ZONING RESOLUTION   Web Version

THE CITY OF NEW YORK

THE CITY OF NEW YORK
Bill de Blasio, Mayor

CITY PLANNING COMMISSION
Marisa Lago, Chair

Article II: Residence District Regulations
Chapter 4 - Bulk Regulations for Community Facilities in Residence Districts

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DEPARTMENT OF CITY PLANNING
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Chapter 4
Bulk Regulations for Community Facilities in Residence Districts

24-00
APPLICABILITY, GENERAL PURPOSES AND DEFINITIONS

24-01
Applicability of This Chapter

The bulk regulations of this Chapter apply to any zoning lot or portion of a zoning lot located in any Residence District which contains any community facility building, or to the community facility portion of any building located in any Residence District which is used for both residential and community facility uses, except where specifically modified by the provisions of this Chapter.

The bulk regulations of Article II, Chapter 3, shall apply to any zoning lot or portion of a zoning lot in any Residence District which contains a residential building, or to the residential portion of any building located in any Residence District which is used for both residential and community facility uses, except where specifically modified by the provisions of this Chapter.

In addition, the bulk regulations of this Chapter, or of specified sections thereof, also apply in other provisions of this Resolution where they are incorporated by cross reference.

Existing buildings or other structures that do not comply with one or more of the applicable bulk regulations are non-complying buildings or other structures and are subject to the regulations set forth in Article V, Chapter 4.

Special regulations applying to large-scale community facility developments or to community facility uses in large-scale residential developments are set forth in Article VII, Chapters 9 or 8, respectively.

Special regulations applying only in Special Purpose Districts are set forth in Articles VIII, IX, X, XI, XII, XIII and XIV.
Special regulations applying in the #waterfront area# are set forth in Article VI, Chapter 2.

Special regulations applying in the #flood zone# are set forth in Article VI, Chapter 4.

(3/22/16)

24-011
Quality Housing Program

The applicability of the Quality Housing Program to #community facility buildings# or portions of #buildings# containing #community facility uses# is set forth in this Section, except as modified in Section 24-012 (Exceptions to the bulk regulations of this Chapter).

In R6A, R6B, R7A, R7B, R7D, R7X, R8A, R8B, R8X, R9A, R9D, R9X, R10A or R10X Districts, any #community facility building# or portion of a #building# containing #community facility uses# shall comply with the height and setback regulations for #Quality Housing buildings# set forth in Article II, Chapter 3. In all other R6, R7, R8, R9 or R10 Districts, if the #residential# portion of a #building# containing a #community facility use# is #developed# or #enlarged# pursuant to the Quality Housing Program, the entire #building# shall comply with the height and setback regulations for #Quality Housing buildings# set forth in Article II, Chapter 3. However, for houses of worship in R8A, R8X, R9A, R9X, R10A and R10X Districts or, where located in #Quality Housing buildings# in other R8 through R10 Districts without a letter suffix, the #street wall# location provisions of Section 23-661 are optional.

For all such #buildings# using the height and setback regulations for #Quality Housing buildings#, any permitted obstruction listed in Section 24-51 that is not listed in Section 23-62 shall also be considered a permitted obstruction.

Special regulations are set forth for #buildings# containing #long-term care facilities# or philanthropic or non-profit institutions with sleeping accommodations in Section 24-013 (Special provisions for certain community facility uses).

#Quality Housing buildings# shall comply with the additional provisions set forth in Article II, Chapter 8 (The Quality Housing Program). In R5D Districts, certain provisions of Article II, Chapter 8, shall apply as set forth in Section 28-01 (Applicability of this Chapter).
24-012
Exceptions to the bulk regulations of this Chapter

R1 R2 R3 R4 R5 R6 R7 R8 R9 R10

(a) Buildings used partly for community facility uses

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

(1) such community facility use has received tax-exempt status from the New York City Department of Finance, or its successor, pursuant to Section 420 of the New York State Real Property Tax Law; or

(2) such building has received an authorization pursuant to Section 24-04 (Modification of Bulk Regulations in Certain Districts).

(b) Buildings containing certain community facility uses in lower density growth management areas

(1) In R1 through R5 Districts in lower density growth management areas, the bulk regulations of this Chapter shall not apply to any zoning lot containing buildings used for:

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

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

(2) In lieu thereof, the #residential bulk# regulations of Article II, Chapter 3, shall apply, except that:

(i) the provisions of Section 23-44 (Permitted Obstructions in Required Yards or Rear Yard Equivalents) shall be modified to prohibit parking spaces of any kind within a #front yard#;

(ii) in lieu of Sections 23-46 (Minimum Required Side Yards) and 23-66 (Required Side and Rear Setbacks), Sections 24-35 (Minimum Required Side Yards) and 24-55 (Required Side and Rear Setbacks) shall apply; and

(iii) for child care services in R1 and R2 Districts, the provisions of paragraph (9) in the definition of #floor area# in Section 12-10, pertaining to #floor area# exclusions for the lowest story of a #residential building#, shall not apply.

(c) Special provisions for certain #community facility uses#

Special provisions for #buildings# containing #long-term care facilities# or philanthropic or non-profit institutions with sleeping accommodations, as listed in Use Group 3, are set forth in Section 24-013.

(d) #Quality Housing buildings#

For #Quality Housing buildings#, the provisions of Section 24-011 shall apply.

(3/22/16)

24-013
Special provisions for certain community facility uses

The provisions of this Section shall apply to #buildings# containing #long-term care facilities# or philanthropic or non-profit institutions with sleeping accommodations, as listed in Use Group 3.

(a) #Buildings# containing #long-term care facilities#
In R1 and R2 Districts

In R1 and R2 Districts, where a #long-term care facility# is permitted pursuant to Section 74-901 (Long-term care facilities), the #bulk# regulations of this Chapter shall apply. The maximum #floor area ratio# for such #long-term care facilities# shall not exceed the applicable #floor area ratio# of paragraph (a) of Section 24-111 (Maximum floor area ratio for certain community facility uses), except as permitted by the City Planning Commission pursuant to Section 74-902 (Certain community facility uses in R1 and R2 Districts and certain Commercial Districts).

In R3 through R5 Districts

In R3-2 Districts, and R4 or R5 Districts without a letter or number suffix, the #bulk# regulations of Article II, Chapter 3, applicable to #affordable independent residences for seniors#, inclusive, shall apply to #buildings#, or portions thereof, containing #long-term care facilities#, except as follows:

(i) the #lot coverage# regulations of Section 24-11 (Maximum Floor Area Ratio and Percentage of Lot Coverage) shall apply in lieu of the maximum #lot coverage# set forth in Section 23-144 (Affordable independent residences for seniors);

(ii) the minimum size of #dwelling unit# provisions of Section 23-23 shall not apply;

(iii) in R3-2 Districts, the height and setback regulations of Section 24-50 shall apply in lieu of Section 23-60; and

(iv) in R5 Districts, the provisions of paragraph (j)(2) of Section 23-631 shall be modified so that the height of a #building# containing #long-term care facilities# may be increased to 55 feet beyond 25 feet of the #street line# on any #zoning lot#.

In all such Districts, the Commission may permit the #bulk# regulations of this Chapter to apply pursuant to the special permit in Section 74-903 (Certain community facility uses in R3 to R9 Districts and certain Commercial Districts).

In R3-1, R3A, R3X, R4-1, R4A, R4B, R5A, R5B or R5D Districts, the #bulk# regulations of this Chapter shall apply to #community facility buildings#, or the #community
facility# portion of a #building# containing #long-term care facilities#, as applicable. The maximum #floor area ratio# for such #long-term care facilities# shall not exceed the applicable #floor area ratio# of paragraph (b) of Section 24-111, except as permitted by the Commission pursuant to Section 74-903.

(3) In R6 through R10 Districts

In R6 through R10 Districts, the #bulk regulations# of Article II, Chapter 3 applicable to #affordable independent residences for seniors#, inclusive, shall apply to #buildings#, or portions thereof, containing #long-term care facilities#, except as follows:

(i) in R6A Districts or R6 Districts without a letter suffix, the maximum #floor area ratio# for #long-term care facilities# shall be 3.6;

(ii) in R7A Districts or R7 Districts without a letter suffix, the maximum #floor area ratio# for #long-term care facilities# shall be 4.6; and

(iii) the minimum size of #dwelling unit# provisions of Section 23-23 shall not apply.

In R6 through R10 Districts without letter suffixes, the Commission may permit the #bulk# regulations of this Chapter to apply to such #long-term care facilities# pursuant to the special permit in Section 74-903.

(4) Applicability of #affordable independent residences for seniors bulk# provisions

Where #buildings# containing #long-term care facilities# are required to utilize the #bulk# provisions applicable to #affordable independent residences for seniors#, such #uses# shall be considered #residential# for the purpose of applying such provisions, and the term #dwelling unit# shall include #dwelling units# and #rooming units#, as set forth in the Housing Maintenance Code.

(b) #Buildings# containing philanthropic or non-profit institutions with sleeping accommodations

The provisions of this Chapter apply to #buildings#, or portions thereof, containing philanthropic or non-profit institutions with sleeping accommodations. In addition, the following special #bulk# provisions apply:
(1) In R1 and R2 Districts

In R1 and R2 Districts the maximum #floor area ratio# for a #community facility building#, or portion thereof, that contains a philanthropic or non-profit institution with sleeping accommodations, shall not exceed the applicable #floor area ratio# of paragraph (a) of Section 24-111, except as permitted by the Commission pursuant to Section 74-902.

(2) In R3 through R5 Districts and R6 through R10 Districts without a letter suffix

In R3 through R5 Districts, and in R6 through R9 Districts without a letter suffix, the maximum #floor area ratio# for a #community facility building#, or portion thereof, that contains a philanthropic or non-profit institution with sleeping accommodations, shall not exceed the applicable #floor area ratio# of paragraph (b) of Section 24-111, except as permitted by the Commission pursuant to Section 74-903.

For #zoning lots# in R3-2, R4, R5, R6 and R7-1 Districts, except for R4-1, R4A, R4B, R5D and R6B Districts, with #buildings# containing both #residential uses# and philanthropic or non-profit institutions with sleeping accommodations, the provisions of Section 24-162 shall not apply. In lieu thereof, the provisions of Section 24-161 shall apply.

In R10 Districts without a letter suffix, the maximum #floor area ratio# for a #community facility building#, or portion thereof, that contains a philanthropic or non-profit institution with sleeping accommodations shall be as set forth in Section 24-11 (Maximum Floor Area Ratio and Percentage of Lot Coverage).

In R6 through R10 Districts without a letter suffix, the height and setback regulations for #Quality Housing buildings# set forth in Article II, Chapter 3, may be applied.

(3) In R6 through R10 Districts with a letter suffix

In R6 through R10 Districts with a letter suffix, the #bulk# regulations for #Quality Housing buildings# set forth in Article II, Chapter 3, inclusive, shall apply.

(c) Applicability of Quality Housing Program elements
For all buildings containing long-term care facilities that utilize the bulk regulations for affordable independent residences for seniors in Article II, Chapter 3, and for buildings containing philanthropic or non-profit institutions with sleeping accommodations that utilize the bulk regulations for Quality Housing buildings in Article II, Chapter 3 in R6 through R10 Districts with a letter suffix, and the height and setback regulations for Quality Housing buildings in Article II, Chapter 3, in R6 through R10 Districts without a letter suffix, the Quality Housing Program, and the associated mandatory and optional program elements, shall apply to such uses, as modified by paragraph (d) of Section 28-01 (Applicability of this Chapter).

(8/14/87)

24-02
General Purposes of Community Facility Bulk Regulations

The following bulk regulations are adopted in order to protect residential areas against congestion and to encourage the development of desirable and stable residential neighborhoods. In order to achieve these purposes, a direct control of the physical volume of buildings and their degree of lot coverage is established.

(8/18/77)

24-03
Definitions

Words in italics are defined in Section 12-10 or, if applicable exclusively to this Section, in this Section.

(2/2/11)

24-04
Modification of Bulk Regulations in Certain Districts

R3-1 R3A R3X R4-1 R4A R4B R5B

In the districts indicated, except for buildings containing certain community facility uses in lower density growth management areas, as set forth in paragraph (b) of Section 24-012 (Exceptions to the bulk regulations of this Chapter), the City Planning Commission may
authorize developments or enlargements, pursuant to the bulk regulations of this Chapter, provided that the Commission finds that:

(a) the design of the development or enlargement ensures adequate separation of uses and sufficient independent access to each use; and

(b) the floor area designated for community facility use is designed in a manner that is consistent with such use and physically distinguishes such space from that designated for residential use.

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

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

(2/2/11)

24-05
Street Tree Planting

R1 R2 R3 R4 R5 R6 R7 R8 R9 R10

In all districts, as indicated, developments, or enlargements that increase the floor area on a zoning lot by 20 percent or more, shall provide street trees in accordance with Section 26-41 (Street Tree Planting).

(2/2/11)

24-06
Planting Strips

R1 R2 R3 R4 R5

In the districts indicated, developments, or enlargements that increase the floor area on a zoning lot by 20 percent or more, shall provide and maintain a planting strip in accordance with Section 26-42.
24-10
FLOOR AREA AND LOT COVERAGE REGULATIONS

R1 R2 R3 R4 R5 R6 R7 R8 R9 R10

In all districts, as indicated, the #floor area# and #lot coverage# regulations of this Section 24-10, inclusive, shall apply as follows.

For any #zoning lot#, the maximum #floor area ratio# and maximum percent of #lot coverage# for a #community facility use# shall not exceed the #floor area ratio# and #lot coverage# set forth in Section 24-11 (Maximum Floor Area Ratio and Percentage of Lot Coverage), except as otherwise provided in the following Sections:

Section 24-111 (Maximum floor area ratio for certain community facility uses)

Section 24-112 (Special floor area ratio provisions for certain areas)

Section 24-13 (Floor Area Bonus for Deep Front and Wide Side Yards)

Section 24-14 (Floor Area Bonus for a Public Plaza)

Section 24-15 (Floor Area Bonus for Arcades)

Section 24-16 (Special Provisions for Zoning Lots Containing Both Community Facility and Residential Uses)

Section 24-17 (Special Provisions for Zoning Lots Divided by District Boundaries or Subject to Different Bulk Regulations).

Where #floor area# in a #building# is shared by multiple #uses#, the #floor area# for such shared portion shall be attributed to each #use# proportionately, based on the percentage each #use# occupies of the total #floor area# of the #zoning lot# less any shared #floor area#.

24-11
Maximum Floor Area Ratio and Percentage of Lot Coverage

R1 R2 R3 R4 R5 R6 R7 R8 R9 R10

In all districts, as indicated, for any #zoning lot#, the maximum #floor area ratio# and maximum percent of #lot coverage# for a #community facility use# shall not exceed the #floor area ratio# and
Any given lot area shall be counted only once in determining the floor area ratio.

Notwithstanding any other provision of this Resolution, the maximum floor area ratio in an R9 or R10 District shall not exceed 12.0.

### MAXIMUM FLOOR AREA AND MAXIMUM LOT COVERAGE IN R1 THROUGH R5 DISTRICTS

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<thead>
<tr>
<th>District</th>
<th>Floor Area Ratio</th>
<th>Corner Lot</th>
<th>Interior Lot or Through Lot</th>
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<tr>
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<td>R2</td>
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<tr>
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<td>R5 A</td>
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<td>55</td>
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<td>R5 B</td>
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<td>R5 D</td>
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<td>60</td>
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### MAXIMUM FLOOR AREA AND MAXIMUM LOT COVERAGE IN R6 THROUGH R10 DISTRICTS FOR CONTEXTUAL DISTRICTS

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<th>Floor Area Ratio</th>
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<td>R6 B</td>
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<tr>
<td>R7 A</td>
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<td>R7 D</td>
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<td>R7 X</td>
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## MAXIMUM FLOOR AREA AND MAXIMUM LOT COVERAGE IN R6 THROUGH R10 DISTRICTS FOR NON-CONTEXTUAL DISTRICTS

<table>
<thead>
<tr>
<th>District</th>
<th>#Floor Area Ratio#</th>
<th>Lot coverage# (percent of #lot area#)</th>
<th>#Corner Lot#</th>
<th>#Interior Lot# or #Through Lot#</th>
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<td>75</td>
<td>65</td>
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</tbody>
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(3/22/16)

### 24-111

**Maximum floor area ratio for certain community facility uses**

R1 R2

(a) In the districts indicated, for any #zoning lot# containing #community facility uses# other than those #uses# for which a permit is required pursuant to Sections 22-21 (By the Board of
Standards and Appeals), 73-12 (Community Facility Uses in R1, R2, R3-1, R3A, R3X, R4-1, R4A or R4B Districts) and 73-13 (Open Uses in R1 or R2 Districts), or where #bulk# modification is permitted pursuant to Section 74-902 (Certain community facility uses in R1 and R2 Districts and certain Commercial Districts), the maximum #floor area ratio# shall not exceed the #floor area# permitted for #residential uses# by the applicable district regulations. The provisions of this paragraph shall not apply to #buildings# for which plans were filed with the Department of Buildings prior to November 15, 1972, including any subsequent amendments thereof.

R3 R4 R5 R6 R7 R8 R9

(b) In R3 through R5 Districts, and in R6 through R9 Districts without a letter suffix, the maximum #floor area ratio# on a #zoning lot# for philanthropic or non-profit institutions with sleeping accommodations, and in R3-1, R3A, R3X, R4-1, R4A, R4B, R5A, R5B and R5D Districts, the maximum #floor area ratio# on a #zoning lot# for #long-term care facilities# shall be as set forth in the table in this Section. Such maximum #floor area ratio# may be modified by special permit of the City Planning Commission pursuant to Section 74-903 (Certain community facility uses in R3 to R9 Districts and certain Commercial Districts).

MAXIMUM FLOOR AREA RATIO FOR CERTAIN COMMUNITY FACILITY USES

<table>
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<tr>
<th>District</th>
<th>Maximum #Floor Area Ratio# Permitted</th>
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<tr>
<td>R3</td>
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<td>R6</td>
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<td>R7</td>
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<td>R8</td>
<td>3.44</td>
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<tr>
<td>R9</td>
<td>7.52</td>
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(3/22/16)

24-112
Special floor area ratio provisions for certain areas
The floor area ratio provisions of Section 24-11 (Maximum Floor Area Ratio and Percentage of Lot Coverage), inclusive, shall be modified for certain areas as follows:

(a) in R8B Districts within Community District 8, in the Borough of Manhattan, the maximum floor area ratio on a zoning lot containing community facility uses exclusively shall be 5.10; and

(b) in R10 Districts, except R10A or R10X Districts, within Community District 7, in the Borough of Manhattan, all zoning lots shall be limited to a maximum floor area ratio of 10.0.

(3/22/16)

24-113
Existing public amenities for which floor area bonuses have been received

(a) Elimination or reduction in size of non-bonused open area on a zoning lot containing a bonused amenity

In all districts, any existing open area for which a floor area bonus has not been utilized that occupies the same zoning lot as an existing publicly accessible open area or other public amenity, open or enclosed, for which a floor area bonus has been utilized, may be reduced in size or eliminated only upon certification of the Chairperson of the City Planning Commission that all bonused amenities comply with the standards under which such floor area bonus was granted.

(b) Nighttime closing of existing public open areas

In all Residence Districts, the City Planning Commission may, upon application, authorize the closing during certain nighttime hours of an existing publicly accessible open area for which a floor area bonus has been received, pursuant to Section 37-727 (Hours of access).

(c) Elimination or reduction in size of existing public amenities

In all districts, no existing publicly accessible open area, arcade or other public amenity, open or enclosed, for which a floor area bonus has been utilized, shall be eliminated or reduced in size, except by special permit of the City Planning Commission, pursuant to Section 74-761 (Elimination or reduction in size of bonused public amenities).
24-12
Height and Application of Lot Coverage

In the districts indicated, the portion of a building containing a community facility use located at any height up to but not exceeding 23 feet above curb level or base plane, where applicable, may be excluded in determining the percentage of lot coverage set forth in Section 24-11 (Maximum Floor Area Ratio and Percentage of Lot Coverage). Obstructions permitted under the provisions of Section 24-33 (Permitted Obstructions in Required Yards or Rear Yard Equivalents) shall not be included in lot coverage.

24-13
Floor Area Bonus for Deep Front and Wide Side Yards

In the districts indicated, except R5D Districts, the maximum floor area ratio set forth in Section 24-11 (Maximum Floor Area Ratio and Percentage of Lot Coverage) may be increased to the floor area ratio set forth in the table in this Section, if yards are provided as follows:

(a) on interior lots, a front yard not less than 30 feet in depth, and a side yard not less than 15 feet in width along any side lot line;

(b) on corner lots, two front yards, each not less than 30 feet in depth;

(c) on through lots, a front yard not less than 30 feet in depth along each front lot line, provided, however, that if the rear yard equivalent required for such through lot is provided as set forth in the alternative in paragraph (b) of Section 24-382 (Required rear yard equivalents), at least one side yard not less than 30 feet in width shall be provided in addition.

No portion of a rear yard equivalent that is also a front yard or a side yard as provided under this Section may contain any
obstructions not permitted in a #front yard# or #side yard# under the provisions of Section 24-33 (Permitted Obstructions in Required Yards or Rear Yard Equivalents).

However, the provisions of this Section shall not apply to philanthropic or non-profit institutions with sleeping accommodations and #long-term care facilities#.

<table>
<thead>
<tr>
<th>Districts</th>
<th>Maximum #Floor Area Ratio# Permitted</th>
</tr>
</thead>
<tbody>
<tr>
<td>R3</td>
<td>1.60</td>
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<tr>
<td>R4</td>
<td>2.40</td>
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<tr>
<td>R5</td>
<td>2.40</td>
</tr>
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</table>

(3/22/16)

24-14
Floor Area Bonus for a Public Plaza

R9 R10

In the districts indicated, for #developments# or #enlargements# with 25 percent or less of the total #floor area# of the #building# allocated to #residential uses#, for each square foot of a #public plaza#, subject to the provisions of Section 37-70, provided on a #zoning lot#, the total #floor area# permitted on that #zoning lot# under the provisions of Section 24-11 (Maximum Floor Area Ratio and Percentage of Lot Coverage) may be increased by six square feet.

(3/22/16)

24-15
Floor Area Bonus for Arcades

R9 R10

In the districts indicated, for #developments# or #enlargements# with 25 percent or less of the total #floor area# of the #building# allocated to #residential uses#, for each square foot of #arcade# provided on a #zoning lot# in accordance with the provisions of Section 37-80 (ARCADES), the total #floor area# permitted on that #zoning lot# under the provisions of Section 24-11 (Maximum Floor Area Ratio and Percentage of Lot Coverage) may be increased by three square
feet.

(3/22/16)

24-16
Special Provisions for Zoning Lots Containing Both Community Facility and Residential Uses

R1 R2 R3 R4 R5 R6 R7 R8 R9 R10

In all districts, as indicated, the provisions of this Section shall apply to any zoning lot containing community facility and residential uses.

(3/22/16)

24-161
Maximum floor area ratio for zoning lots containing community facility and residential uses

R1 R2 R3-1 R3A R3X R4-1 R4A R4B R5D R6A R6B R7-2 R7A R7B R7D R7X R8 R9 R10

In the districts indicated, for zoning lots containing community facility and residential uses, the maximum floor area ratio permitted for a community facility use shall be as set forth in Section 24-11, inclusive, and the maximum floor area ratio permitted for a residential use shall be as set forth in Article II, Chapter 3, provided the total of all such floor area ratios does not exceed the greatest floor area ratio permitted for any such use on the zoning lot.

In Inclusionary Housing designated areas, except within Waterfront Access Plan BK-1 and in R6 Districts without a letter suffix in Community District 1, Brooklyn, the maximum floor area ratio permitted for zoning lots containing community facility and residential uses shall be the base floor area ratio set forth in Section 23-154 (Inclusionary Housing) for the applicable district. Such base floor area ratio may be increased to the maximum floor area ratio set forth in such Section only through the provision of affordable housing pursuant to Section 23-90 (INCLUSIONARY HOUSING).

(3/22/16)
24-162
Maximum floor area ratios and special floor area limitations for zoning lots containing residential and community facility uses in certain districts

R3-2 R4 R5 R6 R7-1

In the districts indicated, except R4-1, R4A, R4B, R5D, R6A and R6B Districts, the provisions of this Section shall apply to any zoning lot containing community facility and residential use. However, this Section shall not apply to buildings containing residences and philanthropic or non-profit residences with sleeping accommodations, as set forth in Section 24-013 (Special provisions for certain community facility uses).

(a) For buildings containing residential and community facility uses, if the ratio of floor area provided in a building to the lot area of the zoning lot is greater than as set forth in Column A in the table in this Section, then the maximum ratio of community facility floor area in such buildings to the lot area of the zoning lot shall be as set forth in Column B in the table. The maximum floor area ratio for the residential portions of such buildings shall be in accordance with Article II, Chapter 3, subject to the limitations set forth in paragraph (d) of this Section.

### Maximum Community Facility Floor Area Ratio for Certain Buildings Containing Community Facility and Residential Uses

<table>
<thead>
<tr>
<th>District</th>
<th>Column A</th>
<th>Column B</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Ratio of Floor Area of Building to Lot Area</td>
<td>Maximum Ratio of Floor Area of Community Facility Use to Lot Area</td>
</tr>
<tr>
<td>R3-2</td>
<td>.50</td>
<td>.20</td>
</tr>
<tr>
<td>R4</td>
<td>.75</td>
<td>.40</td>
</tr>
<tr>
<td>R5B</td>
<td>1.25</td>
<td>.40</td>
</tr>
<tr>
<td>R5</td>
<td>1.25</td>
<td>.60</td>
</tr>
<tr>
<td>R6</td>
<td>2.50</td>
<td>1.00</td>
</tr>
<tr>
<td>R7-1</td>
<td>3.50</td>
<td>1.00</td>
</tr>
</tbody>
</table>

(b) For buildings containing residential and community facility uses, if the ratio of floor area provided in a building to
the #lot area# of the #zoning lot# is not greater than as set forth in Column A in the table in paragraph (a), then the maximum ratio of the #community facility floor area# in such #buildings# to the #lot area# shall be as set forth in Section 24-11, inclusive. The maximum #floor area ratio# for the #residential# portion of such #buildings# shall be in accordance with Article II, Chapter 3, subject to the limitations set forth in paragraph (d) of this Section.

(c) For #zoning lots# containing multiple #buildings#, the provisions of this paragraph, (c), shall apply to #buildings# containing only #community facility uses# or only #residential uses#. The maximum #floor area ratio# permitted for a #building# containing only #community facility uses# shall be as set forth in Section 24-11, inclusive, and the maximum #floor area ratio# permitted for a #building# containing only #residential uses# shall be as set forth in Article II, Chapter 3, subject to the limitations set forth in paragraph (d) of this Section.

(d) The total #floor area ratio# permitted for #community facility use# on the #zoning lot# shall be as set forth in Section 24-11, inclusive, and the total #floor area ratio# permitted for #residential use# on the #zoning lot# shall be as set forth in Article II, Chapter 3, provided the total of all such #floor area ratios# does not exceed the greatest #floor area ratio# permitted for any such #use# on the #zoning lot#.

For the purposes of this Section, a #building segment# may be considered to be a #building#.

(3/22/16)

24-163
Open space ratio for residential portion

R6 R7 R8 R9

In the districts indicated, the #zoning lots# containing #residences# shall have a minimum #open space ratio# as required under the provisions of Article II, Chapter 3. For the purposes of this Section:

(a) the #floor area# counted in determining the #open space ratio# shall be only that #floor area# in the #residential# portion of the #building#;

(b) the #lot coverage# of the #residential# portion of the #building# shall be deemed to be that portion of the #zoning lot# which, when viewed directly from above, would be covered by the
the applicable #height factor#, if the maximum permitted #residential floor area ratio# is less than the total #floor area ratio# permitted for such #zoning lot#, shall be the #height factor# of the #residential# portion of the #building#.

(3/22/16)

24-164
Location of open space for residential portion

R1 R2 R3 R4 R5 R6 R7 R8 R9

(a) In the districts indicated, the #open space# required for the #residential# portion of the #building# under the provisions of Article II, Chapter 3, may be at a level higher than 23 feet above #curb level#. Such #open space# may be provided at ground floor level or upon the roof of the #community facility# portion of such #building#, provided that the level of any #open space# may not be higher than two and one half feet below the sill level of any #legally required window# opening on such roof area, in the #residential# portion of such #building#. #Open space# located on the roof of a #community facility building# separated by open area from #residential# or #mixed buildings# on the same #zoning lot# may not be at a level higher than 23 feet above #curb level#. For the purposes of this Section, #abutting buildings# on a single #zoning lot# may be considered to be a single #building#.

R6A R6B R7A R7B R7D R7X R8A R8B R8X R9A R9D R9X R10A R10X

(b) In the districts indicated, and in other R6, R7, R8, R9 or R10 Districts, the provisions of Section 28-20 (RECREATION SPACE AND PLANTING AREAS) shall apply to #Quality Housing buildings#.

(2/2/11)

24-165
Lot coverage for zoning lots containing community facility and residential uses

Where different maximum percentages of #lot coverage# apply to #residential# and #community facility uses#, the higher #lot coverage# shall be applied to any level containing both such #uses#. Furthermore, the maximum percent of #lot coverage# for #community
facility uses located below the level of residential uses need not be lower than the maximum percent of lot coverage permitted for such residential uses.

(2/2/11)

24-166
Balconies

R3 R4 R5 R6 R7 R8 R9 R10

In all districts, as indicated, the regulations set forth in Section 23-13 (Balconies) shall apply to any portion of a building used for living or sleeping accommodations.

(2/2/11)

24-17
Special Provisions for Zoning Lots Divided by District Boundaries or Subject to Different Bulk Regulations

R1 R2 R3 R4 R5 R6 R7 R8 R9 R10

In the districts, as indicated, whenever a zoning lot is divided by a boundary between districts or is subject to bulk regulations resulting in different maximum floor area ratios or different maximum percentages of lot coverage, on portions of the zoning lot, the provisions set forth in Article VII, Chapter 7, shall apply.

(3/22/16)

24-20
APPLICABILITY OF DENSITY REGULATIONS TO ZONING LOTS CONTAINING BOTH RESIDENTIAL AND COMMUNITY FACILITY USES

In all districts, the maximum number of dwelling units on a zoning lot containing both community facility and residential uses shall be as set forth in Section 23-24 (Special Provisions for Buildings Containing Multiple Uses).

(12/15/61)
24-30
YARD REGULATIONS

General Provisions

(3/22/16)

24-31
Applicability of Yard Regulations

R1 R2 R3 R4 R5 R6 R7 R8 R9 R10

In all districts, as indicated, #yards# shall be provided as set forth in Sections 24-30 (YARD REGULATIONS) and 24-40 (SPECIAL PROVISIONS FOR ZONING LOTS DIVIDED BY DISTRICT BOUNDARIES), inclusive.

For #zoning lots# with #residential# and #community facility uses#, #front yards# shall be provided pursuant to Article II, Chapter 3, where applicable, and #side yards# and #rear yards# shall be provided in accordance with this Chapter. Section 23-463 (Maximum aggregate width of street walls) shall apply to #zoning lots# with #residential# and #community facility uses#.

For the #residential# portion of a #building# with both #residential# and #community facility uses#, the required #residential rear yard# shall be provided at the floor level of the lowest #story# used for #dwelling units#, where any window of such #dwelling units# faces onto such #rear yard#.

(2/2/11)

24-32
Level of Yards and Measurement of Yard Width or Depth

In all #Residence Districts#, the level of a #yard# or of a #rear yard equivalent# shall not be higher than #curb level#, except that natural grade level need not be disturbed in order to comply with this requirement. No #building or other structure# shall be erected above ground level in any required #yard# or #rear yard equivalent#, except as otherwise provided in Section 24-33 (Permitted Obstructions in Required Yards or Rear Yard Equivalents).

In all #Residence Districts#, the width or depth of a #yard# or #rear yard equivalent# shall be measured perpendicular to #lot lines#. 
24-33
Permitted Obstructions in Required Yards or Rear Yard Equivalents

In all Residence Districts, the following obstructions shall be permitted when located within a required yard or rear yard equivalent:

(a) In any yard or rear yard equivalent:

(1) Arbors or trellises;

(2) Awnings and other sun control devices, provided that when located at a level higher than the first story, excluding a basement, all such awnings and other sun control devices:

   (i) shall be limited to a maximum projection of 2 feet, 6 inches into such required yard; and

   (ii) shall have solid surfaces that, in aggregate, cover an area no more than 30 percent of the area of the building wall (as viewed in elevation) from which they project;

(3) Canopies;

(4) Chimneys, projecting not more than three feet into, and not exceeding two percent of the area of, the required yard or rear yard equivalent;

(5) Eaves, gutters or downspouts, projecting into such yard or rear yard equivalent not more than 16 inches or 20 percent of the width of such yard or rear yard equivalent, whichever is the lesser distance;

(6) Exterior wall thickness, where such wall thickness is added to the exterior face of a building wall existing on April 30, 2012, provided the added wall thickness has a thermal resistance (R-value) of at least 1.5 per inch, and is limited to one inch of thickness for every foot of existing yard width, up to a maximum thickness of eight inches. When an open area is provided along a common lot line, then such exterior wall thickness is limited to one inch for every foot of existing open area on the zoning lot;

Where buildings that have added exterior wall thickness
pursuant to this Section are #enlarged#, such #enlarged# portion may similarly encroach upon required #yards# in order to align with the exterior walls of the existing #building#, provided such #enlargement# contains less #floor area# than the existing #building#, and there is no encroachment of #floor area# into a required #yard#;

(7) Fences;

(8) Flagpoles;

(9) Parking spaces for automobiles or bicycles, off-street, open, #accessory#;

(10) Solar energy systems, on walls existing on April 30, 2012, projecting no more than 10 inches and occupying no more than 20 percent of the surface area of the #building# wall (as viewed in elevation) from which it projects;

(11) Steps, and ramps for people with disabilities;

(12) Terraces or porches, open;

(13) Walls, not exceeding eight feet in height and not roofed or part of a #building#.

(b) In any #rear yard# or #rear yard equivalent#:

(1) Balconies, unenclosed, subject to the provisions of Section 24-165;

(2) Breezeways;

(3) Any #building# or portion of a #building# used for #community facility uses#, including #accessory# parking spaces for bicycles within such #building#, provided that the height of such #building# shall not exceed one #story#, nor in any event 23 feet above #curb level#, and further provided that the area within such #building# dedicated to #accessory# parking spaces for bicycles shall not exceed the area permitted to be excluded from #floor area#, pursuant to Section 25-85 (Floor Area Exemption). In addition, decks, parapet walls, roof thickness, skylights, vegetated roofs and weirs, pursuant to Section 24-51 (Permitted Obstructions), shall be permitted above such an #accessory building#, or portion thereof. However, the following shall not be permitted obstructions:

(i) in all #Residence Districts#, any portion of a #building# containing rooms used for living or sleeping
purposes, other than a room in a hospital used for the care or treatment of patients;

(ii) in R1, R2, R3-1, R3A, R3X, R4-1, R4A or R4B Districts, any portion of a #building# used for any #community facility use#;

(iii) in all #Residence Districts# not listed in paragraph (b)(3)(ii) of this Section, beyond 100 feet of a #wide street#, any portion of a #building# used for a #community facility use# other than a #school#, house of worship, college or university, or hospital and related facilities;

(4) Fire escapes;

(5) Greenhouses, #accessory#, non-commercial, limited to one #story# or 15 feet in height above natural grade level, whichever is less, and limited to an area not exceeding 25 percent of a required #rear yard# or #rear yard equivalent# on a #zoning lot#;

(6) Parking spaces, off-street, #accessory# to a #community facility use#, provided that the height of an #accessory building#, or portion of a #building# used for such purposes, shall not exceed 15 feet above #curb level#. However, such #accessory building# or portion of a #building# shall not be a permitted obstruction in R1, R2, R3-1, R3A, R3X, R4-1, R4A or R4B Districts;

(7) Recreation or drying yard equipment;

(8) Sheds, tool rooms or other similar #accessory buildings or other structures# for domestic or agricultural storage, with a height not exceeding 10 feet above the level of the #rear yard# or #rear yard equivalent#;

(9) Solar energy systems on the roof of a #building# permitted as an obstruction to such #yard#, up to four feet in height as measured perpendicular to the roof surface when located above a permitted #community facility use# or attached parking structure; however, limited to 18 inches in height as measured perpendicular to the roof surface when located above a shed or detached parking structure, or on any roof with a slope greater than 20 degrees;

(10) Water-conserving devices required in connection with air conditioning or refrigeration systems in #buildings# existing prior to May 20, 1966, if located not less than eight feet from any #lot line#. 
However, no portion of a #rear yard equivalent# which is also a required #front yard# or required #side yard# may contain any obstructions not permitted in such #front yard# or #side yard#.

**Basic Regulations**

(6/29/06)

**24-34**

**Minimum Required Front Yards**

R1 R2 R3 R4 R5

In the districts indicated, #front yards# shall be provided as set forth in the following table, except that for a #corner lot# in an R1-2 District, one #front yard# may have a depth of 15 feet.

<table>
<thead>
<tr>
<th>District</th>
<th>#Front Yard# (in feet)</th>
</tr>
</thead>
<tbody>
<tr>
<td>R1</td>
<td>20</td>
</tr>
<tr>
<td>R2 R3 R4</td>
<td>15</td>
</tr>
<tr>
<td>R5</td>
<td>10</td>
</tr>
<tr>
<td>R5D</td>
<td>5*</td>
</tr>
</tbody>
</table>

* In R5D Districts, the provisions set forth in Section 23-45 (Minimum Required Front Yards) shall apply.

(4/30/12)

**24-35**

**Minimum Required Side Yards**

R1 R2 R3 R4 R5

(a) In the districts indicated, if a #building# containing a #community facility use# has an #aggregate width of street walls# equal to 80 feet or less or, for #abutting buildings#, if the combined #aggregate width of street walls# of all such #abutting buildings# on a #zoning lot# is equal to 80 feet or less, then two #side yards# shall be provided, each with a minimum required width of eight feet. If such #building# or #buildings# have an #aggregate width of street walls# equal to more than 80 feet, two #side yards# shall be provided, each equal to not less than 10
percent of the aggregate width of street walls. The provisions of this paragraph (a) shall not apply in R5D Districts. In lieu thereof, the side yard regulations set forth in Sections 23-461 and 23-462, as applicable, shall apply.

R6 R7 R8 R9 R10

(b) In the districts indicated, no side yards are required. However, if any open area extending along a side lot line is provided at any level, it shall be at least eight feet wide. Permitted obstructions pursuant to paragraph (a) of Section 24-33 (Permitted Obstructions in Required Yards or Rear Yard Equivalents) shall be permitted in such open areas.

(2/2/11)

24-351
Special provisions applying along district boundaries

R6 R7 R8 R9 R10

In the districts indicated, if the boundary of an adjoining R1, R2, R3, R4 or R5 District coincides with a side lot line of a zoning lot, a side yard at least eight feet wide shall be provided along such boundary within the districts indicated.

Rear Yards

(4/30/08)

24-36
Minimum Required Rear Yards

R1 R2 R3 R4 R5 R6 R7 R8 R9 R10

In all districts, as indicated, a rear yard with a depth of not less than 30 feet shall be provided at every rear lot line on any zoning lot except as otherwise provided in Sections 24-37 (Special Provisions for Shallow Interior Lots), 24-38 (Special Provisions for Through Lots) or 24-39 (Other Special Provisions for Rear Yards). Rear yards shall also be provided along portions of side lot lines as set forth in Section 24-361 (Beyond one hundred feet of a street line).
Beyond one hundred feet of a street line

In all districts, as indicated, for #corner lots#, and for #zoning lots# that are bounded by two or more #streets# that are neither #corner lots# nor #through lots#, the portion of a #side lot line# beyond 100 feet of the #street line# that it intersects shall be considered a #rear lot line# and the following rules shall apply along such #rear lot line#:

(a) In all districts, a #rear yard# with a minimum depth of 30 feet shall be provided where such #rear lot line# coincides with a #rear lot line# of an adjoining #zoning lot#.

(b) In R1 through R5 Districts, a #rear yard# with a minimum depth of eight feet shall be provided where such #rear lot line# coincides with a #side lot line# of an adjoining #zoning lot#.
ZONING LOT BOUNDED BY TWO OR MORE STREETS (NEITHER A CORNER LOT NOR A THROUGH LOT)

(c) In R6 through R10 Districts, no #rear yard# shall be required where such #rear lot line# coincides with a #side lot line# of an adjoining #zoning lot#.

2/20/64

24-37

Special Provisions for Shallow Interior Lots

R3 R4 R5 R6 R7 R8 R9 R10

In the districts indicated, if an #interior lot# consists entirely of a tract of land:

(a) which was owned separately and individually from all other adjoining tracts of land, both on December 15, 1961 and on the date of application for a building permit; and

(b) which is less than 70 feet deep at any point;

the depth of a required #rear yard# for such #interior lot# may be reduced by one foot for each foot by which the maximum depth of such #zoning lot# is less than 70 feet. On any #interior lot# with a maximum depth of 50 feet or less, the minimum depth of a required
#rear yard# shall be 10 feet.

(6/29/94)

24-38
Special Provisions for Through Lots

R1 R2 R3 R4 R5 R6 R7 R8 R9 R10

In all districts, as indicated, the regulations of this Section shall apply to all #through lots#. In the case of a #zoning lot# occupying an entire #block#, no #rear yard# or #rear yard equivalent# shall be required.

(3/22/16)

24-381
Excepted through lots

R1 R2 R3 R4 R5 R6 R7 R8 R9 R10

(a) In all districts, as indicated, no #rear yard# regulations shall apply to any #through lots# that extend less than 110 feet in maximum depth from #street# to #street#.

R5D R6A R6B R7A R7B R7D R7X R8A R8B R8X R9A R9D R9X R10A R10X

(b) In the districts indicated, for all #buildings# and for #Quality Housing buildings# in other R6, R7, R8, R9 and R10 Districts, no #rear yard# regulations shall apply to any #zoning lot# that includes a #through lot# portion which is contiguous on one side to two #corner lot# portions, and such #zoning lot# occupies the entire #block# frontage of a #street#.

(3/22/16)

24-382
Required rear yard equivalents

R1 R2 R3 R4 R5 R6 R7 R8 R9 R10

In all districts, as indicated, on any #through lot# 110 feet or more in maximum depth from #street# to #street#, one of the following #rear yard equivalents# shall be provided:
(a) an open area with a minimum depth of 60 feet midway (or within five feet of being midway) between the two street lines upon which such through lot fronts;

(b) two open areas, each adjoining and extending along the full length of a street line, and each with a minimum depth of 30 feet measured from such street line, except the depth of such required open area along one street line may be decreased, provided that:

(1) a corresponding increase in the depth of the open area along the other street line is made; and

(2) any required front setback areas are maintained; or

(c) an open area adjoining and extending along the full length of each side lot line, with a minimum width of 30 feet measured from each such side lot line.

However, in R5D, R6A, R6B, R7A, R7B, R7D, R7X, R8A, R8B, R8X, R9A, R9D, R9X, R10A and R10X Districts, and for Quality Housing buildings in other R6 through R10 Districts on any through lot at least 180 feet in depth from street to street, a rear yard equivalent shall be provided only as set forth in paragraph (a) of this Section.

Any such rear yard equivalent shall be unobstructed from its lowest level to the sky, except as provided in Section 24-33 (Permitted Obstructions in Required Yards or Rear Yard Equivalents).

(12/15/61)

24-39
Other Special Provisions for Rear Yards

R1 R2 R3 R4 R5 R6 R7 R8 R9 R10

In all districts, as indicated, the rear yard requirements set forth in Section 24-36 (Minimum Required Rear Yards) shall be modified, as set forth in this Section, inclusive.

(4/30/08)

24-391
Within one hundred feet of corners
In the districts indicated, no #rear yard# shall be required within 100 feet of the point of intersection of two #street lines# intersecting at an angle of 135 degrees or less.

(4/30/08)  
24-392  
Along short dimension of block

In the districts indicated, whenever a #front lot line# of a #zoning lot# coincides with all or part of a #street line# measuring less than 230 feet in length between two intersecting #streets#, no #rear yard# shall be required within 100 feet of such #front lot line#.

(4/30/08)  
24-393  
For zoning lots with multiple rear lot lines

In all districts, as indicated, for #zoning lots# with multiple #rear lot lines#, if a #rear yard# extends from a #rear lot line# away from the #street line# which is used to determine such #rear lot line#, the following rules shall apply along such #rear lot line#:

(a) In all districts, a #rear yard# with a minimum depth of 30 feet shall be provided where such #rear lot line# coincides with a #rear lot line# of an adjoining #zoning lot#.
(b) In R1 through R5 Districts, a #rear yard# with a minimum depth of eight feet shall be provided where such #rear lot line# coincides with a #side lot line# of an adjoining #zoning lot#.

(c) In R6 through R10 Districts, no #rear yard# shall be required where such #rear lot line# coincides with a #side lot line# of an adjoining #zoning lot#.
(d) In all districts, for portions of through lots that have multiple rear lot lines and such portions are not subject to interior lot regulations, the street line bounding the zoning lot closest to such rear lot line shall be used to determine compliance with this Section.

All Yards

(8/14/87)

24-40
SPECIAL PROVISIONS FOR ZONING LOTS DIVIDED BY DISTRICT BOUNDARIES

R1 R2 R3 R4 R5 R6 R7 R8 R9 R10

In all districts, as indicated, whenever a zoning lot is divided by a boundary between districts or is subject to other regulations resulting in different yard regulations on portions of the zoning lot, the provisions set forth in Article VII, Chapter 7, shall apply.

(4/30/08)

24-41
Modifications of Rear Yard Regulations
In all districts, as indicated, the regulations set forth in Section 24-393 (For zoning lots with multiple rear lot lines) may be modified in accordance with the provisions of Section 73-69 (Rear Yard Modifications).

(3/22/16)

24-50
HEIGHT AND SETBACK REGULATIONS

In all districts, as indicated, the height and setback regulations of this Section 24-50, inclusive, shall apply as follows.

Height and setback regulations applicable to R1 through R5 Districts, except R5D Districts, are set forth in Section 24-521 (Front setbacks in districts where front yards are required). In R5D Districts, all buildings or other structures shall comply with the applicable height and setback requirements set forth in Section 23-60 (HEIGHT AND SETBACK REGULATIONS).

In R6A, R6B, R7A, R7B, R7D, R7X, R8A, R8B, R8X, R9A, R9D, R9X, R10A or R10X Districts, any building shall comply with the height and setback regulations for Quality Housing buildings set forth in Article II, Chapter 3. In R6, R7, R8, R9 or R10 Districts without a letter suffix, if the residential portion of a building containing a community facility use is developed or enlarged pursuant to the Quality Housing Program, the entire building shall comply with the applicable height and setback regulations for Quality Housing buildings set forth in Article II, Chapter 3. For other buildings in R6 through R10 Districts without a letter suffix utilizing the provisions of this Chapter, height and setback regulations are set forth in Sections 24-522 (Front setbacks in districts where front yards are not required), 24-53 (Alternate Front Setbacks) and 24-54 (Tower Regulations), as applicable.

In all districts, supplemental provisions are set forth in Sections 24-55 (Required Side and Rear Setbacks), 24-56 (Special Height and Setback Provisions for Certain Areas), 24-57 (Modifications of Height and Setback Regulations), 24-58 (Special Provisions for Zoning Lots Divided by District Boundaries) and 24-59 (Special Height Limitations), respectively.
24-51
Permitted Obstructions

In all Residence Districts, the following obstructions shall be permitted and may thus penetrate a maximum height limit or sky exposure plane set forth in Sections 24-52 (Maximum Height of Walls and Required Setbacks), 24-53 (Alternate Front Setbacks) or 24-591 (Limited Height Districts):

(a) Awnings and other sun control devices, provided that when located at a level higher than the first story, excluding a basement, all such awnings and other sun control devices:

(1) shall be limited to a maximum projection from a building wall of 2 feet, 6 inches, except when located on the first story above a setback;

(2) shall have solid surfaces that, in aggregate, cover an area no more than 30 percent of the area of the building wall (as viewed in elevation) from which they project; and

(3) may rise above the permitted building height, up to the height of a parapet wall or guardrail permitted in accordance with Section 23-62 (Permitted Obstructions);

When located on the first story above a setback, awnings and other sun control devices shall be limited to a projection of 50 percent of the depth of the required setback, and shall be limited, in total, to 50 percent of the width of the building wall from which they project;

(b) Balconies, unenclosed, subject to the provisions of Section 24-166;

(c) Building columns, having an aggregate width equal to not more than 20 percent of the aggregate width of street walls of a building, to a depth not exceeding 12 inches, in an initial setback distance, optional front open area, or any other required setback distance or open area set forth in Sections 24-52, 24-53 or 24-54 (Tower Regulations);

(d) Chimneys or flues, with a total width not exceeding 10 percent of the aggregate width of street walls of a building at any level;

(e) Decks, and other surfaces for recreational activities, not more than 3 feet, 6 inches in height, as measured from the maximum
height limit, or the finished level of the roof as it existed on April 30, 2012, whichever is higher;

(f) Elevator or stair bulkheads (including shafts; and vestibules not larger than 60 square feet in area providing access to a roof), roof water tanks and mechanical equipment (including enclosures), other than solar or wind energy systems, provided that:

(1) such obstructions shall be located not less than 10 feet from the street wall of a building, except that such obstructions need not be set back more than 25 feet from a narrow street line or more than 20 feet from a wide street line. However, such restrictions on location shall not apply to elevator or stair bulkheads (including shafts or vestibules), provided the aggregate width of street walls of such bulkheads within 10 feet of a street wall, facing each street frontage, times their average height, in feet, does not exceed an area equal to four feet times the width, in feet, of the street wall of the building facing such frontage;

(2) all mechanical equipment shall be screened on all sides;

(3) such obstructions and screening are contained within a volume that complies with one of the following:

(i) the product, in square feet, of the aggregate width of street walls of such obstructions facing each street frontage, times their average height, shall not exceed an area equal to eight feet times the width, in feet, of the street wall of the building facing such frontage; or

(ii) the lot coverage of all such obstructions does not exceed 20 percent of the lot coverage of the building, and where the maximum permitted height of a building is less than 120 feet, such obstructions are limited to a maximum height of 25 feet, and where the maximum permitted height of a building is 120 feet or greater, such obstructions are limited to a maximum height of 40 feet.

For the purposes of this paragraph (f), abutting buildings on a single zoning lot may be considered to be a single building;

(g) Exterior wall thickness, up to eight inches, where such wall thickness is added to the exterior face of a building wall existing on April 30, 2012, provided the added wall thickness has a thermal resistance (R-value) of at least 1.5 per inch. Where
Buildings that have added exterior wall thickness pursuant to this Section are enlarged, such enlarged portion may similarly penetrate a maximum height limit in order to align with the exterior walls of the existing building, provided such enlargement contains less floor area than the existing building, and there is no penetration of floor area above a maximum height limit;

(h) Flagpoles or aerials;

(i) House of worship towers, ornamental, having no floor area in portion of tower penetrating such height limit or sky exposure plane;

(j) Parapet walls, not more than four feet in height, as measured from the maximum height limit, or the finished level of the roof as it existed on April 30, 2012, whichever is higher. A guardrail with a surface at least 70 percent open or with an opacity of not more than 30 percent (as viewed in elevation), shall be permitted above a parapet wall or within two feet of a parapet wall, provided such guardrail is not more than four feet above the accessible level of a roof. Such restriction on guardrail height shall not apply when located beyond two feet from a parapet wall;

(k) Roof thickness, up to eight inches, to accommodate the addition of insulation, for buildings or portions of buildings constructed prior to April 30, 2012. For a building that has added roof thickness pursuant to this paragraph, (k), an enlargement may align with the finished roof surface of such building, provided the enlarged portion does not exceed the maximum height limit by more than eight inches;

(l) Rooftop greenhouses, permitted pursuant to Section 75-01 (Certification for Rooftop Greenhouses);

(m) Skylights, clerestories or other daylighting devices, not more than four feet in height, as measured from the maximum height limit, or the finished level of the roof as it existed on April 30, 2012, whichever is higher. Such devices shall be limited to a lot coverage not greater than 10 percent of the lot coverage of the roof and be located at least eight feet from the street wall edge. However, such devices shall not be permitted obstructions above a roof with a slope greater than 20 degrees;

(n) Solar energy systems:

(1) on the roof of a building, up to four feet in height, as measured from the maximum height limit, or the finished level of the roof, whichever is higher;
on the roof of a building, greater than four feet in height, as measured from the maximum height limit, or the finished level of the roof, whichever is higher, provided that all such portions above four feet are set back at least six feet from a street wall, limited to a lot coverage not greater than 25 percent of the lot coverage of the roof and do not exceed:

(i) in R1 through R5 Districts, a height of six feet;
(ii) in R6 through R10 Districts, a height of 15 feet; and
(iii) when located on a bulkhead or other obstruction pursuant to paragraph (f) of this Section, a height of six feet;

on walls existing on April 30, 2012, projecting no more than 10 inches and occupying no more than 20 percent of the surface area of the building wall (as viewed in elevation) from which it projects;

However, any installation on a roof with a slope greater than 20 degrees shall be limited to 18 inches in height, as measured perpendicular to the roof surface;

(o) Spires or belfries;

(p) Vegetated roofs, not more than 3 feet, 6 inches in height, excluding vegetation, as measured from the maximum height limit, or the finished level of the roof as it existed on April 30, 2012, whichever is higher. On roofs with slopes greater than 20 degrees, vegetated roofs shall be limited to a height of 12 inches measured perpendicular to such roof surface;

(q) Weirs, check dams and other equipment for stormwater management, not more than 3 feet, 6 inches in height, as measured from the maximum height limit, or the finished level of the roof as it existed on April 30, 2012, whichever is higher;

(r) Wind energy systems on portions of buildings with a height of 100 feet or greater, provided:

(1) the highest point of the wind turbine assembly does not exceed 55 feet;
(2) no portion of the wind turbine assembly is closer than 10 feet to any lot line; and
(3) the diameter of the swept area of the rotor does not exceed 15 feet;
Window washing equipment mounted on a roof;

Wire, chain link or other transparent fences.

**Basic Regulations**

(6/29/94)

**24-52**

**Maximum Height of Walls and Required Setbacks**

R1 R2 R3 R4 R5 R6 R7 R8 R9 R10

In all districts, as indicated, the maximum height of a front wall or of any other portion of a #building or other structure# shall be as set forth in this Section, except as otherwise provided in Section 24-51 (Permitted Obstructions), 24-53 (Alternate Front Setbacks), 24-54 (Tower Regulations) or 23-692 (Height limitations for narrow buildings or enlargements).

(3/22/16)

**24-521**

**Front setbacks in districts where front yards are required**

R1 R2 R3 R4 R5

In the districts indicated, except R5D Districts, where #front yards# are required, the front wall or any other portion of a #building or other structure# shall not penetrate the #sky exposure plane# set forth in the following table:

<table>
<thead>
<tr>
<th>MAXIMUM HEIGHT OF FRONT WALL AND REQUIRED FRONT SETBACKS</th>
</tr>
</thead>
<tbody>
<tr>
<td>#Sky Exposure Plane#</td>
</tr>
<tr>
<td>Slope over #Zoning Lot# (expressed as a ratio of vertical distance to horizontal distance)</td>
</tr>
<tr>
<td>Height above #Front Yard</td>
</tr>
<tr>
<td>Vertical</td>
</tr>
<tr>
<td>Line# (in feet)</td>
</tr>
<tr>
<td>----------------</td>
</tr>
<tr>
<td>25</td>
</tr>
<tr>
<td>35</td>
</tr>
</tbody>
</table>

**SKY EXPOSURE PLANE**  
R1, R2, R3, R4, R5 Districts

(3/22/16)

**24-522**  
**Front setbacks in districts where front yards are not required**

R6 R7 R8 R9 R10

In the districts indicated without a letter suffix, for #buildings# other than #Quality Housing buildings#, if the front wall or other portion of a #building or other structure# is located at the #street line# or within the #initial setback distance# set forth in the table in this Section, the height of such front wall or other portion of a #building or other structure# shall not exceed the maximum height above #curb level# set forth in the table. Above such specified
maximum height and beyond the \#initial setback distance\#, the \#building or other structure\# shall not penetrate the \#sky exposure plane\# set forth in the table:

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

<table>
<thead>
<tr>
<th>#Initial Setback Distance# (in feet)</th>
<th>Maximum Height of a Front Wall or other portion of a #Building or other structure# within the #Initial Setback Distance#</th>
<th>#Sky Exposure Plane#</th>
<th>Slope over #Zoning Lot# (expressed as a ratio of vertical distance to horizontal distance)</th>
</tr>
</thead>
<tbody>
<tr>
<td>On #Narrow Street#</td>
<td>On #Wide Street#</td>
<td></td>
<td></td>
</tr>
<tr>
<td>R6 or R7 Districts</td>
<td>60 feet or six #stories#, whichever is less</td>
<td>60</td>
<td>2.7 to 1</td>
</tr>
<tr>
<td>R8, R9 or R10 Districts</td>
<td>85 feet or nine #stories#, whichever is less</td>
<td>85</td>
<td>2.7 to 1</td>
</tr>
</tbody>
</table>

![Diagram of sky exposure plane](image)

- \(a\) - Horizontal distance
- \(h\) - Height of sky exposure plane above street line
- \(s\) - Initial setback distance
- \(v\) - Vertical distance

Sky Exposure Plane
SKY EXPOSURE PLANE
R6, R7, R8, R9, R10 Districts

(3/22/16)

24-53
Alternate Front Setbacks

R6 R7 R8 R9 R10

In the districts indicated without a letter suffix, for buildings other than Quality Housing buildings, if an open area is provided along the full length of the front lot line with the minimum depth set forth in the following table, the provisions of Section 24-52 (Maximum Height of Walls and Required Setbacks) shall not apply. The minimum depth of such an open area shall be measured perpendicular to the front lot line. However, in such instances, except as otherwise provided in Sections 24-51 (Permitted Obstructions) or 24-54 (Tower Regulations), no building or other structure shall penetrate the alternate sky exposure plane set forth in the table, and the sky exposure plane shall be measured from a point above the street line.

If the open area provided under the terms of this Section is a public plaza, such open area may be counted for the bonus provided for a public plaza in the districts indicated in Section 24-14 (Floor Area Bonus for a Public Plaza).

In R9 or R10 Districts, the provisions of this Section shall be inapplicable to any development or enlargement with more than 25 percent of the total floor area of the building in residential use.

<table>
<thead>
<tr>
<th>Depth of Optional Front Open Area (in feet)</th>
<th>Height above Street</th>
<th>On #Narrow Street#</th>
<th>On #Wide Street#</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Alternate #Sky Exposure Plane#</td>
<td>Slope over #Zoning Lot# (expressed as a ratio of vertical distance to horizontal distance)</td>
<td>Horizontal</td>
</tr>
</tbody>
</table>

ALTERNATE REQUIRED FRONT SETBACKS
<table>
<thead>
<tr>
<th>On #Narrow Street#</th>
<th>On #Wide Street#</th>
<th>Line# (in feet)</th>
<th>Vertical Distance</th>
<th>Distance</th>
<th>Vertical Distance</th>
<th>Distance</th>
</tr>
</thead>
<tbody>
<tr>
<td>Within R6 or R7 Districts</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>15</td>
<td>10</td>
<td>60</td>
<td>3.7 to 1</td>
<td>7.6 to 1</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Within R8 R9 or R10 Districts</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>15</td>
<td>10</td>
<td>85</td>
<td>3.7 to 1</td>
<td>7.6 to 1</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**ALTERNATE SKY EXPOSURE PLANE**
R6 R7 R8 R9 R10 Districts

(3/22/16)

24-54
Tower Regulations
R7-2 R8 R9 R10
(a) In the districts indicated without a letter suffix, for buildings other than Quality Housing buildings, except as set forth in paragraph (b) of this Section, any portion or portions of buildings which in the aggregate occupy not more than 40 percent of the lot area of a zoning lot or, for zoning lots of less than 20,000 square feet, the percentage set forth in the table in this Section, may penetrate an established sky exposure plane in accordance with the provisions of this Section. (Such portion of a building that penetrates a sky exposure plane is hereinafter referred to as a tower.)

<table>
<thead>
<tr>
<th>Area of #Zoning Lot# (in square feet)</th>
<th>Maximum Percent of #Lot Coverage#</th>
</tr>
</thead>
<tbody>
<tr>
<td>10,500 or less</td>
<td>50</td>
</tr>
<tr>
<td>10,501 to 11,500</td>
<td>49</td>
</tr>
<tr>
<td>11,501 to 12,500</td>
<td>48</td>
</tr>
<tr>
<td>12,501 to 13,500</td>
<td>47</td>
</tr>
<tr>
<td>13,501 to 14,500</td>
<td>46</td>
</tr>
<tr>
<td>14,501 to 15,500</td>
<td>45</td>
</tr>
<tr>
<td>15,501 to 16,500</td>
<td>44</td>
</tr>
<tr>
<td>16,501 to 17,500</td>
<td>43</td>
</tr>
<tr>
<td>17,501 to 18,500</td>
<td>42</td>
</tr>
<tr>
<td>18,501 to 19,999</td>
<td>41</td>
</tr>
</tbody>
</table>

Buildings developed or enlarged with towers shall comply with either tower-on-a-base regulations or standard tower regulations as follows:

(1) Applicability of tower-on-a-base regulations

The tower-on-a-base regulations of Section 23-651 shall apply in R9 and R10 Districts to any such building that:

(i) is located on a zoning lot that fronts upon a wide street and is either within 125 feet from such wide street frontage along the short dimension of the block or within 100 feet from such wide street frontage along the long dimension of the block; and
(ii) contains more than 25 percent of its total #floor area# in #residential use#.

If a portion of such #building# is #developed# or #enlarged# as a #tower# the entire #zoning lot# shall comply with the provisions of Section 23-651.

(2) Applicability of standard tower regulations

(i) In R7-2 and R8 Districts, the standard tower regulations of Section 23-652 shall apply only to #buildings developed# or #enlarged# as towers, where such towers are comprised, at every level, of only #community facility uses#.

(ii) In R9 and R10 Districts, the standard tower regulations of Section 23-652 shall apply to any #building developed# or #enlarged# as a tower that does not meet the location and #floor area# criteria of paragraph (a)(1) of this Section.

(b) Inapplicability of tower regulations

R7-2 R8 R9 R10

In the districts indicated, the provisions of this Section shall not apply to any #development# or #enlargement# located wholly or partly in a #Residence District# that is within 100 feet of a #public park# with an area of one acre or more, or a #street line# opposite such a #public park#.

(4/30/12)

24-55
Required Side and Rear Setbacks

R1 R2 R3 R4 R5 R6 R7 R8 R9 R10

In all districts, as indicated, side and rear setbacks shall be provided as specified in this Section. Unenclosed balconies, subject to the provisions of Section 24-166 (Balconies); and awnings and other sun control devices, decks, exterior wall thickness, parapet walls, roof thickness, solar energy systems up to four feet high, vegetated roofs, and weirs, as set forth in Section 24-51 (Permitted Obstructions), are permitted to project into or over any open areas required by the provisions of this Section.
24-551
Required side setbacks for tall buildings in low bulk districts

R1 R2 R3 R4 R5

In the districts indicated, except R5D Districts, no community facility portion of any building that is more than 35 feet or more than three stories above the level of a side yard, whichever is lower, shall be nearer to a side lot line bounding such yard than a distance equal to one-half the height above yard level of such portion of the building.

The following are permitted to project into any open area required under the provisions of this Section:

(a) parapet walls, not more than four feet high; and

(b) chimneys or flues, with a total width not exceeding 10 percent of the width of the building's walls facing such open area.
24-552
Required rear setbacks for tall buildings

R1 R2 R3 R4 R5 R6 R7 R8 R9 R10

In the districts indicated without a letter suffix, for buildings other than Quality Housing buildings, no portion of a building more than 125 feet above yard level shall be nearer to a rear yard line than 20 feet. However, this provision shall not apply to any portion of a building that qualifies as a tower under the provisions of Section 24-54.

In the case of a through lot on which a rear yard equivalent is provided as set forth in paragraph (a) of Section 24-382, the requirements of this Section shall apply as if such rear yard equivalent were two adjoining rear yards. If a rear yard equivalent is provided as set forth in paragraphs (b) or (c) of Section 24-382, the requirements of this Section shall not apply.

h - Height of wall above rear yard
r - Depth of required rear yard
s - Depth of required rear yard setback

REAR SETBACK FOR TALL BUILDINGS
(11/30/17)

24-56
Special Height and Setback Provisions for Certain Areas

R1 R2 R3 R4 R5 R6 R7 R8 R9 R10

(a) For Zoning Lots Directly Adjoining Public Parks

In all districts, as indicated, a public park with an area of between one and 15 acres shall be considered a wide street for the purpose of applying the regulations set forth in Section 24-52 (Maximum Height of Walls and Required Setbacks) to any building or other structure on a zoning lot adjoining such public park. However, the provisions of this Section shall not apply to a public park more than 75 percent of which is paved.

(b) Community District 6, Manhattan

In Community District 6 in the Borough of Manhattan, for buildings developed or enlarged with towers in R10 Districts located east of First Avenue and north of East 51st Street, the provision of paragraph (a)(1) of Section 24-54 (Tower Regulations) shall be modified to require that the tower-on-a-base provisions of Section 23-651 apply to all buildings where more than 25 percent of the total floor area of the building is allocated to residential uses, irrespective of whether the building has wide street or narrow street frontage. However, such provisions shall be modified in accordance with the provisions of Section 23-675 (Provisions for certain R10 Districts within Community District 6 in the Borough of Manhattan).

(c) Community District 7, Manhattan

Within the boundaries of Community District 7 in the Borough of Manhattan, all buildings or other structures located in R10 Districts, shall comply with the requirements of Section 23-672 (Special height and setback regulations in R10 Districts within Community District 7, Borough of Manhattan).

(d) Community District 9, Manhattan

Within the boundaries of Community District 9 in the Borough of Manhattan, all buildings located in R8 Districts north of West 125th Street shall be developed or enlarged pursuant to the
#residential bulk# regulations of Section 23-674 (Special height and setback regulations for certain sites in Community District 9, Borough of Manhattan).

(11/30/17)

**24-57**

**Modifications of Height and Setback Regulations**

R1 R2 R3 R4 R5 R6 R7 R8 R9 R10

In all districts, as indicated, for certain #community facility uses# in specified situations, the Board of Standards and Appeals may modify the regulations set forth in Sections 24-50 through 24-55, inclusive, and paragraphs (b) through (d) of Section 24-56, relating to height and setback regulations, in accordance with the provisions of Section 73-64 (Modifications for Community Facility Uses). However, for #Quality Housing buildings# utilizing the height and setback regulations of Article II, Chapter 3, as required by Section 24-50, the Board shall not permit modification to the provisions of Sections 23-67 through 23-69, inclusive.

In Community District 6 in the Borough of Brooklyn, the following #streets# shall be considered #narrow streets# for the purposes of applying height and setback regulations: Second, Carroll and President Streets, between Smith and Hoyt Streets; First Place, Second Place, Third Place and Fourth Place.

(8/14/87)

**24-58**

**Special Provisions for Zoning Lots Divided by District Boundaries**

R1 R2 R3 R4 R5 R6 R7 R8 R9 R10

In all districts, as indicated, whenever a #zoning lot# is divided by a boundary between districts, or is subject to other regulations resulting in different height and setback regulations, or whenever a #zoning lot# is divided by a boundary between a district to which the provisions of Section 24-54 (Tower Regulations) apply and a district to which such provisions do not apply, the provisions set forth in Article VII, Chapter 7, shall apply.

(6/29/94)
24-59
Special Height Limitations

(6/29/94)

24-591
Limited Height Districts

R1 R2 R3 R4 R5 R6 R7 R8 R9 R10

In all districts, as indicated, wherever such districts are located within a #Limited Height District#, the maximum height of a #building or other structure#, or portion thereof, shall be as shown in the following table:

<table>
<thead>
<tr>
<th>#Limited Height District#</th>
<th>Maximum Height above #Curb Level# or #Base Plane#, as applicable</th>
</tr>
</thead>
<tbody>
<tr>
<td>LH-1</td>
<td>50 feet</td>
</tr>
<tr>
<td>LH-1A</td>
<td>60 feet</td>
</tr>
<tr>
<td>LH-2</td>
<td>70 feet</td>
</tr>
<tr>
<td>LH-3</td>
<td>100 feet</td>
</tr>
</tbody>
</table>

(3/22/16)

24-592
Height limitations for narrow buildings or enlargements

R7-2 R8 R9 R10

In the districts indicated, the provisions of Section 23-692 (Height limitations for narrow buildings or enlargements) shall apply to portions of #buildings# with #street walls# less than 45 feet in width.

(12/15/61)

24-60
COURT REGULATIONS AND MINIMUM DISTANCE BETWEEN WINDOWS AND WALLS OR LOT LINES
24-61
General Provisions and Applicability

In all districts, as indicated, the provisions set forth in Sections 24-62 to 24-66, inclusive, relating to Court Regulations and Minimum Distance between Windows and Walls or Lot Lines, shall apply only to community facility buildings or portions of buildings used for community facility use containing living accommodations with required windows. For the purposes of these Sections, a required window shall be deemed to be a window or part of a window that:

(a) opens into any room used for living or sleeping purposes, other than a room in a hospital used for the care or treatment of patients; and

(b) is required to provide adequate light or ventilation to such room by any applicable law or statute.

The provisions of Sections 24-62 through 24-66, inclusive, and 24-68 shall apply only to portions of buildings at or above the sill level of the lowest required window. For the purposes of these Sections, abutting buildings on a single zoning lot shall be considered a single building.

11/7/68

24-62
Minimum Dimensions of Courts

In all districts, as indicated, the minimum distance between different walls of the same building shall conform to the regulations set forth in the following Sections:

Section 24-63 (Outer Court Regulations)

Section 24-64 (Inner Court Regulations)

Section 24-65 (Minimum Distance Between Required Windows and Walls or Lot Lines).
A corner of a #court# may be cut off between walls of the same #building#, provided that the length of the wall of such cut-off does not exceed seven feet.

The Commissioner of Buildings may approve minor recesses, projections and architectural treatment of the outline of #courts# as long as these variations do not substantially change the depth or width of the #court#.

(12/15/61)

24-63
Outer Court Regulations

R1 R2 R3 R4 R5 R6 R7 R8 R9 R10

In all districts, as indicated, #outer courts# shall be in compliance with the provisions of this Section.

(6/29/94)

24-631
Narrow outer courts

R1 R2 R3 R4 R5 R6 R7 R8 R9 R10

In all districts, as indicated, if an #outer court# is less than 20 feet wide, the width of such #outer court# shall be at least one and one-third the depth of such #outer court#.

(12/15/61)

24-632
Wide outer courts

R1 R2 R3 R4 R5 R6 R7 R8 R9 R10

In all districts, as indicated, if an #outer court# is 20 feet or more in width, the width of such #outer court# must be at least equal to the depth of such #outer court#, except that such width need not exceed 40 feet.
24-633
Outer court recesses

R1 R2 R3 R4 R5 R6 R7 R8 R9 R10

In all districts, as indicated, the width of an #outer court recess# shall be at least twice the depth of the recess, except that such width need not exceed 40 feet.

24-64
Inner Court Regulations

R1 R2 R3 R4 R5 R6 R7 R8 R9 R10

In all districts, as indicated, #inner courts# shall be in compliance with the provisions of this Section.

24-641
Minimum dimensions of inner courts

R1 R2 R3 R4 R5 R6 R7 R8 R9 R10

In all districts, as indicated, the area of an #inner court# shall not be less than 600 square feet, and the minimum dimension of such #inner court# shall not be less than 20 feet. For the purposes of this Section, that portion of an open area not part of an #inner court# and over which, when viewed from directly above, lines perpendicular to a #lot line# may be drawn into such #inner court#, shall be considered part of such #inner court#.

24-642
Inner court recesses

R1 R2 R3 R4 R5 R6 R7 R8 R9 R10
In all districts, as indicated, the width of an inner court recess:

(a) if 20 feet or less, shall be at least twice the depth of the recess; or

(b) if more than 20 feet but less than 40 feet, shall be at least equal to the depth of the recess; and

(c) need not be greater than 40 feet, whatever the depth of the recess.

(4/30/12)

24-65
Minimum Distance Between Required Windows and Walls or Lot Lines

R1 R2 R3 R4 R5 R6 R7 R8 R9 R10

In all districts, as indicated, the minimum distance between required windows and walls or lot lines shall be as set forth in this Section, except that this Section shall not apply to required windows in buildings of three stories or less. For buildings existing on April 30, 2012, the minimum distances set forth in this Section, and any non-complying distance greater than eight feet, may be reduced by up to eight inches of exterior wall thickness from each building wall, provided the added wall thickness has a thermal resistance (R-value) of at least 1.5 per inch. A non-complying distance of eight feet or less shall be limited to a total reduction of one inch of wall thickness for each foot of such existing distance between buildings.

(12/15/61)

24-651
General provisions

R1 R2 R3 R4 R5 R6 R7 R8 R9 R10

In all districts, as indicated, except as otherwise provided in Section 24-652 (Minimum distance between required windows and certain walls), the minimum distance between any required windows and:

(a) any wall;

(b) a rear lot line, or vertical projection thereof; or

(c) a side lot line, or vertical projection thereof;
shall be 20 feet, measured in a horizontal plane at the sill level of, and perpendicular to, such window; provided, however, that a required window may open on any outer court meeting the requirements of Section 24-63 (Outer Court Regulations).

(12/15/61)

24-652
Minimum distance between required windows and certain walls

R1 R2 R3 R4 R5 R6 R7 R8 R9 R10

In all districts, as indicated, the minimum horizontal distance between a required window opening on an inner court and any wall opposite such window on the same zoning lot or between a required window and any wall of any other building opposite such window on the same zoning lot, shall not be less than 20 feet, nor shall any such wall be nearer to such window than a distance equal to one-third the total height of such wall above the sill level of such window. Such minimum distance need not exceed 40 feet.

Such minimum distance shall be measured in a horizontal plane at the sill level of, and perpendicular to, the required window for the full width of the rough window opening between such window and a projection of such wall onto such horizontal plane.

For the purposes of this Section, at any level at which two portions of a single building are not connected one to the other, such portions shall be deemed to be two separate buildings and shall be subject to the provisions of this Section.

(12/15/61)

24-66
Modifications of Court Regulations or Distance Requirements

R1 R2 R3 R4 R5 R6 R7 R8 R9 R10

In all districts, as indicated, for certain community facility uses in specified situations, the Board of Standards and Appeals may modify the regulations set forth in Sections 24-61 to 24-65, inclusive, relating to Court Regulations and Minimum Distance between Windows and Walls or Lot Lines, in accordance with the provisions of Section 73-64 (Modifications for Community Facility Uses).
24-67
Special Provisions for Buildings Used Partly for Residential Uses

R1 R2 R3 R4 R5 R6 R7 R8 R9 R10

In all districts, as indicated, whenever a #building# is used partly for #community facility use# and partly for #residential use#, the provisions of this Section and Section 23-70 (MINIMUM REQUIRED DISTANCE BETWEEN TWO OR MORE BUILDINGS ON A SINGLE ZONING LOT) shall apply to any portion of such #building# used for #residential uses#.

(2/2/11)

24-671
Courts

R1 R2 R3 R4 R5 R6 R7 R8 R9 R10

In all districts, as indicated, at any level at which a #residential# portion of a #building# fronts upon a #court#, the provisions set forth in Section 23-83 (Building Walls Regulated by Other Than Minimum Spacing Requirements), shall apply to such #court#.

(12/15/61)

24-672
Walls opposite legally required windows

R1 R2 R3 R4 R5 R6 R7 R8 R9 R10

In all districts, as indicated, #legally required windows# in portions of #buildings# used for #residential use# shall be subject to the provisions set forth in Section 23-86 (Minimum Distance Between Legally Required Windows and Walls or Lot Lines). The provisions of Section 23-863 (Minimum distance between legally required windows and any wall in an inner court) shall also apply to a #legally required window# opposite a wall of any other #building# on the same #zoning lot#.

For the purposes of this Section, at any level at which two portions of a single #building# are not connected one to the other, such portions shall be deemed to be two separate #buildings# and shall be
subject to the provisions of Section 23-863.

(4/30/12)

24-68
Permitted Obstructions in Courts

In all districts, as indicated, the following shall not be considered obstructions when located within a #court#:

(a) Arbors or trellises;

(b) Awnings and other sun control devices. However, when located at a level higher than the first #story#, excluding a #basement#, all such devices:

(1) shall be limited to a maximum projection from a #building# wall of 2 feet, 6 inches; and

(2) shall have solid surfaces that, in aggregate, cover an area no more than 30 percent of the area of the #building# wall (as viewed in elevation) from which they project;

(c) Eaves, gutters, downspouts, window sills or similar projections, extending into such #court# not more than four inches;

(d) Exterior wall thickness, where such wall thickness is added to the exterior face of a #building# wall existing on April 30, 2012, provided the added wall thickness has a thermal resistance (R-value) of at least 1.5 per inch, and is limited to one inch of thickness for every foot of existing #court# width, up to a maximum thickness of eight inches;

Where #buildings# that have added exterior wall thickness pursuant to this Section are #enlarged#, such #enlarged# portion may similarly encroach upon required #courts# in order to align with the exterior walls of the existing #building#, provided such #enlargement# contains less #floor area# than the existing #building#, and there is no encroachment of #floor area# into a required #court#;

(e) Fences;

(f) Fire escapes in #inner courts#, where such fire escapes are required as a result of alterations in #buildings# existing before December 15, 1961;
Fire escapes in #outer courts#;

Fire escapes in #outer court recesses#, not more than five feet in depth;

Fire escapes in #outer court recesses#, more than five feet in depth, where such fire escapes are required as a result of alterations in #buildings# existing before December 15, 1961;

(g) Flagpoles;

(h) Recreational or yard drying equipment;

(i) Solar energy systems on walls existing on April 30, 2012, projecting no more than 10 inches and occupying no more than 20 percent of the surface area of the #building# wall (as viewed in elevation) from which it projects;

(j) Terraces, open, porches or steps.

In addition, for #courts# at a level higher than the first #story#, decks, skylights, parapet walls, roof thickness, solar energy systems up to four feet high, vegetated roofs, and weirs, as set forth in Section 24-51 (Permitted Obstructions), shall be permitted.