Zoning Resolution

THE CITY OF NEW YORK
Eric Adams, Mayor

CITY PLANNING COMMISSION
Daniel R. Garodnick, Chair

92-00 - GENERAL PURPOSES

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92-00 - GENERAL PURPOSES

LAST AMENDED
4/23/1973

The "Special Park Improvement District" established in this Resolution is designed to promote and protect public health, safety, general welfare and amenity. These general goals include, among others, the following specific purposes:

(a) to preserve and protect the unique character and architectural quality of the residential part of Fifth Avenue and Park Avenue which includes many landmarks and other cultural buildings;

(b) to provide alternatives to plaza and arcade development along Fifth Avenue and Park Avenue which are redundant in view of the existence of Central Park and the Park Avenue malls;

(c) to channel private expenditures which would otherwise be spent on redundant facilities into development, beautification and maintenance of proximate public parks and other public areas;

(d) to encourage the development of buildings compatible with the height of present development; and

(e) to promote the most desirable use of land in this area and thus to conserve the value of land and buildings and thereby protect the City's tax revenues.

92-01 - Definitions

LAST AMENDED
2/2/2011

Development

For purposes of this Chapter a "development" includes the construction of a new #building or other structure# on a #zoning lot#, the relocation of an existing #building# on another #zoning lot#, and an #enlargement# involving an increase in #lot coverage#.

92-02 - General Provisions

LAST AMENDED
10/7/2021

Except as modified by the express provisions of this Chapter, the regulations of the underlying district remain in effect.

For the purposes of this Chapter, Duke Ellington Circle, located at the intersection of Fifth Avenue and East 110th Street, shall be considered a separate #street#.

For #transit-adjacent sites# or #qualifying transit improvement sites#, in the event of a conflict between the provisions of this Chapter and the provisions of Article VI, Chapter 6 (Special Regulations Applying Around Mass Transit Stations), the provisions of Article VI, Chapter 6 shall control. For the purposes of this paragraph, defined terms additionally include those in Section 66-11 (Definitions).

In #flood zones#, in the event of a conflict between the provisions of this Chapter and the provisions of Article VI, Chapter 4 (Special Regulations Applying in Flood Zones), the provisions of Article VI, Chapter 4 shall control.

92-03 - Special Use Regulations

LAST AMENDED
12/11/2001

For any #zoning lot# located between Fifth Avenue, Duke Ellington Circle, East 109th Street and East 110th Streets:

(a) #commercial# #uses# shall only be permitted beyond 100 feet of Fifth Avenue and shall be restricted to office #uses# listed in Use Group 6B;

(b) the underlying district #sign# regulations shall not apply. In lieu thereof, #signs# #accessory# to a #commercial# #use# shall conform with all the #sign# regulations applicable in C1 Districts, except that #illuminated signs# shall not be permitted and, within 100 feet of Fifth Avenue, signs shall conform with the #sign# regulations for #Residence Districts# set forth in Section 22-30.

92-04 - Special Bulk Provisions

LAST AMENDED
12/11/2001

92-041 - Maximum Floor Area Ratio

LAST AMENDED
10/7/2021

The maximum #floor area ratio# for any #zoning lot# shall not exceed 10.0. No #floor area# bonuses shall be permitted. However, for #developments# or #enlargements# on #qualifying transit improvement sites#, a #floor area# bonus for #mass transit station# improvements may be granted by the City Planning Commission pursuant to the provisions of Section 66-51 (Additional Floor Area for Mass Transit Station Improvements). For the purposes of this paragraph, defined terms additionally include those in Section 66-11 (Definitions).

92-042 - Mandatory front building walls along certain street lines

LAST AMENDED
12/11/2001

(a) Except as provided in paragraph (b) of this Section, the front #building# wall for all #developments# on #zoning lots# having frontage on Fifth Avenue or Park Avenue and for all #developments# along #street lines# within 50 feet of their intersection with the #street lines# of Fifth Avenue or Park Avenue, shall extend along the full length of its #street line# fronting on such #street# without setback for a height of 125 feet above #curb level# or the full height of the #building#, whichever is less. Above the height of 150 feet above #curb level#, the front #building# wall shall be set back 10 feet from the #street line#. The mandatory front #building# wall requirements are optional for the next 20 feet along the #street line# of a #narrow street# or for the next 75 feet along the #street line# of a #wide street#. However, where the front wall of a #building# with a height less than 125 feet above #curb level# was constructed with a setback from the #street lines#, #enlargement# of such #building# may be permitted by vertical extension of its existing #building# wall.

(b) For any #zoning lot# having frontage on Fifth Avenue, Duke Ellington Circle, East 109th Street and East 110th Street, the provisions of this paragraph (b) shall apply. The front #building# wall of any #development# shall extend along the full length of the Fifth Avenue and Duke Ellington Circle #street lines#, and along the full length of the East 109th Street and East 110th Street #street lines# within 50 feet of their intersection with Fifth Avenue and Duke Ellington

Circle, and rise without setback to a minimum height of 85 feet above #curb level# or the full height of the #building#, whichever is less. Above a height of 150 feet, the front #building# wall shall be set back at least 10 feet from such #street lines#. Such mandatory front #building# wall requirements are optional for the next 50 feet along the East 109th Street and East 110th Street #street lines#.

(c) Front wall recesses are permitted within mandatory front #building# walls for architectural or decorative purposes, provided that the aggregate length at the level of any #story# does not exceed 50 percent of the length of the front wall where such recesses are permitted. The depth of such recesses shall not exceed six feet. No front wall recesses are permitted within 20 feet of the intersection of two #street lines#.

Where the aggregate width of balconies located along the front #building# wall, at the level of any #story#, exceeds 20 percent of the length of such front #building# wall, the front #building# wall may be set back not more than three feet from the #street line#.

The underlying district height and setback regulations apply along #street lines#, or portions thereof, not subject to the front #building# wall requirement.

92-043 - Special height limitation

LAST AMENDED
12/11/2001

The maximum height of a #building or other structure#, or portion thereof, shall not exceed 19 #stories# or 210 feet above #curb level#, whichever is less.

92-05 - Maximum Number of Accessory Off-street Parking Spaces

LAST AMENDED
5/8/2013

Within the portion of the #Special Park Improvement District# located within the #Manhattan Core#, the provisions of Article I, Chapter 3 (Comprehensive Off-street Parking and Loading Regulations in the Manhattan Core), inclusive, shall apply. For all other portions of the #Special Park Improvement District#, the provisions of this Section shall apply.

In no case shall the number of #accessory# off-street parking spaces for a #residential use# exceed 40 percent of the number of #dwelling units#. In no case shall curb cuts for vehicular access be located on Fifth Avenue or Park Avenue or on a #street# within 50 feet of its intersection with the #street line# of Fifth Avenue or Park Avenue. No off-site #accessory# off-street parking facilities for any #use# shall be permitted within the Special District. All parking spaces #accessory# to #residences# shall be designed and operated exclusively for the long term storage of the private passenger motor vehicles used by the occupants of such #residences#.

The parking requirements set forth in Sections 25-21, 25-31, 36-21 or 36-31 shall not apply to any #development# for which the Commissioner of Buildings has certified that there is no way to provide the required parking spaces with access to a #street# in conformity with the provisions of this Section.