Legislation Details (With Text)

File #:	Res 0677-2015	**Version:** *	**Name:**	LU 205 - Zoning, Stairwells Text Amendment, Citiwide (N 150167 ZRY)
Type:	Resolution		**Status:**	Adopted
			In control:	Committee on Land Use
On agenda:	4/28/2015			
Enactment date:			**Enactment #:**	

Title: Resolution approving decision of the City Planning Commission on Application No. N 150167 ZRY, for an amendment of the Zoning Resolution of the City of New York, pertaining to exempting floor space occupied by additional safety measures that are required by the 2014 New York City Building Code from counting towards zoning floor area (L.U. No. 205).

Sponsors:

Indexes:

Attachments: 1. April 28, 2015 - Stated Meeting Agenda with Links to Files, 2. Committee Report, 3. Hearing Transcript - Stated Meeting 4-28-15, 4. Minutes of the Stated Meeting - April 28, 2015

Date	Ver.	Action By	Action	Result
4/27/2015	*	Committee on Land Use	Approved by Committee	
4/28/2015	*	City Council	Approved, by Council	Pass

THE COUNCIL OF THE CITY OF NEW YORK
RESOLUTION NO. 677

Resolution approving decision of the City Planning Commission on Application No. N 150167 ZRY, for an amendment of the Zoning Resolution of the City of New York, pertaining to exempting floor space occupied by additional safety measures that are required by the 2014 New York City Building Code from counting towards zoning floor area (L.U. No. 205).

By Council Members Greenfield and Weprin

WHEREAS, the City Planning Commission filed with the Council on March 20, 2015 its decision dated March 18, 2015 (the "Decision"), pursuant to Section 200 of the New York City Charter, regarding the application for an amendment to Section 12-10 of the Zoning Resolution to exempt floor space occupied by additional safety measures that are required as part of New York City's 2014 Building Code for non-residential buildings that exceed 420 feet in height from counting towards zoning floor area (Application No. N 150167 ZRY), Citywide (the "Application");

WHEREAS, the Decision is subject to review and action by the Council pursuant to Section 197-d(b)(1) of the City Charter;

WHEREAS, upon due notice, the Council held a public hearing on the Decision and Application on April 13, 2015;

WHEREAS, the Council has considered the land use implications and other policy issues relating to the Decision and Application; and

WHEREAS, the Council has considered the relevant environmental issues, including the negative declaration (CEQR No. 15DCP071Y) issued on November 17, 2014 (the "Negative Declaration");

RESOLVED:

The Council finds that the action described herein will have no significant impact on the environment as set forth in the Negative Declaration.

Pursuant to Sections 197-d and 200 of the City Charter and on the basis of the Decision and Application, and based on the environmental determination and consideration described in the report, N 150167 ZRY, incorporated by reference herein, the Council approves the Decision.

The Zoning Resolution of the City of New York, effective as of December 15, 1961, and as subsequently amended, is further amended as follows:

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

ARTICLE I
GENERAL PROVISIONS

* * *

Chapter 2
Construction of Language and Definitions

* * *

12-10
DEFINITIONS

Words in the text or tables of this Resolution which are #italicized# shall be interpreted in accordance with the provisions set forth in this Section.

* * *

Floor area
"Floor area" is the sum of the gross areas of the several floors of a #building# or #buildings#, measured from the exterior faces of exterior walls or from the center lines of walls separating two #buildings#. In particular, #floor area# includes:

(a) #basement# space, except as specifically excluded in this definition;

(b) elevator shafts or stairwells at each floor~~;~~, except as specifically excluded in this definition;

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* * *

However, the #floor area# of a #building# shall not include:

* * *

(11) floor space within stairwells:

(i) at each floor of #buildings# containing #residences# #developed# or #enlarged# after April 16, 2008, that are greater than 125 feet in height, provided that:

~~(i)~~ (1) such stairwells are located on a #story# containing #residences#;

~~(ii)~~ (2) such stairwells are used as a required means of egress from such #residences#;

~~(iii)~~(3) such stairwells have a minimum width of 44 inches;

~~(iv)~~ (4) such floor space excluded from #floor area# shall be limited to a maximum of eight inches of stair and landing width measured along the length of the stairwell enclosure at each floor; and

~~(v)~~ (5) where such stairwells serve non-#residential uses# on any floor, or are located within multi-level #dwelling units#, the entire floor space within such stairwells on such floors shall count as #floor area#;

(ii) at each floor of #buildings developed# or #enlarged# after (date of amendment), that are 420 feet or greater in height, provided that:

(1) such stairwells serve a space that is any occupancy group other than Group R-2, as classified in the New York City Building Code, that is located at or above a height of 420 feet; and

(2) such floor space excluded from #floor area# shall be limited to:

(aa) the 25 percent of stair and landing width required by the New York City Building Code which is provided in addition to the stair and landing widths required by such Code for means of egress; or

(bb) the one stairwell required by the New York City Building Code which is provided in addition to the stairwells required by such Code for means of egress. For the purposes of this paragraph (11)(ii)(2)(bb), such additional stairwell shall include the stair and landings as well as any walls enclosing such stair and landings;

(12) exterior wall thickness, up to eight inches:

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* * *

Adopted.

Office of the City Clerk, }
The City of New York, } ss.:

I hereby certify that the foregoing is a true copy of a Resolution passed by The Council of The City of New York on April 28, 2015, on file in this office.

.....
City Clerk, Clerk of The Council

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