



Residential Streetscape Preservation Text Amendment - **Approved!**

Update April 14, 2010:

On April 14, 2010 the City Council adopted the Residential Streetscape Preservation Text Amendment. [View the adopted text amendment](#). The text changes are now in effect.



Single family detached



Low-density townhouse



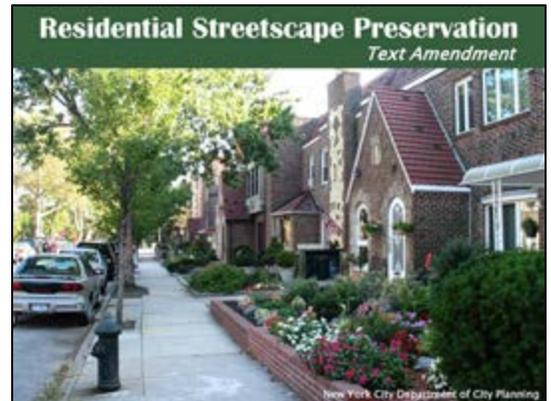
Medium-density townhouse

The Department of City Planning is proposing a city-wide zoning text amendment to preserve and enhance the streetscape character of residential neighborhoods. The text amendment closes loopholes in [front yard](#) planting requirements, responds to concerns of Community Boards and elected officials related to inappropriate curb cuts and front yard parking pads, and clarifies parking requirements for new dwelling units created in existing homes in R3 and R4 Districts. The proposal would also help achieve some of the goals of the Mayor's [PlaNYC](#).

What do the changes entail?

The proposed text amendment would:

1. Eliminate loopholes in the front yard planting requirements that allow the minimum percentage of a front yard that must be planted to include planting strips less than one foot wide and plantings in driveways.
2. Apply stricter front yard parking rules in single and two family districts by prohibiting parking in front yards. Parking could only be placed in a driveway that extends into the side yard, or, for [semi-detached](#) houses, in a driveway leading to a garage in the front of the house. No parking would be permitted in front of row houses in single and two family districts.
3. Reinforce the prohibition on curb cuts for all buildings on lots less than 40 feet wide in R4B through R8B districts. These are rowhouse districts characterized by planted front yards and no front yard parking. A court decision found, for the purposes of curb cut regulations in ZR 25-633, that the prohibition applies only to new buildings, not existing buildings
4. Introduce curb cut rules for residential parking spaces in medium and higher density R6, R7 and R8 districts and their commercial equivalents, where no curb cut rules exist today. The new rules would prevent continuous curb cuts that are unsightly, create pedestrian/vehicular conflicts, eliminate on-street parking spaces, and reduce retail continuity in commercial districts. The proposal would allow one or two curb cuts to parking lots or garages with multiple parking spaces, rather than an unlimited number of curb cuts, where each can access just a single space.
5. Add streetscape character and emphasize pedestrian movement findings for curb cut authorizations for Manhattan Community Districts 1 through 8 and in portions of Queens Community Districts 1 and 2.
6. Ensure that a new parking space is provided for each new dwelling unit added to an existing residential building in R3



View the [presentation](#).

and R4 districts.

Public Review

On November 16, 2009 the proposed Residential Streetscape Preservation text amendment (N 100139 ZRY) was referred to all Community Boards, Borough Boards and Borough Presidents for a 60 day review period. The City Planning Commission held a public hearing on January 27, 2010.

On February 24, 2010, the City Planning Commission approved the text amendment with modifications*.  [Read the CPC Report](#).

On April 14, 2010 the City Council adopted the Residential Streetscape Preservation Text Amendment.  [View the adopted text amendment](#). The text changes are now in effect.

***CPC Modifications**

In response to issues raised during the public review, the Commission approved the zoning text amendment with the following modifications:

- Modify Section 25-21 to state that existing parking spaces for pre-1961 buildings cannot be removed if such spaces were required by zoning at the time such buildings were constructed, unless today's zoning allows for their removal. Buildings built prior to July 20, 1950 are currently permitted to remove all residential parking, and this text amendment will continue to allow for those spaces to be removed.
- Strengthen the finding of need in Section 13-551, which allows the Commission to authorize enclosed parking spaces in existing buildings. The proposed modification would make clear that "need" is a fairly high standard to meet, based upon objectively demonstrated circumstances.

For more information on the proposal, contact the Zoning Division of the Department of City Planning at 212.720.3291.

Related Notes

-  Items accompanied by this symbol require the [free Adobe Acrobat Reader](#).
- Brief explanations of terms in *green italics* can be viewed by [visiting glossary page](#). Words and phrases followed by an asterisk (*) are defined terms in the Zoning Resolution, primarily in Section 12-10. Consult the Zoning Resolution for the official and legally binding definitions of these words and phrases.