Zoning Resolution

THE CITY OF NEW YORK
Zohran K. Mamdani, Mayor

CITY PLANNING COMMISSION
Sideya Sherman, Chair

23-60 - ADDITIONAL DESIGN ELEMENTS

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23-60 - ADDITIONAL DESIGN ELEMENTS

LAST AMENDED
12/5/2024

23-61 - Street Trees and Planting

LAST AMENDED
12/5/2024

23-611 - Street tree planting

LAST AMENDED
12/5/2024

R1 R2 R3 R4 R5 R6 R7 R8 R9 R10 R11 R12

In all districts, as indicated, the following shall provide #street# trees in accordance with Section 26-41 (Street Tree Planting):

(a) #developments#, or #enlargements# that increase the #floor area# on a #zoning lot# by 20 percent or more. However, #street# trees shall not be required for #enlargements# of #single-# or #two-family residences#;

(b) #conversions# of 20 percent or more of the #floor area# of a #building# to a #residential use#; or

(c) construction of a #detached# garage that is 400 square feet or greater.

23-612 - Planting strips in residence districts

LAST AMENDED
12/5/2024

R1 R2 R3 R4 R5

In the districts indicated, the following shall provide and maintain a planting strip in accordance with Section 26-42:

(a) #developments#, or #enlargements# that increase the #floor area# on a #zoning lot# by 20 percent or more. However, planting strips shall not be required for #enlargements# of #single-# or #two-family# #residences#;

(b) #conversions# of 20 percent or more of the #floor area# of a #building# to a #residential use#; or

(c) construction of a #detached# garage that is 400 square feet or greater.

23-613 - Front yard planting requirements

LAST AMENDED
12/5/2024

R1 R2 R3 R4 R5 R6 R7 R8 R9 R10 R11 R12

In the districts indicated, the area of the #zoning lot# between the #street line# and all #street walls# of the #building# and their prolongations shall be planted at ground level, or in raised planting beds that are permanently affixed to the ground, except that such plantings shall not be required at the entrances to and exits from the #building#, within driveways accessing off-street parking spaces located within, to the side, or rear of such #building#, or in any area where there is a #permitted obstruction# permitted pursuant to Section 23-31, inclusive.

Planted areas shall be comprised of any combination of grass, groundcover, shrubs, trees, or other living plant material, and shall have a minimum dimension of one foot, exclusive of any bounding walls.

No #zoning lot# shall be altered in any way that will either create a new #non-compliance# or increase the degree of #non-compliance# with the provisions of this Section.

23-62 - Balconies

LAST AMENDED
12/5/2024

R1 R2 R3 R4 R5 R6 R7 R8 R9 R10 R11 R12

In the districts indicated, balconies may project into or over any open areas not occupied by #buildings# at that particular level, provided that:

(a) within any #yards#, #courts#, or other required open areas, such balcony shall:

(1) not project by more than one third of the depth of such areas specified above, or a distance greater than seven feet, whichever is less, as measured from the plane surface of the #building# wall from which it projects. However, where such balcony projects into any open area required pursuant to the application of height and setback regulations, the one third projection shall not apply;

(2) not cover more than 10 percent of any open area required pursuant to Section 23-30, inclusive, or any outdoor recreation space provided pursuant to Section 23-63; and

(3) have an aggregate width, at the level of any #story#, not exceeding 50 percent of the width at that level of the plane surface of the #building# wall from which it projects; and

(b) within any open areas, whether required or not, such balcony shall:

(1) be unenclosed except for #building walls# and parapets, railings, or safety guards, whether applied singly, or in combination, provided that:

(i) parapets shall not exceed four feet in height;

(ii) railings shall not exceed 4 feet, 6 inches in height and shall be at least 50 percent open for the portion that exceeds four feet in height; and

(iii) safety guards shall not exceed 10 feet in height and shall be at least 90 percent transparent materials for the portion that exceeds four feet in height. In addition, where such balcony has a roofed portion above it, there shall be an opening that is not less than 40 percent of the height between the bottom of the roof and the finished floor level of such balcony.

However, such balconies may be recessed into a #building# wall up to a maximum depth of six feet provided that at least 33 percent of the perimeter of such balcony is unenclosed except for a parapet, railing, or safety guard; and

(2) be located at least 13 feet above #curb level#, except that for #buildings# containing #residences# not more than 35 feet in height, such balcony may be located at or higher than the floor level of the second #story# provided that such balcony is located not lower than seven feet above #curb level# or seven feet above natural grade, whichever is higher.

23-63 - Required Recreation Space in Multiple Dwelling Residences

LAST AMENDED
12/5/2024

All #developments#, #enlargements#, #extensions# or #conversions# in #buildings# that are #multiple dwelling residences# that result in nine or more new #dwelling units# after December 5, 2024 shall provide recreation space in accordance with this Section.

Such recreation space may include, but shall not be limited to, fitness centers, pools, wellness services, sports courts, game rooms, outdoor spaces, or child play spaces.

The amount of recreation space required shall be equivalent to a minimum of three percent of the #residential# #floor area# of the #building#. Such space may be provided indoors or outdoors, singly or in combination. Where provided indoors, floor space may be exempted from the definition of

#floor area# pursuant to Section 12-10 (DEFINITIONS), provided that the standards of Section 23-231 (Floor area provisions for amenities) are met.

Additionally, such recreation space shall comply with the following standards:

(a) all recreation space shall be accessible to the residents of the #building#;

(b) the minimum dimension of any recreation space, in any direction, whether indoor or outdoor, shall be 15 feet;

(c) any outdoor recreation space shall be open to the sky, except that:

(1) #building# projections, not to exceed seven feet in depth, may cover up to 10 percent of the outdoor recreation space, provided that the lowest level of the projection is at least 10 feet above the level of the outdoor recreation space; and

(2) the combination of #building# projections, where provided, and any sun shading devices permitted pursuant to 23-311, including, but not limited to, arbors or trellises, awnings and other sun control devices, or canopies, may cover up to 50 percent; and

(d) any indoor recreation room shall have at least one exterior wall with windows, or ceiling with skylights, that measures not less than 9.5 percent of the total floor space of the room.

23-64 - Modification to Existing Recreation Space

LAST AMENDED
12/5/2024

Recreation space provided in #Quality Housing buildings#, in #buildings# #converted# pursuant to Article I, Chapter, or in any other #building# as part of requirements in effect prior to December 5, 2024, or recreation space that is provided pursuant to the requirements of Section 23-63 (Required Recreation Space in Multiple Dwelling Residences) after December 5, 2024, may be modified, relocated or otherwise reconfigured, provided that the requirements of Section 23-63 are met for all newly created spaces.