

ZONING RESOLUTION Web Version

THE CITY OF NEW YORK



THE CITY OF NEW YORK
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CITY PLANNING COMMISSION
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Article VIII: Special Purpose Districts Chapter 2: Special Lincoln Square District

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4/24/69

Article VIII - Special Purpose Districts

Chapter 2

Special Lincoln Square District

4/24/69

82-00

GENERAL PURPOSES

The "Special Lincoln Square 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, protect and promote the character of the #Special Lincoln Square District# area as the location of a unique cultural and architectural complex - an attraction which helps the City of New York to achieve preeminent status as a center for the performing arts, and thus conserve its status as an office headquarters center and a cosmopolitan residential community;
- (b) to improve circulation patterns in the area in order to avoid congestion arising from the movements of large numbers of people; improvement of subway stations and public access thereto; including convenient transportation to, from and within the district; and provision of arcades, open spaces, and subsurface concourses;
- (c) to help attract a useful cluster of shops, restaurants and related amusement activities which will complement and enhance the area as presently existing;
- (d) to provide an incentive for possible development of the area in a manner consistent with the foregoing objectives which are an integral element of the Comprehensive Plan of the City of New York;
- (e) to encourage a desirable urban design relationship of each building to its neighbors and to Broadway as the principal street; and
- (f) 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.

2/9/94

82-01
Definitions

Development

For purposes of this Chapter, a "development" includes both #development# and #enlargement# as defined in Section 12-10 (DEFINITIONS).

Special Lincoln Square District
(repeated from Section 12-10)

The "Special Lincoln Square District" is a Special Purpose District designated by the letter "L," in which special regulations set forth in Article VIII, Chapter 2, apply to all #developments#. The #Special Lincoln Square District# appears on the #zoning maps# superimposed on other districts, and its regulations supplement those of the districts on which it is superimposed.

2/9/94

82-02
General Provisions

In harmony with the general purpose and intent of this Resolution and the general purposes of the #Special Lincoln Square District# and in accordance with the provisions of this Chapter, certain specified regulations of the districts on which the #Special Lincoln Square District# is superimposed are made inapplicable, and special regulations are substituted in this Chapter. Each #development# within the Special District shall conform to and comply with all of the applicable district regulations of this Resolution, except as otherwise specifically provided in this Chapter.

2/9/94

82-03
Requirements for Applications

An application to the City Planning Commission for the grant of a special permit or an authorization respecting any #development# under the provisions of this Chapter shall include a site plan showing the location and the proposed #use# of all #buildings or other structures# on the site; the location of all vehicular entrances and exits and proposed off-street parking spaces, and such other information as may be required by the City Planning Commission for its determination as to whether or not a special permit or an authorization is warranted. Such information shall include, but not be limited to, justification of the proposed #development# in relation to the general purposes of the #Special Lincoln Square District#.

2/9/94

82-04
District Plan

The District Plan for the #Special Lincoln Square District#, included as Appendix A, identifies specific subdistricts in which special zoning regulations carry out the general purposes of the #Special Lincoln Square District#. These areas are: Subdistrict A, Subdistrict B and Subdistrict C.

The District Plan also identifies #blocks# with mandatory #front lot line street walls#. The District Plan is hereby incorporated as an integral part of the #Special Lincoln Square District#.

2/9/94

82-05
Right to Construct

For the purposes of this Chapter, the right to continue to construct shall terminate if the provisions of Section 11-30 (BUILDING PERMITS ISSUED BEFORE EFFECTIVE DATE OF AMENDMENT) are not met by December 20, 1993.

Notwithstanding the provisions of this Chapter, any #development# approved by special permit of the City Planning Commission, pursuant to this Chapter, prior to February 9, 1994, may be started or continued pursuant to such special permit.

2/9/94

82-10

MANDATORY DISTRICT IMPROVEMENTS

The provisions of this Section specify mandatory or optional physical improvements to be provided in connection with #developments# on certain #zoning lots# located within the Special District.

2/9/94

82-11

Special Provisions for Optional Arcades

Any #development# located on a #zoning lot# with a #lot line# which coincides with either of the following #street lines# - the east side of Broadway between West 61st and West 65th Streets or the east side of Columbus Avenue between West 65th and West 66th Streets - may contain an #arcade# as defined in Section 12-10, except that:

- (a) the #arcade# shall extend the full length of the #zoning lot# along the #street lines# described above; however, the required #arcade# along the east side of Columbus Avenue may be terminated at a point 40 feet south of West 66th Street;
- (b) the exterior face of building columns shall lie along the #street lines# described above;
- (c) the minimum depth of the #arcade# shall be 15 feet (measured perpendicular to the exterior face of the building columns located on the #street line#) and the minimum height of the #arcade# along the center line of its longitudinal axis shall not be less than 20 feet;
- (d) the #arcade# shall contain no permanent obstruction within the area delineated by the minimum width and height requirements of this Section except for the following:
 - (1) Unenclosed cafes, provided that there is at least a six foot wide unobstructed pedestrian way adjacent to the #street wall#. In no event may such cafes be enclosed at any time; and
 - (2) Structural columns not exceeding two feet by three feet provided that the longer dimension of such columns is parallel to the #street line#, that such columns are

spaced at a minimum of 17 feet on center, and that the space between such columns and the face of the #street wall# is at least 13 feet wide. No other columns shall project beyond the face of the #street wall#;

- (e) no #signs# may be affixed to any part of the #arcade# or building columns except on a parallel to the #street wall# projecting no more than 18 inches therefrom parallel to the #street line# along which the #arcade# lies; and
- (f) the #arcade# shall be illuminated only by incandescent lighting to a standard of average eight foot-candle intensity with a minimum five foot-candle intensity at any point within the #arcade#.

10/17/07

82-12

Mandatory Off-Street Relocation of a Subway Stair

Where a #development# is constructed on a #zoning lot# that fronts on a sidewalk containing a stairway entrance into the West 59th Street (Columbus Circle) or the West 66th Street subway station and such #zoning lot# contains 5,000 square feet or more of #lot area#, the existing entrance shall be relocated from the #street# onto the #zoning lot# in accordance with the provisions of Sections 37-42 (Standards for Relocation, Design and Hours of Public Accessibility) and 37-43 (Administrative Procedure for a Subway Stair Relocation).

2/9/94

82-13

Special Provisions for a Transit Easement

Any #development# located on the east side of Broadway between West 66th Street and West 67th Street shall provide an easement on the #zoning lot# for public access to the subway mezzanine or station when required by the New York City Transit Authority (TA) in accordance with the procedure set forth in Section 95-04 (Certification of Transit Easement Volume) and hereby made applicable.

2/9/94

82-20**SPECIAL USE AND SIGN REGULATIONS**

In order to provide for the special cultural needs, convenience, enjoyment, education and recreation of the residents of the area and of the many visitors who are attracted to the Lincoln Center for the Performing Arts, a limitation is imposed on the ground floor #uses# within the Special District.

The provisions of this Section shall apply to a #development# or change of #use# within the Special District.

2/9/94

82-21**Restrictions on Street Level Uses**

Within 30 feet of Broadway, Columbus Avenue or Amsterdam Avenue #street lines#, #uses# located on the ground floor level or within five feet of #curb level# shall be limited to those listed in Use Groups 3A, 3B, 6A, 6C, 8A, 10A, eating or drinking establishments listed in 12A or 12B. Within Use Groups 3A or 3B, #uses# shall be limited to colleges, universities including professional schools, museums, libraries or non-commercial art galleries. Within such area, lobby space, required accessory loading berths, or access to subway stations are permitted.

2/9/94

82-22**Location of Floors Occupied by Commercial Uses**

The provisions of Section 32-422 (Location of Floors Occupied by Non-Residential Uses) shall not apply to any #commercial use# located in a portion of a #mixed building# that has separate direct access to the #street# and has no access within the #building# to the #residential# portion of the #building# at any #story#. In no event shall such #commercial use# be located directly over any #dwelling units#.

2/9/94

82-23

Street Wall Transparency

When the front building wall or #street wall# of any #development# is located on Broadway, Columbus Avenue or Amsterdam Avenue, at least 50 percent of the total surface area of the #street wall# between #curb level# and 12 feet above #curb level#, or to the ceiling of the first #story#, whichever is higher, shall be transparent. Such transparency shall begin not higher than two feet, six inches above #curb level#.

6/23/05

82-24

Supplementary Sign Regulations

No permitted #sign# shall extend above #curb level# at a height greater than 20 feet or obstruct an #arcade#.

Within Subdistrict B, permitted #signs# facing upon West 65th Street shall not exceed a height of 40 feet above #curb level#, and permitted #signs# facing upon Broadway between West 65th Street and West 66th Street shall not exceed a height of 60 feet above #curb level#. However, #signs# facing in an easterly or southerly direction upon that portion of the public place designated on the City Map that is located within an area bounded by West 65th Street and the prolongation of the south side of West 64th Street shall not exceed a height of 40 feet above the level of such public place.

2/9/94

82-30

SPECIAL BULK REGULATIONS

2/9/94

82-31

Floor Area Ratio Regulations for Commercial Uses

Within Subdistrict A, for any #development# in a C4-7 District, the maximum permitted commercial #floor area# on a #zoning lot# shall be 100,000 square feet.

2/9/94

82-311

Floor area increase by special permit

The City Planning Commission may by special permit allow the commercial #floor area ratio# permitted on a #zoning lot# pursuant to Section 82-31 (Floor Area Ratio Regulations for Commercial Uses) within Subdistrict A to be increased to 10.0 for #commercial uses#. As a condition for such special permit, the Commission shall find that:

- (a) the #uses# are appropriate for the location and shall not unduly affect the #residential uses# in the nearby area or impair the future land use and development of the adjacent areas;
- (b) the #uses# shall not require any significant addition to the supporting services of the neighborhood or that provision for adequate supporting services has been made;
- (c) the additional #bulk# devoted to #commercial uses# shall not create or contribute to serious traffic congestion and will not unduly inhibit vehicular and pedestrian flow; and
- (d) the #streets# providing access to such #use# are adequate to handle the traffic generated thereby or provision has been made to handle such traffic.

The Commission may prescribe appropriate conditions and safeguards to minimize adverse effects of any such #uses# on the character of the surrounding area.

6/12/96

82-32

Special Provisions for Increases in Floor Area

No #floor area# bonuses shall be permitted within the #Special Lincoln Square District# except as provided in this Section. The following #floor area# increases may be used separately or in combination, provided that the total #floor area ratio# permitted on a #zoning lot# does not exceed 12.0.

- (a) Floor area increase for Inclusionary Housing

For any #development# to which the provisions of Section 23-90 (INCLUSIONARY HOUSING) are applicable, the maximum permitted #residential floor area ratio# may be increased by a maximum of 20 percent under the terms and conditions set forth in Section 23-90.

(b) Floor area bonus for public amenities

When a #development# is located on a #zoning lot# that is adjacent to the West 59th Street (Columbus Circle) or the West 66th Street subway station mezzanine, platform, concourse or connecting passageway, with no tracks intervening to separate the #zoning lot# from these elements, and such #zoning lot# contains 5,000 square feet or more of #lot area#, the City Planning Commission may, by special permit pursuant to Section 74-634 (Subway station improvements in commercial zones of 10 FAR and above in Manhattan), grant a maximum of 20 percent #floor area# bonus.

For a subway station improvement or for a subsurface concourse connection to a subway, the amount of #floor area# bonus that may be granted shall be at the discretion of the Commission. In determining the precise amount of #floor area# bonus, the Commission shall consider:

- (1) the direct construction cost of the public amenity;
- (2) the cost of maintaining the public amenity; and
- (3) the degree to which the station's general accessibility and security will be improved by the provision of new connections, additions to or reconfigurations of circulation space, including the provision of escalators or elevators.

7/26/01

82-33

Modification of Bulk Regulations

The City Planning Commission may, by special permit, modify the height and setback regulations, #yard# regulations, regulations governing minimum distance between #buildings# on a single #zoning lot#, and regulations governing #courts# and minimum distance between #legally required windows# and walls or #lot lines# for any #development#, provided the Commission finds that such modifications are necessary to:

- (a) facilitate good design;
- (b) allow design flexibility for any #development# to which the mandatory provisions of Section 82-10 (MANDATORY DISTRICT IMPROVEMENTS) are applicable; or
- (c) incorporate a #floor area# allowance pursuant to Section 82-32 (Special Provisions for Increases in Floor Area) where inclusion of the proposed public amenity will significantly further the specific purposes for which the #Special Lincoln Square District# is established.

2/9/94

82-34

Bulk Distribution

Within the Special District, at least 60 percent of the total #floor area# permitted on a #zoning lot# shall be within #stories# located partially or entirely below a height of 150 feet from #curb level#.

For the purposes of determining allowable #floor area#, where a #zoning lot# has a mandatory 85 foot high #street wall# requirement along Broadway, the portion of the #zoning lot# located within 50 feet of Broadway shall not be included in #lot area# unless such portion contains or will contain a #building# with a wall at least 85 feet high coincident with the entire #street line# of Broadway.

2/9/94

82-35

Height and Setback Regulations

Within the Special District, all #developments# shall be subject to the height and setback regulations of the underlying districts, except as set forth in:

- (a) paragraph (a) of Section 82-37 (Street Walls along Certain Street Lines) where the #street wall# of a #building# is required to be located at the #street line#; and
- (b) paragraphs (b), (c) and (d) of Section 82-37 where the #street wall# of a #building# is required to be located at

the #street line# and to penetrate the #sky exposure plane# above a height of 85 feet from #curb level#.

2/9/94

82-36

Special Tower Coverage and Setback Regulations

The requirements set forth in Sections 33-45 (Tower Regulations) or 35-63 (Special Tower Regulations for Mixed Buildings) for any #building# or portion thereof that qualifies as a "tower" shall be modified as follows:

- (a) At any level at or above a height of 85 feet above #curb level#, a tower shall occupy in the aggregate:
 - (1) not more than 40 percent of the #lot area# of a #zoning lot# or, for a #zoning lot# of less than 20,000 square feet, the percent set forth in Section 23-651 (Tower on small lots); and
 - (2) not less than 30 percent of the #lot area# of a #zoning lot#.

However, the highest four #stories# of the tower or 40 feet, whichever is less, may cover less than 30 percent of the #lot area# of a #zoning lot# if the gross area of each #story# does not exceed 80 percent of the gross area of the #story# directly below it.

- (b) At all levels at or above a height of 85 feet from #curb level#, the minimum required setback of the #street wall# of a tower shall be at least 15 feet from the #street line# of Broadway or Columbus Avenue, and at least 20 feet on a #narrow street#.
- (c) In Subdistrict A, the provisions of paragraph (a) of Section 35-63, as modified by paragraphs (a) and (b) of this Section, shall apply to any #mixed building#.

For the purposes of determining the permitted tower coverage in Block 3 as indicated on the District Plan, that portion of a #zoning lot# located within 100 feet of the west #street line# of Central Park West shall be treated as if it were a separate #zoning lot# and the tower regulations shall not apply to such portion.

2/9/94

82-37

Street Walls along Certain Street Lines

(a) For any #development# on a #zoning lot# with a #front lot line# coincident with any of the following #street lines#, a #street wall# shall be located on such #street line# for the entire frontage of the #zoning lot# on that #street# and shall rise without setback to a height of 85 feet above #curb level#:

- (1) the east side of Broadway between West 61st Street and West 65th Street;
- (2) the east side of Columbus Avenue between West 65th Street and West 66th Street;
- (3) the east side of Broadway between West 67th Street and West 68th Street;
- (4) the west side of Broadway between West 66th Street and West 68th Street; and
- (5) the west side of Broadway between West 60th Street and West 62nd Street.

Such #street wall# shall extend on a #narrow street# to a distance of not less than 50 feet from its intersection with the #street line# of Broadway or Columbus Avenue and shall include a 20 foot setback at a height of 85 feet above #curb level# as required in Section 33-432 (In other Commercial Districts).

(b) For any #development# on a #zoning lot# in Block 1 with a #front lot line# coincident with any of the following #street lines#, a #street wall# shall be located on such #street lines# for the entire frontage of the #zoning lot# on that #street#:

- (1) the west side of Broadway between West 62nd Street and West 63rd Street;
- (2) the south side of West 63rd Street between Broadway and Columbus Avenue; and
- (3) the east side of Columbus Avenue between West 62nd Street and West 63rd Street.

The #street wall# located on the south side of West 63rd Street shall rise vertically without setback to the full

height of the #building# except for the top four floors or 40 feet, whichever is less, and extend along Columbus Avenue and/or Broadway for one half of the length of the total #block# front. The #street wall# located on the remaining #block# front on Broadway shall rise to a height of 85 feet above #curb level# and then set back 20 feet as required in Section 33-432 (In other Commercial Districts).

- (c) For any #development# on a #zoning lot# in Block 2 with a #front lot line# coincident with any of the following #street lines#, a #street wall# shall be located on such #street line# for the entire frontage of the #zoning lot# on that #street#:
- (1) the east side of Broadway between West 67th Street and West 66th Street;
 - (2) the north side of West 66th Street between Broadway and Columbus Avenue; and
 - (3) the west side of Columbus Avenue between West 66th Street and West 67th Street.

The #street wall# located on the north side of West 66th Street shall rise vertically without setback to the full height of the #building# except for the top four floors or 40 feet, whichever is less, and extend on Broadway and/or Columbus Avenue for one-half of the length of the total #block# front. The #street wall# located on the remaining #block# front on Broadway shall rise to a height of 85 feet above #curb level# and then setback 20 feet as required in Section 33-432.

- (d) For any #development# on a #zoning lot# in Block 3 with a #front lot line# coincident with the #street line# of Central Park West, the #street wall# shall be located on such #street line# for the entire frontage of the #zoning lot# on that #street#.

The #street wall# fronting on Central Park West shall rise vertically without setback to a height of at least 125 feet but not greater than 150 feet and shall extend along the #street line# of West 61st Street and along the #street line# of West 62nd Street to a distance of not less than 50 feet but not more than 100 feet from their intersection with the west #street line# of Central Park West. Above that height no #building or other structure# shall penetrate a #sky exposure plane# that starts at the #street line# and rises over the #zoning lot# at a ratio of 2.5 : 1.

2/9/94

82-38

Recesses in the Street Wall of a Building

Recessed fenestration and special architectural expression lines in the building facade of a #development# are required as follows:

- (a) Except as set forth in paragraph (b) of this Section, the aggregate length of all recesses in the #street wall# along Broadway of a #development# shall be between 15 percent and 30 percent of the entire length of such #street wall# at any #story# between the ground floor and 85 feet above #curb level#.
- (b) In Block 1, for any #development# that fronts on the #street line# of the south side of West 63rd Street and extends along the #street line# of Broadway and/or Columbus Avenue to a distance of not less than 50 percent of the #block# front, the aggregate length of all recesses in the #street walls# along each such #street# frontage shall be between 15 percent and 30 percent of the entire length of each #street wall# at any #story# between the ground floor and 85 feet above #curb level# and shall be between 30 percent and 50 percent of the entire length of each #street wall# at any #story# above 85 feet above #curb level#.
- (c) In Block 2, the requirement of #street wall# recesses in paragraph (b) of this Section shall also apply to a #development# that fronts on the #street line# of the north side of West 66th Street and extends along the #street line# of Broadway and/or Columbus Avenue to a distance of not less than 50 percent of the #block# front.

Such recesses shall be a minimum of one foot in depth and shall not exceed a depth of 10 feet. Below a height of 85 feet above #curb level#, no recesses deeper than one foot shall be permitted in the #street wall# of a #building# within a distance of 10 feet from the intersection of any two #street lines#.

In addition, along the #street lines# of Broadway, West 63rd Street and West 66th Street within Blocks 1 and 2, the #street wall# shall provide, at a height of 20 feet above #curb level#, an architectural expression line consisting of a minimum six inch recess or projection, for a minimum height of one foot and maximum height of two feet.

2/9/94

82-39

Permitted Obstructions within Required Setback Areas

The #street wall# of a #building# may be vertically extended above a height of 85 feet above #curb level# without setback in accordance with either of the following provisions:

- (a) A dormer may be allowed as a permitted obstruction within the required #initial setback distance# above a height of 85 feet above #curb level#. The #street wall# of a dormer shall rise vertically as an extension of the #street wall# of the #building#. A dormer may be located anywhere on a #wide# or #narrow street# frontage.

On any #street# frontage the aggregate width of all dormers at the required initial setback level shall not exceed 60 percent of the width of the #street wall# of the #story# immediately below the initial setback level. For each foot of height above the required initial setback level, the aggregate width of all dormers at that height shall be decreased by one percent of the width of the #street wall# of the #story# immediately below the initial setback level. Such dormers shall count as #floor area# but not as tower #lot coverage#.

- (b) On a #wide street# and on a #narrow street# within 50 feet of its intersection with a #wide street#, the #street wall# of a #building# may be vertically extended without setback within the required #initial setback distance# above a height of 85 feet above #curb level#, up to a maximum height of 125 feet, provided that the aggregate width of such #street walls# shall not exceed 50 percent of the width of the #street wall# of the #story# immediately below the initial setback level and provided the #street wall# of the #building# contains special architectural expression lines at a height of 85 feet above #curb level#.

2/9/94

82-40

SPECIAL HEIGHT LIMITATION

For #developments# located in Block 1 or Block 2, the maximum height of a #building or other structure#, or portion thereof,

shall not exceed 275 feet above #curb level#, except that a penthouse may be located above such height, provided that such penthouse:

- (1) contains not more than four #stories# or 40 feet, whichever is less; and
- (2) the gross area of each #story# does not exceed 80 percent of the gross area of that #story# directly below it.

6/30/09

82-50

OFF-STREET PARKING AND OFF-STREET LOADING REGULATIONS

The regulations of Article I, Chapter 3 (Comprehensive Off-Street Parking Regulations in Community Districts 1, 2, 3, 4, 5, 6, 7 and 8 in the Borough of Manhattan and a portion of Community Districts 1 and 2 in the Borough of Queens) and the applicable underlying district regulations of Article III, Chapter 6, relating to Off-Street Loading Regulations, shall apply in the #Special Lincoln Square District# except as otherwise provided in this Section. In addition, the entrances and exits to all off-street loading berths shall not be located on a #wide street# except by authorization as set forth in this Section.

- (a) #Accessory# off-street parking spaces

#Accessory# off-street parking spaces are permitted only by special permit of the City Planning Commission pursuant to Section 13-561 (Accessory off-street parking spaces).

- (b) Curb cuts

The City Planning Commission may authorize curb cuts within 50 feet of the intersection of any two #street lines#, or on #wide streets# where such curb cuts are needed for off-street loading berths, provided the location of such curb cuts meets the findings in Section 13-553.

- (c) Waiver of loading berth requirements

The City Planning Commission may authorize a waiver of the required off-street loading berths where the location of the required curb cuts would:

- (1) be hazardous to traffic safety;

- (2) create or contribute to serious traffic congestion or unduly inhibit vehicular and pedestrian movement; or
- (3) interfere with the efficient functioning of bus lanes, specially designated streets or public transit facilities.

The Commission shall refer these applications to the Department of Transportation for its comments.

2/9/94

82-60

PUBLIC PARKING GARAGES

In that portion of the #Special Lincoln Square District# located within a C4-7 District, the City Planning Commission may permit #public parking garages# with any capacity pursuant to Section 74-52 (Parking Garages or Public Parking Lots in High Density Central Areas).

10/17/07

82-70

EXISTING PUBLICLY ACCESSIBLE OPEN AREAS OR OTHER PUBLIC AMENITIES

No existing #publicly accessible open area# or other public amenity, open or enclosed, for which a #floor area# bonus has been utilized shall be eliminated or reduced in size, except by special permit of the City Planning Commission, pursuant to Section 74-763 (Elimination or reduction in size of existing bonused public amenities).

Any existing open area for which a #floor area# bonus has not been utilized that occupies the same #zoning lot# as an existing #publicly accessible open area# or other public amenity, open or enclosed, for which a #floor area# bonus has been utilized, may be reduced in size or eliminated only upon certification of the Chairman of the City Planning Commission that all bonused amenities comply with the standards under which such #floor area# bonus was granted.

2/9/94

Appendix A Special Lincoln Square District Plan

