

CITY PLANNING COMMISSION DISPOSITION SHEET

**PUBLIC MEETING:
WEDNESDAY, JULY 13, 2016
10:00 A.M. SPECTOR HALL
22 READE STREET, NEW YORK, NY 10007**

**Yvette V. Gruel, Calendar Officer
120 Broadway, 30th Floor
New York, New York 10271
(212) 720-3370**

CAL NO.	ULURP NO.	CD NO.	PROJECT NAME	C.P.C. ACTION
1	C 160030 ZMK	2	141 WILLOUGHBY STREET REZONING	Scheduled to be Heard 7/27/16
2	C 160054 MMK	2	" "	" "
3	N 160029 ZRK	2	" "	" "
4	C 160148 ZSM	5	217 WEST 29 TH STREET	" "
5	N 160147 ZRM	5	" "	" "
6	C 160219 ZMQ	14	ROCKAWAY BEACH BOULEVARD REZONING	" "
7	N 160220 ZRQ	14	" "	" "
8	C 160189 ZSQ	9	86-13 LEFFERTS BOULEVARD	" "
9	Proposed Rules	CW	WATERFRONT REVITALIZATION PROGRAM (WRP) RULES	" "
10	C 160137 ZMM	3	EAST HOUSTON STREET REZONING	Favorable Report Adopted
11	C 160145 ZSM	1	70 VESTRY STREET PARKING FACILITY	" "
12	N 160374 BDK	2	DUMBO AMENDED BUSINESS IMPROVEMENT DISTRICT	Hearing Closed
13	N 160381 PXM	1	40 RECTOR STREET OFFICE SPACE	" "
14	N 160382 PXM	5	230 PARK AVENUE OFFICE SPACE	" "
15	N 160069 ZRM	4	625 WEST 57 TH STREET	" "
16	C 160247 PQQ	7	MITCHELL-LINDEN LIBRARY SITE	" "
17	C 160248 PQQ	13	ROSEDALE LIBRARY SITE	" "

COMMISSION ATTENDANCE:		Present (P)	COMMISSION VOTING RECORD:																	
		Absent (A)	In Favor - Y Oppose - N Abstain - AB Recuse - R																	
			Calendar Numbers:																	
			10	11																
Carl Weisbrod, Chairman		P	Y	Y																
Kenneth J. Knuckles, Esq., Vice Chairman		P	Y	Y																
Rayann Besser		P	Y	Y																
Irwin G. Cantor, P.E.		P	Y	Y																
Alfred C. Cerullo, III		P	Y	Y																
Michelle R. De La Uz		P	Y	Y																
Joseph I. Douek		P	Y	Y																
Richard W. Eaddy		P	Y	Y																
Cheryl Cohen Efron		P	Y	Y																
Hope Knight		P	Y	Y																
Anna Hayes Levin		P	Y	Y																
Orlando Marin		P	Y	Y																
Larisa Ortiz, Commissioners		P	Y	Y																

MEETING ADJOURNED AT: 12:24 P.M.

CITY PLANNING COMMISSION DISPOSITION SHEET

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WEDNESDAY, JULY 13, 2016
10:00 A.M. SPECTOR HALL
22 READE STREET, NEW YORK, NY 10007**

**Yvette V. Gruel, Calendar Officer
120 Broadway, 30th Floor
New York, New York 10271
(212) 720-3370**

CAL NO.	ULURP NO.	CD NO.	PROJECT NAME	C.P.C. ACTION
18	C 160249 PCQ	2	NYPD VEHICLE STORAGE FACILITY	Hearing Closed
19	C 150135 ZMQ	1	38 TH STREET AND 31 ST AVENUE REZONING	" "
20	C 160103 ZMQ	2	BARNETT AVENUE REZONING	" "
21	N 160101 ZRQ	2	" "	" "
22	N 160102 ZRQ	2	" "	" "

COMMISSION ATTENDANCE: Present (P) Absent (A)	COMMISSION VOTING RECORD: In Favor - Y Oppose - N Abstain - AB Recuse - R	
Calendar Numbers:		
Carl Weisbrod, Chairman		
Kenneth J. Knuckles, Esq., Vice Chairman		
Rayann Besser		
Irwin G. Cantor, P.E.		
Alfred C. Cerullo, III		
Michelle R. De La Uz		
Joseph I. Douek		
Richard W. Eaddy		
Cheryl Cohen Efron		
Hope Knight		
Anna Hayes Levin		
Orlando Marin		
Larisa Ortiz, Commissioners		

MEETING ADJOURNED AT:

**COMPREHENSIVE
CITY PLANNING CALENDAR
of
The City of New York**

CITY PLANNING COMMISSION

WEDNESDAY, JULY 13, 2016

**MEETING AT 10:00A.M. AT SPECTOR HALL
22 READE STREET
NEW YORK, NEW YORK**



**Bill de Blasio, Mayor
City of New York**

[No. 13]

Prepared by Yvette V. Gruel, Calendar Officer

To view the Planning Commission Calendar and/or the Zoning Resolution on the Internet, visit
the Department of City Planning (DCP) home page at:
nyc.gov/planning

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: in Section I, (Scheduling Dates for Future Public Hearings), in Section II, (Reports), and in Section III, (Public Hearings). 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).

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.

City Planning Commission
Calendar Information Office
120 Broadway – 31st Floor
New York, New York 10271

For Additional Calendar Information: call (212) 720-3370.

B
CITY PLANNING COMMISSION

120 Broadway, 31st Floor, New York, N.Y. 10271

CARL WEISBROD, *Chairman*
KENNETH J. KNUCKLES, *Esq., Vice Chairman*
RAYANN BESSER
IRWIN G. CANTOR, P.E.
ALFRED C. CERULLO, III
MICHELLE R. DE LA UZ
JOSEPH I. DOUEK
RICHARD W. EADDY
CHERYL COHEN EFFRON
HOPE KNIGHT
ANNA HAYES LEVIN
ORLANDO MARIN
LARISA ORTIZ, *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.

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**Community Board Public Hearing Notices are available in the
Calendar Information Office, 31st Floor, 120 Broadway,
New York, N.Y. 10271**

The next regular public meeting of the City Planning Commission is scheduled for July 27, 2016.

C

GENERAL INFORMATION

HOW TO PARTICIPATE:

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

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

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

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

CITY PLANNING COMMISSION
Calendar Information Office – 31st Floor
120 Broadway, New York, N.Y. 10271

Subject _____

Date of Hearing _____ Calendar No. _____

Borough _____ ULURP No.: _____ CD No.: _____

Position: Opposed _____

 In Favor _____

Comments:

Name: _____

Address: _____

Organization (if any) _____

JULY 13, 2016

APPROVAL OF MINUTES OF the Regular Meeting of June 22, 2016

**I. PUBLIC HEARING OF THE FOLLOWING MATTERS TO BE SCHEDULED FOR
WEDNESDAY, JULY 27, 2016
STARTING AT 10:00 A. M. AT SPECTOR HALL
22 READE STREET
NEW YORK, NEW YORK**

BOROUGH OF BROOKLYN

Nos. 1, 2 & 3

141 WILLOUGHBY STREET REZONING

No. 1

CD 2

C 160030 ZMK

IN THE MATTER OF an application submitted by 385 Gold Property Investors IIA, LLC pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 16c:

1. changing from a C6-1 District to a C6-6 District property bounded by Willoughby Street, Gold Street, a line 200 feet northerly of Willoughby Street, and Flatbush Avenue Extension; and
2. changing from a C6-4 to a C6-6 District property bounded by Gold Street and its northerly prolongation, a line 320 feet northerly of Willoughby Street, Flatbush Avenue Extension, and a line 200 feet northerly of Willoughby Street;

as shown on a diagram (for illustrative purposes only) May 9, 2016.

Resolution for adoption scheduling July 27, 2016 for a public hearing.

No. 2

CD 2

C 160054 MMK

IN THE MATTER OF an application, submitted by The New York City Department of Housing Preservation and Development and The New York City Economic Development Corporation, LLC 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 Flatbush Avenue Extension at its intersection with Gold Street; and
- the adjustment of grades and block dimensions necessitated thereby;

including authorization for any acquisition or disposition of real property related thereto, in accordance with Map Nos. X-2745 and X-2746 dated April 1, 2016 and signed by the Borough President.

Resolution for adoption scheduling July 27, 2016 for a public hearing.

No. 3

CD 2

N 160029 ZRK

IN THE MATTER OF an application submitted by 385 Gold Property Investors IIA, LLC pursuant to Section 201 of the New York City Charter, for an amendment of the Zoning Resolution of the City of New York, concerning Section 101-00 (Special Downtown Brooklyn District) adding a C6-6 District and modifying Appendix F for the purpose of establishing a Mandatory Inclusionary Housing area in Community District 2, Borough of Brooklyn.

Matter in underline is new, to be added;

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

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

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

* * *

**ARTICLE X:
SPECIAL PURPOSE DISTRICTS**

**Chapter 1
Special Downtown Brooklyn District**

* * *

**101-21
Special Floor Area and Lot Coverage Regulations**

R7-1 C6-1 C6-4.5 C6-6

* * *

(d) In C6-6 Districts

In C6-6 Districts, the maximum permitted #floor area ratio# for #commercial# or #community facility uses# shall be 18.0.

* * *

**101-222
Standard height and setback regulations**

C2-4/R7-1 C6-1 C6-4.5 C6-6

In the districts indicated, except C6-1A Districts, a #building or other structure# shall not exceed the applicable maximum #building# height set forth in the table in this Section. Furthermore, any portion of a #building or other structure# that exceeds the applicable maximum base height shall be set back at least 10 feet from a #wide street line# and at least 15 feet from a #narrow street line#.

**MAXIMUM BASE HEIGHTS AND MAXIMUM BUILDING HEIGHTS
IN C2-4/R7-1, C6-1, ~~AND~~ C6-4.5 AND C6-6 DISTRICTS**

District	Maximum Base Height		Maximum #Building# Height	
	Beyond 100 feet of a #wide street#	Within 100 feet of a #wide street#	Beyond 100 feet of a #wide street#	Within 100 feet of a #wide street#
* * *	* * *	* * *	* * *	* * *
C6-4.5 <u>C6-6</u>	125	150	250	250

* * *

**101-223
Tower regulations**

C5-4 C6-1 C6-4 C6-6

In the districts indicated, except C6-1A Districts, the provisions of this Section shall apply as an alternative to the provisions of Section 101-222 (Standard height and setback regulations).

* * *

(b) Setback requirements for #commercial# or #community facility# towers

For #buildings# that contain #commercial# or #community facility floor area# above a height of 85 feet, a setback is required for all portions of such #buildings# that exceed a height of 85 feet.

For #zoning lots# that do not exceed a #lot area# of 15,000 square feet, such portions of buildings# shall be set back at least 10 feet from a #wide street line# and at least 15 feet from a #narrow street line#. For #zoning lots# that exceed an area of 15,000 square feet, such portions shall be set back at least 20 feet from any #street line#.

However, setbacks shall not be required for any portion of a #building# fronting upon the south side of Willoughby Street between Gold Street and the Flatbush Avenue Extension, or upon that portion of the Flatbush Avenue Extension between Willoughby Street and DeKalb Avenue within 250 feet of Willoughby Street, or for any #building# fronting upon the north side of Willoughby Street between Gold Street and the Flatbush Avenue Extension, provided that this exemption shall not be applicable to portions of #buildings# above 85 feet that contain #residential floor area#.

* * *

(d) Maximum #building# height

In C6-1 Districts, the maximum height of a #building or other structure# shall be 495 feet. No height limit shall apply within a C5-4, ~~or~~ C6-4 or C6-6 District.

* * *

**101-40
MANDATORY DISTRICT PLAN ELEMENTS**

**101-41
Special Street Wall Location Regulations**

Map 4 (Street Wall Continuity and Mandatory Sidewalk Widening) in Appendix E of this Chapter specifies locations where the special #street wall# location regulations of this Section apply. However, such regulations shall not apply along the #street# frontage of that portion of any #zoning lot# occupied by existing #buildings# to remain.

* * *

(d) All other areas

On all other #streets# shown on Map 4, at least 70 percent of the #aggregate width of street walls# of any #building# shall be located within eight feet of the #street line# and extend to at least a height of 40 feet in R7-1 Districts mapped within C2-4 Districts and at least a height of 60 feet in all other districts, or the height of the #building#, whichever is less, except that on #corner lots#, no #street wall# shall be required within 100 feet of the intersection of two #street lines# where the interior angle formed by such intersecting #street lines# is 45 degrees or less. However, such regulations shall not apply to any #building# fronting upon the north side of Willoughby Street between Gold Street and the Flatbush Avenue Extension.

* * *

APPENDIX F

Inclusionary Housing Designated Areas and Mandatory Inclusionary Housing Areas

* * *

BROOKLYN

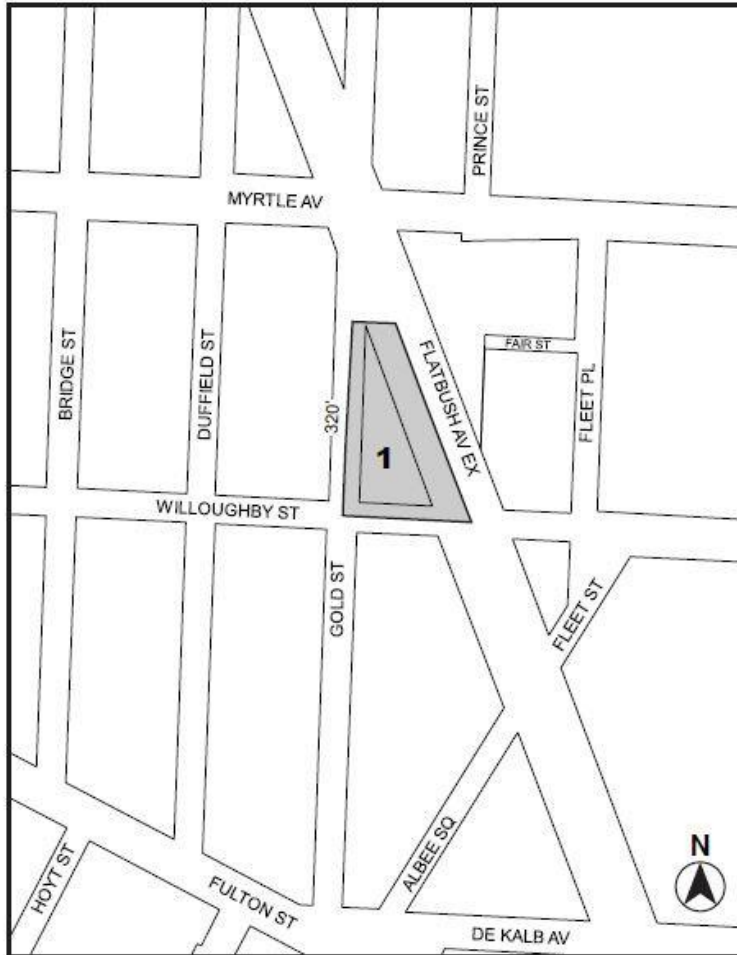
* * *

Brooklyn Community District 2

* * *

In the R10 District within the area shown on the following Map 5:

Map 5 - (date of adoption)



■ Mandatory Inclusionary Housing Area (MIHA)

1 (date of adoption) MIH Program Option 2 [Section 23-154(d)(3)]

Portion of Community District 2, Brooklyn

* * *

Resolution for adoption scheduling July 27, 2016 for a public hearing.

BOROUGH OF MANHATTAN

Nos. 4 & 5

217 WEST 29TH STREET

No. 4

CD 5

C 160148 ZSM

IN THE MATTER OF an application submitted by 221 W29 Residential LLC pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit pursuant to Section 13-45 (Special Permits for additional parking spaces) and Section 13-451 (Additional parking spaces for residential growth) of the Zoning Resolution to allow an attended accessory off-street parking garage with a maximum capacity of 42 spaces on portions of the ground floor and sub-cellar of a proposed mixed-use building on property located at 217 West 29th Street (Block 779, Lots 27 and 28), in an M1-6D District.

Plans for this proposal are on file with the City Planning Commission and may be seen at 120 Broadway, 31st Floor, New York, N.Y. 10271-0001.

Resolution for adoption scheduling July 27, 2016 for a public hearing.

No. 5

CD 5

N 160147 ZRM

IN THE MATTER OF an application submitted by the 221 W29 Residential LLC pursuant to Section 201 of the New York City Charter, for an amendment of the Zoning Resolution of the City of New York, establishing Section 42-486 relating to streetscape provisions in M1-6D districts, Community District 5, Borough of Manhattan.

Matter in underline is new, to be added;

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

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

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

**ARTICLE IV
MANUFACTURING DISTRICT REGULATIONS**

* * *

**Chapter 2
Use Regulations**

* * *

42-40

**SUPPLEMENTARY USE REGULATIONS AND SPECIAL PROVISION APPLYING
ALONG DISTRICT BOUNDARIES**

* * *

42-48

Supplemental Use Regulations in M1-6D Districts

* * *

42-485

Streetscape provisions

On #narrow streets#, for #zoning lots# with #street# frontage of 50 feet or more, ground floor #uses# limited to Use Groups 6A, 6C, 7B, 8A, 8B, 9A, 10A, 12A and 12B shall have a depth of at least 30 feet from the #street wall# and shall extend along a minimum of 50 percent of the width of the #street# frontage of the #zoning lot#. The remainder of the #street# frontage of the #zoning lot# may be occupied by any permitted #uses#, lobbies, or entrances to parking spaces, except that lobbies shall be limited to a total width of 40 feet. No minimum 30 foot depth requirement shall apply where a reduction in such depth is necessary in order to accommodate a #residential# lobby or vertical circulation core.

Enclosed parking spaces, or parking spaces covered by a #building#, including such spaces #accessory# to #residences#, shall be permitted to occupy the ground floor, provided they are located beyond 30 feet of the #street wall#.

For any #development# or #enlargement# that includes a ground floor #street wall#, each ground floor #street wall# occupied by #uses# listed in Use Groups 1 through 15, not including #dwelling units#, shall be glazed with transparent materials which may include #show windows#, transom windows or glazed portions of doors. Such transparency shall occupy at least 50 percent of the surface area of that portion of the ground floor #street wall# located between a height of two feet and twelve feet, or the height of the ground floor ceiling, whichever is higher, above the level of the adjoining sidewalk. The lowest point of any such required transparency shall not be higher than four feet above the level of the adjoining sidewalk, with the exception of transom windows, and the minimum width of any such required transparency shall be two feet. In addition, the maximum width of a portion of the ground floor level #street wall# without transparency shall not exceed ten feet. However, the transparency requirements of this Section shall not apply to that portion of the ground floor level #street wall# occupied by an entrance to a parking facility.

42-486

Authorization for modification of streetscape provisions

For #zoning lots# that have a #street# frontage of less than 75 feet, where entrances or exits to off-street parking or loading facilities are located along such #street# frontage, the City Planning Commission may modify the dimensions of the frontage and depth requirements for ground floor #commercial uses# set forth in Section 42-485 (Streetscape provisions), provided that the Commission finds that such modifications:

- (a) are necessary to provide sufficient space for access to off-street parking or loading facilities; and
- (b) will not adversely affect the streetscape experience or impact the viability of such #uses#, and the resulting ground floor frontages will effectively contribute to a vibrant mixed-use district.

* * *

Resolution for adoption scheduling July 27, 2016 for a public hearing.

BOROUGH OF QUEENS

Nos. 6 & 7

ROCKAWAY BEACH BOULEVARD REZONING

No. 6

CD 14

C 160219 ZMQ

IN THE MATTER OF an application submitted by Rockaway Beach Hotel, LLC pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 30b:

1. eliminating from an existing R5B District a C1-3 District bounded by Rockaway Beach Boulevard, Beach 108th Street, Rockaway Beach Drive, and Beach 109th Street;
2. changing from an R5B District to an R6A District property bounded by Rockaway Beach Boulevard, Beach 108th Street, Rockaway Beach Drive, and Beach 109th Street; and

- 3. establishing within the proposed R6A District a C2-5 District bounded by Rockaway Beach Boulevard, Beach 108th Street, Rockaway Beach Drive, and Beach 109th Street;

as shown on a diagram (for illustrative purposes only) dated May 23, 2016, and subject to the conditions of CEQR declaration E-387.

Resolution for adoption scheduling July 27, 2016 for a public hearing.



No. 7

CD 14

N 160220 ZRQ

IN THE MATTER OF an application submitted by Rockaway Beach Hotel, LLC pursuant to Section 201 of the New York City Charter, for an amendment of the Zoning Resolution of the City of New York, modifying Appendix F for the purpose of establishing a Mandatory Inclusionary Housing area in Community District 14, Borough of Queens.

Matter in underline is new, to be added;

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

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

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

* * *

APPENDIX F

Inclusionary Housing Designated Areas and Mandatory Inclusionary Housing Areas

* * *

Queens

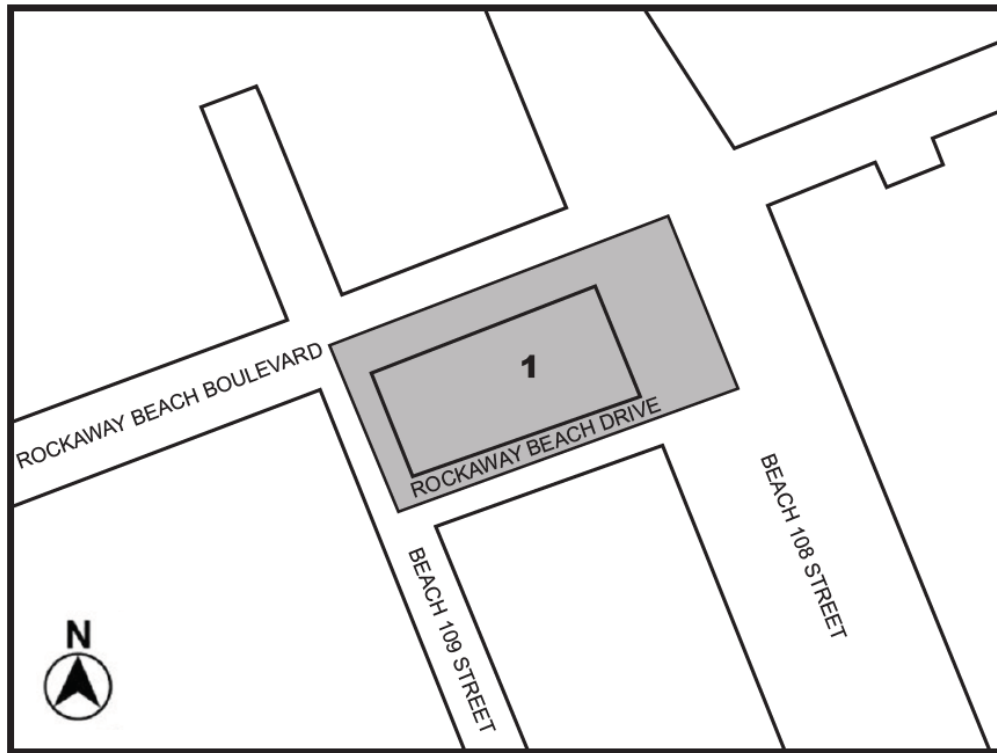
* * *

Queens Community District 14

In the R6A District within the area shown on the following Map 1:

Map 1 – (date of adoption)

[PROPOSED MAP]



 Mandatory Inclusionary Housing area — see Section 23-154(d)(3)
Area 1 (date of adoption) — MIH Program Option 2

Portion of Community District 14, Queens

* * *

Resolution for adoption scheduling July 27, 2016 for a public hearing.

No. 8

86-13 LEFFERTS BOULEVARD

CD 9

C 160189 ZSQ

IN THE MATTER OF an application submitted by the Siberian Ice, LLC pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit pursuant to Section 74-711 of the Zoning Resolution to modify the use regulations of Section 32-10 to allow a Use Group 12 use (eating and drinking establishment with dancing) in an existing 2-story building on property located at 86-13 Lefferts Boulevard (Block 9273, Lot 89), in an R4-1/C2-4 District.

Plans for this proposal are on file with the City Planning Commission and may be seen at 120 Broadway, 31st Floor, New York, N.Y. 10271.

Resolution for adoption scheduling July 27, 2016 for a public hearing.

CITYWIDE

No. 9

(Proposed promulgation of rules governing procedures for the review of local, state and federal actions for consistency with the policies set forth in the New York City Waterfront Revitalization Program pursuant to Sections 1043, 192(e) and 191(b)(2) of the New York City Charter.)

PLEASE TAKE NOTICE that in accordance with Sections 1043, 192(e) and 191(b)(2) of the New York City Charter, the New York City Department of City Planning (“City Planning”) proposes to amend rules within Chapter 4 of Title 62 of the Rules of the City of New York.

This rule was not included in the regulatory agenda, as City Planning did not publish a regulatory agenda for fiscal year 2017.

The time and place of the hearing have been scheduled as follows:

DATE: July 27, 2016

TIME: 10:00 A.M.

LOCATION: Spector Hall

22 Reade Street

New York, NY 10007

Any person in attendance at this hearing shall be given a reasonable opportunity to present oral or written statements and to submit other documents concerning the proposed changes. Each speaker shall be allotted a maximum of three (3) minutes.

Persons who require that a sign language interpreter or other form of reasonable accommodation for a disability be provided at the hearing are asked to notify Calvin Rodman at the address set forth below, or by telephone at (212) 720-3496, by July 15, 2016. In addition, written statements may be submitted to the Department of City Planning at the address stated below, provided the comments are received by 5:00 P.M. on July 27, 2016:

New York City Department of City Planning
Office of the Counsel
120 Broadway, 31st Floor
New York, NY 10271
Attention: Calvin Rodman

Written comments received and a tape recording of oral comments received at the hearing will be available for public inspection within a reasonable time after receipt between the hours of 9:00 a.m. and 5:00 p.m. at the Freedom of Information Law Desk, 120 Broadway, 31st Floor, telephone number (212) 720-3208.

The purpose of the hearing is to provide the public with an opportunity to comment on the proposed rule set forth herein.

Section 1. Chapter 4 of Title 62 of the Rules of the City of New York is proposed to be REPEALED and a new Chapter 4 is proposed to be added, to read as follows:

Title 62: Department of City Planning
Chapter 4: Procedures for New York City Waterfront Revitalization Program (WRP)
Consistency Review by the City Coastal Commission and the Department of City Planning

§4-01 Applicability.

This chapter sets forth the procedures applicable to the review of actions located in the New York City Coastal Zone by the City Planning Commission (the Commission), in its capacity as the City Coastal Commission (CCC), and by the Department of City Planning (the Department) as provided in the WRP. Three separate categories of actions are subject to such review process:

- (a) Local discretionary actions that are classified as Type 1 or Unlisted pursuant to the State Environmental Quality Review Act (SEQRA) or City Environmental Quality Review (CEQR);
- (b) State actions that are subject to WRP consistency review by the relevant state agency pursuant to the applicable laws and regulations referenced in subdivision b of section 4-03 of this chapter;
- (c) Federal direct actions, permit and license actions, and financial assistance actions that are subject to WRP consistency review by the New York State Department of State

(DOS) for the relevant federal agency pursuant to the applicable laws and regulations referenced in subdivision b of section 4-03 of this chapter.

The Department's or the CCC's review of state and federal actions, as referenced herein, is advisory and for the purpose of consultation in accordance with state and federal laws and regulations.

§4-02 CCC and Department Review.

As the administrator of the WRP with the CCC, the Department will be responsible for coordinating all WRP consistency reviews. The Department will evaluate all actions covered by section 4-01 of this chapter to determine which warrant CCC review, in accordance with the criteria set forth in this section. The Department will review all actions covered by this chapter that do not warrant CCC review.

The CCC will review:

- (a) Local actions that are subject to Commission approval pursuant to the Uniform Land Use Review Procedure (ULURP) or other provision of the City Charter, including those for which the Commission is the designated CEQR lead agency; and
- (b) Local, state or federal actions which, in the Department's view, would substantially hinder the achievement of one or more policies or purposes of the WRP.

§4-03 Reviews for Consistency with the WRP.

- a) Local actions. Except as provided in section 4-04(a) of this chapter, no CEQR lead agency may make a final decision to approve an action unless and until such agency, or the CCC when the lead agency is the Commission, finds that such action will not substantially hinder the achievement of any WRP policy and determines that the action is consistent with the WRP, in accordance with the standards set forth in the WRP and with CEQR Technical Manual guidelines for conducting a WRP consistency assessment. When the lead agency is other than the Commission, the Department must concur with such finding.
 - (1) Local actions subject to Commission approval. The CCC's review of actions for consistency with the WRP is incorporated into the Commission's existing review procedures pursuant to ULURP or other provision of the Charter, or pursuant to CEQR.
 - (2) Local actions not subject to Commission approval.
 - (i) The CEQR lead agency shall provide the Department with its draft Environmental Impact Statement (EIS) or draft Environmental Assessment Statement (EAS), whichever is applicable, containing the agency's draft WRP consistency assessment, at the earliest possible date, and in no event less than thirty (30) days before issuance of a Negative Declaration, a Conditional Negative Declaration or, if the agency has prepared a draft EIS, a Notice of Completion. The Department may request additional information to assist in the evaluation of the proposed action, which the agency shall promptly provide.
 - (ii) Within thirty (30) days of receipt of the lead agency's draft WRP consistency assessment, the Department will notify the lead agency as to

whether the Department concurs or does not concur with the proposed consistency determination and will provide written comments on the assessment, if any.

(iii) When the lead agency has prepared an EAS, if the Department is properly notified of such agency's consistency assessment and determination and does not respond to such agency in writing within thirty (30) days of receipt, the lead agency may deem its consistency determination to have been accepted by the Department.

- b) State and federal actions. The coordination of the Department's or the CCC's review of state and federal actions with the relevant state agency and DOS, respectively, including review periods and the procedures for transmission of comments and findings, shall be in accordance with the relevant state and federal laws and regulations, including Article 42 of the New York State Executive Law (§§910 through 922) and 16 U.S.C. §§ 1451 et seq, respectively, and shall follow the guidelines for notification and review of federal and state actions, which are appended to the WRP.
- c) For all actions, where an inconsistency with one or more policies or purposes of the WRP has been identified, the Department or the CCC, as applicable, may recommend alternatives or modifications to the action or mitigation measures in order to avoid or minimize the inconsistency. If, in the Department's or the CCC's view, an inconsistency presents a substantial hindrance to the achievement of one or more policies or purposes of the WRP, the provisions of section 4-04 shall apply.
- d) Public Notice. All actions will be subject to any applicable procedures for public notice for the action under review. There are no additional public notice or participation requirements pursuant to this chapter.

§4-04 Substantial Hindrance to the WRP.

- a) Local actions.
 - (1) Local actions subject to Commission approval. The Commission may not approve an action that will substantially hinder the achievement of one or more policies or purposes of the WRP, unless, in its capacity as the CCC, it makes the following four findings:
 - i. No reasonable alternatives exist which would permit the action to be taken in a manner which would not substantially hinder the achievement of such policy;
 - ii. The action taken will minimize all adverse effects on such policies to the maximum extent practicable;
 - iii. The action will advance one or more of the other coastal policies; and
 - iv. The action will result in an overriding local or regional public benefit.
 - (2) Local actions not subject to Commission approval. A CEQR lead agency may not approve an action that will substantially hinder the achievement of one or more policies or purposes of the WRP unless it makes the four findings in paragraph 1 of this subdivision with the concurrence of the CCC.

Where the findings set forth in paragraph 1 of subdivision b are met, the action shall be deemed consistent with the WRP.

- b) State and federal actions. The CCC shall provide an advisory determination as to whether, the four findings set forth in paragraph 1 of subdivision b are met. The Department shall transmit the CCC's findings to the relevant state agency or DOS for the purpose of consultation in accordance with the WRP and applicable state and federal laws, regulations and published guidelines, as referenced in subdivision b of section 4-03 of this chapter.

Statement of Basis and Purpose of Proposed Rule

The Federal Coastal Zone Management Act (16 U.S.C., CZMA) was enacted by Congress on October 27, 1972 to encourage coastal states to develop comprehensive programs to manage and balance competing uses of and impacts to coastal resources. New York State developed and received approval of its statewide Coastal Management Program (CMP) in 1982. Article 42 of the Executive Law, entitled Waterfront Revitalization of Coastal Areas and Inland Waterways is the main statute that implements the State CMP by establishing the:

- Boundaries of the Coastal Area within which the CMP applies;
- Statewide policies that would be enforceable on all State agencies which address significant coastal issues and manage resources along the State's coastline;
- Authorization for localities to prepare and adopt local waterfront revitalization programs which in turn, would provide more detailed implementation of the State's Program.

New York City adopted a local waterfront revitalization program (WRP), to more specifically define the New York City Coastal Zone Boundary and local coastal area management policies pursuant to which applicable local, state and federal projects or actions within the Coastal Zone must be reviewed for consistency. Section 192(e) of the City Charter (Charter) provides that the City Planning Commission (the Commission) "shall oversee implementation of laws that require environmental reviews of actions taken by the city" and that the Commission "shall establish by rule procedures for environmental reviews of proposed actions by the city where such reviews are required by law." Section 191(b)(2) of the City Charter provides that the director of the Department of City Planning (the Department) shall "provide staff assistance to the City Planning Commission in all matters under its jurisdiction." The WRP designates the City Planning Commission as the City Coastal Commission (CCC), which is, with the Department, responsible for administering the WRP for New York City.

The Department, on behalf of the Commission, is proposing to amend Chapter 4 (City Coastal Commission Procedures) of Title 62 of the Rules of the City of New York (Rules) pursuant to its authority under Sections 191(e) and 191(b)(2) of the New York City Charter. The purposes of the proposed amendments may generally be described as follows:

- (1) make the rule consistent with State procedures in terms of the local discretionary actions to which it applies;

- (2) streamline the threshold for when the Department will refer state and federal actions to the CCC for review, which threshold shall also be applied to local actions that do not otherwise come before the Commission;
- (3) reestablish and clarify the role of the Department and CCC in local actions subject to City Environmental Quality Review (CEQR) but not subject to Commission approval;
- (4) and remove from the existing rule outdated references and other provisions regarding internal or inter-agency procedures.

Specifically, the proposed amendments will ensure that the Department or the CCC reviews all local discretionary actions located within the Coastal Zone as provided in the WRP, for their consistency with the WRP. In addition, because under the current rule there are some local discretionary actions which require Commission approval but which are not subject to CEQR, the proposed rule clarifies that the local discretionary actions subject to WRP review only include those classified as Type I or Unlisted under the State Environmental Quality Review Act (SEQRA) and, thus, subject to CEQR, consistent with the intent of the WRP as well as State practice in terms of how it undertakes WRP consistency reviews of its actions subject to SEQRA. Also, as provided in the WRP and as reflected in the existing rule, the Department or the CCC will continue to provide an advisory analysis of state and federal actions which are subject to state or federal consistency review using the coastal policies in the WRP by the relevant state agency or the New York State Department of State (DOS) or the relevant federal agency, and will convey any related comments and findings to the state agency or DOS for the purpose of consultation, in accordance with relevant state and federal laws and regulations.

Also, there are currently four thresholds in the existing rule for federal and state actions which, if met, require review by the Commission, as CCC, and the Department reviews all others. These thresholds are proposed to be streamlined into a single threshold for federal and state actions, as well as for local actions that do not otherwise come before the Commission for approval. Actions that the Department believes present a substantial hindrance to one or more policies of the WRP must be referred to the Commission, as CCC. When a substantial hindrance has been identified, local actions may not be approved unless or until the CCC finds, or concurs with the CEQR lead agency's finding, that the following four requirements, as set forth in the approved WRP, are met:

- (1) no reasonable alternatives exist that would permit the action to be taken in a manner which would not substantially hinder the achievement of such policy;
- (2) the action taken will minimize all adverse effects on such policies to the maximum extent practicable;
- (3) the action will advance one or more of the other coastal policies; and
- (4) the action will result in an overriding local or regional public benefit.

Such finding shall constitute a determination that the action is consistent with the WRP. With respect to state and federal actions, the Department will transmit the findings of the CCC to the

relevant state agency for state consistency and DOS for federal consistency for the purpose of consultation.

The proposed rule also adds references to state and federal regulations to ensure that the inter-agency coordination of WRP consistency review, including the resolution of conflicts, occurs in accordance with those regulations and any applicable guidance, such as the guidelines for notification and review of federal agency and New York State agency actions appended to the approved WRP. Finally, any provisions regarding intra-agency coordination between the Department and the CCC and other “in-house” standards are proposed to be removed from the rule, and references to the no longer extant Board of Estimate are proposed to be removed.

Resolution for adoption scheduling July 27, 2016 for a public hearing.

II. REPORTS

BOROUGH OF MANHATTAN

No. 10

EAST HOUSTON STREET REZONING

CD 3

C 160137 ZMM

IN THE MATTER OF an application submitted by SMBRO Rivington, LLC pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 12c:

1. eliminating from an existing R8A District, a C1-5 District bounded by East Houston Street, a line midway between Clinton Avenue and Attorney Street, a line 100 feet southerly of East Houston Street, and a line midway between Suffolk Street and Clinton Street; and
2. establishing within an existing R8A District, a C2-5 District bounded by East Houston Street, a line midway between Clinton Avenue and Attorney Street, a line 100 feet southerly of East Houston Street, and Norfolk Street;

as shown on a diagram (for illustrative purposes only) dated February 22, 2016.

(On May 25, 2016, Cal. No. 1, the Commission scheduled June 8, 2016 for a public hearing. On June 8, 2016, Cal. No. 29, the hearing was closed.)

For consideration.

No. 11

70 VESTRY STREET PARKING FACILITY

CD 1

C 160145 ZSM

IN THE MATTER OF an application submitted by Bridge Land Vestry, LLC pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit pursuant to Section 13-45 (Special Permits for additional parking spaces) and Section 13-451 (Additional parking spaces for residential growth) of the Zoning Resolution to allow an accessory off-street parking garage with a maximum capacity of 42 spaces on portions of the ground floor, cellar and

sub-cellar of a proposed mixed-use building on property located at 70 Vestry Street (Block 223, Lots 3, 13 & 20), in C6-3A and C6-2A Districts, within the Special Tribeca Mixed Use District.

Plans for this proposal are on file with the City Planning Commission and may be seen at 120 Broadway, 31st Floor, New York, N.Y. 10271-0001.

(On May 25, 2016, Cal. No. 2, the Commission scheduled June 8, 2016 for a public hearing. On June 8, 2016, Cal. No. 30, the hearing was closed.)

For consideration.

III. PUBLIC HEARING

BOROUGH OF BROOKLYN

No. 12

DUMBO AMENDED BUSINESS IMPROVEMENT DISTRICT

CD 2

N 160374 BDK

PUBLIC HEARING:

IN THE MATTER OF an application submitted by the Department of Small Business Services on behalf of the DUMBO Business Improvement District pursuant to Section 25-405(a) of Chapter 4 of Title 25 of the Administrative Code of the City of New York, as amended, concerning amending the DUMBO Business Improvement District.

(On June 22, 2016, Cal. No. 1, the Commission scheduled July 13, 2016 for a public hearing which has been duly advertised.)

Close the hearing.

BOROUGH OF MANHATTAN

No. 13

40 RECTOR STREET OFFICE SPACE

CD 1

N 160381 PXM

PUBLIC HEARING:

IN THE MATTER OF a Notice of Intent to acquire office space submitted by the Department of Citywide Administrative Services, pursuant to Section 195 of the New York City Charter for use of property located at 40 Rector Street (Block 55, Lot 1026) (NYPD offices).

(On June 28, 2016, the Commission duly advertised July 13, 2016 for a public hearing.)

Close the hearing.

No. 14

230 PARK AVENUE OFFICE SPACE

CD 5

N 160382 PXM

PUBLIC HEARING:

IN THE MATTER OF a Notice of Intent to acquire office space submitted by the Department of Citywide Administrative Services, pursuant to Section 195 of the New York City Charter for use of property located at 230 Park Avenue (Block 1300, Lot 1) (Office of Court Administration offices).

(On June 28, 2016, the Commission duly advertised July 13, 2016 for a public hearing.)

Close the hearing.



No. 15

625 WEST 57TH STREET

CD 4

N 160069 ZRM

PUBLIC HEARING:

IN THE MATTER OF an application submitted by Durst Pyramid LLC, pursuant to Section 201 of the New York City Charter, for an amendment of the Zoning Resolution of the City of New York, modifying the provisions of Article IX, Chapter 6 (Special Clinton District).

Matter in underline is new, to be added;

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

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

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

* * *

**Article IX: Special Purpose District
Chapter 6: Special Clinton District**

* * *

96-34

Special Regulations in Northern Subarea C1

In Area C1-1, within Within Northern Subarea C1, Special Use Regulations Areas C1-1 and C1-2, as shown on the map in Appendix A, the following of this Chapter, are subject to the special

~~#use# regulations of this Section. In addition, the special Inclusionary Housing regulations, #use# and special permit regulations set forth in this Section shall apply: in Area C1-1.~~

(a) Inclusionary Housing Program

The boundaries of the #Inclusionary Housing designated area# within the #Special Clinton District# are shown on Map 2 in Manhattan Community District 4, in APPENDIX F of this Resolution. Such area shall be an #Inclusionary Housing designated area#, pursuant to Section 12-10 (DEFINITIONS), for the purpose of making the Inclusionary Housing Program regulations of Section 23-90, inclusive, applicable as modified within the Special District.

Within such #Inclusionary Housing designated area# the following special regulations shall apply. The #residential floor area# of the #zoning lot# may be increased by 1.25 square feet for each square foot of #low income floor area# provided, or by 0.625 square feet for each one square foot of #middle income floor area# provided, up to the maximum #floor area# set forth in Section 23-952 (Floor area compensation in Inclusionary Housing designated areas). However, the amount of #low income floor area# plus half the amount of #middle income floor area# required to receive such #floor area compensation# need not exceed 20 percent of the total #floor area#, exclusive of ground floor non-#residential floor area# on the #compensated zoning lot#, provided that no more than 8,000 square feet of #middle income floor area# may be included within this calculation.

(b) Special #use# regulations

- (1) In Special Use Regulations Areas C1-1 and C1-2, ~~t~~The following #uses# shall be permitted below the level of the lowest floor occupied by #dwelling units#:
 - (i) automobile showrooms or sales with preparation of automobiles for delivery; and
 - (ii) automobile repairs.
- (2) #Transient hotels# shall not be permitted within the portion of Area C1-1 that is located between Eleventh Avenue and a line 250 feet west of Eleventh Avenue, and in the portion located between West 57th Street and a line 100 feet south of West 57th Street, except by special permit of the City Planning Commission, pursuant to the provisions of this paragraph (b)(2).

The City Planning Commission may permit #transient hotels#, resulting from a #development#, #enlargement#, #extension# or change of #use#, provided that the Commission shall find that such #transient hotel# is so located as to not impair the essential character of, or the future use or development of the surrounding area.

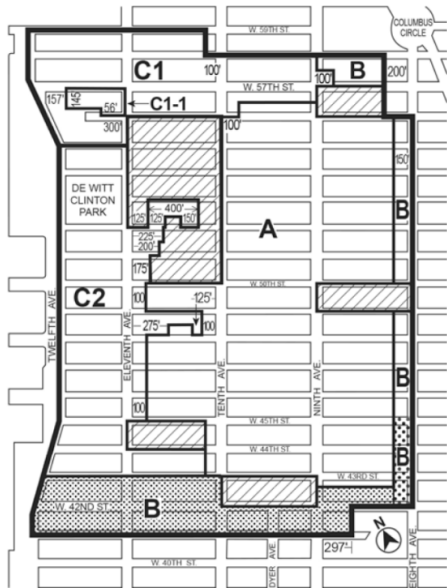
The Commission may prescribe appropriate conditions and safeguards to minimize adverse effects on the character of the surrounding area.

* * *

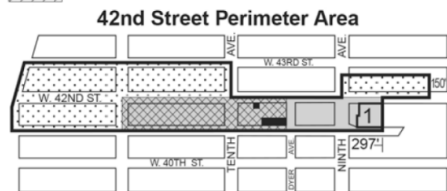
Appendix A - Special Clinton District Map

[EXISTING MAP]

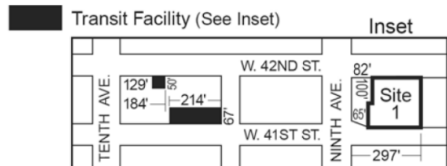
[PROPOSED MAP]



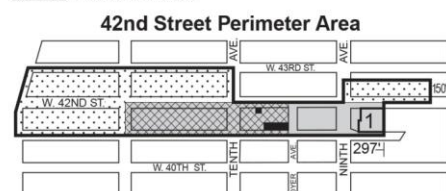
- Special Clinton District Boundary
- Area Boundary
- A** Preservation Area
- B** Perimeter Area
 - Portion of Perimeter Area B also subject to additional 42nd Street Perimeter Area regulations. (See map below)
 - Portion of Perimeter Area B also subject to Article VIII, Chapter I (Special Midtown District)
- C** Other Areas
 - C1 Northern Subarea
 - C1-1 Special Use Regulations Area
 - C2 Western Subarea
- Excluded Area



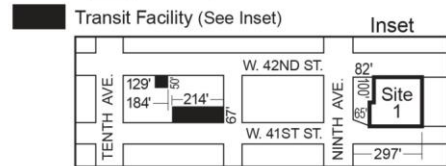
- Subarea 1 of 42nd Street Perimeter Area
- Subarea 2 of 42nd Street Perimeter Area
- Portion of Subarea 2 of 42nd St. Perimeter Area where Theater Bonus applies
- Site 1 Where Special Parking Regulations apply (See Inset)



- Special Clinton District Boundary
- Area Boundary
- A** Preservation Area
- B** Perimeter Area
 - Portion of Perimeter Area B also subject to additional 42nd Street Perimeter Area regulations. (See map below)
 - Portion of Perimeter Area B also subject to Article VIII, Chapter I (Special Midtown District)
- C** Other Areas
 - C1 Northern Subarea
 - C1-1 Special Use Regulations Area
 - C1-2 Special Use Regulations Area
 - C2 Western Subarea
- Excluded Area



- Subarea 1 of 42nd Street Perimeter Area
- Subarea 2 of 42nd Street Perimeter Area
- Portion of Subarea 2 of 42nd St. Perimeter Area where Theater Bonus applies
- Site 1 Where Special Parking Regulations apply (See Inset)



* * *

(On June 22, 2016, Cal. No. 2, the Commission scheduled July 13, 2016 for a public hearing which has been duly advertised.)

Close the hearing.

BOROUGH OF QUEENS

No. 16

MITCHELL-LINDEN LIBRARY SITE

CD 7

C 160247 PQQ

PUBLIC HEARING:

IN THE MATTER OF an application submitted by the Queens Public Library and the Department of Citywide Administrative Services, pursuant to Section 197-c of the New York City Charter, for the acquisition of property located at 31-32 Union Street (Block 4414, Lots 1333-1339) for continued use as a library .

(On June 22, 2016, Cal. No. 7, the Commission scheduled July 13, 2016 for a public hearing which has been duly advertised.)

Close the hearing.

No. 17

ROSEDALE LIBRARY SITE

CD 13

C 160248 PQQ

PUBLIC HEARING:

IN THE MATTER OF an application submitted by the Queens Public Library and the Department of Citywide Administrative Services, pursuant to Section 197-c of the New York City Charter, for the acquisition of property located at 144-20 243rd Street (Block 13549, Lot 7) for continued use as a library .

(On June 22, 2016, Cal. No. 8, the Commission scheduled July 13, 2016 for a public hearing which has been duly advertised.)

Close the hearing.



No. 18

NYPD VEHICLE STORAGE FACILITY

CD 2

C 160249 PCQ

PUBLIC HEARING:

IN THE MATTER OF an application submitted by the NYC Police Department and the Department of Citywide Administrative Services, pursuant to Section 197-c of the New York City Charter, for the site selection and acquisition of property located at 59-64 and 59-66 54th Avenue (Block 2656, Lots 75 and 80) for use as a vehicle storage facility .

(On June 22, 2016, Cal. No. 9, the Commission scheduled July 13, 2016 for a public hearing which has been duly advertised.)

Close the hearing.



No. 19

38TH STREET AND 31ST AVENUE REZONING

CD 1

C 150135 ZMQ

PUBLIC HEARING:

IN THE MATTER OF an application submitted by the 30-70 Astoria LLC pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 9a by changing from an R5B District to an R6B District property bounded by a line 140 feet northwesterly of 38th Street, a line 420 feet northeasterly of 31st Avenue, a line midway between 37th Street and 38th Street, and a line 100 feet northeasterly of 31st Avenue, as shown on a diagram (for illustrative purposes only) dated March 28, 2016.

(On June 22, 2016, Cal. No. 3, the Commission scheduled July 13, 2016 for a public hearing which has been duly advertised.)

Close the hearing.

Nos. 20, 21 & 22

BARNETT AVENUE REZONING

No. 20

CD 2

C 160103 ZMQ

PUBLIC HEARING:

IN THE MATTER OF an application submitted by Sunnyside-Barnett Associates LLC pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section Nos. 9b and 9d as follows:

1. changing from an M1-1 District to an M1-1/R6 district property bounded by the southerly boundary line of the Long Island Rail Road Right-of-Way (Main Line), the northerly centerline prolongation of 52nd Street, Barnett Avenue, and the northerly prolongation of the westerly streetline of 50th Street; and
2. establishing a Special Mixed Use District (MX-17) bounded by the southerly boundary line of the Long Island Rail Road Right-of-Way (Main Line), the northerly centerline prolongation of 52nd Street, Barnett Avenue, and the northerly prolongation of the westerly streetline of 50th Street

as shown on a diagram (for illustrative purposes only) March 28, 2016.

(On June 22, 2016, Cal. No. 4, the Commission scheduled July 13, 2016 for a public hearing which has been duly advertised.)

Close the hearing.

No. 21

CD 2

N 160101 ZRQ

PUBLIC HEARING:

IN THE MATTER OF an application submitted by Sunnyside-Barnett Associates LLC pursuant to Section 201 of the New York City Charter, for an amendment of the Zoning Resolution of the City of New York, modifying Appendix F for the purpose of establishing a Mandatory Inclusionary Housing area.

Matter in underline is new, to be added;

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

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

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

* * *

APPENDIX F

Inclusionary Housing Designated Areas and Mandatory Inclusionary Housing Areas

* * *

Queens

* * *

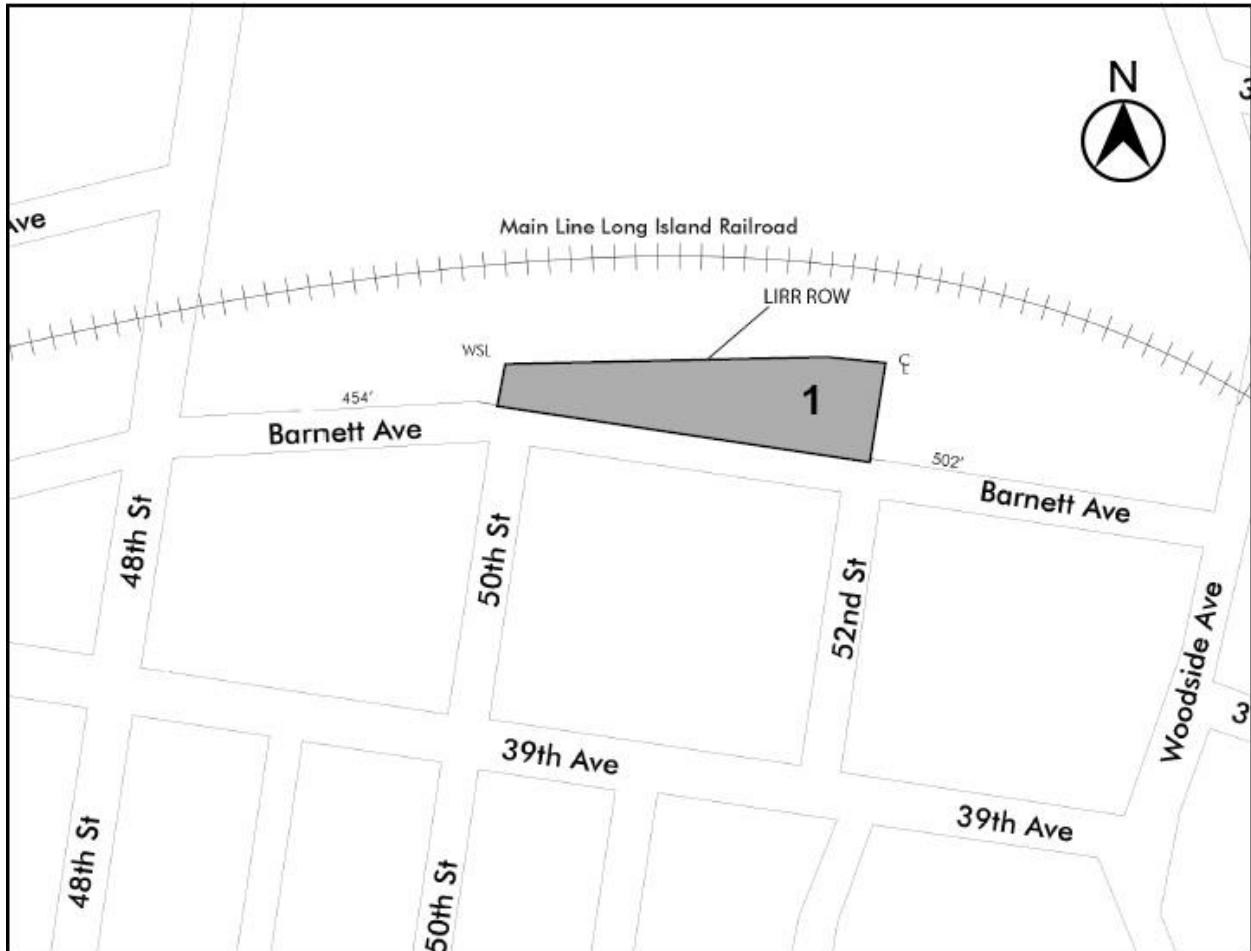
Queens Community District 2

In the R6, R7A and R7X Districts within the areas shown on the following Maps 1, ~~and 2~~ and 4:

* * *

Map 4 – (date of adoption)

[proposed map]



 Mandatory Inclusionary Housing area see Section 23-154(d)(3)

Area 1 (date of adoption) – MIH Program Option 2

Portion of Community District 2, Queens

* * *

(On June 22, 2016, Cal. No. 5, the Commission scheduled July 13, 2016 for a public hearing which has been duly advertised.)

Close the hearing.

No. 22

CD 2

N 160102 ZRQ

PUBLIC HEARING:

IN THE MATTER OF an application submitted by Sunnyside-Barnett Associates LLC pursuant to Section 201 of the New York City Charter, for an amendment of the Zoning Resolution of the City of New York, to establish that R6 districts in Mandatory Inclusionary Housing areas area allowed a maximum FAR of 3.6, to establish Mixed-Use District MX-17 (M1-1/R6) and to modify height and setback regulations in MX-17 (M1-1/R6).

Matter in underline is new, to be added;

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

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

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

* * *

**Article II
RESIDENCE DISTRICT REGULATIONS**

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

* * *

**23-10
OPEN SPACE AND FLOOR AREA REGULATIONS
R1 R2 R3 R4 R5 R6 R7 R8 R9 R10**

* * *

**23-15
Open Space and Floor Area Regulations in R6 through R10 Districts
R6 R7 R8 R9 R10**

* * *

**23-154
Inclusionary Housing**

For #developments# or #enlargements# providing #affordable housing# pursuant to the Inclusionary Housing Program, as set forth in Section 23-90, inclusive, the maximum #floor area ratio# permitted in R10 Districts outside of #Inclusionary Housing designated areas# shall be as

set forth in paragraph (a) of this Section, and the maximum #floor area ratio# in the #Inclusionary Housing designated areas# existing on March 22, 2016, shall be as set forth in paragraph (b) of this Section. Special provisions for specified #Inclusionary Housing designated areas# are set forth in paragraph (c) of this Section. Special #floor area# provisions for #zoning lots# in #Mandatory Inclusionary Housing areas# are set forth in paragraph (d) of this Section. The maximum #lot coverage# shall be as set forth in Section 23-153 (For Quality Housing buildings) for the applicable zoning district. For the purpose of this Section, defined terms include those set forth in Sections 12-10 and 23-911.

* * *

(b) #Inclusionary Housing designated areas#

The #residential floor area# of a #zoning lot# may not exceed the base #floor area ratio# set forth in the table in this paragraph (b), except that such #floor area# may be increased on a #compensated zoning lot# by 1.25 square feet for each square foot of #low income floor area# provided, up to the maximum #floor area ratio# specified in the table, as applicable. However, the amount of #low income floor area# required to receive such #floor area compensation# need not exceed 20 percent of the total #floor area#, exclusive of ground floor non-#residential floor area#, or any #floor area# increase for the provision of a #FRESH food store#, on the #compensated zoning lot#.

District	Maximum #Residential Floor Area Ratio#	
	Base #floor area ratio#	Maximum #floor area ratio#
R6B	2.00	2.20
R6 ¹	2.20	2.42
R6 ^{2,3} R6A R7-2 ¹	2.70	3.60
R7A R7-2 ²	3.45	4.60
R7-3	3.75	5.0
R7D	4.20	5.60
R7X	3.75	5.00
R8	5.40	7.20
R9	6.00	8.00
R9A	6.50	8.50
R9D	7.5	10.0

R9X	7.3	9.70
R10	9.00	12.00

- ¹ for #zoning lots#, or portions thereof, beyond 100 feet of a #wide street#
- ² for #zoning lots#, or portions thereof, within 100 feet of a #wide street#
- ³ for #zoning lots# in #Mandatory Inclusionary Housing areas#

* * *

Article XII
SPECIAL PURPOSE DISTRICTS

Chapter 3
Special Mixed Use District

* * *

123-60
SPECIAL BULK REGULATIONS

* * *

123-63
Maximum Floor Area Ratio and Lot Coverage Requirements for Zoning Lots Containing Only Residential Buildings in R6, R7, R8 and R9 Districts

Where the designated #Residence District# is an R6, R7, R8 or R9 District, the minimum required #open space ratio# and maximum #floor area ratio# provisions of Section 23-151 (Basic regulations for R6 through R9 Districts), shall not apply. In lieu thereof, all #residential buildings#, regardless of whether they are required to be #developed# or #enlarged# pursuant to the Quality Housing Program, shall comply with the maximum #floor area ratio# and #lot coverage# requirements set forth for the designated district in Section 23-153 (For Quality Housing buildings), or Section 23-155 (Affordable independent residences for seniors), as applicable.

* * *

However, in #Inclusionary Housing designated areas#, as listed in the table in this Section, the maximum permitted #floor area ratio# shall be as set forth in Section 23-154 (Inclusionary Housing). The locations of such districts are specified in APPENDIX F of this Resolution.

Designated #Residence District#

#Special Mixed Use District#	
MX 2 - Community District 2, Brooklyn	R7A R8A
MX 8 - Community District 1, Brooklyn	R6 R6A R6B R7A
MX 11 - Community District 6, Brooklyn	R7-2
MX 13 – Community District 1, The Bronx	R6A R7A R7X R8A
MX 14 - Community District 6, The Bronx	R7A R7X
MX 16 – Community Districts 5 and 16, Brooklyn	R6A R7A R7D R8A
<u>MX 17 - Community District 2, Queens</u>	<u>R6</u>

* * *

**123-66
Height and Setback Regulations**

* * *

**123-662
All buildings in Special Mixed Use Districts with R6, R7, R8, R9 and R10 District designations**

In #Special Mixed Use Districts# where the designated #Residence District# is an R6, R7, R8, R9 or R10 District, the height and setback regulations of Sections 23-60 and 43-40 shall not apply. In lieu thereof, all #buildings or other structures# shall comply with the height and setback regulations of this Section.

- (a) Medium and high density non-contextual districts
 - (1) In #Special Mixed Use Districts# where the designated #Residence District# is an R6, R7, R8, R9 or R10 District without a letter suffix, the height of a #building or other structure#, or portion thereof, located within 10 feet of a #wide street# or 15 feet of a #narrow street#, may not exceed the maximum base height specified in

Table A of this Section, except for dormers permitted in accordance with paragraph (c) of this Section. Beyond 10 feet of a #wide street# and 15 feet of a #narrow street#, the height of a #building or other structure# shall not exceed the maximum #building# height specified in Table A. However, a #building or other structure# may exceed such maximum #building# height by four #stories# or 40 feet, whichever is less, provided that the gross area of each #story# located above the maximum #building# height does not exceed 80 percent of the gross area of that #story# directly below it.

Table A
 HEIGHT AND SETBACK FOR ALL BUILDINGS
 IN MEDIUM AND HIGH DENSITY
 NON-CONTEXTUAL DISTRICTS
 (in feet)

District	Maximum Base Height	Maximum #Building# Height
R6	60	110
R7-1 R7-2	60	135
R7-3	85	185
R8	85	210
R9	85	225
R9-1	85	280
R10	110	350

- (2) In #Special Mixed Use District# 15 in the Borough of Manhattan, where the designated #Residence District# is an R7-2 District, the height and setback regulations of paragraph (a)(1) of this Section shall not apply. In lieu thereof, the height and setback regulations of this paragraph, (a)(2), shall apply.
 - (i) A #building or other structure#, or portion thereof, located within ten feet of a #wide street# or 15 feet of a #narrow street#, shall rise to a minimum height of 60 feet, and may rise to a maximum height of 85 feet, except for dormers permitted in accordance with paragraph (c) of this Section.
 - (ii) At least 70 percent of the #aggregate width of street walls# shall be located on the #street line# and shall extend to the minimum base height of 60 feet or the height of the #building#, whichever is less. The remaining 30 percent of the #aggregate width of street walls# shall be located within eight feet of the #street line#.
 - (iii) Existing #buildings# may be vertically #enlarged# by up to one #story# or 15 feet without regard to the #street wall# location provisions of this paragraph, (a)(2). Beyond ten feet of a #wide street# and 15 feet of a #narrow street#, the height of a #building or other structure# shall not

exceed a maximum #building# height of 135 feet. However, a #building or other structure# may exceed a height of 135 feet by four #stories# or 40 feet, whichever is less, provided that the gross area of each #story# located above 135 feet does not exceed 80 percent of the gross area of that #story# directly below it.

- (3) In #Special Mixed Use District# 17 in the Borough of Queens, where the designated #Residence District# is an R6 District, the height and setback regulations of paragraph (a)(1) of this Section shall be modified such that a #building or other structure#, or portion thereof, located within ten feet of a #wide street# or 15 feet of a #narrow street#, may rise to a maximum base height of 85 feet provided that such #building or other structure# contains #affordable housing# pursuant to Section 23-90 (INCLUSIONARY HOUSING).

* * *

**123-90
SPECIAL MIXED USE DISTRICTS SPECIFIED**

The #Special Mixed Use District# is mapped in the following areas:

* * *

#Special Mixed Use District# - 16: (4/20/16)
Ocean Hill/East New York, Brooklyn

The #Special Mixed Use District# - 16 is established in Ocean Hill and East New York in Brooklyn as indicated on the #zoning maps#.

#Special Mixed Use District# - 17: ([date of adoption])
Sunnyside, Queens

The #Special Mixed Use District# - 17 is established in Sunnyside in Queens as indicated on the #zoning maps#.

* * *

(On June 22, 2016, Cal. No. 6, the Commission scheduled July 13, 2016 for a public hearing which has been duly advertised.)

Close the hearing.



IV CITY PLANNING COMMISSION 2016 SCHEDULE OF MEETINGS

	SUN	MON	TUE	WED	THU	FRI	SAT
JANUARY						1 NEW YEAR'S DAY	2
	3	4 REVIEW SESSION	5	6 CPC PUBLIC MEETING	7	8	9
	10	11	12	13	14	15	16
	17	18 MARTIN LUTHER KING, JR. DAY	19 REVIEW SESSION	20 CPC PUBLIC MEETING	21	22	23
	24	25	26	27	28	29	30
31							
FEBRUARY		1 REVIEW SESSION	2	3 CPC PUBLIC MEETING	4	5	6
	7	8 CHINESE NEW YEAR	9	10 ASH WEDNESDAY	11	12 LINCOLN'S BIRTHDAY	13
	14	15 PRESIDENTS' DAY	16	17	18	19	20
	21	22 WASHINGTON'S BIRTHDAY REVIEW SESSION	23	24 CPC PUBLIC MEETING	25	26	27
	28	29					
MARCH			1	2	3	4	5
	6	7 REVIEW SESSION	8	9 CPC PUBLIC MEETING	10	11	12
	13	14	15	16	17 ST. PATRICK'S DAY	18	19
	20 PALM SUNDAY	21	22	23	24	25	26
	27 EASTER	28 REVIEW SESSION	29	30 CPC PUBLIC MEETING	31		
APRIL						1	2
	3	4	5	6	7	8	9
	10	11 REVIEW SESSION	12	13 CPC PUBLIC MEETING	14	15	16
	17	18	19	20	21	22	23
	24	25 REVIEW SESSION	26	27 CPC PUBLIC MEETING	28	29 PASSOVER	30
MAY	1	2	3	4	5	6	7
	8	9 REVIEW SESSION	10	11 CPC PUBLIC MEETING	12	13	14
	15	16	17	18	19	20	21
	22	23 REVIEW SESSION	24	25 CPC PUBLIC MEETING	26	27	28
	29	30 MEMORIAL DAY	31				
JUNE				1	2	3	4
	5	6 REVIEW SESSION	7 1ST DAY RAMADAN	8 CPC PUBLIC MEETING	9	10	11
	12	13	14	15	16	17	18
	19	20 REVIEW SESSION	21	22 CPC PUBLIC MEETING	23	24	25
	26	27	28	29	30		
JULY						1	2
	3	4 INDEPENDENCE DAY	5	6	7	8	9
	10	11 REVIEW SESSION	12	13 CPC PUBLIC MEETING	14	15	16
	17	18	19	20	21	22	23
	24	25 REVIEW SESSION	26	27 CPC PUBLIC MEETING	28	29	30
31							
AUGUST		1	2	3	4	5	6
	7	8 REVIEW SESSION	9	10 CPC PUBLIC MEETING	11	12	13
	14	15	16	17	18	19	20
	21	22 REVIEW SESSION	23	24 CPC PUBLIC MEETING	25	26	27
	28	29	30	31			
SEPTEMBER					1	2	3
	4	5 LABOR DAY	6	7 CPC PUBLIC MEETING	8	9	10
	11	12	13	14	15	16	17
	18	19 REVIEW SESSION	20	21 CPC PUBLIC MEETING	22	23	24
	25	26	27	28	29	30	
OCTOBER	2	3 ROSH HASHANAH	4	5 CPC PUBLIC MEETING	6	7	8
	9	10 COLUMBUS DAY OBSERVED	11	12 YOM KIPPUR	13	14	15
	16	17 REVIEW SESSION	18	19 CPC PUBLIC MEETING	20	21	22
	23	24	25	26	27	28	29
	30	31 REVIEW SESSION					
NOVEMBER			1	2	3	4	5
	6	7	8 ELECTION DAY	9	10 DIWALI	11 VETERANS' DAY	12
	13	14 REVIEW SESSION	15	16 CPC PUBLIC MEETING	17	18	19
	20	21	22	23	24	25	26
	27	28 REVIEW SESSION	29	30 CPC PUBLIC MEETING			
DECEMBER					1	2	3
	4	5	6	7	8	9	10
	11	12 REVIEW SESSION	13	14 CPC PUBLIC MEETING	15	16	17
	18	19	20	21	22	23	24
	25 CHRISTMAS	26 1ST DAY KWAZANZA CHRISTMAS OBSERVED	27	28	29	30	31 HANUKKAH

Review Sessions are held in Spector Hall at 22 Reade Street starting at 1:00 PM
Public Meetings are held in Spector Hall at 22 Reade Street starting at 10:00 AM