



## Zoning Resolution

THE CITY OF NEW YORK

Eric Adams, Mayor

CITY PLANNING COMMISSION

Daniel R. Garodnick, Chair

# **109-10 - PRESERVATION AREA (Area A)**

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## 109-10 - PRESERVATION AREA (Area A)

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LAST AMENDED  
2/2/2011

The provisions of this Section [109-10](#), inclusive, shall apply within Area A (Preservation Area) as shown on the District Map in Appendix A.

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## 109-11 - Special Use Regulations

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LAST AMENDED  
2/3/1977

### 109-111 - Special regulations for existing commercial or manufacturing uses

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LAST AMENDED  
2/3/1977

The continuation, #extension# or change of #use# of existing #commercial# or #manufacturing uses# within Area A shall be governed by the underlying district #use# regulations.

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### 109-112 - Special use regulations for developments

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LAST AMENDED  
6/6/2024

For any #building# or portion of a #building# #developed# or #enlarged# within Area A, #uses# listed in the underlying district regulations are permitted except for the following #uses#:

From Use Group IV

All #uses# listed under Use Group IV(B)

From Use Group VI

#Uses# under Use Group VI that are subject to a size limitation of 10,000 square feet of #floor area# per establishment in C2 Districts, as set forth in Section [32-16](#) (Use Group VI – Retail and Services), inclusive, shall not be permitted a size beyond such threshold

From Use Group IX

All #uses# listed under Use Group IX(C).

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### 109-113 - Streetscape Provisions

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LAST AMENDED  
6/6/2024

The underlying #ground floor level# streetscape provisions shall apply. However, along #Tier B street frontages# where the alternate #ground floor level# provisions are able to be applied, in accordance with Section [32-322](#), the following transparency requirements shall be applied in addition to the provisions of such Section:

#Ground floor level# #street walls# shall be glazed with transparent materials, which may include #show windows#, transom windows, or glazed portions of doors. Such transparent materials shall occupy at least 25 percent of the surface area of such #ground floor level# #street wall#, up to a height of 12 feet above #curb level#, or the height of the ground floor ceiling, whichever is higher. Transparent areas may include storefronts subject to Section [109-50](#) (SPECIAL REVIEW PROVISIONS), inclusive. Door or window openings within such surface areas shall be considered transparent. Such opening shall have a minimum width of two feet.

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## 109-12 - Bulk Regulations

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LAST AMENDED  
2/3/1977

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## 109-121 - Floor area regulations

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LAST AMENDED  
2/2/2011

Within Area A, the maximum #floor area ratio# for a #zoning lot# shall not exceed the following:

Lot Type	Maximum Permitted #Floor Area Ratio#
#Corner lots#	4.8
#Interior# or #through lots#	4.1

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## 109-122 - Lot coverage, through lot and rear yard regulations

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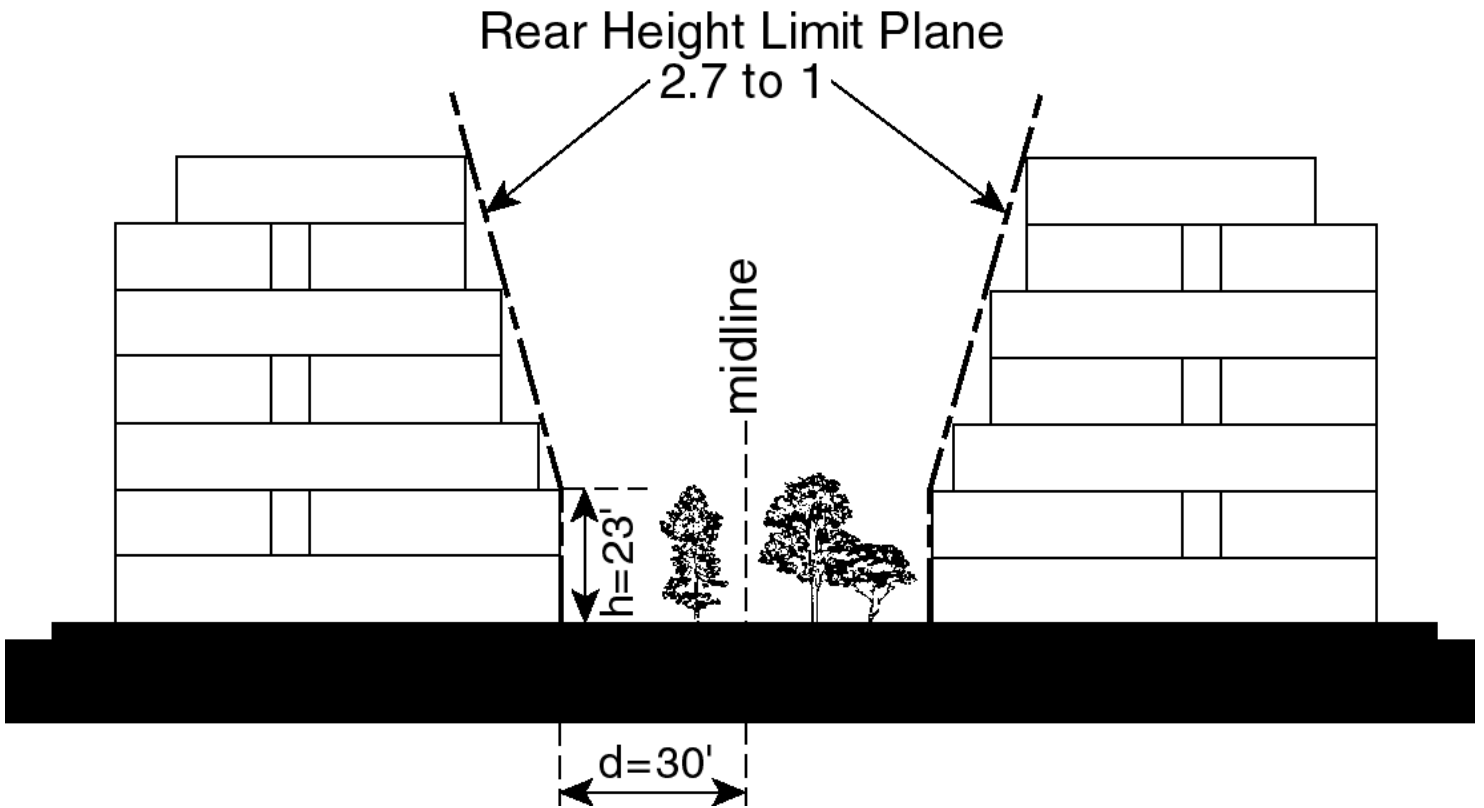
LAST AMENDED  
3/22/2016

Within Area A, the maximum #lot coverage# for a #zoning lot# shall not exceed the following percentages:

Lot Type	Maximum #Lot Coverage# (in percent)
#Corner lot#	100
#Interior lot#	60
#Through lot#, except as provided below	60

However, when a #through lot# is #developed# with more than one #building#, the maximum #lot coverage# on such #through lot# may be increased from 60 percent to 70 percent, provided that no portion of any #building# on such #zoning lot# penetrates the "Rear Height Limit Plane," as set forth in this Section. The Rear Height Limit Plane shall begin at a point 23 feet above #curb level# and shall be located 30 feet away from, and on both sides of, the line equidistant from the two #street lines#. The slope of the Rear Height Limit Plane shall be 2.7 feet vertical to 1 foot horizontal.

All #buildings# #developed# after February 3, 1977, shall have a #rear yard# with a depth of not less than 30 feet.



REAR HEIGHT LIMIT PLANE

**109-123 - Floor area per room regulations**

LAST AMENDED  
7/26/2001

For the purposes of this Chapter, the density requirements of Sections [23-22](#), [23-24](#) or [35-40](#) shall not apply to any #development# or #enlargement#. In lieu thereof, there shall be not more than one #room# for each 230 square feet of gross #residential floor area#.

**109-124 - Height and setback regulations**

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LAST AMENDED  
12/6/2023

The maximum height of any #building or other structure# shall not exceed 75 feet or seven #stories# above the #curb level#, whichever is less, unless allowed by the City Planning Commission pursuant to Section 109-514.

However, #energy infrastructure equipment# and #accessory# mechanical equipment shall be permitted obstructions above such height limits, subject to the provisions of Section [33-42](#).

**109-13 - Special Front Wall Regulations**

LAST AMENDED  
6/6/2024

The front #building# wall of any #building# shall extend along the full length of its #front lot line# not occupied by existing #buildings# to remain and shall rise without setback up to a height of six #stories# or 65 feet, or the height of the #building#, whichever is less. Above that height, the front #building# wall shall set back at least 10 feet. Front wall recesses are permitted provided that the aggregate length of such recesses, excluding window fenestration, at the level of any #story# does not exceed 25 percent of the length of the front wall where such recesses are permitted. In the event that a #development# occupies an entire #block# frontage, additional recesses are permitted provided that there are no front wall recesses within 10 feet of the

intersection of two #street lines#. The exterior #building# materials of the front wall shall be predominantly of masonry.

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## 109-14 - Open Recreation Space and Landscaping Regulations

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LAST AMENDED  
2/3/1977

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### 109-141 - Open recreation space regulations

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LAST AMENDED  
2/2/2011

For any #building# or portion of a #building# #developed# or #enlarged# after February 3, 1977, a minimum of 20 percent of the #lot area# of the #zoning lot# shall be provided as usable landscaped #open recreation space# accessible to the occupants of such #development# or #enlargement#. Such #open recreation space# may be accessible to the public.

Such #open recreation space# shall be located at the ground level and/or the roof level. However, if such #open recreation space# is located both at the ground level and at the roof level, not less than 40 percent may be located at either location. Such #open recreation space# shall be landscaped and properly maintained in accordance with the provisions of Section 109-142.

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### 109-142 - Landscaping regulations

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LAST AMENDED  
2/2/2011

The required #open recreation space#, as provided in Section [109-141](#), on a #zoning lot# containing a #development# or #enlargement# shall be landscaped and maintained in the following manner.

Ground level #open recreation space# shall:

- (a) have a minimum dimension of 20 feet for a #development# and 10 feet for an #enlargement#, measured perpendicular to its perimeter;
- (b) have no portion used as a driveway, vehicular access way or for parking, and shall be screened from off-street loading and service areas;
- (c) have a minimum of one linear foot of seating for each 50 square feet of #open recreation space#, conforming to the following standards:
  - (1) seating shall have a minimum depth of 16 inches; seating with backs at least 12 inches high shall have a minimum depth of 14 inches; seating 30 inches or more in depth shall count double provided there is access to both sides;
  - (2) seating higher than 36 inches and lower than 12 inches above the level of the adjacent walking surface shall not count toward meeting the seating requirements;
  - (3) the tops of walls including but not limited to those which bound planting beds, fountains and pools may be counted as seating when they conform to the dimensional standards in paragraphs (c)(1) and (c)(2) of this Section;
  - (4) movable seating or chairs may be credited as 30 inches of linear seating per chair; and
  - (5) steps do not count toward the seating requirements;
- (d) have paved areas paved with unit pavers, such as bricks or quarry tiles, or poured-in-place materials. If poured-in-place materials are selected, they shall be of decorative color and/or textures, through the use of dyes and/or exposed aggregates. All paving shall have a non-skid surface;
- (e) be landscaped with shrubs, vines, ground cover or plants in planters over a minimum of 25 percent of the #open recreation space# area;
- (f) be planted with one tree of not less than three and one-half inch caliper for every 1,000 square feet or portion thereof of required #open recreation space#. Such trees shall be planted in at least 100 cubic feet of soil of at least 3 feet, 6 inches in depth;
- (g) have all mechanical equipment which is located at the same elevation as the #open recreation space#, or on a wall of the #building# frontage upon such #open recreation space# within a height of 10 feet, 6 inches above the level of the #open recreation space#, screened and buffered with no intake or exhaust fans facing directly into the #open recreation space#; and
- (h) be maintained by the #building# owner who shall be responsible for the maintenance of the #open recreation space# including, but not limited to, the repair and confinement of all amenities, litter control, and the care and replacement of vegetation within the #zoning lot# and in the #street#

sidewalk area adjacent to the #zoning lot#, pursuant to Section [109-14](#) (Open Recreation Space and Landscaping Regulations).

#Open recreation space# at roof level shall:

- (1) have all mechanical equipment which is located at the same elevation as the #open recreation space#, or on a wall of the #building# fronting upon such #open recreation space# within a height of 10 feet, 6 inches above the level of the #open recreation space#, screened and buffered with no intake or exhaust fans facing directly onto the #open recreation space#;
- (2) have a minimum of one linear foot of seating for each 50 square feet of #open recreation space#, conforming to seating standards set forth for ground level #open recreation space#; and
- (3) be landscaped with shrubs, vines, flowers, ground cover and/or plants in planters over a minimum of 25 percent of the #open recreation space# area.

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## 109-15 - Regulations for Rehabilitation or Conversion of Existing Buildings

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LAST AMENDED  
2/2/2011

When #residential buildings# or #residential# portions of #mixed buildings# are rehabilitated, the density regulations of the underlying districts shall not apply. In lieu thereof, there shall be not more than one #room# for each 230 square feet of gross #floor area# within the rehabilitated #residential building# or #residential# portion of a #mixed building#.

Furthermore, when a non-#residential building#, or portion thereof, is #converted# for #residential use#, the density regulations of the underlying districts shall not apply to that portion of the #building# containing #dwelling units#. In lieu thereof, there shall be not more than one #room# for each 230 square feet of gross #floor area# provided within the #converted# #building# or portion thereof.

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## 109-16 - Parking Regulations

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LAST AMENDED  
5/8/2013

No #accessory# off-street parking is permitted for any #development# or #enlargement# in Area A, except as set forth herein.

The City Planning Commission may allow #accessory# off-street parking facilities for any #development# or #enlargement# on a #zoning lot# pursuant to the applicable authorization or special permit in Article I, Chapter 3 (Comprehensive Off-street Parking and Loading Regulations in the Manhattan Core).

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## 109-17 - Mandatory Street Trees

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LAST AMENDED  
4/30/2008

In addition to the applicable underlying #street# tree planting requirements, all changes of #use# within the same or to other Use Groups involving at least 50 percent of the #floor area# of an existing #building#, or alterations above 30 percent of the #building# value of an existing #building# pursuant to the applicable articles of the Building Code of the City of New York, within Area A, shall provide trees in accordance with Section [26-41](#) (Street Tree Planting).