



## Zoning Resolution

THE CITY OF NEW YORK

Eric Adams, Mayor

CITY PLANNING COMMISSION

Daniel R. Garodnick, Chair

# 64-11 - Definitions

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LAST AMENDED

5/12/2021

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 Regulations for Cottage Envelope Buildings), provided that:

- (a) such *single-# or two-family# detached# residence#* complies with Section [64-333](#) (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 [23-32](#) (Minimum Lot Area or Lot Width for Residences) 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 street frontage

For the purposes of applying the provisions of Section [64-322\(c\)](#), a “primary street frontage” shall include:

- (a) in #Commercial Districts#, frontages that meet the criteria for a “primary street 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.