

# ZONING RESOLUTION Web Version

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## THE CITY OF NEW YORK



THE CITY OF NEW YORK  
Bill de Blasio, Mayor

CITY PLANNING COMMISSION  
Carl Weisbrod, Chairman

## Article II: Residence District Regulations

### Chapter 4 - Bulk Regulations for Community Facilities in Residence Districts

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CITY PLANNING COMMISSION  
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(2/2/11)

#### **Chapter 4**

### **Bulk Regulations for Community Facilities in Residence Districts**

(12/15/61)

#### **24-00**

### **APPLICABILITY, GENERAL PURPOSES AND DEFINITIONS**

(10/9/13)

#### **24-01**

### **Applicability of this Chapter**

The #bulk# regulations of this Chapter apply to any #zoning lot# or portion of a #zoning lot# located in any #Residence District# which contains any #community facility building#, or to the #community facility# portion of any #building# located in any #Residence District# which is used for both #residential# and #community facility uses#, except where specifically modified by the provisions of this Chapter.

The #bulk# regulations of Article II, Chapter 3, shall apply to any #zoning lot# or portion of a #zoning lot# in any #Residence District# which contains a #residential building#, or to the #residential# portion of any #building# located in any #Residence District# which is used for both #residential# and #community facility uses#, except where specifically modified by the provisions of this Chapter.

In addition, the #bulk# regulations of this Chapter, or of specified sections thereof, also apply in other provisions of this Resolution where they are incorporated by cross reference.

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

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

Special regulations applying only in Special Purpose Districts are set forth in Articles VIII, IX, X, XI, XII and XIII.

Special regulations applying in the #waterfront area# are set forth in Article VI, Chapter 2.

Special regulations applying in the #flood zone# are set forth in Article VI, Chapter 4.

(3/22/16)

## **24-011**

### **Quality Housing Program**

The applicability of the Quality Housing Program to #community facility buildings# or portions of #buildings# containing #community facility uses# is set forth in this Section, except as modified in Section 24-012 (Exceptions to the bulk provisions of this Chapter).

In R6A, R6B, R7A, R7B, R7D, R7X, R8A, R8B, R8X, R9A, R9D, R9X, R10A or R10X Districts, any #community facility building# or portion of a #building# containing #community facility uses# shall comply with the height and setback regulations for #Quality Housing buildings# set forth in Article II, Chapter 3. In all other R6, R7, R8, R9 or R10 Districts, if the #residential# portion of a #building# containing a #community facility use# is #developed# or #enlarged# pursuant to the Quality Housing Program, the entire #building# shall comply with the height and setback regulations for #Quality Housing buildings# set forth in Article II, Chapter 3. However, for houses of worship in R8A, R8X, R9A, R9X, R10A and R10X Districts or, where located in #Quality Housing buildings# in other R8 through R10 Districts without a letter suffix, the #street wall# location provisions of Section 23-661 are optional.

Special regulations are set forth for #buildings# containing #long-term care facilities# or philanthropic or non-profit institutions with sleeping accommodations in Section 24-013 (Special provisions for certain community facility uses).

#Quality Housing buildings# shall comply with the additional provisions set forth in Article II, Chapter 8 (The Quality Housing Program). In R5D Districts, certain provisions of Article II, Chapter 8, shall apply as set forth in Section 28-01 (Applicability of this Chapter).

(3/22/16)

## **24-012**

### **Exceptions to the bulk regulations of this Chapter**

R1 R2 R3 R4 R5 R6 R7 R8 R9 R10

(a) #Buildings# used partly for #community facility uses#

Except as provided in paragraph (b) of this Section, in R3A, R3X, R3-1, R4A, R4-1, R4B or R5B Districts, the #bulk# regulations of this Chapter shall apply only to a #zoning lot# or portion of a #zoning lot# that contains a #community facility building#, and the #bulk# regulations of Article II, Chapter 3 (Bulk Regulations for Residential Buildings in Residence Districts), shall apply to any #zoning lot# or portion of a #zoning lot# that contains any #building# that is used partly for #community facility use# and partly for #residential use#. In such districts, the #bulk# regulations of this Chapter may apply to the #community facility# portion of a #building# that is used partly for #community facility use# and partly for #residential use# only where:

- (1) such #community facility use# has received tax-exempt status from the New York City Department of Finance, or its successor, pursuant to Section 420 of the New York State Real Property Tax Law; or
- (2) such #building# has received an authorization pursuant to Section 24-04 (Modification of Bulk Regulations in Certain Districts).

(b) #Buildings# containing certain #community facility uses# in #lower density growth management areas#

- (1) In R1 through R5 Districts in #lower density growth management areas#, the #bulk# regulations of this Chapter shall not apply to any #zoning lot# containing #buildings# used for:
  - (i) ambulatory diagnostic or treatment health care facilities, as listed in Section 22-14 (Use Group 4), except where such #zoning lot# contains #buildings# used for hospitals or nursing homes as defined in the New York State Hospital Code; or
  - (ii) child care service as listed under the definition of #school# in Section 12-10 (DEFINITIONS), except where such #zoning lot# contains #buildings# used for houses of worship or, for #zoning lots# that do not contain #buildings# used for houses of worship, where the amount of #floor area# used for child care services is equal to 25 percent or less of the amount of #floor area# permitted for #community facility use# on the #zoning lot#.

(2) In lieu thereof, the #residential bulk# regulations of Article II, Chapter 3, shall apply, except that:

(i) the provisions of Section 23-44 (Permitted Obstructions in Required Yards or Rear Yard Equivalents) shall be modified to prohibit parking spaces of any kind within a #front yard#;

(ii) in lieu of Sections 23-46 (Minimum Required Side Yards) and 23-66 (Required Side and Rear Setbacks), Sections 24-35 (Minimum Required Side Yards) and 24-55 (Required Side and Rear Setbacks) shall apply; and

(iii) for child care services in R1 and R2 Districts, the provisions of paragraph (9) in the definition of #floor area# in Section 12-10, pertaining to #floor area# exclusions for the lowest story of a #residential building#, shall not apply.

(c) Special provisions for certain #community facility uses#

Special provisions for #buildings# containing #long-term care facilities# or philanthropic or non-profit institutions with sleeping accommodations, as listed in Use Group 3, are set forth in Section 24-013.

(d) #Quality Housing buildings#

For #Quality Housing buildings#, the provisions of Section 24-011 shall apply.

(3/22/16)

### **24-013**

#### **Special provisions for certain community facility uses**

The provisions of this Section shall apply to #buildings# containing #long-term care facilities# or philanthropic or non-profit institutions with sleeping accommodations, as listed in Use Group 3.

(a) #Buildings# containing #long-term care facilities#

(1) In R1 and R2 Districts

In R1 and R2 Districts, where a #long-term care facility# is permitted pursuant to Section 74-901 (Long-term care facilities), the #bulk# regulations of this Chapter shall

apply. The maximum #floor area ratio# for such #long-term care facilities# shall not exceed the applicable #floor area ratio# of paragraph (a) of Section 24-111 (Maximum floor area ratio for certain community facility uses), except as permitted by the City Planning Commission pursuant to Section 74-902 (Certain community facility uses in R1 and R2 Districts and certain Commercial Districts).

(2) In R3 through R5 Districts

In R3-2 Districts, and R4 or R5 Districts without a letter or number suffix, the #bulk# regulations of Article II, Chapter 3, applicable to #affordable independent residences for seniors#, inclusive, shall apply to #buildings#, or portions thereof, containing #long-term care facilities#, except as follows:

- (i) the #lot coverage# regulations of Section 24-11 (Maximum Floor Area Ratio and Percentage of Lot Coverage) shall apply in lieu of the maximum #lot coverage# set forth in Section 23-144 (Affordable independent residences for seniors);
- (ii) the minimum size of #dwelling unit# provisions of Section 23-23 shall not apply;
- (iii) in R3-2 Districts, the height and setback regulations of Section 24-50 shall apply in lieu of Section 23-60; and
- (iv) in R5 Districts, the provisions of paragraph (j)(2) of Section 23-631 shall be modified so that the height of a #building# containing #long-term care facilities# may be increased to 55 feet beyond 25 feet of the #street line# on any #zoning lot#.

In all such Districts, the Commission may permit the #bulk# regulations of this Chapter to apply pursuant to the special permit in Section 74-903 (Certain community facility uses in R3 to R9 Districts and certain Commercial Districts).

In R3-1, R3A, R3X, R4-1, R4A, R4B, R5A, R5B or R5D Districts, the #bulk# regulations of this Chapter shall apply to #community facility buildings#, or the #community facility# portion of a #building# containing #long-term care facilities#, as applicable. The maximum #floor area ratio# for such #long-term care facilities# shall not exceed the applicable #floor area ratio# of paragraph (b) of Section 24-111, except as permitted by the Commission pursuant to Section 74-903.

(3) In R6 through R10 Districts

In R6 through R10 Districts, the #bulk regulations# for #Quality Housing buildings# in Article II, Chapter 3 applicable to #affordable independent residences for seniors#, inclusive, shall apply to #buildings#, or portions thereof, containing #long-term care facilities#, except as follows:

- (i) in R6A Districts or R6 Districts without a letter suffix, the maximum #floor area ratio# for #long-term care facilities# shall be 3.6;
- (ii) in R7A Districts or R7 Districts without a letter suffix, the maximum #floor area ratio# for #long-term care facilities# shall be 4.6; and
- (iii) the minimum size of #dwelling unit# provisions of Section 23-23 shall not apply.

In R6 through R10 Districts without letter suffixes, the Commission may permit the #bulk# regulations of this Chapter to apply to such #long-term care facilities# pursuant to the special permit in Section 74-903.

(4) Applicability of #affordable independent residences for seniors bulk# provisions

Where #buildings# containing #long-term care facilities# are required to utilize the #bulk# provisions applicable to #affordable independent residences for seniors#, such #uses# shall be considered #residential# for the purpose of applying such provisions, and the term #dwelling unit# shall include #dwelling units# and #rooming units#, as set forth in the Housing Maintenance Code.

(b) #Buildings# containing philanthropic or non-profit institutions with sleeping accommodations

The provisions of this Chapter apply to #buildings#, or portions thereof, containing philanthropic or non-profit institutions with sleeping accommodations. In addition, the following special #bulk# provisions apply:

(1) In R1 and R2 Districts

In R1 and R2 Districts the maximum #floor area ratio# for a #community facility building#, or portion thereof, that contains a philanthropic or non-profit institution with

sleeping accommodations, shall not exceed the applicable #floor area ratio# of paragraph (a) of Section 24-111, except as permitted by the Commission pursuant to Section 74-902.

- (2) In R3 through R5 Districts and R6 through R10 Districts without a letter suffix

In R3 through R5 Districts, and in R6 through R9 Districts without a letter suffix, the maximum #floor area ratio# for a #community facility building#, or portion thereof, that contains a philanthropic or non-profit institution with sleeping accommodations, shall not exceed the applicable #floor area ratio# of paragraph (b) of Section 24-111, except as permitted by the Commission pursuant to Section 74-903.

For #zoning lots# in R3-2, R4, R5, R6 and R7-1 Districts, except for R4-1, R4A, R4B, R5D and R6B Districts, with #buildings# containing both #residential uses# and philanthropic or non-profit institutions with sleeping accommodations, the provisions of Section 24-162 shall not apply. In lieu thereof, the provisions of Section 24-161 shall apply.

In R10 Districts without a letter suffix, the maximum #floor area ratio# for a #community facility building#, or portion thereof, that contains a philanthropic or non-profit institution with sleeping accommodations shall be as set forth in Section 24-11 (Maximum Floor Area Ratio and Percentage of Lot Coverage).

In R6 through R10 Districts without a letter suffix, the height and setback regulations for #Quality Housing buildings# set forth in Article II, Chapter 3, may be applied.

- (3) In R6 through R10 Districts with a letter suffix

In R6 through R10 Districts with a letter suffix, the #bulk# regulations for #Quality Housing buildings# set forth in Article II, Chapter 3, inclusive, shall apply.

- (c) Applicability of Quality Housing Program elements

For all #buildings# containing #long-term care facilities# that utilize the #bulk# regulations for #affordable independent residences for seniors# in Article II, Chapter 3, and for #buildings# containing philanthropic or non-profit institutions with sleeping accommodations that utilize the #bulk# regulations

for #Quality Housing buildings# in Article II, Chapter 3, in R6 through R10 Districts with a letter suffix, and the height and setback regulations for #Quality Housing buildings# in Article II, Chapter 3, in R6 through R10 Districts without a letter suffix, the Quality Housing Program, and the associated mandatory and optional program elements, shall apply to such #uses#, as modified by paragraph (d) of Section 28-01 (Applicability of this Chapter).

(8/14/87)

#### **24-02**

##### **General Purposes of Community Facility Bulk Regulations**

The following bulk regulations are adopted in order to protect residential areas against congestion and to encourage the development of desirable and stable residential neighborhoods. In order to achieve these purposes, a direct control of the physical volume of buildings and their degree of lot coverage is established.

(8/18/77)

#### **24-03**

##### **Definitions**

Words in italics are defined in Section 12-10 or, if applicable exclusively to this Section, in this Section.

(2/2/11)

#### **24-04**

##### **Modification of Bulk Regulations in Certain Districts**

R3-1 R3A R3X R4-1 R4A R4B R5B

In the districts indicated, except for #buildings# containing certain #community facility uses# in #lower density growth management areas#, as set forth in paragraph (b) of Section 24-011 (Exceptions to the bulk regulations of this Chapter), the City Planning Commission may authorize #developments# or #enlargements#, pursuant to the #bulk# regulations of this Chapter, provided that the Commission finds that:

- (a) the design of the #development# or #enlargement# ensures adequate separation of #uses# and sufficient independent access to each

#use#; and

- (b) the #floor area# designated for #community facility use# is designed in a manner that is consistent with such #use# and physically distinguishes such space from that designated for #residential use#.

The Commission may prescribe additional safeguards to prevent the #conversion# of such #community facility use# to #residential use#.

Applications for authorizations shall be referred to the affected Community Board for a period of at least 30 days for comment. The City Planning Commission shall grant in whole or in part or deny the application within 60 days of the completion of the Community Board review period.

(2/2/11)

#### **24-05**

##### **Street Tree Planting**

R1 R2 R3 R4 R5 R6 R7 R8 R9 R10

In all districts, as indicated, #developments#, or #enlargements# that increase the #floor area# on a #zoning lot# by 20 percent or more, shall provide #street# trees in accordance with Section 26-41 (Street Tree Planting).

(2/2/11)

#### **24-06**

##### **Planting Strips**

R1 R2 R3 R4 R5

In the districts indicated, #developments#, or #enlargements# that increase the #floor area# on a #zoning lot# by 20 percent or more, shall provide and maintain a planting strip in accordance with Section 26-42.

(3/22/16)

#### **24-10**

##### **FLOOR AREA AND LOT COVERAGE REGULATIONS**

R1 R2 R3 R4 R5 R6 R7 R8 R9 R10

In all districts, as indicated, the #floor area# and #lot coverage# regulations of this Section 24-10, inclusive, shall apply as follows.

For any #zoning lot#, the maximum #floor area ratio# and maximum percent of #lot coverage# for a #community facility use# shall not exceed the #floor area ratio# and #lot coverage# set forth in Section 24-11 (Maximum Floor Area Ratio and Percentage of Lot Coverage), except as otherwise provided in the following Sections:

Section 24-111 (Maximum floor area ratio for certain community facility uses)

Section 24-112 (Special floor area ratio provisions for certain areas)

Section 24-13 (Floor Area Bonus for Deep Front and Wide Side Yards)

Section 24-14 (Floor Area Bonus for a Public Plaza)

Section 24-15 (Floor Area Bonus for Arcades)

Section 24-16 (Special Provisions for Zoning Lots Containing Both Community Facility and Residential Uses)

Section 24-17 (Special Provisions for Zoning Lots Divided by District Boundaries or Subject to Different Bulk Regulations).

Where #floor area# in a #building# is shared by multiple #uses#, the #floor area# for such shared portion shall be attributed to each #use# proportionately, based on the percentage each #use# occupies of the total #floor area# of the #zoning lot# less any shared #floor area#.

(3/22/16)

## **24-11**

### **Maximum Floor Area and Percentage of Lot Coverage**

R1 R2 R3 R4 R5 R6 R7 R8 R9 R10

In all districts, as indicated, for any #zoning lot#, the maximum #floor area ratio# and maximum percent of #lot coverage# for a #community facility use# shall not exceed the #floor area ratio# and #lot coverage# set forth in the table in this Section.

Any given #lot area# shall be counted only once in determining the #floor area ratio#.

Notwithstanding any other provision of this Resolution, the maximum #floor area ratio# in an R9 or R10 District shall not exceed 12.0.

MAXIMUM FLOOR AREA AND MAXIMUM LOT COVERAGE  
IN R1 THROUGH R5 DISTRICTS

District	#Floor Area Ratio#	#Corner Lot#	#Lot coverage# (percent of #lot area#)
			#Interior Lot# or #Through Lot#
R1	1.00	60	55
R2	1.00	60	55
R3	1.00	60	55
R4	2.00	60	55
R5 R5A R5B	2.00	60	55
R5D	2.00	80	60

MAXIMUM FLOOR AREA AND MAXIMUM LOT COVERAGE  
IN R6 THROUGH R10 DISTRICTS  
FOR CONTEXTUAL DISTRICTS

District	#Floor Area Ratio#	#Corner Lot#	#Lot coverage# (percent of #lot are#)
			#Interior Lot# or #Through Lot#
R6A	3.00	80	60
R6B	2.00	80	60
R7A	4.00	80	65
R7B	3.00	80	65
R7D	4.20	80	65
R7X	5.00	80	70

R8A	6.50	80	70
R8B	4.00	80	70
R8X	6.00	80	70
R9A	7.50	80	70
R9D	9.00	80	70
R9X	9.00	80	70
R10A	10.00	100	70
R10X	10.00	100	70

MAXIMUM FLOOR AREA AND MAXIMUM LOT COVERAGE  
 IN R6 THROUGH R10 DISTRICTS  
 FOR NON-CONTEXTUAL DISTRICTS

District	#Floor Area Ratio#	#Corner Lot#	#Lot coverage# (percent of #lot are#)
			#Interior Lot# or #Through Lot#
R6	4.80	70	65
R7-1	4.80	70	65
R7-2	6.50	70	65
R8	6.50	75	65
R9	10.00	75	65
R10	10.00	75	65

(3/22/16)

**24-111**

**Maximum floor area ratio for certain community facility uses**

R1 R2

- (a) In the districts indicated, for any #zoning lot# containing #community facility uses# other than those #uses# for which a

permit is required pursuant to Sections 22-21 (By the Board of Standards and Appeals), 73-12 (Community Facility Uses R1, R2, R3-1, R3A, R3X, R4-1, R4A or R4B Districts) and 73-13 (Open Uses in R1 or R2 Districts), or where #bulk# modification is authorized pursuant to Section 74-902 (Certain community facility uses in R1 and R2 Districts and certain Commercial Districts), the maximum #floor area ratio# shall not exceed the #floor area# permitted for #residential uses# by the applicable district regulations. The provisions of this paragraph shall not apply to #buildings# for which plans were filed with the Department of Buildings prior to November 15, 1972, including any subsequent amendments thereof.

R3 R4 R5 R6 R7 R8 R9

- (b) In R3 through R5 Districts, and in R6 through R9 Districts without a letter suffix, the maximum #floor area ratio# on a #zoning lot# for philanthropic or non-profit institutions with sleeping accommodations, and in R3-1, R3A, R3X, R4-1, R4A, R4B, R5A, R5B and R5D Districts, the maximum #floor area ratio# on a #zoning lot# for #long-term care facilities# shall be as set forth in the table in this Section. Such maximum #floor area ratio# may be modified by special permit of the City Planning Commission pursuant to Section 74-903 (Certain community facility uses in R3 to R9 Districts and certain Commercial Districts).

MAXIMUM FLOOR AREA RATIO FOR  
CERTAIN COMMUNITY FACILITY USES

District	Maximum #Floor Area Ratio# Permitted
R3	0.50
R4	0.75
R5 R5A R5B	1.27
R5D	2.00
R6	2.43
R7	3.44
R8	6.02
R9	7.52

## 24-112

### Special floor area ratio provisions for certain areas

The #floor area ratio# provisions of Section 24-11 (Maximum Floor Area Ratio and Percentage of Lot Coverage), inclusive, shall be modified for certain areas as follows:

- (a) in R8B Districts within Community District 8, in the Borough of Manhattan, the maximum #floor area ratio# on a #zoning lot# containing #community facility uses# exclusively shall be 5.10; and
- (b) in R10 Districts, except R10A or R10X Districts, within Community District 7, in the Borough of Manhattan, all #zoning lots# shall be limited to a maximum #floor area ratio# of 10.0.

(3/22/16)

## 24-113

### Existing public amenities for which floor area bonuses have been received

- (a) Elimination or reduction in size of non-bonused open area on a #zoning lot# containing a bonused amenity

In all districts, any existing open area for which a #floor area# bonus has not been utilized that occupies the same #zoning lot# as an existing #publicly accessible open area# or other public amenity, open or enclosed, for which a #floor area# bonus has been utilized, may be reduced in size or eliminated only upon certification of the Chairperson of the City Planning Commission that all bonused amenities comply with the standards under which such #floor area# bonus was granted.

- (b) Nighttime closing of existing public open areas

In all #Residence Districts#, the City Planning Commission may, upon application, authorize the closing during certain nighttime hours of an existing #publicly accessible open area# for which a #floor area# bonus has been received, pursuant to Section 37-727 (Hours of access).

- (c) Elimination or reduction in size of existing public amenities

In all districts, no existing #publicly accessible open area#, #arcade# or other public amenity, open or enclosed, for which a #floor area# bonus has been utilized, shall be eliminated or reduced in size, except by special permit of the City Planning

Commission, pursuant to Section 74-761 (Elimination or reduction in size of bonused public amenities).

(2/2/11)

## **24-12**

### **Height and Application of Lot Coverage**

R3 R4 R5 R6 R7 R8 R9 R10

In the districts indicated, the portion of a #building# containing a #community facility use# located at any height up to but not exceeding 23 feet above #curb level# or #base plane#, where applicable, may be excluded in determining the percentage of #lot coverage# set forth in Section 24-11 (Maximum Floor Area Ratio and Percentage of Lot Coverage). Obstructions permitted under the provisions of Section 24-33 (Permitted Obstructions in Required Yards or Rear Yard Equivalents) shall not be included in #lot coverage#.

(3/22/16)

## **24-13**

### **Floor Area Bonus for Deep Front and Wide Side Yards**

R3 R4 R5

In the districts indicated, except R5D Districts, the maximum #floor area ratio# set forth in Section 24-11 (Maximum Floor Area Ratio and Percentage of Lot Coverage) may be increased to the #floor area ratio# set forth in the table in this Section, if #yards# are provided as follows:

- (a) on #interior lots#, a #front yard# not less than 30 feet in depth, and a #side yard# not less than 15 feet in width along any #side lot line#;
- (b) on #corner lots#, two #front yards#, each not less than 30 feet in depth;
- (c) on #through lots#, a #front yard# not less than 30 feet in depth along each #front lot line#, provided, however, that if the #rear yard equivalent# required for such #through lot# is provided as set forth in the alternative in paragraph (b) of Section 24-382 (Required rear yard equivalents), at least one #side yard# not less than 30 feet in width shall be provided in addition.

No portion of a #rear yard equivalent# that is also a #front yard# or a #side yard# as provided under this Section may contain any obstructions not permitted in a #front yard# or #side yard# under the provisions of Section 24-33 (Permitted Obstructions in Required Yards or Rear Yard Equivalents).

However, the provisions of this Section shall not apply to philanthropic or non-profit institutions with sleeping accommodations and #long-term care facilities#.

Districts	Maximum #Floor Area Ratio# Permitted
R3	1.60
R4	2.40
R5	2.40

(3/22/16)

**24-14  
Floor Area Bonus for a Public Plaza**

R9 R10

In the districts indicated, for #developments# or #enlargements# with 25 percent or less of the total #floor area# of the #building# allocated to #residential uses#, for each square foot of a #public plaza#, subject to the provisions of Section 37-70, provided on a #zoning lot#, the total #floor area# permitted on that #zoning lot# under the provisions of Section 24-11 (Maximum Floor Area Ratio and Percentage of Lot Coverage) may be increased by six square feet.

(3/22/16)

**24-15  
Floor Area Bonus for Arcades**

R9 R10

In the districts indicated, for #developments# or #enlargements# with 25 percent or less of the total #floor area# of the #building# allocated to #residential uses#, for each square foot of #arcade# provided on a #zoning lot# in accordance with the provisions of Section 37-80 (ARCADES), the total #floor area# permitted on that

#zoning lot# under the provisions of Section 24-11 (Maximum Floor Area Ratio and Percentage of Lot Coverage) may be increased by three square feet.

(3/22/16)

**24-16**

**Special Provisions for Zoning Lots Containing Both Community Facility and Residential Uses**

R1 R2 R3 R4 R5 R6 R7 R8 R9 R10

In R1 through R5 Districts, and in R6 through R10 Districts without a letter suffix, the provisions of this Section shall apply to any #zoning lot# containing #community facility# and #residential uses#.

(3/22/16)

**24-161**

**Maximum floor area ratio for zoning lots containing community facility and residential uses**

R1 R2 R3-1 R3A R3X R4-1 R4A R4B R5D R6 R7-2 R8 R9 R10

In the districts indicated, for #zoning lots# containing #community facility# and #residential uses#, the maximum #floor area ratio# permitted for a #community facility use# shall be as set forth in Section 24-11, inclusive, and the maximum #floor area ratio# permitted for a #residential use# shall be as set forth in Article II, Chapter 3, provided the total of all such #floor area ratios# does not exceed the greatest #floor area ratio# permitted for any such #use# on the #zoning lot#.

In #Inclusionary Housing designated areas#, except within Waterfront Access Plan BK-1 and in R6 Districts without a letter suffix in Community District 1, Brooklyn, the maximum #floor area ratio# permitted for #zoning lots# containing #community facility# and #residential uses# shall be the base #floor area ratio# set forth in Section 23-154 (Inclusionary Housing) for the applicable district. Such base #floor area ratio# may be increased to the maximum #floor area ratio# set forth in such Section only through the provision of #affordable income housing# pursuant to Section 23-90 (INCLUSIONARY HOUSING).

(3/22/16)

**24-162**

**Maximum floor area ratios and special floor area limitations for zoning lots containing residential and community facility uses in certain districts**

R3-2 R4 R5 R6 R7-1

In the districts indicated, except R4-1, R4A, R4B and R5D Districts, the provisions of this Section shall apply to any #zoning lot# containing #community facility# and #residential use#. However, this Section shall not apply to #buildings# containing #residences# and philanthropic or non-profit residences with sleeping accommodations, as set forth in Section 24-013 (Special provisions for certain community facility uses).

- (a) For #buildings# containing #residential# and #community facility uses#, if the ratio of #floor area# provided in a #building# to the #lot area# of the #zoning lot# is greater than as set forth in Column A in the table in this Section, then the maximum ratio of #community facility floor area# in such #buildings# to the #lot area# of the #zoning lot# shall be as set forth in Column B in the table. The maximum #floor area ratio# for the #residential# portions of such #buildings# shall be in accordance with Article II, Chapter 3, subject to the limitations set forth in paragraph (d) of this Section.

MAXIMUM COMMUNITY FACILITY  
 FLOOR AREA RATIO FOR CERTAIN BUILDINGS  
 CONTAINING COMMUNITY FACILITY AND RESIDENTIAL USES

District	COLUMN A Ratio of #Floor Area# of #Building# to #Lot Area#	COLUMN B Maximum Ratio of #Floor Area# for #Community Facility Use# to #Lot Area#
R3-2	.50	.20
R4	.75	.40
R5B	1.25	.40
R5	1.25	.60
R6	2.50	1.00
R7-1	3.50	1.00

- (b) For #buildings# containing #residential# and #community facility uses#, if the ratio of #floor area# provided in a #building# to the #lot area# of the #zoning lot# is not greater than as set forth in Column A in the table in paragraph (a), then the maximum ratio of the #community facility floor area# in such #buildings# to the #lot area# shall be as set forth in Section 24-11, inclusive. The maximum #floor area ratio# for the #residential# portion of such #buildings# shall be in accordance with Article II, Chapter 3, subject to the limitations set forth in paragraph (d) of this Section.
- (c) For #zoning lots# containing multiple #buildings#, the provisions of this paragraph, (c), shall apply to #buildings# containing only #community facility uses# or only #residential uses#. The maximum #floor area ratio# permitted for a #building# containing only #community facility uses# shall be as set forth in Section 24-11, inclusive, and the maximum #floor area ratio# permitted for a #building# containing only #residential uses# shall be as set forth in Article II, Chapter 3, subject to the limitations set forth in paragraph (d) of this Section.
- (d) The total #floor area ratio# permitted for #community facility use# on the #zoning lot# shall be as set forth in Section 24-11, inclusive, and the total #floor area ratio# permitted for #residential use# on the #zoning lot# shall be as set forth in Article II, Chapter 3, provided the total of all such #floor area

ratios# does not exceed the greatest #floor area ratio# permitted for any such #use# on the #zoning lot#.

For the purposes of this Section, a #building segment# may be considered to be a #building#.

(3/22/16)

#### **24-163**

##### **Open space ratio for residential portion**

R6 R7 R8 R9

In the districts indicated, the #zoning lots# containing #residences# shall have a minimum #open space ratio# as required under the provisions of Article II, Chapter 3. For the purposes of this Section:

- (a) the #floor area# counted in determining the #open space ratio# shall be only that #floor area# in the #residential# portion of the #building#;
- (b) the #lot coverage# of the #residential# portion of the #building# shall be deemed to be that portion of the #zoning lot# which, when viewed directly from above, would be covered by the #residential# portion of the #building# at any level; and
- (c) the applicable #height factor#, if the maximum permitted #residential floor area ratio# is less than the total #floor area ratio# permitted for such #zoning lot#, shall be the #height factor# of the #residential# portion of the #building#.

(3/22/16)

#### **24-164**

##### **Location of open space for residential portion**

R1 R2 R3 R4 R5 R6 R7 R8 R9

In the districts indicated, the #open space# required for the #residential# portion of the #building# under the provisions of Article II, Chapter 3, may be at a level higher than 23 feet above #curb level#. Such #open space# may be provided at ground floor level or upon the roof of the #community facility# portion of such #building#, provided that the level of any #open space# may not be higher than two and one half feet below the sill level of any #legally required window# opening on such roof area, in the #residential#

portion of such #building#. #Open space# located on the roof of a #community facility building# separated by open area from #residential# or #mixed buildings# on the same #zoning lot# may not be at a level higher than 23 feet above #curb level#. For the purposes of this Section, #abutting buildings# on a single #zoning lot# may be considered to be a single #building#.

(2/2/11)

#### **24-165**

##### **Lot coverage for zoning lots containing community facility and residential uses**

Where different maximum percentages of #lot coverage# apply to #residential# and #community facility uses#, the higher #lot coverage# shall be applied to any level containing both such #uses#. Furthermore, the maximum percent of #lot coverage# for #community facility uses# located below the level of #residential uses# need not be lower than the maximum percent of #lot coverage# permitted for such #residential uses#.

(2/2/11)

#### **24-166**

##### **Balconies**

R3 R4 R5 R6 R7 R8 R9 R10

In all districts, as indicated, the regulations set forth in Section 23-13 (Balconies) shall apply to any portion of a #building# used for living or sleeping accommodations.

(2/2/11)

#### **24-17**

##### **Special Provisions for Zoning Lots Divided by District Boundaries or Subject to Different Bulk Regulations**

R1 R2 R3 R4 R5 R6 R7 R8 R9 R10

In the districts, as indicated, whenever a #zoning lot# is divided by a boundary between districts or is subject to #bulk# regulations resulting in different maximum #floor area ratios# or different

maximum percentages of #lot coverage#, on portions of the #zoning lot#, the provisions set forth in Article VII, Chapter 7, shall apply.

(3/22/16)

**24-20**

**APPLICABILITY OF DENSITY REGULATIONS TO ZONING LOTS CONTAINING BOTH RESIDENTIAL AND COMMUNITY FACILITY USES**

In all districts, the maximum number of #dwelling units# on a #zoning lot# containing both #community facility# and #residential uses# shall be as set forth in Section 23-24 (Special Provisions for Buildings Containing Multiple Uses).

(12/15/61)

**24-30**

**YARD REGULATIONS**

General Provisions

(3/22/16)

**24-31**

**Applicability of Yard Regulations**

R1 R2 R3 R4 R5 R6 R7 R8 R9 R10

In all districts, as indicated, #yards# shall be provided as set forth in Sections 24-30 (YARD REGULATIONS) and 24-40 (SPECIAL PROVISIONS FOR ZONING LOTS DIVIDED BY DISTRICT BOUNDARIES), inclusive. However, in R6A, R6B, R7A, R7B, R7D, R7X, R8A, R8B, R8X, R9A, R9D, R9X, R10A or R10X Districts, any #building# shall comply with the #yard# regulations for #Quality Housing buildings# set forth in Article II, Chapter 3.

For #zoning lots# with #residential# and #community facility uses#, #front yards# shall be provided pursuant to Article II, Chapter 3, where applicable, and #side yards# and #rear yards# shall be provided in accordance with this Chapter. Section 23-463 (Maximum aggregate width of street walls) shall apply to #zoning lots# with #residential# and #community facility uses#.

For the #residential# portion of a #building# with both #residential#

and #community facility uses#, the required #residential rear yard# shall be provided at the floor level of the lowest #story# used for #dwelling units#, where any window of such #dwelling units# faces onto such #rear yard#.

(2/2/11)

## **24-32**

### **Level of Yards and Measurement of Yard Width or Depth**

In all #Residence Districts#, the level of a #yard# or of a #rear yard equivalent# shall not be higher than #curb level#, except that natural grade level need not be disturbed in order to comply with this requirement. No #building or other structure# shall be erected above ground level in any required #yard# or #rear yard equivalent#, except as otherwise provided in Section 24-33 (Permitted Obstructions in Required Yards or Rear Yard Equivalents).

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

(3/22/16)

## **24-33**

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

In all #Residence Districts#, the following obstructions shall be permitted when located within a required #yard# or #rear yard equivalent#:

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

(1) Arbors or trellises;

(2) Awnings and other sun control devices, provided that when located at a level higher than the first #story#, excluding a #basement#, all such awnings and other sun control devices:

(i) shall be limited to a maximum projection of 2 feet, 6 inches into such required #yard#; and

(ii) shall have solid surfaces that, in aggregate, cover an area no more than 30 percent of the area of the #building# wall (as viewed in elevation) from which they project;

- (3) Canopies;
- (4) Chimneys, projecting not more than three feet into, and not exceeding two percent of the area of, the required #yard# or #rear yard equivalent#;
- (5) Eaves, gutters or downspouts, projecting into such #yard# or #rear yard equivalent# not more than 16 inches or 20 percent of the width of such #yard# or #rear yard equivalent#, whichever is the lesser distance;
- (6) Exterior wall thickness, where such wall thickness is added to the exterior face of a #building# wall existing on April 30, 2012, provided the added wall thickness has a thermal resistance (R-value) of at least 1.5 per inch, and is limited to one inch of thickness for every foot of existing #yard# width, up to a maximum thickness of eight inches. When an open area is provided along a common #lot line#, then such exterior wall thickness is limited to one inch for every foot of existing open area on the #zoning lot#;

Where #buildings# that have added exterior wall thickness pursuant to this Section are #enlarged#, such #enlarged# portion may similarly encroach upon required #yards# in order to align with the exterior walls of the existing #building#, provided such #enlargement# contains less #floor area# than the existing #building#, and there is no encroachment of #floor area# into a required #yard#;

- (7) Fences;
- (8) Flagpoles;
- (9) Parking spaces for automobiles or bicycles, off-street, open, #accessory#;
- (10) Solar energy systems, on walls existing on April 30, 2012, projecting no more than 10 inches and occupying no more than 20 percent of the surface area of the #building# wall (as viewed in elevation) from which it projects;
- (11) Steps, and ramps for people with disabilities;
- (12) Terraces or porches, open;
- (13) Walls, not exceeding eight feet in height and not roofed or part of a #building#.

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

- (1) Balconies, unenclosed, subject to the provisions of Section 24-165;
- (2) Breezeways;
- (3) Any #building# or portion of a #building# used for #community facility uses#, including #accessory# parking spaces for bicycles within such #building#, provided that the height of such #building# shall not exceed one #story#, nor in any event 23 feet above #curb level#, and further provided that the area within such #building# dedicated to #accessory# parking spaces for bicycles shall not exceed the area permitted to be excluded from #floor area#, pursuant to Section 25-85 (Floor Area Exemption). In addition, decks, parapet walls, roof thickness, skylights, vegetated roofs, and weirs, pursuant to Section 24-51 (Permitted Obstructions), shall be permitted above such an #accessory building#, or portion thereof. However, the following shall not be permitted obstructions:
  - (i) in all #Residence Districts#, any portion of a #building# containing rooms used for living or sleeping purposes, other than a room in a hospital used for the care or treatment of patients;
  - (ii) in R1, R2, R3A, R3X, R3-1, R4A, R4B or R4-1 Districts, any portion of a #building# used for any #community facility use#;
  - (iii) in all #Residence Districts# not listed in paragraph (b)(3)(ii) of this Section, beyond one hundred feet of a #wide street#, any portion of a #building# used for a #community facility use# other than a #school#, house of worship, college or university, or hospital and related facilities;
- (4) Fire escapes;
- (5) Greenhouses, #accessory#, non-commercial, limited to one #story# or 15 feet in height above natural grade level, whichever is less, and limited to an area not exceeding 25 percent of a required #rear yard# or #rear yard equivalent# on a #zoning lot#;
- (6) Parking spaces, off-street, #accessory# to a #community facility use#, provided that the height of an #accessory building#, or portion of a #building# used for such purposes, shall not exceed 15 feet above #curb level#. However, such #accessory building# or portion of a

#building# shall not be a permitted obstruction in R1, R2, R3-1, R3A, R3X, R4-1, R4A or R4B Districts;

- (7) Recreation or drying yard equipment;
- (8) Sheds, tool rooms or other similar #accessory buildings or other structures# for domestic or agricultural storage, with a height not exceeding 10 feet above the level of the #rear yard# or #rear yard equivalent#;
- (9) Solar energy systems on the roof of a #building# permitted as an obstruction to such #yard#, up to four feet in height as measured perpendicular to the roof surface when located above a permitted #community facility use# or attached parking structure; however, limited to 18 inches in height as measured perpendicular to the roof surface when located above a shed or detached parking structure, or on any roof with a slope greater than 20 degrees;
- (10) Water-conserving devices required in connection with air conditioning or refrigeration systems in #buildings# existing prior to May 20, 1966, if located not less than eight feet from any #lot line#.

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

### Basic Regulations

(6/29/06)

### 24-34

### Minimum Required Front Yards

R1 R2 R3 R4 R5

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

#Front Yard# (in feet)	District
20	R1
15	R2 R3 R4
10	R5

- \* In R5D Districts, the provisions set forth in Section 23-45 (Minimum Required Front Yards) shall apply.

(4/30/12)

## **24-35**

### **Minimum Required Side Yards**

R1 R2 R3 R4 R5

- (a) In the districts indicated, if a #building# containing a #community facility use# has an #aggregate width of street walls# equal to 80 feet or less or, for #abutting buildings#, if the combined #aggregate width of street walls# of all such #abutting buildings# on a #zoning lot# is equal to 80 feet or less, then two #side yards# shall be provided, each with a minimum required width of eight feet. If such #building# or #buildings# have an #aggregate width of street walls# equal to more than 80 feet, two #side yards# shall be provided, each equal to not less than 10 percent of the #aggregate width of street walls#. The provisions of this paragraph, (a), shall not apply in R5D Districts. In lieu thereof, the #side yard# regulations set forth in Sections 23-461 and 23-462, as applicable, shall apply.

R6 R7 R8 R9 R10

- (b) In the districts indicated, no #side yards# are required. However, if any open area extending along a #side lot line# is provided at any level, it shall be at least eight feet wide. Permitted obstructions pursuant to paragraph (a) of Section 24-33 (Permitted Obstructions in Required Yards or Rear Yard Equivalents) shall be permitted in such open areas.

(2/2/11)

## **24-351**

### **Special provisions applying along district boundaries**

R6 R7 R8 R9 R10

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

such boundary within the districts indicated.

**Rear Yards**

(4/30/08)

**24-36**

**Minimum Required Rear Yards**

R1 R2 R3 R4 R5 R6 R7 R8 R9 R10

In all districts, as indicated, a #rear yard# with a depth of not less than 30 feet shall be provided at every #rear lot line# on any #zoning lot# except as otherwise provided in Sections 24-37 (Special Provisions for Shallow Interior Lots), 24-38 (Special Provisions for Through Lots) or 24-39 (Other Special Provisions for Rear Yards). #Rear yards# shall also be provided along portions of #side lot lines# as set forth in Section 24-361 (Beyond one hundred feet of a street line).

(4/30/08)

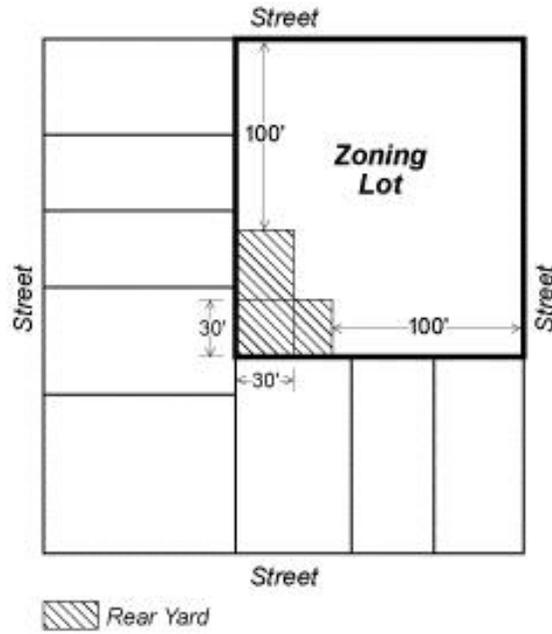
**24-361**

**Beyond one hundred feet of a street line**

R1 R2 R3 R4 R5 R6 R7 R8 R9 R10

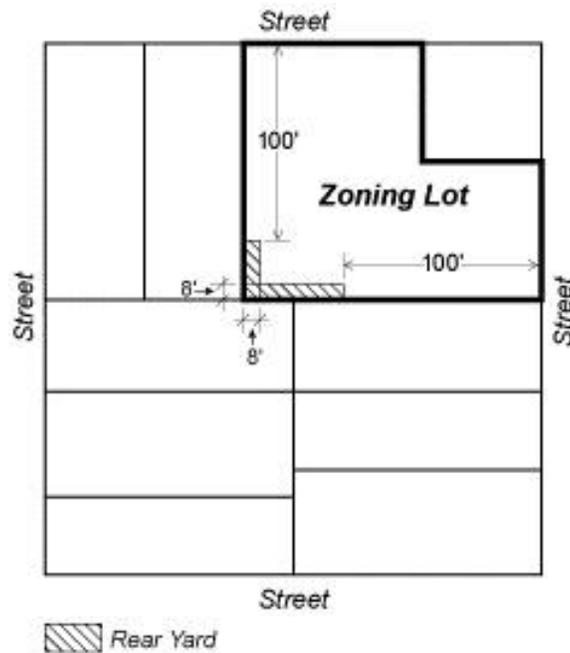
In all districts, as indicated, for #corner lots#, and for #zoning lots# that are bounded by two or more #streets# that are neither #corner lots# nor #through lots#, the portion of a #side lot line# beyond 100 feet of the #street line# that it intersects shall be considered a #rear lot line# and the following rules shall apply along such #rear lot line#:

- (a) In all districts, a #rear yard# with a minimum depth of 30 feet shall be provided where such #rear lot line# coincides with a #rear lot line# of an adjoining #zoning lot#.



CORNER LOT

- (b) In R1 through R5 Districts, a #rear yard# with a minimum depth of eight feet shall be provided where such #rear lot line# coincides with a #side lot line# of an adjoining #zoning lot#.



ZONING LOT BOUNDED BY TWO OR MORE STREETS  
(NEITHER A CORNER LOT NOR A THROUGH LOT)

- (c) In R6 through R10 Districts, no #rear yard# shall be required where such #rear lot line# coincides with a #side lot line# of an adjoining #zoning lot#.

2/20/64

**24-37**

**Special Provisions for Shallow Interior Lots**

R3 R4 R5 R6 R7 R8 R9 R10

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

- (a) which was owned separately and individually from all other adjoining tracts of land, both on December 15, 1961 and on the date of application for a building permit; and

(b) which is less than 70 feet deep at any point;

the depth of a required #rear yard# for such #interior lot# may be reduced by one foot for each foot by which the maximum depth of such #zoning lot# is less than 70 feet. On any #interior lot# with a maximum depth of 50 feet or less, the minimum depth of a required #rear yard# shall be ten feet.

(6/29/94)

**24-38**

**Special Provisions for Through Lots**

R1 R2 R3 R4 R5 R6 R7 R8 R9 R10

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

(3/22/16)

**24-381**

**Excepted through lots**

R1 R2 R3 R4 R5 R6 R7 R8 R9 R10

In all districts, as indicated, no #rear yard# regulations shall apply to any #through lots# that extend less than 110 feet in maximum depth from #street# to #street#. However, in R5D Districts, no #rear yard# regulations shall apply to any #zoning lot# that includes a #through lot# portion which is contiguous on one side to two #corner lot# portions, and such #zoning lot# occupies the entire #block# frontage of a #street#.

(3/22/16)

**24-382**

**Required rear yard equivalents**

R1 R2 R3 R4 R5 R6 R7 R8 R9 R10

In all districts, as indicated, on any #through lot# 110 feet or more in maximum depth from #street# to #street#, one of the following #rear

yard equivalents# shall be provided:

- (a) an open area with a minimum depth of 60 feet midway (or within five feet of being midway) between the two #street lines# upon which such #through lot# fronts;
- (b) two open areas, each adjoining and extending along the full length of a #street line#, and each with a minimum depth of 30 feet measured from such #street line#, except the depth of such required open area along one #street line# may be decreased, provided that:
  - (1) a corresponding increase in the depth of the open area along the other #street line# is made; and
  - (2) any required front setback areas are maintained; or
- (c) an open area adjoining and extending along the full length of each #side lot line#, with a minimum width of 30 feet measured from each such #side lot line#.

However, in R5D Districts on any #through lot# at least 180 feet in depth from #street# to #street#, a #rear yard equivalent# shall be provided only as set forth in paragraph (a) of this Section.

Any such #rear yard equivalent# shall be unobstructed from its lowest level to the sky, except as provided in Section 24-33 (Permitted Obstructions in Required Yards or Rear Yard Equivalents).

(12/15/61)

#### **24-39**

##### **Other Special Provisions for Rear Yards**

R1 R2 R3 R4 R5 R6 R7 R8 R9 R10

In all districts, as indicated, the #rear yard# requirements set forth in Section 24-36 (Minimum Required Rear Yards) shall be modified, as set forth in this Section, inclusive.

(4/30/08)

#### **24-391**

##### **Within one hundred feet of corners**

R6 R7 R8 R9 R10

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

(4/30/08)

**24-392**

**Along short dimension of block**

R6 R7 R8 R9 R10

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

(4/30/08)

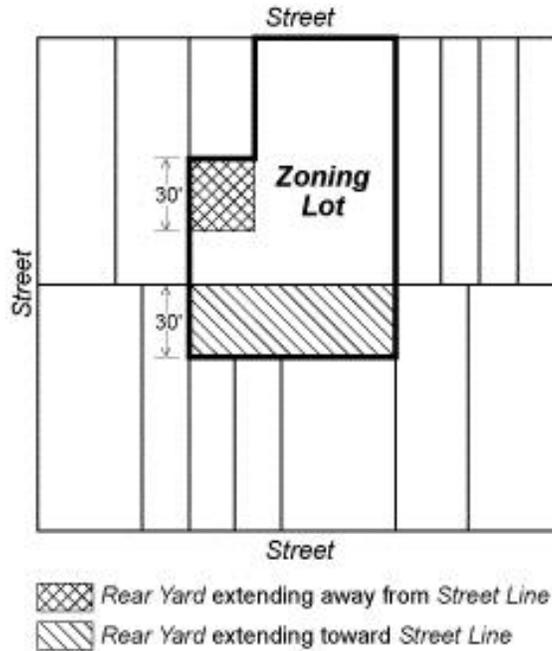
**24-393**

**For zoning lots with multiple rear lot lines**

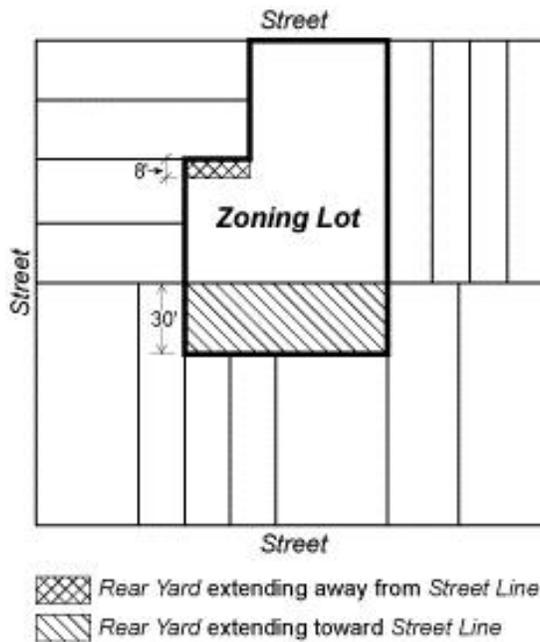
R1 R2 R3 R4 R5 R6 R7 R8 R9 R10

In all districts, as indicated, for #zoning lots# with multiple #rear lot lines#, if a #rear yard# extends from a #rear lot line# away from the #street line# which is used to determine such #rear lot line#, the following rules shall apply along such #rear lot line#:

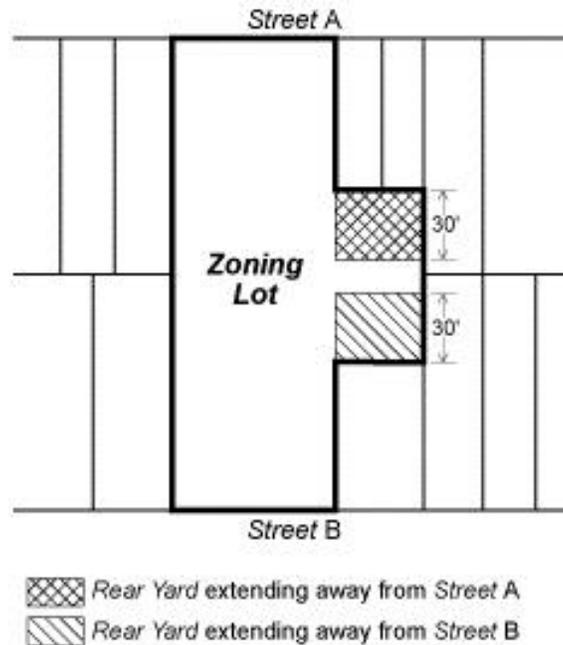
- (a) In all districts, a #rear yard# with a minimum depth of 30 feet shall be provided where such #rear lot line# coincides with a #rear lot line# of an adjoining #zoning lot#.



- (b) In R1 through R5 Districts, a #rear yard# with a minimum depth of eight feet shall be provided where such #rear lot line# coincides with a #side lot line# of an adjoining #zoning lot#.



- (c) In R6 through R10 Districts, no #rear yard# shall be required where such #rear lot line# coincides with a #side lot line# of an adjoining #zoning lot#.
- (d) In all districts, for portions of #through lots# that have multiple #rear lot lines# and such portions are not subject to #interior lot# regulations, the #street line# bounding the #zoning lot# closest to such #rear lot line# shall be used to determine compliance with this Section.



**All Yards**

(8/14/87)

**24-40**

**SPECIAL PROVISIONS FOR ZONING LOTS DIVIDED BY DISTRICT BOUNDARIES**

R1 R2 R3 R4 R5 R6 R7 R8 R9 R10

In all districts, as indicated, whenever a #zoning lot# is divided by a boundary between districts or is subject to other regulations resulting in different #yard# regulations on portions of the #zoning lot#, the provisions set forth in Article VII, Chapter 7, shall apply.

(4/30/08)

**24-41**

**Modifications of Rear Yard Regulations**

R1 R2 R3 R4 R5 R6 R7 R8 R9 R10

In all districts, as indicated, the regulations set forth in Section 24-393 (For zoning lots with multiple rear lot lines) may be modified in accordance with the provisions of Section 73-69 (Rear Yard Modifications).

(3/22/16)

**24-50**

**HEIGHT AND SETBACK REGULATIONS**

R1 R2 R3 R4 R5 R6 R7 R8 R9 R10

In all districts, as indicated, the height and setback regulations of this Section 24-50, inclusive, shall apply as follows.

Height and setback regulations applicable to R1 through R5 Districts, except R5D Districts, are set forth in Section 24-521 (Front setbacks in districts where front yards are required). In R5D Districts, all #buildings or other structures# shall comply with the applicable height and setback requirements set forth in Section 23-60 (HEIGHT AND SETBACK REGULATIONS).

In R6A, R6B, R7A, R7B, R7D, R7X, R8A, R8B, R8X, R9A, R9D, R9X, R10A or R10X Districts, any #building# shall comply with the height and setback regulations for #Quality Housing buildings# set forth in Article II, Chapter 3. In R6, R7, R8, R9 or R10 Districts without a letter suffix, if the #residential# portion of a #building# containing a #community facility use# is #developed# or #enlarged# pursuant to the Quality Housing Program, the entire #building# shall comply with the applicable height and setback regulations for #Quality Housing buildings# set forth in Article II, Chapter 3. For other #buildings# in R6 through R10 Districts without a letter suffix utilizing the provisions of this Chapter, height and setback regulations are set forth in Sections 24-522 (Front setbacks in districts where front yards are not required), 24-53 (Alternate Front Setbacks) and 24-54 (Tower Regulations), as applicable.

In all districts, supplemental provisions are set forth in Sections 24-55 (Required Side and Rear Setbacks), 24-56 (Special Height and Setback Provisions for Certain Areas), 24-57 (Modifications of Height and Setback Regulations), 24-58 (Special Provisions for Zoning Lots Divided by District Boundaries) and 24-59 (Special Height

Limitations), respectively.

(4/30/12)

## **24-51**

### **Permitted Obstructions**

In all #Residence Districts#, the following obstructions shall be permitted and may thus penetrate a maximum height limit or #sky exposure plane# set forth in Sections 24-52 (Maximum Height of Walls and Required Setbacks), 24-53 (Alternate Front Setbacks) or 24-591 (Limited Height Districts):

- (a) Awnings and other sun control devices, provided that when located at a level higher than the first #story#, excluding a #basement#, all such awnings and other sun control devices:
  - (1) shall be limited to a maximum projection from a #building# wall of 2 feet, 6 inches, except when located on the first #story# above a setback;
  - (2) shall have solid surfaces that, in aggregate, cover an area no more than 30 percent of the area of the #building# wall (as viewed in elevation) from which they project; and
  - (3) may rise above the permitted #building# height, up to the height of a parapet wall or guardrail permitted in accordance with Section 23-62 (Permitted Obstructions);

When located on the first #story# above a setback, awnings and other sun control devices shall be limited to a projection of 50 percent of the depth of the required setback, and shall be limited, in total, to 50 percent of the width of the #building# wall from which they project;

- (b) Balconies, unenclosed, subject to the provisions of Section 24-165;
- (c) #Building# columns, having an aggregate width equal to not more than 20 percent of the #aggregate width of street walls# of a #building#, to a depth not exceeding 12 inches, in an #initial setback distance#, optional front open area, or any other required setback distance or open area set forth in Sections 24-52, 24-53 or 24-54 (Tower Regulations);
- (d) Chimneys or flues, with a total width not exceeding 10 percent of the #aggregate width of street walls# of a #building# at any level;

- (e) Decks, and other surfaces for recreational activities, not more than 3 feet, 6 inches in height, as measured from the maximum height limit, or the finished level of the roof as it existed on April 30, 2012, whichever is higher;
- (f) Elevator or stair bulkheads (including shafts; and vestibules not larger than 60 square feet in area providing access to a roof), roof water tanks and #accessory# mechanical equipment (including enclosures), other than solar or wind energy systems, provided that:
  - (1) such obstructions shall be located not less than 10 feet from the #street wall# of a #building#, except that such obstructions need not be set back more than 25 feet from a #narrow street line# or more than 20 feet from a #wide street line#. However, such restrictions on location shall not apply to elevator or stair bulkheads (including shafts or vestibules), provided the #aggregate width of street walls# of such bulkheads within 10 feet of a #street wall#, facing each #street# frontage, times their average height, in feet, does not exceed an area equal to four feet times the width, in feet, of the #street wall# of the #building# facing such frontage;
  - (2) all mechanical equipment shall be screened on all sides;
  - (3) such obstructions and screening are contained within a volume that complies with one of the following:
    - (i) the product, in square feet, of the #aggregate width of street walls# of such obstructions facing each #street# frontage, times their average height, shall not exceed an area equal to eight feet times the width, in feet, of the #street wall# of the #building# facing such frontage; or
    - (ii) the #lot coverage# of all such obstructions does not exceed 20 percent of the #lot coverage# of the #building#, and where the maximum permitted height of a #building# is less than 120 feet, such obstructions are limited to a maximum height of 25 feet, and where the maximum permitted height of a #building# is 120 feet or greater, such obstructions are limited to a maximum height of 40 feet.

For the purposes of this paragraph, (f), #abutting buildings# on a single #zoning lot# may be considered to be a single #building#;

- (g) Exterior wall thickness, up to eight inches, where such wall thickness is added to the exterior face of a #building# wall existing on April 30, 2012, provided the added wall thickness has a thermal resistance (R-value) of at least 1.5 per inch. Where #buildings# that have added exterior wall thickness pursuant to this Section are #enlarged#, such #enlarged# portion may similarly penetrate a maximum height limit in order to align with the exterior walls of the existing #building#, provided such #enlargement# contains less #floor area# than the existing #building#, and there is no penetration of #floor area# above a maximum height limit;
- (h) Flagpoles or aerials;
- (i) House of worship towers, ornamental, having no #floor area# in portion of tower penetrating such height limit or #sky exposure plane#;
- (j) Parapet walls, not more than four feet in height, as measured from the maximum height limit, or the finished level of the roof as it existed on April 30, 2012, whichever is higher. A guardrail with a surface at least 70 percent open or with an opacity of not more than 30 percent (as viewed in elevation), shall be permitted above a parapet wall or within two feet of a parapet wall, provided such guardrail is not more than four feet above the accessible level of a roof. Such restriction on guardrail height shall not apply when located beyond two feet from a parapet wall;
- (k) Roof thickness, up to eight inches, to accommodate the addition of insulation, for #buildings# or portions of #buildings# constructed prior to April 30, 2012. For a #building# that has added roof thickness pursuant to this paragraph, (k), an #enlargement# may align with the finished roof surface of such #building#, provided the #enlarged# portion does not exceed the maximum height limit by more than eight inches;
- (l) Rooftop greenhouses, permitted pursuant to Section 75-01 (Certification for Rooftop Greenhouses);
- (m) Skylights, clerestories or other daylighting devices, not more than four feet in height, as measured from the maximum height limit, or the finished level of the roof as it existed on April 30, 2012, whichever is higher. Such devices shall be limited to a #lot coverage# not greater than 10 percent of the #lot coverage# of the roof and be located at least eight feet from the #street wall# edge. However, such devices shall not be permitted obstructions above a roof with a slope greater than 20 degrees;
- (n) Solar energy systems:

- (1) on the roof of a #building#, up to four feet in height, as measured from the maximum height limit, or the finished level of the roof, whichever is higher;
- (2) on the roof of a #building#, greater than four feet in height, as measured from the maximum height limit, or the finished level of the roof, whichever is higher, provided that all such portions above four feet are set back at least six feet from a #street wall#, limited to a #lot coverage# not greater than 25 percent of the #lot coverage# of the roof and do not exceed:
  - (i) in R1 through R5 Districts, a height of six feet;
  - (ii) in R6 through R10 Districts, a height of 15 feet; and
  - (iii) when located on a bulkhead or other obstruction pursuant to paragraph (f) of this Section, a height of six feet;
- (3) on walls existing on April 30, 2012, projecting no more than 10 inches and occupying no more than 20 percent of the surface area of the #building# wall (as viewed in elevation) from which it projects;

However, any installation on a roof with a slope greater than 20 degrees shall be limited to 18 inches in height, as measured perpendicular to the roof surface;

- (o) Spires or belfries;
- (p) Vegetated roofs, not more than 3 feet, 6 inches in height, excluding vegetation, as measured from the maximum height limit, or the finished level of the roof as it existed on April 30, 2012, whichever is higher. On roofs with slopes greater than 20 degrees, vegetated roofs shall be limited to a height of 12 inches measured perpendicular to such roof surface;
- (q) Weirs, check dams and other equipment for stormwater management, not more than 3 feet, 6 inches in height, as measured from the maximum height limit, or the finished level of the roof as it existed on April 30, 2012, whichever is higher;
- (r) Wind energy systems on portions of #buildings# with a height of 100 feet or greater, provided:
  - (1) the highest point of the wind turbine assembly does not exceed 55 feet;
  - (2) no portion of the wind turbine assembly is closer than 10

feet to any #lot line#; and

(3) the diameter of the swept area of the rotor does not exceed 15 feet;

(s) Window washing equipment mounted on a roof;

(t) Wire, chain link or other transparent fences.

### **Basic Regulations**

(6/29/94)

#### **24-52**

##### **Maximum Height of Walls and Required Setbacks**

R1 R2 R3 R4 R5 R6 R7 R8 R9 R10

In all districts, as indicated, the maximum height of a front wall or of any other portion of a #building or other structure# shall be as set forth in this Section, except as otherwise provided in Section 24-51 (Permitted Obstructions), 24-53 (Alternate Front Setbacks), 24-54 (Tower Regulations) or 23-692 (Height limitations for narrow buildings or enlargements).

(3/22/16)

#### **24-521**

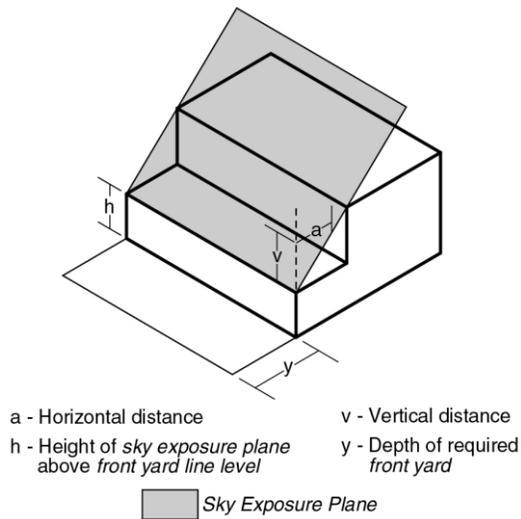
##### **Front setbacks in districts where front yards are required**

R1 R2 R3 R4 R5

In the districts indicated, except R5D Districts, where #front yards# are required, the front wall or any other portion of a #building or other structure# shall not penetrate the #sky exposure plane# set forth in the following table:

MAXIMUM HEIGHT OF FRONT WALL AND  
REQUIRED FRONT SETBACKS

Height above #Front Yard Line# (in feet)	#Sky Exposure Plane#				District
	Slope over #Zoning Lot# (expressed as a ratio of vertical distance to horizontal distance)				
	On #Narrow Street#		On #Wide Street#		
	Vertical Distance	Horizontal Distance	Vertical Distance	Horizontal Distance	
25	1 to 1	1	1 to 1	1	R1 R2 R3
35	1 to 1	1	1 to 1	1	R4 R5



SKY EXPOSURE PLANE  
R1, R2, R3, R4, R5 Districts

**24-522**

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

R6 R7 R8 R9 R10

In the districts indicated without a letter suffix, for #buildings# other than #Quality Housing buildings#, if the front wall or other portion of a #building or other structure# is located at the #street line# or within the #initial setback distance# set forth in the table in this Section, the height of such front wall or other portion of a #building or other structure# shall not exceed the maximum height above #curb level# set forth in the table. Above such specified maximum height and beyond the #initial setback distance#, the #building or other structure# shall not penetrate the #sky exposure plane# set forth in the table:

MAXIMUM HEIGHT OF FRONT WALL  
AND REQUIRED FRONT SETBACKS

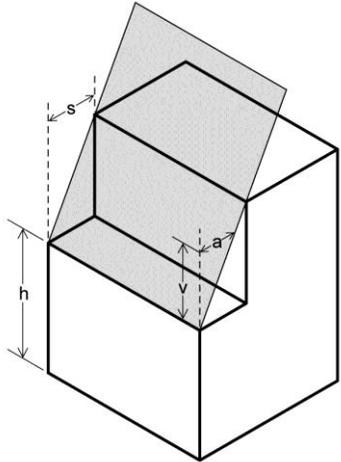
#Initial Setback Distance# (in feet)		Maximum Height of a Front Wall or other portion of a Building or other structure# within the #Initial Setback Distance#	Height above #Street Line# (in feet)	#Sky Exposure Plane#			
				Slope over #Zoning Lot# (expressed as a ratio of vertical distance to horizontal distance)			
On #Narrow Street#	On #Wide Street#			On #Narrow Street#	Hori- zontal Distance	On #Wide Street#	Hori- zontal Distance
				Vertical Distance		Vertical Distance	

R6 or R7 Districts

20	15	60 feet or six #stories#, whichever is less	60	2.7 to 1	5.6	to 1
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R8, R9 or R10 Districts

20	15	85 feet or nine #stories#, whichever is less	85	2.7 to 1	5.6	to 1
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a - Horizontal distance                      s - Initial setback distance  
h - Height of sky exposure plane above street line      v - Vertical distance

■ Sky Exposure Plane

SKY EXPOSURE PLANE

R6, R7, R8, R9, R10 Districts

(3/22/16)

**24-53**

**Alternate Front Setbacks**

R6 R7 R8 R9 R10

In the districts indicated without a letter suffix, for #buildings# other than #Quality Housing buildings#, if an open area is provided along the full length of the #front lot line# with the minimum depth set forth in the following table, the provisions of Section 24-52 (Maximum Height of Walls and Required Setbacks) shall not apply. The minimum depth of such an open area shall be measured perpendicular to the #front lot line#. However, in such instances, except as otherwise provided in Sections 24-51 (Permitted Obstructions) or 24-54 (Tower Regulations), no #building or other structure# shall penetrate the alternate #sky exposure plane# set forth in the table, and the #sky exposure plane# shall be measured from a point above the #street line#.

If the open area provided under the terms of this Section is a #public plaza#, such open area may be counted for the bonus provided for a #public plaza# in the districts indicated in Section 24-14 (Floor Area Bonus for a Public Plaza).

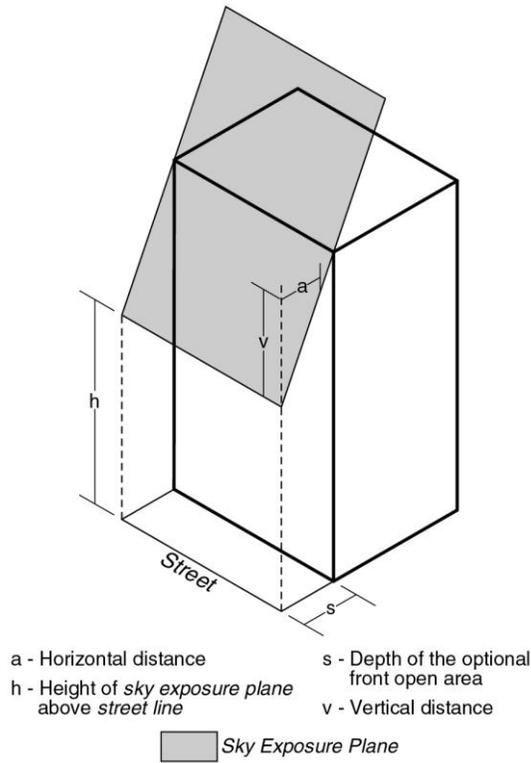
In R9 or R10 Districts, the provisions of this Section shall be inapplicable to any #development# or #enlargement# with more than 25 percent of the total #floor area# of the #building# in #residential use#.

ALTERNATE REQUIRED FRONT SETBACKS

Depth of Optional Front Open Area (in feet)		Height above #Street Line# (in feet)	Alternate #Sky Exposure Plane#			
			Slope over #Zoning Lot# (expressed as a ratio of vertical distance to horizontal distance)			
On #Narrow Street#	On #Wide Street#	#Street Line# (in feet)	On #Narrow Street#	On #Wide Street#		
			Vertical Distance	Hori-zontal Distance	Vertical Distance	Hori-zontal Distance

R6 or R7 Districts

15	10	60	3.7 to 1	7.6 to 1
R8 R9 R10 Districts				
15	10	85	3.7 to 1	7.6 to 1



ALTERNATE SKY EXPOSURE PLANE  
R6 R7 R8 R9 R10 Districts

(3/22/16)

**24-54  
Tower Regulations**

R7-2 R8 R9 R10

- (a) In the districts indicated without a letter suffix, for #buildings# other than #Quality Housing buildings#, except as set forth in paragraph (b) of this Section, any portion or portions of #buildings# which in the aggregate occupy not more than 40

percent of the #lot area# of a #zoning lot# or, for #zoning lots# of less than 20,000 square feet, the percentage set forth in the table in this Section, may penetrate an established #sky exposure plane# in accordance with the provisions of this Section. (Such portion of a #building# that penetrates a #sky exposure plane# is hereinafter referred to as a tower.)

LOT COVERAGE OF TOWERS  
ON SMALL ZONING LOTS

Area of #Zoning Lot# (in square feet)	Maximum Percent of #Lot Coverage#
10,500 or less	50
10,501 to 11,500	49
11,501 to 12,500	48
12,501 to 13,500	47
13,501 to 14,500	46
14,501 to 15,500	45
15,501 to 16,500	44
16,501 to 17,500	43
17,501 to 18,500	42
18,501 to 19,999	41

#Buildings developed# or #enlarged# with towers shall comply with either tower-on-a-base regulations or standard tower regulations as follows:

(1) Applicability of tower-on-a-base regulations

The tower-on-a-base regulations of Section 23-651 shall apply in R9 and R10 Districts to any such #building# that:

- (i) is located on a #zoning lot# that fronts upon a #wide street# and is either within 125 feet from such #wide street# frontage along the short dimension of the #block# or within 100 feet from such #wide street# frontage along the long dimension of the #block#; and
- (ii) contains more than 25 percent of its total #floor area# in #residential use#.

If a portion of such #building# is #developed# or #enlarged#

as a #tower# the entire #zoning lot# shall comply with the provisions of Section 23-651.

(2) Applicability of standard tower regulations

(i) In R7-2 and R8 Districts, the standard tower regulations of Section 23-652 shall apply only to #buildings developed# or #enlarged# as towers, where such towers are comprised, at every level, of only #community facility uses#.

(ii) In R9 and R10 Districts, the standard tower regulations of Section 23-652 shall apply to any #building developed# or #enlarged# as a tower that does not meet the location and #floor area# criteria of paragraph (a) (1) of this Section.

(b) Inapplicability of tower regulations

R7-2 R8 R9 R10

In the districts indicated, the provisions of this Section shall not apply to any #development# or #enlargement# located wholly or partly in a #Residence District# that is within 100 feet of a #public park# with an area of one acre or more, or a #street line# opposite such a #public park#.

(4/30/12)

**24-55**

**Required Side and Rear Setbacks**

R1 R2 R3 R4 R5 R6 R7 R8 R9 R10

In all districts, as indicated, side and rear setbacks shall be provided as specified in this Section. Unenclosed balconies, subject to the provisions of Section 24-166 (Balconies); and awnings and other sun control devices, decks, exterior wall thickness, parapet walls, roof thickness, solar energy systems up to four feet high, vegetated roofs, and weirs, as set forth in Section 24-51 (Permitted Obstructions), are permitted to project into or over any open areas required by the provisions of this Section.

(2/2/11)

**24-551**

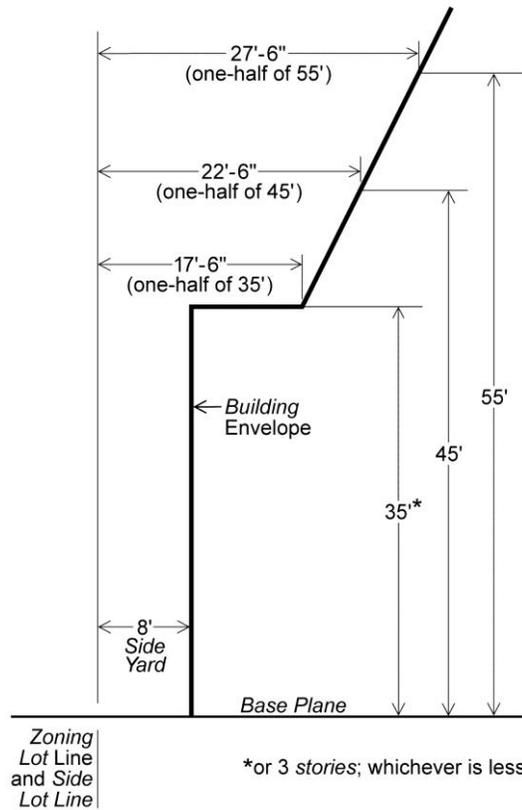
**Required side setbacks for tall buildings in low bulk districts**

R1 R2 R3 R4 R5

In the districts indicated, except R5D Districts, no #community facility# portion of any #building# that is more than 35 feet or more than three #stories# above the level of a #side yard#, whichever is lower, shall be nearer to a #side lot line# bounding such #yard# than a distance equal to one-half the height above yard level of such portion of the #building#.

The following are permitted to project into any open area required under the provisions of this Section:

- (a) parapet walls, not more than four feet high; and
- (b) chimneys or flues, with a total width not exceeding 10 percent of the width of the #building's# walls facing such open area.



SIDE SETBACK REQUIREMENT

(3/22/16)

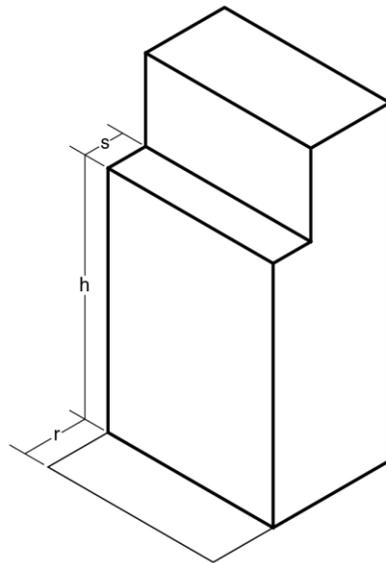
**24-552**

**Required rear setbacks for tall buildings**

R1 R2 R3 R4 R5 R6 R7 R8 R9 R10

In the districts indicated without a letter suffix, for #buildings# other than #Quality Housing buildings#, no portion of a #building# more than 125 feet above yard level shall be nearer to a #rear yard line# than 20 feet. However, this provision shall not apply to any portion of a #building# that qualifies as a tower under the provisions of Section 24-54.

In the case of a #through lot# on which a #rear yard equivalent# is provided as set forth in paragraph (a) of Section 24-382, the requirements of this Section shall apply as if such #rear yard equivalent# were two adjoining #rear yards#. If a #rear yard equivalent# is provided as set forth in paragraphs (b) or (c) of Section 24-382, the requirements of this Section shall not apply.



h - Height of wall above rear yard  
r - Depth of required rear yard  
s - Depth of required rear yard setback

**REAR SETBACK FOR TALL BUILDINGS**

**Regulations Applying in Special Situations**

(3/22/16)

**24-56**

**Special Height and Setback Provisions for Certain Areas**

R1 R2 R3 R4 R5 R6 R7 R8 R9 R10

(a) For Zoning Lots Directly Adjoining Public Parks

In all districts, as indicated, a #public park# with an area of between one and fifteen acres shall be considered a #wide street# for the purpose of applying the regulations set forth in Section 24-52 (Maximum Height of Walls and Required Setbacks) to any #building or other structure# on a #zoning lot# adjoining such #public park#. However, the provisions of this Section shall not apply to a #public park# more than 75 percent of which is paved.

(b) Community District 7, Manhattan

Within the boundaries of Community District 7 in the Borough of Manhattan, all #buildings or other structures# located in R10 Districts, shall comply with the requirements of Section 23-672 (Special height and setback regulations in R10 Districts within Community District 7, in the Borough of Manhattan).

(c) Community District 9, Manhattan

Within the boundaries of Community District 9 in the Borough of Manhattan, all #buildings# located in R8 Districts north of West 125th Street shall be #developed# or #enlarged# pursuant to the #residential bulk# regulations of Section 23-674 (Special height and setback regulations for certain sites in Community District 9, in the Borough of Manhattan).

(3/22/16)

**24-57**

**Modifications of Height and Setback Regulations**

R1 R2 R3 R4 R5 R6 R7 R8 R9 R10

In all districts, as indicated, for certain #community facility uses# in specified situations, the Board of Standards and Appeals may modify the regulations set forth in Sections 24-50 through 24-55, inclusive, and paragraphs (b) and (c) of Section 24-56, relating to height and setback regulations, in accordance with the provisions of Section 73-64 (Modifications for Community Facility Uses). However, for #Quality Housing buildings# utilizing the height and setback regulations of

Article II, Chapter 3, as required by Section 24-50, the Board shall not permit modification to the provisions of Sections 23-67 through 23-69, inclusive.

In Community District 6 in the Borough of Brooklyn, the following #streets# shall be considered #narrow streets# for the purposes of applying height and setback regulations: Second, Carroll and President Streets, between Smith and Hoyt Streets; First Place, Second Place, Third Place and Fourth Place.

(8/14/87)

**24-58**

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

R1 R2 R3 R4 R5 R6 R7 R8 R9 R10

In all districts, as indicated, whenever a #zoning lot# is divided by a boundary between districts, or is subject to other regulations resulting in different height and setback regulations, or whenever a #zoning lot# is divided by a boundary between a district to which the provisions of Section 24-54 (Tower Regulations) apply and a district to which such provisions do not apply, the provisions set forth in Article VII, Chapter 7, shall apply.

(6/29/94)

**24-59**

**Special Height Limitations**

(6/29/94)

**24-591**

**Limited Height Districts**

R1 R2 R3 R4 R5 R6 R7 R8 R9 R10

In all districts, as indicated, wherever such districts are located within a #Limited Height District#, the maximum height of a #building or other structure#, or portion thereof, shall be as shown in the following table:

#Limited Height    Maximum Height above #Curb Level#

District#	or #Base Plane#, as Applicable
LH-1	50 feet
LH-1A	60 feet
LH-2	70 feet
LH-3	100 feet

(3/22/16)

**24-592**

**Height limitations for narrow buildings or enlargements**

R7-2 R8 R9 R10

In the districts indicated, the provisions of Section 23-692 (Height limitations for narrow buildings or enlargements) shall apply to portions of #buildings# with #street walls# less than 45 feet in width.

(12/15/61)

**24-60**

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

(2/2/11)

**24-61**

**General Provisions and Applicability**

R1 R2 R3 R4 R5 R6 R7 R8 R9 R10

In all districts, as indicated, the provisions set forth in Sections 24-62 to 24-66, inclusive, relating to Court Regulations and Minimum Distance between Windows and Walls or Lot Lines, shall apply only to #community facility buildings# or portions of #buildings# used for #community facility use# containing living accommodations with required windows. For the purposes of these Sections, a required window shall be deemed to be a window or part of a window that:

- (a) opens into any room used for living or sleeping purposes, other than a room in a hospital used for the care or treatment of patients; and
- (b) is required to provide adequate light or ventilation to such room by any applicable law or statute.

The provisions of Sections 24-62 through 24-66, inclusive, and 24-68 shall apply only to portions of #buildings# at or above the sill level of the lowest required window. For the purposes of these Sections, #abutting buildings# on a single #zoning lot# shall be considered a single #building#.

11/7/68

**24-62**  
**Minimum Dimensions of Courts**

R1 R2 R3 R4 R5 R6 R7 R8 R9 R10

In all districts, as indicated, the minimum distance between different walls of the same #building# shall conform to the regulations set forth in the following Sections:

Section 24-63 (Outer Court Regulations)

Section 24-64 (Inner Court Regulations)

Section 24-65 (Minimum Distance Between Required Windows and Walls or Lot Lines).

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

The Commissioner of Buildings may approve minor recesses, projections and architectural treatment of the outline of #courts# as long as these variations do not substantially change the depth or width of the #court#.

(12/15/61)

**24-63**  
**Outer Court Regulations**

R1 R2 R3 R4 R5 R6 R7 R8 R9 R10

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

(6/29/94)

**24-631**

**Narrow outer courts**

R1 R2 R3 R4 R5 R6 R7 R8 R9 R10

In all districts, as indicated, if an #outer court# is less than 20 feet wide, the width of such #outer court# shall be at least one and one-third the depth of such #outer court#.

(12/15/61)

**24-632**

**Wide outer courts**

R1 R2 R3 R4 R5 R6 R7 R8 R9 R10

In all districts, as indicated, if an #outer court# is 20 feet or more in width, the width of such #outer court# must be at least equal to the depth of such #outer court#, except that such width need not exceed 40 feet.

(12/15/61)

**24-633**

**Outer court recesses**

R1 R2 R3 R4 R5 R6 R7 R8 R9 R10

In all districts, as indicated, the width of an #outer court recess# shall be at least twice the depth of the recess, except that such width need not exceed 40 feet.

(12/15/61)

**24-64**

**Inner Court Regulations**

R1 R2 R3 R4 R5 R6 R7 R8 R9 R10

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

(12/15/61)

**24-641**

**Minimum dimensions of inner courts**

R1 R2 R3 R4 R5 R6 R7 R8 R9 R10

In all districts, as indicated, the area of an #inner court# shall not be less than 600 square feet, and the minimum dimension of such #inner court# shall not be less than 20 feet. For the purposes of this Section, that portion of an open area not part of an #inner court# and over which, when viewed from directly above, lines perpendicular to a #lot line# may be drawn into such #inner court#, shall be considered part of such #inner court#.

(12/15/61)

**24-642**

**Inner court recesses**

R1 R2 R3 R4 R5 R6 R7 R8 R9 R10

In all districts, as indicated, the width of an #inner court recess#:

- (a) if 20 feet or less, shall be at least twice the depth of the recess; or
- (b) if more than 20 feet but less than 40 feet, shall be at least equal to the depth of the recess; and
- (c) need not be greater than 40 feet, whatever the depth of the recess.

(4/30/12)

**24-65**

**Minimum Distance Between Required Windows and Walls or Lot Lines**

R1 R2 R3 R4 R5 R6 R7 R8 R9 R10

In all districts, as indicated, the minimum distance between required windows and walls or #lot lines# shall be as set forth in this Section, except that this Section shall not apply to required windows in #buildings# of three #stories# or less. For #buildings# existing on April 30, 2012, the minimum distances set forth in this Section, and any #non-complying# distance greater than eight feet, may be reduced by up to eight inches of exterior wall thickness from each #building# wall, provided the added wall thickness has a thermal resistance (R-value) of at least 1.5 per inch. A #non-complying# distance of eight feet or less shall be limited to a total reduction of one inch of wall thickness for each foot of such existing distance between buildings.

(12/15/61)

**24-651**

**General provisions**

R1 R2 R3 R4 R5 R6 R7 R8 R9 R10

In all districts, as indicated, except as otherwise provided in Section 24-652 (Minimum distance between required windows and certain walls), the minimum distance between any required windows and:

- (a) any wall;
- (b) a #rear lot line#, or vertical projection thereof; or
- (c) a #side lot line#, or vertical projection thereof;

shall be 20 feet, measured in a horizontal plane at the sill level of, and perpendicular to, such window; provided, however, that a required window may open on any #outer court# meeting the requirements of Section 24-63 (Outer Court Regulations).

(12/15/61)

**24-652**

**Minimum distance between required windows and certain walls**

R1 R2 R3 R4 R5 R6 R7 R8 R9 R10

In all districts, as indicated, the minimum horizontal distance between a required window opening on an #inner court# and any wall

opposite such window on the same #zoning lot# or between a required window and any wall of any other #building# opposite such window on the same #zoning lot#, shall not be less than 20 feet, nor shall any such wall be nearer to such window than a distance equal to one-third the total height of such wall above the sill level of such window. Such minimum distance need not exceed 40 feet.

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

For the purposes of this Section, at any level at which two portions of a single #building# are not connected one to the other, such portions shall be deemed to be two separate #buildings# and shall be subject to the provisions of this Section.

(12/15/61)

#### **24-66**

##### **Modifications of Court Regulations or Distance Requirements**

R1 R2 R3 R4 R5 R6 R7 R8 R9 R10

In all districts, as indicated, for certain #community facility uses# in specified situations, the Board of Standards and Appeals may modify the regulations set forth in Sections 24-61 to 24-65, inclusive, relating to Court Regulations and Minimum Distance between Windows and Walls or Lot Lines, in accordance with the provisions of Section 73-64 (Modifications for Community Facility Uses).

(6/29/94)

#### **24-67**

##### **Special Provisions for Buildings Used Partly for Residential Uses**

R1 R2 R3 R4 R5 R6 R7 R8 R9 R10

In all districts, as indicated, whenever a #building# is used partly for #community facility use# and partly for #residential use#, the provisions of this Section and Section 23-70 (MINIMUM DISTANCE REQUIRED BETWEEN TWO OR MORE BUILDINGS ON A SINGLE ZONING LOT) shall apply to any portion of such #building# used for #residential uses#.

(2/2/11)

**24-671  
Courts**

R1 R2 R3 R4 R5 R6 R7 R8 R9 R10

In all districts, as indicated, at any level at which a #residential# portion of a #building# fronts upon a #court#, the provisions set forth in Section 23-83 (Building Walls Regulated by Other than Minimum Spacing Requirements), shall apply to such #court#.

(12/15/61)

**24-672  
Walls opposite legally required windows**

R1 R2 R3 R4 R5 R6 R7 R8 R9 R10

In all districts, as indicated, #legally required windows# in portions of #buildings# used for #residential use# shall be subject to the provisions set forth in Section 23-86 (Minimum Distance Between Legally Required Windows and Walls or Lot Lines). The provisions of Section 23-863 (Minimum distance between legally required windows and any wall in an inner court) shall also apply to a #legally required window# opposite a wall of any other #building# on the same #zoning lot#.

For the purposes of this Section, at any level at which two portions of a single #building# are not connected one to the other, such portions shall be deemed to be two separate #buildings# and shall be subject to the provisions of Section 23-863.

(4/30/12)

**24-68  
Permitted Obstructions in Courts**

R1 R2 R3 R4 R5 R6 R7 R8 R9 R10

In all districts, as indicated, the following shall not be considered obstructions when located within a #court#:

- (a) Arbors or trellises;
- (b) Awnings and other sun control devices. However, when located at a

level higher than the first #story#, excluding a #basement#, all such devices:

- (1) shall be limited to a maximum projection from a #building# wall of 2 feet, 6 inches; and
  - (2) shall have solid surfaces that, in aggregate, cover an area no more than 30 percent of the area of the #building# wall (as viewed in elevation) from which they project;
- (c) Eaves, gutters, downspouts, window sills or similar projections, extending into such #court# not more than four inches;
- (d) Exterior wall thickness, where such wall thickness is added to the exterior face of a #building# wall existing on April 30, 2012, provided the added wall thickness has a thermal resistance (R-value) of at least 1.5 per inch, and is limited to one inch of thickness for every foot of existing #court# width, up to a maximum thickness of eight inches;

Where #buildings# that have added exterior wall thickness pursuant to this Section are #enlarged#, such #enlarged# portion may similarly encroach upon required #courts# in order to align with the exterior walls of the existing #building#, provided such #enlargement# contains less #floor area# than the existing #building#, and there is no encroachment of #floor area# into a required #court#;

- (e) Fences;
- (f) Fire escapes in #inner courts#, where such fire escapes are required as a result of alterations in #buildings# existing before December 15, 1961;

Fire escapes in #outer courts#;

Fire escapes in #outer court recesses#, not more than five feet in depth;

Fire escapes in #outer court recesses#, more than five feet in depth, where such fire escapes are required as a result of alterations in #buildings# existing before December 15, 1961;

- (g) Flagpoles;
- (h) Recreational or yard drying equipment;
- (i) Solar energy systems on walls existing on April 30, 2012, projecting no more than 10 inches and occupying no more than 20 percent of the surface area of the #building# wall (as viewed in

elevation) from which it projects;

(j) Terraces, open, porches or steps.

In addition, for #courts# at a level higher than the first #story#, decks, skylights, parapet walls, roof thickness, solar energy systems up to four feet high, vegetated roofs, and weirs, as set forth in Section 24-51 (Permitted Obstructions), shall be permitted.