



Zoning Resolution

THE CITY OF NEW YORK
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CITY PLANNING COMMISSION
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APPENDIX E — Design Requirements for Plazas, Residential Plazas and Urban Plazas Developed Prior to October 17, 2007

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(12/19/19)

APPENDIX E

Design Requirements for Plazas, Residential Plazas and Urban Plazas Developed Prior to October 17, 2007

The following text has been relocated from Article II, Chapter 7, and Section 37-04 (Requirements for Urban Plazas). APPENDIX E is intended for reference purposes only and contains design requirements for #plazas#, #residential plazas# and #urban plazas# developed prior to October 17, 2007.

The provisions of Section 37-60 (PUBLICLY ACCESSIBLE OPEN AREAS EXISTING PRIOR TO OCTOBER 17, 2007) set forth instances where the provisions of this APPENDIX E are superseded.

RESIDENTIAL PLAZA STANDARDS

(4/21/77)

E 27 - 00

GENERAL PURPOSES

The purpose of this Chapter is to promote the development of an improved quality of residential plaza for the public.

(8/27/98)

E 27 - 01

Applicability of this Chapter

The provisions of this Chapter shall apply to all #developments# constructed after April 21, 1977 containing a #residential plaza# or #arcade# that qualifies for a #floor area# bonus under the following provisions:

Section 24-14 (Floor Area Bonus for a Residential Plaza)

Section 24-15 (Floor Area Bonus for an Arcade)

Section 34-223 (Floor area bonus for a residential plaza)

Section 35-35 (Floor Area Bonus for a Residential Plaza, Urban Plaza or Arcade in Connection with Mixed Buildings)

A #development# that contains a #residential plaza# and that has been granted a special permit by the City Planning Commission prior to February 9, 1994, may be started or continued pursuant to that special permit. However, this Chapter shall not apply within a Special Purpose District except where permitted within such Special Purpose District, nor shall it apply to any #development# pursuant to the Quality Housing Program, except as otherwise set forth therein.

After June 12, 1996, no foundation permit shall be issued by the Department of Buildings for any #development# that includes a #residential plaza# without certification by the Chairperson of the City Planning Commission that a site plan has been submitted indicating compliance with the provisions of this Section. An application for such certification shall be filed with the Chairperson showing the plan of the #zoning lot#, a site plan indicating the area and dimensions of the proposed #residential plaza# and the location of the proposed #development# or #enlargement# and all existing #buildings# temporarily or permanently occupying the #zoning lot#, computations of proposed #floor area#, including bonus #floor area#, and a detailed plan or plans demonstrating compliance with the provisions of this Section.

All plans for #residential plazas#, once certified, shall be filed and duly recorded in the Borough Office of the City Register of the City of New York, indexed against the property in the form of a legal instrument providing notice of the certification of the #residential plaza# pursuant to this Section. Such filing and recording of the instrument shall be a precondition for the filing for or issuance of any building permit for any #development# or #enlargement# on the #zoning lot#. The recording information shall be included on the certificate of occupancy for any #building#, or portion thereof, on the #zoning lot# issued after the recording date.

6/12/96

E 27 - 02

Definitions

Words in italics are defined in Section 12-10 (DEFINITIONS) or, if applicable exclusively to this Section, in this Section.

Northern plaza

A "northern plaza" is a primary space that has only northern exposure.

Primary space

A "primary space" is the major portion of a #residential plaza# that abuts a #street#, and is accessible to the public for recreational use.

Residual space

A "residual space" is the remaining portion of a #residential plaza# that is not a #primary space#. Such space may be used either for public recreation or as a landscaped visual amenity.

4/21/77

E 27 - 10

PRIMARY SPACE

A #primary space# shall consist of at least 60 percent of the total area of a #residential plaza# and shall be directly accessible to the public from the public sidewalk.

#Zoning lots# having a maximum #lot area# of 20,000 square feet shall aggregate such #primary space# in one location.

For #zoning lots# having a #lot area# in excess of 20,000 square feet, such #primary space# may be located in more than one location on the #zoning lot# provided that the area of at least one #primary space# is not less than 4,000 square feet.

4/21/77

E 27 - 11

Mandatory Requirements

4/21/77

E 27 - 111

Size and proportions

For #zoning lots# having a #lot area# of 20,000 square feet or more, the minimum dimension of any #primary space# shall be 40 feet measured perpendicular to the perimeter of the #primary space#, except that where a #primary space# has only one #street# frontage, the minimum dimension shall be 50 feet.

For #zoning lots# having a #lot area# less than 20,000 square feet but not less than 12,500 square feet, the minimum dimension of any #primary space# shall be 30 feet, except that where a #primary space# has only one #street# frontage or where the #primary space# links two #streets# which are parallel or within 45 degrees of being parallel to each other, the minimum dimensions shall be 40 feet.

For #zoning lots# having a #lot area# less than 12,500 square feet, the minimum dimension of any #primary space# shall be 30 feet, except that there shall be no minimum dimensional requirements for #primary space# on #corner lots# having a #lot area# less than 12,500 square feet.

For the purpose of dimensional calculations only, a driveway or a vehicular accessway may be counted towards the minimum dimensional requirements of a #primary space#. However, in no case may such driveway or a vehicular accessway be bonused as part of a #residential plaza#. Such driveway or vehicular accessway may be located only alongside a #side lot line# or adjacent to the wall of the #building# of the #development#, and shall not interrupt the continuous area of the #primary space#.

For #zoning lots# having a #lot area# of 12,500 square feet or more, the depth of any #primary space# having only one #street# frontage shall not be greater than twice the width of the #primary space street# frontage. For #zoning lots# having a #lot area# less than 12,500 square feet, the depth of any #primary space# having only one #street# frontage shall not be greater than two and a half times the width of the #primary space street# frontage.

A #primary space# having only one #narrow street# frontage, and a #primary space# that links two #streets# which are parallel or within 45 degrees of being parallel to each other, shall be permitted only when one of the adjacent #buildings# on the #zoning lot# of the #development# or on a #zoning lot# sharing a common #side lot line# with the #zoning lot# of the #development# abutting the #primary space# is not more than 65 feet in height or five floors, whichever is less, before a 10 foot setback is provided. Such restrictions shall be waived for a #primary space# of more than 80 feet in width measured with or without adjoining #residual space#.

4/21/77

E 27 - 112

Orientation

All #developments# shall provide southern exposure where possible to provide maximum sunlight in #primary space#. Other exposures are permitted only when southern exposure is not possible.

Following are the types of orientation of different #primary spaces# based upon the size and location of the #zoning lot#:

- (a) Southern exposure: A #street line# of the #zoning lot# which has exposure to sunlight in any direction from south to west;
- (b) Eastern exposure: A #street line#, 125 feet or more in length, of the #zoning lot# which has exposure to sunlight in any direction from east to south;
- (c) Western exposure: A #street line#, 125 feet or more in length, of the #zoning lot# which has exposure to sunlight in any direction from west to north;
- (d) Northern exposure: A #street line# of the #zoning lot# which has exposure to sunlight in any direction from north to east or a #street line# less than 125 feet in length, of the #zoning lot# which has exposure to sunlight in any direction from east to south or west to north.

In a #development# to which this Chapter applies:

The #primary space# of any #zoning lot# having a #street line# with southern exposure, as defined in this Section, shall abut that #street line#. The #primary space# of any #zoning lot# having a #street line# with eastern, and no southern, exposure, as defined, shall abut that #street line#.

The #primary space# of any #zoning lot# having a #street line# with western, and no southern or eastern, exposure, as defined in this Section, shall abut that #street line#.

The #primary space# of any #zoning lot# having a #street line# with northern, and no southern, eastern or western exposure, as defined in this Section, shall be #developed# as a #northern plaza# pursuant to Section E27-30 (NORTHERN PLAZA).

The orientation requirements may be waived or modified by the City Planning Commission provided the Commission certifies to the Commissioner of Buildings that due to the surrounding area and the site configuration, including the disposition of surrounding #buildings# which may cast a permanent shadow on the #plaza#, a modification will enhance the usability and design of the #primary space# and of the #building#.

4/21/77

E 27 - 113

Access

All #primary spaces# shall be accessible directly from an adjoining public sidewalk along at least 50 percent of the total #street# frontage. Driveways or vehicular accessways included as part of the minimum dimension calculated, may not be counted as providing access.

All #primary spaces# shall be accessible to the public at all times, except that for a #primary space# having only one #narrow street# frontage, or a #primary space# which links two #streets# that are parallel or are within 45 degrees of being parallel, access may be restricted between the hours of 8:00 p.m. or dark whichever is later and 8:00 a.m. Such access may be restricted by the use of horizontal railings and/or vertical bars of a maximum one and 1/2 inch thickness and lockable gates. The railings when placed along the perimeter of the #primary space# shall occupy not more than 50 percent of the #street# frontage of the #primary space#, and shall not be higher than 8 feet, 0 inches. Gates, when placed along the perimeter of the #primary space#, when open during hours of accessibility, shall allow access along at least 50 percent of the #street# frontage of the #primary space# or 40 feet, whichever is less, and shall not be higher than eight feet. Such gates shall remain unlocked between the hours of 8:00 a.m. and 8:00 p.m. or dark whichever is later. In order to allow maximum visibility from the public sidewalk, the bars of any horizontal railing and/or vertical bars and gate shall be at least five inches apart. Spikes, pointed railings or other sharp objects shall not be placed anywhere within the #primary space#, except that such railings as permitted above may be pointed. Enclosures designed without horizontal railings and/or vertical bars may be permitted provided the City Planning Commission certifies to the Commissioner of Buildings that such design will enhance the quality and visual access of the #primary space#.

4/21/77

E 27 - 114

Access for the physically disabled

The following standards shall apply to assure access for disabled persons into and within all #primary spaces#.

There shall be at least one path of travel to major portions of #primary space# which in area total at least 60 percent of the unobstructed #primary space# area, and a path to any building lobby accessible from the #primary space#. All paths shall have a minimum width of five feet, except where specific provisions require a greater width, free and clear of all obstructions.

Ramps shall be provided alongside any stairs or steps which provide access to or within #primary spaces#. Ramps shall have a minimum width of 3 feet, 0 inches, a slope of not greater than 1:12, a non-skid surface, and, for open-edged ramps, a two-inch high safety curb. At each end of a ramp there shall be a level area, which may be public sidewalk, at least five feet long.

All stairs or ramps within such paths shall provide handrails. Handrails shall be 2 feet, 8 inches high, have a midrail not lower than 16 inches and not higher than 22 inches, and shall extend at least 18 inches beyond the stair or ramp ends.

Where stairs are used to affect changes of grade for such paths they shall have closed risers, no projecting nosings, a maximum riser height of seven and 1/2 inches, and a minimum tread width of 11 inches.

4/21/77

E 27 - 115

Elevation

All #primary spaces# shall be located at an elevation not more than three feet above or below the #curb level# of the nearest adjoining sidewalk.

A #primary space# fronting on one #street#, or a #primary space# which links two #streets# which are parallel or within 45 degrees of being parallel to each other, shall be at the same elevation as the adjoining public sidewalk along the #street# frontage providing access, pursuant to Section E27-113 (Access), for a minimum depth of 10 feet measured perpendicular to the #street line#.

When the size of a #primary space# is 8,000 square feet or more, a maximum of 25 percent of its area may be located at an elevation more than three feet above or below the nearest adjoining sidewalk, which area however may not be located within a depth of 10 feet from the sidewalk, measured perpendicular to the #street line#.

When there is a grade change of at least three feet in 100 along the portion of #street# upon which a #primary space# of 4,000 square feet or more fronts, for a distance of at least 100 feet, the level of such #primary space# may be located at an elevation greater than three feet above or below the #curb level#, provided the City Planning Commission certifies to the Commissioner of Buildings that such elevation will enhance the usability and design while maintaining safety and visibility of the #primary space#.

Where an existing subway station entry is located on the sidewalk area abutting a #primary space#, the #primary space# shall be developed at the same elevation as the adjoining sidewalk for a distance of at least 15 feet in all directions from the entry. No obstruction shall be permitted within such portion of the #primary space#.

4/21/77

E 27 - 116

Treatment of adjoining walls

Any exposed blank walls of a #building# which is located at the #lot line# of an adjacent #zoning lot# and which abuts a #primary space# shall be:

- (a) covered with vines or similar planting; or
- (b) contain artwork or be treated so as to enhance the visual quality of the #primary space#.

Plants shall be planted in soil having a depth of not less than two feet, six inches, and a minimum width of 24 inches. If artwork is being used, approval by the New York City Art Commission shall be obtained prior to the Certificate of Occupancy being issued for the #development#.

Whenever an adjoining wall, which is required to be treated in accordance with the provisions of this Section, is in separate ownership the owner of such adjoining wall if it is a party wall shall grant to the party required to treat the wall adjoining the #primary space#, a license to perform such treatment of the wall, however, the owner may in granting such license reserve the right to perform any work necessary for safety or maintenance of the wall.

4/21/77

E 27 - 117

Lighting

All #primary spaces# shall be illuminated at an overall minimum average level of not less than two horizontal foot candles during the hours of darkness.

To minimize the adverse effect on the surrounding #residential buildings#, such lighting shall be shielded.

4/21/77

E 27 - 118

Paving

The #primary space# shall be paved with unit pavers, such as bricks or quarry tiles, and/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 non-skid surface when wet or dry.

4/21/77

E 27 - 12

Mandatory Amenities

All #primary spaces# shall provide amenities as set forth in this Section, which amenities shall be subject to the restrictions for total area occupied by amenities, as set forth in Section E27-14 (Optional Amenities).

4/21/77

E 27 - 121

Seating

All #primary spaces# shall provide a minimum of one linear foot of seating for each 30 square feet of the #primary space#. Such seating shall have a minimum depth of one foot, four inches. Seating with backs at least one foot high shall have a minimum depth of one foot, two inches. Seating two feet, six inches or more in depth shall count as double provided there is access on both sides.

For the benefit of handicapped persons, a minimum of ten percent of the required seating shall have backs.

Seating higher than three feet or lower than one foot above the level of the adjacent walking surface shall not count towards meeting the seating requirements. Moveable seating or chairs may be credited as two feet, six inches of linear seating per chair. Movable seating shall not exceed 50 percent of the total required. Steps shall not count towards the seating requirements. The top of walls, including but not limited to those which bound planting beds, fountains or pools, may be counted as seating when they conform to the dimensional standards set forth herein.

12/15/77

E 27 - 122

Tree planting

All #primary spaces# shall provide a minimum of one tree per 1,000 square feet of #primary space# area.

Such trees shall be of four-inch caliper. Each tree shall be planted in at least 3.5 cubic yards of top soil per tree, with a depth of soil not less than three feet, six inches and be planted either with grating flush to grade or in a planting bed with a minimum continuous area of 75 square feet.

Where trees are planted pursuant to this Section prior to April 1, 1978, such planting may be undertaken in accordance with the tree caliper requirements existing prior to December 15, 1977.

4/21/77

E 27 - 123

Bicycle parking facilities

All #primary spaces# shall provide bicycle parking facilities. There shall be facilities for parking two bicycles for every 1,000 square feet of #primary space#.

4/21/77

E 27 - 124

Drinking fountains

All #primary spaces# shall provide at least one drinking fountain.

4/21/77

E 27 - 13

Additional Amenities

In addition to the mandatory amenities required above, all #primary spaces# shall provide at least two of the amenities listed in this Section. These amenities are to be provided in addition to, and not in place of, those amenities required by Section E27-12 (Mandatory Amenities), and shall be subject to the restrictions for total area occupied by amenities as set forth in Section E27-14 (Optional Amenities).

A #primary space# shall provide at least two of the following amenities as set forth in Sections E27-131 through E27-137, inclusive.

4/21/77

E 27 - 131

Tree planting

A minimum of one tree per 2,000 square feet of #primary space# area.

4/21/77

E 27 - 132

Planting

Planters, including hanging planters, or planting beds containing live plant materials such as seasonal flowers, shrubs, ivy, or other plants occupying a total area not less than 150 square feet for each 1,000 square feet of #primary space#. The area occupied by an individual planter that is permanent in nature, or a planting bed, shall be at least 30 square feet with a depth of soil of at least two feet.

Hanging planters shall be exempt from these minimum size and location provisions.

4/21/77

E 27 - 133

Grass and other ground cover

A total of 150 square feet of grass or other ground cover for each 1,000 square feet of #primary space#. Such grass or other ground cover shall be planted in a soil depth of at least two feet, six inches.

4/21/77

E 27 - 134

Game tables

Game tables and seating to accommodate 16 persons for the #primary space# for each #zoning lot#. The seating shall conform to the dimensional standards for seating as set forth in Section E27-121 (Seating).

4/21/77

E 27 - 135

Artwork

A work of art, such as sculpture, for the #primary space# for each #zoning lot#. Such artwork shall be subject to approval by the New York City Art Commission, which approval shall be obtained before a final certificate of occupancy is issued for the #development#.

4/21/77

E 27 - 136

Fountains and pools

An ornamental fountain or a reflecting pool occupying an area not less than 300 square feet for the #primary space# for each #zoning lot#.

4/21/77

E 27 - 137

Play equipment

One play apparatus or facility such as cross bars, climbers, swings, sandbox, paddle pool or similar play facility, for each 1,000 square feet of #primary space# area.

The play equipment or facilities shall not be located within 40 feet of any #wide street lot line#. All play equipment or facilities shall meet safety standards set forth by the Federal Consumer Products Safety Council.

When this amenity is chosen, the mandatory trees may be reduced to half the required amount as set forth for the #primary space# in Section E27-122 (Tree planting), for that #zoning lot#.

4/21/77

E 27 - 14

Optional Amenities

The #primary space# may also include additional numbers of the amenities mentioned above and other amenities such as arbors, trellises, litter receptacles, outdoor furniture, light stands, flag poles, public telephones, awnings, canopies, bollards, subway station entrances, and drinking fountains which are operable by wheel chair users.

The total area occupied by all amenities, mandatory, additional and optional, shall not exceed 60 percent of the total #primary space# area of the #residential plaza#.

The area occupied by such amenities shall be measured by outside dimensions. Amenities that are non-permanent or movable, such as movable chairs, game tables, movable planters shall not be measured as individual pieces of furniture but rather be confined within a gross area designated on a site plan. Trees shall not count as amenities occupying an area for the purpose of calculating the total area occupied by amenities. Planters or planting beds and their retaining walls for trees, seasonal flowers, shrubs, ivy or other plants shall count towards the total area occupied by amenities.

4/21/77

E 27 - 20

RESIDUAL SPACE

#Residual space# shall abut a public sidewalk or a #primary space# and shall be developed either as a landscaped visual amenity or as usable space for the general public in accordance with the provisions of this Section. Not more than 40 percent of the total area of #residential plaza# on a #zoning lot# shall be developed as #residual space#.

All #residual spaces# shall conform to the standards set forth in Sections E27-115 (Elevation), E27-116 (Treatment of adjoining walls), E27-117 (Lighting), and E27-118 (Paving).

4/21/77

E 27 - 21

Visual Residual Space

The total area of the visual #residual space# shall be landscaped, except for the entrance paths to the #building# which paths may not occupy more than 30 percent of such visual #residual space#.

The visual #residual space# shall be landscaped with trees, planters or planting beds with flowers and shrubs, ivy, grass or similar ground cover, ornamental fountains, reflecting pools, artwork or other plants, sculpture or unenclosed pavilions when such unenclosed pavilion is extended from an adjoining #northern plaza#.

The visual #residual space# may be enclosed with railings or fences for safety and maintenance. In order to allow maximum visibility from the public sidewalk the railings or fences shall not be higher than three feet above the visual #residual space# level or #curb level#, whichever is higher, and the bars of such railings and fences shall be at least five inches apart.

4/21/77

E 27 - 22

Usable Residual Space

The #residual space# when developed as usable #residual space# shall be accessible to the public and shall conform to the standards set forth in Section E27-113 (Access).

A usable #residual space# shall be located abutting a #street#. The total area occupied by amenities shall not exceed 50 percent of total usable #residual space# of the #residential plaza#.

All usable #residual space# shall provide seating in accordance with the provisions of Section E27-121 (Seating) or Section E27-321 (Seating) when the #zoning lot# provides a #northern plaza#. In addition, a usable #residual space# shall provide at least one of the amenities listed in Sections E27-221 through E27-225.

4/21/77

E 27 - 221

Tree planting

A minimum of one tree per 1,000 square feet of usable #residual space#. Such trees shall conform to the standards set forth for caliper and soil in Section E27-122 (Tree planting).

4/21/77

E 27 - 222

Planting

Planters or planting beds containing live plant materials such as seasonal flowers, shrubs, ivy or other plants occupying a total area of not less than 150 square feet for 1,000 square feet of usable #residual space#. Such planter shall conform to the standards set forth for size and depth in Section E27-132 (Planting).

4/21/77

E 27 - 223

Grass and other ground cover

A total of 150 square feet of grass or other ground cover for each 1,000 square feet of usable #residual space#. Such grass or other ground cover shall be planted in a soil depth of at least one foot six inches.

4/21/77

E 27 - 224

Artwork

A work of art such as sculpture for the usable #residual space# for each #zoning lot#. Such artwork shall be subject to approval by the New York City Art Commission, which approval shall be obtained before a final Certificate of Occupancy is issued for the #development#.

4/21/77

E 27 - 225

Fountains and pools

An ornamental fountain or a reflecting pool occupying an area not less than 300 square feet, for the usable #residual space# for each #zoning lot#.

4/21/77

E 27 - 226

Optional amenities

The usable #residual space# may also include additional amenities mentioned above and other amenities such as arbors, trellises, litter receptacles, outdoor furniture, light stands, flag poles, public telephones, awnings, canopies, bollards, drinking fountains which are operable by wheelchair users, and unenclosed pavilions when such unenclosed pavilion is extended from an adjoining #northern plaza#.

4/21/77

E 27 - 30

NORTHERN PLAZA

Any #primary space# which pursuant to Section E27-112 (Orientation) is a #northern plaza# shall comply with the requirements of this Section.

4/21/77

E 27 - 31

Mandatory Requirements

All #northern plazas# shall conform to the mandatory requirements set forth for #primary space# in Section E27-11 (Mandatory Requirements).

4/21/77

E 27 - 32

Mandatory Amenities

All provisions of Section E27-12 (Mandatory Amenities) shall be applicable to #northern plazas# except as modified by this Section.

4/21/77

E 27 - 321

Seating

All #northern plazas# shall provide a minimum of one linear foot of seating for each 80 square feet of #northern plaza# area and conform to the standards set forth for seating in Section E27-121 (Seating).

4/21/77

E 27 - 322

Planting

All #northern plazas# shall conform to the provisions for planting as set forth in Section E27-132 (Planting). Those species which have the ability to flourish in shade are recommended in #northern plazas#.

4/21/77

E 27 - 33

Additional Amenities

In addition to the mandatory amenities required above, all #northern plazas# shall provide at least two of the amenities listed in this Section.

These amenities are to be provided in addition to, and not in place of, those amenities required by Section E27-32 (Mandatory Amenities), and shall be subject to the restrictions for total area occupied by amenities as set forth in Section E27-34 (Optional Amenities).

A #northern plaza# shall provide at least two of the following amenities.

4/21/77

E 27 - 331

Planting

Planters or planting beds containing live plant materials such as seasonal flowers, shrubs, ivy, or other plants occupying an area not less than 150 square feet per 1,000 square feet of a #northern plaza#.

4/21/77

E 27 - 332

Artwork

A work of art such as sculpture, for each #northern plaza#. Such artwork or sculpture shall be subject to approval by the New York City Art Commission which approval shall be obtained before a final Certificate of Occupancy is issued for the #development#.

4/21/77

E 27 - 333

Fountains and pools

An ornamental fountain or a reflecting pool occupying an area not less than 300 square feet for each #northern plaza#.

4/21/77

E 27 - 334

Pavilions

A pavilion is a one #story# structure for the use of the public, constructed predominantly of transparent materials such as glass or plastic.

The clear height of the ceiling of the pavilion shall not be less than ten feet from the #northern plaza# level. However, when the pavilion occupies 60 percent or more of the #northern plaza# the clear height of the ceiling of the pavilion shall not be less than 12 feet from the #northern plaza# level. Not less than 50 percent of a pavilion roof shall be of transparent or translucent materials in conformance with the Building Code.

A pavilion shall be developed as an integral part of the #northern plaza# upon which it is located, in accordance with the standards set forth in Section E27-30 (NORTHERN PLAZA).

All amenities may be located inside or outside such pavilion.

A pavilion shall be either unenclosed along its sides and called "unenclosed pavilion" or be enclosed with walls and called "enclosed pavilion."

An unenclosed pavilion shall be accessible directly at all times from an adjoining public sidewalk or from the remaining portion of the #northern plaza# along at least 75 percent of the total linear frontage of its boundary with the public sidewalk and/or #northern plaza#. The perimeter of such pavilion shall have no walls. The interior of the pavilion shall be totally visible from the adjacent public sidewalk. Such pavilion may occupy the entire #northern plaza# area. For the purpose of calculating the area occupied by an amenity, an unenclosed pavilion shall not be considered as an amenity occupying an area.

The aggregate area occupied by an enclosed pavilion shall not exceed 20 percent of the total area of the #northern plaza# measured by exterior dimensions.

An enclosed pavilion shall be directly accessible to the public from at least 8 a.m. to 8 p.m. or until dark, whichever is later, through doors and openings occupying not less than 25 percent of the linear frontage with its total boundary with the #northern plaza# and/or public sidewalk. The interior of the pavilion shall be visible from the adjoining public sidewalk. Not less than 80 percent of the total surface area of the pavilion walls and doors shall be of non-colored transparent material. For the purpose of measurement an enclosed pavilion shall be considered as an amenity occupying an area. At no time shall the dimensions of the remaining portion of the #northern plaza# be less than the minimum required dimension for a #zoning lot# as set forth in Section E27-111 (Size and proportion).

In all cases the floor space of a pavilion shall be excluded from the definition of #floor area#.

4/21/77

E 27 - 34

Optional Amenities

A #northern plaza# may also include additional numbers of the amenities mentioned above and other amenities such as arbors, trellises, litter receptacles, outdoor furniture, light stands, flag poles, public telephones, awnings, canopies, bollards, subway station entrances, and drinking fountains which are operable by wheelchair users.

The total area occupied by all amenities, mandatory, additional and optional, shall not exceed 60 percent of the total #northern plaza# area of the #residential plaza#.

The area occupied by amenities shall be measured by outside dimensions. Amenities that are non-permanent or movable such as movable chairs, game tables or movable planters shall not be measured as individual pieces of furniture but rather be confined within a gross area designated on a site plan. Trees shall not count as amenities occupying an area for the purpose of calculating the total area occupied by amenities. Planters or planting beds and their retaining walls for trees, seasonal flowers, shrubs, ivy or other plants shall count towards the total area occupied by amenities.

4/21/77

E 27 - 40

MAINTENANCE

To ensure that convenience, safety and enjoyment of the general public, all #residential plazas# shall conform to the following standards of maintenance.

4/21/77

E 27 - 41

Maintenance Requirements

The building owner shall be responsible for the maintenance of the #residential plaza# including, but not limited to, the confinement of permitted amenities, litter control, and the care and replacement of vegetation within the #zoning lot# and in the #street# sidewalk area adjoining the #zoning lot#.

Litter receptacles shall be provided with a minimum capacity of two cubic feet for each 1,000 square feet of #primary space# of the #residential plaza#.

4/21/77

E 27 - 42

Plaques

A plaque or other permanent sign shall be displayed on all #residential plazas# in a prominent location, visible from the adjacent public sidewalk.

Such plaque or permanent sign shall have a surface area of not less than three nor more than six square feet, and shall contain the following statement: "This Plaza is open to the Public." It shall also contain the International Symbol of Access, the statement: "This plaza is accessible to the physically disabled," and the following information:

- (a) the type and quantity of mandatory amenities and additional amenities;
- (b) the name of the owner;
- (c) the name and address of whomever the owner has designated to maintain the #residential plaza#; and
- (d) in addition it shall contain the following statement:

"Complaints regarding this plaza may be addressed to the Department of City Planning or the Department of Buildings, the City of New York."

For a #primary space# of a #residential plaza# that is enclosed with railings and is entered through a gate pursuant to Section E27-113 (Access), the plaque shall be displayed at the entrance to such #primary space# and shall contain the hours during which the #primary space# is open.

4/21/77

E 27 - 43

Vehicle, Refuse and Exhaust Prohibitions

No parking spaces, passenger drop off, driveways, or loading berths are permitted as part of a #residential plaza#.

No building trash storage facilities are permitted as part of a #residential plaza#.

No exhaust vents are permitted as part of a #residential plaza#, except within visual #residual spaces#, nor are exhaust vents permitted on a building wall or the #development# fronting on such #residential plaza# unless such intakes and vents are more than ten feet six inches above the level of the #residential plaza# or #curb level#, or above the roof of a pavilion, whichever is higher.

4/21/77

E 27 - 44

Performance Bonds

Prior to obtaining any certificate of occupancy from the Department of Buildings, the building owner shall post to the Comptroller of the City of New York, a performance bond, City securities or fixed income securities, at

the Comptroller's discretion, to insure the mandatory tree planting, movable seating, bicycle parking facilities, drinking fountain, plaque, and the litter-free maintenance of the #residential plaza#, including the replacement of such trees, bicycle parking facilities and plaques and movable seating during the life of the #development#.

The value of the bond, City securities or fixed income securities, if rendered prior to January 1, 1980, shall be at a rate of \$400 per required tree, \$100 per movable chair, and \$100 per 1,000 square feet of #residential plaza# for litter removal as set forth in this Section.

In the event that the Department of City Planning receives a complaint, the Chairperson of the City Planning Commission shall investigate and make a determination whether there has been a failure in the required performance of the owner concerning the #residential plaza#, its amenities or maintenance. In the event of a failure in the required performance, the Chairperson shall notify the building owner in writing and shall stipulate the period of time in which the building owner has to correct the failure.

If the failure is not corrected in the stipulated time, the Chairperson may declare the building owner in default of the required performance, and the City may enforce the obligation by whatever means may be appropriate to the situation, including letting contracts for doing any required planting, installation or maintenance and paying all labor, material and other costs connected with such work from the bond, City securities or fixed income securities that the building owner is required to post.

In the event that the City enforces the aforesaid obligation as provided for in this Section, the building owner shall, within 90 days of such enforcement, provide the City with an additional bond, City securities or fixed income securities in an amount not less than that which was expended to cure the default. In the event of a failure in furnishing additional bond or securities to replace the bond used up, the City may enforce the obligation by whatever means may be appropriate to the situation.

At five year intervals, after January 1, 1980, the City Planning Commission, with the approval of the City Council, shall establish new rates for the mandatory tree planting, movable seating and other amenities and litter-free maintenance of the #residential plaza#.

PLAZA STANDARDS

6/12/96

E 27 - 50

PLAZA STANDARDS OF 1961

A "plaza" shall be accessible to the public at all times, except as provided for in Section 37-06 (Nighttime Closing of Existing Public Open Areas), and shall be either:

- (a) along a #front lot line#, a continuous open area not less than 10 feet deep (measured perpendicular to the #front lot line#), with an area of not less than 750 square feet, and extending for its entire depth along the full length of such #front lot line# or for a distance of at least 50 feet thereof, whichever is the lesser distance;
- (b) on a #through lot#, a continuous open area extending from #street# to #street# and not less than 40 feet in width, measured perpendicular to the nearest #side lot line#;

- (c) on a #corner lot#, an open area of not less than 500 square feet, that is bounded on two sides by the two intersecting #street lines# and has a minimum dimension of 10 feet; or
- (d) an open area of not less than 8,000 square feet, with a minimum dimension of 80 feet, that is bounded on one side by a #front lot line# or is connected to the #street# by means of an #arcade# or by an open area not less than 40 feet wide.

Except for an open area as set forth in paragraph (d) of this Section, no portion of such an open area that is bounded on all sides, except for one opening, by either building walls, or building walls and a #side lot line#, shall be considered part of the #plaza#, unless the opening of such portion is at least 50 feet in width.

A #plaza# shall not at any point be more than five feet above, nor more than 12 feet below, the #curb level# of the nearest adjoining #street#, and shall be unobstructed from its lowest level to the sky, except that arbors or trellises, awnings or canopies, railings not less than 50 percent open and not exceeding 3 feet, 8 inches in height, flag poles, open terraces or porches, steps, subway station entrances, ornamental fountains or statuary, or unenclosed balconies subject to the provisions of Section 23-13 or 24-165 (Balconies in R3 through R10 Districts), shall be considered permitted obstructions in #plazas#.

URBAN PLAZA STANDARDS

4/25/01

E 37 - 04

Requirements for Urban Plazas

All #urban plazas# shall comply with the provisions of this Section. These provisions may be modified pursuant to Sections 74-91 (Modification of Urban Plazas) and 81-23 (Floor Area Bonus for Urban Plazas).

(a) Area dimensions

An #urban plaza# shall contain an area of not less than 1,600 square feet. In no case may spaces between existing #buildings# remaining on the #zoning lot# qualify as #urban plazas#. In addition, in order to preserve the provisions relating to the boundaries, proportions and obstructions of #urban plazas#, on any one #zoning lot#, an open area which does not qualify for bonus #floor area# may not be located between two #urban plazas#, or between an #urban plaza# and a building wall or #arcade# of the #development#.

(b) Locational restrictions

In other than C5-5 or C6-9 Districts, no #urban plaza#, or portion thereof, is permitted to occupy more than 33 percent of the frontage of the #zoning lot#, or portion thereof, within 175 feet of an existing #plaza#, #urban plaza#, #public park# or urban park that occupies more than 33 percent of its #block# frontage on the same or opposite side of the same #street# and has a depth of at least 12 feet. The distance of 175 feet shall be measured along the #street# on which the existing amenity fronts.

(c) Restrictions on orientation

In other than C5-5 or C6-9 Districts, the following restrictions shall apply to all #urban plazas#:

For purposes of the orientation requirements, a "north-facing," "south-facing," "east-facing" or "west-facing" #street line# means a #street line# facing within 27 degrees of the direction indicated. "To front on a #street#" means to be contiguous to the #street line# or to a sidewalk widening along the #street line#.

- (1) Where the major portion of an #urban plaza# fronts on only one #street line#, such major portion is not permitted to front on a north-facing #street line# of a #zoning lot#.
- (2) No major portion of an #urban plaza# shall only front on a west-facing #street line# or an east-facing #street line# if the #zoning lot# also has frontage that is 40 feet or more in length on a south-facing #street line#.
- (3) An #urban plaza# that is located on an intersection of two #streets# must have its major portion, as defined in paragraph (d)(2) of this Section, front on the south-facing #street line#. In the case of a #zoning lot# having frontage on a south-facing #street line# of less than 40 feet, or having its frontage at the intersection of a north-facing #street line# with either an east- or west-facing #street line#, the major portion must front on the east- or west-facing #street line#.

(d) Requirements for major portions of #urban plazas#

- (1) All contiguous #urban plaza# areas on a #zoning lot# shall be considered as one #urban plaza#.
- (2) The shape and dimensions of an #urban plaza# shall be such that for a major portion of the #urban plaza#, comprising at least the percentage of total area specified herein, all points within such major portion shall be visible from all other points therein. For the purposes of this regulation, points that when viewed in plan may be joined by a straight line shall be considered visible one from the other; visibility between points shall not be affected by permitted obstructions or by changes of grade.

The major portion of an #urban plaza# shall be at least 70 percent of the #urban plaza's# total area, except that in the case of a through #block urban plaza# as defined in paragraph (e) of this Section, the major portion shall be at least 50 percent of such #urban plaza's# total area. The major portion of the #urban plaza# shall be subject to the proportional requirements set forth in paragraphs (d)(4) and (d)(5) of this Section.

- (3) The major portion of an #urban plaza# shall have a minimum dimension of 40 feet. The remaining portion of such #urban plaza# shall have a minimum dimension of 20 feet. Dimensions shall be measured parallel and perpendicular to the #street line# on which the #urban plaza# fronts.
- (4) For major portions of #urban plazas# with frontage on two or more intersecting #streets#, the length of the frontage along any one #street# shall not be greater than three times the average depth of the #urban plaza# measured perpendicular to the #street line# of said #street# from the building wall that faces it.
- (5) For major portions of #urban plazas# with frontage on only one #street#, at no point shall the depth from the building wall or rear #lot line# that faces the #street# to the #street line# be less than one-third nor more than three times the length of the frontage of the major portion along

such #street line#.

(e) Regulations for through #block urban plazas#

Where an #urban plaza# or portion of an #urban plaza# extends through the #block# connecting two #streets# that are parallel or within 45 degrees of being parallel to each other, and any building wall or walls adjoin such through #block urban plaza# or through #block# portion of an #urban plaza#, no more than 120 feet aggregate length of such walls within 50 feet of the opposite side of the through #block urban plaza# shall exceed 90 feet in height from the surface of the #urban plaza#. In addition to the 20 feet minimum width requirement described in paragraph (d)(3) of this Section, such a through #block urban plaza# shall maintain a straight path at least 15 feet in width, free of any obstructions from #street line# to #street line#.

(f) Circulation and access

(1) To facilitate access to an #urban plaza#, within 10 feet of a #street line# or sidewalk widening, along at least 50 percent of each #street# frontage of the major portion and the entire #street# frontage of the remaining portion of an #urban plaza#, the surface of the #urban plaza# shall be at the same elevation as the adjoining public sidewalk. Along at least 50 percent of each #street# frontage of the major portion and at least 50 percent of each #street# frontage of the remaining portion of an #urban plaza#, for a depth of at least 20 feet from the #street line#, there shall be no obstruction to public access to the #urban plaza# from a sidewalk or sidewalk widening. For the remaining 50 percent of the frontage and within 20 feet of the #street line#, no walls or other obstructions shall be higher than three feet above the #curb level# of the #street line# in front of the #urban plaza#. However, the City Planning Commission may permit, by authorization, certain obstructions such as light stanchions, flag poles, trash receptacles, public space signage or other features to be located in the #urban plaza# within 20 feet of the #street line#, provided that the Commission finds that:

- (i) such obstructions are desirable or necessary features for the public enjoyment of the #urban plaza#; and
- (ii) sufficient public access additional to the minimum required under the provisions of this paragraph (Circulation and access) is provided to offset any adverse impact on public circulation or access caused by the obstructions or features permitted by such authorization.

The Commission shall furnish a copy of the application for such authorization to the affected Community Board and the local Council Member at the earliest possible stage and will give due consideration to their opinions as to the appropriateness of such obstructions. If the Community Board or local Council Member elects to comment on such application, it must be done within 45 days of such application.

(2) The level of an #urban plaza# shall not at any point be more than three feet above or below the #curb level# of the nearest adjoining #street# in front of the major portion of the #urban plaza#; however, an #urban plaza# with an area of 10,000 square feet or more may additionally

have a maximum of 15 percent of its area at an elevation more than three feet above or below, but not more than five feet above or below #curb level# of the nearest adjoining #street# in front of the major portion of the #urban plaza#.

- (3) Where there is a grade change of at least 2.25 feet in 100 feet along a portion of a #street# fronted upon, for a distance of at least 75 feet, by an #urban plaza# with an area of 10,000 square feet or more, the level of such #urban plaza# may be at any elevation that is not more than five feet above or below the #curb level# of the nearest adjoining #street# in front of the #urban plaza#. Along the length of frontage not required for access, no wall higher than three feet above the level of the adjoining sidewalk may be constructed.
- (4) For areas of #urban plazas# not obstructed by permitted obstructions as set forth in paragraph (f)(1) of this Section, a circulation path shall be provided of at least five feet clear width. A major public path at least eight feet in width shall extend to at least 75 percent of the depth of the major portion of the #urban plaza#, measured from the #street line#.
- (5) Where an entry to a subway station exists in the sidewalk area of a #street# on which an #urban plaza# fronts and such entry is not replaced within the #urban plaza# itself, the #urban plaza# shall be #developed# at the same elevation as the adjacent sidewalk for a distance of at least 15 feet in all directions from the entry superstructure. Such #urban plaza# area around a subway entry shall be free of all obstructions.
- (6) Where an entry to a subway station is provided within the #urban plaza# itself, stairs shall have a minimum width of 10 feet.
- (7) All #urban plazas# shall be accessible to the public at all times, except where the City Planning Commission has authorized a nighttime closing in accordance with Section 37-06 or, within C6-4X Districts, for a #development# or #enlargement# with more than 25 percent of its total #floor area# occupied by #residential use#, where the Chairperson of the City Planning Commission certifies to the Commissioner of Buildings that:
 - (i) the enclosure or barrier that limits public access shall not obstruct access to the #urban plaza# or impede pedestrian circulation into, through or along the frontage of the #urban plaza# during hours of public access, and shall allow visibility of the #urban plaza# when the enclosure or barrier is in closed position;
 - (ii) public access to the #urban plaza# will be provided, at a minimum, between the hours of 7:00 a.m. and 8:30 p.m. from May 1 to September 30 and from 7:00 a.m. to 7:00 p.m. from October 1 to April 30, and that the hours of public access to the #urban plaza# shall be prominently displayed on a plaque affixed to the enclosure or barrier at each #street# frontage of the #urban plaza#; and
 - (iii) the #urban plaza# shall be illuminated at night in accordance with paragraph (n) of this Section.

All applications for such certification shall include detailed plans demonstrating compliance with the provisions of this paragraph, (f)(7), inclusive. The plans shall include, but not necessarily be limited to, a site plan and elevation showing location and dimensions of the

proposed gates, fences or other enclosure devices, and signage indicating hours of public access to the #urban plaza#. All such plans, once certified, shall be filed and duly recorded in the Borough Office of the City Register of the City of New York, indexed against the property in the form of a legal instrument providing notice of certification pursuant to this Section. Such filing and recording of the instrument shall be a precondition for the restricted hours of public access of an #urban plaza#. The recording information shall be included on the certificate of occupancy for any #building#, or portion thereof, on the #zoning lot#, issued after the recording date.

(g) Permitted obstructions

- (1) #Urban plazas# shall be unobstructed from their lowest level to the sky except for the following features, equipment and appurtenances normally found in #public parks# and playgrounds: fountains and reflecting pools; waterfalls; sculptures and other works of art; benches; seats; trees planted at grade or in planting beds; bushes and flowers in planters or in planting beds; arbors or trellises over public seating areas; litter receptacles; bicycle racks; outdoor furniture; lights and lighting stanchions; flag poles; public telephones; public toilets; temporary exhibitions; awnings or canopies over the entrances to retail stores fronting on the #urban plaza#; bollards; subway station entrances, which may include escalators; and drinking fountains. If drinking fountains are provided, at least one fountain shall be accessible to wheelchair users by being 30 inches high, hand-and-foot operated, and display the International Symbol of Access. In addition to the obstructions listed in this paragraph, #urban plazas# having an area of 10,000 square feet or more may include an open air amphitheater or an outdoor ice skating rink. However, an area occupied in aggregate by such permitted obstruction shall not exceed the maximum percentage cited in paragraph (g)(2) of this Section.
- (2) Permitted obstructions may occupy a maximum percentage of the area of a #urban plaza#, as follows:

For #urban plazas# less than 5,000 square feet in area: 38 percent

For #urban plazas# at least 5,000 square feet in area and less than 10,000 square feet in area: 40 percent

For #urban plazas# 10,000 square feet or more in area: 50 percent

The area of permitted obstructions shall be measured by outside dimensions. Obstructions that are non-permanent or movable, such as movable chairs, open air cafes, or temporary exhibitions shall be confined within gross areas designated on the site plan, and not measured as individual pieces of furniture.

Trees do not count as obstructions for the purpose of calculating total area occupied by

permitted obstructions. Planting beds and their retaining walls for trees count as obstructions.

- (3) Kiosks and open air cafes may be placed within an #urban plaza# upon certification, pursuant to paragraphs (g)(5) and (g)(6) of this Section. Such features shall be treated as permitted obstructions for the purposes of paragraph (g).

Where a kiosk is provided, it shall be a one-story structure, predominantly of light-colored materials, such as metal, glass, plastic or fabric as approved by the Department of Buildings in conformance with the Building Code, that, including roofed areas, does not occupy an area in excess of 150 square feet, except that where the #urban plaza# has an area of less than 5,000 square feet, the aggregate area of the kiosks shall not exceed 100 square feet measured by exterior dimensions. The aggregate area occupied by kiosks in an #urban plaza# larger than 5,000 square feet shall not exceed 150 square feet or 1.5 percent of the total area of the #urban plaza#, whichever is greater, provided no one kiosk occupies an area of more than 150 square feet. A kiosk may be freestanding or may be attached on only one side to a wall of the #building# of the #development# or a #building# on the adjacent #zoning lot#. Any area occupied by a kiosk shall be excluded from the definition of #floor area#, and may be occupied by #uses# such as news or magazine stands, candy stands, flower stands or information booths.

Where an open air café is provided, it shall occupy an aggregate area not more than 20 percent of the total area of the #urban plaza#. It shall be a permanently unenclosed restaurant or eating or drinking place, permitted by applicable district regulations, which may have waiter or table service, and shall be open to the sky except that it may have a temporary fabric roof in conformance with the Building Code. An open air café must be accessible from all sides where there is a boundary with the remainder of the #urban plaza#. No kitchen equipment shall be installed within an open air cafe; however, kitchen equipment may be contained in a kiosk adjoining an open air cafe. An open air cafe qualifying as a permitted obstruction shall be excluded from the definition of #floor area#.

Notwithstanding the provisions of Section 32-41 (Enclosure Within Buildings), outdoor eating services or #uses# occupying kiosks may serve customers in an #urban plaza# through open windows. In all cases, only #uses# permitted by the applicable district regulations may occupy #urban plazas# or front on #urban plazas#.

- (4) Open air amphitheaters and open air ice skating rinks that charge admission may be placed within an #urban plaza# upon certification pursuant to paragraphs (g)(5) and (g)(6) of this Section. Such features shall be treated as permitted obstructions for the purposes of this paragraph (Permitted obstructions).
- (5) Kiosks and open air cafes that comply with the provisions of paragraph (g)(3) of this Section, and open air amphitheaters or open air ice skating rinks that charge admission may be placed within the area of an #urban plaza# upon certification by the Chairperson of the City Planning Commission to the Commissioner of Buildings, that:
- (i) such #use# promotes public use and enjoyment of the #urban plaza#;
 - (ii) such #use# complements and stabilizes desirable #uses# in the surrounding area;

- (iii) such #use# is provided in accordance with the requirements set forth in this Section;
and
- (iv) the owners of such #use# will maintain such #use# in accordance with the provisions of paragraph (q) (Maintenance) of this Section.

All applications for the placement of kiosks, open air cafes, open air amphitheaters or open air ice skating rinks that charge admission within an #urban plaza# filed with the Commission shall include a detailed site plan or plans indicating compliance with the provisions of this Section. All such plans for kiosks, open air cafes, open air amphitheaters or open air ice skating rinks that charge admission, once certified, shall be filed and duly recorded in the Borough Office of the City Register of the City of New York, indexed against the property in the form of a legal instrument providing notice of the certification for the kiosk, open air café, open air amphitheater or open air ice skating rink that charges admission, pursuant to this Section. Such filing and recording of the instrument shall be a precondition for the placement of the kiosk, open air café, open air amphitheater or open air ice skating rink that charges admission within the #urban plaza#. The recording information shall be included on the certificate of occupancy for any #building#, or portion thereof, on the #zoning lot# issued after the recording date.

- (6) An application for certification shall be filed with the Chairperson of the City Planning Commission, and the Chairperson shall furnish a copy of the application for such certification to the affected Community Board at the earliest possible stage. The Chairperson will give due consideration to the Community Board's opinion as to the appropriateness of such a facility in the area and shall respond to such application for certification within 60 days of the application's receipt.

The Chairperson shall file any such certification with the City Council. The Council, within 20 days of such filing, may resolve by majority vote to review such certification. If the Council so resolves, within 50 days of the filing of the Chairperson's certification, the Council shall hold a public hearing and may approve or disapprove such certification. If, within the time periods provided for in this Section, the Council fails to act on the Chairperson's certification, the Council shall be deemed to have approved such certification.

Such certification shall be effective for a period of three years but, upon application, may be renewed for a similar period by the Chairperson of the City Planning Commission.

- (h) Prohibition of driveways, parking spaces, loading berths, exhaust vents and building trash storage facilities

No driveways, parking spaces, passenger drop offs or loading berths shall be permitted within an #urban plaza#. No building trash storage facilities are permitted within an #urban plaza#, nor shall any building trash storage facility be accessed or serviced through the #urban plaza#. If parking spaces, passenger drop-offs, driveways, loading berths or building trash storage facilities are located near or adjoin an #urban plaza#, they shall be separated from it by a building wall or planted area sufficient to visually conceal these facilities and any vehicles therein from any point in the #urban plaza#.

No exhaust vents are permitted on any #urban plaza# or on the building wall of the #development# fronting upon the #urban plaza#, except where such vents on the building wall are more than 8 feet, 6 inches above the level of the #urban plaza#.

(i) Seating

There shall be a minimum of one linear foot of seating for each 30 square feet of #urban plaza# area, except that for #urban plazas# fronting upon a #street# having a grade change of at least 2.25 feet in 100 feet or for through #block urban plazas#, there shall be a minimum of one linear foot of seating for each 40 square feet of #urban plaza# area.

Not more than 50 percent of the linear seating capacity may be in movable seats that may be stored between the hours of sunset and sunrise.

The following standards shall be met for all required seating:

- (1) Seating shall have a minimum depth of 16 inches; however, seating with backs shall have a minimum depth of 14 inches and a maximum depth of 22 inches and backs shall be at least 12 inches high. Seating 30 inches or more in depth shall count double, provided there is access to both sides.
- (2) At least 75 percent of the required seating shall have a height not less than 16 inches nor greater than 20 inches above the level of the adjacent walking surface and at least 50 percent of this seating shall have backs at least 12 inches high. Seating higher than 36 inches or lower than 12 inches above the level of the adjacent walking surface shall not count towards meeting the seating requirements.
- (3) The flat tops of walls including but not limited to those that bound planting beds, fountains and pools may be counted as seating when they conform to the dimensional standards in paragraphs (f)(1) and (f)(2) of this Section, provided that they are made of stone, concrete or similar composite material, wood or plastic with a smooth surface and rounded upper edges with a radius of at least one inch to ensure seating comfort.
- (4) Movable seating or chairs, excluding seating for open air cafes, may be credited as 18 inches of linear seating per chair.
- (5) Steps, seats in outdoor amphitheaters and seating of open air cafes do not count towards meeting the seating requirement.
- (6) Seating for any #use# within an #urban plaza# is subject to applicable articles and amendments of the New York City Building Code.
- (7) For the benefit of persons with disabilities, a minimum of five percent of the required seating shall have backs.

(j) Planting and trees

For an #urban plaza# not exceeding 2,000 square feet in area, four trees are required.

For an #urban plaza# greater than 2,000 square feet in area but not exceeding 6,000 square feet in area, one tree is required for every 600 square feet, or part thereof, of #urban plaza# area.

For an #urban plaza# greater than 6,000 square feet in area, one tree is required for every 600 square feet, or part thereof, of #urban plaza# area for the first 6,000 square feet of area and one additional tree is required for every 1,000 square feet, or part thereof, of the remaining #urban plaza# area.

For all #urban plazas#, at least 50 percent of the required plaza trees shall be planted with gratings flush to grade.

Where trees are planted within an #urban plaza#, they shall measure at least four inches in caliper at the time of planting. Each tree shall be planted in at least 200 cubic feet of soil with a depth of soil of at least 3 feet, 6 inches. Any planting bed containing required plaza trees shall have a continuous area of at least 75 square feet for each tree exclusive of bounding walls and shall have bounding walls not higher than 20 inches above the adjacent walking surface. Trees shall be planted at a maximum spacing of 25 feet within a single planting bed.

When planting beds are provided, they shall have a soil depth of at least two feet for grass or other ground cover, three feet for shrubs and 3 feet, 6 inches for trees.

#Street# trees are required to be planted in the public sidewalk area adjacent to a #zoning lot# that contains bonus #floor area# for #urban plazas#. At least one tree of four-inch caliper or more shall be planted for each 25 feet of the entire #street# frontage of the #zoning lot#, excluding the frontage occupied by driveways. The length of frontage of the #zoning lot# for the purpose of computing required #street# trees may also be reduced by 50 feet for each #street# intersection fronted by the #zoning lot#. The required trees shall be planted with gratings flush to grade in at least 200 cubic feet of soil per tree, with a depth of soil of at least 3 feet, 6 inches. Species shall be selected, located and maintained in accordance with the specifications established by the Department of Parks and the Department of Highways. If the Commissioner of Buildings determines that the tree planting requirements of this paragraph cannot be met in part or in whole because of subsurface conditions such as the presence of a subway tunnel, the number of required #street# trees that cannot be planted as required in this paragraph shall be planted in the public sidewalk areas of #streets# on the same #block# as the #zoning lot# to which it has frontage or within the #urban plaza#.

(k) Mandatory allocation of frontages for permitted #uses#

At least 50 percent of the total frontage of building walls of the #development# fronting on an #urban plaza#, or fronting on an #arcade# adjoining an #urban plaza#, exclusive of such frontage occupied by vertical circulation elements, building lobbies and frontage used for subway access, shall be allocated for occupancy by retail or service establishments permitted by the applicable district regulations. In addition, libraries, museums and art galleries shall be permitted. All such #uses# shall be directly accessible from the major portion of the #urban plaza# or adjoining arcade.

The remaining frontage may be occupied by other #uses#, lobby entrances or vertical circulation elements, in accordance with the district regulations.

Frontage on the #urban plaza# that is occupied by a building lobby shall not exceed 75 feet or 40 percent of the total frontage of the #development's# building walls on the major portion of the #urban plaza#, whichever is less.

The building frontage on the major portion of the #urban plaza# shall be treated with clear, untinted transparent material for 50 percent of its surface area below 14 feet above the #urban plaza# level, or the ceiling level of the ground floor of the #building#, whichever is lower.

(l) Paving

The paving of the #urban plaza# shall be of non-skid durable materials that are decorative and compatible in color and pattern. The paving of the #street# sidewalk area adjacent to the #development# may be treated with design patterns and materials sympathetic to that of the paving of the #urban plaza#. Any change of paving materials within the public right-of-way shall require review by the Department of Highways and the Art Commission.

(m) Standards of accessibility for persons with disabilities to #urban plazas#

(1) There shall be at least one path of travel conforming to the standards set forth in paragraph (m)(2) of this Section, providing access to each of the following:

- (i) the major portion of an #urban plaza#;
- (ii) any building lobby accessible to the #urban plaza#; and
- (iii) any #use# that may be present on or adjacent to the #urban plaza#.

(2) The following standards shall apply to assure access for persons with disabilities:

- (i) Such paths shall have a minimum width of five feet, except where specific provisions require a greater width, free and clear of all obstructions.
- (ii) Ramps shall be provided alongside any stairs or steps for such paths. Ramps shall have a minimum width of three feet, a slope of not greater than 1:12, a non-skid surface and, for open-edged ramps, a two-inch high safety curb. At each end of a ramp there shall be a level area, which may be a public sidewalk, at least five feet long.
- (iii) All stairs or ramps within such paths shall provide handrails. Handrails shall be 34 inches high, have a midrail 22 inches high and shall extend at least 18 inches beyond the stair or ramp ends.
- (iv) Where stairs are used to effect changes of grade for such paths, they shall have closed risers, no projecting nosings, a maximum riser height of seven and one-half inches and a minimum tread width of eleven inches.

(n) Lighting and electrical power

#Urban plazas# shall be illuminated with a minimum level of illumination of not less than two horizontal foot candles (lumens per foot) throughout all walkable and sitting areas and a minimum level of illumination of not less than 0.5 horizontal foot candles (lumens per foot) throughout all other areas. Such level of illumination shall be maintained from sunset to sunrise. A lighting schedule, including fixtures, wattage and their locations and designs together with a diagram of light level distribution shall be part of the required detailed design plans as set forth in this Section. Electrical power shall be

supplied by one or more outlets furnishing a total of at least 1,200 watts of power for every 4,000 square feet, or fraction thereof, of the area of an #urban plaza#.

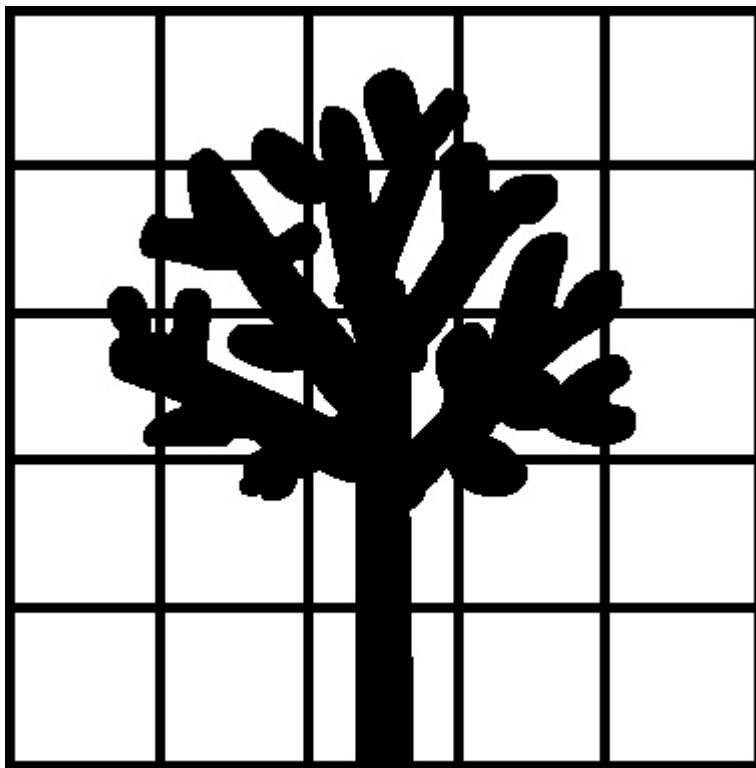
(o) Public space signage systems

The following public space signage systems shall be required for all #urban plazas#:

(1) Entry plaque

The entry plaque shall be located at each #street# frontage or point of pedestrian entry to the #urban plaza#. A maximum of two entry plaques may be provided. The entry plaque shall contain:

- (i) a public space symbol which is at least 14 inches square in dimension; has a white background; has a grid of four (4) straight lines no greater than one-eighth inch wide and green in color; and has a tree-shaped symbol as shown;



- (ii) lettering at least two inches in height stating "OPEN TO PUBLIC." This lettering shall be located within nine inches of the public space symbol; and
- (iii) an International Symbol of Access for persons with disabilities that is at least three inches square.

The entry plaque shall be mounted on a wall or a permanent free-standing post with its center five feet above the elevation of the nearest walkable pavement. It shall be in a position that clearly identifies the entry into the #urban plaza#, and placed so that the entire entry plaque is obvious and directly visible, without any obstruction, along every line of sight from all paths of pedestrian access to the #urban plaza#.

(2) Information plaque

An information plaque, with a surface area of not less than two feet square, constructed from the same permanent materials as the entry plaque and located within the most frequently used area of the #urban plaza#, with clear lettering consisting of:

- (i) the type and quantity of trees, movable seating and permanent artwork;
- (ii) the name of the current owner of the building and the name, address and phone number of the person designated to maintain the #urban plaza# between the hours of 9:00 a.m. and 5:00 p.m.;
- (iii) the statement, "Complaints regarding this urban plaza may be addressed to the Department of City Planning or the Department of Buildings of the City of New York"; and
- (iv) the statement, "This urban plaza is accessible to persons with disabilities."

(p) #Signs#

An #urban plaza# shall be treated as a #street# for the purposes of the applicable #sign# regulations. #Signs#, except for the plaque required by paragraph (o) of this Section, are permitted only as #accessory# to #uses# permitted within the #urban plaza# and #uses# adjoining the #urban plaza#, and are otherwise regulated by the applicable district regulations set forth in Section 32-60 (SIGN REGULATIONS).

(q) Maintenance

- (1) The building owner shall be responsible for the maintenance of the #urban plaza# including, but not limited to, the confinement of permitted obstructions, litter control, and the care and replacement of vegetation within the #zoning lot# and in the #street# sidewalk area adjacent to the #zoning lot#.

- (2) Litter receptacles shall be provided with a minimum capacity of one cubic foot for each 2,000 square feet of #urban plaza# area excluding the area of any sidewalk widening. An additional capacity of one cubic foot of litter receptacle shall be provided for each 2,000 square feet of #urban plaza# area in connection with outdoor eating services or other #uses# permitted within #urban plazas# that generate litter.
- (3) Kiosks, open air cafes, open air amphitheaters and open air ice skating rinks permitted in accordance with the provisions of this Section shall be confined within areas designated on building plans as available for occupancy by such #uses#. Encroachment by an #urban plaza use# outside an area so designated shall be a valid ground for complaint and removal.
- (4) Performance bond

Prior to obtaining any certificate of occupancy from the Department of Buildings, the building owner shall post with the Comptroller of the City of New York, a performance bond, City securities or fixed income securities, at the Comptroller's discretion, to ensure the mandatory tree planting, movable seating exclusive of any seating for open air cafes, and the litter-free maintenance of the #urban plaza# including the replacement of such trees and movable furniture during the life of the #development#.

In the event of a failure in the required performance, the Chairperson of the City Planning Commission shall notify the building owner in writing of such failure and shall stipulate the period of time in which the building owner has to correct the failure. If the failure is not corrected in the stipulated time, the Chairperson may declare the building owner in default in the required performance and the City may enforce the obligation by whatever means may be appropriate to the situation, including letting contracts for doing any required planting, installation or maintenance and paying all labor, material and other costs connected with such work from the bond or City securities that the building owner is required to provide.

In the event that the City enforces the aforementioned obligation as provided for in this paragraph (Performance bond), the building owner shall, within 90 days of such enforcement, provide the City with an additional bond or City securities in an amount not less than that which was expended to cure the default.

The value of the bond or City securities if tendered prior to January 1, 1998, shall be at a rate of \$750 per required tree, \$100 per movable chair and \$200 per 1,000 square feet of #urban plaza# for litter removal as set forth in this Section.

Effective January 1, 1989, and at five-year intervals thereafter, the City Planning Commission shall establish new rates for the mandatory tree planting, movable seating and litter-free maintenance of the #urban plaza#.

(r) Penalties for violations

Failure to comply with the conditions or restrictions of the bonused #urban plaza# shall constitute a violation of this Resolution and shall constitute the basis for denial or revocation of a building permit or certificate of occupancy and for all other applicable remedies.

No foundation permit shall be issued by the Department of Buildings for any #development# that includes an #urban plaza# without certification by the Chairperson of the City Planning Commission that a site plan has been submitted indicating compliance with the provisions of this Section. An application for such certification shall be filed with the Chairperson showing the plan of the #zoning lot#; a site plan indicating the area and dimensions of the proposed #urban plaza# and the location of the proposed #development# or #enlargement# and all existing #buildings# temporarily or permanently occupying the #zoning lot#; computations of proposed #floor area#, including bonus #floor area#; and a detailed plan or plans demonstrating compliance with the provisions of this Section.

All plans for #urban plazas#, once certified, shall be filed and duly recorded in the Borough Office of the City Register of the City of New York, indexed against the property in the form of a legal instrument providing notice of the certification of the #urban plaza# pursuant to this Section. Such filing and recording of the instrument shall be a precondition for the filing for or issuance of any building permit for any #development# or #enlargement# on the #zoning lot#. The recording information shall be included on the certificate of occupancy for any #building#, or portion thereof, on the #zoning lot# issued after the recording date.