



## Zoning Resolution

THE CITY OF NEW YORK

Eric Adams, Mayor

CITY PLANNING COMMISSION

Daniel R. Garodnick, Chair

# **35-64 - Special Tower Regulations for Mixed Buildings**

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## 35-64 - Special Tower Regulations for Mixed Buildings

LAST AMENDED

3/22/2016

C1 C2 C4 C5 C6

In the districts indicated without a letter suffix, when a #mixed building# is subject to tower regulations, the #residential# tower regulations of paragraphs (a) and (b) or the #commercial# tower regulations of paragraph (c) of this Section shall apply to the entire #building#.

(a) In C1 or C2 Districts mapped within R9 or R10 Districts, or in C1-8, C1-9, C2-7 or C2-8 Districts, a #mixed building# that meets the location and #floor area# criteria of paragraph (a) of Section [23-65](#) (Tower Regulations) shall be governed by the provisions of Section [23-651](#) (Tower-on-a-base), except that the #building# base regulations of paragraph (b) of Section [23-651](#) shall be modified, as follows:

- (1) On a #wide street#, and on a #narrow street# within 30 feet of its intersection with a #wide street#, the entire width of the #street wall# of a base shall be located on the #street line#.

However, to allow for articulation of corners 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. 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#.

- (2) On a #narrow street# beyond 30 feet of its intersection with a #wide street#, the #street wall# of a base shall be located within eight feet of a #street line#.
- (3) On a #wide street#, recesses above the ground floor are permitted at any level in the #street wall# of a base for #outer courts# or balconies. The aggregate width of such recesses shall not exceed 50 percent of the width of the entire #street wall# at any level.

However, not more than 30 percent of the aggregate width of such recesses shall exceed a depth of eight feet. Furthermore, no recesses shall be permitted below a height of 12 feet, within 20 feet of an adjacent #building#, or within 30 feet of the intersection of two #street lines#, except for corner articulation as provided for in paragraph (a)(1) of this Section.

- (4) On a #narrow street#, recesses are permitted at any level in the #street wall# of a base for #outer courts# or balconies. The aggregate width of such recesses shall not exceed 50 percent of the width of the entire #street wall# at any level.

However, not more than 30 percent of the aggregate width of such recesses shall exceed a depth of eight feet. Furthermore, no recesses shall be permitted below a height of 12 feet within 20 feet of an adjacent #building#, or within 30 feet of the intersection of two #street lines#, except for corner articulation as provided for in paragraph (a)(1) of this Section.

(b) In C4-6, C5-1 or C6-3 Districts, the #residential# portion of a #mixed building# that in the aggregate occupies not more than 40 percent of the #lot area# of a #zoning lot# or, for #zoning lots# of less than 20,000 square feet, the percent set forth in Section [23-65](#), may be constructed in conformance with the provisions of Section [23-652](#) (Standard tower), provided the following conditions are met:

- (1) at least 65 percent of the total allowable #floor area# on a #zoning lot# under the applicable district regulations is

occupied by #residential uses#;

- (2) all #uses# within such #mixed building# comply with the provisions of Section [32-42](#) (Location Within Buildings); and
  - (3) only the #residential# portion of such #mixed building# penetrates the #sky exposure plane# as set forth in Sections [33-432](#) or [33-442](#) (In other Commercial Districts).
- (c) In C4-7, C5-2, C5-3, C5-4, C5-5, C6-4, C6-5, C6-6, C6-7, C6-8 or C6-9 Districts, the tower regulations applicable to any #mixed building# shall be the regulations set forth in Section [33-45](#).

However, in C4-7, C5-2, C5-4, C6-4, C6-5 or C6-8 Districts, when no more than two #stories# of a #mixed building# are occupied by non-#residential uses#, the tower regulations applicable to the #residential# portion of such #mixed building# may be governed by Section [23-652](#) or, for towers on small lots, the percentages set forth in Section [23-65](#).

All #uses# within such #mixed building# shall comply with the provisions of Section [32-42](#).