Legislation Details (With Text)

File #:	Res 1140-2007	**Version:** *	**Name:**	LU 607 - Zoning, Bed Stuy Rezoning, Brooklyn (N070448ZRY)
Type:	Resolution		**Status:**	Adopted
			In control:	Committee on Land Use
On agenda:	10/29/2007			
Enactment date:			**Enactment #:**	

Title: Resolution approving the decision of the City Planning Commission on Application No. N 070448 ZRY, for an amendment of the Zoning Resolution of the City of New York, concerning the establishment of the R7D and C4-5D zoning districts, the establishment of Special Mixed Use District-10 on Atlantic and Howard Avenues in Brooklyn, the application of the Inclusionary Housing program to the proposed R7D districts in the Borough of Brooklyn, Community District 3, and the clarification of language pertaining to Section 23-90 (Inclusionary Housing), inclusive, and Inclusionary Housing designated areas, Borough of Brooklyn (L.U. No. 607).

Sponsors:

Indexes:

Attachments: 1. Press Release, 2. Committee Report, 3. Hearing Transcript - Stated Meeting 10/29/07

Date	Ver.	Action By	Action	Result
10/25/2007	*	Committee on Land Use	Approved by Committee	
10/29/2007	*	City Council	Approved, by Council	Pass

THE COUNCIL OF THE CITY OF NEW YORK
RESOLUTION NO. 1140

Resolution approving the decision of the City Planning Commission on Application No. N 070448 ZRY, for an amendment of the Zoning Resolution of the City of New York, concerning the establishment of the R7D and C4 -5D zoning districts, the establishment of Special Mixed Use District-10 on Atlantic and Howard Avenues in Brooklyn, the application of the Inclusionary Housing program to the proposed R7D districts in the Borough of Brooklyn, Community District 3, and the clarification of language pertaining to Section 23-90 (Inclusionary Housing), inclusive, and Inclusionary Housing designated areas, Borough of Brooklyn (L.U. No. 607).

By Council Members Katz and Avella

WHEREAS, the City Planning Commission filed with the Council on September 7, 2007 its decision dated September 5, 2007 (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 of the City of New York (Application No. N 070448 ZRY) (the “Application");

WHEREAS, the Application is related to ULURP Application Number C 070447 ZMK (L.U. No. 591), an amendment of the Zoning Map, to rezone all or portions of approximately 206 blocks;

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 October 23, 2007;

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

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WHEREAS, the Council has considered the relevant environmental issues and the Negative Declaration, issued on May 7, 2007, which included (E) designations for hazardous materials, air quality and noise, (CEQR No. 007DCP070K);

RESOLVED:

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

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; and

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;
Mater in # # is defined in Section 12-10;
* * * indicates where unchanged text appears in the Zoning Resolution

* * *

ARTICLE I
TITLE, ESTABLISHMENT OF CONTROLS, AND INTERPRETATION OF REGULATIONS

* * *

11-12
Establishment of Districts

* * *

R7A	General Residence District
R7B	General Residence District
R7D	General Residence District
R7X	General Residence District

* * *

C4-5	General Commercial District
C4-5A	General Commercial District
C4-5D	General Commercial District
C4-5X	General Commercial District

* * *

ARTICLE II
RESIDENCE DISTRICT REGULATIONS

Chapter 3
Bulk Regulations for Residential Buildings in Residence Districts

* * *

23-011
Quality Housing Program

(a) In R6A, R6B, R7A, R7B, R7D, R7X, R8A, R8B, R8X, R9A, R9X, R10A or R10X Districts, any #development# or

#enlargement# shall comply with the applicable district #bulk# regulations as set forth in this Chapter and any #residential development#, #enlargement#, #extension# or conversion shall also comply with the requirements of Article II, Chapter 8 (Quality Housing Program). In R5D Districts, certain requirements of Article II, Chapter 8, shall apply as set forth in Section 28-01 (Applicability of this Chapter).

* * *

23-10
OPEN SPACE AND FLOOR AREA REGULATIONS

* * *

23-144
In designated areas where the Inclusionary Housing Program is Applicable

In #Inclusionary Housing designated areas#, as listed in the following table, the maximum permitted #floor area ratios# shall be as set forth in Section 23-942 (In Inclusionary Housing designated areas). The locations of such districts are specified in Section 23-922 (Inclusionary Housing designated areas).

Community District	Zoning District
* * *	
Community District 3, Brooklyn	R7D
Community District 7, Brooklyn	R8A
Community District 2, Queens	R7X
* * *	

23-145
For residential buildings developed or enlarged pursuant to the Quality Housing Program

R6 R7 R8 R9 R10

In the districts indicated, the maximum #lot coverage# and the maximum #floor area ratio# for any #residential building# on a #zoning lot developed# or #enlarged# pursuant to the Quality Housing Program shall be as set forth in the following table and the maximums for #developments#, or #enlargements# where permitted, located within 100 feet of a #wide street# in R6, R7 or R8 Districts without a letter suffix outside the #Manhattan Core#, shall be as designated by the same district with an asterisk. In an R6 District inside the #Manhattan Core# located within 100 feet of a #wide street#, the maximums shall be indicated by the same district with a double asterisk.

MAXIMUM LOT COVERAGE AND ~~FAR~~ FLOOR AREA RATIO
FOR
QUALITY HOUSING BUILDINGS
(in percent)

District	Maximum #Lot Coverage#		Maximum #Floor Area Ratio#
	#Corner Lot#	#Interior Lot# or #Through Lot#	
R6	80	60	2.20
R6**	80	60	2.43
R6* R6A R7B	80	65	3.00
R6B	80	60	2.00
R7	80	65	3.44
R7* R7A	80	65	4.00
R7D	80	65	4.20
R7X	80	70	5.00

* * *

23-147
For non-profit residences for the elderly

(a) In R3, R4, R5, R6 and R7 Districts

* * *

However, in R6 or R7 Districts, the minimum required #open space ratio# shall not apply to #non-profit residences for the elderly developed#, or #enlarged# where permitted, pursuant to the Quality Housing Program. Such #developments# or #enlargements# shall be subject to the requirements of R6A or R7A Districts, respectively, as set forth in paragraph (b) of this Section.

(b) In R6A R6B R7A R7B R7D R7X Districts

In the districts indicated, the maximum #lot coverage# and the maximum #floor area ratio# for #non-profit residences for the elderly# shall be as set forth in the following table:

MAXIMUM LOT COVERAGE AND ~~FAR~~ FLOOR AREA RATIO
FOR NON-PROFIT RESIDENCES FOR THE ELDERLY
(in percent)

District	Maximum #Lot Coverage#		Maximum #Floor Area Ratio#
	#Corner Lot#	#Interior Lot# or #Through Lot#	
R6A R7B	80	65	3.90
R6B	80	60	2.00
R7A R7D R7X	80	70	5.01
~~R7B~~	~~80~~	~~65~~	~~3.90~~
~~R7X~~	~~80~~	~~70~~	~~5.01~~

* * *

23-51
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 Districts 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. In addition, portions of #buildings developed# or #enlarged# in R6A, R6B, R7A, R7B, R7D, R7X, R8A, R8B, R8X, R9A, R9X, R10A or R10X Districts,

or portions of #residential buildings developed#, or #enlarged# where permitted, pursuant to the Quality Housing Program in other R6, R7, R8, R9 or R10 Districts, shall comply with the requirements for R6B Districts in Section 23-633 (Street wall location and height and setback regulations in certain districts) when such portions are located within 25 feet of the boundary of an R1, R2, R3, R4, R5 or R6B District.

* * *

23-533
Required rear yard equivalents

* * *

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

* * *

23-60
HEIGHT AND SETBACK REGULATIONS

* * *

23-621
Permitted obstructions in certain districts

* * *

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

(c) In the districts indicated, and for #buildings developed# or #enlarged# pursuant to the Quality Housing Program in other R6, R7, R8, R9 and R10 Districts, the permitted obstructions set forth in Section 23-62 shall apply to any #building or other structure#. In addition, a dormer may be allowed as a permitted obstruction within a required setback distance. Such dormer may exceed a maximum base height specified for such district provided that on any #street# frontage, the aggregate width of all dormers at the maximum base height does not exceed 60 percent of the length of the #street wall# of the highest #story# entirely below the maximum base height. For each foot of height above the maximum base height, the aggregate width of all dormers shall be decreased by one percent of the #street wall# width of the highest #story# entirely below the maximum base height.

* * *

23-633
Street wall location and height and setback regulations in certain districts

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

In the districts indicated, #street wall# location and height and setback regulations are set forth in this Section. The height of all #buildings or other structures# shall be measured from the #base plane#. The provisions of Sections 23-64 (Alternate Front Setbacks) and 23-65 (Tower Regulations) shall not apply, except as otherwise set forth for #buildings# in R10X Districts.

R6A R7A R7D R7X

(a) #Street wall# location

(1) In the districts indicated, and for #buildings developed# or #enlarged# pursuant to the Quality Housing Program on #wide streets# in R6 or R7 Districts without a letter suffix, the #street wall# of any #development# or #enlargement# shall be located no closer to the #street line# than the closest #street wall# of an existing #building# to such #street line#, located on the same #block#, and within 150 feet of such #development# or #enlargement#.

However, a #street wall# need not be located further from the #street line# than 15 feet. On #corner lots#, these #street wall# location provisions shall apply along only one #street line#.

* * *

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

(b) Setback regulations

In the districts indicated, and for #buildings developed# or #enlarged# pursuant to the Quality Housing Program in other R6, R7, R8, R9 and R10 Districts, setbacks are required for all portions of #buildings# that exceed the maximum base height specified in the table in this Section. Such setbacks shall be provided in accordance with the following regulations:

* * *

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

(d) Additional regulations

* * *

MINIMUM BASE HEIGHT, MAXIMUM BASE HEIGHT AND MAXIMUM BUILDING HEIGHT

District	Minimum Base Height	Maximum Base Height	Maximum Building Height
R6B	30	40	50
R6**	30	45	55
R6*inside Core***	40	55	65
R6A R6*outside Core***	40	60	70
R7B R7** R7*inside Core***	40	60	75
R7A R7*outside Core***	40	65	80
R7D	60	85	100
R7X	60	85	125
R8B	55	60	75
R8**	60	80	105
R8A R8*	60	85	120
R8X	60	85	150

* * *

* Refers to that portion of a district which is within 100 feet of a #wide street#.
** Refers to that portion of a district on a #narrow street# except within a distance of 100 feet from its intersection with a #wide street#.
*** Core refers to #Manhattan Core#.
**** #Buildings# may exceed a maximum base height of 85 feet in accordance with paragraph (c) of this Section.

* * *

23-663
Required rear setbacks for tall buildings in other districts

* * *

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

(b) In the districts indicated, and for #buildings developed# or #enlarged# pursuant to the Quality Housing Program in other R6 through R10 Districts, no portion of a #building# that exceeds the applicable maximum base height specified in Section 23-633 (Street wall location and height and setback regulations in certain districts) shall be nearer to a #rear yard line# than 10 feet.

* * *

23-692
Height limitations for narrow buildings or enlargements
R7-2 R7D R7X R8 R9 R10

In the districts indicated, if the width of a #street wall# of a new #building# or the #enlarged# portion of an existing #building# is 45 feet or less, the alternate front setback and tower regulations of Sections 23-64, 23-65, 33-44 and 33-45 shall be inapplicable.

* * *

The provisions set forth in this Section shall not apply to any #building developed# or #enlarged# pursuant to the Quality Housing Program where the width of the #street wall# at the maximum base height specified in ~~Table A of~~ the table in Section 23-633 (Street wall location and height and setback regulations in certain districts) is at least 45 feet.

23-90
INCLUSIONARY HOUSING

* * *

23-92
Applicability

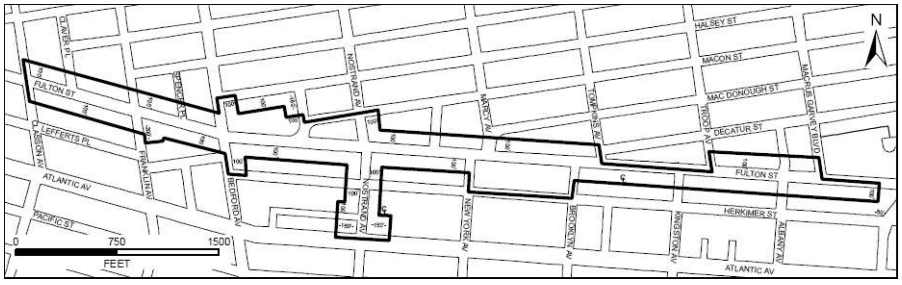
* * *

23-922
Inclusionary Housing designated areas

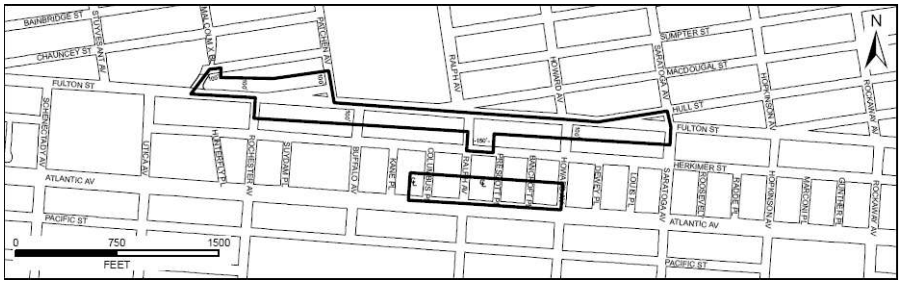
The Inclusionary Housing Program shall apply in the following areas:

* * *

(e) In Community District 3, in the Borough of Brooklyn, in the R7D Districts within the areas shown on the following Maps 10 and 11:



MAP 10
Portion of Community District 3, Brooklyn



MAP 11
Portion of Community District 3, Brooklyn

The Inclusionary Housing Program shall apply in special purpose districts when specific zoning districts or areas are defined as #Inclusionary Housing designated areas# within the special purpose district, pursuant to this Section.

* * *

23-942
Inclusionary Housing designated areas

The provisions of this Section shall apply in the #Inclusionary Housing designated areas# set forth in Section 23-922, except within Waterfront Access Plan BK-1 and in R7-3 Districts within Community District 1, Borough of Brooklyn and in R7-3 Districts within Community District 1, Borough of Brooklyn.

(a) Maximum #floor area ratio#

The #floor area# of a #development# or #enlargement# may not exceed the base #floor area ratio# set forth in the following table, except that such #floor area# may be increased by one and one-quarter square feet for each square foot of #floor area# provided for #lower income housing#, up to the maximum #floor area ratio# specified in the table. However, the amount of #lower income housing# required to receive such bonus #floor area# need not exceed 20 percent of the total #floor area#, exclusive of ground floor non-#residential floor area#, in the #building#. In addition, the following rules shall apply:

District	Base #floor area ratio#	Maximum #floor area ratio#
* * *		
R7A	3.45	4.6
R7D	4.2	5.6
* * *		

* * *

Chapter 4
Bulk Regulations for Community Facility Buildings in Residence Districts

* * *

24-011
Quality Housing Program

In R6A, R6B, R7A, R7B, R7D, R7X, R8A, R8B, R8X, R9A, R9X, R10A or R10X Districts, any #residential# portion of a #building# shall comply with all of the regulations of Article II, Chapter 8 (Quality Housing Program), and the entire #building# shall comply with the applicable provisions of Article II, Chapter 8. In R5D Districts, certain provisions of Article II, Chapter 8 shall apply as set forth in Section 28-01 (Applicability of this Chapter).

* * *

24-10
FLOOR AREA AND LOT COVERAGE REGULATIONS

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

* * *

MAXIMUM FLOOR AREA AND MAXIMUM LOT COVERAGE

#Floor Area Ratio#	#Lot coverage# (percent of #lot area#) #Corner Lot#	#Interior Lot# or #Through Lot#	District
* * *			
4.80	70	65	R6
3.00	80	60	R6A
2.00	80	60	R5D R6B
4.80	70	65	R7-1
6.50	70	65	R7-2
4.00	80	65	R7A
4.20	80	65	R7D
3.00	80	65	R7B
5.00	80	70	R7X
6.50	75	65	R8
6.50	80	70	R8A
4.00	80	70	R8B*
6.00	80	70	R8X
* * *			

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

* * *

R3 R4 R5 R6 R7 R8 R9

(b) In the districts indicated, for any #zoning lot# containing nursing homes, health-related facilities or domiciliary care facilities for adults, each of which have secured certification by the appropriate governmental agency, sanitariums or philanthropic or non-profit institutions with sleeping accommodations as listed in Use Group 3, the allowable #floor area ratio# shall not exceed the maximum #floor area ratio# as set forth in the following table, except where the permissible #floor area ratio# is modified pursuant to Section 74-902 (Bulk modifications for certain community facility uses).

* * *

MAXIMUM FLOOR AREA RATIO FOR
CERTAIN COMMUNITY FACILITIES

District	Maximum #Floor Area Ratio# Permitted
* * *	
R6	2.43
R6A R7B	3.00
R7	3.44
R7D	4.20
R7X	5.00
R7A R8B	4.00
R8 R8A	6.02
* * *	

* * *

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 the designated areas set forth in Section 23-922 (Inclusionary Housing designated areas), except within Waterfront Access Plan Bk-1, the #floor area ratios# of Section 23-942 shall apply where the #residential# portion of a #building# is #developed# or #enlarged# pursuant to the Quality Housing Program.

* * *

24-164
Location of open space for residential portion

* * *

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

(b) In the districts indicated, and for #buildings# in which the #residential# portion is #developed#, or #enlarged# where permitted, pursuant to the Quality Housing Program in other R6, R7, R8, R9 or R10 Districts, the provisions of Section 28-30 (RECREATION SPACE AND PLANTING AREAS) shall apply.

* * *

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. In addition, the requirements for R6B Districts in Section 23-633 (Street wall location and height and setback regulations in certain districts) shall apply to any portion of a #building# located within 25 feet of the boundary of an R1, R2, R3, R4, R5 or R6B District if the #building# that contains such portion is:

(a) within an R6A, R7A, R7B, R7D, R7X, R8A, R8B, R8X, R9A, R9X, R10A or R10X District; or

(b) within an R6, R7, R8, R9 or R10 District, without a letter suffix, and any portion of the #zoning lot# is #developed# pursuant to the Quality Housing Program.

* * *

24-381
Excepted through lots

* * *

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

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

* * *

24-382
Required rear yard equivalents

* * *

However, in R5D, R6A, R6B, R7A, R7B, R7D, R7X, R8A, R8B, R8X, R9A, R9X, R10A and R10X Districts, and in other R6 through R10 Districts where the #residential# portion of a #building# is #developed# or #enlarged# pursuant to the Quality Housing Program, 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.

* * *

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

* * *

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

(b) In the districts indicated, for any #development# or #enlargement#, the provisions of this Section, Section 24-53 (Alternate Front Setbacks) and Section 24-54 (Tower Regulations) shall not apply. In lieu thereof, the provisions of Section 23-60 (HEIGHT AND SETBACK REGULATIONS) shall apply.

* * *

24-552
Required rear setbacks for tall buildings

* * *

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

(b) In the districts indicated, for any #development# or #enlargement#, and for #buildings# in which the #residential# portion is #developed# or #enlarged# pursuant to the Quality Housing Program in other R6 through R10 Districts, no portion of a #building# that exceeds the maximum base height specified in the t~~T~~able ~~A of~~ in Section 23-633 shall be nearer to a #rear yard line# than 10 feet.

* * *

24-592
Height limitations for narrow buildings or enlargements

R7-2 R7D R7X R8 R9 R10

In the districts indicated, if the width of the #street wall# of a new #building#, or the #enlarged# portion of an existing #building#, is 45 feet or less, the provisions of Section 23-692 (Height limitations for narrow buildings or enlargements) shall apply to such new or #enlarged building#.

* * *

Chapter 5

Accessory Off-Street Parking and Loading Regulations

* * *

25-20
REQUIRED ACCESSORY OFF-STREET PARKING SPACES FOR RESIDENCES

* * *

25-23
Requirements Where Group Parking Facilities Are Provided

R1 R2 R3 R4 R5 R6 R7 R8 R9 R10

In all districts, as indicated, for all new #residences developed# under single ownership or control where #group parking facilities# are provided, #accessory# off-street parking spaces shall be provided for at least that percentage of the total number of #dwelling units# set forth in the following table. Such spaces shall be kept available to the residents of the #building# or #development#, in accordance with the provisions of Section 25-41 (Purpose of Spaces, and Rental to Non-Residents).

PARKING SPACES REQUIRED WHERE
GROUP PARKING FACILITIES ARE PROVIDED

Percent of Total #Dwelling Units#	District
100*	R1 R2 R3 R4A R4-1
100	R4 R4B R5A
85	R5
70	R6
66	R5B R5D
60	R7-1
50**	R6A R6B R7-2 R7A R7B R7D R7X R8B***
40	R8 R9 R10

* * *

** In R6 or R7 Districts for #residences developed# or #enlarged# pursuant to the Quality Housing Program, #accessory# off-street parking spaces shall be provided for at least 50 percent of the total number of #dwelling units#.

* * *

25-241
Reduced requirements

R6 R7 R8 R9 R10

In the districts indicated, for #zoning lots# of 10,000 or 15,000 square feet or less, the number of required #accessory# off-street parking spaces is as set forth in the following table:

REDUCED REQUIREMENTS FOR SMALL ZONING LOTS

#Lot Area#	Parking Spaces Required as a Percent of Total #Dwelling Units#	District
10,000 square feet or less	50	R6 R7B
	30	R7-1 R7A R7D R7X
10,001 to 15,000 square feet	30	R7-2
	20	R8* R9 R10

* In R8B Districts the parking requirements may not be reduced.

* * *

25-25
Modification of Requirements for Public, Publicly-Assisted and Government Assisted Housing or for Non-profit Residences for the Elderly

R1 R2 R3 R4 R5 R6 R7 R8 R9 R10

In all districts, as indicated, #accessory# off-street parking spaces shall be provided for at least that percentage of the total number of #dwelling units# in each category as set forth in the following table, for:

* * *

PARKING SPACES REQUIRED FOR PUBLIC, PUBLICLY-ASSISTED AND GOVERNMENT ASSISTED HOUSING DEVELOPMENTS OR NON-PROFIT RESIDENCES FOR THE ELDERLY

Publicly Assisted Housing	Federal Rent Subsidy Programs	Public Housing #Developments# or #Dwelling Units# for Low Income Tenants	#Non-profit Residences for the Elderly# or #Dwelling Units for the Elderly#	Gov't Assisted Housing	District
*	*	*			
70	56	42.5	31.5	70	R5
55	45	35.0	22.5	55	R5D R6**
39	32	25.0	16.0	35	R6A R6B R7B
45	38	30.0	20.0	45	R7-1**
30	23	15.0	12.5	25	R7-2 R7A R7D R7X R8B*
30	21	12.0	10.0	25	R8 R8A R8X R9 R10

* * *

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25-261
For new developments or enlargements

R4B R5B R5D R6 R7 R8 R9 R10

In the districts indicated, for all new #developments# or #enlargements#, the maximum number of #accessory# off-street parking spaces for which requirements are waived is as set forth in the following table:

Maximum number of spaces waived	District
1	R4B R5B R5D
5	R6 R7-1 R7B
15	R7-2 R7A R7D R7X R8 R9 R10

25-262
For conversions

R6 R7-1 R7A R7B R7D R7X

In the districts indicated*, for conversions in #buildings#, or portions thereof, which result in the creation of additional #dwelling units# or #rooming units#, the maximum number of #accessory# off-street parking spaces for which requirements are waived is 20 spaces, provided that the Board of Standards and Appeals may waive requirements for a greater number of spaces in accordance with the provisions of Section 73-46 (Waiver of Requirements for Conversions).

* * *

25-30
REQUIRED ACCESSORY OFF-STREET PARKING SPACES FOR PERMITTED NON-RESIDENTIAL USES

25-31
General Provisions

* * *

REQUIRED OFF-STREET PARKING SPACES FOR NON-RESIDENTIAL USES

Type of #use#

Parking Spaces Required in Relation
to Specified Unit of Measurement - District

FOR COMMUNITY FACILITY USES:

Agricultural #uses#, including greenhouses, nurseries or truck gardens

Square feet of #lot area# used for selling purposes:
None required - R7-2 R7A R7D R7X R8 R9 R10
1 per 1,000 - R1 R2 R3 R4 R5
1 per 2,500 - R6 R7-1 R7B

Ambulatory diagnostic or treatment health care facilities listed in Use Group 4

Square feet of #floor area# and #cellar# space, except #cellar# space #used# for storage:
None required - R7-2 R7A R7D R7X R8 R9 R10
1 per 400 - R3
1 per 500 - R4 R5
1 per 800 - R6 R7-1 R7B

Clubs, community centers or settlement houses; philanthropic or non-profit institutions without sleeping accommodations excluding ambulatory diagnostic or treatment health care facilities listed in Use Group 4; golf course club houses; non-commercial recreation centers; or welfare centers, provided that in R5, R6 and R7-1 Districts, no #accessory# off-street parking spaces shall be required for that portion of a non-profit neighborhood settlement house or community center which is used for youth-oriented activities.

Rated Capacity:
None required - R7-2 R7A R7D R7X R8 R9 R10
1 per 10 persons - R1 R2 R3 R4 R5
1 per 20 persons - R6 R7-1 R7B

College student dormitories, fraternity or sorority student houses

None required - R7-2 R7A R7D R7X R8 R9 R10
1 per 6 beds - R1 R2 R3 R4 R5
1 per 12 beds - R6 R7-1 R7B

Colleges, universities, or seminaries

(a) Classrooms, laboratories, student centers or offices

Square feet of #floor area#:
None required - R7-2 R7A R7D R7X R8 R9 R10
1 per 1,000 - R1 R2 R3 R4 R5
1 per 2,000 - R6 R7-1 R7B

(b) Theaters, auditoriums, gymnasiums or stadiums

Rated capacity:
None required - R7-2 R7A R7D R7X R8 R9 R10
1 per 8 persons - R1 R21 R3 R4 R5
1 per 16 persons - R6 R7-1 R7B

Hospitals and related facilities*

1 per 5 beds - R1 R2 R3 R4 R5
1 per 8 beds - R6 R7-1 R7B
1 per 10 beds - R7-2 R7A R7D R7X R8 R9 R10

* * *

Libraries, museums or non-commercial art galleries**

Square feet of #floor area#:
None required - R7-2 R7A R7D R7X R8 R9 R10
1 per 1,000 - R1 R2 R3 R4 R5
1 per 2,000 - R6 R7-1 R7-B

Outdoor skating rinks

Square feet of #lot area#:
None required - R7-2 R7A R7D R7X R8 R9 R10
1 per 800 - R1 R2 R3 R4 R5
1 per 2,000 - R6 R7-1 R7B

Outdoor tennis courts

Number of Courts:
None required - R7-2 R7A R7D R7X R8 R9 R10
1 per 2 courts - R1 R2 R3 R4 R5
1 per 5 courts - R6 R7-1 R7B

Philanthropic or non-profit institutions with sleeping accommodations; all types of nursing homes, health related facilities, domiciliary care facilities or sanitariums

None required - R7-2 R7A R7D R7X R8 R9 R10
1 per 10 beds - R1 R2 R3 R4 R5
1 per 20 beds - R6 R7-1 R7B

* * *

FOR ACCESSORY COMMERCIAL USES IN LARGE-SCALE RESIDENTIAL DEVELOPMENTS:

* * *

Post offices

Square feet of #floor area#:
None required - R7-2 R7A R7D R7X R8 R9 R10
1 per 800 - R1 R2 R3
1 per 1,200 - R4 R5
1 per 1,500 - R6 R7-1 R7B

FOR USES PERMITTED BY SPECIAL PERMIT:

* * *

Fire or police stations

Square feet of #floor area#:
None required - R7-2 R7A R7D R7X R8 R9 R10
1 per 500 - R1 R2 R3 R4 R5
1 per 800 - R6 R7-1 R7B

Riding academies or stables

Square feet of #floor area#:
None required - R7-2 R7A R7D R7X R8 R9 R10
1 per 500 - R1 R2 R3 R4 R5
1 per 800 - R6 R7-1 R7B

* * *

25-33
Waiver of Requirements for Spaces below Minimum Number

R1 R2 R3 R4 R5 R6 R7 R8 R9 R10

In all districts, as indicated, except for the #uses# listed in Section 25-331 (Exceptions to application of waiver provisions), the parking requirements set forth in Sections 25-31 (General Provisions) or 25-32 (Special Provisions for a Single Zoning Lot with Uses Subject to Different Parking Requirements) shall not apply to permitted non-#residential uses#, if the total number of #accessory# off-street parking spaces required for all such #uses# on the #zoning lot# is less than the number of spaces set forth in the following table:

Number of Spaces	Districts
10	R1 R2 R3 R4 R5
25	R6 R7-1 R7B
40	R7-2 R7A R7D R7X R8 R9 R10

* * *

25-521
Maximum distance from zoning lot

R3 R4 R5 R6 R7 R8 R9 R10

In the districts indicated, all such spaces shall not be further than the distance set forth in the following table from the nearest boundary of the #zoning lot# occupied by the #residences# to which they are #accessory#.

Maximum Distance from Zoning Lot	District
600 feet	R3 R4 R5 R6 R7-1 R7B
1,000 feet	R7-2 R7A R7D R7X R8 R9 R10

* * *

Chapter 8
The Quality Housing Program

28-01
Applicability of this Chapter

The Quality Housing Program is a specific set of standards and requirements for #buildings# containing #residences#. In R6A, R6B, R7A, R7B, R7D, R7X, R8A, R8B, R8X, R9A, R9X, R10A or R10X Districts, and in the equivalent #Commercial Districts# listed in Sections 34-111 and 34-112, some of these standards and requirements are mandatory for the #development#, #enlargement#, #extension# of, or conversion to any #residential use# other than #single-# or #two-family residences#. In R5D Districts, only the requirements set forth in Sections 28-12 (Street Tree Planting), 28-23 (Refuse Storage and Disposal), 28-33 (Planting Areas) and 28-53 (Location of Accessory Parking) shall apply.

* * *

ARTICLE III
COMMERCIAL DISTRICT REGULATIONS

Chapter 2
Use Regulations

* * *

32-17
Use Group 8

* * *

C. Automotive Service Establishments

* * *

#Public parking garages# or #public parking lots# with capacity of 150 spaces or less, subject to the provisions set forth for #accessory# off-street parking spaces in Sections 36-53 (Location of Access to the Street), 36-55 (Surfacing) and 36-56 (Screening), and provided that such #public parking lots# are not permitted as of right in C6-1A Districts and such #public parking garages# are not permitted as of right in C2-5, C2-6, C2-7, C2-8, C4-5, C4-5A, C4-5X, C6, C8-4, M1-4, M1-5, M1-6, M2-3, M2-4 or M3-2 Districts. #Public parking garages# may be open or enclosed, provided that no portion of such #use# shall be located on a roof other than a roof which is immediately above a #cellar# or #basement#. In Community Districts 1, 2, 3, 4, 5, 6, 7 and 8 in the Borough of Manhattan and a portion of Community Districts 1 and 2 in the Borough of Queens, the #uses# are subject to the provisions of Article I, Chapter 3.

* * *

32-43
Ground Floor Use in Certain Locations

* * *

32-434
Ground floor use in C4-5D Districts and in Certain C2 Districts

In all C4-5D Districts and in C2 Districts mapped within R7D Districts, uses# on the ground floor or within five feet of #curb level# shall be limited to non-#residential uses# which shall extend along the entire width of the #building#, and lobbies, entrances to subway stations and #accessory# parking spaces, provided such lobbies and entrances do not occupy, in total, more than 25 percent of the #street wall# width of the #building# or more than 20 linear feet of #street wall# frontage on a #wide street# or 30 linear feet on a #narrow street#, whichever is less. Such non-#residential uses# shall have a minimum depth of 30 feet from the #street wall# of the #building#.

Enclosed parking spaces, or parking spaces within a #building#, including such spaces #accessory# to #residences#, shall be permitted to occupy the ground floor provided they are located beyond 30 feet of the #street wall# of the #building#. However, loading berths serving any permitted #use# in the #building# may occupy up to 40 feet of such #street# frontage and, if such #building# fronts on both a #wide street# and a #narrow street#, such loading berth shall be located only on a #narrow street#.

* * *

Chapter 3
Bulk Regulations for Commercial or Community Facility Buildings in Commercial Districts

* * *

33-121

In districts with bulk governed by Residence District bulk regulations

C1-1 C1-2 C1-3 C1-4 C1-5 C2-1 C2-2 C2-3 C2-4 C2-5

In the districts indicated, the maximum #floor area ratio# for a #commercial# or #community facility building# is determined by the #Residence District# within which such #Commercial District# is mapped and shall not exceed the maximum #floor area ratio# set forth in the following table:

	MAXIMUM FLOOR AREA RATIO		
District	For #Commercial Buildings#	For #Community Facility Buildings#	For #Buildings# Used for Both #Commercial# and #Community Facility Uses#
* * *			
R5D R6B	2.00	2.00	2.00
R6A R7B	2.00	3.00	3.00
R7A R8B	2.00	4.00*	4.00
R7D	2.00	4.20	4.20
R6 R7-1	2.00	4.80	4.80
R7X	2.00	5.00	5.00
R7-2 R8	2.00	6.50	6.50
* * *			

33-122
Commercial buildings in all other Commercial Districts

C1-6 C1-7 C1-8 C1-9 C2-6 C2-7 C2-8 C3 C4 C5 C6 C7 C8

In the districts indicated, the maximum #floor area ratio# for a #commercial building# shall not exceed the #floor area ratio# set forth in the following table:

Districts	Maximum #Floor Area Ratio#
C3	0.50
C4-1 C8-1	1.00
C1-6 C1-7 C1-8 C1-9 C2-6 C2-7 C2-8 C7 C8-2 C8-3	2.00
C4-2A C4-3A	3.00
C4-2 C4-2F C4-3 C4-4 C4-4D C4-5 C4-6	3.40
C4-4A C4-5A C4-5X C5-1	4.00
C4-5D	4.20
C8-4	5.00
C6-1 C6-2 C6-3	6.00
C4-7 C5-2 C5-4 C6-4 C6-5 C6-8	10.00
C5-3 C5-5 C6-6 C6-7 C6-9	15.00

33-123
Community facility buildings or buildings used for both community facility and commercial uses in all other Commercial Districts

C1-6 C1-7 C1-8 C1-9 C2-6 C2-7 C2-8 C3 C4 C5 C6 C8

In the districts indicated, the maximum #floor area ratio# for a #community facility building#, or for a #building# used for both #commercial# and #community facility uses#, shall not exceed the #floor area ratio# set forth in the following table:

Districts	Maximum #Floor Area Ratio#
C3	1.00
C4-1	2.00
C8-1	2.40
C4-2A C4-3A	3.00
C1-6A C2-6A C4-4A C4-5A	4.00
C4-5D	4.20
C4-2 C4-3 C8-2	4.80
C4-5X	5.00
C6-1A	6.00
C1-6 C1-7 C2-6 C4-2F C4-4 C4-4D C4-5 C6-1 C6-2 C8-3 C8-4	6.50
C1-8A C2-7A C6-3A	7.50
C1-8X C2-7X C6-3X	9.00
C1-8 C1-9 C2-7 C2-8 C4-6 C4-7 C5-1 C5-2 C5-4 C6-3 C6-4 C6-5 C6-8	10.00
C5-3 C5-5 C6-6 C6-7 C6-9	15.00

* * *

33-283
Required rear yard equivalents

C1 C2 C3 C4-1 C7 C8-1 C8-2 C8-3

In the districts 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 40 feet linking adjoining #rear yards#, or if no such #rear yards# exist, then midway (or within five feet of being midway) between the two #street lines# upon which such #through lot# fronts.

In C1-6A, C1-7A, C1-8X, C1-9A, C2-6A, C2-7X, C2-8A and in C1 and C2 Districts mapped within

R5D, R6A, R6B, R7A, R7B, R7D, R7X, R8A, R8B, R8X, R9A, R9X or R10 Districts, a #rear yard equivalent# shall be provided only as set forth in this paragraph; or

* * *

33-294
Other special provisions along certain district boundaries

C1-6A C1-7A C1-8A C1-9A C2-6A C2-7A C2-7X C2-8A C4-2A C4-3A C4-4A C4-4D C4-5A C4-5D C4-5X C4-6A C4-7A C5-1A C5-2A C6-2A C6-3A C6-3X C6-4A C6-4X

In the districts indicated, and in C1 and C2 Districts mapped within R6A, R7A, R7B, R7D, R7X, R8A, R8B, R8X, R9A, R9X, R10A or R10X Districts, the #development# or #enlargement# of a #building#, or portions thereof, within 25 feet of an R1, R2, R3, R4, R5 or R6B District shall comply with the requirements for R6B Districts in Section 23-633 (Street wall location and height and setback regulations in certain districts).

* * *

33-431
In C1 or C2 Districts with bulk governed by surrounding Residence District

* * *

C1-1 C1-2 C1-3 C1-4 C1-5 C2-1 C2-2 C2-3 C2-4 C2-5

(b) In the districts indicated, when mapped within R6A, R6B. R7A, R7B, R7D, R7X, R8A, R8B, R8X, R9A, R10A or R10X Districts, the height and setback regulations of Sections 33-43 through 33-457, inclusive, shall not apply. In lieu thereof, the provisions of Section 35-24 (Special Street Wall Location and Height and Setback Regulations in Certain Districts) shall apply.

33-432
In other Commercial Districts

* * *

C1-6A C1-7A C1-8A C1-8X C1-9A C2-6A C2-7A C2-7X C2-8A C4-2A C4-3A C4-4A C4-4D C4-5A C4-5D C4-5X C4-6A C4-7A C5-1A C5-2A C6-2A C6-3A C6-3X C6-4A C6-4X

(b) In the districts indicated, the height and setback regulations of Sections 33-43 through 33-457, inclusive, shall not apply. In lieu thereof, the provisions of Section 35-24 (Special Street Wall Location and Height and Setback Regulations in Certain Districts) shall apply.

* * *

33-492
Height limitations for narrow buildings or enlargements

C1-6 C1-7 C1-8 C1-9 C2-6 C2-7 C2-8 C4-4D C4-5D C4-5X C4-6A C4-7A C5-1A C5-2A C6-2A C6-3A C6-3X C6-4A C6-4X

In the districts indicated, and in C1 and C2 Districts mapped within R7-2, R7D, R7X, R8, R9 and R10 Districts, if the width of the #street wall# of a new #building# or the #enlarged# portion of an existing #building# is 45 feet or less, the provisions of Section 23-692 (Height limitations for narrow buildings or enlargements) shall apply to such new or #enlarged building#.

* * *

Chapter 4
Bulk Regulations for Residential Buildings in Commercial Districts

34-011
Quality Housing Program

In C1 and C2 Districts mapped within #Residence Districts# with a letter suffix, and in C1-6A, C1-7A, C1-8A, C1-8X, C1-9A, C2-6A, C2-7A, C2-7X, C2-8A, C4-2A, C4-3A, C4-4A, C4-4D, C4-5A, C4-5D, C4-5X, C4-6A, C4-7A, C5-1A, C5-2A, C6-2A, C6-3A, C6-3X, C6-4A or C6-4X Districts, #residential buildings# shall comply with all of the requirements of Article II, Chapter 8 (Quality Housing Program).

* * *

34-112
Residential bulk regulations in other C1 or C2 Districts or in C3, C4, C5 or C6 Districts

C1-6 C1-7 C1-8 C1-9 C2-6 C2-7 C2-8 C3 C4 C5 C6

In the districts indicated, the applicable #bulk# regulations are the #bulk# regulations for the #Residence Districts# set forth in the following table:

Districts	Applicable #Residence District#
C3	R3-2
C4-1	R5
C4-2 C4-3 C6-1A	R6
C4-2A C4-3A	R6A
C1-6 C2-6 C4-4 C4-5 C6-1	R7
C1-6A C2-6A C4-4A C4-5A	R7A
C4-5D	R7D
C4-5X	R7X
C1-7 C4-2F C6-2	R8
C1-7A C4-4D C6-2A	R8A
C1-8 C2-7 C6-3	R9
C1-8A C2-7A C6-3A	R9A
C1-8X C2-7X C6-3X	R9X
C1-9 C2-8 C4-6 C4-7 C5 C6-4 C6-5 C6-6 C6-7 C6-8 C6-9	R10
C1-9A C2-8A C4-6A C4-7A C5-1A C5-2A C6-4A	R10A
C6-4X	R10X

* * *

Chapter 5
Bulk Regulations for Mixed Buildings in Commercial Districts

* * *

35-011
Quality Housing Program

In C1 and C2 Districts mapped within R6 through R10 Districts with a letter suffix, and in C1-6A, C1-7A, C1-8A, C1-8X, C1-9A, C2-6A, C2-7A, C2-7X, C2-8A, C4-2A, C4-3A, C4-4A, C4-4D, C4-5A, C4-5D, C4-5X, C4-6A, C4-7A, C5-1A, C5-2A, C6-2A, C6-3A, C6-3X, C6-4A or C6-4X Districts, any #residential# portion of a #mixed building# shall comply with all of the regulations of Article II, Chapter 8 (Quality Housing Program), and the entire #building# shall comply with the applicable provisions of Article II, Chapter 8. In C1 and C2 Districts mapped within R5D Districts, #mixed buildings# shall comply with certain regulations of Article II, Chapter 8 as set forth in Section 28-01 (Applicability of this Chapter).

* * *

35-23
Residential Bulk Regulations in Other C1 or C2 Districts or in C3, C4, C5 or C6 Districts

* * *

C1-6A C1-7A C1-8A C1-8X C1-9A C2-6A C2-7A C2-7X C2-8A C4-2A C4-3A C4-4A C4-4D C4-5A C4-5D C4-5X C4-6A C4-7A C5-1A C6-2A C6-3A C6-3X C6-4A C6-4X

(b) In the districts indicated, the #bulk# regulations for #residential# portions of #mixed buildings# are the #bulk# regulations for the #Residence Districts# set forth in the following table. However, the height and setback regulations of Sections 23-60 through 23-65, inclusive, shall not apply. In lieu thereof, Section 35-24 shall apply to such #mixed building#.

Applicable #Residence District#	District
R6A	C4-2A C4-3A
R7A	C1-6A C2-6A C4-4A C4-5A
R7D	C4-5D
R7X	C4-5X
R8A	C1-7A C4-4D C6-2A
R9A	C1-8A C2-7A C6-3A
R9X	C1-8X C2-7X C6-3X
R10A	C1-9A C2-8A C4-6A C4-7A C5-1A C5-2A C6-4A
R10X	C6-4X

* * *

35-24

Special Street Wall Location and Height and Setback Regulations in Certain Districts

C1-6A C1-7A C1-8A C1-8X C1-9A C2-6A C2-7A C2-7X C2-8A C4-2A C4-3A C4-4A C4-4D C4-5A C4-5D C4-5X C4-6A C4-7A C5-1A C5-2A C6-2A C6-3A C6-3X C6-4A C6-4X

In the districts indicated, and in other C1 or C2 Districts when mapped within R6A, R6B, R7A, R7B, R7D, R7X, R8A, R8B, R8X, R9A, R9X, R10A or R10X Districts, and in other #Commercial Districts# where the #residential# portion of a #mixed building# is #developed# or #enlarged# pursuant to the Quality Housing Program, #street wall# location and height and setback regulations are set forth in this Section. The height of all #buildings or other structures# shall be measured from the #base plane#.

C1-6A C1-7A C1-8A C1-8X C1-9A C2-6A C2-7A C2-7X C2-8A C4-2A C4-3A C4-4A C4-4D C4-5A C4-5D C4-5X C4-6A C4-7A C5-1A C6-2A C6-3A C6-3X C6-4A C6-4X

(a) Permitted obstructions

In the districts indicated, and in other C1 or C2 Districts when mapped within R6A, R6B, R7A, R7B, R7D, R7X, R8A, R8B, R8X, R9A, R9X, R10A or R10X Districts, and in other #Commercial Districts# where the #residential# portion of a #mixed building# is #developed# or #enlarged# pursuant to the Quality Housing Program, the permitted obstructions set forth in Section 33-42 shall apply to any #building or other structure#. In addition, a dormer may be allowed as a permitted obstruction within a required setback area. Such dormer may exceed a maximum base height specified for such district provided that, on any #street# frontage, the aggregate width of all dormers at the maximum base height does not exceed 60 percent of the length of the #street wall# of the highest #story# entirely below the maximum base height. For each foot of height above the maximum base height, the aggregate width of all dormers shall be decreased by one percent of the #street wall# width of the highest #story# entirely below the maximum base height.

C1-6A C2-6A C4-2A C4-3A C4-4A C4-5A C4-5D C4-5X

(b) #Street wall# location

* * *

C1-7A C1-8A C1-8X C1-9A C2-7A C2-7X C2-8A C4-4D C4-5D

(2) In the districts indicated, and in C1 or C2 Districts when mapped within R7D, R8A, R8B, R8X, R9A, R9X, R10A or R10X Districts, and in other C1 or C2 Districts with a #residential# equivalent of an R8, R9 or R10 District where the #residential# portion of a #mixed building# is #developed# or #enlarged# pursuant to the Quality Housing Program, the following #street wall# location provisions shall apply along #wide streets#, and along #narrow streets# within 50 feet of their intersection with a #wide street#:

(i) The #street wall# shall be located on the #street line# and extend along the entire #street# frontage of the #zoning lot# up to at least the minimum base height specified in Table A of this Section for #buildings# in contextual districts, or Table B for #buildings# in non-contextual districts or the height of the #building#, whichever is less. To allow articulation of #street walls# at the intersection of two #street lines#, the #street wall# may be located anywhere within an area bounded by the two #street lines# and a line

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connecting such #street lines# at points 15 feet from their intersection.

* * *

C1-6A C1-7A C1-8A C1-8X C1-9A C2-6A C2-7A C2-7X C2-8A C4-2A C4-3A C4-4A C4-4D C4-5A C4-5D C4-5X C4-6A C4-7A C5-1A C5-2A C6-2A C6-3A C6-3X C6-4A C6-4X

(c) Setback regulations

In the districts indicated, and in C1 or C2 Districts when mapped within R6A, R6B, R7A, R7B, R7D, R7X, R8A, R8B, R8X, R9A, R9X, R10A or R10X Districts, and in other #Commercial Districts# where the #residential# portion of a #mixed building# is #developed# or #enlarged# pursuant to the Quality Housing Program, all #developments# or #enlargements# shall comply with the following provisions:

* * *

C1-6A C1-7A C1-8A C1-8X C1-9A C2-6A C2-7A C2-7X C2-8A C4-2A C4-3A C4-4A C4-4D C4-5A C4-5D C4-5X C4-6A C4-7A C5-1A C6-2A C6-3A C6-3X C6-4A C6-4X

(e) Additional regulations

In the districts indicated, and in C1 or C2 Districts when mapped within R6A, R6B, R7A, R7B, R7D, R7X, R8A, R8B, R8X, R9A, R9X, R10A or R10X Districts, and in other #Commercial Districts# where the #residential# portion of a #mixed building# is #developed# or #enlarged# pursuant to the Quality Housing Program, the following additional provisions shall apply to all #developments# or #enlargements#:

TABLE A
HEIGHT AND SETBACK FOR BUILDINGS
IN CONTEXTUAL DISTRICTS

District	Minimum Base Height	Maximum Base Height	Maximum Building Height
C1 or C2 mapped in R6B	30	40	50
C1 or C2 mapped in R6A C4-2A C4-3A	40	60	70
C1 or C2 mapped in R7B	40	60	75
C1 or C2 mapped in R7A C1-6A C2-6A C4-4A C4-5A	40	65	80
C1 or C2 mapped in R7D C4-5D	60	85	100
C1 or C2 mapped in R7X C4-5X	60	85	125
C1 or C2 mapped in R8B	55	60	75
C1 or C2 mapped in R8A C1-7A C4-4D C6-2A	60	85	120
C1 or C2 mapped in R8X	60	85	150

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Chapter 6
Accessory Off-Street Parking and Loading Regulations

* * *

36-20
REQUIRED ACCESSORY OFF-STREET PARKING SPACES FOR COMMERCIAL OR COMMUNITY FACILITY USES

36-21
General Provisions

C1 C2 C3 C4 C5 C6 C7 C8

* * *

REQUIRED OFF-STREET PARKING SPACES FOR COMMERCIAL
OR COMMUNITY FACILITY USES

Type of #Use#

Parking Spaces Required in Relation
to Specified Unit of Measurement - Districts
FOR COMMERCIAL USES

Food stores with 2,000 or more square feet of #floor area# per establishment. #Uses# in parking requirement category A in Use Group 6.

None required - C1-5 C1-6 C1-7 C1-8 C1-9 C2-5 C2-6 C2-7 C2-8 C4-4A C4-5 C4-5A C4-5X C4-6 C4-7 C5 C6 C8-4

1 per 100 sq. ft. of #floor area# - C1-1 C2-1 C4-1

1 per 200 sq. ft. of #floor area# - C1-2 C2-2 C4-2 C8-1

1 per 300 sq. ft. of #floor area# - C1-3 C2-3 C4-2A C4-3 C7 C8-2

1 per 1,000 sq. ft. of #floor area# - C1-4 C2-4 C4-4 C4-5D C8-3

General retail or service #uses#. Food stores with less than 2,000 square feet of #floor area#; #uses# in parking requirement category B in Use Group 6, 8, 9, 10 or 12 or when permitted by special permit; or #uses# in parking requirement category B1 in Use Group 6, 7, 8, 9, 10, 11, 13, 14 or 16

None required - C1-5 C1-6 C1-7 C1-8 C1-9 C2-5 C2-6 C2-7 C2-8 C4-4A C4-5 C4-5A C4-5X C4-6 C4-7 C5 C6 C8-4

1 per 150* sq. ft. of #floor area# - C1-1 C2-1 C3 C4-1

1 per 300* sq. ft. of #floor area# - C1-2 C2-2 C4-2 C8-1

1 per 400* sq. ft. of #floor area# - C1-3 C2-3 C4-2A C4-3 C7 C8-2

1 per 1,000 sq. ft. of #floor area# - C1-4 C2-4 C4-4 C4-5D C8-3

Low traffic generating #uses#. #Uses# in parking requirement category C in Use Group 6, 7, 9, 12, 13, 14 or 16 or when permitted by special permit

None required - C1-5 C1-6 C1-7 C1-8 C1-9 C2-5 C2-6 C2-7 C2-8 C4-4A C4-5 C4-5A C4-5X C4-6 C4-7 C5 C6 C8-4

1 per 400 sq. ft. of #floor area# - C1-1 C2-1 C3 C4-1

1 per 600 sq. ft. of #floor area# - C1-2 C2-2 C4-2 C8-1

1 per 800 sq. ft. of #floor area# - C1-3 C2-3 C4-2A C4-3 C7 C8-2

1 per 1,000 sq. ft. of #floor area# - C1-4 C2-4 C4-4 C4-5D C8-3

Court Houses

None required - C1-5 C1-6 C1-7 C1-8 C1-9 C2-5 C2-6 C2-7 C2-8 C4-4A C4-5 C4-5A C4-5X C4-6 C4-7 C5 C6 C8-4

1 per 500 sq. ft. of #floor area# - C1-1 C2-1 C3 C4-1

1 per 800 sq. ft. of #floor area# - C1-2 C2-2 C4-2 C8-1

1 per 1,000 sq. ft. of #floor area# - C1-3 C2-3 C4-2A C4-3 C8-2

1 per 2,000 sq. ft. of #floor area# - C1-4 C2-4 C4-4 C4-5D C8-3

Places of assembly. #Uses# in parking requirement category D in Use Group 6, 8, 9, 10, 12, 13 or 14 or when permitted by special permit

None required - C1-5 C1-6 C1-7 C1-8 C1-9 C2-5 C2-6 C2-7 C2-8 C4-4A C4-5 C4-5A C4-5X C4-6 C4-7 C5 C6 C8-4

1 per 4 persons rated capacity - C1-1 C2-1 C3 C4-1

1 per 8 persons rated capacity - C1-2 C2-2 C4-2 C8-1

1 per 12 persons rated capacity - C1-3 C2-3 C4-2A C4-3 C7 C8-2

1 per 25 persons rated capacity - C1-4 C2-4 C4-4 C4-5D C8-3

* * *

Storage or miscellaneous #uses#. #Uses# in parking requirement category G in Use Group 10 or Use Group 16, or when permitted by special permit, and with a minimum of 10,000 square feet of #floor area# or 15 employees.

None required - C4-4A C4-5 C4-5A C4-5X C4-6 C4-7 C5 C6 C8-4

1 per 2,000 square feet of #floor area#,*** or 1 per 3 employees, whichever will require a lesser number of spaces - C4-1 C4-2 C4-3 C4-4 C4-5D C8-1 C8-2 C8-3

* * *

Hotels

(a) For that #floor area# used for sleeping accommodations

None required - C1-5 C1-6 C1-7 C1-8 C1-9 C2-5 C2-6 C2-7 C2-8 C4-4A C4-5 C4-5A C4-5X C4-6 C4-7 C5 C6 C8-4

1 per 4 guest rooms or suites - C2-1 C4-1

1 per 8 guest rooms or suites - C2-2 C4-2 C8-1

1 per 12 guest rooms or suites - C2-3 C2-4 C4-2A C4-3 C4-4 C4-5D C8-2 C8-3

(b) For that #floor area# used for meeting halls, auditoriums, eating or drinking places, wedding chapels or banquet halls, or radio or television studios

None required - C1-5 C1-6 C1-7 C1-8 C1-9 C2-5 C2-6 C2-7 C2-8 C4-4A C4-5 C4-5A C4-5X C4-6 C4-7 C5 C6 C8-4

1 per 4 persons rated capacity - C2-1 C4-1

1 per 8 persons rated capacity - C2-2 C4-2 C8-1

1 per 12 persons rated capacity - C2-3 C4-2A C4-3 C8-2

1 per 25 persons rated capacity - C2-4 C4-4 C4-5D C8-3

* * *

Post offices

None required - C1-5 C1-6 C1-7 C1-8 C1-9 C2-5 C2-6 C2-7 C2-8 C4-4A C4-5 C4-5A C4-5X C4-6 C4-7 C5 C6 C8-4

1 per 800 sq. ft. of #floor area# - C1-1 C2-1 C3 C4-1

1 per 1,200 sq. ft. of #floor area# - C1-2 C2-2 C4-2 C8-1

1 per 1,500 sq. ft. of #floor area# - C1-3 C2-3 C4-2A C4-3 C8-2

1 per 2,000 sq. ft. of #floor area# - C1-4 C2-4 C4-4 C4-5D C8-3

* * *

Funeral establishments

None required - C1-5 C1-6 C1-7 C1-8 C1-9 C2-5 C2-6 C2-7 C2-8 C4-4A C4-5 C4-5A C4-5X C4-6 C4-7 C6 C8-4

1 per 200 sq. ft. of #floor area# - C1-1 C2-2 C4-1

1 per 400 sq. ft. of #floor area# - C1-2 C2-2 C4-2 C8-1

1 per 600 sq. ft. of #floor area# - C1-3 C1-4 C2-3 C2-4 C4-2A C4-3 C4-4 C C4-5D 8-2 C8-3

FOR COMMUNITY FACILITY USES

* * *

Ambulatory diagnostic or treatment health care facilities listed in Use Group 4

None required - C1-5 C1-6 C1-7 C1-8 C1-9 C2-5 C2-6 C2-7 C2-8 C4-4A C4-5 C4-5A C4-5X C4-6 C4-7 C5 C6 C8-4

1 per 150* sq. ft. of #floor area# and #cellar# space, except #cellar# space used for storage - C1-1 C2-1 C3 C4-1

1 per 300* sq. ft. of #floor area# and #cellar# space, except #cellar# space used for storage - C1-2 C2-2 C4-2 C8-1

1 per 400* sq. ft. of #floor area# and #cellar# space, except #cellar# space used for storage - C1-3 C2-3 C4-2A C4-3 C7 C8-2

1 per 1,000 sq. ft. of #floor area# and #cellar# space, except #cellar# space used for storage - C1-4 C2-4 C4-4 C4-5D C8-3

1 per 400 square feet of #floor area# when located above the first #story# ceiling - C1-1, C1-2, C2-1 and C2-2 Districts mapped within R3-2 Districts

* * *

Hospitals and related facilities****

1 per 5 beds - C1-1 C1-2 C2-1 C2-2 C3 C4-1 C4-2 C8-1

1 per 8 beds - C1-3 C1-4 C2-3 C2-4 C4-2A C4-3 C4-4 C4-5D C8-2 C8-3

1 per 10 beds - C1-5 C1-6 C1-7 C1-8 C1-9 C2-5 C2-6 C2-7 C2-8 C4-4A C4-5 C4-5A C4-5X C4-6 C4-7 C5 C6 C8-4

* * *

36-30
REQUIRED ACCESSORY OFF-STREET PARKING SPACES FOR RESIDENCES WHEN PERMITTED IN COMMERCIAL DISTRICTS

* * *

36-331
In C1 or C2 Districts governed by surrounding Residence District bulk regulations
C1-1 C1-2 C1-3 C1-4 C1-5 C2-1 C2-2 C2-3 C2-4 C2-5

In the districts indicated, the number of required #accessory# off-street parking spaces is determined by the #Residence District# within which such #Commercial District# is mapped, in accordance with the following table:

REQUIRED PARKING SPACES AS A PERCENT OF TOTAL DWELLING UNITS

#Residence District# within which C1 or C2 District is Mapped	Percent
R1 R2 R3 R4	100
R5	85
R6	70
R5D	66
R7-1	60
R6A R6B R7-2 R7A R7B R7D R7X R8B*	50
R8 R9 R10	40

* In the Borough of Brooklyn, R8B Districts are subject to the parking requirements applicable in R8 Districts.

* * *

36-341
Reduced requirements in C1 or C2 Districts governed by surrounding Residence District bulk regulations

C1-1 C1-2 C1-3 C1-4 C1-5 C2-1 C2-2 C2-3 C2-4 C2-5

In the districts indicated, for #zoning lots# of 10,000 or 15,000 square feet or less, the number of required #accessory# off-street parking spaces is determined by the #Residence District# within which such #Commercial District# is mapped, in accordance with the following table:

REDUCED REQUIREMENTS FOR SMALL ZONING LOTS

#Lot Area#	Parking Spaces Required as a Percent of Total #Dwelling Units#	District within which C1 or C2 District is Mapped
10,000 square feet or less	50	R6 R7B
	30	R7-1 R7A R7D R7X
10,001 to 15,000 square feet	30	R7-2
	20	R8* R9 R10

* In R8B Districts, the parking requirements may not be reduced.

* * *

36-351
In C1 or C2 Districts governed by surrounding Residence District bulk regulations

C1-1 C1-2 C1-3 C1-4 C1-5 C2-1 C2-2 C2-3 C2-4 C2-5

In the districts indicated, the percentage of the total number of #dwelling units# in each category for which #accessory# off-street parking spaces shall be provided is determined by the #Residence District# within which such #Commercial District# is mapped, in accordance with the following table:

PARKING SPACES REQUIRED FOR PUBLIC,
PUBLICLY ASSISTED AND GOVERNMENT ASSISTED HOUSING DEVELOPMENTS
OR NON-PROFIT RESIDENCES FOR THE ELDERLY
(percent of total #dwelling units#)

Publicly Assisted Housing	Federal Rent Subsidy Programs	Public Housing #Developments# or #Dwelling Units# for Low Income Tenants	#Non-profit Residences for the Elderly# or #Dwelling Units for the Elderly#	Gov't Assisted Housing	District
80	65	50.0	***	80	R1 R2
80	65	50.0	35.0	80	R3 R4
70	56	42.5	31.5	70	R5
55	45	35.0	22.5	55	R5D R6**
39	32	25.0	16.0	35	R6A R6B R7B
45	38	30.0	20.0	45	R7-1**
30	23	15.0	12.5	25	R7-2 R7A R7D R7X R8B*
30	21	12.0	10.0	25	R8 R8A R8X R9 R10

* * *

36-352
In other C1 or C2 Districts or in C3, C4, C5, or C6 Districts

C1-6 C1-7 C1-8 C1-9 C2-6 C2-7 C2-8 C3 C4 C5 C6

In the districts indicated, the percentage of the total number of #dwelling units# in each category for which #accessory# off-street parking spaces shall be provided is as set forth in the following table:

PARKING SPACES REQUIRED FOR
PUBLIC, PUBLICLY ASSISTED AND GOVERNMENT ASSISTED HOUSING DEVELOPMENTS OR NON-PROFIT RESIDENCES FOR THE ELDERLY
(percent of total #dwelling units#)

Publicly Assisted Housing	Federal Rent Subsidy Programs	Public Housing #Developments# or #Dwelling Units# for Low Income Tenants	#Non-profit Residences for the Elderly# or #Dwelling Units for the Elderly#	Gov't Assisted Housing	District
80	65	50.0	35.0	80	C3
70	56	42.5	31.5	70	C4-1
55	45	35.0	22.5	55	C4-2* C4-3*
39	32	25.0	16.0	35	C4-2A C4-3A C4-4 C4-5* C6-1*
30	23	15.0	12.5	25	C1-6 C2-6 C4-4A C4-5A **C4-5D** C4-5X

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30	21	12.0	10.0	25	C1-7 C1-8 C1-9 C2-7 C2-8 C4-6 C4-7 C5 C6-2 C6- 3 C6-4 C6-5 C6-6 C6-7 C6-8 C6-9

- For assisted housing projects #developed#, or #enlarged# where permitted, pursuant to the Quality Housing Program in C4-2, C4-3, C4-4, C4-5 or C6-1 Districts the applicable district parking requirements shall be as follows:

District	Applicable District Parking Requirement
C4-2 C4-3	C4-2A
C4-4 C4-5 C6-1	C4-4A

36-361
For new development or enlargements in C1 or C2 Districts governed by surrounding Residence District bulk regulations

C1-1 C1-2 C1-3 C1-4 C1-5 C2-1 C2-2 C2-3 C2-4 C2-5

In the districts indicated, where such districts are mapped within R6, R7, R8, R9, or R10 Districts, the requirements set forth in Section 36-31 (General Provisions) for new #development# or #enlargements# shall be waived if the required number of #accessory# off-street parking spaces resulting from the application of such requirements is no greater than the maximum number as set forth in the following table. The maximum number is determined by the #Residence District# within which the #Commercial District# is mapped.

NUMBER OF SPACES FOR WHICH REQUIREMENTS ARE WAIVED

#Residence District# within which C1 or C2 District is Mapped	Maximum Number of Spaces Waived
R5D	1
R6 R7-1 R7B	5
R7A R7D R7X R7-2 R8 R9 R10	15

However, in C1 or C2 Districts mapped within R5D Districts, the provisions of this Section shall apply only to #zoning lots# existing both on June 29, 2006, and on the date of application for a building permit.

* * *

36-363
For conversions in C1 or C2 Districts governed by surrounding Residence District bulk regulations

C1-1 C1-2 C1-3 C1-4 C1-5 C2-1 C2-2 C2-3 C2-4 C2-5

In the districts indicated*, where such districts are mapped within R6, R7A, R7B, R7D, R7X, or R7-1 Districts, the requirements set forth in Section 36-311 (Application of requirements to conversions in C1 or C2 Districts) shall be waived if the required number of #accessory# off-street parking spaces resulting from the application of such requirements is 20 spaces or less, provided that the Board of Standards and Appeals may waive requirements for a greater number of spaces in accordance with the provisions of Section 78-46 (Waiver of Requirements for Conversions).

* No #accessory# off-street parking is required for additional #dwelling units# created by conversions in C1 or C2 Districts mapped within R7-2, R8, R9, or R10 Districts. See Section 36-311 (Application of requirements to conversions in C1 or C2 Districts).

* * *

36-52
Size and Location of Spaces

* * *

C1-6A C1-7A C1-8A C1-8X C1-9A C2-6A C2-7A C2-7X C2-8A C4-2A C4-3A C4-4A C4-4D C4-5A C4-5D C4-5X C4-6A C4-7A C5-1A C6-2A C6-3A C6-4A C6-4X

(b) Location of parking spaces in certain districts

In the districts indicated, and in C1 and C2 Districts mapped within R5D, R6A, R6B, R7A, R7B, R7D, R7X, R8A, R8B, R8X, R9A, R9X, R10A and R10X Districts, #accessory# off-street parking spaces shall not be located between the #street wall# of a #building# and any #street line# that is coincident with the boundary of a #Commercial District# mapped along an entire blockfront. Where a #zoning lot# is bounded by more than one #street line# that is coincident with the boundary of a #Commercial District# mapped along an entire blockfront, this provision need not apply along more than one #street line#.

* * *

ARTICLE VI
SPECIAL REGULATIONS APPLICABLE TO CERTAIN AREAS

Chapter 2
Special Regulations Applying in the Waterfront Area

* * *

62-322
Residential development in R1, R2, R6, R7, R8, R9 and R10 Districts

For #residential buildings# in R1, R2, R6, R7, R8, R9 and R10 Districts, the regulations of Section 23-14 (Minimum Required Open Space, Open Space Ratio, Maximum Lot Coverage and Maximum Floor Area Ratio)

through Section 23-15 (Maximum Floor Area Ratio in R10 Districts) shall not apply. In lieu thereof, the maximum #floor area ratio# and #lot coverage# for any #building or other structure# on a #zoning lot# within a #waterfront block# shall be as specified in the following table, except as provided for in Sections 62-323 (Non-profit residences for the elderly in R3, R4, R5, R6 and R7 Districts) and 62-35 (Special Bulk Regulations in Certain Areas Within Community District 1, Brooklyn):

MAXIMUM FLOOR AREA RATIO AND MAXIMUM LOT COVERAGE FOR RESIDENTIAL BUILDINGS

District	Maximum #Floor Area Ratio#	Maximum #Lot coverage# (in percent)
* * *		
R6B	2.00	60
R6	2.43	65
R6A R7B	3.00	65
R7-1 R7-2	3.44	65
R7A R8B	4.00	70
R7D	4.20	70
R7-3 R7X	5.00	70
* * *		

* * *

62-323
Non-profit residences for the elderly in R3, R4, R5, R6 and R7 Districts

R3 R4 R5 R6 R7

In the districts indicated, the maximum #floor area ratio# and #lot coverage# for #non-profit residences for the elderly# on a #zoning lot# within a #waterfront block# shall be as specified in the following table:

MAXIMUM FLOOR AREA RATIO AND MAXIMUM LOT COVERAGE FOR NON-PROFIT RESIDENCES FOR THE ELDERLY IN R3, R4, R5, R6 AND R7 DISTRICTS

District	Maximum #Floor Area Ratio#	Maximum #Lot Coverage# (in percent)
R3	.95	55
R4	1.29	55
R5	1.95	60
R5D R6B	2.00	60
R6 R6A R7B	3.90	65

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R7 R7A R7D R7X	5.01	70

62-324
Non-residential buildings in Residence Districts

In #Residence Districts#, for any #community facility building# or any #building# used partly for #community facility use# on a #zoning lot# within a #waterfront block#, the following regulations shall apply:

* * *

MAXIMUM LOT COVERAGE FOR
COMMUNITY FACILITY BUILDINGS

District	Maximum #Lot Coverage# (in percent)
R1 R2 R3 R4 R5	60
R6B	65
R6 R6A R7B R7-1	70
R7-2 R7-3 R7A R7D R7X R8 R9A *(R7A was missing from chart.)*	75
R9 R9-1 R9X R10	80

* * *

62-341
Developments on land and platforms

* * *

(d) Medium and High Density Contextual Districts

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

C1-6A C1-7A C1-8A C1-8X C1-9A C2-6A C2-7A C2-7X C2-8A C4-2A C4-3A C4-4A C4-5A C4-5D C4-5X C4-6A C4-7A C5-1A C6-2A C6-3A C6-4A

In the districts indicated, and in C1 and C2 Districts mapped within such #Residence Districts#, the height and setback regulations of Sections 23-60, 24-50 and 35-24 shall not apply. In lieu thereof, the following regulations shall apply:

TABLE C
HEIGHT AND SETBACK FOR ALL BUILDINGS
IN MEDIUM AND HIGH DENSITY CONTEXTUAL DISTRICTS

District	Minimum Base Height	Maximum Base Height	Maximum #Building# Height
R6B C1 or C2 mapped within R6B	30	40	50

R6A C1 or C2 mapped within R6A C4-2A C4-3A	40	60	70
R7B C1 or C2 mapped within R7B	40	60	75
R7A C1 or C2 mapped within R7A C1-6A C2-6A C4-4A C4-5A	40	65	80
R7D C1 or C2 mapped within R7D C4-5D	60	85	100
R7X C1 or C2 mapped within R7X C4-5X	60	85	125

* * *

62-352
Inclusionary Housing

The provisions of Section 23-90 (INCLUSIONARY HOUSING) shall apply in R7-3 Districts in Community District 1, Borough of Brooklyn, and in R6, R7D and R8 Districts within Waterfront Access Plan BK-1, as modified in this Section.

62-415
Requirements for supplemental public access areas

* * *

WATERFRONT PUBLIC ACCESS AREA REQUIREMENTS

#Developments# in the Following Districts	#Zoning Lot# Threshold	Total Waterfront Public Access Area Requirement
In R3, R4, R5 Districts; C1 or C2 in R1 thru R5 Districts; C3, C4-1 Districts	#Lot area# of 1.5 acres and #shoreline# length of 600 ft.	15% of #lot area#
In R6,R7-1,R7-2,R7A, R7B, R7D, and R8B Districts and in #Commercial Districts# governed by the #bulk# regulations of such #Residence Districts# In all other #Commercial# or #Manufacturing Districts# with a permitted commercial FAR of 4.0 or less	#Lot area# of 20,000 sq. ft. and #shoreline# length of 100 ft.	15% of #lot area#
In other R7, R8, R9 and R10 Districts and in #Commercial Districts# governed by the #bulk# regulations of such #Residence Districts# In all other #Commercial# or #Manufacturing Districts# with a permitted commercial FAR above 4.0	#Lot area# of 20,000 sq. ft. and #shoreline# length of 100 ft.	20% of #lot area#

* * *

62-53
Parking Requirements for Commercial Docking Facilities

* * *

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REQUIRED PARKING SPACES FOR DOCKING FACILITIES

Docking Facilities Serving	Districts	Number of Required Parking Spaces
Non-commercial pleasure boats Rental boats	C1 thru C8 M1 M2 M3	1 per 2 berths or moorings
Ferries Sightseeing, excursion or sport fishing vessels	R3** thru R5** C1-1 C2-1 C3 C4-1	0.30 x p*
	R6** R7-1** R7A** R7B** 7D** C1-2 C2-2 C4-2 C8-1 M1-1 M1-2 M2-1 M2-2 M3-1	0.20 x p*
	R7-2** R7-3** R7X** C1-3 C2-3 C4-3 C7 C8-2 M1-3	0.15 x p*
	R8** R9** C1-4 C2-4 C4-4 C8-3	0.10 x p*
	R10** C1-5 thru C1-9 C2-5 thru C2-8 C4-4A C4-5 C4-6 C5 C6 C8-4 M1-4 M1-5 M1-6 M2-3 M2-4 M3-2	None Required

* * *

ARTICLE VII
ADMINISTRATION

Chapter 3
Special Permits by the Board of Standards and Appeals

* * *

73-67
Additional Floor Space of Public Parking Garages

In C2-1, C2-2, C2-3, C2-4, C4-1, C4-2, C4-3, C4-4, C4-5D, C-7, C8-1, C8-2, C8-3, M1-1, M1-2, M1-3, M2-1, M2-2 or M3-1 Districts, for #public parking garages# with a total of 150 spaces or less, the Board of Standards and Appeals may permit floor space on one or more #stories# to be exempted from the definition of #floor area# as set forth in Section 12-10 (DEFINITIONS), provided that all floor space so exempted is located not more than 23 feet above #curb level# and provided that the following findings are made:

* * *

Chapter 4
Special Permits by the City Planning Commission

* * *

74-512
In other Districts

In C2-1, C2-2, C2-3, C2-4, C4-1, C4-2, C4-3, C4-4, C4-5D, C7, C8-1, C8-2, C8-3, M1-1, M1-2, M1-3, M2-1, M2-2 or M3-1 Districts, the City Planning Commission may permit #public parking garages# or #public parking lots# with more than 150 spaces, provided that the applicable regulations set forth in Sections 36-53 or 44-43 (Location of Access to the Street), Sections 36-55 or 44-44 (Surfacing) and Sections 36-56 or 44-45 (Screening) are met. The Commission may permit some of such spaces to be located on the roof of such #public parking garage#, or may permit floor space on one or more #stories# and up to a height of 23 feet above #curb level# to be exempted from the definition of #floor area# as set forth in Section 12-10 (DEFINITIONS). As a condition of permitting such #use#, the Commission shall make the following findings:

* * *

74-52
Parking Garages or Public Parking Lots in High Density Central Areas

In C1-5, C1-6, C1-7, C1-8 or C1-9 Districts, the City Planning Commission may permit #public parking garages# or #public parking lots# with a capacity of not more than 100 spaces, and in C2-5, C2-6, C2-7, C2-8, C4-5, C4-5A, C4-5X, C4-6, C4-7, C6, C8-4, M1-4, M1-5, M1-6, M2-3, M2-4 or M3-2 Districts, the Commission may permit #public parking garages# with any capacity or #public parking lots# with more than 150 spaces, and in C5 and C6-1A Districts, the Commission may permit #public parking garages# or #public parking lots# with any capacity, provided that the applicable regulations set forth in Sections 36-53 or 44-43 (Location of Access to the Street), Sections 36-55 or 44-44 (Surfacing) and Sections 36-56 or 44-45 (Screening) are met.

* * *

ARTICLE XII
SPECIAL PURPOSE DISTRICTS

Chapter 3
Special Mixed Use Districts

* * *

123-662
All buildings in Special Mixed Use Districts with R6, R7, R8, R9 and R10 District designations

In #Special Mixed Use Districts# where the designated #Residence District# is an R6, R7, R8, R9 or R10 District, the height and setback regulations of Sections 23-60 and 43-40 shall not apply. In lieu thereof, all #buildings or other structures# shall comply with the height and setback regulations of this Section.

(a) Medium and high density non-contextual districts

In #Special Mixed Use Districts# where the designated #Residence District# is an R6, R7, R8, R9 or R10 District, except an R6A, R6B, R7A, R7B, R7D, R7X, R8A, R8B, R8X, R9A, R9X, R10A or R10X District, the height of a #building or other structure#, or portion thereof, located within ten feet of a #wide street# or 15 feet of a #narrow street#, may not exceed the maximum base height specified in Table A of this Section, except for dormers permitted in accordance with paragraph (c) of this Section. Beyond ten feet of a #wide street# and 15 feet of a #narrow street#, the height of a #building or other structure# shall not exceed the maximum building height specified in Table A. However, a #building or other structure# may exceed such maximum building height by four #stories# or 40 feet, whichever is less, provided that the gross area of each #story# located above the maximum building height does not exceed 80 percent of the gross area of that #story# directly below it.

* * *

(b) Medium and high density contextual districts

In #Special Mixed Use Districts# where the #Residence District# designation is an R6A, R6B, R7A, R7B, R7D, R7X, R8A, R8B, R8X, R9A, R9X, R10A or R10X District, no #building or other structure# shall exceed the maximum building height specified in Table B of this Section.

* * *

TABLE B

HEIGHT AND SETBACK FOR ALL BUILDINGS
IN MEDIUM AND HIGH DENSITY CONTEXTUAL DISTRICTS
(in feet)

District	Minimum base height	Maximum base height	Maximum building height
R6B	30	40	50
R6A	40	60	70
R7B	40	60	75
R7A	40	65	80
R7D	60	85	100
R7X	60	85	125
R8A	60	85	120
R8B	55	60	75
R8X	60	85	150

* * * * *

123-90
SPECIAL MIXED USE DISTRICTS SPECIFIED

The #Special Mixed Use District# is mapped in the following areas:

* * *

#Special Mixed Use District# - 9:
Northern Hunters Point Waterfront, Queens

The #Special Mixed Use District# - 9 is established in the Northern Hunters Point Waterfront in Queens as indicated on the #zoning maps#.

#Special Mixed Use District# - 10:
Atlantic and Howard Avenues, Brooklyn

The #Special Mixed Use District# - 10 is established on Atlantic and Howard Avenues in Brooklyn as indicated on the #zoning maps#.

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 October 29, 2007, on file in this office.

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

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