



## **Zoning Resolution**

**THE CITY OF NEW YORK**  
**Zohran K. Mamdani, Mayor**

**CITY PLANNING COMMISSION**  
**Sideya Sherman, Chair**

# **Chapter 6 - Special Urban Design Regulations**

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# Chapter 6 - Special Urban Design Regulations

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## 26-00 - APPLICABILITY OF THIS CHAPTER

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LAST AMENDED

12/5/2024

The regulations of this Chapter shall apply:

- (a) To #sky exposure plane buildings# #developed# in R9 and R10 Districts, as set forth in Section [26-10](#) (SPECIAL REQUIREMENTS FOR DEVELOPMENTS IN R9 AND R10 DISTRICTS). However, the provisions of Section [26-10](#) shall not apply within any Special Purpose District;
- (b) in R3, R4 and R5 Districts, to #zoning lots# with #buildings# accessed by #private roads#, as set forth in Section [26-20](#) (SPECIAL REQUIREMENTS FOR LOTS WITH PRIVATE ROADS), except where such #zoning lots#:
  - (1) consist entirely of #single-family detached residences#;
  - (2) are accessed by #private roads# that existed on February 6, 2002; or
  - (3) are located within #lower density growth management areas#, in which case the provisions of paragraph (c) of this Section shall apply;
- (c) in #lower density growth management areas#, to #zoning lots# with #buildings# accessed by #private roads#, as set forth in Section [26-30](#) (SPECIAL REQUIREMENTS FOR LOTS WITH PRIVATE ROADS IN LOWER DENSITY GROWTH MANAGEMENT AREAS);

- (d) to #developments#, #enlargements# or #conversions# in all districts, as applicable, as set forth in Section [26-40](#) (STREET TREE PLANTING AND PLANTING STRIP REQUIREMENTS); and
- (e) to all #energy infrastructure equipment# and #accessory# mechanical equipment not located within a #completely enclosed building#, as set forth in Section [26-60](#) (SPECIAL SCREENING AND ENCLOSURE PROVISIONS).

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## 26-10 - SPECIAL REQUIREMENTS FOR DEVELOPMENTS IN R9 AND R10 DISTRICTS

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LAST AMENDED

2/2/2011

For applicable #buildings# in R9 and R10 Districts, an application to the Department of Buildings for a permit respecting any #development# shall include a plan and an elevation, drawn to a scale of at least one-sixteenth inch to a foot, of the new #building# and #buildings# on #contiguous lots# or #contiguous blocks# showing #arcades#, #street wall# articulation, #street# trees, sidewalk paving and such other necessary information as may be required by the Commissioner of Buildings.

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## 26-11 - General Purposes

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LAST AMENDED

2/2/2011

The urban design guidelines are established to strengthen, at street level, the relationship of developments with existing buildings and to improve the quality of the streetscape by:

- (a) maintaining the visual continuity of developments at street level; and
- (b) enhancing the visual character of the neighborhood.

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## **26-12 - General Purposes of Sections 26-13 through 26-15**

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LAST AMENDED

12/5/2024

In harmony with the general purposes and intent of this Resolution and the general purposes of Section [26-11](#), the regulations of Sections [26-13](#) through [26-15](#), inclusive, are intended to:

- (a) guide the location of arcades to assure horizontal continuity of developments with existing building arcades and to maintain visual continuity at street level;
- (b) require transparency and/or articulation of front walls to improve the visual quality of the street; and
- (c) improve the quality of the street environment.

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## **26-13 - Definitions**

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LAST AMENDED

12/5/2024

For the purposes of Sections [26-10](#) through [26-15](#), inclusive, the following definitions shall apply:

## Contiguous block

A "contiguous block" is a #block# containing one or more #zoning lots# separated by a #narrow street# from the #block# containing the #development#.

## Contiguous lot

A "contiguous lot" is a #zoning lot# that shares a common #side lot line# with the #zoning lot# of the #development#.

## Development

In addition to the definition of #development# set forth in Section [12-10](#) (DEFINITIONS), "development" shall also include an #enlargement# involving an increase in #lot coverage#.

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## 26-14 - Horizontal Continuity

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LAST AMENDED

2/2/2011

Horizontal continuity regulations set forth in this Section are intended to relate #developments# with existing #buildings#, at #street# level, in order to maintain visual and functional continuity relating to the following aspects.

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## 26-141 - Arcades

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LAST AMENDED

10/17/2007

#Arcades# shall be bonused only where the #zoning lot# of a #development# occupies:

- (a) the entire #street line# of a #block# and when the #arcade# extends the full length of such #street# frontage; or
- (b) a portion of the #street line# of a #block# and the contiguous #zoning lot# contains an #arcade# extending the full length of the #street# frontage, and no walls are existing where the two #arcades# abut; or where the contiguous #zoning lot# is vacant. Such #arcade# shall be located at the same elevation as the existing #arcade#.

#Arcades# may be interrupted by a bonusable #open space# such as a #publicly accessible open area#.

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## 26-142 - Street wall articulation

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LAST AMENDED

2/2/2011

When any #building# wall of a #development# that is five feet or more in height adjoins a sidewalk, a #public plaza# or an #arcade#, at least 25 percent of the total surface area of such walls between #curb level# and 12 feet above #curb level# or to the ceiling of the ground floor, whichever is higher, or to the full height of the wall if such wall is less than 12 feet in height, shall be transparent. The lowest point at any point of any transparency that is provided to satisfy the requirements of this Section shall not be higher than four feet above the #curb level#.

Door or window openings within such walls shall be considered as transparent. Such openings shall have a minimum width of two feet.

In addition, any portion of such #building# wall, 50 feet or more in width, which contains no transparent element between #curb level# and 12 feet above #curb level# or the ceiling of the ground floor, whichever is higher, or to its full height if such wall is less than 12 feet in height, shall be covered with vines or similar planting or contain artwork or be treated so as to provide visual relief. Plantings shall be planted in soil having a depth of not less than 2 feet, 6 inches, and a minimum width of 24 inches. If artwork is being used, approval by the New York City Art Commission shall be obtained prior to the certificate of occupancy being issued for the #development#.

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## **26-15 - Streetscape Modifications**

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LAST AMENDED  
12/5/2024

The City Planning Commission may, by certification to the Commissioner of Buildings, allow modifications of the requirements of this Chapter. Such modifications will be allowed when the Commission finds that such modifications will enhance the design quality of the #development#.

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## **26-20 - SPECIAL REQUIREMENTS FOR LOTS WITH PRIVATE ROADS**

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LAST AMENDED  
2/2/2011

To provide for the orderly development of #residences# that are distant from #streets#, site planning requirements are established in Sections [26-20](#) through [26-27](#), inclusive. The regulations of this Section are intended to:

- (a) optimize vehicular access within and among #zoning lots# containing #private roads#;

- (b) regulate the size of and distance between curb cuts to minimize undue conflict between pedestrian and vehicular movement;
- (c) provide for sidewalks to facilitate social interaction and enhance pedestrian safety; and
- (d) provide for tree planting along #private roads# in order to enhance the visual and environmental character of the neighborhood.

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## 26-21 - Requirements for Private Roads

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LAST AMENDED

2/2/2011

#Private roads# shall consist of a paved road bed constructed to minimum Department of Transportation standards for public #streets#, including curbs and curb drops. The minimum width of a #private road# shall be 38 feet from curb to curb along its entire length or, where at least three #accessory# parking spaces are provided for every two #dwelling units# and no such spaces are located within the bed of a #private road#, the minimum width shall be 34 feet. The entrance to any #group parking facility# may be narrower than such minimum widths for a distance not to exceed 20 feet, and a #private road# may contain a landscaped median provided the paved width of such #private road# meets the minimum width required exclusive of such medians. The City Planning Commission may modify the required width of a #private road#, pursuant to Section [26-26](#) (Modification and Waiver Provisions).

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## 26-22 - Requirements for Sidewalks, Street Trees and Planting

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LAST AMENDED

12/5/2024

A minimum four-foot-wide paved sidewalk shall be provided adjacent to and along the entire length of the required planting strips. However, no sidewalk shall be required along that side of a #private road# that does not have a #building# wall facing it.

A minimum three-foot wide planting strip shall be provided adjacent to and along the entire length of the required curb.

The #street# tree and planting requirements of Section [23-61](#), inclusive, shall apply.

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## 26-23 - Yards

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LAST AMENDED

12/5/2024

For the purposes of this Section, a #private road# shall be considered to be a #street#, and a line seven feet from and parallel to the required curb of the #private road# shall be considered to be a #street line#, and the applicable #yard# regulations of Section [23-30](#) (YARDS, COURTS AND OTHER OPEN AREA REGULATIONS), inclusive, shall be applied accordingly. However, no #yard# shall be required along that side of a #private road#, or portion thereof, that does not have a #building# wall facing it.

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## 26-24 - Requirements for Curbs and Curb Cuts

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LAST AMENDED

12/5/2024

Curbs shall be provided along each side of the entire length of a #private road#.

A curb cut, excluding splays, from a #street# to a #private road# may be as wide as such #private road#.

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## 26-25 - Parking Location and Curb Cuts Accessing Driveways

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LAST AMENDED

12/5/2024

For the purposes of this Section, a #private road# shall be considered to be a #street#, and the applicable parking location and curb cut provisions of Section [25-62](#), inclusive, and Section [25-63](#), inclusive, shall be applied accordingly.

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## 26-26 - Modification and Waiver Provisions

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LAST AMENDED

2/2/2011

- (a) The City Planning Commission may, by authorization, allow modifications to, or waivers of, the requirements of Sections [26-20](#) through [26-27](#), inclusive, provided that:
- (1) such modifications or waivers will enhance the design quality of the #zoning lot#;
  - (2) any decrease in the required width of the paved road bed is in conjunction with a superior parking plan that would not be feasible with a wider road bed; and
  - (3) any decrease in the required width of the paved road bed will result in the preservation of existing natural features or a superior landscaping plan that would not be feasible with a wider road bed.

No modification or waiver may be granted which would waive or decrease the width of the paved road bed to less than 34 feet.

- (b) The City Planning Commission may, by authorization, allow modifications to, or waivers of, the requirements of Sections [26-20](#) through [26-27](#), inclusive, for #zoning lots# within the #Special South Richmond Development District#, that:
- (1) contain #designated open space# and a portion of the #waterfront esplanade#, where such #zoning lots#:
    - (i) have been granted an authorization pursuant to Section [107-65](#) (Modifications of Existing Topography) within one year prior to February 6, 2002; or
    - (ii) are conditioned upon a restrictive declaration that has received a minor modification by the City Planning Commission; or
  - (2) are located wholly or partially within Area M and have filed an application for an authorization pursuant to Section [107-69](#) (Residential Uses in Area M) within one year prior to February 6, 2002; or
  - (3) have been granted authorizations pursuant to Section [107-64](#) (Removal of Trees) and [107-65](#) and are located on a #zoning lot# where a change in the City Map has been approved within three years prior to February 6, 2002, and where certified copies of the alteration map for such change in the City Map have not yet been filed in accordance with Section 198, subsection (c), of the New York City Charter, as of February 6, 2002.

In order to authorize such modifications or waivers pursuant to this paragraph, (b), the Commission shall find that such #zoning lots# will be #developed# pursuant to a good site plan, and that adequate access to all #dwelling units#, adequate parking spaces located outside of the roadbed of the #private road#, adequate spacing of all curb cuts and adequate landscaping will be provided.

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## 26-27 - Waiver of Bulk Regulations Within Unimproved Streets

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LAST AMENDED

2/2/2011

In R3, R4 and R5 Districts, and in C1 and C2 Districts mapped within R3, R4 and R5 Districts, and in C3 Districts, the City Planning Commission may authorize the waiver of #bulk# regulations for:

- (a) #zoning lots# with #private roads# that access at least 20 #dwelling units# consisting in part of construction within #streets# that are unimproved and for which the Board of Standards and Appeals has granted a permit pursuant to Section 35 of the General City Law; and
- (b) #zoning lots# with #private roads# that access fewer than 20 #dwelling units# consisting in part of construction within #streets# that are unimproved and for which the Board of Standards and Appeals has granted a permit pursuant to Section 35 of the General City Law and where such #zoning lot# has received an authorization pursuant to paragraph (a) of Section [26-26](#);

The Commission may authorize the waiver of #bulk# regulations affected by such #streets# where #buildings# would be #non-complying# absent such waiver, provided the Board of Standards and Appeals has prescribed conditions pursuant to Section 35 of the General City Law which require the #buildings# or portions thereof to be located within the unimproved #streets# to be compliant and conforming to the provisions of this Resolution. Such waivers shall only be as necessary to address #non-compliance# resulting from the location of the #buildings# within and outside the unimproved #streets#.

The Commission shall find that the #private roads# are adequate to serve present and future transportation needs and that, through the grant of such waivers, the #development# complies to the maximum extent feasible with all applicable zoning regulations as if such unimproved #streets# were not mapped, and that the #private road# system results in a good site plan.

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## 26-30 - SPECIAL REQUIREMENTS FOR LOTS WITH PRIVATE ROADS IN LOWER DENSITY GROWTH MANAGEMENT AREAS

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LAST AMENDED

2/2/2011

For all #zoning lots# with #buildings# accessed by #private roads# in #lower density growth management areas#, the provisions of Sections [26-20](#) through [26-27](#), inclusive, shall apply. In addition, such regulations are supplemented or superseded in accordance with the provisions of this Section.

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## 26-31 - Entrances, Parking Location and Curb Cuts

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LAST AMENDED

12/5/2024

The entrances and exits of all #private roads# shall be located not less than 50 feet from the intersection of any two #street lines#.

No #accessory# off-street parking spaces shall be located between the required curbs of a #private road#, except where such spaces:

- (a) are perpendicular to the roadbed;
- (b) are located on only one side of a #private road# or portion of a #private road#, so that no such spaces are located on opposite sides of the road bed or within 20 feet of being opposite to one another; and

- (c) are within rows of not more than 10 adjacent spaces. Such rows shall be separated one from another by a planting strip at least 18 feet deep and eight feet wide, within which a tree of at least three-inch caliper is planted.

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## 26-32 - Lighting, Signage and Crosswalks

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LAST AMENDED

12/5/2024

All #private roads# shall provide street lighting, street signage and crosswalks to minimum Department of Transportation standards for public #streets#.

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## 26-33 - Screening

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LAST AMENDED

12/5/2024

All #private roads# shall be screened from adjoining #zoning lots# by a landscaped strip at least eight feet wide, and all open off-street parking areas with five or more spaces shall be screened from adjoining #zoning lots# by a landscaped strip at least four feet wide. Such landscaped strips shall be densely planted with evergreen shrubs at least four feet high at time of planting, and of a type that may be expected to form a year-round dense screen at least six feet high within three years. Such screening shall be maintained in good condition at all times.

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## 26-34 - Modification and Waiver Provisions

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LAST AMENDED

12/5/2024

Except in the Borough of Staten Island, the City Planning Commission may, by authorization, allow modifications to, or waivers of, the requirements of Sections [26-30](#) through [26-33](#), inclusive, provided that the depth of a #rear yard# shall not be less than 15 feet and the depth of a #front yard# shall not be less than five feet. In order to authorize such modifications or waivers, the Commission shall find that:

- (a) such modifications result in a site plan that provides sufficient open areas for the residents;
- (b) any reduction in open areas shall be permitted only where the Commission finds that a good site plan has been provided that includes a superior landscaping plan; and
- (c) such modifications will not impair the essential character of the surrounding area.

The Commission may prescribe additional conditions and safeguards to minimize adverse effects on the character of the surrounding area.

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## **26-40 - STREET TREE PLANTING AND PLANTING STRIP REQUIREMENTS**

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LAST AMENDED

4/30/2008

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## **26-41 - Street Tree Planting**

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LAST AMENDED

12/6/2023

In accordance with applicability requirements of underlying district regulations, one #street# tree, pre-existing or newly planted, shall be provided for every 25 feet of #street# frontage of the #zoning lot#. Fractions equal to or greater than one-half resulting from this calculation shall be considered to be one tree.

(a) Design criteria

#Street# trees shall be planted along the entire length of along the curb of the #street# adjacent to the #zoning lot#, within:

- (1) tree beds or connected tree beds designed in compliance with standards set forth by the Department of Parks and Recreation; or
- (2) rain gardens designed in compliance with standards set forth by the Department of Environmental Protection.

For #zoning lots# with over 100 feet of #street# frontage, wherever two required #street# tree beds will be separated by less than 25 feet, such tree beds shall be combined and designed as a single continuous tree bed.

The species and caliper of all #street# trees shall be determined by the Department of Parks and Recreation, and all such trees shall be planted in accordance with the #street# tree planting standards of the Department of Parks and Recreation.

(b) Alternate compliance

Where such tree planting would be infeasible adjacent to the #zoning lot#, such trees may be provided in an alternate manner, or waived, using any combination of provisions, as appropriate, set forth in this paragraph (b).

- (1) Rain gardens

Where the Department of Parks and Recreation determines that such tree planting would be infeasible, such required #street# tree may be substituted for a rain garden designed in compliance with standards set forth by the Department of Environmental Protection.

(2) Planters

Where the Department of Parks and Recreation or Department of Transportation determines that below-grade infrastructure causes one or more tree planting location to be infeasible, such tree may be provided in permanent planters designed in compliance with standards set forth by the Department of Transportation.

(3) Off-site locations

Where the Department of Parks and Recreation determines that such tree planting would be infeasible, or in historic districts where the Landmarks Preservation Commission determines that such tree planting would not be in character with the historic district, one or more #street# trees may be planted in an alternative off-site location, to be selected by the Department of Parks and Recreation, except that if the Department of Parks and Recreation determines that no alternative location is available, or if no alternative location is provided within 30 days of an application for a Department of Parks and Recreation permit, such off-site tree shall be waived. Off-site trees shall be planted at alternative locations within:

- (i) an existing empty #street# tree pit or planting strip; or
- (ii) an unpaved area owned by the City of New York.

All such alternative locations shall be within the Community District or one-half mile of such #zoning lot#.

(4) Payment option

Where the Department of Parks and Recreation determines that such tree planting would be infeasible, or in historic districts where the Landmarks Preservation Commission determines that such tree planting would not be in character with the historic district, in lieu of planting an off-site tree in an available alternative location, or in the event that planting adjacent to the #zoning lot# cannot be completed due to the season, funds equivalent to the cost of planting such tree, as established by rule of the Department of Parks and Recreation, may be deposited in an account of the City of New York. Such funds shall be dedicated to the planting of #street# trees by the City at an alternative location or, in the case of an off-season deposit, in front of the #zoning lot# at the next appropriate planting season.

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## 26-42 - Planting Strips

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LAST AMENDED

4/30/2012

In accordance with applicability requirements of underlying district regulations, the owner of the #development#, #enlargement# or #converted building# shall provide and maintain a planting strip. #Street# trees required pursuant to Section [26-41](#) shall be planted within such planting strip. In addition to such #street# trees, such strip shall be fully planted with grass or groundcover, except as provided in Section 26-421. Such planting strip shall be located adjacent to, and extend along, the entire length of the curb of the #street#. However, in the event that both adjoining properties have planting strips adjacent to the #front lot line#, such planting strip may be located along the #front lot line#. The width of such planting strip shall be the greatest width feasible given the required minimum paved width of the sidewalk on #street# segments upon which the #building# fronts, except that no planting strip less than six inches in width shall be required.

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## **26-421 - Modifications of planting strip requirements**

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LAST AMENDED

4/30/2012

Driveways are permitted to traverse planting strips. Planting strips may be interrupted by utilities and paved areas required for bus stops.

On #zoning lots# containing #schools#, permeable pavers or permeable pavement may be substituted for grass or ground cover, provided that, beneath such permeable pavers or pavement, there is structural soil or aggregate containing at least 25 percent pore space, or other kind of engineered system that absorbs stormwater, as acceptable to the Department of Transportation. Any area improved with permeable pavers or pavement pursuant to this paragraph shall be no less than three feet in width except where necessary for compliance with the Americans with Disabilities Act.

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## **26-50 - SPECIAL SCREENING AND ENCLOSURE PROVISIONS**

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LAST AMENDED

12/5/2024

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## **26-51 - Special at-grade Screening and Enclosure Regulations**

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LAST AMENDED

12/5/2024

In all districts, all #energy infrastructure equipment# and #accessory# mechanical equipment shall be subject to the following provisions when not located on a #building# rooftop or within a #completely

enclosed building#, whether or not such equipment is located within a required #open space#, #yard#, or #court#:

- (a) all generators and cogeneration equipment utilizing fossil fuels which are #accessory# to #buildings# other than #single-# or #two-family# #residences# shall be completely enclosed within a #building or other structure#, except as necessary for mechanical ventilation;
- (b) all other types of equipment, including generators and cogeneration equipment serving #single-# or #two-family# #residences#, may be unenclosed, provided that such equipment is located at least five feet from any #lot line# and, where located between a #street wall# or prolongation thereof, and the #street line#, such equipment is within three feet of a #street wall#;
- (c) where the area bounding all such equipment, as drawn by a rectangle from its outermost perimeter in plan view, exceeds 25 square feet, such equipment shall be screened in its entirety on all sides. Such screening may be opaque or perforated, provided that where perforated materials are provided, not more than 50 percent of the face is open;
- (d) where any equipment is located in a #front yard#, or is located between the #street wall, or prolongation thereof, and a #street line#, the entire width of such portion of such equipment facing a #street#, whether open or enclosed, shall be fully screened by vegetation; and
- (e) where #energy infrastructure equipment# is located within 15 feet of a #zoning lot line#, the equipment shall be fully screened from adjoining #zoning lots#, including such #zoning lots# situated across a #street#, by:
  - (1) a wall or barrier or uniformly painted fence at least as tall as the equipment it is screening, but need not exceed 15 feet in height. Such wall, barrier or fence may be opaque or perforated, provided that not more than 50 percent of the face is open; and

(2) a strip at least four feet wide and densely planted with vegetation that, at the time of planting are at least half as tall in height as the screen required by paragraph (1), and are of a type which may be expected to form a year-round dense screen at least six feet high within three years.

(f) However, no screening shall be required for:

(1) equipment with a depth limited to 18 inches from an exterior wall;

(2) solar energy systems; and

(3) wind energy systems.

Such screening shall be maintained in good condition at all times, may be interrupted by normal entrances or exits and shall have no signs hung or attached thereto.

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## 26-52 - Special Rooftop Screening and Enclosure Regulations

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LAST AMENDED

12/5/2024

In all districts, all #energy infrastructure equipment# and #accessory# mechanical equipment located on roofs, other than solar energy systems, shall be subject to the following provisions when not located within a #completely enclosed building#, whether or not such equipment is penetrating a maximum height limit or a #sky exposure plane#.

However, no screening shall be required for:

- (a) equipment with a depth limited to 18 inches from an exterior wall;
- (b) solar energy systems;
- (c) wind energy systems; and
- (d) #accessory# mechanical equipment installed on the rooftop of a #building# existing on December 5, 2024, where the height of the equipment does not exceed the height of the rooftop parapet, or a height of six feet as measured from the roof level.

All such equipment shall be screened on all sides. Such screening may be opaque or perforated, provided that where perforated materials are provided, not more than 50 percent of the face is open.