TABLE 1: SUBSTANTIVE CHANGES

Section	***Title***	***Description***	***Analysis***
11-23	Demolition and Replacement	A new section is proposed which clarifies the distinction between substantial alterations and new buildings. Buildings constructed using an alteration permit have not always been considered new buildings (i.e.: a development), so such buildings did not have to provide the applicable required amenity. Such requirements include the following categories of amenities: tree planting; planting strips and planting in open areas; other requirements for open areas; special use requirements including retail continuity or arts and entertainment uses; transit easements, subway improvements or subway stair relocation or renovation; street wall transparency; or public access requirements. This new section addresses the practice of avoiding such requirements on the basis that the new construction is authorized as an "alteration", rather than as a "new building." DOB permit classifications operate independently of zoning definitions and their use to avoid the need to comply with these zoning requirements for new buildings is inappropriate. This new section states that where both more than 75 percent of the floor area and more than 25 percent of the	<u>Applicability/Affected Districts</u>: City-wide <u>Future without proposed action</u>: Some new buildings built as the result of demolition and replacement would not provide amenities required for developments. <u>Future with proposed action</u>: All new buildings would be required to provide the public amenities, unless qualified for a waiver under applicable provisions. Buildings that result from demolition and replacement would provide the applicable amenities, irrespective of the DOB permit classification of the work. A small number of buildings would be affected. The amenities affected are set forth in the following sections: Section 23-03 (Street Tree Planting in Residence Districts) Section 23-04 (Planting Strips in Residence Districts) Section 33-03 (Street Tree Planting in Commercial Districts) Section 37-35 (Retail Continuity) Section 37-40 (OFF-STREET RELOCATION OR RENOVATION OF A SUBWAY STAIR) Section 81-42 (Retail Continuity along Designated Streets) Section 81-46 (Off-Street Relocation or Renovation of a Subway Stair) Section 81-72 (Use Regulations Modified) Section 82-12 (Mandatory Off-Street Relocation of a Subway Stair)

Section	*Title*	*Description*	*Analysis*
		perimeter walls of an existing building are removed, and any amount of floor area is replaced, the specified requirements shall be applicable. One- or two-family homes are exempted.	Section 82-23 (Street Wall Transparency) Section 91-12 (Uses on Designated Retail Streets) Section 91-41 (Regulations for Designated Retail Streets) Section 91-43 (Off-Street Relocation or Renovation of a Subway Stair) Section 93-14 (Ground Floor Level Requirements) Section 93-65 (Transit Easements) Section 93-66 (Open Area Requirements in the Large-Scale Plan Subdistrict A) Section 93-70 (PUBLIC ACCESS REQUIREMENTS FOR SPECIAL SITES) Section 95-03 (Transit Easement) Section 95-04 (Certification of Transit Easement Volume) Section 95-08 (Special Use Regulations) Section 97-12 (Arts and Entertainment Use Requirement) Section 97-22 (Uses Not Permitted on the Ground Floor of Buildings) Section 97-23 (Transparency Requirements) Section 98-14 (Ground Floor Use and Transparency Requirements on Tenth Avenue) Section 98-53 (Required Open Areas on the East Side of the High Line) Section 98-54 (Transparency Requirements on the East Side of the High Line) Section 98-60 (SPECIAL ACCESS REGULATIONS FOR CERTAIN ZONING LOTS) Section 101-11 (Special Ground Floor Use Regulations) Section 101-12 (Transparency Requirements) Section 101-43 (Off-street Relocation or Renovation of a Subway Stair) Section 108-30 (MODIFICATION OF STREET TREE REQUIREMENTS) Section 109-132 (Treatment of the ground level wall) Section 109-21 (Use Regulations) Section 109-33 (Special Front Wall Regulations)

Section	***Title***	***Description***	***Analysis***
			Section 115-14 (Transparency Requirement in C4-5X and C6 Districts) Section 116-12 (Mandatory Ground Floor Use and Frontage Requirements) Section 116-13 (Transparency Requirements) Section 117-31 (Special Use Regulations) Section 117-42 (Special Bulk and Use Regulations in the Court Square Subdistrict) Section 117-44 (Mandatory Subway Improvements) Section 117-45 (Developer's Notice) Section 117-513 (Transparency requirement) Section 117-553 (Mandatory sidewalk widening and ground floor uses) paragraph (b) Section 118-40 (ENTRANCE AND STREET WALL TRANSPARENCY REQUIREMENTS) Section 118-60 (OFF-STREET RELOCATION OF A SUBWAY STAIR WITHIN THE SPECIAL UNION SQUARE DISTRICT) Section 119-112 (Tier I tree planting requirements) Section 119-216 (Tier II tree planting requirements) Section 122-50 (SPECIAL PROVISIONS FOR PLANTING STRIPS) Section 124-30 (MANDATORY IMPROVEMENTS) Section 124-40 (PUBLICLY ACCESSIBLE OPEN SPACE REQUIREMENTS) Section 126-21 (Street Tree Planting)
12-10	DEFINITIONS	The definition of "building" will be revised: currently, the definition of "building" provides that a building is "a structure which is bounded by either open area or the lot lines of a zoning lot." This results in defining multiple abutting buildings	The amendments to the definition of "building" create a change when the defined term is used in regulations throughout the Zoning Resolution. For a detailed assessment of effects particular to each regulation where the term is used, see the following Sections in this Table:

Section	*Title*	*Description*	*Analysis*
		on a zoning lot as a single building for zoning purposes, rather than as what they are commonly understood to be, which is multiple independent buildings. The new definition of "building" will define a building as bounded by lot lines, open area or fire walls. This will allow abutting buildings on one zoning lot to be treated as separate independent buildings for zoning purposes, which is also consistent with common understanding.	23-03, 23-45(b), 23-621(c), 23-633(a), 23-633(d), 23-692, 33-03, 33-492, 35-24, 43-02, 62-52, 107-42, 107-462, and 107-463
12-10	DEFINITIONS	The definition of "floor area" will be revised to include floor space that is unused or inaccessible. This rule currently applies only to existing buildings, and will be revised to apply to all buildings.	<u>Applicability/Affected Districts:</u> Citywide. <u>Future without proposed action:</u> New buildings could be permitted to discount from the calculation of "floor area" floor space that is unused or inaccessible. <u>Future with proposed action:</u> All buildings will be treated the same way, so that floor space that is unused or inaccessible will be calculated as "floor area."
12-10	DEFINITIONS	The definition of "Land with Minor Improvements" will be updated to account for inflation. The definition includes land with structures or improvements with a total assessed valuation, excluding land, of less than $2,000. This figure has not been updated since 1961 to	<u>Applicability/Affected Districts:</u> Citywide. <u>Future without proposed action:</u> Without this change, more restrictive provisions governing non-conforming use of land with minor improvements (ZR 52-32;52-52; and 52-72) will continue to have

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		account for inflation. The new text would require the amount to be adjusted annually by DCP to account for Consumer Price Index increases. .	highly limited applicability, given the outdated $2,000 figure. <u>Future with proposed action:</u> Additional sites which qualify as land with minor improvement and are used for a non-conforming use will be restricted from changing to another non-conforming use (ZR 52-32), from continuing the non conforming use in the event of damage or destruction (ZR 52-52), or continuing in place following a residential rezoning which rendered the use non conforming (ZR 52-72).
12-10	DEFINITIONS	The definition of "Semi-detached (building)" will be modified so that it is a building that abuts only one other semi-detached building on an adjoining zoning lot along a side lot line, and is surrounded on all other sides by yards. Typically, the proposed change would affect the status of buildings at the end of a row of homes in a lower-density zoning district such as R3-2, R4 or R5. Such end buildings would be required to have a side yard and are thus characterized as “semi-detached” under the existing definition. Under the proposed definitions of “semi-detached” and “attached,” the end of a row of homes will be considered “attached.”	See discussion under Section 23-461 (b) in this table.

Section	***Title***	***Description***	***Analysis***
22-331	Permitted illuminated accessory signs for hospitals and related facilities	Surface area of identification or directional signs for hospital buildings in residence districts would be increased to 25 square feet per building fronting upon a street, rather than 25 square feet per zoning lot street frontage.	Applicability/Affected Districts: All residence districts Future without proposed action: Each street frontage would be allowed up to 25 square feet of surface area of sign, irrespective of the number of hospital buildings fronting upon the street. Future with proposed action: Each hospital building fronting upon a street would be allowed up to 25 square feet of surface area of sign. Additional identification or directional signage may be erected to identify hospital buildings and provide way finding, in circumstances where multiple hospital buildings front upon a street. Such signage will be no more than 25 square feet in surface area per building.
23-01	Applicability of this Chapter	The proposed amendment will apply residential bulk regulations to residential portions of buildings used partly for community facility use. Under current regulations, some residential bulk regulations and some community facility bulk regulations apply to the residential portions of buildings that also contain community facilities. Under the amendment, all residential bulk regulations will apply to the residential portions of buildings, except where explicitly stated otherwise. For example the community facility side and rear yard regulations will apply to residential portions of buildings that contain community facility use. .	Applicability/Affected Districts: All residence districts and commercial districts that permit residences Future without proposed action: General rule: Residential bulk regulations do not apply to residential portions of buildings also containing community facility uses, except where explicitly stated in Article 2, Chapter 4. Absent a specific reference to apply residential bulk regulations community facility bulk applies. Future with proposed action: General rule: Residential bulk regulations will apply to residential portions of buildings used partly for community facility use except where explicitly stated otherwise. For example, the community facility side and rear yards rules in Article 2, Chapter 4 will apply to residential portions of buildings that contain community facility use.

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			See sections 24-11, 24-12, 24-521, 24-54, 24-551 and 24-671 for an analysis of how this general rule applies in specific sections.
23-03	Street Tree Planting in Residence Districts	With the current definition of "building," a new building that is on a zoning lot with abutting buildings is considered an "enlargement." Currently, "enlargements" up to 20 percent of the floor area on a zoning lot need not provide street trees whereas all "developments" must provide street trees. The new definition of "building" will cause all new buildings to be considered "developments," thus triggering street tree requirements.	Applicability/Affected Districts: New residential, commercial, or community facility uses in all Residence Districts Future without proposed action: Some new buildings will be considered enlargements and will not provide street trees. Future with proposed action: All new buildings will be considered developments and will provide street trees.
23-148	For tower-on-a-base buildings in R9 Districts	New section eliminates height factor and open space ratio regulations for R9 tower-on-a-base buildings. Section sets a maximum FAR of 7.52, a maximum interior or through lot coverage of 70 percent and maximum corner lot coverage of 80 percent. Height factor and open space ratio regulations are designed to produce low-coverage buildings that are contrary to tower-on-a-base regulations, which require street walls that extend along the entire length of a wide street line.	Applicability/Affected Districts: R9 and C1 and C2 districts w/ R9 equivalents Future without proposed action: Inherent conflicts between tower-on-a-base regulations and height factor regulations would favor optional Quality Housing regulations or sky exposure plane building as most practical building forms Future with proposed action: The removal of height factor controls from tower-on-a-base regulations and their replacement with a single FAR and lot coverage control will allow for the practical development of tower-on-a-base buildings. Developers will have a choice of three practical bulk regulations consistent with the original intent: tower-on-a-base, Quality

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			Housing regulations, and sky exposure plane.
23-45(b)	Minimum Required Front Yards	Width of balconies and projections limited to 33% of aggregate width of buildings can include abutting buildings on the same zoning lot. The amendment will limit such widths to 33% of each building.	Applicability/Affected Districts: R2A R3A R3X R4-1 R4B R5A R5B R5D Future without proposed action: The width of balconies and projections can exceed 33% of the width of the building from which they project if there are abutting buildings w/o balconies or projections on the same zoning lot. Future with proposed action: The width of balconies and projections will be limited to 33% of the width of only the building from which they project.
23-461(b)	Side yards for single- or two- family residences	The amended definition of "semi-detached building" will no longer include the end building in a row of attached buildings, where such end building is bounded on one side by a yard. For corner lots, such end buildings will meet the definition of "attached building" and will no longer be required to provide a side yard at least 20 feet wide. Instead, a side yard at least eight feet wide will be required. **See Diagram 1**	Applicability/Affected Districts: Corner lots in R3-2, R4 (other than R4A, R4B & R4-1) and R5 (other than R5A, R5B & R5D). Future without proposed action: On corner lots, a 20 foot side yard would be required for the end building in a row of attached buildings. Future with proposed action: On corner lots, an eight foot side yard will be required for the end building in a row of attached buildings. In R3-2 districts, there would be no change because the maximum permitted lot coverage would not allow much variation in building footprint if the maximum floor area is to be achieved on a typical sized lot. In R4 and R5 districts, the

Section	***Title***	***Description***	***Analysis***
			proposed amendment would result in additional possible configurations of the end building in a row of attached buildings on corner lots. The proposed change will not affect permitted lot coverage, FAR or height and setback regulations but would result in additional design flexibility that may result in some buildings which are lower in height and have more lot coverage. This will not result in an increase in the number of dwelling units.
23-62	Permitted Obstructions	Elevator shafts and associated vestibules providing access to a roof are proposed as permitted obstructions to height and setback regulations provided such vestibules are no larger than 60 square feet. Currently, the elevator shaft is counted as floor area on each level it stops at, and vestibules are not allowed to penetrate a height limit. Therefore, the shafts and vestibules are not allowed to access rooftops where the rooftops are located at the maximum permitted height of the building. This change is necessary to explicitly permit such elevator shafts and small vestibules (necessary for weather protection) to penetrate a height or setback limit and therefore allow access to rooftop recreation space in conformance with access rules for persons with disabilities.	<u>Applicability/Affected Districts:</u> R5, R6A, R6B, R7A, R7B, R7D, R8A, R8B, R8X, R9A, R9D, R9X and R10A districts, or commercial equivalents, and other R6 – R10 districts or equivalent commercial districts where Quality Housing buildings are developed or enlarged, and all waterfront zoning lots <u>Future without proposed action:</u> Rooftop recreation space will not be provided at or near permitted height limits where such space is required to be accessible to persons with physical disabilities <u>Future with proposed action:</u> Rooftop recreation space will be provided at or near permitted height limits where such space is required to be accessible to persons with physical disabilities. Small vestibules will be allowed to penetrate a height or setback limit when the vestibule is associated with an elevator shaft. Greater access will be afforded to rooftop recreation space for persons with disabilities. Rooftop recreation space that complies with zoning regulations is made more practicable.
23-621 (c)	Permitted obstructions in certain districts	As described in this section, “dormers” are portions of a building that are permitted to exceed a maximum base height in order to encourage	<u>Applicability/Affected Districts:</u> R6A, R6B, R7A, R7B, R7D, R8A, R8B, R8X, R9A, R9D, R9X and R10A districts, and commercial districts with such residential district equivalents, and other R6 – R10

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		variation in street walls. The change in the definition of "building" will require that dormers are calculated for each individual building, instead of allowing a dormer to be calculated based on all abutting buildings on a zoning lot, as is currently permitted.	districts and commercial districts with such residential district equivalents where Quality Housing buildings are developed or enlarged <u>Future without proposed action:</u> Large dormers could be constructed using a calculation based on all abutting buildings on a zoning lot. <u>Future with proposed action:</u> Smaller dormers could be constructed using a calculation based on individual building widths. Dormers permitted above the maximum base height will be reduced in size and will be proportional to each individual building where there are multiple buildings abutting on a single zoning lot.
23-633 (a)	Street wall location and height and setback regulations in certain districts	Permitted percentage of recesses in a street wall will be calculated for each individual building based on the new definition of "building"; abutting buildings on a zoning lot will no longer contribute to calculation of building width.	<u>Applicability/Affected Districts:</u> R8A R8X R9A R9X R10A R10X and other R8- R10 districts where Quality Housing buildings are developed or enlarged <u>Future without proposed action:</u> Recesses would be calculated based on total street wall width of all abutting buildings on a zoning lot <u>Future with proposed action:</u> Recesses will be calculated based on the street wall width of individual buildings. Recesses in street walls of new buildings will have less width where they abut existing buildings on a zoning lot. The amendment will affect the design of buildings that choose to have recesses but will not reduce the FAR. Action is consistent with change of the definition of building.

Section	***Title***	***Description***	***Analysis***
23-633 (d)	Street wall location and height and setback regulations in certain districts	Paragraph (4) will be added to explicitly state that a building may be constructed to less than the minimum base height so long as there is no subsequent development or enlargement of other buildings on the same zoning lot that exceed such minimum base heights. This amendment is necessary to ensure that for zoning lots with multiple buildings, the minimum street wall height is provided upon full development of the zoning lot. **See Diagram 2**	<u>Applicability/Affected Districts:</u> R6A, R6B, R7A, R7B, R7D, R8A, R8B, R8X, R9A, R9D, R9X and R10A districts, and commercial districts with such residential district equivalents, and other R6 – R10 districts and commercial districts with such residential district equivalents where Quality Housing buildings are developed or enlarged <u>Future without proposed action:</u> In some cases, on fully developed through lots, the majority of the permitted bulk will be accommodated in a building fronting upon one street, leaving the building fronting upon the other street with not enough bulk to achieve the minimum base height. Minimum street wall requirements will continue to apply as a result of the current definition of "building." Current regulations state that a building must be constructed to the minimum street wall height, "or the height of the building, whichever is less." Because of the current definition of "building," if a new building is constructed abutting an existing building on the same zoning lot, the two are considered one building. If one part of any of the abutting buildings on the lot exceeds the minimum street wall height, all new construction on the lot must meet the minimum street wall height. <u>Future with proposed action:</u> On any lot, upon full development of the zoning lot, all buildings will be built to their minimum base heights. The new rule accounts for the change in the definition of "building," and continues to apply street wall requirements to abutting buildings on the zoning lot. This principle will be extended to include buildings on the zoning lot that do not abut.
23-692	Height limitations for narrow buildings or	This Section is known as the "Sliver Rule." Paragraph (6) exempts Quality Housing buildings	<u>Applicability/Affected Districts:</u> R7-2, R7D, R7X, R8, R9, R10 and commercial districts with equivalent residential

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	enlargements	from 23-692 provided they are at least 45 feet wide at the maximum base height. Currently, abutting buildings on the same zoning lot can be considered a single building. If their combined width is at least 45 feet at the maximum base height, such building is exempt from 23-692. Existing rule can result in new construction which is less than 45 feet wide in its entirety, from ground level to the uppermost story, contrary to the intent of the rule, which was to allow narrow penthouse structures above Quality Housing buildings with bases wider than 45 feet. The exemption for Quality Housing buildings applies the 45-foot required width to each building separately.	bulk, except C4-2F, C4-4, C4-5, C4-6, C4-7, C5 or C6 districts unless developed or enlarged with Quality Housing buildings <u>Future without proposed action:</u> Buildings less than 45 feet wide can be developed or enlarged pursuant to Quality Housing program without regard to 23-692 if they abut a building on the same zoning lot, so that their combined width is at least 45 feet at the maximum base height. <u>Future with proposed action:</u> Only Quality Housing buildings at least 45 feet wide at the maximum base height can be developed or enlarged without regard to 23-692. Quality Housing buildings less than 45 feet wide at the maximum base height may not be able to develop to their full FAR, or may achieve an FAR less than was achievable prior to the amendment. Vertical enlargements above the maximum base height of buildings less than 45 feet wide will not be allowed unless an abutting building is at least as tall. Consequently, there will be fewer vertical enlargements of such buildings.
23-892	In R6 through R10 Districts	New rule requires that planting in front setback areas of buildings in contextual districts be planted at ground level or in raised planting beds permanently affixed to the ground. Amendment is necessary to prohibit planting requirement to be met through moveable planters, which are less likely to be permanent.	<u>Applicability/Affected Districts:</u> R6-R10 contextual districts, non-contextual R6–R10 districts developed or enlarged with Quality housing buildings <u>Future without proposed action:</u> Existing planting requirement can be met in moveable containers <u>Future with proposed action:</u> Existing planting requirement must be planted at ground level or in raised planting beds permanently affixed to the ground.

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24-01	Applicability of this Chapter	The proposed amendment will apply residential bulk regulations to residential portions of buildings used partly for community facility use, except where explicitly stated otherwise in Article 2, Chapter 4 For example the community facility side and rear yard regulations will apply to residential portions of buildings that contain community facility use.	<u>Applicability/Affected Districts:</u> All residence districts <u>Future without proposed action:</u> General rule: Residential bulk regulations do not apply to residential portions of buildings used partly for community facility use except where explicitly stated in Article 2, Chapter 4. <u>Future with proposed action:</u> General rule: Residential bulk regulations will apply to residential portions of buildings used partly for community facility use except where explicitly stated otherwise in Article 2, Chapter 4. See Sections 24-11, 24-12, 24-521, 24-54, 24-551 and 24-671 for an analysis of how this general rule applies in specific sections.
24-11	Maximum Floor Area Ratio and Percentage of Lot Coverage	This section will be amended to specify that regulations apply only to community facility uses. Section 24-01 as proposed requires residential portions of buildings to comply with Article 2 Chapter 3. The proposed modification does not affect FAR, since the current Section 24-161 states that the maximum permitted FAR for residential portions of buildings is governed by Article 2 Chapter 3. However, the proposed amendment will affect residential lot coverage for buildings containing community facility uses in certain	<u>Applicability/Affected Districts:</u> All R1–R5 districts except R2X, R3A, R3X, R4A, R4B, R4X, R4-1, R5A All R6-R10 non-contextual districts, except R6A is an affected district <u>Future without proposed action:</u> Community facility lot coverages will apply to buildings used partly for residential and partly for community facility uses. <u>Future with proposed action:</u> Residential lot coverages will apply to the residential portion of a building used partly for community facility use. In all districts, buildings that contain both residential and

Section	*Title*	*Description*	*Analysis*
		districts, since currently, all residential uses for such buildings are governed by the lot coverage regulations of 24-11. The maximum residential lot coverage for residential portions of buildings containing community facility uses will change as follows: In R1-2A and R2A districts, permitted lot coverage will decrease from from 55 percent on interior or though lots, and from 60 percent on corner lots, to 30 percent. In other R1 and R2 districts, lot coverage limitations will no longer apply to residential portions of buildings. In R3 districts, except R3A and R3X, permitted lot coverage will decrease from 55 percent on interior and through lots, and from 60 percent on corner lots to 35 percent. In other R3 districts, lot coverage limitations will no longer apply to residential portions of buildings. In R4 districts, except R4A, R4B, and R4-1, and except in predominantly built-up areas, lot coverage will decrease from 55 percent on interior or though lots and from 60 percent on corner lots to 45 percent. In R4A, R4-1 and R5A districts, lot	community facility uses are designed, as a rule, with residential use above community facility use. Community facility uses are allowed to obstruct rear yards to a height of one story or 23 feet, whichever is less, making the effective community facility lot coverage at the ground level always higher than residential lot coverage. Therefore, the proposed amendment will have no effect on ground level lot coverage. Please refer to the description in the adjoining column for specific percentages of allowable lot coverage. For residential portions of buildings containing community facility uses: • in R1 (except R1-2A), R2 (except R2A), R3A, R3X, R4A, R4-1 and R5A districts, there will no longer be lot coverage rules; • in R1-2A, R2A, R3 and R4 districts (except R3A, R3X, R4A, R4B and R4-1) there will be less allowable lot coverage; • in R4B and R5 districts (except R5A districts) and in predominantly built-up areas of R4 and R5 districts, there will be slightly less allowable lot coverage for corner lots; • in R6 districts, for optional Quality Housing buildings on wide streets outside the Manhattan Core, there will be greater allowable lot coverage for corner lots; for optional Quality Housing buildings elsewhere, there will be slightly less allowable lot coverage on interior and through lots and greater allowable lot coverage on corner lots; in R6A districts, there will be slightly greater allowable lot coverage on interior or through lots; • in R7 districts, for optional Quality Housing buildings there will be greater

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		coverage limitations will no longer apply to residential portions of buildings. In R4B and R5 districts, except R5A districts, and in predominantly built-up areas of R4 districts, corner lot coverage will decrease from 60 percent to 55 percent. For optional Quality Housing buildings in R6 districts outside of the Manhattan Core within 100 feet of a wide street, lot coverage will increase on corner lots from 70 percent to 80 percent. For optional Quality Housing buildings in R6 districts elsewhere, lot coverage will decrease on interior and through lots from 65 percent to 60 percent, and increase on corner lots from 70 percent to 80 percent. In R6A districts, permitted lot coverage will increase from 60 percent to 65 percent on interior or though lots. For optional Quality Housing buildings in R7 districts, lot coverage will increase on corner lots from 70 percent to 80 percent. For optional Quality Housing buildings in R8 and R9 districts, lot coverage will increase on interior and through lots from 65 percent to 70 percent, and will increase on corner lots from 75 percent to 80 percent.	allowable lot coverage for corner lots; • in R8 through R10 districts, for optional Quality Housing buildings there will be greater allowable lot coverage on all lots. Non-Quality Housing buildings are, as a rule, low lot coverage buildings; therefore the proposed amendment will have little or no effect for such buildings. The proposed amendment will not affect number of residential dwelling units since residential FAR is not affected, and since residential yard and distance from legal windows to lot lines must be complied with. Reductions in permitted lot coverage are not expected to have a significant effect on development, since residential lot coverages are designed to work for typical residential building types in each zoning district.

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		For R10 non-Quality Housing buildings permitted lot coverage will increase from 65 percent to 70 percent on interior or though lots and from 75 percent to 100 percent on corner lots.	
24-12	Height and Application of Lot Coverage	A purely residential building on a zoning lot containing a community facility will no longer qualify for exemption of lot coverage requirements up to a height of 23 feet, consistent with modified 24-01.	Applicability/Affected Districts: all residence districts Future without proposed action: Residential buildings on zoning lots containing community facility use would be governed by community facility lot coverage Future with proposed action: Residential buildings on zoning lots containing community facility use will be governed by residential lot coverage There will be no practical effect because of other regulations that require minimum distances between legally required windows for residences and lot lines.
24-165	Lot coverage for zoning lots containing community facility and residential uses.	The proposal will introduce a new rule that clarifies how lot coverage is applied to a building where the residential and community facility portions have different maximum percentages of lot coverage. Rule specifies that the higher lot coverage applies where such uses are located on the same level, and that where community facility uses are located below residential uses, the community facility lot coverage need not be less	Applicability/Affected Districts: All residence districts Future without proposed action: Only one set of lot coverage rules apply to buildings containing a mixture of residential and community facility use; see section 24-11. Future with proposed action: Where different lot coverages are specified for different uses (see section 24-11) on the

Section	***Title***	***Description***	***Analysis***
		than the residential lot coverage.	same story of a building, the higher will apply to the entire story. Furthermore, where community facility uses are located below residential uses, the community facility lot coverage need not be less than the residential lot coverage. This change will not affect the number of residential dwelling units, since residential FAR is not affected, and since residential yard and distance from legal windows to lot lines must be complied with.
24-31	Applicability of Yard Regulations	For zoning lots containing both residential and community facility uses, this new section applies residential yard regulations and community facility side and rear yard regulations to the entire zoning lot.	<u>Applicability/Affected Districts:</u> R1-R5 <u>Future without proposed action:</u> Community facility yard rules apply to all zoning lots containing both residential and community facility use. There would be no front yard planting requirements. <u>Future with proposed action:</u> Residential front yard regulations will apply to all zoning lots containing both residential and community facility uses. Community facility side and rear yard regulations will continue to apply. The residential front yard planting regulations will apply. Front yard dimensions will be the same as currently except as follows: in R3A, R3X, R4-1, R5A, R4 except R4B, front yards will change from 15 feet to 10 feet; in R4B, front yards will change from 15 feet to 5 feet; and in R5B, front yards will change from 10 feet to 5 feet. Front yards of new buildings containing both residential and community facility uses in R1 – R5 districts would be required to meet planting requirements of Section 23-451. Existing buildings in R1 –R5 districts containing both residential and community facility uses with planted front yards would not be able to remove such plantings if the removal would create a non-compliance or increase the amount of an existing non-compliance. Front yard dimensions will be the same as currently except as follows: in

Section	*Title*	*Description*	*Analysis*
			R3A, R3X, R4-1, R5A, R4 except R4B, front yards will change from 15 feet to 10 feet; in R4B, front yards will change from 15 feet to 5 feet; and in R5B, front yards will change from 10 feet to 5 feet.
24-521	Front setbacks in districts where front yards are required	No text change to section. However, proposed change to 24-01 would require that residential portion of buildings containing both residential and community facility uses comply with the front height and setback regulations of Article 2 Chapter 3. **See Diagram 3**	<u>Applicability/Affected Districts:</u> R1–R5; R6-R10 where buildings are not developed or enlarged pursuant to Quality housing regulations <u>Future without proposed action:</u> The front height and setback regulations of buildings containing both residential and community facility uses will be governed by community facility front height and setback regulations. <u>Future with proposed action:</u> The front height and setback regulations of the residential portion of buildings containing residential and community facility uses will be governed by the residential front height and setback regulations. This will result in no change in R1 or R2 districts, except R1-2A, R2X and R2A, and no change in R6-R10 non-contextual districts for non-Quality Housing buildings, since residential and community facility front height and setback regulations are identical. This will result in a change in R1-2A, R2X, R2A, R3, R4 and R5 districts. Residential portion of buildings containing community facility uses will be arranged within residential bulk envelopes (which have fixed height limits), and will therefore generally result in lower buildings than are achievable using community facility front height and setback regulations (sky exposure planes). There will not be any change in the amount of residential development since residential FAR is not affected.
24-54	Tower Regulations	Proposed amendment to 24-01 will require	<u>Applicability/Affected Districts:</u>

Section	*Title*	*Description*	*Analysis*
		residential portions of buildings containing both residential and community facility uses to comply with the residential height and setback requirements of Article 2 Chapter 3. **See Diagram 4**	R7-2 and R8 <u>Future without proposed action:</u> Residential portions of buildings containing both residential and community facility uses may be configured as towers. <u>Future with proposed action:</u> Residential portions of buildings containing both residential and community facility uses may not be configured as towers. Instead, such portions of buildings would be configured beneath a sky exposure plane or as a Quality Housing building, resulting in shorter, bulkier buildings. DOB staff and practitioners believe that this provision has been rarely or never used to produce a residential tower in R7-2 or R8 districts.
24-551	Required side setbacks for tall buildings in low bulk districts	Text amended to state that section applies only to community facility portion of building, not to entire building containing a mix of residential and community facility uses, consistent with amended 24-01. Diagram added for clarity. The less restrictive side yard setbacks of Section 23-661 will apply to residential portions of buildings with a mix of residential and community facility uses. **See Diagram 5**	<u>Applicability/Affected Districts:</u> R1-R5 <u>Future without proposed action:</u> Buildings containing both residential and community facility uses must provide side setbacks above a height of 35 feet pursuant to this section. <u>Future with proposed action:</u> Only community facility portion of a building containing both residential and community facility use must provide a side setback above a height of 35 feet. In R1, R2 and R5 districts, residential portions of buildings must be set back at a height of 30 or 33 feet, as applicable. This will result in a change in R5 districts only, due to height limits and FAR limits in R1 – R4 districts. Residential uses above community facility uses can be accommodated on narrower lots. This change will not affect the amount of

Section	***Title***	***Description***	***Analysis***
			residential development since there are no changes to residential FAR.
24-671	Courts	Current rule applies residential court regulations only to courts bounded by dwelling units with legally required windows facing such court. Amended text applies residential court regulations to courts bounded by dwelling units, regardless of windows. This modification is consistent with general principal of amended 24-01, which states that the residential portion of a building containing both residential and community facility uses is governed by the bulk regulations of Article 2, Chapter 3, and is necessary to close a loophole by which substandard courts are currently permitted for residential buildings that contain a small amount of community facility space.	<u>Applicability/Affected Districts: all residence districts</u> <u>Future without proposed action:</u> Courts that are bounded by dwelling units that have no legally required windows opening onto such courts can meet the minimum size requirements of Article 2 Chapter 4. For instance, the minimum size for an inner court in this chapter is 600 square feet. <u>Future with proposed action:</u> Courts that are bounded by dwelling units, regardless of the presence of windows opening onto such courts, must meet the larger size requirements of Article 2 Chapter 3. For instance, the minimum size for an inner court in this chapter is 1,200 square feet. Larger courts, and therefore more light and air, will be required for residential portions of buildings that contain community facility uses. There is no change to the permitted FAR, so the change will not affect the size of a building or the number of permitted dwelling units. Practitioners believe that the opportunity to construct a court to lesser dimensions has rarely affected developments.
25-623	Location of parking spaces for community facility uses (renamed: Maneuverability standards for community facility uses)	Maneuverability standards are described in this table at Section 36-58.	<u>Applicability/Affected Districts:</u> New community facility parking areas in all Residence districts <u>Future without proposed action:</u> Maneuverability standards would apply only to community facility open parking areas that are enlarged or are accessory to a new building and would not apply to new open parking areas accessory to existing buildings. <u>Future with proposed action:</u>

Section	***Title***	***Description***	***Analysis***
			Maneuverability standards will apply to all new community facility open parking areas. In situations where there are existing buildings but no accessory parking area, and a new accessory parking area is constructed, the proposal will require maneuverability standards for the new parking spaces.
25-631	Location and width of curb cuts in certain districts	The current provision limits curb cuts to zoning lots more than 40 feet in width existing on the date of the applicable zoning map amendment. Curb cuts are subject to maximum width rules, and must be at least 34 feet from any other curb cut constructed after 1989. Currently, DOB does not allow subdivided zoning lots to have curb cuts even where the zoning lot resulting from such subdivision has 40 feet or more of street frontage. This is contrary to the intent of the rule, which was meant to prevent curb cuts on pre-existing narrow zoning lots (less than 40 feet). New language will be added: 'Any such zoning lot may be subdivided, and curb cuts are permitted for any zoning lot resulting from such subdivision with at least 40 feet of street frontage".	<u>Applicability/Affected Districts:</u> R4B R5B <u>Future without proposed action:</u> Zoning lots subdivided or merged after effective date of mapping action would be prohibited from having curb cuts <u>Future with proposed action:</u> Zoning lots subdivided after effective date of mapping action could have a curb cut provided there was at least 40 feet of street frontage for the new zoning lot. Off-street parking would be accommodated for new residences on zoning lots with sufficient street frontage, ensuring adequate curb side spaces for the public. Off-street parking would be permitted for lots subdivided from lots existing at the time of zoning map amendment. Curb cuts would be allowed for a wider range of lots. Restoration of legislative intent to require adequate frontage for curb cuts.
25-67	Parking Lot Landscaping	Parking lot landscaping standards are described in this table at Section 37-91.	<u>Applicability/Affected Districts:</u> New community facility parking areas in all Residence districts <u>Future without proposed action:</u> Parking lot landscaping standards would apply only to community facility open parking areas that are enlarged or are accessory to a new building and would not apply to new

Section	*Title*	*Description*	*Analysis*
			open parking areas accessory to existing buildings. <u>Future with proposed action:</u> Parking lot landscaping standards will apply to all new community facility open parking areas. In situations where there are existing buildings but no accessory parking area, and a new accessory parking area is constructed, the proposal will require parking lot landscaping standards for the new parking spaces.
33-03	Street Tree Planting in Commercial Districts	With the current definition of "building," a new building that is on a zoning lot with abutting buildings is considered an "enlargement." Currently, "enlargements" up to 20 percent of the floor area on a zoning lot need not provide street trees whereas all "developments" must provide street trees. The new definition of "building" will cause all new buildings to be considered "developments," thus triggering street tree requirements.	<u>Applicability/Affected Districts</u>: New residential, commercial, or community facility uses in all Commercial Districts <u>Future without proposed action</u>: Some new buildings will be considered enlargements and will not provide street trees. <u>Future with proposed action</u>: All new buildings will be considered developments and will provide street trees.
33-492	Height limitations for narrow buildings or enlargements	This section is a cross reference to the Sliver rule(Section 23-692) which regulates the height of buildings less than 45 feet wide. Quality Housing buildings that are at least 45 feet wide at the maximum base height are exempted from the height restrictions of this Section. Currently, abutting buildings on the same zoning lot can be considered a single building. If their combined width is at least 45 feet at the maximum base height, such building is exempt from 23-692.	<u>Applicability/Affected Districts</u>: C1-6 C1-7 C1-8 C1-9 C2-6 C2-7 C2-8 C4-4D C4-5D C4-5X C4-6A C4-7A C5-1A C5-2A C6-2A C6-3A C6-3D C6-3X C6-4A C6-4X and in C1 and C2 Districts mapped within R7-2, R7D, R7X, R8, R9 and R10 Districts; <u>Future without proposed action:</u> Buildings less than 45 feet wide can be developed or enlarged pursuant to Quality Housing program without regard to 23-692 if they abut a building on the same zoning lot, so that their combined width is at least 45 feet at the maximum base height. <u>Future with proposed action:</u>

Section	*Title*	*Description*	*Analysis*
		Existing rule can result in new construction which is less than 45 feet wide in its entirety, from ground level to the uppermost story, contrary to the intent of the rule, which was to allow narrow penthouse structures above Quality Housing buildings with bases wider than 45 feet. The exemption for Quality Housing buildings applies the 45-foot required width to each building separately.	Only Quality Housing buildings at least 45 feet wide at the maximum base height can be developed or enlarged without regard to 23-692. Quality Housing buildings less than 45 feet wide at the maximum base height may not be able to develop to their full FAR, or may achieve an FAR less than was achievable prior to the amendment. Vertical enlargements above the maximum base height of buildings less than 45 feet wide will not be allowed unless an abutting building is at least as tall. Consequently, there will be fewer vertical enlargements of such buildings. Also see Sliver Rule Section 23-692 in this Table.
35-24 (a)	Special Street Wall Location and Height and Setback Regulations in Certain Districts	As described in this section, "dormers" are portions of a building that are permitted to exceed a maximum base height in order to encourage variation in street walls. The change in the definition of "building" will require that dormers are calculated for each individual building, instead of allowing a dormer to be calculated based on all abutting buildings on a zoning lot, as is currently permitted.	Applicability/Affected 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 C6-3X C6-4A C6-4X; and in other C1 or C2 Districts when mapped within R6A, R6B, R7A, R7B, R7D, R7X, R8A, R8B, R8X, R9A, R9D, R9X, R10A or R10X Districts, and Quality Housing buildings in other Commercial Districts See also 23-621 (c).Future without proposed action: Large dormers could be constructed using a calculation based on all abutting buildings on a zoning lot. Future with proposed action: Smaller dormers could be constructed using a calculation based on individual building widths. Dormers permitted above the maximum base height will be reduced in size and will be proportional to each individual building where there are multiple buildings abutting on a single zoning lot.

Section	***Title***	***Description***	***Analysis***
35-24 (b)(2)	Special Street Wall Location and Height and Setback Regulations in Certain Districts	Permitted percentage of recesses in a street wall will be calculated based on new definition of "building"; abutting buildings on a zoning lot will no longer contribute to calculation of building width.	Applicability/Affected Districts: C1-7A C1-8A C1-8X C1-9A C2-7A C2-7X C2-8A C4-4D C4-5D C4-6A C4-7A C5-1A C5-2A C6-2A C6-3A C6-3D C6-3X C6-4A C6-4X; C1 or C2 mapped in R7D, R8A, R8B, R8X, R9A, R9X, R10A, R10X and Quality Housing buildings in other Commercial districts with a residential equivalent of R8, R9, R10 districts Future without proposed action: Recesses would be calculated based on total street wall width of all abutting buildings on a zoning lot Future with proposed action: Recesses will be calculated based on the street wall width of individual buildings. Therefore, recesses in a street wall will have less width where multiple buildings abut on a zoning lot. This will affect the design of buildings but will not reduce the FAR. Action is consistent with change of the definition of building.
35-24 (e)(4)	Special Street Wall Location and Height and Setback Regulations in Certain Districts	Paragraph (4) added to explicitly state that a building may be constructed to less than the minimum base height so long as there is no subsequent development or enlargement of other buildings on the same zoning lot that exceed such minimum base heights. Amendment is necessary to ensure that for zoning lots with multiple buildings, the minimum street wall height is maintained upon full development of the zoning lot. The amendment allows for small buildings to be developed without having to be built to the minimum base heights on zoning lots that build	Applicability/Affected 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 C6-3X C6-4A C6-4X; and in other C1 or C2 Districts when mapped within R6A, R6B, R7A, R7B, R7D, R7X, R8A, R8B, R8X, R9A, R9D, R9X, R10A or R10X Districts, and Quality Housing buildings in other Commercial Districts See 23-633(d) for analysis

Section	*Title*	*Description*	*Analysis*
		less than the permitted floor area ratio. However, if there are multiple buildings on the same zoning lot, this amendment prevents all the FAR from being used up in one large building while leaving a new, low building on another portion of the zoning lot.	
35-53	Modification of Rear Yard Requirements	In mixed buildings, the 30-foot deep residential rear yard will be required only if the windows of a dwelling unit are facing onto the rear yard, otherwise the 20-foot commercial rear yard must be provided.	Applicability/Affected Districts: C1 C2 C3 C4 C5 C6. Future without proposed action: Residential rear yard provided at the level of the lowest story containing dwelling units. Future with proposed action: Residential rear yard provided at the level of the dwelling units with windows facing the rear yard. More flexibility provided in mixed buildings. Residential rear yard only required where dwelling units will benefit.
36-331	In C1 or C2 Districts governed by surrounding Residence District bulk regulations	Deleted contradictory Quality Housing parking ratios within Article III and provided a cross reference to 25-23 - residential parking regulations in Article II will apply. In existing Sections 36-331 and 36-332, ratios for parking in R6 districts with C overlays and C4-2 and C4-3 districts for all buildings, including Quality Housing buildings is 70 percent of dwelling units instead of 50 percent, as for Quality Housing buildings as in underlying R6 district in 25-23. Ratio for all buildings,	Applicability/Affected Districts: new residences in Quality Housing buildings in C1 or C2 overlays in R6 and R7-1 districts. Future without proposed action: Parking ratio of 70 percent would apply to all buildings, including Quality Housing buildings in R6 districts with C overlays; parking ratio of 60 percent would apply to all buildings, including Quality Housing buildings in R7-1 districts with C overlays, except where 36-341, -342, -361 and -362 apply.

Section	***Title***	***Description***	***Analysis***
		including Quality Housing buildings in R7-1 districts with C overlays is 60 percent of dwelling units in this Section instead of 50 percent for Quality Housing buildings in underlying R7-1 district in 25-23. In 36-341 and 36-342 (for which no change is proposed), required parking is reduced for zoning lots less than 10,000 square feet to 50 percent of dwelling units in R6 districts with C overlays and C4-2 and C4-3 districts, and to 30 percent in R7-1 districts. In 36-361 and 36-362 (for which no change is proposed), required parking is waived in the applicable districts where fewer than five spaces are required. Property owners thus have considerable latitude under current and proposed zoning to vary the required number of parking spaces by subdividing zoning lots. By cross referencing 25-23, the residential parking ratios for residences in C districts will be the same as in R districts. Removes contradictory regulations.	Future with proposed action: Parking ratio of 50 percent will apply to Quality Housing buildings in R6 and R7-1 districts with C overlays, consistent with R6 and R7-1 districts without C overlays. Quality Housing buildings in R6 and R7-1 districts with commercial overlays will have a 50 percent parking requirement regardless of the size of the zoning lot. This change will have little practical effect due to waiver and reduced requirement provisions for small zoning lots pursuant to sections 36-341,-342, -361 and -362.
36-332	In Other C1 or C2 Districts, or in C3, C4, C5 or C6 Districts	See Section 36-331 above.	Applicability/Affected Districts: new residences in Quality Housing buildings in C4-2 or C4-3 districts. See Section 36-331 in this table above for analysis.

Section	***Title***	***Description***	***Analysis***
36-58	Parking Lot Maneuverability and Curb Cut Regulations	Parking lot maneuverability rules will be amended to apply to new parking lots that are not associated with a development or enlargement. Current rules apply only to developments or enlargements. The proposed amendment is consistent with the intent of the original regulation. Existing maneuverability standards apply to the length and width of parking spaces, the width of aisles, and curb cut width and location.	Applicability/Affected Districts: New commercial or community facility parking areas in all Commercial districts Future without proposed action: Parking lot maneuverability standards would apply only to commercial or community facility open parking areas that are enlarged or are accessory to a new building and would not apply to new open parking areas accessory to existing buildings. Future with proposed action: Parking lot maneuverability standards will apply to all new commercial or community facility open parking areas. In situations where there are existing buildings but no accessory parking area, and a new accessory parking area is constructed, the proposal will require parking lot maneuverability standards for the new open parking area.
37-91	Applicability	Parking lot landscaping rules will be amended to apply to new parking lots that are not associated with a development or enlargement. Current rules apply only to developments or enlargements. The proposed amendment is consistent with the intent of the original regulation. Existing landscaping standards require perimeter landscaping for parking lots with 18 spaces or more, or at least 6,000 square feet in area. Interior landscaping is required for parking lots with 36 or more parking spaces and at least 12,000 square feet in area.	Applicability/Affected Districts: New commercial or community facility parking areas in all Commercial districts Future without proposed action: Parking lot landscaping standards would apply only to commercial or community facility open parking areas that are enlarged or are accessory to a new building and would not apply to new open parking areas accessory to existing buildings. Future with proposed action: Parking lot landscaping standards will apply to all new commercial or community facility open parking areas. In situations where there are existing buildings but no accessory parking area, and a new accessory parking area is constructed, the proposal will require parking lot landscaping standards for the new parking spaces.

Section	***Title***	***Description***	***Analysis***
43-02	Street Tree Planting in Manufacturing Districts	With the current definition of "building," a new building that is on a zoning lot with abutting buildings is considered an "enlargement." Currently, "enlargements" up to 20 percent of the floor area on a zoning lot need not provide street trees whereas all "developments" must provide street trees. The new definition of "building" will cause all new buildings to be considered "developments," thus triggering street tree requirements.	Applicability/Affected Districts: New residential, commercial, or community facility uses in all Manufacturing Districts. Future without proposed action: Some new buildings will be considered enlargements and will not provide street trees. Future with proposed action: All new buildings will be considered developments and will provide street trees.
44-47	Parking Lot Maneuverability and Curb Cut Regulations	Parking lot maneuverability standards are described in this table at Section 36-58.	Applicability/Affected Districts: New commercial or community facility parking areas in all Manufacturing districts Future without proposed action: Parking lot maneuverability standards would apply only to commercial or community facility open parking areas that are enlarged or are accessory to a new building and would not apply to new open parking areas accessory to existing buildings. Future with proposed action: Parking lot maneuverability standards will apply to all new commercial or community facility open parking areas. In situations where there are existing buildings but no accessory parking area, and a new accessory parking area is constructed, the proposal will require parking lot maneuverability standards for the new open parking area.
44-48	Parking Lot Landscaping	Parking lot landscaping standards are described in this table at Section 37-91.	Applicability/Affected Districts: New commercial or community facility parking areas in all Manufacturing districts Future without proposed action:

Section	***Title***	***Description***	***Analysis***
			Parking lot landscaping standards would apply only to commercial or community facility open parking areas that are enlarged or are accessory to a new building and would not apply to new open parking areas accessory to existing buildings. <u>Future with proposed action</u>: Parking lot landscaping standards will apply to all new commercial or community facility open parking areas. In situations where there are existing buildings but no accessory parking area, and a new accessory parking area is constructed, the proposal will require parking lot landscaping standards for the new parking area.
52-531	General Provisions	New cross-reference to 11-23. This ensures that the amenities listed in 11-23 are provided by the reconstructed building if it meets the percentages of demolition established in that section.	See 11-23 in this Table
54-41	Permitted Reconstruction	New cross-reference to 11-23. This ensures that the amenities listed in 11-23 are provided by the reconstructed building if it meets the percentages of demolition established in that section.	See 11-23 in this Table
62-323	Non-profit residences for the elderly in R3, R4, R5, R6 and R7 Districts	Text added to specify that regulations apply only to community facility uses. Residential regulations will apply to residential portions as stated in the applicability section 24-01. In addition, text is added to specify that higher lot coverage would apply for levels with both community facility and residential uses. Also, community facility uses	<u>Applicability/Affected Districts:</u> R3, R4, R5, R6, and R7 Residence Districts within waterfront areas <u>Future without proposed action:</u> Community facility lot coverage, which is usually higher, would continue to be used for an entire building containing a mix of community facility and residential uses.

Section	*Title*	*Description*	*Analysis*
		may use higher residential lot coverage if located below the residential use.	Future with proposed action: Different lot coverages will be used for residential portions and community facility portions. Where community facilities and residential uses are at the same level, whichever lot coverage is higher may be used. The proposed change is not expected to affect number of dwelling units since residential FAR is not affected, and since residential yard and distance from legal windows to lot lines must be complied with. For buildings with community facility uses where floors are entirely comprised of non-profit residences for the elderly, these floors may be constructed with slightly less lot coverage. See Sections 62-324 below and 24-11 for a discussion of the changes in residential and community facility lot coverage rules in waterfront areas city-wide.
62-324	Non-residential buildings in Residence Districts	Text added to specify that higher lot coverage would apply for levels with both community facility and residential uses. Also, community facility uses may use higher residential lot coverage if located below the residential use.	Applicability/Affected Districts: All Residence Districts within waterfront areas. Future without proposed action: Community facility lot coverage, which is usually higher, would be used for residential portions of buildings containing community facility uses. For both community facility and residential use on the same level, community facility lot coverage would be used. Future with proposed action: Different lot coverages will be used for residential portions and community facility portions. Higher lot coverages may be used for community facility uses and residential use at the same level or community facility use below residential use. In R1 and R2 districts, lot coverages for residential portions will decline from 60 percent to 35 percent. In all other residence districts, slightly lower lot coverages will apply to floors that are entirely residential or entirely comprised of non-profit residences for the elderly. For instance, for entirely residential floors, in R6 districts (except R6A and

Section	*Title*	*Description*	*Analysis*
			R6B districts), lot coverages will decline from 70 percent to 65 percent, and in R7-1 districts from 70 percent to 65 percent, with no difference between non-profit residences for the elderly and community facilities in R7-1 districts. The proposed change is not expected to affect number of dwelling units since residential FAR is not affected, and since residential yard and distance from legal windows to lot lines must be complied with. For buildings with community facility uses where floors are entirely comprised of residences, these floors may be constructed with slightly less lot coverage. See Section 24-11 for a discussion of the changes in residential and community facility lot coverage rules city-wide.
62-52	Applicability of Waterfront Public Access Area Requirements	Paragraph (a) exempts enlargements of less than 20,000 square feet and less than 50 percent of the amount existing on the zoning lot on October 25, 1993. Because the revised definition of "building" will no longer include abutting buildings on a zoning lot, fewer projects will be considered "enlargements" and more projects will be required to provide waterfront public access areas.	<u>Applicability/Affected Districts:</u> All districts except R1 and R2 districts where the zoning lot includes a shoreline. Water-dependent uses, manufacturing uses, and lots containing single- or two-family homes are exempted. <u>Future without proposed action:</u> New buildings that abut existing buildings on a single zoning lot are exempt from waterfront public access requirements if they fall below the thresholds established in the rule. <u>Future with proposed action:</u> The construction of a new building that is not for manufacturing or other exempt uses will require waterfront public access, regardless of whether it is abutting other buildings on a single zoning lot. New buildings will be required to provide waterfront public access areas, regardless of whether they are abutting other buildings on a single zoning lot. A small number of new buildings would be affected.

Section	***Title***	***Description***	***Analysis***
63-211	For mixed buildings in Commercial Districts containing FRESH food stores	Text amended to specify that residential floor area in a mixed building may be increased for provision of FRESH food store. Current text specifies that both residential or non-residential floor area can be increased up to 20,000 square feet for the provision of FRESH food store, if permitted floor area for non-residential uses is equal to or less than that of residential use. The EAS for the FRESH Text Amendment anticipated that the floor area increase permitted for a FRESH food store would apply in R7-2, R8 and R8A districts, and included analysis of prototypical developments in these districts. However, the zoning text was incorrectly drafted to exclude the applicability of the incentive in these districts.	Applicability/Affected Districts: R7-2, R8 and R8A districts, and their commercial equivalents. Future without proposed action: Floor area increase for provision of FRESH food store would not be available in affected districts. Future with proposed action: Floor area increase for provision of FRESH food store will be available in affected districts. This change is consistent with changes described in the FRESH EAS.
81-241	Maximum floor area ratios for a residential building or the residential portion of a mixed building	The rule regarding a bonus for recreation space will be updated to use Lower Manhattan methodology based on dwelling units or rooming units instead of "rooms" (rooms are no longer used as a measurement in most of the ZR). The calculation that is currently based on 6.5 square feet of recreation space per room will be updated to 13 square feet for each rooming unit and 16.25 square feet for each dwelling unit.	Applicability/Affected Districts: Special Midtown District Future without proposed action: Recreation space would continue to be calculated based on outdated measure of 6.5 square feet per "room." Future with proposed action: Recreation space will be calculated based on 13 square feet for each rooming unit and

Section	***Title***	***Description***	***Analysis***
			16.25 square feet for each dwelling unit. The amendment will establish a more predictable standard, and is not expected to result in a significantly greater or lesser amount of recreation space.
81-43	Street Wall Continuity Along Designated Streets	The rule allowing exemption from street wall requirements for buildings no more than two stories will be amended to account for zoning lots with multiple buildings. New text states that a building may be constructed to less than the minimum street wall height so long as there is no subsequent development or enlargement of other buildings on the same zoning lot that exceed such minimum street wall heights. Amendment is necessary to ensure that for zoning lots with multiple buildings, the minimum street wall height is provided upon full development of the zoning lot.	Applicability/Affected Districts: Special Midtown District Future without proposed action: In some cases, the majority of the permitted bulk will be accommodated in one building, such as a tower, leaving the other buildings on the zoning lot with not enough bulk to achieve the minimum street wall height. Future with proposed action: Upon full development of the zoning lot, all buildings will be built to their minimum street wall heights. The amount of floor area will not be affected, since amendment does not affect allowable FAR.
86-15	Security Gates	The rule requiring security gates to be at least 75 percent transparent will be revised to apply to all security gates installed after March 24, 2009.	Applicability/Affected Districts: Special Forest Hills District Future without proposed action: Only security gates located on the ground floor of a new building or enlargement would need to comply with provision Future with proposed action: All security gates installed on or after applicable date will have to comply.

Section	***Title***	***Description***	***Analysis***
91-33	Lot Coverage Regulations	The rule for lots with frontage on more than one street type will be rationalized. The proposed amendment will make the more restrictive lot coverage rules apply only to portions further than 100 feet from wider street types. The widest street lot coverage rule applies over entire zoning lot as a cap. **See Diagram 6**	Applicability/Affected Districts: corner lots that extend more than 100 feet from wider street types within Special Lower Manhattan District Future without proposed action: Entire buildings that extend beyond 100 feet from a wider street type are limited by a lot coverage applied at the level of the lower street base height. Future with proposed action: Portions of buildings that extend beyond 100 feet from a wider street type are limited by the more restrictive lot coverage only for the portion that extends beyond 100 feet from the wider street. Portions of buildings within 100 feet of a wide street will be allowed to calculate lot coverage at the maximum base height of the wide street. Provides consistency with existing street wall requirements.
93-14	Ground Floor Level Requirements	The proposed amendment specifies that depth of ground floor retail uses must be 50 feet from sidewalk widening line where a sidewalk widening is required. The current rule only requires the depth of ground floor retail uses to be 50 feet from the street line, which allows an actual retail depth of 45 feet where a five-foot sidewalk widening is required, or a depth of 40 feet where a ten-foot sidewalk widening is required.	Applicability/Affected Districts: Special Hudson Yards District where sidewalk widening is required Future without proposed action: Required ground floor retail uses may be only 45 or 40 feet deep as measured from the street wall of a building because sidewalk widening separates a building's front wall from the street line. Future with proposed action: Required ground floor retail uses will be at least 50 feet deep from the sidewalk widening line.
107-02	General Provisions	This section will be amended so that enlargements	Applicability/Affected Districts:

Section	*Title*	*Description*	*Analysis*
		will be subject to the regulations of this chapter.	Special South Richmond Development District <u>Future without proposed action:</u> Enlargements that are not site alterations, such as enlargements above existing ground floor structures, would not have to comply with any regulations in the Chapter. <u>Future with proposed action:</u> Enlargements that are not site alterations would be subject to the regulations of the Chapter, as specified in each section. Yard regulations in 107-46 will apply to enlargements that are not site alterations.
107-42	Minimum Lot Area and Lot Width for Residences	Lot area and width is determined by building type, and building types will be changed due to proposed amendments to definitions of "building" and "semi-detached building." Example 1: Today, abutting townhouses on a single zoning lot are defined as a single detached building. The proposal will redefine each townhouse as a separate attached building. Example 2: Today, a townhouse that abuts an attached building on a separate zoning lot and is bounded on the other by a yard is a semi-detached building. The proposal will redefine it as an attached building.	<u>Applicability/Affected Districts:</u> R3-2 districts within Special South Richmond District <u>Future without proposed action:</u> Existing lot area and lot width rules apply: (detached 1 or 2 story buildings will require a minimum lot area of 3800 square feet and a minimum lot width of 40 feet, and 3 or 4 story detached buildings will require a minimum lot area of 4275 square feet and a minimum lot width of 45 feet. A 1 or 2 story semi-detached building will require a minimum lot area of 2375 square feet and a minimum lot width of 24 feet, and a 3 or 4 semi-detached building will require a minimum lot area of 3800 square feet and a minimum lot width of 40 feet. <u>Future with proposed action:</u> Multiple 1 or 2 story townhouses on a single zoning lot and 1 or 2 story townhouses bounded by an attached building on a separate zoning lot on one side and bounded on the other by a yard will require 1700 square feet of lot area and a minimum lot width of

Section	*Title*	*Description*	*Analysis*
			18 feet; multiple 3 or 4 story townhouses on a single zoning lot and 3 or 4 story townhouses bounded by an attached building on a separate zoning lot on one side and bounded on the other by a yard will require 2280 square feet of lot area and a minimum lot width of 24 feet. This change will have no effect for multiple townhouses on a single zoning lot, since other requirements, such as side yard requirements, density factors, parking and open area requirements necessitate lot areas and lot widths in excess of the minimums. **See Diagram 7** For townhouses with one side yard that abut an attached building on a separate zoning lot, slightly less lot area and lot width will be required. **See Diagram 7**
107-466	Special yard regulations for certain zoning lots	This section will be deleted. The section is an as-of-right provision that allows front yards to be waived for two or more zoning lots to be developed as a unit, and for side yards to be reduced to 5 feet provided a certain amount of area is provided in the side yard. This section has been rarely if ever used.	Applicability/Affected Districts: Special South Richmond Development District Future without proposed action: Any tract of land with two or more zoning lots is not required to provide front yards. Side yards may be reduced to 5 feet Future with proposed action: Front yards will be required in all R1 through R5 districts, side yards must be provided pursuant to basic rules in the South Richmond District. All zoning lots will be required to provide yards in accordance with the regulations of the South Richmond District.
109-124	Height and setback regulations	This section will be revised so that height and setback regulation apply to all buildings, which includes enlargements. Currently, the rule applies only to new buildings or portions thereof, which unintentionally excluded enlargements.	Applicability/Affected Districts: Area A of the Special Little Italy District Future without proposed action: Enlargements not limited by height and setback regulations

Section	***Title***	***Description***	***Analysis***
		"[N]ew building or portion thereof," will be changed to "building or other structure"	<u>Future with proposed action:</u> All buildings, including enlargements will be limited by height and setback regulations.
109-352	Curb cut regulations	The current rule restricting curb cuts to no more than one for each zoning lot street frontage applies only to developments. The rule is proposed to be revised so that the curb cut limitation applies to all zoning lots, not just developments.	<u>Applicability/Affected Districts:</u> Special Little Italy District <u>Future without proposed action:</u> Curb cut restriction applies to new buildings, and existing buildings are not controlled by regulation. There is a remote possibility that a zoning lot with existing buildings would construct more than one curb cut. <u>Future with proposed action:</u> Curb cut restriction applies to all zoning lots. The possibility that a zoning lot would construct more than one curb cut will be eliminated. Slightly fewer curb cuts may result.
117-525	Special yard regulations	In mixed buildings, the 30-foot deep residential rear yard will be required only if the windows of a dwelling unit are facing onto the rear yard, otherwise the 20-foot commercial rear yard must be provided. This rule is proposed to be revised to match the proposed revisions to the city-wide rule for rear yards for mixed buildings (Section 35-53).	<u>Applicability/Affected Districts:</u> Queens Plaza Subdistrict of Special Long Island City District <u>Future without proposed action:</u> 30-foot rear yard would be required at lowest level containing dwelling units or rooming units <u>Future with proposed action:</u> 30-foot rear yard will be required at lowest level where dwelling units or rooming units have a window facing the rear yard. See Section 35-53

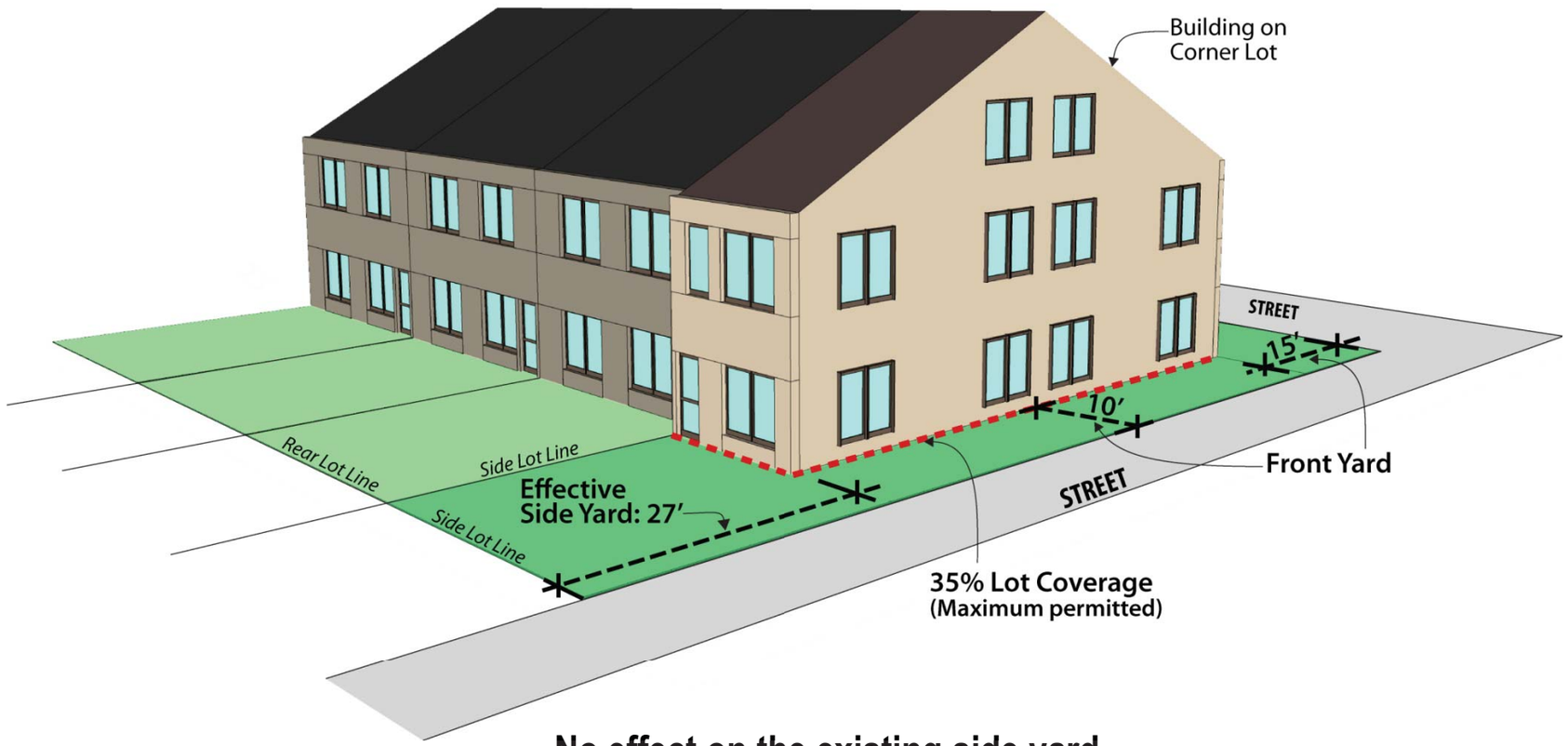
Section	*Title*	*Description*	*Analysis*
122-60	SPECIAL ACCESSORY OFF-STREET PARKING REGULATIONS	Current parking requirements for commercial uses on commercial infill sites are unclear. The current text refers to parking requirements based on "C1 districts mapped within R8 districts." This is unclear because a C1-3 parking requirement is different from a C1-4 parking requirement, and both C1 districts are found in the Grand Concourse District. The rule will be revised to apply more specifically to the commercial infill sites and specify that parking spaces must be replaced if the site is redeveloped.	Applicability/Affected Districts: Special Grand Concourse District, sites specifically designated as "Commercial Infill Sites" listed in Table A of Section 122-10. Future without proposed action: Rule is unclear as drafted. Parking requirement for C1-3 or C1-4 would be applied. Future with proposed action: Parking requirement will be that the new building must provide at least as much accessory parking as the building to be replaced. The text amendment clarifies the parking requirement to be consistent with intent - to ensure against loss of parking spaces and to maintain the character of the district.
123-652	Special yard regulations for mixed use buildings	In mixed buildings, the 30-foot deep residential rear yard will be required only if the windows of a dwelling unit are facing onto the rear yard, otherwise the 20-foot commercial rear yard must be provided. This rule is proposed to be revised to match the proposed revisions to the city-wide rule for rear yards for mixed buildings (Section 35-53).	Applicability/Affected Districts: Mixed-Use Districts Future without proposed action: 30-foot rear yard would be required at lowest level containing dwelling units or rooming units Future with proposed action: 30-foot rear yard will be required at lowest level where dwelling units or rooming units have a window facing the rear yard. See Section 35-53
126-21	Street Tree Planting	The intent of the special district was not to exempt from street tree planting requirements conversions of community facility use to commercial, or commercial to manufacturing. All conversions of	Applicability/Affected Districts: Special College Point District, conversions of 20 percent or more of floor area. Future without proposed action:

Section	***Title***	***Description***	***Analysis***
		20 percent or more should provide street trees.	For such conversions, street trees would only be provided when converting from M (manufacturing) to C (commercial) or M to CF (community facility) uses. <u>Future with proposed action:</u> For such conversions, street trees will be provided when converting from M to C or M to CF, from C to CF or C to M, from CF to C or CF to M. Street trees will be required when a use changes between any two different categories of use groups, which is consistent with the intent. Will result in more street trees.
128-42	Planting Areas	Planting text replaced with standard planting language proposed in 23-892 to be consistent. Planting must be in the ground or in planters permanently affixed to the ground.	<u>Applicability/Affected Districts:</u> Special St. George District. <u>Future without proposed action:</u> Existing planting requirement can be met in moveable containers <u>Future with proposed action:</u> Existing planting requirement must be planted at ground level or in raised planting beds permanently affixed to the ground
131-31	Coney East Subdistrict	New rule: "In the Coney East Subdistrict, no #rear yards# shall be required." to be consistent with the nature of uses (amusement uses) that are permitted in Coney East subdistrict that do not require open space or yards. Residential uses are not permitted in the Coney East Subdistrict. Also, rear yard rule requiring yards at the lowest level containing dwelling units facing onto the	<u>Applicability/Affected Districts:</u> Coney East Subdistrict. <u>Future without proposed action:</u> In accordance with the underlying regulations, all uses would have to provide a 20 foot rear yard at level above 23 feet or one story, whichever is less. <u>Future with proposed action:</u> No rear yards will be provided for any commercial uses at any level. 100 percent lot

Section	***Title***	***Description***	***Analysis***
		yard will be deleted, since this rule will be replaced by a revised Section 35-53. (See Section 35-53 in this table for more information.) This change will have no effect.	coverage is allowed.
131-42	Coney East Subdistrict	Language about City Planning Certification for height limits will be relocated from Section 131-423 to Section 131-42, so that the certification covers all buildings or other structures in the Coney East Subdistrict. This certification allows a building or other structure to exceed a height limit in order to accommodate an amusement use.	Applicability/Affected Districts: Coney East Subdistrict. Future without proposed action: Regulations do not allow buildings or other structures that provide amusements to go beyond the maximum building height on Surf Avenue. Future with proposed action: Buildings or other structures that provide amusements on Surf Avenue may go beyond maximum height limit based on the certification.
131-432	Along all other streets, other than Riegelmann Boardwalk	In paragraph (a), planting text replaced with standard planting language proposed in 23-892 to be consistent. Planting must be in the ground or in planters permanently affixed to the ground.	Applicability/Affected Districts: Coney West Subdistrict, except for Surf Avenue or Riegelmann Boardwalk. Future without proposed action: Existing planting requirement can be met in moveable containers Future with proposed action: Existing planting requirement must be planted at ground level or in raised planting beds permanently affixed to the ground
131-442	Along all other streets, other than Stillwell Avenue	In paragraph (a), planting text replaced with standard planting language proposed in 23-892 to	Applicability/Affected Districts: Coney North Subdistrict, except for Surf Avenue or Stillwell Avenue.

Section	***Title***	***Description***	***Analysis***
		be consistent. Planting must be in the ground or in planters permanently affixed to the ground.	<u>Future without proposed action:</u> Existing planting requirement can be met in moveable containers <u>Future with proposed action:</u> Existing planting requirement must be planted at ground level or in raised planting beds permanently affixed to the ground

Diagram 1A
Section 23-461 (b) – *Side yards for single or two family residences*
R3-2 Example
Typical 25’ X 100’ Lot



No effect on the existing side yard.
Because the maximum lot coverage is 35%, the building cannot cover any additional lot area than shown in the diagram. Therefore, the width of side yard will be at least 20 feet.

Diagram 1B

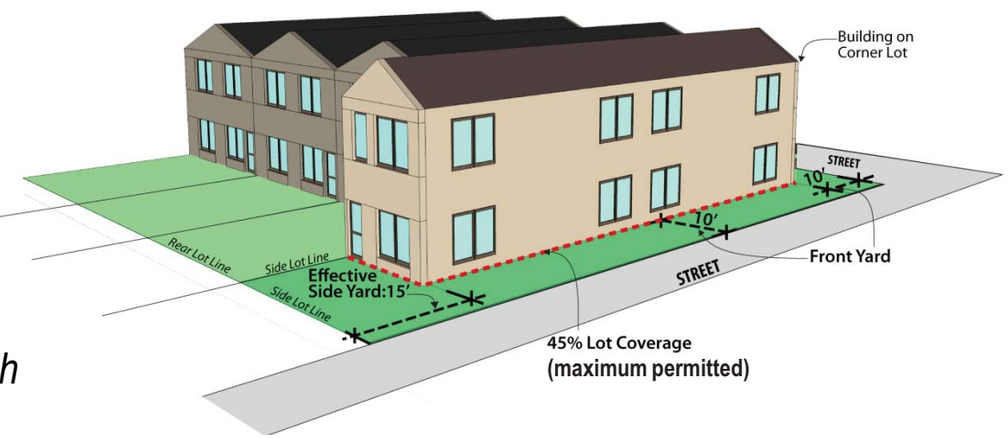
Section 23-461 (b) – *Side yards for single or two family residences*

R4 Example

Typical 25’ X 100’ Lot

EXISTING & PROPOSED

Additional configuration possible under proposal



Proposed text amendment would allow both configurations which achieve maximum floor area permitted as shown in the diagrams. Additional configuration allows 2 equal sized stories at maximum permitted lot coverage with effective side yard of 15 feet.

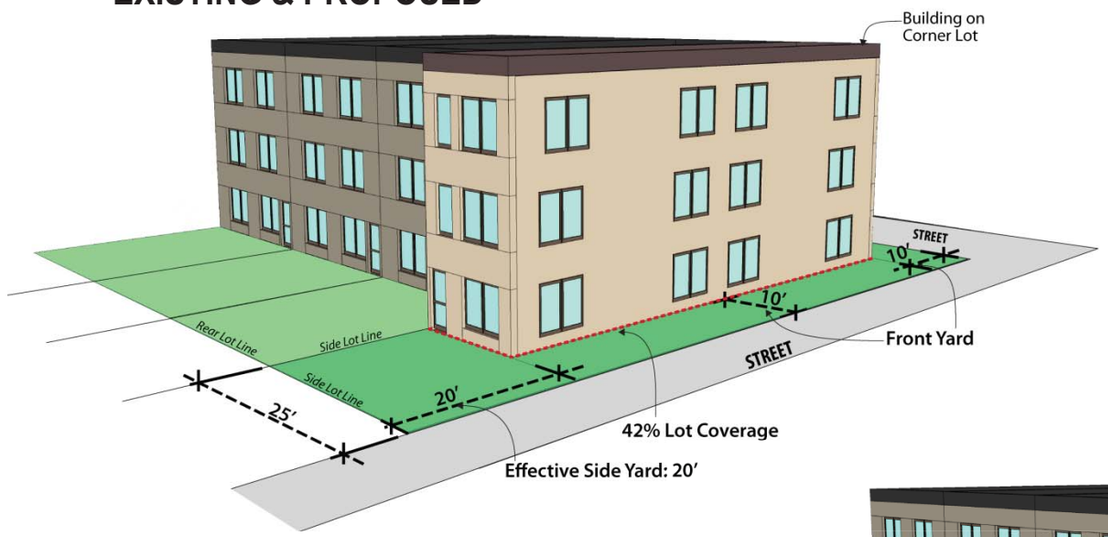
Diagram 1C

Section 23-461 (b) – *Side yards for single or two family residences*

R5 Example

Typical 25’ X 100’ Lot

EXISTING & PROPOSED



Additional configuration possible under proposal

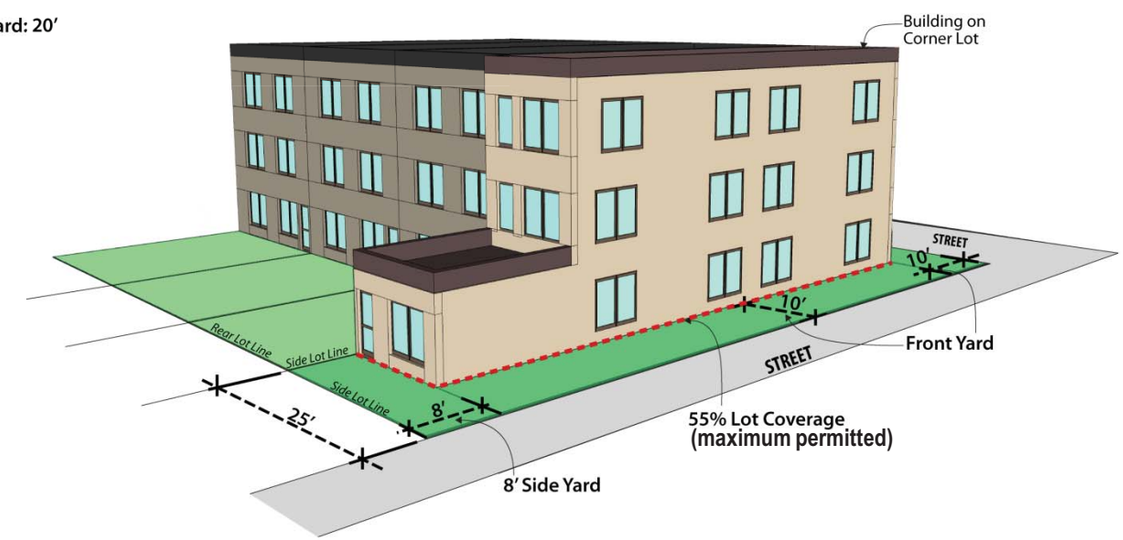
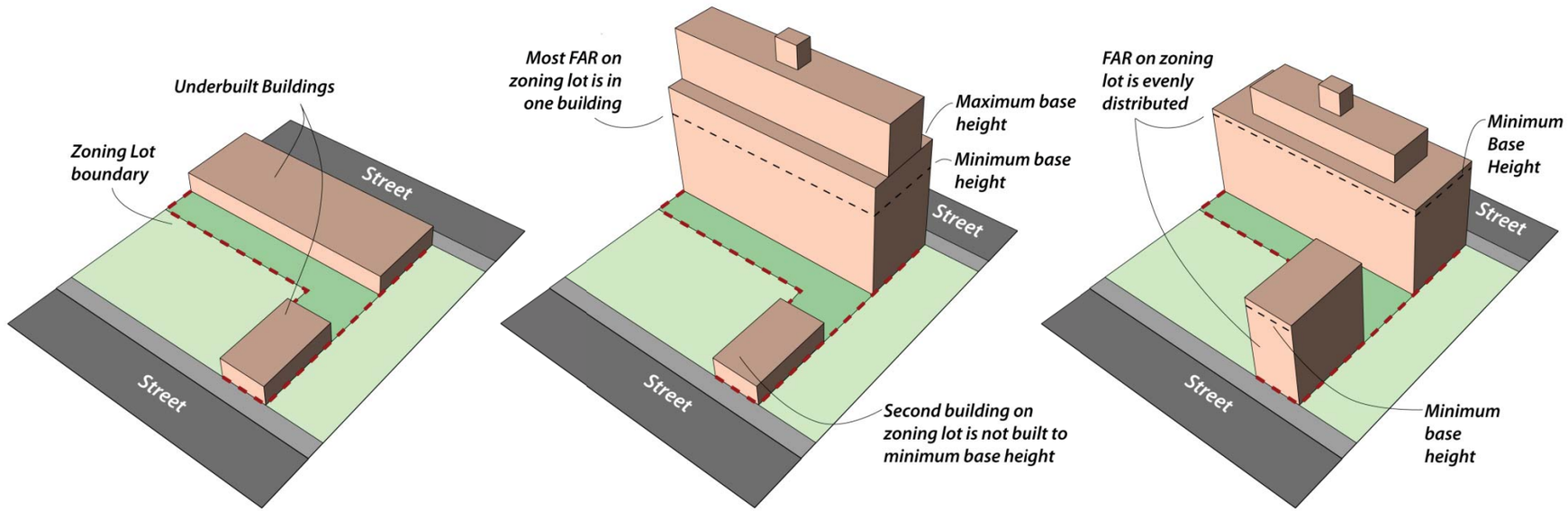


Diagram 2
Section 23-633 (d) – *Minimum base heights*



EXISTING AND PROPOSED- *Under-built Buildings*

EXISTING- *Enlarged or developed on one side of zoning lot*

PROPOSED- *Each side meets minimum base height requirements*

Diagram 3A

Section 24-521 – *Applicability of height and setback regulations to buildings with both residential and community facility use*

R3-2 Example

EXISTING

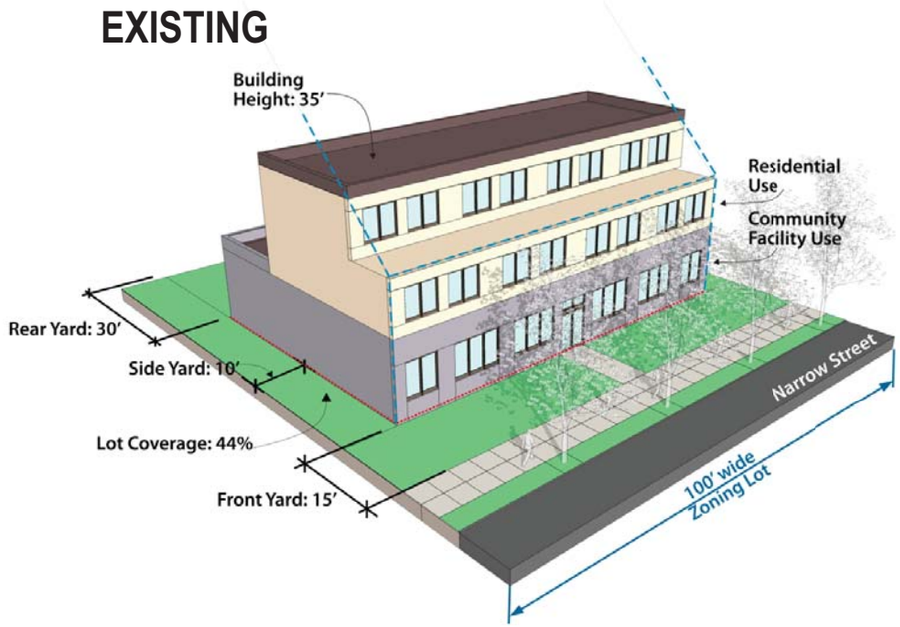
PROPOSED

Diagram 3B

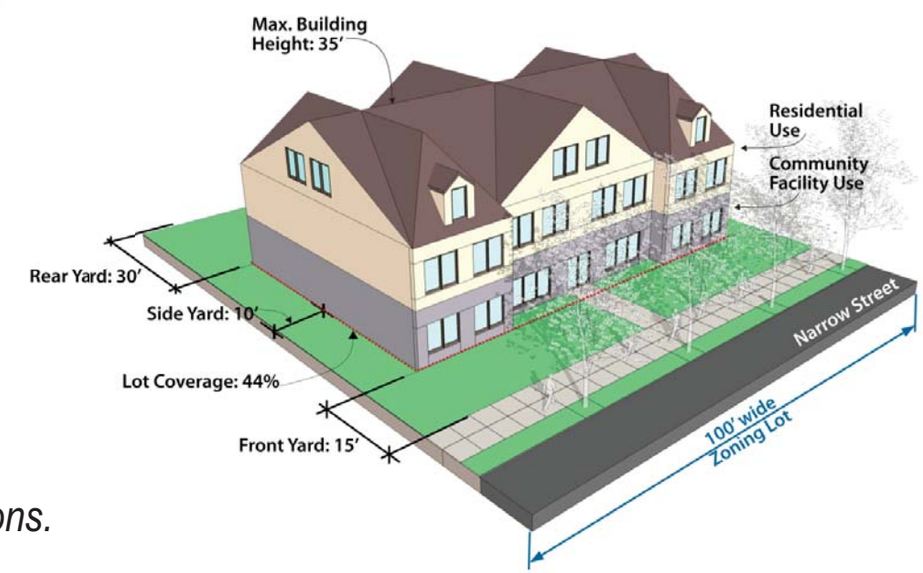
Section 24-521 – *Applicability of height and setback regulations to buildings with both residential and community facility use*

R3-2 Example

EXISTING



PROPOSED



The same lot coverage is achievable under both current and proposed height and setback regulations.

Diagram 3C

Section 24-521 – *Applicability of height and setback regulations to buildings with both residential and community facility use, R5 Example*

EXISTING

PROPOSED

Diagram 4A

Section 24-54 - *Applicability of Tower Regulations to buildings with both Residential and Community Facility Use*

R7-2 Example

EXISTING – *Community Facility Tower Regulations*

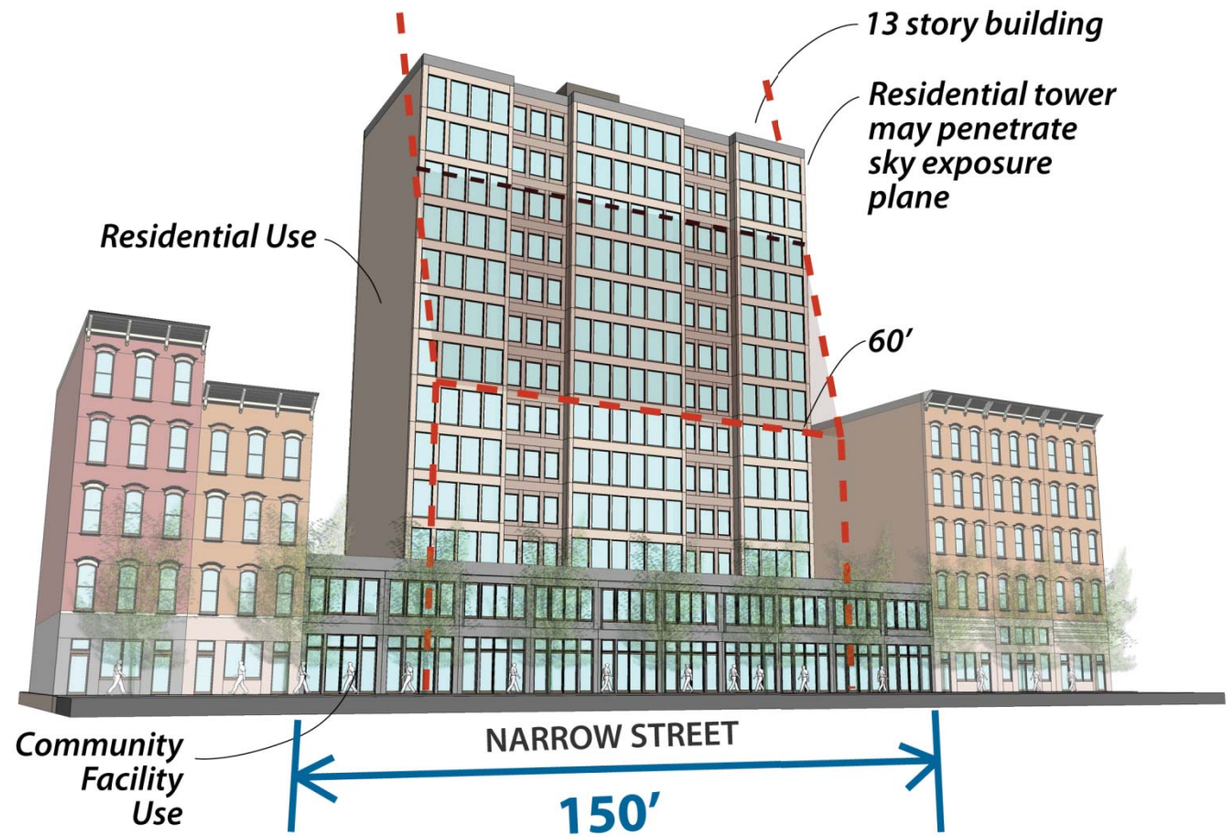


Diagram 4B

Section 24-54 - *Applicability of Tower Regulations to buildings with both Residential and Community Facility Use*

R7-2 Example

PROPOSED- *Residential Sky Exposure Plane Bulk*

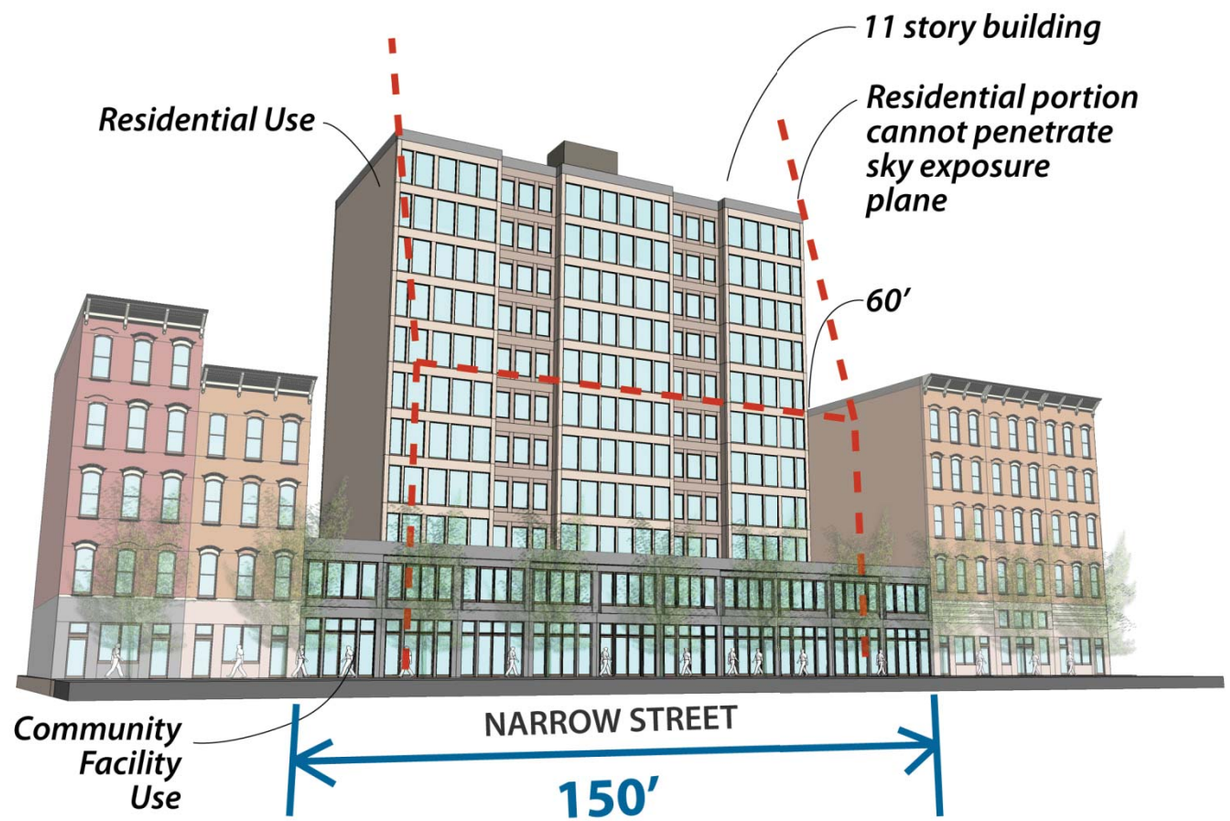


Diagram 4C

Section 24-54 - *Applicability of Tower Regulations to buildings with both Residential and Community Facility Use*

R7-2 Example

PROPOSED- *Residential Quality Housing Bulk*

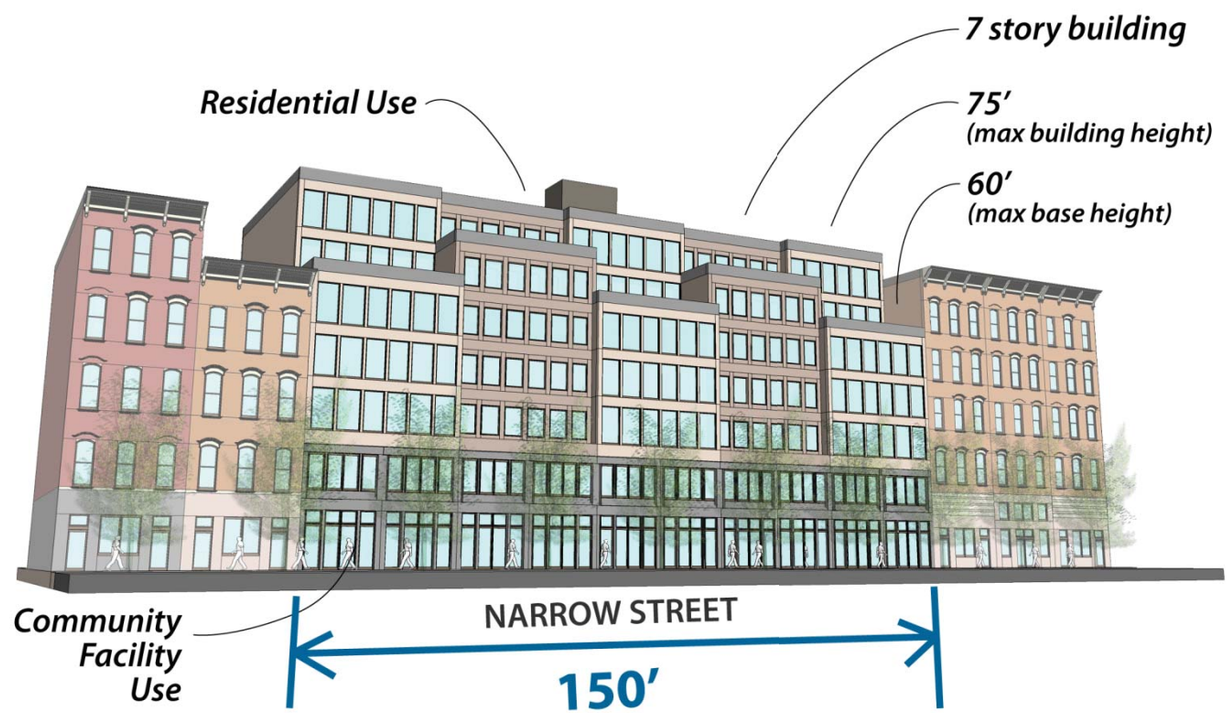


Diagram 4D

Section 24-54 - *Applicability of Tower Regulations to buildings with both Residential and Community Facility Use*

R8 Example

EXISTING –

Community Facility Tower Regulations

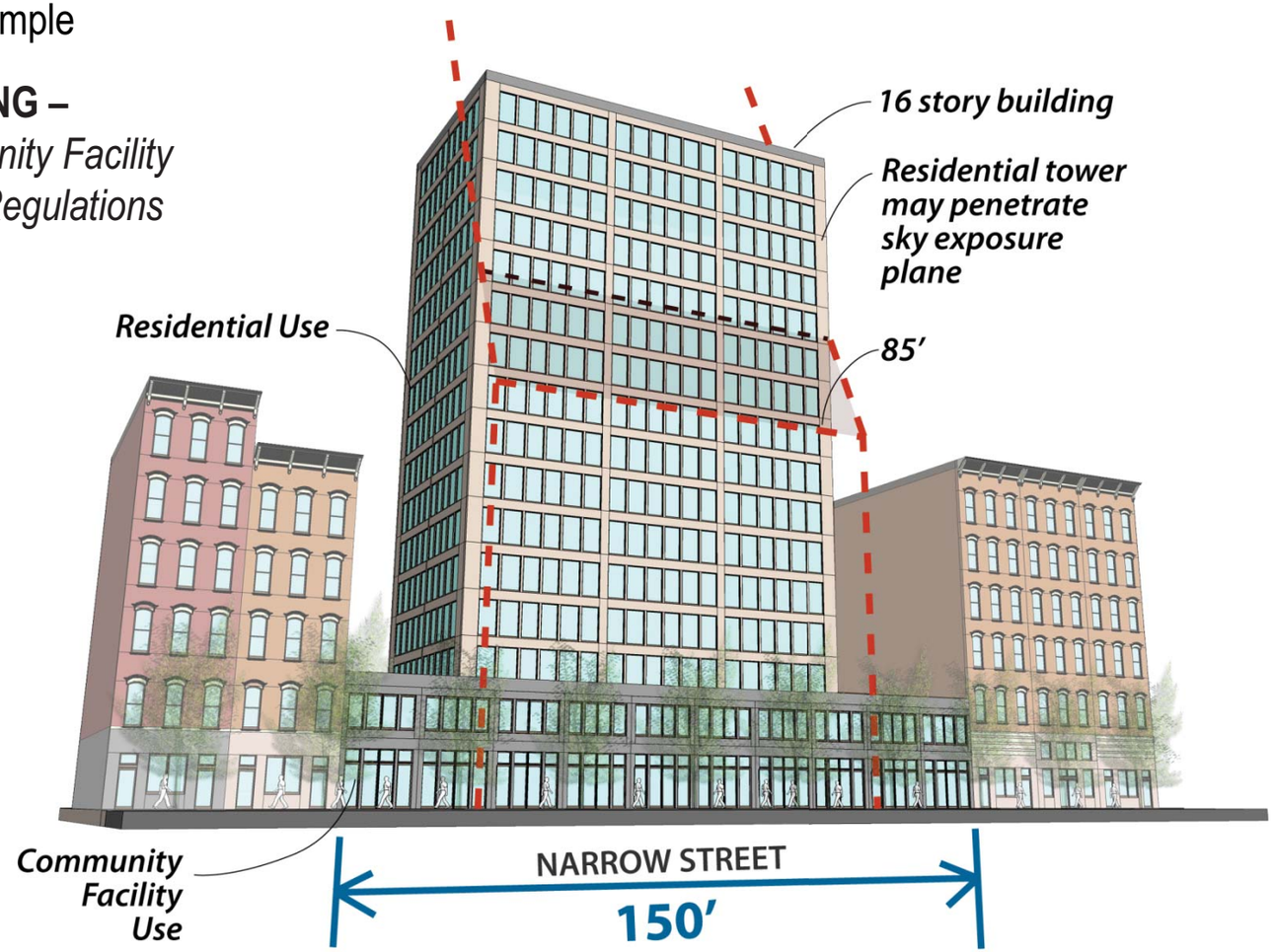


Diagram 4E

Section 24-54 - *Applicability of Tower Regulations to buildings with both Residential and Community Facility Use*

R8 Example

PROPOSED- *Residential Sky Exposure Plane Bulk*

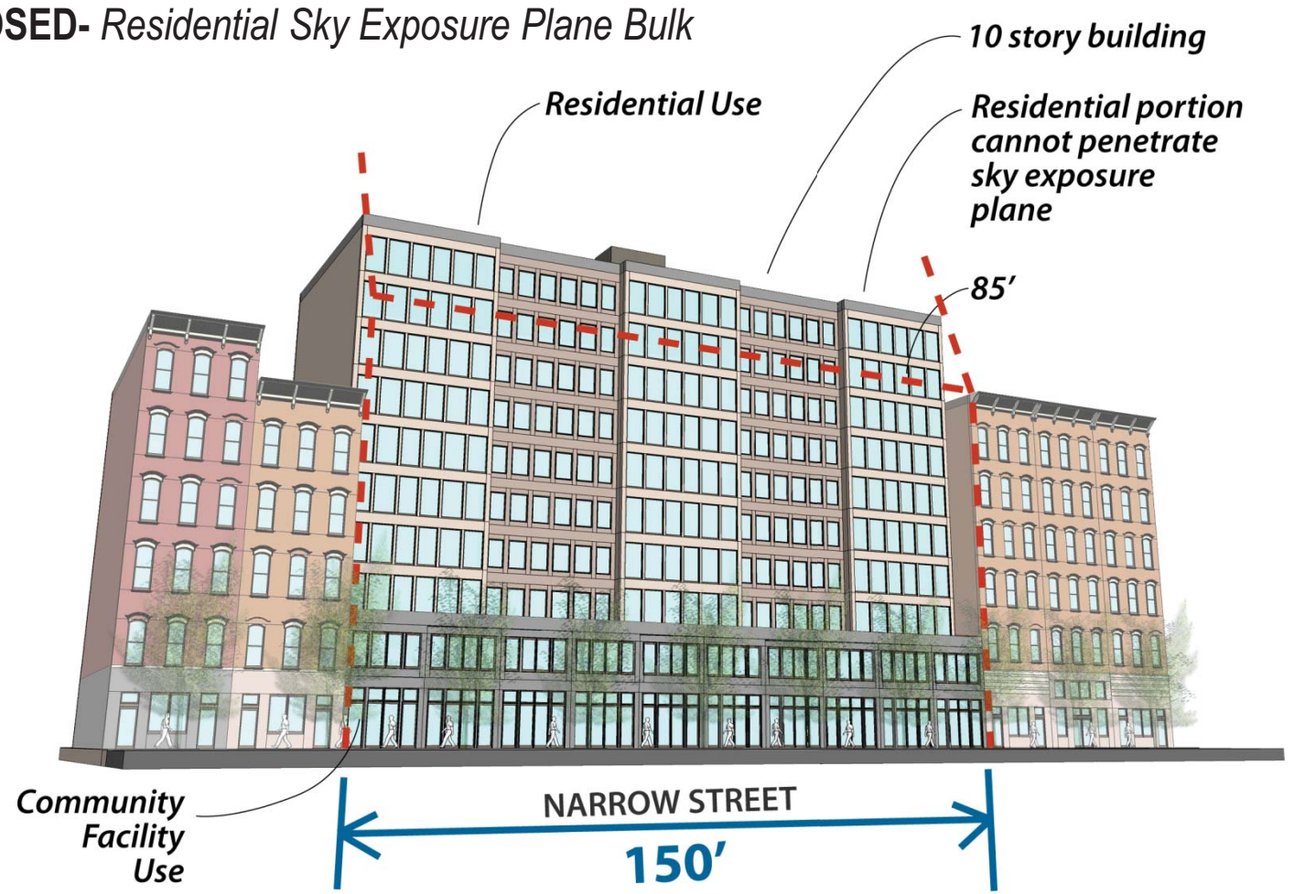


Diagram 4F

Section 24-54 - *Applicability of Tower Regulations to buildings with both Residential and Community Facility Use*

R8 Example

PROPOSED- *Residential Quality Housing Bulk*

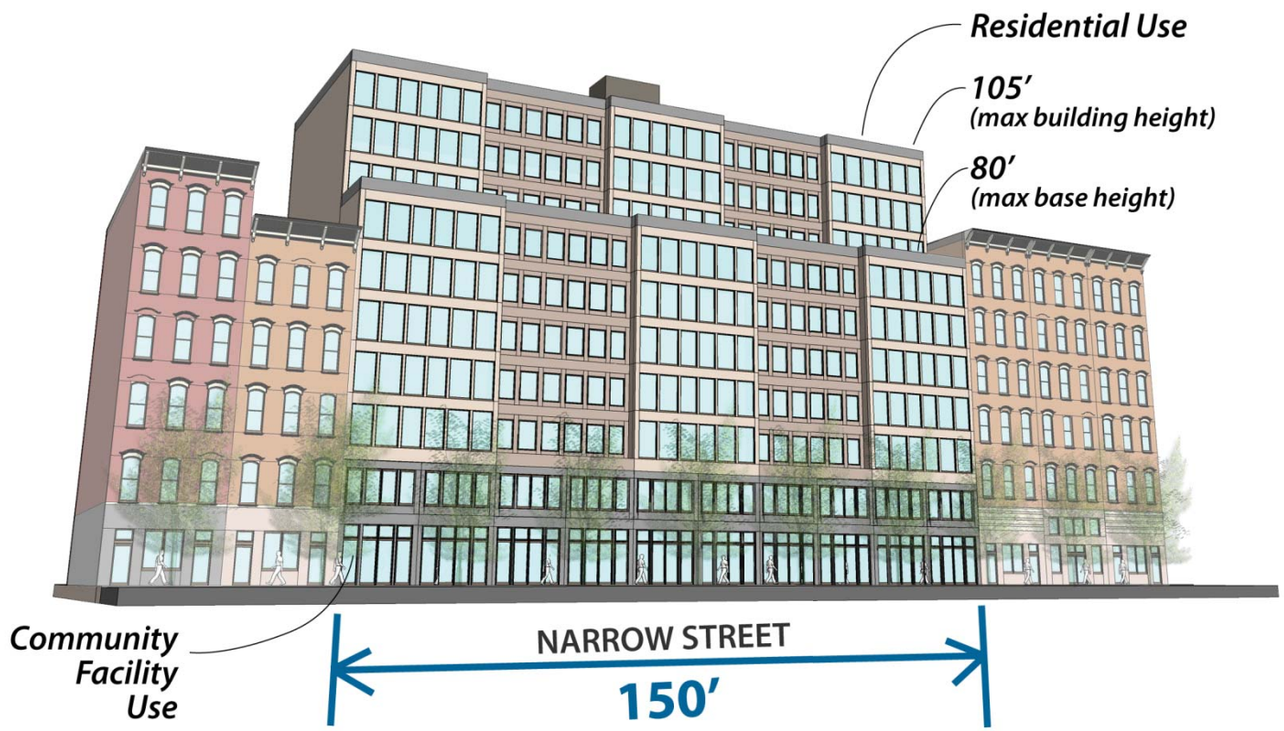
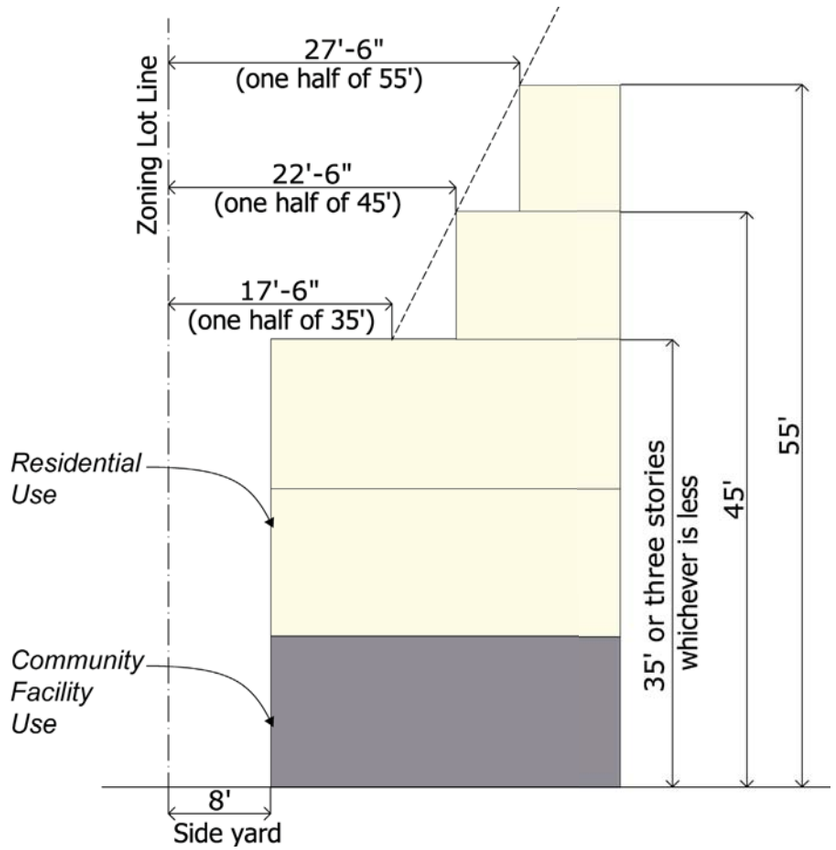


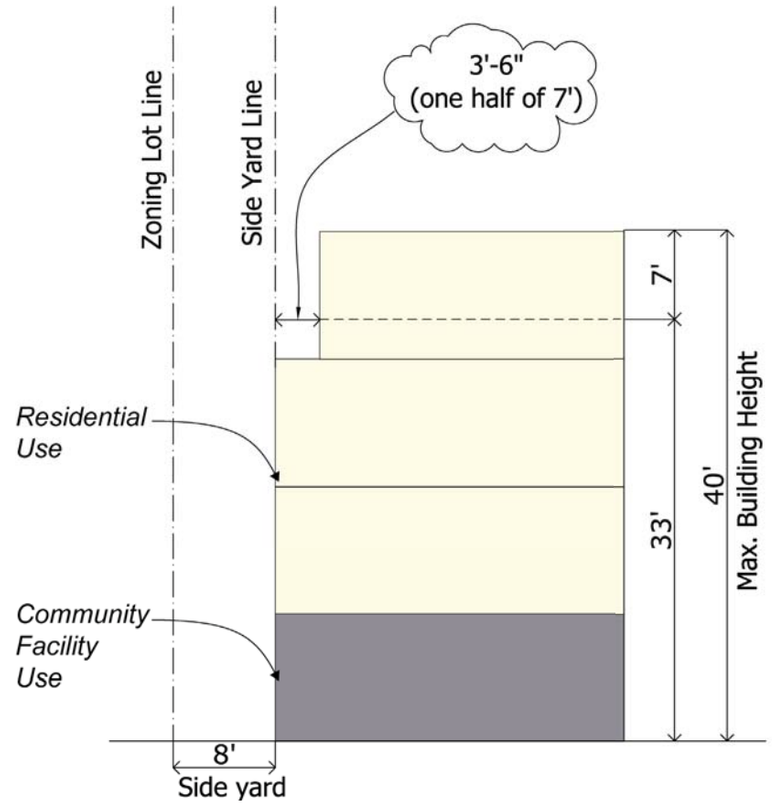
Diagram 5

Section 24-551 – *Required Side Setbacks for tall buildings in low bulk districts*

R5 Example



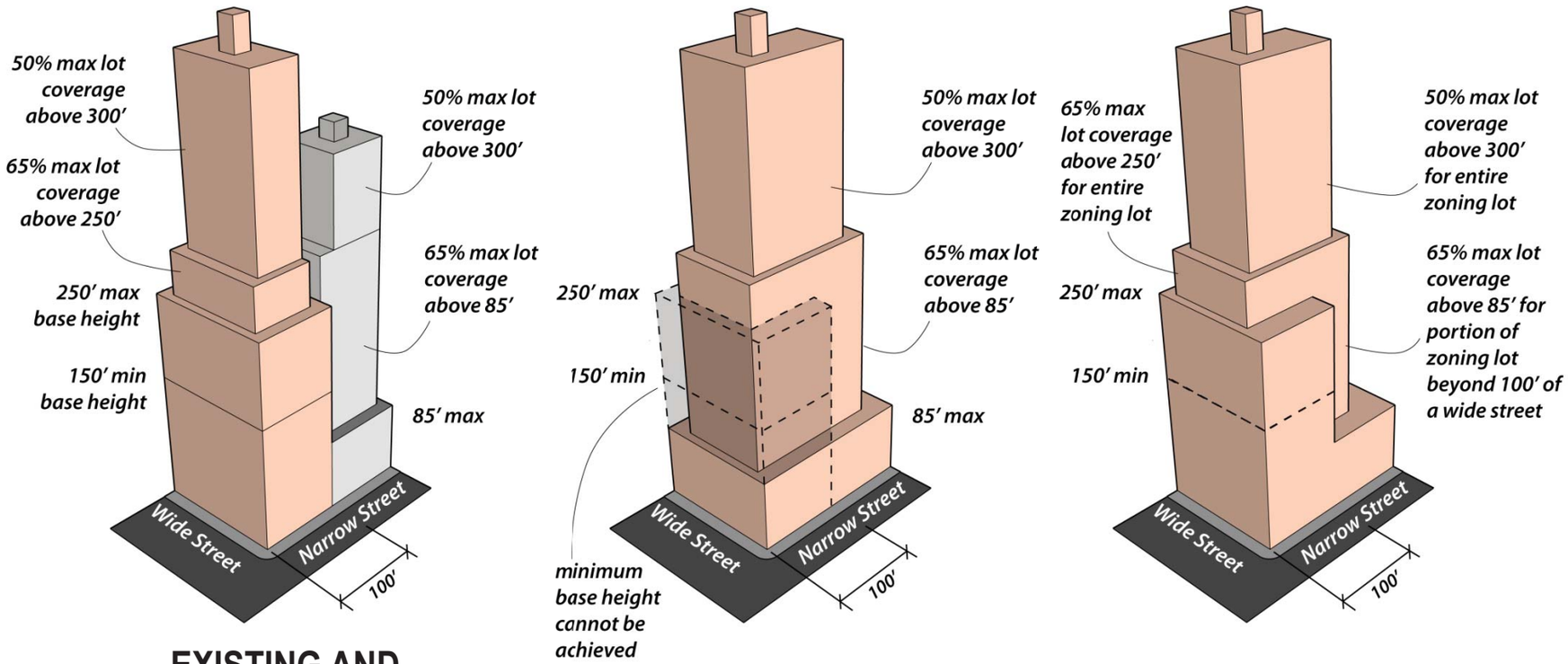
EXISTING *Side setback required for residential portion of the building with Residential and Community Facility Use. (Section 24-551)*



PROPOSED *Side setback regulations of Residence Districts apply to residential portion of a mixed building. (Section 23-661)*

Diagram 6

Section 91-33 – *Lot Coverage rules for Lower Manhattan*



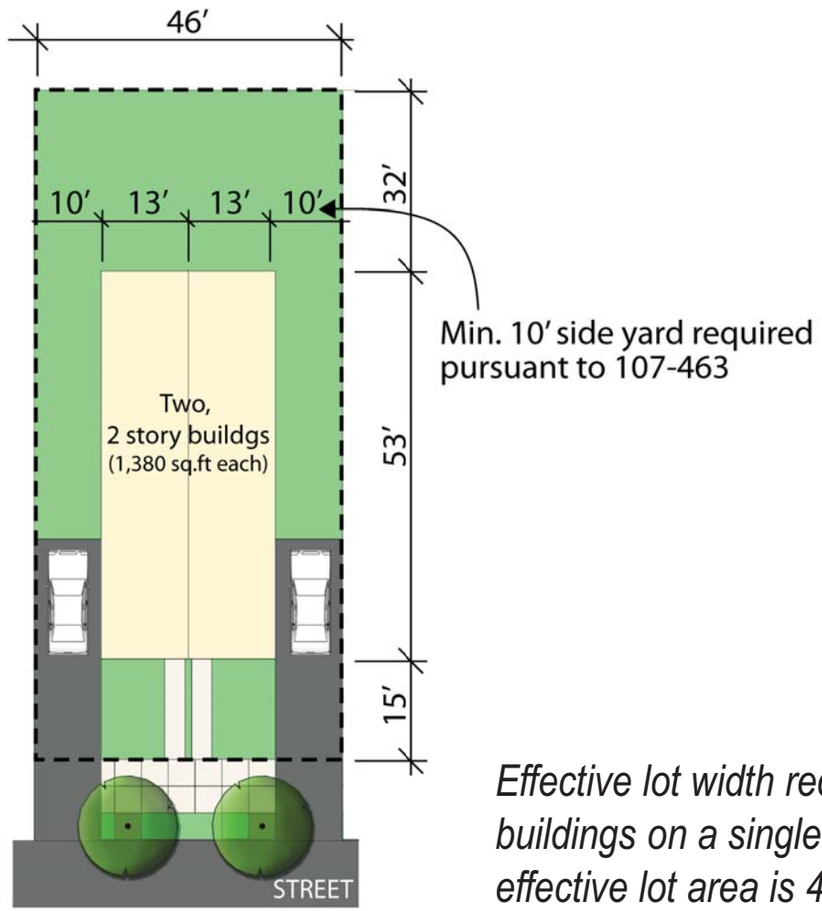
EXISTING AND PROPOSED- *Two Buildings on One Zoning Lot*

EXISTING- *One Building on One Zoning Lot*

PROPOSED- *One Building on One Zoning Lot*

Diagram 7

Section 107-42 – *Minimum lot area & lot width for multiple attached buildings on a single zoning lot*



Effective lot width required for multiple attached buildings on a single zoning lot is 46 feet and effective lot area is 4,600 sq.ft.