



## **Zoning Resolution**

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

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

# **64-11 - Definitions**

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## 64-11 - Definitions

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LAST AMENDED

12/5/2024

Definitions specifically applicable to this Chapter are set forth in this Section and may modify definitions set forth in Section [12-10](#) (DEFINITIONS). Where matter in italics is defined both in Section [12-10](#) and in this Chapter, the definitions in this Chapter shall govern.

### Cottage envelope building

A “cottage envelope building” is a *single- or two-family detached residence* located within R1 through R5 Districts, *developed, enlarged,* or altered, pursuant to any of the optional provisions of Section [64-33](#) (Special Bulk Regulations for Cottage Envelope Buildings), provided that:

- (a) such *single- or two-family detached residence* complies with Section [64-332](#) (Height and setback regulations for cottage envelope buildings); and
- (b) is located within a *zoning lot* that has a *lot area* that is less than that required by the applicable district; and
  - (1) has a *lot width* that is either:
    - (i) less than that required under the provisions of Section [23-11](#) (Lot Area and Lot Width Regulations in R1 Through R5 Districts) in R1, R2, R3-1, R3-2, R3X, R4, R4A, R5, and R5A Districts; or

(ii) equal to or less than 30 feet in R3A, R4-1, R4B, R5B, and R5D Districts; or

(2) has a depth of less than 95 feet at any point.

All #cottage envelope buildings# shall also be #flood-resistant buildings#.

#### First story above the flood elevation

The “first story above the flood elevation” shall be the finished floor level of the first #story# located at or above the level at which a #building# complies with #flood-resistant construction standards# and, for #buildings# utilizing the #reference plane#, shall be no lower than the particular level established as the #reference plane#.

#### Flood map

“Flood map” shall be the most recent map or map data used as the basis for #flood-resistant construction standards#.

#### Flood-resistant building

A “flood-resistant building” is a #building or other structure#, which complies with all applicable #flood-resistant construction standards#.

#### Flood-resistant construction elevation

The “flood-resistant construction elevation” shall be the level of flood elevation required by Appendix G of the New York City Building Code for the “Flood design classification” of a #building or other

structure# as set forth therein, or a height of two feet above the lowest grade adjacent to the #building or other structure#, whichever is higher.

### Flood-resistant construction standards

“Flood-resistant construction standards” are the construction standards set forth in Appendix G of the New York City Building Code for “Post-FIRM Construction” that aid in protecting #buildings or other structures# in #flood zones# from flood damage, and governs both #building or other structures# that are required to comply with such standards and those that voluntarily comply. For #buildings or other structures# utilizing the provisions of this Chapter, #flood-resistant construction standards# shall be applied up to the #flood-resistant construction elevation# or higher.

### High-risk flood zone

The “high-risk flood zone” is the area, as indicated on the #flood maps#, that has a one percent chance of flooding in a given year.

### Lowest usable floor

The “lowest usable floor” of a #building# is the lowest floor of such #building# that contains #floor area#, and may include #basements# and #cellars#, as defined in Section [12-10](#) (DEFINITIONS).

### Moderate-risk flood zone

The “moderate-risk flood zone” is the area, as indicated on the #flood maps#, and not within of the #high-risk flood zone#, that has a 0.2 percent chance of flooding in a given year.

## Primary frontage

For the purposes of applying the provisions of paragraph (c) of Section [64-322](#) (Special floor area modifications for flood-resistant buildings), a “primary frontage” shall include:

- (a) in [Commercial Districts](#), frontages that meet the criteria for a “primary frontage” as defined in Section [37-311](#);
- (b) in M1 Districts paired with [Residence Districts](#), frontages along:
  - (1) [wide streets](#);
  - (2) [narrow streets](#) within 50 feet of a [wide street](#); and
  - (3) [narrow streets](#) where an M1 District paired with a [Residence District](#) is mapped along an entire [block](#) frontage; and
- (c) frontages where non-[residential uses](#) are required at the [ground-floor level](#) pursuant to a Special Purpose District or [waterfront public access area](#).

## Reference plane

The “reference plane” is a horizontal plane from which the height and setback regulations governing a [building or other structure](#) may be measured, in accordance with certain provisions of this Chapter. The [reference plane](#) shall not be located above the [first story above flood elevation](#), as applicable.

For [zoning lots](#) located wholly or partially within the [high-risk flood zone](#), the [reference plane](#) may be established at any level between the [flood-resistant construction elevation](#) and a height of 10 feet above the [base plane](#) or [curb level](#), as applicable. However, where the [flood-resistant](#)

construction elevation# exceeds a height of 10 feet above the #base plane# or #curb level#, as applicable, the #reference plane# may be established at the #flood-resistant construction elevation#.

For #zoning lots# located wholly or partially within the #moderate-risk flood zone#, the #reference plane# may be established at any level between the #flood-resistant construction elevation# and a height of five feet above the #base plane# or #curb level#, as applicable.