

ZONING RESOLUTION Web Version

THE CITY OF NEW YORK



THE CITY OF NEW YORK
Bill de Blasio, Mayor

CITY PLANNING COMMISSION
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Article XI: Special Purpose Districts Chapter 3: Special Ocean Parkway District

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(1/20/77)

Article XI - Special Purpose Districts

Chapter 3

Special Ocean Parkway District

(1/20/77)

113-00

GENERAL PURPOSES

The "Special Ocean Parkway District" established in this Resolution is designed to promote and protect public health, safety, general welfare and amenity. These general goals include among others the following specific purposes:

- (a) to promote and strengthen the scenic landmark designation of Ocean Parkway by requiring landscaping along Ocean Parkway;
- (b) to maintain the existing scale and character of the community by limiting the bulk of permitted community facilities;
- (c) to protect the environmental quality of and improve circulation within the District by requiring enclosed parking for all uses along Ocean Parkway and by requiring off-street loading for certain community facilities throughout the District; and
- (d) to promote the most desirable use of land in this area and thus to conserve the value of land and thereby protect the City's tax revenue.

(10/9/13)

113-01

General Provisions

In harmony with the general purposes of the #Special Ocean Parkway District# and in accordance with the provisions of this Chapter, certain specified regulations of the districts on which the #Special Ocean Parkway District# is superimposed are made inapplicable and special regulations are substituted therefor. Except as modified by the express provisions of the Special

District, the regulations of the underlying districts remain in force. In #flood zones#, in the event of a conflict between the provisions of this Chapter and the provisions of Article VI, Chapter 4 (Special Regulations Applying in Flood Hazard Areas), the provisions of Article VI, Chapter 4, shall control.

The Subdistrict of the #Special Ocean Parkway District# is identified in Appendix A of this Chapter. In addition to the requirements of Sections 113-10 through 113-40, inclusive, the special regulations set forth in Sections 113-50 through 113-57, inclusive, shall apply to the Subdistrict.

(1/20/77)

**113-10
SPECIAL BULK REGULATIONS**

(2/2/11)

**113-11
Special Bulk Regulations for Community Facilities**

In #Residence Districts# and #Commercial Districts# with residential equivalents, all #community facility buildings#, and portions of #buildings# containing #community facility uses#, shall be subject to the applicable underlying district #bulk# regulations of Article II, Chapter 3 (Bulk Regulations for Residential Buildings in Residence Districts), except as provided below:

- (a) in R2X Districts, the #residential bulk# regulations of an R3-1 District shall apply to #community facility buildings#;
- (b) in R6 or R7 Districts with a letter suffix, the applicable #bulk# regulations set forth in Article II, Chapter 4 (Bulk Regulations for Community Facility Buildings in Residence Districts) shall apply;
- (c) in the Subdistrict, the #bulk# regulations of Article II, Chapter 3 shall apply, except as set forth in Section 113-503 (Special bulk regulations); and
- (d) in R6 or R7 Districts without a letter suffix, the #community facility bulk# regulations of Article II, Chapter 4, may be made applicable by certification of the City Planning Commission, pursuant to Section 113-41

(Certification for Community Facility Uses on Certain Corner Lots).

(2/2/11)

113-12
Special Front Yard Regulations

For all #zoning lots# with frontage along Ocean Parkway, there shall be a 30 foot #front yard#. No obstructions including porches either open or enclosed, canopies or stairs are permitted within the #front yard#. Any driveway within such #front yard# shall be perpendicular to the #street line# or, in the case where the #street wall# is not parallel with the #street line#, the driveway shall be perpendicular to the #street wall#.

Balconies pursuant to Section 23-13 may, by a depth of not more than six feet, penetrate #front yards# except along Ocean Parkway.

(1/20/77)

113-20
SPECIAL PARKING AND OFF-STREET LOADING REGULATIONS

(2/2/11)

113-21
Special Parking Regulations

For all #developments# having frontage on Ocean Parkway, all required or permitted #accessory# off-street parking spaces shall be #completely enclosed#.

(2/2/11)

113-22
Special Off-Street Loading Regulations

(a) For any #building# containing a #school# for children below grade 7, off-street loading facilities shall be provided in

accordance with the requirements of this Section. Such off-street loading facilities shall be so situated and arranged to provide head-in and head-out movement of vehicles on two separate #streets#, and shall have a minimum dimension of 12 feet. All such off-street loading facilities shall be screened from adjacent #zoning lots# by a four foot buffer of shrubbery that is at least four feet high at the time of planting.

- (b) For other #schools# with no children below grade 7, an off-street loading facility shall be provided with a minimum dimension of 12 by 18 feet.

(1/20/77)

113-30

SPECIAL LANDSCAPING REGULATIONS

Within the 30 foot #front yard# required along Ocean Parkway, landscaping in the form of grass, ground cover, trees or shrubs shall be provided at #curb level# or the natural grade level. Paving within the #front yard# shall be limited to the amount necessary for driveways or walkways. Fences are permitted along the #front# or #side lot line# provided that such fence is no higher than 4 feet above #curb level#.

(4/30/08)

113-31

Tree Planting Requirements

In addition to the applicable underlying #street# tree planting requirements, all changes of #use# on #zoning lots# having frontage on Ocean Parkway, shall provide #street# trees in accordance with the provisions of Section 26-41 (Street Tree Planting).

(12/19/96)

113-40

CERTIFICATIONS AND AUTHORIZATIONS FOR COMMUNITY FACILITIES

(2/2/11)

113-41

Certification for Community Facility Uses on Certain Corner Lots

Within the #Special Ocean Parkway District#, the City Planning Commission may allow, by certification, #community facility developments# or #enlargements# or changes of #use# containing #community facility uses#, to exceed the #bulk# regulations of Section 113-11 (Special Bulk Regulations for Community Facilities) when located on #corner lots#, one #lot line# of which is the #street line# of a #wide street#, provided that:

- (a) the #community facility building# will comply with the #bulk# regulations of Article II, Chapter 4 (Bulk Regulations for Community Facility Buildings in Residence Districts); and
- (b) the scale of the proposed #community facility building# is appropriate to the scale of the surrounding #development#.

The City Planning Commission may prescribe appropriate conditions and safeguards to minimize adverse effects on the character of the surrounding area.

(2/2/11)

113-42

Authorization for Enlargements of Community Facility Buildings

Within the #Special Ocean Parkway District#, the City Planning Commission may authorize #enlargements# that exceed the #bulk# limitations of Section 113-11 (Special Bulk Regulations for Community Facilities), provided:

- (a) the existing #building# is a #community facility building developed# prior to December 19, 1996;
- (b) the existing #community facility building# is located partially or wholly on a #corner lot#, one #lot line# of which is the #street line# of a #wide street#;
- (c) the #enlarged community facility building# will comply with the #bulk# regulations of Article II, Chapter 4 (Bulk Regulations for Community Facility Buildings in Residence Districts); and
- (d) the scale of the proposed #community facility building# is appropriate to the scale of the surrounding area.

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

(8/3/93)

113-50
THE SUBDISTRICT

(8/3/93)

113-501
General purposes

In order to preserve and enhance the character of the neighborhood, the Subdistrict within the Special Ocean Parkway District is established which encourages large single- or two-family detached and semi-detached residences.

(8/3/93)

113-502
Special use regulations

Within the Subdistrict, #single-# and #two-family detached# and #semi-detached residences# and #uses# listed in Use Groups 3 or 4 are the only permitted #uses#. #Non-conforming single-# or #two-family residences# may be #enlarged# or #extended# pursuant to the provisions of the Subdistrict provided that a 30 foot #rear yard# is maintained. All other #non-conforming uses# shall be subject to the provisions of Article V, Chapter 2 (Non-Conforming Uses).

(3/22/16)

113-503
Special bulk regulations

For #single-# and #two-family detached# and #semi-detached residences#, and for #zoning lots# containing both #community

facility# and #residential uses#, certain underlying district #bulk# regulations are set forth in Article II, Chapter 3 (Bulk Regulations for Residential Buildings in Residence Districts), except as superseded by those set forth in Sections 113-51 through 113-55, inclusive. The regulations applicable to a #predominantly built-up area# shall not apply in the Subdistrict.

For #community facility buildings#, the #bulk# regulations of Article II, Chapter 3, are superseded by those set forth in Sections 113-51 (Maximum Permitted Floor Area Ratio), 113-542 (Minimum required front yards), 113-543 (Minimum required side yards), 113-544 (Minimum required rear yards) and 113-55 (Height and Setback Regulations). The provisions of Sections 24-01 (Applicability of this Chapter), 24-012 (Exceptions to the bulk provisions of this Chapter), paragraph (a), and 24-04 (Modification of Bulk Regulations in Certain Districts), pertaining to R4-1 Districts, shall not apply in the Subdistrict.

(8/3/93)

113-51

Maximum Permitted Floor Area Ratio

The maximum permitted #floor area ratio# shall be 1.50.

(3/22/16)

113-52

Density Regulations

The regulations set forth in Section 23-22 (Maximum Number of Dwelling Units) pertaining to R4-1 Districts shall apply.

(2/2/11)

113-53

Lot Area, Lot Width and Density Regulations

The regulations set forth in Section 23-31 (Minimum Lot Area or Lot Width for Residences) pertaining to R4-1 Districts shall apply to #residential uses#. The regulations set forth in Section 24-20 (APPLICABILITY OF DENSITY REGULATIONS TO ZONING LOTS CONTAINING BOTH RESIDENTIAL AND COMMUNITY FACILITY USES), pertaining to R4 Districts, shall apply to #buildings# used

partly for #residence# and partly for #community facility use#.

(8/3/93)

113-54
Yard Regulations

(2/2/11)

113-541
Permitted obstructions in required yards or rear yard equivalents

For permitted #residential uses#, the provisions of Section 23-44 (Permitted Obstructions in Required Yards or Rear Yard Equivalents) shall apply with the following modifications:

- (a) open #accessory# off-street parking spaces shall not be located within a #front yard# unless such spaces are located in a permitted #side lot ribbon#;
- (b) three-foot overhangs in a required 18 foot #front yard# in R4 or R5 Districts shall not be permitted; and
- (c) balconies shall not be a permitted obstruction in #rear yards# or #rear yard equivalents#.

(8/3/93)

113-542
Minimum required front yards

The regulations set forth in Section 23-45 (Minimum Required Front Yards) pertaining to R4-1 Districts shall apply.

(2/2/11)

113-543
Minimum required side yards

The regulations set forth in Section 23-461 (Side yards for single- or two- family residences) pertaining to R4A Districts

shall apply to #detached buildings#. The regulations in that Section pertaining to R4-1 Districts shall apply to #semi-detached residences#.

For an existing #single-# or #two-family residence# with a #non-complying side yard#, an #enlargement# involving a straight line extension of the existing #building# walls facing such #non-complying side yard# is permitted, provided that:

- (a) the portion of the #building# which is #enlarged# complies with the height and setback regulations set forth in Section 113-55;
- (b) the minimum distance between such #building# wall and the nearest #building# wall, or prolongation thereof, on an adjoining #zoning lot# across the common #side lot line# is eight feet;
- (c) the #enlarged building# does not contain more than two #dwelling units#;
- (d) that there is no encroachment on the existing #non-complying side yard#, except as set forth in this Section; and
- (e) the #enlargement# does not otherwise result in the creation of a new #non-compliance# with the applicable #bulk# regulations.

(3/22/16)

113-544

Minimum required rear yards

One #rear yard# with a depth of not less than 20 feet shall be provided on any #zoning lot# except a #corner lot#. The provisions of Section 23-52 (Special Provisions for Shallow Interior Lots) shall be inapplicable. The provisions of Section 23-53 (Special Provisions for Through Lots) pertaining to R4 Districts shall apply except that the provisions in Section 23-532 (Required rear yard equivalents) shall be modified to require 40 feet instead of 60 feet in paragraph (a), or 20 feet instead of 30 feet in paragraphs (b) and (c).

(2/2/11)

113-545

Special provisions for side lot line walls

The regulations set forth in Section 23-49 (Special Provisions for Side Lot Line Walls) pertaining to R4-1 Districts shall apply.

(3/22/16)

113-55

Height and Setback Regulations

The height and setback regulations of a #building or other structure# in the Subdistrict shall be those applicable to R4A Districts in Section 23-631 (General provisions), except that paragraph (b)(2) shall be modified as follows:

Each perimeter wall of the #building or other structure# may have one or more apex points directly above it on the 35 foot high plane. (See Section 23-631, Figure B).

(8/3/93)

113-56

Parking Regulations

(8/3/93)

113-561

General provisions

Except as set forth in this Section, the regulations set forth in Article II, Chapter 5 (Accessory Off-Street Parking and Loading Regulations), pertaining to R2X Districts shall apply.

(2/2/11)

113-562

Parking requirements

One #accessory# off-street parking space shall be provided for each #dwelling unit# created after August 3, 1993. This

requirement may be waived for a #single-family residence# on an #interior zoning lot# that has a width of less than 25 feet along a #street#.

(8/3/93)

113-57
Administration

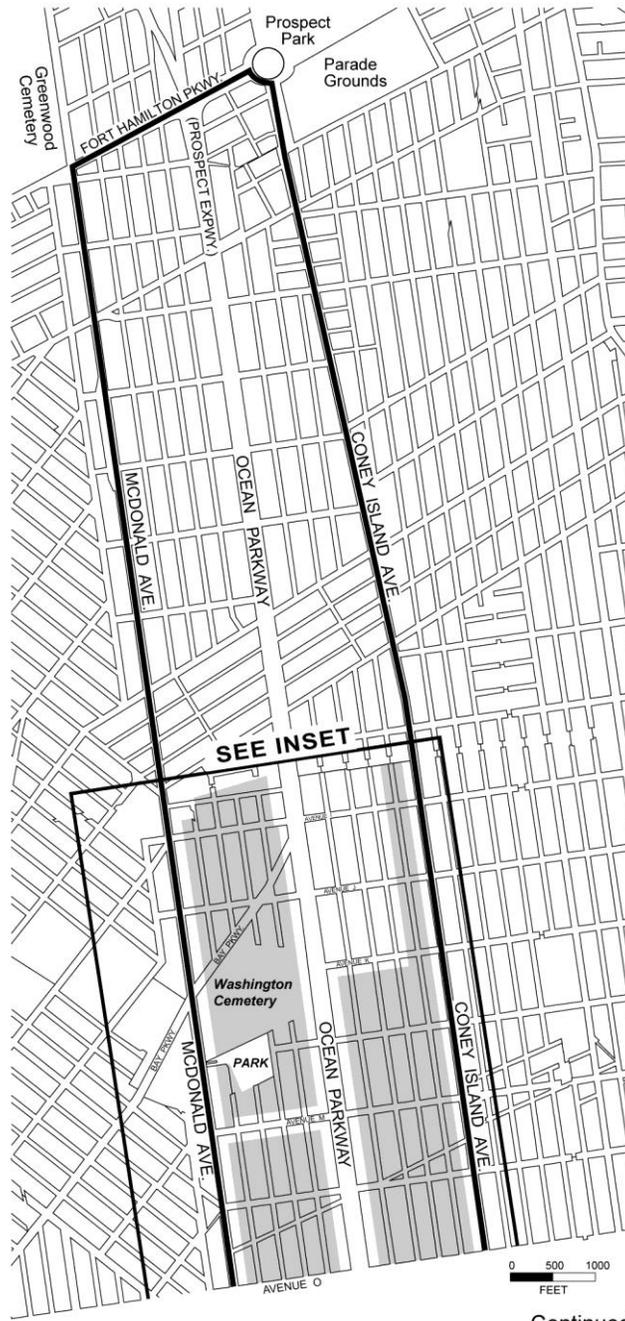
(8/3/93)

113-571
Special provisions for zoning lots divided by district boundaries

For the purposes of applying the regulations of Article VII, Chapter 7 (Special Provisions for Zoning Lots Divided by District Boundaries), the Subdistrict shall be considered an R4-1 District.

(8/3/93)

Appendix A Special Ocean Parkway District





— Special Ocean Parkway District

■ Subdistrict Area

Continued

INSET



Subdistrict Area