



## Legislation Text

**File #:** Res 1366-2008, **Version:** \*

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### THE COUNCIL OF THE CITY OF NEW YORK RESOLUTION NO. 1366

Resolution approving the decision of the City Planning Commission on Application No. N 080149 ZRY, for an amendment of Section 12-10 (Definitions) of the New York City Zoning Resolution of the City of New York, modifying regulations pertaining to floor area calculations for stairwells of residential buildings taller than 125 feet (L.U. No. 699).

By Council Members Katz and Avella

WHEREAS, the City Planning Commission filed with the Council on February 29, 2008 its decision dated February 27, 2008 (the "Decision"), pursuant to Section 201 of the New York City Charter, regarding an application submitted by the Department of City Planning, for an amendment of Section 12-10 (Definitions) of the New York City Zoning Resolution of the City of New York, modifying regulations pertaining to floor area calculations for stairwells of residential buildings taller than 125 feet (Application No. N 080149 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 April 1, 2008;

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 June 25, 2007 (CEQR No. 07DOB001Y);

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.

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

Matter in underline is new, to be added;

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

\* \* \*

**Chapter 2**  
**Construction of Language and Definitions**

\* \* \*

12-10  
DEFINITIONS

\* \* \*

Floor Area

\* \* \*

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

\* \* \*

(11) floor space within stairwells at each floor of #residential buildings developed# or #enlarged# after (date of amendment) that are greater than 125 feet in height; provided:

- (i) such stairwells are located on a #story# containing #residences#;
- (ii) such stairwells are used as a required means of egress from such #residential buildings#;
- (iii) such stairwells have a minimum width of forty four inches;
- (iv) such floor space excluded from #floor area# shall be limited to a maximum of eight inches of stair and landing width measured along the length of the stairwell enclosure at each floor; and
- (v) where such stairwells serve non-#residential uses# on any floor, or are located within multi-level #dwelling units#, the entire floor space within such stairwells on such floors shall count as #floor area#.

\* \* \*

Adopted.

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

I hereby certify that the foregoing is a true copy of a Resolution passed by The Council of The City of New York on April 16, 2008, on file in this office.

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City Clerk, Clerk of The Council