

Glossary

This Glossary provides brief explanations for the planning and zoning terms that appear in bold and italics throughout the Zoning Handbook. When the term listed in the Glossary is followed by an asterisk (*), that term is legally defined in the Zoning Resolution. Most of those terms can be found in Section 12-10.

25-Foot Rule

Applies to an existing zoning lot that is split between two or more *zoning districts* that permit different *uses* or have different *bulk* rules. When the width of the portion of the *zoning lot* in one of the districts measures 25 feet or less at every point, the *use* or *bulk* rules of the larger district can be applied to the entire *zoning lot*. (See Chapter 1: Introduction to Zoning)

(A) Application

A modified land use application, sometimes called an “(A) Text,” that introduces new subject matter or goes beyond the extent of changes proposed in the original application. The *City Planning Commission (CPC)* must hold a public hearing on both the original and modified applications at the same time. (See Chapter 8: How Zoning Gets Amended)

Accessory Use*

A *use* that is related to and customarily found in connection with the principal *use*. For example, parking is typically provided for the convenience of the owners, employees, occupants or customers of a *use* and is therefore accessory for most uses. Both must be on the same *zoning lot*, unless the district regulations permit another location for the accessory use.

Accessory Sign*

A *sign* that directs attention to a business, profession, commodity, service or entertainment conducted, sold or offered upon the same *zoning lot*.

Advertising Sign*

A *sign* that directs attention to a business, profession, commodity, service or entertainment conducted, sold or offered somewhere other than the *zoning lot*.

Affordable Housing Fund*

In certain instances, compliance with *Mandatory Inclusionary Housing (MIH)* program, can be met by paying into this fund administered by the Department of Housing Preservation and Development, which is restricted to use for affordable housing purposes. (See Chapter 6: Special Area Rules)

Affordable Housing Unit*

A *dwelling unit*, other than a super’s unit, that can only be rented or sold to low-income households and/or a combination of low-income and moderate- or middle-income households as part of the *Inclusionary Housing* program. (See Chapter 6: Special Area Rules)

Affordable Independent Residence for Seniors (AIRS)*

A category of low-income senior housing that is eligible for additional floor area and more flexible height and setback regulation in many districts. An AIRS is a *building*, several buildings, or a portion of a building, containing residences where at least 90 percent of the *dwelling units* are occupied by at least one person aged 62 years or over and where all of the units are *income-restricted housing units*, other than a super’s unit. Social and welfare facilities that are primarily for residents – such as cafeterias, dining halls, community rooms and workshops – must be provided. (See Chapter 3: Residence Districts)

As-of-right Development

A *development* that complies with all applicable zoning regulations and other laws, and does not require any *discretionary action* by the *City Planning Commission (CPC)* or *Board of Standards and Appeals (BSA)*. A large majority of development in the city is as-of-right. (See Chapter 1: Introduction to Zoning)

Attached Building*

A *building* that abuts two *side lot lines* or is part of a row of abutting buildings.

Attic Allowance

Allows the maximum *floor area ratio (FAR)* to be increased by up to 20 percent for the provision of a pitched roof in R2X and all R3 and R4 (except R4B) districts. Design requirements for the pitched roof vary in *lower density growth management areas (LDGMA)*. (See Chapter 3: Residence Districts and Chapter 6: Special Area Rules)

Authorization

A *discretionary action* by which the *City Planning Commission (CPC)* may modify certain specific zoning requirements for a property if certain findings in the Zoning Resolution have been met. Authorizations are not subject to *Uniform Land Use Review Procedure* review and the CPC does not hold any public hearings, although it generally refers such applications to the appropriate community board(s) for comment. (See Chapter 1: Introduction to Zoning)

Balcony

A residential building element, subject to certain limitations on dimensions and enclosure that is allowed to project as a *permitted obstruction* into required *yards*, open areas and beyond limits on height and setback.

Base Flood Elevation*

A flood protection standard that is the height that has a one percent chance of being equaled or exceeded by a flood in any given year, as determined and represented on maps generated by the Federal Emergency Management Agency. Space in buildings below the base flood elevation is restricted by the *Building Code*.

Base Height

The maximum permitted height of the front wall of a *building* before any required *setback*.

Base Plane*

A horizontal plane from which the height of a *building* is measured. It is used in most lower density and contextual districts, and for properties in *waterfront areas*. The base plane is often at curb level. On sites that slope upwards or downwards from a *street*, or on large lots where buildings are far from a street, the base plane is adjusted to more accurately reflect the level at which the building meets the ground.

Basement*

A *building story* that has at least one-half of its floor-to-ceiling height above *curb level* or the *base plane*, but the rest below this level. This distinguishes a basement from a *cellar*. A basement is included in *floor area* calculations.

Bioswale

A landscape element designed to capture storm water run-off from adjacent surface areas. It has inverted sloped sides that allow rainwater to drain into it and contains vegetation and mulch designed to remove pollutants before the water enters the soil. It is required in certain parking lots *accessory* to *commercial* or *community facility uses*. (See Chapter 4: Commercial Districts)

Block*

A tract of land bounded on all sides by *streets*, or a combination of streets, *public parks*, *railroad rights-of-way*, *pierhead lines* or airport boundaries.

Blockfront

A portion of a *block* consisting of all of the *zoning lots* fronting on a single *street*.

Board of Standards and Appeals (BSA)

A body of five commissioners, appointed by the Mayor, which reviews and grants applications for *special permits* for certain proposed *developments* and *uses*, and *variances* for *zoning lots* with irregular physical conditions and where construction might not otherwise be possible. In addition, the BSA hears and decides appeals to determinations by the Department of Buildings (DOB). (See Chapter 1: Introduction to Zoning)

Bonus (see Incentive Zoning)**Building***

A structure that has one or more floors and a roof, is permanently affixed to the land and is bounded by open areas or *zoning lot lines*, has at least one primary entrance, and does not rely on other buildings for vertical circulation or fire protection systems.

Building Code

Common name for the New York City construction codes that, along with the Zoning Resolution, regulate building construction in the city. These codes – for plumbing, building, mechanical, fuel gas, and energy conservation – are administered by the Department of Buildings (DOB).

Building Envelope

A three-dimensional space that defines the maximum volume within which a structure can be built on a *zoning lot*. This is shaped by applicable height, *setback*, *lot coverage* and *yard* controls.

Building Height

A *building's* vertical dimension, measured from the *curb level* or *base plane* to the roof of the building (not including permitted obstructions above a height limit, such as elevator *bulkheads*).

Building Segment

A portion of a *building* where each portion contains one or more *dwelling units* served by a separate entrance, but is not located above or below another building segment. For example, each townhouse in a row of *attached* townhouses is considered a building segment.

Bulk*

The combination of controls including *lot size*, *floor area ratio*, *lot coverage*, *open space*, *yards*, height and *setback* that determine the maximum size and placement of a *building* on a *zoning lot*.

Bulkhead

An enclosed structure on the roof of a *building* that can include mechanical equipment, water tanks and roof access from interior stairwells. It is not counted as *floor area* and can exceed the maximum permitted zoning height and *setback* requirements, within limits specified in the Zoning Resolution.

Bulkhead Line

A line shown on the *Zoning Maps* that divides the upland and seaward portions of *zoning lots* in *waterfront areas*. The bulkhead line typically reflects the outermost limit where land can be located. (See Chapter 6: Special Area Rules)

Car Sharing Vehicle*

A vehicle maintained and owned or leased by an organization making it available for short-term use by its members, and which may be parked in certain types of *accessory* or *public parking* facilities.

Cellar*

A level of a *building* that has at least one-half of its floor-to-ceiling height below *curb level* or the *base plane*. This distinguishes a cellar from a *basement*. A cellar is not included in *floor area* calculations.

Certification

A non-*discretionary action* taken by the *City Planning Commission (CPC)*, or its Chair, informing the *Department of Buildings (DOB)* that a project has complied with specific conditions in the Zoning Resolution.

This word is also used to denote the beginning of the *Uniform Land Use Review Procedure (ULURP)* process, when the Department of City Planning has determined that an application is complete and ready to begin the public review process. (See Chapter 8: How Zoning Gets Amended)

City Environmental Quality Review (CEQR)

Pursuant to state law, the CEQR process identifies and assesses the expected effects of *discretionary actions* on the surrounding environment. (See Chapter 8: How Zoning Gets Amended)

City Map

A collection of maps that show *streets*, grades, parks, *pierhead* and *bulkhead lines*, public places and other legally established map elements. It is the official map of New York City and is the basis for the *Zoning Maps* in the Zoning Resolution. The office of each Borough President is responsible for maintaining the portions of the City Maps in that borough.

City Planning Commission (CPC)

First established in 1936, the CPC today is a 13-member panel responsible for the conduct of planning relating to the orderly growth and development of the city. The CPC meets regularly to hold public hearings and review and vote on applications related to the use and improvement of land, taking into account anticipated environmental impacts. The Mayor appoints the Chair, who also serves as the Director of the Department of City Planning (DCP), and six other members; each Borough President appoints one member and one member is appointed by the Public Advocate. DCP provides technical support for the work of the Commission.

Commercial Building*

Any *building* occupied only by *commercial uses*.

Commercial District*

A zoning district, designated by the letter C (C1-2, C3, C4-7, for example), in which *commercial uses* are allowed. *Residential* and *community facility uses* may also be permitted. The regulations for Commercial Districts are set forth in Article III of the Zoning Resolution. (See Chapter 4: Commercial Districts)

Commercial Overlay

A C1 or C2 District *mapped* within *Residence Districts* to accommodate local retail and services (grocery stores, dry cleaners, restaurants, for example). These districts, designated by the letters C1-1 through C1-5 and C2-1 through C2-5, appear on the Zoning Map as a pattern superimposed on a Residence District. (See Chapter 4: Commercial Districts)

Commercial Use*

Any retail, service or office *use* listed in Use Groups 5 through 16, or allowed by *special permit*. (See Chapter 4: Commercial Districts)

Community Board (see Community District)

Community District (CD)

New York City is organized into 59 Community Districts. Each CD is represented by a Community Board, composed of volunteer community members (appointed by the Borough President and at least half of whom are nominated by local Councilmembers), that provides information to local residents and businesses and advises on planning and service issues.

Community Facility Building*

Any *building* occupied only by *community facility uses*.

Community Facility Use*

A facility providing educational, health, recreational, religious or other services. These *uses* are listed in *Use Groups* 3 and 4. (See Chapter 3: Residence Districts)

Contextual District

A *zoning district* that regulates the height and *bulk* of new *buildings*, their setback from the *street line*, and their width along the street frontage, to reflect a form consistent with the scale and character of many neighborhoods. *Residence* and *Commercial Districts* with an A, B, D or X suffix are contextual zoning districts. (See Chapter 3: Residence Districts)

Conversion*

A change of a building's *use* to another use category, such as from a commercial to a residential *use group*. (See Chapter 1: Introduction to Zoning)

Court*

An open area, other than a *yard* or a portion of a yard, that is unobstructed from its lowest level to the sky, and is bounded by *building* walls, or by building walls and one or more *lot lines*. (See Chapter 3: Residence Districts)

Corner Lot*

A *zoning lot* that adjoins the point of intersection of two or more *streets*. A zoning lot bounded entirely by streets is also considered a corner lot.

Curb Cut

A drop in the curb that permits vehicular access from a street to a driveway, garage, parking lot or loading dock. In *Residence Districts* there are width and spacing rules to protect the existence of curbside parking. (See Chapter 3: Residence Districts)

Curb Level*

The level of the sidewalk in front of a *zoning lot*. In general, it is used to determine the point from which building height and setback controls are measured.

Density

Generally refers to a combination of *bulk* and concentration or intensity of *use*, often describing extent or degree of concentration. For *residential use*, density is often used descriptively to refer to the *dwelling unit factor*.

Detached Building*

A freestanding *building* whose sides are surrounded by *yards* or open areas within the *zoning lot*.

Development*

Either the construction of a new *building* or other structure on a *zoning lot*, the relocation of an existing building to another zoning lot, or the establishment of a new open *use* on a tract of land.

Development Rights

Generally speaking, an amount of *floor area* permissible on a *zoning lot*. When the floor area that has been built is less than the maximum amount of floor area permitted, the difference is often referred to as “unused development rights.”

Discretionary Action

An action requiring the approval of either the *City Planning Commission (CPC)* or the *Board of Standards and Appeals (BSA)*. Discretionary actions include zoning amendments, special permits, *authorizations* and variances. (See Chapter 1: Introduction to Zoning)

Dormer

A portion of a *building* allowed as a *permitted obstruction* within a required *setback* area to create architectural interest and design variety. In lower density districts, it is often a window protruding from a sloped roof to provide more light and air to the top floors of homes. In R6 through R10 *contextual districts*, it is a portion of a building allowed to penetrate a required *setback* above the maximum *base height*. Both types of dormers are subject to size limitations. (See Chapter 3: Residence Districts)

Dwelling Unit*

Consists of one or more rooms in a residential *building*, or residential portion of a building, that also contains cooking and sanitary facilities and is inhabited by one or more persons living together, maintaining a common household. Most conventional apartments or houses in New York City consist of dwelling units.

Dwelling Unit Factor

A number by which total residential *floor area* is divided to calculate and regulate the maximum number of *dwelling units* permitted in a *building*. The factor varies by *zoning district*. (See Chapter 3: Residence Districts)

E-Designation

A special zoning label placed on a property as part of a *discretionary action* that requires specified environmental issues be addressed before a *building* is constructed or enlarged or the *use* of the land changes. (See Chapter 6: Special Area Rules)

Enlargement*

A change to an existing *building* that increases its *floor area*, or an expansion of an existing open *use* onto a portion of a *zoning lot* not previously used for that purpose. (See Chapter 1: Introduction to Zoning)

Environmental Impact Statement (EIS)

A detailed study that examines the environmental effects of a project requiring a *discretionary action*. An EIS is required when a more limited analysis is not sufficient to conclude that the project would not result in significant adverse effects on the environment. The study looks at a variety of environmental categories, typically including traffic, schools, air quality, noise and building shadows. (See Chapter 8: How Zoning Gets Amended)

Extension*

An expansion of an existing *use* to occupy additional existing *floor area* within a *building*. (See Chapter 1: Introduction to Zoning)

Fence

In most instances, fences are considered *permitted obstructions*. In *Residence Districts*, the maximum height of a fence constructed along a *front lot line* is four feet above ground level. The maximum height of a fence along the *side* or *rear lot line* is six feet.

Flashing Sign*

An *illuminated sign*, whether stationary, revolving or rotating, which changes light or color.

Flood-resistant construction elevation* (FRCE)

The height from which *building* heights are measured for a building complying with the flood-resistant construction standards of the *Building Code*. This is based on the *base flood elevation* as well as Building Code requirements.

Flood Zone*

The area of the city that is at risk of flooding in an event that has a one percent annual chance of occurring, as designated by the Federal Emergency Management Agency. In a flood zone, special *Building Code* requirements apply, and special zoning provisions are available to enable compliance with the Building Code and reduce the vulnerability of *buildings*. (See Chapter 6: Special Area Rules)

Floor Area*

The sum of the gross area of each floor of a *building*. Several types of spaces are excluded from this sum, including mechanical space, *cellar* space, open balconies, elevator or stair *bulkheads* and, in most zoning districts, the space for *accessory parking* that is less than 23 feet above *curb level*.

Floor Area Ratio (FAR)*

The principal *bulk* regulation that controls the size of *buildings*. Each *zoning district* specifies a maximum FAR for a *use* which, when multiplied by the *lot area* of the *zoning lot*, produces the maximum amount of *floor area* allowable for that *use* on that zoning lot. (See Chapter 1: Introduction to Zoning)

FRESH Food Store*

A grocery store meeting certain requirements in one of the underserved neighborhoods designated under the *Food Retail Expansion to Support Health (FRESH)* program to increase the availability of fresh, healthy food. FRESH Food Stores are eligible for *floor area* and financial incentives. (See Chapter 6: Special Area Rules)

Front Lot Line*

A *zoning lot line* that fronts upon a *street*. Also known as a *street line*.

Front Yard*

An open area that extends along the full width of a *front lot line*. In the case of a *corner lot*, any yard extending along the full length of a *street line* is considered a *front yard*.

Front Yard Line*

A line drawn parallel to the *front lot line* at the depth of a required *front yard*.

Group Parking Facility*

A *building*, structure or lot used for parking multiple vehicles. If the parking is *accessory* to *residences*, group parking serves more than one *dwelling unit*.

Height Factor*

A number equal to the total *floor area* of the *building* divided by its *lot coverage* (in square feet), used to determine floor area limits and lot coverage requirements. In general, the height factor is equal to the number of stories in a building constructed without *setbacks*. Height factor applies only in R6 through R9 *non-contextual districts*.

Height Factor Building

A *building* containing *residences* whose residential *bulk* is determined by a corresponding range of *height factors*, *floor area ratios* and *open space ratios*, and is set within a *sky exposure plane*. Higher floor area ratios are permitted for tall buildings surrounded by open space. Height factor buildings are permitted only in R6 through R9 *non-contextual districts*. (See Chapter 3: Residence Districts)

Home Occupation*

A business operated by the occupant(s) of a *dwelling unit*, which is permitted as *accessory* to the residential use. It is generally restricted to no more than 25 percent of the *floor area* of the dwelling unit, or 500 square feet, whichever is less. Certain occupations that may create excessive noise, odors or pedestrian traffic are not permitted.

Illuminated Sign*

A *sign* that uses artificial light or reflected light from an artificial source.

Incentive Zoning

A term often used to refer to additional *floor area* or other zoning flexibility permitted in exchange for providing a *use*, public amenity or facility that contributes to planning objectives. Incentive zoning exists in certain areas to promote *privately owned public spaces*, improvements to nearby subway stations, preservation of a theaters, *FRESH* food stores, and affordable housing.

Inclusionary Housing Program

Zoning provisions established to create and preserve housing that is affordable to low- and moderate-income households to promote neighborhood economic diversity. There are three branches of the Inclusionary Housing programs, including voluntary, incentive-based programs and the *Mandatory Inclusionary Housing* program. Each branch of the program has specific standards and applicability. (See Chapter 6: Special Area Rules)

Income-Restricted Housing Unit*

A *dwelling unit* that complies with the definition of an *affordable housing unit* under one of the *Inclusionary Housing Programs*, or another dwelling unit with a long-term, binding restriction requiring rents and incomes to remain at or below 80 percent of Area Median Income.

Infill Housing (see Predominantly Built-up Areas)**Initial Setback Distance***

A *setback* requirement for *buildings* using the *sky exposure plane* regulations available in *non-contextual districts*. (See Chapter 3: Residence Districts)

Inner Court*

A *court* bounded by either *building* walls, building walls and *side* or *rear lot lines*, or building walls and an opening along a side or rear lot line (with a width of less than 30 feet). (See Chapter 3: Residence Districts)

Interior Lot*

Any *zoning lot* that is neither a *corner lot* nor a *through lot*.

Joint Living-Work Quarters for Artists*

Spaces in non-residential buildings used as both living quarters and work space by artists and their households, in certain districts where this is permitted. (See Chapter 5: Manufacturing Districts)

Large-scale Development

A *development* generally involving several *zoning lots* that are planned together as a unit. The large-scale development regulations allow modifications to various zoning regulations. Such modifications can allow for design flexibility to achieve a better site plan. Large-scale developments require a *discretionary action* from the *CPC*. (See Chapter 6: Special Area Rules)

LDGMA (see Lower Density Growth Management Area)***Legally Required Window**

A window mandated by *Building Code* or other regulation in a *dwelling unit* to provide necessary light, air and ventilation. These windows generally cannot be located closer than 30 feet to a *side* or *rear lot line*.

Limited Height District*

A zoning designation established prior to the creation of *contextual districts*, superimposed on certain areas designated as historic districts by the Landmarks Preservation Commission (LPC). Limited Height Districts cap total building heights and are *mapped* in areas of the Upper East Side, Gramercy Park, Brooklyn Heights and Cobble Hill. (See Chapter 6: Special Area Rules)

Loft

A term for a *building* or space, usually with high ceilings, within a building designed for *commercial* or *manufacturing use*, generally constructed prior to 1930. In certain *Manufacturing Districts*, lofts may be converted to residential use if granted a *CPC special permit*. In other areas, some lofts have been granted permission for legal residential occupancy by State legislation.

Long-term Care Facility*

A category of *community facility use* that provides for live-in care for a range of populations, including nursing homes, assisted living facilities and continuing care retirement communities. (See Chapter 3: Residence Districts)

Lot (see Tax Lot or Zoning Lot)**Lot Area***

Lot area is the area (typically measured in square feet) of a *zoning lot*.

Lot Coverage*

That portion of a *zoning lot* which, when viewed from above, is covered by a *building*. *Permitted obstructions* are not counted towards lot coverage.

Lot Depth*

The average horizontal distance between the *front lot line* and *rear lot line* of a *zoning lot*.

Lot Line*

A boundary of a *zoning lot*. There are three different types: *front*, *side* and *rear lot lines*.

Lot Width*

The average horizontal distance between the *side lot lines* of a *zoning lot*.

Lower Density Growth Management Area (LDGMA)*

An area designated in the Zoning Resolution in which *developments* must provide more accessory parking, larger *yards* and more open space than would otherwise be required in the same *zoning districts* elsewhere. LDGMAs exist in Staten Island and Community District 10 in The Bronx. (See Chapter 6: Special Area Rules)

Mandatory Inclusionary Housing (MIH)

A zoning provision that requires a share of new housing in areas rezoned for higher residential density to be permanently affordable to low- and moderate-income households. The required amount of affordable housing and income levels vary based on several options specified in the Zoning Resolution, and areas subject to the program are mapped in Appendix F. (See Chapter 6: Special Area Rules)

Manhattan Core*

The portion of Manhattan including *Community Districts* 1 through 8, within which certain special regulations for parking and *bulk* apply. Extends from the southern tip of Manhattan to 110th Street on the Upper West Side and 96th Street on the Upper East Side.

Manufacturing District*

Designated by the letter M (M1-1, M2-2, for example), Manufacturing Districts are *zoning districts* in which *manufacturing uses*, most *commercial uses* and some *community facility uses* are permitted. The manufacturing uses are subject to a range of *performance standards*. New *residential development* is not allowed, except under certain conditions in M districts with a “D” suffix, or in *Mixed Use Districts*. (See Chapter 5: Manufacturing Districts)

Manufacturing Use*

Any *use* listed in *Use Group* 17 or 18, or a manufacturing use allowed only by *special permit*.

Mixed Building*

A *building* in a *Commercial District* used partly for *residential use* and partly for *community facility* or *commercial use*. (See Chapter 4: Commercial Districts)

Mixed Use District*

A *Special Purpose District* mapped in numerous locations within the city that includes allows a wide range of uses, based on the regulations of an M1 district and a *Residence District*. The M and R districts are mapped together (M1-2/R6, for example) as *paired districts* and designated by the prefix “MX” on the *Zoning Maps*. New residential and non-residential *uses* are permitted within the same building, with certain restrictions, and any such building is a *mixed building*. (See Chapter 7: Special Purpose Districts)

Narrow Street*

A *street* that appears on the *City Map* with a width of less than 75 feet.

Non-complying or Non-compliance*

A lawfully existing *building* that does not comply with one or more of the *bulk* regulations of the applicable *zoning district*. This frequently occurs because a building was constructed prior to the zoning currently in effect. The degree of non-compliance generally may not be increased. (See Chapter 1: Introduction to Zoning)

Non-conforming or Non-conformity*

A lawfully existing *use* that would not be permitted under the use regulations of the applicable *zoning district*. This frequently occurs because a use was established prior to the zoning currently in effect. The degree of non-conformance generally may not be increased. (See Chapter 1: Introduction to Zoning)

Non-contextual District

Zoning districts other than *contextual districts*. (See Chapter 3: Residence Districts)

Open Space*

The part of a *zoning lot* containing *residences* that is open and unobstructed from its lowest level to the sky, except for specific *permitted obstructions*, and is accessible to all residents. Open space may include *courts* or *yards*. (See Chapter 3: Residence Districts)

Open Space Ratio (OSR)*

A number specified in the Zoning Resolution that is used to calculate the amount of *open space* required on a *zoning lot* containing *residences* in R6 through R10 non-*contextual districts*, expressed as a percentage of the total *floor area* on the *zoning lot*. For example, if a building with 20,000 square feet of floor area has a required OSR of 20, then 4,000 square feet of open space would be required on the zoning lot ($0.20 \times 20,000$ sq ft). (See Chapter 3: Residence Districts)

Outer Court*

A *court* bounded by building walls, or building walls and *side* or *rear lot lines*, except for one opening upon: a *front lot line*; *front yard*; a *rear yard*; or other open space along a side or rear lot line that is at least 30 feet in width. (See Chapter 3: Residence Districts)

Overlay District

A *zoning district* superimposed upon another that supersedes, modifies or supplements the underlying district's regulations. *Commercial overlay districts* and *Limited Height Districts* are examples. (See Chapter 4: Commercial Districts and Chapter 6: Special Area Rules)

Paired Districts

These match an M1 District with an R3 through R10 district (M1-5/R10, for example) to permit a mixture of *residential* and non-residential *uses* (commercial, community facility, light manufacturing) in the same *zoning district*, *block* or *building*. Paired districts are often *mapped* in *Mixed Use Districts*. (See Chapter 7: Special Purpose Districts).

Parapet

A low wall or protective barrier that extends vertically above the roof of a building or other structure. When four feet or shorter, it is considered a *permitted obstruction* above a height limit or within a required *setback* area.

Parking and Loading Regulations

Zoning rules that regulate the minimum or maximum number of off-street spaces for parking of cars or bikes, as well as for loading berths. The sections of the Zoning Resolution for *Residence Districts*, *Commercial Districts*, and *Manufacturing Districts* each have a chapter on parking and loading regulations, and certain special geographies (e.g., the *Manhattan Core*) are subject to modified or special parking and loading regulations.

Parking Requirement Category (PRC)

The requirements for how many accessory parking spaces *commercial uses* must provide are grouped into nine categories based on assumptions about the number of private vehicle trips that may be generated by each. (See Chapter 4: Commercial Districts)

Performance Standards

Minimum requirements or maximum allowable limits on noise, vibration, smoke, odor and other effects from the *manufacturing uses* listed in *Use Groups* 17 and 18, established when the Zoning Resolution was created in 1961. (See Chapter 5: Manufacturing Districts)

Perimeter Walls

In a lower density district, the outermost walls that enclose a *building's floor area*. These walls may rise from the *base plane* to a specified maximum height before a setback or pitched roof is required. (See Chapter 3: Residence Districts)

Permitted Obstruction

A structure or object that may be located in a volume where buildings are not generally allowed, such as a required *yard* or *open space*, above a height limit, within a *setback* area, or beyond the *sky exposure plane*. For example, a balcony, trellis, air conditioner, gutter or fence is a permitted obstruction in a required yard or open space. Certain structures on a roof, such as elevator *bulkheads*, water towers or *parapets* are permitted obstructions that may penetrate height limits, setback areas or sky exposure planes.

Physical Culture or Health Establishment (PCE)*

A facility that provides instruction, services or activities that improve a person's physical condition by exercise or massage. Gyms fall under this term. In most instances, a PCE can only be permitted through a *BSA special permit*. Other therapeutic or relaxation services, including saunas, jacuzzis and meditation facilities are considered *accessory* to the physical exercise or massage programs. (See Chapter 6: Special Area Rules)

Pierhead Line

A line that defines the outermost seaward boundary of the area where over-water structures can be built, which is also the boundary of the area regulated by the Zoning Resolution. Pierhead lines are established by the Federal, State, or City government and are shown on the *Zoning Maps*. (See Chapter 6: Special Area Rules)

Planting Strips

Grassy areas in R1 through R5 *Residence Districts* that extend along the edge of the curb within which street trees are planted. (See Chapter 3: Residence Districts)

Predominantly Built-up Area*

A *blockfront* that is entirely within an R4 or R5 *Residence District* (without a suffix) in which optional regulations that permit higher *FAR* and lower *accessory* parking requirements may be used to produce *infill housing*. (See Chapter 6: Special Area Rules)

Primary Street Frontage

The portion of the lowest *story* of a *building* fronting on a *wide street*, a *narrow street* where a *Commercial District* is *mapped* along the entire *blockfront*, or a narrow street within 50 feet of a wide street. *Streetscape* regulations treat the primary street frontage differently from other portions of a lot.

Private Road*

A right-of-way that gives vehicular access to *developments* with five or more *dwelling units* that are at least 50 feet from a public *street* in R1 through R5 *Residence Districts*. Developments on private roads must comply with special design rules to ensure that these roads can function properly. In *LDGMA*, a right-of-way that serves three or more dwelling units is considered a private road and is subject to special design rules. (See Chapter 6: Special Area Rules)

Privately Owned Public Space (POPS)

An amenity provided and maintained by a property owner for public use, usually in exchange for additional *floor area*. Located mainly in the high-density, central business districts of Manhattan, these spaces can be either arcades or *public plazas*. (See Chapter 6: Special Area Rules)

Public Hearing

A meeting where the public has the opportunity to testify and express support or concerns for a specific proposal. A number of public hearings are required for land use actions subject to the *Uniform Land Use Review Procedure* and for many other *discretionary actions*.

Public Park*

A park, playground, beach, parkway or other area within the jurisdiction and control of the New York City Commissioner of Parks and Recreation. Public parks are typically not subject to zoning regulations.

Public Parking Garage*

Part or all of a building that is used on a daily basis for general-purpose parking of private passenger vehicles. A public parking garage may include some *accessory* parking spaces for uses on the same *zoning lot*.

Public Parking Lot*

A tract of land that is used on a daily basis for public parking and is not *accessory* to a use on the same or another *zoning lot*.

Public Plaza*

A *privately owned public space* adjacent to a building and accessible to the public. It must generally be at the level of the sidewalk and unobstructed to the sky except for seating and other amenities. In certain high density *zoning districts*, a floor area bonus is available for the provision of a public plaza. (See Chapter 6: Special Area Rules)

Quality Housing Building*

A *building* that is *developed, enlarged, extended or converted* pursuant to the *Quality Housing Program*.

Quality Housing Program

The program, mandatory in *contextual* R6 through R10 *Residence Districts* and optional in non-contextual R6 through R10 districts, encourages development consistent with the character of many established neighborhoods. Its bulk regulations set height limits and allow high lot coverage buildings that are set at or near the street line. The Quality Housing Program also requires amenities relating to interior space, recreation areas and landscaping. (See Chapter 3: Residence Districts)

Qualifying Ground Floor*

A ground floor of a *development* or *enlargement* of a *Quality Housing* building, where the second story begins 13 feet or more above the level of the sidewalk and, in certain instances, where additional supplementary *use* provisions are met. In some *zoning districts*, buildings with a qualifying ground floor are permitted a higher maximum *base height* and overall height. (See Chapter 3: Residence Districts)

Railroad or Transit Air Space*

Space directly over an above-ground railroad or transit right-of-way or *yard* that has been in existence since at least September 27, 1962. Any new development in this space requires a *CPC special permit*.

Rear Lot Line*

A *lot line* that is generally parallel to a *street line* bounding the *zoning lot* and does not intersect a *street line*.

Rear Yard*

A *yard* that extends for the full width of a *rear lot line*. In *Residence Districts*, the minimum depth of a rear yard is normally 30 feet. In *Commercial* and *Manufacturing Districts*, the minimum depth of a rear yard is 20 feet. A corner lot is not required to have a rear yard.

Rear Yard Equivalent* (see Yard)

An open area on a *through lot* required to comply with *rear yard* regulations.

Remapping (see Rezoning or Remapping, or Zoning Map Amendment)**Residence***

Consists of one or more *dwelling units* and any common areas. Residences vary in building type, from one-family and two-family houses, to multi-family dwellings or apartment hotels. A single-family residence* is a *building* on a *zoning lot* containing one dwelling unit occupied by one household. A two-family residence* contains two separate dwelling units occupied by two different households. A multi-family residence contains at least three dwelling units. Residences are used for permanent rather than transient occupancy, and can be leased for periods of no less than 30 days. (See Chapter 3: Residence Districts)

Residence District*

A *zoning district*, designated by the letter R (R3-2, R5, R10A, for example), in which only *residences* and *community facilities* are permitted.

Residential District Equivalent

A zoning designation assigned to a C1, C2, C3, C4, C5 or C6 District that establishes the regulations for any residential *uses* within the district, usually referred to as a “residential equivalent.” For example, the residential portion of a building in a C4-4 District must follow the *bulk* regulations of its residential equivalent, an R7 District. (See Chapter 4: Commercial Districts)

Residential Use*

Any *use* listed in *Use Group* 1 (single-family detached residences) or *Use Group* 2 (all other types of residences).

Restrictive Declaration

A covenant that binds the present and future owners of the property to restrictions placed on the land. They are sometimes used to specify how conditions attached to a *special permit* or environmental mitigations or restrictions will be implemented.

Rezoning or Remapping, or Zoning Map Amendment

Common terms used to describe when the zoning designation for an area is changed on the *Zoning Map*, as a result of an application from a private or public entity. This action is subject to *Uniform Land Use Review Procedure*. (See Chapter 8: How Zoning Gets Amended).

Scope

A term often used to describe the limits placed on the subject matter of an application during the land use review process. Once an application has been calendared for hearing by the *City Planning Commission (CPC)*, it may be modified by the CPC or City Council only in ways that do not introduce new subject matter or increase the degree of the proposed change. This is done to ensure that members of the public can understand the types of changes that may be enacted, and have a chance to testify before decision-makers about them. (See Chapter 8: How Zoning Gets Amended)

Secondary Street Frontage*

The portion of the lowest *story* of a *building* fronting on a street that is not a *primary street frontage*.

Semi-detached Building*

A *building* that shares a wall, on a *side lot line*, with another building on an adjoining *zoning lot*, and the remaining sides of which are surrounded by open areas or *street lines*. (See Chapter 3: Residence Districts)

Setback, Building

A requirement for the upper floors of a *building* to be located further from a *lot line* than lower floors to allow more light and air to the *street* or the lower stories of the building.

Setback, Initial or Ground Level

Rules governing the depth of open areas at ground level between the front *building* wall and the *street line*. (See Chapter 3: Residence Districts)

Shore Public Walkway*

A linear *waterfront public access area* running alongside the *shoreline*. (See Chapter 6: Special Area Rules)

Shoreline

Because the intersection of the land with the water surface shifts with changing tides, the shoreline is defined as being located at the mean high water line. (See Chapter 6: Special Area Rules)

Side Lot Line

Any *lot line* that is neither a *front lot line* nor a *rear lot line*.

Side Lot Ribbon*

An eight- to 10-foot wide strip that extends along the length of the *side lot line* of a *zoning lot* and is generally where driveways are located in lower-density residence districts. It is not required to be open to the sky and can extend through an attached house set along the side lot line. In R3, R4 and R5 Districts, if a zoning lot is less than 35 feet wide, parking must be located in a side lot ribbon. (See Chapter 3: Residence Districts)

Side Yard*

A *yard* that extends along a *side lot line* from the required *front yard*, or from the *front lot line* if no front yard is required, to the required *rear yard*, or to the *rear lot line* if no rear yard is required. In the case of a corner lot, any yard that is not a front yard is considered a side yard.

Sidewalk Cafe*

An eating or drinking establishment, or a portion of it, that is located on a public sidewalk. There are three different types of sidewalk cafes: enclosed sidewalk cafe, unenclosed sidewalk cafe, small sidewalk cafe. (See Chapter 6: Special Area Rules)

Sign*

Any writing – words, pictures, or symbols – that is on or attached to a building or other structure. Limitations on the attributes of signs are set forth in *use* regulations.

Sky Exposure Plane*

A plane that defines the *building envelope* in *non-contextual districts* designed to protect light and air at street level. The sky exposure plane is a virtual sloping plane that begins at a specified height above the *street line* and rises inward over the *zoning lot* at a ratio of vertical distance to horizontal distance set forth in district regulations.

Sliver Rule

A common term for restrictions that apply to a building or *enlargement* that is 45 feet wide or less, in many medium and high density *Residence Districts*. Such buildings are generally limited to a height equal to the width of the adjacent *street* or 100 feet, whichever is less. (See Chapter 6: Special Area Rules)

Special Permit

A *discretionary action* by the *City Planning Commission (CPC)*, or the *Board of Standards and Appeals (BSA)*, that allows modification of zoning regulations if certain conditions and findings specified in the Zoning Resolution are met. (See Chapter 1: Introduction to Zoning)

Special Purpose District

An area where the underlying zoning regulations are modified or superseded to achieve specific planning objectives. Special Purpose Districts appear as grayscale areas on the *Zoning Maps*. (See Chapter 7: Special Purpose Districts)

Split Lot

A *zoning lot* located in two or more *zoning districts* and divided by a zoning district boundary. In most cases, zoning regulations for each district must be applied separately for each portion of the lot. Special rules exist for zoning lots that existed prior to 1961, or prior to any rezoning that split the lot. (See Chapter 1: Introduction to Zoning)

Story*

The part of a *building* between the surface of one floor and the ceiling immediately above. A *cellar* does not count as a story.

Street*

Any road (other than a *private road*), highway, parkway, avenue, alley or other way shown on the *City Map*, or a way at least 50 feet wide and intended for public use which connects a way shown on the City Map to another such way or to a building or structure. A street refers to the entire public right-of-way (including public sidewalks).

Streetscape

Zoning rules that are focused on a how a building relates to the sidewalk and surrounding *buildings*.

Street Frontage

Portion of a *zoning lot* facing a *street*.

Street Line*

A *front lot line* separating the *zoning lot* from the *street*.

Street Wall*

A wall or portion of a wall of a *building* facing a *street*.

Supplemental Public Access Area*

An additional amount of public access area required to fulfill the minimum percentage of *Waterfront Public Access Area* required on a waterfront *zoning lot*, once a *shore public walkway* and *upland connections* have been provided. (See Chapter 6: Special Area Rules)

Tax Lot

A parcel of land identified with a unique borough, *block* and lot number for property tax purposes. A *zoning lot* typically comprises one or more adjacent tax lots within a block.

Through Lot*

A *zoning lot* that connects two generally parallel *streets* and is not a *corner lot*.

Tower

A portion of a building that is permitted to penetrate the *sky exposure plane* or other applicable height limit. Towers are allowed only in specified high density areas. There are two major types of tower rules: standard tower rules and tower-on-a-base rules. Some *Special Purpose Districts* also include special regulations for towers.

Transfer of Development Rights (TDR)

In limited circumstances specified in the Zoning Resolution, TDR allows for the transfer of unused *development rights* from one *zoning lot* to another, to preserve historic buildings, open spaces or unique cultural resources. For such purposes, TDR may be permitted where the transfer could not be accomplished through a *zoning lot merger*. In the case of a landmarked building, for example, a transfer may be made by *CPC special permit* to a broader area than permitted through a *zoning lot merger*. (See Chapter 6: Special Area Rules)

Transit Zone*

An area where special lower *accessory* parking requirements apply for various types of affordable housing. These are areas of the city beyond the *Manhattan Core* that are accessible to transit and have low auto ownership rates. (See Chapter 6: Special Area Rules)

Uniform Land Use Review Procedure (ULURP)

The public review process, mandated by the City Charter, for certain *discretionary actions*, such as *zoning map amendments*, *CPC special permits*, site selections and acquisitions for City capital projects and disposition of City property. ULURP sets forth a clear time frame and process for public participation and decision-making. (See Chapter 8: How Zoning Gets Amended)

Upland Connection*

A pedestrian way between a public area (a *street*, a sidewalk or a park, for example) and a *shore public walkway*. (See Chapter 6: Special Area Rules)

Use*

Any activity, occupation, business or operation, listed in *Use Groups* 1 through 18, or identified in a *special permit*, that occurs in a *building* or on a tract of land.

Use Group

Uses that have similar functional characteristics and/or impacts on the environment or neighbors and are generally compatible with each other are listed in one or more of 18 groups. The uses are categorized as *residential uses* (Use Groups 1–2), *community facility uses* (Use Groups 3–4), retail and service uses (Use Groups 5–9), regional commercial centers/amusement uses (Use Groups 10–12), waterfront/recreation uses (Use Groups 13–15), heavy automotive uses (Use Group 16) and *manufacturing uses* (Use Groups 17–18).

Variance

A *discretionary action* by the *Board of Standards and Appeals (BSA)* to grant relief from provisions of the Zoning Resolution to the minimum extent necessary when unique conditions on a specific parcel of land would cause the property owner practical difficulty and undue hardship if zoning were applied. (See Chapter 1: Introduction to Zoning)

Waterfront Access Plan (WAP)

A detailed framework set forth in the Zoning Resolution that tailors public access requirements for *zoning lots* along the *shoreline* to the specific conditions of a particular waterfront. (See Chapter 6: Special Area Rules)

Waterfront Area*

The geographical area adjacent to a body of water at least 100 feet wide, comprising all *blocks* between the *pierhead line* and a parallel line 800 feet landward from the *shoreline*. Blocks within the waterfront area are subject to waterfront zoning regulations, which appear in Article VI, Chapter 2 of the Zoning Resolution. (See Chapter 6: Special Area Rules)

Waterfront Public Access Area* (WPAA)

The portion of a *zoning lot* in a *waterfront area* required to be improved and maintained as publicly accessible, including a *shore public walkway*, *upland connections*, and any *supplemental public access area* required. All WPAA's are required to be improved with landscaping and trees, seating and other amenities. (See Chapter 6: Special Area Rules)

Waterfront Yard*

The portion of a *zoning lot* in a *waterfront area* that extends along the entire length of the *shoreline* and must be open and unobstructed from the lowest level to the sky, except for certain *permitted obstructions*. (See Chapter 6: Special Area Rules)

Wide Street*

A *street* that appears on the *City Map* with a width of 75 feet or more. Most *bulk* regulations applicable to wide streets are also applicable to *buildings* on intersecting streets within 100 feet of a wide street.

Yard*

A required open area along the *lot lines* of a *zoning lot* which must be unobstructed from the lowest level to the sky, except for certain *permitted obstructions*. Rules for yards are intended to regulate the location and shape of *buildings* to ensure enough light and air between structures. One example is a *front yard*. (See Chapter 3: Residence Districts)

Zero Lot Line Building*

A freestanding *building* that abuts one side lot line of a *zoning lot* and does not abut any other building on an adjoining zoning lot. (See Chapter 3: Residence Districts)

Zoning District

A specifically delineated area of the city within which various combinations of the zoning regulations govern land *use*, building *bulk*, parking and *streetscape*. Zoning districts include *Residence Districts*, *Commercial Districts*, and *Manufacturing Districts*, and are shown on the *Zoning Maps*.

Zoning Lot*

A tract of land typically comprising a single *tax lot* or two or more adjacent tax lots within a *block*. An apartment building on a single zoning lot, for example, may contain separate condominium units, each occupying its own tax lot. Similarly, a building containing a row of townhouses may occupy several separate tax lots within a single zoning lot, or two or more detached homes on one zoning lot may each have its own tax lot.

The zoning lot is the basic unit for zoning regulations and may be subdivided into two or more zoning lots. Two or more adjoining zoning lots on the same block may be merged, provided that all resulting zoning lots comply with applicable regulations.

Zoning Lot Merger

The joining of two or more adjacent *zoning lots* into a single new zoning lot. As part of the merger, unused *development rights* may be located anywhere on the new lot, *as-of-right*, as long as the entire merged lot complies with all applicable provisions of the Zoning Resolution.

Zoning Maps*

One of the two main parts of the Zoning Resolution, the 126 New York City Zoning Maps indicate the location and boundaries of *zoning districts* and *Special Purpose Districts*. *Zoning map amendments*, or *rezonings*, are subject to the *Uniform Land Use Review Procedure*. (See Chapter 8: How Zoning Gets Amended)

Zoning Map Amendment (see Rezoning or Remapping, or Zoning Map Amendment)

Department of City Planning

Marisa Lago, Director

Purnima Kapur, Executive Director

Howard Slatkin, Deputy Executive Director of Strategic Planning

Beth Lebowitz, Director, Zoning Division

Chris Hayner and *Frank Ruchala Jr.*, Authors

Samantha Kleinfield and *Paul Power*, Editors

Ryann McMahon, Design and Graphics

Contributors and Reviewers

Pippa Brashear, Johane Clermont, Chris Holme, Nilus Klingel, Eric Kober, John Mangin, Linda McIntyre, Lara Merida, James Miraglia, Amy Pivak, Manuela Powidayko, Ian Sinclair, Anna Too, Tom Wargo, Taylor Wolfson, Jackie Weisberg, Kiyoshi Yamazaki, Jean You

Photographs

Most of the photographs in the Zoning Handbook were taken by City Planning staff, who were generous with their time and talent. A special thank you to *Marcelo Lorca* and *Freddy Patterson*.

Production

Alfred Conyers, Luis Falcon, Roman Gofman, David Parish, Yvonne Williams

Thank you to the many staff members of the Department of City Planning and many others who shared their knowledge and expertise in the preparation of this edition of the Zoning Handbook.

Image Credits

Page 7: "Street scene from the Lower East Side in the late 19th century."

Library of Congress Prints and Photographs Division Washington, D.C. 20540 USA "Life on the lower East Side, cor. Pitt and Rivington Streets North, N.Y. Copyright Underwood & Underwood U-117291" <http://hdl.loc.gov/loc.pnp/pp.print>

Page 7: "The Equitable Building, completed in 1915."

Irma and Paul Milstein Division of United States History, Local History and Genealogy, The New York Public Library. "Broadway - Wall Street - Cedar Street" The New York Public Library Digital Collections. 1887 - 1986. <http://digitalcollections.nypl.org/items/510d47e2-02e2-a3d9-e040-e00a18064a99>