



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)

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.

109-11 - Special Use Regulations

LAST AMENDED
2/3/1977

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

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.

109-112 - Special use regulations for developments

LAST AMENDED
2/2/2011

For any #building# or portion of a #building# #developed# or #enlarged# after February 3, 1977, within Area A, #uses# listed in the underlying district regulations are permitted except that such #uses# shall not include those listed in Use Groups 6D, 8C, 10, and 12D, unless authorized by the City Planning Commission pursuant to Section 109-514 (Modifications by authorization).

109-12 - Bulk Regulations

LAST AMENDED
2/3/1977

109-121 - Floor area regulations

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

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

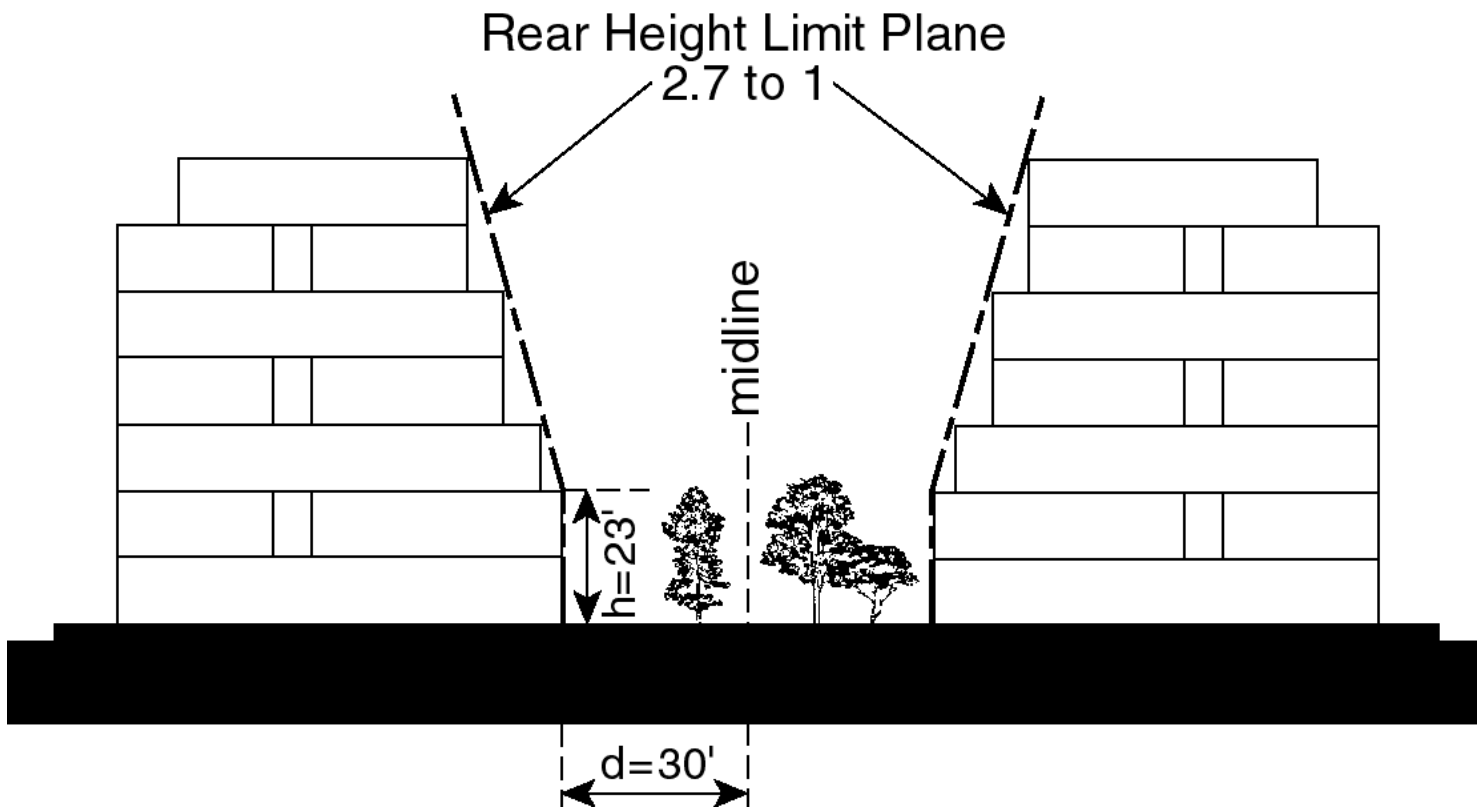
LAST AMENDED
3/22/2016

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

LAST AMENDED
2/2/2011

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, the provisions of this Section shall not apply to #enlargements# if, prior to February 2, 2011, a building permit has been lawfully issued authorizing such construction.

109-13 - Special Front Wall Regulations

LAST AMENDED
2/3/1977

109-131 - Building facades

LAST AMENDED
2/2/2011

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.

109-132 - Treatment of the ground level wall

LAST AMENDED
2/2/2011

For #buildings# #developed# after February 3, 1977, and for #buildings# #enlarged# on the ground floor level after February 3, 1977, at least 25 percent of the total surface area of the entire front wall of a #development# or the #enlarged# portion, up to a height of 12 feet above #curb level# or to the ceiling of the ground #story#, whichever is higher, shall be transparent. Transparent areas may include storefronts subject to Section 109-50. Door or window openings within such surface areas shall be considered transparent. Such opening shall have a minimum width of two feet. In addition, any portion of such #building# wall 20 feet or more in length, which contains no transparent areas at ground floor level, shall be covered with vines or similar planting in permitted front wall recesses, or be treated so as to provide visual relief from large expanses of blank walls. Planting shall consist of shrubs, ivy or creepers and shall be planted in soil having a depth of not less than 2 feet, 6 inches, and a minimum width of 24 inches.

109-14 - Open Recreation Space and Landscaping Regulations

LAST AMENDED
2/3/1977

109-141 - Open recreation space regulations

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.

109-142 - Landscaping regulations

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.

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

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.

109-16 - Parking Regulations

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).

109-17 - Mandatory Street Trees

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).