

# CITY PLANNING COMMISSION DISPOSITION SHEET

**PUBLIC MEETING:**  
**WEDNESDAY, JANUARY 5, 2005**  
**10:00 A.M. SPECTOR HALL**  
**22 READE STREET, NEW YORK 10007**

**Yvette V. Gruel, Calendar Officer**  
**22 Reade Street, Room 2E**  
**New York, New York 10007-1216**  
**(212) 720-3370**

CAL NO.	ULURP NO.	CD NO	PROJECT NAME	C.P.C. ACTION
1	C 040415 MMK	1	GREENPOINT/WILLIAMSBURG ZONING PROPOSAL	Scheduled to be Heard 1/19/05
2	C 040416 MMK	1	“ ”	“ ”
3	C 040417 MMK	1	“ ”	“ ”
4	C 040418 MMK	1	“ ”	“ ”
5	N 050110 ZRK	1	“ ”	“ ”
6	N 050110(A) ZRK	1	“ ”	“ ”
7	C 050111 ZMK	1	“ ”	“ ”
8	C 050111(A) ZMK	1	“ ”	“ ”
9	C 050121 HAK	4,16	ANCHOR-BROADWAY	Hearing Closed
10	C 050160 HAK	16	RIVERDALE APARTMENTS	“ ”
11	C 040351 ZSM	1	541 BROADWAY	“ ”
12	C 030247 PCQ	14	ROCKAWAY WATER POLLUTION CONTROL PLANT	“ ”
13	C 030248 ZSQ	14	“ ”	“ ”
14	C 040528 PQQ	12	JAMAICA NAACP DAY CARE CENTER	Hearing Continued
15	C 050153 ZMQ	9	KEW GARDENS/RICHMOND HILL REZONING	Hearing Closed
16	C 050029 PCR	3	LEMON CREEK SEWER EASEMENTS	“ ”
17	C 050067 PCR	3	SWEET BROOK BLUE BELT	“ ”

COMMISSION ATTENDANCE:	Present (P) Absent (A)	COMMISSION VOTING RECORD:												
		In Favor - Y Oppose - N Abstain - AB Recuse - R												
Calendar Numbers:		18	19	20	21	22	23	24	S1					
Amanda M. Burden, AICP, Chair	P		Y	Y	Y	Y	Y	Y	Y					
Kenneth J. Knuckles, Esq., Vice Chairman	P		Y	Y	Y	Y	Y	Y	Y					
Angela M. Battaglia	A	L												
Irwin Cantor, P.E.	P	A	Y	Y	Y	Y	Y	Y	Y					
Angela R. Cavaluzzi, R.A.	P	I	Y	Y	Y	Y	Y	Y	Y					
Alfred C. Cerullo, III	P	D	Y	Y	Y	Y	Y	Y	Y					
Richard W. Eaddy	P		Y	Y	Y	Y	Y	Y	Y					
Jane D. Gol	P	O	Y	Y	Y	Y	Y	Y	Y					
Lisa A. Gomez	P	V	AB	AB	AB	AB	AB	AB	AB					
Christopher Kui	P	E	Y	Y	Y	Y	Y	Y	Y					
John Merolo	P	R	Y	Y	Y	Y	Y	Y	Y					
Karen A. Phillips	P		Y	Y	Y	Y	Y	Y	Y					
Dolly Williams, Commissioners	P		Y	R	R	Y	Y	Y	R					

MEETING ADJOURNED AT: 11:22 A.M.

# CITY PLANNING COMMISSION DISPOSITION SHEET

**PUBLIC MEETING:  
WEDNESDAY, JANUARY 5, 2005  
10:00 A.M. SPECTOR HALL  
22 READE STREET, NEW YORK 10007**

**Yvette V. Gruel, Calendar Officer  
22 Reade Street, Room 2E  
New York, New York 10007-1216  
(212) 720-3370**

CAL NO.	ULURP NO.	CD NO	PROJECT NAME	C.P.C. ACTION
18	C 050120 ZMX	1	PORT MORRIS REZONING	Laid Over
19	C 040251 ZMK	10	RESTAURANT 101	Favorable Report Adopted
20	C 050002 ZSM	4	JOHN JAY COLLEGE	" "
21	C 050003 ZSM	4	" "	" "
22	N 050205 PXQ	12	OFFICE SPACE	" "
23	C 040410 ZMR	1	CLOVE LAKE REZONING	" "
24	N 050093 ZRY	cw	NATURAL AREA TEXT AMENDMENT	" "
	Supplemental Cal.			
1	M 970087(B) ZSM	4	JOHN JAY COLLEGE	Favorable Report Adopted

COMMISSION ATTENDANCE:	Present (P) Absent (A)	COMMISSION VOTING RECORD: In Favor - Y Oppose - N Abstain - AB Recuse - R																		
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Amanda M. Burden, AICP, Chair																				
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Lisa A. Gomez																				
Christopher Kui																				
John Merolo																				
Karen A. Phillips																				
Dolly Williams, Commissioners																				

MEETING ADJOURNED AT:

**COMPREHENSIVE**  
**CITY PLANNING CALENDAR**  
**of**  
**The City of New York**  
—————  
**CITY PLANNING COMMISSION**  
—————  
**WEDNESDAY, JANUARY 5, 2005**  
—————  
**MEETING AT 10:00 A.M. AT SPECTOR HALL**  
**22 READE STREET**  
**NEW YORK, NEW YORK**



**Michael R. Bloomberg, Mayor**

**City of New York**

**[No. 1]**

**Prepared by Yvette V. Gruel, Calendar Officer**

**To view the Planning Commission Calendar and/or the Zoning Resolution  
on the World Wide Web, visit the Department of City Planning (DCP)  
home page at: [nyc.gov/planning](http://nyc.gov/planning)**

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**CITY PLANNING COMMISSION**

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GENERAL RULES OF PROCEDURE AS PERTAINING TO  
PUBLIC MEETINGS

1. A quorum shall consist of seven members.
2. Final action by the Commission shall be by the affirmative vote of not less than seven members.
3. Except by unanimous consent, matters upon which public hearing are required by law shall lie over until the next meeting following the public hearing.
4. Matters not on the calendar may be considered by unanimous consent.

**NOTE-** Matters scheduled for public hearing by the City Planning Commission usually appear in three calendars: first in Section I, (Scheduling Dates for Future Public Hearings), second in Section II, (Public Hearings), and third in Section III, (Reports). Matters scheduled for public hearing by Community Boards appear in a separate calendar available in the Calendar Information Office.

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**NOTICE--CALENDARS:** City Planning Commission calendars and disposition sheets are now available on the Department of City Planning's web site ([www.nyc.gov/planning](http://www.nyc.gov/planning)). The availability of these documents on-line will occur earlier than the current printed documents.

If you wish to be notified of the web site availability of calendars and disposition sheets, please send your name, organization and E-mail address to the address listed below. Any individual or organization that would like to receive paper copies of the aforementioned documents will be able to do so at a fee of \$120.00 annually. Please have the certified check made out to the **City of New York -- Department of City Planning** to the attention of the Calendar Information Office, 22 Reade Street, Room 2E, New York, New York 10007-1216.

**For Calendar Information:** call (212) 720-3368, 3369, 3370.

**Note to Subscribers:** Notify us of change of address including E-mail by writing to:

**City Planning Commission**  
Calendar Information Office  
22 Reade Street - Room 2E  
New York, New York 10007-1216

**B**  
**CITY PLANNING COMMISSION**

22 Reade Street, New York, N.Y. 10007-1216

**AMANDA M. BURDEN**, *AICP, Chair*

**KENNETH J. KNUCKLES**, *Esq., Vice Chairman*

**ANGELA M. BATTAGLIA**

**IRWIN G. CANTOR**, *P.E.*

**ANGELA R. CAVALUZZI**, *R.A.*

**ALFRED C. CERULLO, III**

**RICHARD W. EADDY**

**JANE D. GoL**

**LISA A. GOMEZ**

**CHRISTOPHER KUI**

**JOHN MEROLO**

**KAREN A. PHILLIPS**

**DOLLY WILLIAMS**, *Commissioners*

**YVETTE V. GRUEL**, *Calendar Officer*

The regular public meetings of the Commission shall be held twice monthly on Wednesday at 10:00 a. m. in Spector Hall, 22 Reade Street, Manhattan, unless otherwise ordered.

**ORDER OF BUSINESS AND INDEX**

**WEDNESDAY, JANUARY 5, 2005**

Roll Call; approval of minutes .....	1
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II. Public Hearings .....	104
III. Reports .....	127
IV. Schedule of Meetings: January 1, 2005 - June 30, 2005.....	191

**Community Board Public Hearing Notices are available in the  
Calendar Information Office, Room 2E, 22 Reade Street,  
New York, N.Y. 10007**

The next regular public meeting of the City Planning Commission is scheduled for January 19, 2005 at the New York City College of Technology, 285 Jay Street, Brooklyn, New York, at 10:00 a.m.

C

**GENERAL INFORMATION**

**HOW TO PARTICIPATE:**

**Signing up to speak:** Anyone wishing to speak on any of the items listed under "Public Hearing" in this Calendar, is requested to fill out a speaker's slip supplied at the staff desk outside the hearing chambers on the day of the hearing. Speakers on each item will be called in the order these slips are submitted, with the exception that public officials will be allowed to speak first. If a large number of people wish to speak on a particular item, statements will be taken alternating every 30 minutes between those speaking in support of the proposal and those speaking in opposition.

**Length of Testimony:** In order to give others an opportunity to speak, all speakers are asked to limit their remarks to three minutes.

**Written Comments:** If you intend to submit a written statement and/or other documents please submit 20 sets of each.

Anyone wishing to present facts or to inform the Commission of their view on an item in this calendar, but who cannot or does not wish to speak at the public hearing, may fill out the form below and return it to the desk outside the hearing chambers or mail their written comments to:

**CITY PLANNING COMMISSION  
Calendar Information Office - Room 2E  
22 Reade Street, New York, N.Y. 10007**

(Extra copies of this form may be obtained in the Calendar Information Office at the above address.)

Subject \_\_\_\_\_

Date of Hearing \_\_\_\_\_ Calendar No. \_\_\_\_\_

Borough \_\_\_\_\_ Identification No.: \_\_\_\_\_ CB No.: \_\_\_\_\_

Position: Opposed \_\_\_\_\_

In Favor \_\_\_\_\_

Comments: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Name: \_\_\_\_\_

Address: \_\_\_\_\_

Organization (if any) \_\_\_\_\_

Address \_\_\_\_\_ Title: \_\_\_\_\_

**JANUARY 5, 2005**

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**APPROVAL OF MINUTES OF Regular Meeting of December 22, 2004**

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**I. PUBLIC HEARINGS OF THE FOLLOWING MATTERS TO BE  
SCHEDULED FOR WEDNESDAY, JANUARY 19, 2005  
STARTING AT 10:00 A.M. AT THE NEW YORK CITY  
COLLEGE OF TECHNOLOGY, KLITGORD AUDITORIUM  
285 JAY STREET, BROOKLYN, NEW YORK  
(BETWEEN TILLARY AND JOHNSON STREETS)**

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**BOROUGH OF BROOKLYN**

**Nos. 1, 2, 3, 4, 5, 6, 7 and 8**

***GREENPOINT/WILLIAMSBURG ZONING PROPOSAL***

**No. 1**

**CD 1**

**C 040415 MMK**

**IN THE MATTER OF** an application, submitted by the New York City Department of City Planning and the Department of Parks and Recreation pursuant to Sections 197-c and 199 of the New York City Charter and Section 5-430 *et. seq.* of the New York City Administrative Code, for an amendment to the City Map involving:

- the elimination, discontinuance and closing of a portion of North 12th Street between Kent Avenue and the United States Pierhead Line;
- the establishment of Inlet Park;
- the delineation of sewer corridors;
- the adjustment of grades necessitated thereby; and
- any acquisition or disposition of real property related thereto,

in accordance with Map Nos. Y-2673 and V-2674 dated September 28, 2004 and signed by the Borough President.

**Resolution for adoption scheduling January 19, 2005 for a public hearing.**

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**No. 2**

**CD 1**

**C 040416 MMK**

**IN THEMATTER OF** an application, submitted by the New York City Department of City Planning and the Department of Parks and Recreation pursuant to Sections 197-c and 199 of the New York City Charter, for an amendment to the City Map involving:

- the elimination of a portion of Quay Street between West Street and the United States Bulkhead Line;
- the establishment of Inlet Park;
- the delineation of a sewer corridor;
- the adjustment of grades necessitated thereby; and
- any acquisition or disposition of real property related thereto,

in accordance with Map No. Y-2675 dated September 28, 2004 and signed by the Borough President.

**Resolution for adoption scheduling January 19, 2005 for a public hearing.**

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**No. 3**

**CD 1**

**C 040417 MMK**

**IN THEMATTER OF** an application, submitted by the New York City Department of City Planning and the Department of Parks and Recreation pursuant to Sections 197-c and 199 of the New York City Charter and Section 5-430 *et. seq.* of the New York City Administrative Code, for an amendment to the City Map involving:

- the elimination, discontinuance and closing of a portion of North 11th Street between Kent Avenue and the United States Pierhead Line;
- the establishment of Inlet Park;
- the delineation of a sewer corridor;
- the adjustment of grades necessitated thereby; and
- any acquisition or disposition of real property related thereto,

in accordance with Map Nos. Y-2676 and V-2677 dated September 28, 2004 and signed by the Borough President.

**Resolution for adoption scheduling January 19, 2005 for a public hearing.**

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No. 4

CD 1

C 040418 MMK

**IN THE MATTER OF** an application, submitted by the New York City Department of City Planning and the Department of Parks and Recreation pursuant to Sections 197-c and 199 of the New York City Charter and Section 5-430 *et. seq.* of the New York City Administrative Code, for an amendment to the City Map involving:

- the elimination, discontinuance and closing of portions of North 9<sup>th</sup> Street and North 10<sup>th</sup> Street between Kent Avenue and the United States Pierhead Line;
- the establishment of Inlet Park;
- the adjustment of grades necessitated thereby; and
- any acquisition or disposition of real property related thereto,

in accordance with Map Nos. W-2690 and V-2691 dated September 28, 2004 and signed by the Borough President.

**Resolution for adoption scheduling January 19, 2005 for a public hearing.**

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No. 5

CD 1

N 050110 ZRK

**IN THE MATTER OF** an application submitted by the Department of City Planning, pursuant to Section 201 of the New York City Charter, **for an amendment of the Zoning Resolution** of the City of New York, relating to Article VI, Chapter 2 (Special Regulations Applying in the Waterfront Area); Article XII, Chapter 3 (Special Mixed Use District) specifying a Special Mixed Use District (MX-8) in Greenpoint-Williamsburg, Community District 1, Brooklyn; and the elimination of Article IX, Chapter 7 (Special Northside Mixed Use District) and Article X, Chapter 8 (Special Franklin Street Mixed Use District).

Underlined matter 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

\* \* \*

\* \* \*

62-29

Special Use Regulations for Waterfront Access Plan BK-1

All Use Group 6 and 9 #uses# delineated in Section 62-212 (Waterfront-Enhancing Uses) not otherwise permitted, shall be a permitted use on any parcel identified in Waterfront Access Plan BK-1, provided that such use is limited to not more than 10,000 square feet of #floor area# per establishment; the total amount of #floor area# used for such #uses# does not exceed two per cent of the total amount of #floor area# permitted on such parcel; and such #uses# are located below the level of the first #story# ceiling of a #building# or are located on a #pier# or #platform#.

Additionally, Docks for water taxis (Use Group 6) and Docks or mooring facilities for non-commercial pleasure boats (Use Group 6) shall be a permitted use on any parcel identified in Waterfront Access Plan BK-1.

\* \* \*

62-30

SPECIAL BULK REGULATIONS

All #zoning lots# within #waterfront blocks# shall comply with the #bulk# regulations of this Section. For the purposes of this Section, non-#waterfront blocks# included in Waterfront Access Plan BK-1 shall be considered to be #waterfront blocks#. Existing non-complying buildings or other structures shall be subject to the provisions of Article V (Non-Conforming Uses and non-complying Buildings).

\* \* \*

62-35

Special Bulk Regulations within Waterfront Access Plan BK-1

Within Waterfront Access Plan BK-1 the Special Bulk Regulations of this section are further modified as delineated herein.

62-351

Special floor area, lot coverage and residential density distribution regulations

Within any parcel, and between any adjacent parcels which are under single fee ownership and with respect to which each party having any interest therein is a party in interest (as defined in (e) of the definition of a #zoning lot# in Section 12-10), identified in Waterfront Access Plan BK-1; the total #floor area# and #lot coverage# permitted pursuant to Section 62-32 and the residential density permitted pursuant to Section 23-22 may be located anywhere within such parcel or between such parcels without regard to #zoning lot lines# or district boundaries provided that such location of #floor area#, #lot coverage# or residential density complies with Section 62-31 and Section 62-34 as modified by Section 62-352.

#### 62-352

##### Special Height and Setback Regulations

The provisions of Section 62-341 are modified as follows:

- (a) Paragraph (c)(1) (Maximum base height) shall be modified in R6 Districts to permit a maximum base height of 65 feet or six #stories#, whichever is less.
- (b) Paragraph (c)(2) (Maximum #building# height) shall not apply. In lieu thereof, the maximum #building# height in an R6 District shall be 65 feet or six #stories#, whichever is less, within 100 feet of Commercial Street, West Street, Dupont Street, Franklin Street and Kent Avenue. Beyond 100 feet of such streets and any other portions of an R6 District, the maximum #building# height in shall be 110 feet. In R8 Districts, the maximum #building# height shall be 210 feet, except that for #zoning lots developed# with multiple #buildings# or portions of #buildings# that exceed a height of 200 feet, not more than half of such #buildings# or portions of #buildings# may exceed a height of 210 feet to a maximum #building# height of 310 feet. Such maximum #building# heights of 110 feet, 210 feet and 310 feet may be exceeded by a penthouse portion of a #building#, provided any #story# of a #building# within such penthouse portion does not exceed 85 percent of the gross area of the highest #story# of the same #building# entirely below a height of 110 feet, 210 feet or 310 feet, as applicable, and the maximum height of such penthouse portion does not exceed 40 feet.
- (c) Paragraphs (c)(3) (#Floor area# distribution) and (c)(5) (Additional setback provisions for high #buildings#) shall not apply.
- (d) Paragraph (c)(4) (Maximum #residential# tower size) shall not apply. In lieu thereof, each #residential story# of a #building# located entirely above a height of 85 feet shall not exceed a gross area of 8,100 square feet in an R6 District and 11,000 square feet in an R8 District.
- (e) Paragraph (c)(6) shall not apply. In lieu thereof, the maximum length of any #story# of a #building# that exceeds a height of 65 feet in an R6 District or 85 feet in an R8 District shall not exceed 170 feet. Such length shall be measured by inscribing

within a rectangle the outermost walls at the level of each #story# entirely above such heights. Any side of such rectangle shall not exceed 170 feet.

- (f) Paragraph (c)(7) (Ground floor streetscape provisions) shall not apply. In lieu thereof, all off-street parking spaces located within 50 feet of a #street#, a #visual corridor# containing a private road, and a #shore public walkway#, #upland connection# or #supplemental public access area# and which are located on a #story# that is above the #base plane# shall be within facilities that are located behind #commercial#, #community facility# or #residential floor area# so that no portion of such parking facility, other than entrances and exits, is visible from such #streets#, #visual corridors# or publicly accessible open spaces. Such #floor area# shall have a minimum depth of 25 feet. Seventy percent of the surface area of the facade of a facility containing parking spaces which are not otherwise required to be behind such #floor area# shall be composed of the same materials as the facade of the #building# in which it is located.
- (g) Any roof of a facility containing off-street parking spaces, not otherwise covered by a #building#, which is larger than 400 square feet shall be landscaped and accessible for the recreational use of the occupants of the building in which it is located. Hard surfaced areas shall not cover more than 60 percent of such roof area.
- (h) The #streetwall# of a #building# on any #zoning lot# fronting on Commercial Street, West Street and Kent Avenue shall be located within eight feet of, and extend along 70 percent of such #street line# to a minimum height of 40 feet.
- (i) All #developments#, conversions, and #enlargements# or #extensions# which increase the existing #floor area# by more than 10 percent, shall provide along the entire #street# length of the #zoning lot#, one tree for every 25 feet of # street# frontage. Such trees shall be of at least three-inch caliper at the time of planting and be placed at approximately equal intervals except where the Commissioner of Buildings determines that such tree planting would be unfeasible. Such trees shall be planted in accordance with the standards of the Department of Parks and Recreation.

\* \* \*

62-50  
SPECIAL PARKING AND LOADING REGULATIONS

\* \* \*

62-57

Special Parking and Loading Regulations for Waterfront Access Plan BK-1

Within Waterfront Access Plan BK-1 the Special Parking and Loading Regulations of this section are further modified as follows:

- (a) The provisions of Section 62-511 and Section 62-521 shall not be applicable.
- (b) #Accessory# off-street parking spaces for #uses# permitted pursuant to Section 62-29 shall be provided in conformity with the regulations of Sections 36-21, 36-22 and 36-232 for C2-4 districts.
- (c) Any required #accessory# off-street parking spaces provided for #uses# located on a parcel identified in Waterfront Access Plan BK-1 may be located anywhere within such parcel.

\* \* \*

62-70  
SPECIAL REVIEW PROVISIONS

\* \* \*

62-711  
Waterfront public access and visual corridors

\* \* \*

- 5. for the #development# of a park, a site plan and all other applicable data have been submitted showing compliance with the provisions of Section 62-416 (Special regulations for zoning lots that include parks).

A certification pursuant to paragraph (c) of this section, for any parcel identified in Waterfront Access Plan BK-1, may provide for the phased implementation of all required public access areas provided that an amount of public access area proportionate to the amount of #floor area# being developed on the parcel is provided in each phase. Additionally, for any #development# located within 200 feet of a #shore public walkway#, the initial phase and each subsequent phase, shall also provide a minimum of 200 linear feet of #shore public walkway# and any adjacent supplemental area, one #upland connection# through or adjacent to the entire parcel to such required portion of the #shore public walkway# and, shall have at least one other connection from such required portion of the #shore public walkway# to an adjacent #shore public walkway#, a #street# or another #upland connection#. For any #development# located entirely

beyond 200 feet of a #shore public walkway#, the initial phase and each subsequent phase, shall also provide a minimum of 100 linear feet of #shore public walkway#, and one #upland connection# through or adjacent to the entire parcel to such required portion of the #shore public walkway#.

A certificate pursuant to paragraphs (b) or (c) of this Section shall be granted on condition that an acceptable restrictive declaration is executed and filed pursuant to Section 62-14 (Requirements for Recordation).

\* \* \*

62-80  
WATERFRONT ACCESS PLANS

\* \* \*

62-812  
Elements of a Waterfront Access Plan

A Waterfront Access Plan may:

- (a) on #zoning lots# where public access or #visual corridors# are required pursuant to the provisions of Sections 62-40 and 62-60, modify the size, configuration, location or design of required waterfront public access areas or #visual corridors# within certain designated areas in order to address local conditions, provided such plan does not impose a public access or #visual corridor# requirement on any #zoning lot# greater than would otherwise be required pursuant to the provisions of Sections 62-40 or 62-60. For the purpose of determining the amount of public access, the highest standard applicable to a zoning lot may be applied regardless of any specific #use# permitted or proposed for such #zoning lot#. Within Waterfront Access Plan BK-1, the public access and #visual corridor# requirements for any parcel located within the Waterfront Access Plan may be determined by aggregating the public access and #visual corridor# requirements of each zoning lot within the parcel and such aggregated requirements may be modified within such parcel without regard to #zoning lot lines#;

\* \* \*

62-83

Borough of Brooklyn

The following Waterfront Access Plans are hereby established within the Borough of Brooklyn. All applicable provisions of Article VI, Chapter 2, remain in effect within the areas delineated by such plans, except as expressly set forth otherwise in the plans:

BK-1: Greenpoint/ Williamsburg, as set forth in Section 62-831.

\* \* \*

62-831

Waterfront Access Plan BK-1:

Greenpoint-Williamsburg

Maps BK-1a through BK-1c in paragraph (g) of this Section show the boundaries of the area comprising the Greenpoint-Williamsburg Waterfront Access Plan and the location of certain features mandated or permitted by the Plan. The plan area has been divided into parcels consisting of tax blocks and lots and other lands as established on (date of adoption), as follows:

- (3) The provisions of Section 62-623 (Supplemental public access areas) shall be inapplicable. In lieu thereof, the following provisions shall apply:

A required #supplemental public access area# shall be directly connected to either a #pier# public access area, an #upland connection# or a #shore public walkway# on either its landward or seaward side and its pedestrian circulation zone shall be contiguous with the adjacent pedestrian circulation zone.

- (b) A buffer zone shall only be required where a #supplemental public access area# adjoins a non-publicly accessible portion of a #zoning lot#, in which case its minimum width shall be 15 feet.

- (4) #Street# Treatment

All #streets# adjacent to a #shore public walkway# or #supplemental public access area# shall be improved as a continuation of such #shore public walkway# or #supplemental public access area#, pursuant to the design requirements of paragraph (b) of this Section, inclusive.

- (b) Specific design requirements for shore public walkway prototypes

The provisions of Section 62-63 (Specific Design Requirements for Public Access Prototypes) shall be inapplicable. In lieu thereof the following provisions for #shore public walkways# shall apply:

(1) Greenpoint-Williamsburg Shore Public Walkway-Prototype I

1. One circulation path with a minimum clear width of 12 feet is required. The path must be within ten feet of the seaward edge of the #shore public walkway#, except when rip rap, beach or other shoreline materials are provided in a publicly accessible area seaward of the path.

(ii) A minimum of one linear foot of seating shall be provided for every 100 square feet of #shore public walkway#. At least 60 percent of the required seating shall be landward of the required circulation path.

(iii) A minimum of 50 percent of the pedestrian circulation zone, excluding the required circulation path, shall be planting area. Rip rap, beach or other shoreline materials may be counted as an equivalent to planting area.

(iv) One shade tree is required for every 1,200 square feet of #shore public walkway# and one small or ornamental tree shall be required for every 750 square feet of #shore public walkway#. Trees may be located either in the pedestrian circulation zone landward of the required circulation path or in the buffer zone. Fifty percent of required shade trees shall be located within 10 feet of the required clear path.

(2) Greenpoint-Williamsburg Shore Public Walkway-Prototype II

(a) The provisions of 62-621 (Shore public walkways) shall apply except that a #shore public walkway# shall have a minimum 30 foot pedestrian circulation zone and a minimum 15 foot buffer zone.

(b) One circulation path with a minimum clear width of 12 feet is required. The path must be within ten feet of the seaward edge of the #shore public walkway#, except when rip rap, beach or other shoreline materials are provided in a publicly accessible area seaward of the path, in which case, the path shall be located within 20 feet of the shoreline. A secondary circulation path may be provided, with a minimum width of 10 feet. Connecting paths having a minimum width of ten feet shall be provided between the two circulation paths at intervals not to exceed 100 feet.



- (c) A minimum of one linear foot of seating shall be provided for every 70 square feet of #shore public walkway#.
  - (d) A minimum of 70 percent of the pedestrian circulation zone, excluding the required circulation path and transition zones, shall be planting area. A minimum of 50 percent of this planting area must be improved as lawn according to the provisions of Section 62-675 (Planting and trees).
  - (v) One shade tree is required for every 1,900 square feet of #shore public walkway# and shall be located in the pedestrian circulation zone. In addition, one shade, small or ornamental tree shall be required for every 850 square feet of #shore public walkway# and may be located either in the pedestrian circulation zone or in the buffer zone. Fifty percent of required shade trees shall be located within 10 feet of the required clear path.
- (3) Greenpoint-Williamsburg Supplemental Public Access - Waterfront Plaza
- (i) The entire #supplemental public access area# shall be a pedestrian circulation zone, except for any buffer zone required by paragraph (a)(3)(ii) of this Section.
  - (ii) There shall be at least one circulation path throughout the #supplemental public access area#. Such path shall provide access to the primary entrance of any building or #use# that is within or adjacent to the #supplemental public access area#.
- The required circulation path shall have a minimum clear width of ten feet and any other circulation path shall have a minimum clear width of six feet.
- Within a transition zone, the minimum aggregate width of clear path along any side of the #supplemental public access area# shall be equal to 50 percent of the length of the intersection between the two public access areas, and any single path providing access between waterfront public access areas shall have a minimum width of 10 feet.
- (iii) A minimum of one linear foot of seating shall be provided for every 40 square feet of pedestrian circulation zone. Fifty percent of required seating shall be under shade throughout the day.
  - (iv) A minimum of 25 percent of the pedestrian circulation zone shall be planting area.

(v) Four trees shall be required for the first 2,500 square feet of #supplemental public access area#, at least two of which shall be shade trees. For each additional 750 square feet, one additional shade, ornamental or small tree shall be required. Small or ornamental trees located within the pedestrian circulation zone shall not be counted toward the minimum requirements.

(4) Greenpoint-Williamsburg Supplemental Public Access - Waterfront Park

(i) The entire #supplemental public access area# shall be a pedestrian circulation zone, except for any buffer zone required by paragraph (a)(3)(ii) of this Section.

(ii) There shall be at least one circulation path throughout the #supplemental public access area#. Such path shall provide access to the primary entrance of any building or #use# that is within or adjacent to the #supplemental public access area#.

The required circulation path shall have a minimum clear width of ten feet and any other circulation path shall have a minimum clear width of six feet.

Within a transition zone, the minimum aggregate width of clear path along any side of the #supplemental public access area# shall be equal to 50 percent of the length of the intersection between the two public access areas, and any single path providing access between waterfront public access areas shall have a minimum width of 10 feet.

(iii) A minimum of one linear foot of seating shall be provided for every 50 square feet of pedestrian circulation zone. Fifty percent of required seating shall be under shade throughout the day.

(iv) A minimum of 60 percent of the pedestrian circulation zone shall be planting area with no more than 30 percent of the planting area in raised planting beds. At least 35 percent of the #supplemental public access area# shall be lawn in compliance with the standards set forth in paragraph (c)(5) of Section 62-675 (Planting and trees).

(v) Four trees shall be required for the first 2,500 square feet of #supplemental public access area#, at least two of which shall be shade trees. For each additional 750 square feet, one additional shade, ornamental or small tree shall be required. Small or ornamental trees located within the

pedestrian circulation zone shall not be counted toward the minimum requirements.

(c) Amenities

In parcels where #supplemental public access area# is required, no more than fifteen percent of public access area may be reduced if playgrounds and other amenities are provided in accordance with paragraphs (c)(1) and (c)(2) of this Section.

(1) Playgrounds

A playground shall have a minimum size of 1,000 square feet and, if applicable, there shall be a minimum of 400 feet between any two playground areas. For every five square feet of playground area provided, the total amount of required public access may be reduced by the rate of one square foot.

(2) Other amenities

A reduction in the total amount of required public access area shall be permitted according to the following table. The number and variety of such amenities shall be determined upon certification.

<u>Amenity</u>	<u>Square feet reduction</u>
<u>Picnic table</u>	<u>22 sq. ft.</u>
<u>Chess table</u>	<u>20 sq. ft.</u>
<u>Telescope</u>	<u>10 sq. ft.</u>
<u>Art</u>	<u>50 - 200 sq. ft.</u>
<u>Fountain/water feature</u>	<u>50 - 200 sq. ft.</u>
<u>Shade structure</u>	<u>50 - 200 sq. ft.</u>

(d) Public access design reference standards

Section 62-67 is hereby modified by the following provisions.

(1) Guardrails

The provisions of paragraph (a) Section 62-671 (Guardrails, gates and other protective barriers) shall be inapplicable. In lieu thereof the following provisions for guardrails shall apply:

(i) Guardrails shall be located within waterfront public access areas continuously along any bulkhead, stabilized shore or the water edges of a #pier# or #platform# that is located within 50 feet of a circulation path; and continuously along any grade level change of 30 inches or grader adjoining or within 10 feet of a circulation path. However, guardrails shall not be required landward of any rip rap, beach or any other shoreline material that is at least 10 feet wide. If any protective barrier is provided adjacent to any rip rap, beach or other shoreline material, they shall not exceed a height of 21 inches or shall consist of a bollard and chain device.

Guardrails shall not be required at access points to WD #uses# and #development# on #floating structures#. The minimal protective barrier at such locations shall be a swing gate, bollard and chain or similar device.

(ii) Guardrails shall comply with illustration A1, alternatively illustration A2 may be used in #piers#.

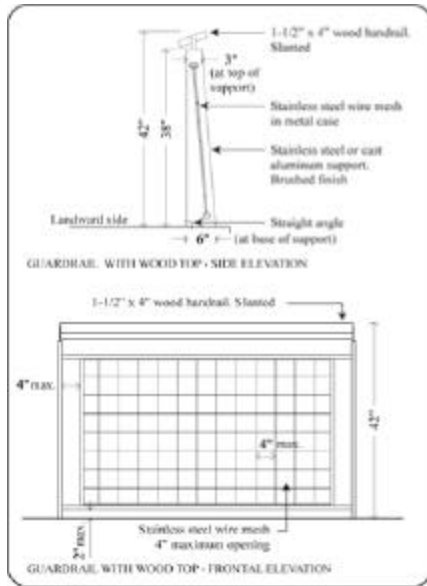


Illustration A1

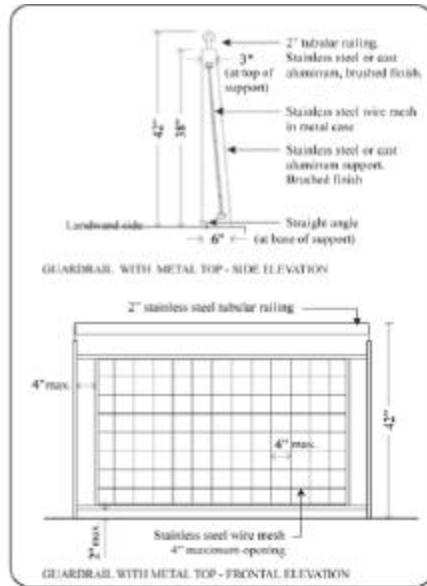


Illustration A2  
(Alternate for piers)

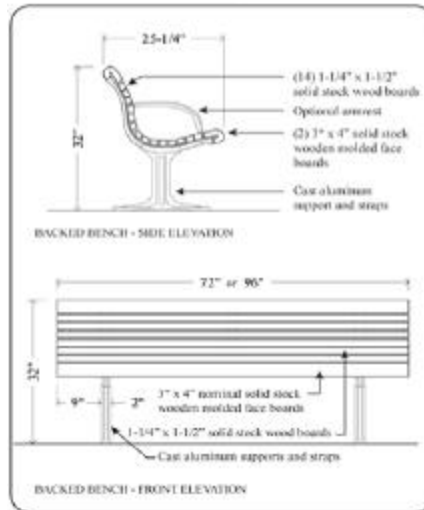


Illustration B1

All guardrail components and hardware shall be in stainless steel or cast aluminum, as applicable.

(2) Seating

In addition to the provisions of Section 62-672, at least fifty percent of the required seating along any #shore public walkway# or #supplemental public access area# shall comply with illustration B1 or B2 below.

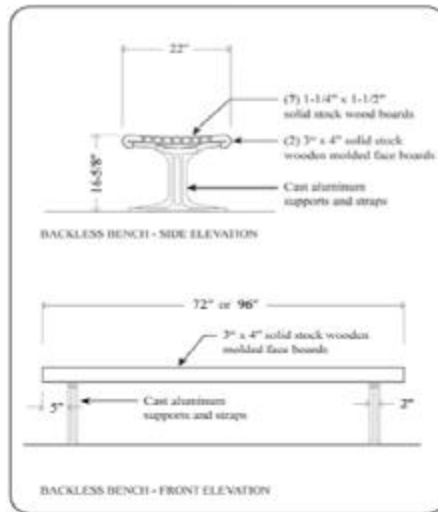


Illustration B2

All wood boards shall be made of Redwood, Jarrah or Ipe, have eased edges and ends and be treated for external use without stain or varnish.

All supports and backstraps shall be 713 tenz alloy cast aluminum, with a rust inhibitor and a top coat finish of thermosetting polyester powdercoat that is ultra-violet, chip and flake resistant. Metal components shall have a light gray or aluminum color.

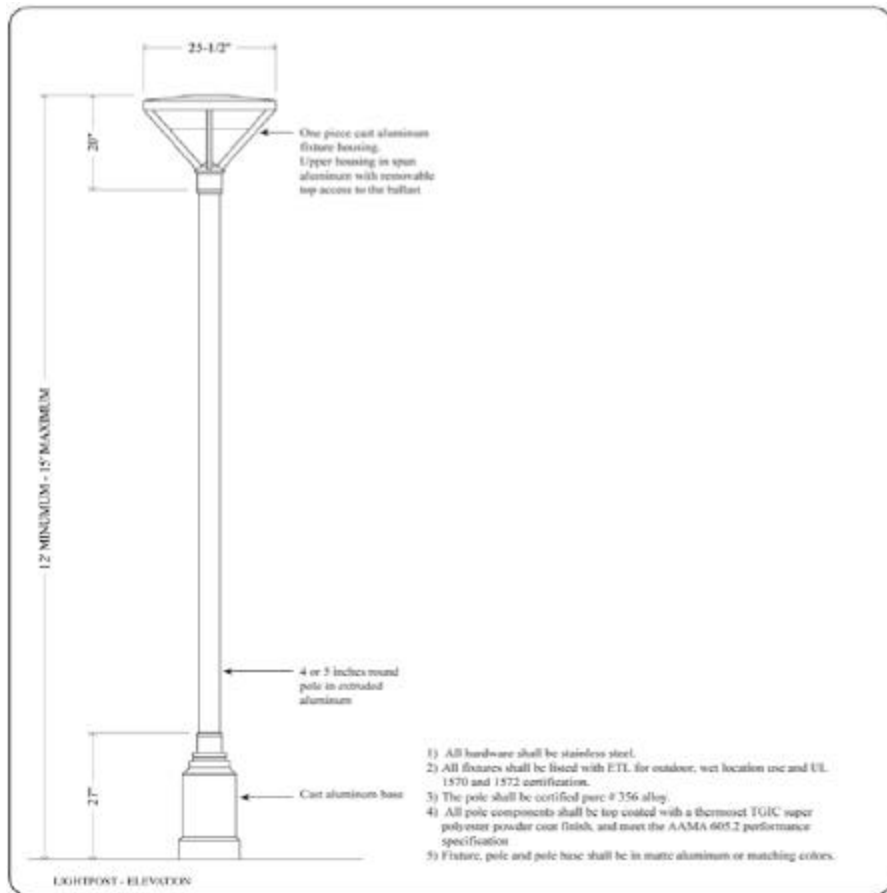
(3) Lighting

In addition to the provisions of Section 62-673, the required lighting along any public access area shall comply with illustration C1 below.

(4) Planting and trees

The provisions of paragraph (c)(6) (Container planting) of Section 62-675 shall be inapplicable, unless a structural or environmental necessity is demonstrated at the time of certification.

(5) Paving



**Illustration C1**  
**Illustration C1**

In addition to the provisions of Section 62-676, the paving for the required clear path within the #shore public walkway# shall be gray. At least fifty percent of all other paved areas within the #shore public walkway# and #supplemental public access areas# shall be paved in the same color range.

(e) Special public access provisions by parcel

The provisions of Sections 62-41 (Requirements for waterfront public access) and 62-60 (DESIGN STANDARDS FOR THE WATERFRONT AREA) are modified at the

=

following designated locations which are shown on Map BK-1b in paragraph (g) of this Section:

1. Parcels 1 and 2

(i) #Shore public walkway#

The requirements for Prototype I described in paragraph (b)(1) of this Section shall apply to all new #development#.

In the event of any #enlargement#, #extension# or change of #use# within existing #buildings or other structures#, a #shore public walkway# shall occupy the entire area between the seaward edge and the existing #building or other structure# but need not be wider than 40 feet. The #shore public walkway# shall have a minimum clear path of 10 feet. No seating, planting or buffer zone shall be required. If seating and planting are provided, they shall comply with the provisions of Sections 62-672 and 62-675. In addition to the lighting design requirements of paragraph (c)(3) of this Section, lighting fixtures may be mounted on existing #buildings or other structures#.

(ii) #Supplemental public access area#

The requirements for #supplemental public access area# shall be waived.

(2) Parcels 3 and 4

(i) #Shore public walkway#

The requirements for Prototype I described in paragraph (b)(1) of this Section shall apply.

(ii) #Upland connection#

An #upland connection# shall be provided between Commercial Street and the #shore public walkway# within a flexible location along the #lot line# between Parcels 3 and 4. Whichever parcel is developed first shall provide an #upland connection# along the #lot line# between the two parcels. The width of the #upland connection# may be utilized by the developer of the remaining parcel in the computation necessary to comply with the requirements of a #visual corridor# along the #lot line# between the two parcels, according to the provisions of paragraph (f)(1) of this Section. If both parcels are developed concurrently, then the requirements may be divided equally along the #lot



line# between the parcels.

(3) Parcel 5a

(i) #Shore public walkway#

The requirements for Prototype I described in paragraph (b)(1) of this Section shall apply.

(ii) #Upland connection#

An #upland connection# shall be provided between Commercial Street and the #shore public walkway# within the flexible location indicated on Map BK-1b in paragraph (g) of this Section.

The eastern boundary of such flexible area shall be 110 feet from the shared lot line of Parcel 4 and its western boundary shall be 200 feet from the shared lot line of Parcels 5b and 6.

(iii) #Supplemental public access area#

The #supplemental public access area# shall abut the #shore public walkway# continuously along its longest side, and shall also abut the required #upland connection# where it meets the #shore public walkway#. The #upland connection#, however, may cut across the #supplemental public access area# provided that no area shall be less than 5,000 square feet. All #supplemental public access areas# shall have a minimum width to depth ratio of 1.0 to 1.0 and a maximum width to depth ratio of 2.0 to 1.0. In no event shall the #supplemental public access area# be deeper than 100 feet. The requirements for Waterfront Plaza described in paragraph (b)(3) of this Section shall apply.

Alternatively, a portion of the required #supplemental public access area# that is a minimum of 5,000 square feet may abut the #shore public walkway# continuously along the longest side provided that it also abuts a publicly accessible private drive connecting the #shore public walkway# to Commercial Street. Such publicly accessible private drive shall be improved to the standards of an #upland connection# as required by Section 62-641, but shall not be counted towards satisfying the required amount of public access area on the site. The requirements for Waterfront Park described in paragraph (b)(4) of this Section shall apply.

(4) Parcel 5b

#Shore public walkway#

The requirements for Prototype I described in paragraph (b)(1) of this Section shall apply.

(5) Parcel 5c

(i) #Shore public walkway#

The requirements for Prototype I described in paragraph (b)(1) of this Section shall apply.

(ii) #Upland connection#

Two #upland connections# shall be provided between West Street and the #shore public walkway#, one located within the prolongation of the #street lines# of Eagle Street, the other located within the prolongation of the #street lines# of Green Street.

(iii) #Supplemental public access area#

Two #supplemental public access areas# shall be provided on Parcel 5c. A #supplemental public access area# shall be bounded by the southern boundary of the required Green Street #upland connection#, the #shore public walkway#, the southern boundary of Parcel 5c and the northern prolongation of the eastern boundary of the #shore public walkway# required in Parcel 7. The requirements for Waterfront Plaza described in paragraph (b)(3) of this Section shall apply.

The remaining required #supplemental public access area# shall be provided either on the #pier# or distributed evenly as a widening of the pedestrian circulation zone of the #shore public walkway# located between the Eagle Street and Green Street #upland connections#. If any #supplemental public access area# is located on the #pier#, the planting requirements for Waterfront Plaza described in paragraph (b)(3) of this Section shall apply, except that trees may be substituted by a shading element at a rate of 450 sq. ft. of shade element per tree.

(iv) #Pier# public access

Public access shall be provided on the Green Street #pier# pursuant to the requirements of Section 62-412 and of paragraph (a)(1) of this Section.

(6) Parcel 5

In the event that Parcels 5a, 5b and 5c are merged into one parcel, they shall be known as Parcel 5 and be subject to the following requirements:

(i) #Shore public walkway#

The requirements for Prototype I described in paragraph (b)(1) of this Section shall apply.

(ii) #Upland connection#

One #upland connection# shall be provided between Commercial Street and the #shore public walkway# within the flexible location indicated on Map BK-1b in paragraph (g) of this Section. The eastern boundary of such flexible area shall be 110 feet from the shared lot line of Parcel 4 and its western boundary shall be 200 feet from the shared lot line of Parcel 6.

Two #upland connections# shall be provided between West Street and the #shore public walkway#, each located within the prolongation of the #street lines# of Eagle Street and Green Street, respectively.

(iii) #Supplemental public access area#

Two #supplemental public access areas# shall be provided.

A #supplemental public access area# shall be bounded by the southern boundary of the required Green Street #upland connection#, the #shore public walkway#, the southern boundary of Parcel 5 and the northern prolongation of the eastern boundary of the #shore public walkway# required in Parcel 7. The requirements for Waterfront Plaza described in paragraph (b)(3) of this Section shall apply.

The remaining of the required #supplemental public access area# shall be located within the area bounded by the western prolongation of the north #street line# of Dupont Street, the #shore public walkway#, the northern prolongation of the eastern boundary of Parcel 6 and Parcel 6 . The requirements for Waterfront Park described in paragraph (b)(4) of this Section shall apply.

(iv) #Pier# public access

Public access shall be provided on the Green Street #pier# pursuant to the requirements of Section 62-412 and of paragraph (a)(1) of this Section

(7) Parcel 7

(i) #Shore public walkway#

The requirements for Prototype I described in paragraph (b)(1) of this Section shall apply, except that any portion of the required #shore public walkway# where the distance between the shoreline and the boundaries of Parcel 7 is less than 17 feet shall be improved entirely as clear path.

(ii) #Supplemental public access area#

The requirement for a #supplemental public access area# on Parcel 7 is waived.

(8) Parcels 9, 10 and 11

(i) #Shore public walkway#

The requirements for Prototype II described in paragraph (b)(2) of this Section shall apply.

(ii) #Supplemental public access area#

For each parcel, the #supplemental public access area# requirements shall be provided to widen the pedestrian circulation zone of the #shore public walkway#, evenly distributed along the entire length of such #shore public walkway#.

(9) Parcel 13

(i) #Shore public walkway#

The requirements for Prototype I described in paragraph (b)(1) of this Section shall apply.

(ii) #Upland connection#

An #upland connection# shall be provided between West Street and the #shore public walkway# located within the prolongation of the #street lines# of Milton Street.

(iii) #Supplemental public access area#

A #supplemental public access area# shall be bounded by the southern #street line# of Greenpoint Avenue, the #shore public walkway# and the northern boundary of the required Milton Street #upland connection#. The requirements for Waterfront Park described in paragraph (b)(4) of this Section shall apply.

(10) Parcel 14

(i) #Shore public walkway#

The requirements for Prototype I described in paragraph (b)(1) of this Section shall apply.

(ii) #Upland connection#

An #upland connection# shall be provided between West Street and the #shore public walkway# located within the prolongation of the #street lines# of Calyer Street.

(iii) #Supplemental public access area#

A #supplemental public access area# shall be distributed evenly along the #shore public walkway# between the southern boundary of the required Calyer Street #upland connection# and the prolongation of the northern #street line# of Quay Street. The requirements for Waterfront Park described in paragraph (b)(4) of this Section shall apply.

(11) Parcel 15

An #upland connection# shall be provided within the prolongation of the #street lines# of West Street, connecting Quay Street to Parcel 20.

(12) Parcels 19, 20, 21 and 22

Parcels 19, 20, 21 and 22 shall be designated as public parks as of (date of

adoption).

(13) Parcel 24

Prototype I described in paragraph (b)(1) of this Section shall apply.

(14) Parcel 25

(i) #Shore public walkway#

The requirements for Prototype I described in paragraph (b)(1) of this Section shall apply.

(ii) #Upland connection#

An #upland connection# shall be provided between West Street and the #shore public walkway# located within the prolongation of the #street lines# of North 6<sup>th</sup> Street.

(iii) #Supplemental public access area#

Two #supplemental public access areas# shall be provided.

One #supplemental public access area# shall be provided along the prolongation of the southern #street line# of North 7th Street and the #shore public walkway#. Such public access area shall be a minimum of 3,000 square feet in area and shall have a minimum depth of 90 feet from the southern #street line# of North 7<sup>th</sup> Street. The entire #supplemental public access area#, excluding the required buffer, shall be developed as clear circulation path.

A minimum of one linear foot of seating shall be required for every 40 square feet of pedestrian circulation zone and shall be located in the required buffer zone. Four trees shall be required, at least two of which are shade trees. Small or ornamental trees located within the buffer zone shall not be counted toward the minimum requirements.

The remaining required #supplemental public access area# shall be located either on the #pier# or parallel to the #shore public walkway#. The requirements for Waterfront Plaza described in paragraph (b)(3) of this Section shall apply. If any #supplemental public access area# is located on the #pier#, the planting requirements for Waterfront Plaza shall apply, except that trees may

be substituted by a shading element at a rate of 450 sq. ft. of shade element per tree.

(iv) #Pier# public access

Public access shall be provided on the North 6<sup>th</sup> Street #pier# pursuant to the requirements of Section 62-412 and of paragraph (a)(1) of this Section.

(15) Parcel 26

(i) #Shore public walkway#

The requirements of Section 62-411 (Requirements for shore public walkways) shall apply, except that the minimum required width of the #shore public walkway# shall be reduced to 34 feet between North 5<sup>th</sup> Street and the northern edge of the required #upland connection# at the prolongation of North 4<sup>th</sup> Street. The quantity of public access eliminated from the #shore public walkway# as a result of this width reduction shall be located in the triangle formed between the #shore public walkway#, the southern #street line# of the North 4<sup>th</sup> Street #upland connection# and the bulkhead line. The entirety of the #shore public walkway# shall be improved pursuant to the requirements for Prototype I described in paragraph (b)(1) of this Section.

(ii) #Upland connections#

An #upland connection# shall be provided between Kent Avenue and the #shore public walkway# located within the prolongation of the #street lines# of North 4th Street.

(16) Parcel 27

(i) #Shore public walkway#

The requirements for Prototype I described in paragraph (b)(1) of this Section shall apply to all new #development#.

In the event of any #enlargement#, #extension# or change of #use# within existing #buildings or other structures#, a #shore public walkway# shall occupy the entire area between the seaward edge and the existing #building or other structure#, but shall not need to be wider than 40 feet.

Notwithstanding the requirements of Paragraph (c) of Section 62-62 (General Requirements for Public Access), the #shore public walkway# may be located within the #building or other structure#, and the obstructions permitted by Section 62-626, paragraph (a), shall include any supporting structural elements of the #building or other structure# and its related appurtenances. Additionally, the #shore public walkway# shall have a minimum clear path of 12 feet. No seating, planting or buffer zone shall be required. If seating and planting are provided, they shall comply with the provisions of Sections 62-672 and 62-675. In addition to the lighting design requirements of paragraph (c)(3) of this Section, lighting fixtures may be mounted on existing #buildings or other structures#.

(ii) #Supplemental public access area#

The requirements for #supplemental public access# shall be waived.

(f) Special visual corridor provisions by parcel

The designated locations for #visual corridors# pursuant to this Plan are shown on Map BK-1c in paragraph (g) of this Section and shall be as follows:

(1) Parcels 3 and 4

A #visual corridor# shall be provided through Parcels 3 and 4 to the pierhead line within a flexible area along the #lot lines# between them.

Whichever parcel develops second shall complete the required clearance to comply with the #visual corridor# requirements along the #upland connection# already provided in accordance with the requirements of paragraph (e)(2)(ii) of this Section. If both parcels are developed concurrently, then the requirements can be divided equally along the #lot line# between the parcels.

(2) Parcel 5a

A #visual corridor# shall be provided through Parcel 5a to the pierhead line within the flexible location zone indicated on Map BK-1c in paragraph (g) of this Section. The eastern boundary of such flexible area shall be 110 feet from the shared lot line of Parcel 4 and its western boundary shall be 200 feet from the shared lot line of Parcels 5b and 6.



(3) Parcel 5b

Two #visual corridors# shall be provided through Parcel 5b to the pierhead line as the prolongation of the #street lines# of West Street and Dupont Street, respectively.

(4) Parcel 5c

(i) Two #visual corridors# shall be provided through Parcel 5c to the pierhead line as the prolongation of the #street lines# of Eagle Street and Green Street.

(ii) Permitted obstructions on #piers#, per Section 62-65 paragraph (b), shall be permitted obstructions along the #visual corridor# along Green Street.

(5) Parcel 5

In the event that Parcels 5a, 5b and 5c are merged into one parcel, they shall be known as Parcel 5, subject to the following #visual corridors# requirements:

(i) One #visual corridor# shall be provided through Parcel 5 to the pierhead line within the flexible location zone indicated on Map BK-1c in paragraph (g) of this Section. The eastern boundary of such flexible area shall be 110 feet from the shared lot line of Parcel 4 and its western boundary shall be 200 feet from the shared lot line of Parcel 6.

Four #visual corridors# shall be provided through Parcel 5 to the pierhead line, each located as the prolongation of the #street lines# of West Street, Dupont Street, Eagle Street and Green Street, respectively.

(ii) Permitted obstructions on #piers#, per Section 62-65 paragraph (b), shall be allowed along the #visual corridor# along Green Street.

(6) Parcel 13

Two #visual corridors# shall be provided through Parcel 13 to the pierhead line as the prolongation of the #street lines# of Milton Street and Oak Street, respectively.

(7) Parcel 14

A #visual corridor# shall be provided through Parcel 14 as the prolongation of the

#street lines# of Oak Street.

(8) Parcel 15

A #visual corridor# shall be provided through Parcel 15 as the prolongation of the #stret lines# of West Street.

(9) Parcel 25

A #visual corridor# shall be provided through Parcel 25 as the prolongation of the #street lines# of North 6<sup>th</sup> Street.

(g) Greenpoint - Williamsburg Waterfront Access Plan Maps

MAP B-1b: PARCEL DESIGNATION



MAP B-1b: PUBLIC ACCESS ELEMENTS



MAP B-1c: DESIGNATED VISUAL CORRIDORS



\* \* \*

ARTICLE IX: SPECIAL PURPOSE DISTRICTS

Chapter 7  
Special Northside Mixed Use District

*(delete entire chapter)*

\* \* \*

ARTICLE X: SPECIAL PURPOSE DISTRICTS

Chapter 8  
Special Franklin Street Mixed Use District

*(delete entire chapter)*

\* \* \*

ARTICLE XII: SPECIAL MIXED USE DISTRICTS SPECIFIED

\* \* \*

Chapter 3  
#Special Mixed Use District - 8#  
Greenpoint - Williamsburg, Brooklyn  
The #Special Mixed Use District - 8# is established in Greenpoint - Williamsburg in  
Brooklyn as indicated on the #zoning maps#.

**Resolution for adoption scheduling January 19, 2005 for a public hearing.**

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No. 6

CD 1

N 050110(A) ZRK

**IN THE MATTER OF** an application submitted by the Department of City Planning, pursuant to Section 201 of the New York City Charter, for an amendment of the Zoning Resolution of the City of New York, relating to Article II, Chapter 3 (Bulk Regulations for Residential Buildings in Residence Districts) and Article VI, Chapter 2 (Special Regulations Applying in the Waterfront Area); Article XII, Chapter 3 (Special Mixed Use District) specifying a Special Mixed Use District (MX-8) in Greenpoint-Williamsburg, Community District 1, Brooklyn; and the elimination of Article IX, Chapter 7 (Special Northside Mixed Use District) and Article X, Chapter 8 (Special Franklin Street Mixed Use District).

Underlined matter 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

\* \* \*

**23-145**

**For residential buildings developed or enlarged pursuant to the Quality Housing Program**

R6 R7 R8 R9

In the districts indicated, the maximum #lot coverage# and the maximum #floor area ratio# for any #residential building# on a #zoning lot developed# or #enlarged# pursuant to the Quality Housing Program shall be as set forth in the following table and the maximums for #developments#, or #enlargements# where permitted, located within 100 feet of a #wide street# in R6, R7 or R8 Districts without a letter suffix outside the #Manhattan Core#, shall be as designated by the same district with an asterisk. In an R6 District inside the #Manhattan Core# located within 100 feet of a #wide street#, the maximums shall be indicated by the same district with a double asterisk.

MAXIMUM LOT COVERAGE AND FAR  
FOR QUALITY HOUSING BUILDINGS  
(in percent)

(TABLE)

The #floor area ratios# in the table above may be increased in certain R6 and R7 Districts within Community District 1, Borough of Brooklyn, pursuant to Section 23-90 (INCLUSIONARY HOUSING).

\* \* \*

**23-90**  
**INCLUSIONARY HOUSING**

**23-91**  
**General Provisions**

**R10**

~~In the district indicated, a~~ An Inclusionary Housing program is established in those areas designated in Section 23-92 (Applicability) to preserve and to promote a mixture of low to upper income housing within neighborhoods experiencing a shift from mixed to upper income housing and thus to promote the general welfare. The requirements of this program are set forth in Sections 23-90 through 23-94~~95~~.

**23-92**  
**Applicability**

**23-921**  
**R10 Districts**

The Inclusionary Housing Program shall apply in R10 Districts.

**23-922**  
**Community District 1, Borough of Brooklyn**

The Inclusionary Housing Program shall apply in the following areas of Community District 1 in the Borough of Brooklyn located north of the Williamsburg Bridge, Washington Plaza, Borinquen Place and Grand Street:

- (a) Waterfront Access Plan BK-1, as set forth in Section 62-352;



- (b) all #Special Mixed Use Districts#;
- (c) all R6A, R6B and R7A Districts; and
- (d) the following R6 areas:
  - (1) the #block# bounded by Havemeyer Street, North Sixth Street, Metropolitan Avenue and North Fifth Street;
  - (2) the #block# bounded by Roebling Street, North Fifth Street, Havemeyer Street and Metropolitan Avenue;
  - (3) those #blocks# bounded by Wythe Avenue, Grand Street, Berry Street and South Third Street;
  - (4) those #blocks# and portions of #blocks# bounded by Bedford Avenue, North 1<sup>st</sup> Street, Driggs Street, Fillmore Place, Roebling Street, and a line coincident with the centerline of the long dimension of the #blocks# bounded by Bedford Avenue, Grand Street, Roebling Street and South First Street; and
  - (5) that portion of the #block# bounded by Franklin Street, Huron Street, Manhattan Avenue and India Street that is within 100 feet of Franklin Street and 100 feet of India Street.

**~~23-92~~ 23-93**  
**Definitions**

For the purposes of the Inclusionary Housing program, matter in italics is defined either in Section 12-10 (DEFINITIONS) or in this Section.

\* \* \*

Fair rent

\* \* \*

At initial occupancy of any #lower income housing#, no portion of the #fair rents# shall be for the payment of the principal or interest on any debt, and the #lower income

housing# shall not secure any debt and shall be free of all liens, except liens for real estate taxes, water charges and sewer rents and other governmental charges for which payment is not yet due. #Fair rents# may be used for the payment of principal or interest of debt only if such debt was incurred after the date of initial occupancy and is for a capital improvement to such #lower income housing# other than those capital improvements set forth in the #lower income housing plan#.

In Community District 1, Borough of Brooklyn, at initial occupancy of any #lower income housing#, a portion of the #fair rents# may be for the payment of the principal or interest on debt, and such housing may secure debt, provided that, as of the date of the approval of the #lower income housing plan#, the Commissioner of Housing Preservation and Development finds that the total annual rent, when such interest and principal payments are deducted, is in compliance with the requirements of Section 23-95(c) of this Resolution, and provided that the lender agrees to enter into a written agreement which subordinates such debt.

#### Lower income household

A "lower income household" is a #family# having an income equal to or less than the income limits (the "80 Percent of SMSA Limits") for New York City residents established by the U.S. Department of Housing and Urban Development pursuant to Section 3(b)(2) of the United States Housing Act of 1937, as amended, for lower income families receiving housing assistance payments.

In Community District 1, Borough of Brooklyn, for the purposes of Section 23-953 (Preservation option), #lower income households# shall also include all existing households in tenancy, provided such households occupy units that are within a #building# in which rents for all occupied units are regulated by City and State law, and the aggregate maximum permitted annual rent roll for such occupied units, divided by the number of occupied units, is less than 30 percent of the applicable income limit for a #lower income household# as provided in this Section. In determining the applicable income limit for such #lower income households#, the Commissioner of Housing Preservation and Development may make adjustments, consistent with U. S. Department of Housing and Urban Development regulations, for the number of persons residing in each unit.

#### Lower income housing

"Lower income housing" are #standard units# occupied or to be occupied by #lower

income households#. #Lower income housing# shall not include #standard units# assisted under city, state or federal programs, except where such assistance is in the form of:

- (a) real estate tax abatements and exemptions which are specifically limited to the #lower income housing#; or
- (b) operating assistance that the Commissioner of the Department of Housing Preservation and Development determines will be used to enable households with incomes of not more than 62.5 percent of the "80 Percent of SMSA Limits" to afford such #lower income housing#.

However, in Community District 1, Borough of Brooklyn, #lower income housing# shall include #standard units# assisted under city, state or federal programs.

#### Lower income housing plan

The "lower income housing plan", is the plan accepted by the Commissioner of Housing Preservation and Development, which sets forth the developer's plans for creating and maintaining the specified #lower income housing# pursuant to this program, including but not limited to, choice of #administering agent#, tenant selection, rent levels in the #lower income housing# and income verification of tenants pursuant to Section ~~23-94~~ 23-95 paragraphs (b), (c) and (d) of this Resolution.

\* \* \*

#### ~~23-93~~ 23-94

#### **Floor Area Compensation**

#### 23-941

#### **In R10 Districts**

The #floor area ratio# of a #development# may be increased from 10.0 to a maximum of 12.0 at the rate set forth in this Section, if the developer of such #development# provides #lower income housing# pursuant to Section ~~23-94~~ 23-95 (Lower Income Housing Requirements).

For each square foot of #floor area# provided for #lower income housing# pursuant to

the options listed in Column A and which meets the requirements set forth in Section ~~23-94~~ 23-95, the #floor area# of the #development# may be increased by the number of square feet set forth in Column B.

\* \* \*

**23-942**  
**In Community District 1, Borough of Brooklyn**

The provisions of this Section 23-942 shall apply in the designated areas set forth in Section 23-922, except within Waterfront Access Plan Bk-1. The base #floor area ratio# of any #building developed# or #enlarged# pursuant to the Quality Housing Program, or, in #Special Mixed Use Districts#, pursuant to paragraph (b) of Section 123-662, may be increased to the maximum #floor area ratio# set forth in the table below if the developer of such #development# provides #lower income housing# pursuant to Section 23-95 (Lower Income Housing Requirements).

<u>District</u>	<u>Base #floor area ratio#</u>	<u>Maximum #floor area ratio#</u>
<u>R6B</u>	<u>2.0</u>	<u>2.2</u>
<u>R6*</u>	<u>2.2</u>	<u>2.42</u>
<u>R6A</u>	<u>3.0</u>	<u>3.6</u>
<u>R6**</u>	<u>3.0</u>	<u>3.6</u>
<u>R7A</u>	<u>4.0</u>	<u>4.6</u>

\* for #zoning lots#, or portions thereof, beyond 100 feet of a #wide street#

\*\* for #zoning lots#, or portions thereof, within 100 feet of a #wide street#

For each square foot of #floor area# provided for #lower income housing# pursuant to the options listed in Column A and which meets the requirements set forth in Section 23-95, the #floor area# of the #development# or #enlargement# may be increased by the number of square feet set forth in Column B.

OPTIONS

Column A

Column B

On-site New Construction

2.0

<u>On-site Substantial Rehabilitation</u>	<u>2.0</u>
<u>Off-site New Construction (Private Site)</u>	<u>2.0</u>
<u>Off-site New Construction (Public Site)*</u>	<u>2.0</u>
<u>Off-Site Substantial Rehabilitation (Private Site)</u>	<u>2.0</u>
<u>Off-Site Substantial Rehabilitation (Public Site)*</u>	<u>2.0</u>
<u>Preservation</u>	<u>2.0</u>

\* Public sites are those made available for this program by a public agency at nominal cost

Each structure erected and recorded as a separate building at the Department of Buildings as of (effective date of amendment) may be considered individually in determining if lower income housing provided pursuant to this program shall be considered as substantial rehabilitation or preservation.

**23-94 23-95**

**Lower Income Housing Requirements**

R10

To qualify for the increased #floor area#, #compensated developments# must provide #lower income housing# for the life of the increased #floor area# in the #compensated development# pursuant to one or more of the options listed in Section ~~23-941, 23-942 and 23-943~~, 23-951, 23-952 and 23-953 and such #lower income housing# must meet each of the requirements set forth below.

\* \* \*

**23-941 23-951**

**On-site new construction option**

To qualify for this option, the designated #lower income housing# shall meet the following requirements.

- (a) The #lower income housing# shall be located in newly constructed #floor area#

in the #compensated development#. The #lower income housing# shall be maintained and leased to #lower income households# for the life of the increased #floor area#.

- (b) #Dwelling units# designated as #lower income housing# shall be distributed throughout the #development#. No #story# shall contain more than two such units unless at least 80 percent of all #stories# contain two such units. The size of the designated #lower income housing# units shall at least be distributed among the various size units in proportion to the total distribution of unit size within the #building# in the following categories of unit sizes:

under 600 net square feet  
600 - 749 net square feet  
750 - 949 net square feet  
950 - 1149 net square feet  
1150 or more net square feet

In Community District 1, Borough of Brooklyn, the requirements of this paragraph (b) may be waived by the Commissioner of Housing Preservation and Development to facilitate the #development# of #lower income housing#.

**23-942 23-952**

**Substantial rehabilitation and off-site new construction options**

To qualify for one or more of these options, the designated #lower income housing# shall meet the following requirements:

- (a) The #lower income housing# shall be located either:
- (1) within the same Community District as the #compensated development#; or
  - (2) within an adjacent Community District and within a one-half mile radius of the #compensated development#.

For the new construction option the #lower income housing# shall be in a new #building#. For the substantial rehabilitation options, the #lower income housing# shall be in an existing #building# in which, prior to the submission of the #lower income housing plan# pursuant to this Section, any #residential#

portion not in public ownership had been entirely vacant for not less than three years.

However, in Community District 1, Borough of Brooklyn, #lower income housing# shall be located only within such Community District, and the administering agent shall not be required to verify the income of households in tenancy as of the date upon which the Commissioner of Housing Preservation and Development approves the #lower income housing plan#.

\* \* \*

**23-943 23-953**

**Preservation option**

To qualify for this option, the designated #lower income housing# shall meet the following requirements.

- (a) The #lower income housing# shall be located either:
  - (1) within the same Community District as the #compensated development#; or
  - (2) within an adjacent Community District and within a one-half mile radius of the #compensated development#.

The #lower income housing# shall be in an existing occupied #residential# or #mixed building#. Only #standard units# occupied by #lower income households# shall be #lower income housing#. For each #standard unit# designated as #lower income housing# the #administering agent# shall verify the income of the household in tenancy.

However, in Community District 1, Borough of Brooklyn, #lower income housing# shall be located only within such Community District, and the administering agent shall not be required to verify the income of households in tenancy as of the date upon which the Commissioner of Housing Preservation and Development approves the #lower income housing plan#.

\* \* \*

**62-20**  
**SPECIAL USE REGULATIONS**

\* \* \*

**62-29**  
**Special Use Regulations for Waterfront Access Plan BK-1**

All Use Group 6 and 9 #uses# delineated in Section 62-212 (Waterfront-Enhancing Uses) not otherwise permitted, shall be a permitted use on any parcel identified in Waterfront Access Plan BK-1, provided that such use is limited to not more than 10,000 square feet of #floor area# per establishment; the total amount of #floor area# used for such #uses# does not exceed two per cent of the total amount of #floor area# permitted on such parcel; and such #uses# are located below the level of the first #story# ceiling of a #building# or are located on a #pier# or #platform#.

Additionally, Docks for water taxis (Use Group 6) and Docks or mooring facilities for non-commercial pleasure boats (Use Group 6) shall be a permitted use on any parcel identified in Waterfront Access Plan BK-1.

\* \* \*

**62-30**  
**SPECIAL BULK REGULATIONS**

All #zoning lots# within #waterfront blocks# shall comply with the #bulk# regulations of this Section. For the purposes of this Section, non-#waterfront blocks# included in Waterfront Access Plan BK-1 shall be considered to be #waterfront blocks#. Existing non-complying buildings or other structures shall be subject to the provisions of Article V (Non-Conforming Uses and non-complying Buildings).

\* \* \*

**62-31**  
**Bulk Computations on Waterfront Zoning Lots**

\* \* \*

- (b) #Floor area#, #dwelling units# or #rooming units# generated by existing #piers# or #platforms# within the #seaward lot# may be located anywhere on



the #zoning lot# provided the amount on the #upland lot# does not exceed the maximum for the district on such portion of the #zoning lot# by more than 20 percent. No #bulk# distribution from the #seaward lot# shall be permitted for new #piers# or #platforms#, except within Waterfront Access Plan BK-1. Such # bulk# distribution shall be permitted for new portions of #piers# located within Waterfront Access Plan BK-1, provided that such new portion of the #pier# is accessed from a portion of an existing #pier# containing not less than 25 percent of the #water coverage# of such existing #pier# and that the #water coverage# of the new and existing portions of the #pier# does not exceed the #water coverage# of the existing #pier#.

\* \* \*

## **62-35**

### **Special Bulk Regulations within Waterfront Access Plan BK-1**

Within Waterfront Access Plan BK-1, the special #bulk# regulations of this Chapter are further modified as set forth in this Section 62-35, inclusive.

## **62-351**

### **Special floor area regulations**

(a) Maximum permitted #floor area ratio#

In R6 Districts, the maximum permitted #floor area ratio# for any #zoning lot# containing #residences# shall be 2.43. In R8 Districts, the maximum permitted #floor area ratio# for any #zoning lot# containing #residences# shall be 5.5. In R6 and R8 Districts, the maximum permitted #floor area ratio# for any #zoning lot# containing #residences# may be increased for #developments# and #enlargements# that provide lower income housing pursuant to Section 62-352.

(b) #Buildings# used for #accessory# off-#street# parking spaces

The #floor area# of a #building# shall not include floor space used for #accessory# off-street parking spaces provided in any #story# located not more than 33 feet above the height of the #base plane#.

## **62-352**

### **Inclusionary Housing**

The provisions of Section 23-90 (INCLUSIONARY HOUSING) shall apply in R6 and R8 Districts within Waterfront Access Plan BK-1 as modified in this Section.

(a) Definitions

Fair rent

At initial occupancy of #lower income housing# that is occupied by a #moderate income household# or a #middle income household# as defined in this Section, "fair rent" is an annual rent for each such housing equal to not more than either the public assistance shelter allowance if the #family# receives public assistance, or 30 percent of the annual income of the tenant of such housing (the "30 Percent Standard").

Upon renewal of a lease for such an existing tenant in #lower income housing#, #fair rent# (the "Rent Stabilization Standard") is not more than the then-current #fair rent# for such housing plus a percentage increase equal to the percentage increase for a renewal lease of the same term permitted by the Rent Guidelines Board for units subject to the rent stabilization law.

After initial occupancy, upon rental of #lower income housing# to a new tenant, #fair rent# is not more than the higher of:

- (1) the then-currently applicable "30 Percent Standard"; or
- (2) the Rent Stabilization Standard.

In order for rent to be #fair rent#, the following must also apply:

There shall be no additional charge to the tenant for the provision of heat and electric service, except that the Commissioner of Housing Preservation and Development may approve a #lower income housing plan# making a #lower income, #moderate income# or #middle income household# responsible for the payment of utilities as long as the sum of:

- (1) the initial #fair rent#; and
- (2) the monthly costs of a reasonable compensation for these utilities, by an energy conservative household of modest circumstances consistent with the requirements of a safe, sanitary and healthful living environment do not exceed 30 percent of said #lower income#, #moderate income# or #middle income household's# income.

At initial occupancy of any #lower income housing# occupied by a #moderate income# or #middle income household#, a portion of the #fair rents# may be for the payment of the principal or interest on debt, and such housing may secure debt, provided that, as of the date of the approval of the #lower income housing plan#, the Commissioner of Housing Preservation and Development finds that the total annual rent, when such interest and principal payments are deducted, is in compliance with the requirements of Section 23-95(c) of this Resolution, and provided that the lender agrees to enter into a written agreement which subordinates such debt.

#### Lower income housing

For the purposes of this Section, “lower income housing” shall include #standard units# occupied or to be occupied by #lower income#, #moderate income# or #middle income households#.

#### Moderate income household

For the purposes of this Section 62-352, a “moderate income household” is a #family# having an income equal to or less than the following proportion:

125  
80

of the income limits (the “80 Percent of SMSA Limits”) for New York City residents established by the U. S. Department of Housing and Urban Development pursuant to Section 3(b)(2) of the United States Housing Act of 1937, as amended, for lower income families receiving housing assistance payments.

#### Middle income household

For the purposes of this Section 62-352, a “middle income household” is a #family# having an income equal to or less than the following proportion:

175  
80

of the income limits (the “80 Percent of SMSA Limits”) for New York City residents established by the U. S. Department of Housing and Urban Development pursuant to Section 3(b)(2) of the United States Housing Act of 1937, as amended, for lower income families receiving housing assistance payments.

(b) Floor area increase

The maximum permitted #floor area ratio# on a #zoning lot# containing #residences# may be increased in R6 Districts from 2.43 to 2.75, and in R8 Districts from 5.5 to 6.5, provided that:

- (1) at least 15% of the total #floor area# on the #zoning lot# is occupied by #lower income households#, or
- (2) at least 10% of the total #floor area# on the #zoning lot# is occupied by #lower income households# and at least 10% of the total #floor area# on the #zoning lot# is occupied by #moderate income households#, or
- (3) at least 10% of the total #floor area# on the #zoning lot# is occupied by #lower income households# and at least 15% of the total #floor area# on the #zoning lot# is occupied by #middle income households#.

(c) Lower Income Housing Requirements

#Developments# that increase #floor area# in accordance with the provisions of this Section shall comply with the lower income housing requirements of Section 23-95, except as modified in this paragraph (c).

- (1) The provisions of Section 23-95(b) shall apply, except that in addition, incoming households of #standard units# in #lower income housing# may be #moderate# and #middle income households#, and sublessees of a #moderate# or #middle income household# may also be a #moderate# or #middle income household#.

Furthermore, on and after the issuance of a certificate of occupancy for #lower income housing#, the #administering agent# shall have a duty

to rent such housing to #lower#, #moderate# or #middle income households#, as provided in this Section.

This duty to rent shall be satisfied by the #administering agent#, if such agent has in fact rented all such units to #lower#, #moderate# or #middle income households#, as provided in this Section, or has, in good faith, made a continuing public offer to rent such units at rents no greater than the rents authorized by this program or otherwise at law.

- (2) The provisions of Section 23-95(d) shall apply, except that prior to renting #lower income housing#, the #administering agent# shall verify the income of each household to occupy such housing, to assure that the households are #lower#, #moderate# or #middle income households# as provided by this Section. The #administering agent# shall submit an affidavit to the Commissioner of Housing Preservation and Development upon initial occupancy and annually thereafter attesting that all incoming occupants of #lower income housing# are #lower#, #moderate# or #middle income households# as required by the provisions of this Section.
- (3) Section 23-951(a) shall apply, except that the #lower income housing# shall be maintained and leased to #lower#, #moderate# or #middle income households#, as provided in this Section, for the life of the increased #floor area#.

### **62-353**

#### **Special floor area, lot coverage and residential density distribution regulations**

Within any parcel identified in Section 62-381, and with respect to any such parcels which are adjacent to each other and which are under single fee ownership and with respect to which each party having any interest therein is a party in interest (as defined in (e) of the definition of a #zoning lot# in Section 12-10) or with respect to which each party in interest (as defined in (f)(4) of the definition of a #zoning lot# in Section 12-10) has executed a declaration declaring that the properties are to be developed as a single parcel or has waived its right to execute such declaration, the total #floor area# and #lot coverage# permitted pursuant to Section 62-351 or 62-352 and the residential density permitted pursuant to Section 23-22 may be located anywhere within such parcel or between such parcels without regard to #zoning lot lines# or district boundaries provided that such location of #floor area#, #lot coverage# or residential density complies with

Section 62-31 and Section 62-34 as modified by Section 62-354.

**62-354**

**Special Height and Setback Regulations**

The provisions of Section 62-341 are modified as follows:

- (a) Paragraph (c)(1) (Maximum base height) shall be modified in R6 Districts to permit a maximum base height of 65 feet or six #stories#, whichever is less. However, for #buildings or other structure# located on a #zoning lot# with more than 100 feet of frontage on a #street# in R6 Districts, not less than 20 percent of such frontage shall exceed a maximum base height of 55 feet or 5 #stories#, whichever is less.
  
- (b) Paragraph (c)(2) (Maximum #building# height) shall not apply. In lieu thereof, the maximum #building# height in an R6 District shall be 65 feet or six #stories#, whichever is less, within 100 feet of Commercial Street, West Street, Dupont Street, Franklin Street and Kent Avenue. Beyond 100 feet of such #streets# and any other portions of an R6 District, the maximum #building# height in shall be 110 feet. In R8 Districts, the maximum #building# height shall be 210 feet, except that for #zoning lots developed# with multiple #buildings# or portions of #buildings# that exceed a height of 200 feet, not more than half of such #buildings# or portions of #buildings# may exceed a height of 210 feet to a maximum #building# height of 310 feet. Such maximum #building# heights of 110 feet, 210 feet and 310 feet may be exceeded by a penthouse portion of a #building#, provided any #story# of a #building# within such penthouse portion does not exceed 85 percent of the gross area of the highest #story# of the same #building# entirely below a height of 110 feet, 210 feet or 310 feet, as applicable, and the maximum height of such penthouse portion does not exceed 40 feet.

For #developments# that provide #lower income housing# pursuant to Section 62-352, the increased #floor area# permitted for such #developments# may exceed the height limits of an R8 District set forth in this paragraph (b) provided that the maximum building height shall be 260 feet, except that for #zoning lots developed# with multiple #buildings# or portions of #buildings# that exceed a height of 250 feet, not more than half of such #buildings# or portions of #buildings# may exceed a height of 260 feet to a maximum #building# height of 360 feet. Such maximum #building# heights of 260 feet and 360 feet may be

exceeded by a penthouse portion of a #building#, provided any #story# of a #building# within such penthouse portion does not exceed 85 percent of the gross area of the highest #story# of the same #building# entirely below a height of 260 feet or 360 feet, as applicable, and the maximum height of such penthouse portion does not exceed 40 feet.

- (c) Paragraphs (c)(3) (#Floor area# distribution) and (c)(5) (Additional setback provisions for high #buildings#) shall not apply.
- (d) Paragraph (c)(4) (Maximum #residential# tower size) shall not apply. In lieu thereof, each #residential story# of a #building# located entirely above a height of 85 feet shall not exceed a gross area of 8,100 square feet in an R6 District and 11,000 square feet in an R8 District. If such #residential story# of a #building# is located partially in an R6 District and partially in an R8 District, it shall not exceed a gross area of 11,000 square feet and any portion located in an R6 district shall not exceed a gross area of 8,100 square feet.
- (e) Paragraph (c)(6) shall not apply. In lieu thereof, the maximum length of any #story# of a #building# that exceeds a height of 85 feet shall not exceed 170 feet. Such length shall be measured by inscribing within a rectangle the outermost walls at the level of each #story# entirely above such heights. Any side of such rectangle shall not exceed 170 feet.
- (f) Paragraph (c)(7) (Ground floor streetscape provisions) shall not apply. In lieu thereof, all off-street parking spaces located within 50 feet of a #street#, a #visual corridor# containing a private road, and a #shore public walkway#, #upland connection# or #supplemental public access area# and which are located on a #story# that is above the #base plane# shall be within facilities that are located behind #commercial#, #community facility# or #residential# floor space so that no portion of such parking facility, other than entrances and exits, is visible from such #streets#, #visual corridors# or publicly accessible open spaces. Such floor space shall have a minimum depth of 25 feet. Up to 5 percent of such floor space may be used for mechanical equipment provided that no floor space used for mechanical equipment is located within 15 feet of the #street wall# of the #building# below a height of 15 feet above the #base plane#, and that no exhaust vents are located on the street wall of the #building# below a height of 15 feet above the #base plane#. The remainder of such floor space shall be used for #commercial#, #community facility# or #residential floor area#. Seventy percent of the surface area of the facade of a facility containing parking spaces which are not otherwise required to be behind such #floor area# shall be composed of the same materials as the facade of the

#building# in which it is located.

- (g) Any roof of a facility containing off-street parking spaces, not otherwise covered by a #building#, which is larger than 400 square feet shall be landscaped. Up to 5 percent of such roof area may be used for mechanical equipment provided that such mechanical equipment is screened from view by a fence which is at least 75 percent opaque or by at least 3 feet of dense planting. Up to 25 percent of such roof area may be accessible solely from an adjacent #dwelling unit# and the remaining roof area shall be accessible for the recreational use of the occupants of the building in which it is located. Hard surfaced areas shall not cover more than 60 percent of such roof area.
- (h) At least 70 percent of the width of the #streetwall# of a #building# or #buildings# fronting on a portion of a #street#, #upland connection# or #visual corridor# which is not adjacent to a #shore public walkway# or #supplemental public access area# shall be located within eight feet of such #street line# and extend to a minimum height of 30 feet.
- (i) All #developments#, conversions, and #enlargements# or #extensions# which increase the existing #floor area# by more than 10 percent, shall provide along the entire #street# length of the #zoning lot#, one tree for every 25 feet of #street# frontage. Such trees shall be of at least three-inch caliper at the time of planting and be placed at approximately equal intervals except where the Department of Parks and Recreation determines that such tree planting would be unfeasible. Such trees shall be planted in accordance with the standards of the Department of Parks and Recreation.

\* \* \*

**62-50**  
**SPECIAL PARKING AND LOADING REGULATIONS**

\* \* \*

**62-57**  
**Special Parking and Loading Regulations for Waterfront Access Plan BK-1**

Within Waterfront Access Plan BK-1 the Special Parking and Loading Regulations of this section are further modified as follows:



- (a) The provisions of Section 62-511 and Section 62-521 shall not be applicable.
- (b) #Accessory# off-street parking spaces for #uses# permitted pursuant to Section 62-29 shall be provided in conformity with the regulations of Sections 36-21, 36-22 and 36-232 for C2-4 districts.
- (c) Any required #accessory# off-street parking spaces provided for #uses# located on a parcel identified in Waterfront Access Plan BK-1 may be located anywhere within such parcel.

\* \* \*

**62-70  
SPECIAL REVIEW PROVISIONS**

\* \* \*

**62-711  
Waterfront public access and visual corridors**

\* \* \*

- 5. for the #development# of a park, a site plan and all other applicable data have been submitted showing compliance with the provisions of Section 62-416 (Special regulations for zoning lots that include parks).

A certification pursuant to paragraph (c) of this section, for any parcel identified in Waterfront Access Plan BK-1, may provide for the phased implementation of all required public access areas provided that an amount of public access area proportionate to the amount of #floor area# being developed on the parcel is provided in each phase. Additionally, for any #development# located within 200 feet of a #shore public walkway#, the initial phase and each subsequent phase, shall also provide a minimum of 200 linear feet of #shore public walkway# and any adjacent #supplemental public access area# located between such #development# and the required #shore public walkway#, one #upland connection# through or adjacent to the entire parcel to such required portion of the #shore public walkway# and, shall have at least one other connection from such required portion of the #shore public walkway# to an adjacent #shore public walkway#, a #street# or another #upland connection#. For any #development# located entirely beyond 200 feet of a #shore public walkway#, the initial phase and each subsequent phase, shall also provide a minimum of 100 linear feet of #shore public

walkway#, and one #upland connection# through or adjacent to the entire parcel to such required portion of the #shore public walkway#. However, no public access area needs to be provided for a phase consisting of a #development # in which all included #residential# units are affordable units for a #lower income household# as defined in section 23-93 or a #moderate income household# or a #middle income household# as defined in section 62-352.

A certificate pursuant to paragraphs (b) or (c) of this Section shall be granted on condition that an acceptable restrictive declaration is executed and filed pursuant to Section 62-14 (Requirements for Recordation).

\* \* \*

**62-80  
WATERFRONT ACCESS PLANS**

\* \* \*

**62-812  
Elements of a Waterfront Access Plan**

A Waterfront Access Plan may:

- (a) on #zoning lots# where public access or #visual corridors# are required pursuant to the provisions of Sections 62-40 and 62-60, modify the size, configuration, location or design of required waterfront public access areas or #visual corridors# within certain designated areas in order to address local conditions, provided such plan does not impose a public access or #visual corridor# requirement on any #zoning lot# greater than would otherwise be required pursuant to the provisions of Sections 62-40 or 62-60. For the purpose of determining the amount of public access, the highest standard applicable to a zoning lot may be applied regardless of any specific #use# permitted or proposed for such #zoning lot#. Within Waterfront Access Plan BK-1, the public access and #visual corridor# requirements for any parcel located within the Waterfront Access Plan may be determined by aggregating the public access and #visual corridor# requirements of each zoning lot within the parcel and such aggregated requirements may be modified within such parcel without regard to #zoning lot lines#.

\* \* \*

**62-83**  
**Borough of Brooklyn**

The following Waterfront Access Plans are hereby established within the Borough of Brooklyn. All applicable provisions of Article VI, Chapter 2, remain in effect within the areas delineated by such plans, except as expressly set forth otherwise in the plans:

BK-1: Greenpoint/ Williamsburg, as set forth in Section 62-831.

\* \* \*

**62-831**  
**Waterfront Access Plan BK-1:**  
**Greenpoint-Williamsburg**

Maps BK-1a through BK-1c in paragraph (g) of this Section show the boundaries of the area comprising the Greenpoint-Williamsburg Waterfront Access Plan and the location of certain features mandated or permitted by the Plan. The plan area has been divided into parcels consisting of tax blocks and lots and other lands as established on (date of adoption), as follows:

<u>Parcel 1:</u>	<u>Block 2472, Lot 350</u>
<u>Parcel 2:</u>	<u>Block 2472, Lot 400</u>
<u>Parcel 3:</u>	<u>Block 2472, Lot 410</u>
<u>Parcel 4:</u>	<u>Block 2472, Lot 425</u>
<u>Parcel 5a:</u>	<u>Block 2472, Lot 100</u>
<u>Parcel 5b:</u>	<u>Block 2472, Lot 32 and Block 2494, Lot 6</u>
<u>Parcel 5c:</u>	<u>Block 2472 Lot 2, Block 2494 Lot 1, Block 2502 Lot 1, Block 2510 Lot 1 and Block 2520 Lot 57</u>
<u>Parcel 6:</u>	<u>Block 2472, Lot 75</u>
<u>Parcel 7:</u>	<u>Block 2520, Lot 1</u>
<u>Parcel 8:</u>	<u>Block 2530, Lots 55 and 56</u>
<u>Parcel 9:</u>	<u>Block 2530, Lots 1</u>
<u>Parcel 10:</u>	<u>Block 2538, Lot 1</u>
<u>Parcel 11:</u>	<u>Block 2543, Lot 1</u>
<u>Parcel 12:</u>	<u>Block 2556, Lots 41</u>
<u>Parcel 13:</u>	<u>Block 2556 Lot 1, Block 2564 Lot 1, Block 2567 Lot 1 and Block 2570 Lot 36</u>
<u>Parcel 14:</u>	<u>Block 2570, Lot 1</u>

<u>Parcel 15:</u>	<u>Block 2590, Lot 1</u>
<u>Parcel 16:</u>	<u>Block 2590, Lot 210</u>
<u>Parcel 17:</u>	<u>Block 2590, Lot 215</u>
<u>Parcel 18:</u>	<u>Block 2590, Lot 22</u>
<u>Parcel 19:</u>	<u>Block 2590, Lot 25</u>
<u>Parcel 20:</u>	<u>Block 2590, Lot 100 and Block 2277, Lot 1</u>
<u>Parcel 21:</u>	<u>Block 2287, Lot 1, 16 and 30 and Block 2294 Lots 1 and 5</u>
<u>Parcel 22:</u>	<u>Block 2301, Lots 1, 50, 60 &amp; 70</u>
<u>Parcel 23:</u>	<u>Block 2316, Lot 46</u>
<u>Parcel 24:</u>	<u>Block 2308, Lot 1 and Block 2316, Lot 1</u>
<u>Parcel 25:</u>	<u>Block 2324, Lot 1 &amp; Block 2332, Lot 1</u>
<u>Parcel 26:</u>	<u>Block 2340, Lot 1</u>
<u>Parcel 27:</u>	<u>Block 2348, Lot 1</u>

(a) Area wide modifications:

The following provisions shall apply to all #developments# required to provide public access, pursuant to Section 62-40 (REQUIREMENTS FOR WATER-FRONT PUBLIC ACCESS AND VISUAL CORRIDORS):

- (1) Paragraph (c) of Section 62-412 (Requirements for public access on piers) is applicable, except that a minimum of 15 feet are required along each water edge.
- (2) The provisions of Section 62-61 (Design Options and Methodology) shall be inapplicable. In lieu thereof, the following provisions shall apply:
  2. All required public access areas and #visual corridors# shall comply with the general requirements set forth in Section 62-62 (General Requirements for Public Access Areas) and the specific requirements as set forth in this Section.
  - (ii) #Upland connections#, #visual corridors#, public access areas on #piers# and public access areas in conjunction with #floating structures# shall comply with the design requirements set forth in Sections 62-64 through 62-66, inclusive.
  - (iii) Public access areas are subject to the design reference standards set forth in Section 62-67 and paragraph (d) of this Section.

(3) The provisions of Section 62-623 (Supplemental public access areas) shall be inapplicable. In lieu thereof, the following provisions shall apply:

a) A required #supplemental public access area# shall be directly connected to either a #pier# public access area, an #upland connection# or a #shore public walkway# on either its landward or seaward side and its pedestrian circulation zone shall be contiguous with the adjacent pedestrian circulation zone.

b) A buffer zone shall only be required where a #supplemental public access area# adjoins a non-publicly accessible portion of a #zoning lot#, in which case its minimum width shall be 15 feet.

(4) #Street# Treatment

All #streets# adjacent to a #shore public walkway# or #supplemental public access area# shall be improved as a continuation of such #shore public walkway# or #supplemental public access area#, pursuant to the design requirements of paragraph (b) of this Section, inclusive.

(b) Specific design requirements for Public Access Prototypes

The provisions of Section 62-63 (Specific Design Requirements for Public Access Prototypes) shall be inapplicable. In lieu thereof the following provisions for #shore public walkways# and #supplemental public access areas# shall apply:

(1) Greenpoint-Williamsburg Shore Public Walkway-Prototype I

1. One circulation path with a minimum clear width of 12 feet is required.  
The path must be within ten feet of the seaward edge of the #shore public walkway#, except when rip rap, beach or other shoreline materials are provided in a publicly accessible area seaward of the path.

- (ii) A minimum of one linear foot of seating shall be provided for every 100 square feet of #shore public walkway#. At least 60 percent of the required seating shall be landward of the required circulation path.
- (iii) A minimum of 50 percent of the pedestrian circulation zone, excluding the required circulation path, shall be planting area. Rip rap, beach or other shoreline materials may be counted as an equivalent to planting area.
- (iv) One shade tree is required for every 1,200 square feet of #shore public walkway# and one small or ornamental tree shall be required for every 750 square feet of #shore public walkway#. Trees may be located either in the pedestrian circulation zone landward of the required circulation path or in the buffer zone. Fifty percent of required shade trees shall be located within 10 feet of the required clear path.

(2) Greenpoint-Williamsburg Shore Public Walkway-Prototype II

- (a) The provisions of 62-621 (Shore public walkways) shall apply except that a #shore public walkway# shall have a minimum 30 foot pedestrian circulation zone and a minimum 15 foot buffer zone.
- (b) One circulation path with a minimum clear width of 12 feet is required.  
The path must be within ten feet of the seaward edge of the #shore public walkway#, except when rip rap, beach or other shoreline materials are provided in a publicly accessible area seaward of the path, in which case, the path shall be located within 20 feet of the shoreline.  
A secondary circulation path may be provided, with a minimum width of 10 feet. Connecting paths having a minimum width of ten feet shall be provided between the two circulation paths at intervals not to exceed 100 feet.
- (c) A minimum of one linear foot of seating shall be provided for every 70 square feet of #shore public walkway#.
- (d) A minimum of 70 percent of the pedestrian circulation zone,

excluding the required circulation path shall be planting area. A minimum of 50 percent of this planting area must be improved as lawn according to the provisions of Section 62-675 (Planting and trees).

(v) One shade tree is required for every 1,900 square feet of #shore public walkway# and shall be located in the pedestrian circulation zone. In addition, one shade, small or ornamental tree shall be required for every 850 square feet of #shore public walkway# and may be located either in the pedestrian circulation zone or in the buffer zone. Fifty percent of required shade trees shall be located within 10 feet of the required clear path.

(3) Greenpoint-Williamsburg Supplemental Public Access - Waterfront Plaza

(i) The entire #supplemental public access area# shall be a pedestrian circulation zone, except for any buffer zone required by paragraph (a)(3)(ii) of this Section.

(ii) There shall be at least one circulation path throughout the #supplemental public access area#. Such path shall provide access to the primary entrance of any building or #use# that is within or adjacent to the #supplemental public access area#.

The required circulation path shall have a minimum clear width of ten feet and any other circulation path shall have a minimum clear width of six feet.

Within a transition zone, the minimum aggregate width of clear path along any side of the #supplemental public access area# shall be equal to 50 percent of the length of the intersection between the two public access areas, and any single path providing access between waterfront public access areas shall have a minimum width of 10 feet.

(iii) A minimum of one linear foot of seating shall be provided for every 40 square feet of pedestrian circulation zone. Fifty percent of required seating shall be under shade throughout

the day.

- (iv) A minimum of 25 percent of the pedestrian circulation zone shall be planting area.
- (v) Four trees shall be required for the first 2,500 square feet of #supplemental public access area#, at least two of which shall be shade trees. For each additional 750 square feet, one additional shade, ornamental or small tree shall be required. Small or ornamental trees located within the pedestrian circulation zone shall not be counted toward the minimum requirements.

(4) Greenpoint-Williamsburg Supplemental Public Access - Waterfront Park

- (i) The entire #supplemental public access area# shall be a pedestrian circulation zone, except for any buffer zone required by paragraph (a)(3)(ii) of this Section.
- (ii) There shall be at least one circulation path throughout the #supplemental public access area#. Such path shall provide access to the primary entrance of any building or #use# that is within or adjacent to the #supplemental public access area#.

The required circulation path shall have a minimum clear width of ten feet and any other circulation path shall have a minimum clear width of six feet.

Within a transition zone, the minimum aggregate width of clear path along any side of the #supplemental public access area# shall be equal to 50 percent of the length of the intersection between the two public access areas, and any single path providing access between waterfront public access areas shall have a minimum width of 10 feet.

- (iii) A minimum of one linear foot of seating shall be provided for every 50 square feet of pedestrian circulation zone. Fifty percent of required seating shall be under shade throughout the day.



- (iv) A minimum of 60 percent of the pedestrian circulation zone shall be planting area with no more than 30 percent of the planting area in raised planting beds. At least 35 percent of the #supplemental public access area# shall be lawn in compliance with the standards set forth in paragraph (c)(5) of Section 62-675 (Planting and trees).
- (v) Four trees shall be required for the first 2,500 square feet of #supplemental public access area#, at least two of which shall be shade trees. For each additional 750 square feet, one additional shade, ornamental or small tree shall be required. Small or ornamental trees located within the pedestrian circulation zone shall not be counted toward the minimum requirements.

(c) Amenities

In parcels where #supplemental public access area# is required, no more than fifteen percent of public access area may be reduced if playgrounds and other amenities are provided in accordance with the following provisions.

(1) Playgrounds

A playground shall have a minimum size of 1,000 square feet and, if applicable, there shall be a minimum of 400 feet between any two playground areas. For every five square feet of playground area provided, the total amount of required public access may be reduced by the rate of one square foot.

(2) Other amenities

A reduction in the total amount of required public access area shall be permitted according to the following table.

<u>Amenity</u>	<u>Square feet reduction</u>
<u>Picnic table</u>	<u>22 sq. ft. per table, to a max. of 200 sq. ft.</u>
<u>Chess table</u>	<u>20 sq. ft. per table, to a max. of 200 sq. ft.</u>
<u>Telescope</u>	<u>10 sq. ft. per telescope, to a max. of 50 sq. ft.</u>

<u>Fountain/water feature</u>	<u>150 sq. ft. per feature, to a max. of 300 sq. ft.</u>
<u>Shade structure</u>	<u>150 sq. ft. per structure, to a max. of 300 sq. ft.</u>

(d) Public access design reference standards

Section 62-67 is hereby modified by the following provisions.

(1) Guardrails

The provisions of paragraph (a) Section 62-671 (Guardrails, gates and other protective barriers) shall be inapplicable. In lieu thereof the following provisions for guardrails shall apply:

(i) Guardrails shall be located within waterfront public access areas continuously along any bulkhead, stabilized shore or the water edges of a #pier# or #platform# that is located within 50 feet of a circulation path; and continuously along any grade level change of 30 inches or greater adjoining or within 10 feet of a circulation path. However, guardrails shall not be required landward of any rip rap, beach or any other shoreline material that is at least 10 feet wide. If any protective barrier is provided adjacent to any rip rap, beach or other shoreline material, they shall not exceed a height of 21 inches or shall consist of a bollard and chain device.

Guardrails shall not be required at access points to WD #uses# and #development# on #floating structures#. The minimal protective barrier at such locations shall be a swing gate, bollard and chain or similar device.

(ii) Guardrails shall comply with illustration A1; alternatively, illustration A2 may be used in #piers#.

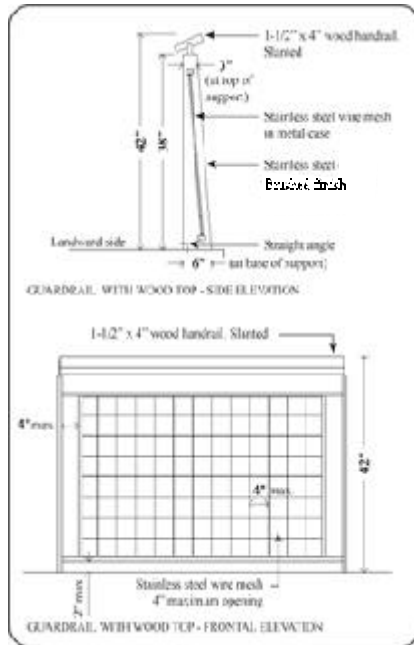


Illustration A1

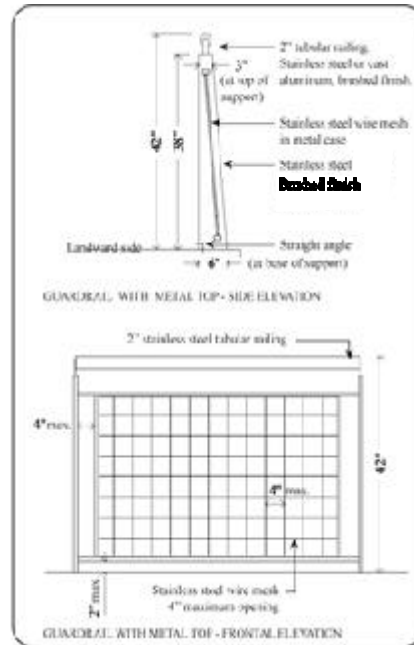


Illustration A2 (Alternate for piers)

All guardrail components and hardware shall be in stainless steel or cast aluminum, as applicable.

(2) Seating

In addition to the provisions of Section 62-672, at least fifty percent of the required seating along any #shore public walkway# or #supplemental public access area# shall comply with illustration B1 or B2 below.

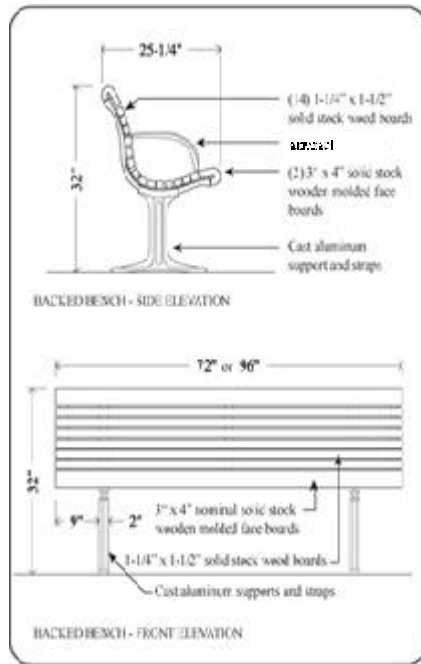


Illustration B1

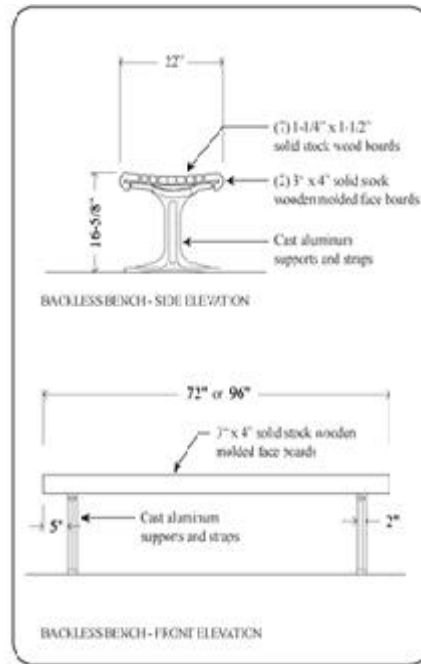


Illustration B2

All wood boards shall be made of Redwood, Jarrah or Ipe, have eased edges and ends and be treated for external use without stain or varnish.

All supports and backstraps shall be 713 tenzallooy cast aluminum, with a rust inhibitor and a top coat finish of thermosetting polyester powdercoat that is ultra-violet, chip and flake resistant. Metal components shall have a light gray or aluminum color.

(3) Lighting

In addition to the provisions of Section 62-673, the required lighting along any public access area shall comply with illustration C1 below.

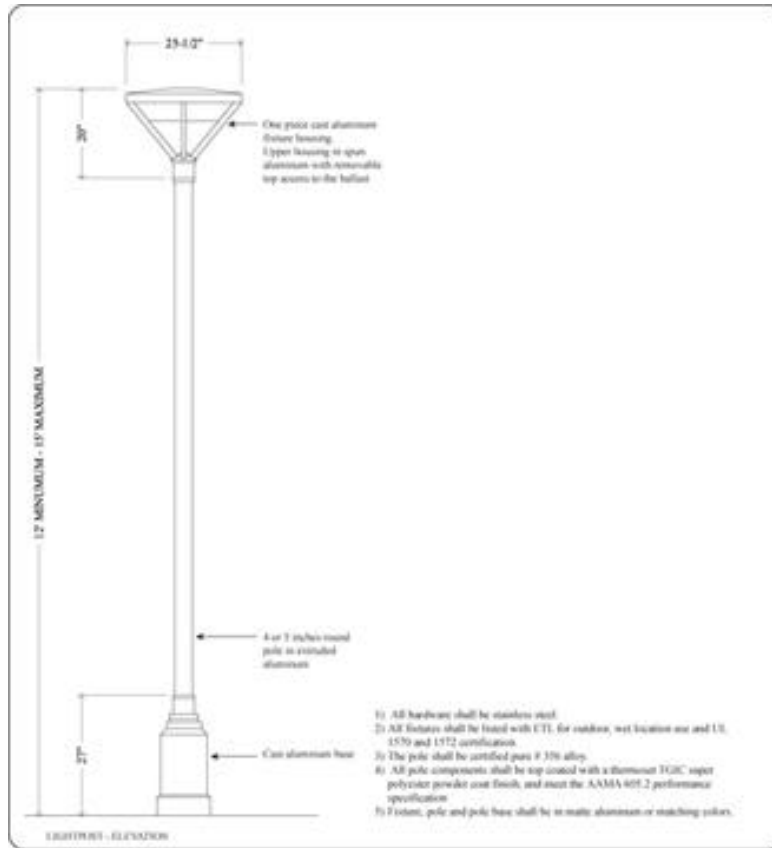


Illustration C1

(4) Planting and trees

The provisions of paragraph (c)(6) (Container planting) of Section 62-675 shall be inapplicable, unless a structural or environmental necessity is demonstrated at the time of certification.

(5) Paving

In addition to the provisions of Section 62-676, the paving for the required clear path within the #shore public walkway# shall be gray. At least fifty percent of all other paved areas within the #shore public walkway# and #supplemental public access areas# shall be paved in the same color range.

(e) Special public access provisions by parcel

The provisions of Sections 62-41 (Requirements for waterfront public access) and 62-60 (DESIGN STANDARDS FOR THE WATERFRONT AREA) are modified at the following designated locations which are shown on Map BK-1b in paragraph (g) of this Section:

1. Parcels 1 and 2

(i) #Shore public walkway#

The requirements for Prototype I described in paragraph (b)(1) of this Section shall apply to all new #development#.

In the event of any #enlargement#, #extension# or change of #use# within existing #buildings or other structures#, a #shore public walkway# shall occupy the entire area between the seaward edge and the existing #building or other structure# but need not be wider than 40 feet. The #shore public walkway# shall have a minimum clear path of 10 feet. No seating, planting or buffer zone shall be required. If seating and planting are provided, they shall comply with the provisions of Sections 62-672 and 62-675. In addition to the lighting design requirements of paragraph (c)(3) of this Section, lighting fixtures may be mounted on existing #buildings or other structures#.

(ii) #Supplemental public access area#

The requirements for #supplemental public access area# shall be waived.

(2) Parcels 3 and 4

(i) #Shore public walkway#

The requirements for Prototype I described in paragraph (b)(1) of this Section shall apply.

(ii) #Upland connection#

An #upland connection# shall be provided between Commercial Street and the #shore public walkway# within a flexible location along the #lot line# between Parcels 3 and 4. Whichever parcel is developed first shall provide an #upland connection# along the #lot line# between the two parcels. The width of the #upland connection# may be utilized by the developer of the remaining parcel in the computation necessary to comply with the requirements of a #visual corridor# along the #lot line# between the two parcels, according to the provisions of paragraph (f)(1) of this Section. If both parcels are developed concurrently, then the requirements may be divided equally along the #lot line# between the parcels.

(3) Parcel 5a

(i) #Shore public walkway#

The requirements for Prototype I described in paragraph (b)(1) of this Section shall apply.

(ii) #Upland connection#

An #upland connection# shall be provided between Commercial Street and the #shore public walkway# within the flexible location zone indicated on Map BK-1b in paragraph (g) of this Section.

The eastern boundary of such flexible location zone shall be 110 feet from the shared lot line of Parcel 4 and its western boundary shall be 200 feet from the shared lot lines of Parcels 5b and 6.

(iii) #Supplemental public access area#

The #supplemental public access area# shall abut the #shore public walkway# continuously along its longest side, and shall also abut the required #upland connection# where it meets the #shore public walkway#. The #upland connection#, however, may cut across the #supplemental public access area# provided that no area shall be less than 5,000

square feet. All #supplemental public access areas# shall have a minimum width to depth ratio of 1.0 to 1.0 and a maximum width to depth ratio of 2.0 to 1.0. In no event shall the #supplemental public access area# be deeper than 100 feet. The requirements for Waterfront Plaza described in paragraph (b)(3) of this Section shall apply.

Alternatively, a portion of the required #supplemental public access area# that is a minimum of 5,000 square feet may abut the #shore public walkway# continuously along the longest side provided that it also abuts a publicly accessible private drive connecting the #shore public walkway# to Commercial Street. Such publicly accessible private drive shall be improved to the standards of an #upland connection# as required by Section 62-641, but shall not be counted towards satisfying the required amount of public access area on the site. The requirements for Waterfront Park described in paragraph (b)(4) of this Section shall apply.

(4) Parcel 5b

#Shore public walkway#

The requirements for Prototype I described in paragraph (b)(1) of this Section shall apply.

(5) Parcel 5c

(i) #Shore public walkway#

The requirements for Prototype I described in paragraph (b)(1) of this Section shall apply.

(ii) #Upland connection#

Two #upland connections# shall be provided between West Street and the #shore public walkway#, one each located within the prolongation of the #street lines# of Eagle Street, and Green Street, respectively.

(iii) #Supplemental public access area#



Two #supplemental public access areas# shall be provided on Parcel 5c.

A #supplemental public access area# shall be bounded by the southern boundary of the required Green Street #upland connection#, the #shore public walkway#, the southern boundary of Parcel 5c and the northern prolongation of the eastern boundary of the #shore public walkway# required in Parcel 7. The requirements for Waterfront Plaza described in paragraph (b)(3) of this Section shall apply.

The remaining required #supplemental public access area# shall be provided either on the #pier# or distributed evenly as a widening of the pedestrian circulation zone of the #shore public walkway# located between the Eagle Street and Green Street #upland connections#. If any #supplemental public access area# is located on the #pier#, the planting requirements for Waterfront Plaza described in paragraph (b)(3) of this Section shall apply, except that trees may be substituted by a shading element at a rate of 450 sq. ft. of shade element per tree.

(iv) #Pier# public access

Public access shall be provided on the Green Street #pier# pursuant to the requirements of Section 62-412 and of paragraph (a)(1) of this Section.

(6) Parcel 5

In the event that Parcels 5a, 5b and 5c are merged into one parcel, they shall be known as Parcel 5 and be subject to the following requirements:

(i) #Shore public walkway#

The requirements for Prototype I described in paragraph (b)(1) of this Section shall apply.

(ii) #Upland connection#

One #upland connection# shall be provided between

Commercial Street and the shore public walkway within the flexible location zone indicated on Map BK-1b in paragraph (g) of this Section. The eastern boundary of such flexible location zone shall be 110 feet from the shared lot line of Parcel 4 and its western boundary shall be 200 feet from the shared lot line of Parcel 6.

Two upland connections shall be provided between West Street and the shore public walkway, each located within the prolongation of the street lines of Eagle Street and Green Street, respectively.

(iii) Supplemental public access area

Two supplemental public access areas shall be provided.

A supplemental public access area shall be bounded by the southern boundary of the required Green Street upland connection, the shore public walkway, the southern boundary of Parcel 5 and the northern prolongation of the eastern boundary of the shore public walkway required in Parcel 7. The requirements for Waterfront Plaza described in paragraph (b)(3) of this Section shall apply.

The remaining of the required supplemental public access area shall be located within the area bounded by the western prolongation of the north street line of Dupont Street, the shore public walkway, the northern prolongation of the eastern boundary of Parcel 6 and Parcel 6. The requirements for Waterfront Park described in paragraph (b)(4) of this Section shall apply.

(iv) Pier public access

Public access shall be provided on the Green Street pier pursuant to the requirements of Section 62-412 and of paragraph (a)(1) of this Section.

(7) Parcel 7

(i) Shore public walkway

The requirements for Prototype I described in paragraph (b)(1) of this Section shall apply, except that any portion of the required #shore public walkway# where the distance between the shoreline and the boundaries of Parcel 7 is less than 17 feet shall be improved entirely as clear path.

(ii) #Supplemental public access area#

The requirement for a #supplemental public access area# on Parcel 7 is waived.

(8) Parcels 9, 10 and 11

(i) #Shore public walkway#

The requirements for Prototype II described in paragraph (b)(2) of this Section shall apply.

(ii) #Supplemental public access area#

For each parcel, the #supplemental public access area# requirements shall be provided to widen the pedestrian circulation zone of the #shore public walkway#, evenly distributed along the entire length of such #shore public walkway#.

(9) Parcel 13

(i) #Shore public walkway#

The requirements for Prototype I described in paragraph (b)(1) of this Section shall apply.

(ii) #Upland connection#

An #upland connection# shall be provided between West Street and the #shore public walkway# located within the prolongation of the #street lines# of Milton Street.

(iii) #Supplemental public access area#

A #supplemental public access area# shall be bounded by the southern #street line# of Greenpoint Avenue, the #shore public walkway# and the northern boundary of the required Milton Street #upland connection#. The requirements for Waterfront Park described in paragraph (b)(4) of this Section shall apply.

(10) Parcel 14

(i) #Shore public walkway#

The area between the prolongation of the northern #street line# of Calyer Street and the prolongation of the northern boundary of the required Calyer Street #upland connection# shall be improved pursuant to the requirements of Prototype II described in paragraph (b)(2) of this Section. The remaining required #shore public walkway# shall be improved pursuant to the requirements of Prototype I as described in paragraph (b)(1) of this Section.

(ii) #Upland connection#

An #upland connection# shall be provided between West Street and the #shore public walkway#. The southern boundary of such #upland connection# shall be defined by a line between the intersection of the prolongation of the southern #street line# of Calyer Street and the western #street line# of West Street, and a point on the easterly boundary of the #shore public walkway# 30 feet north of the northern #street line# of Quay Street.

(iii) #Supplemental public access area#

Two #supplemental public access areas# shall be provided. A #supplemental public access area# with a minimum of 9,000 square feet shall be provided between the prolongation of the northern #street line# of Calyer Street and the prolongation of the northern boundary of the required Calyer Street #upland connection# to widen the pedestrian circulation zone of the #shore public walkway#.

The remaining requirements for #supplemental public access area# shall be located in the area bounded by the southern boundary of the required Calyer Street #upland connection#, the #shore public walkway# and the southern boundary line of the parcel. The requirements for Waterfront Park described in paragraph (b)(4) of this Section shall apply.

(11) Parcel 15

An #upland connection# shall be provided within the prolongation of the #street lines# of West Street, connecting Quay Street to Parcel 20.

(12) Parcels 19, 20, 21 and 22

Parcels 19, 20, 21 and 22 shall be designated as public parks as of (date of adoption).

(13) Parcel 24

#Shore public walkway#

Prototype I described in paragraph (b)(1) of this Section shall apply.

(14) Parcel 25

(i) #Shore public walkway#

The requirements for Prototype I described in paragraph (b)(1) of this Section shall apply.

(ii) #Upland connection#

An #upland connection# shall be provided between West Street and the #shore public walkway# located within the prolongation of the #street lines# of North 6<sup>th</sup> Street.

(iii) #Supplemental public access area#

Two #supplemental public access areas# shall be provided.

One #supplemental public access area# shall be provided

along the prolongation of the southern #street line# of North 7th Street and the #shore public walkway#. Such public access area shall be a minimum of 3,000 square feet in area and shall have a minimum depth of 90 feet from the southern #street line# of North 7<sup>th</sup> Street. The entire #supplemental public access area#, excluding the required buffer, shall be developed as clear circulation path.

A minimum of one linear foot of seating shall be required for every 40 square feet of pedestrian circulation zone and shall be located in the required buffer zone. Four trees shall be required, at least two of which are shade trees. Small or ornamental trees located within the buffer zone shall not be counted toward the minimum requirements.

The remaining required #supplemental public access area# shall be located either on the #pier# or abut the #shore public walkway# continuously along its longest side, and shall also abut the required #upland connection# where it meets the #shore public walkway#. At least 70 percent of the required #supplemental public access# shall have a width to depth ratio of 2 to 1. The requirements for Waterfront Plaza described in paragraph (b)(3) of this Section shall apply. If any #supplemental public access area# is located on the #pier#, the planting requirements for Waterfront Plaza shall apply, except that trees may be substituted by a shading element at a rate of 450 sq. ft. of shade element per tree.

(iv) #Pier# public access

Public access shall be provided on a #pier# located at the western terminus of North 6<sup>th</sup> Street pursuant to the requirements of Section 62-412 and of paragraph (a)(1) of this Section.

(15) Parcel 26

(i) #Shore public walkway#

The requirements of Section 62-411 (Requirements for shore public walkways) shall apply, except that the minimum

required width of the #shore public walkway# shall be reduced to 34 feet between North 5<sup>th</sup> Street and the northern boundary of the required #upland connection# at the prolongation of North 4<sup>th</sup> Street. The quantity of public access eliminated from the #shore public walkway# as a result of this width reduction shall be located in the triangle formed between the #shore public walkway#, the southern #street line# of the North 4<sup>th</sup> Street #upland connection# and the bulkhead line. The entirety of the #shore public walkway# shall be improved pursuant to the requirements for Prototype I described in paragraph (b)(1) of this Section.

(ii) #Upland connections#

An #upland connection# shall be provided between Kent Avenue and the #shore public walkway# located within the prolongation of the #street lines# of North 4th Street.

(16) Parcel 27

(i) #Shore public walkway#

The requirements for Prototype I described in paragraph (b)(1) of this Section shall apply to all new #development#.

In the event of any #enlargement#, #extension# or change of #use# within existing #buildings or other structures#, a #shore public walkway# shall occupy the entire area between the seaward edge and the existing #building or other structure#, but shall not need to be wider than 40 feet.

Notwithstanding the requirements of Paragraph (c) of Section 62-62 (General Requirements for Public Access), the #shore public walkway# may be located within the #building or other structure#, and the obstructions permitted by Section 62-626, paragraph (a), shall include any supporting structural elements of the #building or other structure# and its related appurtenances. Additionally, the #shore public walkway# shall have a minimum clear path of 12 feet. No seating, planting or buffer zone shall be required. If seating and planting are provided, they shall comply with the provisions

of Sections 62-672 and 62-675. In addition to the lighting design requirements of paragraph (c)(3) of this Section, lighting fixtures may be mounted on existing #buildings or other structures#.

(ii) #Supplemental public access area#

The requirements for #supplemental public access# shall be waived.

(f) Special visual corridor provisions by parcel

The designated locations for #visual corridors# pursuant to this Plan are shown on Map BK-1c in paragraph (g) of this Section and shall be as follows:

(1) Parcels 3 and 4

A #visual corridor# shall be provided through Parcels 3 and 4 to the pierhead line within a flexible area along the #lot lines# between them.

Whichever parcel develops second shall complete the required clearance to comply with the #visual corridor# requirements along the #upland connection# already provided in accordance with the requirements of paragraph (e)(2)(ii) of this Section. If both parcels are developed concurrently, then the requirements can be divided equally along the #lot line# between the parcels.

(2) Parcel 5a

A #visual corridor# shall be provided through Parcel 5a to the pierhead line within the flexible location zone indicated on Map BK-1c in paragraph (g) of this Section. The eastern boundary of such flexible area shall be 110 feet from the shared lot line of Parcel 4 and its western boundary shall be 200 feet from the shared lot line of Parcels 5b and 6.

(3) Parcel 5b

Two #visual corridors# shall be provided through Parcel 5b to the pierhead line as the prolongation of the #street lines# of West Street and Dupont Street, respectively.



(4) Parcel 5c

- (i) Three #visual corridors# shall be provided through Parcel 5c to the pierhead line as the prolongation of the #street lines# of West Street, Eagle Street and Green Street.
- (ii) Permitted obstructions on #piers#, per Section 62-65 paragraph (b), shall be permitted obstructions along the #visual corridor# along Green Street.

(5) Parcel 5

In the event that Parcels 5a, 5b and 5c are merged into one parcel, they shall be known as Parcel 5, subject to the following #visual corridors# requirements:

- (i) One #visual corridor# shall be provided through Parcel 5 to the pierhead line within the flexible location zone indicated on Map BK-1c in paragraph (g) of this Section. The eastern boundary of such flexible area shall be 110 feet from the shared lot line of Parcel 4 and its western boundary shall be 200 feet from the shared lot line of Parcel 6.  
Four #visual corridors# shall be provided through Parcel 5 to the pierhead line, each located as the prolongation of the #street lines# of West Street, Dupont Street, Eagle Street and Green Street, respectively.
- (ii) Permitted obstructions on #piers#, per Section 62-65 paragraph (b), shall be allowed along the #visual corridor# along Green Street.

(6) Parcel 13

Two #visual corridors# shall be provided through Parcel 13 to the pierhead line as the prolongation of the #street lines# of Milton Street and Oak Street, respectively.

(7) Parcel 14

A #visual corridor# shall be provided through Parcel 14 as the prolongation of the #street lines# of Oak Street.

(8) Parcel 15

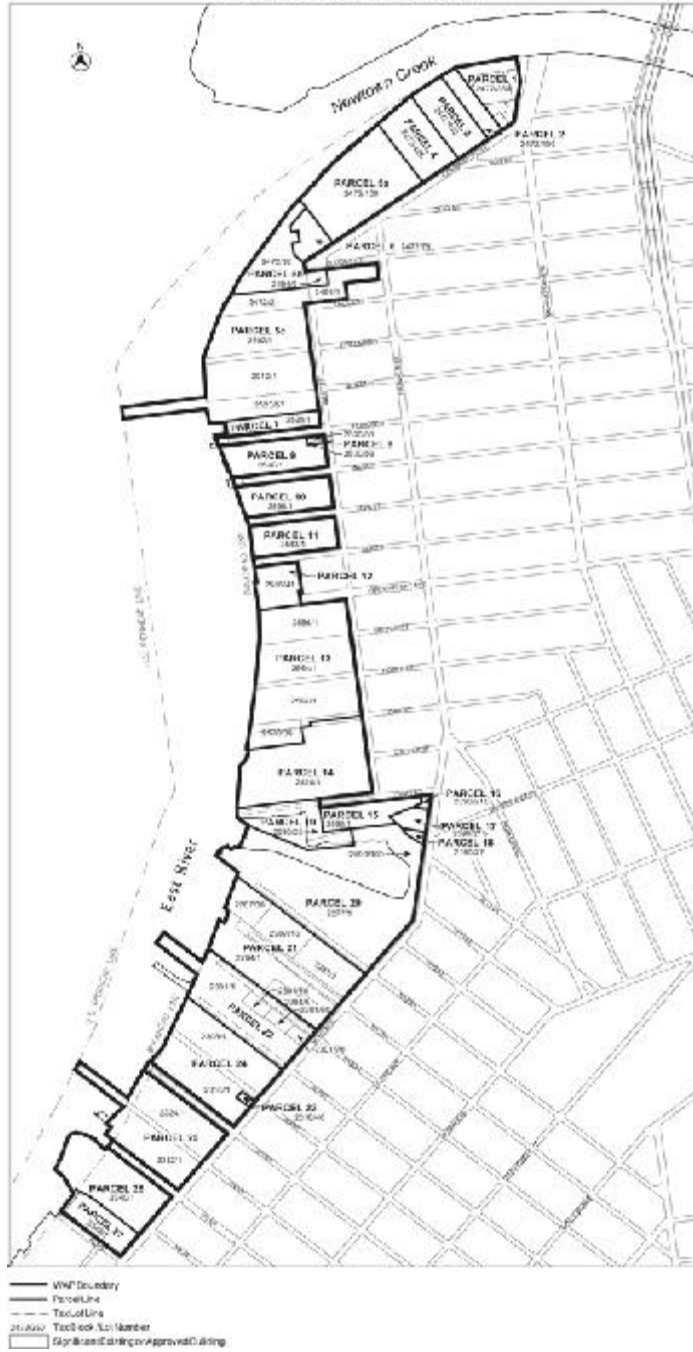
A #visual corridor# shall be provided through Parcel 15 as the prolongation of the #street lines# of West Street.

(9) Parcel 25

A #visual corridor# shall be provided through Parcel 25 as the prolongation of the #street lines# of North 6<sup>th</sup> Street.

(g) Greenpoint - Williamsburg Waterfront Access Plan Maps

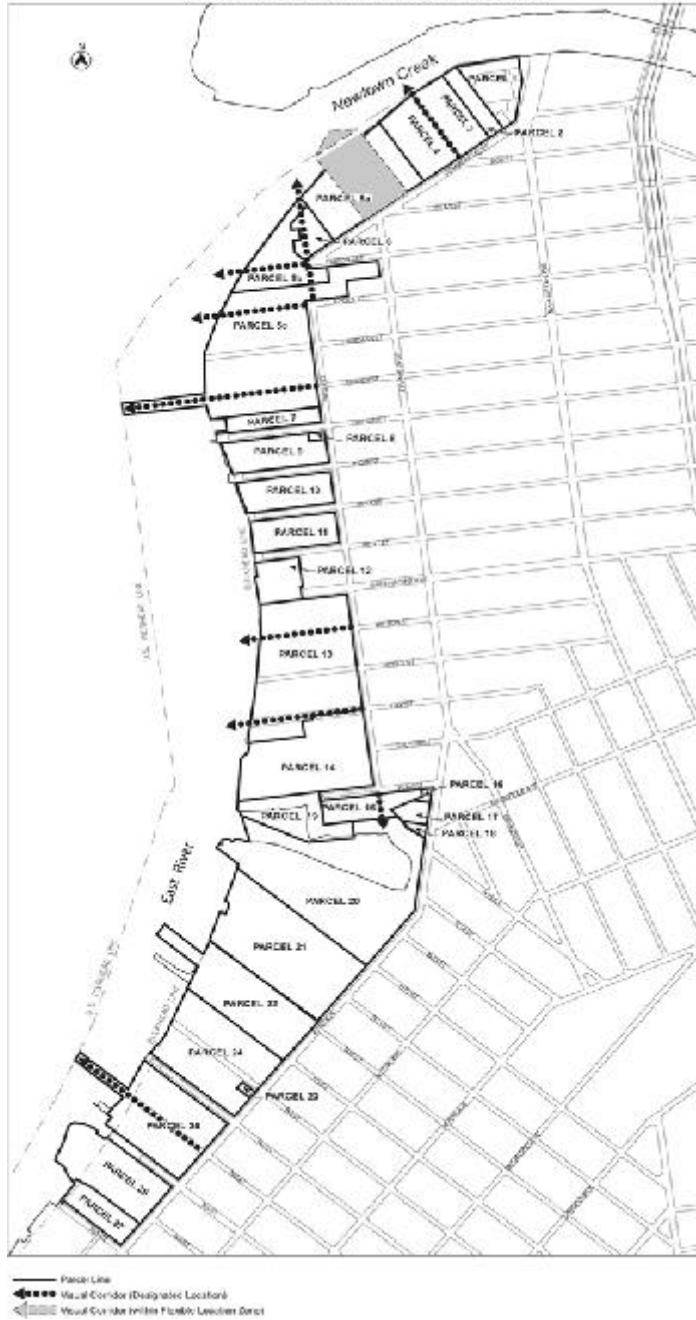
MAP B-1a: PARCEL DESIGNATION



MAP B-1b: PUBLIC ACCESS ELEMENTS



MAP B-1c: DESIGNATED VISUAL CORRIDORS



\* \* \*

**ARTICLE IX: SPECIAL PURPOSE DISTRICTS**

**Chapter 7  
Special Northside Mixed Use District**

*(delete entire chapter)*

\* \* \*

**ARTICLE X: SPECIAL PURPOSE DISTRICTS**

**Chapter 8  
Special Franklin Street Mixed Use District**

*(delete entire chapter)*

\* \* \*

**ARTICLE XII: SPECIAL MIXED USE DISTRICTS SPECIFIED**

\* \* \*

**Chapter 3**

#Special Mixed Use District# - 8

Greenpoint-Williamsburg, Brooklyn

The #Special Mixed Use District# - 8 is established in Greenpoint-Williamsburg in Brooklyn as indicated on the #zoning maps#.

**Resolution for adoption scheduling January 19, 2005 for a public hearing.**

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**No. 7**

**CD 1**

**C 050111 ZMK**

**IN THE MATTER OF** an application submitted by the Department of City Planning pursuant to Sections 197-c and 201 of the New York City Charter **for an amendment of the**

**Zoning Map, Section Nos. 8d, 9b, 12c, 12d, 13a and 13b**

1. **eliminating a Special Franklin Street Mixed Use District (FR) bounded by** Eagle Street, Franklin Street, Java Street, a line 175 feet westerly of Franklin Street, a line midway between India Street and Java Street, a line 220 feet westerly of Franklin Street, Huron Street, a line 295 feet westerly of Franklin Street, a line midway between Green Street and Huron Street, a line 245 feet westerly of Franklin Street, Green Street, a line 170 feet westerly of Franklin Street, Freeman Street, a line 130 feet westerly of Franklin Street, a line midway between Eagle Street and Freeman Street, and a line 82 feet westerly of Franklin Street;
2. **eliminating a Special Northside Mixed Use District (N) bounded by:**
  - a. Wythe Avenue, North 9<sup>th</sup> Street, Berry Street, North 10<sup>th</sup> Street, a line midway between Berry Street and Bedford Avenue, North 12<sup>th</sup> Street, Union Avenue, Bayard Street, Leonard Street, Manhattan Avenue; Driggs Avenue, McGuinness Boulevard South, Brooklyn Queens Expressway Service Road, Brooklyn Queens Expressway, Metropolitan Avenue, North 4<sup>th</sup> Street, Berry Street, and North 7<sup>th</sup> Street, and excluding the area bounded by a line 100 feet southeasterly of Bedford Avenue, North 11<sup>th</sup> Street, Roebling Street, North 10<sup>th</sup> Street, Union Avenue, Withers Street, North 9<sup>th</sup> Street, Roebling Street, North 8<sup>th</sup> Street, Driggs Avenue, and North 9<sup>th</sup> Street;
  - b. a line 100 feet northerly of Nassau Avenue, Lorimer Street, Nassau Avenue, and Guernsey Street; and
  - c. Nassau Avenue, a line midway between Manhattan Avenue and Lorimer Street, Driggs Avenue, and Lorimer Street;
2. **eliminating a C1-3 District within an existing R6 District bounded by** Hope Street, Havemeyer Street, South 1<sup>st</sup> Street, and a line 150 feet northwesterly of Havemeyer Street;
3. **changing from an R6(M1-2) District to an R6 District property bounded by:**
  - a. a line 100 feet southeasterly of Havemeyer Street, North 6<sup>th</sup>

Street, Brooklyn Queens Expressway, and Metropolitan Avenue; and

- b. Havemeyer Street, the southeasterly centerline prolongation of North 5<sup>th</sup> Street, and Metropolitan Avenue;

**4. changing from a C8-2 District to an R6 District property bounded by:**

- a. North 1<sup>st</sup> Street, Driggs Avenue, Fillimore Place, Roebling Street, a line midway between Grand Street and South 1<sup>st</sup> Street, and Bedford Avenue; and
- b. a line midway between Hope Street and Grand Street, Marcy Avenue, Grand Street, and Havemeyer Street;

**5. changing from an M1-1 District to an R6 District property bounded by:**

- a. the U.S. Pierhead Line, the easterly boundary line of a Park and its northerly and southerly prolongations, Commercial Street, Franklin Street, Eagle Street, a line 200 feet westerly of Franklin Street, the northerly street line of Dupoint Street and its westerly prolongation, West Street and its northerly centerline prolongation, and the southwesterly boundary line of a Park and its southerly and northerly prolongations;
- b. a line midway between Huron Street and India Street, a line 100 feet easterly of Franklin Street, India Street, and Franklin Street; and
- c. Grand Street, Berry Street, South 3<sup>rd</sup> Street, and Wythe Avenue;

**6. changing from an M1-2(R6) District to an R6 District property bounded by** Roebling Street, North 5<sup>th</sup> Street, Havemeyer Street, Metropolitan Avenue, and North 4<sup>th</sup> Street;

**7. changing from an M3-1 District to an R6 District property bounded by:**

- a. the U.S. Pierhead Line, a line passing through two points: one on the U.S. Pierhead and Bulkhead Line distance 373 feet



westerly (as measured along the Pierhead and Bulkhead Line) from the intersection of the Pierhead and Bulkhead Line and the westerly street line of Manhattan Avenue, and the other on the northerly street line of Commercial Street distant 86 feet westerly (as measured along the Street line) from the intersection of the northerly street line of Commercial Street and the westerly street line of Manhattan Avenue, Commercial Street, and the easterly boundary line of a Park and its southeasterly and northwesterly prolongations, and excluding the area bounded by a line 70 feet southeasterly of the U.S. Bulkhead Line, a line 607 feet southwest of the 2<sup>nd</sup> named course, a line 100 feet northwesterly of Commercial Street, and a line 30 feet northeasterly of a Park;

- b.** the U.S. Pierhead Line, the westerly boundary line of a Park and its southerly and northerly prolongations, West Street and its northerly centerline prolongation, the westerly prolongation of the northerly street line of Dupont Street, a line 70 feet easterly of the U.S. Bulkhead Line, the westerly centerline prolongation of Green Street, a line 125 feet westerly of West Street, Eagle Street, West Street, Quay Street, Franklin Street, the northeasterly and northerly boundary line of a Park and its southeasterly prolongation, a line 150 feet westerly of West Street and its southerly prolongation, and the westerly prolongation of the northerly street line of Calyer Street, the U.S. Pierhead Line, Kent Street and its westerly centerline prolongation, a line 275 feet westerly of West Street, and Huron Street and its westerly centerline prolongation, and excluding the area bounded by Greenpoint Avenue, a line 100 feet westerly of West Street, Oak Street, a line 500 feet westerly of West Street, Milton Street, and a line 250 feet westerly of West Street; and
- c.** the U.S. Pierhead Line, North 7<sup>th</sup> Street and its northwesterly centerline prolongation, Kent Avenue, North 3<sup>rd</sup> Street and its northwesterly centerline prolongation, the U.S. Pierhead Line, the northwesterly prolongation of the northeasterly street line of North 4<sup>th</sup> Street, a line 150 feet northwesterly of Kent Avenue, the northwesterly prolongation of North 5<sup>th</sup> Street, a line 200 feet northwesterly of Kent Avenue, and a line 100 feet northeasterly of North 6<sup>th</sup> Street and its north-

westerly prolongation;

8. **changing from an R6(M1-1) District to an R6A District property bounded by** a line midway between Eagle Street and Freeman Street, a line 100 feet westerly of Franklin Street, Freeman Street, and a line 130 feet westerly of Franklin Street;
9. **changing from an R6(M1-2) District to an R6A District property bounded by:**
  - a. Berry Street, North 10<sup>th</sup> Street, a line midway between Berry Street and Bedford Avenue, North 12<sup>th</sup> Street, Bedford Avenue, North 11<sup>th</sup> Street, a line 100 feet southeasterly of Bedford Avenue, and a line midway between North 10<sup>th</sup> Street and North 9<sup>th</sup> Street; and
  - b. a line 100 feet northwesterly of Havemeyer Street, North 7<sup>th</sup> Street, Havemeyer Street, North 6<sup>th</sup> Street, a line 100 feet southeasterly of Havemeyer Street, and North 5<sup>th</sup> Street and its southeasterly centerline prolongation;
10. **changing from an M1-1 District to an R6A District property bounded by:**
  - a. Eagle Street, a line 82 feet westerly of Franklin Street, a line midway between Eagle Street and Freeman Street, and a line 100 feet westerly of Franklin Street; and
  - b. Wythe Avenue, a line 90 feet southwestly of North 1<sup>st</sup> Street, Berry Street, and Grand Street;
11. **changing from an R6(M1-1) District to an R6B District property bounded by:**
  - a. Freeman Street, Franklin Street, Java Street, a line 175 feet westerly of Franklin Street, a line midway between India Street and Java Street, a line 220 feet westerly of Franklin Street, Huron Street, a line 295 feet westerly of Franklin Street, a line midway between Huron Street and Green Street, a line 245 feet westerly of Franklin Street, Green Street, and a line 170 feet westerly of Franklin Street; and

- b. Driggs Avenue, McGuinness Boulevard South, Brooklyn Queens Expressway Service Road, Graham Avenue-Via Vespucci, Bayard Street, a line 100 feet southwesterly of Graham Avenue-Via Vespucci, Engert Avenue, and Eckford Street;
  
- 12. **changing from an R6(M1-2) District to an R6B District property bounded by** Wythe Avenue, North 9<sup>th</sup> Street, Berry Street, a line midway between North 10<sup>th</sup> Street and North 9<sup>th</sup> Street, a line 100 feet southeasterly of Bedford Avenue, North 9<sup>th</sup> Street, a line 100 feet northwesterly of Driggs Avenue, North 8<sup>th</sup> Street, a line 100 feet northwesterly of Roebbling Street, North 7<sup>th</sup> Street, a line 100 feet northwesterly of Havemeyer Street, North 5<sup>th</sup> Street, Roebbling Street, North 4<sup>th</sup> Street, Driggs Avenue, North 5<sup>th</sup> Street, Bedford Avenue, North 4<sup>th</sup> Street, Berry Street, a line midway between 6<sup>th</sup> Street and North 5<sup>th</sup> Street, a line 100 feet northwesterly of Bedford Avenue, a line midway between North 7<sup>th</sup> Street and North 6<sup>th</sup> Street, Berry Street and North 7<sup>th</sup> Street;
  
- 13. **changing from an M1-1 District to an R6B District property bounded by:**
  - a. Freeman Street, a line 170 feet westerly of Franklin Street, Green Street, a line 245 feet westerly of Franklin Street, a line midway between Green Street and Huron Street, a line 100 feet easterly of West Street, Green Street, and a line 125 feet easterly of West Street; and
  - b. Huron Street, a line 220 feet westerly of Franklin Street, a line midway between India Street and Java Street, a line 175 feet westerly of Franklin Street, Java Street, and a line 100 feet easterly of West Street;
  
- 14. **changing from an M1-2 District to an R6B District property bounded by** a line 250 feet southeasterly of Wythe Avenue, a line midway between North 10<sup>th</sup> Street and North 9<sup>th</sup> Street, Berry Street, and North 9<sup>th</sup> Street;
  
- 15. **changing from an M1-1 District to an R8 District property bounded by** the northerly street line of Dupont Street and its westerly prolongation, a line 200 feet westerly of Franklin Street, Eagle Street, West Street, a line midway between Dupont Street and Eagle Street, a line

100 feet easterly of West Street, Dupont Street, and West Street;

**16. changing from an M3-1 District to an R8 District property bounded by:**

- a.** a line 70 feet southeasterly of the U.S. Bulkhead Line, a line 607 feet southwesterly of the 2<sup>nd</sup> named course of 7a above, a line 100 feet northwesterly of Commercial Street, and a line 30 feet northeasterly of a Park;
- b.** the westerly prolongation of the northerly street line of Dupont Street, West Street, Dupont Street, a line 100 feet easterly of West Street, a line midway between Dupont Street and Eagle Street, West Street, Eagle Street, a line 125 feet westerly of West Street, the westerly centerline prolongation of Green Street, and a line 70 feet easterly of the U.S. Bulkhead Line;
- c.** Huron Street and its westerly centerline prolongation, a line 275 feet westerly of West Street, Kent Street and its westerly centerline prolongation, and the U.S. Pierhead Line;
- d.** Greenpoint Avenue, a line 100 feet westerly of West Street, Oak Street, a line 500 feet westerly of West Street, Milton Street, and a line 250 feet westerly of West Street;
- e.** the westerly prolongation of the northerly street line of Calyer Street, a line 150 feet westerly of West Street and its southerly prolongation, the northerly boundary line of a Park, a line 175 feet westerly of the 2<sup>nd</sup> named course, the northerly street line of Quay Street and its westerly prolongation, and the U.S. Pierhead Line; and
- f.** a line 100 feet northeasterly of North 6<sup>th</sup> Street and its northwesterly prolongation, a line 200 feet northwesterly of Kent Avenue, North 5<sup>th</sup> Street, a line 150 feet northwesterly of Kent Avenue, the northwesterly prolongation of the northeasterly street line of North 4<sup>th</sup> Street, and the U.S. Pierhead Line;

**17. changing from an M3-1 District to an M1-2 District property bounded**

**by:**

- a.** the U.S. Pierhead and Bulkhead Line, Pulaski Bridge, Box Street, Commercial Street, and a line passing through two points: one on the U.S. Pierhead and Bulkhead Line distance 373 feet westerly (as measured along the Pierhead and Bulkhead Line) from the intersection of the Pierhead and Bulkhead Line and the westerly street line of Manhattan Avenue, and the other on the northerly street line of Commercial Street distant 86 feet westerly (as measured along the Street line) from the intersection of the northerly street line of Commercial Street and the westerly street line of Manhattan Avenue.; and
- b.** Meserole Avenue, Banker Street, a line midway between Wythe Avenue and Berry Street and its northeasterly prolongation, North 12<sup>th</sup> Street, Wythe Avenue, North 9<sup>th</sup> Street, Kent Avenue, and Franklin Street;

**18. changing from an R6(M1-1) District to an M1-2/R6 District property bounded by:**

- a.** a line 100 feet northerly of Nassau Avenue, Lorimer Street, Nassau Avenue, and Guernsey Street;
- b.** Nassau Avenue, a line midway between Manhattan Avenue and Lorimer Street, Driggs Avenue, and Lorimer Street;
- c.** Driggs Avenue, Leonard Street, and Manhattan Avenue; and
- d.** Engert Avenue, Eckford Street, Manhattan Avenue, Bayard Street, and Leonard Street;

**19. changing from a C8-1 District to an M1-2/R6 District property bounded by** Brooklyn Queens Expressway, Richardson Street, a line 150 feet westerly of Graham Avenue-Via Vespucci, Frost Street, Manhattan Avenue, a line midway between Frost Street and Withers Street, a line 100 feet easterly of Leonard Street, Withers Street, Leonard Street, a line midway between Withers Street and Jackson Street, a line 150 feet easterly of Lorimer Street, Jackson Street, a line 100 feet westerly of

Lorimer Street, and Skillman Avenue;

**20. changing from an M1-1 District to an M1-2/R6 District property bounded by:**

- a.** Commercial Street, Box Street, a line 300 feet westerly of Manhattan Avenue, and Clay Street;
- b.** Box Street and its easterly centerline prolongation, McGuinness Boulevard (east), Clay Street, and a line 100 feet westerly of McGuinness Boulevard (west);
- c.** a line 250 feet southerly of Engert Avenue, a line midway between Russell Street and Humboldt Street, Brooklyn Queens Expressway, Brooklyn Queens Expressway Service Road, McGuinness Boulevard South, and Humboldt Street;
- d.** Metropolitan Avenue, Union Avenue, Borinquen Place, Marcy Avenue, a line midway between Hope Street and Grand Street, Havemeyer Street, Hope Street, Roebing Street, Fillimore Place, Driggs Avenue, North 1<sup>st</sup> Street, and Bedford Avenue; and
- e.** South 4<sup>th</sup> Street, South 5<sup>th</sup> Place and its southerly centerline prolongation, South 5<sup>th</sup> Street, and Wythe Avenue;

**21. changing from an M1-1(R6) District to an M1-2/R6 District property bounded by** Bayard Street, Graham Avenue-Via Vespucci, Brooklyn Queens Expressway Service Road, Brooklyn Queens Expressway, Leonard Street, Richardson Street, and a line 100 feet westerly of Manhattan Avenue;

**22. changing from an M1-2 District to an M1-2/R6 District property bounded by:**

- a.** Berry street, Nassau Avenue, Lorimer Street, Driggs Avenue, Manhattan Avenue, Leonard Street, Bayard Street, Union Avenue, and North 12<sup>th</sup> Street;
- b.** Driggs Avenue, North 4<sup>th</sup> Street, and Metropolitan Avenue;

and

- c. Kent Avenue, South 4<sup>th</sup> Street, a line 100 feet westerly of Wythe Avenue, South 3<sup>rd</sup> Street, Wythe Avenue, and South 5<sup>th</sup> Street;
  
23. **changing from an M1-2(R6) District to an M1-2/R6 District property bounded by** a line 100 feet southeasterly of Havemeyer Street, Union Avenue, the westerly centerline prolongation of Jackson Street, a line 100 feet easterly of Union Avenue, Withers Street, Lorimer Street, Frost Street, Leonard Street, Brooklyn Queens Expressway, and North 6<sup>th</sup> Street and its southeasterly centerline prolongation;
  
24. **changing from an M3-1 District to an M1-2/R6 District property bounded by** Kent Avenue, a line 140 feet southwesterly of North 1<sup>st</sup> Street, Wythe Avenue, a line midway between South 1<sup>st</sup> Street and South 2<sup>nd</sup> Street, a line 200 feet northwesterly of Wythe Avenue, a line midway between Grand Street and South 1<sup>st</sup> Street, a line 100 feet southeasterly of Kent Avenue, and Grand Street;
  
25. **changing from an R6(M1-1) District to an M1-2/R6A District property bounded by:**
  - a. Driggs Avenue, a line midway between Eckford Street and Leonard Street, a line 100 feet northerly of Engert Avenue, Eckford Street, Engert Avenue, and Leonard Street; and
  - b. Engert Avenue, a line 100 feet southwesterly of Graham Avenue-Via Vespucci, Bayard Street, Manhattan Avenue, and Eckford Street;
  
26. **changing from an R6(M1-2) District to an M1-2/R6A District property bounded by:**
  - a. North 12<sup>th</sup> Street, Union Avenue, Bayard Street, Leonard Street, Richardson Street, a line 100 feet westerly of Lorimer Street, a line midway between Bayard Street and Richardson Street, a line 100 feet easterly of Union Avenue, Richardson Street, North 11<sup>th</sup> Street, and Driggs Avenue;

- b. North 9<sup>th</sup> Street, Driggs Avenue, North 8<sup>th</sup> Street, and a line 100 feet northwesterly of Driggs Avenue;
- c. North 8<sup>th</sup> Street, Roebling Street, North 7<sup>th</sup> Street, and a line 100 feet northwesterly of Roebling Street; and
- d. Berry Street, a line midway between North 7<sup>th</sup> Street and North 6<sup>th</sup> Street, a line 100 feet northwesterly of Bedford Avenue, and a line midway between North 6<sup>th</sup> Street and North 5<sup>th</sup> Street;

**27. changing from an M1-1 District to an M1-2/R6A District property bounded by:**

- a. Box Street, a line 100 feet westerly of Pulaski Bridge, Clay Street and a line 300 feet westerly of Manhattan Avenue;
- b. Clay Street, a line 430 feet easterly of Franklin Street, Dupont Street, Franklin Street, and Commercial Street;
- c. Eagle Street, a line 100 feet westerly of Franklin Street, a line midway between Eagle Street and Freeman Street, a line 130 feet westerly of Franklin Street, Freeman Street, a line 125 feet easterly of West Street, Green Street, a line 100 feet easterly of West Street, Java Street, Franklin Street, Oak Street, a line 100 feet easterly of West Street, Calyer Street, Franklin Street, Quay Street, and West Street;
- d. Freeman Street, a line 320 feet easterly of Franklin Street, a line midway between Freeman Street and Green Street, a line 100 feet westerly of Manhattan Avenue, a line midway between Green Street and Huron Street, a line 125 feet easterly of Franklin Street, a line 50 feet northerly of Huron Street, and Franklin Street; and
- e. North 3<sup>rd</sup> Street, Berry Street, a line 90 feet southwesterly of North 1<sup>st</sup> Street, and Wythe Avenue

**28. changing from an M1-1(R6) District to an M1-2/R6A District property bounded by** Bayard Street, a line 100 feet westerly of Manhattan Avenue, Richardson Street, and Leonard Street;



29. **changing from an M1-2 District to an M1-2/R6A District property bounded by:**
- a. a line 250 feet southeasterly of Wythe Avenue, North 12<sup>th</sup> Street, a line midway between Berry Street and Bedford Street, North 10<sup>th</sup> Street, Berry Street, and a line midway between North 10<sup>th</sup> Street and North 9<sup>th</sup> Street;
  - b. North 11<sup>th</sup> Street, Roebing Street, North 10<sup>th</sup> Street, Union Avenue, Withers Street, North 9<sup>th</sup> Street, Roebing Street, North 8<sup>th</sup> Street, Driggs Avenue, North 9<sup>th</sup> Street, and a line 100 feet southeasterly of Bedford Avenue; and
  - c. Wythe Avenue, a line midway between North 7<sup>th</sup> Street and North 6<sup>th</sup> Street, Berry Street, and North 3<sup>rd</sup> Street;
30. **changing from an M1-2(R6) District to an M1-2/R6A District property bounded by:**
- a. Roebing Street, North 11<sup>th</sup> Street, Richardson Street, a line 100 feet easterly of Union Avenue, the westerly centerline prolongation of Jackson Street, Union Avenue, a line 100 feet southeasterly of Havemeyer Street and its northeasterly prolongation, North 6<sup>th</sup> Street, Havemeyer Street, North 7<sup>th</sup> Street, Roebing Street, North 9<sup>th</sup> Street, Withers Street, Union Avenue, and North 10<sup>th</sup> Street; and
  - b. Richardson Street, Leonard Street, Frost Street, and Lorimer Street;
31. **changing from an M3-1 District to an M1-2/R6A District property bounded by** North 9<sup>th</sup> Street, Wythe Avenue, North 8<sup>th</sup> Street, a line 100 feet southeasterly of Kent Avenue, a line midway between North 7<sup>th</sup> Street and North 6<sup>th</sup> Street, Wythe Avenue, a line 140 feet southwest-erly of North 1<sup>st</sup> Street, and Kent Avenue;
32. **changing from an R6(M1-1) District to an M1-2/R6B District property bounded by** Driggs Avenue, Eckford Street, a line 100 feet northerly of Engert Avenue, and a line midway between Leonard Street and Eckford Street;

33. **changing from an R6(M1-2) District to an M1-2/R6B District property bounded by:**
- a. a line midway between Bayard Street and Richardson Street, a line 100 feet westerly of Lorimer Street, Richardson Street, and a line 100 feet easterly of Union Avenue; and
  - b. North 5<sup>th</sup> Street, Driggs Avenue, a line 150 feet southwesterly of North 5<sup>th</sup> Street, and a line 25 feet northwesterly of Driggs Avenue;
34. **changing from an M1-1 District to an M1-2/R6B District property bounded by** Oak Street, Franklin Street, Calyer Street and a line 100 feet westerly of West Street;
35. **changing from an M1-2 District to an M1-2/R6B District property bounded by:**
- a. North 7<sup>th</sup> Street, Berry Street, a line midway between North 7<sup>th</sup> Street and North 6<sup>th</sup> Street, and Wythe Avenue; and
  - b. North 4<sup>th</sup> Street, Driggs Avenue, North 3<sup>rd</sup> Street, and Berry Street;
36. **changing from an M1-2(R6) District to an M1-2/R6B District property bounded by:**
- a. Richardson Street, Lorimer Street, Withers Street, and a line 100 feet easterly of Union Avenue; and
  - b. Bedford Avenue, North 5<sup>th</sup> Street, a line 25 feet northwesterly of Driggs Avenue, a line 150 feet southwesterly of North 5<sup>th</sup> Street, Driggs Avenue, and North 4<sup>th</sup> Street;
37. **changing from an M3-1 District to an M1-2/R6B District property bounded by** North 8<sup>th</sup> Street, Wythe Avenue, a line midway between North 7<sup>th</sup> Street and North 6<sup>th</sup> Street, and a line 100 feet southeasterly of Kent Avenue;
38. **changing from an M1-2(R6) District to an M1-2/R7A District property bounded by** North 12<sup>th</sup> Street, Driggs Avenue, North 11<sup>th</sup>

Street, and Bedford Avenue;

- 39. establishing within a proposed R6 District a C1-4 District bounded by** Roebing Street, a line midway between Hope Street and Grand Street, a line 150 feet northwesterly of Havemeyer Street, Hope Street, Havemeyer Street, South 1<sup>st</sup> Street, a line 150 feet northwesterly of Havemeyer Street, and a line midway between Grand Street and South 1<sup>st</sup> Street;
- 40. establishing within a proposed R6 District a C2-4 District bounded by:**

  - a.** a line 150 feet northwesterly of Commercial Street, a line passing through two points: one on the U.S. Pierhead and Bulkhead Line distance 373 feet westerly (as measured along the Pierhead and Bulkhead Line) from the intersection of the Pierhead and Bulkhead Line and the westerly street line of Manhattan Avenue, and the other on the northerly street line of Commercial Street distant 86 feet westerly (as measured along the Street line) from the intersection of the northerly street line of Commercial Street and the westerly street line of Manhattan Avenue, Commercial Street, the northeasterly boundary line of a Park and its southeasterly prolongation, a line 100 feet northwesterly of Commercial Street, and a line 607 feet southwestly of the 2<sup>nd</sup> named course;
  - b.** Eagle Street, West Street, Quay Street, Franklin Street, the northerly boundary line of a Park and its southeasterly prolongation, a line 150 feet westerly of West Street and its southerly prolongation, Oak Street, a line 100 feet westerly of West Street, Greenpoint Avenue, a line 250 feet westerly of West Street, a line midway between Kent Street and Greenpoint Avenue, a line 150 feet westerly of West Street, a line 100 feet northerly of Huron Street, a line 605 feet westerly of West Street, the westerly centerline prolongation of Green Street, and a line 125 feet westerly of West Street;
  - c.** Greenpoint Avenue, a line 250 feet westerly of West Street, a line 100 feet southerly of Greenpoint Avenue, and a line 460 feet westerly of West Street;

- d. a line midway between Kent Street and Greenpoint Avenue, a line 150 feet westerly of Manhattan Avenue, a line midway between Greenpoint Avenue and Milton Street, and Franklin Street;
  - e. North 7<sup>th</sup> Street, Kent Avenue, North 3<sup>rd</sup> Street, a line 150 feet northwesterly of Kent Avenue, North 5<sup>th</sup> Street, and a line 200 feet northwesterly of Kent Avenue; and
  - f. North 1<sup>st</sup> Street, Driggs Avenue, a line 60 feet southwesterly of Fillimore Place, Roebling Street, a line midway between Grand Street and South 1<sup>st</sup> Street, and Bedford Avenue;
- 41. establishing within a proposed R6A District a C1-4 District bounded by** North 10<sup>th</sup> Street, Bedford Avenue, a line midway between North 10<sup>th</sup> Street and North 9<sup>th</sup> Street, and a line 100feet northwesterly of Bedford Avenue;
- 42. establishing within a proposed R6A District a C2-4 District bounded by** Wythe Street, a line 90 feet southwesterly of North 1<sup>st</sup> Street, Berry Street, and Grand Street;
- 43. establishing within a proposed R6B District a C1-4 District bounded by** a line 100 feet northwesterly of Bedford Avenue, a line midway between North 10<sup>th</sup> Street and North 9<sup>th</sup> Street, Bedford Avenue, North 8<sup>th</sup> Street, a line 100 feet southeasterly of Bedford Avenue, North 5<sup>th</sup> Street, Bedford Avenue, and North 4<sup>th</sup> Street;
- 44. establishing within a proposed R6B District a C2-4 District bounded by** a line midway between Freeman Street and Green Street, Franklin Street, a line midway between Green Street and Huron Street, a line 100 feet easterly of West Street, Green Street, and a line 125 feet easterly of West Street;
- 44. establishing within a proposed R8 District a C2-4 District bounded by**
- a. the westerly prolongation of the southerly street line of Dupont Street, West Street, Eagle Street and a line 125 feet westerly of West Street;

- b.** a line 100 feet southerly of Freeman Street, a line 125 feet westerly of West Street, the westerly centerline prolongation of Green Street, and a line 605 feet westerly of West Street;
- c.** Greenpoint Avenue, a line 100 feet westerly of West Street, a line 100 feet southerly of Greenpoint Avenue, and a line 250 feet westerly of West Street; and
- d.** a line 100 feet northeasterly of North 6<sup>th</sup> Street, a line 200 feet northwesterly of Kent Avenue, a line 100 feet southwesterly of North 6<sup>th</sup> Street, and a line 555 feet northwesterly of Kent Avenue; and

**45. establishing a Special Mixed Use District (MX-8) bounded by:**

- a.** Box Street and its easterly centerline prolongation, McGuinness Boulevard (east), Clay Street, a line 430 feet easterly of Franklin Street, Dupont Street, Franklin Street, and Commercial Street;
- b.** Eagle Street, a line 100 feet westerly of Franklin Street, Freeman Street, a line 125 feet easterly of West Street, Green Street, a line 100 feet easterly of West Street, Java Street, Franklin Street, Quay Street, and West Street;
- c.** Freeman Street, a line 320 feet easterly of Franklin Street, a line midway between Freeman Street and Green Street, a line 100 feet westerly of Manhattan Avenue, a line midway between Green Street and Huron Street, a line 125 feet easterly of Franklin Street, a line 50 feet northerly of Huron Street, and Franklin Street;
- d.** a line 250 feet southeasterly of Wythe Avenue, North 12<sup>th</sup> Street, Berry Street, Nassau Avenue, Guernsey Street, a line 100 feet northerly of Nassau Avenue, Lorimer Street, Nassau Avenue, a line midway between Manhattan Avenue and Lorimer Street, Driggs Avenue, Eckford Street, Engert Avenue, a line 100 feet southwesterly of Graham Avenue-Via Vespucci, Bayard Street, Graham Avenue-Via Vespucci, Brooklyn Queens Expressway Service Road, McGuinness Boulevard South, Humboldt Street, a line 250 feet southerly

of Engert Avenue, a line midway between Russell Street and Humboldt Street, Brooklyn Queens Expressway, Richardson Street, a line 150 feet westerly of Graham Avenue-Via Vespucci, Frost Street, Manhattan Avenue, a line midway between Frost street and Withers Street, a line 100 feet easterly of Leonard Street, Withers Street, Leonard Street, a line midway between Withers Street and Jackson Street, a line 150 feet easterly of Lorimer Street, Jackson Street, a line 100 feet westerly of Lorimer Street, Skillman Avenue, Brooklyn Queens Expressway, North 6<sup>th</sup> Street, Havemeyer Street, North 7<sup>th</sup> Street, a line 100 feet northwesterly of Roebling Street, North 8<sup>th</sup> Street, a line 100 feet northwesterly of Driggs Avenue, North 9<sup>th</sup> Street, a line 100 feet southeasterly of Bedford Avenue, and a line midway between North 10<sup>th</sup> Street and North 9<sup>th</sup> Street;

- e. Kent Avenue, North 9<sup>th</sup> Street, Wythe Avenue, North 7<sup>th</sup> Street, Berry Street, a line midway between North 7<sup>th</sup> Street and North 6<sup>th</sup> Street, a line 100 feet northwesterly of Bedford Avenue, a line midway between North 6<sup>th</sup> Street and North 5<sup>th</sup> Street, Berry Street, North 4<sup>th</sup> Street, Bedford Avenue, North 5<sup>th</sup> Street, Driggs Avenue, North 4<sup>th</sup> Street, Metropolitan Avenue, Union Avenue, Borinquen Place, Marcy Avenue, a line midway between Hope Street and Grand Street, Havemeyer Street, Hope Street, Roebling Street, Fillmore Place, Driggs Avenue, North 1<sup>st</sup> Street, Bedford Avenue, Metropolitan Avenue, North 3<sup>rd</sup> Street, Berry Street, a line 90 feet southerly of North 1<sup>st</sup> Street, Wythe Avenue, a line midway between South 1<sup>st</sup> Street and South 2<sup>nd</sup> Street, a line 200 feet westerly of Wythe Avenue, a line midway between Grand Street and South 1<sup>st</sup> Street, a line 100 feet easterly of Kent Avenue, and Grand Street; and
- f. South 3<sup>rd</sup> Street, Wythe Avenue, South 4<sup>th</sup> Street, South 5<sup>th</sup> Place and its southerly centerline prolongation, South 5<sup>th</sup> Street, Kent Avenue, South 4<sup>th</sup> Street, and a line 100 feet westerly of Wythe Avenue;

Borough of Brooklyn, Community District 1, as shown on a diagram (for illustrative purposes only) dated October 4, 2004, and subject to the conditions of CEQR Declaration E-138.

**Resolution for adoption scheduling January 19, 2005 for a public hearing.**

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**No. 8**

**CD 1**

**C 050111(A) ZMK**

**IN THE MATTER OF** an application submitted by the Department of City Planning pursuant to Sections 197-c and 201 of the New York City Charter and proposed for modification pursuant to Section 2-06(c) (1) of the Uniform Land Use Review Procedure **for an amendment of the Zoning Map, Section Nos. 8d, 9b, 12c, 12d, 13a and 13b**

- 1. eliminating a Special Franklin Street Mixed Use District (FR) bounded by** Eagle Street, Franklin Street, Java Street, a line 175 feet westerly of Franklin Street, a line midway between India Street and Java Street, a line 220 feet westerly of Franklin Street, Huron Street, a line 295 feet westerly of Franklin Street, a line midway between Green Street and Huron Street, a line 245 feet westerly of Franklin Street, Green Street, a line 170 feet westerly of Franklin Street, Freeman Street, a line 130 feet westerly of Franklin Street, a line midway between Eagle Street and Freeman Street, and a line 82 feet westerly of Franklin Street;
- 2. eliminating a Special Northside Mixed Use District (N) bounded by:**
  - a.** Wythe Avenue, North 9<sup>th</sup> Street, Berry Street, North 10<sup>th</sup> Street, a line midway between Berry Street and Bedford Avenue, North 12<sup>th</sup> Street, Union Avenue, Bayard Street, Leonard Street, Manhattan Avenue; Driggs Avenue, McGuinness Boulevard South, Brooklyn Queens Expressway Service Road, Brooklyn Queens Expressway, Metropolitan Avenue, North 4<sup>th</sup> Street, Berry Street, and North 7<sup>th</sup> Street, and excluding the area bounded by a line 100 feet southeasterly of Bedford Avenue, North 11<sup>th</sup> Street, Roebling Street, North 10<sup>th</sup> Street, Union Avenue, Withers Street, North 9<sup>th</sup> Street, Roebling Street, North 8<sup>th</sup> Street, Driggs Avenue, and North 9<sup>th</sup> Street;
  - b.** a line 100 feet northerly of Nassau Avenue, Lorimer Street,

Nassau Avenue, and Guernsey Street; and

- c. Nassau Avenue, a line midway between Manhattan Avenue and Lorimer Street, Driggs Avenue, and Lorimer Street;
2. **eliminating a C1-3 District within an existing R6 District bounded by** Hope Street, Havemeyer Street, South 1<sup>st</sup> Street, and a line 150 feet northwesterly of Havemeyer Street;
3. **changing from an R6(M1-2) District to an R6 District property bounded by:**
  - a. a line 100 feet southeasterly of Havemeyer Street, North 6<sup>th</sup> Street, Brooklyn Queens Expressway, and Metropolitan Avenue; and
  - b. Havemeyer Street, the southeasterly centerline prolongation of North 5<sup>th</sup> Street, and Metropolitan Avenue;
4. **changing from a C8-2 District to an R6 District property bounded by:**
  - a. North 1<sup>st</sup> Street, Driggs Avenue, Fillimore Place, Roebing Street, a line midway between Grand Street and South 1<sup>st</sup> Street, and Bedford Avenue; and
  - b. a line midway between Hope Street and Grand Street, Marcy Avenue, Grand Street, and Havemeyer Street;
5. **changing from an M1-1 District to an R6 District property bounded by:**
  - a. the U.S. Pierhead Line, the easterly boundary line of a Park and its northerly and southerly prolongations, Commercial Street, Franklin Street, Eagle Street, a line 200 feet westerly of Franklin Street, the northerly street line of Dupoint Street and its westerly prolongation, West Street and its northerly centerline prolongation, and the southwesterly boundary line of a Park and its southerly and northerly prolongations;
  - b. a line midway between Huron Street and India Street, a line 100 feet easterly of Franklin Street, India Street, and Franklin



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Street; and

- c. Grand Street, Berry Street, South 3<sup>rd</sup> Street, and Wythe Avenue;
6. **changing from an M1-2(R6) District to an R6 District property bounded by** Roebling Street, North 5<sup>th</sup> Street, Havemeyer Street, Metropolitan Avenue, and North 4<sup>th</sup> Street;
  7. **changing from an M3-1 District to an R6 District property bounded by:**
    - a. the U.S. Pierhead Line, a line passing through two points: one on the U.S. Pierhead and Bulkhead Line distance 373 feet westerly (as measured along the Pierhead and Bulkhead Line) from the intersection of the Pierhead and Bulkhead Line and the westerly street line of Manhattan Avenue, and the other on the northerly street line of Commercial Street distant 86 feet westerly (as measured along the Street line) from the intersection of the northerly street line of Commercial Street and the westerly street line of Manhattan Avenue, Commercial Street, and the easterly boundary line of a Park and its southeasterly and northwesterly prolongations, and excluding the area bounded by a line 70 feet southeasterly of the U.S. Bulkhead Line, a line 607 feet southwesterly of the 2<sup>nd</sup> named course, a line 100 feet northwesterly of Commercial Street, and a line 30 feet northeasterly of a Park;
    - b. the U.S. Pierhead Line, the westerly boundary line of a Park and its southerly and northerly prolongations, West Street and its northerly centerline prolongation, the westerly prolongation of the northerly street line of Dupont Street, a line 70 feet easterly of the U.S. Bulkhead Line, the westerly centerline prolongation of Green Street, a line 125 feet westerly of West Street, Eagle Street, West Street, Quay Street, Franklin Street, the northerly boundary line of a Park and its southeasterly prolongation, the U.S. Pierhead Line, a line 100 feet northerly of Quay Street and its westerly prolongation, a line 100 feet westerly of West Street, a line 100 feet southerly of Oak Street and its westerly prolongation, the U.S. Pierhead Line, Kent Street and its westerly centerline prolongation, a line 275 feet westerly of West

Street, and Huron Street and its westerly centerline prolongation, and excluding the area bounded by Greenpoint Avenue, a line 100 feet westerly of West Street, Oak Street, a line 500 feet westerly of West Street, Milton Street, and a line 250 feet westerly of West Street; and

- c. the U.S. Pierhead Line, North 7<sup>th</sup> Street and its northwesterly centerline prolongation, Kent Avenue, North 3<sup>rd</sup> Street and its northwesterly centerline prolongation, the U.S. Pierhead Line, the northwesterly prolongation of the northeasterly street line of North 4<sup>th</sup> Street, a line 150 feet northwesterly of Kent Avenue, the northwesterly prolongation of North 5<sup>th</sup> Street, a line 200 feet northwesterly of Kent Avenue, and a line 100 feet northeasterly of North 6<sup>th</sup> Street and its northwesterly prolongation;
- 8. **changing from an R6(M1-1) District to an R6A District property bounded by** a line midway between Eagle Street and Freeman Street, a line 100 feet westerly of Franklin Street, Freeman Street, and a line 130 feet westerly of Franklin Street;
- 9. **changing from an R6(M1-2) District to an R6A District property bounded by:**
  - a. Berry Street, North 10<sup>th</sup> Street, a line midway between Berry Street and Bedford Avenue, North 12<sup>th</sup> Street, Bedford Avenue, North 11<sup>th</sup> Street, a line 100 feet southeasterly of Bedford Avenue, and a line midway between North 10<sup>th</sup> Street and North 9<sup>th</sup> Street; and
  - b. a line 100 feet northwesterly of Havemeyer Street, North 7<sup>th</sup> Street, Havemeyer Street, North 6<sup>th</sup> Street, a line 100 feet southeasterly of Havemeyer Street, and North 5<sup>th</sup> Street and its southeasterly centerline prolongation;
- 10. **changing from an M1-1 District to an R6A District property bounded by:**
  - a. Eagle Street, a line 82 feet westerly of Franklin Street, a line midway between Eagle Street and Freeman Street, and a line 100 feet westerly of Franklin Street; and

- b. Wythe Avenue, a line 90 feet southwesterly of North 1<sup>st</sup> Street, Berry Street, and Grand Street;

**11. changing from an R6(M1-1) District to an R6B District property bounded by:**

- a. Freeman Street, Franklin Street, Java Street, a line 175 feet westerly of Franklin Street, a line midway between India Street and Java Street, a line 220 feet westerly of Franklin Street, Huron Street, a line 295 feet westerly of Franklin Street, a line midway between Huron Street and Green Street, a line 245 feet westerly of Franklin Street, Green Street, and a line 170 feet westerly of Franklin Street; and
- b. Driggs Avenue, McGuinness Boulevard South, Brooklyn Queens Expressway Service Road, Graham Avenue-Via Vespucci, Bayard Street, a line 100 feet southwesterly of Graham Avenue-Via Vespucci, Engert Avenue, and Eckford Street;

**12. changing from an R6(M1-2) District to an R6B District property bounded by** Wythe Avenue, North 9<sup>th</sup> Street, Berry Street, a line midway between North 10<sup>th</sup> Street and North 9<sup>th</sup> Street, a line 100 feet southeasterly of Bedford Avenue, North 9<sup>th</sup> Street, a line 100 northwesterly of Driggs Avenue, North 8<sup>th</sup> Street, a line 100 feet northwesterly of Roebing Street, North 7<sup>th</sup> Street, a line 100 feet northwesterly of Havemeyer Street, North 5<sup>th</sup> Street, Roebing Street, North 4<sup>th</sup> Street, Driggs Avenue, North 5<sup>th</sup> Street, Bedford Avenue, North 4<sup>th</sup> Street, Berry Street, a line midway between 6<sup>th</sup> Street and North 5<sup>th</sup> Street, a line 100 feet northwesterly of Bedford Avenue, a line midway between North 7<sup>th</sup> Street and North 6<sup>th</sup> Street, Berry Street and North 7<sup>th</sup> Street;

**13. changing from an M1-1 District to an R6B District property bounded by:**

- a. Freeman Street, a line 170 feet westerly of Franklin Street, Green Street, a line 245 feet westerly of Franklin Street, a line midway between Green Street and Huron Street, a line 100 feet easterly of West Street, Green Street, and a line 125 feet easterly of West Street; and

- b. Huron Street, a line 220 feet westerly of Franklin Street, a line midway between India Street and Java Street, a line 175 feet westerly of Franklin Street, Java Street, and a line 100 feet easterly of West Street;
- 14. changing from an M1-2 District to an R6B District property bounded by** a line 250 feet southeasterly of Wythe Avenue, a line midway between North 10<sup>th</sup> Street and North 9<sup>th</sup> Street, Berry Street, and North 9<sup>th</sup> Street;
- 15. changing from an M1-1 District to an R8 District property bounded by** the northerly street line of Dupont Street and its westerly prolongation, a line 200 feet westerly of Franklin Street, Eagle Street, West Street, a line midway between Dupont Street and Eagle Street, a line 100 feet easterly of West Street, Dupont Street, and West Street;
- 16. changing from an M3-1 District to an R8 District property bounded by:**
- a. a line 70 feet southeasterly of the U.S. Bulkhead Line, a line 607 feet southwesterly of the 2<sup>nd</sup> named course of 7a above, a line 100 feet northwesterly of Commercial Street, and a line 30 feet northeasterly of a Park;
  - b. the westerly prolongation of the northerly street line of Dupont Street, West Street, Dupont Street, a line 100 feet easterly of West Street, a line midway between Dupont Street and Eagle Street, West Street, Eagle Street, a line 125 feet westerly of West Street, the westerly centerline prolongation of Green Street, and a line 70 feet easterly of the U.S. Bulkhead Line;
  - c. Huron Street and its westerly centerline prolongation, a line 275 feet westerly of West Street, Kent Street and its westerly centerline prolongation, and the U.S. Pierhead Line;
  - d. Greenpoint Avenue, a line 100 feet westerly of West Street, Oak Street, a line 500 feet westerly of West Street, Milton Street, and a line 250 feet westerly of West Street;
  - e. a line 100 feet southerly of Oak Street and its westerly

prolongation, a line 100 feet westerly of West Street, a line 100 feet northerly of Quay Street and its westerly prolongation, and the U.S. Pierhead Line; and

- f. a line 100 feet northeasterly of North 6<sup>th</sup> Street and its northwesterly prolongation, a line 200 feet northwesterly of Kent Avenue, North 5<sup>th</sup> Street, a line 150 feet northwesterly of Kent Avenue, the northwesterly prolongation of the northeasterly street line of North 4<sup>th</sup> Street, and the U.S. Pierhead Line;

**17. changing from an M3-1 District to an M1-2 District property bounded by:**

- a. the U.S. Pierhead and Bulkhead Line, Pulaski Bridge, Box Street, Commercial Street, and a line passing through two points: one on the U.S. Pierhead and Bulkhead Line distance 373 feet westerly (as measured along the Pierhead and Bulkhead Line) from the intersection of the Pierhead and Bulkhead Line and the westerly street line of Manhattan Avenue, and the other on the northerly street line of Commercial Street distant 86 feet westerly (as measured along the Street line) from the intersection of the northerly street line of Commercial Street and the westerly street line of Manhattan Avenue.; and
- b. Meserole Avenue, Gem Street, North 15<sup>th</sup> Street, Wythe Avenue, Banker Street, a line midway between Wythe Avenue and Berry Street and its northeasterly prolongation, North 12<sup>th</sup> Street, Wythe Avenue, North 9<sup>th</sup> Street, Kent Avenue, and Franklin Street;

**18. changing from an R6(M1-1) District to an M1-2/R6 District property bounded by:**

- a. a line 100 feet northerly of Nassau Avenue, Lorimer Street, Nassau Avenue, and Guernsey Street;
- b. Nassau Avenue, a line midway between Manhattan Avenue and Lorimer Street, Driggs Avenue, and Lorimer Street;

- c. Driggs Avenue, Leonard Street, and Manhattan Avenue; and
  - d. Engert Avenue, Eckford Street, Manhattan Avenue, Bayard Street, and Leonard Street;
19. **changing from a C8-1 District to an M1-2/R6 District property bounded by** Brooklyn Queens Expressway, Richardson Street, a line 150 feet westerly of Graham Avenue-Via Vespucci, Frost Street, Manhattan Avenue, a line midway between Frost Street and Withers Street, a line 100 feet easterly of Leonard Street, Withers Street, Leonard Street, a line midway between Withers Street and Jackson Street, a line 150 feet easterly of Lorimer Street, Jackson Street, a line 100 feet westerly of Lorimer Street, and Skillman Avenue;
20. **changing from an M1-1 District to an M1-2/R6 District property bounded by:**
- a. Commercial Street, Box Street, a line 300 feet westerly of Manhattan Avenue, and Clay Street;
  - b. Box Street and its easterly centerline prolongation, McGuinness Boulevard (east), Clay Street, and a line 100 feet westerly of McGuinness Boulevard (west);
  - c. a line 250 feet southerly of Engert Avenue, a line midway between Russell Street and Humboldt Street, Brooklyn Queens Expressway, Brooklyn Queens Expressway Service Road, McGuinness Boulevard South, and Humboldt Street;
  - d. Metropolitan Avenue, Union Avenue, Borinquen Place, Marcy Avenue, a line midway between Hope Street and Grand Street, Havemeyer Street, Hope Street, Roebling Street, Fillimore Place, Driggs Avenue, North 1<sup>st</sup> Street, and Bedford Avenue; and
  - e. South 4<sup>th</sup> Street, South 5<sup>th</sup> Place and its southerly centerline prolongation, South 5<sup>th</sup> Street, and Wythe Avenue;
21. **changing from an M1-1(R6) District to an M1-2/R6 District property**

**bounded by** Bayard Street, Graham Avenue-Via Vespucci, Brooklyn Queens Expressway Service Road, Brooklyn Queens Expressway, Leonard Street, Richardson Street, and a line 100 feet westerly of Manhattan Avenue;

**22. changing from an M1-2 District to an M1-2/R6 District property bounded by:**

- a. Berry street, Nassau Avenue, Lorimer Street, Driggs Avenue, Manhattan Avenue, Leonard Street, Bayard Street, Union Avenue, and North 12<sup>th</sup> Street;
- b. Driggs Avenue, North 4<sup>th</sup> Street, and Metropolitan Avenue; and
- c. Kent Avenue, South 4<sup>th</sup> Street, a line 100 feet westerly of Wythe Avenue, South 3<sup>rd</sup> Street, Wythe Avenue, and South 5<sup>th</sup> Street;

**23. changing from an M1-2(R6) District to an M1-2/R6 District property bounded by** a line 100 feet southeasterly of Havemeyer Street, Union Avenue, the westerly centerline prolongation of Jackson Street, a line 100 feet easterly of Union Avenue, Withers Street, Lorimer Street, Frost Street, Leonard Street, Brooklyn Queens Expressway, and North 6<sup>th</sup> Street and its southeasterly centerline prolongation;

**24. changing from an M3-1 District to an M1-2/R6 District property bounded by** Kent Avenue, a line 140 feet southwesterly of North 1<sup>st</sup> Street, Wythe Avenue, a line midway between South 1<sup>st</sup> Street and South 2<sup>nd</sup> Street, a line 200 feet northwesterly of Wythe Avenue, a line midway between Grand Street and South 1<sup>st</sup> Street, a line 100 feet southeasterly of Kent Avenue, and Grand Street;

**25. changing from an R6(M1-1) District to an M1-2/R6A District property bounded by:**

- a. Driggs Avenue, a line midway between Eckford Street and Leonard Street, a line 100 feet northerly of Engert Avenue, Eckford Street, Engert Avenue, and Leonard Street; and

- b. Engert Avenue, a line 100 feet southwesterly of Graham Avenue-Via Vespucci, Bayard Street, Manhattan Avenue, and Eckford Street;

**26. changing from an R6(M1-2) District to an M1-2/R6A District property bounded by:**

- a. North 12<sup>th</sup> Street, Union Avenue, Bayard Street, Leonard Street, Richardson Street, a line 100 feet westerly of Lorimer Street, a line midway between Bayard Street and Richardson Street, a line 100 feet easterly of Union Avenue, Richardson Street, North 11<sup>th</sup> Street, and Driggs Avenue;
- b. North 9<sup>th</sup> Street, Driggs Avenue, North 8<sup>th</sup> Street, and a line 100 feet northwesterly of Driggs Avenue;
- c. North 8<sup>th</sup> Street, Roebling Street, North 7<sup>th</sup> Street, and a line 100 feet northwesterly of Roebling Street; and
- d. Berry Street, a line midway between North 7<sup>th</sup> Street and North 6<sup>th</sup> Street, a line 100 feet northwesterly of Bedford Avenue, and a line midway between North 6<sup>th</sup> Street and North 5<sup>th</sup> Street;

**27. changing from an M1-1 District to an M1-2/R6A District property bounded by:**

- a. Box Street, a line 100 feet westerly of Pulaski Bridge, Clay Street and a line 300 feet westerly of Manhattan Avenue;
- b. Clay Street, a line 430 feet easterly of Franklin Street, Dupont Street, Franklin Street, and Commercial Street;
- c. Eagle Street, a line 100 feet westerly of Franklin Street, a line midway between Eagle Street and Freeman Street, a line 130 feet westerly of Franklin Street, Freeman Street, a line 125 feet easterly of West Street, Green Street, a line 100 feet easterly of West Street, Java Street, Franklin Street, Oak Street, a line 100 feet easterly of West Street, Calyer Street, Franklin Street, Quay Street, and West Street;



- d. Green Street, a line 320 feet easterly of Franklin Street, a line midway between Freeman Street and Green Street, a line 100 feet westerly of Manhattan Avenue, a line midway between Green Street and Huron Street, a line 125 feet easterly of Franklin Street, a line 50 feet northerly of Huron Street, and Franklin Street; and
  - e. North 3<sup>rd</sup> Street, Berry Street, a line 90 feet southwesterly of North 1<sup>st</sup> Street, and Wythe Avenue
28. **changing from an M1-1(R6) District to an M1-2/R6A District property bounded by** Bayard Street, a line 100 feet westerly of Manhattan Avenue, Richardson Street, and Leonard Street;
29. **changing from an M1-2 District to an M1-2/R6A District property bounded by:**
- a. a line 250 feet southeasterly of Wythe Avenue, North 12<sup>th</sup> Street, a line midway between Berry Street and Bedford Street, North 10<sup>th</sup> Street, Berry Street, and a line midway between North 10<sup>th</sup> Street and North 9<sup>th</sup> Street;
  - b. North 11<sup>th</sup> Street, Roebling Street, North 10<sup>th</sup> Street, Union Avenue, Withers Street, North 9<sup>th</sup> Street, Roebling Street, North 8<sup>th</sup> Street, Driggs Avenue, North 9<sup>th</sup> Street, and a line 100 feet southeasterly of Bedford Avenue; and
  - c. Wythe Avenue, a line midway between North 7<sup>th</sup> Street and North 6<sup>th</sup> Street, Berry Street, and North 3<sup>rd</sup> Street;
30. **changing from an M1-2(R6) District to an M1-2/R6A District property bounded by:**
- a. Roebling Street, North 11<sup>th</sup> Street, Richardson Street, a line 100 feet easterly of Union Avenue, the westerly centerline prolongation of Jackson Street, Union Avenue, a line 100 feet southeasterly of Havemeyer Street and its northeasterly prolongation, North 6<sup>th</sup> Street, Havemeyer Street, North 7<sup>th</sup> Street, Roebling Street, North 9<sup>th</sup> Street, Withers Street, Union Avenue, and North 10<sup>th</sup> Street; and



- a. Richardson Street, Lorimer Street, Withers Street, and a line 100 feet easterly of Union Avenue; and
  - b. Bedford Avenue, North 5<sup>th</sup> Street, a line 25 feet northwesterly of Driggs Avenue, a line 150 feet southwesterly of North 5<sup>th</sup> Street, Driggs Avenue, and North 4<sup>th</sup> Street;
  
- 37. **changing from an M3-1 District to an M1-2/R6B District property bounded by** North 8<sup>th</sup> Street, Wythe Avenue, a line midway between North 7<sup>th</sup> Street and North 6<sup>th</sup> Street, and a line 100 feet southeasterly of Kent Avenue;
  
- 38. **changing from an M1-2(R6) District to an M1-2/R7A District property bounded by** North 12<sup>th</sup> Street, Driggs Avenue, North 11<sup>th</sup> Street, and Bedford Avenue;
  
- 39. **establishing within a proposed R6 District a C1-4 District bounded by** Roebling Street, a line midway between Hope Street and Grand Street, a line 150 feet northwesterly of Havemeyer Street, Hope Street, Havemeyer Street, South 1<sup>st</sup> Street, a line 150 feet northwesterly of Havemeyer Street, and a line midway between Grand Street and South 1<sup>st</sup> Street;
  
- 40. **establishing within a proposed R6 District a C2-4 District bounded by:**
  - a. a line 150 feet northwesterly of Commercial Street, a line passing through two points: one on the U.S. Pierhead and Bulkhead Line distance 373 feet westerly (as measured along the Pierhead and Bulkhead Line) from the intersection of the Pierhead and Bulkhead Line and the westerly street line of Manhattan Avenue, and the other on the northerly street line of Commercial Street distant 86 feet westerly (as measured along the Street line) from the intersection of the northerly street line of Commercial Street and the westerly street line of Manhattan Avenue, Commercial Street, the northeasterly boundary line of a Park and its southeasterly prolongation, a line 100 feet northwesterly of Commercial Street, and a line 607 feet southwesterly of the 2<sup>nd</sup> named course;
  - b. Eagle Street, West Street, Quay Street, Franklin Street, the

northerly boundary line of a Park and its southeasterly prolongation, a line 225 feet easterly of the easterly boundary line of a Park, Quay Street, a line 100 feet westerly of West Street, Greenpoint Avenue, a line 250 feet westerly of West Street, a line midway between Kent Street and Greenpoint Avenue, a line 150 feet westerly of West Street, a line 100 feet northerly of Huron Street, a line 605 feet westerly of West Street, the westerly centerline prolongation of Green Street, and a line 125 feet westerly of West Street;

- c. Greenpoint Avenue, a line 250 feet westerly of West Street, a line 100 feet southerly of Greenpoint Avenue, and a line 460 feet westerly of West Street;
  - d. a line midway between Kent Street and Greenpoint Avenue, a line 150 feet westerly of Manhattan Avenue, a line midway between Greenpoint Avenue and Milton Street, and Franklin Street;
  - e. North 7<sup>th</sup> Street, Kent Avenue, North 3<sup>rd</sup> Street, a line 150 feet northwesterly of Kent Avenue, North 5<sup>th</sup> Street, and a line 200 feet northwesterly of Kent Avenue; and
  - f. North 1<sup>st</sup> Street, Driggs Avenue, a line 60 feet southwest of Fillimore Place, Roebing Street, a line midway between Grand Street and South 1<sup>st</sup> Street, and Bedford Avenue;
- 41. establishing within a proposed R6A District a C1-4 District bounded by North 10<sup>th</sup> Street, Bedford Avenue, a line midway between North 10<sup>th</sup> Street and North 9<sup>th</sup> Street, and a line 100 feet northwesterly of Bedford Avenue;**
- 42. establishing within a proposed R6A District a C2-4 District bounded by Wythe Street, a line 90 feet southwest of North 1<sup>st</sup> Street, Berry Street, and Grand Street;**
- 43. establishing within a proposed R6B District a C1-4 District bounded by a line 100 feet northwesterly of Bedford Avenue, a line midway between North 10<sup>th</sup> Street and North 9<sup>th</sup> Street, Bedford Avenue, North 8<sup>th</sup> Street, a line 100 feet southeasterly of Bedford Avenue, North 5<sup>th</sup> Street, Bedford Avenue, and North 4<sup>th</sup> Street;**

- 44. establishing within a proposed R6B District a C2-4 District bounded by** a line midway between Freeman Street and Green Street, Franklin Street, a line midway between Green Street and Huron Street, a line 100 feet easterly of West Street, Green Street, and a line 125 feet easterly of West Street;
- 45. establishing within a proposed R8 District a C2-4 District bounded by**
- a.** the westerly prolongation of the southerly street line of Dupont Street, West Street, Dupont Street, a line 100 feet easterly of West Street, Eagle Street and a line 125 feet westerly of West Street;
  - b.** a line 100 feet southerly of Freeman Street, a line 125 feet westerly of West Street, the westerly centerline prolongation of Green Street, and a line 605 feet westerly of West Street;
  - c.** Greenpoint Avenue, a line 100 feet westerly of West Street, a line 100 feet southerly of Greenpoint Avenue, and a line 250 feet westerly of West Street; and
  - d.** a line 100 feet northeasterly of North 6<sup>th</sup> Street, a line 200 feet northwesterly of Kent Avenue, a line 100 feet southwesterly of North 6<sup>th</sup> Street, and a line 555 feet northwesterly of Kent Avenue; and
- 46. establishing a Special Mixed Use District (MX-8) bounded by:**
- a.** Box Street and its easterly centerline prolongation, McGuinness Boulevard (east), Clay Street, a line 430 feet easterly of Franklin Street, Dupont Street, Franklin Street, and Commercial Street;
  - b.** Eagle Street, a line 100 feet westerly of Franklin Street, Freeman Street, a line 125 feet easterly of West Street, Green Street, a line 100 feet easterly of West Street, Java Street, Franklin Street, Quay Street, and West Street;
  - c.** Green Street, a line 320 feet easterly of Franklin Street, a line midway between Freeman Street and Green Street, a line 100

feet westerly of Manhattan Avenue, a line midway between Green Street and Huron Street, a line 125 feet easterly of Franklin Street, a line 50 feet northerly of Huron Street, and Franklin Street;

- d. a line 250 feet southeasterly of Wythe Avenue, North 12<sup>th</sup> Street, Berry Street, Nassau Avenue, Guernsey Street, a line 100 feet northerly of Nassau Avenue, Lorimer Street, Nassau Avenue, a line midway between Manhattan Avenue and Lorimer Street, Driggs Avenue, Eckford Street, Engert Avenue, a line 100 feet southwesterly of Graham Avenue-Via Vespucci, Bayard Street, Graham Avenue-Via Vespucci, Brooklyn Queens Expressway Service Road, Mc Guinness Boulevard South, Humboldt Street, a line 250 feet southerly of Engert Avenue, a line midway between Russell Street and Humboldt Street, Brooklyn Queens Expressway, Richardson Street, a line 150 feet westerly of Graham Avenue-Via Vespucci, Frost Street, Manhattan Avenue, a line midway between Frost Street and Withers Street, a line 100 feet easterly of Leonard Street, Withers Street, Leonard Street, a line midway between Withers Street and Jackson Street, a line 150 feet easterly of Lorimer Street, Jackson Street, a line 100 feet westerly of Lorimer Street, Skillman Avenue, Brooklyn Queens Expressway, North 6<sup>th</sup> Street, Havemeyer Street, North 7<sup>th</sup> Street, a line 100 feet northwesterly of Roebling Street, North 8<sup>th</sup> Street, a line 100 feet northwesterly of Driggs Avenue, North 9<sup>th</sup> Street, a line 100 feet southeasterly of Bedford Avenue, and a line midway between North 10<sup>th</sup> Street and North 9<sup>th</sup> Street;
- e. Kent Avenue, North 9<sup>th</sup> Street, Wythe Avenue, North 7<sup>th</sup> Street, Berry Street, a line midway between North 7<sup>th</sup> Street and North 6<sup>th</sup> Street, a line 100 feet northwesterly of Bedford Avenue, a line midway between North 6<sup>th</sup> Street and North 5<sup>th</sup> Street, Berry Street, North 4<sup>th</sup> Street, Bedford Avenue, North 5<sup>th</sup> Street, Driggs Avenue, North 4<sup>th</sup> Street, Metropolitan Avenue, Union Avenue, Borinquen Place, Marcy Avenue, a line midway between Hope Street and Grand Street, Havemeyer Street, Hope Street, Roebling Street, Fillimore Place, Driggs Avenue, North 1<sup>st</sup> Street, Bedford Avenue, Metropolitan Avenue, North 3<sup>rd</sup> Street, Berry Street, a line 90

feet southerly of North 1<sup>st</sup> Street, Wythe Avenue, a line midway between South 1<sup>st</sup> Street and South 2<sup>nd</sup> Street, a line 200 feet westerly of Wythe Avenue, a line midway between Grand Street and South 1<sup>st</sup> Street, a line 100 feet easterly of Kent Avenue, and Grand Street; and

- f. South 3<sup>rd</sup> Street, Wythe Avenue, South 4<sup>th</sup> Street, South 5<sup>th</sup> Place and its southerly centerline prolongation, South 5<sup>th</sup> Street, Kent Avenue, South 4<sup>th</sup> Street, and a line 100 feet westerly of Wythe Avenue;

Borough of Brooklyn, Community District 1, as shown on a diagram (for illustrative purposes only) dated December 22, 2004, and subject to the conditions of CEQR Declaration E-138.

**Resolution for adoption scheduling January 19, 2005 for a public hearing.**

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*NOTICE*

**On Wednesday, January 19, 2005, at 10:00 a.m. at the Klitgord Auditorium of the NYC Technical College located at 285 Jay Street, between Tillary and Johnson Streets Brooklyn, New York a public hearing is being held by the City Planning Commission in conjunction with the above ULURP hearing to receive comments related to a Draft Environmental Impact Statement (DEIS) concerning the Greenpoint-Williamsburg Rezoning, a proposal by the New York City Department of City Planning involving zoning map and text amendments, changes to the city map involving street demapping and, in association with the NYC Department of Parks and Recreation, establishment of a park (collectively, “the proposed action”) affecting the Greenpoint and Williamsburg areas of northern Brooklyn, Community District 1.**

**This hearing is being held pursuant to the State Environmental Quality Review Act (SEQRA) and City Environmental Quality Review (CEQR), CEQR No. 04DCP003K.**

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**II. PUBLIC HEARINGS**

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**BOROUGH OF BROOKLYN**

**No. 9**

***ANCHOR-BROADWAY***

**CD 4 and 16**

**C 050121HAK**

**PUBLIC HEARING:**

**IN THE MATTER OF** an application submitted by the Department of Housing Preservation and Development (HPD):

1. pursuant to Article 16 of the General Municipal Law of New York State for:
  - a) the designation of property located at 1536, 1538 and 1542 Broadway (Block 1492, Lots 15-17) and 1613, 1607 and 1599 Broadway (Block 3408 Lots 1-3) as an Urban Development Action Area; and
  - b) an Urban Development Action Area Project for such area; and
2. pursuant to Section 197-c of the New York City Charter for the disposition of 1536 and 1538 Broadway (Block 1492, Lots 15 and 16) and 1599 Broadway (Block 3408, Lot 3) to a developer selected by HPD;

to facilitate development of two sites for new retail development under HPD's ANCHOR (Alliance for Neighborhood Commerce, Homeownership and Revitalization) Program.

(On December 22, 2004, Cal. No. 1, the Commission scheduled January 5, 2005 for a public hearing which has been duly advertised.)

**Close the hearing.**

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**No. 10**

***RIVERDALE APARTMENTS***

**CD 16**

**C 050160 HAK**

**PUBLIC HEARING:**

**IN THE MATTER OF** an application submitted by the Department of Housing Preservation and Development (HPD):

1. pursuant to Article 16 of the General Municipal Law of New York State for:
  - a) the designation of property located at 758, 762 764 and 768 Rockaway Avenue, 195, 197, 201 and 203 Riverdale Avenue and 435 Chester Street, Site 22 within the Marcus Garvey Urban Renewal Area (Block 3589, Lots 1, 6-10, 48-50) as an Urban Development Action Area; and
  - b) an Urban Development Action Area Project for such area; and
2. pursuant to Section 197-c of the New York City Charter for the disposition of such property to a developer selected by HPD;

to facilitate development of a six story building, tentatively known as Riverdale Apartments, with approximately 73 rental units for the elderly, to be developed under the New York State Housing Trust Fund Program.

(On December 22, 2004, Cal. No. 2, the Commission scheduled January 5, 2005 for a public hearing which has been duly advertised.)

**Close the hearing.**

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**BOROUGH OF MANHATTAN**

**No. 11**

***541 BROADWAY***

**CD 1**

**C 040351 ZSM**

**PUBLIC HEARING:**

**IN THE MATTER OF** an application submitted by NOH Realty Corp. pursuant to Sections 197-c and 201 of the New York City Charter **for the grant of a special permit** pursuant to Section 74-711 of the Zoning Resolution **to modify the use requirements of Section 42-14(D)(2)(b) to allow a retail use (Use Group 6 uses) on portion of the ground floor and cellar floor of an existing 5-story building located at 541 Broadway a.k.a 112 Mercer Street** (Block 498, Lot 18) in an M1-5B District within the SoHo Cast Iron Historic District. Plans for this proposal are on file with the City Planning Commission and may be seen in Room 3N, 22 Reade Street, New York, N.Y. 10007.

(On December 22, 2004, Cal. No. 3, the Commission scheduled January 5, 2005 for a public hearing which has been duly advertised.)

**Close the hearing.**

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**BOROUGH OF QUEENS**

**Nos. 12 and 13**

***ROCKAWAY WATER POLLUTION CONTROL PLANT***

**No. 12**

**CD 14**

**C 030247 PCQ**

**PUBLIC HEARING:**

**IN THE MATTER OF** an application submitted by the Department of Environmental Protection and the Department of Citywide Administrative Services pursuant to Section

197-c of the New York City Charter **for site selection and acquisition of property located at 311-315 Beach 104<sup>th</sup> Street** (Block 16160, Lots 10 and 20), and site selection of property (Block 16160, Lot 27) located at Rockaway Freeway and Beach 104<sup>th</sup> Street, for use as an administration building, parking facility, and electrical substation for an existing water pollution control plant.

(On December 22, 2004, Cal. No. 4, the Commission scheduled January 5, 2005 for a public hearing which has been duly advertised.)

**Close the hearing.**

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**No. 13**

**CD 14**

**C 030248 ZSQ**

**PUBLIC HEARING:**

**IN THE MATTER OF** an application submitted by the Department of Environmental Protection pursuant to Sections 197-c and 201 of the New York City Charter for **the grant of a special permit** pursuant to Sections 74-31(f) and 74-733 of the Zoning Resolution **to allow the enlargement of an existing municipal sewage disposal plant on property generally bounded by Beach Channel Drive, Beach 104<sup>th</sup> Street, Rockaway Freeway and Beach 108<sup>th</sup> Street** (Block 16160, Lots 10, 20 and 27, Block 16161, Lot 53, and Block 16162, Lots 3 and 120), in R4 and M1-1 Districts.

Plans for this proposal are on file with the City Planning Commission and may be seen in Room 3N, 22 Reade Street, New York, N.Y. 10007.

(On December 22, 2004, Cal. No. 5, the Commission scheduled January 5, 2005 for a public hearing which has been duly advertised.)

**Close the hearing.**

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**No. 14**

***JAMAICA NAACP DAY CARE CENTER***

**CD 12**

**C 040528 PQQ**

**PUBLIC HEARING:**

**IN THE MATTER OF** an application submitted by the Administration for Children's Services and the Department of Citywide Administrative Services pursuant to Section 197-c of the New York City Charter for the acquisition of property located at 189-26 Linden Boulevard (Block 12599, Lot 8), for continued use as a day care center.

(On December 22, 2004, Cal. No. 6, the Commission scheduled January 5, 2005 for a public hearing which has been duly advertised.)

**Close the hearing.**

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**No. 15**

***KEW GARDENS/RICHMOND HILL REZONING***

**CD 9**

**C 050153 ZMQ**

**PUBLIC HEARING:**

**IN THE MATTER OF** an application submitted by the Department of City Planning pursuant to Sections 197-c and 201 of the New York City Charter **for an amendment of the Zoning Map, Section Nos. 14b and 14d:**

- 1. eliminating from within an existing R3-1 District a C1-2 District bounded by:**
  - a.** a line midway between Cuthbert Road and Beverly Road, a line 150 feet southeasterly of Lefferts Boulevard, Beverly Road, and a line perpendicular to the northeasterly street line of Beverly Road distant 115 feet southeasterly (as measured along the street line) from the point of intersection of the northeasterly street line of Beverly Road and the southeast-

erly street line of Lefferts Boulevard, and

- b.** Myrtle Avenue, Jamaica Avenue, Lefferts Boulevard, a line 150 feet southeasterly of Jamaica Avenue, 116<sup>th</sup> Street, a line 200 feet southeasterly of Jamaica Avenue, 115<sup>th</sup> Street, a line 150 feet southeasterly of Jamaica Avenue, 113<sup>th</sup> Street and its northwesterly centerline prolongation, a line 150 feet northwesterly of Jamaica Avenue, 116<sup>th</sup> Street, a line 150 feet southeasterly of Myrtle Avenue, and 115<sup>th</sup> Street;
- 2. eliminating from within an existing R3-1 District a C2-2 District bounded by** a line 100 feet northerly of Jamaica Avenue, 104<sup>th</sup> Street, a line 150 feet northwesterly of Jamaica Avenue, 113<sup>th</sup> Street and its northwesterly centerline prolongation, a line 150 feet southeasterly of Jamaica Avenue, 107<sup>th</sup> Street, 88<sup>th</sup> Avenue, a line 150 feet southwest-erly of 107<sup>th</sup> Street, a line 100 feet southerly of Jamaica Avenue, and 102<sup>nd</sup> Street;
- 3. eliminating from within an existing R4 District a C2-2 District bounded by:**
  - a.** Hillside Avenue, 136<sup>th</sup> Street, and Kew Gardens Road; and
  - b.** Hillside Avenue, a line perpendicular to the northeasterly street line of Metropolitan Avenue distant 400 feet southeasterly (as measured along the street line) from the point of intersection of the northeasterly street line of Metropolitan Avenue and the easterly street line of 131<sup>st</sup> Street, Metropolitan Avenue, Jamaica Avenue, a line 100 feet north-easterly of 134<sup>th</sup> Street, a line 150 feet southeasterly of Jamaica Avenue, 133<sup>rd</sup> Street, Jamaica Avenue, 132<sup>nd</sup> Street, Metropolitan Avenue, 131<sup>st</sup> Street, a line perpendicular to the southwesterly street line of 131<sup>st</sup> Street distant 150 feet southeasterly (as measured along the street line) from the point of intersection of the southwesterly street line of 131<sup>st</sup> Street and the southwesterly street line of Metropoli-tan Avenue, and 130<sup>th</sup> Street;
- 4. eliminating from within an existing R5 District a C1-2 District bounded by:**
  - a.** Metropolitan Avenue, a line 250 feet southeasterly of Lefferts Boulevard, a line 100 feet southwesterly of Metropolitan

Avenue, and Lefferts Boulevard;

- b.** a line 150 feet northwesterly of Jamaica Avenue, a line 100 feet northeasterly of 127<sup>th</sup> Street, Jamaica Avenue, and 123<sup>rd</sup> Street;
- c.** 118<sup>th</sup> Street, Babbage Street, and a line perpendicular to the northeasterly street line of Babbage Street distant 100 feet southeasterly (as measured along the street line) from the point of intersection of the northeasterly street line of Babbage Street and the northeasterly street line of 117<sup>th</sup> Street; and
- d.** Bessemer Street, Hillside Avenue, Myrtle Avenue, 116<sup>th</sup> Street, a line perpendicular to the northeasterly street line of 116<sup>th</sup> Street distant 100 feet northwesterly (as measured along the street line) from the point of intersection of the northeasterly street line of 116<sup>th</sup> Street and the northeasterly street line of Myrtle Avenue, and a line 100 feet northeasterly of 116<sup>th</sup> Street,

**5. eliminating from within an existing R5 District a C2-2 District bounded by:**

- a.** Metropolitan Avenue, a line perpendicular to the southwesterly street line of Metropolitan Avenue distant 250 feet southeasterly (as measured along the street line) from the point of intersection of the southwesterly street line of Metropolitan Avenue and the northeasterly street line of 124<sup>th</sup> Street; a line 100 feet southwesterly of Metropolitan Avenue, and 124<sup>th</sup> Street;
- b.** a line 150 feet northerly of Metropolitan Avenue, a line 150 feet northerly of Hillside Avenue, the southwesterly service road of the Van Wyck Expressway, Hillside Avenue, Metropolitan Avenue, and 129<sup>th</sup> Street; and
- c.** Hillside Avenue, a line midway between 120<sup>th</sup> Street and Lefferts Boulevard, a line 150 feet northwesterly of Jamaica Avenue, 123<sup>rd</sup> Street, Jamaica Avenue, Myrtle Avenue, Hillside Avenue, Babbage Street, and Lefferts Boulevard;

**6. eliminating from within an existing R7-1 District a C1-2 District bounded by:**

- a.** Austin Street, a line 275 feet southeasterly of Lefferts Boulevard, the centerline of the Long Island Rail Road right-of-way (Main Line), a line 150 feet southeasterly of Lefferts Boulevard, a line midway between Cuthbert Road and Beverly Road, a line perpendicular to the northeasterly street line of Beverly Road distant 115 feet southeasterly (as measured along the street line) from the point of intersection of the northeasterly street line of Beverly Road and the southeasterly street line of Lefferts Boulevard, Beverly Road, a line 150 feet northwesterly of Lefferts Boulevard, a line 100 feet southwesterly of Crenfell Street, a line midway between Audley Street and 83<sup>rd</sup> Avenue, Crenfell Street, and a line 150 feet northwesterly of Lefferts Boulevard;
- b.** a line 150 feet northeasterly of Metropolitan Avenue, 83<sup>rd</sup> Avenue, a line 100 feet northeasterly of Metropolitan Avenue, a line 250 feet southeasterly of 83<sup>rd</sup> Avenue, Metropolitan Avenue, 118<sup>th</sup> Street, a line perpendicular to the southwesterly street line of 118<sup>th</sup> Street distant 200 feet southeasterly (as measured along the street line) from the point of intersection of the southwesterly street line of 118<sup>th</sup> Street and the southwesterly street line of Metropolitan Avenue, a line 150 feet southwesterly of 118<sup>th</sup> Street, a line 150 feet southwesterly of Metropolitan Avenue, and Audley Street; and
- c.** Metropolitan Avenue, Lefferts Boulevard, a line 100 feet southwesterly of Metropolitan Avenue, and a line 100 feet northwesterly of Lefferts Boulevard,

**7. changing from an R5 District to an R2 District property bounded by:**

- a.** Beverly Road, Lefferts Boulevard, a line 100 feet northeasterly of Metropolitan Avenue, a line 150 feet northwesterly of Lefferts Boulevard;
- b.** 84<sup>th</sup> Avenue, a line midway between 118<sup>th</sup> Street and Lefferts Boulevard, a line 200 feet southeasterly of 84<sup>th</sup> Avenue, and

118<sup>th</sup> Street;

- c. 80<sup>th</sup> Road, a line 50 feet southwesterly of Kew Gardens Road, 81<sup>st</sup> Avenue, Kew Gardens Road, 82<sup>nd</sup> Avenue, and a line 100 feet southwesterly of Kew Gardens Road;
  - d. 82<sup>nd</sup> Avenue, a line 150 feet northeasterly of Kew Gardens Road, 82<sup>nd</sup> Road, and Kew Gardens Road;
  - e. a line midway between 117<sup>th</sup> Street and 118<sup>th</sup> Street, a line perpendicular to the northeasterly street line of 116<sup>th</sup> Street distant 150 feet northwesterly (as measured along the street line) from the point of intersection of the northeasterly street line of 116<sup>th</sup> Street and the northeasterly street line of Myrtle Avenue, and a line perpendicular to the northeasterly street line of Babbage Street distant 100 feet southeasterly (as measured along the street line) from the point of intersection of the northeasterly street line of Babbage Street and the northeasterly street line of 117<sup>th</sup> Street; and
  - f. the southwesterly boundary line of the Long Island Rail Road right-of-way (Montauk Division), a line perpendicular to the northeasterly street line of 116<sup>th</sup> Street distant 150 feet northwesterly (as measured along the street line) from the point of intersection of the northeasterly street line of 116<sup>th</sup> Street and the northeasterly street line of Myrtle Avenue, and a line 100 feet northeasterly of 116<sup>th</sup> Street;
8. **changing from an R7-1 District to an R2 District property bounded by** Crenfell Street, Lefferts Boulevard, Beverly Road, a line 150 feet northwesterly of Lefferts Boulevard, a line 100 feet southwesterly of Crenfell Street, and Audley Street;
9. **changing from a C8-1 District to an R3-1 District property bounded by** a line 100 feet southeasterly of Jamaica Avenue, 102<sup>nd</sup> Street, a line 150 feet southeasterly of Jamaica Avenue, and a line 100 feet southwesterly of 102<sup>nd</sup> Street;
10. **changing from an R3-1 District to an R3X District property bounded by** Myrtle Avenue, a line midway between 115<sup>th</sup> Street and 116<sup>th</sup> Street, a line 100 feet northwesterly and northerly of Jamaica Avenue, a line 100 feet southwesterly of 104<sup>th</sup> Street, 85<sup>th</sup> Avenue, and 109<sup>th</sup> Street;



11. **changing from an R3-1 District to an R4 District property bounded by** 85<sup>th</sup> Road, a line 100 feet northeasterly of 102<sup>nd</sup> Street, 86<sup>th</sup> Road, a line 100 feet southwesterly of 104<sup>th</sup> Street, a line 100 feet northerly of Jamaica Avenue, 101<sup>st</sup> Street, a line perpendicular to the southwesterly street line of 101<sup>st</sup> Street distant 240 feet northwesterly (as measured along the street line) from the point of intersection of the southwesterly street line of 101<sup>st</sup> Street and the northwesterly street line of Jamaica Avenue, the northeasterly boundary line of the Long Island Rail Road right-of-way (Rockaway Beach Division), the southwesterly prolongation of the northwesterly street line of 85<sup>th</sup> Drive, and 101<sup>st</sup> Street;
12. **changing from an R2 District to an R4-1 District property bounded by** the southwesterly boundary line of the Long Island Rail Road right-of-way (Rockaway Beach Division), Audley Street and its northeasterly centerline prolongation, Crenfell Street, and 82<sup>nd</sup> Avenue;
13. **changing from an R3-1 District to an R4-1 District property bounded by** a line 100 feet southwesterly of Metropolitan Avenue, a line 100 feet southwesterly of 125<sup>th</sup> Street, a line midway between 122<sup>nd</sup> Street and 123<sup>rd</sup> Street, and a line 100 feet southeasterly of Brevoort Street;
14. **changing from an R4 District to an R4-1 District property bounded by** a line perpendicular to the northeasterly street line of 131<sup>st</sup> Street distant 330 feet northwesterly (as measured along the street line) from the point of intersection of the northeasterly street line of 131<sup>st</sup> Street and the northwesterly street line of Jamaica Avenue, 132<sup>nd</sup> Street, a line 100 feet northwesterly of Jamaica Avenue, 131<sup>st</sup> Street, a line 150 feet northwesterly of Jamaica Avenue, the northeasterly boundary line of the Long Island Rail Road right-of-way (Main Line), a line 220 feet southeasterly of Hillside Avenue, a line 100 feet southwesterly of 130<sup>th</sup> Street, a line perpendicular to the southwesterly street line of 130<sup>th</sup> Street distant 370 feet northwesterly (as measured along the street line) from the point of intersection of the southwesterly street line of 130<sup>th</sup> Street and the northwesterly street line of Jamaica Avenue, and 130<sup>th</sup> Street;
15. **changing from an R5 District to an R4-1 District property bounded by:**
  - a. Kew Gardens Road, a southeasterly boundary line of Maple

Grove Cemetery and its southwesterly and northeasterly prolongations, 135<sup>th</sup> Street and its northwesterly centerline prolongation, a line 100 feet northerly of Hillside Avenue, 129<sup>th</sup> Street, a line perpendicular to the westerly street line of 129<sup>th</sup> Street distant 240 feet northerly (as measured along the street line) from the point of intersection of the westerly street line of 129<sup>th</sup> Street and the northeasterly street line of Metropolitan Avenue, a line midway between 127<sup>th</sup> Street and 129<sup>th</sup> Street, a line perpendicular to the easterly street line of 127<sup>th</sup> Street distant 210 feet northerly (as measured along the street line) from the point of intersection of the easterly street line of 127<sup>th</sup> Street and the northeasterly street line of Metropolitan Avenue, 127<sup>th</sup> Street, a line 100 feet northeasterly of Metropolitan Avenue, and 126<sup>th</sup> Street and its southerly centerline prolongation at Austin Street; and

- b. 85<sup>th</sup> Avenue, 124<sup>th</sup> Street, Hillside Avenue, 122<sup>nd</sup> Street, a line 100 feet northwesterly of Jamaica Avenue, Lefferts Boulevard, a line 100 feet northwesterly of Hillside Avenue, a line midway between 120<sup>th</sup> Street and Lefferts Boulevard, a line 220 feet northwesterly of Hillside Avenue, 120<sup>th</sup> Street, Hillside Avenue, and a line 100 feet southwesterly of 121<sup>st</sup> street;

16. **changing from an R7-1 District to an R4-1 District property bounded by** Austin Street, a line 275 feet southeasterly of Lefferts Boulevard, the southwesterly boundary line of the Long Island Rail Road right-of-way (Main Line), the northeasterly centerline prolongation of Brevoort Street; Culbert Road, Lefferts Boulevard, Crenfell Street, Audley Street and its northeasterly centerline prolongation, the southwesterly boundary line of the Long Island Rail Road right-of-way (Main Line), and 82<sup>nd</sup> Avenue;

17. **changing from an M1-1 District to an R4-1 District property bounded by:**

- a. a line perpendicular to the southwesterly street line of 130<sup>th</sup> Street distant 370 feet northwesterly (as measured along the street line) from the point of intersection of the southwesterly street line of 130<sup>th</sup> Street and the northwesterly street line of Jamaica Avenue, a line 100 feet southwesterly of 130<sup>th</sup> Street,

a line 220 feet southeasterly of Hillside Avenue, and the northeasterly boundary line of the Long Island Rail Road right-of-way (Main Line); and

- b. a line 150 feet northwesterly of Jamaica Avenue, 131<sup>st</sup> Street, a line 125 feet northwesterly of Jamaica Avenue, and the northeasterly boundary line of the Long Island Rail Road right-of-way (Main Line);

**18. changing from an R3-1 District to an R4A District property bounded by:**

- a. the southwesterly boundary line of the Long Island Rail Road right-of-way (Main Line), Metropolitan Avenue, Brevoort Street, a line midway between Abingdon Road and Metropolitan Avenue, a line perpendicular to the northeasterly street line of Abingdon Road distant 150 feet southeasterly (as measured along the street line) from the point of intersection of the northeasterly street line of Abingdon Road and the southeasterly street line of Lefferts Boulevard, Beverly Road, a line perpendicular to the northeasterly street line of Beverly Road distant 115 feet southeasterly (as measured along the street line) from the point of intersection of the northeasterly street line of Beverly Road and the southeasterly street line of Lefferts Boulevard, a line midway between Cuthbert Road and Beverly Road, a line perpendicular to the northeasterly street line of Beverly Road distant 270 feet northwesterly (as measured along the street line) from the point of intersection of the northeasterly street line of Beverly Road and the northwesterly street line of Brevoort Street, Beverly Road, Brevoort Street;
- b. a line 100 feet southwesterly of Metropolitan Avenue, a line 100 feet southeasterly of Brevoort Street, a line midway between 122<sup>nd</sup> Street and 123<sup>rd</sup> Street, 85<sup>th</sup> Avenue, a line 100 feet southwesterly of 121<sup>st</sup> Street, a line 250 feet northwesterly of 85<sup>th</sup> Avenue, a line midway between 120<sup>th</sup> Street and Lefferts Boulevard, a line 150 feet southeasterly of 84<sup>th</sup> Avenue, 120<sup>th</sup> Street, 84<sup>th</sup> Avenue, and a line perpendicular to and passing through a point on the first named course distant 100 feet northwesterly (as measured along the first

named course) of Brevoort Street; and

- c. Park Lane South, Myrtle Avenue, 109<sup>th</sup> Street, 85<sup>th</sup> Avenue, a line 100 feet southwesterly of 104<sup>th</sup> Street, 86<sup>th</sup> Road, a line 100 feet northeasterly of 102<sup>nd</sup> Street, 85<sup>th</sup> Road and its southwesterly centerline prolongation, and 101<sup>st</sup> Street (southwesterly portion);

**19. changing from an R5 District to an R4A District property bounded by:**

- a. the southwesterly service road of the Van Vyck Expressway, a line 100 feet northerly of Hillside Avenue, 135<sup>th</sup> Street, and the northeasterly prolongation of a southeasterly boundary line of Maple grove Cemetery;
- b. a line 100 feet southwesterly of Metropolitan Avenue, a line perpendicular to and passing through a point on the first name course distant 100 feet northwesterly (as measured along the first named course) of Brevoort Street, 84<sup>th</sup> Avenue, and a line 180 feet northwesterly of Brevoort Street; and
- c. 84<sup>th</sup> Avenue, 120<sup>th</sup> Street, a line 150 feet southeasterly of 84<sup>th</sup> Avenue, a line midway between 120<sup>th</sup> Street and Lefferts Boulevard, a line 250 feet northwesterly of 85<sup>th</sup> Avenue, and Lefferts Boulevard;

**20. changing from a C8-1 District to an R4A District property bounded by** a line 100 feet northeasterly of Metropolitan Avenue, 127<sup>th</sup> Street, Metropolitan Avenue, and the southwesterly boundary line of the Long Island Rail Road right-of-way (Main Line);

**21. changing from an M1-1 District to an R5 District property bounded by:**

- a. Metropolitan Avenue, the southerly centerline prolongation of 127<sup>th</sup> Street, the northeasterly boundary line of the Long Island Rail Road right-of-way (Main Line), a line 100 feet northwesterly of Jamaica Avenue, a line 100 feet northeasterly of 127<sup>th</sup> Street, the southwesterly boundary line of the Long Island Rail Road right-of-way (Main Line), Hillside

Avenue, and 126<sup>th</sup> Street; and

- b.** a line 100 feet southeasterly of Jamaica Avenue, a line midway between 129<sup>th</sup> Street and 130<sup>th</sup> Street, a line 300 feet southeasterly of 89<sup>th</sup> Avenue, 126<sup>th</sup> Street, 89<sup>th</sup> Avenue, 123<sup>rd</sup> Street, a line 480 feet southeasterly of Jamaica Avenue, and a line midway between 121<sup>st</sup> Street and 123<sup>rd</sup> Street;
  
- 22. changing from an R4 District to an R6 District property bounded by** Hillside Avenue, Van Wyck Expressway, Jamaica Avenue, 132<sup>nd</sup> Street, a line perpendicular to the northeasterly street line of 131<sup>st</sup> Street distant 330 feet northwesterly (as measured along the street line) from the point of intersection of the northeasterly street line of 131<sup>st</sup> Street and the northwesterly street line of Jamaica Avenue, 130<sup>th</sup> Street, a line perpendicular to the southwesterly street line of 130<sup>th</sup> Street distant 370 feet northwesterly (as measured along the street line) from the point of intersection of the southwesterly street line of 130<sup>th</sup> Street and the northwesterly street line of Jamaica Avenue, a line 100 feet southwesterly of 130<sup>th</sup> Street, a line 100 feet southeasterly of Hillside Avenue, and 130<sup>th</sup> Street;
  
- 23. changing from an R5 District to an R6 District property bounded by:**
  - a.** a line perpendicular to the easterly street line of 127<sup>th</sup> Street distant 210 feet northerly (as measured along the street line) from the point of intersection of the easterly street line of 127<sup>th</sup> Street and the northeasterly street line of Metropolitan Avenue, a line midway between 127<sup>th</sup> Street and 129<sup>th</sup> Street, a line perpendicular to the westerly street line of 129<sup>th</sup> Street distant 240 feet northerly (as measured along the street line) from the point of intersection of the westerly street line of 129<sup>th</sup> Street and the northeasterly street line of Metropolitan Avenue, 129<sup>th</sup> Street, a line 100 feet northeasterly of Metropolitan Avenue, and 127<sup>th</sup> Street;
  
  - b.** a line 100 feet northeasterly of Metropolitan Avenue, a line 100 feet northerly of Hillside Avenue, Van Wyck Expressway, Hillside Avenue, Metropolitan Avenue, and 129<sup>th</sup> Street; and
  
  - c.** Jamaica Avenue, the service road of the Van Wyck Expressway, 89<sup>th</sup> Avenue, a line 150 feet northeasterly of 134<sup>th</sup> Street,

a line 100 feet northwesterly of 89<sup>th</sup> Avenue, and a line 100 feet northeasterly of 134<sup>th</sup> Street;

24. **changing from a C8-1 District to an R6 District property bounded by** a line 100 feet northeasterly of Metropolitan Avenue, 129<sup>th</sup> Street, Metropolitan Avenue, and 127<sup>th</sup> Street;
25. **changing from an M1-1 District to an R6 District property bounded by:**
  - a. Metropolitan Avenue, Hillside Avenue, 130<sup>th</sup> Street, a line 100 feet southeasterly of Hillside Avenue, a line 100 feet southwesterly of 130<sup>th</sup> Street, a line perpendicular to the southwesterly street line of 130<sup>th</sup> Street distant 370 feet northwesterly (as measured along the street line) from the point of intersection of the southwesterly street line of 130<sup>th</sup> Street and the northwesterly street line of Jamaica Avenue, the northeasterly boundary line of the Long Island Rail Road right-of-way (Main Line), and the southerly centerline prolongation of 127<sup>th</sup> Street; and
  - b. a line 100 feet northwesterly of Jamaica Avenue, 132<sup>nd</sup> Street, Jamaica Avenue, and 131<sup>st</sup> Street;
26. **changing from an R3-1 District to an R6A District property bounded by** a line 100 feet northerly and northwesterly of Jamaica Avenue, 117<sup>th</sup> Street, Myrtle Avenue, Jamaica Avenue, Lefferts Boulevard, a line 100 feet southeasterly and southerly of Jamaica Avenue, and 102<sup>nd</sup> Street;
27. **changing from an R5 District to an R6A District property bounded by** a line 100 feet northerly of Jamaica Avenue, a line 100 feet northeasterly of 127<sup>th</sup> Street, Jamaica Avenue, Myrtle Avenue, Hillside Avenue, and the northeasterly boundary line of the Long Island Rail Road right-of-way (Montauk Division);
28. **changing from an C8-1 District to an R6A District property bounded by** a line 100 feet northwesterly of Jamaica Avenue, 102<sup>nd</sup> Street, a line 100 feet southeasterly of Jamaica Avenue, a line 100 feet southwesterly of 102<sup>nd</sup> Street, Jamaica Avenue, and 101<sup>st</sup> Street;
29. **changing from an M1-1 District to an R6A District property bounded**

**by:**

- a.** a line 100 feet northwesterly of Jamaica Avenue, the northeasterly boundary line of the Long Island Rail Road right-of-way (Main Line), Jamaica Avenue, a line midway between 129<sup>th</sup> Street and 130<sup>th</sup> Street, a line 100 feet southeasterly of Jamaica Avenue, 121<sup>st</sup> Street, Jamaica Avenue, and a line 100 feet northeasterly of 127<sup>th</sup> Street;
- b.** Jamaica Avenue, the northeasterly boundary line of the Long Island Road right-of-way (Montauk Division), a line 100 feet southeasterly of Jamaica Avenue, and Lefferts Boulevard; and
- c.** Park Lane South, 101<sup>st</sup> Street (southwesterly portion), 85<sup>th</sup> Road, 101<sup>st</sup> Street, the southwesterly prolongation of the northwesterly street line of 85<sup>th</sup> Drive, and the northeasterly boundary line of the Long Island Rail Road right-of-way (Rockaway Beach Division);

**30. changing from an R2 District to an R6B District property bounded by:**

- a.** 85<sup>th</sup> Avenue, 118<sup>th</sup> Street, a line perpendicular to the northeasterly street line of Babbage Street distant 100 feet southeasterly (as measured along the street line) from the point of intersection of the northeasterly street line of Babbage Street and the northeasterly street line of 117<sup>th</sup> Street, and a line midway between 117<sup>th</sup> Street and 118<sup>th</sup> Street; and
- b.** a line perpendicular to the northeasterly street line of 116<sup>th</sup> Street distant 150 feet northwesterly (as measured along the street line) from the point of intersection of the northeasterly street line of 116<sup>th</sup> Street and the northeasterly street line of Myrtle Avenue, a line 100 feet northeasterly of 116<sup>th</sup> Street, a line perpendicular to the northeasterly street line of 116<sup>th</sup> Street distant 100 feet northwesterly (as measured along the street line) from the point of intersection of the northeasterly street line of 116<sup>th</sup> Street and the northeasterly street line of Myrtle Avenue, and 116<sup>th</sup> Street;

**31. changing from an R3-1 District to an R6B District property bounded by:**

- a.** a line 250 feet northwesterly of 85<sup>th</sup> Avenue, a line 100 feet southwesterly of 121<sup>st</sup> Street, 85<sup>th</sup> Avenue, and a line midway between 120<sup>th</sup> Street and Lefferts Boulevard; and
- b.** Myrtle Avenue, 117<sup>th</sup> Street, a line 100 feet northwesterly of Jamaica Avenue, and a line midway between 115<sup>th</sup> Street and 116<sup>th</sup> Street;

**32. changing from an R5 District to an R6B District property bounded by:**

- a.** Beverly Road, a line perpendicular to the northeasterly street line of Abingdon Road distant 150 feet southeasterly (as measured along the street line) from the point of intersection of the northeasterly street line of Abingdon Road and the southeasterly street line of Lefferts Boulevard, a line midway between Abingdon Road and Metropolitan Avenue, Brevoort Street, Metropolitan Avenue, 85<sup>th</sup> Avenue, a line 100 feet southwesterly of 125<sup>th</sup> Street, a line 100 feet southwesterly of Metropolitan Avenue, a line 180 feet northwesterly of Brevoort Street, 84<sup>th</sup> Avenue, and Lefferts Boulevard; and
- b.** 84<sup>th</sup> Avenue, Lefferts Boulevard, a line 250 feet northwesterly of 85<sup>th</sup> Avenue, a line midway between 120<sup>th</sup> Street and Lefferts Boulevard, 85<sup>th</sup> Avenue, a line 100 feet southwesterly of 121<sup>st</sup> Street, Hillside Avenue, 120<sup>th</sup> Street, a line 220 feet northwesterly of Hillside Avenue, a line midway between 120<sup>th</sup> Street and Lefferts Boulevard, a line 100 feet northwesterly of Hillside Avenue, Lefferts Boulevard, a line 100 feet northwesterly of Jamaica Avenue, the northeasterly boundary line of the Long Island Rail Road right-of-way (Montauk Division), Hillside Avenue, Myrtle Avenue, 116<sup>th</sup> Street, a line perpendicular to the northeasterly street line of 116<sup>th</sup> Street distant 100 feet northwesterly (as measured along the street line) from the point of intersection of the northeasterly street line of 116<sup>th</sup> Street and the northeasterly street line of Myrtle Avenue, a line 100 feet northeasterly of 116<sup>th</sup> Street, a line



perpendicular to the northeasterly street line of 116<sup>th</sup> Street distant 150 feet northwesterly (as measured along the street line) from the point of intersection of the northeasterly street line of 116<sup>th</sup> Street and the northeasterly street line of Myrtle Avenue, a line midway between 117<sup>th</sup> Street and 118<sup>th</sup> Street, a line perpendicular to the northeasterly street line of Babbage Street distant 100 feet southeasterly (as measured along the street line) from the point of intersection of the northeasterly street line of Babbage Street and the northeasterly street line of 117<sup>th</sup> Street, 118<sup>th</sup> Street, a line 200 feet southeasterly of 84<sup>th</sup> Avenue, and a line midway between 118<sup>th</sup> Street and Lefferts Boulevard;

- 33. changing from an R7-1 District to an R6B District property bounded by** Cuthbert Road, Brevoort Street, Beverly Road, a line perpendicular to the northeasterly street line of Beverly Road distant 210 feet northwesterly (as measured along the street line) from the point of intersection of the northeasterly street line of Beverly Road and the northwesterly street line of Brevoort Street, a line midway between Cuthbert Road and Beverly Road, a line perpendicular to the northeasterly street line of Beverly Road distant 115 feet southeasterly (as measured along the street line) from the point of intersection of the northeasterly street line of Beverly Road and the southeasterly street line of Lefferts Boulevard, Beverly Road, and Lefferts Boulevard;
- 34. changing from an R7-1 District to an R7A District property bounded by:**
- a.** Talbot Street and its northwesterly centerline prolongation, 125<sup>th</sup> Street and its southerly centerline prolongation, the southwesterly boundary line of the Long Island Rail Road right-of-way (Main Line), a line 275 feet southeasterly of Lefferts Boulevard, Austin Street, Mowbray Drive, a line 100 feet northeasterly of Austin Street, and a line midway between Mowbray Drive and Lefferts Boulevard; and
  - b.** a line 100 feet northeasterly of Metropolitan Avenue, Audley Street, a line 150 feet northeasterly of Metropolitan Avenue, 83<sup>rd</sup> Avenue, a line 100 feet northeasterly of Metropolitan Avenue, Lefferts Boulevard, 84<sup>th</sup> Avenue, a line midway between 115<sup>th</sup> Street and 116<sup>th</sup> Street, a line perpendicular the

southwesterly street line of 116<sup>th</sup> Street distant 230 feet northwesterly (as measured along the street line) from the point of intersection of the southwesterly street line of 116<sup>th</sup> Street and the northwesterly street line of 84<sup>th</sup> Avenue, 116<sup>th</sup> Street, a line 120 feet northerly of Grosvenor Road, and Park Lane South;

35. **changing from an R5 District to a C4-4 District property bounded by:**
  - a. Kew Gardens Road, 81<sup>st</sup> Avenue, a line 50 feet southwesterly of Kew Gardens Road, and 80<sup>th</sup> Road; and
  - b. a line 150 feet southwesterly of Queens Boulevard, a line 150 feet northeasterly of Kew Gardens Road, 82<sup>nd</sup> Avenue, Kew Gardens Road, and a line perpendicular the northeasterly street line of Kew Gardens Road distant 350 feet southeasterly (as measured along the street line) from the point of intersection of the northeasterly street line of Kew Gardens Road and the southeasterly street line of 80<sup>th</sup> Road;
36. **changing from an R3-1 District to a C8-1 District property bounded by** a line 240 feet northwesterly of Jamaica Avenue, 101<sup>st</sup> Street, a line 100 feet northwesterly of Jamaica Avenue, and the northeasterly boundary line of the Long Island Rail Road right-of-way (Rockaway Beach Division);
37. **establishing within a proposed R2 District a C1-3 District bounded by** Crenfell Street, Lefferts Boulevard, a line 100 feet northeasterly of Metropolitan Avenue, a line 100 feet northwesterly of Lefferts Boulevard, a line 100 feet southwesterly of Crenfell Street, and a line midway between Audley Street and 83<sup>rd</sup> Avenue;
38. **establishing within a proposed R4-1 District a C1-3 District bounded by** Austin Street, a line 275 feet southeasterly of Lefferts Boulevard, the northeasterly boundary line of the Long Island Rail Road right-of-way (Mail Line), a line 100 feet southeasterly of Lefferts Boulevard, Cuthbert Road, Lefferts Boulevard, Crenfell Street, and a line 150 feet northwesterly of Lefferts Boulevard;
39. **establishing within a proposed R5 District a C1-3 District bounded** Metropolitan Avenue, the southwesterly boundary line of the Long

Island Rail Road right-of-way (Mail Line), Hillside Avenue, and 126<sup>th</sup> Street;

**40. establishing within a proposed R6B District a C1-3 District bounded by:**

- a.** Cuthbert Road, a line perpendicular to the northeasterly street line of Beverly Road distant 115 feet southeasterly (as measured along the street line) from the point of intersection of the northeasterly street line of Beverly Road and the southeasterly street line of Lefferts Boulevard, Beverly Road, and Lefferts Boulevard;
- b.** a line midway between Abingdon Road and Metropolitan Avenue, a line perpendicular to the northeasterly street line of Abingdon Road distant 125 feet southeasterly (as measured along the street line) from the point of intersection of the northeasterly street line of Abingdon Road and the southeasterly street line of Lefferts Boulevard, Metropolitan Avenue, a line 250 feet southeasterly of Lefferts Boulevard, a line 100 feet southwesterly of Metropolitan Avenue, and Lefferts Boulevard; and
- c.** Metropolitan Avenue, a line perpendicular to the southwesterly street line of Metropolitan Avenue distant 250 feet southeasterly (as measured along the street line) from the point of intersection of the southwesterly street line of Metropolitan Avenue and the northeasterly street line of 124<sup>th</sup> Street; a line 100 feet southwesterly of Metropolitan Avenue, and 124<sup>th</sup> Street;

**41. establishing within a proposed R7A District a C1-3 District bounded by:**

- a.** a line 150 feet northeasterly of Metropolitan Avenue, 83<sup>rd</sup> Avenue, a line 100 feet northeasterly of Metropolitan Avenue, a line 250 feet southeasterly of 83<sup>rd</sup> Avenue, Metropolitan Avenue, 118<sup>th</sup> Street, a line perpendicular to the southwesterly street line of 118<sup>th</sup> Street distant 200 feet southeasterly (as measured along the street line) from the point of intersection of the southwesterly street line of 118<sup>th</sup>

Street and the southwesterly street line of Metropolitan Avenue, a line 200 feet southwesterly of 118<sup>th</sup> Street, a line 100 feet southwesterly of Metropolitan Avenue, 116<sup>th</sup> Street, and Audley Street; and

- b.** a line 100 feet northeasterly of Metropolitan Avenue, Lefferts Boulevard, a line 100 feet southwesterly of Metropolitan Avenue, and a line 150 feet northwesterly of Lefferts Boulevard;
- 42. establishing within an existing R4 District a C2-3 District bounded by Jamaica Avenue, a line 100 feet northeasterly of 134<sup>th</sup> Street, a line 150 feet southeasterly of Jamaica Avenue, and 133<sup>rd</sup> Street;**
- 43. establishing within a proposed R5 District a C2-3 District bounded by the northeasterly boundary line of the Long Island Rail Road right-of-way (Main Line), a line 100 feet northwesterly of Jamaica Avenue, and a line 100 feet northeasterly of 127<sup>th</sup> Street;**
- 44. establishing within a proposed R6 District a C2-3 District bounded a line 100 feet northeasterly of Metropolitan Avenue, a line 100 feet northerly of Hillside Avenue, the southwesterly service road of the Van Wyck Expressway, Hillside Avenue, 136<sup>th</sup> Street, Kew Gardens Road, Hillside Avenue, a line perpendicular to the northeasterly street line of Metropolitan Avenue distant 300 feet southeasterly (as measured along the street line) from the point of intersection of the northeasterly street line of Metropolitan Avenue and the easterly street line of 131<sup>st</sup> Street, Metropolitan Avenue, a line 150 feet northwesterly of Van Wyck Expressway, Kew Gardens Road, the southwesterly service road of the Van Wyck Expressway, 89<sup>th</sup> Avenue, a line 150 feet northeasterly of 134<sup>th</sup> Street, a line 100 feet northwesterly of 89<sup>th</sup> Avenue, a line 100 feet northeasterly of 134<sup>th</sup> Street, Jamaica Avenue, 131<sup>st</sup> Street, a line 100 feet northwesterly of Jamaica Avenue, 132<sup>nd</sup> Street, Metropolitan Avenue, 131<sup>st</sup> Street, a line perpendicular to the northeasterly street line of 131<sup>st</sup> Street distant 330 feet northwesterly (as measured along the street line) from the point of intersection of the northeasterly street line of 131<sup>st</sup> Street and the northwesterly street line of Jamaica Avenue, 130<sup>th</sup> Street, a line 100 feet southeasterly of Hillside Avenue, the northeasterly boundary line of the Long Island Rail Road right-of-way (Main Line), Hillside Avenue, Metropolitan Avenue, and 127<sup>th</sup> Street;**

45. **establishing within a proposed R6A District a C2-3 District bounded by** the northeasterly boundary line of the Long Island Rail Road right-of-way (Main Line), Jamaica Avenue, a line 100 feet northeasterly of 127<sup>th</sup> Street, and a line 100 feet northwesterly of Jamaica Avenue;
46. **establishing within an existing R3-1 District a C2-4 District bounded by:**
  - a. a line 100 feet southeasterly of Jamaica Avenue, Lefferts Boulevard, a line 150 feet southeasterly of Jamaica Avenue, and 118<sup>th</sup> Street; and
  - b. a line 100 feet southeasterly of Jamaica Avenue, 116<sup>th</sup> Street, a line 200 feet southeasterly of Jamaica Avenue, and 115<sup>th</sup> Street;
47. **establishing within a proposed R3X District a C2-4 District bounded by** Myrtle Avenue, a line midway between 115<sup>th</sup> Street and 116<sup>th</sup> Street, a line 100 feet southerly of Myrtle Avenue, and 115<sup>th</sup> Street;
48. **establishing within a proposed R4-1 District a C2-4 District bounded by** Hillside Avenue, a line midway between 120<sup>th</sup> Street and Lefferts Boulevard, a line 100 feet northwesterly of Jamaica Avenue, and Lefferts Boulevard;
49. **establishing within a proposed R6A District a C2-4 District bounded by** a line 100 feet northerly and northwesterly of Jamaica Avenue, 117<sup>th</sup> Street, Hillside Avenue, the northeasterly boundary line of the Long Island Rail Road right-of-way (Montauk Division), a line 100 feet northwesterly of Jamaica Avenue, a line 100 feet northeasterly of 127<sup>th</sup> Street, Jamaica Avenue, 129<sup>th</sup> Street, a line 100 feet southeasterly of Jamaica Avenue, 121<sup>st</sup> Street, Jamaica Avenue, the northeasterly boundary line of the Long Island Rail Road right-of-way (Montauk Division), a line 100 feet southeasterly and southerly of Jamaica Avenue, a line 100 feet southwesterly of 102<sup>nd</sup> Street, Jamaica Avenue, and 101<sup>st</sup> Street; and
50. **establishing within a proposed R6B District a C2-4 District bounded by:**
  - a. 118<sup>th</sup> Street, Babbage Street, a line midway between 117<sup>th</sup>

Street and 118<sup>th</sup> Street, and a line perpendicular to the northeasterly street line of Babbage Street distant 100 feet southeasterly (as measured along the street line) from the point of intersection of the northeasterly street line of Babbage Street and the northeasterly street line of 117<sup>th</sup> Street; and

- b.** Bessemer Street, Hillside Avenue, 117<sup>th</sup> Street, a line 100 feet northwesterly of Jamaica Avenue, a line midway between 115<sup>th</sup> Street and 116<sup>th</sup> Street, Myrtle Avenue, 116<sup>th</sup> Street, and a line perpendicular to the northeasterly street line of 116<sup>th</sup> Street distant 150 feet northwesterly (as measured along the street line) from the point of intersection of the northeasterly street line of 116<sup>th</sup> Street and the northeasterly street line of Myrtle Avenue;

as shown on a diagram (for illustrative purposes only) dated November 1, 2004, and subject to the conditions of CEQR Declaration E-140 .

(On December 22, 2004, Cal. No. Supplemental Cal. No. 1, the Commission scheduled January 5, 2005 for a public hearing which has been duly advertised.)

**Close the hearing.**

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**BOROUGH OF STATEN ISLAND**

**No. 16**

***LEMON CREEK SEWER EASEMENTS***

**CD 3**

**C 050029 PCR**

**PUBLIC HEARING:**

**IN THE MATTER OF** an application submitted by the Department of Environmental Protection and the Department of Citywide Administrative Services pursuant to Section 197-c of the New York City Charter for site selection and acquisition of : sewer easements located at Seguine Avenue between Mc Gregor and Knox streets (Block 6712, parts of lots 122 and 125), Oswald Place between Elizabeth and Seguine avenues (Block 6712, part of lot 84), Hanover Avenue, Inez Street and Hylan Boulevard (Block 6700, parts of lots 41 and 42; Block 6705, part of lot 88); and the bed of Trenton Court between Drenzo Court and Hanover Avenue, to facilitate the construction of sanitary and storm sewers.

(On December 22, 2004, Cal. No. 7, the Commission scheduled January 5, 2005 for a public hearing which has been duly advertised.)

**Close the hearing.**

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**No. 17**

***SWEET BROOK BLUE BELT***

**CD 3**

**C 050067 PCR**

**PUBLIC HEARING:**

**IN THE MATTER OF** an application submitted by the Department of Environmental Protection and the Department of Citywide Administrative Services pursuant to Section 197-c of the New York City Charter for site selection and acquisition of properties generally bounded by Annadale Road, Grantwood and Wolcott avenues, and Drumgoole Road East (Block 5658, Lots 1, 14, 60, 101, and 105); the bed of Orchard Street from Grantwood

Avenue to Filer Street; and the bed of Filer Street from Grantwood Avenue to Wolcott Avenue, for the storage and conveyance of storm water.

On December 22, 2004, Cal. No. 8, the Commission scheduled January 5, 2005 for a public hearing which has been duly advertised.)

**Close the hearing.**

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### III. REPORTS

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#### BOROUGH OF THE BRONX

No. 18

#### *PORT MORRIS REZONING*

CD 1

C 050120 ZMX

**IN THE MATTER OF** an application submitted by the Department of City Planning pursuant to Sections 197-c and 201 of the New York City Charter **for an amendment of the Zoning Map, Section Nos. 6a and 6b:**

1. **changing from an R6 District to an M1-2/R6A District property bounded by** the northeasterly boundary line of a Park, the northwesterly centerline prolongation of East 134<sup>th</sup> Street, Bruckner Boulevard (Triborough Bridge Approach), East 133<sup>rd</sup> Street, Cypress Place, Bruckner Boulevard, St. Ann's Place, and the southeasterly centerline prolongation of East 134<sup>th</sup> Street;
2. **changing from an M1-2 District to an M1-2/R6A District property bounded by:**
  - a. East 134<sup>th</sup> Street, St. Ann's Place, Bruckner Boulevard, Cypress Place, East 133<sup>rd</sup> Street, Bruckner Boulevard, and Brown Place; and
  - b. East 134<sup>th</sup> Street, a line 280 feet northwesterly of Willow Avenue, a line 100 feet northeasterly of East 133<sup>rd</sup> Street, a line 80 feet northwesterly of Willow Avenue, East 133<sup>rd</sup> Street, Bruckner Boulevard (Triborough Bridge Approach);
3. **changing from an M1-2 District to an M1-5/R8A District property bounded by** Bruckner Boulevard, St. Ann's Avenue, East 132<sup>nd</sup> Street, and Lincoln Avenue;

4. **changing from an M3-1 District to an M1-5/R8A District property bounded by** East 132<sup>nd</sup> Street, a line perpendicular to the southwesterly street line of East 132<sup>nd</sup> Street, distant 370 feet southeasterly (as measured along the street line) from the point of intersection of the southwesterly street line of East 132<sup>nd</sup> Street and the southeasterly street line of Willis Avenue Bridge, a line 210 feet southwesterly of East 132<sup>nd</sup> Street, and Willis Avenue Bridge; and
  
5. **changing from an M2-1 District to an M1-3/R8 District property bounded by** East 135<sup>th</sup> Street, the southwesterly centerline prolongation of Rider Avenue, Major Deegan Expressway, Third Avenue Bridge Approach, Bruckner Boulevard, Lincoln Avenue and its southwesterly centerline prolongation, the U.S. Pierhead and Bulkhead Line, and Park Avenue and its southwesterly centerline prolongation; and
  
6. **establishing a Special Mixed Use District (MX-1) bounded by** East 135<sup>th</sup> Street, the southwesterly centerline prolongation of Rider Avenue, Major Deegan Expressway, Third Avenue Bridge Approach, Bruckner Boulevard, Brown Place, East 134<sup>th</sup> Street, the northerly boundary line of a Park, East 134<sup>th</sup> Street and its northwesterly centerline prolongation, a line 280 northwesterly of Willow Avenue, a line 100 feet northeasterly of East 133<sup>rd</sup> Street, a line 80 northwesterly of Willow Avenue, East 133<sup>rd</sup> Street, Bruckner Boulevard, St. Ann's Avenue, East 132<sup>nd</sup> Street, a line perpendicular to the southwesterly street line of East 132<sup>nd</sup> Street, distant 370 feet southeasterly (as measured along the street line) from the point of intersection of the southwesterly street line of East 132<sup>nd</sup> Street and the southeasterly street line of Willis Avenue Bridge, a line 210 feet southwesterly of East 132<sup>nd</sup> Street, Willis Avenue Bridge, East 132<sup>nd</sup> Street, and Lincoln Avenue, and its southwesterly centerline prolongation, the U.S. Pierhead and Bulkhead Line, and Park Avenue and its southwesterly centerline prolongation;

tion;

as shown on a diagram (for illustrative purposes only) dated October 4, 2004.

(On November 17, 2004, Cal. No. 1, the Commission scheduled December 8, 2004 for a public hearing. On December 8, 2004, Cal. No. 3, the hearing was closed.)

**For consideration.**

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**BOROUGH OF BROOKLYN**

**No. 19**

***RESTAURANT 101***

**CD 10**

**C 040251 ZMK**

**IN THE MATTER OF** an application submitted by Maria Louisa Restaurant, Inc. pursuant to Sections 197-c and 201 of the New York City Charter for **an amendment of the Zoning Map, Section No. 22b, establishing within an existing R6 District a C1-2 District bounded by 100<sup>th</sup> Street, 4<sup>th</sup> Avenue, 101<sup>st</sup> Street, and a line 100 feet northwesterly of 4<sup>th</sup> Avenue, within the Special Bay Ridge District, as shown on a diagram (for illustrative purposes only) dated August 9, 2004.**

(On November 17, 2004, Cal. No. 2, the Commission scheduled December 8, 2004 for a public hearing. On December 8, 2004, Cal. No. 4, the hearing was closed.)

**For consideration.**

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**BOROUGH OF MANHATTAN**

**Nos. 20 and 21**

***JOHN JAY COLLEGE***

**No. 20**

**CD 4**

**C 050002 ZSM**

**IN THE MATTER OF** an application submitted by the Dormitory Authority of the State of New York pursuant to Sections 197-c and 201 of the New York City Charter for **the grant of a special permit** pursuant to:

1. Section 74-743(a)(1) of the Zoning Resolution to allow the distribution of floor area without regard for zoning district boundaries;
2. Section 74-743(a)(2) of the Zoning Resolution to modify the height and setback regulations of Section 33-40 (HEIGHT AND SETBACK REGULATIONS); and
3. Section 74-744(c) of the Zoning Resolution to modify the sign regulations of Section 32-60 (SIGN REGULATIONS);

to facilitate the enlargement of an existing community facility use on property bounded by West 58<sup>th</sup> Street, Tenth Avenue, West 59<sup>th</sup> Street and Eleventh Avenue (Block 1087, Lots 1, 5 and 25), within a general large scale development, in C2-7, C4-7 and C6-2 Districts, partially within the Special Clinton District.

Plans for this proposal are on file with the City Planning Commission and may be seen in Room 3N, 22 Reade Street, New York, N.Y. 10007.

(On November 17, 2004, Cal. No. 3, the Commission scheduled December 8, 2004 for a public hearing. On December 8, 2004, Cal. No. 5, the hearing was closed.)

**For consideration.**

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**No. 21**

**CD 4**

**C 050003 ZSM**

**IN THE MATTER OF** an application submitted by the Dormitory Authority of the State of New York pursuant to Sections 197-c and 201 of the New York City Charter for **the grant of a special permit** pursuant to Section 74-681(a)(1) of the Zoning Resolution **to allow portions of a railroad right-of-way which will be completely covered over by a permanent platform to be included in the lot area to facilitate the enlargement of an existing community facility use on property bounded by West 58<sup>th</sup> Street, Tenth Avenue, West 59<sup>th</sup> Street and Eleventh Avenue** (Block 1087, Lots 1, 5 and 25), within a general large scale development, in C2-7, C4-7 and C6-2 Districts, partially within the Special Clinton District.

Plans for this proposal are on file with the City Planning Commission and may be seen in Room 3N, 22 Reade Street, New York, N.Y. 10007.

(On November 17, 2004, Cal. No. 4, the Commission scheduled December 8, 2004 for a public hearing. On December 8, 2004, Cal. No. 6, the hearing was closed.)

**For consideration.**

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**BOROUGH OF QUEENS**

**No. 22**

***OFFICE SPACE***

**CD 12**

**N 050205 PXQ**

**IN THE MATTER OF a Notice of Intent to Acquire Office Space** submitted by the Department of Citywide Administrative Services, pursuant to Section 195 of the New York City Charter for use of property located **at 88-11 165<sup>th</sup> Street** (Block 9815, Lot 56) ( Human Resources Administration and Administration for Children's Services offices).

(On December 9, 2004, the Commission duly advertised December 22, 2004 for a public hearing. On December 22, 2004, Cal. No. 10, the hearing was closed.)

**For consideration.**

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**BOROUGH OF STATEN ISLAND**

**No. 23**

***CLOVE LAKE REZONING***

**CD 1**

**C 040410 ZMR**

**IN THE MATTER OF** an application submitted by Clove Lake Civic Association pursuant to Sections 197-c and 201 of the New York City Charter for **an amendment of the Zoning Map, Section No. 21b:**

- 1. changing from an R3X District to an R1-1 District property bounded by** Martling Avenue, Slosson Avenue, the southerly boundary line of a New York State Armory and its easterly and westerly prolongations, and Manor Road;
- 2. changing from an R3X District to an R2 District property bounded by:**
  - a. the southerly boundary line of a New York State Armory and its easterly and westerly prolongations, Slosson Avenue, Ellsworth Place and its westerly centerline prolongation, a line 100 feet westerly of Fairview Avenue, a line midway between Governor Road and Dongan Avenue and its easterly prolongation, and Manor Road; and
  - b. a line 150 feet southeasterly of Victory Boulevard, Seneca Avenue, Niagara Street, a line 150 feet southwesterly of Clove Road, Genesee Street, Clove Road, Schoharie Street, Cayuga Avenue, Oswego Street, a line midway between Logan Avenue and Ontario Avenue, a line 400 feet northwesterly of Oswego Street, Logan Avenue, Schoharie Street, and Ontario Avenue;
- 3. changing from an R3X District to an R3-1 District property bounded by** a line 400 feet northwesterly of Oswego Street, a line midway between Ontario Avenue and Logan Avenue, Oswego Street, and Logan Avenue;
- 4. changing from an R3-1 District to an R2 District property bounded by** Ellsworth Place and its westerly centerline prolongation, Slosson Avenue, a line midway between Ellsworth Place and Victory Boulevard, Fairview Avenue, Victory Boulevard, Slosson Avenue, a line 230 feet southerly of Victory Boulevard, a line perpendicular to the southerly street line of Victory Boulevard distant 240 feet from the intersection of the southerly street line of Victory Boulevard and the easterly street line of Slosson Avenue, Victory Boulevard, the southerly centerline prolongation of Brenton Place, a line 100 feet northerly of Windsor Road (straight line portion) and its easterly prolongation, a westerly boundary line of a park and its northerly prolongation, Victory Boulevard, Clove

Road, Genesee Street, a line 150 feet southwesterly of Clove Road, Niagara Street, Seneca Avenue, a line 150 feet southeasterly of Victory Boulevard, Ontario Avenue, Schoharie Street, Logan Avenue, a line 400 feet northwesterly of Oswego Street, a line midway between Renwick Avenue and Labau Avenue, Oswego Street, Renwick Avenue, Little Clove Road, the southwesterly street line prolongation of the southeasterly street line of Bristol Avenue, a northerly boundary line of a park, the westerly boundary line of a park and its southerly prolongation, Staten Island Expressway, a line 140 feet westerly of Manor Road, a line 100 feet southerly of Garden Street, Manor Road, Victory Boulevard, and Hodges Place;

5. **changing from an R2 District to an R1-2 District property bounded by** a southerly boundary line of Clove Lakes Park and its westerly prolongation, a westerly boundary line of Clove Lakes Park, a line 100 feet northerly of Victory Boulevard, Slosson Avenue, a line 185 feet southerly of Sanford Place, a line 150 feet westerly of Brenton Place, Sanford Place, a line 200 feet westerly of Royal Oak Road, Rice Avenue, and Slosson Avenue; and
6. **changing from an R3-1 District to an R1-2 District property bounded by** a line 100 feet northerly of Victory Boulevard, the westerly boundary line of Clove Lakes Park and its southerly prolongation, Victory Boulevard, a westerly boundary line of a park and its northerly prolongation, a line 100 feet northerly of Windsor Road (straight line portion) and its easterly prolongation, the southerly centerline prolongation of Brenton Place, Victory Boulevard, a line perpendicular to the southerly street line of Victory Boulevard distant 240 feet from the intersection of the southerly street line of Victory Boulevard and the easterly street line of Slosson Avenue, a line 230 feet southerly of Victory Boulevard, Slosson Avenue, Victory Boulevard, Fairview Avenue, a line midway between Ellsworth Place and Victory Boulevard, and Slosson Avenue;

as shown on a diagram (for illustrative purposes only) dated October 18, 2004.

On December 8, 2004, Cal. No. 2, the Commission scheduled December 22, 2004 for a public hearing. On December 22, 2004, Cal. No. 11, the hearing was closed.)

**For consideration.**

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**CITY WIDE**

**No. 24**

***NATURAL AREA TEXT AMENDMENT***

**Citywide**

**N 050093 ZRY**

**PUBLIC HEARING:**

**IN THE MATTER OF** an application submitted by the Department of City Planning, pursuant to Section 201 of the New York City Charter, for amendments to the Zoning Resolution of the City of New York, relating to Article X Chapter 5 (Special Natural Area District).

Matter **Underlined** is new, to be added;

Matter in **~~Strikeout~~** is old, to be deleted;

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

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

**12-10**

**DEFINITIONS**

**Special Mixed Use District (12/10/97)**

146

\* \* \*

**Special Natural Area District (~~12/19/74~~)**

The "Special Natural Area District" is a Special Purpose District designated by the letters "NA" in which special regulations set forth in Article X, Chapter 5, apply to ~~#developments# or #site alterations#~~. The ~~#Special Natural Area District#~~ appears on the ~~#zoning maps#~~ superimposed on other districts, and its regulations supplement or modify those of the districts on which it is superimposed. The ~~#Special Natural Area District#~~ includes any district whose designation begins with the letters "NA<sub>1</sub>":

~~#Special Natural Area Districts#~~ may be mapped only in areas where outstanding ~~#natural features#~~ or areas of natural beauty are to be protected. The preservation of such areas is important because they contain areas of special ecological significance, interesting geological formations and rock outcrops, unique aquatic features such as tidal wetlands, unique topographic features such as palisades, valleys and hills, important



plant life such as glaciated oak-chestnut forests or because they serve as habitats for native flora and fauna. A #Special Natural Area District# may include one or more #natural features#.

A #public park# may be included in a #Special Natural Area District# only where it is part of a designated larger natural ecological system.

**Special Northside Mixed Use District (3/18/76)**

\* \* \*

~~12/19/74~~

**Article X - Special Purpose Districts**

**Chapter 5  
Special Natural Area District**

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~~12/19/74~~

## **Chapter 5**

### **Special Natural Area District**

#### **105-00**

#### **GENERAL PURPOSES**

The "Special Natural Area District" (hereinafter also referred to as the "Special District"), established in this Resolution, is designed to promote and protect public health, safety and general welfare. These general goals include, among others, the following specific purposes:

- (a) to guide development in areas of outstanding natural beauty in order to protect, maintain and enhance the natural features of such areas;
- (b) to preserve land having qualities of exceptional recreational or educational value to the public;
- (c) to protect aquatic, biologic, botanic, geologic and topographic features having ecological and conservation values and functions;
- (d) to ~~limit erosion associated with development by conservation of vegetation and protection of natural terrain~~ reduce hillside erosion, landslides and excessive storm water runoff associated with development by conserving vegetation and

protecting natural terrain; and

- (e) to preserve hillsides having unique aesthetic value to the public; and
- (ef) to promote the most desirable use of land and the direction of building development in accordance with a well-considered plan, to promote stability of residential development, to promote the character of the district and its peculiar suitability for particular uses, to conserve the value of land and buildings; and thereby to protect the City's tax revenues.

12/19/74

### **105-01 Definitions**

Definitions specially applicable to this Chapter are set forth in this Section. The definitions of other defined terms are set forth in Section 12-10 (DEFINITIONS).

#### Area of no disturbance

An "area of no disturbance" is an area designated on the site plan that is protected from all types of intrusion, including: #site alteration#, operation of construction equipment, storage of construction materials, excavation or regrading, tunneling for utilities, removal of trees,

#topsoil# or any living vegetation, or construction of driveways, #private roads#, parking areas, patios, decks, swimming pools, walkways or other impervious surfaces. #Areas of no disturbance# shall include #steep slopes#, #steep slope buffers# and the #critical root zone# of each tree proposed for preservation.

#### Average percent of slope

The "average percent of slope" of a #zoning lot# is the average slope of all portions of a #zoning lot# excluding #steep slopes# and shall be determined according to the following equation:

$$S = \frac{IL}{A} \times 100$$

Where:

S - average percent of slope

I - contour interval in feet

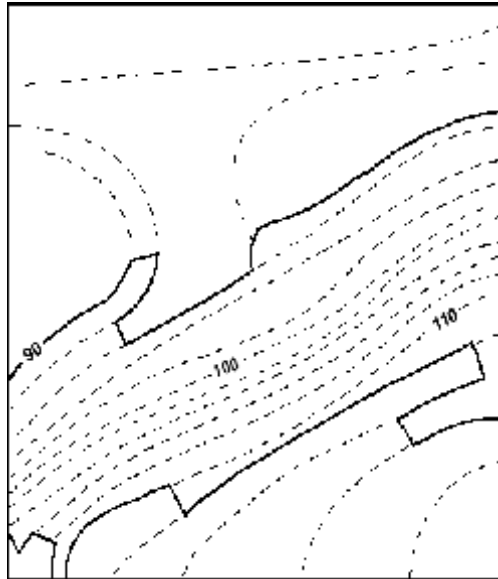
L - combined length of contour lines in feet, excluding those portions bordering or lying within areas having a slope of 25 percent or greater and meeting the definition of #steep slope#

A - gross area in square feet of the #zoning lot#, excluding those portions of the #zoning lot# having a slope of 25 percent or greater and meeting the definition of #steep slope#

100 - factor which yields slope as a percentage

CALCULATING AREAS HAVING  
A SLOPE EQUAL TO OR GREATER THAN 25 PERCENT  
ILLUSTRATIVE EXAMPLE

Example:



$$x = \frac{\text{contour interval in feet}}{0.25} = \frac{2}{0.25} = 8.0 \text{ feet}$$

Where:

X - distance between contour lines which indicates a slope of 25 percent

In order to calculate the area having a slope equal to or greater than 25 percent, one can use a map with two-foot contour intervals and a scale of one inch equals 20 feet, such as the map pictured here. A 25 percent slope, on a map with two-foot contour intervals, is indicated by contour lines that are 8.0 feet apart, rounded to the nearest tenth (0.1) of a foot. On a map whose scale is one inch to 20 feet, 8.0 feet is represented by 0.4 of an inch, rounded to the nearest tenth (0.1) of an inch. Identify where the contour lines are 0.4 of an inch or less apart. Connect these contour lines (as indicated by the heavy lines on the map) and calculate the area.

Buildable area

A "buildable area" is a portion of a #zoning lot# excluding #steep slopes#.

Caliper (of a tree)

"Caliper" of a tree is the diameter of a tree trunk measured 4 feet, 6 inches from the ground. If a tree splits into multiple trunks below 4 feet, 6 inches from the ground, the trunk is measured at its most narrow point beneath the split.

Critical root zone

The "critical root zone" of a tree is the area containing the roots of a tree that must be maintained and protected to ensure the tree's survival. The area of the #critical root zone# is measured as one radial foot for every #caliper# inch of the tree, with a required minimum of four radial feet and maximum of 22 radial feet, measured from the surface of the tree trunk at grade.

Development

For the 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#, the #use# of a tract of land for a new #use#, or an #enlargement# of a non-#residential# building or portion thereof.

To "develop" is to create a #development#.

Hillside

A "hillside" is ground where the ratio of change in elevation to horizontal distance results in a 10 percent or greater slope or #average percent of slope#.

Natural feature

A "natural feature" is a specific natural feature belonging to one of the types listed in Section 105-10 (NATURAL FEATURES) and existing within a #Special Natural Area District#.

#### Site alteration

A "site alteration" is an alteration on any vacant tract of land, #land with minor improvements# or any tract of land containing ~~non-#residential #buildings or other structures#~~ which includes land contour work, topographic modifications, removal of top soil, vegetation, excavating, filling, dumping, changes in existing drainage systems, improvements in public rights-of-way, relocation of erratic boulders or modification of any other #natural features#, whether or not a permit is required from the Department of Buildings, the Department of Transportation or other public agencies.

~~In all #Special Natural Area Districts# other than the NA-3 District, the requirements set forth herein shall not apply to any #site alteration# on a #zoning lot# of less than 40,000 square feet containing #residential buildings# on the effective date of the Special District designation.~~

#### Special Natural Area District (repeated from Section 12-10)

~~The "Special Natural Area District" is a Special Purpose District designated by the letters "NA", in which special regulations set forth in Article X, Chapter 3 apply to all #developments# or #site alterations#. The #Special Natural Area District# appears on the #zoning maps# superimposed on other districts, and its regulations supplement or modify those of the districts on which it is superimposed. The #Special Natural Area District# includes any district whose designation begins with the letters "NA".~~

~~#Special Natural Area Districts# may be mapped only in areas where outstanding #natural features# or areas of natural beauty are to be protected. The preservation of such areas is important because they contain areas of special ecological significance: interesting geologic formations such as rock outcrops, unique aquatic features such as tidal wetlands, unique topographic features such as palisades, valleys, and hills, important plant life such as glaciated oak-chestnut forests or because they serve as habitats for native flora and fauna. A #Special Natural Area District# may include one or more #natural features#.~~

~~A #public park# may be included in a #Special Natural Area District# only where it is a part of a designated larger natural ecological system.~~

#### Staging area

A "staging area" is any area on a #zoning lot# used during the construction of a #development#, #enlargement# or #site alteration# for the purposes of stockpiling soil

or construction materials; storing, cleaning or servicing construction equipment, vehicles or tools; or storing leachable construction products, gases or other materials used to clean or service vehicles, equipment or tools.

#### Steep slope

A "steep slope" is a portion of a #zoning lot# with an incline of 25 percent or greater. However, a portion of a #zoning lot# with an incline of 25 percent or greater shall not be considered a #steep slope# if it occupies an area of less than 200 square feet or has a dimension of less than ten feet, measured along the horizontal plane, unless such portions in the aggregate equal ten percent or more of the area of the #zoning lot#.

#### Steep slope buffer

A "steep slope buffer" is a 15-foot wide area having a slope of less than 25 percent that adjoins the entire length of the crest of a #steep slope#.

#### Tier I

A "Tier I" #development#, #enlargement# or #site alteration# is any #development#, #enlargement# or #site alteration# that occurs on a #zoning lot# having an #average percent of slope# of less than 10 percent.

#### Tier II

A "Tier II" #development#, #enlargement# or #site alteration# is any #development#, #enlargement# or #site alteration# that occurs on a #zoning lot# having an #average percent of slope# equal to or greater than 10 percent.

#### Topsoil

"Topsoil" is soil containing undisturbed humus and organic matter capable of sustaining vigorous plant growth and is generally the top six inches of soil.

#### Tree credit

A "tree credit" is a credit for preserving an existing tree of six-inch #caliper# or more that is counted towards a tree preservation requirement, or a credit for a newly-planted tree of three-inch #caliper# or more that is counted towards a tree planting requirement.

#### Tree protection plan

A "tree protection plan" is a plan that modifies the #area of no disturbance# around a tree proposed for preservation while protecting and preserving the tree during construction. A #tree protection plan# is prepared by an arborist certified by the International Society of Arboriculturists (ISA) or equivalent professional organization that includes:



- (a) a survey of the current condition and health of such trees of six-inch #caliper# or more;
- (b) methods for tree protection and preservation based on best management practices, including the prevention of damage due to compaction, grade and drainage pattern changes and tunneling for utilities;
- (c) a schedule for site monitoring during construction;
- (d) a procedure to communicate protection measures to contractor and workers; and
- (e) post-construction treatment.

~~12/19/74~~

**105-02  
General Provisions**

In harmony with the general purpose and intent of this Resolution and the general purposes of the #Special Natural Area District#, the regulations of the districts upon which this Special District is superimposed are supplemented or modified in accordance with the provisions of this Chapter, in order to protect outstanding #natural features# described herein. Except as modified by the express provisions of this Chapter, the regulations of the underlying district remain in effect.

The provisions of this Chapter shall apply to:

- (a) any #development# on a #zoning lot#, #enlargement# or
- ~~(b) any #site alteration# on a #zoning lot#;~~
- (~~e~~b) any subdivision of a #zoning lot# existing on the effective date of the Special District designation into two or more #zoning lots#; and
- (~~d~~c) any public improvement projects located within the #Special Natural Area District#, which shall be subject to the provisions of Sections 105-92(Special Provisions for City-owned Lands) and 105-93 (Inter-agency Coordination), except for any such projects which were approved by the Board of Estimate prior to the effective date of the Special District designation.

Prior to issuance by the Department of Buildings, ~~Department of Transportation,~~ ~~Department of Environmental Protection~~ or other eCity or State agencies, of a permit for any #development#, #enlargement# or #site alteration# within a #Special Natural Area District#, or for any #site alteration# for which no permit is required by the Department of Buildings ~~Department of Transportation, Department of Environmental Protection~~ or other eCity or State agencies, an application shall be submitted to the City Planning

Commission for review and approval pursuant to Section 105-40 (SPECIAL REVIEW PROVISIONS), except those #developments#, #enlargements# and #site alterations# that are not subject to the provisions of Section 105-40, as specified in Section 105-021 (Actions not requiring special review).

Any authorization or special permit granted by the City Planning Commission pursuant to the provisions of this Chapter prior to (the effective date of this amendment), shall automatically lapse on (one year after the effective date of this amendment) if substantial construction in accordance with the plans for which such special permit or authorization was granted has not taken place.

When a #zoning lot# existing on the effective date of the Special District designation is subdivided into two or more #zoning lots#, an application shall be submitted to the Commission for review and approval pursuant to Section 105-90 (FUTURE SUBDIVISION).

Nothing contained in this Chapter shall be understood to supersede scenic landmark designations of the New York City Landmarks Preservation Commission.

Except in the #Special Natural Area District#-3 (NA-3), the provisions of this Chapter shall not apply to a #zoning lot# for which a building permit application was filed prior to October 15, 1974 with the Department of Buildings, and building permits pursuant thereto are issued no later than October 15, 1975, provided that such #zoning lot# is not modified in size, that there are no substantial amendments to building plans after October 15, 1974 and that substantial construction of foundations

For #site alterations# on a #zoning lot# of more than 40,000 square feet containing #residential buildings# on the effective date of the #Special Natural Area District# designation, a plan for such #site alterations# shall be filed by the owner of the #zoning lot# with the Commission for approval. In the event such #site alteration# work has impact on the #natural features# existing on the #zoning lot#, the Commission may require the applicant to comply with the provisions of Section 105-021 (Requirements for application) and Section 105-40 of this Chapter.

6/23/77

### **105-021**

#### **Actions not requiring special review**

The special review requirements of Section 105-40 (Special Review Provisions) of this Chapter shall not apply to the following:

(a) a #site alteration# on a #zoning lot# containing #buildings or other structures#, or a #development# or #enlargement# on any #zoning lot#, provided that such #zoning lots# shall have:

(1) not more than 10,000 square feet of #lot area#.

- (2) an #average percent of slope# of less than 10 percent;
  - (3) no significant #natural features#, and the resulting #development#, #enlargement# or #site alteration# can satisfy the requirements of Section 105-30 (PRESERVATION OF NATURAL FEATURES), inclusive;
  - (4) the resulting #development#, #enlargement# or #site alteration# shall not exceed 2,500 square feet of #lot coverage#; and
  - (5) no Notice of Restriction or Restrictive Declaration recorded against the title of such property;
- (b) any #site alteration#, on a #zoning lot# containing a #residential building# in existence on the effective date of the Special District designation, involving a structure that does not require a permit from the Department of Buildings, including, but not limited to swimming pools, garden sheds and fences, provided that:
- (1) any modification of topography for the footprint, foundation, or grading around the footprint of such structure, shall not exceed two feet of cut or fill; and
  - (2) no tree of six-inch #caliper# or greater shall be removed and the #critical root zone# of such tree shall be an #area of no disturbance# on any #zoning lot#.

**105-021 2**  
**Requirements for application**

An application to the City Planning Commission for certification, authorization or special permit and to the Department of Buildings respecting any #development#, #enlargement# or #site alteration#, to be made within any #Special Natural Area District#, shall include the following:

- (a) a survey map prepared by a registered surveyor showing topography at two foot intervals, location, caliper and species of individual trees of 6 inch caliper or more;  
a survey map prepared by a licensed surveyor showing topography at two-foot contour intervals and indicating the #average percent of slope#, the existing slope of the land, as it occurs, in categories of 10-14 percent, 15-19 percent, 20-24 percent, 25 percent and greater; the location of existing #buildings or other structures#, patios, decks, swimming pools, walkways, driveways and #private roads#, including sidewalks and other impervious surfaces; and the location, #caliper# and species of all trees of six-inch #caliper# or more on the #zoning lot# and in the sidewalk area of the adjacent #streets#, location of geologic

features, ~~boundaries of steep slopes~~, aquatic features, and botanic environments, as enumerated in Section 105-11 (Description of Natural Features);

- (b) photographs showing the location and condition of such ~~natural features~~ for verification with pre-existing aerial survey and/or other photographs for each ~~Special Natural Area District~~;
- (c) ~~site plans showing the proposed site alteration or development~~; a site plan prepared by a registered architect or professional engineer indicating the location of all existing buildings or other structures; the location of all proposed buildings or other structures; the location of existing and proposed patios, decks, swimming pools, walkways, driveways and private roads, including sidewalks and other impervious surfaces; the location of any steep slopes, steep slope buffer areas and the staging area; and the location, caliper and species of all trees of six-inch caliper or more on the zoning lot and in the sidewalk area of the adjacent streets. The site plan shall identify those trees proposed to be removed and those trees proposed to be preserved, indicating, for the latter, the critical root zone and in addition, for Tier II developments, enlargements and site alterations, the location of any other area of no disturbance;
- (d) a drainage plan and soil report prepared by a ~~registered~~ professional engineer, when necessary to assess whether or not there will be major impact on ~~natural features~~; ~~and~~ . The drainage plan shall describe the temporary (during construction) and permanent measures to collect, direct and discharge stormwater drainage from the site, indicating the direction of drainage flow and providing detailed plans and locations of all surface and subsurface drainage devices, walls, dams, sediment basins, stormwater storage (detention and retention) facilities, and other drainage facilities and protective devices. Such report shall include an estimate of runoff from the site after completion of any proposed development, enlargement or site alteration and provide a description with supporting information of the manner in which the proposed development, enlargement or site alteration complies with the requirements of Local Law 103 of 1988;
- (e) a grading plan showing all existing and proposed contours at two-foot intervals, critical spot elevations, tops and bottoms of proposed slopes over 10 percent gradient and will indicate at least one longitudinal and one latitudinal cross-section showing both the original and proposed final ground surfaces, with grades, slopes and elevations noted;
- (f) a landscaping and revegetation plan, prepared by a registered landscape architect, indicating the extent of vegetation and topsoil removal required for site preparation and development and the location and species of all new plantings;

- (e.g) any other information necessary to evaluate the request; and
- (h) for #developments#, #enlargements# and #site alterations# on #Tier II# sites, the application shall also include:
- (1) an alignment and paving plan for any #private road# with a typical cross-section; and
  - (2) a construction plan prepared by a registered landscape architect, registered architect, licensed surveyor or professional engineer showing the proposed location for the #staging area#, the proposed method for protecting trees, understory shrubs and ground cover during construction, as well as a description of the equipment to be employed in processing and disposing of soil and other material to be removed from the site; and if the #critical root zone# is proposed to be modified, a #tree protection plan# for any tree proposed for preservation.

For a #site alteration#, #enlargement# or #development# within any #Special Natural Area District#, the Commission may modify one or more requirements set forth in paragraphs (a) through ~~(d h)~~ of this Section, when such modification is requested by the applicant in writing and when the Commission determines that the requirements are unnecessary for evaluation purposes.

Appendix B of this Chapter should be used as a guide to assist in ~~the preparation of the surveyor's map~~ identifying the #natural features# on the survey required in this Section.

The applicant's submission shall also include a statement admitting authorized Department of City Planning personnel to the site for the purposes of recording or verifying survey data.

~~The Commission shall act within 60 days after receipt of a completed application.~~ Where a permit is required for a #development#, #enlargement# or #site alteration# within a #Special Natural Area District# from any City or State agency, an application for such permit shall be filed simultaneously with such agency and the Commission.

~~In the event a City agency involved in issuing permits has failed to act or there is disagreement among agencies concerning requirements within their jurisdiction for a #development#, the matter shall be resolved pursuant to Section 105-93 (Inter-agency Coordination), within 90 days after the application is filed by the Director of the Department of City Planning with the Inter-agency Board of Conservation of Natural Features.~~

*Note: Former Section 105-022 (Action by the Board of Estimate) was previously deleted administratively*

### **105-023**

#### **Relationship to public improvement projects**

In all cases, the City Planning Commission shall deny an application, whenever the ~~#development#, #enlargement#~~ or ~~#site alteration#~~ will interfere with a public improvement project (including highways, public buildings or facilities, redevelopment or renewal projects, or rights-of-way for sewers, transit or other public facilities) which has been approved by the ~~Board of Estimate,~~ City Council or the City Planning Commission ~~or the Site Selection Board.~~

### **105-10**

#### **NATURAL FEATURES**

### **105-11**

#### **Description of Natural Features**

All ~~#natural features#~~ shall be significant in terms of age, size, composition, function, structure, history, association, location, ecological value or educational interest. ~~The preservation of the #natural features# may be necessary in order to maintain ecological balance in the area.~~

The protection of one ~~#natural feature#~~ may require the protection of another which is closely linked to it. The preservation of ~~#natural features#~~ may also be necessary to avoid such adverse conditions as flooding, erosion or hazards to private property. All vegetation is part of a botanic environment or part of an aquatic feature and shall be considered as a ~~#natural feature#~~ protected by the regulations of this District. For the purposes of this Chapter, vegetation includes all forms of plant material, including but not limited to trees, shrubs, vines, ferns, grasses, herbs and other plant life.

All ~~#natural features#~~ defined in this Section and further described in Appendix B of this Chapter shall be protected by the provisions of this Chapter.

(a) Geologic features

(1) Rock outcrop

A rock outcrop is the portion of a rock formation which appears at the surface of the earth.

(2) Geologic deposit

A geologic deposit is a mass of material which has been placed, shaped or created by the actions of wind, water, ice,

gravity, vulcanism, pressure or temperature, either alone or in combination. Such deposits are to include erratic boulders, glacial formations, mineral deposits or semi-precious stones.

(b) Topographic features

(1) ~~Steep slope~~ #Steep slope#

~~A steep slope is ground which has an incline of 15 percent or more~~

(2) Existing natural topography

Existing natural topography is the ground elevation of land existing at the time of designation of a #Special Natural Area District#.

(3) ~~Topsoil~~ #Topsoil#

Topsoil is generally the top six inches of soil containing undisturbed humus and organic matter capable of sustaining vigorous plant growth.

(c) Aquatic features

Wetlands, including, but not limited to State and Federal, mapped or designated, freshwater or tidal wetlands:

(1) Laminarian zone

A laminarian zone is that land under the surface of salt water from the mean low tide mark to the depth of 15 fathoms. The portion of laminarian zone to be protected by the provisions of this Special District extends to the pierhead line, or to the shoreline where no pierhead line has been established.

(2) Beach

A beach is a tract of relatively flat, sandy or gravelly land, without visible vegetation, forming the shore of a large body of water.

(3) Tidal wetland and saltwater littoral zone

A tidal wetland or saltwater littoral zone is that land which is regularly covered by tidal waters and its spray.

(4) Swamp

A swamp is a wet woodland, the soil of which is typically waterlogged or often covered with water.

(5) Marsh

A marsh is a wet prairie which has waterlogged soil during the growing season (from last spring frost to first fall frost) and is often covered with shallow water.

(6) Bog

A bog is a tract of waterlogged land without natural drainage.

(7) Meadow

A meadow is a tract of land which is waterlogged to within a few inches of the surface and may have temporary ponds during the non-growing season (between the first fall frost and first spring frost).

(8) Creek, stream or brook

A creek, stream or brook is a free flowing fresh watercourse on soil, gravel or rock ~~which~~ that drains a watershed.

(9) Lake or pond

A lake or pond is a body of fresh or salt water standing year round.

(10) Natural spring

A natural spring is a point source of water exiting from the surface of the earth or rock.

(d) Botanic environments

(1) Primary succession community area

A primary succession community area is a tract of land characterized by species which can tolerate extreme environmental conditions and provide initial protection for less tolerant forms of life. These species are usually annuals and herbaceous.

(2) Secondary succession community area



A secondary succession community area is a tract of land characterized by short-lived trees and shrubs as well as grasses and herbaceous material. These species are less tolerant than primary succession community species but provide a greater diversity and range of protection from the sun, wind and rain.

(3) Climax community area

A climax community area is a stable association of plants and animals which will perpetuate itself indefinitely with minor variation in the group of associated plants. The climax community area in New York City is the glaciated oak-chestnut association, which is part of the eastern hardwood deciduous forest.

(4) Dune or heathland

A dune or heathland is a tract of windblown and wind- or water-shaped sandy land with such characteristic species as beach grass and beach heather.

(5) Wild grassland

A wild grassland is an area whose vegetation is primarily of wild grass species.

The #natural features# defined in this Section are described in Appendix B of this Chapter.

**105-20  
PROTECTION OF NATURAL FEATURES**

All #natural features# within a #Special Natural Area District# shall be protected by the regulations of this Chapter in accordance with the provisions set forth in Sections 105-02 (General Provisions), 105-30 (PRESERVATION OF NATURAL FEATURES) and 105-50 (REGULATIONS FOR PROTECTION OF NATURAL FEATURES).

Except for any existing #natural feature# ~~which~~ that is unsafe and the removal of which is required by the Department of Buildings to eliminate hazardous conditions, no #natural features# described in Section 105-11 (Description of Natural Features) shall be removed, destroyed or altered unless permitted by certification, authorization or special permit of the City Planning Commission pursuant to Sections 105-40 (SPECIAL REVIEW PROVISIONS), or allowed pursuant to Section 105-021 (Actions not requiring special review).

Where a special permit or authorization pursuant to Sections 105-421, 105-422, 105-423, 105-432 or 105-433 is not granted to an applicant with respect to a #zoning lot# which as of December 1, 1980 contained no #developments#, the restrictions imposed by the provisions of Section 105-20 shall not apply to that portion of the #natural feature# affected, provided that:

- (a) all future #developments# or #site alterations# shall have a resulting density of not less than 25,000 square feet or the actual area of the #zoning lot# in existence on December 1, 1980, whichever is smaller;
- (b) any future subdivisions pursuant to Section 105-90 shall have a resulting #lot area per dwelling unit# of not less than 25,000 square feet; and
- (c) all future #developments# or #site alterations# shall comply with the tree planting standards specified in Section 105-30, and the whether or not existing vegetation is removed as a result of such #development# or #site alteration#.

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#### **105-30 SPECIAL PROVISIONS FOR PLANTING PRESERVATION OF NATURAL FEATURES**

The provisions of this Section are applicable to all #developments#, #enlargements# and #site alterations# within the #Special Natural Area District#, pursuant to Section 105-02 (General Provisions). When pursuant to Sections 105-41 (Certification) or 105-021 (Actions not requiring special review) it is not necessary for an applicant for a #development#, #enlargement# or a #site alteration# to apply for an authorization or special permit, such #development#, #enlargement# or #site alteration# shall nonetheless comply with the natural feature preservation requirements of this Section, inclusive.

#### **105-31**

##### **Botanic Environment and Tree Preservation Requirements**

To the maximum extent possible, existing trees and vegetation shall be retained. Trees of six-inch #caliper# or more may only be removed or destroyed as a result of a #development#, #enlargement# or #site alteration#, provided that:

- (a) such trees are located in areas to be occupied by #buildings#, #private roads#, driveways, areas for required #accessory# parking, or within a distance of 15 feet of the exterior walls of such #building#, provided that it is not possible to avoid such removal by adjustments in the arrangement of such #buildings#, driveways or required parking areas;
- (b) the continued presence of such tree would create special hazards or dangers to persons or property, which would not be possible or practical to eliminate by pruning;

- (c) the continued presence of such tree would interfere with the growth or health of another tree of six-inch #caliper# or more, designated for preservation and belonging to a species listed in Appendix D(Selection List for On-site Trees) of this Chapter; or
- (d) an authorization pursuant to Section 105-425 (Modification of botanic environment preservation and planting requirements) has been granted by the City Planning Commission approving the removal of such trees.

Any tree of six-inch #caliper# or more that cannot be preserved as a result of a proposed #development#, #enlargement# or #site alteration# shall be replaced pursuant to the provisions of Section 105-32 (Botanic Environment and Tree Planting Requirements).

### **105-32** **Botanic Environment and Tree Planting Requirements**

Any vegetation that cannot be saved as a result of #site alteration#, #enlargement# or #development# shall be replaced with alternate vegetation to be approved by the City Planning Commission. All #developments#, #enlargements# and #site alterations# shall comply with the tree planting requirements set forth in this Section, whether or not existing trees are removed as a result of such #development#, #enlargement# or #site alteration#.

The replanting of elements of vegetation ~~which~~ that are parts of an association or community shall be such as to reestablish, as rapidly as is reasonable, the vigor and character of the association. When necessary to establish ecological balance, the Commission may also require additional vegetation to be planted.

#### (a) Tree Planting

For the purposes of this Section, the following minimum standard shall apply for tree planting:

- 1) For any #development#, #enlargement# or #site alteration# within a #Special Natural Area District#, trees of at least ~~four~~ three-inch #caliper#, pre-existing or newly planted, shall be provided on the #zoning lot# at the rate of one tree for each 1,000 square feet of #lot area# or portion thereof or shall equal a total of 51 percent of all #tree credits# for trees originally on site, whichever is greater.
- 2) For any existing tree of at least 6 six-inch #caliper# ~~which~~ that is preserved, credit for one tree shall be given for the first six inches of #caliper# for the purpose of this Section; and, for each additional four inches of #caliper#, credit for ~~one~~ an additional tree shall be given.

Single-trunk trees, newly planted to meet this requirement, shall be of

at least three-inch #caliper# at the time of planting. Multiple-trunk trees and low-branching coniferous evergreens shall be at least 10 feet in height at the time of planting. Trees newly planted to meet this requirement shall be of a species selected from Appendix B D of this Chapter, and acceptable from the standpoint of hardiness, appearance and habit of growth suitable to the site.

The Commission may grant a waiver of the tree planting requirements by certification to the Department of Buildings, where the Commission finds that the ecology of the site is such that the substitution of other plant material would be more appropriate than the tree planting requirements and a detailed plan for planting has been filed with the Commission for its approval.

~~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 the effective date of this amendment.~~

(b) Botanic Environment Planting

For the purposes of this Section, the following minimum standard shall apply for the planting of vegetation:

Any vegetation or #topsoil# that cannot be preserved as a result of a proposed #development#, #enlargement# or #site alteration# and is not permitted to be removed pursuant to the regulations of Sections 105-31 (Botanic Environment and Tree Preservation Requirements) or 105-425 (Modification of botanic environment preservation and planting requirements), shall be replaced as follows: for every square foot of #lot area# of removed vegetation or #topsoil#, there shall be provided the following plantings of the size and number indicated in paragraphs (1) through (4) of this Section. The area of removed vegetation shall be measured so as to include any portions of the #zoning lot# that were located within the #critical root zone# of a removed tree of six-inch #caliper# or more. Species of ground cover and shrubs shall be selected from Appendix C (Selection List for Shrubs and Ground Covers) of this Chapter. Species of on-site trees shall be selected from Appendix D (Selection List for On-site Trees) of this Chapter.

- (1) Ground cover shall be planted one at one-foot-on-center and at the rate of one plant for every square foot of #lot area# of removed vegetation; and
- (2) Large trees shall be planted at the rate of one three-inch #caliper# tree for every 500 square feet of #lot area# of removed vegetation; or
- (3) Small trees shall be planted at a rate of one eight-foot high tree for every 100 square feet of #lot area# of removed vegetation; or

- (4) #Shrubs# shall be planted at a rate of one gallon container-grown material for every 25 square feet of #lot area# of removed vegetation.

The planting of species shall not be limited to woody plant materials, but shall include trees, shrubs, vines, ferns, grasses, herbs, annuals, biennials, perennials, mosses, and other associated vegetation. All vegetation to be planted shall be either of the species which characterized the area's biological community prior to #site alteration#, #enlarge-ment# or #development#, or of an alternate biologic community found in the area. Species selection shall give particular attention to the relationship of the species to each other and to the surrounding plant community and to the quality of the soil and the vertebrate and invertebrate populations associated with and dependent upon the proposed plants. ~~The goal is to maintain, reinforce and increase the diversity and stability of the plant and animal population which characterize the #Special Natural Area District#.~~

### **105-33**

#### **Lot Coverage Regulations for Residences on Tier II Sites**

The maximum permitted percentage of #lot coverage# on a #zoning lot# shall be determined by Table I or Table II of this Section, as applicable.

TABLE I  
PERMITTED PERCENTAGE OF LOT COVERAGE ON A ZONING LOT  
BY ZONING DISTRICT, AVERAGE PERCENT OF SLOPE AND  
RESIDENCE TYPE

	<u>#Residence District#*</u>						
	<u>R6</u>						
<u>#Average</u> <u>Percent of</u> <u>Slope#</u>	<u>R1</u>	<u>R2</u>	<u>R3</u>	<u>R4</u>	<u>R5</u>	<u>1-2</u> <u>Family</u>	<u>Other</u>
<u>10-14.9</u>	<u>22.5</u>	<u>22.5</u>	<u>22.5</u>	<u>36.0</u>	<u>45.0</u>	<u>48.6</u>	<u>32.4</u>
<u>15-19.9</u>	<u>20.0</u>	<u>20.0</u>	<u>20.0</u>	<u>32.0</u>	<u>40.0</u>	<u>43.2</u>	<u>28.8</u>
<u>20-24.9</u>	<u>17.5</u>	<u>17.5</u>	<u>17.5</u>	<u>28.0</u>	<u>35.0</u>	<u>37.8</u>	<u>25.2</u>

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 \* or #Residence District# equivalent when #zoning lot# is located within a  
#Commercial District#

If an authorization is granted for a #development#, #enlargement# or #site alteration# on  
a #zoning lot# or portion of a #zoning lot# having a #steep slope# or #steep slope  
buffer# pursuant to Section 105-422, the maximum permitted percentage of #lot coverage#  
for said #zoning lot# shall not exceed the maximum set forth in Table II of this Section.

TABLE II  
PERMITTED PERCENTAGE OF LOT COVERAGE ON A ZONING LOT  
OR PORTION OF A ZONING LOT WITH A STEEP SLOPE,  
BY ZONING DISTRICT AND RESIDENCE TYPE

	<u>#Residence District#*</u>						
	<u>R6</u>						
<u>R1</u>	<u>R2</u>	<u>R3</u>	<u>R4</u>	<u>R5</u>	<u>1-2</u> <u>Family</u>	<u>Other</u>	
<u>12.5</u>	<u>12.5</u>	<u>12.5</u>	<u>20.0</u>	<u>25.0</u>	<u>27.0</u>	<u>18.0</u>	

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\* or #Residence District# equivalent when #zoning lot# is located within a #Commercial District#

#### **105-34**

##### **Grading Controls for Tier II Sites**

With the exception of #private roads# and driveways, no grading shall take place beyond 15 feet of the location of a building foundation, measured from the foundation perimeter. The following grading requirements shall apply to all #Tier II developments#, #enlargements# or #site alterations#.

- (a) Cut slopes shall be no steeper than two horizontal to one vertical; subsurface drainage shall be provided as necessary for stability.
- (b) Fill slopes shall be no steeper than two horizontal to one vertical; fill slopes shall not be located on natural slopes 2:1 or steeper, or where fill slope toes out within 12 feet horizontally of the top of an existing or planned cut slope.
- (c) Excavating for fill shall be prohibited unless the material is obtained from a cut permitted under an approved grading plan obtained for some purpose other than to produce fill material, or imported from outside the #Special Natural Area District#.
- (d) Fills shall be compacted to at least 95 percent of maximum density, as determined by ASSHO T99 or ASTM D698.
- (e) All retaining walls or cuts with a total vertical projection in excess of three feet and associated with cut or fill surfaces shall be designed as structural members keyed into stable foundations and capable of sustaining the design loads.
- (f) The top and toe of any cut or fill slope, or where any excavation meets the grade existing on (the effective date of this amendment), should be rounded in a vertical arc with a radius of not less than five feet.
- (g) Tops and toes of cut and fill slopes and retaining walls shall be set back from #lot lines# for a horizontal distance of three feet plus one-fifth the height of the cut or fill but need not exceed a horizontal distance of 10 feet; tops and toes of cut and fill slopes shall be set back from #buildings# and structures for a horizontal distance of six feet plus one-fifth the height of the cut or fill but need not exceed a horizontal distance of ten feet.

#### **105-35**

##### **Tier II Requirements for Driveways and Private Roads**

The provisions set forth in this Section and Section 105-34 (Grading controls) shall apply to driveways and to #private roads# that provide access to #buildings# developed after (the effective date of this amendment). The provisions for #private roads# set forth in Article II, Chapter 6, shall not apply.

(a) Driveways

- (1) The maximum grade of a driveway shall not exceed 10 percent.
- (2) The paved width of a driveway shall not exceed 18 feet.
- (3) The maximum length of a driveway from a #private road# or #street# to an #accessory# parking space shall not exceed 80 feet.

(b) #Private roads#

- (1) The maximum grade of a #private road# shall not exceed 10 percent.
- (2) The width of the graded section beyond the curb back or edge of pavement of a #private road# shall extend no more than three feet beyond the curb back or edge of pavement on both the cut and the fill sides of the roadway. If a sidewalk is to be installed parallel to the roadway, the graded section shall be increased by the width of the sidewalk plus no more than one foot beyond the curb back.
- (3) The paved width of a #private road# shall not exceed 30 feet.
- (4) Curbs shall be provided along each side of the entire length of a #private road# and #accessory# parking spaces may be located between the required roadbed and curb.
- (5) A curb cut, excluding splays, from a #street# to a #private road# may be as wide as such #private road#.
- (6) Curb cuts providing access from #private roads# to parking spaces shall not exceed the width of the driveway served and in no event shall exceed a width of 18 feet, including splays.
- (7) A minimum distance of 16 feet of uninterrupted curb space shall be maintained between all curb cuts.
- (8) Along the entire length of a #private road#, trees shall be provided and maintained at the rate of one tree for every 25 feet of #private road# frontage and shall comply with the requirements set forth in Section 105-32 (Botanic Environment and Tree Planting Requirements).



- (9) No building permit shall be issued by the Department of Buildings without approval by the Fire Department regarding the adequacy of vehicular access to and within the #development# for fire safety. Such approval may include the modification of #private road# width as set forth in paragraph (b)(3) of this Section.

The City Planning Commission may by authorization pursuant to Section 105-434 (Modification of requirements for private roads and driveways), allow modifications to, or waivers of, the requirements of this Section. The prior approval of the Fire Department regarding the adequacy of vehicular access to and within the #development# for fire safety shall be a condition for any modification or waiver.

**105-36**  
**Controls During Construction**

The following requirements must be met during construction and identified on the construction plan:

- (a) No construction equipment of any kind shall operate beyond 15 feet of the perimeter of a building foundation except those vehicles engaged in the construction of #private roads#, driveways or required #accessory# parking areas. This provision may be waived by the Commissioner of Buildings should it be determined that the particular conditions of the site make a 15-foot limit infeasible or impractical.
- (b) Construction fences shall be erected around all vegetation proposed for preservation and all #areas of no disturbance#, and those portions of the fence that are downhill from the construction site shall have hay bales placed adjacent to them.
- (c) Excavating for fill shall be prohibited unless the material is obtained from a cut permitted under an approved grading plan obtained for some purpose other than to produce fill material, or imported from outside the #Special Natural Area District#.
- (d) The #staging area# shall be located in an area that would most minimize destruction of the natural features of the landscape. Such area shall be as close to the construction area on the #zoning lot# as practical, and shall be either on the flattest portion of the #zoning lot# or behind a containment wall where it will not erode any #area of no disturbance# or endanger any tree designated for preservation.
- (e) #Topsoil# shall be used in the area to be replanted as soon as construction is complete.
- (f) Any exposed earth area shall have straw, jute matting or geotextiles placed on

it within two days of exposure and be seeded with annual rye grass during construction.

**105-37**

**Special Erosion and Sedimentation Prevention Requirements for Authorizations for Tier II Sites**

Any #development#, #enlargement# or #site alteration# that is on a #Tier II# site and requires an authorization shall be subject to the provisions of this Section. The requirements of this Section shall supplement any other requirements set forth in Section 105-40 (SPECIAL REVIEW PROVISIONS), that also must be met.

Prior to construction, at least one of the erosion and sedimentation control measures described in paragraphs (a) through (e) of the Section shall be selected. A plan describing how the selected erosion and sedimentation control measure will be implemented and justifying its selection on the basis of the particular conditions of the site shall be prepared by a professional engineer or landscape architect and submitted to the City Planning Commission.

(a) Benches and berms

These are level terraces or ledges constructed across sloping land to provide a relatively flat construction site or to reduce the length and grade of the slope. Benches and berms reduce runoff and erosion hazards by slowing down the velocity of water and providing greater intake opportunity.

(b) Diversion channels

These are earth channels with a supporting ridge on the lower side constructed across the slope lengths to break up concentration of runoff and move water to stable outlets at a non-erosive velocity.

(c) Debris or sediment basins

These consist of a dam or embankment, a pipe outlet and an emergency spillway situated at the low corner of the site to provide a temporary means of trapping and storing sediment while releasing the water. They protect property below the installation from damage by excessive sedimentation and debris.

(d) Retention ponds

These are impoundment-type ponds that temporarily store runoff water and release it at rates that minimize erosion and prevent flooding. They may be located above the site to trap water before it enters the area or within the site to protect properties below the site.

- (e) Grassed waterways or outlets

These are natural or excavated channels to dispose of excess runoff water from diversions, berms, benches and other areas at non-erosive velocities. Waterways or outlets are shaped or graded and established in suitable vegetation as needed, depending on the supplemental measure used to slow the velocity of runoff.

### **105-38**

#### **Special Submission Requirements for Authorizations on Tier II Sites**

When a #development#, #enlargement# or #site alteration# is on a #Tier II# site, an application to the City Planning Commission for an authorization shall include the following submission requirements. These requirements shall be in addition to the requirements set forth in Section 105-40 (SPECIAL REVIEW PROVISIONS).

- (a) A drainage plan and soil report prepared by a professional engineer to protect natural features. The drainage plan shall describe the temporary (during construction) and permanent measures to collect, direct and discharge stormwater drainage from the site, indicating the direction of drainage flow and providing detailed plans and locations of all surface and subsurface drainage devices, walls, dams, sediment basins, stormwater storage (detention and retention) facilities, and other drainage facilities and protective devices. Such report shall include an estimate of runoff from the site after completion of proposed #developments#, #enlargements# or #site alterations# and provide a description with supporting information of the manner in which the proposed #development#, #enlargement# or #site alteration# complies with the requirements of Local Law 103 of 1988.
- (b) An erosion and sedimentation plan as described in Section 105-37(Special Erosion and Sedimentation Prevention Requirements for Certain Authorizations and Special Permits).
- (c) For any #development# or #site alteration# on a tract of land 40,000 square feet or greater, a landscape plan prepared by a registered landscape architect that shows the location and species of all new plantings of trees, shrubs and ground covers and the proposed method of preserving existing trees, shrubs and ground covers.
- (d) Any other information the Commission may deem necessary to evaluate the request.

The applicant's submission shall also include a statement admitting authorized Department of City Planning personnel to the site for the purposes of recording or verifying survey data.

~~6/23/77~~

#### **105-40**

##### **SPECIAL REVIEW PROVISIONS**

The provisions of this Section shall apply to all #developments#, #enlargements# or #site alterations# located within a #Special Natural Area District#.

Prior to the issuance by the Department of Buildings of any permit for a #development#, #enlargement# or #site alteration# within a #Special Natural Area District#, the City Planning Commission shall certify to the Department of Buildings that the #development#, #enlargement# or #site alteration# is approved pursuant to Sections 105-41, 105-42, ~~or~~ 105-43 or 105-44, inclusive.

The provisions of Article VII, Chapter 8 (Special Regulations Applying to Large-Scale Residential Developments) shall apply to all #developments# and #enlargements#, where such #development# or #enlargement# is a #large-scale residential development#, except as modified by the provisions of Section 105-701 (Applicability of large-scale residential development regulations).

#### **105-41**

##### **Certification**

When it is not necessary for the applicant for a #development#, #enlargement# or #site alteration# to apply for an authorization or special permit, the City Planning Commission shall certify to the Department of Buildings that such #development#, #enlargement# or #site alteration# complies with the regulations of this Chapter, and that no authorization or special permit is required pursuant to this Chapter.

Where #natural features# are to be protected and maintained under Section 105-60 (MAINTENANCE OF NATURAL FEATURES), the Commission shall indicate in the certification specific conditions and safeguards appropriate to the designated area.

~~12/1/77~~

#### **105-42**

##### **Authorizations to Alter Natural Features and to Allow Certain Uses**

For a #development#, #enlargement# or #site alteration# located within the #Special Natural Area District#, the City Planning Commission may authorize:

- (a) modification of topographic features including existing natural topography and #top soil# pursuant to Section 105-421 (Modification of existing topography topographic features on Tier I sites), and modification of #steep slopes# pursuant to Section 105-422 (Authorization of a development, enlargement or site alteration on a Tier II zoning lot or portion of a zoning lot having a steep slope or steep slope buffer); or

- (b) modification of geologic features including the relocation of erratic boulders, and the alteration of rock outcrops pursuant to Sections 105-422 3(Relocation of erratic boulders) and 105-424 (Alteration of rock outcrops); or
- (c) alteration modification of botanic environments pursuant to Section 105-423 5 (Alteration Modification of botanic environment s, or removal of trees preservation and planting requirements); or
- (d) alteration of #natural features# other than existing topography erratic boulders or aquatic features botanic environments, pursuant to Section 105-424 6(Alteration of natural features aquatic features ), in NA-1, NA-2 and NA-3 Districts.

The Commission may prescribe appropriate additional conditions and safeguards to protect the character of the #Special Natural Area District#.

#### **105-421**

##### **Modification of existing topography topographic features on Tier I sites**

The topographic features including natural topography and #top soil#, existing at the time of designation of a #Special Natural Area District# may be modified by the City Planning Commission provided that the Commission finds that :

- (a) that #development#, #enlargement# or #site alteration# is not feasible without such modification, or that the requested modification will permit a #development#, #enlargement# or #site alteration# that satisfies the purposes of this Chapter;
- (b) that such modification, including any removal of #top soil#, will not disturb the drainage pattern and soil conditions in the area; and
- (c) that such modification of topography has minimal impact on the existing natural topography topographic features of the surrounding area and blends harmoniously with it-;
- (d) such modification is the least modification required to achieve the purpose for which it is granted; and
- (e) the #development#, #enlargement# or #site alteration# takes advantage of the natural characteristics of the site.

Where permits are required from a city agency, the Commission shall request a report from such agency, and the provisions of Section 105-93 (Inter-agency Coordination) apply.

*Note:*

*Current Section 105-422 (Relocation of erratic boulders) would be renumbered 105-423.*

*Current Special Permit 105-433 (Alteration of natural features) would be covered in Authorizations 105-426(Alteration of aquatic features) and 105-422 (Authorization of a development, enlargement or site alteration on a Tier II zoning lot or portion of a zoning lot having a steep slope or steep slope buffer).*

#### **105-422**

#### **Authorization of a development, enlargement or site alteration on a Tier II zoning lot or portion of a zoning lot having a steep slope or steep slope buffer**

The City Planning Commission may authorize #developments#, #enlargements# and #site alterations# on a #Tier II zoning lot# or on portions of a #zoning lot# having a #steep slope# or #steep slope buffer#.

In order to grant such authorizations, the Commission shall find that:

- (a) the #development#, #enlargement# or #site alteration# is not feasible without such modification, or that the modification will permit a #development#, #enlargement# or #site alteration# that satisfies the purposes of this Chapter;
- (b) such modification is the least modification required to achieve the purpose for which it is granted;
- (c) the modification has minimal impact on the existing natural topography and vegetation and blends harmoniously with it;
- (d) the modification will not disturb the drainage patterns and soil conditions of the area; and
- (e) the #development#, #enlargement# or #site alteration# takes advantage of the natural characteristics of the site.

Any #development#, #enlargement# or #site alteration# requiring an authorization pursuant to this Section shall be subject to all the requirements of this Chapter for which an authorization or special permit has not been obtained.

#### **~~105-422~~ 105-423**

#### **Relocation of erratic boulders**

No erratic boulder with a diameter at any point of six feet or more may be moved from its location at the time of designation of a #Special Natural Area District# to another location within the Special District during #development#, #enlargement# or #site alteration# except in compliance with the provisions of this Section.

Prior to the moving of an erratic boulder from its present location to a location elsewhere within the #Special Natural Area District#, an application shall be filed with the City

Planning Commission showing the present location and the proposed location. Moving of an erratic boulder will be permitted only by authorization of the Commission under the following circumstances:

- (a) where such a boulder is located in an area to be occupied by #buildings#, driveways, parking areas or recreation areas and it is not possible to avoid such location by minor adjustments in the arrangement of such #buildings#, driveways, parking areas or recreation areas on the site;
- (b) where the boulder's continued existence in its present location would create hazards or dangers; ~~and~~ or
- (c) where authorizations granted by the Commission under the provisions of this Chapter require or clearly contemplate the boulder's relocation from its present position.

In issuing an authorization under this Section, the Commission shall require an appropriate relocation site, visible, if possible, from a public #street#, park, or public place, preferably on the #zoning lot# or elsewhere within the #Special Natural Area District#. The Commission may prescribe appropriate conditions to enhance the setting of the relocated boulder ~~and safeguards to protect the character of the #Special Natural Area District#.~~

#### **105-424**

##### **Alteration of rock outcrops**

The City Planning Commission may authorize the alteration of a rock outcrop, provided that:

- (a) the #development# or #enlargement# is not feasible without such alteration, or that the requested alteration will permit a #development# or #enlargement# that satisfies the purposes of this Chapter; or
- (b) such alteration is necessary to protect the health and safety of the site occupants; and
- (c) such #development#, #enlargement# as authorized will result in the minimum #natural feature# interference that must be permitted in order to allow reasonable #development# or #enlargement# and #bulk# distribution under the regulations of the underlying district.

The Commission shall impose appropriate conditions and safeguards to assure protection of the portions of the area to be preserved in their natural state.

**105-423 5**

**Alteration Modification of botanic environment s or removal of trees and preservation and planting requirements**

No portion of a botanic environment shall be altered or land operations affecting botanic environments undertaken by or on behalf of present or future applicants for permits except in compliance with the provisions of this Section.

No individual tree of six-inch caliper or more shall be removed without authorization of the City Planning Commission.

Prior to any such removal, alteration or land operation, applications shall be filed with the Commission showing the location of all botanic environments indicated in Section 105-11 (Description of Natural Features) and trees of six-inch caliper or more, and identifying those which are proposed to be removed or altered. ~~Alteration or removal of existing plant material will be permitted only by authorization of the Commission under the following circumstances:~~

- (a) ~~where plant material is located in areas to be occupied within a distance of eight feet of the exterior dimension of such facilities, and it is not possible to avoid such location by minor adjustments in the arrangement of such #buildings#, driveways, parking areas, utility lines or recreation areas on the site. If necessary to permit the construction of such facilities, exceptions may be made to allow the removal of individual plant material located up to a distance of not more than 15 feet from the exterior dimension of such facilities; or~~

The City Planning Commission may authorize modifications to the provisions of Sections 105-31 (Botanic Environment and Tree Preservation Requirements) 105-32 (Botanic Environment and Tree Planting Requirements) and paragraph (b)(8) of Section 105-35 (Tier II Requirements for Driveways and Private Roads).

In order to grant such authorizations, the Commission shall find that:

- (a) the #development#, #enlargement# or #site alteration# is not feasible without such modifications, or that the requested modification will permit a #development#, #enlargement# or #site alteration# that satisfies the purposes of this Chapter;
- (b) such modification is the least modification required to achieve the purpose for which it is granted;
- (c) the ecology and soil conditions of the site are such that the substitution of other plant material would be as appropriate as the botanic preservation or planting requirements being modified; and
- (d) in order to modify requirements relating to tree preservation, planting or



removal, the Commission shall also find that:

(b 1) ~~where plant material~~ such tree is located in areas which require excessive cut or fill of land deemed inimical to plant survival; or

(c 2) ~~where the plant material's~~ the continued presence of such tree would create hazards or dangers (such as an area affected by storm or plant disease) to persons, property or other plant material which it would not be possible or practical to eliminate by pruning; ~~or~~ .

(d) ~~where authorizations granted by the Commission under the provisions of this Chapter require or clearly contemplate the plant material's alteration or removal:~~

~~In issuing authorizations under this Section, the Commission may prescribe appropriate conditions and safeguards to protect the character of the #Special Natural Area District#.~~

Where on-site replanting of vegetation would result in overcrowding or would adversely affect the ecology of the site, the Commission may authorize planting of one or more trees on adjoining public sidewalks or in a nearby public area within the #Special Natural Area District#. The Commission may also allow the substitution of other plant material, provided a detailed landscaping plan is filed with the Commission for approval and certification.

~~12/1/77~~

#### **105-424 6**

##### **Alteration of other natural features aquatic features**

~~In #Special Natural Area Districts#-1 (NA-1) or 3 (NA-3), alteration of all #natural features# other than existing topography, erratic boulders or botanic environments for which alteration, modification or relocation is authorized pursuant to Sections 105-421 (Modification of existing topography or 105-422 (Relocation of erratic boulders) or 105-423 (Alteration of botanic environments or removal of trees), may be permitted by authorization of the City Planning Commission where~~

No portion of an aquatic feature shall be altered or land operations affecting aquatic features undertaken by or on behalf of present or future applicants for permits except in compliance with the provisions of this Section. The City Planning Commission may permit the alteration of aquatic features provided that:

(a) the #development# or #enlargement# is not feasible without such alteration or where such alteration will permit a #development# or #enlargement# that satisfies the purposes of this Chapter; or

(b) such alteration is necessary to protect the health and safety of the site

occupants; and

~~As a condition for such alteration, the Commission shall find that the~~

- (c) such ~~development~~ or ~~enlargement~~ as authorized will result in the minimum ~~natural feature~~ interference that must be permitted in order to allow reasonable ~~development~~ or ~~enlargement~~ and ~~bulk~~ distribution under the regulations of the underlying district; and
- (d) such modification shall not disturb the drainage patterns in the area.

The Commission shall impose appropriate conditions and safeguards to assure protection of the portions of the area to be preserved in their natural state.

Where permits are required from a City agency for any work affecting ~~natural features~~, the Commission shall request a report from such agency and the provisions of Section 105-93 (Inter-agency Coordination) apply.

In the event alteration of a ~~natural feature~~ an aquatic feature is found inappropriate, the Commission may treat an application under this Section as an application for modification of ~~yard~~ and height and setback regulations under Section 105-432.

#### **105-43**

##### **Authorizations to Modify Bulk, Parking, Grading and Private Roads Regulations**

For a ~~development~~, ~~enlargement~~ or ~~site alteration~~ located within the ~~Special Natural Area District~~, the City Planning Commission may authorize:

- (a) modification of ~~lot coverage~~ controls in accordance with the provisions of Section 105-431;
- (b) modification of underlying district regulations relating to ~~bulk~~ or ~~parking~~ in accordance with the provisions of Section 105-432 (Modification of yard, height and setback regulations, and parking location regulations);
- (c) modification of grading controls on accordance with the provisions of Section 105-433; and
- (d) modification of requirements for driveways and private roads on Tier II sites in accordance with the provisions of Section 105-434.

#### **105-431**

##### **Modification of lot coverage controls**

For any ~~development~~ or ~~enlargement~~ on a ~~Tier II zoning lot~~ or within a ~~steep slope~~ or a ~~steep slope buffer~~ on a ~~Tier I zoning lot~~, the City Planning Commission

may authorize variations in the #lot coverage# controls set forth in Section 105-33.

In order to grant such authorization, the Commission shall find that:

- (a) the #development# or #enlargement# is not feasible without such modification, or that the requested modification will permit a #development# or #enlargement# that satisfies the purpose of this Chapter;
- (b) by allowing the permitted #floor area# in a #building# or #buildings# of lower height to cover more land, the preservation of #hillsides# having aesthetic value to the public would be assured, and that such preservation would not be possible by careful siting of a higher #building# containing the same permitted #floor area# on less land;
- (c) such modification is the least modification required to achieve the purpose for which it is granted;
- (d) the modification has minimal impact on the existing natural topography and vegetation and blends harmoniously with it;
- (e) the modification will not disturb the drainage pattern and soil conditions of the area; and
- (f) the modification does not impair the essential character of the surrounding area.

#### **105-432**

##### **Modification of yard, height and setback regulations, and parking location regulations**

For any #development# or #enlargement# that does not qualify under provisions of Section 105-701 (Applicability of large-scale residential development regulations), the City Planning Commission may authorize variations in required #front#, #rear# or #side yards#, location of parking, driveways or curb cuts and required space between #buildings# on the same #zoning lot#, and may modify height and setback regulations for the purpose of preserving #natural features#, provided the Commission finds that:

- (a) the proposed placement of #buildings# and arrangement of #open space# will not have significant adverse effects upon the light, air and privacy for existing #development# in adjacent areas or the opportunities therefore in future #development#; and
- (b) will preserve significant #natural features#.

The Commission may condition such authorizations upon the joint submission of acceptable plans for #development# or #enlargement# of two or more adjacent #zoning lots# by the owners thereof.

**105-433**

**Modification of grading controls**

For any #development#, #enlargement# or #site alteration# on a #Tier II zoning lot#, the City Planning Commission may authorize variations in the grading controls set forth in Section 105-34.

In order to grant such authorization, the Commission shall find that:

- (a) the #development#, #enlargement# or #site alteration# is not feasible without such modifications, or that the modifications will permit a #development#, #enlargement# or #site alteration# that satisfies the purposes of this Chapter;
- (b) such modification is the least modification required to achieve the purpose for which it is granted;
- (c) the modification has minimal impact on the existing natural topography and vegetation and blends harmoniously with it;
- (d) the modification will not disturb the drainage pattern and soil conditions of the area;
- (e) the modification does not impair the essential character of the surrounding area; and
- (f) the benefits to the surrounding area from the modification outweigh any disadvantages that may be incurred thereby in the area.

**105-434**

**Modification of requirements for private roads and driveways**

For any #development#, #enlargement# or #site alteration#, the City Planning Commission may authorize variations in the requirements for #private roads# and driveways on any #Tier II zoning lot# as set forth in Section 105-35 (Tier II Requirements for Driveways and Private Roads) as well as the requirements of Sections 25-621 (Location of parking spaces in certain districts) and 25-631 (Location and width of curb cuts in certain districts).

In order to grant such authorizations, the Commission shall find that:

- (a) the #development# or #enlargement# is not feasible without such modification, or that the requested modification will permit a #development#, #enlargement# or #site alteration# that satisfies the purposes of this Chapter;

- (b) such modification is the least modification required to achieve the purpose for which it is granted;
- (c) the modification will not disturb the drainage pattern and soil conditions of the area;
- (d) the modification has minimal impact on the existing natural topography and vegetation and blends harmoniously with it; and
- (e) such modification will enhance the quality of the design of the #development#, #enlargement# or site alteration#.

~~12/1/77~~

**105-434  
Special Permit**

For any #development#, #enlargement# or #site alteration# within the #Special Natural Area District#, the City Planning Commission may grant special permits for modification of the underlying district regulations in accordance with the provisions of Sections ~~105-431~~ 441 to Section ~~105-434~~, inclusive and 105-442.

**~~105-431~~ 441  
Modification of use regulations**

In addition to any #use# modifications which may be granted under the provisions of Section 105-701 (Applicability of large-scale residential development regulations), the City Planning Commission may ~~grant special permits to allow~~ permit #semi-detached# or #attached single-family residences# in R2 Districts and #attached single-# or #two-family residences# in R3-1 Districts.

Furthermore, except in the #Special Natural Area District#-1 (NA-1), the Commission may ~~grant special permits to allow~~ permit #semi-detached# or #attached single-family residences# in R1-2 Districts provided that the #development# or #enlargement# is on a tract of land of at least four acres. ~~As a condition for granting such special permits the~~ and provided the Commission ~~shall find~~ finds that:

- (a) ~~that~~ the preservation of #natural features# requires the permitted #development# to be concentrated to the extent feasible in the remaining portion of the tract;
- (b) ~~that~~ for such concentration of #development#, better standards of privacy and usable #open space# can be and are achieved under the development plan by inclusion of the proposed #residential building# types;

- (c) ~~that~~ the change of housing type ~~requested~~ constitutes the most effective method of preserving #natural features#;
- (d) ~~that~~ the #aggregate width of street walls# of a number of #residential buildings# separated by party walls shall not exceed 100 feet;
- (e) ~~that~~ the proposed #street# system for the #development# is so located as to draw a minimum of vehicular traffic to and through #streets# in the adjacent area; and
- (f) ~~that~~ the existing topography, vegetation and proposed planting effectively screen all #attached single-family residences# from the #lot lines# along the #development# perimeter.

6/30/89

#### **105-432**

#### **Modification of yard, height and setback regulations, and parking location regulations**

~~For any #development# which does not qualify under provisions of Section 105-701, the City Planning Commission may authorize variations in required #front#, #rear# or #side yards#, location of parking, driveways or curb cuts and required space between #buildings# on the same #zoning lot#, and may modify height and setback regulations for the purpose of preserving #natural features# if the Commission finds that the proposed placement of #buildings# and arrangement of #open spaces# will not have significant adverse effects upon the light, air and privacy for existing #development# in adjacent areas or the opportunities therefor in future #development# and will preserve significant #natural features#.~~

~~The Commission may condition such authorizations upon the joint submission of acceptable plans for #development# of two or more adjacent #zoning lots# by the owners thereof.~~

#### **105-433**

#### **Alteration of natural features**

~~In #Special Natural Area District#-2 (NA-2), alterations of all #natural features# other than existing topography, erratic boulders or botanic environments, for which alteration, modification or relocation is authorized pursuant to Sections 105-421 (Modification of existing topography), 105-422 (Relocation of erratic boulders) or 105-423 (Alteration of botanic environments or removal of trees) may be granted by special permit of the City Planning Commission where #development# is not feasible without such alteration or where alteration is necessary to protect the health and safety of the site occupants. As a condition for such alteration, the Commission shall find that the #development#, as~~

authorized, will result in the minimum #natural feature# interference that must be permitted in order to allow reasonable #development# and #bulk# distribution under the regulations of the underlying district.

The Commission shall impose appropriate conditions and safeguards to assure protection of the portions of the area to be preserved in their natural state.

Where permits are required from a city agency for any work affecting #natural features#, the Commission shall request a report from such agency and the provisions of Section 105-93 (Inter-agency Coordination) shall apply. In the event alteration of a #natural feature# is found inappropriate, the Commission may treat an application under this Section as an application for modification of #yard# and height and setback regulations under Section 105-432.

7/26/01

**105-434 442**  
**Natural area dedicated for public use**

Where commonly or separately-owned areas containing #natural features# of exceptional recreational, cultural or educational value to the public are dedicated to the City, without any cost to the City, pursuant to Section 105-701 (Applicability of large-scale residential development regulations), the City Planning Commission may by special permit allow, where appropriate, such portion of the #zoning lot# to be included in the zoning computation for #floor area#, #open space#, #lot coverage#, and density regulations and other #bulk# computations.

6/30/89

**105-44**  
**Conditions for Certification, Authorization or Special Permits**

The City Planning Commission may certify or grant an authorization or special permit for any #development# or #site alteration# within the #Special Natural Area District#, provided the #development# or #site alteration# complies with the provisions of the following Sections:

\_\_\_\_\_ Section 105-50 \_\_\_\_\_ (REGULATIONS FOR PROTECTION OF NATURAL FEATURES)

\_\_\_\_\_ Section 105-60 \_\_\_\_\_ (MAINTENANCE OF NATURAL FEATURES)

\_\_\_\_\_ Section 105-70 \_\_\_\_\_ (SPECIAL REGULATIONS FOR RESIDENTIAL DEVELOPMENT)

\_\_\_\_\_ Section 105-80 \_\_\_\_\_ (JOINT APPLICATIONS);

The provisions of Section 105-50 establish regulations for Commission review of #development#, ~~#enlargement#~~ or #site alteration# plans from the standpoint of the protection they afford to #natural features#. Plans which that are deficient in this regard may be rejected or required to be modified, even though they comply with all other applicable regulations of this Chapter.

The provisions of Section 105-60 establish requirements for the maintenance of #natural features#. Approval of development plans subject to such requirements is conditioned upon the Commission's approval of a maintenance plan.

Section 105-70 deals with the Commission's power to grant modifications of the applicable regulations of the underlying districts for predominantly #residential developments# so as to permit greater flexibility in the location of #buildings# and parking, driveways and curb cuts, and in the distribution of #bulk#, density and #open space# or #lot coverage# and thereby facilitate the protection of #natural features# or the preservation of natural terrain.

As a condition for certification, authorization or issuance of a special permit by the Commission, the Commission shall find that all proposed #developments#, ~~#enlargements#~~ or #site alterations# blend harmoniously with the #natural features# and topography of the surrounding area within a #Special Natural Area District#.

6/23/77

#### 105-45

##### Certification of Compliance with the Special Review Provisions Restoration Plans

On any #zoning lot# to which the provisions of Section 105-02 (General Provisions) apply, no #natural features# as described in Section 105-11 (Description of Natural Features) or any other vegetation shall be removed, altered, relocated or replaced without prior approval by the City Planning Commission as set forth in Section 105-40 (SPECIAL REVIEW PROVISIONS) of the #Special Natural Area District#.

In the event that any such features are removed, altered, relocated or replaced from a #zoning lot# without prior approval by the Commission, the Commission may specify the manner of their replacement or restoration. If trees are to be planted, the Commission may require that they be ~~six~~ three inches in caliper.

A copy of the restoration plan certified by the Commission's specifying requirements for the replacement or restoration of the #natural features# shall be issued to the owner of the #zoning lot# containing such violations and to the Department of Buildings.

Upon receipt of the Commission's certified restoration requirements, the Department of Buildings shall require the owner of the #zoning lot# to remove the violations in accordance with the requirements set forth by the Commission. If such violations have not ceased within 90 days of receipt of the Commission's requirements, the Department



of Buildings shall institute such action as may be necessary to terminate the violations. For compliance with new planting requirements to remove violations, the Department of Buildings may allow an additional 90 days.

No building permit or certificate of occupancy shall be issued by the Department of Buildings for any #development#, #enlargement#, #site alteration# or #use# on such #zoning lot# until the violations are removed from the #zoning lot# in accordance with the restoration plan certified by the Commission's requirements.

5/21/75

#### **105-50 REGULATIONS FOR PROTECTION OF NATURAL FEATURES**

The provisions of this Section establish regulations for City Planning Commission review of #development#, #enlargement# or #site alteration# plans from the standpoint of the adequacy of protection for #natural features# within a #Special Natural Area District#. Plans that are deficient in this regard may be rejected or required to be modified, even though they comply with all other applicable regulations of this Chapter.

These regulations are to be used by the Commission in reaching a determination whether to approve #development#, #enlargement# or #site alteration# plans filed pursuant to Sections 105-41 (Certification), 105-42 (Special Authorizations to Alter Natural Features), ~~or~~ 105-43 (Authorizations to Modify Bulk, Parking, Grading and Private Roads Regulations, or 105-44 (Special Permits).

The Commission, where appropriate, shall be guided by the reports from other city agencies involved in land contour work, storm water drainage systems and similar operations affecting #natural features#.

In determining the necessary alteration of #natural features# or extent of modifications involved in a #development#, #enlargement# or #site alteration#, the Commission shall be guided by the effect of any alteration of a #natural feature# on the total ecological process of the surrounding natural environment including the following: the effect of such alteration on the existing topography, soil conditions, erosion, natural flow of water and drainage, water quality, and animal, plant and marine life.

Further guidelines for the protection of #natural features# are ~~listed below~~:

- (a) No #natural feature# shall be moved, removed, covered, diminished, broken or disfigured, unless permitted pursuant to the provisions of Sections 105-30 (PRESERVATION OF NATURAL FEATURES) and 105-40 (SPECIAL REVIEW PROVISIONS). Furthermore, topsoil shall neither be removed from the surface of any #zoning lot# nor covered with inferior material unless permitted pursuant to Section 105-421 (Modification of Existing Topography topographic features

on Tier I sites). Where existing topography is altered without prior authorization of the Commission, the Commission may require new grading or other topographical modifications or surface improvement to reestablish the viability and function of the soil as a growing medium, and as a drainage surface, in order to permit the site to blend harmoniously with the surrounding area of the Special District.

- (b) Filling, excavating, draining, dredging, grading and contouring shall be staged and controlled so as to minimally impair the function, composition, vitality and existence of #natural features#. When and where possible, such operations shall be done in a manner so as to maintain or improve the biological system and individual features on the site.
- (c) All filling, excavating, draining, dredging, grading and contouring shall avoid creation of #steep slopes# or conditions causing erosion, loss of fertility of soil, health or safety hazards, and shall be done in conformance with the limits and nature of the soil involved.
- (d) All land operations including filling, excavating, draining, dredging, grading and contouring shall be limited to those operations which maintain or restore natural drainage, cause a minimum disturbance of the #natural features# and their setting while providing for the #development#, #enlargement# or #site alteration# or permitted #uses#.
- (e) No #development#, #enlargement# or #site alteration# shall be such as to impede or change the quality, turbidity, temperature or chemical composition of natural drainage or aquatic features.
- (f) A #development#, #enlargement# or #site alteration# shall be permitted only in areas sufficiently removed from the #natural features# to avoid impairment of their existence, functions or beauty.
- (g) There shall be maximum preservation of all natural vegetation in and adjacent to the #natural features# found on the site. Plant communities which have been substantially reduced in area or composition as a result of a #development#, #enlargement# or #site alteration# shall be restored, extended or replaced by alternative plant materials with an adequate maintenance program. In no case shall the site be allowed to be denuded and without vegetational cover upon completion of the #development#, #enlargement# or #site alteration#.
- (h) Replacement of any #natural feature# and planting of new vegetation on a site in the Special District shall be such as to extend, reinforce, increase the diversity, function and vitality of an association or community in the area. Special attention shall be given to symbiotic relationships between plants and the relationship between vegetation to be planted and animal populations which are dependent upon or related to the proposed vegetation. Where appropriate,

planting shall include trees, shrubs, vines, ferns, grasses, herbs, annuals, biennials, perennials, mosses, and other associated vegetation.

- (i) Adequate provision shall be made for proper management and maintenance of #natural features# and their immediate surroundings to avoid pollution, loss of vigor, reduction in composition or function or other ecological damage.
- (j) Where appropriate, when a portion of a #natural feature# or its function must be altered, such alteration shall not only reinforce the function, vitality and existence of the remaining portion of the #natural feature# but also improve conditions for other #natural features#. This shall apply particularly but not exclusively to the removal and replanting of plant materials.
- (k) Where appropriate, a #development# ,#enlargement# or #site alteration# shall be such as to leave #natural features# intact in their natural setting and, where feasible, visible from public #streets# or places.
- (l) For a #steep slope#, ~~the primary concerns are the preservation of natural beauty and the prevention of hillside erosion, landslide, and excessive runoff. Additional concerns arise where the #steep slope# area is part of the watershed of a creek, stream, brook, lake, pond or swamp. Accordingly, these additional requirements apply:~~
  - (1) In all #Residence Districts#, for #residential developments#, on individual #zoning lots# substantially within a #steep slope# area, the #lot area per dwelling unit# requirement shall not be less than 12,500 feet. Except in R1 Districts located in ~~the~~ #Special Natural Area District#-1 (NA-1), the Commission may, for a tract of land of at least ~~4.0~~ four acres substantially within the #steep slope# area, modify, by authorization, the #lot area per dwelling unit# requirement set forth ~~above, in this paragraph~~ for the #steep slope# area, and may allow #development# to be concentrated in clusters to preserve the #steep slope# areas in their natural state, provided that such clusters are located to the extent feasible in areas of comparatively flat topography and will not require unnecessary grading on adjacent slopes or the creation of new #steep slopes#.
  - (2) In no event shall the #lot area per dwelling unit# requirement be less than the amount required by the underlying district regulations.
  - (3) Existing vegetational cover in steep areas shall not be removed, destroyed or damaged except pursuant to #development# and grading plans approved by the Commission. An objective of such plans shall be to fit #street# layouts and #building# designs to the natural terrain, limit grading to a practical minimum and provide for maximum preservation of the natural terrain and vegetational cover.

~~12/19/74~~

**105-60  
MAINTENANCE OF NATURAL FEATURES**

For any #development# , #enlargement# or #site alteration# on a tract of land within a #Special Natural Area District#, the City Planning Commission may require a maintenance plan for a #natural feature#. Where a maintenance plan is required, approval of the development plan and the granting of any certification, authorizations or special permit shall be conditioned upon the Commission's approval of the maintenance plan.

The maintenance plan shall specify what the maintenance is to consist of and whose responsibility it will be, and shall provide assurance that maintenance will be satisfactorily executed. The Commission, in considering the maintenance needs of a particular #natural feature# and the content of an acceptable maintenance plan shall, where appropriate, refer all relevant plans to the Landmarks Preservation Commission, Department of Parks or other City agency with primary responsibilities in natural areas conservation, for its report thereon. The Commission shall, in its determination, give due consideration to any such report submitted within one month from the date of referral. If such City agency does not report within one month, the Commission may make a final determination without reference thereto.

For #natural features# for which the Commission determines that specialized maintenance and regulated public #use# are appropriate, the maintenance plan may provide for dedication of the #natural feature# to the City or an approved private conservation organization for responsible maintenance in the public interest.

~~12/19/74~~

**105-70  
SPECIAL REGULATIONS FOR RESIDENTIAL DEVELOPMENT**

In order to carry out the purposes of this Chapter, all #developments# used predominantly for #residential use# ~~shall~~ may be subject to the provisions of this Section.

~~5/21/75~~

**105-701  
Applicability of large-scale residential development regulations**

The provisions of Article VII, Chapter 8 (Special Regulations Applying to Large-Scale Residential Developments) shall apply except as modified by the provisions of this Section.

Any #development# used predominantly for #residential uses# ~~shall~~ may be treated as a #large-scale residential development#, and authorizations or special permits for such

#development# may be granted in accordance with the provisions of Article VII, Chapter 8, as modified herein, or in Section 105-80 (JOINT APPLICATIONS), regardless of whether such #development# will have the area, number of #buildings# or number of #dwelling units# specified in the definition of #large-scale residential development# as set forth in Section 12-10 (DEFINITIONS).

However, in R1 Districts located in the #Special Natural Area District#-1 (NA-1), no modification of minimum required #lot area# as set forth in Section 23-32 (Minimum Lot Area or Lot Width for Residences) shall be allowed for any #development# pursuant to paragraph (c) of Sections 78-311 (Authorizations by the City Planning Commission) or Section 78-32 (Bonus for Good Site Plan) but modifications of required #front# or #rear yards# and height and setback regulations on the periphery of such #development#, pursuant to paragraphs (c) and (d) of Section 78-312 (Special permit authorizations), shall apply. Modification of #side yards# of all #developments#, including #developments# in R1 Districts, shall be subject to the provisions of Section 105-432 (Modification of yard, height and setback regulations, and parking location regulations).

Bonuses which may be granted for #large-scale residential developments#, pursuant to Section 78-32 (~~Bonus for Good Site Plan~~) through Section 78-35 (Special Bonus Provisions), may not be granted for #developments# which have less than 10 acres and less than the number of #buildings# or number of #dwelling units# required by the definitions of a #large-scale residential development#.

Commonly or separately-owned areas containing #natural features# may qualify as common #open space# for purposes of satisfying #open space# requirements in #residential developments#.

Approval by the Commission of a development plan incorporating #natural features# as common #open space# shall be conditioned upon the findings required in Sections 78-313 (Findings) and 78-52 (Common Open Space) with respect to the qualification of areas as common #open space# and upon additional findings that appropriate safeguards are provided for the protection and preservation of such #natural features#. In the case of #natural features# ~~which that~~ are determined to have qualities of exceptional recreational, cultural or educational value to the public and ~~which that~~ are directly accessible to the public from a public right-of-way, the applicant may request the City to take title or a less than fee interest in the property occupied by such a #natural feature# without any cost to the City or its designee for #use# and enjoyment by the public subject to the provisions of Section 105-60 (MAINTENANCE OF NATURAL FEATURES).

12/19/74

## **105-80 JOINT APPLICATIONS**

Notwithstanding the provisions of Section 78-06 (Ownership), a tract of land which is the

subject of an application for authorizations or special permits under the provisions of this Chapter may include adjacent property in more than one ownership, provided that the application is filed jointly by the owners of all property included. Any subdivision of the tract reflecting ownerships at the time of application or creating new ownerships before, during or after #development# shall be subject to the provisions of Section 78-51 (General Provisions).

5/28/81

### **105-90 FUTURE SUBDIVISION**

Within a #Special Natural Area District#, any #zoning lot# existing on the effective date of the Special District designation may be subdivided into two or more #zoning lots#; provided that #natural features# are preserved to the greatest extent possible under future #development# options.

A plan for such subdivision shall be filed with the City Planning Commission and the Commission shall certify that such subdivision complies with this objective. The subdivision plan shall include a survey map indicating existing topography and other #natural features# within this area. When a #zoning lot#, existing on the effective date of the Special District designation; is more than 10 acres and is intended to be subdivided, an area plan of the entire #zoning lot# shall be filed with the Commission. The area plan shall include the proposed #street# system within the area, #block# layouts and any other information required by the Commission.

When any #zoning lot# is subdivided into two or more #zoning lots#, all resulting #zoning lots# ~~which~~ that lie substantially within a #steep slope# area existing as of December 19, 1974, shall be subject to the #steep slope# provisions of Section 105-50 (REGULATIONS FOR PROTECTION OF NATURAL FEATURES) and all other provisions of this Chapter, as applicable.

~~Any #zoning lot# subdivided into two or more #zoning lots# after May 28, 1981 shall be subject to the #lot area per dwelling unit# standard in accordance with Section 105-20 (PROTECTION OF NATURAL FEATURES).~~

In the event that #natural features# on any #zoning lot# subject to the provisions of Section 105-02 (General Provisions) proposed for subdivision have been removed, altered, relocated or replaced from the #zoning lot# without prior approval by the Commission, as set forth in Section 105-40(SPECIAL REVIEW PROVISIONS), the Commission shall not approve the subdivision until violations are removed from the #zoning lot# in accordance with the Commission's requirements under Section 105-456 (Certification of Compliance with the Special Review Provisions).

~~12/19/74~~

### **105-91**

#### **Special District Designation on Public Parks**

When a #Special Natural Area District# is designated on a #public park# or portion thereof, any #natural features# existing on December 19, 1974 within such area shall not be removed, destroyed or altered unless authorized by the City Planning Commission. As a condition for granting such authorization, the Commission shall find that any alteration of #natural features# is the least alteration required to achieve the purpose intended and such authorization is consistent with the intent of the #Special Natural Area District#.

12/19/74

### **105-92**

#### **Special Provisions for City-Owned Land**

For any #development# or #site alteration# on city-owned land located within a #Special Natural Area District#, the provisions of Section 105-40 (SPECIAL REVIEW PROVISIONS) shall apply, except that modifications permitted under Section 105-43 ~~4~~(Special Permits) may be approved by ~~authorization of~~ the City Planning Commission.

Furthermore, provisions of Section 105-93 (Inter-agency Coordination) apply to all #developments# or #site alterations# on City-owned land. However, the provisions of this Chapter shall not apply to any public improvement project approved by the Board of Estimate prior to the effective date of the Special District designation.

~~12/19/74~~

### **105-93**

#### **Inter-agency Coordination**

Where an authorization or permit is required from the City Planning Commission pursuant to this Chapter and where a permit is required from the Departments of Transportation or Buildings for land contour work, by the Department of Environmental Protection for storm water drainage systems for #buildings# or adjacent areas or where construction of a public improvement project is undertaken by a ~~e~~City agency, the Department of City Planning and the agencies involved shall jointly determine the conditions under which such proposed #development#, #enlargement# or #site alteration# within a #Special Natural Area District# will best meet the purposes of the Special District. Applications for any required permit or authorizations shall be filed simultaneously with each agency requiring a permit. ~~Where differences exist among agencies concerning a proposed #development# or #site alteration# within the Special District, a three-member Inter-agency Board of Conservation of Natural Features shall arbitrate prior to the issuance of any permit.~~

~~Such Board shall consist of:~~

- ~~\_\_\_\_\_ the Deputy Mayor;~~
- ~~\_\_\_\_\_ the Chairperson of the City Planning Commission; and~~
- ~~\_\_\_\_\_ the Commissioner of the agency directly involved.~~

~~The Deputy Mayor shall be the Chairperson of the Inter-agency Board.~~

5/21/75

**105-94  
Special Natural Area Districts Specified**

\* \* \*

**105-944  
Special Fort Totten Natural Area District-4**

\* \* \*

- (c) General requirements
  - (1) Requirements for applications

An application to the City Planning Commission for any #development# within the Special District shall be subject to the requirements of Section ~~105-21~~ 105-021.

\* \* \*

- (d) Special regulations
  - (2) Special height regulations

In order to preserve the unique character of the Special District and to protect the views of and to the water within the Special District, Section 23-631 Height and setback in R1, R2, R3, R4 ~~or~~ and R5 Districts) shall apply except . . .

\* \* \*

- (7) Planned community area (Area B)

\* \* \*



- (f) permitted or required #accessory# off-street parking spaces to be located anywhere within the #development# without regard to #zoning lot lines#, or the provisions of Sections ~~25-821~~ 25-621 (Location of parking spaces in certain districts) and . . .

**APPENDIX B**  
**Glossary**

\* \* \*

*[ Note: Appendices A and B are unchanged. The proposed amendment would add Appendix C, D, E - shrub and tree lists as follows]*

**APPENDIX C**  
**Selection List for Ground Covers and Shrubs**

Ground Covers

<u>BOTANICAL NAME</u>	COMMON NAME
Adiantum pedatum	Maidenhair fern
Agrostis perennans (A. altissima)	Autumn bent-grass
Anaphalis margaritacea	Pearly everlasting
Andropogon gerardii	Big Bluestem
Andropogon glomeratus	Bushy bluestem
Andropogon virginicus	Broom Sedge
Anemone canadensis	Canada anemone
Antennaria plantaginifolia	Plantain-leaved pussytoes
Arctostaphylos uva-ursi	Bearberry
Asarum canadense	Wild ginger
Aster cordifolius	Heart-leaved aster
Aster divericatus	White wood aster

<i>Aster ericoides</i>	Heath aster
<i>Aster lanceolatus</i> (A. simplex)	Lined aster
<i>Aster macrophyllus</i>	Large-leaved aster
<i>Aster novae-angliae</i>	New England aster
<i>Athyrium felix-femina</i> (A. asplenoides)	Lady fern
<i>Athyrium thelypteroides</i>	Silvery glade fern
<i>Carex appalachica</i> (C. radiata)	Sedge
<i>Carex pensylvanica</i>	Pennsylvania sedge
<i>Chimaphila maculata</i>	Spotted or stripped wintergreen/Pipsissewa
<i>Chimaphila umbellata</i>	Pipsissewa, Prince's pine, Bitter wintergreen
<i>Chrysopsis mariana</i>	Maryland golden aster
<i>Danthonia compressa</i>	Flattened oat grass
<i>Danthonia spicata</i>	Oatgrass, Poverty grass
<i>Dennstaedtia punctilobula</i>	Hay-scented fern
<i>Deschampsia caespitosa</i>	Tufted hair grass
<i>Deschampsia flexuosa</i>	Common hair grass, Crinkled hair grass
<i>Dryopteris intermedia</i>	Common wood fern
<i>Dryopteris marginalis</i>	Marginal wood fern, Leatherleaf wood fern
<i>Erigeron philadelphicus</i>	Daisy fleabane
<i>Eupatorium maculatum</i>	Spotted Joe-Pye-Weed
<i>Eupatorium rugosum</i>	White snakeroot
<i>Eupatorium sessilifolium</i>	Upland boneset
<i>Fragaria virginiana</i>	Wild strawberry, Virginia strawberry
<i>Gaultheria hispidula</i>	Creeping snowberry, Creeping pearl berry

<i>Gaultheria procumbens</i>	Wintergreen, Teaberry, Checkerberry
<i>Geranium maculatum</i>	Wild geranium, Spotted cranesbill
<i>Geum canadense</i>	White avens, Winter rosette
<i>Heuchera americana</i>	Hairy alum root, Rock geranium
<i>Hypericum ellipticum</i>	Pale St. John's Wort
<i>Muhlenbergia schreberi</i>	Nimblewill
<i>Oenothera fruticosa</i>	Sundrops, Wild beet, Suncups, Scabish
<i>Onoclea sensibilis</i>	Sensitive fern, Bead fern
<i>Osmunda claytoniana</i>	Interrupted fern
<i>Panicum clandestinum</i>	Deer tongue grass
<i>Panicum virgatum</i>	Switch grass, Wild red top, Thatch grass
<i>Parthenocissus quinquefolia</i>	Virginia creeper, Woodbine, American ivy
<i>Phlox subulata</i>	Mountain phlox, Moss pink, Moss phlox
<i>Polygonatum biflorum</i>	Smooth Solomon's seal, True King Solomon's seal
<i>Polygonatum virginianum</i> (Tovaria v.)	Jumpseed
<i>Polypodium virginianum</i>	<i>P. vulgare</i> , Rocky polypody, Am. wall fern
<i>Polystichum acrostichoides</i>	Christmas fern, Dagger fern, Canker break
<i>Rudbeckia hirta</i> var. <i>hirta</i>	Black-eyed Susan
<i>Rudbeckia triloba</i>	Thin-leaved cone flower
<i>Thelypteris noveboracensis</i>	New York fern
<i>Tiarella cordifolia</i>	Allegheny foamflower, False mitrewort
<i>Tradescantia virginiana</i>	Virginia Spiderwort, Common S., Widow's tears
<i>Verbena hastata</i>	Blue vervain
<i>Vernonia noveboracensis</i>	New York ironweed

<i>Verbesina alternifolia</i> (Actinomeria a.)	Wingstem
<i>Viola sororia</i>	Woolly blue violet sister violet, Dooryard violet

### Shrubs

<i>Amelanchier canadensis</i>	Shadblow
<i>Amelanchier laevis</i> (A. arborea)	Serviceberry, Allegheny
<i>Aronia arbutifolia</i>	Red chokeberry
<i>Aronia melanocarpa</i>	Black chokeberry
<i>Clethra alnifolia</i>	Sweet pepperbush, Summersweet
<i>Comptonia peregrina</i>	Sweet fern, Meadow fern, Spleenwort bush
<i>Cornus amomum</i>	Silky dogwood
<i>Cornus racemosa</i>	Gray dogwood, Red-panicled dogwood
<i>Cornus sericea</i> (C. stolonifera)	Red osier dogwood
<i>Corylus americana</i>	American hazelnut
<i>Corylus cornuta</i>	Beaked hazelnut
<i>Diervilla lonicera</i>	Bushhoneysuckle, Blue herb, Gravel weed
<i>Hamamelis virginiana</i>	Witch hazel
<i>Ilex glabra</i>	Inkberry, Gallberry
<i>Ilex verticillata</i>	Winterberry
<i>Juniperus communis</i>	Common juniper
<i>Juniperus horizontalis</i>	Creeping juniper, Creeping cedar/ Savin
<i>Kalmia angustifolia</i>	Sheep laurel
<i>Kalmia latifolia</i>	Mountain laurel
<i>Lindera benzoin</i>	Spice bush
<i>Myrica pensylvanica</i>	Northern bayberry

<i>Physocarpus opulifolius</i>	Common ninebark
<i>Potentilla fruticosa</i>	Cinquefoil, Bush cinquefoil
<i>Rhododendron maximum</i>	Great laurel
<i>Rhododendron periclymenoides</i>	Pinkster azalea
<i>Rhododendron viscosum</i>	Swamp azalea
<i>Rhus aromatica</i>	Fragrant sumac, Sweet scented sumac/Lemon sumac
<i>Rhus copallina</i>	Winged sumac
<i>Rhus glabra</i>	Smooth sumac
<i>Rhus typhina</i>	Staghorn sumac
<i>Rosa blanda</i>	Smooth rose, Meadow rose
<i>Rubus alleghaniensis</i>	Common blackberry, Allegheny blackberry
<i>Salix humilis</i>	Prairie willow
<i>Salix lucida</i>	Shining willow
<i>Sambucus canadensis</i>	American elderberry
<i>Spiraea tomentosa</i>	Hardhack spirea
<i>Vaccinium angustifolium</i>	Lowbush blueberry
<i>Vaccinium corymbosum</i>	Highbush blueberry
<i>Viburnum acerifolium</i>	Maple leaf viburnum
<i>Viburnum alnifolium</i> (V. <i>Lantanoides</i> )	Hobble bush
<i>Viburnum dentatum</i>	Arrowwood viburnum
<i>Viburnum lentago</i>	Nanny-berry
<i>Viburnum prunifolium</i>	Black-haw

**APPENDIX D**  
**Selection List for On-site Trees**

Small Trees

BOTANICAL NAME	COMMON NAME
<i>Amelanchier laevis</i>	Serviceberry
<i>Betula nigra</i>	River birch
<i>Betula populifolia</i>	Grey birch
<i>Carpinus caroliniana</i>	Hornbeam
<i>Cercis canadensis</i>	Eastern redbud
<i>Cornus florida</i>	Flowering dogwood
<i>Crataegus crus-galli inermis</i>	Thornless cockspur hawthorn
<i>Crataegus phaenopyrum</i>	Washington hawthorn
<i>Hamamelis virginiana</i>	Witch hazel
<i>Ilex opaca</i>	American holly
<i>Juniperus virginiana</i>	Eastern red cedar
<i>Populus tremuloides</i>	Quaking aspen

LARGE TREES

BOTANICAL NAME	COMMON NAME
<i>Acer rubrum</i>	Red maple
<i>Acer saccharum</i>	Sugar maple
<i>Betula lenta</i>	Black/Sweet birch
<i>Betula papyrifera</i>	Paper birch
<i>Celtis occidentalis</i>	Common hackberry
<i>Chamaecyparis thyoides</i>	Cedar, Atlantic white
<i>Fagus grandifolia</i>	American beech tree
<i>Fraxinus americanum</i>	Ash, white
<i>Fraxinus pennsylvanica</i>	Ash, green

<i>Larix laricina</i>	Tamarack/American larch
<i>Liquidambar styraciflua</i>	Sweet gum
<i>Liriodendron tulipifera</i>	Tulip tree
<i>Nyssa sylvatica</i>	Black tupelo
<i>Picea rubens</i>	Spruce, red
<i>Pinus resinosa</i>	Pine, red
<i>Pinus rigida</i>	Pine, pitch
<i>Pinus strobus</i>	Pine, eastern white
<i>Platanus occidentalis</i>	American Sycamore
<i>Populus deltoides</i>	Eastern cottonwood
<i>Populus grandidentata</i>	Aspen, big toothed
<i>Quercus alba</i>	White oak
<i>Quercus borealis</i>	Northern red oak
<i>Quercus palustris</i>	Pin oak
<i>Quercus phellos</i>	Willow oak
<i>Quercus prinus</i>	Chestnut oak
<i>Quercus rubra</i>	Red oak
<i>Tilia americana</i>	Basswood

**APPENDIX E**  
**Selection List for Street Trees`**

Street Trees

BOTANICAL NAME	COMMON NAME
<i>Acer rubrum</i>	Red maple
<i>Amelanchier canadensis</i>	Shadbush, Serviceberry
<i>Carpinus caroliniana</i>	American hornbeam, Musclewood

<i>Celtis occidentalis</i>	Hackberry
<i>Crataegus crus-galli inermis</i>	Thornless cockspur hawthorn
<i>Crataegus phaenopyrum</i>	Washington hawthorn
<i>Fraxinus pennsylvanica</i>	Green ash
<i>Fraxinus americana</i>	White ash
<i>Gingko biloba</i> (male trees only)	Gingko
<i>Gleditsia triacanthos inermis</i>	Honey locust, thornless
<i>Liquidambar styraciflua</i>	Sweet gum
<i>Nyssa sylvatica</i>	Tupelo, swamp
<i>Ostrya virginiana</i>	American hop hornbeam
<i>Quercus palustris</i>	Pin oak
<i>Quercus stellata</i>	Post oak
<i>Quercus phellos</i>	Willow oak
<i>Quercus rubra</i>	Northern red oak
<i>Taxodium distichum</i>	Bald cypress
<i>Tilia americana</i>	Basswood
<i>Tilia cordata</i>	Little leaf linden

(On November 17, 2004, Cal. No. 6, the Commission scheduled December 8, 2004 for a public hearing. On December 8, 2004, Cal. No. 8, the hearing was closed.)

**For consideration.**

\_\_\_\_\_



**IV. CITY PLANNING COMMISSION 2005 SCHEDULE OF MEETINGS  
January 1 to June 30**

	SUN	MON	TUE	WED	THU	FRI	SAT	Notes
<b>JANUARY</b>	2 REVIEW SESSION	3	4 CPC PUBLIC MEETING	5	6	7 CPC-1 8	15	*Review Session will be held on <u>Tuesday</u> , January 18th
	9	10	11	12	13	14	15	
	16 PUBLIC MEETING	17 REVIEW SESSION	*18 REVIEW SESSION	19 CPC PUBLIC MEETING	20	21	22	
	23	24	25	26	27	28	29	
	30 HOLIDAY 1-31-2005	31						
<b>FEBRUARY</b>			1 CPC PUBLIC MEETING	2	3	4	5	
	6	7	8	9	10	11	12	
	13 REVIEW SESSION	14	15 CPC PUBLIC MEETING	16	17	18	19	
	20 HOLIDAY 2-21-2005	21	22	23	24	25	26	
	27 REVIEW SESSION	28						
<b>MARCH</b>			1 CPC PUBLIC MEETING	2	3	4	5	
	6	7	8	9	10	11	12	
	13 REVIEW SESSION	14	15 CPC PUBLIC MEETING	16	17	18	19	
	20 HOLIDAY 3-20-2005	21	22	23	24	25	26	
	27 REVIEW SESSION	28	29 CPC PUBLIC MEETING	30	31			
<b>APRIL</b>	3	4	5	6	7	8	9	
	10 REVIEW SESSION	11	12 CPC PUBLIC MEETING	13	14	15	16	
	17	18	19	20	21	22	23	
	24 PASSOVER	25	26 CPC PUBLIC MEETING	27	28	29	30	
	1	2	3	4	5	6	7	
<b>MAY</b>	8 REVIEW SESSION	9	10 CPC PUBLIC MEETING	11	12	13	14	
	15	16	17	18	19	20	21	
	22 REVIEW SESSION	23	24 CPC PUBLIC MEETING	25	26	27	28	
	29 HOLIDAY 5-29-2005	30	31					
				1	2	3	4	
<b>JUNE</b>	5 REVIEW SESSION	6	7 CPC PUBLIC MEETING	8	9	10	11	
	12	13	14	15	16	17	18	
	19 REVIEW SESSION	20	21 CPC PUBLIC MEETING	22	23	24	25	
	26	27	28	29	30			

Review Sessions are held in Spector Hall at 22 Reade Street starting at 1:00 P.M.  
Public Meetings are held in Spector Hall at 22 Reade Street starting at 10:00 A.M.