ARTICLE I
GENERAL PROVISIONS

Chapter 1
Title, Establishment of Controls and Interpretation of Regulations

11-30
BUILDING PERMITS ISSUED BEFORE EFFECTIVE DATE OF AMENDMENT

11-339
Post-Hurricane Sandy construction

The provisions of this Section shall apply within the #flood zone#. The provisions of this Section are subject to all provisions of Title 28 of the Administrative Code of the City of New York and Appendix G of the Building Code of the City of New York, or its successors, including those pertaining to expiration, reinstatement, revocation and suspension. Changes in #flood maps# shall be considered an amendment of the Zoning Resolution pursuant to the provisions of Section 11-30 (BUILDING PERMITS ISSUED BEFORE EFFECTIVE DATE OF AMENDMENT).

(c) Provisions applying in the event that Flood Resilience Zoning Text Amendment expires

This provision shall become effective only upon the expiration of Article VI, Chapter 4 (Special Regulations Applying in Flood Hazard Areas), adopted on October 9, 2013. If an application for approval of construction documents has been approved on or before the expiration of Article VI, Chapter 4, a building permit authorizing such construction may be issued pursuant to Article VI, Chapter 4, and such construction may continue until a date six years after the expiration of Article VI, Chapter 4. After such date, the vesting provisions of Section 11-30 shall apply.

(d) Provisions applying when Appendix A (Special Regulations for Neighborhood Recovery) of Article VI, Chapter 4 expires
This provision shall become effective only upon the expiration of Appendix A (Special Regulations for Neighborhood Recovery), adopted on July 23, 2015. If a building permit authorizing construction pursuant to Appendix A has been approved on or before the expiration of such Appendix, construction may continue up to two years after the expiration. After such date, the provisions of Section 11-30 shall apply.

* * *

ARTICLE VI
SPECIAL REGULATIONS APPLICABLE TO CERTAIN AREAS

* * *

Chapter 4
Special Regulations Applying in Flood Hazard Areas

64-00
GENERAL PURPOSES

The provisions of this Chapter establish special regulations which are designed to encourage flood-resilient building practices for new and existing buildings and in so doing to promote and protect public health, safety and general welfare. These general goals include, among others, the following purposes:

(a) to facilitate the development and alteration of buildings in flood zones consistent with the latest flood-resistant construction standards of the Federal government and the New York City Building Code;

(b) to enable buildings to be constructed pursuant to flood-resistant standards with a comparable amount of usable interior space to what is generally permitted within the applicable zoning district;

(c) to mitigate the effects of elevated and flood-proofed buildings on the streetscape and pedestrian activity; and

(d) to expedite the recovery of neighborhoods that experienced a high concentration of damage to single- and two-family residences from Hurricane Sandy within the Neighborhood Recovery Areas specified in Appendix A of this Chapter; and

(e) to promote the most desirable use of land and thus conserve and enhance the value of land and buildings, and thereby protect the City's tax revenues.

* * *
64-12

Applicability

The provisions of this Chapter shall apply only within the #flood zone#, as follows:

(a) Except where otherwise stated, all #buildings#, or portions thereof, shall comply with #flood-resistant construction standards# as a condition of construction pursuant to the following optional provisions, as applicable, inclusive:

- Section 64-10 GENERAL PROVISIONS
- Section 64-20 SPECIAL USE REGULATIONS
- Section 64-30 SPECIAL BULK REGULATIONS
- Section 64-40 SPECIAL BULK REGULATIONS FOR BUILDINGS EXISTING ON OCTOBER 28, 2012
- Section 64-50 SPECIAL PARKING REGULATIONS
- Section 64-70 SPECIAL REGULATIONS FOR NON-CONFORMING USES AND NON-COMPLYING BUILDINGS
- Section 64-80 MODIFICATION OF SPECIAL REGULATIONS APPLYING IN WATERFRONT AREAS
- Section 64-90 SPECIAL APPROVALS

(b) The provisions of Section 64-60 (DESIGN REQUIREMENTS) shall apply to all #developments#, all horizontal #enlargements# with new #street walls#, or alterations that increase the height of #street walls#, except that Section 64-65 (Design Screening Requirements for Parking Within or Areas Below Buildings) shall apply to all #buildings# as provided therein.

(c) Where a #zoning lot# is located partially within a #flood zone#, the regulations of this Chapter shall apply where any portion of a #building# on such #zoning lot# is within such #flood zone#.

(d) In Neighborhood Recovery Areas, shown on maps in Section 64-A80 (NEIGHBORHOOD RECOVERY AREA MAPS) of this Chapter, optional provisions to expedite the vertical elevation or reconstruction of #single-# or #two-family residences# shall apply. These provisions are set forth in Appendix A and shall supplement, supersede or modify the provisions of this Chapter. The maps are hereby incorporated and made part of this Resolution, for the purpose of specifying locations where special regulations and requirements set forth in the text of this Chapter may apply.
64-13
Applicability of District Regulations

The regulations of all other Chapters of this Resolution are applicable, except as superseded, supplemented or modified by the provisions of this Chapter. In the event of a conflict between the provisions of this Chapter and other regulations of this Resolution, the provisions of this Chapter shall control.

* * *

64-40
SPECIAL BULK REGULATIONS FOR BUILDINGS EXISTING ON OCTOBER 28, 2012

The following provisions shall apply to #buildings# existing on October 28, 2012, and to the reconstruction of such #buildings#.

* * *

64-431
For existing single- and two-family residences

#Single-# and #two-family residences# existing on October 28, 2012, may be vertically elevated, or reconstructed to a higher elevation, in order to raise the lowest floor level containing habitable space, located at or above the adjoining grade as of October 28, 2012, to #flood-resistant construction elevation#, and in so doing may create a #non-compliance# as to height and setback to the extent that such lowest floor level is elevated or reconstructed to #flood-resistant construction elevation#.

Where the elevation requirements of Appendix G of the New York City Building Code apply to the lowest horizontal structural member, #single-# and #two-family residences# existing on October 28, 2012, may be vertically elevated, or reconstructed to a higher elevation, in order to raise the lowest horizontal structural member supporting the lowest floor containing habitable space, located at or above the adjoining grade as of October 28, 2012, to #flood-resistant construction elevation#, and in so doing may create a #non-compliance# as to height and setback to the extent that such lowest horizontal structural member is elevated or reconstructed to #flood-resistant construction elevation#.

This Section shall not preclude the construction of complying #enlargements# or other complying structures on the #zoning lot#.

#Buildings# that were complying on October 28, 2012, and vertically elevated or reconstructed to a higher elevation, pursuant to this Section, shall be considered legal #non-complying buildings#.

* * *
64-70
SPECIAL REGULATIONS FOR NON-CONFORMING USES AND NON-COMPLYING BUILDINGS

* * *

64-723
Non-complying single- and two-family residences

(a) The provisions of Article V, Chapter 4, shall be modified to permit single- and two-family residences that are non-complying and existing on October 28, 2012, to be vertically elevated, or reconstructed to a higher elevation in order to raise the lowest floor level containing habitable space that was located at or above the adjoining grade as of October 28, 2012 to flood-resistant construction elevation.

Where the elevation requirements of Appendix G of the New York City Building Code apply to the lowest horizontal structural member, the provisions of Article V, Chapter 4, shall be modified to permit single- and two-family residences that are non-complying and existing on October 28, 2012, to be vertically elevated, or reconstructed to a higher elevation, in order to raise the lowest horizontal structural member supporting the lowest floor containing habitable space that was located at or above the adjoining grade as of October 28, 2012, to flood-resistant construction elevation.

Such vertical elevation or reconstruction may create a new non-compliance as to height and setback, or increase any existing non-compliances as to height and setback, required open space and yard regulations to the extent that such lowest floor level is elevated or reconstructed to flood-resistant construction elevation. However, all other provisions of Article V, Chapter 4, shall apply without modification.

This Section shall not preclude the construction of complying enlargements or other complying buildings or other structures on the zoning lot.

Furthermore, the provisions of Section 23-86 (Minimum Distance Between Legally Required Windows and Walls or Lot Lines) shall not apply to such elevated, relocated or reconstructed buildings.

* * *

64-92
Special Permit for Modification of Certain Zoning Regulations

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

**Appendix A**  
**Special Regulations for Neighborhood Recovery**

**64-A00**  
**GENERAL PROVISIONS**

The provisions of this Resolution shall apply as modified by this Chapter and by the special regulations set forth in this Appendix A. The provisions of this Appendix are optional, but when utilized, shall be applied in their entirety. This Appendix shall be in effect until July 23, 2020, at which time it shall automatically expire.

**64-A01**  
**Applicability of Special Regulations for Neighborhood Recovery**

The provisions of this Appendix shall only be applicable to buildings containing residential use whose vertical elevation or reconstruction will result in a single- or two-family residence that complies with flood-resistant construction standards, where such building is located in a Neighborhood Recovery Area (Section 64-A80), inclusive.

**64-A02**  
**Special Requirements for Application**

Prior to the approval of any application to the Department of Buildings pursuant to this Appendix, an applicant shall submit the following documents in order to establish that there was a building on the subject lot that contained a residential use on October 28, 2012:

(a) an aerial photograph taken up to one year prior to October 28, 2012, establishing that a building existed on the subject lot on October 28, 2012; and

(b) a 2012 tax bill or assessment roll for the subject lot stating that such building contained a residential use.

Where the documents specified in this Section are unavailable or inconclusive, the Department of Buildings may accept alternative documentation to satisfy the requirements of paragraphs (a) or (b).

**64-A03**  
**Zoning Lots in Neighborhood Recovery Areas**

The definition of zoning lot set forth in Section 12-10 (DEFINITIONS) shall apply in this Appendix. However, as an option, where a tax lot contained one or more buildings on October 28, 2012, or where a building or buildings occupied more than one tax lot on October 28,
2012, such tax lot may be provisionally considered a "zoning lot" for the sole purpose of demonstrating compliance with the "bulk" requirements of this Resolution, and shall be referred to as a "zoning lot" in this Appendix, provided that the proposed application will not affect compliance with any applicable provisions of the New York City Building Code or Fire Code with respect to access to the same or other "zoning lots" on the same "block", unless a waiver or modification is obtained from the Department of Buildings or the Fire Department, respectively.

64-A10
SPECIAL REGULATIONS FOR ESTABLISHING NON-CONFORMANCE AND NON-COMPLIANCE

64-A11
Special Regulations for Establishing Non-conformance of Residences

In all "districts", for a "zoning lot" that contained two or more "dwelling units" on October 28, 2012, and does not have lawful documentation indicating that more than one "dwelling unit" existed on the "zoning lot" on such date, the Board of Standards and Appeals may permit the vertical elevation or reconstruction of "buildings" containing such "dwelling units" and may establish "non-conformance" of such "buildings", pursuant to Section 64-A71 (Special Permit for Establishing Non-conformance).

64-A12
Special Regulations for Establishing Non-compliance of Existing Buildings

In all districts, a "building" containing "residences", and any other structure that is attached to such "building", including porches, stairs, terraces or balconies, that existed both on October 28, 2012, and on the date of application for a building permit, may be considered "non-complying" for the purpose of utilizing the applicable provisions of Article V, Chapter 4 and Article VI, Chapter 4 of this Resolution relating to "non-complying buildings or other structures" provided that:

(a) a survey, prepared by a licensed land surveyor, specifying the location and height of such "building" and any other structures that are attached to such "building", is submitted as documentation of such "non-compliance"; and

(b) such "building" shall either be vertically elevated in compliance with the "bulk" provisions of Section 64-A20 (SPECIAL BULK REGULATIONS FOR THE VERTICAL ELEVATION OF EXISTING BUILDINGS), or be reconstructed in compliance with the "bulk" provisions of Section 64-A30 (SPECIAL BULK REGULATIONS FOR THE RECONSTRUCTION OF BUILDINGS EXISTING ON OCTOBER 28, 2012).

Upon completion and sign-off of work completed pursuant to the provisions of this Appendix, the "building" shall be considered "non-complying".

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64-A20
SPECIAL BULK REGULATIONS FOR THE VERTICAL ELEVATION OF EXISTING BUILDINGS

The provisions of this Section shall apply to the vertical elevation of #buildings# containing #residences# that existed on October 28, 2012. Except as specifically modified by the provisions of this Section, inclusive, the applicable #bulk# regulations of this Chapter, the regulations of Article V of this Resolution and the applicable zoning district shall remain in effect.

No #building# that is vertically elevated pursuant to this Section shall subsequently be #enlarged# pursuant to paragraph (b) of Section 54-313 (Single- or two-family residences with non-complying front yards or side yards) or Section 73-622 (Enlargements of single- and two-family detached and semi-detached residences).

64-A21
Special Regulations for Rebuilt Portions of Vertically Elevated Buildings

A portion of a #building# that is being vertically elevated pursuant to this Appendix may be rebuilt, provided that:

(a) the rebuilt portion does not exceed 75 percent of the existing #floor area# of such #building#; and

(b) except as specifically allowed by this Chapter, no new #non-compliance# shall be created, nor shall the degree of any existing #non-compliance# be increased beyond that established pursuant to Section 64-A10 (SPECIAL REGULATIONS FOR ESTABLISHING NON-CONFORMANCE AND NON-COMPLIANCE).

If the rebuilt portion of a #building# exceeds 75 percent of the existing #floor area# of the #building#, such #building# shall be subject to the regulations of 64-A30 (SPECIAL BULK REGULATIONS FOR THE RECONSTRUCTION OF BUILDINGS EXISTING ON OCTOBER 28, 2012).

64-A22
Special Regulations for Space Partially Below Grade

For a #building# where the lowest floor containing habitable space is partially below adjoining grade, and at least one-half of the floor-to-ceiling height of such floor is above adjoining grade, such #building# may be vertically elevated in order to raise the lowest floor containing habitable space to the #flood-resistant construction elevation#, provided that:

(a) the elevated #building# does not exceed two #stories#, except that attic space providing structural headroom of less than eight feet shall not be considered a #story# for the purposes of this Section; and
(b) the height of such elevated building, including the apex of a pitched roof, does not exceed 25 feet, as measured from the flood-resistant construction elevation.

Any floor space that becomes floor area in excess of the maximum permitted floor area ratio for such zoning lot, as a result of the vertical elevation, shall be considered non-complying floor area. Such vertical elevation may increase any existing non-compliances with respect to required open space and yard regulations to the extent that such non-compliance results from the elevation of the lowest floor to the flood-resistant construction elevation. All other provisions of Article V, Chapter 4 (Non-complying Buildings), shall apply without modification.

The level of the adjoining grade shall be the average elevation of the grade adjoining the building, before it is elevated, determined in the manner prescribed by the Building Code of the City of New York for adjoining grade elevation.

64-A23
Special Regulations for Existing Buildings Located Over Water

For a building that will be vertically elevated and is located either partially or entirely seaward of the shoreline, such building may be relocated landward of the shoreline on the same zoning lot. Such relocation may create a new non-compliance or increase the degree of any existing non-compliance as to side yards, waterfront yards, rear yards or rear yard equivalents, provided that:

(a) an open area of at least three feet shall be maintained between the exterior wall of the building and any lot line; and

(b) except as specifically allowed by this Chapter, no new non-compliance shall be created, nor shall the degree of any existing non-compliance be increased, beyond that established pursuant to Section 64-A12 (Special Regulations for Establishing Non-compliance of Existing Buildings).

64-A24
Permitted Obstructions in Required Open Space, Yards and Courts

The provisions of Sections 23-12 (Permitted Obstructions in Open Space), 23-44 (Permitted Obstructions in Required Yards or Rear Yard Equivalents) and 64-421 (Permitted obstructions) shall be modified such that:

(a) mechanical equipment including, but not limited to, accessory heating and cooling equipment, fuel oil tanks and emergency generators, shall be permitted obstructions in open space required on the zoning lot, in any side yard, rear yard or rear yard equivalent and in courts, provided such equipment is:

(1) located at least three feet from any lot line;
(2) screened on all sides by walls consisting of at least 50 percent opaque materials; and

(3) in compliance with the standards of either of the following provisions:

   (i) all structures and screening are located no more than ten feet from the wall of a #building# and limited to a height of no more than 12 feet above #flood-resistant construction elevation#; or

   (ii) is located on the roof of a #building or other structure#, provided that the height of such equipment and screening does not exceed six feet, as measured from the finished level of a flat roof or, for a sloping roof, as measured from the midpoint of such roof. Such equipment shall be located not less than 15 feet from any #street wall# of a #building or other structure#.

(b) visual mitigation elements, provided pursuant to Section 64-A50 (SPECIAL DESIGN REQUIREMENTS) shall be permitted obstructions in any #open space# required on the #zoning lot#, in any #yard# and in #courts#.

64-A30
SPECIAL BULK REGULATIONS FOR THE RECONSTRUCTION OF BUILDINGS EXISTING ON OCTOBER 28, 2012

The #bulk# regulations of this Section shall apply only to the permitted reconstruction of a #building# that existed on October 28, 2012, and results in a #single-# or #two-family detached residence#. Except as specifically modified by the provisions of this Section, inclusive, the #bulk# regulations of this Chapter and the applicable zoning district shall remain in effect. #Buildings# reconstructed pursuant to this Section shall not be considered #developments# or #enlargements#.

No #building# that is reconstructed pursuant to this Section shall subsequently be #enlarged# pursuant to paragraph (b) of Section 54-313 (Single- or two-family residences with non-complying front yards or side yards) or Section 73-622 (Enlargements of single- and two-family detached and semi-detached residences).

64-A31
Special Regulations for Minimum Required Open Space, Maximum Lot Coverage and Maximum Floor Area

64-A311
Lot coverage and open space

R1-2A R2A R3-1 R3-2 R4 R4-1 R4A
In the districts indicated, for #zoning lots# that do not meet the required minimum #lot area# or #lot width# of the applicable district, #lot coverage# and #open space# shall be governed by the #yard# requirements set forth in Section 64-A35 (Special Yard Regulations).

64-A312
Floor area

R2X R3 R4 R4-1 R4A

In the districts indicated, the #floor area ratio# set forth in the table in paragraph (b) of Section 23-141 (Open space and floor area regulations in R1, R2, R3, R4 or R5 Districts) may be increased by 20 percent provided that any such increase in #floor area# is located in any portion of a #building# covered by a sloping roof that rises at least seven inches in vertical distance for each foot of horizontal distance.

64-A313
Special open space, lot coverage and floor area regulations for small lots

R1 R2 R3 R4 R5 R6

In the districts indicated, for #zoning lots# with a #lot area# of less than 1,800 square feet, #open space#, #lot coverage# and #floor area ratio# regulations shall not apply. In lieu thereof, the #yard# requirements set forth in Section 64-A35 (Special Yard Regulations) and the height and setback requirements of Section 64-A36 (Special Height and Setback Regulations) shall govern.

64-A32
Special Regulations for Maximum Number of Dwelling Units and Minimum Size of Dwelling Units

64-A321
Maximum number of dwelling units

R1 R2 R3 R4 R5 R6

In the districts indicated, the provisions of Section 23-22 (Maximum Number of Dwelling Units or Rooming Units) shall not apply. In lieu thereof, not more than one #single-family detached residence# or, where permitted in the applicable zoning district pursuant to Section 22-12 (Use Group 2), one #two-family detached residence#, may be reconstructed. However, any #two-family detached residence# may only be reconstructed if such #zoning lot# contained two or more #dwelling units# on October 28, 2012, as indicated on the certificate of occupancy or upon approval by the Board of Standards and Appeals pursuant to Section 64-A71 (Special Permit for Establishing Non-conformance).

64-A322
Minimum size of dwelling units
R3 R4-1 R4A

In the districts indicated, the minimum size of a #dwelling unit# as set forth in paragraph (b) of Section 23-23 shall not apply to the permitted reconstruction of a #two-family detached residence#.

64-A33
Special Regulations for Minimum Lot Area or Lot Width for Residences

In all districts, including #lower density growth management areas#, either one #single-family detached residence# or, where permitted in the applicable zoning district pursuant to Section 22-12 (Use Group 2), one #two-family detached residence# may be reconstructed upon a #zoning lot# that:

(a) has less than the prescribed minimum #lot area# or #lot width# as required by the applicable district regulations; and

(b) if reconstructed as a #two-family detached residence#, either:

(1) complies with the maximum number of #dwelling units# requirement of the applicable zoning district; or

(2) such #zoning lot# contained two or more #dwelling units# on October 28, 2012, as indicated on the certificate of occupancy or upon approval by the Board of Standards and Appeals pursuant to Section 64-A71 (Special Permit for Establishing Non-conformance).

64-A34
Permitted Obstructions in Required Open Space, Yards and Courts

The provisions of Sections 23-12 (Permitted Obstructions in Open Space), 23-44 (Permitted Obstructions in Required Yards or Rear Yard Equivalents) and 64-421 (Permitted obstructions) shall be modified as follows:

(a) mechanical equipment, including, but not limited to, #accessory# heating and cooling equipment, fuel oil tanks and emergency generators, shall be permitted obstructions in any #open space# required on the #zoning lot#, in any #side yard#, #rear yard# or #rear yard equivalent# and in #courts#, provided that such equipment is:

(1) located at least three feet from any #lot line#;

(2) screened on all sides by walls consisting of at least 50 percent opaque materials; and
(3) in compliance with the standards of either of the following provisions:

(i) all structures and screening are located no more than 10 feet from the wall of a building and limited to a height of no more than 12 feet above flood-resistant construction elevation; or

(ii) is located on the roof of a building or other structure, provided that the height of such equipment and screening does not exceed six feet, as measured from the finished level of a flat roof or, for a sloping roof, as measured from the midpoint of such roof. Such equipment shall be located not less than 15 feet from any street wall of a building or other structure.

(b) eaves, gutters or downspouts shall be permitted obstructions in any open space required on the zoning lot, in any yard and in courts, provided that such eave, gutter or downspout does not project further than 16 inches into such required open space, yard or court.

(c) visual mitigation elements, provided pursuant to Section 64-A50 (SPECIAL DESIGN REQUIREMENTS) shall be permitted obstructions in any open space required on the zoning lot, in any yard and in courts.

64-A35
Special Yard Regulations

64-A351 Special provisions for front yards

R1 R2 R3 R4 R5

(a) In the districts indicated, the front yard provisions of the applicable district shall apply, except that in R4 and R5 Districts, a front yard may have a depth of any dimension equal to or exceeding ten feet.

(b) In the districts indicated, where an enclosed garage fronts upon a street, there shall be an unobstructed area at ground level, between the garage door and the street line, which is at least eight and one half feet in width by 18 feet in depth, except no such space shall be required in R5D Districts. Where an unenclosed accessory off-street parking space is provided in an open area on a zoning lot, or provided beneath an elevated building, an unobstructed area at ground level which is at least eight and one half feet in width by 18 feet in depth shall be provided between the street line and such space.

(c) For buildings that are reconstructed pursuant to this Section 64-A30, inclusive, the provisions regulating the depth of front yards in relation to adjacent buildings, set forth in paragraphs (b) and (c) of Section 23-45, shall not apply.
64-A352
Special provisions for narrow lots

R1 R2 R3 R4 R5 R6

(a) In the districts indicated, the #side yard# provisions of the applicable district shall apply, except that the required total width of #side yards# for a #single-# or #two-family detached residence# may be reduced by four inches for each foot by which the width of a #zoning lot# is less than that required under the provisions of Section 23-32 (Minimum Lot Area or Lot Width for Residences). In no event shall the required width of a #side yard# be less than three feet. For #zoning lots# with less than 21 feet in #lot width#, the required total width of #side yards# shall be six feet.

(b) In the #Special South Richmond Development District#, the provisions of Section 107-42 (Minimum Lot Area and Lot Width for Residences) and Section 107-462 (Side yards) shall not apply. In lieu thereof, the regulations of the applicable underlying #Residence District# shall apply pursuant to Section 23-32 (Minimum Lot Area or Lot Width for Residences) and Section 23-46 (Minimum Required Side Yards) and may be modified, as applicable, by the regulations of this Appendix.

(c) For the permitted reconstruction of #detached buildings# the provisions of paragraph (c) of Section 23-461 (Side yards for single- or two-family residences), shall not apply, provided such open area does not serve as access to required #accessory# off-street parking.

64-A353
Special provisions for shallow lots

R1 R2 R3 R4 R5 R6

In the districts indicated, if at any point the depth of a #zoning lot# is less than 95 feet, the depth of a required #rear yard# or waterfront yard may be reduced by six inches for each foot by which the mean lot depth is less than 95 feet. In no event shall the required depth of a rear yard be less than ten feet.

64-A354
Special provisions for corner lots

For #corner lots# in R1-2 Districts, if one #front yard# has a depth of 20 feet, then the other #front yard# may have a depth of 15 feet. For #corner lots# in R3 Districts, if one #front yard# has a depth of 15 feet, then the other #front yard# may have a depth of ten feet.

In all districts, for #corner lots# with less than the minimum #lot area# required pursuant to the applicable district regulations, the following provisions shall apply:
(a) one #front yard# shall be provided along the full length of either #front lot line#;

(b) the remaining #front lot line# shall be treated as a #side lot line#; and

(c) any #side lot line# that is parallel to, or within 45 degrees of being parallel to the #front lot line# selected pursuant to paragraph (a) of this Section, shall be treated as a #rear lot line# and a #rear yard# shall be provided along the full length of such #lot line#.

The #rear# and #side yards# provided pursuant to this Section may be reduced pursuant to Sections 64-A352 (Special provisions for narrow lots) and 64-A353 (Special provisions for shallow lots).

64-A36
Special Height and Setback Regulations

R1 R2 R3 R4 R5 R6

In the districts indicated, the height and setback regulations of the applicable district shall not apply. In lieu thereof, all #buildings# shall be subject to the height and setback provisions set forth in paragraph (b) of Section 23-631 (Height and setback in R1, R2, R3, R4 and R5 Districts), except that the maximum height of a perimeter wall before setback shall be 19 feet, the maximum height of a ridge line shall be 25 feet, and all heights shall be measured from the #flood-resistant construction elevation#. In no event shall any #building# exceed two #stories#, except that attic space providing structural headroom of less than eight feet shall not be considered a #story# for the purposes of this Section.

64-A40
SPECIAL PARKING PROVISIONS

64-A41
Waiver of Requirements for Certain Zoning Lots

R1 R2 R3 R4 R5 R6

In the districts indicated, the requirements set forth in Section 25-22 (Requirements Where Individual Parking Facilities Are Provided) shall be waived for a #single-# or #two-family residence# on an #interior zoning lot# that has a #lot width# along a #street# of less than 25 feet, and where the #flood-resistant construction elevation# is less than six feet above #curb level#.

64-A42
For Elevated Buildings

The provisions of Section 64-52 (For Elevated Buildings) shall be modified to allow the #accessory# off-street parking spaces, required pursuant to that section, to be located anywhere on the #zoning lot#.
SPECIAL DESIGN REQUIREMENTS

In the districts indicated, the provisions of Section 64-61 (Design Requirements for Single- and Two-Family Residences) shall apply, except as expressly modified by this Section. Visual mitigation elements shall be required unless more than 50 percent of the street wall is within 18 inches of the street line.

Special Regulations for Corner Lots

The design requirements set forth in Section 64-61 shall apply separately along each street frontage of a corner lot, except as modified below:

(a) For corner lots, where the level of the lowest occupiable floor is nine feet or more above curb level, and more than 50 percent of the street wall of a building is within six feet of a street line, only one visual mitigation element shall be required along such street frontage.

(b) For corner lots, where trees or shrubs are provided as visual mitigation elements along both street frontages pursuant to paragraph (d) of Section 64-61, the required total length of planted areas shall be reduced to a minimum of 45 percent of the aggregate length of street walls, provided that the planting bed is continuous for the minimum required length, measured along such street walls, and at least six feet of planting bed is provided facing each street.

Special Regulations for Narrow Lots

For interior zoning lots that have a lot width less than 25 feet, the design requirements of paragraph (d) of Section 64-61 shall be modified to require the total length of planted areas to be greater than 40 percent of the lot width and to be planted to screen at least 40 percent of the length of the street wall.

Special Regulations for Zoning Lots with Shallow Yards

For zoning lots where more than 50 percent of the street wall of a building is located within six feet of a street line, one or more of the following visual mitigation elements may be provided in lieu of paragraph (d) of Section 64-61:
(a) Climbing vines

Where provided as a visual mitigation element, climbing vines shall be planted along 40 percent of the aggregate width of street walls in a planting bed that is at least 18 inches in width, measured perpendicular to the street wall and allows a soil depth of at least two feet. A framework for the climbing vines shall be provided for the full length of the planting bed to a height of at least four feet. Such framework may be freestanding or attached to the building.

(b) Green wall

Where provided as a visual mitigation element, a green wall or landscaped fence shall extend along 40 percent of the aggregate width of street walls to a height of at least four feet. Hanging plants, potted plants or plant material shall be distributed along the entire length of such green wall or landscaped fence. The supporting structure may be freestanding or attached to the building and shall be considered a permitted obstruction in any required yard, court or open space.

(c) Planter box or raised planting bed

Where provided as a visual mitigation element, planter boxes or raised planting beds may be used in place of planting beds at grade. The top of such planter boxes shall be located between 18 and 36 inches above adjacent grade. Raised planting beds shall be at least 18 inches in height and shall not exceed 36 inches above adjacent grade. For planter boxes and raised planting beds, the minimum soil width shall be at least one foot, measured perpendicular to the street line, and the minimum soil depth shall be 18 inches. The planted area may be comprised of any combination of groundcover, perennials, annuals, shrubs, trees or other living plant material, and must attain a height of at least six inches. Planter boxes may be freestanding or attached to the building.

64-A60
NON-CONFORMING AND NON-COMPLYING BUILDINGS

64-A61
Special Regulations for Non-conforming Single- or Two-Family Residences in Manufacturing Districts

The provisions of Section 64-712 (Single- and two-family buildings), shall be modified to allow the vertical elevation or reconstruction of a non-conforming single- or two-family residence in a Manufacturing District. Reconstructions of such residences shall utilize the applicable bulk regulations of an R4-1 District, as modified by Section 64-A30 of this Appendix.
64-A70
SPECIAL APPROVALS

The special permit and variance provisions of this Resolution shall apply to properties in the Neighborhood Recovery Areas.

64-A71
Special Permit for Establishing Non-conformance

In all districts, for a zoning lot that contained two or more dwelling units on October 28, 2012, and does not have a certificate of occupancy, or other lawful documentation, indicating that more than one dwelling unit existed on the zoning lot on such date, the Board of Standards and Appeals may permit the vertical elevation or reconstruction of up to two dwelling units on such zoning lot in accordance with this Appendix, and all applicable requirements of the New York City Construction Codes, provided that the Board of Standards and Appeals determines that more than one dwelling unit existed on the site on October 28, 2012, based on evidence submitted to the Board of Standards and Appeals, which may include, but shall not be limited to, Department of Finance tax records, utility bills or an affidavit from a licensed architect or engineer that documents an on-site inspection of the zoning lot performed under the auspices of a governmental agency.

Such buildings which are vertically elevated shall comply with the bulk provisions of Section 64-A20, and such buildings that are reconstructed shall comply with the bulk provisions of Section 64-A30.

Upon completion and sign-off of work completed under the provisions of this Appendix, such building shall be considered non-conforming.

64-A80
NEIGHBORHOOD RECOVERY AREA MAPS

Neighborhoods that experienced a high concentration of damage to single- and two-family residences from Hurricane Sandy are defined as Neighborhood Recovery Areas.

64-A81
Neighborhood Recovery Areas in Brooklyn

(a) within Community District 13;
List of Neighborhood Recovery Area Blocks within Community District 13:

6955, 6956, 6957, 6958, 6959, 6960, 6971, 6972, 6973, 6974, 6975, 6976, 6977, 6998, 6999, 7000, 7001, 7002, 7003, 7024, 7025, 7026, 7027, 7028, 7029, 7030, 7031, 7032, 7033, 7034, 7035, 7036, 7037, 7038, 7039, 7040, 7041, 7042, 7043, 7044.
List of Neighborhood Recovery Area Blocks within Community Districts 13 and 15:

7220, 7222, 7223, 7224, 7239, 7242, 7243, 7244, 7245, 7260, 7261, 7262, 7263, 7264, 7430, 7431, 7433, 7434, 7435, 7436, 7437, 7438, 7439, 7440, 7441, 7442, 7443, 7444, 7445, 7446, 7447, 7449, 7452, 7454, 7455, 7456, 7457, 7458, 7459, 7460, 7462, 7463, 7464, 7465, 7466, 7467, 7468, 7469, 7470, 7471, 7472, 7473, 7474, 7475, 7476, 7477, 7478, 7479, 7481, 8590, 8661, 8662, 8663, 8664, 8665, 8666, 8667, 8668, 8669, 8670, 8671, 8672, 8673, 8674, 8675, 8676, 8677, 8678, 8679, 8680, 8682, 8683, 8684, 8685, 8686, 8687, 8688, 8689, 8690, 8691, 8692, 8693, 8700, 8701, 8702, 8703, 8704, 8705, 8706, 8707, 8709, 8711, 8712, 8714, 8715, 8716, 8717, 8718, 8720, 8721, 8722, 8723, 8725, 8761, 8762, 8763, 8764, 8765, 8766, 8767, 8768, 8769, 8770, 8771, 8772, 8773, 8774, 8775, 8776, 8777, 8778, 8779, 8780, 8781, 8782, 8783, 8784, 8785, 8786, 8787, 8788, 8789, 8790, 8791, 8792, 8793, 8794, 8795, 8796, 8797, 8798, 8799, 8800, 8801, 8802, 8803, 8804, 8805, 8806, 8807, 8808, 8809, 8810, 8811, 8812, 8813, 8815, 8830, 8833, 8834, 8835, 8837, 8839, 8840, 8841, 8842, 8843, 8844, 8845, 8856, 8866, 8876, 8883, 8885, 8891, 8896, 8900, 8907, 8914, 8923, 8925, 8932, 8939, 8946, 8955.
List of Neighborhood Recovery Area Blocks within Community District 18:

8012, 8029, 8030, 8031, 8032, 8033, 8034, 8035, 8036, 8037, 8038, 8039, 8040, 8041, 8043, 8044, 8046, 8047, 8048, 8049, 8050, 8051, 8052, 8053, 8054, 8055, 8056, 8057, 8058, 8059, 8060, 8061, 8062, 8063, 8064, 8065, 8066, 8067, 8068, 8069, 8070, 8071, 8072, 8073, 8074, 8075, 8076, 8077, 8078, 8079, 8080, 8081, 8082, 8083, 8084, 8085, 8086, 8088, 8089, 8090, 8217, 8218, 8219, 8220, 8221, 8222, 8224, 8225, 8226, 8227, 8228, 8229, 8230, 8231, 8232, 8233, 8234, 8235, 8236, 8237, 8238, 8239, 8240, 8241, 8242, 8243, 8244, 8245, 8246, 8247, 8248, 8249, 8250, 8251, 8252, 8253, 8255, 8256, 8257, 8258, 8259, 8260, 8261, 8262, 8263, 8264, 8265, 8266, 8267, 8268, 8269, 8270, 8271, 8272, 8273, 8274, 8275, 8277, 8278, 8279, 8280, 8281, 8282, 8283, 8284, 8285, 8286, 8287, 8288, 8289, 8290, 8291, 8293, 8294, 8295, 8296, 8297, 8298, 8299, 8300, 8301, 8302, 8303, 8304, 8305, 8306, 8307, 8308, 8309, 8310, 8312, 8316, 8317, 8318, 8321, 8322, 8323, 8324, 8326, 8327, 8328, 8329, 8330, 8331, 8334.
Neighborhood Recovery Areas in Queens

(a) within Community District 10:

List of Neighborhood Recovery Area Blocks within Community District 10:

11469, 11472, 11572, 11583, 11588, 11589, 11590, 11591, 13947, 13949, 13950, 13951, 13952, 13953, 13954, 13955, 13956, 13957, 13959, 13960, 13961, 13962, 13963, 13964, 13965, 13966, 13967, 13968, 13969, 13970, 13971, 13972, 13977, 13978, 13979, 13980, 13981, 13982, 13983, 13984, 13985, 13986, 13987, 13988, 13989, 13990, 13991, 13999, 14000, 14001, 14002, 14003, 14004, 14005, 14006, 14007, 14008, 14009, 14010, 14011, 14012, 14013, 14016, 14017, 14018, 14019, 14020, 14021, 14022, 14023, 14024, 14025, 14026, 14027, 14028, 14029, 14030, 14039, 14040, 14041, 14042, 14043, 14044, 14045, 14046, 14047, 14048, 14049, 14057, 14058, 14059, 14060, 14061, 14062, 14063, 14064, 14065, 14066, 14067, 14068, 14069, 14070, 14071, 14072, 14073, 14074, 14075, 14076, 14077, 14078, 14079, 14080, 14081, 14082, 14083, 14084, 14085, 14086, 14140, 14141, 14142, 14143, 14145, 14147, 14148, 14149, 14150, 14151, 14152, 14154, 14155, 14156, 14158, 14159, 14160, 14161, 14162, 14163, 14165, 14166, 14167, 14168, 14169, 14170, 14171, 14172, 14173, 14175, 14176, 14177, 14178, 14179, 14180, 14181, 14182, 14183, 14185, 14186, 14187, 14188, 14189, 14191, 14192, 14193, 14194, 14195, 14197, 14198, 14199, 14200, 14201, 14203, 14204, 14205, 14206, 14207, 14209, 14210, 14211, 14212, 14225, 14228, 14231, 14234, 14238, 14239, 14240, 14241, 14242, 14243, 14244, 14245, 14246, 14247, 14248, 14249, 14250, 14251, 14252, 14253, 14254, 14255, 14260.
List of Neighborhood Recovery Area Blocks within Community District 13:
13895, 13910, 13911, 13912, 13913, 13914, 13921, 14260.
List of Neighborhood Recovery Area Blocks within Community District 14:

15100, 15300, 15301, 15302, 15303, 15304, 15305, 15306, 15308, 15311, 15312, 15313, 15314, 15315, 15316, 15317, 15318, 15319, 15320, 15321, 15322, 15323, 15324, 15325, 15326, 15327, 15350, 15375, 15376, 15400, 15450, 15451, 15452, 15453, 15454, 15455, 15456, 15457, 15458, 15459, 15460, 15461, 15462, 15463, 15464, 15465, 15466, 15475, 15476, 15477, 15478, 15479, 15480, 15481, 15482, 15483, 15484, 15485, 15486, 15500, 15501, 15502, 15503, 15504, 15505, 15506, 15507, 15508, 15509, 15510, 15511, 15512, 15513, 15514, 15515, 15516, 15525, 15526, 15527, 15528, 15529, 15530, 15531, 15532, 15533, 15534, 15535, 15536, 15537, 15541, 15542, 15543, 15544, 15545, 15546, 15547, 15549, 15551, 15552, 15553, 15554, 15555, 15556, 15557, 15559, 15560, 15561, 15562, 15563, 15564, 15566, 15567, 15568, 15569, 15570, 15571, 15572, 15573, 15574, 15575, 15576, 15577, 15578, 15579, 15580, 15581, 15582, 15583, 15584, 15585, 15586, 15587, 15588, 15589, 15590, 15591, 15592, 15593, 15594, 15595, 15596, 15597, 15598, 15599, 15600, 15601, 15602, 15603, 15604, 15605, 15606, 15607, 15608, 15609, 15610, 15612, 15613, 15614, 15615, 15616, 15617, 15618, 15619, 15620, 15621, 15622, 15624, 15625, 15626, 15627, 15628, 15629, 15631, 15632, 15633, 15634, 15636, 15637, 15638, 15649, 15650, 15651, 15652, 15653, 15654, 15655, 15656, 15657, 15658, 15659, 15660, 15661, 15662, 15663, 15664, 15665, 15669, 15670, 15675, 15680, 15681, 15682, 15683, 15684, 15685, 15686, 15687, 15688, 15689, 15690, 15691, 15693, 15694, 15695, 15696, 15697, 15698, 15699, 15700, 15701, 15702, 15703, 15704, 15705, 15706, 15707, 15709, 15710, 15711, 15712, 15713, 15714, 15716, 15717, 15718, 15719, 15720, 15721, 15722, 15723, 15724, 15725, 15726, 15728, 15731, 15732, 15733, 15734, 15735, 15736, 15737, 15738, 15739, 15740, 15741, 15742, 15744, 15745, 15747, 15749, 15750, 15751, 15752, 15753, 15754, 15756, 15758, 15759, 15760, 15761, 15762, 15763, 15764, 15765, 15766, 15767, 15768, 15769, 15770, 15771, 15772, 15773, 15774, 15775, 15776, 15780,
In Staten Island, any areas designated by New York State as part of the NYS Enhanced Buyout Area Program are excluded from a Neighborhood Recovery Area.

(a) within Community District 2:
List of Neighborhood Recovery Area Blocks within Community District 2:

3108, 3109, 3110, 3111, 3112, 3113, 3114, 3115, 3116, 3117, 3118, 3119, 3120, 3121, 3122, 3123, 3124, 3125, 3128, 3220, 3221, 3222, 3223, 3224, 3235, 3236, 3237, 3238, 3239, 3243, 3246, 3247, 3248, 3249, 3250, 3251, 3252, 3253, 3254, 3255, 3256, 3257, 3263, 3264, 3266, 3267, 3268, 3269, 3270, 3271, 3272, 3273, 3274, 3275, 3276, 3277, 3278, 3279, 3280, 3281, 3282, 3284, 3346, 3347, 3348, 3349, 3350, 3351, 3352, 3353, 3354, 3355, 3358, 3359, 3360, 3361, 3362, 3368, 3369, 3370, 3371, 3372, 3373, 3374, 3375, 3376, 3377, 3378, 3379, 3380, 3389, 3390, 3391, 3392, 3393, 3394, 3395, 3396, 3397, 3398, 3400, 3401, 3402, 3403, 3404, 3405, 3406, 3407, 3408, 3410, 3411, 3412, 3413, 3414, 3415, 3416, 3417, 3418, 3419, 3420, 3422, 3423, 3427, 3472, 3475, 3478, 3481, 3491, 3500, 3525, 3538, 3539, 3540, 3541, 3542, 3543, 3544, 3545, 3546, 3547, 3548, 3549, 3550, 3551, 3555, 3556, 3557, 3558, 3559, 3560, 3561, 3567, 3568, 3569, 3570, 3571, 3572, 3573, 3574, 3575, 3583, 3584, 3585, 3586, 3587, 3588, 3589, 3590, 3591, 3603, 3604, 3605, 3608, 3609, 3610, 3613, 3614, 3615, 3650, 3651, 3652, 3655, 3656, 3657, 3658, 3659, 3660, 3661, 3662, 3663, 3664, 3665, 3666, 3667, 3668, 3669, 3670, 3671, 3672, 3673, 3674, 3679, 3680, 3681, 3682, 3683, 3684, 3685, 3686, 3687, 3688, 3689, 3690, 3691, 3692, 3696, 3697, 3698, 3699, 3700, 3701, 3702, 3703, 3704, 3705, 3706, 3707, 3708, 3709, 3710, 3711, 3712, 3713, 3714, 3715, 3716, 3717, 3718, 3721, 3722, 3723, 3724, 3725, 3726, 3727, 3728, 3729, 3730, 3731, 3732, 3733, 3734, 3735, 3736, 3737, 3738, 3739, 3740, 3741, 3742, 3743, 3744, 3745, 3746, 3747, 3748, 3750, 3751, 3752, 3753, 3754, 3755, 3756, 3757, 3758, 3759, 3760, 3761, 3762, 3763, 3764, 3765, 3766, 3767, 3768, 3769, 3790, 3791, 3792, 3793, 3794, 3795, 3796, 3797, 3798, 3799, 3800, 3801, 3802, 3803, 3804, 3805, 3806, 3807, 3808, 3809, 3810, 3811, 3812, 3813, 3814, 3815, 3816, 3817, 3818, 3819, 3820, 3821, 3822, 3823, 3824, 3825, 3826, 3829, 3830, 3831, 3832, 3833, 3834, 3835, 3836, 3837, 3838, 3839, 3840, 3842, 3843, 3844, 3845, 3846, 3847, 3848, 3849, 3850, 3851, 3856, 3859, 3860, 3861, 3864, 3868, 3871, 3873, 3875, 3879, 3881, 3882, 3883, 3884, 3885, 3886, 3887, 3888, 3889, 3891, 3893, 3930, 4031, 4033, 4035, 4037, 4038, 4039, 4040, 4041, 4043, 4045, 4046, 4047, 4048, 4049, 4050, 4064, 4065, 4066, 4067, 4068, 4069, 4076, 4077, 4078, 4079, 4080, 4081, 4082, 4083, 4084, 4085, 4086, 4087, 4088, 4089, 4091, 4092, 4093, 4105.
(b) within Community District 3;
List of Neighborhood Recovery Area Blocks within Community District 3:

3983, 4000, 4001, 4002, 4007, 4015, 4016, 4017, 4018, 4019, 4020, 4021, 4022, 4023, 4024, 4025, 4026, 4027, 4028, 4029, 4030, 4049, 4051, 4052, 4053, 4054, 4055, 4056, 4057, 4058, 4063, 4070, 4071, 4073, 4074, 4105, 4108, 4130, 4131, 4160, 4668, 4669, 4672, 4673, 4674, 4675, 4676, 4678, 4679, 4680, 4681, 4682, 4683, 4684, 4685, 4686, 4687, 4688, 4689, 4690, 4691, 4692, 4693, 4694, 4695, 4717, 4718, 4719, 4720, 4721, 4722, 4723, 4724, 4725, 4726, 4727, 4736, 4737, 4738, 4739, 4740, 4746, 4754, 4758, 4759, 4760, 4761, 4762, 4767, 4768, 4772, 4773, 4774, 4775, 4776, 4781, 4782, 4785, 4787, 4788, 4791, 4792, 4793, 4802, 4803, 4804, 4994, 5067, 5190, 5195, 5200, 5201, 5202, 5203, 5204, 5205, 5207, 5208, 5209, 5212, 5298, 5299, 5302, 5303, 5306, 5307, 5308, 5309, 5310, 5311, 5312, 5313, 5314, 5315, 5316, 5317, 5318, 5319, 5320, 5321, 5322, 5409, 5410, 5411, 5412, 5415, 5418.

(c) within Community District 3;

List of Neighborhood Recovery Area Blocks within Community District 3:

7722, 7857, 7858, 7859, 7860, 7861, 7862, 7863, 7880, 7881, 7883, 7884, 7885, 7905, 7906.