospital used for the care or treatment of patients) shall not be a permitted obstruction, and provided that the height of such *building* shall not exceed one *story*, excluding *basement*, nor in any event 23 feet above *curb level*

Breezeways

Fire escapes

Unenclosed balconies, subject to the provisions of Section 24-175 (Balconies).

However, no portion of a *rear yard equivalent* which is also a required *front yard* or required *side yard* may contain any obstructions not permitted in such *front yard* or *side yard*.

33-24

Measurement of Yard Width or Depth

In all *Commercial Districts*, the width or depth of a *yard* or *rear yard equivalent* shall be measured perpendicular to *lot lines*.

DISTRICTS							
C1	C2	C3	C4	C5	C6	C7	C8

Basic Regulations

33-25

Minimum Required Side Yards

In all districts, as indicated, no *side yards* are required. However, if an open area extending along a *side lot line* is provided, it shall be at least eight feet wide.

C1	C2	C3	C4	C5	C6	C7	C8
----	----	----	----	----	----	----	----

33-26

Minimum Required Rear Yards

In all districts, as indicated, one *rear yard* with a depth of not less than 20 feet shall be provided on any *zoning lot* except a *corner lot* and except as otherwise provided in Section 33-27 (Special Provisions for Shallow Interior Lots), Section 33-28 (Special Provisions for Through Lots), or Section 33-30 (Other Special Provisions for Rear Yards).

C1	C2	C3	C4	C5	C6	C7	C8
----	----	----	----	----	----	----	----

Regulations Applying in Special Situations

33-27

Special Provisions for Shallow Interior Lots

In all districts, as indicated, if an *interior lot* consists entirely of a tract of land:

C1	C2	C3	C4	C5	C6	C7	C8
----	----	----	----	----	----	----	----

- (a) Which was owned separately and individually from all other adjoining tracts of land, both on the effective date of this resolution and on the date of application for a building permit, and
- (b) Which is less than 70 feet deep,

the depth of a required *rear yard* for such *interior lot* may be reduced by one foot for each two feet by which the maximum depth of such *interior lot* is less than 70 feet. No *rear yard* is required on any *interior lot* with a maximum depth of 50 feet or less.

33-28

Special Provisions for Through Lots

In all districts, as indicated, the regulations of this Section shall apply to all *through lots*, except that in the case of a *zoning lot* occupying an entire *block*, no *rear yard* or *rear yard equivalent* shall be required.

C1	C2	C3	C4	C5	C6	C7	C8
----	----	----	----	----	----	----	----

33-281

Excepted districts

In the districts indicated, no *rear yard* regulations shall apply to any *through lot*, except as otherwise provided in Section 33-303 (For portions of through lots).

C4-2							
C4-3							
C4-4							
C4-5							
C4-6							
C4-7	C5	C6					C8-4

Italicized words are defined in Section 12-10.

DISTRICTS							
C1	C2	C3	C4	C5	C6	C7	C8

33-282

**Excepted through lots**

In the districts indicated, no *rear yard* regulations shall apply to any *through lots* which extend less than 110 feet in maximum depth from *street to street*.

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

33-283

**Required rear yard equivalents**

In the districts indicated, on any *through lot* 110 feet or more in maximum depth from *street to street*, one of the following *rear yard equivalents* shall be provided:

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

(a) An open area with a minimum depth of 40 feet linking adjoining *rear yards*, or if no such *rear yards* exist, then midway (or within five feet of being midway) between the two *street lines* upon which such *through lot* fronts, or

(b) Two open areas, each adjoining and extending along the full length of the *street line*, and each with a minimum depth of 20 feet measured from such *street line*, or

(c) An open area adjoining and extending along the full length of each *side lot line*, with a minimum width of 20 feet measured from each such *side lot line*.

Any such *rear yard equivalent* shall be unobstructed from its lowest level to the sky, except as provided in Section 33-23 (Permitted Obstructions in Required Yards or Rear Yard Equivalents).

33-29

**Special Provisions Applying along District Boundaries**

33-291

**Required yards along district boundary coincident with side lot line of zoning lot in an R1, R2, R3, R4, or R5 District**

In all districts, as indicated, along such portion of the boundary of a *Commercial District* which coincides with a *side lot line* of a *zoning lot* in an R1, R2, R3, R4, or R5 Districts an open area not higher than *curb level* shall be provided within the *Commercial District* with at least the width or depth set forth in the following table. Such an open area shall not be used for *accessory* off-street loading, or for storage or processing of any kind.

C1	C2	C3	C4	C5	C6	C7	C8
----	----	----	----	----	----	----	----

REQUIRED WIDTH OR DEPTH OF YARD  
(in feet)

8	C1	C2	C3	C4	C5	C6	C7
15							C8

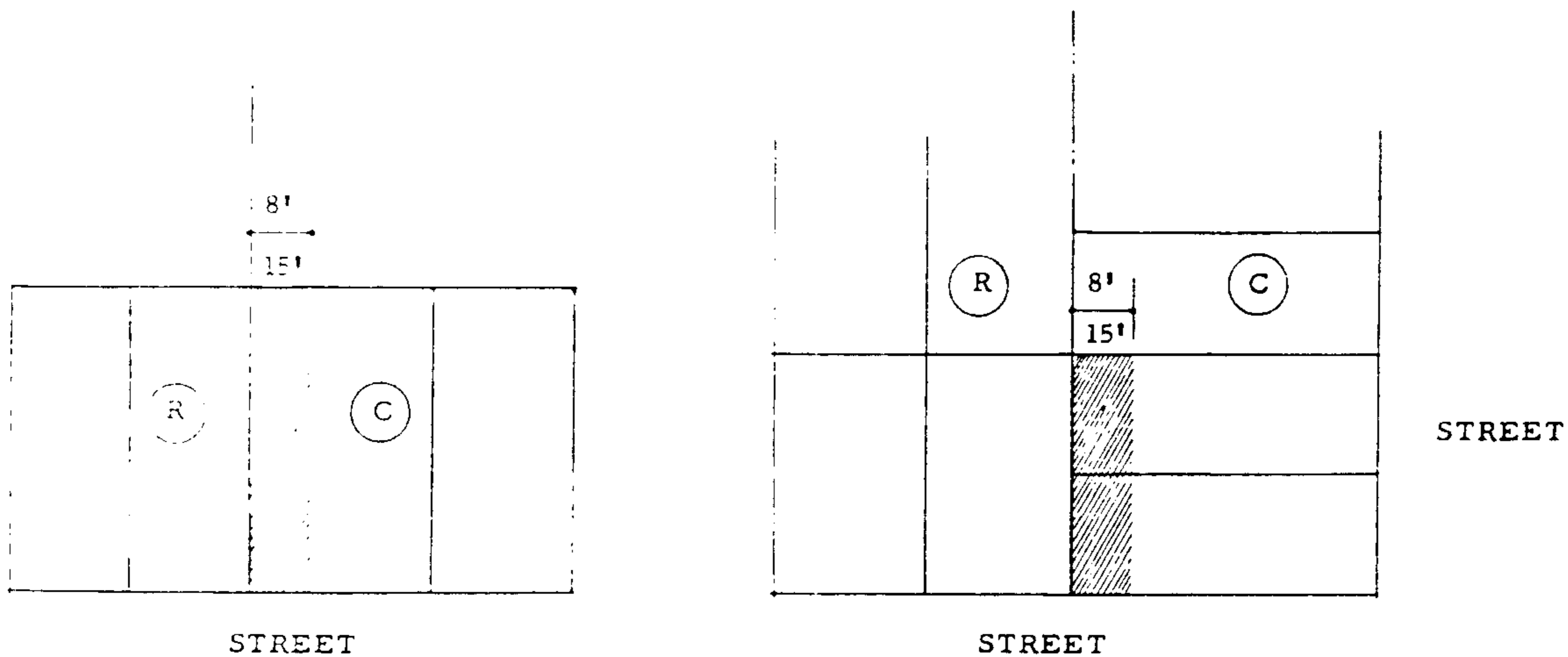


ILLUSTRATION OF SECTION 33-291

Italicized words are defined in Section 12-10.

DISTRICTS							
C1	C2	C3	C4	C5	C6	C7	C8

33-292

**Required yards along district boundary coincident with rear lot lines of two adjoining zoning lots**

In all districts, as indicated, along such portion of the rear lot line of a zoning lot in a Commercial District which coincides with a rear lot line of a zoning lot in an adjoining Residence District, an open area at a level not higher than indicated in the following table, shall be provided along such boundary and within the Commercial District. Such an open area shall not be used for storage or processing of any kind.

C1	C2	C3	C4	C5	C6	C7	C8
----	----	----	----	----	----	----	----

REQUIRED DEPTH OF YARD									
Maximum level of yard	Depth (in feet)	C1	C2	C3	C4	C5	C6	C7	C8
23 feet above curb level	30	C1	C2	C3	C4	C5	C6	C7	
Curb level	30								C8

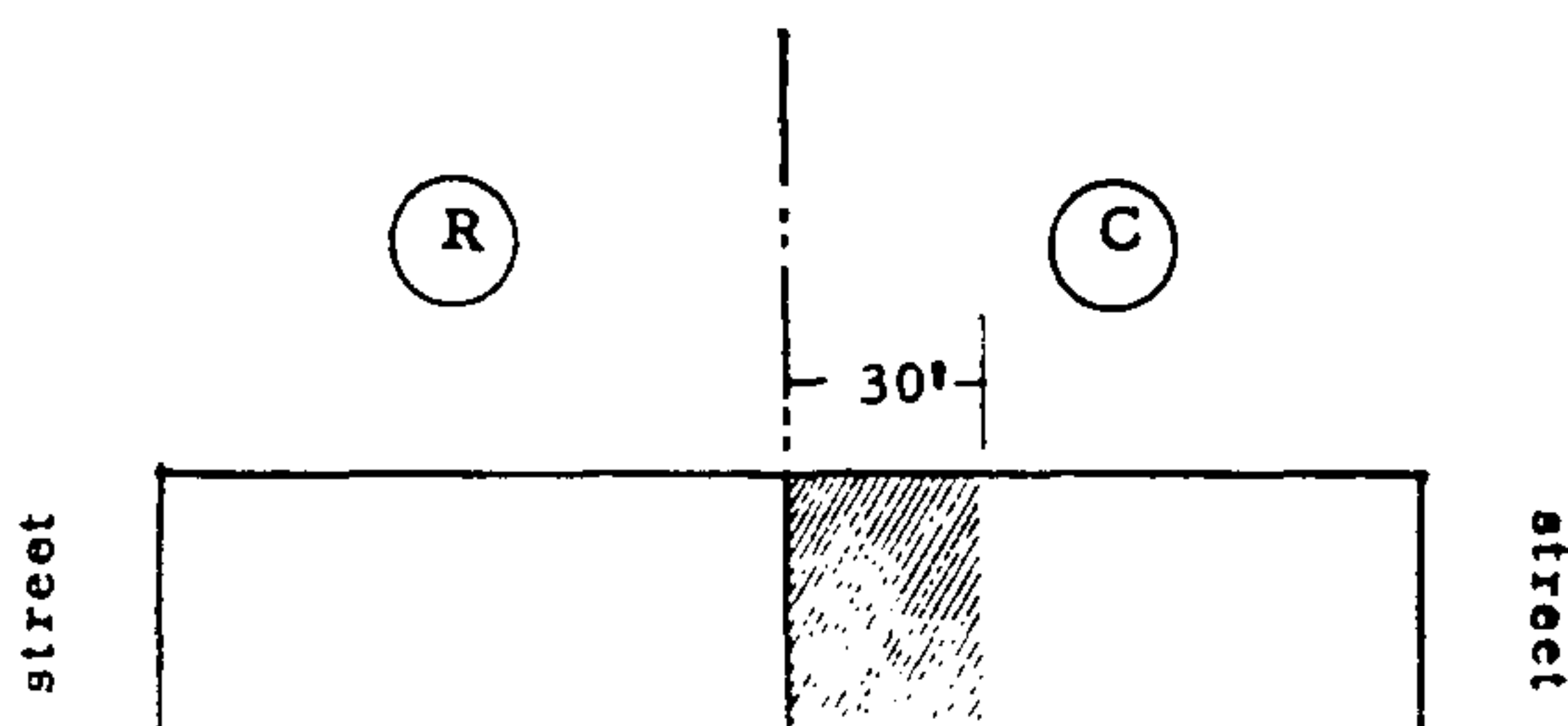


ILLUSTRATION OF SECTION 33-292

33-293

**Required yards along district boundary coincident with side lot line of zoning lot in Commercial District**

In all districts, as indicated, along such portion of a side lot line of a zoning lot in a Commercial District which coincides with a rear lot line of a zoning lot in an adjoining Residence District, an open area at curb level of at least the width set forth in the following table shall be provided along such boundary within the Commercial District. Such an open area shall not be used for accessory off-street loading or for storage or processing of any kind.

C1	C2	C3	C4	C5	C6	C7	C8
----	----	----	----	----	----	----	----

REQUIRED WIDTH OF YARD (in feet)									
8	15	C1	C2	C3	C4	C5	C6	C7	C8
8		C1	C2	C3	C4	C5	C6	C7	
	15								C8

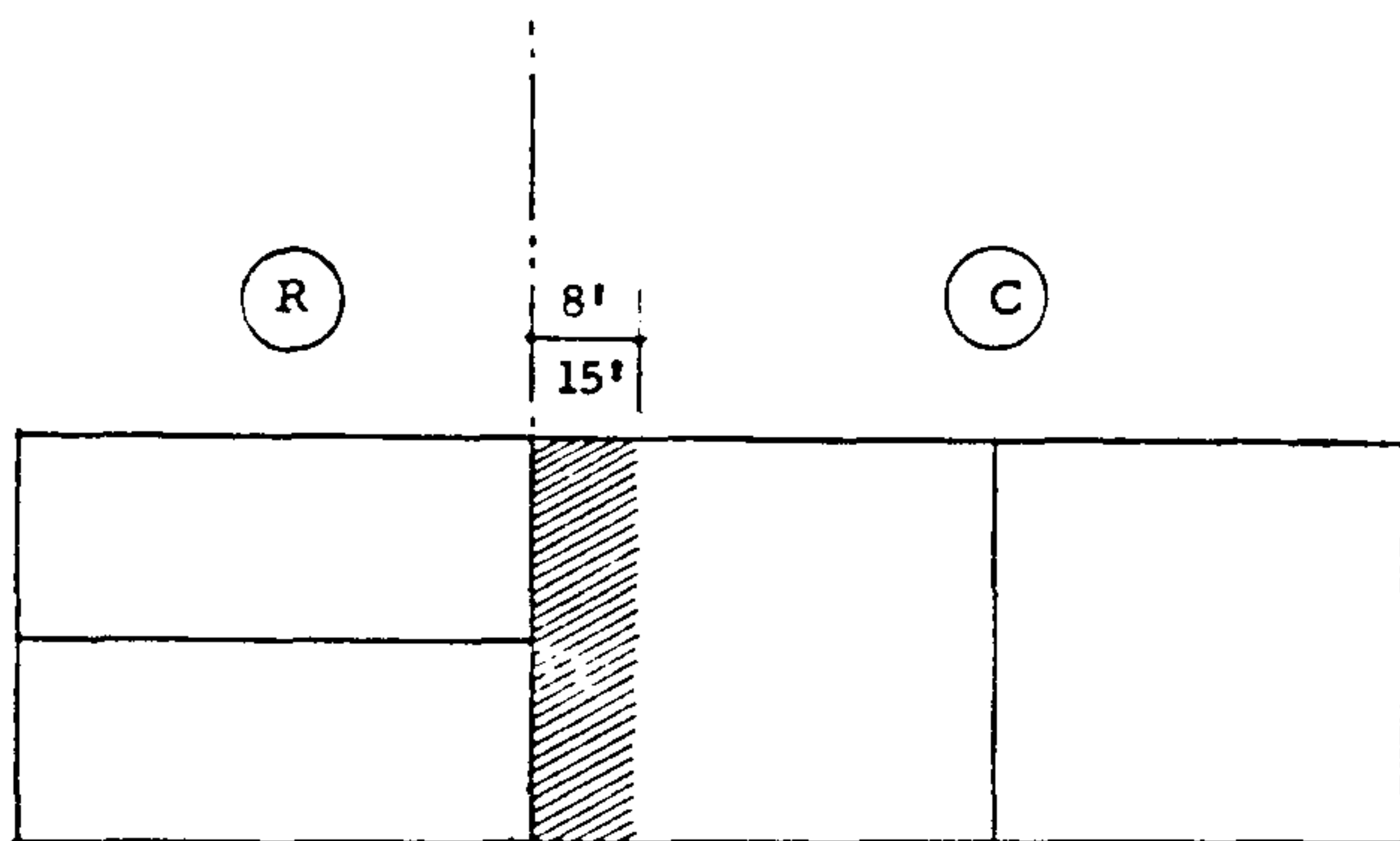


ILLUSTRATION OF SECTION 33-293

Italicized words are defined in Section 12-10.

DISTRICTS							
C1	C2	C3	C4	C5	C6	C7	C8

**33-30**

**Other Special Provisions for Rear Yards**

In all districts, as indicated, the *rear yard* requirements set forth in Section 33-26 (Minimum Required Rear Yards) shall be modified as set forth in this Section.

C1	C2	C3	C4	C5	C6	C7	C8
----	----	----	----	----	----	----	----

**33-301**

**Within one hundred feet of corners**

In all districts, as indicated, no *rear yard* shall be required within 100 feet of the point of intersection of two *street lines* intersecting at an angle of 135 degrees or less.

C1	C2	C3	C4	C5	C6	C7	C8
----	----	----	----	----	----	----	----

**33-302**

**Along short dimension of block**

In all districts, as indicated, whenever a *front lot line* of a *zoning lot* coincides with all or part of a *street line* measuring less than 220 feet in length between two intersecting *streets*, no *rear yard* shall be required within 100 feet of such *front lot line*.

C1	C2	C3	C4	C5	C6	C7	C8
----	----	----	----	----	----	----	----

**33-303**

**For portions of through lots**

In all districts, as indicated, along any *rear lot line* of a portion of a *through lot* which coincides with a *rear lot line* of an adjoining *zoning lot*, a *rear yard* shall be required as if such portion were an *interior lot*.

C1	C2	C3	C4	C5	C6	C7	C8
----	----	----	----	----	----	----	----

**All Yards**

**33-31**

**Special Provisions for Zoning Lots Divided by District Boundaries**

In all districts, as indicated, whenever a *zoning lot* is divided by a boundary between districts with different *yard* regulations, the provisions set forth in Article VII, Chapter 7, shall apply.

C1	C2	C3	C4	C5	C6	C7	C8
----	----	----	----	----	----	----	----

**33-40 HEIGHT AND SETBACK REGULATIONS**

**Definitions and General Provisions**

**33-41**

**Definitions (repeated from Section 12-10)**

**Initial setback distance**

An "initial setback distance" is a horizontal distance measured from a *street line* into a *zoning lot* for a depth as set forth in the district regulations.

**Public park**

A "public park" is any publicly-owned park, playground, beach, parkway, or roadway within the jurisdiction and control of the Commissioner of Parks, except for park strips or malls in a *street* the roadways of which are not within his jurisdiction and control.

**Sky exposure plane**

A "sky exposure plane" is an imaginary inclined plane:

- (a) Beginning above the *street line* (or, where

so indicated, above the *front yard line*) at a height set forth in the district regulations, and

- (b) Rising over a *zoning lot* at a ratio of vertical distance to horizontal distance set forth in the district regulations.

**Street, narrow**

A "narrow street" is any *street* less than 75 feet wide.

**Street, wide**

A "wide street" is any *street* 75 feet or more in width.

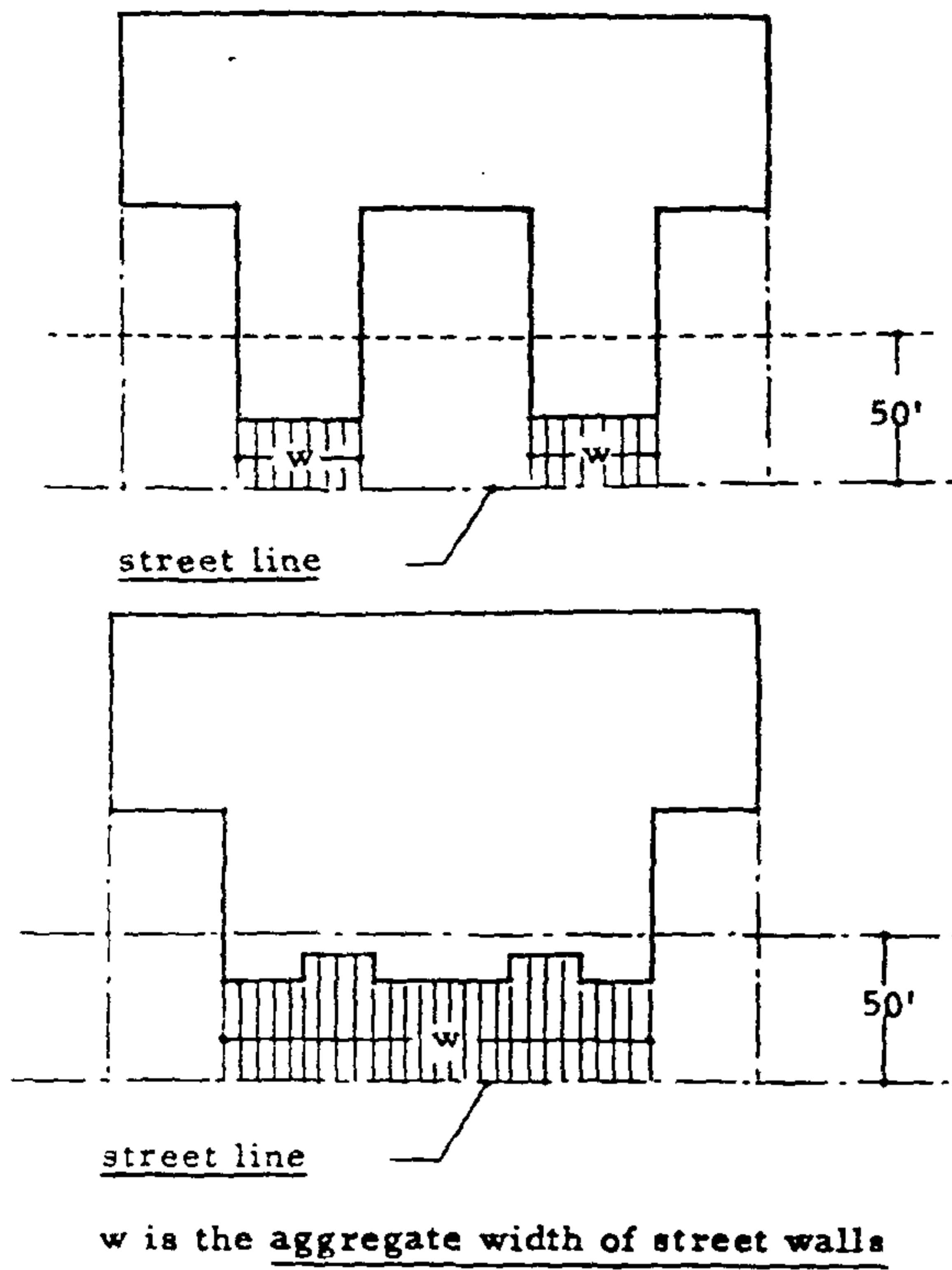
**Street walls, aggregate width of**

The "aggregate width of street walls" at any given level is the sum of the maximum widths of all *street walls* of a *building* within 50 feet of a *street line*.

The width of a *street wall* is the length of the *street line* from which, when viewed directly from above, lines perpendicular to the *street line* may be drawn to such *street wall*.

Italicized words are defined in Section 12-10.

33-41 (Continued)



ILLUSTRATIONS OF AGGREGATE WIDTH OF STREET WALLS SECTION 33-41

33-42

Permitted Obstructions

In all *Commercial Districts*, the following shall not be considered obstructions and may thus penetrate a maximum height limit or a *sky exposure plane* set forth in Section 33-43 (Maximum Height of Front Wall and Required Front Setbacks) or Section 33-44 (Alternate Front Setbacks).

- (a) Chimneys or flues, with a total width not exceeding 10 percent of the *aggregate width of street walls* of a *building* at any given level
- (b) Elevator or stair bulkheads, roof water tanks, or cooling towers (including enclosures), each having an *aggregate width of street walls* equal to not more than 30 feet. However, the product, in square feet, of the *aggregate width of street walls* of such obstructions facing each *street* frontage, times their average height, in feet, shall not exceed a figure equal to four times the width, in feet, of the *street wall* of the *building* facing such frontage.
- (c) Flagpoles or aerials
- (d) Ornamental church towers having no *floor area* in portion of tower penetrating such height limit or *sky exposure plane*
- (e) Parapet walls not more than four feet high
- (f) Spires or belfries
- (g) Wire, chain link, or other transparent fences
- (h) Unenclosed balconies, subject to the provisions of Section 24-175 (Balconies).

Building columns having an aggregate width equal to not more than 20 percent of the *aggregate width of street walls* of a *building* are a permitted obstruction, to a depth not exceeding 12 inches, in an *initial setback distance*, optional front open area, or any other required setback distance or open area set forth in Section 33-43, Section 33-44, or Section 33-45 (Tower Regulations).

DISTRICTS							
C1	C2	C3	C4	C5	C6	C7	C8

Basic Regulations

33-43

Maximum Height of Front Wall and Required Front Setbacks

In all districts, as indicated, if the front wall or other portion of a *building* or *other structure* is located at the *street line* or within the *initial setback distance* set forth in this Section, the height of such front wall or other portion of a *building* or *other structure* shall not exceed the maximum height above *curb level* set forth in this Section. Above such specified maximum height and beyond the *initial setback distance*, the *building* or *other structure* shall not penetrate the *sky exposure plane* set forth in this Section. The regulations of this Section shall apply except as otherwise provided in Section 33-42 (Permitted Obstructions), Section 33-44 (Alternate Front Setbacks), or Section 33-45 (Tower Regulations).

C1	C2	C3	C4	C5	C6	C7	C8
----	----	----	----	----	----	----	----

Italicized words are defined in Section 12-10.

DISTRICTS							
C1	C2	C3	C4	C5	C6	C7	C8

33-431

In C1 or C2 Districts with bulk governed by surrounding Residence District

C1-1 C2-1  
 C1-2 C2-2  
 C1-3 C2-3  
 C1-4 C2-4  
 C1-5 C2-5

In the districts indicated, the maximum height of a front wall and the required front setback of a *building* or *other structure* shall be determined by the *Residence District* within which such *Commercial District* is mapped, and, except as otherwise set forth in this Section, shall be as set forth in the following table:

MAXIMUM HEIGHT OF FRONT WALL AND REQUIRED FRONT SETBACKS

Initial setback distance (in feet)		Maximum height of a front wall or other portion of a <i>building</i> within the initial setback distance	Height above street line (in feet)	Sky exposure plane			
				Slope over zoning lot (expressed as a ratio of vertical distance to horizontal distance)			
On narrow street	On wide street		On narrow street	On wide street			
			Vertical distance	Horizontal distance	Vertical distance	Horizontal distance	
When mapped within R1, R2, R3, R4, or R5 Districts							
20	15	30 feet or two stories, whichever is less	30	1 to 1	1 to 1		
When mapped within R6 or R7 Districts							
20	15	60 feet or four stories, whichever is less	60	2.7 to 1	5.6 to 1		
When mapped within R8, R9, or R10 Districts							
20	15	85 feet or six stories, whichever is less	85	2.7 to 1	5.6 to 1		

C1-1 C2-1  
 C1-2 C2-2  
 C1-3 C2-3  
 C1-4 C2-4  
 C1-5 C2-5

C1-1 C2-1  
 C1-2 C2-2  
 C1-3 C2-3  
 C1-4 C2-4  
 C1-5 C2-5

C1-1 C2-1  
 C1-2 C2-2  
 C1-3 C2-3  
 C1-4 C2-4  
 C1-5 C2-5

However, in accordance with the provisions of Section 32-42 (Location within Buildings), no *commercial building* or portion thereof occupied by non-residential uses listed in Use Group 6A, 6B, 6C, 6F, 7, 8, 9, or 14 shall exceed in height 30 feet or two stories, whichever is less.

For *community facility buildings* or *buildings* used for both *community facility use* and *commercial use*, when mapped within R4 or R5 Districts, the maximum height of a front wall shall be 35 feet or three stories, whichever is less, and the height above *street line* shall be 35 feet, and when mapped within R7-2 Districts, the maximum height of a front wall shall be 60 feet or six stories, whichever is less.

Italicized words are defined in Section 12-10.

DISTRICTS							
C1	C2	C3	C4	C5	C6	C7	C8

33-432

**In other Commercial Districts**

C1-6	C2-6						
C1-7	C2-6						
C1-8	C2-7						
C1-9	C2-8	C3	C4	C5	C6	C7	C8

In the districts indicated, the maximum height of a front wall and the required front setback of a *building or other structure*, except as otherwise set forth in this Section, shall be as set forth in the following table:

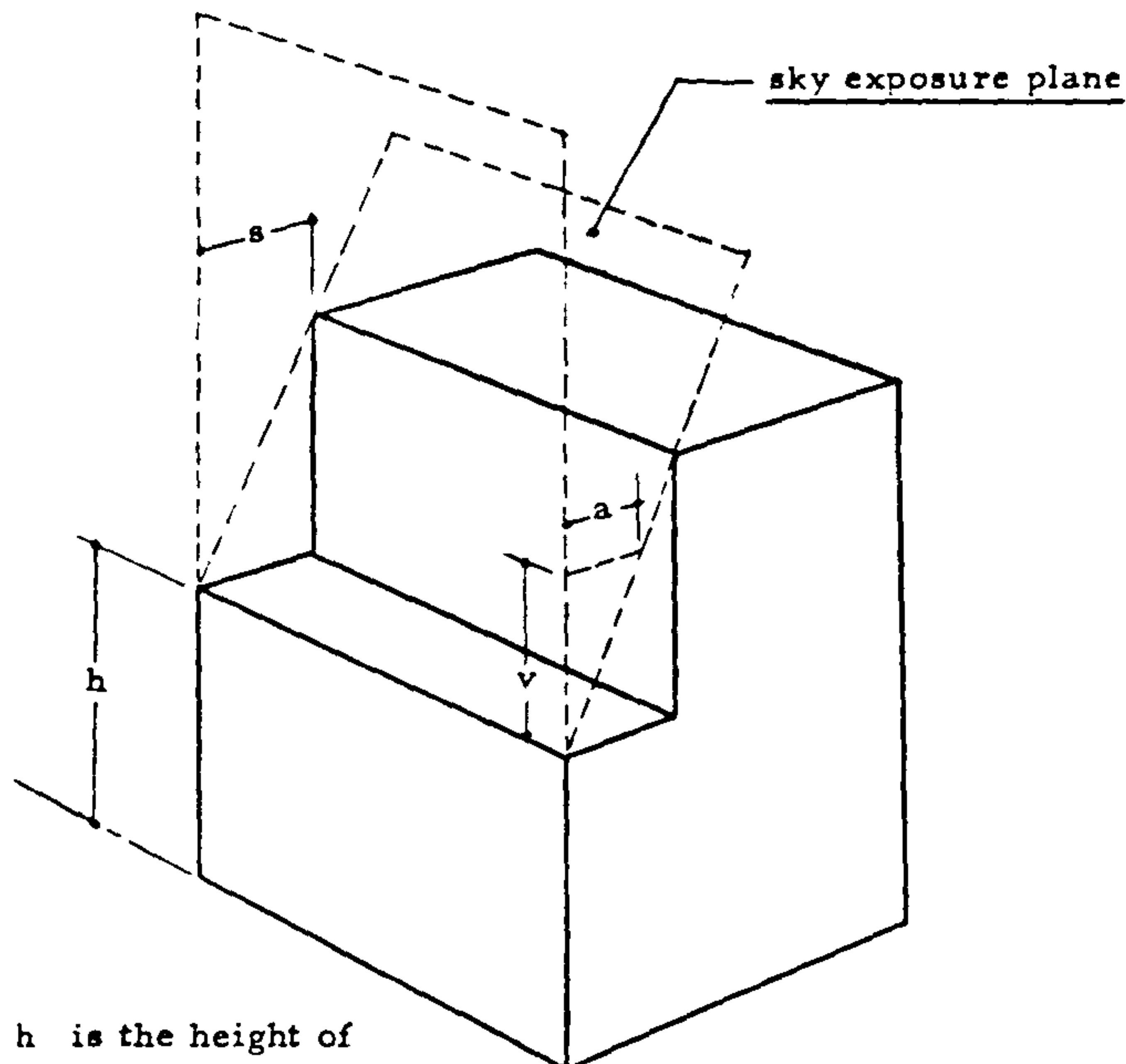
**MAXIMUM HEIGHT OF FRONT WALL AND REQUIRED FRONT SETBACKS**

Initial setback distance (in feet)		Maximum height of a front wall or other portion of a building within the initial setback distance	Height above street line (in feet)	Sky exposure plane												
				Slope over zoning lot (expressed as a ratio of vertical distance to horizontal distance)												
On narrow street	On wide street			On narrow street	On wide street	Vertical distance		Horizontal distance		Vertical distance		Horizontal distance				
20	15	30 feet or two stories, whichever is less	30	1 to 1	1 to 1					C3	C4-1		C8-1			
20	15	60 feet or four stories, whichever is less	60	2.7 to 1	5.6 to 1	C1-6	C2-6			C4-2	C4-3	C4-4	C4-5	C7	C8-2	C8-3
20	15	85 feet or six stories, whichever is less	85	2.7 to 1	5.6 to 1	C1-7	C2-6	C1-8	C2-7	C1-9	C2-8	C4-6	C4-7	C5	C6	C8-4

However, in accordance with the provisions of Section 32-42 (Location within Buildings), in C1, C2, or C3 Districts, no *commercial building* or portion thereof occupied by non-residential uses listed in Use Group 6A, 6B, 6C, 6F, 7, 8, 9, or 14 shall exceed in height 30 feet or two stories, whichever is less.

In C4-1 or C8-1 Districts, for *community facility buildings* or buildings used for both *community facility* and *commercial use*, the maximum height of a front wall shall be 35 feet or three stories, whichever is less, and the height above street line shall be 35 feet.

In C1-6, C2-6, C4-4, or C4-5 Districts, for *community facility buildings* or buildings used for both *community facility* and *commercial use*, the maximum height of a front wall shall be 60 feet or six stories, whichever is less.



h is the height of sky exposure plane above street line  
 s is the initial setback distance  
 v is the vertical distance  
 a is the horizontal distance

ILLUSTRATION OF SKY EXPOSURE PLANE SECTION 33-432

Italicized words are defined in Section 12-10.



DISTRICTS							
C1	C2	C3	C4	C5	C6	C7	C8

33-44

Alternate Front Setbacks

In all districts, as indicated, if an open area is provided along the full length of the *front lot line* with the minimum depth set forth in this Section, the provisions of Section 33-43 (Maximum Height of Front Wall and Required Front Setbacks) shall not apply. The minimum depth of such open area shall be measured perpendicular to the *front lot line*. However, in such instances, except as otherwise provided in Section 33-42 (Permitted Obstructions) or Section 33-45 (Tower Regulations), no *building or other structure* shall penetrate the alternate *sky exposure plane* set forth in this Section, and the *sky exposure plane* shall be measured from a point above the *street line*.

C1	C2	C3	C4	C5	C6	C7	C8
----	----	----	----	----	----	----	----

If the open area provided under the terms of this Section is a *plaza*, such open area may be counted for the bonus provided for a *plaza* in the districts indicated in Section 33-13 (Floor Area Bonus for a Plaza).

33-441

In C1 or C2 Districts with bulk governed by surrounding Residence District

C1-1	C2-1
C1-2	C2-2
C1-3	C2-3
C1-4	C2-4
C1-5	C2-5

In the districts indicated, the alternate front setback regulations applicable to a *building or other structure* shall be determined by the *Residence District* in which such *Commercial District* is mapped and, except as otherwise set forth in this Section, shall be as set forth in the following table:

ALTERNATE REQUIRED FRONT SETBACKS

Depth of optional front open area (in feet)	Alternate sky exposure plane					
	Height above street line (in feet)	Slope over zoning (expressed as a ratio of vertical distance to horizontal distance)				
		On narrow street		On wide street		
On narrow street	On wide street	Vertical distance	Horizontal distance	Vertical distance	Horizontal distance	
When mapped within R1, R2, R3, R4, or R5 Districts						C1-1 C2-1 C1-2 C2-2 C1-3 C2-3 C1-4 C2-4 C1-5 C2-5
15	10	30	1.4 to 1	1.4 to 1	1.4 to 1	
When mapped within R6 or R7 Districts						C1-1 C2-1 C1-2 C2-2 C1-3 C2-3 C1-4 C2-4 C1-5 C2-5
15	10	60	3.7 to 1	7.6 to 1	7.6 to 1	
When mapped within R8, R9, or R10 Districts						C1-1 C2-1 C1-2 C2-2 C1-3 C2-3 C1-4 C2-4 C1-5 C2-5
15	10	85	3.7 to 1	7.6 to 1	7.6 to 1	

However, in accordance with the provisions of Section 32-42 (Location within Buildings), no *commercial building* or portion thereof occupied by non-residential uses listed in Use Group 6A, 6B, 6C, 6F, 7, 8, 9, or 14 shall exceed in height 30 feet or two *stories*, whichever is less.

For *community facility buildings* or *buildings* used for both *community facility use* and *commercial use*, when mapped within R4 or R5 Districts, the height above *street line* shall be 35 feet.

Italicized words are defined in Section 12-10.

DISTRICTS							
C1	C2	C3	C4	C5	C6	C7	C8

33-442

In other Commercial Districts

C1-6	C2-6						
C1-7	C2-6						
C1-8	C2-7						
C1-9	C2-8	C3	C4	C5	C6	C7	C8

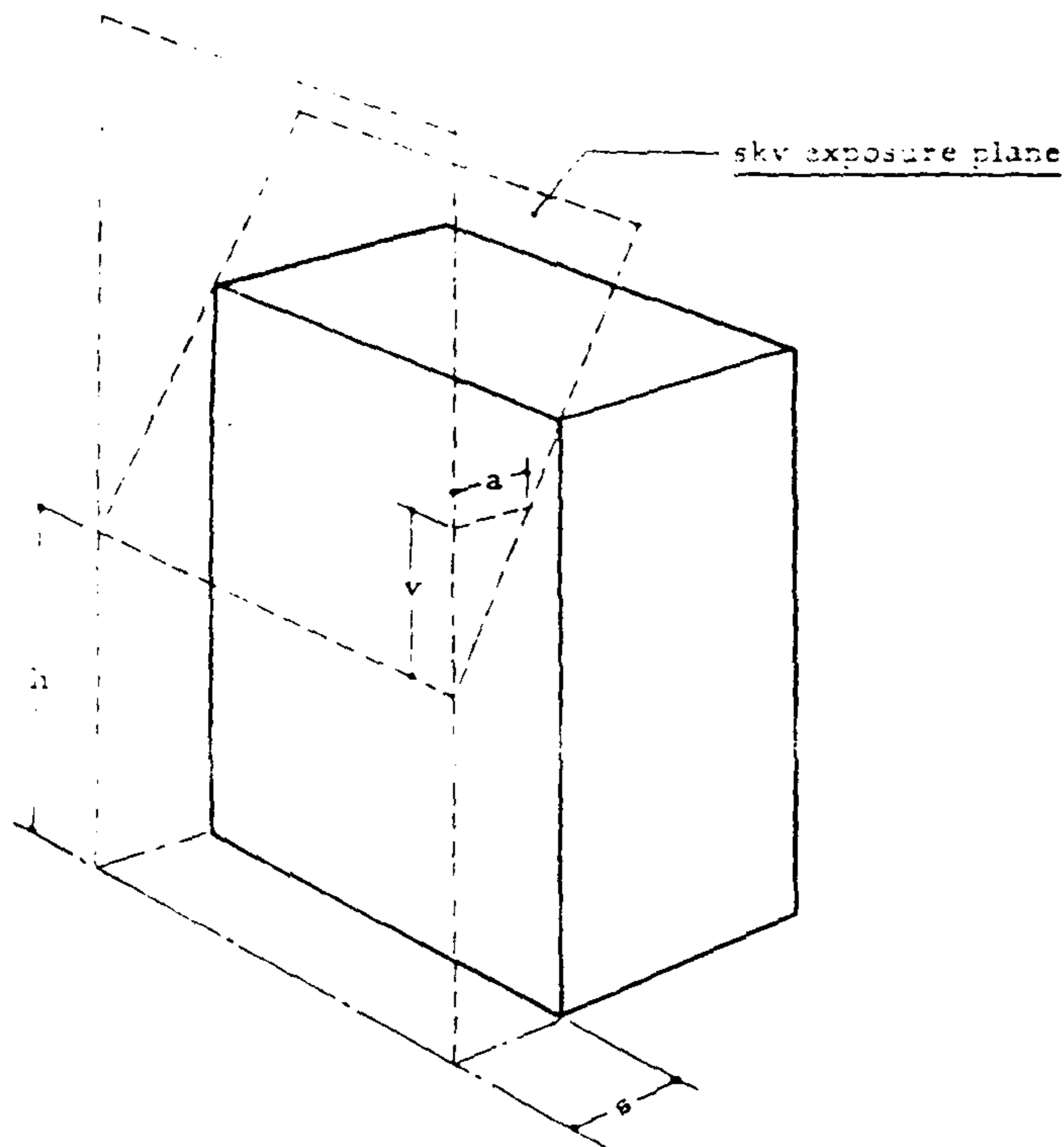
In the districts indicated, the alternate front setback regulations applicable to a *building or other structure* shall be as set forth in the following table:

ALTERNATE REQUIRED FRONT SETBACKS

Depth of optional front open area (in feet)		Height above street line (in feet)	Alternate sky exposure plane					
On narrow street	On wide street		Slope over zoning lot (expressed as a ratio of vertical distance to horizontal distance)					
			On narrow street Vertical distance	Horizontal distance	On wide street Vertical distance	Horizontal distance		
15	10	30	1.4	to 1	1.4	to 1	C3	C4-1 C8-1
15	10	60	3.7	to 1	7.6	to 1	C1-6 C2-6 C4-2 C4-3 C4-4 C4-5	C7 C8-2 C8-3
15	10	85	3.7	to 1	7.6	to 1	C1-7 C1-8 C2-7 C1-9 C2-8	C4-6 C4-7 C5 C6 C8-4

However, in accordance with the provisions of Section 32-42 (Location within Buildings), no *commercial building* or portion thereof occupied by non-residential uses listed in Use Group 6A, 6B, 6C, 6F, 7, 8, 9, or 14 shall exceed in height 30 feet or two stories, whichever is less.

In C4-1 or C8-1 Districts, for *community facility buildings* or buildings used for both *community facility use* and *commercial use*, the maximum height above street line shall be 35 feet or three stories, whichever is less.



- h is the height of sky exposure plane above street line
- s is the depth of the optional front open area
- v is the vertical distance
- a is the horizontal distance

ILLUSTRATION OF ALTERNATE SKY EXPOSURE PLANE  
SECTION 33-442

DISTRICTS							
C1	C2	C3	C4	C5	C6	C7	C8

**Supplementary Regulations**

**33-45**

**Tower Regulations**

**33-451**

**In certain specified Commercial Districts**

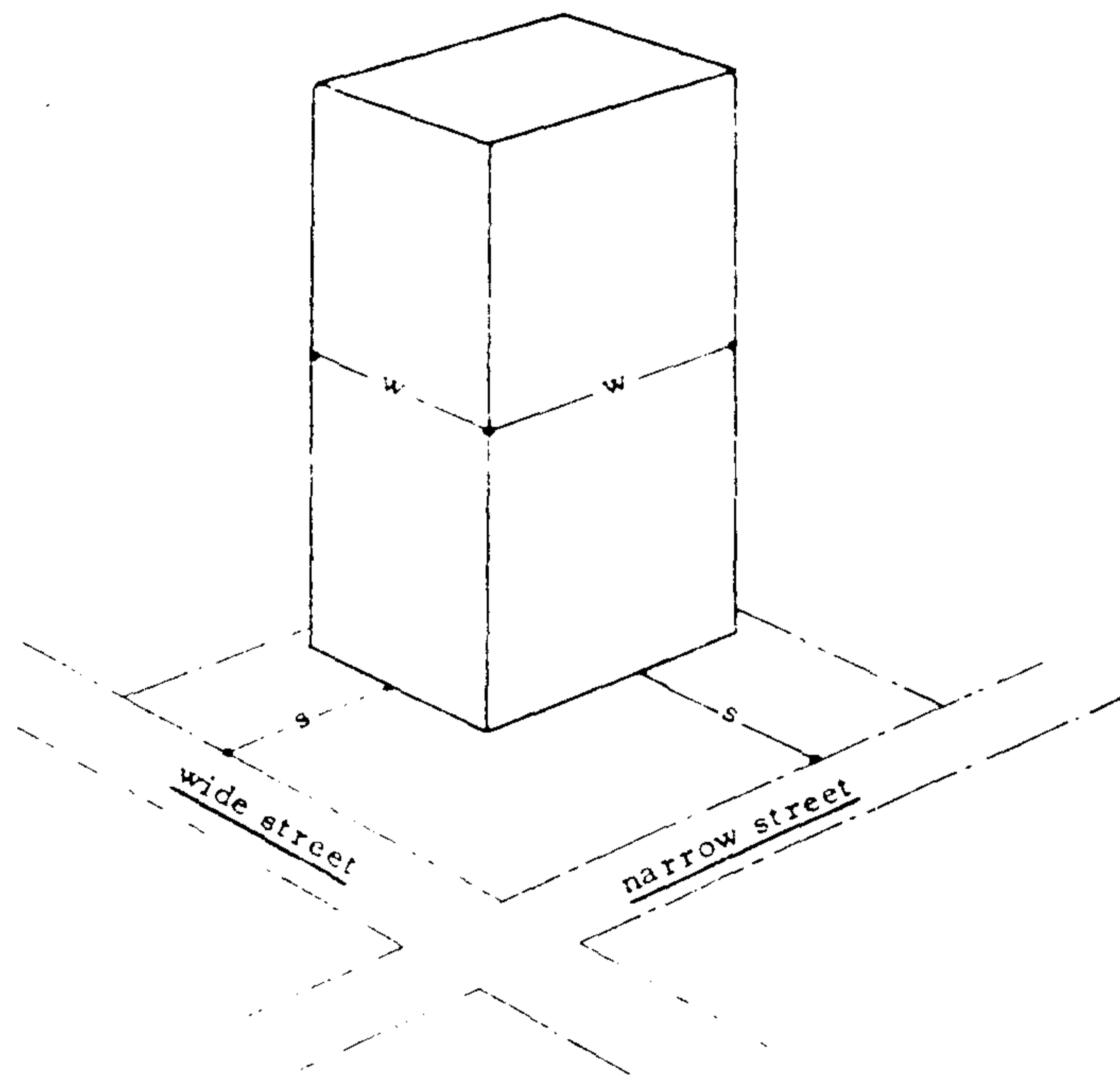
C5-2  
C5-3  
C4-7 C5-4 C6

In the districts indicated, any *building* or *buildings* or portion thereof which in the aggregate occupy not more than 40 percent of the *lot area* of a *zoning lot* or, for *zoning lots* of less than 20,000 square feet, the percent set forth in Section 33-454 (Towers on small lots), may penetrate an established *sky exposure plane*. (Such *building* or portion thereof is hereinafter referred to as a tower.) However, at any given level, except as otherwise set forth in Section 33-455 (Alternate regulations for towers on lots bounded by two or more streets) or Section 33-456 (Alternate setback regulations on lots bounded by two or more streets), such tower shall be set back from a *street line* as follows:

- (a) On *narrow streets*, by a distance at least one-third the *aggregate width of street walls* of the tower at such level, provided that such setback need not exceed 50 feet.
- (b) On *wide streets*, by a distance one-fourth the *aggregate width of street walls* of the tower at such level, provide that such setback need not exceed 40 feet.

If the *building* of which such tower is a portion does not occupy at any level more than the maximum percent of the *lot area* set forth in this Section or Section 33-454 for towers, each required setback as set forth in (a) and (b) of this Section may be reduced by five feet, provided that no such reduced setback shall be less than 20 feet in depth.

Unenclosed balconies, subject to the provisions of Section 24-175 (Balconies), are permitted to project into or over open areas not occupied by towers.



- s is the required setback from streets
- w is the aggregate width of street walls

ILLUSTRATION OF TOWER  
SECTION 33-451

Italicized words are defined in Section 12-10.

DISTRICTS							
C1	C2	C3	C4	C5	C6	C7	C8

33-452

**Community facility buildings in C1 or C2 Districts when mapped within R7-2, R8, R9, or R10 Districts**

C1-1 C2-1  
 C1-2 C2-2  
 C1-3 C2-3  
 C1-4 C2-4  
 C1-5 C2-5

In the districts indicated, when mapped within an R7-2, R8, R9, or R10 District, the provisions set forth in Section 33-451 (In certain specified Commercial Districts) shall apply to any *community facility building* or *building* used for both *community facility* and *commercial uses*.

33-453

**Community facility buildings in certain specified Commercial Districts**

C1-6  
 C1-7 C2-6 C4-4  
 C1-8 C2-7 C4-5 C8-3  
 C1-9 C2-8 C4-6 C5-1 C8-4

In the districts indicated, the provisions set forth in Section 33-451 (In certain specified Commercial Districts) shall apply to any *community facility building* or *building* used for both *community facility* and *commercial uses*.

33-454

**Towers on small lots**

C1 C2 C4-4  
 C4-5  
 C4-6 C8-3  
 C4-7 C5 C6 C8-4

In the districts indicated, a tower permitted under the provisions of Section 33-451, 33-452, or 33-453 may occupy the percent of the *lot area* of a *zoning lot* set forth in the following table:

Area of zoning lot (in square feet)	Maximum percent of lot coverage
10,500 or less	50
10,501 to 11,500	49
11,501 to 12,500	48
12,501 to 13,500	47
13,501 to 14,500	46
14,501 to 15,500	45
15,501 to 16,500	44
16,501 to 17,500	43
17,501 to 18,500	42
18,501 to 19,999	41

33-455

**Alternate regulations for towers on lots bounded by two or more streets**

C5-3 C6-6  
 C6-7

In the districts indicated, if a *zoning lot* is bounded by at least two *street lines*, a tower may occupy the percent of the *lot area* of a *zoning lot* set forth in this Section, provided that all portions of any *building* or *buildings* on such *zoning lot*, including such tower, are set back from *street lines* as required in this Section.

(a) The maximum percent of *lot area* which may be occupied by such tower, shall be the sum of 40 percent plus one-half of one percent for every .1 by which the *floor area ratio* of such *building* is less than the *floor area ratio* permitted under the provisions of Section 33-12 (Maximum Floor Area Ratio), Section 33-13 (Floor Area Bonus for a Plaza), Section 33-14 (Floor Area Bonus for a

Italicized words are defined in Section 12-10.

DISTRICTS							
C1	C2	C3	C4	C5	C6	C7	C8

**33-455 (Continued)**

C6-6  
C5-3 C6-7

Plaza-Connected Open Area), or Section 33-15 (Floor Area Bonus for Arcades). The maximum *lot coverage* for any tower built under the provisions of this Section or for any *building* or *buildings* on any *zoning lot* occupied by such tower shall be 55 percent of the *lot area* of such *zoning lot*.

(b) At all levels, including ground level, such *building* shall be set back from a *street line* as follows:

(1) On *narrow streets*, by a distance equal to at least the fraction of the *aggregate width of street walls* of the tower, the numerator of which fraction is one and the denominator of which fraction is the sum of 3.0 plus .0667 for each day .1 by which the *floor area ratio* of such *building* is less than the *floor area ratio* permitted under the provisions of Section 33-12, 33-13, 33-14, or 33-15, provided that such fraction shall be no less than one-fifth, and provided further that such setback need not exceed 45 feet.

(2) On *wide streets*, by a distance equal to at least the fraction of the *aggregate width of street walls* of the tower, the numerator of which fraction is one and the denominator of which fraction is the sum of 4.0 plus .1 for every .1 by which the *floor area ratio* of such *building* is less than the *floor area ratio* permitted under the provisions of Section 33-12, 33-13, 33-14, or 33-15, provided that such fraction shall be no less than one-seventh, and provided further that such setback need not exceed 35 feet.

(c) If a *zoning lot* occupies an entire *block*, the maximum setback set forth in paragraph (b) of this Section of 45 feet on each *narrow street* bounding the *zoning lot* may be reduced by one foot for every six feet of setback provided on a *wide street* bounding the *zoning lot* in addition to the setbacks otherwise required for *wide streets* as set forth in such paragraph, provided that no setback on a *narrow street* resulting from such reduction shall be less than 35 feet or one-tenth the *aggregate width of street walls* of the tower, whichever shall require the greater setback.

(d) The additional setbacks on *wide streets* set forth in paragraph (c) may be provided entirely on one *wide street* or divided in any proportion among any two *wide streets* bounding the *zoning lot*.

(e) Notwithstanding any other provision set forth in this Section, no *building* or portion of a *building* built under the provisions of this Section shall be set back less than 25 feet from the *street line* on *narrow streets* or less than 15 feet from the *street line* on *wide streets*.

**33-456**

**Alternate setback regulations on lots bounded by two or more streets**

C6-6  
C5-3 C6-7

In the districts indicated, if a *zoning lot* is bounded by at least two *street lines*, a tower occupying not more than the percent of *lot area* set forth in Section 33-451 (In certain specified Commercial Districts) or Section 33-454 (Towers on small lots) may be set back from a *street line*, as follows:

Italicized words are defined in Section 12-10.

DISTRICTS							
C1	C2	C3	C4	C5	C6	C7	C8

33-456 (Continued)

C6-6  
C5-3 C6-7

(a) On *narrow streets*, by a distance equal to at least the fraction of the *aggregate width of street walls* of the tower, the numerator of which fraction is one and the denominator of which fraction is the sum of 3.0 plus .0333 for each .1 by which the *floor area ratio* of the *building* is less than the *floor area ratio* permitted under the provisions of Sections 33-12, 33-13, 33-14, or 33-15, provided that such fraction shall be no less than one-fifth, and provided further that such setback need not exceed 45 feet.

(b) On *wide streets*, by a distance equal to at least the fraction of the *aggregate width of street walls* of the tower, the numerator of which fraction is one and the denominator of which fraction is the sum of 4.0 plus .05 for each .1 by which the *floor area ratio* of the *building* is less than the *floor area ratio* permitted under the provisions of Sections 33-12, 33-13, 33-14, or 33-15, provided that such fraction shall be no less than one-seventh, and provided further that such setback need not exceed 35 feet.

(c) Notwithstanding any other provisions set forth in this Section, no tower built under the provisions of this Section shall be set back less than 25 feet from the *street line* on *narrow streets* or less than 15 feet from the *street line* on *wide streets*.

Regulations Applying in Special Situations

33-46

Special Provisions for Zoning Lots Directly Adjoining Public Parks

In all districts, as indicated, a *public park* with an area between one and fifteen acres shall be considered a *wide street* for the purpose of applying the front height and setback regulations specified in Section 33-43 (Maximum Height of Front Wall and Required Front Setbacks) to any *building or other structure* on a *zoning lot* adjoining such *public park*. However, this Section shall not apply to a *public park* more than 75 percent of which is paved.

C1 C2 C3 C4 C5 C6 C7 C8

33-47

Modification of Height and Setback Regulations

In all districts, as indicated, for certain *community facility uses* in specified situations, the Board of Standards and Appeals may modify the regulations set forth in Sections 33-41 to 33-45, inclusive, relating to Height and Setback Regulations, in accordance with the provisions of Section 73-64 (Modifications for Community Facility Uses).

C1 C2 C3 C4 C5 C6 C7 C8

33-48

Special Provisions for Zoning Lots Divided by District Boundaries

In all districts, as indicated, whenever a *zoning lot* is divided by a boundary between districts with different height and setback regulations, or whenever a *zoning lot* is divided by a boundary between a district to which the provisions of Section 33-45 (Tower Regulations) apply and a district to which such provisions do not apply, the provisions set forth in Article VII, Chapter 7, shall apply.

C1 C2 C3 C4 C5 C6 C7 C8

Italicized words are defined in Section 12-10.

DISTRICTS							
C1	C2	C3	C4	C5	C6	C7	C8

**33-50 COURT REGULATIONS AND MINIMUM DISTANCE BETWEEN WINDOWS AND WALLS OR LOT LINES**

**Basic Regulations**

**33-51**

**Minimum Dimensions of Courts for Community Facility Buildings**

In all districts, as indicated, the regulations set forth in the following Sections shall apply to all *buildings* containing *community facility uses*:

C1 C2 C3 C4 C5 C6 C7 C8

- Section 24-61 (General Provisions and Applicability)
- Section 24-62 (Minimum Dimensions of Courts)
- Section 24-63 (Outer Court Regulations)
- Section 24-64 (Inner Court Regulations)
- Section 24-65 (Minimum Distance between Required Windows and Walls or Lot Lines)
- Section 24-66 (Modifications of Court Regulations or Distance Requirements)
- Section 24-67 (Special Provisions for Buildings Used Partly for Residential Uses).

Italicized words are defined in Section 12-10.





Summary of Bulk Regulations in Commercial Districts (Continued)

District	Maximum Floor Area Ratio <sup>1</sup>			Minimum Required Open Space Ratio Residential buildings <sup>8</sup>	Minimum Lot Size				Yard Requirements <sup>4</sup>			Height and Setback Requirements											
	Commercial buildings	Community facility buildings	Residential buildings <sup>2</sup>		Single-family or two-family detached residences		Residences or residential portions of other buildings (in feet)	Commercial or community facility buildings (in feet)	Side yard Minimum width of open area if provided (in feet)	Standard Regulations		Alternate Regulations											
					Lot area (in square feet)	Lot width (in feet)				Other residences Lot area (in square feet)	Lot width (in feet)	Initial setback distance (in feet)	Maximum height of front wall or other portion of building in setback distance (in feet) (in stories)	Sky exposure plane		Sky exposure plane							
	Narrow street	Wide street	Slope over zoning lot (vertical distance to horizontal distance)		Depth of optional front open area (in feet)		Slope over zoning lot (vertical distance to horizontal distance)																
C5-1	4.00	10.00	10.00	None	3,800	40	1,700	18	30	20	8	20	15	85	6	85	2.7 to 1	5.6 to 1	15	10	85	3.7 to 1	7.6 to 1
C5-2	10.00	10.00	10.00	None	3,800	40	1,700	18	30	20	8	20	15	85	6	85	2.7 to 1	5.6 to 1	15	10	85	3.7 to 1	7.6 to 1
C5-3	15.00	15.00	10.00	None	3,800	40	1,700	18	30	20	8	20	15	85	6	85	2.7 to 1	5.6 to 1	15	10	85	3.7 to 1	7.6 to 1
C5-4	10.00	10.00	10.00	None	3,800	40	1,700	18	30	20	8	20	15	85	6	85	2.7 to 1	5.6 to 1	15	10	85	3.7 to 1	7.6 to 1
C6-1	6.00	6.50	2.80 to 3.40	18.0 to 21.0	3,800	40	1,700	18	30	20	8	20	15	85	6	85	2.7 to 1	5.6 to 1	15	10	85	3.7 to 1	7.6 to 1
C6-2	6.00	6.50	4.80 to 6.00	8.0 to 10.4	3,800	40	1,700	18	30	20	8	20	15	85	6	85	2.7 to 1	5.6 to 1	15	10	85	3.7 to 1	7.6 to 1
C6-3	6.00	10.00	6.50 to 7.50	4.2 to 6.2	3,800	40	1,700	18	30	20	8	20	15	85	6	85	2.7 to 1	5.6 to 1	15	10	85	3.7 to 1	7.6 to 1
C6-4	10.00	10.00	10.00	None	3,800	40	1,700	18	30	20	8	20	15	85	6	85	2.7 to 1	5.6 to 1	15	10	85	3.7 to 1	7.6 to 1
C6-5	10.00	10.00	10.00	None	3,800	40	1,700	18	30	20	8	20	15	85	6	85	2.7 to 1	5.6 to 1	15	10	85	3.7 to 1	7.6 to 1
C6-6	15.00	15.00	10.00	None	3,800	40	1,700	18	30	20	8	20	15	85	6	85	2.7 to 1	5.6 to 1	15	10	85	3.7 to 1	7.6 to 1
C6-7	15.00	15.00	10.00	None	3,800	40	1,700	18	30	20	8	20	15	85	6	85	2.7 to 1	5.6 to 1	15	10	85	3.7 to 1	7.6 to 1
C7	2.00	2.00	1.00 to 1.25	50.0 to 62.0	3,800	40	1,700	18	30	20	8	20	15	60	4	60	2.7 to 1	5.6 to 1	15	10	60	3.7 to 1	7.6 to 1
C8-1	1.00	2.40	.....	.....	.....	..	.....	..	..	20	8	20	15	30	2	30	1 to 1	1 to 1	15	10	30	1.4 to 1	1.4 to 1
C8-2	2.00	4.80	.....	.....	.....	..	.....	..	..	20	8	20	15	60	4	60	2.7 to 1	5.6 to 1	15	10	60	3.7 to 1	7.6 to 1
C8-3	2.00	6.50	.....	.....	.....	..	.....	..	..	20	8	20	15	60	4	60	2.7 to 1	5.6 to 1	15	10	60	3.7 to 1	7.6 to 1
C8-4	5.00	6.50	.....	.....	.....	..	.....	..	..	20	8	20	15	85	6	85	2.7 to 1	5.6 to 1	15	10	85	3.7 to 1	7.6 to 1

<sup>1</sup> The floor area ratios shown are exclusive of bonuses for plazas plaza-connected open areas, or arcades.  
<sup>2</sup> When a range of floor area ratios is shown, the lower is for the lowest building typical of the district, and the higher is the maximum achievable in the district for taller buildings. (Numbers have been rounded.)  
<sup>3</sup> When a range of open space ratios is shown, the lower is the minimum required at the lower floor area ratio shown, and the higher is the minimum required at the higher floor area ratio shown.  
<sup>4</sup> No front yards or side yards are required in Commercial Districts. No rear yards are required for corner lots.  
<sup>5</sup> For community facility buildings, 35 feet.  
<sup>6</sup> For community facility buildings, 3 stories.  
<sup>7</sup> For community facility buildings, 6 stories.  
<sup>8</sup> The floor area ratios shown are exclusive of bonus for wide yards.

Italicized words are defined in Section 12-10.

## Chapter 4 Bulk Regulations for Residential Buildings in Commercial Districts

### 34-00 APPLICABILITY AND DEFINITIONS

#### 34-01

##### Applicability of this Chapter

The *bulk* regulations of this Chapter apply to any *residential building* located on any *zoning lot* or portion of a *zoning lot* in any *Commercial District* in which such *building* is permitted. In addition, the *bulk* regulations of this Chapter or of specified Sections thereof also apply in other provisions of this resolution where they are incorporated by cross reference.

Existing *buildings* or *other structures* which do not comply with one or more of the applicable *bulk* regulations are *non-complying buildings* or *other structures* and are subject to the regulations set forth in Article V, Chapter 4.

#### 34-02

##### Definitions (repeated from Section 12-10)

##### Residence, or residential

A "residence" is a *building* or part of a *building* containing *dwelling units* or *rooming units*, including one-family or two-family houses, multiple dwellings, boarding or rooming houses, or *apartment hotels*. However, *residences* do not include:

- (a) Such transient accommodations as *transient hotels*, *motels* or *tourist cabins*, or *trailer camps*, or
- (b) Dormitories, fraternity or sorority houses, monasteries, or convents, or
- (c) Nurses' residences, sanitariums, nursing homes, or other living or sleeping accommodations in *community facility buildings* or portions of *buildings* used for *community facility uses*, or
- (d) In a *mixed building*, that part of the *building* used for any *non-residential uses*, except *uses accessory to residential uses*.

"Residential" means pertaining to a *residence*.

DISTRICTS							
C1	C2	C3	C4	C5	C6	C7	C8

### 34-10 APPLICABILITY OF RESIDENCE DISTRICT BULK REGULATIONS

#### 34-11

##### General Provisions

In the districts indicated, the *bulk* regulations for *residential buildings* set forth in Article II, Chapter 3, shall apply to all *residential buildings* in accordance with the provisions of this Section, except as modified by the provisions of Sections 34-21 to 34-23, inclusive, relating to Exceptions to Applicability of Residence District Controls.

C1	C2	C3	C4	C5	C6	C7
----	----	----	----	----	----	----

#### 34-111

##### Residential bulk regulations in C1 or C2 Districts whose bulk is governed by surrounding Residence District

In the districts indicated, the *bulk* regulations for the *Residence District* within which such *Commercial Districts* are mapped apply, except that when such districts are mapped within R1 or R2 Districts, the *bulk* regulations for R3-2 Districts apply.

C1-1	C2-1
C1-2	C2-2
C1-3	C2-3
C1-4	C2-4
C1-5	C2-5

DISTRICTS							
C1	C2	C3	C4	C5	C6	C7	C8

**34-112**

**Residential bulk regulations in other C1 or C2 Districts or in C3, C4, C5, C6, or C7 Districts**

In the districts indicated, the *bulk* regulations are the *bulk* regulations for the *Residence Districts* set forth in the following table:

C1-6  
C1-7 C2-6  
C1-8 C2-7  
C1-9 C2-8 C3 C4 C5 C6 C7

APPLICABLE RESIDENCE DISTRICT

R3-2			C3				
R5				C4-1		C7	
R6				C4-2 C4-3			
R7		C1-6 C2-6		C4-4 C4-5		C6-1	
R8		C1-7				C6-2	
R9		C1-8 C2-7				C6-3	
						C6-4 C6-5 C6-6	
R10		C1-9 C2-8		C4-6 C4-7	C5	C6-7	

**34-20 EXCEPTIONS TO APPLICABILITY OF RESIDENCE DISTRICT CONTROLS**

**34-21**

**General Provisions**

In the districts indicated, the *bulk* regulations applicable to *residential buildings* as set forth in Section 34-11 (General Provisions) are modified by the provisions of Section 34-22 (Modification of Yard Regulations) and Section 34-23 (Modification of Height and Setback Regulations). The purpose of these modifications is to make the regulations set forth in Article II, Chapter 3 applicable to *Commercial Districts*.

C1 C2 C3 C4 C5 C6 C7

**34-22**

**Modification of Yard Regulations**

**34-221**

**Modification of front yard requirements**

In the districts indicated, except as otherwise provided in Section 34-223, (Special provisions applying along district boundaries), no *front yard* shall be required for any *residential building*.

C1 C2 C3 C4 C5 C6 C7

**34-222**

**Modification of side yard requirements**

In the districts indicated, except as otherwise provided in Section 34-223 (Special provisions applying along district boundaries), no *side yard* shall be required for any *residential building*. However, if any open area extending along a *side lot line* is provided, such open area shall have a width of not less than eight feet.

C1 C2 C3 C4 C5 C6 C7

DISTRICTS							
C1	C2	C3	C4	C5	C6	C7	C8

**34-223**

**Special provisions applying along district boundaries**

(a) In the districts indicated, if a *Commercial District* boundary coincides with a *side lot line* of a zoning lot in an R1, R2, R3, R4, or R5 District and a *side lot line* of any adjoining zoning lot in such *Commercial District*, a *front yard* is required for any residential building on such zoning lot in the *Commercial District*. The depth of such *front yard* shall be equal to the required depth of a *front yard* in the adjacent *Residence District*.

C1 C2 C3 C4 C5 C6 C7

(b) In the districts indicated, along such portion of the boundary of a *Commercial District* which coincides with a *side lot line* of a zoning lot in an R1, R2, R3, R4, or R5 District, an open area not higher than *curb level* and with a width of at least eight feet is required for a residential building on a zoning lot within the *Commercial District*.

C1 C2 C3 C4 C5 C6 C7

**34-23**

**Modification of Height and Setback Regulations**

In the districts indicated, the height and setback regulations set forth in Sections 23-61 to 23-68, inclusive, relating to Height and Setback Regulations, and made applicable to such districts in Section 34-11 (General Provisions), are modified as set forth in this Section.

C1 C2 C3 C4 C5 C6 C7

Except as set forth in Section 34-223(a) (Special provisions applying along district boundaries), no *front yard* is required for any residential building in a *Commercial District*. Therefore, in applying the height and setback regulations in a *Commercial District*, a *sky exposure plane* (which in a *Residence District* would be measured from a point above the *front yard line*) may be measured from a point above the *street line*. In cases where the provisions of Section 34-223(a) apply, the *sky exposure plane* is measured from a point above the *front yard line*.

Italicized words are defined in Section 12-10.

# Chapter 5 Bulk Regulations for Mixed Buildings in Commercial Districts

## 35-00 APPLICABILITY AND DEFINITIONS

### 35-01

#### Applicability of this Chapter

The *bulk* regulations of this Chapter apply to any *mixed building* located on any *zoning lot* or portion of a *zoning lot* in any *Commercial District* in which such *building* is permitted. In addition, the *bulk* regulations of this Chapter or of specified Sections thereof also apply in other provisions of this resolution where they are incorporated by cross reference.

Existing *buildings* or *other structures* which do not comply with one or more of the applicable *bulk* regulations are *non-complying buildings* or *other structures* and are subject to the regulations set forth in Article V, Chapter 4.

### 35-02

#### Definitions (repeated from Section 12-10)

##### Building, mixed

A "mixed building" is a *building* in a *Commercial District* used partly for *residential use* and partly for *community facility* or *commercial use*.

## 35-10 GENERAL PROVISIONS

Except as otherwise provided in this Chapter, the portions of a *mixed building* used for *residential use* are subject to the *bulk* regulations set forth in Article II, Chapter 3, and the portions of a *mixed building* used for *commercial* or *community facility use* are subject to the *bulk* regulations set forth in Article III, Chapter 3.

Special provisions applying to *mixed buildings* are set forth in Sections 35-21 to 35-23, inclusive, relating to Applicability of Residence District Bulk Regulations to Mixed Buildings; Sections 35-31 to 35-35, inclusive, relating to Applicability of Floor Area and Open Space Regulations to Mixed Buildings; Sections 35-41 and 35-42, relating to Applicability of Lot Area Requirements to Mixed Buildings; Sections 35-51 to 35-54, inclusive, relating to Modification of Yard Regulations for Mixed Buildings; and Sections 35-61 and 35-62, relating to Modification of Height and Setback Regulations for Mixed Buildings.

DISTRICTS							
C1	C2	C3	C4	C5	C6	C7	C8

## 35-20 APPLICABILITY OF RESIDENCE DISTRICT BULK REGULATIONS TO MIXED BUILDINGS

### 35-21

#### General Provisions

In the districts indicated, the *bulk* regulations applicable to *residential buildings* set forth in Article II, Chapter 3 shall apply to all *residential* portions of *mixed buildings* in accordance with the provisions and modifications set forth in the remaining Sections of this Chapter. The purpose of these modifications is to make the regulations set forth in Article II, Chapter 3, applicable to *mixed buildings* and *Commercial Districts*.

C1	C2	C3	C4	C5	C6	C7	C8
----	----	----	----	----	----	----	----

### 35-22

#### Residential Bulk Regulations in C1 or C2 Districts Whose Bulk Is Governed by Surrounding Residence District

In the districts indicated, the *bulk* regulations for the *Residence Districts* within which such *Commercial Districts* are mapped apply to *residential* portions of *mixed buildings*, except that when such districts are mapped within R1 or R2 Districts, the *bulk* regulations for R3-2 Districts apply.

C1-1	C2-1
C1-2	C2-2
C1-3	C2-3
C1-4	C2-4
C1-5	C2-5

Italicized words are defined in Section 12-10.

DISTRICTS							
C1	C2	C3	C4	C5	C6	C7	C8

35-23

**Residential Bulk Regulations in Other C1 or C2 Districts or in C3, C4, C5, C6, or C7 Districts**

In the districts indicated, the *bulk* regulations for *residential* portions of *mixed buildings* are the *bulk* regulations for the *Residence Districts* set forth in the following table:

C1-6							
C1-7	C2-6						
C1-8	C2-7						
C1-9	C2-8	C3	C4	C5	C6	C7	

APPLICABLE RESIDENCE DISTRICT

R3-2			C3				
R5				C4-1		C7	
R6				C4-2 C4-3			
R7		C1-6 C2-6		C4-4 C4-5		C6-1	
R8		C1-7				C6-2	
R9		C1-8 C2-7				C6-3	
R10		C1-9 C2-8		C4-6 C4-7	C5	C6-4 C6-5 C6-6 C6-7	

35-30 **APPLICABILITY OF FLOOR AREA AND OPEN SPACE REGULATIONS TO MIXED BUILDINGS**

35-31

**Maximum Floor Area Ratio of Different Portions of Mixed Buildings**

35-311

**Commercial portions**

In the districts indicated, the maximum *floor area ratio* for the *commercial* portion of a *mixed building* shall be the applicable maximum *floor area ratio* permitted for *commercial buildings* under the provisions of Article III, Chapter 3.

C1	C2	C3	C4	C5	C6	C7
----	----	----	----	----	----	----

35-312

**Community facility portions**

In the districts indicated, the maximum *floor area ratio* for the *community facility* portion of a *mixed building* shall be applicable maximum *floor area ratio* permitted for *community facility buildings* under the provisions of Article III, Chapter 3.

C1	C2	C3	C4	C5	C6	C7
----	----	----	----	----	----	----

35-313

**Residential portions**

In the districts indicated, the maximum *floor area ratio* for the *residential* portion of a *mixed building* shall be the applicable maximum *floor area ratio* permitted for *residential buildings* under the provisions of Sections 35-21 to 35-23, inclusive, relating to Applicability of Residence District Bulk Regulations to Mixed Buildings.

C1	C2	C3	C4	C5	C6	C7
----	----	----	----	----	----	----

35-32

**Maximum Floor Area in Mixed Buildings**

In the districts indicated, the maximum *floor area* in a *mixed building* shall be the maximum *floor area* permitted for either the *commercial* portion of such *building*, as set forth in Section 35-311, or the *community facility* portion of such *building*, as set forth in Section 35-312, or the *residential* portion of such *building*, as set forth in Section 35-313, whichever permits the greatest amount of *floor area*.

C1	C2	C3	C4	C5	C6	C7
----	----	----	----	----	----	----

Italicized words are defined in Section 12-10.

DISTRICTS							
C1	C2	C3	C4	C5	C6	C7	C8

**35-33**

**Open Space Ratio for Residential Portions of Mixed Buildings**

In the districts indicated, the *residential* portion of a *mixed building* shall have a minimum *open space ratio* as required under the provisions of Sections 35-21 to 35-23, inclusive, relating to Applicability of Residence District Bulk Regulations to Mixed Buildings.

C1 C2 C3 C4 C5 C6 C7

For the purposes of this Section:

- (a) The *floor area* counted in determining the *open space ratio* shall be only that *floor area* in the *residential* portion of the *mixed building*;
- (b) The *lot coverage* shall be deemed to be that portion of the *zoning lot* which, when viewed directly from above, would be covered by the *residential* portion of the *building* at any level; and
- (c) The applicable *height factor*, if the maximum permitted *residential floor area ratio* is less than the total *floor area ratio* permitted for such *building*, shall be the *height factor* of the *residential* portion of the *mixed building*.

**35-34**

**Location of Open Space for Mixed Buildings**

In the districts indicated, the *open space* required for the *residential* portion of a *mixed building* under the provisions of Section 35-33 (Open Space Ratio for Residential Portions of Mixed Buildings) may be at a level higher than 23 feet above *curb level*. Such *open space* may be provided at ground floor level or upon the roof of the non-*residential* portion of such *mixed building*, provided that the level of any *open space* may not be higher than two and one-half feet below the sill level of any *legally required window*, facing and within 30 feet of such *open space*, in the *residential* portion of such *mixed building*.

C1 C2 C3 C4 C5 C6 C7

**35-35**

**Floor Area Bonus for Plaza, Plaza-Connected Open Area, or Arcade in Connection with Mixed Buildings**

In the districts indicated, any *floor area* bonus for a *plaza*, a *plaza-connected open area*, or an *arcade* permitted under the applicable district regulations for any *residential*, *commercial*, or *community facility* portion of a *mixed building*, may be applied to a *mixed building*, provided that any given area of *plaza*, *plaza-connected open area*, or *arcade* shall be counted only once in determining the bonus.

C1-1<sup>1</sup> C2-11  
 C1-2<sup>1</sup> C2-21  
 C1-3<sup>1</sup> C2-31  
 C1-4<sup>1</sup> C2-41  
 C1-5<sup>1</sup> C2-51  
 C1-8 C2-7 C4-6  
 C1-9 C2-8 C4-7 C5 C6

<sup>1</sup> When mapped within R9 or R10 Districts.

Italicized words are defined in Section 12-10.

DISTRICTS							
C1	C2	C3	C4	C5	C6	C7	C8

**35-40 APPLICABILITY OF LOT AREA REQUIREMENTS TO MIXED BUILDINGS**

**35-41**

**Lot Area Requirements for Non-Residential Portions of Mixed Buildings**

In the districts indicated, except as otherwise provided in Section 35-42 (Density or Lot Area Bonus in Mixed Buildings), in addition to the *lot area* for the *residential* portion of a *mixed building* required under the provisions of Sections 35-21 to 35-23, inclusive, relating to Applicability of Residence District Bulk Regulations to Mixed Buildings, for each 100 square feet of *floor area* used for *commercial* or *community facility use*, an amount of *lot area* shall be provided not less than as set forth in this Section. Any given *lot area* shall be counted only once in meeting the *lot area* requirements.

C1 C2 C3 C4 C5 C6 C7

**35-411**

**In C1 or C2 Districts mapped within Residence Districts**

C1-1 C2-1  
 C1-2 C2-2  
 C1-3 C2-3  
 C1-4 C2-4  
 C1-5 C2-5

In the districts indicated, the minimum required *lot area* per 100 square feet of *floor area* used for *commercial* or *community facility use* in a *mixed building* is determined by the *Residence District* within which any such district is mapped, and shall not be less than as set forth in the following table:

REQUIRED LOT AREA  
 PER 100 SQUARE FEET OF FLOOR AREA  
 IN COMMERCIAL OR COMMUNITY  
 FACILITY USES

District within which C1 or C2 District is mapped	Required <i>lot area</i> (in square feet)	
	<i>Commercial use</i>	<i>Community facility use</i>
R1, R2, R3	100	100
R4	100	65
R5	100	50
R6	50	20
R7-1	30	20
R7-2	30	15
R8	20	15
R9	15	10
R10	10	10

Italicized words are defined in Section 12-10.



DISTRICTS							
C1	C2	C3	C4	C5	C6	C7	C8

35-412

In other C1 or C2 Districts or in C3, C4, C5, C6, or C7 Districts

In the districts indicated, the minimum required *lot area* per 100 square feet of *floor area* used for *commercial* or *community facility use* in a *mixed building* shall not be less than as set forth in the following table:

C1-6  
C1-7 C2-6  
C1-8 C2-7  
C1-9 C2-8 C3 C4 C5 C6 C7

REQUIRED LOT AREA PER 100 SQUARE FEET OF FLOOR AREA IN COMMERCIAL OR COMMUNITY FACILITY USES (in square feet)		
<i>Commercial use</i>	<i>Community facility use</i>	
200	100	C3
100	50	C4-1
50	50	C7
30	20	C4-2 C4-3
30	15	C1-6 C2-6 C4-4 C4-5
20	15	C1-7
17	15	C6-1 C6-2
15	10	C1-8 C2-7 C6-3
10	10	C1-9 C2-8 C5-1 C4-6 C5-2 C6-4 C4-7 C5-4 C6-5
6.5	6.5	C6-6 C5-3 C6-7

35-42

Density or Lot Area Bonus in Mixed Buildings

C1-1<sup>1</sup> C2-1<sup>1</sup>  
C1-2<sup>1</sup> C2-2<sup>1</sup>  
C1-3<sup>1</sup> C2-3<sup>1</sup>  
C1-4<sup>1</sup> C2-4<sup>1</sup>  
C1-5<sup>1</sup> C2-5<sup>1</sup>  
C1-8 C2-7 C4-6  
C1-9 C2-8 C4-7 C5 C6

In the districts indicated, the *lot area* reduction set forth in Section 23-23 (Density Bonus for a Plaza, Plaza-Connected Open Area, or Arcade) shall apply to the *lot area* requirements set forth in Section 23-22 (Required Lot Area per Dwelling Unit or per Room) to the extent that the *building* is used for *residential use*; and the *lot area* reduction set forth in Section 23-26 or Section 24-22 (Lot Area Bonus for a Plaza, Plaza-Connected Open Area, or Arcade), shall apply to the *lot area* requirements set forth in Section 35-41 (Lot Area Requirements for Non-Residential Portions of Mixed Buildings) to the extent that the *building* is used for *commercial* or *community facility use*.

<sup>1</sup> When mapped within R9 or R10 Districts.

Italicized words are defined in Section 12-10.

DISTRICTS							
C1	C2	C3	C4	C5	C6	C7	C8

**35-50 MODIFICATION OF YARD REGULATIONS FOR MIXED BUILDINGS**

**35-51**

**Modification of Front Yard Requirements**

In the districts indicated, no *front yard* shall be required for any *mixed building*, except that the provisions of Section 34-223 (a) (Special provisions applying along district boundaries) shall apply to such *mixed building* when *residential uses* are located on the first story of such *building*.

C1 C2 C3 C4 C5 C6 C7

**35-52**

**Modification of Side Yard Requirements**

In the districts indicated, except as otherwise provided in Section 35-54 (Special Provisions Applying along District Boundaries), no *side yard* shall be required for any *mixed building*. However, if any open area extending along a *side lot line* is provided, it shall have a width of not less than eight feet.

C1 C2 C3 C4 C5 C6 C7

**35-53**

**Modification of Rear Yard Requirements**

In the districts indicated, for a *residential* portion of a *mixed building*, the required *rear yard* may be provided at any level not higher than the floor level of the lowest story used for *residential use*.

C1 C2 C3 C4 C5 C6 C7

**35-54**

**Special Provisions Applying along District Boundaries**

In the districts indicated, along such portion of the boundary of a *Commercial District* which coincides with a *side lot line* of a *zoning lot* in an R1, R2, R3, R4, or R5 District, an open area not higher than *curb level* and with a width of at least eight feet is required for a *mixed building* on a *zoning lot* in the *Commercial District*.

C1 C2 C3 C4 C5 C6 C7

**35-60 MODIFICATION OF HEIGHT AND SETBACK REGULATIONS FOR MIXED BUILDINGS**

**35-61**

**Height and Setback Regulations**

In the districts indicated, except as otherwise provided in Section 35-51 (Modification of Front Yard Requirements), no *front yard* is required for any portion of a *mixed building* in a *Commercial District*. Therefore, in applying the height and setback regulations, a *sky exposure plane* (which in a *Residence District* would be measured from a point above the *front yard line*) may be measured from a point above the *street line*.

C1 C2 C3 C4 C5 C6 C7

In cases where the provisions of Section 34-223 (a) apply, as set forth in Section 35-51, the *sky exposure plane* is measured from a point above the *front yard line*.

Italicized words are defined in Section 12-10.

DISTRICTS							
C1	C2	C3	C4	C5	C6	C7	C8

35-62

**Maximum Height of Front Wall in Initial Setback Distance**

In the districts indicated, the maximum height of a front wall of a *mixed building* within the *initial setback distance* shall be the maximum height of a front wall permitted in the applicable district for a *residential, commercial, or community facility building*, whichever permits the greatest maximum height. However, for the purposes of this Section, the first *story* used for *commercial uses* shall be considered equivalent to two *residential stories*.

C1 C2 C3 C4 C5 C6 C7

Italicized words are defined in Section 12-10.

## Chapter 6 Accessory Off-Street Parking and Loading Regulations

### OFF-STREET PARKING REGULATIONS

#### 36-00 GENERAL PURPOSES AND DEFINITIONS

##### 36-01

##### General Purposes

The following regulations on permitted and required accessory off-street parking spaces are adopted in order to provide parking spaces off the streets sufficient to give necessary access to developing centers of commerce outside the high density central areas, to reduce traffic congestion caused by parking on the streets, to prevent substantial amounts of traffic from circulating in and parking on residential streets surrounding commercial centers, to provide for a higher standard of commercial development within the City, and thus to promote and protect public health, safety, and general welfare.

##### 36-02

##### Definitions (repeated from Section 12-10)

##### Group parking facility

A "group parking facility" is a *building or other structure* or a tract of land used for the storage of motor vehicles, which contains more than one parking space, which has access to the *street* common to all spaces, and which, if *accessory to a residential use*, is designed to serve more than one *dwelling unit*. A *group parking facility* shall include, but is not limited to, the following:

- (a) An open parking area
- (b) Parking spaces included within, or on the roof of, a *building* not primarily used for parking
- (c) A *building or buildings* used primarily for parking, including a group of individual garages.

DISTRICTS							
C1	C2	C3	C4	C5	C6	C7	C8

#### 36-10 PERMITTED ACCESSORY OFF-STREET PARKING SPACES

##### 36-11

##### General Provisions

In all districts, as indicated, *accessory* off-street parking spaces, open or enclosed, may be provided for all permitted *uses* subject to the provisions set forth in Section 36-12 (Maximum Size of Accessory Group Parking Facilities).

C1	C2	C3	C4	C5	C6	C7	C8
----	----	----	----	----	----	----	----

##### 36-12

##### Maximum Size of Accessory Group Parking Facilities

In all districts, as indicated, no *accessory group parking facility* shall contain more than 150 off-street parking spaces, except as provided in Section 36-13 (Modification of Maximum Size of Accessory Group Parking Facilities).

C1	C2	C3	C4	C5	C6	C7	C8
----	----	----	----	----	----	----	----

##### 36-13

##### Modification of Maximum Size of Accessory Group Parking Facilities

In all districts, as indicated, a *group parking facility* may contain additional spaces not to exceed 50 percent of the maximum number otherwise permitted under the provisions of Section 36-12 (Maximum Size of Accessory Group Parking Facilities), if the Commissioner of Buildings determines that:

C1	C2	C3	C4	C5	C6	C7	C8
----	----	----	----	----	----	----	----

- (a) Such facility has separate vehicular entrances and exits thereto, located not less than 25 feet apart, and
- (b) Such facility, if *accessory to a commercial or community facility use*, is located on a street not less than 60 feet in width, and
- (c) Such facility, if *accessory to a commercial use*, has adequate reservoir space at the entrance to accommodate a minimum of 10 automobiles.

The Commissioner of Buildings shall establish appropriate additional regulations with respect to the design of such facility to minimize adverse effects on the character of the surrounding area such as requirements for shielding of floodlights.

Italicized words are defined in Section 12-10.

DISTRICTS							
C1	C2	C3	C4	C5	C6	C7	C8

36-14

**Exceptions to Maximum Size of Accessory Group Parking Facilities**

In all districts, as indicated, the Board of Standards and Appeals may permit *accessory group parking facilities* with more than 225 spaces, in accordance with the provisions of Section 73-48 (Exceptions to Maximum Size of Accessory Group Parking Facilities).

C1	C2	C3	C4	C5	C6	C7	C8
----	----	----	----	----	----	----	----

36-20 **REQUIRED ACCESSORY OFF-STREET PARKING SPACES FOR COMMERCIAL OR COMMUNITY FACILITY USES**

36-21

**General Provisions**

In all districts, as indicated, *accessory* off-street parking spaces, open or enclosed, shall be provided in conformity with the requirements set forth in the table in this Section for all new *development* after the effective date of this resolution for the *commercial* or *community facility uses* listed in the table. In addition, all other applicable requirements of this Chapter shall apply as a condition precedent to the *use* of such *development*.

C1	C2	C3	C4	C5	C6	C7	C8
----	----	----	----	----	----	----	----

A parking space is required for a portion of a unit of measurement one-half or more of the amount set forth in the table.

For the purposes of this Section, a tract of land on which a group of such *uses* is *developed* under single ownership or control shall be considered a single *zoning lot*.

For those *uses* for which rated capacity is specified as the unit of measurement, the Commissioner of Buildings shall determine the rated capacity as the number of persons which may be accommodated by such *uses*.

After the effective date of this resolution, if an *enlargement* results in a net increase in the *floor area* or other applicable unit of measurement specified in the table in this Section, the same requirements set forth in the table shall apply to such net increase in the *floor area* or other specified unit of measurement.

The requirements of this Section shall be waived in the following situations:

- (a) When, as a result of the application of such requirements, a smaller number of spaces would be required than is specified by the provisions of Section 36-23 (Waiver of Requirements for Spaces below Minimum Number)
- (b) When the Commissioner of Buildings has certified, in accordance with the provisions of Section 36-24 (Waiver of Requirements for All Zoning Lots Where Access Would Be Forbidden), that there is no way to arrange the spaces with access to the *street* to conform to the provisions of Section 36-53 (Location of Access to the Street).

Italicized words are defined in Section 12-10.

DISTRICTS

C1	C2	C3	C4	C5	C6	C7	C8
----	----	----	----	----	----	----	----

36-21 (Continued)

REQUIRED OFF-STREET PARKING SPACES FOR COMMERCIAL OR COMMUNITY FACILITY USES

Type of use	Parking spaces required in relation to specified unit of measurement	C1	C2	C3	C4	C5	C6	C7	C8
<b>FOR COMMERCIAL USES</b>									
	Square feet of floor area:								
Food stores with 2,000 or more square feet of floor area per establishment—Uses in parking requirement category A in Use Group 6	None required	C1-5	C1-6 C2-5		C4-5				
	1 per 100	C1-7 C2-6			C4-6				
	1 per 200	C1-8 C2-7			C4-7	C5	C6		C8-4
	1 per 300	C1-9 C2-8							
	1 per 1,000		C1-1 C2-1		C4-1				
General retail or service uses— Food stores with less than 2,000 square feet of floor area; uses in parking requirement category B in Use Group 6, 8, 9, or 10, or when permitted by special permit; or uses in parking requirement category B1 in Use Group 6, 7, 8, 9, 10, 11, 14, or 16	None required	C1-2 C2-2			C4-2				C8-1
	1 per 150 <sup>1</sup>	C1-3 C2-3			C4-3			C7	C8-2
	1 per 300 <sup>1</sup>	C1-4 C2-4			C4-4				C8-3
	1 per 400 <sup>1</sup>								
	1 per 1,000								
Low traffic generating uses — Uses in parking requirement category C in Use Group 6, 7, 9, 13, 14, or 16, or when permitted by special permit	None required	C1-5	C1-6 C2-5		C4-5				
	1 per 400	C1-7 C2-6			C4-6				
	1 per 600	C1-8 C2-7			C4-7	C5	C6		C8-4
	1 per 800	C1-9 C2-8							
	1 per 1,000		C1-1 C2-1 C3		C4-1				
Places of assembly — Uses in parking requirement category D in Use Group 6, 8, 9, 10, 12, or 14, or when permitted by special permit	None required	C1-2 C2-2			C4-2				C8-1
	1 per 4 persons	C1-3 C2-3			C4-3			C7	C8-2
	1 per 8 persons	C1-4 C2-4			C4-4				C8-3
	1 per 12 persons								
	1 per 25 persons								
Open commercial amusements — Uses in parking requirement category E in Use Group 13 or 15, or when permitted by special permit	None required								C8-3 C8-4
	1 per 500			C3					C8-1
	1 per 2,000							C7	C8-2

<sup>1</sup> The parking requirements for uses in parking requirement category B1 may be reduced by permit of the Board of Standards and Appeals in accordance with the provisions of Section 73-44 (Reduction of Parking Spaces for Uses in Parking Requirement Category B1).

<sup>2</sup> In the case of golf driving ranges, the requirements in this table apply only to that portion of the range used for tees.

Italicized words are defined in Section 12-10.

COMMERCIAL DISTRICTS

Parking Regulations

36-21 (Continued)	Type of use	Parking spaces required in relation to specified unit of measurement	DISTRICTS									
			C1	C2	C3	C4	C5	C6	C7	C8		
			C1	C2	C3	C4	C5	C6	C7	C8		
<b>FOR COMMERCIAL USES</b>												
Light manufacturing or semi-industrial uses—Uses in parking requirement category F in Use Group 11 or 16, and with a minimum of either 7,500 square feet of floor area or 15 employees	None required 1 per 1,000 square feet of floor area, or 1 per 3 employees, whichever will require a larger number of spaces					C5	C6			C8-4	C8-1 C8-2 C8-3	
Storage or miscellaneous uses—Uses in parking requirement category G in Use Group 16, or when permitted by special permit, and with a minimum of either 10,000 square feet of floor area or 15 employees	None required 1 per 2,000 square feet of floor area <sup>1</sup> , or 1 per 3 employees, whichever will require a lesser number of spaces									C8-4	C8-1 C8-2 C8-3	
Other commercial uses — Uses in parking requirement category H in Use Group 5, 7, 12, 13, or 14, or when permitted by special permit												
<i>Boatels</i>	1 per 2 guest rooms or suites					C2	C3		C6	C7	C8	
Camps, overnight or day, with a minimum of either 10,000 square feet of lot area or 10 employees	1 per 2,000 square feet of lot area, or 1 per 3 employees; whichever will require a lesser number of spaces					C1	C2	C3			C7	C8
Hotels	Guest rooms or suites:											
						C1-5 C1-6 C1-7 C1-8 C1-9	C2-5 C2-6 C2-7 C2-8	C4-5 C4-6 C4-7	C5	C6		C8-4
(a) For that floor area used for sleeping accommodations	None required 1 per 4 1 per 8 1 per 12					C1-1 C1-2 C1-3 C1-4	C2-1 C2-2 C2-3 C2-4	C4-1 C4-2 C4-3 C4-4			C7	C8-1 C8-2 C8-3
	Rated capacity:											
						C1-5 C1-6 C1-7 C1-8 C1-9	C2-5 C2-6 C2-7 C2-8	C4-5 C4-6 C4-7	C5	C6		C8-4
(b) For that floor area used for meeting halls, auditoriums, eating or drinking places, wedding chapels or banquet halls, or radio or television studios	None required 1 per 4 persons 1 per 8 persons 1 per 12 persons 1 per 25 persons					C1-1 C1-2 C1-3 C1-4	C2-1 C2-2 C2-3 C2-4	C4-1 C4-2 C4-3 C4-4			C7	C8-1 C8-2 C8-3
<i>Motels or tourist cabins</i>	1 per guest room or suite						C2			C6	C7	C8
Prisons	None required 1 per 10 beds 1 per 20 beds							C4-4 C4-5 C4-6 C4-7 C4-1 C4-2 C4-3		C6		C8-3 C8-4 C8-1 C8-2

<sup>1</sup> For predominantly open storage of miscellaneous uses, the lot area used for such uses shall be considered as floor area for the purposes of these requirements.

Italicized words are defined in Section 12-10.

COMMERCIAL DISTRICTS

Parking Regulations

		DISTRICTS							
		C1	C2	C3	C4	C5	C6	C7	C8
		C1	C2	C3	C4	C5	C6	C7	C8
36-21 (Continued)									
Type of use	Parking spaces required in relation to specified unit of measurement								
FOR COMMERCIAL USES									
Other commercial uses (continued)									
	Square feet of floor area:								
Refreshment stands, drive-in	1 per 50		C2-1 C2-2 C2-3					C7	C8-1 C8-2
	1 per 100		C2-4 C2-5 C2-6 C2-7 C2-8				C6		C8-3 C8-4
	Square feet of floor area:								
Funeral establishments	None required		C1-5 C1-6 C1-7 C1-8 C1-9	C2-5 C2-6 C2-7 C2-8	C4-5 C4-6 C4-7		C6		C8-4
	1 per 200		C1-1	C2-1	C4-1				
	1 per 400		C1-2	C2-2	C4-2				C8-1
	1 per 600		C1-3 C1-4	C2-3 C2-4	C4-3 C4-4			C7	C8-2 C8-3
Boat docks or boat rental establishments	1 per 2 boat berths		C2	C3				C7	C8
FOR COMMUNITY FACILITY USES									
Hospitals and related facilities <sup>1</sup>	1 per 5 beds		C1-1 C1-2	C2-1 C2-2	C3	C4-1 C4-2			C8-1
	1 per 8 beds		C1-3 C1-4	C2-3 C2-4		C4-3 C4-4		C7	C8-2 C8-3
	1 per 10 beds		C1-5 C1-6 C1-7 C1-8 C1-9	C2-5 C2-6 C2-7 C2-8		C4-5 C4-6 C4-7	C5 C6		C8-4
Churches	None required		C1-4 C1-5 C1-6 C1-7 C1-8 C1-9	C2-4 C2-5 C2-6 C2-7 C2-8		C4-4 C4-5 C4-6 C4-7	C5 C6		C8-3 C8-4
	1 per 10 fixed seats		C1-1	C2-1	C3	C4-1			
	1 per 15 fixed seats		C1-2	C2-2		C4-2			C8-1
	1 per 20 fixed seats		C1-3	C2-3		C4-3		C7	C8-2
		Rated capacity:		C1-4 C1-5 C1-6 C1-7 C1-8 C1-9	C2-4 C2-5 C2-6 C2-7 C2-8		C4-4 C4-5 C4-6 C4-7	C5 C6	
Clubs, community centers, or settlement houses; philanthropic or non-profit institutions without sleeping accommodations; golf course club houses; health centers; non-commercial recreation centers; or welfare centers	None required		C1-1 C1-2	C2-1 C2-2	C3	C4-1 C4-2			C8-1
	1 per 10 persons		C1-1 C1-2	C2-1 C2-2	C3	C4-1 C4-2			C8-1
	1 per 20 persons		C1-3	C2-3		C4-3		C7	C8-2

<sup>1</sup> Requirements are in addition to area utilized for ambulance parking.

Italicized words are defined in Section 12-10.



COMMERCIAL DISTRICTS

Parking Regulations

		DISTRICTS							
		C1	C2	C3	C4	C5	C6	C7	C8
36-21 (Continued)		C1	C2	C3	C4	C5	C6	C7	C8
Type of use	Parking spaces required in relation to specified unit of measurement								
FOR COMMUNITY FACILITY USES									
		Square feet of floor area:							
Libraries, museums, or non-commercial art galleries <sup>1</sup>	None required	C1-4	C1-5 C2-4		C4-4				
		C1-6 C2-5		C4-5					
		C1-7 C2-6		C4-6					
		C1-8 C2-7		C4-7	C5	C6			
		C1-9 C2-8							
	1 per 1,000	C1-1 C2-1		C4-1					
		C1-2 C2-2	C3	C4-2					
	1 per 2,000	C1-3	C2-3		C4-3			C7	
		Square feet of floor area:							
Philanthropic or non-profit institutions with sleeping accommodations; all types of nursing homes or sanitariums	None required	C1-4	C1-5 C2-4		C4-4				
		C1-6 C2-5		C4-5					
		C1-7 C2-6		C4-6					
		C1-8 C2-7		C4-7	C5	C6			
		C1-9 C2-8							
	1 per 10 beds	C1-1 C2-1		C4-1					
		C1-2 C2-2	C3	C4-2					
	1 per 20 beds	C1-3	C2-3		C4-3			C7	
		Square feet of floor area:							
College dormitories or fraternity or sorority houses	None required	C1-4	C1-5 C2-4		C4-4				
		C1-6 C2-5		C4-5					
		C1-7 C2-6		C4-6					
		C1-8 C2-7		C4-7	C5	C6			
		C1-9 C2-8							
	1 per 6 beds	C1-1 C2-1		C4-1					
		C1-2 C2-2	C3	C4-2					
	1 per 12 beds	C1-3	C2-3		C4-3			C7	
		Square feet of floor area:							
Colleges, universities, or seminaries	(a) For that floor area used for classrooms, laboratories, student centers, or offices	None required	C1-4	C1-5 C2-4		C4-4			C8-3
			C1-6 C2-5		C4-5			C8-4	
			C1-7 C2-6		C4-6				
			C1-8 C2-7		C4-7	C5	C6		
		C1-9 C2-8							
	1 per 1,000	C1-1 C2-1		C4-1				C8-1	
		C1-2 C2-2	C3	C4-2					
	1 per 2,000	C1-3	C2-3		C4-3			C7 C8-2	
		Rated capacity:							
(b) For that floor area used for theatres, auditoriums, gymnasiums, or stadiums	None required	C1-4	C1-5 C2-4		C4-4				C8-3
		C1-6 C2-5		C4-5				C8-4	
		C1-7 C2-6		C4-6					
		C1-8 C2-7		C4-7	C5	C6			
		C1-9 C2-8							
	1 per 8 persons	C1-1 C2-1		C4-1				C8-1	
		C1-2 C2-2	C3	C4-2					
	1 per 16 persons	C1-3	C2-3		C4-3			C7 C8-2	
		Square feet of lot area used for selling purposes:							
Agricultural uses, including greenhouses, nurseries, or truck gardens	None required	C1-4	C1-5 C2-4		C4-4				C8-3
		C1-6 C2-5		C4-5				C8-4	
		C1-7 C2-6		C4-6					
		C1-8 C2-7		C4-7	C5	C6			
		C1-9 C2-8							
	1 per 1,000	C1-1 C2-1		C4-1				C8-1	
		C1-2 C2-2	C3	C4-2					
	1 per 2,500	C1-3	C2-3		C4-3			C7 C8-2	

<sup>1</sup> Requirements apply only to the floor area not used for storage.

Italicized words are defined in Section 12-10.

36-21 (Continued)

Type of use	Parking spaces required in relation to specified unit of measurement	DISTRICTS							
		C1	C2	C3	C4	C5	C6	C7	C8
<b>FOR COMMUNITY FACILITY USES</b>									
	Square feet of lot area:								
Outdoor skating rinks	None required				C1-4 C1-5 C2-4 C1-6 C2-5 C1-7 C2-6 C1-8 C2-7 C1-9 C2-8				C8-3 C8-4
	1 per 800				C1-1 C2-1 C1-2 C2-2 C3	C4-1 C4-2			C8-1
	1 per 2,000				C1-2 C2-2	C4-3		C7	C8-2
		Number of courts:				C1-4 C1-5 C2-4 C1-6 C2-5 C1-7 C2-6 C1-8 C2-7 C1-9 C2-8			
Outdoor tennis courts	None required				C1-1 C2-1 C1-2 C2-2 C3	C4-1 C4-2			C8-1
	1 per 2 courts				C1-2 C2-2	C4-3		C7	C8-2
	1 per 5 courts								

36-22

Special Provisions for a Single Zoning Lot with Uses Subject to Different Parking Requirements

In all districts, as indicated, where any *building* or *zoning lot* contains two or more *uses* having different parking requirements as set forth in the following Sections, the parking requirements for each type of *use* shall apply to the extent of that *use*:

- Section 26-21 (General Provisions)
- Section 36-31 (General Provisions).

However, the number of spaces required for churches or for *uses* in parking requirement category D (Places of Assembly) when in the same *building* or on the same *zoning lot* as any other *use* may be reduced by the Board of Standards and Appeals in accordance with the provisions of Section 73-43 (Reduction of Parking Spaces for Churches or Places of Assembly).

36-23

Waiver of Requirements for Spaces below Minimum Number

In all districts, as indicated, the requirements for *accessory* off-street parking spaces shall be subject to the waiver provisions of this Section.

	C1	C2	C3	C4	C5	C6	C7	C8

Italicized words are defined in Section 12-10.

DISTRICTS							
C1	C2	C3	C4	C5	C6	C7	C8

**36-231**

**In districts with high, medium, or low parking requirements**

In the districts indicated, except for the *uses* listed in Section 36-233 (Exceptions to application of waiver provisions), the parking requirements set forth in Section 36-21 (General Provisions) or 36-22 (Special Provisions for a Single Zoning Lot with Uses Subject to Different Parking Requirements) shall not apply to *commercial uses* in parking requirement category A, B, B1, C, D, E, or H, or to permitted *community facility uses*, if the total number of *accessory* off-street parking spaces required for all such *uses* on the *zoning lot* is less than the number of spaces set forth in the following table:

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

NUMBER OF SPACES

10	C1-1	C2-1	C3	C4-1			
15	C1-2	C2-2		C4-2			C8-1
25	C1-3	C2-3		C4-3		C7	C8-2

**36-232**

**In districts with very low parking requirements**

In the districts indicated, except for the *uses* listed in Section 36-233 (Exceptions to application of waiver provisions), the parking requirements set forth in Section 36-21 (General Provisions) or Section 36-22 (Special Provisions for a Single Zoning Lot with Uses Subject to Different Parking Requirements) shall not apply to:

C1-4							
C1-5	C2-4						
C1-6	C2-5		C4-4				
C1-7	C2-6		C4-5				
C1-8	C2-7		C4-6				C8-3
C1-9	C2-8		C4-7	C5	C6		C8-4

(a) *Commercial Uses* in parking requirement category A or B, if the total number of *accessory* off-street parking spaces required for all such *uses* on the *zoning lot* is less than 40, or

(b) *Commercial uses* in any one of parking requirement categories B1, C, D, E, or H, or a permitted *community facility use*, if the number of *accessory* off-street parking spaces required for the *uses* in each such category or for each such *community facility use* is less than 40.

**36-233**

**Exceptions to application of waiver provisions**

In all districts, as indicated, the waiver provisions of Section 36-23 (Waiver of Requirements for Spaces below Minimum Number) shall not apply to the following types of *uses*:

C1	C2	C3	C4	C5	C6	C7	C8
----	----	----	----	----	----	----	----

(a) Manufacturing or semi-industrial *uses* in parking requirement category F in Use Group 11 or 16

(b) Storage or miscellaneous *uses* in parking requirement category G in Use Group 16, or when permitted by special permit

(c) The following other *commercial uses* in parking requirement category H in Use Group 7 or 13, or when permitted by special permit:

*Boatels*

Camps, overnight or day

*Motels or tourist cabins*

Refreshment stands, drive-in

(d) The following *community facility uses*:

Agricultural *uses*, including greenhouses, nurseries, or truck gardens

Outdoor tennis courts.

Italicized words are defined in Section 12-10.

DISTRICTS							
C1	C2	C3	C4	C5	C6	C7	C8

**36-24**

**Waiver of Requirements for All Zoning Lots Where Access Would Be Forbidden**

In all districts, as indicated, the requirements set forth in Section 36-21 (General Provisions) or Section 36-22 (Special Provisions for a Single Zoning Lot with Uses Subject to Different Parking Requirements) shall not apply to any *building* or *zoning lot* as to which the Commissioner of Buildings has certified that there is no way to arrange the required spaces with access to the *street* to conform to the provisions of Section 36-53 (Location of Access to the Street). The Commissioner of Buildings may refer such matter to the Department of Traffic for report and may base his determination on such report.

C1 C2 C3 C4 C5 C6 C7 C8

**36-25**

**Special Provisions for Zoning Lots Divided by District Boundaries**

In all districts, as indicated, whenever a *zoning lot* is divided by a boundary between districts having different requirements for *accessory* off-street parking spaces, the provisions set forth in Article VII, Chapter 7, shall apply.

C1 C2 C3 C4 C5 C6 C7 C8

**36-30 REQUIRED ACCESSORY OFF-STREET PARKING SPACES FOR RESIDENCES WHEN PERMITTED IN COMMERCIAL DISTRICTS**

**36-31**

**General Provisions**

In the districts indicated, *accessory* off-street parking spaces, open or enclosed, shall be provided for all new *residences* constructed after the effective date of this resolution, in accordance with the provisions of the following Sections and the other applicable provisions of this Chapter, as a condition precedent to the *use* of such *residences*:

C1 C2 C3 C4 C5 C6 C7

- Section 36-32 (Requirements Where Individual Parking Facilities Are Provided)
- Section 36-33 (Requirements Where Group Parking Facilities Are Provided)
- Section 36-34 (Modification of Requirements for Small Zoning Lots)
- Section 36-35 (Modification of Requirements for Public Housing)
- Section 36-37 (Special Provisions for a Single Zoning Lot with Uses Subject to Different Parking Requirements)
- Section 36-39 (Special Provisions for Zoning Lots Divided by District Boundaries).

After the effective date of this resolution, for all enlargements which increase the number of *dwelling units* or *rooming units* in a *building*, the same requirements shall apply to the additional *dwelling units* or *rooming units* created by such *enlargements*.

For the purposes of these Sections, three *rooming units* shall be considered the equivalent of one *dwelling unit*.

Italicized words are defined in Section 12-10.

DISTRICTS							
C1	C2	C3	C4	C5	C6	C7	C8

**36-311**

**Application of requirements to conversions in C1 or C2 Districts**

In the districts indicated, where such districts are mapped within R1, R2, R3, R4, R5, R6, or R7-1 Districts, the requirements of Section 36-31 (General Provisions) shall apply to the additional *dwelling units* or *rooming units* created by conversions on *zoning lots* with 5,000 or more square feet of *lot area*, except as otherwise provided in Section 36-363 (For conversions in C1 or C2 Districts governed by surrounding Residence District bulk regulations) and Section 73-46 (Waiver of Requirements for Conversions).

C1 C2

**36-312**

**Application of requirements to conversions in C3, C4 or C7 Districts**

In the districts indicated, the requirements of Section 36-31 (General Provisions) shall apply to the additional *dwelling units* or *rooming units* created by conversions on *zoning lots* with 5,000 or more square feet of *lot area*, except as otherwise provided in Section 36-364 (For conversions in C4 Districts) and Section 73-46 (Waiver of Requirements for Conversions).

C3 C4-1  
C4-2  
C4-3 C7

**36-32**

**Requirements Where Individual Parking Facilities Are Provided**

In the districts indicated, where *group parking facilities* are not provided, the requirements for *accessory off-street parking spaces* are as set forth in this Section.

C1-1 C2-1  
C1-2 C2-2  
C1-3 C2-3 C4-1  
C1-4 C2-4 C4-2  
C1-5 C2-5 C3 C4-3 C7

**36-321**

**In C1 or C2 Districts governed by surrounding Residence District bulk regulations**

In the Districts indicated, where such districts are mapped within R1, R2, R3, R4, R5, R6, or R7-1 Districts, and where *group parking facilities* are not provided, one *accessory off-street parking space*, open or enclosed, shall be provided for each *dwelling unit*.

C1-1 C2-1  
C1-2 C2-2  
C1-3 C2-3  
C1-4 C2-4  
C1-5 C2-5

**36-322**

**In C3, C4, or C7 Districts**

In the districts indicated, where *group parking facilities* are not provided, one *accessory off-street parking space*, open or enclosed, shall be provided for each *dwelling unit*.

C3 C4-1  
C4-2  
C4-3 C7

**36-33**

**Requirements Where Group Parking Facilities Are Provided**

In the districts indicated, for new *residences developed* under single ownership or control, where *group parking facilities* are provided, the number of required *accessory off-street parking spaces* is as set forth in this Section.

C1 C2 C3 C4 C5 C6 C7

Italicized words are defined in Section 12-10.

DISTRICTS							
C1	C2	C3	C4	C5	C6	C7	C8

36-331

**In C1 or C2 Districts governed by surrounding Residence District bulk regulations**

C1-1 C2-1  
 C1-2 C2-2  
 C1-3 C2-3  
 C1-4 C2-4  
 C1-5 C2-5

In the districts indicated, the number of required *accessory* off-street parking spaces is determined by the *Residence District* within which such *Commercial District* is mapped, in accordance with the following table:

REQUIRED PARKING SPACES AS A  
PERCENT OF TOTAL DWELLING UNITS

<i>Residence District</i> within which C1 or C2 District is mapped	Percent
R1, R2, R3, or R4	100
R5	85
R6	70
R7-1	60
R7-2	50
R8, R9, or R10	40

36-332

**In other C1 or C2 Districts, or in C3, C4, C5, C6, or C7 Districts**

C1-6  
 C1-7 C2-6  
 C1-8 C2-7  
 C1-9 C2-8 C3 C4 C5 C6 C7

In the districts indicated, the number of required *accessory* off-street parking spaces is as set forth in the following table:

REQUIRED PARKING SPACES AS A  
PERCENT OF TOTAL DWELLING UNITS

100	C3
85	C4-1 C7
70	C4-2 C4-3
50	C1-6 C2-6 C4-4 C4-5 C6-1
40	C1-7 C6-2 C1-8 C2-7 C6-3 C1-9 C2-8 C4-6 C5 C6-4 C4-7 C6-5 C6-6 C6-7

36-34

**Modification of Requirements for Small Zoning Lots**

C1 C2 C4-2  
 C4-3  
 C4-4  
 C4-5  
 C4-6  
 C4-7 C5 C6

In the districts indicated, for small *zoning lots*, the requirements set forth in Section 36-33 (Requirements Where Group Parking Facilities Are Provided) shall be modified in accordance with the provisions set forth in this Section.

Italicized words are defined in Section 12-10.

DISTRICTS							
C1	C2	C3	C4	C5	C6	C7	C8

36-341

**Reduced requirements in C1 or C2 Districts governed by surrounding Residence District bulk regulations**

C1-1 C2-1  
 C1-2 C2-2  
 C1-3 C2-3  
 C1-4 C2-4  
 C1-5 C2-5

In the districts indicated, for zoning lots of 10,000 or 15,000 square feet or less, the number of required accessory off-street parking spaces is determined by the Residence District within which such Commercial District is mapped, in accordance with the following table:

REDUCED REQUIREMENTS FOR SMALL ZONING LOTS

Lot area	District within which C1 or C2 District is mapped	Parking spaces required as a percent of total dwelling units
	R6	50
10,000 square feet or less	R7-1	30
	R7-2	30
10,001 to 15,000 square feet	R8, R9, or R10	20

36-342

**Reduced requirements in other C1 or C2 Districts or in C4, C5, or C6 Districts**

C1-6 C4-2  
 C1-7 C2-6 C4-3  
 C1-8 C2-7 C4-4  
 C1-9 C2-8 C4-5  
 C4-6  
 C4-7 C5 C6

In the districts indicated, for zoning lots of 10,000 or 15,000 square feet or less, the number of required accessory off-street parking spaces is as set forth in the following table:

REDUCED REQUIREMENTS FOR SMALL ZONING LOTS

Lot area	Parking spaces required as a percent of total dwelling units	
10,000 square feet or less	50	C4-2 C4-3
	30	C1-6 C2-6 C4-4 C4-5 C6-1
10,001 to 15,000 square feet	20	C1-7 C6-2 C1-8 C2-7 C6-3 C1-9 C2-8 C4-6 C5 C6-4 C4-7 C6-5 C6-6 C6-7

36-343

**Waiver of requirements in C1 or C2 Districts governed by surrounding Residence District bulk regulations**

C1-4 C2-4  
 C1-5 C2-5

In the districts indicated, when mapped within an R7-2, R8, R9, or R10 District, the requirements set forth in Section 36-33 (Requirements Where Group Parking Facilities Are Provided) shall be waived for zoning lots of 10,000 square feet or less.

Italicized words are defined in Section 12-10.

DISTRICTS							
C1	C2	C3	C4	C5	C6	C7	C8

**36-344**

**Waiver of requirements in other C1 or C2 Districts or in C4, C5, or C6 Districts**

C1-6		C4-4					
C1-7	C2-6	C4-5					
C1-8	C2-7	C4-6					
C1-9	C2-8	C4-7	C5	C6			

In the districts indicated, the requirements set forth in Section 36-33 (Requirements Where Group Parking Facilities Are Provided) shall be waived for *zoning lots* of 10,000 square feet or less.

**36-35**

**Modification of Requirements for Public Housing**

In the districts indicated, for all new *residences* in low rent public housing developments owned by the New York City Housing Authority and receiving cash subsidies, *accessory* off-street parking spaces shall be provided initially for at least that percentage of the total number of *dwelling units* set forth in this Section.

C1	C2	C3	C4	C5	C6	C7
----	----	----	----	----	----	----

In addition to the spaces initially provided, area shall be reserved in sufficient amount and so located as to enable ultimate provision, when needed, of the full number of *accessory* off-street parking spaces required under the provisions of Section 36-33 (Requirements Where Group Parking Facilities Are Provided) or Section 36-34 (Modification of Requirements for Small Zoning Lots), subject to the restrictions set forth in Section 36-54 (Restrictions on Use of Required Residential Open Space for Parking).

**36-351**

**In C1 or C2 Districts governed by surrounding Residence District bulk regulations**

C1-1	C2-1
C1-2	C2-2
C1-3	C2-3
C1-4	C2-4
C1-5	C2-5

In the districts indicated, the percentage of the total number of *dwelling units* for which *accessory* off-street parking spaces shall be provided initially is determined by the *Residence District* within which such *Commercial District* is mapped, in accordance with the following table:

**PARKING SPACES INITIALLY REQUIRED FOR PUBLIC HOUSING DEVELOPMENTS**

<i>Residence District</i> within which C1 or C2 District is mapped	Percent of total <i>dwelling units</i>
R1, R2, R3, or R4	50
R5	42.5
R6	35
R7-1	30
R7-2	15
R8, R9, or R10	12

Italicized words are defined in Section 12-10.



DISTRICTS							
C1	C2	C3	C4	C5	C6	C7	C8

36-352

In other C1 or C2 Districts or in C3, C4, C5, C6, or C7 Districts

In the districts indicated, the percentage of the total number of *dwelling units* for which *accessory* off-street parking spaces shall be provided initially is as set forth in the following table:

PARKING SPACES INITIALLY REQUIRED FOR PUBLIC HOUSING DEVELOPMENTS

Percent of total *dwelling units*

50							C3
42.5							C4-1 C7
35							C4-2 C4-3
15							C4-4 C4-5 C6-1
							C6-2 C6-3 C6-4 C6-5
12							C1-7 C1-8 C2-7 C1-9 C2-8 C4-6 C4-7 C5 C6-6 C6-7

36-36

Waiver of Requirements for Small Number of Spaces

In the districts indicated, the requirements set forth in Section 36-31 (General Provisions) shall be subject to the waiver provisions of this Section.

							C4-2 C4-3 C4-4 C4-5 C4-6 C4-7 C5 C6
--	--	--	--	--	--	--	-------------------------------------

36-361

For new development or enlargements in C1 or C2 Districts governed by surrounding Residence District bulk regulations

In the districts indicated, where such districts are mapped within R6, R7, R8, R9, or R10 Districts, the requirements set forth in Section 36-31 (General Provisions) for new *development* or *enlargements* shall be waived if the required number of *accessory* off-street parking spaces resulting from the application of such requirements is no greater than the maximum number as set forth in the following table. The maximum number is determined by the *Residence District* within which the *Commercial District* is mapped.

							C1-1 C2-1 C1-2 C2-2 C1-3 C2-3 C1-4 C2-4 C1-5 C2-5
--	--	--	--	--	--	--	---------------------------------------------------

NUMBER OF SPACES FOR WHICH REQUIREMENTS ARE WAIVED

<i>Residence District</i> within which C1 or C2 District is mapped	Maximum number of spaces waived
R6 or R7-1	5
R7-2, R8, R9, R10	15

Italicized words are defined in Section 12-10.

DISTRICTS							
C1	C2	C3	C4	C5	C6	C7	C8

**36-362**

For new development or enlargements in other C1 or C2 Districts or in C4, C5, or C6 Districts

In the districts indicated, for all new *development* or *enlargements*, the requirements set forth in Section 36-31 (General Provisions) shall be waived if the required number of *accessory* off-street parking spaces resulting from the application of such requirements is no greater than the maximum number as set forth in the following table:

						C4-2	
						C4-3	
						C4-4	
						C4-5	
						C4-6	
						C4-7	C5 C6

MAXIMUM NUMBER OF SPACES WAIVED

5						C4-2	
						C4-3	
						C4-4	
						C4-5	
						C4-6	
15						C4-7	C5 C6

**36-363**

For conversions in C1 or C2 Districts governed by surrounding Residence District bulk regulations

In the districts indicated<sup>1</sup>, where such districts are mapped within R6 or R7-1 Districts, the requirements set forth in Section 36-311 (Application of requirements to conversions in C1 or C2 Districts) shall be waived if the required number of *accessory* off-street parking spaces resulting from the application of such requirements is 20 spaces or less, provided that the Board of Standards and Appeals may waive requirements for a greater number of spaces in accordance with the provisions of Section 73-46 (Waiver of Requirements for Conversions).

C1-1	C2-1
C1-2	C2-2
C1-3	C2-3
C1-4	C2-4
C1-5	C2-5

**36-364**

For conversions in C4 Districts

In the districts indicated<sup>2</sup>, the requirements set forth in Section 36-312 (Application of requirements to conversions in C3, C4, or C7 Districts) shall be waived, if the required number of *accessory* off-street parking spaces resulting from the application of such requirements is 20 spaces or less, provided that the Board of Standards and Appeals may waive requirements for a greater number of spaces in accordance with the provisions of Section 73-46 (Waiver of Requirements for Conversions).

C4-2
C4-3

<sup>1</sup> No *accessory* off-street parking is required for additional *dwelling units* created by conversions in C1 or C2 Districts mapped within R7-2, R8, R9, or R10 Districts. See Section 36-311 (Application of requirements to conversions in C1 or C2 Districts).

<sup>2</sup> No *accessory* off-street parking is required for additional *dwelling units* created by conversions in the districts not indicated in Section 36-312 (Application of requirements to conversions in C3, C4, or C7 Districts).

Italicized words are defined in Section 12-10.

DISTRICTS							
C1	C2	C3	C4	C5	C6	C7	C8

**36-37**

**Special Provisions for a Single Zoning Lot with Uses Subject to Different Parking Requirements**

In the districts indicated, where any *building* or *zoning lot* contains two or more *uses* having different parking requirements as set forth in the following Sections, the parking requirements for each type of *use* shall apply to the extent of that *use*.

C1 C2 C3 C4 C5 C6 C7

Section 36-21 (General Provisions)

Section 36-31 (General Provisions).

However, the number of spaces required for churches or for *uses* in parking requirement category D (Places of Assembly) when in the same *building* or on the same *zoning lot* as any other *use* may be reduced by the Board of Standards and Appeals in accordance with the provisions of Section 73-43 (Reduction of Parking Spaces for Churches or Places of Assembly).

**36-38**

**Waiver of Requirements for All Zoning Lots Where Access Would Be Forbidden**

In the districts indicated, the requirements set forth in Section 36-31 (General Provisions) shall not apply to any *building* or *zoning lot* as to which the Commissioner of Buildings has certified that there is no way to arrange the required spaces with access to the *street* to conform to the provisions of Section 36-53 (Location of Access to the Street). The Commissioner of Buildings may refer such matter to the Department of Traffic for report and may base his determination on such report.

C1 C2 C3 C4 C5 C6 C7

**36-39**

**Special Provisions for Zoning Lots Divided by District Boundaries**

In the districts indicated, whenever a *zoning lot* is divided by a boundary between districts having different requirements for *accessory* off-street parking spaces, the provisions set forth in Article VII, Chapter 7, shall apply.

C1 C2 C3 C4 C5 C6 C7

**36-40 RESTRICTIONS ON LOCATION AND USE OF ACCESSORY OFF-STREET PARKING SPACES**

**36-41**

**General Provisions**

In all districts, as indicated, all permitted or required off-street parking spaces, open or enclosed, *accessory* to *residences* or to *commercial* or *community facility uses* shall be provided on the same *zoning lot* as the *building* or *use* to which such spaces are *accessory*, except as provided in the following Sections:

C1 C2 C3 C4 C5 C6 C7 C8

Section 36-42 (Off-Site Spaces for Residences)

Section 36-43 (Off-Site Spaces for Commercial or Community Facility Uses)

Section 36-44 (Joint Facilities)

Section 36-45 (Additional Regulations for Required Spaces When Provided Off Site)

Section 73-45 (Modification of Off-Site Parking Provisions).

Italicized words are defined in Section 12-10.

DISTRICTS							
C1	C2	C3	C4	C5	C6	C7	C8

36-42

Off-Site Spaces for Residences

In the districts indicated, all permitted or required off-street parking spaces *accessory to residences* may be provided on a *zoning lot* other than the same *zoning lot* as the *residences* to which such spaces are *accessory*, provided that in such instances all such spaces are:

C1	C2	C3	C4	C5	C6	C7
----	----	----	----	----	----	----

- (a) Located in a district other than a *Residence District*, or provided in a joint facility located in a district other than an R1 or R2 District on the same *zoning lot* as one of the *buildings* to which it is *accessory*, and conforming to the provisions of Section 36-44 (Joint Facilities), and
- (b) Not further than the maximum distance from the *zoning lot* specified in this Section.

36-421

Maximum distance from zoning lot

In the districts indicated, all such spaces shall not be further than the distance set forth in the following table from the nearest boundary of the *zoning lot* occupied by the *residences* to which they are *accessory*.

C1	C2	C3	C4	C5	C6	C7
----	----	----	----	----	----	----

MAXIMUM DISTANCE FROM THE ZONING LOT

(a) 600 feet

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

(b) 1,000 feet

C1-4						
C1-5	C2-4					
C1-6	C2-5		C4-4			
C1-7	C2-6		C4-5			
C1-8	C2-7		C4-6			
C1-9	C2-8		C4-7	C5	C6	

36-43

Off-Site Spaces for Commercial or Community Facility Uses

In all districts, as indicated, all permitted or required off-street parking spaces *accessory to commercial or community facility uses* may be provided on a *zoning lot* other than the same *zoning lot* as such *uses* but within the same district or an adjoining *Commercial District* or *Manufacturing District*. However, all required spaces shall not be further than 600 feet from the nearest boundary of the *zoning lot* on which such *uses* are located.

C1	C2	C3	C4	C5	C6	C7	C8
----	----	----	----	----	----	----	----

Italicized words are defined in Section 12-10.

DISTRICTS							
C1	C2	C3	C4	C5	C6	C7	C8

36-44

**Joint Facilities**

In all districts, as indicated, required *accessory* off-street parking spaces may be provided in facilities designed to serve jointly two or more *buildings* or *zoning lots*, provided that:

C1	C2	C3	C4	C5	C6	C7	C8
----	----	----	----	----	----	----	----

(a) The number of spaces in such joint facilities shall be not less than that required in the following Sections for the combined number of *dwelling units* or the combined *floor area*, *lot area*, rated capacity, or other such unit of measurement in such *buildings* or *zoning lots*:

- Section 36-21 (General Provisions)
- Section 36-22 (Special Provisions for a Single Zoning Lot with Uses Subject to Different Parking Requirements)
- Section 36-31 (General Provisions),

(b) All such spaces are located in a district where they are permitted under the applicable provisions of Section 36-42 (Off-Site Spaces for Residences), Section 36-43 (Off-Site Spaces for Commercial or Community Facility Uses), or Section 73-45 (Modification of Off-Site Parking Provisions), and

(c) The design and layout of such joint facilities meet standards of adequacy set forth in regulations promulgated by the Commissioner of Buildings.

36-45

**Additional Regulations for Required Spaces When Provided Off Site**

In all districts, as indicated, when required *accessory* off-street parking spaces are provided off the site in accordance with the provisions of Section 36-42 (Off-Site Spaces for Residences), Section 36-43 (Off-Site Spaces for Commercial or Community Facility Uses), or Section 36-44 (Joint Facilities), the following additional regulations shall apply:

C1	C2	C3	C4	C5	C6	C7	C8
----	----	----	----	----	----	----	----

(a) Such spaces shall be in the same ownership as the *use* to which they are *accessory* and shall be subject to deed restrictions filed in an office of record, binding the owner and his heirs and assigns to maintain the required number of spaces available throughout the life of such *use*, and

(b) Such spaces shall conform to all applicable regulations of the district in which they are located.

36-46

**Restrictions on Use of Accessory Off-Street Parking Spaces**

In all districts, as indicated, all permitted or required *accessory* off-street parking spaces, open or enclosed, shall be used primarily for the owners, occupants, employees, customers, residents, or visitors of the *use* or *uses* to which such spaces are *accessory*.

C1	C2	C3	C4	C5	C6	C7	C8
----	----	----	----	----	----	----	----

Any off-street parking spaces *accessory* to *residences* which are not needed by the occupants of such *residences*, may be rented to persons who are not occupants of such *residences* for the accommodation of private passenger motor vehicles used by such persons. Such spaces shall be made available to occupants of the *residences* to which they are *accessory* within 30 days after written request therefor is made to the landlord. In addition, the rental of such spaces to non-residents shall be subject to the restrictions applying to the specified districts as set forth in this Section.

Italicized words are defined in Section 12-10.

DISTRICTS							
C1	C2	C3	C4	C5	C6	C7	C8

**36-461**

**Restrictions on rental of spaces accessory to residences in C1 or C5 Districts**

In the districts indicated, off-street parking spaces *accessory to residences* shall not be rented for periods of less than one week or more than one month to persons who are not occupants of such *residences*, provided, however that rental for shorter periods may be permitted by the Board of Standards and Appeals in accordance with the provisions of Section 73-47 (Rental of Accessory Off-Street Parking Spaces to Non-Residents).

C1 C5

**36-462**

**Restrictions on rental of spaces accessory to residences in C3 Districts**

In the district indicated, off-street parking spaces *accessory to residences* shall not be rented for periods of less than one week or more than one month to persons who are not occupants of such *residences*.

C3

**36-47**

**Restrictions on Automotive Repairs and Sale of Motor Fuel**

In all districts, as indicated, automotive repairs or the sale of motor fuel, motor oil, or automotive accessories are not permitted in connection with the operation of *accessory off-street parking spaces*. However, within a *completely enclosed garage, detached from a residential building*, minor automotive repairs (not including body work) are permitted, and not more than three motor fuel pumps may be provided. However, no motor fuel shall be sold to persons who are not using the parking spaces.

C1 C2 C3 C4 C5 C6 C7 C8

**36-50 ADDITIONAL REGULATIONS FOR PERMITTED OR REQUIRED ACCESSORY OFF-STREET PARKING SPACES**

**36-51**

**General Provisions**

In all districts, as indicated, all permitted or required *accessory off-street parking spaces* shall conform to the provisions of the following Sections:

C1 C2 C3 C4 C5 C6 C7 C8

- Section 36-52 (Size of Spaces)
- Section 36-53 (Location of Access to the Street)
- Section 36-54 (Restrictions on Use of Required Residential Open Space for Parking)
- Section 36-55 (Surfacing)
- Section 36-56 (Screening).

Special regulations applying to *large-scale community facility developments* or *large-scale residential developments* are set forth in Article VII, Chapter 8.

Italicized words are defined in Section 12-10.

DISTRICTS							
C1	C2	C3	C4	C5	C6	C7	C8

36-52

**Size of Spaces**

In all districts, as indicated, for all *accessory* off-street parking spaces, open or enclosed, each 300 square feet of unobstructed standing or maneuvering area shall be considered one parking space. However, an area of less than 300 square feet, but in no event less than 200 square feet, may be considered as one space, where the layout and design of the parking area are adequate to permit convenient access and maneuvering in accordance with regulations promulgated by the Commissioner of Buildings, or where the developer or applicant for a building permit or certificate of occupancy certifies that such spaces will be fully attended.

C1	C2	C3	C4	C5	C6	C7	C8
----	----	----	----	----	----	----	----

In any case where a reduction of the required area per parking space is permitted on the basis of the developer's certification that such spaces will be fully attended, it shall be set forth in the certificate of occupancy that paid attendants employed by the owners or operators of such spaces shall be available to handle the parking and moving of automobiles at all times when such spaces are in use.

In no event shall the dimensions of any parking stall be less than 18 feet long and eight feet, six inches wide.

36-53

**Location of Access to the Street**

In all districts, as indicated, the entrances and exits for all permitted or required *accessory group parking facilities* and all permitted *public parking lots* or *public parking garages* with 10 or more spaces, shall be located not less than 50 feet from the intersection of any two *street lines*. However access located within 50 feet of such intersection may be permitted, if the Commissioner of Buildings certifies that such a location is not hazardous to traffic safety and not likely to create traffic congestion. The Commissioner Buildings may refer such matter to the Department of Traffic for report and may base his determination on such report.

C1	C2	C3	C4	C5	C6	C7	C8
----	----	----	----	----	----	----	----

The waiver provisions of Section 36-24 or Section 36-33 (Waiver of Requirements for All Zoning Lots Where Access Would Be Forbidden) shall apply when the Commissioner of Buildings has certified that there is no way to arrange the spaces with access to the *street* to conform to the provisions of this Section.

36-54

**Restrictions on Use of Required Residential Open Space for Parking**

In the districts indicated, except for C1 or C2 Districts when mapped within an R10 District, in accordance with the provisions of Section 34-11 or Section 35-21 (General Provisions), not more than 50 percent of the required *open space* on any *zoning lot developed* with a *building* containing *residences* may be used for driveways, private *streets*, open *accessory* off-street parking spaces, or open *accessory* off-street loading berths.

C1-1							
C1-2	C2-1						
C1-3	C2-2						
C1-4	C2-3		C4-1				
C1-5	C2-4		C4-2				
C1-6	C2-5		C4-3		C6-1		
C1-7	C2-6		C4-4		C6-2		
C1-8	C2-7	C3	C4-5		C6-3	C7	

36-55

**Surfacing**

In all districts, as indicated, all open *accessory* off-street parking spaces or permitted *public parking lots* shall be surfaced with asphaltic or portland cement concrete, or other hard-surfaced dustless material, at least four inches thick.

C1	C2	C3	C4	C5	C6	C7	C8
----	----	----	----	----	----	----	----

Italicized words are defined in Section 12-10.

DISTRICTS							
C1	C2	C3	C4	C5	C6	C7	C8

36-56

Screening

In all districts, as indicated, all open off-street parking areas with 10 spaces or more, which are located on zoning lots adjacent to the boundary of a Residence District, either at natural grade or on a roof, shall be screened from all adjoining zoning lots in Residence Districts, including such zoning lots situated across a street, by either:

(a) A strip at least four feet wide, densely planted with shrubs or trees at least four feet high at the time of planting, and which are of a type which may be expected to form a year-round dense screen at least six feet high within three years, or

(b) A wall or barrier or uniformly painted fence of fire resistant material at least six feet high, but not more than eight feet above finished grade (or above the roof level, if on a roof). Such wall, barrier, or fence may be opaque or perforated provided that not more than 50 percent of the face is open.

In addition, such screening:

(a) Shall be maintained in good condition at all times,  
 (b) May be interrupted by normal entrances or exits, and

(c) Shall have no signs hung or attached thereto other than those permitted in Section 32-62 (Permitted Accessory Business Signs) or Section 32-63 (Permitted Advertising Signs).

OFF-STREET LOADING REGULATIONS

36-60 GENERAL PURPOSES

The following regulations on permitted and required accessory off-street loading berths are adopted in order to provide needed space off public streets for loading and unloading activities, to restrict the

use of the streets for such activities, to help relieve traffic congestion in commercial areas within the City, and thus to promote and protect public health, safety, and general welfare.

DISTRICTS							
C1	C2	C3	C4	C5	C6	C7	C8

36-61

Permitted Accessory Off-Street Loading Berths

In all districts, as indicated, accessory off-street loading berths, open or enclosed, may be provided for all permitted uses, under rules and regulations promulgated by the Commissioner of Buildings, and subject to the provisions of Section 36-682 (Location of access to the street), Section 36-683 (Restrictions on location of berths near Residence Districts), Section 36-684 (Surfacing), and Section 36-685 (Screening).

C1	C2	C3	C4	C5	C6	C7	C8
----	----	----	----	----	----	----	----

36-62

Required Accessory Off-Street Loading Berths

In all districts, as indicated, accessory off-street loading berths, open or enclosed, shall be provided in conformity with the requirements set forth in the table in this Section and under rules and regulations promulgated by the Commissioner of Buildings, for all new development after the effective date of this resolution for the uses listed in the table, except as otherwise provided in Section 36-63 (Special Provisions for a Single Zoning Lot with Uses Subject to Different Loading Requirements) or Section 36-64 (Wholesale, Manufacturing, or Storage Uses Combined with Other Uses), as a condition precedent to the use of such development.

C1	C2	C3	C4	C5	C6	C7	C8
----	----	----	----	----	----	----	----

Italicized words are defined in Section 12-10.



DISTRICTS							
C1	C2	C3	C4	C5	C6	C7	C8
C1	C2	C3	C4	C5	C6	C7	C8

36-62 (Continued)

For the purposes of this Section, a tract of land on which a group of such *uses* is *developed* under single ownership or control shall be considered a single *zoning lot*.

Whenever any *use* specified in the table is located on an open lot, the requirements set forth in the table for *floor area* shall apply to the *lot area* used for such *use*.

After the effective date of the resolution, if the *use* of any *building* or *other structure* or *zoning lot* is changed or *enlarged*, the requirements set forth in the table shall apply to the *floor area* of the changed or *enlarged* portion of such *building* or of the *lot area* used for such *use*.

REQUIRED OFF-STREET LOADING BERTHS FOR NEW CONSTRUCTION, ENLARGEMENTS, OR CHANGES OF USE

Type of use	For floor area (in square feet)	Required berths	C1	C2	C3	C4	C5	C6	C7	C8	
Hospitals and related facilities <sup>1</sup> or prisons	First 10,000	None									
	Next 290,000	1									
	Each additional 300,000 or fraction thereof	1									
Funeral establishments	First 10,000	1									
	Next 20,000	1									
	Any additional amount	1									
Hotels, offices, or court houses	First 25,000	None	C1	C2							
	Next 75,000	1	R1	R1							
	Next 200,000	1	R2	R2							
	Each additional 300,000 or fraction thereof		1	R3	R3						
				R4	R4		C4-1				
				R5	R5		C4-2				C8-1
			R6	R6	C3	C4-3			C7	C8-2	
	First 100,000	None	C1-6								
	Next 200,000	1	C1-7	C2-6							
	Each additional 300,000 or fraction thereof		1	C1-8	C2-7						
			C1-9	C2-8							
			C1	C2							
			Mapped within								
			R7	R7		C4-4					
			R8	R8		C4-5					
			R9	R9		C4-6				C8-3	
			R10	R10		C4-7	C5	C6		C8-4	
Commercial uses	All retail or service uses listed in Use Group 6A, 6C, 7B, 8B, 9A, 9B, 10A, 14A, or 16A	First 8,000	None	C1	C2						
		Next 17,000	1	R1	R1						
		Next 15,000	1	R2	R2						
	All amusement uses listed in Use Group 8A or 12A	Next 20,000	1	R3	R3						
		Next 40,000	1	R4	R4		C4-1				
		Each additional 150,000 or fraction thereof	1	R5	R5		C4-2				C8-1
			R6	R6	C3	C4-3			C7	C8-2	
	All automotive service uses listed in Use Group 7D, 13B, or 16B	First 25,000	None	C1-6							
		Next 15,000	1	C1-7	C2-6						
		Next 60,000	1	C1-8	C2-7						
Each additional 150,000 or fraction thereof			1	C1-9	C2-8						
				C1	C2						
				Mapped within							
				R7	R7		C4-4				
				R8	R8		C4-5				
				R9	R9		C4-6				C8-3
				R10	R10		C4-7	C5	C6		C8-4

<sup>1</sup> Requirements in this table are in addition to area utilized for ambulance parking.

Italicized words are defined in Section 12-10.

DISTRICTS							
C1	C2	C3	C4	C5	C6	C7	C8
C1	C2	C3	C4	C5	C6	C7	C8

36-62 (Continued)

REQUIRED OFF-STREET LOADING BERTHS FOR  
NEW CONSTRUCTION, ENLARGEMENTS, OR CHANGES OF USE

Type of use	For floor area (in square feet)	Required berths					
Service, wholesale, manu- facturing, or storage <i>uses</i>							
All service, wholesale, or storage <i>uses</i> listed in Use Group 7C, 10B, 11B, or 16D	First 8,000	None	C2 Mapped within				
	Next 17,000	1	R1				
	Next 15,000	1	R2				
	Next 20,000	1	R3				
All manufacturing <i>uses</i> listed in Use Group 11A	Next 20,000	1	R4	C4-1			
	Each additional 80,000 or fraction thereof	1	R5	C4-2			C8-1
			R6	C4-3		C7	C8-2
	First 15,000	None	C2-6				
	Next 25,000	1	C2-7				
	Next 40,000	1	C2-8				
	Each additional 80,000 or fraction thereof	1	C2				
			Mapped within				
			R7	C4-4			
			R8	C4-5			
			R9	C4-6			C8-3
			R10	C4-7	C5	C6	C8-4

36-63

Special Provisions for a Single Zoning Lot with  
Uses Subject to Different Loading Requirements

In all districts, as indicated, if any *building* or *zoning lot* contains two or more *uses* having different requirements for loading berths as set forth in Section 36-62 (Required Accessory Off-Street Loading Berths), and if:

C1	C2	C3	C4	C5	C6	C7	C8
----	----	----	----	----	----	----	----

(a) The *floor area* of each separate *use* is less than the minimum *floor area* for which berths are required, and

(b) The total *floor area* of all the *uses* for which berths are required is greater than the smallest amount of *floor area* for which berths are required for any of the *uses* individually,

off-street loading berths shall be provided as if the total *floor area* of the *uses* for which berths are required were used for that *use* for which the most berths are required.

36-64

Wholesale, Manufacturing, or Storage Uses  
Combined with Other Uses

In all districts, as indicated, except as provided in Section 36-63 (Special Provisions for a Single Zoning Lot with Uses Subject to Different Loading Requirements), if any *building* or *zoning lot* is used partly for wholesale, manufacturing, or storage *uses* or any combination of such *uses*, and partly for any other *uses* set forth in the table in Section 36-62 (Required Accessory Off-Street Loading Berths) at least 50 percent of the *floor area* in the *building* shall be subject to the requirements set forth for wholesale, manufacturing, or storage *uses*, and the remainder shall be subject to the other applicable requirements.

C1	C2	C3	C4	C5	C6	C7	C8
----	----	----	----	----	----	----	----

Italicized words are defined in Section 12-10.

DISTRICTS							
C1	C2	C3	C4	C5	C6	C7	C8

**36-65**

**Waiver of Requirements for All Zoning Lots Where Access Would Be Forbidden**

In all districts, as indicated, the requirements set forth in the following Sections shall not apply to any *building* or *zoning lot* as to which the Commissioner of Buildings has certified that there is no way to arrange the required berths with access to the *street* to conform to the provisions of Section 36-682 (Location of access to the street):

C1	C2	C3	C4	C5	C6	C7	C8
----	----	----	----	----	----	----	----

Section 36-62 (Required Accessory Off-Street Loading Berths)

Section 36-63 (Special Provisions for a Single Zoning Lot with Uses Subject to Different Uses Combined with Other Uses).

Section 36-64 (Wholesale, Manufacturing, or Storage Uses Combined with Other Uses).

The Commission of Buildings may refer such matter to the Department of Traffic for report and may base his determination on such report.

**36-66**

**Special Provisions for Zoning Lots Divided by District Boundaries**

In all districts, as indicated, whenever a *zoning lot* is divided by a boundary between districts having different requirements for *accessory* off-street loading berths, the provisions set forth in Article VII, Chapter 7, shall apply.

C1	C2	C3	C4	C5	C6	C7	C8
----	----	----	----	----	----	----	----

**36-67**

**Joint Loading Berths Serving Two or More Buildings**

In all districts, as indicated, required loading berths may be provided in facilities designed to serve jointly two or more adjoining *buildings* or *zoning lots* within a single *block*, provided that:

C1	C2	C3	C4	C5	C6	C7	C8
----	----	----	----	----	----	----	----

(a) The number of berths in such joint facilities shall be not less than that required for the total combined *floor area* of such *buildings* or *zoning lots* as set forth in Section 36-62 (Required Accessory Off-Street Loading Berths), Section 36-63 (Special Provisions for a Single Zoning Lot with Uses Subject to Different Loading Requirements), or Section 36-64 (Wholesale, Manufacturing, or Storage Uses Combined with Other Uses), and

(b) Direct access is provided from such joint facilities to all such *buildings* or *zoning lots*, and

(c) The design and layout of such joint facilities meet standards of adequacy set forth in regulations promulgated by the Commissioner of Buildings.

**36-68**

**Additional Regulations for Permitted or Required Berths**

In all districts, as indicated, all permitted or required *accessory* off-street loading berths shall conform to the provisions set forth in this Section.

C1	C2	C3	C4	C5	C6	C7	C8
----	----	----	----	----	----	----	----

Italicized words are defined in Section 12-10.

DISTRICTS							
C1	C2	C3	C4	C5	C6	C7	C8

36-681

Size of required berths

In all districts, as indicated, all required *accessory* off-street loading berths, open or enclosed, shall conform to the regulations on minimum dimensions set forth in the following table. The dimensions of off-street berths shall not include driveways or entrances to or exits from such off-street berths.

C1	C2	C3	C4	C5	C6	C7	C8
----	----	----	----	----	----	----	----

MINIMUM DIMENSIONS FOR REQUIRED ACCESSORY OFF-STREET LOADING BERTHS (in feet)

	Length	Width	Vertical clearance
Hospitals and related facilities or prisons	33	12	12
Funeral establishments	25	10	8
Hotels, offices, or court houses	33	12	12
Commercial uses <sup>1</sup>	33	12	14
Wholesale, manufacturing, or storage uses			
With less than 10,000 square feet of floor area	33	12	14
With 10,000 square feet of floor area or more	50	12	14

36-682

Location of access to the street

In all districts, as indicated, no permitted or required *accessory* off-street loading berth, and no entrance or exit thereto, shall be located less than 50 feet from the intersection of any two *street lines*. However, a location closer to such intersection may be permitted if the Commissioner of Buildings certifies that such a location is not hazardous to traffic safety and not likely to create traffic congestion. The Commissioner of Buildings may refer such matter to the Department of Traffic for report and may base his determination on such report.

C1	C2	C3	C4	C5	C6	C7	C8
----	----	----	----	----	----	----	----

The waiver provisions of Section 36-65 (Waiver of Requirements for All Zoning Lots Where Access Would Be Forbidden) shall apply when the Commissioner of Buildings has certified that there is no way to arrange the berths with access to the *street* to conform to the provisions of this Section.

36-683

Restrictions on location of berths near Residence Districts

In all districts, as indicated, where *accessory* off-street loading berths are located within 60 feet of a *Residence District* boundary, such berths shall be enclosed within a *building*, and no entrance to or exit from the berths onto the *street* shall be less than 30 feet from the district boundary.

C1	C2	C3	C4	C5	C6	C7	C8
----	----	----	----	----	----	----	----

36-684

Surfacing

In all districts, as indicated, all permitted or required open off-street loading berths shall be surfaced with asphaltic or portland cement concrete, or other hard-surfaced dustless material, at least six inches thick.

C1	C2	C3	C4	C5	C6	C7	C8
----	----	----	----	----	----	----	----

<sup>1</sup> As set forth in table in Section 36-62 (Required Accessory Off-Street Loading Berths).

Italicized words are defined in Section 12-10.

DISTRICTS							
C1	C2	C3	C4	C5	C6	C7	C8

36-685

Screening

In all districts, as indicated, all permitted or required open off-street loading berths which are located on *zoning lots* adjacent to the boundary of a *Residence District* shall be screened from all adjoining *zoning lots* in *Residence Districts*, including *zoning lots* situated across a *street*, by either:

C1 C2 C3 C4 C5 C6 C7 C8

(a) A strip at least four feet wide, densely planted with shrubs or trees which are at least four feet high at the time of planting and which are of a type which may be expected to form a year-round dense screen at least six feet high within three years, or

(b) A wall or barrier or uniformly painted fence of fire-resistant material, at least six feet but not more than eight feet above finished grade. Such wall, barrier, or fence may be opaque or perforated provided that not more than 50 percent of the face is open.

In addition, such screening:

(a) Shall be maintained in good condition at all times,

(b) May be interrupted by normal entrances and exits, and

(c) Shall have no *signs* hung or attached thereto other than those permitted in Section 32-62 (Permitted Accessory Business Signs) or Section 32-63 (Permitted Advertising Signs).

Italicized words are defined in Section 12-10.

## Article IV

# Manufacturing District Regulations

### Chapter 1 Statement of Legislative Intent

#### 41-00 GENERAL PURPOSES OF MANUFACTURING DISTRICTS

The Manufacturing Districts established in this resolution are designed to promote and protect public health, safety, and general welfare. These general goals include, among others, the following specific purposes:

(a) To provide sufficient space, in appropriate locations, to meet the needs of the City's expected future economy for all types of manufacturing and related activities, with due allowance for the need for a choice of sites.

(b) To provide, as far as possible, that such space will be available for use for manufacturing and related activities, and to protect residences by separating them from manufacturing activities and by prohibiting the use of such space for new residential development.

(c) To encourage manufacturing development which is free from danger of fire, explosions, toxic and noxious matter, radiation, and other hazards, and from offensive noise, vibration, smoke, dust and other particulate matter, odorous matter, heat, humidity, glare, and other objectionable influences, by permitting such development in areas where this resolution restricts the emission of such nuisances, without regard to the industrial products and processes involved.

(d) To protect adjacent residential and commercial areas, and to protect the labor force in other establishments engaged in less offensive types of manufacturing and related activities, by restricting those manufacturing activities which involve danger of fire, explosions, toxic and noxious matter, radiation and other hazards, or create offensive noise, vibration, smoke and other particulate matter, odorous matter, heat, humidity, glare, and other objectionable influences, to those limited areas which are appropriate therefor.

(e) To protect manufacturing and related development against congestion, as far as is possible and appropriate in each area, by limiting the bulk of buildings in relation to the land around them and to one another, and by providing space off public streets for parking and loading facilities associated with such activities.

(f) To promote the most desirable use of land and direction of building development in ac-

cord with a well-considered plan, to promote stability of manufacturing and related development, to strengthen the economic base of the City, to protect the character of the district and its peculiar suitability for particular uses, to conserve the value of land and buildings, and to protect the City's tax revenues.

#### 41-10 PURPOSES OF SPECIFIC MANUFACTURING DISTRICTS

##### 41-11

#### M1 Light Manufacturing Districts (High Performance)

These districts are designed for a wide range of manufacturing and related uses which can conform to a high level of performance standards. Manufacturing establishments of this type, within completely enclosed buildings, provide a buffer between Residence (or Commercial) Districts and other industrial uses which involve more objectionable influences. New residential development is excluded from these districts, both to protect residences from an undesirable environment and to ensure the reservation of adequate areas for industrial development.

##### 41-12

#### M2 Medium Manufacturing Districts (Medium Performance)

These districts are designed for manufacturing and related activities which can meet a medium level of performance standards. Enclosure of such activities is not normally required except in areas along the boundary of a Residence District. No new residences or community facilities are permitted.

##### 41-13

#### M3 Heavy Manufacturing Districts (Low Performance)

These districts are designed to accommodate the essential heavy industrial uses which involve more objectionable influences and hazards, and which, therefore, cannot reasonably be expected to conform to those performance standards which are appropriate for most other types of industrial development. No new residences or community facilities are permitted.

### Chapter 2 Use Regulations

#### 42-00 GENERAL PROVISIONS

In order to carry out the purposes and provisions of this resolution, the *uses of buildings or other structures* and of tracts of land have been classified and combined into Use Groups. A brief statement

is inserted at the start of each Use Group to describe and clarify the basic characteristics of that Use Group. Use Groups 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, or 18, including each *use* listed separately therein, are permitted in *Manufacturing Districts* as indicated in Sections 42-11 to 42-15, inclusive.

42-00 (Continued)

Uses listed in Use Groups 11A, 16, 17, or 18 must also comply with the applicable performance standards set forth in Sections 42-21 to 42-28, inclusive. In case of any conflict between the Use Group and the performance standards, the latter shall control.

Uses listed in Use Group 18 are permitted in M1 or M2 Districts (as well as M3 Districts) if such uses comply with all of the applicable performance standards for such districts.

The following chart sets forth the Use Groups permitted in the various *Manufacturing Districts*:

USE GROUPS PERMITTED IN MANUFACTURING DISTRICTS

DISTRICTS		USE GROUPS																
		COMMUNITY FACILITIES		RETAIL AND COMMERCIAL								RECREATION				GEN. SERVICE	MANUFACTURING	
		3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	
LIGHT MANUFACTURING	M1		■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	
MEDIUM MANUFACTURING	M2			■	■	■	■	■	■	■	■	■	■	■	■	■	■	
HEAVY MANUFACTURING	M3			■	■	■	■	■	■	■	■	■	■	■	■	■	■	

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

The letters A, B, B1, C, D, E, F, G, or H in the column entitled Parking Requirement Category following a use listed in Sections 32-14 to 32-25, inclusive, refer to the classification of commercial uses to determine required accessory off-street park-

ing spaces as set forth in the table in Section 44-21 (General Provisions).

The uses listed in the various Use Groups set forth in Sections 42-11 to 42-15, inclusive, are also listed in alphabetical order in the Index at the end of this resolution, for the convenience of those using the resolution. Whenever there is any difference in meaning or implication between the text of these Use Groups and the text of the Index, the text of these Use Groups shall prevail.

DISTRICTS		
M1	M2	M3

42-10 USES PERMITTED AS OF RIGHT

42-11

Use Group 4

Use Group 4, as set forth in Section 22-14.

M1

42-12

Use Groups 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, and 16

Use Groups 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, and 16, as set forth in Sections 32-14 to 32-23, inclusive, and Section 32-25.

M1

M2

M3

42-13

Use Group 15

Use Group 15, as set forth in Section 32-24.

M2

M3

42-14

Use Group 17

Use Group 17 consists primarily of *manufacturing uses* which:

M1

M2

M3

(1) Can conform to high performance standards by controlling objectionable influences, and

(2) In so doing, can limit their impact on adjacent residential areas, and

(3) Normally generate a great deal of traffic, both pedestrian and freight.

Italicized words are defined in Section 12-10.

DISTRICTS		
M1	M2	M3
M1	M2	M3

42-14 (Continued)

**A. SERVICE OR WHOLESALE ESTABLISHMENTS**

Building materials or contractors' yards, open or enclosed, including sales, storage, or handling of building materials, with no limitation on *lot area* per establishment, except that lumber yards shall be limited to 20,000 square feet of *lot area* per establishment

Produce or meat markets, wholesale

**B. MANUFACTURING ESTABLISHMENTS**

Adhesives, excluding manufacture of basic components

Advertising displays

Aircraft, including parts

Apparel or other textile products from textiles or other materials, including hat bodies, or similar products

Automobiles, trucks, or *trailer* body repair

Automobiles, trucks, or *trailers*, including parts or rebuilding of engines

Beverages, non-alcoholic

Boats less than 200 feet in length, building or repair, open or enclosed, provided that such *use* or portion thereof may be conducted outside a *completely enclosed building* only if located at a distance greater than 200 feet from a *Residence District* boundary, or if effectively screened by a wall or fence at least eight feet in height with no boat building located less than 30 feet from a *Residence District* boundary

Bottling work, for all beverages

Brushes or brooms

Cameras or other photographic equipment, except film

Carpets

Canvas or canvas products

Ceramic products, including pottery, small glazed tile, or similar products

Chemicals, compounding or packaging

Cork products

Cosmetics or toiletries

Cotton ginning, or cotton wadding or linters

Electrical appliances, including lighting fixtures, irons, fans, toasters, electric toys, or similar appliances

Electrical equipment assembly, including home radio or television receivers, home movie equipment, or similar products, but not including electrical machinery

Electrical supplies, including wire or cable assembly, switches, lamps, insulation, dry cell batteries, or similar supplies

Food products, except slaughtering of meat or preparation of fish for packing

Fur goods, not including tanning or dyeing

Glass products from previously manufactured glass

Hair, felt, or feather products, except washing, curing, or dyeing

Hosiery

Ice, dry or natural

Ink or inked ribbon

Jute, hemp, sisal, or oakum products

Laboratories, research, experimental, or testing

Leather products, including shoes, machine belting, or similar products

Luggage

Machines, business, including typewriters, accounting machines, calculators, card-counting equipment, or similar products

Machinery, miscellaneous, including washing machines, firearms, refrigerators, air-conditioning, commercial motion picture equipment, or similar products

Machine tools, including metal lathes, metal presses, metal stamping machines, woodworking machines, or similar products

Mattresses, including rebuilding or renovating

Italicized words are defined in Section 12-10.



DISTRICTS		
M1	M2	M3
M1	M2	M3

42-14 (Continued)

- Metal finishing, plating, grinding, sharpening, polishing, cleaning, rust-proofing, heat treatment, or similar processes
- Metal stamping or extrusion, including costume jewelry, pins and needles, razor blades, bottle caps, buttons, kitchen utensils, or similar products
- Motion picture production
- Motorcycles, including parts
- Musical instruments, including pianos or organs
- Novelty products
- Optical equipment, clocks, or similar precision instruments
- Orthopedic or medical appliances, including artificial limbs, braces, supports, stretchers, or similar appliances
- Paper products, including envelopes, stationery, bags, boxes, shipping containers, bulk goods, tubes, wallpaper printing, or similar products
- Perfumes or perfumed soaps, compounding only
- Pharmaceutical products
- Plastic products, including tableware, phonograph records, buttons, or similar products
- Printing or publishing, with no limitation on *floor area* per establishment
- Rubber products, such as washers, gloves, footwear, bathing caps, atomizers, or similar products, excluding manufacture of natural or synthetic rubber
- Scenery construction
- Shoddy
- Silverware, plate or sterling
- Soap or detergents, packaging only
- Sporting or athletic equipment, including balls, baskets, cues, gloves, bats, racquets, rods, or similar products
- Statuary, mannequins, figurines, or religious or church art goods, excluding foundry operations
- Steel products, miscellaneous fabrication or assembly, including steel cabinets, doors, fencing, metal furniture, or similar products
- Textiles, spinning, weaving, manufacturing, dyeing, printing, knit goods, yarn, thread, or cordage
- Tobacco, including curing, or tobacco products
- Tools or hardware, including bolts, nuts, screws, doorknobs, drills, hand tools or cutlery, hinges, house hardware, locks, non-ferrous metal castings, plumbing appliances, or similar products
- Toys
- Umbrellas
- Upholstering, bulk, excluding upholstering shops dealing directly with consumers
- Vehicles, children's, including bicycles, scooters, wagons, baby carriages, or similar vehicles
- Venetian blinds, window shades, or awnings, with no limitation on production or on *floor area* per establishment
- Wax products
- Wood products, including furniture, boxes, crates, baskets, pencils, cooperage works, or similar products

C. MISCELLANEOUS USES

- Agriculture, including greenhouses, nurseries, or truck gardens
- Public transit, railroad, or electric utility substations, open or enclosed, with no limitation as to size
- Railroads, including rights-of-way, freight terminals, yards or appurtenances, or facilities or services used or required in railroad operations, but not including passenger stations
- Trucking terminals or motor freight stations with no limitation on *lot area* per establishment
- Waterfront shipping

D. Accessory Uses

Italicized words are defined in Section 12-10.

DISTRICTS		
M1	M2	M3

42-15

**Use Group 18**

Use Group 18 consists primarily of industrial *uses* which:

M3

- (1) Either involve considerable danger of fire, explosion or other hazards to public health or safety, or cannot be designed without appreciable expense to conform to high performance standards with respect to the emission of objectionable influences, and
- (2) Normally generate a great deal of traffic, both pedestrian and freight.

**A. MANUFACTURING ESTABLISHMENTS**

- Asphalt or asphalt products
- Beverages, alcoholic, or breweries
- Brick, tile, or clay
- Cement
- Charcoal, lampblack, or fuel briquettes
- Chemicals, including acetylene, aniline dyes, ammonia, carbide, caustic soda, cellulose, chlorine, carbon black or bone black, cleaning or polishing preparations, creosote, exterminating agents, hydrogen or oxygen, industrial alcohol, potash, plastic materials or synthetic resins, rayon yarns, or hydrochloric, picric, or sulphuric acids or derivatives
- Coal, coke, or tar products
- Excelsior or packing materials
- Fertilizers
- Foundries, ferrous or non-ferrous
- Gelatin, glue, or size
- Glass or large glass products, including structural or plate glass or similar products
- Grain, milling or processing
- Graphite, or graphite products
- Gypsum
- Hair, felt, or feathers, bulk processing, washing, curing, or dyeing
- Film, photographic
- Incineration or reduction of garbage, offal, or dead animals
- Insecticides, fungicides, disinfectants, or related industrial or household chemical compounds
- Leather or fur tanning, curing, finishing, or dyeing
- Linoleum or oil cloth
- Machinery, heavy, including electrical, construction, mining, or agricultural, including repairs
- Matches
- Meat or fish products, including slaughtering of meat or preparation of fish for packing
- Metal or metal ores, reduction, refining, smelting, or alloying
- Metal alloys or foil, miscellaneous, including solder, pewter, brass, bronze, or tin, lead or gold foil, or similar products
- Metal or metal products, treatment or processing, including enameling, japanning, lacquering, galvanizing, or similar processes
- Metal casting or foundry products, heavy, including ornamental iron work, or similar products
- Monument works, with no limitation on processing
- Paint, varnishes, or turpentine
- Petroleum or petroleum products, refining
- Plastic, raw
- Porcelain products, including bathroom or kitchen equipment, or similar products
- Radioactive waste disposal services involving the handling or storage of radioactive waste
- Railroad equipment, including railroad cars or locomotives
- Rubber, natural or synthetic, including tires, tubes, or similar products
- Sewage disposal plants

Italicized words are defined in Section 12-10.

DISTRICTS		
M1	M2	M3
M1	M2	M3

42-15 (Continued)

- Ship or boat building or repair yards, for ships or boats 200 feet in length or over
- Soaps or detergents, including fat rendering
- Steel, structural products, including bars, girders, rails, wire rope, or similar products
- Solvent extracting
- Stock yards or slaughtering of animals or poultry
- Stone processing or stone products, including abrasives, asbestos, stone screenings, stone cutting, stone work, sand or lime products, or similar processes or products
- Sugar refining
- Textile bleaching
- Wood or bone distillation
- Wood or lumber processing, including sawmills or planing mills, excelsior, plywood, or veneer, wood-preserving treatment, or similar products or processes
- Wood pulp or fiber, reduction or processing, including paper mill operations
- Wool scouring or pulling

B. STORAGE OR MISCELLANEOUS USES, OPEN OR ENCLOSED

- Coal or gas storage
- Dumps, marine transfer stations for garbage, or slag piles
- Electric power or steam generating plants
- Explosives storage, when not prohibited by other ordinances
- Gas manufacturing plants
- Grain storage
- Junk or salvage yards, including auto wrecking or similar establishments
- Lumber yards, with no limitation on lot area per establishment
- Manure, peat, or topsoil storage
- Petroleum or petroleum products, storage or handling
- Refrigerating plants
- Scrap metal, paper, or rags storage

C. Accessory Uses

42-20 PERFORMANCE STANDARDS

In all *Manufacturing Districts*, after the effective date of this resolution, any use thereafter established or changed to a use listed in Use Group 11A, 16, 17, or 18, and every *building or other structure* or tract of land thereafter *developed*, constructed, or used for any use listed in Use Group 11a, 16, 17, or 18, shall comply with each and every performance standard governing noise, vibration, smoke and other particulate matter, odorous matter, toxic or noxious matter, radiation hazards, fire and explosive hazards, humidity, heat, or glare applicable to the district in which such use, *building or other structure*, or tract of land is located.

If any existing use or *building or other structure* is *extended*, *enlarged* or reconstructed after the effective date of this resolution, the applicable district regulations for each and every performance standard shall apply with respect to such *extended*, *enlarged*, or reconstructed portion or portions of such use or *building or other structure*.

In case of any conflict between the Use Groups and the performance standards, the latter shall control. Uses listed in Use Group 18 are permitted in M1 or M2 Districts (as well as M3 Districts) if such uses

comply with all of the applicable performance standards for such districts.

In case of any conflict between the performance standards the rules and regulations adopted by the Board of Air Pollution Control, the more restrictive shall apply.

42-21

Performance Standards Regulating Noise

42-211

Definitions

For the purposes of this Section, the following terms are defined:

Decibel

A "decibel" is a unit of measurement of the intensity of sound (the sound pressure level).

Sound level meter

A "sound level meter" is an instrument standardized by the American Standards Association, which is used for measurement of the intensity of sound and is calibrated in *decibels*.

Italicized words are defined in Section 12-10, except technical terms applicable to performance standards only, which are defined in appropriate Sections of this Chapter.

42-21 (Continued)

**Octave band**

An "octave band" is one of a series of eight bands which cover the normal range of frequencies included in sound measurements. Such *octave bands* serve to define the sound in term of its pitch components.

**Octave band analyzer**

An "octave band analyzer" is an instrument used in conjunction with a *sound level meter* to measure sound in each of eight *octave bands*.

**Impact noise analyzer**

An "impact noise analyzer" is an instrument used in conjunction with the *sound level meter* to measure the peak intensities of short duration sounds.

42-212

**Method of measurement**

For the purpose of measuring the intensity or frequency of sound, the *sound level meter*, the *octave band analyzer*, and the *impact noise analyzer* shall be employed.

The "C" network and the "slow" meter response of the *sound level meter* shall be used. Sounds of short duration, as from forge hammers, punch presses, and metal shears, which cannot be measured accurately with the *sound level meter*, shall be measured with the *impact noise analyzer* as manufactured by the General Radio Company, or its equivalent, in order to determine the peak value of the impact. For sounds so measured, the sound pressure levels set forth in Section 42-213 (Maximum permitted decibel levels) may be increased by six *decibels*.

42-213

**Maximum permitted decibel levels**

In all *Manufacturing Districts*, the sound pressure level resulting from any activity, whether open or enclosed, shall not exceed, at any point on or beyond any *lot line*, the maximum permitted *decibel* levels for the designated *octave band* as set forth in the following table for the district indicated.

In the enforcement of this regulation, sounds produced by the operation of motor vehicles or other transportation facilities shall not be included in determining the maximum permitted *decibel* levels.

MAXIMUM PERMITTED SOUND PRESSURE LEVEL (in decibels)			
Octave band (cycles per second)	District		
	M1	M2	M3
20 to 75	79	79	80
75 to 150	74	75	75
150 to 300	66	68	70
300 to 600	59	62	64
600 to 1,200	53	56	58
1,200 to 2,400	47	51	53
2,400 to 4,800	41	47	49
Above 4,800	39	44	46

42-214

**Special provisions applying along district boundaries**

Whenever a *Manufacturing District* adjoins a *Residence District*, at any point at the district

boundary or within the *Residence District*, the maximum permitted *decibel* levels in all *octave bands* shall be reduced by six *decibels* from the maximum levels set forth in the table in Section 42-213 (Maximum permitted decibel levels).

42-22

**Performance Standards Regulating Vibration**

42-221

**Definitions**

For the purposes of this Section, the following terms are defined:

**Steady state vibrations**

"Steady state vibrations" are earth-borne oscillations that are continuous. Discrete pulses that occur more frequently than 100 times per minute shall be considered to be *steady state vibrations*.

**Impact vibrations**

"Impact vibrations" are earth-borne oscillations occurring in discrete pulses at or less than 100 pulses per minute.

**Frequency**

A "frequency" is the number of oscillations per second of a vibration.

**Three-component measuring system**

A "three-component measuring system" is a device for recording the intensity of any vibration in three mutually perpendicular directions.

42-222

**Method of measurement**

For the purpose of measuring vibration, a *three-component measuring system* approved by the Commissioner of Buildings shall be employed.

42-223

**Maximum permitted steady state vibration displacement**

In all *Manufacturing Districts*, no activity shall cause or create a *steady state vibration* at any point on any *lot line*, with a displacement in excess of the permitted *steady state vibration* displacement for the *frequencies* as set forth in the following table for the district indicated.

MAXIMUM PERMITTED STEADY STATE VIBRATION DISPLACEMENT (in inches)

Frequency (cycles per second)	District		
	M1	M2	M3
10 and below	.0008	.0020	.0039
10-20	.0005	.0010	.0022
20-30	.0003	.0006	.0011
30-40	.0002	.0004	.0007
40-50	.0001	.0003	.0005
50-60	.0001	.0002	.0004
60 and over	.0001	.0001	.0004

42-224

**Maximum permitted impact vibration displacement**

In all *Manufacturing Districts*, no activity shall cause or create an *impact vibration*, at any point on any *lot line*, with a displacement in excess of the permitted *impact vibration* displacement for the *frequencies* as set forth in the following table for the district indicated.

Italicized words are defined in Section 12-10, except technical terms applicable to performance standards only, which are defined in appropriate Sections of this Chapter.

42-224 (Continued)

MAXIMUM PERMITTED IMPACT VIBRATION  
DISPLACEMENT (in inches)

Frequency (cycles per second)	District		
	M1	M2	M3
10 and below	.0016	.0040	.0078
10-20	.0010	.0020	.0044
20-30	.0006	.0012	.0022
30-40	.0004	.0008	.0014
40-50	.0002	.0006	.0010
50-60	.0002	.0004	.0008
60 and over	.0002	.0002	.0008

42-225

Special provisions applying along district boundaries

Whenever an M2 or M3 District adjoins a *Residence District*, the *steady state* and *impact vibration* displacement, measured at the district boundary, shall not exceed the maximum permitted for an M1 District for the *frequencies* as set forth in the tables in Section 42-223 (Maximum permitted steady state vibration displacement) or Section 42-224 (Maximum permitted impact vibration displacement).

42-23

Performance Standards Regulating Smoke, Dust, and Other Particulate Matter

42-231

Definitions

For the purposes of this Section, the following terms are defined:

Particulate matter

"Particulate matter" is any finely divided liquid or solid matter capable of being air- or gas-borne

Dust

"Dust" is solid *particulate matter* capable of being air- or gas-borne.

Process weight

"Process weight" is the total weight of all materials used in any process which discharges *dust* into the atmosphere. Such materials shall include solid fuels, but not liquid or gaseous fuels or combustion air.

Combustion for indirect heating

"Combustion for indirect heating" is the burning of fuel in equipment, such as steam boilers, water or air heaters, stills, or brew kettles, where there is no contact between the products of combustion and the materials being heated.

Standard Smoke Chart numbers

"Standard Smoke Chart numbers" are the numbers on the Standard Smoke Chart of the Department of Air Pollution Control that coincide most nearly with the grids on the Standard Smoke Chart indicating graduations of light-obscuring capacity of *smoke*.

Smoke

"Smoke" is any visible emission into the open air from any source, except emissions of an uncontaminated water vapor.

Smoke unit

A "smoke unit" is a measure of the quantity of *smoke* being discharged and is the number obtained by multiplying the *smoke* density in a *Standard Smoke Chart number* by the time of emission in minutes. For example, the emission of *Standard Smoke Chart number* 1 for one minute equals one *smoke unit*.

42-232

Maximum permitted emission of smoke

In all *Manufacturing Districts*, the density of emission of *smoke* during normal operations shall not exceed *Standard Smoke Chart number* 2, and the quantity of *smoke* shall not exceed a maximum of 10 *smoke units* per hour per stack in M1 Districts, 20 such units in M2 Districts, and 30 such units in M3 Districts. The method of measurement, additional limitations on the emission of *smoke* of a density not exceeding *Standard Smoke Chart number* 2, and the maximum permitted density and quantity of *smoke* during special operations such as building new fires, banking, or cleaning fires, soot blowing, or process purging, shall be determined in accordance with rules and regulations adopted by the Board of Air Pollution Control.

42-233

Maximum permitted emission of dust

(a) Related to combustion for indirect heating

In all *Manufacturing Districts*, the emission into the atmosphere of *dust* related to *combustion for indirect heating* from any source shall not exceed the maximum number of pounds of *dust* per million British thermal units heat input per hour as set forth herein:

(1) In M1 Districts

In M1 Districts, the maximum permitted emission shall be 0.50 pounds for minimum-size plants producing a heat input of 10 million or less British thermal units per hour and 0.15 for maximum-size plants producing a heat input of 10,000 million or more British thermal units per hour. All intermediate values shall be determined from a straight line plotted on log graph paper.

(2) In M2 or M3 Districts

In M2 or M3 Districts, the maximum permitted emission for such minimum-size plants shall be 0.60 in M2 Districts and 0.70 in M3 Districts, and for such maximum-size plants shall be 0.16 in M2 Districts and 0.18 in M3 Districts. All intermediate values shall be determined from a straight line plotted on log graph paper.

(b) Related to processes

In all *Manufacturing Districts*, the emission into the atmosphere of process *dust* or other *particulate matter* which is unrelated to *combustion for indirect heating* or incineration shall not exceed 0.50 pounds per hour for 100 pounds of *process weight* or 50 pounds per hour for 100,000 pounds of *process weight*. All intermediate values shall be determined from a straight line plotted on log graph paper.

Italicized words are defined in Section 12-10, except technical terms applicable to performance standards only, which are defined in appropriate Sections of this Chapter.

## 42-233 (Continued)

**(c) Total limit on emission of dust or other particulate matter in M1 or M2 Districts**

In M1 or M2 Districts the maximum amount of *dust* or other *particulate matter* from all sources including *combustion for indirect heating*, *process dust*, or combustion for incineration which may be emitted from a single stack or vent shall not exceed 33 pounds per hour in M1 Districts, nor 250 pounds per hour in M2 Districts.

**(d) Method of measurement and dust from incineration**

In all *Manufacturing Districts*, the method of measurement and permitted emission of *dust* related to combustion for incineration shall not exceed the maximum allowances established under rules and regulations adopted by the Board of Air Pollution Control.

**(e) Prevention of wind-blown air pollution**

In all *Manufacturing Districts*, all storage areas, yards, service roads, or other untreated open areas developed within the boundaries of a *zoning lot* shall be improved with appropriate landscaping or paving, or treated by oiling or any other means as specified in rules and regulations adopted by the Board of Air Pollution Control, so that *dust* or other types of air pollution borne by the wind from such sources shall be minimized.

## 42-234

**General control over smoke and other particulate matter**

In addition to the performance standards of regulating *smoke* and other *particulate matter*, the emission of such matter shall be so controlled in manner and quantity of emission as not to be detrimental to or endanger the public health, safety, comfort, or other aspects of the general welfare, or cause damage or injury to property.

## 42-24

**Performance Standards Regulating Odorous Matter**

## 42-241

**In M1 or M2 Districts**

In M1 or M2 Districts, the emission of odorous matter shall be in accordance with limits established by the Board of Air Pollution Control. In addition to such limits, the emission of odorous matter in such quantities as to be readily detectable at any point along *lot lines* or to produce a public nuisance or hazard beyond *lot lines* is prohibited.

## 42-242

**In M3 Districts**

In M3 Districts, the emission of odorous matter in such quantities as to produce a public nuisance or hazard at or beyond *lot lines* is prohibited.

## 42-25

**Performance Standards Regulating Toxic or Noxious Matter**

## 42-251

**Definitions**

For the purposes of this Section, the following term is defined:

**Toxic or noxious matter**

"Toxic or noxious matter" is any solid, liquid, or gaseous matter, including but not limited to gases, vapors, *dusts*, fumes, and mists, containing properties which by chemical means are:

- (a) Inherently harmful and likely to destroy life or impair health, or
- (b) Capable of causing injury to the well-being of persons or damage to property.

## 42-252

**Regulation of toxic or noxious matter**

In all *Manufacturing Districts*, the emission of *toxic or noxious matter* into the atmosphere shall be in accordance with limits established by the Board of Air Pollution Control. In addition to such emission limits, the emission of such matter shall be so controlled that no concentration at or beyond *lot lines* shall be detrimental to or endanger the public health, safety, comfort, and other aspects of the general welfare, or cause damage or injury to property.

## 42-26

**Performance Standards Regulating Radiation Hazards**

## 42-261

**Definitions**

For the purposes of this Section, the following term is defined:

**Fireproof containers**

"Fireproof containers" shall include steel or concrete containers and shall not include lead or other low-melting metals or alloys, unless the lead or low-melting metal or alloys are completely encased in steel.

## 42-262

**Maximum permitted quantities of unsealed radioactive material**

In M1 Districts, unsealed radioactive materials shall not be manufactured, utilized, or stored (unless such materials are stored in a *fireproof container* at or below ground level) in excess of one million times the quantities set forth in Column 1 of the table in Section 38-2 of the Industrial Code Rule No. 38, relating to Radiation Protection adopted by the Board of Standards and Appeals of the New York State Department of Labor on October 10, 1955, effective December 15, 1955.

In M2 Districts, such materials shall not be manufactured, utilized, or stored (unless such materials are stored in a *fireproof container* at or below ground level) in excess of 10 million times the quantities set forth in Column 1 of the table cited above in this Section. In M3 Districts no limits as to such permitted quantities shall apply.

Italicized words are defined in Section 12-10, except technical terms applicable to performance standards only, which are defined in appropriate Sections of this Chapter.

## 42-263

**Maximum permitted quantities of fissionable materials**

In M1 or M2 Districts, no one of the following fissionable materials shall be assembled at any one point, place, or work area on a *zoning lot* in a quantity equal to or in excess of the amount set forth herein:

Material	Quantity
Uranium-233	200 grams
Plutonium-239	200 grams
Uranium-235	350 grams

In addition, any establishment which provides radiation waste disposal services in the nature of collection or storage of radioactive waste from other *manufacturing uses* shall be prohibited in M1 or M2 Districts.

## 42-264

**Administration and appeal**

The Department of Health shall have exclusive jurisdiction to enforce and administer these hazards in accordance with the rules and regulations promulgated by the Board of Health. An appeal may be made to the Board of Health to permit the manufacture, utilization, or storage of unsealed radioactive materials or fissionable materials, in excess of the quantities set forth in Section 42-262 (Maximum permitted quantities of unsealed radioactive material) or Section 42-263 (Maximum permitted quantities of fissionable materials). In any case where the Board of Health determines that the radiation hazard on or beyond any *lot line* is remote and minimal, even in the event of an accident, the Board may permit such additional quantity.

## 42-27

**Performance Standards Regulating Fire and Explosive Hazards**

## 42-271

**Definitions**

For the purposes of this Section, the following terms are defined:

**Slow burning**

"Slow burning" materials are materials which will not ignite or actively support combustion during an exposure for 5 minutes to a temperature of 1,200°F. and which, therefore, do not constitute an active fuel.

**Moderate burning**

"Moderate burning" materials are materials which in themselves burn moderately and may contain small quantities of a higher grade of combustibility.

**Free burning**

"Free burning" materials are materials constituting an active fuel.

**Intense burning**

"Intense burning" materials are materials which by virtue of low ignition temperature, high rate of burning, and large heat evolution burn with great intensity.

**Flammable or explosive**

"Flammable or explosive" materials are materials which produce flammable or explosive vapors or gases under ordinary weather temperature, including liquids with an *open cup flash point* of less than 100°F.

**Open cup flash point**

The "open cup flash point" is the temperature at which a liquid sample produces sufficient vapor to flash but not ignite when in contact with a flame in a Tagliabue open cup tester.

**Original sealed containers**

"Original sealed containers" are containers with a capacity of not more than 55 gallons.

## 42-272

**Classifications**

For the purposes of this Section, materials are divided into four classifications or ratings based on the degree of fire and explosive hazard. The rating of liquids is established by specified *open cup flash points* as set forth in this Section, and the Board of Standards and Appeals shall determine the rating of solids under this Section.

(a) Class I includes *slow burning to moderate burning* materials. This shall include all liquids with an *open cup flash point* of 182°F. or more.

(b) Class II includes *free burning to intense burning* materials. This shall include all liquids with an *open cup flash point* between 100°F. and 182°F.

(c) Class III includes materials which produce *flammable or explosive* vapors or gases under ordinary weather temperature. This shall include all liquids with an *open cup flash point* of less than 100°F.

(d) Class IV includes materials which decompose by detonation, including but not limited to all primary explosives such as lead azide, lead styphnate, fulminates, and tetracene; all high explosives such as TNT, RDX, HMX, PETN, and picric acid; propellants and components thereof, such as nitrocellulose, black powder, boron hydrides, hydrazine, and its derivatives; pyrotechnics and fireworks such as magnesium powder, potassium chlorate and potassium nitrate; blasting explosives such as dynamite and nitroglycerine; unstable organic compounds such as acetylides, tetrazoles, and ozonides; and strong oxidizing agents such as liquid oxygen, perchloric acid, perchlorates, chlorates, chlorites, or hydrogen peroxide in concentrations greater than 35 percent.

## 42-273

**Regulations applying to Class I materials or products**

In all *Manufacturing Districts*, Class I materials or products may be stored, manufactured, or utilized in manufacturing processes or other production.

Italicized words are defined in Section 12-10, except technical terms applicable to performance standards only, which are defined in appropriate Sections of this Chapter.

42-274

**Regulations applying to Class II materials or products**

Class II materials or products may be stored, manufactured, or utilized in manufacturing processes or other production only in accordance with the following provisions:

**(a) In M1 Districts**

In M1 Districts, Class II materials or products shall be stored, manufactured, or utilized subject to the following limitations:

- (1) Such storage, manufacture or utilization shall be carried on only within *buildings or other structures* which are *completely enclosed* by incombustible exterior walls;
- (2) Such *buildings or other structures* shall either be set back at least 40 feet from any *lot lines*, or in lieu thereof, all such *buildings* shall be protected throughout by an automatic fire extinguishing system which shall comply with the requirements set forth in the Administrative Code, and all such structures as storage tanks shall be protected by a fire extinguishing system which shall comply with the requirements set forth in the Administrative Code, and
- (3) The storage of Class II materials or products shall be limited to 100,000 gallons.

**(b) In M2 Districts**

In M2 Districts, Class II materials or products may be manufactured or utilized without limitation. The storage of Class II materials or products shall be limited to 200,000 gallons, except that such limitation shall not apply to storage in underground tanks or storage of finished products in *original sealed containers*.

**(1) Special provisions applying along district boundaries**

In M2 Districts and within 100 feet of the district boundary of a *Residence District*, a *Commercial District*, or an M1 District, Class II materials or products shall be stored, manufactured, or utilized only in accordance with the provisions set forth in Section 42-274 (a) for M1 Districts.

**(c) In M3 Districts**

In M3 Districts, Class II materials or products may be stored, manufactured, or utilized without limitation.

**(1) Special provisions applying along district boundaries**

In M3 Districts and within 100 feet of the district boundary of a *Residence District*, a *Commercial District*, or an M1 District, Class II materials or products shall be stored, manufactured, or utilized only in accordance with the provisions set forth in Section 42-274 (a) for M1 Districts.

42-275

**Regulations applying to Class III materials or products**

Class III materials or products may be stored,

manufactured, or utilized in manufacturing processes or other production only in accordance with the following provisions:

**(a) In M1 Districts**

In M1 Districts, Class III materials or products shall not be manufactured in any event, and shall be stored or utilized subject to the following limitations:

- (1) Such storage or utilization shall be carried on only within *buildings or other structures* which are *completely enclosed* by incombustible exterior walls, and
- (2) Such *buildings or other structures* shall either be set back at least 40 feet from any *lot line*, or, in lieu thereof, all such *buildings* shall be protected throughout by an automatic fire extinguishing system which shall comply with the requirements set forth in the Administrative Code, and all such structures as storage tanks shall be protected by a fire extinguishing system which shall comply with the requirements set forth in the Administrative Code, and
- (3) The final manufactured product shall have a rating of Class I, and
- (4) The storage of Class III materials or products shall be limited to 50,000 gallons.

**(b) In M2 Districts**

In M2 Districts, Class III materials or products shall not be manufactured in any event and shall be stored or utilized subject to the following limitations:

- (1) The final manufactured product shall have a rating of Class II, and
- (2) The storage of Class III materials or products shall be limited to 100,000 gallons, except that such limitation shall not apply to storage in underground tanks and storage of finished products in *original sealed containers*.
- (3) In M2 Districts, and within 100 feet of the district boundary of a *Residence District*, a *Commercial District*, or an M1 District, Class III materials or products shall be stored or utilized only in accordance with the provisions set forth in Section 42-275 (a) for M1 Districts.

**(c) In M3 Districts**

In M3 Districts, Class III materials or products may be stored, manufactured, or utilized without limitation.

**(1) Special provisions applying along district boundaries**

In M3 Districts and within 400 feet of a *Residence District*, a *Commercial District*, or an M1 District, the provisions set forth in Section 42-275 (a) for M1 Districts shall apply. In M3 Districts or within 300 feet of the district boundary of an M2 District, no more than 200,000 gallons of Class III materials or products may be stored, except that such limitation shall not apply to storage in underground tanks or storage of finished products in *original sealed containers*.

Italicized words are defined in Section 12-10, except technical terms applicable to performance standards only, which are defined in appropriate Sections of this Chapter.



42-276

**Regulations applying to Class IV materials or products**

Class IV materials or products shall not be manufactured or stored in any *Manufacturing District* and may be utilized in manufacturing processes or other production in any *Manufacturing District* only when authorized by a special permit granted by the Board of Standards and Appeals in accordance with the provisions of Article VII, Chapter 3.

42-28

**Performance Standards Regulating Humidity, Heat, or Glare**

42-281

**Regulation applying to M1 Districts**

In M1 Districts, any activity producing excessive humidity in the form of steam or moist air, or

producing intense heat or glare, shall be carried out in such a manner as not to be perceptible at or beyond any *lot line*.

42-282

**Regulation applying to M2 Districts**

In M2 Districts, any activity producing excessive humidity in the form of steam or moist air, or producing intense heat or glare, shall be carried out within an enclosure and in such a manner as not to be perceptible at or beyond any *lot line*.

42-283

**Regulation applying to M3 Districts**

When an M3 District adjoins any other district, any activity producing excessive humidity in the form of steam or moist air, or producing intense heat or glare, shall be carried out in such a manner as not to be perceptible at or beyond the district boundary.

42-30 USES PERMITTED BY SPECIAL PERMIT	Parking Requirement Category	DISTRICTS		
		M1	M2	M3
42-31 By the Board of Standards and Appeals In the districts indicated, the following <i>uses</i> are permitted by special permit of the Board of Standards and Appeals, in accordance with standards set forth in Article VII, Chapter 3.		M1	M2	M3
Children's amusement parks, with sites of not less than 10,000 square feet nor more than 75,000 square feet per establishment	E	M1		
Radio or television towers, non-accessory		M1	M2	M3
Sand, gravel, or clay pits		M1	M2	M3
Schools, provided they have no living or sleeping accommodations		M1		
42-32 By the City Planning Commission In the districts indicated, the following <i>uses</i> are permitted by special permit of the City Planning Commission, in accordance with standards set forth in Article VII, Chapter 4.		M1	M2	M3
Airports		M1	M2	M3
Arenas, auditoriums, or stadiums with a capacity in excess of 2,500 seats	D	M1	M2	M3
Bus stations				
With less than 10 berths		M1	M2	M3
With 10 or more berths		M1	M2	M3
Children's amusement parks with sites of not less than 75,000 square feet nor more than 10 acres per establishment	E	M1		
Public parking lots or public parking garages with capacity of 150 spaces or more		M1	M2	M3
Drive-in theaters, with a maximum capacity of 500 automobiles		M1	M2	M3
Heliports		M1	M2	M3
Racetracks		M1	M2	M3
Railroad passenger stations		M1	M2	M3
Trade expositions with rated capacity for more than 2,500 persons	D	M1	M2	M3

Italicized words are defined in Section 12-10.

DISTRICTS		
M1	M2	M3

**42-40 SUPPLEMENTARY USE REGULATIONS AND SPECIAL PROVISIONS APPLYING ALONG DISTRICT BOUNDARIES**

**42-41**

**Enclosure of Commercial or Manufacturing Activities**

In all districts, as indicated, all commercial or manufacturing activities established by new *development, enlargement, extension, or change of use*, except storage of materials or products, shall be subject to the provisions of this Section with respect to enclosure, except as otherwise specifically provided in the Use Groups permitted in the district, and except for *accessory* off-street parking or loading. With respect to the *enlargement or extension* of an existing *use*, such provisions shall apply to the *enlarged or extended* portion of such *use*.

M1 M2 M3

**42-411**

**In M1 Districts**

In the district indicated, all such activities shall be located within *completely enclosed buildings*, provided, however, that *commercial uses* may be located within *buildings* which are *completely enclosed* except for store fronts or store windows which may be opened to serve customers outside the *building*.

M1

**42-412**

**In M2 or M3 Districts**

In the districts indicated, all such activities within 300 feet of a *Residence District* boundary shall be located within *completely enclosed buildings*, provided, however, that *commercial uses* may be located within *buildings* which are *completely enclosed* except for store fronts or store windows which may be opened to serve customers outside the *building*.

M2 M3

**42-42**

**Enclosure or Screening of Storage**

In all districts, as indicated, all storage of materials or products established by new *development, enlargement, extension, or change of use*, shall conform to the provisions of this Section.

M1 M2 M3

With respect to the *enlargement or extension* of existing storage of materials or products, such provisions shall apply to the *enlarged or extended* portion of such storage.

**42-421**

**In M1 Districts**

In the district indicated, storage of materials or products within 200 feet of a *Residence District* boundary shall be located within *completely enclosed buildings*.

M1

**42-422**

**In M2 or M3 Districts**

In the districts indicated, and within 200 feet of a *Residence District* boundary, open storage of materials or products shall be permitted only if effectively screened by a solid wall or fence (including solid entrance and exit gates) at least eight feet in height.

M2 M3

**42-43**

**Public Parking Garages, Public Parking Lots, or Automotive Service Stations near Schools, Parks, or Playgrounds**

In all districts, as indicated, vehicular entrances or exits for new *public parking garages, public parking lots, or automotive service stations* shall not be located within an *area of restricted access* relating to entrances or exits designed for the use of children attending *schools* or playgrounds *accessory* thereto, or relating to entrances or exits to *public parks* or public playgrounds of one-half acre or more.

M1 M2 M3

Italicized words are defined in Section 12-10.

DISTRICTS		
M1	M2	M3

42-44

**Limitations on Business Entrances, Show Windows, or Signs**

In all districts, as indicated, the location of primary business entrances, *show windows*, or *signs* shall be subject to the provisions of this Section. For the purposes of this Section, a lot of record or a group of contiguous lots of record held in single ownership or control at the effective date of this resolution or any applicable amendment thereto shall be considered a single *zoning lot*, regardless of any subsequent subdivision.

M1 M2 M3

For the purposes of this Section, a *corner lot* shall include the entire *zoning lot*, notwithstanding the 100-foot limitation in the definition of *corner lots* in Section 12-10 (Definitions). All other *zoning lots* shall be considered *zoning lots* with single frontage.

The provisions of this Section shall not apply to:

- (a) Vehicular entrances or exits for permitted drive-in *uses* or automotive service establishments or for permitted or required *accessory* off-street parking spaces or loading berths,
- (b) Service entrances, or other entrances less than three feet, six inches in width,
- (c) Windows other than *show windows*, or
- (d) Ventilators, fire escapes, or other appurtenances required by law.

42-411

**For zoning lots with single frontage**

In all districts, as indicated, for *zoning lots* with single frontage, no primary business entrance, *show window*, or *sign* shall be located on that portion of the *street* frontage within 20 feet of frontage on the same side of the *street* in a *Residence District*.

M1 M2 M3

However, where the *street* frontage of such *zoning lot* or portion thereof located within the *Manufacturing District* is less than 30 feet in length, such minimum distance shall be reduced to 10 feet.

For *zoning lots* with a frontage of more than 30 feet, an application may be made to the Board of Standards and Appeals to reduce such minimum distance to 10 feet, as provided in Section 73-50 (Special Provisions Applying along District Boundaries).

42-442

**For corner lots**

In all districts, as indicated, no primary business entrance, *show window*, or *sign* shall be located on that portion of the *street* frontage of a *corner lot* within 75 feet of frontage on the same side of the *street* in a *Residence District*.

M1 M2 M3

However, primary business entrances, *show windows*, or *signs* may be located on frontage less than 75 feet, but not less than 20 feet, from a *Residence District* boundary:

- (a) If the total length of the *block* face containing such frontage is less than 220 feet, or
- (b) If such frontage adjoins frontage on a *corner lot* in a *Residence District*, or
- (c) If such frontage is separated from frontage in the *Residence District* by one or more *zoning lots* with single frontage.

42-45

**Exceptions for Integrated Developments Divided by District Boundaries**

In all districts, as indicated, primary business entrances, *show windows*, or *signs* may be located on any frontage within a *Manufacturing District*, if the Commissioner of Buildings finds that the *zoning lot* on which the business entrance, *show window*, or *sign* is to be located:

M1 M2 M3

Italicized words are defined in Section 12-10.

DISTRICTS		
M1	M2	M3
M1	M2	M3

42-45 (Continued)

(a) Is divided by a boundary between the *Manufacturing District* and a *Residence District*, or

(b) Is presently in the same ownership as adjoining property located in a *Residence District*, and no *building* in the *Residence District* exists, or will in the future be erected, within a distance of 75 feet from the *Manufacturing District*, as evidenced by deed restrictions filed in an office of record binding the owner and his heirs and assigns.

42-50 SIGN REGULATIONS

42-51

Definitions (repeated from Section 12-10)

Sign

A "sign" is any writing (including letter, word, or numeral); pictorial representation (including illustration or decoration); emblem (including device, symbol, or trademark); flag (including banner or pennant); or any other figure of similar character, which:

(a) Is a structure or any part thereof, or is attached to, painted on, or in any other manner represented on a *building or other structure*, and

(b) Is used to announce, direct attention to, or advertise, and

(c) Is visible from outside a *building*. A *sign* shall include writing, representation, or other figure of similar character within a *building* only when illuminated and located in a window.

The following shall not be subject to the provisions of this resolution:

(a) Signs of a duly constituted governmental body: including traffic or similar regulatory devices, legal notices, or warning at railroad crossings

(b) Flags or emblems of a political, civic, philanthropic, educational, or religious organization

(c) Temporary signs announcing a campaign, drive, or event of the above organizations

(d) Memorial signs or tablets

(e) Signs denoting architect, engineer, or contractor when placed on construction sites and not exceeding 25 square feet in area

(f) Signs required to be maintained by law or governmental order, rule, or regulation, with a total *surface area* not exceeding ten square feet on any *zoning lot*

(g) Small signs displayed for the direction or convenience of the public, including signs which identify rest rooms, freight entrances, or the

like, with a total *surface area* not exceeding five square feet on any *zoning lot*.

When two sides of a double-faced *sign* are located not more than 28 inches apart at the widest point and not more than 18 inches apart at the narrowest point and display identical writing or other representation, the *surface area* shall include only one of the sides. Any additional side of a multi-faced *sign* shall be considered as a separate *sign* for purposes of computing the total *surface area* of the *sign*.

Sign, advertising

An "advertising sign" is a *sign* which directs attention to a business, profession, commodity, service, or entertainment conducted, sold, or offered elsewhere than upon the same *zoning lot*.

Sign, business

A "business sign" is an *accessory sign* which directs attention to a profession, business, commodity, service, or entertainment conducted, sold, or offered upon the same *zoning lot*.

Sign, illuminated

An "illuminated sign" is a *sign* designed to give forth any artificial light or reflect such light from an artificial source.

Sign with indirect illumination

A "sign with indirect illumination" is any *illuminated non-flashing sign* whose illumination is derived entirely from an external artificial source, and is so arranged that no direct rays of light are projected from such artificial source into *residences* or streets.

Surface area (of a sign)

The "surface area" of a *sign* shall be the entire area within a single continuous perimeter enclosing the extreme limits of writing, representation, emblem, or any figure of similar character, together with any material or color forming an integral part of the display or used to differentiate such *sign* from the background against which it is placed. In any event, the supports or uprights on which such *sign* is supported shall not be included in determining the *surface area* of a *sign*.

DISTRICTS		
M1	M2	M3
M1	M2	M3

42-52

Permitted Accessory Business Signs or Advertising Signs

In all districts, as indicated, *accessory business signs* or *advertising signs* are permitted with no restrictions on size, illumination, or otherwise, except as otherwise provided in Section 42-54 (Special Provisions Applying along District Boundaries) and subject to the provisions of Section 42-53 (Additional Regulations for Advertising Signs).

M1	M2	M3
----	----	----

Italicized words are defined in Section 12-10.

DISTRICTS		
M1	M2	M3

42-53

**Additional Regulations for Advertising Signs**

In all districts, as indicated, no *advertising sign* shall be located, nor shall an existing *advertising sign* be structurally altered, relocated, or reconstructed, within 200 feet of an arterial highway or of a *public park* with an area of one-half acre or more, if such *advertising sign* is within view of such arterial highway or *public park*. For the purposes of this Section, arterial highways shall include all highways which are shown on the Master Plan of Arterial Highways and Major Streets as "principal routes", "parkways", or "toll crossings", and which have been designated by the City Planning Commission as arterial highways to which the provisions of this Section shall apply. However, beyond 200 feet from such arterial highway or *public park*, an *advertising sign* shall be located at a distance of at least as many linear feet therefrom as there are square feet of *surface area* on the face of such *sign*.

M1            M2            M3

42-54

**Special Provisions Applying along District Boundaries**

42-541

**Restrictions along district boundary located in a street**

In all districts, as indicated, and within 100 feet of the *street line* of any *street* or portion thereof in which the boundary of an adjoining *Residence District* is located, or which adjoins a *public park* of one-half acre or more, *signs* which face at an angle of less than 165 degrees away from such *Residence District* or park boundary shall be limited to *accessory business signs* and shall conform with all the *sign* regulations applicable in C1 Districts as set forth in Sections 32-61 to 32-68, inclusive, relating to Sign Regulations.

M1            M2            M3

42-542

**Restriction on height above curb level**

In all districts, as indicated, and within 500 feet of the boundary of a *Residence District*, or a C1 or C2 District, no *illuminated sign* with an area exceeding 25 square feet shall extend more than 50 feet above *curb level*, unless all illuminated portions thereof face at an angle of at least 90 degrees from such boundary line.

M1            M2            M3

However, the provisions of this Section shall not apply to any *sign with indirect illumination* which extends to a height of 58 feet or less above *curb level*.

Italicized words are defined in Section 12-10.

## Chapter 3 Bulk Regulations

### 43-00 APPLICABILITY AND GENERAL PROVISIONS

#### 43-01

#### Applicability of this Chapter

The *bulk regulations* of this Chapter apply to any *building or other structure* on any *zoning lot* or portion of a *zoning lot* located in any *Manufacturing District*, including all new *development* or *enlargements*. In addition, the *bulk regulations* of this Chapter or of specified Sections thereof also apply in other provisions of this resolution where they are incorporated by cross reference.

Existing *buildings or other structures* which do not comply with one or more of the applicable *bulk regulations* are *non-complying buildings or other structures* and are subject to the regulations set forth in Article V, Chapter 4.

Special regulations applying to *large-scale community facility developments* are set forth in Article VII, Chapter 8.

### 43-10 FLOOR AREA REGULATIONS

#### Definitions

#### 43-11

#### Definitions (repeated from Section 12-10)

#### Arcade

An "arcade" is a continuous area open to a *street* or to a *plaza*, which is open and unobstructed to a height of not less than 12 feet, is accessible to the public at all times, and either:

- (a) Adjoins a *front lot line* or a *plaza boundary*, is not less than 10 feet or more than 30 feet in depth (measured perpendicular to the *front lot line* or *plaza boundary* which it adjoins), and extends for the full length of, or at least 50 feet along, such *front lot line* or *plaza boundary*, whichever is the lesser distance; or
- (b) On a *corner lot*, is bounded on two sides by the two intersecting *street lines*, and has an area of not less than 500 square feet and a minimum dimension of 10 feet.

Such an *arcade* shall not at any point be above the level of the *street* or *plaza* which it adjoins, whichever is higher. Any portion of an *arcade* occupied by *building* columns shall be considered to be part of the area of the *arcade* for the purpose of computing a *floor area* bonus.

#### Floor area ratio

"Floor area ratio" is the total *floor area* on a *zoning lot*, divided by the *lot area* of that *zoning lot*. (For example, a *building* containing 20,000 square feet of *floor area* on a *zoning lot* of 10,000 square feet has a *floor area ratio* of 2.0.)

#### Plaza

A "plaza" is an open area accessible to the public at all times, which is either:

- (a) A continuous open area along a *front lot line*, not less than 10 feet deep (measured perpendicular to the *front lot line*), with an area of not less than 750 square feet, and extending for its entire depth along the full length of such *front lot line* or for a distance of at least 50

feet thereof, whichever is the lesser distance; or

(b) A continuous open area on a *through lot*, extending from *street* to *street* and not less than 40 feet in width, measured perpendicular to the nearest *side lot line*; or

(c) On a *corner lot*, an open area of not less than 500 square feet, which is bounded on two sides by the two intersecting *street lines* and which has a minimum dimension of 10 feet; or

(d) An open area of not less than 8,000 square feet, with a minimum dimension of 80 feet and which is bounded on one side by a *front lot line* or which is connected to the *street* by means of an *arcade* or by an open area not less than 40 feet wide.

Except for an open area as set forth in (d) above, no portion of such an open area which is bounded on all sides, except for one opening, by either *building walls*, or *building walls* and a *side lot line*, shall be considered part of the *plaza*, unless the opening of such portion is at least 50 feet in width.

A *plaza* shall not at any point be more than five feet above the *curb level* of the nearest adjoining *street*, and shall be unobstructed from its lowest level to the sky, except that those obstructions permitted in Sections 23-44, 24-33, 33-23, or 43-23 (Permitted Obstructions in Required Yards or Rear Yard Equivalents) shall also be considered permitted obstructions in *plazas*.

#### Zoning lot

A "zoning lot" is either:

- (a) A lot of record existing on the effective date of this resolution or any applicable subsequent amendment thereto, or
- (b) A tract of land, either unsubdivided or consisting of two or more contiguous lots of record, located within a single *block*, which, on the effective date of this resolution or any applicable subsequent amendment thereto, was in single ownership, or
- (c) A tract of land, located within a single *block*, which, at the time of filing for a building permit (or, if no building permit is required, at the time of filing for a certificate of occupancy), is designated by its owner or developer as a tract all of which is to be used, *developed*, or built upon as a unit under single ownership.

A *zoning lot* therefore may or may not coincide with a lot as shown on the official tax maps of The City of New York, or on any recorded subdivision plat or deed.

For the purposes of this definition, ownership of a *zoning lot* shall be deemed to include a lease of not less than 50 years duration, with an option to renew such lease so as to provide a total lease of not less than 75 years duration.

A *zoning lot* may be subdivided into two or more *zoning lots*, provided that all resulting *zoning lots* and all *buildings* thereon shall comply with all of the applicable provisions of this resolution. If such *zoning lot*, however, is occupied by a *non-complying building*, such *zoning lot* may be subdivided provided such subdivision does not create a new *non-compliance* or increase the degree of *non-compliance* of such *building*.

DISTRICTS		
M1	M2	M3

**Basic Regulations**

**43-12**

**Maximum Floor Area Ratio**

In all districts, as indicated, for any *building* on any *zoning lot*, the maximum *floor area ratio* shall not exceed the *floor area ratio* set forth in the following table, except as otherwise provided in the following Sections:

M1 M2 M3

- Section 43-121 (Maximum floor area ratio for community facility buildings)
- Section 43-13 (Floor Area Bonus for a Plaza)
- Section 43-14 (Floor Area Bonus for a Plaza-Connected Open Area)
- Section 43-15 (Floor Area Bonus for Arcades)
- Section 43-16 (Special Provisions for Zoning Lots Divided by District Boundaries).

Any given *lot area* shall be counted only once in determining the *floor area ratio*.

Notwithstanding any other provision of this resolution, the maximum *floor area ratio* shall not exceed this amount by more than 20 percent.

MAXIMUM PERMITTED  
FLOOR AREA RATIO

1.00	M1-1		
2.00	M1-2 M1-4	M2-1 M2-3	M3
5.00	M1-3 M1-5	M2-2 M2-4	
10.00	M1-6		

In *buildings* used partly for *community facility use* and partly for *manufacturing* or *commercial use*, the total *floor area* used for *manufacturing* or *commercial use* shall not exceed the amount permitted in the preceding table or by the bonus provisions in Sections 43-13, 43-14, or 43-15.

**43-121**

**Maximum floor area ratio for community facility buildings**

In the districts indicated, for any *community facility building* or for any *building* used partly for *community facility uses*, the maximum *floor area ratio* shall not exceed the *floor area ratio* set forth in the following table:

M1

MAXIMUM PERMITTED  
FLOOR AREA RATIO

2.40	M1-1
4.80	M1-2
6.50	M1-3 M1-4 M1-5
10.00	M1-6

**Supplementary Regulations**

**43-13**

**Floor Area Bonus for a Plaza**

In the district indicated, for each square foot of *plaza* or portion of a *plaza* provided on a *zoning lot*, the total *floor area* permitted on that *zoning lot* under the provisions of Section 43-12 (Maximum Floor Area Ratio) may be increased by six square feet.

M1-6

Italicized words are defined in Section 12-10.

DISTRICTS		
M1	M2	M3

43-14

**Floor Area Bonus for a Plaza-Connected Open Area**

In the district indicated, for each square foot of open area unobstructed from its lowest level to the sky, which has a minimum dimension of 40 feet and which connects two *plazas* or a *plaza* with a *street*, the total *floor area* permitted on a *zoning lot* under the provisions of Section 43-12 (Maximum Floor Area Ratio) may be increased as though such open area were part of the *plaza* eligible for the bonus set forth in Section 43-13 (Floor Area Bonus for a Plaza).

M1-6

Permitted obstructions in such open area shall be the same as those set forth in Section 43-23 (Permitted Obstructions in Required Yards or Rear Yard Equivalentents).

43-15

**Floor Area Bonus for Arcades**

In the district indicated, for each square foot of *arcade* provided on a *zoning lot*, the total *floor area* permitted on that *zoning lot* under the provisions of Section 43-12 (Maximum Floor Area Ratio) may be increased by three square feet.

M1-6

**Regulations Applying in Special Situations**

43-16

**Special Provisions for Zoning Lots Divided by District Boundaries**

In all districts, as indicated, whenever a *zoning lot* is divided by a boundary between districts with different maximum *floor area ratios*, the provisions set forth in Article VII, Chapter 7, shall apply.

M1 M2 M3

43-20 YARD REGULATIONS

**Definitions and General Provisions**

43-21

Definitions (repeated from Section 12-10)

**Yard**

A "yard" is that portion of a *zoning lot* extending open and unobstructed from the lowest level to the sky along the entire length of a *lot line*, and from the *lot line* for a depth or width set forth in the applicable district *yard* regulations.

**Yard, front**

A "front yard" is a *yard* extending along the full length of a *front lot line*. In the case of a *corner lot*, any *yard* extending along the full length of a *street line* shall be considered a *front yard*.

**Yard, rear**

A "rear yard" is a *yard* extending for the full length of a *rear lot line*.

**Yard equivalent, rear**

A "rear yard equivalent" is an open area which may be required on a *through lot* as an alternative to a required *rear yard*.

**Yard, side**

A "side yard" is a *yard* extending along a *side lot line* from the required *front yard* (or from the *front lot line* if no *front yard* is required) to the required *rear yard* (or to the *rear lot line*, if no *rear yard* is required). In the case of a *corner lot*, any *yard* which is not a *front yard* shall be considered a *side yard*.

43-22

**Level of Yards**

In all *Manufacturing Districts*, the level of a *yard* or of a *rear yard equivalent* shall not be higher than *curb level*. However, this Section shall not be construed to require that natural grade level be disturbed in order to comply with this requirement.

No *building* or other structure shall be erected above ground level in any required *yard* or *rear yard equivalent* except as otherwise provided in Section 43-23 (Permitted Obstructions in Required Yards or Rear Yard Equivalentents).

43-23

**Permitted Obstructions in Required Yards or Rear Yard Equivalentents**

In all *Manufacturing Districts*, the following shall not be considered obstructions when located within a required *yard* or *rear yard equivalent*:

(a) In any *yard* or *rear yard equivalent*:

- Arbors or trellises
- Awnings or canopies
- Chimneys projecting not more than three feet into, and not exceeding two percent of the area of, the required *yard* or *rear yard equivalent*
- Eaves, gutters, or downspouts, projecting into such *yard* or *rear yard equivalent* not more than 16 inches or 20 percent of the width of such *yard* or *rear yard equivalent*, whichever is the lesser distance

(Continued on next page)

Italicized words are defined in Section 12-10.



43-23 (Continued)

- Fences
- Flag poles
- Open *accessory* off-street parking spaces
- Open terraces or porches
- Steps
- Walls not exceeding eight feet in height and not roofed or part of a *building*;
- (b) In any *rear yard* or *rear yard equivalent*:
  - Accessory* off-street parking spaces, provided that the height of an *accessory building* used for such purposes and located in a required *rear yard* or *rear yard equivalent* shall not exceed 23 feet above *curb level*
  - Breezeways
  - Fire escapes
  - Any *building* or portion of a *building* used

for any permitted *use*, except that any portion of a *building* containing rooms used for living or sleeping purposes (other than a room in a hospital used for the care or treatment of patients) shall not be a permitted obstruction, and provided that the height of such *building* shall not exceed one *story*, excluding *basement*, nor in any event 23 feet above *curb level*.

However, no portion of a *rear yard equivalent* which is also a required *front yard* or required *side yard* may contain any obstructions not permitted in such *front yard* or *side yard*.

43-24

Measurement of Yard Width or Depth

In all *Manufacturing Districts*, the width or depth of a *yard* or *rear yard equivalent* shall be measured perpendicular to *lot lines*.

DISTRICTS		
M1	M2	M3

Basic Regulations

43-25

Minimum Required Side Yards

In all districts, as indicated, no *side yards* are required. However, if an open area extending along a *side lot line* is provided, it shall be at least eight feet wide.

M1	M2	M3
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43-26

Minimum Required Rear Yards

In all districts, as indicated, one *rear yard* with a depth of not less than 20 feet shall be provided on any *zoning lot* except a *corner lot* and except as otherwise provided in Section 43-27 (Special Provisions for Shallow Interior Lots), Section 43-28 (Special Provisions for Through Lots), or Section 43-31 (Other Special Provisions for Rear Yards).

M1	M2	M3
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Regulations Applying in Special Situations

43-27

Special Provisions for Shallow Interior Lots

In all districts, as indicated, if an *interior lot* consists entirely of a tract of land:

M1	M2	M3
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- (a) Which was owned separately and individually from all other adjoining tracts of land, both on the effective date of this resolution and on the date of application for a building permit, and
- (b) Which is less than 70 feet deep,

the depth of a required *rear yard* for such *interior lot* may be reduced by one foot for each two feet by which the maximum depth of a *zoning lot* is less than 70 feet. No *rear yard* is required on any *interior lot* with a maximum depth of less than 50 feet.

Italicized words are defined in Section 12-10.

DISTRICTS		
M1	M2	M3

43-28

Special Provisions for Through Lots

In all districts, as indicated, no rear yard regulations shall apply to a building on any through lot which extends less than 110 feet in maximum lot depth from street to street. However, on any through lot 110 feet or more in maximum depth from street to street, one of the following rear yard equivalents shall be provided, except that in the case of a zoning lot occupying an entire block, no rear yard or rear yard equivalent shall be required:

M1 M2 M3

(a) An open area with a minimum lot depth of 40 feet, linking adjoining rear yards, or if no such rear yards exist, then an open area with a minimum depth of 40 feet, midway (or within five feet of being midway) between the two street lines upon which such through lot fronts, or

(b) Two open areas, each adjoining and extending along the full length of the street line, and each with a minimum depth of 20 feet measured from such street line, or

(c) An open area adjoining and extending along the full length of each side lot line, with a minimum width of 20 feet measured from each such side lot line.

Any such rear yard equivalent shall be unobstructed from its lowest level to the sky, except as provided in Section 43-23 (Permitted Obstructions in Required Yards or Rear Yard Equivalents).

43-29

Special Provisions Applying along Railroad Rights-of-Way

In all districts, as indicated, along such portion of a rear lot line which coincides with a boundary of a railroad right-of-way, no rear yard shall be required.

M1 M2 M3

43-30

Special Provisions Applying along District Boundaries

43-301

Required yards along district boundary coincident with side lot line of zoning lot in an R1, R2, R3, R4, or R5 District

In all districts, as indicated, along such portion of the boundary of a Manufacturing District which coincides with a side lot line of a zoning lot in an R1, R2, R3, R4, or R5 District, an open area not higher than curb level and at least 15 feet wide shall be provided within the Manufacturing District. Such an open area shall not be used for accessory off-street parking, accessory off-street loading, or for storage or processing of any kind.

M1 M2 M3

43-302

Required yards along district boundary coincident with rear lot lines of the two adjoining zoning lots

In all districts, as indicated, along such portion of the rear lot line of a zoning lot in a Manufacturing District which coincides with a rear lot line of a zoning lot in an adjoining Residence District, an open area not higher than curb level and at least 30 feet in depth shall be provided within the Manufacturing District. Such an open area shall not be used for storage or processing of any kind.

M1 M2 M3

43-303

Required yards along district boundary coincident with side lot line of zoning lot in a Manufacturing District

In all districts, as indicated, along such portion of a side lot line of a zoning lot in a Manufacturing District which coincides with a rear lot line of a zoning lot in an adjoining Residence District, an open area not higher than curb level and at least 15 feet wide shall be provided within the Manufacturing District. Such open area shall not be used for accessory off-street loading or for storage or processing of any kind.

M1 M2 M3

Italicized words are defined in Section 12-10.

DISTRICTS		
M1	M2	M3

43-304

Required front yards along district boundary located in a street

In the districts indicated, if the boundary of an adjoining *Residence District* is located at the center line of a *street*, a *front yard* not higher than *curb level* and at least 20 feet in depth shall be provided along any *front lot line* forming the boundary between a *zoning lot* located within the *Manufacturing District* and that portion of the *street* in which the district boundary is located.

M1-1		
M1-2		
M1-3		
M1-4	M2	M3

43-31

Other Special Provisions for Rear Yards

In all districts, as indicated, the *rear yard* requirements set forth in Section 43-26 (Minimum Required Rear Yards) shall be modified as set forth in this Section.

M1	M2	M3
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43-311

Within one hundred feet of corners

In all districts, as indicated, no *rear yard* shall be required within 100 feet of the point of intersection of two *street lines* intersecting at an angle of 135 degrees or less.

M1	M2	M3
----	----	----

43-312

Along short dimension of block

In all districts, as indicated, whenever a *front lot line* of a *zoning lot* coincides with all or part of a *street line* measuring less than 220 feet in length between two intersecting *streets*, no *rear yard* shall be required within 100 feet of such *front lot line*.

M1	M2	M3
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43-313

For portions of through lots

In all districts, as indicated, along any *rear lot line* of a portion of a *through lot* which coincides with a *rear lot line* of an adjoining *zoning lot*, a *rear yard* shall be required as if such portion were an *interior lot*.

M1	M2	M3
----	----	----

All Yards

43-32

Special Provisions for Zoning Lots Divided by District Boundaries

In all districts, as indicated, whenever a *zoning lot* is divided by a boundary between districts with different *yard* regulations, the provisions set forth in Article VII, Chapter 7, shall apply.

M1	M2	M3
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43-40 HEIGHT AND SETBACK REGULATIONS

Definitions and General Provisions

43-41

Definitions (repeated from Section 12-10)

Initial setback distance

An "initial setback distance" is a horizontal distance measured from a *street line* into a *zoning lot* for a depth as set forth in the district regulations.

Public park

A "public park" is any publicly-owned park, playground, beach, parkway, or roadway within the jurisdiction and control of the Commissioner of Parks, except for park strips or malls in a *street* the roadways of which are not within his jurisdiction and control.

Sky exposure plane

A "sky exposure plane" is an imaginary inclined plane:

- (a) Beginning above the *street line* (or, where so indicated, above the *front yard line*) at a height set forth in the district regulations, and
- (b) Rising over a *zoning lot* at a ratio of vertical distance to horizontal distance set forth in the district regulations.

Street, narrow

A "narrow street" is any *street* less than 75 feet wide.

Street, wide

A "wide street" is any *street* 75 feet or more in width.

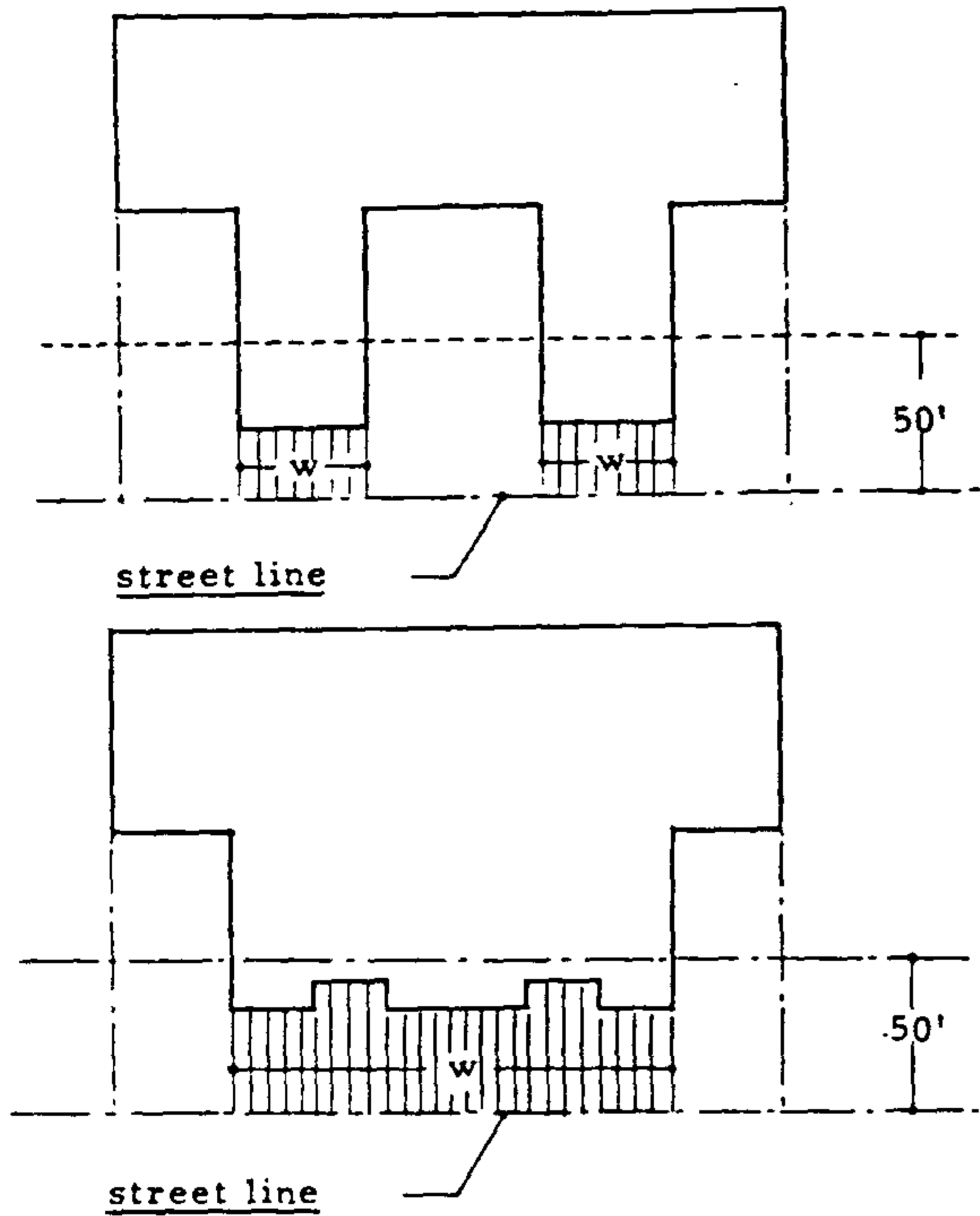
Italicized words are defined in Section 12-10.

43-41 (Continued)

Street walls, aggregate width of

The "aggregate width of street walls" at any given level is the sum of the maximum widths of all *street walls* of a *building* within 50 feet of a *street line*.

The width of a *street wall* is the length of the *street line* from which, when viewed directly from above, lines perpendicular to the *street line* may be drawn to such *street wall*.



w is the aggregate width of street walls

ILLUSTRATIONS OF AGGREGATE WIDTH OF STREET WALLS SECTION 43-41

43-42

Permitted Obstructions

In all *Manufacturing Districts*, the following shall not be considered obstructions and may thus penetrate a maximum height limit or a *sky exposure plane* set forth in Section 43-43 (Maximum Height of Front Wall and Required Front Setbacks) or Section 43-44 (Alternate Front Setbacks).

- (a) Chimneys or flues, with a total width not exceeding 10 percent of the *aggregate width of street walls* of a *building* at any given level
- (b) Elevator or stair bulkheads, roof water tanks, or cooling towers (including enclosures), each having an *aggregate width of street walls* equal to not more than 30 feet. However, the product, in square feet, of the *aggregate width of street walls* of such obstructions facing each *street* frontage, times their average height, in feet, shall not exceed a figure equal to four times the width, in feet, of the *street wall* of the *building* facing such frontage.
- (c) Flag poles or aerials
- (d) Ornamental church towers having no *floor area* in portion of tower penetrating such height limit or *sky exposure plane*
- (e) Spires or belfries
- (f) Parapet walls not more than four feet high
- (g) Wire, chain link, or other transparent fences.

Building columns having an aggregate width equal to not more than 20 percent of the *aggregate width of street walls* of a *building* are a permitted obstruction, to a depth not exceeding 12 inches, in an *initial setback distance*, optional front open area, or any other required setback distance or open area set forth in Section 43-43, Section 43-44, or Section 43-45 (Tower Regulations).

DISTRICTS		
M1	M2	M3

Basic Regulations

43-43

Maximum Height of Front Wall and Required Front Setbacks

In all districts, as indicated, if the front wall or any other portion of a *building* or *other structure* is located at the *street line* or within the *initial setback distance* as set forth in the following table, the height of such front wall or other portion of a *building* or *other structure*, except as otherwise set forth in this Section, shall not exceed the maximum height above *curb level* set forth in the following table. Above such maximum height and beyond the *initial setback distance*, the *building* shall not penetrate the *sky exposure plane* set forth in the following table.

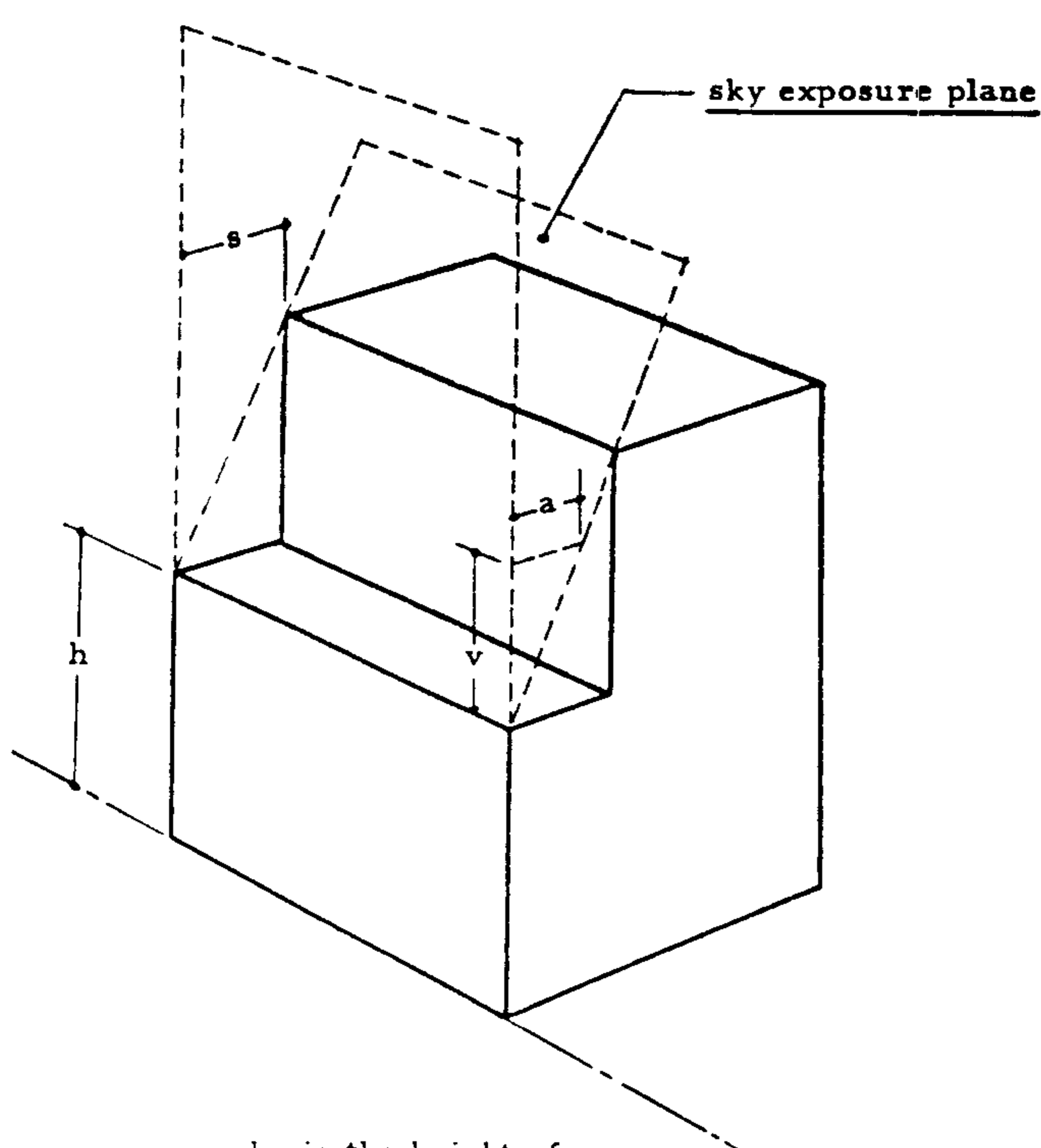
The regulations of this Section shall apply except as otherwise provided in Section 43-42 (Permitted Obstructions), Section 43-44 (Alternate Front Setbacks), or Section 43-45 (Tower Regulations). In M1-1 Districts, for *community facility buildings* the maximum height of a front wall shall be 35 feet or three *stories*, whichever is less, and the height above *street line* shall be 35 feet, and in M1-4 Districts, for *community facility buildings* the maximum height of a front wall shall be 60 feet or six *stories*, whichever is less.

MAXIMUM HEIGHT OF FRONT WALL AND REQUIRED FRONT SETBACKS

Initial setback distance (in feet)		Maximum height of a front wall, or other portion of a <i>building</i> , within the <i>initial setback distance</i>	Height above <i>street line</i> (in feet)	Sky exposure plane				Districts
On narrow street	On wide street			Slope over <i>zoning lot</i> (expressed as a ratio of vertical distance to horizontal distance)				
				On narrow street		On wide street		
				Vertical distance	Horizontal distance	Vertical distance	Horizontal distance	
20	15	30 feet or two <i>stories</i> , whichever is less	30	1	to 1	1	to 1	M1-1
20	15	60 feet or four <i>stories</i> , whichever is less	60	2.7	to 1	5.6	to 1	M1-2 M1-4 M2-1 M2-3 M3
20	15	85 feet or six <i>stories</i> , whichever is less	85	2.7	to 1	5.6	to 1	M1-3 M1-5 M1-6 M2-2 M2-4

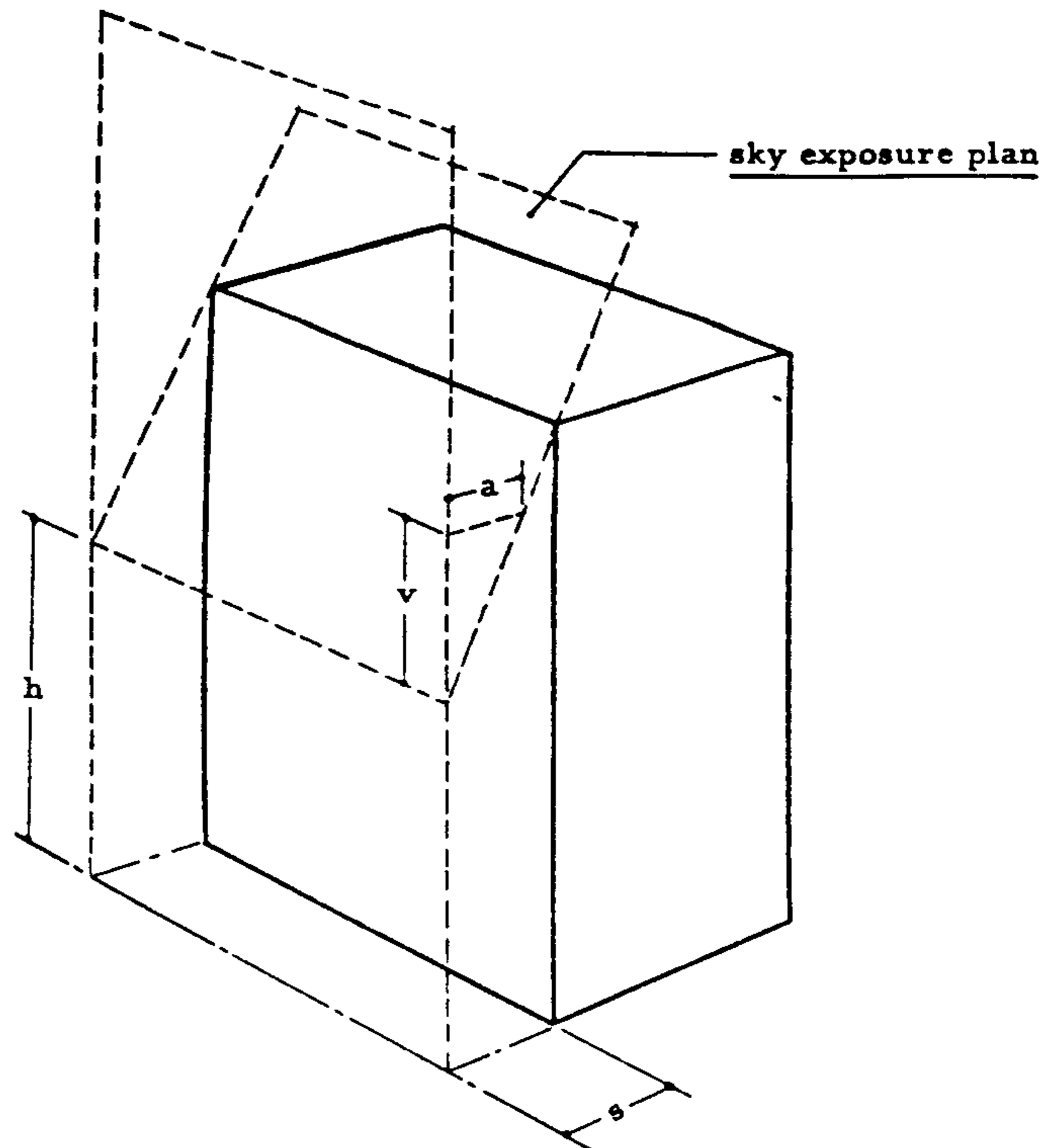
(See illustration on following page.)

Italicized words are defined in Section 12-10.



h is the height of sky exposure plane above street line  
 s is the initial setback distance  
 v is the vertical distance  
 a is the horizontal distance

ILLUSTRATION OF SKY EXPOSURE PLANE SECTION 43-43



h is the height of sky exposure plane above street line  
 s is the depth of the optional front open area  
 v is the vertical distance  
 a is the horizontal distance

ILLUSTRATION OF ALTERNATE SKY EXPOSURE PLANE SECTION 43-44

DISTRICTS		
M1	M2	M3

43-44

Alternate Front Setbacks

In all districts, as indicated, if an open area is provided along the full length of the *front lot line* with the minimum depth set forth in the following table, the provisions of Section 43-43 (Maximum Height of Front Wall and Required Front Setbacks) shall not apply. The minimum depth of such open area shall be measured perpendicular to the *front lot line*. However, in such instances, except as otherwise provided in this Section or in Section 43-42 (Permitted Obstructions) or Section 43-45 (Tower Regulations), no *building or other structure* shall penetrate the alternate *sky exposure plane* set forth in the following table. The *sky exposure plane* shall be measured from a point above the *street line*.

If the open area provided under the terms of this Section is a *plaza*, such open area may be counted for the bonus provided for a *plaza*, in the districts indicated in Section 43-13 (Floor Area Bonus for a Plaza).

In M1-1 Districts, for *community facility buildings* the height above *street line* shall be 35 feet.

ALTERNATE REQUIRED FRONT SETBACKS

Depth of optional front open area (in feet)		Height above street line (in feet)	Alternate <i>sky exposure plane</i>				
			Slope over <i>zoning lot</i> (expressed as a ratio of vertical distance to horizontal distance)				
On narrow street	On wide street		On narrow street Vertical distance	Horizontal distance	On wide street Vertical distance	Horizontal distance	
15	10	30	1.4	to 1	1.4	to 1	M1-1
15	10	60	3.7	to 1	7.6	to 1	M1-2 M2-1 M1-4 M2-3 M3
15	10	85	3.7	to 1	7.6	to 1	M1-3 M1-5 M2-2 M1-6 M2-4

Italicized words are defined in Section 12-10.

DISTRICTS		
M1	M2	M3

Supplementary Regulations

43-45

Tower Regulations

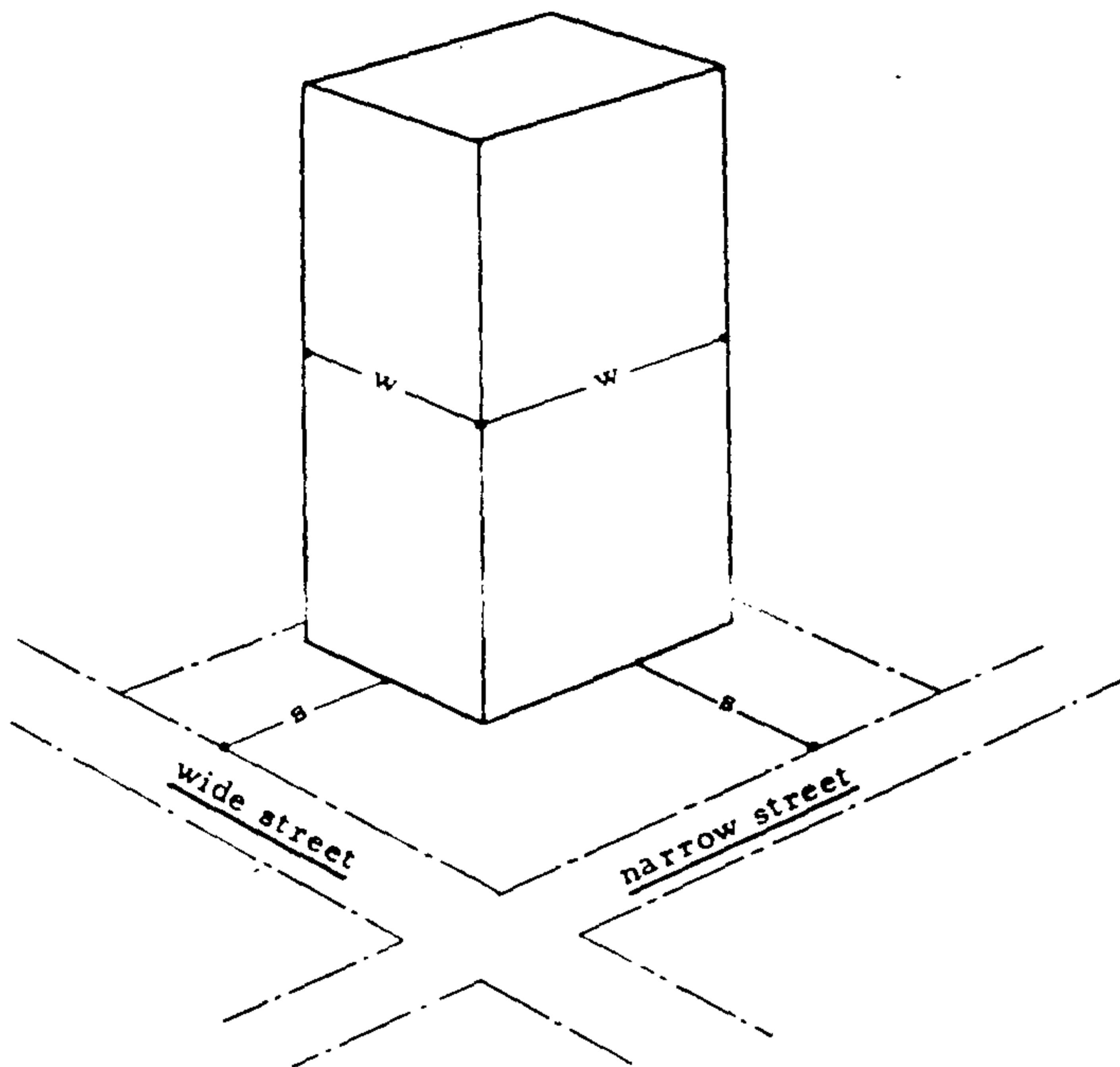
In the districts indicated, any *building* or *buildings* or portion thereof which in the aggregate occupy not more than 40 percent of the *lot area* of a *zoning lot* or, for *zoning lots* of less than 20,000 square feet, the percent set forth in Section 43-451 (Towers on small lots), may penetrate an established *sky exposure plane*. (Such *building* or portion thereof is hereinafter referred to as a tower.) However, at any given level, such tower shall be set back from a *street line* as follows:

M1-3  
M1-4  
M1-5  
M1-6

(a) On *narrow streets*, by a distance at least one-third of the *aggregate width of street walls* of the tower at such level, provided that such setback need not exceed 50 feet.

(b) On *wide streets*, by a distance at least one-fourth of the *aggregate width of street walls* of the tower at such level, provided that such setback need not exceed 40 feet.

If the *building* of which such tower is a portion does not occupy at any level more than the maximum percent of the *lot area* set forth in this Section or Section 43-451 for towers, each required setback as set forth in (a) and (b) of this Section may be reduced by five feet, provided that no such reduced setback shall be less than 20 feet in depth.



s is the required setback from streets

w is the aggregate width of street walls

ILLUSTRATION OF TOWER SECTION 43-45

Italicized words are defined in Section 12-10.

DISTRICTS		
M1	M2	M3

**43-451**

**Towers on small lots**

M1-3  
M1-4  
M1-5  
M1-6

In the districts indicated, a tower may occupy the percent of the *lot area* of a *zoning lot* set forth in the following table:

LOT COVERAGE OF TOWERS ON SMALL ZONING LOTS

Area of <i>zoning lot</i> (in square feet)	Maximum percent of <i>lot coverage</i>
10,500 or less	50
10,501 to 11,500	49
11,501 to 12,500	48
12,501 to 13,500	47
13,501 to 14,500	46
14,501 to 15,500	45
15,501 to 16,500	44
16,501 to 17,500	43
17,501 to 18,500	42
18,501 to 19,999	41

**Regulations Applying in Special Situations**

**43-46**

**Special Provisions for Zoning Lots Directly Adjoining Public Parks**

In all districts, as indicated, a *public park* with an area of between one and fifteen acres shall be considered a *wide street* for the purpose of applying the height and setback regulations as set forth in Section 43-43 (Maximum Height of Front Wall and Required Front Setbacks) to any *building or other structure* on a *zoning lot* adjoining such *public park*. However, the provisions of this Section shall not apply to a *public park* more than 75 percent of which is paved.

M1      M2      M3

**43-47**

**Modification of Height and Setback Regulations**

In the district indicated, for certain *community facility uses* in specified situations, the Board of Standards and Appeals may modify the regulations set forth in Sections 43-41 to 43-45, inclusive, relating to Height and Setback Regulations, in accordance with the provisions of Section 73-64 (Modifications for Community Facility Uses).

M1

**43-48**

**Special Provisions for Zoning Lots Divided by District Boundaries**

In all districts, as indicated, whenever a *zoning lot* is divided by a boundary between districts with different height and setback regulations, or whenever a *zoning lot* is divided by a boundary between a district to which the provisions of Section 43-45 (Tower Regulations) apply and a district to which such provisions do not apply, the provisions set forth in Article VII, Chapter 7, shall apply.

M1      M2      M3

**43-50 COURT REGULATIONS AND MINIMUM DISTANCE BETWEEN WINDOWS AND WALLS OR LOT LINES**

**Basic Regulations**

**43-51**

**Minimum Dimensions of Courts for Community Facility Buildings**

In the district indicated, the regulations set forth in the following Sections shall apply to all *buildings* containing *community facility uses*:

M1

- Section 24-61 (General Provisions and Applicability)
- Section 24-62 (Minimum Dimensions of Courts)
- Section 24-63 (Outer Court Regulations)
- Section 24-64 (Inner Court Regulations)
- Section 24-65 (Minimum Distance between Required Windows and Walls or Lot Lines)
- Section 24-66 (Modifications of Court Regulations or Distance Requirements).

Italicized words are defined in Section 12-10.

Summary of Bulk Regulations in Manufacturing Districts

District	Maximum Floor Area Ratio		Yard Requirements <sup>1</sup>		Height and Setback Requirements Standard Regulations						
			Side Yard	Rear Yard	Sky exposure plane					Slope over zoning lot (vertical distance to horizontal distance)	
			Minimum width of open area if provided (in feet)	Minimum depth (in feet)	Initial setback distance (in feet)		Maximum height of front wall or other portion of building in setback distance		Height above street line (in feet)	Slope over zoning lot (vertical distance to horizontal distance)	
					Narrow street	Wide street	(in feet)	(in stories)		Narrow street	Wide street
M1-1	1.00	2.40	8	20	20	15	30 <sup>3</sup>	2 <sup>3</sup>	30 <sup>3</sup>	1 to 1	1 to 1
M1-2	2.00	4.80	8	20	20	15	60	4	60	2.7 to 1	5.6 to 1
M1-3	5.00	6.50	8	20	20	15	85	6	85	2.7 to 1	5.6 to 1
M1-4	2.00	6.50	8	20	20	15	60	4 <sup>4</sup>	60	2.7 to 1	5.6 to 1
M1-5	5.00	6.50	8	20	20	15	85	6	85	2.7 to 1	5.6 to 1
M1-6	10.00 <sup>2</sup>	10.00 <sup>2</sup>	8	20	20	15	85	6	85	2.7 to 1	5.6 to 1
M2-1	2.00	....	8	20	20	15	60	4	60	2.7 to 1	5.6 to 1
M2-2	5.00	....	8	20	20	15	85	6	85	2.7 to 1	5.6 to 1
M2-3	2.00	....	8	20	20	15	60	4	60	2.7 to 1	5.6 to 1
M2-4	5.00	....	8	20	20	15	85	6	85	2.7 to 1	5.6 to 1
M3-1	2.00	....	8	20	20	15	60	4	60	2.7 to 1	5.6 to 1
M3-2	2.00	....	8	20	20	15	60	4	60	2.7 to 1	5.6 to 1

Height and Setback Requirements Alternate Regulations

District	Depth of optional front open area (in feet)		Sky exposure plane		
	Narrow street	Wide street	Height above street line (in feet)	Slope over zoning lot (vertical distance to horizontal distance)	
				Narrow street	Wide street
M1-1	15	10	30 <sup>3</sup>	1.4 to 1	1.4 to 1
M1-2	15	10	60	3.7 to 1	7.6 to 1
M1-3	15	10	85	3.7 to 1	7.6 to 1
M1-4	15	10	60	3.7 to 1	7.6 to 1
M1-5	15	10	85	3.7 to 1	7.6 to 1
M1-6	15	10	85	3.7 to 1	7.6 to 1
M2-1	15	10	60	3.7 to 1	7.6 to 1
M2-2	15	10	85	3.7 to 1	7.6 to 1
M2-3	15	10	60	3.7 to 1	7.6 to 1
M2-4	15	10	85	3.7 to 1	7.6 to 1
M3-1	15	10	60	3.7 to 1	7.6 to 1
M3-2	15	10	60	3.7 to 1	7.6 to 1

<sup>1</sup> No front yards or side yards are required in Manufacturing Districts. No rear yards are required for corner lots.

<sup>2</sup> The floor area ratio shown is exclusive of bonuses for plazas, plaza-connected open areas, or arcades.

<sup>3</sup> For community facility buildings, 35 feet and 8 stories.

<sup>4</sup> For community facility buildings, 6 stories.



## Chapter 4 Accessory Off-Street Parking and Loading Regulations

### OFF-STREET PARKING REGULATIONS

#### 44-00 GENERAL PURPOSES AND DEFINITIONS

##### 44-01

##### General Purposes

The following regulations on permitted and required accessory off-street parking spaces are adopted in order to provide parking spaces off the streets for the increasing number of people driving to work in areas outside the high density central areas, to relieve congestion on streets in industrial districts, to help prevent all-day parking in residential and commercial areas adjacent to manufacturing areas, and to provide for better and more efficient access to and from industrial establishments within the City, and thus to promote and protect public health, safety, and general welfare.

##### 44-02

##### Definitions (repeated from Section 12-10)

##### Group parking facility

A "group parking facility" is a *building or other structure* or a tract of land used for the storage of motor vehicles, which contains more than one parking space, which has access to the *street* common to all spaces, and which, if *accessory* to a *residential use*, is designed to serve more than one *dwelling unit*. A *group parking facility* shall include, but is not limited to, the following:

- (a) An open parking area
- (b) Parking spaces included within, or on the roof of, a *building* not primarily used for parking
- (c) A *building or buildings* used primarily for parking, including a group of individual garages.

DISTRICTS		
M1	M2	M3

#### 44-10 PERMITTED ACCESSORY OFF-STREET PARKING SPACES

##### 44-11

##### General Provisions

In all districts, as indicated, *accessory* off-street parking spaces, open or enclosed, may be provided for all permitted *uses* subject to the provisions set forth in Section 44-12 (Maximum Size of Accessory Group Parking Facilities).

M1	M2	M3
----	----	----

##### 44-12

##### Maximum Size of Accessory Group Parking Facilities

In all districts, as indicated, no *accessory group parking facility* shall contain more than 150 off-street parking spaces, except as provided in Section 44-13 (Modification of Maximum Size of Accessory Group Parking Facilities).

M1	M2	M3
----	----	----

##### 44-13

##### Modification of Maximum Size of Accessory Group Parking Facilities

In all districts, as indicated, a *group parking facility* may contain additional spaces not to exceed 50 percent of the maximum number otherwise permitted under the provisions of Section 44-12 (Maximum Size of Accessory Group Parking Facilities), if the Commissioner of Buildings determines that:

M1	M2	M3
----	----	----

- (a) Such facility has separate vehicular entrances and exits thereto, located not less than 25 feet apart, and
- (b) Such facility is located on a street not less than 60 feet in width, and
- (c) Such facility, if *accessory* to a *commercial or manufacturing use*, has adequate reservoir space at the entrances to accommodate a minimum of 10 automobiles.

The Commissioner of Buildings shall establish appropriate additional regulations with respect to the design of such facility to minimize adverse effects on the character of the surrounding area, such as requirements for shielding of floodlights.

DISTRICTS		
M1	M2	M3

44-14

**Exceptions to Maximum Size of Accessory Group Parking Facilities**

In all districts, as indicated, the Board of Standards and Appeals may permit *accessory group parking facilities* with more than 225 spaces, in accordance with the provisions of Section 73-48 (Exceptions to Maximum Size of Accessory Group Parking Facilities).

M1 M2 M3

**44-20 REQUIRED ACCESSORY OFF-STREET PARKING SPACES FOR MANUFACTURING, COMMERCIAL, OR COMMUNITY FACILITY USES**

44-21

**General Provisions**

In all districts, as indicated, *accessory off-street parking spaces*, open or enclosed, shall be provided in conformity with the requirements set forth in the table in this Section for all new *development* after the effective date of this resolution for the *manufacturing, commercial or community facility uses* listed in the table. In addition, all other applicable requirements of this Chapter shall apply as a condition precedent to the *use* of such *development*.

M1 M2 M3

A parking space is required for a portion of a unit of measurement one-half or more of the amount set forth in the table.

For the purposes of this Section, a tract of land on which a group of such *uses* is *developed* under single ownership or control shall be considered a single *zoning lot*.

For those *uses* for which rated capacity is specified as the unit of measurement, the Commissioner of Buildings shall determine the rated capacity as the number of persons which may be accommodated by such *uses*.

After the effective date of this resolution, if an *enlargement* results in a net increase in the *floor area* or other applicable unit of measurement specified in the table in this Section, the same requirements set forth in the table shall apply to such net increase in the *floor area* or other specified unit of measurement.

The requirements of this Section shall be waived in the following situations:

- (a) When, as the result of the application of such requirements, a smaller number of spaces would be required than is specified by the provisions of Section 44-23 (Waiver of Requirements for Spaces below Minimum Number)
- (b) When the Commissioner of Buildings has certified, in accordance with the provisions of Section 44-24 (Waiver of Requirements for All Zoning Lots Where Access Would Be Forbidden), that there is no way to arrange the spaces with access to the *street* to conform to the provisions of Section 44-43 (Location of Access to the Street).

REQUIRED OFF-STREET PARKING SPACES FOR MANUFACTURING, COMMERCIAL, OR COMMUNITY FACILITY USES

Type of use	Parking spaces required, in relation to specified unit of measurement	M1-4	M2-3	M3-2
FOR MANUFACTURING OR COMMERCIAL USES				
Manufacturing or semi-industrial <i>uses</i> — <i>Uses</i> in Use Group 17B, 17D, 18A, or 18C, or in parking requirement category F in Use Group 11 or 16, and with a minimum of either 7,500 square feet of <i>floor area</i> or 15 employees	None required	M1-5	M2-4	M3-1
	1 per 1,000 square feet of <i>floor area</i> <sup>1</sup> , or 1 per 3 employees, whichever will require a larger number of spaces	M1-1	M2-1	M3-1

<sup>1</sup> For predominantly open manufacturing *uses*, the *lot area* used for such *uses* shall be considered as *floor area* for the purposes of these requirements.

Italicized words are defined in Section 12-10.

44-21 (Continued)	Type of use	Parking spaces required in relation to specified unit of measurement	DISTRICTS		
			M1	M2	M3
			M1	M2	M3
<b>FOR MANUFACTURING OR COMMERCIAL USES</b>					
	Storage or miscellaneous uses—Uses in:	None required	M1-4 M1-5 M1-6	M2-3 M2-4	M3-2
	(a) Parking requirement category G in Use Group 16, or	1 per 2,000 square feet of floor area <sup>1</sup> , or 1 per 3 employees, whichever will require a lesser number of spaces	M1-1 M1-2 M1-3	M2-1 M2-2	M3-1
	(b) Use Group 17A, 17D, 18B, or 18C, or				
	(c) Use Group 17C, except for agricultural uses, such exception including greenhouses, nurseries, or truck gardens,				
	with a minimum of either 10,000 square feet of floor area or 15 employees				
		Square feet of floor area:			
	Food stores with 2,000 or more square feet of floor area per establishment—Uses in parking requirement category A in Use Group 6	None required	M1-4 M1-5 M1-6	M2-3 M2-4	M3-2
		1 per 200	M1-1 M1-2 M1-3	M2-1 M2-2	M3-1
		Square feet of floor area:			
	General retail or service uses—Food stores with less than 2,000 square feet of floor area; uses in parking requirement category B in Use Group 6, 8, 9, or 10; or uses in parking requirement category B1 in Use Group 6, 7, 8, 9, 10, 11, 14, or 16	None required	M1-4 M1-5 M1-6	M2-3 M2-4	M3-2
		1 per 300 <sup>2</sup>	M1-1 M1-2 M1-3	M2-1 M2-2	M3-1
		Square feet of floor area:			
	Low traffic-generating uses—Uses in parking requirement category C in Use Group 6, 7, 9, 13, 14, or 16.	None required	M1-4 M1-5 M1-6	M2-3 M2-4	M3-2
		1 per 600	M1-1 M1-2 M1-3	M2-1 M2-2	M3-1
		Rated capacity:			
	Places of Assembly—Uses in parking requirement category D in Use Group 6, 8, 9, 10, or 12, or when permitted by special permit	None required	M1-4 M1-5 M1-6	M2-3 M2-4	M3-2
		1 per 8 persons	M1-1 M1-2 M1-3	M2-1	M3-1
		Square feet of lot area <sup>3</sup> :			
	Open commercial amusements — Uses in parking requirement category E in Use Group 13 or 15 or when permitted by special permit	None required	M1-4 M1-5 M1-6	M2-3 M2-4	M3-2
		1 per 500	M1-1 M1-2 M1-3	M2-1 M2-2	M3-1

<sup>1</sup> For predominantly open storage of miscellaneous uses, the lot area used for such uses shall be considered as floor area for the purposes of these requirements.

<sup>2</sup> The parking requirements for uses in parking requirement category B1 may be reduced by permit of the Board of Standards and Appeals in accordance with the provisions of Section 73-44 (Reduction of Spaces for Uses in Parking Requirement Category B1).

<sup>3</sup> In the case of golf driving ranges, requirements in this table apply only to that portion of range used for tees.

Italicized words are defined in Section 12-10.

MANUFACTURING DISTRICTS

Parking Regulations

Type of use	Parking spaces required in relation to specified unit of measurement	DISTRICTS		
		M1	M2	M3
		M1	M2	M3
FOR MANUFACTURING OR COMMERCIAL USES				
Other commercial uses—Uses in parking requirement category H in Use Group 5, 7, 12, 13, or 14, or when permitted by special permit				
<i>Boatels</i>	1 per 2 guest rooms or suites	M1	M2	M3
Camps, overnight or day, with a minimum of either 10,000 square feet of lot area or 10 employees	1 per 2,000 square feet of lot area or 1 per 3 employees, whichever will require a lesser number of spaces	M1	M2	M3
Hotels	Guest rooms or suites:	M1-4 M1-5 M1-6	M2-3 M2-4	M3-2
(a) For the floor area used for sleeping accommodations	None required	M1-1 M1-2 M1-3	M2-1 M2-2	M3-1
	1 per 8	M1-1 M1-2 M1-3	M2-1 M2-2	M3-1
	Rated capacity:	M1-4 M1-5 M1-6	M2-3 M2-4	M3-2
(b) For that floor area used for meeting halls, auditoriums, eating or drinking places, wedding chapels or banquet halls, or radio or television studios	None required	M1-1 M1-2 M1-3	M2-1 M2-2	M3-1
	1 per 8 persons	M1-1 M1-2 M1-3	M2-1 M2-2	M3-1
<i>Motels or tourist cabins</i>	1 per guest room or suite	M1	M2	M3
Prisons	None required	M1-4 M1-5 M1-6	M2-3 M2-4	M3-2
	1 per 10 beds	M1-1 M1-2 M1-3	M2-1 M2-2	M3-1
Refreshment stands, drive-in	Square feet of floor area:	M1-1 M1-2 M1-3	M2-1 M2-2	M3-1
	1 per 50	M1-1 M1-2 M1-3	M2-1 M2-2	M3-1
	1 per 100	M1-4 M1-5 M1-6	M2-3 M2-4	M3-2
Funeral establishments	Square feet of floor area:	M1-4 M1-5 M1-6	M2-3 M2-4	M3-2
	None required	M1-1 M1-2 M1-3	M2-1 M2-2	M3-1
	1 per 400	M1-1 M1-2 M1-3	M2-1 M2-2	M3-1
Boat docks or boat rental establishments	1 per 2 boat berths	M1	M2	M3
FOR COMMUNITY FACILITY USES				
Hospitals and related facilities <sup>1</sup>	1 per 5 beds	M1-1 M1-2 M1-3		
	1 per 10 beds	M1-4 M1-5 M1-6		
Churches	None required	M1-4 M1-5 M1-6		
	1 per 15 fixed seats	M1-1 M1-2 M1-3		

<sup>1</sup> Requirements are in addition to area utilized for ambulance parking.

Italicized words are defined in Section 12-10.

		DISTRICTS		
		M1	M2	M3
44-21 (Continued)		M1	M2	M3
Type of use	Parking spaces required, in relation to specified unit of measurement			
FOR COMMUNITY FACILITY USES				
	Rated capacity:	M1-4		
		M1-5		
		M1-6		
Clubs, community centers, or settlement houses; philanthropic or non-profit institutions without sleeping accommodations; golf course club houses; health centers; non-commercial recreation centers; or welfare centers	None required			
		M1-1		
		M1-2		
		M1-3		
	1 per 10 persons			
	Square feet of floor area:			
Seminaries		M1-4		
		M1-5		
		M1-6		
(a) For that floor area used for classrooms, laboratories, student centers, or offices	None required			
		M1-1		
		M1-2		
		M1-3		
	1 per 1,000			
	Rated capacity:	M1-4		
		M1-5		
		M1-6		
(b) For that floor area used for theaters, auditoriums, gymnasiums, or stadiums	None required			
		M1-1		
		M1-2		
		M1-3		
	1 per 8 persons			
	Square feet of lot area used for selling purposes:			
		M1-4		
		M1-5	M2-3	
		M1-6	M2-4	M3-2
Agricultural uses, including greenhouses, nurseries, or truck gardens	None required			
		M1-1		
		M1-2	M2-1	
		M1-3	M2-2	M3-1
	1 per 1,000			
	Square feet of lot area:			
Outdoor skating rinks		M1-4		
		M1-5		
		M1-6		
		M1-1		
		M1-2		
		M1-3		
	1 per 800			
	Number of courts:			
Outdoor tennis courts		M1-4		
		M1-5		
		M1-6		
		M1-1		
		M1-2		
		M1-3		
	1 per 2 courts			

44-22

Special Provisions for a Single Zoning Lot with Uses Subject to Different Parking Requirements

In all districts, as indicated, where any *building* or *zoning lot* contains two or more *uses* having different parking requirements as set forth in Section 44-21 (General Provisions), the parking requirements for each type of *use* shall apply to the extent of that *use*.

M1 M2 M3

However, the number of spaces required for churches or for *uses* in parking requirement category D (Places of Assembly), when in the same *building* or on the same *zoning lot* as any other *use*, may be reduced by the Board of Standards and Appeals in accordance with the provisions of Section 73-43 (Reduction of Parking Spaces for Churches or Places of Assembly).

Italicized words are defined in Section 12-10.

DISTRICTS		
M1	M2	M3

44-23

**Waiver of Requirements for Spaces below Minimum Number**

In all districts, as indicated, subject to the provisions of Section 44-231 (Exceptions to application of waiver provisions), the parking requirements set forth in Section 44-21 (General Provisions) or Section 44-22 (Special Provisions for a Single Zoning Lot with Uses Subject to Different Parking Requirements) shall not apply to *commercial uses* in parking requirement category A, B, B1, C, D, E, or H, or to permitted *community facility uses*, if the total number of *accessory* off-street parking spaces required for all such *uses* on the *zoning lot* is less than the number of spaces set forth in the following table:

M1 M2 M3

NUMBER OF SPACES

15

M1-1  
M1-2 M2-1  
M1-3 M2-2 M3-1

40

M1-4  
M1-5 M2-3  
M1-6 M2-4 M3-2

44-231

**Exceptions to application of waiver provisions**

In all districts, as indicated, the waiver provisions of Section 44-23 shall not apply to the following types of *uses*:

M1 M2 M3

(a) Manufacturing or semi-industrial *uses* in Use Group 17B, 17D, 18A, or 18C, or in parking requirement category F in Use Group 11 or 16

(b) Storage or miscellaneous *uses* in Use Group 17A, 17C, 17D, 18B, or 18C, or in parking requirement category G in Use Group 16

(c) The following *commercial uses* in parking requirement category H in Use Group 7 or 13:

- Boatels*
- Camps, overnight or day
- Motels or tourist cabins*
- Refreshment stands, drive-in.

44-24

**Waiver of Requirements for All Zoning Lots Where Access Would Be Forbidden**

In all districts, as indicated, the requirements set forth in Section 44-21 (General Provisions) or Section 44-22 (Special Provisions for a Single Zoning Lot with Uses Subject to Different Parking Requirements) shall not apply to any *building* or *zoning lot* as to which the Commissioner of Buildings has certified that there is no way to arrange the required spaces with access to the *street* to conform to the provisions of Section 44-43 (Location of Access to the Street). The Commissioner of Buildings may refer such matter to the Department of Traffic for report, and may base his determination on such report.

M1 M2 M3

44-25

**Special Provisions for Zoning Lots Divided by District Boundaries**

In all districts, as indicated, whenever a *zoning lot* is divided by a boundary between districts having different requirements for *accessory* off-street parking spaces, the provisions set forth in Article VII, Chapter 7, shall apply.

M1 M2 M3

Italicized words are defined in Section 12-10.

DISTRICTS		
M1	M2	M3

**44-30 RESTRICTIONS ON LOCATION AND USE OF ACCESSORY OFF-STREET PARKING SPACES**

**44-31**

**General Provisions**

In all districts, as indicated, all permitted or required off-street parking spaces, open or enclosed, *accessory* to any permitted *use* shall be provided on the same *zoning lot* as the *building* or *use* to which such spaces are *accessory*, except as provided in the following Sections:

M1 M2 M3

- Section 44-32 (Off-Site Spaces for All Permitted Uses)
- Section 44-33 (Joint Facilities)
- Section 44-34 (Additional Regulations for Required Spaces When Provided Off-Site)
- Section 73-45 (Modification of Off-Site Parking Provisions).

**44-32**

**Off-Site Spaces for All Permitted Uses**

In all districts, as indicated, all permitted or required off-street parking spaces *accessory* to any permitted *use* may be provided on a *zoning lot* other than the same *zoning lot* as such *use* but within the same district or an adjoining C8 or *Manufacturing District*. However, all required spaces shall be not more than 600 feet from the nearest boundary of the *zoning lot* on which such *use* is located.

M1 M2 M3

**44-33**

**Joint Facilities**

In all districts, as indicated, required *accessory* off-street parking spaces may be provided in facilities designed to serve jointly two or more *buildings* or *zoning lots*, provided that:

M1 M2 M3

(a) The number of spaces in such joint facilities shall be not less than that required in the following Sections for the combined *floor area*, *lot area*, rated capacity, or other such unit of measurement in such *buildings* or *zoning lots*:

- Section 44-21 (General Provisions)
- Section 44-22 (Special Provisions for a Single Zoning Lot with Uses Subject to Different Parking Requirements),

(b) All such spaces conform to the provisions of Section 44-32 (Off-Site Spaces for All Permitted Uses), and

(c) The design and layout of such joint facilities meet standards of adequacy set forth in regulations promulgated by the Commissioner of Buildings.

**44-34**

**Additional Regulations for Required Spaces When Provided Off Site**

In all districts, as indicated, when required *accessory* off-street parking spaces are provided off the site in accordance with the provisions of Section 44-32 (Off-Site Spaces for All Permitted Uses) or Section 44-33 (Joint Facilities), the following additional regulations shall apply:

M1 M2 M3

(a) Such spaces shall be in the same ownership as the *use* to which they are *accessory*, and shall be subject to deed restrictions filed in an office of record, binding the owner and his heirs and assigns to maintain the required number of spaces available throughout the life of such *use*.

(b) Such spaces shall conform to all applicable regulations of the district in which they are located.

**44-35**

**Restriction on Use of Accessory Off-Street Parking Spaces**

In all districts, as indicated, *accessory* off-street parking spaces, whether permitted or required and whether open or enclosed, shall be used primarily for the owners, occupants, employees, customers, or visitors of the *use* or *uses* to which such spaces are *accessory*.

M1 M2 M3

Italicized words are defined in Section 12-10.

DISTRICTS		
M1	M2	M3

44-36

**Restrictions on Automotive Repairs and Sale of Motor Fuel**

In all districts, as indicated, automotive repairs or the sale of motor fuel, motor oil, or automotive accessories are not permitted in connection with the operation of *accessory* off-street parking spaces.

M1 M2 M3

However, within a *completely enclosed* garage minor automotive repairs (not including body work) are permitted, and not more than three motor fuel pumps may be provided. However, no motor fuel shall be sold to persons who are not using the parking spaces.

44-40 **ADDITIONAL REGULATIONS FOR PERMITTED OR REQUIRED OFF-STREET PARKING SPACES**

44-41

**General Provisions**

In all districts, as indicated, all permitted or required off-street parking spaces shall conform to the provisions of the following Sections:

M1 M2 M3

- Section 44-42 (Size of Spaces)
- Section 44-43 (Location of Access to the Street)
- Section 44-44 (Surfacing)
- Section 44-45 (Screening).

Special regulations applying to *large-scale community facility developments* are set forth in Article VII, Chapter 8.

44-42

**Size of Spaces**

In all districts, as indicated, for all *accessory* off-street parking spaces, open or enclosed, each 300 square feet of unobstructed standing or maneuvering area shall be considered one parking space. However, an area of less than 300 square feet, but in no event less than 200 square feet, may be considered as one space, where the layout and design of the parking area are adequate to permit convenient access and maneuvering in accordance with regulations promulgated by the Commissioner of Buildings, or where the developer or applicant for a building permit or certificate of occupancy certifies that such spaces will be fully attended.

M1 M2 M3

In any case where a reduction of the required area per parking space is permitted on the basis of the developer's certification that such spaces will be fully attended, it shall be set forth in the certificate of occupancy that paid attendants employed by the owners or operators of such spaces shall be available to handle the parking and moving of automobiles at all times when such spaces are in use.

In no event shall the dimensions of any parking stall be less than 18 feet long and eight feet, six inches wide.

44-43

**Location of Access to the Street**

In all districts, as indicated, the entrances and exits for all permitted or required *accessory group parking facilities* and all permitted *public parking lots* or *public parking garages* with 10 or more spaces, shall be located not less than 50 feet from the intersection of any two *street lines*. However, access located within 50 feet of such intersection may be permitted, if the Commissioner of Buildings certifies that such a location is not hazardous to traffic safety and not likely to create traffic congestion. The Commissioner of Buildings may refer such matter to the Department of Traffic for report and may base his determination on such report.

M1 M2 M3

The waiver provisions of Section 44-24 (Waiver of Requirements for All Zoning Lots Where Access Would Be Forbidden) shall apply when the Commissioner of Buildings has certified that there is no way to arrange the spaces with access to the *street* to conform to the provisions of this Section.

44-44

**Surfacing**

In all districts, as indicated, all open *accessory* off-street parking spaces or permitted *public parking lots* shall be surfaced with asphaltic or portland cement concrete, or other hard-surfaced dustless material, at least four inches thick.

M1 M2 M3

Italicized words are defined in Section 12-10.



DISTRICTS		
M1	M2	M3

44-45

Screening

In all districts, as indicated, all open off-street parking areas with 10 spaces or more, which are located on *zoning lots* adjacent to the boundary of a *Residence District*, either at natural grade or on a roof, shall be screened from all adjoining *zoning lots* in *Residence Districts* (including such *zoning lots* situated across a *street*) by either:

M1 M2 M3

(a) A strip at least four feet wide, densely planted with shrubs or trees at least four feet high at the time of planting and which are of a type which may be expected to form a year-round dense screen at least six feet high within three years, or

(b) A wall or barrier or uniformly painted fence of fire-resistant material at least six feet high, but not more than eight feet above finished grade (or above the roof level, if on a roof). Such wall, barrier, or fence may be opaque or perforated provided that not more than 50 percent of the face is open.

In addition, such screening:

- (a) Shall be maintained in good condition at all times,
- (b) May be interrupted by normal entrances or exits, and
- (c) Shall have no *signs* hung or attached thereto other than those permitted in Section 42-52 (Permitted Accessory Business Signs or Advertising Signs).

OFF-STREET LOADING REGULATIONS

44-50 GENERAL PURPOSES

The following regulations on permitted and required accessory off-street loading berths are adopted in order to provide needed space off public streets for

loading and unloading activities, to restrict the use of the streets for such activities, to help relieve traffic congestion in manufacturing and industrial areas within the City, and thus to promote and protect public health, safety, and general welfare.

DISTRICTS		
M1	M2	M3

44-51

Permitted Accessory Off-Street Loading Berths

In all districts, as indicated, *accessory* off-street loading berths, open or enclosed, may be provided for all permitted *uses*, under rules and regulations promulgated by the Commissioner of Buildings, and subject to the provisions of Section 44-582 (Location of access to the street), Section 44-583 (Restrictions on location of berths near Residence Districts), Section 44-584 (Surfacing), and Section 44-585 (Screening).

M1 M2 M3

44-52

Required Accessory Off-Street Loading Berths

In all districts, as indicated, *accessory* off-street loading berths, open or enclosed, shall be provided in conformity with the requirements set forth in the table in this Section and under rules and regulations promulgated by the Commissioner of Buildings, for all new *development* after the effective date of this resolution for the *community facility*, *commercial*, or *manufacturing uses* listed in the table, except as otherwise provided in Section 44-53 (Special Provisions for a Single Zoning Lot with Uses Subject to Different Loading Requirements), or Section 44-54 (Wholesale, Manufacturing, or Storage Uses Combined with Other Uses), as a condition precedent to the *use* of such *development*.

M1 M2 M3

For the purposes of this Section, a tract of land on which a group of such *uses* is *developed* under single ownership or control shall be considered a single *zoning lot*.

Whenever any *use* specified in the table is located on an open lot, the requirements set forth in the table for *floor area* shall apply to the *lot area* used for such *use*.

After the effective date of this resolution, if the *use* of any *building* or *other structure* or *zoning lot* is changed or *enlarged*, the requirements set forth in the table shall apply to the *floor area* of the changed or *enlarged* portion of such *building* or of the *lot area* used for such *use*.

Italicized words are defined in Section 12-10.

MANUFACTURING DISTRICTS

Loading Regulations

DISTRICTS		
M1	M2	M3
M1	M2	M3

44-52 (Continued)

REQUIRED OFF-STREET LOADING BERTHS FOR NEW CONSTRUCTION, ENLARGEMENTS, OR CHANGES OF USE

Type of use	For floor area (in square feet)	Required berths	M1	M2	M3	
Hospitals and related facilities <sup>1</sup> or prisons	First 10,000	1				
	Next 290,000	None				
	Each additional 300,000 or fraction thereof	1	M1	M2	M3	
Funeral establishments	First 10,000	1				
	Next 20,000	1				
	Any additional amount	1	M1	M2	M3	
Hotels, offices, or court houses	First 25,000	None				
	Next 75,000	1				
	Next 200,000	1	M1-1			
	Each additional 300,000 or fraction thereof		1	M1-2	M2-1	M3-1
			1	M1-4	M2-3	M3-2
	First 100,000	None				
Next 200,000	1	M1-3				
Each additional 300,000 or fraction thereof		1	M1-5	M2-2		
		1	M1-6	M2-4		
<b>Commercial uses</b>						
All retail or service uses listed in Use Group 6A, 6C, 7B, 8B, 9A, 9B, 10A, 14A, or 16A	First 8,000	None				
	Next 17,000	1				
	Next 15,000	1				
	Next 20,000	1				
All amusement uses listed in Use Group 8A or 12A	Next 40,000	1	M1-1			
	Each additional 150,000 or fraction thereof		1	M1-2	M2-1	M3-1
			1	M1-4	M2-3	M3-2
All automotive service uses listed in Use Group 7D, 13B, or 16B	First 25,000	None				
	Next 15,000	1				
	Next 60,000	1	M1-3			
	Each additional 150,000 or fraction thereof		1	M1-5	M2-2	
		1	M1-6	M2-4		
<b>Services, wholesale, manufacturing or storage uses</b>						
All service, wholesale, or storage uses listed in Use Group 7C, 10B, 11B, 16D, 17A, or 18B	First 8,000	None				
	Next 17,000	1				
	Next 15,000	1				
	Next 20,000	1	M1-1			
	Each additional 80,000 or fraction thereof		1	M1-2	M2-1	M3-1
		1	M1-4	M2-3	M3-2	
All manufacturing uses listed in Use Group 11A, 17B, or 18A	First 15,000	None				
	Next 25,000	1				
	Next 40,000	1	M1-3			
	Each additional 80,000 or fraction thereof		1	M1-5	M2-2	
			1	M1-6	M2-4	

44-53

Special Provisions for a Single Zoning Lot with Uses Subject to Different Loading Requirements

In all districts, as indicated, if any building or zoning lot contains two or more uses having different requirements for loading berths as set forth in Section 44-52 (Required Accessory Off-Street Loading Berths), and if:

M1 M2 M3

(a) The floor area of each separate use is less than the minimum floor area for which berths are required, and

(b) The total floor area of all the uses for which berths are required is greater than the smallest amount of floor area for which berths are required for any of the uses individually,

Off-street loading berths shall be provided as if the total floor area of the uses for which berths are required were used for that use for which the most berths are required.

<sup>1</sup> Requirements in this table are in addition to area utilized for ambulance parking.

Italicized words are defined in Section 12-10.

DISTRICTS		
M1	M2	M3

44-54

**Wholesale, Manufacturing, or Storage Uses Combined With Other Uses**

In all districts, as indicated, except as provided in Section 44-53 (Special Provisions for a Single Zoning Lot with Uses Subject to Different Loading Requirements), if any *building* or *zoning lot* is used partly for wholesale, manufacturing, or storage *uses* or any combination of such *uses*, and partly for any other *uses* set forth in the table in Section 44-52 (Required Accessory Off-Street Loading Berths), at least 50 percent of the *floor area* in the *building* shall be subject to the requirements set forth for wholesale, manufacturing or storage *uses*, and the remainder shall be subject to the other applicable requirements.

M1 M2 M3

44-55

**Waiver of Requirements for All Zoning Lots Where Access Would Be Forbidden**

In all districts, as indicated, the requirements set forth in the following Sections shall not apply to any *building* or *zoning lot* as to which the Commissioner of Buildings has certified that there is no way to arrange the required berths with access to the *street* to conform to the provisions of Section 44-582 (Location of access to the street):

M1 M2 M3

Section 44-52 (Required Accessory Off-Street Loading Berths)

Section 44-53 (Special Provisions for a Single Zoning Lot with Uses Subject to Different Loading Requirements)

Section 44-54 (Wholesale, Manufacturing, or Storage Uses Combined with Other Uses).

The Commissioner of Buildings may refer such matter to the Department of Traffic for report and may base his determination on such report.

44-56

**Special Provisions for Zoning Lots Divided by District Boundaries**

In all districts, as indicated, whenever a *zoning lot* is divided by a boundary between districts having different requirements for *accessory* off-street loading berths, the provisions set forth in Article VII, Chapter 7, shall apply.

M1 M2 M3

44-57

**Joint Loading Berths Serving Two or More Buildings**

In all districts, as indicated, required loading berths may be provided in facilities designed to serve jointly two or more adjoining *buildings* or *zoning lots* within a single *block*, provided that:

M1 M2 M3

(a) The number of berths in such joint facilities shall be not less than that required for the total combined *floor area* of such *buildings* or *zoning lots* as set forth in Section 44-52 (Required Accessory Off-Street Loading Berths), Section 44-53 (Special Provisions for a Single Zoning Lot with Uses Subject to Different Loading Requirements) and Section 44-54 (Wholesale, Manufacturing, or Storage Uses Combined with Other Uses),

(b) Direct access is provided from such joint facilities to all such *buildings* or *zoning lots*, and

(c) The design and layout of such joint facilities meet standards of adequacy set forth in regulations promulgated by the Commissioner of Buildings.

44-58

**Additional Regulations for Permitted or Required Berths**

In all districts, as indicated, all permitted or required *accessory* off-street loading berths shall conform to the provisions set forth in this Section.

M1 M2 M3

Italicized words are defined in Section 12-10.

DISTRICTS		
M1	M2	M3

44-581

Size of required berths

In all districts, as indicated, all required off-street loading berths, open or enclosed, shall conform to the regulations on minimum dimensions set forth in the following table. The dimensions of off-street berths shall not include driveways, or entrances to or exits from such off-street berths.

MINIMUM DIMENSIONS FOR REQUIRED ACCESSORY OFF-STREET PARKING (IN FEET)

	Length	Width	Vertical Clearance
Hospitals and related facilities or prisons	33	12	12
Funeral establishments	25	10	8
Hotels, offices, or court houses	33	12	12
Commercial uses <sup>1</sup>	33	12	14
Wholesale, manufacturing, or storage uses			
With less than 10,000 square feet of floor area	33	12	14
With 10,000 square feet of floor area or more	50	12	14

M1      M2      M3

44-582

Location of access to the street

In all districts, as indicated, no permitted or required *accessory* off-street loading berth, and no entrance or exit thereto, shall be located less than 50 feet from the intersection of any two *street lines*. However, a location closer to such intersection may be permitted if the Commissioner of Buildings certifies that such a location is not hazardous to traffic safety and not likely to create traffic congestion. The Commissioner of Buildings may refer such matter to the Department of Traffic for report and may base his determination on such report.

The waiver provisions of Section 44-55 (Waiver of Requirements for All Zoning Lots Where Access Would Be Forbidden) shall apply when the Commissioner of Buildings has certified that there is no way to arrange the berths with access to the *street* to conform to the provisions of this Section.

M1      M2      M3

44-583

Restrictions on location of berths near Residence Districts

In all districts, as indicated, where *accessory* off-street loading berths are located within 60 feet of a *Residence District* boundary, such berths shall be enclosed within a *building*, and no entrance to or exit from the berths on to the *street* shall be less than 30 feet from the district boundary.

M1      M2      M3

44-584

Surfacing

In all districts, as indicated, all permitted or required open off-street loading berths shall be surfaced with asphaltic or portland cement concrete, or other hard-surfaced dustless material, at least six inches thick.

M1      M2      M3

<sup>1</sup> As set forth in the table in Section 44-52 (Required Accessory Off-Street Loading Berths).

Italicized words are defined in Section 12-10.

DISTRICTS		
M1	M2	M3

44-585

**Screening**

In all districts, as indicated, all permitted or required open off-street loading berths which are located on *zoning lots* adjacent to the boundary of a *Residence District* shall be screened from all adjoining *zoning lots* in *Residence Districts*, including *zoning lots* situated across a *street*, by either:

M1      M2      M3

(a) A strip at least four feet wide, densely planted with shrubs or trees which are at least four feet high at the time of planting and which are of a type which may be expected to form a year-round dense screen at least six feet high within three years, or

(b) A wall or barrier or uniformly painted fence of fire-resistant material, at least six feet but not more than eight feet above finished grade. Such wall, barrier, or fence may be opaque or perforated, provided that not more than 50 percent of the face is open.

In addition, such screening:

(a) Shall be maintained in good condition at all times,

(b) May be interrupted by normal entrances or exits, and

(c) Shall have no *signs* hung or attached thereto other than those permitted in Section 42-52 (Permitted Accessory Business Signs or Advertising Signs).

Italicized words are defined in Section 12-10.

## Article V

# Non-conforming Uses and Non-complying Buildings

### Chapter 1 Statement of Legislative Intent

#### 51-00 PURPOSE OF REGULATIONS GOVERNING NON-CONFORMING USES AND NON-COMPLYING BUILDINGS

The zoning districts established in this resolution (as set forth in the district regulations in Articles II, III, and IV and on the zoning maps) are designed to guide the future use of the City's land by encouraging the development of desirable residential, commercial, and manufacturing areas with appropriate groupings of compatible and related uses and thus to promote and to protect public health, safety, and general welfare.

As a necessary corollary, in order to carry out such purposes, non-conforming uses which adversely affect the development of such areas must be subject to certain limitations. The regulations governing non-conforming uses set forth in this Chapter are therefore adopted in order to provide a gradual remedy for existing undesirable conditions resulting from such incompatible non-conforming uses, which are detrimental to the achievement of such purposes. While such uses are generally permitted to continue, these regulations are designed to restrict further investment in such uses, which would make them

more permanent establishments in inappropriate locations.

In the case of a few objectionable non-conforming uses which are detrimental to the character of Residence Districts, a reasonable statutory period of life is established for such uses, in order to permit the owner gradually to make his plans for the future during a period when he is allowed to continue the non-conforming use of his property, thereby minimizing any loss, while at the same time assuring the public that the district in which such non-conformity exists will eventually benefit from a more nearly uniform character.

In the case of buildings not complying with the bulk regulations of this resolution, the regulations governing non-complying buildings set forth in this Chapter are adopted in order to permit the appropriate use of such buildings but to prevent the creation of additional non-compliances or increases in the degree of existing non-compliances.

These regulations are thus designed to preserve the character of the districts established in this resolution in the light of their peculiar suitability to particular uses, and thus to promote and protect public health, safety, and general welfare.

### Chapter 2 Non-Conforming Uses

#### 52-00 DEFINITIONS AND GENERAL PROVISIONS

##### 52-01

#### Definitions (repeated from Section 12-10)

#### Alterations, incidental, or to alter incidentally

"Incidental alterations" are:

(a) Changes or replacements in the non-structural parts of a *building or other structure*, without limitation to the following examples:

(1) Alteration of interior partitions to improve livability in a *non-conforming residential building*, provided that no additional *dwelling units* are created thereby.

(2) A minor addition on the exterior of a *residential building*, such as an open porch

(3) Alteration of interior non-load-bearing partitions in all other types of *buildings or other structures*

(4) Replacement of, or minor changes in, capacity of utility pipes, ducts, or conduits: or

(b) Changes or replacements in the structural parts of a *building or other structure*, limited to the following examples or others of similar character or extent:

(1) Making windows or doors in exterior walls

(2) Replacement of *building facades*

(3) Strengthening the load-bearing capacity, in not more than 10 percent of the total *floor area*, to permit the accommodation of a specialized unit of machinery or equipment.

To "alter incidentally" is to make an *incidental alteration*.

#### Designed for residential use

A *building* "designed for residential use" is a *building*, located in a *Residence District*, which was originally designed for *residential use* and in which at least 25 percent of the *floor area* is occupied for *residential use*.

#### Enlargement, or to enlarge

An "enlargement" is an addition to the *floor area* of an existing *building*, an increase in the size of any other structure, or an increase in that portion of a tract of land occupied by an existing *use*.

To "enlarge" is to make an *enlargement*

#### Extension, or to extend

An "extension" is an increase in the amount of existing *floor area* used for an existing *use*, within an existing *building*.

To "extend" is to make an *extension*.

Italicized words are defined in Section 12-10.

52-01 (Continued)

**Land with minor improvements**

"Land with minor improvements" is a tract of land which:

- (a) Does not involve any *building or other structure*; or
- (b) Involves *buildings or other structures*, or other improvements, located underground or substantially at ground level, with a total assessed valuation, excluding land, of less than \$2,000 as determined from the assessment rolls in effect on the applicable date on which such *use* is changed, damaged or destroyed, or to be terminated, in accordance with the provisions of Sections 52-32, 52-52, or 52-72 (Land with Minor Improvements).

**Non-conforming, or non-conformity**

A "non-conforming" *use* is any lawful *use*, whether of a *building or other structure* or of a tract of land, which does not conform to any one or more of the applicable *use* regulations of the district in which it is located, either on the effective date of this resolution or as a result of any subsequent amendment thereto.

A *non-conforming use* shall result from failure to conform to the applicable district regulations on either permitted Use Groups or performance standards.

A "non-conformity" is a failure by a *non-conforming use* to conform to any one of such applicable *use* regulations.

However, no existing *use* shall be deemed *non-conforming*, nor shall a *non-conformity* be deemed to exist, solely because of any of the following:

- (a) The existence of less than the required *accessory off-street parking spaces or loading berths*; or
- (b) The existence of *non-conforming accessory signs*; or
- (c) The existence of conditions in violation of the provisions of either Sections 32-41 to 32-43, inclusive, relating to Supplementary Use Regulations, or Sections 32-51 and 32-52 relating to Special Provisions Applying along District Boundaries, or Sections 42-41 to 42-45, inclusive, relating to Supplementary Use Regulations and Special Provisions Applying along District Boundaries.

52-10 CONTINUATION OF  
NON-CONFORMING USE

52-11

**General Provisions**

A *non-conforming use* may be continued, except as otherwise provided in this Chapter.

52-20 REPAIRS OR ALTERATIONS

52-21

**Repairs and Incidental Alterations**

Repairs to both structural and non-structural parts or *incidental alterations* may be made in a *building or other structure* substantially occupied by a *non-*

*conforming use*, or in connection with a permitted change or *extension* of a *non-conforming use*.

52-22

**Structural Alterations**

No structural alterations shall be made in a *building or other structure* substantially occupied by a *non-conforming use*, except when made:

- (a) In order to comply with requirements of law, or
- (b) In order to accommodate a *conforming use*, or
- (c) In order to conform to the applicable district regulations on performance standards, or
- (d) In the course of an *enlargement* permitted under the provisions of Sections 52-41 to 52-43, inclusive, relating to Enlargements or Extensions,

or except as set forth in Sections 52-81 to 52-83, inclusive, relating to Regulations Applying to Non-Conforming Signs.

52-30 CHANGE OF NON-  
CONFORMING USE

52-31

**General Provisions**

For the purposes of this Chapter, a change of *use* is a change to another *use* listed in the same or any other Use Group; however, a change in ownership or occupancy shall not, by itself, constitute a change of *use*.

A *non-conforming use* may be changed to any *conforming use*.

A *non-conforming use* may be changed to another *non-conforming use* only in accordance with the provisions of this Chapter.

Any such change of *use* permitted by this Chapter shall conform to the applicable district regulations on *accessory off-street loading berths* and *accessory signs*, except that in Residence Districts such change shall conform to the regulations on *accessory off-street loading berths* and *accessory signs* applicable in a C1 District.

52-32

**Land with Minor Improvements**

In all *Residence* and *Commercial Districts*, a *non-conforming use* of *land with minor improvements* may be changed only to a *conforming use*.

52-33

**Manufacturing or Related Uses in  
Residence Districts**

52-331

**Buildings designed for residential use**

In all *Residence Districts*, a *non-conforming use* listed in Use Group 11A, 16, 17, or 18 which is located in a *building designed for residential use* may be changed only to a *use* permitted in *Residence Districts*.

Italicized words are defined in Section 12-10.

52-332

**Other buildings or structures in Residence Districts**

In all *Residence Districts*, a *non-conforming use* listed in Use Group 11A, 16, 17, or 18 which is not subject to the provisions of Section 52-32 (Land with Minor Improvements) or Section 52-331 (Buildings designed for residential use), may be changed either to a conforming use or:

(a) To any use listed in Use Group 6, 7, 8, 9, 10, 11B, or 14, in which case any subsequent change of use shall conform to the provisions of Section 52-34 (Commercial Uses in Residence Districts), or

(b) In accordance with the provisions of the following table:

From Use Group	To Use Group
11A	11A
16	11A or 16
17 or 18	11A, 16, 17, or 18.

provided that such changed use shall conform to all regulations on performance standards applicable in M1 Districts, and that any such changed use, or the storage of materials or products *accessory* to any changed use, which is not located within a *completely enclosed building*, shall be screened by a solid wall or fence (including solid entrance or exit gates) at least eight feet in height. Whenever a use located within a *completely enclosed building* is changed to another use, no activity related to such changed use, including the storage of materials or products, shall be located outside of such *building*.

In no event shall any change or use permitted in paragraph (b) of this Section extend the statutory period of useful life applicable under the provisions of Section 52-74 (Uses Objectionable in Residence Districts).

52-34

**Commercial Uses in Residence Districts**

In all *Residence Districts*, a *non-conforming use* listed in Use Group 6, 7, 8, 9, 10, 11B, 12, 13, 14, or 15 may be changed, initially or in any subsequent change, only to a conforming use or to a use listed in Use Group 6. In the case of any such change, the limitation on *floor area* set forth in Section 32-15 (Use Group 6) shall not apply.

52-35

**Manufacturing or Related Uses in Commercial Districts**

In all *Commercial Districts*, a *non-conforming use* listed in Use Group 11A, 16, 17, or 18 which is not subject to the provisions of Section 52-32 (Land with Minor Improvements), may be changed either to a conforming use or:

(a) To a use listed in Use Group 6, 7, 8, 9, 10, 11B, or 14, in which case any subsequent change of use shall conform to the provisions of Section 52-36 (Non-Conforming Commercial Uses in Commercial Districts), or

(b) In accordance with the provisions of the following table:

From Use Group	To Use Group
11A	11A
16	11A or 16
17 or 18	11A, 16, 17, or 18.

provided that such changed use shall conform to all regulations on performance standards applicable in M1 Districts, and that any such changed use or any storage of materials or products *accessory* to any changed use shall be located within a *completely enclosed building*. Whenever a use located within a *completely enclosed building* is changed to another use, no activity related to such changed use, including the storage of materials or products, shall be located outside of such *building*.

52-36

**Non-Conforming Commercial Uses in Commercial Districts**

In C1, C2, C4, C6, C7, or C8 Districts, any *non-conforming use* listed in Use Group 7, 8, 9, 10, 11B, 12, 13, 14, or 15 may be changed, initially or in any subsequent change, only to a conforming use or to any use listed in Use Group 7, 8, or 9. In C3 Districts, any such *non-conforming use* may be changed, initially or in any subsequent change, only to a conforming use or to a use listed in Use Group 6.

52-40 **ENLARGEMENTS OR EXTENSIONS**

52-41

**General Provisions**

A *non-conforming use* may be *enlarged* or *extended* within the district in which such *non-conforming use* is located only in accordance with the provisions of this Chapter, except that *enlargements* or *extensions* designed exclusively to permit conformity with the regulations on performance standards or in order to provide required *accessory* off-street parking spaces or off-street loading berths are not subject to the restrictions set forth herein.

52-42

**C6, C8, or Manufacturing Districts**

Except for the use of *land with minor improvements*, in C6 or C8 Districts, a *non-conforming use* listed in Use Group 17 or 18, in C8 or *Manufacturing Districts*, a use listed in Use Group 11A, 16, 17, or 18 which is *non-conforming* with respect to the applicable district regulations on performance standards, may be *enlarged*, provided that:

(a) Such *enlarged* portion does not occupy more than 25 percent of the *floor area* of the *building*, or 25 percent of the size of the structure, which such *non-conforming use* occupied or utilized at the time when it became *non-conforming*; provided, however, that in no event shall any such *enlargement* create a *non-compliance* or increase the degree of *non-compliance* of a *non-complying building* or other structure, and

(b) Such *enlarged* portion conforms to the applicable district regulations on performance standards and on *accessory* off-street parking spaces and loading berths.

In the specified Districts, such use may be *extended* into any *floor area* where it would be permitted as a changed use under the provisions of Section 52-35 (Manufacturing or Related Uses in Commercial Districts), provided that the applicable district regulations on performance standards and *accessory* off-street loading berths shall apply to such *extended floor area*.



52-43

**C1 or C4 Districts**

Except for the *use of land with minor improvements*, in C1 Districts, a *non-conforming use* listed in Use Group 7, 8, or 9, or, in C4 Districts, a *non-conforming use* listed in Use Group 7, may be *enlarged*, provided that:

(a) Such *enlarged* portion does not occupy more than 25 percent of the *floor area* of the *building*, or 25 percent of the size of the structure, which such *non-conforming use* occupied or utilized at the time when it became *non-conforming*; provided, however, that in no event shall any such *enlargement* create a *non-compliance* or increase the degree of *non-compliance* of a *non-complying building* or *other structure*, and

(b) Such *enlarged* portion conforms to the applicable district regulations on *accessory* off-street parking spaces and loading berths.

In the specified districts, such *use* may be *extended* into any *floor area* where it would be permitted as a *changed use* under the provisions of Section 52-36 (Non-Conforming Commercial Uses in Commercial Districts), provided that the applicable district regulations on *accessory* off-street loading berths shall apply to such *extended floor area*. In C1 Districts, no *extension* may be made in a *building designed for residential use*.

**52-50 DAMAGE OR DESTRUCTION**

52-51

**General Provisions**

Except as set forth in Sections 52-81 to 52-83, inclusive, relating to Regulations Applying to Non-Conforming Signs, if a *non-conforming building* or *other structure* is damaged or destroyed, the provisions set forth in Sections 52-52 to 52-55, inclusive, shall apply.

52-52

**Land with Minor Improvements**

In all districts, if a *non-conforming building* or *other structure* or other improvement located on *land with minor improvements* is damaged or destroyed by any means to the extent of 25 percent or more of the assessed valuation of all *buildings* or *other structures* or other improvements thereon (as determined from the assessment rolls effective on the date of damage or destruction), such *non-conforming use* shall terminate, and the tract of land shall thereafter be used only for a *conforming use*.

52-53

**Buildings or Other Structures in All Districts**

52-531

**Permitted reconstruction or continued use**

In all districts, if any *building*, except a *building* subject to the provisions of Section 52-54 (Buildings Designed for Residential Use in Residence Districts), which is substantially occupied by a *non-conforming use* is damaged or destroyed by any means to the extent of 50 percent or more of its total *floor area*, such *building* may either:

(a) Be repaired or *incidentally altered*, and the existing *non-conforming use* may be continued, or

(b) Be reconstructed, but only for a *conforming use*; provided, however, that in no event shall any such reconstruction create a *non-compliance* or increase the degree of *non-compliance* of a *non-complying building*. However, where the damage or destruction is so great that the provisions in Sections 54-41 and 54-42 relating to Damage or Destruction in Non-Complying Buildings also apply, the latter Sections shall govern the permitted *bulk* of the reconstructed *building*.

In applying the provisions of this Section to damaged or destroyed structures substantially utilized by a *non-conforming use*, any appropriate measure of the size of such structures shall be substituted for *floor area* in determining the extent of damage or destruction.

52-532

**Use of alternative formula**

In any case where the applicant alleges that *floor area* is an inappropriate measure of the extent of damage or destruction, and elects to substitute reconstruction costs for *floor area*, an application may be made to the Board to determine the extent of such damage or destruction. If the Board finds that the costs of reconstructing the damaged or destroyed portion of such *building* to its previous condition exceed 50 percent of the costs of reconstructing the entire *building* to the condition existing on the date of such damage or destruction, the provisions of Section 52-531 (Permitted reconstruction or continued use) shall apply. In determining reconstruction costs, the cost of land shall be excluded.

52-54

**Buildings Designed for Residential Use in Residence Districts**

In all *Residence Districts*, if the *floor area* occupied by *non-conforming uses* within a *building designed for residential use* is damaged or destroyed by any means to the extent of 25 percent or more of such *floor area*, such *building* may be continued in *use* or reconstructed only in accordance with the provisions of Section 52-53 (Buildings or Other Structures in All Districts) except that the 25 percent ratio set forth in this Section shall apply instead of the 50 percent ratio set forth in Section 52-53.

52-55

**Lesser Damage or Destruction**

In the event that a *building* or *other structure* substantially occupied or utilized by a *non-conforming use* is damaged or destroyed to a lesser extent than that specified in Sections 52-51 to 52-54, inclusive, relating to Damage or Destruction, the *building* or *other structure* may be restored and the *non-conforming use* of such *building* or *other structure* or tract of land may be continued, provided that such restoration shall not create a *non-compliance* or increase the degree of *non-compliance*, if any, existing prior to such damage or destruction.

Italicized words are defined in Section 12-10.

52-60 DISCONTINUANCE

52-61

**General Provisions**

If, for a continuous period of two years, either the *non-conforming use of land with minor improvements* is discontinued, or the active operation of substantially all the *non-conforming uses* in any *building or other structure* is discontinued, such land or *building or other structure* shall thereafter be used only for a *conforming use*. Intent to resume active operations shall not affect the foregoing.

The provisions of this Section shall not apply where such discontinuance of active operations is directly caused by war, strike or other labor difficulties, a governmental program of materials rationing, or the construction of a duly authorized improvement project by a governmental body or a public utility company.

52-70 TERMINATION OF CERTAIN  
NON-CONFORMING USES AFTER  
AMORTIZATION

52-71

**General Provisions**

In specified districts, specified *non-conforming signs*, specified *non-conforming uses of land with minor improvements*, or specified *non-conforming objectionable uses* may be continued for a reasonable period of useful life as set forth in this Chapter, provided that after the expiration of that period such *non-conforming uses* shall terminate in accordance with the provisions of this Chapter.

52-72

**Land with Minor Improvements**

In all *Residence Districts*, a *non-conforming use of land with minor improvements* listed in Use Group 11A, 16, 17, or 18 may be continued for three years after the effective date of this resolution or such later date that the *use* becomes *non-conforming*, provided that after the expiration of that period such *non-conforming use* shall terminate, and thereafter such land shall be used only for a *conforming use*.

52-73

**Non-Conforming Signs**

52-731

**Advertising signs**

In all *Residence Districts*, a *non-conforming advertising sign* may be continued for eight years after the effective date of this resolution or such later date that such *sign* becomes *non-conforming*, provided that after the expiration of that period such *non-conforming advertising sign* shall terminate

52-732

**Signs on awnings or canopies**

In all *Residence or Commercial Districts*, a *non-conforming sign* on an awning or canopy may be continued for one year after the effective date of this resolution or such later date that such *sign* becomes *non-conforming*, provided that after the expiration of that period such *non-conforming sign* shall terminate.

52-74

**Uses Objectionable in Residence Districts**

In all *Residence Districts*, any of the following objectionable *uses* listed in Use Group 18, other than a *use of land with minor improvements*:

Coal storage

Dumps, marine transfer stations for garbage, or slag piles

Junk or salvage, including auto wrecking or similar establishments

Lumber yards

Manure, peat, or topsoil storage

Scrap metal, paper, or rags storage

which:

(a) Involves activities not located within a *completely enclosed building*, and

(b) Involves the *use of buildings or other structures* or other improvements with a total assessed valuation, excluding land, of less than \$20,000 as determined from the assessment rolls effective on the date established for termination,

may be continued for ten years after the effective date of this resolution or such later date that the *use* becomes *non-conforming*, provided that after the expiration of that period such *non-conforming use* shall terminate, and thereafter such land or *building or other structure* shall be used only for a *conforming use*.

52-80 REGULATIONS APPLYING TO  
NON-CONFORMING SIGNS

52-81

**General Provisions**

A *non-conforming sign* shall be subject to all the provisions of this Chapter relating to *non-conforming uses*, except as modified by the provisions of Section 52-82 (Non-Conforming Business Signs) and Section 52-83 (Non-Conforming Advertising Signs).

A change in the subject matter represented on a *sign* shall not be considered a change of *use*.

52-82

**Non-Conforming Business Signs**

Any *non-conforming accessory business sign*, except a *flashing sign*, may be structurally altered, reconstructed, or replaced in the same location and position, provided that such structural alteration, reconstruction, or replacement does not result in:

- (a) The creation of a new *non-conformity* or an increase in the degree of *non-conformity* of such *sign*, or
- (b) An increase in the *surface area* of such *sign*, or
- (c) An increase in the degree of illumination of such *sign*.

However, any structural alteration, reconstruction or replacement of a *non-conforming sign accessory* to a *non-conforming use* shall be subject to the provisions of Section 52-31 (General Provisions).

To the extent that such structural alteration, reconstruction, or replacement of *non-conforming accessory business signs* is permitted under the provisions of this Section, the provisions of the following Sections are modified:

- Section 52-22 (Structural Alterations)
- Sections 52-51 to 52-55, inclusive, relating to Damage or Destruction.

52-83

**Non-Conforming Advertising Signs**

In all *Manufacturing Districts*, or in C1, C2, C4, C5-4, C6, C7, or C8 Districts, except as otherwise provided in Sections 32-66 or 42-53 (Additional Regulations for Advertising Signs), any *non-conforming advertising sign*, except a *flashing sign* may be structurally altered, reconstructed, or replaced in the same location and position, provided that such structural alteration, reconstruction, or replacement does not result in:

- (a) The creation of a new *non-conformity* or an increase in the degree of *non-conformity* of such *sign*, or
- (b) An increase in the *surface area* of such *sign*, or
- (c) An increase in the degree of illumination of such *sign*.

To the extent that such structural alteration, reconstruction, or replacement of *non-conforming advertising signs* is permitted under the provisions of this Section, the provisions of the following Sections are modified:

- Section 52-22 (Structural Alterations)
- Sections 52-51 to 52-55, inclusive, relating to Damage or Destruction.

**Chapter 3 Conforming Uses in Violation of Supplementary Use Regulations**

**53-00 GENERAL PROVISIONS**

The provisions of this Chapter shall apply to all conforming *uses* which are in violation of the provisions of either Sections 32-41 to 32-43, inclusive, relating to Supplementary Use Regulations, or Sections 32-51 and 32-52, relating to Special Provisions Applying along District Boundaries, or Sections 42-41 to 42-45, inclusive, relating to Supplementary Use Regulations and Special Provisions Applying along District Boundaries.

**53-10 CONTINUATION**

All such conforming *uses* in violation of the supplementary *use* regulations, or of the special provisions applying along district boundaries may be continued, subject to the other provisions of this Chapter.

**53-20 CHANGE OF USE**

In all districts, any conforming *use* which is in violation of the supplementary *use* regulations, or

of the special provisions applying along district boundaries, may be changed to another *use*, and the changed *use* need not meet such district regulations, except as set forth herein, provided that such changed *use* shall not create new instances of such violation or increase the amount of violation previously existing.

Any such changed *use* and all *accessory* storage of materials and products shall meet the requirements set forth in Section 32-41 (Enclosure within Buildings) or 42-41 (Enclosure of Commercial and Manufacturing Activities) or 42-42 (Enclosure or Screening of Storage).

**53-30 ENLARGEMENTS OR EXTENSIONS**

In all districts, any conforming *use* which is in violation of the supplementary *use* regulations, or of the special provisions applying along district boundaries, may be *enlarged* or *extended*, provided that the *extended* or *enlarged floor area* shall not create new instances of such violation or increase the degree of violation previously existing.

Italicized words are defined in Section 12-10.

## Chapter 4 Non-Complying Buildings

### 54-00 GENERAL PROVISIONS

#### 54-01

Definitions (repeated from Section 12-10)

#### Non-Complying

A "non-complying" *building or other structure* is any lawful *building or other structure* which does not comply with any one or more of the applicable district *bulk* regulations, either on the effective date of this resolution or as a result of any subsequent amendment thereto.

A "non-compliance" is a failure by a *non-complying building or other structure* to comply with any one of such applicable *bulk regulations*.

### 54-10 CONTINUATION OF USE

#### 54-11

#### General Provisions

The *use* of a *non-complying building or other structure* may be continued, except as otherwise provided in this Chapter.

### 54-20 REPAIRS OR ALTERATIONS

#### 54-21

#### General Provisions

Repairs, *incidental alterations*, or structural alterations may be made in a *non-complying building or other structure*, except that such alterations made in the course of an *enlargement* shall be subject to the provisions of Section 54-31 (General Provisions).

### 54-30 ENLARGEMENTS OR CONVERSIONS

#### 54-31

#### General Provisions

A *non-complying building or other structure* may be *enlarged* or converted, provided that no *enlargement* or conversion may be made which would either create a new *non-compliance* or increase the degree of *non-compliance* of a *building or other structure* or any portion thereof.

#### 54-311

#### Buildings non-complying as to lot area per dwelling unit or per room

If a *building* does not comply with the applicable district regulations on *lot area per dwelling unit* or *per room* (because the *lot area* of the *zoning lot* is smaller than required for the number of *dwelling units* or *rooms* on such *zoning lot* such *building* may be converted (and, in a *mixed building*, the *residential use* may be *extended*), provided that the deficiency in the required *lot area* is not thereby increased. (For example, a

*non-complying building* on a *zoning lot* of 3,500 square feet, which before conversion required a *lot area* of 5,500 square feet and was therefore deficient by 2,000 square feet, can be converted to any combination of *dwelling units* or *rooms* requiring a *lot area* of no more than 5,500 square feet.)

In determining the required *lot area*, before conversion, for a *building* in an R5, R6, R7, R8, or R9 District which is *non-complying* as to the applicable required *open space ratio*, the required *lot area* shall be such as would be required for a *building* which has the applicable minimum required *open space ratio*.

#### 54-312

#### Modification of provisions

The Board of Standards and Appeals may modify the above requirements in accordance with the provisions of Section 73-61 (General Provisions) and 73-65 (Enlargement of Public Utility Facilities).

### 54-40 DAMAGE OR DESTRUCTION IN NON-COMPLYING BUILDINGS

#### 54-41

#### Permitted Reconstruction

If a *non-complying building or other structure* is damaged or destroyed by any means to the extent of 75 percent or more of its total *floor area*, such *building* may be reconstructed only in accordance with the applicable district *bulk* regulations, except that in the case of a one- or two-family *residence*, such *residence* may be reconstructed provided that such reconstruction shall not create a new *non-compliance* nor increase the pre-existing degree of *non-compliance* with the applicable *bulk* regulations. If the extent of such damage or destruction is less than 75 percent, a *non-complying building* may be reconstructed provided that such reconstruction shall not create a new *non-compliance* nor increase the pre-existing degree of *non-compliance* with the applicable *bulk* regulations.

#### 54-42

#### Use of Alternative Formula

In any case where the applicant alleges that *floor area* is an inappropriate measure of the extent of damage or destruction, and elects to substitute reconstruction costs for *floor area*, an application may be made to the Board of Standards and Appeals to determine the extent of such damage or destruction. Such a *building* may be reconstructed as provided in Section 54-41 (Permitted Reconstruction), substituting the ratio which the cost of reconstructing the damaged or destroyed portion of such *building* bears to the cost of reconstructing the entire *building*, for the percentage of total *floor area*. In determining reconstruction costs, the cost of land shall be excluded.

## Article VI

# Special Height Regulations Applying Around Major Airports

### Chapter 1 Restriction of Maximum Height of Buildings

#### 61-00 GENERAL PROVISIONS

The maximum height of buildings or other structures shall be regulated by the special controls set forth in this Article established pursuant to the authority conferred under Article 14 of the General Municipal Law, in order to prevent the construction of obstructions to air navigation in the vicinity of major airports, and thus to protect the lives and property of persons residing within such vicinity and of persons in airplanes which are approaching, taking off from, or circling such airports, thereby promoting public health, safety, and general welfare.

The definitions applicable to this Article are set forth in Section 61-30.

#### 61-10 FLIGHT OBSTRUCTION AREAS FOR MAJOR AIRPORTS

##### 61-11

#### Designation of Major Airports

The major airports are hereby designated to include New York International, LaGuardia, and U.S. Naval Air Station (Floyd Bennett Field). For the purpose of this Article, the runways for such airports shall be the runways as shown in the diagrams in Section 61-42 (Runways for Major Airports).

##### 61-12

#### Establishment of Flight Obstruction Area; Division into Districts

A *flight obstruction area* is hereby established in the vicinity of any such major airport.

Each *flight obstruction area* shall be divided into two parts, the Airport Approach District and the Airport Circling District, as described in this Section (and as shown, for convenient reference only, in the *flight obstruction area* maps available on request at the offices of the City Planning Commission).

##### 61-121

#### Airport Approach District

The Airport Approach District comprises those parts of the *flight obstruction area* of any major airport which lie generally below the flight path of aircraft approaching or taking off from the runways of such airport, and, more specifically, below the following *airport referenced imaginary surfaces*: the *approach surfaces*, the *transitional surfaces*, and those parts of the *horizontal surface* and the *conical surface* which coincide with such *approach surfaces* and *transitional surfaces*.

##### 61-122

#### Airport Circling District

The Airport Circling District comprises those parts of the *flight obstruction area* of any major airport which lie generally below the flight path of aircraft circling such airport, and, more specifically, below the following *airport referenced imaginary surfaces*: those parts of the *horizontal surface* and the *conical surface* which do not coincide with the *approach surfaces* and the *transitional surfaces*.

#### 61-20 HEIGHT RESTRICTIONS

##### 61-21

#### Restriction on Highest Projection of Building or Structure

Notwithstanding any other provisions of this resolution, except as provided in Section 61-22 (Permitted Projection within Any Flight Obstruction Area), the highest projection of any *building or other structure* hereafter constructed or of any existing *building or other structure* hereafter relocated, *enlarged*, or reconstructed shall not penetrate:

(a) The *approach surfaces*, the *transitional surfaces*, the *horizontal surface*, or the *conical surface*, whichever is more restrictive, within the Airport Approach District of the *flight obstruction area*, and

(b) The *horizontal surface* or the *conical surface* within the Airport Circling District of the *flight obstruction area*.

##### 61-22

#### Permitted Projection within Any Flight Obstruction Area

However, within a *flight obstruction area* the highest projection of any such *building or other structure* may, in any event, extend to a height of 30 feet above *curb level*.

#### 61-30 DEFINITIONS

#### Flight obstruction area

The "flight obstruction area" comprises all areas of land or water below the *airport referenced imaginary surfaces* for each airport.

#### Airport reference point (or points)

The "airport reference point" (or "points") is a point (or points) within the boundaries of each major airport, as indicated on the *flight obstruction area* maps for each such major airport. The point or points applicable to each major airport are set forth in Section 61-41 (Airport Reference Point, Established Elevation, and Specified Radii).

Italicized words are defined in Section 12-10, except technical terms applicable to this Article only, which are defined in Section 61-30.

61-30 (Continued)

**Established airport elevation**

The "established airport elevation" is the elevation above mean sea level of the highest point of the usable airport landing area for any major airport. The elevation applicable to each major airport is set forth in Section 61-41 (Airport Reference Point, Established Elevation, and Specified Radii).

**Airport referenced imaginary surfaces**

"Airport referenced imaginary surfaces" include the *horizontal surface*, the *conical surface*, the *approach surfaces* and the *transitional surfaces*.

**Horizontal surface**

The "horizontal surface" is an imaginary horizontal plane, circular or elliptical in shape, which:

- (a) Is located at a height of 150 feet above the *established airport elevation* for any major airport, and
- (b) Is measured on a horizontal radius from the *airport reference point* (or *points*), and extends for a distance set forth in Section 61-41 (Airport Reference Point, Established Elevation, and Specified Radii).

**Conical surface**

The "conical surface" is an imaginary inclined surface extending upward and outward from the periphery of the *horizontal surface*, which:

- (a) Rises at a slope, measured in an imaginary vertical plane passing through the *airport reference point* (or *points*), of one foot for every 20 feet in horizontal distance, and
- (b) Is measured on a horizontal radius from the *airport reference point* (or *points*), and extends for a distance set forth in Section 61-41 (Airport Reference Point, Established Elevation, and Specified Radii).

**Approach surfaces**

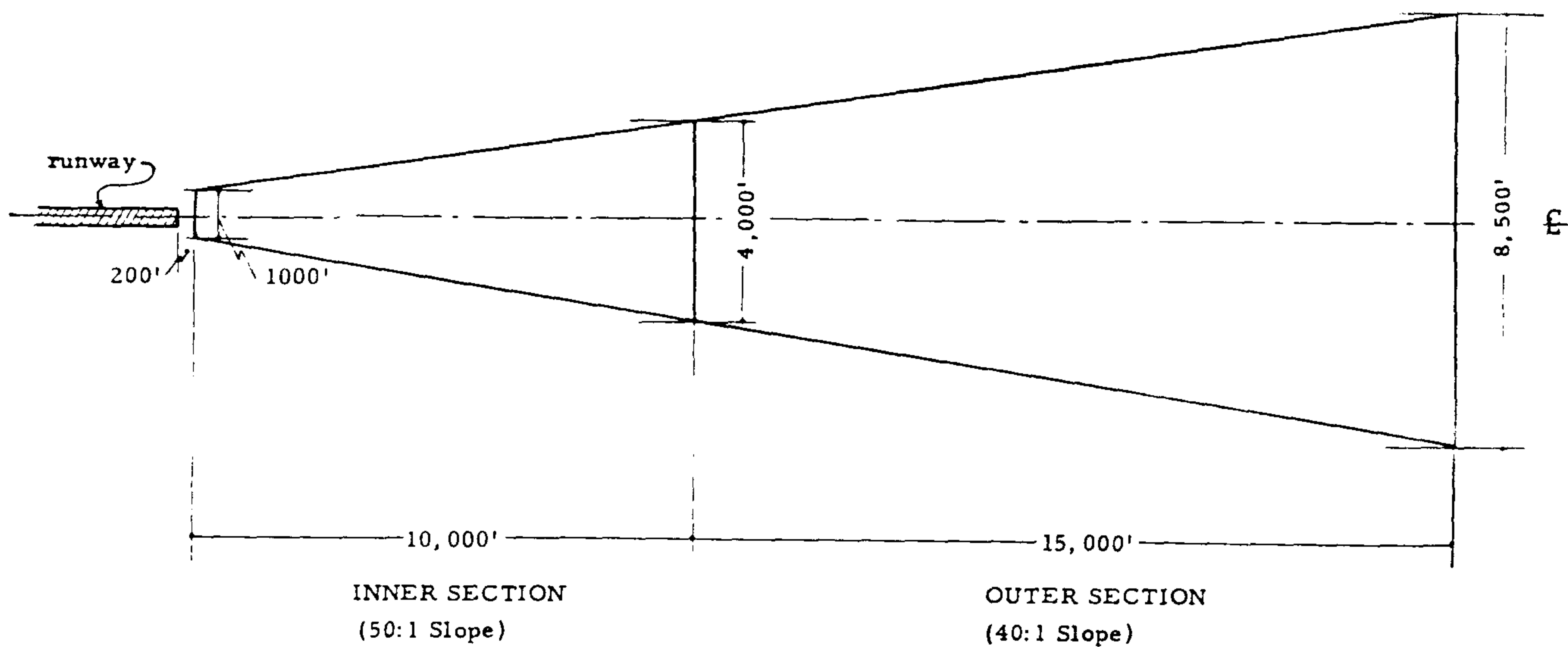
The "approach surfaces" are imaginary inclined planes, trapezoidal in shape and located symmetrically with respect to the extended center line of any runway. Such *approach surfaces*, extending from both ends of any runway, consist of contiguous inner and outer sections whose dimensions are as follows:

The plane of the inner section:

- (a) Begins at a line drawn parallel to, and at the same elevation as, the end of the runway, and at a distance, measured horizontally along the extended runway centerline, of 200 feet from the end of the runway, and
- (b) Extends for a distance of 10,000 feet, measured horizontally along the extended runway centerline, and
- (c) Has a width of 1,000 feet measured along the line described in (a) above, which increases uniformly (with respect to the extended runway centerline) to a width of 4,000 feet at the outer edge of such inner section, as described in (b) above, and
- (d) Rises at a slope of one foot in height for every 50 feet of horizontal distance.

The plane of the outer section:

- (a) Begins at the outer edge of the inner section, and
- (b) Extends for a distance of 15,000 feet, measured horizontally along the extended runway centerline, and
- (c) Has a width of 4,000 feet commencing at the outer edge of the inner section, which increases uniformly (with respect to the extended runway center line) to a width of 8,500 feet at the outer edge of such outer section, and
- (d) Rises at a slope of one foot in height for every 40 feet of horizontal distance.



DESCRIPTION OF APPROACH SURFACE

**Transitional surfaces**

The "transitional surfaces" are imaginary inclined planes extending upward and outward from the side edges of all *approach surfaces*, and from lines parallel to, 500 feet from, and at the same level as the center line of each runway, which:

- (a) Rise at a slope of one foot in height for every seven feet of horizontal distance measured in a vertical plane at right angles to the center line of the runway, and
- (b) Extend to the point of intersection with the *horizontal surface* or the *conical surface*.

Italicized words are defined in Section 12-10, except technical terms applicable to this Article only, which are defined in Section 61-30.

61-40 TABLES OR DIAGRAMS

61-41

**Airport Reference Point, Established Elevation, and Specified Radii**

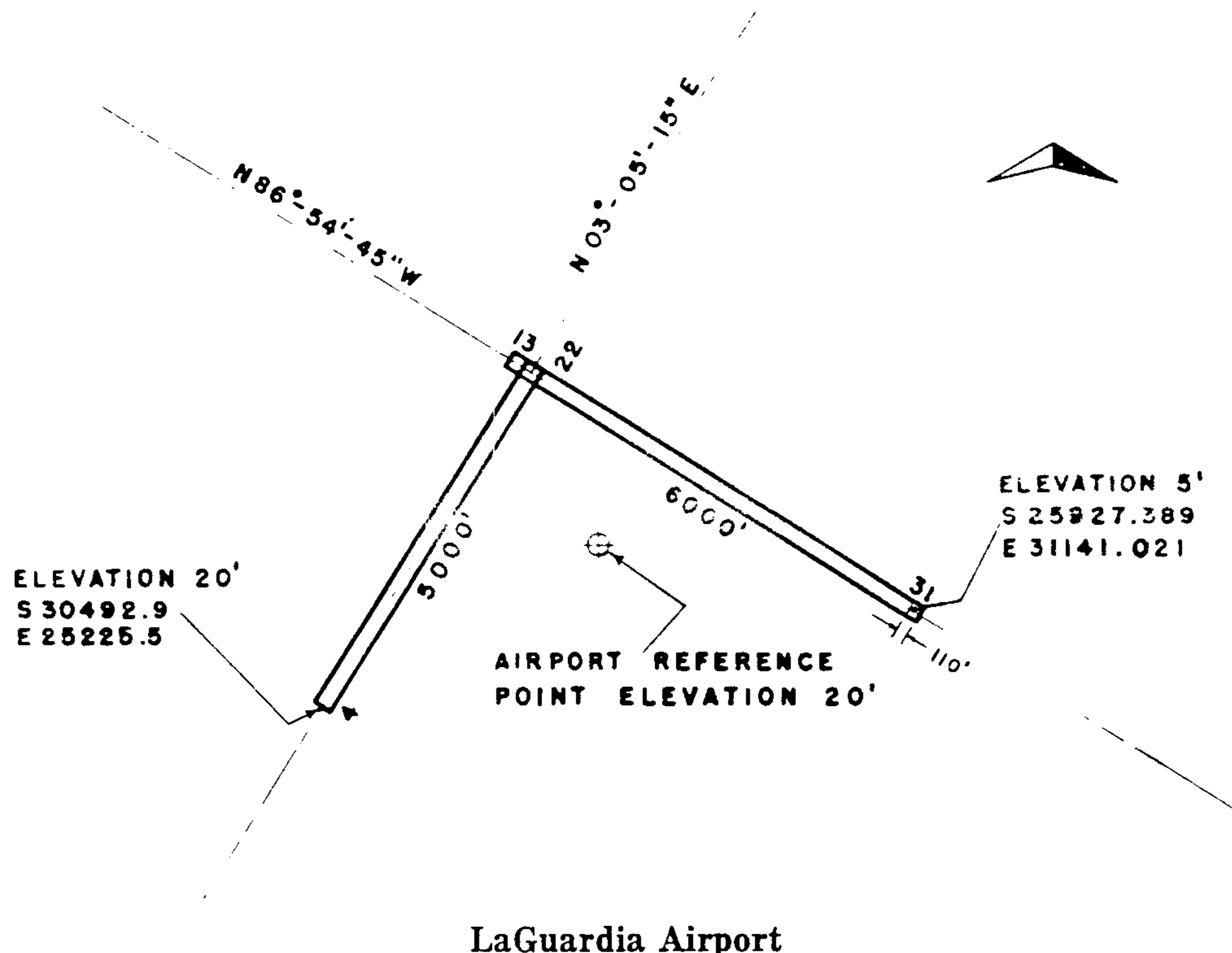
The *airport reference point* (or *points*), *established airport elevation*, and *radii* for the *horizontal* and *conical surfaces* for each such major airport shall be established as set forth in the following table:

APPLICATION TO MAJOR AIRPORTS			
	LaGuardia	New York International	U. S. Naval Air Station (Floyd Bennett Field)
<i>Airport reference point(s)</i>			
Primary point			
North Latitude	40° 46' 29.0"	40° 38' 19.4"	40° 35' 33.0"
West Longitude	73° 52' 20.0"	73° 46' 21.8"	73° 53' 27.5"
Secondary Point			
North Latitude	....	40° 38' 57.9"	....
West Longitude	....	73° 47' 47.9"	....
<i>Established airport elevation</i> (feet above mean sea level)	20	12	15
<i>Horizontal surface radius</i> , measured in feet from <i>airport reference point(s)</i>	10,000	13,000	11,500
<i>Conical surface radius</i> , measured in feet from <i>airport reference point(s)</i>	15,000	20,000	18,500

61-42

**Runways for Major Airports**

The runways for each such major airport shall be the runways set forth in the following diagrams:



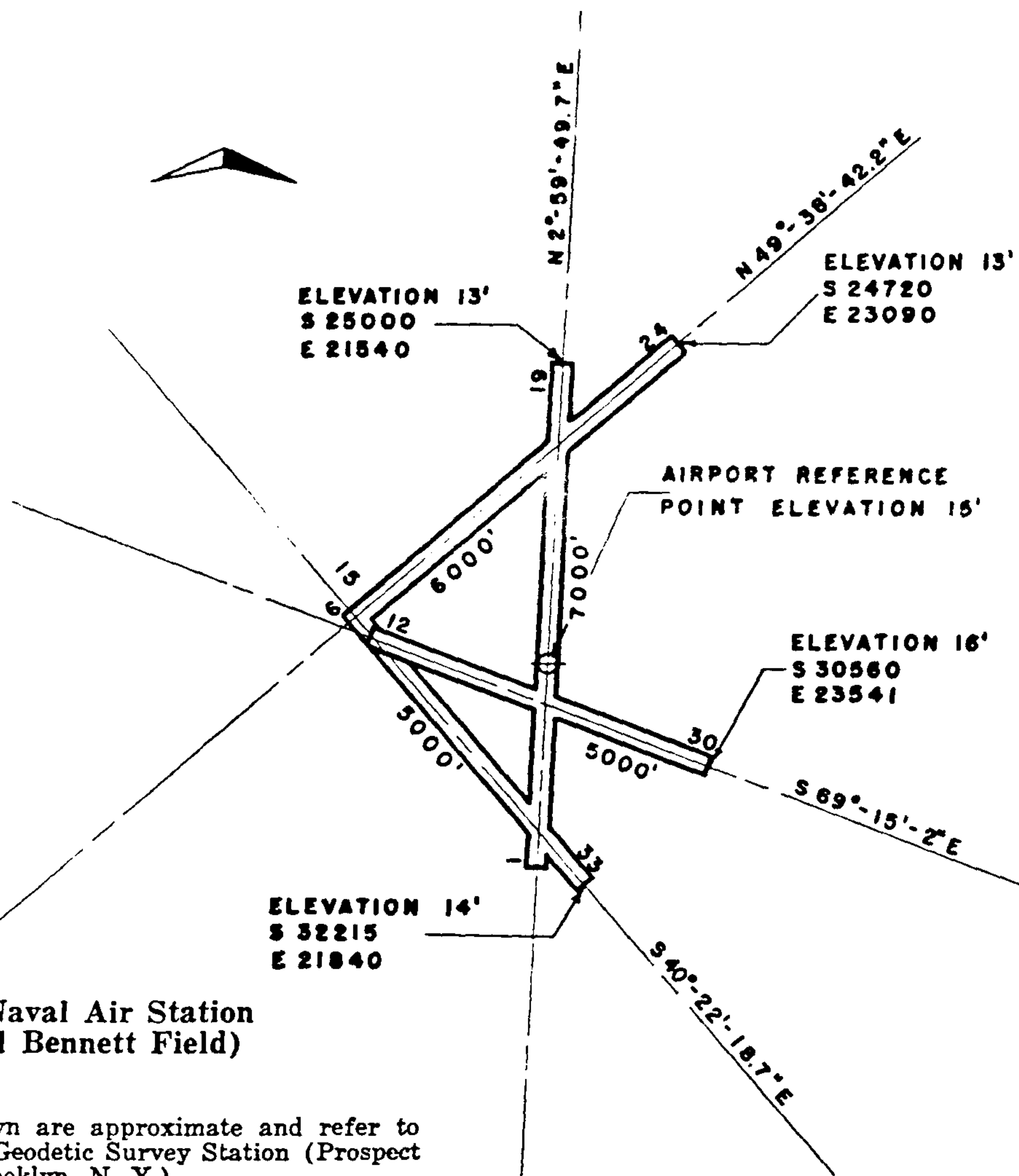
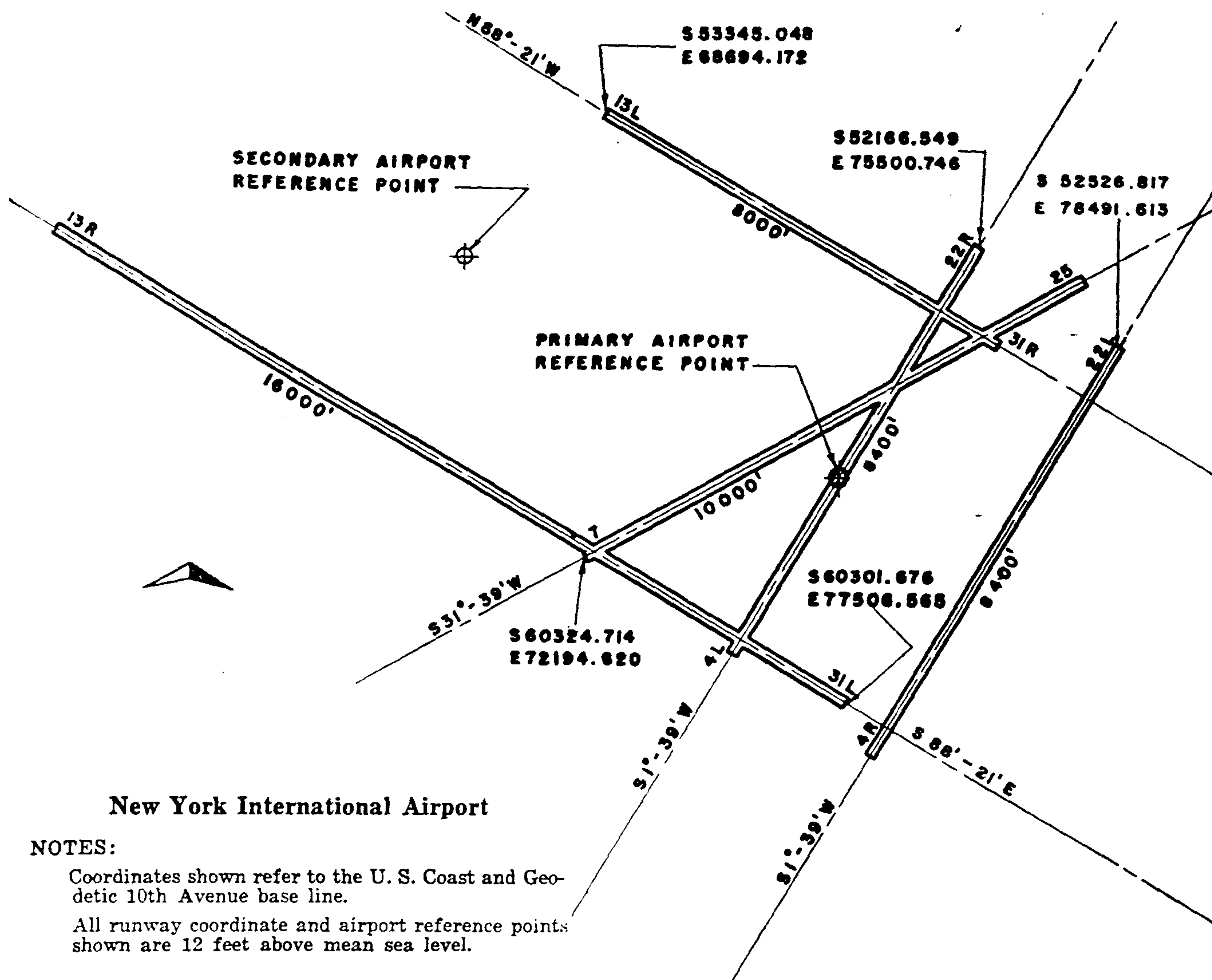
LaGuardia Airport

NOTES:

Coordinates shown refer to the U. S. Coast and Geodetic 10th Avenue base line.

Elevations are above mean sea level.

Italicized words are defined in Section 12-10, except technical terms applicable to this Article only, which are defined in Section 61-30.



Italicized words are defined in Section 12-10, except technical terms applicable to this Article only, which are defined in Section 61-30.



## Article VII Administration

### Chapter 1 Enforcement and Administration

#### 71-00 ENFORCEMENT AND ADMINISTRATION

The Commissioner of the Department of Buildings shall administer and enforce this resolution, except as otherwise specifically provided in the New York City Charter and in this resolution.

The Department of Air Pollution Control shall have exclusive jurisdiction to administer and enforce all provisions of this resolution relating to air pollution, specifically including the performance standards regulating *smoke, dust* and other *particulate matter, odorous matter, and toxic or noxious matter* emitted into the atmosphere, in accordance with rules and regulations adopted by the Board of Air Pollution Control.

### Chapter 2 Interpretations and Variances

#### 72-00 POWERS OF THE BOARD OF STANDARDS AND APPEALS

##### 72-01

##### General Provisions

The Board of Standards and Appeals (referred to hereinafter as the Board) shall have the power, pursuant to the provisions of the New York City Charter and of this resolution, after public notice and hearing:

- (a) To hear and decide appeals from and to review interpretations of this resolution;
- (b) To hear, decide, and determine, in a specific case of practical difficulties or unnecessary hardship, whether to vary the application of the provisions of this resolution;
- (c) To hear and decide applications for such special permits as are set forth in this resolution and are more specifically enumerated in Section 73-01 (General Provisions); and
- (d) To adopt, amend, or repeal such rules or regulations as may be necessary to carry into effect the provisions of this resolution.

#### 72-10 APPEALS FOR INTERPRETATION

##### 72-11

##### General Provisions

The Board shall hear and decide appeals from or may, on its own initiative, review any rule or regulation, order, requirement, decision, or determination of the Commissioner of Buildings, of any duly authorized officer of the Department of Buildings, or of the Commissioner of any agency which, under the provisions of the New York City Charter, has jurisdiction over the *use* of land or over the *use or bulk of buildings or other structures*, subject to the requirements of this resolution.

On such an appeal or review, the Board may reverse, affirm, in whole or in part, or modify, such rule, regulation, order, requirement, decision, or determination and may make such rule, regulation, order, requirement, decision, or determination as in its opinion should have been made in the premises in strictly applying and interpreting the provisions of this resolution, and for such purposes the Board shall have the power of the officer from whose ruling the appeal or review is taken.

However, there shall be no appeal to or review by the Board from an interpretation of this resolution

made by the Board of Air Pollution Control of the Department of Air Pollution Control, or any other agency for which the New York City Charter establishes a board empowered to adopt rules and regulations for such agency.

##### 72-12

##### Street Layout Varying from Maps

Where the street layout actually on the ground varies from the street layout as shown on the *zoning maps*, the designation as shown on such maps shall be applied by the Board, after public notice and hearing, in such a way as to carry out the intent and purpose of this resolution.

#### 72-20 VARIANCES

##### 72-21

##### Findings Required for Variances

When in the course of enforcement of this resolution, any officer from whom an appeal may be taken under the provisions of Section 72-11 (General Provisions) has applied or interpreted a provision of this resolution, and there are practical difficulties or unnecessary hardship in the way of carrying out the strict letter of such provision, the Board may, in accordance with the requirements set forth in this Section, vary or modify the provision so that the spirit of the law shall be observed, public safety secured, and substantial justice done.

Where it is alleged that there are practical difficulties or unnecessary hardship, the Board may grant a variance in the application of the provisions of this resolution in the specific case, provided that as a condition to the grant of any such variance, the Board shall make each and every one of the following findings:

- (a) That there are unique physical conditions, including irregularity, narrowness or shallowness of lot size or shape, or exceptional topographical or other physical conditions peculiar to and inherent in the particular *zoning lot*; and that, as a result of such unique physical conditions, practical difficulties or unnecessary hardship arise in complying strictly with the *use or bulk* provisions of the resolution; and that the alleged practical difficulties or unnecessary hardship are not due to circumstances created generally by the strict application of such provisions in the neighborhood or district in which the *zoning lot* is located.

Italicized words are defined in Section 12-10, except technical terms relating to performance standards, which are defined in Sections 42-21 through 42-28.

## 72-21 (Continued)

(b) That because of such physical conditions, there is no reasonable possibility that the *development* of the *zoning lot* in strict conformity with the provisions of this resolution will bring a reasonable return, and that the grant of a variance is therefore necessary to enable the owner to realize a reasonable return from such *zoning lot*.

(c) That the variance, if granted, will not alter the essential character of the neighborhood or district in which the *zoning lot* is located; will not substantially impair the appropriate use or development of adjacent property; and will not be detrimental to the public welfare.

(d) That the practical difficulties or unnecessary hardship claimed as a ground for a variance have not been created by the owner or by a predecessor in title. Where all other required findings are made, the purchase of a *zoning lot* subject to the restrictions sought to be varied shall not itself constitute a self-created hardship.

(e) That within the intent and purposes of this resolution the variance, if granted, is the minimum variance necessary to afford relief; and to this end, the Board may permit a lesser variance than that applied for.

It shall be a further requirement that the decision or determination of the Board shall set forth each required finding in each specific grant of a variance, and in each denial thereof which of the required findings have not been satisfied. In any such case, each finding shall be supported by substantial evi-

dence or other data considered by the Board in reaching its decision, including the personal knowledge of or inspection by the members of the Board. Reports of other City agencies made as a result of inquiry by the Board shall not be considered hearsay, but may be considered by the Board as if the data therein contained were secured by personal inspection.

## 72-22

**Conditions or Restrictions**

The Board may prescribe such conditions or restrictions applying to the grant of a variance as it may deem necessary in the specific case, in order to minimize the adverse effects of such variance upon other property in the neighborhood. Such conditions or restrictions shall be incorporated in the building permit and certificate of occupancy. Failure to comply with such conditions or restrictions shall constitute a violation of this resolution, and may constitute the basis for denial or revocation of a building permit or certificate of occupancy and for all other applicable remedies.

## 72-23

**Lapse of Variances**

A variance granted under the provisions of this resolution shall automatically lapse if substantial construction, in accordance with the plans for which such variance was granted, has not been completed within one year from the date of granting such variance by the Board, or, if judicial proceedings to review the Board's decision shall be instituted, from the date of entry of the final order in such proceedings, including all appeals.

## Chapter 3 Special Permits by the Board of Standards and Appeals

### 73-00 SPECIAL PERMIT USES AND MODIFICATIONS

## 73-01

**General Provisions**

In harmony with the general purpose and intent of this resolution and in accordance with the provisions set forth in this Chapter, the Board may, in an appropriate case:

(a) Grant special permits for specified *uses* in specific districts (referred to hereinafter as special permit *uses*);

(b) Permit specified modifications of the *use* or *bulk* regulations of this resolution;

(c) Permit the renewal of revoked building permits as provided in Sections 11-31 to 11-33, inclusive, relating to Building Permits Issued before Effective Date of Resolution or Amendment; or

(d) Permit the renewal of a variance, exception, or permit issued by the Board prior to the effective date of this resolution, in accordance with the provisions of Section 11-41 relating

to Exceptions, Variances, or Permits Previously Authorized;

provided that, in each specific case, the requirement for findings as set forth in this Chapter (or in the Sections referred to in (c) or (d) of this Section) shall constitute a condition precedent to the grant of such special permit, modification, or renewal.

In addition to meeting the requirements, conditions, and safeguards prescribed by the Board as set forth in this Chapter, each such special permit *use* shall conform to and comply with all of the applicable district regulations on *use*, *bulk*, supplementary *use* regulations, regulations applying along district boundaries, *accessory signs*, *accessory* off-street parking and off-street loading, and all other applicable provisions of this resolution, except as otherwise specifically provided in this Chapter or as they may be modified in accordance with (b) of this Section. In the case of required *accessory* off-street parking, such *use* shall satisfy the requirements specified for such *uses* in Sections 25-31, 36-21, or 44-21 (General Provisions) except that, where no parking requirement is specified therein, such *use* shall satisfy the requirements set forth in this Chapter.

## 73-02

**Further Requirements**

It shall be a further requirement that the decision or determination of the Board shall set forth each required finding in each specific grant of a special permit *use*, modification, or renewal and, in each denial thereof, which of the required findings have not been satisfied. In any such case, each finding shall be supported by substantial evidence or other data considered by the Board in reaching its decision, including the personal knowledge of or inspection by the members of the Board.

## 73-10 SPECIAL PERMIT USES

## 73-11

**General Provisions**

The Board shall have the power to permit, in the districts indicated, the special permit *uses* set forth in Sections 73-12 to 73-31, inclusive, and to prescribe appropriate conditions and safeguards for such *uses*, provided that in each specific case:

(a) The Board shall make all of the findings required in the applicable sections of this Chapter with respect to each such special permit *use* and shall find that, under the conditions and safeguards imposed, the hazards or disadvantages to the community at large through the location of such *use* at the particular site are outweighed by the advantages to be derived by the community by the grant of such special permit *use*. In each case the Board shall determine that the adverse effects, if any, on the privacy, quiet, light, and air in the neighborhood of such *use* will be minimized by appropriate conditions governing location of the site, design, and method of operation.

(b) In all cases, the Board shall deny a special permit whenever such proposed *use* will interfere with any public improvement project (including housing, highways, public buildings or facilities, redevelopment or renewal projects, or rights-of-way for sewers, transit, or other public facilities) which is approved by or pending before the Board of Estimate or the City Planning Commission, as determined from the calendars of each such agency issued prior to the date of the public hearing before the Board of Standards and Appeals.

(c) Where, under the applicable findings, the Board is required to determine whether the special permit *use* is appropriately located in relation to the street system, the Board shall make such determination on the basis of the Master Plan of Arterial Highways and Major Streets. Whenever the Board is required to make a finding on the location of a proposed special permit *use* in relation to secondary or local streets, and such classification of streets is not shown on the Master Plan, the Board shall request the City Planning Commission to establish and report on the appropriate classification of such street; provided, however, that if the City Planning Commission fails to report within one month of such referral, the requirement for any such finding as set forth in the appropriate sections of this Chapter shall be waived in the specific case.

(d) When so required in any section of this Chapter, the Board shall refer the application to a designated agency for a report on the issue in question. If such agency shall report thereon within one month from the date of referral, the Board shall, in its decision or determination, give due consideration to such report and, further, shall have the power to substantiate the appropriate finding solely on the basis of the report by such agency with respect to the issue referred. If such agency does not report within one month, the Board may make a final determination without reference thereto.

(e) If a term of years is specified in the applicable section, the Board shall establish a term of years not to exceed such maximum. For those special permit *uses* for which a maximum term has not been specified, the Board may fix an appropriate term for any such *use*.

(f) On an application for renewal of any such special permit authorized in this Chapter, the Board shall make all of the required findings as if the application were made for the initial term, in order to determine whether the circumstances warranting the original grant still obtain. In addition, the Board shall ascertain whether the applicant has complied with the conditions and safeguards, theretofore prescribed by the Board during the prior term. In the event that the Board shall find that the applicant has been in substantial violation thereof, it shall deny the application for renewal.

(g) The Board may permit the *enlargement* or *extension* of any existing *use*, which, if new, would be permitted by special permit in the specified districts under the provisions of Section 73-01 (General Provisions) and other applicable provisions of this Chapter, provided that before granting any such permit for *enlargement* or *extension* within the permitted districts, the Board shall make all of the required findings applicable to the special permit *use*, except that:

(1) In the case of colleges or universities in R1 or R2 Districts, the Board may waive all such required findings set forth in Section 73-121 (Colleges or universities).

(2) In the case of public utility *uses*, the Board may waive all such required findings set forth in Section 73-14 (Public Service Establishments) or Section 73-16 (Public Transit, Railroad, or Electric Utility Substations).

(3) In the case of *automotive service stations*, the Board may waive the required finding set forth in Section 73-211 (Location in C2, C4, or C6 Districts), paragraph (c), relating to location within an *area of restricted access*.

No such *enlargement* or *extension* shall create a new *non-compliance* or increase the existing degree of *non-compliance* with the applicable *bulk* regulations, except as may be permitted in accordance with the provisions of Sections 73-62 to 73-66, inclusive, relating to Modification of Bulk Regulations.

## 73-12

**Community Facility Uses in R1 or R2 Districts**

In R1 or R2 Districts, the Board may permit specified *community facility uses* in accordance with the provisions of this Section.

## 73-121

**Colleges or universities**

The Board may permit colleges or universities including professional schools but excluding business colleges or trade schools in R1 or R2 Districts, provided that the following findings are made:

(a) That such *use* is so located as not to impair the character of the surrounding area or its future development as a neighborhood of single-family residences.

(b) That such *use* is so located as to draw a minimum of vehicular traffic to and through local streets.

The Board may prescribe appropriate conditions and safeguards to minimize adverse effects on the character of the surrounding area.

## 73-122

**College or school dormitories or fraternity or sorority houses**

The Board may permit college or school dormitories or fraternity or sorority houses in R1 or R2 Districts, provided that the following findings are made:

(a) That such *use* does not exceed the maximum *floor area ratio* for *residential buildings* as set forth in Section 23-14 (Minimum Required Open Space Ratio and Maximum Floor Area Ratio in R1 through R9 Districts).

(b) That the amount of *open space* and its distribution on the *zoning lot* conform to standards appropriate to the character of the neighborhood.

(c) That, notwithstanding the provisions of Section 25-33 (Waiver of Requirements for Spaces below Minimum Number), at least one *accessory* off-street parking space is provided for each six beds.

(d) That such *use* conforms to all the other applicable Off-Street Parking Regulations as set forth in Article II, Chapter 5.

The Board may prescribe appropriate conditions and safeguards to minimize adverse effects on the character of the surrounding area.

## 73-123

**Non-commercial clubs**

The Board may permit non-commercial clubs, except swimming pool clubs or clubs with swimming pools located less than 500 feet from any *lot line*, in R1 or R2 Districts, provided that the following findings are made:

(a) That such *use* is so located as not to impair the character of the surrounding area or its future development as a neighborhood of single-family residences.

(b) That such *use* is so located as to draw a minimum of vehicular traffic to and through local streets.

(c) That such *use* complies with the minimum required *open space ratio* and maximum *floor area ratio* for *residential buildings* as set forth in Section 23-14 (Minimum Required Open Space Ratio and Maximum Floor Area Ratio in R1 through R9 Districts.)

(d) That not more than half the *open space* provided is occupied by driveways, private streets, open *accessory* off-street parking spaces, or active outdoor recreation facilities.

(e) That the amount of *open space* provided and its distribution on the *zoning lot* conform to standards appropriate to the character of the neighborhood.

The Board may prescribe appropriate conditions and safeguards to minimize adverse effects on the character of the surrounding area, including requirements for shielding of floodlights, screening, or landscaping.

## 73-124

**Welfare centers**

The Board may permit welfare centers in R1 or R2 Districts, provided that the following findings are made:

(a) That such *use* is so located as not to impair the character of the surrounding area or its future development as a neighborhood of single-family residences.

(b) That such *use* is conveniently accessible to the people it serves.

The Board may prescribe appropriate conditions and safeguards to minimize adverse effects on the character of the surrounding area.

## 73-13

**Open Uses in R1 or R2 Districts**

In R1 or R2 Districts, the Board may permit outdoor tennis courts or ice skating rinks, provided that the Board finds that such *use* is so located as not to impair the character of the surrounding area or its future development as a neighborhood of single-family residences.

The Board shall prescribe the following conditions:

(a) That such *use* and any *accessory* facilities affixed to the land are not located closer than 20 feet to any *lot line*.

(b) That all lighting is directed away from nearby *residential zoning lots*.

The Board may prescribe additional appropriate conditions and safeguards to minimize adverse effects on the character of the surrounding area, including requirements for screening or for landscaping.

## 73-14

**Public Service Establishments**

In all *Residence Districts*, the Board may permit electric or gas utility substations, limited in each case to a site of not more than 10,000 square feet, water or sewage pumping stations, or telephone exchanges or other communications equipment structures, provided that the following findings are made:

(a) That such *use* will serve the residential area within which it is proposed to be located; that there are serious difficulties in locating it in a district wherein it is permitted as of right and from which it could serve the residential area, which make it necessary to locate such *use* within a *Residence District*.

(b) In the case of such electric or gas utility substations or water or sewage pumping stations, that the site for such *use* has a minimum frontage of 50 feet and a minimum *lot area* of 4,500 square feet.

The Board may prescribe appropriate conditions or safeguards to minimize adverse effects on the character of the surrounding area, including requirements that electric utility substations shall meet the performance standards for an M1 District; that such electric or gas utility substations or water pumping stations shall be surrounded with fences, barriers, or other safety devices; or that any such *use* shall be landscaped.

## 73-15

**Other Public Utility Facilities**

In all *Residence Districts*, the Board may permit public utility stations for oil or gas metering or regulating, or terminal facilities located at river crossings for access to electric, gas, or steam lines, provided that the Board finds that the proposed location, design, and method of operation will not have a detrimental effect on the privacy and quiet of the neighborhood and the safety of its inhabitants.

The Board may prescribe appropriate conditions and safeguards to minimize adverse effects on the character of the surrounding area, including requirements for construction of fences, barriers, or other safety devices, or for landscaping.

## 73-16

**Public Transit, Railroad, or Electric Utility Substations**

In all *Residence Districts* or *Commercial Districts*, the Board may permit electric utility substations (including transformers, switches, or auxiliary apparatus) or public transit or railroad electric substations, limited in each case to a site of not more than 40,000 square feet, and in the case of electric utility substations to a site of not less than 10,000 square feet, provided that the following findings are made:

(a) That such *use* will serve either the residential community within which it is proposed to be located or the residential community

immediately adjacent, and that there are serious difficulties in locating such *use* in a nearby district where it is permitted as of right.

(b) In the case of public transit or railroad electric substations, that the site for such *use* has a minimum frontage of 50 feet and a minimum *lot area* of 4,500 square feet.

(c) That the site for such *use* is so located in *Residence Districts* as to minimize the adverse effects on the integrity of existing and future development, or is so located in *Commercial Districts* as to minimize the interruption of the continuity of retail frontage.

(d) That the architectural and landscaping treatment of such *use* will blend harmoniously with the rest of the area.

(e) That such *use* will conform to the performance standards applicable to M1 Districts.

The Board may prescribe appropriate conditions and safeguards to minimize adverse effects on the character of the surrounding area, including requirements for soundproofing, for the construction of fences, barriers, or other safety devices, for screening of apparatus, or for landscaping.

## 73-17

**Camps, Overnight or Outdoor Day**

In all *Residence Districts*, and in C1, C2, or C3 Districts, the Board may permit overnight or outdoor day camps, whether commercial or philanthropic, for a term not to exceed five years, provided that the Board finds that such *use* will not cause excessive traffic congestion.

The Board shall prescribe the following conditions:

(a) That a minimum of 150 square feet of *lot area* is provided for each child enrolled in the camp.

(b) That along any *rear* or *side lot lines*, *yards* are provided, each with a minimum depth (or width) of 40 feet, within which no camp equipment is affixed to the land.

(c) That in *Residence Districts* or C3 Districts the *zoning lot* is screened along the *rear* and *side lot lines*, and in C1 or C2 Districts along any *rear* or *side lot line* adjoining a *Residence District*, by a strip at least four feet wide, densely planted with shrubs or trees which are at least four feet high at the time of planting and which are of a type which may be expected to form a year-round dense screen at least six feet high within three years.

(d) That in the case of outdoor day camps, for each 5,000 square feet of *lot area*, one *accessory* off-street parking space of 500 square feet is provided to accommodate buses used in the transportation of campers, in addition to the *accessory* off-street parking requirement established for such *uses* under the applicable provisions of Sections 25-31 or 36-21 (General Provisions).

The Board may prescribe additional appropriate conditions and safeguards to minimize adverse effects on the character of the surrounding area.

73-18

**Riding Academies or Stables**

In all *Residence Districts*, and in C2, C6, or C7 Districts, the Board may permit riding academies or stables operated as a recreation service, for a term not to exceed five years, provided that the following findings are made:

- (a) That such *use* is so located as not to impair the essential character of the surrounding area.
- (b) That adequate horseback riding facilities are available on the same *zoning lot* or within 600 feet of such *zoning lot*.
- (c) That the location and operation of such *use* will not be such as to result in any serious traffic hazards or conflicts on nearby streets.
- (d) That in *Residence Districts*, no stables or riding areas are located within 40 feet of any *side or rear lot line*.

The Board may prescribe appropriate conditions and safeguards to minimize adverse effects on the character of the surrounding area, including requirements for sanitation, for screening, or for landscaping.

73-19

**Schools**

In C8 or M1 Districts, the Board may permit *schools* which have no *residential* accommodations except *accessory* accommodations for a caretaker, provided that the following findings are made:

- (a) That within the neighborhood to be served by the proposed *school* there is no practical possibility of obtaining a site of adequate size located in a district wherein it is permitted as of right, because appropriate sites in such districts are occupied by substantial improvements.
- (b) That such *school* is located not more than 400 feet from the boundary of a district wherein such *school* is permitted as of right.
- (c) That no entrance or exit intended for the use of children attending such *school* or a playground *accessory* thereto may be so located that the entrance or exit of any existing *automotive service station*, *public parking garage* or *public parking lot* would be within the *area of restricted access*.
- (d) That the site area is of sufficient size so that *yards* and other open area on the same *zoning lot* can ensure adequate separation from noise, traffic movements, and other adverse effects of the surrounding non-residential districts.
- (e) That the movement of traffic through the *street* on which the *school* is located can be controlled so as to protect children going to and from the *school*. The Board shall refer the application to the Department of Traffic for its report with respect to vehicular hazards to the safety of children within the block and in the immediate vicinity of the proposed site.

The Board may prescribe additional appropriate conditions and safeguards to minimize adverse effects on the character of the surrounding area.

73-20

**Theaters**

In C1 Districts, the Board may permit theaters with a capacity of not more than 500 persons, and may prescribe appropriate conditions and safeguards to minimize adverse effects on the character of nearby residential areas.

73-21

**Automotive Service Stations**

73-211

**Location in C2, C4, or C6 Districts**

In any C2, C4, or C6 District whose longer dimension is 375 feet or more (exclusive of land in *streets*), the Board may permit *automotive service stations*, provided that the following findings are made:

- (a) That the site for such *use* has a minimum area of 7,500 square feet.
- (b) That the site for any such *use* which is not located on an arterial highway or a major street has a maximum area of 15,000 square feet.
- (c) That the vehicular entrances or exits shall not be located within an *area of restricted access* relating to entrances or exits intended for the use of children attending *schools* or playgrounds *accessory* thereto, or relating to entrances or exits to *public parks* or public playgrounds with an area of one-half acre or more.

The Board shall prescribe the following conditions:

- (a) That any facilities for lubrication, minor repairs, or washing are located within a *completely enclosed building*.
- (b) That the site is so designed as to provide reservoir space for five waiting automobiles within the *zoning lot* in addition to spaces available within an enclosed lubricatorium or at the pumps.
- (c) That entrances and exits are so planned that, at maximum expected operation, vehicular movement into or from the *automotive service station* will cause a minimum of obstruction on *streets* or sidewalks.
- (d) That, along any *rear lot line* or *side lot line* adjoining a *Residence District*, the *zoning lot* is screened, as the Board may prescribe, by either of the following methods:
  - (1) A strip at least four feet wide, densely planted with shrubs or trees at least four feet high at the time of planting and which are of a type which may be expected to form a year-round dense screen at least six feet high within three years, or
  - (2) A wall or barrier or uniformly painted fence of fire-resistant material at least six feet high, but not more than eight feet above finished grade. Such wall, barrier, or fence may be opaque or perforated, provided that not more than 50 percent of its face is open.

## 73-211 (Continued)

(e) That *accessory business signs* shall be subject to the applicable district *sign* regulations, provided that:

(1) In C2 Districts, the provisions of Section 32-642 (Non-illuminated signs) and Section 32-643 (Illuminated non-flashing signs) shall be modified to permit *non-illuminated* or *illuminated non-flashing signs* with a total *surface area* not exceeding 150 square feet on any *zoning lot*.

(2) The provisions set forth in Section 32-652 (Permitted projection in all other Commercial Districts) may be modified in accordance with the provisions of Section 73-212 (Projection of accessory signs).

The Board may prescribe additional appropriate conditions and safeguards to minimize adverse effects on the character of the surrounding area, and to protect *residential zoning lots* which are adjoining or across the street.

## 73-212

## Projection of accessory signs

In C2, C4, C6, or C8 Districts, the Board may permit not more than one *sign accessory* to an *automotive service station*, to project across a *street line* more than the amount permitted in Section 32-652 (Permitted projection in all other Commercial Districts), but in no case more than four feet, provided that the following findings are made:

(a) That projection in the amount permitted is required for adequate advance identification of such *automotive service station* to motorists on heavily traveled streets in the interests of traffic safety.

(b) That such *sign* conforms to all other applicable district *sign* regulations, and its total *surface area* is not more than 30 square feet.

## 73-22

## Commercial Beaches

In C3 Districts, the Board may permit commercial beaches for a term not to exceed five years, provided that the Department of Health has certified that the waters may be used for bathing purposes and do not violate safe and acceptable standards of water pollution, and provided further, that the Board shall make the following findings:

(a) That such *use* is so located as to minimize interference with the movement and navigation of ships or boats.

(b) That no more than 20 percent of the shore line in any one mapped district is used for such *use*.

(c) That no *accessory* stands for the sale of food or drink shall be located within 100 feet of a *Residence District* boundary, and that the

total *floor area* of all such stands shall not exceed 200 square feet.

(d) That such *use* will not create such traffic congestion as to impair the residential character of the district. The Board shall refer the application to the Department of Traffic for a report as to whether the *use* will create such detrimental traffic congestion that it impairs such residential character.

The Board may prescribe appropriate conditions and safeguards to minimize adverse effects on the character of the surrounding area, or requirements for the shielding of floodlights or adequate screening.

## 73-23

## Commercial Swimming Pools

In C3 Districts, the Board may permit commercial swimming pools with a pool area of not more than 5,000 square feet for a term not to exceed five years, provided that the following findings are made:

(a) That such *use* is so located as not to impair the essential character or the future use or development of the nearby residential neighborhood.

(b) That such pool is not located within 200 feet of the shore line.

The Board may prescribe appropriate conditions and safeguards to minimize adverse effects on the character of the surrounding area, including requirements for shielding of floodlights or adequate screening.

## 73-24

## Eating or Drinking Places

In C3 Districts, the Board may permit eating or drinking places (including those which provide outdoor table service or incidental musical entertainment either by mechanical device or by not more than three persons playing piano, organ, accordion, or any string instrument), for a term not to exceed five years, provided that the following findings are made:

(a) That such *use* is so located as not to impair the essential character or the future use or development of the nearby residential neighborhood.

(b) That such *use* will generate a minimum of vehicular traffic to and through local streets in residential areas.

The Board may modify the regulations relating to *accessory business signs* in C3 Districts to permit a maximum total *surface area* of 50 square feet of *non-illuminated* or *illuminated non-flashing signs*, provided that any *illuminated sign* shall not be less than 150 feet from the boundary of any *Residence District*.

The Board may prescribe appropriate conditions or safeguards to minimize adverse effects on the character of the surrounding area, including requirements for the shielding of floodlights or adequate screening.

## 73-25

**Boatels**

In C3 Districts, the Board may permit *boatels* provided that the following findings are made:

- (a) That such *use* is so located as not to impair the essential character or the future use or development of the nearby residential neighborhood.
- (b) That any restaurant permitted in connection with such *use* satisfies the conditions for issuance of special permits to eating or drinking places, as set forth in Section 73-24 (Eating or Drinking Places).

The Board may modify the regulations relating to *accessory business signs* in C3 Districts to permit a maximum total *surface area* of 50 square feet of non-illuminated or illuminated non-flashing signs on each of not more than three *street* or water frontages.

The Board may prescribe appropriate conditions or safeguards to minimize adverse effects on the character of the surrounding area, including requirements with respect to the location of *illuminated signs*, the shielding of floodlights, or adequate screening.

## 73-26

**Children's Amusement Parks**

In C8 or M1 Districts, the Board may permit children's amusement parks with an area of at least 10,000 square feet but not more than 75,000 square feet, for a term not to exceed five years, provided that the following findings are made:

- (a) That such *use* is so located as not to impair the essential character or the future use or development of the surrounding area.
- (b) That the principal vehicular access for such *use* is not located on a local street or on an arterial highway.
- (c) That such *use* is not located within 400 feet of a *Residence District*.
- (d) That vehicular entrances and exits for such *use* are provided separately, and that no entrance is located less than 50 feet from any exit.
- (e) That the proposed *use* will be so designed that its vehicular entrances or exits shall not be located within an *area of restricted access* relating to entrances or exits intended for the use of children attending *schools* or playgrounds *accessory* thereto; or relating to entrances or exits to *public parks* or public playgrounds with an area of one-half acre or more.
- (f) That such *use* will not cause traffic congestion or other adverse effects which interfere with the appropriate use of land in the district or in any adjacent district, and that such *use* is so located as to minimize vehicular traffic to and through local streets in residential areas.

The Board may prescribe appropriate conditions and safeguards to minimize adverse effects on the character of the surrounding area, or requirements for shielding of floodlights, adequate screening, or surfacing all access roads or driveways.

## 73-27

**Funeral Establishments**

In C1 or C4 Districts, the Board may permit fu-

neral establishments provided that the following findings are made:

- (a) That there are serious difficulties involved in locating within a district wherein such *use* is permitted as of right and from which it could serve the needs of its prospective clientele, which make it necessary to locate such *use* within a C1 or C4 District.
- (b) That the site for such *use* is so located as to cause minimum interruption of the continuity of the frontage devoted to retail shopping *uses*. In determining whether the *use* will cause only minimum interruption of such retail frontage, the Board may make a favorable finding on the ground that there exists a substantial number of other incompatible *uses* interrupting such frontage within 200 feet on either side of the proposed site (not including land in *streets*).
- (c) That such *use* is so located as to draw a minimum of vehicular traffic to and through local streets in residential areas.

The Board may prescribe appropriate conditions and safeguards to minimize adverse effects on the character of the surrounding area.

## 73-28

**Newspaper Publishing**

In C6 Districts, the Board may permit newspaper publishing establishments provided that the following findings are made:

- (a) That such *use* will not cause undue traffic congestion in local streets.
- (b) That such *use* is not located within 200 feet of a *Residence District*.
- (c) That such *use* shall conform to all performance standards applicable in M1 Districts.

The Board may prescribe appropriate conditions and safeguards to minimize adverse effects on the character of the surrounding area.

## 73-29

**Utilization of Explosives in Manufacturing Processes**

In all *Manufacturing Districts*, the Board may permit the utilization of Class IV explosives, as defined in Section 42-272 (Classifications), in manufacturing processes or other production and storage *accessory* thereto, provided that the following findings are made:

- (a) That such manufacture be carried on within *completely enclosed buildings* or other *structures* whose exterior walls are of incombustible materials.
- (b) That such *buildings* or other *structures* are protected throughout by an automatic fire extinguishing system which meets all requirements set forth in the Administrative Code of the City of New York.
- (c) That such utilization and the storage *accessory* thereto complies with all additional applicable provisions of the Administrative Code and all rules and regulations of the Fire Department.

The Board may prescribe appropriate conditions and safeguards to minimize adverse effects on the character of the surrounding area.



73-30

**Radio or Television Towers**

In all districts, the Board may permit non-*accessory* radio or television towers, provided that it finds that the proposed location, design, and method of operation of such tower will not have a detrimental effect on the privacy, quiet, light, and air of the neighborhood.

The Board may prescribe appropriate conditions and safeguards to minimize adverse effects on the character of the surrounding area.

73-31

**Sand, Gravel, or Clay Pits**

73-311

**General provisions**

In all districts, the Board may permit, for a term not to exceed 10 years, the extraction of sand, gravel, or clay from a *zoning lot* which is limited in size to a maximum of 50 acres and which is located not less than 1,000 feet from the nearest boundary of any *zoning lot* 10 acres or more in area used for such extraction, provided that the Board finds that such *use* is so located as not to impair the essential character or the future use or development of the surrounding area, and provided that the following conditions are met:

(a) That the applicant submits a site plan showing the proposed extent and depth of the area to be excavated, together with the certification of the Department of Buildings that the proposed method of operations and the final elevation of the pit will not undermine or cause settlement to nearby streets, sewers, *buildings or other structures*, or installations.

(b) That the applicant submits a plan for the rehabilitation of the *zoning lot* to be undertaken after the completion of the excavation operations which is satisfactory to the Board, and posts a bond, in an amount to be determined by the Board, for the performance of such rehabilitation.

(c) That the entire perimeter of the *zoning lot*, except for necessary truck roads, is fenced, including locked gates, so as to prevent children from gaining access to the excavated areas.

(d) That the vehicular entrances or exits shall not be located within an *area of restricted access* relating to entrances or exits intended for the use of children attending *schools* or playgrounds *accessory* thereto, or relating to entrances or exits to *public parks* or public playgrounds with an area of one-half acre or more.

(e) That one *accessory* off-street parking space is provided for every 2,000 square feet of *lot area*, or for every three employees, whichever shall require a lesser number of spaces.

(f) That the performance standards for M1 Districts shall apply to such operations

in all districts other than M2 or M3 Districts, where the applicable performance standards shall govern.

73-312

**Conditions on operation**

The Board shall impose the following conditions on the method of operation of such *uses*:

(a) That all drilling, blasting, or excavation operations shall be limited to Mondays through Fridays between the hours of 8:00 a.m. and 5:00 p.m.

(b) That the emission of process dust either from the area of operations or from the excavated materials themselves shall be minimized by frequent watering or by such other means as the Board shall direct.

(c) That the warning notices respecting unlawful entry shall be posted on the fence, and that a watchman shall be stationed on the premises to police the entire area after normal working hours and on week-ends and holidays.

(d) That excavation operations shall be undertaken in such manner as to avoid the creation of undrained pockets and the formation of stagnant pools. When topographical conditions make such compliance impossible, all pools of water resulting from surface drainage shall be sprayed in accordance with the requirements of the Department of Health to eliminate breeding places for mosquitoes or other insects.

The Board may prescribe additional appropriate conditions and safeguards to protect the public health, safety, and general welfare during the period between the cessation of operations and the final rehabilitation of the site in accordance with approved plans.

**73-40 MODIFICATION OF USE OR PARKING REGULATIONS**

73-41

**General Provisions**

The Board shall have the power to permit modification of the *use* regulations of this resolution in accordance with the provisions of Sections 73-42 to 73-48, inclusive, and to impose appropriate conditions and safeguards thereon.

73-42

**Enlargement of Uses across District Boundaries**

In all districts, the Board may permit the *enlargement* of a conforming *use* located within a *building or other structure* up to a maximum of 25 feet into a district in which such *use* is not permitted, provided that there is no reasonable possibility of enlarging such *use* within the district where it is a conforming *use*.

The Board may prescribe appropriate conditions and safeguards to minimize adverse effects on the character of the district.

Italicized words are defined in Section 12-10.

73-43

**Reduction of Parking Spaces for Churches or Places of Assembly**

In all *Commercial* and *Manufacturing Districts*, the Board may permit a reduction in the number of *accessory* off-street parking spaces required under the provisions of Sections 25-31, 36-21, or 44-21 (General Provisions) for churches or *uses* in parking requirement category D (Places of Assembly) whenever such *uses* are located in the same *building* or on the same *zoning lot* as other *uses*, proportionate to the extent that the Board finds:

- (a) That the spaces *accessory* to such other *uses* will remain available for *use* by persons visiting the church or place of assembly during the entire period that such church or place of assembly remains in *use*, and
- (b) That, in accordance with submitted schedules of the times of operation for all *uses* within the *building* or on the *zoning lot*, there will be no conflict in the *use* of such *accessory* off-street parking spaces, and that the provision of the full quota of required off-street parking spaces for churches and places of assembly is therefore not needed. The permit to reduce such spaces shall be automatically revoked whenever there is a change in the nature of the conditions upon which such reduced requirements were based, including changes in *use*, availability of spaces, or hours of operation.

73-44

**Reduction of Parking Spaces for Uses in Parking Requirement Category B1**

In the districts indicated, the Board may permit a reduction in the number of *accessory* off-street parking spaces required by the provisions of Section 36-21 or 44-21 (General Provisions) for *uses* in parking requirement category B1 in Use Group 6, 7, 8, 9, 10, 11, 14, or 16 to the number of spaces specified in the table set forth at the end of this Section, provided that the Board finds that occupancy by *uses* in parking category B1 is contemplated in good faith on the basis of evidence submitted by the applicant. In such a case the Board shall require that the certificate of occupancy issued for the *building* within which such *use* is located shall state that no certificate shall thereafter be issued if the *use* is changed to a *use* listed in parking category B unless additional *accessory* off-street parking spaces sufficient to meet such requirements are provided on the site or within the permitted off-site radius.

REDUCED ACCESSORY OFF-STREET PARKING SPACES  
REQUIRED FOR COMMERCIAL USES IN PARKING  
REQUIREMENT CATEGORY B1

Parking spaces required, per number of square feet of floor area	Districts					
	C1-1	C2-1	C3	C4-1		
1 per 400						M1-1 M1-2 M1-3 M2-1 M2-2
1 per 600	C1-2	C2-2		C4-2	C8-1	M3-1
1 per 800	C1-3	C2-3		C4-3	C7	C8-2

Italicized words are defined in Section 12-10.

73-45

**Modification of Off-Site Parking Provisions**

In all districts, the Board may modify the provisions regulating the location of *accessory* off-street parking spaces provided off the site, in accordance with the provisions of this Section which are applicable in the specified districts.

In all cases, the Board may impose appropriate conditions and safeguards to minimize adverse effects on the character of the surrounding area.

73-451

**For residences**

The Board may permit off-site spaces *accessory* to *residences* to be located in any district except an R1 or R2 District, or at a greater distance from the *zoning lot* than the maximum distance specified in the applicable district regulations, provided that the following special findings are made:

- (a) That the required *accessory* off-street parking spaces cannot reasonably be provided on the *zoning lot*, because of physical conditions including irregularity, narrowness, or shallowness of lot size or shape, exceptional topographical or other physical conditions, and
- (b) That within the maximum permitted radius for off-site parking or within a district other than a *Residence District*, there is substantial difficulty in obtaining a site of sufficient size to accommodate the required *accessory* off-street parking spaces because such sites are occupied by substantial improvements, and
- (c) That where such spaces are located at a greater distance from the *zoning lot* than the maximum distance permitted by the district regulations, such distance is not greater than 1,200 feet for *zoning lots* in the districts specified in Section 25-521 (a) or 36-421 (a) (Maximum distance from zoning lot), and not greater than 1,500 feet for *zoning lots* in the districts specified in Section 25-521 (b) or 36-421 (b) (Maximum distance from zoning lot), and
- (d) That where such off-site spaces are located in a *Residence District*, they are so located as not to impair the essential character or the future use or development of the nearby residential neighborhood.

73-452

**For community facilities in Residence Districts**

The Board may permit off-street parking spaces *accessory* to a *community facility use* located in an R1, R2, R3, or R4 District to be provided off-site and located in any district, or may permit off-street parking spaces *accessory* to a *community facility use* located in any other *Residence District* to be provided off-site and located in an R1, R2, R3, or R4 District or located in any other *Residence District* at a greater distance from the *zoning lot* than the maximum distance specified in Section 25-53 (Off-Site Spaces for Permitted Non-Residential Uses), provided that in such instances, all such spaces shall be not further than 600 feet from the

## 73-452 (Continued)

nearest boundary of the *zoning lot* containing such *use*, and provided further that the following special findings are made:

- (a) That where such spaces are located in an R1 or R2 District, the *community facility use* to which they are *accessory* is a *use* permitted as of right in such district, and
- (b) That there is no way to arrange such spaces on the same *zoning lot* as such *use*, and
- (c) That such spaces are so located as to draw a minimum of vehicular traffic to and through streets having predominantly residential frontage, and
- (d) Either that such spaces are located on an adjoining *zoning lot* or a *zoning lot* directly across the street from such *use*, or, if such spaces are not so located, that there is substantial difficulty in obtaining a site of sufficient size to accommodate the required *accessory* off-street parking spaces on an adjoining *zoning lot* or a *zoning lot* directly across the street from such *use* or in a location where such off-site spaces would be permitted as of right, because such sites are occupied by substantial improvements.

## 73-453

**For non-residential uses in Commercial or Manufacturing Districts**

For non-residential uses, the Board may extend the maximum permitted radius for off-site parking spaces located in *Commercial* or *Manufacturing Districts*, as specified in Section 25-53 (Off-Site Spaces for Permitted Non-Residential Uses), Section 36-43 (Off-Site Spaces for Commercial or Community Facility Uses), or Section 44-32 (Off-Site Spaces for All Permitted Uses), from 600 to 1,200 feet, whenever the Board finds:

- (a) That the required *accessory* off-street parking spaces cannot reasonably be provided on the *zoning lot*, because of physical conditions including irregularity, narrowness, or shallowness of lot size or shape, exceptional topographical or other physical conditions, and
- (b) That within 600 feet of a boundary of the *zoning lot* there is substantial difficulty in obtaining a site of sufficient size to accommodate the required *accessory* off-street parking spaces because such sites are occupied by substantial improvements.

## 73-46

**Waiver of Requirements for Conversions**

In R6 or R7-1 Districts, in C1 or C2 Districts mapped within R6 or R7-1 Districts, or in C4-2 or C4-3 Districts, where the number of *accessory* off-street parking spaces required for additional *dwelling units* created by conversions exceeds the number of spaces which may be waived as of right under the provisions of Section 25-262 (For conversions), Section 36-363 (For conversions in C1 or C2 Districts governed by surrounding Residence District bulk regulations), or Section 36-364 (For conversions in C4 Districts), the Board may waive all or part of the required spaces, provided that

the Board finds that there is neither a practical possibility of providing such spaces:

- (a) On the same *zoning lot* because of insufficient *open space* and the prohibitive cost of structural changes necessary to provide the required spaces within the *building*; nor
- (b) On a site located within 1,200 feet of the nearest boundary of the *zoning lot* because all sites within such radius are occupied by substantial improvements.

## 73-47

**Rental of Accessory Off-Street Parking Spaces to Non-Residents**

In C1 or C5 Districts, for a term not to exceed five years, the Board may permit off-street parking spaces *accessory* to *residences* to be rented for rental periods of less than one week, to persons who are not occupants of such *residences*, provided that such rental of spaces conforms to the provisions set forth in Section 36-46 (Restrictions on Use of Accessory Off-Street Parking Spaces) and that the following special findings are made:

- (a) That the number of spaces to be rented or the location of access thereto is such as to draw a minimum of vehicular traffic to and through streets having predominantly residential frontages.
- (b) That the total number of spaces to be rented to non-residents does not exceed 100.
- (c) That where the total number of spaces to be rented to non-residents exceeds 20, reservoir space is provided at the vehicular entrance to accommodate 10 automobiles or 20 percent of the spaces so rented, whichever amount is less.

The Board may impose appropriate conditions and safeguards to minimize adverse effects on the character of the surrounding area, including limitations on *signs* or requirements for the shielding of floodlights.

## 73-48

**Exceptions to Maximum Size of Accessory Group Parking Facilities**

The Board may permit *accessory group parking facilities* with more than 225 spaces in *Commercial* or *Manufacturing Districts* or for hospital and related facilities in *Residence Districts* in accordance with the provisions of this Section.

## 73-481

**For hospitals and related facilities in Residence Districts**

The Board may permit *accessory group parking facilities* with more than 225 spaces for hospitals and related facilities in all *Residence Districts* provided that the following findings are made:

- (a) That such facility is so located as to draw a minimum of vehicular traffic to and through local streets in residential areas.
- (b) That such facility has adequate reservoir space at the vehicular entrance to accommodate five percent of the total parking spaces provided by the facility, but in no event such reservoir space be required for more than 20 automobiles.

## 73-481 (Continued)

(c) That vehicular entrances and exits for such facility are provided separately and are located not less than 25 feet apart.

(d) That such facility is located on a *street* not less than 60 feet in width.

The Board may prescribe appropriate conditions and safeguards to minimize adverse effects on the character of the surrounding area, including requirements for shielding of floodlights.

## 73-482

**In Commercial or Manufacturing Districts**

The Board may permit *accessory group parking facilities* with more than 225 spaces in *Commercial or Manufacturing Districts*, provided either that such facilities have separate entrances and exits on two or more *streets* or that the following findings are made:

(a) That such facility, if *accessory* to a *non-residential use*, has adequate reservoir space at the vehicular entrance to accommodate five percent of the total parking spaces provided by the facility, but in no event shall such reservoir space be required for more than 50 automobiles.

(b) That the vehicular entrances and exits for such facility are provided separately and are located not less than 100 feet apart.

(c) That such facility is located on a *street* not less than 60 feet in width.

The Board may prescribe appropriate conditions and safeguards to minimize adverse effects on the character of the surrounding area, including limitations on *signs* or requirements for shielding of floodlights.

## 73-50 SPECIAL PROVISIONS APPLYING ALONG DISTRICT BOUNDARIES

In appropriate cases, for *zoning lots* with single frontage, the Board may permit primary business entrances, *show windows*, or *signs* not otherwise permitted under the provisions of Section 32-51 or 42-44 (Limitations on Business Entrances, Show Windows, or Signs), provided that in no case shall any such primary business entrance, *show window*, or *sign* be permitted within 10 feet of a *Residence District* boundary.

In addition, in appropriate cases, the Board may waive the requirements for *rear yards* or *side yards* set forth in Sections 33-29 or 43-30 (Special Provisions Applying along District Boundaries) or the requirements for *front yards* as set forth in Section 34-223 (Special provisions applying along district boundaries).

## 73-60 MODIFICATION OF BULK REGULATIONS

## 73-61

**General Provisions**

The Board shall have the power to permit modifications of the *bulk* regulations of this resolution in accordance with the provisions of Sections 73-62

to 73-66, inclusive, and to impose appropriate conditions and safeguards thereon.

## 73-62

**Enlargement, Extension, or Conversion of Buildings Containing Residential Uses**

For a complying or *non-complying building* existing on the effective date of this resolution and containing *residential uses*, the Board may permit an *enlargement*, a conversion, or (in the case of a *mixed building*) an *extension*, provided that such *enlargement*, conversion, or *extension*, shall not create any new *non-compliance* or increase the amount or degree of any existing *non-compliance* except as provided in this Section.

In all districts and for all *buildings* for which an *open space ratio* is required, the *open space ratio* permitted under this Section shall not be less than 90 percent of the *open space ratio* required under the applicable *bulk* regulations set forth in Article II or III of this resolution, and in all districts the *floor area ratio* permitted under this Section shall not exceed the *floor area ratio* permitted under such regulations by more than 10 percent.

## 73-63

**Enlargement of Non-Residential Buildings**

For a complying or *non-complying non-residential building* existing on the effective date of this resolution, the Board may permit an *enlargement*, provided that such *enlargement* shall not create any new *non-compliance* or increase the amount or degree of any existing *non-compliance* except as provided in this Section.

In all districts the *floor area ratio* permitted under this Section shall not exceed the *floor area ratio* permitted under the applicable *bulk* regulations set forth in Article II, III, or IV of this resolution by more than 10 percent, or 10,000 square feet, whichever is less.

## 73-64

**Modifications for Community Facility Uses**

On a *zoning lot* occupied by any of the *community facility uses* specified herein, and in all districts where such *uses* are permitted as of right or by special permit, the Board may permit *developments* or *enlargements* for such *uses*, which do not comply with certain applicable district *bulk* regulations, in accordance with the provisions of this Section.

Such specified *community facility uses* are:

- Church rectories, parish houses, or seminaries
- Colleges or universities, including professional schools, but excluding business colleges or trade schools
- College or school dormitories or fraternity or sorority houses
- Libraries, museums, or non-commercial art galleries
- Monasteries, convents, or novitiates
- Non-profit or voluntary hospitals and related facilities
- Philanthropic or non-profit institutions with or without sleeping accommodations
- Schools.

73-641

**Integration of new buildings or enlargements with existing buildings**

For any such *development* or *enlargement*, subject to the required findings set forth in this Section, the Board may permit modifications of the applicable regulations in Sections 24-38, 33-28, or 43-28 (Special Provisions for Through Lots), or in Sections 24-51 to 24-55, inclusive, Sections 33-41 to 33-45, inclusive, or Sections 43-41 to 43-45, inclusive, relating to Height and Setback Regulations, or in Sections 24-61 to 24-65, inclusive, Section 33-51, or Section 43-51, relating to Court Regulations and Minimum Distance between Windows and Walls or Lot Lines, provided that on the effective date of this resolution the applicant owned the *zoning lot* or any portion thereof, and continuously occupied and used one or more *buildings* located thereon for a specified *community facility use*, from such effective date until the time of application.

As a condition of granting such modification, the Board shall find:

(a) That such modification is required in order to enable such *use* to provide an essential service to the community.

(b) That without such modification there is no way to design and construct the new *buildings* or *enlargements* in satisfactory physical relationship to the existing *buildings* which are to remain upon the site, so as to produce an integrated development.

(c) That such modification is the minimum modification necessary to permit the development of such integrated *community facility*, and thereby creates the least detriment to the character of the neighborhood and the use of nearby *zoning lots*.

73-642

**Temporary failure to comply**

In any district where such a specified *community facility use* is permitted, and on any *zoning lot* where one or more *buildings* occupied by such *use* exist on the date of application for the special permit, the Board may permit new *development* or *enlargements* which, only because of the continued existence of such *buildings* on a temporary basis, fail to comply with one or more of the applicable district *bulk* regulations, provided that the Board finds that continued use of the existing *buildings* is essential as a service to the community until the new construction makes it possible to replace the facilities contained therein.

The Board shall prescribe as a condition of such permit that such existing *buildings* will be removed within a stated period of time not to exceed two years after completion of the new *development* or *enlargement*.

73-65

**Enlargement of Public Utility Facilities**

The Board may permit an *enlargement* which does not comply with the applicable *bulk* regulations for any *building* or *other structure* existing on the effective date of this resolution within which any one of the following public utilities is located:

Electric or gas utility substations

Water or sewage pumping stations

Telephone exchanges or other communications equipment structures

provided that the following findings are made:

(a) That the growth of the utility service demand in the area served by the *building* or *other structure* requires such *enlargement* to house the additional facilities needed to fulfill the demand.

(b) That the network of lines, pipes, or other distribution facilities located below the surface of the streets is so integrated with the operations carried on within such *building* that the provision of such additional facilities at another location would cause substantial duplication of plant and facilities and inconvenience to the public.

(c) That *enlargement*, substantially similar to that approved, could have been carried out under the provisions of the zoning regulations in force immediately prior to the effective date of this resolution.

The Board may prescribe appropriate conditions and safeguards to minimize adverse effects on the character of the surrounding area and shall require that the certificate of occupancy shall be limited to such *use*.

73-66

**Height Regulations around Airports**

The Board may permit the construction, *enlargement*, or reconstruction of a *building* or *other structure* in excess of the height limits established under Section 61-21 (Restriction on Highest Projection of Building or Structure) or Section 61-22 (Permitted Projection within any Flight Obstruction Area), provided that the applicant submits a site plan, with elevations, showing the proposed *building* or *other structure* in relation to such maximum height limits, and that the Board finds that such proposed *building* or *other structure*, *enlargement*, or reconstruction would not constitute a hazard (either under the existing layout of the airport or under any planned reorientation of lengthening of the airport runways) to the safety of the occupants of such proposed *building*, to other *buildings* in the vicinity, or to the safety of air passengers, and would not disrupt established airways.

The Board shall refer the application to the Federal Aeronautics Administration for a report as to whether such construction will constitute a danger to the safety of air passengers or disrupt established airways.

**73-70 LAPSE OF PERMIT**

A special permit for a specified *use* or for a modification of the *use* or *bulk* regulations granted under the provisions of this resolution shall automatically lapse if substantial construction, in accordance with the plans for which such permit was granted, has not been completed within one year from the date of granting such permit by the Board, or, if judicial proceedings to review the Board's decision shall be instituted, from the date of entry of the final order in such proceedings, including all appeals.

In the case of special permits granted under the provisions of Section 73-121 (Colleges or universities) or Section 73-64 (Modifications for Community Facility Uses), such one year period shall be extended to two years.

## Chapter 4 Special Permits by the City Planning Commission

### 74-00 POWERS OF THE CITY PLANNING COMMISSION

#### 74-01

##### General Provisions

In harmony with the general purpose and intent of this resolution and in accordance with the provisions set forth in this Chapter, the City Planning Commission may, after public notice and hearing, grant special permits in specific districts for the *uses* listed in this Chapter, whose location or control requires special consideration of major planning factors, provided that in each specific case the requirement for findings as set forth in this Chapter shall constitute a condition precedent to the grant of such special permit.

In addition to meeting the requirements, conditions, and safeguards prescribed by the Commission as set forth in this Chapter, each such special permit *use* shall conform to and comply with all of the applicable district regulations on *use*, *bulk*, supplementary *use* regulations, regulations applying along district boundaries, *accessory signs*, *accessory* off-street parking and off-street loading, and all other applicable provisions of this resolution, except as otherwise specifically provided in this Chapter. In the case of required *accessory* off-street parking, such *use* shall satisfy the requirements specified for such *use* in Section 25-31, 36-21, or 44-21 (General Provisions), except that, where no parking requirement is specified therein, such *use* shall satisfy the requirements set forth in this Chapter.

In addition, the City Planning Commission, with the concurrence of the Board of Estimate, shall also have the power to permit the renewal of an exception or permit issued prior to the effective date of this resolution, in accordance with the provisions of Section 11-41 relating to Exceptions, Variances, or Permits Previously Authorized.

#### 74-02

##### Further Requirements

It shall be a further requirement that the decision or determination of the Commission shall set forth each required finding in each specific grant of a special permit *use*, and in each denial thereof which of the required findings has not been satisfied. In any such case, each finding shall be supported by substantial evidence or other data considered by the Commission in reaching its final decision, including the personal knowledge of or inspection by the members of the City Planning Commission.

### 74-10 ACTION BY THE BOARD OF ESTIMATE

Within five days after the City Planning Commission approves an application for a special permit, such approval, together with a copy of the application, shall be filed with the Secretary of the Board of Estimate. Unless the Board of Estimate shall disapprove such application by a majority vote within 60 days of the date of filing, the proposed *use* shall become authorized on the 61st day after filing, in accordance with the approved site plan and subject to any appropriate conditions or safeguards imposed by the Commission.

### 74-20 REQUIREMENTS FOR APPLICATIONS

An application to the City Planning Commission for the grant of a special permit respecting any of the *uses* specified in this Chapter shall include a site plan showing the location and proposed *use* of all *buildings or other structures* on the site; the location of all vehicular entrances and exits and off-street parking spaces; a diagram showing all arterial highways and major and secondary streets within a one mile radius, and the location of the site in relation to other major traffic-generating *uses* subject to the provisions of this Chapter within such radius; and such other information as may be required from time to time by the City Planning Commission.

### 74-30 SPECIAL PERMIT USES

#### 74-31

##### General Provisions

The City Planning Commission shall have the power to permit, in the districts indicated, the special permit *uses* set forth in Sections 74-41 to 74-67, inclusive, and to prescribe appropriate conditions and safeguards thereon, provided that in each specific case:

(a) The Commission shall make all of the findings required in the applicable sections of this Chapter with respect to each such special permit *use*, and shall find that the hazards or disadvantages to the community at large through the location of such *use* at the particular site are outweighed by the advantages to be derived by the community from the grant of such special permit *use*.

The Commission shall in each case determine that the adverse effects, if any, on the privacy, quiet, light and air in the neighborhood of such *use* will be minimized by appropriate conditions governing location of the site, design, and method of operation.

(b) In all cases, the Commission shall deny a special permit *use* whenever such *use* will interfere with a public improvement project (including housing, highways, public buildings or facilities, redevelopment or renewal projects, or rights-of-way for sewers, transit, or other public facilities) which is approved by or pending before the Board of Estimate or City Planning Commission, as determined from the calendar of each such agency issued prior to the date of the public hearing on the application for a special permit *use*.

(c) Where, under the applicable findings, the Commission is required to determine whether the special permit *use* is appropriately located in relation to the street system, the Commission shall make such determination on the basis of the Master Plan of Arterial Highways and Major Streets. Whenever the Commission is required to make a finding on the location of a proposed special permit *use* in relation to secondary or local streets and such classification of streets is not shown on the Master Plan, the Commission shall thereupon establish the appropriate classification of such streets.

## 74-31 (Continued)

(d) In all cases the Commission shall refer the application to the Department of Traffic for its report with respect to the anticipated traffic congestion, resulting from such special permit *use* in the proposed location, and when so required in the specific Section, the Commission shall refer the application to a designated agency for a report on the issue in question. If such agency shall report thereon within one month from the date of referral, the Commission shall, in its determination, give due consideration to such report and, further, shall have the power to substantiate the appropriate findings solely on the basis of the report by such agency with respect to the issue referred. If such agency does not report within one month, the Commission may make a final determination without reference thereto.

(e) The Commission may authorize any special permit *use* for such term of years as it deems appropriate.

(f) Except in the case of non-commercial swimming pool clubs or other non-commercial clubs; *accessory group parking facilities for commercial uses in large-scale residential developments*; public transit, railroad, or electric utility substations; or police stations; the Commission shall deny a special permit to any *use* so designed that its vehicular entrances or exits are located within an *area of restricted access* relating to entrances or exits designed for the use of children attending *schools* or playgrounds *accessory* thereto, or relating to entrances or exits to *public parks* or public playgrounds with an area of one-half acre or more.

(g) The Commission may permit the *enlargement* or *extension* of any existing *use* which, if new, would be permitted by special permit in the specified districts under the provisions of Section 74-01 (General Provisions) and other applicable provisions of this Chapter, provided that before granting any such permit for *enlargement* or *extension* within the permitted districts, the Commission shall make all of the required findings applicable to the special permit *use*, except that:

(1) In the case of *public parking garages* or *public parking lots* the Commission may waive all such required findings set forth in Section 74-52; in the case of *public parking garages* or *public parking lots* in C1 Districts, all such findings set forth in Section 74-51 may be waived, except that the capacity of such garage or lot shall not exceed 100 spaces.

(2) In case of electric utility substations or public transit or railroad electric substations, the Commission may waive all such required findings set forth in Section 74-61, except that the requirements with respect to site size shall not be waived.

No such *enlargement* or *extension* shall create a new *non-compliance* or increase the degree of *non-compliance* with the applicable *bulk* regulations.

## 74-40 AMUSEMENT ESTABLISHMENTS

## 74-41

## Arenas, Auditoriums, Stadiums, or Trade Expositions

In C4, C6, C7, or C8 Districts or any *Manufacturing District*, the City Planning Commission may permit arenas, auditoriums, or stadiums with a capacity in excess of 2,500 seats, or trade expositions with a rated capacity in excess of 2,500 persons, provided that the following findings are made:

(a) That the principal vehicular access for such *use* is not located on a local street, but is located on an arterial highway, a major street or a secondary street within one-quarter mile of an arterial highway or major street.

(b) That such *use* is so located as to draw a minimum of vehicular traffic to and through local streets in nearby residential areas.

(c) That such *use* is not located within 200 feet of a *Residence District*.

(d) That adequate reservoir space at the vehicular entrance, and sufficient vehicular entrances and exits, are provided to prevent traffic congestion.

(e) That vehicular entrances and exits for such *use* are provided separately, and are located not less than 100 feet apart.

(f) That due consideration has been given to the proximity of bus and rapid transit facilities to serve such *use*.

The City Planning Commission may prescribe appropriate conditions and safeguards to minimizing adverse effects on the character of the surrounding area, including limitations on *signs* or requirements for soundproofing of arenas or auditoriums, shielding of floodlights, screening of open *uses*, or surfacing all access roads or driveways.

## 74-42

## Drive-in Theaters

In C7 or C8 Districts or any *Manufacturing District*, the City Planning Commission may permit drive-in theaters, limited to a maximum capacity of 500 automobiles, provided that the following findings are made:

(a) That the principal vehicular access for such *use* is not located on a local street or on an arterial highway, but is located on a major or secondary street within one-quarter mile of an arterial highway.

(b) That such *use* is so located as to draw a minimum of vehicular traffic to and through local streets in nearby residential areas.

(c) That such *use* is not located within 200 feet of a *Residence District*.

(d) That adequate reservoir space at the vehicular entrance, and sufficient vehicular entrances and exits, are provided to prevent congestion.

## 74-42 (Continued)

- (e) That vehicular entrances and exits for such *use* are provided separately, and are located not less than 100 feet apart.

The City Planning Commission may prescribe appropriate conditions and safeguards to minimize adverse effects on the character of the surrounding area, including limitations on *signs* or requirements for shielding of floodlights, screening, or surfacing all access roads or driveways.

## 74-43

**Racetracks**

In C8 Districts or any *Manufacturing District*, the City Planning Commission may permit racetracks, provided that the following findings are made:

- (a) That the principal vehicular access for such *use* is not located on a local street, but is located either on an arterial highway, a major street, or a secondary street within one-quarter mile of an arterial highway or major street.
- (b) That such *use* is so located as to draw a minimum of vehicular traffic to and through local streets in nearby residential areas.
- (c) That adequate reservoir space at the vehicular entrance, and sufficient vehicular entrances and exits, are provided to prevent congestion.
- (d) That vehicular entrances and exits for such *use* are provided separately, and are located not less than 100 feet apart.
- (e) That in selecting the site, due consideration has been given to the proximity and adequacy of bus and rapid transit facilities.

The City Planning Commission may prescribe appropriate conditions and safeguards to minimize adverse effects on the character of the surrounding area, including limitations on *signs* or requirements for shielding of floodlights, screening, or surfacing all access roads or driveways.

In addition, the City Planning Commission shall require the provision of adequate *accessory* off-street parking spaces necessary to prevent the creation of traffic congestion caused by the curbing of vehicles generated by such *use*, and shall determine the required spaces in accordance with the requirements established in this resolution with respect to other major traffic-generating *uses*.

## 74-44

**Children's Amusement Parks**

In C8 or M1 Districts, the City Planning Commission may permit children's amusement parks with an area of at least 75,000 square feet, but not more than 10 acres, provided that the following findings are made:

- (a) That such *use* is so located as not to impair the essential character or the future use or development of the surrounding area.
- (b) That the principal vehicular access for such *use* is not located on a local street or on an arterial highway, but is located on a major or secondary street within one-quarter mile of an arterial highway or a major street.

- (c) That such *use* will not produce traffic congestion or other adverse effects which interfere with the appropriate use of land in the district or in any adjacent district, and that such *use* is so located as to draw a minimum of vehicular traffic to and through local streets in nearby residential areas.

- (d) That such *use* is not located within 400 feet of a *Residence District*.

- (e) That vehicular entrances and exits for such *use* are provided separately, and are located not less than 50 feet apart.

The City Planning Commission may prescribe appropriate conditions and safeguards to minimize adverse effects on the character of the surrounding area, including limitations on *signs* or requirements for shielding of floodlights, screening, or surfacing all access roads or driveways.

## 74-45

**Swimming Pool Clubs or Certain Non-Commercial Clubs**

In all *Residence Districts*, the City Planning Commission may permit a non-commercial outdoor swimming pool club, or any non-commercial club with an outdoor swimming pool located less than 500 feet from any *lot line*, provided that the following findings are made:

- (a) That such *use* is so located as not to impair the essential character or future use or development of the nearby residential neighborhood.
- (b) That such *use* is so located as to draw a minimum of vehicular traffic to and through local streets.
- (c) That such *use* has adequate reservoir space at the vehicular entrance to prevent the congestion of automobiles on the streets.
- (d) That in R1, R2, R3, or R4 Districts, the pool and any *accessory* facilities affixed to the land are not located closer than 100 feet to any *lot line*.
- (e) That for every 200 square feet of *lot area* used for the pool and its *accessory* facilities one *accessory* off-street parking space is provided.

The City Planning Commission may prescribe appropriate conditions and safeguards to minimize adverse effects on the character of the surrounding area, including limitations on *signs* or the hours of operation, or requirements for shielding of floodlights, screening, or surfacing of all access roads or driveways.

74-50 **OFF-STREET PARKING ESTABLISHMENTS**

## 74-51

**Public Parking Garages or Public Parking Lots in C1 Districts**

In C1 Districts, the City Planning Commission may permit *public parking garages* or *public parking lots* with a capacity of not more than 100 spaces provided that the regulations set forth in Section 36-53 (Location of Access to the Street), Section 36-55 (Surfacing), and Section 36-56 (Screening) are met, and that the following findings are made:



## 74-51 (Continued)

(a) That such *use* is so located as to draw a minimum of vehicular traffic to and through local streets in nearby residential areas.

(b) That such *use* has adequate reservoir space at the vehicular entrance to accommodate a minimum of 10 automobiles or 20 percent of the spaces so provided, whichever amount is less.

The City Planning Commission may prescribe appropriate conditions and safeguards to minimize adverse effects on the character of the surrounding area, including limitations on *signs* or requirements for the shielding of floodlights.

## 74-52

**Public Parking Garages or Public Parking Lots**

In C5 Districts, the City Planning Commission may permit *public parking garages* or *public parking lots*, and in C2, C4, C6, C7, or C8 Districts or any *Manufacturing District*, the City Planning Commission may permit *public parking garages* or *public parking lots* with 150 or more spaces, providing the following findings are made:

(a) That the principal vehicular access for such *use* is located on an arterial highway, a major street, or a secondary street within one-quarter mile of an arterial highway or major street, except that in C5 or C6 Districts such access may be located on a local street.

(b) That such *use* is so located as to draw a minimum of vehicular traffic to and through local streets in nearby residential areas.

(c) That such *use* has adequate reservoir space at the vehicular entrances to accommodate either 10 automobiles or five percent of the total parking spaces provided by the *use*, whichever amount is greater, but in no event shall such reservoir space be required for more than 50 automobiles.

(d) That, for any such *use* with 150 or more spaces, vehicular entrances and exits are provided separately and are located not less than 25 feet apart.

(e) That access to such *use* is located on a street not less than 60 feet in width.

The City Planning Commission may prescribe appropriate conditions and safeguards to minimize adverse effects on the character of the surrounding area, including limitations on *signs* or requirements for shielding of floodlights.

## 74-53

**Accessory Group Parking Facilities for Commercial Uses in Large-Scale Residential Developments**

The City Planning Commission may permit *group parking facilities* accessory to *commercial uses* in *large-scale residential developments*, with more than 225 spaces, provided that the following findings are made:

(a) That such *use* is so located as to draw a minimum of vehicular traffic to and through local streets in residential areas.

(b) That such *use* has adequate reservoir space at the vehicular entrance to accommodate five percent of the total parking spaces provided by the *use*, but in no event shall such reservoir space be required for more than 50 automobiles.

(c) That vehicular entrances and exits for such *use* are provided separately and are located not less than 100 feet apart.

(d) That such facility is located on a street not less than 60 feet in width.

The City Planning Commission may prescribe appropriate conditions and safeguards to minimize adverse effects on the character of the surrounding area including requirements for shielding of floodlights.

**74-60 PUBLIC SERVICE OR TRANSPORTATION FACILITIES**

## 74-61

**Public Transit, Railroad, or Electric Utility Substations**

In all *Residence* and *Commercial Districts*, the City Planning Commission may permit electric utility substations (including transformers, switches, or auxiliary apparatus) or public transit or railroad electric substations, limited in each case to a site of not less than 40,000 square feet nor more than 10 acres, provided that the following findings are made:

(a) That there are serious difficulties in locating such *use* in a nearby district where it is permitted as of right.

(b) That the site for such *use* is so located as to minimize the adverse effects on the integrity of existing and future development.

(c) That the architectural and landscaping treatment of such *use* will blend harmoniously with the rest of the area.

(d) That such *use* will conform to the performance standards applicable to M1 Districts.

The City Planning Commission may prescribe appropriate conditions and safeguards to minimize adverse effects on the character of the surrounding area, including requirements for soundproofing of electric substations, for the construction of fences, barriers, or other safety devices, for surfacing of all access roads and driveways, for shielding of floodlights or other artificial illumination, or for landscaping or screening.

## 74-62

**Railroad Passenger Stations**

In all districts, the City Planning Commission may permit the construction of railroad passenger stations, provided that the following findings are made:

(a) That the principal access for such *use* is not located on a local street.

(b) That such *use* is so located as to draw a minimum of vehicular traffic to and through local streets in residential areas.

(c) That vehicular entrances and exits for such *use* are provided separately and are located not less than 50 feet apart.

## 74-62 (Continued)

The City Planning Commission may prescribe appropriate conditions and safeguards to minimize adverse effects on the character of the surrounding area, including requirements for shielding of floodlights or surfacing of access roads or driveways.

In addition, the Commission shall require the provision of adequate *accessory* off-street parking spaces necessary to prevent the creation of traffic congestion caused by the curb parking of vehicles generated by such *use*, and shall determine the required spaces in accordance with the purposes established in this resolution with respect to other major traffic-generating facilities. The Commission shall require, in any event, not less than 20 spaces for the temporary parking of automobiles, and three spaces for buses.

## 74-63

## Bus Stations

## 74-631

## New bus stations with 10 or more berths

In C4, C6, or *Manufacturing Districts*, the City Planning Commission may permit the construction of a bus station with 10 or more berths for buses on a site of not less than 20,000 square feet, provided that the following finding are made:

(a) 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.

(b) That the principal access for such *use* is not located on a local street, but is located either on an arterial highway, a major street, or a secondary street within one-quarter mile of an arterial highway or major street.

(c) That such *use* is not located within 200 feet of a *Residence District*, or is otherwise separated from nearby residential areas by topographical or physical conditions of the land.

(d) That vehicular entrances and exits for such facility are provided separately and are located not less than 100 feet apart.

(e) That access to such *use* is located on a street not less than 60 feet in width.

The City Planning Commission may prescribe appropriate conditions and safeguards to minimize adverse effects on the character of the surrounding area.

In addition, the Commission shall require the provision of adequate *accessory* off-street parking spaces necessary to prevent the creation of traffic congestion caused by the curb parking of vehicles generated by such *use*, and shall determine the required spaces in accordance with the purposes established in this resolution with respect to other major traffic-generating facilities. The City Planning Commission shall require, in any event, no less than 20 spaces for the temporary parking of automobiles.

## 74-632

## New bus stations with fewer than 10 berths

In C1, C2, C4, C6, C7, or C8 Districts, or in any

*Manufacturing District*, the City Planning Commission may permit bus stations with fewer than 10 berths for buses on a site of not less than 20,000 square feet, provided that the following findings are made:

(a) 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.

(b) That the principal access for such *use* is not located on a local street.

(c) That vehicular entrances and exits for such facility are provided separately and are located not less than 50 feet apart.

(d) That access to such *use* is located on a street not less than 60 feet in width.

The City Planning Commission may prescribe appropriate conditions and safeguards to minimize adverse effects on the character of the surrounding area.

In addition, the Commission shall require the provision of adequate *accessory* off-street parking spaces necessary to prevent the creation of traffic congestion caused by the curb parking of vehicles generated by such *use*, and shall determine the required spaces in accordance with the purposes established in this resolution with respect to other major traffic-generating facilities. The Commission shall require, in any event, not less than 10 spaces for the temporary parking of automobiles.

## 74-633

## Existing bus stations

All bus stations lawfully existing on the date of this resolution are permitted to continue for the duration of the term for which such *use* has been authorized, but the *enlargement*, *extension*, reconstruction, or relocation of any bus station heretofore or hereafter constructed shall not be permitted except in accordance with the provisions set forth in Section 74-631 or Section 74-632.

## 74-64

## Trucking Terminals or Motor Freight Stations

In C8 Districts, the City Planning Commission may permit trucking terminals or motor freight stations with sites in excess of 20,000 square feet, provided that the following findings are made:

(a) That the principal access for such *use* is not on a local street but is located within one-quarter mile of a secondary or major street.

(b) That vehicular entrances and exits for such *use* are provided separately and are located not less than 100 feet apart.

(c) That such *use* is not located within 200 feet of a *Residence District* boundary.

(d) That access to such *use* is located on a street not less than 60 feet in width.

The City Planning Commission may prescribe appropriate conditions and safeguards to minimize adverse effects on the character of the surrounding area, including requirements for shielding of floodlights, screening, and surfacing all access roads or driveways.

74-65

**Airports**

In all *Manufacturing Districts*, the City Planning Commission may permit the construction, reconstruction, or *enlargement* of airports and their facilities, in any case where the applicant has submitted a site plan showing the location and dimensions of all runways, in addition to all other information required in Section 74-20 (Requirements for Applications), provided that the following findings are made:

- (a) That the airport is an appropriate *use* of the land and will not unduly interfere with surrounding land *uses*.
- (b) That due consideration has been given to the selection of a site situated near or adjacent to large parks or other open areas, or bodies of water.

The City Planning Commission shall refer the application to the Federal Aeronautics Administration, for the report of such agency as to whether such airport is either an integral part of, or will not interfere with, the general plan of airports for New York City and the surrounding metropolitan region; and whether a new, reoriented, or lengthened runway will interfere with the flight pattern of any nearby airport.

The City Planning Commission may prescribe appropriate conditions and safeguards to minimize adverse effects on the character of the surrounding area, and in the event that the application is granted, the City Planning Commission may adopt a resolution to amend the *zoning maps* so that for a depth of at least one-quarter mile around the entire perimeter of the airport, any adjacent *Residence District* shall be mapped as an R1, R2, or R3 District, and any adjacent *Commercial* or *Manufacturing District* shall be mapped as a C1, C2, C3, C4-1, C7, C8-1, C8-2, M1-1, M1-2, M1-4, M2-1, M2-3, or M3 District.

The City Planning Commission shall require the provision of adequate *accessory* off-street parking spaces necessary to prevent the creation of traffic congestion caused by the curb parking of vehicles generated by such *use* and shall determine the required spaces in accordance with the purposes established in this resolution with respect to other major traffic-generating facilities.

74-66

**Heliports**

In C6 or C8 Districts or in any *Manufacturing District*, the City Planning Commission may permit the construction, reconstruction, or *enlargement* of heliports and their facilities where the applicant has submitted a site plan showing the location of landing areas, in addition to all other information required in Section 74-20 (Requirements for Applications), provided that the following findings are made:

- (a) That the heliport is an appropriate *use* of the land and will not unduly interfere with surrounding land *uses*.
- (b) That due consideration has been given to the selection of a site situated near or adjacent to large parks or other open areas, or bodies of water.

The City Planning Commission shall refer the application to the Federal Aeronautics Administration for the report of such agency as to whether the heliport is either an integral part of, or will not interfere with, the general plan of airports for New York City and the surrounding metropolitan region.

The City Planning Commission may prescribe appropriate additional conditions and safeguards to minimize adverse effects on the character of the surrounding area.

The City Planning Commission shall require the provision of adequate *accessory* off-street parking spaces necessary to prevent the creation of traffic congestion caused by the curb parking of vehicles generated by such *use* and shall determine the required spaces in accordance with the purposes established in this resolution with respect to other major traffic-generating facilities.

74-67

**Fire or Police Stations**

In all *Residence Districts*, the City Planning Commission may permit fire or police stations, provided that the following findings are made:

- (a) That such *use* will serve the residential area within which it is proposed to be located; that there are serious difficulties in locating it in a district wherein it is permitted as of right and from which it could serve the residential area, which make it necessary to locate such *use* within a *Residence District*.
- (b) That the nearest boundary of the *zoning lot* is within 105 feet of a secondary or major *street*.
- (c) In the case of fire stations, that such *use* is so located as to minimize the movement of fire apparatus through local streets in residential areas.

In the case of fire stations, where necessary in order to house fire-fighting apparatus, the City Planning Commission may permit a *building* or portion of a *building* not exceeding one *story* in height nor in any event 23 feet above *curb level* to extend into a required *rear yard* a specified amount.

The City Planning Commission may prescribe appropriate conditions or safeguards to minimize adverse effects on the character of the surrounding area, including requirements for landscaping.

**74-70 LAPSE OF PERMIT**

A special permit for a specified *use* granted under the provisions of this resolution shall automatically lapse if substantial construction, in accordance with the plans for which such permit was granted, has not been completed within one year from the date of granting such permit by the City Planning Commission and the Board of Estimate, or, if judicial proceedings to review such decision shall be instituted, from the date of entry of the final order in such proceedings, including all appeals.

In the case of special permits granted under the provisions of Section 74-41 (Arenas, Auditoriums, Stadiums, or Trade Expositions), Section 74-43 (Racetracks), Section 74-62 (Railroad Passenger Stations), Section 74-65 (Airports), or Section 74-66 (Heliports), such one year period shall be extended to two years.

## Chapter 5 Amendments

### 75-00 PROCEDURE FOR AMENDMENTS

The City Planning Commission shall adopt resolutions to amend the text of this resolution or the

*zoning maps* incorporated therein, and the Board of Estimate shall act upon such amendments, in accordance with the provisions of the New York City Charter.

## Chapter 6 Location of District Boundaries

### 76-00 MEASUREMENT OF DISTANCES

#### 76-01

##### Method of Measurement

Except as otherwise specifically provided, all prescribed distances shall be measured in a straight line, not necessarily coinciding with a *street line*.

### 76-10 DISTRICT BOUNDARIES ON THE ZONING MAPS

#### 76-11

##### General Provisions

The district boundaries on the *zoning maps* shall be interpreted in accordance with the provisions set forth in Section 76-12 (Area Enclosed by District Boundary Line), Section 76-13 (Location of Boundary Line), and Section 76-14 (Additional Rules of Construction).

#### 76-12

##### Area Enclosed by District Boundary Line

An area enclosed by a district boundary line shall be in the district designated therein.

#### 76-13

##### Location of Boundary Line

The precise location of a boundary line is to be interpreted in accordance with the provisions set forth in this Section.

#### 76-131

##### Boundary line parallel to the short dimension of block

In cases where a boundary line extends parallel to the short dimension of the *block* and no dimensions are shown, such boundary line shall be considered to be located:

(a) In the case of C1-1, C4-1, C4-2, or C4-4 Districts, 200 feet from the nearest *street* within the district.

(b) In the case of C1-2, C1-3, C2-1, C2-2, C2-3, C4-3, or C-7 Districts, 150 feet from the nearest *street* within the district.

(c) In the case of all other districts, 100 feet from the nearest *street* within the district.

#### 76-132

##### Boundary line parallel to the long dimension of block between parallel streets

In case of parallel *streets*, where a boundary line extends parallel to the long dimension of the *block* and no dimension is shown, such boundary line shall be considered to coincide with the center line of the *block*.

#### 76-133

##### Boundary line parallel to the long dimension of block between streets which are not parallel

In case of *streets* which are not parallel, where a boundary line extends parallel to the long dimension of the *block* and no dimension is shown, such boundary line shall be considered as the bisector of the angle formed by prolonging the *street* lines to an intersection.

#### 76-14

##### Additional Rules of Construction

#### 76-141

##### When distance from street line shown

In cases where the boundary line is shown by a dimension as being located a specific distance from a *street line*, this distance shall be considered to be measured from the nearest *street line* of the *street* from which dimensioned.

#### 76-142

##### Boundary line within street

In cases where the boundary line is given a position within a *street*, it shall be considered to be in the center of the *street*.

#### 76-143

##### Boundary line oblique to streets

In cases where a boundary line is shown having a position oblique to the *streets* bounding the *block* in which it is located, it shall (unless otherwise fixed) be considered to be the bisector of the angle formed by the intersection of lines 100 feet from and parallel to each of said bounding *streets*, this distance being measured at right angles to said *street lines*.

#### 76-144

##### Boundary line adjoining a railroad

In cases where a boundary line is shown as adjoining a railroad, it shall (unless otherwise fixed) be considered to coincide with the boundary line of the railroad right-of-way.

#### 76-145

##### Boundary line coinciding with park, cemetery, or navigable waters

In cases of parks, cemeteries, or navigable waters, the boundary line shall (unless otherwise fixed) be considered to coincide with the boundary line of the park or the cemetery or the pier-head line, except that in cases where no pier-head line has been established the shore line shall control.

76-146

**Islands**

Any island or portion thereof, outside of the shore or pierhead lines, which is not a *public park* shall, unless otherwise designated or determined by the City Planning Commission, be considered to be in an R3-2 District.

76-147

**Park boundary line**

The boundary line of a *public park* shall be considered a district boundary line.

## Chapter 7 Special Provisions for Zoning Lots Divided by District Boundaries

### 77-00 GENERAL PROVISIONS

#### 77-01

##### Applicability of This Chapter

Whenever any *zoning lot* is located in two or more districts in which different *uses* are permitted, or in which different *use, bulk, accessory* off-street parking and loading, or other regulations apply, the provisions of this Chapter shall apply.

#### 77-02

##### Zoning Lots Not Existing Prior to Effective Date or Amendment of Resolution

Whenever a *zoning lot* is divided by a boundary between two or more districts and such *zoning lot* did not exist at the effective date of this resolution or any applicable subsequent amendment thereto, each portion of such *zoning lot* shall be regulated by all the provisions applicable to the district in which such portion of the *zoning lot* is located.

#### 77-03

##### Zoning Lots Existing Prior to Effective Date or Amendment of Resolution

Whenever a *zoning lot* is divided by a boundary between two or more districts and such *zoning lot* existed at the effective date of this resolution or any applicable subsequent amendment thereto, the provisions of this resolution may be applied to such *zoning lot* as set forth in subsequent portions of this Chapter. Except as specifically provided in this Chapter, each portion of such *zoning lot* shall be regulated by all the provisions applicable to the district in which such portion of the *zoning lot* is located.

### 77-10 USE REGULATIONS

#### 77-11

##### Conditions for Application of Use Regulations to Entire Zoning Lot

Whenever a *zoning lot* existing at the effective date of this resolution or any applicable subsequent amendment thereto is divided by a boundary between districts in which different *uses* are permitted, the *use* regulations applicable to the district in which more than 50 percent of the *lot area* of the *zoning lot* is located may apply to the entire *zoning lot*; provided, that the greatest distance from the mapped district boundary to any *lot area* of such *zoning lot* in the district in which less than 50 percent of its area is located does not exceed 25 feet. Such distance shall be measured perpendicular to the mapped district boundary.

Whenever the *use* regulations are so applied, the district boundary may be assumed to be relocated accordingly, and the *bulk*, off-street parking and loading, and all other regulations applying to such expanded district shall apply to the entire *zoning lot*.

#### 77-12

##### Application of Use Regulations under All Other Conditions

Whenever a *zoning lot* is divided by a boundary between districts in which different *uses* are permitted and the provisions of Section 77-11 (Conditions for Application of Use Regulations to Entire Zoning Lot) do not apply, the applicable *use* regulations for each district shall apply to that portion of the *zoning lot* located within such district, except as provided in Section 73-42 (Enlargement of Uses across District Boundaries).

The regulations governing *use* are set forth in Article II, Chapter 2; Article III, Chapter 2; and Article IV, Chapter 2.

### 77-20 BULK REGULATIONS

#### 77-21

##### General Provisions

Whenever a *zoning lot* existing at the effective date of this resolution or any applicable subsequent amendment thereto is divided by a boundary between districts with different *bulk* regulations, and the provisions of Section 77-11 (Conditions for Application of Use Regulations to Entire Zoning Lot) do not apply, the *bulk* regulations may apply as set forth in this Chapter.

#### 77-22

##### Floor Area Ratio

The maximum *floor area ratio* permitted on each portion of such *zoning lot* for the applicable type of *building* or *buildings* on such *zoning lot*, shall be determined under the applicable regulations of the Chapters indicated below. Each such *floor area ratio* shall be multiplied by the percentage of the *zoning lot* to which such *floor area ratio* applies. The sum of the products thus obtained shall be the adjusted maximum *floor area ratio* applicable to such *zoning lot*.

In applying this provision, the *floor area* bonus permitted for *plazas, plaza-connected open areas, or arcade* under the applicable regulations of this resolution shall apply only to such *plazas, plaza-connected open areas, or arcades, or portions thereof*, as are located in a district in which such bonus is granted.

When a *building* (with a *height factor* greater than 21) does not have a specified maximum *floor area ratio*, for the purpose of computing the adjusted maximum *floor area ratio* of a *zoning lot*, the *floor area ratio* of such *building* shall be deemed to be that which can be achieved at the minimum required *open space ratio* for such *building*.

The *floor area* resulting from application of the adjusted maximum *floor area ratio* may be located anywhere on the *zoning lot*, subject to all other regulations of this resolution, and provided that the *floor area ratio* for any portion of the *zoning lot* within one district shall not exceed the maximum *floor area ratio*, by *height factor* if applicable, specified for that district, or the adjusted maximum *floor area ratio* for the *zoning lot*, whichever is greater.

77-22 (Continued)

*Floor area ratio* regulations applying to the various districts are set forth in the Chapters indicated below:

District	Type of Use	Article	Chapter
Residence	Residential	II	3
Residence	Community Facility	II	4
Commercial	Commercial	III	3
Commercial	Community Facility	III	3
Commercial	Residential	III	4
Commercial	Mixed (Residential with Commercial or with Community Facility)	III	5
Manufacturing	Manufacturing	IV	3
Manufacturing	Commercial	IV	3
Manufacturing	Community Facility	IV	3

77-23

**Open Space Ratio**

The *open space* required for the *building* or *buildings* on such *zoning lot* shall be computed separately for each portion of the *zoning lot* under the applicable regulations of the Chapters indicated below. The total *open space* provided on the *zoning lot* shall not be less than the sum of such required *open space* so computed.

For portions of the *zoning lot* located in districts which have required *open space ratios*, the required *open space* for each such portion is computed by multiplying the *lot area* of that portion, by the maximum *floor area ratio* permitted for the applicable type of *building* or *buildings*, by the minimum *open space ratio* required at that *floor area ratio*, divided by 100.

For portions of the *zoning lot* located in districts which do not have a required *open space ratio*, no *open space* shall be required, but any required *yards*, or any *plaza* provided for which a *floor area* or *lot area* bonus is taken, shall be in addition to the amount of *open space* required on the remaining portion of the *zoning lot*. No *open area* may be counted twice in fulfilling these requirements.

The required *open space* may be located anywhere on the *zoning lot*, subject to all other regulations of this resolution and provided that the *open space ratio* for any portion of the *zoning lot* within one district shall not be less than 60 percent of the required *open space ratio* for that district.

*Open space ratio* regulations applying to the various districts are set forth in the Chapters indicated below:

District	Type of Use	Article	Chapter
Residence	Residential	II	3
Residence	Community Facility	II	4
Commercial	Residential	III	4
Commercial	Mixed (Residential with Commercial or with Community Facility)	III	5

77-24

**Lot Coverage**

The maximum percent of *lot coverage* permitted for a *community facility building* or a *building* used partly for *community facility uses* on each portion of such *zoning lot* in a *Residence District* shall be determined under the applicable regulations of Article II, Chapter 4.

Each such maximum percent of *lot coverage* shall be multiplied by the *lot area* of the portion of the *zoning lot* to which such percent of *lot coverage* applies. The sum of the areas of *lot coverage* thus obtained shall be the maximum area of *lot coverage* for the *zoning lot*. Such maximum area of *lot coverage*, divided by the *lot area* of the *zoning lot*, shall be the adjusted maximum percent of *lot coverage* for the *zoning lot*.

A *building* whose *lot coverage* does not exceed the adjusted maximum percent of *lot coverage* may be located anywhere on such *zoning lot* or portion of such *zoning lot* in a *Residence District*, subject to all other regulations of this resolution, and provided that the percent of *lot coverage* for any portion of the *zoning lot* within one district shall not exceed the maximum percent of *lot coverage* specified for that district, or the adjusted maximum percent of *lot coverage* for the *zoning lot*, whichever is greater.

If a *zoning lot* divided by a boundary between two or more *Residence Districts* is partly a *corner lot* and partly an *interior lot* or *through lot*, separate adjusted maximum percents of *lot coverage* shall be computed for such *corner lot* and for such *interior lot* or *through lot* and applied separately to such *corner lot* and to such *interior lot* or *through lot*, as though each were a separate *zoning lot*.

If a *zoning lot* is partly in one or more *Residence Districts* and partly in a *Commercial* or *Manufacturing District* (in which there is no maximum permitted percent of *lot coverage*), the provisions of this Section shall apply to such portions of the *zoning lot* as are in a *Residence District*.

*Lot coverage* regulations applying to *community facility buildings* or *buildings* used partly for *community facility uses* are set forth in Article II, Chapter 4.

77-25

**Lot Area Requirements**

The *lot area per dwelling unit* or *per room*, or *lot area* for *commercial* or *community facility uses*, required for the *building* or *buildings* on the *zoning lot* shall be computed separately for that portion of the *zoning lot* located in each district under the applicable regulations of the Chapters indicated below. The total *lot area* of the *zoning lot* shall not be less than the sum of such required *lot areas* so computed.

The total number of *dwelling units* or *rooms* permitted on the *zoning lot* shall not exceed the sum of the *dwelling units* or *rooms* permitted on each portion of such *zoning lot* in accordance with the applicable district regulations for such portion. Such *dwelling units* or *rooms* may be located wherever a *building* is permitted on a *zoning lot*, provided that on no portion of the *zoning lot* shall there be more than 150 percent of the number of *dwelling units* or *rooms* permitted in the applicable district regulations for such portion.

In applying this provision, the density bonus permitted for *plazas*, *plaza-connected* open areas, or *arcades* under the applicable regulations of this resolution shall apply only to such *plazas*, *plaza-connected* open areas, or *arcades*, as are located in a district in which such bonus is granted.

If a *building* is used partly for *residential uses* and partly for *community facility* or *commercial uses*, no *lot area* shall be counted twice in fulfillment of the requirements for *lot area per dwelling unit* or *per room* and for *lot area* for *commercial* or *community facility uses*.

Italicized words are defined in Section 12-10.

77-25 (Continued)

Regulations applying to *lot area* requirements are set forth in the Chapters indicated below:

District	Type of Use	Article	Chapter
Residence	Residential	II	3
Residence	Community Facility	II	4
Commercial	Residential	III	4
Commercial	Mixed (Residential with Commercial or with Community Facility)	III	5

77-26

**Minimum Lot Area and Lot Width Requirements for Residences**

The minimum *lot area* and *lot width* regulations applying to the district with the more restrictive regulations shall apply to the entire *zoning lot*.

The applicable regulations are set forth in the Chapters indicated below:

District	Type of Use	Article	Chapter
Residence	Residential	II	3
Residence	Community Facility	II	4
Commercial	Mixed (Residential with Commercial or with Community Facility)	III	5

77-27

**Yard Regulations**

Each portion of the *zoning lot* shall be governed by the *yard* regulations specified for the district in which it is located.

The applicable *yard* regulations are set forth in the Chapters indicated below:

District	Type of Use	Article	Chapter
Residence	Residential	II	3
Residence	Community Facility	II	4
Commercial	Commercial	III	3
Commercial	Community Facility	III	3
Commercial	Residential	III	4
Commercial	Mixed (Residential with Commercial or with Community Facility)	III	5
Manufacturing	Manufacturing	IV	3
Manufacturing	Commercial	IV	3
Manufacturing	Community Facility	IV	3

77-28

**Height and Setback Regulations**

The height and setback regulations of each *street* frontage of the *zoning lot* shall be determined by multiplying the quantitative requirements set forth in the regulations of the Chapters indicated below which are applicable to each portion of such *street* frontage, by the percentage of such *street* frontage to which such regulations apply. The sum of the products obtained shall be the controlling requirements for the *zoning lot*.

Height and setback regulations applying to the various districts are set forth in the Chapters indicated below:

District	Type of Use	Article	Chapter
Residence	Residential	II	3
Residence	Community Facility	II	4
Commercial	Commercial	III	3
Commercial	Community Facility	III	3
Commercial	Residential	III	4
Commercial	Mixed (Residential with Commercial or with Community Facility)	III	5
Manufacturing	Manufacturing	IV	3
Manufacturing	Commercial	IV	3
Manufacturing	Community Facility	IV	3

77-29

**Tower Regulations**

If 50 percent or more of a *zoning lot* is located within a district to which the provisions of Section 23-65, 24-54, 33-45, or 43-45 (Tower Regulations) apply, and the remaining portion of the *zoning lot* is within a district to which such provisions do not apply, any *building* or portion thereof which in the aggregate occupies not more than 40 percent, or, on small lots, the percent set forth in Section 23-651, 24-541, 33-454, or 43-451 (Towers on small lots) of the *lot area* of the entire *zoning lot* (which *building* or portion thereof is hereinafter referred to as a tower) may penetrate any applicable established *sky exposure plane*, provided that such tower shall comply with the following requirements:

(a) At any level, such tower shall be set back from a *street line* as follows:

(1) On *narrow streets*, by a distance at least one-third of the *aggregate width of street walls* of the tower at such level, provided that such setback need not exceed 50 feet.

(2) On *wide streets*, by a distance at least one-fourth of the *aggregate width of street walls* of the tower at such level, provided that such setback need not exceed 40 feet.

(b) Subject to the requirements set forth hereinafter and those specified in Section 77-22 (Floor Area Ratio) and Section 77-23 (Open Space Ratio) such tower may be located anywhere on such *zoning lot*.

Tower regulations applying to the various districts are set forth in the Chapters indicated below:

District	Type of Use	Article	Chapter
Residence	Residential	II	3
Residence	Community Facility	II	4
Commercial	Commercial	III	3
Commercial	Community Facility	III	3
Commercial	Residential	III	4
Commercial	Mixed (Residential with Commercial or with Community Facility)	III	5
Manufacturing	Manufacturing	IV	3
Manufacturing	Commercial	IV	3
Manufacturing	Community Facility	IV	3

Italicized words are defined in Section 12-10.



**77-30 OFF-STREET PARKING AND LOADING REGULATIONS**

**77-31**

**General Provisions**

Whenever a *zoning lot* existing at the effective date of this resolution or any applicable subsequent amendment thereto is divided by a boundary between districts with different off-street parking or loading regulations, and the provisions of Section 77-11 (Conditions for Application of Use Regulations to Entire Zoning Lot) do not apply, the off-street parking and loading regulations may apply as set forth in this Chapter.

**77-32**

**Districts of Same General Use Class**

When such boundary is between two *Residence Districts*, or two *Commercial Districts*, or two *Manufacturing Districts*, the provisions of this Section shall apply.

**77-321**

**Provisions governing off-street parking for residences**

The percentage requirements for *accessory* off-street parking for *residences* applicable to each portion of the *zoning lot* shall be multiplied by the percentage of the total *lot area* of the *zoning lot* to which each such requirement applies. The sum of the products obtained shall be the percentage requirement applicable to *residences* on such *zoning lot*. Such off-street parking spaces may be located anywhere on the *zoning lot* without regard to district boundaries, provided that such spaces shall conform to all the other applicable provisions of this resolution.

The regulations governing off-street parking for *residences* are set forth in the Chapters indicated below:

District	Type of Use	Article	Chapter
Residence	Residential	II	5
Commercial	Residential	III	6

**77-322**

**Provisions governing off-street parking for non-residential uses**

For *non-residential uses*, the requirements for *accessory* off-street parking or loading of that district in which more than 50 percent of the total area of the *zoning lot* is located shall apply to the entire *zoning lot*. The parking spaces or loading berths may be located anywhere on the *zoning lot*, without regard to district boundaries, provided that such spaces or berths shall conform

to all other applicable regulations of this resolution.

The regulations governing off-street parking and loading are set forth in the Chapters indicated below:

District	Type of Use	Article	Chapter
Residence	Non-Residential	II	5
Commercial	Non-Residential	III	6
Manufacturing	Non-Residential	IV	4

**77-33**

**Districts of Different General Use Class**

When such boundary is between a *Residence District* and a *Commercial District*, or between a *Commercial District* and a *Manufacturing District*, or between a *Residence District* and a *Manufacturing District*, the provisions of this Section shall apply.

**77-331**

**Use Permitted in both districts**

For any *use* which is permitted in both such districts, the applicable requirements for *accessory* off-street parking and loading of that district in which more than 50 percent of the *zoning lot* is located shall apply to the entire *zoning lot*. The parking spaces or loading berths may be located anywhere on the *zoning lot* without regard to district boundaries, provided that such spaces or berths shall conform to all other applicable regulations of this resolution.

**77-332**

**Use not permitted in both districts**

For any *use* which is permitted in one such district but not in the other, the applicable district requirements for *accessory* off-street parking and loading shall be satisfied entirely within the district within which such *use* is permitted, provided, however, that:

(a) The required parking spaces for *residential* or *community facility uses*, or the loading berths for *community facility uses*, may be located on that portion of the *zoning lot* which is in a *C8* or *Manufacturing District*;

(b) The required parking spaces or loading berths for any *commercial use* may be located on that portion of the *zoning lot* which is in a *Manufacturing District*; and

(c) The required parking spaces or loading berths for *manufacturing uses* may be located on that portion of the *zoning lot* which is in a *C8 District*; and

provided, further, that such spaces or berths shall conform to all other applicable regulations of this resolution.

Italicized words are defined in Section 12-10.

## Chapter 8 Special Regulations Applying to Large-Scale Residential Developments or Large-Scale Community Facility Developments

### 78-00 DEFINITIONS (repeated from Section 12-10)

#### Block

A "block" is a tract of land bounded by:

- (a) *Streets*,
- (b) *Public parks*,
- (c) Railroad rights-of-way, when located above ground but not including sidings or spurs in the same ownership as the *zoning lot*,
- (d) Airport boundaries,
- (e) Pierhead lines (or shore lines, where no pierhead lines have been established), or
- (f) Corporate boundary lines of New York City.

#### Large-scale community facility development

A "large-scale community facility development" is a *development* or *enlargement* used for *community facility uses*, on a tract of land containing a single *zoning lot* or two or more *zoning lots* which are contiguous or would be contiguous but for their separation by a *street*, which tract of land:

- (a) Has or will have an area of at least three acres, and
- (b) Is designated by its owner as a tract, all of which is to be used, *developed*, or *enlarged* as a unit under single ownership.

For the purposes of this definition, ownership shall include a lease of not less than 50 years duration, with an option to renew such lease so as to provide a total lease of not less than 75 years duration, or possessory interest or control as evidenced by a binding agreement between two or more owners to develop such tract of land as a unit.

Such tract of land may include any land occupied by *buildings* existing at the time an application is submitted to the City Planning Commission under the provisions of Article VII, Chapter 8, provided that such *buildings* form an integral part of the planned *development* or *enlargement*.

#### Large-scale residential development

A "large-scale residential development" is a *development* used for *residential uses*, on a tract of land containing a single *zoning lot* or two or more *zoning lots* which are contiguous or would be contiguous but for their separation by a *street*, which tract of land:

- (a) Has or will have an area of at least twenty acres, or an area of at least three acres and a total of at least 500 *dwelling units*, and
- (b) Is designated by its owner as a tract, all of which is to be used or *developed* as a unit under single ownership.

For the purposes of this definition, ownership shall include a lease of not less than 50 years duration, with an option to renew such lease so as to provide a total lease of not less than 75 years duration.

#### Lot area

"Lot area" is the area of a *zoning lot*, provided that if a *zoning lot* includes any part of the area of a

*street* closed subsequent to the effective date of this resolution, not more than one-half the area of such closed *street* shall be counted as *lot area*, and provided further that in *Commercial* or *Manufacturing Districts*, if the total area of *streets* so closed exceeds 20 percent of the total *zoning lot*, the entire area of such *streets* in excess of such 20 percent may be counted as *lot area* for any permitted *commercial* or *manufacturing use*.

#### Street

A "street" is:

- (a) A way shown on the City Map, or
- (b) A way designed or intended for general public use, connecting two ways shown on the City Map, which:

- (1) Performs the functions usually associated with a way shown on the City Map, and
- (2) Is at least 50 feet in width throughout its entire length, and
- (3) Is covenanted by its owner to remain open and unobstructed throughout the life of any *building* or *use* which depends thereon to satisfy any requirement of this resolution; or

- (c) Any other open area intended for general public use and providing a principal means of approach for vehicles or pedestrians from a way shown on the City Map to a *building* or *other structure*, which

- (1) Performs the functions usually associated with a way shown on the City Map, and
- (2) Is at least 50 feet in width throughout its entire length, and
- (3) Is approved by the City Planning Commission as a "street" to satisfy any requirement of this resolution, and
- (4) Is covenanted by its owner to remain open and unobstructed throughout the life of any *building* or *use* which depends thereon to satisfy any requirement of this resolution, or

- (d) Any other public way which on the effective date of this resolution was performing the functions usually associated with a way shown on the City Map.

A driveway which serves only to give vehicular access to an *accessory* parking or loading facility, or to allow vehicles to take on or discharge passengers at the entrance to a *building*, shall not be considered a *street*.

#### Zoning lot

A "zoning lot" is either:

- (a) A lot of record existing on the effective date of this resolution or any applicable subsequent amendment thereto, or
- (b) A tract of land, either unsubdivided or consisting of two or more contiguous lots of record, located within a single *block*, which, on the effective date of this resolution or any applicable subsequent amendment thereto, was in single ownership, or

## 78-00 (Continued)

(c) A tract of land, located within a single *block*, which, at the time of filing for a building permit (or, if no building permit is required, at the time of filing for a certificate of occupancy), is designated by its owner or developer as a tract all of which is to be used, *developed*, or built upon as a unit under single ownership.

A *zoning lot* therefore may or may not coincide with a lot as shown on the official tax maps of The City of New York or on any recorded subdivision plat or deed.

For the purposes of this definition, ownership of a *zoning lot* shall be deemed to include a lease of not less than 50 years duration, with an option to renew such lease so as to provide a total lease of not less than 75 years duration.

A *zoning lot* may be subdivided into two or more *zoning lots*, provided that all resulting *zoning lots* and all *buildings* thereon shall comply with all of the applicable provisions of this resolution. If such *zoning lot*, however, is occupied by a *non-complying building*, such *zoning lot* may be subdivided provided such subdivision does not create a new *non-compliance* or increase the degree of *non-compliance* of such *building*.

## 78-10 GENERAL PROVISIONS

## 78-11

## Applicability of this Chapter

*Large-scale residential developments* and *large-scale community facility developments* are governed by all the *use*, *bulk*, off-street parking and loading, and other applicable regulations of this resolution, except for such special provisions as are specifically set forth in this Chapter. Such special provisions are designed to deal with problems which arise only in connection with *large-scale residential developments* or *large-scale community facility developments* and apply only to such *developments* as set forth herein.

## 78-12

## Permitted Uses

A *large-scale residential development* may include within its area any *residential uses* or *community facility uses* permitted in the district or districts in which it is located, and a *large-scale community facility development* may include within its area any *community facility uses* or *residential uses* permitted in the district or districts in which it is located.

## 78-13

## Accessory Uses in Large-Scale Residential Developments

A *large-scale residential development* may contain, as *accessory uses*, any *commercial uses* listed in Use Group 6A or 6F which in the aggregate occupy not more than two percent of the total *floor area* in the *development*, and of which no single establishment occupies more than 15,000 square feet of *floor area*; provided that upon a review of the site plan, the City Planning Commission finds that such *commercial uses*:

- (a) Will be primarily for the use of the residents of the *development* and will provide more convenient shopping for such residents, and
- (b) Are so located as to minimize interference

with *residential* or recreational areas within the *development* and to avoid creation of traffic congestion or other objectionable influences affecting *residences* outside the *development*, and

(c) Comply with all the applicable *bulk* and off-street parking and loading regulations for such *accessory commercial uses*, as set forth in Article II, Chapters 3 and 5, and

(d) Conform to those provisions of the following Sections which are applicable to *commercial uses* in C1 Districts:

Section 32-41 (Enclosure within Buildings)

Section 32-42 (Location within Buildings)

Sections 32-61 to 32-68, inclusive, relating to Sign Regulations.

## 78-20 PROVISION OF PUBLIC FACILITIES IN CONNECTION WITH LARGE-SCALE RESIDENTIAL DEVELOPMENTS

The following regulations apply to all *large-scale residential developments*, as a condition precedent to the issuance of a building permit.

## 78-21

## Report by Planning Commission

Within one month after a request from the Commissioner of Buildings, the City Planning Commission shall make a report, based upon information from the Board of Education and other appropriate City Departments, on the anticipated effect of the proposed *development* on the existing capacity of public *schools* or other public facilities serving the area in which the proposed *development* is to be located.

## 78-22

## If No Additional Public Facilities Needed

If the Commission reports that the proposed *development* will not require any significant addition to the public facilities serving the neighborhood, then the requirements of this Section shall be considered to be satisfied.

## 78-23

## If Additional Public Facilities Needed

If the Commission reports that the proposed *large-scale residential development* can be expected to create a need for one or more new public facilities in the neighborhood, the Commission may, in its discretion, recommend that a site for one or more such facilities should be reserved within the site of such proposed *development*. If the Commission does so recommend, the issuance of a building permit shall be withheld for a period not to exceed three months. In such a case, the requirements of this Section shall be considered to be satisfied:

- (a) If, within a period of less than three months, the developer and the appropriate City officials have agreed on the reservation of such a site or sites, or official proceedings have been initiated to authorize acquisition of such a site or sites, or if necessary to amend the capital budget to include the project as a prerequisite to site acquisition, or
- (b) In any event, at the expiration of the above-mentioned period of three months.

Italicized words are defined in Section 12-10.

**78-30 BULK REGULATIONS**

78-31

**General Provisions**

When a *large-scale residential development* or a *large-scale community facility development* includes two or more *zoning lots* separated by *streets*, the City Planning Commission may, upon application, authorize the permitted *floor area*, *lot coverage*, *dwelling units*, *rooms*, or *rooming units*, or the required *open space* for all *zoning lots* within the *development*, to be distributed without regard for *zoning lot lines*, and may authorize the location of *buildings* without regard for the *front yard* or height and setback regulations which would otherwise apply along portions of *streets* wholly within the *development*, provided that in each case the Commission shall make the following special findings:

- (a) That such distribution or location will permit better site planning and will thus benefit both the residents, occupants, or users of the *development* and the City as a whole.
- (b) That such distribution or location will not in any way reduce any applicable requirement of this resolution relating to the required minimum distance between *buildings* on a single *zoning lot* or the minimum distance between *legally required windows* or required windows and walls or *lot lines*.
- (c) That such distribution or location will not unduly increase the *bulk* of *buildings* in any *block*, to the detriment of the occupants or users of *buildings* in the *block* or nearby *blocks*.
- (d) That such distribution or location will not affect adversely any other *zoning lots* outside the *development* by restricting access to light and air or by creating traffic congestion.

**78-40 PARKING REGULATIONS**

78-41

**Parking Regulations for Large-Scale Community Facility Developments**

When a *large-scale community facility development* includes two or more *zoning lots*, the City Planning Commission may, upon application, authorize permitted or required *accessory* off-street parking spaces to be located anywhere within the *development* without regard for *zoning lot lines*, provided that in each case the Commission shall make the following special findings:

- (a) That such location of the off-street parking spaces will permit better site planning and will thus benefit both the occupants or visitors of the *development* and the City as a whole.
- (b) That such location of the off-street parking spaces will not increase the number of spaces in any single *block* or the traffic drawn through any one or more of the nearby local *streets* in such measure as to affect adversely other *zoning lots* outside the *large-scale com-*

*munity facility development* or traffic conditions in the surrounding area.

78-42

**Parking Regulations for Large-Scale Residential Developments**

For *large-scale residential developments* in R6, R7, R8, R9, or R10 Districts, or in *Commercial Districts* in which *residential buildings* are governed by the *bulk* regulations of R6, R7, R8, R9, or R10 Districts, the City Planning Commission may, upon application, waive the requirements for off-street parking spaces *accessory* to any *community facility use* included in such *large-scale residential development* and intended primarily for the use of its residents.

**78-50 SUBDIVISION OF LARGE-SCALE RESIDENTIAL DEVELOPMENTS**

78-51

**General Provisions**

A *large-scale residential development* may be subdivided into two or more *zoning lots*, provided that all resulting *zoning lots* and all *buildings* thereon comply with all the applicable regulations of this resolution.

78-52

**Special Provisions for Urban Renewal Projects**

A *large-scale residential development* which is designated by the City Planning Commission and the Board of Estimate as an urban renewal project and the development plan of which has been approved, may be subdivided into two or more *zoning lots*, even if such subdivision results in the failure of one or more *buildings*, existing or as planned, to comply with one or more of the applicable *bulk* regulations of this resolution, provided that:

- (a) At the time of such subdivision, the tract of land occupied by such urban renewal project is in City ownership, and
- (b) Deed restrictions, subject to the approval of the City Planning Commission, apply to each and every *zoning lot* created by such subdivision, specifying the nature and degree of *non-compliance* permitted on any resulting *zoning lot*, and
- (c) In the case of *zoning lots* on which such subdivision will not result in a *non-compliance*, such deed restrictions specify that no additional *bulk* will be added on such *zoning lot* as long as any *non-compliance* exists on any *zoning lot* created by such subdivision, and
- (d) Such deed restrictions contain such additional provisions as will insure the access and availability of the required amount of *open space* and off-street parking or loading facilities to the residents, occupants, or users of all *buildings* on any *zoning lot* created by such subdivision.

# Zoning Maps

## DISTRICT BOUNDARY INDICATORS

### Residence, Commercial, or Manufacturing District Boundaries

C1-1 through C1-5 (Local Retail) Districts and C2-1 through C2-5 (Local Service) Districts are shown by respective patterns as indicated on the bottom of each map.

## DISTRICT SYMBOLS AND TITLES

District	Maximum Floor Area Ratio <sup>1</sup>	Minimum Open Space Ratio if Applicable <sup>2</sup>	District	Maximum Floor Area Ratio
<b>RESIDENCE DISTRICTS<sup>3</sup></b>			<b>COMMERCIAL DISTRICTS<sup>4</sup></b>	
Single-Family Detached			Local Retail	
R1	0.50	150.0	C1-1	} Governed by Residence District within which mapped:
R2	0.50	150.0	C1-2	
			C1-3	
			C1-4	
			C1-5	
General Residence			Local Service	
R3	0.50	150.0	C2-1	R1, R2, R3, R4, R5 1.00
R4	0.75	80.0	C2-2	R6, R7, R8, R9, R10 2.00
R5	1.00 to 1.25	50.0 to 62.0	C2-3	
R6	2.00 to 2.40	29.5 to 33.0	C2-4	
R7	2.80 to 3.40	18.0 to 21.0	C2-5	
R8	4.80 to 6.00	8.0 to 10.4		
R9	6.50 to 7.50	4.2 to 6.2	Local Retail	
R10	10.00	None	C1-6	2.00
			C1-7	2.00
			C1-8	2.00
			C1-9	2.00
			Local Service	
			C2-6	2.00
			C2-7	2.00
			C2-8	2.00
			Waterfront Recreation	
			C3	0.50
			General Commercial	
			C4-1	1.00
			C4-2	3.40
			C4-3	3.40
			C4-4	3.40
			C4-5	3.40
			C4-6	3.40
			C4-7	10.00
			Restricted Central Commercial	
			C5-1	4.00
			C5-2	10.00
			C5-3	15.00
			C5-4	10.00
			General Central Commercial	
			C6-1	6.00
			C6-2	6.00
			C6-3	6.00
			C6-4	10.00
			C6-5	10.00
			C6-6	15.00
			C6-7	15.00
			Commercial Amusement	
			C7	2.00
			General Service	
			C8-1	1.00
			C8-2	2.00
			C8-3	2.00
			C8-4	5.00
<b>MANUFACTURING DISTRICTS</b>				
Light Manufacturing (High Performance)				
M1-1	1.00			
M1-2	2.00			
M1-3	5.00			
M1-4	2.00			
M1-5	5.00			
M1-6	10.00			
Medium Manufacturing (Medium Performance)				
M2-1	2.00			
M2-2	5.00			
M2-3	2.00			
M2-4	5.00			
Heavy Manufacturing (Low Performance)				
M3-1	2.00			
M3-2	2.00			

<sup>1</sup> When a range of *floor area ratios* is shown, the lower is for the lowest *building* typical of the district, and the higher is the maximum achievable in the district for taller *buildings*. (Numbers have been rounded.)

<sup>2</sup> When a range of *open space ratios* is shown, the lower is the minimum required at the lower *floor area ratio* shown, and the higher is the minimum required at the higher *floor area ratio* shown.

<sup>3</sup> *Floor area ratios* indicated are for *residential buildings*.

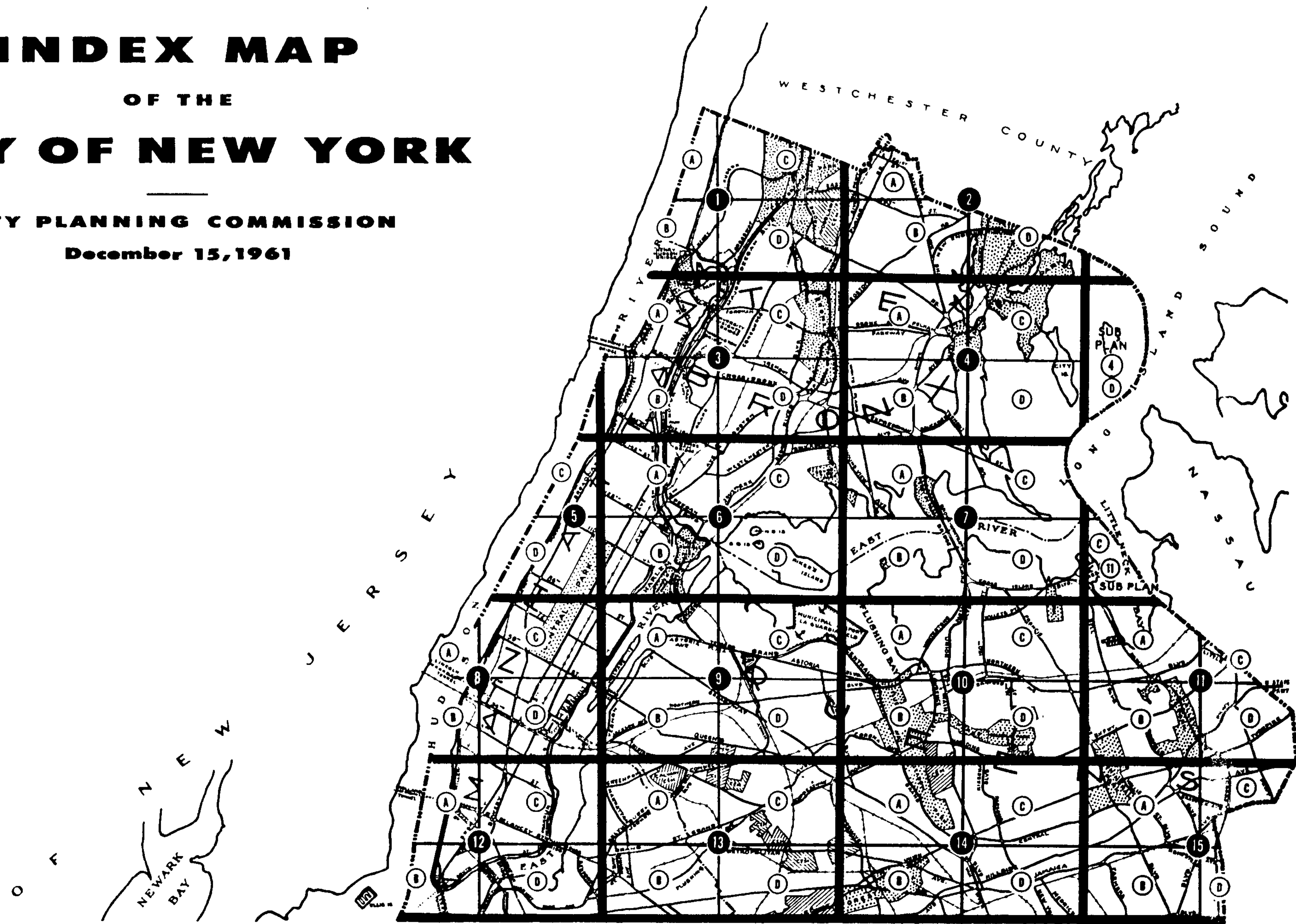
<sup>4</sup> *Floor area ratios* indicated are for *commercial buildings*.

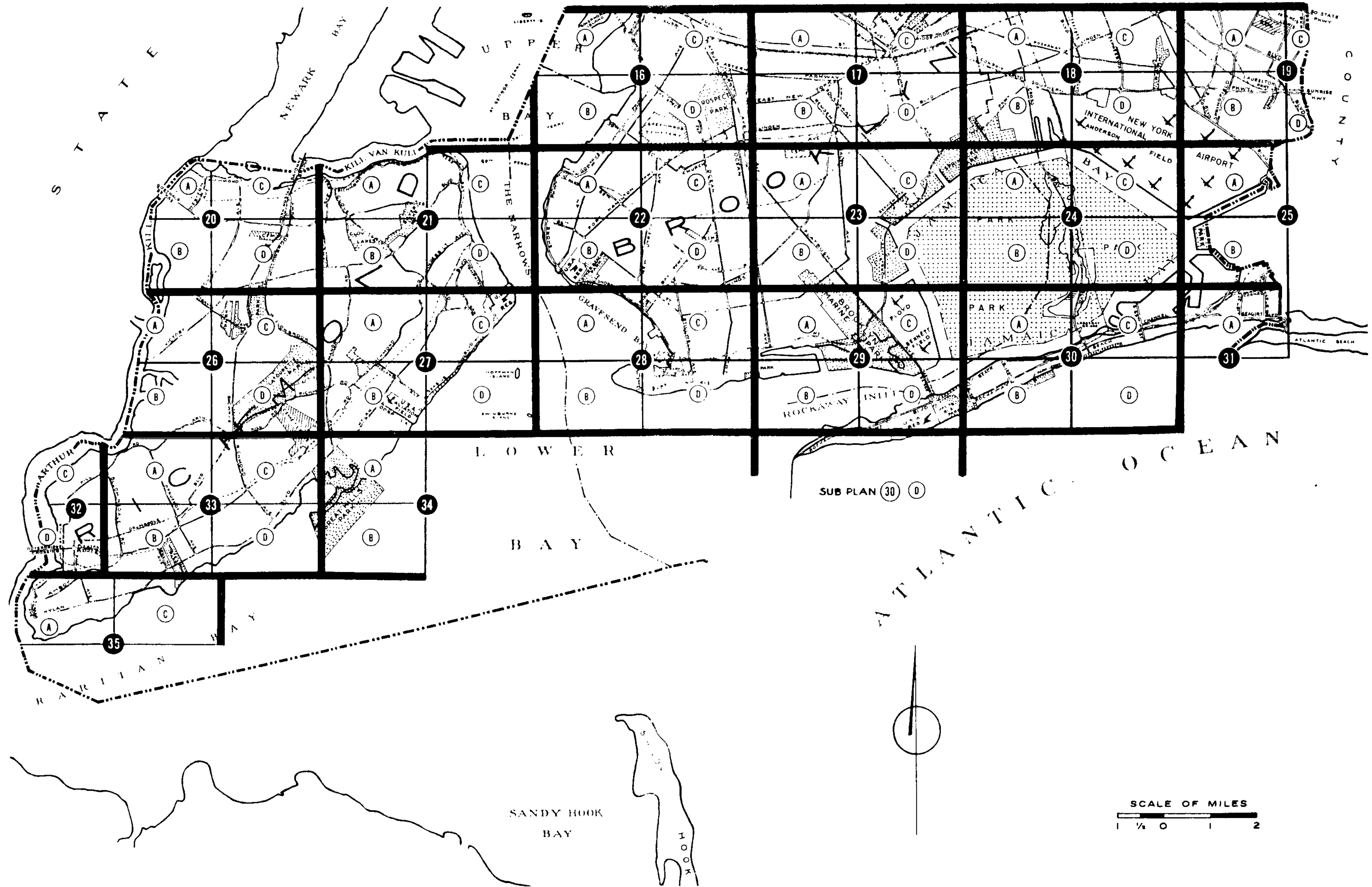
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# INDEX MAP OF THE CITY OF NEW YORK

CITY PLANNING COMMISSION

December 15, 1961



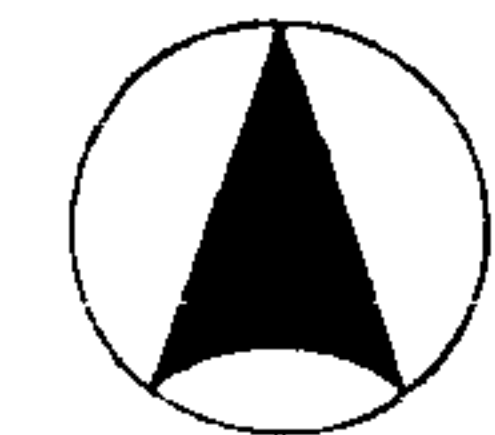


1a

# ZONING MAP

CITY PLANNING COMMISSION

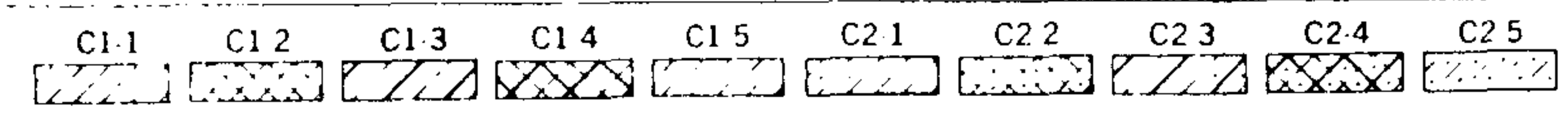
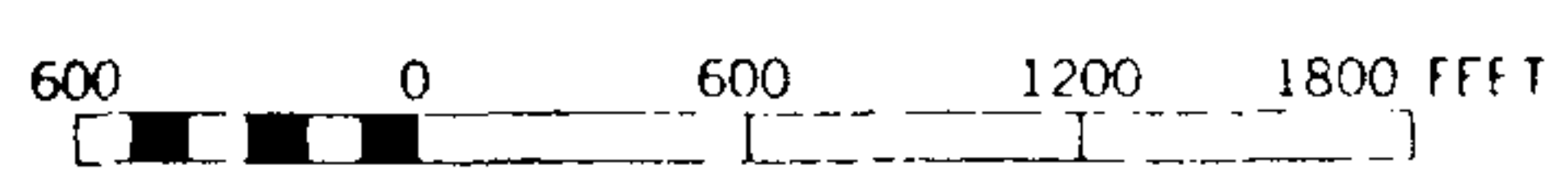
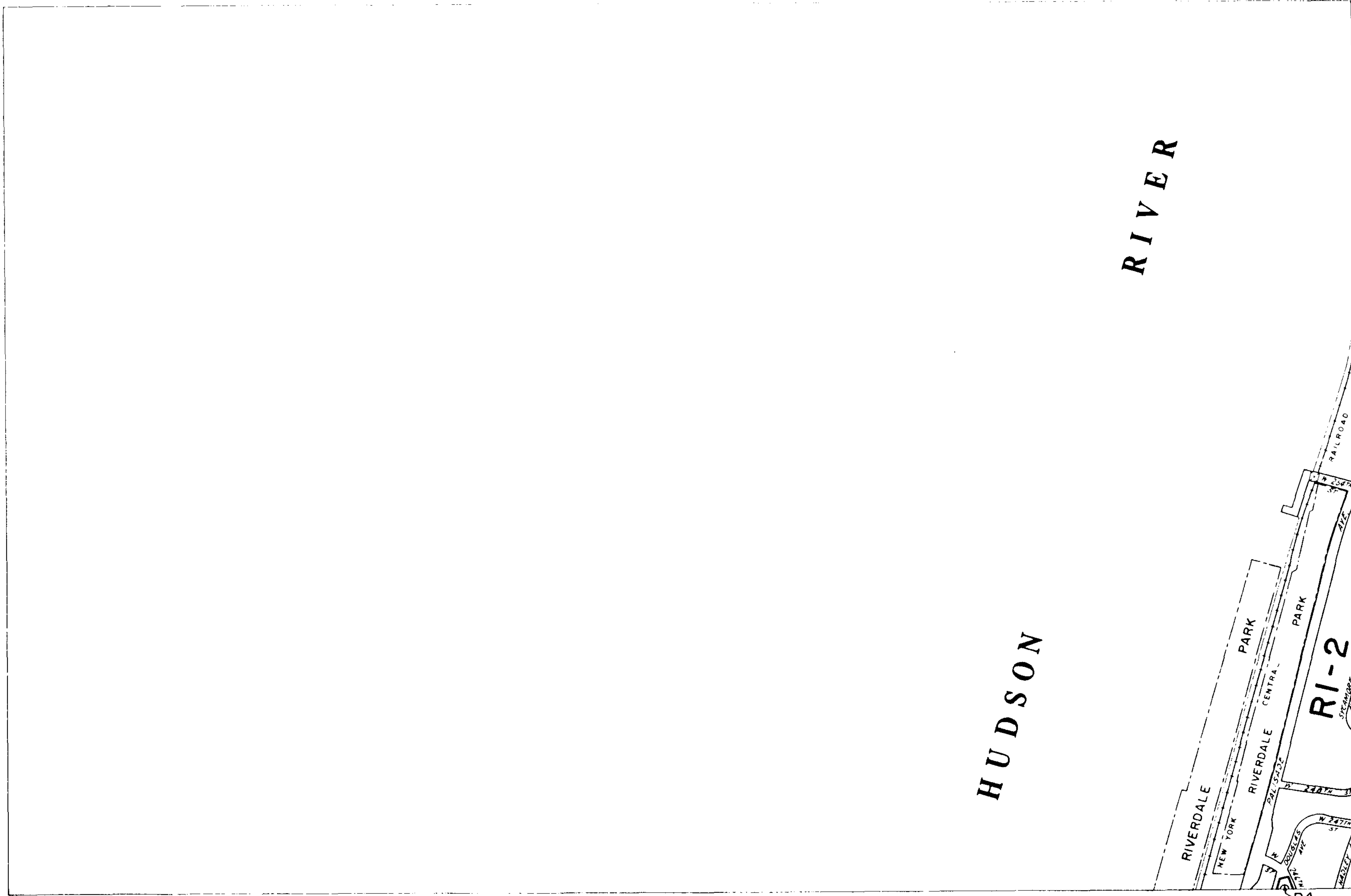
THE CITY OF NEW YORK



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	1b	1d

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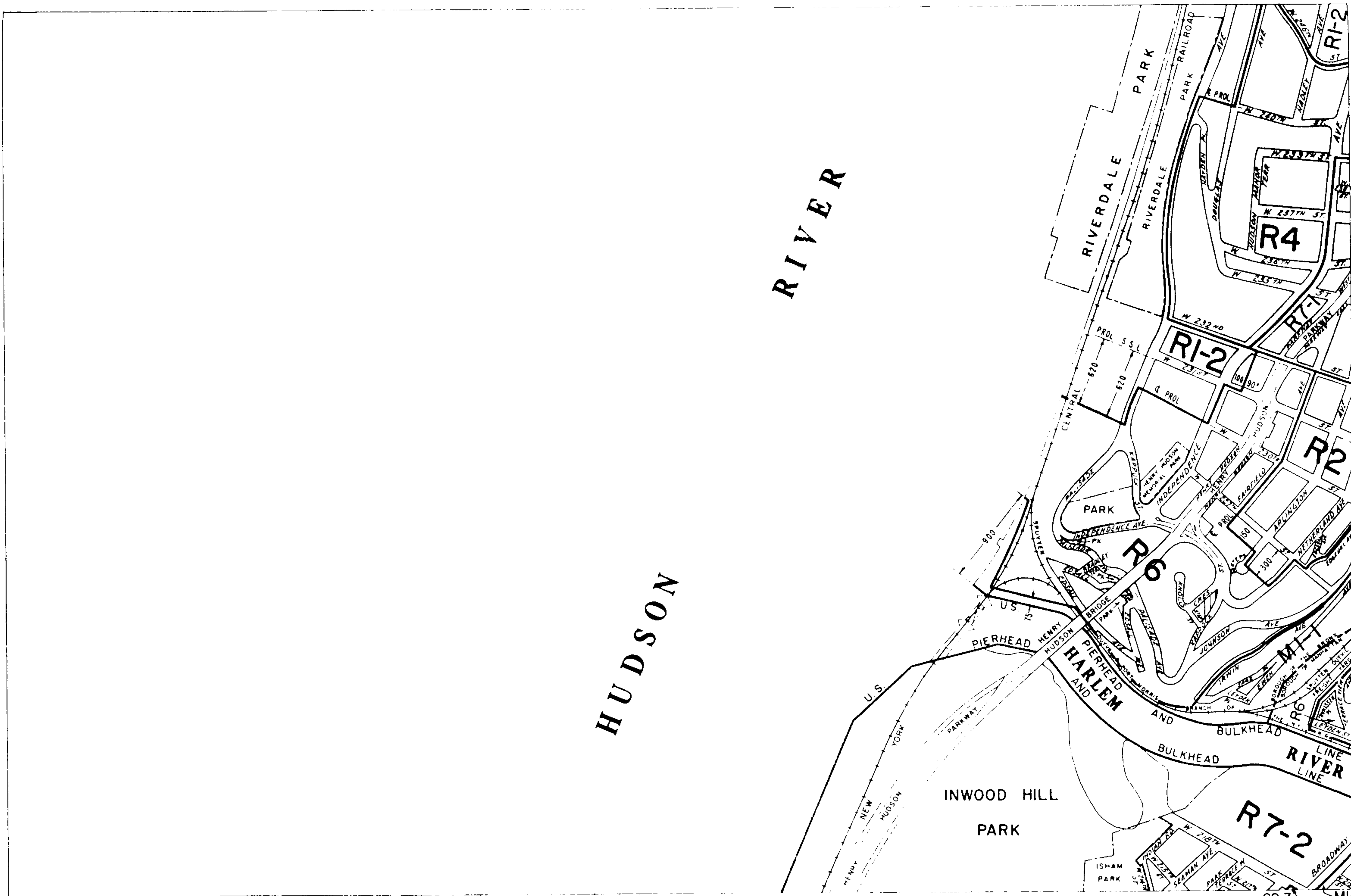
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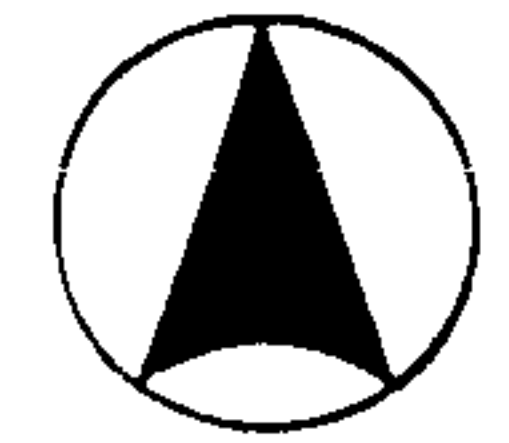
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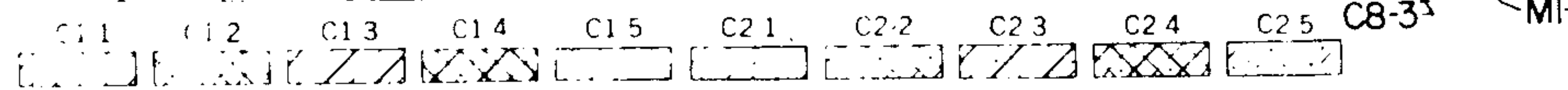
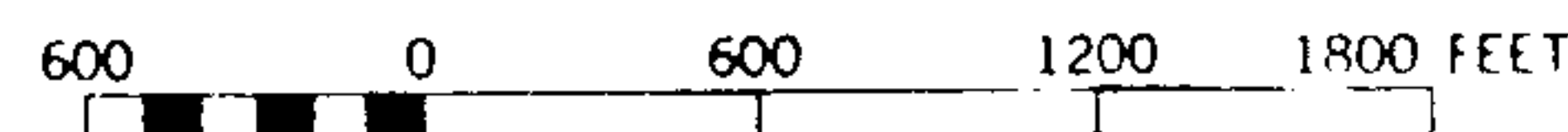
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# ZONING MAP

CITY PLANNING COMMISSION  
THE CITY OF NEW YORK



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	3a	3c

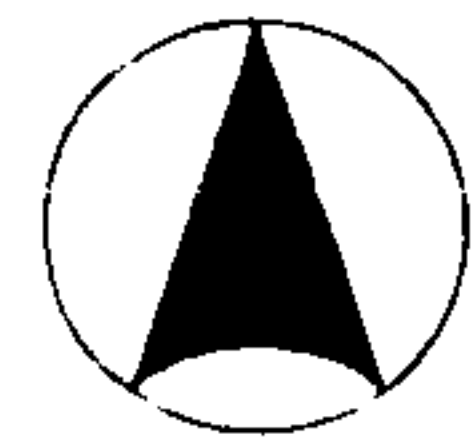


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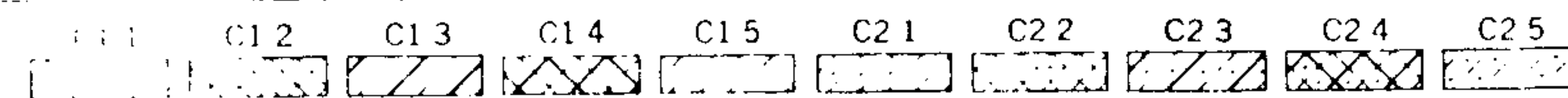
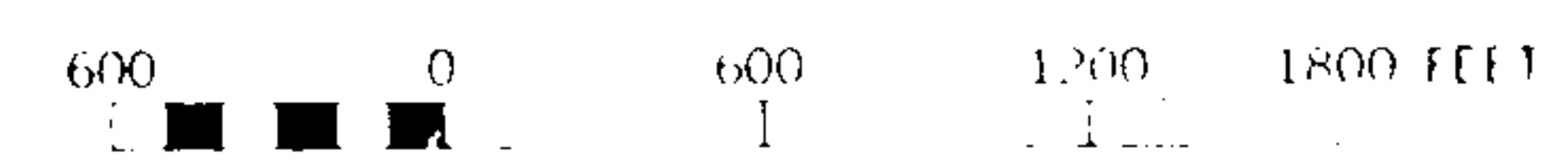
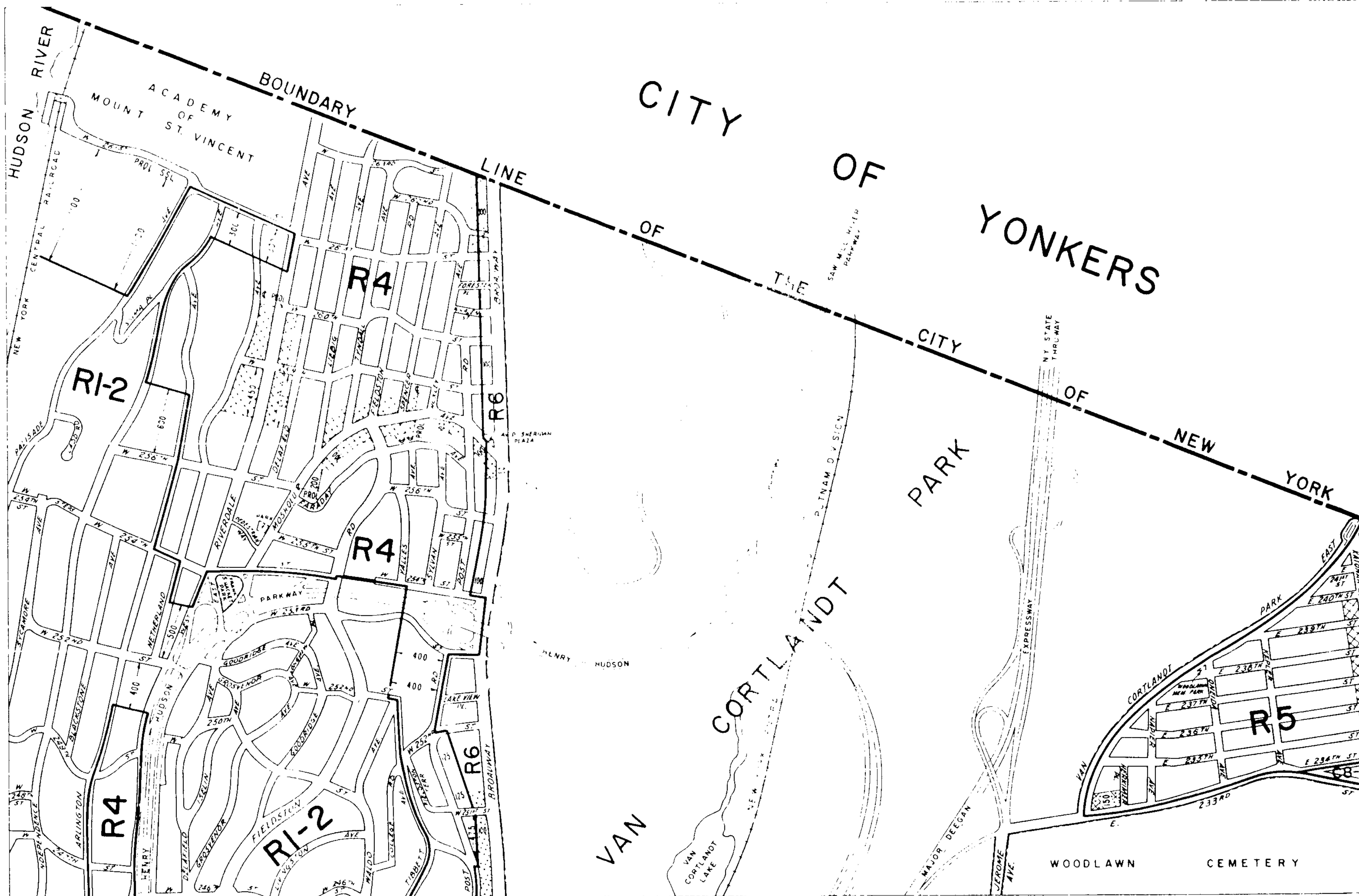
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THE CITY OF NEW YORK



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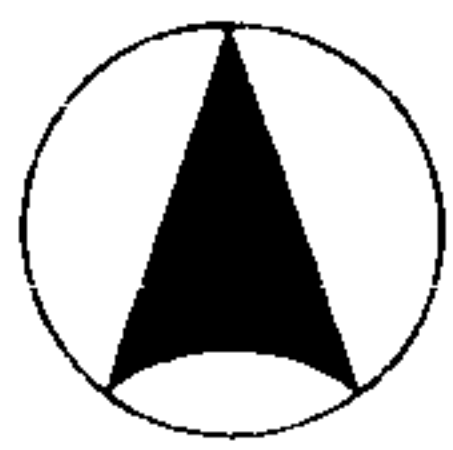
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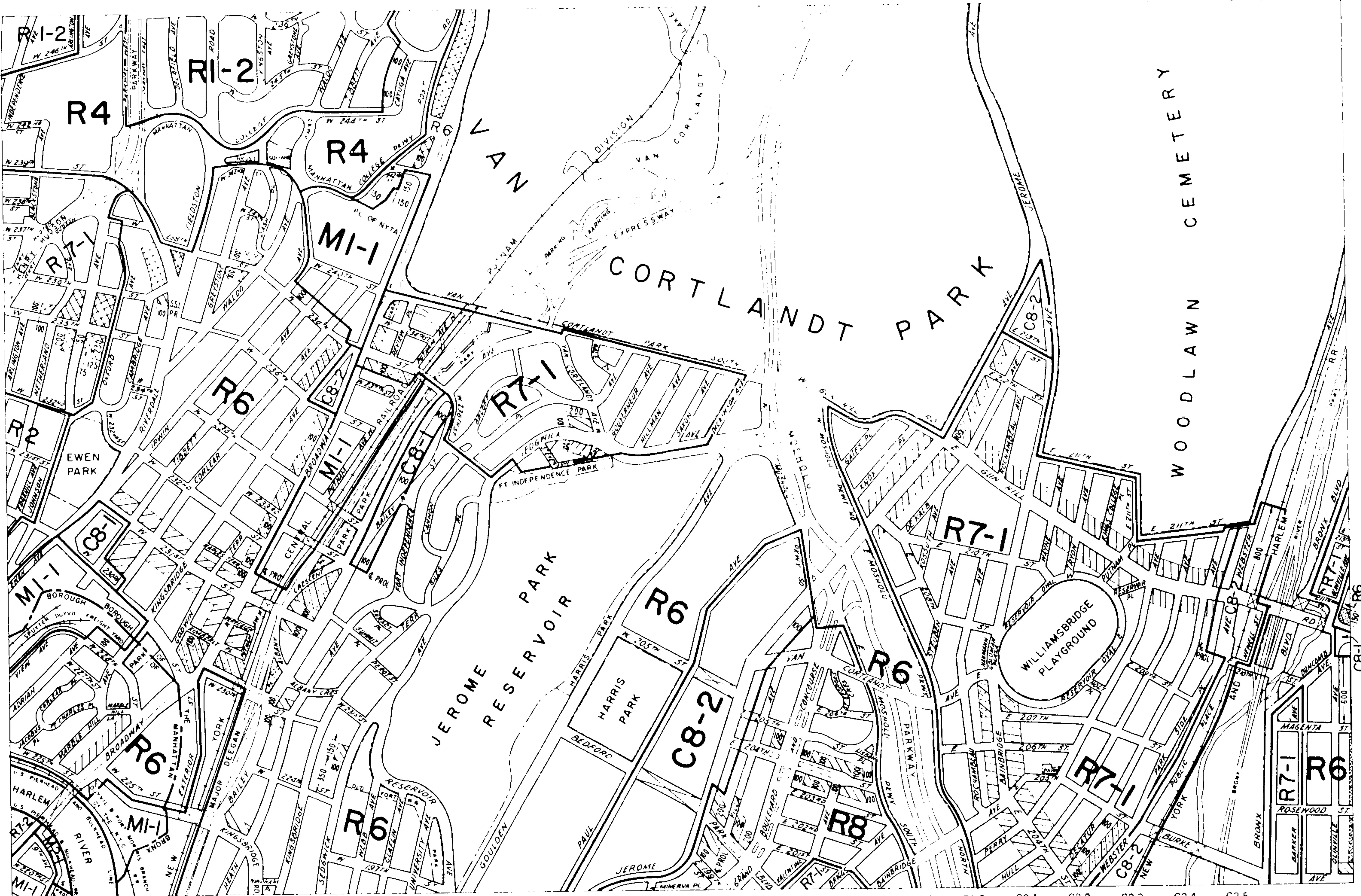
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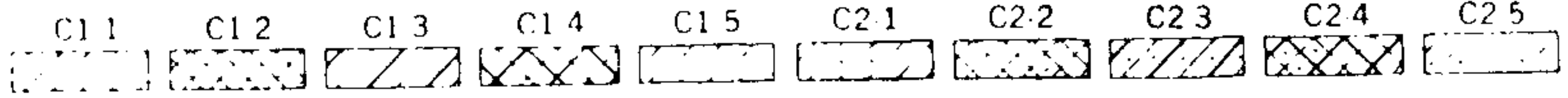
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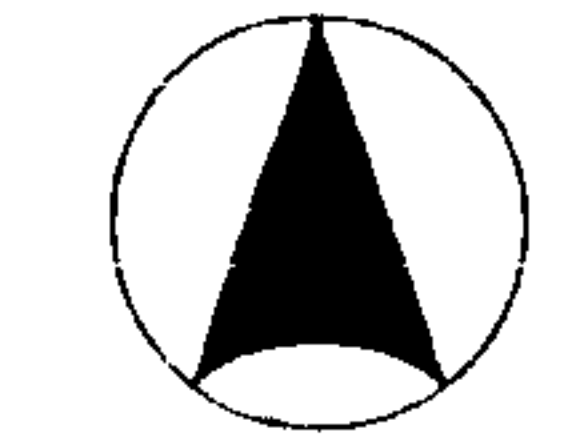
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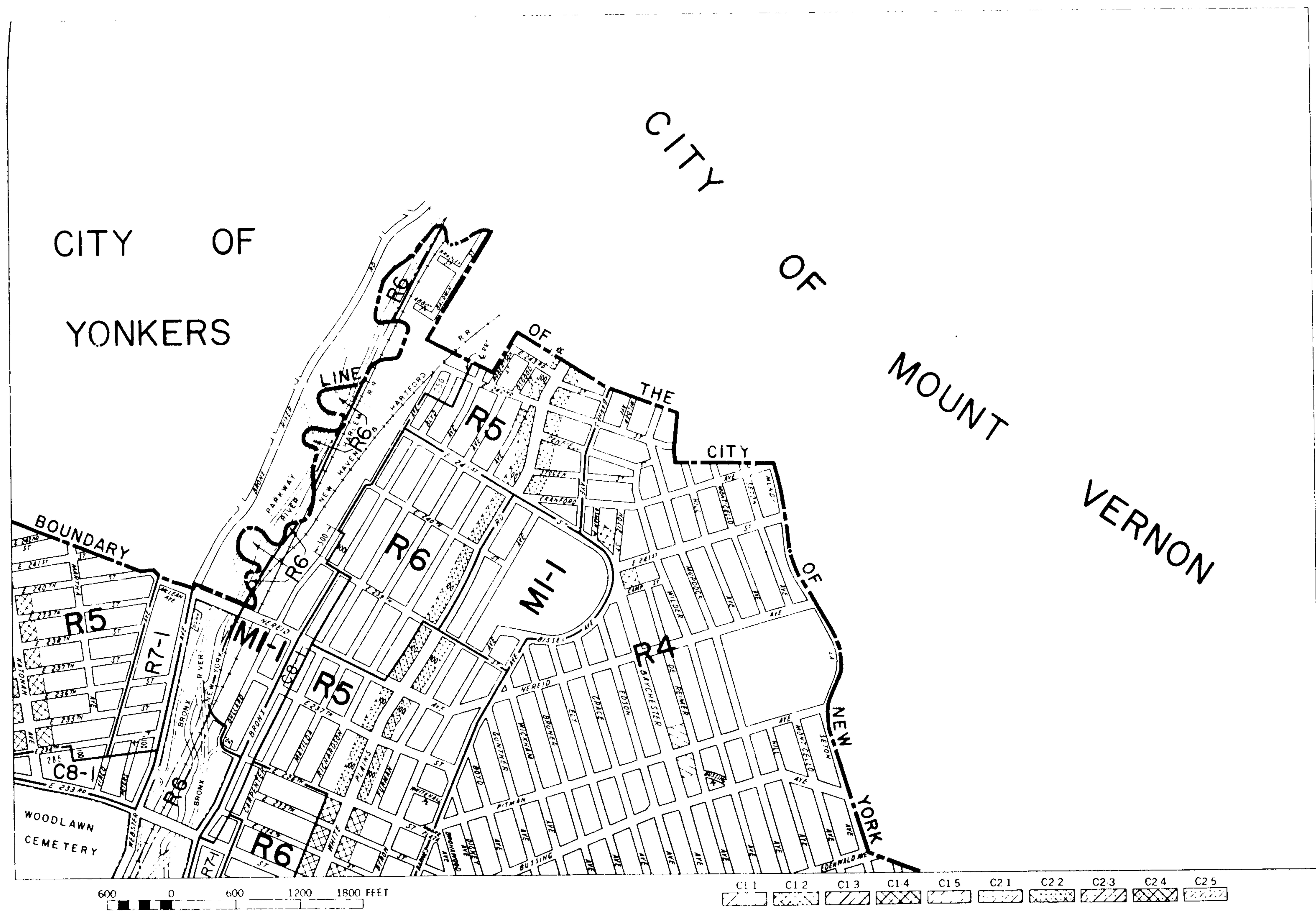
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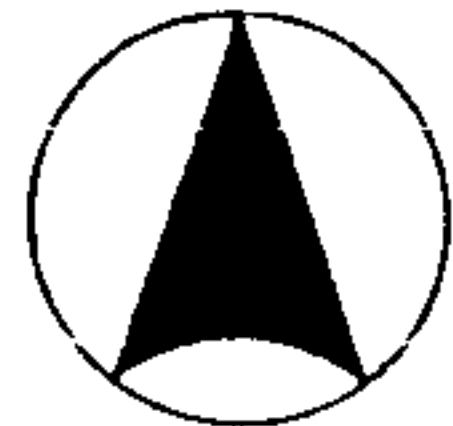
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2b

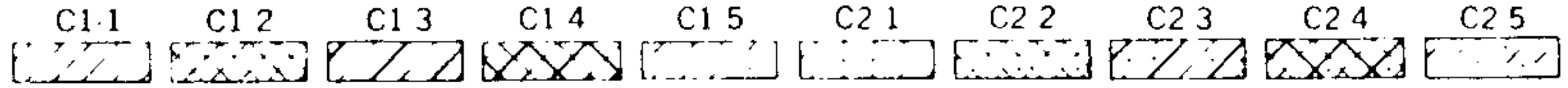
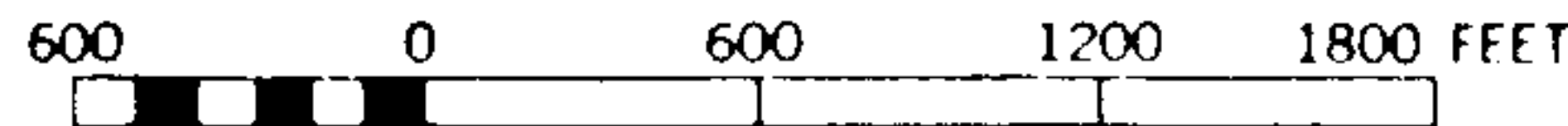
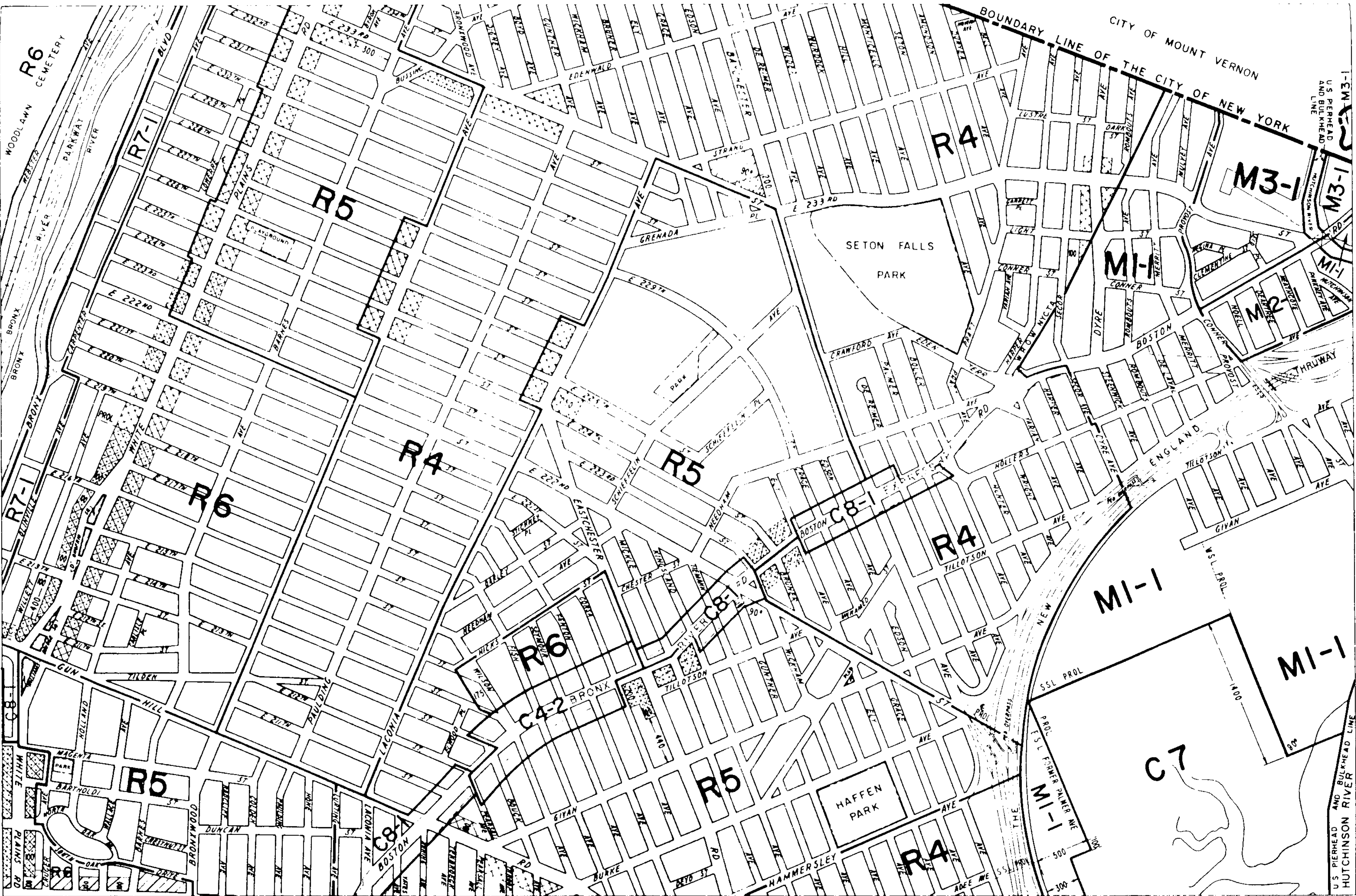
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THE CITY OF NEW YORK



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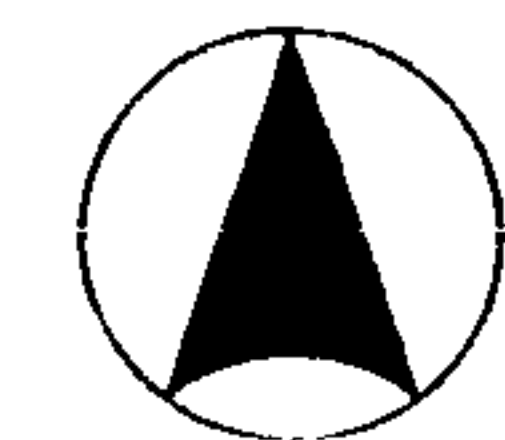
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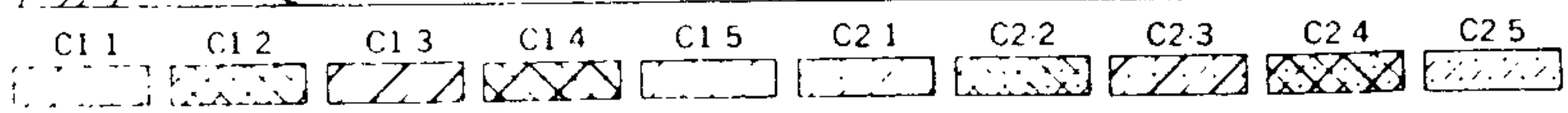
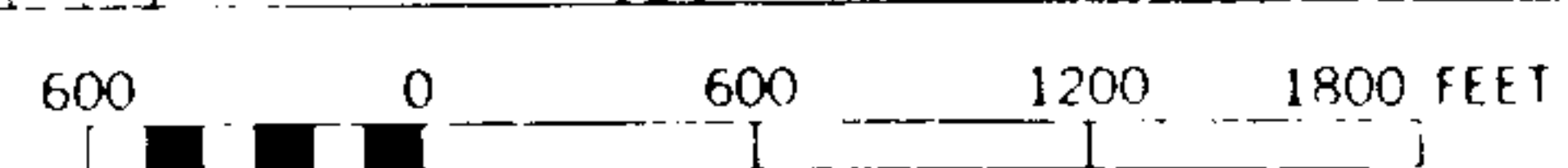
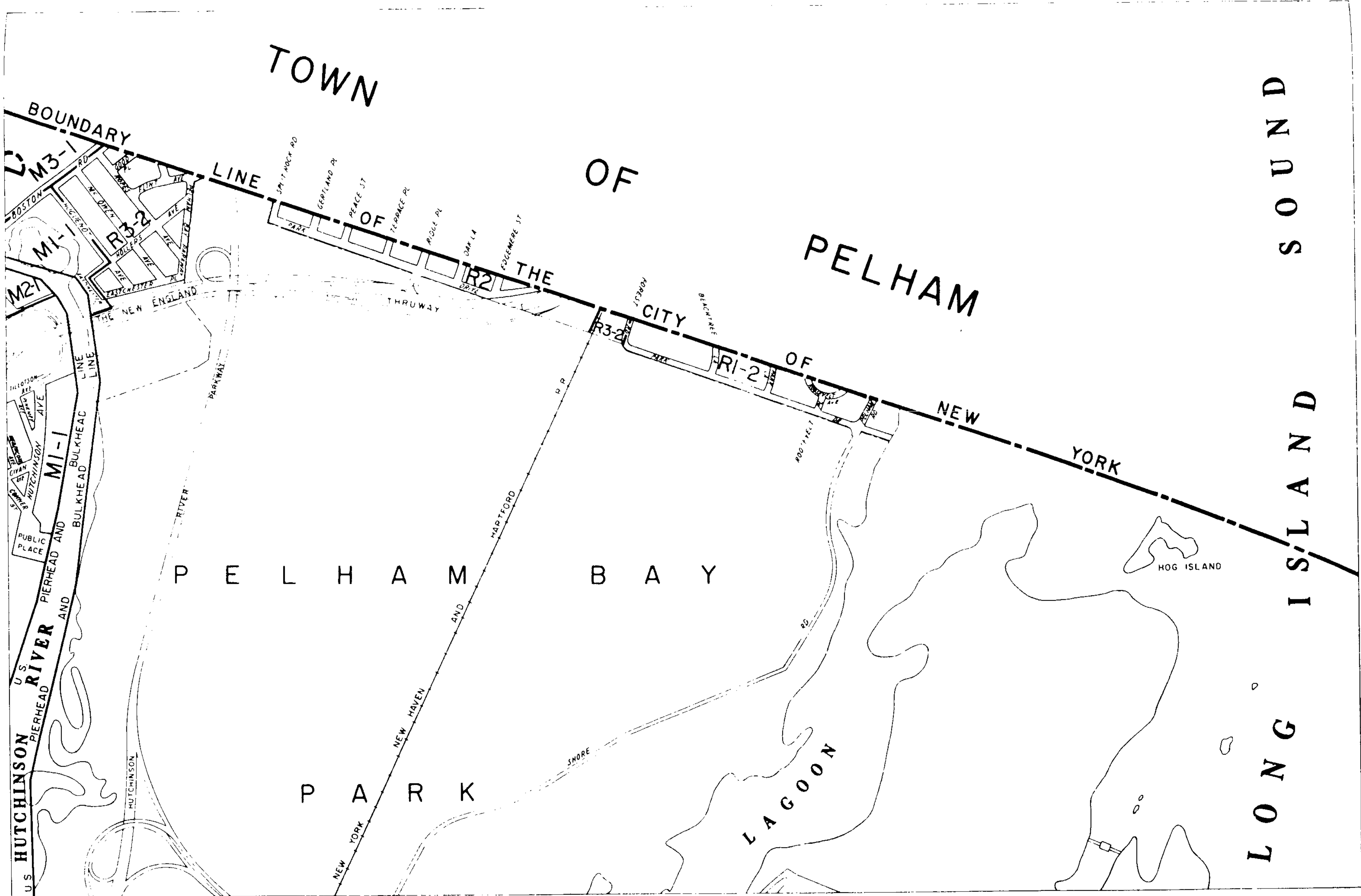
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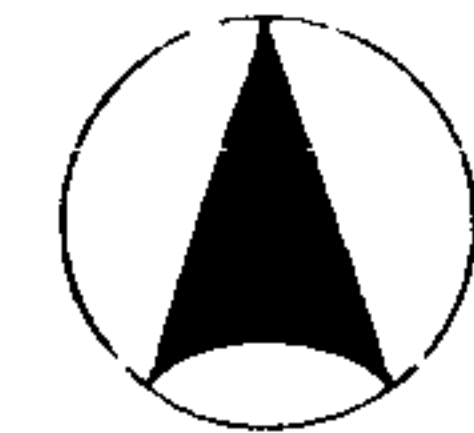
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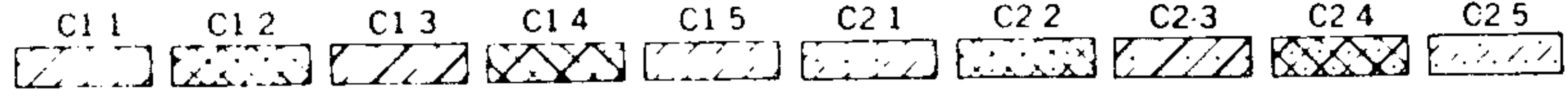
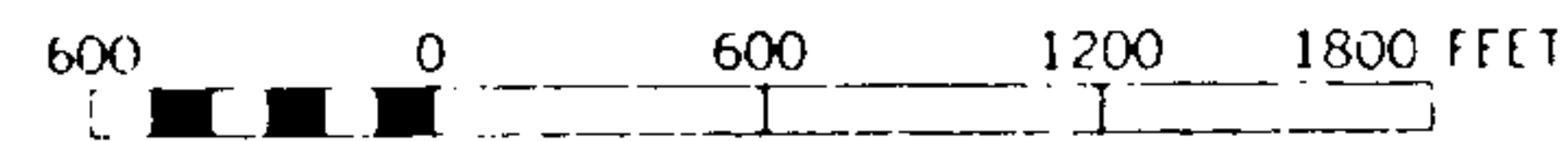
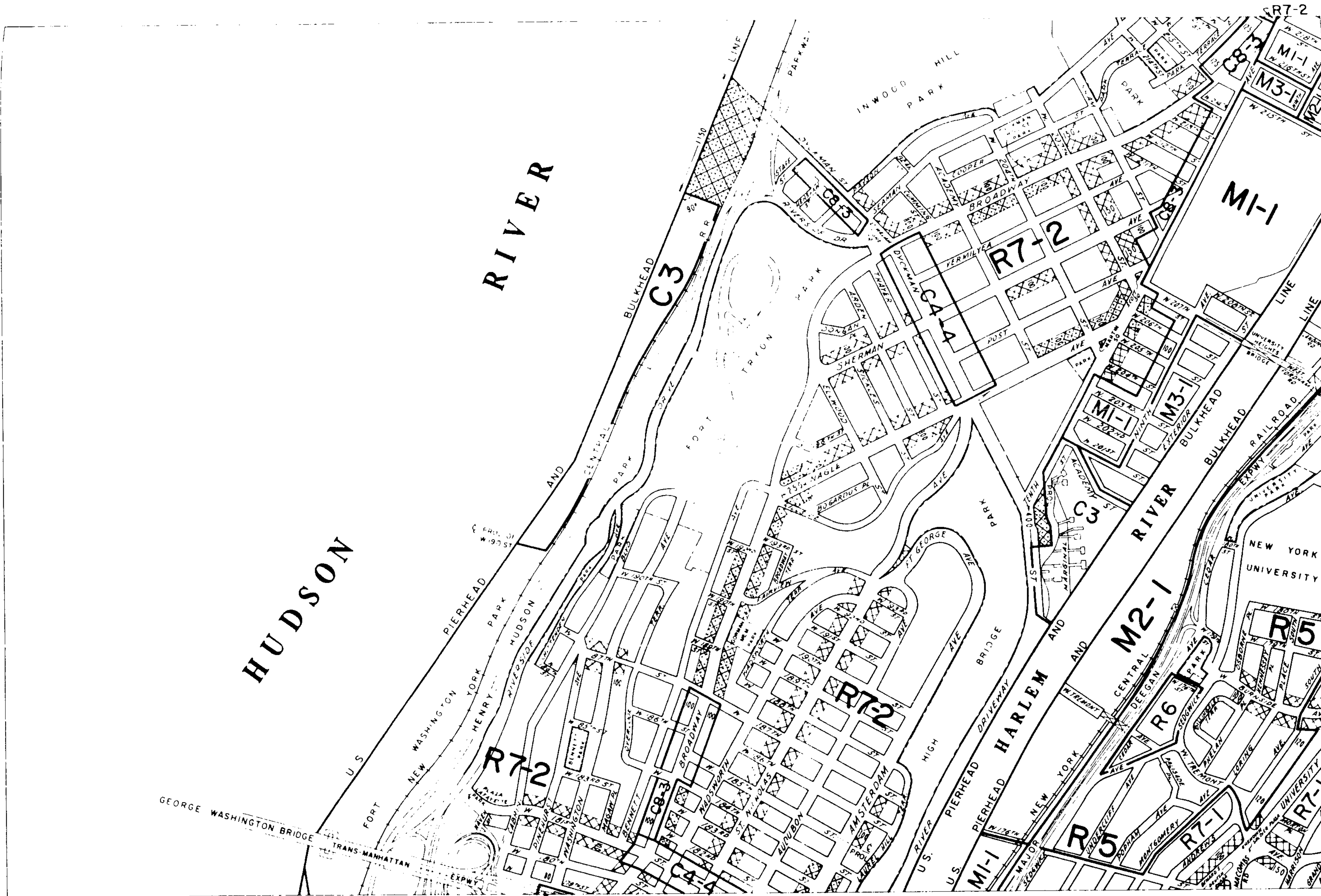
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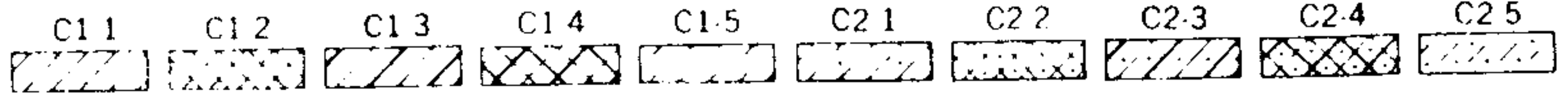
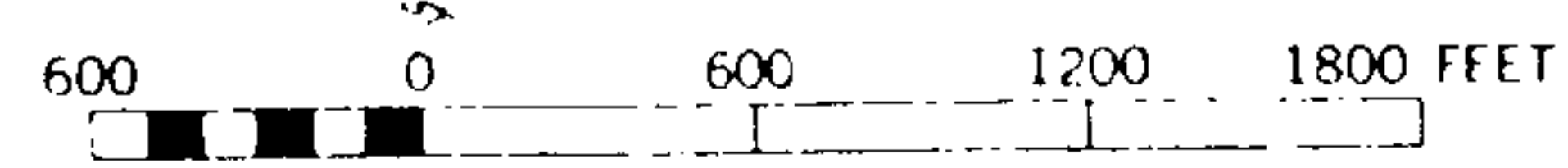
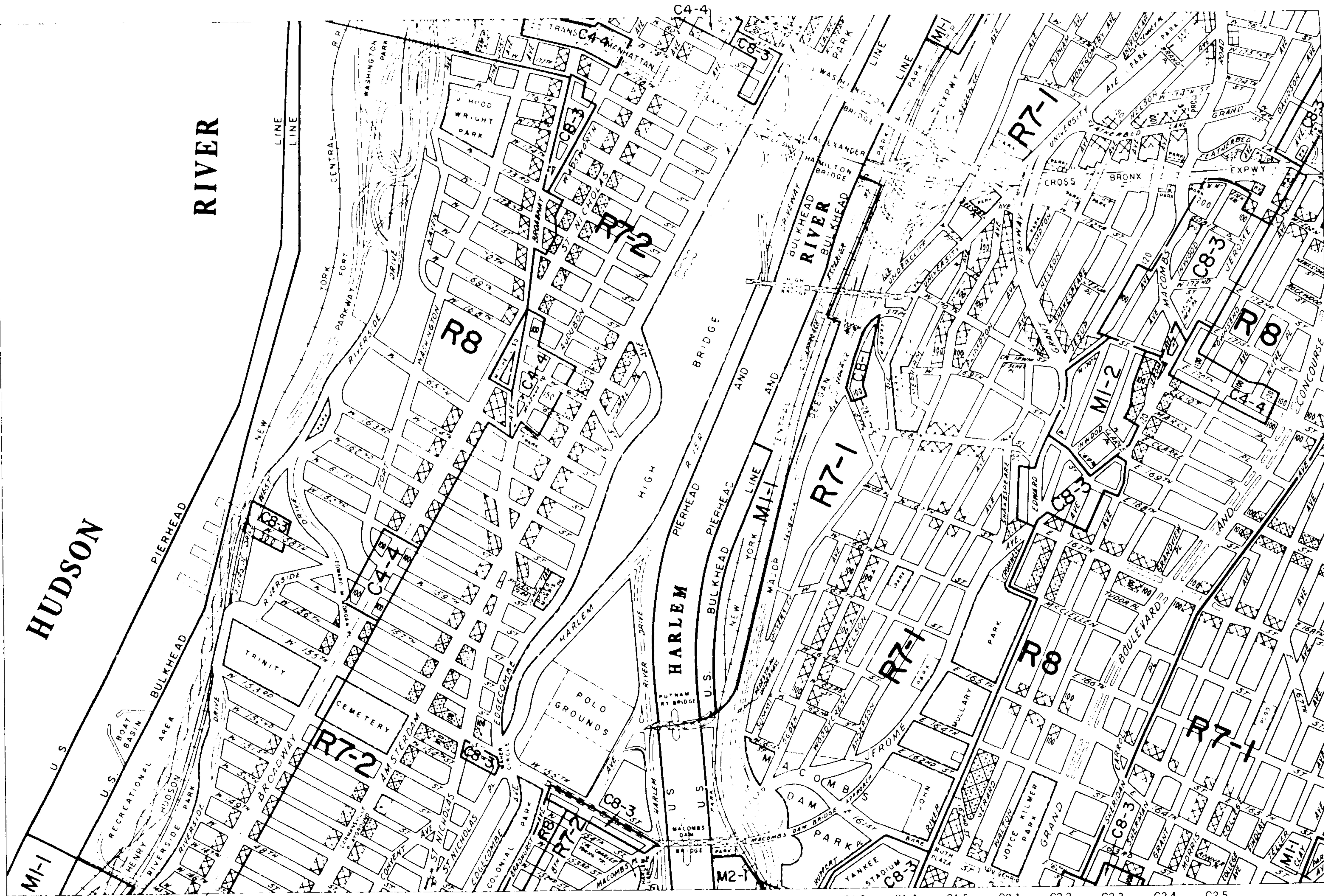


	lb	ld
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	3b	3d

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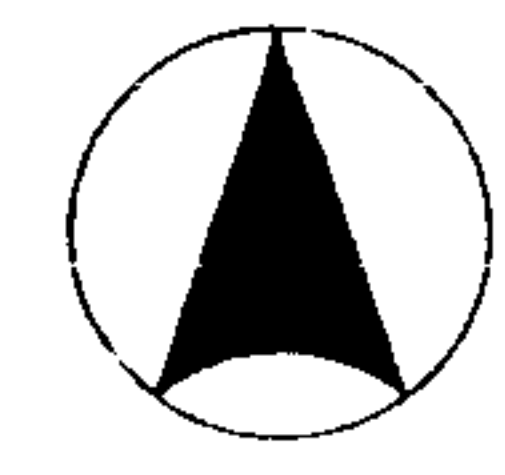




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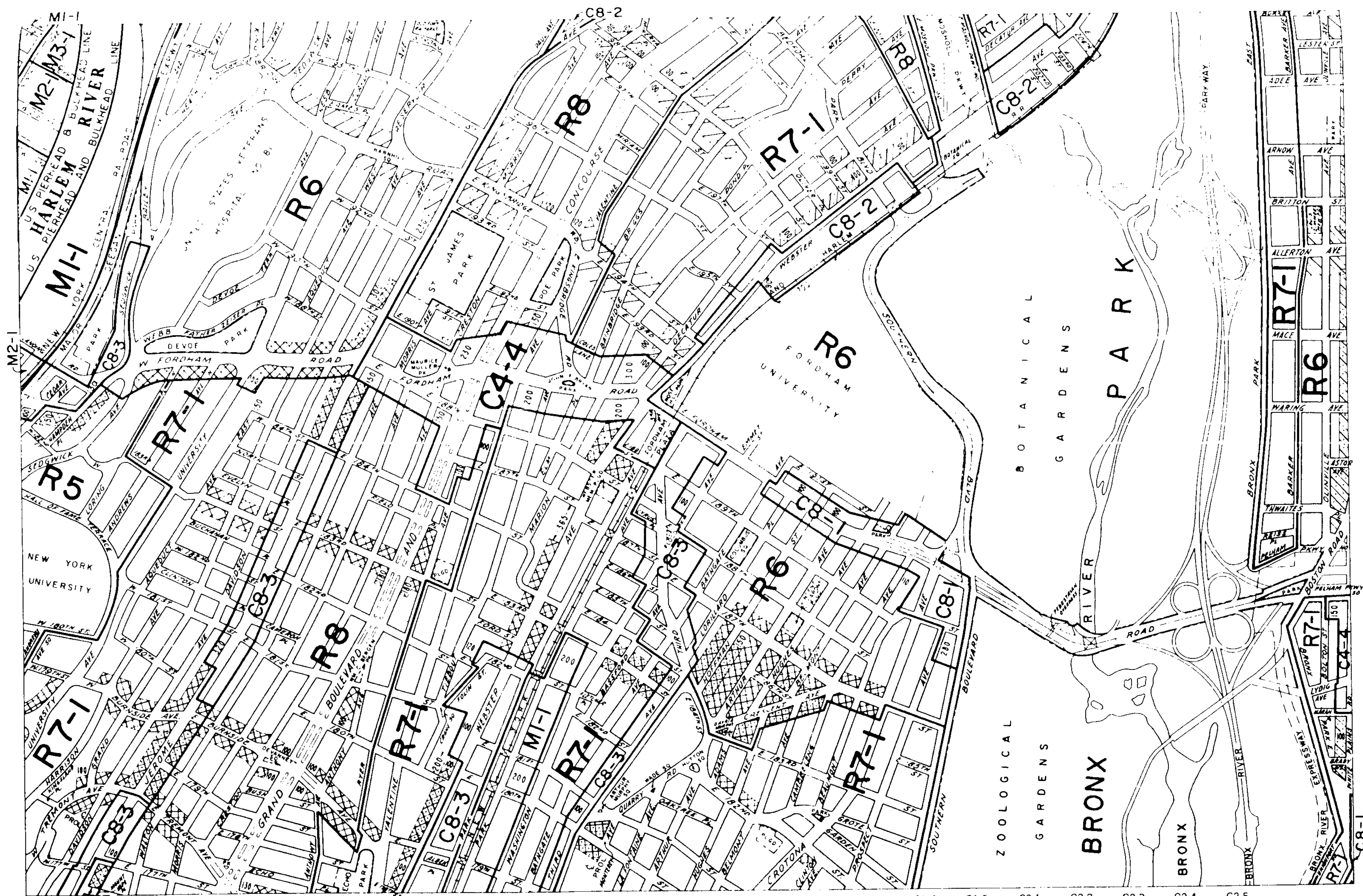
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5c	6a	6c

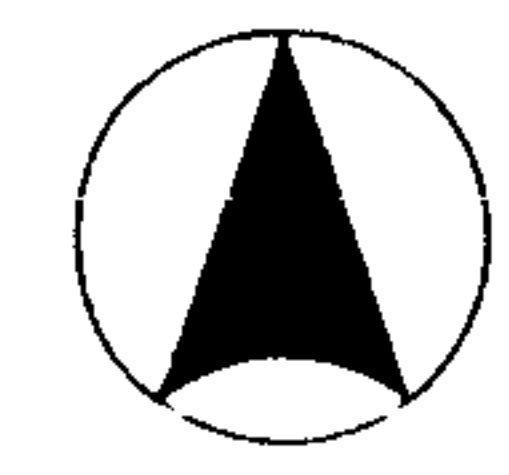
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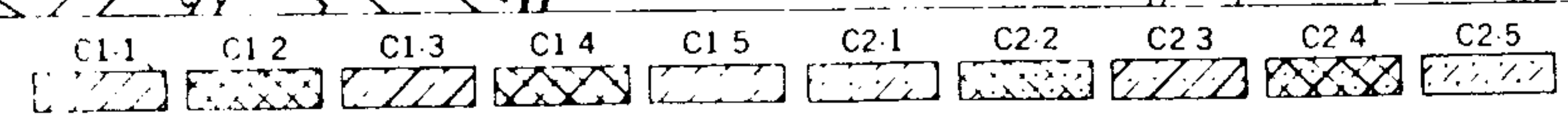
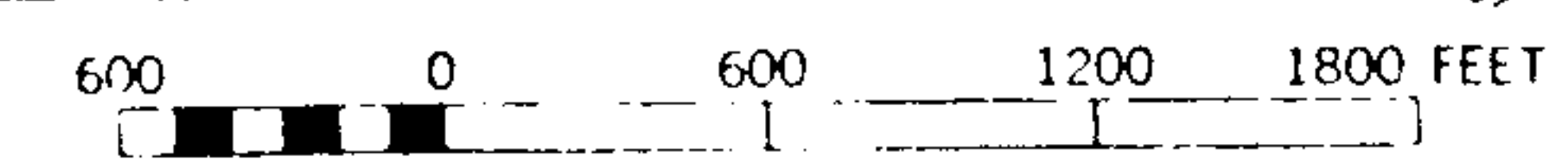
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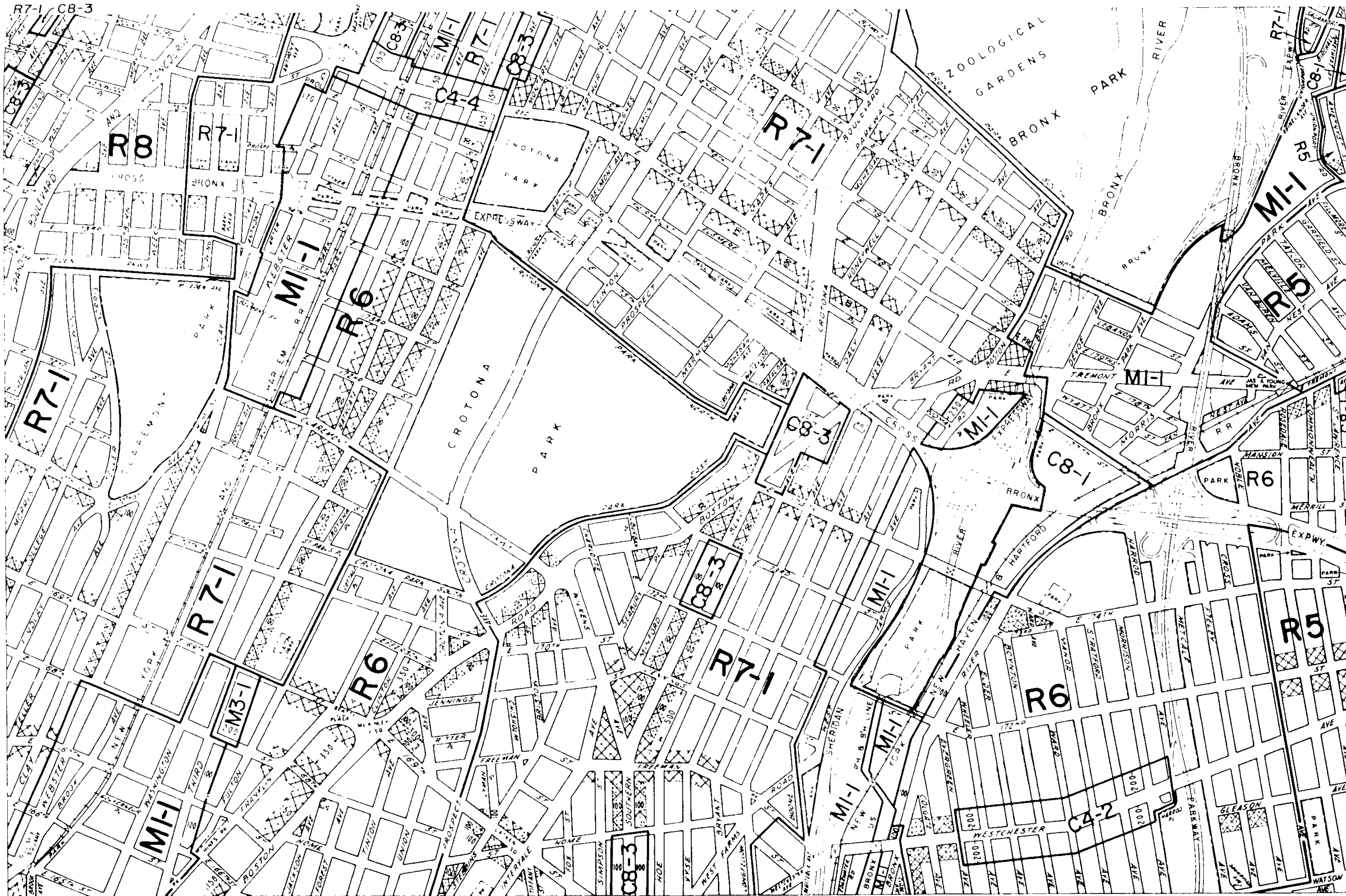
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3b	3d	4b

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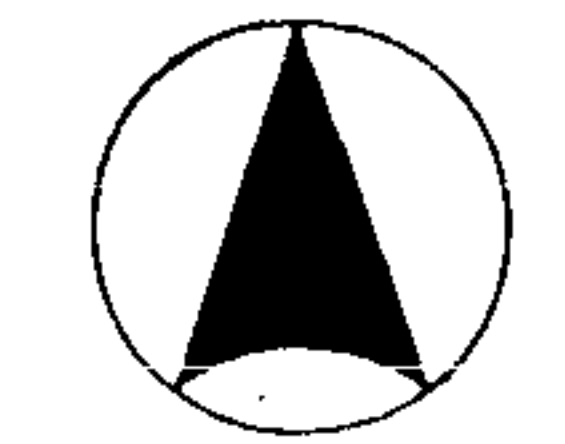




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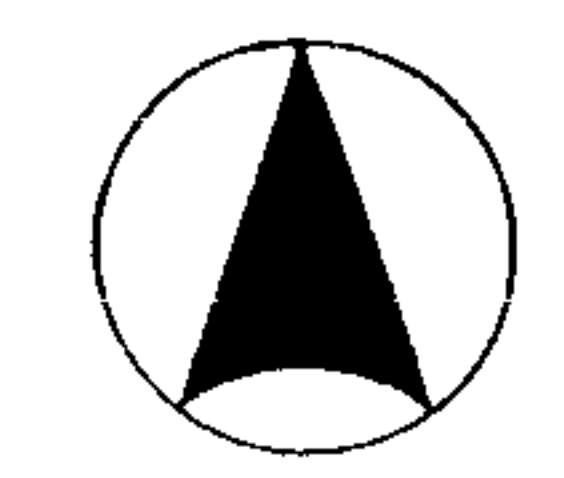
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4a

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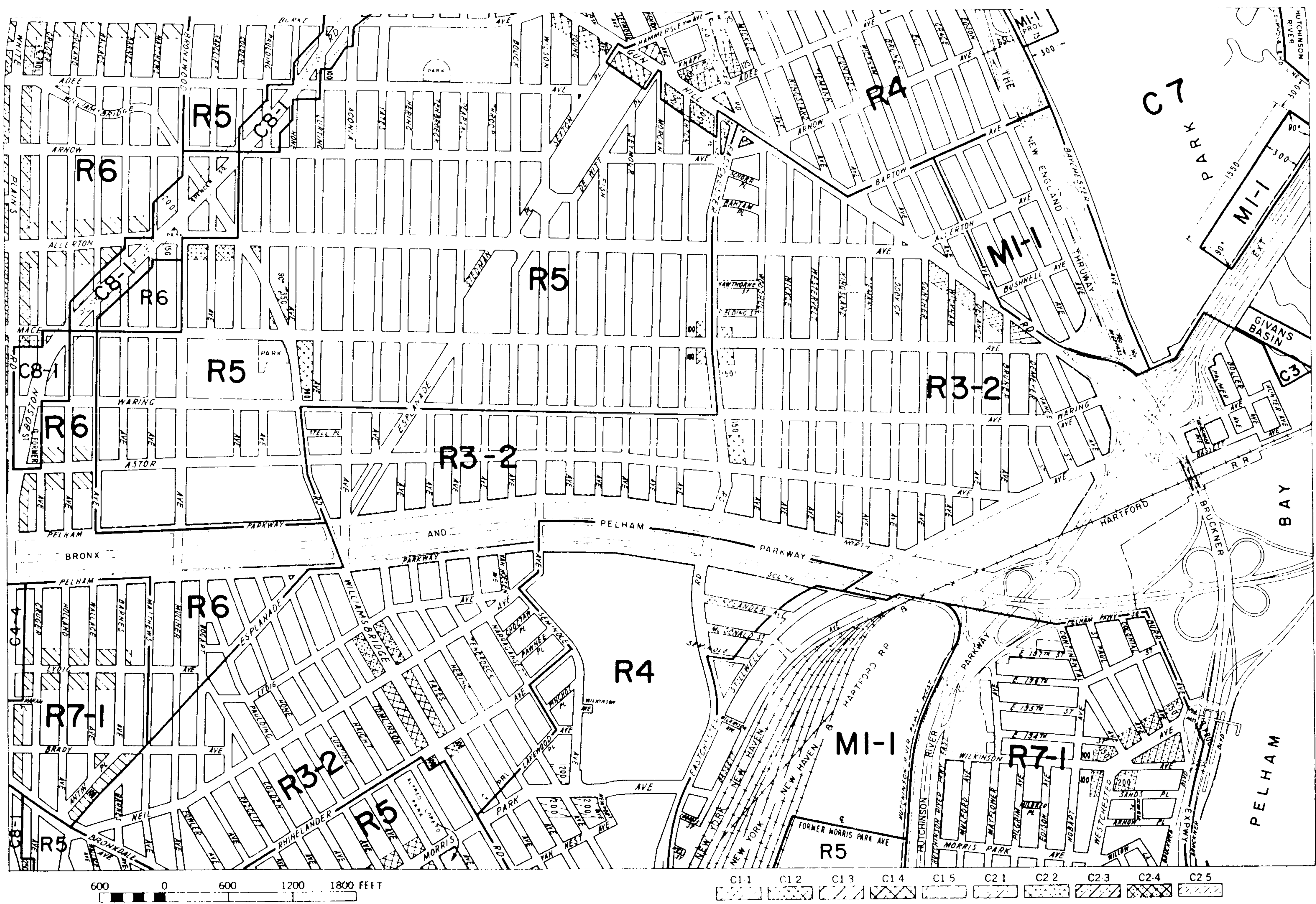
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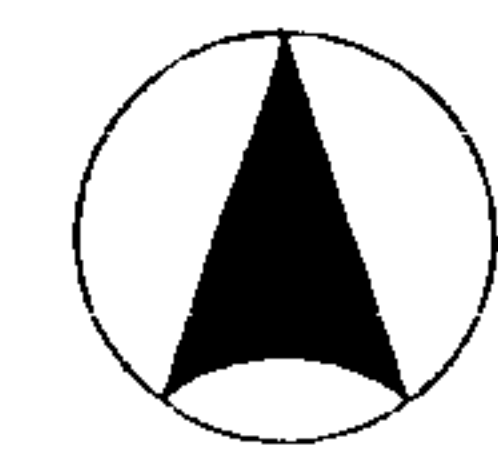


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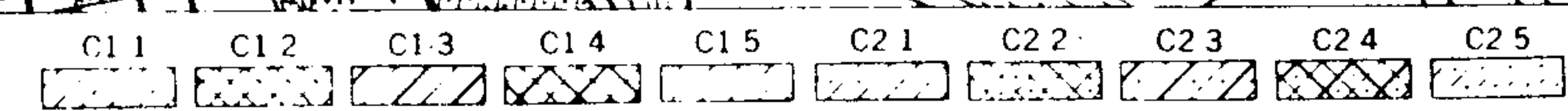
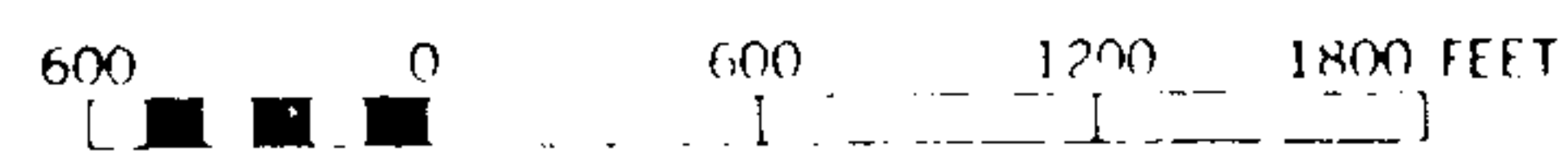
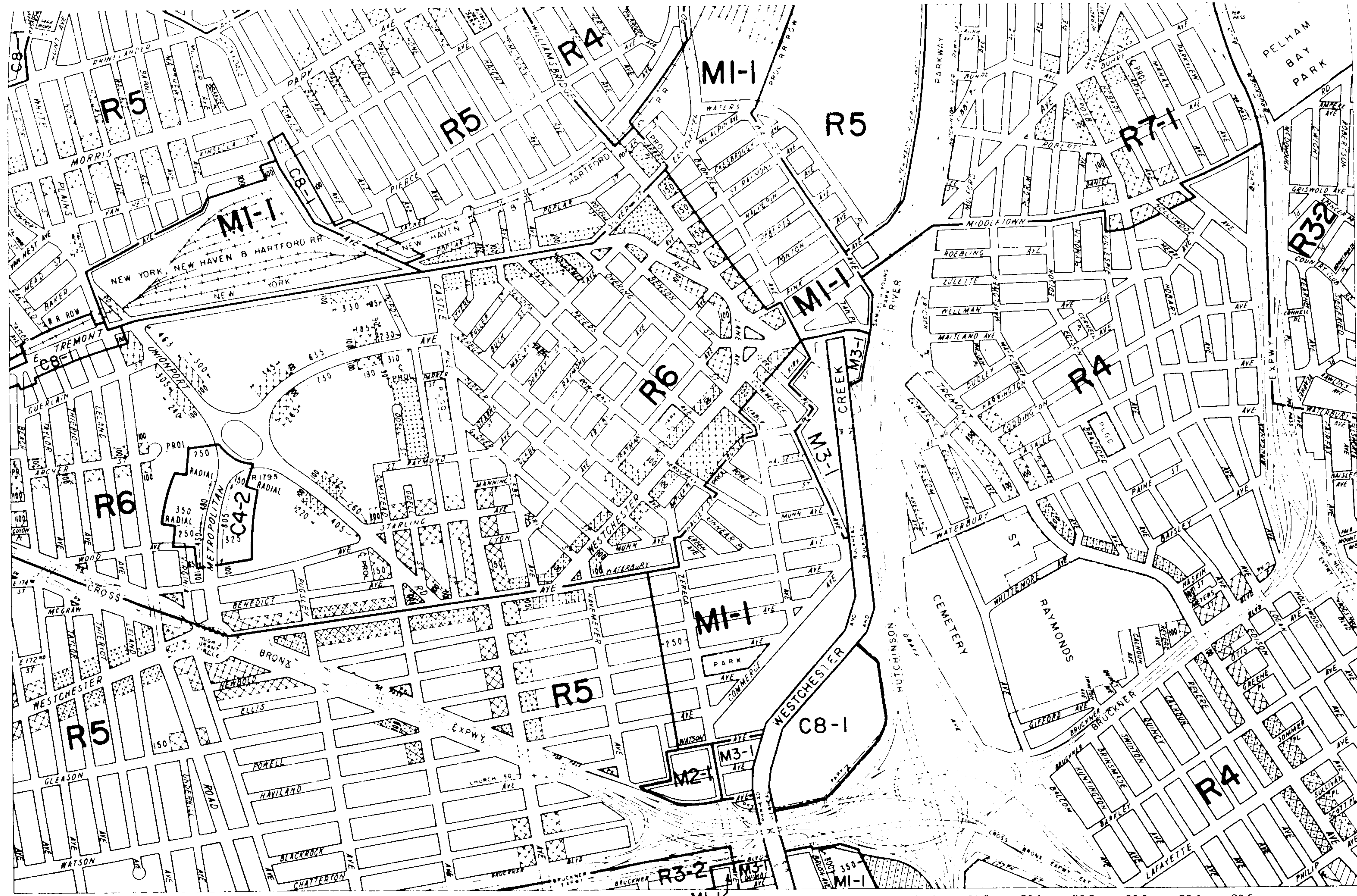
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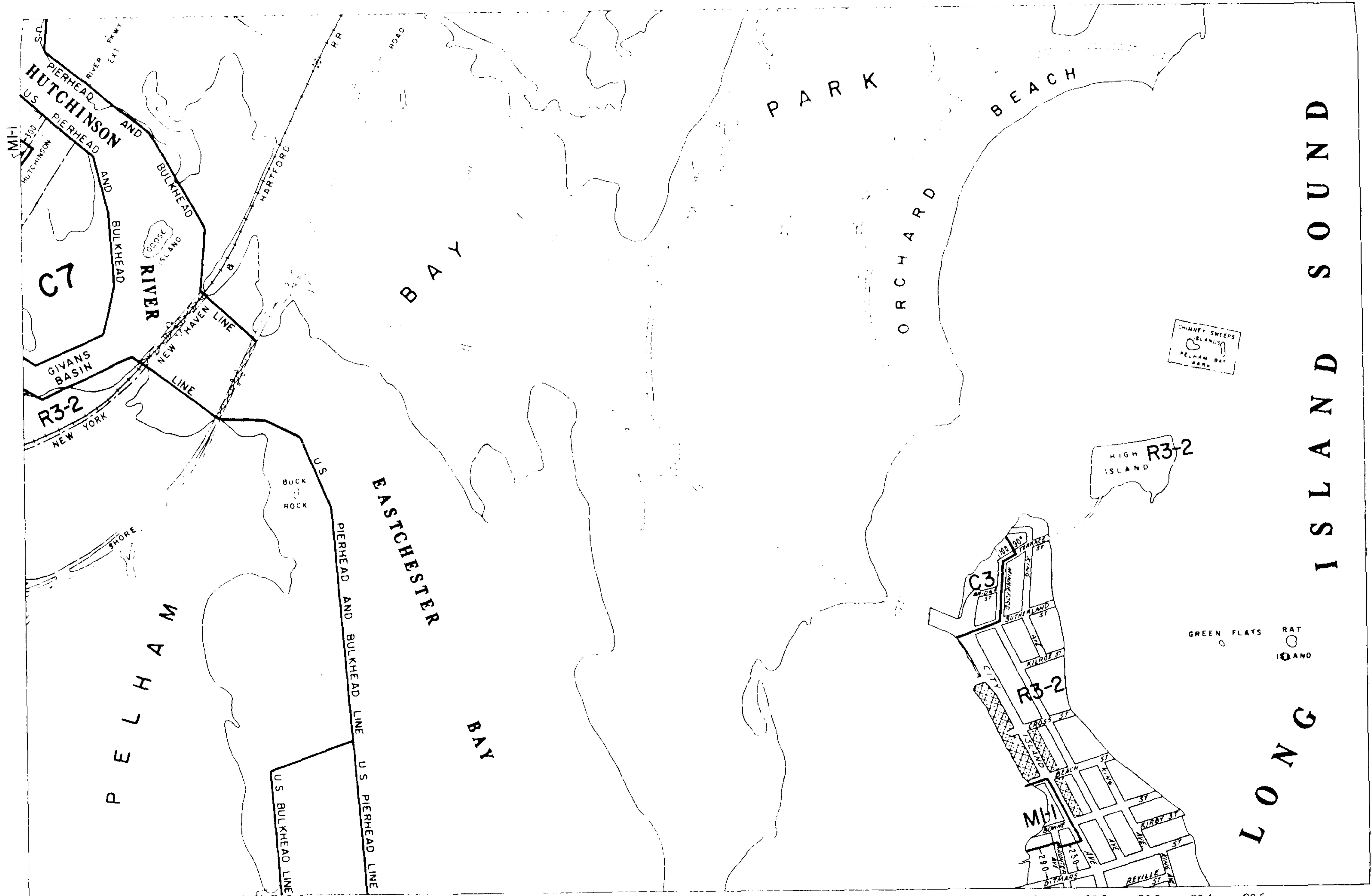
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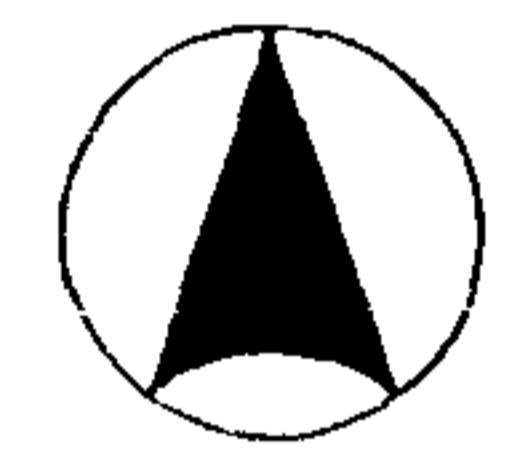




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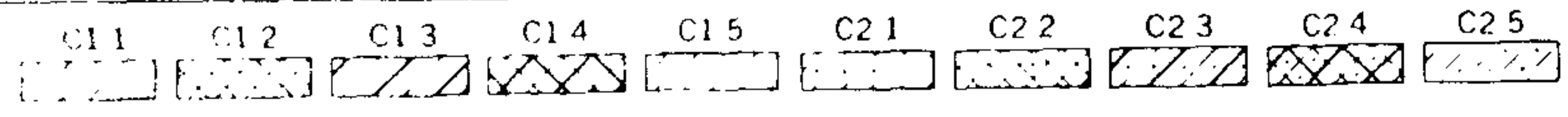
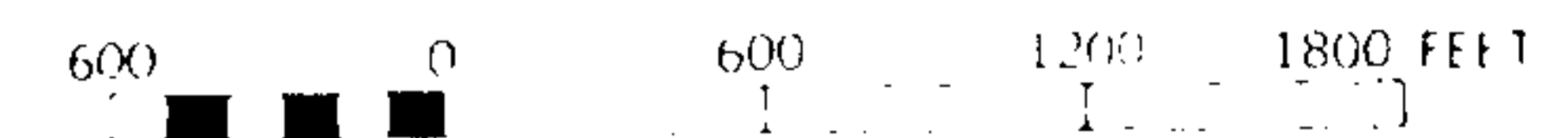
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CITY PLANNING COMMISSION  
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4a	<b>4c</b>	
4b	4d	

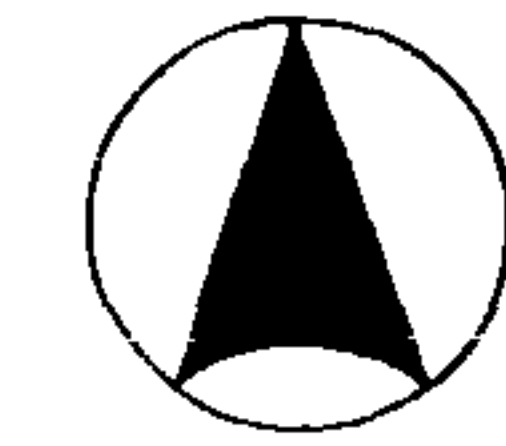
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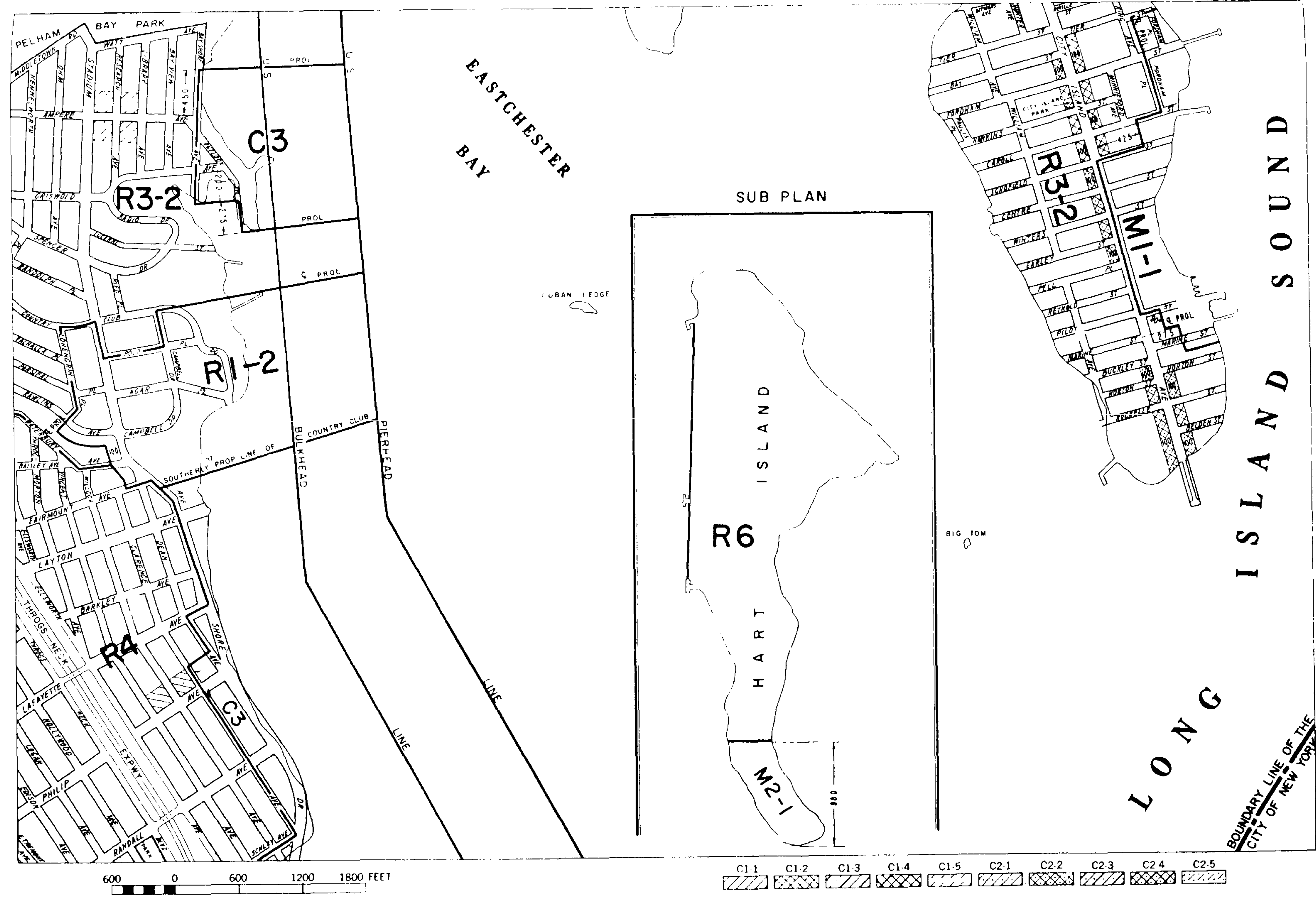
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4a	4c	
4b	<b>4d</b>	
7a	7c	

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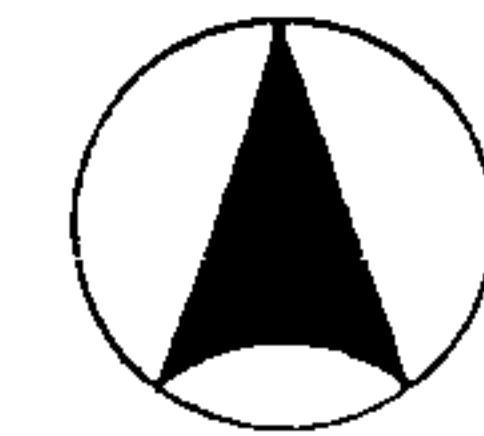


5c

# ZONING MAP

CITY PLANNING COMMISSION

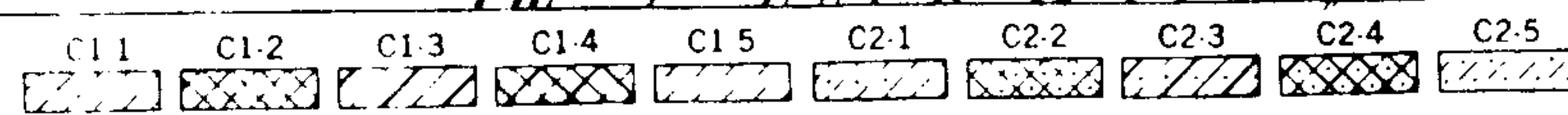
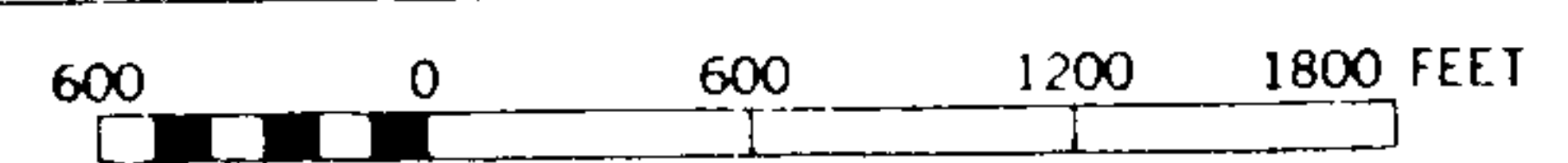
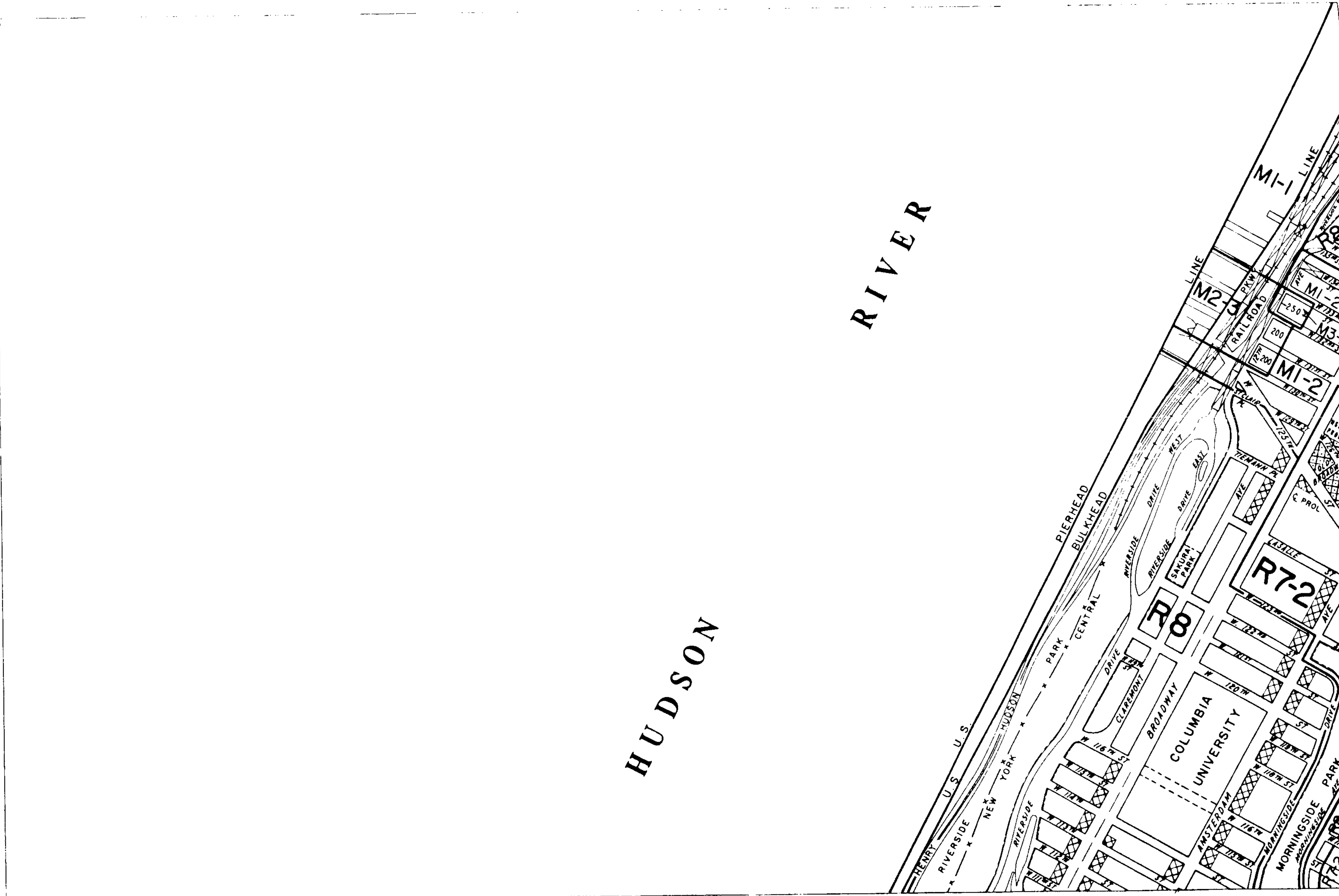
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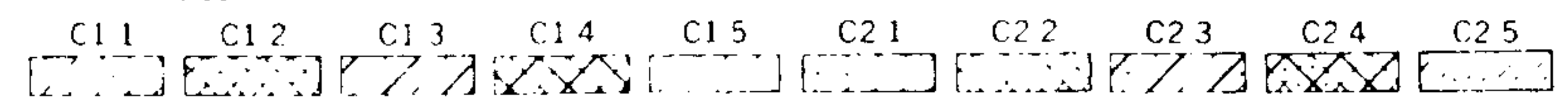
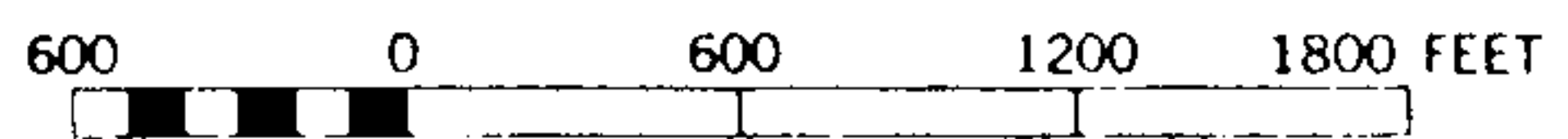
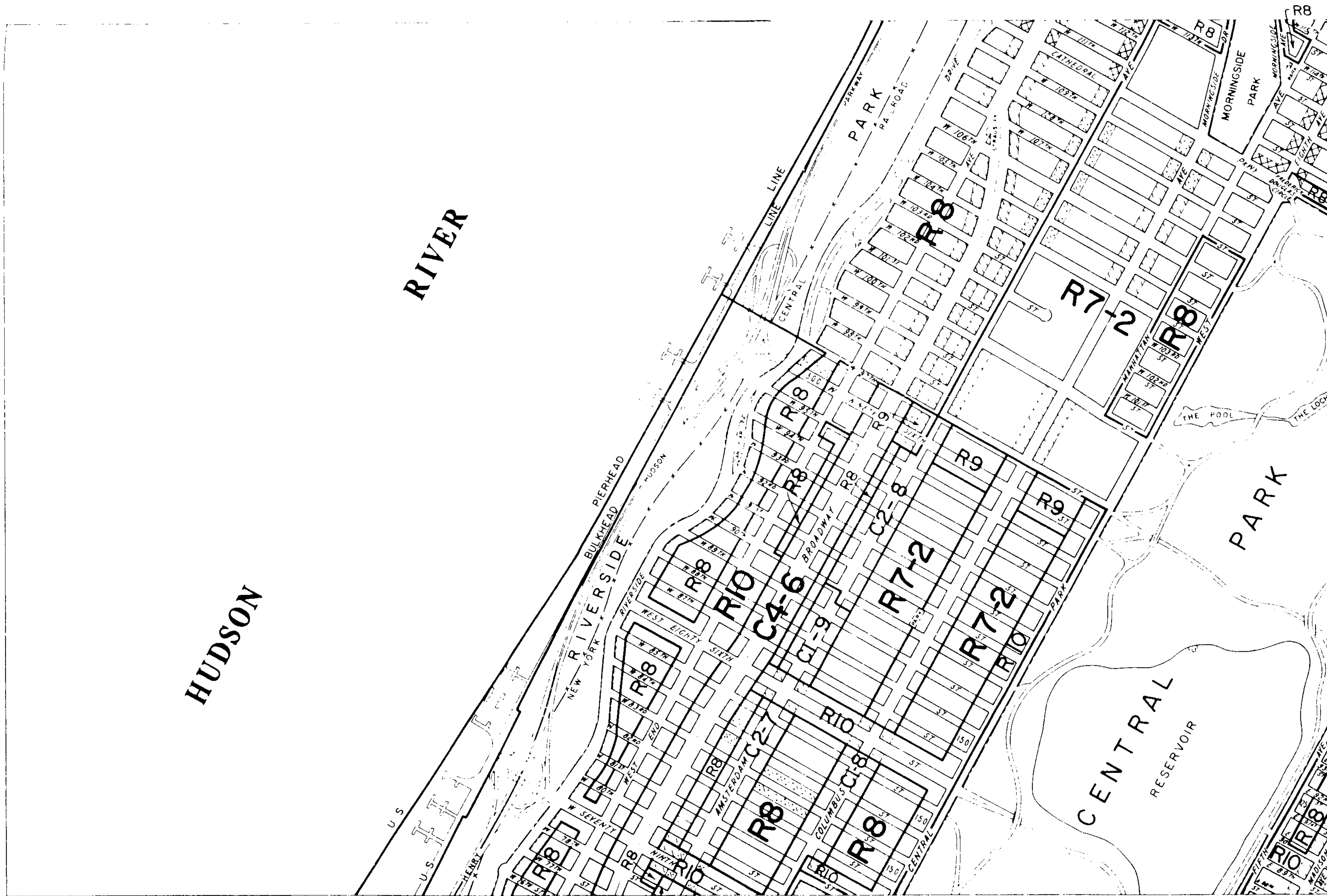


	5c	6a
	5d	6b

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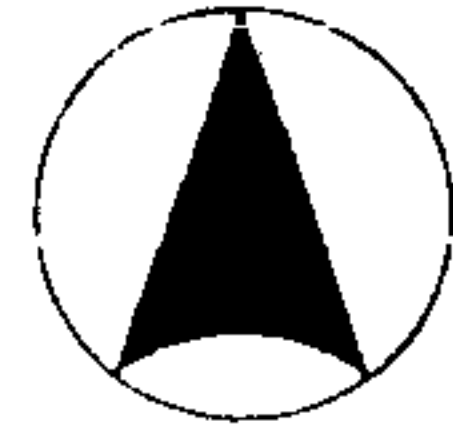




5d

# ZONING MAP

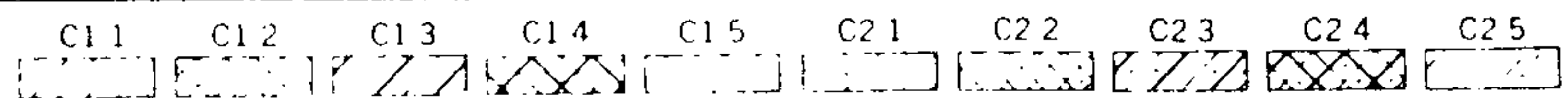
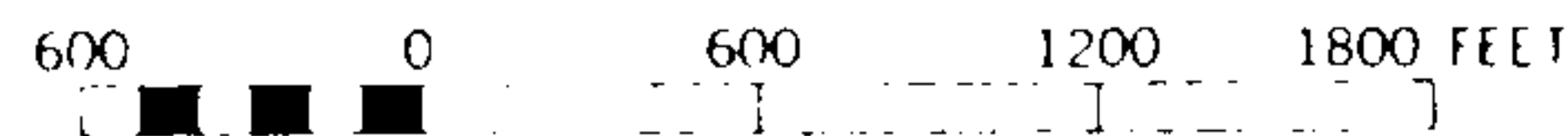
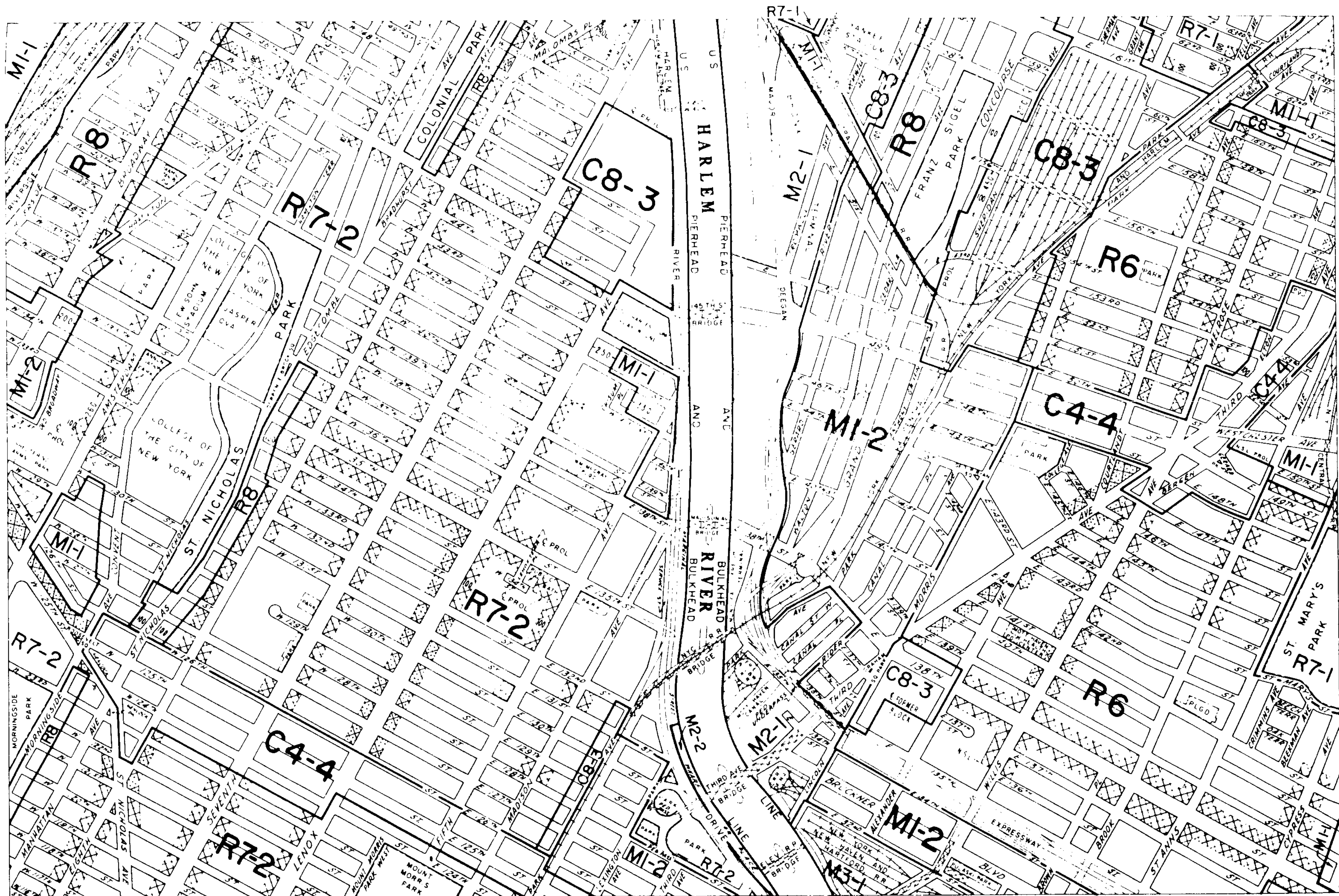
CITY PLANNING COMMISSION  
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	5c	6a
	<b>5d</b>	6b
8a	8c	9a

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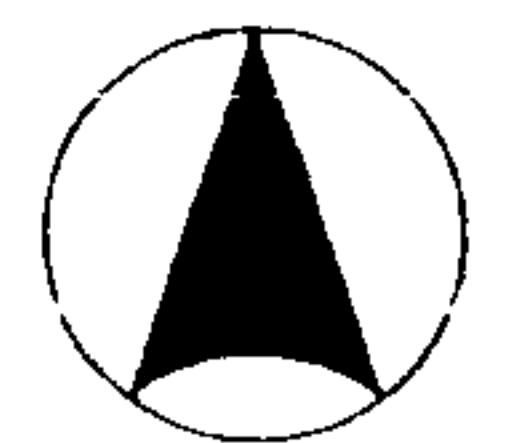




6a

# ZONING MAP

CITY PLANNING COMMISSION  
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	3b	3d
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5d	6b	6d

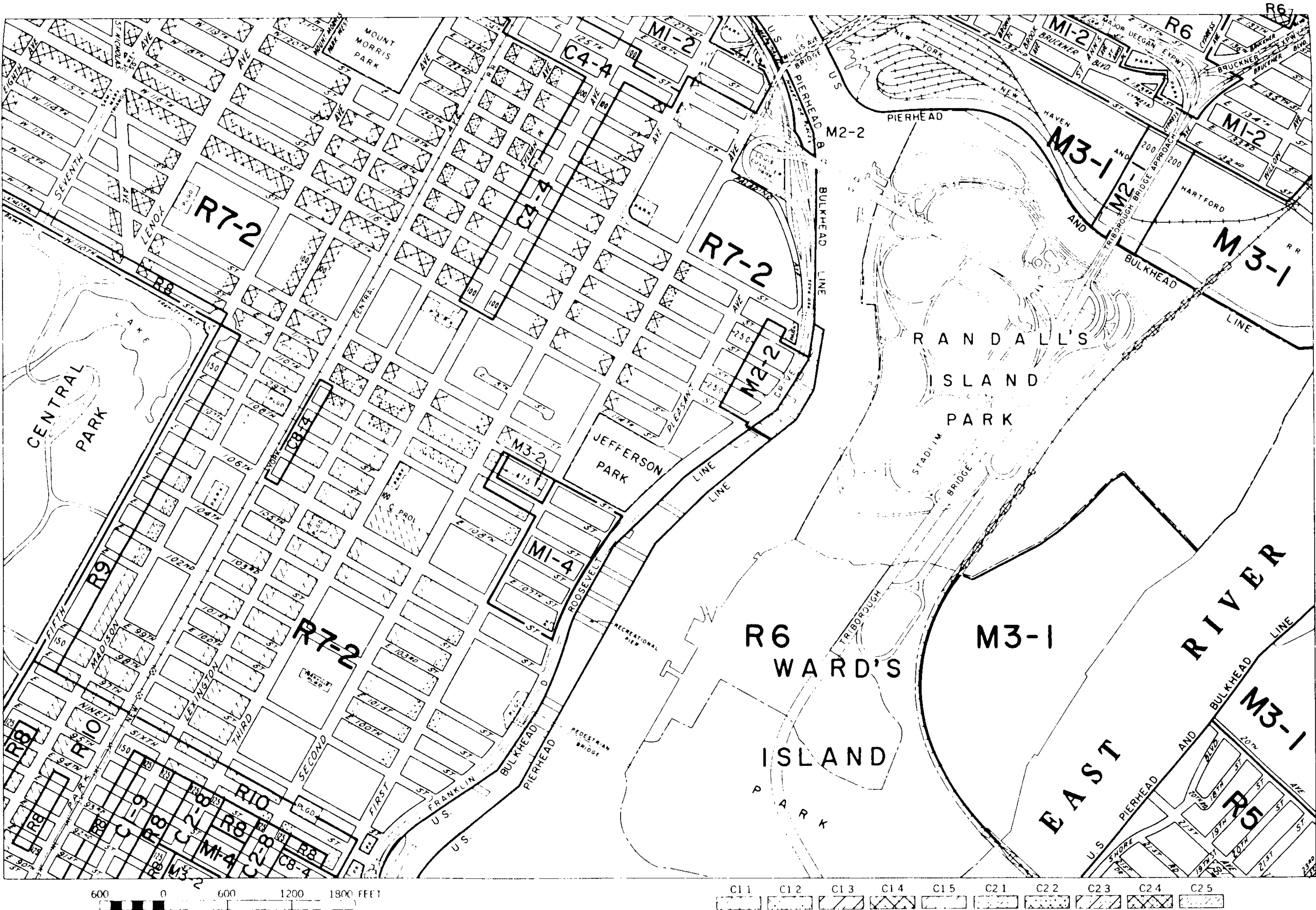
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**ZONING MAP**  
CITY PLANNING COMMISSION  
THE CITY OF NEW YORK



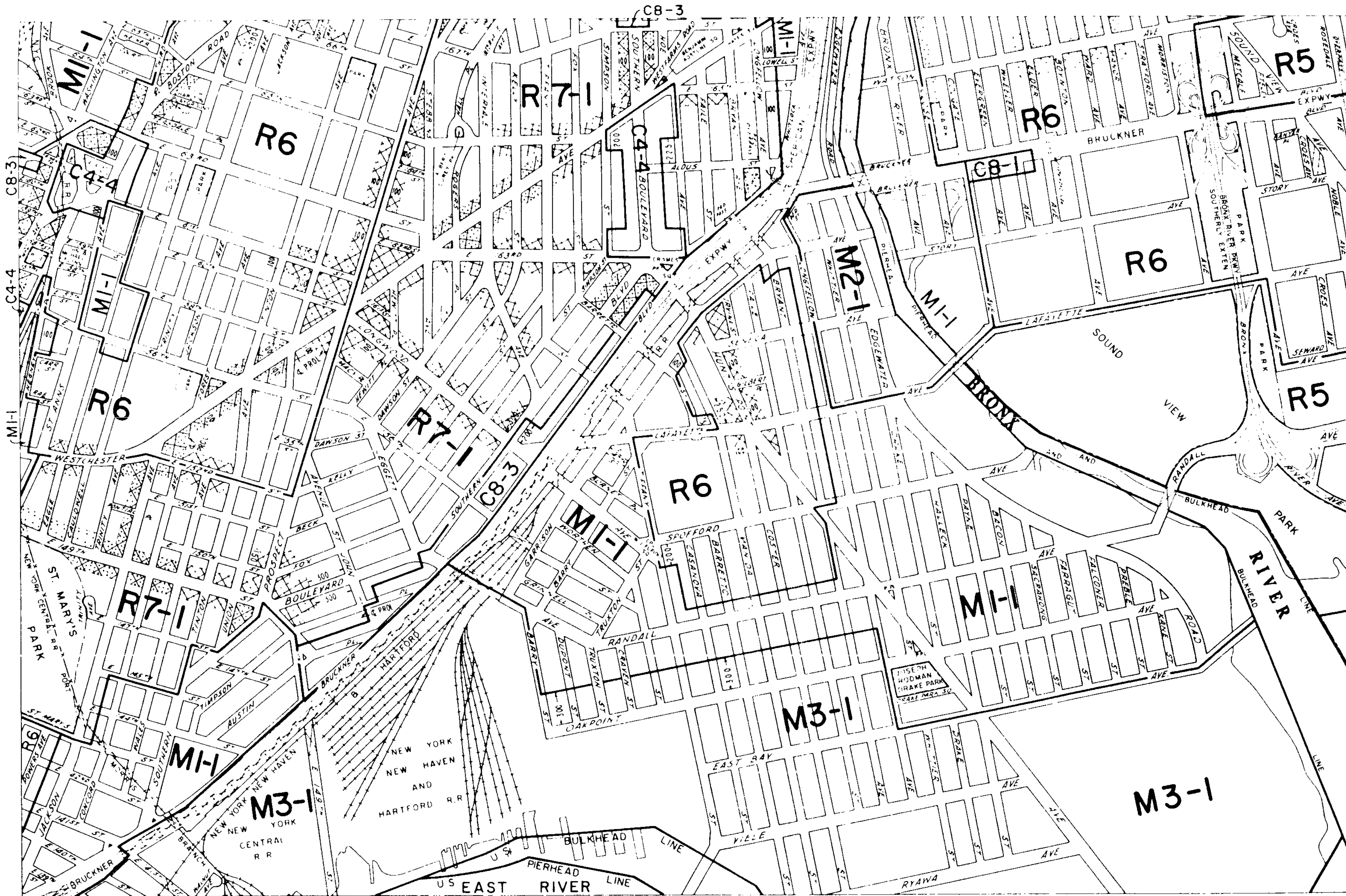
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5d	<b>6b</b>	6d
8c	9a	9c

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600 0 600 1200 1800 FEET

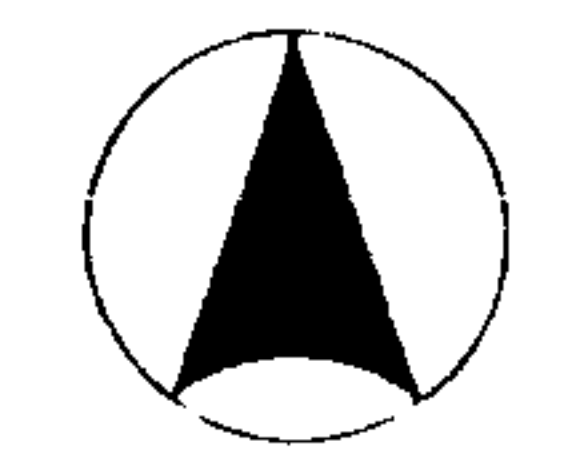
C11 C12 C13 C14 C15 C21 C22 C23 C24 C25



6c

# ZONING MAP

CITY PLANNING COMMISSION  
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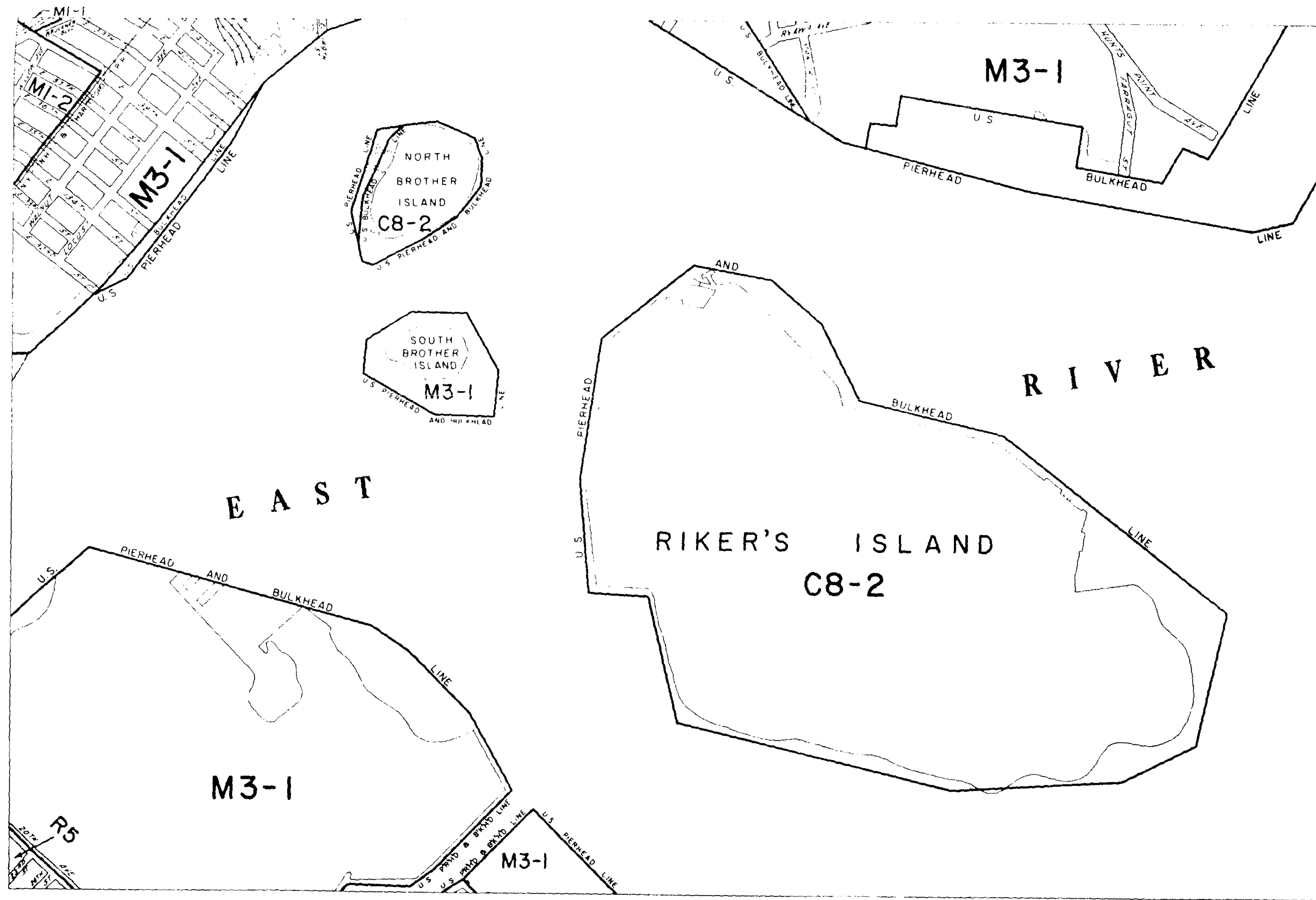


3b	3d	4b
6a	<b>6c</b>	7a
6b	6d	7b

600 0 600 1200 1800 FEET

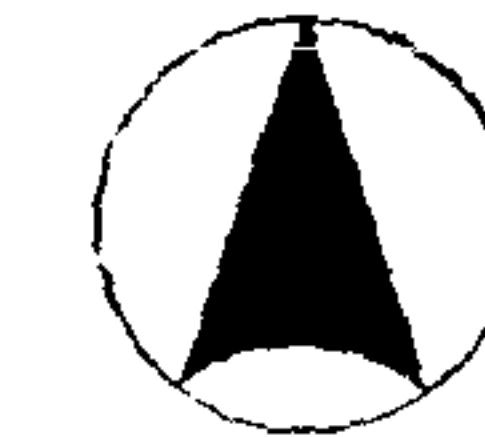
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EFFECTIVE: DECEMBER 15, 1961

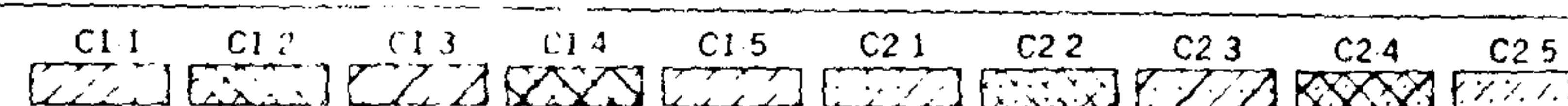
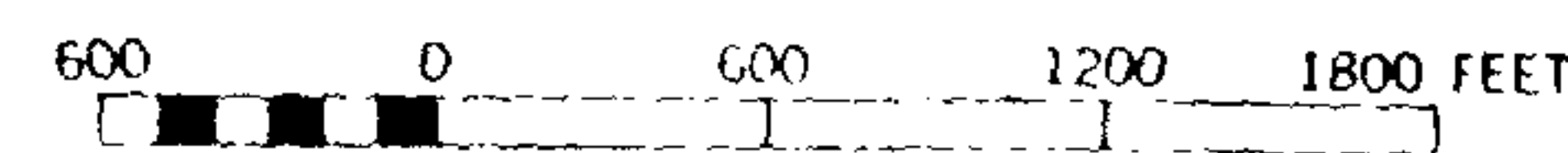


6d

**ZONING MAP**  
CITY PLANNING COMMISSION  
THE CITY OF NEW YORK



6a	6c	7a
6b	<b>6d</b>	7b
9a	9c	10a

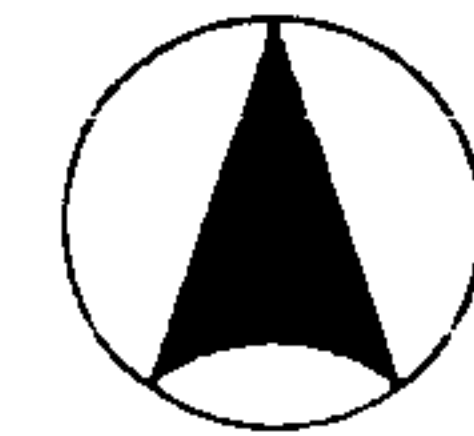


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7a

# ZONING MAP

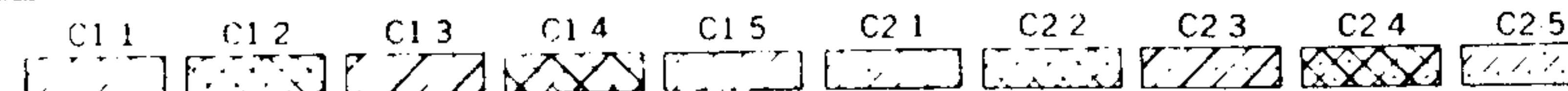
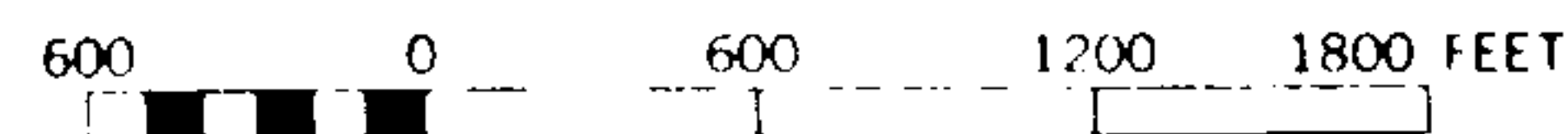
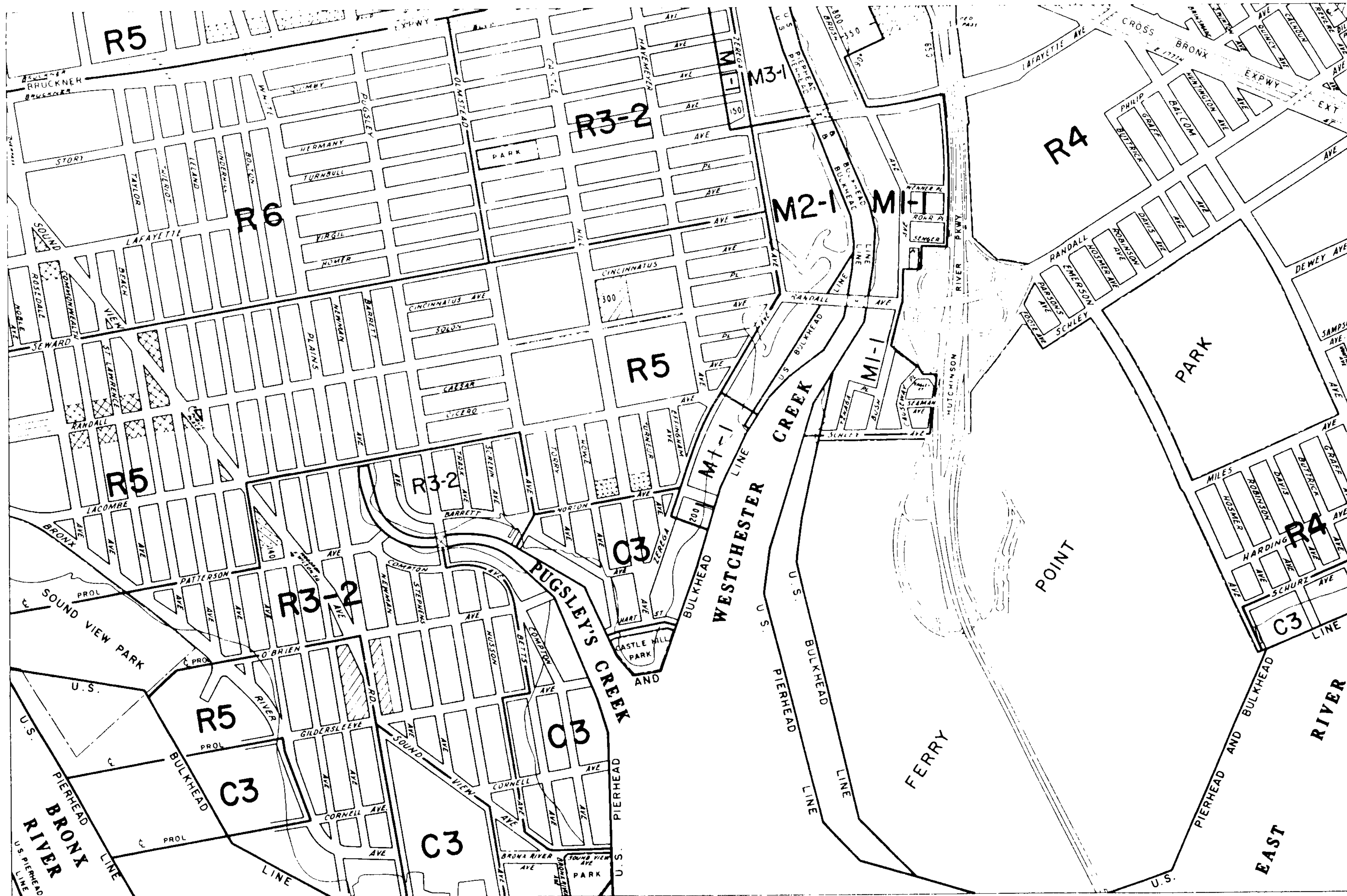
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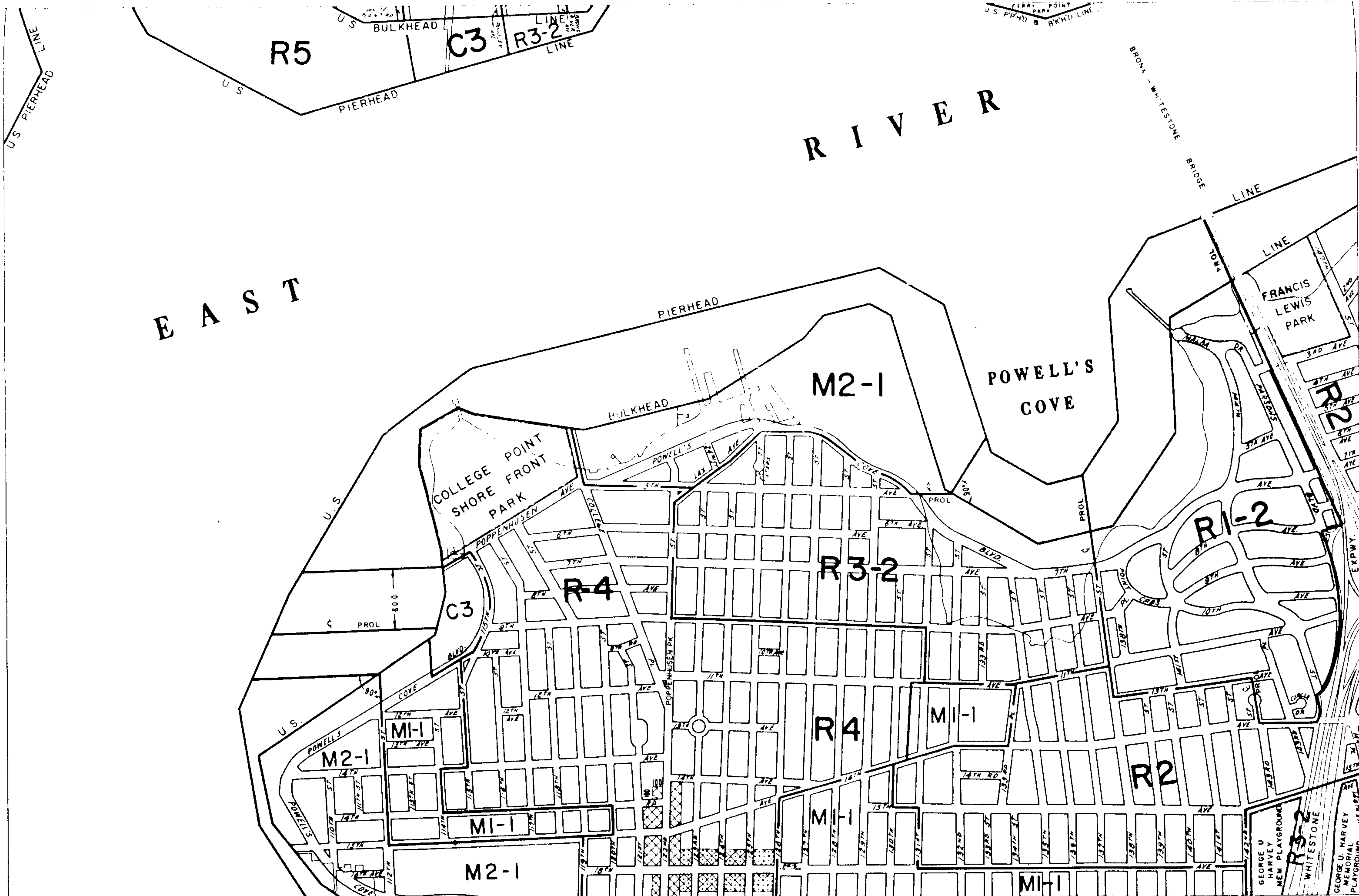


3d	4b	4d
6c	<b>7a</b>	7c
6d	7b	7d

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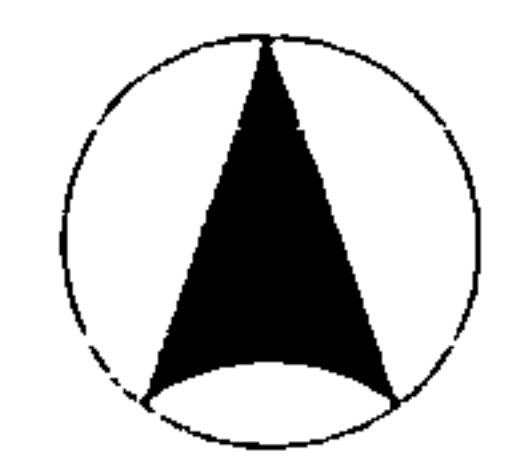




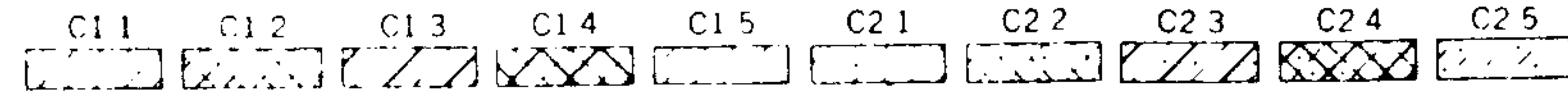
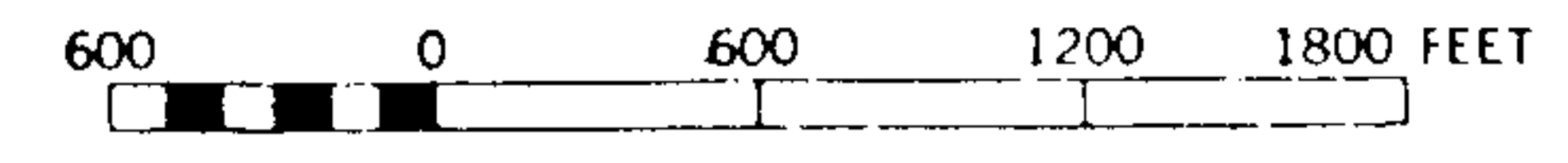
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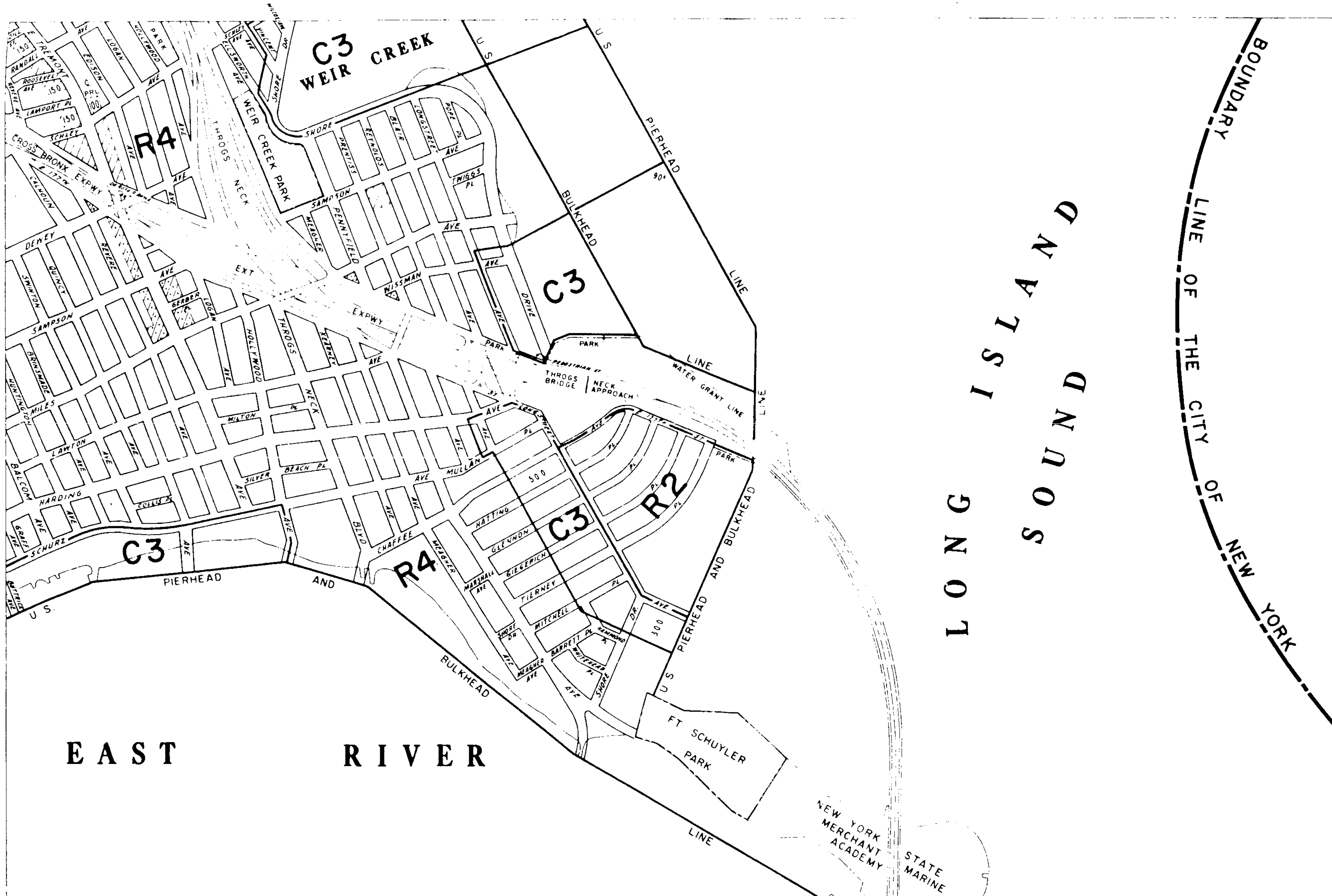
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6c	7a	7c
6d	<b>7b</b>	7d
9c	10a	10c



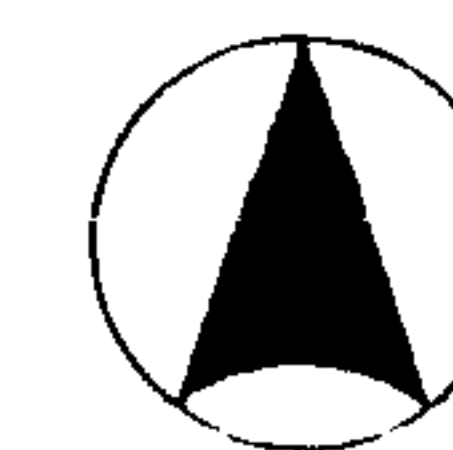
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7c

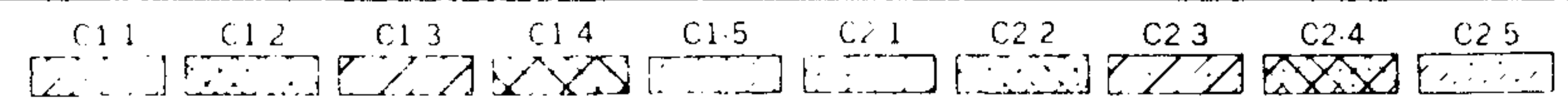
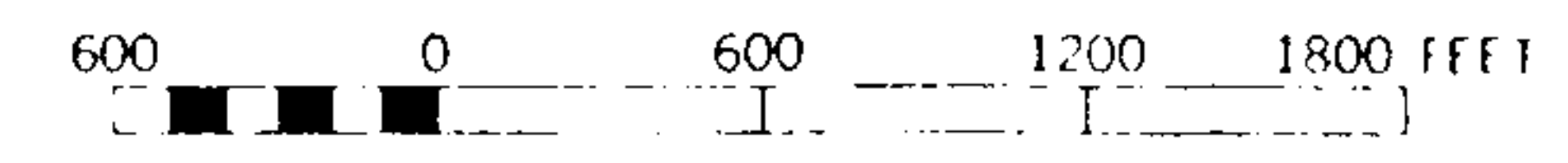
# ZONING MAP

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4b	4d	
7a	<b>7c</b>	
7b	7d	

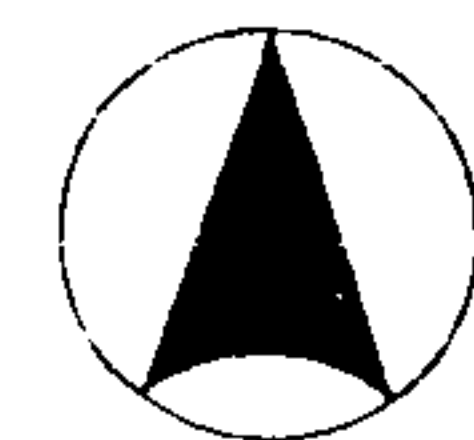
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7d

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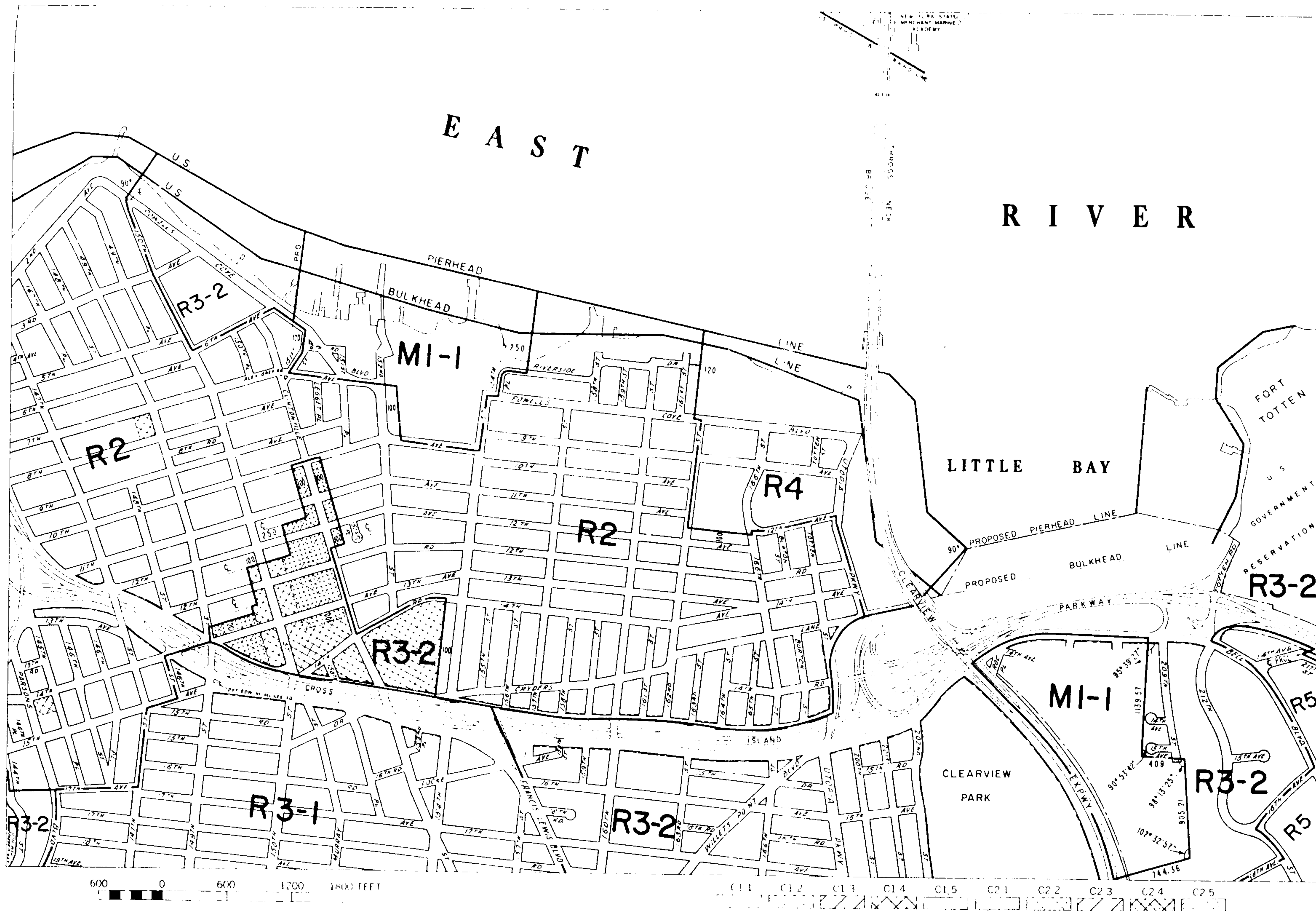
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7a	7c	
7b	<b>7d</b>	
10a	10c	11a

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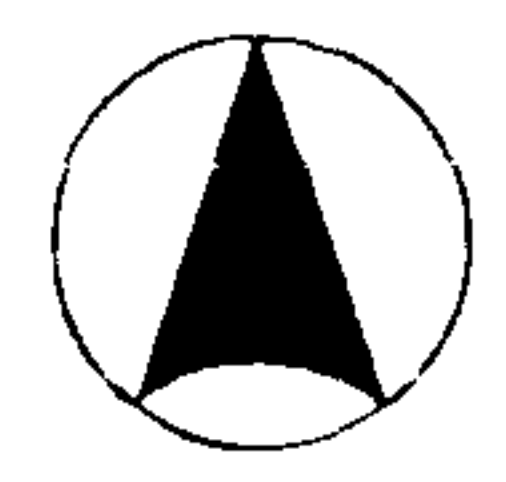




8a

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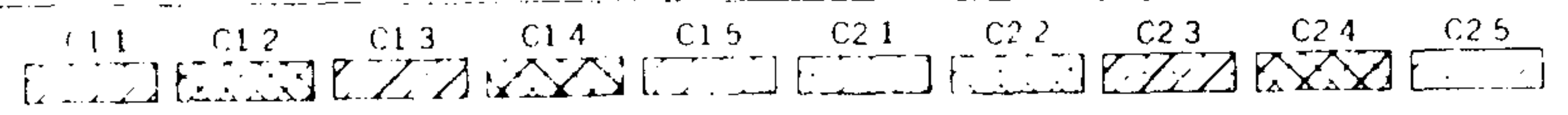
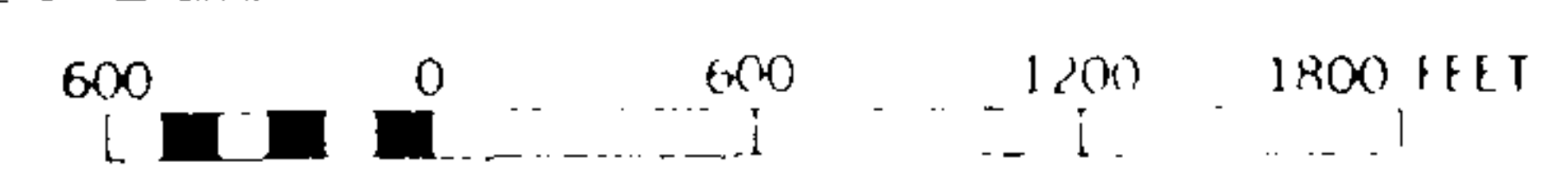
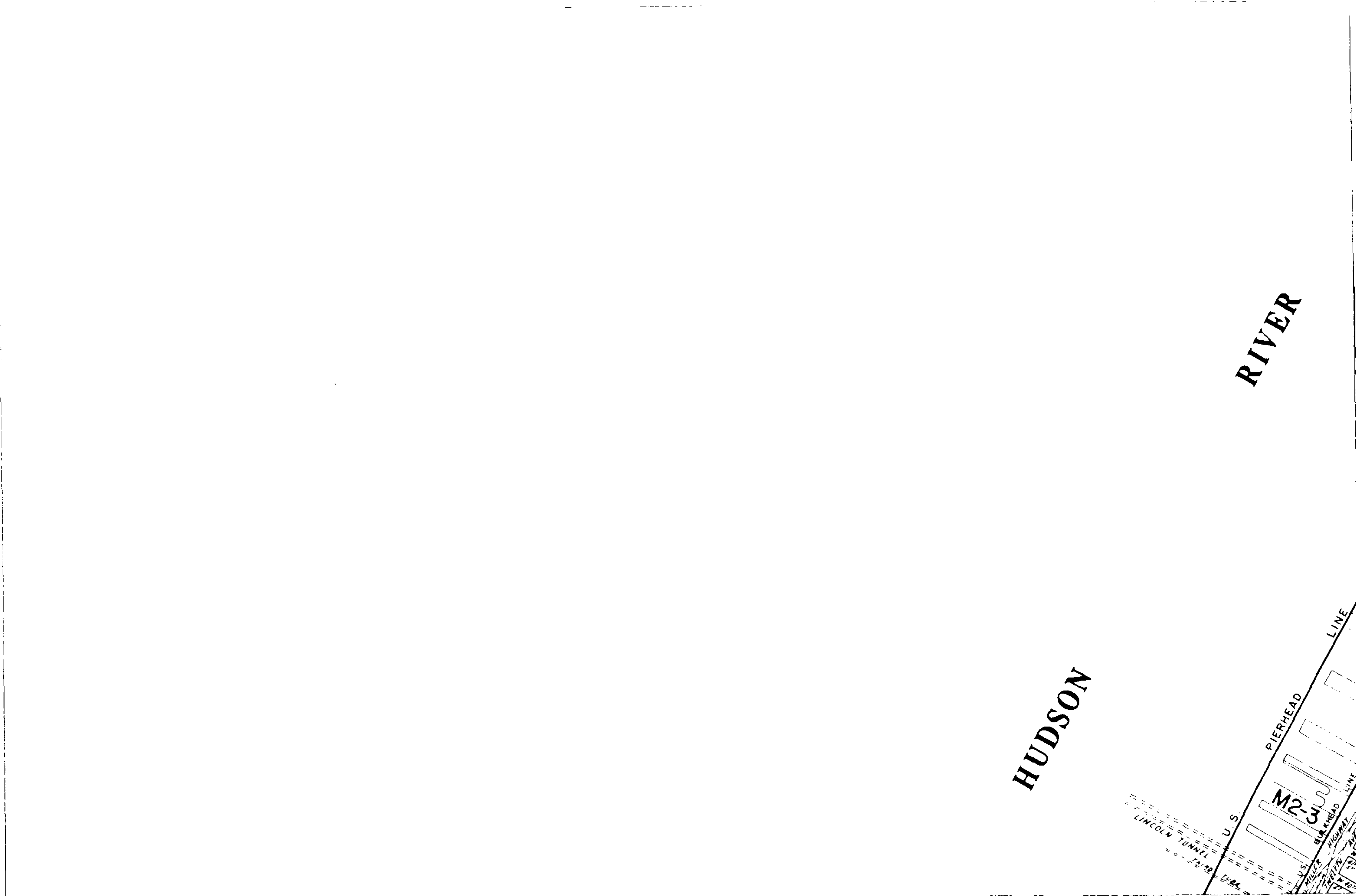
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		5d
	<b>8a</b>	8c
	8b	8d

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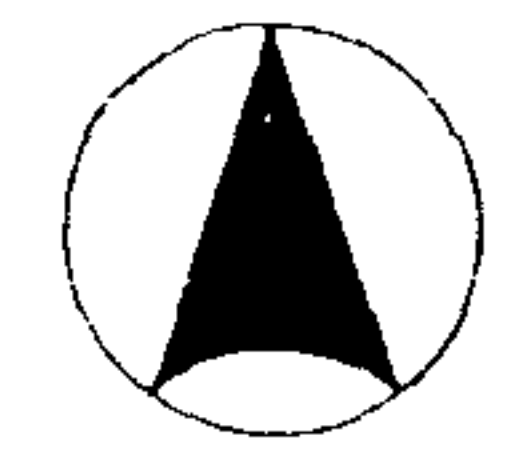
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8b

# ZONING MAP

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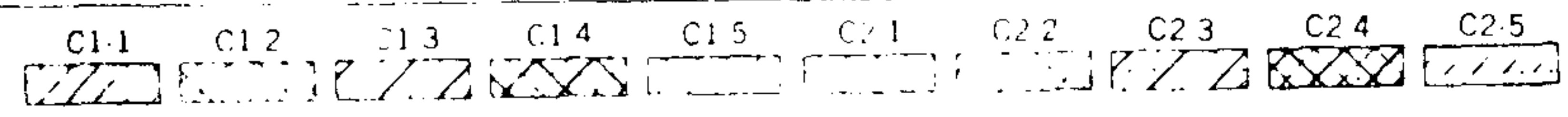
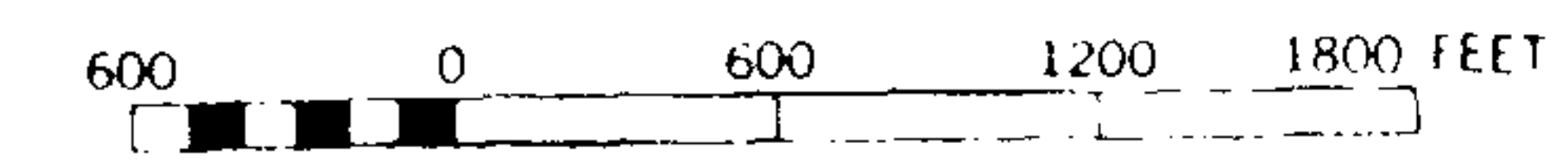
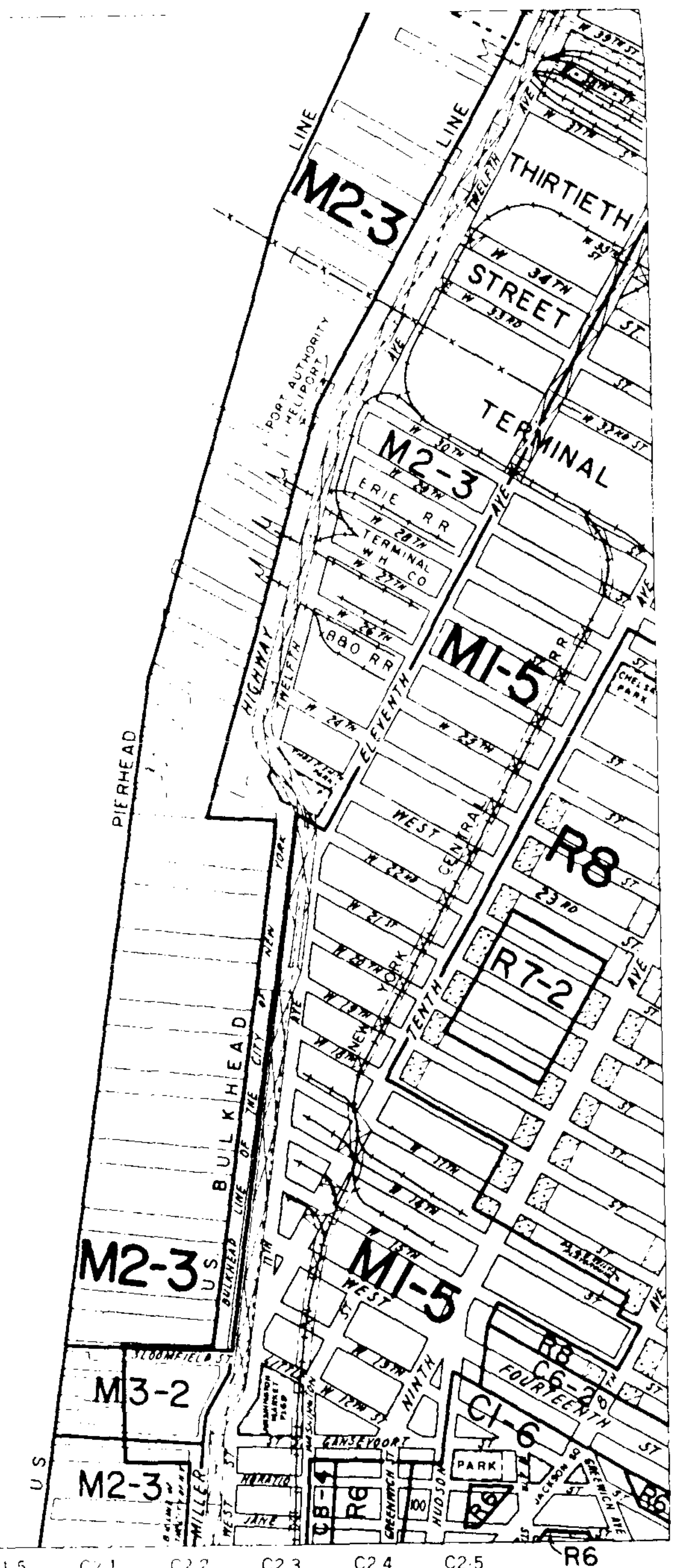
	8a	8c
	<b>8b</b>	8d
	12a	12c

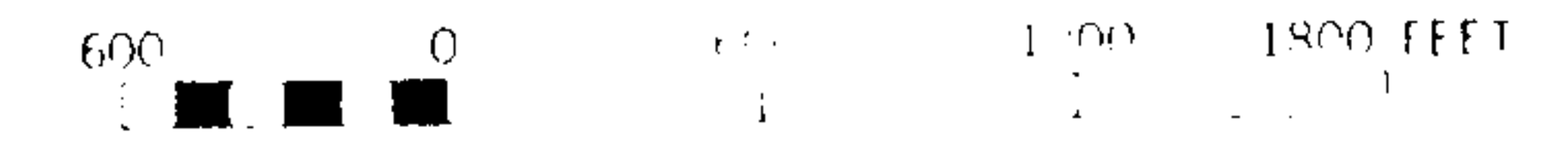
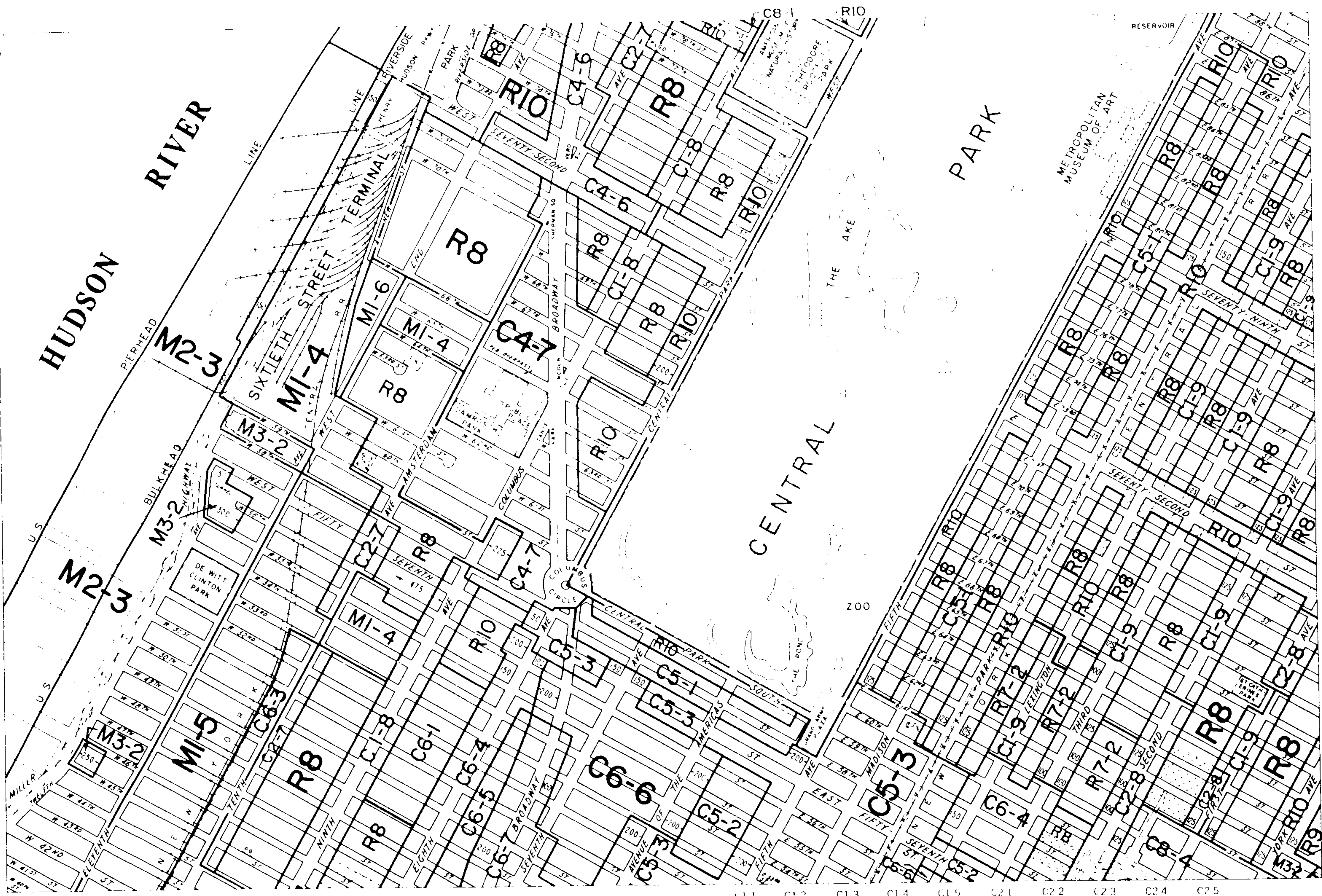
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RIVER

HUDSON

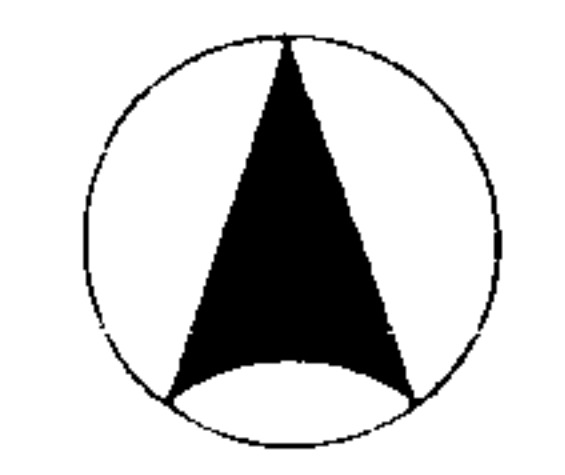




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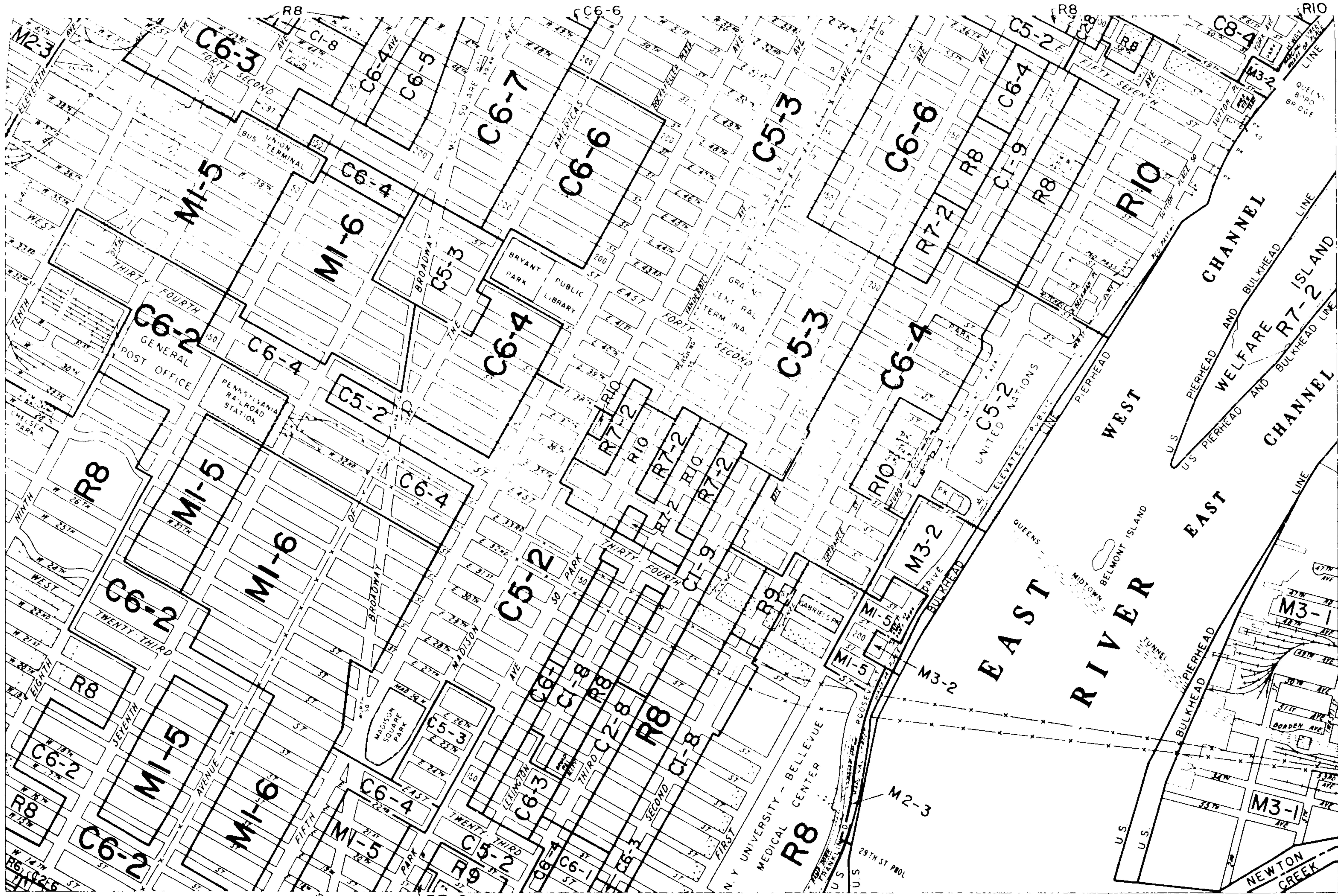
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	5d	6b
8a	<b>8c</b>	9a
8b	8d	9b

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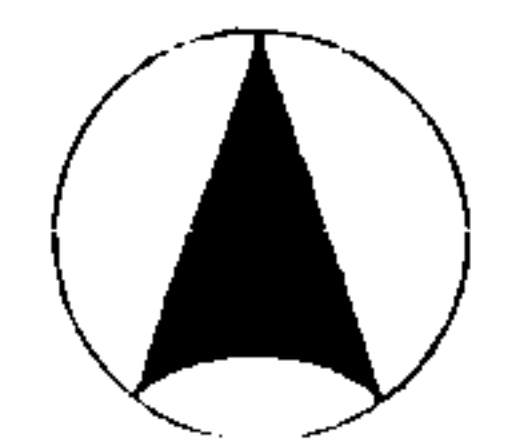
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8d

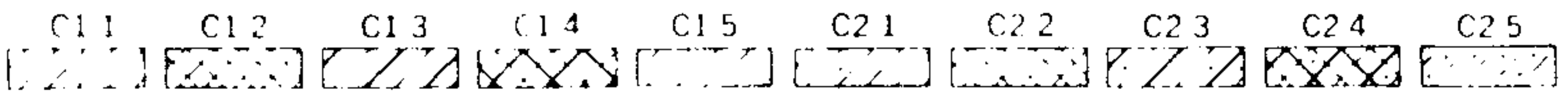
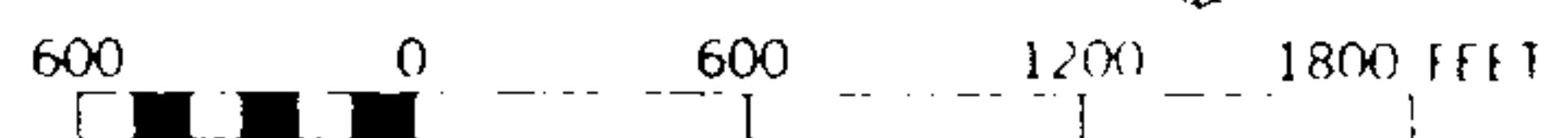
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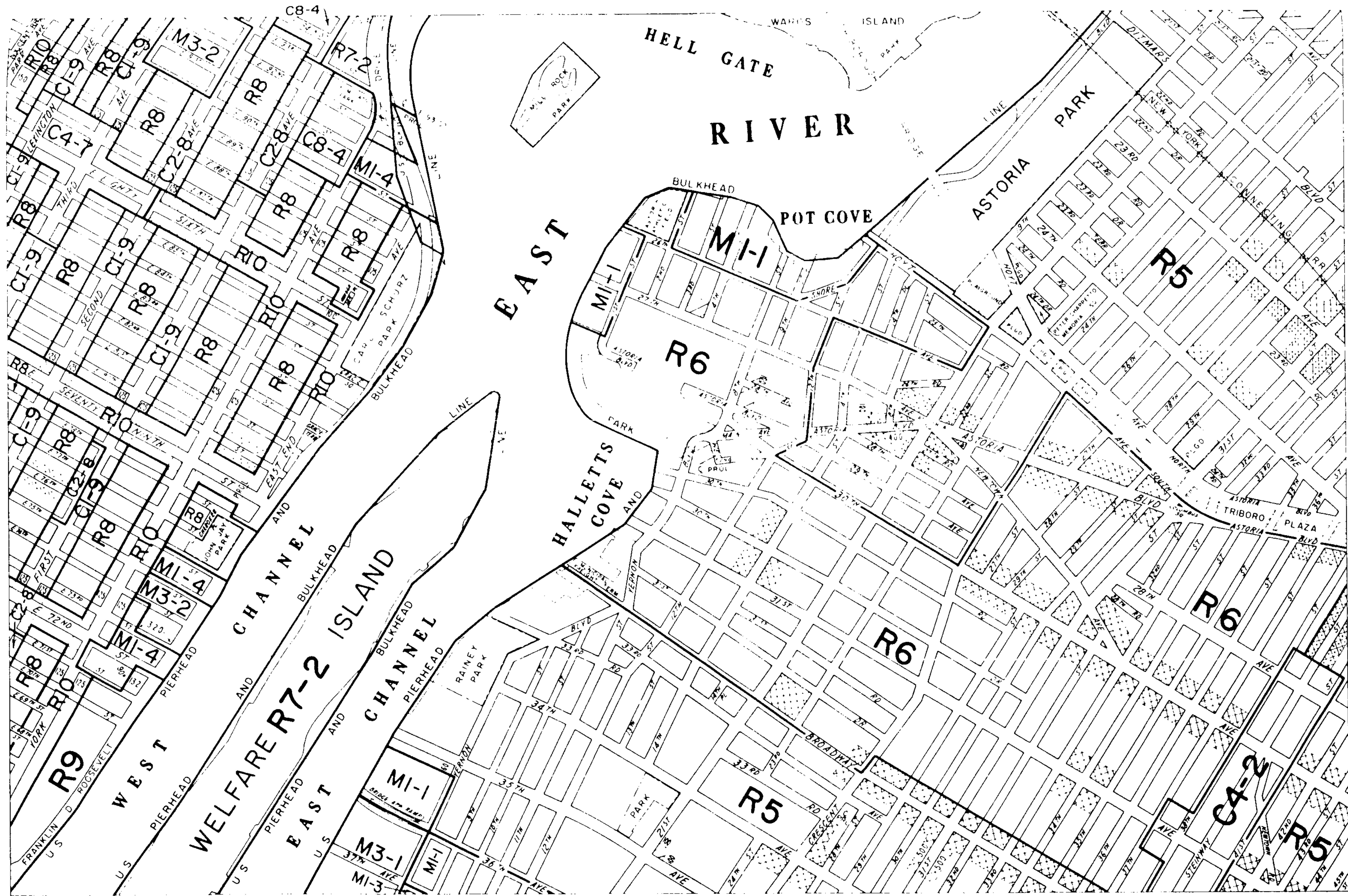
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8a	8c	9a
8b	<b>8d</b>	9b
12a	12c	13a

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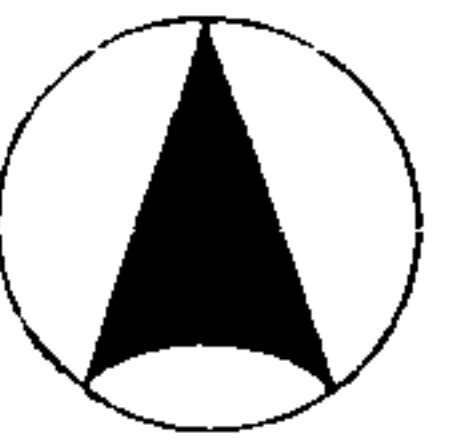




9a

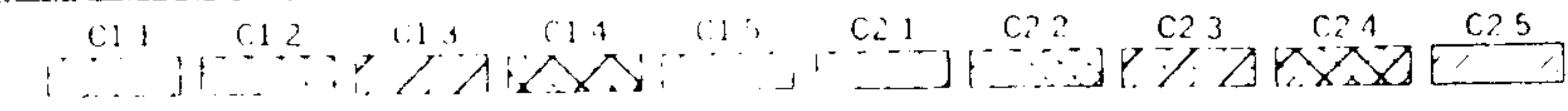
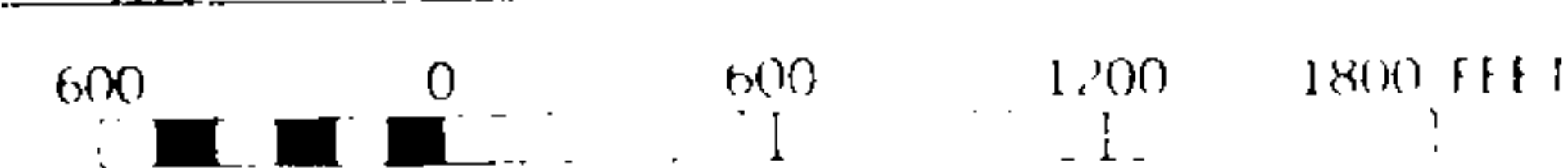
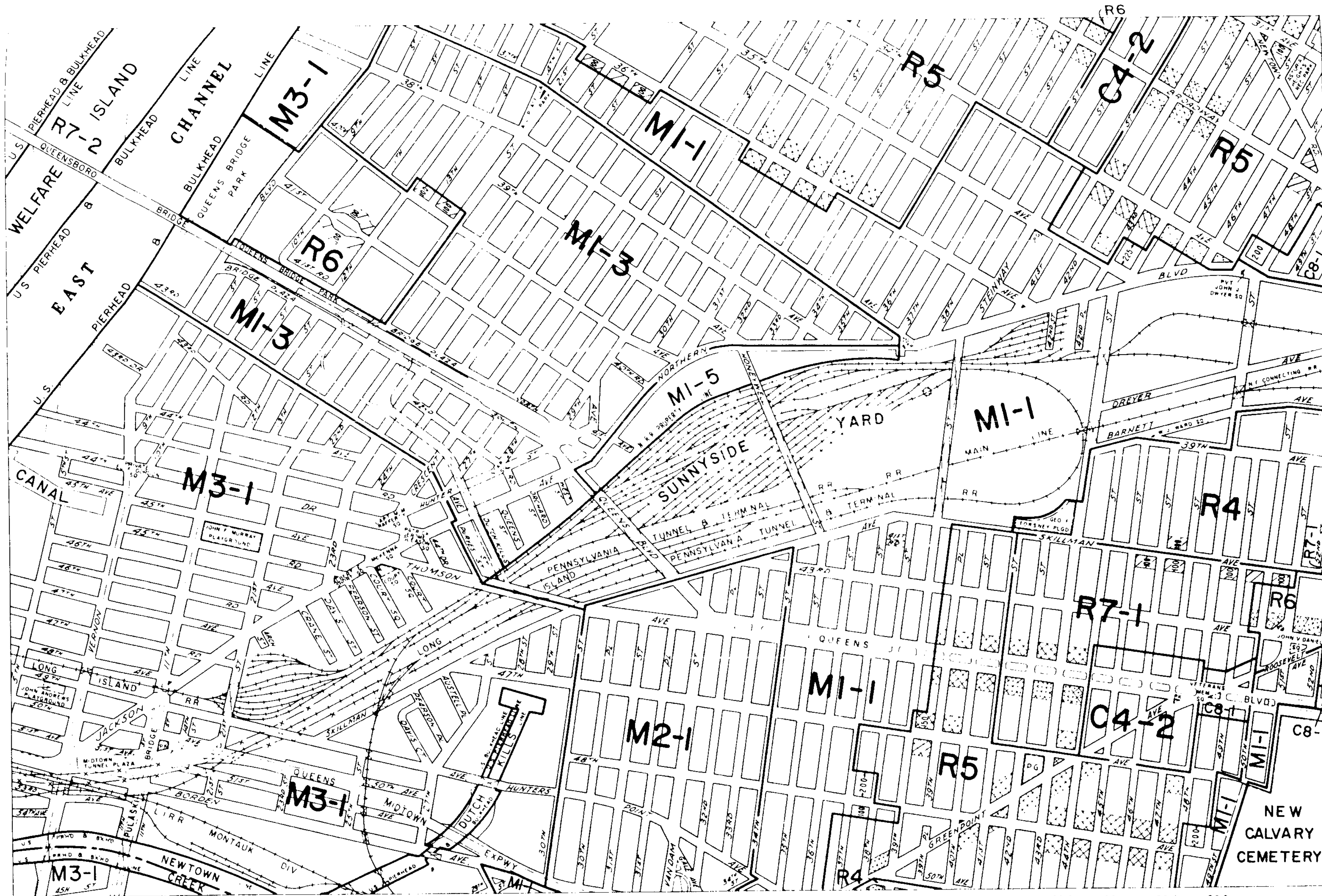
# ZONING MAP

CITY PLANNING COMMISSION  
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5d	6b	6d
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8d	9b	9d

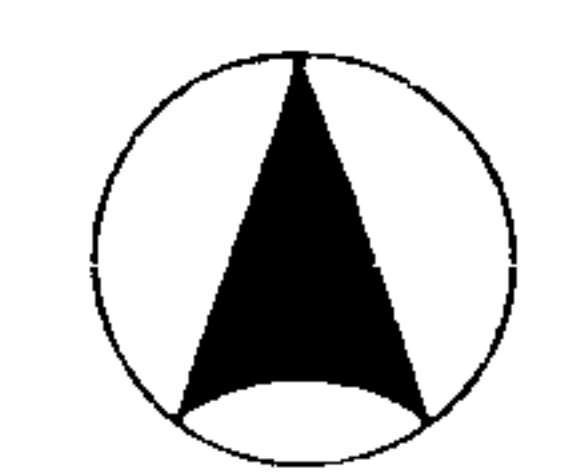
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9b

# ZONING MAP

CITY PLANNING COMMISSION  
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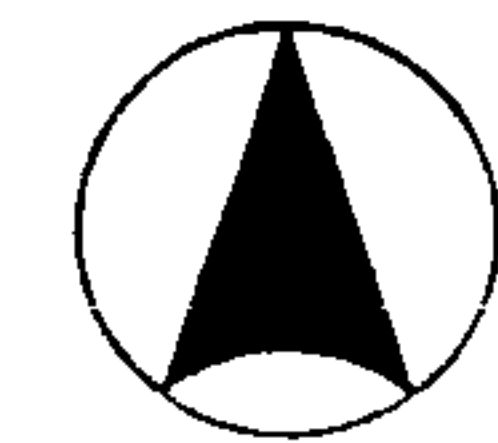
8c	9a	9c
8d	<b>9b</b>	9d
12c	13a	13c

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9c

# ZONING MAP

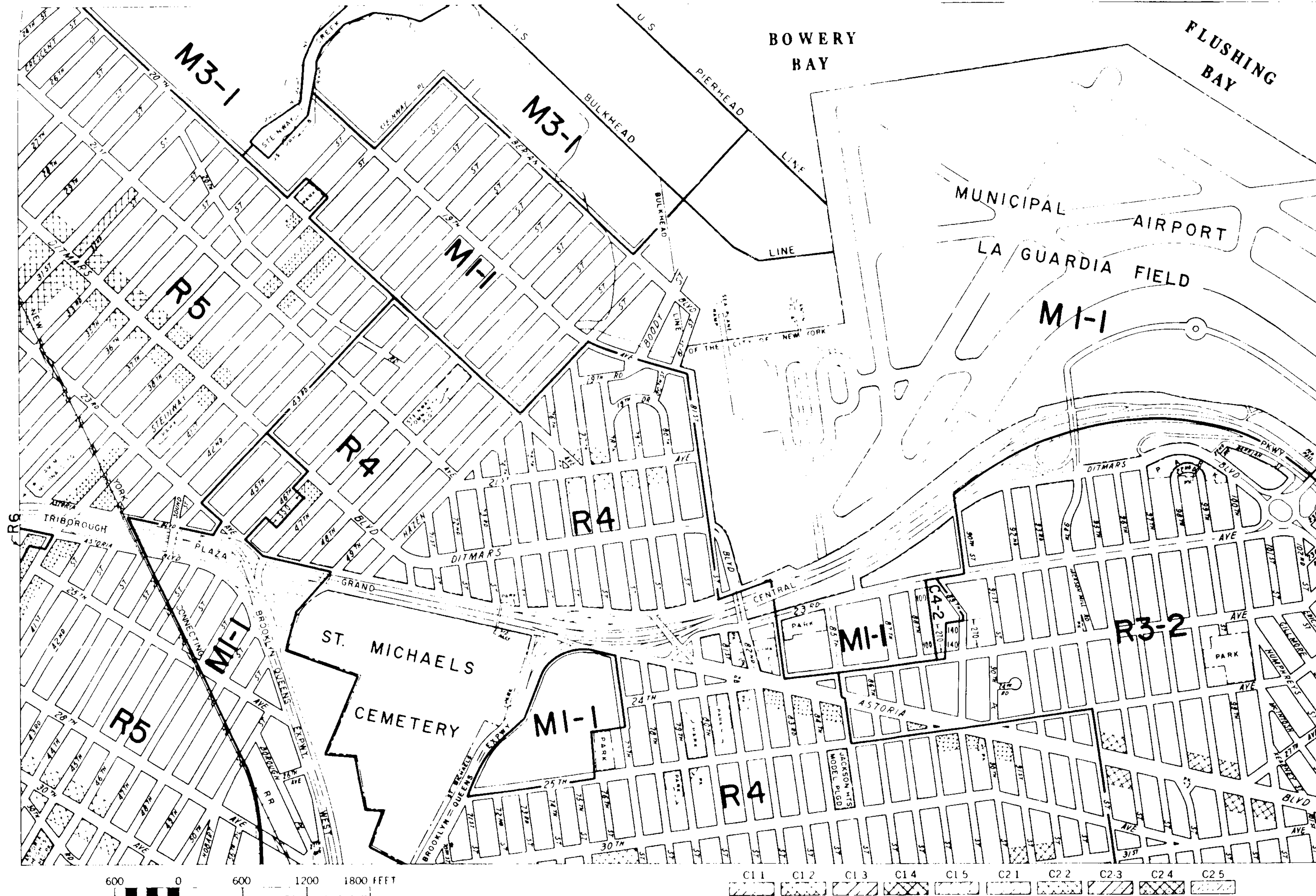
CITY PLANNING COMMISSION  
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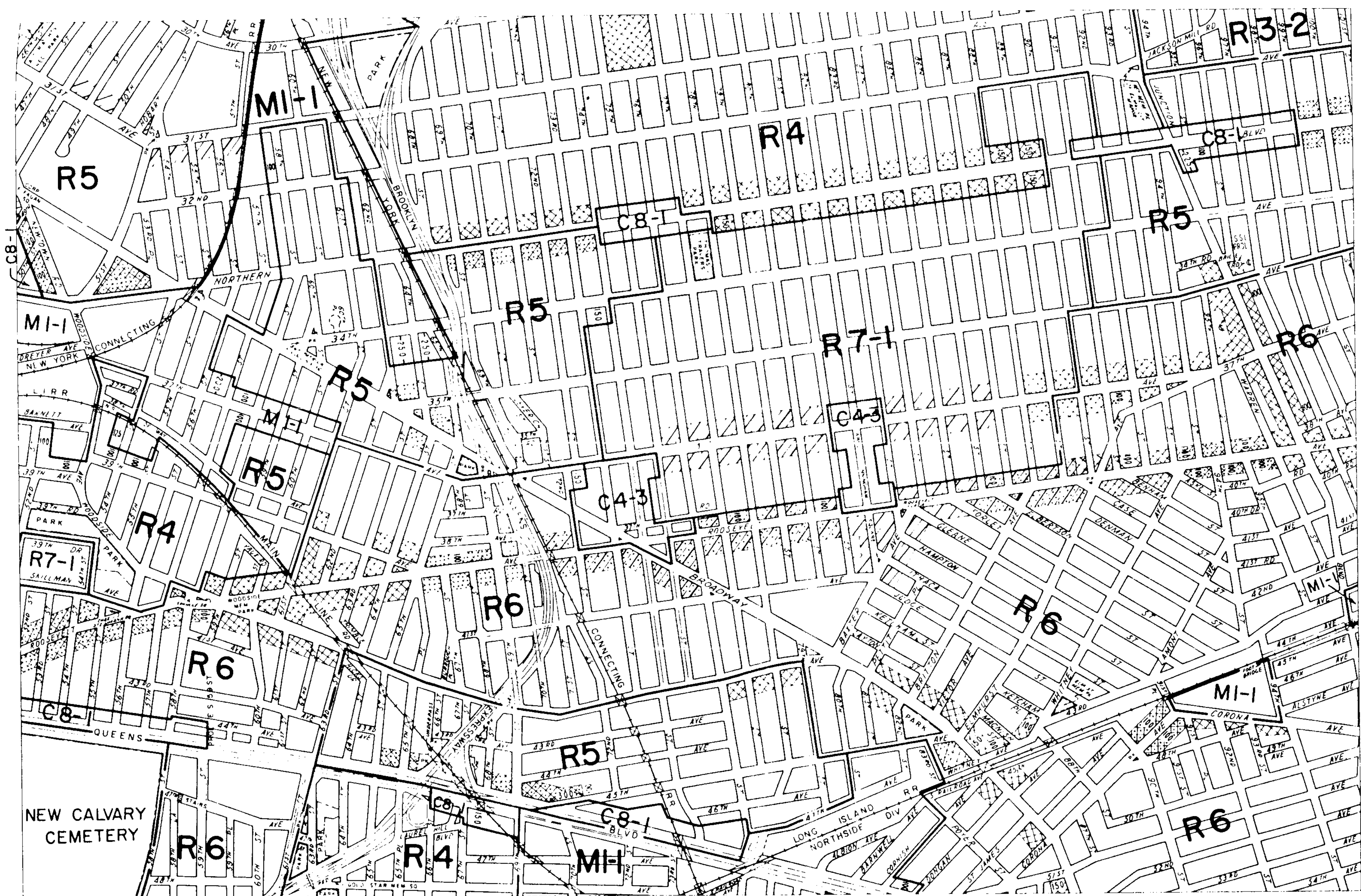


6b	6d	7b
9a	<b>9c</b>	10a
9b	9d	10b

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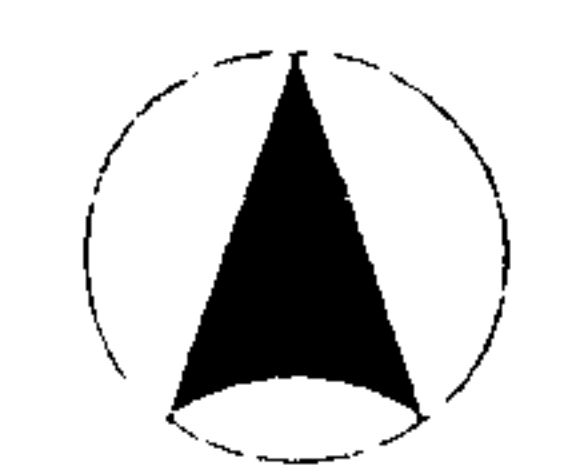
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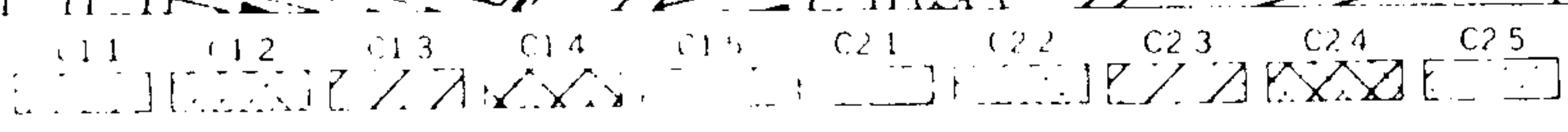
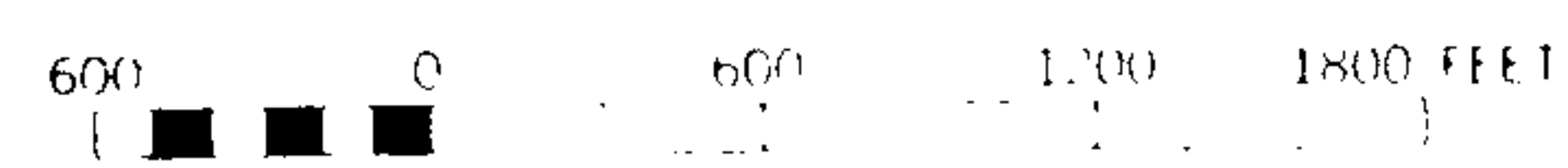
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**ZONING MAP**  
 CITY PLANNING COMMISSION  
 THE CITY OF NEW YORK

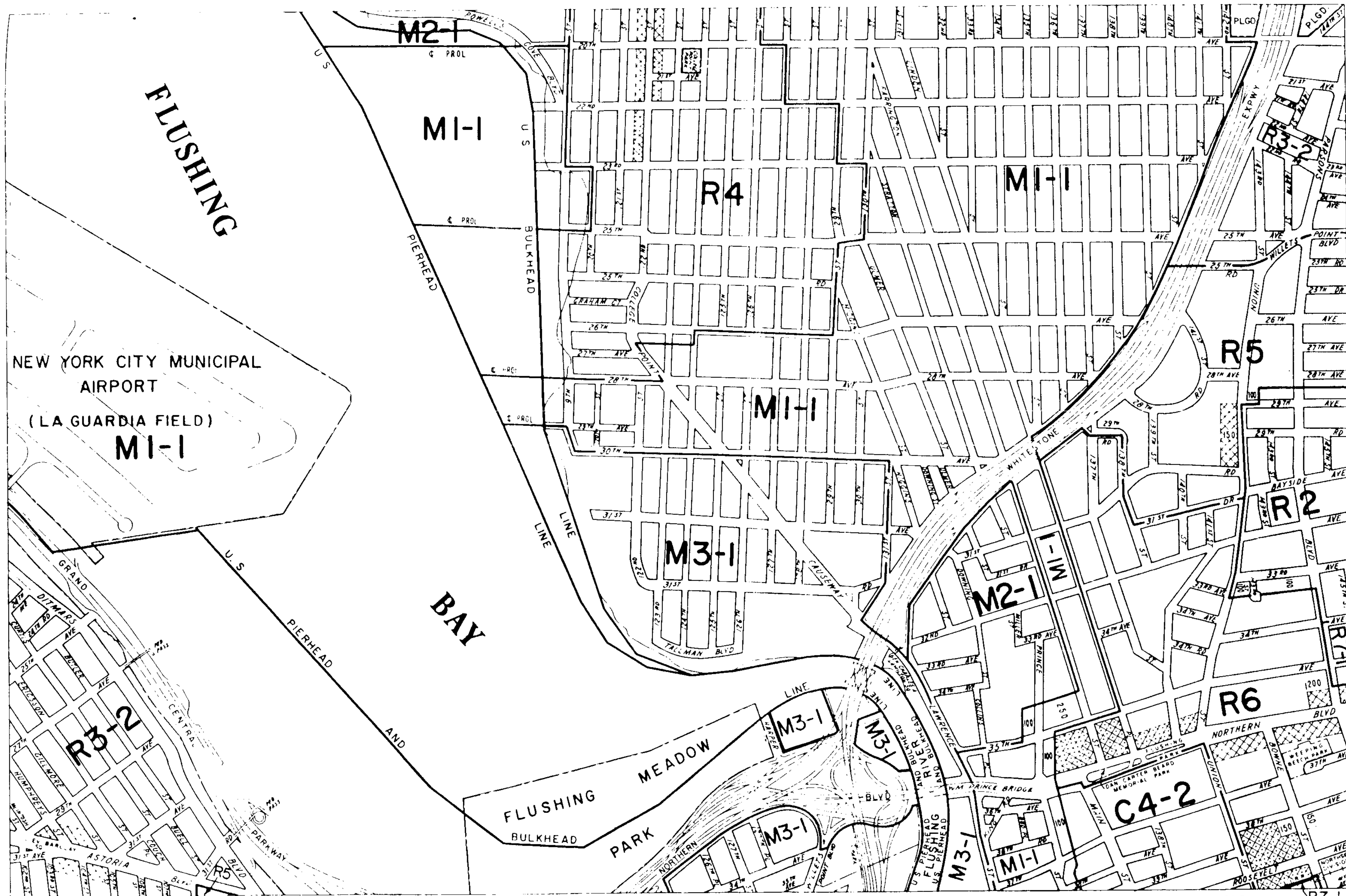


9a	9c	10a
9b	<b>9d</b>	10b
13a	13c	14a

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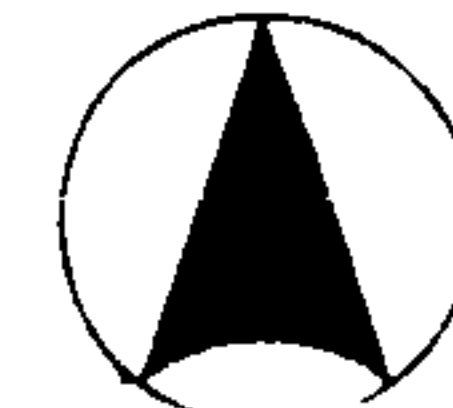




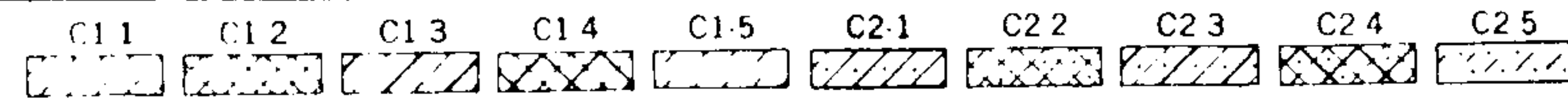
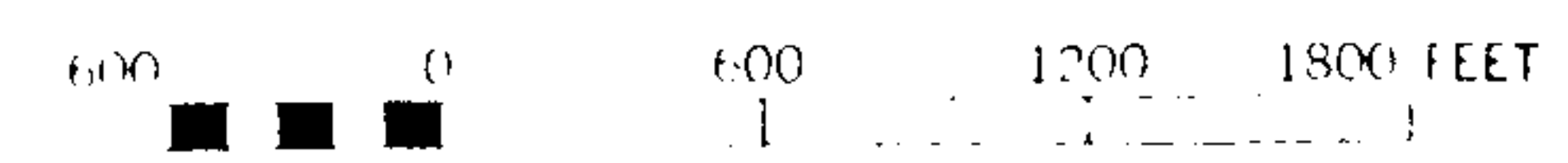
10a

# ZONING MAP

CITY PLANNING COMMISSION  
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6d	7b	7d
9c	<b>10a</b>	10c
9d	10b	10d



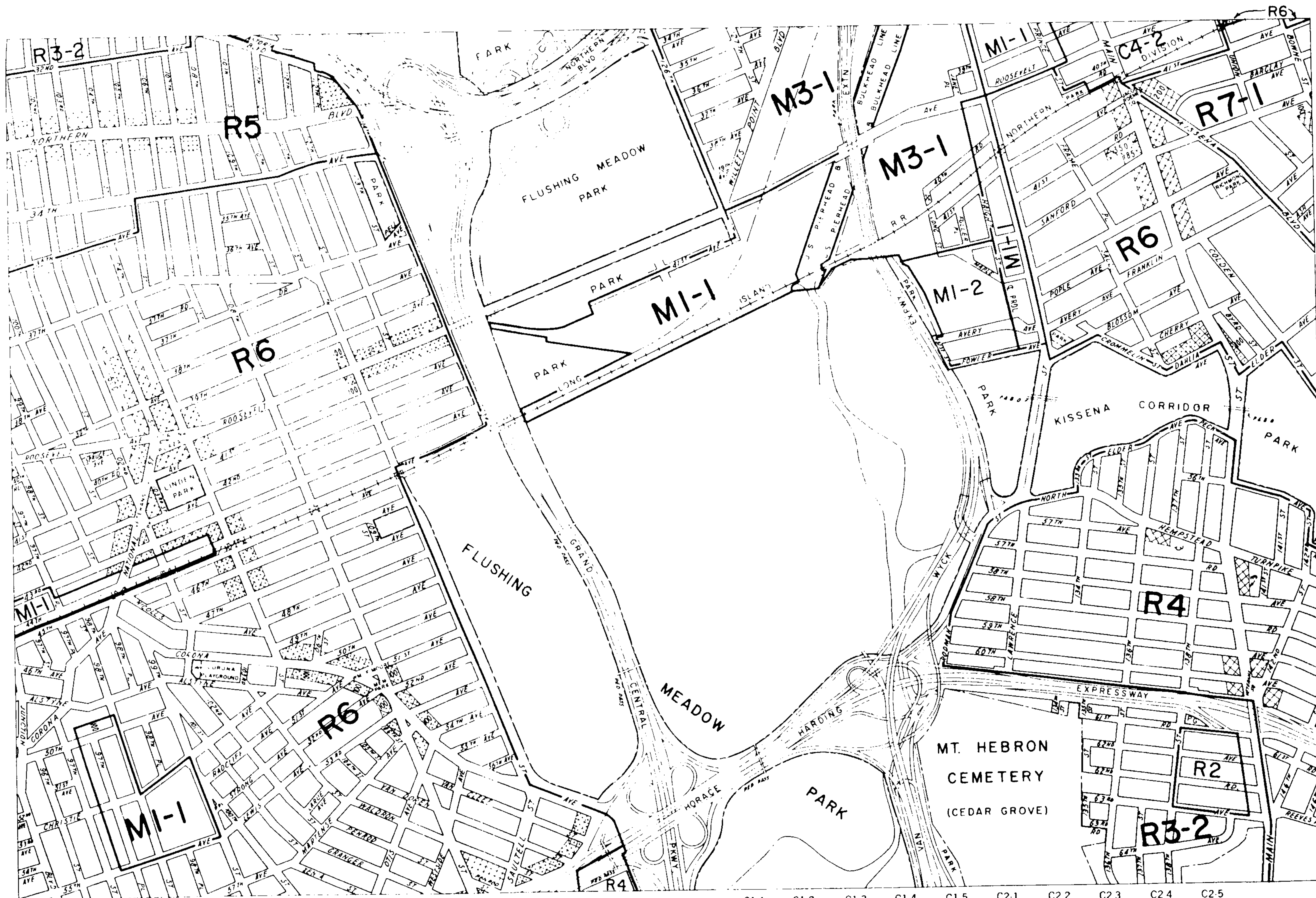
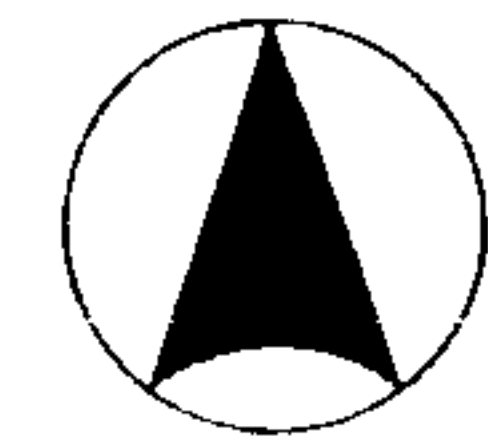
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10b

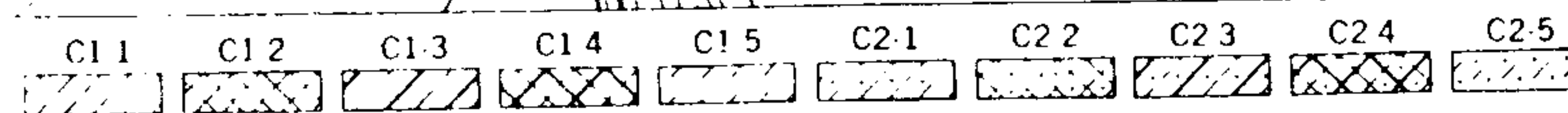
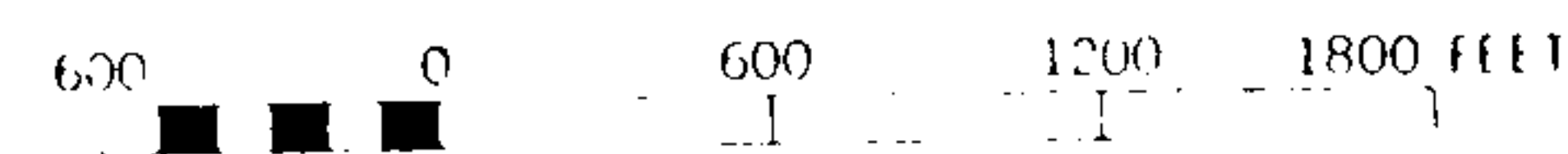
# ZONING MAP

CITY PLANNING COMMISSION

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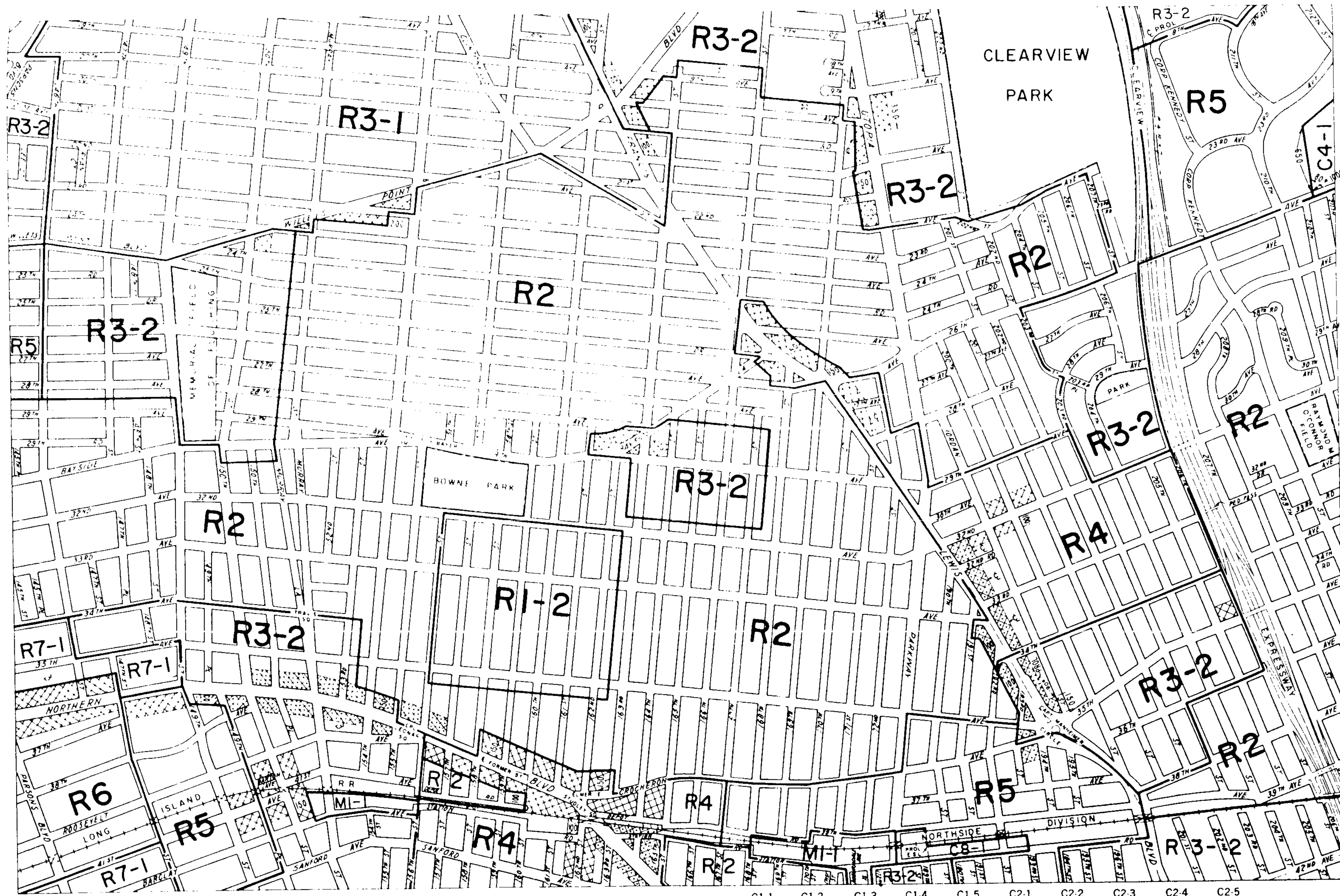


9c	10a	10c
9d	<b>10b</b>	10d
13c	14a	14c



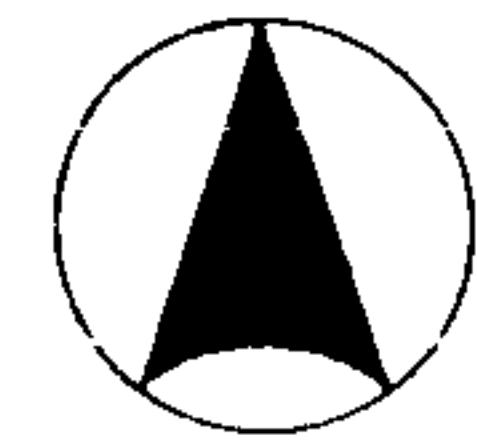
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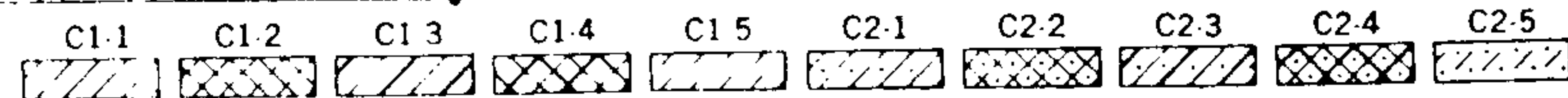
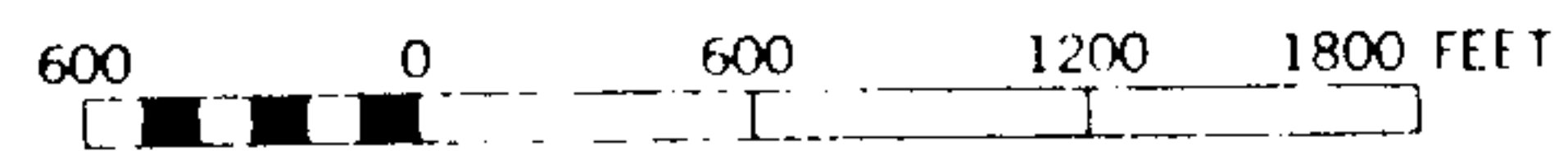


10c

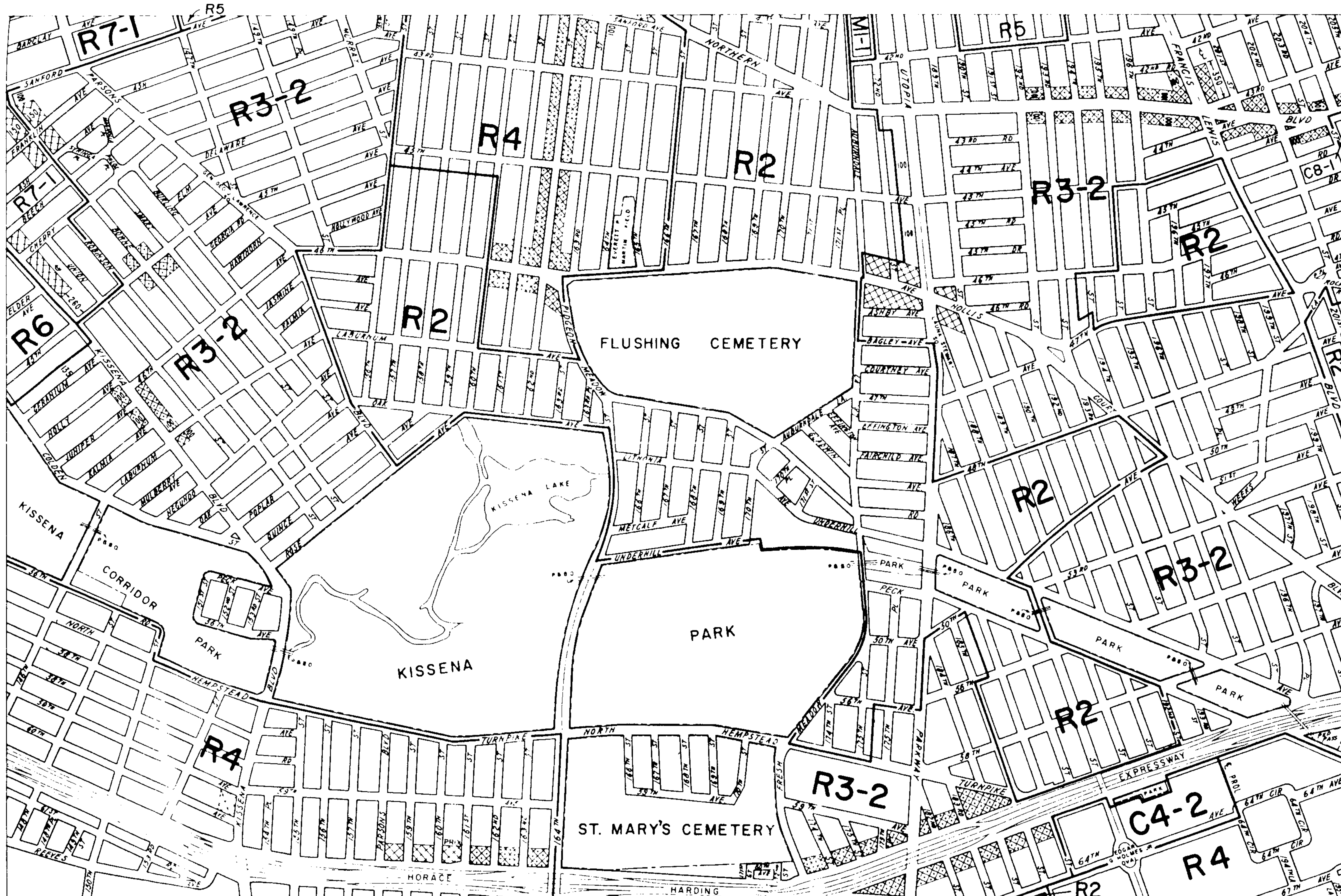
**ZONING MAP**  
CITY PLANNING COMMISSION  
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7b	7d	
10a	<b>10c</b>	11a
10b	10d	11b

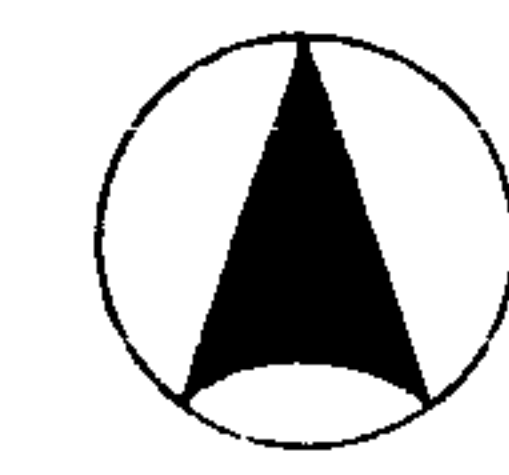


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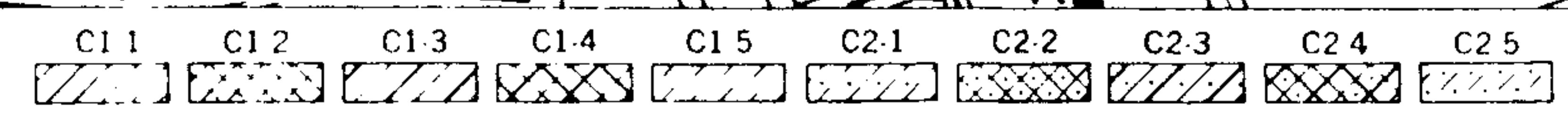
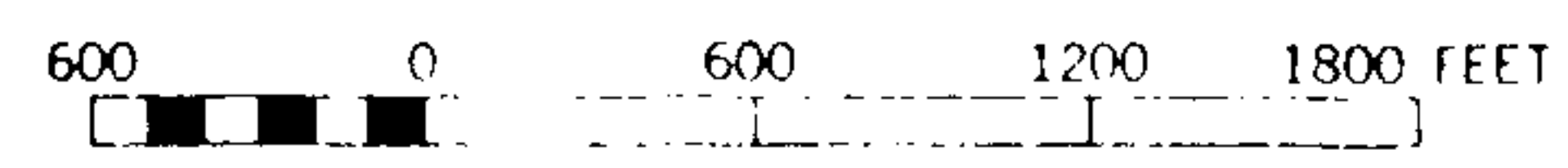
10d

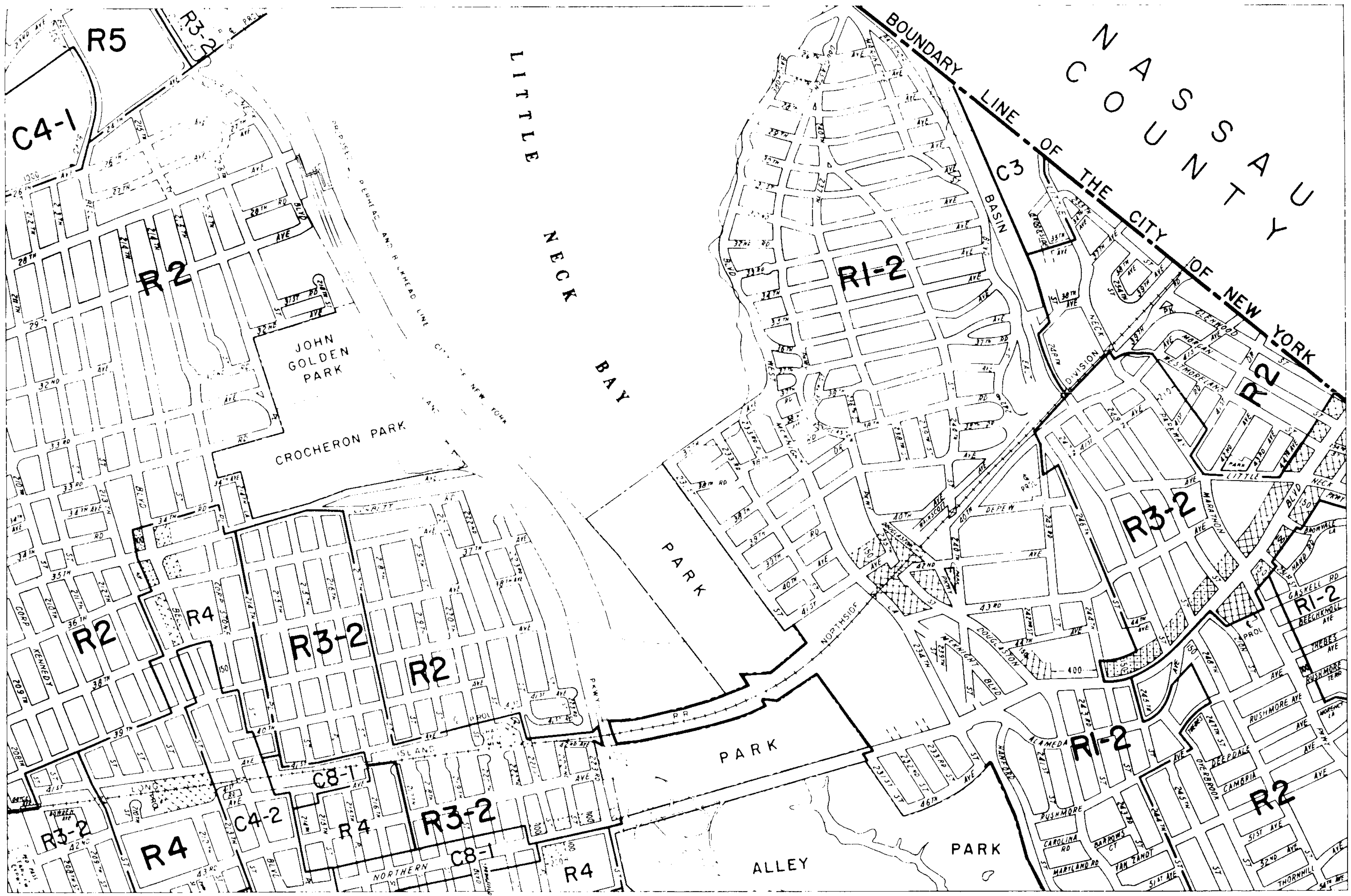
**ZONING MAP**  
 CITY PLANNING COMMISSION  
 THE CITY OF NEW YORK



10a	10c	11a
10b	<b>10d</b>	11b
14a	14c	15a

EFFECTIVE: DECEMBER 15, 1961

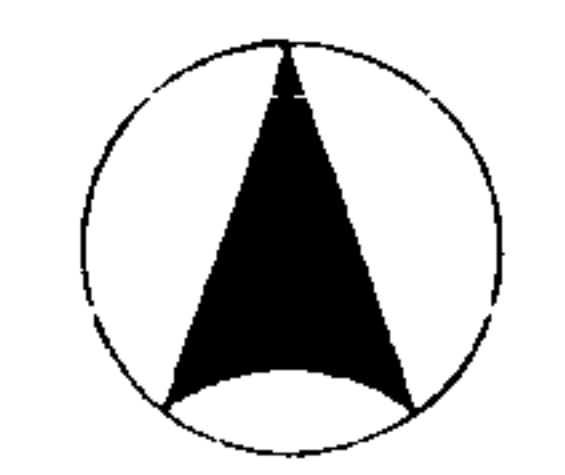




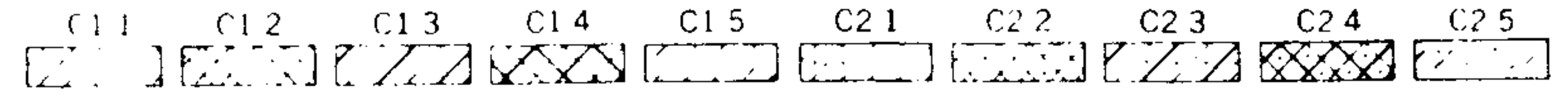
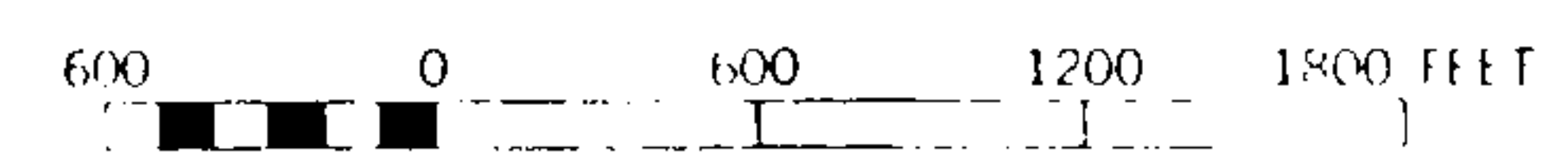
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# ZONING MAP

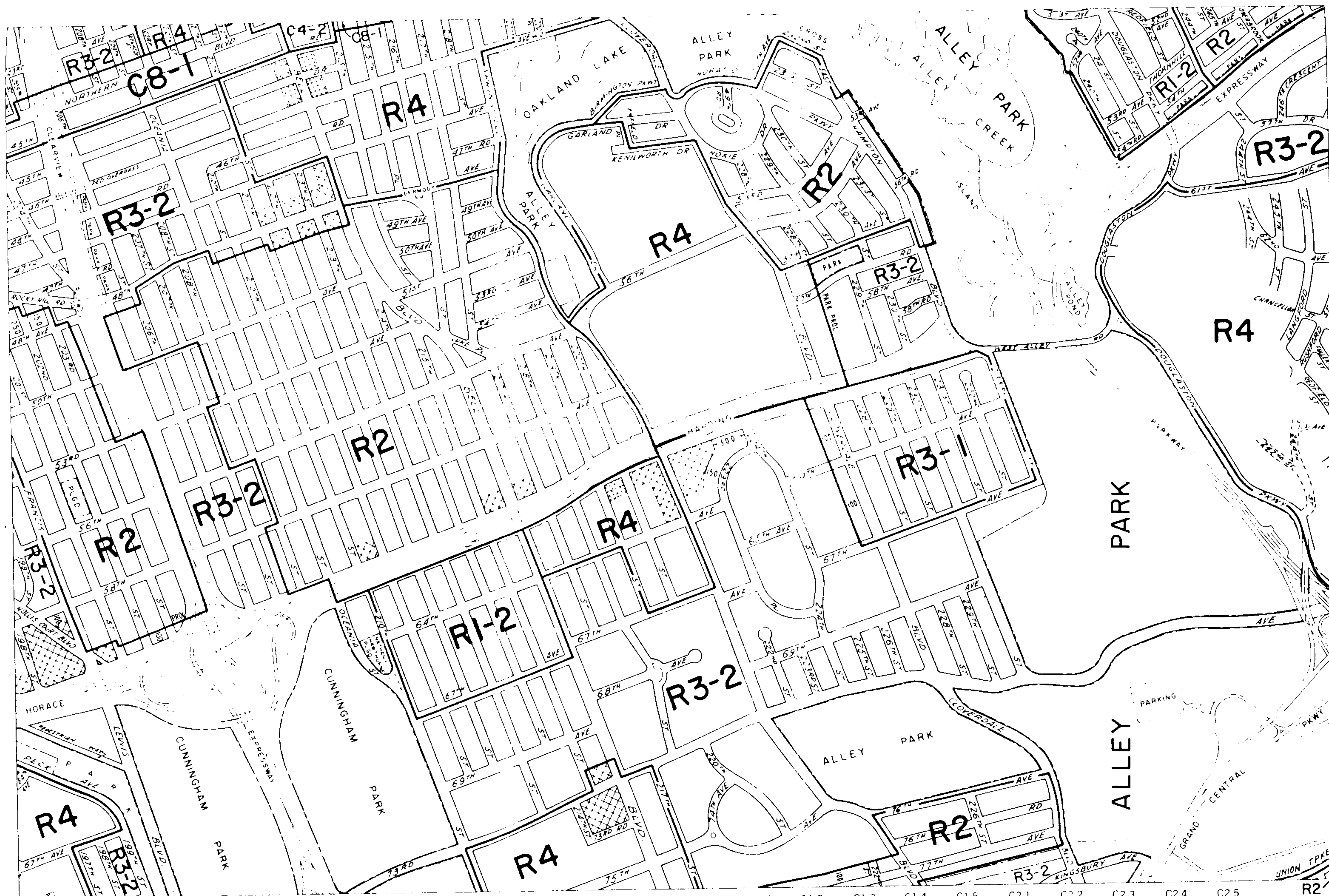
CITY PLANNING COMMISSION  
THE CITY OF NEW YORK



7d		
10c	<b>11a</b>	11c
10d	11b	11d



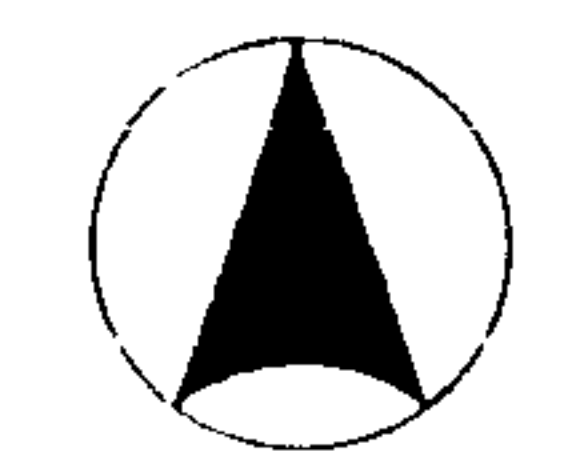
EFFECTIVE: DECEMBER 15, 1961



11b

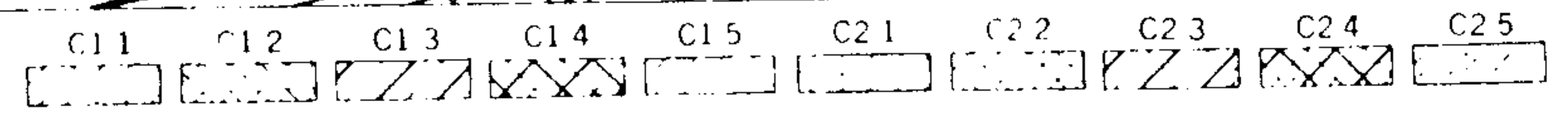
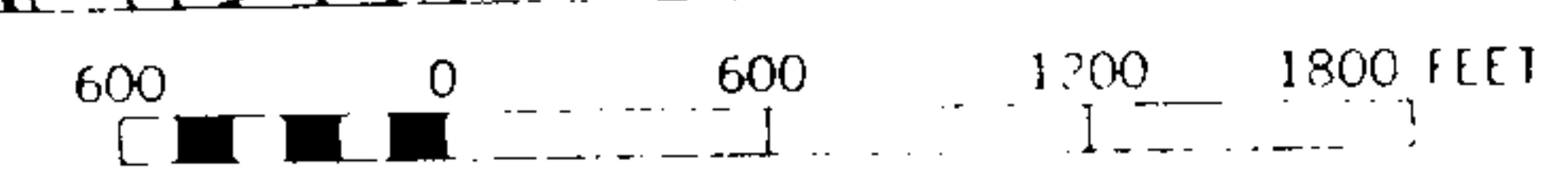
# ZONING MAP

CITY PLANNING COMMISSION  
THE CITY OF NEW YORK



10c	11a	11c
10d	<b>11b</b>	11d
14c	15a	15c

EFFECTIVE: DECEMBER 15, 1961



11c

# ZONING MAP

CITY PLANNING COMMISSION

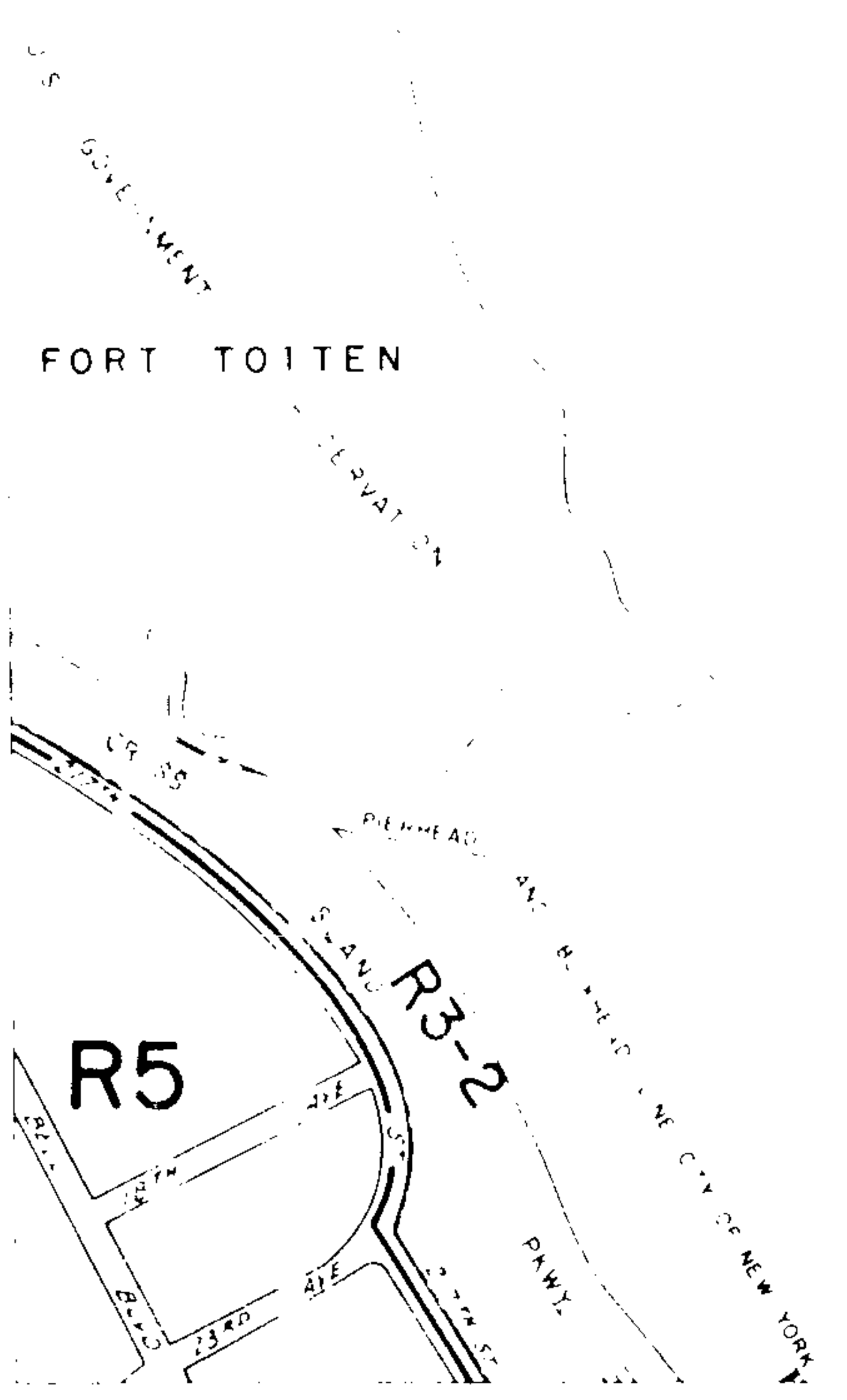
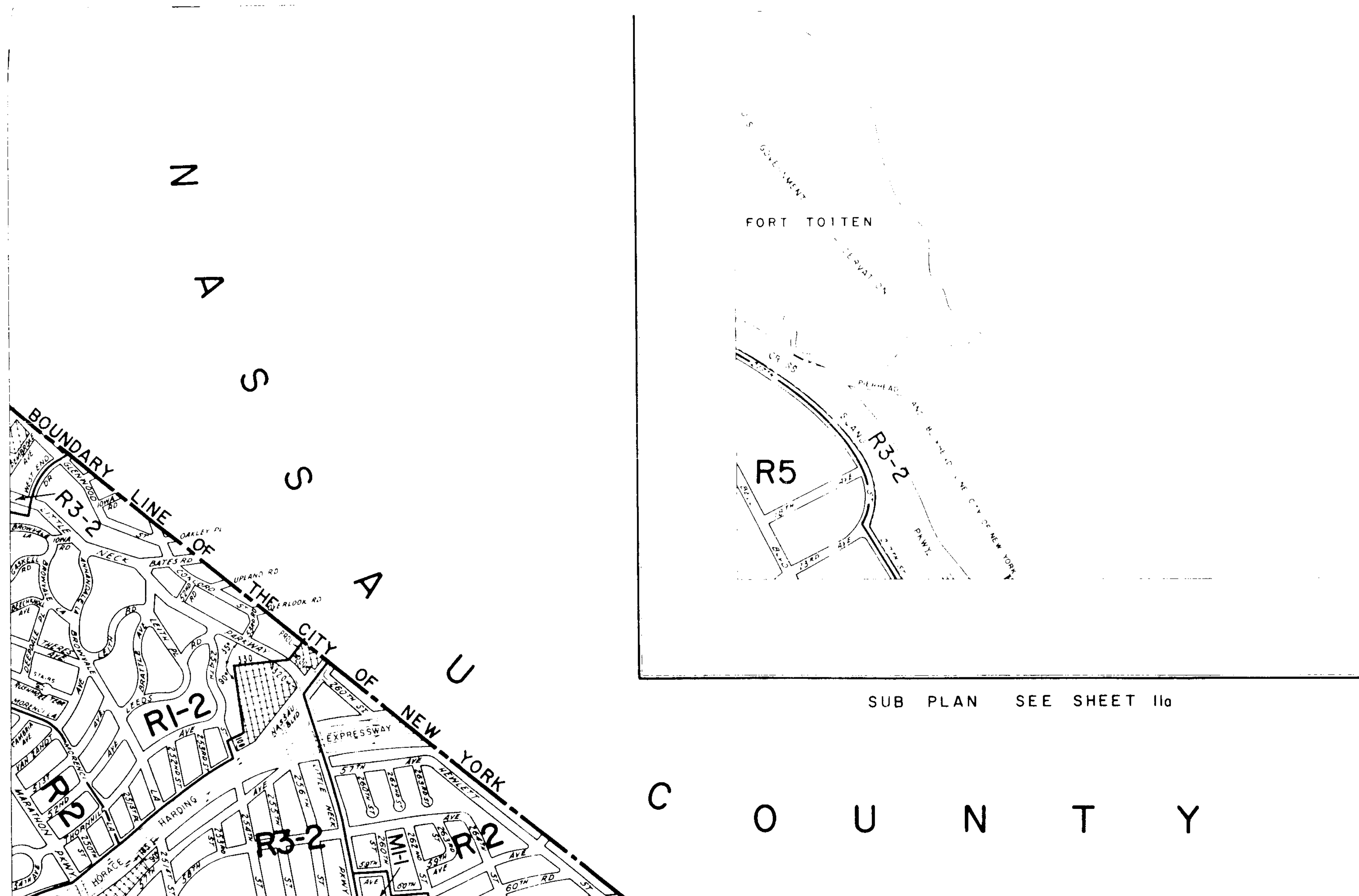
THE CITY OF NEW YORK



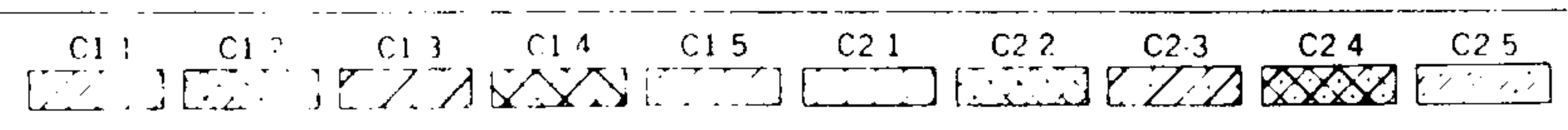
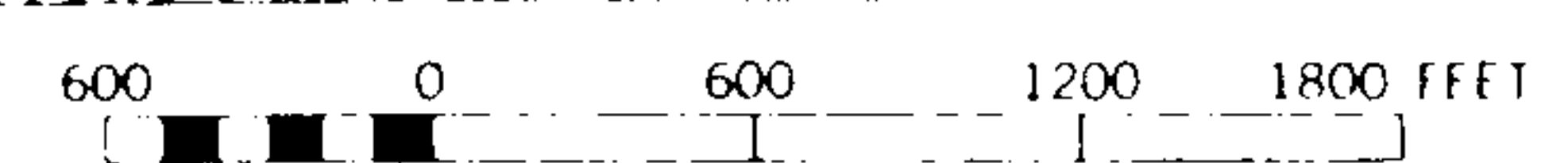
11a	<b>11c</b>	
11b	11d	

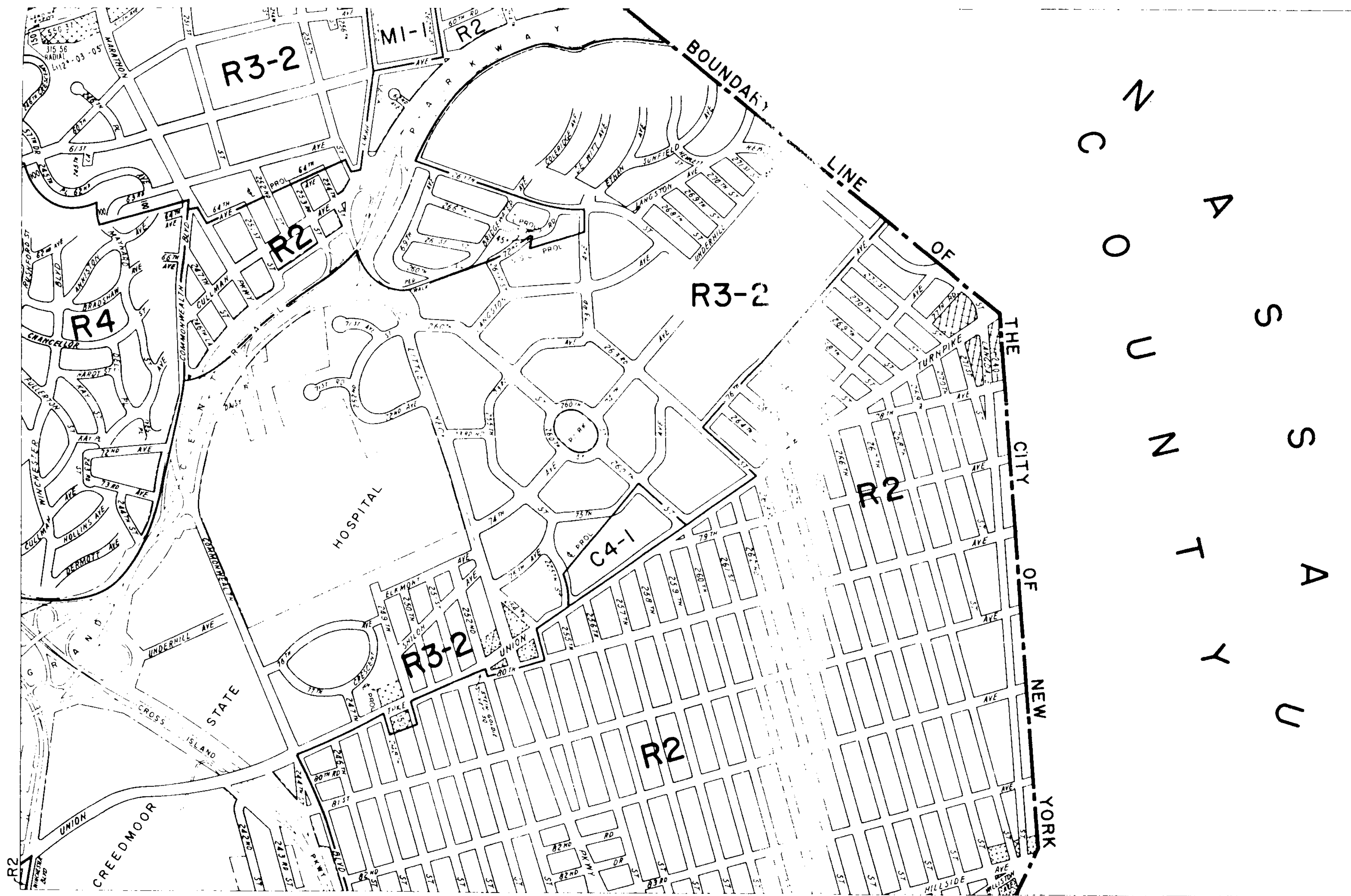
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SUB PLAN SEE SHEET 11a

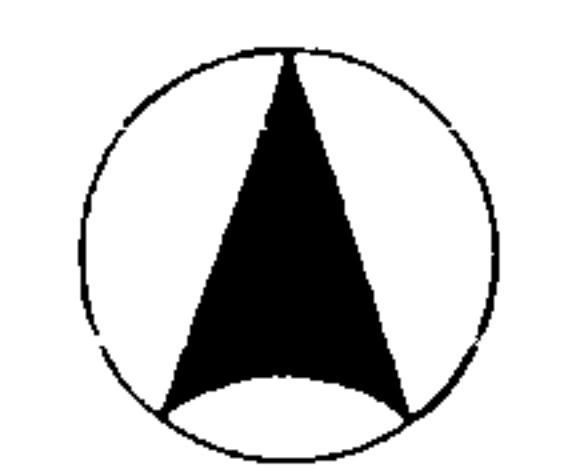




11d

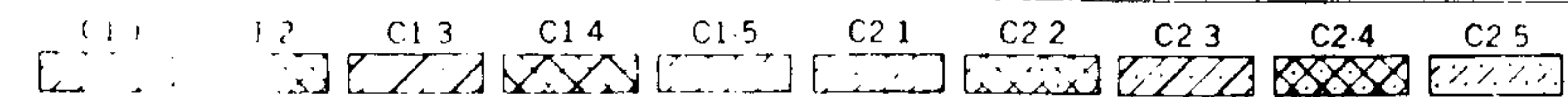
# ZONING MAP

CITY PLANNING COMMISSION  
THE CITY OF NEW YORK



I la	I lc	
I lb	<b>11d</b>	
I 5a	I 5c	

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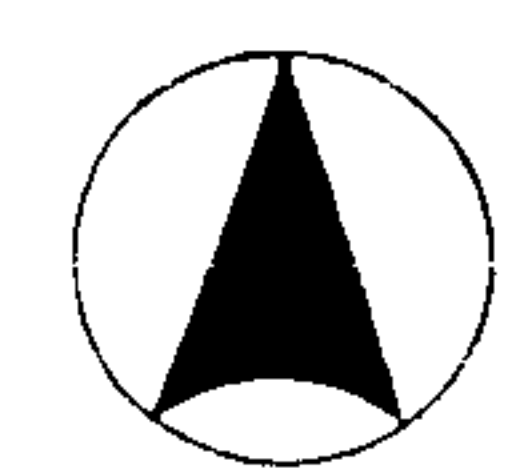




12a

# ZONING MAP

CITY PLANNING COMMISSION  
THE CITY OF NEW YORK



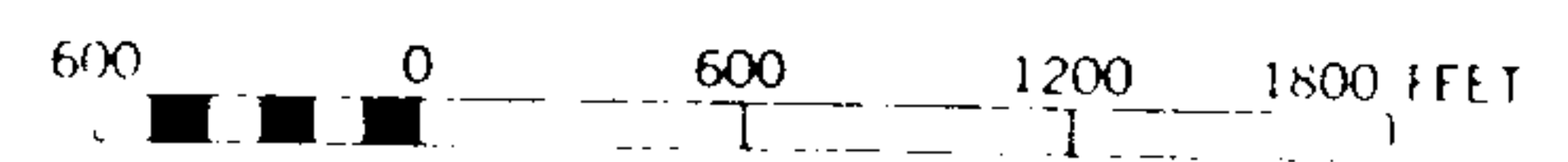
	8b	8d
	<b>12a</b>	12c
	12b	12d

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RIVER

HUDSON



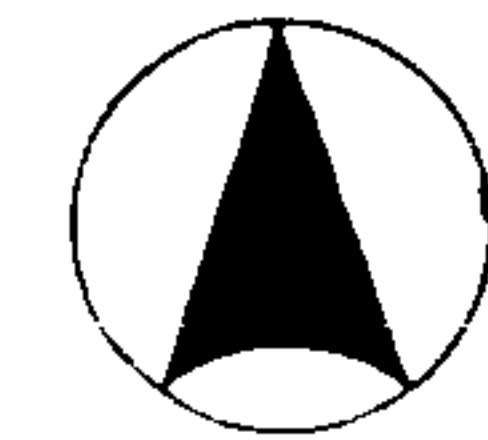
C1-1 C1-2 C1-3 C1-4 C1-5 C2-1 C2-2 C2-3 C2-4 C2-5

12b

# ZONING MAP

CITY PLANNING COMMISSION

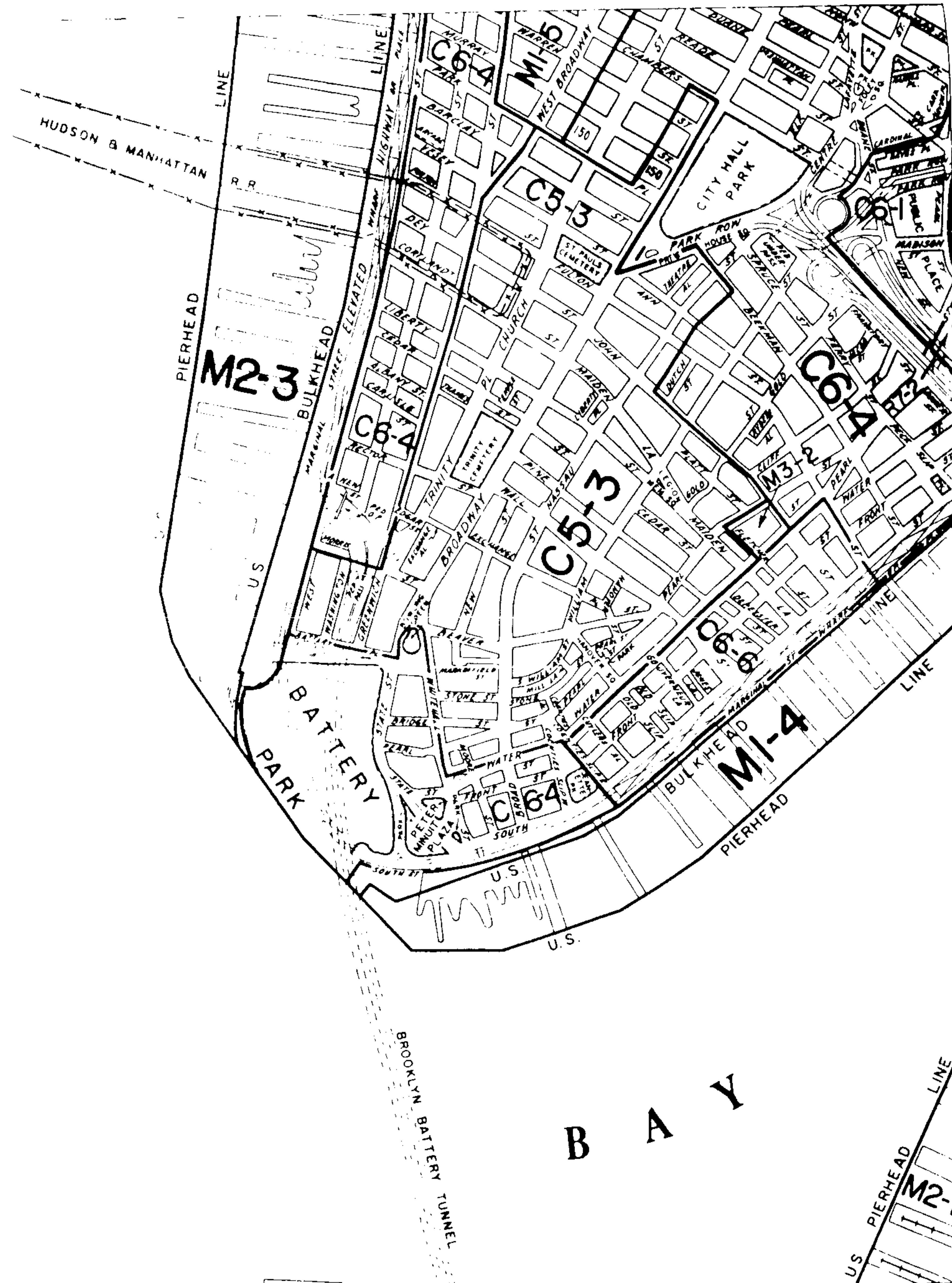
THE CITY OF NEW YORK



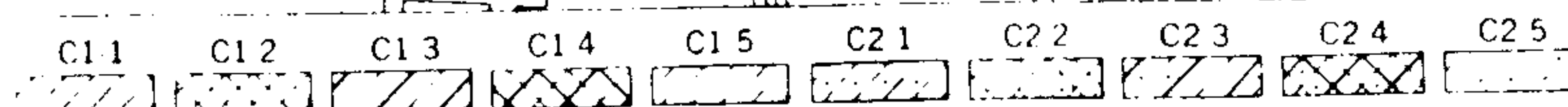
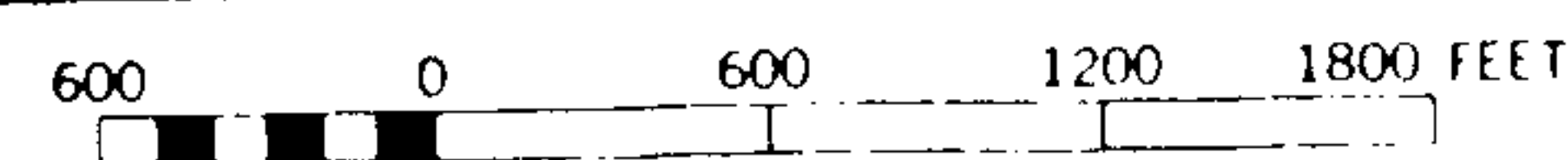
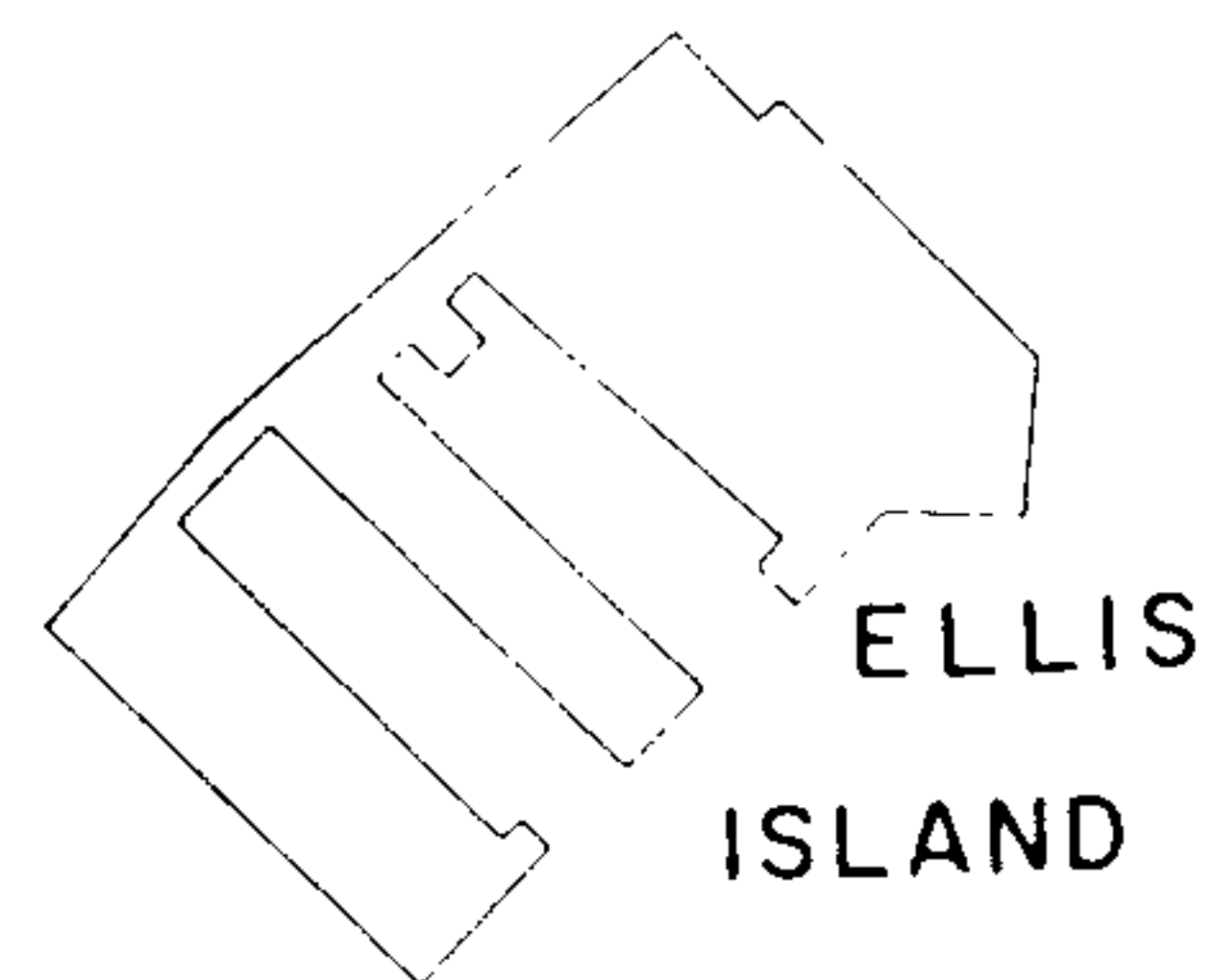
	12a	12c
	<b>12b</b>	12d
	16a	16c

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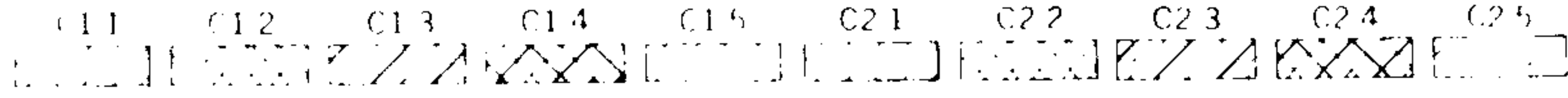
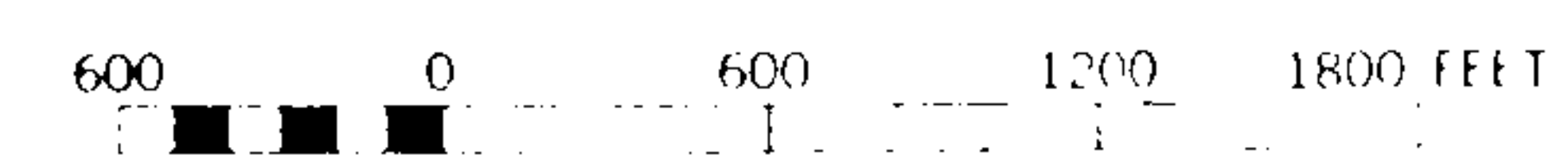
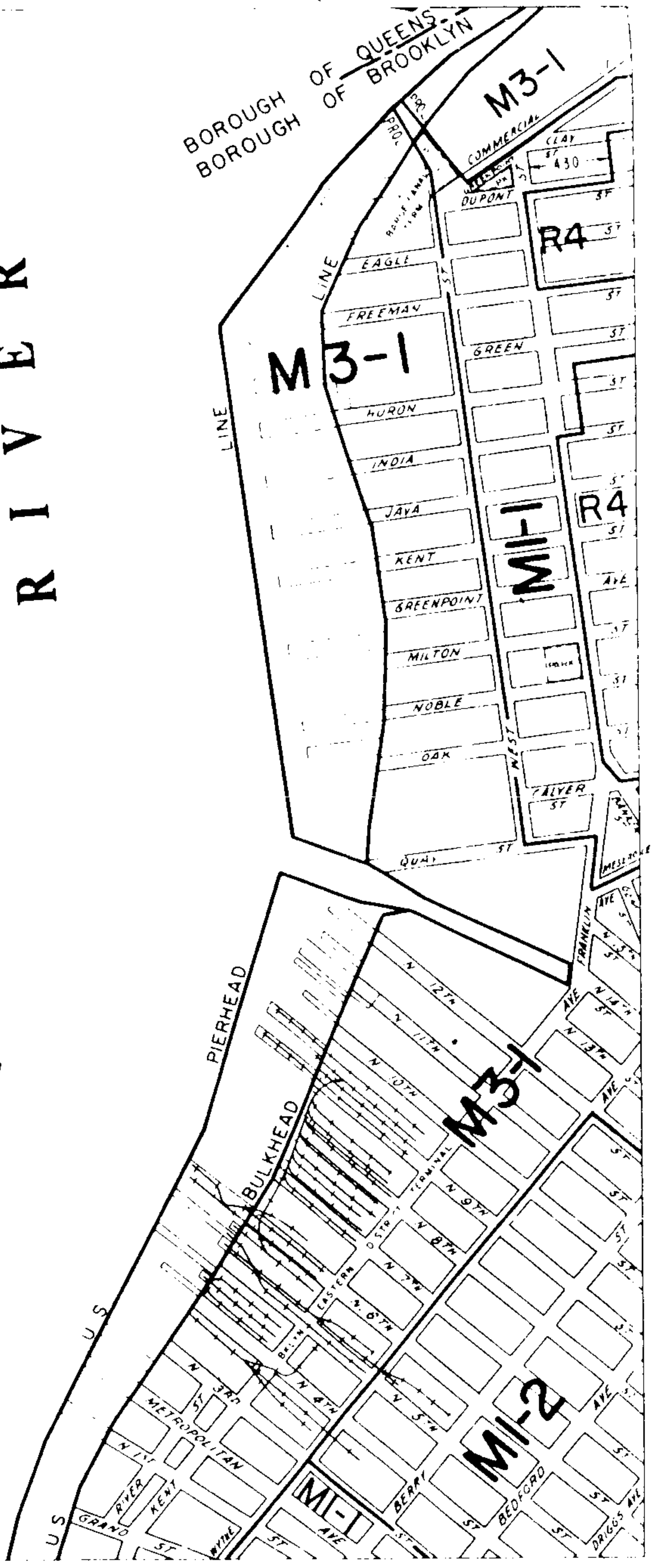


HUDSON RIVER  
UPPER BATTERY





EAST RIVER

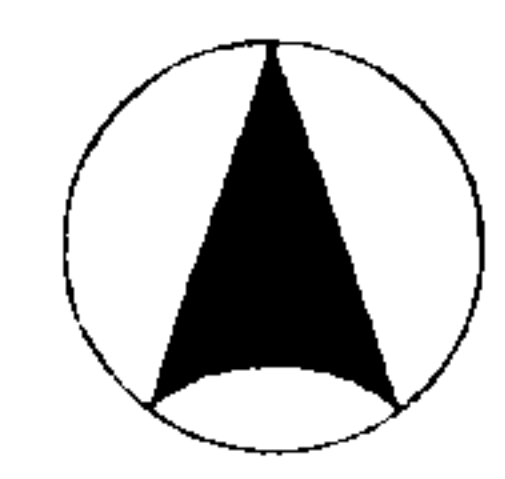


12c

# ZONING MAP

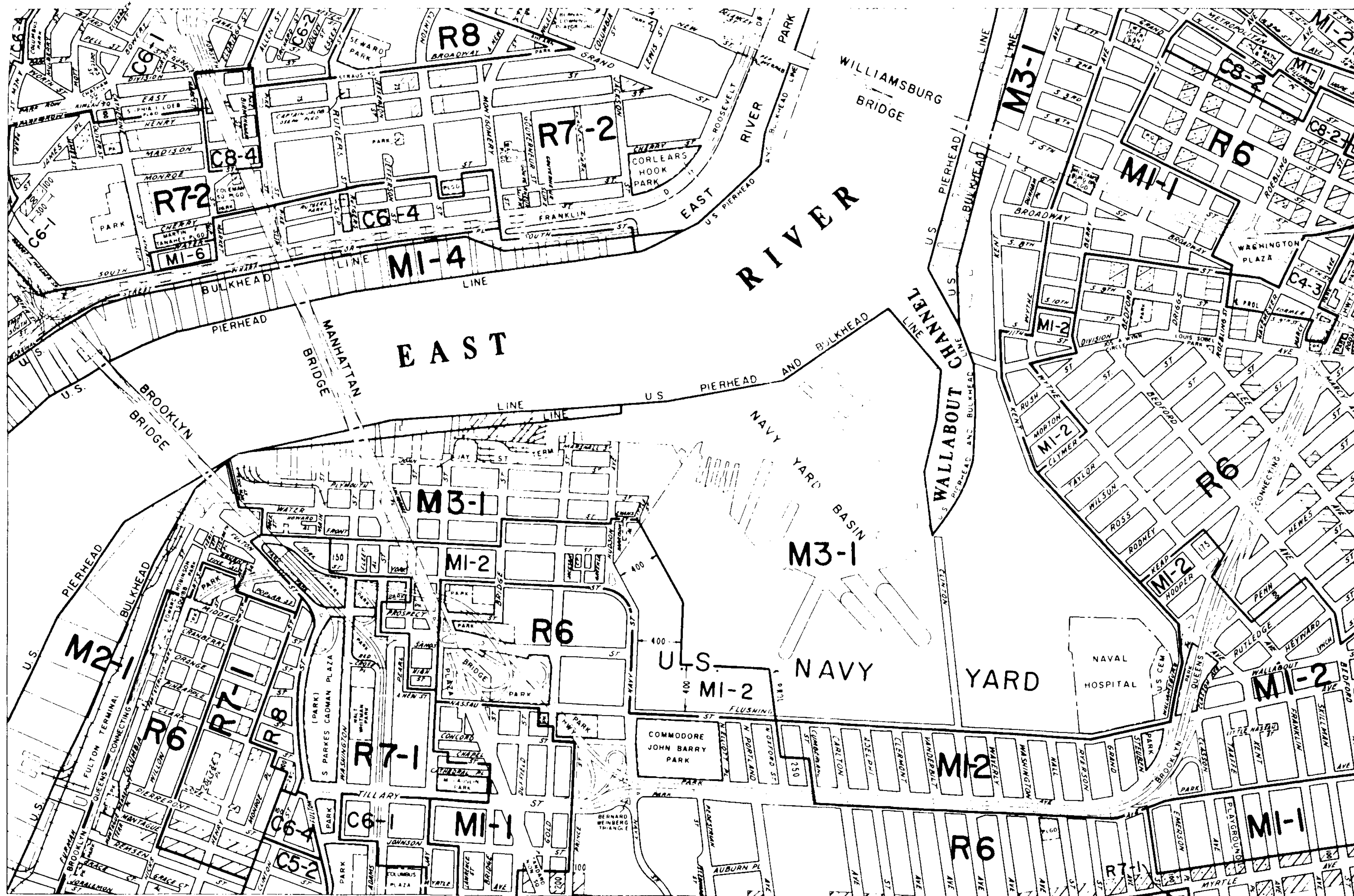
CITY PLANNING COMMISSION

THE CITY OF NEW YORK



8b	8d	9b
12a	<b>12c</b>	13a
12b	12d	13b

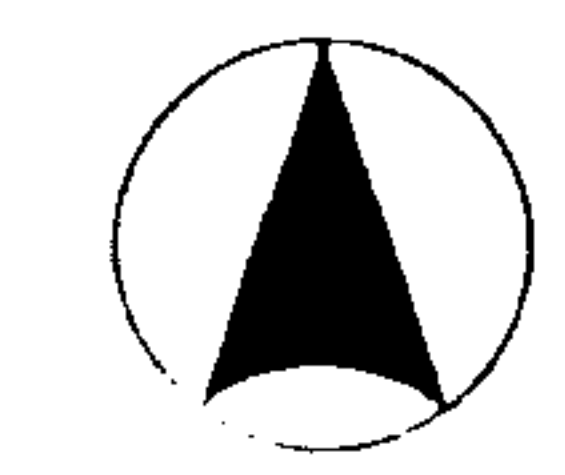
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12d

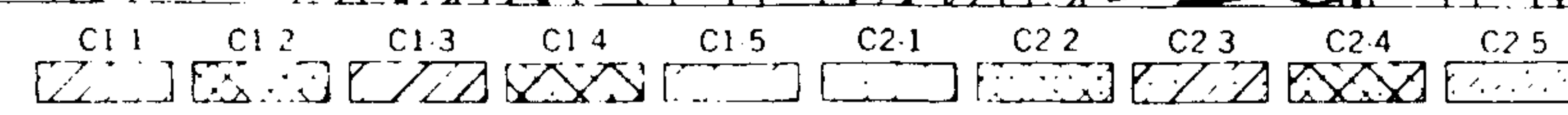
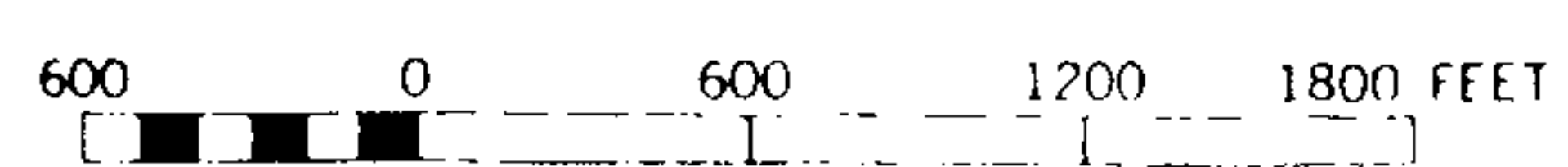
# ZONING MAP

CITY PLANNING COMMISSION  
THE CITY OF NEW YORK



12a	12c	13a
12b	<b>12d</b>	13b
16a	16c	17a

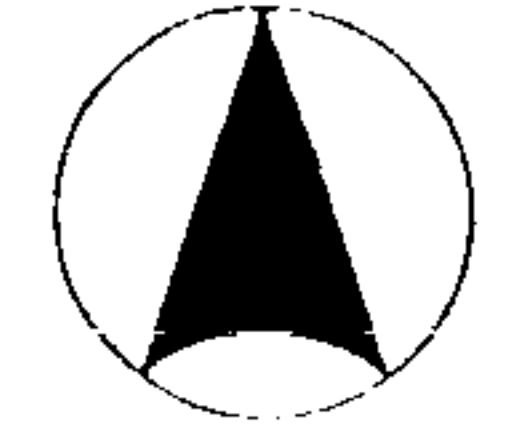
EFFECTIVE: DECEMBER 15, 1961



13a

# ZONING MAP

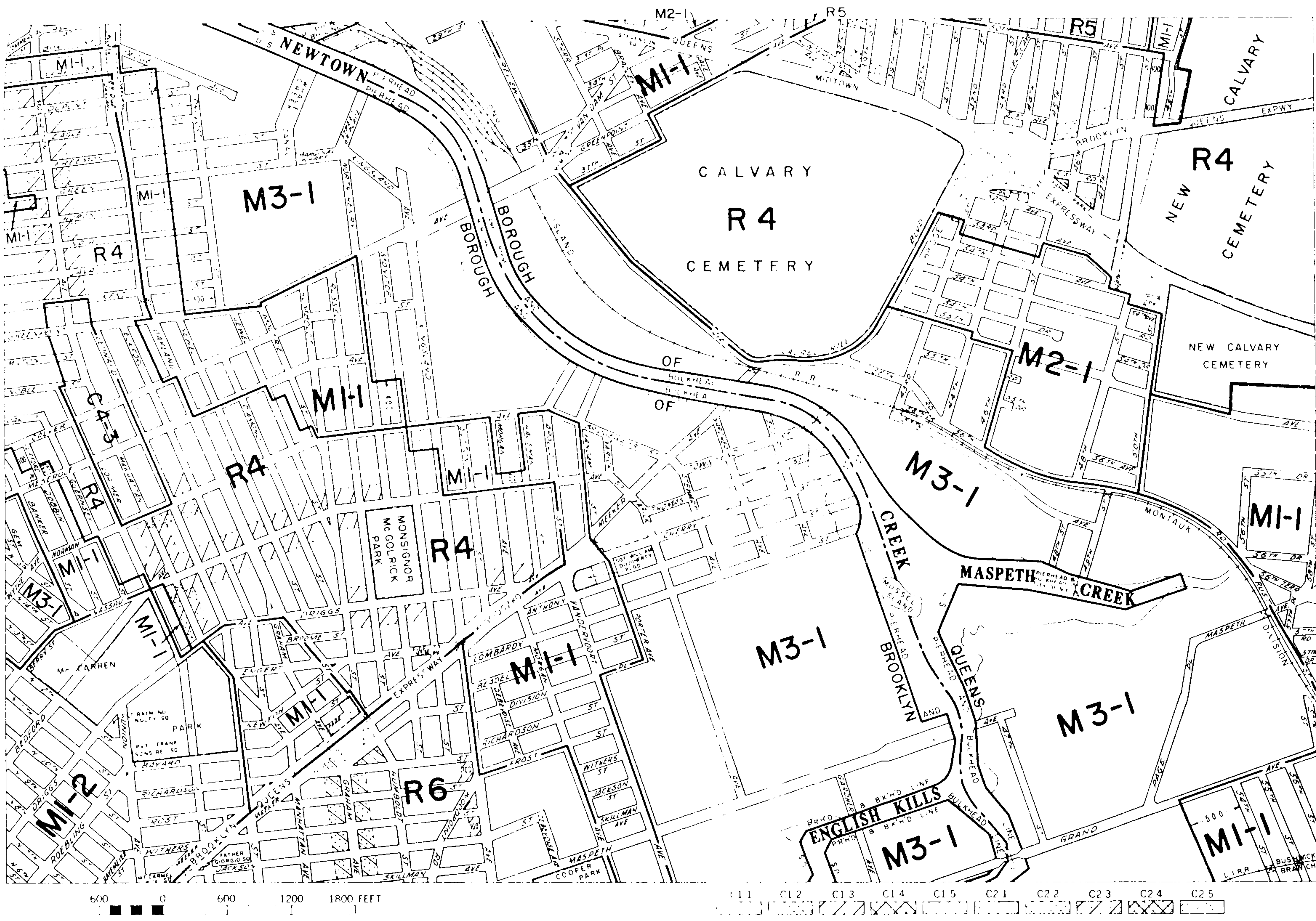
CITY PLANNING COMMISSION  
THE CITY OF NEW YORK



8d	9b	9d
12c	<b>13a</b>	13c
12d	13b	13d

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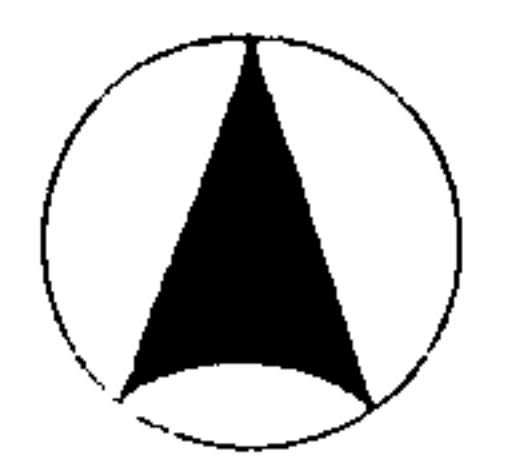
600 0 600 1200 1800 FEET

CL1 CL2 CL3 CL4 CL5 C21 C22 C23 C24 C25

13b

# ZONING MAP

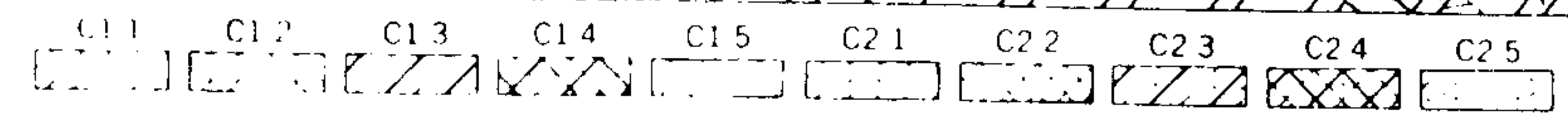
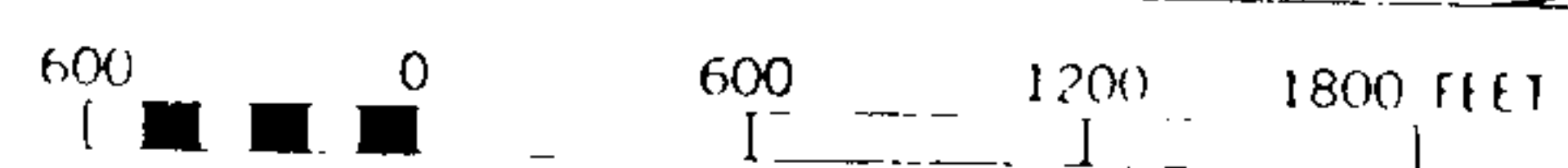
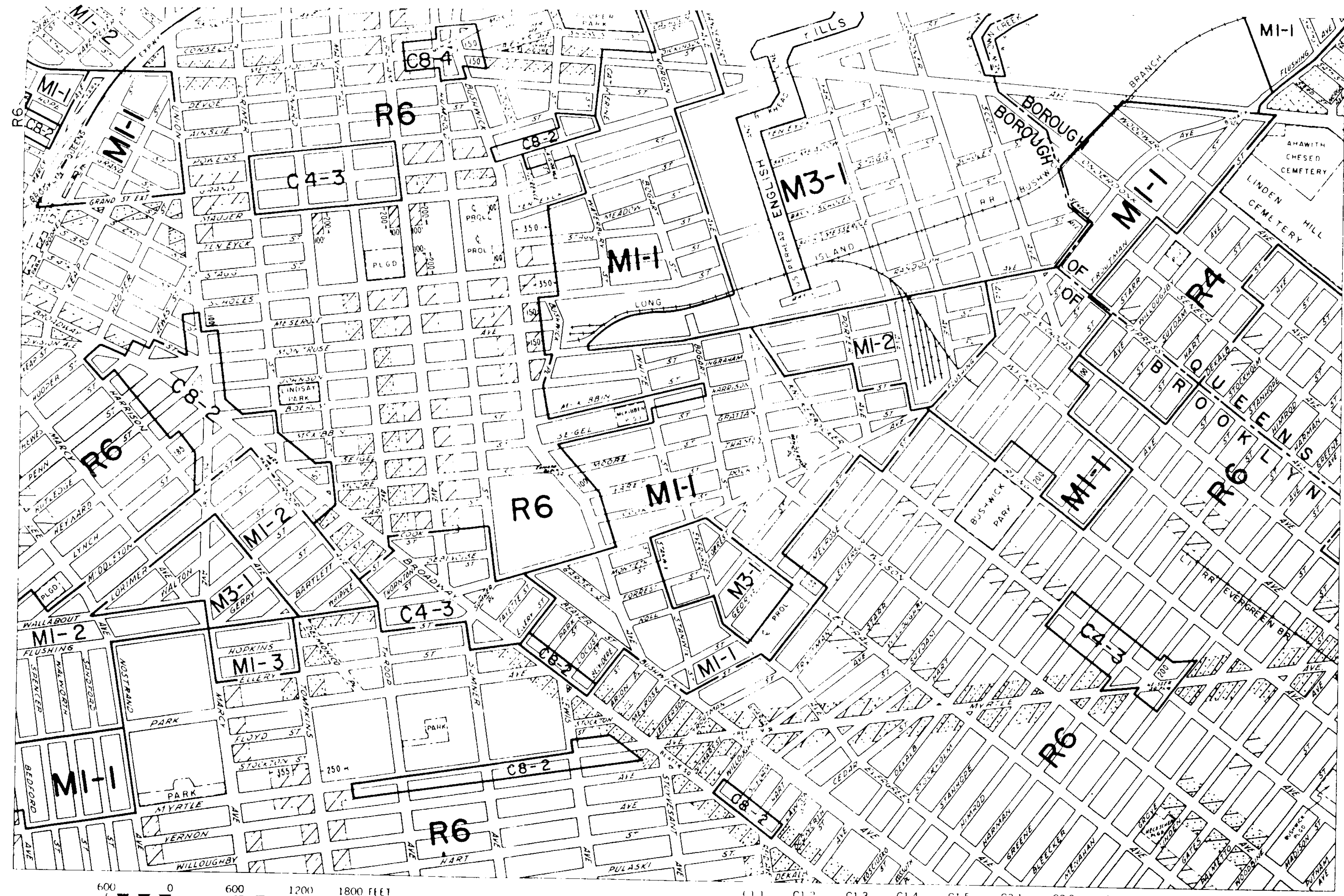
CITY PLANNING COMMISSION  
THE CITY OF NEW YORK



12c	13a	13c
12d	<b>13b</b>	13d
16c	17a	17c

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13c

# ZONING MAP

CITY PLANNING COMMISSION

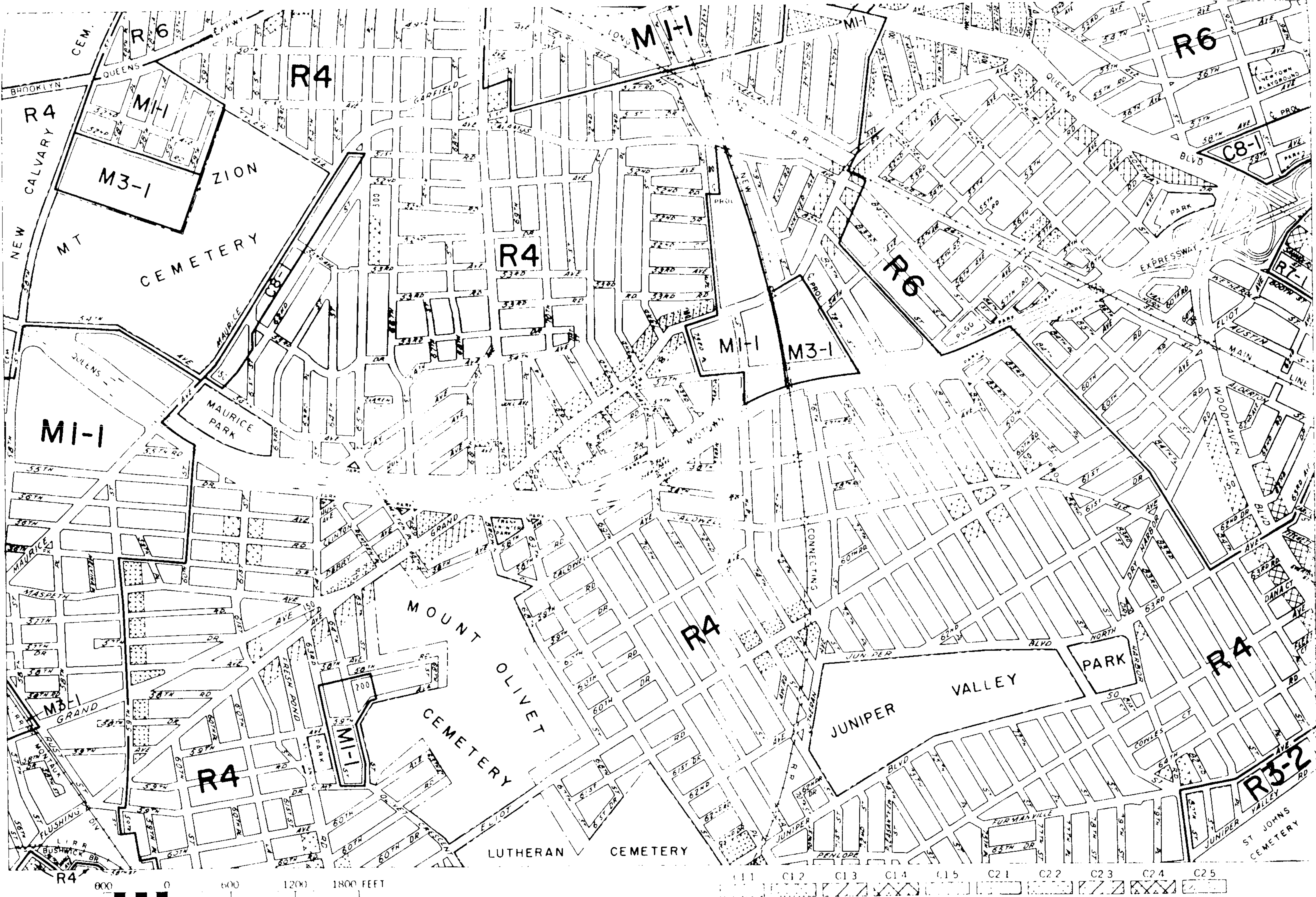
THE CITY OF NEW YORK

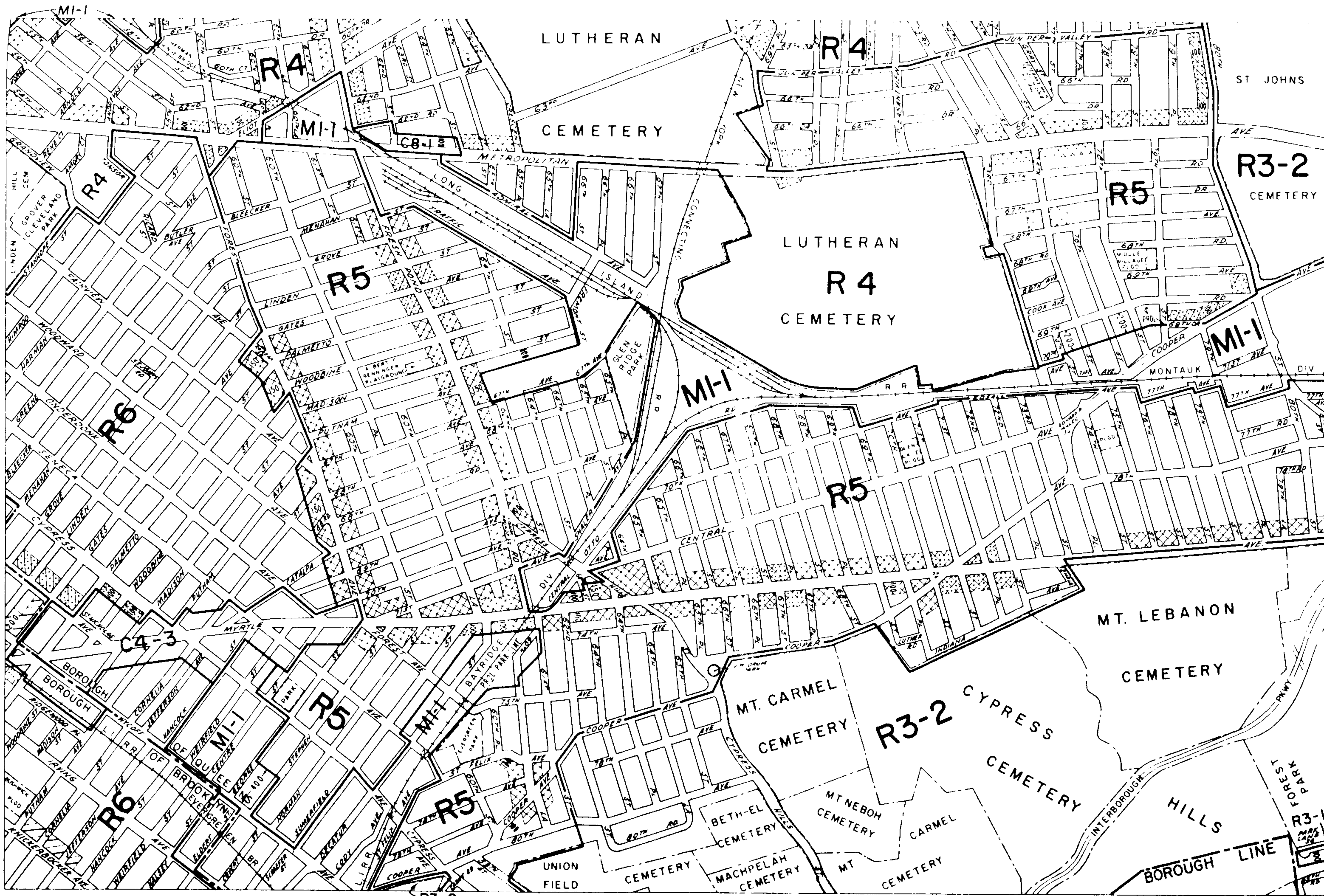


9b	9d	10b
13a	<b>13c</b>	14a
14b	13d	14b

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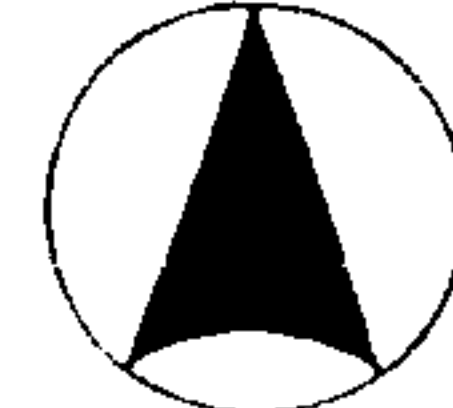




13d

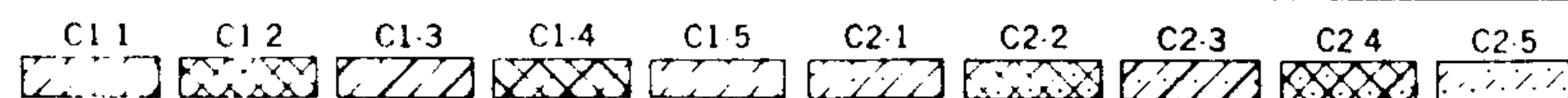
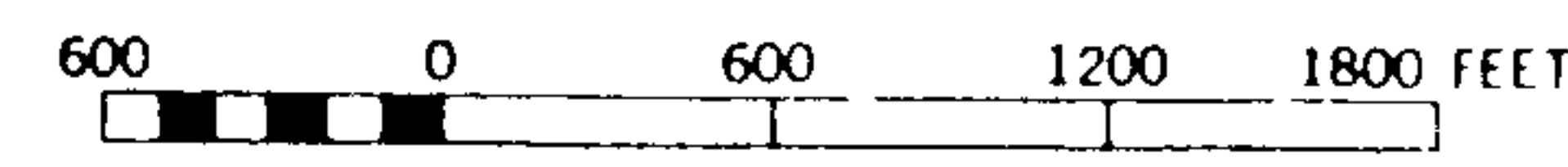
# ZONING MAP

CITY PLANNING COMMISSION  
THE CITY OF NEW YORK



13a	13c	14a
13b	<b>13d</b>	14b
17a	17c	18a

EFFECTIVE: DECEMBER 15, 1961

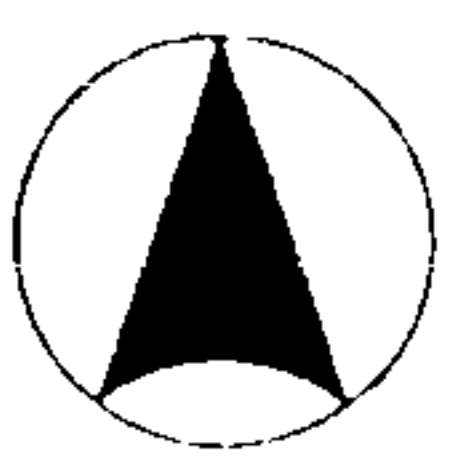




14a

# ZONING MAP

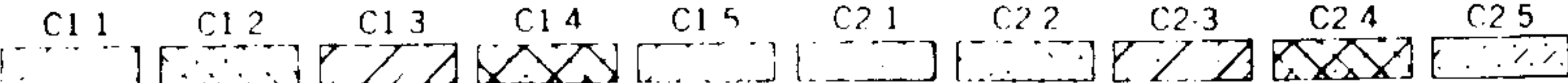
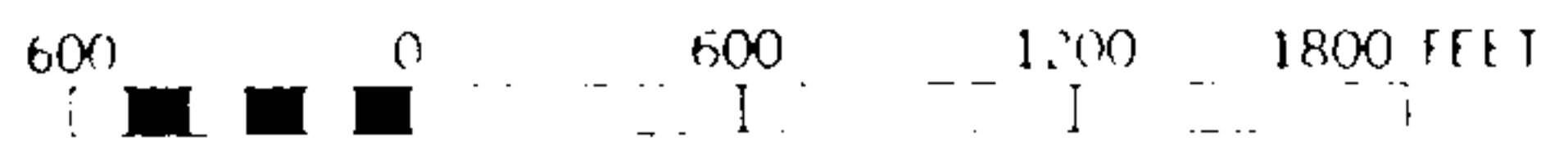
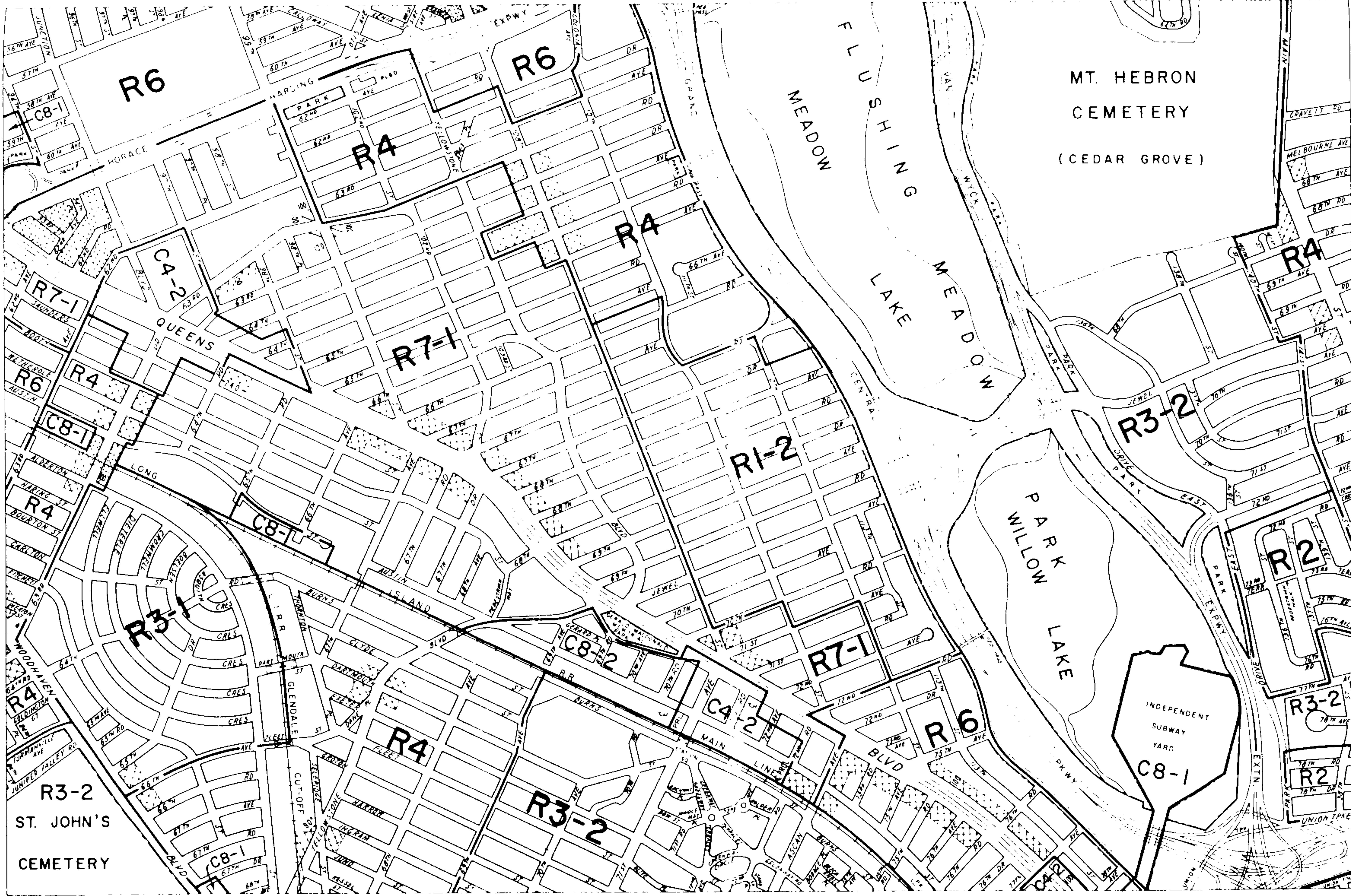
CITY PLANNING COMMISSION  
THE CITY OF NEW YORK

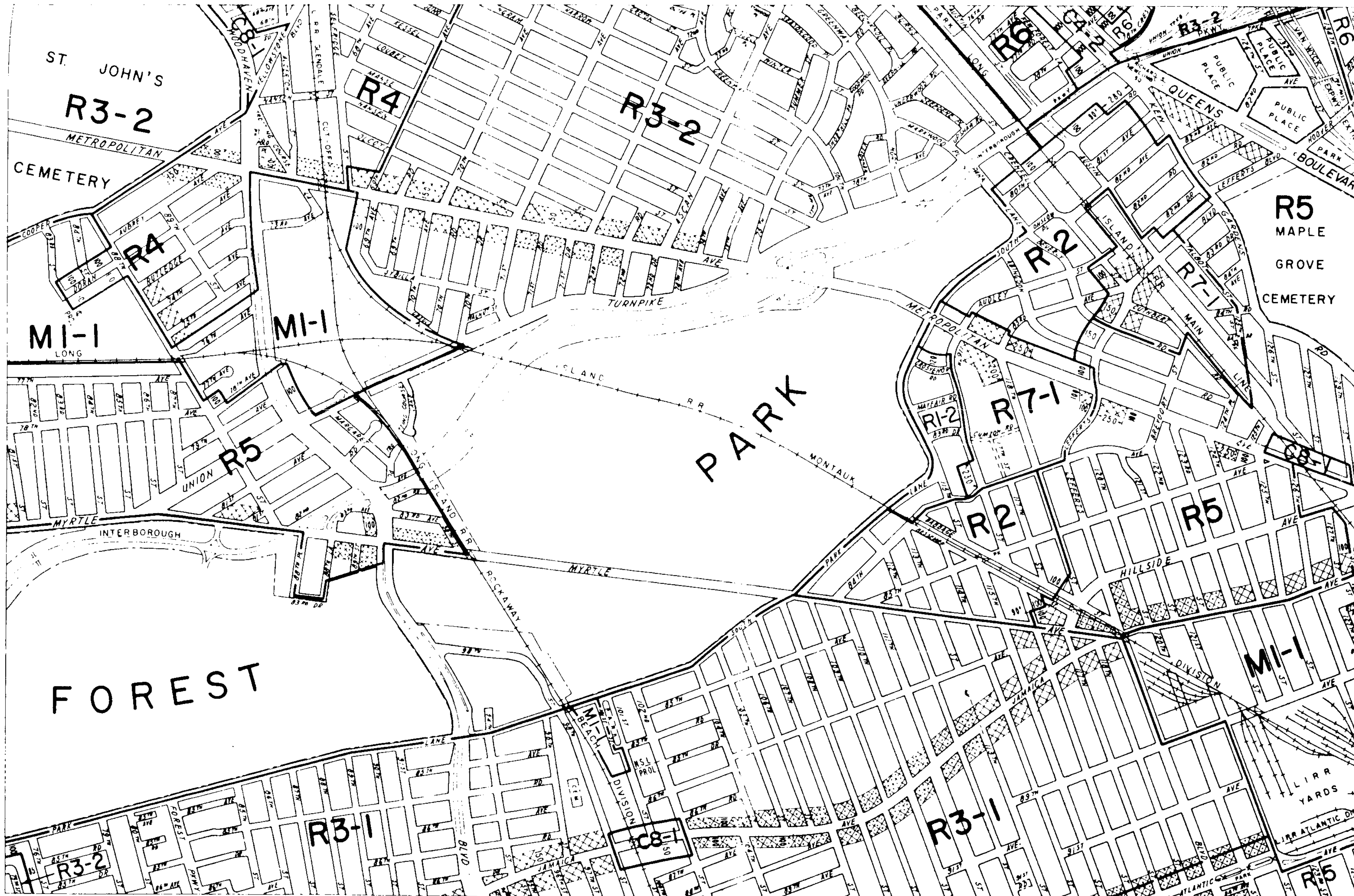


9d	10b	10d
13c	<b>14a</b>	14c
13d	14b	14d

EFFECTIVE: DECEMBER 15, 1961

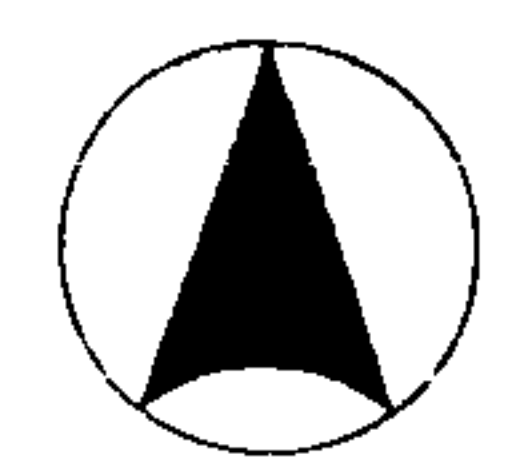
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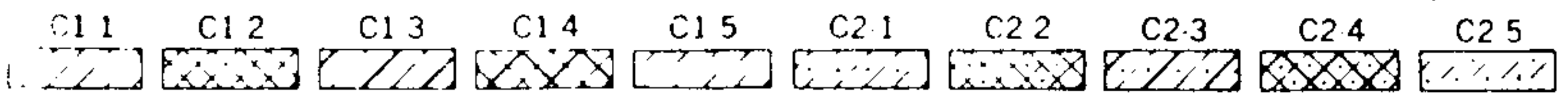
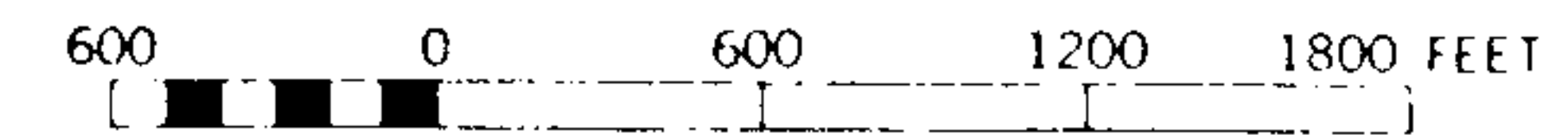


14b

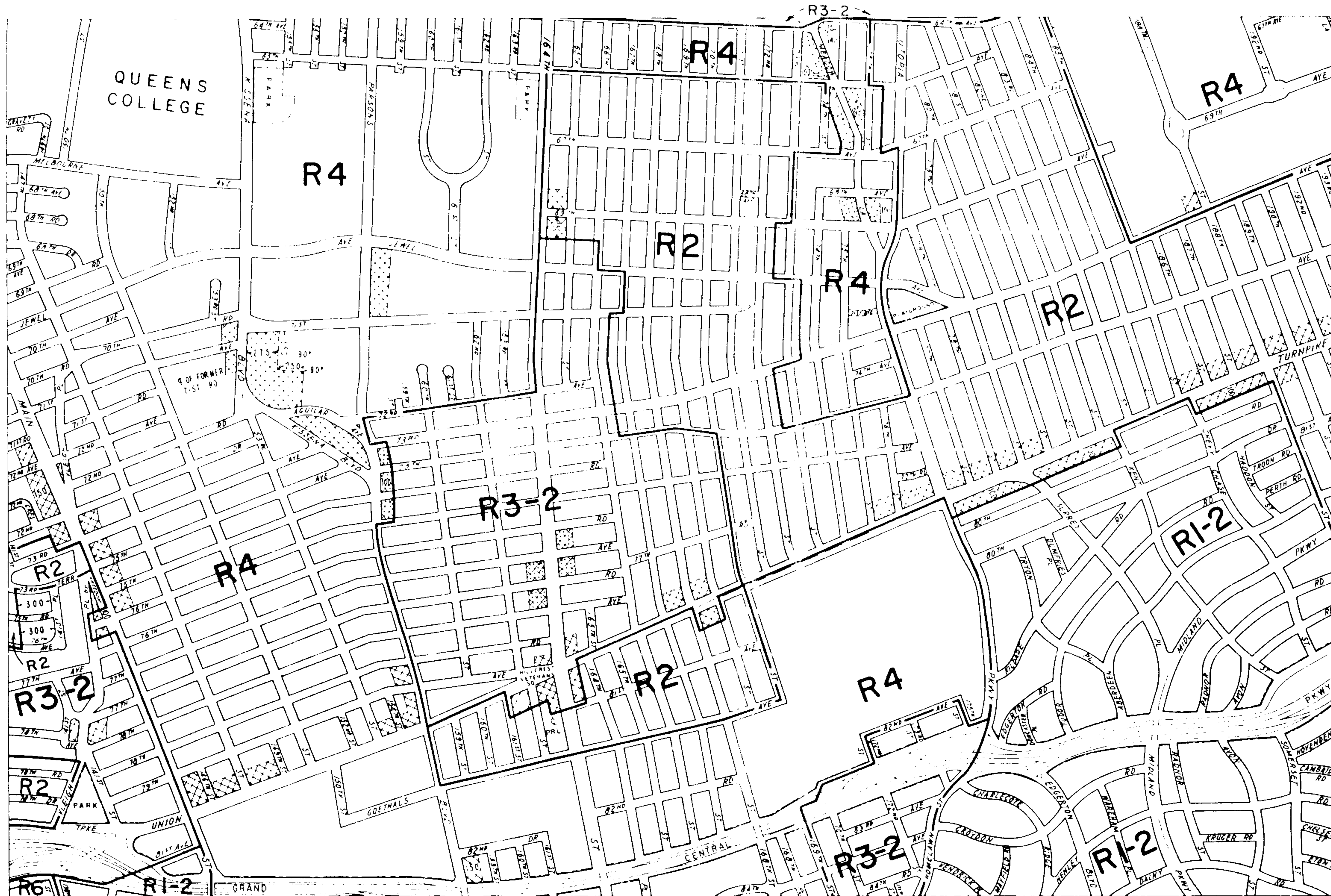
**ZONING MAP**  
CITY PLANNING COMMISSION  
THE CITY OF NEW YORK



13c	14a	14c
13d	<b>14b</b>	14d
11c	18a	18c



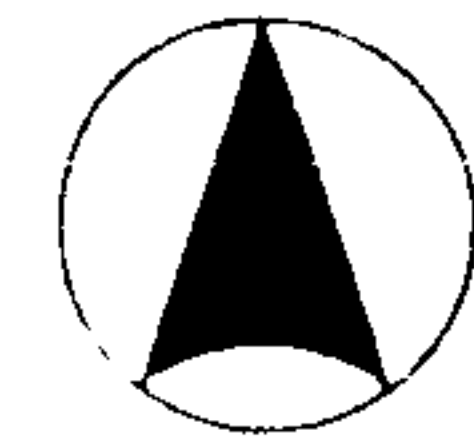
EFFECTIVE: DECEMBER 15, 1961



14c

# ZONING MAP

CITY PLANNING COMMISSION  
THE CITY OF NEW YORK

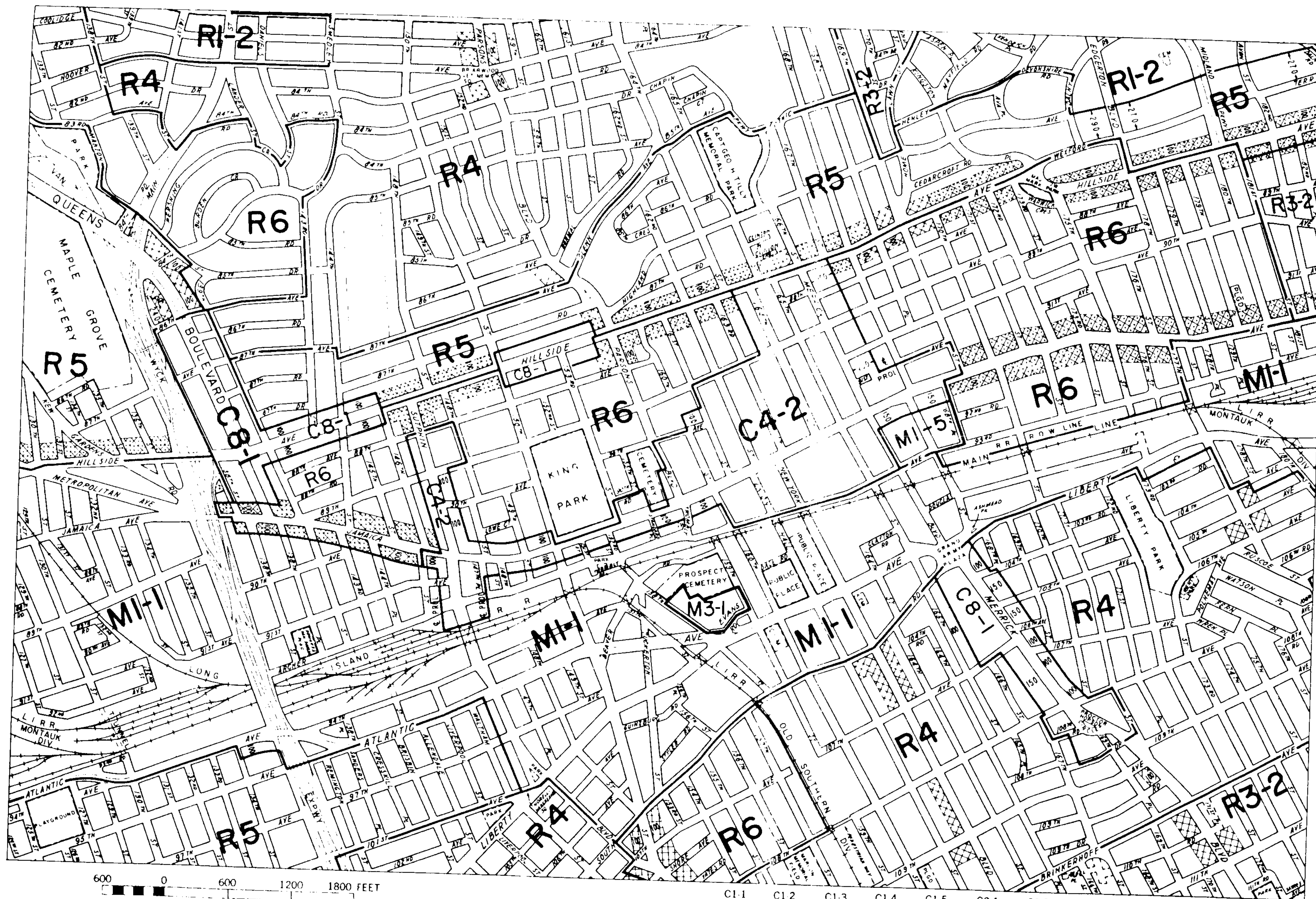


10b	10d	11b
14a	<b>14c</b>	15a
14b	14d	15b

600 0 600 1200 1800 FEET

C11 C12 C13 C14 C15 C21 C22 C23 C24 C25

EFFECTIVE: DECEMBER 15, 1961

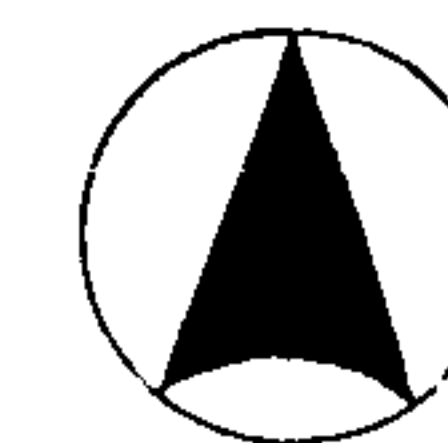


14d

# ZONING MAP

CITY PLANNING COMMISSION

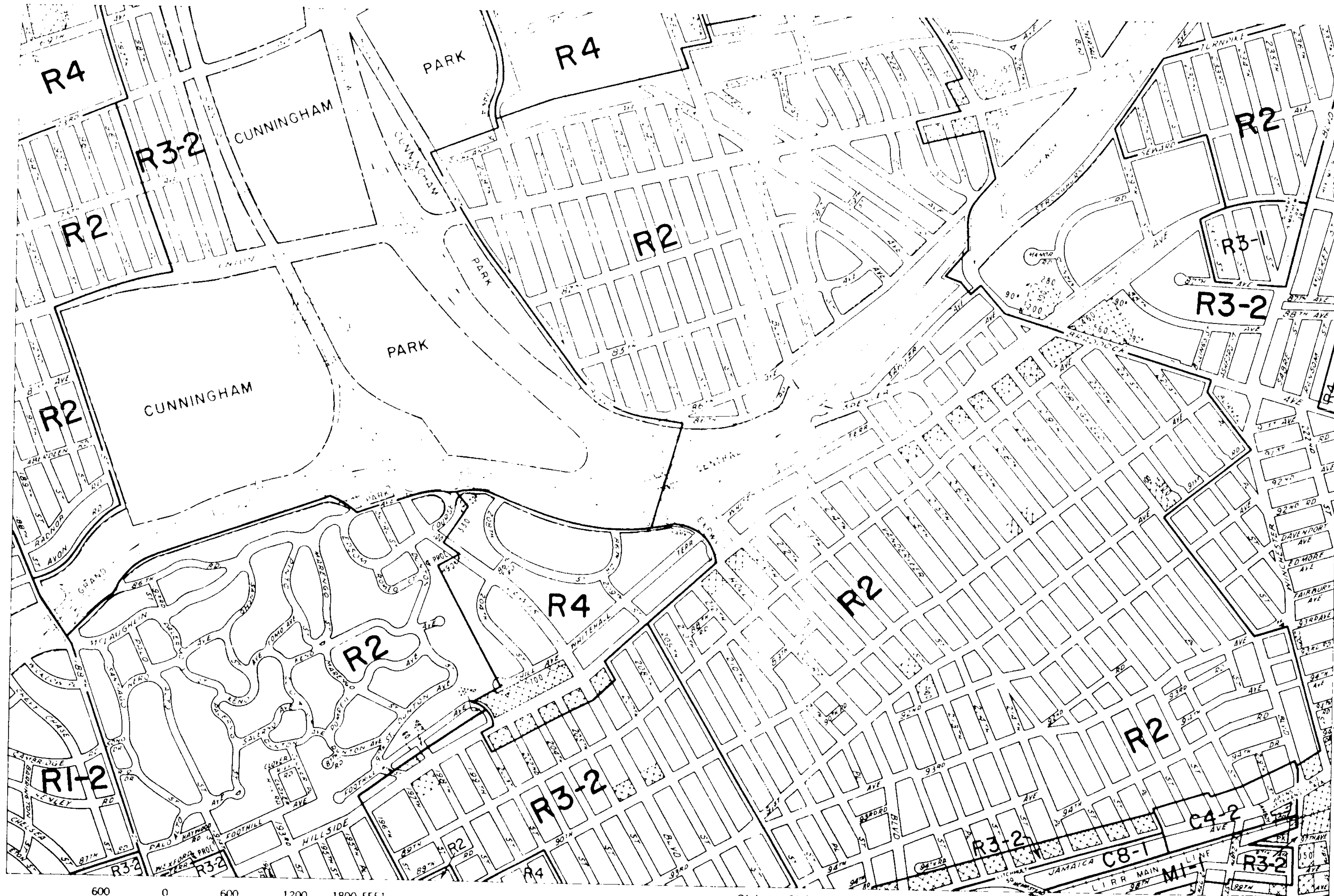
THE CITY OF NEW YORK



14a	14c	15a
14b	<b>14d</b>	15b
18a	18c	19a

CI-1	CI-2	CI-3	CI-4	CI-5	C2-1	C2-2	C2-3	C2-4	C2-5
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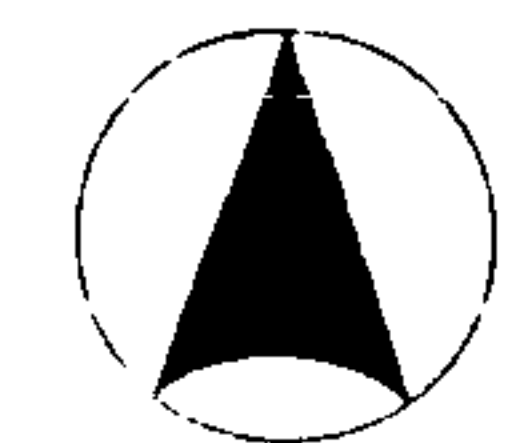
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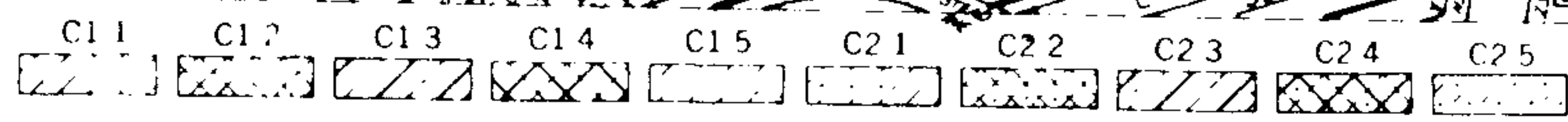
15a

# ZONING MAP

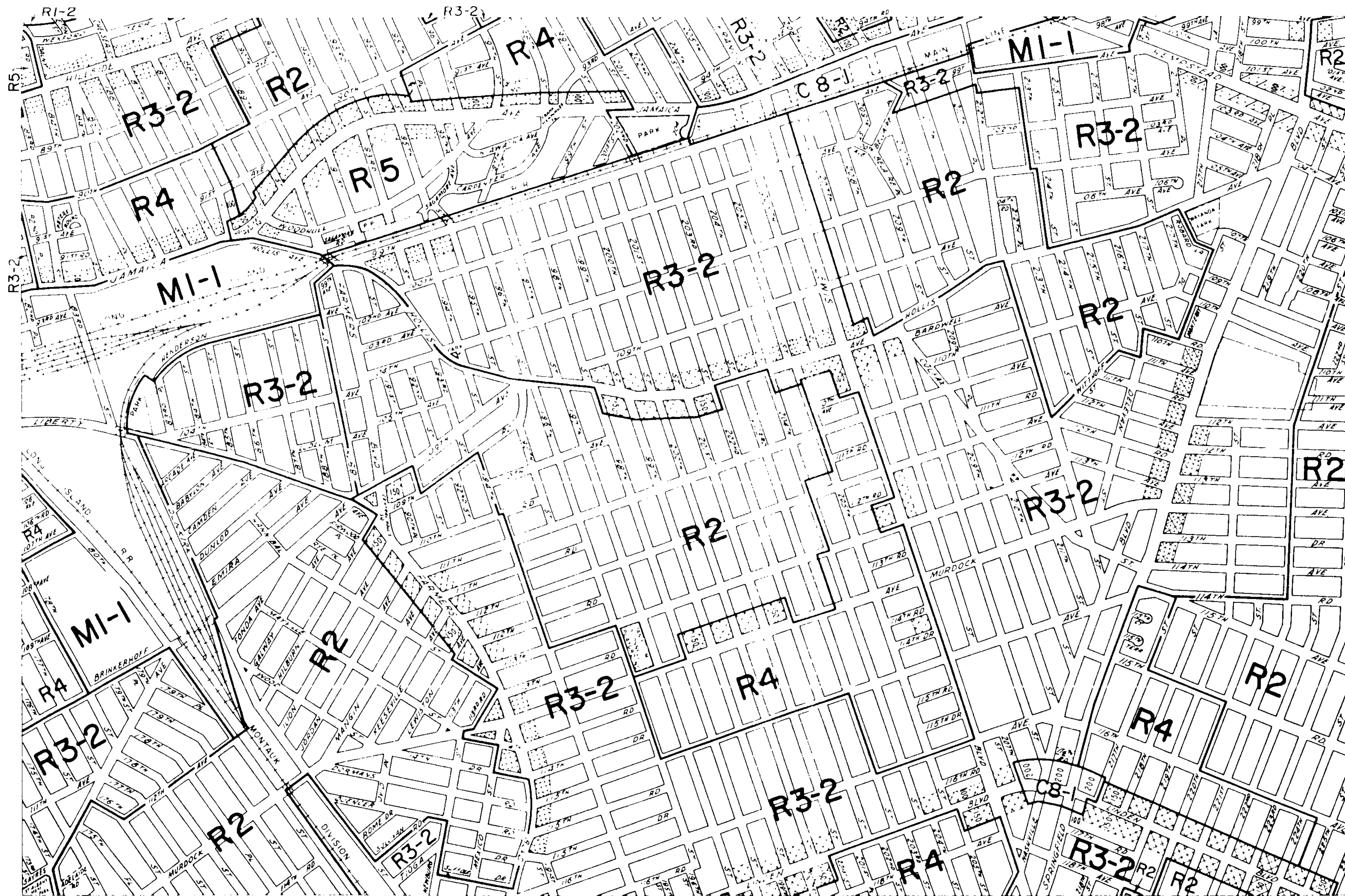
CITY PLANNING COMMISSION  
THE CITY OF NEW YORK



10d	11b	11d
14c	<b>15a</b>	15c
14d	15b	15d



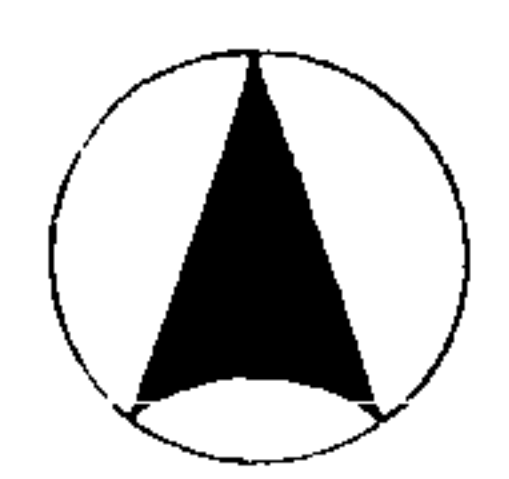
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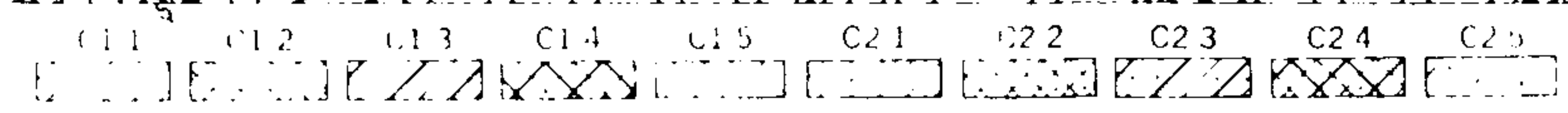
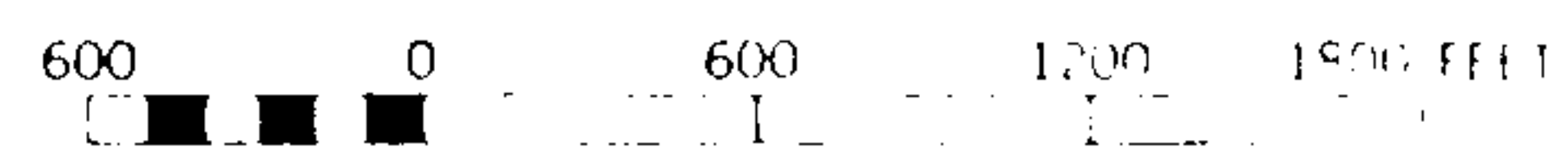
15b

# ZONING MAP

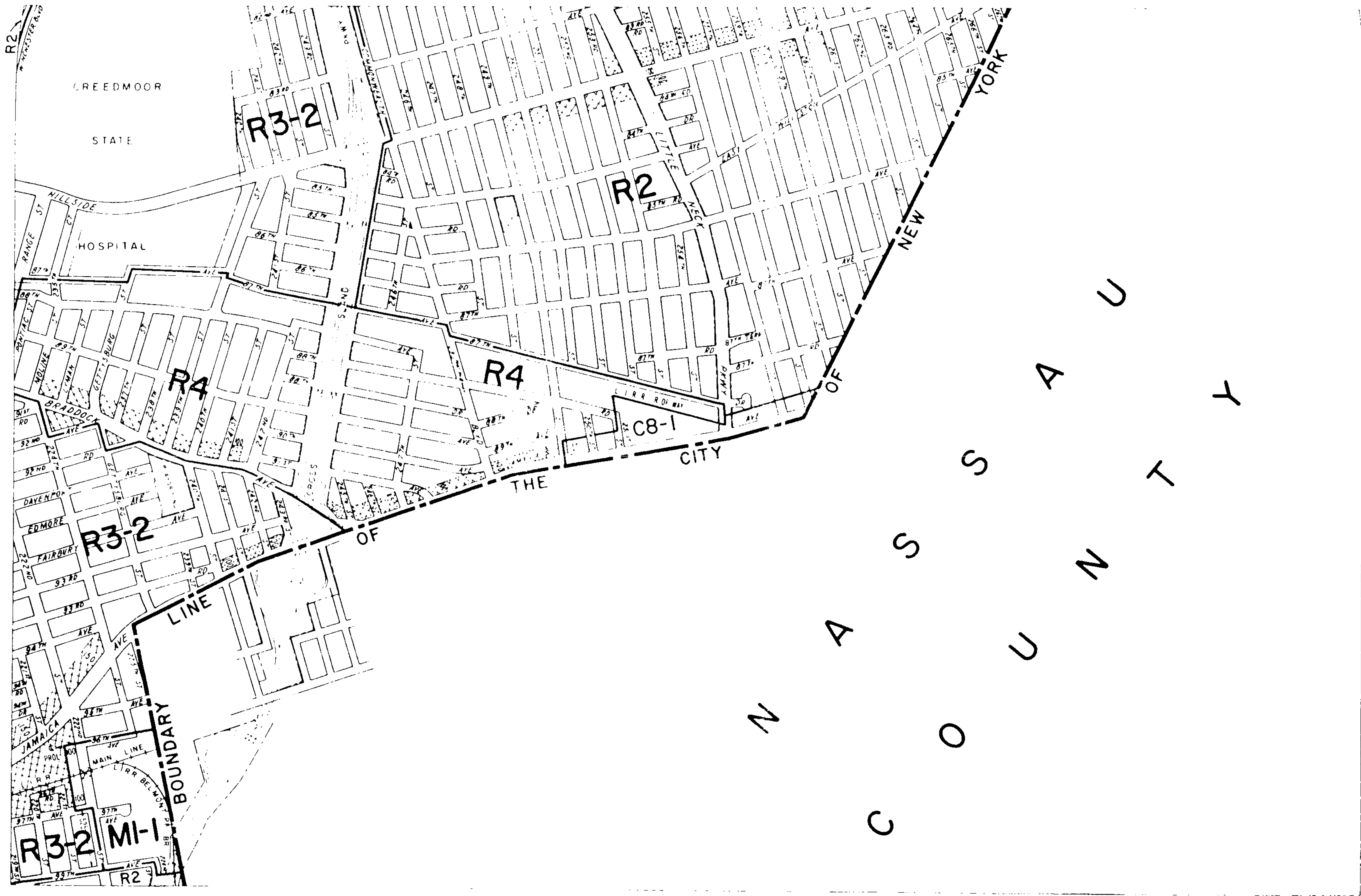
CITY PLANNING COMMISSION  
THE CITY OF NEW YORK



14c	15a	15c
14d	<b>15b</b>	15d
18c	19a	19c



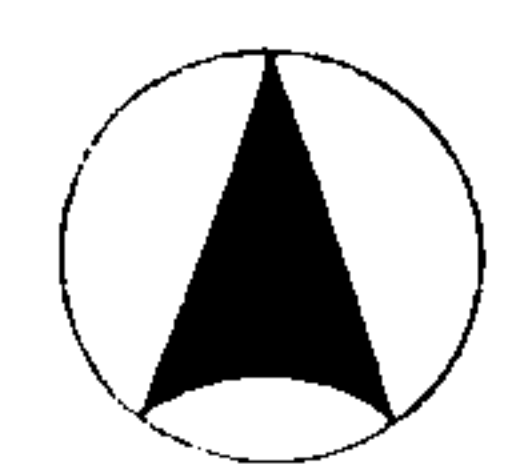
EFFECTIVE: DECEMBER 15, 1961



15c

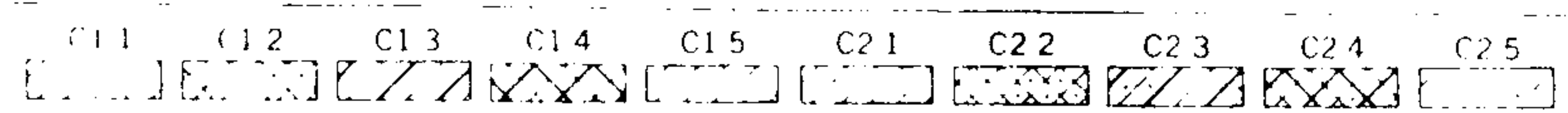
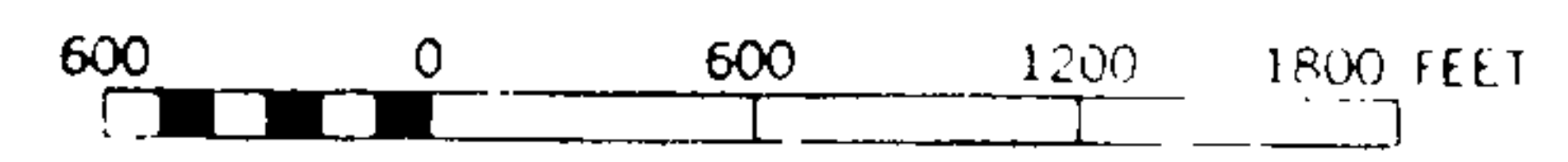
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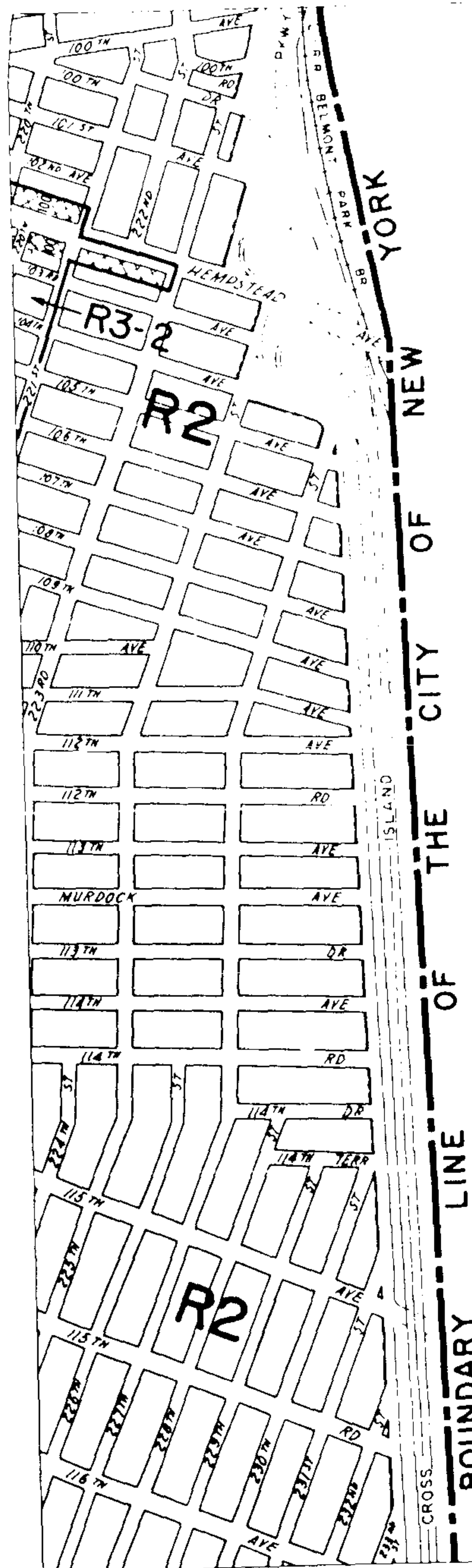
CITY PLANNING COMMISSION  
THE CITY OF NEW YORK



1b	1d	
15a	<b>15c</b>	
15b	15d	

EFFECTIVE: DECEMBER 15, 1961

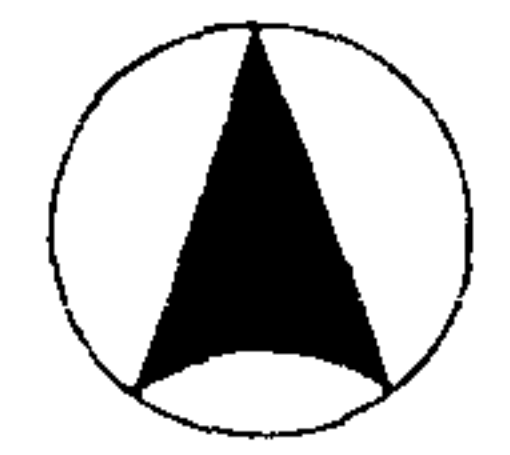




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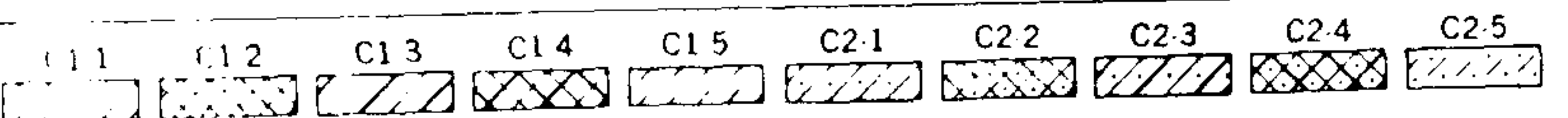
15d

**ZONING MAP**  
CITY PLANNING COMMISSION  
THE CITY OF NEW YORK



15a	15c	
15b	<b>15d</b>	
19a	19c	

EFFECTIVE: DECEMBER 15, 1961





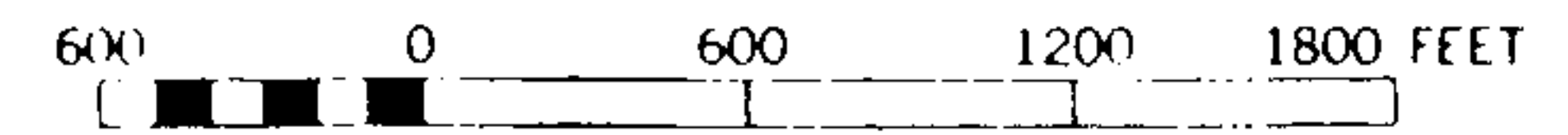
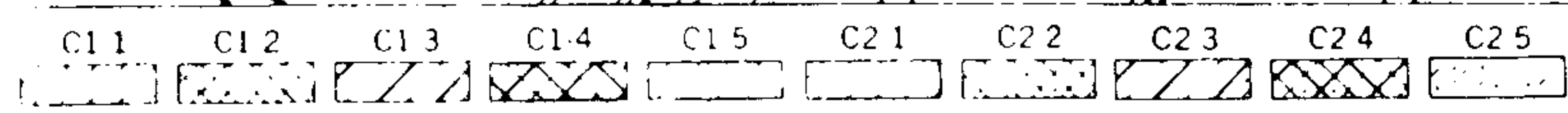
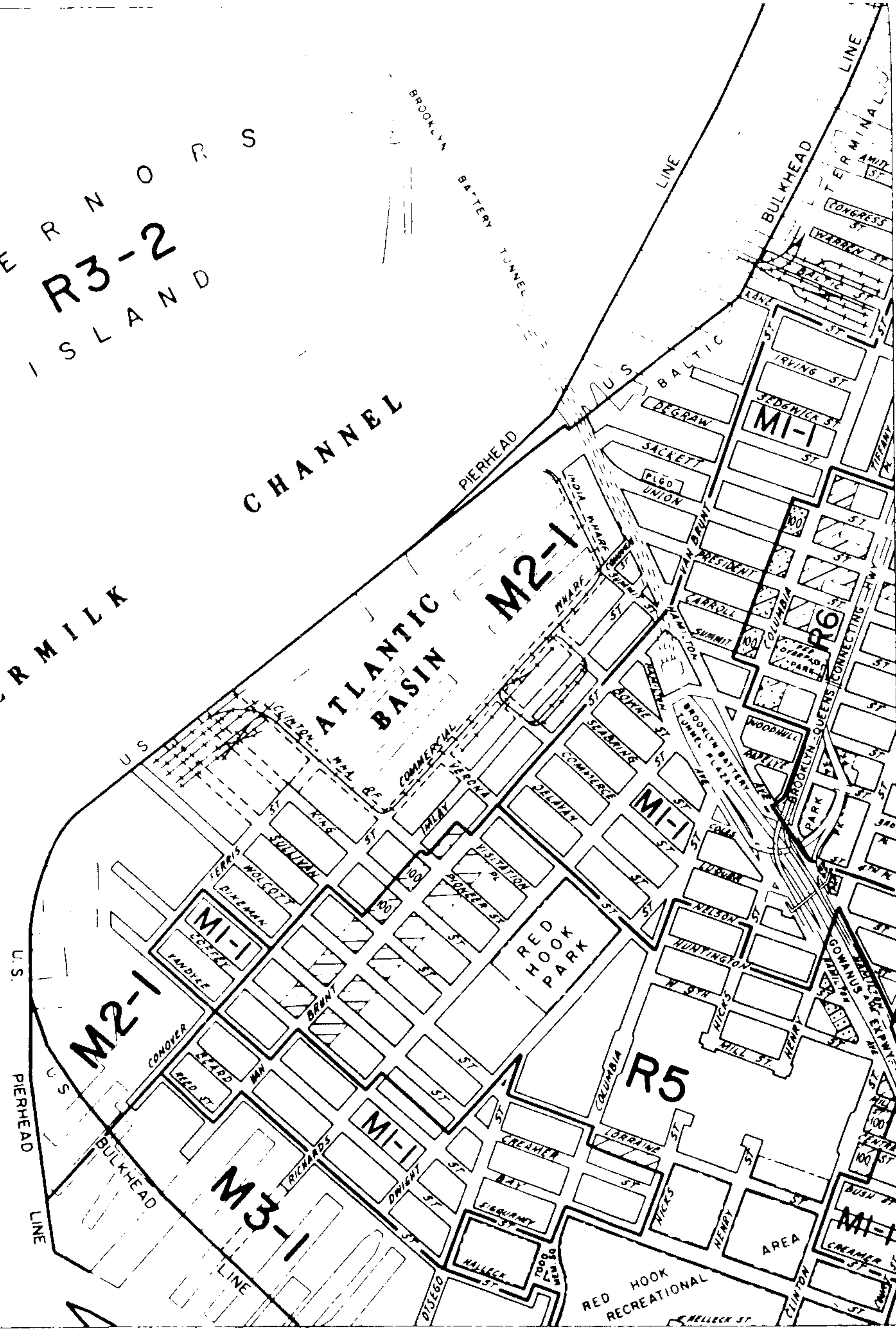
LIBERTY ISLAND  
STATUE OF LIBERTY

U P P E R

B A Y

G O V E R N O R S ISLAND  
R3-2

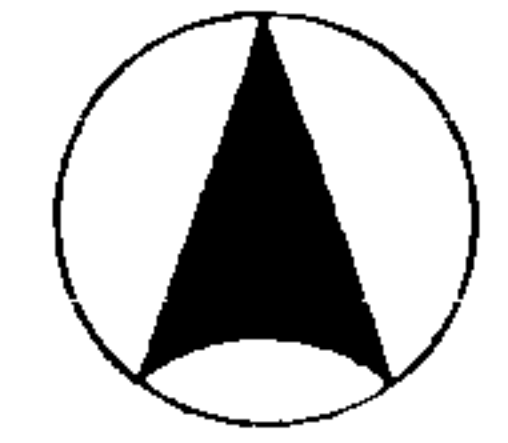
B U T T E R M I L K C H A N N E L  
A T L A N T I C B A S I N  
M2-1



16a

**ZONING MAP**

CITY PLANNING COMMISSION  
THE CITY OF NEW YORK



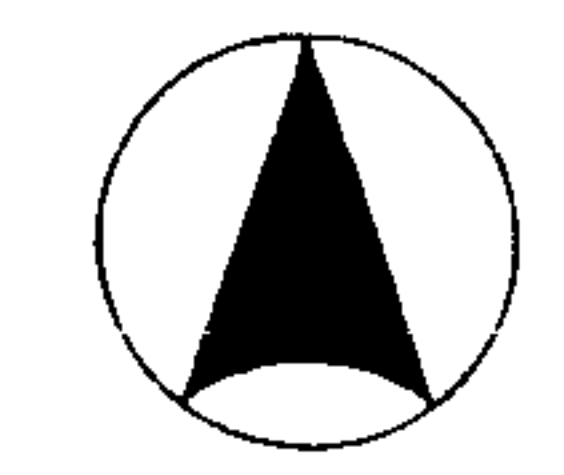
	12b	12d
	<b>16c</b>	16c
	16b	16d

EFFECTIVE: DECEMBER 15, 1961

16b

# ZONING MAP

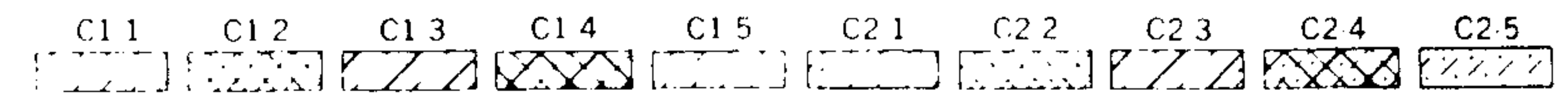
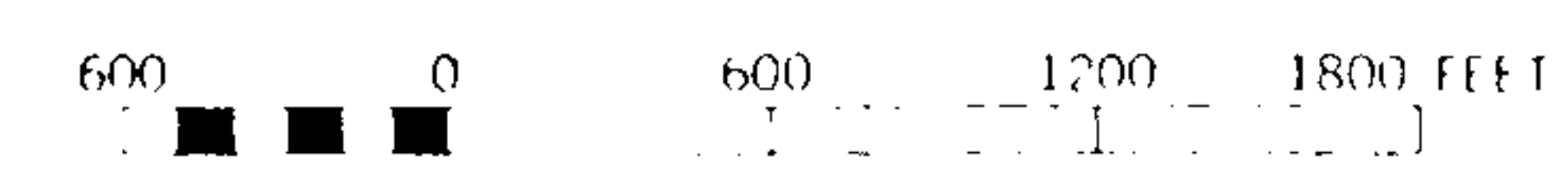
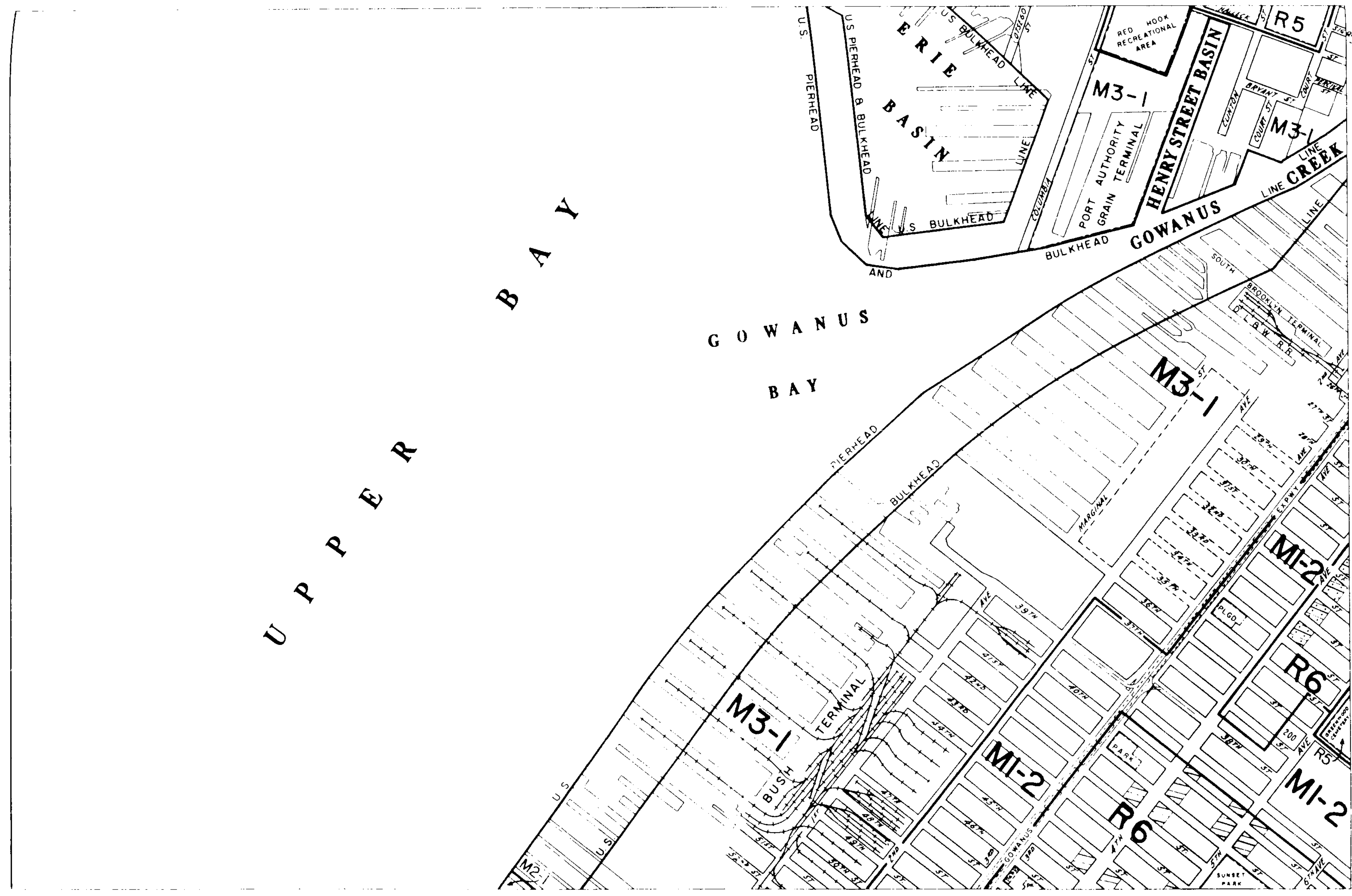
CITY PLANNING COMMISSION  
THE CITY OF NEW YORK



	16a	16c
	<b>16b</b>	16d
21c	22a	22c

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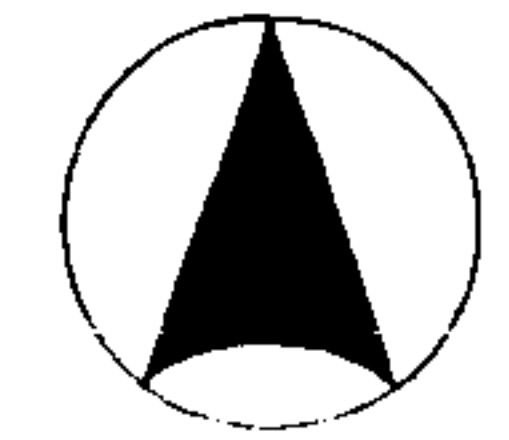


16c

# ZONING MAP

CITY PLANNING COMMISSION

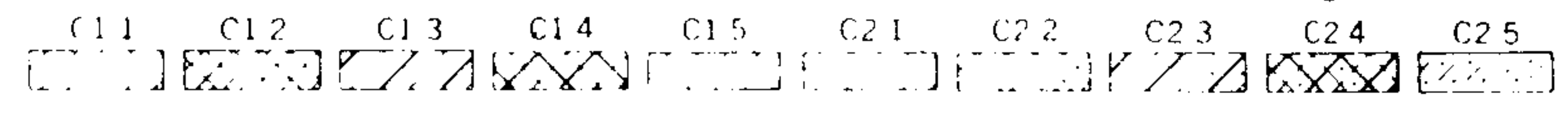
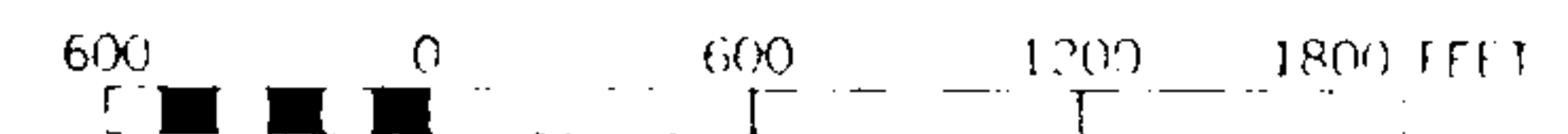
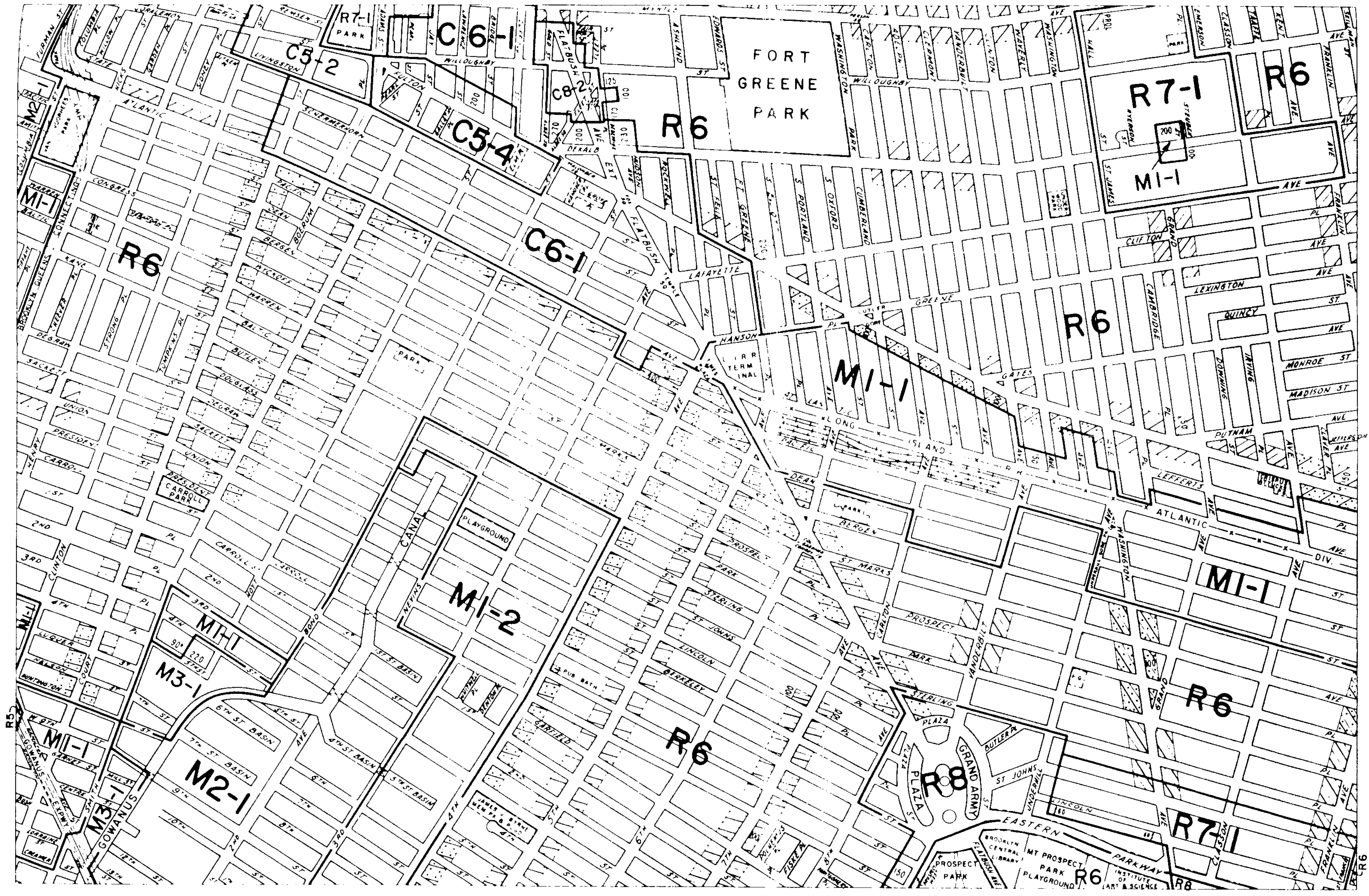
THE CITY OF NEW YORK



12b	12d	13b
16a	<b>16c</b>	17a
16b	16d	17b

EFFECTIVE: DECEMBER 15, 1961

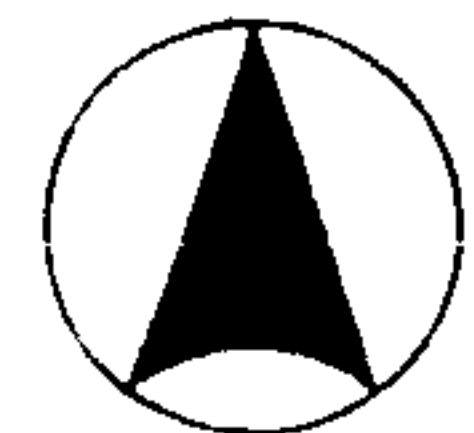
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16d

# ZONING MAP

CITY PLANNING COMMISSION  
THE CITY OF NEW YORK



16a	16c	17a
16b	<b>16d</b>	17b
22a	22c	23a

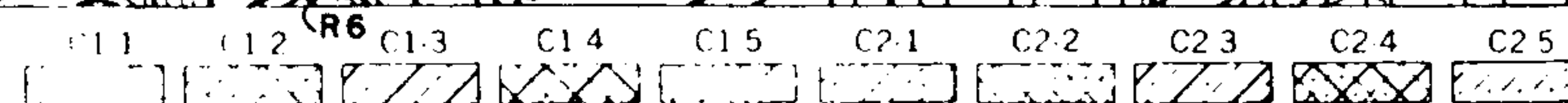
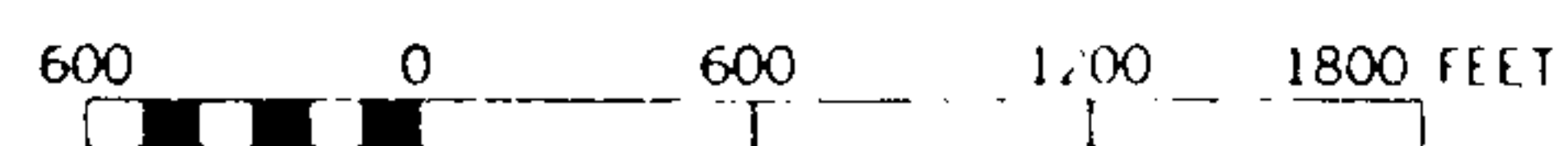
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G R E E N W O O D

C E M E T E R Y

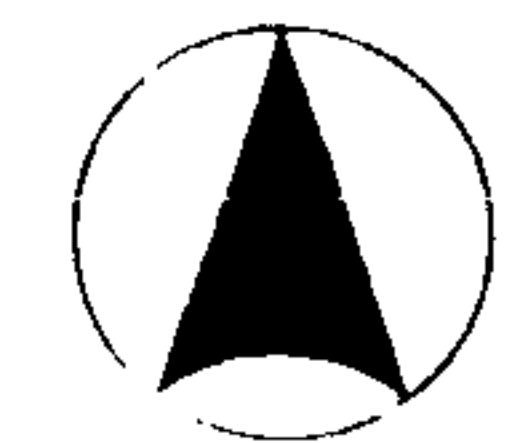


17a

# ZONING MAP

CITY PLANNING COMMISSION

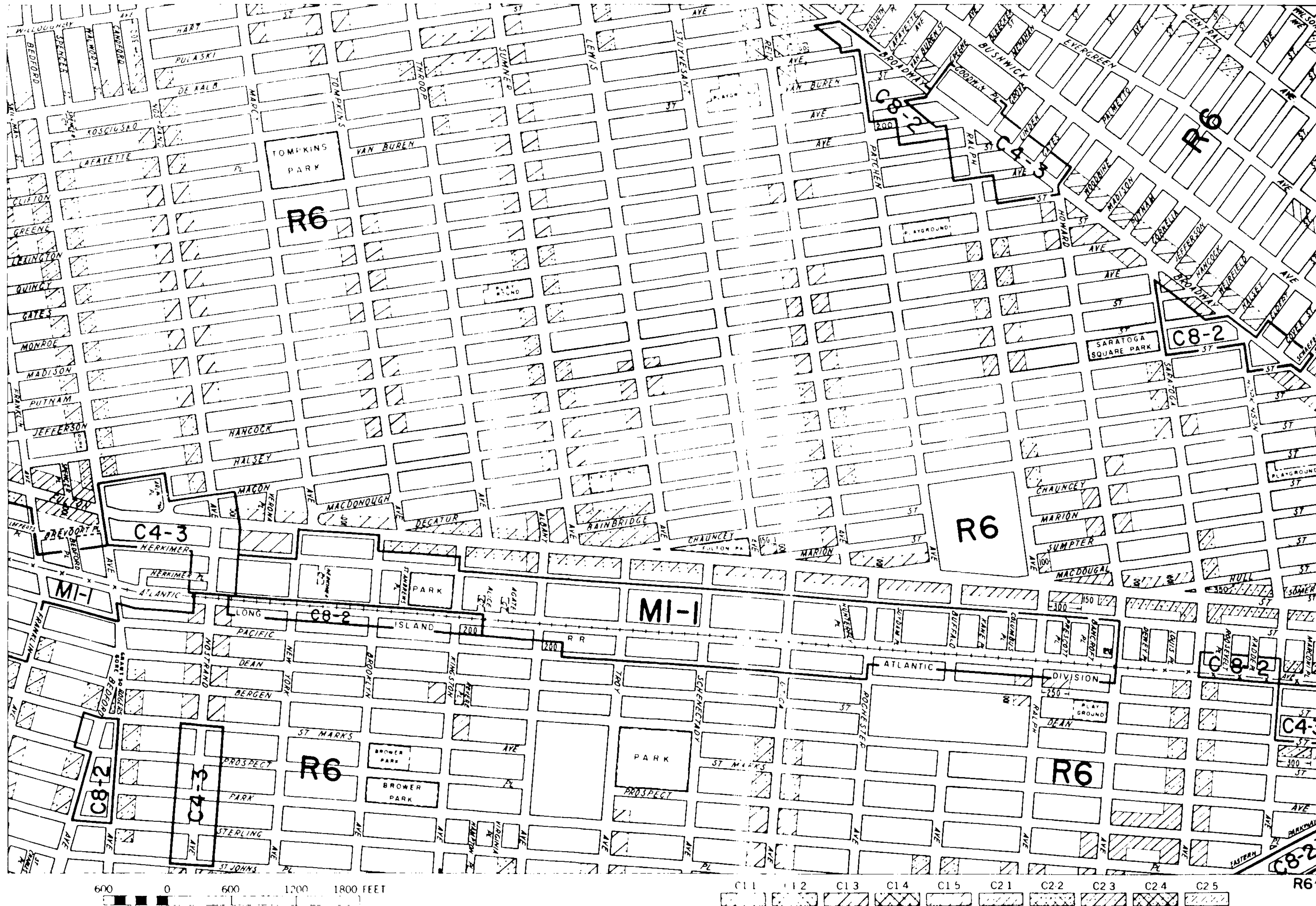
THE CITY OF NEW YORK



12d	13b	13d
16c	<b>17a</b>	17c
16d	17b	17d

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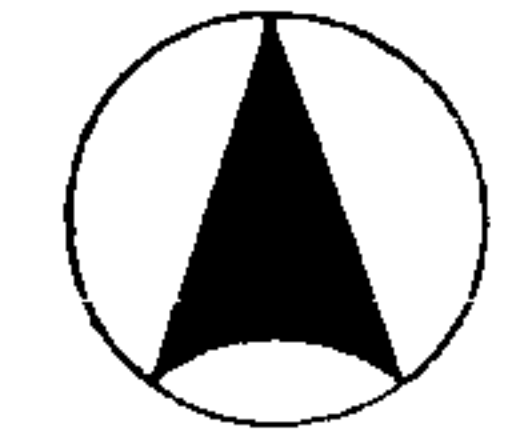


17b

# ZONING MAP

CITY PLANNING COMMISSION

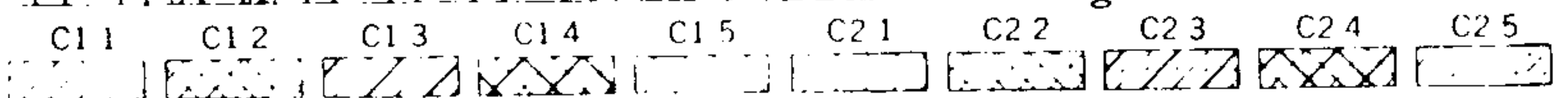
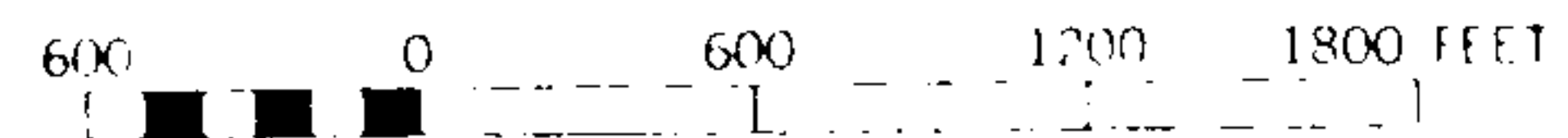
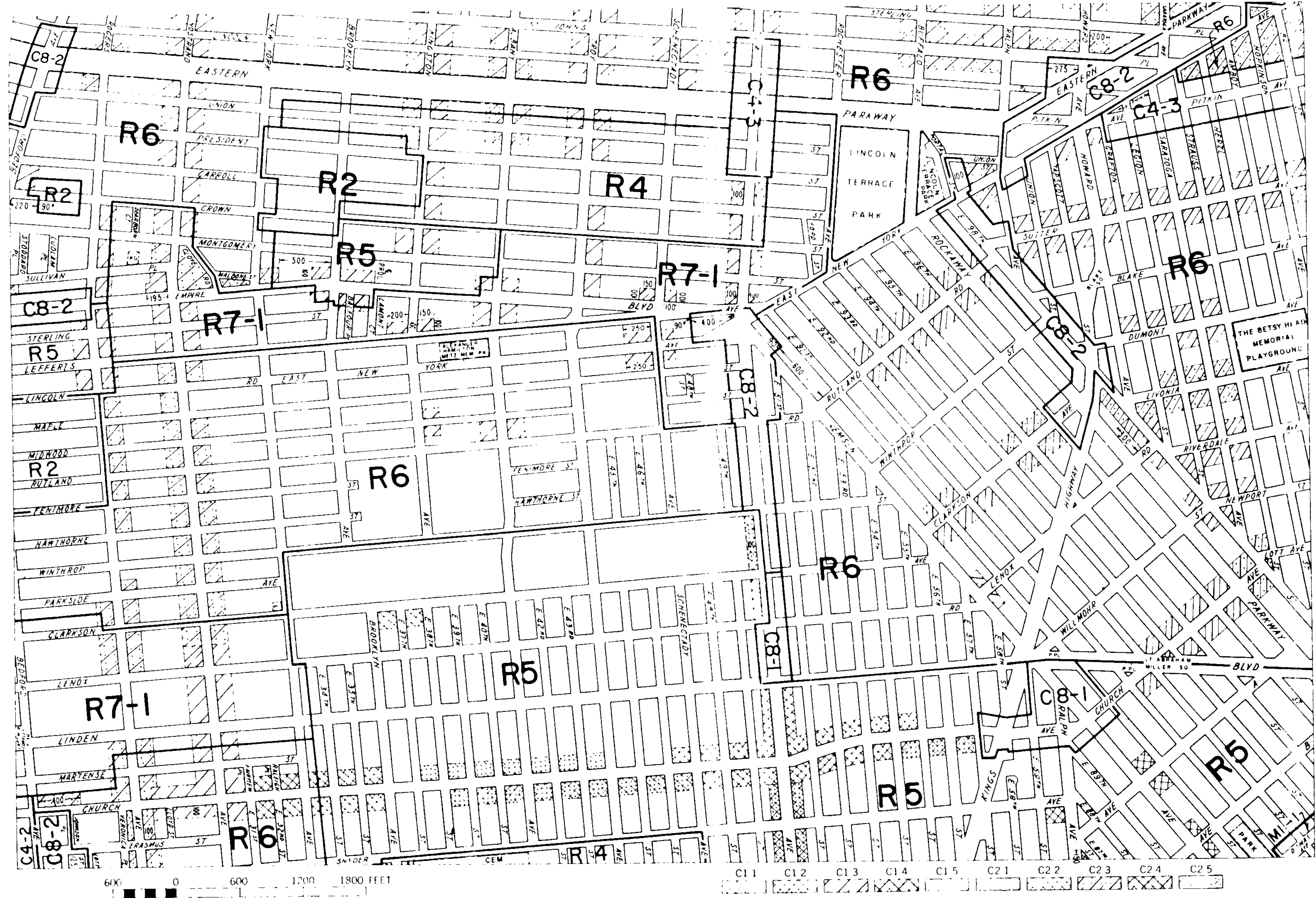
THE CITY OF NEW YORK



16c	17a	17c
16d	<b>17b</b>	17d
22a	23a	23c

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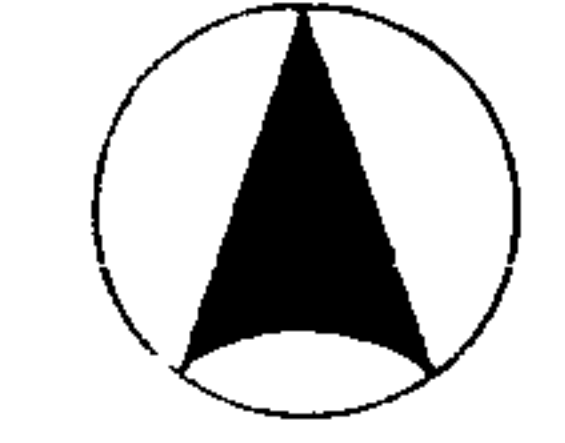


17c

# ZONING MAP

CITY PLANNING COMMISSION

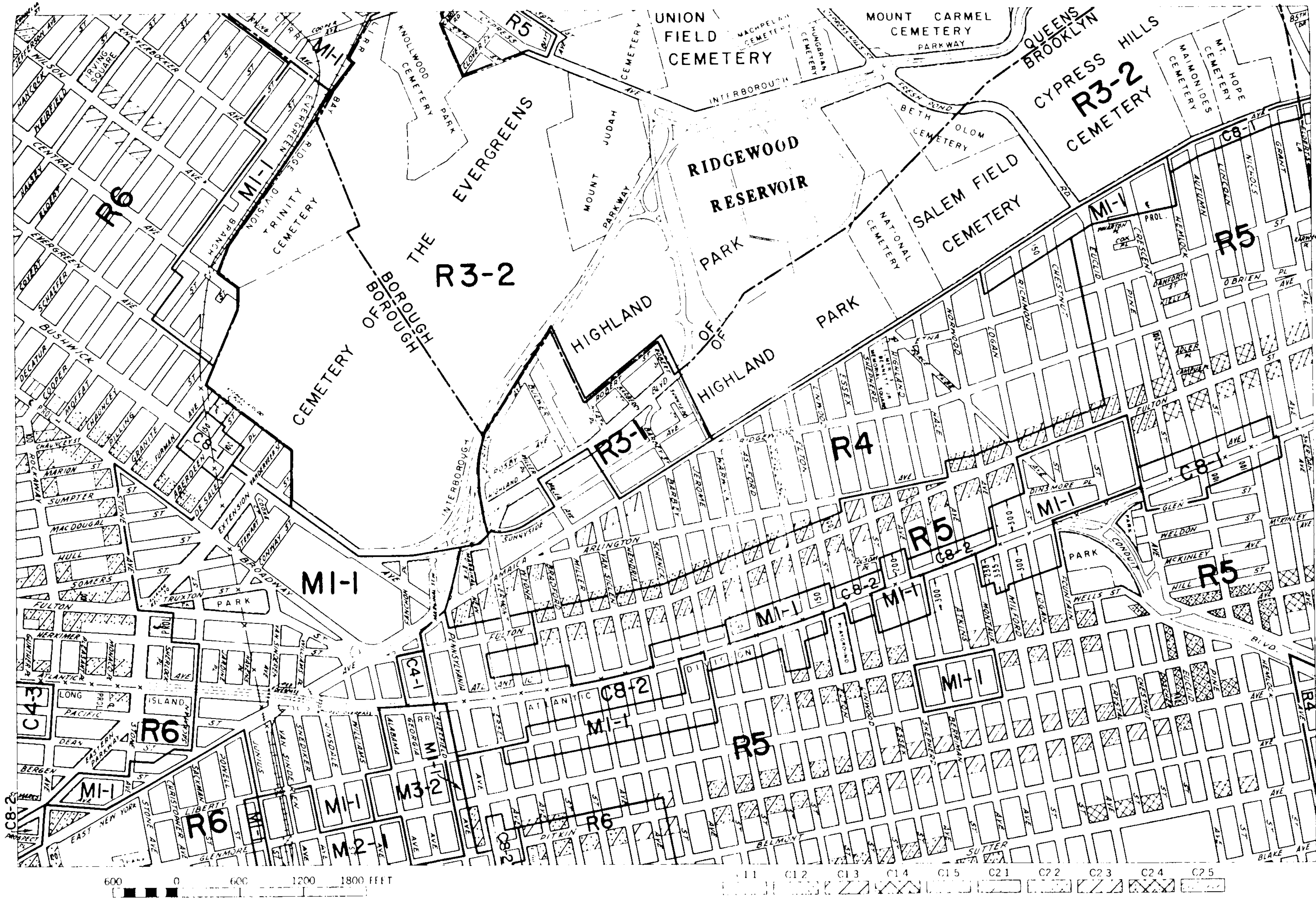
THE CITY OF NEW YORK



13b	13d	14b
17a	<b>17c</b>	18a
17b	17d	18b

EFFECTIVE: DECEMBER 15, 1961

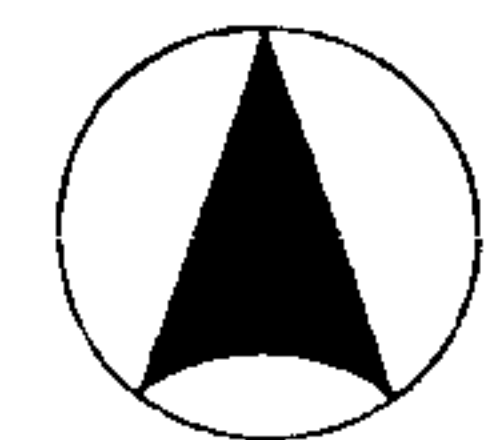
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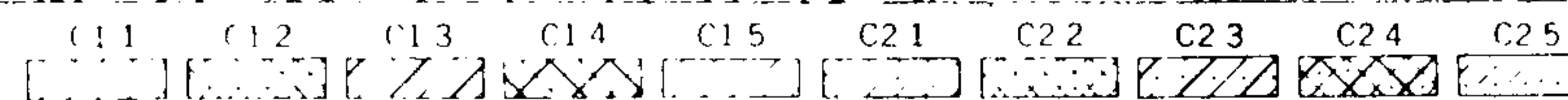
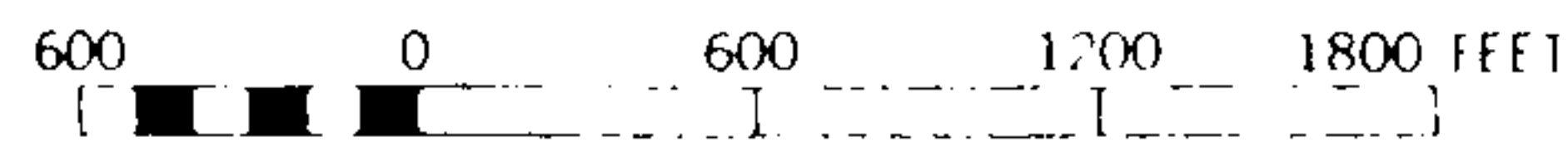
17d

# ZONING MAP

CITY PLANNING COMMISSION  
THE CITY OF NEW YORK

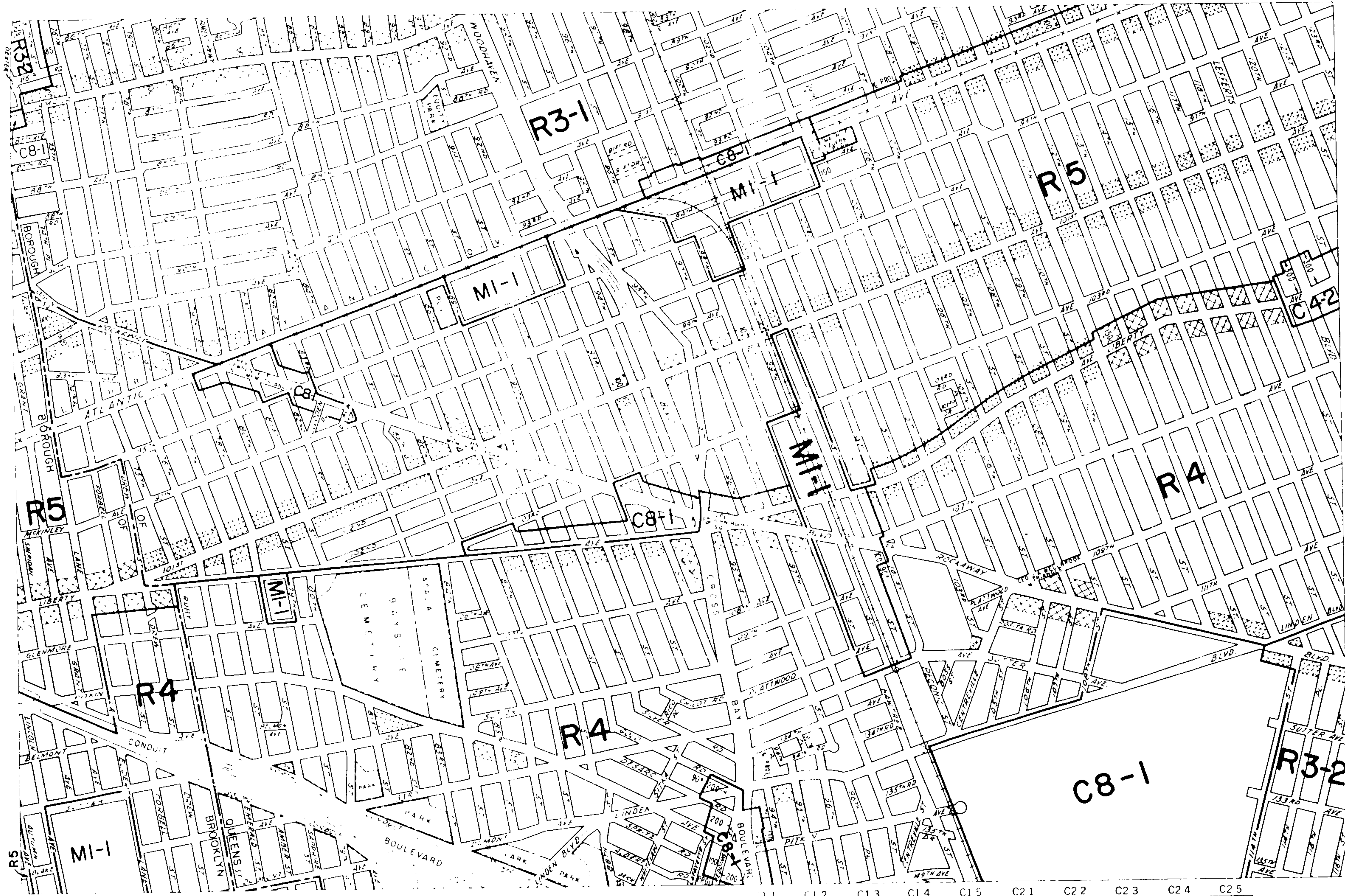


17a	17c	18a
17b	<b>17d</b>	18b
23a	23c	24a



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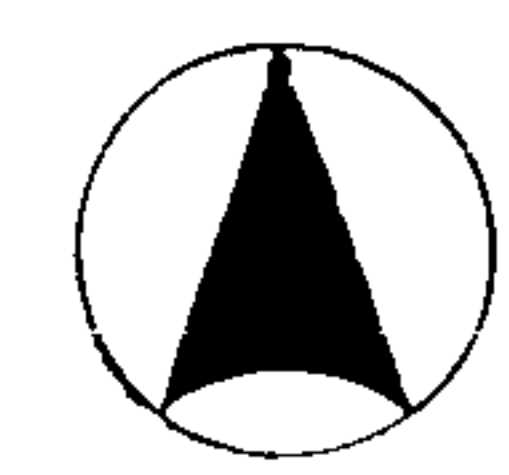




18a

# ZONING MAP

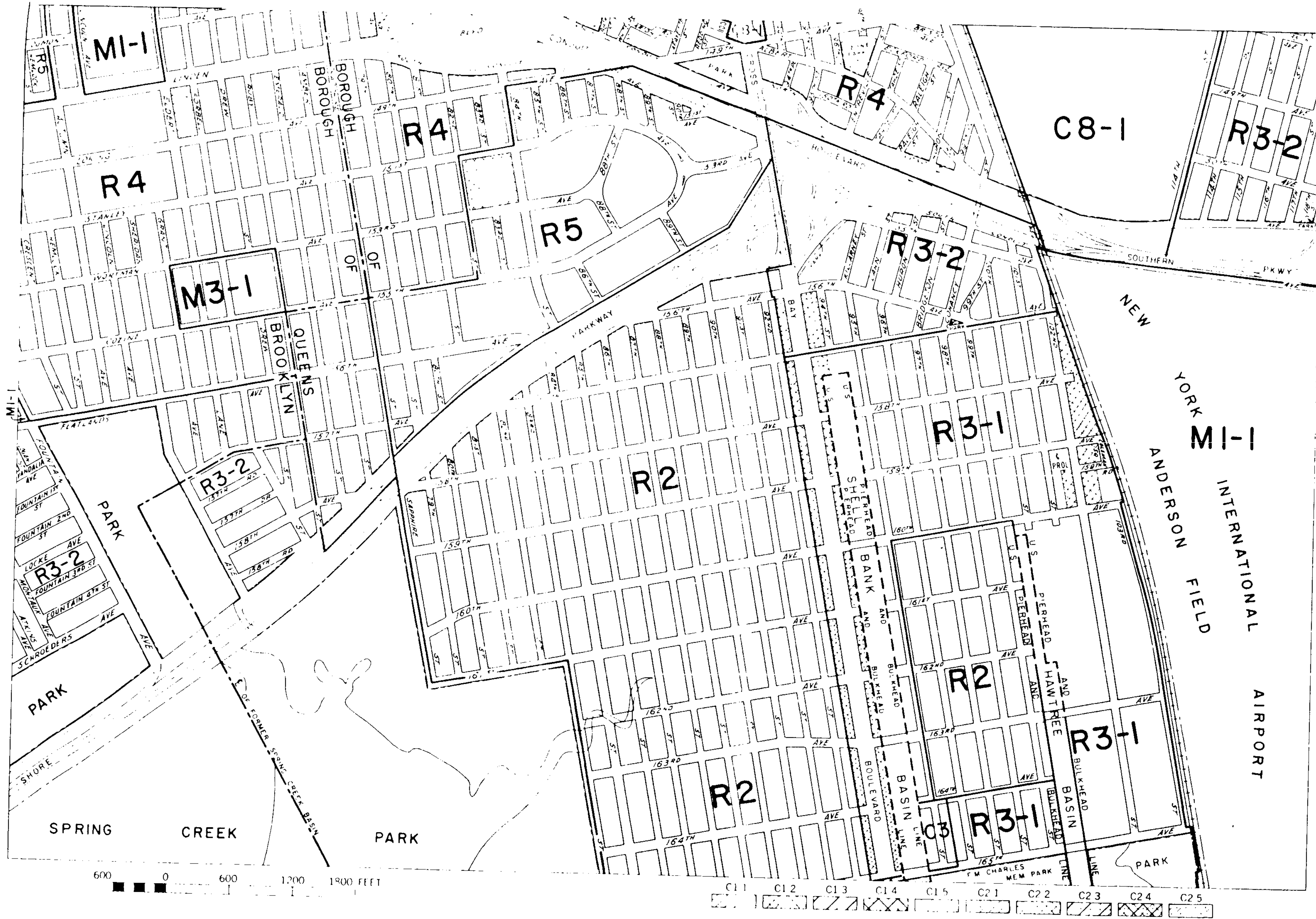
CITY PLANNING COMMISSION  
THE CITY OF NEW YORK



13d	14b	14d
17c	<b>18a</b>	18c
17d	18b	18d

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18b

# ZONING MAP

CITY PLANNING COMMISSION  
THE CITY OF NEW YORK



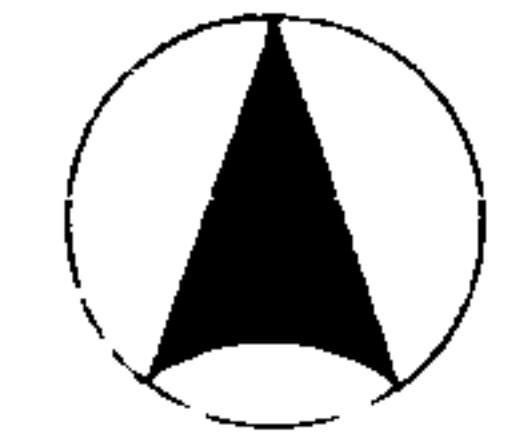
17c	18a	18c
17d	<b>18b</b>	18d
23c	24a	24c

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18c

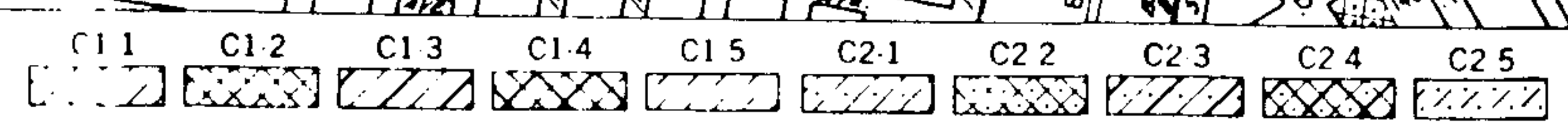
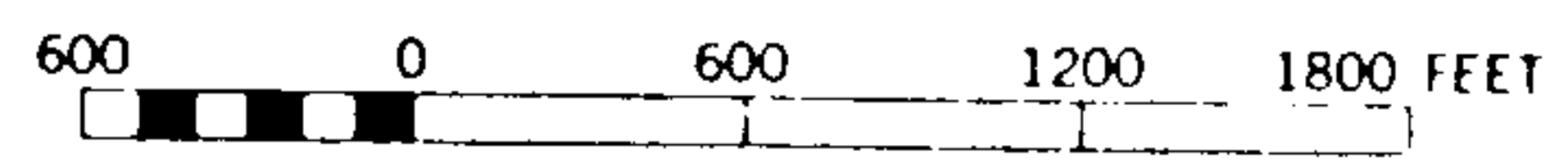
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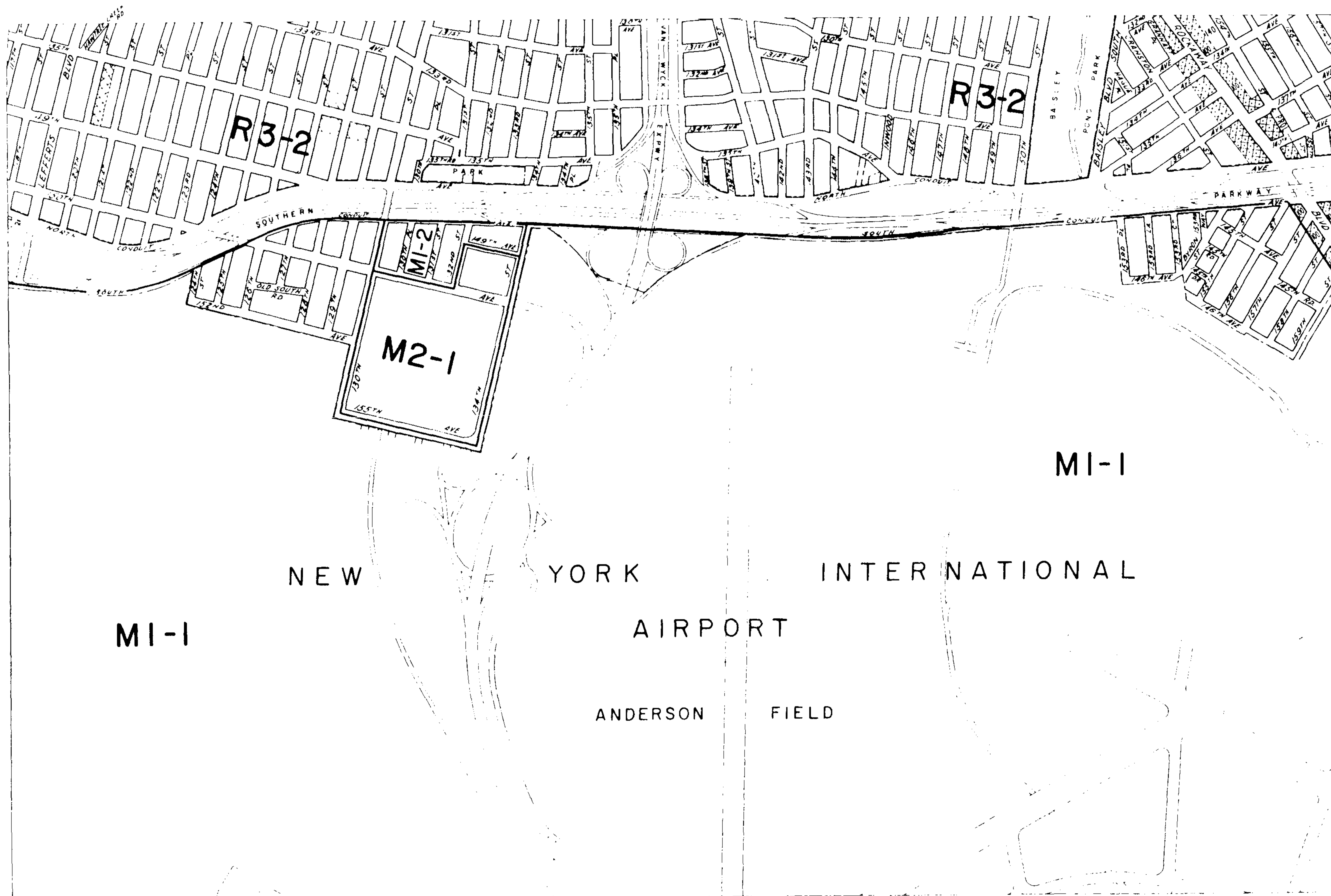
CITY PLANNING COMMISSION  
THE CITY OF NEW YORK



14b	14d	15b
18a	<b>18c</b>	19a
18b	18d	19b

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18d

# ZONING MAP

CITY PLANNING COMMISSION

THE CITY OF NEW YORK

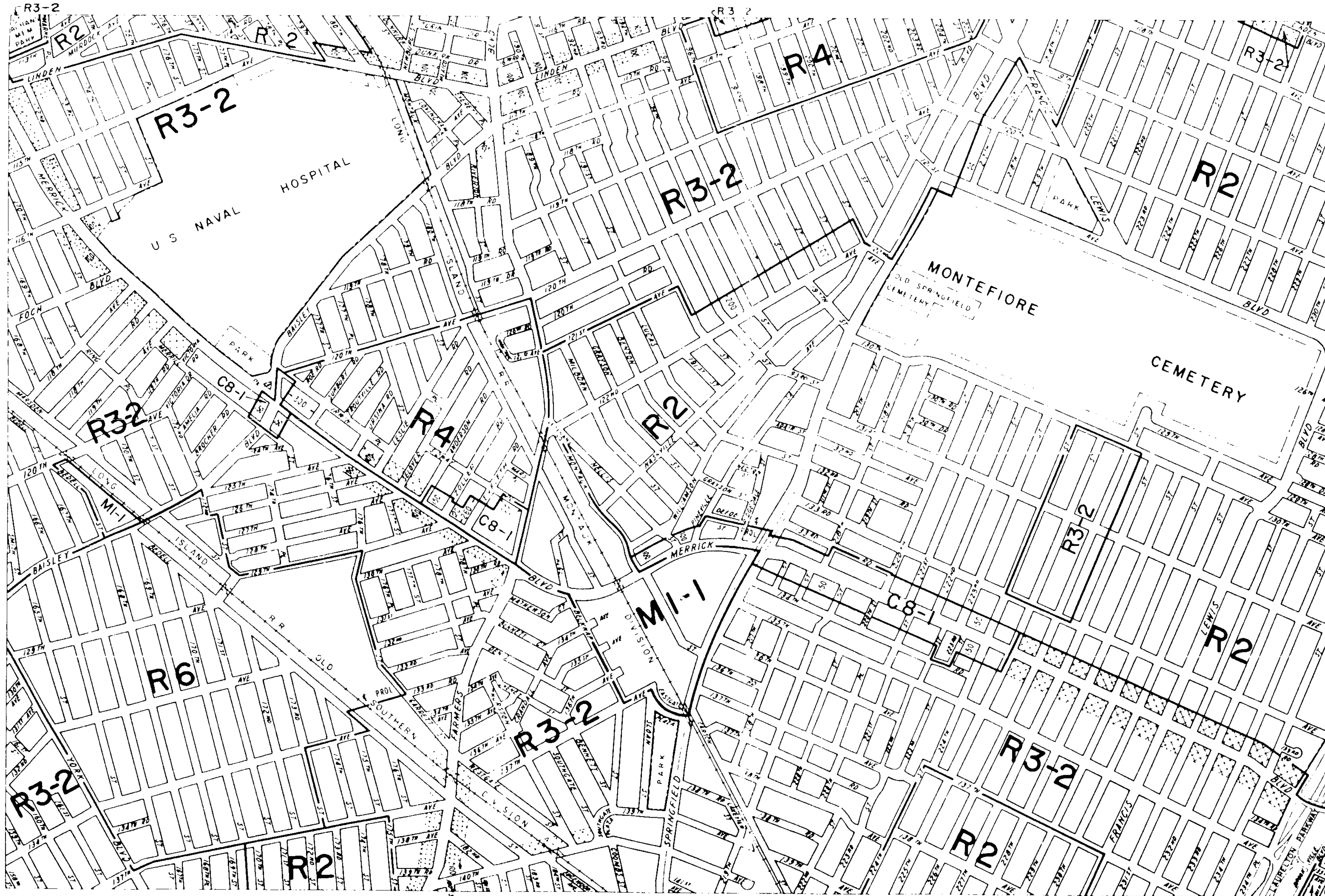


18a	18c	19a
18b	<b>18d</b>	19b
24a	24c	25a

600 0 600 1200 1800 FEET

C11 C12 C13 C14 C15 C21 C22 C23 C24 C25

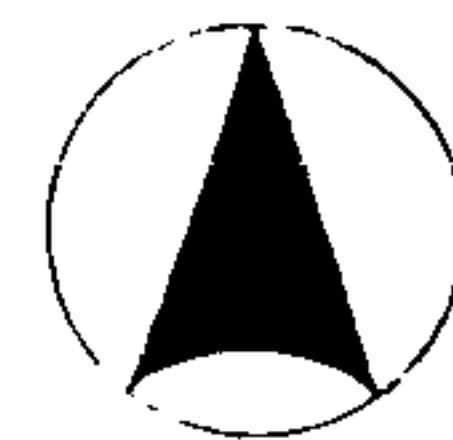
EFFECTIVE: DECEMBER 15, 1961



19a

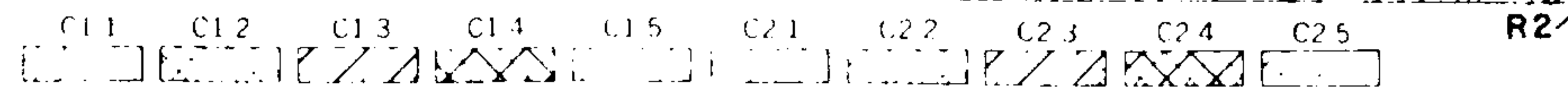
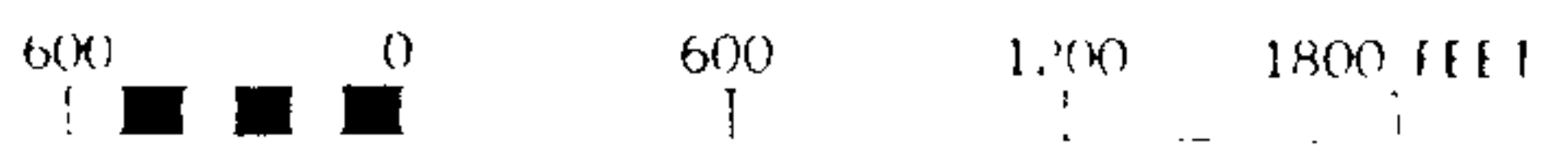
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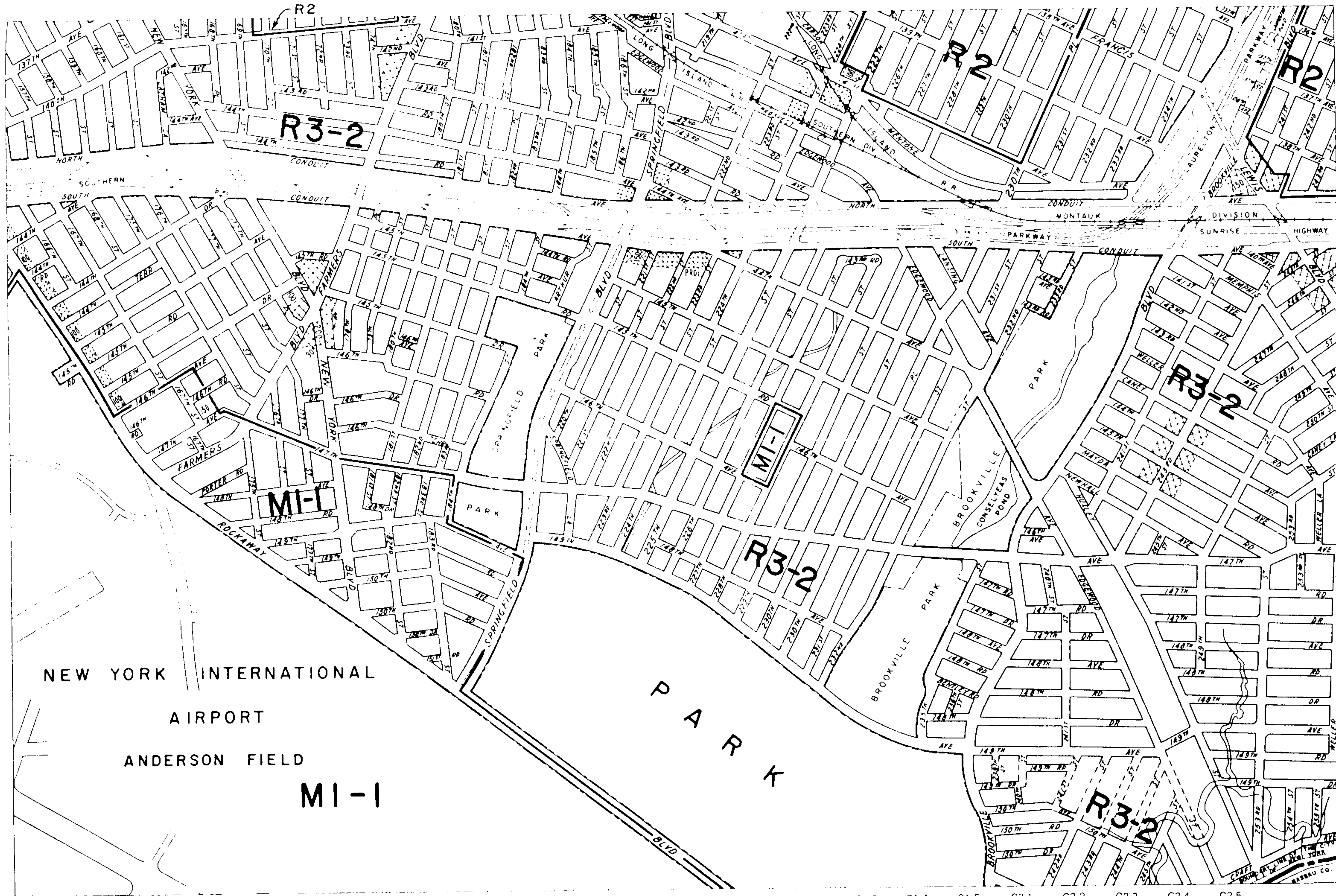
CITY PLANNING COMMISSION  
THE CITY OF NEW YORK



14d	15b	15d
18c	<b>19a</b>	19c
18d	19b	19d

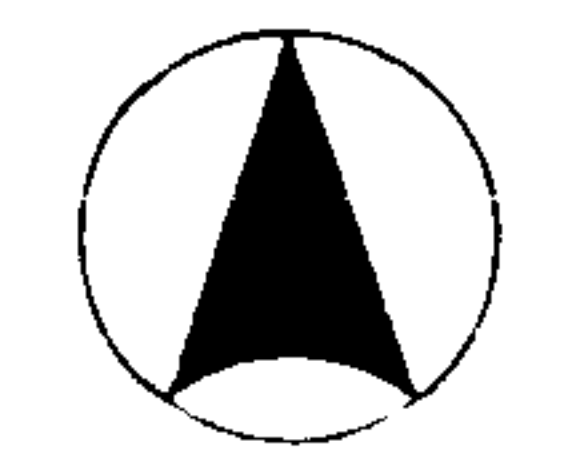
EFFECTIVE: DECEMBER 15, 1961





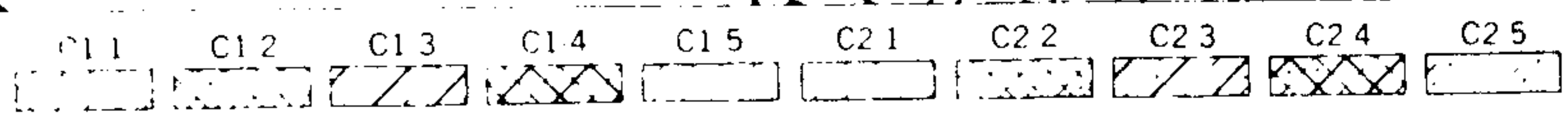
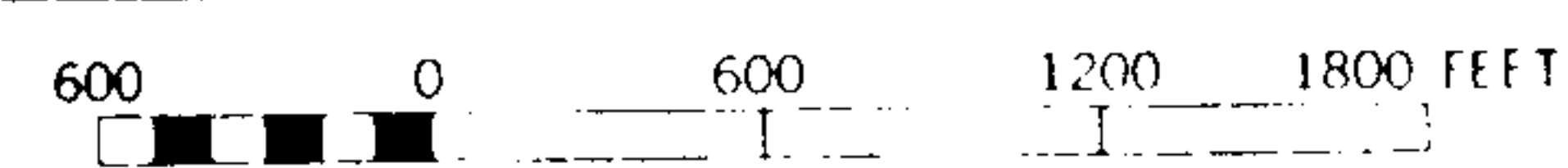
19b

**ZONING MAP**  
CITY PLANNING COMMISSION  
THE CITY OF NEW YORK



18c	19a	19c
18d	<b>19b</b>	19d
24c	25a	

NEW YORK INTERNATIONAL  
AIRPORT  
ANDERSON FIELD  
MI-1

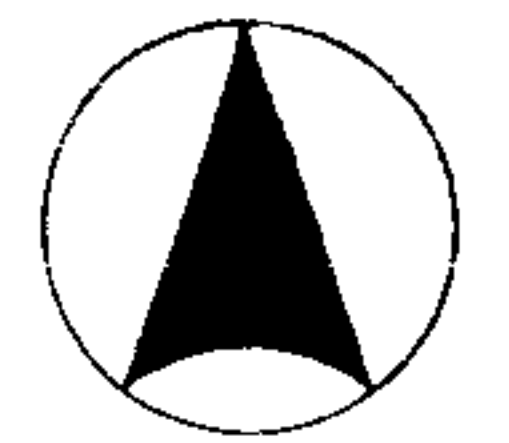


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19c

# ZONING MAP

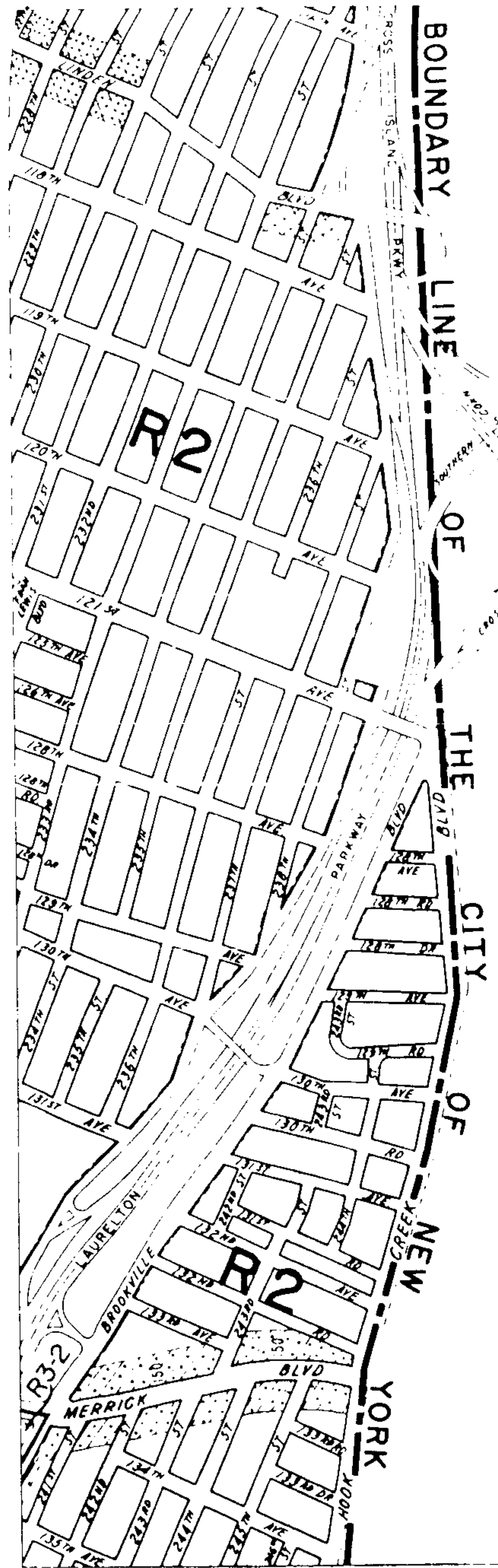
CITY PLANNING COMMISSION  
THE CITY OF NEW YORK



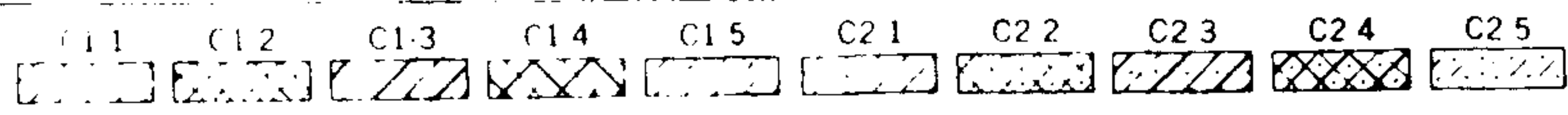
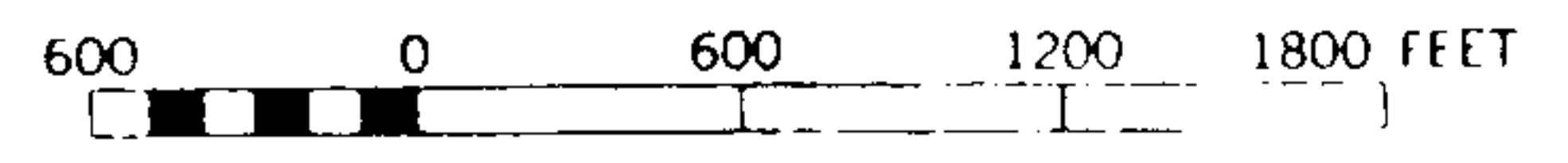
15b	15d	
19a	<b>19c</b>	
19b	19d	

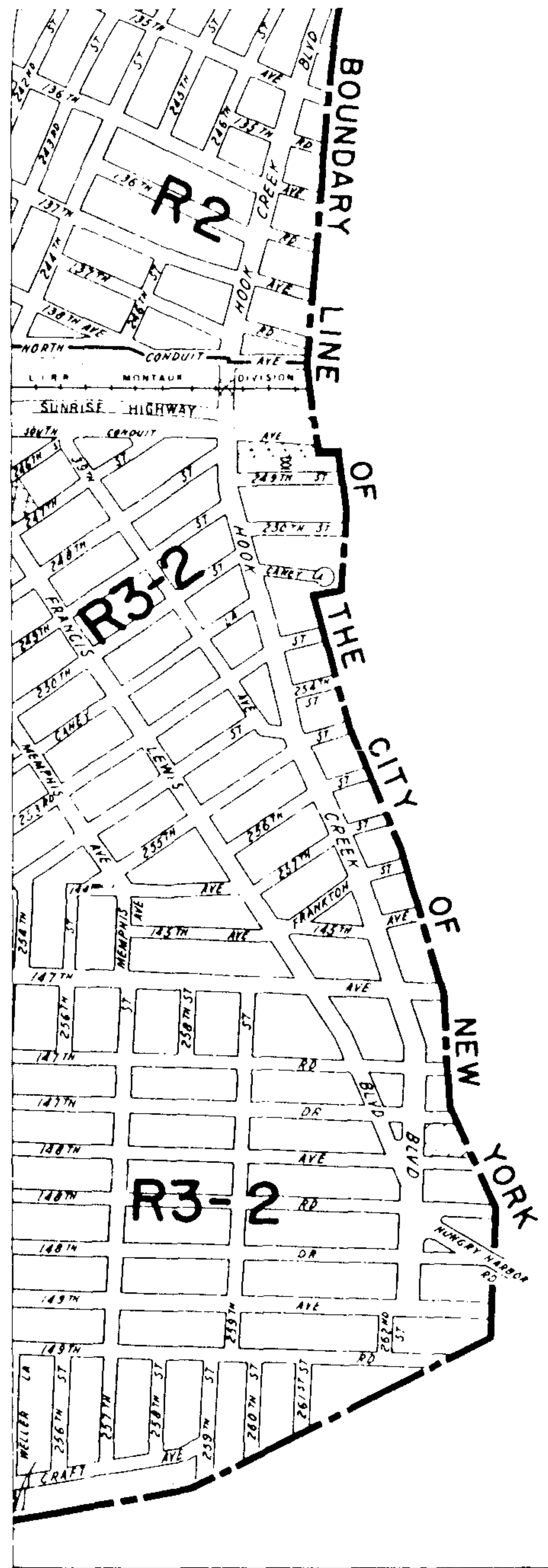
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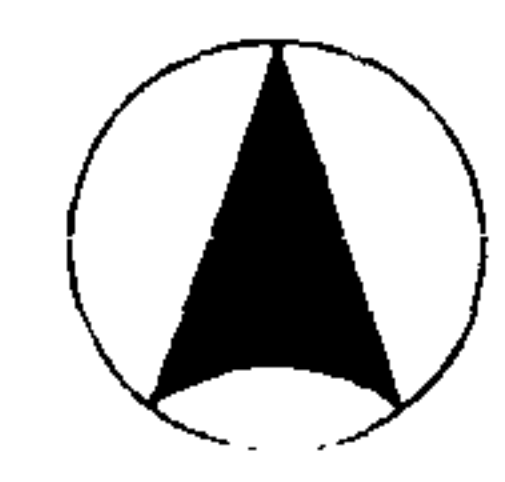


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19d

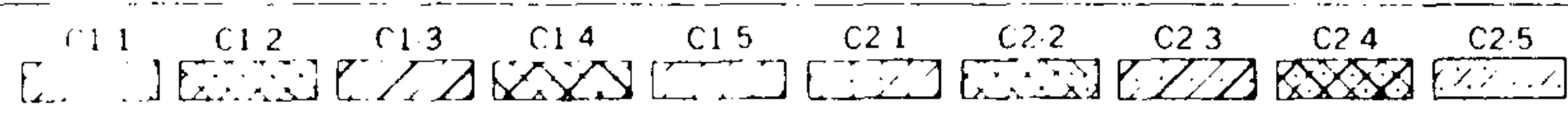
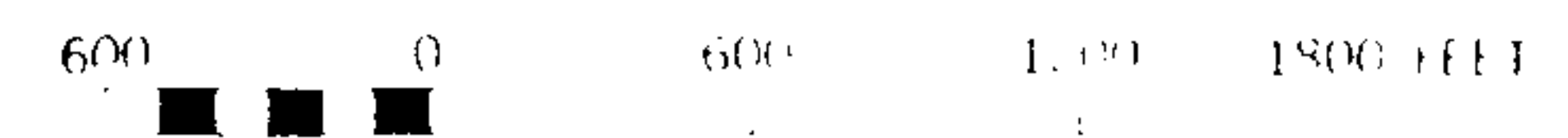
# ZONING MAP

CITY PLANNING COMMISSION  
THE CITY OF NEW YORK



19a	19c	
19b	<b>19d</b>	
25a		

EFFECTIVE DECEMBER 15, 1961





20a

# ZONING MAP

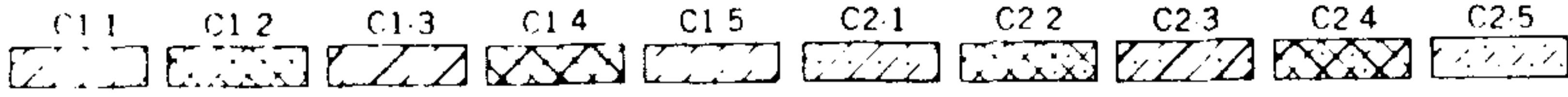
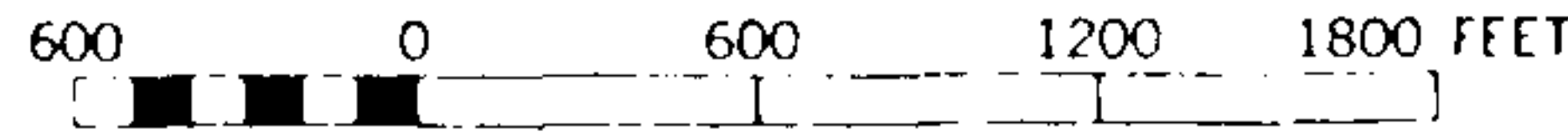
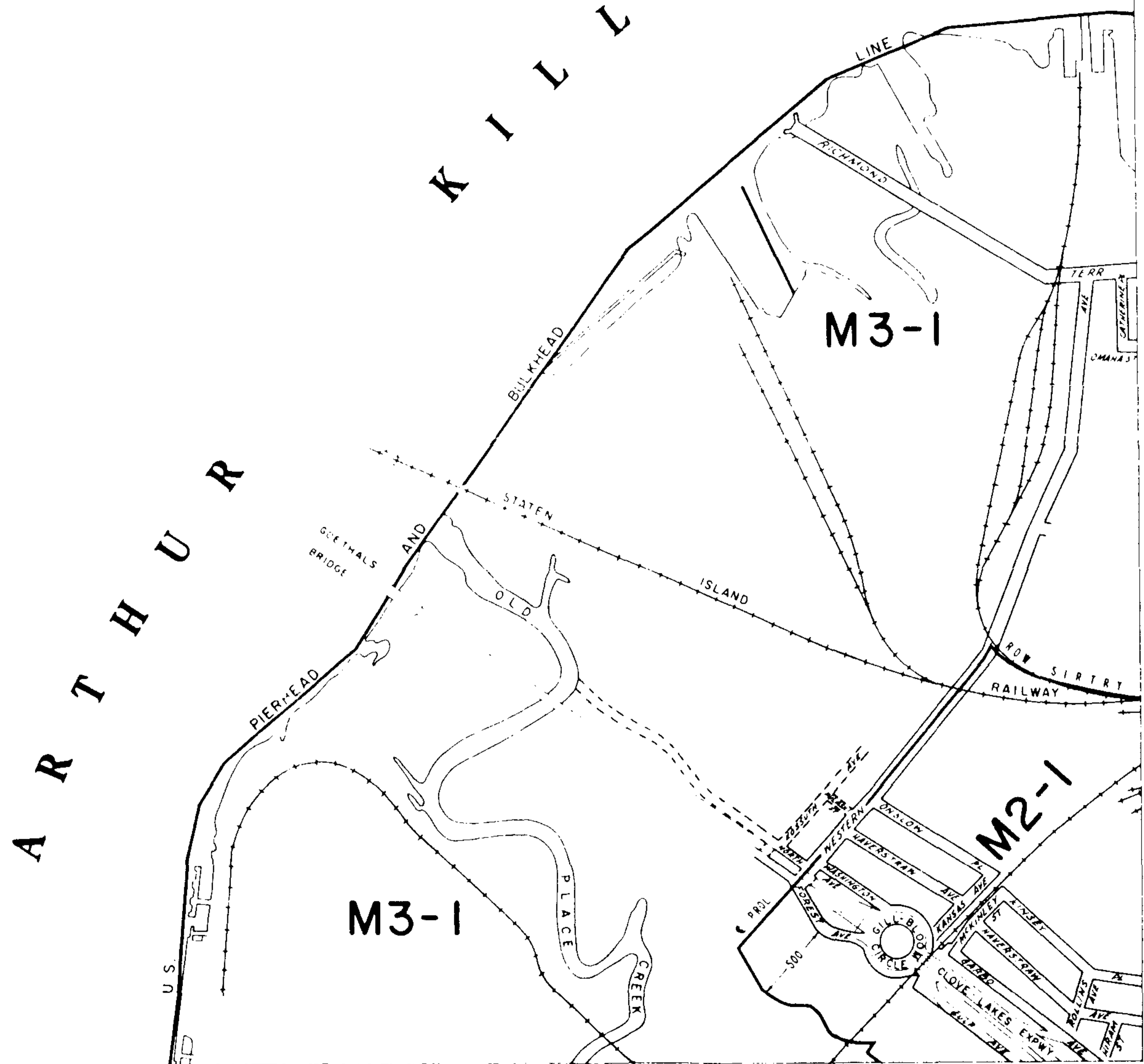
CITY PLANNING COMMISSION  
THE CITY OF NEW YORK



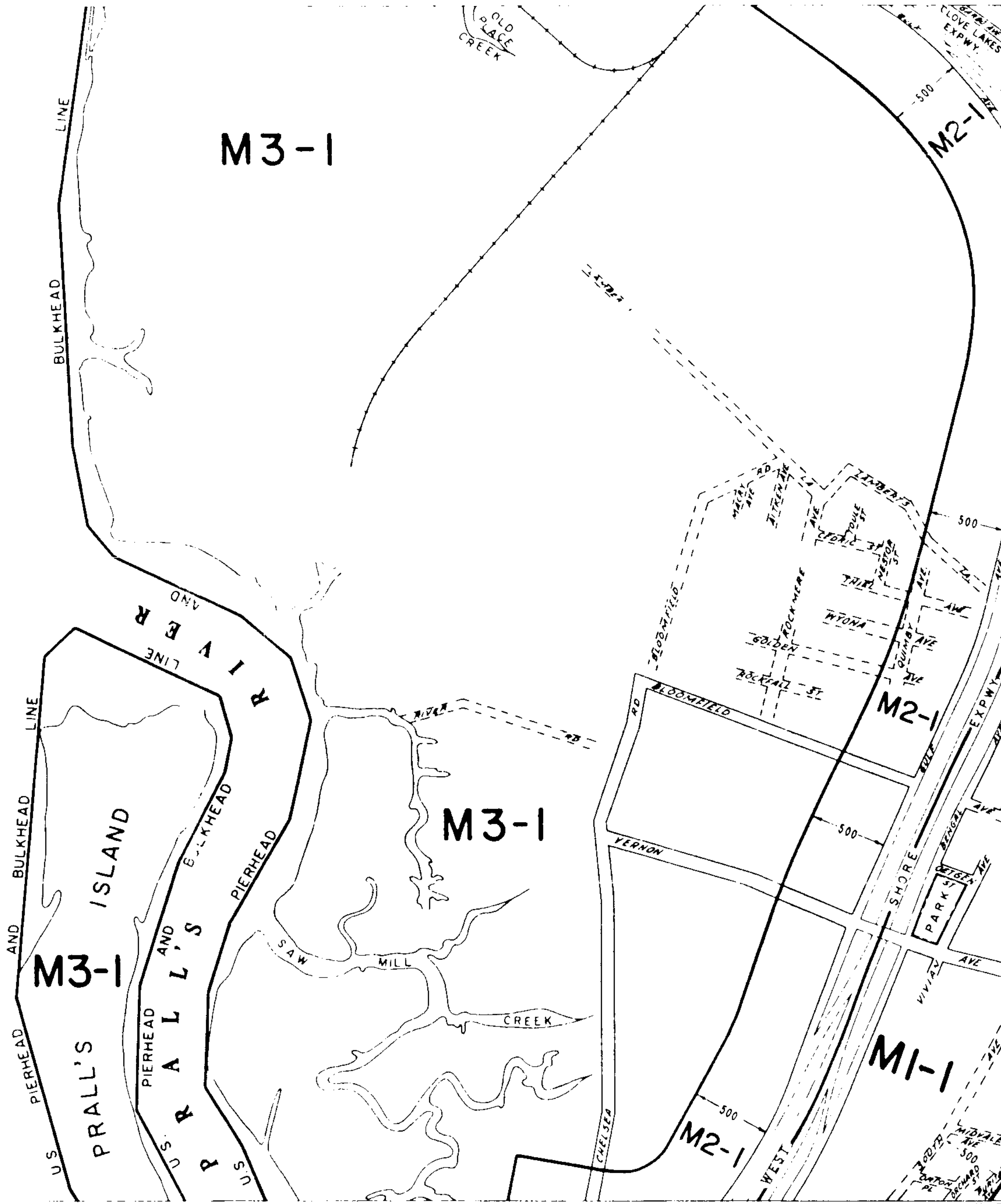
	<b>20a</b>	20c
	20b	20d

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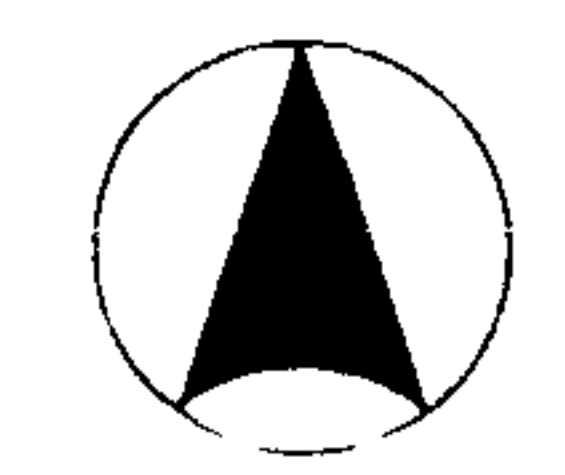


A R T H U R  
 K I L L



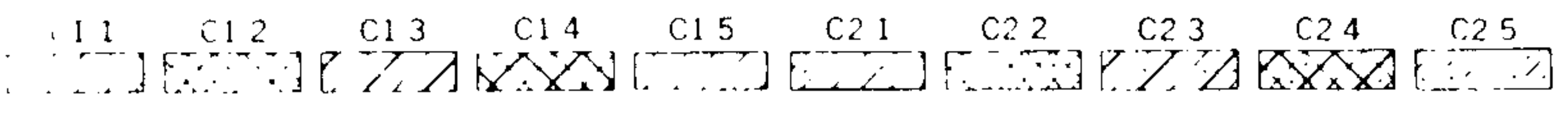
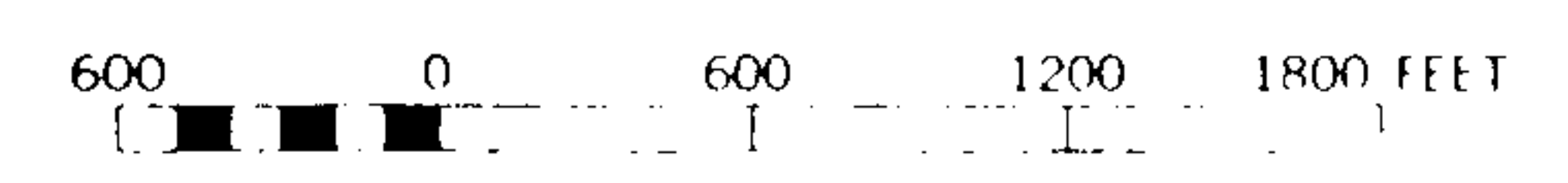
20b

**ZONING MAP**  
 CITY PLANNING COMMISSION  
 THE CITY OF NEW YORK



	20a	20c
	<b>20b</b>	20d
	26a	26c

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R3-2

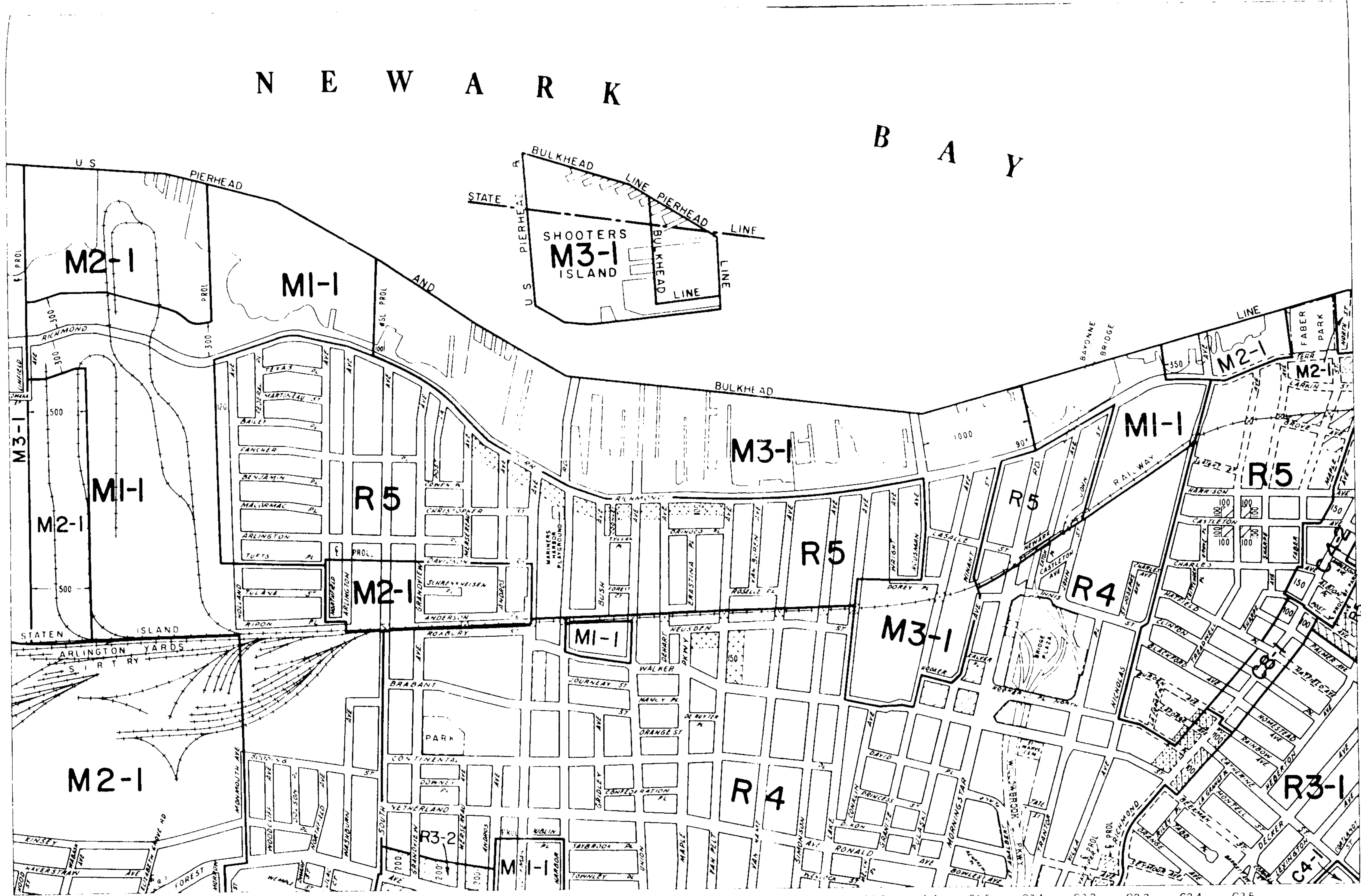
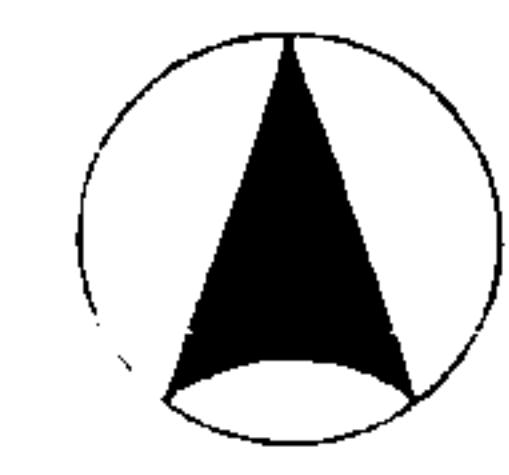
20c

# NEWARK BAY

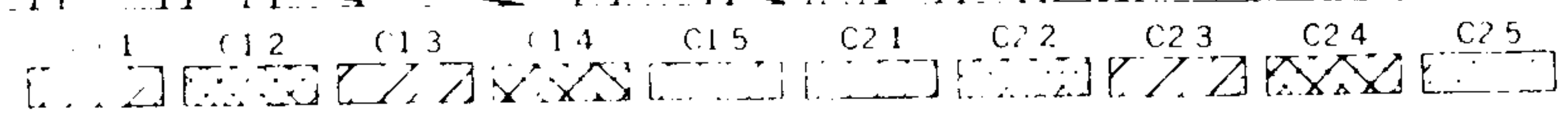
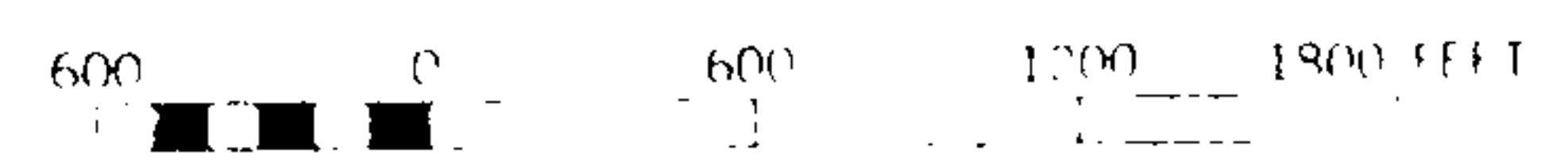
## ZONING MAP

CITY PLANNING COMMISSION

THE CITY OF NEW YORK

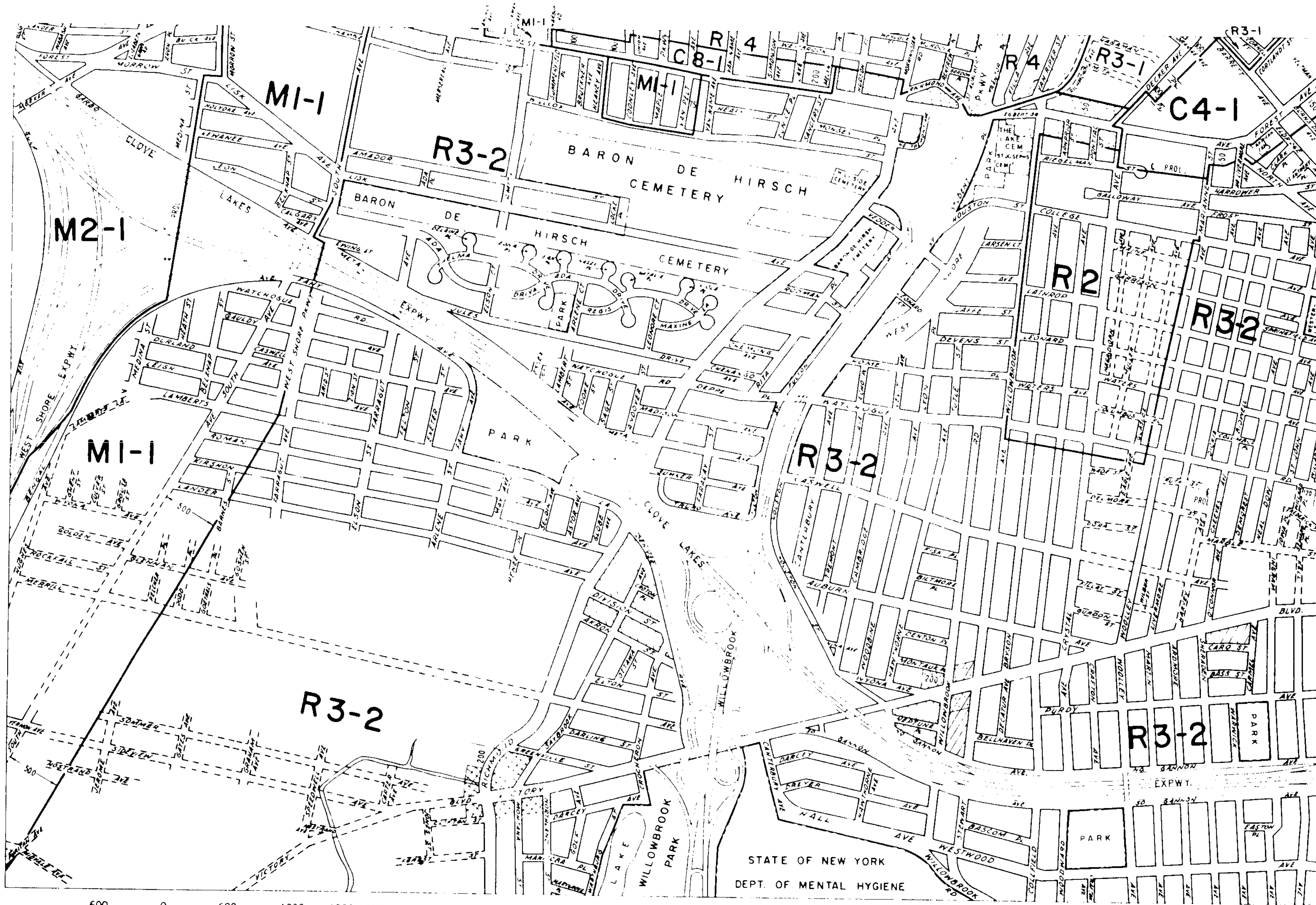


20a	<b>20c</b>	21a
20b	20d	21b



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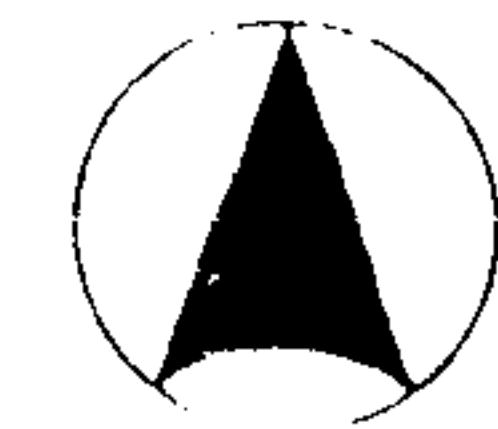
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20d

# ZONING MAP

CITY PLANNING COMMISSION  
THE CITY OF NEW YORK



20a	20c	21a
20b	<b>20d</b>	21b
26a	26c	27a

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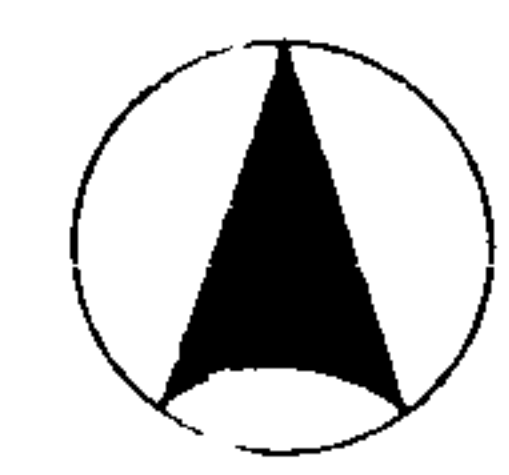
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C11 C12 C13 C14 C15 C21 C22 C23 C24 C25

21a

# ZONING MAP

CITY PLANNING COMMISSION  
THE CITY OF NEW YORK



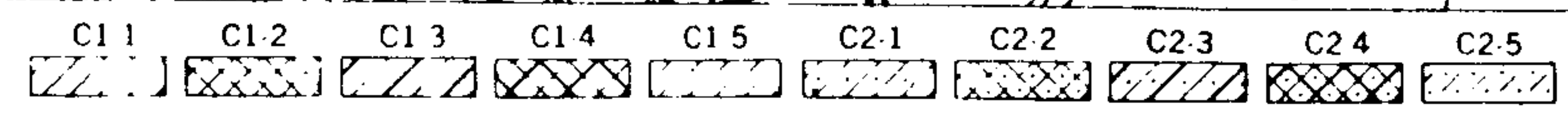
20c	<b>21a</b>	21c
20d	21b	21d

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# VAN KULL

# KILL

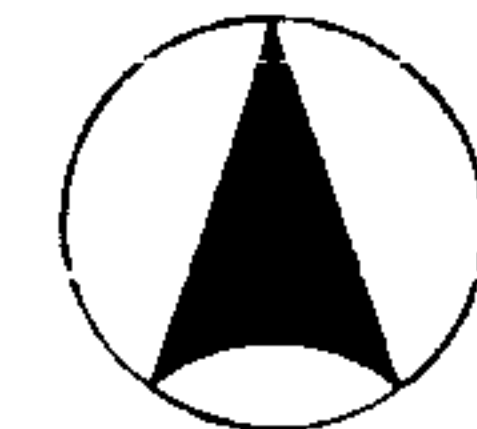


21b

# ZONING MAP

CITY PLANNING COMMISSION

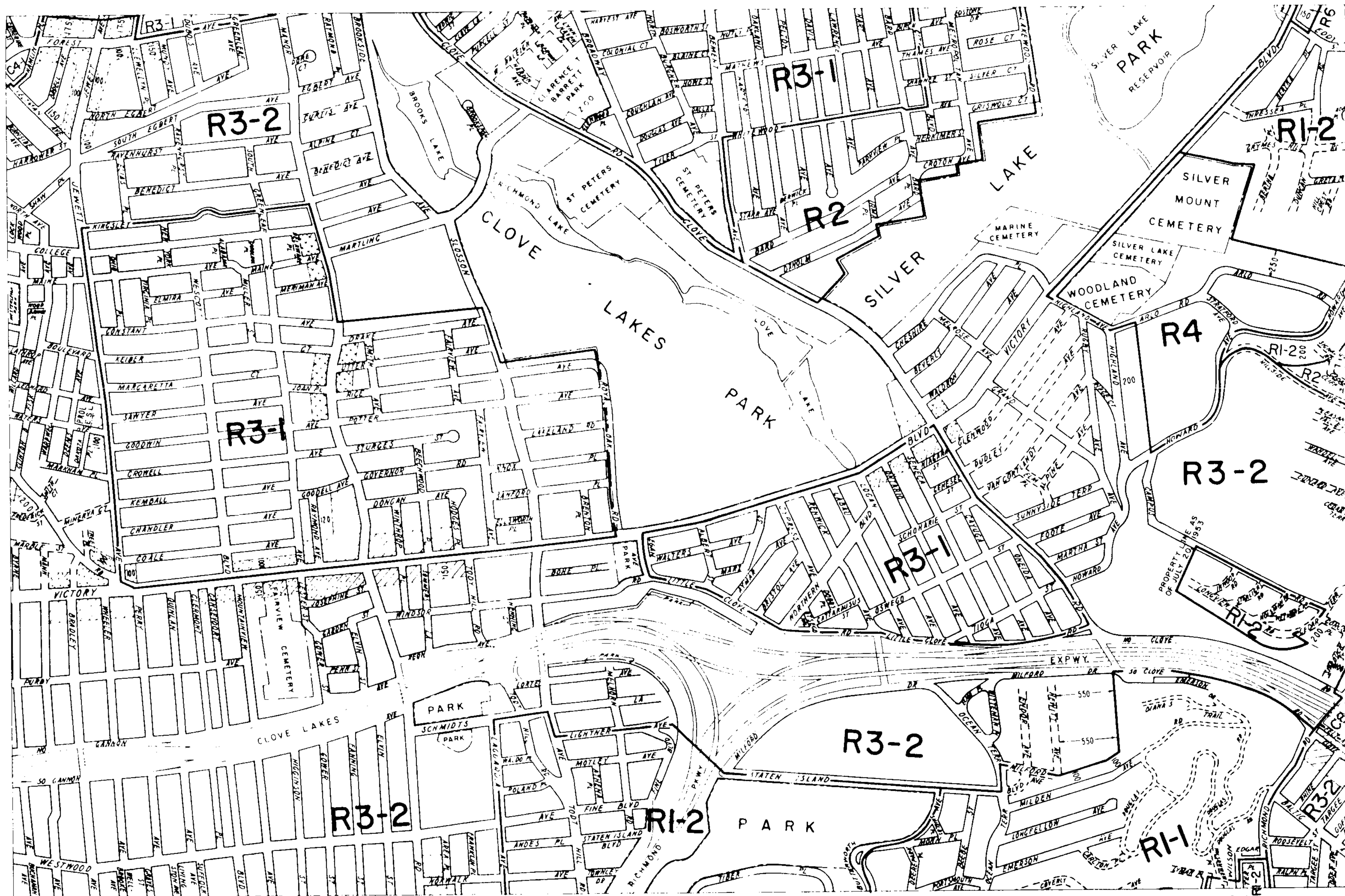
THE CITY OF NEW YORK



20c	21a	21c
20d	<b>21b</b>	21d
26c	27a	21c

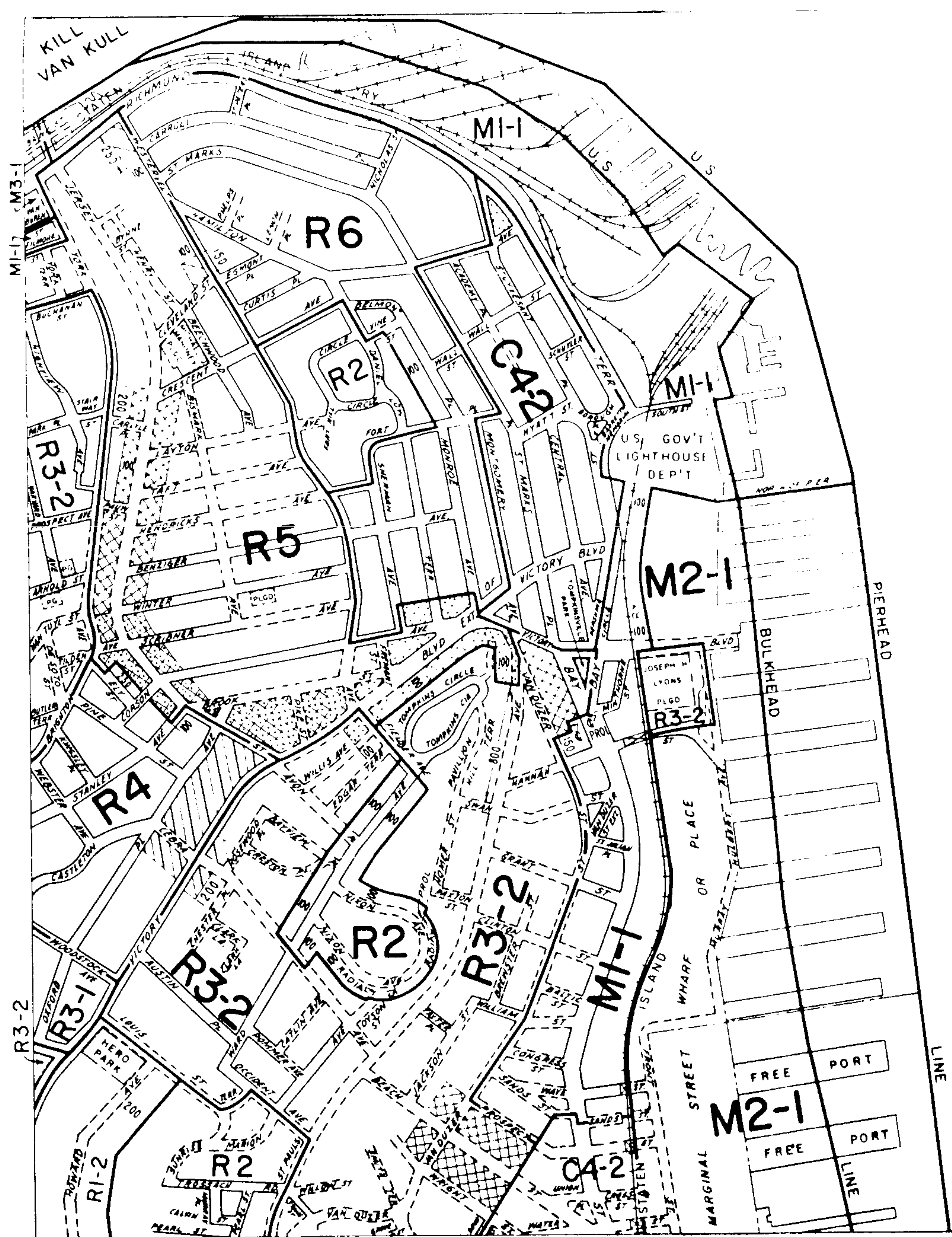
EFFECTIVE: DECEMBER 15, 1961

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600 0 600 1200 1800 FEET

C11 C12 C13 C14 C15 C21 C22 C23 C24 C25

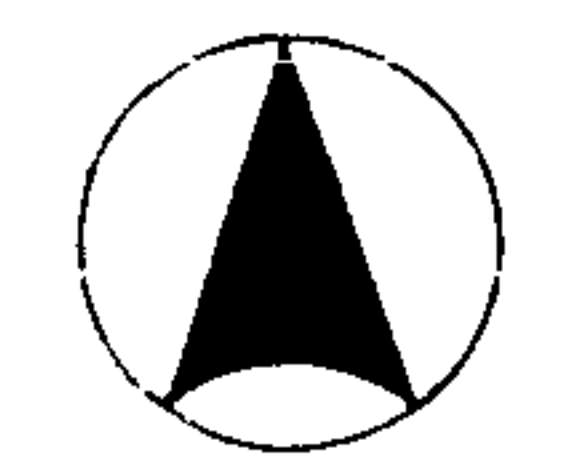


21c

# ZONING MAP

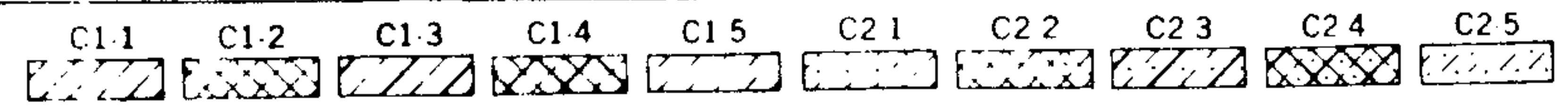
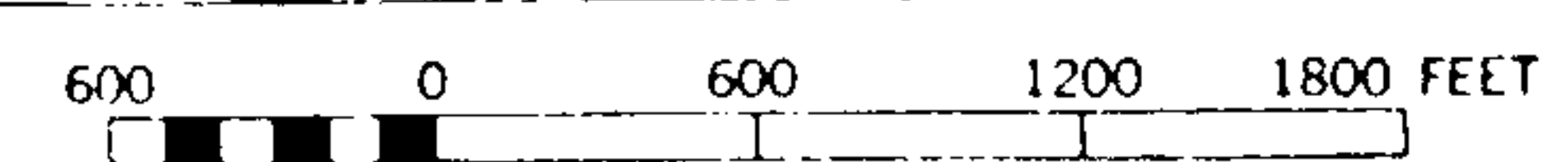
CITY PLANNING COMMISSION  
THE CITY OF NEW YORK

U P P E R

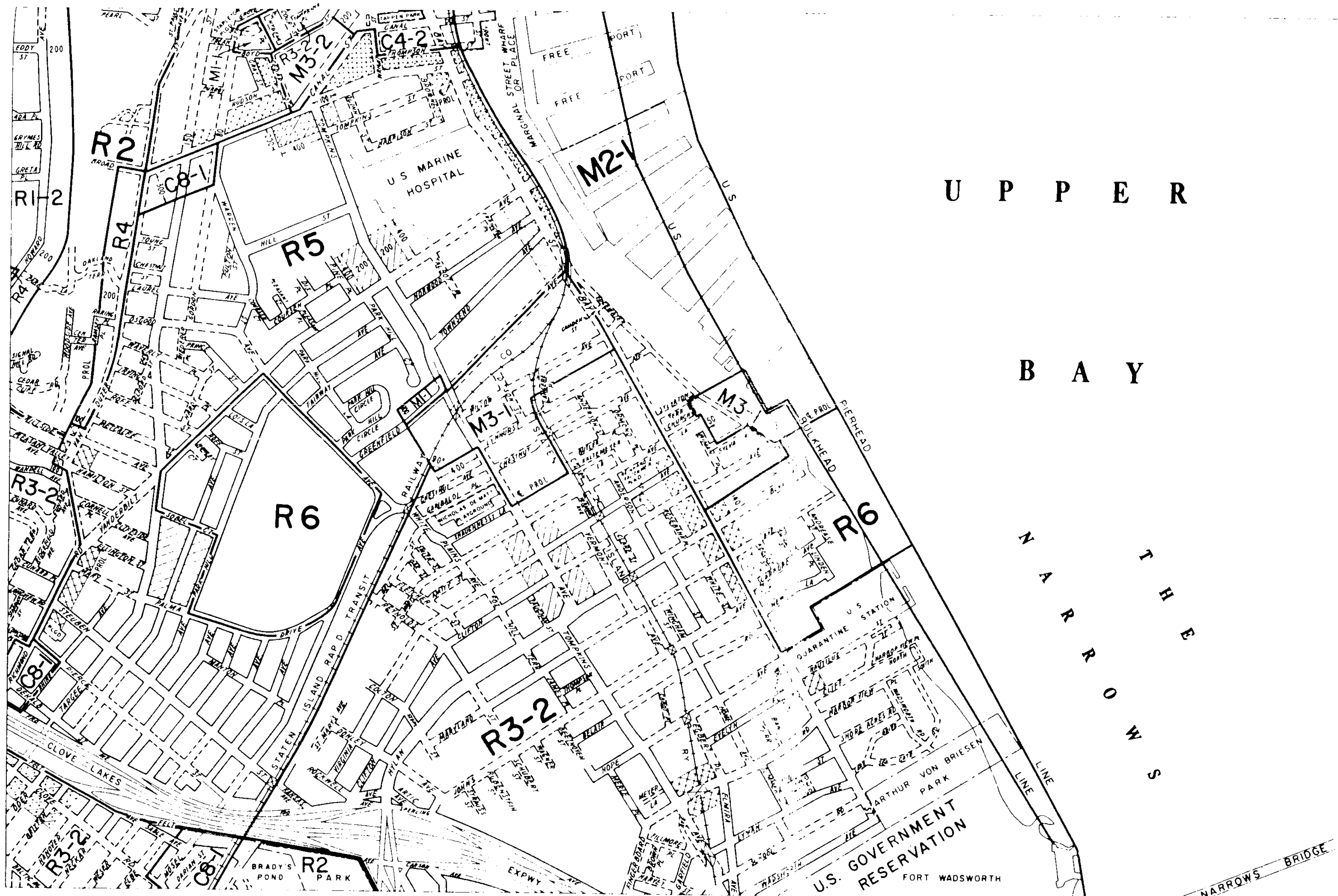


B A Y

		16b
21a	<b>21c</b>	22a
21b	21d	22b



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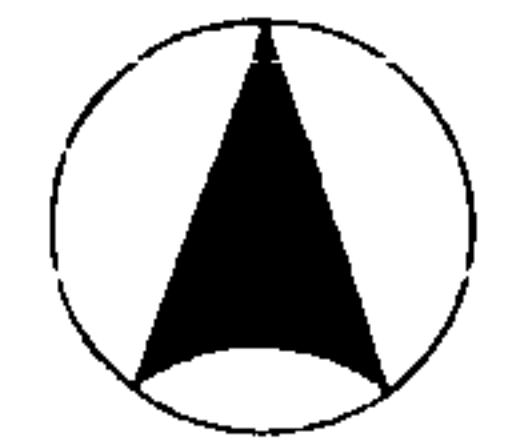
21d

U P P E R

**ZONING MAP**

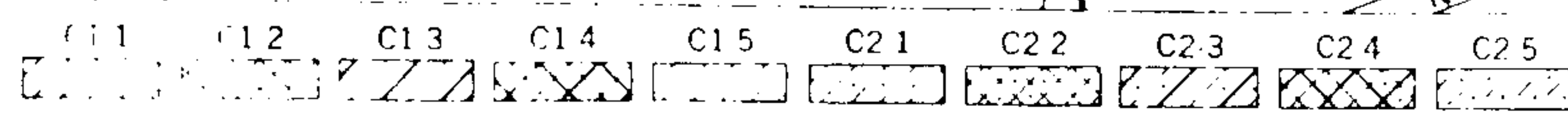
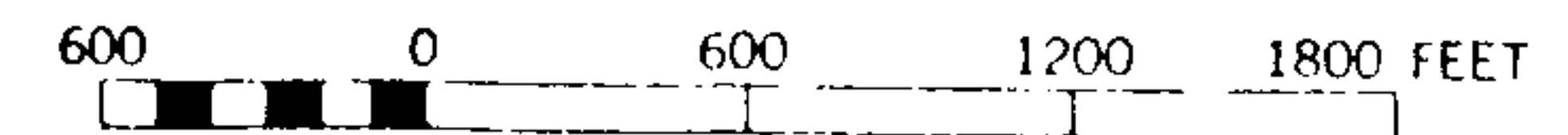
CITY PLANNING COMMISSION  
THE CITY OF NEW YORK

B A Y



N A R R O W S  
T H E

21a	21c	22a
21b	<b>21d</b>	22b
27a	27c	28a



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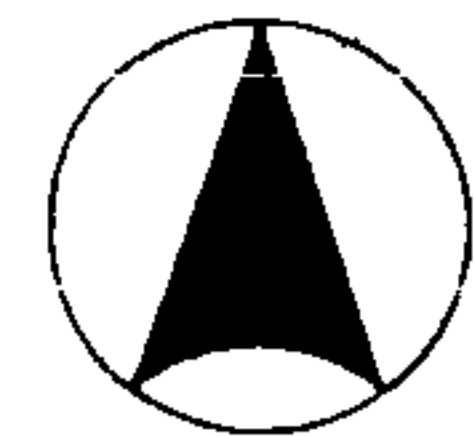


22a

# ZONING MAP

CITY PLANNING COMMISSION

THE CITY OF NEW YORK



	16b	16d
21c	<b>22a</b>	22c
21d	22b	22d

600 0 600 1200 1800 FEET

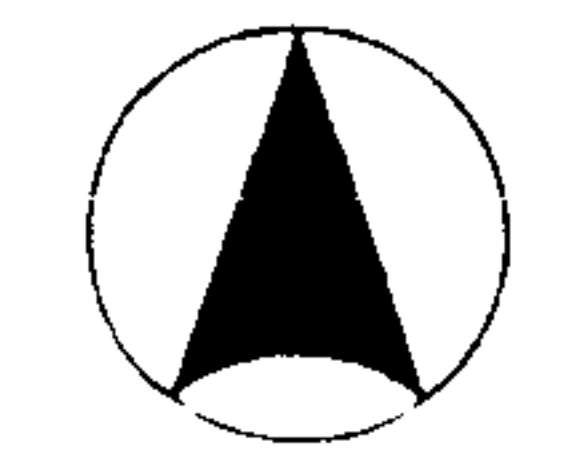
C11 C12 C13 C14 C15 C21 C22 C23 C24 C25

EFFECTIVE: DECEMBER 15, 1961

22b

# ZONING MAP

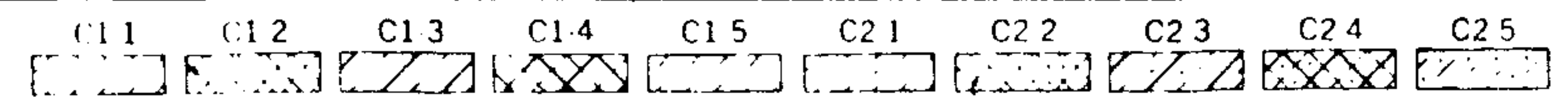
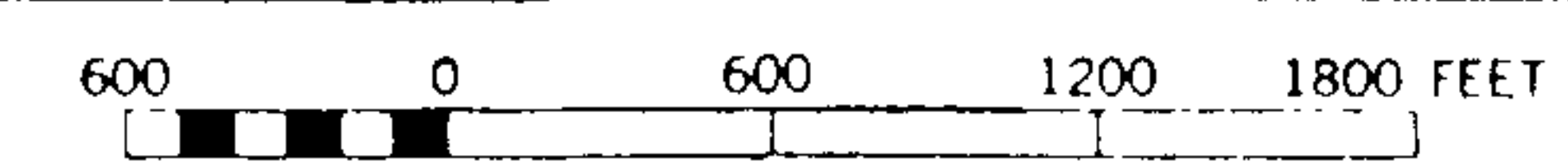
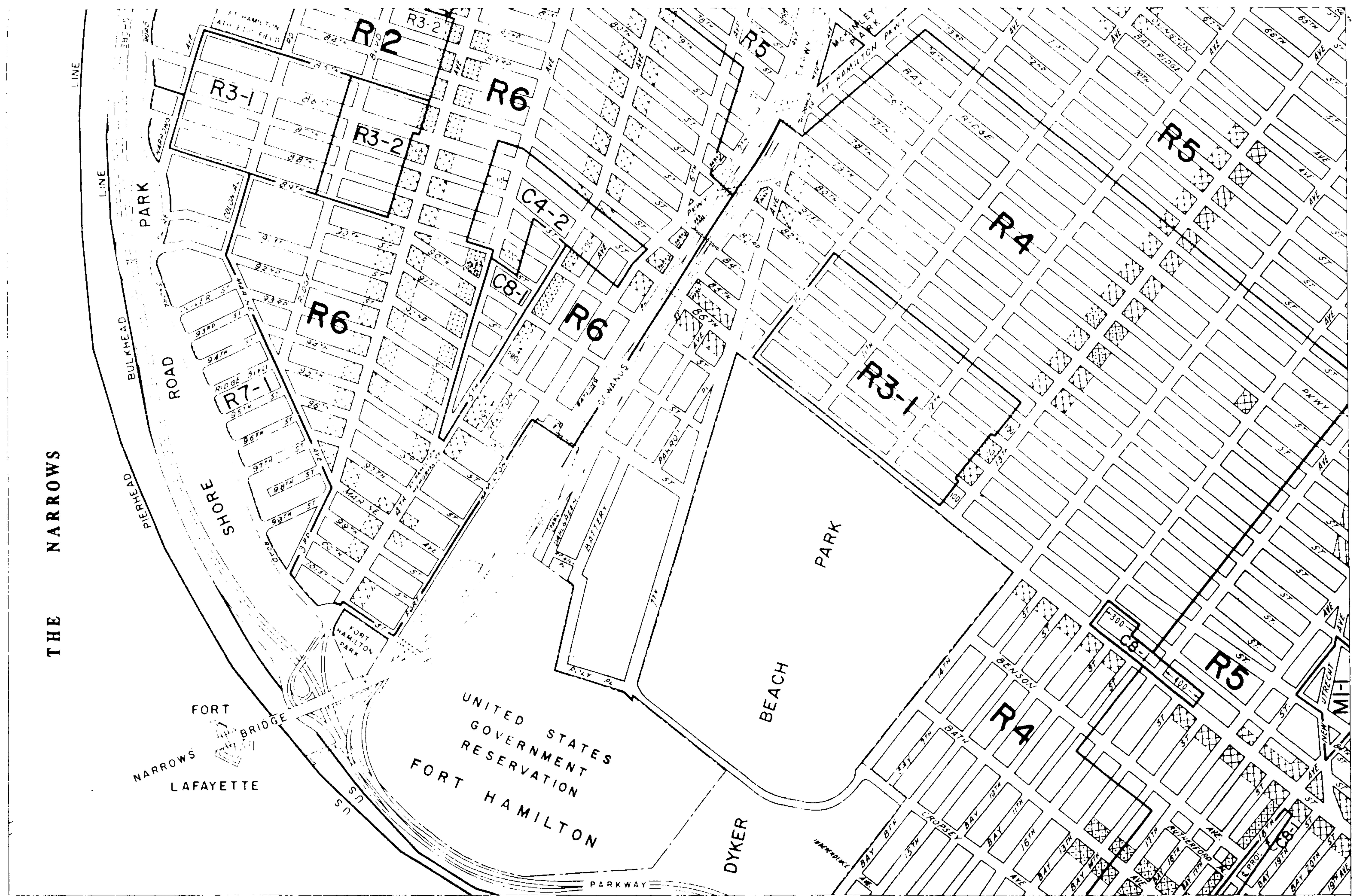
CITY PLANNING COMMISSION  
THE CITY OF NEW YORK

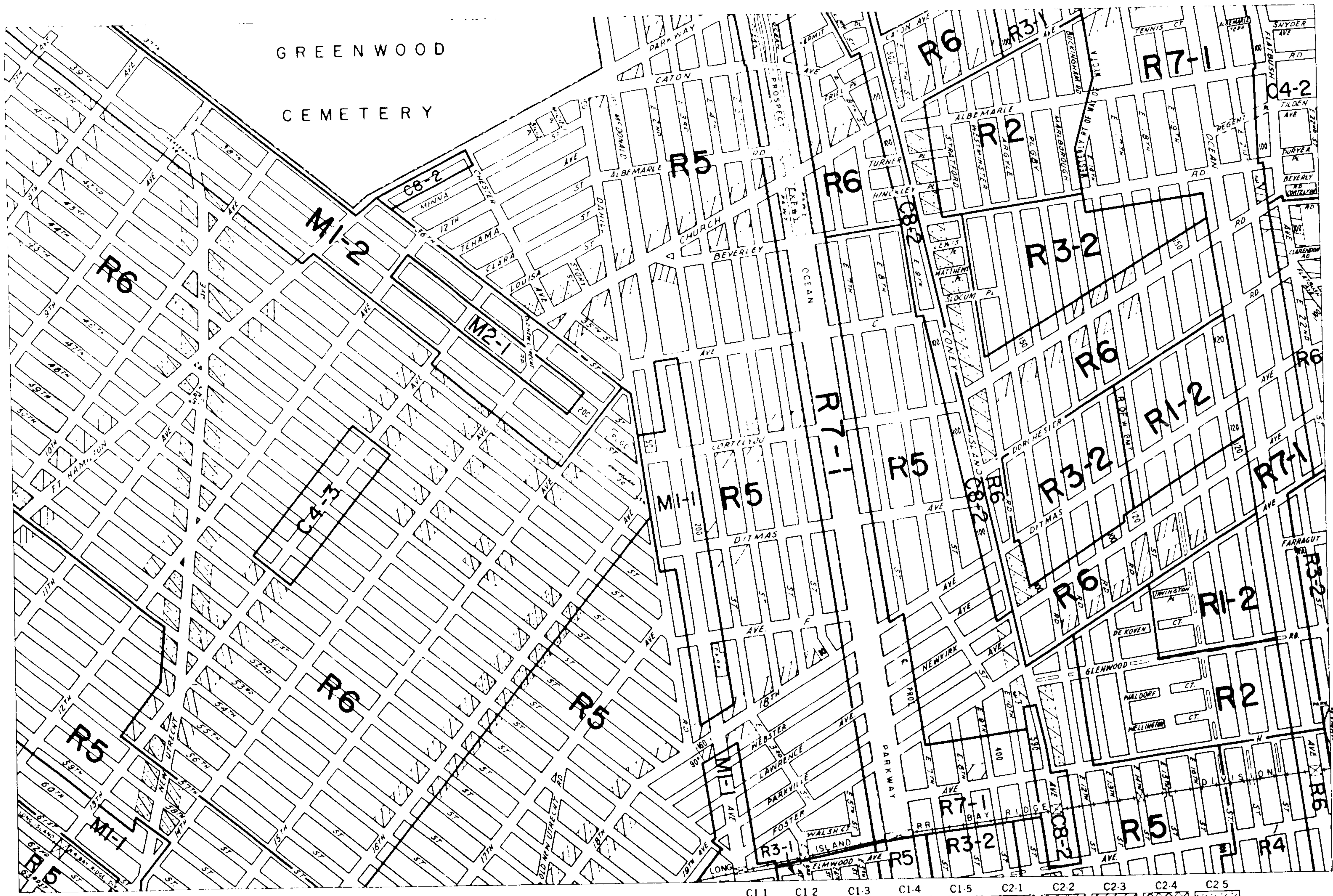


21c	22a	22c
21d	<b>22b</b>	22d
27c	28a	28c

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22c

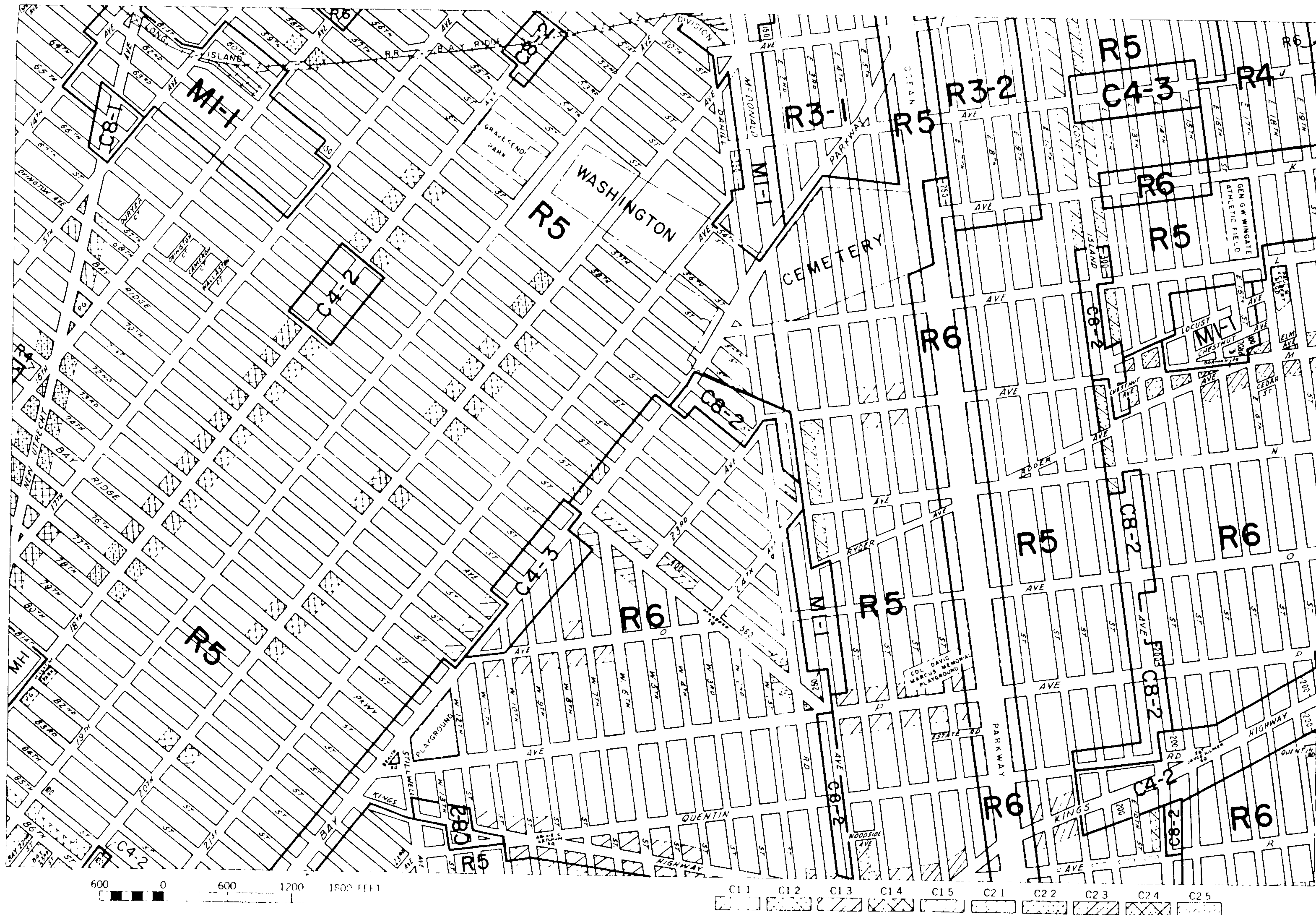
# ZONING MAP

CITY PLANNING COMMISSION  
THE CITY OF NEW YORK



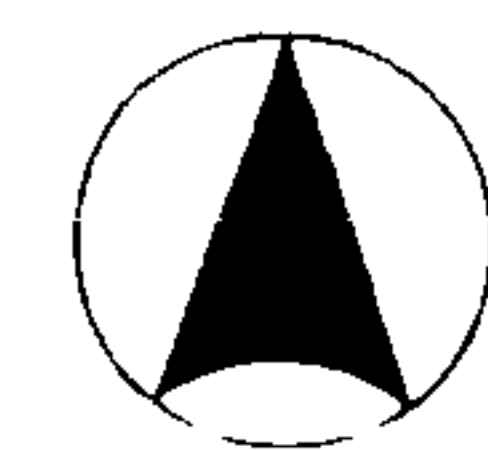
16b	16d	17b
22a	<b>22c</b>	23a
22b	22d	23b

EFFECTIVE: DECEMBER 15, 1961



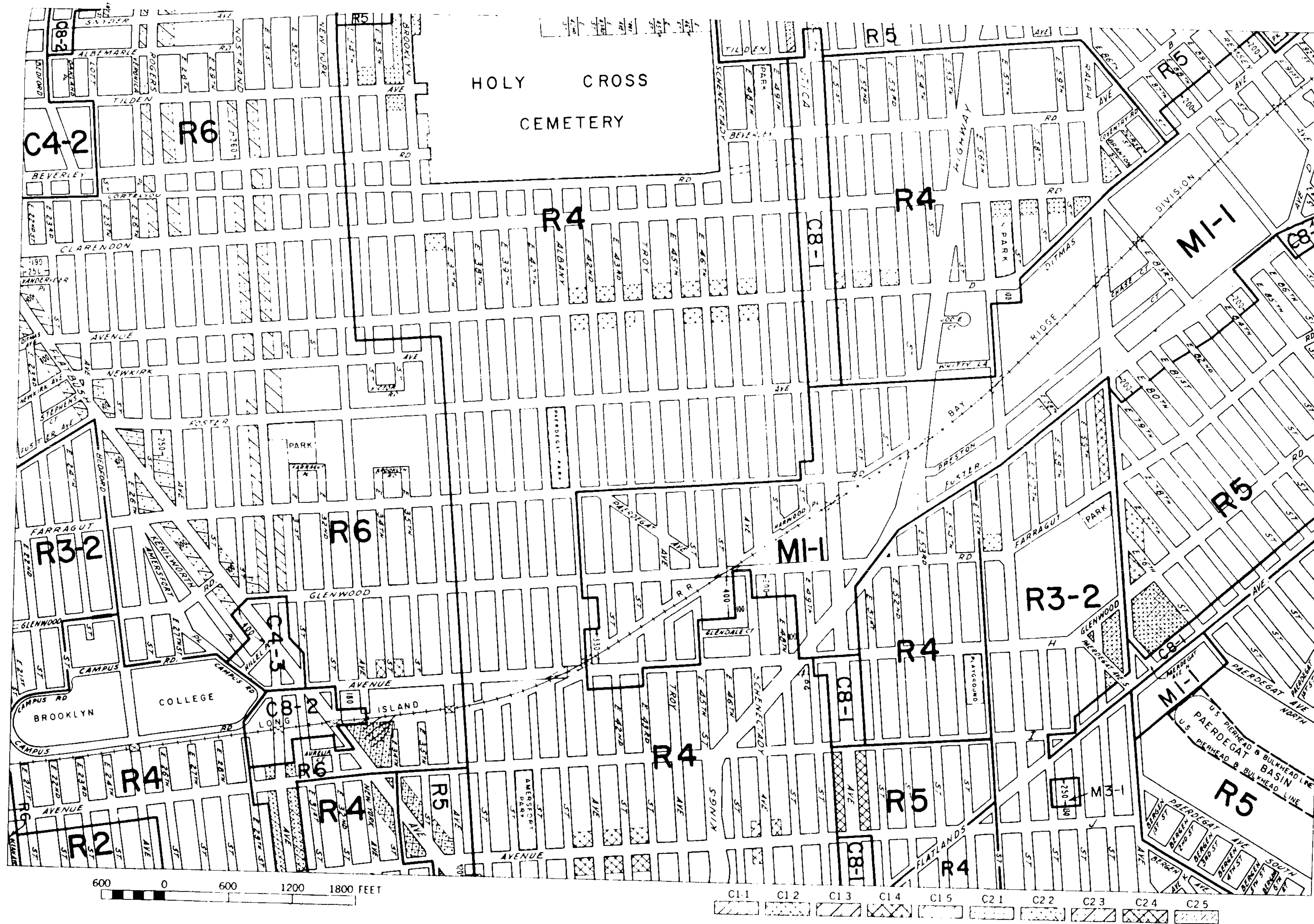
22d

**ZONING MAP**  
CITY PLANNING COMMISSION  
THE CITY OF NEW YORK



22a	22c	23a
22b	<b>22d</b>	23b
28a	28c	29a

EFFECTIVE: DECEMBER 15, 1961

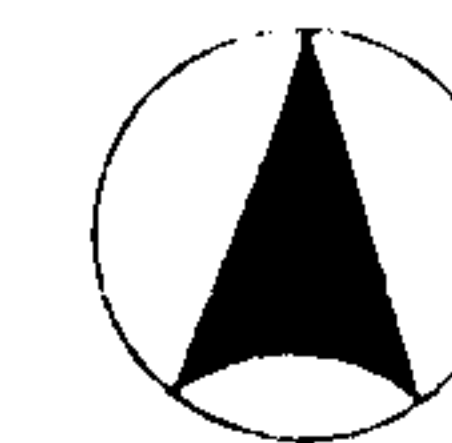


23a

# ZONING MAP

CITY PLANNING COMMISSION

THE CITY OF NEW YORK



16d	17b	17d
22c	<b>23a</b>	23c
22d	23b	23d

EFFECTIVE: DECEMBER 15, 1961

23b

# ZONING MAP

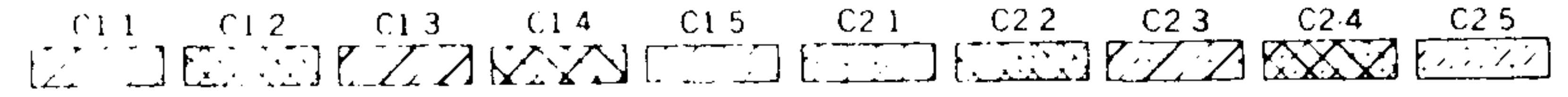
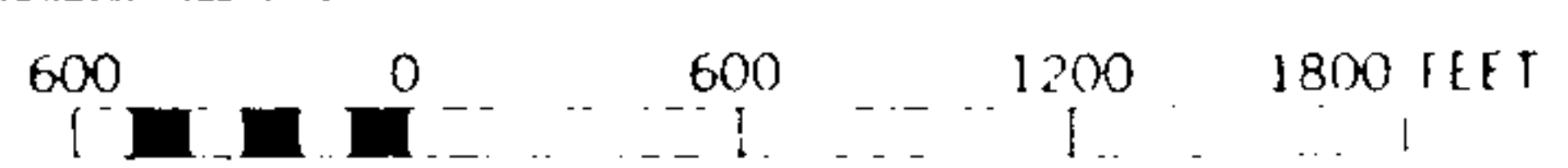
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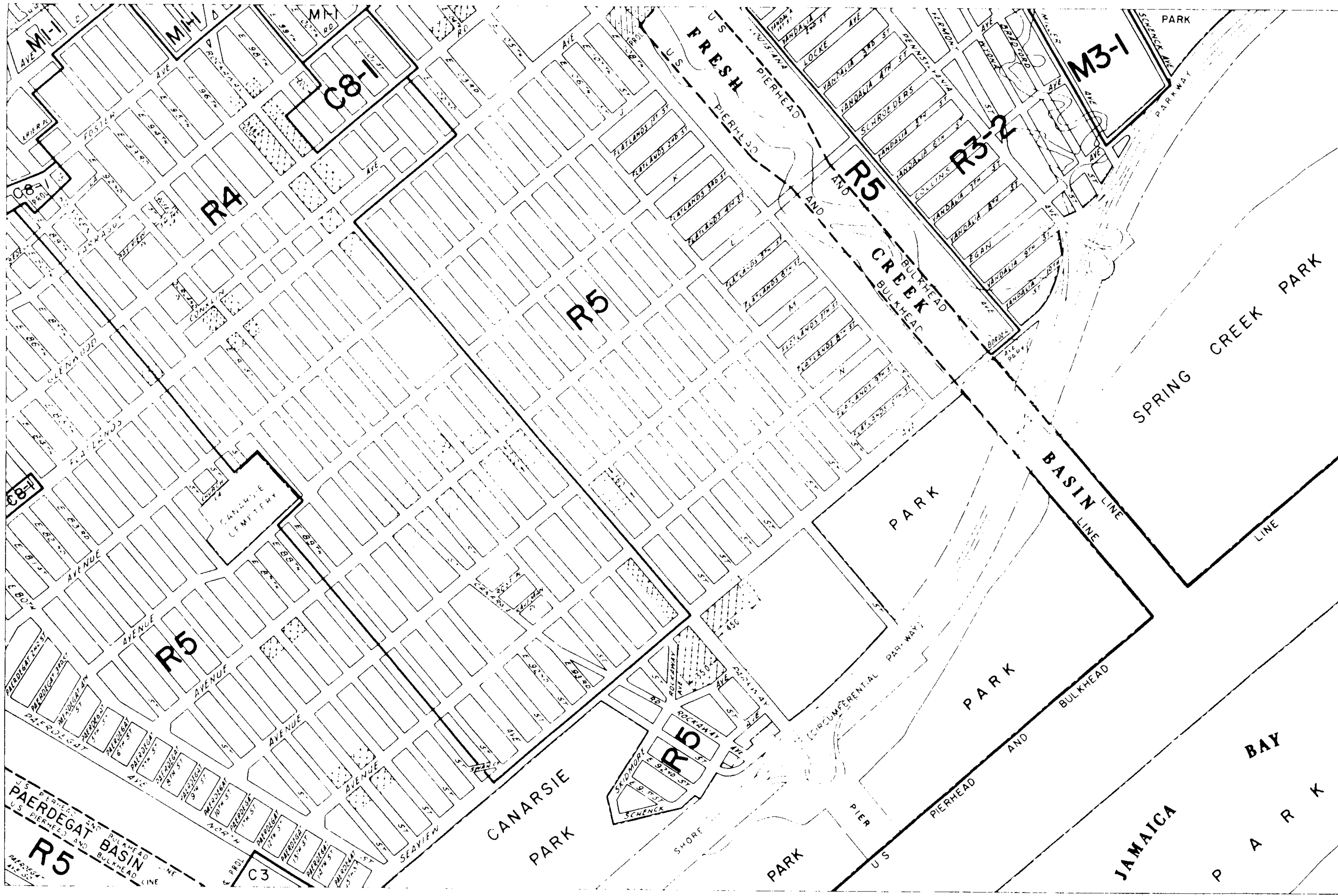
22c	23a	23c
22d	<b>23b</b>	23d
28c	29a	29c

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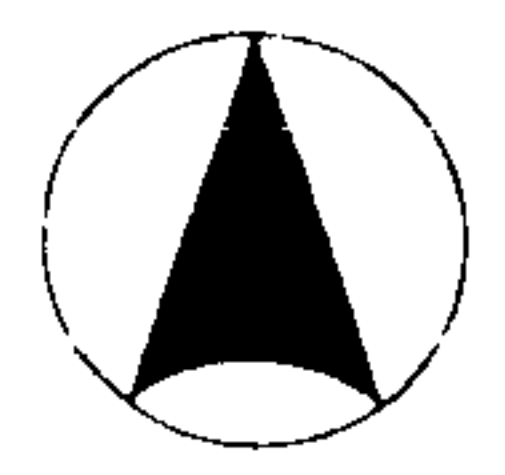
BROOKLYN MARINE PARK



23c

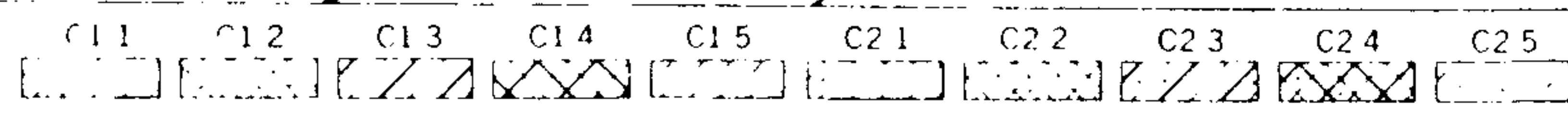
# ZONING MAP

CITY PLANNING COMMISSION  
THE CITY OF NEW YORK



17b	17d	18b
23a	<b>23c</b>	24a
23b	23d	24b

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23d

# ZONING MAP

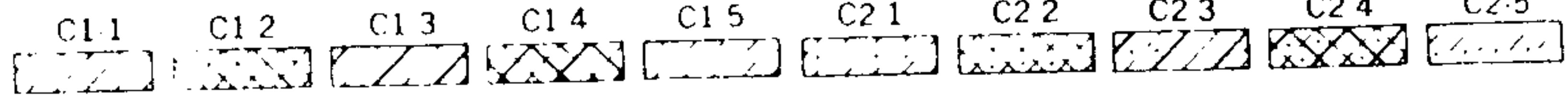
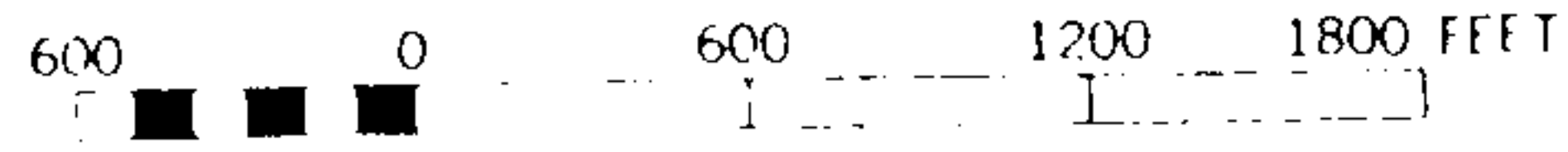
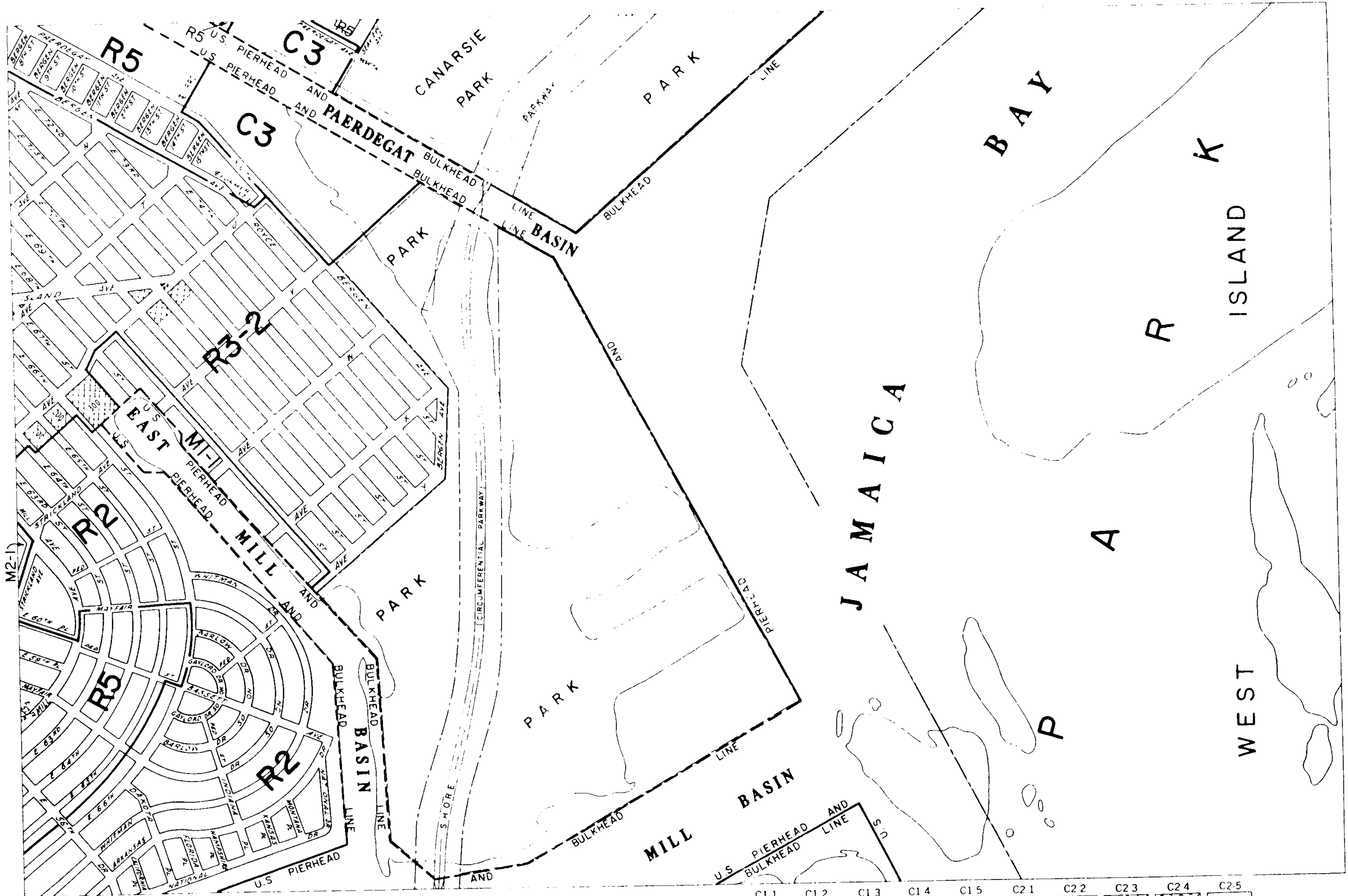
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23a	23c	24a
23b	<b>23d</b>	24b
29a	29c	30a

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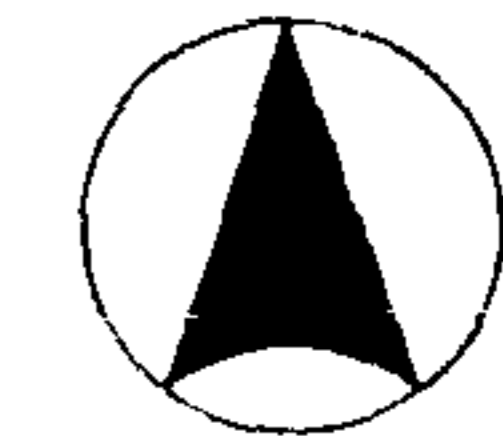




24a

# ZONING MAP

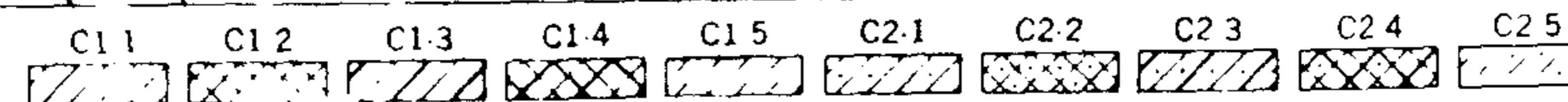
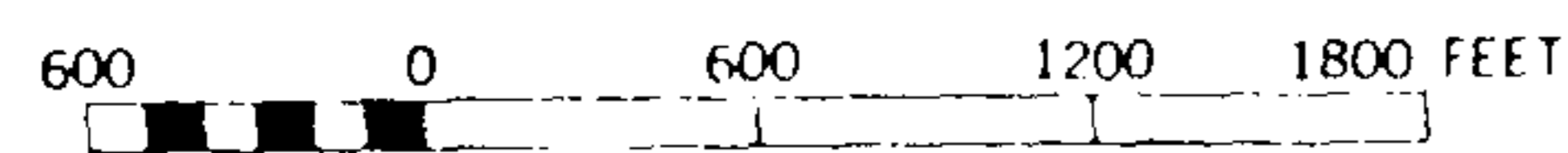
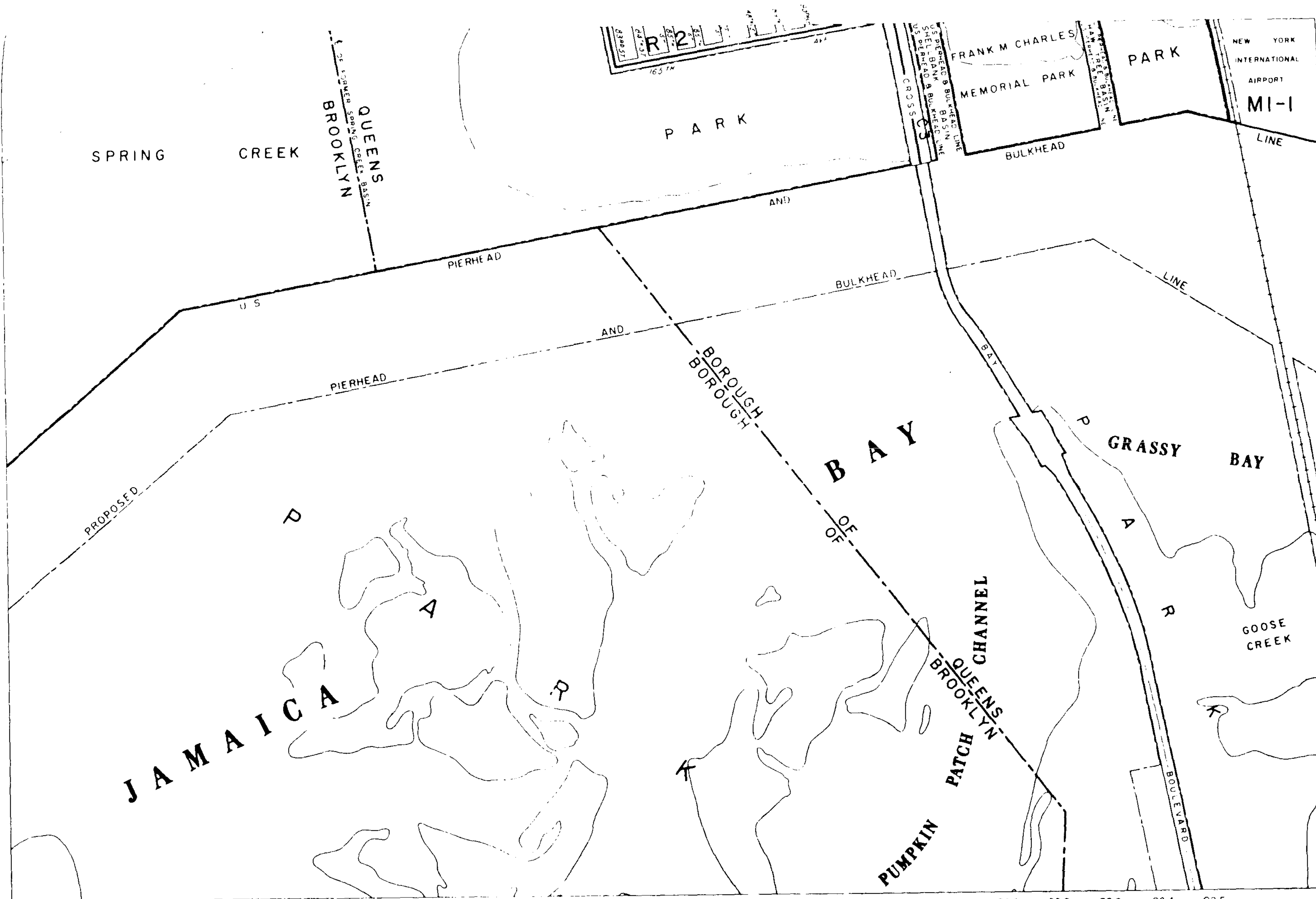
CITY PLANNING COMMISSION  
THE CITY OF NEW YORK



17d	18b	18d
23c	<b>24a</b>	24c
23d	24b	24d

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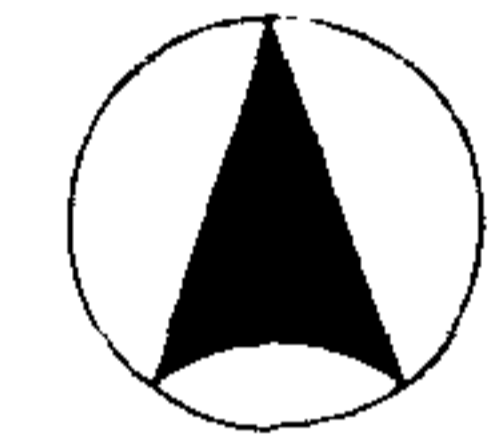


24b

# ZONING MAP

CITY PLANNING COMMISSION

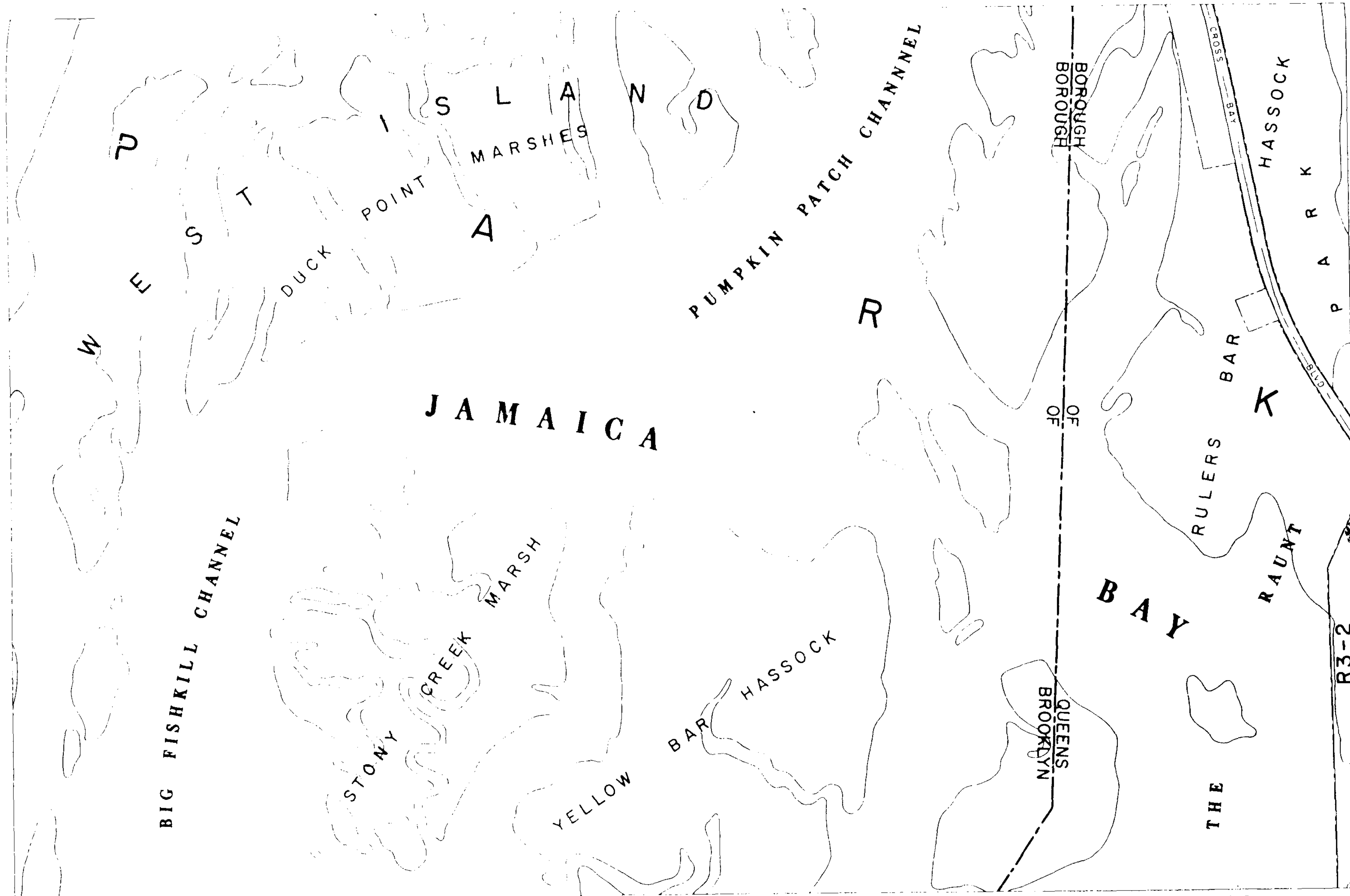
THE CITY OF NEW YORK



23c	24a	24c
23d	<b>24b</b>	24d
29c	30a	30c

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600 0 600 1200 1800 FEET

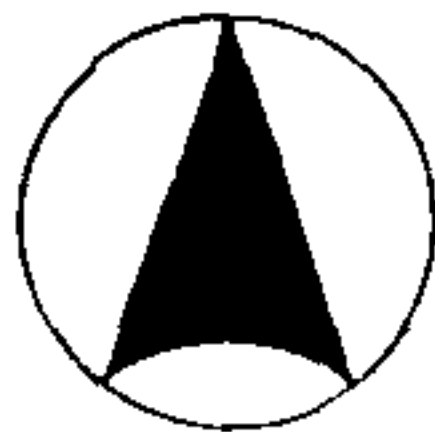
C11 C12 C13 C14 C15 C21 C22 C23 C24 C25

24c

# ZONING MAP

CITY PLANNING COMMISSION

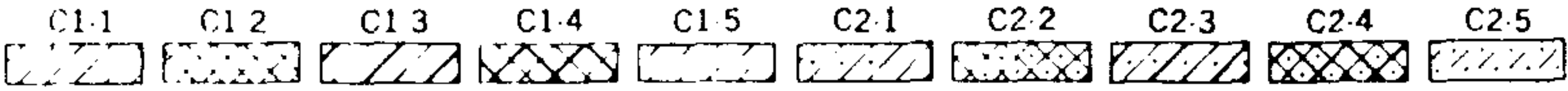
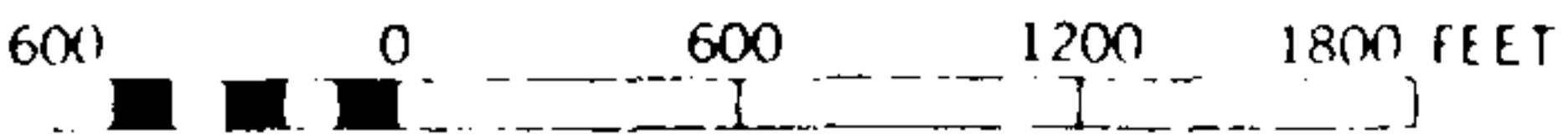
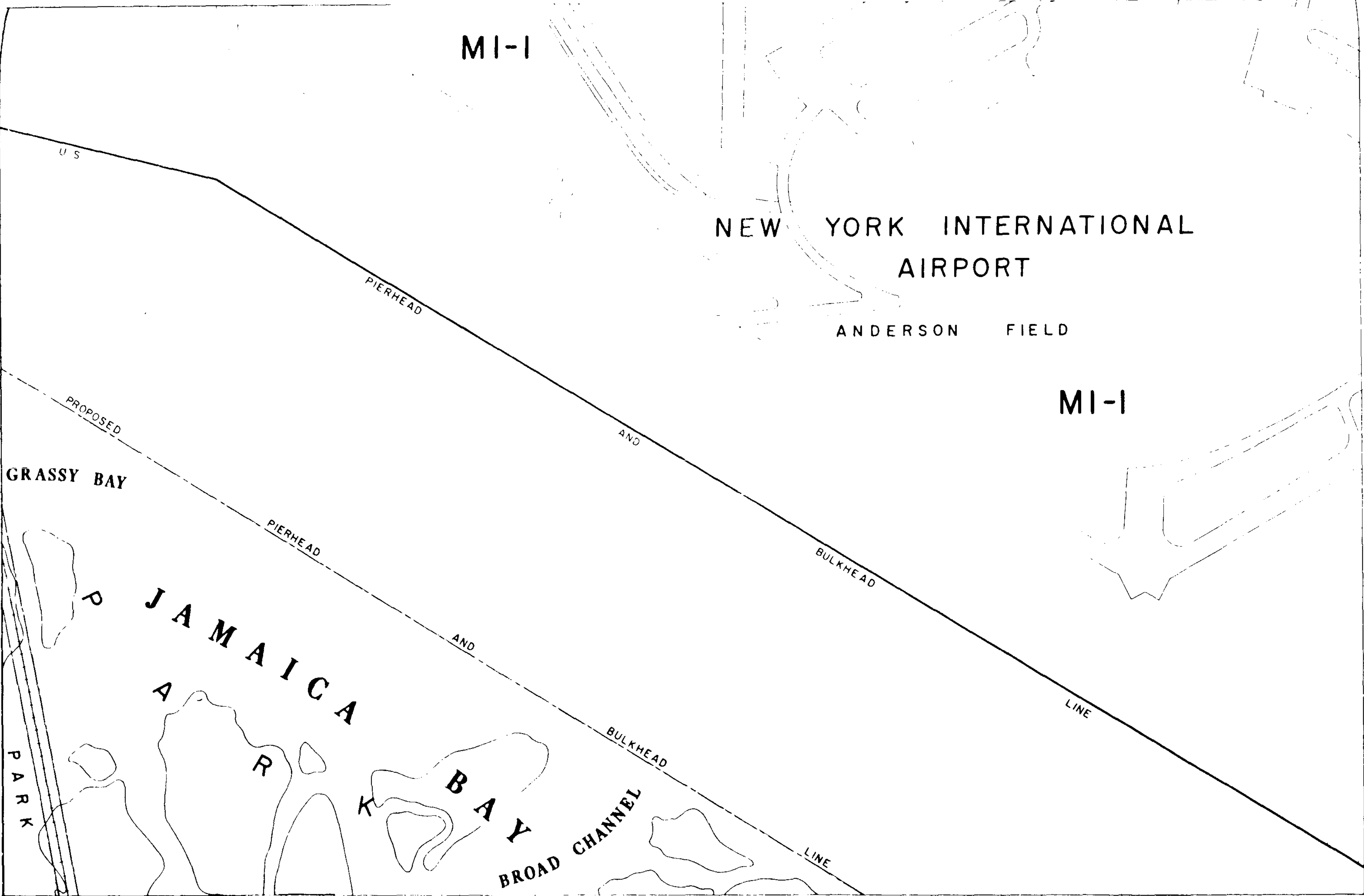
THE CITY OF NEW YORK



18b	18d	19b
24a	<b>24c</b>	25a
24b	24d	25b

EFFECTIVE: DECEMBER 15, 1961

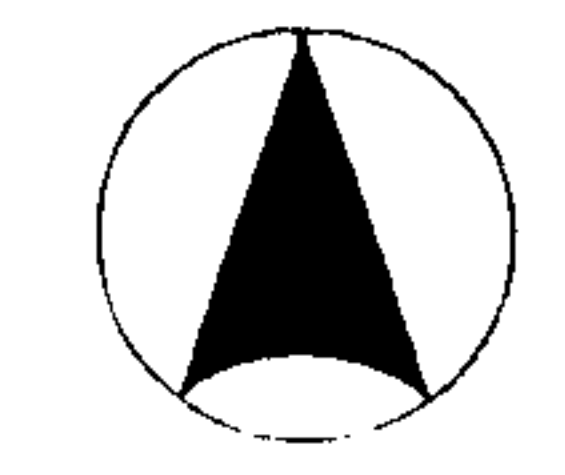
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24d

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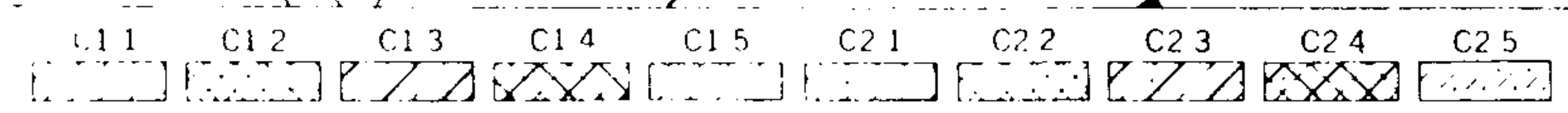
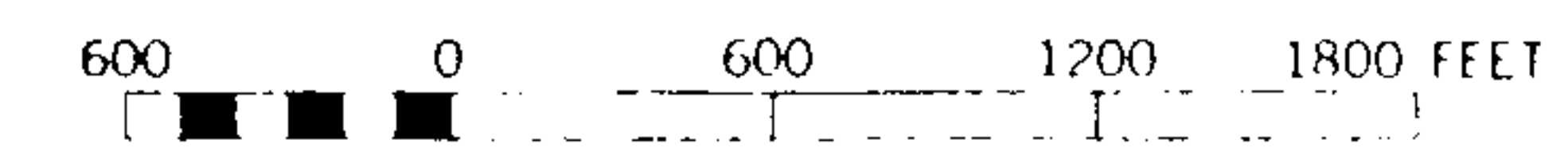
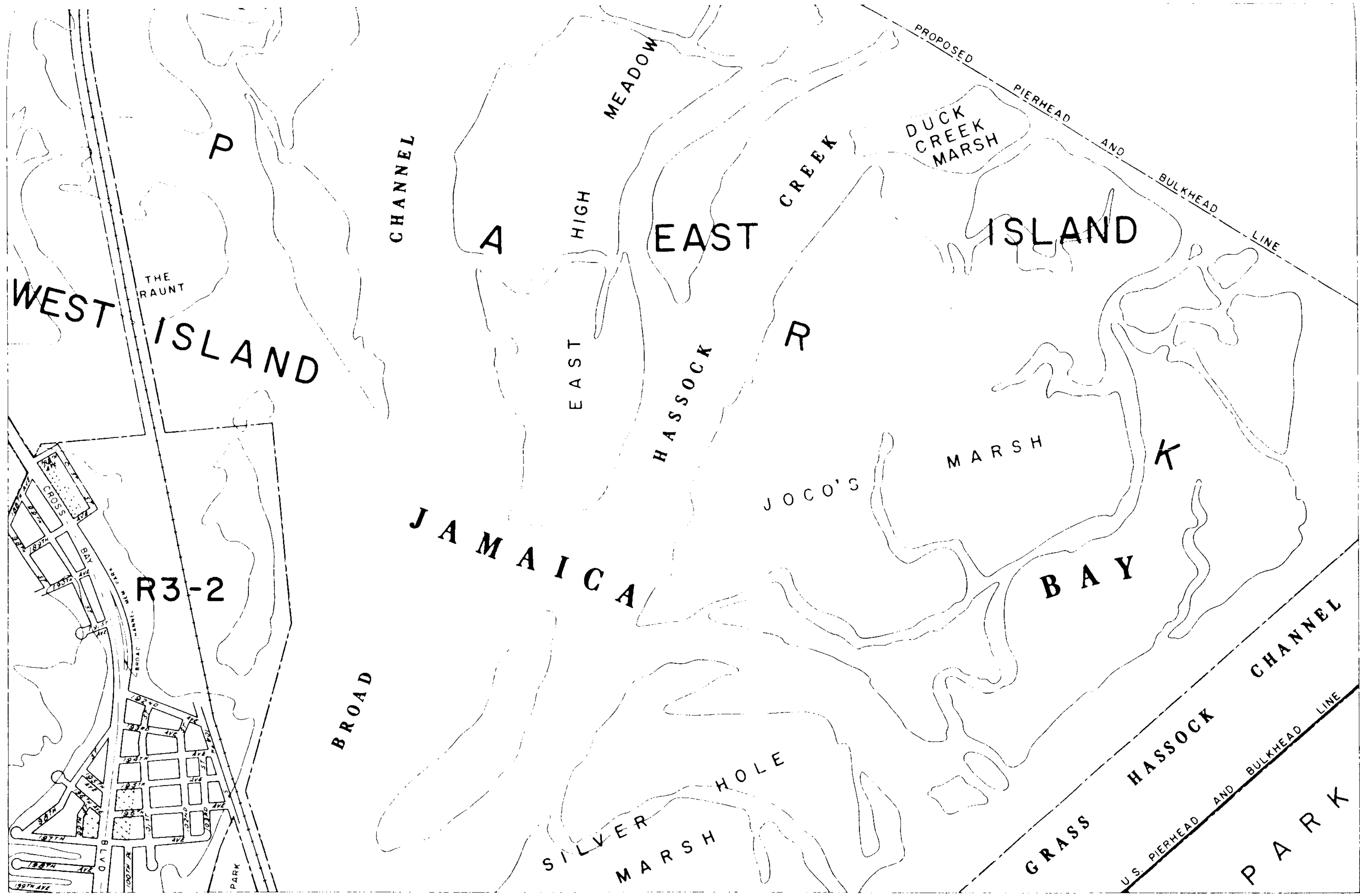
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24a	24c	25a
24b	<b>24d</b>	25b
30a	30c	31a

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25a

# ZONING MAP

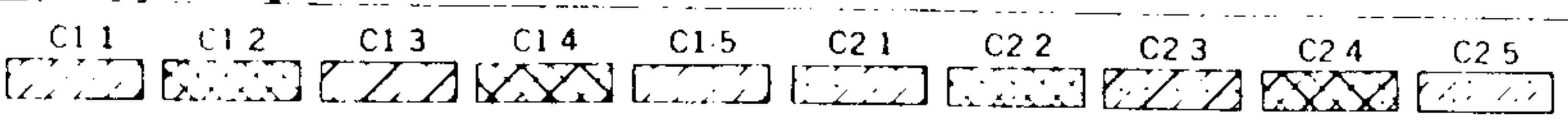
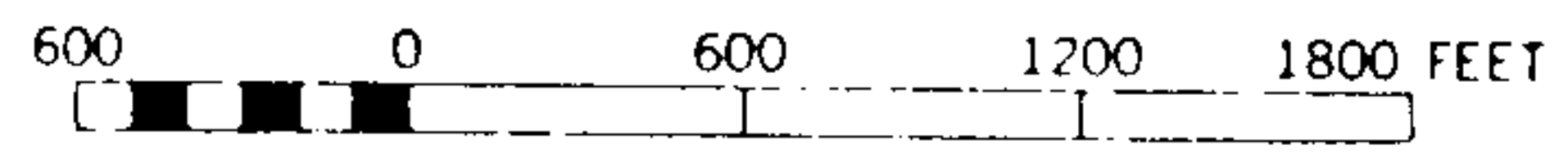
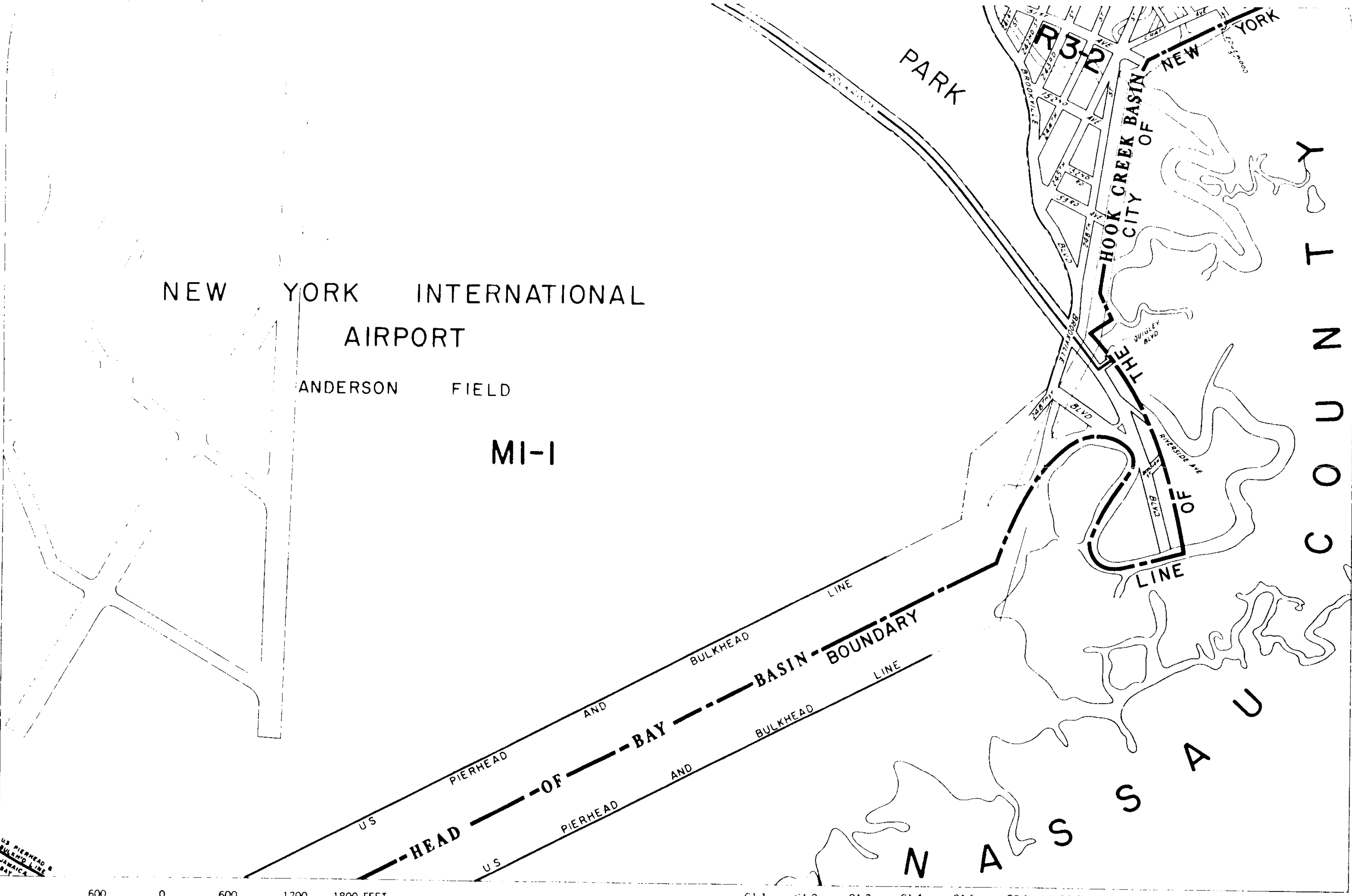
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THE CITY OF NEW YORK



18d	19b	19d
24c	<b>25a</b>	
24d	25b	

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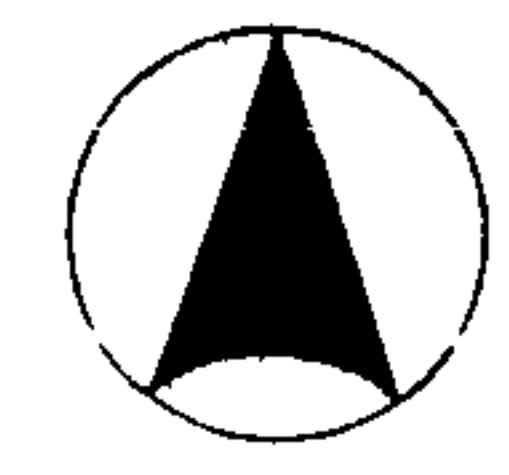


U.S. PIERHEAD & BULKHEAD LINE  
TANARCA

25b

# ZONING MAP

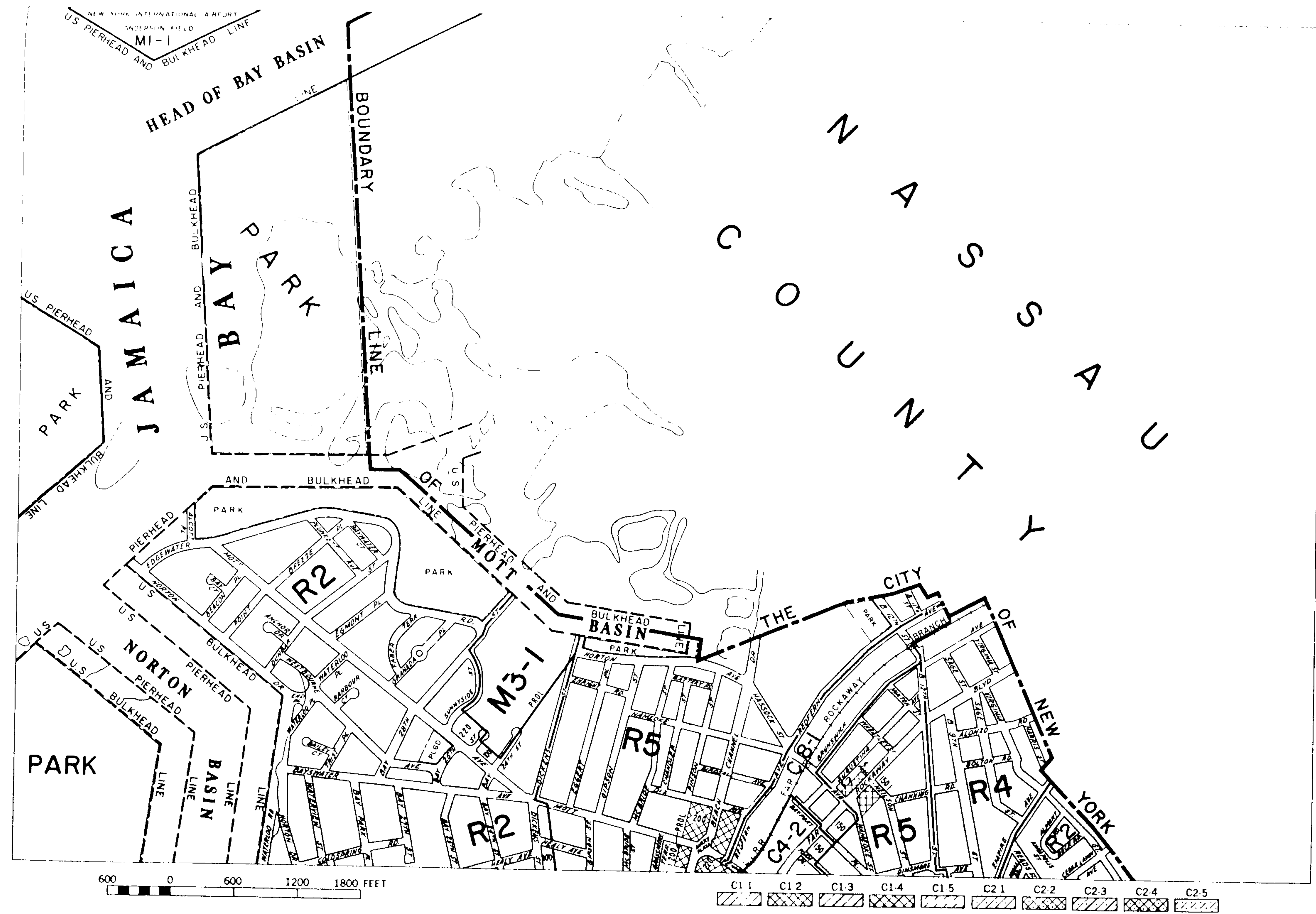
CITY PLANNING COMMISSION  
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24c	25a	
24d	<b>25b</b>	
30c	31a	

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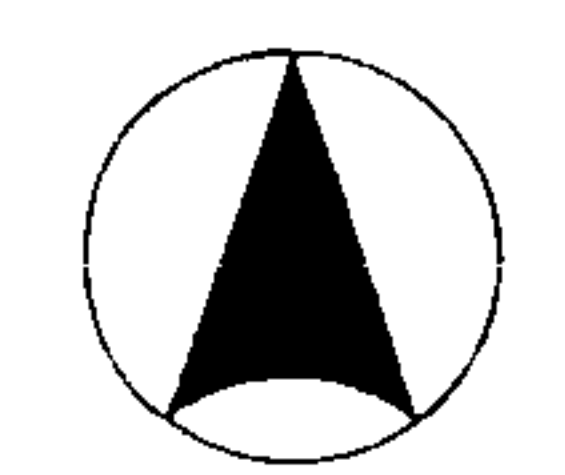
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26a

# ZONING MAP

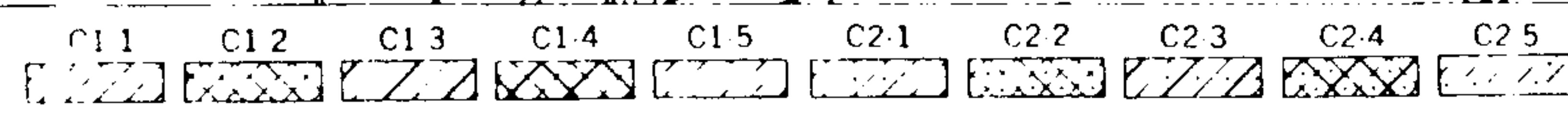
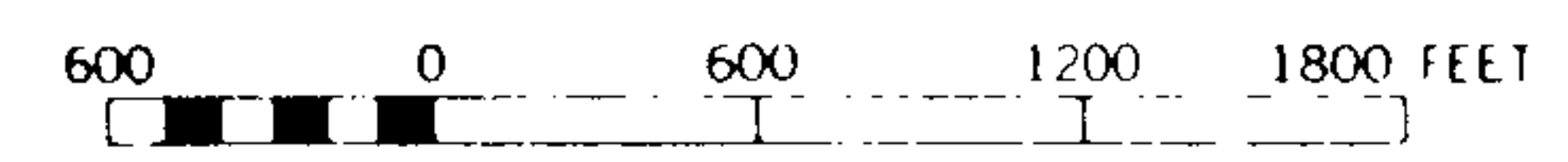
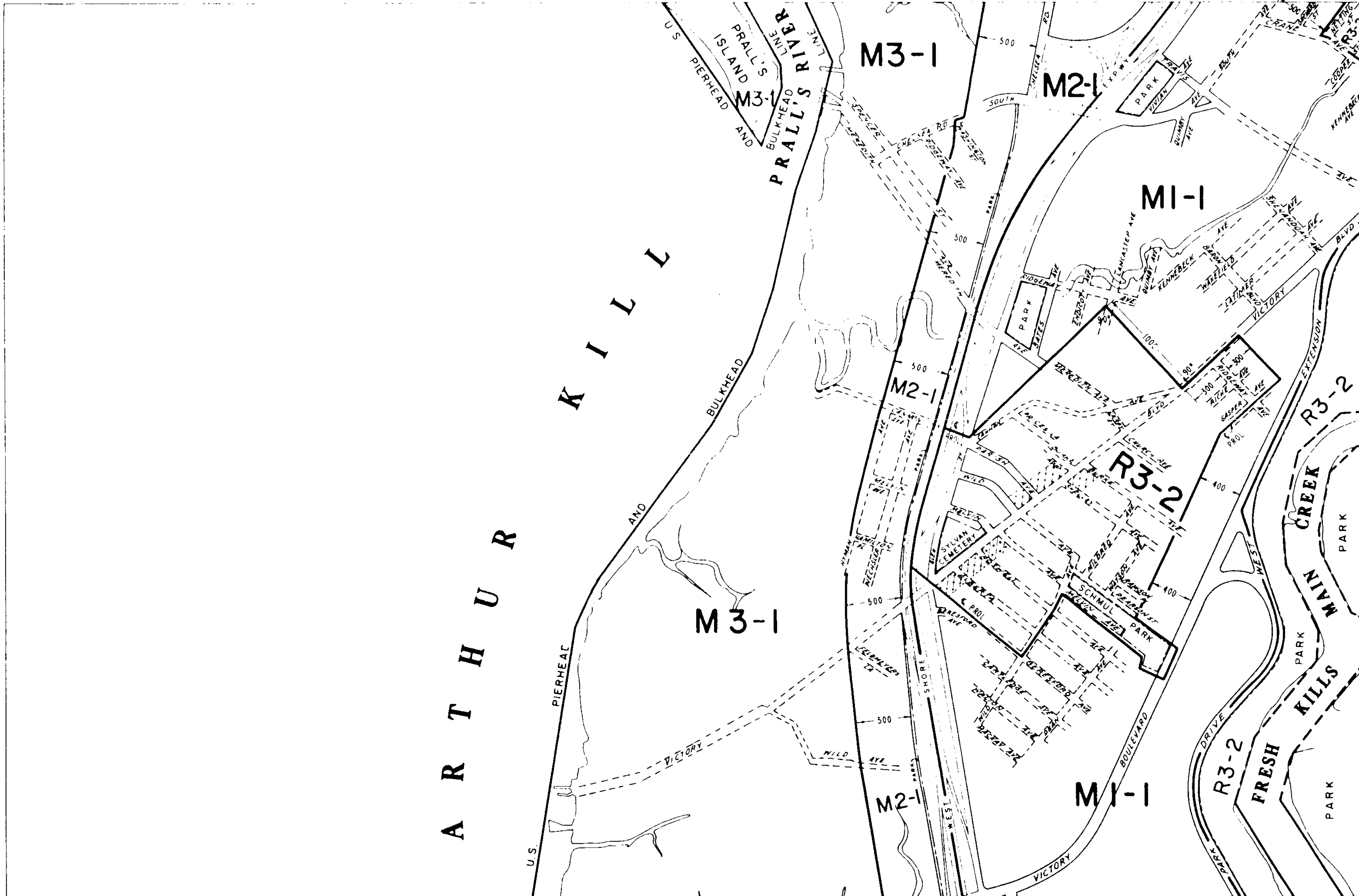
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THE CITY OF NEW YORK



	20b	20d
	<b>26a</b>	26c
	26b	26d

EFFECTIVE: DECEMBER 15, 1961

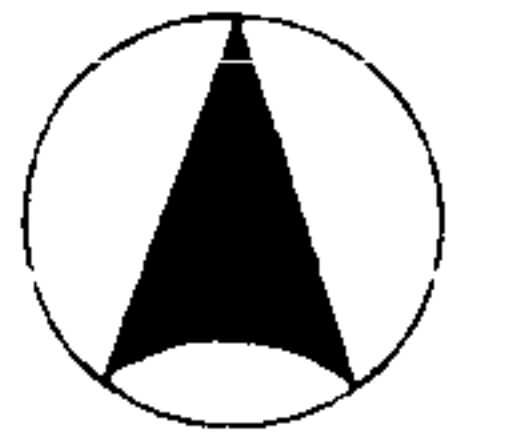
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26b

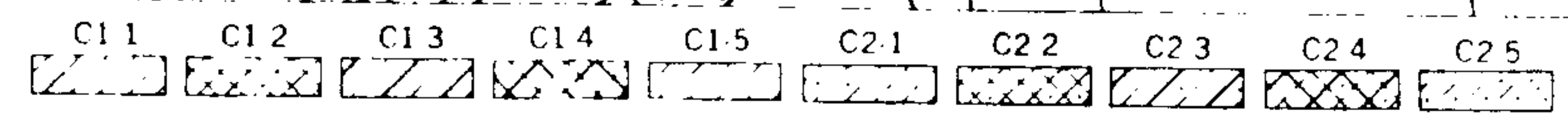
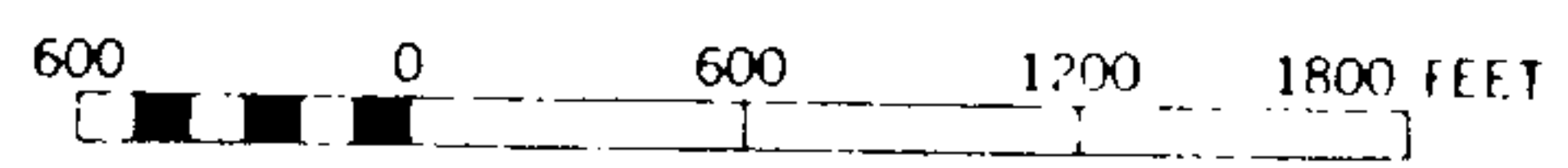
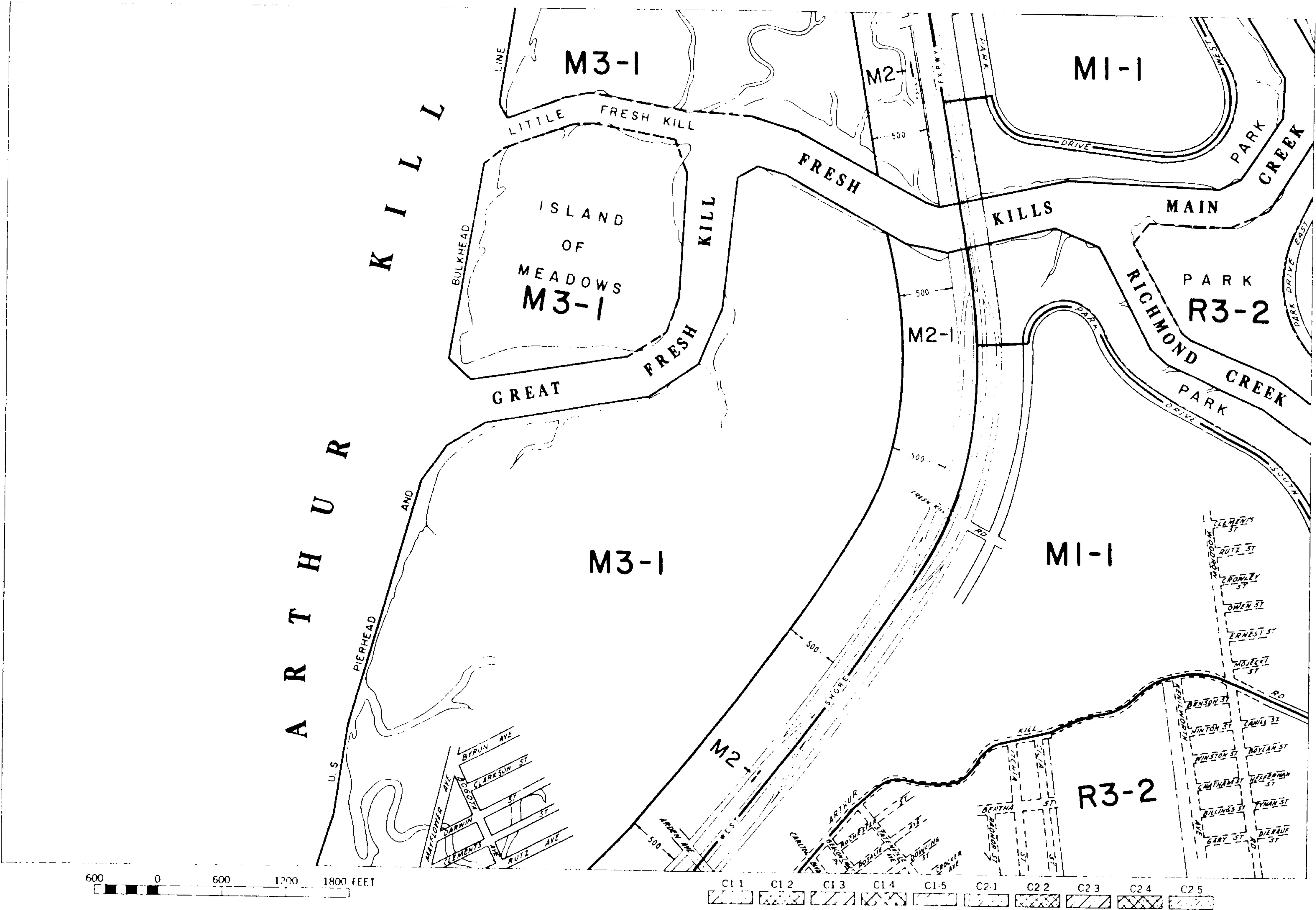
# ZONING MAP

CITY PLANNING COMMISSION  
THE CITY OF NEW YORK



	26a	26c
	<b>26b</b>	26d
32c	33a	33c

EFFECTIVE: DECEMBER 15, 1961

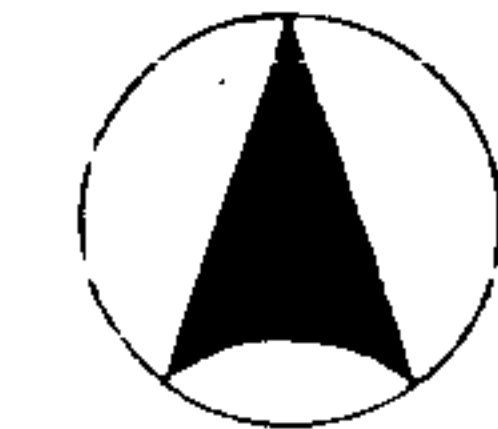




26c

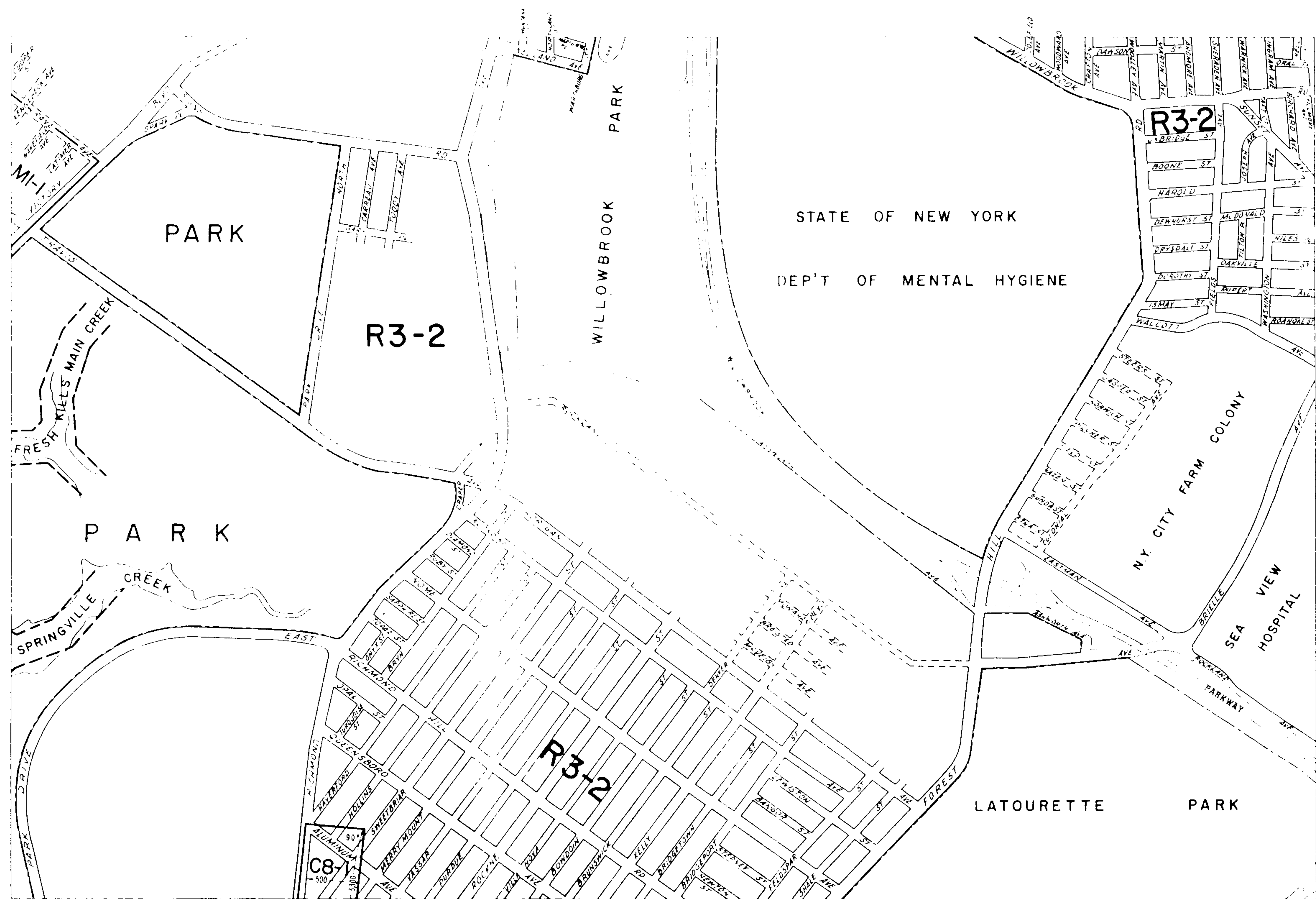
# ZONING MAP

CITY PLANNING COMMISSION  
THE CITY OF NEW YORK



20b	20d	21b
26a	<b>26c</b>	27a
26b	26d	27b

EFFECTIVE: DECEMBER 15, 1961



STATE OF NEW YORK  
DEPT' OF MENTAL HYGIENE

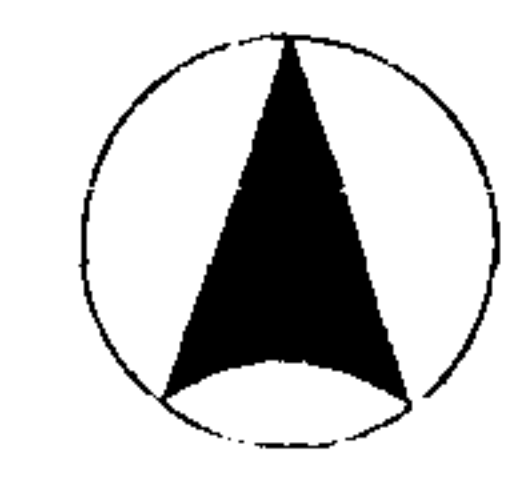
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C11 C12 C13 C14 C15 C21 C22 C23 C24 C25

26d

# ZONING MAP

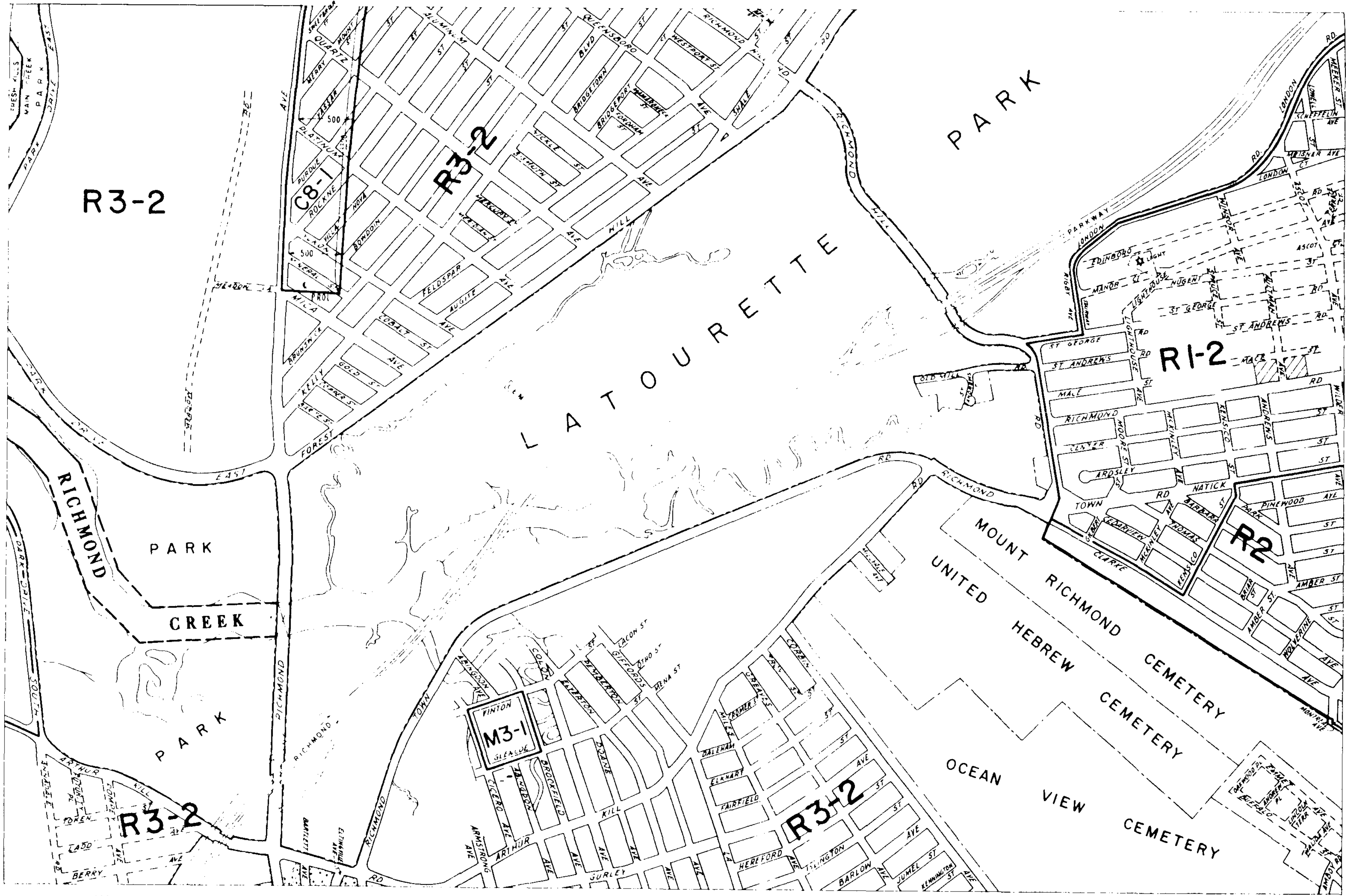
CITY PLANNING COMMISSION  
THE CITY OF NEW YORK



26a	26c	27a
26b	<b>26d</b>	27b
33a	33c	34a

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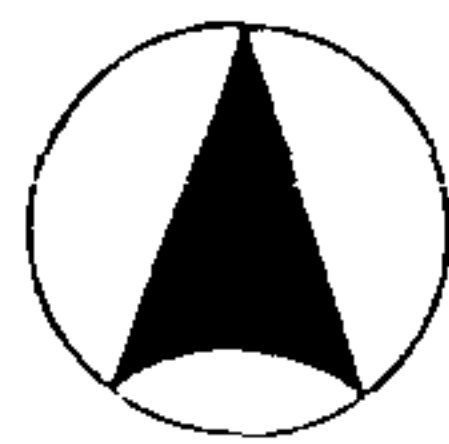
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C1 1 C1 2 C1 3 C1 4 C1 5 C2 1 C2 2 C2 3 C2 4 C2 5

27a

# ZONING MAP

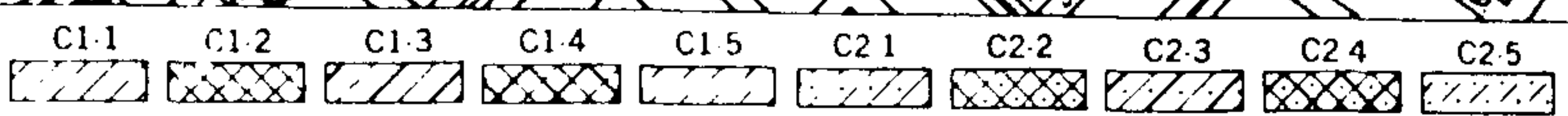
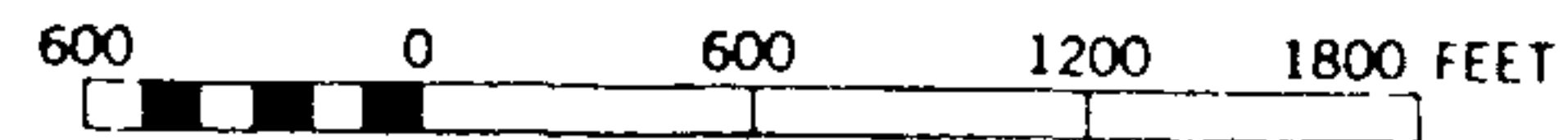
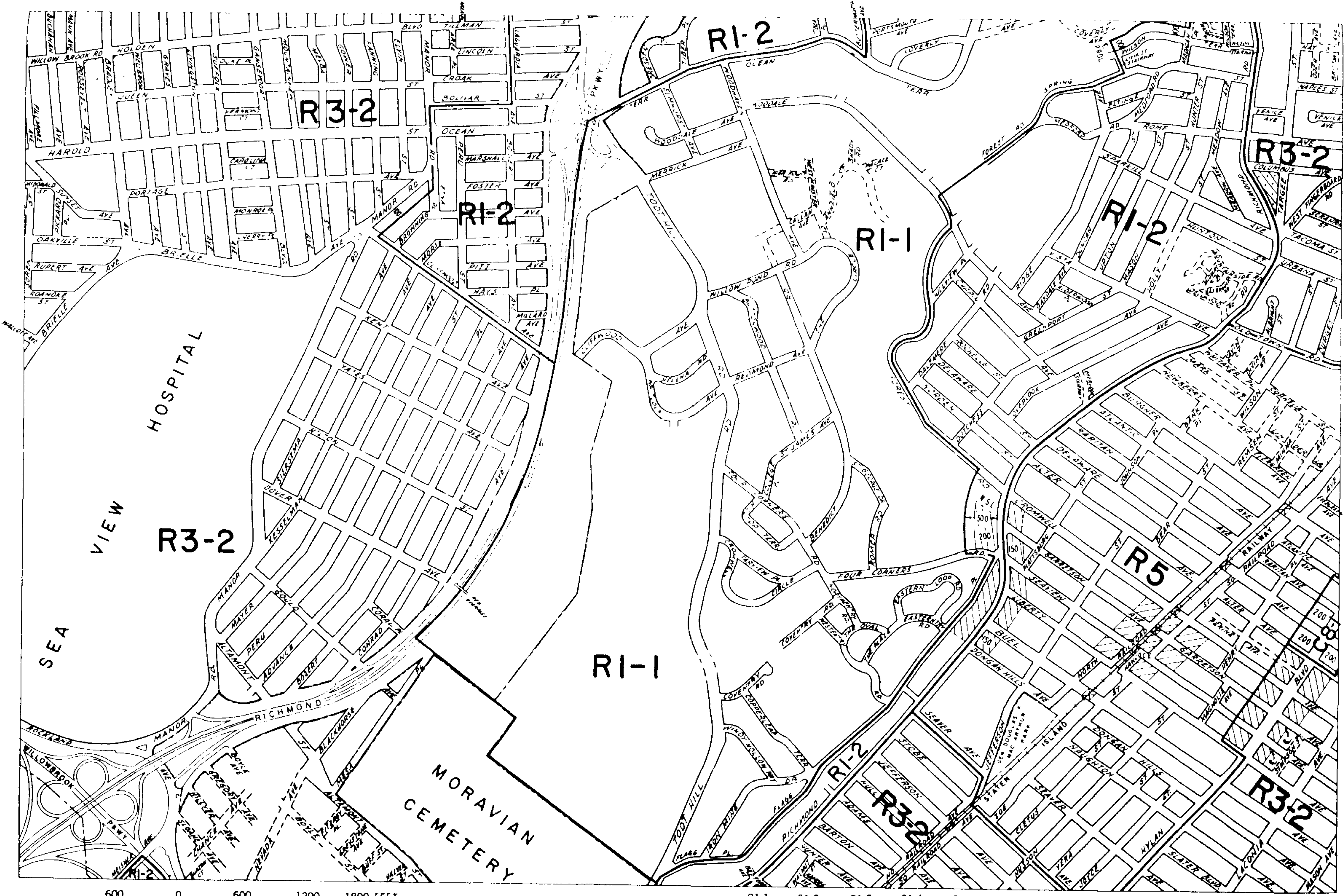
CITY PLANNING COMMISSION  
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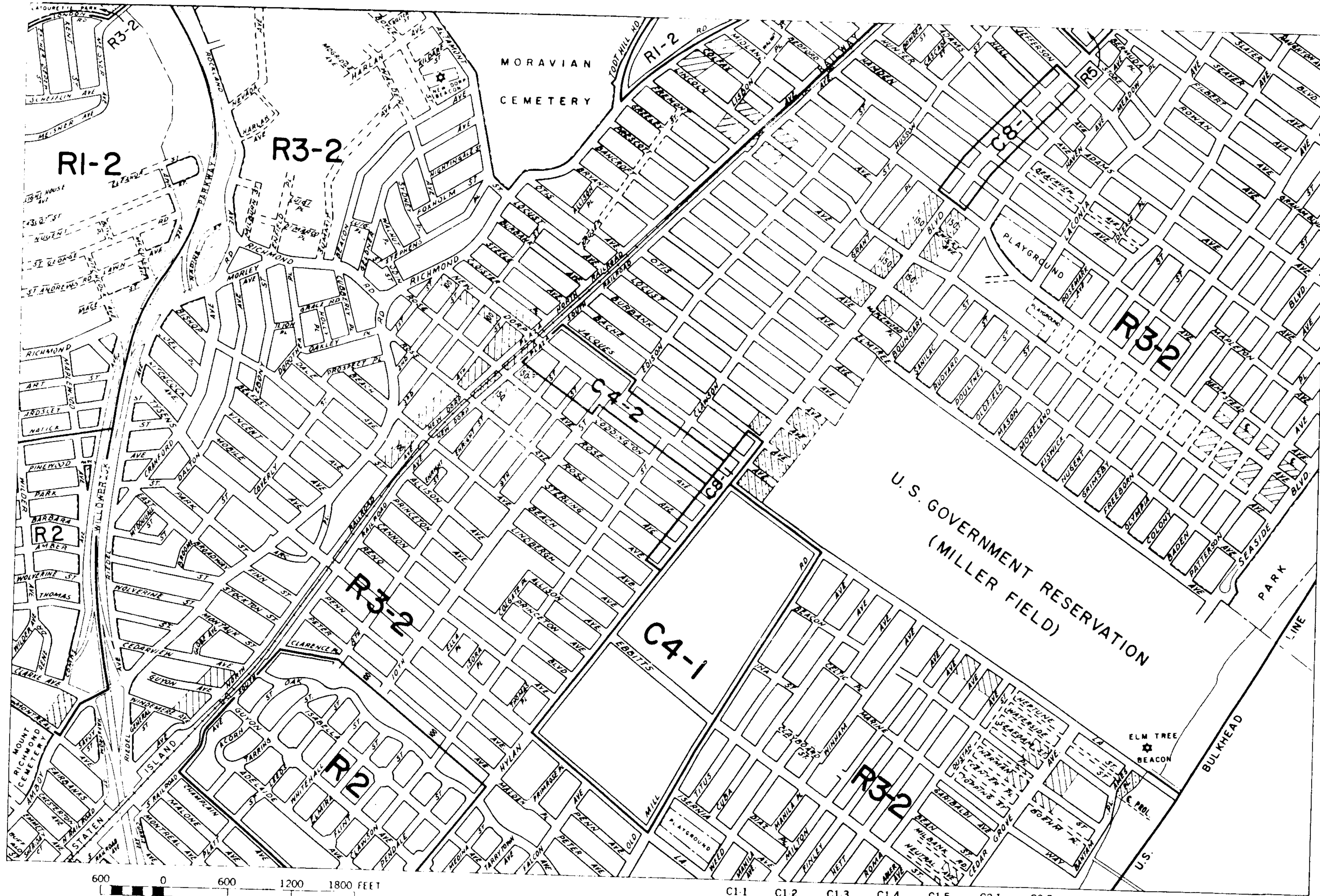


20d	21b	21d
26c	<b>27a</b>	27c
26d	27b	27d

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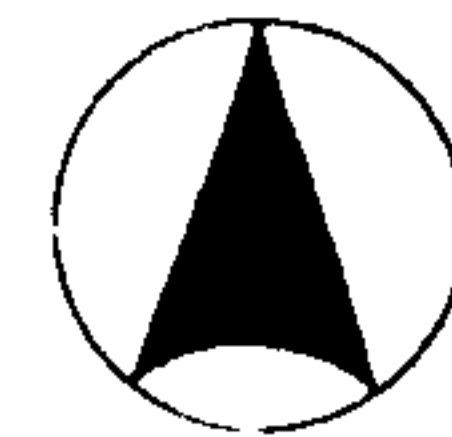




27b

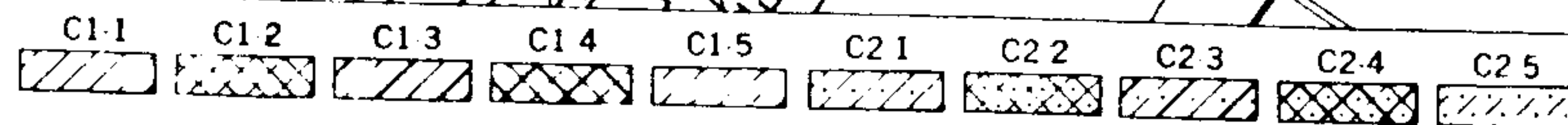
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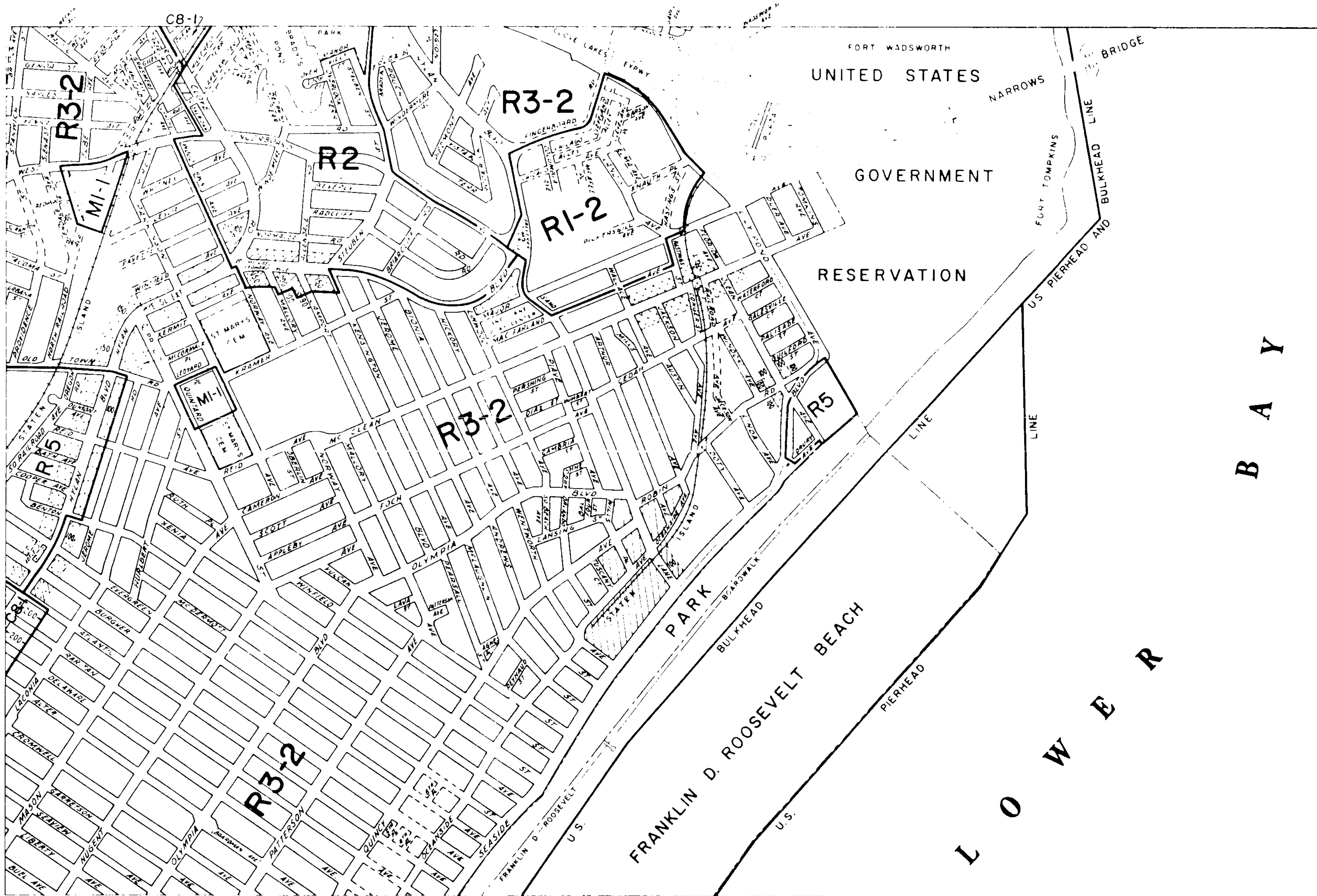
CITY PLANNING COMMISSION  
THE CITY OF NEW YORK



26c	27a	27c
26d	<b>27b</b>	27d
33c	34a	

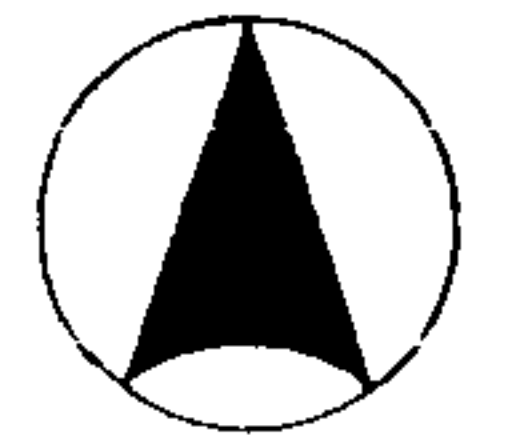
EFFECTIVE: DECEMBER 15, 1961





27c

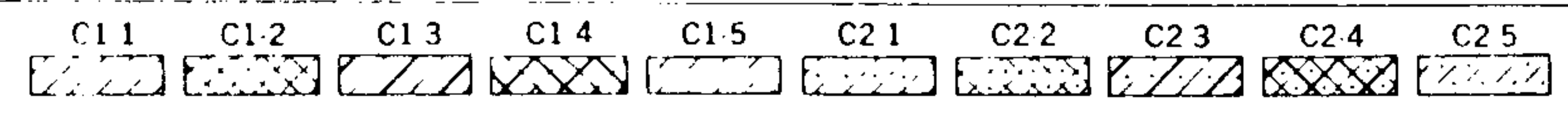
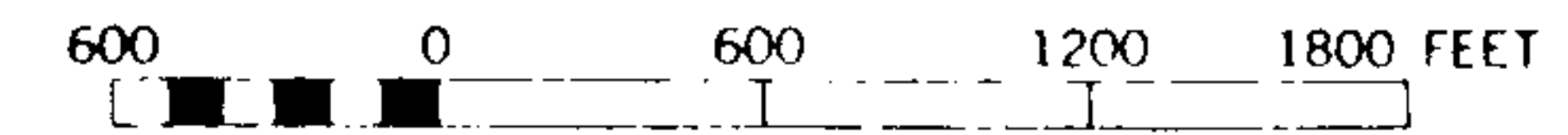
**ZONING MAP**  
CITY PLANNING COMMISSION  
THE CITY OF NEW YORK



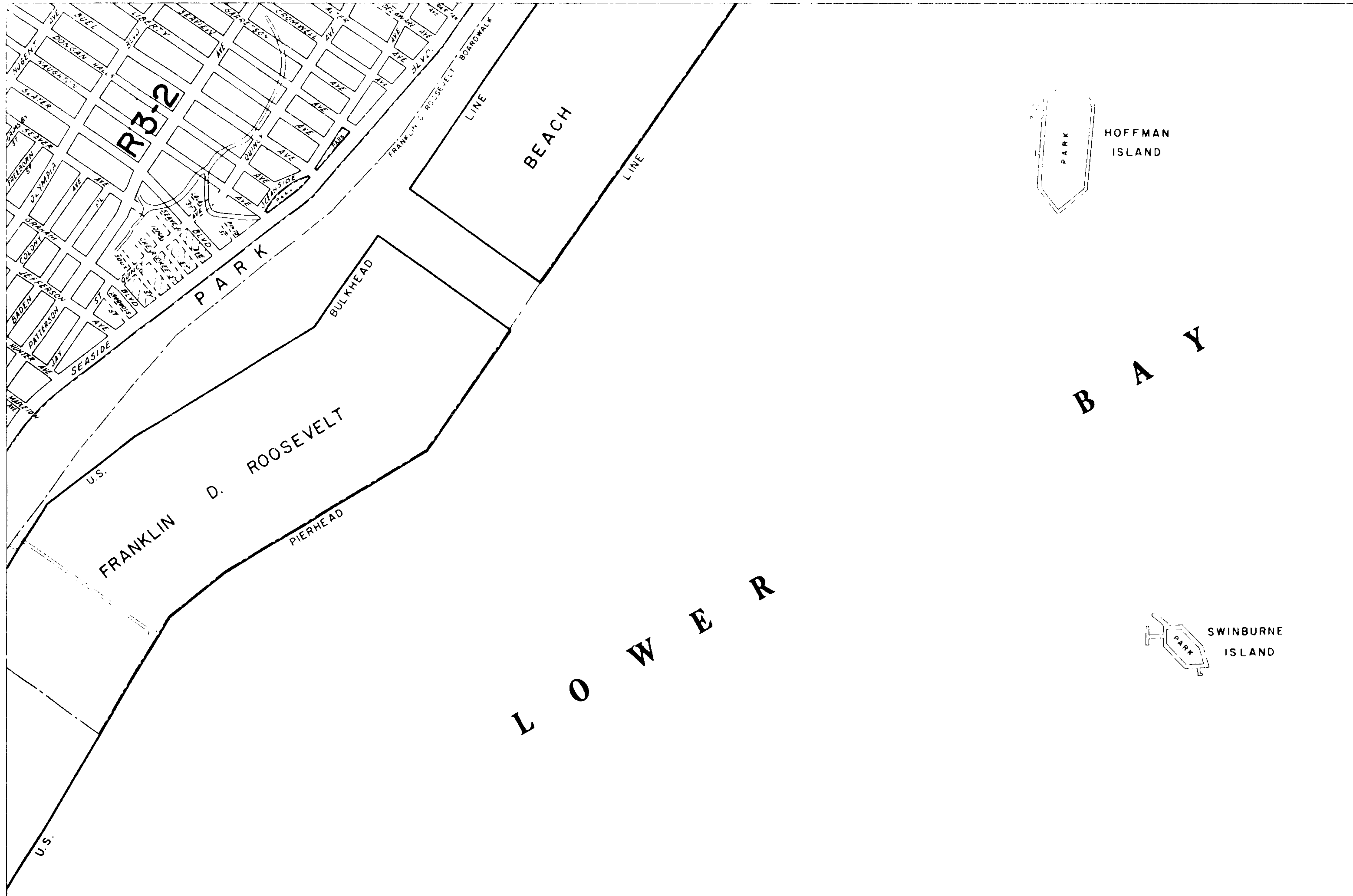
B  
A  
Y

21b	21d	22b
27a	<b>27c</b>	28a
27b	27d	28b

•EFFECTIVE: DECEMBER 15, 1961



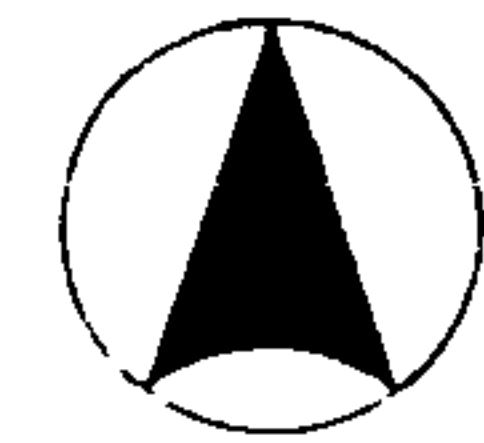
L  
O  
W  
E  
R



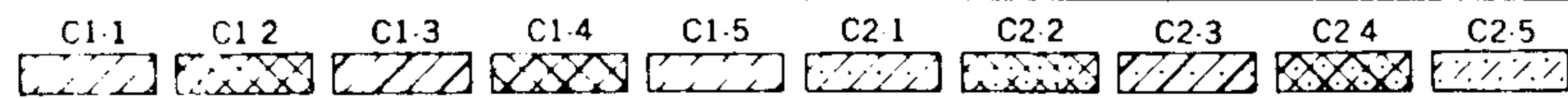
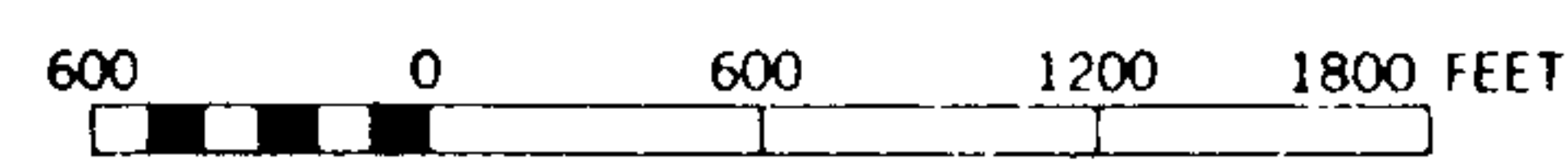
**27d**

**ZONING MAP**

CITY PLANNING COMMISSION  
THE CITY OF NEW YORK



27a	27c	28a
27b	<b>27d</b>	28b
34a		

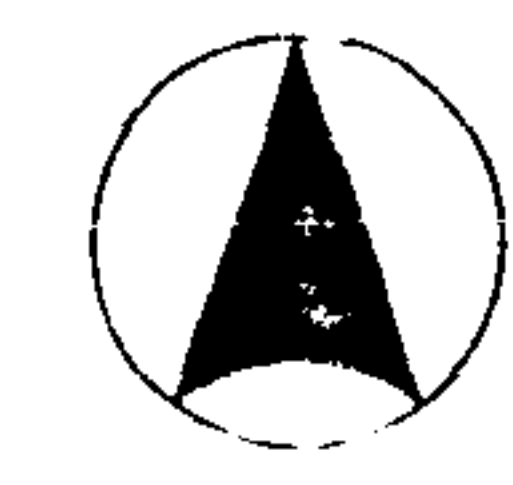


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28a

# ZONING MAP

CITY PLANNING COMMISSION  
THE CITY OF NEW YORK



21d	22b	22d
27c	<b>28a</b>	28c
27d	28b	28d

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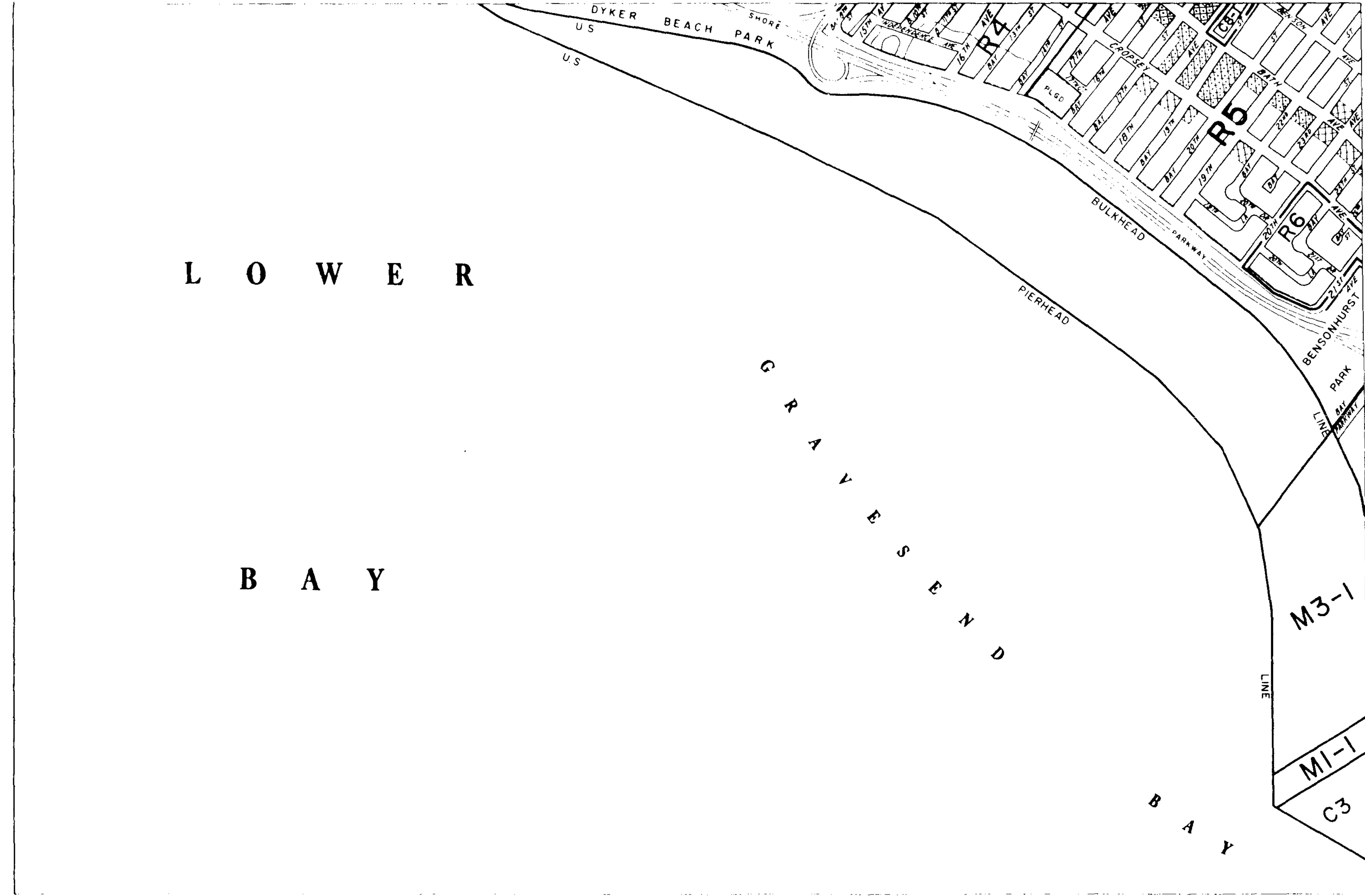
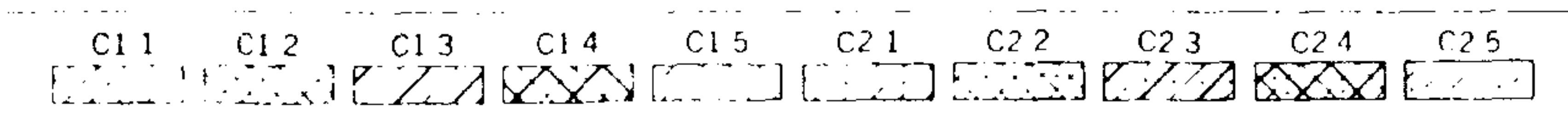
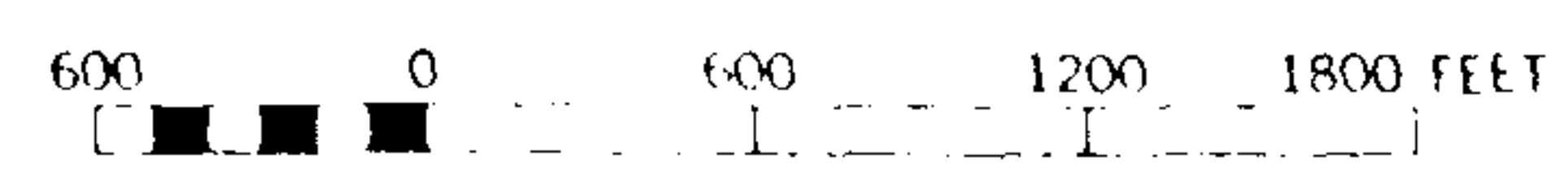
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L O W E R

B A Y

G R A V E S E N D

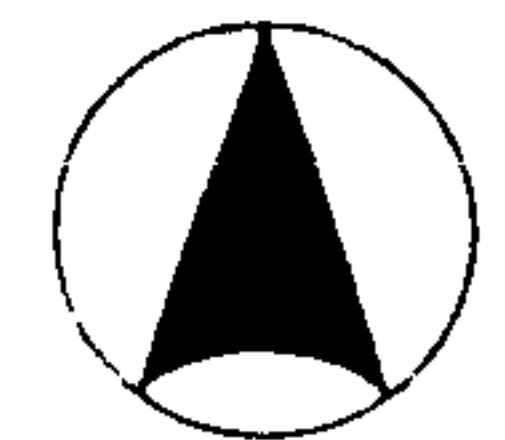
B A Y



28b

# ZONING MAP

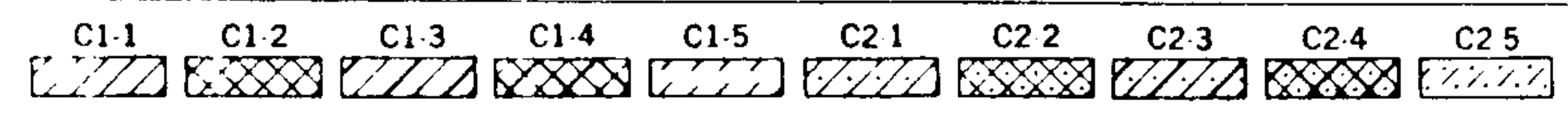
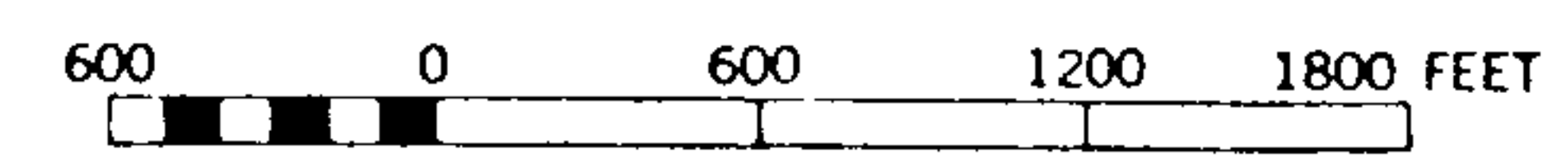
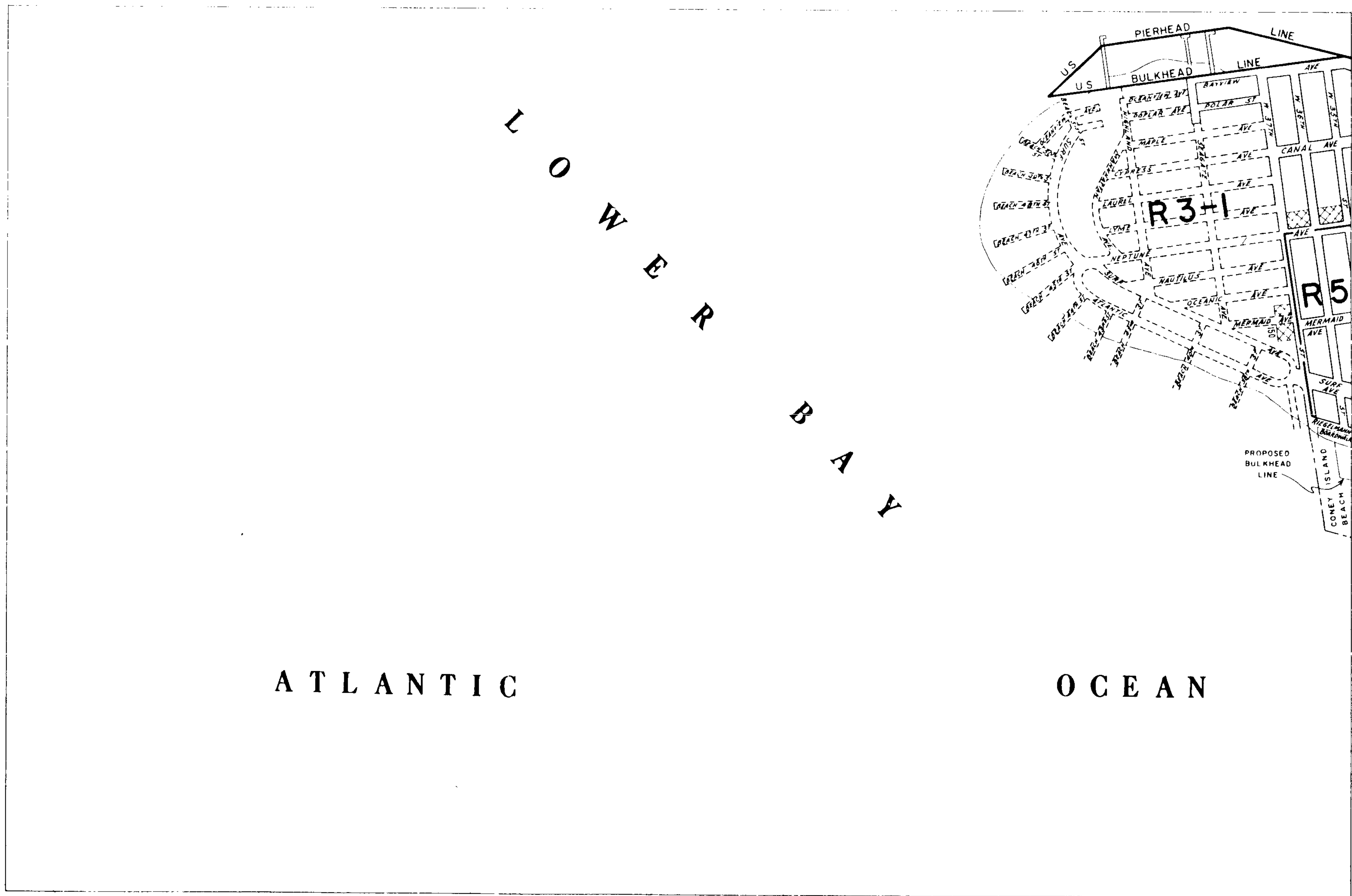
CITY PLANNING COMMISSION  
THE CITY OF NEW YORK



27c	28a	28c
27d	<b>28b</b>	28d

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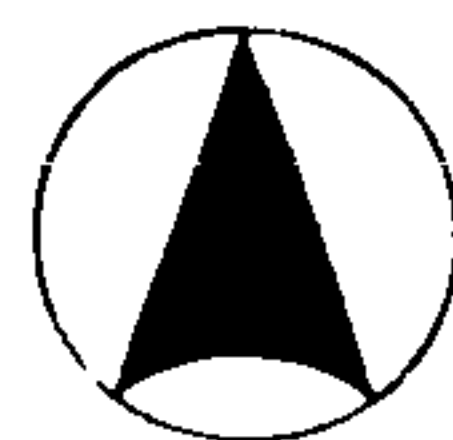






28c

**ZONING MAP**  
 CITY PLANNING COMMISSION  
 THE CITY OF NEW YORK



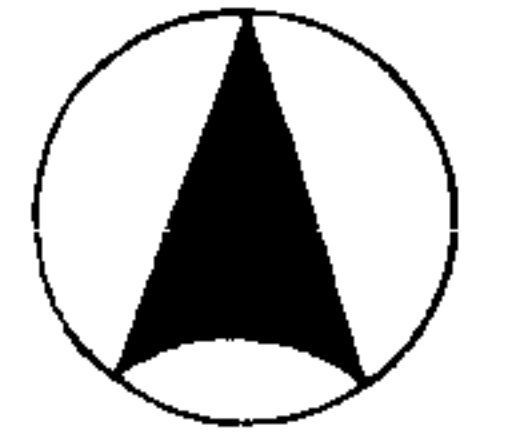
22b	22d	23b
28a	<b>28c</b>	29a
28b	28d	29b

EFFECTIVE: DECEMBER 15, 1961

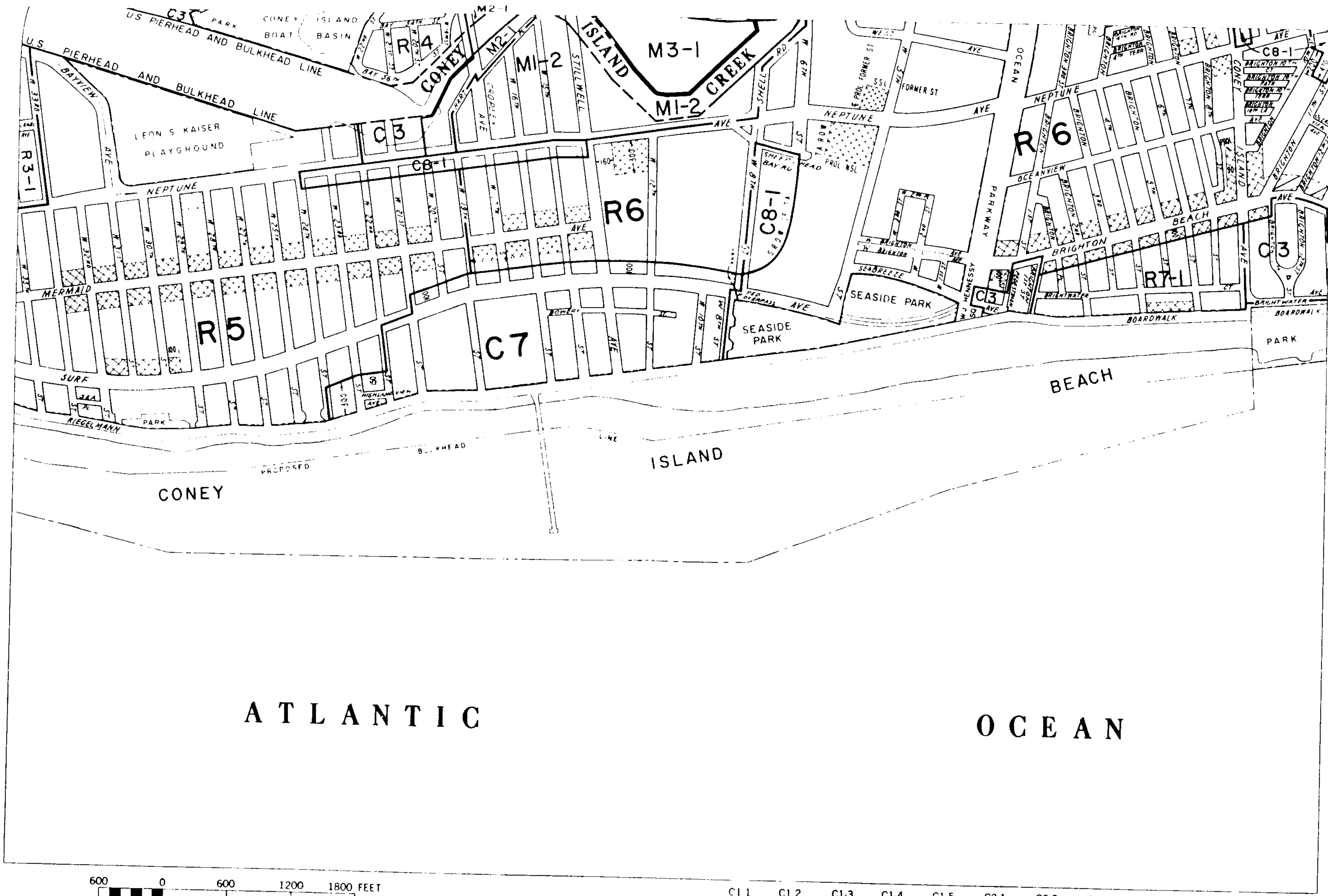
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# ZONING MAP

CITY PLANNING COMMISSION  
THE CITY OF NEW YORK

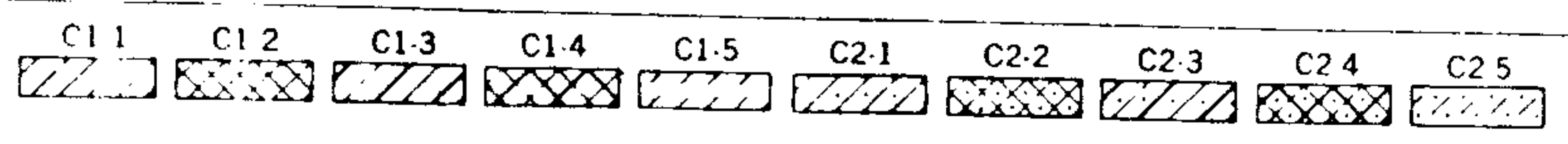
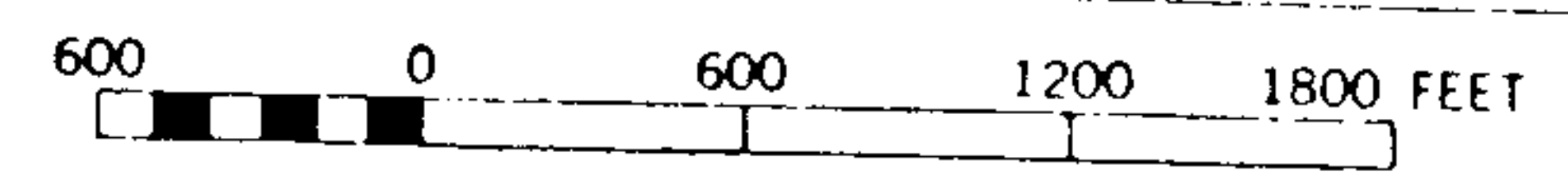


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28b	<b>28d</b>	29b



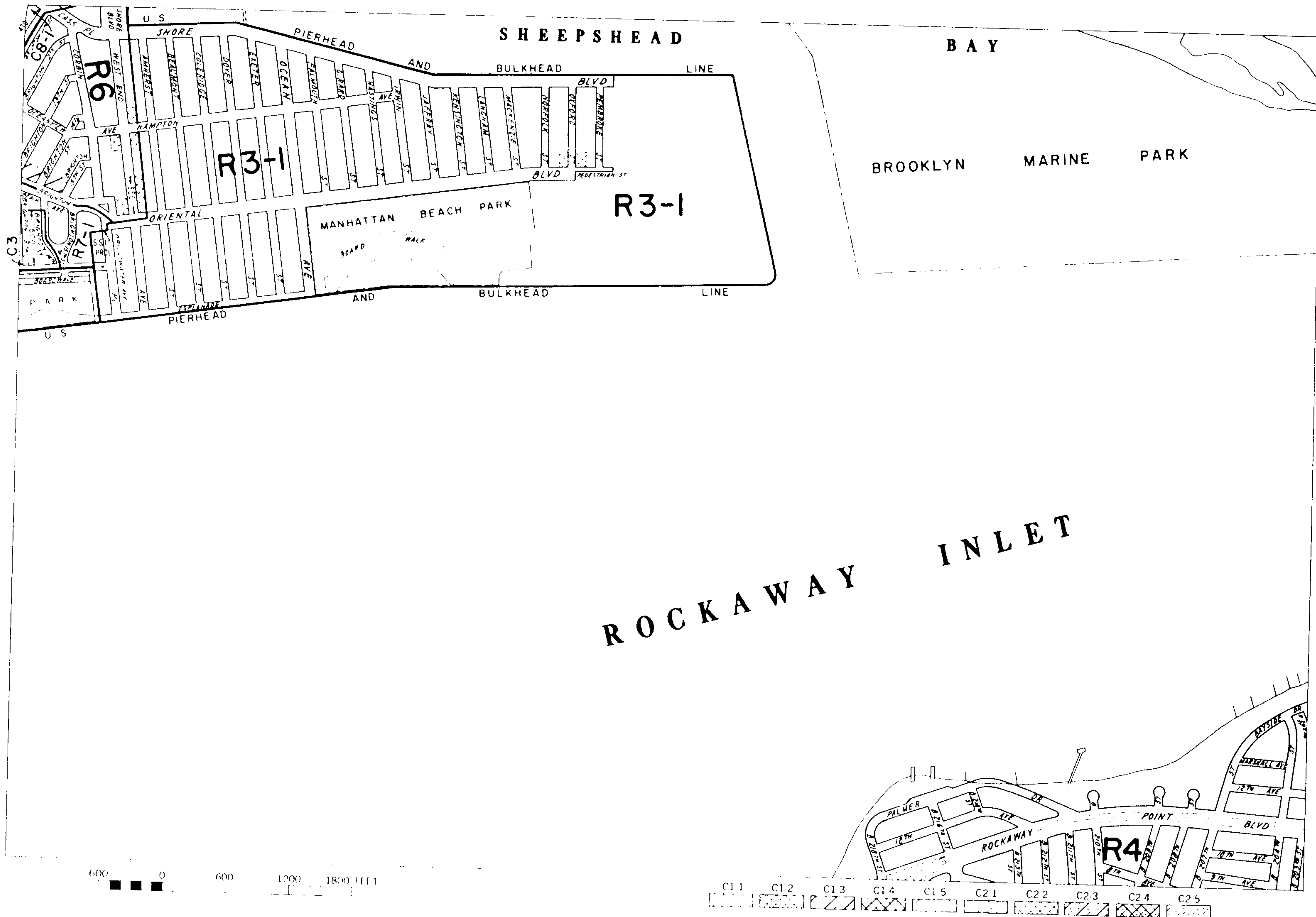
ATLANTIC

OCEAN



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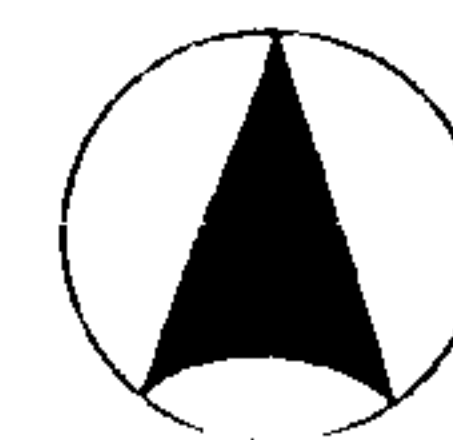




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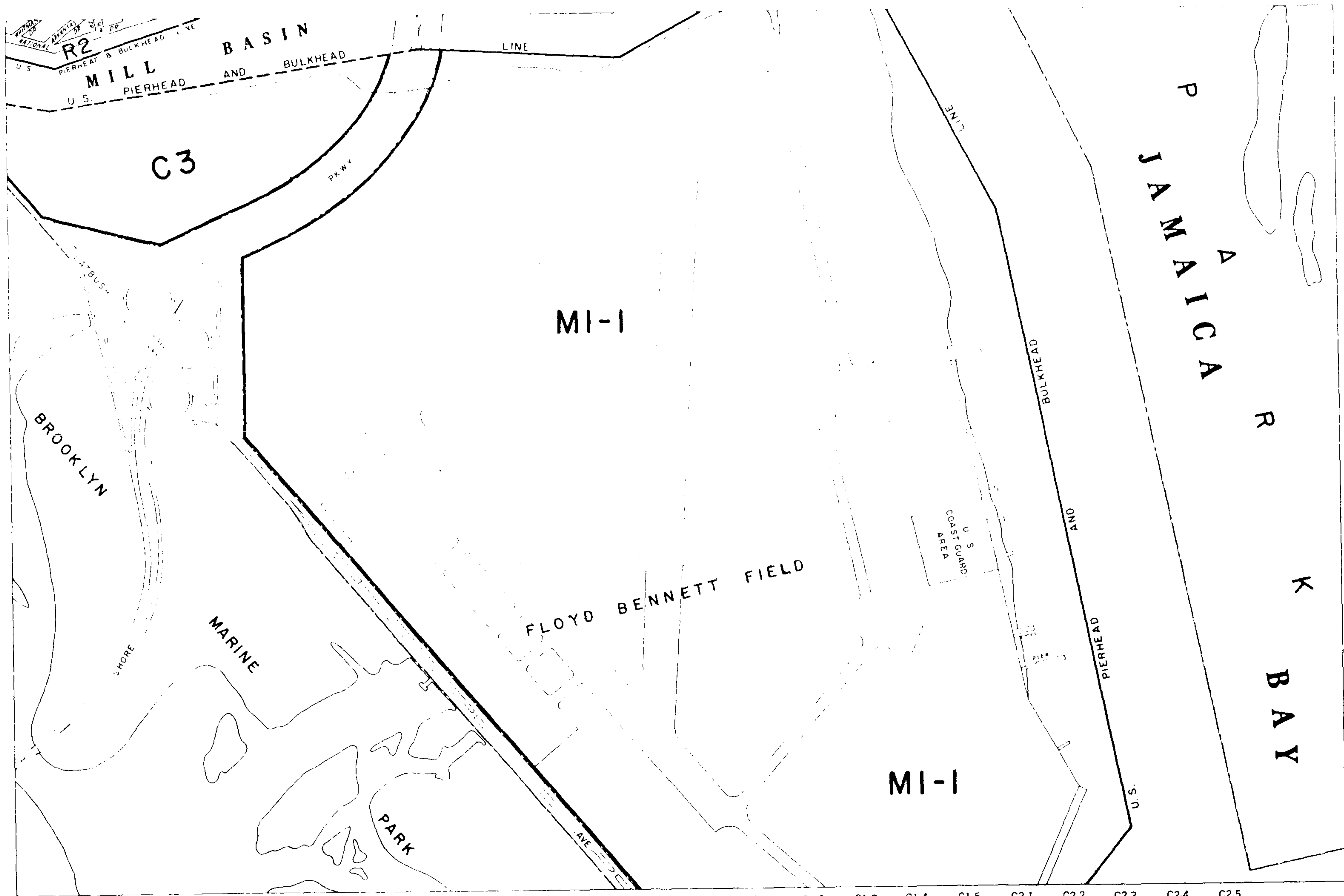
# ZONING MAP

CITY PLANNING COMMISSION  
THE CITY OF NEW YORK



28c	29a	29c
28d	<b>29b</b>	29d
	30d	

EFFECTIVE: DECEMBER 15, 1961



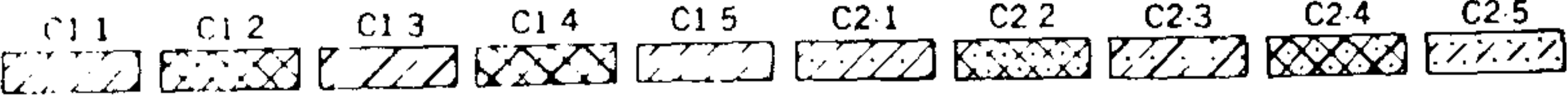
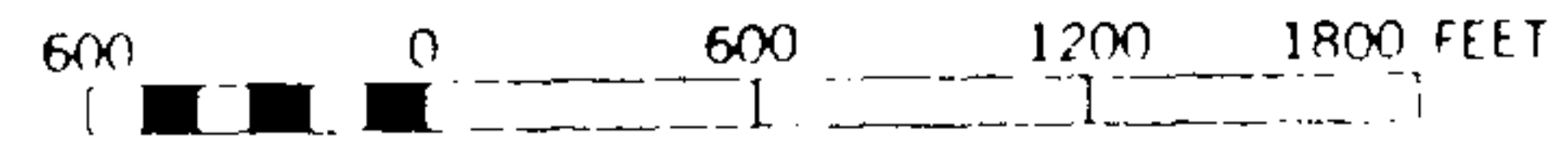
29c

**ZONING MAP**

CITY PLANNING COMMISSION  
THE CITY OF NEW YORK



23b	23d	24b
29a	<b>29c</b>	30a
29b	29d	30b

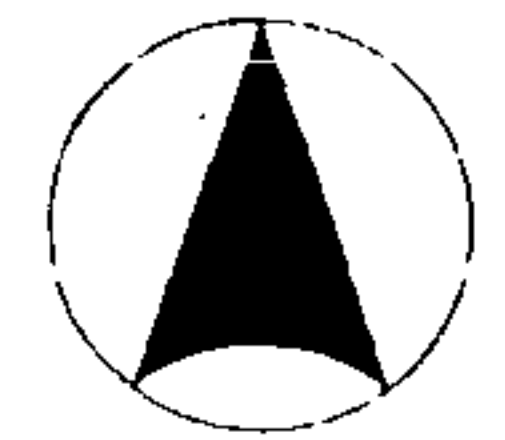


EFFECTIVE: DECEMBER 15, 1961

29d

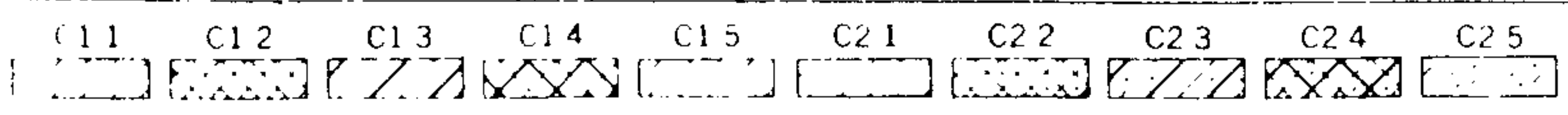
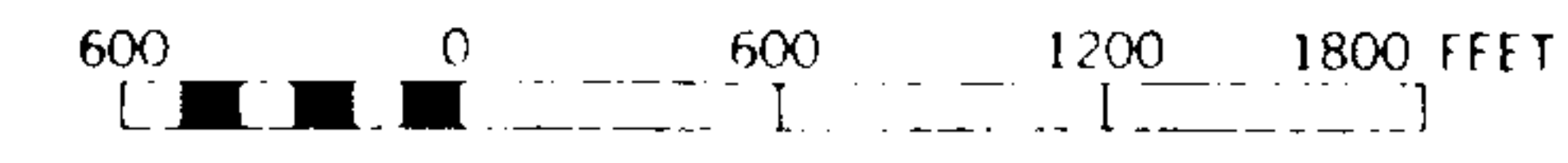
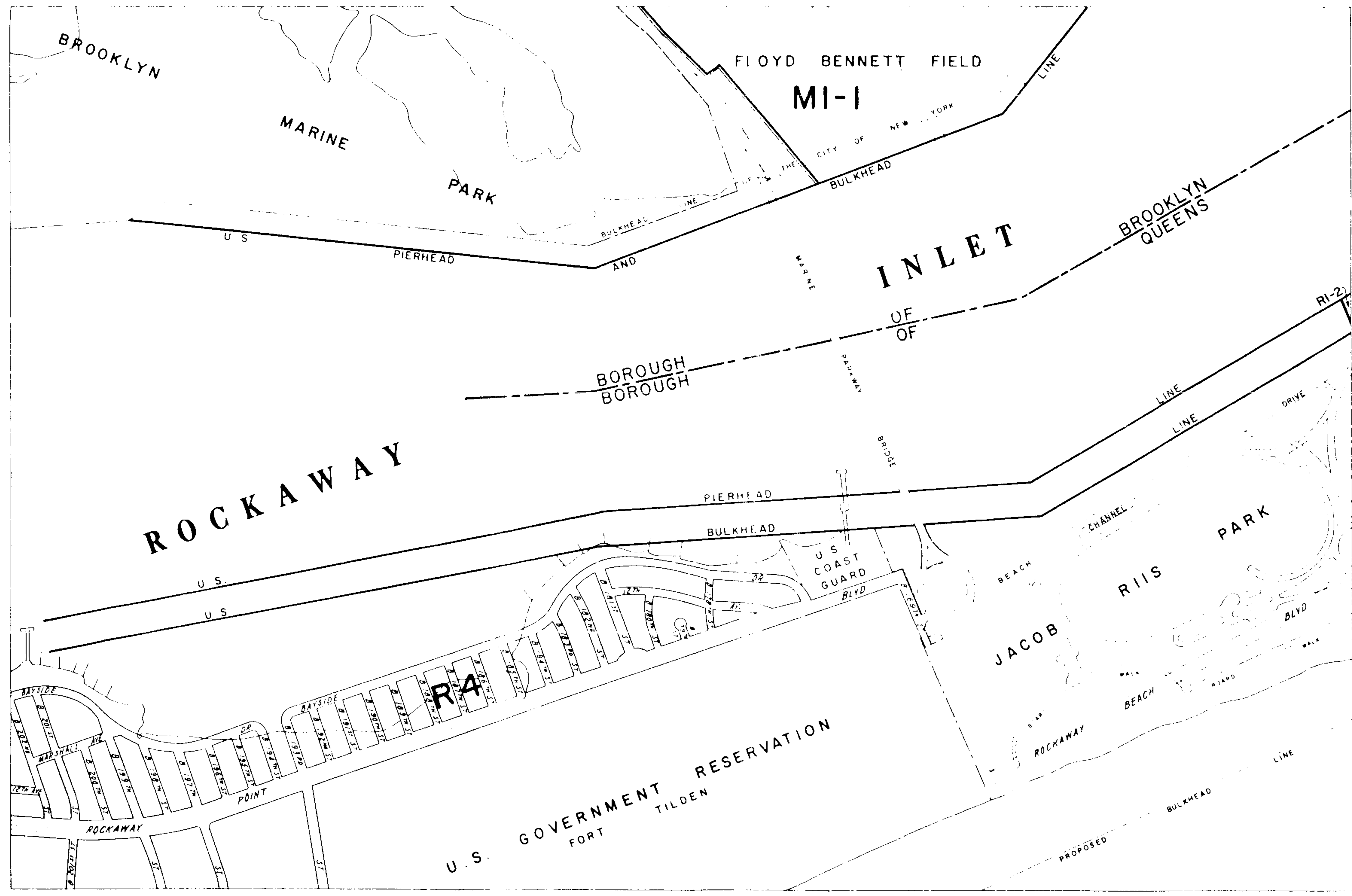
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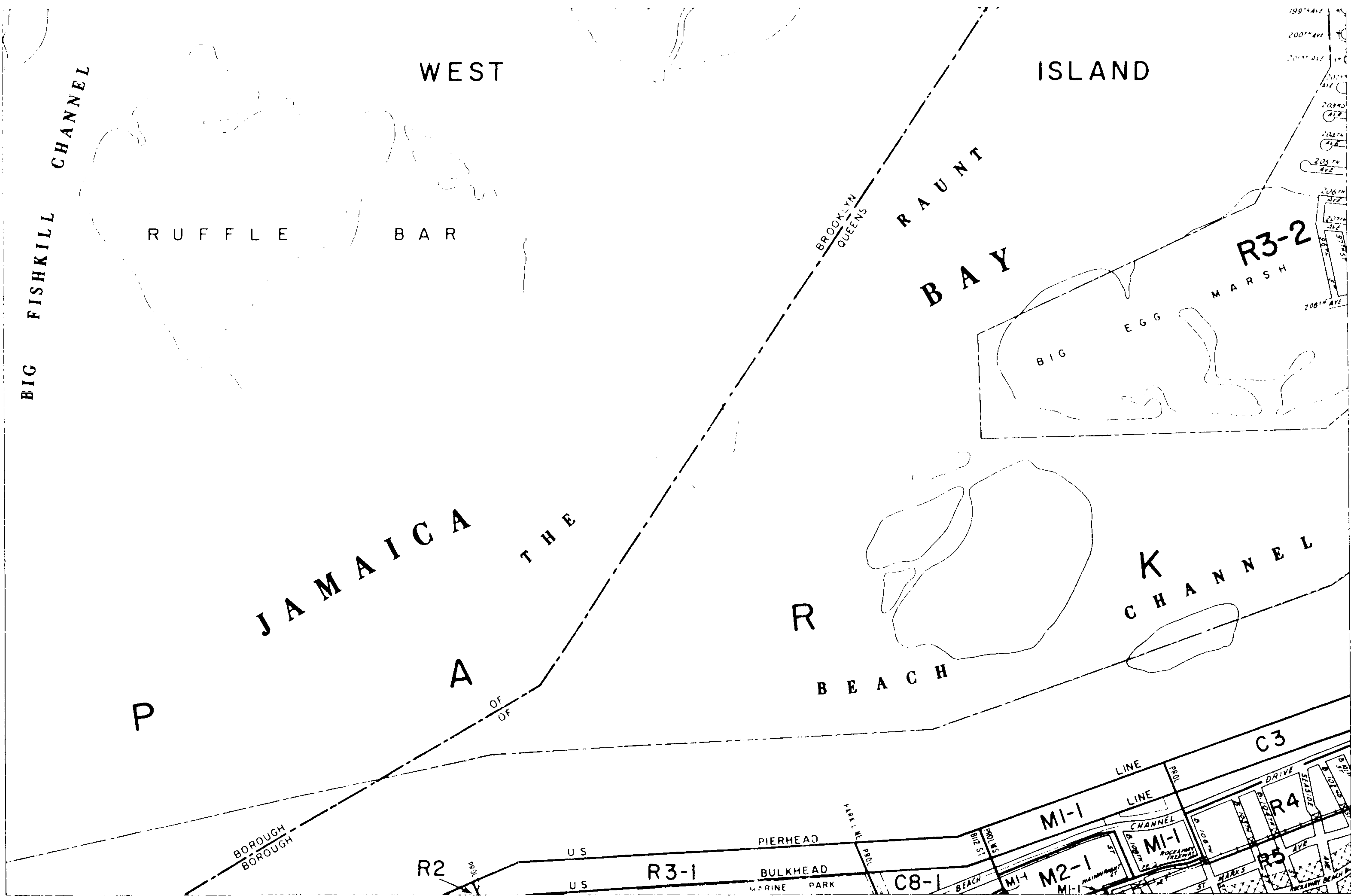
CITY PLANNING COMMISSION  
THE CITY OF NEW YORK



29a	29c	30a
29b	<b>29d</b>	30b
	30d	

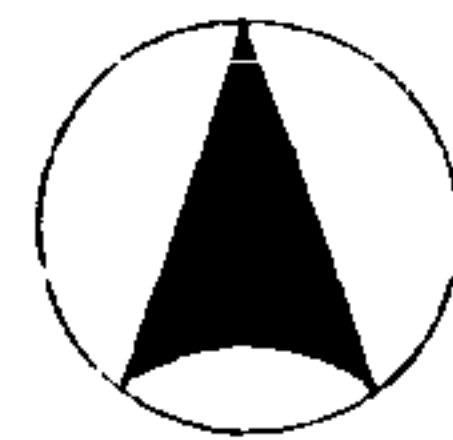
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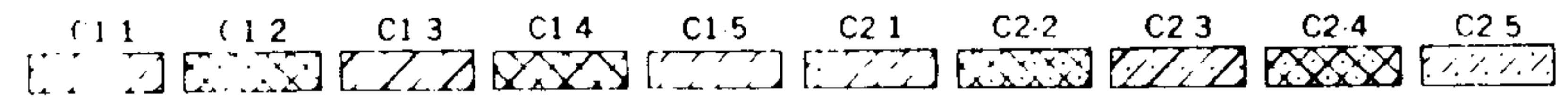
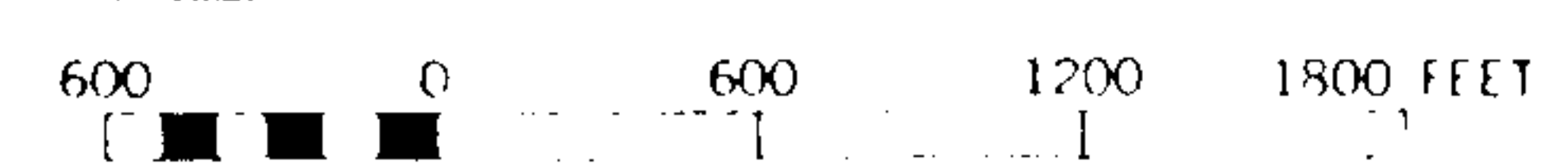
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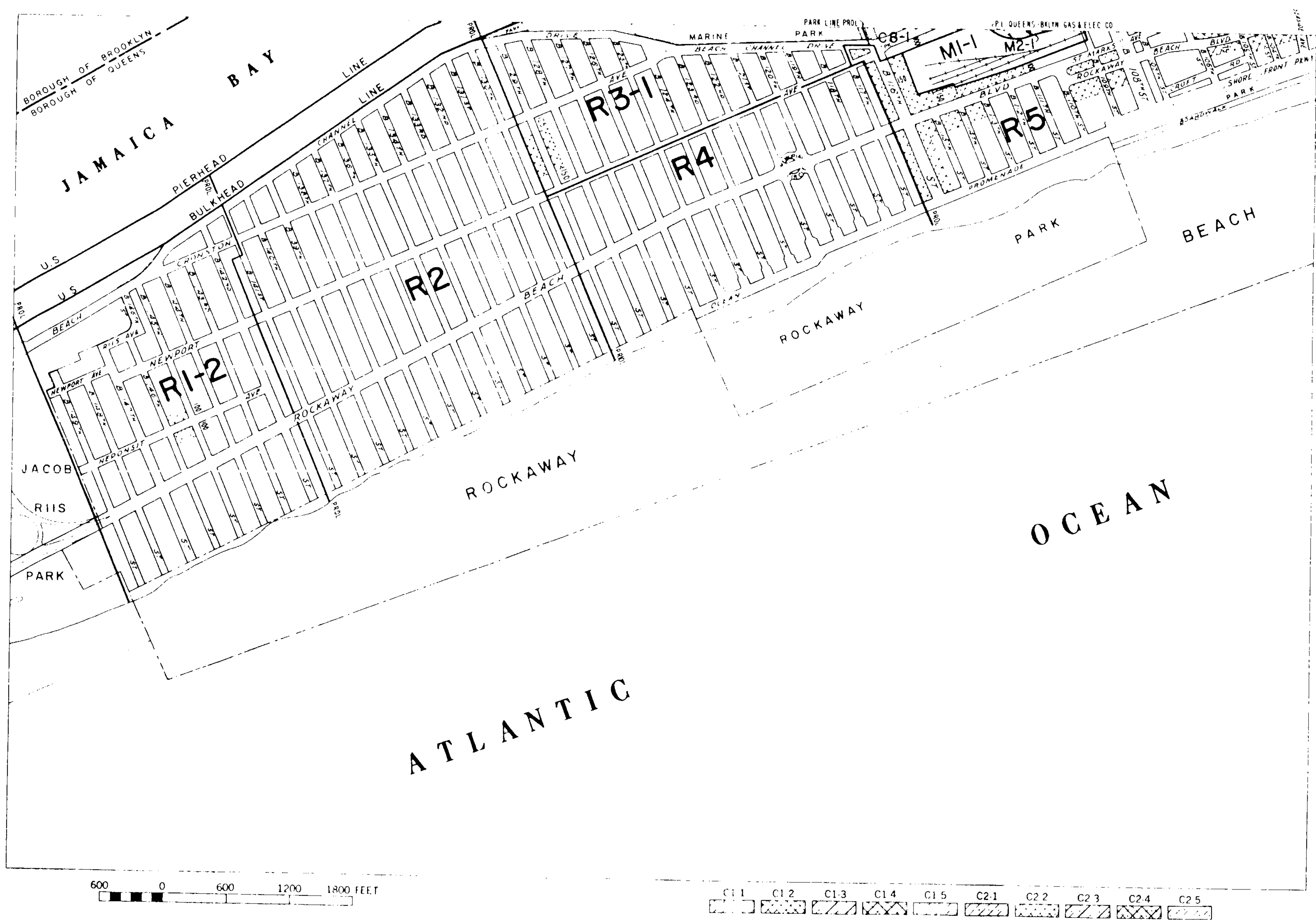
**ZONING MAP**  
 CITY PLANNING COMMISSION  
 THE CITY OF NEW YORK



23d	24b	24d
29c	<b>30a</b>	30c
29d	30b	30d

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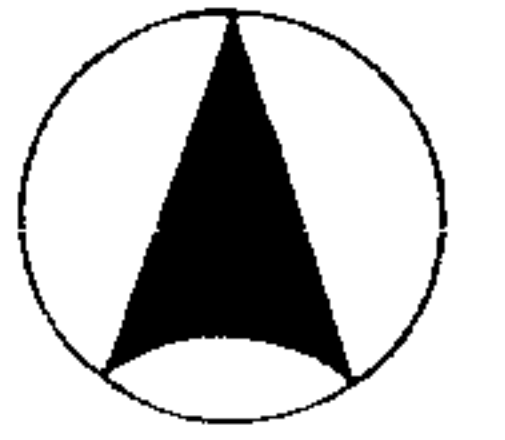




**30b**

**ZONING MAP**

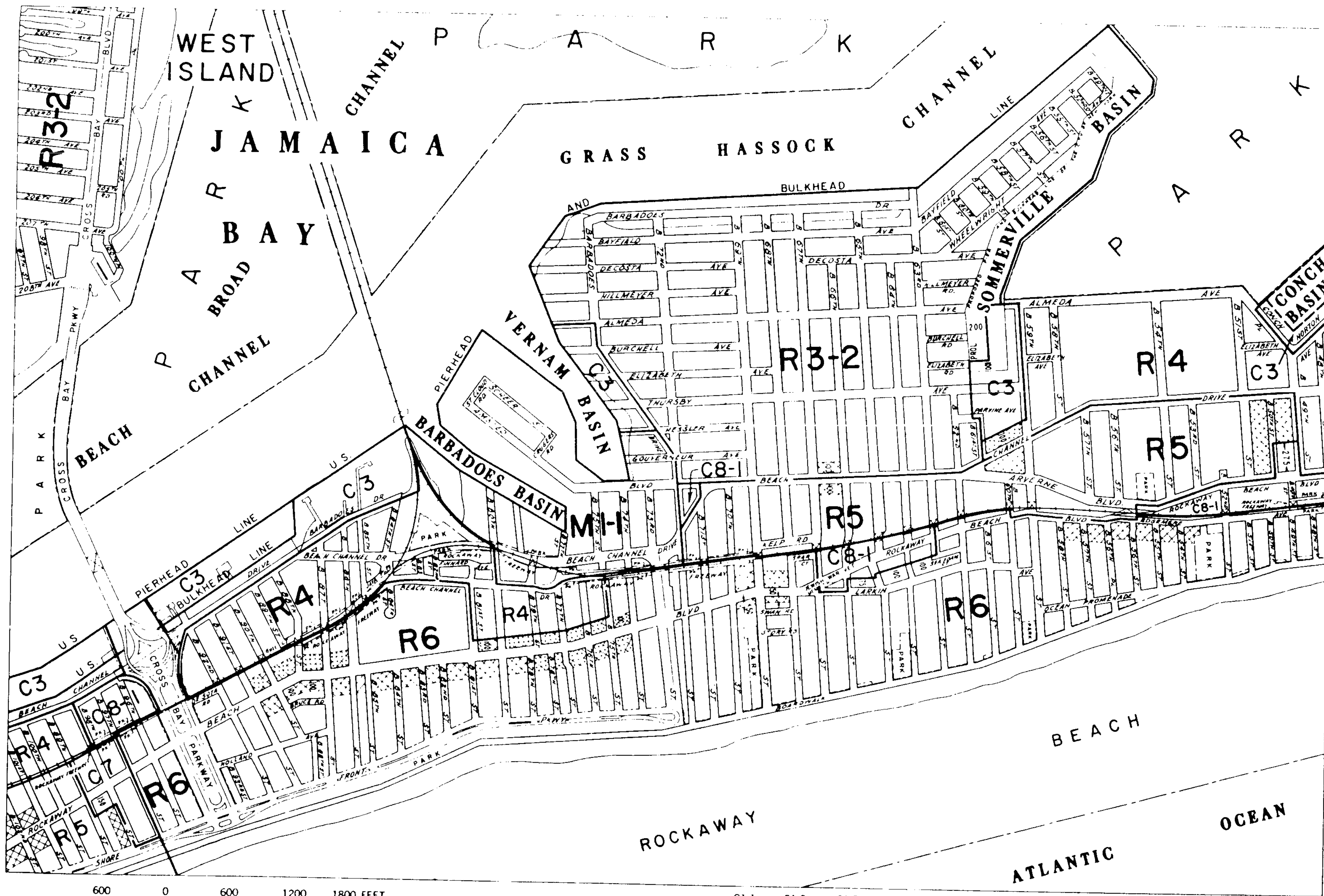
CITY PLANNING COMMISSION  
THE CITY OF NEW YORK



29c	30a	30c
29d	<b>30b</b>	30d

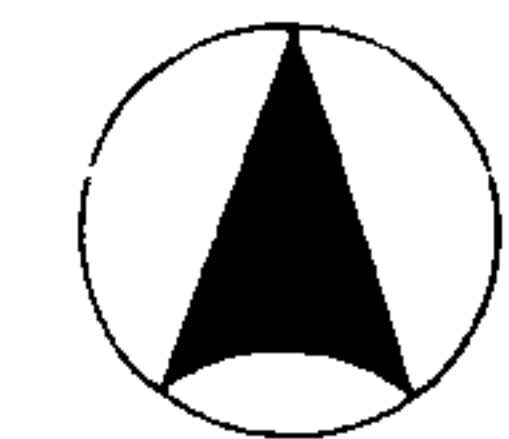
EFFECTIVE: DECEMBER 15, 1961



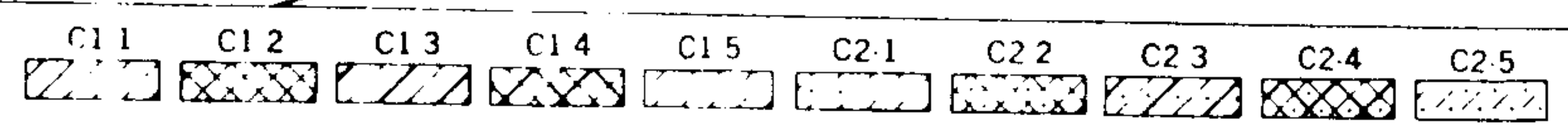
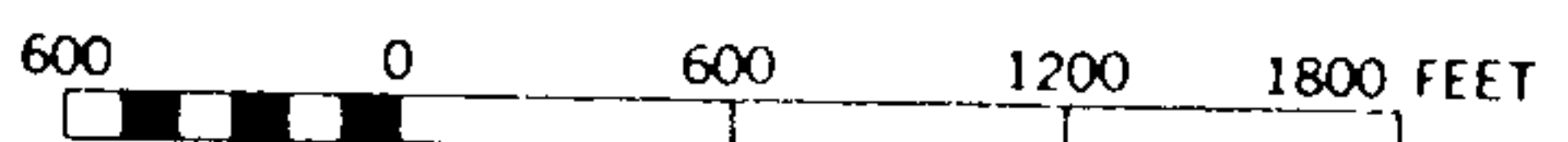


30c

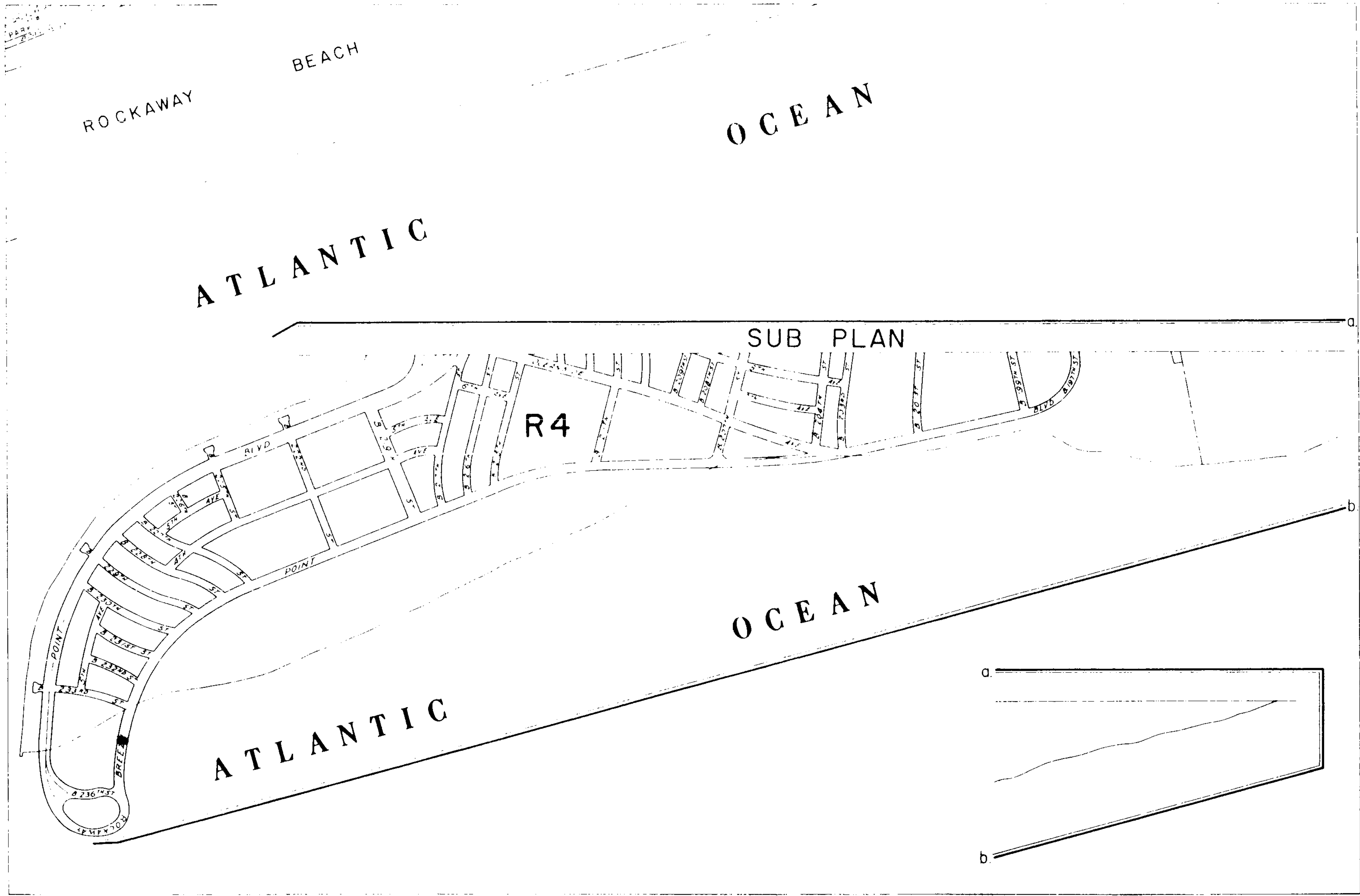
**ZONING MAP**  
CITY PLANNING COMMISSION  
THE CITY OF NEW YORK



24b	24d	25b
30a	<b>30c</b>	31a
30b	30d	



EFFECTIVE: DECEMBER 15, 1961



30d

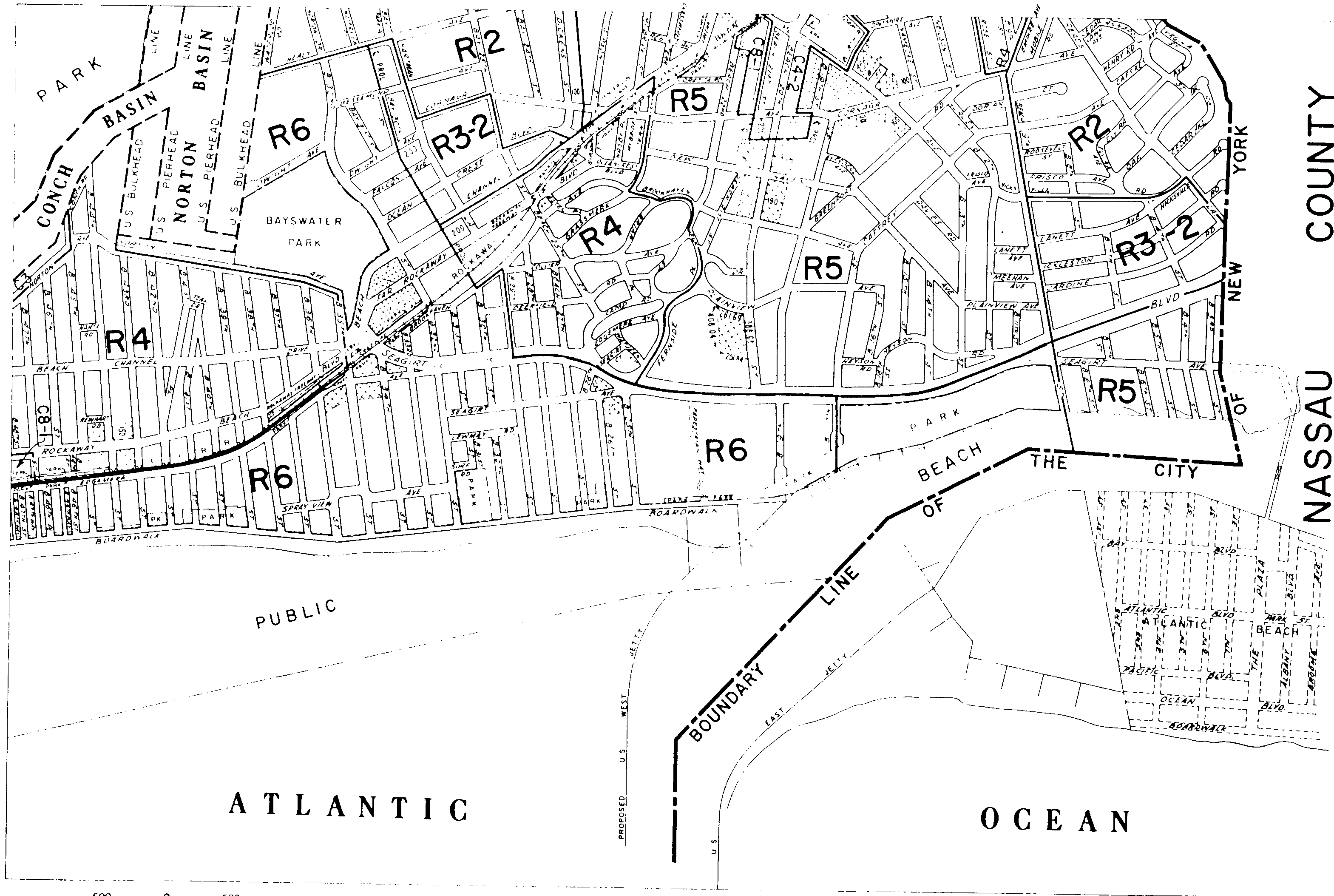
**ZONING MAP**

CITY PLANNING COMMISSION  
THE CITY OF NEW YORK



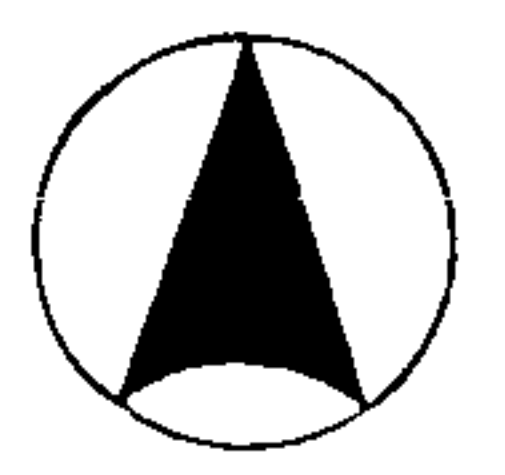
30a	30c	31a
30b	<b>30d</b>	

EFFECTIVE: DECEMBER 15, 1961

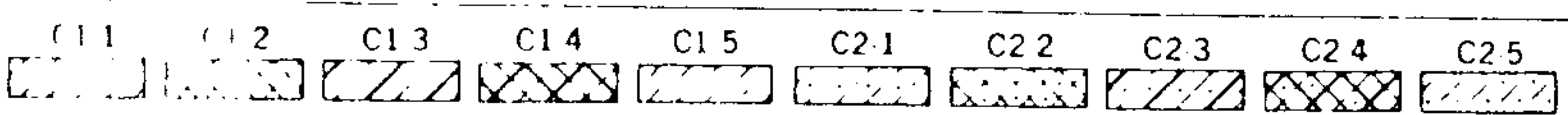
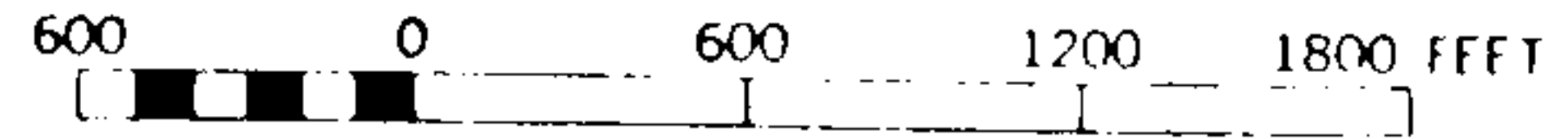


31a

**ZONING MAP**  
CITY PLANNING COMMISSION  
THE CITY OF NEW YORK



24d	25b	
30c	<b>31a</b>	
30d		

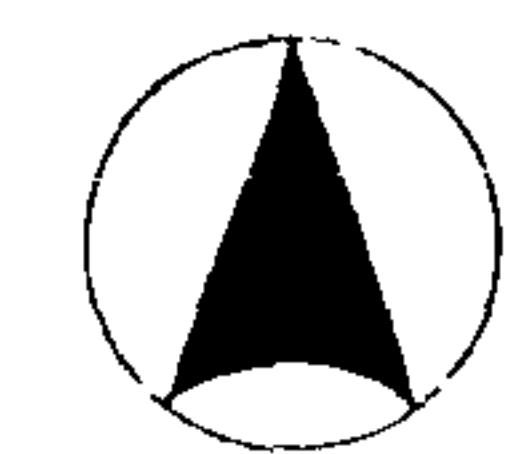


EFFECTIVE: DECEMBER 15, 1961

32c

# ZONING MAP

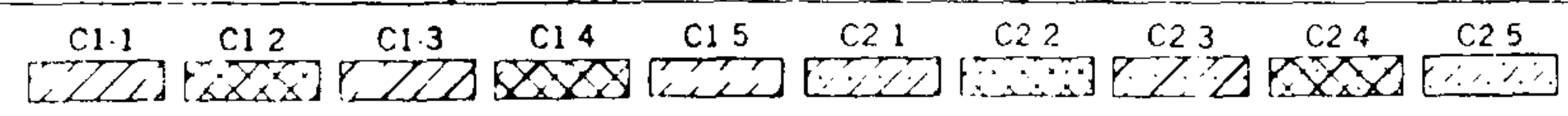
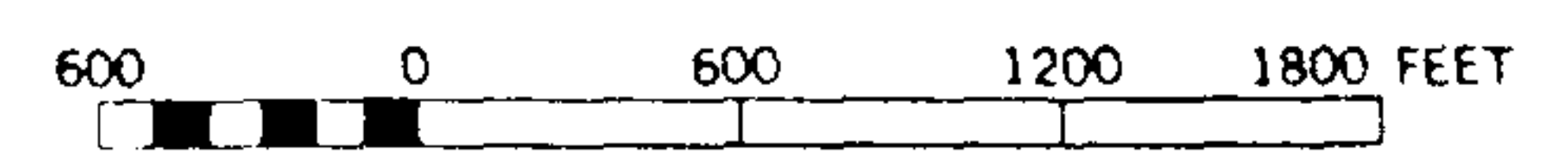
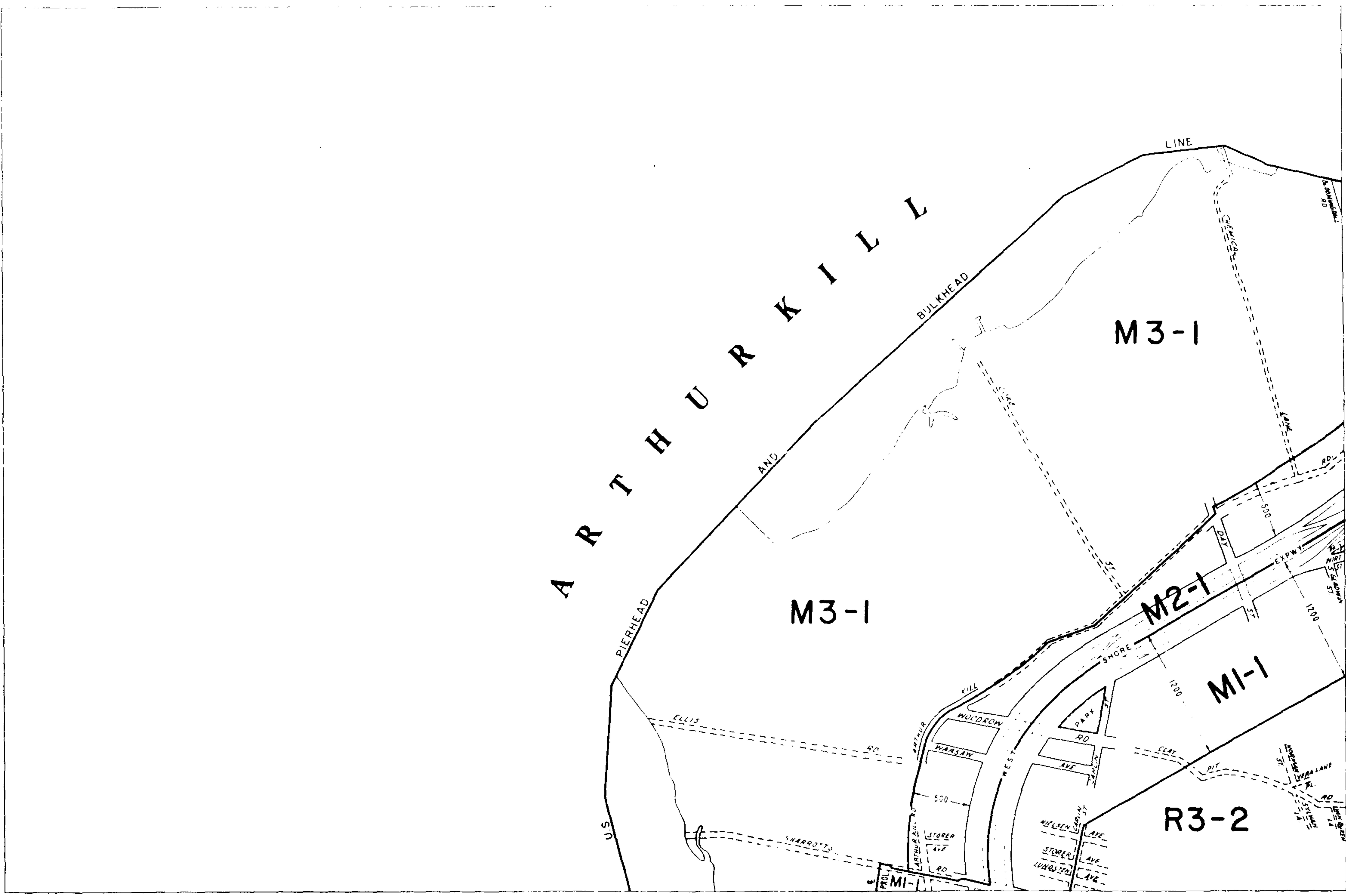
CITY PLANNING COMMISSION  
THE CITY OF NEW YORK



		26b
	<b>32c</b>	33a
	32d	33b

EFFECTIVE: DECEMBER 15, 1961

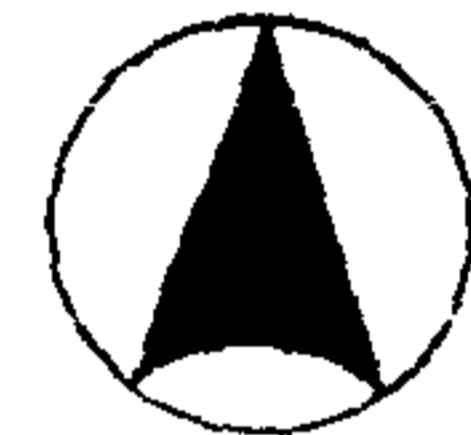
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32d

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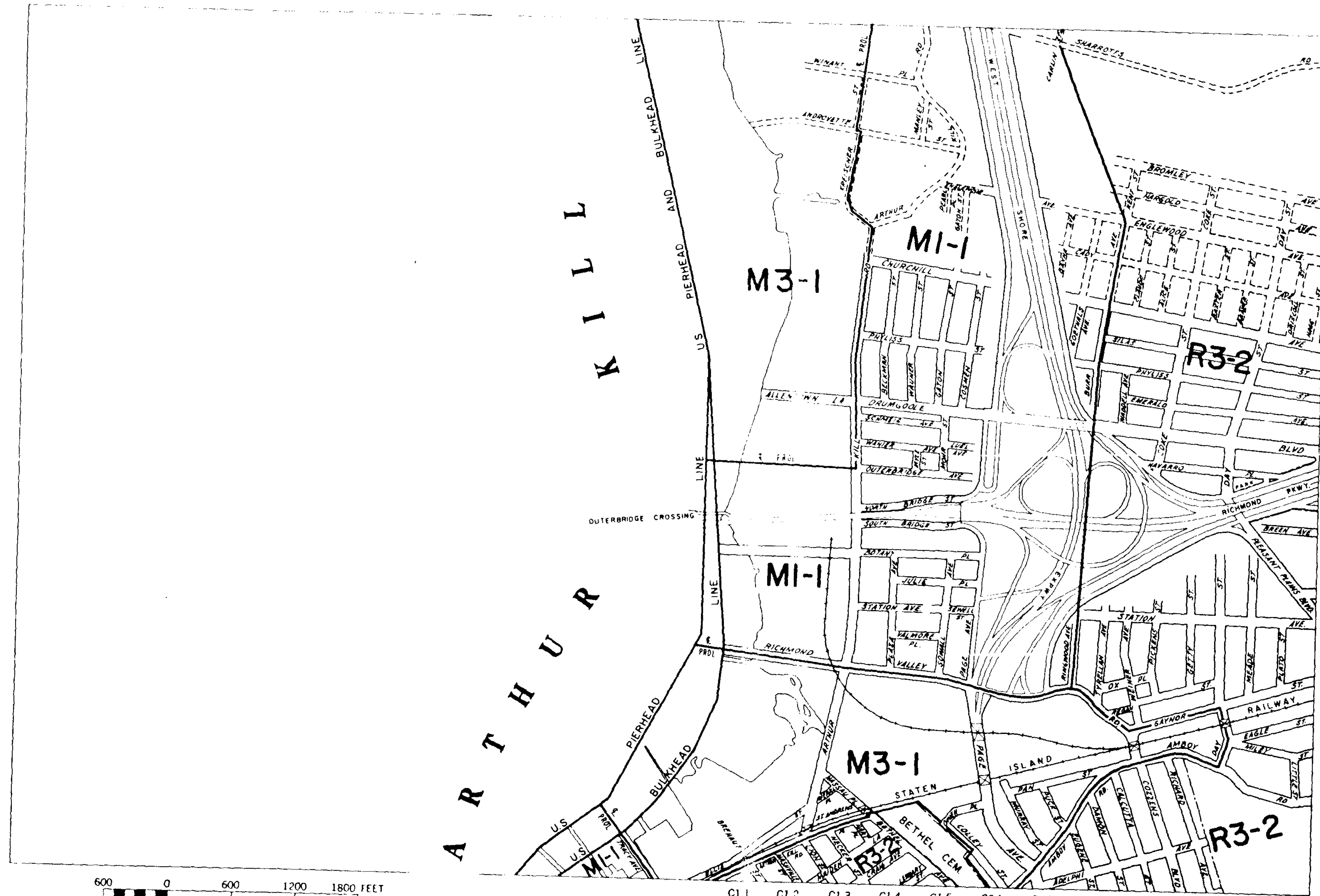
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	32c	33a
	<b>32d</b>	33b
	35a	35c

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600 0 600 1200 1800 FEET

- C1.1
- C1.2
- C1.3
- C1.4
- C1.5
- C2.1
- C2.2
- C2.3
- C2.4
- C2.5

33a

# ZONING MAP

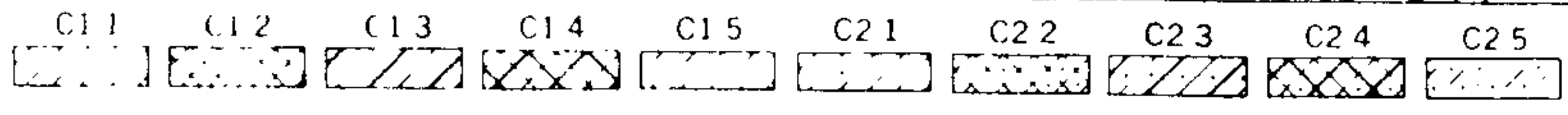
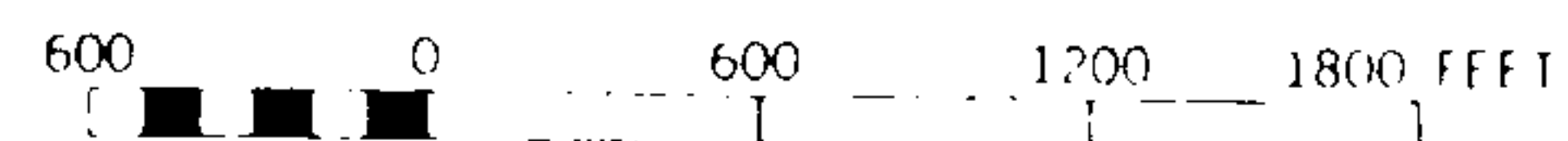
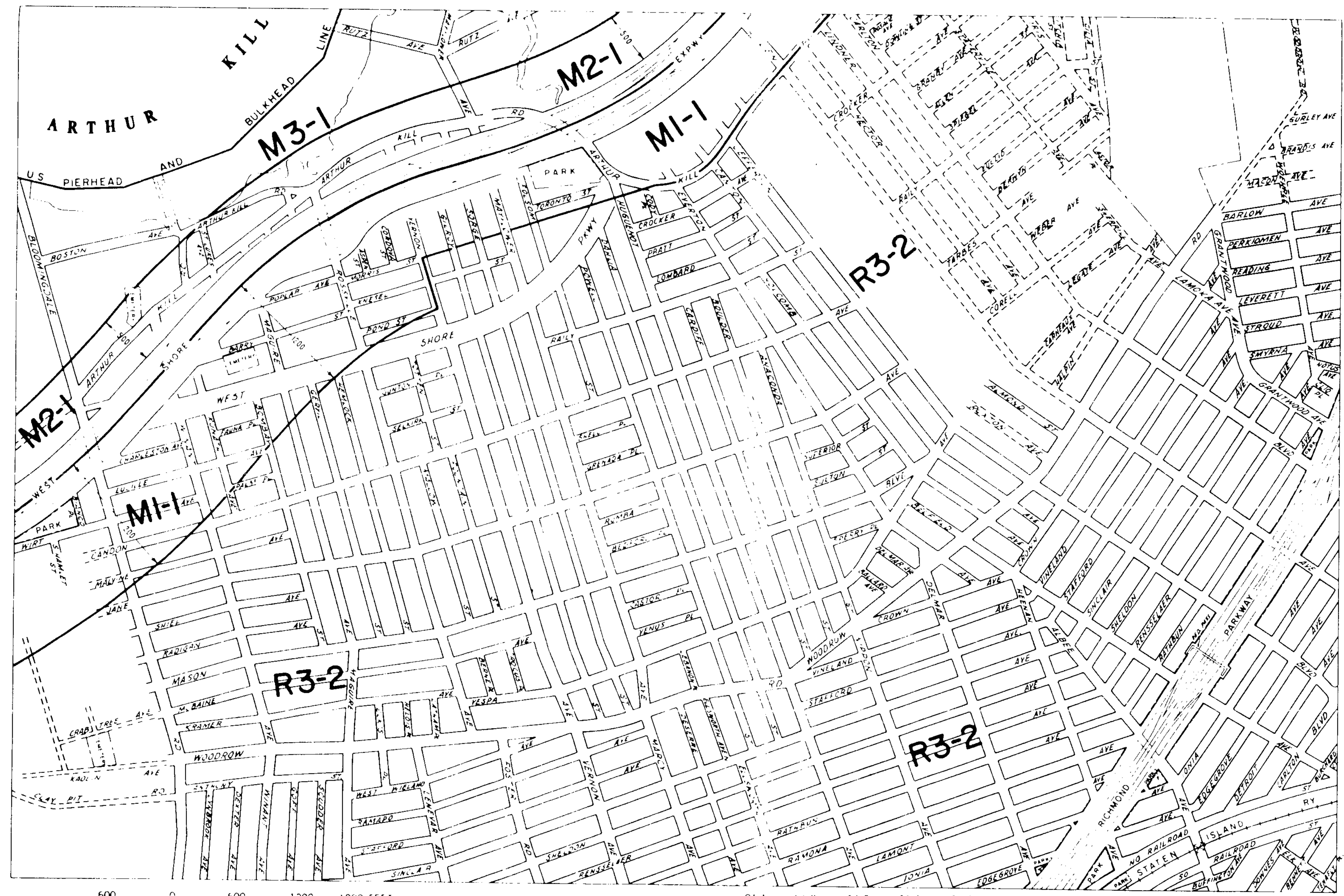
CITY PLANNING COMMISSION  
THE CITY OF NEW YORK



	26b	26d
32c	<b>33a</b>	33c
32d	33b	33d

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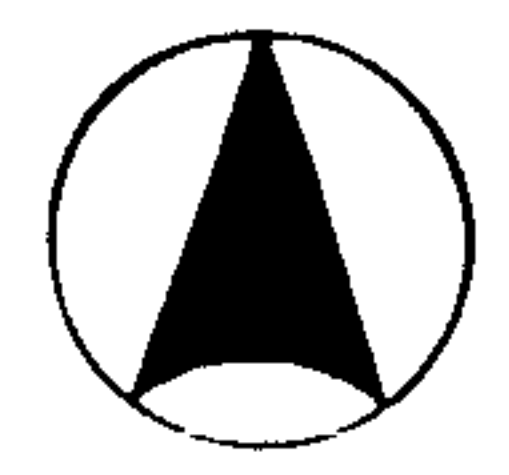
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33b

# ZONING MAP

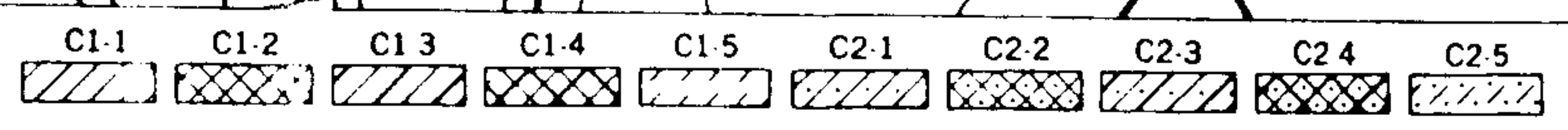
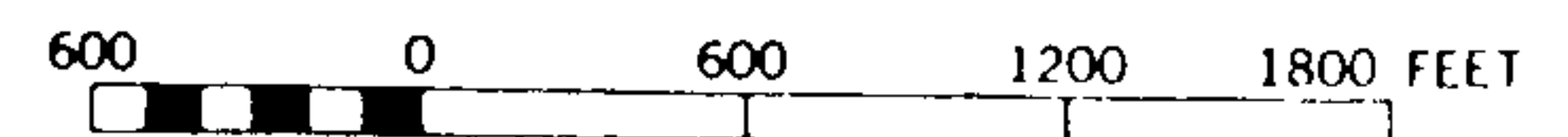
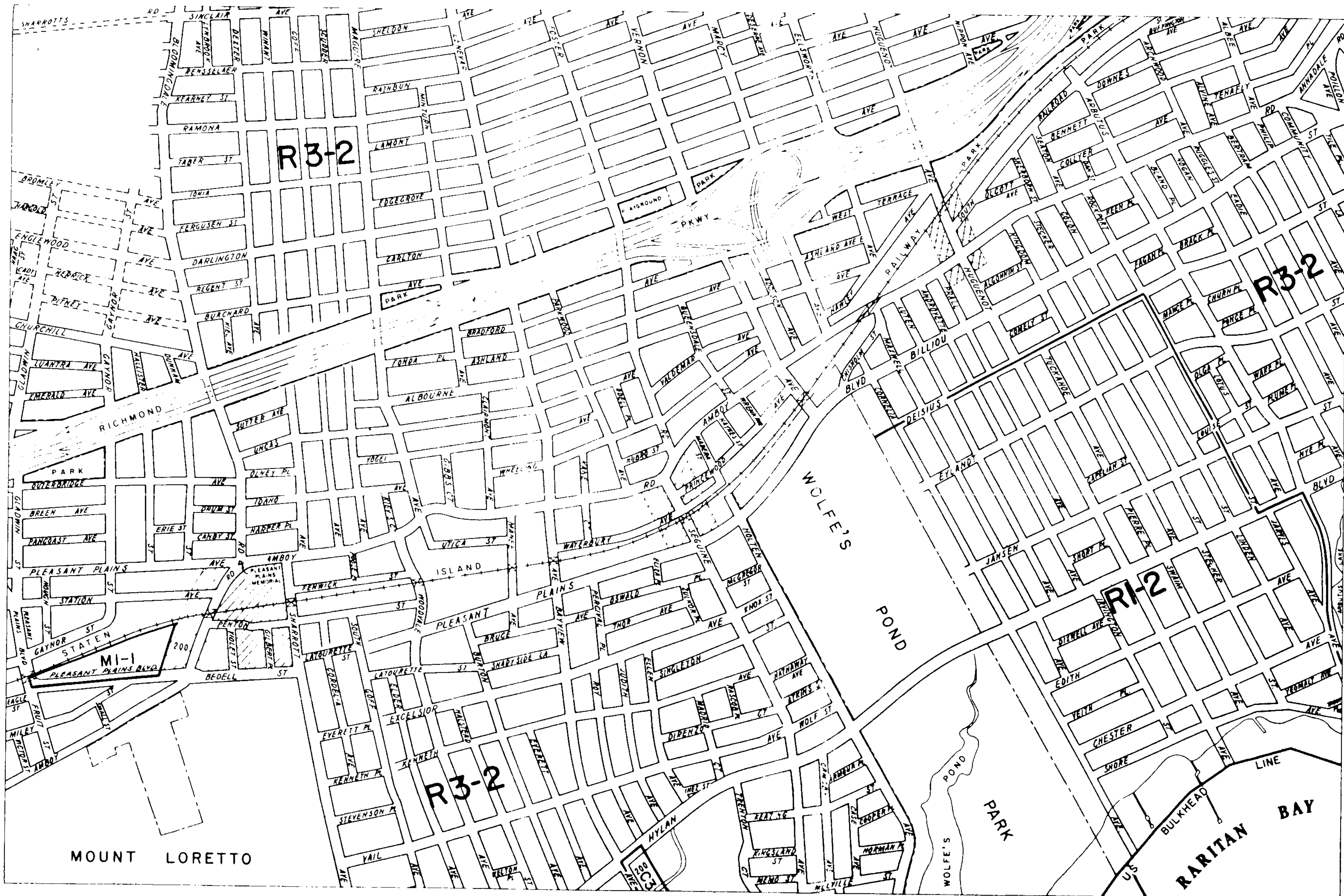
CITY PLANNING COMMISSION  
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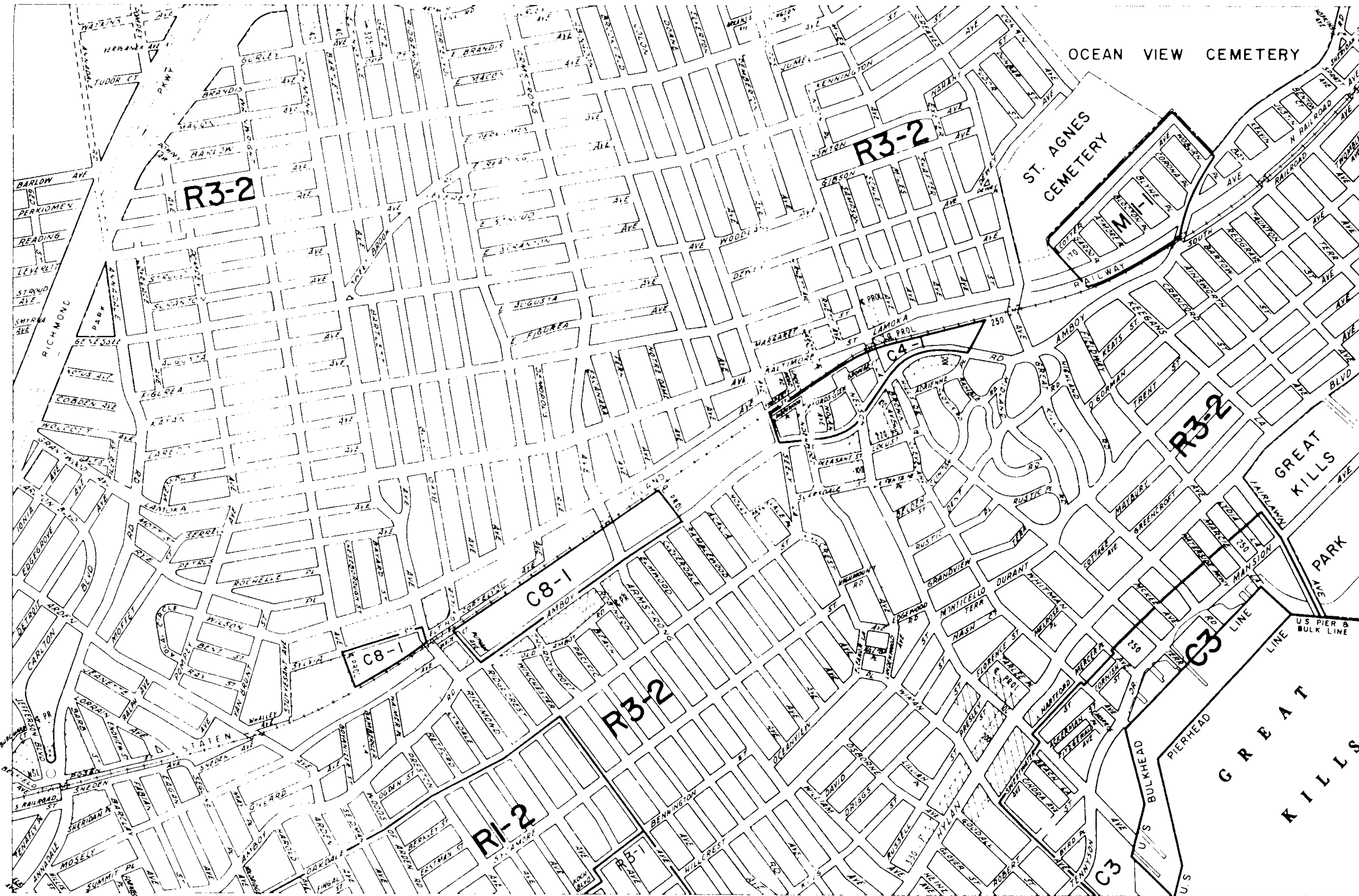


32c	33a	33c
32d	<b>33b</b>	33d
35a	35c	

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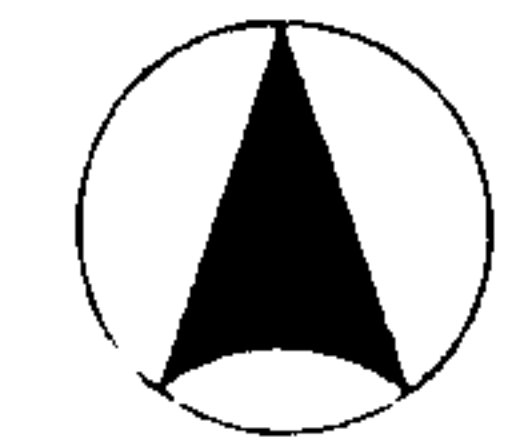




33c

# ZONING MAP

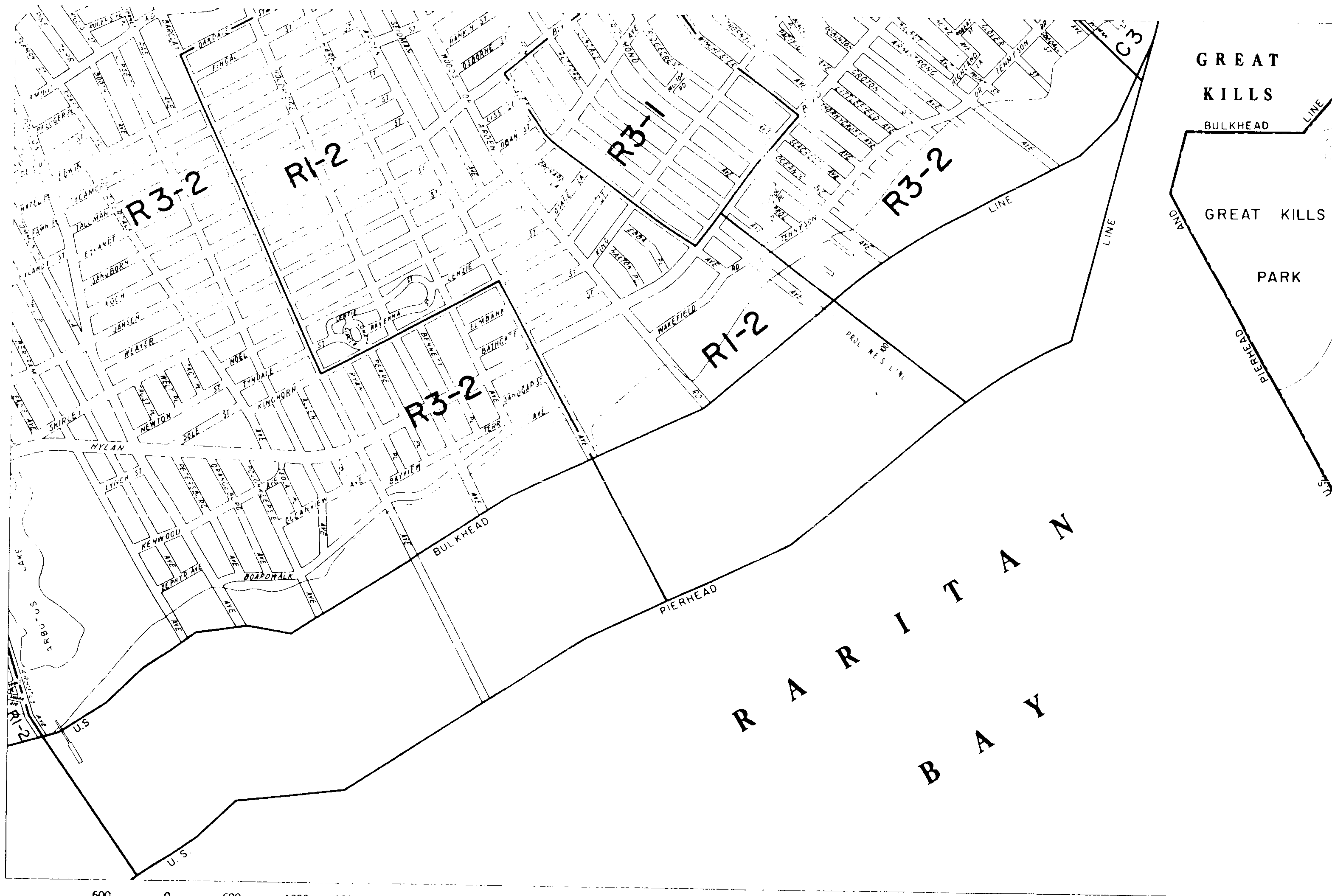
CITY PLANNING COMMISSION  
THE CITY OF NEW YORK



26b	26d	27b
33a	<b>33c</b>	34a
33b	33d	34b

EFFECTIVE: DECEMBER 15, 1961

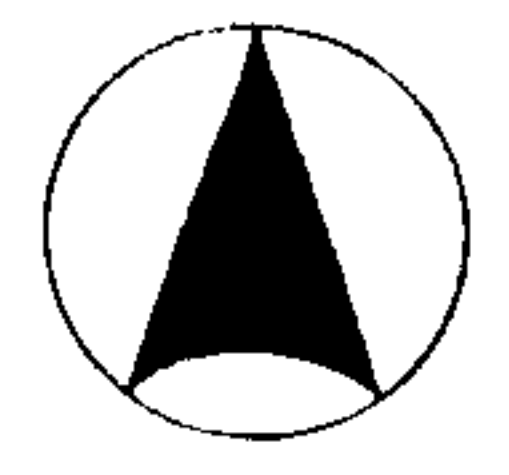




**33d**

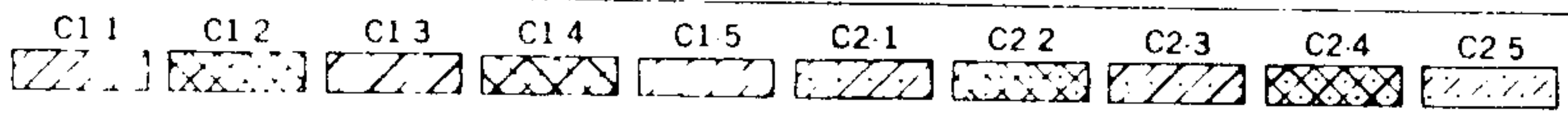
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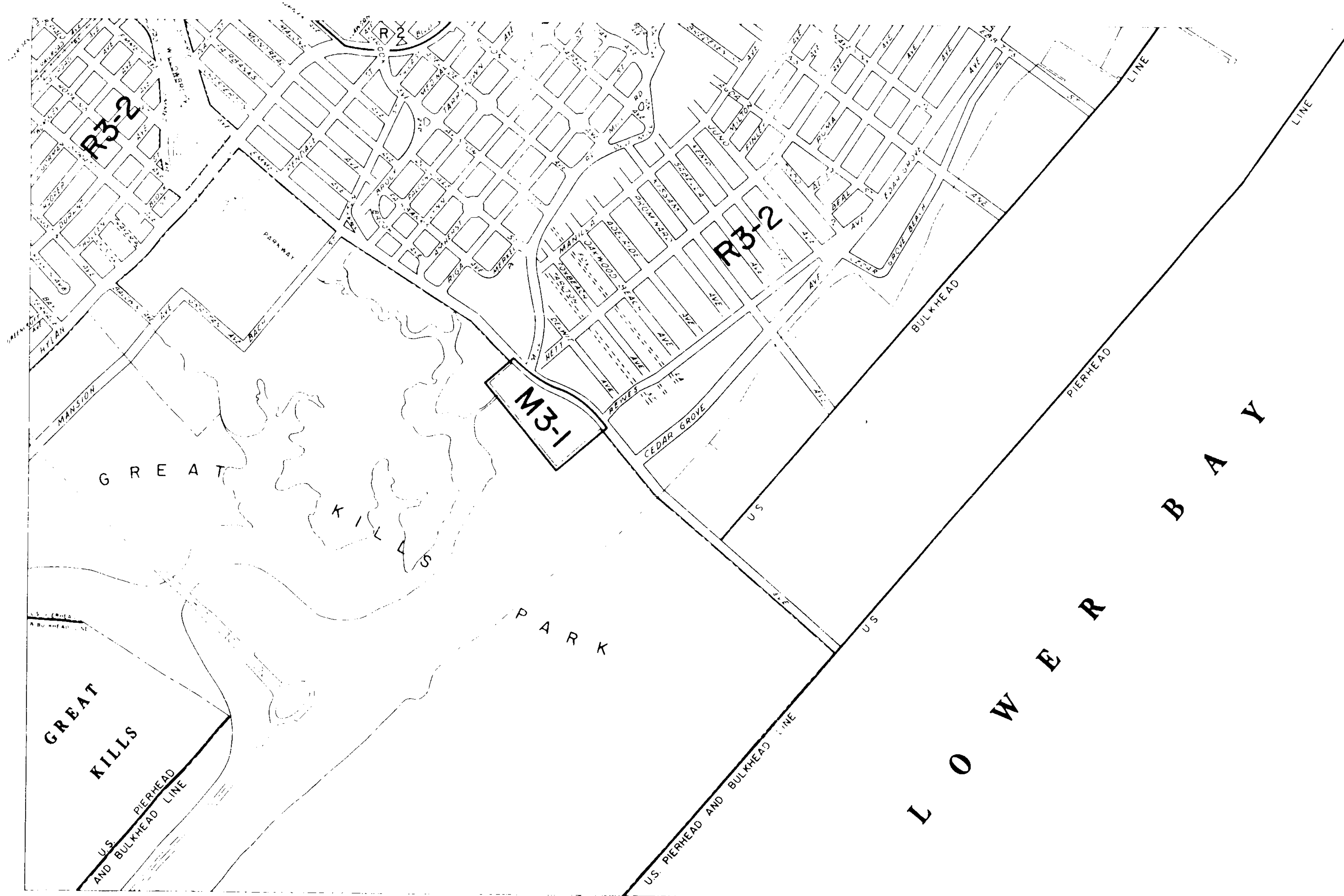
CITY PLANNING COMMISSION  
THE CITY OF NEW YORK



33a	33c	34a
33b	<b>33d</b>	34b
35c		

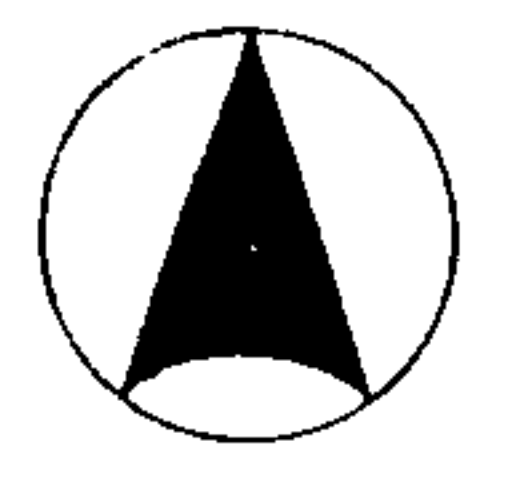
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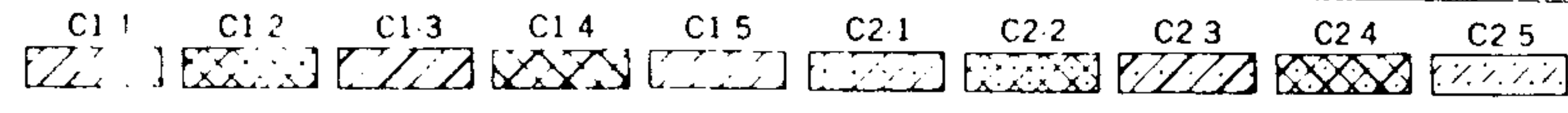
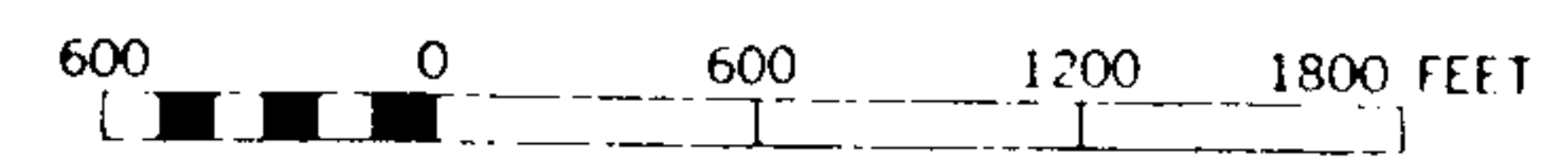
**34a**

**ZONING MAP**  
 CITY PLANNING COMMISSION  
 THE CITY OF NEW YORK



26d	27b	27d
33c	<b>34a</b>	
33d	34b	

EFFECTIVE: DECEMBER 15, 1961

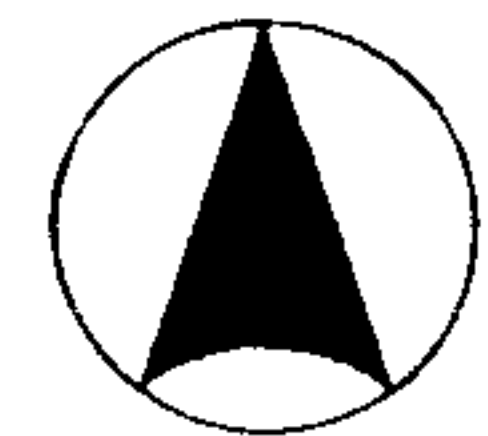


34b

# ZONING MAP

CITY PLANNING COMMISSION

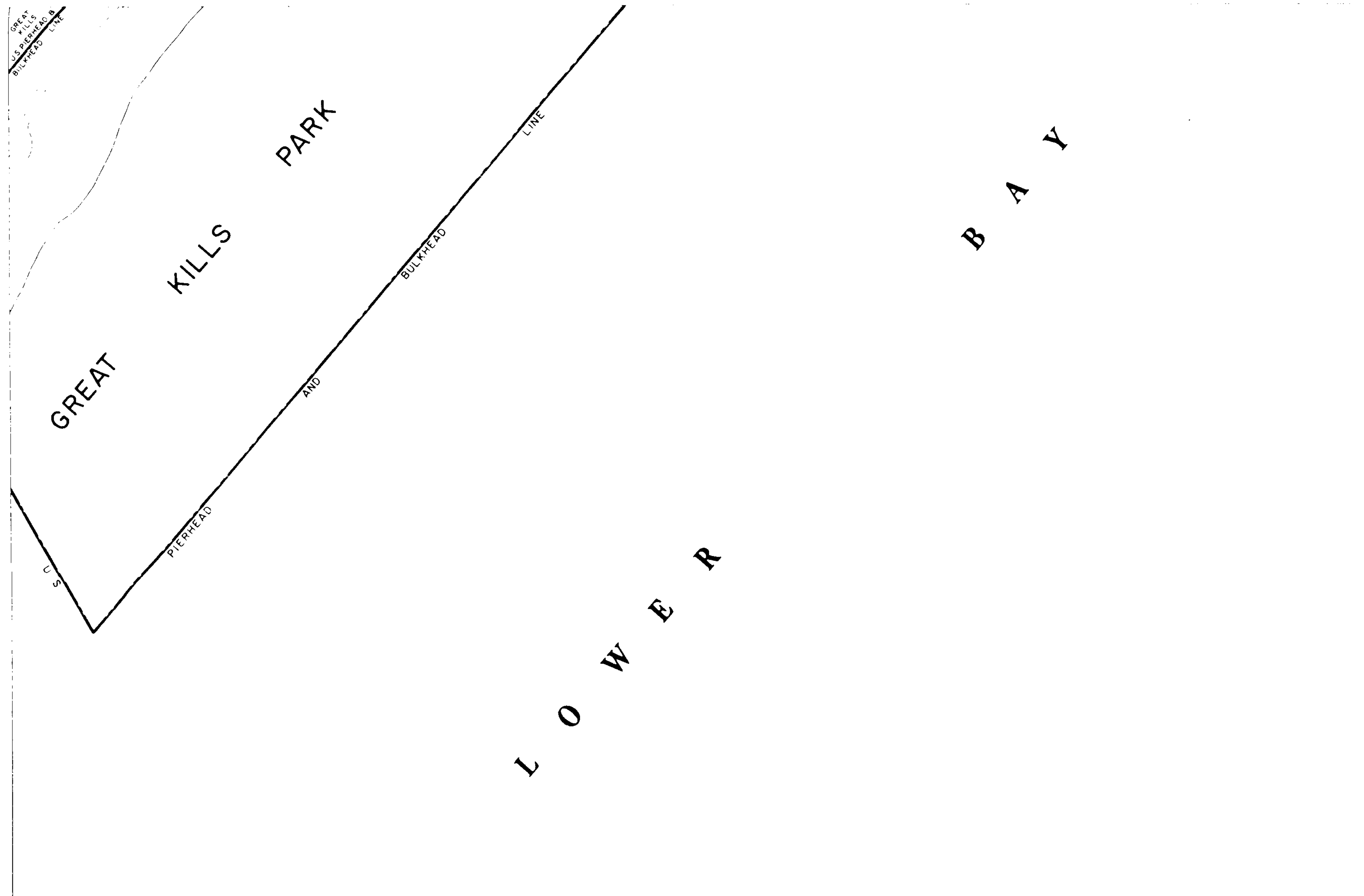
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33c	34a	
33d	<b>34b</b>	

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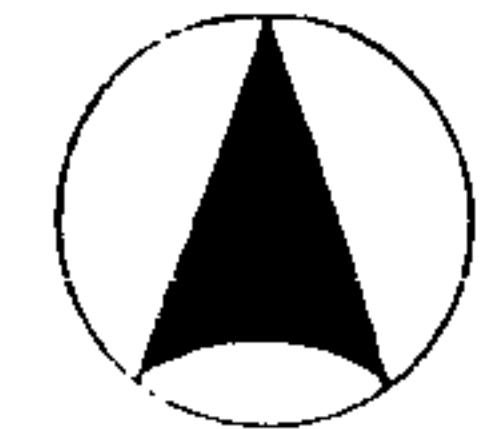
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35a

# ZONING MAP

CITY PLANNING COMMISSION

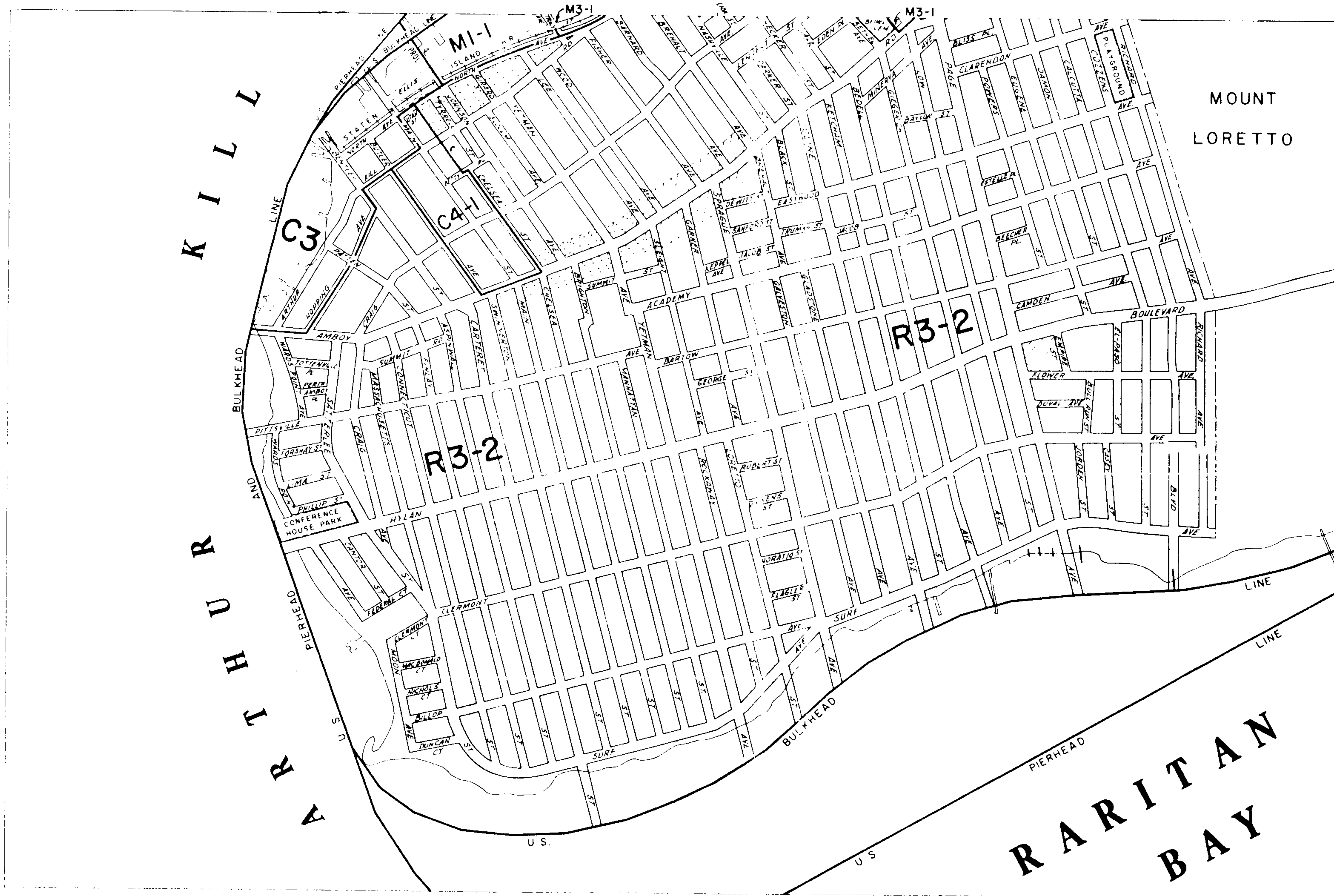
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	32d	33b
	<b>35a</b>	35c

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600 0 600 1200 1800 FEET

C1.1 C1.2 C1.3 C1.4 C1.5 C2.1 C2.2 C2.3 C2.4 C2.5

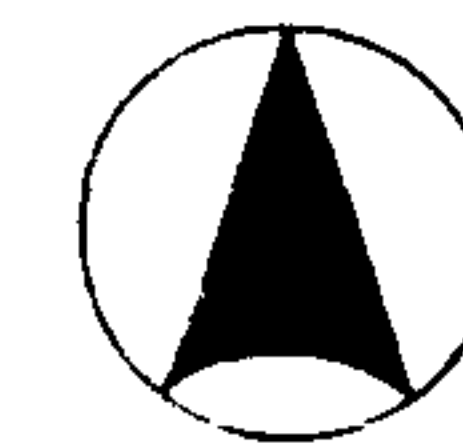


35c

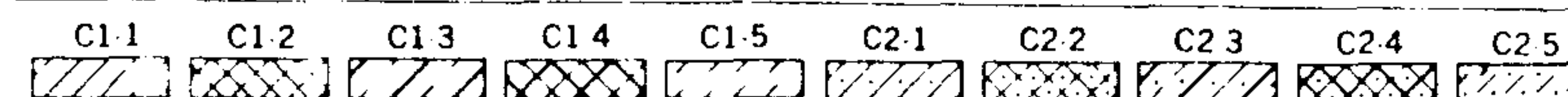
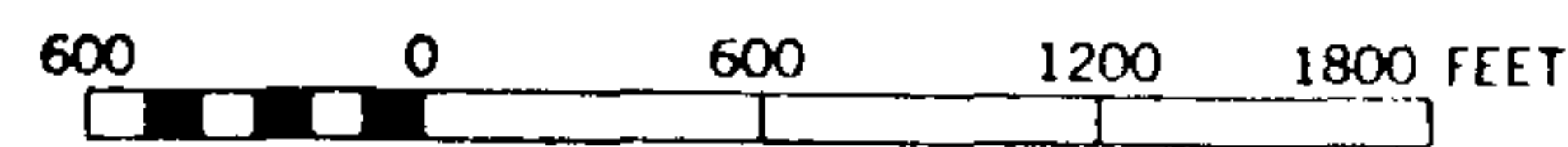
# ZONING MAP

CITY PLANNING COMMISSION

THE CITY OF NEW YORK



32d	33b	33d
35a	<b>35c</b>	



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# Appendix A

## INDEX OF USES

The following is a listing in alphabetical order of *uses* allowed in this resolution either as *uses* permitted as of right, or as *uses* permitted by special permit, together with the Use Group in which each is listed, the parking requirement category of *commercial uses*, if applicable, and the district or districts in which it is permitted.

When a district associated with a given *use* is designated in the Index with an asterisk (\*), the *use* is permitted in such district only by special permit of the Board of Standards and Appeals, as set forth in the applicable portions of this resolution.

When a district associated with a given *use* is designated in the Index with a double asterisk (\*\*), the *use* is permitted in such district only by special permit of the City Planning Commission, as set forth in the applicable portions of this resolution.

*Uses* listed in Use Group 11A, 16, 17, or 18 as permitted *uses* in C8 or *Manufacturing Districts* must

also meet the applicable performance standards for these districts.

*Uses* listed in Use Group 18 are permitted in M1 or M2 Districts if they can comply with the applicable performance standards for those districts.

This Index is established as a reference guide to this resolution but is not an integral part thereof. Whenever there is any difference in meaning or implication between the provisions of this resolution as set forth in Articles I through VII and the text of this Index, the text of the resolution shall prevail.

*Use* regulations governing the several classes of districts are set forth in the following Chapters of this resolution:

Residence Districts	Article II, Chapter 2
Commercial Districts	Article III, Chapter 2
Manufacturing Districts	Article IV, Chapter 2

Use	Use Group	Park- ing Re- quire- ment Cate- gory	Districts in Which Permitted														
			R1 R2	R3 to R10	C1	C2	C3	C4	C5	C6	C7	C8	M1	M2	M3		
Adhesives manufacture, excluding manufacture of basic components	17													M1	M2	M3	
Advertising displays manufacture	17													M1	M2	M3	
<i>Advertising signs</i> (See Sections 32-63 and 42-52)																	
Agricultural machinery manufacture, including repairs	18															M3	
Agriculture			R1 R2	R3 to R10	C1	C2	C3	C4	C5	C6	C7	C8	M1	M2	M3		
Without nuisance or sales limitations	4													M1	M2	M3	
Without nuisance or sales limitations	17													M1	M2	M3	
Aircraft manufacture (including parts)	17													M1	M2	M3	
Airports														*	*	*	
Amusement parks, children's (See children's amusement parks)														M1	M2	M3	
Amusement park activities	15	E									C7				M2	M3	
Animal hospitals	16	B1											C8	M1	M2	M3	
Animal pounds or crematoriums	16	C											C8	M1	M2	M3	
Antique stores	6	B			C1	C2		C4	C5	C6	C7	C8	M1	M2	M3		
<i>Apartment hotels</i>	2			R3 <sup>1</sup> to R10	C1	C2	C3	C4	C5	C6	C7						
Apparel (See clothing)																	
Appliances																	
Electrical appliance manufacturing	17													M1	M2	M3	
Television, radio, phonograph, or house- hold appliance stores																	
Limited as to <i>floor area</i>	6	B			C1	C2		C4	C5	C6	C7	C8	M1	M2	M3		
Unlimited	10	B						C4	C5	C6	C7	C8	M1	M2	M3		
Household appliance repair shops	8	B				C2		C4		C6	C7	C8	M1	M2	M3		

<sup>1</sup> Not permitted in R3-1 Districts

Italicized words are defined in Section 12-10.

Use	Use Group	Park- ing Re- quire- ment Cate- gory	Districts in Which Permitted												
			R1 R2	R3 to R10	C1	C2	C3	C4	C5	C6	C7	C8	M1	M2	M3
<b>Arenas, auditoriums, or stadiums</b>															
Limited as to capacity	12	D					C4		C6	C7	C8	M1	M2	M3	
Unlimited		D					**		**	**	**	**	**	**	
<b>Art galleries</b>															
Commercial	6	B			C1	C2		C4	C5	C6	C7	C8	M1	M2	M3
Non-commercial	3		R1 R2	R3 to R10	C1	C2	C3	C4	C5	C6	C7				
<b>Art goods manufacture, religious or church, excluding foundry operations</b>															
Art metal craft shops	6	B			C1	C2		C4	C5	C6	C7	C8	M1	M2	M3
Art needle work	11	F							C5	C6		C8	M1	M2	M3
Artists' supply stores	6	B			C1	C2		C4	C5	C6	C7	C8	M1	M2	M3
<b>Asphalt or asphalt products</b>															
Manufacture	18														M3
<b>Athletic equipment manufacture</b>															
Athletic goods stores	6	B			C1	C2		C4	C5	C6	C7	C8	M1	M2	M3
<b>Auction rooms, public</b>															
Auction rooms, public	9	D				C2		C4	C5	C6	C7	C8	M1	M2	M3
<b>Auditoriums</b>															
Limited as to capacity	12	D						C4		C6	C7	C8	M1	M2	M3
Unlimited		D						**		**	**	**	**	**	**
<b>Automobiles</b>															
Dead storage	16											C8	M1	M2	M3
Driving schools	8	B				C2		C4		C6	C7	C8	M1	M2	M3
Glass or mirror shops	7	B1				C2				C6	C7	C8	M1	M2	M3
Laundries	16											C8	M1	M2	M3
Manufacture, including parts, or engine rebuilding	17												M1	M2	M3
Rental establishments	8					C2		C4		C6	C7	C8	M1	M2	M3
Repairs, body	17												M1	M2	M3
Repairs, except body repairs	16	C										C8	M1	M2	M3
Sales, open or enclosed	16	C										C8	M1	M2	M3
Seat cover or convertible top establishments, selling or installation	7	B1				C2				C6	C7	C8	M1	M2	M3
Showrooms, with no repair services	9	C				C2		C4	C5	C6	C7	C8	M1	M2	M3
Supply stores, with no repair services	6	B			C1	C2		C4	C5	C6	C7	C8	M1	M2	M3
Tire sales establishments	7	B1				C2				C6	C7	C8	M1	M2	M3
Wrecking establishments	18														M3
<b>Automotive service stations</b>															
Limited as to total area	13					*		*		*					
Unlimited	13					C2		C4		C6	C7	C8	M1	M2	M3
<b>Awnings</b>															
Custom shops, limited as to floor area	7	B1				C2				C6	C7	C8	M1	M2	M3
Manufacture, with no limitation on production or on floor area	17												M1	M2	M3
<b>Bakeries</b>															
Limited as to floor area used for production	6	B			C1	C2		C4	C5	C6	C7	C8	M1	M2	M3
Unlimited (See food products processing)															
Banks, including drive-in banks	6	B			C1	C2		C4	C5	C6	C7	C8	M1	M2	M3
Banquet halls	9	D				C2		C4	C5	C6	C7	C8	M1	M2	M3
Barber shops	6	B			C1	C2		C4	C5	C6	C7	C8	M1	M2	M3
Baths, steam	9	B				C2		C4	C5	C6	C7	C8	M1	M2	M3

Italicized words are defined in Section 12-10.

Use	Use Group	Park- ing Re- quire- ment Cate- gory	Districts in Which Permitted													
			R1 R2	R3 to R10	C1	C2	C3	C4	C5	C6	C7	C8	M1	M2	M3	
Beaches, commercial	13	E						*				C7	C8	M1	M2	M3
Beauty parlors	6	B			C1	C2		C4	C5	C6	C7	C8	M1	M2	M3	
Beverages																
Bottling works	17													M1	M2	M3
Manufacture																
Alcoholic	18															M3
Non-alcoholic	17													M1	M2	M3
Bicycle																
Manufacture	17													M1	M2	M3
Rental or repair shops	7	B1				C2				C6	C7	C8	M1	M2	M3	
Sales	6	B			C1	C2		C4	C5	C6	C7	C8	M1	M2	M3	
Billiard parlors	8	D				C2		C4		C6	C7	C8	M1	M2	M3	
Blacksmith shops	16	C											C8	M1	M2	M3
Blueprinting establishments	9	B1				C2		C4	C5	C6	C7	C8	M1	M2	M3	
Boarding houses	2			R6 to R10	C1	C2	C3	C4	C5	C6	C7					
Boatels	7	H				C2	C3			C6	C7	C8	M1	M2	M3	
Boats or ships																
Building or repair, for boats less than 200 feet in length	17													M1	M2	M3
Building or repair, for boats 200 feet or more in length	18															M3
Docks, for small pleasure boats	14	H				C2	C3				C7	C8	M1	M2	M3	
Fuel sales, open or enclosed																
Unrestricted as to location	13	C									C7	C8	M1	M2	M3	
Restricted as to location	14	C				C2	C3				C7	C8	M1	M2	M3	
Rentals, open or enclosed	14	H				C2	C3				C7	C8	M1	M2	M3	
Sales, open or enclosed	16	C											C8	M1	M2	M3
Showrooms, with no repair services	9	C				C2		C4	C5	C6	C7	C8	M1	M2	M3	
Storage, repair, or painting, including the incidental sale of boats, boat parts, or accessories, with restrictions on boat size and setbacks	14	C				C2	C3				C7	C8	M1	M2	M3	
Bone distillation	18															M3
Books																
Binding (See printing)																
Hand binding or tooling	11	F							C5	C6		C8	M1	M2	M3	
Stores	6	B			C1	C2		C4	C5	C6	C7	C8	M1	M2	M3	
Bottling works, for all beverages	17													M1	M2	M3
Bowling alleys																
Limited as to number of lanes	8	D				C2		C4		C6	C7	C8	M1	M2	M3	
Unlimited	12	D						C4		C6	C7	C8	M1	M2	M3	
Breweries	18															M3
Brick manufacture	18															M3
Brush or broom manufacture	17													M1	M2	M3
Building materials																
Sales, open or enclosed, limited as to lot area	16	B1											C8	M1	M2	M3
Yards, for sales, storage, or handling, open or enclosed, unlimited as to lot area except in the case of lumber yards	17															M1 M2 M3

Italicized words are defined in Section 12-10.



Use	Use Group	Park- ing Re- quire- ment Cate- gory	Districts in Which Permitted													
			R1 R2	R3 to R10	C1	C2	C3	C4	C5	C6	C7	C8	M1	M2	M3	
Bus stations					**	**		**		**	**	**	**	**	**	
With less than 10 berths					C1	C2		C4		C6	C7	C8	M1	M2	M3	
With 10 or more berths								C4		C6			M1	M2	M3	
Business machines													M1	M2	M3	
Manufacture	17															
Small, repair shops	9	B1				C2		C4	C5	C6	C7	C8	M1	M2	M3	
Stores, sales, or rentals	10	B1						C4	C5	C6	C7	C8	M1	M2	M3	
Business schools or colleges	9	B1				C2		C4	C5	C6	C7	C8	M1	M2	M3	
Camera manufacture	17												M1	M2	M3	
Camps, overnight or outdoor day	13	H	* R1 R2	* R3 to R10	*	*	*					C7	C8	M1	M2	M3
Candy stores	6	B			C1	C2		C4	C5	C6	C7	C8	M1	M2	M3	
Canvas or canvas products manufacture	17												M1	M2	M3	
Carnivals, temporary	13	E										C7	C8	M1	M2	M3
Carpentry shops	16	B1											C8	M1	M2	M3
Carpet																
Cleaning establishments	16	F											C8	M1	M2	M3
Manufacture	17													M1	M2	M3
Carpet, rug, linoleum or other floor covering stores																
Limited as to floor area	6	B1			C1	C2		C4	C5	C6	C7	C8	M1	M2	M3	
Unlimited	10	B1						C4	C5	C6	C7	C8	M1	M2	M3	
Catering establishments	9	B1				C2		C4	C5	C6	C7	C8	M1	M2	M3	
Cement manufacture	18														M3	
Cemeteries	4			R3 to R10	C1	C2	C3	C4	C5	C6	C7	C8	M1			
Ceramic products																
Manufacture, custom	11	F							C5	C6		C8	M1	M2	M3	
Manufacture	17												M1	M2	M3	
Charcoal manufacture	18														M3	
Chemicals																
Compounding or packaging	17													M1	M2	M3
Manufacture	18														M3	
Children's amusement parks																
Small	13	E										C7	C8	M1	M2	M3
Medium size	15	E										C7	C8	* M1	* M2	M3
Large size	15	E										C7	C8	** M1	** M2	M3
Unlimited as to size	15	E										C7			M2	M3
Churches	4		R1 R2	R3 to R10	C1	C2	C3	C4	C5	C6	C7	C8	M1			
Cigar stores	6	B			C1	C2		C4	C5	C6	C7	C8	M1	M2	M3	
Circuses, temporary	13	E										C7	C8	M1	M2	M3
Clay manufacture	18														M3	
Clay pits			* R1 R2	* R3 to R10	*	*	*	*	*	*	*	*	*	*	*	
Cleaning or cleaning and dyeing establishments (See dry cleaning)																
Clocks																
Manufacture	17													M1	M2	M3
Stores or repair shops	6	B			C1	C2		C4	C5	C6	C7	C8	M1	M2	M3	

Italicized words are defined in Section 12-10.

Use	Use Group	Park- ing Re- quire- ment Cate- gory	Districts in Which Permitted														
			R1 R2	R3 to R10	C1	C2	C3	C4	C5	C6	C7	C8	M1	M2	M3		
Clothing																	
Accessory stores (See clothing stores)																	
Custom manufacture or altering for retail	11	F						C5	C6		C8	M1	M2	M3			
Manufacture	17												M1	M2	M3		
Rental establishments	9	B			C2		C4	C5	C6	C7	C8	M1	M2	M3			
Stores																	
Limited as to floor area	6	B			C1	C2		C4	C5	C6	C7	C8	M1	M2	M3		
Unlimited	10	B					C4	C5	C6	C7	C8	M1	M2	M3			
Clubs																	
Night (See eating or drinking places)																	
Non-commercial																	
All types except those with outdoor swimming pools	4		*	R3 to R10	C1	C2	C3	C4	C5	C6	C7	C8	M1				
Clubs with outdoor swimming pools more than 500 feet from all lot lines	4		*	R3 to R10	C1	C2	C3	C4	C5	C6	C7	C8	M1				
All types, including outdoor swimming pool clubs or clubs with outdoor swimming pools less than 500 feet from any lot line	6, 14	D	**	R3 to R10	C1	C2	C3	C4	C5	C6	C7	C8	M1	M2	M3		
Coal																	
Products manufacture	18															M3	
Sales, open or enclosed																	
Limited as to lot area	16	B1										C8	M1	M2	M3		
Unlimited (See coal storage)																	
Storage, open or enclosed	18															M3	
Coin stores	6	B			C1	C2		C4	C5	C6	C7	C8	M1	M2	M3		
Coke products																	
Manufacture	18															M3	
Colleges or universities, including professional schools, or college or school dormitories or fraternity or sorority houses, but excluding business colleges or trade schools																	
	8		*	R3 to R10	C1	C2	C3	C4	C5	C6	C7						
Commercial parking garages or lots (See parking garages, public or parking lots, public)																	
Community centers																	
	4		R1 R2	R3 to R10	C1	C2	C3	C4	C5	C6	C7	C8	M1				
Concrete batching (See building materials yards)																	
Concrete products manufacture (See stone processing or stone products)																	
Construction machinery																	
Manufacture, including repairs	18															M3	
Contractors' establishments— electrical, glazing, heating, painting, paper hanging, plumbing, roofing, or ventilating																	
Limited as to floor area	7	B1			C2					C6	C7	C8	M1	M2	M3		
Limited as to open storage	16	B1										C8	M1	M2	M3		
Unlimited (See contractors' yards)																	
Contractors' yards	17												M1	M2	M3		
Convalescent homes (See nursing homes)																	

Italicized words are defined in Section 12-10.

APPENDIX A

Index of Uses

Use	Use Group	Park- ing Re- quire- ment Cate- gory	Districts in Which Permitted													
			R1 R2	R3 to R10	C1	C2	C3	C4	C5	C6	C7	C8	M1	M2	M3	
Convents	3		R1 R2	R3 to R10	C1	C2	C3	C4	C5	C6	C7					
Cork products Manufacture	17												M1	M2	M3	
Cosmetics or toiletries Manufacture	17												M1	M2	M3	
Costume rental establishments	9	B				C2		C4	C5	C6	C7	C8	M1	M2	M3	
Cotton ginning or cotton wadding or linter manufacture	17												M1	M2	M3	
Court houses	6	C			C1	C2		C4	C5	C6	C7	C8	M1	M2	M3	
Crating establishments	16	G										C8	M1	M2	M3	
Crematoriums Animal	16	C											C8	M1	M2	M3
Human	16	C											C8	M1	M2	M3
Dance halls, public	12	D						C4		C6	C7	C8	M1	M2	M3	
Dance studios (See studios)																
Day camps, outdoor	13	H	* R1 R2	* R3 to R10	* C1	* C2	* C3					C7	C8	M1	M2	M3
Delicatessen stores (See food stores)																
Dental Instruments manufacture	11	F							C5	C6		C8	M1	M2	M3	
Laboratories (See laboratories, medical or dental)																
Offices (See medical offices)																
Department stores	10	B						C4	C5	C6	C7	C8	M1	M2	M3	
Diaper supply establishments	16	F										C8	M1	M2	M3	
Disinfectants manufacture	18														M3	
Dormitories, college or school (See colleges or universities)																
Drafting instruments Manufacture	11	F							C5	C6		C8	M1	M2	M3	
Dressmaking shops, custom	6	B			C1	C2		C4	C5	C6	C7	C8	M1	M2	M3	
Drinking places (See eating places)																
Drive-in theaters												** C7	** C8	** M1	** M2	** M3
Drug stores	6	B			C1	C2		C4	C5	C6	C7	C8	M1	M2	M3	
Dry cleaning or clothes pressing establishments, limited as to <i>floor area</i> , solvents, and machine capacity	6	B			C1	C2		C4	C5	C6	C7	C8	M1	M2	M3	
Dry cleaning or cleaning and dyeing establishments, without restrictions	16	F										C8	M1	M2	M3	
Dry goods stores Limited as to <i>floor area</i>	6	B			C1	C2		C4	C5	C6	C7	C8	M1	M2	M3	
Unlimited	10	B						C4	C5	C6	C7	C8	M1	M2	M3	
Dumps	18														M3	
Eating or drinking places With restrictions on entertainment	6	B			C1	C2	* C3	C4	C5	C6	C7	C8	M1	M2	M3	
Without restrictions on entertain- ment or dancing but limited to location in hotels	10	D						C4	C5	C6	C7	C8	M1	M2	M3	
Without restrictions	12	D						C4		C6	C7	C8	M1	M2	M3	

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Use	Use Group	Park- ing Re- quire- ment Cate- gory	Districts in Which Permitted													
			R1 R2	R3 to R10	C1	C2	C3	C4	C5	C6	C7	C8	M1	M2	M3	
<b>Electric</b>																
Power or steam generating plants	18														M3	
Substations																
Public transit or railroad Small or medium size	17		* R1 R2	* R3 to R10	*	*	*	*	*	*	*	*	*			
Large	17		** R1 R2	** R3 to R10	**	**	**	**	**	**	**	**	**			
Utility																
Small	6		* R1 R2	* R3 to R10	C1	C2		C4	C5	C6	C7	C8	M1	M2	M3	
Medium size	17		* R1 R2	* R3 to R10	*	*	*	*	*	*	*	*				
Large	17		** R1 R2	** R3 to R10	**	**	**	**	**	**	**	**	**			
<b>Electrical</b>																
Appliance																
Manufacture	17													M1	M2	M3
Stores (See appliances, television, radio, phonograph, or household appliance stores)																
Contractors (See contractors' establishments)																
Equipment assembly, not including electrical machinery	17													M1	M2	M3
Supplies manufacturing	17													M1	M2	M3
Electrolysis studios	6	B			C1	C2		C4	C5	C6	C7	C8	M1	M2	M3	
Electrotyping or stereotyping (See printing)																
Engraving or photo-engraving (See printing)																
Excelsior manufacture	18															M3
Exterminators	7	B1				C2				C6	C7	C8	M1	M2	M3	
Fabric stores (See dry goods stores)																
Fairs, temporary	13	E									C7	C8	M1	M2	M3	
<b>Feathers</b>																
Bulk processing, washing, curing, or dyeing	18															M3
Products manufacture, except washing, curing, or dyeing	17													M1	M2	M3
<b>Felt</b>																
Bulk processing, washing, curing, or dyeing	18															M3
Products manufacture, except washing, curing or dyeing	17													M1	M2	M3
Fertilizer manufacture	18															M3
Filling stations (See <i>automotive service stations</i> )																
Film, photographic, manufacture	18															M3
Fire stations	6, 14	C	** R1 R2	** R3 to R10	C1	C2	C3	C4	C5	C6	C7	C8	M1	M2	M3	
Fish products, packing or processing	18															M3
Fishing tackle or equipment, rental or sales	6, 14	B1			C1	C2	C3	C4	C5	C6	C7	C8	M1	M2	M3	
Florist shops	6	B			C1	C2		C4	C5	C6	C7	C8	M1	M2	M3	

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Use	Use Group	Park- ing Re- quire- ment Cate- gory	Districts in Which Permitted												
			R1 R2	R3 to R10	C1	C2	C3	C4	C5	C6	C7	C8	M1	M2	M3
<b>Food</b>															
Products processing, except meat slaughtering or preparation of fish for packing	17												M1	M2	M3
Stores, including supermarkets, grocery stores, meat markets, or delicatessen stores	6	A or B <sup>1</sup>			C1	C2		C4	C5	C6	C7	C8	M1	M2	M3
Foundries, ferrous or non-ferrous	18														M3
Fraternity houses (See colleges or universities)															
Frozen food lockers	6	B			C1	C2		C4	C5	C6	C7	C8	M1	M2	M3
Fuel briquettes manufacture	18														M3
Fuel sales, open or enclosed															
Limited as to lot area	16	B1											C8	M1	M2 M3
Unlimited (See coal storage, petroleum storage, or lumber yards)															
Funeral establishments	7	H			* C1	C2		* C4		C6	C7	C8	M1	M2	M3
Fungicides manufacture	18														M3
<b>Fur</b>															
Goods manufacture, not including tanning or dyeing	17												M1	M2	M3
Tanning, curing, finishing, or dyeing	18														M3
<b>Furniture</b>															
Custom shops	16	B1											C8	M1	M2 M3
Manufacture	17												M1	M2	M3
Stores															
Limited as to floor area	6	B1			C1	C2		C4	C5	C6	C7	C8	M1	M2	M3
Unlimited	10	B1						C4	C5	C6	C7	C8	M1	M2	M3
Furrier shops, custom	6	B			C1	C2		C4	C5	C6	C7	C8	M1	M2	M3
<i>Garages (See parking garages, public)</i>															
Garbage incineration or reduction	18														M3
Garden supply stores	6	B			C1	C2		C4	C5	C6	C7	C8	M1	M2	M3
Gardens, truck (See agriculture)															
<b>Gas</b>															
Manufacture	18														M3
Public utility stations for metering or regulating	6		* R1 R2	* R3 to R10	C1	C2		C4	C5	C6	C7	C8	M1	M2	M3
Storage	18														M3
Substations	6		* R1 R2	* R3 to R10	C1	C2		C4	C5	C6	C7	C8	M1	M2	M3
Gasoline service stations (See automotive service stations)															
Gelatin manufacture	18														M3
Generating plants, electric or steam	18														M3
Gift shops	6	B			C1	C2		C4	C5	C6	C7	C8	M1	M2	M3
<b>Glass</b>															
Cutting shops	16	B1											C8	M1	M2 M3
Manufacture	18														M3
Products manufacture from previously manufactured glass	17												M1	M2	M3

<sup>1</sup> Parking requirement category A is for food stores with 2,000 or more square feet of floor area. Category B is for food stores with less than 2,000 square feet of floor area.

Italicized words are defined in Section 12-10.

Use	Use Group	Park- ing Re- quire- ment Cate- gory	Districts in Which Permitted														
			R1 R2	R3 to R10	C1	C2	C3	C4	C5	C6	C7	C8	M1	M2	M3		
Glazing contractors (See contractors' establishments)																	
Glue manufacture	18														M3		
Golf																	
Courses	4		R1 R2	R3 to R10	C1	C2	C3	C4	C5	C6	C7	C8	M1				
Courses, miniature	13	E									C7	C8	M1	M2	M3		
Driving ranges	13	E									C7	C8	M1	M2	M3		
Grain																	
Milling or processing	18														M3		
Storage	18														M3		
Graphite or graphite products Manufacture	18														M3		
Gravel pits			* R1 R2	* R3 to R10	*	*	*	*	*	*	*	*	*	*	*		
Greenhouses (See agriculture)																	
Grocery stores (See food stores)																	
Gymnasiums	9	B				C2		C4	C5	C6	C7	C8	M1	M2	M3		
Gypsum manufacture	18														M3		
Hair																	
Bulk processing, washing, curing, or dyeing	18														M3		
Products manufacture (except washing, curing, or dyeing)	17												M1	M2	M3		
Products manufacture, custom	11	F							C5	C6		C8	M1	M2	M3		
Hardware																	
Manufacture	17												M1	M2	M3		
Stores	6	B			C1	C2		C4	C5	C6	C7	C8	M1	M2	M3		
Hat																	
Bodies manufacture	17												M1	M2	M3		
Repair shops	6	E			C1	C2		C4	C5	C6	C7	C8	M1	M2	M3		
Health centers	4		R1 R2	R3 to R10	C1	C2	C3	C4	C5	C6	C7	C8	M1				
Health services (See physical culture establishments)																	
Heating contractors (See contractors' establishments)																	
Heating equipment showrooms, without repair facilities	9	B1				C2		C4	C5	C6	C7	C8	M1	M2	M3		
Heliports										** C6		** C8	** M1	** M2	** M3		
Hemp products manufacture													M1	M2	M3		
Home occupations			R1 R2	R3 to R10	C1	C2	C3	C4	C5	C6	C7						
Hosiery manufacture	17												M1	M2	M3		
Hospitals, except animal hospitals																	
Non-profit or voluntary, and related facilities	4		R1 R2	R3 to R10	C1	C2	C3	C4	C5	C6	C7	C8	M1				
Proprietary, and related facilities	4			R3 to R10	C1	C2	C3	C4	C5	C6	C7	C8	M1				
Hotels																	
Transient	5	H			C1	C2		C4	C5	C6	C7	C8	M1	M2	M3		
Apartment	2			R3 <sup>1</sup> to R10	C1	C2	C3	C4	C5	C6	C7						

<sup>1</sup> Not permitted in R3-1 Districts.

Italicized words are defined in Section 12-10.

APPENDIX A

Index of Uses

Use	Use Group	Park- ing Re- quire- ment Cate- gory	Districts in Which Permitted												
			R1 R2	R3 to R10	C1	C2	C3	C4	C5	C6	C7	C8	M1	M2	M3
<b>Household</b>															
Appliance repair shops	8	B				C2		C4		C6	C7	C8	M1	M2	M3
Appliance stores (See appliances, television, radio, phonograph, or household appliance stores)															
Equipment or machinery repair shops	16	B1										C8	M1	M2	M3
Ice cream stores	6	B			C1	C2		C4	C5	C6	C7	C8	M1	M2	M3
<b>Ice</b>															
Manufacture, dry or natural	17												M1	M2	M3
Sales, open or enclosed															
Limited as to lot area	16	B1										C8	M1	M2	M3
Unlimited (See refrigerating plants)															
Ice skating rinks, outdoor	4		* R1 R2	R3 to R10	C1	C2	C3	C4	C5	C6	C7	C8	M1		
Incineration or reduction of garbage, offal, or dead animals	18														M3
Ink or inked ribbon manufacture	17												M1	M2	M3
Insecticides manufacture	18														M3
<b>Institutions, philanthropic or non-profit</b>															
With sleeping accommodations	3		R1 R2	R3 to R10	C1	C2	C3	C4	C5	C6	C7				
Without sleeping accommodations	4		R1 R2	R3 to R10	C1	C2	C3	C4	C5	C6	C7	C8	M1		
<b>Interior decorating establishments</b>															
Limited as to floor area for processing, servicing, or repairs	6	B			C1	C2		C4	C5	C6	C7	C8	M1	M2	M3
Unlimited (See furniture, textiles, or upholstering)															
<b>Jewelry</b>															
Manufacture															
Costume	17												M1	M2	M3
From precious metals	11	F							C5	C6		C8	M1	M2	M3
Shops	6	B			C1	C2		C4	C5	C6	C7	C8	M1	M2	M3
Junk yards	18														M3
Jute products manufacture	17												M1	M2	M3
Kennels	16	B1										C8	M1	M2	M3
<b>Laboratories</b>															
Medical or dental, for research or testing, with limitations on objectionable effects	9	B1				C2		C4	C5	C6	C7	C8	M1	M2	M3
Research, experimental, or testing	17												M1	M2	M3
Lampblack manufacture	18														M3
<b>Laundries, with no limitation on type of operation</b>															
Laundries, with no limitation on type of operation	16	F										C8	M1	M2	M3
Laundry establishments, hand or automatic self-service	6	B			C1	C2		C4	C5	C6	C7	C8	M1	M2	M3
<b>Leather</b>															
Tanning, curing, finishing, or dyeing	18														M3
Goods stores	6	B			C1	C2		C4	C5	C6	C7	C8	M1	M2	M3
Products manufacture	17												M1	M2	M3
<b>Libraries</b>															
Libraries	3		R1 R2	R3 to R10	C1	C2	C3	C4	C5	C6	C7				
Linen supply establishments	16	F										C8	M1	M2	M3
<b>Linoleum</b>															
Manufacture	18														M3
Stores (See carpet stores)															

Italicized words are defined in Section 12-10.

Use	Use Group	Park- ing Re- quire- ment Cate- gory	Districts in Which Permitted													
			R1	R2	R3 to R10	C1	C2	C3	C4	C5	C6	C7	C8	M1	M2	M3
Liquor stores, package	6	B				C1	C2		C4	C5	C6	C7	C8	M1	M2	M3
Loan offices	6	B1				C1	C2		C4	C5	C6	C7	C8	M1	M2	M3
Locksmith shops	6	B				C1	C2		C4	C5	C6	C7	C8	M1	M2	M3
<i>Lots (See parking lots, public)</i>																
<b>Luggage</b>																
Manufacture	17													M1	M2	M3
Stores	6	B				C1	C2		C4	C5	C6	C7	C8	M1	M2	M3
<b>Lumber</b>																
Processing or woodwork, bulk	18															M3
<b>Sales</b>																
Limited as to lot area (See building materials sales)																
Unlimited	18															M3
<b>Yards</b>																
Limited as to lot area	17													M1	M2	M3
Unlimited	18															M3
<b>Machine</b>																
Shops including tool, die, or pattern making	16	B1											C8	M1	M2	M3
Tools manufacture	17													M1	M2	M3
<b>Machinery</b>																
Manufacture or repair																
Heavy	18															M3
Miscellaneous or electrical equipment	17													M1	M2	M3
Rental or sales establishments	16	B1											C8	M1	M2	M3
Repair shops	16	B1											C8	M1	M2	M3
<b>Machines, business (See business machines)</b>																
<b>Manure storage</b>	18															M3
<b>Markets</b>																
Retail, including meat (See food stores)																
Wholesale, produce or meat	17													M1	M2	M3
<b>Masseurs</b>	9	B					C2		C4	C5	C6	C7	C8	M1	M2	M3
<b>Matches manufacture</b>	18															M3
<b>Mattress manufacture, rebuilding, or renovating</b>	17													M1	M2	M3
<b>Meat</b>																
Markets																
Retail (See food stores)																
Wholesale	17													M1	M2	M3
Slaughtering or preparation for packing	18															M3
<b>Medical</b>																
Appliances																
Custom manufacture	11	F								C5	C6		C8	M1	M2	M3
Manufacture	17													M1	M2	M3
Stores	6	B				C1	C2		C4	C5	C6	C7	C8	M1	M2	M3
Instruments, manufacture	11	F								C5	C6		C8	M1	M2	M3
Laboratories (See laboratories, medical)																
Offices or group medical centers																
Limited as to location within building	4			R1 R2	R3 to R10	C1	C2	C3	C4	C5	C6	C7	C8	M1		
Unlimited	6	B1				C1	C2		C4	C5	C6	C7	C8	M1	M2	M3
<b>Meeting halls</b>	6	D				C1	C2		C4	C5	C6	C7	C8	M1	M2	M3

Italicized words are defined in Section 12-10.



Use	Use Group	Park- ing Re- quire- ment Cate- gory	Districts in Which Permitted														
			R1 R2	R3 to R10	C1	C2	C3	C4	C5	C6	C7	C8	M1	M2	M3		
<b>Metals manufacture</b>																	
Alloys or foil, miscellaneous	18														M3		
Casting or foundry products, heavy	18														M3		
Finishing, plating, grinding, sharpening, polishing, cleaning, rust-proofing, heat treatment, or similar processes	17											M1	M2	M3			
Ores reduction or refining	18														M3		
Products treatment or processing	18														M3		
Reduction, refining, smelting, or alloying	18														M3		
Stamping or extrusion	17											M1	M2	M3			
Treatment or processing	18														M3		
Millinery shops	6	B			C1	C2		C4	C5	C6	C7	C8	M1	M2	M3		
Mining machinery manufacture, including repairs	18														M3		
Mirror silvering shops	16	B1										C8	M1	M2	M3		
Monasteries	3		R1 R2	R3 to R10	C1	C2	C3	C4	C5	C6	C7						
<b>Monument</b>																	
Sales establishments, with incidental processing to order	7	C				C2				C6	C7	C8	M1	M2	M3		
Works, with no limitations on processing	18														M3		
Motels	7	H				C2				C6	C7	C8	M1	M2	M3		
Motion picture production	17												M1	M2	M3		
<b>Motor cycles</b>																	
Manufacture	17												M1	M2	M3		
Repairs, body	17												M1	M2	M3		
Repairs, except body repairs	16	C										C8	M1	M2	M3		
Stores, open or enclosed	16	C										C8	M1	M2	M3		
Showrooms, with no repair services	9	C				C2		C4	C5	C6	C7	C8	M1	M2	M3		
<b>Motor freight stations (See trucking terminals)</b>																	
Motor vehicles, dead storage	16											C8	M1	M2	M3		
<b>Moving or storage offices</b>																	
Limited as to storage	7	B1				C2				C6	C7	C8	M1	M2	M3		
Unlimited	16	G										C8	M1	M2	M3		
Museums	8		R1 R2	R3 to R10	C1	C2	C3	C4	C5	C6	C7						
Music stores	6	B			C1	C2		C4	C5	C6	C7	C8	M1	M2	M3		
<b>Music studios (See studios)</b>																	
<b>Musical instruments</b>																	
<b>Manufacture</b>																	
Excluding pianos and organs	11	F							C5	C6		C8	M1	M2	M3		
Including pianos or organs	17												M1	M2	M3		
Repair shops	9	B1				C2		C4	C5	C6	C7	C8	M1	M2	M3		
Newspaper publishing	17											C6	M1	M2	M3		
Newstands, open or enclosed	6	B			C1	C2		C4	C5	C6	C7	C8	M1	M2	M3		
Novelty products manufacture	17												M1	M2	M3		
Novitiates	3		R1 R2	R3 to R10	C1	C2	C3	C4	C5	C6	C7						
<b>Nurseries (See agriculture)</b>																	

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Use	Use Group	Park- ing Re- quire- ment Cate- gory	Districts in Which Permitted														
			R1 R2	R3 to R10	C1	C2	C3	C4	C5	C6	C7	C8	M1	M2	M3		
Nursing homes																	
Philanthropic or non-profit	3		R1 R2	R3 to R10	C1	C2	C3	C4	C5	C6	C7						
Proprietary	3			R3 to R10	C1	C2	C3	C4	C5	C6	C7						
Oakum products manufacture	17												M1	M2	M3		
Office equipment or machinery repair shops	16	B1											C8	M1	M2	M3	
Office or business machine stores, sales or rental	10	B1						C4	C5	C6	C7	C8	M1	M2	M3		
Offices																	
Business, professional, or governmental	6	B1			C1	C2		C4	C5	C6	C7	C8	M1	M2	M3		
Dental, medical, or osteopathic (See medical offices)																	
Wholesale, with storage restricted to samples	10	B1						C4	C5	C6	C7	C8	M1	M2	M3		
Oil cloth manufacture	18																M3
Oil, public utility stations for metering or regulating	6		* R1 R2	* R3 to R10	C1	C2		C4	C5	C6	C7	C8	M1	M2	M3		
Oil sales, open or enclosed																	
Limited as to lot area	16	B1											C8	M1	M2	M3	
Unlimited (See petroleum or petroleum products storage)																	
Optical																	
Equipment manufacture	17													M1	M2	M3	
Goods manufacture	11	F							C5	C6		C8	M1	M2	M3		
Optician or optometrist establishments	6	B			C1	C2		C4	C5	C6	C7	C8	M1	M2	M3		
Optical Appliances																	
Custom manufacture	11	F							C5	C6		C8	M1	M2	M3		
Manufacture	17													M1	M2	M3	
Stores	6	B			C1	C2		C4	C5	C6	C7	C8	M1	M2	M3		
Instruments, manufacture	11	F							C5	C6		C8	M1	M2	M3		
Osteopathic offices (See medical offices)																	
Packing or crating establishments	16	G											C8	M1	M2	M3	
Packing materials manufacture	18																M3
Paint																	
Manufacture	18																M3
Stores	6	B			C1	C2		C4	C5	C6	C7	C8	M1	M2	M3		
Painting contractors (See contractors' establishments)																	
Paper																	
Mills (See wood pulp or fiber)																	
Products manufacture	18																M3
Stock companies	18																M3
Paper-hanging contractors (See contractors' establishments)																	
Parish houses	4		R1 R2	R3 to R10	C1	C2	C3	C4	C5	C6	C7	C8	M1				
Parks, public or private	4		R1 R2	R3 to R10	C1	C2	C3	C4	C5	C6	C7	C8	M1				

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Use	Use Group	Park- ing Re- quire- ment Cate- gory	Districts in Which Permitted													
			R1 R2	R3 to R10	C1	C2	C3	C4	C5	C6	C7	C8	M1	M2	M3	
<i>Parking garages, public</i>																
Capacity of 100 spaces or less	8			**	C1	C2		C4	C5	C6	C7	C8	M1	M2	M3	
Capacity of less than 150 spaces	8					C2		C4	C5	C6	C7	C8	M1	M2	M3	
Capacity of 150 spaces or more					**	C2		C4	C5	C6	C7	C8	M1	M2	M3	
<i>Parking lots, public</i>																
Capacity of 100 spaces or less	8			**	C1	C2		C4	C5	C6	C7	C8	M1	M2	M3	
Capacity of less than 150 spaces	8					C2		C4	C5	C6	C7	C8	M1	M2	M3	
Capacity of 150 spaces or more				**		C2		C4	C5	C6	C7	C8	M1	M2	M3	
Pawn shops	8	B1				C2		C4		C6	C7	C8	M1	M2	M3	
Peat storage	18														M3	
Penny arcades	15	E									C7			M2	M3	
Perfume or perfumed soaps, compounding only, not including soap manufacture	17												M1	M2	M3	
Pet shops	6	B			C1	C2		C4	C5	C6	C7	C8	M1	M2	M3	
<i>Petroleum or petroleum products</i>																
Refining	18														M3	
Storage or handling	18														M3	
Pharmaceutical products manufacture	17												M1	M2	M3	
<i>Phonograph</i>																
Repair shops	8	B				C2		C4		C6	C7	C8	M1	M2	M3	
Stores (See appliances)																
<i>Photographic</i>																
Developing or printing establishments																
Retail	6	B			C1	C2		C4	C5	C6	C7	C8	M1	M2	M3	
Wholesale																
Limited as to floor area	9	B1				C2		C4	C5	C6	C7	C8	M1	M2	M3	
Unlimited	16	C										C8	M1	M2	M3	
<i>Equipment</i>																
Manufacture (except film)	17												M1	M2	M3	
Stores	6	B			C1	C2		C4	C5	C6	C7	C8	M1	M2	M3	
Studios	6	B			C1	C2		C4	C5	C6	C7	C8	M1	M2	M3	
Supply stores	6	B			C1	C2		C4	C5	C6	C7	C8	M1	M2	M3	
Photostating establishments	9	B1				C2		C4	C5	C6	C7	C8	M1	M2	M3	
Physical culture establishments	9	B				C2		C4	C5	C6	C7	C8	M1	M2	M3	
Picture framing stores	6	B			C1	C2		C4	C5	C6	C7	C8	M1	M2	M3	
<i>Plastics</i>																
Products, manufacture	17												M1	M2	M3	
Raw, manufacture	18														M3	
<i>Platemaking (See printing)</i>																
Playgrounds	4			R1 R2	R3 to R10	C1	C2	C3	C4	C5	C6	C7	C8	M1		
<i>Plumbing</i>																
Contractors (See contractors' establishments)																
Equipment manufacture (See tools or hardware manufacture)																
Showrooms, without repair facilities	9	B1				C2		C4	C5	C6	C7	C8	M1	M2	M3	
Police Stations	6	C		** R1 R2	** R3 to R10	C1	C2		C4	C5	C6	C7	C8	M1	M2	M3

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Use	Use Group	Park- ing Re- quire- ment Cate- gory	Districts in Which Permitted												
			R1 R2	R3 to R10	C1	C2	C3	C4	C5	C6	C7	C8	M1	M2	M3
Pool halls	8	D				C2		C4		C6	C7	C8	M1	M2	M3
Porcelain products manufacture	18														M3
Post offices	6	B			C1	C2		C4	C5	C6	C7	C8	M1	M2	M3
<b>Poultry</b>															
Killing establishments, for retail sales on the same zoning lot only	16	B1										C8	M1	M2	M3
Packing or slaughtering	18														M3
<b>Precision instruments manufacture</b>															
Optical equipment, clocks, or similar products	17												M1	M2	M3
Medical, dental, or drafting instruments, optical goods, or similar products	11	F							C5	C6		C8	M1	M2	M3
<b>Printing</b>															
Custom	11	F								C6			M1	M2	M3
Limited as to floor area	9	B1				C2		C4	C5	C6	C7	C8	M1	M2	M3
Unlimited	17												M1	M2	M3
Prisons	12	E					C4		C6	C7	C8		M1	M2	M3
Produce or meat markets, wholesale	17												M1	M2	M3
Public auction rooms	9	D				C2		C4	C5	C6	C7	C8	M1	M2	M3
Public transit yards	16	G										C8	M1	M2	M3
Publishing	17												M1	M2	M3
Pumping stations, water or sewage	6		* R1 R2	* R3 to R10	C1	C2		C4	C5	C6	C7	C8	M1	M2	M3
<b>Rabbit</b>															
Killing establishments, for retail sales on the same zoning lot only	16	B1										C8	M1	M2	M3
Packing or slaughtering	19														M3
Racetracks												** C8	** M1	** M2	** M3
<b>Radio</b>															
Appliance repair shops	8	B				C2		C4		C6	C7	C8	M1	M2	M3
Stores (See appliances)															
Studios	10	D						C4	C5	C6	C7	C8	M1	M2	M3
Towers, non-accessory			* R1 R2	* R3 to R10	* C1	* C2	* C3	* C4	* C5	* C6	* C7	* C8	* M1	* M2	* M3
Radioactive waste disposal services	18														M3
<b>Railroad</b>															
Equipment manufacture, including railroad cars or locomotives	18														M3
Passenger stations			** R1 R2	** R3 to R10	** C1	** C2	** C3	** C4	** C5	** C6	** C7	** C8	** M1	** M2	** M3
Rights-of-way	4		R1 R2	R3 to R10	C1	C2	C3	C4	C5	C6	C7	C8	M1		
Substations			* R1 R2	* R3 to R10	* C1	* C2	* C3	* C4	* C5	* C6	* C7	* C8	* M1	* M2	* M3
Small or medium size	17														
Large	17		** R1 R2	** R3 to R10	** C1	** C2	** C3	** C4	** C5	** C6	** C7	** C8	** M1	** M2	** M3

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Use	Use Group	Park- ing Re- quire- ment Cate- gory	Districts in Which Permitted													
			R1 R2	R3 to R10	C1	C2	C3	C4	C5	C6	C7	C8	M1	M2	M3	
Railroads, including rights-of-way, freight terminals, yards or appurtenances, or facilities or services used or required in railroad operations, but not including passenger stations	17													M1	M2	M3
Record stores	6	B			C1	C2		C4	C5	C6	C7	C8		M1	M2	M3
Recreation centers, non-commercial	4		R1 R2	R3 to R10	C1	C2	C3	C4	C5	C6	C7	C8		M1		
Rectories	4		R1 R2	R3 to R10	C1	C2	C3	C4	C5	C6	C7	C8		M1		
Reducing salons	9	B				C2		C4	C5	C6	C7	C8		M1	M2	M3
Refreshment stands, drive-in	7	H				C2				C6	C7	C8		M1	M2	M3
Refrigerating plants	18															M3
Religious or church art goods manufacture	17													M1	M2	M3
<i>Residences</i>																
<i>Single-family detached</i>	1		R1 R2	R3 to R10	C1	C2	C3	C4	C5	C6	C7					
<i>One-family semi-detached or two-family detached or semi-detached</i>	2			R3 to R10	C1	C2	C3	C4	C5	C6	C7					
<i>Boarding or rooming houses</i>	2			R6 to R10	C1	C2	C3	C4	C5	C6	C7					
<i>All other</i>	2			R3 <sup>1</sup> to R10	C1	C2	C3	C4	C5	C6	C7					
Rest homes (See nursing homes)																
Riding academies, open or enclosed	16	C	* R1 R2	* R3 to R10			*			*	*	C8		M1	M2	M3
Roofing contractors (See contractors' establishments)																
Rooming houses	2			R6 to R10	C1	C2	C3	C4	C5	C6	C7					
<i>Rubber</i>																
Processing or manufacture, natural or synthetic	18															M3
Products manufacture (excluding all natural or synthetic rubber processing)	17													M1	M2	M3
Rug stores (See carpet stores)																
Sailmaking establishments	7, 14	C				C2	C3			C6	C7	C8		M1	M2	M3
Salvage storage	18															M3
Sand pits			* R1 R2	* R3 to R10	*	*	*	*	*	*	*	*	*	*	*	*
<i>Sanitariums</i>																
Philanthropic or non-profit	3		R1 R2	R3 to R10	C1	C2	C3	C4	C5	C6	C7					
Proprietary	3			R3 to R10	C1	C2	C3	C4	C5	C6	C7					
Sawmills	18															M3
Scenery construction	17													M1	M2	M3

<sup>1</sup> Not permitted in R3-1 Districts.

Italicized words are defined in Section 12-10.

Use	Use Group	Park- ing Re- quire- ment Cate- gory	Districts in Which Permitted												
			R1 R2	R3 to R10	C1	C2	C3	C4	C5	C6	C7	C8	M1	M2	M3
<b>Schools</b>															
Dormitories (See colleges or universities)															
Nursery, kindergarten, elementary or secondary schools	8		R1 R2	R3 to R10	C1	C2	C3	C4	C5	C6	C7				
With no living or sleeping accommodations	8		R1 R2	R3 to R10	C1	C2	C3	C4	C5	C6	C7	C8	*	*	
Trade or other schools for adults, limited as to objectionable effects	9	B1				C2		C4	C5	C6	C7	C8	M1	M2	M3
Trade schools for adults, unlimited	16	B1										C8	M1	M2	M3
Scrap metal, paper, or rag storage	18														M3
Seed stores	6	B			C1	C2		C4	C5	C6	C7	C8	M1	M2	M3
Seminaries	4		R1 R2	R3 to R10	C1	C2	C3	C4	C5	C6	C7	C8	M1		
Settlement houses	4		R1 R2	R3 to R10	C1	C2	C3	C4	C5	C6	C7	C8	M1		
<b>Sewage</b>															
Disposal plants	18														M3
Pumping stations	6		* R1 R2	* R3 to R10	C1	C2		C4	C5	C6	C7	C8	M1	M2	M3
Sewing machine stores, selling household machines only	6	B			C1	C2		C4	C5	C6	C7	C8	M1	M2	M3
Ship chandlers	11	F							C5	C6		C8	M1	M2	M3
Ship or boat building or repair yards, for ships 200 feet in length or over	18														M3
Shipping, waterfront	17												M1	M2	M3
Shoddy manufacture	17												M1	M2	M3
<b>Shoes</b>															
Manufacture	17												M1	M2	M3
Repair shops	6	B			C1	C2		C4	C5	C6	C7	C8	M1	M2	M3
Stores	6	B			C1	C2		C4	C5	C6	C7	C8	M1	M2	M3
<b>Sign painting shops</b>															
Limited as to floor area	7	B1				C2				C6	C7	C8	M1	M2	M3
Unlimited	16	B1										C8	M1	M2	M3
Silver plating shops, custom	16	B1										C8	M1	M2	M3
Silverware manufacture, plate or sterling	17												M1	M2	M3
Sisal products manufacture	17												M1	M2	M3
Size manufacture	18														M3
<b>Skating rinks</b>															
Indoor	12	D						C4		C6	C7	C8	M1	M2	M3
Outdoor ice	4		* R1 R2	* R3 to R10	C1	C2	C3	C4	C5	C6	C7	C8	M1		
Slag piles	18														M3
Slaughtering of animals or poultry	18														M3
<b>Soap or detergents</b>															
Manufacture, including fat rendering	18														M3
Packaging only	17												M1	M2	M3
Soldering shops	16	B1										C8	M1	M2	M3
Solvent extracting	18														M3
<b>Sorority houses (See colleges or universities)</b>															

Italicized words are defined in Section 12-10.

Use	Use Group	Park- ing Re- quire- ment Cate- gory	Districts in Which Permitted												
			R1 R2	R3 to R10	C1	C2	C3	C4	C5	C6	C7	C8	M1	M2	M3
Sporting equipment manufacture	17												M1	M2	M3
Sporting goods stores	6	B			C1	C2		C4	C5	C6	C7	C8	M1	M2	M3
Stables for horses	16	C	* R1 R2	* R3 to R10		* C2				* C6	* C7	C8	M1	M2	M3
Stadiums															
Limited as to capacity	12	D					C4		C6	C7	C8	M1	M2	M3	
Unlimited		D					** C4		** C6	** C7	** C8	** M1	** M2	** M3	
Stamp stores	6	B			C1	C2	C4	C5	C6	C7	C8	M1	M2	M3	
Stationery stores	6	B			C1	C2	C4	C5	C6	C7	C8	M1	M2	M3	
Statuary, mannequins, figurines, religious or church art goods manufacture, excluding foundry operations	17												M1	M2	M3
Steel products															
Miscellaneous fabrication or assembly	17												M1	M2	M3
Structural products manufacture	18														M3
Stock yards or slaughtering of animals or poultry	18														M3
Stone processing or stone products	18														M3
Storage															
Wholesale	16	C										C8	M1	M2	M3
Offices (See moving or storage offices)															
Studios															
Music, dancing, or theatrical	9	B				C2	C4	C5	C6	C7	C8	M1	M2	M3	
Radio or television	10	D					C4	C5	C6	C7	C8	M1	M2	M3	
Sugar refining	18														M3
Swimming pools															
Commercial	13	E				* C3					C7	C8	M1	M2	M3
Non-commercial (See clubs)															
Table tennis halls	12	D					C4		C6	C7	C8	M1	M2	M3	
Tailor shops, custom	6	B			C1	C2	C4	C5	C6	C7	C8	M1	M2	M3	
Tanning (See leather or fur)															
Tapestries manufacture	11	F							C5	C6		C8	M1	M2	M3
Tar products manufacture	18														M3
Taxidermist shops	7	B1				C2				C6	C7	C8	M1	M2	M3
Telegraph offices	6	B			C1	C2	C4	C5	C6	C7	C8	M1	M2	M3	
Telephone exchanges or other communications equipment structures	6		* R1 R2	* R3 to R10	C1	C2	C4	C5	C6	C7	C8	M1	M2	M3	
Television															
Repair shops	8	B				C2	C4		C6	C7	C8	M1	M2	M3	
Stores (See appliances)															
Studios	10	D					C4	C5	C6	C7	C8	M1	M2	M3	
Towers, non-accessory			* R1 R2	* R3 to R10	* C1	* C2	* C3	* C4	* C5	* C6	* C7	* C8	* M1	* M2	* M3
Tennis courts, outdoor	4		* R1 R2	* R3 to R10	C1	C2	C3	C4	C5	C6	C7	C8	M1		
Terminal facilities at river crossings for access to electric, gas, or steam lines	6		* R1 R2	* R3 to R10	C1	C2		C4	C5	C6	C7	C8	M1	M2	M3

Italicized words are defined in Section 12-10.

Use	Use Group	Park- ing Re- quire- ment Cate- gory	Districts in Which Permitted														
			R1 R2	R3 to R10	C1	C2	C3	C4	C5	C6	C7	C8	M1	M2	M3		
<b>Textiles</b>																	
Bleaching	18														M3		
Products manufacture	17											M1	M2	M3			
Spinning, weaving, manufacturing, dyeing, printing, knit goods, yarn, thread, or cordage	17											M1	M2	M3			
<b>Theaters</b>																	
Limited capacity	8	D		*	C1	C2		C4		C6	C7	C8	M1	M2	M3		
Unlimited capacity	8	D				C2		C4		C6	C7	C8	M1	M2	M3		
<b>Theaters, drive-in</b>																	
											**	**	**	**	**		
											C7	C8	M1	M2	M3		
<b>Theatrical studios (See studios)</b>																	
<b>Tile manufacture</b>																	
	18														M3		
<b>Tire sales establishments including installation services</b>																	
	7	B1				C2				C6	C7	C8	M1	M2	M3		
<b>Tobacco</b>																	
Curing or manufacture, or tobacco products manufacture	17												M1	M2	M3		
Stores	6	B			C1	C2		C4	C5	C6	C7	C8	M1	M2	M3		
<b>Toiletries manufacture, not including soap manufacture</b>																	
	17												M1	M2	M3		
<b>Tool or hardware manufacture</b>																	
	17												M1	M2	M3		
<b>Topsoil storage</b>																	
	18														M3		
<b>Tourist cabins</b>																	
	7	H				C2				C6	C7	C8	M1	M2	M3		
<b>Towel supply establishments</b>																	
	16	F										C8	M1	M2	M3		
<b>Toys</b>																	
Manufacture	17												M1	M2	M3		
Stores	6	B			C1	C2		C4	C5	C6	C7	C8	M1	M2	M3		
<b>Trade or other schools for adults</b>																	
Limited as to objectionable effects	9	B1				C2		C4	C5	C6	C7	C8	M1	M2	M3		
Unlimited	16	B1										C8	M1	M2	M3		
<b>Trade expositions</b>																	
Limited as to rated capacity	12	D						C4		C6	C7	C8	M1	M2	M3		
Unlimited		D						**		**	**	**	**	**	**		
								C4		C6	C7	C8	M1	M2	M3		
<b>Trailer camps</b>																	
	7					C2				C6	C7	C8	M1	M2	M3		
<b>Trailer</b>																	
Manufacture, including parts	17												M1	M2	M3		
Repairs, body	17												M1	M2	M3		
Sales, open or enclosed	16	C										C8	M1	M2	M3		
Showrooms, with no repair services	9	C				C2		C4	C5	C6	C7	C8	M1	M2	M3		
<b>Transit substations</b>																	
Small or medium size	17		*	R3 to R10	*	*	*	*	*	*	*	*	*	*	M1 M2 M3		
			**	R3 to R10	**	**	**	**	**	**	**	**	**	**			
Large	17		**	R3 to R10	**	**	**	**	**	**	**	**	**	**	M1 M2 M3		
<b>Travel bureaus</b>																	
	6	B			C1	C2		C4	C5	C6	C7	C8	M1	M2	M3		
<b>Truck gardens (See agriculture)</b>																	
<b>Truck</b>																	
Manufacture (including parts) or engine rebuilding	17												M1	M2	M3		
Repairs, body	17												M1	M2	M3		
Repairs, except body repairs	16	C										C8	M1	M2	M3		
Sales, open or enclosed	16	C										C8	M1	M2	M3		
Showrooms, with no repair services	9	C				C2		C4	C5	C6	C7	C8	M1	M2	M3		

Italicized words are defined in Section 12-10.



Use	Use Group	Parking Requirement Category	Districts in Which Permitted														
			R1 to R2	R3 to R10	C1	C2	C3	C4	C5	C6	C7	C8	M1	M2	M3		
Trucking terminals or motor freight stations																	
<i>Limited as to lot area</i>	16	G											C8	M1	M2	M3	
Unlimited	17	G											C8	M1	M2	M3	
Turpentine manufacture	18																M3
Typewriter stores	6	B			C1	C2		C4	C5	C6	C7	C8	M1	M2	M3		
Typewriter or other small business machine repair shops	9	B1				C2		C4	C5	C6	C7	C8	M1	M2	M3		
Typography (See printing)																	
Umbrellas																	
Manufacture	17														M1	M2	M3
Repair shops	9	B				C2		C4	C5	C6	C7	C8	M1	M2	M3		
Undertakers (See funeral establishments)																	
Upholstering																	
Bulk, including shops not dealing directly with consumers	17														M1	M2	M3
Shops dealing directly with consumers	8	B1				C2		C4		C6	C7	C8	M1	M2	M3		
Variety stores																	
<i>Limited as to floor area</i>	6	B			C1	C2		C4	C5	C6	C7	C8	M1	M2	M3		
Unlimited	10	B						C4	C5	C6	C7	C8	M1	M2	M3		
Varnish manufacture	18																M3
Vehicles																	
Dead storage of motor	16												C8	M1	M2	M3	
Manufacture, children's	17														M1	M2	M3
Storage, commercial or public utility, open or enclosed	16	G											C8	M1	M2	M3	
Venetian blind, window shade, or awning																	
Custom shops, limited as to floor area	7	B1				C2				C6	C7	C8	M1	M2	M3		
Manufacture, with no limitation on production or on floor area	17														M1	M2	M3
Ventilating contractors (See contractors' establishments)																	
Ventilating equipment showrooms, without repair facilities	9	B1				C2		C4	C5	C6	C7	C8	M1	M2	M3		
Wallpaper stores	6	B			C1	C2		C4	C5	C6	C7	C8	M1	M2	M3		
Warehouses	16	G											C8	M1	M2	M3	
Watch or clock stores or repair shops	6	B			C1	C2		C4	C5	C6	C7	C8	M1	M2	M3		
Watch making	11	F							C5	C6		C8	M1	M2	M3		
Waterfront shipping	17														M1	M2	M3
Water pumping stations	6		* R1 to R2	* R3 to R10	C1	C2		C4	C5	C6	C7	C8	M1	M2	M3		
Wax products manufacture	17														M1	M2	M3
Weaving, hand	11	F							C5	C6		C8	M1	M2	M3		
Wedding chapels	9	D				C2		C4	C5	C6	C7	C8	M1	M2	M3		
Welding shops	16	B1											C8	M1	M2	M3	
Welfare centers	4		* R1 to R2	* R3 to R10	C1	C2	C3	C4	C5	C6	C7	C8	M1				

Italicized words are defined in Section 12-10.

Use	Use Group	Park- ing Re- quire- ment Cate- gory	Districts in Which Permitted												
			R1 R2	R3 to R10	C1	C2	C3	C4	C5	C6	C7	C8	M1	M2	M3
<b>Wholesale establishments</b>															
<i>Accessory storage limited to 1,500 sq. ft.</i>	7	B1				C2			C5	C6	C7	C8	M1	M2	M3
<i>Accessory storage limited to 2,500 sq. ft.</i>	11	B1							C5	C6		C8	M1	M2	M3
<i>Unlimited accessory storage</i>	16	C										C8	M1	M2	M3
<i>Wholesale offices or showrooms, with storage restricted to samples</i>	10	B1					C4	C5	C6	C7	C8		M1	M2	M3
<b>Window shades</b>															
<i>Custom shops, limited as to floor area</i>	7	B1				C2				C6	C7	C8	M1	M2	M3
<i>Manufacture, without limitation on production or on floor area</i>	17												M1	M2	M3
<b>Wood</b>															
<i>Bulk processing or woodworking</i>	18														M3
<i>Distillation</i>	18														M3
<i>Products manufacture</i>	17												M1	M2	M3
<i>Pulp or fiber, reduction or processing, including paper mill operations</i>	18														M3
<i>Sales, open or enclosed</i>															
<i>Limited as to lot area</i>	16	B1										C8	M1	M2	M3
<i>Unlimited (See lumber yards)</i>															
<i>Woodworking shops, custom</i>	16	B1										C8	M1	M2	M3
<i>Wool scouring or pulling</i>	18														M3

## Appendix B

**EXCERPT FROM SECTION 38-2 OF THE INDUSTRIAL CODE  
RULE NO. 38 RELATING TO RADIATION PROTECTION<sup>1</sup>**

(Section 42-262 of the resolution limits quantities of unsealed radioactive materials which may be manufactured, utilized, or stored in *Manufacturing Districts*.)

**QUANTITIES OF RADIOACTIVE MATERIAL**

Material	Unsealed (microcuries)
Antimony 124 (Sb 124)	1
Arsenic 76 (As 76)	10
Arsenic 77 (As 77)	10
Barium 140-Lanthanum 140 (Ba La 140)	1
Beryllium (Be)	50
Cadmium 109-Silver 109 (Cd Ag 109)	10
Calcium 45 (Ca 45)	10
Carbon 14 (C 14)	50
Cerium 144-Praseodymium 144 (Ce Pr 144)	1
Cesium 137-Barium 137 (Cs Ba 137)	1
Chlorine 36 (Cl 36)	1
Chromium 51 (Ch 51)	50
Cobalt 60 (Co 60)	1
Copper 64 (Cu 64)	50
Europium 154 (Eu 154)	1
Fluorine 18 (F 18)	50
Gallium 72 (Ga 72)	10
Germanium 71 (Ge 71)	50
Gold 198 (Au 198)	10
Gold 199 (Au 199)	10
Hydrogen 3 (Tritium) (H 3)	250
Indium 114 (In 114)	1
Iodine 131 (I 131)	10
Iridium 192 (Ir 192)	10
Iron 55 (Fe 55)	50
Iron 59 (Fe 59)	1
Lanthanum (La 140)	10
Manganese 52 (Mn 52)	1
Manganese 56 (Mn 56)	50
Molybdenum 99 (Mo 99)	10

Material	Unsealed (microcuries)
Nickel 59 (Ni 59)	1
Nickel 63 (Ni 63)	1
Niobium 95 (Nb 95)	10
Palladium 199 (Pd 109)	10
Palladium 103-Rhodium 103 (Pd Rh 103)	50
Phosphorus 32 (P 32)	10
Polonium 210 (Po 210)	0.1
Potassium 42 (K 42)	10
Praseodymium 143 (Pr 143)	10
Promethium 147 (Pm 147)	10
Radium 226 (Ra 226)	1
Rhenium 186 (Re 186)	10
Rhodium 105 (Rh 105)	10
Rubidium 86 (Rb 86)	10
Ruthenium 106-Rhodium 106 (Ru Rh 106)	1
Samarium 153 (Sm 153)	10
Scandium 46 (Sc 46)	1
Silver 105 (Ag 105)	1
Silver 111 (Ag 111)	10
Sodium 22 (Na 22)	10
Sodium 24 (Na 24)	10
Strontium 89 (Sr 89)	1
Strontium 90-Yttrium 90 (Sr Y 90)	.01
Sulfur 35 (S 35)	50
Tantalum 182 (Ta 182)	10
Technetium 96 (Tc 96)	1
Technetium 99 (Tc 99)	1
Tellurium 127 (Te 127)	10
Tellurium 129 (Te 129)	1
Thallium 204 (Tl 204)	50
Tin 113 (Sn 113)	10
Tungsten 181 (W 181)	10
Tungsten 185 (W 185)	10
Vanadium 48 (V 48)	1
Yttrium 90 (Y 90)	1
Yttrium 91 (Y 91)	1
Zinc 65 (Zn 65)	10
Natural Uranium	1,000
Natural Thorium	1,000

<sup>1</sup> Adopted by the Board of Standards and Appeals of the New York State Department of Labor on October 10, 1955, effective December 15, 1955.

## Appendix C

**DESIGNATION OF ARTERIAL  
HIGHWAYS**

Pursuant to the provisions of Section 32-66 and Section 42-53 (Additional Regulations for Advertising Signs) of the Zoning Resolution of the City of New York, the City Planning Commission has designated as arterial highways to which the provisions of Sections 32-66 and 42-53 apply, the following 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.

**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.  
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 73d Avenue.  
Clove Lakes Expressway—Narrows Bridge Approach to Goethals 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—151st Street 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.

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—Grant Central Parkway to New York International Airport.

Washington Bridge and Approaches.

West Shore Expressway—Clove Lakes Expressway to Outerbridge Crossing Approach.

Whitestone Expressway—Northern Boulevard to Bronx-Whitestone Bridge Approach.

Williamsburg Bridge and Approaches.

## PARKWAYS

Bronx and Pelham Parkway—Bronx River Parkway to Bruckner Expressway.

Bronx River Parkway—Sound View 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 Cloffwood Avenue.

Shore Parkway—Southern Parkway, Borough of Queens, to Gowanus Parkway, Borough of Brooklyn.

Southern Parkway—Cross Island Parkway to Conduit Boulevard.

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.