

CITY PLANNING COMMISSION DISPOSITION SHEET

**SPECIAL MEETING:
MONDAY, MARCH 14, 2005
1:00 P.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	Favorable Report Adopted
2	C 040416 MMK	1	“ ”	“ ”
3	C 040417 MMK	1	“ ”	“ ”
4	C 040418 MMK	1	“ ”	“ ”
5	N 050110 ZRK	1	“ ”	Withdrawn
6	N 050110(A) ZRK	1	“ ”	Fav. Report Adopted as
7	C 050111 ZMK	1	“ ”	Withdrawn
8	C 050111(A) ZMK	1	“ ”	Fav. Report Adopted as
9	C 050149 ZMQ	11	BAYSIDE REZONING/R2A TEXT	Favorable Report Adopted
10	N 050148 ZRY	cw	“ ”	Withdrawn
11	N 050148(A) ZRY	cw	“ ”	Fav. Report Adopted as

COMMISSION ATTENDANCE:	Present (P) Absent (A)	COMMISSION VOTING RECORD:													
		In Favor - Y Oppose - N Abstain - AB Recuse - R													
		Calendar Numbers:													
		1	2	3	4	5	6	7	8	9	10	11			
Amanda M. Burden, AICP, Chair	P	Y	Y	Y	Y		Y		Y	Y		Y			
Kenneth J. Knuckles, Esq., Vice Chairman	P	Y	Y	Y	Y		Y		Y	Y		Y			
Angela M. Battaglia	P	Y	Y	Y	Y	W	Y	W	Y	Y	W	Y			
Irwin Cantor, P.E.	P	Y	Y	Y	Y	I	Y	I	Y	Y	I	Y			
Angela R. Cavaluzzi, R.A.	P	Y	Y	Y	Y	T	Y	T	Y	Y	T	Y			
Alfred C. Cerullo, III	P	Y	Y	Y	Y	H	Y	H	Y	Y	H	Y			
Richard W. Eaddy	P	Y	Y	Y	Y	D	Y	D	Y	Y	D	Y			
Jane D. Gol	A					R		R			R				
Lisa A. Gomez	P	Y	Y	Y	Y	A	Y	A	Y	Y	A	Y			
Christopher Kui	P	Y	Y	Y	Y	W	Y	W	Y	Y	W	Y			
John Merolo	P	Y	Y	Y	Y	N	Y	N	Y	Y	N	Y			
Karen A. Phillips	P	N	N	N	N		N		N	Y		Y			
Dolly Williams, Commissioners	P	N	N	N	N		N		N	Y		Y			

MEETING ADJOURNED AT: 1:50 P.M.

COMPREHENSIVE
CITY PLANNING CALENDAR
of
The City of New York
—————
CITY PLANNING COMMISSION2
—————
MONDAY, MARCH 14, 2005
—————
SPECIAL MEETING AT 1:00 P.M.
IN SPECTOR HALL
22 READE STREET, NEW YORK, N.Y.



Michael R. Bloomberg, Mayor
City of New York

Prepared by Yvette V. Gruel, Calendar Officer

A

CITY PLANNING COMMISSION

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.

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). 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

MONDAY MARCH 14, 2005

I. Reports 1

I. REPORTS

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.

(On January 5, 2005, Cal. No. 1, the Commission scheduled January 19, 2005 for a public hearing. On January 19, Cal. No. 11, the hearing was closed.)

For consideration.

No. 2

CD 1

C 040416 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, 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.

(On January 5, 2005, Cal. No. 2, the Commission scheduled January 19, 2005 for a public hearing. On January 19, 2005, Cal. No. 12, the hearing was closed.)

For consideration.

No. 3

CD 1

C 040417 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 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.

On January 5, 2005, Cal. No. 3, the Commission scheduled January 19, 2005 for a public hearing. On January 19, 2005, Cal. No. 13, the hearing was closed.)

For consideration.

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 9th Street and North 10th 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.

(On January 5, 2005, Cal. No. 4, the Commission scheduled January 19, 2005 for a public hearing. On January 19, 2005, Cal. No. 14, the hearing was closed.)

For consideration.

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

* * *

62-20

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).

* * *

62-35

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

* * *

4. 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

(i) 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 clearpath 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#.

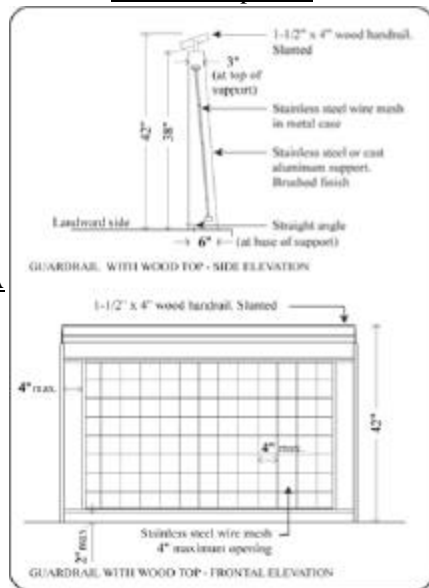


Illustration A1

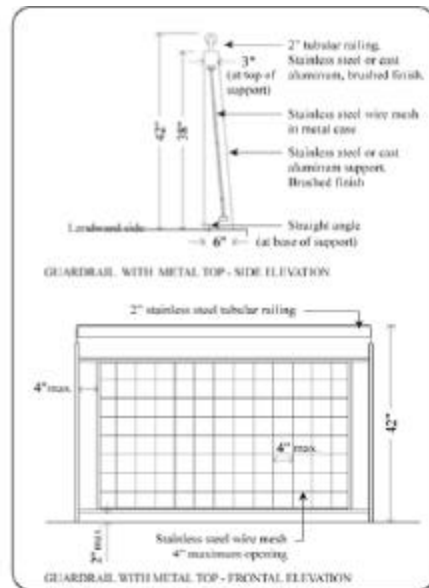


Illustration A2
(Alternate for piers)

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ponents 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

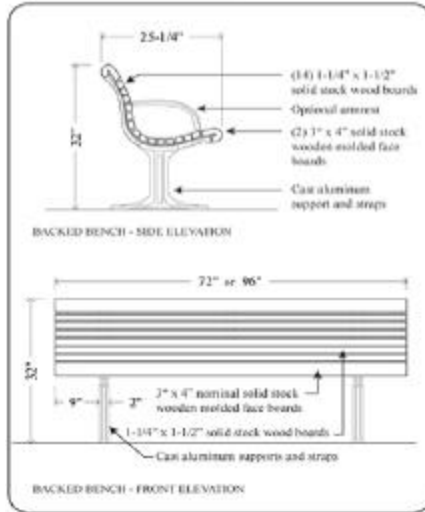


Illustration B1

seating along any #shore public walkway# or #supplemental public access area# shall comply with illustration B1 or B2 below.

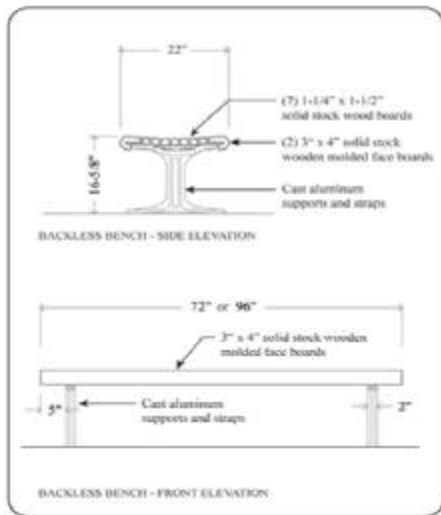


Illustration B2

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 tenzalloy 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

In addition to the provisions of Section 62-676, the paving for the required clear

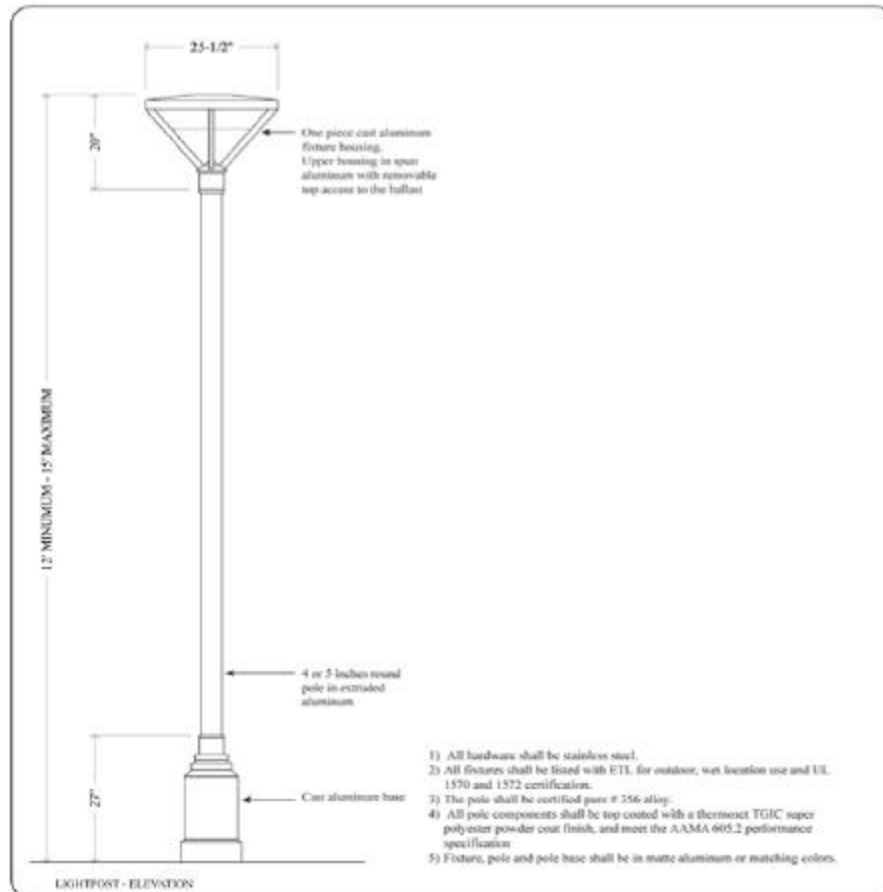


Illustration C1
Illustration C1

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 6th 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 7th 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 6th 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 5th Street and the northern edge of the required #upland connection# at the prolongation of North 4th 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 4th 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

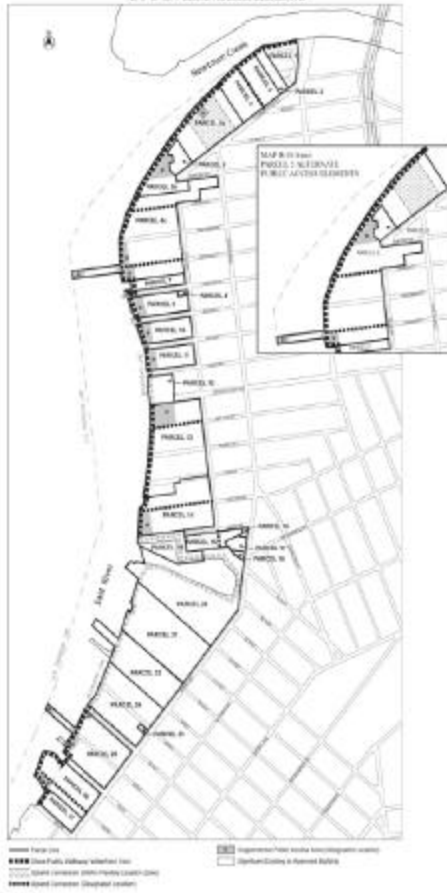
A #visual corridor# shall be provided through Parcel 15 as the prolongation of the #street lines# of West Street.

(9) Parcel 25

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

(g) Greenpoint - Williamsburg Waterfront Access Plan Maps

MAP D-14 PUBLIC ACCESS ELEMENTS



MPP 9-1c PARCEL DESIGNATION



MAP 8.1c: 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#.

* * *

(On January 5, 2005, Cal. No. 5, the Commission scheduled January 19, 2005 for a public hearing. On January 19, 2005, Cal. No. 15, the hearing was closed.)

For consideration.

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)

* * *

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 1st 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

<u>Column A</u>	<u>Column B</u>
<u>On-site New Construction</u>	<u>2.0</u>
<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

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 #acces-

sory# 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:

$$\frac{125}{80}$$

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:

$$\frac{175}{80}$$

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 house-

holds#, 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 develop 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:

- (b) The provisions of Section 62-511 and Section 62-521 shall not be applicable.
- (c) #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.
- (d) 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.

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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,</u> <u>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</u> <u>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 & 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 & 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 WATERFRONT 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:

(i) 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

- (i) 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).
- (e) 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>

Shade structure	150 sq. ft. per structure, to a max. of 300 sq. ft.
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(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#.

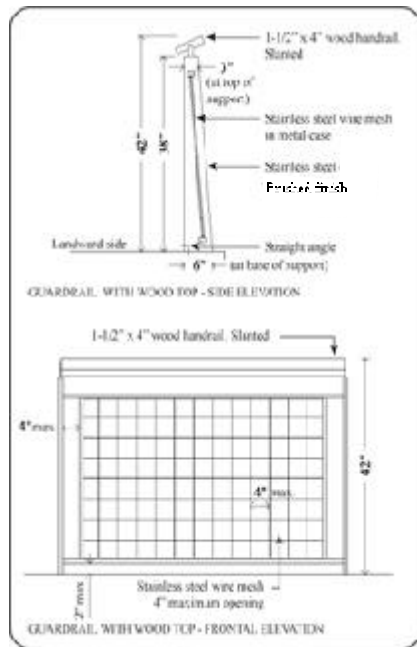


Illustration A1

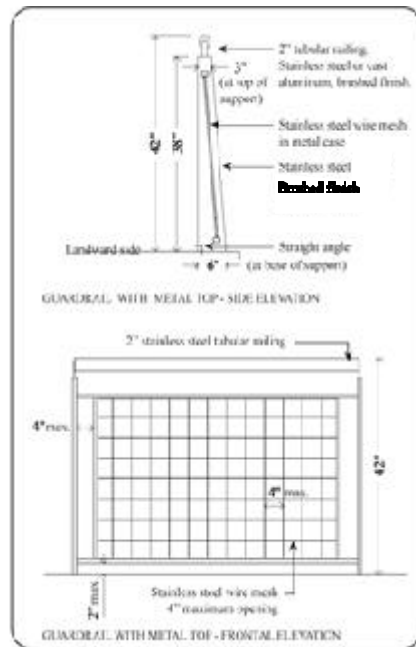


Illustration A2 (Alternate for piers)

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.

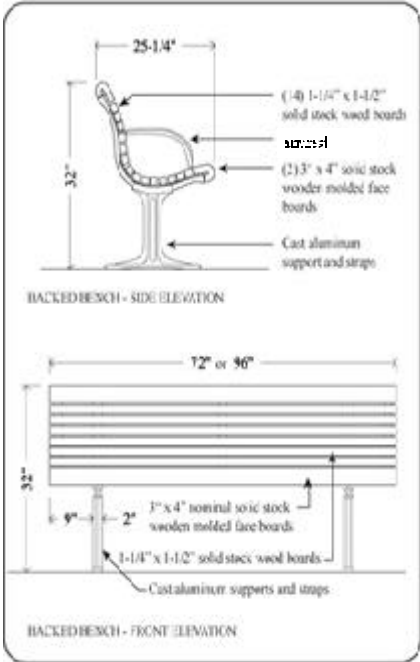


Illustration B1

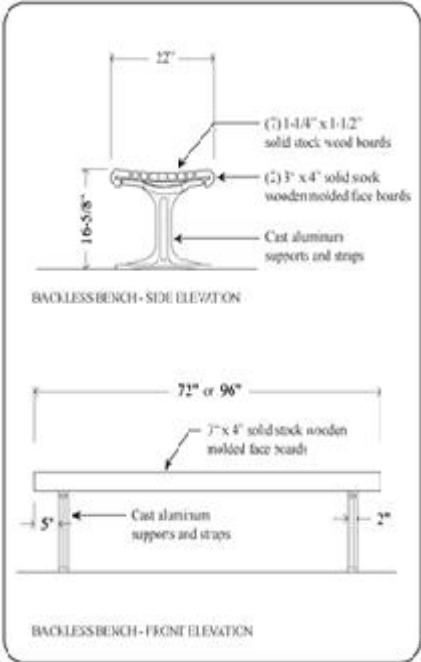


Illustration B2

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 tenzalloy cast aluminum, with a rust inhibitor and a top coat finish of thermosetting polyester

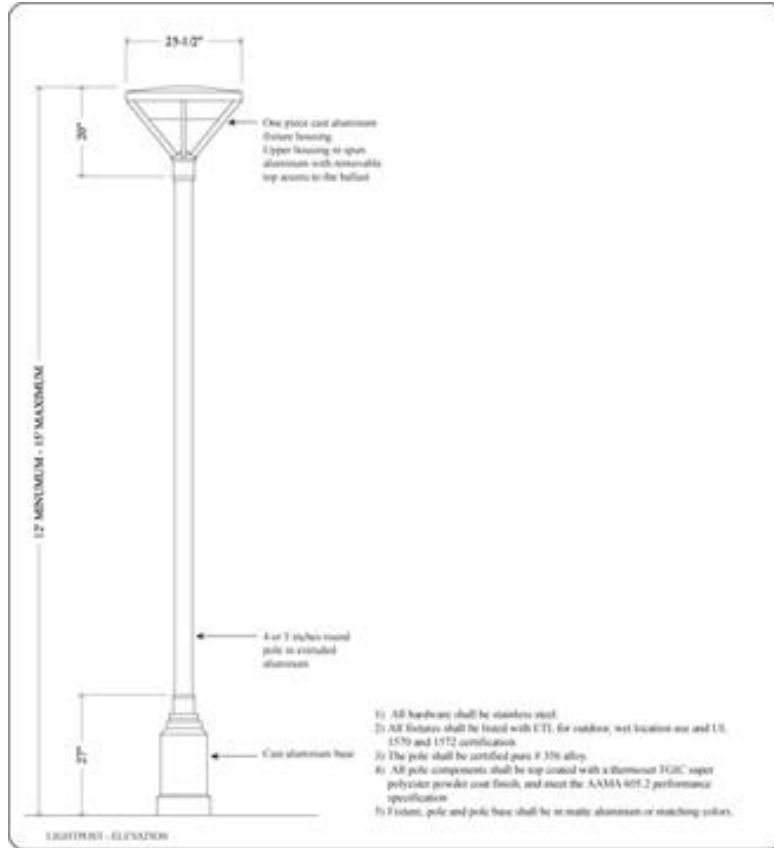


Illustration C1

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

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 6th 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 7th 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 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 6th 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 5th Street and the northern boundary of the required upland connection at the prolongation of North 4th 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 4th 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

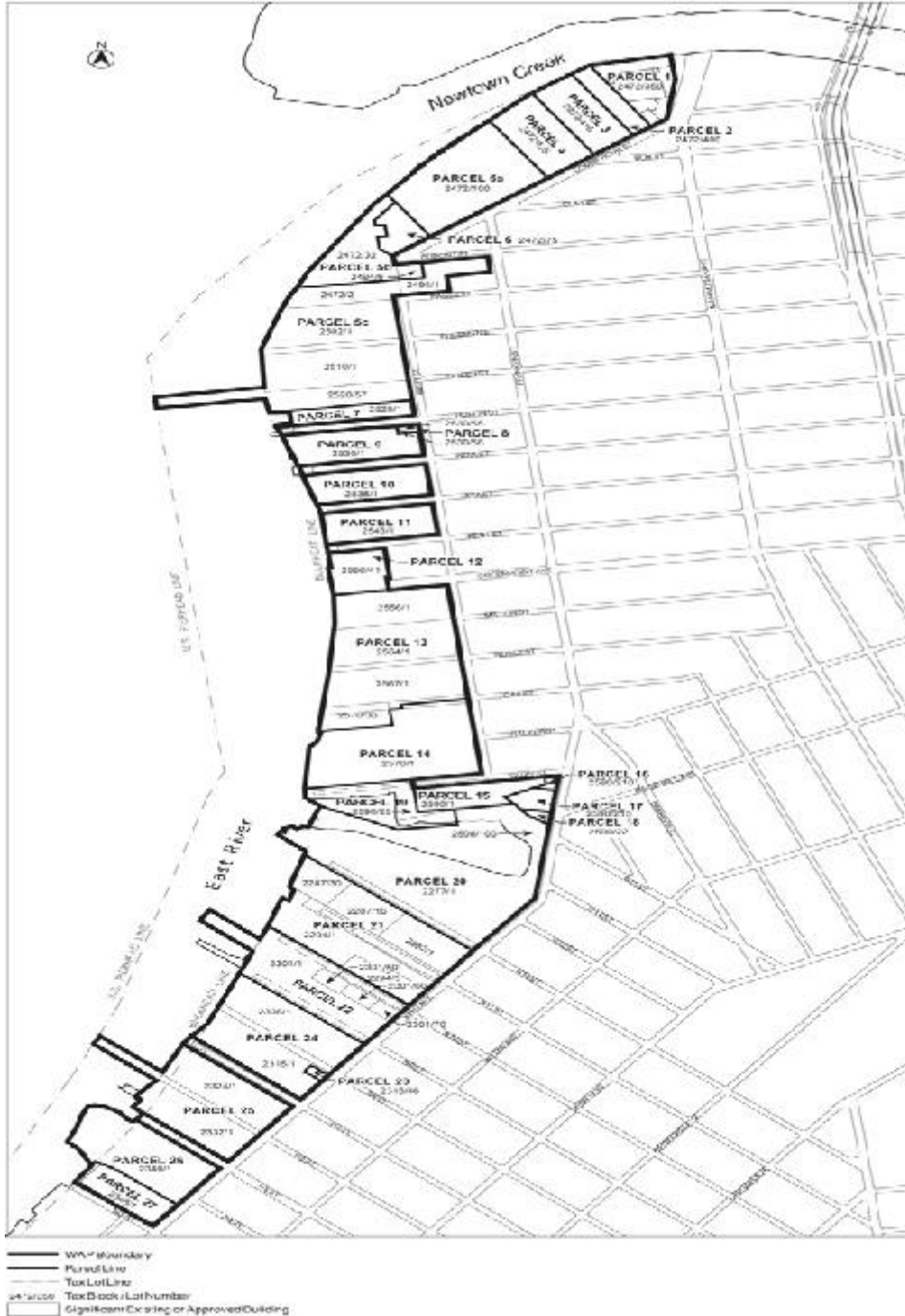
A #visual corridor# shall be provided through Parcel 15 as the prolongation of the #street lines# of West Street.

(9) Parcel 25

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

(g) Greenpoint - Williamsburg Waterfront Access Plan Maps

MAP B-1a: PARCEL DESIGNATION

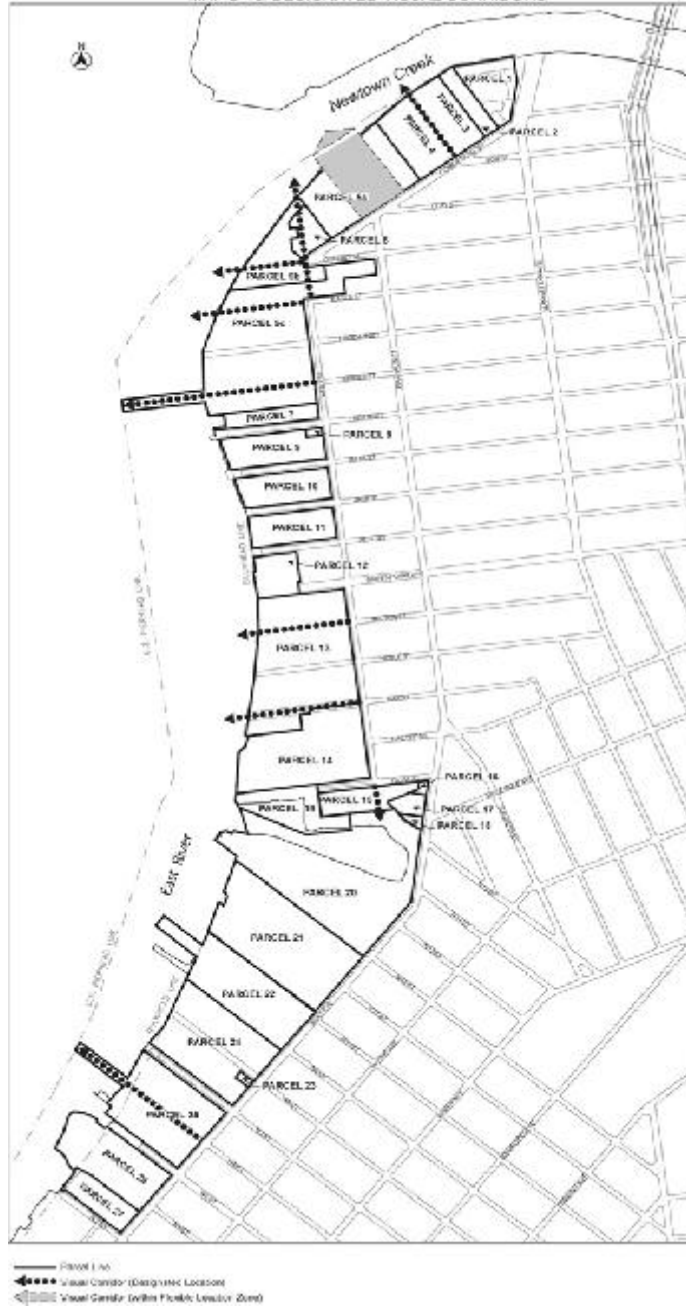


MAP B-1b: PUBLIC ACCESS ELEMENTS



* * *

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#.

* * *

(On January 5, 2005, Cal. No. 6, the Commission scheduled January 19, 2005 for a public hearing. On January 19, 2005, Cal. No. 16, the hearing was closed.)

For consideration.

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 9th Street, Berry Street, North 10th Street, a line midway between Berry Street and Bedford Avenue, North 12th 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 4th Street, Berry Street, and North 7th Street, and excluding the area bounded by a line 100 feet southeasterly of Bedford Avenue, North 11th Street, Roebling Street, North 10th Street, Union Avenue, Withers Street, North 9th Street, Roebling Street, North 8th Street, Driggs Avenue, and North 9th 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;
3. **eliminating a C1-3 District within an existing R6 District bounded by** Hope Street, Havemeyer Street, South 1st Street, and a line 150 feet northwesterly of Havemeyer Street;
4. **changing from an R6(M1-2) District to an R6 District property bounded**

by:

- a.** a line 100 feet southeasterly of Havemeyer Street, North 6th Street, Brooklyn Queens Expressway, and Metropolitan Avenue; and
- b.** Havemeyer Street, the southeasterly centerline prolongation of North 5th Street, and Metropolitan Avenue;

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

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

6. 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 3rd Street, and Wythe Avenue;

7. changing from an M1-2(R6) District to an R6 District property bounded by Roebling Street, North 5th Street, Havemeyer Street, Metropolitan Avenue, and North 4th Street;

8. 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 2nd 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 7th Street and its northwesterly centerline prolongation, Kent Avenue, North 3rd Street and its northwesterly centerline prolongation, the U.S. Pierhead Line, the northwesterly prolongation of the northeasterly street line of North 4th Street, a line 150 feet northwesterly of Kent Avenue, the northwesterly prolongation of North 5th Street, a line 200 feet northwesterly of Kent Avenue, and a line 100 feet northeasterly of North 6th Street and its northwesterly prolongation;

- 9. **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;

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

 - a. Berry Street, North 10th Street, a line midway between Berry Street and Bedford Avenue, North 12th Street, Bedford Avenue, North 11th Street, a line 100 feet southeasterly of Bedford Avenue, and a line midway between North 10th Street and North 9th Street; and
 - b. a line 100 feet northwesterly of Havemeyer Street, North 7th Street, Havemeyer Street, North 6th Street, a line 100 feet southeasterly of Havemeyer Street, and North 5th Street and its southeasterly centerline prolongation;
- 11. 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 1st Street, Berry Street, and Grand Street;
- 12. 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 southwestly of Graham Avenue-Via Vespucci, Engert Avenue, and Eckford Street;
- 13. changing from an R6(M1-2) District to an R6B District property**

bounded by Wythe Avenue, North 9th Street, Berry Street, a line midway between North 10th Street and North 9th Street, a line 100 feet southeasterly of Bedford Avenue, North 9th Street, a line 100 feet northwesterly of Driggs Avenue, North 8th Street, a line 100 feet northwesterly of Roebing Street, North 7th Street, a line 100 feet northwesterly of Havemeyer Street, North 5th Street, Roebing Street, North 4th Street, Driggs Avenue, North 5th Street, Bedford Avenue, North 4th Street, Berry Street, a line midway between 6th Street and North 5th Street, a line 100 feet northwesterly of Bedford Avenue, a line midway between North 7th Street and North 6th Street, Berry Street and North 7th Street;

14. 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;

15. 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 10th Street and North 9th Street, Berry Street, and North 9th Street;

16. 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;

17. 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 2nd 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 2nd 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 6th Street and its northwesterly prolongation, a line 200 feet northwesterly of Kent Avenue, North 5th Street, a line 150 feet northwesterly of Kent Avenue, the northwesterly prolongation of the northeasterly street line of North 4th Street, and the U.S. Pierhead Line;

18. 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 12th Street, Wythe Avenue, North 9th Street, Kent Avenue, and Franklin Street;

19. 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;

20. 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;

21. 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 1st Street, and Bedford Avenue; and

- e. South 4th Street, South 5th Place and its southerly centerline prolongation, South 5th Street, and Wythe Avenue;
22. **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;
23. **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 12th Street;
 - b. Driggs Avenue, North 4th Street, and Metropolitan Avenue; and
 - c. Kent Avenue, South 4th Street, a line 100 feet westerly of Wythe Avenue, South 3rd Street, Wythe Avenue, and South 5th Street;
24. **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 6th Street and its southeasterly centerline prolongation;
25. **changing from an M3-1 District to an M1-2/R6 District property bounded by** Kent Avenue, a line 140 feet southwesterly of North 1st Street, Wythe Avenue, a line midway between South 1st Street and South 2nd Street, a line 200 feet northwesterly of Wythe Avenue, a line midway between Grand Street and South 1st Street, a line 100 feet southeasterly of Kent Avenue, and Grand Street;
26. **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;

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

- a. North 12th 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 11th Street, and Driggs Avenue;
- b. North 9th Street, Driggs Avenue, North 8th Street, and a line 100 feet northwesterly of Driggs Avenue;
- c. North 8th Street, Roebling Street, North 7th Street, and a line 100 feet northwesterly of Roebling Street; and
- d. Berry Street, a line midway between North 7th Street and North 6th Street, a line 100 feet northwesterly of Bedford Avenue, and a line midway between North 6th Street and North 5th Street;

28. 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 3rd Street, Berry Street, a line 90 feet southwesterly of North 1st Street, and Wythe Avenue

29. 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;

30. 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 12th Street, a line midway between Berry Street and Bedford Street, North 10th Street, Berry Street, and a line midway between North 10th Street and North 9th Street;
- b. North 11th Street, Roebling Street, North 10th Street, Union Avenue, Withers Street, North 9th Street, Roebling Street, North 8th Street, Driggs Avenue, North 9th Street, and a line 100 feet southeasterly of Bedford Avenue; and
- c. Wythe Avenue, a line midway between North 7th Street and North 6th Street, Berry Street, and North 3rd Street;

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

- a. Roebling Street, North 11th 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 6th Street, Havemeyer Street, North 7th Street, Roebling Street, North 9th Street, Withers Street, Union Avenue, and North 10th Street; and

- b. Richardson Street, Leonard Street, Frost Street, and Lorimer Street;
- 32. **changing from an M3-1 District to an M1-2/R6A District property bounded by** North 9th Street, Wythe Avenue, North 8th Street, a line 100 feet southeasterly of Kent Avenue, a line midway between North 7th Street and North 6th Street, Wythe Avenue, a line 140 feet southwesterly of North 1st Street, and Kent Avenue;
- 33. **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;
- 34. **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 5th Street, Driggs Avenue, a line 150 feet southwesterly of North 5th Street, and a line 25 feet northwesterly of Driggs Avenue;
- 35. **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;
- 36. **changing from an M1-2 District to an M1-2/R6B District property bounded by:**
 - a. North 7th Street, Berry Street, a line midway between North 7th Street and North 6th Street, and Wythe Avenue; and
 - b. North 4th Street, Driggs Avenue, North 3rd Street, and Berry Street;
- 37. **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 5th Street, a line 25 feet northwesterly of Driggs Avenue, a line 150 feet southwesterly of North 5th Street, Driggs Avenue, and North 4th Street;

- 38. **changing from an M3-1 District to an M1-2/R6B District property bounded by** North 8th Street, Wythe Avenue, a line midway between North 7th Street and North 6th Street, and a line 100 feet southeasterly of Kent Avenue;

- 39. **changing from an M1-2(R6) District to an M1-2/R7A District property bounded by** North 12th Street, Driggs Avenue, North 11th Street, and Bedford Avenue;

- 40. **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 1st Street, a line 150 feet northwesterly of Havemeyer Street, and a line midway between Grand Street and South 1st Street;

- 41. **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 2nd 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 7th Street, Kent Avenue, North 3rd Street, a line 150 feet northwesterly of Kent Avenue, North 5th Street, and a line 200 feet northwesterly of Kent Avenue; and
 - f. North 1st Street, Driggs Avenue, a line 60 feet southwesterly of Fillimore Place, Roebling Street, a line midway between Grand Street and South 1st Street, and Bedford Avenue;
- 42. establishing within a proposed R6A District a C1-4 District bounded by North 10th Street, Bedford Avenue, a line midway between North 10th Street and North 9th Street, and a line 100feet northwesterly of Bedford Avenue;**
- 43. establishing within a proposed R6A District a C2-4 District bounded by Wythe Street, a line 90 feet southwesterly of North 1st Street, Berry Street, and Grand Street;**
- 44. 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 10th Street and North 9th Street, Bedford Avenue, North 8th Street, a line 100 feet southeasterly of Bedford Avenue, North 5th Street, Bedford Avenue, and North 4th Street;**
- 45. 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;**
- 46. 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 6th Street, a line 200 feet northwesterly of Kent Avenue, a line 100 feet southwesterly of North 6th Street, and a line 555 feet northwesterly of Kent Avenue; and

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

- a. BoxStreet 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 12th 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 6th Street, Havemeyer Street, North 7th Street, a line 100 feet northwesterly of Roebling Street, North 8th Street, a line 100 feet northwesterly of Driggs Avenue, North 9th Street, a line 100 feet southeasterly of Bedford Avenue, and a line midway between North 10th Street and North 9th Street;

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

(On January 5, 2005, Cal. No. 7, the Commission scheduled January 19, 2005 for a public hearing. On January 19, 2005, Cal. No. 17, the hearing was closed.)

For consideration.

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 9th Street, Berry Street, North 10th Street, a line midway between Berry Street and Bedford Avenue, North 12th 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 4th Street, Berry Street, and North 7th Street, and excluding the area bounded by a line 100 feet southeasterly of Bedford Avenue, North 11th Street, Roebling Street, North 10th Street, Union Avenue, Withers Street, North 9th Street, Roebling Street, North 8th Street, Driggs Avenue, and North 9th 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;
- 3. **eliminating a C1-3 District within an existing R6 District bounded by Hope Street, Havemeyer Street, South 1st Street, and a line 150 feet northwesterly of Havemeyer Street;**
- 4. **changing from an R6(M1-2) District to an R6 District property bounded by:**
 - a. a line 100 feet southeasterly of Havemeyer Street, North 6th Street, Brooklyn Queens Expressway, and Metropolitan Avenue; and
 - b. Havemeyer Street, the southeasterly centerline prolongation of North 5th Street, and Metropolitan Avenue;
- 5. **changing from a C8-2 District to an R6 District property bounded by:**
 - a. North 1st Street, Driggs Avenue, Fillimore Place, Roebling Street, a line midway between Grand Street and South 1st Street, and Bedford Avenue; and
 - b. a line midway between Hope Street and Grand Street, Marcy Avenue, Grand Street, and Havemeyer Street;
- 6. **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 3rd Street, and Wythe Avenue;
- 7. **changing from an M1-2(R6) District to an R6 District property bounded**

by Roebing Street, North 5th Street, Havemeyer Street, Metropolitan Avenue, and North 4th Street;

8. 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 2nd 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 7th Street and its northwesterly centerline prolongation, Kent Avenue, North 3rd Street and its northwesterly centerline prolongation, the U.S. Pierhead Line,

the northwesterly prolongation of the northeasterly street line of North 4th Street, a line 150 feet northwesterly of Kent Avenue, the northwesterly prolongation of North 5th Street, a line 200 feet northwesterly of Kent Avenue, and a line 100 feet northeasterly of North 6th Street and its northwesterly prolongation;

9. **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;
10. **changing from an R6(M1-2) District to an R6A District property bounded by:**
 - a. Berry Street, North 10th Street, a line midway between Berry Street and Bedford Avenue, North 12th Street, Bedford Avenue, North 11th Street, a line 100 feet southeasterly of Bedford Avenue, and a line midway between North 10th Street and North 9th Street; and
 - b. a line 100 feet northwesterly of Havemeyer Street, North 7th Street, Havemeyer Street, North 6th Street, a line 100 feet southeasterly of Havemeyer Street, and North 5th Street and its southeasterly centerline prolongation;
11. **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 southwestwardly of North 1st Street, Berry Street, and Grand Street;
12. **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;

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

14. **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;

15. **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 10th Street and North 9th Street, Berry Street, and North 9th Street;

16. **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;

17. 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 2nd 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 6th Street and its northwesterly prolongation, a line 200 feet northwesterly of Kent Avenue, North 5th Street, a line 150 feet northwesterly of Kent Avenue, the northwesterly prolongation of the northeasterly street line of North 4th Street, and the U.S. Pierhead Line;

18. 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 15th Street, Wythe Avenue, Banker Street, a line midway between Wythe Avenue and Berry Street and its northeasterly prolongation, North 12th Street, Wythe Avenue, North 9th Street, Kent Avenue, and Franklin Street;

19. 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;

20. 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;

21. 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. BoxStreet 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 1st Street, and Bedford Avenue; and
 - e. South 4th Street, South 5th Place and its southerly centerline prolongation, South 5th Street, and Wythe Avenue;
- 22. **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;
- 23. **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 12th Street;
 - b. Driggs Avenue, North 4th Street, and Metropolitan Avenue; and
 - c. Kent Avenue, South 4th Street, a line 100 feet westerly of Wythe Avenue, South 3rd Street, Wythe Avenue, and South 5th Street;
- 24. **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 6th Street and its southeasterly centerline prolongation;
- 25. **changing from an M3-1 District to an M1-2/R6 District property**

bounded by Kent Avenue, a line 140 feet southwesterly of North 1st Street, Wythe Avenue, a line midway between South 1st Street and South 2nd Street, a line 200 feet northwesterly of Wythe Avenue, a line midway between Grand Street and South 1st Street, a line 100 feet southeasterly of Kent Avenue, and Grand Street;

26. 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;

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

- a. North 12th 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 11th Street, and Driggs Avenue;
- b. North 9th Street, Driggs Avenue, North 8th Street, and a line 100 feet northwesterly of Driggs Avenue;
- c. North 8th Street, Roebling Street, North 7th Street, and a line 100 feet northwesterly of Roebling Street; and
- d. Berry Street, a line midway between North 7th Street and North 6th Street, a line 100 feet northwesterly of Bedford Avenue, and a line midway between North 6th Street and North 5th Street;

28. 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 3rd Street, Berry Street, a line 90 feet southwesterly of North 1st Street, and Wythe Avenue
29. **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;
30. **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 12th Street, a line midway between Berry Street and Bedford Street, North 10th Street, Berry Street, and a line midway between North 10th Street and North 9th Street;
 - b. North 11th Street, Roebling Street, North 10th Street, Union Avenue, Withers Street, North 9th Street, Roebling Street, North 8th Street, Driggs Avenue, North 9th Street, and a line 100 feet southeasterly of Bedford Avenue; and
 - c. Wythe Avenue, a line midway between North 7th Street and North 6th Street, Berry Street, and North 3rd Street;
31. **changing from an M1-2(R6) District to an M1-2/R6A District property bounded by:**

- a. Roebing Street, North 11th 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 6th Street, Havemeyer Street, North 7th Street, Roebing Street, North 9th Street, Withers Street, Union Avenue, and North 10th Street; and
 - b. Richardson Street, Leonard Street, Frost Street, and Lorimer Street;
- 32. **changing from an M3-1 District to an M1-2/R6A District property bounded by** North 9th Street, Wythe Avenue, North 8th Street, a line 100 feet southeasterly of Kent Avenue, a line midway between North 7th Street and North 6th Street, Wythe Avenue, a line 140 feet southwesterly of North 1st Street, and Kent Avenue;
- 33. **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;
- 34. **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 5th Street, Driggs Avenue, a line 150 feet southwesterly of North 5th Street, and a line 25 feet northwesterly of Driggs Avenue;
- 35. **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;
- 36. **changing from an M1-2 District to an M1-2/R6B District property bounded by:**
 - a. North 7th Street, Berry Street, a line midway between North 7th Street and North 6th Street, and Wythe Avenue; and

- b. North 4th Street, Driggs Avenue, North 3rd Street, and Berry Street;
- 37. **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 5th Street, a line 25 feet northwesterly of Driggs Avenue, a line 150 feet southwesterly of North 5th Street, Driggs Avenue, and North 4th Street;
- 38. **changing from an M3-1 District to an M1-2/R6B District property bounded by** North 8th Street, Wythe Avenue, a line midway between North 7th Street and North 6th Street, and a line 100 feet southeasterly of Kent Avenue;
- 39. **changing from an M1-2(R6) District to an M1-2/R7A District property bounded by** North 12th Street, Driggs Avenue, North 11th Street, and Bedford Avenue;
- 40. **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 1st Street, a line 150 feet northwesterly of Havemeyer Street, and a line midway between Grand Street and South 1st Street;
- 41. **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 2nd 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 7th Street, Kent Avenue, North 3rd Street, a line 150 feet northwesterly of Kent Avenue, North 5th Street, and a line 200 feet northwesterly of Kent Avenue; and
 - f. North 1st Street, Driggs Avenue, a line 60 feet southwest of Fillimore Place, Roebing Street, a line midway between Grand Street and South 1st Street, and Bedford Avenue;
42. **establishing within a proposed R6A District a C1-4 District bounded by** North 10th Street, Bedford Avenue, a line midway between North 10th Street and North 9th Street, and a line 100 feet northwesterly of Bedford Avenue;
43. **establishing within a proposed R6A District a C2-4 District bounded by** Wythe Street, a line 90 feet southwest of North 1st Street, Berry Street, and Grand Street;
44. **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 10th Street and North 9th Street, Bedford Avenue, North 8th Street, a line 100 feet southeasterly of Bedford Avenue, North 5th Street, Bedford Avenue, and North 4th Street;

- 45. 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;
- 46. 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 6th Street, a line 200 feet northwesterly of Kent Avenue, a line 100 feet southwesterly of North 6th Street, and a line 555 feet northwesterly of Kent Avenue; and
- 47. establishing a Special Mixed Use District (MX-8) bounded by:**
- a.** BoxStreet 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 12th 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 6th Street, Havemeyer Street, North 7th Street, a line 100 feet northwesterly of Roebling Street, North 8th Street, a line 100 feet northwesterly of Driggs Avenue, North 9th Street, a line 100 feet southeasterly of Bedford Avenue, and a line midway between North 10th Street and North 9th Street;
- e.** Kent Avenue, North 9th Street, Wythe Avenue, North 7th Street, Berry Street, a line midway between North 7th Street and North 6th Street, a line 100 feet northwesterly of Bedford Avenue, a line midway between North 6th Street and North 5th Street, Berry Street, North 4th Street, Bedford Avenue, North 5th Street, Driggs Avenue, North 4th 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 1st Street, Bedford Avenue, Metropolitan Avenue, North 3rd Street, Berry Street, a line 90 feet southerly of North 1st Street, Wythe Avenue, a line midway between South 1st Street and South 2nd Street, a line 200 feet westerly of Wythe Avenue, a line midway between Grand Street and South 1st Street, a line 100 feet easterly of Kent Avenue, and Grand Street; and
- f.** South 3rd Street, Wythe Avenue, South 4th Street, South 5th

Place and its southerly centerline prolongation, South 5th Street, Kent Avenue, South 4th 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.

(On January 5, 2005, Cal. No. 8, the Commission scheduled January 19, 2005 for a public hearing. On January 19, 2005, Cal. No. 18, the hearing was closed.)

For consideration.

BOROUGH OF QUEENS

Nos. 9, 10 and 11

BAYSIDE REZONING/R2A TEXT

No. 9

CD 11

C 050149 ZMQ

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. 10c, 10d, 11a and 11b:**

1. eliminating from an existing R2 District a C1-2 District bounded by:
 - (a) a line 150 feet northerly of Horace Harding Expressway, 211th Street, a line 100 feet northerly of Horace Harding Expressway, and 210th street; and
 - (b) a line 150 feet northerly of Horace Harding Expressway, 217th Street, a line 100 feet northerly of Horace Harding Expressway, and 215th street;
2. eliminating from an existing R3-2 District a C1-2 District bounded by:
 - (a) a line 150 feet northerly of 35th Avenue, the westerly service road of Clearview Expressway, a line 100 feet northerly of 35th Avenue, and 205th street; and
 - (b) a line 150 feet northerly of 48th Avenue, a line 150 feet westerly of Bell

Boulevard, 47th Avenue, a line 100 feet westerly of Bell Boulevard, a line 100 feet northerly of 48th Avenue, 212th Street, 48th Avenue, 212th Street, a line 100 feet southerly of 48th Avenue, Bell boulevard, a line 150 feet southerly of 48th Avenue, 211th Street, 48th Avenue, and 211th street;

3. changing from an R2 District to an R1-2 District property bounded by:
 - (a) 24th Avenue and its northeasterly centerline prolongation, Cross Island Parkway, 28th Avenue, and Bell Boulevard;
 - (b) a line 100 feet northerly of 29th Avenue, 216th Street, a line 130 feet northerly of 31st Road, a line 150 feet easterly of 216th Street, 31st Road, a line 250 feet easterly of 216th Street, 32nd Avenue, 215th place, 33rd Road, 214th Place, 33rd Avenue, 214th Street, a line 100 feet northerly of 33rd Avenue, Bell Boulevard, the easterly prolongation of the center line of 32nd Avenue, 214th Street, 29th Avenue, and Bell Boulevard; and
 - (c) 35th Avenue and its easterly centerline prolongation, Cross Island Parkway, a line 100 feet northerly of 41st Avenue (straight portion) and its easterly prolongation, 223rd Street, 38th Avenue, 222nd Street, 37th Avenue, and 221st Street and its northerly centerline prolongation;
4. changing from an R2 District to an R2A District property bounded by:
 - (a) 26th Avenue, Bell Boulevard, 28th Avenue, Cross Island Parkway, 35th Avenue and its easterly centerline prolongation, 221st Street and its northerly centerline prolongation, 37th Avenue, 222nd Street, 38th Avenue, 223rd Street, a line 100 feet northerly of 41st Avenue (straight portion) and its easterly prolongation, Cross Island Parkway, the northerly boundary line of Long Island Rail Road (LIRR) right-of-way, 221st Street, 41st Avenue and its easterly centerline prolongation, 217th Street, Corbett Road, 35th Avenue, 214th Place, 34th Road and its westerly centerline prolongation, a line 100 feet westerly of Bell Boulevard and its southerly prolongation, a line midway between Bell Boulevard and 213th Street and its northerly prolongation, 36th Avenue, 213th Street, 38th Avenue, a line midway between 212th and 213th Streets, 39th Avenue, 208th Street, the center line of LIRR right-of-way, Francis Lewis Boulevard, 38th Avenue, 203rd Street, 36th Avenue, and the westerly service road of Clearview Expressway; except within the area as described in 3 b);
 - (b) a line 100 feet southerly of Northern Boulevard, a line 100 feet easterly of 220th Place, 46th Avenue, the westerly, northerly and easterly boundary of Alley Park, 46th Avenue, Springfield Boulevard, 47th Avenue, a line

midway between 217th and 218th Streets, 46th Avenue, and 218th Street; and

- (c) 47th Road, Springfield Boulevard, the southerly, westerly and northerly boundary of Alley Park, Springfield Boulevard, the southerly service road of Horace Harding Expressway, Oceania Street, the northerly service road of Horace Harding Expressway, a line midway between 207th and 208th Streets, 58th Avenue, 208th Street, 56th Avenue, 207th Street, 53rd Avenue, a line midway between 207th and 208th Streets, 48th Avenue, Oceania Street, a line 100 feet southerly of 48th Avenue, 211th Street, a line 150 feet southerly of 48th Avenue, Bell Boulevard, 48th Avenue, and 217th Street;
5. changing from an R3-1 District to an R3X District property bounded by:
- (a) 35th Avenue, 214th Place, 39th Avenue, Corp. Stone Street, 36th Avenue, and a line 150 feet easterly of Bell Boulevard (straight portion);
 - (b) the northerly boundary line of LIRR right-of-way, 217th Street and its northerly centerline prolongation, a line 100 feet southerly of 43rd Avenue, 215th Place, 43rd Avenue, a line midway between 215th Street and 215th Place, 42nd Avenue, and 216th Street and its northerly centerline prolongation; and
6. changing from an R3-1 District to an R3A District property bounded by 45th Road, a line 150 feet westerly of Bell Boulevard, 46th Road, and 211th Street;
7. changing from an R3-2 District to an R2A District property bounded by:
- (a) 34th Avenue, 205th Street, a line 100 feet southerly of 34th Avenue, the westerly service road of Clearview Expressway, a line 100 feet northwesterly of 35th Avenue, 201st Street, 35th Avenue, a line midway between 200th and 201st Streets, a line 100 feet southerly of 34th Avenue, and 202nd Street;
 - (b) a line 100 feet southerly of 36th Avenue, 203rd Street, 38th Avenue, Francis Lewis Boulevard, a line 100 feet northerly of 38th Avenue and its westerly prolongation, and a line midway between 202nd and 203rd Streets;
 - (c) 39th Avenue, Corp. Kennedy Street, a line 100 feet northerly of 41st Avenue, and 209th Street;
 - (d) the center line of LIRR right-of way, a line midway between 208th and 209th Streets and its northerly prolongation, a line 100 feet northerly of

42nd Avenue, and a line midway between 201st and 202nd Streets and its northerly prolongation;

- (e) a line 100 feet southerly of 42nd Avenue, Corp. Kennedy Street, a line 100 feet northerly of Northern Boulevard, Clearview Rexpressway, a line 100 feet southerly of 43rd Avenue, 205th Street, 43rd Avenue, 203rd Street, a line 100 feet northerly of 43rd Avenue, and a line midway between 202nd and 203rd Streets;
 - (f) Corbett Road, 217th Street, 39th Avenue, and 216th Street;
 - (g) 41st Avenue and its center line prolongation, 221st Street, the northerly boundary line of LIRR right-of-way, Cross Island Parkway, the southerly boundary line of LIRR right-of-way, 223rd Street, 43rd Avenue, and 217th Street and its northerly centerline prolongation; and
 - (h) a line 100 feet southerly of 48th Avenue, Bell Boulevard, a line 150 feet southerly of 48th Avenue, and 211th Street;
8. changing from an R3-2 District to an R3A District property bounded by:
- (a) a line 100 feet southerly of 34th Avenue, a line midway between 200th and 201st Streets, 35th Avenue, and Jordan Street;
 - (b) a line 75 feet southeasterly of 35th Avenue, 203rd Street, a line 75 feet southerly of 35th Avenue, a line midway between 204th and 205th Streets, 36th Avenue, 203rd Street, a line 100 feet southerly of 36th Avenue, a line midway between 202nd and 203rd Streets, a line 100 feet northerly of 38th Avenue, a line midway between 200th and 201st Streets, a line 100 feet northerly of 36th Avenue, and 201st Street; and
 - (c) 45th Drive, 211th Street, 47th Avenue, and Oceania Street;
9. changing from an R3-2 District to an R3X District property bounded by:
- (a) 35th Avenue, Corbett Drive, 216th Street, 39th Avenue, 217th Street and its southerly centerline prolongation, the northerly boundary line of the LIRR right-of-way, the southerly prolongation of the center line of 215th Street, 41st Avenue, a line 100 feet easterly of the southerly prolongation of the easterly street line of 214th Place, the easterly prolongation of the center line of 41st Avenue, and 214th Place;
 - (b) 43rd Avenue, a line midway between 222nd and 223rd Streets, a line 100 feet

northerly of Northern Boulevard, and 217th Street; and

- (c) 45th Avenue, a line 100 feet easterly of 202nd Street, a line 100 feet southerly of 45th Avenue, a line 100 feet southerly of Northern Boulevard, 204th Street, 47th Avenue, 202nd Street, Rocky Hill Road, 47th Avenue, and Francis Lewis Boulevard;
10. changing from an R3-2 District to an R3-1 District property bounded by:
 - (a) a line 100 feet southerly of Northern Boulevard, Clearview Expressway, 45th Road, 211th Street, 45th Drive, Oceania Street, 48th Avenue, Rocky Hill Road, 202nd Street, 47th Avenue, and 204th Street; and
 - (b) 47th Avenue, a line 100 feet westerly of 213th Street, a line 100 feet northerly of 48th Avenue, and a line 100 feet easterly of 210th Street;
 11. changing from an R3-2 District to an R4B District property bounded by 47th Avenue, a line 100 feet easterly of 210th Street, a line 100 feet northerly of 48th Avenue, a line 100 feet westerly of 213th Street, 47th Avenue, Bell Boulevard, a line 100 feet southerly of 48th Avenue, Oceania Street, 48th Avenue, and Oceania Street;
 12. changing from an R3-2 District to an R4-1 District property bounded by 34th Avenue, the westerly service road of Clearview Expressway, a line 100 feet southerly of 34th Avenue, and 205th Street;
 13. changing from an R4 District to an R3X District property bounded by 34th Road, 214th Place, 35th Avenue, and a line 100 feet westerly of 214th Place;
 14. changing from an R4 District to an R4B District property bounded by a line 100 feet southerly of Northern Boulevard, a line midway between 215th Place and 216th Street, 46th Avenue, 215th Place, a line 100 feet southerly of 46th Avenue, a line midway between 215th Street and 215th Place, 48th Avenue, Bell Boulevard, 47th Avenue, a line 150 feet westerly of Bell Boulevard, 45th Road, and a line 100 feet easterly of Bell Boulevard; and
 15. changing from an R4A District to an R2A District property bounded by 39th Avenue, 210th Street, a line 100 feet northerly of 41st Avenue, and Corp. Kennedy Street;

as shown in a diagram (for illustrative purposes only) dated November 1, 2004.

(On February 2, 2005, Cal. No. 5, the Commission scheduled February 16, 2005 for a public hearing. On February 16, 2005, Cal. No. 15, the hearing was closed.)

For consideration.

No. 10

Citywide

N 050148 ZRY

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 I, Chapter 1 (**Title, Establishment of Controls, and Interpretation of Regulations**) and Chapter 2 (**Construction of Language and Definitions**); Article II, Chapter 3 (**Bulk Regulations for Residential Buildings in Residential Districts**) and Chapter 5 (**Accessory Off-Street Parking and Loading Regulations**), establishing an R2A district.

Matter in underline is new, to be added;

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

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

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

* * *

**ARTICLE 1
GENERAL PROVISIONS**

**Chapter 1
Title, Establishment of Controls, and Interpretation of Regulations**

* * *

**11-12
Establishment of Districts**

In order to carry out the purposes and provisions of this Resolution, the following districts are hereby established:

Residence Districts

- R1-1 Single-Family Detached Residence District
- R1-2 Single-Family Detached Residence District

R2 Single-Family Detached Residence District
R2A Single-Family Detached Residence District
R2X Single-Family Detached Residence District

* * *

12-10
Definitions

* * *

Floor area

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

* * *

- (d) attic space (wether or not a floor has been laid) providing structural headroom of five feet or more in R2A, R2X, R3, R4 or R5 Districts and eight feet or more in other districts;

* * *

- (i) floor space used for #accessory# off-street parking spaces provided in any #story# after June 30, 1989:

- (1) within #detached# or #semi-detached single-# or #two-family residences# in R2A, R2X, R3, R4 or R5 Districts, except that in R2A Districts, and in R3, R4A and R4-1 Districts in #lower density growth management areas#, #floor area# within such #residences# shall include only floor space in excess of 300 square feet for one such space and in excess of 500 square feet for two such spaces;

* * *

- (6) which is unenclosed and covered by a #residential building or other structure# for at least 50 percent of such #accessory# off-street parking space in R2A, R2X, R3, R4 and R5 Districts.....

* * *

- (m) floor space used for mechanical equipment that exceeds 50 square feet for the first #dwelling unit#, an additional 30 square feet for the second #dwelling unit# and an additional 10 square feet for each additional #dwelling unit# in R2A, R2X, R3, R4 and R5 Districts....

* * *

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

* * *

- (4) attic space (whether or not a floor ~~actually~~ has been laid) providing structural headroom of less than five feet in R2A, R2X, R3, R4 or R5 Districts and less than eight feet in other districts;

* * *

- (6) floor space used for #accessory# off-street parking spaces provided in any #story#:

- (i) up to 200 square feet per required space existing on June 30, 1989 within #residential buildings# in R3, R4 or R5 Districts, except that in R2A Districts, and for #detached# or #semi-detached single-# or #two-family residences# in R3, R4A and R4-1 Districts within #lower density growth management areas#, #floor area# shall not include up to 300 square feet for one required space and up to 500 square feet for two required spaces;

* * *

- (8) floor space used for mechanical equipment, except that in R2A, R2X, R3, R4, or R5 Districts, such exclusion shall be limited to 50 square feet for the first #dwelling unit#, an additional 30 square feet for the second #dwelling unit#, ...

* * *

- (9) except in R2A, R2X, R3, R4 and R5 Districts, the lowest #story# (whether a #basement# or otherwise) of a #residential building#, provided that:

- (i) such #building# contains not more than two #stories# above such #story#;

* * *

**Chapter 3
Bulk Regulations for Residential Buildings in Residence Districts**

* * *

**23-00
APPLICABILITY AND GENERAL PURPOSES**

* * *

**23-10
OPEN SPACE AND FLOOR AREA REGULATIONS**

* * *

**23-141
In R1, R2, R3, R4 or R5 Districts**

R1 R2 R3 R4 R5

Except as otherwise provided in Section 23-144 (For non-profit residences for the elderly in R3, R4, R5, R6 and R7 Districts), in the districts indicated, the minimum required #open space# or #open space ratio#, the maximum #lot coverage# and the maximum #floor area ratio# for any #building# on a #zoning lot# shall be as set forth in the following tables:

(a)

District	Minimum Required #Open Space Ratio#	Maximum #Floor Area Ratio#
R1 R2*	150.0	0.50

* R2A and R2X ~~is~~ are subject to the provisions of paragraph (b).

(b)

District	Maximum #Lot Cover- age# (in percent)	Minimum Required #Open Space# (in percent)	Maximum #Floor Area Ra- tio#
R3A R3X	governed by #yard# requirements		.50
R4A R4-1	governed by #yard# requirements		.75
R2X	governed by #yard# requirements		.85
<u>R2A</u>	<u>35</u>	<u>65</u>	<u>.50</u>
R3-1			
R3-2	35	65	.50
R4	45	55	.75
R4B	55	45	.90
R5	55	45	1.25
R5B	55	45	1.35

In addition, the following rules shall apply:

- (1) In R2X, R3, R4, R4A and R4-1 Districts, except R3, R4A and R4-1 Districts within #lower density growth management areas#, the #floor area ratio# in this table may be increased by up to 20 percent provided that any such increase in #floor area# is located under a sloping roof which rises at least 3 and 1/2 inches in vertical distance for each foot of horizontal distance and the structural headroom of such #floor area# is between 5 and 8 feet.
- (2) In R2A Districts, and in R3, R4A and R4-1 Districts in #lower density growth management areas#, the #floor area ratio# in this table may be increased by up to 20 percent provided that any such increase in #floor area# is located in a portion of a #building# covered by a sloping roof that rises at least seven inches in vertical distance for each foot of horizontal distance.
- (3) In R3-2, R4 and R5 Districts, except R4A, R4B, R4-1 and R5B Districts, the permitted #floor area# of a #single-# or #two-family detached# or #semi-

detached residence developed# after June 30, 1989 may be increased by 100 square feet if at least one enclosed #accessory# off-street parking space is provided in a garage located in the #side lot ribbon# pursuant to Section 23-12 (f) (Permitted Obstructions in Open Space), 23-441 (Location of garages in side yards of corner lots) or 23-442 (Location of garages in side yards of other zoning lots).

- (4) In R3, R4A and R4-1 Districts within #lower density growth management areas#, the permitted #floor area# of a #single-# or #two-family detached# or #semi-detached residence# may be increased by up to 300 square feet for one parking space and up to 500 square feet for two parking spaces provided such spaces are in a garage located in the #side lot ribbon# pursuant to Section 23-12 (f) (Permitted Obstructions in Open Space), 23-441 (Location of garages in side yards of corner lots) or 23-442 (Location of garages in side yards of other zoning lots). The provisions of this paragraph (4) shall also apply in R2A Districts, except where parking spaces are located within a #residential building#.

* * *

23-22

Maximum Number of Dwelling Units or Rooming Units

R1 R2 R3 R4 R5 R6 R7 R8 R9 R10

In all districts, as indicated, the maximum number of #dwelling units# or #rooming units# shall equal the maximum #residential floor area# permitted on the #zoning lot# divided by the applicable factor in the following table. In R1 through R5 Districts, no #rooming units# shall be permitted and any #dwelling unit# shall be occupied by only one #family#. Fractions equal to or greater than three-quarters resulting from this calculation shall be considered to be one #dwelling unit# or #rooming unit#.

* * *

FACTOR FOR DETERMINING MAXIMUM NUMBER OF DWELLING UNITS OR ROOMING UNITS

District	Factor for #Dwelling Units#	Factor for #Rooming Units#
R1-1	4,750	
R1-2	2,850	

R2	1,900
<u>R2A</u>	<u>2,280</u>
R2X	2,900

* * *

23-30
 LOT AREA AND LOT WIDTH REGULATIONS

* * *

23-32
Minimum Lot Area or Lot Width for Residences

R1 R2 R3 R4 R5 R6 R7 R8 R9 R10

In all districts, as indicated, except as provided in Section 23-33 (Special Provisions for Existing Small Lots), no #residence# is permitted on a #zoning lot# with a total #lot area# or #lot width# less than as set forth in the following table:

REQUIRED MINIMUM LOT AREA AND LOT WIDTH

Type of #Resi- dence#	Minimum #Lot Area# (in sq. ft.)	Minimum #Lot Width# (in feet)	District
#Single-family detached#	9,500	100	R1-1
	5,700	60	R1-2
	3,800	40	R2 <u>R2A</u>
	2,850	30	R2X

* * *

23-40
YARD REGULATIONS

* * *

23-461
Side yards for single- or two-family residences

R1 R2 R3 R4 R5 R6 R7 R8 R9 R10

- (a) In all districts, as indicated, for #single-family detached residences# or, where permitted, for #two-family detached residences#, #side yards# shall be provided as set forth in the following table, except that on #corner lots# in #lower density growth management areas#, and on #corner lots# in R2A Districts, one #side yard# shall be at least 20 feet in width:

MINIMUM REQUIRED SIDE YARDS

Number Required	Required Total Width (in feet)	Required Minimum Width of any #Side Yard# (in feet)	District
2	35	15	R1-1
2	20	8	R1-2
2	13	5	R2 <u>R2A</u> R3-1 R3-2 R4-R10
2	10	2*	R2X R3X R4A
1	8	0*	R3A R4-1 R4B R5B

* * *

23-541
Within one hundred feet of corners

R1 R2 R3 R4 R5 R6 R7 R8 R9 R10

In all districts, as indicated, except within #lower density growth management areas#, and except R2A Districts, no #rear yard# shall be required within 100 feet of the point of

intersection of two #street lines# intersecting at an angle of 135 degrees or less.

23-542

Along short dimension of block

R1 R2 R3 R4 R5 R6 R7 R8 R9 R10

In all districts, as indicated, except within #lower density growth management areas#, and except R2A Districts, whenever a #front lot line# of a #zoning lot# coincides with all or part of a #street line# measuring less than 230 feet in length between two intersecting #streets#, no #rear yard# shall be required within 100 feet of such #front lot line#.

23-60

HEIGHT AND SETBACK REGULATIONS

* * *

23-621

Permitted obstructions in certain districts

* * *

R2A R2X

(b) In the districts indicated, permitted obstructions are limited to those listed in paragraphs (b), (e) and (g) of Section 23-62. Dormers may be considered permitted obstructions if:

- (1) the aggregate width of dormers facing the #street line# is equal to not more than 50 percent of the width of the #street wall line#;
- (2) the aggregate width of dormers facing the #rear lot line# is equal to not more than 50 percent of the #rear wall line#;
- (3) the aggregate width of dormers facing a #side lot line# is equal to not more than 50 percent of the width of a straight line connecting and perpendicular to the #street wall line# and the #rear wall line#, and
- (4) on a #corner lot#, the aggregate width of dormers facing a #side lot line# is equal to not more than 50 percent of the width of the #rear wall line#

facing such #side lot line#.

* * *

23-631

Height and setback in R1, R2, R3, R4 and R5 Districts

R1 R2

- (a) In the districts indicated, except R2A and R2X Districts, the front wall or any other portion of a #building or other structure# shall not penetrate the #sky exposure plane# set forth in the following table:

* * *

R2A R2X R3 R4 R4A R4-1

- (b) In the districts indicated, the height and setback of a #building or other structure# shall be as set forth herein except where modified pursuant to paragraphs (g) and (h) of this Section.

For the purposes of this Section, where #base planes# of different elevations apply to different portions of a #building or other structure#, each such portion of the #building# may be considered to be a separate #building#. Furthermore, for the purposes of this Section, #building segments# may be considered to be separate #buildings# and abutting #semi-detached buildings# may be considered to be one #building#.

The perimeter walls of a #building or other structure# are those portions of the outermost walls enclosing the #floor area# within a #building or other structure# at any level and height is measured from the #base plane#. Perimeter walls are subject to setback regulations at a maximum height above the #base plane# of:

21 feet	<u>R2A</u> R2X R3 R4A
25 feet	R4 R4-1
26 feet*	R3 R4A R4-1 within #lower density growth management areas#

* * *

(6) Special Situations

* * *

~~R2X~~

- (ii) ~~In the district indicated, at the 21 foot maximum permitted height of a perimeter wall, sloping planes are projected inwards and upwards. From a permitted front perimeter wall, and from 21 feet above the #base plane# and 20 feet from and parallel to a #rear lot line#, such sloping planes shall not exceed a pitch of 45 degrees in relation to a plane drawn parallel to the base plane at a height of 21 feet. (See Figure H). Other sloping planes slope toward a ridge line at 35 feet and may not exceed a pitch of 80 degrees in relation to a plane drawn parallel to the #base plane# at a height of 21 feet.~~

FIGURE H

R2A R2X

- (iii) In the districts indicated, at the 21 foot maximum permitted height of a perimeter wall, sloping planes are projected inwards and upwards toward a ridge line 35 feet above the #base plane#. Such sloping planes shall not exceed a pitch of 45 degrees where they project from front and rear perimeter walls. All other sloping planes shall not exceed a pitch of 80 degrees. All pitches are in relation to a plane drawn parallel to the #base plane# at a height of 21 feet. The perimeter walls of the #building# and such intersecting sloping planes define the building envelope, as shown in Figure H below. On #corner lots#, one #street wall# shall be designated as the front perimeter wall, and the building wall opposite such wall shall be designated the rear perimeter wall.

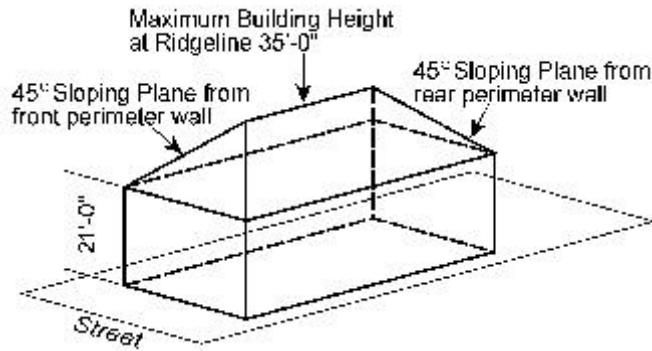


FIGURE H

* * *

**25-631
Location and width of curb cuts in certain districts**

All curb cuts shall comply with the provisions of this Section, except that in #lower density growth management areas#, the provisions of Section 25-632 shall apply.

- (a) For #zoning lots# with #residential buildings# where not more than two #accessory# parking spaces are required:

R2A

- (1) In R2A Districts, the maximum width of a curb cut shall be 18 feet, and the maximum width of a driveway within a #front yard# shall be 20 feet. All #zoning lots# shall maintain at least 18 feet of uninterrupted curb space along each #street# frontage.

R2X R3 R4 R5

- (+)(2) In the districts indicated, except R4B and R5B Districts, and except as

otherwise provided in Section 25-632 (Prohibition of curb cuts in certain districts), curb cuts shall comply with the following provisions:

* * *

R6 R7 R8

~~(2)~~(3) In the districts indicated without a letter suffix, for #zoning lots# comprised of #single-#, #two-#, or three-#family residences# or #building segments#, the width and location of curb cuts shall be in accordance with the provisions of paragraph (a)(1), inclusive, of this Section.

R4B R5B R6B R7B R8B

~~(3)~~(4) In the districts indicated, for #attached residential buildings# and rowhouses, and for multiple dwellings in R5B, R6B, R7B and R8B Districts, new #residential developments# shall provide a minimum distance of 34 feet of uninterrupted curb space between all curb cuts constructed after June 30, 1989.

(On February 2, 2005, Cal. No. 6, the Commission scheduled February 16, 2005 for a public hearing. On February 16, 2005, Cal. No. 16, the hearing was close.)

For consideration.

No. 11

Citywide

N 050148(A) ZRY

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 I, Chapter 1 (**Title, Establishment of Controls, and Interpretation of Regulations**) and Chapter 2 (**Construction of Language and Definitions**); Article II, Chapter 3 (**Bulk Regulations for Residential Buildings in Residential Districts**) and Chapter 5 (**Accessory Off-Street Parking and Loading Regulations**), establishing an R2A district.

Matter in underline is new, to be added;

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

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

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

* * *

**ARTICLE 1
GENERAL PROVISIONS**

**Chapter 1
Title, Establishment of Controls, and Interpretation of Regulations**

* * *

**11-12
Establishment of Districts**

In order to carry out the purposes and provisions of this Resolution, the following districts are hereby established:

Residence Districts

- R1-1 Single-Family Detached Residence District
- R1-2 Single-Family Detached Residence District

- R2 Single-Family Detached Residence District
- R2A Single-Family Detached Residence District
- R2X Single-Family Detached Residence District

* * *

**12-10
Definitions**

* * *

Floor area

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

* * *

- (a) attic space (whether or not a floor has been laid) providing structural headroom of five feet or more in R2A, R2X, R3, R4 or R5 Districts and eight feet or more in other districts;

* * *

(b) floor space used for #accessory# off-street parking spaces provided in any #story# after June 30, 1989:

(1) within #detached# or #semi-detached single-# or #two-family residences# in R2A, R2X, R3, R4 or R5 Districts, except that

(a) in R2A Districts, #floor area# within such #residences# shall include only floor space in excess of 300 square feet for one such space, and

(b) in R3, R4A and R4-1 Districts in #lower density growth management areas#, #floor area# within such #residences# shall include only floor space in excess of 300 square feet for one such space and in excess of 500 square feet for two such spaces.;

* * *

(2) which is unenclosed and covered by a #residential building or other structure# for at least 50 percent of such #accessory# off-street parking space in R2A, R2X, R3, R4 and R5 Districts.....

* * *

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

* * *

(3) elevator or stair bulkheads, #accessory# water tanks, or cooling towers, except that such exclusions shall not apply in R2A Districts

* * *

(4) attic space (whether or not a floor ~~actually~~ has been laid) providing structural headroom of less than five feet in R2A, R2X, R3, R4 or R5 Districts and less than eight feet in other districts;

* * *

(5) floor space used for #accessory# off-street parking spaces provided in any #story#:

(i) up to 200 square feet per required space existing on June 30, 1989 within

#residential buildings# in R3, R4 or R5 Districts, except that:

(a) in R2A Districts, #floor area# shall not include up to 300 square feet for one required space, and

(b) for #detached# or #semi-detached single-# or #two-family residences# in R3, R4A and R4-1 Districts within #lower density growth management areas#, #floor area# shall not include up to 300 square feet for one required space and up to 500 square feet for two required spaces,

* * *

(6) floor space used for mechanical equipment, except that such exclusion shall not apply in R2A Districts, and in R2X, R3, R4 and R5 Districts such exclusion shall be limited to ...

* * *

(7) except in R2A, R2X, R3, R4 and R5 Districts, the lowest #story# (whether a #basement# or otherwise) of a #residential building#, provided that:

(i) such #building# contains not more than two #stories# above such #story#;

* * *

**Chapter 3
Bulk Regulations for Residential Buildings in Residence Districts**

* * *

**23-00
APPLICABILITY AND GENERAL PURPOSES**

* * *

**23-10
OPEN SPACE AND FLOOR AREA REGULATIONS**

* * *

**23-141
In R1, R2, R3, R4 or R5 Districts**

R1 R2 R3 R4 R5

Except as otherwise provided in Section 23-144 (For non-profit residences for the elderly in R3, R4, R5, R6 and R7 Districts), in the districts indicated, the minimum required #open space# or #open space ratio#, the maximum #lot coverage# and the maximum #floor area ratio# for any #building# on a #zoning lot# shall be as set forth in the following tables:

(a)

District	Minimum Required #Open Space Ratio#	Maximum #Floor Area Ratio#
R1 R2*	150.0	0.50

* R2A and R2X is are subject to the provisions of paragraph (b).

(b)

District	Maximum #Lot Coverage# (in percent)	Minimum Required #Open Space# (in percent)	Maximum #Floor Area Ratio#
R3A R3X	governed by #yard# requirements		.50
R4A R4-1	governed by #yard# requirements		.75
R2X	governed by #yard# requirements		.85
<u>R2A</u>	<u>30</u>	<u>70</u>	<u>.50</u>
R3-1			
R3-2	35	65	.50
R4	45	55	.75
R4B	55	45	.90
R5	55	45	1.25
R5B	55	45	1.35

* * *

(5) In R2A Districts, the permitted #floor area# for a #residential building# may be increased by up to 300 square feet if a detached garage is located in a #rear yard#, except where a parking space is provided within the #residential building#.

* * *

**23-22
Maximum Number of Dwelling Units or Rooming Units**

R1 R2 R3 R4 R5 R6 R7 R8 R9 R10

In all districts, as indicated, the maximum number of #dwelling units# or #rooming units# shall equal the maximum #residential floor area# permitted on the #zoning lot# divided by the applicable factor in the following table. In R1 through R5 Districts, no #rooming units# shall be permitted and any #dwelling unit# shall be occupied by only one #family#. Fractions equal to or greater than three-quarters resulting from this calculation shall be considered to be one #dwelling unit# or #rooming unit#.

* * *

**FACTOR FOR DETERMINING MAXIMUM NUMBER
OF DWELLING UNITS OR ROOMING UNITS**

District	Factor for #Dwelling Units#	Factor for #Rooming Units#
R1-1	4,750	
R1-2	2,850	
R2, <u>R2A</u>	1,900	
R2X	2,900	

* * *

**23-30
LOT AREA AND LOT WIDTH REGULATIONS**

* * *

**23-32
Minimum Lot Area or Lot Width for Residences**

R1 R2 R3 R4 R5 R6 R7 R8 R9 R10

In all districts, as indicated, except as provided in Section 23-33 (Special Provisions for Existing Small Lots), no #residence# is permitted on a #zoning lot# with a total #lot area# or #lot width# less than as set forth in the following table:

REQUIRED MINIMUM LOT AREA AND LOT WIDTH

Type of #Residence#	Minimum #Lot Area# (in sq. ft.)	Minimum #Lot Width# (in feet)	District
#Single-family detached#	9,500	100	R1-1
	5,700	60	R1-2
	3,800	40	R2 <u>R2A</u>
	2,850	30	R2X

* * *

**23-40
YARD REGULATIONS**

* * *

**23-44
Permitted Obstructions in Required Yards or Rear Yard Equivalents**

* * *

(b) In any #rear yard# or #rear yard equivalent#:

Parking spaces, off-street, #accessory#, provided that:

- (1) the height of a #building# used for such purposes, if accessory to a #single#- or #two-family residence#, shall not exceed one #story#, and if located in an R1 or R2A District, such #building# may not be nearer than five feet to a #rear lot line# or #side lot line#. In R2A Districts, detached garages shall be included in #lot coverage#;

* * *

23-441

Location of garages in side yards of corner lots

In all #Residence Districts#, on #corner lots#, enclosed #accessory# off-street parking spaces shall not be considered obstructions in any portion of a #side yard# which is within 30 feet of both #side lot lines#, provided that in an R1 or R2A District, on a #corner lot# whose mean width is 45 feet or more, no structure used for such purposes shall be less than five feet from any #side lot line#. In R2A Districts, detached garages shall be included in #lot coverage#.

* * *

**23-461
Side yards for single- or two-family residences**

R1 R2 R3 R4 R5 R6 R7 R8 R9 R10

- (a) In all districts, as indicated, for #single-family detached residences# or, where permitted, for #two-family detached residences#, #side yards# shall be provided as set forth in the following table, except that on #corner lots# in #lower density growth management areas#, and on #corner lots# in R2A Districts, one #side yard# shall be at least 20 feet in width:

MINIMUM REQUIRED SIDE YARDS

Number Required	Required Total Width (in feet)	Required Minimum Width of any #Side Yard# (in feet)	District
2	35	15	R1-1
2	20	8	R1-2
2	13	5	R2 <u>R2A</u> R3-1 R3-2 R4-R10
2	10	2*	R2X R3X R4A
1	8	0*	R3A R4-1 R4B R5B

* * *

**23-541
Within one hundred feet of corners**

R1 R2 R3 R4 R5 R6 R7 R8 R9 R10

In all districts, as indicated, except within #lower density growth management areas#, and except R2A Districts, no #rear yard# shall be required within 100 feet of the point of intersection of two #street lines# intersecting at an angle of 135 degrees or less.

23-542

Along short dimension of block

R1 R2 R3 R4 R5 R6 R7 R8 R9 R10

In all districts, as indicated, except within #lower density growth management areas#, and except R2A Districts, whenever a #front lot line# of a #zoning lot# coincides with all or part of a #street line# measuring less than 230 feet in length between two intersecting #streets#, no #rear yard# shall be required within 100 feet of such #front lot line#.

* * *

23-60

HEIGHT AND SETBACK REGULATIONS

* * *

23-621

Permitted obstructions in certain districts

* * *

R2A R2X

(b) In the districts indicated, permitted obstructions are limited to those listed in paragraphs (b), (e) and (g) of Section 23-62. Dormers may be considered permitted obstructions if:

- (1) the aggregate width of dormers facing the #street line# is equal to not more than 50 percent of the width of the #street wall line#;
- (2) the aggregate width of dormers facing the #rear lot line# is equal to not more than 50 percent of the #rear wall line#;
- (3) the aggregate width of dormers facing a #side lot line# is equal to not more than 50 percent of the width of a straight line connecting and perpendicular to the #street wall line# and the #rear wall line#, and

- (4) on a #corner lot#, the aggregate width of dormers facing a #side lot line# is equal to not more than 50 percent of the width of the #rear wall line# facing such #side lot line#.

* * *

23-631

Height and setback in R1, R2, R3, R4 and R5 Districts

R1 R2

- (a) In the districts indicated, except R2A and R2X Districts, the front wall or any other portion of a #building or other structure# shall not penetrate the #sky exposure plane# set forth in the following table:

* * *

R2A R2X R3 R4 R4A R4-1

- (b) In the districts indicated, the height and setback of a #building or other structure# shall be as set forth herein except where modified pursuant to paragraphs (g) and (h) of this Section.

For the purposes of this Section, where #base planes# of different elevations apply to different portions of a #building or other structure#, each such portion of the #building# may be considered to be a separate #building#. Furthermore, for the purposes of this Section, #building segments# may be considered to be separate #buildings# and abutting #semi-detached buildings# may be considered to be one #building#.

The perimeter walls of a #building or other structure# are those portions of the outermost walls enclosing the #floor area# within a #building or other structure# at any level and height is measured from the #base plane#. Perimeter walls are subject to setback regulations at a maximum height above the #base plane# of:

21 feet	<u>R2A</u> R2X R3 R4A
25 feet	R4 R4-1
26 feet*	R3 R4A R4-1 within #lower density growth management areas#

* * *

(6) Special Situations

* * *

~~R2X~~

- (ii) ~~In the district indicated, at the 21 foot maximum permitted height of a perimeter wall, sloping planes are projected inwards and upwards. From a permitted front perimeter wall, and from 21 feet above the #base plane# and 20 feet from and parallel to a #rear lot line#, such sloping planes shall not exceed a pitch of 45 degrees in relation to a plane drawn parallel to the base plane at a height of 21 feet. (See Figure H). Other sloping planes slope toward a ridge line at 35 feet and may not exceed a pitch of 80 degrees in relation to a plane drawn parallel to the #base plane# at a height of 21 feet.~~

FIGURE H

R2A R2X

- (iii) In the districts indicated, at the 21 foot maximum permitted height of a perimeter wall, sloping planes are projected inwards and upwards toward a ridge line 35 feet above the #base plane#. Such sloping planes shall not exceed a pitch of 45 degrees where they project from front and rear perimeter walls. All other sloping planes shall not exceed a pitch of 80 degrees. All pitches are in relation to a plane drawn parallel to the #base plane# at a height of 21 feet. The perimeter walls of the #building# and such intersecting sloping planes define the building envelope, as shown in Figure H below. On #corner lots#, one #street wall# shall be designated as the front perimeter wall, and the building wall opposite such wall shall be designated the rear perimeter wall.

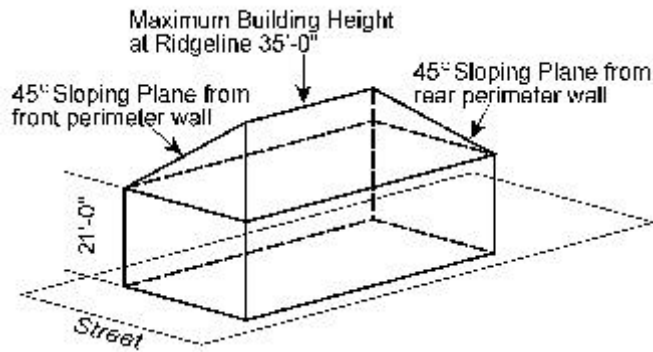


FIGURE H

* * *

25-631

Location and width of curb cuts in certain districts

All curb cuts shall comply with the provisions of this Section, except that in #lower density growth management areas#, the provisions of Section 25-632 shall apply.

- (a) For #zoning lots# with #residential buildings# where not more than two #accessory# parking spaces are required:

R2A

- (1) In R2A Districts, the maximum width of a curb cut shall be 18 feet, and the maximum width of a driveway within a #front yard# shall be 20 feet. All #zoning lots# shall maintain at least 18 feet of uninterrupted curb space along each #street# frontage.

R2X R3 R4 R5

- (~~1~~)2) In the districts indicated, except R4B and R5B Districts, and except as otherwise provided in Section 25-632 (Prohibition of curb cuts in certain districts), curb cuts shall comply with the following provisions:

* * *

R6 R7 R8

~~(2)~~(3) In the districts indicated without a letter suffix, for #zoning lots# comprised of #single-#, #two-#, or three-#family residences# or #building segments#, the width and location of curb cuts shall be in accordance with the provisions of paragraph (a)(1), inclusive, of this Section.

R4B R5B R6B R7B R8B

~~(3)~~(4) In the districts indicated, for #attached residential buildings# and rowhouses, and for multiple dwellings in R5B, R6B, R7B and R8B Districts, new #residential developments# shall provide a minimum distance of 34 feet of uninterrupted curb space between all curb cuts constructed after June 30, 1989.

(On February 2, 2005, Cal. No. 7, the Commission scheduled February 16, 2005 for a public hearing. On February 16, 2005, Cal. No. 17, the hearing was closed.)

For consideration.
