

CITY PLANNING COMMISSION DISPOSITION SHEET

**PUBLIC MEETING:
WEDNESDAY, JANUARY 6, 2010
10:00 A.M. SPECTOR HALL
22 READE STREET, NEW YORK 10007**

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

CAL NO.	ULURP NO.	CD NO.	PROJECT NAME	C.P.C. ACTION
1	C 080339 ZMK	1	ROSE PLAZA ON THE RIVER	Scheduled to be Heard 1/27/10
2	C 080340 ZSK	1	" "	" "
3	N 100056 ZRY	1	" "	" "
4	C 090069 ZSM	1	55 BROADWAY	" "
5	C 100081 PPQ	9	BOUNDARY FENCE	" "
6	N 100124 ZRQ	7	SPECIAL COLLEGE POINT DISTRICT TEXT AMENDMENT	" "
7	C 100120 ZMR	1	GRYMES HILL/SUNNYSIDE REZONING	" "
8	N 100121 ZRR	1	" "	" "
9	N 100139 ZRY	CW	RESIDENTIAL STREETScape PRESERVATION TEXT	" "
10	C 100012 ZSM	7	161 WEST 78 TH STREET	Favorable Report Adopted
11	N 100160 HKM	5	26 WEST 56 TH STREET LANDMARK	Forward Report to City Council
12	N 100161 HKM	5	1780 BROADWAY LANDMARK	" "
13	N 100166 HKM	3	ASCHEBRODEL VEREIN BUILDING LANDMARK	" "
14	N 100167 HKM	4	145 EIGHTH AVENUE HOUSE LANDMARK	" "
15	N 100168 HKM	4	147 EIGHTH AVENUE HOUSE LANDMARK	" "
16	N 100169 HKM	5	PARAMOUNT HOTEL LANDMARK	" "
17	N 100170 HKR	1	327 WESTERVELT AVENUE LANDMARK	" "

COMMISSION ATTENDANCE:	Present (P) Absent (A)	COMMISSION VOTING RECORD:													
		In Favor - Y Oppose - N Abstain - AB Recuse - R													
Calendar Numbers:		10	11	12	13	14	15	16	17	18	19	20	21	22	
Amanda M. Burden, FAICP, Chair	P	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	
Kenneth J. Knuckles, Esq., Vice Chairman	A														
Angela M. Battaglia	A														
Rayann Besser	P	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	
Irwin G. Cantor, P.E.	A														
Alfred C. Cerullo, III	P	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	
Betty Y. Chen	P	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	
Maria M. Del Toro	P	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	
Richard W. Eaddy	P	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	
Nathan Leventhal	A														
Anna Hayes Levin	A														
Shirley A. McRae	P	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	
Karen A. Phillips, Commissioners	P	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	

MEETING ADJOURNED AT: 11:59 A.M.

CITY PLANNING COMMISSION DISPOSITION SHEET

**PUBLIC MEETING:
WEDNESDAY, JANUARY 6, 2010
10:00 A.M. SPECTOR HALL
22 READE STREET, NEW YORK 10007**

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

CAL NO.	ULURP NO.	CD NO.	PROJECT NAME	C.P.C. ACTION
18	C 100071 PCR	2	RICHMOND CREEK/BLUEBELT	Favorable Report Adopted
19	N 090176 ZRR	3	AMBOY ROAD TEXT AMENDMENT	" "
20	N 090177 RAR	3	" "	Authorization Approved
21	C 090042 ZMR	3	SANDY GROUND REZONING	Favorable Report Adopted
22	N 060174 RAR	3	5453 ARTHUR KILL ROAD	Authorization Approved
23	N 100134 ZRX	10	LDGMA TEXT AMENDMENT	Hearing Closed
24	C 090100 ZSM	2	57-63 GREENE STREET	" "
25	C 100026 ZMM	2	SULLIVAN STREET	" "
26	N 100119 ZRM	4, 5	HUDSON YARDS PARKING TEXT AMENDMENT	" "
27	C 100110 PSR	1	WATER SIPHON FACILITY	" "
28	C 100132 PQR	3	BROOKFIELD LANDFILL	" "
29	C 100133 PPR	3	" "	" "

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

MEETING ADJOURNED AT:

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

CITY PLANNING COMMISSION

WEDNESDAY, JANUARY 6, 2010

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



**Michael R. Bloomberg, Mayor
City of New York**

[No. 1]

Prepared by Yvette V. Gruel, Calendar Officer

To view the Planning Commission Calendar and/or the Zoning Resolution on the Internet,
visit the Department of City Planning (DCP) home page at:
nyc.gov/planning

A

CITY PLANNING COMMISSION

GENERAL RULES OF PROCEDURE AS PERTAINING TO
PUBLIC MEETINGS

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

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

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

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

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

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

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

B
CITY PLANNING COMMISSION

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

- AMANDA M. BURDEN, FAICP, Chair**
- KENNETH J. KNUCKLES, Esq., Vice Chairman**
- ANGELA M. BATTAGLIA**
- RAYANN BESSER**
- IRWIN G. CANTOR, P.E.**
- ALFRED C. CERULLO, III**
- BE TTY Y. CHEN**
- MARIA M. DEL TORO**
- RICHARD W. EADDY**
- NATHAN LEVENTHAL**
- ANNA HAYES LEVIN**
- SHIRLEY A. MCRAE**
- KAREN A. PHILLIPS, Commissioners**
- YVETTE V. GRUEL, Calendar Officer**

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

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

The next regular public meeting of the City Planning Commission is scheduled for January 27, 2010 at Spector Hall, 22 Reade Street, New York at 10:00 a.m.

C

GENERAL INFORMATION

HOW TO PARTICIPATE:

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

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

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

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

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

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

Subject _____

Date of Hearing _____ Calendar No. _____

Borough _____ Identification No.: _____ CB No.: _____

Position: Opposed _____
 In Favor _____

Comments:

Name: _____

Address: _____

Organization (if any) _____

Address _____ Title: _____

JANUARY 6, 2010

APPROVAL OF MINUTES OF the Regular Meeting of December 16, 2009

**I. PUBLIC HEARINGS OF THE FOLLOWING MATTERS TO BE
SCHEDULED FOR WEDNESDAY, JANUARY 27, 2010**

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

BOROUGH OF BROOKLYN

Nos. 1, 2 & 3

ROSE PLAZA ON THE RIVER

No. 1

CD 1

C 080339 ZMK

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

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

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

Resolution for adoption scheduling January 27, 2010 for a public hearing.

No. 2

CD 1

C 080340 ZSK

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

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

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

Resolution for adoption scheduling January 27, 2010 for a public hearing.

No. 3

CD 1

N 100056 ZRY

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

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

**APPENDIX F
INCLUSIONARY HOUSING DESIGNATED AREAS**

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

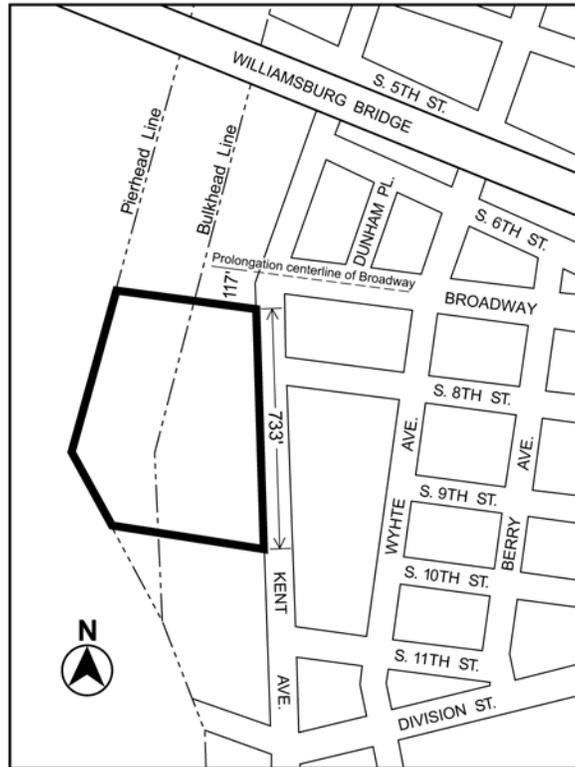
* * *

Brooklyn, Community District 1

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

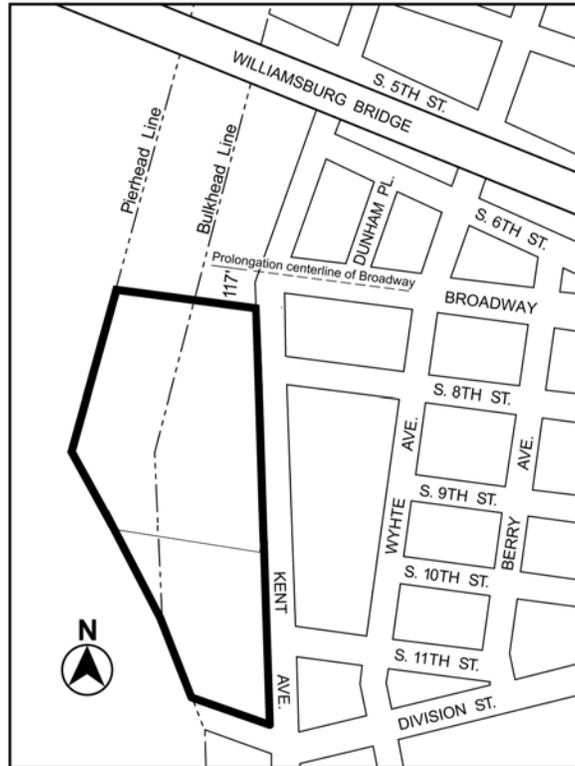
* * *

Map 3 (8/16/06)



Portion of Community District 1, Brooklyn
EXISTING

Map 3



Portion of Community District 1, Brooklyn
PROPOSED

* * *

Resolution for adoption scheduling January 27, 2010 for a public hearing.

BOROUGH OF MANHATTAN

No. 4

55 BROADWAY

CD 1

C 090069 ZSM

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

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

Resolution for adoption scheduling January 27, 2010 for a public hearing.

BOROUGH OF QUEENS

No. 5

BOUNDARY FENCE

CD 9

C 100081 PPQ

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

Resolution for adoption scheduling January 27, 2010 for a public hearing.

No. 6

SPECIAL COLLEGE POINT DISTRICT TEXT AMENDMENT

CD 7

N100124 ZRQ

IN THE MATTER OF an application submitted by Skanska USA Civil Northeast Inc. pursuant to Section 201 of the New York City Charter, for an amendment of the Zoning Resolution of the City of New York, concerning Article XII, Special Purpose Districts, Chapter 6 (Special College Point District), relating to Section 126-233 (b) (Special provisions along district boundaries).

Matter underlined is new, to be added;

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

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

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

Article XII - Special Purpose Districts

Chapter 6

Special College Point District

* * *

126-20

SPECIAL BULK REGULATIONS

* * *

126-23

Modification of Yard Regulations

* * *

126-233

Special provisions along district boundaries

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

- (a) Sections 43-301 (Required yards along district boundary coincident with side lot line of zoning lot in an R1, R2, R3, R4 or R5 District) and 43-303 (Required yards along district boundary coincident with side lot line of zoning lot in a Manufacturing District) shall be modified so that an open area

not higher than #curb level# and at least 20 feet wide shall be provided within the #Manufacturing District# on any #zoning lot# which is within 25 feet of a #residence district#.

- (b) Within the areas depicted on the Special College Point District Map as 60-foot buffer areas, an open area not higher than #curb level# shall be provided within the #Manufacturing District# as follows:

(1) ~~and at least 60 feet wide, or where such open buffer area is adjacent to a #street#, a #front yard# not higher than #curb level# at least 60 feet in depth, shall be provided within the #Manufacturing District#.~~

(2) where such buffer area is not adjacent to a #street#, an open area at least 60 feet wide shall be provided along the boundary of the #Manufacturing District#. Such open area may be reduced to a width of not less than 25 feet where there is an open area in an adjacent #Residence District# so that, in combination with the open area within the #Manufacturing District#, there is an open area totaling at least 60 feet in width. The open area in the #Residence District# shall be subject to a restrictive declaration requiring that such area be maintained pursuant to the standards of this Section, in a form approved by the New York City Department of Buildings, and subsequently recorded in the Office of the City Register of the City of New York against all tax lots comprising such restricted open area. Proof of recordation of the restrictive declaration in a form acceptable to the New York City Department of Buildings shall be submitted.

All ~~Such~~ open areas shall not be used for #accessory# off-street parking, #accessory# off-street loading, or for storage or processing of any kind.

- (c) All open areas required pursuant to this Section and Section 43-30 shall be planted, except at entrances to and exits from the #building# and except for access drive ways to #accessory# parking and loading areas. In addition, except within #front yards#, there shall be a planting strip at least four feet wide, along the portion of the #lot line# adjoining the #Residence District#, complying with the provisions applicable to Section 126-136 (Screening of storage), provided that paragraph (b) of Section 126-136 shall not be a permitted form of screening.

* * *

Resolution for adoption scheduling January 27, 2010 for a public hearing.

BOROUGH OF STATEN ISLAND**Nos. 7 & 8*****GRYMES HILL/SUNNYSIDE REZONING*****No. 7****CD 1****C 100120 ZMR**

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

1. changing from an R3-1 District to an R2 District property bounded by:
 - a. Waldron Avenue, a line 150 feet northeasterly of Clove Road, Victory Boulevard, and Clove Road; and
 - b. a line 140 feet south easterly of Victory Boulevard, a line 100 feet northeasterly of Clove Road, a line midway between Victory Boulevard and Glenwood Avenue, a line 150 feet northeasterly of Clove Road, Dudley Avenue, and Clove Road;

2. changing from an R3X District to an R2 District property bounded by a southeasterly boundary line of Silver Lake Park and its south westerly prolongation, a line 230 feet northeasterly of Melrose Avenue and its northwesterly prolongation, Waldron Avenue, a line 270 feet northeasterly of Melrose Avenue, a line midway between Victory Boulevard and Waldron Avenue, Cheshire Place, Victory Boulevard, a line 420 feet northeasterly of Grand Avenue, a line midway between Victory Boulevard and Glenwood Avenue, Highland Avenue, Arlo Road, a line 100 feet easterly of Highland Avenue, Howard Avenue, Highland Avenue, a line 95 feet northwesterly of Sunnyside Terrace and its northeasterly prolongation, a line 95 feet northeasterly of Clove Road, a line 60 feet southeasterly of Van Cortlandt Avenue, Clove Road, Dudley Avenue, a line 150 feet northeasterly of Clove Road, a line midway between Victory Boulevard and Glenwood Avenue, a line 100 feet southwesterly of Grand Avenue, Glenwood Avenue, Grand Avenue, Victory Boulevard, a line 150 feet northeasterly of Clove Road, Waldron Avenue, Clove Road, a line perpendicular to the northeasterly street line of Clove Road distant 80 feet northwesterly (as measured along the street line) from the point of intersection of the northeasterly street line of Clove Road and the northwesterly street line of Beverly Avenue, a line 400 feet northeasterly of Clove Road, a line 75 feet southeasterly of Cheshire Place, a line 145 feet northeasterly of Clove Road, Cheshire Place, and Clove Road;

3. changing from an R3X District to an R3-2 District property bounded by Cheshire Place, a line 145 feet northeasterly of Clove Road, a line 75 feet south easterly of

Cheshire Place, a line 400 feet northeasterly of Clove Road, a line perpendicular to the northeasterly street line of Clove Road distant 80 feet northwesterly (as measured along the street line) from the point of intersection of the northeasterly street line of Clove Road and the northwesterly street line of Beverly Avenue, and Clove Road; and

- 4. establishing a Special Hillside Preservation District (HS) bounded by Victory Boulevard, Highland Avenue, Howard Avenue, and Clove Road;

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

Resolution for adoption scheduling January 27, 2010 for a public hearing.

No. 8

CD1

N 100121 ZRR

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

Resolution for adoption scheduling January 27, 2010 for a public hearing.

CITYWIDE

No. 9

RESIDENTIAL STREETSCAPE PRESERVATION TEXT

CITYWIDE

N 100139 ZRY

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

Matter in underline is new, to be added;
Matter in ~~strikeout~~ is old, to be deleted;
Matter within # # is defined in Section 12-10;

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

**Article I
GENERAL PROVISIONS**

* * *

**Chapter 2
Construction of Language and Definitions**

* * *

**12-10
DEFINITIONS**

* * *

Building segment

* * *

Building, Quality Housing

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

Building segment, Quality Housing

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

* * *

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

* * *

**13-50
SPECIAL PERMITS AND AUTHORIZATIONS**

* * *

**13-55
Authorizations**

* * *

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

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

- (a) the #building# does not have #accessory# off-street parking spaces;

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

* * *

13-553

Curb cuts

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

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

* * *

Article 2

RESIDENCE DISTRICT REGULATIONS

Chapter 3

Bulk Regulations for Residential Buildings in Residence Districts

* * *

23-011

Quality Housing Program

- (a) In R6A, R6B, R7A, R7B, R7D, R7X, R8A, R8B, R8X, R9A, R9X, R10A or R10X Districts, any ~~#development# or #enlargement#~~ #building# shall comply with the applicable district #bulk# regulations as set forth in this Chapter and ~~any #residential development#, #enlargement#, #extension# or conversion on any~~

#building# containing #residences# shall also comply with the requirements of Article II, Chapter 8 (Quality Housing Program). In R5D Districts, certain requirements of Article II, Chapter 8, shall apply as set forth in Section 28-01 (Applicability of this Chapter).

- (b) In other R6, R7, R8, R9 or R10 Districts, the #bulk# regulations applicable to #Quality Housing #developments# buildings# may, as an alternative, be applied if the #zoning lot# is #developed# or #enlarged# pursuant to all of the requirements of the Quality Housing Program. Such #developments# buildings# may be subsequently #enlarged# only pursuant to the Quality Housing Program. In these districts, the Quality Housing #bulk# regulations may apply to #developments# or #enlargements# on #zoning lots# with existing #buildings# to remain, if:
- (1) the existing #buildings# are non-#residential# and the entire #zoning lot# will comply with the #floor area ratio # and density standards applicable to Quality Housing #developments# #Quality Housing buildings#; or
 - (2) the existing #buildings# are #residential#, and such #buildings# comply with the maximum base heights and maximum #building# heights listed in the tables in Section 23-633 or Section 35-24 for the applicable district, and the entire #zoning lot# will comply with the #floor area ratio#, #lot coverage#, and density standards applicable to Quality Housing #developments# or #enlargements# #Quality Housing buildings#.

* * *

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

* * *

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

The study areas are:

* * *

In the Borough of Brooklyn:
Midwood Area

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

* * *

In the Borough of Queens:
Elmhurst/Corona Area

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

~~Bell Boulevard Area~~

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

Forest Hills Area

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

~~Area A~~

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

~~Area B~~

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

* * *

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

* * *

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

R1 R2 R3 R4 R5 R6 R7 R8 R9 R10

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

- (a) Balconies, unenclosed, subject to the provisions of Section 23-13;
- (b) Breezeways;
- (c) Driveways, private streets, open accessory off-street parking spaces, unenclosed accessory bicycle parking spaces or open accessory off-street loading berths, provided that, in accordance with the provisions of Section 25-64 (Restrictions on Use of Open Space for Parking), the total area occupied by all these items does not exceed the percent of the total open area or required open space on the zoning lot, as follows:
 - (1) 50 percent in R1, R2, R3, R4A, R4-1, R4B, R6, R7, R8, R9 or R10 Districts; and
 - (2) 66 percent in R4 other than R4A, R4-1 and R4B Districts, or R5 Districts;
- (d) Eaves, gutters or downspouts, projecting into such open space not more than 16 inches or 20 percent of the width of such open space, whichever is the lesser distance;
- (e) Parking spaces, off-street, enclosed, accessory, not to exceed one space per dwelling unit, when accessory to a single-family, two-family or three-family residence, provided that the total area occupied by a building used for such purposes does not exceed 20 percent of the total required open space on the zoning lot. However, two such spaces for a single-family residence may be permitted in lower density growth management areas and in R1-2A Districts;

* * *

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

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

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

* * *

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

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

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

- (1) in R1, R2, R3 A, R3X, R3-1, R4A, R4-1 and R5A Districts, except in #lower density growth management areas#, such spaces shall be located in a driveway that accesses parking spaces located to the side or rear of the #residential building#. No such spaces or portions thereof shall be located between the #street line# and #street wall# of such #building#, except that parking spaces may be located between the #street line# and #street wall# of the #residential building# only where such spaces are in front of a garage;
- (2) in R3-2, R4 other than R4A, R4-1 and R4B Districts, and R5 Districts other than R5A, R5B and R5D Districts, no more than two parking spaces are required, and provided such spaces meet all the requirements of paragraph (a) of Section 25-621 (Location of parking spaces in certain districts);
- (3) in R3-2, R4 other than R4A, R4-1 and R4B Districts, and R5 Districts other than R5A, R5B and R5D Districts, more than two parking spaces are required, and provided such spaces meet all the requirements of paragraph (b) of Section 25-621 (Location of parking spaces in certain districts);
- (4) in #lower density growth management areas#, such spaces are not required and located in a driveway that accesses parking spaces that are located behind the #street wall# of the #building# or prolongation thereof;

However, no parking spaces of any kind shall be permitted in any #front yard# in an R4B, R5B or R5D District. Furthermore, no parking spaces of any kind shall be permitted in any #front yard# on a #zoning lot# containing an #attached

building# or #semi-detached building# in an R1, R2, R3A, R3X, R4A or R5A District, or in any #front yard# on a #zoning lot# containing an #attached building# or a #semi-detached building# abutting an #attached building# in an R3-1 or R4-1 District.

* * *

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

* * *

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

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

* * *

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

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

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

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

Where multiple #buildings# on a single #zoning lot# front upon the same #street#, the planting requirements of this Section shall be determined by the #street# frontage.

allocated to the area occupied by each such #building# and applied separately to the entire area between the #street line# and the #street wall# of each #building# and its prolongation. The allocation of planting requirements to open areas between #buildings# shall be determined by dividing such open area evenly, with an equal portion attributed to each #building# on both sides of such open area.

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

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

* * *

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

* * *

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

**23-891
In R1 through R5 Districts**

R1 R2 R3 R4 R5

In the districts indicated, except R4B and R5 B Districts, the provisions of this Section shall apply to all #zoning lot# with two or more #residential building# or #building segments#. All such #residential building# or #building segments# shall provide open areas as follows:

- (a) An open area shall be provided adjacent to the rear wall of each such #building# or #building segment#. For the purposes of this Section, the “rear wall” shall be the wall opposite the wall of each #building# or #building segment# that faces a #street# or #private road#. The width of such open area shall be equal to the width of each #building# or #building segment#, and the depth of such open area shall be at least 30 feet when measured perpendicular to each rear wall. No such open areas shall serve more than one #building# or #building segment#. Only those obstructions set forth in Section 23-44 shall be allowed, except that parking

spaces, whether enclosed or unenclosed, and driveways shall not be permitted within such open areas.

- (b) For #buildings# or #building segments# that front upon two or more #streets# or #private roads#, and for #buildings# or #building segments# that do not face a #street# or #private road#, one wall of such #building# or #building segment# shall be designated the rear wall, and the open area provisions of this Section applied adjacent to such wall. However, for not more than one #building# or #building segment# located at the corner of intersecting #streets# or #private roads#, the depth of such required open area may be reduced to 20 feet.

23-892

In R6 through R10 Districts

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

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

R6 R7 R8 R9 R10

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

* * *

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

**25-00
GENERAL PURPOSES AND DEFINITIONS**

* * *

**25-02
Applicability**

* * *

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

On any #zoning lot# containing #residences# in R6A, R6B, R7A, R7B, R7X, R8A, R8B, R8X, R9A, R9X, R10A or R10X Districts or their commercial equivalents, and on any #zoning lot# in other districts containing #residential uses developed#, #enlarged# or converted pursuant to the Quality Housing Program, a #Quality Housing building#, all

~~#accessory#~~ off-street parking spaces shall comply with the provisions of Section 28-50 (PARKING FOR QUALITY HOUSING).

* * *

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

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

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

- Section 25-22 (Requirements Where Individual Parking Facilities Are Provided)
- Section 25-23 (Requirements Where Group Parking Facilities Are Provided)
- Section 25-24 (Modification of Requirements for Small Zoning Lots)
- Section 25-25 (Modification of Requirements for Public Housing or Housing for Elderly)
- Section 25-28 (Special Provisions for Zoning Lots Divided by District Boundaries)

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

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

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

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

In the event that the number of ~~#accessory#~~ off-street parking spaces required under the provisions of these Sections exceeds the maximum number of spaces permitted under the

provisions of Section 25-16 (Maximum Spaces for Other than Single-Family Detached Residences) the Commissioner of Buildings shall reduce the required number of spaces to the maximum number permitted.

25-211

Application of requirements to conversions and certain enlargements

R3 R4

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

R4 R5

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

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

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

R7-2 R8 R9 R10

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

* * *

25-261

For new developments or enlargements

R4B R5B R5D R6 R7 R8 R9 R10

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

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

25-262

For conversions

R6 R7-1 R7A R7B R7D R7X

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

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

* * *

25-27

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

R1 R2 R3 R4 R5 R6 R7 R8 R9 R10

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

* * *

25-62

Size and location of Spaces

* * *

25-621

Location of parking spaces in certain districts

All #accessory# off-street parking spaces shall be located in accordance with the provisions of this Section, except that in R1, R2, R3, R4A and R4-1 Districts within #lower density growth management areas#, the provisions of Section 25-622 shall apply.

In addition, all such parking spaces shall be subject to the curb cut requirements of Section 25-63 (Location of Access to the Street).

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

~~R2X R3 R4 R5~~

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

~~R6 R7 R8~~

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

~~R4B R5B R5D R6B R7B R8B~~

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

~~R1 R2(4)~~

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

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

~~R2X R3 R4 R5~~

- (1) ~~In the districts indicated, except R4B or R5B Districts, #accessory# off-street parking spaces shall be permitted only within a #building# or in any open area on the #zoning lot# which is not between the #street line# and the #street wall# of the #building# or its prolongation, unless:~~
- (i) ~~no more than two such unenclosed spaces are accessed from a single curb cut, and the parking area for these spaces is not more than 20 feet in width — measured parallel, or within 30 degrees of being parallel, to the #street line#; or~~
 - (ii) ~~a #group parking facility # with five or more spaces is provided and is screened in accordance with the requirements of Section 25-66 (Screening), paragraphs (a) or (b).~~

~~R6 R7 R8~~

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

~~R4B R5B R5D R6B R7B R8B~~

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

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

- (a) In the districts indicated, #accessory# off-street parking spaces shall be located within or to the side or rear of #buildings#. Such parking spaces may also be located between the #street line# and #street wall# of #buildings# and their prolongations only in accordance with the following provisions:
- (1) for #detached# or #zero lot line buildings# on #zoning lots# with less than 35 feet of #street# frontage, if such parking spaces are located in a driveway in the #side lot ribbon# that accesses parking spaces located to the side or rear of the #residential building #, and no such parking spaces or portions thereof are located in front of the #street wall# of the #building#;
 - (2) for #detached buildings# on #zoning lots# with at least 35 feet of #street# frontage and at least 18 feet of uninterrupted curb space along the #street#, and for #semi-detached buildings#, where permitted, if such parking spaces are located in accordance with the following provisions:

- (i) for #residential buildings# without garages accessed through the #street wall# of the #building#, if such parking spaces are located in a driveway that accesses parking spaces located to the side or rear of the #building#, and no such spaces shall be located in front of the #street wall# of the #building#; and
 - (ii) for #residential buildings# with garages accessed through the #street wall# of the #building#, if such spaces are located in a driveway in front of such garage.
- (3) No parking spaces of any kind shall be allowed between the #street line# and #street wall# of an #attached building# or #semi-detached building# in an R1, R2, R3 A, R3X, R4 A or R5A District, or for an #attached building# or #semi-detached building# abutting an #attached building# in an R1, R2, R3-1 or R4-1 District.

R3-2 R4 R5

- (b) In the districts indicated, other than R4A, R4B, R4-1, R5A, R5B and R5D Districts, #accessory# off-street parking spaces shall be located within or to the side or rear of such #buildings#. Such parking spaces may also be located between the #street line# and #street wall# of such #buildings# and their prolongations provided that, for #buildings# on #zoning lots# with less than 35 feet of #street# frontage, such spaces are located in a driveway in the #side lot ribbon#, and provided that for #buildings# on #zoning lots# with at least 35 feet of #street# frontage and at least 18 feet of uninterrupted curb space along a #street#, either:
- (1) no more than two parking spaces located between the #street line# and #street wall# of such #buildings# and their prolongations shall be accessed from a single curb cut, and the parking area for these spaces shall not be more than 20 feet in width measured parallel, or within 30 degrees of being parallel, to the #street line#; or
 - (2) a #group parking facility with five or more spaces is provided and is screened in accordance with the requirements of Section 25-66 (Screening), paragraphs (a) or (b).

R4B R5B R5D R6A R6B R7A R7B R7X R8A R8B R8X

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

R6 R7 R8

- (d) In the districts indicated without a letter suffix, the following provisions shall apply:

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

* * *

25-631

Location and width of curb cuts in certain districts

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

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

R2A

- (1) In R2A Districts, the maximum width of a curb cut shall be 18 feet, and the maximum width of a driveway within a #front yard# shall be 20 feet. All #zoning lots# shall maintain at least 18 feet of uninterrupted curb space along each #street# frontage.

R2X R3 R4 R5

- (2) In the districts indicated, except R4B and R5B Districts, ~~and except as otherwise provided in Section 25-633 (Prohibition of curb cuts in certain districts)~~, curb cuts shall comply with the following provisions:
 - (i) for #zoning lots# with less than 50 feet of frontage along a #street#, only one curb cut, having a maximum width, including splays, of ten feet, shall be permitted. Where access to #accessory# parking spaces is only through a #side lot ribbon#, all curb cuts shall be a continuation of the #side lot ribbon#;
 - (ii) for #zoning lot s# with at least 50 feet of frontage along a #street#, no more than two curb cuts shall be permitted along such #street# frontage. If one curb cut is provided, such curb cut shall have a maximum width, including splays, of ~~15-~~ 18 feet. If two curb cuts are provided, the maximum width of

each curb cut, including splays, shall be ten feet, and a minimum distance of 30 feet of uninterrupted curb space shall be provided between such curb cuts;

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

~~(iv)~~

(iii) wherever #accessory# parking spaces are provided in adjacent #side lot ribbons# on # zoning lot s# subdivided after June 30, 1989, the curb cuts giving access to such #side lot ribbons# shall be contiguous (paired), so that only one curb cut, having a maximum width of ~~15~~ 18 feet, including splays, shall serve both #side lot ribbons#; and

~~(v)~~

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

~~R4B R5B R6B R7B R8B~~

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

R6 R7 R8

- (3) ~~(4)~~ In the districts indicated without a letter suffix, the following provisions shall apply: ~~for #zoning lots# comprised of #single #, #two #, or three #family residences# or #building segments#, the width and location of curb cuts shall be in accordance with the provisions of paragraph (a)(2), inclusive, of this Section.~~
- (i) for #zoning lots# containing non-#Quality Housing buildings# or non-#Quality Housing building segments#, each of which contains not more than three #dwelling units#, #accessory # off-street parking spaces shall be located in accordance with the provisions of paragraph (a)(2), inclusive, of this Section;
 - (ii) for #zoning lots# containing #Quality Housing #buildings# or #Quality Housing building segments#, #accessory# off-street parking spaces shall be located in accordance with the provisions of paragraph (b)(3) of this Section.
- (b) For #zoning lots# with ~~#residential buildings#~~ #buildings# containing #residences# where more than two #accessory# parking spaces are required:

R2X R3 R4 R5

- (1) In the districts indicated, except R4B and R5B Districts, ~~and except as otherwise provided in Section 25-633,~~ curb cuts shall comply with the following provisions:
- (2)
 - (i) #zoning lots# with 35 feet or more of frontage along a #street# shall maintain a minimum distance of 16 feet of uninterrupted curb space along such #street#;
 - (ii) ~~new #residential developments# shall maintain a minimum distance of 16 feet of uninterrupted curb space between all curb cuts on the same or adjoining #zoning lots# developed after June 30, 1989;~~ a minimum distance of 16 feet of uninterrupted curb space shall be maintained between all curb cuts constructed after June 30, 1989, provided that this requirement shall not apply to any #zoning lot# existing both on June 30, 1989 and (effective date of a amendment) that is less than 40 feet wide and where at least 16 feet of uninterrupted curb space is maintained in front of such #zoning lot# along the #street#.
 - (iii) ~~the maximum width of a curb cut serving a #group parking facility# shall be as set forth in the following table:~~

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

(iv)

(iii)

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

~~R4B R5B R6B R7B R8B-~~

- (3) ~~—(2)~~ In the districts indicated, ~~for #attached residential developments# and rowhouses, and for multiple dwellings in R5B, R6B, R7B and R8B Districts, a minimum distance of 34 feet between curb cuts. In addition, the maximum width of curb cuts serving a #group parking facility# shall be as set forth in the table in paragraph (b)(1) of this Section. curb cuts are permitted only on #zoning lots# at least 40 feet wide and existing on the effective date of establishing such district on the #zoning maps#. For #detached#, #semi-detached# and #zero lot line buildings#, the width and location of curb cuts shall be in accordance with paragraph (a)(2), inclusive, of this Section. For #attached residential buildings# and rowhouses, #building segments#, and for multiple dwellings in R5B, R6B, R7B and R8B Districts, new #residential developments# shall provide a minimum distance of 34 feet of uninterrupted curb space between all curb cuts constructed after June 30, 1989. at least 34 feet of uninterrupted curb space shall be maintained between all curb cuts constructed after June 30, 1989,~~

provided that this requirement shall not apply to a #zoning lot# existing on both June 30, 1989 and (the effective date of amendment) that is less than 76 feet wide and where at least 34 feet of uninterrupted curb space is maintained in front of such #zoning lot# along the #street#. Such permitted curb cuts shall comply with the provisions of paragraph (b)(3) of this Section.

R6 R7 R8

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

R6 R7 R8

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

These curb cut provisions shall apply as follows:

- (i) In R6, R7 and R8 Districts without a letter suffix, to non-#Quality Housing buildings# or non-#Quality Housing building segments#, any of which contain four or more #dwelling units#;
- (ii) In R6A, R6A, R7X, R8A, R8X Districts, to all #buildings#; and
- (iii) In R6B, R7B and R8B Districts, to #zoning lots# occupied by a #building# with a #street wall# at least 40 feet in width, or, for #zoning lots# with multiple #building segments#, only where such curb cut is in front of a #building segment# with a #street wall# at least 40 feet in width. On such #zoning lots#, curb cuts shall be permitted only on the #street# frontage that is at least 40 feet wide. On all other #zoning lots# in R6B, R7B and R8B Districts, curb cuts shall be prohibited.
- (c) Modification of curb cut location requirements:
R2X R3 R4 R5 R6 R7 R8

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

R6 R7 R8

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

* * *

25-633

Prohibition of curb cuts in certain districts

~~R4B R5B R6B R7B R8B~~

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

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

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

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

R1 R2 R3A R3X R4A R5A

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

* * *

25-64

Restrictions on Use of Open Space for Parking

Restrictions on the use of open space for parking and driveway s are set forth in this Section, in accordance with the provisions of Section 23-12 (Permitted Obstructions in

Open Space). For ~~zoning lots~~ in ~~low or density growth management areas~~, the provisions of paragraph (b) of this Section shall apply.

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

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

- (b) In ~~lower density growth management areas~~, the following regulations shall apply:

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

(a) In R1, R2, R3, R4A, R4-1 and R4B Districts, driveways, private roads and open accessory off-street parking spaces may occupy no more than 50 percent of the lot area not covered by buildings containing residences.

(b) In R4 Districts except for R4A, R4-1 and R4B Districts, and in R5 Districts, driveways, private roads and open accessory off-street parking spaces may occupy no more than 66 percent of the lot area not covered by buildings containing residences.

(c) In R6, R7, R8, R9 and R10 Districts, driveways, private streets, open accessory off-street parking spaces, or open accessory off-street loading berths may not use more than 50 percent of the required open space on any zoning lot. The provisions of this paragraph (c) shall not apply to Quality Housing buildings.

Chapter 8

The Quality Housing Program

28-00

GENERAL PURPOSES

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

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

28-01

Applicability of this Chapter

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

* * *

28-50

PARKING FOR QUALITY HOUSING

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

* * *

28-52

Special Regulations for Off-Site Accessory Parking

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

**28-53
Location of Accessory Parking**

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

* * *

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

**36-00
GENERAL PURPOSES AND DEFINITIONS**

Off-Street Parking Regulations

* * *

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

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

* * *

**36-10
PERMITTED ACCESSORY OFF-STREET PARKING SPACES**

* * *

**36-12
Maximum Size of Accessory Group Parking Facilities**

C1 C2 C3 C4 C5 C6 C7 C8

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

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

* * *

**36-30
REQUIRED ACCESSORY OFF-STREET PARKING SPACES FOR
RESIDENCES WHEN PERMITTED IN COMMERCIAL DISTRICTS**

**36-31
General Provisions**

C1 C2 C3 C4 C5 C6

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

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

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

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

**36-311
Application of requirements to conversions in C1 or C2 Districts**
C1 C2

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

36-312
Application of requirements to conversion in C3 or C4 Districts
 C3 C4-1 C4-2 C4-3

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

* * *

36-32
Requirements Where Individual Parking Facilities Are Provided

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

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

36-321
In C1 or C2 Districts governed by surrounding Residence District bulk regulations

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

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

* * *

36-33
Requirements Where Group Parking Facilities Are Provided

C1 C2 C3 C4 C5 C6 C7 C8

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

* * *

**36-50
ADDITIONAL REGULATIONS FOR PERMITTED OR REQUIRED
ACCESSORY OFF-STREET PARKING SPACES**

* * *

**36-52
Size and Location of Spaces**
C1 C2 C3 C4 C5 C6 C7 C8

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

(a) Size of spaces

36-521
Size of spaces
C1 C2 C3 C4 C5 C6 C7 C8

* * *

(b) Location of parking spaces in certain districts

36-522
Location of parking spaces in certain districts
C1-6A C1-7A C1-8A C1-8X C1-9A C2-6A C2-7A C2-7X C2-8A C4-2A C4-3A C4-4A
C4-4D C4-5A C4-5D C4-5X C4-6A C4-7A C5-1A C5-2A C6-2A C6-3A C6-3D C6-4A
C6-4X

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

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

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

36-53

Width of Curb Cuts and Location of Access to the Street

C1 C2 C3 C4 C5 C6 C7 C8

* * *

36-531**Location of curb cuts in C1 or C2 Districts mapped in R5D Districts**

In C1 or C2 Districts mapped within R5 D Districts, a minimum distance of 34 feet of uninterrupted curb space shall be provided between all curb cuts constructed after June 29, 2006. Furthermore, no curb cuts shall be permitted on the #wide street# frontage of any #zoning lot# existing on June 29, 2006, with access to a #narrow street#.

36-532**Location and width of curb cuts accessing residential parking spaces in certain districts**

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

- (a) All such curb cuts shall comply with the provisions of Section 25-631 (Location and width of curb cuts in certain districts), as set forth for the applicable building, building segment and residence district. All buildings containing residences in C1 and C2 Districts mapped within R1, R2, R3A, R3X, R3-1, R4A, R4-1 and R5A Districts shall comply with the provisions set forth in Section 25-631 for an R3-2 District;
- (b) All such curb cuts shall be prohibited on the #wide street# frontage of any #zoning lot# existing on (the effective date of an amendment) with access to a #narrow street#; and
- (c) Where a commercial district with only #narrow street# frontage is mapped along the short end of a #block#, and a #zoning lot# existing on (effective date of amendment) has access to both the short and long ends of such #block#, all such curb cuts shall be prohibited along the #street line# of the short end of such #block#.

* * *

73-46**Waiver of Requirements for Conversions**

In R6 or R7-1 Districts, in C1 or C2 Districts mapped within R6 or R7-1 Districts, or in C4-2 or C4-3 Districts, where the number of accessory off-street parking spaces required for additional dwelling units created by conversions of any kind exceeds the number of spaces which may be waived as of right under the provisions of Sections 25-262 (For conversions), 36-363 (For conversions in C1 or C2 Districts governed by surrounding Residence District bulk regulations) or 36-364 (For conversions in C4

Districts), the Board of Standards and Appeals may waive all or part of the required spaces, provided that the Board finds that there is neither a practical possibility of providing such spaces:

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

* * *

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

* * *

123-70
PARKING AND LOADING

* * *

123-72
Residential and Community Facility Uses

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

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

* * *

Resolution for adoption scheduling January 27, 2010 for a public hearing.



II. REPORTS

BOROUGH OF MANHATTAN

No. 10

161 WEST 78TH STREET

CD 7

C 100012 ZSM

IN THE MATTER OF an application submitted by 161 West 78th Street LLC pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit pursuant to Section 74-711 of the Zoning Resolution to modify the height regulations of Section 23-692 (Height limitations for narrow buildings or enlargements) to facilitate the construction of a 1-story rooftop addition of an existing five-story building on property located at 161 West 78th Street (Block 1150, Lot 7), in an R8B District, within the Upper West Side/ Central Park West Historic District.

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

(On November 18, 2009, Cal. No. 2, the Commission scheduled December 2, 2009 for a public hearing. On December 2, 2009, Cal. No. 13, the hearing was closed.)

For consideration.

No. 11

26 WEST 56TH STREET LANDMARK

CD 5

N 100160 HKM

IN THE MATTER OF a communication dated November 19, 2009, from the Executive Director of the Landmarks Preservation Commission regarding the landmark designation of the E. Hayward and Amelia Parsons Ferry House, 26 West 56th Street (Block 1271, Lot 54), by the Landmarks Preservation Commission on November 10, 2009 (List No. 422/LP-2330).

For consideration.

No. 12

1780 BROADWAY LANDMARK

CD 5

N 100161 HKM

IN THE MATTER OF a communication dated November 19, 2009, from the Executive Director of the Landmarks Preservation Commission regarding the landmark designation of the B.F. Goodrich Company Building, 1780 Broadway (Block 1029, Lot 14), by the Landmarks Preservation Commission on November 10, 2009 (List No. 422/LP-2380).

For consideration.



No. 13

ASCHENBROEDEL VEREIN BUILDING LANDMARK

CD 3

N 100166 HKM

IN THE MATTER OF a communication dated November 25, 2009, from the Executive Director of the Landmarks Preservation Commission regarding the landmark designation of the Aschenbroedel Verein Building (later Gesangverein Schillerbund/now La Mama Experimental Theatre Club) 74 East 4th Street (Block 459, Lot 23), by the Landmarks Preservation Commission on November 17, 2009 (Designation List No. 423/LP-2328).

For consideration.



No. 14

145 EIGHTH AVENUE HOUSE LANDMARK

CD 4

N 100167 HKM

IN THE MATTER OF a communication dated November 25, 2009, from the Executive Director of the Landmarks Preservation Commission regarding the landmark designation of 145 Eighth Avenue House, located 145 Eighth Avenue (Block 741, Lot 31), by the Landmarks Preservation Commission on November 17, 2009 (List No. 423/LP-2345).

For consideration.



No. 15

147 EIGHTH AVENUE HOUSE LANDMARK

CD 4

N 100168 HKM

IN THE MATTER OF a communication dated November 25, 2009, from the Executive Director of the Landmarks Preservation Commission regarding the landmark designation of 147 Eighth Avenue House, located 147 Eighth Avenue (Block 741, Lot 32), by the Landmarks Preservation Commission on November 17, 2009 (List No. 423/LP-2346).

For consideration.

No. 16

PARAMOUNT HOTEL LANDMARK

CD 5

N 100169 HKM

IN THE MATTER OF a communication dated November 25, 2009, from the Executive Director of the Landmarks Preservation Commission regarding the landmark designation of the Paramount Hotel, 235-245 West 46 Street (Block 1018, Lot 6), by the Landmarks Preservation Commission on November 17, 2009 (List No. 423/LP-2342).

For consideration.

BOROUGH OF STATEN ISLAND

No. 17

327 WESTERVELT AVENUE LANDMARK

CD 1

N 100170 HKR

IN THE MATTER OF a communication dated November 25, 2009, from the Executive Director of the Landmarks Preservation Commission regarding the designation of 327 Westervelt Avenue (Block 27, Lot 5), by the Landmarks Preservation Commission on November 17, 2009 (Designation List 423/LP-2349).

For consideration.

No. 18

RICHMOND CREEK/BLUEBELT

CD 2

C 100071 PCR

IN THE MATTER OF an application submitted by the Department of Environmental Protection and the Department of Citywide Administrative Services, pursuant to Section 197-c of the New York City Charter for the site selection and acquisition of properties generally bounded by Nugent Street, Aulltman and Lighthouse Avenues, and St. George Road (Block 2 274, Lots 6, 8, 13, 24, 27, 30, 32, 34, 36, 38) for the storage and conveyance of storm water.

(On November 18, 2009, Cal. No. 8, the Commission scheduled December 2, 2009 for a public hearing. On December 2, 2009, Cal. No. 19, the hearing was closed.)

For consideration.



Nos. 19 & 20

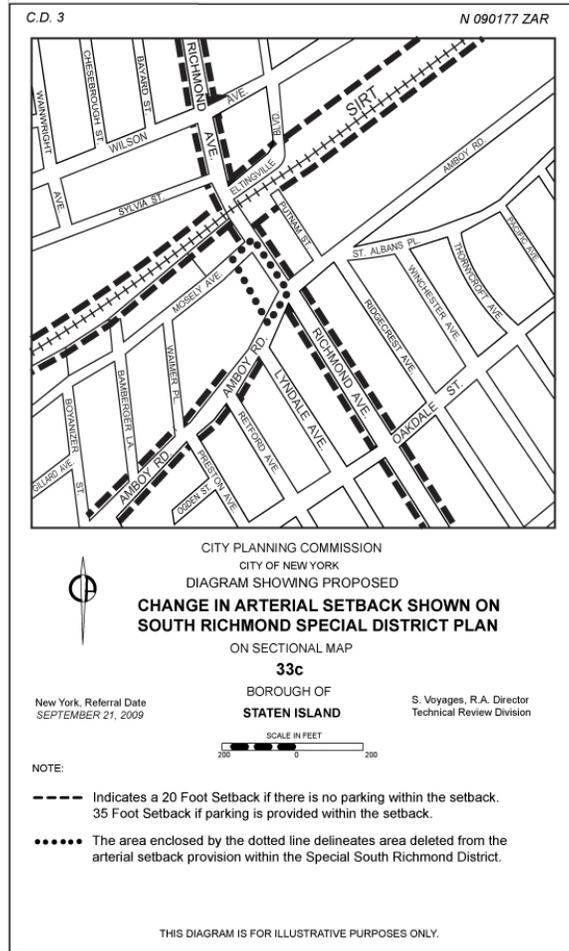
AMBOY ROAD TEXT AMENDMENT

No. 19

CD 3

N 090176 ZRR

IN THE MATTER OF an application submitted by Brookside Amboy, LLC pursuant to Section 201 of the New York City Charter, for an amendment of the Zoning Resolution of the City of New York, concerning the Special South Richmond Development District Plan (Article X, Chapter 7), Appendix A, relating to modification of the arterial setback requirement.



(On November 18, 2009, Cal. No. 9, the Commission scheduled December 2, 2009 for a public hearing. On December 2, 2009, Cal. No. 20, the hearing was closed.)

For consideration.



No. 20**CD 3****N 090177 RAR**

IN THE MATTER OF an application submitted by Brookside Amboy, LLC for the grant of an authorization pursuant to Section 107-68 of the Zoning Resolution for modification of group parking facility and access regulations pursuant to Special South Richmond District to facilitate the development of a one-story retail building at 4523 Amboy Road (Block 5585, Lot 62) with 101 accessory off-street parking spaces within the Special South Richmond District.

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

For consideration.

No. 21
SANDY GROUND REZONING**CD 3****C 090042 ZMR**

IN THE MATTER OF an application submitted by Andrew J. Lanza, the Civic Association of the Sandy Ground Area, and Pleasant Plains, Prince's Bay, Richmond Valley Civic Association pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section Nos. 32c, 32d, 33a and 33b, changing from an R3-2 District to an R3-1 District property bounded by:

1. West Shore Expressway, a line 365 feet northeasterly of Winant Avenue and its northwesterly prolongation, Correll Avenue, Rossville Avenue, a line 300 feet northwesterly of Mason Boulevard, Bombay Street, Shiel Avenue, Bloomingdale Road, Candon Avenue, a line 450 feet northeasterly of Bloomingdale Road, Correll Avenue, Winant Avenue, Lucille Avenue, Bloomingdale Road, Candon Avenue, a line 330 feet southwesterly of Bloomingdale Road, the southwesterly centerline prolongation of Shiel Avenue, Bloomingdale Road, a line 500 feet southerly of Anthony Street, Maguire Avenue, Stafford Avenue, Lenox Avenue, Ramona Avenue, Minturn Avenue, Rathbun Avenue, Maguire Avenue, Ramona Avenue, Bloomingdale Road, and Sharrotts Road and its easterly centerline prolongation; and
2. Rossville Avenue, a line 100 feet southeasterly of Barrow Place, Alverson Avenue, and Correll Avenue;

as shown on a diagram (for illustrative purposes only) dated September 21, 2009.

(On November 18, 2009, Cal. No. 10, the Commission scheduled December 2, 2009 for a public hearing. On December 2, 2009, Cal. No. 21, the hearing was closed.)

For consideration.

No. 22

5453 ARTHUR KILL ROAD

CD 3

N 069174 RAR

IN THE MATTER OF an application submitted by Jeffrey Pelli for the grant of an authorization pursuant to Section 107-65 of the Zoning Resolution for the modification of existing topography to allow the restoration of topography on property located at 5453 Arthur Kill Road (Block 8003, Lot 56) in an R3A District, within the Special South Richmond District.

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

For consideration.

III. PUBLIC HEARINGS

BOROUGH OF THE BRONX

No. 23

LDGMA TEXT AMENDMENT

CD 10

N 100134 ZRX

PUBLIC HEARING:

IN THE MATTER OF an application submitted by the New York City Department of City Planning pursuant to Section 201 of the New York City Charter, for an amendment of the Zoning Resolution of the City of New York, concerning Article II, Chapter 5 (Accessory Off-Street Parking and Loading Regulations) and Article III, Chapter 6 (Accessory Off-Street Parking and Loading Regulations), relating to off-street parking regulations.

Matter in underline is new, to be added;

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

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

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

Article I

General Provisions

* * *

Chapter 2

Construction of Language and Definitions

* * *

12-10

DEFINITIONS

Words in the text or tables of this Resolution which are #italicized# shall be interpreted in accordance with the provisions set forth in this Section.

* * *

Lower density growth management area

A “lower density growth management area” is any R1, R2, R3, R4A, R4-1 or C3A District in the following designated areas, and any #development# accessed by #private roads# in R1, R2, R3, R4, R5 or C3A Districts within such areas:

The Borough of Staten Island
Community District 10 in the Borough of the Bronx

In the Borough of Staten Island, #lower density growth management areas# shall also include any C1, C2, or C4 District.

In the Borough of the Bronx, in Community District 10, #lower density growth management areas# shall also include any R6, R7, C1 or C2 Districts for the purposes of applying the parking provisions of Article II, Chapter 5, and Article III, Chapter 6.

* * *

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

* * *

**25-24
Modification of Requirements for Small Zoning Lots**

R6 R7 R8 R9 R10

In the districts indicated, for small #zoning lots#, the requirements set forth in Section 25-23 (Requirements Where Group Parking Facilities Are Provided) shall be modified in accordance with the provisions of this Section.

**25-241
Reduced requirements**

R6 R7 R8 R9 R10

In the districts indicated, for #zoning lots# of 10,000 or 15,000 square feet or less, the number of required #accessory # off-street parking spaces is as set forth in the following table:

REDUCED REQUIREMENTS FOR SMALL ZONING LOTS

#Lot Area#	Parking Spaces Required as a Percent of Total #Dwelling Units#	District
10,000 square feet or less	50	R6 R7-1* R7B
	30	R7-1 R7A R7D R7X
10,001 to 15,000 square feet	30	R7-2
	20	R8** R9 R10

* Within #lower density growth management areas# in Community District 10, Borough of the Bronx

** In R8B Districts, the parking requirements may not be reduced

* * *

25-26**Waiver of Requirements for Small Number of Spaces**

R4B R5B R5D R6 R7 R8 R9 R10

In the districts indicated, the requirements set forth in Section 25-21 (General Provisions) shall be waived if the required number of #accessory# off-street parking spaces resulting from the application of such requirements is no greater than the maximum number as set forth in this Section, except that the requirements shall not be waived for #non-profit residences for the elderly#.

However, the following provisions shall apply:

- (a) in R5D Districts, the provisions of this Section, inclusive, shall only apply to #zoning lots# existing both on June 29, 2006 and on the date of application for a building permit; and
- (b) in R6 and R7 Districts in #lower density growth management areas# in Community District 10 in the Borough of the Bronx, the provisions of this Section, inclusive, shall only apply to #zoning lots# existing both on (effective date of amendment) and on the date of application for a building permit.

* * *

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

* * *

**36-30
REQUIRED ACCESSORY OFF-STREET PARKING SPACES FOR
RESIDENCES WHEN PERMITTED IN COMMERCIAL DISTRICTS**

**36-34
Modification of Requirements for Small Zoning Lots**

C1 C2 C4-2 C4-3 C4-4 C4-5 C4-6 C4-7 C5 C6

In the districts indicated for small #zoning lot s#, the requirements set forth in Section 36-33 (Requirements Where Group Parking Facilities are Provided), shall be modified in accordance with the provisions set forth in this Section.

**36-341
Reduced requirements in C1 or C2 Districts governed by surrounding Residence District bulk regulations**

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

In the districts indicated, for #zoning lots# of 10,000 or 15,000 square feet or less, the number of required #accessory# off-street parking spaces is determined by the #Residence District# within which such #Commercial District# is mapped, in accordance with the following table:

REDUCED REQUIREMENTS FOR SMALL ZONING LOTS

#Lot Area#	Parking Spaces Required as a Percent of Total #Dwelling Units#	District within which C1 or C2 District is Mapped
10,000 square feet or less	50	R6 R7-1*R7B
	30	R7-1 R7A R7D R7X
10,001 to 15,000 square feet	30	R7-2
	20	R8** R9 R10

*In C1 or C2 Districts mapped within R7-1 Districts within #lower density growth management areas# in Community District 10, Borough of the Bronx
 **In R8B Districts, the parking requirements may not be reduced.

* * *

36-361

For new development or enlargements in C1 or C2 Districts governed by surrounding Residence District bulk regulations

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

In the districts indicated, where such districts are mapped within R6, R7, R8, R9 or R10 Districts, the requirements set forth in Section 36-31 (General Provisions) for new #development# or #enlargements# shall be waived if the required number of #accessory# off-street parking spaces resulting from the application of such requirements is no greater than the maximum number as set forth in the following table. The maximum number is determined by the #Residence District# within which the #Commercial District# is mapped.

NUMBER OF SPACES FOR WHICH REQUIREMENTS ARE WAIVED

#Residence District# within which C1 or C2 District is Mapped	Maximum Number of Spaces Waived
R5D	1
R6 R7-1 R7B	5
R7-2 R7A R7D R7X R8 R9 R10	15

However, the following provisions shall apply:

- (a) in C1 or C2 Districts mapped within R5D Districts, the provisions of this Section, inclusive, shall only apply to #zoning lots# existing both on June 29, 2006 and on the date of application for a building permit; and
- (b) in C1 or C2 Districts mapped within R6 and R7 Districts in #lower density growth management areas# in Community District 10 in the Borough of the Bronx, the provisions of this Section, inclusive, shall only apply to #zoning lots# existing both on (effective date of amendment) and on the date of application for a building permit.

(On December 16, 2009, Cal. No. 1, the Commission scheduled January 6, 2009 for a public hearing which has been duly advertised.)

Close the hearing.

BOROUGH OF MANHATTAN

No. 24

57-63 GREENE STREET

CD 2

C 090100 ZSM

PUBLIC HEARING:

IN THE MATTER OF an application submitted by Greene Mercer Holdings, LLC pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit pursuant to Section 74-711 of the Zoning Resolution to modify the use regulations of:

1. Section 42-14D(1)(b) to allow Joint Living Work Quarters for Artists on portions of the 2nd through 6th floors of an existing 6-story building erected prior to December 15, 1961 and where the lot coverage is greater than 5000 square feet; and
2. Section 42-14D(2)(a) to allow UG 6 uses (retail uses) on portions of the ground floor and cellar of an existing 6-story building occupying more than 3,600 square feet of lot area;

on property located at 57-63 Greene Street (Block 486, Lot 29), in an M1-5A District, within the Soho-Cast Iron Historic District.

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

(On December 16, 2009, Cal. No. 2, the Commission scheduled January 6, 2009 for a public hearing which has been duly advertised.)

Close the hearing.

No. 25

SULLIVAN STREET

CD 2

C 100026 ZMM

PUBLIC HEARING:

IN THE MATTER OF an application submitted by DJL Family Limited Partnership pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of

the Zoning Map, Section No. 12a, establishing within an existing R7-2 District a C1-5 District bounded by a line 100 feet southerly of Spring Street, a line midway between Sullivan Street and Thompson Street, a line 200 feet northerly of Broome Street, and Sullivan Street, as shown on a diagram (for illustrative purposes only) dated September 21, 2009 and subject to the conditions of CEQR Declaration E-241.

(On December 16, 2009, Cal. No. 3, the Commission scheduled January 6, 2009 for a public hearing which has been duly advertised.)

Close the hearing.



No. 26

HUDSON YARDS PARKING TEXT AMENDMENT

CD 4 & 5

N100119 ZRM

PUBLIC HEARING:

IN THE MATTER OF an application submitted by the Department of City Planning, pursuant to Section 201 of the New York City Charter, for an amendment of the Zoning Resolution of the City of New York, concerning Article IX, Chapter 3 (Special Hudson Yards District).

Hudson Yards Parking Text Amendment

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

Article IX - Special Purpose Districts

**Chapter 3
Special Hudson Yards District**

* * *

**93-052
Applicability of ~~Chapter 3~~ of Article I, Chapter 3**

#Public parking lots# authorized pursuant to Section 13-552 (~~Public parking lots~~) prior to January 19, 2005, and #accessory# off-street parking facilities for which a special permit

has been granted pursuant to Section 13-561 prior to January 19, 2005, may be renewed subject to the terms of such authorization or special permit.

Additional provisions of Article I, Chapter 3, shall be applicable as specified in Section 93-80 (inclusive).

* * *

**93-054
Applicability of ~~Chapter 4~~ of Article VII, Chapter 4**

* * *

- (b) The following provisions regarding special permits by the City Planning Commission shall be applicable as modified:

Section 74-52 (Parking Garages or Public Parking Lots in High Density Central Areas) shall be applicable to the renewal of City Planning Commission special permits for #public parking lots# of any capacity and to #public parking garages#, granted prior to (date of enactment) or portions thereof, located above grade, subject to the findings of Section 93-821 (Authorization for above-grade parking). However, the findings of Section 93-821 shall not apply to any public parking facility in existence prior to January 19, 2005, that is the subject of a renewal or new special permit.

* * *

**93-16
Public Parking Facilities**

In C2-5, C2-8 and C6 Districts, the provisions of Sections 32-17 (Use Group 8) and 32-21 (Use Group 12) with respect to #public parking garage# and #public parking lot# are modified to require a special permit pursuant to Section 74-52 (Parking Garages or Public Parking Lots in High Density Central Areas) for #public parking lot# of any capacity, and in C2-8 and C6 Districts, to allow, as of right, #public parking garages#, provided such garages are entirely below grade and contain not more than 0.30 parking spaces for each 1,000 square feet of #floor area# on the #zoning lot#. However, no #public parking garages# shall be permitted within the #Phase 2 Hudson Boulevard and Park#, as shown on Map 1 in Appendix A of this Chapter inapplicable and are superseded by the provisions of Section 93-80.

* * *

**93-80
OFF-STREET PARKING REGULATIONS**

The regulations governing permitted and required #accessory# off-street parking spaces of Article I, Chapter 3 (Comprehensive Off-Street Parking Regulations in Community Districts 1, 2, 3, 4, 5, 6, 7 and 8 in the Borough of Manhattan and a Portion of Community Districts 1 and 2 in the Borough of Queens) and Article II, Chapter 5; Article III, Chapter 6; and Article IV, Chapter 4 (Accessory Off-Street Parking and Loading Regulations) shall not apply except as set forth in this Section. In lieu thereof, the provisions of this Section, inclusive, shall apply.

93-81

Definitions

Hudson Yards parking regulations applicability area

The “Hudson Yards parking regulations applicability area” is comprised of the #Special Hudson Yards District#, the 42nd Street Perimeter Area of the #Special Clinton District# and Area P2 of the #Special Garment Center District#.

Hudson Yards development parking supply

The “Hudson Yards development parking supply” shall be the aggregate number of off-street parking spaces in #accessory# individual or #group parking facilities#, #public parking lots# and #public parking garages# in the #Hudson Yards parking regulations applicability area#:

- (a) that have been constructed, pursuant to the as-of-right regulations in effect subsequent to January 19, 2005, and before (date of enactment), to the extent that such spaces satisfy the ratios of Section 93-821;
- (b) that have been constructed, pursuant to a City Planning Commission special permit approved subsequent to January 19, 2005, and before (date of enactment);
- (c) for which the Chairperson has issued a certification, pursuant to Section 93-821, paragraph (e); and
- (d) that have been approved by Board of Standards and Appeals variance, pursuant to Section 72-21, to the extent that:
 - (1) such spaces satisfy the ratios of Section 93-821, or
 - (2) the Board determines that any spaces in excess of the ratios of Section 93-821 are necessary to satisfy the need for #accessory # off-street parking generated by the #uses# or #floor area# permitted by such variance.

However, all off-street parking on Site 1 as shown in Map 6 of Appendix A shall be counted toward the #Hudson Yards development parking supply#.

For purposes of this definition, “constructed” shall include any off-street# parking spaces in #accessory# or #group parking facilities#, #public parking garages# or #public parking

lots# that were completed on (date of enactment); under construction on such date with the right to continue construction pursuant to Section 11-331; or granted a City Planning Commission special permit after January 19, 2005, where such permit had not lapsed as of (date of enactment).

Public parking

“Public parking” shall be off-street parking that is open to the public during the business day for hourly, daily or other time-defined rental of parking spaces, for which a fee is charged;

Reservoir deficit

The “reservoir deficit” shall be the amount by which the #reservoir surplus# is less than zero;

Reservoir parking supply

The “reservoir parking supply” shall be the sum of:

- (a) all off-street parking spaces lawfully operating as of May 27, 2009, in the #Hudson Yards parking regulations applicability area# as #public parking#; and
- (b) any off-street parking spaces for which a valid building permit had been issued, as of May 27, 2009, and which have been constructed before (date of enactment).

For purposes of this definition, “constructed” shall include any off-street parking spaces in #accessory# individual or #group parking facilities#, #public parking garages# or #public parking lots# that were either completed on (date of enactment) or under construction on such date with the right to continue construction pursuant to Section 11-331. However, any off-street parking space that satisfies the definition of the #Hudson Yards development parking supply# in this Section shall not be counted as part of the #reservoir parking supply#.

Reservoir surplus

The initial #reservoir surplus# shall be 3,600 off-street parking spaces. The “reservoir surplus” shall be increased by:

- (a) the aggregate number of off-street parking spaces in the #reservoir parking supply# for which a building permit has been issued, pursuant to the as-of-right regulations in effect subsequent to January 19, 2005, and before the (date of enactment);
- (b) the number of off-street parking spaces in the #Hudson Yards parking regulations applicability area# above the ratios permitted in Section 93-821.

either certified by the Chairperson pursuant to Sections 93-822, paragraph (c), or by City Planning Commission special permit, pursuant to Section 93-823; and

- (c) the number of off-street parking spaces lawfully added in the Hudson Yards parking regulations applicability area#, other than those permitted pursuant to this Section 93-80 et. seq., except for any increase by Board of Standards and Appeals variance that is counted as part of the Hudson Yards development parking supply#;

The reservoir surplus# shall be decreased by:

- (a) the aggregate number of parking spaces counted at any time in the reservoir parking supply#, that subsequently are:
- (1) reduced through modification or discontinuance of the applicable Department of Consumer Affairs license or certificate of occupancy or otherwise cease operation permanently; or
 - (2) not constructed in accordance with the applicable building permit, as reflected in a modification of such building permit or the issuance of a certificate of occupancy for a reduced number of spaces; or
- (b) the issuance of a certificate of occupancy for a development# or enlargement# providing a smaller number of spaces than allowed, pursuant to Section 93-821, to the extent of the difference between the number of accessory# off-street parking spaces allowed, and the number provided. However, this paragraph shall not apply to Sites 2, 3, 4 and 5, as shown on Map 6 of Appendix A, and shall apply to no more than 200 accessory# off-street parking spaces on Site 6 as shown on Map 6.

Substantial construction

“Substantial construction” shall mean the substantial enclosing and glazing of a new building# or of the enlarged# portion of an existing building#.

93-82

Required and Permitted Parking

All developments# or enlargements# on zoning lots# greater than 15,000 square feet in the Hudson Yards parking regulations applicability area# may shall provide accessory# parking spaces in accordance with the provisions of this Section. For zoning lots# of 15,000 square feet or less, accessory# parking spaces are permitted up to the maximum number allowed for required spaces as set forth in this Section. The provisions of Sections 36-52 (Size and Location of Spaces) and 36-53 (Location of Access to the Street) shall apply to all permitted accessory# off-street parking spaces.

93-821**Permitted parking when the reservoir surplus is greater than zero**

When the reservoir surplus is greater than zero, off-street parking spaces may be provided only in accordance with the provisions of this Section.

- (a) For residences, accessory off-street parking spaces ~~shall~~ may be provided for ~~at least not more than 33~~ 30 percent of the total number of dwelling units, except that where such dwelling units are comprised of low income floor area, moderate income floor area or middle income floor area, as defined in Section 23-911 of this Resolution ~~government assisted, pursuant to paragraph (e) of Section 25~~ 25, accessory off-street parking spaces shall ~~—~~ may be provided for ~~at least 25~~ not more than eight percent of the total number of such dwelling units. ~~The total number of off-street parking spaces accessory to residences shall not exceed 40 percent of the total number of dwelling units. However, if the total number of accessory off-street parking spaces required for such use on the zoning lot is less than 15, no such spaces shall be required.~~
- (b) For Use Group 5 transient hotels, the provisions of Section 13-131 shall apply with respect to the number of permitted accessory off-street parking spaces, provided that the number of such spaces does not exceed 0.16 for every 1,000 square feet of floor area.
- (c) For Use Group 6B offices ~~commercial and community facility uses~~, a ~~minimum of 0.30 accessory off-street parking spaces shall be provided for each 1,000 square feet of floor area, and not more than 0.325.~~ 0.16 accessory off-street parking spaces shall may be provided for every 1,000 square feet of floor area. However, if the total number of accessory off-street parking spaces required for such uses on the zoning lot is less than 40, no such spaces shall be required. No parking shall be required for houses of worship or schools.
- (e) ~~The required and permitted amounts of accessory off-street parking spaces shall be determined separately for residential, commercial and community facility uses.~~
- (d) *In the Eastern Rail Yard Subarea A1, no accessory off-street parking shall be required paragraphs (a) through (c) of this Section shall not apply, and any accessory off-street parking shall comply with the provisions of this paragraph, (d).*
- (1) For residential uses, accessory off-street parking spaces may be provided for not more than 40 percent of the total number of dwelling units.

(2) For ~~commercial and community facility uses~~, not more than 0.325 ~~accessory~~ off-street parking spaces may be provided for every 1,000 square feet of ~~floor area~~, provided that in no event shall the number of off-street parking spaces ~~accessory~~ to ~~commercial or community facility uses~~ exceed 350 spaces.

(3) In no event shall the total number of ~~accessory~~ off-street parking spaces for all ~~uses~~ exceed 1,000.

(e) The provisions of Sections ~~3-6-52 (Size and Location of Spaces) and 36-53 (Location of Access to the Street)~~ shall apply to all permitted or required ~~accessory~~ off-street parking spaces.

The Department of Buildings shall not issue a building permit for any ~~accessory~~ off-street parking pursuant to paragraphs (a) through (c) of this Section unless the Chairperson has certified that the sum of the following is less than 6,084 spaces:

(1) the ~~reservoir surplus~~ or zero, whichever is less;

(2) the ~~Hudson Yards development parking supply~~; and

(3) the number of spaces proposed to be added by the ~~development or enlargement~~ for which certification is sought.

Any such certification granted by the Chairperson shall lapse after two years if ~~substantial construction~~ of the subject ~~accessory~~ off-street parking spaces has not occurred. In making a certification pursuant to this Section, the Chairperson shall not consider any prior certification or any special permit that has lapsed in accordance with the provisions of this Resolution.

93-822

Permitted parking when a reservoir deficit exists

When a ~~reservoir deficit~~ exists, additional off-street parking spaces may be provided in accordance with the provisions of this Section. However, this Section shall not apply in the Eastern Rail Yard Subarea A1:

(a) The number of permitted ~~accessory~~ off-street parking spaces for Use Group 5 hotels may exceed 0.16 for every 1,000 square feet of ~~floor area~~, up to the number permitted by Section 13-131;

(b) The number of permitted ~~accessory~~ off-street parking spaces for Use Group 6B offices may be increased by up to 3.3 percent of the number permitted pursuant to Section 93-821, paragraph (b);

(c) The Department of Buildings shall not issue a building permit for any additional #accessory# off-street parking spaces permitted pursuant to this Section unless the Chairperson has certified that

(1) a #reservoir deficit# exists; and

(2) the number of #accessory# off-street parking spaces in excess of the ratios permitted by Section 93-821 proposed to be added by the #development# or #enlargement# for which certification is sought, does not exceed such #reservoir deficit#.

Any such certification granted by the Chairperson shall lapse after two years; if #substantial construction# of the subject #accessory# off-street parking spaces has not occurred. In making a certification pursuant to this Section, the Chairperson shall not consider any prior certification or any special permit that has lapsed in accordance with the provisions of this Resolution.

93-823

Parking permitted by special permit

When a #reservoir deficit# exists, the City Planning Commission may allow, by special permit, Use Group 6 B offices to exceed the number of #accessory# off-street parking spaces permitted by Section 93-822, in accordance with the provisions of Section 13-561, except that finding (a) of Section 13-561 shall not apply. In addition, the Commission shall find that the number of #accessory# off-street parking spaces in excess of the number permitted by Section 93-821, proposed to be added by the #development# or #enlargement# that is the subject of the application under review, does not exceed the #reservoir deficit#. In making such finding, the Commission shall not consider any prior certification or any special permit that has lapsed in accordance with the provisions of this Resolution.

93-824

Publication of data

The Department of City Planning shall make available, in a form easily accessed by the public, regularly updated calculations of the current #Hudson Yards development parking supply#, #reservoir parking supply#, and #reservoir surplus# or #reservoir deficit#, as applicable.

93-823

Use and Location of Parking Facilities

The provisions of this Section shall apply to all off-street parking spaces within the #Special Hudson Yards District#.

- (a) All off-street parking spaces accessory to residences shall be used exclusively by the occupants of such residences. Except in the Eastern Rail Yard Subarea A1, all accessory off-street parking spaces accessory to Use Group 5 transient hotels and Use Group 6B offices may be made available for public use. However, any such space shall be made available to the occupant of a residence to which it is accessory within 30 days after written request therefore is made to the landlord. Furthermore, if accessory and public parking spaces are provided on the same zoning lot, all such spaces shall be located within the same parking facility. However, in C1-7A Districts and in C2-5 Districts mapped within R&A Districts, all accessory off-street parking spaces shall be used exclusively by the occupants of the residential development, enlargement or conversion. Where a parking facility is located partially within a C2-5 District mapped within an R&A District and partially within another district, all such accessory off-street parking spaces may be made available for public use provided more than half of the floor space of the parking facility is located outside the C2-5 District mapped within an R&A District.
- (b) All accessory off-street parking spaces may be provided within parking facilities on zoning lots other than the same zoning lot as the uses to which they are accessory, provided:
- (1) such parking facilities are located within a C2-8 or C6-4 District within the Special Hudson Yards District, or within the 42nd Street Perimeter Area of the Special Clinton District or within Area P-2 of the Special Garment Center District;
 - (2) the off-street parking space within such facility is counted only once in meeting the parking requirements for a specific zoning lot; and
 - (3) the number of parking spaces within such facility shall not exceed the combined maximum number of spaces permitted on each zoning lot using such facility, less the number of any spaces provided on such zoning lots. The provisions of Section 13-141 (Location of accessory off-street parking spaces), inclusive, shall apply.
- (c) All off-street parking spaces shall be located within facilities that, except for entrances and exits, are:
- (1) entirely below the level of any street or publicly accessible open area upon which such facility, or portion thereof, fronts; or
 - (2) located, at every level above-grade, behind commercial, community facility or residential floor area so that no portion of such parking facility is visible from adjoining streets or publicly accessible open areas.

93-8231**Authorization for above-grade parking**

The City Planning Commission may authorize parking facilities that do not comply with the provisions of paragraph (c) of Section 93-823 (Use and Location of Parking Facilities) and may authorize floor space used for parking and located above a height of 23 feet to be exempt from the definition of #floor area#, provided that:

- (a) below-grade parking has been provided to the fullest extent feasible, and such above-grade facility is necessary due to subsurface conditions such as the presence of bedrock, railroad rights-of-way or other conditions that impose practical difficulties for the construction of below-grade parking facilities;
- (b) the scale of the parking facility is compatible with the scale of #buildings# in the surrounding area;
- (c) the materials and articulation of the #street wall# of the parking facility is compatible with #buildings# in the surrounding area;
- (d) the ground floor level of such parking facilities that front upon #street s# is occupied by #commercial#, #community facility# or #residential uses# that activate all such adjoining #streets#, except at the entrances and exits to the parking facility. Where site planning constraints make such #uses# infeasible, the parking facility shall be screened from adjoining #streets# or public access areas with a densely planted buffer strip at least 10 feet deep. Where such screening is not desirable, such ground floor wall of the parking facility shall be articulated in a manner that provides visual interest;
- (e) any floor space above the ground floor level utilized for parking is located, to the greatest extent feasible, behind #commercial#, #community facility# or #residential floor area# so as to minimize the visibility of the parking facility from adjoining #streets# or public access areas. Any exterior wall of the parking facility visible from an adjoining #street# or public access area shall be articulated in a manner that is compatible with #buildings# in the surrounding area;
- (f) for portions of parking facilities that are visible from #streets#, publicly accessible open areas or nearby properties, interior lighting and vehicular headlights are shielded to minimize glare on such #streets#, public access areas or properties; and
- (g) the location of vehicular entrances and exits will not unduly inhibit surface traffic and pedestrian flow.

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

~~93-83~~ 93-84

Curb Cut Restrictions

* * *

93-831 93-841

Curb cut restrictions in the Large-Scale Plan Subdistrict A

* * *

93-832 93-842

Curb cut restrictions in the Farley Corridor Subdistrict B

* * *

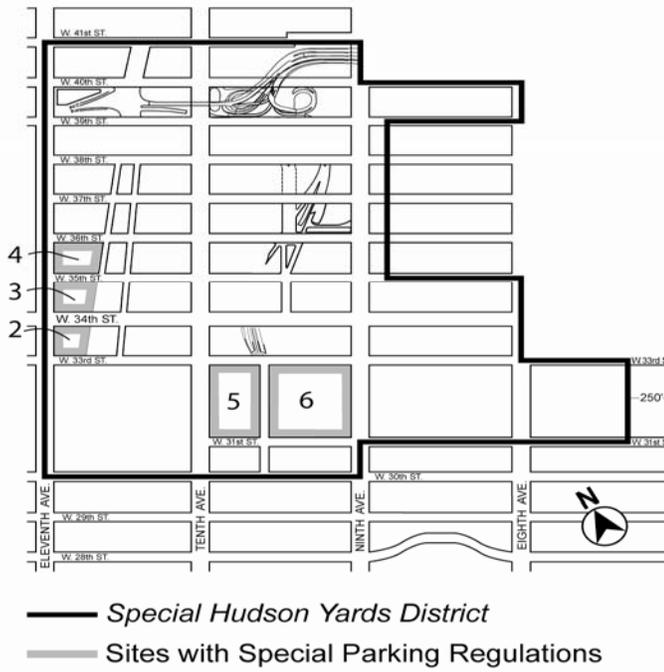
93-84 93-85

Authorization for Additional Curb Cuts

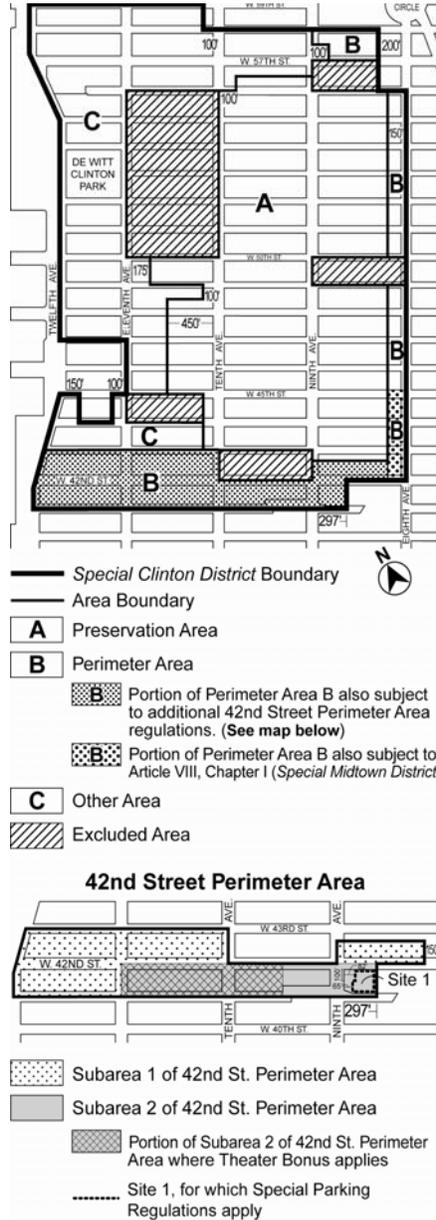
* * *

PROPOSED

Map 6 Sites for which Special Parking Regulations Apply



PROPOSED



* * *

(On December 16, 2009, Cal. No. 4, the Commission scheduled January 6, 2009 for a public hearing which has been duly advertised.)

Close the hearing.

BOROUGH OF STATEN ISLAND

No. 27

WATER SIPHON FACILITY

CD 1

C 100110 PSR

PUBLIC HEARING:

IN THE MATTER OF an application submitted by the Department of Environmental Protection and the Department of Citywide Administrative Services, pursuant to Section 197-c of the New York City Charter for the site selection of property located at Hannah, Front and Bay streets (Block 487, p/o Lot 100) for construction of a water siphon tunnel shaft and chlorination station for the Staten Island – Brooklyn Water Siphon.

(On December 16, 2009, Cal. No. 5, the Commission scheduled January 6, 2009 for a public hearing which has been duly advertised.)

Close the hearing.

Nos. 28 & 29

BROOKFIELD LANDFILL

No. 28

CD 03

C 100132 PQR

PUBLIC HEARING:

IN THE MATTER OF an application submitted by the Department of Environmental Protection and the Department of Citywide Administrative Services, pursuant to Section 197-c of the New York City Charter for the acquisition of property (Block 5550, p/o Lot 17) generally bounded by the Brookfield Avenue Landfill and Arthur Kill Road.

(On December 16, 2009, Cal. No. 6, the Commission scheduled January 6, 2009 for a public hearing which has been duly advertised.)

Close the hearing.

No. 29

CD 3

C 100133 PPR

PUBLIC HEARING:

IN THE MATTER OF an application submitted by the Department of City-wide Administrative Services (DCAS), pursuant to Section 197-c of New York City Charter, for disposition to the New York City Economic Development Corporation of two (2) city-owned properties, pursuant to zoning, located at:

Block	Lot
5550 p/o	22
4454 p/o	1

(On December 16, 2009, Cal. No. 7, the Commission scheduled January 6, 2009 for a public hearing which has been duly advertised.)

Close the hearing.

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

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

Review Sessions are held in Spector Hall at 22 Reade Street starting at 1:00 P.M.

Public Meetings are held in Spector Hall at 22 Reade Street starting at 10:00 A.M.

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

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

Review Sessions are held in Spector Hall at 22 Reade Street starting at 1:00 P.M.

Public Meetings are held in Spector Hall at 22 Reade Street starting at 10:00 A.M.