

# CITY PLANNING COMMISSION DISPOSITION SHEET

**PUBLIC MEETING:  
WEDNESDAY, NOVEMBER 17, 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 090196 MMX	8	PUTNAM GREENWAY	Scheduled to be Heard 12/1/10
2	N 110117 BDK	2, 6	ATLANTIC AVENUE BID	" "
3	C 080277 ZSM	2	209 HESTER STREET	" "
4	C 090363 MMQ	8	GLENN AVENUE	" "
5	N 110092 HKM	3	97 BOWERY BUILDING LANDMARK	Forward Report to City Council
6	N 110093 HKM	3	LOEW'S THEATRE LANDMARK	" "
7	N 110094 HKM	3	METHODIST ESPISCOPAL CHAPEL LANDMARK	" "
8	N 110083 ZAR	1	SI CHILDREN'S MUSEUM	Authorization Approved
9	N 100344 ZAR	2	28 CHIPPERFIELD COURT	" "
10	N 110065 HAK	1	NORTHSIDE TOWN HALL	Hearing Closed
11	C 080293 ZMQ	11	BELL BOULEVARD REZONING	" "
12	C 110069 ZMR	2, 3	COMMERCIAL REZONING AND TEXT AMENDMENT	" "
13	N 110070 ZRY	CW	" "	" "

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

MEETING ADJOURNED AT: 11:57 A.M.

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

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**CITY PLANNING COMMISSION**

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**WEDNESDAY, NOVEMBER 17, 2010**

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



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

**[No. 20]**

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

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

## CITY PLANNING COMMISSION

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### GENERAL RULES OF PROCEDURE AS PERTAINING TO PUBLIC MEETINGS

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

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

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

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

**For Calendar Information:** call (212) 720-3370.

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

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

**B**

**CITY PLANNING COMMISSION**

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

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

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

**TABLE OF CONTENTS**

**WEDNESDAY NOVEMBER 17, 2010**

Roll Call; Approval of Minutes.....1

I. Matters To Be Scheduled for Public Hearing.....1

II. Reports .....4

III. Public Hearings .....7

IV. Schedule of Meetings: July 1, 2010 – December 31, 2010.....47

V. Schedule of Meetings: January 1, 2011 – December 31, 2011.....48

**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 December, 1, 2010 at Spector Hall, 22 Reade Street, New York at 10:00 a.m.

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

**NOVEMBER 17, 2010**

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**APPROVAL OF MINUTES OF the Regular Meeting of October 27, 2010**

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**I. PUBLIC HEARINGS OF THE FOLLOWING MATTERS TO BE SCHEDULED FOR  
WEDNESDAY, DECEMBER 1, 2010**

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

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**BOROUGH OF THE BRONX**

**No. 1**

***PUTNAM GREENWAY***

**CD 8**

**C 090196 MMX**

**IN THE MATTER OF** an application submitted by the Department of Parks and Recreation, pursuant to Sections 197-c and 199 of the New York City Charter, for an amendment to the City Map involving:

- the establishment of a park running generally alongside the Major Deegan Expressway, between West 230<sup>th</sup> Street and Van Cortlandt Park South; and
- the establishment of a park addition to Van Cortlandt Park, between Van Cortlandt Park South and The Bronx-Westchester County Line,

including authorization for any acquisition or disposition of real property related thereto, in accordance with Map No. 13129, dated May 21, 2010 and signed by the Borough President.

**Resolution for adoption scheduling December 1, 2010 for a public hearing.**

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**BOROUGH OF BROOKLYN**

**No. 2**

***ATLANTIC AVENUE BID***

**CD 2, 6**

**N 110117 BDK**

**IN THE MATTER OF** an application submitted by the Department of Small Business Services on behalf of the Atlantic Avenue Business Improvement District pursuant to Section 25-405 of the Administrative Code of the City of New York, as amended, concerning the formation of the Atlantic Avenue Business Improvement District.

**Resolution for adoption scheduling December 1, 2010 for a public hearing.**

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**BOROUGH OF MANHATTAN**

**No. 3**

***209 HESTER STREET***

**CD 2**

**C 080277 ZSM**

**IN THE MATTER OF** an application submitted by 209-211 Hester 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 74-781 of the Zoning Resolution to modify the use regulations of Section 42-14(D)(1)(d) and Section 42-14D(2)(b) to allow Use group 17D (Joint Living Work Quarters for Artists) and/or Use Group 6 uses on portions of the ground floor and cellar of an existing 7-story building, erected prior to December 15, 1961, and occupies more than 3,600 square feet of lot area, on property located at 209-11 Hester Street (Block 235, Lot 24), in an M1-5B 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.

**Resolution for adoption scheduling December 1, 2010 for a public hearing.**

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**BOROUGH OF QUEENS**

**No. 4**

***GLENN AVENUE***

**CD 8**

**C 090363 MMQ**

**IN THE MATTER OF** an application submitted by the Sri Chinmoy Centre Church, pursuant to Sections 197-c and 199 of the New York City Charter, and Section 5-430 *et seq.* of the New York City Administrative Code, for an amendment to the City Map involving:

- the elimination, discontinuance and closing of Glenn Avenue from 162nd Street to 85th Avenue and 164th Street; and
- the modification of grades necessitated thereby,

including authorization for any acquisition or disposition of real property related thereto, in accordance with Map No. 5008, dated July 9, 2010 and signed by the Borough President.

**Resolution for adoption scheduling December 1, 2010 for a public hearing.**

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**II. REPORTS**

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**BOROUGH OF MANHATTAN**

**No. 5**

***97 BOWERY BUILDING LANDMARK***

**CD 3**

**N 110092 HKM**

**IN THE MATTER OF** a communication dated September 23, 2010, from the Executive Director of the Landmarks Preservation Commission regarding the landmark designation of the 97 Bower Building, 97 Bowery (Block 297, Lot 1, in part), by the Landmarks Preservation Commission on September 14, 2010 (Designation List No. 433/LP-2353).

**For consideration.**

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**No. 6**

***LOEW'S THEATRE LANDMARK***

**CD 3**

**N 110093 HKM**

**IN THE MATTER OF** a communication dated September 23, 2010, from the Executive Director of the Landmarks Preservation Commission regarding the landmark designation of the Loew's Canal Street Theatre Building, 31 Canal Street (Block 297, Lot 1, in part), by the Landmarks Preservation Commission on September 14, 2010 (Designation List No. 433/LP-2368).

**For consideration.**

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**No. 7**

***METHODIST EPISCOPAL CHAPEL LANDMARK***

**CD 3**

**N 110094 HKM**

**IN THE MATTER OF** a communication dated September 23, 2010, from the Executive Director of the Landmarks Preservation Commission regarding the landmark designation of the Eleventh Street Methodist Episcopal Chapel, 545-547 East 11<sup>th</sup> Street (Block 405, Lot

39), by the Landmarks Preservation Commission on September 14, 2010 (Designation List No. 433/LP-2398).

**For consideration.**

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**BOROUGH OF STATEN ISLAND**

**No. 8**

***SI CHILDREN'S MUSEUM***

**CD 1**

**N 110083 ZAR**

**IN THE MATTER OF** an application submitted by NYC Department of Design and Construction (DDC) for grant of an authorization pursuant to Section 119-319 of the Zoning Resolution involving site alteration, the construction of new park-related facilities and improvements to existing park-related facilities within public parks to allow construction of a new platform and tent structure for the Staten Island Children's Museum on a property located at 1000Z Richmond Terrace within Snug Harbor Cultural Center (Block 76, Lots 1 and 200) within the Special Hillside Preservation 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, 6<sup>th</sup> floor, Staten Island, New York 10301.

**For consideration.**

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**No. 9**

***28 CHIPPERFIELD COURT***

**CD 2**

**N 100344 ZAR**

**IN THE MATTER OF** an application submitted by Luciano Rammairone for the grant of an authorization pursuant to Section 105-421 of the Zoning Resolution involving modification of topographic features on a Tier I zoning lot in order to facilitate the construction of a two-story enlargement of an existing single-family house and the construction of an in-ground swimming pool at 28 Chipperfield Court (Block 687, Lot 6) within the Special Natural Area 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, 6<sup>th</sup> floor, Staten Island, New York, 10301.

**For consideration.**

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**III. PUBLIC HEARINGS**

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**BOROUGH OF BROOKLYN**

**No. 10**

***NORTHSIDE TOWN HALL***

**CD 1**

**N 110065 HAK**

**PUBLIC HEARING:**

**IN THE MATTER OF** submitted by the Department of Housing Preservation and Development (HPD):

1) pursuant to Article 16 of the General Municipal Law of New York State for:

a. the designation of property located at 134 Wythe Avenue (Block 2309, Lot 22) as an Urban Development Action Area; and

b. an Urban Development Action Area Project for such an area;

to facilitate the rehabilitation of an existing three-story building for community facility use.

(On October 27, 2010, Cal. No. 1, the Commission scheduled November 17, 2010 for a public hearing, which has been duly advertised.)

**Close the hearing.**

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**BOROUGH OF QUEENS**

**No. 11**

***BELL BOULEVARD REZONING***

**CD 11**

**C 080293 ZMQ**

**PUBLIC HEARING:**

**IN THE MATTER** of an application submitted by LRHC Bayside N.Y. Inc. pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 11a:

1. eliminating from within an existing R6B District a C1-2 District bounded by Bell Boulevard, the southerly boundary line of the Long Island Railroad right-of-way (Northside Division), a line 100 feet easterly of Bell Boulevard, and 42<sup>nd</sup> Avenue; and
2. establishing within an existing R6B District a C2-2 District bounded by Bell Boulevard, the southerly boundary line of the Long Island Railroad right-of-way (Northside Division), a line 100 feet easterly of Bell Boulevard, and 42<sup>nd</sup> Avenue;

as shown on a diagram (for illustrative purposes only) dated July 26, 2010.

(On October 27, 2010, Cal. No. 2, the Commission scheduled November 17, 2010 for a public hearing, which has been duly advertised.)

**Close the hearing.**

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**BOROUGH OF STATEN ISLAND**

**Nos. 12 & 13**

***COMMERCIAL REZONING AND TEXT AMENDMENT***

**No. 12**

**CDs 2 & 3**

**C 110069 ZMR**

**PUBLIC HEARING:**

**IN THE MATTER OF** an application submitted by the Department of City Planning pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section Nos. 20d, 26c, 27a, 33c and 33d:

1. eliminating from within an existing R3-1 District a C1-2 District bounded by Victory Boulevard, Saybrook Street, a line 150 feet southerly of Victory Boulevard, and Richmond Avenue;
2. eliminating from within an existing R3X District a C1-2 District bounded by Victory Boulevard, Richmond Avenue, Clifton Street, and a line 150 feet westerly of Richmond Avenue;
3. establishing within an existing R3-1 District a C1-2 District bounded by:
  - a. Eton Place, a westerly boundary line of Willowbrook Park and its northerly prolongation, a northerly boundary line of Willowbrook Park and its westerly prolongation, and Richmond Avenue;
  - b. Saxon Avenue, Steinway Avenue, a line 200 feet northeasterly of Travis Avenue, a line 100 feet southeasterly of Richmond Avenue, Travis Avenue, and Richmond Avenue;
  - c. Slater Boulevard, a line 150 feet southeasterly of Hylan Boulevard, a line midway between Slater Boulevard and Seaver Avenue, a line 100 feet southeasterly of Hylan Boulevard, a line 40 feet southwesterly of Seaver Avenue, and Hylan Boulevard;
  - d. Goodall Street, a line 100 feet southeasterly of Hylan Boulevard, Walnut Avenue, and Hylan Boulevard;
  - e. Armstrong Avenue, a line 100 feet southeasterly of Hylan Boulevard, Groton Street, and Hylan Boulevard;

- f. Littlefield Avenue, a line 100 feet southeasterly of Hylan Boulevard, Winchester Avenue, and Hylan Boulevard; and
  - g. a line 40 feet northeasterly of Oceanic Avenue, a line 100 feet southeasterly of Hylan Boulevard, Oceanic Avenue, a line 175 feet southeasterly of Hylan Boulevard, Richmond Avenue, and Hylan Boulevard;
4. establishing within an existing R3-1 District a C2-2 District bounded by:
- a. Victory Boulevard, Saybrook Street, a line 150 feet southerly of Victory Boulevard, a line 150 feet easterly of Richmond Avenue, a line 520 feet southerly of Victory Boulevard, and Richmond Avenue;
  - b. Walnut Avenue, a line 75 feet southeasterly of Hylan Boulevard, Armstrong Avenue, and Hylan Boulevard; and
  - c. Groton Street, a line 100 feet southeasterly of Hylan Boulevard, Littlefield Avenue, and Hylan Boulevard;
5. establishing within an existing R3-2 District a C1-2 District bounded by:
- a. a southerly boundary line of Willowbrook Park and its westerly prolongation, a westerly boundary line of Willowbrook Park, a northerly boundary line of Willowbrook Park and its westerly prolongation, and Richmond Avenue;
  - b. a southerly boundary line of Willowbrook Park and its westerly prolongation, a westerly boundary line of Willowbrook Park, a northerly boundary line of Willowbrook Park and its westerly prolongation, Richmond Avenue, the easterly prolongation of a line 100 feet northerly of Knapp Street, a line 100 feet westerly of Richmond Avenue, Rivington Avenue, and Richmond Avenue; and
  - c. Travis Avenue, Richmond Avenue, and Draper Place;
6. establishing within an existing R3-2 District a C2-2 District bounded by Rockland Avenue, a line 100 feet easterly of Richmond Avenue, and Saxon Avenue, and Richmond Avenue;
7. establishing within an existing R3A District a C1-2 District bounded by:
- a. William Avenue, Hylan Boulevard, Armstrong Avenue, and a line 150 feet northwesterly of Hylan Boulevard; and
  - b. Ridgecrest Avenue, Hylan Boulevard, Richmond Avenue, and a line 100 feet northwesterly of Hylan Boulevard;
8. establishing within an existing R3X District a C1-2 District bounded by:

- a. Forest Street, Richmond Avenue, a line 75 feet southerly of Forest Street, and a line 100 feet westerly of Richmond Avenue; and
  - b. Draper Place, Richmond Avenue, and Travis Avenue;
9. establishing within an existing R3X District a C2-2 District bounded by Victory Boulevard, Richmond Avenue, Clifton Street, and a line 350 feet westerly of Richmond Avenue; and
10. establishing within an existing R5 District a C1-2 District bounded by Naughton Avenue, a line 150 feet northwesterly of Hylan Boulevard, the northwesterly centerline prolongation of Slater Boulevard, Hyland Boulevard, Seaver Avenue, and Joyce Street;

as shown on a diagram (for illustrative purposes only) dated September 13, 2010, and subject to the conditions of CEQR Declaration E-262.

(On October 27, 2010, Cal. No. 3, the Commission scheduled November 17, 2010 for a public hearing, which has been duly advertised.)

**Close the hearing.**



**No. 13**

**CITYWIDE**

**N 110070 ZRY**

**PUBLIC HEARING:**

**IN THE MATTER OF** an application submitted by the Department of City Planning pursuant to Section 201 of the New York City Charter for an amendment of the Zoning Resolution of the City of New York, pertaining to medical offices and day care centers in the Borough of Staten Island and Bronx Community Board 10, and commercial regulations in the Borough of Staten Island.

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**

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.

\* \* \*

**School**

A "school" is:

an institution providing full-time day instruction and a course of study that meets the requirements of Sections 3204, 3205, and 3210 of the New York State Education Law; or

(b) a nursery school or kindergarten:

(1) whose annual session does not exceed the school sessions for full-time day schools prescribed in Section 3204 of the New York State Education Law; and

(2) which is operated by the ~~Board~~ Department of Education, ~~or~~ any established religious organization as part of an elementary school; or

(c) A child care service operating under a permit issued pursuant to Section 47.03 of the New York City Health Code.

\* \* \*

**Article II: Residence District Regulations**

\* \* \*

**Chapter 2  
Use Regulations**

\* \* \*

**22-10  
USES PERMITTED AS-OF-RIGHT**

\* \* \*

**22-14**

**Use Group 4**

R1 R2 R3 R4 R5 R6 R7 R8 R9 R10

\* \* \*

A. Community facilities

\*\*\*Ambulatory diagnostic or treatment health care facilities, limited to public, private, for-profit or not-for-profit medical, health and mental health care facilities in which patients are diagnosed or treated by health care professionals, licensed by the New York State Department of Education or successor agency for medical, health or mental health conditions, and where such patients are ambulatory rather than admitted. Such facilities shall not include the practice of veterinary medicine, #physical culture or health establishments#, or ophthalmic dispensing. In #buildings# containing #residences#, such facilities shall be limited to locations below the level of the first #story# ceiling, except that such facilities may be located on a second #story# provided there is separate access from the outside or directly from a portion of such facility located on the ground floor.

\* \* \*

C. #Accessory uses#

\* A #use# in Use Group 4, marked with an asterisk, is not permitted in R1 or R2 Districts as-of-right.

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\*\* Use of #railroad or transit air space# is subject to the provisions of Section 22-41 (Air Space over Railroad or Transit Rights-of-Way or Yard).

\*\*\* Not permitted in R1 or R2 Districts, ~~and, in~~ In R3A, R3X, R3-1, R4A, R4B or R4-1 Districts, such #use# shall be limited to a maximum of 1,500 square feet of #floor area#. However, in R3A, R3X, R3-1, R4A, or R4-1 Districts in #lower density growth management areas#, ambulatory diagnostic or treatment health care facilities shall be limited, on any #zoning lot#, to 1,500 square feet of #floor area#, including #cellar# space, except that where a #zoning lot# contains a hospital or nursing home as defined in the New York State Hospital Code, such 1,500 square feet restriction shall not include #cellar# space.

\* \* \*

**Chapter 3**

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

**23-00**

**APPLICABILITY AND GENERAL PURPOSES**

\* \* \*

**23-012****Lower density growth management areas**

For areas designated as #lower density growth management areas# pursuant to Section 12-10 (DEFINITIONS), the underlying district regulations shall apply ~~to all #residential developments# or #enlargements#~~. Such regulations are superseded or supplemented as set forth in the following Sections:

Section 11-45 (Authorizations or Permits in Lower Density Growth Management Areas)

Section 12-10 (DEFINITIONS - Floor area; Lower density growth management area, and Private road)

Section 22-14 (Use Group 4 – Ambulatory diagnostic or treatment health care facilities)

Section 23-12 (Permitted Obstructions in Open Space)

Section 23-141 (Open space and floor area regulations in R1, R2, R3, R4 or R5 Districts)

Section 23-32 (Minimum Lot Area or Lot Width for Residences)

Section 23-33 (Special Provisions for Existing Small Lots)

Section 23-35 (Special Provisions for Zoning Lots Containing Certain Community Facility Uses in Lower Density Growth Management Areas)

Section 23-44 (Permitted Obstructions in Required Yards or Rear Yard Equivalents)

~~Section 23-461 (Side yards for single or two family residences)~~

Section 23-462 (Side yards for all other residential buildings)

Section 23-532 (Required rear yard equivalents)

Section 23-631 (Height and setback in R1, R2, R3, R4 and R5 Districts)

Section 23-711 (Standard minimum distance between buildings)

Section 23-881 (Minimum distance between lot lines and building walls in lower density growth management areas)

Section 24-013 (Exceptions to the bulk regulations of this Chapter)

Section 24-04 (Modification of Bulk Regulations in Certain Districts)

Section 25-028 (Applicability of regulations to certain community facility uses in lower density growth management areas)

Section 25-22 (Requirements Where Individual Parking Facilities Are Provided)

Section 25-23 (Requirements Where Group Parking Facilities Are Provided)

Section 25-31 (General Provisions)

Section 25-331 (Exceptions to application of waiver provisions)

Section 25-62 (Size and Location of Spaces)

Section 25-621 (Location of parking spaces in certain districts)

Section 25-622 (Location of parking spaces in lower density growth management areas)

Section 25-624 (Special parking regulations for certain community facility uses in lower density growth management areas)

Section 25-631 (Location and width of curb cuts in certain districts)

Section 25-632 (Driveway and curb cut regulations in lower density growth management areas)

Section 25-64 (Restrictions on Use of Open Space for Parking)

Section 25-66 (Screening)

Section 26-00 (Applicability of this Chapter)

Section 26-30 (SPECIAL REGULATIONS FOR DEVELOPMENTS WITH PRIVATE ROADS IN LOWER DENSITY GROWTH MANAGEMENT AREAS), inclusive

Section 32-11 (Use Groups 1 and 2)

Section 32-433 (Ground floor use in C1, C2 and C4 Districts in the Borough of Staten Island)

Section 37-10 (APPLICABILITY OF ARTICLE II, CHAPTER 6, TO DEVELOPMENTS WITH PRIVATE ROADS)

Section 37-20 (SPECIAL REGULATIONS FOR LOWER DENSITY GROWTH MANAGEMENT AREAS IN THE BOROUGH OF STATEN ISLAND, inclusive

Section 54-313 (Single- or two-family residences with non-complying front yards or side yards)

Section 105-702 (Applicability of lower density growth management area regulations)

Section 107-412 (Special bulk regulations for certain community facility uses)

Section 107-421 (Minimum lot area and lot width for zoning lots containing certain community facility uses)

Section 107-62 (Yard, Court and Parking Regulations)

Section 107-464 (Side yards for permitted non-residential use)

Section 119-05 (Applicability of Parking Location Regulations)

Section 119-214 (Tier II requirements for driveways and private roads)

Section 128-052 (Applicability of Article 1, Chapter 2)

\* \* \*

**23-30  
LOT AREA AND LOT WIDTH REGULATIONS**

\* \* \*

**23-32  
Minimum Lot Area or Lot Width for Residences**

R1 R2 R3 R4 R5 R6 R7 R8 R9 R10

\* \* \*

**Regulations Applying in Special Situations**

\* \* \*

**23-34  
Special Provisions for Zoning Lots Divided by District Boundaries**

\* \* \*

**23-35  
Special Provisions for Zoning Lots Containing Certain Community Facility Uses in Lower Density Growth Management Areas**

In R1, R2, R3A, R3X, R3-1, R4A, and R4-1 districts in #lower density growth management areas#, the minimum #lot area# and #lot width# regulations of this Section shall apply to any #zoning lot# containing #buildings# used for:

ambulatory diagnostic or treatment health care facilities, as listed in Section 22-14 (Use Group 4), except where such #zoning lot# contains #buildings# used for hospitals or nursing homes as defined in the New York State Hospital Code; and

child care service as listed under the definition of #school# in Section 12-10 (DEFINITIONS), except where such #zoning lot# contains #buildings# used for houses of worship, or, for #zoning lots that do not contain #buildings# used for houses of worship, where the amount of #floor area# used for child care services is equal to 25 percent or less of the amount of # floor area# permitted for #community facility use# on the #zoning lot# .

The minimum #lot area# for such #zoning lots# containing ambulatory diagnostic or treatment health care facilities shall be 5,700 square feet, and the minimum #lot area# for such #zoning lots# containing child care services shall be 10,000 square feet. Where such #uses# are located in the same #building#, the minimum #lot area# shall be 10,000 square feet. In addition, each such #zoning lot# shall have a minimum #lot width# of 60 feet. Such #lot width# shall be applied as set forth in the definition of #lot width# in Section 12-10, provided that such #lot# width# shall also be met along at least one #street line# of the #zoning lot#. No #building#, or portion thereof, shall be permitted between opposing #side lot lines# where such #lot lines# would be nearer to one another at any point than 60 feet.

\* \* \*

## **Chapter 4 Bulk Regulations for Community Facility Buildings in Residence Districts**

### **24-00 APPLICABILITY, GENERAL PURPOSES AND DEFINITIONS**

#### **24-01 Applicability of this Chapter**

The #bulk# regulations of this Chapter apply to any #community facility building# or any #building# used partly for a #community facility use# on any #zoning lot# located in any #Residence District# in which such #building# is permitted. As used in this Chapter, the term "any #building#" shall therefore not include a #residential building#, the #bulk# regulations for which are set forth in Article II, Chapter 3. In addition, the #bulk# regulations of this Chapter, or of specified sections thereof, also apply in other provisions of this Resolution where they are incorporated by cross reference.

When two or more #buildings# on a single #zoning lot# are used in any combination for #community facility uses# and #residential# or other permitted #uses#, the regulations set forth in Sections 24-11 to 24-163, inclusive, relating to Floor Area and Lot Coverage Regulations, shall apply as if such #buildings# were a single #building# used partly for #community facility use#.

~~However, in R3A, R3X, R3-1, R4A, R4-1, R4B or R5B Districts, except for #community facility uses# that have received tax exempt status from the New York City Department of Finance, or its successor, pursuant to Section 420 of the New York State Real Property Tax Law, or its successor, the #bulk# regulations of this Chapter shall apply only to a #building# that is used entirely for #community facility uses# and the #bulk# regulations of Article II, Chapter 3, shall apply to any #building# that is used partly for #community facility use# and partly for #residential use# except as otherwise permitted in Section 24-04 (Modifications of Bulk Regulations in Certain Districts).~~

\* \* \*

### **24-013**

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

R1 R2 R3 R4 R5

#Buildings# used partly for #community facility uses#

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

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

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

In the districts indicated, in #lower density growth management areas#, the #bulk# regulations of this Chapter shall not apply to any #zoning lot# containing #buildings# used for:

- (1) ambulatory diagnostic or treatment health care facilities, as listed in Section 22-14 (Use Group 4), except where such #zoning lot# contains #buildings# used for hospitals or nursing homes as defined in the New York State Hospital Code; or

- (2) child care service as listed under the definition of #school# in Section 12-10 (DEFINITIONS), except where such #zoning lot# contains #buildings# used for houses of worship, or, for #zoning lots# that do not contain #buildings# used for houses of worship, the amount of #floor area# used for child care services is equal to 25 percent or less of the amount of # floor area# permitted for #community facility use# on the #zoning lot#

In lieu thereof, the #residential bulk# regulations of Article II Chapter 3 (Bulk Regulations for Residential Buildings in Residence Districts) shall apply, except that:

- (i) the provisions of Section 23-44 (Permitted Obstructions in Required Yards or Rear Yard Equivalents) shall be modified to prohibit parking spaces of any kind within a #front yard#;
- (ii) in lieu of Sections 23-46 (Minimum Required Side Yards) and 23-66 (Required Side and Rear Setbacks), Sections 24-35 (Minimum Required Side Yards) and 24-55 (Required Side and Rear Setbacks) shall apply; and
- (iii) for child care services in R1 and R2 Districts, the provisions of paragraph (9) of Section 12-10, definition of #floor area#, pertaining to #floor area# exclusions for the lowest story of a residential #building#, shall not apply.

\* \* \*

#### **24-04**

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

R3-1 R3A R3X R4-1 R4A R4B R5B

In the districts indicated, except for #developments# subject to the provisions of paragraph (b) of Section 24-013 (Exceptions to the bulk regulations of this Chapter) the City Planning Commission may, upon application, authorize #developments# pursuant to the #bulk# regulations of this Chapter, provided that the Commission finds that:

- (a) the design of the #development# ensures adequate separation of #uses# and sufficient independent access to each #use#; and
- (b) the #floor area# designated for #community facility use# is designed in a manner that is consistent with such #use# and physically distinguishes such space from that designated for #residential use#.

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

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

\* \* \*

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

**Off-street Parking Regulations**

**25-00  
GENERAL PURPOSES AND DEFINITIONS**

\* \* \*

**25-02  
Applicability**

\* \* \*

**25-028  
Applicability of regulations to certain community facility uses in lower density growth management areas**

In #lower density growth management areas# other than R6 and R7 Districts in Community District 10, Borough of the Bronx, all #zoning lots# containing #buildings# used for:

ambulatory diagnostic or treatment health care facilities, as listed in Section 22-14 (Use Group 4), except where such #zoning lot# contains #buildings# used for hospitals or nursing homes as defined in the New York State Hospital Code; or

child care service as listed under the definition of #school# in Section 12-10 (DEFINITIONS), except where such #zoning lot# contains #buildings# used for houses of worship; or, for #zoning lots# that do not contain #buildings# used for houses of worship, the amount of #floor area# used for child care services is equal to 25 percent or less of the amount of # floor area# permitted for #community facility use# on the #zoning lot#

shall not be subject to the following provisions:

- (1) the parking location provisions of Sections 25-622 (Location of parking spaces in lower density growth management areas) and 25-623 (Location of parking spaces for community facility uses) ;

- (2) the driveway and curb cut provisions of Sections 25-632 (Driveway and curb cut regulations in lower density growth management areas) and 25-634 (Curb cut regulations for community facilities);
- (3) the open space provisions of Section 25-64 (Restrictions on Use of Open Space for parking); and
- (4) the screening provisions of Section 25-66 (Screening).

In lieu thereof, all such #zoning lots# shall comply with the provisions of Section 25-624 (Special parking regulations for certain community facility uses in lower density growth management areas).

In addition, where the #uses# listed in paragraphs (a) and (b) of this Section result from a change of #use#, the provisions of Section 25-31 (General Provisions) shall be modified to require #accessory# off-street parking spaces for such #uses#. However, the requirements of Sections 25-31 and 25-624 may be modified for #zoning lots# containing #buildings# with such changes of #use# where the Chairperson of the City Planning Commission certifies to the Commissioner of Buildings that such modifications are necessary due to the location of existing #buildings# on the #zoning lot#, and such requirements have been complied with to the maximum extent feasible.

\* \* \*

**25-30  
REQUIRED ACCESSORY OFF-STREET PARKING SPACES FOR PERMITTED  
NONRESIDENTIAL USES**

**25-31  
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 in conformity with the requirements set forth in the table at the end of this Section for all new #development# after December 15, 1961 for the #uses# listed in the table. In addition, all other applicable requirements of this Chapter shall apply as a condition precedent to the #use# of such #development#.

\* \* \*

**REQUIRED OFF-STREET PARKING SPACES FOR NON-RESIDENTIAL USES**

Type of #use#

Parking Spaces Required in Relation  
to Specified Unit of Measurement - District

---

FOR COMMUNITY FACILITY USES:

\* \* \*

Ambulatory diagnostic or treatment health care facilities listed in Use Group 4

Square feet of #floor area# and #cellar# space, except #cellar# space #used# for storage  
In #lower density growth management areas#, all #cellar# space, including storage space,  
shall be used to determine parking requirements.

None required - R7-2 R7A R7D R7X R8 R9 R10

1 per 400 - R3

1 per 500 - R4 R5

1 per 800 - R6 R7-1 R7B

\* \* \*

#Schools#

Square feet of #floor area#:

None required - R3 R4 R5 R6 R7 R8 R9 R10

1 per 1,000 sq. ft. – R1 R2 R3 R4 R5 for child care services in #lower density growth  
management areas#

1 per 1,500 - R1 R2

\* \* \*

\* Requirements in the table are in addition to the area used for ambulance parking.

\*\* Requirements in the table apply only to the #floor area# not used for storage

**25-33**

**Waiver of Requirements for Spaces below Minimum Number**

R1 R2 R3 R4 R5 R6 R7 R8 R9 R10

\* \* \*

**25-331**

**Exceptions to application of waiver provisions**

R1 R2 R3 R4 R5 R6 R7 R8 R9 R10

In all districts, as indicated, the waiver provisions of Section 25-33 (Waiver of Requirements for Spaces below Minimum Number) shall not apply to the following types of #uses#:

Agricultural #uses#, including greenhouses, nurseries or truck gardens;

Ambulatory diagnostic or treatment health care facilities in R3, R4A and R4-1 districts in #lower density growth management areas#. However, such waivers shall apply where such #use# is located in such areas on the same #zoning lot# as a hospital or nursing home as defined in the New York State Hospital Code, and shall apply where such #use# is located in such areas on any #zoning lot# in an R6 or R7 District in Community District 10, Borough of the Bronx;

Outdoor tennis courts;

Camps, overnight or day;

#Schools# in R1 and R2 Districts, child care services in R1, R2, R3, R4A and R4-1 districts in #lower density growth management areas#. However, such waivers shall apply where child care services are located in such districts on the same #zoning lot# as a house of worship, and shall apply where child care services located in such districts on #zoning lots# that do not contain houses of worship where the amount of #floor area# used for child care services is equal to 25 percent or less of the amount of #floor area# permitted for #community facility use# on the #zoning lot#.

\* \* \*

**25-60**

**ADDITIONAL REGULATIONS FOR PERMITTED OR REQUIRED ACCESSORY OFFSTREET PARKING SPACES**

\* \* \*

**25-62**

**Size and Location of Spaces**

R1 R2 R3 R4 R5 R6 R7 R8 R9 R10

In all districts, as indicated, for all #accessory# off-street parking spaces, open or enclosed, each 300 square feet of unobstructed standing or maneuvering area shall be considered one parking space. However, an area of less than 300 square feet, but in no event less than 200 square feet, may be considered as one space, where the layout and design of the parking area are adequate to permit convenient access and maneuvering in accordance with regulations promulgated by the Commissioner of Buildings, or where the developer or applicant for a building permit or certificate of occupancy certifies that such spaces will be fully attended.

In any case where a reduction of the required area per parking space is permitted on the basis of the developer's certification that such spaces will be fully attended, it shall be set forth in the

certificate of occupancy that paid attendants employed by the owners or operators of such spaces shall be available to handle the parking and moving of automobiles at all times when such spaces are in use.

In no event shall the dimensions of any parking stall be less than 18 feet long and 8 feet, 6 inches wide.

However, the width of a parking stall may be reduced to eight feet for #detached#, #semi-detached# or #zero lot line buildings# on a #zoning lot# where not more than four #accessory# parking spaces are required if such #accessory# parking spaces are located in a #side lot ribbon# and are subject to the provisions of Section 25-621 (Location of parking spaces in certain districts).

In the Borough of Staten Island and in #lower density growth management areas# in Community District 10, Borough of the Bronx, for #community facility uses#, each required parking space in a parking area not within a #building# shall be within a parking stall accessed from a travel aisle, where each such stall and aisle complies with the maneuverability standards of paragraph (b) of Section 36-58 (Parking Lot Maneuverability and Curb Cut Regulations). The use of an attendant shall be permitted only where necessary to accommodate additional, non-required parking spaces within the travel aisles. For such open parking areas with 18 or more spaces, or greater than 6,000 square feet in area, the provisions of Section 37-90 (Parking Lots) shall also apply.

\* \* \*

#### **25-624**

#### **Special parking regulations for certain community facility uses in lower density growth management areas**

In #lower density growth management areas#, other than R6 and R7 Districts in Community District 10, Borough of the Bronx, all #zoning lots# containing #buildings# used for:

ambulatory diagnostic or treatment health care facilities, as listed in Section 22-14 (Use Group 4), except where such #zoning lot# contains #buildings# used for hospitals or nursing homes as defined in the New York State Hospital Code; and

child care service as listed under the definition of #school# in Section 12-10 (DEFINITIONS), except where such #zoning lot# contains #buildings# used for houses of worship, and, for #zoning lots# that do not contain #buildings# used for houses of worship, the amount of #floor area# used for child care services is equal to 25 percent or less of the amount of #floor area# permitted for #community facility use# on the #zoning lot#

shall comply with the following provisions:

- (1) #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# or prolongation thereof of the #building#.
- (2) The maneuverability provisions of paragraphs (b) of Section 36-58 (Parking Lot Maneuverability and Curb Cut Regulations) shall apply to all such #zoning lots#. No tandem parking shall be permitted.
- (3) The curb cut provisions of paragraph (c) of Section 36-58 (Parking Lot Maneuverability and Curb Cut Regulations) shall apply to all such #zoning lots#, except that, for #zoning lots# with less than 75 feet of #street# frontage, a minimum distance of four feet from other curb cuts on adjacent #zoning lots# shall be maintained.
- (4) For #zoning lots# in R1, R2, R3A, R3X, R3-1, R4A and R4-1 Districts with #buildings# containing child care services, a driveway shall be required for drop-off and pick-up of users of the child care facility. Such driveway shall have a minimum width of 15 feet and a maximum width of 18 feet and shall serve one-way traffic. Such driveway shall include a designated area for the drop-off and pick-up of users of the facility with a minimum length of 25 feet and a minimum width of 10 feet. Such drop-off and pick-up area shall abut a sidewalk with a minimum width of four feet that connects to the child care facility entrance and all public sidewalks. No parking spaces shall be located within such driveway. Where the width of the #street# frontage of the #zoning lot# accessing such driveway is 75 feet or less, the minimum percentage of #front yard# required to be planted pursuant to Section 23-451 (Planting requirement) shall be reduced to 25 percent,
- (5) For any #zoning lot# containing child care services, driveways and open #accessory# off-street parking spaces may occupy no more than 50 percent of the #lot area# not covered by #buildings#. For #zoning lots# containing ambulatory diagnostic or treatment health care facilities, driveways and open #accessory# off-street parking spaces may occupy no more than 66 percent of the #lot area# not covered by #buildings#.
- (6) All parking areas not within a #building# shall be screened from adjoining #zoning lots# and #streets# by a landscaped strip at least four feet wide densely planted with evergreen shrubs at least four feet high at time of planting, and of a type that may be expected to form a year-round dense screen at least six feet high within three years. Such screening shall be maintained in good condition at all times.
- (7) Any lighting provided in off-street parking areas shall be directed away from #residences#.

### **25-625**

#### **Special certification to modify the parking regulations for certain community facility uses in lower density growth management areas**

In #lower density growth management areas#, other than R6 and R7 Districts in Community District 10, Borough of the Bronx, all #enlargements#, alterations and conversions on #zoning lots# containing #buildings# used for:

ambulatory diagnostic or treatment health care facilities, as listed in Section 22-14 (Use Group 4), except where such #zoning lot# contains #buildings# used for hospitals or nursing homes as defined in the New York State Hospital Code; and

child care service as listed under the definition of #school# in Section 12-10 (DEFINITIONS), except where such #zoning lot# contains #buildings# used for houses of worship, and, for #zoning lots# that do not contain #buildings# used for houses of worship, the amount of #floor area# used for child care services is equal to 25 percent or less of the amount of # floor area# permitted for #community facility use# on the #zoning lot#

may modify the amount of #accessory# off-street parking required pursuant to Section 25-31 (General Provisions), or the special parking regulations of paragraphs (3), (4), and (5) of Section 25-624 (Special parking regulations for certain community facility uses in lower density growth management areas), where a site plan provided by the applicant demonstrates to the Chairperson of the City Planning Commission that the manner in which an existing #building# is placed upon the site restricts the ability to comply with such requirements, and where the Chairperson certifies to the Department of Buildings to the maximum extent feasible, the #enlargement#, alteration or conversion complies with such requirements.

\* \* \*

**Article III: Commercial District Regulations**

\* \* \*

**Chapter 2  
Use Regulations**

\* \* \*

**32-11  
Use Groups 1 and 2  
C1 C2 C3 C4 C5 C6**

Use Groups 1 and 2, as set forth in Section 22-11 and Section 22-12. However, in C3A Districts, Use Group 2 shall be limited to #single#-or #two-family detached# or #zero lot line residences#. In #lower density growth management areas# in the Borough of Staten Island, except C3A Districts, Use Groups 1 and 2 shall be permitted only within #mixed buildings#. ~~except that in C4-1 Districts that occupy at least four acres within a #block#, and in other C4-1 Districts for #zoning lots# that, on December 21, 2005, were greater than 20,000 square feet, #residences# shall be allowed only by special permit of the City Planning Commission, pursuant to Section 74-49 (Residential Use in C4-1 Districts in The Borough of Staten Island). However, no~~

#residences# shall be allowed on the following #zoning lots#, except by special permit pursuant to Section 74-49 (Residential Use in C4-1 Districts in The Borough of Staten Island):

- (a) any #zoning lot# in a C4-1 District, where such district occupies at least four acres within a #block#, or
- (b) any other #zoning lot# in a C4-1 District, where such #zoning lot# had a #lot area# greater than 20,000 square feet on December 21, 2005, or on any subsequent date.

\* \* \*

**32-40  
SUPPLEMENTARY USE REGULATIONS**

\* \* \*

**32-43  
Ground Floor Use in Certain Locations**

\* \* \*

**32-433  
Ground floor use in C1, C2 and C4 Districts in the Borough of Staten Island**

C1 C2 C4

~~In all C1, C2 and C4 Districts in the Borough of Staten Island, #uses# on the ground floor of a #building# shall be limited to non-#residential uses#. The level of the finished floor of such ground floor shall be located not higher than two feet above nor lower than two feet below the as built level of the adjoining #street#.~~

~~Non-#residential uses# shall have a depth of at least 30 feet from the #street wall# of the #building# and extend along the entire width of the #building# except for lobbies and entrances to #accessory# parking spaces, provided such lobbies and entrances do not occupy more than 25 percent of the #street wall# width of the #building#. Enclosed parking spaces, or parking spaces covered by a #building#, including such spaces #accessory# to #residences#, shall be permitted to occupy the ground floor provided they are located beyond 30 feet of the #street wall# of the #building#.~~

In all C1, C2 and C4 Districts in the Borough of Staten Island, ground floor #uses# shall conform with the provisions of this Section 32-433.

Ground floor level #use# requirements

All #uses# on the ground floor of a #building# shall be limited to non-#residential uses# and have a depth of at least 30 feet from the #street wall# of the #building#, except that:

- (1) #Residential# lobbies, and an associated vertical circulation core, as well as entrances to #accessory# parking spaces shall be permitted on the ground floor, provided such lobbies and entrances conform to the frontage requirements of paragraph (b) of this Section;
- (2) Enclosed parking spaces, or parking spaces covered by a #building#, including such spaces #accessory# to #residences#, shall be permitted on the ground floor provided they are located beyond 30 feet of the #street wall# of the #building#; and
- (3) Where a #commercial district# is mapped along an entire #block# front, and a #zoning lot# includes #street# frontage along such #block# front, and also includes #street# frontage along a #block# front that is not mapped as a #commercial district# in its entirety, non-#residential uses# shall only be required only within 30 feet of the #street wall# facing the #block# front mapped in its entirety as a #commercial district#.

The level of the finished floor of such ground floor shall be located not higher than two feet above nor lower than two feet below the as-built level of the adjoining #street#.

#### Ground floor frontage requirements

Non-#residential uses# shall extend along the entire width of the ground floor of the #building#, except as follows:

- (1) In C1 and C2 Districts mapped within R1, R2 and R3 Districts, and in C4 Districts, #residential# lobbies and entrances to #accessory# parking spaces shall be permitted, provided such lobbies and entrances do not occupy more than 25 percent of the #street wall# width of the #building#; and
  - (2) In C1 and C2 Districts mapped within R4, R5 and R6 Districts, #residential# lobbies and entrances to #accessory# parking spaces shall be permitted, provided that:
    - (i) For #zoning lots# with a #street# frontage of less than 60 feet, such lobbies and entrances do not occupy more than 50 percent of the #street wall# width along such frontage, or 20 feet, whichever is less. In addition, an entrance to #accessory# parking spaces shall not exceed a width of 15 feet; and
    - (ii) For #zoning lots# with a #street# frontage equal to or greater than 60 feet, such lobbies and entrances do not occupy more than 25 percent of the #aggregate width of street wall# of the #building#.
- (c) Non-conforming buildings  
#Buildings# containing #non-conforming residential uses# on the ground floor shall be permitted to #enlarge# without regard to the #use# regulations of this Section 32-433 provided that such #enlargement# complies with the provisions of the #residential yard# regulations set forth in Section 23-40 (YARD REGULATIONS).

\* \* \*

**Chapter 3**  
**Bulk Regulations for Commercial or Community Facility Buildings in Commercial Districts**

\* \* \*

**33-04**  
**Lower density growth management areas**

For areas designated as #lower density growth management areas# pursuant to Section 12-10 (DEFINITIONS), the underlying district regulations shall apply. Such regulations are superseded or supplemented as set forth in the following Sections:

Section 11-45 (Authorizations or Permits in Lower Density Growth Management Areas)

Section 12-10 (DEFINITIONS - Floor area; Lower density growth management area, and Private road)

Section 22-14 (Use Group 4 – Ambulatory diagnostic or treatment health care facilities)

Section 32-11 (Use Groups 1 and 2)

Section 32-433 (Ground floor use in C1, C2 and C4 Districts in the Borough of Staten Island)

Section 33-121 (In districts with bulk governed by Residence District bulk regulations)

Section 33-431 (In districts with bulk governed by surrounding Residence District)

Section 36-21 (General provisions)

Section 36-231 (In districts with high, medium or low parking requirements)

Section 36-27 (Waiver for Certain Small Zoning Lots)

Section 36-521 (Size of Spaces)

Section 36-581 Special parking regulations for certain community facility uses in the Borough of Staten Island and Community District 10 in the Borough of the Bronx)

Section 37-10 (APPLICABILITY OF ARTICLE II, CHAPTER 6, TO DEVELOPMENTS WITH PRIVATE ROADS)

Section 37-20 (SPECIAL REGULATIONS FOR LOWER DENSITY GROWTH MANAGEMENT AREAS IN THE BOROUGH OF STATEN ISLAND, inclusive

Section 73-125 (Ambulatory diagnostic or treatment health care facilities)

Section 107-412 (Special bulk regulations for certain community facility uses in lower density growth management areas)

Section 107-62 (Yard, Court and Parking Regulations)

Section 107-464 (Side yards for permitted non-residential use)

Section 119-05 (Applicability of Parking Location Regulations)

Section 119-214 (Tier II requirements for driveways and private roads)

Section 128-052 (Applicability of Article 1, Chapter 2)

**33-10  
FLOOR AREA REGULATIONS**

\* \* \*

**33-121  
In districts with bulk governed by 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, the maximum #floor area ratio# for a #commercial# or #community facility building# is determined by the #Residence District# within which such #Commercial District# is mapped and shall not exceed the maximum #floor area ratio# set forth in the following table:

**MAXIMUM FLOOR AREA RATIO**

District	For #Commercial Buildings#	For #Community Facility Buildings#	For #Buildings# Used for Both #Commercial# and #Community Facility Uses#
R1 R2	1.00	0.50	1.00

R3-1 R3A R3X	1.00	1.00	1.00
R3-2	1.00	1.60	1.60
R4 R5	1.00	2.00	2.00
R5D R6B	2.00	2.00	2.00

\* \* \*

\* In R8B Districts, within the boundaries of Community ~~Board~~ District 8 in the Borough of Manhattan, the maximum #floor area ratio# on a #zoning lot# containing #community facility uses# exclusively shall not exceed 5.10.

In addition, the following provisions shall apply:

- (a) In #buildings# used for both #commercial uses# and #community facility uses#, the total #floor area# used for #commercial uses# shall not exceed the amount permitted for #commercial buildings#.
- (b) In C1 and C2 Districts mapped within R1 and R2 Districts, the maximum #floor area ratio# for #community facility uses# in a #building# used for both #commercial uses# and for #community facility uses# is 0.50 unless it is increased pursuant to the special permit provisions of Section 74-901 (Certain community facility uses in R1 and R2 Districts and certain Commercial Districts.)
- (c) In C1 and C2 Districts mapped within R1, R2, R3-1, R3A and R3X Districts in the Borough of Staten Island and in Community District 10 in the Borough of the Bronx, the maximum #floor area ratio# for any #zoning lot# containing a #building# used for ambulatory diagnostic or treatment health care facilities, as listed in Section 22-14 (Use Group 4), or child care services, as listed under the definition of #school# in Section 12-10 (DEFINITIONS) shall be 1.2.
- (d) In C1 and C2 Districts mapped within R3, R4, R5, R6, R7, R8 and R9 Districts, for any #zoning lot# containing nursing homes, health-related facilities, domiciliary care facilities for adults, sanitariums and philanthropic or non-profit institutions with sleeping accommodations, the total #floor area# used for #community facility uses# shall not exceed the amount as set forth in paragraph (b) of Section 24-111 unless modified pursuant to Section 74-902.
- (e) The maximum #floor area ratio# for any #building# used partly for #commercial uses# and partly for nursing homes, health-related facilities, domiciliary care facilities for adults, sanitariums and philanthropic or non-profit institutions with sleeping accommodations shall

not exceed the amount permitted for a #commercial building# by the applicable district regulations. However, for the districts in which the allowable #floor area#, as set forth in paragraph (b) of Section 24-111, exceeds the amount permitted for a #commercial building#, the provisions of paragraph (b) of Section 24-111 shall be used to compute the maximum #floor area# permissible for the #building# unless modified pursuant to Section 74-902.

\* \* \*

**33-431**

**In C1 or C2 Districts with bulk governed by surrounding Residence District**

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

- (a) In the districts indicated, the maximum height of a front wall and the required front setback of a #building or other structure# shall be determined by the #Residence District# within which such #Commercial District# is mapped and, except as otherwise set forth in this Section, shall be as set forth in the following table:

**MAXIMUM HEIGHT OF FRONT WALL AND REQUIRED FRONT SETBACKS**

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

Within R1, R2, R3, R4, R5 R5A or R5B Districts

20	15	30 feet or two #stories#, whichever is less	30	1	to 1	1	to 1
----	----	---	----	---	------	---	------

Within R6 or R7 Districts

20	15	60 feet or four #stories#, whichever is less	60	2.7	to 1	5.6	to 1
----	----	--	----	-----	------	-----	------

\* \* \*

However, in accordance with the provisions of Section 32-42 (Location within Buildings), no #commercial building# or portion thereof occupied by non-#residential uses# listed in Use Groups 6A, 6B, 6C, 6F, 7, 8, 9 or 14 shall exceed in height 30 feet or two #stories#, whichever is less.

For #community facility buildings# or #buildings# used for both #community facility use# and #commercial use#, when mapped within R4, R5, R5A or R5B Districts, the maximum height of a front wall shall be 35 feet or three #stories#, whichever is less, and the height above #street line# shall be 35 feet and, when mapped within R7-2 Districts, the maximum height of a front wall shall be 60 feet or six #stories#, whichever is less.

In C1 or C2 Districts mapped within R1, R2 or R3 Districts in the Borough of Staten Island or in Community District 10 in the Bronx, for #buildings# containing ambulatory diagnostic or treatment health care facilities, as listed in Section 22-14 (Use Group 4), or child care services, as listed under the definition of #school# in Section 12-10 (DEFINITIONS), the maximum height of a front wall or other portion of a #building# within the #initial setback distance# shall be 35 feet, or three #stories#, whichever is less. However, such increased height shall only be permitted beyond 20 feet of a #Residence District# boundary or beyond 20 feet of any portion of a #building# containing a #residential use# located in a #Commercial District#.

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

(b) In the districts indicated, when mapped within R6A, R6B, R7A, R7B, R7D, R7X, R8A, R8B, R8X, R9A, R10A or R10X Districts, the height and setback regulations of Sections 33-43 through 33-457, inclusive, shall not apply. In lieu thereof, the provisions of Section 35-24 (Special Street Wall Location and Height and Setback Regulations in Certain Districts) shall apply.

\* \* \*

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

\* \* \*

**36-20**  
**REQUIRED ACCESSORY OFF-STREET PARKING SPACES FOR COMMERCIAL OR COMMUNITY FACILITY USES**

**36-21**  
**General Provisions**  
C1 C2 C3 C4 C5 C6 C7 C8

\* \* \*

The requirements of this Section shall be waived in the following situations:

- (a) when, as a result of the application of such requirements, a smaller number of spaces would be required than is specified by the provisions of Section 36-23 (Waiver of Requirements for Spaces below Minimum Number);
  - (b) when the Commissioner of Buildings has certified, in accordance with the provisions of Section 36-24 (Waiver of Requirements for All Zoning Lots Where Access Would Be Forbidden), that there is no way to arrange the spaces with access to the #street# to conform to the provisions of Section 36-53 (Location of Access to the Street);
- for houses of worship, in accordance with the provisions of Section 36-25 (Waiver for Locally-Oriented Houses of Worship); or

for ambulatory diagnostic or treatment health care facilities, as listed in Section 22-14 (Use Group 4), or a child care service, as listed under the definition of #school# in Section 12-10 (DEFINITIONS), pursuant to Section 36-27 (Waiver for small zoning lots containing certain community facility uses in the Borough of Staten Island and Community District 10 in the Borough of the Bronx).

**REQUIRED OFF-STREET PARKING SPACES FOR COMMERCIAL OR COMMUNITY FACILITY USES**

Type of #Use#

Parking Spaces Required in Relation to Specified Unit of Measurement	-	Districts
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\* \* \*

**FOR COMMUNITY FACILITY USES**

\* \* \*

Ambulatory diagnostic or treatment health care facilities listed in Use Group 4

None required - C1-5 C1-6 C1-7 C1-8 C1-9 C2-5 C2-6 C2-7 C2-8 C4-4A C4-5 C4-5A C4-5X C4-6 C4-7 C5 C6 C8-4

1 per 150\* sq. ft. of #floor area# and #cellar# space, except #cellar# space used for storage - C1-1 C2-1 C3 C4-1

1 per 300\* sq. ft. of #floor area# and #cellar# space, except #cellar# space used for storage - C1-2 C2-2 C4-2 C8-1

1 per 400\* sq. ft. of #floor area# and #cellar# space, except #cellar# space used for storage - C1-3 C2-3 C4-2A C4-3 C7 C8-2

1 per 1,000 sq. ft. of #floor area# and #cellar# space, except #cellar# space used for storage - C1-4 C2-4 C4-4 C4-5D C8-3

1 per 400 square feet of #floor area# when located above the first #story# ceiling - C1-1, C1-2, C2-1 and C2-2 Districts mapped within R3-2 Districts

1 per 400 square feet of #floor area# and #cellar# space, except #cellar# space used for storage, when located in #community facility buildings# or when located above the first #story# ceiling in #buildings# with both #commercial# and #community facility uses#- C1-1, C1-2, C2-1, and C2-2 Districts mapped within R1, R2, R3A, R3X and R3-1 Districts in the Borough of Staten Island and Community District 10 in the Borough of the Bronx and C4-1 and C4-2 Districts in the Borough of Staten Island and Community District 10 in the Borough of the Bronx

\* \* \*

Child care services, as listed under the definition of #school# in Section 12-10 (DEFINITIONS), in #lower density growth management areas#

Square feet of #floor area#:

1 per 1000 square feet when located in #community facility buildings# or when located above the first #story# ceiling in #buildings# with both #commercial# and #community facility uses# - C1-1, C1-2, C2-1 and C2-2 Districts mapped within R1, R2, R3A, R3X and R3-1 Districts in the Borough of Staten Island and Community District 10 in the Borough of the Bronx and C4-1 and C4-2 Districts in the Borough of Staten Island and Community District 10 in the Borough of the Bronx.

\* \* \*

**36-231**

**In districts with high, medium, or low parking requirements**

C1-1 C1-2 C1-3 C2-1 C2-2 C2-3 C3 C4-1 C4-2 C4-3 C7 C8-1 C8-2

In the districts indicated, except for the #uses# listed in Section 36-233 (Exceptions to application of waiver provisions), and except as otherwise provided in Section 36-27 (Waiver for Certain Small Zoning Lots), the parking requirements set forth in Sections 36-21 (General Provisions) or 36-22 (Special Provisions for a Single Zoning Lot with Uses Subject to Different Parking Requirements) shall not apply to #commercial uses# in parking requirement category A, B, B1, C, D, E, or H, or to permitted #community facility uses#, if the total number of #accessory# off-street parking spaces required for all such #uses# on the #zoning lot# is less than the number of spaces set forth in the following table:

Number of Spaces	Districts
10	C1-1 C2-1 C3 C4-1
15	C1-2 C2-2 C4-2 C8-1
25	C1-3 C2-3 C4-2A C4-3 C7 C8-2

\* \* \*

**36-27**  
**Waiver for Certain Small Zoning Lots**  
C1-1 C1-2 C2-1 C2-2 C4-1 C4-2

In C1-1, C1-2, C2-1 and C2-2 Districts mapped within R1, R2, R3A, R3X and R3-1 Districts in the Borough of Staten Island and in Community District 10 in the Borough of the Bronx, and in C4-1 and C4-2 Districts in the Borough of Staten Island and in Community District 10 in the Borough of the Bronx, for #zoning lots# with a #lot area# of 4,000 square feet or less with #buildings# containing either ambulatory diagnostic or treatment health care facilities, as listed in Section 22-14 (Use Group 4), or a child care service, as listed under the definition of #school# in Section 12-10 (DEFINITIONS), no #accessory# off-street parking spaces shall be required, provided such #zoning lot# existed both on (effective date of amendment) and on the date of application for a building permit.

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

\* \* \*

**36-33**  
**Requirements Where Group Parking Facilities Are Provided**  
 C1 C2 C3 C4 C5 C6 C7 C8

In the districts indicated, for #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.

\* \* \*

**36-34**  
**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 lots#, 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.

\* \* \*

**36-345**

**Waiver of requirements for small zoning lots in certain districts in the Borough of Staten Island**

C1 C2

In the districts indicated mapped within R4, R5 and R6 Districts in the Borough of Staten Island, for #zoning lots# with a #lot area# of 4,000 square feet or less, no #accessory# off-street parking spaces shall be required, provided such #zoning lot# existed both on (effective date of amendment) and on the date of application for a building permit.

\* \* \*

**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.

**36-521**

**Size of spaces**

C1 C2 C3 C4 C5 C6 C7 C8

In all districts, as indicated, for all #accessory# off-street parking spaces, open or enclosed, each 300 square feet of unobstructed standing or maneuvering area shall be considered one parking space. However, an area of less than 300 square feet, but in no event less than 200 square feet, may be considered as one space, where the layout and design of the parking area are adequate to permit convenient access and maneuvering in accordance with regulations promulgated by the Commissioner of Buildings, or where the developer or applicant for a building permit or certificate of occupancy certifies that such spaces will be fully attended.

In any case where a reduction of the required area per parking space is permitted on the basis of the developer's certification that such spaces will be fully attended, it shall be set forth in the certificate of occupancy that paid attendants employed by the owners or operators of such spaces

shall be available to handle the parking and moving of automobiles at all times when such spaces are in use.

In no event shall the dimensions of any parking stall be less than 18 feet long and eight feet, six inches wide.

In the Borough of Staten Island and in #lower density growth management areas# in Community District 10, Borough of the Bronx, for #commercial# or #community facility uses#, each required parking space not within a #building# shall be within a parking stall accessed from a travel aisle, where each such stall and aisle complies with the maneuverability standards of paragraph (b) of Section 36-58 (Parking Lot Maneuverability and Curb Cut Regulations). The use of an attendant shall be permitted only where necessary to accommodate additional, non-required parking spaces within the travel aisles. For such parking areas with 18 or more spaces, or greater than 6,000 square feet in area, the provisions of Section 37-90 (Parking Lots) shall also apply.

\* \* \*

**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

\* \* \*

**36-56**

**Screening**

C1 C2 C3 C4 C5 C6 C7 C8

In all districts, as indicated, all open off-street parking areas with 10 spaces or more, which are located on #zoning lots# adjacent to the boundary of a #Residence District#, either at natural grade or on a roof:

\* \* \*

**36-58**

**Parking Lot Maneuverability and Curb Cut Regulations**

C1 C2 C3 C4 C5 C6 C7 C8

\* \* \*

**36-581**

**Special parking regulations for certain community facility uses in the Borough of Staten Island and Community District 10 in the Borough of the Bronx**

C1 C2 C4

In C1, C2 and C4 Districts in the Borough of Staten Island or in Community District 10 in the Borough of the Bronx, all #zoning lots# containing #buildings# used for:

- (a) ambulatory diagnostic or treatment health care facilities, as listed in Section 22-14 (Use Group 4), except where such #zoning lot# contains #buildings# used for hospitals or nursing homes as defined in the New York State Hospital Code; or
- (b) child care service as listed under the definition of #school# in Section 12-10 (DEFINITIONS), except where such #zoning lot# contains #buildings# used for houses of worship; or, for #zoning lots# that do not contain #buildings# used for houses of worship, the amount of #floor area# used for child care services is equal to 25 percent or less of the amount of # floor area# permitted for #community facility use# on the #zoning lot#

shall comply with the following provisions:

- (1) Notwithstanding the applicability provisions of paragraph (a) of Section 36-58 (Parking Lot Maneuverability and Curb Cut Regulations), the maneuverability provisions of paragraph (b) and the curb cut provisions of paragraph (c) of such Section shall apply to all #group parking facilities#, open or enclosed. No tandem parking or attended parking shall be permitted.
- (2) In addition to the screening requirements for open parking areas in Section 36-56 (Screening) any parking area covered by a roof shall be screened from adjoining #zoning lots# in #Residence Districts# and from adjacent #streets# in accordance with the following provisions:
  - (i) Screening shall consist of a wall or barrier or uniformly painted fence of fire resistant material at least six feet high above finished grade and may be interrupted by normal entrances or exits;
  - (ii) Such wall, barrier or fence may be opaque or perforated, provided that not more than 50 percent of the surface is open. No chain link fencing shall be permitted. Such screening shall be maintained in good condition at all times;
  - (iii) Where the exterior wall of a parking facility facing a #street# has an opaque area with a width greater than 40 feet and a height greater than six feet, such area shall be treated with a decorative element or material or shall be screened with planting so as to provide visual relief. Such screening or decorative treatment shall be applied to a minimum height of 15 feet above adjoining grade or the height of the wall, whichever is less;
  - (iv) For parking areas covered by a roof, where at least half of the surface area of such roof serves as children's play space for #buildings# containing child care services as listed under the definition of #school# in Section 12-10 (DEFINITIONS), such covered parking area shall not be considered an "open parking area" for the

purposes of Section 37-90 (PARKING LOTS), inclusive, and shall therefore not require perimeter or interior landscaping pursuant to such Section. In lieu thereof, such covered parking area shall be screened in accordance with paragraph (2) of this Section 36-581.

\* \* \*

**Article VII: Administration**

\* \* \*

**Chapter 3**

**Special Permits by the Board of Standards and Appeals**

\* \* \*

**73-10**

**SPECIAL PERMIT USES**

\* \* \*

**73-125**

**Ambulatory diagnostic or treatment health care facilities**

In R3A, R3X, R3-1, R4A, R4B or R4-1 Districts, the Board of Standards and Appeals may permit ambulatory diagnostic or treatment health care facilities listed in Use Group 4, limited in each case to a maximum of 10,000 square feet of #floor area#, provided that ~~the Board finds that the amount of open area and its distribution on the #zoning lot# conform to standards appropriate to the character of the neighborhood.~~ where such facilities are located in #lower density growth management areas#, such facilities are located on #zoning lots# that comply with the minimum #lot area# and #lot width# regulations of Section 23-35 (Special Provisions for Zoning Lots Containing Certain Community Facility Uses in Lower Density Growth Management Areas).

In addition, for #buildings# in R3, R4, and R5 Districts in #lower density growth management areas# subject to the provisions of paragraph (b) of Section 24-013 (Exceptions to the bulk regulations of this Chapter) the Board may permit the #development# of a #building# pursuant to the #bulk# regulations of Article II, Chapter 4 (Bulk Regulations for Community Facility Buildings in Residence Districts).

In order to grant such special permit, the Board shall find that the amount of open area and its distribution on the #zoning lot# conform to standards appropriate to the character of the neighborhood.

Additionally, in #lower density growth management areas#, the Board shall find that:

- (a) the distribution of #bulk# on the #zoning lot# will not unduly obstruct access of light and air to adjoining properties or #streets#; and

(b) the scale and placement of the #building# on the #zoning lot# relates harmoniously with surrounding #buildings#.

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

\* \* \*

#### **74-49**

##### **Residential Use in C4-1 Districts in Staten Island**

In the Borough of Staten Island, in C4-1 Districts that occupy at least four acres within a #block# and in other C4-1 Districts for #zoning lots# that, ~~on December 21, 2005, were greater than 20,000 square feet,~~ had a #lot area# greater than 20,000 square feet on December 21, 2005, or on any subsequent date, the City Planning Commission may permit #residences#, provided such #residences# comply with the #bulk# regulations for R5 Districts as set forth in Article II, Chapter 3, or, for #mixed buildings#, Article III, Chapter 5.

\* \* \*

#### **74-901**

##### **Certain community facility uses in R1 and R2 Districts and certain Commercial Districts**

In R1 and R2 Districts, and in C1 and C2 Districts mapped within such #Residence Districts# for any #development#, #extension# or #enlargement# or change of #use# involving any #community facility uses# other than domiciliary care facilities for adults or those for which a permit is required by the Board of Standards and Appeals pursuant to Sections 73-12 (Community Facility Uses in R1 or R2 Districts) or 73-13 (Open Uses in R1 or R2 Districts), the City Planning Commission may permit the allowable community facility #floor area ratio# and #lot coverage# of Section 24-11 (Maximum Floor Area Ratio and Percentage of Lot Coverage) to apply to all such #uses#, provided that the following findings are made:

- (a) that the distribution of the #bulk# of the total #development# will not unduly obstruct the access of light and air in and to adjoining properties or public #streets#, and will result in satisfactory site planning and satisfactory urban design relationships of #buildings# to adjacent #streets# and surrounding #developments#;
- (b) that the architectural and landscaping treatment and the height of the proposed #building# containing such #uses# blends harmoniously with the topography and the surrounding area;
- (c) that the proposed #development# will not require any significant additions to the supporting services of the neighborhood or that provision for adequate supporting services has been made; and
- (d) that the #streets# providing access to such #use# are adequate to handle the traffic generated thereby or provision has been made to handle such traffic.

The Commission may request a report from appropriate governmental agencies with respect to #community facility uses# requesting a special permit under this Section.

To minimize traffic congestion in the area, the Commission may require where necessary off-street parking facilities and #accessory# off-street loading berths beyond the amount required by the district regulations.

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

\* \* \* \*

**Article X: Special Purpose Districts**

\* \* \*

**Chapter 7**

**Special South Richmond Development District**

\* \* \*

**107-40**

**SPECIAL USE, BULK AND PARKING REGULATIONS**

\* \* \*

**107-412**

**Special bulk regulations for certain community facility uses in lower density growth management areas**

The #bulk# regulations of this Chapter applicable to #residential buildings# shall apply to all #zoning lots# in #lower density growth management areas# containing #buildings# used for:

- (a) ambulatory diagnostic or treatment health care facilities, as listed in Section 22-14 (Use Group 4), except where such #zoning lot# contains #buildings# used for hospitals or nursing homes as defined in the New York State Hospital Code; or
- (b) child care service as listed under the definition of #school# in Section 12-10 (DEFINITIONS), except where such #zoning lot# contains #buildings# used for houses of worship; or, for #zoning lots# that do not contain #buildings# used for houses of worship, the amount of #floor area# used for child care services is equal to 25 percent or less of the amount of # floor area# permitted for #community facility use# on the #zoning lot#

\* \* \*

**107-42**

**Minimum Lot Area and Lot Width for Residences**

\* \* \*

**107-421**

**Minimum lot area and lot width for zoning lots containing certain community facility uses**

In R1, R2, R3A, R3X, R3-1, R4A, and R4-1 Districts the provisions of this Section shall apply to #zoning lots# containing #buildings# used for:

- (a) ambulatory diagnostic or treatment health care facilities, as listed in Section 22-14 (Use Group 4), except where such #zoning lot# contains #buildings# used for hospitals or nursing homes as defined in the New York State Hospital Code; and
- (b) child care service as listed under the definition of #school# in Section 12-10 (DEFINITIONS), except where:
  - (1) such #zoning lot# contains #buildings# used for houses of worship; or
  - (2) for #zoning lots# that do not contain #buildings# used for houses of worship, the amount of #floor area# used for child care services is equal to 25 percent or less of the amount of # floor area# permitted for #community facility use# on the #zoning lot#

The minimum #lot area# for such #zoning lots# containing ambulatory diagnostic or treatment health care facilities shall be 5,700 square feet, and the minimum #lot area# for such #zoning lots# containing child care services shall be 10,000 square feet. Where such #uses# are located on the same #zoning lot#, the applicable #lot area# requirement shall be allocated separately to each such #use#. In addition, each such #zoning lot# shall have a minimum #lot width# of 60 feet. Such #lot width# shall be applied as set forth in the definition of #lot width# in Section 12-10, provided that such #lot# width# shall also be met along at least one #street line# of the #zoning lot#. No #building#, or portion thereof, shall be permitted between opposing #side lot lines# where such #lot lines# would be nearer to one another at any point than 60 feet. For such #zoning lots# containing multiple #buildings# used in any combination for ambulatory diagnostic or treatment health care facilities, child care serves, or #residences#, the applicable minimum #lot area# and #lot width# requirements shall be allocated separately to each such #building#.

\* \* \*

**Article XI - Special Purpose Districts**

\* \* \*

**Chapter 3  
Special Ocean Parkway District**

\* \* \*

**113-50  
THE SUB-DISTRICT**

\* \* \*

### **113-503 Special bulk regulations**

For #single-# and #two-family detached# and #semi-detached residences#, certain underlying district #bulk# regulations set forth in Article II, Chapter 3 (Bulk Regulations for Residential Buildings in Residence Districts) are superseded by those set forth in Sections 113-51 through 113-55. The regulations applicable to a #predominantly built-up area# shall not apply in the subdistrict.

For #community facility buildings#, certain underlying district #bulk# regulations set forth in Article II, Chapter 4 (Bulk Regulations for Community Facility Buildings in Residence Districts), are superseded by those set forth in Sections 113-51 (Maximum Permitted Floor Area Ratio), 113-52 (Density Regulations), 113-542 (Minimum required front yards), 113-543 (Minimum required side yards), 113-544 (Minimum required rear yards) and 113-55 (Height and Setback Regulations). The provisions of Sections 24-01 (Applicability of this Chapter), paragraph (a) of Section 24-013 (Exceptions to the bulk regulations of this Chapter), and 24-04 (Modification of Bulk Regulations in Certain Districts) pertaining to R4-1 Districts shall not apply in the subdistrict.

\* \* \*

## **Chapter 9 Special Hillside Preservation District**

\* \* \*

### **119-30 SPECIAL REVIEW PROVISIONS**

\* \* \*

### **119-31 Authorizations**

\* \* \*

### **119-312 Authorization of certain uses within the Special Hillside Preservation District**

~~The City Planning Commission may grant authorizations for #commercial uses#, #community facility uses#, #group parking facilities# of 30 cars or more and for #enlargements# to any such #uses# and facilities.~~

Any #group parking facility# with 30 cars or more, and, in #residence districts#, any #community facility use# or #enlargement# thereof shall be allowed only by authorization of the City Planning Commission. In order to grant such authorizations, the Commission, upon review of ~~the~~ a site plan, shall find that:

- (a) the proposed #development#, #enlargement# or #site alteration# will not ~~disturb~~ adversely affect the drainage pattern and soil conditions of the area;
- (b) the proposed #development#, #enlargement# or #site alteration# has minimal impact on the existing natural topography and vegetation and blends harmoniously with it;
- (c) such #development#, #enlargement# or #site alteration# is so located as not to impair the essential character of the surrounding area;
- (d) the design of such #development#, #enlargement# or #site alteration# takes full advantage of all special characteristics of the site;
- (e) vehicular access and egress for such #development#, #enlargement# or #site alteration# is located and arranged so as to draw a minimum of vehicular traffic to and through local #streets# in nearby #residential# areas; and
- (f) where vehicular access and egress is located on an arterial, such location affords the best means for controlling the flow of traffic generated by such #development# to and from such arterial.

The City Planning Commission may permit modifications to parking lot landscaping and maneuverability requirements for applications for such authorizations of #group parking facilities# for over 30 cars or for #enlargements# to #group parking facilities# if such modifications preserve vegetation and natural topography.

\* \* \*

### **119-317**

#### **Modification of requirements for private roads and driveways**

For any #development#, #enlargement# or #site alteration#, the City Planning Commission may authorize variations in the requirements for #private roads# and driveways on any #Tier II zoning lot# as set forth in Section 119-214 (Tier II requirements for driveways and private roads) as well as the requirements of Sections 25-621 (Location of parking spaces in certain districts), 25-624 (Special parking regulations for certain community facility uses in lower density growth management areas) and 25-631 (Location and width of curb cuts in certain districts).

In order to grant such authorizations, the Commission shall find that:

- (a) the #development# or #enlargement# is not feasible without such modification, or that the requested modification will permit a #development#, #enlargement# or #site alteration# that satisfies the purposes of this Chapter;
- (b) such modification is the least modification required to achieve the purpose for which it is granted;
- (c) the requested modification will not disturb the drainage pattern and soil conditions of the area;
- (d) the requested modification has minimal impact on the existing natural topography and vegetation and blends harmoniously with it; and
- (e) such modification will enhance the quality of the design of the #development#, #enlargement# or site alteration#.

(On October 27, 2010, Cal. No. 4 the Commission scheduled November 17, 2010 for a public hearing, which has been duly advertised.)

**Close the hearing.**

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

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

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IV. CITY PLANNING COMMISSION 2011 SCHEDULE OF MEETINGS

	SUN	MON	TUE	WED	THU	FRI	SAT
JANUARY	2	3 REVIEW SESSION	4	5 CPC PUBLIC MEETING	6	7	8 NEW YEAR'S DAY
	9	10	11	12	13	14	15
	16	17 MARTIN LUTHER KING, JR. DAY	18	19	20	21	22
	23	24 REVIEW SESSION	25	26 CPC PUBLIC MEETING	27	28	29
	30	31					
FEBRUARY			1	2	3 CHINESE NEW YEAR	4	5
	6	7	8	9	10	11	12 LINCOLN'S BIRTHDAY
	13	14 REVIEW SESSION	15	16 CPC PUBLIC MEETING	17	18	19
	20	21 PRESIDENT'S DAY	22	23	24	25	26
	27	28 REVIEW SESSION					
MARCH			1	2 CPC PUBLIC MEETING	3	4	5
	6	7	8	9	10	11	12
	13	14 REVIEW SESSION	15	16 CPC PUBLIC MEETING	17	18	19
	20	21	22	23	24	25	26
	27	28 REVIEW SESSION	29	30 CPC PUBLIC MEETING	31		
APRIL						1	2
	3	4	5	6	7	8	9
	10	11 REVIEW SESSION	12	13 CPC PUBLIC MEETING	14	15	16
	17	18 PALM SUNDAY	19	20	21	22	23
	24	25 REVIEW SESSION	26	27 CPC PUBLIC MEETING	28	29	30
MAY	1	2	3	4	5	6	7
	8	9 REVIEW SESSION	10	11 CPC PUBLIC MEETING	12	13	14
	15	16	17	18	19	20	21
	22	23 REVIEW SESSION	24	25 CPC PUBLIC MEETING	26	27	28
	29	30 MEMORIAL DAY OBSERVED	31				
JUNE				1	2	3	4
	5	6 REVIEW SESSION	7 CPC PUBLIC MEETING	8	9	10	11
	12	13	14	15	16	17	18
	19	20 REVIEW SESSION	21	22 CPC PUBLIC MEETING	23	24	25
	26	27	28	29	30		
JULY						1	2
	3	4	5	6	7	8	9
	10	11 REVIEW SESSION	12	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
AUGUST	31						
		1 1st DAY RAMADAN	2	3	4	5	6
	7	8 REVIEW SESSION	9	10 CPC PUBLIC MEETING	11	12	13
	14	15	16	17	18	19	20
	21	22 REVIEW SESSION	23	24 CPC PUBLIC MEETING	25	26	27
SEPTEMBER	28	29	30	31			
					1	2	3
	4	5 LABOR DAY	6 REVIEW SESSION	7 CPC PUBLIC MEETING	8	9	10
	11	12	13	14	15	16	17
	18	19 REVIEW SESSION	20	21 CPC PUBLIC MEETING	22	23	24
OCTOBER	25	26	27	28	29	30	
	2	3 REVIEW SESSION	4	5 CPC PUBLIC MEETING	6	7	8
	9	10 COLUMBUS DAY OBSERVED	11	12	13	14	15
	16	17 REVIEW SESSION	18	19 CPC PUBLIC MEETING	20	21	22
NOVEMBER	23	24	25	26	27	28	29
	30	31 REVIEW SESSION					
	6	7	8 ELECTION DAY	9	10	11	12
	13	14 REVIEW SESSION	15	16 CPC PUBLIC MEETING	17	18	19
DECEMBER	20	21	22	23	24	25	26
	27	28 REVIEW SESSION	29	30 CPC PUBLIC MEETING			
	4	5	6	7	8	9	10
	11	12 REVIEW SESSION	13	14 CPC PUBLIC MEETING	15	16	17
NOVEMBER	18	19	20	21	22	23	24
	25	26 HWANZAA BEGINS	27	28 HANUKKAH	29	30	31
DECEMBER							

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	SUN	MON	TUE	WED	THU	FRI	SAT
JANUARY	2	3 REVIEW SESSION	4	5 CPC PUBLIC MEETING	6	7	8 NEW YEAR'S DAY
	9	10	11	12	13	14	15
	16	17 MARTIN LUTHER KING, JR. DAY	18	19	20	21	22
	23	24 REVIEW SESSION	25	26 CPC PUBLIC MEETING	27	28	29
	30	31					
FEBRUARY			1	2	3 CHINESE NEW YEAR	4	5
	6	7	8	9	10	11	12 LINCOLN'S BIRTHDAY
	13	14 REVIEW SESSION	15	16 CPC PUBLIC MEETING	17	18	19
	20	21 PRESIDENTS' DAY	22	23	24	25	26
	27	28 REVIEW SESSION					
MARCH			1	2 CPC PUBLIC MEETING	3	4	5
	6	7	8	9	10	11	12
	13	14 REVIEW SESSION	15	16 CPC PUBLIC MEETING	17	18	19
	20	21	22	23	24	25	26
	27	28 REVIEW SESSION	29	30 CPC PUBLIC MEETING	31		
APRIL						1	2
	3	4	5	6	7	8	9
	10	11 REVIEW SESSION	12	13 CPC PUBLIC MEETING	14	15	16
	17	18 PALM SUNDAY	19	20	21	22	23
	24	25 REVIEW SESSION	26	27 CPC PUBLIC MEETING	28	29	30
MAY	1	2	3	4	5	6	7
	8	9 REVIEW SESSION	10	11 CPC PUBLIC MEETING	12	13	14
	15	16	17	18	19	20	21
	22	23 REVIEW SESSION	24	25 CPC PUBLIC MEETING	26	27	28
	29	30 MEMORIAL DAY OBSERVED	31				
JUNE				1	2	3	4
	5	6 REVIEW SESSION	7 CPC PUBLIC MEETING	8	9	10	11
	12	13	14	15	16	17	18
	19	20 REVIEW SESSION	21	22 CPC PUBLIC MEETING	23	24	25
	26	27	28	29	30		
JULY						1	2
	3	4	5	6	7	8	9
	10	11 REVIEW SESSION	12	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
AUGUST	31						
		1 1st DAY RAMADAN	2	3	4	5	6
	7	8 REVIEW SESSION	9	10 CPC PUBLIC MEETING	11	12	13
	14	15	16	17	18	19	20
	21	22 REVIEW SESSION	23	24 CPC PUBLIC MEETING	25	26	27
SEPTEMBER	28	29	30	31			
					1	2	3
	4	5 LABOR DAY	6 REVIEW SESSION	7 CPC PUBLIC MEETING	8	9	10
	11	12	13	14	15	16	17
	18	19 REVIEW SESSION	20	21 CPC PUBLIC MEETING	22	23	24
OCTOBER	25	26	27	28	29	30	
	2	3 REVIEW SESSION	4	5 CPC PUBLIC MEETING	6	7	8
	9	10 COLUMBUS DAY OBSERVED	11	12	13	14	15
	16	17 REVIEW SESSION	18	19 CPC PUBLIC MEETING	20	21	22
NOVEMBER	23	24	25	26	27	28	29
	30	31 REVIEW SESSION					
	6	7	8 ELECTION DAY	9	10	11	12
	13	14 REVIEW SESSION	15	16 CPC PUBLIC MEETING	17	18	19
DECEMBER	20	21	22	23	24	25	26
	27	28 REVIEW SESSION	29	30 CPC PUBLIC MEETING			
	4	5	6	7	8	9	10
	11	12 REVIEW SESSION	13	14 CPC PUBLIC MEETING	15	16	17
DECEMBER	18	19	20	21	22	23	24
	25	26 HWANZAA BEGINS	27	28 HANUKKAH	29	30	31

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