

# CITY PLANNING COMMISSION DISPOSITION SHEET

**PUBLIC MEETING:  
WEDNESDAY, JANUARY 27, 2010  
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 090367 ZSM	7	159 WEST 48 <sup>TH</sup> STREET	Scheduled to be Heard 2/10/10
2	N 100138 MEX	3	BORICUA VILLAGE EASEMENT REMOVAL	Favorable Report Adopted
3	C 070223 ZSM	1	HUDSON SQUARE BUILDING	Laid Over
4	C 100051 ZMM	4	WEST 44 <sup>TH</sup> STREET/11 <sup>TH</sup> AVENUE	Favorable Report Adopted
5	N 100052 ZRM	4	" "	Fav.Report Adopted as Modified
6	C 100053 ZSM	4	" "	Favorable Report Adopted
7	C 100054 ZSM	4	" "	Fav.Report Adopted as Modified
8	C 100055 HAM	4	" "	" "
9	N 090186 ZAR	2	270 LIGHTHOUSE AVENUE	Authorization Approved
10	N 100193 HKX	7	PERRY AVENUE HISTORIC DISTRICT	Hearing Closed
11	C 080339 ZMK	1	ROSE PLAZA ON THE RIVER	" "
12	C 080340 ZSK	1	" "	" "
13	N 100056 ZRY	1	" "	" "
14	C 090069 ZSM	1	55 BROADWAY	" "
15	C 100081 PPQ	9	BOUNDARY FENCE	" "
16	N 100124 ZRQ	7	SPECIAL COLLEGE POINT DISTRICT TEXT AMENDMENT	" "
17	C 100120 ZMR	1	GRYMES HILL/SUNNYSIDE REZONING	" "

COMMISSION ATTENDANCE:	Present (P) Absent (A)	COMMISSION VOTING RECORD:												
		In Favor - Y Oppose - N Abstain - AB Recuse - R												
Calendar Numbers:		2	3	4	5	6	7	8	9					
Amanda M. Burden, FAICP, Chair	P	Y		Y	Y	Y	Y	Y	Y					
Kenneth J. Knuckles, Esq., Vice Chairman	P	R		Y	Y	Y	Y	Y	Y					
Angela M. Battaglia	P	Y	L	Y	Y	Y	Y	Y	Y					
Rayann Besser	P	Y	A	Y	Y	Y	Y	Y	Y					
Irwin G. Cantor, P.E.	P	Y	I	Y	Y	Y	Y	Y	Y					
Alfred C. Cerullo, III	P	Y	D	Y	Y	Y	Y	Y	Y					
Betty Y. Chen	P	Y		Y	Y	Y	Y	Y	Y					
Maria M. Del Toro	P	Y	O	Y	Y	Y	Y	Y	Y					
Richard W. Eaddy	P	Y	V	Y	Y	Y	Y	Y	Y					
Nathan Leventhal	P	Y	E	Y	Y	Y	Y	Y	Y					
Anna Hayes Levin	P	Y	R	Y	Y	Y	Y	Y	Y					
Shirley A. McRae	P	Y		Y	Y	Y	Y	Y	Y					
Karen A. Phillips, Commissioners	P	Y		Y	Y	Y	Y	Y	Y					

MEETING ADJOURNED AT: 12:42 P.M.



**COMPREHENSIVE  
CITY PLANNING CALENDAR  
of  
The City of New York**

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**CITY PLANNING COMMISSION**

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**WEDNESDAY, JANUARY 27, 2010**

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**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. 2]**

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

To view the Planning Commission Calendar and/or the Zoning Resolution on the Internet,  
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: in Section I, (Scheduling Dates for Future Public Hearings), in Section II, (Reports), and in Section III, (Public Hearings). 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, FAICP, Chair**
- KENNETH J. KNUCKLES, Esq., Vice Chairman**
- ANGELA M. BATTAGLIA**
- RAYANN BESSER**
- IRWIN G. CANTOR, P.E.**
- ALFRED C. CERULLO, III**
- BETTY Y. CHEN**
- MARIA M. DEL TORO**
- RICHARD W. EADDY**
- NATHAN LEVENTHAL**
- ANNA HAYES LEVIN**
- SHIRLEY A. MCRAE**
- KAREN A. PHILLIPS, 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.

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**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 February 10, 2010 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 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 support of the proposal and those speaking in opposition.

**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: \_\_\_\_\_

**JANUARY 27, 2010**

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**APPROVAL OF MINUTES OF the Regular Meeting of January 6, 2010**

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**I. PUBLIC HEARINGS OF THE FOLLOWING MATTERS TO BE  
SCHEDULED FOR WEDNESDAY, FEBRUARY 10, 2010**

**STARTING AT 10:00 A.M.  
AT SPECTOR HALL, 22 READE STREET  
NEW YORK, NEW YORK**

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**BOROUGH OF MANHATTAN**

**No. 1**

***159 WEST 48<sup>TH</sup> STREET***

**CD 7**

**C 090367 ZSM**

**IN THE MATTER OF** an application submitted by Central Parking Systems pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit pursuant to Sections 13-562 and 74-52 of the Zoning Resolution to allow a public parking garage with a maximum capacity of 220 spaces and to allow some of such spaces to be located on the roof of an existing 6-story garage building on property located at 159 West 48<sup>th</sup> Street (Block 1001, Lot 6), in C6-7T and C6-5.5 Districts, within the Special Midtown District (Theatre Subdistrict).

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.

**Resolution for adoption scheduling February 10, 2010 for a public hearing.**

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**II. REPORTS**

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**BOROUGH OF THE BRONX**

**No. 2**

***BORICUA VILLAGE EASEMENT REMOVAL***

**CD 3**

**N 100138 MEX**

**IN THE MATTER OF** an application submitted by Atlantic Development Group, LLC, involving:

- the extinguishment of a portion of sewer easement between 3<sup>rd</sup> Avenue and the Washington Avenue Pedestrian Way,

in accordance with Map No. 13131, dated December 21, 2009, and signed by the Borough President.

**For consideration.**

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**BOROUGH OF MANHATTAN**

**No. 3**

***HUDSON SQUARE BUILDING***

**CD 1**

**C 070223 ZSM**

**IN THE MATTER OF** an application submitted by 145 Hudson Street Associates LP pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit pursuant to Section 74-711 of the Zoning Resolution to modify the use regulations of Section 111-103(b) (Additional use regulations) to allow loft dwellings to be located on the 7<sup>th</sup> – 10<sup>th</sup> floors of an existing 16-story building designed for non-residential use and erected prior to December 15, 1961, and where the lot coverage is greater than 5000 square feet, on property located at 145 Hudson Street (Block 214, Lots 1101- 1144), in an M1-5 District, within the Special TriBeCa Mixed Use District (Area B2), within the TriBeCa West Historic 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 December 2, 2009, Cal. No. 1, the Commission scheduled December 16, 2009 for a public hearing. On December 16, 2009, Cal. No. 16, the hearing was closed.)

**For consideration.**

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**Nos. 4, 5, 6, 7 & 8**

***WEST 44<sup>TH</sup> STREET/11<sup>TH</sup> AVENUE***

**No. 4**

**CD 4**

**C 100051 ZMM**

**IN THE MATTER OF** an application submitted by the New York City Department of Housing Preservation and Development pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 8c:

1. changing from an M1-5 District to an R8 District property bounded by West 45<sup>th</sup> Street, the easterly boundary line of a Railroad Right-Of-Way, West 44<sup>th</sup> Street, and a line 450 feet westerly of Tenth Avenue;
2. changing from an M1-5 District to an R10 District property bounded by West 45<sup>th</sup> Street, a line 450 feet westerly of Tenth Avenue, West 44<sup>th</sup> Street, and Eleventh Avenue;
3. establishing within the proposed R8 District a C2-5 District bounded by West 45<sup>th</sup> Street, the easterly boundary line of a Railroad Right-Of-Way, West 44<sup>th</sup> Street, and a line 450 feet westerly of Tenth Avenue; and
4. establishing within the proposed R10 District a C2-5 District bounded by West 45<sup>th</sup> Street, a line 450 feet westerly of Tenth Avenue, West 44<sup>th</sup> Street, and Eleventh Avenue;

as shown on a diagram (for illustrative purposes only) dated August 17, 2009.

(On November 18, 2009, Cal. No. 3, the Commission scheduled December 2, 2009 for a public hearing. (On December 2, 2009, Cal. No. 14, the hearing was closed.)

**For consideration**

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No. 5

CD 4

N 100052 ZRM

**IN THE MATTER OF** an application submitted by New York City Department of Housing Preservation and Development pursuant to Section 201 of the New York City Charter for an amendment of the Zoning Resolution of the City of New York, relating to Article IX, Chapter 6 (Special Clinton District),

Matter in underline is new, to be added;

Matter in ~~strike out~~ is old, to be deleted;

Matter within # # is defined in Section 12-10 (DEFINITIONS)

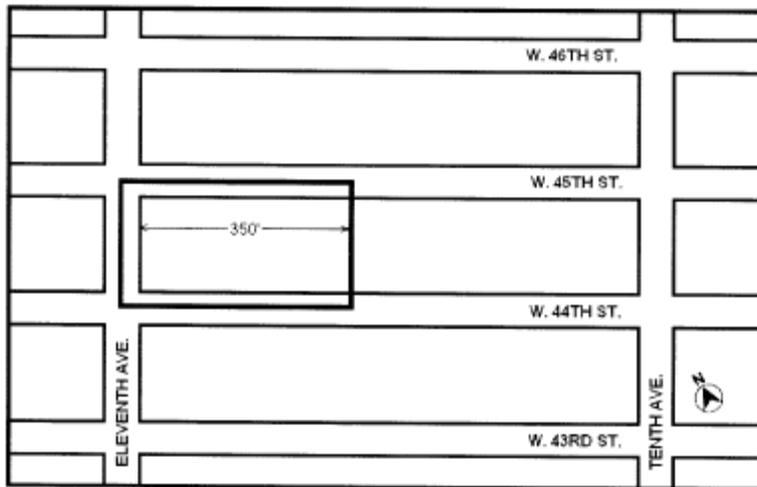
\*\*\* indicates where unchanged text appears in the Resolution

\* \* \*

96-82

R10 Inclusionary Housing Designated Area

The R10 district in the area shown on the map in this Section shall be an #Inclusionary Housing designated area# pursuant to Section 12-10 (Definitions) for the purpose of making the Inclusionary Housing Program regulations of Section 23-90, inclusive, applicable as modified within the Special District. The provisions of paragraph (a) of Section 23-954 (Additional requirements for compensated developments) shall not apply.



(On November 18, 2009, Cal. No. 4, the Commission scheduled December 2, 2009 for a public hearing. On December 2, 2009, Cal. No. 15, the hearing was closed.)

**For consideration.**

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**No. 6**

**CD 4**

**C 100053 ZSM**

**IN THE MATTER OF** an application submitted by the New York City Department of Housing Preservation and Development pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit pursuant to Section 74-681(a)(1) of the Zoning Resolution to allow that portion of the railroad or transit right-of-way which will be completely covered over by a permanent platform to be included in the lot area in connection with a proposed mixed-use development on property located at 592-608 Eleventh Avenue a.k.a. 507-533 West 44<sup>th</sup> Street a.k.a. 508-558 West 45<sup>th</sup> Street (Block 1073, Lot 1), within a General Large Scale Development, in R8/C2-5 and R10/C2-5 Districts\*, within the Special Clinton District (Excluded Area).

\* Note: The site is proposed to be rezoned from an M1-5 District to R8/C2-5 and R10/C2-5 Districts under a related application C 100051 ZMM.

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

(On November 18, 2009, Cal. No. 5, the Commission scheduled December 2, 2009 for a public hearing. On December 2, 2009, Cal. No. 16, the hearing was closed.)

**For consideration.**

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**No. 7**

**CD 4**

**C 100054 ZSM**

**IN THE MATTER OF** an application submitted by the New York City Department of Housing Preservation and Development pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit pursuant to the following Sections of the Zoning Resolution:

1. Section 74-743(a)(1) to allow the distribution of open space without regard for zoning district boundaries; and

2. Section 74-743(a)(2) to modify the rear yard regulations of Sections 23-532 (Required rear yard equivalents) and 33-283 (Required rear yard equivalents), to modify the height and setback regulations of Sections 23-632 (Front setbacks in districts where front yards are not required), 33-43 (Maximum Height of Walls and Required Setbacks), 35-62 (Maximum Height of Wall in Initial Setback Distance) and 23-663 (Street wall location and height and setback regulations in certain districts), and to modify the minimum required distance between two or more buildings regulations of Section 23-711 (Standard minimum distance between buildings);

to facilitate a proposed mixed-use development on property located at 592-608 Eleventh Avenue a.k.a. 507-533 West 44<sup>th</sup> Street a.k.a. 508-558 West 45<sup>th</sup> Street (Block 1073, Lot 1), within a General Large Scale Development, in R8/C2-5 and R10/C2-5 Districts\*, within the Special Clinton District (Excluded Area).

\* Note: The site is proposed to be rezoned from an M1-5 District to R8/C2-5 and R10/C2-5 Districts under a related application C 100051 ZMM.

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

(On November 18, 2009, Cal. No. 6, the Commission scheduled December 2, 2009 for a public hearing. On December 2, 2009, Cal. No. 17, the hearing was closed.)

**For consideration.**

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**No. 8**

**CD 4**

**C 100055 HAM**

**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 592-608 11<sup>th</sup> Avenue, 507-553 West 44<sup>th</sup> Street and 508-558 West 45<sup>th</sup> Street (Block 1073, p/o Lot 1); 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 a portion of Lot 1, Block 1073, to a developer to be selected by HPD;

to facilitate the development of mixed-use buildings of varying heights, tentatively known as West 44<sup>th</sup> Street and 11<sup>th</sup> Avenue.

(On November 18, 2009, Cal. No. 7, the Commission scheduled December 2, 2009 for a public hearing. On December 2, 2009, Cal. No. 18, the hearing was closed.)

**For consideration.**

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**BOROUGH OF STATEN ISLAND**

**No. 9**

***270 LIGHTHOUSE AVENUE***

**CD 2**

**N 090186 ZAR**

**IN THE MATTER OF** an application submitted by Alphons Newhaus for the grant of authorizations pursuant to Sections 105-422 and 105-431 of the Zoning Resolution to authorize modification of a Tier II site and modification of lot coverage controls in order to facilitate the construction of an enlargement of an existing single-family detached house at 270 Lighthouse Avenue (Block 2272, Lots 26 and 27) within the Special Natural Area District (NA-1).

Plans for this proposal are on file with the City Planning Commission and may be seen at the Staten Island Office of the Department of City Planning, 130 Stuyvesant Place, 6<sup>th</sup> floor, Staten Island, New York, 10301.

**For consideration.**

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**III. PUBLIC HEARINGS**

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**BOROUGH OF THE BRONX**

**No. 10**

***PERRY AVENUE HISTORIC DISTRICT***

**CD 7**

**N 100193 HKX**

**PUBLIC HEARING:**

**IN THE MATTER OF** a communication dated December 22, 2009, from the Executive Director of the Landmarks Preservation Commission regarding the landmark designation of the Perry Avenue Historic District, designated by the Landmarks Preservation Commission on December 15, 2009 (List No. 424, LP No. 2339). The district boundaries are:

property bounded by a line beginning at the intersection of the northwestern curbline of Perry Avenue with a line extending southeasterly from the northeastern property line of 2987 Perry Avenue, northwesterly along said property line to the northwestern property line of 2987 Perry Avenue, southwesterly along said property line and the property lines of 2985 through 2971 Perry Avenue to the southwestern property line of 2971 Perry Avenue, southeasterly along said property line to the northwestern curbline of Perry Avenue, northeasterly along said curbline to the point of the beginning.

(On January 13, 2010, the Commission scheduled January 27, 2010 for a public hearing which has been duly advertised.)

**Close the hearing.**

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**BOROUGH OF BROOKLYN**

**Nos. 11, 12 & 13**

***ROSE PLAZA ON THE RIVER***

**No. 11**

**CD 1**

**C 080339 ZMK**

**PUBLIC HEARING:**

**IN THE MATTER OF** an application submitted by Rose Plaza on the River, LLC pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 12d:

1. changing from an M3-1 District to an R7-3 District property bounded by a line 850 feet southerly of the westerly centerline prolongation of Broadway, Kent Avenue, Division Avenue, a U.S. Pierhead and Bulkhead Line, and a U.S. Pierhead Line; and
2. establishing within the proposed R7-3 District a C2-4 District bounded by a line 850 feet southerly of the westerly centerline prolongation of Broadway, Kent Avenue, Division Avenue, a U.S. Pierhead and Bulkhead Line, a line 100 feet northeasterly of Division Avenue, and a line 100 feet westerly of Kent Avenue;

as shown on a diagram (for illustrative purposes only), dated November 2, 2009.

(On January 6, 2010, Cal. No. 1, the Commission scheduled January 27, 2010 for a public hearing which has been duly advertised.)

**Close the hearing.**

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**No. 12**

**CD 1**

**C 080340 ZSK**

**PUBLIC HEARING:**

**IN THE MATTER OF** an application submitted by Rose Plaza on the River, LLC pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit pursuant to Section 62-736 of the Zoning Resolution to modify the requirements of former Section 62-34 (Height and Setback Regulations on Waterfront Blocks) to facilitate the construction of a mixed use development on property located at 470-490 Kent Avenue (Block 2134, Lots 1 and p/o 150), in R7-3 and R7-3/C2-4 Districts\*.

\*Note: The site is proposed to be rezoned from an M3-1 District to R7-3 and R7/-3/C2-4 Districts under a related concurrent application (C 080339 ZMK).

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 January 6, 2010, Cal. No. 2, the Commission scheduled January 27, 2010 for a public hearing which has been duly advertised.)

**Close the hearing.**

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**No. 13**

**CD 1**

**N 100056 ZRY**

**PUBLIC HEARING:**

**IN THE MATTER OF** an application submitted by Rose Plaza on the River, LLC, pursuant to Section 201 of the New York City Charter, for an amendment of the Zoning Resolution of the City of New York, relating to Appendix F (INCLUSIONARY HOUSING DESIGNATED AREAS), inclusive, concerning the extension of the Inclusionary Housing Program to proposed R7-3 districts.

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

APPENDIX F  
INCLUSIONARY HOUSING DESIGNATED AREAS

The boundaries of #Inclusionary Housing designated areas# are shown on the maps listed in this Appendix F. The #Residence Districts# listed for such areas shall include #Commercial Districts# where #residential buildings# or the #residential# portion of #mixed buildings# are governed by #bulk# regulations of such #residence districts#.

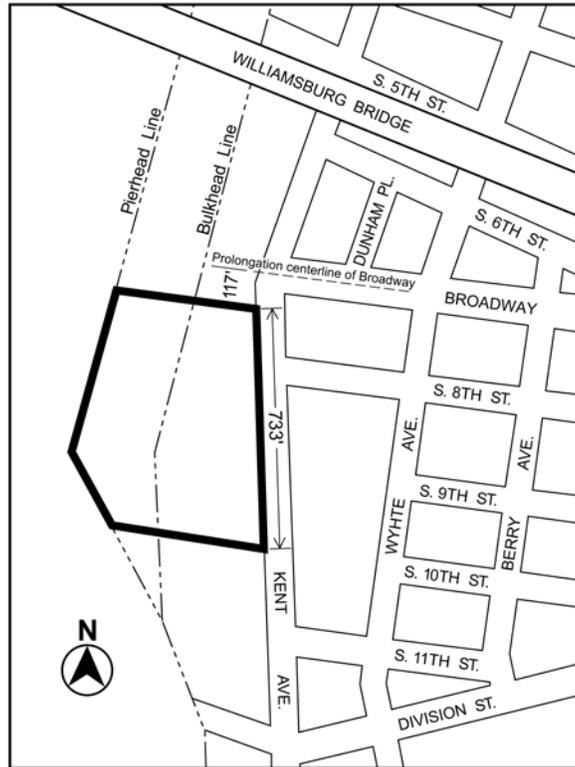
\* \* \*

Brooklyn, Community District 1

In Waterfront Access Plan BK-1, as set forth in Section 62-352, and in the R6, R6A, R6B, R7A and R7-3 Districts within the areas shown on the following Maps 1, 2 and 3:

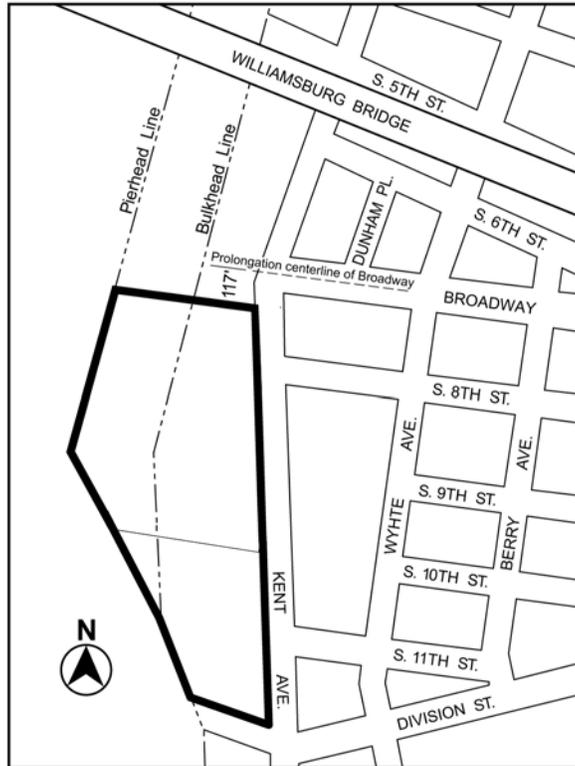
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Map 3 (8/16/06)



Portion of Community District 1, Brooklyn  
**EXISTING**

Map 3



Portion of Community District 1, Brooklyn  
**PROPOSED**

\* \* \*

(On January 6, 2010, Cal. No. 3, the Commission scheduled January 27, 2010 for a public hearing which has been duly advertised.)

**Close the hearing.**

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**BOROUGH OF MANHATTAN**

**No. 14**

***55 BROADWAY***

**CD 1**

**C 090069 ZSM**

**PUBLIC HEARING:**

**IN THE MATTER OF** an application submitted by 55 Broadway L.L.C. pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit pursuant to Section 91-71(c) of the Zoning Resolution to allow the elimination of mandatory and elective public amenities and other improvements built pursuant to the regulations of the former Special Greenwich Street Development District without a corresponding reduction in floor area of an existing 31-story commercial building, on property located at 55 Broadway (Block 20, Lot 16), in a C5-5 District, within the Special Lower Manhattan District (LM).

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 January 6, 2010, Cal. No. 4, the Commission scheduled January 27, 2010 for a public hearing which has been duly advertised.)

**Close the hearing.**

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**BOROUGH OF QUEENS**

**No. 15**

***BOUNDARY FENCE***

**CD 9**

**C 100081 PPQ**

**PUBLIC HEARING:**

**IN THE MATTER OF** an application submitted by the Department of Citywide Administrative Services (DCAS), pursuant to Section 197-c of New York City Charter, for the disposition of one (1) city-owned property located at 87-35 131<sup>st</sup> Street, Block 9339, Lot 34, in the Jamaica Industrial Business Zone, South Jamaica Empire Zone, pursuant to zoning.

(On January 6, 2010, Cal. No. 5, the Commission scheduled January 27, 2010 for a public hearing which has been duly advertised.)

**Close the hearing.**



**No. 16**

***SPECIAL COLLEGE POINT DISTRICT TEXT AMENDMENT***

**CD 7**

**N100124 ZRQ**

**PUBLIC HEARING:**

**IN THE MATTER OF** an application submitted by Skanska USA Civil Northeast Inc. 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 XII, Special Purpose Districts, Chapter 6 (Special College Point District), relating to Section 126-233 (b) (Special provisions along district boundaries).

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

**Article XII - Special Purpose Districts**

**Chapter 6  
Special College Point District**

\* \* \*

**126-20  
SPECIAL BULK REGULATIONS**

\* \* \*

**126-23  
Modification of Yard Regulations**

\* \* \*

**126-233**

### Special provisions along district boundaries

The following regulations shall supplement the provisions of Section 43-30 (Special Provisions Applying along District Boundaries).

- (a) Sections 43-301 (Required yards along district boundary coincident with side lot line of zoning lot in an R1, R2, R3, R4 or R5 District) and 43-303 (Required yards along district boundary coincident with side lot line of zoning lot in a Manufacturing District) shall be modified so that an open area not higher than #curb level# and at least 20 feet wide shall be provided within the #Manufacturing District# on any #zoning lot# which is within 25 feet of a #residence district#.
- (b) Within the areas depicted on the Special College Point District Map as 60-foot buffer areas, an open area not higher than #curb level# shall be provided within the #Manufacturing District# as follows:
- (1) ~~and at least 60 feet wide, or where such open buffer area is adjacent to a #street#, a #front yard# not higher than #curb level# at least 60 feet in depth, shall be provided within the #Manufacturing District#.~~
  - (2) where such buffer area is not adjacent to a #street#, an open area at least 60 feet wide shall be provided along the boundary of the #Manufacturing District#. Such open area may be reduced to a width of not less than 25 feet where there is an open area in an adjacent #Residence District# so that, in combination with the open area within the #Manufacturing District#, there is an open area totaling at least 60 feet in width. The open area in the #Residence District# shall be subject to a restrictive declaration requiring that such area be maintained pursuant to the standards of this Section, in a form approved by the New York City Department of Buildings, and subsequently recorded in the Office of the City Register of the City of New York against all tax lots comprising such restricted open area. Proof of recordation of the restrictive declaration in a form acceptable to the New York City Department of Buildings shall be submitted.
- All ~~Such~~ open areas shall not be used for #accessory# off-street parking, #accessory# off-street loading, or for storage or processing of any kind.
- (c) All open areas required pursuant to this Section and Section 43-30 shall be planted, except at entrances to and exits from the #building# and except for access driveways to #accessory# parking and loading areas. In addition, except within #front yards#, there shall be a planting strip at least four feet wide, along the portion of the #lot line# adjoining the #Residence District#,

complying with the provisions applicable to Section 126-136 (Screening of storage), provided that paragraph (b) of Section 126-136 shall not be a permitted form of screening.

\* \* \*

(On January 6, 2010, Cal. No. 6, the Commission scheduled January 27, 2010 for a public hearing which has been duly advertised.)

**Close the hearing.**

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**BOROUGH OF STATEN ISLAND**

**Nos. 17 & 18**

***GRYMES HILL/SUNNYSIDE REZONING***

**No. 17**

**CD 1**

**C 100120 ZMR**

**PUBLIC HEARING:**

**IN THE MATTER OF** an application submitted by Clove Lakes Civic Association pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 21b:

1. changing from an R3-1 District to an R2 District property bounded by:
  - a. Waldron Avenue, a line 150 feet northeasterly of Clove Road, Victory Boulevard, and Clove Road; and
  - b. a line 140 feet southeasterly of Victory Boulevard, a line 100 feet northeasterly of Clove Road, a line midway between Victory Boulevard and Glenwood Avenue, a line 150 feet northeasterly of Clove Road, Dudley Avenue, and Clove Road;
2. changing from an R3X District to an R2 District property bounded by a southeasterly boundary line of Silver Lake Park and its southwesterly prolongation, a line 230 feet northeasterly of Melrose Avenue and its northwesterly prolongation, Waldron Avenue, a line 270 feet northeasterly of Melrose Avenue, a line midway between Victory Boulevard and Waldron Avenue, Cheshire Place, Victory Boulevard, a line 420 feet northeasterly of Grand Avenue, a line midway between Victory Boulevard and Glenwood

Avenue, Highland Avenue, Arlo Road, a line 100 feet easterly of Highland Avenue, Howard Avenue, Highland Avenue, a line 95 feet northwesterly of Sunnyside Terrace and its northeasterly prolongation, a line 95 feet northeasterly of Clove Road, a line 60 feet southeasterly of Van Courtlandt Avenue, Clove Road, Dudley Avenue, a line 150 feet northeasterly of Clove Road, a line midway between Victory Boulevard and Glenwood Avenue, a line 100 feet southwesterly of Grand Avenue, Glenwood Avenue, Grand Avenue, Victory Boulevard, a line 150 feet northeasterly of Clove Road, Waldron Avenue, Clove Road, a line perpendicular to the northeasterly street line of Clove Road distant 80 feet northwesterly (as measured along the street line) from the point of intersection of the northeasterly street line of Clove Road and the northwesterly street line of Beverly Avenue, a line 400 feet northeasterly of Clove Road, a line 75 feet southeasterly of Cheshire Place, a line 145 feet northeasterly of Clove Road, Cheshire Place, and Clove Road;

3. changing from an R3X District to an R3-2 District property bounded by Cheshire Place, a line 145 feet northeasterly of Clove Road, a line 75 feet southeasterly of Cheshire Place, a line 400 feet northeasterly of Clove Road, a line perpendicular to the northeasterly street line of Clove Road distant 80 feet northwesterly (as measured along the street line) from the point of intersection of the northeasterly street line of Clove Road and the northwesterly street line of Beverly Avenue, and Clove Road; and
4. establishing a Special Hillside Preservation District (HS) bounded by Victory Boulevard, Highland Avenue, Howard Avenue, and Clove Road;

as shown on a diagram (for illustrative purposes only) dated November 30, 2009.

(On January 6, 2010, Cal. No. 7, the Commission scheduled January 27, 2010 for a public hearing which has been duly advertised.)

**Close the hearing.**

---

**No. 18**

**CD 1**

**N 100121 ZRR**

**PUBLIC HEARING:**

**IN THE MATTER OF** an application submitted by Clove Lakes Civic Association, pursuant to Section 201 of the New York City Charter, for an amendment of the Zoning Resolution of the City of New York, concerning an expansion to the boundaries of the Special Hillside Preservation District (Article XI, Chapter 9).

(On January 6, 2010, Cal. No. 8, the Commission scheduled January 27, 2010 for a public hearing which has been duly advertised.)

**Close the hearing.**

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**CITYWIDE**

**No. 19**

***RESIDENTIAL STREETSCAPE PRESERVATION TEXT***

**CITYWIDE**

**N 100139 ZRY**

**PUBLIC HEARING:**

**IN THE MATTER OF** an application submitted by the Department of City Planning pursuant to Section 201 of the New York City Charter, for an amendment of the Zoning Resolution of the City of New York, relating to Articles I, II, III, VII and XII and other related Sections concerning front yard planting, parking location and curb cut regulations for residential uses.

Matter in underline is new, to be added;

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

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

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

**Article I**

**GENERAL PROVISIONS**

\* \* \*

**Chapter 2**

**Construction of Language and Definitions**

\* \* \*

**12-10**

**DEFINITIONS**

\* \* \*

Building segment

\* \* \*

Building, Quality Housing

A "Quality Housing building" is a #building developed, enlarged, extended# or converted pursuant to the Quality Housing Program.

Building segment, Quality Housing

A “Quality Housing building segment” is a #building segment developed, enlarged, extended# or converted pursuant to the Quality Housing Program

\* \* \*

**Chapter 3  
Comprehensive Off-Street Parking Regulations in Community Districts 1 through 8  
in Manhattan and a portion of Community Districts 1 and 2 in the Borough of  
Queens**

\* \* \*

**13-50  
SPECIAL PERMITS AND AUTHORIZATIONS**

\* \* \*

**13-55  
Authorizations**

\* \* \*

**13-551  
Accessory off-street parking spaces**

The City Planning Commission may, by authorization, subject to the otherwise applicable zoning district regulations, allow on-site enclosed #accessory# off-street parking facilities with a maximum capacity of 15 spaces in existing #buildings#, provided that the Commission finds that:

- (a) the #building# does not have #accessory# off-street parking spaces;
- (b) such parking spaces are needed for and will be used exclusively by the occupants of the #use# to which they are #accessory#;
- (c) the parking spaces will not create or contribute to serious traffic congestion and will not unduly inhibit surface traffic ~~and pedestrian movement~~;
- (d) the parking spaces will not adversely affect pedestrian movement; and
- ~~(e)~~(e) the parking spaces will not be incompatible with, or adversely affect, adjacent #uses# including #uses# within the #building#; and
- (f) the curb cut accessing such parking spaces is not inconsistent with the character of the existing streetscape.

\* \* \*

**13-553  
Curb cuts**

The City Planning Commission may authorize, subject to the applicable zoning district regulations, curb cuts located on a #wide street# provided the Commission finds that a curb cut at such location:

- (a) is not hazardous to traffic safety;
- (b) will not create or contribute to serious traffic congestion, or unduly inhibit vehicular ~~and pedestrian~~ movement; ~~and~~
- (c) will not adversely affect pedestrian movement;
- ~~(e)(d)~~ will not interfere with the efficient functioning of bus lanes, specially designated ~~streets~~ and public transit facilities; ~~and~~
- ~~(d)(e)~~ will not be inconsistent with the character of the existing streetscape.

\* \* \*

**Article 2**  
**RESIDENCE DISTRICT REGULATIONS**

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

\* \* \*

**23-011**  
**Quality Housing Program**

- (a) In R6A, R6B, R7A, R7B, R7D, R7X, R8A, R8B, R8X, R9A, R9X, R10A or R10X Districts, any ~~development# or enlargement#~~ building# shall comply with the applicable district ~~bulk#~~ regulations as set forth in this Chapter and ~~any residential development#, enlargement#, extension# or conversion~~ any building# containing residences# shall also comply with the requirements of Article II, Chapter 8 (Quality Housing Program). In R5D Districts, certain requirements of Article II, Chapter 8, shall apply as set forth in Section 28-01 (Applicability of this Chapter).
- (b) In other R6, R7, R8, R9 or R10 Districts, the ~~bulk#~~ regulations applicable to ~~Quality Housing developments#~~ buildings# may, as an alternative, be applied if the ~~zoning lot#~~ is ~~developed#~~ or enlarged# pursuant to all of the requirements of the Quality Housing Program. Such ~~developments#~~ buildings# may be subsequently ~~enlarged#~~ only pursuant to the Quality Housing Program. In these districts, the ~~Quality Housing bulk#~~ regulations may apply to ~~developments#~~ or ~~enlargements#~~ on ~~zoning lots#~~ with existing ~~buildings#~~ to remain, if:
  - (1) the existing ~~buildings#~~ are non-~~residential#~~ and the entire ~~zoning lot#~~ will comply with the ~~floor area ratio#~~ and density standards applicable to ~~Quality Housing developments#~~ Quality Housing buildings#; or
  - (2) the existing ~~buildings#~~ are ~~residential#~~, and such ~~buildings#~~ comply with the maximum base heights and maximum ~~building#~~ heights

listed in the tables in Section 23-633 or Section 35-24 for the applicable district, and the entire #zoning lot# will comply with the #floor area ratio#, #lot coverage#, and density standards applicable to Quality Housing #developments# or #enlargements# #Quality Housing buildings#.

\* \* \*

(c) The optional Quality Housing #bulk# regulations permitted as an alternative pursuant to paragraph (b) of this Section shall not apply to:

\* \* \*

(3) #zoning lots# in R6 or R7 Districts within the study areas set forth in this paragraph, (c)(3), and occupied, as of August 14, 1987, by a #single-#, #two-# or three-#family detached# or #semi-detached residence# where 70 percent or more of the aggregate length of the blockfronts in #residential use# on both sides of the #street# facing each other are occupied by such #residences#. For any #development# or #enlargement# on such #zoning lot#, the #floor area ratio# and density requirements of the underlying district shall apply. On a #narrow street# that intersects with a #wide street#, the 70 percent #residential use# requirement on a #narrow street# shall be measured from a distance of 100 feet from its intersection with a #wide street#.

The study areas are:

\* \* \*

In the Borough of Brooklyn:  
Midwood Area

The area bounded by Avenue M, Coney Island Avenue, ~~Avenue P, Ocean Avenue, Quentin Road~~ Avenue O, and a line midway between East 10th Street and Coney Island Avenue.

\* \* \*

In the Borough of Queens:  
Elmhurst/Corona Area

The area bounded by ~~Junction Boulevard~~, Roosevelt Avenue, 114th Street, 34th Avenue, ~~405th Street~~ and ~~35th Avenue~~ 112 Street.

~~Bell Boulevard Area~~

~~The area bounded by 213th Street, the southerly prolongation of the center line of 213th Street, 213th Street, Northern Boulevard, 211th Street, 45th Road, 215th Street, 43rd Road, 214th Place, the northerly prolongation of the center line of 214th Place, 214th Place, 40th Avenue, Corporal Stone Street and 38th Avenue.~~

Forest Hills Area

The area bounded by Queens Boulevard, Union Turnpike, Austin Street and 76th Road.

~~Area A~~

~~The area bounded by Hillside Avenue, 181st Street, Jamaica Avenue and 168th Street.~~

~~Area B~~

~~The area bounded by Sutphin Boulevard, Jamaica Avenue, 138th Street and Hillside Avenue.~~

\* \* \*

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

\* \* \*

**23-12  
Permitted Obstructions in Open Space**

R1 R2 R3 R4 R5 R6 R7 R8 R9 R10

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

- (a) Balconies, unenclosed, subject to the provisions of Section 23-13;
- (b) Breezeways;
- (c) Driveways, private streets, open #accessory# off-street parking spaces, unenclosed #accessory# bicycle parking spaces or open #accessory# off-street loading berths, provided that, in accordance with the provisions of Section 25-64 (Restrictions on Use of Open Space for Parking), the total area occupied by all these items does not exceed the percent of the total open area or required #open space# on the #zoning lot#, as follows:
  - (1) 50 percent in R1, R2, R3, R4A, R4-1, R4B, R6, R7, R8, R9 or R10 Districts; and
  - (2) 66 percent in R4 other than R4A, R4-1 and R4B Districts, or R5 Districts;

- (d) Eaves, gutters or downspouts, projecting into such #open space# not more than 16 inches or 20 percent of the width of such #open space#, whichever is the lesser distance;
- (e) Parking spaces, off-street, enclosed, #accessory#, not to exceed one space per #dwelling unit#, when #accessory# to a #single-family#, #two-family# or three-#family residence#, provided that the total area occupied by a #building# used for such purposes does not exceed 20 percent of the total required #open space# on the #zoning lot#. However, two such spaces for a #single-family residence# may be permitted in #lower density growth management areas# and in R1-2A Districts;

\* \* \*

**23-44 Permitted Obstructions in Required Yards or Rear Yard Equivalents**

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

- (a) In any #yard# or #rear yard equivalent#:

\* \* \*

Parking spaces, off-street, open, within a #front yard#, that are #accessory# to a #residential building# ~~where~~ provided that:

- (1) ~~in R2X, R3, R4 and R5 Districts, no more than two parking spaces are required, provided such spaces are located in a permitted #side lot ribbon#;~~
- (2) ~~in R3, R4 and R5 Districts, more than two parking spaces are required, provided such spaces meet all the requirements of paragraph (b) of Section 25-621 (Location of parking spaces in certain districts) and the screening requirements of Section 25-66.~~

~~However, no such parking spaces shall be permitted in any #front yard# within a R1, R2 other than R2X, R4B, R5B or R5D District, and no such required spaces shall be permitted in any #front yard# within any R1, R2, R3, R4A or R4-1 District within a #lower density growth management area#.~~

- (1) in R1, R2, R3A, R3X, R3-1, R4A, R4-1 and R5A Districts, except in #lower density growth management areas#, such spaces shall be located in a driveway that accesses parking spaces located to the side or rear of the #residential building#. No such spaces or portions thereof shall be located between the #street line# and #street wall# of such #building#, except that parking spaces may be located between the #street line# and #street wall# of the #residential building# only where such spaces are in front of a garage;

- (2) in R3-2, R4 other than R4A, R4-1 and R4B Districts, and R5 Districts other than R5A, R5B and R5D Districts, no more than two parking spaces are required, and provided such spaces meet all the requirements of paragraph (a) of Section 25-621 (Location of parking spaces in certain districts);
- (3) in R3-2, R4 other than R4A, R4-1 and R4B Districts, and R5 Districts other than R5A, R5B and R5D Districts, more than two parking spaces are required, and provided such spaces meet all the requirements of paragraph (b) of Section 25-621 (Location of parking spaces in certain districts);
- (4) in #lower density growth management areas#, such spaces are non-required and located in a driveway that accesses parking spaces that are located behind the #street wall# of the #building# or prolongation thereof;

However, no parking spaces of any kind shall be permitted in any #front yard# in an R4B, R5B or R5D District. Furthermore, no parking spaces of any kind shall be permitted in any #front yard# on a #zoning lot# containing an #attached building# or #semi-detached building# in an R1, R2, R3A, R3X, R4A or R5A District, or in any #front yard# on a #zoning lot# containing an #attached building# or a #semi-detached building# abutting an #attached building# in an R3-1 or R4-1 District.

\* \* \*

- (b) In any #rear yard# or #rear yard equivalent#:

\* \* \*

Parking spaces, off-street, #accessory#, for automobiles or bicycles, provided that:

- (1) the height of a #building# used for such purposes, if #accessory# to a #single-# or #two-family residence#, shall not exceed one #story# and, if located in an R1 District, such #building# may not be nearer than five feet to a #rear lot line# or #side lot line#. In R2A Districts, detached garages shall be included in #lot coverage#;
- (2) if #accessory# to any other kind of #residential building#, the height of such #accessory building# shall not exceed ~~six~~ ten feet above #curb level# in R3, R4 or R5 Districts, or fourteen feet above #curb level# or #base plane#, as applicable, in R6, R7, R8, R9 or R10 Districts;

\* \* \*

**23-451**  
**Planting requirement**  
 R1 R2 R3 R4 R5

In the districts indicated, a minimum percentage of the area of the #front yard# shall be planted, which shall vary by #street# frontage of the #zoning lot# as set forth in the following table. For the purposes of this Section, the #front yard# shall include the entire area between all #street walls# of the #building# and their prolongations and the #street line#. Planted areas shall be comprised of any combination of grass, groundcover, shrubs, trees or other living plant material, and shall have a minimum dimension of one foot, exclusive of any bounding walls. Any planted area within a driveway or parking space shall not qualify towards meeting the minimum planting requirements of this Section.

For #through lots# or #corner lots#, the planting requirement of this Section shall be applied separately to each #street# frontage. For #corner lots#, planted areas of overlapping portions of #front yards# shall only be counted towards the planting requirement of one #front yard#.

For #zoning lots# with multiple #building segments#, the planting requirement of this Section shall be determined by the #street# frontage of each #building segment# and applied separately to the entire area between the #street wall# of each #building segment# and the #street line#.

Where multiple #buildings# on a single #zoning lot# front upon the same #street#, the planting requirements of this Section shall be determined by the #street# frontage allocated to the area occupied by each such #building# and applied separately to the entire area between the #street line# and the #street wall# of each #building# and its prolongation. The allocation of planting requirements to open areas between #buildings# shall be determined by dividing such open area evenly, with an equal portion attributed to each #building# on both sides of such open area.

Any #zoning lot# occupied by a #residential building# constructed after April 30, 2008 shall provide planted areas in accordance with the provisions of this Section. Any #zoning lot# occupied by a #residential building# constructed prior to such date shall not be altered in any way that will either create a new non-compliance or increase the degree of non-compliance with the provisions of this Section.

#Street# frontage of #zoning lot#, #street wall# width of #building segment#, or #street# frontage allocated to each of multiple #buildings# on a single #zoning lot#, as applicable.	Minimum percentage of #front yard# to be planted
Less than 20 feet	20
20 to 34 feet	25
35 to 59 feet	30
60 feet or greater	50

\* \* \*

**23-80  
COURT REGULATIONS, MINIMUM DISTANCE BETWEEN WINDOWS AND WALLS OR LOT LINES AND OPEN AREA REQUIREMENTS**

\* \* \*

**23-89****Open Area Requirements for Residences in ~~R1 through R5~~ Districts****23-891****In R1 through R5 Districts**

R1 R2 R3 R4 R5

In the districts indicated, except R4B and R5B Districts, the provisions of this Section shall apply to all #zoning lots# with two or more #residential buildings# or #building segments#. All such #residential buildings# or #building segments# shall provide open areas as follows:

- (a) An open area shall be provided adjacent to the rear wall of each such #building# or #building segment#. For the purposes of this Section, the “rear wall” shall be the wall opposite the wall of each #building# or #building segment# that faces a #street# or #private road#. The width of such open area shall be equal to the width of each #building# or #building segment#, and the depth of such open area shall be at least 30 feet when measured perpendicular to each rear wall. No such open areas shall serve more than one #building# or #building segment#. Only those obstructions set forth in Section 23-44 shall be allowed, except that parking spaces, whether enclosed or unenclosed, and driveways shall not be permitted within such open areas.
- (b) For #buildings# or #building segments# that front upon two or more #streets# or #private roads#, and for #buildings# or #building segments# that do not face a #street# or #private road#, one wall of such #building# or #building segment# shall be designated the rear wall, and the open area provisions of this Section applied adjacent to such wall. However, for not more than one #building# or #building segment# located at the corner of intersecting #streets# or #private roads#, the depth of such required open area may be reduced to 20 feet.

**23-892****In R6 through R10 Districts**

R6A R6B R7A R7B R7X R8A R8B R8X R9A R9X R10A R10X

- (a) In the districts indicated, the entire area of the #zoning lot# between the #street line# and all #street walls# of the #building# and their prolongations shall be planted, except at the entrances to and exits from the #building#. No #zoning lot# shall be altered in any way that will either create a new non-compliance or increase the degree of non-compliance with the provisions of this Section.

R6 R7 R8 R9 R10

- (b) In the districts indicated without a letter suffix, on #zoning lots# containing a #Quality Housing building#, the entire area of the #zoning lot# between the #street line# and all #street walls# of the #building# and their prolongations shall be planted, except at the entrances to and exits from the #building#.

\* \* \*

**Chapter 5  
Accessory Off-Street Parking and Loading Regulations**

**25-00  
GENERAL PURPOSES AND DEFINITIONS**

\* \* \*

**25-02  
Applicability**

\* \* \*

**25-025  
Applicability of regulations to Quality Housing**

On any #zoning lot# containing #residences# in R6A, R6B, R7A, R7B, R7X, R8A, R8B, R8X, R9X, R9A, R9X, R10A or R10X Districts or their commercial equivalents, and on any #zoning lot# in other districts containing #residential uses developed#, #enlarged# or converted pursuant to the Quality Housing Program, a #Quality Housing building#, all #accessory# off-street parking spaces shall comply with the provisions of Section 28-50 (PARKING FOR QUALITY HOUSING).

\* \* \*

**25-20  
REQUIRED ACCESSORY OFF-STREET PARKING SPACES FOR RESIDENCES**

**25-21  
General Provisions  
R1 R2 R3 R4 R5 R6 R7 R8 R9 R10**

In all districts, as indicated, #accessory# off-street parking spaces, open or enclosed, shall be provided for all ~~new #residences# constructed~~ #dwelling units# or #rooming units# created after December 15, 1961, in accordance with the provisions of the following Sections and the other applicable provisions of this Chapter, as a condition precedent to the #use# of such ~~#residences#~~ #dwelling unit# or #rooming unit#.

- Section 25-22 (Requirements Where Individual Parking Facilities Are Provided)
- Section 25-23 (Requirements Where Group Parking Facilities Are Provided)
- Section 25-24 (Modification of Requirements for Small Zoning Lots)
- Section 25-25 (Modification of Requirements for Public Housing or Housing for Elderly)

Section 25-28 (Special Provisions for Zoning Lots Divided by District Boundaries)

~~After December 15, 1961, for all #enlargements# which increase the number of #dwelling units# or #rooming units# in a #building#, the same requirements shall apply to the additional #dwelling units# or #rooming units# created by such #enlargements#.~~

For #dwelling units# or #rooming units# created on or prior to December 15, 1961, off-street parking spaces #accessory# to such #dwelling units# or #rooming units# cannot be removed if such spaces would be required for such #dwelling units# or #rooming units# as if they were created pursuant to the applicable zoning regulations currently in effect.

For the purposes of these Sections, three #rooming units# shall be considered the equivalent of one #dwelling unit#.

For the purposes of calculating the number of required parking spaces for any #residential development# #building# containing #residences#, any fraction of a space 50 percent or greater shall be counted as an additional space.

In the event that the number of #accessory# off-street parking spaces required under the provisions of these Sections exceeds the maximum number of spaces permitted under the provisions of Section 25-16 (Maximum Spaces for Other than Single-Family Detached Residences) the Commissioner of Buildings shall reduce the required number of spaces to the maximum number permitted.

**25-211**

**Application of requirements to conversions and certain enlargements**

R3 R4

(a) In the districts indicated, except for #zoning lots# in R4 Districts utilizing the special optional regulations of a #predominately built-up area#, wherever additional #dwelling units# are created by conversions or #enlargements# of #residential buildings#, there shall be one off-street parking space provided on the #zoning lot# for each such additional #dwelling unit#. Such off-street parking spaces shall be in addition to any existing off-street parking spaces on the #zoning lot# and shall not be located in any common easement driveways or within a #front yard#. The provisions of Section 25-27 (Waiver of Requirements for All Zoning Lots Where Access Would be Forbidden) shall not apply to such #zoning lots#. Furthermore, such additional #dwelling units# shall be permitted only if the #zoning lot# complies with the provisions of Section 25-64 (Restrictions on Use of Open Space for Parking).

R4 R5

(b) In R5 Districts, and for #zoning lots# in R4 Districts utilizing the special optional regulations of a #predominately built-up area#, the requirements of Section 25-21 (General Provisions) shall not apply to additional #dwelling units# created by conversions of #residential buildings# on #zoning lots# with less than 5,000 square feet of #lot area#, provided such #buildings# were constructed prior to (effective date of amendment) and not subsequently #enlarged#.

R1 R2 R3 R4 R5 R6 R7-1 R7A R7B R7D R7X

(c) In the districts indicated, the requirements of Section 25-21 (General Provisions) shall not apply to #dwelling units# or #rooming units# created by conversions of non-#residential uses# to #residential uses# on #zoning lots# with less than 5,000 or more square feet of #lot area#.

R7-2 R8 R9 R10

(d) In the districts indicated, no #accessory# off-street parking is required for additional #dwelling units# created by conversions of any kind.

\* \* \*

**25-261**

**For new developments or enlargements**

R4B R5B R5D R6 R7 R8 R9 R10

~~In the districts indicated, for all new #developments# or #enlargements#, For #developments# in R4B and R5B Districts, and for #developments# and #dwelling units# within #enlarged# portions of #buildings# in R5D, R6, R7, R8 R9 and R10 Districts, the maximum number of #accessory# off-street parking spaces for which requirements are waived is as set forth in the following table:~~

Maximum number of spaces waived	District
1	R4B R5B R5D
5	R6 R7-1 R7B
15	R7-2 R7A R7D R7X R8 R9 R10

**25-262**

**For conversions**

R6 R7-1 R7A R7B R7D R7X

In the districts indicated, for conversions of any kind in #buildings#, or portions thereof, which result in the creation of additional #dwelling units# or #rooming units#, the maximum number of #accessory# off-street parking spaces for which requirements are waived is 20 spaces; ~~provided that~~ However, the Board of Standards and Appeals may waive requirements for a greater number of spaces in accordance with the provisions of Section 73-46 (Waiver of Requirements for Conversions).

~~\* No accessory off street parking is required for additional dwelling units created by conversions in R7-2, R8, R9 or R10 Districts. See Section 25-211 (Application of requirements to conversions).~~

\* \* \*

**25-27**

**Waiver of Requirements for All Zoning Lots Where Access Would Be Forbidden**

R1 R2 R3 R4 R5 R6 R7 R8 R9 R10

In all districts, as indicated, the requirements set forth in Section 25-21 (General Provisions) shall not apply to any #building# or #zoning lot# ~~as to which the Commissioner of Buildings has certified that~~ where there is no way to arrange the required spaces with access to the #street# to conform to the provisions of Section 25-63 (Location of Access to the Street). ~~The Commissioner of Buildings may refer such matter to the Department of Traffic for report and may base his determination on such report.~~

\* \* \*

**25-62**

**Size and location of Spaces**

\* \* \*

**25-621**

**Location of parking spaces in certain districts**

All #accessory# off-street parking spaces shall be located in accordance with the provisions of this Section, except that in R1, R2, R3, R4A and R4-1 Districts within #lower density growth management areas#, the provisions of Section 25-622 shall apply. In addition, all such parking spaces shall be subject to the curb cut requirements of Section 25-63 (Location of Access to the Street).

- (a) ~~For #zoning lots# with #residential buildings# where no more than two accessory# parking spaces are required:~~

~~R2X R3 R4 R5~~

- (1) ~~In the districts indicated, except R4B or R5B Districts, #accessory# off-street parking spaces shall be permitted only in the #side lot ribbon#, within a #building# or in any open area on the #zoning lot# which is not between the #street line# and the #street wall# or prolongation thereof of the #building#. Access to the #accessory# spaces through a front setback area or required #front yard# shall be only through the #side lot ribbon#. However, for #zoning lots# that have a minimum of 35 feet of #street# frontage along one #street#, are occupied by a #single # or #two family detached residence#, and maintain a minimum of 18 feet of uninterrupted curbside space along the #street# frontage, access to #accessory# spaces need not be through a #side lot ribbon# provided that, on a #zoning lot# with less than 50 feet of frontage along a #street#, no more than one enclosed #accessory# parking space is provided within the #residential building#.~~

~~R6 R7 R8~~

- (2) ~~In the districts indicated without a letter suffix, for #zoning lots# comprised of #single #, #two #, or three #family residences# or #building segments#, #accessory# off-street parking spaces shall be located in accordance with the provisions of paragraph (a)(1) of this Section.~~

~~R4B R5B R5D R6B R7B R8B~~

~~(3) In the districts indicated, #accessory# off street parking spaces shall be located only within a #building#, or in any open area on the #zoning lot# which is not between the #street line# and the #street wall# of the #building# or its prolongation. Access to such parking spaces shall be provided only through the #side lot ribbon# or through the #rear yard#.~~

~~R1 R2(4)~~

~~(4) In the districts indicated, required #accessory# off street parking spaces shall be permitted only within a #building#, or in any open area on the #zoning lot# that is not between the #street line# and the #street wall# of the #building# or its prolongation.~~

(b) For #zoning lots# with #residential buildings# where more than two #accessory# parking spaces are required:

~~R2X R3 R4 R5~~

~~(1) In the districts indicated, except R4B or R5B Districts, #accessory# off street parking spaces shall be permitted only within a #building# or in any open area on the #zoning lot# which is not between the #street line# and the #street wall# of the #building# or its prolongation, unless:~~

~~(i) no more than two such unenclosed spaces are accessed from a single curb cut, and the parking area for these spaces is not more than 20 feet in width measured parallel, or within 30 degrees of being parallel, to the #street line#; or~~

~~(ii) a #group parking facility# with five or more spaces is provided and is screened in accordance with the requirements of Section 25-66 (Screening), paragraphs (a) or (b).~~

~~R6 R7 R8~~

~~(2) In the districts indicated without a letter suffix, for #zoning lots# comprised of #single #, #two #, or three #family residences# or #building segments#, #accessory# off street parking spaces shall be located in accordance with the provisions of paragraph (b)(1) of this Section.~~

## R4B R5B R5D R6B R7B R8B

In the districts indicated, #accessory# off street parking spaces shall be located ~~Only~~ within a #building# or in any open area on the #zoning lot# that is not between the #street line# and the #street wall# of the #building# or its prolongation. Access to such parking spaces shall be provided only through the #side lot ribbon# or through the #rear yard#.

R1 R2 R3A R3X R3-1 R4A R4-1 R5A

- (a) In the districts indicated, #accessory# off-street parking spaces shall be located within or to the side or rear of #buildings#. Such parking spaces may also be located between the #street line# and #street wall# of #buildings# and their prolongations only in accordance with the following provisions:
- (1) for #detached# or #zero lot line buildings# on #zoning lots# with less than 35 feet of #street# frontage, if such parking spaces are located in a driveway in the #side lot ribbon# that accesses parking spaces located to the side or rear of the #residential building#, and no such parking spaces or portions thereof are located in front of the #street wall# of the #building#:
  - (2) for #detached buildings# on #zoning lots# with at least 35 feet of #street# frontage and at least 18 feet of uninterrupted curb space along the #street#, and for #semi-detached buildings#, where permitted, if such parking spaces are located in accordance with the following provisions:
    - (i) for #residential buildings# without garages accessed through the #street wall# of the #building#, if such parking spaces are located in a driveway that accesses parking spaces located to the side or rear of the #building#, and no such spaces shall be located in front of the #street wall# of the #building#; and
    - (ii) for #residential buildings# with garages accessed through the #street wall# of the #building#, if such spaces are located in a driveway in front of such garage.
  - (3) No parking spaces of any kind shall be allowed between the #street line# and #street wall# of an #attached building# or #semi-detached building# in an R1, R2, R3A, R3X, R4A or R5A District, or for an #attached building# or #semi-detached building# abutting an #attached building# in an R1, R2, R3-1 or R4-1 District.

R3-2 R4 R5

- (b) In the districts indicated, other than R4A, R4B, R4-1, R5A, R5B and R5D Districts, #accessory# off-street parking spaces shall be located within or to the side or rear of such #buildings#. Such parking spaces may also be located between the #street line# and #street wall# of such #buildings# and their prolongations provided that, for #buildings# on #zoning lots# with less than 35 feet of #street# frontage, such spaces are located in a driveway in the #side lot ribbon#, and provided that for #buildings# on #zoning lots# with at least 35 feet of #street# frontage and at least 18 feet of uninterrupted curb space along a #street#, either:

- (1) no more than two parking spaces located between the #street line# and #street wall# of such #buildings# and their prolongations shall be accessed from a single curb cut, and the parking area for these spaces shall not be more than 20 feet in width measured parallel, or within 30 degrees of being parallel, to the #street line#; or
- (2) a #group parking facility with five or more spaces is provided and is screened in accordance with the requirements of Section 25-66 (Screening), paragraphs (a) or (b).

R4B R5B R5D R6A R6B R7A R7B R7X R8A R8B R8X

- (c) In the districts indicated, #accessory# off-street parking spaces shall be located only within or to the side or rear of a #building# containing #residences#. No parking spaces of any kind shall be permitted between the #street line# and the #street wall# of such #buildings# and their prolongations.

R6 R7 R8

- (d) In the districts indicated without a letter suffix, the following provisions shall apply:
  - (1) for #zoning lots# comprised of non-#Quality Housing buildings# or non-#Quality Housing building segments#, each of which contains not more than three #dwelling units#, #accessory# off-street parking spaces shall be located in accordance with the provisions of paragraph (b) of this Section;
  - (2) for #zoning lots# comprised of #Quality Housing #buildings# or #Quality Housing building segments#, #accessory# off-street parking spaces shall be located in accordance with the provisions of paragraph (c) of this Section.

\* \* \*

**25-631**

**Location and width of curb cuts in certain districts**

All curb cuts shall comply with the provisions of this Section, except that in #lower density growth management areas#, the provisions of Section 25-632 shall apply. The minimum width of a curb cut shall be eight feet, including splays. In addition, for #non-conforming buildings# in all districts, the provisions of Section 25-633 (Curb cut restrictions for non-conforming buildings in certain districts) shall apply.

- (a) For #zoning lots# with ~~#residential buildings#~~ #buildings# containing #residences# where not more than two #accessory# parking spaces are required:

R2A

- (1) In R2A Districts, the maximum width of a curb cut shall be 18 feet, and the maximum width of a driveway within a #front yard# shall be 20

feet. All #zoning lots# shall maintain at least 18 feet of uninterrupted curb space along each #street# frontage.

R2X R3 R4 R5

(2) In the districts indicated, except R4B and R5B Districts, ~~and except as otherwise provided in Section 25-633 (Prohibition of curb cuts in certain districts)~~, curb cuts shall comply with the following provisions:

(i) for #zoning lots# with less than 50 feet of frontage along a #street#, only one curb cut, having a maximum width, including splays, of ten feet, shall be permitted. Where access to #accessory# parking spaces is only through a #side lot ribbon#, all curb cuts shall be a continuation of the #side lot ribbon#;

(ii) for #zoning lots# with at least 50 feet of frontage along a #street#, no more than two curb cuts shall be permitted along such #street# frontage. If one curb cut is provided, such curb cut shall have a maximum width, including splays, of ~~45~~ 18 feet. If two curb cuts are provided, the maximum width of each curb cut, including splays, shall be ten feet, and a minimum distance of 30 feet of uninterrupted curb space shall be provided between such curb cuts;

~~(iii) Where access to #accessory# parking spaces is only through a #side lot ribbon#, all curb cuts shall be a continuation of the #side lot ribbon#;~~

~~(iv)~~

(iii) wherever #accessory# parking spaces are provided in adjacent #side lot ribbons# on #zoning lots# subdivided after June 30, 1989, the curb cuts giving access to such #side lot ribbons# shall be contiguous (paired), so that only one curb cut, having a maximum width of ~~45~~ 18 feet, including splays, shall serve both #side lot ribbons#; and

~~(v)~~

(iv) ~~new #residential developments# shall maintain a minimum distance of 16 feet of uninterrupted curb space~~ shall be maintained between all curb cuts constructed after June 30, 1989, provided that this requirement may be waived if the Commissioner of Buildings certifies that, due to the location of curb cuts on adjacent #zoning lots#, there is no way to locate the curb cut in compliance with this requirement and that at least 16 feet of uninterrupted curb space is maintained along the #street# in front of the #zoning lot#. shall not apply to #zoning lots# existing both on June 30, 1989 and (effective date of amendment) that are less than 40 feet wide and where at least 16 feet of uninterrupted curb space is maintained along the #street# in front of the #zoning lot#.

R4B R5B ~~R6B R7B R8B~~

~~(4)(3)~~ In the districts indicated, curb cuts are permitted only on #zoning lots# with at least 40 feet of #street# frontage and existing on the effective date of establishing such districts on the #zoning maps#. For #detached#, #semi-detached# and #zero lot line buildings#, the width and location of curb cuts shall be in accordance with paragraph (a)(2), inclusive, of this Section. For #attached-residential buildings# and rowhouses, #building segments#, and for multiple dwellings in R5B; R6B, R7B and R8B Districts, new #residential developments# shall provide a minimum distance of 34 feet of uninterrupted curb space between all curb cuts constructed after June 30, 1989. at least 34 feet of uninterrupted curb space shall be maintained between all curb cuts constructed after June 30, 1989, provided that this requirement shall not apply to #zoning lots# existing on both June 30, 1989 and (the effective date of amendment) that are less than 76 feet wide and where at least 34 feet of uninterrupted curb space is maintained along the #street# in front of the #zoning lot#.

## R6 R7 R8

~~(3)(4)~~ In the districts indicated without a letter suffix, the following provisions shall apply: for #zoning lots# comprised of #single #, #two #, or three #family residences# or #building segments#, the width and location of curb cuts shall be in accordance with the provisions of paragraph (a)(2), inclusive, of this Section.

- (i) for #zoning lots# containing non-#Quality Housing buildings# or non-#Quality Housing building segments#, each of which contains not more than three #dwelling units#, #accessory# off-street parking spaces shall be located in accordance with the provisions of paragraph (a)(2), inclusive, of this Section;
- (ii) for #zoning lots# containing #Quality Housing #buildings# or #Quality Housing building segments#, #accessory# off-street parking spaces shall be located in accordance with the provisions of paragraph (b)(3) of this Section.

- (b) For #zoning lots# with ~~#residential buildings#~~ #buildings# containing #residences# where more than two #accessory# parking spaces are required:

## R2X R3 R4 R5

- (1) In the districts indicated, except R4B and R5B Districts, ~~and except as otherwise provided in Section 25-633,~~ curb cuts shall comply with the following provisions:
- (2)
  - (i) #zoning lots# with 35 feet or more of frontage along a #street# shall maintain a minimum distance of 16 feet of uninterrupted curb space along such #street#;

- (ii) ~~new #residential developments# shall maintain a minimum distance of 16 feet of uninterrupted curb space between all curb cuts on the same or adjoining #zoning lots# developed# after June 30, 1989;~~ a minimum distance of 16 feet of uninterrupted curb space shall be maintained between all curb cuts constructed after June 30, 1989, provided that this requirement shall not apply to any #zoning lot# existing both on June 30,1989 and (effective date of amendment) that is less than 40 feet wide and where at least 16 feet of uninterrupted curb space is maintained in front of such #zoning lot# along the #street#.
- (iii) ~~the maximum width of a curb cut serving a #group parking facility# shall be as set forth in the following table:~~

Size of Facility (in number of spaces)	Maximum Width of Curb Cuts (in feet)
up to 4	15
5 to 24	22
25 and over	30

- (iv)
- (iii) ~~all driveways shall be located at least 13 feet from any other driveway on the same or adjoining #zoning lots#. However, driveways may be paired with other driveways on the same or adjoining #zoning lots#, provided the aggregate width of such paired driveways, including any space between them, does not exceed 20 feet. Curb cuts accessing such paired driveway shall have a minimum width of 15 feet and a maximum width, including splays, of 18 feet.~~ (iv) except for paired driveways as set forth in paragraph (iii) above, the maximum width of a curb cut accessing a #group parking facility# with less than 50 spaces shall be 12 feet, including splays, and the maximum width of a curb cut accessing a #group parking facility# with 50 or more spaces shall be 22 feet, including splays. However, where Fire Department regulations set forth in the Administrative Code of the City of New York require curb cuts of greater width than listed in this chart, such curb cuts may be increased to the minimum width acceptable to the Fire Department.

~~R4B R5B R6B R7B R8B~~

~~(3)(2) In the districts indicated, for #attached residential developments# and rowhouses, and for multiple dwellings in R5B, R6B, R7B and R8B~~

~~Districts, a minimum distance of 34 feet between curb cuts. In addition, the maximum width of curb cuts serving a #group parking facility# shall be as set forth in the table in paragraph (b)(1) of this Section. curb cuts are permitted only on #zoning lots# at least 40 feet wide and existing on the effective date of establishing such district on the #zoning maps#. For #detached#, #semi-detached# and #zero lot line buildings#, the width and location of curb cuts shall be in accordance with paragraph (a)(2), inclusive, of this Section. For #attached residential buildings# and rowhouses, #building segments#, and for multiple dwellings in R5B, R6B, R7B and R8B Districts, new #residential developments# shall provide a minimum distance of 34 feet of uninterrupted curb space between all curb cuts constructed after June 30, 1989. at least 34 feet of uninterrupted curb space shall be maintained between all curb cuts constructed after June 30, 1989, provided that this requirement shall not apply to a #zoning lot# existing on both June 30, 1989 and (the effective date of amendment) that is less than 76 feet wide and where at least 34 feet of uninterrupted curb space is maintained in front of such #zoning lot# along the #street#. Such permitted curb cuts shall comply with the provisions of paragraph (b)(3) of this Section.~~

~~R6 R7 R8~~

~~(2) In the districts indicated without a letter suffix, for #zoning lots# comprised of #single #, #two #, or three #family residences# or #building segments#, the width and location of curb cuts shall be in accordance with the provisions of paragraph (b)(1) of this Section.~~

~~R6 R7 R8~~

~~(3) In the districts indicated, only one curb cut, having a maximum width of 12 feet, including splays, shall be permitted on any #street# frontage of a #zoning lot#. However, where a curb cut accesses a #group parking facility# with 50 or more spaces, the maximum width of a curb cut shall be 22 feet, including splays, or alternatively, two curb cuts shall be permitted to access such #group parking facility#, each with a maximum width of 12 feet, including splays, and spaced at least 60 feet apart. For #zoning lots# subdivided after (the effective date of amendment), curb cuts complying with the provisions of this paragraph (b)(3) shall only be permitted along the #street# frontage of such subdivided #zoning lot# where at least 34 feet of uninterrupted curb space is maintained.~~

~~These curb cut provisions shall apply as follows:~~

~~(i) In R6, R7 and R8 Districts without a letter suffix, to non-#Quality Housing buildings# or non-#Quality Housing building segments#, any of which contain four or more #dwelling units#;~~

- (ii) In R6A, R6A, R7X, R8A, R8X Districts, to all #buildings#, and
- (iii) In R6B, R7B and R8B Districts, to #zoning lots# occupied by a #building# with a #street wall# at least 40 feet in width, or, for #zoning lots# with multiple #building segments#, only where such curb cut is in front of a #building segment# with a #street wall# at least 40 feet in width. On such #zoning lots#, curb cuts shall be permitted only on the #street# frontage that is at least 40 feet wide. On all other #zoning lots# in R6B, R7B and R8B Districts, curb cuts shall be prohibited.

(c) Modification of curb cut location requirements:  
R2X R3 R4 R5 R6 R7 R8

(1) In the districts indicated, the location and width of curb cuts, as required by the provisions of this Section, may be modified if the Commissioner of Buildings certifies that the specified curb cut locations would require the removal of shade trees maintained by the City of New York. The Commissioner of Buildings may refer such matter to the Department of Parks and Recreation and the Department of Transportation for reports, and may base the determination on such report.

R6 R7 R8

(2) In the districts indicated, except R6, R7 or R8 Districts with a letter suffix, the City Planning Commission may authorize modification of the location and width of curb cuts as required by the provisions of this Section provided that the Commission finds that:(i) the proposed modification does not adversely affect the character of the surrounding area; and (ii) where more than one curb cut is provided, the curb cuts are arranged to foster retention of curb side parking spaces along the #street frontage# of the #development#.

\* \* \*

**25-633**

**Prohibition of curb cuts in certain districts**

~~R4B R5B R6B R7B R8B~~

~~In the districts indicated, curb cuts are prohibited for #residential developments# on #zoning lots# having a width of less than 40 feet along a #street# and existing on the effective date of establishing such district on the #zoning maps#.~~

**Curb cut restrictions for non-conforming buildings in R1 through R5 Districts**

~~R1 R2 R3A R3X R3-1 R4A R4-1 R5A~~

(a) In the districts indicated, curb cuts are prohibited for #attached buildings#.  
Furthermore, for a #semi-detached building# that abuts an #attached building#, a curb cut shall only be permitted along that portion of the #street# frontage of the

#zoning lot# directly in front of a #side yard# that is at least eight feet wide and accesses a parking space located beyond the #front yard#.

R1 R2 R3A R3X R4A R5A

- (b) In the districts indicated, for #semi-detached buildings#, a curb cut shall only be permitted along that portion of the #street# frontage of the #zoning lot# directly in front of a #side yard# that is at least eight feet wide and accesses a parking space located beyond the #front yard#.

\* \* \*

**25-64**

**Restrictions on Use of Open Space for Parking**

Restrictions on the use of open space for parking and driveways are set forth in this Section, in accordance with the provisions of Section 23-12 (Permitted Obstructions in Open Space). For #zoning lots# in #lower density growth management areas#, the provisions of paragraph (b) of this Section shall apply.

- (a) ~~In accordance with the provisions of Section 23-12 (Permitted Obstructions in Open Space), driveways, private streets, open #accessory# off street parking spaces, or open #accessory# off street loading berths may not use more of the required #open space# on any #zoning lot# than the percent set forth in the following table:~~

Percent	District
50	R1 R2 R3 R6 R7 R8 R9 R10
66	R4 R5

- (b) ~~In #lower density growth management areas#, the following regulations shall apply:~~
  - (1) ~~Driveways, #private roads# and open #accessory# off street parking spaces may occupy no more than 50 percent of the #lot area# not covered by #residential buildings# in R1, R2 and R3 Districts, and may occupy no more than 66 percent of the #lot area# not covered by #residential buildings# in R4 and R5 Districts; and~~
  - (2) ~~The area within 30 feet and perpendicular to the #rear wall line# of any #building# or #building segment# that does not front upon two #streets# in its entirety shall not be occupied by driveways or off street parking spaces, except that this provision shall not apply to any #zoning lot# occupied by only one #single # or #two family detached# or #semi detached residence#.~~

- (a) In R1, R2, R3, R4A, R4-1 and R4B Districts, driveways, #private roads# and open #accessory# off-street parking spaces may occupy no more than 50 percent of the #lot area# not covered by #buildings# containing #residences#:
- (b) In R4 Districts except for R4A, R4-1 and R4B Districts, and in R5 Districts, driveways, #private roads# and open #accessory# off-street parking spaces may occupy no more than 66 percent of the #lot area# not covered by #buildings# containing #residences# :
- (c) In R6, R7, R8, R9 and R10 Districts, driveways, private streets, open #accessory# off-street parking spaces, or open #accessory# off-street loading berths may not use more than 50 percent of the required #open space# on any #zoning lot#. The provisions of this paragraph (c) shall not apply to #Quality Housing buildings#.

\* \* \*

## **Chapter 8**

### **The Quality Housing Program**

#### **28-00**

#### **GENERAL PURPOSES**

The Quality Housing Program is established to foster the provision of ~~multi-family~~ housing that:

- (a) is compatible with existing neighborhood scale and character;
- (b) provides on-site recreation space to meet the needs of its occupants; and
- (c) is designed to promote the security and safety of the residents.

#### **28-01**

#### **Applicability of this Chapter**

The Quality Housing Program is a specific set of standards and requirements for #buildings# containing #residences#. In R6A, R6B, R7A, R7B, R7D, R7X, R8A, R8B, R8X, R9A, R9X, R10A or R10X Districts, and in the equivalent #Commercial Districts# listed in Sections 34-111 and 34-112, ~~some of these standards and requirements are mandatory for the #development#, #enlargement#, #extension# of, or conversion to any #residential use# other than #single # or #two family residences#. all such #buildings# shall comply with the Quality Housing Program standards and requirements as set forth in this Chapter.~~ In R5D Districts, only the requirements set forth in Sections 28-12 (Street Tree Planting), 28-23 (Refuse Storage and Disposal), 28-33 (Planting Areas) and 28-53 (Location of Accessory Parking) shall apply. In other R6, R7, R8, R9 or R10 Districts, and in the equivalent #Commercial Districts# listed in Sections 34-111 and 34-112, #residential developments#, or #residential enlargements# where permitted, electing to use the optional Quality Housing #bulk# regulations in Article II, Chapter 3, shall comply with the ~~mandatory~~ Quality Housing Program standards and requirements set forth in this Chapter.

\* \* \*

**28-50  
PARKING FOR QUALITY HOUSING**

Except as modified by the provisions of this Section, ~~#accessory# off-street parking for Quality Housing #developments#, #enlargements# or conversions~~ shall be provided as set forth in ~~Article II, Chapter 5, and Article III, Chapter 6.~~ the applicable underlying district regulations.

\* \* \*

**28-52  
Special Regulations for Off-Site Accessory Parking**

Off-site ~~#accessory# off-street parking spaces for Quality Housing #development#, #enlargement# or conversion~~ may be unenclosed, provided that the ~~#zoning lot#~~ on which such spaces are located does not contain a ~~#residential use#~~.

**28-53  
Location of Accessory Parking**

On-site ~~#accessory# off-street parking for Quality Housing #developments#, #enlargements# or conversions~~ shall not be permitted between the ~~#street line#~~ and the ~~#street wall#~~ of a ~~#building#~~ or its prolongation. However, on ~~#through lots#~~ measuring less than 180 feet in depth from ~~#street#~~ to ~~#street#~~, ~~#accessory# off-street parking~~ may be located between the ~~#street line#~~ and any ~~#street wall#~~ located beyond 50 feet of such ~~#street line#~~.

\* \* \*

**Chapter 6  
Accessory Off-Street Parking and Loading Regulations**

**36-00  
GENERAL PURPOSES AND DEFINITIONS**

Off-Street Parking Regulations

\* \* \*

**36-026  
Applicability of regulations to Quality Housing**

On any ~~#zoning lot#~~ containing ~~#residential uses developed#, #enlarged# or converted pursuant to the Quality Housing Program,~~ a #Quality Housing building#, all ~~#accessory# off-street parking spaces~~ shall comply with the provisions of Section 28-50 (PARKING FOR QUALITY HOUSING) to 28-52.

\* \* \*

**36-10**

**PERMITTED ACCESSORY OFF-STREET PARKING SPACES**

\* \* \*

**36-12**

**Maximum Size of Accessory Group Parking Facilities**

C1 C2 C3 C4 C5 C6 C7 C8

In all districts, as indicated, no #accessory group parking facility# shall contain more than 150 off-street parking spaces or, in the case of a ~~Quality Housing #development# or #enlargement#~~, #Quality Housing building#, more than 200 spaces, except as provided in Section 36-13 (Modification of Maximum Size of Accessory Group Parking Facilities).

The provisions of this Section shall not apply to #accessory# off-street parking spaces provided in #public parking garages# in accordance with the provisions of Section 36-57 (Accessory Off-Street Parking Spaces in Public Parking Garages).

\* \* \*

**36-30**

**REQUIRED ACCESSORY OFF-STREET PARKING SPACES FOR RESIDENCES WHEN PERMITTED IN COMMERCIAL DISTRICTS**

**36-31**

**General Provisions**

C1 C2 C3 C4 C5 C6

In all districts, as indicated, #accessory# off-street parking spaces, open or enclosed, shall be provided for all ~~new #residences# constructed~~ #dwelling units# or #rooming unit# created after December 15, 1961, in accordance with the provisions of the following Sections and the other applicable provisions of this Chapter, as a condition precedent to the #use# of such ~~#residences#~~ #dwelling unit# or #rooming unit#:

- Section 36-32 (Requirements Where Individual Parking Facilities Are Provided)
- Section 36-33 (Requirements Where Group Parking Facilities Are Provided)
- Section 36-34 (Modification of Requirements for Small Zoning Lots)
- Section 36-35 (Modification of Requirements for Public Housing or Non-profit Residences for Elderly)
- Section 36-37 (Special Provisions for a Single Zoning Lot with Uses Subject to Different Parking Requirements)
- Section 36-39 (Special Provisions for Zoning Lots Divided by District Boundaries)

After December 15, 1961, for all #enlargements# which increase the number of #dwelling units# or #rooming units# in a #building#, the same requirements shall apply to the additional #dwelling units# or #rooming units# created by such #enlargements#.

For the purposes of these Sections, three #rooming units# shall be considered the equivalent of one #dwelling unit#.

**36-311**

**Application of requirements to conversions in C1 or C2 Districts**

C1 C2

In the districts indicated, where such districts are mapped within R1, R2, R3, R4, R5, R6, R7B or R7-1 Districts, the requirements of Section 36-31 (General Provisions) shall not apply to the additional #dwelling units# or #rooming units# created by conversions of any kind on #zoning lots# with less than 5,000 or more square feet of #lot area#, ~~except as otherwise provided in Sections 36-363 (For conversions in C1 or C2 Districts governed by surrounding Residence District bulk regulations) and 73-46 (Waiver of Requirements for Conversions).~~

**36-312**

**Application of requirements to conversion in C3 or C4 Districts**

C3 C4-1 C4-2 C4-3

In the districts indicated, the requirements of Section 36-31 (General Provisions) shall not apply to the additional #dwelling units# or #rooming units# created by conversions of any kind on #zoning lots# with less than 5,000 or more square feet of #lot area#, ~~except as otherwise provided in Sections 36-364 (For conversions in C4 Districts) and 73-46 (Waiver of Requirements for Conversions).~~

\* \* \*

**36-32**

**Requirements Where Individual Parking Facilities Are Provided**

C1-1 C1-2 C1-3 C1-4 C1-5 C2-1 C2-2 C2-3 C2-4 C2-5 C3 C4-1 C4-2 C4-3

In the districts indicated, where #group parking facilities# are not provided, the requirements for #accessory# off-street parking spaces are as set forth in this Section.

**36-321**

**In C1 or C2 Districts governed by surrounding 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, where such districts are mapped within R1, R2, R3, R4, R5, R6 or R7-1 Districts, and where #group parking facilities# are not provided, one #accessory# off-street parking space, open or enclosed, shall be provided for each #dwelling unit#. The provisions of this Section shall not apply to these districts when mapped within R6A, R6B, R7A, R7B or R7X Districts or to ~~#residential buildings developed# or #enlarged# pursuant to the Quality Housing Program~~ #Quality Housing buildings# in R6 or R7 Districts without a letter suffix.

\* \* \*

**36-33**

**Requirements Where Group Parking Facilities Are Provided**

C1 C2 C3 C4 C5 C6 C7 C8

In the districts indicated, for new #residences developed# under single ownership or control where #group parking facilities# are provided, the number of required #accessory# off-street parking spaces is as set forth in this Section.

\* \* \*

**36-50**

**ADDITIONAL REGULATIONS FOR PERMITTED OR REQUIRED ACCESSORY OFF-STREET PARKING SPACES**

\* \* \*

**36-52**

**Size and Location of Spaces**

C1 C2 C3 C4 C5 C6 C7 C8

In the districts indicated, all #accessory# off-street parking spaces shall comply with the size and location provisions of this Section.

(a) Size of spaces

**36-521**

**Size of spaces**

C1 C2 C3 C4 C5 C6 C7 C8

\* \* \*

(b) Location of parking spaces in certain districts

**36-522**

**Location of parking spaces in certain districts**

C1-6A C1-7A C1-8A C1-8X C1-9A C2-6A C2-7A C2-7X C2-8A C4-2A C4-3A C4-4A C4-4D C4-5A C4-5D C4-5X C4-6A C4-7A C5-1A C5-2A C6-2A C6-3A C6-3D C6-4A C6-4X

In the districts indicated, and in C1 and C2 Districts mapped within R5D, R6A, R6B, R7A, R7B, R7D, R7X, R8A, R8B, R8X, R9A, R9D, R9X, R10A and R10X Districts, and for #Quality Housing buildings# in C1, C2, C4, C5 and C6 Districts without a letter suffix, all #accessory# off-street parking spaces shall comply with the provisions of this Section.

(a) #Buildings other than #mixed buildings# #accessory# off-street parking spaces shall not be located between the #street wall# of a #building# and any #street line# that is coincident with the boundary of a #Commercial District# mapped along an entire blockfront. Where a #zoning lot# is bounded by more than one #street line# that is coincident with the boundary of a #Commercial District# mapped along an entire blockfront, this provision need not apply along more than one #street line#. For any blockfront that is entirely within a #Commercial District#, #accessory# off-street parking spaces shall not be located between the #street wall# of a #building# and its prolongation and any #street line# of such blockfront. Where a #zoning lot# is bounded by more than one such #street line#, this provision shall apply along only one #street line#.

(b) #Mixed buildings#

For #mixed buildings#, all #accessory# off-street parking spaces shall be located only within a #building# or in any open area on the #zoning lot# that is not between the #street line# and the #street wall# of the #building# or its prolongation.

**36-53**

**Width of Curb Cuts and Location of Access to the Street**

C1 C2 C3 C4 C5 C6 C7 C8

\* \* \*

**36-531**

**Location of curb cuts in C1 or C2 Districts mapped in R5D Districts**

In C1 or C2 Districts mapped within R5D Districts, a minimum distance of 34 feet of uninterrupted curb space shall be provided between all curb cuts constructed after June 29, 2006. Furthermore, no curb cuts shall be permitted on the #wide street# frontage of any #zoning lot# existing on June 29, 2006, with access to a #narrow street#.

**36-532**

**Location and width of curb cuts accessing residential parking spaces in certain districts**

The provisions of this Section 36-532 shall apply to all curb cuts accessing off-street parking spaces #accessory# to #residences# in C1 and C2 Districts mapped within R1 through R8 Districts, and in all other #commercial districts# where, as set forth in the Tables in Section 34-112 or 35-23, as applicable, the applicable #Residential District# is R3, R4, R5, R6, R7 or R8.

(a) All such curb cuts shall comply with the provisions of Section 25-631 (Location and width of curb cuts in certain districts), as set forth for the applicable #building#, #building segment# and #residence district#. All #buildings# containing #residences# in C1 and C2 Districts mapped within R1, R2, R3A, R3X, R3-1, R4A, R4-1 and R5A Districts shall comply with the provisions set forth in Section 25-631 for an R3-2 District;

(b) All such curb cuts shall be prohibited on the #wide street# frontage of any #zoning lot# existing on (the effective date of amendment) with access to a #narrow street#; and

(c) Where a commercial district with only #narrow street# frontage is mapped along the short end of a #block#, and a #zoning lot# existing on (effective date of amendment) has access to both the short and long ends of such #block#, all such curb cuts shall be prohibited along the #street line# of the short end of such #block#.

\* \* \*

**73-46**

**Waiver of Requirements for Conversions**

In R6 or R7-1 Districts, in C1 or C2 Districts mapped within R6 or R7-1 Districts, or in C4-2 or C4-3 Districts, where the number of #accessory# off-street parking spaces required for additional #dwelling units# created by conversions of any kind exceeds the number of spaces which may be waived as of right under the provisions of Sections 25-262 (For conversions), 36-363 (For conversions in C1 or C2 Districts governed by surrounding Residence District bulk regulations) or 36-364 (For conversions in C4 Districts), the Board of Standards and Appeals may waive all or part of the required spaces, provided that the Board finds that there is neither a practical possibility of providing such spaces:

- (a) on the same #zoning lot# because of insufficient #open space# and the prohibitive cost of structural changes necessary to provide the required spaces within the #building#; nor
- (b) on a site located within 1,200 feet of the nearest boundary of the #zoning lot# because all sites within such radius are occupied by substantial improvements.

\* \* \*

**Article XII - Special Purpose Districts**  
**Chapter 3**  
**Special Mixed Use District**

\* \* \*

**123-70**  
**PARKING AND LOADING**

\* \* \*

**123-72**  
**Residential and Community Facility Uses**

For #residences# and #community facility uses#, the #accessory# off-street parking and loading regulations of the designated #Residence District#, as set forth in Article II, Chapter 5, shall apply, except that:

- (a) the provisions of Section 25-50 (RESTRICTIONS ON LOCATION OF ACCESSORY OFF-STREET PARKING SPACES) shall not apply. In lieu thereof, the provisions of Section 44-30 (RESTRICTIONS ON LOCATION AND USE OF ACCESSORY OFF-STREET PARKING SPACES) shall apply to such #uses#; and ~~in #mixed use buildings#, the provisions of Section 25-60 shall not apply. In lieu thereof, the provisions of Section 44-40 (ADDITIONAL REGULATIONS FOR PERMITTED OR REQUIRED ACCESSORY OFF STREET PARKING SPACES) shall apply to such #uses#.~~ for #buildings# containing #residences# in #Special Mixed Use Districts#, in addition to the applicable #accessory# off-street parking and loading regulations set forth in Article II, Chapter 5, the provisions of Section 44-46 (Accessory Off-Street Parking Spaces in Public Parking Garages), Section 44-47 (Parking Lot Maneuverability and Curb Cut Regulations) and Section 44-48 (Parking Lot Landscaping) shall apply.

\* \* \*

(On January 6, 2010, Cal. No. 9, the Commission scheduled January 27, 2010 for a public hearing which has been duly advertised.)

**Close the hearing.**

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**IV. CITY PLANNING COMMISSION 2010 SCHEDULE OF MEETINGS**  
**January 1 to June 30**

	SUN	MON	TUE	WED	THU	FRI	SAT
<b>JANUARY</b>						1 NEW YEAR'S DAY	2
	3	4 REVIEW SESSION	5	6 CPC PUBLIC MEETING	7	8	9
	10	11	12	13	14	15	16
	17	18 MARTIN LUTHER KING, JR. DAY	19	20	21	22	23
	24	25 REVIEW SESSION	26	27 CPC PUBLIC MEETING	28	29	30
31							
<b>FEBRUARY</b>		1	2	3	4	5	6
	7	8 REVIEW SESSION	9	10 CPC PUBLIC MEETING	11	12 LINCOLN'S BIRTHDAY	13
	14 CHINESE NEW YEAR	15 PRESIDENTS' DAY	16	17 ASH WEDNESDAY	18	19	20
	21	22 REVIEW SESSION	23	24 CPC PUBLIC MEETING	25	26	27
	28						
<b>MARCH</b>		1	2	3	4	5	6
	7	8 REVIEW SESSION	9	10 CPC PUBLIC MEETING	11	12	13
	14	15	16	17 ST. PATRICK'S DAY	18	19	20
	21	22 REVIEW SESSION	23	24 CPC PUBLIC MEETING	25	26	27
	28 PALM SUNDAY	29	30 PASSOVER	31			
<b>APRIL</b>					1	2 GOOD FRIDAY	3
	4 EASTER	5	6	7	8	9	10
	11	12 REVIEW SESSION	13	14 CPC PUBLIC MEETING	15	16	17
	18	19	20	21	22	23	24
	25	26 REVIEW SESSION	27	28 CPC PUBLIC MEETING	29	30	
<b>MAY</b>	2	3	4	5	6	7	8
	9	10 REVIEW SESSION	11	12 CPC PUBLIC MEETING	13	14	15
	16	17	18	19	20	21	22
	23	24 REVIEW SESSION	25	26 CPC PUBLIC MEETING	27	28	29
	30	31 MEMORIAL DAY OBSERVED					
<b>JUNE</b>			1	2	3	4	5
	6	7 REVIEW SESSION	8	9 CPC PUBLIC MEETING	10	11	12
	13	14	15	16	17	18	19
	20	21 REVIEW SESSION	22	23 CPC PUBLIC MEETING	24	25	26
	27	28	29	30			

**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.

V. CITY PLANNING COMMISSION 2010 SCHEDULE OF MEETINGS  
July 1 to December 31

	SUN	MON	TUE	WED	THU	FRI	SAT
<b>JULY</b>					1	2	3
	4 INDEPENDENCE DAY	5 INDEPENDENCE DAY OBSERVED	6	7	8	9	10
	11	12 REVIEW SESSION	13	14 CPC PUBLIC MEETING	15	16	17
	18	19	20	21	22	23	24
	25	26 REVIEW SESSION	27	28 CPC PUBLIC MEETING	29	30	31
<b>AUGUST</b>	1	2	3	4	5	6	7
	8	9 REVIEW SESSION	10	11 CPC PUBLIC MEETING	12 1st DAY RAMADAN	13	14
	15	16	17	18	19	20	21
	22	23 REVIEW SESSION	24	25 CPC PUBLIC MEETING	26	27	28
	29	30	31				
<b>SEPTEMBER</b>				1	2	3	4
	5	6 LABOR DAY	7	8	9 ROSH HASHANAH	10	11
	12	13 REVIEW SESSION	14	15 CPC PUBLIC MEETING	16	17	18 YOM KIPPUR
	19	20	21	22	23	24	25
	26	27 REVIEW SESSION	28	29 CPC PUBLIC MEETING	30		
<b>OCTOBER</b>	3	4	5	6	7	8	9
	10	11 COLUMBUS DAY OBSERVED	12 REVIEW SESSION	13 CPC PUBLIC MEETING	14	15	16
	17	18	19	20	21	22	23
	24	25 REVIEW SESSION	26	27 CPC PUBLIC MEETING	28	29	30
	31						
<b>NOVEMBER</b>		1	2 ELECTION DAY	3	4	5	6
	7	8	9	10	11 VETERANS' DAY	12 DIWALI	13
	14	15 REVIEW SESSION	16	17 CPC PUBLIC MEETING	18	19	20
	21	22	23	24	25	26	27
	28	29 REVIEW SESSION	30		THANKSGIVING		
<b>DECEMBER</b>				1 CPC PUBLIC MEETING	2 HANUKKAH	3	4
	5	6	7	8	9	10	11
	12	13 REVIEW SESSION	14	15 CPC PUBLIC MEETING	16	17	18
	19	20	21	22	23	24 CHRISTMAS OBSERVED	25 CHRISTMAS
	26 KWANZAA BEGINS	27	28	29	30	31	

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.