



Legislation Text

File #: Res 0963-2003, **Version:** *

THE COUNCIL OF THE CITY OF NEW YORK
RESOLUTION NO. 963

Resolution approving the decision of the City Planning Commission on Application No. N 030233 ZRY, an amendment to the text of the Zoning Resolution regarding the establishment of a C4-4D General Commercial District (L.U. No. 451).

By Council Members Katz and Avella

WHEREAS, the City Planning Commission filed with the Council on May 12, 2003 its decision dated May 7, 2003 (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 030233 ZRY) (the "Application");

WHEREAS, the Application is related to ULURP Application Number C 030234 (A) ZMM (L.U. No. 452), an amendment of the Zoning Map;

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 June 17, 2003;

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 February 12, 2003 (CEQR No. 03DCP025Y);

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 greytone is new, to be added;

Matter in italics or within # # is defined in Section 12-10;

*** indicates where unchanged text appears in the Resolution

11-12
Establishment of Districts

In order to carry out the purposes and provisions of this Resolution, the following districts are hereby established;

C4-4A General Commercial District
C4-4D General Commercial District
C4-5 General Commercial District

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 C4-5X 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, 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).

33-432

In other Commercial Districts

SKY EXPOSURE PLANE

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 C4-5X 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 C4-5X 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, 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#.

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, C4-5X, 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#

C1-7 C4-2F C6-2 R8

C1-7A C4-4D C6-2A R8A

C1-8 C2-7 C6-3 R9

35-011
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, C4-5X, 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.

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 C4-5X 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#	Districts
***	***
R7X	C4-5X
R8A	C1-7A C4-4D C6-2A
R9A	C1-8A C2-7A C6-3A
***	***

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 C4-5X C4-6A C4-7A C5-1A C5-2A C6-2A C6-3A C6-2X C6-4A C6-4X

In the districts indicated, and in other C1 or C2 Districts when mapped within R6A, R6B, R7A, R7B, 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 C4-5X 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, 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 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 based 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.

(b) #Street wall# location

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

(2) In the districts indicated, and in C1 or C2 Districts when mapped within R8A, R8B, R8X, R9A, R9X, R10A or R10X 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 connecting such #street lines# at points 15 feet from their intersection.

(ii) Recesses, not to exceed three feet in depth from the #street line#, shall be permitted on the ground floor where required to provide access to the #building#.

Above height of 12 feet above the #base plane#, up to 30 percent of the #aggregate width of street walls# may be recessed beyond the #street line#, provided any such recesses deeper than 10 feet along a #wide street#, or 15 feet along a #narrow street#, are located within an #outer court#. Furthermore, no recesses shall be permitted within 30 feet of the intersection of two #street lines# except to articulate the #street walls# as set forth in paragraph (b)(2)(i) of this Section.

(iii) For #developments# that occupy the entire #block# frontage of a #street# and provide a continuous sidewalk widening along such #street line#, the boundary of the sidewalk widening shall be considered to be the #street line# for the purposes of this Section.

The preceding #street wall# provisions shall not apply along #narrow streets# beyond 50 feet of their intersection with a #wide street#, nor along any #street frontage# of a #zoning lot# occupied by existing #buildings#.

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 C4-5X 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, 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:

(1) At a height not lower than the minimum base height or higher than the maximum base height specified in Table A of this Section for #buildings# in contextual districts, and Table B for #buildings# in non-contextual districts, a setback with a depth of at least 10 feet shall be provided from any #street wall# fronting on a #wide street#, and a setback with a depth of at least 15 feet shall be provided from any #street wall# fronting on a #narrow street#, except such dimensions may include the depth of any permitted recesses in the #street wall#.

(2) These setback provisions are optional for any building wall that is either located beyond 50 feet of a #street line# or oriented so that lines drawn perpendicular to it in plan would intersect a #street line# at an angle of 65 degrees or less. In the case of an irregular #street line#, the line connecting the most extreme points of intersection shall be deemed to be the #street line#. Furthermore, dormers provided in accordance with the provisions of paragraph (a) of this Section may penetrate a required setback area.

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 C4-5X C4-6A C4-7A C5-1A C6-2A C6-3A C6-3X C6-4A C6-4X

(d) Additional regulations

In the districts indicated, and in C1 or C2 Districts when mapped within R6A, R6B, R7A, R7B, 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

Minimum	Maximum	Maximum
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District	Base Height		Building Height
***	***	***	***
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
***	***	***	***

36-52 Size and Location of Spaces

C1 C2 C3 C4 C5 C6 C7 C8

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 C4-5X 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 R6A, R6B, R7A, R7B, 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#.

62-341 Developments on land and platforms

All #developments# on portions of a #zoning lot# landward of the #shoreline# or on #platforms# shall be subject to the height and setback provisions of this Section. However, when the seaward view from all points along the shoreline of a #zoning lot# is entirely obstructed by existing elevated roads, bridges or similar structures which are less than 50 feet above mean high water and within 200 feet of the #shoreline#, #developments# shall be exempt from the requirements of this Section. Height and setback regulations for #developments# on #piers# and #floating structures# are set forth in Sections 62-342 and 62-343.

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
***	***	***	***
C1 or C2 mapped in R8B	55	60	75
R8A C1 or C2 mapped in R8A C1-7A C4-4D C6-2A	60	85	120
R8X C1 or C2 mapped in R8X	60	85	150
***	***	***	***

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 June 24, 2003, on file in this office.

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City Clerk, Clerk of the Council

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