Legislation Details (With Text)

File #:	Res 1772-2001	**Version:**	*	**Name:**	LU 858 - Zoning, Changes to modify sign regulations, Citywide, (010065ZRY)
Type:	Resolution			**Status:**	Adopted
				In control:	Committee on Land Use
On agenda:	2/27/2001				
Enactment date:				**Enactment #:**	
Title:	Resolution approving the decision of the City Planning Commission on Application No. N 010065 ZRY, an amendment to the text of the Zoning Resolution relating to signs (L.U. No. 858).				
Sponsors:	June M. Eisland				
Indexes:					
Attachments:	1. Committee Report				

Date	Ver.	Action By	Action	Result
2/6/2001	*	Committee on Land Use	Approved by Committee with Modifications and Referred to CPC	
2/27/2001	*	City Council	Approved, by Council	Pass

THE COUNCIL OF THE CITY OF NEW YORK
RESOLUTION NO. 1772

Resolution approving the decision of the City Planning Commission on Application No. N 010065 ZRY, an amendment to the text of the Zoning Resolution relating to signs (L.U. No. 858).

By Council Members Eisland and McCaffrey

WHEREAS, the City Planning Commission filed with the Council on December 22, 2000 its decision dated December 13, 2000 (the "Decision"), on the application submitted by the Department of City Planning, pursuant to Section 201 of the New York City Charter, for an amendment to the text of the Zoning Resolution (Application No. N 010065 ZRY) (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 January 9, 2001 and recessed until February 1, 2001;

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 and the Negative Declaration, issued on August 7, 2000 and revised on December 13, 2000 (CEQR No. 01DCP002Y);

RESOLVED:

The Council finds that the action described herein will have no significant effect on the environment;

powered by Legistar™

Pursuant to Sections 197-d and 200 of the City Charter and on the basis of the Decision and Application the Council approves the Decision with the following modifications:

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 greytone is new, to be added;
Matter within # # is defined in Section 12-10;
Matter in strikeout is text to be deleted;
*** indicates where unchanged text appears in the Zoning Resolution;
Matter in brackets [ ] is new, added by City Council;
Matter in double strikeout is to be deleted by City Council.

***

32-60
SIGN REGULATIONS

***

32-62
Permitted Signs

C1 C2 C3 C4 C5 C6 C7 C8

In all districts, as indicated, #signs# other than #advertising signs# are permitted subject to the provisions of the following Sections:

Section 32-64 (Surface Area and Illumination Provisions)

Section 32-65 (Permitted Projection or Height of Signs)

Section 32-66 (Additional Regulations for Signs Near Certain Parks and Designated Arterial Highways)

Section 32-67 (Special Provisions Applying along District Boundaries)

Section 32-68 (Permitted Signs on Residential Buildings)

Section 32-69 (Additional Sign Regulations for Adult Establishments)

However, notwithstanding any provision of this Section, flags, banners or pennants other than those that are #advertising signs#, located on any #zoning lot# used primarily for #community facility uses# of a civic, philanthropic, educational or religious nature, are permitted in all districts, as indicated, without limitation.

32-63
Permitted Advertising Signs

C6-5 C6-7 C7 C8

In the districts indicated, #advertising signs# are permitted subject to the applicable provisions of the following Sections:

Section 32-64 (Surface Area and Illumination Provisions)

Section 32-65 (Permitted Projection or Height of Signs)

Section 32-66 (Additional Regulations for Advertising Signs Near Certain Parks and Designated Arterial Highways)

Section 32-67 (Special Provisions Applying along District Boundaries)

Section 32-68 (Permitted Signs on Residential Buildings).

***

32-64
Surface Area and Illumination Provisions

C1 C2 C3 C4 C5 C6 C7 C8

In all districts, as indicated, all permitted #signs# shall be subject to the restrictions on #surface area# and illumination as set forth in this

Section, provided that the following #signs# shall be exempted from such restrictions on #surface area#:

#Illuminated# non-#flashing signs# other than #advertising signs# located in a window within a #building#, with a total #surface area# not exceeding eight square feet on any #zoning lot# and limited to not more than three such #signs# in any window.

For the purpose of determining permitted #surface area# of #signs# for #zoning lots# occupied by more than one establishment, any portion of such #zoning lot# occupied by a #building# or part of a #building# accommodating one or more establishments on the ground floor may be considered as a separate #zoning lot#.

No #illuminated sign# shall have a degree or method of illumination which exceeds standards established by the Department of Buildings by rule pursuant to the City Administrative Procedure Act. Such standards shall ensure that illumination on any #illuminated sign# does not project or reflect on #residences#, #loft dwellings# or #joint living-work quarters for artists# so as to interfere with the reasonable use and enjoyment thereof. Nothing herein shall be construed to authorize a #sign with indirect illumination# to arrange an external artificial source of illumination so that direct rays of light are projected from such artificial source into #residences#, #loft dwellings# or #joint living-work quarters for artists#.

***

32-653
Additional regulations for projecting signs

C1 C2 C3 C4 C5 C6 C7 C8

In all districts, as indicated, permitted #signs# other than #advertising signs# may be displayed as follows:

(a) Non-#illuminated signs# may be displayed on awnings or canopies permitted by Section 27-313(b) of the Administrative Code, with a #surface area# not exceeding 12 square feet and with the height of letters not exceeding 12 inches. Any commercial copy on such #signs# shall be limited to identification of the name or address of the #building# or an establishment contained therein.

(b) #Signs# may be displayed on marquees permitted by Section 27-313(b) of the Administrative Code, provided that such #signs# conform to the provisions of Section 26-182 of the Administrative Code, and provided further that no such #sign# in a district other than a C6-5, C6-7 or C-7 District shall project more than 48 inches above nor more than 12 inches below such marquee.

***

[Note: Current Sections 32-66 and 32-661 are renumbered 32-662 and 32-663, respectively]

32-66
Additional Regulations for Advertising Signs Near Certain Parks and Designated Arterial Highways

C1 C2 C3 C4 C5 C6 C7 C8

In all districts, as indicated, all permitted #signs# are subject to the applicable regulations of this Section.

For the purposes of this Section, arterial highways shall include all highways that are shown on the Master Plan of Arterial Highways and Major Streets as "principal routes," "parkways" or "toll crossings," and that have been designated by the City Planning Commission as arterial highways to which the provisions of this Section shall apply.

32-661
Additional regulations for signs other than advertising signs

C4 C5-4 C6[C6-5, C6-7]C7 C8

In the districts indicated, and within 200 feet of an arterial highway or a #public park# with an area of one-half acre or more, no permitted #sign# that is within view of such arterial highway or #public park# shall exceed 200[500] square feet of #surface area#.

Beyond 200 feet from such arterial highway or #public park#, [the surface area of such signs may be increased one square foot for each linear foot such sign is located from the arterial highway or #public park#.] such #signs# shall be located at a distance of at least as many linear feet from the arterial highway or #public park# as there are square feet of #surface area# on the face of such #sign#.

Upon application, these requirements shall be waived provided that the Chairperson of the City Planning Commission certifies that:

(a) such waiver is limited to a single non-#flashing sign# that is located on a #zoning lot# not less than one and one-half acres; and

(b) all other permitted #signs# located on such #zoning lot# that are subject to the provisions of this Section conform with all the #sign# regulations applicable in C1 districts.

32-66
32-662
Additional regulations for advertising signs

powered by Legistar™

***

32-661
32-663
Advertising signs on waterways

***

42-50
SIGN REGULATIONS

***

42-52
Permitted Signs

M1 M2 M3

In all districts, as indicated, #signs# are permitted with no restriction on size, illumination or otherwise, except as otherwise provided in Sections 42-53 (Additional Regulations for Advertising Signs) and 42-54 (Special Provisions Applying along District Boundaries) and subject to the provisions of Section 42-55 (Additional Sign Regulations for Adult Establishments). subject to the provisions of the following Sections:

Section 42-53 (Surface Area and Illumination Provisions)

Section 42-54 (Permitted Projection or Height of Signs)

Section 42-55 (Additional Regulations for Signs Near Certain Parks and Designated Arterial Highways)

Section 42-56 (Special Provisions Applying Along District Boundaries)

Section 42-57 (Additional Sign Regulations for Adult Establishments)

Section 42-58 (Signs Erected Prior to December 13, 2000)

However, notwithstanding any provision of this Section, flags, banners or pennants other than those that are #advertising signs#, located on any #zoning lot# used primarily for #community facility uses# of a civic, philanthropic, educational or religious nature, are permitted in all districts, as indicated, without limitation.

[Note: Current Section 42-53 is modified and renumbered Section 42-55]
42-53
Surface Area and Illumination Provisions

M1 M2 M3

In all districts, as indicated, all permitted #signs# shall be subject to the restrictions on #surface area# and illumination as set forth in this Section, provided that the following #signs# shall be exempted from such restrictions on #surface area#:

#Illuminated# non-#flashing signs# other than #advertising signs# located in a window within a #building#, with a total #surface area# not exceeding eight square feet on any #zoning lot# and limited to not more than three such #signs# in any window.

For the purpose of determining permitted #surface area# of #signs# for #zoning lots# occupied by more than one establishment, any portion of such #zoning lot# occupied by a #building# or part of a #building# accommodating one or more establishments on the ground floor may be considered as a separate #zoning lot#.

No #illuminated sign# shall have a degree or method of illumination which exceeds standards established by the Department of Buildings by rule pursuant to the City Administrative Procedure Act. Such standards shall ensure that illumination on any #illuminated sign# does not project or reflect on #residences#, #loft dwellings# or #joint living-work quarters for artists# so as to interfere with the reasonable use and enjoyment thereof. Nothing herein shall be construed to authorize a #sign with indirect illumination# to arrange an external artificial source of illumination so that direct rays of light are projected from such artificial source into #residences#, #loft dwellings# or #joint living-work quarters for artists#.

[Note: Current Section 42-531 is renumbered 42-551]
42-531
Total surface area of signs

M1 M2 M3

In all districts, as indicated, the total #surface area# of all permitted #signs#, including non-#illuminated# or #illuminated signs#, shall not exceed the limitation established for non-#illuminated signs#, as set forth in Section 42-532 (Non-illuminated signs).

42-532
Non-illuminated signs

M1 M2 M3

In all districts, as indicated, non-#illuminated signs# with total #surface areas# not exceeding six times the #street# frontage of the #zoning lot# in feet but in no event more than 750[1,200] square feet for each #sign#, are permitted.

[However, in any #Manufacturing District# in which #residences#, #joint living-work quarters for artists#, or #loft dwellings# are, under the provisions of the Zoning Resolution, allowed as-of-right or by special permit or authorization, the total #surface area# of all such permitted #signs# shall not exceed six times the #street# frontage of the #zoning lot# in feet and that the #surface area# of each #sign# shall not exceed 750 square feet.]

42-533
Illuminated or flashing signs

M1 M2 M3

In all districts, as indicated, #illuminated# or #flashing advertising signs# are not permitted.

#Illuminated# or #flashing signs#, other than #advertising signs#, and #accessory# or #advertising signs with indirect illumination#, are permitted, provided that the total #surface area# of all such #signs# (in square feet) shall not exceed:

(a) for #illuminated# or #flashing signs#, other than #advertising signs#, five times the #street# frontage of the #zoning lot# in feet and that the #surface area# of each #sign# shall not exceed 500 square feet; and

(b) for #accessory# or #advertising signs with indirect illumination#, five times the #street# frontage of the #zoning lot# in feet and that the #surface area# of each #sign# shall not exceed 750 square feet.

However, in any Manufacturing District in which #residences#, #joint living-work quarters for artists#, or #loft dwellings# are, under the provisions of the Zoning Resolution, allowed as-of-right or by special permit or authorization, the total #surface area# of all such permitted #signs# shall not exceed five times the #street# frontage of the #zoning lot# in feet and that the #surface area# of each #sign# shall not exceed 500 square feet.

[Note: Current Section 42-54 is renumbered 42-56]
42-54
Permitted Projection or Height of Signs

M1 M2 M3

In all districts, as indicated, all permitted #signs# are subject to the applicable regulations of this Section.

[Note: Current Section 42-541 is renumbered 42-561]
42-541
Permitted projection

M1 M2 M3

In all districts, as indicated, except as otherwise provided in Section 42-542 (Additional regulations for projecting signs), no permitted #sign# shall project across a #street line# more than 18 inches for double- or multi-faceted #signs# or 12 inches for all other #signs#, except that in M1-5A, M1-5B, M1-5M and M1-6M Districts and in manufacturing districts mapped within the #Special Tribeca Mixed Use District#, for each establishment located on the ground floor, #non-illuminated signs# other than #advertising signs# may project no more than forty inches across a #street line#, provided that along each #street# on which such establishment fronts, the number of such #signs# for each establishment shall not exceed two two-sided #signs# separated at least 25 feet apart, and further provided that any such #sign# shall not exceed a #surface area# of twenty-four by thirty-six inches and shall not be located above the level of the first #story# ceiling.

[Note: Current Section 42-542 is deleted]
42-542

Additional regulations for projecting signs

M1 M2 M3

In all districts, as indicated, permitted #signs# other than #advertising signs# may be displayed as follows:

(a) Non-#illuminated signs# may be displayed on awnings or canopies permitted by the Administrative Code, with a #surface area# not exceeding 12 square feet and with the height of letters not exceeding 12 inches. Any commercial copy on such #signs# shall be limited to identification of the name or address of the #building# or an establishment contained therein.

(b) #Signs# may be displayed on marquees permitted by the Administrative Code, provided that no such #sign# shall project more than 48 inches above nor more than 12 inches below such marquee.

42-543
Height of signs

M1 M2 M3

In all districts, as indicated, permitted #signs# shall not extend to a height greater than 40 feet above #curb level#, provided that non-#illuminated signs# or #signs with indirect illumination# may extend to a maximum height of 58[75] feet.

[Note: Current Section 42-55 is renumbered 42-57]

42-53
Additional Regulations for Advertising Signs

42-55
Additional Regulations for Signs Near Certain Parks and Designated Arterial Highways

M1 M2 M3

In all districts, as indicated, no #advertising sign# shall be located, nor shall an existing #advertising sign# be structurally altered, relocated or reconstructed, within 200 feet of an arterial highway or of a #public park# with an area of one-half acre or more, if such #advertising sign# is within view of such arterial highway or #public park#. For the purposes of this Section, arterial highways shall include all highways that are shown on the Master Plan of Arterial Highways and Major Streets, as "principal routes," "parkways" or "toll crossings," and that have been designated by the City Planning Commission as arterial highways to which the provisions of this Section shall apply. Beyond 200 feet from such arterial highway or #public park#, an #advertising sign# shall be located at a distance of at least as many linear feet therefrom as there are square feet of #surface area# on the face of such #sign#. the provisions of paragraphs (a),(b) and (c), or paragraph (d) of this Section shall apply for #signs# near designated arterial highways or certain #public parks#.

(a) Within 200 feet of an arterial highway or a #public park# with an area of one-half acre or more, #signs# that are within view of such arterial highway or #public park# shall be subject to the following provisions:

(1) no permitted #sign# shall exceed 200[500] square feet of #surface area#; and

(2) no #advertising sign# shall be allowed, nor shall an existing #advertising sign# be structurally altered, relocated or reconstructed; and,

(b) Beyond 200 feet from such arterial highway or #public park#, [the surface area of such signs may be increased one square foot for each linear foot such sign is located from the arterial highway or public park;]#signs# that are within view of such arterial highway or #public park# shall be located at a distance of at least as many linear feet from the arterial highway or #public park# as there are square feet of #surface area# on the face of such #sign#; and,

(c) However, in all districts as indicated, the The more restrictive of the following shall apply:

(a)(1) any #advertising sign# erected, structurally altered, relocated or reconstructed prior to June 1, 1968, within 660 feet of the nearest edge of the right-of-way of an arterial highway, whose message is visible from such arterial highway, shall have legal #non-conforming use# status pursuant to Section 52-83, to the extent of its size existing on May 31, 1968.

(b)(2) ny #advertising sign# erected, structurally altered, relocated or reconstructed between June 1, 1968 and November 1, 1979, within 660 feet of the nearest edge of the right-of-way of an arterial highway, whose message is visible from such arterial highway, and whose size does not exceed 1,200 square feet in #surface area# on its face, 30 feet in height, and 60 feet in length, shall have legal #non-conforming use# status pursuant to Section 52-83, to the extent of its size existing on November 1, 1979. All #advertising signs# not in conformance with the standards set forth herein shall terminate.

(d) Within one-half mile of any boundary of the City of New York, permitted #signs# and #advertising signs# may be located along any designated arterial highway that is also:

(1) a ?principal route? or ?toll crossing? that prohibits direct vehicular access to abutting land and provides complete separation of conflicting traffic flows; and,

powered by Legistar™

(2) a through truck route designated by the New York City Department of Transportation; and,

(3) that crosses a boundary of the City of New York

without regard to the provisions of paragraphs (a), (b) and (c) of this Section, provided any such permitted or #advertising sign# otherwise conforms to the regulations of this Chapter including, with respect to an #advertising sign#, a location not less than 500 feet from any other #advertising sign#, except that, in the case of any such permitted or #advertising sign# erected prior to August 7, 2000, such #sign# shall have #non-conforming use# status pursuant to Section 52-82 (Non-Conforming Signs other than Advertising Signs) and Section 52-83 (Non-Conforming Advertising Signs) with respect to all other regulations of this Chapter to the extent of the degree of #non-conformity# of such #sign# as of August 7, 2000, including, with respect to an #advertising sign#, its location within 500 feet of any other such #advertising sign#.

Upon application, the requirements of paragraphs (a), (b) and (c) of this Section (42-55) shall be waived, provided that the Chairperson of the City Planning Commission certifies that:

(1) such waiver is limited to a single non-#flashing sign# other than an #advertising sign#, that is located on a #zoning lot# not less than one and one-half acres; and

(2) all other permitted #signs# other than #advertising signs# located on such #zoning lot# that are subject to the provisions of this Section conform with all the #sign# regulations applicable in C1 Districts.

For the purposes of this Section, arterial highways shall include all highways that are shown on the Master Plan of Arterial Highways and Major Streets, as "principal routes," "parkways" or "toll crossings," and that have been designated by the City Planning Commission as arterial highways to which the provisions of this Section shall apply.

***

42-531551
Advertising signs on waterways

***

42-5456
Special Provisions Applying along District Boundaries

42-541561
Restrictions along district boundary located in a street

***

42-[562]

[Restriction on angle and height above curb level

M1 M2 M3

In all districts, as indicated, and within 500 feet of the boundary of a #Residence District# or #Commercial District#, except C7 or C8 Districts, any illuminated portion of any #sign# shall face at an angle of more than 90 degrees away from such boundary line and a #sign with indirect illumination# may extend only to a height of 58 feet above #curb level#.]

42-542
Restriction on height above curb level

M1 M2 M3

In all districts, as indicated, and within 500 feet of the boundary of a #Residence District#, or a C1 or C2 District, no #illuminated sign# with an area exceeding 25 square feet shall extend more than 50 feet above #curb level#, unless all illuminated portions thereof face at an angle of at least 90 degrees from such boundary line.

However, the provisions of this Section shall not apply to any #sign with indirect illumination# which extends to a height of 58 feet or less above #curb level#.

42-5557
Additional Sign Regulations for Adult Establishments

***

42-58
Signs Erected Prior to December 13, 2000

M1 M2 M3

In all districts, as indicated, a #sign# erected prior to December 13, 2000, shall have #non-conforming use# status pursuant to Section 52-82 (Non-Conforming Signs Other Than Advertising Signs) or Section 52-83 (Non-Conforming Advertising Signs) with respect to the extent of the degree of #non-conformity# of such #sign# as of such date with the provisions of Sections 42-52, 42-53 and 42-54, where such #sign# shall have been issued a permit by the Department of Buildings on or before such date. In all such districts, as indicated, a #sign# other than an #advertising sign# erected prior to December 13, 2000, shall also have #non-conforming use# status pursuant to Section 52-82 (Non-Conforming Signs Other Than Advertising Signs) with respect to the degree of #non-conformity# of such #sign# as of such date with the provisions of Section 42-55(a)(1) and (b), where such #sign# shall have been issued a permit by the Department of Buildings on or before such date. Nothing herein shall be construed to confer #non-conforming use# status upon any #advertising sign# located within 200 feet of an arterial highway or of a #public park# with an area of one-half acre or more, and within view of such arterial highway or #public park#, or where such #advertising sign# is located at a distance from an arterial highway or #public park# with an area of one-half acre or more which is greater in linear feet than there are square feet of #surface area# on the face of such #sign#, contrary to the requirements of Section 42-55(b). The #non-conforming use# status of signs subject to Section 42-55(c) (1) and (2) and (d) shall remain unaffected by this provision.

For the purposes of this Section, arterial highways shall include all highways that are shown on the Master Plan of Arterial Highways and Major Streets, as "principal routes," "parkways" or "toll crossings," and that have been designated by the City Planning Commission as arterial highways to which the provisions of this Section shall apply.

***

52-83
Non-Conforming Advertising Signs

In all #Manufacturing Districts#, or in C1, C2, C4, C5-4, C6, C7 or C8 Districts, except as otherwise provided in Sections 32-66 or 42-53 (Additional Regulations for Advertising Signs) 42-55 (Additional Regulations for Signs Near Certain Parks and Designated Arterial Highways), any #non-conforming advertising sign#, except a #flashing sign# may be structurally altered, reconstructed, or replaced in the same location and position, provided that such structural alteration, reconstruction, or replacement does not result in:

(a) the creation of a new #non-conformity# or an increase in the degree of #non-conformity# of such #sign#;

(b) an increase in the #surface area# of such #sign#; or

(c) an increase in the degree of illumination of such #sign#.

The provisions of this Section shall not apply to the replacement of a painted wall #sign# or to the replacement of a flexible fabric #sign# consisting of a fabric display area affixed or secured to a wall or other surface or structure, other than a sign structure with a permit issued by the Department of Buildings, by means of hooks, straps, wires or any other stiffening and fastening device.

No #sign# that exceeds or is otherwise in violation of any illumination standard established by rule of the Department of Buildings shall be non-conforming as to such illumination standard one year after such rule becomes effective.

To the extent that such structural alteration, reconstruction, or replacement of #non-conforming advertising signs# is permitted under the provisions of this Section, the provisions of the following Sections are modified:

Section 52-22 (Structural Alterations)

Sections 52-51 to 52-55, inclusive, relating to Damage or Destruction.

***

ARTICLE VI
SPECIAL REGULATIONS APPLICABLE TO CERTAIN AREAS

***

Chapter 2
Special Regulations Applying in the Waterfront Area

***

powered by Legistar™

62-27
Special Sign Regulations

Within a #waterfront block#, no #flashing sign# permitted in accordance with the applicable district regulations shall exceed 50 square feet in #surface area# and no more than one such #sign# shall be permitted for each establishment located on a #zoning lot#, except that no #flashing sign# shall be permitted on any #pier# or #platform#.

***

74-74
General Large-Scale Development

For #general large-scale developments# involving several #zoning lots# but planned as a unit, the district regulations may impose unnecessary rigidities and thereby prevent achievement of the best possible site plan within the overall density and #bulk# controls. For these #developments#, the regulations of this Section are designed to allow greater flexibility for the purpose of securing better site planning, while safeguarding the present or future use and development of the surrounding area.

***

74-743
Special provisions for bulk modification

(a) For a #general large-scale development#, the City Planning Commission may permit:

(1) distribution of total allowable #floor area#, #rooming units#, #dwelling units#, #lot coverage# and total required #open space# under the applicable district regulations within a #general large-scale development# without regard for #zoning lot lines# or district boundaries subject to the following limitations:

(i) no distribution of #bulk# across the boundary of two districts shall be permitted for a #use# utilizing such #bulk# unless such #use# is permitted in both districts;

(ii) when a #general large-scale development# is located partially in a #Residence District# or in a C1, C2, C3 or C4-1 District and partially in other #Commercial# or #Manufacturing Districts#, no transfer of commercial #floor area# to a #Residence District# or to a C1, C2, C3 or C4-1 District from other districts shall be permitted;

(2) modification of the #lot area# requirement for non-#residential uses# in a #Commercial District# with a base #floor area ratio# of 15.0 provided, that for every 750 square feet of gross #residential floor area# in the #building# there is no more than one #dwelling unit#;

(3) location of #buildings# without regard for the applicable #yard#, #court#, distance between #buildings#, or height and setback regulations; and

(4) variation in the location of primary business entrances , and #show windows# and #signs# along frontages adjacent to #zoning lots# outside the #general large-scale development# without regard to regulations applicable near #Residence District# boundaries.

(b) As a condition of granting a special permit pursuant to this Section for any #general large-scale development#, the Commission shall find that:

(1) the distribution of #floor area#, #open space#, #dwelling units#, #rooming units# and the location of #buildings#, primary business entrances , and #show windows# and #signs# will result in a better site plan and a better relationship among #buildings# and open areas to adjacent #streets#, surrounding development, adjacent open areas and shorelines than would be possible without such distribution and will thus benefit both the occupants of the #general large-scale development#, the neighborhood, and the City as a whole;

***

74-744
Modification of use regulations

(a) Waterfront and related #commercial uses#

In a C4 District, the City Planning Commission may modify applicable district regulations to allow certain boating and related #uses# listed in Use Group 14A, not otherwise allowed in such district, provided the Commission shall find that:

(1) the #uses# are appropriate for the location and blend harmoniously with the rest of the #general large-scale development#; and

(2) the #streets# providing access to such #uses# will be adequate to handle the traffic generated thereby.

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

(b) Location of #commercial uses#

For any #general large-scale development#, the City Planning Commission may permit #residential# and non-#residential uses# to be arranged within a #building# without regard for the regulations set forth in Section 32-42 (Location within Buildings) provided the Commission shall find:

(1) the #commercial uses# are located in a portion of the #mixed building# which has separate access to the outside with no opening of any kind to the #residential# portion of the #building# at any #story#;

(2) the #commercial uses# are not located directly over any #story# containing #dwelling units#; and

(3) the modifications shall not have any adverse effect on the #uses# located within the #building#.

(c) Modifications of #sign# regulations

(1) In C6 Districts, the City Planning Commission may modify the regulations of Section 32-65 (Permitted Projection or Height of Signs) for #signs#, other than #advertising signs#, on a non-#residential building#, provided that such #signs# will not be incompatible with the character of the surrounding area.

(1) In all #Commercial# or #Manufacturing Districts#, the City Planning Commission may, for #developments# or #enlargements# subject to the provisions of paragraphs (a)(1), (a)(2), or (a)(3) of Section 74-743 (Special provisions for bulk modification), permit the modification of the applicable provisions of Sections 32-64 (Surface Area and Illumination Provisions), 32-65 (Permitted Projection or Height of Signs), 32-66 (Additional Regulations for Signs Near Certain Parks and Designated Arterial Highways), 42-53 (Surface Area and Illumination Provisions), 42-54 (Permitted Projection or Height of Signs), 42-55 (Additional Regulations for Signs Near Certain Parks and Designated Arterial Highways), and, the limitations on the location of #signs# in Sections 32-51 and 42-44 (Limitations on Business Entrances, Show Windows or Signs), provided the Commission finds that such modification will result in a better site plan.

***

74-748
Previously granted special permits

Any #development# or #enlargement# granted a special permit by the City Planning Commission under previous Section 74-74 (Commercial Development Extending into More than One Block) prior to February 22, 1990, may be started or continued pursuant to that special permit.

The Commission may administratively, upon application, allow modifications of the special permit granted under Section 74-74 (Commercial Development Extending into More than One Block) before February 22, 1990.

In no event may the Commission grant a modification of a special permit approved prior to February 22, 1990, that would require additional #bulk# distribution among #zoning lots# or modification of the height and #lot coverage# limitations previously established. Any modifications exceeding the limitations set forth herein shall be subject to the provision of the new Section 74-74 (General Large-Scale Development).

No existing #plaza#, #residential plaza#, #urban plaza#, or other public amenity for which a #floor area# bonus or any increase in tower coverage above 40 percent of the #lot area# of the #zoning lot# has been received under Section 74-74 (Commercial Development Extending into More than One Block) prior to February 22, 1990 shall be eliminated or reduced in size except by special permit of the Commission pursuant to a finding that a proposed change will provide a greater public benefit in the light of the public amenity's purpose.

Any #sign# shown on a site plan incorporated as part of a special permit of the City Planning Commission under the provisions of Section 74-74 (General Large Scale Development) prior to (the effective date of this amendment), may be erected and maintained in accordance with such special permit.

***

ARTICLE IX
SPECIAL PURPOSE DISTRICTS

***

Chapter 7
Special Northside Mixed Use District

***

97-02
General Provisions

powered by Legistar™

In harmony with the general purpose and intent of this Resolution

***

Section 42-44 (Limitation on Business Entrances, Show Windows, or Signs) Section 42-5456 (Special Provisions Applying along District Boundaries), Section 43-30 (SPECIAL PROVISIONS APPLYING ALONG DISTRICT BOUNDARIES) or Section 44-583 (Restrictions on locations of berths near Residence Districts).

***

ARTICLE X
SPECIAL PURPOSE DISTRICTS

***

Chapter 6
Special Coney Island Mixed Use District

***

106-02
General Provisions

In harmony with the general purpose and intent of this Resolution

***

Zoning Lots adjacent to ... 42-5456 (Special Provisions Applying along District Boundaries), 43-30 (SPECIAL PROVISIONS APPLYING ALONG DISTRICT BOUNDARIES) or 44-583 (Restrictions on location of berths near Residence Districts).

***

Chapter 8
Special Franklin Street Mixed Use District

***

108-02
General Provisions

In harmony with the general purpose and intent of this Resolution

***

Zoning lots adjacent to ... 42-5456 (Special Provisions Applying along District Boundaries), 43-30 (SPECIAL PROVISIONS APPLYING ALONG DISTRICT BOUNDARIES) or 44-583 (Restrictions on locations of berths near Residence Districts).

***

ARTICLE XI
SPECIAL PURPOSE DISTRICTS

***

Chapter 2
Special City Island District

***

112-123
Screening requirements for parking facilities accessory to commercial uses

***

In addition such screening:

(a) shall be maintained in good condition at all times,

(b) may be interrupted by normal entrances or exits; , and

powered by Legistar™

(c) shall have no #signs# hung or attached thereto other than those permitted in Sections 32-62 (Permitted Signs), 32-63 (Permitted Advertising Signs) or 42-52 (Permitted Signs or Advertising Signs).

***

Appendix C
Designation of Arterial Highways

Pursuant to the provisions of Sections 32-66 and Section 42-53 (Additional Regulations for Advertising Signs) 42-55 (Additional Regulations for Signs Near Certain Parks and Designated Arterial Highways) of the Zoning Resolution of the City of New York, the City Planning Commission has designated as arterial highways to which the provisions of Sections 32-66 and 42-5355 apply, the following arterial highways which appear on the City Map and which are also indicated as Principal Routes, Parkways, and Toll Crossings on the duly adopted Master Plan of Arterial Highways and Major Streets.

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 February 27, 2001, on file in this office.

.....
City Clerk, Clerk of Council

Page 10 of 22
N 010065 ZRY
Reso. No. 1772 (L.U. No. 858)

10

Page 23 of 20
N 010065 ZRY
Reso. No. ____ (L.U. No. 858)

powered by Legistar™