

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

Article VIII - Special Purpose Districts

Chapter 8 Special Hudson Square District

88-00 GENERAL PURPOSES

The “Special Hudson Square District” established in this Resolution is designed to promote and protect public health, safety and general welfare. These general goals include, among others, the following specific purposes:

- (a) support the growth of a mixed residential, commercial and industrial neighborhood by permitting expansion and new development of residential, commercial and community facility uses while promoting the retention of commercial uses and light manufacturing uses;
- (b) recognize and enhance the vitality and character of the neighborhood for workers and residents;
- (c) encourage the development of buildings compatible with existing development;
- (d) regulate conversion of buildings while preserving continued manufacturing or commercial use;
- (e) encourage the development of affordable housing;
- (f) promote the opportunity for workers to live in the vicinity of their work;
- (g) retain jobs within New York City; and
- (h) promote the most desirable use of land in accordance with a well-considered plan and thus conserve the value of land and buildings, and thereby protect City tax revenues.

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88-10 SUPPLEMENTAL USE REGULATIONS

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**88-11
Residential Use**

#Residential use# shall be permitted in accordance with the provisions of this Section.

* * *

(b) #Residential use# by certification

#Residential use# shall be permitted on a #zoning lot# that, on March 20, 2013, was occupied by one or more #qualifying buildings#, only upon certification by the Chairperson of the City Planning Commission that the #zoning lot#, as it existed on March 20, 2013, will contain at least the amount of #commercial# or #manufacturing floor area# ~~non-residential floor area#~~ that existed within such #qualifying buildings# on the #zoning lot# on March 20, 2013, subject to the following:

- (1) #commercial# or #manufacturing floor area# ~~non-residential floor area#~~ that is preserved within existing non-#qualifying buildings# on the #zoning lot# through restrictive declaration may count towards meeting the requirements of this certification; and
- (2) #floor area# from #community facility uses# with sleeping accommodations shall not count towards meeting the requirements of this certification.

However, #commercial# or #manufacturing floor area# ~~non-residential floor area#~~ converted to #residential# vertical circulation space and lobby space need not be replaced as #commercial# or #manufacturing floor area# ~~non-residential floor area#~~.

A restrictive declaration acceptable to the Department of City Planning shall be executed and recorded, binding the owners, successors and assigns to maintain the amount of #commercial# or #manufacturing floor area# ~~non-residential floor area#~~ that existed within such #qualifying buildings# on March 20, 2013, on the #zoning lot#. Such restrictive declaration shall be recorded in the Office of the City Register. A copy of such declaration shall be provided to the Department of Buildings upon application for any building permit related to a change of #use# from #commercial# or #manufacturing floor area# ~~non-residential#~~ to #residential#, or for any #development# containing #residences#.

**88-12
Community Facility Use**

* * *

(b) #Community facilities# with sleeping accommodations shall be permitted on a #zoning lot# that, on March 20, 2013, was occupied by one or more #qualifying buildings#, only upon certification by the

Chairperson of the City Planning Commission that the #zoning lot# will contain at least the amount of #commercial# or #manufacturing floor area# ~~non-residential floor area#~~ that existed within #qualifying buildings# on the #zoning lot# on March 20, 2013, subject to the following:

- (1) #commercial# or #manufacturing floor area# ~~non-residential floor area#~~ that is preserved within existing non-#qualifying buildings# on the #zoning lot# through restrictive declaration may count towards meeting the requirements of this certification; and
- (2) #floor area# from #community facility uses# with sleeping accommodations shall not count towards meeting the requirements of this certification.

However, #commercial# or #manufacturing floor area# ~~non-residential floor area#~~ converted to vertical circulation and lobby space associated with a #community facility# with sleeping accommodations need not be replaced as #commercial# or #manufacturing floor area# ~~non-residential floor area#~~.

A restrictive declaration acceptable to the Department of City Planning shall be executed and recorded, binding the owners, successors and assigns to maintain the amount of #commercial# or #manufacturing floor area# ~~non-residential floor area#~~ that existed within such #qualifying buildings# on March 20, 2013, on the #zoning lot#. Such restrictive declaration shall be recorded in the Office of the City Register. A copy of such declaration shall be provided to the Department of Buildings upon application for any building permit related to a change of #use# from #commercial# or #manufacturing# ~~non-residential#~~ to #community facility uses# with sleeping accommodations, or for any #development# containing #community facility uses# with sleeping accommodations.

- (c) Ground floor #community facility uses# shall be subject to the streetscape provisions set forth in Section 88-131.

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88-13

Commercial Use

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88-131

Streetscape provisions

For #zoning lots# with #street# frontage of 50 feet or more, the location of certain #uses# shall be subject to the following #use# requirements.

- (a) For #uses# located on the ground floor or within five feet of #curb level#, #uses# limited to Use Groups 6A, 6C, 7B, 8A, 8B, 9A, 10A, 12A and 12B, ~~shall have a depth of at least 30 feet from the #building# wall facing the #street# and~~ shall extend along a minimum of 50 percent of the width of the #street#

frontage of the #zoning lot#, and shall comply with the minimum depth provisions of Section 37-32 (Ground Floor Depth Requirements for Certain Uses).

- (b) The remainder of the #street# frontage of the #zoning lot# may be occupied by any permitted #uses#, lobbies or entrances to parking spaces, except that lobbies shall comply with the standards for Type 2 lobbies set forth in Section 37-33 (Maximum Width of Certain Uses) ~~be limited to a total width of 40 feet per #street# frontage. The 30-foot minimum depth requirement shall not apply where a reduction in such depth is necessary in order to accommodate a #residential# lobby or vertical circulation core.~~
- (c) In Subdistrict A of this Chapter, for portions of a #building# bounding a #public park#, the ground floor #use# requirements of paragraph (a) of this Section shall apply to 100 percent of the width of the #street# frontage of the #zoning lot#, and #residential# lobbies and #schools# shall be permitted #uses# on the ground floor for purposes of compliance with paragraph (a).

For #zoning lots# with #street# frontage of less than 50 feet, no special ground floor #use# requirements shall apply.

Enclosed parking spaces, or parking spaces covered by a #building#, including such spaces #accessory# to #residences#, shall be permitted to occupy the ground floor, provided they are wrapped by #floor area# or screened located beyond 30 feet from the #building# wall facing the #street# in accordance with the provisions set forth in Section 37-35 (Parking Wrap and Screening Requirements).

Any ground floor #street wall# of a #development# or #enlargement# that contains #uses# listed in Use Groups 1 through 15, not including #dwelling units#, shall be glazed ~~with transparent materials which may include #show windows#, transom windows or glazed portions of doors, provided such transparent materials have a minimum width of two feet. Such transparency shall occupy at least 50 percent of the surface area of each such ground floor #street wall# between a height of two feet, and 12 feet or the height of the ground floor ceiling, whichever is higher, as measured from the adjoining sidewalk. The lowest level of any transparency that is provided to satisfy the requirements of this Section shall not be higher than four feet above the #curb level#, with the exception of transom windows. In addition, the maximum width of a portion of the ground floor level #street wall# without transparency shall not exceed ten feet. However, where an entrance to a parking facility is provided, the requirements of this Section shall not apply to that portion of the ground floor #street wall# occupied by such an entrance.~~ in accordance with the provisions set forth in Section 37-34 (Minimum Transparency Requirements).

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88-30 SPECIAL BULK REGULATIONS

Except as modified in this Chapter, the following bulk regulations shall apply:

- (a) For #developments#, #enlargements#, or changes of #use# containing #residences#, the #bulk# regulations of an R10 District, as set forth in Article II, Chapter 3 (Bulk Regulations for Residential Buildings in Residence Districts), shall apply;

- (b) For #developments#, #enlargements#, or changes of #use# containing #manufacturing#, #commercial# or #community facility uses#, the #bulk# regulations set forth in Article IV, Chapter 3 (Bulk Regulations for Manufacturing Districts), shall apply.

For the purposes of applying the regulations of this Section, Greenwich Street shall be a #wide street#.

* * *

88-33
Height and Setback

In the #Special Hudson Square District#, the height and setback regulations of the underlying districts shall not apply. In lieu thereof, the provisions of this Section shall apply to all #buildings#.

- (a) Rooftop regulations

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- (1) Permitted obstructions

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In addition, dormers may penetrate a maximum base height provided that such dormers comply with the provisions of paragraph (c) of Section 23-621 (Permitted obstructions in certain districts) on any #street# frontage, the aggregate width of all dormers at the maximum base height does not exceed 60 percent of the length of the #street wall# of the highest #story# entirely below the maximum base height. For each foot of height above the maximum base height, the aggregate width of all such dormers shall be decreased by one percent of the #street wall# width of the highest #story# entirely below the maximum base height.

- (2) Screening requirements for mechanical equipment

For all #developments#, #enlargements# and #conversions# of #commercial# or #manufacturing floor area# non #residential floor area# to #residences#, all mechanical equipment located on any roof of a #building or other structure# shall be fully screened on all sides. However, no such screening requirements shall apply to water tanks.

- (b) Height and setback

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- (2) Base height

On #wide streets#, and on #narrow streets# within 50 feet of their intersection with a #wide street#, the #street wall# of a #building# shall rise without setback to a minimum base height of 125 feet and a maximum base height of ~~150~~ 155 feet.

On #narrow streets#, beyond 50 feet of their intersection with a #wide street#, the #street wall# of a #building# shall rise without setback to a minimum base height of 60 feet, or the height of the #building#, whichever is less, up to a maximum base height of ~~125~~ 135 feet.

* * *

(3) Required setbacks and maximum #building# heights

* * *

(ii) Along #narrow streets#

~~The provisions of this paragraph, (b)(3)(ii), shall apply to~~ For #buildings#, or portions thereof, located on #narrow streets# beyond 100 feet from their intersection with a #wide street#, the maximum height of a #building or other structure# and the maximum number of #stories# shall be as set forth in Section 23-662 (Maximum height of buildings and setback regulations) for an R10 District. For #developments# or #enlargements# providing either #affordable housing# pursuant to the Inclusionary Housing Program, as set forth in Section 23-90, inclusive, or #affordable independent residences for seniors#, where at least 20 percent of the #floor area# of the #zoning lot# is allocated to such #use#, such maximum heights and number of #stories# may be modified in accordance with the provisions of paragraph (a) of Section 23-664 for such districts' applicable residential equivalent. Separate maximum #building# heights are set forth within such Sections for #developments# or #enlargements# with #qualifying ground floors# and for those with #non-qualifying ground floors#, as defined in Section 23-662.

The portion of such #building# above a height of 125 feet shall be set back from the #street wall# of the #building# at least 15 feet, except such dimensions may include the depth of any permitted recesses in the #street wall#.

~~The maximum height of such #buildings# shall be 185 feet. However, for #buildings# that include #floor area compensation# pursuant to Sections 88-32 and 23-90 (Inclusionary Housing) for the provision of an amount of #low income floor area# not less than 20 percent of the #residential floor area# on the #compensated zoning lot#, the maximum height of such #building# shall be 210 feet where such #building# is on a #block# with a depth between #narrow streets# of more than 180 feet, and the maximum height of such #building# shall be 230 feet where such #building# is on a #block# where the depth between #narrow streets# is less than 180 feet~~

For #buildings# containing #residences#, all portions of such #building# exceeding a height of 125 feet above the level of the #residential rear yard# shall be set back no less than ten feet from a #rear yard line#. No setback shall be required for #buildings# that include #floor area compensation# pursuant to Sections 88-32 and 23-90 for the provision of an amount of #low income floor area# not less than 20 percent of the #residential floor area# on the #compensated zoning lot#.

* * *

88-332 Courts

Those portions of #buildings# that contain #residences# shall be subject to the court provisions applicable in R10 Districts as set forth in Section 23-80 (~~Court Regulations, Minimum Distance between Windows and Walls or Lot Lines and Open Area Requirements~~ COURT REGULATIONS, MINIMUM DISTANCE BETWEEN WINDOWS AND WALLS OR LOT LINES AND OPEN AREA REQUIREMENTS), inclusive.

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88-40 YARD REGULATIONS

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88-41 Rear Yard Regulations for Shallow Through Lots

For #through lots# or #through lot# portions of #zoning lots# located beyond 100 feet of a #wide street#, where the maximum depth of such #through lot# between #narrow streets# is ~~180~~ 190 feet or less, any required #rear yard equivalent# shall be provided in accordance with the provisions set forth in 23-533 (Required rear yard equivalents for Quality Housing buildings) ~~as an open area with a minimum depth of 60 feet, midway (or within ten feet of being midway) between the two #narrow street lines# upon which such #through lot# fronts.~~

* * *

END