

RECEIVED

DEC - 1 2014

BY COMMUNITY BOARD 8



**COMPLETE APPLICATION FOR ULURP# N150167ZRY**

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Enclosed, please find the complete application for ULURP# **N150167ZRY**, Proposed Stairwells Text Amendment for Non-residential Buildings. The initial mailing inadvertently did not include the proposed text amendment language. This package should replace the earlier mailing. If you have any questions, please contact Dakota Hendon at the Department of City Planning, at (212) 720-3220.

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## PLANNING

Carl Weisbrod, *Director*  
Department of City Planning

November 19, 2014

Re: **N 150167 ZRY**  
Stairwells Text Amendment for Non-residential Buildings

RECEIVED

DEC - 1 2014

BY COMMUNITY BOARD 3

Dear Community Board Member:

The Department of City Planning, in collaboration with the Department of Buildings and the Fire Department, is proposing a city-wide Zoning Text Amendment to facilitate and make effective additional safety measures that are part of New York City's 2014 Building Code.

These safety measures are required for all new non-residential buildings that are greater than 420 feet in height. Buildings of this size are typically found in commercial and manufacturing zoning districts without set height limits that allow a floor area ratio (FAR) of 10 or greater. These districts can be found in midtown and downtown Manhattan, downtown Brooklyn and portions of Long Island City in Queens.

The proposed action consists of an amendment to the New York City Zoning Resolution, Section 12-10 (Definitions), to exempt floor space that is occupied by the additional safety measures from counting toward zoning floor area. The safety measures are intended to enhance public safety in high rise buildings by providing additional exiting capacity for building occupants during emergency situations that require full building evacuation.

Please refer to the attached description in the application for a more detailed description of the proposed amendment. The application was referred by the City Planning Commission on November 17, 2014. The application for the zoning text amendment is not subject to the Uniform Land Use Review Procedure (ULURP) and does not require a public hearing by the Community Board. However, if you have any comments or recommendations on this application, please send them by January 26, 2015 to:

City Planning Commission  
Calendar Information Office  
22 Reade Street, Room 2E  
New York, N. Y. 10007

If you have any questions on the proposed text amendment, please refer to the Department of City Planning website: <http://www.nyc.gov/planning>. You can also contact Dakota Hendon at the Department of City Planning at (212) 720-3220.

Sincerely,



Beth Lebowitz

CC: Jacquelyn Harris, Department of City Planning  
James Merani, Department of City Planning  
Anita Laremont, Department of City Planning  
Patrick Wehle, Department of Buildings  
John Egnatios-Beene, Board of Standards & Appeals  
Raju Mann, City Council Land Use  
Gale A. Brewer, Manhattan Borough President  
Melinda R. Katz, Queens Borough President  
Eric L. Adams, Brooklyn Borough President

**City Map Change . . . . . MM**

**Proposed City Map Change**  
(Check appropriate boxes)

APPLICATION NO

- 1 ESTABLISH NEW  STREET  PARK  PUBLIC PLACE  GRADE
- 2 ELIMINATE EXISTING  STREET  PARK  PUBLIC PLACE  GRADE
- 3 CHANGE EXISTING STREET  WIDTH  ALIGNMENT  GRADE
- 4 EASEMENT  
Delineate New  Remove Existing  Modify Existing
- 5 RELATED ACQUISITION OR DISPOSITION OF PROPERTY

**Zoning Map Change . . . . . ZM**

**Proposed Zoning Map Change(s)**

APPLICATION NO

(If more than five changes are being requested, enter "see attached" below and list ALL PROPOSED ZONING CHANGES in the same format as below on a separate sheet titled "Proposed Zoning Map Changes")

CHANGE #	FROM	TO
CHANGE #1	EXISTING	PROPOSED
CHANGE #2	EXISTING	PROPOSED
CHANGE #3	EXISTING	PROPOSED
CHANGE #4	EXISTING	PROPOSED
CHANGE #5	EXISTING	PROPOSED

**Zoning Text Amendment . . . . . ZR**

N1501 ZR Y

APPLICATION NO

(If more than five sections are proposed to be amended, enter "see attached" below and list ALL PROPOSED TEXT AMENDMENTS in the same format as below on a separate sheet titled "Proposed Zoning Text Amendments")

**Affected Zoning Resolution (ZR) Sections**

ZR SECTION NUMBER	ZONING RESOLUTION SECTION TITLE
12-10	Definitions: Floor Area

NOV 12 PM 5:00  
 DEPT OF CITY PLANNING  
 CITY PLANNING SECTION



# Land Use Review Application

Department of City Planning

22 Reade Street, New York, NY 10007-1216

## N150157ZRY

RECEIVED

City Planning will assign and stamp reference numbers here

### 1. APPLICANT AND APPLICANT'S REPRESENTATIVES

APPLICATION NUMBER	NYC Department of City Planning	APPLICATION NUMBER	DEC 1 2011
APPLICATION NUMBER	22 Reade Street	APPLICATION NUMBER	BY COMMUNITY BOARD 3
APPLICANT (COMPANY/AGENCY OR OTHER ORGANIZATION) *	NYC Department of City Planning	APPLICANT'S PRIMARY REPRESENTATIVE	Beth Lebowitz
STREET ADDRESS	22 Reade Street	REPRESENTATIVE'S COMPANY/AGENCY OR OTHER ORGANIZATION	Director, Zoning Division
CITY STATE ZIP	New York NY 10007	STREET ADDRESS	blebowl@planning.nyc.gov
AREA CODE TELEPHONE # FAX #	212-720-3263	CITY STATE ZIP	
AREA CODE TELEPHONE # FAX #		AREA CODE TELEPHONE # FAX #	

\* List additional applicants below:

### 2. SITE DATA (If the site contains more than one property complete the LR Item 2 Site Data Attachment Sheet.)

CO-APPLICANT (COMPANY/AGENCY OR OTHER ORGANIZATION)		CO-APPLICANT (COMPANY/AGENCY OR OTHER ORGANIZATION)	
ADDITIONAL APPLICANT REPRESENTATIVE		ADDITIONAL APPLICANT REPRESENTATIVE	
NAME AND PROFESSIONAL AFFILIATION (ATTORNEY/ARCHITECT/ENGINEER ETC)		TELEPHONE # FAX #	
N/A	Stairwells Text Amendment		
STREET ADDRESS		PROJECT NAME (IF ANY)	
DESCRIPTION OF PROPERTY BY BOUNDING STREETS OR CROSS STREETS			
Various	N/A		
EXISTING ZONING DISTRICT (INCLUDING SPECIAL ZONING DISTRICT DESIGNATION, IF ANY)		ZONING SECTIONAL MAP NO(S)	
N/A	MN, QN, BK	Multiple	
TAX BLOCK AND LOT NUMBER		BOROUGH COMM DIST	
URBAN RENEWAL AREA, HISTORIC DISTRICT OR OTHER DESIGNATED AREA (IF ANY)			
IS SITE A NEW YORK CITY OR OTHER LANDMARK? NO <input type="checkbox"/> YES <input type="checkbox"/>		IF YES IDENTIFY	N/A

### 3. DESCRIPTION OF PROPOSAL

(If the entire project description does not fit in this space, enter "see attached description" below and submit description on a separate sheet identified as "LR Item 3 Description of Proposal")

### 4. ACTIONS REQUESTED AND FEES

(Check appropriate action(s) and attach supplemental form)

\* No supplemental form required

<input type="checkbox"/>	CHANGE IN CITY MAP	MM	\$	
<input type="checkbox"/>	ZONING MAP AMENDMENT	ZM	\$	
<input checked="" type="checkbox"/>	ZONING TEXT AMENDMENT	ZR	\$	
<input type="checkbox"/>	ZONING SPECIAL PERMIT	ZS	\$	
<input type="checkbox"/>	ZONING AUTHORIZATION	ZA	\$	
<input type="checkbox"/>	ZONING CERTIFICATION	ZC	\$	
<input type="checkbox"/>	PUBLIC FACILITY SEL /ACQ	PF	\$	
<input type="checkbox"/>	DISPOSITION OF REAL PROP	PD	\$	
<input type="checkbox"/>	URBAN DEVELOP/AT ACTION	HA	\$	
<input type="checkbox"/>	URBAN RENEWAL PROJECT	-	\$	
<input type="checkbox"/>	HOUSING PLAN & PROJECT	-	\$	
<input type="checkbox"/>	FRANCHISE	-	\$	
<input type="checkbox"/>	REVOCABLE CONSENT	-	\$	
<input type="checkbox"/>	CONCESSION	-	\$	
<input type="checkbox"/>	LANDFILL	-	\$	
<input type="checkbox"/>	OTHER (Describe)		\$	

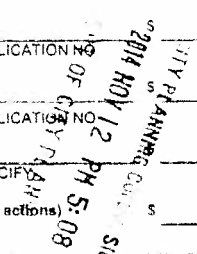
<input type="checkbox"/>	MODIFICATION	\$
<input type="checkbox"/>	FOLLOW-UP	\$
<input type="checkbox"/>	RENEWAL	\$
<input type="checkbox"/>	OTHER	\$
	TOTAL FEE (For all actions)	\$

Make Check or Money Order payable to Department of City Planning  
If fee exemption is claimed check box below and explain

City Agency

Has pre-application meeting been held?  NO  YES

If yes: Zoning / Dakota Hendon 08/30/2013  
DCP Office/Representative Date of meeting



**STAIRWELLS TEXT AMENDMENT**  
**LR ITEM 3**  
**November 17, 2014**

**I. Introduction**

The Department of City Planning (DCP), in collaboration with the Department of Buildings (DOB) and the Fire Department (FDNY), is proposing a city-wide Zoning Text Amendment to facilitate and make effective additional safety measures that are part of New York City's 2014 Building Code. The safety measures are intended to enhance public safety in a particular category of new high rise buildings by providing additional exiting capacity for building occupants during emergency situations that require full building evacuation. These safety measures may be provided as designated emergency elevators, increased exit stair width, or as an additional exit stairway. The proposed text amendment consists of an amendment to the New York City Zoning Resolution, Section 12-10 (Definitions), to exempt floor space that is occupied by these additional safety measures from counting towards zoning floor area (zfa).

Such measures are required for all new non-residential buildings that are greater than 420 feet in height but **do not apply** to residential buildings. Buildings of this size are typically found in zoning districts without set height limits that allow a floor area ratio (FAR) of 10 or greater. These districts can be found in midtown and downtown Manhattan, downtown Brooklyn and portions of Long Island City in Queens. As stipulated in Local Law 141 of 2013, the new safety provisions, described in more detail below, will only become effective after the approval of this proposed zoning text amendment.

**II. Background**

After the collapse of the World Trade Center towers in 2001, the City recognized the need to comprehensively review and modernize the 1968 Building Code to bring construction requirements up to date. The work to modernize the 1968 Building Code began in 2002. It was administered by the DOB, and utilized the 2003 edition of the International Code Council's (ICC) family of codes as the basis for updating. The DOB organized more than 400 industry stakeholders, including architects, engineers, city planners, representatives of building owners, labor, affordable housing and government, into technical, advisory and managing committees. These committees reviewed the entire 1968 Building Code and compared it with the 2003 editions of the International Building, Mechanical, Fuel Gas and Plumbing Codes to identify the "new" code provisions. This work culminated with the passage of Local Law 99 of 2005 and Local Law 33 of 2007, also known as the 2008 New York City Construction Codes. An important feature of the legislation was the mandatory three-year revision cycle, a system designed to prevent code standards from becoming obsolete for want of timely revision. It is believed that if New York's buildings are to continue to function as monuments of the City's ingenuity, vision and expertise, its Construction Codes should do the same.

In 2011 the Department of Buildings began work on the first Construction Codes revision mandated by Local Law 33 of 2007. Once again it was a public/private partnership involving

more than 350 participants on 11 technical, advisory and managing committees. The committees reviewed the changes from the 2009 editions of the International Building, Mechanical, Fuel Gas and Plumbing Codes. In more than 48,500 hours spent attending more than 255 technical, advisory, and managing committee meetings, the members worked together to resolve issues and craft the revisions to the code that reflect the needs of the city. The Technical Committees, by consensus, either adopted the ICC revisions, or modified the changes to fit the needs and conditions of New York City. If an impasse was reached, and the committee could not reach consensus, it was forwarded to the DOB for mediation among stakeholders. Local Law 141 of 2013 (the revisions to the 2008 NYC Construction Codes) was passed by the City Council and signed by the Mayor in December 2013. These new provisions are collectively known as the 2014 NYC Construction Codes.

Included in the latest revisions are many provisions that increase safety within buildings, especially high-rise buildings. Some of these safety provisions implement the recommendations of the National Institute of Standards and Technology (NIST) World Trade Center Report (2005) that include decreasing the time it takes to evacuate an entire building in an emergency, increasing the ability of first responders to access building occupants and providing greater redundancy in escape routes to ensure that, should one such route become unavailable for building occupants, there is still adequate capacity to exit or evacuate the building. The practice of safety procedures during emergencies, including emergency occupant evacuation, is evolving. The 2008 Construction Codes assumed a “typical” firefighting strategy to shelter in place, thereby focusing on providing capacity to evacuate only one or two stories. The 2009 International Building Code, NIST and general building industry recognized an increased need for full building evacuation. These concepts were incorporated in the revisions to Section 403.5.2 of the Building Code contained in Local Law 141 of 2013.

Briefly summarized, Building Code Section 403.5.2 is a new provision requiring **one** of the following options be incorporated into the design of all new **non-residential buildings greater than 420 feet in height, or any mixed-use building that contains non-residential use above a height of 420 feet:**

1. Construct all passenger elevators in the building as “occupant self-evacuation” type, including the safety requirements of such elevators, such as connection to emergency standby power, emergency communications, and special lobby dimensions to accommodate floor occupants, including wheelchairs; or
2. Increase the required width of all “emergency” exit stairways by 25 percent above what is otherwise required **and** construct all passenger elevators as “occupant self-evacuation” type **but** the standby power generating-equipment need only be sized to accommodate a limited number of the elevators (defined by an approved timed egress analysis); or
3. Construct one additional “emergency” exit stairway than is normally required based on the number of building occupants.

The above requirements in Section 403.5.2 of the Building Code resulted from mediation that included all stakeholders in both the Egress and Elevator Technical Committees. (**See the DOB**

**website** for the 2011 Construction Codes Revision Handbook that provides a detailed description of the code revision process, including mediation.) The International Building Code provisions were modified during the mediation process to accommodate NYC building conditions and resulted in the requirements summarized above. These modifications are necessary to increase safety in high-rise buildings while also accommodating the vastly different types of development sites, and buildings, in New York City.

### **III. Purpose & Need**

The majority of the provisions of Local Law 141/2013 (the 2014 NYC Construction Codes) will take effect on December 31, 2014. However, *Section 403.5.2* of the Building Code, *Additional Exit Stairway*, states that the provisions “shall take effect the later of 18 months after the date of enactment of this local law or the date of an amendment of the definition of floor area in the New York City Zoning Resolution providing for the exclusion of the floor area of the additional exit stairway and additional exit stairway width from the calculation of floor area...”. (Section 14 of Local Law 141 of 2013).

The purpose of this action is to enhance public safety in a particular category of new high-rise buildings by providing additional exit capacity for building occupants during emergency situations that require safe, orderly and timely full building evacuation. The text amendment is necessary in order to effectuate these additional safety measures, as required by Building Code section 403.5.2 (aka Section 1 of Subpart 4 of Part C of Local Law 141 of 2013).

### **IV. Actions Necessary to Facilitate the Project**

The action necessary to facilitate the project consists of a text amendment to Section 12-10 (Definitions) of the New York City Zoning Resolution. The proposed amendment would modify the definition of *floor area* to exempt the required additional stair width or the additional stair from zoning floor area (zfa), when such safety measure is provided pursuant to the Building Code. The proposed exemption would allow for the restoration of the minor loss of zoning floor area that would result from providing these safety measures. The zoning text amendment would not increase the allowable zoning floor area of any affected site and net usable square footage would remain the same as currently permitted under existing regulations. No other changes to areas that permit high-rise development are included with this action.

**Section 12-10 (Definitions)** of the Zoning Resolution defines “floor area” by listing the types of floor space that do and do not count towards allowable zfa. The proposed zoning text amendment would extend the list of what does not count towards zfa by exempting the floor space occupied by additional exit stairwell capacity. Such floor space may come in two forms:

- 1) As a 25 percent enlargement of the stairwells already required by code, in which case the added width of the stairs and landings is exempted, but not the enclosing walls; or
- 2) As an additional stairwell structurally separate from the stairwells already required by code, in which case the floor area of the additional stairwell’s stairs, landings and enclosing structural walls is exempted.



## V. Affected Area

The proposed text amendment is limited to non-residential buildings greater than 420 feet in height. Such buildings are most likely to be found in zoning districts without set height limits and with allowed floor area ratios (FAR) exceeding 10. These districts are:

10 FAR: C4-7, C5-2, C5-4, C6-4, C6-5, C6-8, M1-6

15 FAR: C5-3, C5-5, C6-6, C6-7, C6-9

These districts are commonly located in midtown and downtown Manhattan (Manhattan CD 1, 2, 3, 4, 5, 6, 7 and 8), downtown Brooklyn (Brooklyn CD 2) and small areas in Long Island City Queens (Queens CD 1, 2).

## VI. Analysis

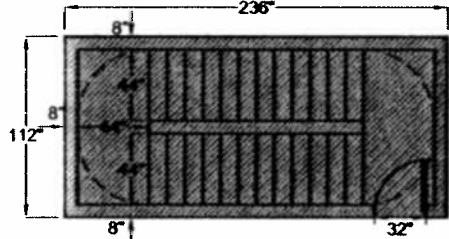
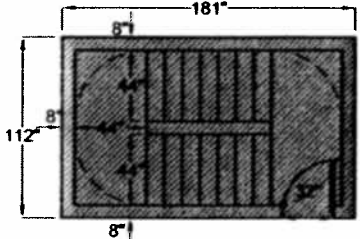
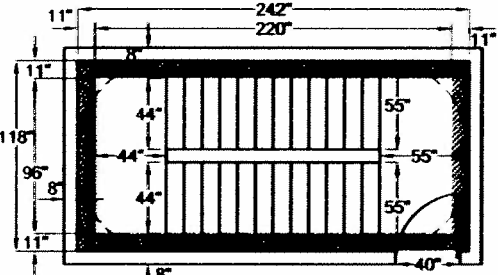
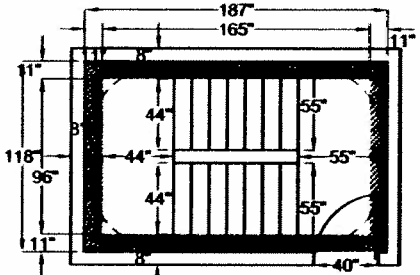
Depending on the design option selected from the Building Code requirements, the reconfiguration of total net floor area could result in slightly bulkier buildings; either with slightly larger floorplates, or slightly increased height. To understand the net effect of this change, the Department studied building types most likely to be affected by the proposed amendment. According to DOB records, from Jan 1, 1997 through June 31, 2014, only 29 non-residential buildings over 420 feet in height (less than 2 per year) were constructed or are under construction. Of these 29 buildings, 18 are office buildings, 10 are hotels, and 1 is a hospital. In the same time period 73 residential buildings over 420 feet in height were constructed or are under construction. Residential buildings would not be affected by the proposed zoning text amendment, and consequently were not analyzed. Therefore, based on the DOB data, office and hotels are the primary types of high-rise development affected by this action and are the focus of the analysis.

For the reasons described above, prototypical hotel and office development were assessed. The proposed zoning text amendment would allow new non-residential high-rise buildings taller than 420 feet to exempt the floor area that would be occupied by the additional emergency egress stairway or the increased width added to required stairways, from counting as zoning floor area. This may result either in a small increase to the height or lot coverage, but no increase in usable floor area. Such increases would need to be within the permitted zoning envelope for both lot coverage and maximum height, as no additional bulk changes are proposed.

The slight increase in bulk resulting from the proposed action may affect development sites of different sizes differently. Therefore, hotels and office buildings on large-, medium- and small foot-print sites were assessed.

**Figure 1** indicates the typical fire safety exit stairways found in high-rise office and hotel developments. It illustrates the amount of floor space taken up by the additional safety exit stair (184 square feet per office floor; 141 square feet per hotel floor) and the amount of floor space taken up by the 25% increase in width of the current stairways (52 square feet per office stairway; 47 square feet per hotel stairway), using typical floor to floor heights in each building type.

Figure 1: Floor Space Used by Fire Safety Requirement

	<b>OFFICE</b> (14'-0" floor-to-floor, 8" thick enclosing walls)	<b>HOTEL</b> (9'-0" floor-to-floor, 8" thick enclosing walls)
<b>Additional fire safety exit stair</b> (44" stair width)	 <p>floor space = <b>184 sf</b></p>	 <p>floor space = <b>141 sf</b></p>
<b>25% fire safety exit stair width increase</b> (55" stair width)	 <p>floor space = <b>52 sf</b></p>	 <p>floor space = <b>43 sf</b></p>

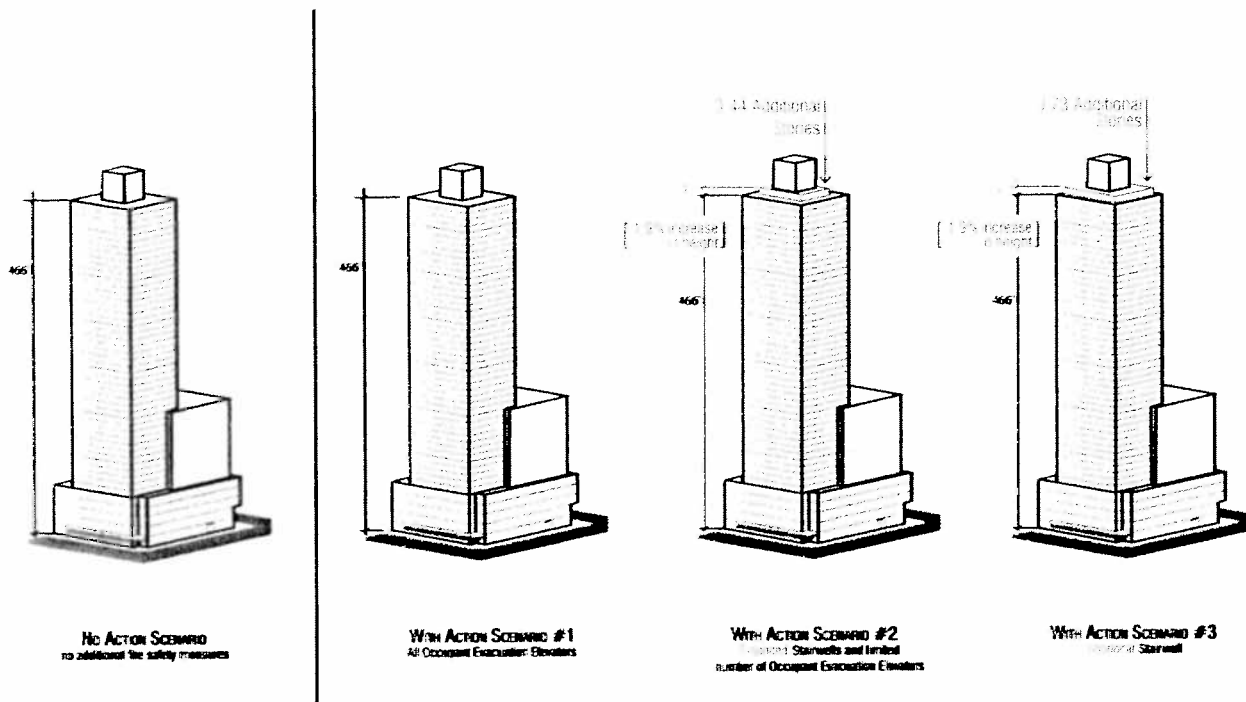
Revision: 2/10/2013

Buildings with small footprints have a tight building core, and usually a small number of elevators are adequate to serve the building occupants. Because of the limited amount of square feet per floor, the designers of such buildings typically seek to maximize the amount of usable floor area per floor. The provision of all occupant self-evacuation elevators (OEEs) occupies the least amount of usable floor area per floor, thus maximizing efficiency, and would therefore be the most likely design option for these small footprint buildings. The fact that fewer elevators are provided in small floor plate buildings, construction cost associated with adding the OEEs is also less.

By contrast, high-rise buildings with large floorplates need significantly more elevators to efficiently transport the building occupants. Therefore, the added cost for all OEEs is greatly multiplied and the provision of backup power for all the elevators is more expensive as well. Overall, development sites with larger floorplates allow the project designer a greater amount of design flexibility. The designer of these buildings would most likely choose either the 25% wider stairways with OEEs or the additional exit stairway.

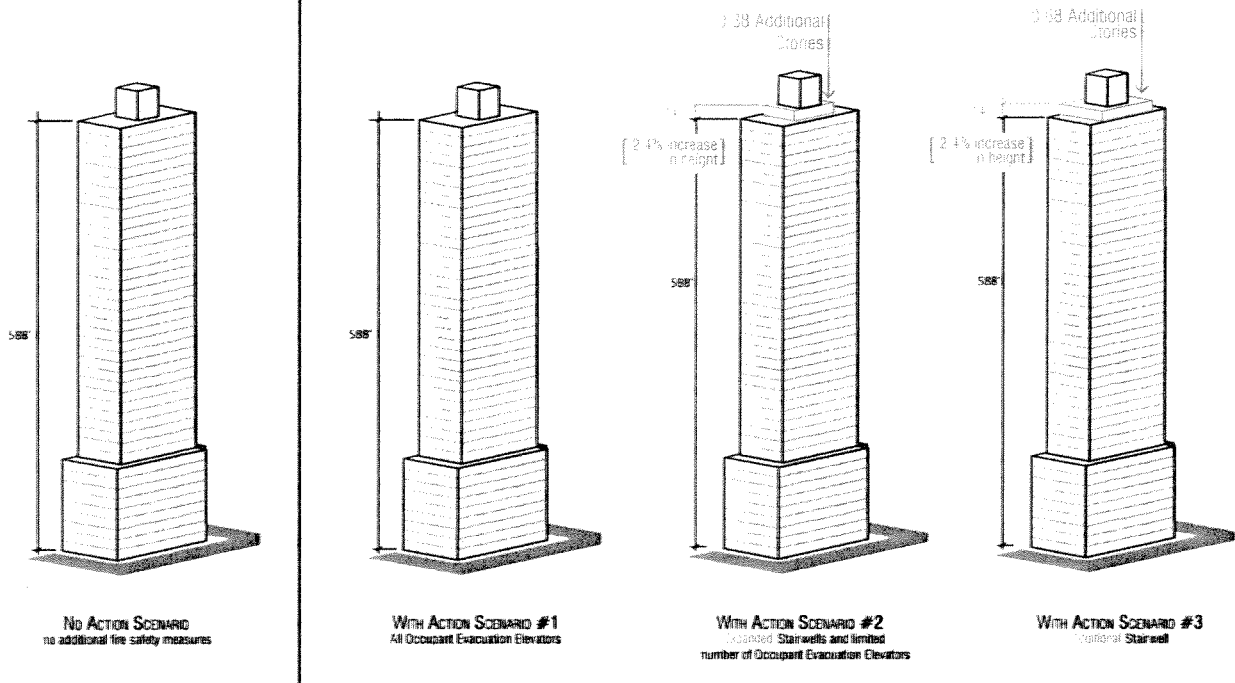
Figures 2, 3 and 4, below, illustrate the net effect of the added bulk in each of the analyzed scenarios. In each building type, gross square footage and height are compared to the existing conditions and each of the fire safety options. The resulting exempted square footage is added to the top of the building and shown as a ratio of the floorplate of the highest story.

Figure 2: Small Floor Plate (less than 10k sf)



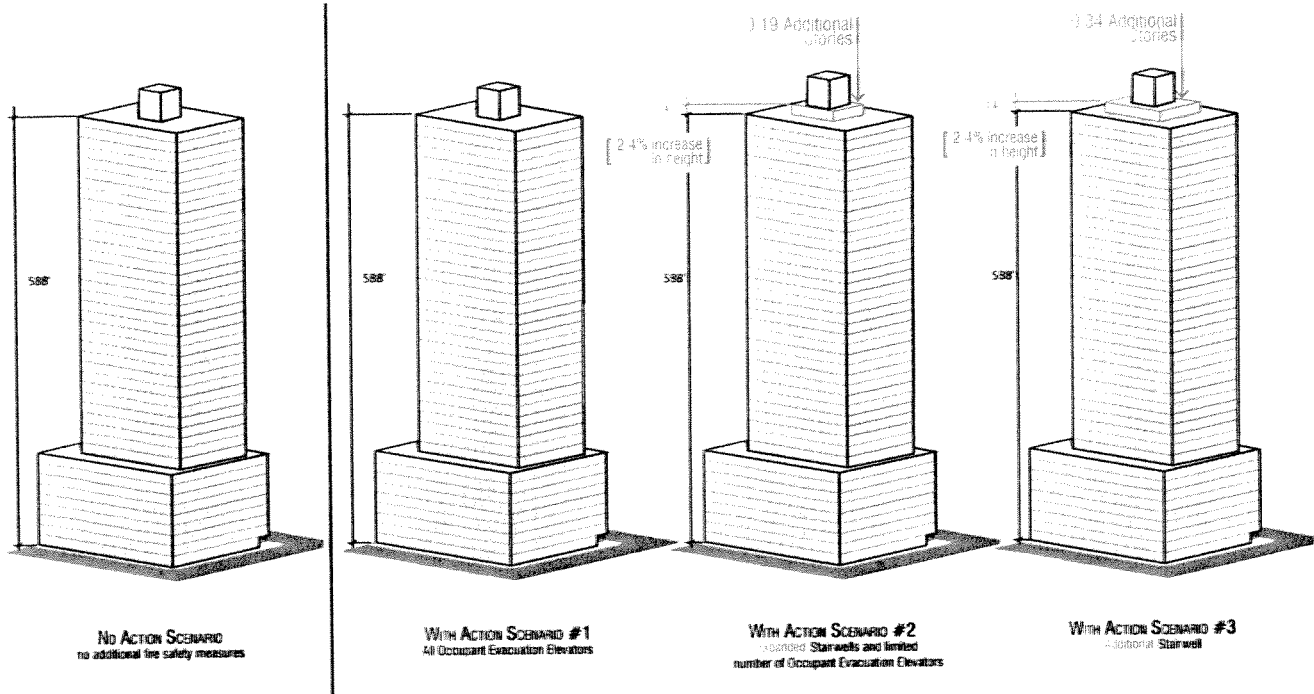
Small Floor Plate	Additional Fire Safety Exit Stair	25% Fire Safety Exit Stair Width Increase
<p><b>Scenario 4: SMALL (HOTEL)</b></p> <p>Location: Midtown Manhattan</p> <p>Height: 466' (&gt; 420')</p> <p>Stories: 49 (5 stories @ 14' high, 44 stories @ 9' high)</p> <p>Dimensions of Lowest Story: 180' x 120'</p> <p>Dimensions of Highest Story: 90' x 110'</p> <p>Gross Floor Area: 543,600 sf</p>	<p>Floor space for one 44" wide, 9' high stair = 141 sf (as per attached drawing)</p> <p>Floor space for one 44" wide, 14' high stair = 184 sf (same as office)</p> <p>Final # of stories = 49 + 1* = 50 stories</p> <p><i>*Additional story to accommodate exempted square footage.</i></p> <p>141 sf per story x 45 stories = 6,345 sf 184 sf per story x 5 stories = 920 sf</p> <p>Area of highest story = 90' x 110' = 9,900 sf</p> <p>(6,345 + 920 = 7,265) sf / 9,900 sf = 0.73 additional stories</p> <p>The proposed action results in 7,265 square feet added to the bulk of the 543,600 sf building, which is 1.3% of the original building's floor area or about 1/4 of an additional story.</p>	<p>25% increase in stair width, 9' high stair = 43 sf (as per attached drawing)</p> <p>25% increase in stair width, 14' high stair = 52 sf (same as office)</p> <p>43 sf x 2 (stairways, required) = 86 sf 52 sf x 2 (stairways, required) = 104 sf</p> <p>Final # of stories = 49 + 1* = 50 stories</p> <p><i>*Additional story to accommodate exempted square footage.</i></p> <p>86 sf per story x 45 stories = 3,870 sf 104 sf per story x 5 stories = 520 sf</p> <p>Area of highest story = 90' x 110' = 9,900 sf</p> <p>(3,870 + 520 = 4,390) sf / 9,900 sf = 0.44 additional stories</p> <p>The proposed action results in 4,390 square feet added to the bulk of the 543,600 square foot building, which is 0.8% of the original building's floor area or less than 1/4 of an additional story.</p>

Figure 3: Medium Floor Plate (10k – 15k sf)



Medium Floor Plate	Additional Fire Safety Exit Stair	25% Fire Safety Exit Stair Width Increase
<b>Scenario 1: Medium (OFFICE)</b>	Floor space for one 44" wide stair = 184 sf (as per attached drawing)	25% increase in stair width = 52 sf (as per attached drawing)
Location: Midtown Manhattan		52 sf x 2 (stairways, required) = 104 sf
Height: 588' (> 420')	Final # of stories = 42 + 1* = 43 stories	Final # of stories = 42 + 1* = 43 stories
Stories: 42	*Additional story to accommodate exempted square footage.	*Additional story to accommodate exempted square footage.
Dimensions of Lowest Story: 100' x 190'	184 sf per story x 43 stories = 7,912 sf	104 sf per story x 43 stories = 4,472 sf
Dimensions of Highest Story: 78' x 150'	Area of highest story = 78' x 150' = 11,700 sf	Area of highest story = 11,700 sf
Gross Floor Area: 557,100 sf	7,912 sf / 11,700 sf = 0.68 additional story	4,472 sf / 11,700 sf = 0.38 additional story
	The proposed action results in 7,912 square feet added to the bulk of the 557,100 square foot building, which is 1.4% of the original building's floor area or less than 1/4 of an additional story.	The proposed action results in 4,472 square feet added to the bulk of the 557,100 square foot building, which is 0.8% of the original building's floor area or less than 1/4 of an additional story.

Figure 4: Large Floor Plate (greater than 15k sf)



Large Floor Plate	Additional Fire Safety Exit Stair	25% Fire Safety Exit Stair Width Increase
<p><b>Scenario 2: LARGE (OFFICE)</b></p> <p>Location: <b>Midtown Manhattan</b></p> <p>Height: <b>588'</b> (&gt; 420')</p> <p>Stories: <b>42</b></p> <p>Dimensions of Lowest Story: <b>200' x 190'</b></p> <p>Dimensions of Highest Story: <b>180' x 130'</b></p> <p>Gross Floor Area: <b>1,142,200 sf</b></p>	<p>Floor space for one 44" wide stair = <b>184 sf</b> (attached as per drawing)</p> <p>Final # of stories = 42 + 1* = <b>43 stories</b></p> <p><i>*Additional story to accommodate exempted square footage.</i></p> <p>184 sf per story x 43 stories = <b>7,912 sf</b></p> <p>Area of highest story = 181 x 130 = <b>23,400 sf</b></p> <p>7,912 sf / 23,400 sf = <b>0.34 additional story</b></p> <p>The proposed action results in 7,912 square feet added to the bulk of the 1,142,200 square foot building, which is 0.7% of the original building's floor area or about 1/5 of an additional story.</p>	<p>25% increase in stair width = <b>52 sf</b> (as per attached drawing)</p> <p>52 sf x 2 (stairways, required) = <b>104 sf</b></p> <p>Final # of stories = 42 + 1* = <b>43 stories</b></p> <p><i>*Additional story to accommodate exempted square footage.</i></p> <p>104 sf per story x 43 stories = <b>4,472 sf</b></p> <p>Area of highest story = <b>23,400 sf</b></p> <p>4,472 sf / 23,400 sf = <b>0.19 additional story</b></p> <p>The proposed action results in 4,472 square feet added to the bulk of the 1,142,200 square foot building, which is 0.4% of the original building's floor area or less than 1/5 of an additional story.</p>

## **V. Conclusion**

The proposed text amendment modifies the definition of *Floor Area* to exempt the additional fire exit stairway or stairway width from counting towards Zoning Floor Area. It would not result in new or increased development in the City, nor would it affect the type, amount or location of future development. There would be no difference in permitted zoning floor area. The principal effects of the proposed action would be the effectuation of Building Code Section 403.5.1, resulting in improved safety in new high-rise, non-residential buildings. As illustrated above, it is anticipated that high-rise building designers would choose the all OEE option for very small floor plates, typical of hotels and either widened safety stairways or additional stair options for those high-rise buildings with small, medium or large floor plates, typical of offices and hotels. If the exempted floor area was cumulatively added to the top of the building, the added floor area would result in less than one full additional story, ranging from 19% to 73% of a floor, depending on the building type and Building Code option chosen. In these cases the height of the resulting building would be approximately 9 to 14 feet taller, depending on the type of building.



**NYC PLANNING**  
DEPARTMENT OF CITY PLANNING

CITY OF NEW YORK  
DEPARTMENT OF CITY PLANNING

Carl Weisbrod, *Director*  
Department of City Planning

November 19, 2014

Re: **N 150167 ZRY**  
Stairwells Text Amendment for Non-residential Buildings

Dear Community Board Member:

The Department of City Planning, in collaboration with the Department of Buildings and the Fire Department, is proposing a city-wide Zoning Text Amendment to facilitate and make effective additional safety measures that are part of New York City's 2014 Building Code.

These safety measures are required for all new non-residential buildings that are greater than 420 feet in height. Buildings of this size are typically found in commercial and manufacturing zoning districts without set height limits that allow a floor area ratio (FAR) of 10 or greater. These districts can be found in midtown and downtown Manhattan, downtown Brooklyn and portions of Long Island City in Queens.

The proposed action consists of an amendment to the New York City Zoning Resolution, Section 12-10 (Definitions), to exempt floor space that is occupied by the additional safety measures from counting toward zoning floor area. The safety measures are intended to enhance public safety in high rise buildings by providing additional exiting capacity for building occupants during emergency situations that require full building evacuation.

Please refer to the attached description in the application for a more detailed description of the proposed amendment. The application was referred by the City Planning Commission on November 17, 2014. The application for the zoning text amendment is not subject to the Uniform Land Use Review Procedure (ULURP) and does not require a public hearing by the Community Board. However, if you have any comments or recommendations on this application, please send them by January 26, 2015 to:

City Planning Commission  
Calendar Information Office  
22 Reade Street, Room 2E  
New York, N. Y. 10007

Beth Lebowitz, *Director*  
22 Reade Street, New York, NY 10007-1216 Room 3E  
Tel (212) 720-3262 - Fax (212) 720-3244 - [www.nyc.gov/planning](http://www.nyc.gov/planning)

If you have any questions on the proposed text amendment, please refer to the Department of City Planning website: <http://www.nyc.gov/planning>. You can also contact Dakota Hendon at the Department of City Planning at (212) 720-3220.

Sincerely,

Beth Lebowitz

CC: Jacquelyn Harris, Department of City Planning  
James Merani, Department of City Planning  
Anita Laremont, Department of City Planning  
Name of Intergovernmental Person, Department of Buildings  
Name of Chief Counsel, Board of Standards & Appeals  
Manhattan Borough President  
Queens Borough President  
Brooklyn Borough President  
Raju Mann, City Council Land Use



# Proposed Stairwells Text Amendment

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Matter in underline is new, to be added;

Matter in ~~strikeout~~ is old, to be deleted;

Matter within # # is defined in Section 12-10;

\* \* \* indicates where unchanged text appears in the Zoning Resolution

## ARTICLE I GENERAL PROVISIONS

\* \* \*

### Chapter 2 Construction of Language and Definitions

\* \* \*

#### 12-10 DEFINITIONS

Words in the text or tables of this Resolution which are #*italicized*# shall be interpreted in accordance with the provisions set forth in this Section.

\* \* \*

#### Floor area

"Floor area" is the sum of the gross areas of the several floors of a #building# or #buildings#, measured from the exterior faces of exterior walls or from the center lines of walls separating two #buildings#. In particular, #floor area# includes:

- (a) #basement# space, except as specifically excluded in this definition;
- (b) elevator shafts or stairwells at each floor; except as specifically excluded in this definition;

\* \* \*

However, the #floor area# of a #building# shall not include:

\* \* \*

(11) floor space within stairwells

(i) at each floor of #buildings# containing #residences# #developed# or #enlarged# after April 16, 2008, that are greater than 125 feet in height, provided that:

(+) (1) such stairwells are located on a #story# containing #residences#;

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- (ii) (2) such stairwells are used as a required means of egress from such #residences#;
- (iii)(3) such stairwells have a minimum width of 44 inches;
- (iv)(4) such floor space excluded from #floor area# shall be limited to a maximum of eight inches of stair and landing width measured along the length of the stairwell enclosure at each floor; and
- (v)(5) where such stairwells serve non-#residential uses# on any floor, or are located within multi-level #dwelling units#, the entire floor space within such stairwells on such floors shall count as #floor area#;
- (ii) at each floor of #buildings# #developed# or #enlarged# after (date of amendment), that are 420 feet or greater in height, provided that:
  - (1) such stairwells serve a space that is any occupancy group other than Group R-2, as classified in the New York City Building Code, that is located at or above a height of 420 feet; and
  - (2) such floor space excluded from #floor area# shall be limited to:
    - (aa) the 25 percent of stair and landing width required by the New York City Building Code which is provided in addition to the stair and landing widths required by such Code for means of egress; or
    - (bb) the one stairwell required by the New York City Building Code which is provided in addition to the stairwells required by such Code for means of egress. For the purposes of this paragraph (11)(i)(2)(bb), such additional stairwell shall include the stair and landings as well as any walls enclosing such stair and landings.
- (12) exterior wall thickness, up to eight inches:

\* \* \*

**Zoning Districts where Commercial Buildings Can Exceed Heights of 420 Feet**  
**Overview**

