

Proposed Zoning Text

Project ID

P2018M0060

**EAST RIVER FIFTIES TEXT AMENDMENT
MANHATTAN COMMUNITY DISTRICT 6
SEPTEMBER 27, 2017
PROPOSED ZONING TEXT**

Matter underlined is new, to be added;

Matter ~~struck-out~~ is to be deleted;

Matter within # # is defined in Section 12-10;

* * * indicates where unchanged text appears in the Zoning Resolution.

ARTICLE II: RESIDENCE DISTRICT REGULATIONS

Chapter 3 - Residential Bulk Regulations in Residence Districts

* * *

23-60

HEIGHT AND SETBACK REGULATIONS

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23-61

Applicability

R1 R2 R3 R4 R5 R6 R7 R8 R9 R10

In all districts, as indicated, height and setback regulations for a #building or other structure# shall be as set forth in Section 23-60, inclusive.

* * *

Special height and setback provisions are set forth in Sections 23-67 (Special Height and Setback Provisions for Certain Areas) for #zoning lots# adjoining a #public park#, as well as for certain areas in Community Districts 4, 6, 7 and 9 in the Borough of Manhattan. Additional provisions are set forth in Sections 23-68 (Special Provisions for Zoning Lots Divided by District Boundaries) and 23-69 (Special Height Limitations).

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23-67

Special Height and Setback Provisions for Certain Areas

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23-675

Provisions for certain R10 Districts within Community District 6 in the Borough of Manhattan

In Community District 6 in the Borough of Manhattan, for #buildings developed# or #enlarged# with towers in R10 Districts located east of First Avenue and north of East 51st Street, the tower provisions of paragraph (a) of Section 23-65 (Tower Regulations) shall be modified to require that the tower-on-a-base provisions of Section 23-651 apply to all #buildings# where more than 25 percent of the total #floor area# of the #building# is allocated to #residential uses#, irrespective of whether the #building# has #wide street# or #narrow street# frontage. However, such provisions shall be modified in accordance with the provisions of this Section.

(a) Tower modifications

The tower regulations of paragraph (a) of Section 23-651 shall be modified as follows:

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(1) For #buildings# that do not meet the location criteria of paragraph (a)(2) of Section 23-65, the provisions of paragraph (a)(3) of Section 23-651 shall be modified to require at least 45 percent of the total #floor area# permitted on the #zoning lot# to be located in #stories# located either partially or entirely below a height of 150 feet. In addition, when the #lot coverage# of the tower is less than 40 percent, the required 45 percent of the total #floor area# distribution, within a height of 150 feet, shall be increased in accordance with the following requirement:

<u>Percent of #lot coverage# of the tower portion</u>	<u>Minimum percent of total #building floor area# distribution below the level of 150 feet</u>
<u>40.0 or greater</u>	<u>45.0</u>
<u>39.0 to 39.9</u>	<u>45.5</u>
<u>38.0 to 38.9</u>	<u>46.0</u>
<u>37.0 to 37.9</u>	<u>46.5</u>
<u>36.0 to 36.9</u>	<u>47.0</u>
<u>35.0 to 35.9</u>	<u>47.5</u>

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<u>34.0 to 34.9</u>	<u>48.0</u>
<u>33.0 to 33.9</u>	<u>48.5</u>
<u>32.0 to 32.9</u>	<u>49.0</u>
<u>31.0 to 31.9</u>	<u>49.5</u>
<u>30.0 to 30.9</u>	<u>50.0</u>

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(2) The tower setback provisions of paragraph (a)(4) of Section 23-651 shall be modified for #buildings# that do not meet the location criteria of paragraph (a)(2) of Section 23-65, to permit such required setback along a #narrow street# to be reduced by one foot for every foot that the #street wall# is located beyond the #street line#. However, in no event shall a setback of less than seven feet in depth be provided.

(3) The tower location restrictions of paragraph (a)(5) of Section 23-651 shall not apply.

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(b) #Building# base modifications

The #building# base regulations of paragraph (b) of Section 23-651 shall be modified as follows:

- (1) The #street wall# location provisions of paragraph (b)(1)(ii) of Section 23-651 shall be modified to require that at least 70 percent of the #aggregate width of street walls# in the #building# base be located within eight feet of the #street line#.

- (2) The height of #street wall# provisions of paragraph (b)(2)(ii) of Section 23-651 shall be modified so that where the height of an adjacent #building# is between 60 feet and 85 feet, one of the three matching alternatives set forth in paragraphs (b)(2)(i)(a) through (b)(2)(i)(c) shall be applied.

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(3) The dormer provisions of paragraph (b)(3) of Section 23-651 shall be modified to permit dormers anywhere on #narrow streets#.

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Chapter 4 - Bulk Regulations for Community Facilities in Residence Districts

* * *

24-56

Special Height and Setback Provisions for Certain Areas

R1 R2 R3 R4 R5 R6 R7 R8 R9 R10

- (a) For Zoning Lots Directly Adjoining Public Parks

In all districts, as indicated, a #public park# with an area of between one and fifteen acres shall be considered a #wide street# for the purpose of applying the regulations set forth in Section 24-52 (Maximum Height of Walls and Required Setbacks) to any #building or

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other structure# on a #zoning lot# adjoining such #public park#. However, the provisions of this Section shall not apply to a #public park# more than 75 percent of which is paved.

(b) Community District 6, Manhattan

In Community District 6 in the Borough of Manhattan, for #buildings developed# or #enlarged# with towers in R10 Districts located east of First Avenue and north of East 51st Street, the provision of paragraph (a)(1) of Section 24-54 (Tower Regulations) shall be modified to require that the tower-on-a-base provisions of Section 23-651 apply to all #buildings# where more than 25 percent of the total #floor area# of the #building# is allocated to #residential uses#, irrespective of whether the #building# has #wide street# or #narrow street# frontage#. However, such provisions shall be modified in accordance with the provisions of Section 23-675 (Provisions for certain R10 Districts within Community District 6 in the Borough of Manhattan).

(b)(c) Community District 7, Manhattan

Within the boundaries of Community District 7 in the Borough of Manhattan, all #buildings or other structures# located in R10 Districts, shall comply with the requirements of Section 23-672 (Special height and setback regulations in R10 Districts within Community District 7, in the Borough of Manhattan).

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~~(e)~~(d) Community District 9, Manhattan

Within the boundaries of Community District 9 in the Borough of Manhattan, all #buildings# located in R8 Districts north of West 125th Street shall be #developed# or #enlarged# pursuant to the #residential bulk# regulations of Section 23-674 (Special height and setback regulations for certain sites in Community District 9, in the Borough of Manhattan).

24-57

Modifications of Height and Setback Regulations

R1 R2 R3 R4 R5 R6 R7 R8 R9 R10

In all districts, as indicated, for certain #community facility uses# in specified situations, the Board of Standards and Appeals may modify the regulations set forth in Sections 24-50 through 24-55, inclusive, and paragraphs (b) ~~and~~ through ~~(e)~~(d) of Section 24-56, relating to height and setback regulations, in accordance with the provisions of Section 73-64 (Modifications for Community Facility Uses). However, for #Quality Housing buildings# utilizing the height and setback regulations of Article II, Chapter 3, as required by Section 24-50, the Board shall not permit modification to the provisions of Sections 23-67 through 23-69, inclusive.

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ARTICLE III: COMMERCIAL DISTRICT REGULATIONS

Chapter 5 - Bulk Regulations for Mixed Buildings in Commercial Districts

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35-61

Applicability

C1 C2 C3 C4 C5 C6

In the districts indicated, height and setback regulations are modified for *#mixed buildings#* in 35-60 (MODIFICATION OF HEIGHT AND SETBACK REGULATIONS), inclusive.

Height and setback modifications applicable to C1 or C2 Districts mapped within R1 through R5 Districts, and C3 and C4-1 Districts are set forth in Section 35-62 (Commercial Districts with an R1 through R5 Residential Equivalent).

Height and setback modifications applicable to C1 or C2 Districts mapped within R6 through R10 Districts, and *#Commercial Districts#* with a residential equivalent of R6 through R10

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Districts, are set forth in Sections 35-63 (Basic Height and Setback Modifications), 35-64 (Special Tower Regulations for Mixed Buildings) and 35-65 (Height and Setback Requirements for Quality Housing Buildings), as applicable. Special rules for certain areas are set forth in Section 35-66 (Special Height and Setback Provisions for Certain Areas).

* * *

35-66
Special Height and Setback Provisions for Certain Areas

Community District 6, Manhattan

In Community District 6 in the Borough of Manhattan, for #buildings developed# or #enlarged# with towers in #Commercial Districts# mapped within R10 Districts located east of First Avenue and north of East 51st Street, the provision of paragraph (a) of Section 35-64 (Tower Regulations) shall be modified to require that the tower-on-a-base provisions of Section 23-651 apply to all #buildings# where more than 25 percent of the total #floor area# of the #building# is allocated to #residential uses#, irrespective of whether the #building# has #wide street# or #narrow street# frontage. Such provisions shall be modified in accordance with the provisions of Section 23-675 (Provisions for Specified R10 Districts within Community District 6 in the

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Borough of Manhattan), except that the #building# base modifications set forth in paragraphs (a) (1) through (a)(3) of Section 35-64 shall apply.

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ARTICLE VII – ADMINISTRATION

Chapter 3 – Special Permits by the Board of Standards and Appeals

* * *

73-641

Integration of new buildings or enlargements with existing buildings

For any such new #building# or #enlargement#, subject to the required findings set forth in this Section, the Board of Standards and Appeals may permit modifications of the applicable regulations in Sections 24-38, 33-28 or 43-28 (Special Provisions for Through Lots), or in Sections 24-50 through 24-55, inclusive, paragraphs (b) ~~and through (e)(d)~~ of Section 24-56, Sections 33-40 through 33-45, inclusive, or Sections 43-41 through 43-45, inclusive, relating to Height and Setback Regulations, or in Sections 24-61 through 24-65, inclusive, Section 33-51, or Section 43-51, relating to Court Regulations and Minimum Distance between Windows and Walls or Lot Lines, provided that on December 15, 1961, the applicant owned the #zoning lot# or

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any portion thereof, and continuously occupied and used one or more #buildings# located thereon for a specified #community facility use#, from December 15, 1961, until the time of application. However, for #Quality Housing buildings# utilizing the height and setback regulations of Article II, Chapter 3, as required by Sections 24-50 and 33-40, the Board shall not permit modification to the provisions of Sections 23-67 through 23-69, inclusive.

* * *