

# CITY PLANNING COMMISSION DISPOSITION SHEET

**PUBLIC MEETING:  
WEDNESDAY, JUNE 9, 2004  
10:00 A.M. SPECTOR HALL  
22 READE STREET, NEW YORK 10007**

**Yvette V. Gruel, Calendar Officer  
22 Reade Street, Room 2E  
New York, New York 10007-1216  
(212) 720-3370**

| CAL NO. | ULURP NO.       | CD NO | PROJECT NAME                    | C.P.C. ACTION                 |
|---------|-----------------|-------|---------------------------------|-------------------------------|
| 1       | C 030352 PPK    | 1     | CITY-OWNED-PROPERTY DISPOSITION | Scheduled to be Heard 6/23/04 |
| 2       | C 030385 ZSQ    | 2     | ISLAMIC CENTER OF QUEENS        | “ ”                           |
| 3       | C 040306 HAK    | 6     | RED HOOK HOMES                  | Hearing Closed                |
| 4       | C 040293 HAM    | 3     | DIVERSITY HOUSES                | “ ”                           |
| 5       | N 040396 ZRM    | 1     | BATTERY PARK CITY/SITE 26       | “ ”                           |
|         | NOTICE          | 1     | “ ”                             | “ ”                           |
| 6       | C 040255 HAM    | 1     | 200 CHAMBERS STREET             | “ ”                           |
| 7       | C 040257 ZSM    | 1     | “ ”                             | “ ”                           |
| 8       | C 040257(A) ZSM | 1     | “ ”                             | “ ”                           |
|         | NOTICE          | 1     | “ ”                             | “ ”                           |
| 9       | C 040344 ZMQ    | 13    | BELLEROSE REZONING              | “ ”                           |
| 10      | C 040115 ZMQ    | 13    | ROYAL RANCH REZONING            | “ ”                           |
| 11      | C 020441 MMQ    | 5     | ANDREWS AVENUE BRIDGE           | “ ”                           |
| 12      | C 040252 PQQ    | 12    | AGENCY OPERATED BOARDING HOME   | “ ”                           |
| 13      | N 040424 BDQ    | 1,2   | QUEENS PLAZA/COURT SQUARE BID   | “ ”                           |
| 14      | C 040278 PPR    | 2     | SEAVIEW SENIOR HOUSING          | “ ”                           |
|         | NOTICE          | 2     | “ ”                             | “ ”                           |

| COMMISSION ATTENDANCE:                   | Present (P)<br>Absent (A) | COMMISSION VOTING RECORD:                       |    |    |    |    |    |    |    |  |  |  |  |  |
|--|---------------------------|---|----|----|----|----|----|----|----|--|--|--|--|--|
|  |                           | In Favor - Y Oppose - N Abstain - AB Recuse - R |    |    |    |    |    |    |    |  |  |  |  |  |
| Calendar Numbers:                        |                           | 19  | 20 | 21 | 22 | 23 | 24 | 25 | 26 |  |  |  |  |  |
| Amanda M. Burden, AICP, Chair            | P                         | Y   | Y  | Y  | Y  | Y  | Y  | Y  | Y  |  |  |  |  |  |
| Kenneth J. Knuckles, Esq., Vice Chairman | P                         | Y   | Y  | Y  | Y  | Y  | Y  | Y  | Y  |  |  |  |  |  |
| Angela M. Battaglia                      | P                         | Y   | Y  | Y  | Y  | Y  | Y  | Y  | Y  |  |  |  |  |  |
| Irwin Cantor, P.E.                       | P                         | Y   | Y  | Y  | Y  | Y  | Y  | Y  | Y  |  |  |  |  |  |
| Angela R. Cavaluzzi, R.A.                | P                         | Y   | Y  | Y  | Y  | Y  | Y  | Y  | Y  |  |  |  |  |  |
| Richard W. Eaddy                         | P                         | Y   | Y  | Y  | Y  | Y  | Y  | Y  | Y  |  |  |  |  |  |
| Alexander Garvin                         | A                         |   |    |    |    |    |    |    |    |  |  |  |  |  |
| Jane D. Gol                              | P                         | Y   | Y  | Y  | Y  | Y  | Y  | Y  | Y  |  |  |  |  |  |
| Christopher Kui                          | P                         | Y   | Y  | Y  | Y  | Y  | Y  | Y  | Y  |  |  |  |  |  |
| John Merolo                              | P                         | Y   | Y  | Y  | Y  | Y  | Y  | Y  | Y  |  |  |  |  |  |
| Karen A. Phillips                        | P                         | Y   | Y  | Y  | Y  | Y  | Y  | Y  | Y  |  |  |  |  |  |
| Dolly Williams, Commissioners            | P                         | Y   | Y  | Y  | Y  | Y  | Y  | Y  | Y  |  |  |  |  |  |

MEETING ADJOURNED AT: 2:51 P.M.

# CITY PLANNING COMMISSION DISPOSITION SHEET

**PUBLIC MEETING:  
WEDNESDAY, JUNE 9, 2004  
10:00 A.M. SPECTOR HALL  
22 READE STREET, NEW YORK 10007**

**Yvette V. Gruel, Calendar Officer  
22 Reade Street, Room 2E  
New York, New York 10007-1216  
(212) 720-3370**

| CAL NO. | ULURP NO.    | CD NO | PROJECT NAME               | C.P.C. ACTION            |
|---------|--------------|-------|----------------------------|--------------------------|
| 15      | C 010656 MMR | 2     | OLMSTED-BEIL HOUSE PARK    | Hearing Closed           |
| 16      | C 030449 ZMR | 3     | TIDES OF CHARLESON         | " "                      |
| 17      | C 030450 ZSR | 3     | " "                        | " "                      |
| 18      | N 040202 ZRY | cw    | COMMUNITY FACILITY TEXT    | " "                      |
|         | N O T I C E  | cw    | " "                        | " "                      |
| 19      | C 040274 HAX | 12    | RAIN APARTMENTS            | Favorable Report Adopted |
| 20      | C 040203 HAK | 5     | PSCH DEWITT RESIDENCE      | " "                      |
| 21      | N 040395 BDK | 2     | MYRTLE AVENUE BROOKLYN BID | Unqualified Approval     |
| 22      | C 040097 PPQ | 14    | CITY-OWNED-PROPERTY        | Favorable Report Adopted |
| 23      | N 040359 BDR | 1     | FOREST AVENUE BID          | Unqualified Approval     |
| 24      | N 030087 ZAR | 2     | ST. GEORGE ROAD            | Authorization Approved   |
| 25      | N 030145 ZAR | 2     | 51 AND 53 NUGENT STREET    | " "                      |
| 26      | N 040046 RAR | 3     | WEST SHORE LOWE'S          | " "                      |
|         |              |       |                            |                          |
|         |              |       |                            |                          |
|         |              |       |                            |                          |
|         |              |       |                            |                          |

| COMMISSION ATTENDANCE:                   | Present (P)<br>Absent (A) | COMMISSION VOTING RECORD:<br>In Favor - Y Oppose - N Abstain - AB Recuse - R |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
|--|---------------------------|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|
| Calendar Numbers:                        |                           |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
| Amanda M. Burden, AICP, Chair            |                           |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
| Kenneth J. Knuckles, Esq., Vice Chairman |                           |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
| Angela M. Battaglia                      |                           |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
| Irwin Cantor, P.E.                       |                           |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
| Angela R. Cavaluzzi, R.A.                |                           |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
| Richard W. Eaddy                         |                           |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
| Alexander Garvin                         |                           |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
| Jane D. Gol                              |                           |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
| Christopher Kui                          |                           |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
| John Merolo                              |                           |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
| Karen A. Phillips                        |                           |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
| Dolly Williams, Commissioners            |                           |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
|  |                           |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |

MEETING ADJOURNED AT:

**COMPREHENSIVE**  
**CITY PLANNING CALENDAR**  
**of**  
**The City of New York**  
—  
**CITY PLANNING COMMISSION**  
—  
**WEDNESDAY, JUNE 9, 2004**  
—  
**MEETING AT 10:00 A.M. AT SPECTOR HALL**  
**22 READE STREET**  
**NEW YORK, NEW YORK**



**Michael R. Bloomberg, Mayor**

**City of New York**

**[No. 11]**

**Prepared by Yvette V. Gruel, Calendar Officer**

**To view the Planning Commission Calendar and/or the Zoning Resolution  
on the World Wide Web, visit the Department of City Planning (DCP)  
home page at: [nyc.gov/planning](http://nyc.gov/planning)**

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**CITY PLANNING COMMISSION**

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GENERAL RULES OF PROCEDURE AS PERTAINING TO  
PUBLIC MEETINGS

1. A quorum shall consist of seven members.
2. Final action by the Commission shall be by the affirmative vote of not less than seven members.
3. Except by unanimous consent, matters upon which public hearing are required by law shall lie over until the next meeting following the public hearing.
4. Matters not on the calendar may be considered by unanimous consent.

**NOTE** - Matters scheduled for public hearing by the City Planning Commission usually appear in three calendars: first in Section I, (Scheduling Dates for Future Public Hearings), second in Section II, (Public Hearings), and third in Section III, (Reports). Matters scheduled for public hearing by Community Boards appear in a separate calendar available in the Calendar Information Office.

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**NOTICE--CALENDARS:** City Planning Commission calendars and disposition sheets are now available on the Department of City Planning's web site ([www.nyc.gov/planning](http://www.nyc.gov/planning)). The availability of these documents on-line will occur earlier than the current printed documents.

If you wish to be notified of the web site availability of calendars and disposition sheets, please send your name, organization and E-mail address to the address listed below. Any individual or organization that would like to receive paper copies of the aforementioned documents will be able to do so at a fee of \$120.00 annually. Please have the certified check made out to the **City of New York -- Department of City Planning** to the attention of the Calendar Information Office, 22 Reade Street, Room 2E, New York, New York 10007-1216.

**For Calendar Information:** call (212) 720-3368, 3369, 3370.

**Note to Subscribers:** Notify us of change of address including E-mail by writing to:

**City Planning Commission**  
Calendar Information Office  
22 Reade Street - Room 2E  
New York, New York 10007-1216

**B**  
**CITY PLANNING COMMISSION**

22 Reade Street, New York, N.Y. 10007-1216

**AMANDA M. BURDEN**, *AICP, Chair*  
**KENNETH J. KNUCKLES**, *Esq., Vice Chairman*  
**ANGELA M. BATTAGLIA**  
**IRWIN G. CANTOR**, P.E.  
**ANGELA R. CAVALUZZI**, *R.A.*  
**RICHARD W. EADDY**  
**ALEXANDER GARVIN**  
**JANE D. GOL**  
**CHRISTOPHER KUI**  
**JOHN MEROLO**  
**KAREN A. PHILLIPS**  
**DOLLY WILLIAMS**, *Commissioners*  
**YVETTE V. GRUEL**, *Calendar Officer*

The regular public meetings of the Commission shall be held twice monthly on Wednesday at 10:00 a. m. in Spector Hall, 22 Reade Street, Manhattan, unless otherwise ordered.

**ORDER OF BUSINESS AND INDEX**

**WEDNESDAY, JUNE 9, 2004**

|  |    |
|--|----|
| Roll Call; approval of minutes .....                             | 1  |
| I. Scheduling of June 23, 2004 .....                             | 1  |
| II. Public Hearings .....  | 3  |
| III. Reports .....   | 79 |
| IV. Schedule of Meetings: July 1, 2004 - December 31, 2004 ..... | 84 |

**Community Board Public Hearing Notices are available in the  
Calendar Information Office, Room 2E, 22 Reade Street,  
New York, N.Y. 10007**

The next regular public meeting of the City Planning Commission is scheduled for June 23, 2004 at Spector Hall, 22 Reade Street, New York, at 10:00 a.m.

C

**GENERAL INFORMATION**

**HOW TO PARTICIPATE:**

**Signing up to speak:** Anyone wishing to speak on any of the items listed under "Public Hearing" in this Calendar, is requested to fill out a speaker's slip supplied at the staff desk outside the hearing chambers on the day of the hearing. Speakers on each item will be called in the order these slips are submitted, with the exception that public officials and Community Board Chairpersons will be allowed to speak first. If a large number of people wish to speak on a particular item, statements will be taken alternating every 30 minutes between those speaking in opposition and those speaking in support of the proposal.

**Length of Testimony:** In order to give others an opportunity to speak, all speakers are asked to limit their remarks to three minutes.

**Written Comments:** If you intend to submit a written statement and/or other documents please submit 20 sets of each.

Anyone wishing to present facts or to inform the Commission of their view on an item in this calendar, but who cannot or does not wish to speak at the public hearing, may fill out the form below and return it to the desk outside the hearing chambers or mail their written comments to:

**CITY PLANNING COMMISSION  
Calendar Information Office - Room 2E  
22 Reade Street, New York, N.Y. 10007**

(Extra copies of this form may be obtained in the Calendar Information Office at the above address.)

Subject \_\_\_\_\_

Date of Hearing \_\_\_\_\_ Calendar No. \_\_\_\_\_

Borough \_\_\_\_\_ Identification No.: \_\_\_\_\_ CB No.: \_\_\_\_\_

Position: Opposed \_\_\_\_\_

In Favor \_\_\_\_\_

Comments: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Name: \_\_\_\_\_

Address: \_\_\_\_\_

Organization (if any) \_\_\_\_\_

Address \_\_\_\_\_ Title: \_\_\_\_\_

JUNE 9, 2004

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APPROVAL OF MINUTES OF Regular Meeting of May 26, 2004

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I. PUBLIC HEARINGS OF THE FOLLOWING MATTERS TO BE  
SCHEDULED FOR WEDNESDAY, JUNE 23, 2004  
STARTING AT 10:00 A.M.  
IN SPECTOR HALL, 22 READE STREET  
NEW YORK, NEW YORK

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BOROUGH OF BROOKLYN

No. 1

*CITY-OWNED-PROPERTY DISPOSITION*

CD 1

C 030352 PPK

**IN THE MATTER OF** an application submitted by the Department of Citywide Administrative Services, pursuant to Section 197-c of the New York City Charter, for **the disposition of two (2) city-owned properties** pursuant to zoning.

| <u>Block</u> | <u>Lot</u> | <u>Location</u> |
|--------------|------------|-----------------|
| 2539         | 29         | 59 Java St.     |
| 3097         | 13         | 112 Seigel St.  |

**Resolution for adoption scheduling June 23, 2004 for a public hearing.**

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**BOROUGH OF QUEENS**

**No. 2**

***ISLAMIC CENTER***

**CD 2**

**C 030385 ZSQ**

**IN THE MATTER OF** an application submitted by the Islamic Center of Queens, N.Y. pursuant to Sections 197-c and 201 of the New York City Charter **for the grant of a special permit pursuant to Section 74-921 of the Zoning Resolution to allow a church (Use Group 4A) on property located at 57-14 37<sup>th</sup> Avenue, (Block 1212, Lot 9 ), in an M1-1 District.**

**Resolution for adoption scheduling June 23, 2004 for a public hearing.**

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**II. PUBLIC HEARINGS**

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**BOROUGH OF BROOKLYN**

**No. 3**

***RED HOOK HOMES***

**CD 6**

**C 040306 HAK**

**PUBLIC HEARING:**

**IN THE MATTER OF** an application submitted by the Department of Housing Preservation and Development (HPD):

1) pursuant to Article 16 of the General Municipal Law of New York State for:

- a) the designation of property located at 73-77 Wolcott Street and 84 Dikeman Street (Block 576, Lots 15, 22, 23 and 49), as an Urban Development Action Area; and
- b) an Urban Development Action Area Project for such area; and

2) pursuant to Section 197-c of the New York City Charter for the disposition of such property to a developer selected by HPD;

to facilitate development of two, four-story buildings tentatively known as Red Hook Homes, with approximately 41 units of mixed-income housing, to be developed under the New York State Housing Trust Fund Program.

(On May 26, 2004, Cal. No. 1, the Commission scheduled June 9, 2004 for a public hearing which has been duly advertised.)

**Close the hearing.**

---

**BOROUGH OF MANHATTAN**

**No. 4**

***DIVERSITY HOUSES***

**CD 3**

**C 040293 HAM**

**PUBLIC HEARING:**

**IN THE MATTER OF** an application submitted by the Department of Housing Preservation and Development (HPD):

1. pursuant to Article 16 of the General Municipal Law of New York State for:
  - a) the designation of property located at 242-246 East 2<sup>nd</sup> Street (Block 385, Lots 47-49) and 227-231 East 3<sup>rd</sup> Street (Block 386, Lots 55-56) as an Urban Development Action Area;
  - b) an Urban Development Action Area Project for such area; and
2. pursuant to Section 197-c of the New York City Charter for the disposition of such property to a developer selected by HPD;

to facilitate the development of two, seven-story buildings tentatively known as Diversity Houses, with approximately 44 units of low-income housing and community facility space, to be developed under the New York State Housing Trust Fund Program.

(On May 26, 2004, Cal. No. 4, the Commission Scheduled June 9, 2004 for a public hearing which has been duly advertised.)

**Close the hearing.**

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**No. 5**

***BATTERY PARK CITY/SITE 26***

**CD 1**

**N 040396 ZRM**

**PUBLIC HEARING:**

**IN THE MATTER OF** an application submitted by the Battery Park City Authority pursuant to Section 201 of the New York City Charter, for an amendment of the Zoning Resolution of the City of New York concerning Article VIII, Chapter 4 (Special Battery Park District) relating to Section 84-30 (Zone C) regarding commercial development.

Matter in underline is new, to be added;

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

Matter within *italics* is defined in the Zoning Resolution;

\*\*\* indicates where unchanged text appears in the Resolution.

\*\*\*

## **84-30**

### **ZONE C**

## **84-31**

### **General Provisions**

Zone C is designed to provide for commercial and mixed *use development*, parking and ancillary retail and service *uses* as permitted pursuant to this Chapter. Zone C is divided into two subzones: C-1 and C-2. The location and boundaries of ~~Zone C~~ the C subzones are shown ~~on Appendices 1 and 3~~ in Appendix 3 of this Chapter. Except as expressly modified by the provisions of this Chapter, the regulations applying to: a C6-6 District shall apply in Zone C of the *Special Battery Park City District*.

## **84-32**

### **Use Regulations**

Use regulations applicable in C6-6 Districts shall apply, subject to the provisions of Sections 84-031 (Special permit uses) and 84-032 (Uses not permitted). In addition, the following *uses* shall be permitted:

Indoor interactive entertainment facilities, with eating and drinking, consisting of mechanical, electronic or computer-supported games provided that a minimum of four square feet of waiting area within the *zoning lot* shall be provided for each person permitted under the occupant capacity as determined by the New York City Building Code. The required waiting area shall be in an enclosed lobby and shall not include space occupied by stairs, corridors or restrooms.

Parking facilities, public, subject to Section 84-341

*Physical culture or health establishments*

Sporting goods or equipment, sale or rental, including instruction in skiing, sailing or skin diving, as permitted in Use Group 14.

**84-33****Bulk Regulations**

*Bulk* regulations otherwise applicable in C6-6 Districts and equivalent *Residential Districts* are hereby modified to the extent set forth in this Section and Sections 84-331 through 84-333, inclusive.

The height and setback regulations otherwise applicable in C6-6 Districts, and equivalent *Residential Districts*, are superseded by the regulations set forth in Section 84-332 (Mandatory front building walls), Section 84-333 (Limited height of buildings), Appendices 3.1 and 3.2.

**84-331****Floor area regulations**

Notwithstanding any other provisions of this Resolution, the permitted *floor area ratio* for any *development* or *enlargement* shall not exceed 15.0. The *floor area ratio* of a *residential building* or the *residential* portion of a *mixed building* shall not exceed 10.0. The *floor area* bonus provisions shall not apply.

**84-332****Mandatory front building walls**

Where Appendix 3.1 shows a requirement for a *development* to be built to a *mandatory front building wall line*, any such *development* shall have a mandatory front building wall coincident with and constructed along such *mandatory front building wall line* for a minimum of 80 percent of the length of the frontage required to have the mandatory front building wall, which shall rise without setback for a height above *curb level* not less than 110 feet nor more than 140 feet; in subzone C-1, and not less than 60 feet nor more than 140 feet in subzone C-2 except that the mandatory front wall building wall on Murray Street within subzone C-2 may rise without setback to the maximum height established pursuant to section 84-333 and, provided further, that the mandatory front building wall requirement shall not apply to the building frontage along a pedestrian right-of-way in subzone C-2.

However, where Appendix 3.1 shows a mandatory front wall along Murray Street, such front building wall may be located either along the *street line* of Murray Street or at a right angle

to North End Avenue within 30 feet from the intersection of Murray Street and North End Avenue.

At 140 feet above *curb level*, the building must setback at least 15 feet from the street line of Vesey Street, North End Avenue and Murray Street-, except that there shall be no required setback along Murray Street in subzone C-2. Front wall recesses for architectural and decorative purposes are permitted in mandatory front walls, provided that:

- (a) the aggregate area of front wall recesses below the maximum height of the required front wall is less than 50 percent of the required mandatory front building wall;
- (b) the maximum depth of any recess shall be 20 feet;
- (c) recesses with a depth of less than two feet shall not be considered recesses for the purposes of this Section; and
- (d) recesses shall not be open to the sky.

#### **84-333**

##### **Limited height of buildings**

~~Above a height of 140 feet above *curb level*, the *lot coverage* of any *development*, or portion thereof, may not exceed 40 percent of the total area of Zone C.~~

The maximum height of any *building*, or portion thereof, shall not exceed 400 feet on any portion of ~~Zone~~ subzone C-1 shown as a *special height location* in Appendix 3.2, except that permitted obstructions pursuant to Section 33-42 shall be allowed to penetrate ~~the~~ a maximum height limit.

The maximum height of any *building*, or any portion thereof, located within subzone C-2 shall not exceed 180 feet above-*curb level* except that

(a) the maximum height of any *building* or portion thereof shown as a *special height location* shall not exceed the height set forth in Appendix 3.2; and

(b) Sections 23-62 and 33-42 (Permitted Obstructions) are hereby made inapplicable. Any portion of a *building* or *other structure* that exceeds an established height limit shall be subject to the following provisions:

(1) The following shall not be considered obstructions and may thus penetrate a maximum height limit:

Chimneys or flues, with a total width not exceeding 10 percent of the *aggregate width of street walls of a building* at any level;

Elevator or stair bulkheads, roof water tanks, cooling towers or other *accessory mechanical equipment* (including enclosure walls), provided that either 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 eight times the width, in feet, of the *street wall* of the *building* facing such frontage at *curb level*, or the *lot coverage* of all such obstructions does not exceed 20 percent of the *lot coverage* of the *building* and the height of all such obstructions does not exceed 40 feet;

Flagpoles and aerials;

Parapet walls, not more than four feet high;

Wire, chain link or other transparent fences.

(2) The maximum permitted size of enclosure walls surrounding elevator or stair bulkheads, roof water tanks, cooling towers or other mechanical equipment may be increased by authorization of the City Planning Commission, provided the Commission finds that:

(i) the width of such additional enclosure wall at each building face does not exceed 80 percent of the width of the enclosure wall as allowed in paragraph (b)(1) of this Section;

(ii) the additional area of the enclosure wall at each building face is not more than 50 percent of the area permitted as-of-right; and

(iii) the enclosure wall is compatible with the *building* and the urban design goals of the Special District and complements the design by providing a decorative top.

(c) Notwithstanding the above, in no event shall the height of any *building*, including Permitted Obstructions, exceed 800 feet above *curb level*.

#### **84-34**

#### **Parking Regulations and Curb Cuts**

Notwithstanding any other regulations of this Resolution, off-street parking spaces shall be permitted pursuant to this Section.

**84-341**

**Off-street parking**

*Accessory* off-street parking spaces are not required in Zone C. However, a maximum of 300 public parking spaces are permitted in ~~Zone C~~ subzones C-1 and C-2 combined, provided that:

- (a) such spaces shall be completely enclosed;
- (b) no portion of ~~me~~the parking facility, other than entrances and exits, shall be visible from adjoining *zoning lots*, streets, parks or the *Esplanade*;
3. no exhaust vents shall open onto any *street* or park; and
4. the parking facility shall not be more than 23 feet above *curb level*.

**84-342**

**Off Street loading**

The number of required *accessory* loading berths in subzone C-2 may be reduced by up to 50% of the number required pursuant to 36-62 (Required Accessory Off-Street Loading Berths).

**84-343**

**Curb cuts**

Curb cuts are permitted only in locations indicated in Appendix 3.5 and along any *street* or right-of-way not shown on Appendix 3.5. The aggregate width of all curb cuts for ~~Zone~~subzone C-1 shall not exceed 50 feet. The aggregate width of all curb cuts for subzone C-2 shall not exceed 60 feet.

\*\*\*

Appendix 1 (1/8/97)  
Special Battery Park City District  
District Plan

Appendix 2.2 (2/27/01)  
Special Battery Park City District

Special Height Locations

Appendix 3 (TBD)

Special Battery Park City District

Zone A North Residential Neighborhood and Zone C

Appendix 3.1 (TBD)

Special Battery Park City District

Mandatory Front Building Walls

Appendix 3.2 (TBD)

Special Battery Park City District

Special Height Locations

Appendix 3.4 (TBD)

Special Battery Park City District

Parking Setbacks

Appendix 3.5 (TBD)

Special Battery Park City District

Curb Cut Locations

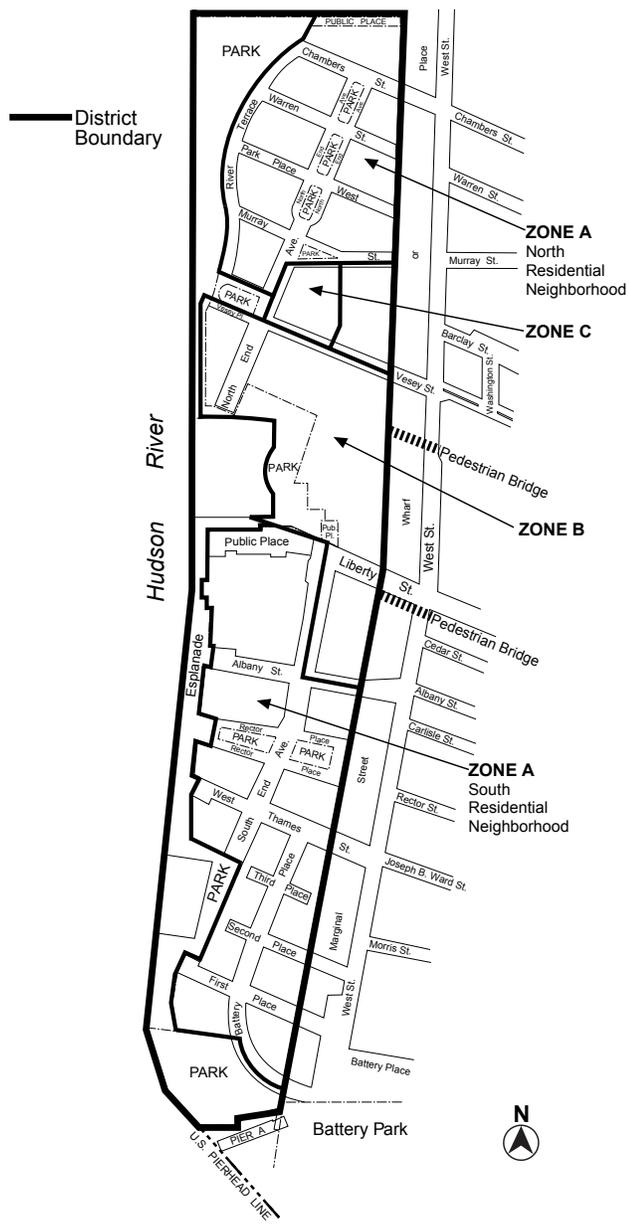
# Existing

(1/8/97)

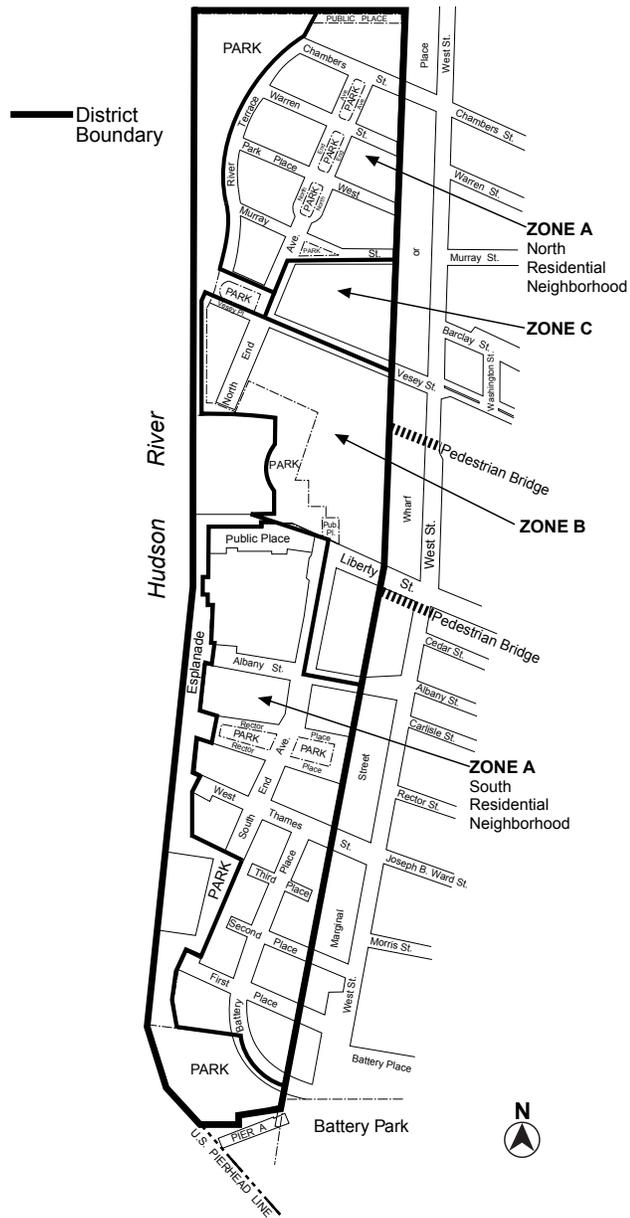
## Appendix 1

### Special Battery Park City District

### District Plan



# Proposed Appendix 1 Special Battery Park City District District Plan



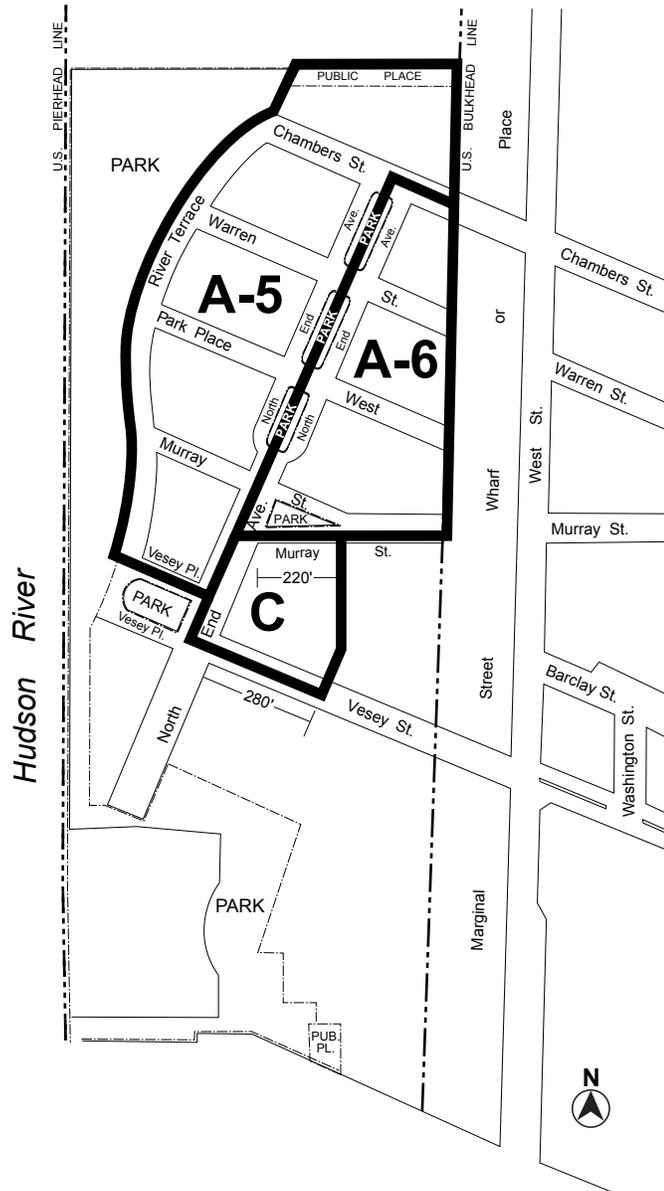
# Existing

(1/8/97)

## Appendix 3

Special Battery Park City District

Zone A North Residential Neighborhood and Zone C

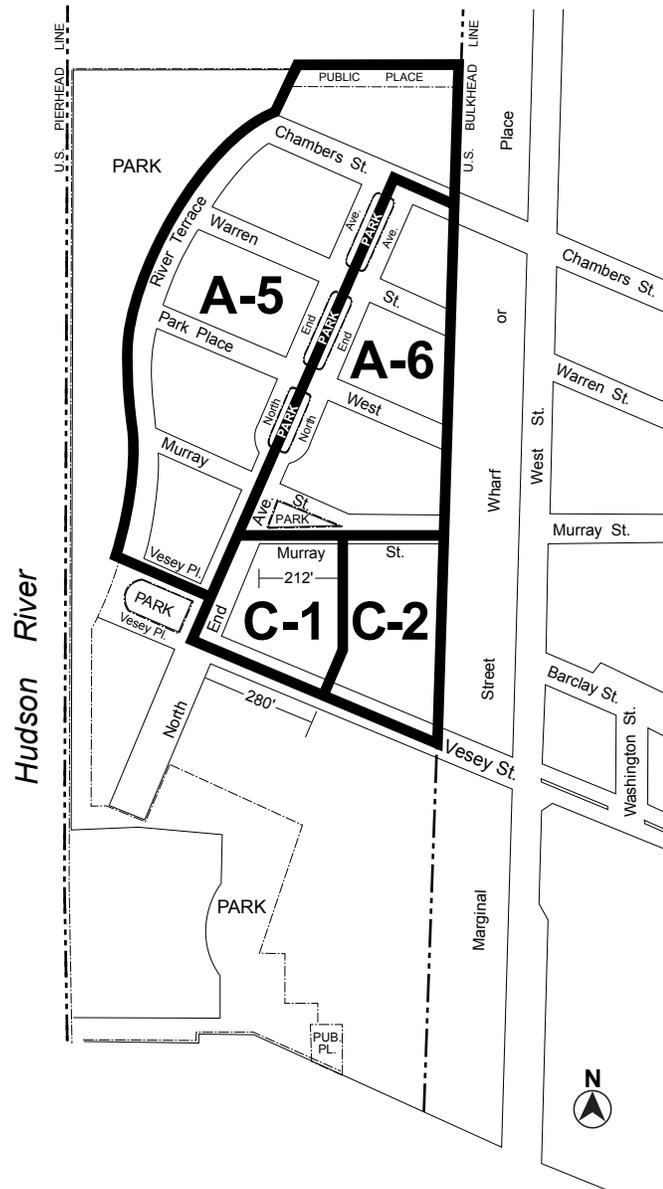


# Proposed

## Appendix 3

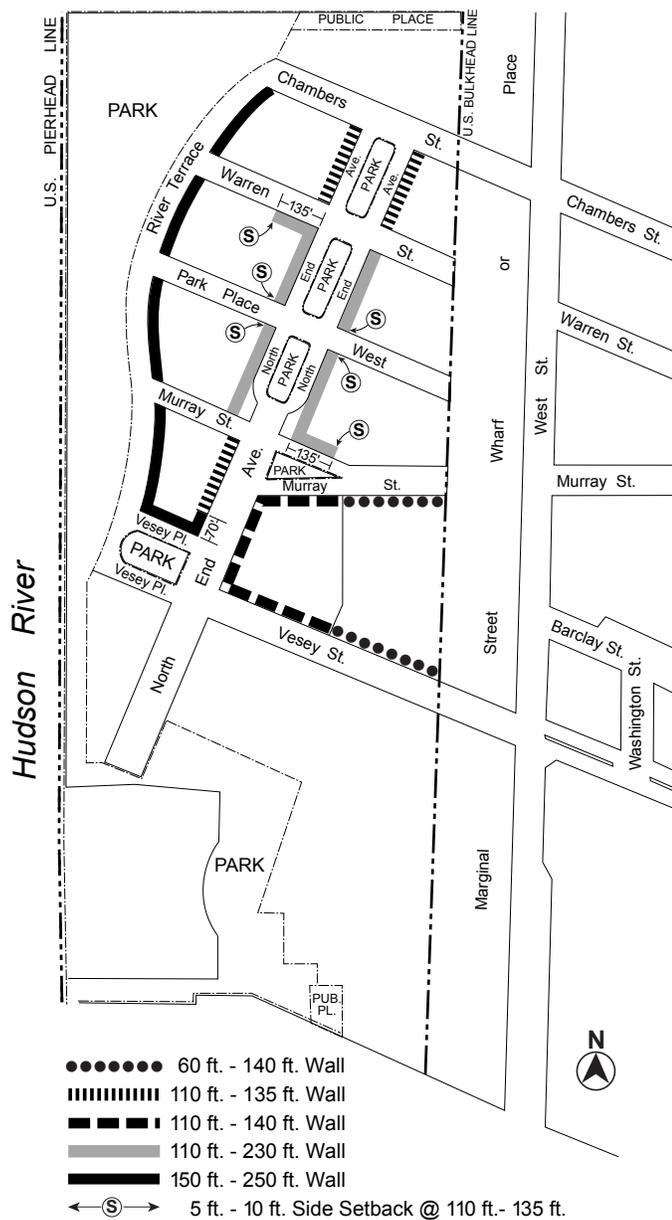
Special Battery Park City District

Zone A North Residential Neighborhood and Zone C





**Proposed**  
**Appendix 3.1**  
 Special Battery Park City District  
 Mandatory Front Building Walls

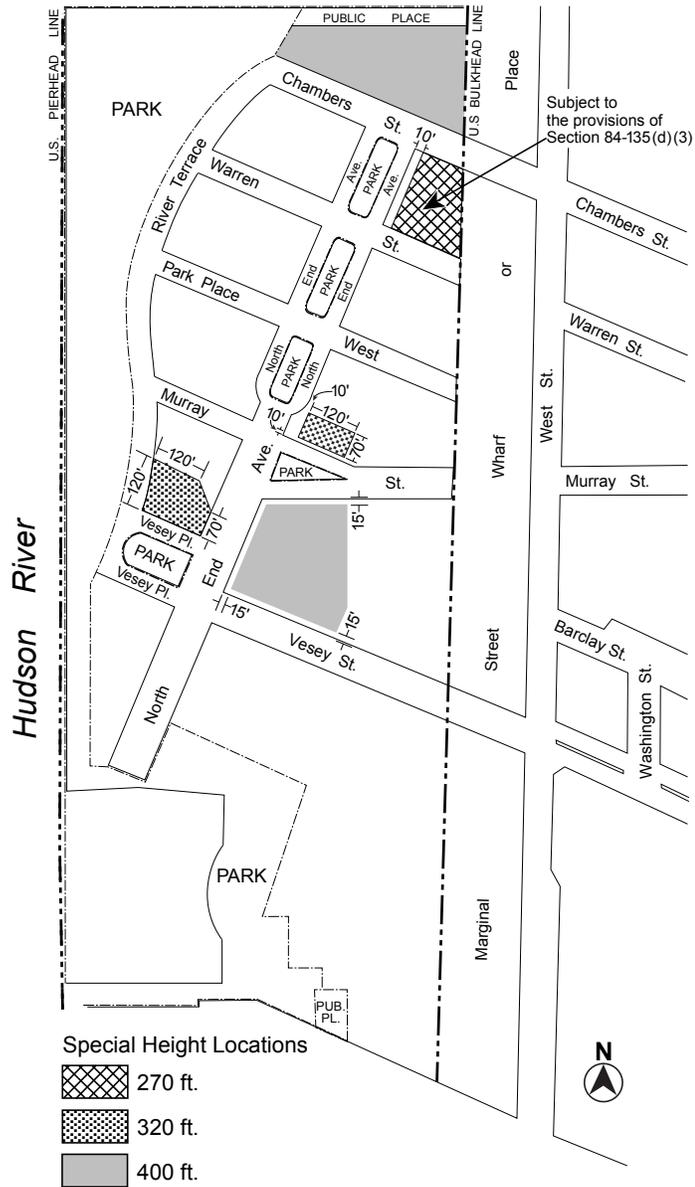


# Existing

(2/27/01)

## Appendix 3.2

### Special Battery Park City District Special Height Locations

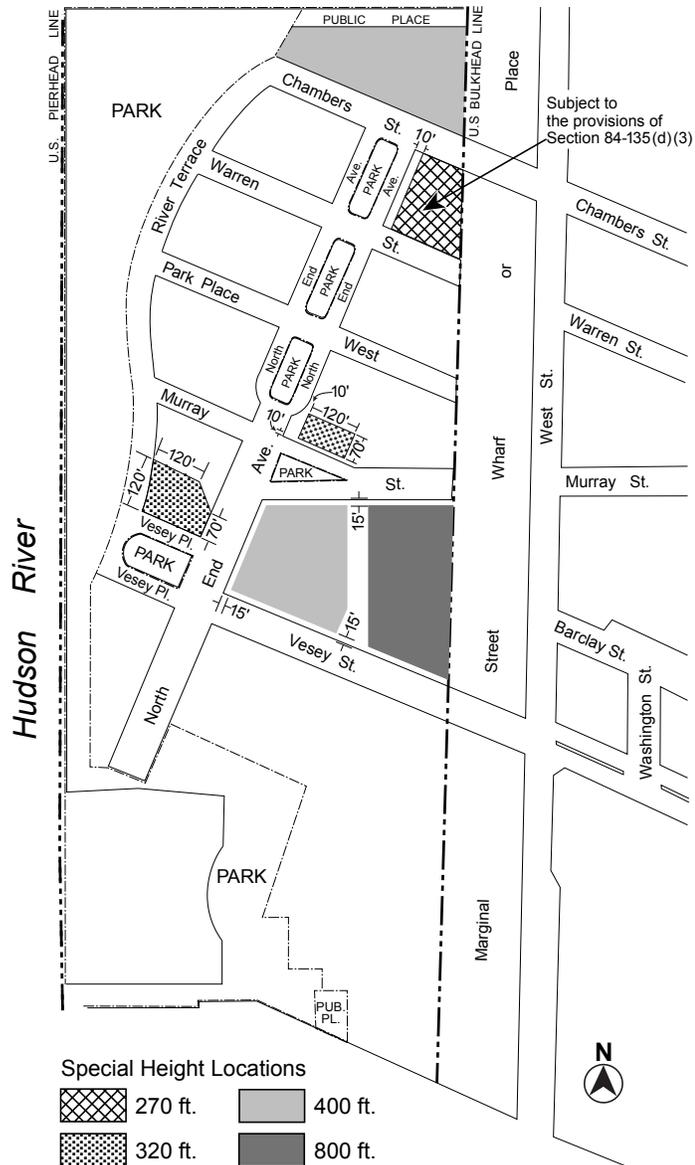


# Proposed

## Appendix 3.2

### Special Battery Park City District

### Special Height Locations





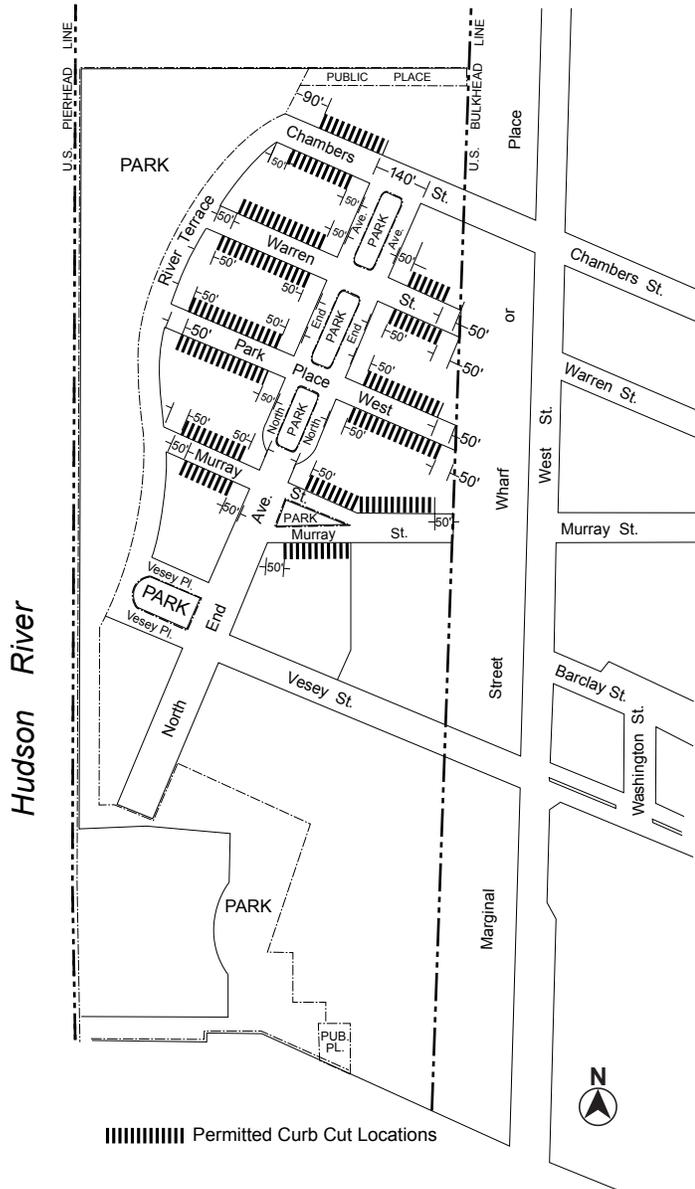


# Existing

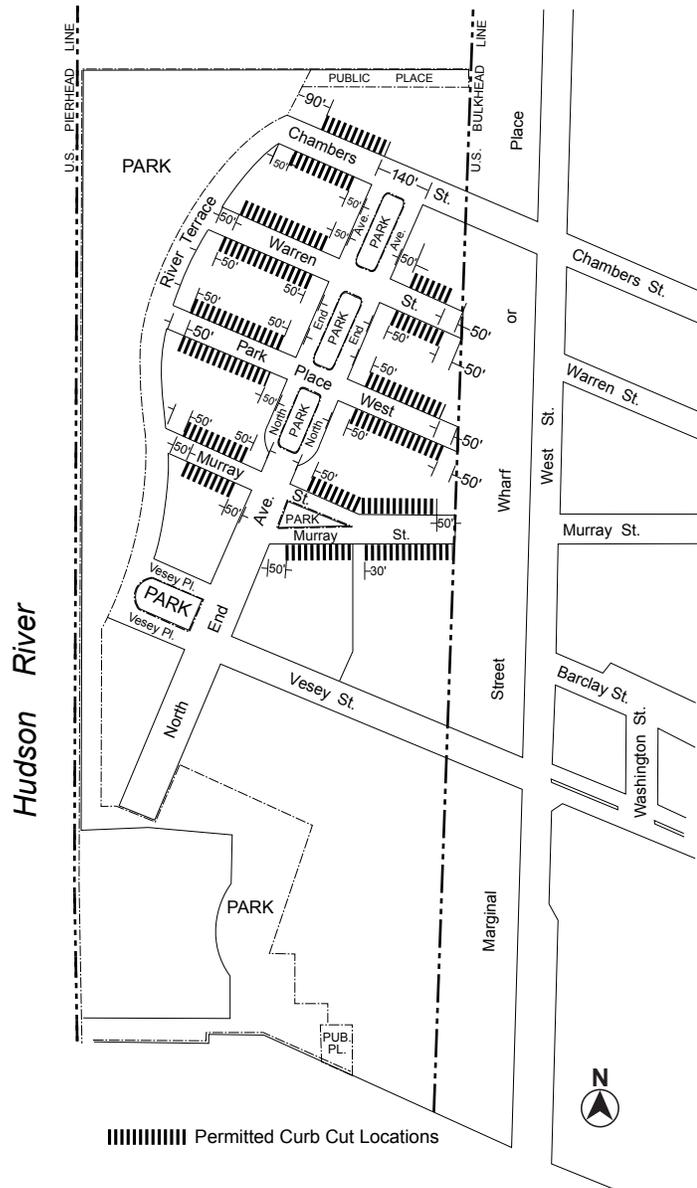
(1/8/97)

## Appendix 3.5

### Special Battery Park City District Curb Cut Locations



**Proposed**  
**Appendix 3.5**  
Special Battery Park City District  
Curb Cut Locations



(On May 26, 2004, Cal. No. 5, the Commission scheduled June 9, 2004, for a public hearing which has been duly advertised.)

**Close the hearing.**

**NOTICE**

**On Wednesday, June 9, 2004, at 10:00 a.m., at the City of New York Department of City Planning, Spector Hall, 22 Reade Street, New York, New York, 10007, a public hearing is being held by the Battery Park City Authority, in conjunction with the above ULURP hearing, to receive comments related to a Draft Environmental Impact Statement (DEIS) concerning an Amendment of the Zoning Resolution text to establish a commercial zone on Site 26 in Battery Park City, located on West Street between Murray and Vesey streets, in Manhattan Community District 1, to facilitate the development of an office tower.**

**This hearing is being held pursuant to the State Environmental Quality Review Act (SEQRA) and City Environmental Quality Review (CEQR).**

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**Nos. 6, 7 and 8**

***200 CHAMBERS STREET***

**No. 6**

**CD 1**

**C 040255 HAM**

**PUBLIC HEARING:**

**IN THE MATTER OF** an application submitted by the Department of Housing Preservation and Development (HPD):

- 1) pursuant to Article 16 of the General Municipal Law of New York State for:
  - a) the designation of 200 Chambers Street (Block 142, Lots 1(part) and 9), as an Urban Development Action Area; and
  - b) an Urban Development Action Area Project for such area; and
- 2) pursuant to Section 197-c of the New York City Charter for the disposition of such property to the Economic Development Corporation.

(On May 26, 2004, Cal. No. 2, the Commission scheduled June 9, 2004 for a public hearing which has been duly advertised.)

**Close the hearing.**

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**No. 7**

**CD 1**

**C 040257 ZSM**

**PUBLIC HEARING:**

**IN THE MATTER OF** an application submitted by the Economic Development Corporation and West-Chambers Street Associates, LLC pursuant to Sections 197-c and 201 of the New York City Charter for **the grant of a special permit** pursuant to Section 74-721(a) of the Zoning Resolution **to modify the height and setback regulations of Sections 23-60, 33-40 and 35-23 of the Zoning Resolution to facilitate the development of a 35-story mixed use building on a zoning lot located at 200 Chambers Street** (Block 142, Lot 9 and part of Lot 1), in a C6-4 District.

Plans for this proposal are on file with the City Planning Commission and may be seen in Room 3N, 22 Reade Street, New York, N.Y. 10007.

(On May 26, 2004, Cal. No. 3, the Commission scheduled June 9, 2004 for a public hearing which has been duly advertised.)

**Close the hearing.**

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**No. 8**

**CD 1**

**C 040257(A) ZSM**

**PUBLIC HEARING:**

**IN THE MATTER OF** an application submitted by the Economic Development Corporation and West-Chambers Street Associates, LLC pursuant to Sections 197-c and 201 of the New York City Charter and proposed for modification pursuant to Section 2-06(c)(1) of the Uniform Land Use Review Procedure for **the grant of a special permit** pursuant to Section 74-721(a) of the Zoning Resolution **to modify the height and setback regulations of**

**Sections 23-60, 33-40 and 35-23 of the Zoning Resolution to facilitate the development of a 35-story mixed use building on a zoning lot located at 200 Chambers Street (Block 142, Lot 9 and part of Lot 1), in a C6-4 District.**

Plans for this proposal are on file with the City Planning Commission and may be seen in Room 3N, 22 Reade Street, New York, N.Y. 10007.

(On May 26, 2004, Supplemental Calendar No. 1 the Commission scheduled June 9, 2004 for a public hearing which has been duly advertised.)

**Close the hearing.**

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**NOTICE**

**On Wednesday, June 9, 2004, at 10:00 a.m., at the City of New York Department of City Planning, Spector Hall, 22 Reade Street, New York, New York, 10007, a public hearing is being held by the City Planning Commission and the Office of the Deputy Mayor for Economic Development and Rebuilding, in conjunction with the above ULURP hearing, to receive comments related to a Draft Environmental Impact Statement (DEIS) concerning a Special Permit to modify the height and setback regulations, Certification of a residential plaza for a floor area bonus, and UDAAP designation and project approval affecting property located at 177/179 West Street in Manhattan Community District 1, to facilitate the development of a 35-story mixed use building.**

**This hearing is being held pursuant to the State Environmental Quality Review Act (SEQRA) and City Environmental Quality Review (CEQR), CEQR No. 02DME006R.**

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**BOROUGH OF QUEENS**

**No. 9**

***BELLEROSE REZONING***

**CD 13**

**C 040344 ZMQ**

**PUBLIC HEARING:**

**IN THE MATTER OF** an application submitted by the Department of City Planning pursuant to Sections 197-c and 201 of the New York City Charter **for an amendment of the Zoning Map, Section Nos. 11d and 15c:**

- 1. changing from an R3-2 District to an R2 District property bounded by** Union Turnpike, the southwesterly service road of the Cross Island Parkway, a line parallel to Union Turnpike passing through a point on the southwesterly line of the southwesterly service road of the Cross Island Parkway at a point distant 43 feet southerly from the intersection of Union Turnpike, a line 90 feet westerly of the westerly street line of 242<sup>nd</sup> Street and its northerly prolongation, a line at right angles to the previous course distant 630 feet southerly of Union Turnpike, a line 170 feet westerly of 242<sup>nd</sup> Street, 82<sup>nd</sup> Avenue and its westerly prolongation, a line 150 feet westerly of 242<sup>nd</sup> Street, a line 220 feet northerly of 83<sup>rd</sup> Avenue, the westerly street line of 240<sup>th</sup> Street and its southerly and northerly prolongation, Hillside Avenue, and Commonwealth Boulevard; and
- 2. changing from an R3-2 District to an R3A District property bounded by** Hillside Avenue, a line 100 feet westerly of 239<sup>th</sup> Street, 87<sup>th</sup> Avenue, and the easterly service road of the Cross Island Parkway;

as shown on a diagram (for illustrative purposes only) dated March 22, 2004.

(On May 26, 2004, Cal. No. 6, the Commission scheduled June 9, 2004 for a public hearing which has been duly advertised.)

**Close the hearing.**

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**No. 10**

***ROYAL RANCH REZONING***

**CD 13**

**C 040115 ZMQ**

**PUBLIC HEARING:**

**IN THE MATTER OF** an application submitted by Queens Community Board 13 pursuant to Sections 197-c and 201 of the New York City Charter for **an amendment of the Zoning Map, Section No. 11d**, changing from an R3-2 District to an R2 District, property bounded by:

- a) Bridgewater Avenue, a line 100 feet northerly of 267<sup>th</sup> Street, 73<sup>rd</sup> Avenue, and 267<sup>th</sup> Street; and
- b) 267<sup>th</sup> Street, a line 100 feet easterly of 73<sup>rd</sup> Avenue, the easterly prolongation of the southerly street line of 260<sup>th</sup> Place, and 73<sup>rd</sup> Avenue,

as shown on a diagram (for illustrative purposes only) dated March 22, 2004.

(On May 26, 2004, Cal. No. 7, the Commission scheduled June 9, 2004 for a public hearing which has been duly advertised.)

**Close the hearing.**

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**No. 11**

***ANDREWS AVENUE BRIDGE***

**CD 5**

**C 020441 MMQ**

**PUBLIC HEARING:**

**IN THE MATTER OF** an application, submitted by the New York City Department of Transportation pursuant to Sections 197-c and 199 of the New York City Charter and Section 5-430 *et. seq.* of the New York City Administrative Code, for an amendment to the City Map involving:

- the establishment of Andrews Avenue between 58<sup>th</sup> Street and 60<sup>th</sup> Road;
- the elimination of 58<sup>th</sup> Street between Arnold Avenue and 60<sup>th</sup> Street and discontinuance and closing portions thereof;
- the adjustment of grades necessitated thereby; and
- any acquisition or disposition of real property related thereto,

in accordance with Map No. 4964 dated December 16, 2003 and signed by the Borough President.

(On May 26, 2004, Cal. No. 8, the Commission scheduled June 9, 2004 for a public hearing which has been duly advertised.)

**Close the hearing.**

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**No. 12**

***AGENCY OPERATED BOARDING HOME***

**CD 12**

**C 040252 PQQ**

**PUBLIC HEARING:**

**IN THE MATTER OF an application** submitted by the Administration for Children's Services and the Department of Citywide Administrative Services, pursuant to Section 197-c of the New York City Charter, for the acquisition of property located at 197-14 119<sup>th</sup> Avenue (Block 12653, Lot 6), Queens, for continued use as an Agency Operated Boarding Home.

(On May 26, 2004, Cal. No. 9, the Commission scheduled June 9, 2004 for a public hearing which has been duly advertised.)

**Close the hearing.**

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**No. 13**

***QUEENS PLAZA/COURT SQUARE BID***

**CD 1 AND 2**

**N 040424BDQ**

**PUBLIC HEARING:**

**IN THE MATTER OF** an application submitted by the Department of Small Business Services on behalf of the Queens Plaza/Court Square Business Improvement District pursuant to Section 25-405 of the Administrative Code of the City of New York, as amended, **concerning the Queens Plaza/Court Square Business Improvement District.**

(On May 26, 2004, Cal. No. 10, the Commission scheduled June 9, 2004 for a public hearing which has been duly advertised.)

**Close the hearing.**

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**No. 14**

***SEAVIEW SENIOR HOUSING***

**CD 2**

**C 040278 PPR**

**PUBLIC HEARING:**

**IN THE MATTER OF** an application submitted by the Department of Citywide Administrative Services, pursuant to Section 197-c of the New York City Charter, **for the disposition of one (1) city-owned property located on the easterly side of Brielle Avenue, south of Wolcott Avenue (Block 955, P/O Lots 1 and 200),** pursuant to zoning.

(On May 26, 2004, Cal. No. 14, the Commission scheduled June 9, 2004 for a public hearing which has been duly advertised.)

**Close the hearing.**

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**NOTICE**

**On Wednesday, June 9, 2004, at 10:00 a.m., at the City of New York Department of City Planning, Spector Hall, 22 Reade Street, New York, New York, 10007, a public hearing is being held by the Office of the Deputy Mayor for Economic Development and Rebuilding, in conjunction with the above ULURP hearing, to receive comments related to a Draft Environmental Impact Statement (DEIS) concerning a Disposition of City-owned property, Authorizations for modification of topography, removal of trees and alterations to other natural features within the Special Natural Area District, an Authorization for modification of private road requirements and an Authorization to waive the height and setback regulations, affecting 15-acres of land located in the northern end of the Seaview Hospital Campus within the Farm Colony/Seaview Hospital Historic District in Staten Island Community District 2, to facilitate the development of a 515-unit senior citizen residence.**

**This hearing is being held pursuant to the State Environmental Quality Review Act (SEQRA) and City Environmental Quality Review (CEQR), CEQR No. 02DME006R.**

---

**BOROUGH OF STATEN ISLAND**

**No. 15**

***OLMSTED-BEIL HOUSE PARK***

**CD 3**

**C 010656 MMR**

**PUBLIC HEARING:**

**IN THE MATTER OF** an application submitted by the Department of Parks and Recreation (DPR), pursuant to Sections 197-c and 199 of the New York City Charter, for **an amendment to the City Map** involving the establishment of Olmsted-Beil House Park and any **acquisition or disposition of real property related thereto**, Borough of Staten Island, in

accordance with map No. 4186, dated November 24, 2003, and signed by the Borough President.

(On May 26, 2004, Cal. No. 11, the Commission scheduled June 9, 2004 for a public hearing which has been duly advertised.)

**Close the hearing.**

---

**Nos. 16 and 17**

***TIDES OF CHARLESON***

**No. 16**

**CD 3**

**C 030449 ZMR**

**PUBLIC HEARING:**

**IN THE MATTER OF** an application submitted by PC Group, Inc. pursuant to Sections 197-c and 201 of the New York City Charter **for an amendment of the Zoning Map, Section No. 32d;**

- a) changing from an M3-1 District to an R3-2 District property bounded by a line 1250 feet southerly of Androvette Street and its westerly prolongation, Arthur Kill Road, Allentown Lane and its westerly centerline prolongation, the U.S. Pierhead Line and the U.S. Pierhead and Bulkhead Line of Arthur Kill; and
- b) changing from an M1-1 District to an R3-2 District property bounded by:
  - (1) a line perpendicular to a point on the southwesterly street line of Kreischer Street distant 330 feet (as measured along the street line) northwesterly from the intersection of the westerly street line of Arthur Kill Road and the southwesterly street line of Kreischer Street, extending 360 feet southwesterly;
  - (2) Kreischer Street;
  - (3) Arthur Kill Road;
  - (4) a line 1250 feet southerly of Androvette Street;
  - (5) a line 685 feet westerly of Arthur Kill Road;
  - (6) a line 1200 feet southerly of Androvette Street extending 295 feet easterly from its intersection with the fifth-named course; and
  - (7) a line passing through two points, one at the southwesterly terminus of the first-named course and another at the easterly terminus of the sixth-named course,

as shown on a diagram (for illustrative purposes only) dated April 12, 2004.

(On May 26, 2004, Cal. No. 12, the Commission scheduled June 9, 2004 for a public hearing which has been duly advertised.)

**Close the hearing.**

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**No. 17**

**CD 3**

**C 030450 ZSR**

**PUBLIC HEARING:**

**IN THE MATTER OF** an application submitted by PC Group, Inc. pursuant to Sections 197-c and 201 of the New York City Charter **for the grant of a special permit** pursuant to Section 78-312(f) of the Zoning Resolution **to modify the minimum distance between buildings requirements of Section 23-71 ( Minimum Distance between Buildings in a Single Zoning Lot), in connection with a proposed 190-unit residential development, on a zoning lot located west of Arthur Kill Road between Kreischer Street and Allentown Lane** (Block 7596, Lots 116, 200 and part of Lot 1), within a Large-Scale Residential Development, in an R3-2 District\*, within the Special South Richmond Development District.

\*Note The zoning lot is proposed to be rezoned by changing M1-1 and M3-1 Districts to an R3-2 District, under a related application ( C 030449 ZMR ) for a change in the zoning map.

Plans for this development are on file with the City Planning Commission and may be seen in Room 3N, 22 Reade Street, New York, N.Y. 10007.

(On May 26, 2004, Cal. No. 13, the Commission scheduled June 9, 2004 for a public hearing which has been duly advertised.)

**Close the hearing.**

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**CITYWIDE**

**NOTE: THIS ITEM WILL BE HEARD AFTER 11:00 A.M.**

**No. 18**

***COMMUNITY FACILITY TEXT***

**Citywide**

**N 040202 ZRY**

**PUBLIC HEARING:**

**IN THE MATTER OF** an application submitted by the Department of City Planning and the City Council Land Use Committee pursuant to Section 201 of the New York City Charter, for **an amendment to the Zoning Resolution** of the City of New York relating to community facilities, as follows:

Matter underlined is new, to be added;  
Matter in ~~strikeout~~ is old, to be deleted;  
Matter within # # signs is defined in Section 12-10;  
\*\*\* indicates where unchanged text appears in the Zoning Resolution

\*\*\*

**12-10  
DEFINITIONS**

\*\*\*

Adult physical culture establishments

An "adult physical culture establishment," is any establishment,... except for activities which are excluded below or defined under #physical culture or health establishment# in Section 12-10 and which are, therefore, not included within the definition of an #adult physical culture establishment#:

\*\*\*

- (3) hospitals, nursing homes, or ambulatory diagnostic or treatment health care facilities listed in Use Group 4 ~~medical clinics or medical offices;~~

\*\*\*

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#;
- (b) #non-profit hospital staff dwellings#;
- (c) student dormitories, fraternity or sorority student houses, monasteries or convents, sanitariums, nursing homes, or other living or sleeping accommodations in #community facility buildings# or portions of #buildings# used for #community facility uses#; or

\*\*\*

1/10/74

**22-13**

**Use Group 3**

R1 R2 R3 R4 R5 R6 R7 R8 R9 R10

\*\*\*

A. Community facilities

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

\*College or school student dormitories ~~or~~ and fraternity or sorority student houses

\*\*Domiciliary care facilities for adults under the jurisdiction of the New York State Board of Social Welfare which have secured certification by such agency.

\*\*\*

9/13/84

**22-14**

**Use Group 4**

R1 R2 R3 R4 R5 R6 R7 R8 R9 R10

\*\*\*

## A. Community facilities

~~\*\*\* Ambulatory diagnostic or treatment health care facilities, limited to public, private, for-profit or not-for-profit medical, health, and mental health care facilities in which patients are diagnosed or treated by health care professionals licensed by the New York State Department of Education or successor agency for medical, health or mental health conditions, and where such patients are ambulatory rather than admitted. Such facilities shall not include the practice of veterinary medicine, physical culture or health establishments, or ophthalmic dispensing.~~

~~In buildings containing residences, such facilities shall be limited to locations below the level of the first story ceiling, except that such facilities may be located on a second story provided there is separate access from the outside or directly from a portion of such facility located on the ground floor.~~

~~Churches, rectories, or parish houses~~

~~\*\*\*~~

~~Government operated health centers or independent out-of-hospital health facilities incorporated pursuant to Article 7 of the New York State Social Services Law.~~

~~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~~

~~In R1 or R2 Districts, such use is further limited to not more than 1,500 square feet of floor area or cellar space.~~

~~Houses of Worship, rectories, or parish houses~~

~~Monasteries, convents or novitiates used only for living purposes, provided that such use is to be part of a group of buildings accommodating church house of worship activities, schools, or other church house of worship facilities which existed on December 15, 1961 or any applicable subsequent amendment thereto, and that such use is to be located on the same zoning lot with one or more buildings in such group of buildings or on a zoning lot which is contiguous thereto or directly across the street on which such buildings face.~~

\*\*\*

Philanthropic or non-profit institutions without sleeping accommodations excluding ambulatory diagnostic or treatment health care facilities listed in Use Group 4, provided that the number of persons employed in central office functions shall not exceed 50, and the amount of #floor area# used for central office purposes shall not exceed 25 percent of the total #floor area# or 25,000 square feet, whichever is greater, except that in R1, R2, R3, R4, R5, R6 or R7 Districts the amount of #floor area# used for central office purposes shall in no event exceed 25 percent of the total #floor area#

\*\*\*

C. #Accessory uses#

\_\_\_\_\_

\*\*\*

\*\*\* Not permitted in R1 or R2 Districts, and, in R3A, R3X, R3-1, R4A, R4B or R4-1 Districts, limited to a maximum of 1,500 square feet of #floor area#.

12/15/61

**22-20  
USES PERMITTED BY SPECIAL PERMIT**

9/13/84

**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.

R3A, R3X, R3-1, R4A, R4B, R4-1  
Ambulatory diagnostic or treatment health care facilities listed in Use Group 4, limited to a maximum of 10,000 square feet of #floor area#.

\*\*\*

R1 R2

College or school student dormitories ~~or~~ and fraternity or sorority student houses

~~R1 R2~~

~~Medical offices or group medical centers limited in each case to a maximum of 6,000 square feet of #floor area# or #cellar# space~~

\*\*\*

6/12/96

**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#:

\*\*\*

(b) In any #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;~~ the following shall not be permitted obstructions:

- (1) in all #residence districts#, 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;
- (2) in R1, R2, R3A, R3X, R3-1, R4A, R4B or R4-1 Districts, any portion of a #building# used for any #community facility use#;
- (3) in all #residence districts# not listed in paragraph (b)(2) of this Section, beyond one hundred feet of a #wide street#, any portion of a #building# used for a #community facility use# other than a #school#, house of worship, college or university, or hospital and related facilities;

\*\*\*

Parking spaces, off-street, #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, R3A, R3X, R3-1, R4A, R4B, or R4-1 Districts;

\*\*\*

7/26/01

**24-51  
Permitted Obstructions**

In all #Residence Districts#, the following shall not be considered obstructions and may thus penetrate a maximum height limit or #front# or #rear sky exposure planes# set forth in Sections 24-52 (Maximum Height of Walls and Required Setbacks), 24-53 (Alternate Front Setbacks) or 24-591 (Limited Height Districts):

- (a) Balconies, unenclosed, subject to the provisions of Section 24-165;
- (b) Chimneys or flues, with a total width not exceeding 10 percent of the #aggregate width of street walls# of a #building# at any level;
- ~~(c) Church towers, ornamental, having no #floor area# in portion of tower penetrating such height limit or #sky exposure plane#;~~
- ~~(d)~~(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;
- ~~(e)~~ (d) Flagpoles or aerials;
- (e) House of worship towers, ornamental, having no #floor area# in portion of tower penetrating such height limit or #sky exposure plane#;
- (f) Parapet walls, not more than four feet high;
- (g) Spires or belfries;
- (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 Sections 24-52, 24-53, or 24-54 (Tower Regulations).

\*\*\*

12/15/61

**25-30  
REQUIRED ACCESSORY OFF-STREET PARKING SPACES FOR PERMITTED  
NON-RESIDENTIAL USES**

10/25/93

**25-31  
General Provisions**

R1 R2 R3 R4 R5 R6 R7 R8 R9 R10

\*\*\*

**REQUIRED OFF-STREET PARKING SPACES FOR NON-RESIDENTIAL USES**

Type of #use#

Parking Spaces Required in Relation  
to Specified Unit of Measurement - District

---

**FOR COMMUNITY FACILITY USES:**

\*\*\*

~~Medical offices or group medical centers~~  
Ambulatory diagnostic or treatment health care facilities listed in Use Group 4

Square feet of #floor area# and #cellar# space, except #cellar# space #used# for storage:  
None required - R7-2 R7A R7X R8 R9 R10  
1 per 400 - R1 R2 R3  
1 per 500 - R4 R5  
1 per 800 - R6 R7-1 R7B

~~Churches~~  
Houses of Worship, applicable only to the facility's largest room of assembly; however, rooms separated by movable partitions shall be considered a single room

None required - ~~R6 R7 R7-2 R7A R7X~~ R8 R9 R10  
1 per 10 ~~fixed seats~~ persons rated capacity - R1 R2 R3  
1 per 15 ~~fixed seats~~ persons rated capacity - R4 R5  
~~1 per 20 fixed seats - R6 R7-1 R7B~~

\*\*\*

Clubs, community centers or settlement houses; philanthropic or non-profit institutions without sleeping accommodations excluding ambulatory diagnostic or treatment health care facilities listed in Use Group 4; golf course club houses; ~~health centers~~; non-commercial recreation centers; or welfare centers, provided that in R5, R6 and R7-1 Districts, no #accessory# off-street parking spaces shall be required for that portion of a non-profit neighborhood settlement house or community center which is used for youth-oriented activities.

Rated Capacity:

None required - R7-2 R7A R7X R8 R9 R10

1 per 10 persons - R1 R2 R3 R4 R5

1 per 20 persons - R6 R7-1 R7B

\*\*\*

College student dormitories, fraternity or sorority student houses

None required - R7-2 R7A R7X R8 R9 R10

1 per 6 beds - R1 R2 R3 R4 R5

1 per 12 beds - R6 R7-1 R7B

\*\*\*

12/15/61

**25-40**

**RESTRICTIONS ON OPERATION OF ACCESSORY OFF-STREET PARKING SPACES**

\*\*\*

12/15/61

**25-42**

**Use of Spaces Accessory to Permitted Non-Residential Uses**

R1 R2 R3 R4 R5 R6 R7 R8 R9 R10

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 except as may be provided for houses of worship pursuant to Section 25-542 (Shared facilities for

houses of worship).

\*\*\*

12/15/61

**25-50  
RESTRICTIONS ON LOCATION OF ACCESSORY OFF-STREET PARKING SPACES**

12/15/61

**25-51  
General Provisions**

R1 R2 R3 R4 R5 R6 R7 R8 R9 R10

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:

- Section 25-52 (Off-Site Spaces for Residences)
- Section 25-53 (Off-Site Spaces for Permitted Non-Residential Uses)
- Section 25-54 (Joint And Shared Facilities)
- Section 25-55 (Additional Regulations for Required Spaces When Provided Off Site)
- Section 73-45 (Modification of Off-Site Parking Provisions)

\*\*\*

12/15/61

**25-53  
Off-Site Spaces for Permitted Non-Residential Uses**

R1 R2 R3 R4 R5 R6 R7 R8 R9 R10

In the districts indicated, off-site parking spaces may be provided in accordance with the provisions set forth in this Section.

**25-531**

**For houses of worship**

R1 R2 R3 R4

In the districts indicated, all required off-street parking spaces #accessory# to permitted houses of worship may be provided on a #zoning lot# other than the same #zoning lot# as such house of worship but within the same district or an adjoining district provided that in such instances all such spaces shall be not further than 600 feet from the nearest boundary of the #zoning lot# containing such #uses#.

**25-532**

**For permitted non-residential uses**

R5 R6 R7 R8 R9 R10

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:

- (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.

12/15/61

**25-54**

**Joint And Shared Facilities**

**25-541****Joint facilities**

R1 R2 R3 R4 R5 R6 R7 R8 R9 R10

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:

- (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)

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.

**25-542****Shared parking facilities for houses of worship**

R1 R2 R3 R4 R5

In the districts indicated, required #accessory# off-street parking spaces may be provided for houses of worship in facilities designed to be shared with other permitted non-#residential uses#, in any district, provided that:

- (a) no more than 25 percent of the spaces in such facilities may be used to satisfy the parking requirement for both the house of worship and other permitted non-#residential uses#, except that such percentage may be increased by the Commissioner of Buildings if it can be demonstrated that such additional parking spaces would not be used by the house of worship and other permitted non-#residential uses# at the same times.

- (b) all such spaces are no further than 600 feet from the nearest boundary of the #zoning lot# containing the house of worship.
- (c) all such spaces conform to all applicable regulations of the district in which they are located.

8/18/77

**25-55**

**Additional Regulations for Required Spaces When Provided Off Site**

R1 R2 R3 R4 R5 R6 R7 R8 R9 R10

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 and Shared Facilities), the following additional regulations shall apply:

- (a) Such spaces shall be in the same ownership (single fee ownership or alternative ownership arrangements of the #zoning lot# definition in Section 12-10) 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.

\*\*\*

12/15/61

**25-66**

**Screening**

R1 R2 R3 R4 R5 R6 R7 R8 R9 R10

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:

- (a) a strip at least four feet wide, densely planted with shrubs or trees that are at least four feet high at the time of planting and that 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.

For community facilities located in R1, R2, R3, R4 or R5 Districts, except for any parking that is located on a roof, all such parking shall be screened pursuant to paragraph (a) herein.

In addition, such screening:

- (1) shall be maintained in good condition at all times;
- (2) may be interrupted by normal entrances or exits; and
- (3) shall have no #signs# hung or attached thereto other than those permitted in Section 22-323 (Signs for parking areas).

\*\*\*

10/31/01

### **32-01**

#### **Special Provisions for Adult Establishments**

In addition to the applicable regulations for the #uses# listed in a permitted Use Group, #adult establishments# shall be subject to the following provisions:

- (a) #Adult establishments# are not permitted in C1, C2, C3, C4, C5, C6-1, C6-2 or C6-3 Districts.
- (b) In C6-4, C6-5, C6-6, C6-7, C6-8, C6-9, C7 or C8 Districts, no #adult establishment# shall be established less than 500 feet from a church house of worship, a #school#, a #Residence District#, a C1, C2, C3, C4, C5-1, C6-1, C6-2 or C6-3 District, or a #Manufacturing District#, other than an M1-6M District, in which new #residences#, new #joint living-work quarters for artists# or new #loft dwellings# are allowed, under the provisions of the Zoning Resolution, as-of-right or by special permit or authorization. No provisions or findings of such special permit or authorization which require an assessment of the impact of new #residences#, new #joint living-work quarters for artists# or new #loft dwellings# on #commercial# or #manufacturing uses# within a #Manufacturing District# shall be construed as a limitation on the scope of this provision. However, on or after October 25, 1995, an #adult establishment# that otherwise complies with the provisions of this paragraph shall not be rendered #non-conforming# if a church house of worship or a #school# is established on or after April 10, 1995, within 500 feet of such #adult establishment#.

\*\*\*

6/29/94

**33-121****In districts with bulk governed by Residence District bulk regulations**

C1-1 C1-2 C1-3 C1-4 C1-5 C2-1 C2-2 C2-3 C2-4 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 R2                                       | 1.00                       | 0.50                               | 1.00   |
| <del>R3</del> <u>R3-1</u><br><u>R3A R3X</u> | 1.00                       | 1.00                               | 1.00   |
| <u>R3-2</u> R4<br>R5                        | 1.00                       | 2.00                               | 2.00   |
| R6B   | 2.00                       | 2.00                               | 2.00   |
| R6A R7B                                     | 2.00                       | 3.00                               | 3.00   |
| R7A R8B                                     | 2.00                       | 4.00*                              | 4.00   |
| R6 R7-1                                     | 2.00                       | 4.80                               | 4.80   |
| R7X   | 2.00                       | 5.00                               | 5.00   |
| R7-2 R8                                     | 2.00                       | 6.50                               | 6.50   |
| R8X   | 2.00                       | 6.00                               | 6.00   |
| R9  | 2.00                       | 10.00                              | 10.00  |
| R9A   | 2.00                       | 7.50                               | 7.50   |

|     |      |       |       |
|-----|------|-------|-------|
| R9X | 2.00 | 9.00  | 9.00  |
| R10 | 2.00 | 10.00 | 10.00 |

\* In R8B Districts, within the boundaries of Community Board 8 in the Borough of Manhattan, the maximum #floor area ratio# on a #zoning lot# containing #community facility uses# exclusively shall not exceed 5.10.

\*\*\*

**33-16  
Floor Area Bonus for Front Yards**

8/27/98

**33-161  
In districts with bulk governed by Residence District bulk regulations**

C1-1 C1-2 C1-3 C1-4 C1-5 C2-1 C2-2 C2-3 C2-4 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 Area 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 following table 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;  
or
- (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

| Districts | Maximum #Floor Area Ratio# |
|-----------|----------------------------|
|-----------|----------------------------|

|   |      |
|---|------|
| When mapped within R1, R2, <del>or R3</del> <u>R3-1, R3A or R3X</u> Districts | 1.60 |
| When mapped within R4 or R5 Districts   | 2.40 |

\*\*\*

6/12/96

### 33-42 Permitted Obstructions

In all #Commercial Districts#, the following shall not be considered obstructions and may thus penetrate a maximum height limit or #front# or #rear sky exposure planes# as set forth in Sections 33-43 (Maximum Height of Walls and Required Setbacks), 33-44 (Alternate Front Setbacks) or 33-491 (Limited Height Districts):

- (a) Balconies, unenclosed, subject to the provisions of Section 24-165.
- (b) 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;
- ~~(c) Church towers, ornamental, having no #floor area# in portion of tower penetrating such height limit or #sky exposure plane#;~~
- ~~(d)~~ (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;
- ~~(e)~~ (d) Flagpoles or aerials;
- ~~(e)~~ (e) House of worship towers, ornamental, having no #floor area# in portion of tower penetrating such height limit or #sky exposure plane#;
- (f) Parapet walls, not more than four feet high;

\*\*\*

12/15/61

**36-20  
REQUIRED ACCESSORY OFF-STREET PARKING SPACES FOR COMMERCIAL  
OR COMMUNITY FACILITY USES**

2/9/94

**36-21  
General Provisions**

C1 C2 C3 C4 C5 C6 C7 C8

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 December 15, 1961, 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#.

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 that may be accommodated by such #uses#.

After December 15, 1961, 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); or
- (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).

**REQUIRED OFF-STREET PARKING SPACES FOR COMMERCIAL**

## OR COMMUNITY FACILITY USES

Type of #Use#

Parking Spaces Required in Relation  
to Specified Unit of Measurement-Districts

\*\*\*

FOR COMMUNITY FACILITY USES

\*\*\*

Ambulatory diagnostic or treatment health care facilities listed in Use Group 4

None required - C1-5 C1-6 C1-7 C1-8 C1-9 C2-5 C2-6 C2-7 C2-8  
C4-4A C4-5 C4-6 C4-7 C5 C6 C8-4

1 per 150\* sq. ft. of #floor area#  
and #cellar# space, except #cellar#  
space used for storage - C1-1 C2-1 C3 C4-1

1 per 300\* sq. ft. of #floor area#  
and #cellar# space, except #cellar#  
space used for storage - C1-2 C2-2 C4-2 C8-1

1 per 400\* sq. ft. of #floor area#  
and #cellar# space, except #cellar#  
space used for storage - C1-3 C2-3 C4-2A C4-3 C7 C8-2

1 per 1,000 sq. ft. of #floor area#  
and #cellar# space, except #cellar#  
space used for storage - C1-4 C2-4 C4-4 C8-3

except 1 per 400 square feet of #floor area# when located above the first #story# ceiling in  
C1-1, C1-2, C2-1 or C2-2 Districts mapped within R3-2 Districts

Churches

Houses of Worship, applicable only to the facility's largest room of assembly; however,  
rooms separated by movable partitions shall be considered a single room

None required - C1 and C2 districts mapped within R6, R7, R8, R9 or R10 districts ~~C1-4 C1-5~~  
~~C1-6 C1-7 C1-8 C1-9 C2-4 C2-5 C2-6 C2-7 C2-8 C4-2A C4-3 C4-4 C4-5 C4-6 C4-7 C5~~  
C6 ~~C8-2~~ C8-3 C8-4

1 per 10 ~~fixed seats~~ persons rated capacity - C1 and C2 districts mapped within R1, R2 or R3 districts, ~~C1-1 C2-1~~ C3 C4-1

1 per 15 ~~fixed seats~~ persons rated capacity - ~~C1-2 C2-2~~ C1 and C2 districts mapped within R4 and R5 districts C4-2 C8-1

~~1 per 20 fixed seats - C1-3 C2-3 C4-2A C4-3 C8-2~~

Clubs, community centers or settlement houses; philanthropic or non-profit institutions without sleeping accommodations excluding ambulatory diagnostic or treatment health care facilities listed in Use Group 4; golf course club houses; ~~health centers~~; non-commercial recreation centers; or welfare centers

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 persons rated capacity - C1-1 C1-2 C2-1 C2-2 C3 C4-1 C4-2 C8-1

1 per 20 persons rated capacity - C1-3 C2-3 C4-2A C4-3 C7 C8-2

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\* The parking requirements for ambulatory diagnostic or treatment facilities listed in Use Group 4 and #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)

\*\* In the case of golf driving ranges, the requirements in this table apply only to that portion of the range used for tees

\*\*\* 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

\*\*\*\* Requirements are in addition to area utilized for ambulance parking

\*\*\*\*\* Requirements apply only to the #floor area# not used for storage.

\*\*\*

College student dormitories ~~or~~ and fraternity or sorority student houses

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

1 per 6 beds - C1-1 C1-2 C2-1 C2-2 C3 C4-1 C4-2

1 per 12 beds - C1-3 C2-3 C4-2A C4-3

\*\*\*

12/15/61

**36-22**

**Special Provisions for a Single Zoning Lot with Uses Subject to Different Parking Requirements**

C1 C2 C3 C4 C5 C6 C7 C8

In all 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#:

Section 36-21 (General Provisions)

Section 36-31 (General Provisions)

However, the number of spaces required for ~~churches~~ houses of worship 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~~ Houses of Worship or Places of Assembly).

\*\*\*

7/6/72

**36-37**

**Special Provisions for a Single Zoning Lot with Uses Subject to Different Parking Requirements**

C1 C2 C3 C4 C5 C6

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#.

Section 36-21 (General Provisions)

Section 36-31 (General Provisions)

However, the number of spaces required for ~~churches~~ houses of worship 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~~ Houses of Worship or Places of Assembly).

\*\*\*

12/15/61

**36-40**  
**RESTRICTIONS ON LOCATION AND USE OF ACCESSORY OFF-STREET PARKING SPACES**

6/23/66

**36-41**  
**General Provisions**

C1 C2 C3 C4 C5 C6 C7 C8

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:

Section 36-42 (Off-Site Spaces for Residences)

Section 36-43 (Off-Site Spaces for Commercial or Community Facility Uses)

Section 36-44 (Joint and Shared Facilities)

Section 36-45 (Additional Regulations for Required Spaces When Provided Off-Site)

Section 73-45 (Modification of Off-Site Parking Provisions)

Such exceptions to the requirement that the spaces be provided on the same #zoning lot# as the #building# or #use# to which they are #accessory# shall not apply in the case of spaces provided in a permitted #public parking garage# in accordance with the provisions of Section

36-57 (Accessory Off-Street Parking Spaces in Public Parking Garages).

\*\*\*

12/15/61

**36-43  
Off-Site Spaces for Commercial or Community Facility Uses**

C1 C2 C3 C4 C5 C6 C7 C8

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.

12/15/61

**36-44  
Joint And Shared Facilities**

**36-441  
Joint Facilities**

C1 C2 C3 C4 C5 C6 C7 C8

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:

- (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.

**36-442**

**Shared parking facilities for houses of worship**

C1 or C2 districts mapped within R1, R2, R3, R4 or R5 districts C3 C4-1 C4-2 C8-1

In the districts indicated, required #accessory# off-street parking spaces may be provided for houses of worship in facilities designed to be shared with other permitted non-#residential uses#, in any district, provided that:

- (a) no more than 25 percent of the spaces in such facilities may be used to satisfy the parking requirement for both the house of worship and other permitted non-#residential uses#, except that such percentage may be increased by the Commissioner of Buildings if it can be demonstrated that such additional parking spaces would not be used by the house of worship and other permitted non-#residential uses# at the same times.
- (b) all such spaces are no further than 600 feet from the nearest boundary of the #zoning lot# containing the house of worship.
- (c) all such spaces conform to all applicable regulations of the district in which they are located.

8/18/77

**36-45**

**Additional Regulations for Required Spaces When Provided Off Site**

C1 C2 C3 C4 C5 C6 C7 C8

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 And Shared Facilities), the following additional regulations shall apply:

- (a) such spaces shall be in the same ownership (single fee ownership or alternative ownership arrangements of the #zoning lot# definition in Section 12-10) 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.

\*\*\*

10/25/95

**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 4B, 4C, 5, 6A, 6B, 7, 8, 9B, 9C, 10B, 10C, 11, 12A, 12C, 12D, 12E, 13, 14, 16, 17 or 18, including each #use# listed separately therein, and certain #uses# listed in Use Groups 3A, 4A, 6C, 9A, 10A or 12B are permitted in #Manufacturing Districts# as indicated in Section 42-11 to 42-15, inclusive, except that any such #use# which is also an #adult establishment# shall, in addition, be subject to the provisions of Section 42-01 (Special Provisions for Adult Establishments).

\*\*\*

10/31/01

**42-01  
Special Provisions for Adult Establishments**

In addition to the applicable regulations for the #uses# listed in a permitted Use Group, #adult establishments# shall be subject to the following provisions:

\*\*\*

- (b) In all other #Manufacturing Districts#, no #adult establishment# shall be established;
- g) less than 500 feet from the following: a church house of worship established prior to (the effective date of this amendment), a #school#, a #Residence District#, a C1, C2, C3, C4, C5-1, C6-1, C6-2 or C6-3 District, or a #Manufac-

turing District#, other than an M1-6M District, in which new #residences#, new #joint living-work quarters for artists# or new #loft dwellings# are allowed, under the provisions of the Zoning Resolution, as-of-right or by special permit or authorization. No provisions or findings of such special permit or authorization which require an assessment of the impact of new #residences#, new #joint living-work quarters for artists# or new #loft dwellings# on #commercial# or #manufacturing uses# within a #Manufacturing District# shall be construed as a limitation on the scope of this provision;or,

(ii) less than 100 feet from the following: a house of worship established on or after (the effective date of this amendment).

However, on or after October 25, 1995, an #adult establishment# that otherwise complies with the provisions of this paragraph, (b), shall not be rendered #non-conforming# if a church house of worship or a #school# is established: (i) on or after April 10, 1995, and prior to (the effective date of this amendment), less than within 500 feet of such #adult establishment#; or, (ii) on or after (the effective date of this amendment), less than 100 feet of such #adult establishment#.

\*\*\*

1/28/71

**42-10  
USES PERMITTED AS-OF-RIGHT**

8/16/79

**42-11  
Use Groups 4A, 4B, 4C, 5, 6C, 6E, 7A, 9A and 12B**

M1

Use Groups 4B, 4C, 5, 6C, 6E, 7A, 9A and 12B as set forth in Sections 32-14, 32-15, 32-16, 32-18, 32-21.

All health facilities listed in Use Group 4A and requiring approval under Article 28 of the Public Health Law of the State of New York, which prior to July 10, 1974, have received approval of Part I of the required application from the Commissioner of Health, and houses of worship, are allowed as-of-right and are not subject to the special permit provision of Sections 42-32 and 74-921.

\*\*\*

2/26/98

**42-14**  
**Use Group 17**

M1 M2 M3

Use Group 17 consists primarily of #manufacturing uses# which: ...

\*\*\*

B. Manufacturing establishments

Adhesives, excluding manufacture of basic components

\*\*\*

Statuary, mannequins, figurines, or religious ~~or church~~ art goods, excluding foundry operations

\*\*\*

12/11/01

**42-32**  
**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.

\*\*\*

M1 M2 M3  
#Uses# listed in a permitted Use Group for which #railroad or transit air space# is #developed#

M1  
#Uses# listed in Use Group 4A Community Facilities, except houses of worship.

M1  
Variety stores, with no limitation on #floor area# per establishment [PRC-B]

\*\*\*

2/26/67

**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 Sections 43-43 (Maximum Height of Front Wall and Required Front Setbacks), 43-44 (Alternate Front Setbacks) or 43-49 (Limited Height Districts).

- (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) Church towers, ornamental, having no #floor area# in portion of tower penetrating such height limit or #sky exposure plane#;~~
- (~~e~~) (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;
- (~~d~~) (c) Flagpoles or aerials;
- (d) House of worship towers, ornamental, 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;

\*\*\*

12/15/61

**44-20**  
**REQUIRED ACCESSORY OFF-STREET PARKING SPACES FOR MANUFACTURING, COMMERCIAL OR COMMUNITY FACILITY USES**

10/25/93

**44-21**  
**General Provisions**

M1 M2 M3

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 December 15, 1961, 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#.

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 December 15, 1961, 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                      Districts

\*\*\*

FOR COMMUNITY FACILITY USES

Ambulatory diagnostic or treatment health care facilities listed in Use Group 4

None required - M1-4 M1-5 M1-6

1 per 300\*\*\* sq. ft. of #floor area#  
and #cellar# space, except #cellar#  
space used for storage - M1-1 M1-2 M1-3

\*\*\*

Churches

Houses of Worship, applicable only to the facility's largest room of assembly; however, rooms separated by movable partitions shall be considered a single room

None required - M1-4 M1-5 M1-6

1 per 15 ~~fixed seats~~ persons rated capacity - M1-1 M1-2 M1-3

Clubs, community centers, or settlement houses; philanthropic or non-profit institutions without sleeping accommodations except ambulatory diagnostic or treatment health care facilities listed in Use Group 4; golf course club houses; ~~health centers~~; non-commercial recreation centers; or welfare centers

Rated capacity:

None required - M1-4 M1-5 M1-6

1 per 10 persons - M1-1 M1-2 M1-3

\*\*\*

\*\*\* The parking requirements for ambulatory diagnostic or treatment health care facilities listed in Use Group 4 and #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 ambulatory diagnostic or treatment health care facilities listed in Use Group 4 and Uses in Parking Requirement Category B1)

\*\*\*

**44-22  
Special Provisions for a Single Zoning Lot with Uses Subject to Different Parking Requirements**

M1 M2 M3

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#.

However, the number of spaces required for ~~churches~~ houses of worship 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~~ Houses of Worship or Places of Assembly).

\*\*\*

12/15/61

**44-30  
RESTRICTIONS ON LOCATION AND USE OF ACCESSORY OFF-STREET PARKING SPACES**

6/23/66

**44-31  
General Provisions**

M1 M2 M3

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:

- Section 44-32 (Off-Site Spaces for All Permitted Uses)
- Section 44-33 (Joint and Shared Facilities)
- Section 44-34 (Additional Regulations for Required Spaces When Provided Off-Site)

## Section 73-45 (Modification of Off-Site Parking Provisions)

Such exceptions to the requirement that the spaces be provided on the same #zoning lot# as the #building# or #use# to which they are #accessory# shall not apply in the case of spaces provided in a permitted #public parking garage# in accordance with the provisions of Section 44-46 (Accessory Off-Street Parking Spaces in Public Parking Garages).

12/15/61

**44-32**  
**Off-Site Spaces for All Permitted Uses**

M1 M2 M3

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.

12/15/61

**44-33**  
**Joint and Shared Facilities**

**44-331**  
**Joint facilities**  
M1 M2 M3

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:

- (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.

**44-332**

**Shared facilities for houses of worship**

M1-1 M1-2 M1-3

In the districts indicated, required #accessory# off-street parking spaces may be provided for houses of worship in facilities designed to be shared with other permitted non-#residential uses#, in any district, provided that:

- (a) no more than 25 percent of the spaces in such facilities may be used to satisfy the parking requirement for both the house of worship and other permitted non-#residential uses#, except that such percentage may be increased by the Commissioner of Buildings if it can be demonstrated that such additional parking spaces would not be used by the house of worship and other permitted non-#residential uses# at the same times.
- (b) all such spaces are no further than 600 feet from the nearest boundary of the #zoning lot# containing the house of worship.
- (c) all such spaces conform to all applicable regulations of the district in which they are located.

8/18/77

**44-34**

**Additional Regulations for Required Spaces When Provided Off-Site**

M1 M2 M3

In all districts, as indicated, when required #accessory# off-street parking spaces are provided off the site in accordance with the provisions of Sections 44-32 (Off-Site Spaces for All Permitted Uses) or 44-33 (Joint and Shared Facilities), the following additional regulations shall apply:

- (a) Such spaces shall be in the same ownership (single fee ownership or alternative ownership arrangements of the #zoning lot# definition in Section 12-10) 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.

\*\*\*

10/25/93

**62-212**

**WE uses (Waterfront-Enhancing)**

WE #uses# comprise a group of primarily recreational, cultural, entertainment or retail shopping #uses# that, when located at the water's edge, add to the public use and enjoyment of the waterfront. WE #uses# shall be limited to the following:

\*\*\*

From Use Group 4:

Churches

Community centers

Houses of worship

\*Ice skating rinks, outdoor

\*\*\*

Recreation centers, non-commercial

\*Philanthropic or non-profit institutions - without sleeping accommodations, excluding ambulatory diagnostic or treatment health care facilities listed in Use Group 4

Golf courses

\*\*\*

7/22/71

**73-10**

**SPECIAL PERMIT USES**

\*\*\*

12/15/61

**73-12**

**Community Facility Uses in R1, ~~or R2~~, R3A, R3X, R3-1, R4A, R4B or R4-1 Districts**

In R1, ~~or R2~~, R3A, R3X, R3-1, R4A, R4B or R4-1 Districts, the Board of Standards and Appeals may permit specified #community facility uses# in accordance with the provisions of this Section.

\*\*\*

**73-122**

**College or school student dormitories ~~or~~ and fraternity or sorority student houses**

The Board of Standards and Appeals may permit college or school student dormitories ~~or~~ and fraternity or sorority student houses in R1 or R2 Districts, provided that the following findings are made: ...

\*\*\*

5/22/63

**73-125**

**Medical offices or group medical centers  
Ambulatory diagnostic or treatment health care facilities**

In ~~R1 or R2~~ R3A, R3X, R3-1, R4A, R4B or R4-1 Districts, the Board of Standards and Appeals may permit ambulatory diagnostic or treatment health care facilities listed in Use Group 4, ~~medical offices or group medical centers, including the practice of dentistry or osteopathy~~, limited in each case to a maximum of ~~6,000~~ 10,000 square feet of #floor area# and to a location below the level of the first #story# ceiling, provided that the Board finds following findings are made:

- (a) that the amount of open area and its distribution on the #zoning lot# conform to standards appropriate to the character of the neighborhood;
- (b) 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 400 square feet of #floor area#; and
- (c) ~~that all open #accessory# off-street parking spaces will be screened from all adjoining #zoning lots#, including such #zoning lots# situated across a #street#, 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.

The Board may prescribe appropriate conditions and safeguards to minimize adverse effects on the character of the surrounding area.

\*\*\*

12/15/61

**73-43**

**Reduction of Parking Spaces for ~~Churches~~ Houses of Worship or Places of Assembly**

The Board of Standards and Appeals 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 Houses of Worship or Places of Assembly, in accordance with the applicable provisions of the following Sections.

73-431

Reduction of parking spaces for houses of worship

In all districts, the Board of Standards and Appeals may permit a reduction in the number of required #accessory# off-street parking spaces for houses of worship, provided:

- (a) the house of worship will be operated or utilized in such a manner as to reduce demand for on-site parking;
- (b) such reduction is commensurate with the reduced demand for on-site parking.

The Board may impose appropriate conditions and safeguards to minimize adverse effects on the character of the surrounding area.

73-432

Reduction of parking spaces for places of assembly

In all #Commercial# and #Manufacturing Districts#, the Board of Standards and Appeals 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.

\*\*\*

12/15/61

**73-44**

**Reduction of Parking Spaces for Ambulatory Diagnostic or Treatment Facilities Listed in Use Group 4 and Uses in Parking Requirement Category B1**

In the districts indicated, the Board of Standards and Appeals 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 ambulatory diagnostic or treatment facilities listed in Use Group 4 and #uses# in parking requirement category B1 in Use Group 6, 7, 8, 9, 10, 11, 14, or 16 to the applicable number of spaces specified in the table set forth at the end of this Section, provided that the Board finds that occupancy by ambulatory diagnostic or treatment facilities listed in Use Group 4 or #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  
AMBULATORY DIAGNOSTIC OR TREATMENT FACILITIES LISTED IN USE  
GROUP 4 AND COMMERCIAL USES IN PARKING REQUIREMENT CATEGORY  
B1**

Parking Spaces Required per Number  
of Square Feet of #Floor Area# \*

|           | Districts  |
|-----------|--|
| 1 per 400 | C1-1 C2-1 C3 C4-1                                    |
| 1 per 600 | C1-2 C2-2 C4-2 C8-1 M1-1 M1-2 M1-3<br>M2-1 M2-2 M3-1 |

1 per 800

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

\* For ambulatory diagnostic or treatment facilities listed in Use Group 4, parking spaces required per number of square feet of #floor area# or #cellar# space, except #cellar# space #used# for storage

\*\*\*

73-45

Modification of Off-Site Parking Provisions

\*\*\*

**73-454**

**For houses of worship**

The Board of Standards and Appeals may modify, as applicable, the provision of Section 25-53 (Off-Site Spaces for Permitted Non-Residential Uses), 25-542 (Shared parking facilities for houses of worship), 36-43 (Off-Site Spaces for Commercial or Community Facility Uses), 36-442 (Shared parking facilities for houses of worship), 44-32 (Off-Site Spaces for All Permitted Uses), or 44-332 (Shared facilities for houses of worship) relating to the maximum permitted distance of the location of #accessory# off-street parking spaces for houses of worship, provided that in such instances all such spaces shall be not further than 1,000 feet from the nearest boundary of the #zoning lot# containing such house of worship, upon finding that:

- (a) such spaces conform to all applicable regulations of the district in which they are located;
- (b) the location of such spaces will not result in undue traffic congestion in the area.

The Board may impose appropriate conditions and safeguards to minimize adverse effects on the character of the surrounding area.

\*\*\*

7/22/71

73-60

MODIFICATIONS OF BULK REGULATIONS

\*\*\*

6/27/63

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 of Standards and Appeals 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:

~~Churches, rectories, parish houses, or seminaries~~

College or school student dormitories or fraternity ~~or~~ and sorority student houses

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

Community centers

Houses of worship, rectories, parish houses, or seminaries

Libraries, museums, or non-commercial art galleries

\*\*\*

Philanthropic or non-profit institutions with or without sleeping accommodations, excluding ambulatory diagnostic or treatment health care facilities listed in Use Group 4

\*\*\*

6/12/96

74-844

Preservation of community facility uses within certain developments containing public open areas

For any #development# on a #zoning lot# a portion of which,...

\*\*\*

- (a) that the provision of the new #community facility building# will result in the reinforcement or preservation of an existing ~~church, or other~~ house of worship, community ...

\*\*\*

74-92

Use Group 4A Community Facilities and Certain Large Retail Establishments in Manufacturing Districts

74-921

Use Group 4A community facilities

In M1 Districts, except for houses of worship, the City Planning Commission may permit #uses# listed in Use Group 4A - Community Facilities.

As a condition of granting a special permit for such community facilities, the Commission shall find that:

\*\*\*

7/12/84

**79-42**

**Special Permit for Non-profit Hospital Staff Dwelling Buildings**

For #non-profit hospital staff dwellings# in #large-scale community facility developments# in Manhattan Community Board 8, the City Planning Commission, may by special permit, allow:

\*\*\*

(b) ~~Medical offices~~ Ambulatory diagnostic or treatment health care facilities listed in Use Group 4 on the third floor of such #buildings# in C1 Districts, provided the following findings are made:

(1) that such ~~offices~~ facilities are used exclusively for staff of, or staff affiliated with, the non-profit or voluntary hospital;

\*\*\*

2/8/90

**81-722**

**Use Group T**

The following #uses# are subject to the limitations on location and #floor area# of the

underlying zoning district:

#Uses# marked with an asterisk (\*) are allowed only on #narrow street# frontages.

\*\*\*

#Use#

\*Ambulatory diagnostic or treatment health care facilities listed in Use Group 4

Antique stores

\*\*\*

\* Catering establishments

~~\* Churches~~

Cigar stores

\*\*\*

Hardware stores

~~\* Health centers~~

Historical exhibits

\*\*\*

\* Household appliance repair shops - not permitted in C5 Districts

\* Houses of worship

Ice cream stores

\*\*\*

Luggage stores

~~\* Medical offices or group medical centers~~

\* Meeting halls

\*\*\*

10/9/69

**Article VIII - Special Purpose Districts**

**Chapter 3**

**Special Limited Commercial District**

\*\*\*

2/8/90

**83-03**

**Use Group "LC"**

Use Group "LC" comprises #residential uses# listed in Use Groups 1 and 2, and a group of specially related #uses# selected from Use Groups 3, 4, 5, 6, 8 and 9 to provide for the special needs, comfort, convenience, enjoyment, education and recreation of the residents of the surrounding communities and of the many visitors who are attracted to its activities.

A. Amusements

Theaters, limited to a capacity of not more than 300 seats

B. Community Facilities

Ambulatory diagnostic or treatment health care facilities listed in Use Group 4

~~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#

Colleges or universities, including professional schools

College or school student dormitories ~~or~~ and fraternity or sorority student houses

Community centers or settlement houses

~~Government operated health centers or independent out-of-hospital health facilities incorporated pursuant to Section 35 of the New York State Social Services Law~~

Houses of worship, rectories, or parish houses

Libraries, museums, or non-commercial art galleries

~~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 separate access to the outside is provided or such #use# existed on January 1, 1948~~

Monasteries, convents, or novitiates used only for living purposes, provided that such #use# is to be part of a group of #buildings# accommodating church house of worship activities, #schools# or other church house of worship facilities which existed on December 15, 1961, or any applicable subsequent amendment thereto, and that such #use# is to be located on the same #zoning lot# with one or more #buildings# in such group of #buildings# or on a #zoning lot# which is contiguous thereto or directly across the #street# on which such #buildings# face

\*\*\*

3/18/76

**97-10  
SPECIAL PROVISIONS FOR R(M) SPECIAL NORTHSIDE MIXED USE  
DISTRICT**

\*\*\*

3/18/76

**97-111  
Use Group M**

A. Apparel and Textile Manufacturing Establishments

Statuary, mannequins, figurines, or religious ~~or church~~ art, excluding foundry operations

Steel, structural products, including bars, girders, rails, wire rope or similar products

\*\*\*

1/9/75

**Article X - Special Purpose Districts**

**Chapter 6  
Special Coney Island Mixed Use District**

\*\*\*

1/9/75

**106-311  
Use Group M**

Apparel or other textile products from textiles or other materials, including hat bodies or similar products

\*\*\*

Statuary, mannequins, figurines, or religious ~~or church~~ art, excluding foundry operations

Textiles, spinning, weaving, manufacturing, printing, knit goods, yarn, thread or cordage, but not dyeing

\*\*\*

9/11/75

**Article X - Special Purpose Districts**

**Chapter 8  
Special Franklin Street Mixed Use District**

\*\*\*

9/11/75

**108-111  
Use Group M**

A. #Manufacturing uses#

Apparel or other textile products from textiles or other materials, including hat

bodies or similar products

\*\*\*

Statuary, mannequins, figurines or religious ~~or church~~ art, excluding foundry operations

Textiles, spinning, weaving, manufacturing, printing, knit goods, yarn, thread or cordage, but not dyeing

\*\*\*

1/20/77

**Article XI - Special Purpose Districts**

**Chapter 2  
Special City Island District**

\*\*\*

3/6/86

**112-121  
Accessory parking and floor area requirements for eating or drinking establishments**

\*\*\*

For eating or drinking establishments, the provisions of Sections 36-23 or 44-23 (Waiver of Requirements for Spaces below Minimum Number) or Sections 52-41 (General Provisions) with respect only to #enlargements# or #extensions# to provide off-street parking spaces, 73-43 (Reduction of Parking Spaces for ~~Churches~~ Houses of Worship or Places of Assembly) and 73-45 (Modification of Off-Site Parking Provisions) are hereby made inapplicable.

\*\*\*

3/26/92

**122-10  
SPECIAL USE REGULATIONS**

In order to preserve the residential character of the Special District, the applicable #use#

regulations of the underlying districts are modified as follows:

\*\*\*

However, if a #building# on a Commercial Infill Site contains an entrance from the Grand Concourse as well as from the cross-street running underneath the Concourse, such entrance floors at both #street# levels may be occupied by retail #uses# listed in Use Group 6 if they were in existence prior to July 1, 1981 as a lawful #use#. In those cases, the #use# of the remaining #stories# of such #building# shall be limited to business, professional, ~~medical~~ or governmental offices or to ambulatory diagnostic or treatment health care facilities as set forth in Use Group 4A and/or Use Group 6B, regardless of the locational restrictions in Use Group 4.

\*\*\*

12/10/97

## **Article XII - Special Purpose Districts**

### **Chapter 3 Special Mixed Use District**

\*\*\*

12/10/97

#### **123-21 Modification of Use Groups 2, 3 and 4**

The #uses# listed in Use Group 2, and the following #uses# listed in Use Groups 3 and 4: college or school student dormitories ~~or~~ and fraternity or sorority student houses, domiciliary care facilities for adults, nursing homes and health-related facilities, philanthropic or non-profit institutions with sleeping accommodations, monasteries, convents or novitiates, #non-profit hospital staff dwellings# without restriction on location, and non-profit or voluntary hospitals, may only locate in the same #building# as, or share a common wall with a #building# containing, an existing #manufacturing# or #commercial use#, upon certification by a licensed architect or engineer to the Department of Buildings that such #manufacturing# or #commercial use#: ...

\*\*\*

12/10/97

#### **123-222 Uses permitted with restrictions**

The following #uses# from Use Groups 16 and 17 are permitted in #Special Mixed Use Districts# subject to the certification requirements and locational restrictions of this Section:

\*\*\*

From Use Group 17B (Manufacturing Establishments):

Adhesives, excluding manufacture of basic components

\*\*\*

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

\*\*\*

(On May 26, 2004, Cal. No. 15, the Commission scheduled June 9, 2004 for a public hearing which has been duly advertised.)

**Close the hearing.**

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#### NOTICE

**On Wednesday, June 9, 2004, at 10:00 a.m., at the City of New York Department of City Planning, Spector Hall, 22 Reade Street, New York, New York, 10007, a public hearing is being held by the City Planning Commission in conjunction with the above ULURP hearing to receive comments related to a Draft Environmental Impact Statement (DEIS) concerning a proposal to modify and replace existing zoning text, add new zoning text, and reorganize and renumber various sections of the *Zoning Resolution (ZR)*, that would affect zoning regulations on a citywide basis, and would result in changes to the use, bulk and parking regulations in the *Zoning Resolution* regarding community facilities.**

**This hearing is being held pursuant to the State Environmental Quality Review Act (SEQRA) and City Environmental Quality Review (CEQR), CEQR No. 04DCP025Y.**

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**III. REPORTS**

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**BOROUGH OF THE BRONX**

**No. 19**

***RAIN APARTMENTS***

**CD 12**

**C 040274 HAX**

**IN THE MATTER OF** an application submitted by the Department of Housing Preservation and Development (HPD):

1. pursuant to Article 16 of the General Municipal Law of New York State for:

- a) The designation of property located at 3377 White Plains Road (Block 4624, Lot 37), as an Urban Development Action Area; and
- b) An Urban Development Action Area Project for such area; and

2. pursuant to Section 197-c of the New York City Charter for the disposition of such property to a developer selected by HPD;

to facilitate development of a seven-story building tentatively known as RAIN Apartments for the Elderly, with approximately 72 units of low-income housing for senior citizens, one unit for a superintendent, and a senior citizens center to be developed under the New York State Housing Trust Fund Program.

(On April 28, 2004, Cal. No. 1, the Commission scheduled May 12, 2004 for a public hearing. On May 12, 2004, Cal. No. 13, the hearing was closed.)

**For consideration.**

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**BOROUGH OF BROOKLYN**

**No. 20**

***PSCH DEWITT RESIDENCE***

**CD 5**

**C 040203 HAK**

**IN THE MATTER OF** an application submitted by the Department of Housing Preservation and Development (HPD):

- 1) pursuant to Article 16 of the General Municipal Law of New York State for:
  - a) the designation of property located at 433-439 DeWitt Avenue (Block 4318, Lots 31-34), as an Urban Development Action Area; and
  - b) an Urban Development Action Area Project for such area; and
- 3) pursuant to Section 197-c of the New York City Charter for the disposition of 433, 437 and 439 DeWitt Avenue (Block 4318, Lots 31-32 and 34) to a developer selected by HPD;

to facilitate development of a four-story building tentatively known as the PSCH DeWitt Residence, with approximately 19 apartments for low income persons with mental illness, to be developed under the HUD Section 811 Supportive Housing for Persons with Disabilities Program.

(On April 28, 2004, Cal. No. 2, the Commission scheduled May 12, 2004 for a public hearing. On May 12, 2004, Cal. No. 14, the hearing was closed.)

**For consideration.**

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**No. 21**

***MYRTLE AVENUE BROOKLYN BID***

**CD 2**

**N 040395 BDK**

**IN THE MATTER OF** application submitted by the Department of Small Business Services on behalf of the Myrtle Avenue Brooklyn Business Improvement District pursuant to Section 25-405 of the Administrative Code of the City of New York, as amended, **concerning the Myrtle Avenue Brooklyn Business Improvement District.**

(On April 28, 2004, Cal. No. 3, the Commission scheduled May 12, 2004 for a public hearing. On May 12, 2004, Cal. No. 15, the hearing was closed.)

**For consideration.**

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**BOROUGH OF QUEENS**

**No. 22**

***CITY-OWNED-PROPERTY***

**CD 14**

**C 040097 PPQ**

**PUBLIC HEARING:**

**IN THE MATTER OF** an application submitted by the Department of Citywide Administrative Services, pursuant to 197-c of the New York City Charter, **for the disposition of five (5) city-owned properties** pursuant to zoning.

| <b>Block</b> | <b>Lot</b> | <b>Address/Location</b>      |
|--------------|------------|------------------------------|
| 15599        | 668        | Jarvis Avenue                |
| 15600        | 325        | Seagirt Boulevard            |
| 15600        | 350        | Seagirt Boulevard            |
| 15600        | 375        | Seagirt Boulevard            |
| 15600        | 775        | Beach 9 <sup>th</sup> Street |

(On May 12, 2004, Cal. No. 6, the Commission scheduled May 26, 2004, for a public hearing. On May 26, 2004, Cal. No. 24, the hearing was closed.)

**For consideration.**

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**BOROUGH OF STATEN ISLAND**

**No. 23**

***FOREST AVENUE BID***

**CD 1**

**N 040359 BDR**

**IN THE MATTER OF** an application submitted by the Department of Small Business Services on behalf of the Forest Avenue Business Improvement District pursuant to Section 25-405 of the Administrative Code of the City of New York, as amended, **concerning the formation of the Forest Avenue Business Improvement District.**

(On April 28, 2004, Cal. No. 8, the Commission scheduled May 12, 2004 for a public hearing. On May 12, 2004, Cal. No. 20, the hearing was closed.)

**For consideration.**

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**No. 24**

***ST. GEORGE ROAD***

**CD 2**

**N 030087 ZAR**

**IN THE MATTER OF** an application submitted by Conrad Schweizer **for the grant of authorizations** pursuant to Sections 105-421, 105-423 and 105-424 of the Zoning Resolution involving the modification of existing topography, the alteration of botanic environment including removal of trees and alteration of other natural features (steep slopes) **to allow the construction of a two story detached one family residence, with a driveway, a two car garage, patio and swimming pool located at St. George Road (Block 2263, Lot 31) within the Special Natural Area District (NA-1).**

Plans for the proposal are on file with the City Planning Commission and may be seen at 130 Stuyvesant Place, 6th Floor, Staten Island, New York 10301.

**For consideration.**

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**No. 25**

***51 AND 53 NUGENT STREET***

**CD 2**

**N 030145 ZAR**

**IN THE MATTER OF** an application submitted by Mangone Family Partnership **for the grant of authorizations** pursuant to Sections 105-421 and 105-423 of the Zoning Resolution involving the modification of existing topography, and the alteration of botanic environment including removal of trees and **certification** pursuant to Section 105-90 of the Zoning Resolution for future subdivision **to allow the construction of two, three-story single-family dwellings with garages, driveways and in-ground swimming pools located at 51 and 53 Nugent Street (Block 2247, Lots 21 & 23) within the Special Natural Area District (NA-1).**

Plans for the proposal are on file with the City Planning Commission and may be seen at 130 Stuyvesant Place, 6th Floor, Staten Island, New York 10301.

**For consideration.**

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**IV. CITY PLANNING COMMISSION 2004 SCHEDULE OF MEETINGS  
July 1 to December 31**

|                  | SUN                               | MON                            | TUE                      | WED  | THU                 | FRI                           | SAT              | Notes  |
|------------------|-----------------------------------|--------------------------------|--------------------------|--|---------------------|-------------------------------|------------------|--|
| <b>JULY</b>      |                                   |                                |                          |  | 1                   | 2                             | 3                |  |
|                  | 4<br>INDEPENDENCE DAY             | 5<br>INDEPENDENCE DAY OBSERVED | 6                        | 7  | 8                   | 9                             | 10               |  |
|                  | 11                                | 12<br>REVIEW SESSION           | 13                       | 14<br>CPC PUBLIC MEETING                           | 15                  | 16                            | 17               |  |
|                  | 18                                | 19                             | 20                       | 21   | 22                  | 23                            | 24               |  |
|                  | 25                                | 26<br>REVIEW SESSION           | 27                       | 28<br>CPC PUBLIC MEETING                           | 29                  | 30                            | 31               |  |
| <b>AUGUST</b>    | 1                                 | 2                              | 3                        | 4  | 5                   | 6                             | 7                |  |
|                  | 8                                 | 9<br>REVIEW SESSION            | 10                       | 11<br>CPC PUBLIC MEETING                           | 12                  | 13                            | 14               |  |
|                  | 15                                | 16                             | 17                       | 18   | 19                  | 20                            | 21               |  |
|                  | 22                                | 23<br>REVIEW SESSION           | 24                       | 25<br>CPC PUBLIC MEETING                           | 26                  | 27                            | 28               |  |
|                  | 29                                | 30                             | 31                       |  |                     |                               |                  |  |
| <b>SEPTEMBER</b> |                                   |                                |                          | 1  | 2                   | 3                             | 4                |  |
|                  | 5                                 | 6<br>LABOR DAY                 | 7<br>*<br>REVIEW SESSION | 8<br>CPC PUBLIC MEETING                            | 9                   | 10                            | 11               | *Review Session will be held on <b>Tuesday, September 7<sup>th</sup></b> |
|                  | 12                                | 13                             | 14                       | 15   | 16<br>ROSH HASHANAH | 17                            | 18               |  |
|                  | 19                                | 20<br>REVIEW SESSION           | 21                       | 22<br>CPC PUBLIC MEETING                           | 23                  | 24                            | 25<br>YOM KIPPUR |  |
|                  | 26                                | 27                             | 28                       | 29   | 30                  |                               |                  |  |
| <b>OCTOBER</b>   |                                   |                                |                          |  |                     | 1                             | 2                |  |
|                  | 3                                 | 4<br>REVIEW SESSION            | 5                        | 6<br>CPC PUBLIC MEETING                            | 7                   | 8                             | 9                |  |
|                  | 10                                | 11<br>COLUMBUS DAY OBSERVED    | 12                       | 13   | 14                  | 15                            | 16               |  |
|                  | 17                                | 18<br>REVIEW SESSION           | 19                       | 20<br>CPC PUBLIC MEETING                           | 21                  | 22                            | 23               |  |
|                  | 31                                | 24                             | 25                       | 26   | 27                  | 28                            | 29               | 30   |
| <b>NOVEMBER</b>  |                                   | 1<br>REVIEW SESSION            | 2<br>ELECTION DAY        | 3<br>CPC PUBLIC MEETING                            | 4                   | 5                             | 6                |  |
|                  | 7                                 | 8                              | 9                        | 10   | 11<br>VETERANS DAY  | 12                            | 13               |  |
|                  | 14                                | 15<br>REVIEW SESSION           | 16                       | 17<br>CPC PUBLIC MEETING                           | 18                  | 19                            | 20               |  |
|                  | 21                                | 22                             | 23                       | 24   | 25<br>THANKSGIVING  | 26                            | 27               |  |
|                  | 28                                | 29                             | 30                       |  |                     |                               |                  |  |
| <b>DECEMBER</b>  |                                   |                                |                          | 1  | 2                   | 3                             | 4                |  |
|                  | 5                                 | 6<br>REVIEW SESSION            | 7                        | 8<br>CPC PUBLIC MEETING<br>FOURTH OF JULY OBSERVED | 9                   | 10                            | 11               |  |
|                  | 12                                | 13                             | 14                       | 15   | 16                  | 17                            | 18               |  |
|                  | 19                                | 20<br>REVIEW SESSION           | 21                       | 22<br>CPC PUBLIC MEETING                           | 23                  | 24                            | 25               |  |
|                  | 26<br>1 <sup>ST</sup> DAY KWANZAA | 27                             | 28                       | 29   | 30                  | 31<br>NEW YEAR'S DAY OBSERVED | CHRISTMAS        |  |

*Review Sessions are held in Spector Hall at 22 Reade Street starting at 1:00 P.M.  
Public Meetings are held in Spector Hall at 22 Reade Street starting at 10:00 A.M.*