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## ZONING

(CP-21138).

Matter in bold type is new; matter in *italics* is defined in Section 12-10.

## 12-10 DEFINITIONS

## Covered Pedestrian Space

A "Covered Pedestrian Space" is an enclosed area directly accessible to the public from an adjoining *street, arcade, plaza, court, yard, pedestrian mall, or other covered pedestrian space* which is a part of the public pedestrian circulation system, and which:

(a) Has an area of at least 1,500 square feet and a minimum width, at any point, of 20 feet. For spaces between 100 feet and 150 feet in length the minimum width shall be 25 feet. For spaces longer than 150 feet the average width shall be at least 30 feet; and

(b) Has a height of at least 30 feet; and

(c) Has appropriate *uses* permitted in the district, such as but not limited to small stores and cafes, occupying the maximum feasible frontage along those bounding walls of the *covered pedestrian space* which do not abut *lot lines* or *street lines*. At least 50 per cent of such frontage shall be developed with individual *uses* each of which has a frontage not exceeding 25 feet and the frontage of any single *use* may not exceed 50 feet. In no event may banks, loan offices, insurance offices or similar office type *uses* occupy any portion of the frontage of the *covered pedestrian space*. Access to other *uses* within a *building* may be provided from the *covered pedestrian space* if such *uses* are not located at the same *story* as the *pedestrian space*; and

(d) Is adequately illuminated, utilizing natural daylight wherever possible; and

(e) Is kept open to the public between 7 a. m. and 12 midnight or on a schedule suitable to meet the public need and is suitably maintained.

Obstructions such as awnings, canopies, pedestrian bridges, balconies or other architectural elements above the floor level of the *pedestrian space* are prohibited unless it can be clearly demonstrated that they will enhance design or pedestrian circulation. In any event horizontal projection of balconies into any *pedestrian space* shall not exceed 5 feet.

Planting, landscaping, ornamental fountains, statuary, bazaar furniture, kiosks, works of art, light-wells and other features may be permitted in a portion of the *pedestrian space*, but not to the extent of impeding pedestrian movement.

Columns or similar elements may be permitted within a *covered pedestrian space*, but the aggregate area of such elements may not exceed 2 per cent of the total *pedestrian space*.

A portion of the *covered pedestrian space* shall be developed as public sitting areas with appropriate facilities such as cafes or other public seating arrangements.

Entrances to lobbies may be permitted along the boundary of a *covered pedestrian space*. The floor area of an entrance lobby shall not be considered as part of the *covered pedestrian space*.

Where a *zoning lot* is bounded by more than one street, or by the combination of *streets, plaza* or other *public right-of-way*, the *covered pedestrian space* shall provide a connection between at least two such areas.

For the purposes of a *floor area ratio bonus*, two types of *covered pedestrian space* are permissible. One type is fully air-conditioned in summer and properly heated in winter. The other type is without any air-conditioning and heating and kept open at the entrances. The standards for heating, ventilating and air-conditioning facilities provided in a *covered pedestrian space* shall be at least equal to that of the lobby.

For the purpose of insuring prominent public attention to the *covered pedestrian space*, the openings at the face of the *building* for entrances to the *pedestrian space* shall be at least 20 feet wide, 30 feet high and unobstructed for a depth of 30 feet, except where the *pedestrian space* is air-conditioned such requirements may be modified, if necessary to suit the air conditioning need.

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#### Covered Pedestrian Space

In the districts indicated, except as otherwise provided in Section 82-08 (Modification of Bulk and Height and Setback Requirements), the City Planning Commission may permit *floor area* bonuses for *covered pedestrian space* provided on a *zoning lot* to be occupied by a *commercial or community facility development* in accordance with the provisions of this Section. In no event shall the resulting *floor area ratio* exceed the amount set forth in Section 33-120.5 (Maximum limit on floor area ratio).

Any portion of the *covered pedestrian space* which is within 10 feet of a *street line* or *lot line* and which is extended along *such street line or lot line* on either side of an entrance to it from an adjoining *street, arcade, plaza, court, yard, pedestrian mall* or other *covered pedestrian space*, may receive only that *floor area* bonus accorded to an *arcade*.

Permitted Additional Floor Area Per Square Foot  
of Covered Pedestrian Space (in square feet)

Area with Air-Conditioning and Heating Facility	Area Without Air-Conditioning and Heating Facility	Districts	
14.0	11.0	C5-3 C5-5	C6-6 C6-7 C6-9
11.0	8.0	C4-7 C5-2 C5-4	C6-4 C6-5 C6-8

Where a major necessary direct access from the *covered pedestrian space* to the subway station mezzanine or concourse is provided in the *development* and such connection is kept open to the general public for the same hours as the *covered pedestrian space*, an additional bonus of 2 square feet of *floor area* per square foot of *covered pedestrian space* may be permitted.

As a condition for permitting such bonus *floor area*, the Commission shall find that:

- (a) The proposed *covered pedestrian space* will have a useful role in meeting existing needs for sheltered space for the comfort and convenience of the general public.
- (b) The proposed *covered pedestrian space* is located at or close to the principal level of pedestrian circulation in adjacent areas with prominent and obvious public entrances.
- (c) The public character of the proposed *covered pedestrian space* shall be obvious from the outside of the *building*.
- (d) Appropriate commercial *uses* include but not limited to small stores and cafes fronting on the *covered pedestrian space* are provided.
- (e) The distribution of the *bulk* of the total *development* permits satisfactory access of light and air to surrounding *streets* and properties.
- (f) The proposed connection to an underground subway station from a *pedestrian space* is necessary to ease pedestrian movement and sidewalk congestion in the area and the construction cost of the proposed amenity is substantial enough to justify the granting of additional *floor area ratio* bonus.