

# Residential Streetscape Preservation

## *Text Amendment*



# GOALS AND OBJECTIVES

- Goal 1:** Strengthen front yard planting requirements in R1 to R5 districts
- Goal 2:** Apply stricter rules for curb cuts and front yard parking in R3, R4 and R5 single and two family districts
- Goal 3:** Reinforce original intent of zoning regulations affecting residential parking and planting rules and address a court decision that defines, for purposes of curb cut regulations in ZR 25-633, “development” as a new building, not an existing building
- Goal 4:** Introduce new curb cut rules to preserve streetscape character and on-street parking spaces. Many residential districts have no curb cut rules today.
- Goal 5:** Add streetscape character and pedestrian movement findings for curb cut authorizations in Manhattan Community Districts 1 – 8 & Queens Community Districts 1 & 2
- Goal 6:** Ensure adequate parking is provided for new dwelling units added to existing buildings in R3 and R4 districts, & adequate parking is maintained in pre-1961 buildings city-wide



## *Goal 1: Strengthen front yard planting requirements in all R1 – R5 districts*

In the spring of 2008, zoning regulations were adopted that require a minimum percentage of front yards to be planted

The rules apply to new residences

Existing residences that have planted front yards cannot pave their yards if the paving results in less planting than would be required for a new residence

Proposal:

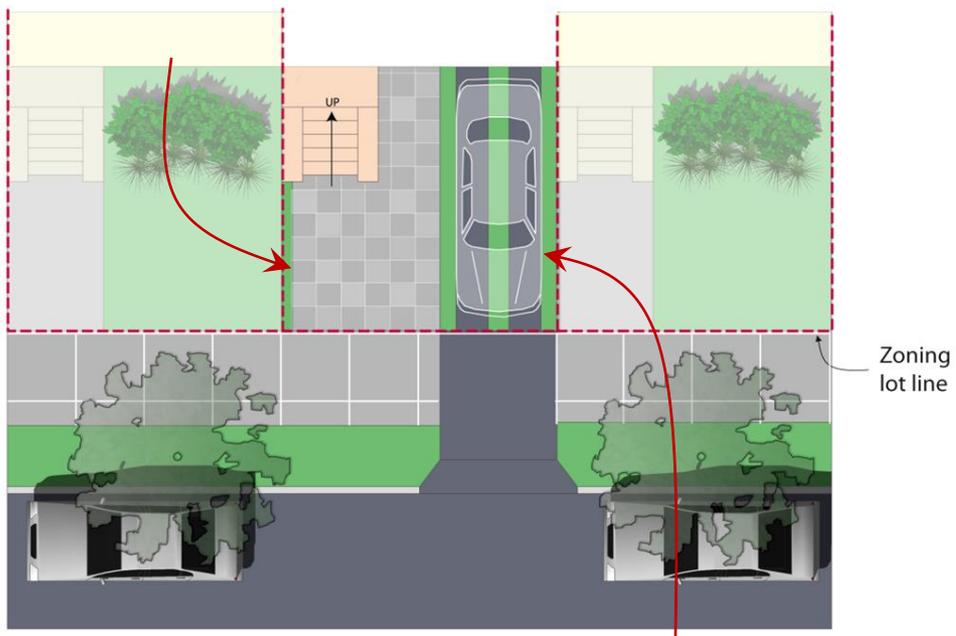
- Apply minimal front yard planting standards to ensure that required planting areas are meaningful and contribute towards a landscaped streetscape

# FRONT YARD PLANTING REQUIREMENTS

Applicable to R1, R2, R3, R4, R5 districts

## EXISTING RULES

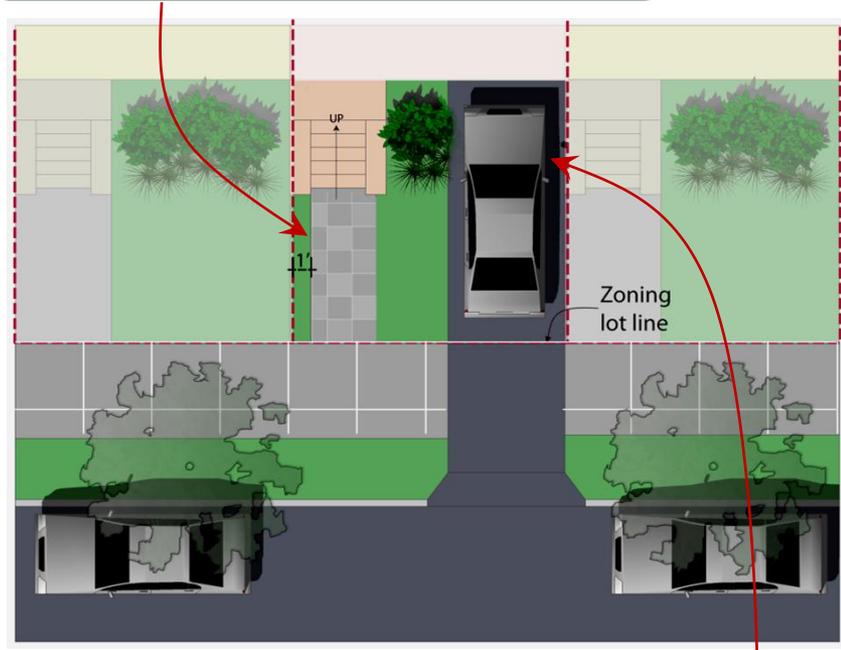
Very narrow planting strips can count towards minimum planting requirement



Planting areas within driveways can count towards minimum planting requirement

## PROPOSED RULES

Planting strip must be at least one foot wide



Planting areas within driveways will be permitted but cannot be used to fulfill front yard planting requirements

# FRONT YARD PLANTING REQUIREMENTS

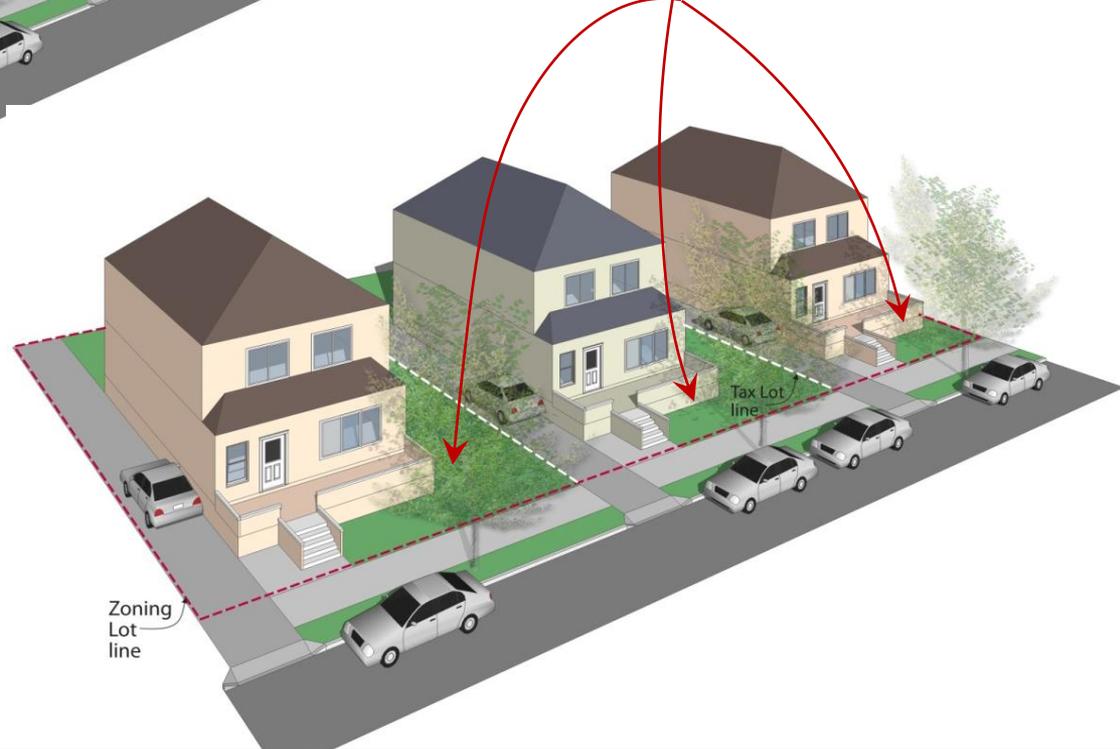
Applicable to R1, R2, R3, R4, R5 districts

DETACHED BUILDINGS ON SAME ZONING LOT



PROPOSED RULES

For multiple buildings on a single zoning lot, planting requirements apply individually to each building



EXISTING RULES

For multiple buildings on a single zoning lot, planting requirement can be aggregated to one side of zoning lot



*Goal 2: Apply stricter rules for curb cuts and front yard parking in R3, R4 and R5 single and two family districts*

Proposal:

- Apply stricter rules for front yard parking in R3A, R3X, R3-1, R4A, R4-1 and R5A districts
- \* New parking spaces are prohibited in front yards in R1 and R2 districts city-wide and in Lower Density Growth Management Areas (R1, R2, R3, R4A and R4-1 Districts on Staten Island and in Community District 10 in the Bronx). These prohibitions will continue to apply.

# R3A, R3X, R3-1, R4A, R4-1, R5A DISTRICT STREETSCAPES

These districts are characterized by narrow lots and parking in side yard driveways.

**R3A Forest Hills, Queens**



**R3A Robertson Place, Bronx**



**R4-1 Bay Ridge, Brooklyn**



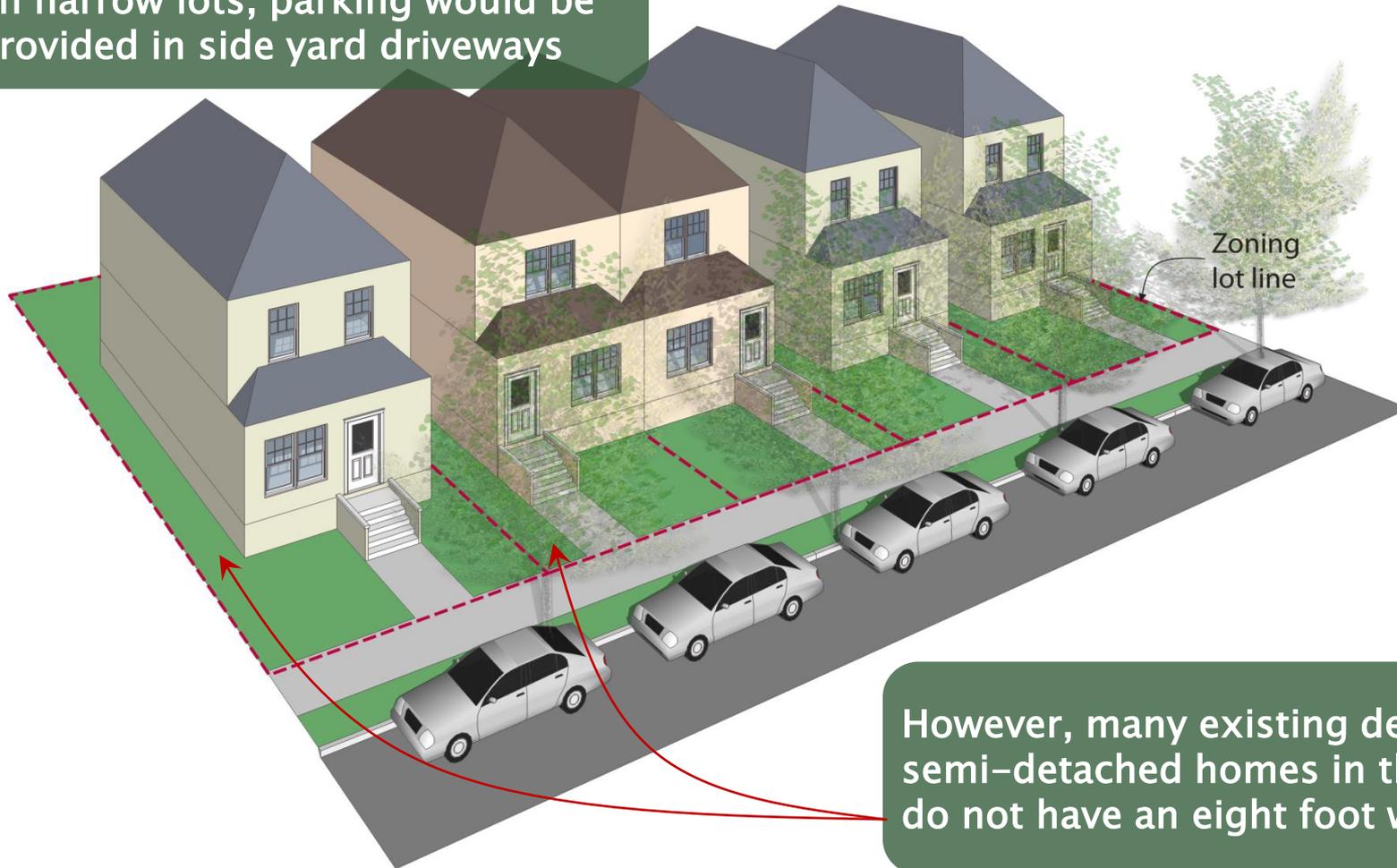
**R4A Woodlawn, Bronx**



# EXISTING PARKING LOCATION RULES

## R3A, R3X, R3-1, R4A, R4-1, R5A districts

The existing rules anticipated that on narrow lots, parking would be provided in side yard driveways

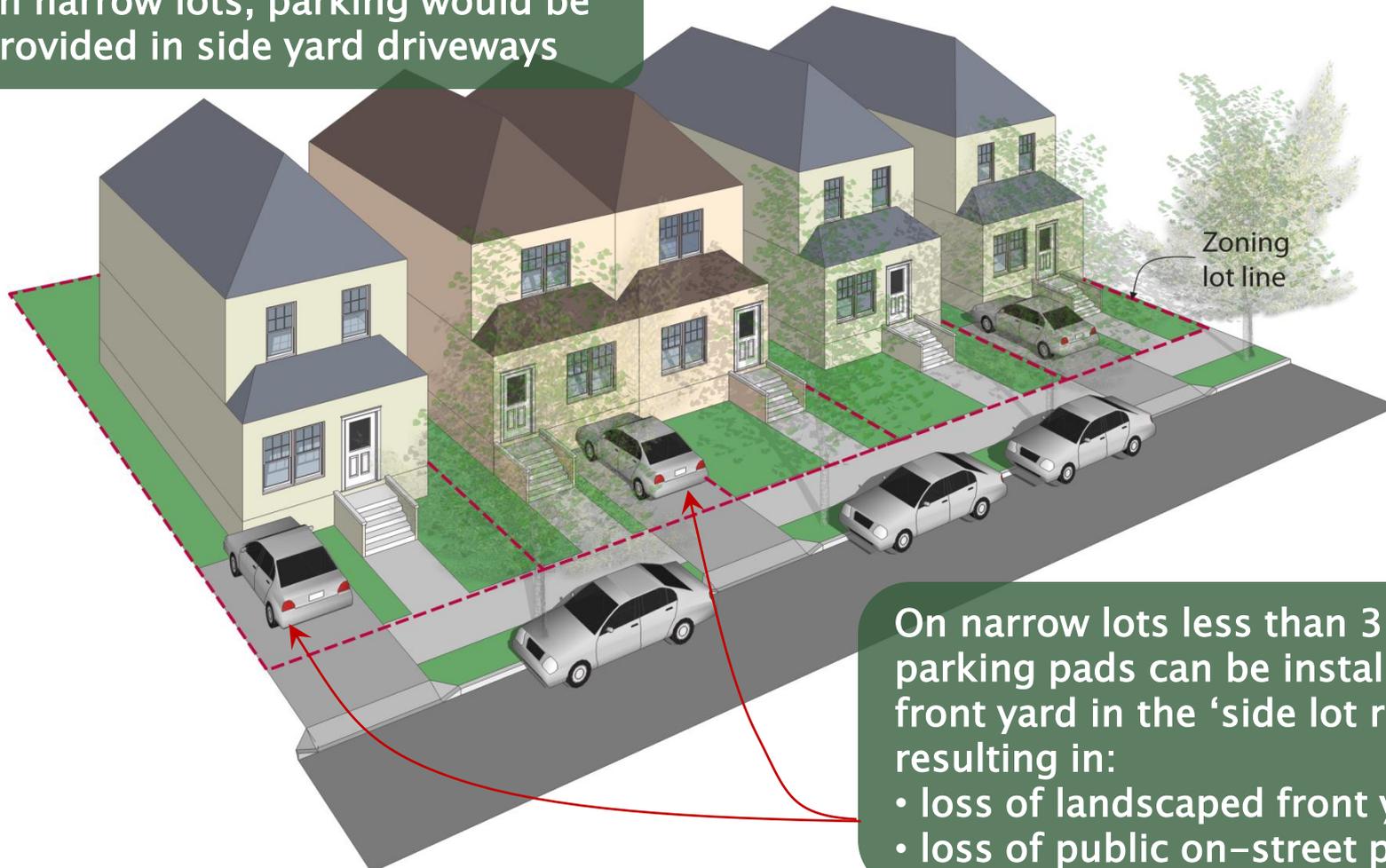


However, many existing detached and semi-detached homes in these districts do not have an eight foot wide side yard

# EXISTING PARKING LOCATION RULES

## R3A, R3X, R3-1, R4A, R4-1, R5A districts

The existing rules anticipated that on narrow lots, parking would be provided in side yard driveways



On narrow lots less than 35' wide, new parking pads can be installed in the front yard in the 'side lot ribbon', resulting in:

- loss of landscaped front yard
- loss of public on-street parking space

# EXISTING PARKING LOCATION RULES

## R3A, R3X, R3-1, R4A, R4-1, R5A districts

These districts sometimes contain groups of non-conforming rowhouses that do not have side yards. New parking pads can be installed in the front yard in the “side lot ribbon”, resulting in:

- elimination of landscaped front yards
- loss of a public on-street parking space



**Non-conforming attached buildings in R4-1 district, Dyker Heights, Brooklyn**

# PROPOSED RULES *(detached & attached example)*

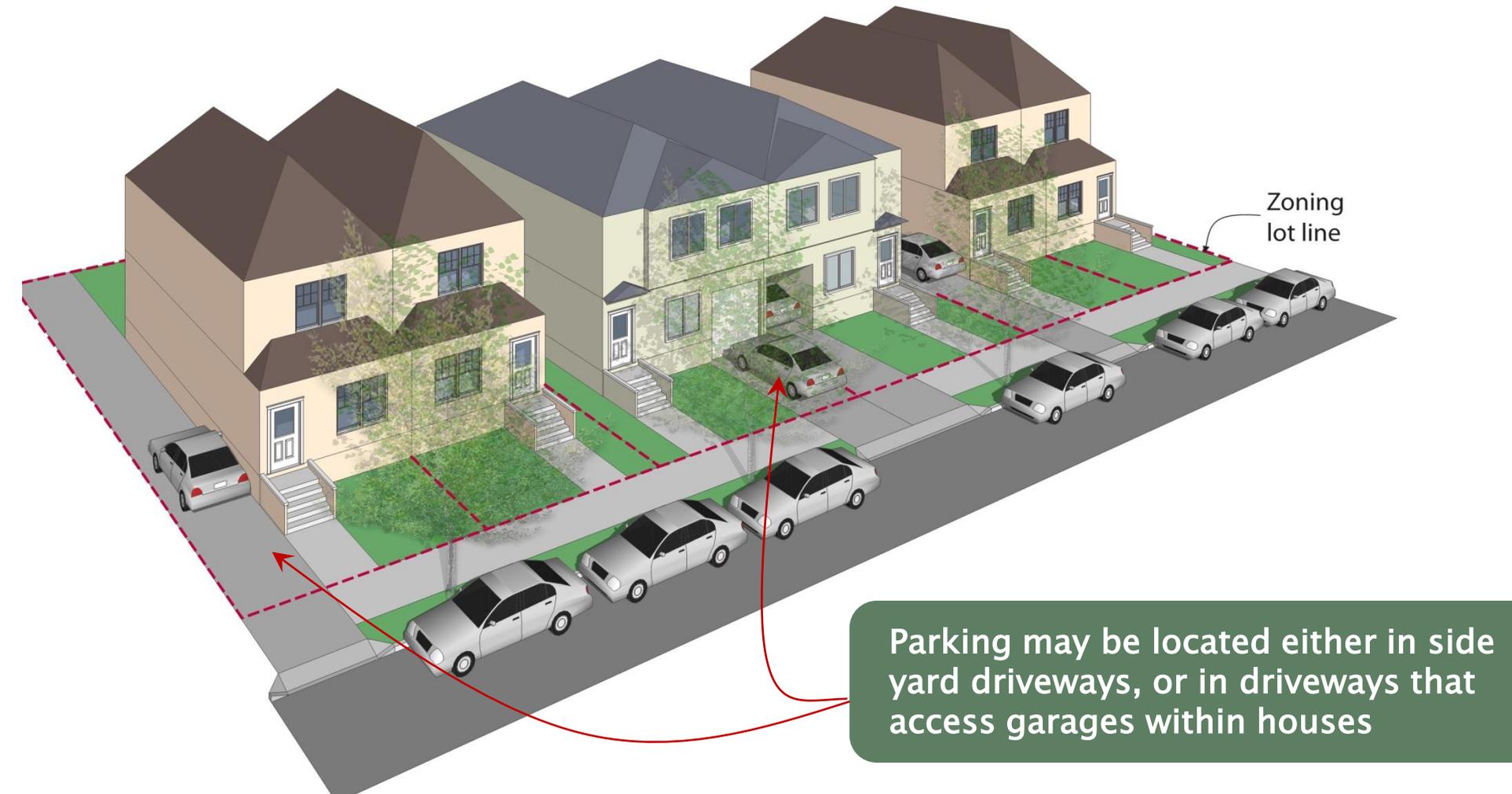
**R3A, R3X, R3-1, R4A, R4-1, R5A districts**  
**Narrow lots (less than 35' wide)**



# PROPOSED RULES *(semi-detached example)*

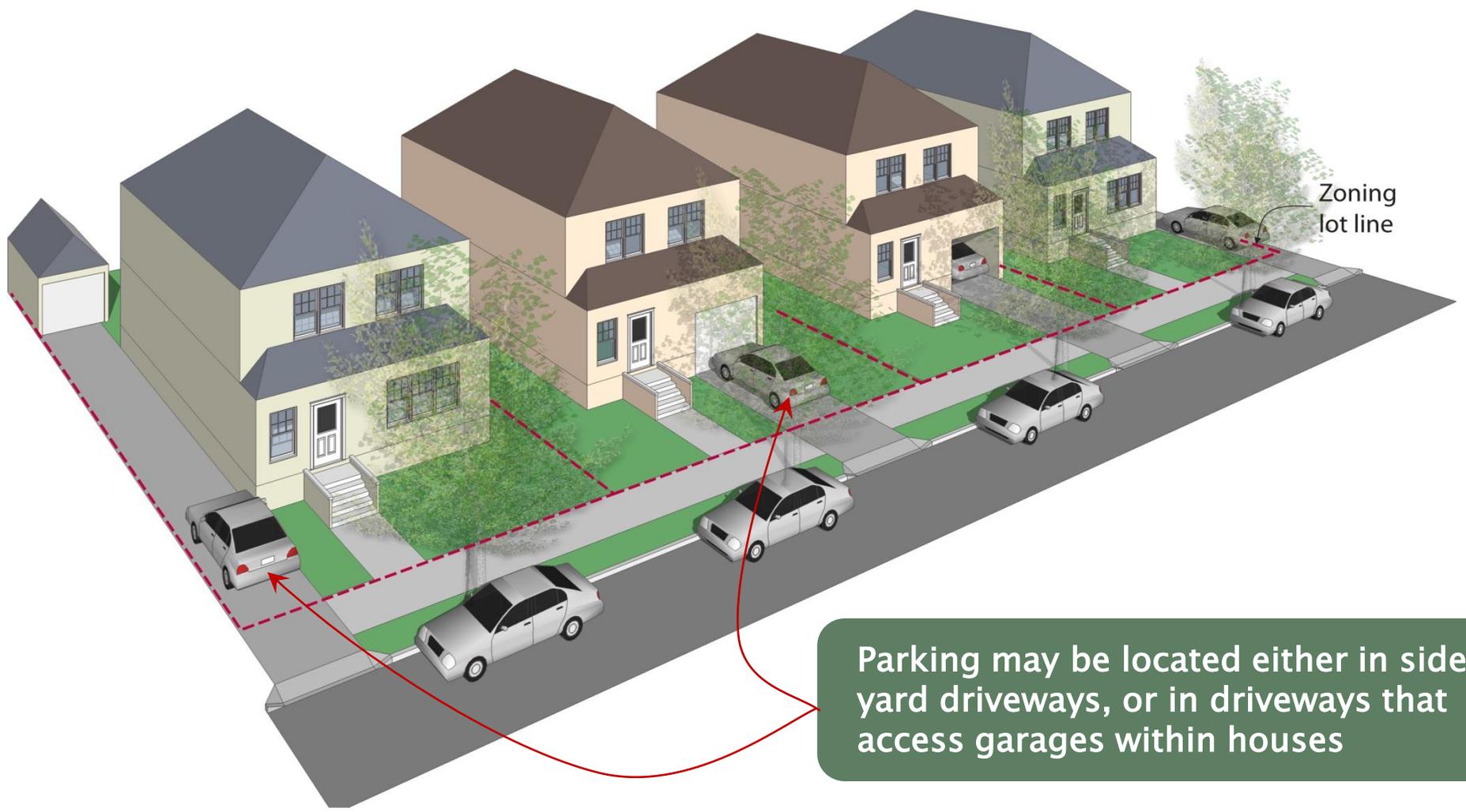
**R3-1, R4-1 districts**

**Narrow lots (less than 35' wide)**



# EXISTING RULES *No change proposed*

**R3A, R3X, R3-1, R4A, R4-1, R5A districts**  
**Wide lots (35' wide or more)**



Zoning lot line

Parking may be located either in side yard driveways, or in driveways that access garages within houses

# MULTI FAMILY NON-CONTEXTUAL STREETSCAPES

*No change  
proposed*

**R3-2, R4, R5 multi-family non-contextual districts**

**1,2 and 3 family rowhouses in R6, R7 and R8 non-contextual districts**

**R4 Village Greens, Staten Island**



**R4 Windsor Terrace, Brooklyn**



**R5 Kensington, Brooklyn**



**R5 Rockaway, Queens**



*Goal 3: Reinforce original intent of zoning regulations affecting residential parking and planting rules and address a court decision that defines “development”, for purposes of curb cut regulations in ZR 25-633, as a new building, not an existing building*

Proposal:

- Amend R4B, R5B, R6B, R7B & R8B rule that prohibits curb cuts for developments on zoning lots less than 40’ wide so that the prohibition applies to buildings less than 40’ wide
- Amend how the term “development” is used in other parking and planting rules of the Zoning Resolution to reinforce the intent of the City Planning Commission and City Council.

# R4B, R5B, R6B, R7B, R8B STREETSAPES

“B” district streetscapes are characterized by planted front yards and no front yard parking

**R4B Middle Village, Queens**



**R5B Bedford Park, Bronx**



**R6B Park Slope, Brooklyn**



**R8B Upper East Side, Manhattan**



# EXISTING RULES

## Upper East Side, Manhattan



As a result of a court ruling about a curb cut regulation that defines “development” as only new buildings, existing buildings could add curb cuts and garages, which can result in:

- elimination of landscaped front yards
- loss of a public on-street parking space



# PROPOSED RULES

Applicable to R4B, R5B, R6B, R7B and R8B districts



Prohibit curb cuts for buildings less than 40' wide in "B" districts

# PROPOSED RULES

## Applicable to All Residence Districts

- Amend how the term “development” is used in other parking and planting rules of the Zoning Resolution to reinforce the intent of the City Planning Commission and the City Council.

*For instance, if an existing rule applies to “developments” but the intent was for it to apply to all building, that intent will be clarified explicitly.*



*Goal 4: Introduce curb cut rules where none exist today to preserve streetscape character and on-street parking spaces*

# EXISTING RULES IN R6, R7, R8 DISTRICTS

No curb cut rules exist for:

- R6A, R7A, R7X, R8A and R8X districts
- Optional Quality Housing buildings in R6, R7 and R8 non-contextual districts
- Buildings with 4 or more units in R6, R7 and R8 non-contextual districts
- Residential buildings in Commercial districts and Special Mixed-Use districts



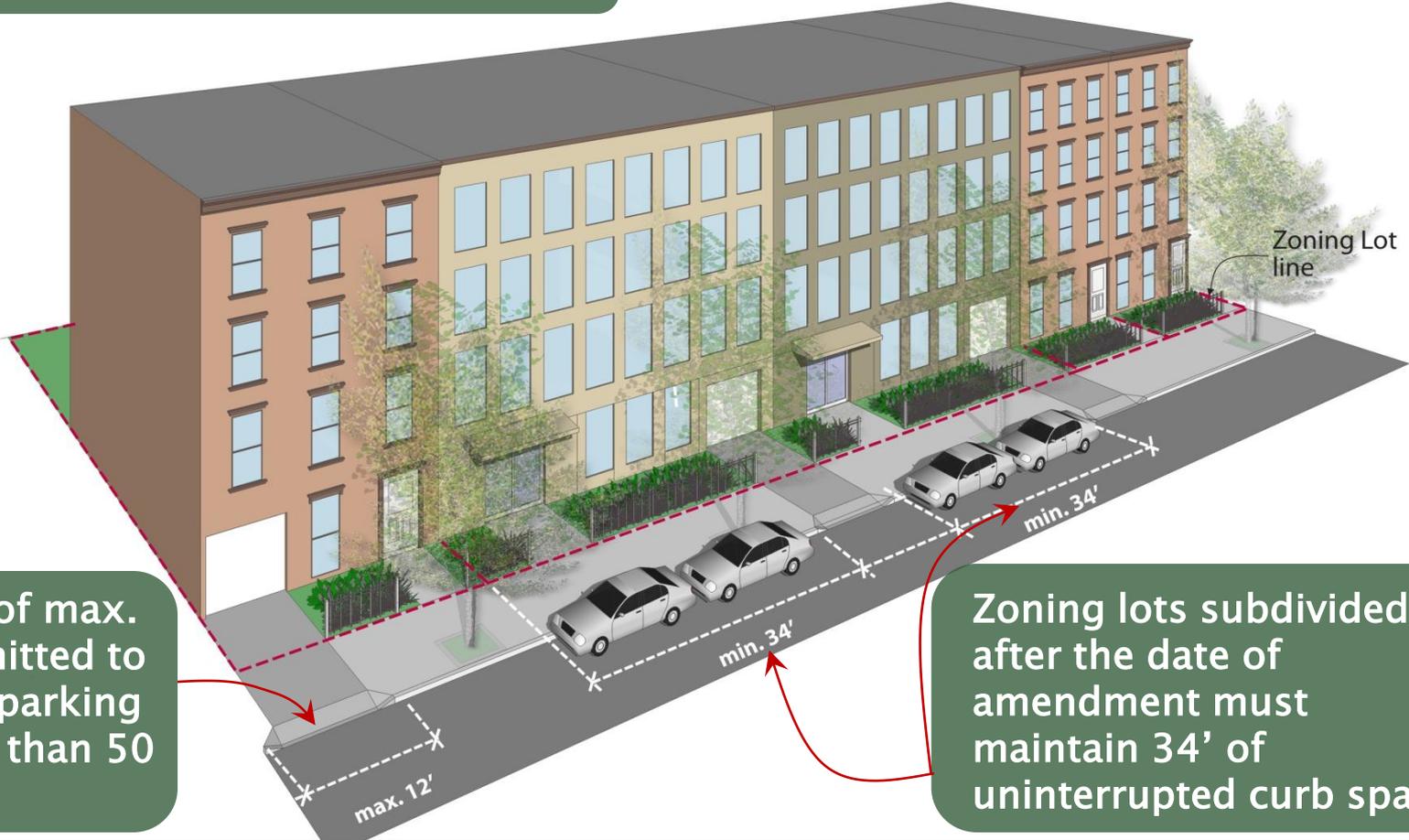
**Too many curb cuts result in:**

- 1. Unattractive streetscapes**
- 2. Loss of on-street parking**
- 3. Potential vehicular/pedestrian conflicts**
- 4. Loss of ground floor retail space in commercial and mixed-use districts**

# PROPOSED RULES FOR RESIDENTIAL BUILDINGS IN R6, R7, R8

- Applicable to:**
- All Quality housing buildings in R6, R7 & R8 districts
  - All non-Quality housing buildings with 4 or more dwelling units in R6, R7 & R8
  - All residential & mixed buildings in Commercial & Special Mixed Use Districts

Curb cuts would be permitted for all zoning lots existing on date of amendment



One curb cut of max. 12' wide permitted to access group parking facility of less than 50 spaces

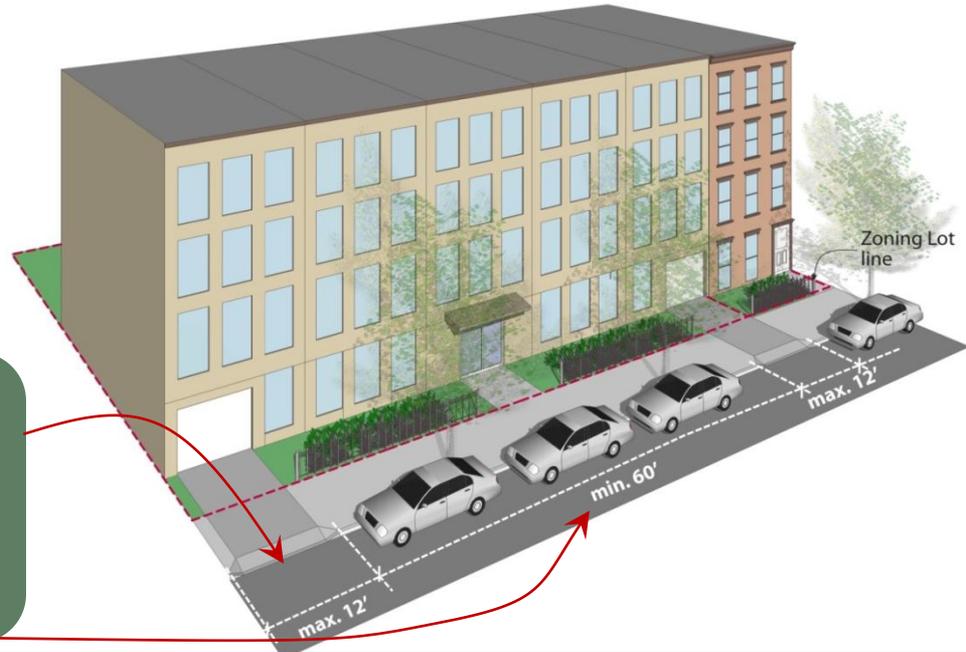
Zoning lots subdivided after the date of amendment must maintain 34' of uninterrupted curb space

# PROPOSED RULES FOR RESIDENTIAL BUILDINGS IN R6 R7 R8 DISTRICTS

- Applicable to:**
- All Quality housing buildings in R6, R7 & R8 districts
  - All non-Quality housing buildings with 4 or more dwelling units in R6, R7 & R8
  - All residential & mixed buildings in Commercial & Special Mixed Use Districts



One curb cut of max. 22' wide permitted to access group parking facility with 50 or more spaces



Two curb cuts max. 12' wide and 60' apart permitted for entrance/exit to group parking facilities with 50 or more spaces

# PROPOSED RULES FOR RESIDENTIAL BUILDINGS IN COMMERCIAL DISTRICTS

**Applicable to: All residential buildings in Commercial and Mixed-use Districts with R6, R7 & R8 equivalents**



One curb cut of max. 22' wide permitted to access group parking facility with 50 or more spaces

On corner lots that have frontage on wide and narrow streets, curb cuts would be prohibited on wide streets

## *Goal 5: Add streetscape character and pedestrian movement findings for curb cut authorizations*

In Manhattan Community Districts 1 through 8 and portions of Queens Community Districts 1 & 2, authorizations are required to add parking spaces in existing buildings, and for curb cuts on wide streets. Findings focus on vehicular movement and traffic congestion.

- 13-551 (Authorization for accessory parking in existing buildings)
- 13-553 (Authorization for curb cuts on wide streets)

### Proposal:

- Add streetscape character findings to both authorizations that a new curb cut will not adversely affect the **“character of the existing streetscape”**
- Create a separate pedestrian movement finding for both authorizations: that the new curb cut will not **“adversely affect pedestrian movement”**

*Goal 6: Ensure adequate parking is provided for new dwelling units added to existing buildings in R3 & R4 districts and that adequate parking is maintained in pre-1961 buildings*

Proposal:

- Clarify that additional dwelling units created in residential buildings are subject to parking requirements

*For example: turning a single family residence to a two-family residence will require a new off-street parking space in addition to any existing off-street parking spaces on the lot.*

- Clarify that residential parking spaces provided in pre-1961 buildings city-wide cannot be removed if such spaces would be required under current zoning

# OTHER CHANGES

## 1. Maximum percentage of open space that can be occupied by driveways and open parking spaces

In R1, R2, R3, R4A, R4-1 and R4B districts: 50 percent of the lot area not covered by a residential building.

In R4 non-contextual and R5 districts: 66 percent of the lot area not covered by a residential building.

## 2. Curb cut spacing

New curb cuts must be spaced 16' ( or 34' in R4B & R5B districts) from another curb cut constructed after 1989. The Buildings Commissioner can modify this rule if at least 16' (or 34') of uninterrupted curb space is maintained on the zoning lot.

The proposal will eliminate the need for Buildings Commissioner approval, if the minimum amount of uninterrupted curb space is maintained.

## 3. Height of Garages for multiple dwellings

Current height limit is 6' above curb level in R3-2, R4 and R5 districts.

Proposed height limit is 10' to apex of a pitched roof measured from grade. This is necessary to comply with the Americans with Disabilities Act.

Current height limit is 14' above curb level in R6 through R10 districts.

Proposal would measure 14' from the base plane where applicable to address changes in topography