

CITY PLANNING COMMISSION DISPOSITION SHEET

REMOTE/INPERSON PUBLIC MEETING:
WEDNESDAY, JULY 14, 2021
10:00 A.M. NYC CITY PLANNING COMMISSION HEARING ROOM, LOWER
CONCOURSE, 120 BROADWAY, NEW YORK, N.Y. 10271, AND VIA THE NYC
ENGAGE PORTAL

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 210151 ZMK	3	270 NOSTRAND AVENUE	Scheduled to be Heard 7/28/21
2	N 210152 ZRK	3	" "	" "
3	C 200296 ZMK	12	1776 48 TH STREET REZONING	" "
4	N 200297 ZRK	12	" "	" "
5	C 210177 ZMK	2, 6	GOWANUS NEIGHBORHOOD PLAN	" "
6	N 210178 ZRK	2, 6	" "	" "
7	C 210179 MMK	6	" "	" "
8	C 210180 MMK	6	" "	" "
9	C 210053 PPK	6	" "	" "
10	C 210052 HAK	6	" "	" "
11	C 200070 ZMQ	2	62-04 ROOSEVELT AVENUE REZONING	" "
12	N 200069 ZRQ	2	" "	" "
13	C 190260 ZMQ	2	48-18 VAN DAM TEAMSTERS REZONING	" "
14	C 210324 ZMM	4	495 ELEVENTH AVENUE	" "
15	N 210325 ZRM	4	" "	" "
16	C 210326 PCM	4	" "	" "
17	C 210351 ZMM	8	NEW YORK BLOOD CENTER	Scheduled to be Heard 7/29/21
18	N 210352 ZRM	8	" "	" "
19	C 210353 ZSM	8	" "	" "
20	C 200184 ZMK	9	960 FRANKLIN AVENUE REZONING	" "
21	N 200185 ZRK	9	" "	" "
22	C 200186 ZSK	9	" "	" "
23	C 200187 ZSK	9	" "	" "
24	C 200230 ZMQ	14	BEACH 67 TH STREET REZONING	Favorable Report Adopted
25	N 200231 ZRQ	14	" "	" "
26	N 210467 HIM	12	HOLYROOD EPISCOPAL CHURCH LANDMARK	Forward Report to City Council
27	N 210468 HIM	2	EDUCATIONAL BUILDING 70 FIFTH AVENUE LANDMARK	" "
28	N 210327 ZAX	8	9 PLOUGHMAN'S BUSH RESIDENCE-SNAD	Authorization Approved
29	N 210471 ZAX	8	5040 ARLINGTON AVENUE-SNAD	" "
30	N 200032 ZAR	2	51 SLOANE AVENUE	" "
31	N 200200 ZAR	2	" "	" "
32	N 200201 ZAR	2	" "	" "
33	N 210435 PXX	10	2100 BARTOW AVENUE	Hearing Closed

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10:00 A.M. NYC CITY PLANNING COMMISSION HEARING ROOM, LOWER
CONCOURSE, 120 BROADWAY, NEW YORK, N.Y. 10271, AND VIA THE NYC
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 New York, New York 10271
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CAL NO.	ULURP NO.	CD NO.	PROJECT NAME	C.P.C. ACTION
34	C 210337 PCQ	4	LEFRAK CITY SENIOR CENTER	Hearing Closed
35	C 180395 ZMQ	14	106-02 ROCKAWAY BEACH BOULEVARD REZONING	" "
36	C 210329 PCK	1	101 VARICK AVENUE	" "
37	C 200203 ZMK	15	2840 KNAPP STREET REZONING	" "
38	N 200204 ZRK	15	" "	" "
39	C 200306 ZMK	1	307 KENT AVENUE REZONING	" "
40	N 200307 ZRK	1	" "	" "
41	C 180024 MMM	12	RESTORING THE GEORGE CITY MAP AMENDMENT	" "
42	C 210202 ZSM	4	THE WINDERMERE	" "
43	C 210261 ZMM	9	629-639 WEST 142 ND STREET REZONING	" "
44	N 210262 ZRM	9	" "	" "
45	C 210361 ZMR	1	252 VICTORY BOULEVARD	" "
46	N 210362 ZRR	1	" "	" "
47	C 210289 ZMR	1	RIVER NORTH (LIBERTY TOWERS)	" "
48	N 210290 ZRR	1	" "	" "
49	C 210291 ZSR	1	" "	" "
50	N 210406 ZRY	CW	CITYWIDE HOTELS TEXT AMENDMENT	" "

COMMISSION ATTENDANCE:		COMMISSION VOTING RECORD:													
Present (P) Absent (A)		In Favor - Y Oppose - N Abstain - AB Recuse - R													
Calendar Numbers:		24	25	26	27	28	29	30	31	32					
Marisa Lago, Chair	P	Y	Y	Y	Y	Y	Y	Y	Y	Y					
Kenneth J. Knuckles, Esq., Vice Chairman	P	Y	Y	Y	Y	Y	Y	Y	Y	Y					
David Burney	A														
Allen P. Cappelli, Esq.	A														
Alfred C. Cerullo, III	P	Y	Y	Y	Y	Y	Y	Y	Y	Y					
Joseph I. Douek	P	Y	Y	Y	Y	Y	Y	Y	Y	Y					
Richard W. Eaddy	P	Y	Y	Y	Y	Y	Y	Y	Y	Y					
Hope Knight	P	Y	Y	Y	Y	Y	Y	Y	Y	Y					
Anna Hayes Levin	A														
Orlando Marin	A														
Larisa Ortiz	P	Y	Y	Y	Y	Y	Y	Y	Y	Y					
Raj Rampershad, Commissioners	P	Y	Y	Y	Y	Y	Y	Y	Y	Y					

MEETING ADJOURNED AT: 4:50 P.M.

CITY PLANNING CALENDAR

of

The City of New York

CITY PLANNING COMMISSION

WEDNESDAY, JULY 14, 2021

MEETING AT 10:00 A.M.

IN PERSON:

NYC CITY PLANNING COMMISSION HEARING ROOM,

LOWER CONCOURSE

120 BROADWAY

NEW YORK, NEW YORK

REMOTE:

VIA NYC ENGAGE PORTAL



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

CITY PLANNING COMMISSION

GENERAL INFORMATION**HOW TO PARTICIPATE:**

In support of the City's efforts to contain the spread of COVID-19, the City Planning Commission will hold this public meeting remotely. To join the meeting and comment, please visit NYC Engage at <https://www1.nyc.gov/site/nycengage/events/city-planning-commission-public-meeting/287258/1> or dial 877-853-5247 (US Toll-free), 888-788-0099 (US Toll-free), (253) 215-8782 (Toll number) or (213) 338-8477 (Toll number). If calling into the meeting, please use the following Meeting ID 618 237 7396, and when prompted for a participation code, please enter “#” followed by the password “1” when prompted. Instructions on how to participate, as well as materials relating to the meeting, will be posted on NYC Engage in advance of the meeting. To help the meeting host effectively manage the meeting, those who do not intend to actively participate are invited to watch the meeting through the livestream/LINK provided on NYC Engage or the recording that will be posted after the meeting on DCP's website.

Please inform DCP if you need a reasonable accommodation, such as a sign language interpreter, in order to participate in the meeting. Requests for a reasonable accommodation or foreign language assistance should be emailed to AccessibilityInfo@planning.nyc.gov or made by calling 212-720-3508. Requests must be submitted at least five business days before the meeting.

Signing up to speak: Anyone wishing to speak on the items listed under “Public Hearings” in this Calendar should follow the instructions on NYC Engage Portal. Public officials will be given speaking priority. The first five speakers in favor will be heard and given the opportunity to conclude their testimony before the next five speakers in opposition are heard. The hearing will proceed in this manner until all speakers present have had an opportunity to be heard.

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

Written Comments: 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 submit comments electronically using the [CPC Comments Form](#) on the public meeting page of the Department of City Planning website:

<http://www1.nyc.gov/site/planning/about/commission-meetings.page>

Written comments may also be submitted by filling out the form below and mailing 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) _____

B

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 hearings 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).

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.

CITY PLANNING COMMISSION

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

MARISA LAGO, *Chair*

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

DAVID BURNEY

ALLEN P. CAPPELLI, *Esq.*

ALFRED C. CERULLO, III

JOSEPH I. DOUEK

RICHARD W. EADDY

HOPE KNIGHT

ANNA HAYES LEVIN

ORLANDO MARIN

LARISA ORTIZ

RAJ RAMPERSHAD, *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., and will be accessible both remotely via Zoom Webinar and in person in the NYC City Planning Commission Hearing Room, Lower Concourse, 120 Broadway, Manhattan, unless otherwise ordered.

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II. Reports.....136

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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 28, 2021 and a Special Public on July 29, 2021 will be held both remotely via Zoom Webinar and in person.

JULY 14, 2021

APPROVAL OF THE MINUTES OF the Public Meeting of June 23, 2021

**I. PUBLIC HEARINGS OF THE FOLLOWING MATTERS TO BE SCHEDULED FOR
WEDNESDAY, JULY 28, 2021 AND THURSDAY, JULY 29, 2021
STARTING AT 10:00 A. M. VIA ZOOM WEBINAR AND IN PERSON AT
NYC CITY PLANNING COMMISSION HEARING ROOM, LOWER
CONCOURSE, 120 BROADWAY NEW YORK, NEW YORK**

BOROUGH OF BROOKLYN

Nos. 1 & 2

270 NOSTRAND AVENUE REZONING

No. 1

CD 3

C 210151 ZMK

IN THE MATTER OF an application submitted by BRP East Brooklyn Development LLC pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 17a:

1. changing from an R7A District to an R8A District property bounded by Dekalb Avenue, Nostrand Avenue, Kosciuszko Street, and a line 240 feet westerly of Nostrand Avenue; and
2. establishing within the proposed R8A District a C2-4 District bounded by Dekalb Avenue, Nostrand Avenue, Kosciuszko Street, a line 100 feet westerly of Nostrand Avenue, a line midway between Dekalb Avenue and Kosciuszko Street, and a line 240 feet westerly of Nostrand Avenue;

as shown on a diagram (for illustrative purposes only) dated April 5, 2021, and subject to the conditions of CEQR Declaration E-606.

Resolution for adoption scheduling July 28, 2021 for a public hearing.

No. 2

CD 3

N 210152 ZRK

IN THE MATTER OF an application submitted by BRP East Brooklyn Development 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 underlined is new, to be added;

Matter ~~struck-out~~ 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

* * *

BROOKLYN

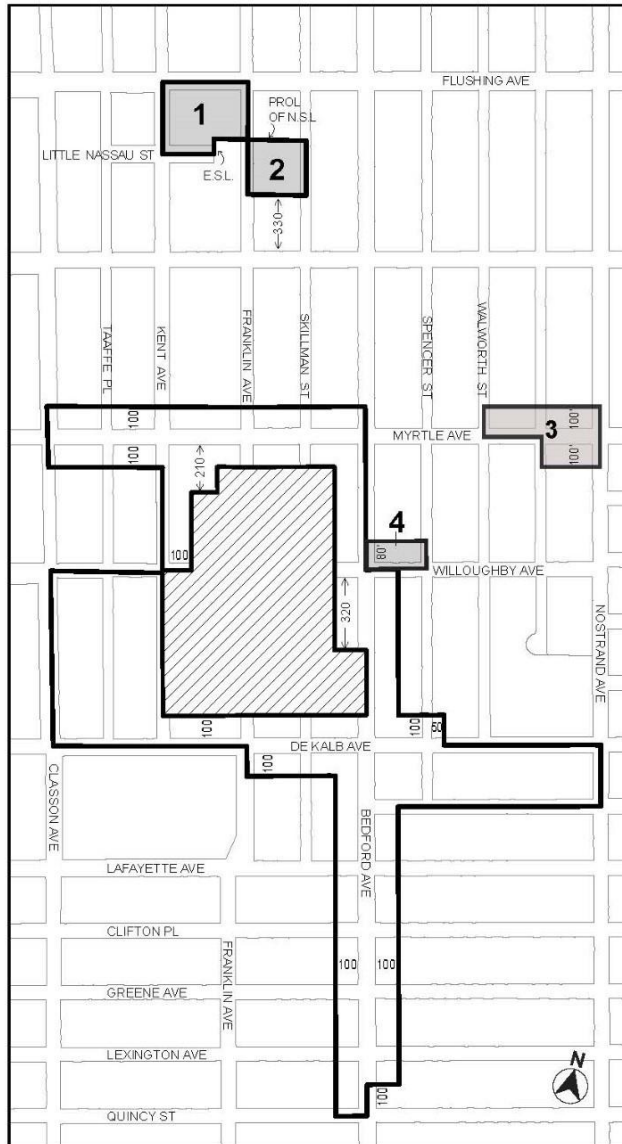
* * *




Brooklyn Community District 3

* * *

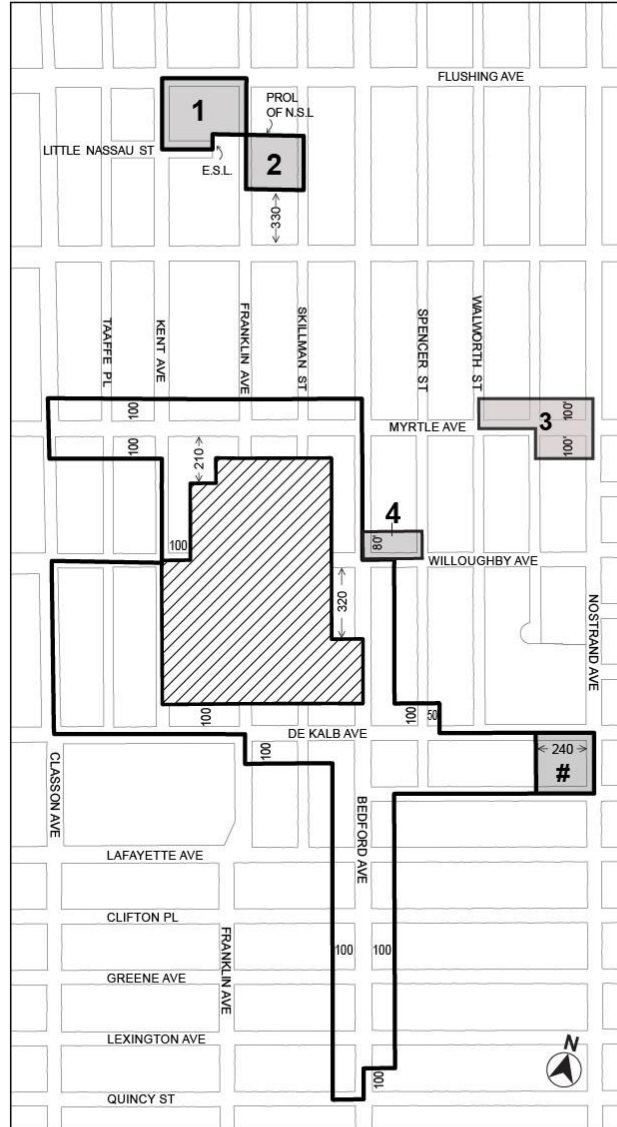
Map 3 – [date of adoption]




[EXISTING MAP]



-  Inclusionary Housing designated area
-  Mandatory Inclusionary Housing Program Area *see Section 23-154(d)(3)*
 - Area 1 – 5/10/17 MIH Program Option 1, Option 2 and Workforce Option
 - Area 2 – 5/10/17 MIH Program Option 1 and Option 2
 - Area 3 – 11/30/17 MIH Program Option 1
 - Area 4 – 2/13/19 MIH Program Option 1 and Option 2
-  Excluded Area

[PROPOSED MAP]



-  *Inclusionary Housing designated area*
-  **Mandatory Inclusionary Housing Program Area** *see Section 23-154(d)(3)*
 - Area 1 – 5/10/17 MIH Program Option 1, Option 2 and Workforce Option
 - Area 2 – 5/10/17 MIH Program Option 1 and Option 2
 - Area 3 – 11/30/17 MIH Program Option 1
 - Area 4 – 2/13/19 MIH Program Option 1 and Option 2
 - Area # - [date of adoption] MIH Program Option 2 and Workforce Option
-  **Excluded Area**

Portion of Community District 3, Brooklyn

* * *

Resolution for adoption scheduling July 28, 2021 for a public hearing.

Nos. 3 & 4

1776 48TH STREET REZONING

No. 3

CD 12

C 200296 ZMK

IN THE MATTER OF an application submitted by Mr. Yitzchok Stern pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 22c:

1. changing from an R5 District to an R6B District property bounded by 48th Street, 18th Avenue, 49th Street and a line 100 northwesterly of 18th Avenue; and
2. establishing within the proposed R6B District a C2-4 District bounded by 48th Street, 18th Avenue, 49th Street and a line 35 feet northwesterly of 18th Avenue;

as shown on a diagram (for illustrative purposes only) dated April 5, 2021, and subject to the conditions of CEQR Declaration E-609.

Resolution for adoption scheduling July 28, 2021 for a public hearing.

No. 4

CD 12

N 200297 ZRK

IN THE MATTER OF an application submitted by Mr. Yitzchok Stern, 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 underlined is new, to be added;

Matter ~~struck-out~~ 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

* * *

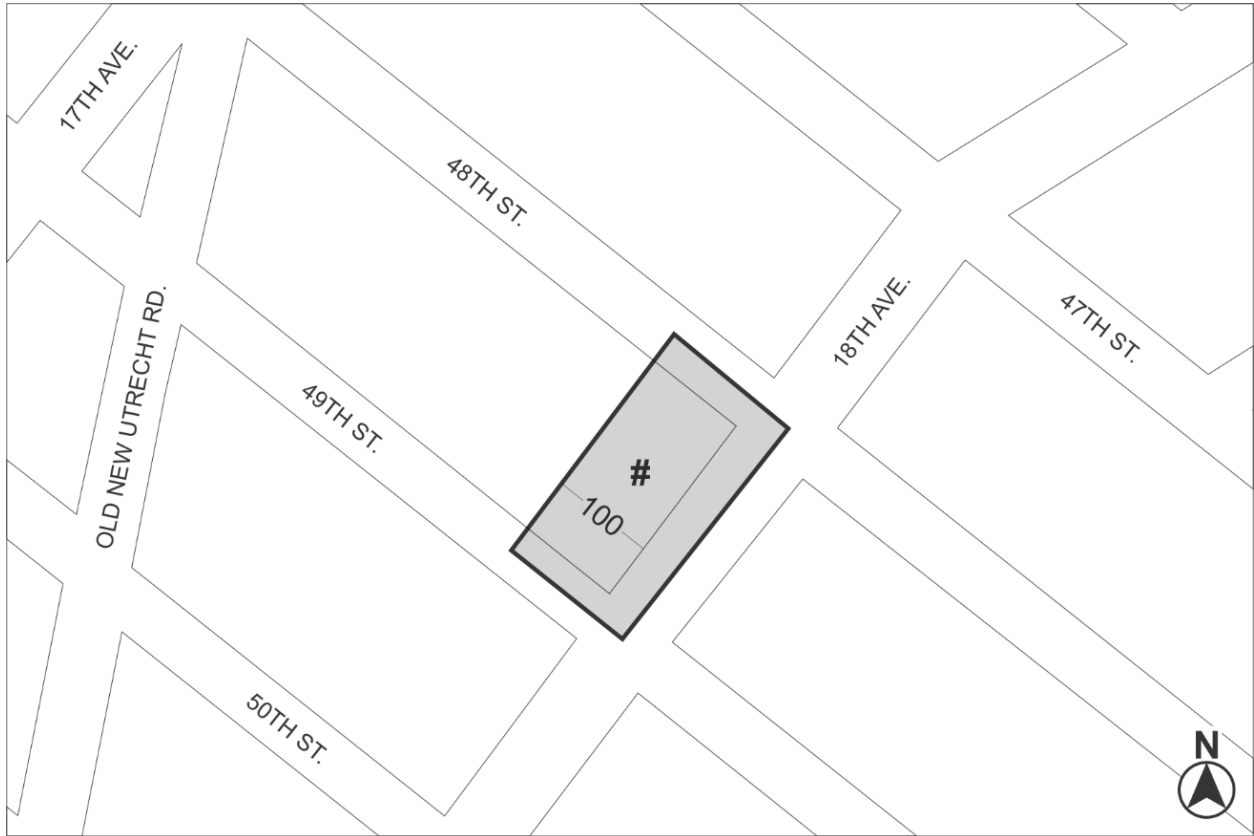
BROOKLYN

* * *

Brooklyn Community District 12

* * *

Map 4 – [date of adoption]



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

Area # — [date of adoption] — MIH Program Option 1 and Option 2

Portion of Community District 12, Brooklyn

* * *

Resolution for adoption scheduling July 28, 2021 for a public hearing.

Nos. 5-10***GOWANUS NEIGHBORHOOD PLAN*****No. 5****CDs 2 & 6****C 210177 ZMK**

IN THE MATTER OF an application submitted by the New York City 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. 16c and 16d:

1. eliminating from within an existing R8A District a C2-4 District bounded by:
 - a. Pacific Street, a line 100 feet southeasterly of 4th Avenue, President Street, a line 150 feet southeasterly of 4th Avenue, 3rd Street, 4th Avenue, Douglass Street, and a line 100 feet northwesterly of 4th Avenue; and
 - b. a line 210 feet northeasterly of 5th Street, a line 100 feet southeasterly of 4th Avenue, 7th Street, 4th Avenue, 9th Street, a line 100 feet southeasterly of 4th Avenue, 13th Street, 4th Avenue, 14th Street, a line 100 feet southeasterly of 4th Avenue, 15th Street, a line 100 feet northwesterly of 4th Avenue, 6th Street, and 4th Avenue;
2. eliminating a Special Enhanced Commercial District (EC-1) bounded by Pacific Street, a line 100 feet southeasterly of 4th Avenue, President Street, a line 150 feet southeasterly of 4th Avenue, 3rd Street, a line 100 feet southeasterly of 4th Avenue, 15th Street, a line 100 feet northwesterly of 4th Avenue, 6th Street, 4th Avenue, Douglass Street, and a line 100 feet northwesterly of 4th Avenue;
3. changing from an R6B District to an R6A District property bounded by Carroll Street, Bond Street, 1st Street, and a line 350 feet southeasterly of Hoyt Street;
4. changing from an R6 District to an R6B District property bounded by Warren Street, Nevins Street, a line midway between Warren Street and Baltic Street, and a line 100 feet southeasterly of Bond Street;
5. changing from an R8A District to a C4-4D District property bounded by Pacific Street, a line 100 feet southeasterly of 4th Avenue, President Street, a line 150 feet southeasterly of 4th Avenue, 3rd Street, a line 100 feet southeasterly of 4th Avenue, 15th Street, a line 100 feet northwesterly of 4th Avenue, 6th Street, 4th Avenue, Douglass Street, and a line 100 feet northwesterly of 4th Avenue;

6. changing from an C8-2 District to a C4-4D District property bounded by 3rd Street, 4th Avenue, 6th Street, and a line 100 feet northwesterly of 4th Avenue;
7. changing from an M1-2 District to a C4-4D District property bounded by Douglass Street, 4th Avenue, 1st Street, a line 100 feet northwesterly of 4th Avenue;
8. changing from an C8-2 District to an M1-4 District property bounded by 3rd Street, a line 100 feet northwesterly of 4th Avenue, a line midway between 6th Street and 7th Street, a line 100 feet southeasterly of 3rd Avenue, 7th Street, 3rd Avenue, a line 305 feet southwesterly of 3rd Street, and a line 285 feet southeasterly of 3rd Avenue;
9. changing from an M1-1 District to an M1-4 District property bounded by:
 - a. a line midway between 4th Street and 5th Street, a line perpendicular to the northeasterly street line of 5th Street distant 220 feet northwesterly (as measured along the street line) from the point of intersection of the northeasterly street line of 5th Street and the northwesterly street line of Hoyt Street, 5th Street, and a line perpendicular to the northeasterly street line of 5th Street distant 390 feet northwesterly (as measured along the street line) from the point of intersection of the northeasterly street line of 5th Street and the northwesterly street line of Hoyt Street; and
 - b. 3rd Street, Bond Street, 4th Street, and Hoyt Street;
10. changing from an M1-2 District to an M1-4 District property bounded by:
 - a. a line midway between Baltic Street and Butler Street, Nevins Street, Butler Street and a line 360 feet northwesterly of Nevins Street;
 - b. a line midway between Baltic Street and Butler Street, a line 100 feet northwesterly of 4th Avenue, a line midway between Sackett Street and Union Street, a line 100 feet southeasterly of 3rd Avenue, Degraw Street, a line 200 feet southeasterly of 3rd Avenue, Douglass Street, and a line 100 feet southeasterly of 3rd Avenue; and
 - c. a line midway between Union Street and President Street, a line 180 feet northwesterly of 4th Avenue, President Street, a line 250 feet northwesterly of 4th Avenue, Carroll Street, and a line 100 feet southeasterly of 3rd Avenue;
11. changing from an M2-1 District to an M1-4 District property bounded by 3rd Street, a line 270 feet southeasterly of Bond Street, the centerline of the Gowanus Canal, and Bond Street and its southwesterly centerline prolongation;

12. changing from an M3-1 District to an M1-4 District property bounded by 4th Street, Bond Street and its southwesterly centerline prolongation, the centerline of the Gowanus Canal, a line 160 feet northwesterly of Bond Street and its southwesterly prolongation, a line 120 feet southwesterly of 4th Street, Hoyt Street, 5th Street, and a line perpendicular to the northeasterly street line of 5th Street distant 220 feet northwesterly (as measured along the street line) from the point of intersection of the northeasterly street line of 5th Street and the northwesterly street line of Hoyt Street;
13. changing from an R6 District to an M1-4/R6A District property bounded by Warren Street, a line 100 feet southeasterly of Bond Street, Baltic Street and Bond Street;
14. changing from an M1-1 District to an M1-4/R6A District property bounded by a line midway between 3rd Street and 4th Street, Hoyt Street, 4th Street, and a line perpendicular to the northeasterly street line of 4th Street distant 365 feet northwesterly (as measured along the street line) from the point of intersection of the northeasterly street line of 4th Street and the northwesterly street line of Hoyt Street;
15. changing from an M1-2 District to a M1-4/R6A District property bounded by:
 - a. a line midway between Warren Street and Baltic Street, a line 100 feet northwesterly of Nevins Street, a line midway between Baltic Street and Butler Street, a line 100 feet southeasterly of Bond Street, Douglass Street, Bond Street, Baltic Street, and a line 100 feet southeasterly of Bond Street;
 - b. a line midway between Baltic Street and Butler Street, a line 100 feet northwesterly of 3rd Avenue, a line midway between Butler Street and Douglass Street, a line 100 feet southeasterly of Nevins Street, Butler Street, a line 325 feet northwesterly of 3rd Avenue;
 - c. Baltic Street, a line 100 feet northwesterly of 4th Avenue, a line midway between Baltic Street and Butler Street, and a line 100 feet southeasterly of 3rd Avenue;
 - d. a line midway between Degraw Street and Sackett Street, a line 100 feet northwesterly of 3rd Avenue, a line midway between Sackett Street and Union Street, a line 100 feet southeasterly of Nevins Street, a line midway between Union Street and President Street, a line 190 feet northwesterly of 3rd Avenue, President Street, a line 100 feet southeasterly of Nevins Street, Carroll Street, Nevins Street, Sackett Street, and a line 100 feet southeasterly of Nevins Street; and
 - e. Union Street, a line 270 feet southeasterly of 3rd Avenue, a line midway between Union Street and President Street, and a line 170 feet northwesterly of 3rd Avenue;

16. changing from an M2-1 District to an M1-4/R6A District property bounded by a line midway between Butler Street and Douglass Street, a line 200 feet southeasterly of Bond Street, Douglass Street, and a line 100 feet southeasterly of Bond Street;
17. changing from an C8-2 District to an M1-4/R6B District property bounded by a line midway between 6th Street and 7th Street, a line 360 feet southeasterly of 3rd Avenue, 7th Street, and a line 100 feet southeasterly of 3rd Avenue;
18. changing from an M1-1 District to an M1-4/R6B District property bounded by a line midway between 4th Street and 5th Street, a line perpendicular to the northeasterly street line of 5th Street distant 390 feet northwesterly (as measured along the street line) from the point of intersection of the northeasterly street line of 5th Street and the northwesterly street line of Hoyt Street, 5th Street, and Smith Street;
19. changing from an M1-2 District to an M1-4/R6B District property bounded by:
 - a. a line midway between Baltic Street and Butler Street, a line 360 feet northwesterly of Nevins Street, Butler Street, and a line 100 feet southeasterly of Bond Street; and
 - b. a line midway between Union Street and President Street, a line 100 feet southeasterly of 3rd Avenue, Carroll Street, a line 250 feet northwesterly of 4th Avenue, President Street, a line 100 feet northwesterly of 4th Avenue, 1st Street, 3rd Avenue, Carroll Street, a line 100 feet southeasterly of Nevins Street, President Street, and a line 190 feet northwesterly of 3rd Avenue;
20. changing from an M2-1 District to an M1-4/R6B District property bounded by:
 - a. Butler Street, a line 200 feet southeasterly of Bond Street, a line midway between Butler Street and Douglass Street, and a line 100 feet southeasterly of Bond Street; and
 - b. Carroll Street, 3rd Avenue, a line perpendicular to the northwesterly street line of 3rd Avenue distant 160 feet southwesterly (as measured along the street line) from the point of intersection of the northwesterly street line of 3rd Avenue and the southwesterly street line of Carroll Street, a line 100 feet northwesterly of 3rd Avenue, the northwesterly centerline prolongation of 1st Street, and a line perpendicular to the southwesterly street line of Carroll Street distant 425 feet northwesterly (as measured along the street line) from the point of intersection of the southwesterly street line of Carroll Street and the northwesterly street line of 3rd Avenue;

21. changing from an M2-1 District to an M1-4/R7-2 District property bounded by:
 - a. Douglass Street and its southeasterly centerline prolongation, the centerline of the Gowanus Canal, Degraw Street and its northwesterly centerline prolongation, Nevins Street, Carroll Street, a line perpendicular to the southwesterly street line of Carroll Street distant 425 feet northwesterly (as measured along the street line) from the point of intersection of the southwesterly street line of Carroll Street and the northwesterly street line of 3rd Avenue, the northwesterly centerline prolongation of 1st Street, the centerline of the Gowanus Canal, Carroll Street and its southeasterly centerline prolongation, and Bond Street; and
 - b. 2nd Street, a line 210 feet northwesterly of 3rd Avenue, 3rd Street and its northwesterly centerline prolongation, the centerline of the Gowanus Canal, a line 270 feet southeasterly of Bond Street and its southwesterly prolongation, 3rd Street, and Bond Street;
22. changing from an M3-1 District to an M1-4/R7-2 District property bounded by 5th Street, Hoyt Street, a line 120 feet southwesterly of 4th Street, a line 160 feet northwesterly of Bond Street and its southwesterly prolongation, the centerline of the Gowanus Canal, Huntington Street and its southeasterly prolongation, and Smith Street;
23. changing from an M1-2 District to an M1-4/R7A District property bounded by Sackett Street, a line 100 feet southeasterly of 3rd Avenue, a line midway between Sackett Street and Union Street, a line 100 feet northwesterly of 4th Avenue, President Street, a line 180 feet northwesterly of 4th Avenue, a line midway between Union Street and President Street, a line 270 feet southeasterly of 3rd Avenue, Union Street, a line 170 feet northwesterly of 3rd Avenue, a line midway between Union Street and President Street, a line 100 feet southeasterly of Nevins Street, a line midway between Sackett Street and Union Street, and a line 100 feet northwesterly of 3rd Avenue;
24. changing from an R6 District to an M1-4/R7X District property bounded by a line midway between Warren Street and Baltic Street, Nevins Street, Baltic Street, and a line 75 feet northwesterly of Nevins Street;
25. changing from an C8-2 District to an M1-4/R7X District property bounded 3rd Street, a line 285 feet southeasterly of 3rd Avenue, a line 305 feet southwesterly of 3rd Street, and 3rd Avenue;
26. changing from an M1-2 District to an M1-4/R7X District property bounded by:

- a. a line midway between Warren Street and Baltic Street, a line 75 feet northwesterly of Nevins Street, Baltic Street, Nevins Street, a line midway between Baltic Street and Butler Street, and a line 100 feet northwesterly of Nevins Street;
 - b. Baltic Street, a line 100 feet southeasterly of 3rd Avenue, Douglass Street, a line 200 feet southeasterly of 3rd Avenue, Degraw Street, a line 100 feet southeasterly of 3rd Avenue, Sackett Street, a line 100 feet northwesterly of 3rd Avenue, a line midway between Degraw Street and Sackett Street, a line 100 feet southeasterly of Nevins Street, Sackett Street, Nevins Street, Butler Street, a line 100 feet southeasterly of Nevins Street, a line midway between Butler Street and Douglass Street, a line 100 feet northwesterly of 3rd Avenue, a line midway between Baltic Street and Butler Street, and a line 325 feet northwesterly of 3rd Avenue;
27. changing from an M2-1 District to an M1-4/R7X District property bounded by a line perpendicular to the northwesterly street line of 3rd Avenue distant 160 feet southwesterly (as measured along the street line) from the point of intersection of the northwesterly street line of 3rd Avenue and the southwesterly street line of Carroll Street, 3rd Avenue, 3rd Street, a line 210 feet northwesterly of 3rd Avenue, the northwesterly centerline prolongation of 1st Street, and a line 100 feet northwesterly of 3rd Avenue, and
28. establishing a Special Gowanus Mixed Use District (G) bounded by Pacific Street, a line 100 feet southeasterly of 4th Avenue, President Street, a line 150 feet southeasterly of 4th Avenue, 3rd Street, a line 100 feet southeasterly of 4th Avenue, 15th Street, a line 100 feet northwesterly of 4th Avenue, a line midway between 6th Street and 7th Street, a line 360 feet southeasterly of 3rd Avenue, 7th Street, 3rd Avenue, 3rd Street and its northwesterly centerline prolongation, the centerline of the Gowanus Canal, Huntington Street and its southeasterly centerline prolongation, Smith Street, a line midway between 4th Street and 5th Street, a line perpendicular to the northeasterly street line of 5th Street distant 220 feet northwesterly (as measured along the street line) from the point of intersection of the northeasterly street line of 5th Street and the northwesterly street line of Hoyt Street, 4th Street, a line perpendicular to the northeasterly street line of 4th Street distant 365 feet northwesterly (as measured along the street line) from the point of intersection of the northeasterly street line of 4th Street and the northwesterly street line of Hoyt Street, a line midway between 3rd Street and 4th Street, Hoyt Street, 3rd Street, Bond Street, Warren Street, a line 100 feet southeasterly of Bond Street, a line midway between Warren Street and Baltic Street, Nevins Street, Butler Street, a line 325 feet northwesterly of 3rd Avenue, Baltic Street, and a line 100 feet northwesterly of 4th Avenue; and excluding the areas bounded by:
- i. Butler Street, Nevins Street, Degraw Street and its northwesterly centerline prolongation, the center line of the Gowanus Canal, Douglass Street and its southeasterly centerline prolongation, and a line 200 feet southeasterly of Bond Street; and

ii.1st Street, 4th Avenue, 3rd Street, and 3rd Avenue;

as shown on a diagram (for illustrative purposes only) dated April 19, 2021, and subject to the conditions of CEQR Declaration E-601.

Resolution for adoption scheduling July 28, 2021 for a public hearing.

No. 6

CD 2 & 6

N 210178 ZRK

IN THE MATTER OF an application submitted by New York City 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 establishing the Special Gowanus Mixed Use District (Article XIII, Chapter 9) and modifying APPENDIX F for the purpose of establishing a Mandatory Inclusionary Housing area, and modifying related Sections.

Matter underlined is new, to be added;

Matter ~~struck-out~~ is to be deleted;

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

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

[NOTE: Cross-references to certain Sections and Section titles may reflect the proposed text amendments Zoning for Coastal Resiliency (ULURP No. N 210095 ZRY), which has been recently adopted by City Council, and Elevate Transit – Zoning for Accessibility (ULURP No. N 210270 ZRY), which is currently in public review.]

**ARTICLE I
GENERAL PROVISIONS**

Chapter 1

Title, Establishment of Controls and Interpretation of Regulations

* * *

11-12

Establishment of Districts

* * *

**11-122
Districts established**

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

* * *

Special Purpose Districts

* * *

Establishment of the Special Governors Island District

In order to carry out the special purposes of this Resolution, as set forth in Article XIII, Chapter 4, the #Special Governors Island District# is hereby established.

Establishment of the Special Gowanus Mixed Use District

In order to carry out the special purposes of this Resolution, as set forth in Article XIII, Chapter 9, the #Special Gowanus Mixed Use District# is hereby established.

Establishment of the Special Grand Concourse Preservation District

In order to carry out the special purposes of this Resolution as set forth in Article XII, Chapter 2, the #Special Grand Concourse Preservation District# is hereby established.

* * *

**Chapter 2
Construction of Language and Definitions**

* * *

**12-10
DEFINITIONS**

* * *

Special Governors Island District

The “Special Governors Island District” is a Special Purpose District designated by the letters “GI” in which the special regulations set forth in Article XIII, Chapter 4, apply.

Special Gowanus Mixed Use District [date of adoption]

The “Special Gowanus Mixed Use District” is a Special Purpose District designated by the letter “G” in which special regulations set forth in Article XIII, Chapter 9, apply.

Special Grand Concourse Preservation District

The “Special Grand Concourse Preservation District” is a Special Purpose District designated by the letter “C” in which special regulations set forth in Article XII, Chapter 2, apply.

* * *

Waterfront area

The "waterfront area" is the geographical area comprising all #blocks# between the pierhead line and a line 800 feet landward from the #shoreline#. Where such line intersects a #block#, the entire #block# shall be included and the #waterfront area# boundary shall coincide with the centerline of the landward boundary #street# or other #block# boundary. Notwithstanding the above, any #zoning lot#, the boundaries of which were established prior to November 1, 1993, and which is not closer than 1,200 feet from the #shoreline# at any point and which does not #abut# a waterfront public park, shall not be included in the #waterfront area#.

[The struckout provisions of this paragraph have been moved to 139-021]

For the purposes of this definition, only #blocks# along waterways that have a minimum width of 100 feet between opposite #shorelines#, with no portion downstream less than 100 feet in width, shall be included within the #waterfront area#. However, #blocks# bounding ~~the Gowanus Canal north of Hamilton Avenue, as shown on the City Map,~~ Dutch Kills and the portion of the Bronx River located south of the prolongation of East 172nd Street, shall be included within the #waterfront area#.

* * *

**Chapter 4
Sidewalk Cafe Regulations**

* * *

**14-44
Special Zoning Districts Where Certain Sidewalk Cafes Are Permitted**

#Enclosed# or #unenclosed sidewalk cafes# shall be permitted, as indicated, in the following special zoning districts, where allowed by the underlying zoning. #Small sidewalk cafes#, however, may be located on #streets# or portions of #streets# within special zoning districts pursuant to the provisions of Section 14-43 (Locations Where Only Small Sidewalk Cafes Are Permitted).

* * *

Brooklyn	#Enclosed Sidewalk Cafe#	#Unenclosed Sidewalk Cafe#
Bay Ridge District	Yes	Yes
Coney Island District	No	Yes
Coney Island Mixed Use District	Yes	Yes
Downtown Brooklyn District	Yes	Yes
Enhanced Commercial District 1 (Fourth Avenue)	No	Yes
Enhanced Commercial District 4 (Broadway, Bedford-Stuyvesant)	No	Yes
<u>Gowanus Mixed Use District</u>	<u>No</u>	<u>Yes</u>
Mixed Use District-8 (Greenpoint-Williamsburg)	Yes	Yes
Ocean Parkway District ¹	Yes	Yes
Sheepshead Bay District	No	Yes

¹ #Sidewalk cafes# are not allowed on Ocean Parkway

* * *

**ARTICLE II
RESIDENCE DISTRICT REGULATIONS**

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

**23-00
APPLICABILITY AND GENERAL PURPOSES**

**23-01
Applicability of This Chapter**

* * *

**23-011
Quality Housing Program**

* * *

(c) In the districts indicated without a letter suffix, the optional Quality Housing #bulk# regulations permitted as an alternative pursuant to paragraph (b) of this Section, shall not apply to:

* * *

(2) Special Purpose Districts

However, such optional Quality Housing #bulk# regulations are permitted as an alternative to apply in the following Special Purpose Districts:

#Special 125th Street District#;

#Special Downtown Brooklyn District#;

#Special Downtown Far Rockaway District#;

#Special Downtown Jamaica District#;

#Special East Harlem Corridors District#;

#Special Flushing Waterfront District#;

#Special Gowanus Mixed Use District#;

#Special Grand Concourse Preservation District#;

* * *

**ARTICLE VI
SPECIAL REGULATIONS APPLICABLE TO CERTAIN AREAS**

**Chapter 2
Special Regulations Applying in the Waterfront Area**

* * *

**62-10
GENERAL PROVISIONS**

**62-11
Definitions**

* * *

Waterfront block or waterfront zoning lot

A “waterfront block” or “waterfront zoning lot” is a #block# or #zoning lot# in the #waterfront area# having a boundary at grade coincident with or seaward of the #shoreline#. For the purposes of this Chapter:

- (a) a #block# within the #waterfront area# shall include the land within a #street# that is not improved or open to the public, and such #street# shall not form the boundary of a #block#;
- (b) a #block# within the #waterfront area# that #abuts# a #public park# along the waterfront shall be deemed to be part of a #waterfront block#; and
- (c) a #zoning lot# shall include the land within any #street# that is not improved or open to the public and which is in the same ownership as that of any contiguous land.

[NOTE: The provisions of this paragraph have been moved to Section 139-021]

~~However, any #block# or #zoning lot# in the #waterfront area# having a boundary within or coincident with the boundaries of the Gowanus Canal, as shown on the City Map, shall be a #waterfront block# or #waterfront zoning lot#, respectively.~~

Any #zoning lot#, the boundaries of which were established prior to November 1, 1993, and which is not closer than 1,200 feet from the #shoreline# at any point and which does not #abut# a #public park# along the waterfront, shall be deemed outside of the #waterfront block#.

* * *

**62-13
Applicability of District Regulations**

* * *

The regulations of this Chapter shall apply in the following Special Purpose Districts except as specifically modified within the Special Purpose District provisions:

#Special Flushing Waterfront District#

#Special Gowanus Mixed Use District#

#Special Inwood District#

#Special St. George District#.

* * *

**62-90
WATERFRONT ACCESS PLANS**

* * *

**62-93
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 62-931

BK-2: Gowanus Canal, in the #Special Gowanus Mixed Use District#, as set forth in Section 139-50 (GOWANUS CANAL WATERFRONT ACCESS PLAN).

* * *

**ARTICLE XIII
SPECIAL PURPOSE DISTRICTS**

**Chapter 2
Special Enhanced Commercial District**

* * *

**132-11
Special Enhanced Commercial Districts Specified**

The #Special Enhanced Commercial District# is mapped in the following areas:

(a) #Special Enhanced Commercial District# 1

The #Special Enhanced Commercial District# 1 (EC-1) is established on November 29, 2011, on the following #designated commercial streets# as indicated on #zoning maps# 16c and 16d:

- (1) Fourth Avenue, in the Borough of Brooklyn, generally between 24th Street and 15th Street and Pacific Street and Atlantic Avenue.

(b) #Special Enhanced Commercial District# 2

* * *

**ARTICLE XIII
SPECIAL PURPOSE DISTRICTS**

**Chapter 9
Special Gowanus Mixed Use District**

**139-00
GENERAL PURPOSES**

The “Special Gowanus Mixed Use District” established in this Resolution is designed to promote and protect the public health, safety and general welfare of the Gowanus neighborhood and the greater community. These general goals include, among others, the following specific purposes:

- (a) to recognize and enhance the vitality and character of an existing mixed use neighborhood;
- (b) to encourage stability and growth in the Gowanus neighborhood by permitting compatible light manufacturing and residential uses to coexist;
- (c) to encourage investment in a mixed use neighborhood by permitting the expansion and new development of a wide variety of uses in a manner that ensures the health and safety of residents and employees;
- (d) to improve the physical appearance of the streetscape by providing and coordinating harmonious open space, sidewalk amenities and landscaping within a consistent urban design;
- (e) to promote and enhance visual and physical access to and around the Gowanus Canal;
- (f) to enhance neighborhood economic diversity by broadening the range of housing choices for residents at varied incomes;
- (g) to expand local employment opportunities and to promote the opportunity for workers to live in the vicinity of their work; and
- (h) to promote the most desirable use of land and thus conserve the value of land and buildings and thereby protect the City’s tax revenues.

139-01 **Definitions**

Definitions specifically applicable to this Chapter are set forth in this Section. Other defined terms are set forth in Sections 12-10 (DEFINITIONS), 37-311 (Definitions), and 62-11 (Definitions). The definition of #development# shall be as set forth in Section 12-10, except where otherwise specified.

Gowanus mix uses

“Gowanus mix uses” are #community facility#, #commercial#, and #manufacturing uses# set forth in Section 139-12 (Gowanus Mix Uses).

Gowanus retail and entertainment uses

“Gowanus retail and entertainment uses” are #community facility# and #commercial uses# set forth in Section 139-13 (Gowanus Retail and Entertainment Uses).

Mixed use district

In the #Special Gowanus Mixed Use District#, a “mixed use district” shall be any M1 District paired with a #Residence District#, as indicated on the #zoning maps#. For the purposes of applying provisions of districts adjacent to a #mixed use district#, a #mixed use district# shall be considered a #Manufacturing District#.

Select community facility uses

For the purposes of this Chapter, the following #community facility uses# shall also be considered “select community facility uses”:

#Schools#;

Houses of worship, rectories or parish houses;

Health facilities requiring approval under Article 28 of the Public Health Law of the State of New York that, prior to July 10, 1974, have received approval of Part I of the required application from the Commissioner of Health; and

Non-profit, voluntary, or proprietary hospitals.

139-02

General Provisions

In harmony with the general purposes and content of this Resolution and the general purposes of the #Special Gowanus Mixed Use District#, the regulations of this Chapter shall apply within the #Special Gowanus Mixed Use District#. The regulations of all other Chapters of this Resolution are applicable, except as modified, supplemented or superseded by the provisions of this

Chapter. In the event of a conflict between the provisions of this Chapter and other regulations of this Resolution, the provisions of this Chapter shall control.

139-021

Applicability of regulations to the Gowanus Canal

[NOTE: Some of these provisions have been relocated here from Sections 12-10 and 62-11]

In the #Special Gowanus Mixed Use District#, all #blocks# bounding the Gowanus Canal shall be considered #waterfront blocks# within the #waterfront area#, and the provisions of Article VI, Chapter 2 (Special Regulations Applying in the Waterfront Area), as modified by the provisions of this Chapter, shall apply.

All #zoning lots# having a boundary within or coincident with the boundaries of the Gowanus Canal, shall be considered #waterfront zoning lots#. All portions of such a #zoning lot# shall be included as part of the #upland lot# and deemed to be #lot area#, regardless of the location of the #shoreline#.

For the purposes of this Chapter, the boundaries of the Gowanus Canal shall be as shown on the City Map, and shall include the First Street Basin.

139-022

Applicability of the Inclusionary Housing Program

For the purposes of applying the Inclusionary Housing Program provisions set forth in Sections 23-154 and 23-90 (INCLUSIONARY HOUSING), #Mandatory Inclusionary Housing areas# within the #Special Gowanus Mixed Use District# are shown on the maps in APPENDIX F (Inclusionary Housing Areas and Mandatory Inclusionary Housing Areas) of this Resolution. Such provisions are modified by the provisions of this Chapter.

139-023

Applicability of the Quality Housing Program

In the #Special Gowanus Mixed Use District#, all #buildings# containing #residences# shall be #developed# or #enlarged# in accordance with the Quality Housing Program and the regulations of Article II, Chapter 8 (The Quality Housing Program) shall apply. Such #buildings# shall be considered #Quality Housing buildings#.

139-024**Applicability of Article VI, Chapter 4**

In the event of a conflict between the provisions of this Chapter and the provisions of Article VI, Chapter 4 (Special Regulations Applying in Flood Hazard Areas), the provisions of Article VI, Chapter 4, shall control.

135-025**Applicability of Article VI, Chapter 6**

For #transit-adjacent sites#, as defined in Section 66-11 (Definitions), in the event of a conflict between the provisions of this Chapter and the provisions of Article VI, Chapter 6 (Special Regulations Applying Around Mass Transit Stations), the provisions of Article VI, Chapter 6 shall control.

139-026**Applicability of Article XII, Chapter 3**

In #Mixed Use Districts#, the special #use#, #bulk#, and parking and loading provisions of Article XII, Chapter 3 (Special Mixed Use Districts) shall apply, except where modified by the provisions of this Chapter, and shall supplement or supersede the provisions of the designated #Residence# or M1 District, as applicable.

Notwithstanding the provisions of Section 123-10, in the event of a conflict between the provisions of this Chapter and the provisions of Article XII, Chapter 3, the provisions of this Chapter shall control.

139-03**District Plan and Maps**

The regulations of this Chapter are designed to implement the #Special Gowanus Mixed Use District# Plan. The district plan includes the following maps in the Appendices to this Chapter:

Appendix A – Special Gowanus Mixed Use District

<u>Map 1</u>	<u>Subdistricts</u>
<u>Map 2</u>	<u>Subareas</u>
<u>Map 3</u>	<u>Ground Floor Use Requirements</u>
<u>Map 4</u>	<u>Sidewalk Widening Lines</u>

Appendix B – Special Gowanus Canal Waterfront Access Plan

<u>Map 1</u>	<u>Parcel Designation</u>
<u>Map 2</u>	<u>Public Access Elements</u>
<u>Map 3</u>	<u>Designated Visual Corridors</u>

The maps are hereby incorporated and made part of this Resolution for the purpose of specifying locations where the special regulations and requirements set forth in the text of this Chapter apply.

139-04
Subdistricts

In order to carry out the purposes and provisions of this Chapter, five subdistricts are established within the #Special Gowanus Mixed Use District#. In addition, subareas are established within Subdistricts B and D.

Subdistrict A – Fourth Avenue Subdistrict

Subdistrict B – Upland Blocks Subdistrict

Subarea B1

Subarea B2

Subdistrict C – North Canal Corridor Subdistrict

Subdistrict D – South Canal Corridor Subdistrict

Subarea D1

Subarea D2

Subarea D3

Subarea D4

Subarea D5

Subarea D6

Subdistrict E – First Street Subdistrict

The boundaries of the subdistricts are shown on Map 1 and the boundaries of the subareas are shown on Map 2 in Appendix A of this Chapter.

139-10 **SPECIAL USE REGULATIONS**

In Subdistricts A, B, C, and D the underlying #use# regulations shall be modified by the provisions of this Section, inclusive. In Subdistrict E, the underlying district regulations shall apply.

139-11 **Permitted Uses**

In all #Manufacturing Districts# and #Mixed Use Districts#, in addition to the #uses# specified in Article IV, Chapter 2 and Article XII, Chapter 3, respectively, the following #uses# shall also be permitted:

- (a) all #uses# listed in Use Group 3, as set forth in Section 22-13;
- (b) all #uses# listed in Use Group 4, as set forth in Section 22-14;
- (c) food stores, including supermarkets, grocery stores or delicatessen stores, as specified in Section 32-15 (Use Group 6), without limitation as to #floor area# per establishment;
- (d) all uses in Use Group 10A, as specified in Section 32-19;
- (e) all uses in Use Group 17B, as specified in Section 42-14; and
- (f) the manufacture of alcoholic beverages and breweries, as specified in Section 42-15 (Use Group 18), without limitation on size. Where provided, the provisions of Section 42-27 (Performance Standards Regulating Fire and Explosive Hazards) shall not apply to such #use#.

139-12 **Gowanus Mix Uses**

For the purposes of applying the special #bulk# regulations of Section 139-212 (Gowanus mix), the following #community facility#, #commercial#, and #manufacturing uses# shall also be considered #Gowanus mix uses#:

From Use Group 3, as set forth in Section 22-13:

#schools#, colleges or universities, libraries, museums, and non-commercial art galleries, as listed in Use Group 3A;

From Use Group 4, as set forth in Section 22-14:

all #uses# in Use Group 4A, except ambulatory diagnostic and treatment health care facilities;

agriculture, including greenhouses, nurseries, and truck gardens as listed in use Group 4B;

From Use Group 6, as set forth in Section 32-15:

custom tailoring, as listed in Use Group 6A;

From Use Group 7, as set forth in Section 32-16:

all #uses# in Use Group 7B;

electric vehicle charging stations and automotive battery swapping facilities as listed in Use Group 7D;

From Use Group 8: as set forth in Section 32-17:

all #uses# listed in Use Group 8B;

From Use Group 9, as set forth in Section 32-18:

blueprinting; business schools or colleges; costume rental; medical or dental laboratories; instrument repair; printing establishments; studios, art, music, dancing or theatrical; trade schools for adults; and umbrella repair shops as listed in Use Group 9A;

photographic printing or developing as listed in Use Group 9B;

From Use Group 10, as set forth in Section 32-19:

photographic or motion picture production studios; radio or television studios;

From Use Group 11, as set forth in Section 32-20:

all #uses# listed in Use Groups 11A;

From Use Group 12, as set forth in Section 32-21:

commercial art galleries, jewelry and art metal craft shops, as listed in Use Group 12B;

From Use Group 14, as set forth in Section 32-23:

bicycle rental or repair, and boat storage, repair, and painting, as listed in Use Group 14A;

From Use Group 16, as set forth in Section 32-25:

blacksmith shops; carpentry or custom woodworking; custom furniture making; building contractor supply stores; fuel, ice, oil, coal, wood sales; household and office equipment or machinery repair shops; machinery rental or sales establishments; mirror silvering or glass cutting shops; and tool, die, and pattern making shops as listed in Use Group 16A;

From Use Group 17, as set forth in Section 42-14:

food product manufacturing, as listed in Use Group 17B; and

From Use Group 18, as set forth in Section 42-15:

breweries and alcoholic beverage manufacturing.

139-13

Gowanus Retail and Entertainment Uses

For the purposes of applying the basic #floor area ratio# regulations of Section 139-21, the following #community facility# and #commercial# #uses# shall also be considered #Gowanus retail and entertainment uses#:

From Use Group 3, as set forth in Section 22-13:

non-commercial art galleries;

From Use Group 6, as set forth in Section 32-15:

all #uses# listed in Use Group 6A, 6C, and 6E;

From Use Group 8, as set forth in Section 32-17:

all #uses# listed in Use Group 8A;

From Use Group 10, as set forth in Section 32-19:

all #uses# listed in Use Group 10A;

From Use Group 12, as set forth in Section 32-21:

all #uses# listed in Use Groups 12A and 12B;

From Use Group 13, as set forth in Section 32-22:

all #uses# in Use Group 13A and 13B;

From Use Group 14, as set forth in Section 32-23:

bicycle sales; candy or ice cream stores; and non-commercial clubs without restrictions on activities or facilities except for any activity or #use# listed within the definitions of #adult physical culture establishments# in Section 12-10 (DEFINITIONS).

139-14 **Supplementary Use Regulations**

139-141 **Location of commercial uses in mixed buildings**

(a) Commercial Districts

In #Commercial Districts#, the underlying provisions of Section 32-422 (Location of floors occupied by commercial uses) shall be modified, for #mixed buildings# that are #developed# or #enlarged# after [date of adoption], to permit #dwelling units# on the same #story# as a #commercial use#, provided no access exists between such #uses# at any level containing #dwelling units# and provided no #commercial uses# are located

directly over any #dwelling units#. However, such #commercial uses# may be located over #dwelling units# by authorization of the City Planning Commission upon a finding that sufficient separation of #residential uses# from #commercial uses# exists within the #building#.

(b) Mixed Use Districts

In #Mixed Use Districts#, the provisions of paragraph (c)(2) of Section 123-31 (Provisions Regulating Location of Uses in Mixed Use Buildings) shall be modified to allow #commercial# and #manufacturing uses# to be located over #dwelling units# by authorization of the City Planning Commission upon a finding that sufficient separation of #residential uses# from such #uses# exists within the #building#.

139-142

Enclosure of uses

In #Manufacturing Districts#, the underlying regulations of Section 42-40 (SUPPLEMENTARY USE REGULATIONS AND SPECIAL PROVISIONS APPLYING ALONG DISTRICT BOUNDARIES) shall apply, except that all storage of materials or products shall be located within #completely enclosed buildings# regardless of distance from a #Residence District#.

139-15

Special Sign Regulations

In the #Special Gowanus Mixed Use District#, the underlying #sign# regulations shall apply, except that:

- (a) in #Manufacturing Districts#, the #sign# regulations of a C6-1 District, as set forth in Section 32-60, shall apply;
- (b) any #accessory signs# that are provided adjacent to a #shore public walkway# shall be governed by the provisions of Section 139-55 (Special Signage Regulations).

139-16

Physical Culture Establishments

In all districts, #physical culture or health establishments# shall be permitted as-of-right. For the purposes of applying the underlying regulations to such #use#, a #physical culture or health establishment# shall be considered a Use Group 9A #use#.

139-17

Transient Hotels

In all districts, the #development# of a #transient hotel#; a change of #use# or #conversion# to a #transient hotel#, or an #enlargement#, containing a #transient hotel#, of a #building# that, as of [date of adoption], did not contain such #use#; or an #enlargement# or #extension# of a #transient hotel# that existed prior to [date of adoption] that increases the #floor area# of such #use# by 20 percent or more, shall be permitted only by special permit of the City Planning Commission pursuant to the provisions of this Section.

In order to permit such a #transient hotel#, the Commission shall find that such #transient hotel# is so located as not to impair the essential character of, or the future use or development of, the surrounding area.

Any #transient hotel# existing prior to [date of adoption] shall be considered a conforming #use# and may be continued, structurally altered, #extended# or #enlarged# subject to the limitations set forth in this Section, and subject to the applicable district #bulk# regulations. However, if for a continuous period of two years such #transient hotel# is discontinued, or the active operation of substantially all the #uses# in the #building or other structure# is discontinued, the space allocated to such #transient hotel# shall thereafter be used only for a conforming #use#, or may be #used# for a #transient hotel# only if the Commission grants a special permit for such #use# in accordance with the provisions of this Section. In addition, in the event a casualty damages or destroys a #transient hotel#, that was in such #use# as of [date of adoption], such #building# may be reconstructed and used as a #transient hotel# without obtaining a special permit. A #non-complying building# may be reconstructed pursuant to Section 54-40 (DAMAGE OR DESTRUCTION IN NON-COMPLYING BUILDINGS).

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

139-20

SPECIAL BULK REGULATIONS

In Subdistricts A, B, C and D, the #bulk# regulations of the applicable underlying districts shall be modified by the provisions of this Section, inclusive. In Subdistrict E, the underlying regulations shall apply.

In Subdistrict A, the provisions of Section 34-112 (Residential bulk regulations in other C1 or C2 Districts or in C3, C4, C5 or C6 Districts) and paragraph (b) of Section 35-23 (Residential Bulk Regulations in Other C1 or C2 Districts or in C3, C4, C5, or C6 Districts) shall be modified so that, in C4-4D Districts, the applicable #Residence District# shall be an R9A District, as modified by the provisions of this Chapter.

139-21

Floor Area Regulations

Basic #floor area# regulations are established in Section 139-211. Such regulations may be modified by the provisions of this Section, inclusive.

The basic maximum #floor area ratios# may be increased for certain #zoning lots# pursuant to Sections 139-212 (Gowanus mix) and 139-213 (Special floor area provisions for transit improvements).

Special regulations for #community facility floor area# on #zoning lots# containing #schools# are set forth in Section 139-214 (Special provisions for zoning lots containing schools).

Special regulations for certain #zoning lots# are set forth in Section 139-215 (Special floor area provisions for zoning lots containing comfort stations) and 139-216 (Special provisions for street improvements).

For the purposes of applying the provisions of Section 64-322, #primary street frontages# shall be the locations designated on Map 3 in the Appendix to this Chapter.

139-211

Basic floor area regulations

The maximum #floor area# regulations for each district in the #Special Gowanus Mixed Use District# shall be as set forth in the table in this Section.

Row A establishes the maximum #residential floor area ratio# for #MIH sites# where either #affordable floor area# is provided in accordance with the provisions of paragraphs (d)(3)(i) through (d)(3)(iv) or paragraph (d)(5) of Section 23-154 (Inclusionary Housing), or where a

contribution to the #affordable housing fund# is made in accordance with paragraph (d)(3)(v) of such Section. For #zoning lots# subject to the provisions of paragraph (d)(4) of Section 23-154, the maximum #floor area ratio# shall be as set forth in Section 23-153 (For Quality Housing buildings).

Row B establishes a maximum #floor area ratio# for #community facility uses#, other than #select community facility uses#. Row C sets forth the maximum #floor area ratio# for #select community facility uses# only. In addition, special regulations for #schools# are set forth in Section 139-213.

Row D establishes a maximum #floor area ratio# for #Gowanus retail and entertainment uses# only.

Row E establishes a maximum #floor area ratio# for all #commercial uses#, inclusive of #Gowanus retail and entertainment uses#.

Row F sets forth the maximum #floor area ratio# for #manufacturing# uses.

Row G establishes the maximum #floor area ratio# permitted on the #zoning lot#.

MAXIMUM FLOOR AREA RATIO

		<u>C4-4D</u>	<u>M1-4</u>		<u>M1-4 / R6B</u>	<u>M1-4 / R6A</u>	<u>M1-4 / R7A</u>	<u>M1-4 / R7-2</u>	<u>M1-4 / R7X</u>
			<u>Subarea B1</u>	<u>Subarea B2</u>					
<u>A</u>	<u>Maximum #FAR# for #residential uses# for #MIH Sites#</u>	<u>8.5</u>	<u>-</u>	<u>-</u>	<u>2.2</u>	<u>3.6</u>	<u>4.6</u>	<u>4.4</u>	<u>5.6</u>
<u>B</u>	<u>Maximum #FAR# for #community facility uses#</u>	<u>6.5</u>	<u>4.0</u>	<u>3.0</u>	<u>2.0</u>	<u>3.0</u>	<u>4.0</u>	<u>4.0</u>	<u>5.0</u>
<u>C</u>	<u>Maximum #FAR# for #select community facility uses#</u>	<u>6.5</u>	<u>4.8</u>	<u>4.8</u>	<u>2.0</u>	<u>3.0</u>	<u>4.0</u>	<u>4.0</u>	<u>5.0</u>
<u>D</u>	<u>Maximum #FAR# for #Gowanus retail and entertainment uses#</u>	<u>3.4</u>	<u>2.0</u>	<u>2.0</u>	<u>2.0</u>	<u>2.0</u>	<u>2.0</u>	<u>2.0</u>	<u>2.0</u>
<u>E</u>	<u>Maximum #FAR# for #commercial uses#</u>	<u>3.4</u>	<u>4.0</u>	<u>3.0</u>	<u>2.0</u>	<u>3.0</u>	<u>3.0</u>	<u>3.0</u>	<u>4.0</u>
<u>F</u>	<u>Maximum #FAR# for #manufacturing uses#</u>	<u>-</u>	<u>4.0</u>	<u>3.0</u>	<u>2.0</u>	<u>3.0</u>	<u>3.0</u>	<u>3.0</u>	<u>4.0</u>

<u>G</u>	<u>Maximum #FAR#</u>	<u>8.5</u>	<u>4.8</u>	<u>4.8</u>	<u>2.2</u>	<u>3.6</u>	<u>4.6</u>	<u>4.4</u>	<u>5.6</u>
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139-212
Gowanus mix

In M1 Districts paired with R7-2 or R7X Districts, the provisions of this Section may be utilized to increase the maximum #floor area ratio# set forth Section 139-211 (Basic floor area regulations).

PERMITTED INCREASE IN FLOOR AREA RATIO

		<u>M1-4 / R7X</u>	<u>M1-4 / R7-2</u>
<u>A</u>	<u>Increase pursuant to paragraph (a)</u>	<u>0.2</u>	<u>0.3</u>
<u>B</u>	<u>Increase pursuant to paragraph (b)</u>	<u>0.2</u>	<u>0.3</u>
<u>C</u>	<u>Combined increase when utilizing paragraphs (a) and (b)</u>	<u>0.4</u>	<u>0.6</u>

(a) Inclusion of non-residential uses

For #zoning lots# with #buildings# containing both #residential uses# and any non-#residential use#, the maximum #floor area ratio# may be increased by the amount listed in Row A of the table in this Section.

(b) Inclusion of #Gowanus mix uses#

For #zoning lots# with #buildings# containing both #residential uses# and #Gowanus mix uses#, the maximum #floor area ratio# may be increased by the amount listed in Row B of the table in this Section.

The provisions of both paragraphs (a) and (b) of this Section may be utilized, as applicable, so that the total maximum #floor area ratio# of the #zoning lot# is increased by the total amount listed in Row C of the table in this Section.

The amount of #floor area# allocated to such a #use# must be equal to or greater than the amount of #floor area# by which the maximum #floor area ratio# is being increased, and #floor area#

provided to satisfy the requirements of one paragraph of this Section may not be utilized to satisfy the requirements of the other. However, #Gowanus mix uses# in excess of the #floor area ratio# listed in Row A may be used to satisfy the requirements of paragraph (a) above.

In addition, #floor area# provided to satisfy the requirements of Section 139-41 (Ground Floor Level Requirements) may not be utilized to satisfy the requirements of this Section.

139-213

Special floor area provisions for transit improvements

In #Commercial Districts#, the #floor area ratios# set forth in Section 139-211 (Basic floor area regulations) may be increased by up to 20 percent, pursuant to the provisions of Section 139-46 (Certification for transit improvements). Where the #residential floor area ratio# is increased, such additional #floor area# shall be exempt from the requirements of paragraph (d) of Section 23-154.

139-214

Special floor area provisions for zoning lots containing schools

The provisions of this Section shall apply to #zoning lots# with a #lot area# greater than 30,000 square feet, and which contain #schools# constructed in whole or in part pursuant to an agreement with the New York City School Construction Authority and subject to the jurisdiction of the New York City Department of Education.

On such #zoning lots#, up to 60,000 square feet of floor space within such #school# or, in Subarea D4 up to 100,000 square feet of floor space within such #school#, shall be exempt from the definition of #floor area#.

139-215

Special floor area provisions for zoning lots containing comfort stations

For #zoning lots# containing a comfort station provided in accordance with the provisions of paragraph (c)(2) of Section 139-51 (Area-Wide Modifications), an area equal to 200 percent of the floor space within such comfort station may be exempted from the definition of #floor area#.

139-216**Special floor area provisions for street improvements**

In Subareas D4, D5, and D6, for #zoning lots# containing mapped #streets#, where such mapped #streets# will be improved and opened to the public, the provisions of this Section may apply.

(a) Street area

The #lot area# of a #zoning lot# adjacent to newly-improved #street# may be considered to be increased by an amount equal to the area contained within the bed of such #street#, as measured from the centerline of such #street# to the #street line# adjoining the #zoning lot#.

(b) Transfer of #floor area#

#Residential floor area# may be transferred from a granting site to a receiving site located directly across the newly-improved #street#, and may exceed the maximum #floor area ratio# permitted on the receiving site, provided that:

- (1) the owners of the granting site and the receiving site shall jointly notify the Department of City Planning, in writing, of their intent to transfer #residential floor area#. Such notification shall include a site plan showing the conditions and #floor area# calculations for the granting site and the receiving site, before and after the transfer;
- (2) no building permit shall be issued by the Department of Buildings for a #building# on a receiving site containing any such transferred #residential floor area# until the Chairperson of the City Planning Commission has certified to the Department of Buildings that plans submitted to the Department of City Planning comply with the requirements of this Section; and
- (3) no certificate of occupancy shall be issued by the Department of Buildings for any portion of a #building# utilizing the transferred #residential floor area# until the Chairperson of the City Planning Commission certifies to the Department of Buildings that such #building# has been constructed in accordance with the plan certified by the Chairperson pursuant to paragraph (b)(2) of this Section.

Notices of restrictions shall be filed by the owners of the granting site and the receiving site in the Office of the Register of the City of New York, indexed against the granting site and the receiving site(s), certified copies of which shall be submitted to the Department of City Planning. Notice by the Department of City Planning of its receipt of certified copies thereof shall be a condition to issuance of a building permit for a #building# on the receiving site containing any such transferred #residential floor area#.

The transfer of #residential floor area#, once completed, shall irrevocably reduce the maximum #residential floor area# permitted on the granting site. Any #building# on a receiving site that uses the #residential floor area# so transferred shall comply with all other applicable #bulk# regulations of this Chapter.

139-22
Special Yard Regulations

The underlying #yard# and #rear yard equivalent# regulations shall apply, as modified by the provisions of this Section, inclusive.

139-221
Permitted obstructions in required yards

In all #Commercial#, #Manufacturing#, and #Mixed Use Districts#, the permitted obstruction provisions of paragraph (b)(3) of Section 33-23 and paragraph (b)(1) of Section 43-23 shall be modified such that, in any #rear yard#, any #building# or portion of a #building# used for any permitted non-#residential use# (except any #building# portion containing rooms used for living or sleeping purposes) shall be a permitted obstruction, provided that the height of such #building#, or portion thereof, shall not exceed two #stories#, excluding #basements#, nor in any event 30 feet above #curb level#.

139-222
Rear yards and rear yard equivalents

In all #Manufacturing Districts#, the provisions of 43-26 (Minimum Required Rear Yards) and 43-261 (Beyond one hundred feet of a street line) shall not apply. In lieu thereof, a #rear yard# shall be provided at the minimum depth set forth in the table below for the applicable height above the #base plane#, at every #rear lot line# on any #zoning lot#.

REQUIRED DEPTH OF REAR YARD

<u>Height above #base plane#</u>	<u>Required depth</u>
<u>Below 65 feet</u>	<u>10</u>

<u>Above 65 feet and below 125 feet</u>	<u>15</u>
<u>Above 125 feet</u>	<u>20</u>

In addition, in all #Manufacturing# and #Mixed Use Districts#, the provisions of Section 43-28 (Special Provisions for Through Lots) shall be modified such that no #rear yard equivalent# shall be required on any #through lot# or #through lot# portion of a #zoning lot#.

139-223

Required yards along district boundaries

In #Manufacturing# and #Mixed Use Districts#, the provisions of Section 43-304 (Required front yards along district boundary located in a street) shall not apply.

In #Commercial#, #Manufacturing#, and #Mixed Use Districts#, the underlying yard requirements applying along district boundaries of Sections 33-292 (Required yards along district boundary coincident with rear lot lines of two adjoining zoning lots), 33-293 (Required yards along district boundary coincident with side lot line of zoning lot in a Commercial District), 43-302 (Required yards along district boundary coincident with rear lot lines of two adjoining zoning lots) and 43-303 (Required yards along district boundary coincident with side lot line of zoning lot in a Manufacturing District), shall be superceded by the provisions of this Section as follows:

- (a) When #side# or #rear lot lines# coincide with a #side lot line# of a #zoning lot# in an adjoining #Residence District#, an open area not higher than #curb level#, and at least eight feet in depth, shall be provided; and
- (b) Where #side# or #rear lot lines# coincide with the #rear lot line# of a #zoning lot# in an adjoining #Residence District#, an open area not higher than 30 feet above #base plane# and at least 20 feet in depth, shall be provided.

139-224

Waterfront yards

The provisions of Section 62-33 (Special Yard Regulations on Waterfront Blocks) shall be modified such that a #waterfront yard# shall be provided in accordance with the provisions of Section 62-332 (Rear yards and waterfront yards) on all #waterfront zoning lots#, as that term is defined in Section 62-11, regardless of #use#.

The depth of the #waterfront yard# shall be measured from the #zoning lot line# adjoining the Gowanus Canal, or where the provisions of paragraph (f) of Section 139-51 (Area-Wide Modifications) are utilized, from the bulkhead. The depth of the #waterfront yard# may be reduced as set forth in Section 62-332.

139-23

Special Height and Setback Regulations

The height and setback regulations of the applicable underlying districts are modified as follows:

- (a) In #Commercial Districts#, the height and setback regulations of Section 35-60 (MODIFICATION OF HEIGHT AND SETBACK REGULATIONS) shall apply to all #buildings#, as modified by the provisions of this Section, inclusive.
- (b) In #Mixed Use Districts#, the height and setback regulations of Section 123-60 (SPECIAL BULK REGULATIONS) shall apply, as modified by the provisions of this Section, inclusive.
- (c) In #Manufacturing Districts#, the underlying height and setback regulations of Sections 43-43 (Maximum Height of Front Wall and Required Front Setbacks), 43-44 (Alternate Front Setbacks), and 43-45 (Tower Regulations) shall not apply. In lieu thereof, minimum and maximum base heights and maximum heights for #buildings or other structures# shall be as set forth in this Section, inclusive. The other underlying regulations of Article IV, Chapter 3 (Bulk Regulations) shall apply, as modified by the provisions of this Section, inclusive.
- (d) The special #bulk# regulations applicable in the #waterfront area# of Section 62-30 (SPECIAL BULK REGULATIONS) shall not apply. In lieu thereof, the height and setback regulations of this Section, inclusive, shall control.

The height of all #buildings or other structures# shall be measured from the #base plane#.

139-231

General provisions

For the purposes of applying the applicable #bulk# regulations, the boundaries of #waterfront public access areas#, as well as #lot lines# abutting #public parks#, shall be considered #narrow street lines#.

Where a continuous sidewalk widening is provided along the entire frontage of a #zoning lot#, the interior boundary of such widening shall be considered a #street line# for the purpose of applying the height and setback regulations of this Chapter, except that where a sidewalk widening is provided pursuant to Section 139-43 (Sidewalk Widening Requirements), any setback required by this Section may be reduced by one foot for each foot by which the sidewalk is widened, provided that no setback shall be less than seven feet in depth.

Where a provision of this Chapter allows a modification to the maximum #building# height, and multiple modifications apply to a #building#, such modifications shall be applied cumulatively.

139-232

Permitted obstructions

In all districts, the underlying permitted obstruction regulations shall be modified by this Section.

(a) Solar energy systems

The underlying permitted obstruction regulations shall be modified to permit solar energy systems as a permitted obstruction up to a #lot coverage# of 100 percent of the #lot coverage# of the roof.

(b) Balconies

Unenclosed balconies complying with the provisions of Section 23-132 (Balconies in R6 through R10 Districts) may encroach into any required open area on the #zoning lot#. However, balconies that encroach into #waterfront public access areas# shall be regulated by the provisions of paragraph (a)(1) Section 139-51 (Area-Wide Modifications).

(c) Dormers

Above the maximum base height, dormers shall be permitted to encroach into a required setback area, except setback areas adjoining tower portions of #buildings# and setback areas facing #waterfront public access areas#, provided that:

- (1) The aggregate width of all dormers does not exceed 50 percent of the width of the #street wall# of the highest #story# entirely below the maximum base height;
- (2) The aggregate width of all dormers with a depth exceeding seven feet does not exceed 30 percent of the width of the #street wall# of the highest #story# entirely below the maximum base height.

Such dormers need not decrease in width as the height above the maximum base height increases.

139-233

Special height and setback regulations in Subdistrict A

In Subdistrict A, the underlying district regulations shall be modified by the provisions of this Section.

(a) Street wall location

The #street wall# location requirements of paragraph (b) of Section 35-651 (Street wall location) shall apply to all #buildings#.

(b) Base heights and setback requirements

The maximum height of #buildings or other structures# shall be as set forth in Sections 35-652 (Maximum height of buildings and setback regulations) or 35-654 (Modified height and setback regulations for certain Inclusionary Housing buildings or affordable independent residences for seniors), as applicable.

In addition, for all #non-residential buildings#, the provisions of paragraph (b)(1) of Section 35-652 shall be modified such that the minimum and maximum base height, maximum #building# height, and maximum number of #stories# for #Quality Housing buildings# with #qualifying ground floors# shall be as set forth in paragraph (b) of Section 23-664 (Modified height and setback regulations for certain Inclusionary Housing buildings or affordable independent residences for seniors).

139-234

Special height and setback regulations in Subdistrict B

In Subdistrict B, the underlying district regulations shall be modified by the provisions of this Section.

(a) Street wall location

In #Manufacturing Districts#, 30 percent of the #street wall# shall be located within eight feet of the #street line# and shall extend to at least the minimum #base height# specified in paragraph (b) of this Section, or the height of the #building#, whichever is lower.

In #Mixed Use Districts#, at least 70 percent of the #aggregate width of street walls# shall be located within eight feet of the #street line# and extend to at least the minimum #base height# specified in paragraph (b) of this Section or the height of the #building#, whichever is lower. Up to 30 percent of the #aggregate width of street walls# may be recessed beyond eight feet of the #street line#, provided that any such recesses deeper than 10 feet along a #wide street# or 15 feet along a #narrow street# are located within an outer court.

(b) Minimum and maximum base heights

In all districts, #street walls# shall rise without setback to a minimum base height set forth in this paragraph (b) or the height of the #building#, whichever is less, and may rise to a maximum base height as set forth in this paragraph (b). In #Manufacturing Districts#, minimum and maximum base heights and maximum heights of #buildings or other structures# shall be as set forth in Table 1 below. In #Mixed Use Districts#, such regulations shall be as set forth in Table 2.

Table 1
MINIMUM BASE HEIGHT, MAXIMUM BASE HEIGHT, AND MAXIMUM BUILDING HEIGHT – FOR M1-4 DISTRICTS
(in feet)

	<u>Minimum base height</u>	<u>Maximum base height</u>	<u>Maximum #building# height</u>
<u>in Subarea B1</u>	<u>15</u>	<u>95</u>	<u>115</u>
<u>in Subarea B2</u>	<u>15</u>	<u>65</u>	<u>85</u>

Table 2
MINIMUM BASE HEIGHT, MAXIMUM BASE HEIGHT, AND MAXIMUM BUILDING HEIGHT – FOR MIXED USE DISTRICTS
(in feet)

<u>Minimum base height</u>	<u>Maximum base height</u>	<u>Maximum #building# height</u>

<u>M1-4/R6B</u>	<u>30</u>	<u>45</u>	<u>55</u>
<u>M1-4/R6A</u>	<u>40</u>	<u>65</u>	<u>85</u>
<u>M1-4/R7A</u>	<u>40</u>	<u>75</u>	<u>95</u>
<u>M1-4/R7X</u>	<u>60</u>	<u>105</u>	<u>145</u>

However, for #zoning lots# with a #lot area# greater than or equal to 20,000 square feet, and located in a #Manufacturing District#, a #building# containing non-#residential uses# may exceed the maximum #building# heights established in Table 1 and 2, as applicable, by 30 feet.

(c) Setback requirements

At a height not lower than the minimum base height or higher than the maximum base height, a setback shall be provided which complies with the requirements of paragraph (c) of Section 23-662.

139-235

Special height and setback regulations in Subdistrict C

(a) Street wall location

At least 70 percent of the #aggregate width of street walls# shall be located within eight feet of the #street line# and shall extend to at least the minimum base height specified in paragraph (b) of this Section, or the height of the #building#, whichever is lower. Up to 30 percent of the #aggregate width of street walls# may be recessed beyond eight feet of the #street line#, provided that any such recesses deeper than 10 feet along a #wide street# or 15 feet along a #narrow street# are located within an outer court. However, no #street wall# location requirement shall apply to the #street walls# facing a #shore public walkway#.

(b) Minimum and maximum base heights

Except as otherwise specified in this paragraph (b), #street walls# shall rise without setback to a minimum base height of 40 feet or the height of the #building#, whichever is less, and may rise to a maximum base height as set forth in this paragraph (b). However, no minimum base height shall be required for #street walls# facing a #shore public walkway#.

- (1) Along Bond Street, the minimum base height shall be 30 feet, and the maximum base height shall be 55 feet. No portion of a #building# located within 65 feet of Bond Street may rise above a height of 65 feet.
- (2) Along Union Street, between Nevins Street and the Gowanus Canal, the maximum base height shall be 85 feet.
- (3) Along Degraw Street, between Nevins Street and the Gowanus Canal, the maximum base height shall be 85 feet.
- (4) Along all other #streets#, as well as along the Gowanus Canal, the maximum base height shall be 65 feet.

(c) Setback requirements

At a height not lower than the minimum base height or higher than the maximum base height, a setback with a minimum depth of 15 feet shall be provided. Such setback shall also comply with the requirements of paragraph (c) of Section 23-662.

(d) Tower regulations

(1) Tower location

Any portion of a #building# located above a height of 85 feet shall be considered a "tower". No portion of a tower may be located:

- (i) within 30 feet of the #street line# of Nevins Street;
- (ii) within 65 feet of Bond Street; or
- (iii) within 30 feet of a #waterfront yard#. However, for #zoning lots# located south of Carroll Street, no portion of a tower shall be permitted within 10 feet of the #waterfront yard# adjoining the First Street Basin.

(2) Tower width

The #street wall# of any tower facing a #shore public walkway# shall not exceed 100 feet in width. Where multiple towers are provided, the combined #street wall# width of all such towers shall not exceed 130 feet.

However, for #zoning lots# located south of Carroll Street, the combined #street wall# width of all towers located west of the required #visual corridor# shall not exceed 150 feet.

(3) Tower coverage

Above a height of 175 feet, any tower shall set back such that it occupies a #lot coverage# no greater than 80 percent of the #story# located immediately below.

(4) Tower height

The maximum height of a tower shall be 225 feet.

(5) Regulations for multiple towers

Wherever two towers are provided on the same #zoning lot#, there shall be a difference in height between such towers of at least 50 feet. The taller of the two towers shall be located north of the mid-#block# line of the #block#.

However, for #zoning lots# located south of Carroll Street, the taller of the two towers shall be located west of the required #visual corridor#. The shorter of the two towers shall be located east of the required #visual corridor#, and no less than 65 feet from Carroll Street.

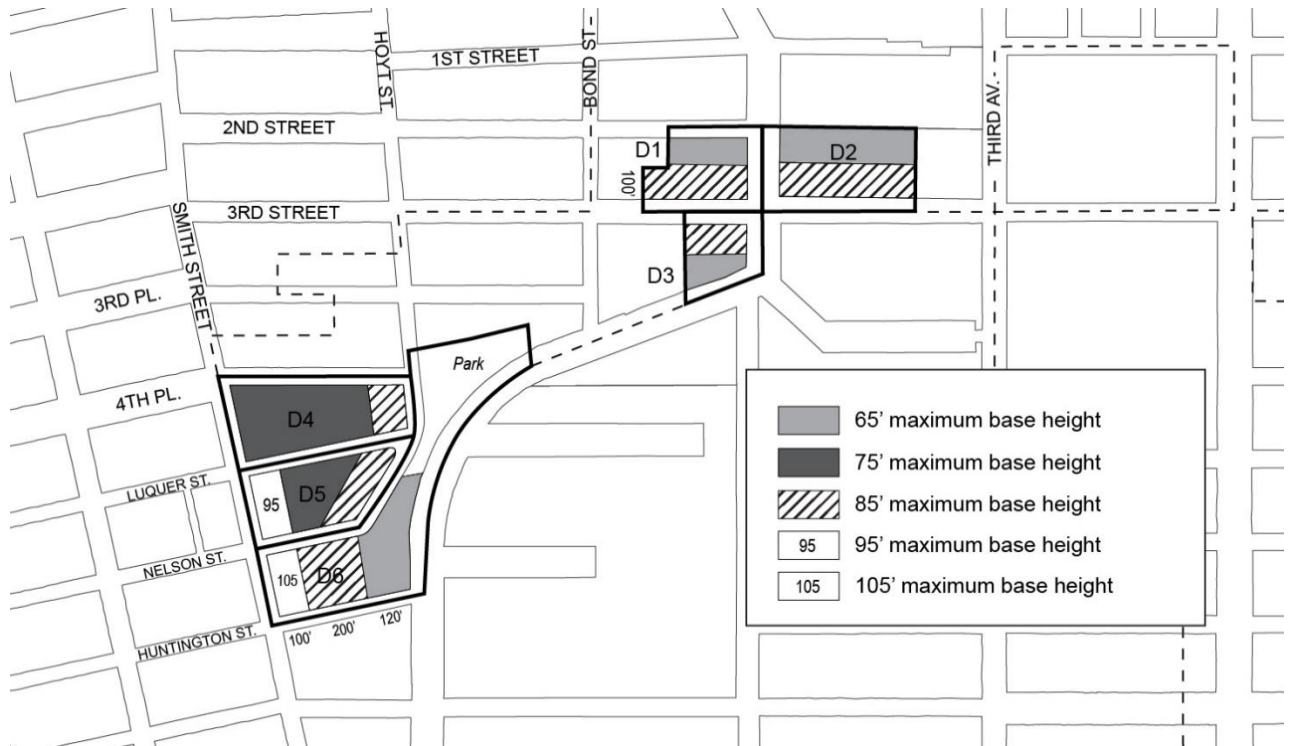
139-236**Special height and setback regulations in Subdistrict D**(a) Street wall location

At least 70 percent of the #aggregate width of street walls# shall be located within eight feet of the #street line# and extend to at least the minimum #base height# specified in paragraph (b) of this Section, or the height of the #building#, whichever is lower. Up to 30 percent of the #aggregate width of street walls# may be recessed beyond eight feet of the #street line#, provided that any such recesses deeper than 10 feet along a #wide street# or 15 feet along a #narrow street# are located within an outer court. However, no #street wall# location requirement shall apply to the #street walls# facing a #shore public walkway#.

(b) Minimum and maximum base heights

For #zoning lots# in Subareas D1 through D6, #street walls# shall rise without setback to a minimum base height of 40 feet or the height of the #building#, whichever is less, and may rise to a maximum base height as set forth in the map in this paragraph (b).

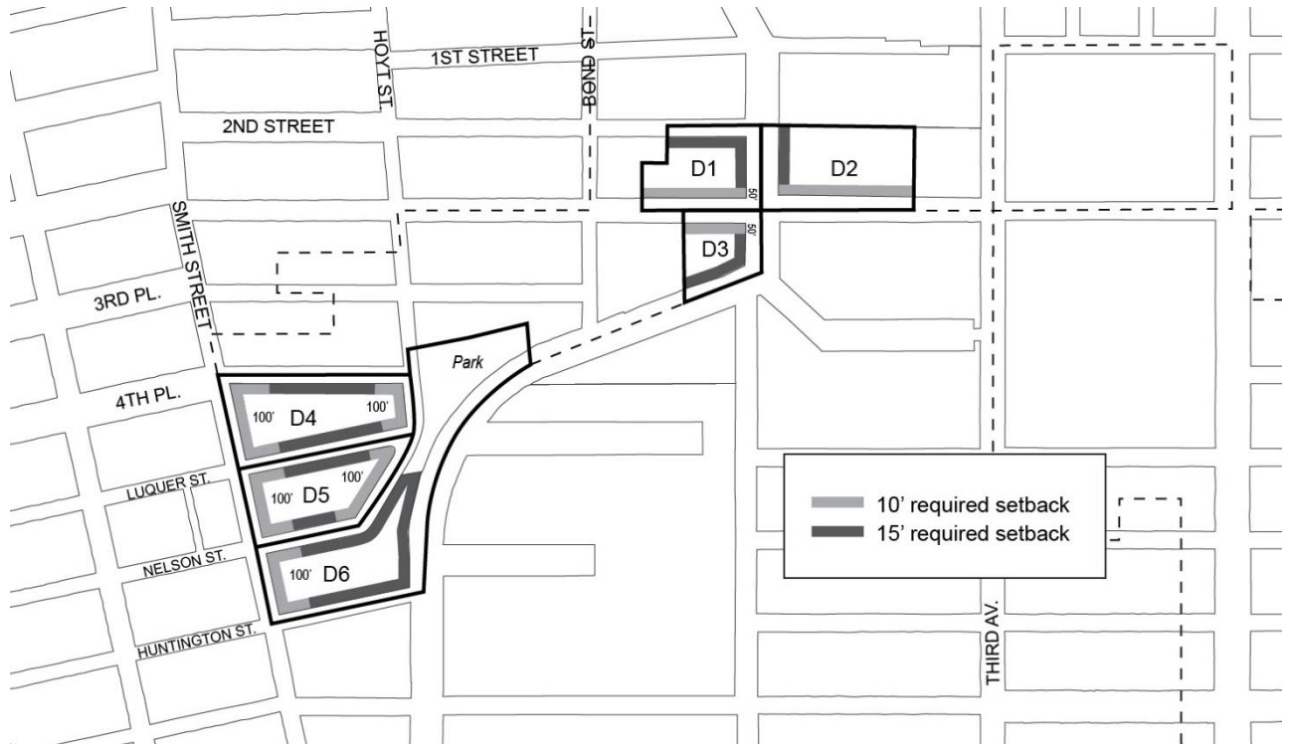
However, this requirement shall not apply to the #aggregate width of street walls# facing a #shore public walkway#.



(c) Setback requirements

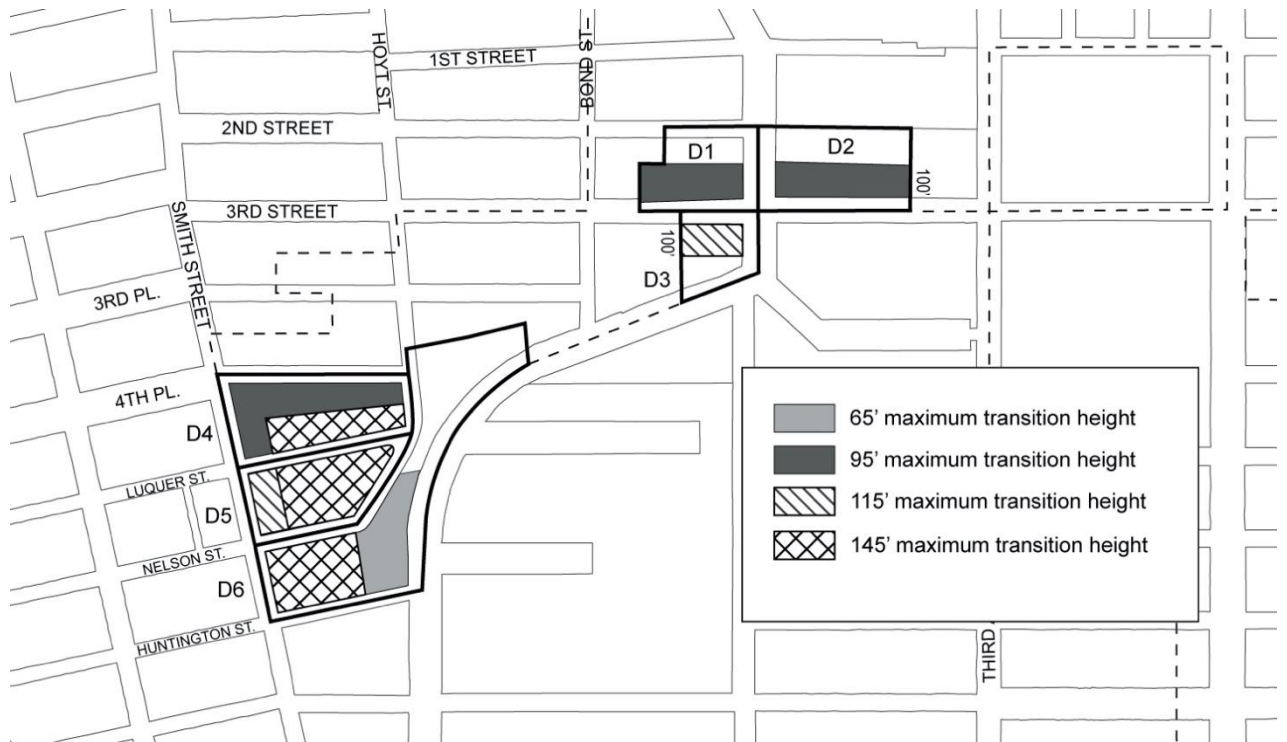
At a height not lower than the minimum base height or higher than the maximum base height, setbacks shall be provided with a minimum depth as set forth in the map in this paragraph (c).

Such setbacks shall also comply with the provisions of paragraph (c) of Section 23-662 (Maximum height of buildings and setback regulations).



(d) Transition heights

Any portion of a #building# located above the setback required by paragraph (c) of this Section shall be permitted to rise to a maximum “transition height” as set forth in this paragraph (d). Any portion of a #building# located above the maximum transition height shall be considered a “tower” and shall comply with the provisions of paragraph (e) of this Section. Except as otherwise set forth in the map in this paragraph (d), such maximum transition height shall be 85 feet.



(e) Tower regulations

(1) Tower location

Any portion of a #building# located above the maximum transition height set forth in paragraph (d) shall be considered a "tower". No portion of a tower may be located:

- (i) in Subarea D4, within 150 feet of Smith Street or within 150 feet of Hoyt Street;
- (ii) in Subarea D5, within 80 feet of Smith Street or within 200 feet of Smith Street north of the mid-#block# line; or
- (iii) within 30 feet of a #waterfront yard#.

(2) Tower width

The #street wall# of any tower facing a #shore public walkway# shall not exceed 100 feet in width. Where multiple towers are provided, the combined #street wall# width of all such towers shall not exceed 130 feet.

However, in Subarea D4, where multiple towers are provided, the combined #street wall# width of all such towers shall not exceed 170 feet.

(3) Tower coverage

In Subareas D1, D2, and D3, above a height of 175 feet, any tower shall set back such that it occupies a #lot coverage# no greater than 80 percent of the #story# located immediately below.

In Subareas D5 and D6, the portion of any tower containing the top four #stories# of such tower shall set back such that it occupies a # lot coverage# no greater than 80 percent of the #story# located immediately below.

(4) Tower height

Except as otherwise specified in this paragraph (e)(4), the maximum height of a tower shall be 225 feet.

(i) In Subarea D4, towers shall be permitted to rise to a height of 285 feet.

(ii) In Subarea D5, towers shall be permitted to rise to a height of 245 feet.

(iii) In Subarea D6, towers shall be permitted to rise to a height of 305 feet.

(5) Regulations for multiple towers

(i) In Subareas D1 and D2, no more than two towers shall be permitted on a #zoning lot#.

(ii) In Subareas D4 and D5, no more than two towers shall be permitted in each subarea.

(iii) In Subareas D3 and D6, no more than one tower shall be permitted in the subarea.

(iv) Wherever two towers are provided on the same #zoning lot#, there shall be a difference in height between such towers of at least 50 feet.

In addition, in Subarea D1, the taller of the two towers shall be located within 100 feet of Third Street.

139-237**Special street wall articulation requirements**

In all subdistricts, for #street walls# with widths exceeding 200 feet, a minimum of 20 percent and no more than 50 percent of the surface area of such #street walls# above the level of the second #story#, or a height of 30 feet, whichever is lower, shall either recess or project a minimum of three feet from the remaining surface of the #street wall#. Any such recess or projection shall be considered a permitted obstruction into a required setback, and the depth of such recess or projection shall not exceed three feet.

In addition, in Subdistrict D, the underlying dormer provisions of paragraph (c) of Section 23-621 shall be modified for portions of #buildings# facing Third Street, so that above the maximum base height, dormers shall be permitted only within 75 feet of the intersection of two #streets#.

139-238**Special height regulations for zoning lots containing schools**

In Subdistrict C, and in Subareas D1, D2, and D3, for #zoning lots# containing #schools# regulated by Section 139-213 (Special provisions for zoning lots containing schools), the maximum tower height specified by the regulations in this Section, inclusive, may be increased as-of-right by 40 feet. This allowance may be further modified by the provisions of Section 139-47 (Authorization for sites containing schools).

139-30**SPECIAL PARKING REGULATIONS**

In Subdistricts A, B, C, and D, the underlying parking and loading regulations shall be modified by the provisions of this Section. On #waterfront blocks#, the provisions of Section 62-40 shall not apply. In Subdistrict E, the underlying regulations shall apply.

139-31**Special Accessory Off-Street Parking Regulations**

139-311**Reduction of parking requirements for residences**

In all districts, for the purposes of applying the provisions of Sections 36-33 and 123-72, the provisions of Section 25-23 shall be modified to require that #accessory# off-street parking spaces be provided for at least 20 percent of #residences# on a #zoning lot#.

For the purposes of applying waivers, the provisions of of Section 25-26 shall be modified so that the maximum number of #accessory# off-street parking spaces for which requirements are waived is 20 spaces.

Notwithstanding the above, in Subarea D4, and in Subarea D5 north of the mid-#block# line, no #accessory# off-street parking spaces for #residences# shall be required.

139-312**Elimination of parking requirements for non-residential uses**

In all districts, no #accessory# off-street parking spaces shall be required for #manufacturing#, #commercial#, or #community facility uses#.

139-313**Off-site parking facilities**

For #residences# in #Commercial# and #Mixed Use Districts#, the provisions of Sections 25-51 and 36-42 (Off-site Spaces for Residences) shall be modified to allow the #zoning lot# containing required #accessory# off-street parking spaces for #residences# to be located in any zoning district, as well as anywhere within the #Special Gowanus Mixed Use District#.

139-314**Joint facilities**

For #residences# in #Commercial# and #Mixed Use Districts#, the provisions of Sections 25-541 and 36-441 (Joint facilities) shall not apply. In lieu thereof, the provisions of this Section shall apply.

Required #accessory# off-street parking spaces may be provided in facilities designed to serve jointly two or more #buildings# or #zoning lots#, provided that the number of spaces in such joint facilities shall be not less than that required for the combined number of #dwelling units# in such #buildings# or #zoning lots#, and provided that the design and layout of such joint facilities meets the standards of adequacy set forth in regulations promulgated by the Commissioner of Buildings.

139-315

Use of parking facilities for car sharing vehicles

The underlying regulations regarding the occupation of #accessory# or required off-street parking spaces by #car sharing vehicles# shall modified so that, in all districts, the number of spaces occupied by #car sharing vehicles# shall not exceed 20 percent of all spaces in a #group parking facility#.

139-316

Use of parking facilities for public parking

All #accessory# off-street parking spaces may be made available for public use. However, parking spaces #accessory# to #residences# shall be made available to the occupant of a #residence# to which it is #accessory# within 30 days after written request is made to the landlord.

139-32

Special Permitted Off-Street Parking Regulations

For portions of an #automated parking facility#, as that term is defined in Section 13-02, each tray upon which a vehicle is stored shall be considered one parking space, regardless of its size. In addition, at a height in excess of 23 feet above #curb level# each parking tray shall be considered #floor area# in an amount of 153 square feet or the size of such lifted tray, whichever is greater.

139-33

Special Loading Regulations

In all districts, the loading regulations of an M1-5 District shall apply, and shall be further modified as follows:

- (a) the requirements of Section 44-50 (GENERAL PURPOSES), inclusive, shall not apply to changes of #uses#;
- (b) the provisions of Section 44-53 (Special Provisions for a Single Zoning Lot With Uses Subject to Different Loading Requirements), and Sections 36-64 and 44-54 (Wholesale, Manufacturing, or Storage Uses Combined With Other Uses), shall not apply; and
- (c) the minimum length requirements for loading berths #accessory# to #commercial uses#, other than funeral establishments, set forth in Section 44-581 (Size of required loading berths) shall be increased to 37 feet.

139-34

Special Curb Cut Regulations

For #zoning lots# existing on or after [date of adoption], with frontage along both a #primary street frontage# and a #secondary street frontage#, as set forth in Section 139-41 (Ground Floor Level Requirements), curb cuts accessing off-street parking spaces and loading berths shall not be permitted along the #primary street frontage#. In addition, no curb cut shall be permitted within 40 feet of a #waterfront public access area#.

Curb cuts prohibited by this Section may be authorized by the City Planning Commission provided the Commission finds that a curb cut at such a location:

- (a) is not hazardous to traffic safety;
- (b) will not create or contribute to serious traffic congestion, or unduly inhibit vehicular movement;
- (c) will not adversely affect pedestrian movement;
- (d) will not interfere with the efficient functioning of bus lanes, specially designated streets or public transit facilities; and
- (e) will not be inconsistent with the character of the existing streetscape.

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

139-40
DISTRICT PLAN ELEMENTS

In all Subdistricts, the provisions of this Section shall apply to all #zoning lots#, as specified below.

139-41
Ground Floor Level Requirements

For the purposes of applying the special #ground floor level# streetscape provisions set forth in Section 37-30 to this Chapter, the portion of a #ground floor level street# frontage considered a #primary street frontage# shall be as shown on Map 3 (Ground Floor Use Requirements) in Appendix A of this Chapter. A #ground floor level street# frontage along any other #street# shall be considered a #secondary street frontage#.

The provisions of this Section shall apply to #developments# or #ground floor level enlargements#.

(a) Along #primary street frontages#

(1) Type 1 #primary street frontages#

For #buildings#, or portions thereof, with Type 1 #primary street frontage#, #uses# on the #ground floor level#, to the minimum depth set forth in Section 37-32 (Ground Floor Depth Requirements for Certain Uses), shall be limited to #Gowanus retail and entertainment uses#, except for Type 1 lobbies and entrances and exits to #accessory# parking spaces provided in accordance with the applicable provisions of Section 37-33 (Maximum Width of Certain Uses). Group parking facilities located on the #ground floor level# shall be wrapped by #floor area# in accordance with the provisions of paragraph (a) of Section 37-35 (Parking Wrap and Screening Requirements). #Ground floor level street walls# shall be glazed in accordance with the provisions set forth in Section 37-34 (Minimum Transparency Requirements).

(2) Type 2 #primary street frontages#

For #buildings#, or portions thereof, with Type 2 #primary street frontage#,

#uses# on the #ground floor level#, to the minimum depth set forth in Section 37-32, shall be limited to non-#residential uses#, except for Type 1 lobbies and entrances and exits to #accessory# parking spaces provided in accordance with the applicable provisions of Section 37-33. Group parking facilities located on the #ground floor level# shall be wrapped by #floor area# in accordance with the provisions of paragraph (a) of Section 37-35. #Ground floor level street walls# shall be glazed in accordance with the provisions set forth in Section 37-34.

(b) Along #secondary street frontages#

For #buildings#, or portions thereof, with #secondary street frontage#, all #uses# permitted by the underlying district shall be permitted on the #ground floor level#, provided that any off-street parking spaces on the #ground floor level# shall be wrapped or screened in accordance with Section 37-35. Entrances and exits to accessory parking facilities shall be subject to the provisions of paragraph (b) of Section 37-33.

(c) For blank walls

In all districts, any #street wall# width exceeding 50 feet with no transparent elements on the #ground floor level# shall provide visual mitigation elements in accordance with the provisions of Section 37-36 (Special Requirements for Blank Walls).

139-42

Street Tree Requirements

In all districts, all #developments#, or #enlargements# that increase the #floor area# on a #zoning lot# by 20 percent or more, shall provide #street# trees in accordance with Section 26-41 (Street Tree Planting).

In addition, for #zoning lots# with over 100 feet of street frontage, wherever two required #street# tree pits will be separated by less than 25 feet, such tree pits shall be combined and designed as a single continuous tree pit.

139-43

Sidewalk Widening Requirements

For #developments# along the portions of #streets# designated on Map 4 (Sidewalk Widening Lines) in Appendix A of this Chapter, a sidewalk widening shall be required, providing a total sidewalk width of:

- (a) 17 feet along Third Avenue;
- (b) 15 feet along Nevins Street; and
- (c) 13 feet along Fifth Street.

The total sidewalk width shall be measured perpendicular from the #street line#. Such sidewalk shall be improved to Department of Transportation standards and shall be provided at the same level as the adjoining public sidewalk and be accessible to the public at all times.

Awnings and canopies shall be considered permitted obstructions within a sidewalk widening provided that no structural posts or supports may be located within any portion of the sidewalk or such widening.

139-44

Bridge Connection Requirements

For all #zoning lots# abutting bridge structures supporting #streets# which cross the Gowanus Canal at Union Street, Carroll Street, and Third Street, and are subject to #waterfront public access area# requirements, such #waterfront public access area# shall be designed to provide pedestrian connection to the #street# adjacent to the terminus of the bridge structure.

The requirements of this Section may be waived where the New York City Department of Transportation determines that such a pedestrian connection to the #street# would result in a hazard to traffic safety.

139-45

Waterfront Public Access Area Requirements

For all #waterfront zoning lots#, the exemptions from #waterfront public access area# requirements listed in paragraph (a) of Section 62-52 shall not apply.

- (a) Reduced requirement for certain manufacturing uses

For #zoning lots# with #developments#, #enlargements#, or #conversions# comprised of #predominantly# Use Group 18 #uses#, as listed in Section 42-15, the reduced design requirements of Section 62-58 (Requirements for Water-Dependent Uses and Other Developments) shall apply to #waterfront public access areas#.

(b) Authorization for incompatible uses

For #zoning lots# comprised #predominantly# of Use Group 16, 17, or 18 #uses#, the City Planning Commission may authorize the waiver of #waterfront public access area# requirements, provided the Commission finds that:

- (1) such #uses# produce objectionable effects on its surroundings such that the #uses# are incompatible with a waterfront public access requirement; or
- (2) such #uses# have demonstrable operational requirements which would be incompatible with waterfront public access requirements; and
- (3) such waiver is the least necessary to accommodate the proposed #uses#.

Such waivers shall be in effect for as long as the proposed #use# remains on the #zoning lot#. Upon #development# of the #zoning lot# following cessation of the #use# for a period of more than two years, full compliance with #waterfront public access area# requirements, as may be modified by future approvals, is required.

139-46**Transit Improvements**

[Note: the provisions of Section 139-461 will be removed upon adoption of similar provisions in Elevate Transit – Zoning for Accessibility.]

139-461**Certification for transit easements**

For all #developments#, or #enlargements# involving ground floor level construction, on a #zoning lot# with a #lot area# of 5,000 square feet or greater and wholly or partially located within 50 feet of a subway station, a transit easement volume may be needed on such #zoning lot# for public access between the #street# and the adjacent above- or below-grade subway station, pursuant to paragraph (a) of this Section.

(a) Transit easement volume certification

Prior to filing any application with the Department of Buildings for an excavation permit, foundation permit, new building permit or alteration permit for a #development# or #enlargement#, the owner of the #zoning lot# shall file an application with the Metropolitan Transportation Authority (MTA) and the Chairperson of the City Planning

Commission requesting a certification as to whether or not a transit easement volume is needed on the #zoning lot#.

Within 60 days of receipt of such application, the MTA and the Chairperson shall jointly certify whether or not a transit easement volume is needed on the #zoning lot#. Failure to certify within the 60-day period will release the owner from any obligation to provide a transit easement volume on such #zoning lot#.

When the MTA and the Chairperson indicate that a transit easement volume is needed, the MTA shall, in consultation with the owner of the #zoning lot# and the Chairperson, determine the location and appropriate type of transit easement and reasonable dimensions for such transit easement volume, as well as the mechanism for and the terms of the eventual conveyance.

The owner shall submit a site plan showing a proposed location of such transit easement volume that would provide access between the #street# and the adjacent subway station and be compatible with the proposed #development# or #enlargement# on the #zoning lot# for joint approval and final certification by the MTA and the Chairperson. The MTA and the Chairperson shall comment on such site plan within 45 days of its receipt and may, within such 45-day period or following its expiration, permit the granting of an excavation permit while the location and size of the transit easement volume is being finalized. Upon joint approval of a site plan by the MTA and the Chairperson, copies of such certification shall be forwarded by the Chairperson to the Department of Buildings.

Legally enforceable instruments, running with the land, creating a transit easement volume, and setting forth the obligations of either the MTA or the owner and developer, their successors and assigns, to design and construct the improvement, as well as other basic terms of the easement shall be executed and recorded in a form acceptable to the MTA and the Chairperson. The execution and recording of such instruments shall be a precondition to the issuance of any foundation permit, new building permit, or alteration permit by the Department of Buildings allowing such #development# or #enlargement#.

(b) Construction and maintenance

Where a transit easement volume is needed pursuant to this Section, transit access improvements within such volume shall be constructed and maintained either by the MTA or the owner of the #zoning lot# with the #development# or #enlargement#.

(1) Where such mass transit improvement is constructed and maintained by the owner of the #development # or #enlargement#

(i) a transit access improvement shall be provided in accordance with standards set forth by the MTA;

- (ii) such improvement shall be accessible to the public at all times, except as otherwise approved by the MTA;
- (iii) such improvement shall include #signs# to announce accessibility to the public. Such #signs# shall be exempt from the maximum #surface area# of non-#illuminated signs# permitted by Section 32-642 (Non-illuminated signs); and
- (iv) no temporary certificate of occupancy shall be granted by the Department of Buildings for the #building# until the Chairperson of the City Planning Commission, acting in consultation with the MTA, has certified that the improvement is substantially complete and usable by the public.

(2) Where such mass transit improvement is constructed and maintained by the MTA:

- (i) Where the construction of the improvement is not contemporaneous with the construction of the #development# or #enlargement#, any underground walls constructed along the #front lot line# adjacent to a below-grade subway station shall include a knockout panel, not less than 12 feet wide, below #curb level# down to the bottom of the easement. The actual location and size of such knockout panel shall be determined through consultation with the MTA.
- (ii) Temporary construction access shall be granted to the MTA on portions of the #zoning lot# outside of the transit easement volume, as necessary, to enable construction within and connection to the transit easement volume.
- (iii) In the event that the MTA has approved of obstructions associated with the #development# or #enlargement# within the transit easement volume, such as building columns or footings, such construction and maintenance shall exclude any such obstructions within the transit easement volume.

(c) Additional modifications

Where a transit easement volume is needed pursuant to paragraph (a) of this Section, the Chairperson of the City Planning Commission shall certify the following modifications in conjunction with such transit easement volume certification:

- (1) the edge of the transit easement volume facing the #street# shall be considered a #street wall# for the purposes of applying the #street wall# location provisions set forth in Section 139-23 (Special Height and Setback Regulations), inclusive, irrespective of whether such volume is incorporated into a #building#;

- (2) for #zoning lots# adjacent to a below-grade subway station, the maximum height for the #building# set forth in Section 139-23, inclusive, shall be increased by 10 feet;
- (3) the floor space contained within any transit easement volume needed pursuant to this Section shall be excluded from the definition of #floor area#; and
- (4) the street frontage of such transit easement volume shall be excluded for the purpose of applying the provisions of Section 139-41 (Ground Floor Level Requirements).

(d) Temporary use

Any easement volume needed on a #zoning lot# pursuant to paragraph (a) of this Section may be temporarily used for any permitted #commercial# or #community facility uses# until such time as needed by the MTA for transit access improvements. The floor space allocated to such temporary #uses# within the transit easement volume shall continue to be exempt from the definition of #floor area# and shall not be included for the purpose of calculating #accessory# off-street parking, bicycle parking, or loading berths.

Improvements or construction of a temporary nature within the easement volume for such temporary #uses# shall be removed by the owner of the #building# or portion of the #zoning lot# within which the easement volume is located prior to the time at which public #use# of the easement area is needed, except as otherwise specified by the MTA. A minimum notice of six months shall be given, in writing, by the MTA to the owner of the #building# or portion of the #zoning lot# to vacate the easement volume.

(e) Termination of an easement volume

In the event that the MTA and the City Planning Commission jointly notify the Department of Buildings and the owner in writing that a transit easement volume is not needed on a #zoning lot# in its final construction plans, the restrictions imposed on such #zoning lot# by the provisions of this Section shall lapse, following receipt of notification thereof by the owner, and the owner shall have the right to record an instrument reciting the consent of the MTA to the extinguishment of the easement volume.

On any #zoning lot# which has been #developed# or #enlarged# in accordance with the provisions of this Section and on which termination of transit easement has been certified, pursuant to this paragraph, any floor space in a previously needed transit easement volume shall continue to be exempt from the definition of #floor area# and shall not be included for the purpose of calculating requirements for #accessory# off-street parking, bicycle parking or loading berths. However, where such previously needed

volume is located within a #building#, the ground floor space shall be subject to the provisions of Section 139-41 (Ground Floor Level Requirements).

139-462

Certification for transit improvements

In #Commercial Districts# with a residential equivalent of an R9 District, for #developments# on #zoning lots# that are located within 500 feet of the Union Street subway station, the Chairperson of the City Planning Commission may, by certification to the Commissioner of Buildings, allow a #development# to:

- (1) receive a #floor area# bonus not to exceed 20 percent of the maximum #floor area ratio# permitted by Section 139-211 (Basic floor area regulations); and
- (2) further modify additional height permitted pursuant to paragraph (c)(2) of Section 139-461), provided the total combined modification does not exceed 30 feet;

where a major improvement to the Union Street subway station consisting of one new off-street station entrance with an accessible route for persons with physical disabilities between two levels servicing the southbound platform is provided.

Prior to issuing such a certification, the Chairperson shall be provided with a letter and legal instrument as set forth in paragraph (e) of Section 139-463. The #development# shall also be subject to the recordation and completion procedures set forth in paragraph (f) of Section 139-463.

[Note: the provisions of Section 139-463 will be removed upon adoption of similar provisions in Elevate Transit – Zoning for Accessibility.]

139-463

Authorization for transit improvements

In #Commercial Districts# with a residential equivalent of an R9 District, for all #developments# or #enlargements# on a #zoning lot# that is wholly or partially located within 500 feet of a subway station, the City Planning Commission may authorize a #floor area# bonus not to exceed 20 percent of the basic maximum floor area ratio permitted by Section 139-21 (Floor Area Regulations), and may modify the maximum #building height# permitted by Section 139-23 (Special Height and Setback Regulations), provided the modification does not exceed 30 feet, and street wall location requirements of Section 139-23 (Special Height and Setback Regulations) and the street wall continuity provisions of Section 139-41 (Ground Floor Level

Requirements) where major improvements to adjacent subway stations are provided in accordance with the provisions of this Section.

The selection of subway station improvements shall be on a case-by-case basis and shall be subject to the approval of the Metropolitan Transportation Authority (MTA), and the City Planning Commission. All such improvements shall comply with all applicable design standards of the current station planning guidelines of MTA.

(a) Pre-application requirements

Prior to submitting an application for an authorization pursuant to this Section, the applicant shall submit a schematic or concept plan for the proposed improvement to the MTA and the Chairperson of the City Planning Commission.

(b) Requirements for application

An application for an authorization pursuant to this Section shall include a letter from MTA to the City Planning Commission containing conceptual approval of the improvement and a statement of any special considerations regarding MTA's future operation of the improvement. The applicant shall submit all information and justification sufficient to enable the City Planning Commission to:

- (1) evaluate the benefits to the City;
- (2) determine the appropriate amount of bonus #floor area#; and
- (3) where applicable, assess the advantages and disadvantages of waiving or modifying #street wall# continuity requirements.

(c) Conditions

- (1) The additional #floor area# authorized shall not exceed 20 percent of the basic maximum #floor area ratio# established in Row G of the table in Section 139-211 (Basic floor area regulations).
- (2) The amount of modification to the maximum #building height# established in Section 139-23 (Special Height and Setback Regulations) shall not exceed 20 percent of the maximum #building height#.

(d) Findings

- (1) In determining the amount of #floor area# bonus, the City Planning Commission shall consider the degree to which:

- (i) the general accessibility and security of the subway station will be improved by the provision of new connections, additions to or reconfigurations of circulation space, including provision of escalators or elevators; and
 - (ii) significant improvements to the station's environment by increasing direct daylight access, or improvements to noise control, air quality, lighting or rider orientation and satisfactory integration of the #street# level entryway into the #development# or #enlargement# will occur.
- (2) In determining #bulk# modifications, the City Planning Commission shall find that such modifications would not unduly obstruct the light and air of neighboring properties.
 - (3) In determining modifications to ground floor level requirements, the City Planning Commission shall find that the provisions of a subway improvement cannot be accommodated without modification to these requirements.
 - (4) In determining modifications to #street wall# provisions, the Commission shall find that the modification will permit the proposed design to provide for access of daylight and air to the subway platform, mezzanine or concourse and that the advantages of such access outweigh the disadvantages incurred by the interruption of #street wall# and retail continuity.
- (e) Procedural requirements

Prior to the granting of an authorization, the City Planning Commission shall be provided with the following:

- (1) a letter from MTA stating that the drawings and other documents submitted by the applicant have been determined by MTA to be of sufficient scope and detail to fix and describe the size and character of the subway improvement as to architectural, structural, mechanical and electrical systems, materials, relationship to existing site conditions and such other conditions as may be appropriate, and that the construction of the subway improvement in accordance with such submission is feasible; and
- (2) a legally enforceable instrument, acceptable to the Department of City Planning, running with the land and signed by the applicant and all parties in interest, other than parties in interest who have waived and subordinated their interests, containing complete drawings of the improvement and setting forth the obligations of owner and developer, their successors and assigns, to construct and

provide capital maintenance for the improvement, establish a construction schedule and provide a performance bond for completion of the improvement.

(f) Recordation and completion procedures

Any instrument creating a transit easement on the #zoning lot# pursuant to paragraph (e)(2) of Section 139-462 shall be recorded against the #zoning lot# receiving the #floor area# bonus in the Office of the Register of the City of New York and a certified copy of the instrument shall be submitted to the City Planning Commission and MTA. The applicant shall not apply for nor accept a temporary certificate of occupancy for the bonus #floor area#, and the Department of Buildings shall not issue such a temporary certificate of occupancy, until MTA has determined that the bonused subway improvement is substantially complete which shall, for this purpose, mean open to and usable by the public.

The applicant shall not apply for or accept a permanent certificate of occupancy for the #development# or #enlargement#, nor shall the Department of Buildings issue such permanent certificate of occupancy, until the bonused subway improvement has been completed in accordance with the approved plans and such completion has been certified by MTA.

The Commission may prescribe additional appropriate conditions and safeguards to enhance the character of the surrounding area.

139-47

Authorization for sites containing schools

For #zoning lots# containing #schools# regulated by the provisions of Section 139-214 (Special provisions for zoning lots containing schools), the City Planning Commission may authorize the modification of any #bulk# regulation, including the amount of floor space exempted from the definition of #floor area# by Section 139-214, in order to better accommodate a #school# upon such #zoning lot#.

(a) Conditions

(1) No modification to the maximum #building# height shall exceed 30 feet; and

(2) No modification to the amount of floor space exempted from the definition of #floor area# shall exceed an additional 60,000 square feet of floor space.

(b) Findings

In determining such modifications, the Commission shall find:

- (1) such modification is the least modification required to achieve the purpose for which it is granted;
- (2) the proposed modification does not impair the essential character of the surrounding area; and
- (3) the proposed modification will not have adverse effects upon light, air, and privacy of adjacent properties and of any existing #buildings# on the #zoning lot#.

Applications for authorizations shall be referred to the affected Community Board for a period of at least 30 days for comment. The Commission shall grant in whole or in part or deny the application within 60 days of the completion of the Community Board review period.

139-48

Authorization for Large Mixed-use Sites

In Subdistrict B, for #developments# on #zoning lots# located in a #Mixed-Use District#, on a #zoning lot# greater than 40,000 square feet in #lot area#, the City Planning Commission may authorize the modification of the regulations set forth in paragraph (a) of this Section to facilitate a #development# that will result in a mix of #predominantly# non-#residential uses# on the #zoning lot#, provided that the findings set forth in paragraph (b) of this Section are met.

(a) Modifications

The Commission may modify the following regulations:

- (1) the #use# regulations of this Chapter, limited to ground floor #use# regulations and supplemental #use# regulations;
- (2) the #bulk# regulations of this Chapter, except #floor area ratio# regulations, provided that any modifications to height and setback regulations do not exceed the heights permitted in an M1-4 District as set forth in Section 43-43; and
- (3) the parking regulations related to the number of required #accessory# off-street parking spaces and the location and spacing of curb cuts.

(b) Findings

In order to grant such authorization, the Commission shall find that:

- (1) where modifying #bulk# regulations, such modifications shall result in a superior configuration of non-#residential uses# within the #building# than would be feasible by applying the #Special Gowanus Mixed Use District# regulations;
- (3) where modifying ground floor #use# regulations, the advantages of an off-street loading and access outweigh the disadvantages incurred by the interruption of retail continuity; and
- (4) where modifying supplemental #use# and parking regulations, that such modifications would present a limited interruption and would not create serious vehicular traffic congestion that would adversely affect the surrounding area.

Upon completion of the #development#, the #zoning lot# shall remain occupied by #predominantly# non-#residential use#. Such requirements shall be reflected in a notice of restrictions recorded against all tax lots comprising such #zoning lot#, and a copy of such notice shall be provided to the Department of Buildings.

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

139-50 **GOWANUS CANAL WATERFRONT ACCESS PLAN**

The provisions of Article VI, Chapter 2 (Special Regulations Applying in the Waterfront Area), shall apply, except as superseded, supplemented or modified by the provisions of this Section, inclusive.

The boundaries of the area comprising the Gowanus Canal Waterfront Access Plan, and the location of certain features mandated or permitted by the Plan, are shown on the maps in Appendix B of this Chapter.

The waterfront access plan has been divided into Parcels as shown on Map 1 of Appendix B of this Chapter, consisting of tax #blocks# and lots existing on [date of referral], as follows:

- Parcel 1: Block 417, Lots 1, 10, 14, 21
- Parcel 2: Block 424, Lots 1, 20

- Parcel 3: Block 431, Lots 1, 2, 5, 6, 7, 12, 17, 43
Parcel 4: Block 425, Lot 1
Block 432, Lots 15, 25, 7501
Parcel 5: Block 439, Lot 1
Parcel 6: Block 438, Lots 1, 2, 3, 7
Block 445, Lots 1, 7, 8, 11, 20, 50
Parcel 7: Block 452, Lots 1, 5, 19
Block 458, Lot 1
Parcel 8a: Block 453, Lots 1, 21
Parcel 8b: Block 453, Lot 26
Parcel 8c: Block 453, Lots 30, 31, 32, 33, 35, 36, 38, 39, 41, 42, 43, 44, 44, 45, 46,
48, 49, 50, 51
Parcel 8d: Block 453, Lot 54
Parcel 9: Block 967, Lot 1
Parcel 10: Block 967, Lot 24
Parcel 11: Block 972, Lots 1, 43, 58
Parcel 12: Block 462, Lots 1, 3, 4, 5, 6, 8, 9, 12, 14, 42, 44, 50, 51
Parcel 13: Block 466, Lot 19
Parcel 14a: Block 466, Lots 17, 60
Parcel 14b: Block 466: Lot 1
Parcel 14c: Block 466, Lot 46
Parcel 15a: Block 471, Lot 125
Parcel 15b: Block 471, Lot 104, 110, 114, 116
Parcel 16: Block 471, Lots 1, 100
Parcel 17: Block 471, Lot 200

For the purposes of this Section, inclusive, the definition of #development# shall be as set forth in Section 62-11 (Definitions).

139-51

Area-Wide Modifications

The provisions of Article VI, Chapter 2 (Special Regulations Applying in the Waterfront Area) shall be modified in the area comprising the Gowanus Canal Waterfront Access Plan by the provisions of this Section.

(a) All #waterfront public access areas#

(1) Balconies

Balconies complying with the provisions of Section 23-132 (Balconies in R6 through R10 Districts) shall be permitted obstructions in #waterfront public access areas#, provided the depth of obstruction is limited to four feet, and provided they are located at or above the floor level of the third #story# above grade of the #building#.

(2) Sun control devices

Awnings and other sun control devices shall be permitted obstructions in #waterfront public access areas#. However, when located at a level higher than the first #story#, excluding a #basement#, all such devices:

- (i) shall be limited to a maximum projection from a #building# wall of 2 feet, 6 inches; and
- (ii) shall have solid surfaces that, in aggregate, cover an area no more than 30 percent of the area of the #building# wall (as viewed in elevation) from which they project.

(3) Kiosks

Where a #supplemental public access area# exceeds 15,000 square feet, a kiosk shall be a permitted obstruction in such #supplemental public access area# with an area up to 400 square feet, including roofed areas.

(b) #Shore public walkways#

(1) Width of circulation paths

#Shore public walkways# shall provide a required circulation path with a minimum clear width of 10 feet. Secondary paths, where provided, shall have a minimum clear width of at least 4.5 feet.

(2) Level of circulation paths

At least 80 percent of a required circulation path shall be located at a level no less than six feet above the #shoreline#. However, up to 40 percent of such required circulation path may be provided below such level when providing access to a “get-down” located no more than two feet above the level of the #shoreline#.

(3) Access to circulation paths

The provisions of paragraph (a)(1) of Section 62-62 (Design Requirements for Shore Public Walkways and Supplemental Public Access Areas) shall apply, except that where a #shore public walkway# is on a #zoning lot# that is adjacent to a #zoning lot# which has not been improved with a #shore public walkway#, the portion of the circulation path that terminates at the common #zoning lot line# may be located within 40 feet of the shoreline.

In addition, for #zoning lots# adjoining #streets# containing bridge structures, the required connection of circulation paths to such a #street# may be waived by certification by the Department of Transportation, pursuant to Section 139-44 (Bridge Connection Requirements).

(4) Grading

The provisions of paragraph (d)(2) of Section 62-61 (General Provisions Applying to Waterfront Public Access Areas) shall be modified so that within five feet of the edge of any planting area, the grade level of such planting area shall be no more than 36 inches higher or lower than the adjoining level of the pedestrian circulation path.

(c) #Supplemental public access areas#

(1) Lawns

The provisions of paragraph (c)(1) of Section 62-62 shall be modified such that a lawn shall only be required where a #supplemental public access area# is greater than 15,000 square feet. The Commission may authorize use of artificial turf within a lawn pursuant to Section 62-822 (Modification of waterfront public access area and visual corridor requirements).

Where required, a lawn may be substituted for a publicly accessible field of equivalent size, which may be unplanted, and shall be suitable for active recreational use.

(2) Comfort stations

Where a publicly-accessible comfort station is provided as part of a #development#, the amount of #supplemental public access area# may be reduced by an amount equal to the size of the comfort station, provided that:

- (i) the comfort station has an entrance fronting upon a #waterfront public access area#; and

- (ii) a restrictive declaration, acceptable to the Department of City Planning and Department of Parks and Recreation, shall be executed and recorded, binding the owners, successors and assigns to provide and maintain such comfort station for the life of the #development#.

(d) Screening

Wherever a screening buffer is required to be provided, the minimum width of such buffer shall be four feet.

In addition to the waiver allowances of paragraph (c)(2)(iii) of Section 62-62, no screening buffer shall be required along the upland boundary, or portion thereof, which is adjacent to an unenclosed seating area #accessory# to a #Gowanus retail and entertainment use#. Where a screening buffer is so waived, design features shall be utilized to demarcate the #shore public walkway# or #supplemental public access area# from the non-publicly accessible area, which may include, but shall not be limited to, railings, fences, planting boxes, and distinct paving materials.

(e) #Street# treatment

For #streets#, or portions thereof, located within the Gowanus Canal Waterfront Access Plan, the portion of the #street# that is adjacent to a #shore public walkway# shall be improved as upland access, for a depth equivalent to the adjacent #shore public walkway#. This upland access area shall be designed to include, at a minimum, the following design elements:

- (1) a foot path with a minimum clear width of ten feet, providing a connection to both the sidewalk located in the #street# as well as to the adjacent #zoning lot#;
- (2) eight linear feet of seating complying with Section 62-652 (Seating) for every 30 feet of #shoreline# upon which the #street# fronts; and
- (3) planted areas, containing planting or trees complying with Section 62-655 (Planting and trees) and occupying no less than 25 percent of the continuation area.

The provisions of this paragraph (e) shall not apply to portions of #streets# which will be improved pursuant to a site plan approved prior to [date of adoption].

(f) Bulkheads

Wherever the United States Environmental Protection Agency requires the installation of a bulkhead in a location seaward of the #zoning lot line#, the area located between the

#lot line# and bulkhead may be utilized for the purposes of satisfying the #waterfront public access area# requirements of the #zoning lot#. Where the provisions of this paragraph (f) are utilized, the location of the bulkhead shall be considered the #shoreline# for the purposes of providing the required #waterfront public access areas#.

139-52 **Special Public Access Provisions**

The provisions of Sections 62-50 (GENERAL REQUIREMENTS FOR VISUAL CORRIDORS AND WATERFRONT PUBLIC ACCESS AREAS) and 62-60 (DESIGN REQUIREMENTS FOR WATERFRONT PUBLIC ACCESS AREAS) are modified at the following designated locations which are shown on Map 1 in Appendix B of this Chapter.

139-521 **Parcels 4, 5, 13, 14 and 15**

On Parcels 4, 5, 13, 14 and 15, where a #shore public walkway# is required, such #shore public walkway# shall have a minimum width of 30 feet. The required minimum depth of a #waterfront yard# shall be 30 feet.

139-522 **Parcel 8**

On Parcels 8a, 8b, and 8d, where a #shore public walkway# is required, such #shore public walkway# shall have a minimum width of 20 feet. The required minimum depth of a #waterfront yard# shall be 30 feet, except that for #waterfront yards# adjoining the First Street Basin, the minimum depth shall be 20 feet. An area equal to at least 25 percent of the area of the #shore public walkway# shall be planted, and one linear foot of seating shall be provided for every 125 feet of frontage along the Gowanus Canal.

139-523 **Parcel 12**

On Parcel 12, where a #supplemental public access area# adjoining an #upland connection# or #street# is provided, such #supplemental public access area# shall be permitted to be provided

with a maximum width to depth ratio of 3:1, and the longest side shall be permitted to adjoin the #street#.

139-524

Parcel 14

On Parcel 14a, a #supplemental public access area# shall be provided along the entire length of the #lot line# adjoining Parcel 13, connecting the #street# to the #shore public walkway#, and shall comply with the design reference standards applicable to a Type 1 #upland connection# set forth in Section 62-64 (Design Requirements for Upland Connections). Such #supplemental public access area# may coincide with a #visual corridor# required pursuant to Section 139-53 (Special Visual Corridor Provisions).

139-525

Parcel 17

On Parcel 17, the total #lot area# utilized in the calculation of required #supplemental public access area# shall include all #zoning lot# portions located within Parcel 17, including portions of a #zoning lot# located within a #street#.

139-53

Special Visual Corridor Provisions

The provisions of Sections 62-512 (Dimension of visual corridors) and 64-82 (Modification of Waterfront Regulations Relating to Level of Yards, Visual Corridors and the Ground Floor) shall be modified by the provisions of this Section.

The lowest level of a #visual corridor# shall be determined by establishing a plane connecting the two points along the #street lines# from which the #visual corridor# emanates at an elevation five feet above #curb level# with the two points where the prolonged #street lines# intersect the #shoreline#, stabilized natural shore, bulkhead, upland edge of a #waterfront yard# raised pursuant to the provisions of paragraph (a) of Section 62-512, or the #base plane# of a #pier# or #platform#, whichever intersection occurs first. Such plane shall then continue horizontally seaward from the line of intersection. #Visual corridors# that are not prolongations of mapped #streets# shall be determined by establishing a plane connecting an elevation five feet above #curb level# at the two points along the #lot line# from which the #visual corridor# emanates with the two points of intersection at the #shoreline#, stabilized natural shore, bulkhead, upland

edge of a #waterfront yard# raised pursuant to the provisions of paragraph (a) of Section 62-512, or the #base plane# of a #pier# or #platform#, whichever intersection occurs first.

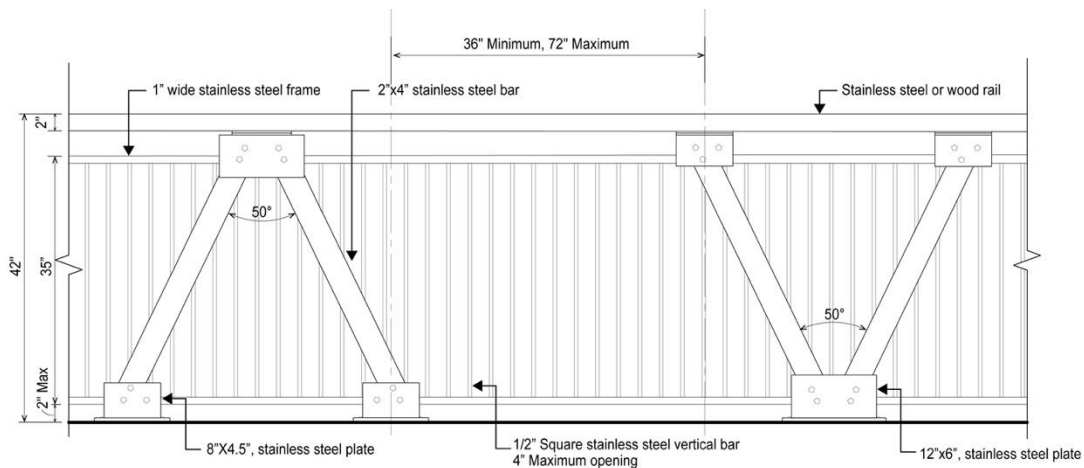
139-54 **Special Design Standards**

The design requirements of Section 62-60 (DESIGN REQUIREMENTS FOR WATERFRONT PUBLIC ACCESS AREAS) are modified by the provisions of this Section, inclusive.

139-541 **Special design standards for guardrails**

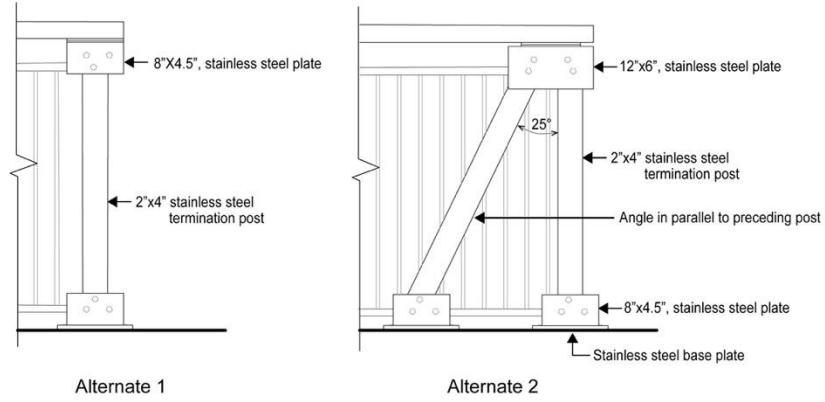
In addition to the provisions of paragraph (a) of Section 62-651 (Guardrails, gates and other protective barriers), guardrails shall comply with the illustrations provided in either paragraph (a) or (b) of this Section, or shall be of a comparable design which is the minimum modification needed. Where modification is sought, it shall be deemed suitable by the Chair of the City Planning Commission in consultation with the NYC Department of Parks and Recreation (DPR).

(a) Option 1: vertical bar guardrail

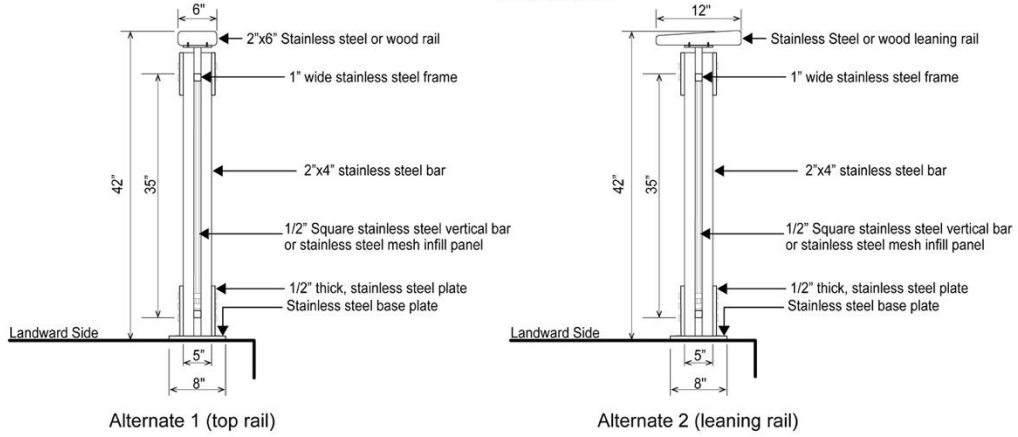


GUARDRAIL (TYPICAL)
Front Elevation

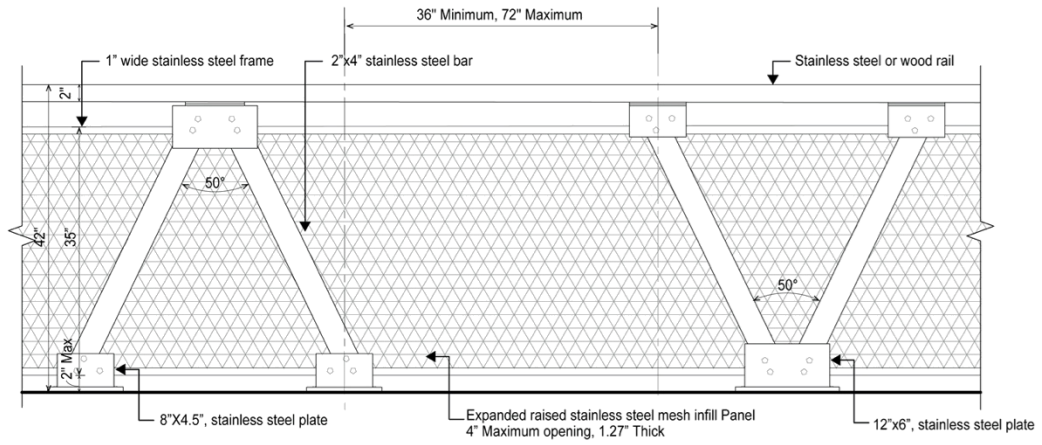
GUARDRAIL TERMINATION
Front Elevation



GUARDRAIL (TYPICAL)
Side Elevation

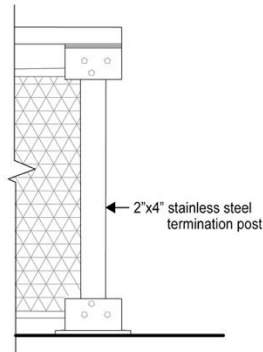


(b) Option 2: mesh guardrail

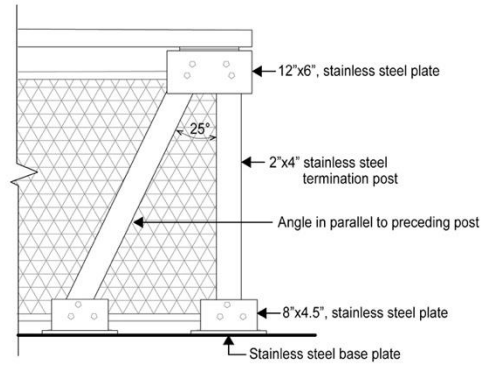


GUARDRAIL (TYPICAL)
Front Elevation

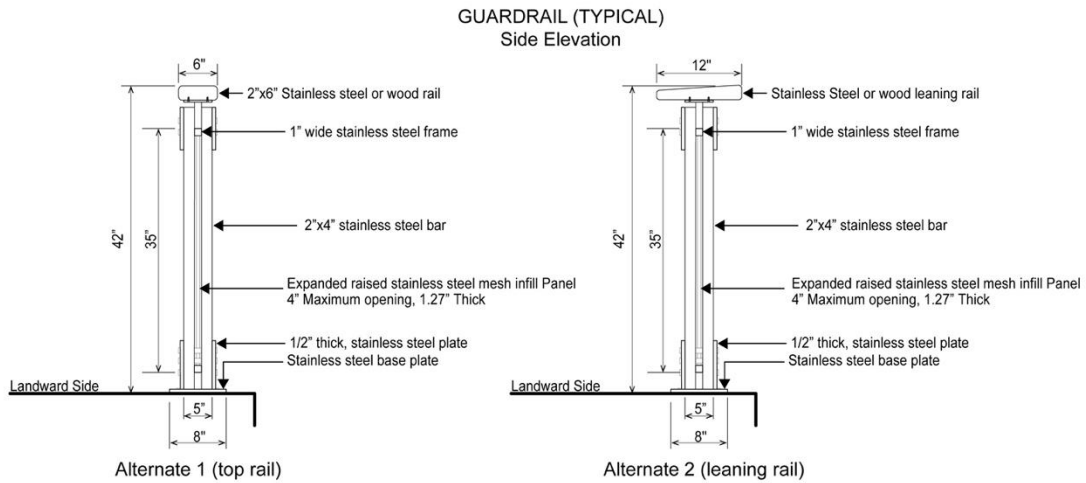
GUARDRAIL TERMINATION
Front Elevation



Alternate 1



Alternate 2



All guardrail components and hardware shall be in unpainted stainless steel and shall conform to any additional standards set forth by DPR.

139-542

Special design standards for seating

The design requirements of paragraph (b) of Section 62-62 (Design Requirements for *Shore Public Walkways* and *Supplemental Public Access Areas*) and the design reference standards of 62-652 (Seating) shall be modified as follows:

(a) Design feature seating

Planter ledges, seating walls, and seating steps may be provided, and shall be limited to 50 percent of the required seating. Walls and planter ledges shall be flat and smooth with at least one inch radius rounded edges.

(b) Seating depth

For all #waterfront public access areas#, the minimum seat depth requirement of paragraph (b) of Section 62-652 shall be modified to 16 inches.

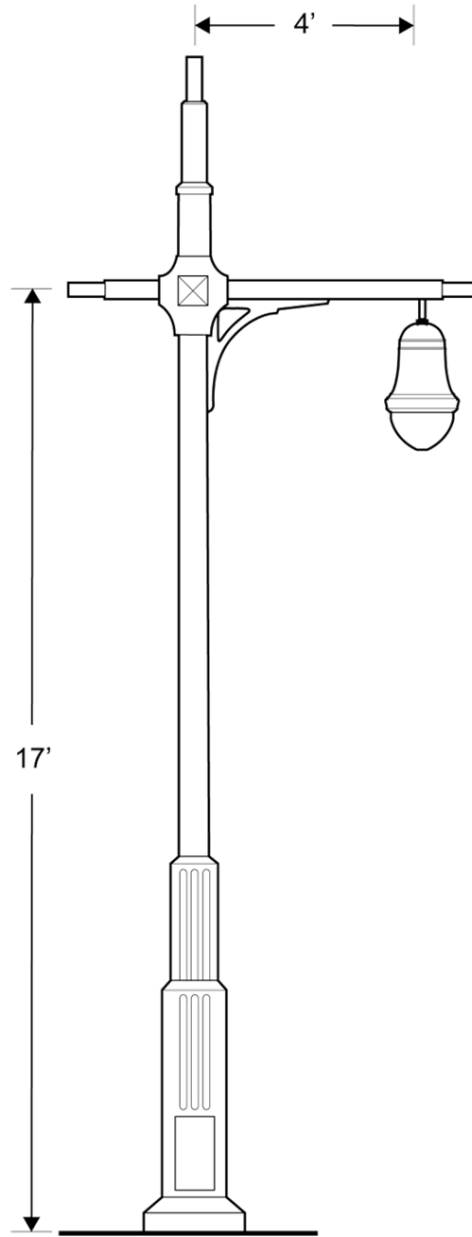
139-543

Special design standards for lighting

The lighting requirements of 62-653 (Lighting) shall be modified such that an average maintained level of illumination not less than 0.5 horizontal foot candle (lumens per foot) shall be provided throughout all walkable areas, and the average illumination to minimum foot candle uniformity ratio shall be no greater than 6:1 within any #waterfront public access area#.

In addition, fixtures providing the required lighting along any public access area shall comply with the lightpost illustration in this Section, or shall be of a comparable design which is the minimum modification needed. Where modification is sought, it shall be deemed suitable by the Chair of the City Planning Commission in consultation with the by the New York City Department of Transportation (DOT).

Fixtures providing supplemental lighting beyond the requirements of this Section need not comply with this illustration.



LIGHTPOST
Side Elevation

The lightpost shall conform to the street lighting standard drawings for a 17 foot “TBTA” short pole with “Tear Drop Luminaire” set forth by the DOT.

139-544**Special design standards for planting**

The design requirements of paragraph (c)(1) of Section 62-62(c)(1) (Design Requirements for Shore Public Walkways and Supplemental Public Access Areas) and the design reference standards of Section 62-655 (Planting and trees) shall be modified as follows:

(a) Reduction in planting requirement

An area equal to at least 35 percent of the area of the #shore public walkway# and #supplemental public access area# shall be planted. Such planting area may be reduced to 30 percent if an amenity is provided in accordance with the following tables:

TABLE 1

<u>Amenity</u>	<u>Reduction per feature (in square feet)</u>
<u>Picnic tables</u>	<u>22 square feet</u>
<u>Historic interpretation elements</u>	<u>20 square feet</u>
<u>Public art pieces</u>	<u>100 square feet</u>
<u>Fountains and water features</u>	<u>150 square feet</u>

TABLE 2

<u>Amenity</u>	<u>Ratio of reduction to size of feature (in square feet)</u>
<u>Active recreation courts</u>	<u>1:1</u>
<u>Tot-lots and playgrounds</u>	<u>1:1</u>
<u>Dog runs</u>	<u>1:1</u>
<u>Boat or kayak launches</u>	<u>1:1.5</u>
<u>Interactive water features</u>	<u>1:1.5</u>

(b) Shade tree substitution

Where shade trees are required, no more than one required shade tree may be substituted by a shading element covering at least 450 square feet, when viewed in plan.

139-545

Special design standards for paving

The design reference standards of Section 62-656 (Paving) shall be modified as follows:

(a) #Upland connections#

Paving for driveways and pedestrian paths located within Type 2 #upland connections# shall be subject to the “shared street” standards of the New York City Department of Transportation for roadbeds and sidewalks.

In addition, where a Type 2 #upland connection# is provided with a vehicular turnaround, the paved area of the vehicular turnaround shall be designed with at least two different paving materials, or a single material with at least two different unit paver or slab sizes.

(b) Dimensional requirements

The maximum sizes for unit pavers or concrete slabs shall not apply.

139-55

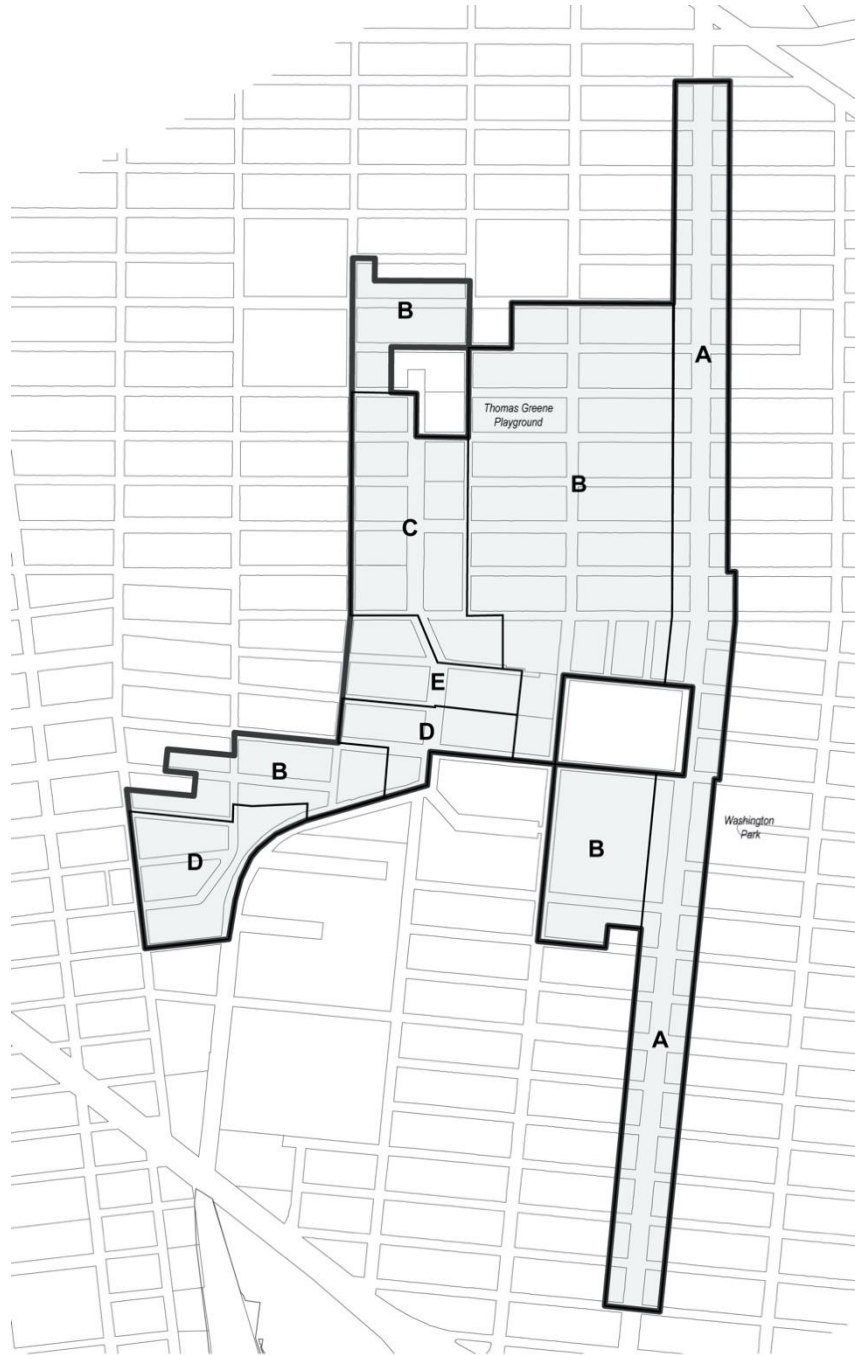
Special Signage Regulations

Any #accessory sign# that is provided adjacent to any #waterfront public access area# shall be limited to a single non-illuminated #sign#, indicating only the name or address of the #building# or commercial establishment to which it is #accessory#, not exceeding 16 inches in height.

APPENDIX A

Special Gowanus Mixed Use District Plan

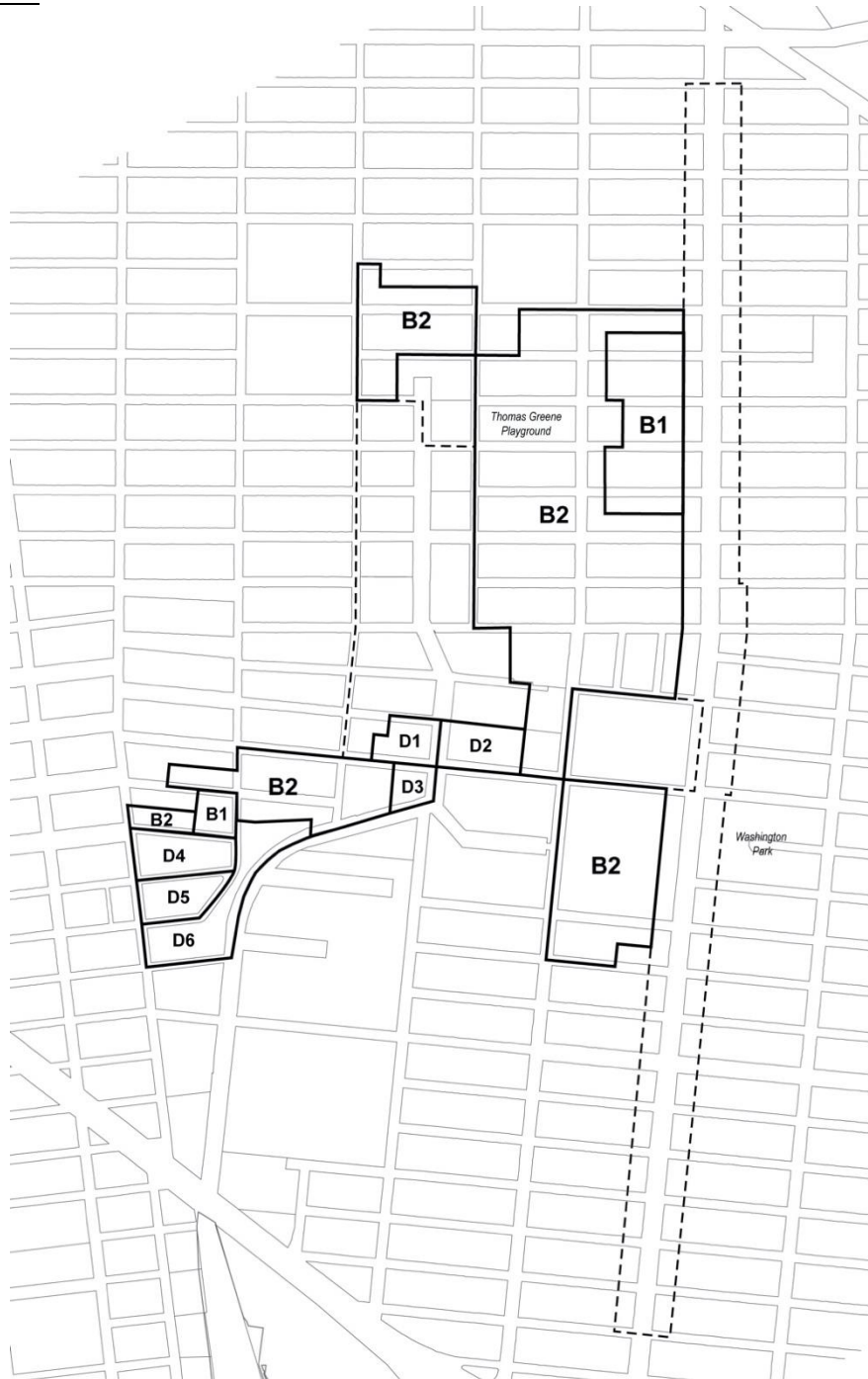
Map 1: Subdistricts



— Special Gowanus Mixed Use District
— Subdistricts



Map 2: Subareas



----- Special Gowanus Mixed Use District
—— Subareas



Map 3: Ground Floor Use Requirements

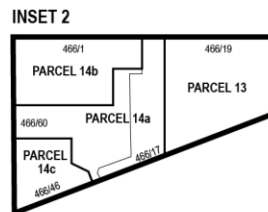
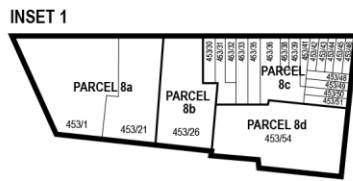
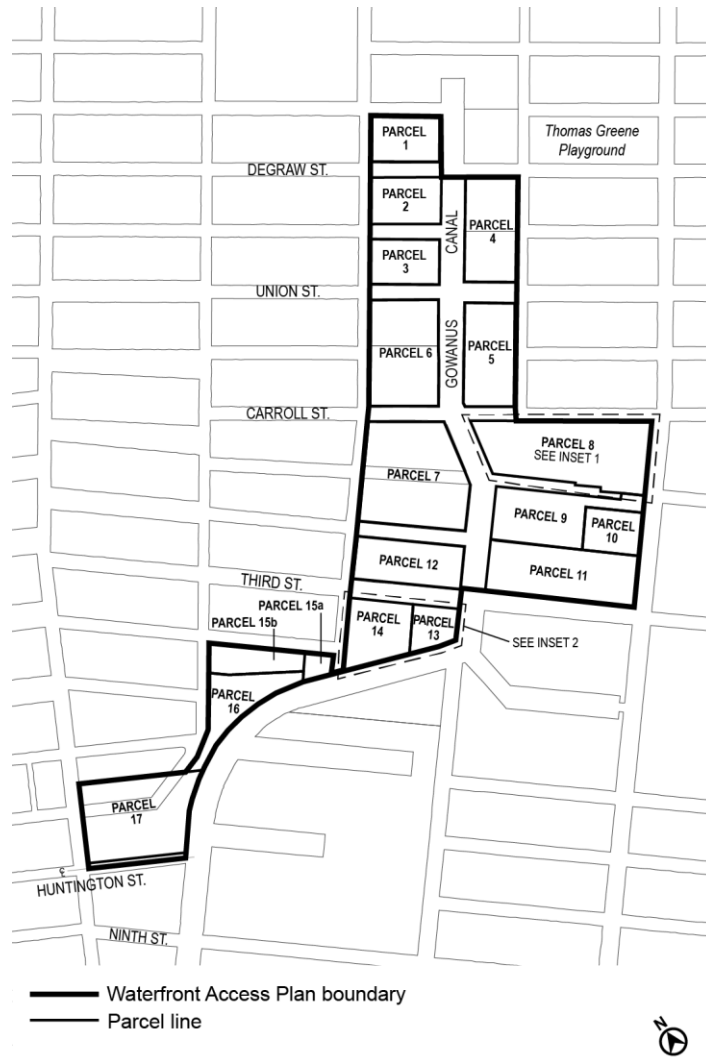


Map 4: Sidewalk Widening Lines



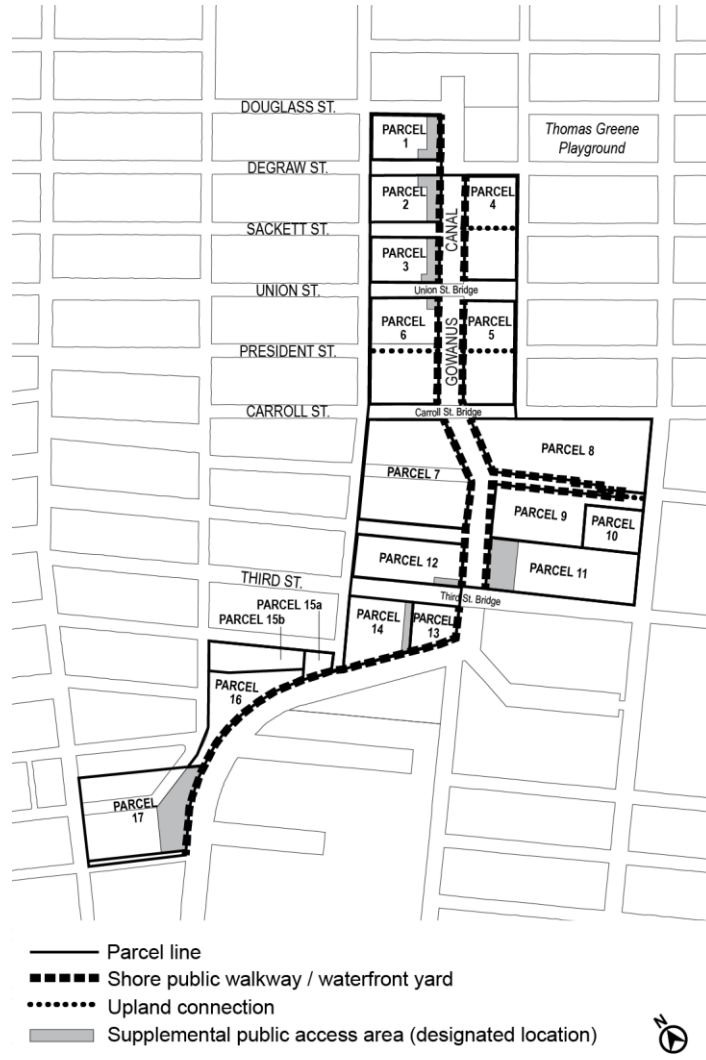
APPENDIX B Gowanus Canal Waterfront Access Plan

Map 1: Parcel Designation

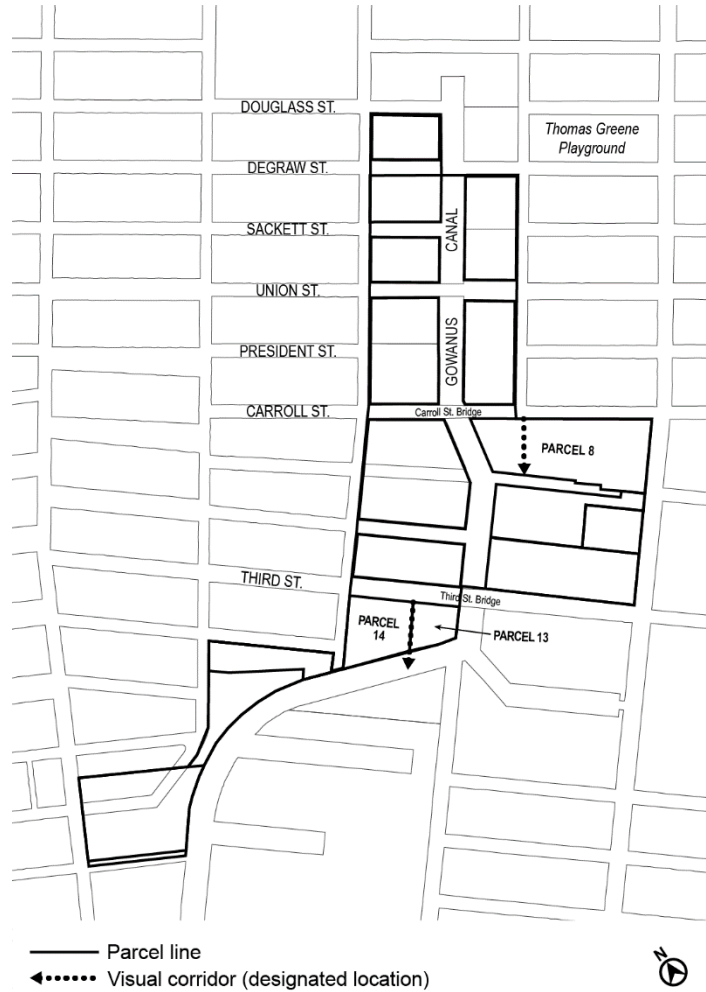


— Tax lot line
453/40 Tax block / lot number

Map 2: Public Access Elements



Map 3: Designated Visual Corridors



* * *

APPENDIX F

Inclusionary Housing Designated Areas and Mandatory Inclusionary Housing Areas

* * *

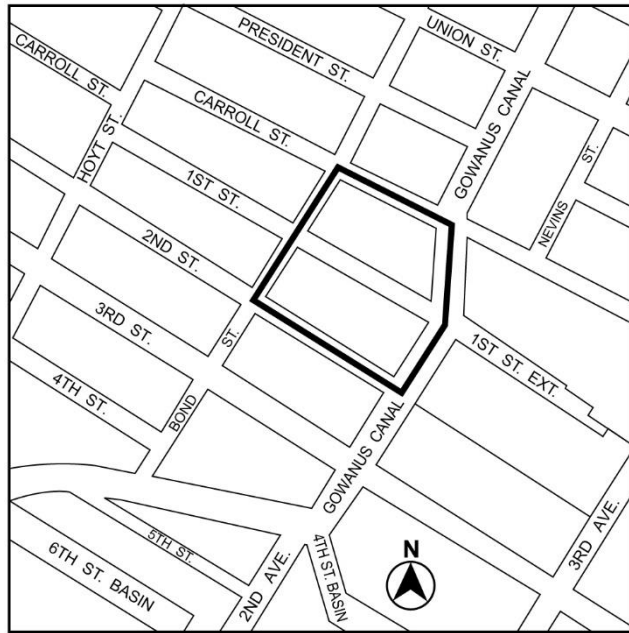
BROOKLYN

* * *

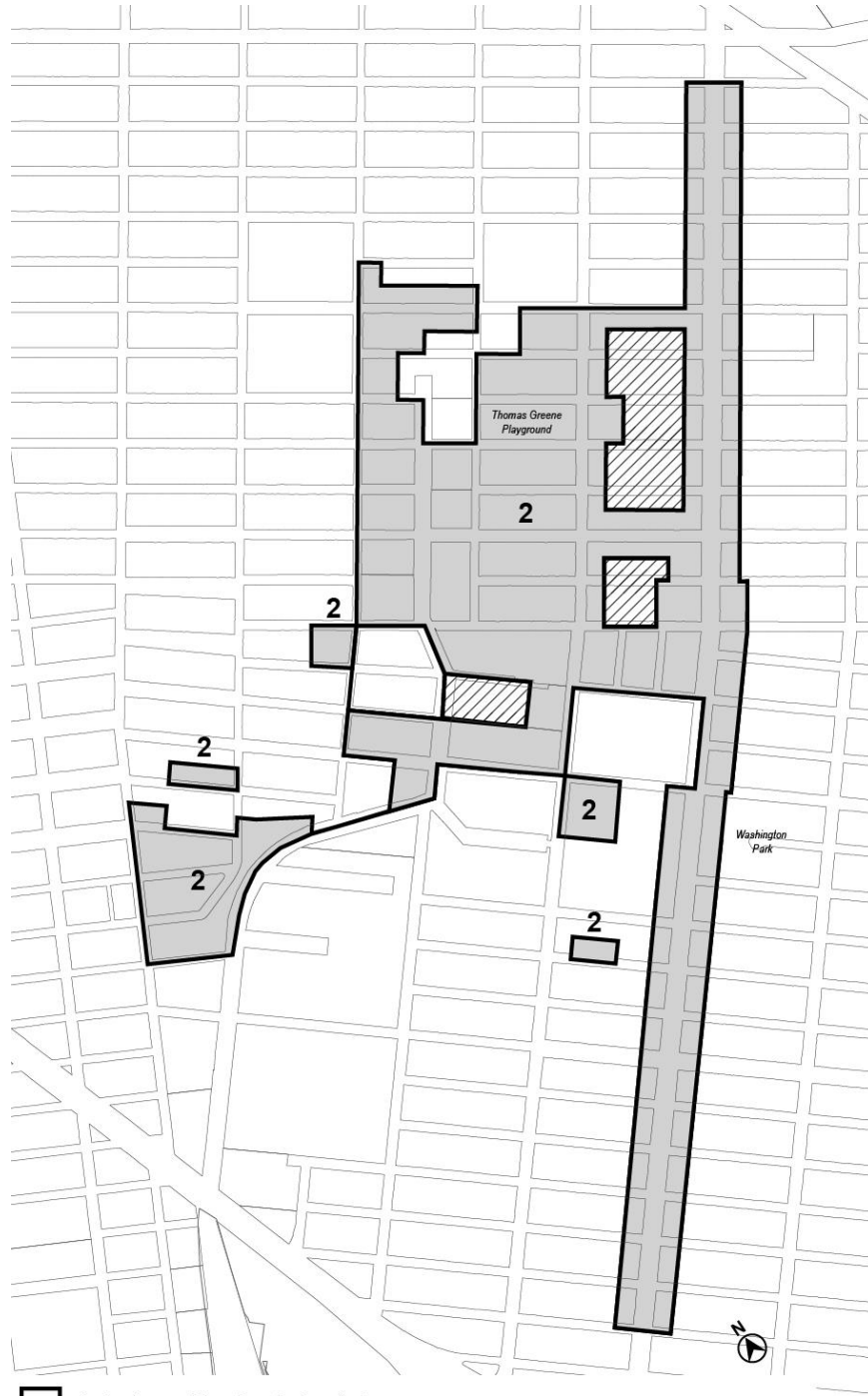
Brooklyn Community District 6




Map 1 - (3/11/09) [date of adoption]

[EXISTING MAP]



[PROPOSED MAP]



-  Inclusionary Housing designated area
-  Mandatory Inclusionary Housing Program area *see Section 23-154(d)(3)*
Area 2 [date of adoption] - MIH Program Option 1, Option 2, Deep Affordability Option
-  Excluded Area

Portion of Community District 6, Brooklyn

* * *

Resolution for adoption scheduling July 28, 2021 for a public hearing.

No. 7

CD 6

C 210179 MMK

IN THE MATTER OF an application submitted by the New York City Department of City Planning pursuant to Sections 197-c and 199 of the New York City Charter for an amendment to the City Map involving:

- 1) the establishment of Hoyt Street between 5th Street and Nelson Street;
- 2) the establishment of Luquer Street and Nelson Street between Smith Street and the Gowanus Canal;
- 3) the elimination, of a 7th Street between Smith Street and The Gowanus Canal;
- 4) the elimination of Public Place;
- 5) the establishment of legal grades;
- 6) 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 No. X-2754 dated December 7, 2020 and signed by the Borough President.

Resolution for adoption scheduling July 28, 2021 for a public hearing.

No. 8

CD 6

C 210180 MMK

IN THE MATTER OF an application submitted by the New York City Department of City Planning and the New York City 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:

- 1) the establishment of Park within the area bounded by Huntington Street, Smith Street,

Nelson Street, Hoyt Street, 4th Street, Bond Street and The Gowanus Canal;

2) 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-2755 and X-2756 dated December 7, 2020 and signed by the Borough President

Resolution for adoption scheduling July 28, 2021 for a public hearing.

No. 9

CD 6

C 210053 PPK

IN THE MATTER OF an application submitted by the New York City Department of Citywide Administrative Services (DCAS), pursuant to Section 197-c of the New York City Charter, for the disposition of city-owned property, located at 276 4th Avenue (Block 456, Lot 29), pursuant to zoning.

Resolution for adoption scheduling July 28, 2021 for a public hearing.

No. 10

CD 6

C 210052 HAK

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

1) pursuant to Article 16 of the General Municipal Law of New York State for:

- a. the designation of property located at 5th Street and 431 Hoyt Street (Block 471, Lots 1 and 100) as an Urban Development Action Area; and
- b. Urban Development Action Area Project for such area; and

- 2) pursuant to Section 197-c of the New York City Charter for the disposition of such property to a developer to be selected by HPD;

to facilitate an affordable mixed-use development with approximately 950 units.

Resolution for adoption scheduling July 28, 2021 for a public hearing.

NOTICE

On Wednesday, July 28, 2021, a public hearing is being held by the City Planning Commission (CPC), accessible both in person and remotely, in conjunction with the above ULURP hearing to receive comments related to a Draft Environmental Impact Statement (DEIS) concerning an application by The City of New York. The City of New York, acting through the Department of City Planning (DCP), together with the Department of Housing Preservation and Development, the Department of Parks and Recreation, and the Department of Citywide Administrative Services is proposing a series of land use actions—including zoning map amendments, zoning text amendments, City Map amendments, and disposition of City-owned property (collectively, the “Proposed Actions”)—to implement land use and zoning recommendations in the Gowanus Rezoning and Related Actions. The area subject to the Proposed Actions (the “Project Area”) is generally bounded by Bond, Hoyt, and Smith Streets to the west; 3rd and 4th Avenues to the east; Huntington, 3rd, 7th, and 15th Streets to the south; and Warren, Baltic, and Pacific Streets to the north. The Proposed Actions would affect an approximately 81-block area of the Gowanus neighborhood of Brooklyn, Community Districts 2 and 6. Overall, the Proposed Actions are expected to result in a net increase of approximately 8,500 dwelling units (DU), 735,000 square feet (sf) of commercial space, 251,000 sf of community facility space, and approximately six acres of new open space, including over an acre of newly mapped parkland. The Proposed Actions would result in net decreases of approximately 132,000 sf of warehouse space, 125,000 sf of self-storage space, and 60,000 sf of other industrial space. On privately owned sites, the Proposed Actions could result in a net increase of approximately 7,500 DUs, including approximately 2,000 permanently affordable DUs for lower-income New Yorkers in accordance with the Mandatory Inclusionary Housing Program (MIH). On City-owned sites, the Proposed Actions would result in approximately 1,000 affordable DUs, designated to serve a wide range of incomes.

Written comments on the DEIS are requested and will be received and considered by the Lead Agency through Monday, August 9, 2021.

For instructions on how to submit comments and participate remotely, please refer to the instructions at the beginning of this agenda.

This hearing is being held pursuant to the State Environmental Quality Review Act (SEQRA) and City Environmental Quality Review (CEQR), CEQR No. 19DCP157K.

BOROUGH OF QUEENS

Nos. 11 & 12

62-04 ROOSEVELT AVENUE REZONING

No. 11

CD 2

C 200070 ZMQ

IN THE MATTER OF an application submitted by Woodside 63 Management, LLC and Mare Nostrum Elements, Inc pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 9d:

1. eliminating from an existing R6 District a C1-4 District bounded by Roosevelt Avenue, 63rd Street, a line 100 feet southerly of Roosevelt Avenue, and the northwesterly prolongation of the southwesterly street line of Trimble Road; and
2. changing from an existing R6 to a C4-4 District property bounded by Roosevelt Avenue, 63rd Street and its southerly prolongation, and the northwesterly prolongation of the southwesterly street line of Trimble Road;

as shown on a diagram (for illustrative purposes only) dated April 5, 2021, and subject to the conditions of CEQR Declaration of E-603.

Resolution for adoption scheduling July 28, 2021 for a public hearing.

No. 12

CD 2

N 200069 ZRQ

IN THE MATTER OF an application submitted by Woodside 63 Management, LLC and Mare Nostrum Elements, Inc., 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 underlined is new, to be added;

Matter ~~struck-out~~ 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

* * *

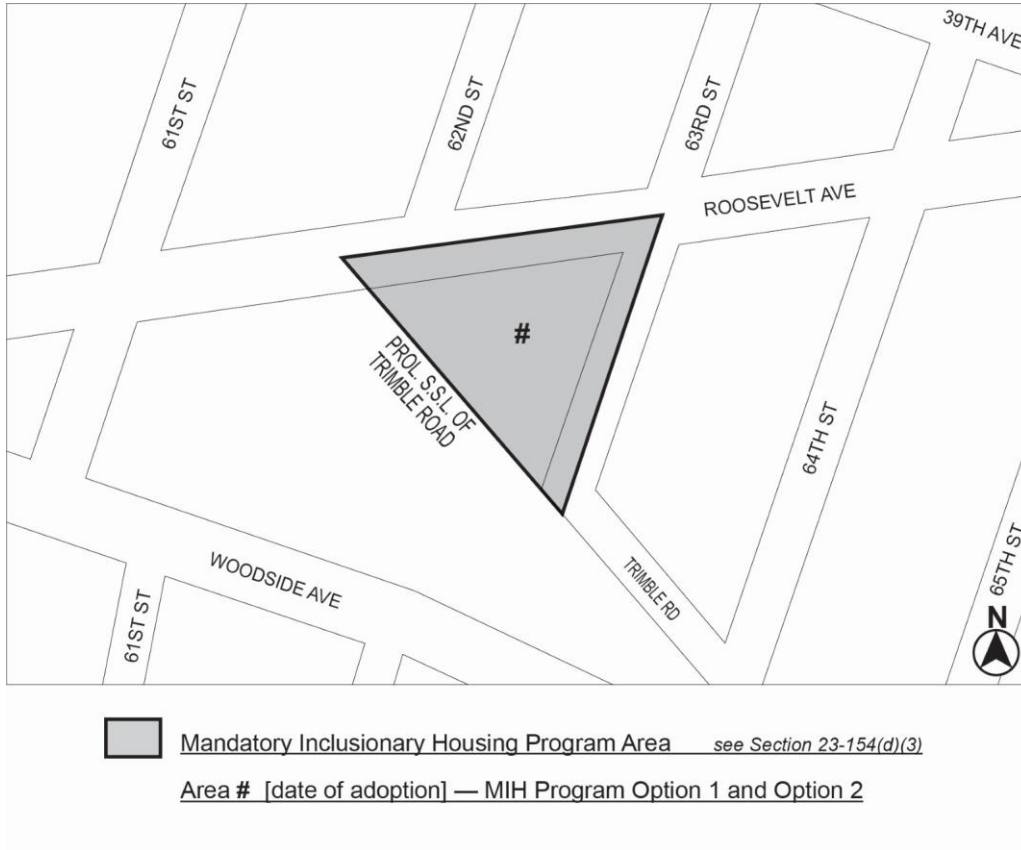
QUEENS

* * *

Queens Community District 2

* * *

Map 5 – [date of adoption]



Portion of Community District 2, Queens

* * *

Resolution for adoption scheduling July 28, 2021 for a public hearing.

No. 13

48-18 VAN DAM TEAMSTERS REZONING

CD 2

C 190260 ZMQ

IN THE MATTER OF an application submitted by 48-18 Van Dam Property Holdings, LLC pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 9b, by changing from an M2-1 District to an M1-5 District property bounded by

48th Avenue, Van Dam Street, Hunters Point Avenue, and 31st Place, as shown on a diagram (for illustrative purposes only) dated April 5, 2021, and subject to the conditions of CEQR Declaration E-608.

Resolution for adoption scheduling July 28, 2021 for a public hearing.

BOROUGH OF MANHATTAN

Nos. 14, 15 & 16

495 ELEVENTH AVENUE

No. 14

CD 4

C 210324 ZMM

IN THE MATTER OF an application submitted by 495 11 Avenue Owner Realty LLC and New York City Economic Development Corporation pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 8d:

1. changing from an M1-5 District to a C6-4 District bounded by West 40th Street, Eleventh Avenue, West 39th Street, and a line 125 feet westerly of Eleventh Avenue, and
2. establishing a Special Hudson Yard District bounded by West 40th Street, Eleventh Avenue, West 39th Street, and a line 125 feet westerly of Eleventh Avenue.

as shown on a diagram (for illustrative purposes only) dated April 19, 2021, and subject to the conditions of CEQR Declaration E-610.

Resolution for adoption scheduling July 28, 2021 for a public hearing.

No. 15

CD 4

N 210325 ZRM

IN THE MATTER OF an application submitted by 495 11 Avenue Owner Realty LLC and the New York City Economic Development Corporation, pursuant to Section 201 of the New York City Charter, for an amendment of the Zoning Resolution of the City of New York, modifying Article IX, Chapter 3 for the purpose establishing a new Subdistrict G within the Special Hudson Yards District, and modifying APPENDIX F, for the purpose of establishing a Mandatory Inclusionary Housing area.

Matter underlined is new, to be added;

Matter struck out 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 DISTRICTS**

**Chapter 3
Special Hudson Yards District (HY)**

* * *

**93-04
Subdistricts and Subareas**

In order to carry out the provisions of this Chapter, six subdistricts are established, as follows:

Large-Scale Plan Subdistrict A

Farley Corridor Subdistrict B

34th Street Corridor Subdistrict C

Hell's Kitchen Subdistrict D

South of Port Authority Subdistrict E

Western Rail Yard Subdistrict F

Eleventh Avenue Subdistrict G

In each of these subdistricts, certain special regulations apply which do not apply within the remainder of the #Special Hudson Yards District#. Within certain subdistricts, subareas are established, as follows:

Within the Large-Scale Plan Subdistrict A:

Eastern Rail Yard Subarea A1

Four Corners Subarea A2

Subarea A3

Subarea A4

Subarea A5

Within Farley Corridor Subdistrict B:

Western Blocks Subarea B1

Central Blocks Subarea B2

Farley Post Office Subarea B3

Pennsylvania Station Subarea B4

Within Hell's Kitchen Subdistrict D:

Subarea D1

Subarea D2

Subarea D3

Subarea D4

Subarea D5

Within these subareas, certain special regulations apply which do not apply within the remainder of the subdistrict.

The subdistricts and subareas are outlined on Map 1 (Special Hudson Yards District, Subdistricts and Subareas) in Appendix A of this Chapter. Additional requirements for specific subdistricts, or portions thereof, are outlined in Appendix B of this Chapter.

* * *

93-052

Applicability of Article I, Chapter 3

#Public parking lots# authorized prior to January 19, 2005, and #accessory# off-street parking facilities for which a special permit has been granted prior to January 19, 2005, may be renewed subject to the terms of such authorization or special permit.

The provisions of Article I, Chapter 3, in their entirety shall be applied to Subdistricts F and G.

The following provisions of Article I, Chapter 3, governing #automated parking facilities#, as defined in Section 13-02, automobile rental establishments, commercial vehicle parking, and off-street loading berths shall apply to Subdistricts A, B, C, D and E, as applicable:

(a) for #automated parking facilities#, the provisions of Section 13-101 (Calculating parking spaces in automated parking facilities), paragraph (b) of Section 13-25 (Reservoir Spaces), and paragraph (b) of Section 13-27 (Minimum and Maximum Size of Parking Facilities);

(b) for automobile rental establishments, the provisions of Section 13-15 (Permitted Parking for automobile Rental Establishments), paragraph (b) of Section 13-221 (Enclosure and screening requirements), Section 13-241 (Location of curb cuts), paragraph (b) of Section 13-242 (Maximum width of curb cuts), paragraph (c) of Section 13-25, and paragraph (c) of Section 13-27;

(c) for commercial vehicle parking, the provisions of Section 13-16 (Permitted Parking for Car Sharing Vehicles and Commercial Vehicles); and (d) for off-street loading berths, the provisions of Section 13-30, inclusive.

Additional provisions of Article I, Chapter 3, shall be applicable as specified in Section 93-80, inclusive.

* * *

93-10

USE REGULATIONS

The #use# regulations of the underlying districts are modified as set forth in this Section, inclusive.

The only permitted change of #use# for the #High Line# shall be to provide publicly accessible open space in accordance with the provisions of Sections 93-71 (Public Access Areas in the Eastern Rail Yard Subarea A1) and 93-75 (Publicly Accessible Open Spaces in Subdistrict F).

* * *

93-13
Special Office Commercial Use Regulations

93-131
Certification for office use

The provisions of this Section shall apply to all #developments# or #enlargements# in the #Hudson Yards Redevelopment Area#, with the exception of Subdistricts F and G.

* * *

93-132
Authorization for office use

The provisions of this Section shall apply to all #developments# or #enlargements# in the #Hudson Yards Redevelopment Area#, with the exception of Subdistricts F and G.

Where the amount of Use Group 6B office #floor area# in a #development# or #enlargement# will result in over 25 million square feet of such #use developed# or #enlarged# after January 19, 2005, within the #Hudson Yards Redevelopment Area#, and such #development# or #enlargement# utilizes increased #floor area# pursuant to Sections 23-154 (Inclusionary Housing), 93-30 (SPECIAL FLOOR AREA REGULATIONS), inclusive, or 96-25 (Floor Area Bonus for New Theater Use), such #development# or #enlargement# shall be permitted only upon authorization of the City Planning Commission that:

- (a) such #development# or #enlargement# will not require any significant additions to the supporting services of the neighborhood or that provisions for adequate supporting services have been made;
- (b) the #streets# providing access to the #development# or #enlargement# are adequate to handle the traffic generated thereby or provisions have been made to handle such traffic; and
- (c) such #development# or #enlargement# is consistent with the goals of the applicable special district.

93-133
Vehicle storage establishments

Within Subdistrict G, Use Group 16C commercial or public utility vehicle storage, open or enclosed, including #accessory# motor fuel pumps shall be permitted as-of-right. The #floor area# of a #building# shall not include floor space used for public utility vehicle storage provided in any #story# located not more than 56 feet above #curb level#.

* * *

93-14
Ground Floor Level Requirements

The following provisions relating to retail continuity and transparency requirements shall apply to all subdistricts in the #Special Hudson Yards District#, except that the provisions of this Section shall not apply in Subdistrict G and along the northern #street# frontage of West 35th through West 39th Streets within 100 feet of Eleventh Avenue, as shown on Map 2 (Mandatory Ground Floor Retail) in Appendix A of this Chapter. However, any #zoning lot# fronting on such #streets# and partially within 100 feet of Eleventh Avenue may, as an alternative, apply the provisions of this Section to the entire West 35th, West 36th, West 37th, West 38th or West 39th Street frontage of the #zoning lot#.

* * *

93-19
Physical Culture or Health Establishments

Within Subdistrict G, #physical culture or health establishments# shall be permitted as-of-right. For the purposes of applying the underlying regulations to such #use#, a #physical culture or health establishment# shall be considered a Use Group 9 #use#.

93-20
FLOOR AREA REGULATIONS

The #floor area# regulations of this Section, inclusive, shall apply to #zoning lots#.

* * *

93-22
Floor Area Regulations in Subdistricts B, C, D, E, and F and G

* * *

(b) Subdistrict F

In Subdistrict F, the #floor area ratio# provisions of Section 93-225 (Floor area regulations in Subdistrict F) shall apply.

(c) Subdistrict

G

In Subdistrict G, the #floor area ratio# provisions of Section 93-226 (Floor area regulations in Subdistrict G) shall apply.

* * *

93-226

Floor area regulations in Subdistrict G

In Subdistrict G, the basic maximum permitted #floor area ratio# for #residential#, #community facility#, and #commercial# #uses# on a #zoning lot# shall be as follows:

- (a) the maximum #floor area ratio# for #residential uses# shall be 12.0, pursuant to Section 23-154 (Inclusionary Housing);
- (b) the maximum #floor area ratio# for #community facility uses# shall be 12.0;
- (c) the maximum #floor area ratio# for #commercial# #uses# shall be 12.0; and
- (d) the total maximum #floor area ratio# shall be 24.0.

* * *

93-40

HEIGHT AND SETBACK REGULATIONS

In the #Special Hudson Yards District#, height and setback regulations shall be as set forth in this Section, inclusive.

93-41

Rooftop Regulations

- (a) Subdistricts A, B, C, D, and E and G

The provisions of Section 33-42 (Permitted Obstructions) shall apply to all #buildings# within Subdistricts A through E and G, except that dormers may penetrate a maximum base height in accordance with the provisions of paragraph (c)(1) of Section 23-621 (Permitted obstructions in certain districts).

- (b) Subdistrict F

In Subdistrict F, the provisions of paragraph (f) of Section 33-42 shall apply, except that for towers above a height of 350 feet, rooftop mechanical structures shall comply with the tower top articulation provisions set forth in Section 93-569.

93-42

Height and Setback in Subdistricts A, B, C, D, E, and F and G

In Subareas D4 and D5 of the Hell's Kitchen Subdistrict D, the underlying height and setback regulations shall apply as set forth in Section 93-542, as modified by Section 93-41 (Rooftop Regulations).

In Subdistricts A, B and C, Subareas D1, D2 and D3 of the Hell's Kitchen Subdistrict D, and Subdistrict E, the underlying height and setback regulations shall not apply. In lieu thereof, the provisions of Section 93-41 and paragraphs (a) through (d) of this Section shall apply. These regulations are further modified in certain locations as set forth in Section 93-50 (SPECIAL HEIGHT, AND SETBACK AND YARD REGULATIONS). The height of all #buildings or other structures# shall be measured from #curb level#.

In Subdistrict F, the underlying height and setback regulations shall not apply. In lieu thereof, the provisions of Section 93-41 and Section 93-56 (Special Height and Setback Regulations in Subdistrict F) shall apply.

In Subdistrict G, the underlying height and setback regulations and paragraphs (b) through (d) of this Section shall not apply. In lieu thereof, Section 93-57 (Special Height and Setback Regulations in Subdistrict G) shall apply.

* * *

93-50

SPECIAL HEIGHT, AND SETBACK AND YARD REGULATIONS

In Subdistricts A, B and C, and Subareas D1, D2 and D3 of the Hell's Kitchen Subdistrict D, and Subdistrict E, the height and setback regulations set forth in paragraphs (a) through (d) of Section 93-42 (Height and Setback in Subdistricts A, B, C, D, E, and F and G) shall apply, except that such regulations are modified in certain locations as set forth in this Section. Such modifications include the establishment of #street wall# location regulations, and minimum and maximum base heights, as shown on Map 3 (Mandatory Street Wall Requirements) of Appendix A of this Chapter. Such modifications also include depths of required setbacks, maximum length of #building# walls for towers, and tower #lot coverage#. Special provisions for recesses and sidewalk widenings are as follows:

* * *

In Subdistrict F, the provisions of Section 93-41 (Rooftop Regulations) and Section 93-56 (Special Height and Setback Regulations in Subdistrict F) shall apply.

In Subdistrict G, the provisions of Sections 93-57 (Special Height and Setback Regulations in Subdistrict G) and 93-58 (Special Permit for Modification of Height and Setback Regulations) shall apply.

* * *

93-57

Special Height and Setback Regulations in Subdistrict G

(a) Required setbacks

The required minimum setback for portions of #buildings or other structures# that exceed the maximum base height specified in paragraph (a) of Section 93-42 shall be 10 feet from a #wide street# and 15 feet from a #narrow street#. However, the required minimum setback along West 39th Street shall be five feet.

(b) Tower #lot coverage#

The portion of any #building# or #buildings# located above a height of 150 feet shall be considered a “tower.”

(1) Towers shall occupy a minimum of 20 percent of the #lot area# of the #zoning lot#, except that this requirement shall not apply to the highest 40 feet of such tower or towers.

(2) Towers containing #residences# shall occupy a maximum of 40 percent of the #lot area#.

(3) The aggregate #lot area# of all towers, including #residential# and non-#residential# towers, shall not exceed 65 percent of the #lot area#.

93-578

Special Permit for Modification of Height and Setback Regulations

Within the #Special Hudson Yards District#, except within C1-7A Districts or C2-5 Districts mapped within R8A Districts, for #developments# or #enlargements# on #zoning lots# with at least 20,000 square feet of #lot area# or #developments# or #enlargements# on any size #zoning lot# that occupy the entire #block# front along a #wide street#, the City Planning Commission may modify the regulations set forth in Sections 93-40 (HEIGHT AND SETBACK REGULATIONS), inclusive, and 93-50 (SPECIAL HEIGHT, SETBACK AND YARD REGULATIONS), inclusive, provided the Commission finds that:

(a) such modifications will result in a better distribution of #bulk# on the #zoning lot# and will not adversely affect access to light and air for surrounding public access areas, #streets# and properties;

(b) where the #development# or #enlargement# is subject to the requirements of Sections 93-60 (MANDATORY IMPROVEMENTS), inclusive, or 93-70 (PUBLIC ACCESS REQUIREMENTS FOR SPECIAL SITES), inclusive, such modifications will not impair the quality of such public access areas on the #zoning lot#;

(c) such modifications are consistent with the goal of the special district to provide flexibility of architectural design and encourage more attractive building forms; and

(d) such modifications will result in a #development# or #enlargement# that enhances the streetscape and will be compatible with development in the surrounding area.

The Commission may prescribe additional conditions and safeguards to minimize adverse effects of the #development# or #enlargement# on the character of the surrounding area.

93-59

Special Yard Regulations in Subdistrict G

No rear yard equivalent shall be required in Subdistrict G.

93-60

MANDATORY IMPROVEMENTS

* * *

93-63

Pedestrian Circulation Space

In C2-8 and C6-4 Districts, except within Subdistrict G, all #developments# or #enlargements# on #zoning lots# of 5,000 square feet or larger with more than 70,000 square feet of new #floor area# shall provide pedestrian circulation space in accordance with the provisions of Section 37-50. In addition, for #developments# or #enlargements# that provide subway entranceways constructed after December 21, 2005, one and one-half times the area of such entranceway accessible to the public at #street# level may qualify as pedestrian circulation space, up to a maximum amount of 3,000 square feet.

* * *

93-80

OFF-STREET PARKING REGULATIONS

In Subdistricts A, B, C, D and E, the regulations governing permitted #accessory# off-street parking spaces of Article I, Chapter 3 (Comprehensive Off-street Parking and Loading Regulations in the Manhattan Core), and Article II, Chapter 5; Article III, Chapter 6; and Article IV, Chapter 4 (Accessory Off-street Parking and Loading Regulations) shall not apply, except as set forth in this Section. In lieu thereof, the provisions of this Section, inclusive, shall apply.

In Subdistricts F and G, the regulations of Article I, Chapter 3, shall apply.

* * *

APPENDIX A Special Hudson Yards District

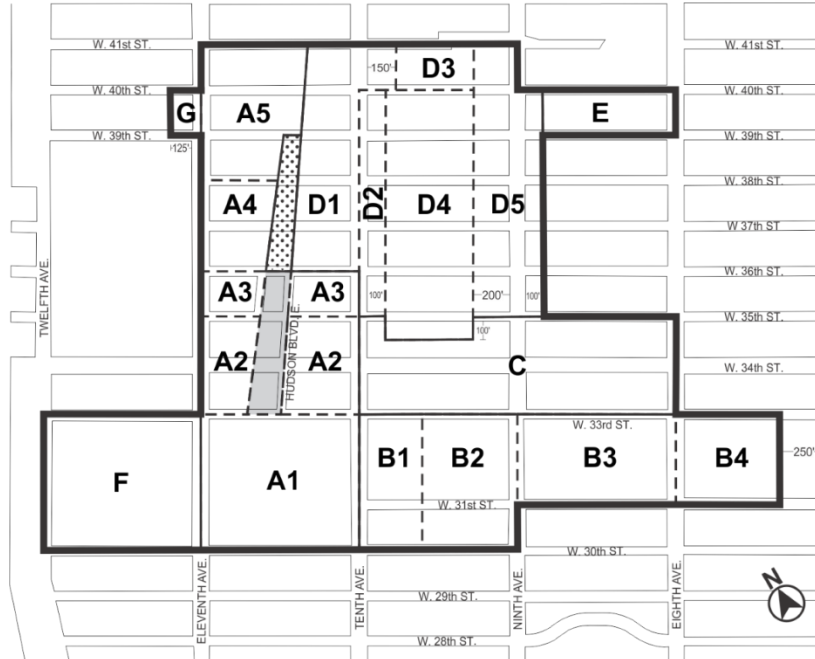
Map 1 – Special Hudson Yards District, Subdistricts and Subareas

[EXISTING MAP]



- Special Hudson Yards District
 - Subdistricts
 - Subareas within subdistricts
 - Phase 1 Hudson Boulevard and Park
 - ▨ Phase 2 Hudson Boulevard and Park
- Large-Scale Plan Subdistrict A**
 Eastern Rail Yard Subarea A1
 Four Corners Subarea A2
 Subareas A3 through A5
- Farley Corridor Subdistrict B**
 Western Blocks Subarea B1
 Central Blocks Subarea B2
 Farley Post Office Subarea B3
 Pennsylvania Station Subarea B4
- 34th Street Corridor Subdistrict C**
- Hell's Kitchen Subdistrict D**
 Subareas D1 through D5
- South of Port Authority Subdistrict E**
- Western Rail Yard Subdistrict F**

[PROPOSED MAP]



- Special Hudson Yards District
- Subdistricts
- - -** Subareas within subdistricts
- Phase 1 Hudson Boulevard and Park
- ▨** Phase 2 Hudson Boulevard and Park

Large-Scale Plan Subdistrict A

- Eastern Rail Yard Subarea A1
- Four Corners Subarea A2
- Subareas A3 through A5

Farley Corridor Subdistrict B

- Western Blocks Subarea B1
- Central Blocks Subarea B2
- Farley Post Office Subarea B3
- Pennsylvania Station Subarea B4

34th Street Corridor Subdistrict C

Hell's Kitchen Subdistrict D

- Subareas D1 through D5

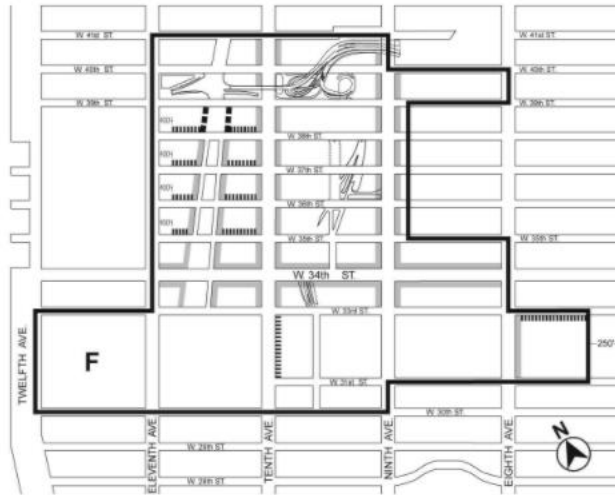
South of Port Authority Subdistrict E

Western Rail Yard Subdistrict F

Eleventh Avenue Subdistrict G

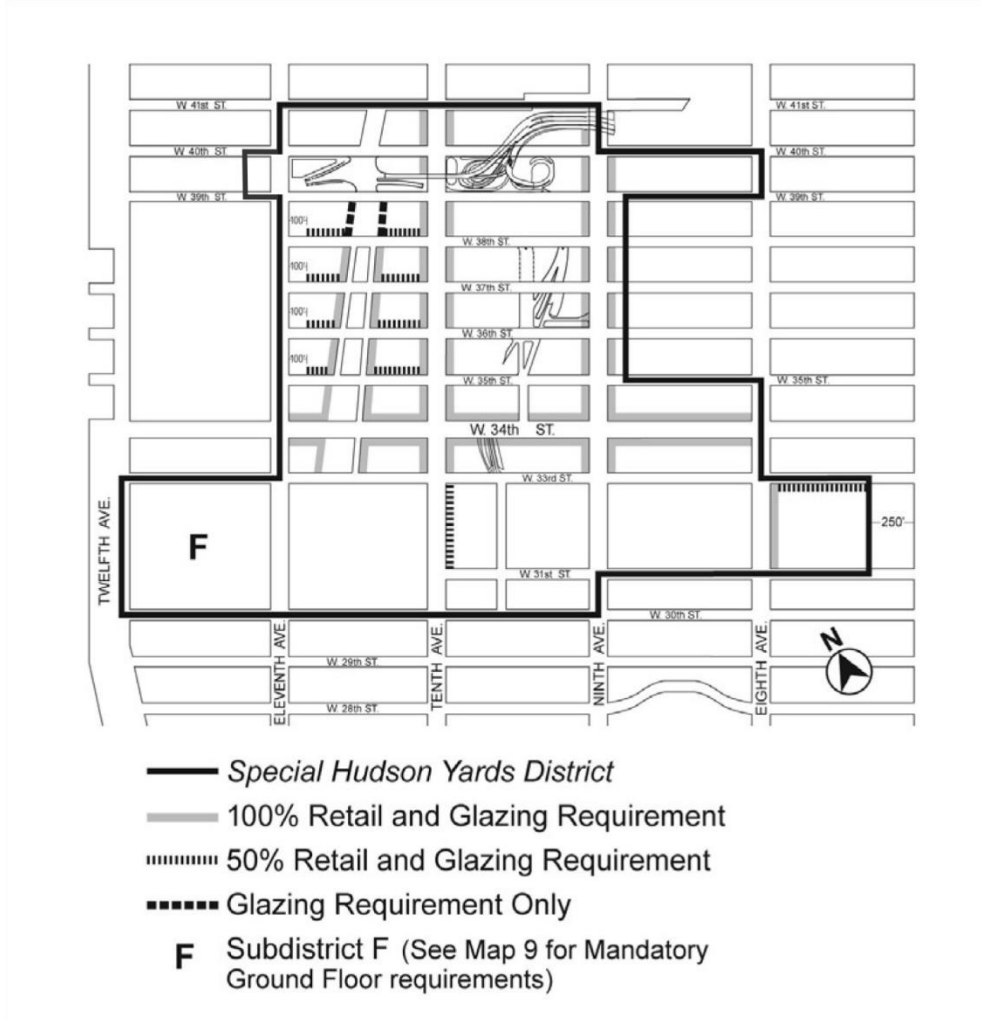
Map 2 – Mandatory Ground Floor Retail

[EXISTING MAP]



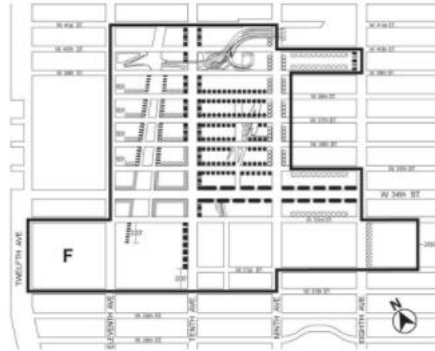
- Special Hudson Yards District
- - - 100% Retail and Glazing Requirement
- 50% Retail and Glazing Requirement
- Glazing Requirement Only
- F** Subdistrict F (See Map 9 for Mandatory Ground Floor requirements)

[PROPOSED MAP]



Map 3 – Mandatory Street Wall Requirements

[EXISTING MAP]

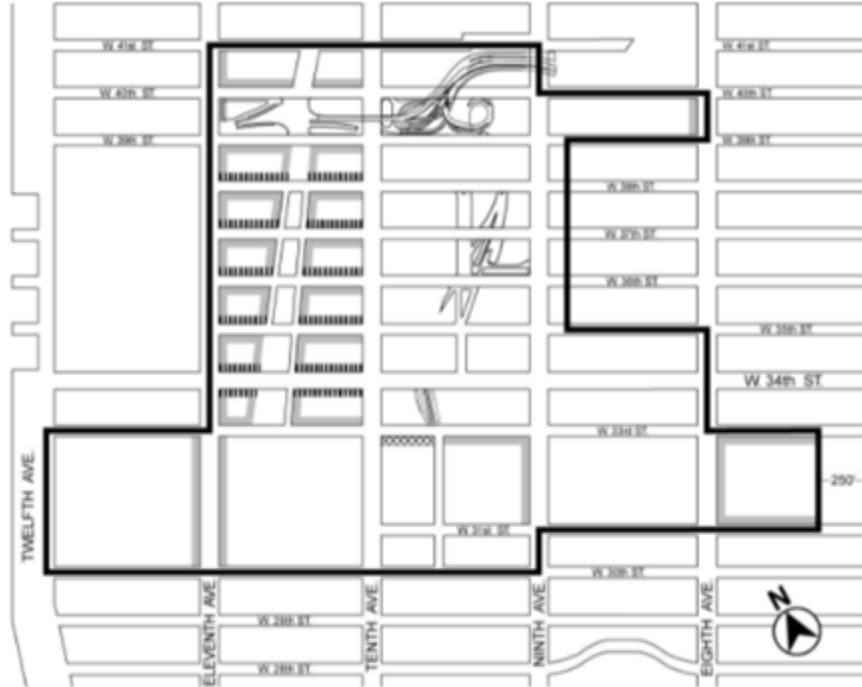


Special Hudson Yards District

	Minimum Base Height	Maximum Base Height	Percentage of zoning lot street frontage that must be occupied by a street wall
.....	60'	85'	100%
.....	60'	85'	None
.....	60'	120'	50%
.....	80'	90'	100%
.....	90'	120'	70%
.....	60'	150'	70%
.....	90'	120'	100%
.....	90'	150'	100%
.....	90'	150'	70%
.....	90'	150'	35%
.....	120'	150'	100%

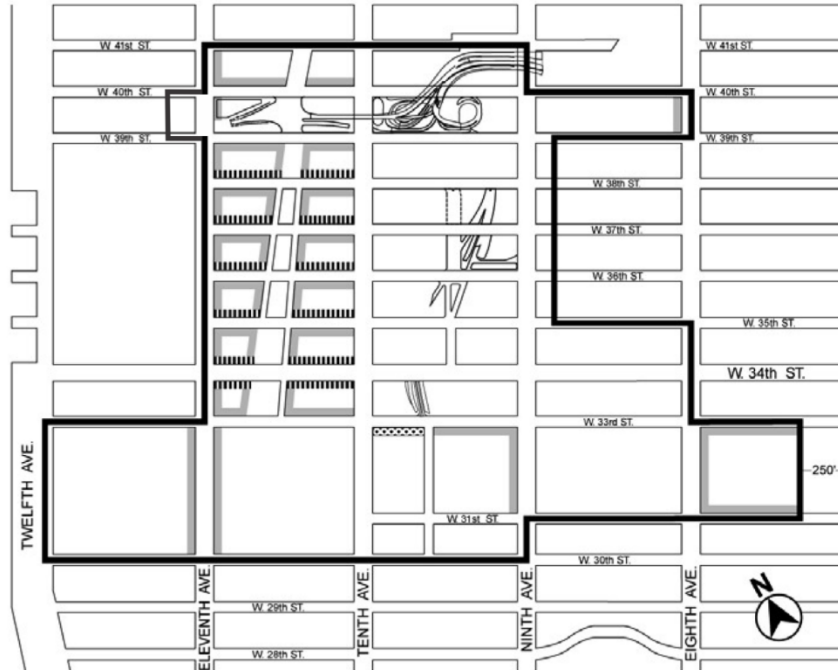
F Subdistrict F (See Map 10 for Street Wall requirements)

[EXISTING MAP]



- Special Hudson Yards District
- ▤ 10' Sidewalk widening
- ▬ 5' Sidewalk widening
- ▩ 5' Sidewalk widening required if more than 75% of the total floor area existing on the zoning lot on January 19, 2005 is demolished

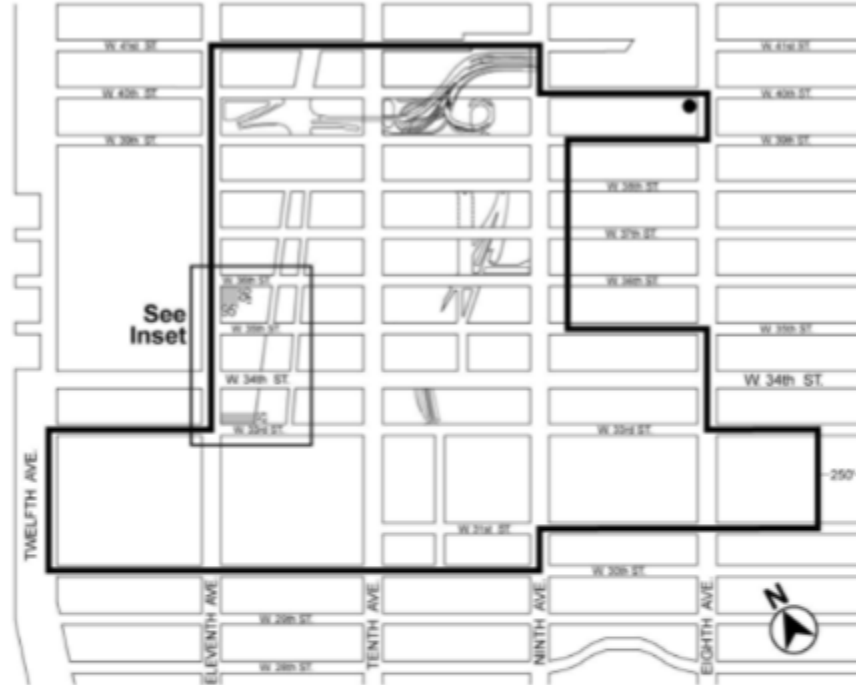
[PROPOSED MAP]






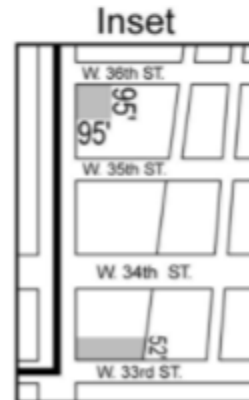
- *Special Hudson Yards District*
- - - - -** 10' Sidewalk widening
- 5' Sidewalk widening
- ▣** 5' Sidewalk widening required if more than 75% of the total floor area existing on the zoning lot on January 19, 2005 is demolished

Map 5 – Transit Facilities

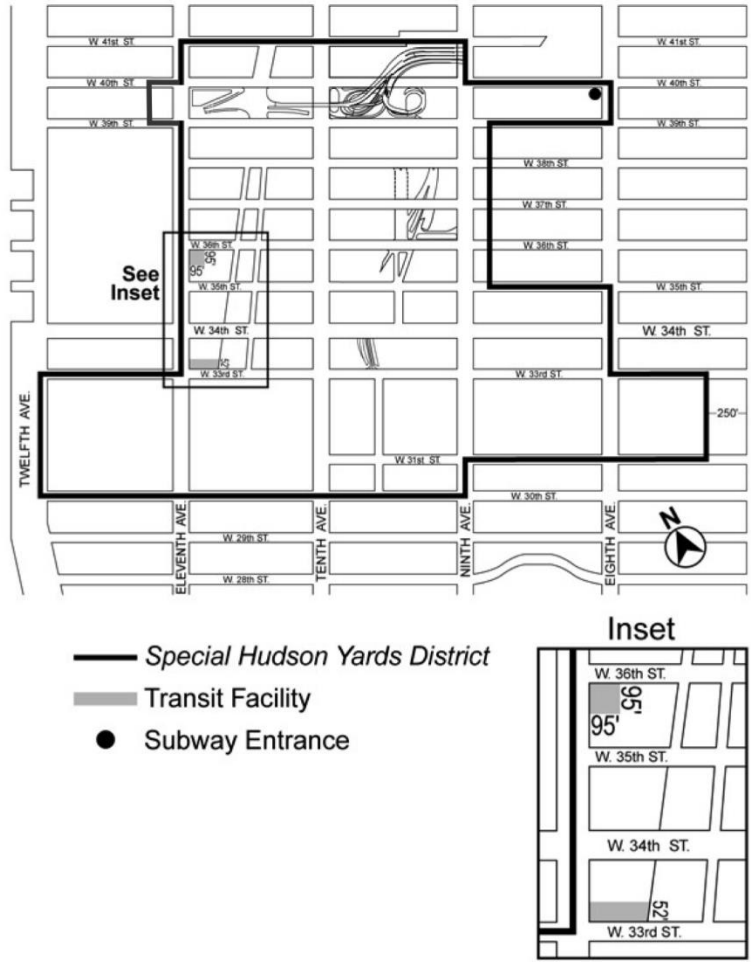
[EXISTING MAP]



-  *Special Hudson Yards District*
-  Transit Facility
-  Subway Entrance

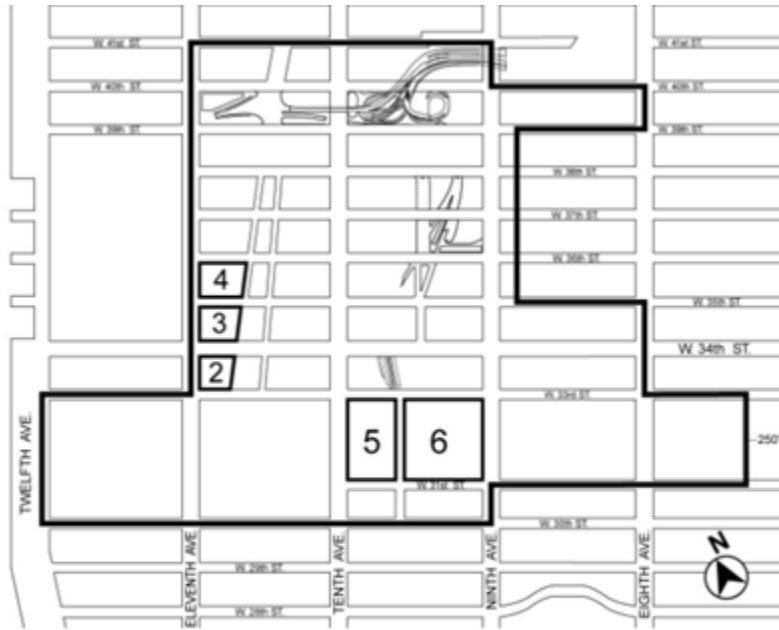


[PROPOSED MAP]



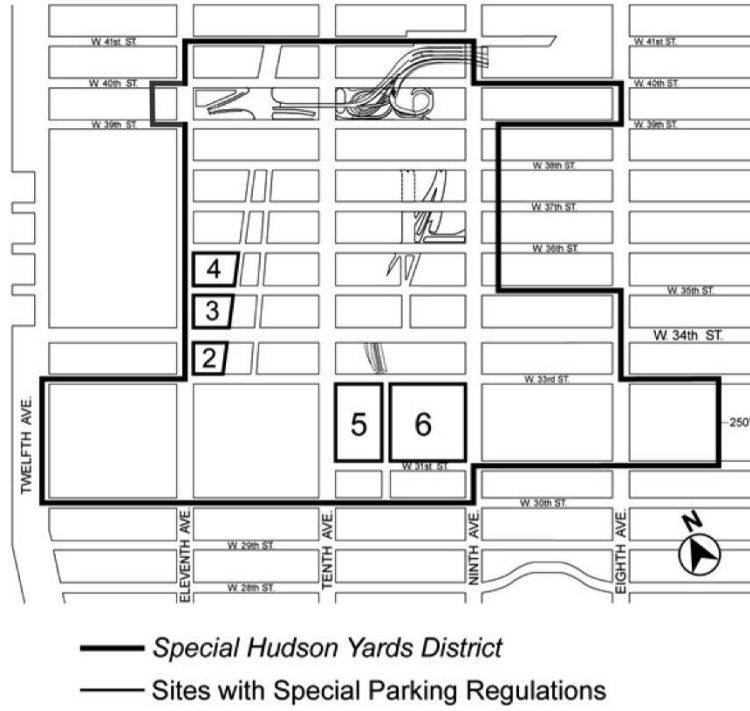
Map 6 – Sites Where Special Parking Regulations Apply

[EXISTING MAP]



- Special Hudson Yards District
- Sites with Special Parking Regulations

[PROPOSED MAP]



APPENDIX F

Inclusionary Housing Designated Areas and Mandatory Inclusionary Housing Areas

* * *

MANHATTAN

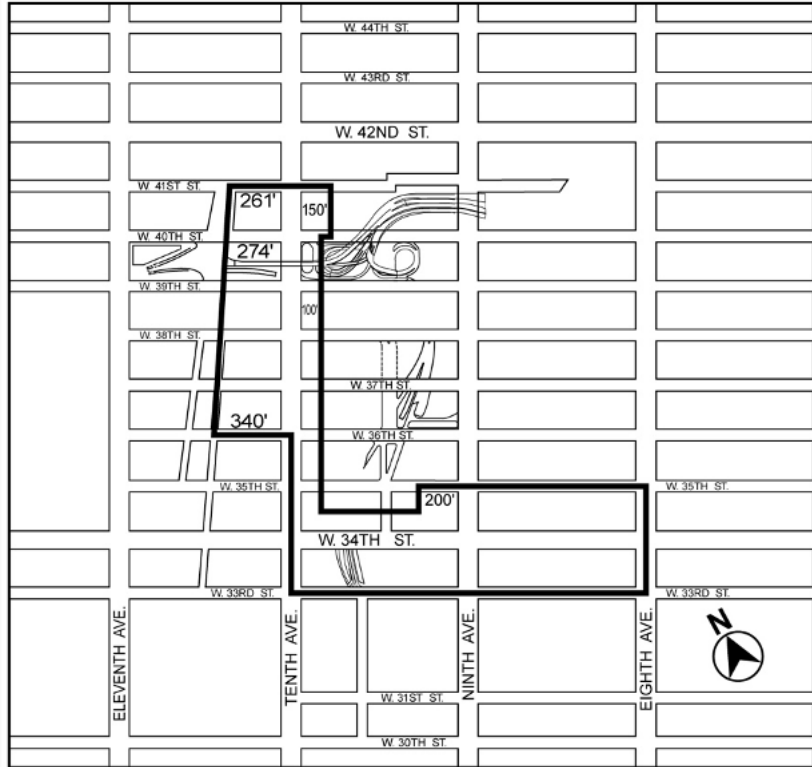
* * *

Manhattan Community District 4

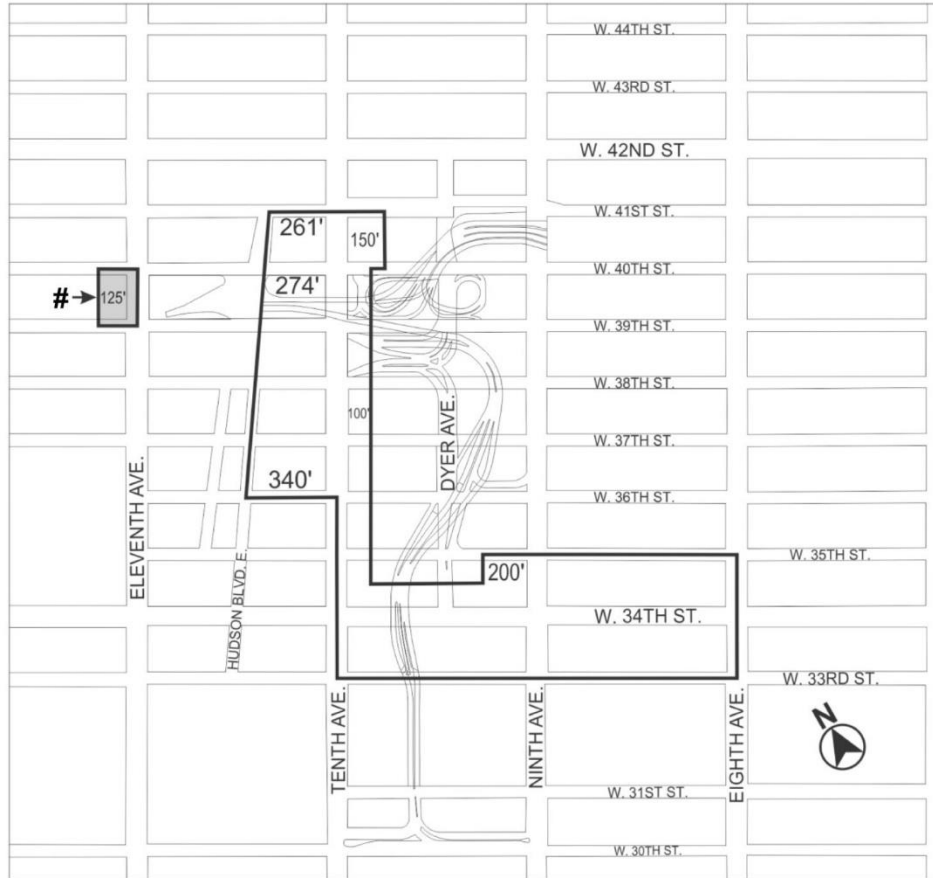
* * *



Map 4 – (12/21/09) [date of adoption]

[EXISTING MAP]



[PROPOSED MAP]



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

Portion of Community District 4, Manhattan

* * *

Resolution for adoption scheduling July 28, 2021 for a public hearing.

No. 16

CD 4

C 210326 PCM

IN THE MATTER OF an application submitted by New York City Police Department (NYPD) and the Department of Citywide Administrative Services (DCAS), pursuant to Section 197-c of the New York City Charter, for a site selection and acquisition of property located at 495 Eleventh Avenue (Block 685, Lot 38) for use as an NYPD vehicle storage facility.

Resolution for adoption scheduling July 28, 2021 for a public hearing.

NOTICE

On Wednesday, July 28, 2021, a public hearing is being held by the City Planning Commission (CPC), accessible both in person and remotely, in conjunction with the above ULURP hearing to receive comments related to a Draft Environmental Impact Statement (DEIS) concerning an application by 495 11 Avenue Owner Realty LLC and the New York City Economic Development Corporation (NYCEDC) (The “Applicant”). The Applicant is seeking a series of discretionary approvals, including a zoning map and zoning text amendments to rezone the Project Site, to establish a new subdistrict to the Special Hudson Yards District (SHYD), to designate the site as a Mandatory Inclusionary Housing (“MIH”) area, and to facilitate the redevelopment of a site located at 495 Eleventh Avenue (Block 685, Lot 38) in Manhattan Community District (CD) 4. The NYC Police Department (NYPD) is the applicant and the NYC Department of Citywide Administrative Services (DCAS) is the Co-applicant for the acquisition and site selection actions to facilitate the siting of an NYPD Strategic Response Group (SRG) and Manhattan South Operations Unit parking facility within this proposed development. These discretionary actions are collectively referred to as the “Proposed Actions.” Specifically, the redevelopment would result in an up to approximately 703,529 gross square feet (gsf) (581,601 zoning square feet (zsf)), mixed-use development comprised of residential dwelling units (DUs), community facility space comprised of supportive housing DUs, commercial office and retail supermarket spaces, a hotel, a restaurant, amenities, and vehicle and equipment storage. The New York City Office of the Deputy Mayor for Housing and Economic Development (ODMHED) is the lead agency for this environmental review.

Written comments on the DEIS are requested and will be received and considered by the Lead Agency through Monday, August 9, 2021.

For instructions on how to submit comments and participate in the remote hearing, please refer to the instructions at the beginning of this agenda.

This hearing is being held pursuant to the State Environmental Quality Review Act (SEQRA) and City Environmental Quality Review (CEQR), CEQR No. 18DME001M.

BOROUGH OF MANHATTAN

Nos. 17, 18 & 19

NEW YORK BLOOD CENTER

No. 17

CD 8

C 210351 ZMM

IN THE MATTER OF an application submitted by New York Blood Center, Inc. pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 8c:

1. changing from an R8B District to a C2-7 District property bounded by East 67th Street, a line 325 feet easterly of Second Avenue, East 66th Street and a line 100 feet easterly of Second Avenue; and
2. changing from a C1-9 District to a C2-8 District property bounded by East 67th Street, a line 100 feet easterly of Second Avenue, East 66th Street, Second Avenue, East 66th Street, and a line 100 feet westerly of Second Avenue;

as shown on a diagram (for illustrative purposes only) dated April 19, 2021, and subject to the conditions of CEQR Declaration E-612.

Resolution for adoption scheduling July 29, 2021 for a public hearing.

No. 18

CD 8

N 210352 ZRM

IN THE MATTER OF an application submitted by New York Blood Center, Inc., pursuant to Section 201 of the New York City Charter, for an amendment of the Zoning Resolution of the City of New York, modifying Article VII, Chapter 4, for the purpose of allowing scientific research and development facilities in C2-7 Districts and allowing related use and bulk modifications, and modifying APPENDIX F, for the purpose of establishing a Mandatory Inclusionary Housing area.

Matter underlined is new, to be added;

Matter ~~struck-out~~ is to be deleted;

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

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

**ARTICLE III
COMMERCIAL DISTRICT REGULATIONS**

Chapter 2

Use Regulations

* * *

**32-30
USES PERMITTED BY SPECIAL PERMIT**

**32-32
By the City Planning Commission**

In the districts indicated, the following #uses# are permitted by special permit of the City Planning Commission, in accordance with standards set forth in Article VII, Chapter 4, or as otherwise indicated in this Section.

* * *

C1 C2 C3 C4 C5 C6 C7 C8

Railroad passenger stations

C2-7 C6

Research and development facility, scientific, in C2-7 Districts within Community District 8 in the Borough of Manhattan, and in C6 Districts

C1 C2 C3 C4 C5 C6 C7 C8

Seaplane bases

* * *

ARTICLE VII

Administration

* * *

Chapter 4

Special Permits by the City Planning Commission

74-40

USE PERMITS

* * *

74-48

Scientific Research and Development Facility

In C2-7 Districts within Community District 8 in the Borough of Manhattan, and in C6 Districts, the City Planning Commission may permit a scientific research and development facility ~~containing as a #commercial use#~~, where such facility contains laboratories for medical, biotechnological, chemical or genetic research, including space for production, storage and distribution of scientific products generated through research and ~~may modify height and setback~~

~~regulations for the facility. Such facility shall conform to the performance standards applicable to M1 Districts and occupy a #zoning lot# that either contains a minimum #lot area# of 40,000 square feet or comprises an entire #block#. No #residential use# is to be located anywhere on a #zoning lot# containing such a facility, in conjunction with such facility, may allow the modifications set forth in paragraph (a) of this Section. For a special permit to be granted, applications shall comply with conditions in paragraph (b) and the findings of paragraph (c) of this Section. Additional requirements are set forth in paragraph (d).~~

a. Additional modifications

For such scientific research and development facility, the Commission may modify the following:

1. height and setback regulations; and

2. where such facility is located within C2-7 Districts:

i. #sign# regulations;

ii. #floor area ratio# regulations, up to the maximum #floor area ratio# permitted

for #community facility uses# for the District; and

iii. #yard# regulations.

b. Conditions

As a condition for granting a special permit, such facility shall:

1. conform to the performance standards applicable to M1 Districts;

2. occupy a #zoning lot# that either contains a minimum #lot area# of 40,000 square feet or comprises an entire #block#; and

3. occupy a #zoning lot# containing no #residential use#.

c. Findings

As a condition for granting a special permit, the Commission shall find that the scientific research and development facility:

- (a)(1) will not unduly affect the essential character or impair the future use and development of the surrounding area;
- (b)(2) will be located so as to draw a minimum of vehicular traffic to and through local #streets#;
- (c)(3) provides fully enclosed storage space for all raw materials, finished products, by-products and waste materials including debris, refuse and garbage; and
- (d)(4) that the modification of such height and setback to any applicable #bulk# regulations will not unduly obstruct the access of light and air to adjoining properties or public #streets#.

5. with regard to #sign# modifications:

i. a signage plan has been submitted showing the location, size, height, and illumination of all #signs# on the #zoning lot#;

ii. the modifications are consistent with the amount and location of commercial life sciences laboratories that the Commission finds appropriate on the #zoning lot#; and

iii. #illuminated signs#, if provided:

a. utilize an illumination type, and are located and oriented in a manner so as to minimize any negative effects on nearby residences; and

b. do not alter the essential character of the adjacent area.

d. Additional requirements

1. To minimize traffic congestion in the area, the Commission shall require the provision of off-street loading berths conforming to the requirements set forth in Section 36-62 (Required Accessory Off-street Loading Berths) for #commercial uses#.
2. The Commission may also require the provision of #accessory# off-street parking

facilities to prevent the creation of traffic congestion caused by the curb parking of vehicles generated by such #use#. The size and location of such parking, bicycle parking, and loading facilities shall comply with the applicable provisions of Section 36-00, inclusive.

3. All applications for the grant of a special permit pursuant to this Section shall be

referred to the Commissioner of Health of the City of New York or its successor for a report and recommendations on matters relating to health, safety and general welfare of the public with regard to the proposed facility. If the report is received within 45 days from the date of referral, the Commission shall, in its determination, give due consideration to the report and its recommendations. If such agency does not report within 45 days, the Commission may make a final determination without reference thereto.

In order to promote and protect the public health, safety and general welfare, the City Planning Commission may impose additional conditions and safeguards and more restrictive performance standards where necessary.

* * *

Resolution for adoption scheduling July 29, 2021 for a public hearing.

No. 19

CD 8

C 210353 ZSM

IN THE MATTER OF an application submitted by New York Blood Center, Inc. pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit pursuant to Section 74-48* of the Zoning Resolution as follows:

1. to allow a scientific research and development facility as a commercial use;
2. to allow the floor area ratio regulations, up to the maximum floor area ratio permitted for community facility uses for the District, to apply to the scientific research and development facility use;

3. to modify the height and setback regulations of Section 33-432 (In other Commercial Districts), and the required yard equivalents regulations of Section 33-283 (Required rear yard equivalents); and,
4. to modify the signage regulations of Section 32-641 (Total surface area of signs), Section 32-642 (Non-illuminated signs), Section 32-643 (Illuminated non-flashing signs), Section 32-655 (Permitted Projections or Height of Signs), and Section 32-67 (Special Provisions Applying Along District Boundaries);

to facilitate a proposed 16-story building on property located at 310 East 67th Street (Block 1441, Lot 40), in a C2-7** District.

* Note: A zoning text amendment is proposed to Section 74-48 under a concurrent related application for a Zoning Text change (N 210352 ZRM).

** Note: This site is proposed to be rezoned by changing an R8B District to a C2-7 District under a concurrent related application for a Zoning Map change (C 210351 ZMM).

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

Resolution for adoption scheduling July 29, 2021 for a public hearing.

NOTICE

On Thursday, July 29, 2021, a public hearing is being held by the City Planning Commission (CPC), accessible both in person and remotely, in conjunction with the above ULURP hearing to receive comments related to a Draft Environmental Impact Statement (DEIS) concerning an application by the New York Blood Center (the Applicant). The Applicant is requesting a rezoning and other discretionary actions from the CPC to facilitate the construction of the Proposed Project, an approximately 596,200 gross-square-foot (gsf) state-of-the-art laboratory building with related offices on the site of the Applicant's existing building at 310 East 67th Street, Block 1441 Lot 40 (the "Development Site"). The Development Site is located on the Upper East Side in Manhattan Community District 8. Block 1441 is bounded by East 66th and East 67th Streets and First and Second Avenues. The Development Site is part of a larger Rezoning Area, which also includes Block 1441, Lots 1001–1202, and Block 1421, p/o Lot 21. To facilitate the Proposed Project the Applicant is requesting several actions from the New York CPC: a zoning map amendment to rezone the Development Site from R8B to C2-7; designation of the Development Site for Mandatory

Inclusionary Housing (MIH); and to rezone the remainder of the Rezoning Area (Block 1441, Lots 1001–1202 and the eastern 100 feet of Block 1421, p/o Lot 21) from C1-9 to C2-8. The Applicant is also requesting a zoning text amendment to Section 74-48 of the Zoning Resolution; and a special permit pursuant to the amended Section 74-48 to modify various sections of the Zoning Resolution, as detailed below. In addition, the Applicant may seek a revocable consent from the New York City Department of Transportation (DOT) to allow a Marquee projection over the building’s entrance in accordance with the NYC Building Code.

Written comments on the DEIS are requested and will be received and considered by the Lead Agency through Monday, August 9, 2021.

For instructions on how to submit comments and participate remotely, please refer to the instructions at the beginning of this agenda.

This hearing is being held pursuant to the State Environmental Quality Review Act (SEQRA) and City Environmental Quality Review (CEQR), CEQR No. 21DCP080M.

BOROUGH OF BROOKLYN

Nos. 20-23

960 FRANKLIN AVENUE REZONING

No. 20

CD 9

C 200184 ZMK

IN THE MATTER OF an application submitted by Franklin Ave. Acquisition LLC pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 16d:

1. changing from an R6A District to an R9D District property bounded by Montgomery Street, Franklin Avenue, a line 150 feet northerly of Sullivan Place, a line 100 feet easterly of Washington Avenue, and a line 300 feet northwesterly of Franklin Avenue; and
2. establishing within the proposed R9D District a C2-4 District bounded by Montgomery Street, Franklin Avenue, a line 150 feet northerly of Sullivan Place, and a line 100 feet northwesterly of Franklin Avenue;

as shown on a diagram (for illustrative purposes only) dated February 1, 2021, and subject to the conditions of CEQR Declaration E-586.

Resolution for adoption scheduling July 29, 2021 for a public hearing.

No. 21

CD 9

N 200185 ZRK

IN THE MATTER OF an application submitted by Franklin Ave. Acquisition 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 underlined is new, to be added;

Matter ~~struck out~~ 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

* * *

BROOKLYN

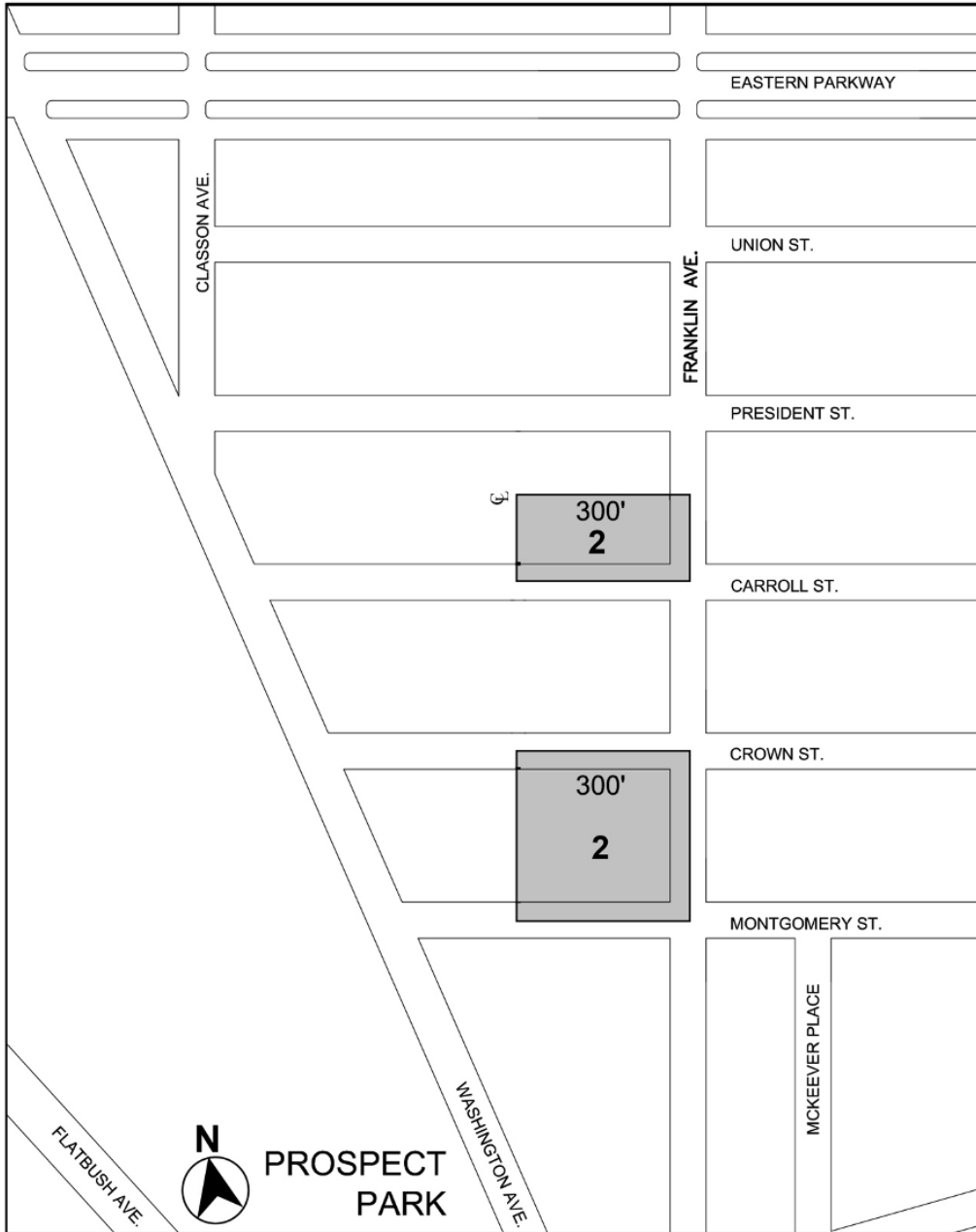
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Brooklyn Community District 9

* * *

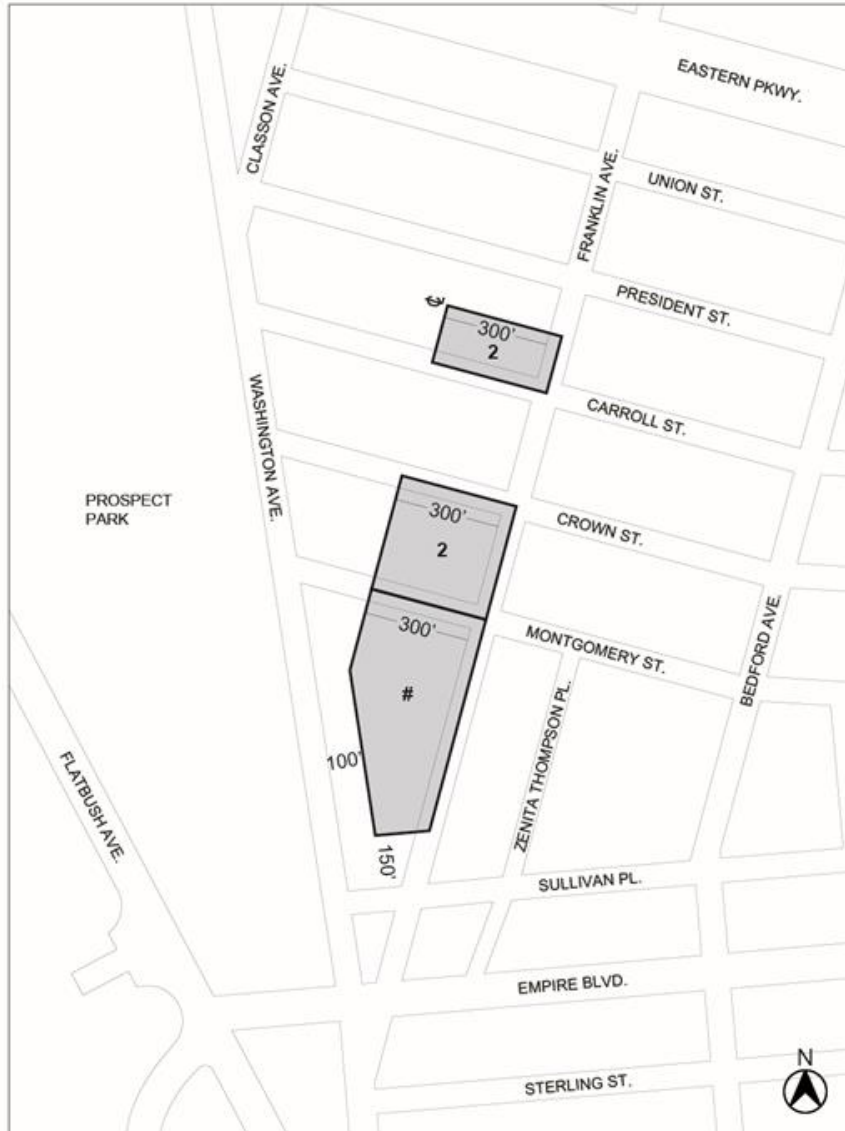
Map 2 - [date of adoption]


[EXISTING MAP]



Mandatory Inclusionary Housing Program area see Section 23-154(d)(3)
Area 2 12/20/18 — MIH Program Option 1

[PROPOSED MAP]



-  Mandatory Inclusionary Housing Area (see Section 23-154(d)(3))
- Area 2 — 12/20/2018 — MIH Program Option 1
- Area # — [date of adoption] — MIH Program Option 1 and Option 2

Portion of Community District 9, Brooklyn

* * *

Resolution for adoption scheduling July 29, 2021 for a public hearing.

No. 22**CD 9****C 200186 ZSK**

IN THE MATTER OF an application submitted by Franklin Ave. Acquisition LLC pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit pursuant to Sections 74-743 of the Zoning Resolution to modify the height and setback requirements of Section 23-662 (Maximum Height of Buildings and Setback Regulations) and the tower coverage requirements of Section 23-663 (Tower Regulations in R9D and R10X Districts), in connection with a proposed mixed-use development, within a large-scale general development, on property generally bounded by Montgomery Street, Franklin Avenue, a line 150 feet northerly of Sullivan

Place, a line 100 feet easterly of Washington Avenue, and a line 300 feet northwesterly of Franklin Avenue (Block 1192, Lots 41, 46, 63, & 66), in R9D* and R9D/C2-4* Districts.

* Note: This site is proposed to be rezoned by changing an existing R6A District to R9D and R9D/C2-4 Districts under a concurrent related application for a Zoning Map change (C 200184 ZMK).

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 29, 2021 for a public hearing.

No. 23**CD 9****C 200187 ZSK**

IN THE MATTER OF an application submitted by Franklin Ave. Acquisition LLC pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit pursuant to Sections 74-533 of the Zoning Resolution to reduce from 40 percent to 16 percent, the required

number of accessory off-street parking spaces for dwelling units in a development within a Transit Zone, that includes at least 20 percent of all dwelling units as income-restricted housing units, in connection with a proposed mixed-use development, on property generally bounded by Montgomery Street, Franklin Avenue, a line 150 feet northerly of Sullivan Place, a line 100 feet easterly of Washington Avenue, and a line 300 feet northwesterly of Franklin Avenue (Block 1192, Lots 41, 46, 63, & 66), in R9D* and R9D/C2-4* Districts.

* Note: This site is proposed to be rezoned by changing an existing R6A District to an R9 and R9/C2-4 District under a concurrent related application for a Zoning Map change (C 200184 ZMK).

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 29, 2021 for a public hearing.

NOTICE

On Thursday, July 29, 2021, a public hearing is being held by the City Planning Commission (CPC), accessible both in person and remotely, in conjunction with the above ULURP hearing to receive comments related to a Draft Environmental Impact Statement (DEIS) concerning an application by Franklin Ave. Acquisition LLC (the Applicant). The Applicant is requesting several discretionary actions that would facilitate the development of two mixed-use buildings comprising approximately 1,369,314 gross square feet (gsf) (1,151,671 (zsf)) mixed-use commercial/residential development on the block bound by Montgomery Street, Franklin Avenue, Sullivan Place, and Washington Avenue, on the eastern side of the Franklin Avenue subway shuttle right-of-way, in the Crown Heights neighborhood of Brooklyn Community District (CD) 9. The site is comprised of Brooklyn Block 1192, Lots 41, 46, 63 and 66 (the “Development Site”), while the Affected Area also includes Lot 40 and parts of Lot 1 (a portion of the MTA’s Franklin Avenue subway shuttle right-of-way), Lot 77 and Lot 85 (the “Affected Area”). To facilitate the Proposed Project, the Applicant is requesting several actions from the CPC including: a zoning map amendment to rezone the Affected Area from R6A to R9D and R9D/C2-4 (within 100 feet of Franklin Avenue), a text amendment to designate the Affected Area as a Mandatory Inclusionary Housing (MIH) area, as well as a Large Scale General Development (LSGD) special permit, and special permit to waive parking.

Written comments on the DEIS are requested and will be received and considered by the Lead Agency through Monday, August 9, 2021.

For instructions on how to submit comments and participate remotely, please refer to the instructions at the beginning of this agenda.

This hearing is being held pursuant to the State Environmental Quality Review Act (SEQRA) and City Environmental Quality Review (CEQR), CEQR No. 19DCP095K.



II. REPORTS

BOROUGH OF QUEENS

Nos. 24 & 25

BEACH 67TH STREET REZONING

No. 24

CD 14

C 200230 ZMQ

IN THE MATTER OF an application submitted by Brisa Builders Development LLC and God's Battalion of Prayer Properties, Inc. pursuant to Sections 197-c and 201 of the New York City Charter for the amendment of the Zoning Map, Section No. 30c, by changing from an R4A District to an R6 District property bounded by a line 540 feet northerly of Beach Channel Drive, a line midway between Beach 66th Street and Beach 67th Street, a line 230 feet northerly of Beach Channel Drive, Beach 67th Street, a line 100 feet northerly of Beach Channel Drive, Beach 68th Street, a line 380 feet northerly of Beach Channel Drive, and Beach 67th Street, as shown on a diagram (for illustrative purposes only) dated March 1, 2021, and subject to the conditions of CEQR Declaration E-605.

(On May 19, 2021, Cal. No. 1, the Commission scheduled June 9, 2021 for a public hearing. On June 9, 2021, Cal. 7, the hearing was closed.)

For consideration.

No. 25

CD 14

N 200231 ZRQ

IN THE MATTER OF an application submitted by Brisa Builders Development LLC and God's Battalion of Prayer Properties, Inc., 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 underlined is new, to be added;
 Matter ~~struck out~~ 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

* * *

Map 3– [date of adoption]



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

Area # — [date of adoption] — MIH Program Option 1 and Option 2

Portion of Community District 14, Queens

* * *

(On May 19, 2021, Cal. No. 2, the Commission scheduled June 9, 2021 for a public hearing. On June 9, 2021, Cal. 8, the hearing was closed.)

For consideration.

BOROUGH OF MANHATTAN

No. 26

HOLYROOD EPISCOPAL CHURCH LANDMARK

CD 12

N 210467 HIM

IN THE MATTER OF a communication dated May 27, 2021, from the Executive Director of the Landmarks Preservation Commission regarding the landmark designation of the Holyrood Episcopal Church (Block 2176, Lot 30), by the Landmarks Preservation Commission on May 18, 2021 (Designation List No. 523/ LP No. LP-2649).

For consideration.



No. 27

EDUCATIONAL BUILDING 70 FIFTH AVENUE LANDMARK

CD 2

N 210468 HIM

IN THE MATTER OF a communication dated May 27, 2021, from the Executive Director of the Landmarks Preservation Commission regarding the landmark designation of the Educational Building, 70 Fifth Avenue (Block 576, Lot 36), by the Landmarks Preservation Commission on May 18, 2021 (Designation List No. 253/LP-2650).

For consideration.



BOROUGH OF THE BRONX

No. 28

9 PLOUGHMAN'S BUSH RESIDENCE – SNAD

CD 8

N 210327 ZAX

IN THE MATTER OF an application submitted by Miriam Goldberg for grant of an authorization for modification of topographic features on a Tier I site pursuant to Section 105-421 of the Zoning Resolution to permit an approximately 1,770 square foot horizontal enlargement to an existing single-family house along with site alterations including an approximately 520 square foot deck located at 9 Ploughman's Bush (Block 5924, Lot 530) within the Special Natural Area District (NA-2).

For consideration.

No. 29

5040 ARLINGTON AVENUE – SNAD

CD 8

N 210471 ZAX

IN THE MATTER OF an application submitted by Deborah Shapira for grant of an authorization for modification of topographic features on a Tier I site pursuant to Section 105-421 of the Zoning Resolution to permit an approximately 1,000 square foot site alteration for a new patio and sitting wall to an existing single-family house located at 5040 Arlington Avenue (Block 5944, Lot 235) within the Special Natural Area District (NA-2).

For consideration.

BOROUGH OF STATEN ISLAND

No. 30, 31 & 32

51 SLOANE AVENUE

No. 30

CD 2

N 200032 ZAR

IN THE MATTER OF an application submitted by Anthony Adamo for grant of an authorization pursuant to Section 105-432 of the Zoning Resolution for modification of yard regulations at 51 Sloane Avenue (Block 953, Lot 251) within the Special Natural Area District (NA-1).

Plans for this proposal are on file with the City Planning Commission and may be seen at the Staten Island Office of the Department of City Planning, 130 Stuyvesant Place, 6th Floor, Staten Island, New York, 10301.

For consideration.

No. 31

CD 2

N 200200 ZAR

IN THE MATTER OF an application submitted by Anthony Adamo for grant of an authorization pursuant to Section 105-422 of the Zoning Resolution for a development on a Tier II site of a three-story, detached, single-family residence at 51 Sloane Avenue (Block 953, Lot 251) within the Special Natural Area District (NA-1).

Plans for this proposal are on file with the City Planning Commission and may be seen at the Staten Island Office of the Department of City Planning, 130 Stuyvesant Place, 6th Floor, Staten Island, New York, 10301.

For consideration.

No. 32

CD 2

N 200201 ZAR

IN THE MATTER OF an application submitted by Anthony Adamo for grant of an authorization pursuant to Section 105-434 of the Zoning Resolution for modification of requirements for driveways at 51 Sloane Avenue (Block 953, Lot 251) within the Special Natural Area District (NA-1).

Plans for this proposal are on file with the City Planning Commission and may be seen at the Staten Island Office of the Department of City Planning, 130 Stuyvesant Place, 6th Floor, Staten Island, New York, 10301.

For consideration.

III. PUBLIC HEARINGS

BOROUGH OF THE BRONX

No. 33

2100 BARTOW AVENUE

CD 10

N 210435 PXX

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 2100 Bartow Avenue (Block 5141, Lot 810) (Administration For Children's Services office).

(On June 29, 2021, the Commission duly advertised July 14, 2021 for a public hearing.)

Close the hearing.

BOROUGH OF QUEENS

No. 34

LeFRAK CITY SENIOR CENTER

CD 4

C 210337 PCQ

PUBLIC HEARING:

IN THE MATTER OF an application submitted by the Department for the Aging 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 a 96-05 Horace Harding Expressway (Block 1918, p/o Lot 114) for use as a neighborhood senior center.

(On June 23, 2021, Cal. No. 11, the Commission scheduled July 14, 2021 for a public hearing which has been duly advertised.)

Close the hearing.

No. 35

106-02 ROCKAWAY BEACH BOULEVARD REZONING

CD 14

C 180395 ZMQ

PUBLIC HEARING:

IN THE MATTER OF an application submitted by RBB II LLC pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section Nos. 30a and 30b:

1. eliminating from an existing R5D District a C2-3 District bounded by Rockaway Freeway, Beach 106th Street, Rockaway Beach Boulevard, and Beach 108th Street; and
2. changing from an R5D District to a M1-3 District property bounded by Rockaway Freeway, the centerline of a Railroad Right-Of-Way, Beach 106th Street, Rockaway Beach Boulevard, and Beach 108th Street;

as shown in a diagram (for illustrative purposes only) dated April 5, 2021, and subject to the conditions of CEQR Declaration E-215.

(On June 23, 2021, Cal. No. 12, the Commission scheduled July 14, 2021 for a public hearing which has been duly advertised.)

Close the hearing.

BOROUGH OF BROOKLYN**No. 36*****101 VARICK AVENUE*****CD 1****C 210329 PCK****PUBLIC HEARING:**

IN THE MATTER OF an application submitted by the New York City Department of Transportation 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 a property located at 101 Varick Avenue (Block 2974, Lot 113) for use as a DOT operations and warehouse facility.

(On June 23, 2021, Cal. No. 6, the Commission scheduled July 14, 2021 for a public hearing which has been duly advertised.)

Close the hearing.

Nos. 37 & 38***2840 KNAPP STREET REZONING*****No. 37****CD 15****C 200203 ZMK****PUBLIC HEARING:**

IN THE MATTER OF an application submitted by Lipkaw Realty, LLC pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 29a, changing from an R5 to an R6 District property bounded by the Shore Parkway (northerly portion), Knapp Street, a line 250 feet northerly of Emmons Avenue, and Brigham Street and its northerly centerline prolongation, as shown on a diagram (for illustrative purposes only) dated April 19, 2021, and subject to the conditions of CEQR Declaration of E-611.

(On June 23, 2021, Cal. No. 2, the Commission scheduled July 14, 2021 for a public hearing which has been duly advertised.)

Close the hearing.



No. 38

CD 15

N 200204 ZRK

PUBLIC HEARING:

IN THE MATTER OF an application submitted by Lipkaw Realty, 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 underlined is new, to be added;

Matter ~~struck out~~ 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

* * *

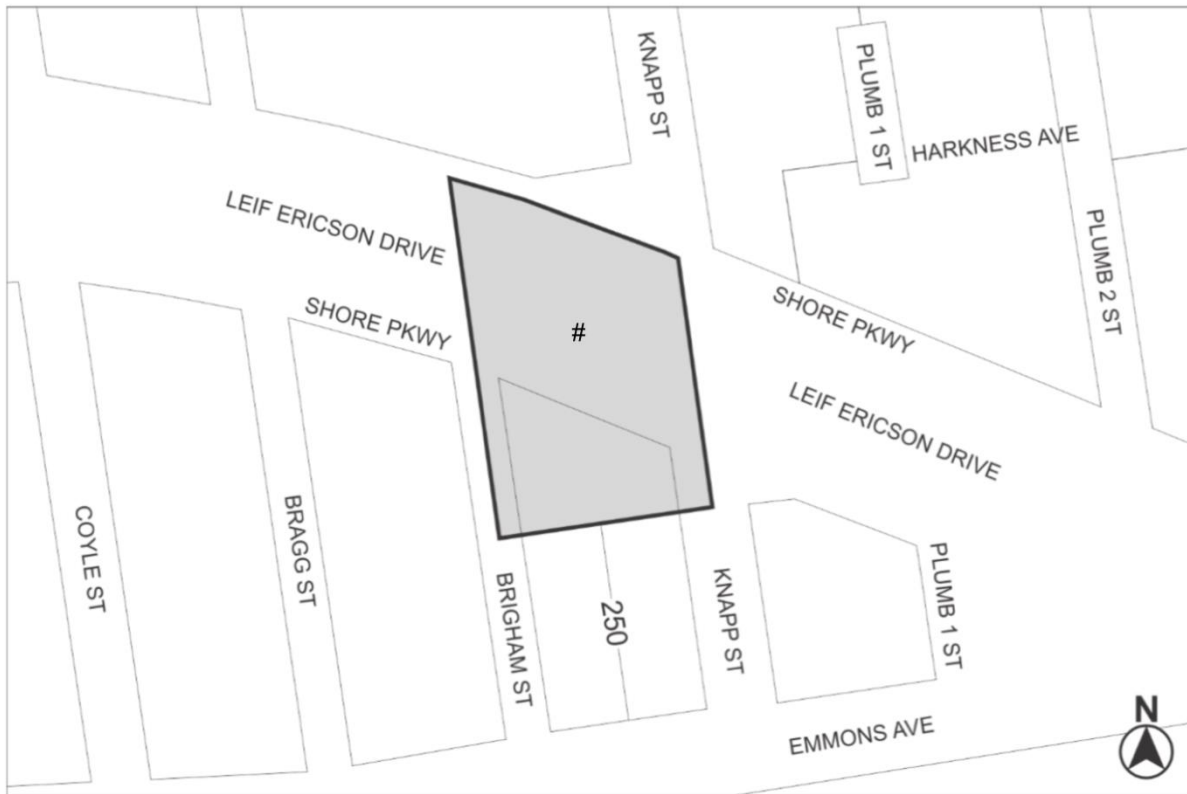
BROOKLYN

* * *

Brooklyn Community District 15

* * *

Map 2 [date of adoption]



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

Area # — [date of adoption] — MIH Program Option 1 and Option 2

Portion of Community District 15, Brooklyn

* * *

(On June 23, 2021, Cal. No. 3, the Commission scheduled July 14, 2021 for a public hearing which has been duly advertised.)

Close the hearing.

Nos. 39 & 40

307 KENT AVENUE REZONING

No. 39

CD 1

C 200306 ZMK

PUBLIC HEARING:

IN THE MATTER OF an application submitted by 307 Kent Associates pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 12d:

1. changing from an M3-1 District to an M1-5 District property bounded by South 2nd Street, a line 300 feet northwesterly of Wythe Avenue, South 3rd Street, and Kent Avenue;
2. changing from an M3-1 District to an M1-4/R6A District property bounded by South 2nd Street, a line 210 feet northwesterly of Wythe Avenue, South 3rd Street, and a line 300 feet northwesterly of Wythe Street; and
3. establishing a Special Mixed Use District (MX-8) bounded by South 2nd Street, a line 210 feet northwesterly of Wythe Avenue, South 3rd Street, and a line 300 feet westerly of Wythe Street;

as shown on a diagram (for illustrative purposes only) dated April 5, 2021, and subject to the conditions of CEQR Declaration E-592.

(On June 23, 2021, Cal. No. 4, the Commission scheduled July 14, 2021 for a public hearing which has been duly advertised.)

Close the hearing.

No. 40

CD 1

N 200307 ZRK

PUBLIC HEARING:

IN THE MATTER OF an application submitted by Soma 142, 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 underlined is new, to be added;

Matter ~~struck out~~ 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**

Brooklyn


Brooklyn Community District 1

* * *

Map 2 - [Date of Adoption]

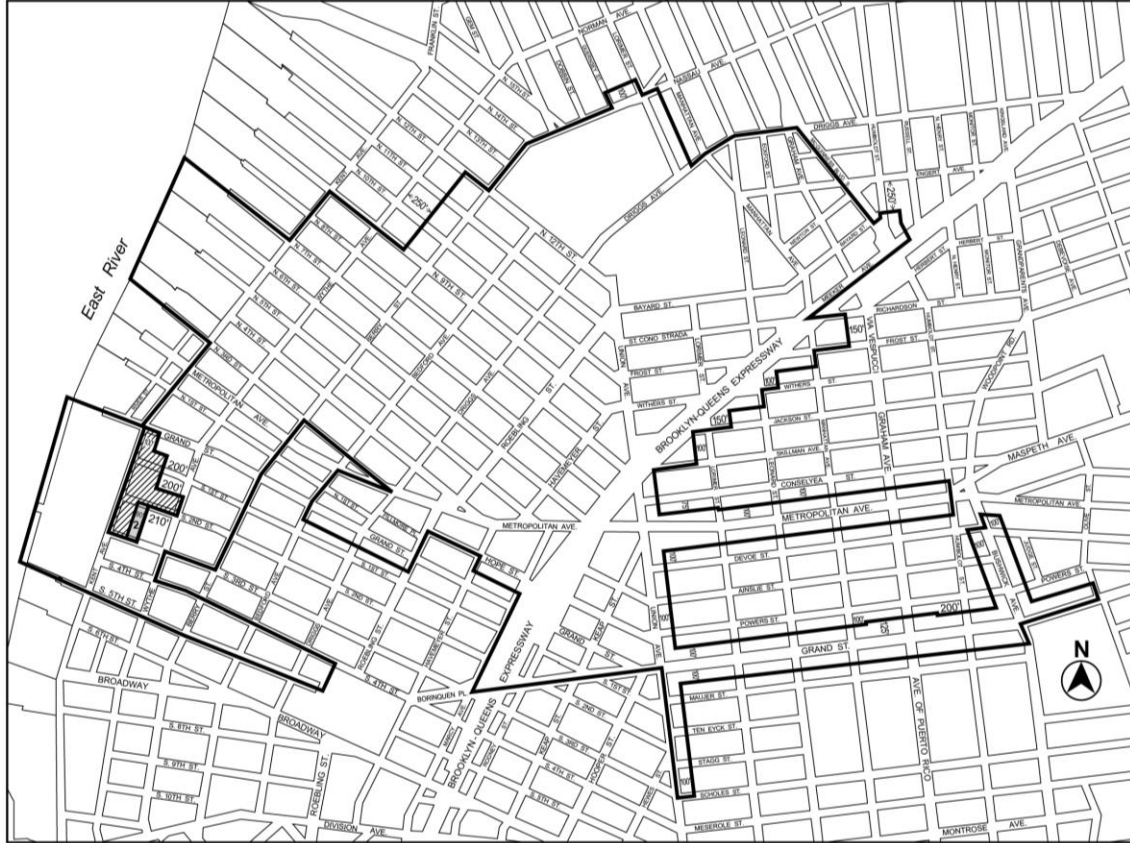
[Existing Map]






 *Inclusionary Housing designated area*

 *Excluded Area*

[Proposed Map]



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

Area 2 – [date of adoption] – MIH Program Option 1 and Option 2

Portion of Community District 1, Brooklyn

(On June 23, 2021, Cal. No. 5, the Commission scheduled July 14, 2021 for a public hearing which has been duly advertised.)

Close the hearing.



NOTICE

On Wednesday, July 14, 2021, a public hearing is being held by the City Planning Commission, accessible both in person and remotely, in conjunction with the above ULURP hearing to receive comments related to a Draft Environmental Impact Statement (DEIS) concerning an application by 307 Kent Associates. The Proposed Actions include a zoning map amendment to rezone the western portion of Block 2415, including Block 2415, Lots 1, 6, 10, 7501, 7502, and a portion of (p/o) Lots 16 and 38 (the Rezoning Area), from M3-1 to M1-5 and MX-8 (M1-4/R6A), as well as a text amendment to Appendix F of the Zoning Resolution to remove a portion of the Rezoning Area from the “Excluded Area” shown on the applicable map in order to establish a Mandatory Inclusionary Housing (MIH) area and to make MIH regulations applicable. The Proposed Actions would facilitate a proposal by the applicant to construct a mixed-use office, community facility, and retail building (the Proposed Project) at 307 Kent Avenue (Block 2415, Lot 1, Projected Development Site 1), a site controlled by the applicant in the Williamsburg neighborhood of Brooklyn, Community District 1.

Written comments on the DEIS are requested and will be received and considered by the Lead Agency through Monday, July 26, 2021.

For instructions on how to submit comments and participate remotely in the hearing, please refer to the instructions at the beginning of this agenda.

This hearing is being held pursuant to the State Environmental Quality Review Act (SEQRA) and City Environmental Quality Review (CEQR), CEQR No. 20DCP100K.

BOROUGH OF MANHATTAN**No. 41*****RESTORING THE GEORGE CITY MAP AMENDMENT*****CD 12****C 180024 MMM****PUBLIC HEARING:**

IN THE MATTER OF an application submitted by The Port Authority of New York and New Jersey 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 West 178th Street and West 180th Street between Haven Avenue and Cabrini Boulevard;
- the elimination, discontinuance and closing of West 179th Street between the westerly end of West 179th Street and Cabrini Boulevard;
- the elimination, discontinuance and closing of Haven Avenue between West 177th Street and West 178th Street;
- the elimination, discontinuance and closing of Haven Avenue between West 179th Street and West 180th Street;
- the elimination, discontinuance and closing of West 177th Street at its intersection with Haven Avenue;
- the widening of a portion of Haven Avenue south of West 181st Street;
- 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 Acc Nos. 30259 and 3026.

(On June 23, 2021, Cal. No. 7, the Commission scheduled July 14, 2021 for a public hearing which has been duly advertised.)

Close the hearing.

No. 42

THE WINDERMERE

CD 4

C 210202 ZSM

PUBLIC HEARING:

IN THE MATTER OF an application submitted by Windermere Properties 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:

1. the use regulations of:
 - a. Section 22-10 (Uses Permitted As-of Right) to allow the conversion of residential floor area to commercial floor area; and

- b. Section 32-421 (Limitation on Floors Occupied by Commercial Uses) to allow commercial use in Use Group 6 uses to be located above the first story of a building occupied by residential use on its upper stories; and

2. the bulk regulations of:

- a. Sections 35-32 (Open Space Ratio for Residential Portions of Buildings) and 23-15 (Open Space and Floor Area Regulations in R6 through R10 Districts) to reduce the required amount of open space;
- b. Section 33-43 (Maximum Height of Walls and Required Setbacks) to allow the building to penetrate the permitted height and setback requirements;
- c. Section 23-86 (Minimum Distance between Legally Required Windows and Walls or Lot Lines) to reduce the minimum required distance between legally required windows and walls; and
- d. Section 23-87 (Permitted Obstructions in Courts) to allow portions of the building to be located within the inner court;

in connection with the proposed conversion, alteration and enlargement of an existing 8-story building, on property located at 400-406 West 57th Street (Block 1066, Lot 32), in C1-8 and R8/C1-5 Districts, within the Special Clinton 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.

(On June 23, 2021, Cal. No. 10, the Commission scheduled July 14, 2021 for a public hearing which has been duly advertised.)

Close the hearing.

Nos. 43 & 44**629-639 WEST 142ND STREET REZONING****No. 43****CD 9****C 210261 ZMM****PUBLIC HEARING:**

IN THE MATTER OF an application submitted by Soma 142, LLC pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 6a, by changing from an existing R6A District to an R9A District property bounded by a line midway between West 142rd Street and West 143rd Street and its westerly prolongation, a line 365 feet westerly of Broadway, West 142nd Street and its westerly prolongation, and the easterly boundary line of Riverside Park, as shown on a diagram (for illustrative purposes only) dated March 15, 2021, and subject to the conditions of CEQR Declaration E-607.

(On June 23, 2021, Cal. No. 8, the Commission scheduled July 14, 2021 for a public hearing which has been duly advertised.)

Close the hearing.

No. 44
CD 9**N 210262 ZRM****PUBLIC HEARING:**

IN THE MATTER OF an application submitted by Soma 142, 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 underlined is new, to be added;

Matter ~~struck out~~ 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

* * *

Manhattan

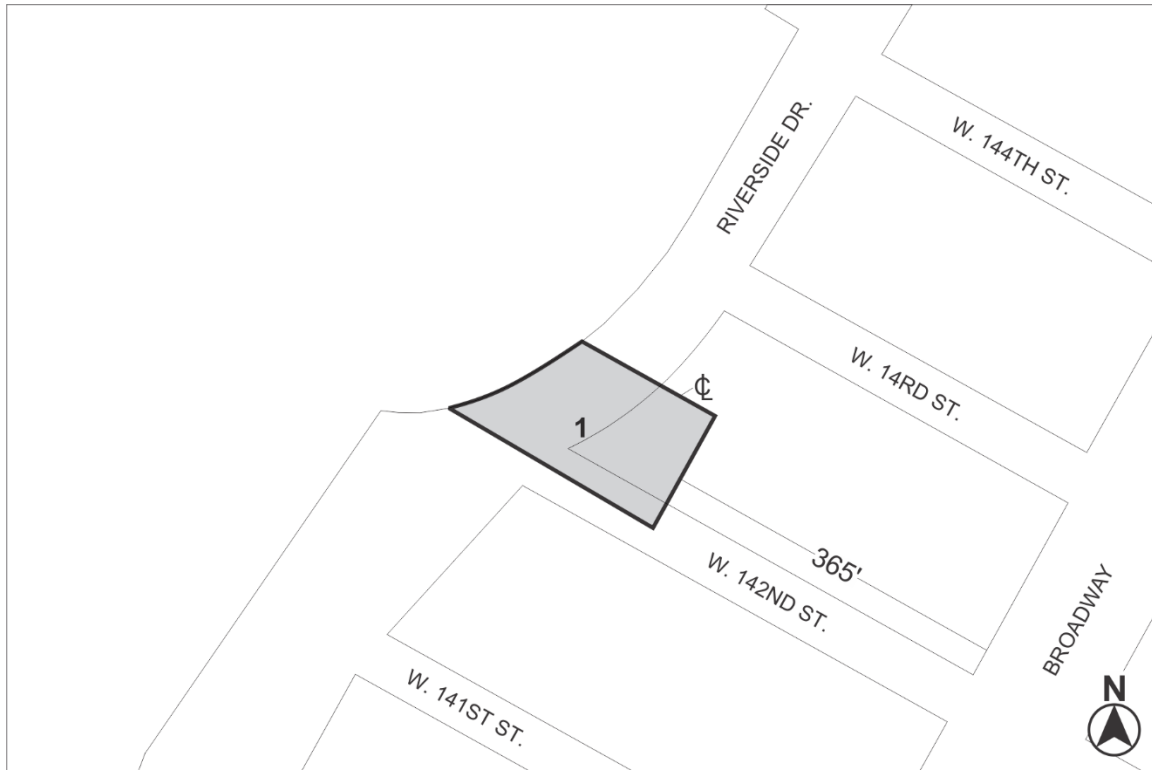
* * *

Manhattan Community District 9

* * *

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 1 and Option 2

Portion of Community District 9, Manhattan

* * *

(On June 23, 2021, Cal. No. 9, the Commission scheduled July 14, 2021 for a public hearing which has been duly advertised.)

Close the hearing.

BOROUGH OF STATEN ISLAND

No. 45 & 46

252 VICTORY BOULEVARD

No. 45

CD 1

C 210361 ZMR

PUBLIC HEARING:

IN THE MATTER OF an application submitted by Victory Boulevard Realty, LLC pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 21c:

1. changing from an R3-2 District to an R6B District property bounded by the northwesterly centerline prolongation of Avon Place, the northeasterly prolongation of the northwesterly streetline of Rosewood Place, the northwesterly prolongation of a line 100 feet southwesterly of Avon Place, a line midway between Victory Boulevard and Rosewood Place and its northeasterly prolongation, the northwesterly centerline prolongation of Bayview Place, and Victory Boulevard;
2. changing from an R3X District to an R6B District property bounded by the northwesterly

prolongation of a line 100 feet southwesterly of Avon Place, the northeasterly prolongation of the northwesterly streetline of Rosewood Place, the northwesterly centerline prolongation of Bayview Place, and a line midway between Victory Boulevard and Rosewood Place and its northeasterly prolongation;

3. establishing within an existing R3-2 District a C1-3 District bounded by the northwesterly centerline prolongation of Bayview Place, a line midway between Victory Boulevard and Rosewood Place, a line 400 feet northeasterly of Cebra Avenue, and Victory Boulevard; and
4. establishing within the proposed R6B District a C1-3 District bounded by northwesterly centerline prolongation of Avon Place, a line 75 feet southeasterly of Victory Boulevard, the northwesterly centerline prolongation of Bayview Place, and Victory Boulevard;

Borough of Staten Island, Community District 1, as shown on a diagram (for illustrative purposes only) dated May 3, 2021, and subject to the conditions of CEQR Declaration E-615.

(On June 23, 2021, Supplemental Cal. No. 4, the Commission duly advertised July 14, 2021 for a public hearing.)

Close the hearing.

No. 46

CD 1

N 210362 ZRR

PUBLIC HEARING:

IN THE MATTER OF an application submitted by Victory Boulevard Realty, 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, and modifying related Sections.

(On June 23, 2021, Supplemental Cal. No. 5, the Commission duly advertised July 14, 2021 for a public hearing.)

Close the hearing.

Nos 47, 48 & 49***RIVER NORTH (LIBERTY TOWERS)*****No. 47****CD 1****C 210289 ZMR****PUBLIC HEARING:**

IN THE MATTER OF an application submitted by Richmond SI Owner, LLC pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 21c:

1. eliminating from an existing R6 District a C2-2 District bounded by Richmond Terrace, Hamilton Avenue, a line 100 feet westerly of Stuyvesant Place, a line 100 feet southwesterly of Richmond Terrace, and Nicholas Street;
2. eliminating a Special Hillside Preservation District (HS) bounded by Richmond Terrace, Stuyvesant Place, Hamilton Avenue, a line 185 feet westerly of Stuyvesant Place, a line 185 feet southwesterly of Richmond Terrace, and Nicholas Street;
3. changing from an R6 District to an R7-3 District property bounded by Richmond Terrace, Stuyvesant Place, Hamilton Avenue, a line 185 feet westerly of Stuyvesant Place, a line 185 feet southwesterly of Richmond Terrace, and Nicholas Street;
4. establishing within an existing R6 District a C2-4 District bounded by Richmond Terrace, Hamilton Avenue, and Stuyvesant Place;
5. establishing within a proposed R7-3 District a C2-4 District bounded by Richmond Terrace, Stuyvesant Place, Hamilton Avenue, a line 185 feet westerly of Stuyvesant Place, a line 185 feet southwesterly of Richmond Terrace, and Nicholas Street; and
6. establishing a Special St. George District (SG) bounded by Richmond Terrace, Hamilton Avenue, a line 185 feet westerly of Stuyvesant Place, a line 185 feet southwesterly of Richmond Terrace, and Nicholas Street;

as shown on a diagram (for illustrative purposes only) dated May 3, 2021, and subject to the conditions of CEQR Declaration E-614.

(On June 23, 2021, Supplemental Cal. No. 1, the Commission duly advertised July 14, 2021 for a public hearing.)

Close the hearing.

No. 48

CD 1

N 210290 ZRR

PUBLIC HEARING:

IN THE MATTER OF an application submitted by Richmond SI Owner, 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 Article XII, Chapter 8 (Special St. George District) and related Sections, and modifying APPENDIX F for the purpose of establishing a Mandatory Inclusionary Housing area.

Matter underlined is new, to be added;

Matter ~~struck-out~~ 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 1
Statement of Legislative Intent**

* * *

**21-10
PURPOSES OF SPECIFIC RESIDENCE DISTRICTS**

* * *

21-15

R3-2, R4, R4B, R5, R6, R7, R8, R9 and R10 — General Residence Districts

These districts are designed to provide for all types of residential buildings, in order to permit a broad range of housing types, with appropriate standards for each district on density, open space, and spacing of buildings. However, R4B Districts are limited to single- or two-family dwellings, and zero lot line buildings are not permitted in R3-2, R4 (except R4-1 and R4B), and R5 (except R5B) Districts. The various districts are mapped in relation to a desirable future residential density pattern, with emphasis on accessibility to transportation facilities and to various community facilities, and upon the character of existing development. These districts also include community facilities and open uses which serve the residents of these districts or benefit from a residential environment.

R7-3 and R9-1 Districts may be mapped only as specified in this paragraph. Such districts may be mapped within the waterfront area and in the #Special Mixed Use Districts#. In addition, R7-3 Districts may be mapped in the #Special Long Island City Mixed Use District# and #Special St. George District#, and R9-1 Districts may be mapped in #Mandatory Inclusionary Housing areas#.

* * *

Chapter 3

Residential Bulk Regulations in Residence Districts

23-00

APPLICABILITY AND GENERAL PURPOSES

23-01

Applicability of This Chapter

* * *

23-011

Quality Housing Program

* * *

R6 R7 R8 R9 R10

- (c) In the districts indicated without a letter suffix, the optional Quality Housing #bulk# regulations permitted as an alternative pursuant to paragraph (b) of this Section, shall not apply to:

- (1) Article VII, Chapter 8 (Special Regulations applying to Large Scale Residential Developments) ,except that they may be permitted as an alternative to apply within #Large Scale Residential Developments# located:
 - (i) in C2-5 Districts mapped within R9-1 Districts in Community District 3 in the Borough of Manhattan.

(2) Special Purpose Districts

However, such optional Quality Housing #bulk# regulations are permitted as an alternative to apply in the following Special Purpose Districts:

* * *

Special Ocean Parkway District;

Special St. George District;

Special Transit Land Use District; or

Special Tribeca Mixed Use District.

* * *

**ARTICLE XII
SPECIAL PURPOSE DISTRICTS**

**Chapter 8
Special St. George District**

**128-00
GENERAL PURPOSES**

The “Special St. George District” established in this Resolution is designed to promote and protect public health, safety and general welfare. These general goals include among others, the following specific purposes:

- (a) to build upon St. George’s existing strengths as a civic center, neighborhood and transit hub by providing rules that will bolster a thriving, pedestrian-friendly business and residence district;
- (b) to establish zoning regulations that facilitate continuous ground floor retail and the critical mass needed to attract and sustain a broader mix of uses;

- (c) to require a tall, slender building form that capitalizes on St. George’s hillside topography and maintains waterfront vistas;
- (d) to encourage the reuse and reinvestment of vacant office buildings;
- (e) to accommodate an appropriate level of off-street parking while reducing its visual impact;
~~and~~
- (f) to enhance neighborhood economic diversity by broadening the range of housing choices for residents at varied incomes; and
- (g) to promote the most desirable use of land and building development in accordance with the District Plan for St. George and thus conserve the value of land and buildings and thereby protect the City’s tax revenues.

128-01

Definitions

Definitions specifically applicable to this Chapter are set forth in this Section and may modify definitions set forth in Section 12-10 (DEFINITIONS). Where matter in italics is defined both in Section 12-10 and in this Chapter, the definitions in this Chapter shall govern.

Commercial street

A “commercial street” shall be a *#street#*, or portion thereof, where special regulations pertaining to ground floor *#uses#* on *#commercial streets#*, pursuant to Section 128-11, apply to *#zoning lots#* fronting upon such *#streets#*. *#Commercial streets#* are designated on Map 2 in the Appendix to this Chapter.

* * *

128-056

Applicability of the Quality Housing Program

In C4-2 Districts, the optional Quality Housing #bulk# regulations permitted as an alternative pursuant to Section 23-011 (Quality Housing Program) shall not apply. In lieu thereof, the #bulk# regulations of this Chapter shall apply. However, where any of the Quality Housing Program elements set forth Article II, Chapter 8 (Quality Housing Program) are provided, the associated #floor area# exemption shall apply.

In C2-4 Districts mapped within R6 Districts, the optional Quality Housing #bulk# regulations permitted as an alternative pursuant to Section 23-011 shall apply.

In R7-3 Districts, the Quality Housing Program shall apply. For the purposes of applying such regulations, #buildings# constructed pursuant to the #bulk# regulations of this Chapter shall be considered #Quality Housing buildings#, and any #building# containing #residences# shall also comply with the requirements of Article II, Chapter 8.

For the purposes of applying the Quality Housing Program elements set forth in Article II, Chapter 8 to C2-4 Districts mapped within R6 Districts and to R7-3 Districts, the elements set forth in Sections 28-23 (Planting Areas) and 28-40 (Parking for Quality Housing) shall be superseded by the planting and parking location provisions of this Chapter.

* * *

128-20

FLOOR AREA, LOT COVERAGE AND YARD REGULATIONS

128-21

Maximum Floor Area Ratio

In C4-2 Districts within the Upland Subdistrict, the underlying #floor area ratio# and #open space# regulations shall not apply. In lieu thereof, the maximum #floor area ratio# for any #use#, separately or in combination, shall be 3.4, and no #floor area# bonuses shall apply, except that for #zoning lots# with less than 10,000 square feet of #lot area# without frontage on a #commercial street#, the maximum #floor area ratio# for any #use#, separately or in combination, shall be 2.2, and no #floor area# bonuses shall apply.

In R7-3 Districts, the maximum #floor area ratio# for any #use# within a #Mandatory Inclusionary Housing area# shall be 6.0.

128-22

Maximum Lot Coverage

In C4-2 Districts within the Upland Subdistrict and in R7-3 Districts, the underlying #open space ratio# provisions shall not apply. In lieu thereof, the maximum permitted #lot coverage# for a #residential building#, or portion thereof, shall be 70 percent for an #interior# or #through lot# and 100 percent for a #corner lot#.

* * *

128-30 HEIGHT AND SETBACK REGULATIONS

The provisions of this Section, inclusive, shall apply to all #buildings or other structures# within the Upland Subdistrict, except in C2-4 Districts mapped within R6 Districts, where the underlying height and setback regulations shall apply.

In C1-2 Districts mapped within R3-2 Districts, all #buildings or other structures# shall comply with the height and setback regulations of R4 Districts, except that the maximum perimeter wall height shall be 26 feet, and the #street wall# location provisions of Section 128-32 (Street Wall Location) shall apply.

The underlying height and setback regulations of C4-2 Districts within the Upland Subdistrict shall not apply. In lieu thereof, the height and setback regulations of this Section, inclusive, shall apply. In R7-3 Districts, all #buildings or other structures# shall comply with the height and setback regulations of this Section, inclusive.

In the South and North Waterfront Subdistricts, the underlying height and setback regulations of Section 62-34 (Height and Setback Regulations on Waterfront Blocks) shall apply, except that:

- (a) in the South Waterfront Subdistrict, rooftop regulations shall be as modified in Section 128-31 (Rooftop Regulations); and
- (b) in the North Waterfront Subdistrict, #developments#, #enlargements#, alterations and changes of #use# permitted pursuant to Section 128-61 (Special Permit for North Waterfront Sites) shall instead be subject to the Proposed Plans, as set forth in Section 128-61, as approved pursuant to such special permit.

All heights shall be measured from the #base plane#, except that wherever a minimum or maximum base height is specified for #zoning lots# with multiple #street frontages#, such heights shall be determined separately for each #street# frontage, with each height measured from the final grade of the sidewalk fronting such #street wall#.

* * *

128-32 Street Wall Location

The following #street wall# regulations shall apply in C1-2 Districts mapped within R3-2 Districts and in C4-2 Districts within the Upland Subdistrict. In R7-3 Districts, no #street wall# location provisions shall apply.

(a) #Street walls# along #commercial streets#

* * *

128-33

Maximum Base Height

In C4-2 Districts within the Upland Subdistrict, the The maximum height of a #building or other structure# before setback shall be as specified on Map 3 (Minimum and Maximum Base Heights) in the Appendix to this Chapter. Where a maximum base height of 65 feet applies as shown on Map 3, such maximum base height shall be reduced to 40 feet for #zoning lots developed# or #enlarged# pursuant to the tower provisions of Section 128-35. When a #building# fronts on two intersecting #streets# for which different maximum base heights apply, the higher base height may wrap around to the #street# with the lower base height for a distance of up to 100 feet.

In R7-3 Districts, the maximum base height shall be 75 feet.

In C4-2 Districts within the Upland Subdistrict and in R7-3 Districts, all All portions of #buildings or other structures# above such maximum base heights shall provide a setback at least 10 feet in depth measured from any #street wall# facing a #wide street# and 15 feet in depth from any #street wall# facing a #narrow street#.

In C4-2 Districts within the Upland Subdistrict and in R7-3 Districts, dormers may exceed the maximum base height in accordance with the provisions of paragraph (c) of Section 23-621 (Permitted obstructions in certain districts). However, on any #zoning lot# that includes a tower #developed# or #enlarged# pursuant to Section 128-35, dormers shall not be permitted.

128-34

Maximum Building Height

In C4-2 Districts within the Upland Subdistrict, for #buildings# that are not #developed# or #enlarged# pursuant to the tower provisions of Section 128-35 (Towers), the maximum height of a #building or other structure# and the maximum number of #stories#, as applicable, shall be as set forth in Section 23-662 (Maximum height of buildings and setback regulations) for a residential equivalent of an R6 District. Separate maximum #building# heights are set forth within such Section for #developments# or #enlargements# with #qualifying ground floors# and for those with #non-qualifying ground floors#. However, on Bay Street where there is a maximum base height of 85 feet, the maximum height of a #building or other structure# also shall be 85 feet.

In C4-2 Districts within the Upland Subdistrict for #buildings# that are #developed# or #enlarged# pursuant to the tower provisions of Section 128-35, the maximum height of the tower portion of a #building# shall be 200 feet, and the height of all other portions of the #building# shall not exceed the applicable maximum base height. Where a maximum base height of 65 feet applies as shown on Map 3 in the Appendix to this Chapter, such maximum base height shall be reduced to 40 feet for #zoning lots developed# or #enlarged# pursuant to the tower provisions of Section 128-35.

In R7-3 Districts, the maximum height of a #building or other structure# shall be 185 feet or 18 #stories#, whichever is lower. The tower provisions of Section 128-35 shall not apply.

* * *

128-50 PARKING REGULATIONS

* * *

128-51 Required Off-street Parking and Loading

In the #Special St. George District#, the following parking and loading regulations shall apply:

(a) In C4-2 Districts, the following special regulations shall apply:

~~(a)~~(1) #Residential uses#

One off-street parking space shall be provided for each #dwelling unit# created after October 23, 2008, including any #dwelling units# within #buildings# converted pursuant to Article I, Chapter 5 (Residential Conversion Within Existing Buildings), except that the provisions of Section 25-25 (Modification of Requirements for Income-restricted Housing Units, Affordable Independent Residences for Seniors or Other Government-assisted Dwelling Units) shall apply to #income-restricted housing units#. However, where the total number of required spaces is five or fewer or, for #conversions#, where the total number of required spaces is 20 or fewer, no parking shall be required, except that such waiver provision shall not apply to any #zoning lot# subdivided after October 28, 2008. The provisions of Section 73-46 (Waiver of Requirements for Conversions) shall apply to #conversions# where more than 20 parking spaces are required.

~~(b)~~(2) #Commercial# #uses#

For #commercial# #uses#, the off-street parking and loading requirements of a C4-3 District shall apply, except that food stores with 2,000 or more square feet of #floor area# per establishment shall require one parking space per 400 square feet of #floor area# and, for places of assembly and hotels, the off-street parking and loading requirements of a C4-2 District shall apply.

~~(e)~~(3) #Community facility use#

For ambulatory diagnostic or treatment health care facilities listed in Use Group 4, the off-street parking requirements of a C4-3 District shall apply.

- (b) In R7-3 Districts, the parking and loading regulations of an R7-2 District shall apply, except as modified by Sections 128-52 (Special Floor Area Regulations) through 128-56 (Curb Cuts on Commercial Streets).
- (c) In C2-4 Districts mapped within R6 Districts, the underlying regulations shall apply, except as modified by Sections 128-52 through 128-56.

* * *

128-60
SPECIAL APPROVALS

The special permit for North Waterfront sites set forth in Section 128-61 is established in order to guide and encourage appropriate #use# and #development# in a unique location within the #Special St. George District# that serves as a gateway between Staten Island and Manhattan for both visitors and daily commuters. Redevelopment of the North Waterfront sites pursuant to this special permit provides an appropriate means to address the special characteristics of these sites, while accommodating their continuing transportation function, as part of their transformation into a regional destination that will contribute to the revitalization of the #Special St. George District# and surrounding area.

The special permit for #buildings# in R7-3 Districts set forth in Section 128-62 is established to allow modification of #bulk# regulations and mandatory improvements, except #floor area ratio# provisions, in order to encourage better site planning, and streetscapes that are consistent with the goals of the Special District.

* * *

128-62
Special Permit for Buildings in R7-3 Districts

For any #zoning lot# in an R7-3 District, the City Planning Commission may permit modification of #bulk# regulations, except #floor area ratio# provisions, and modification of mandatory improvements, provided the Commission shall find that such modifications:

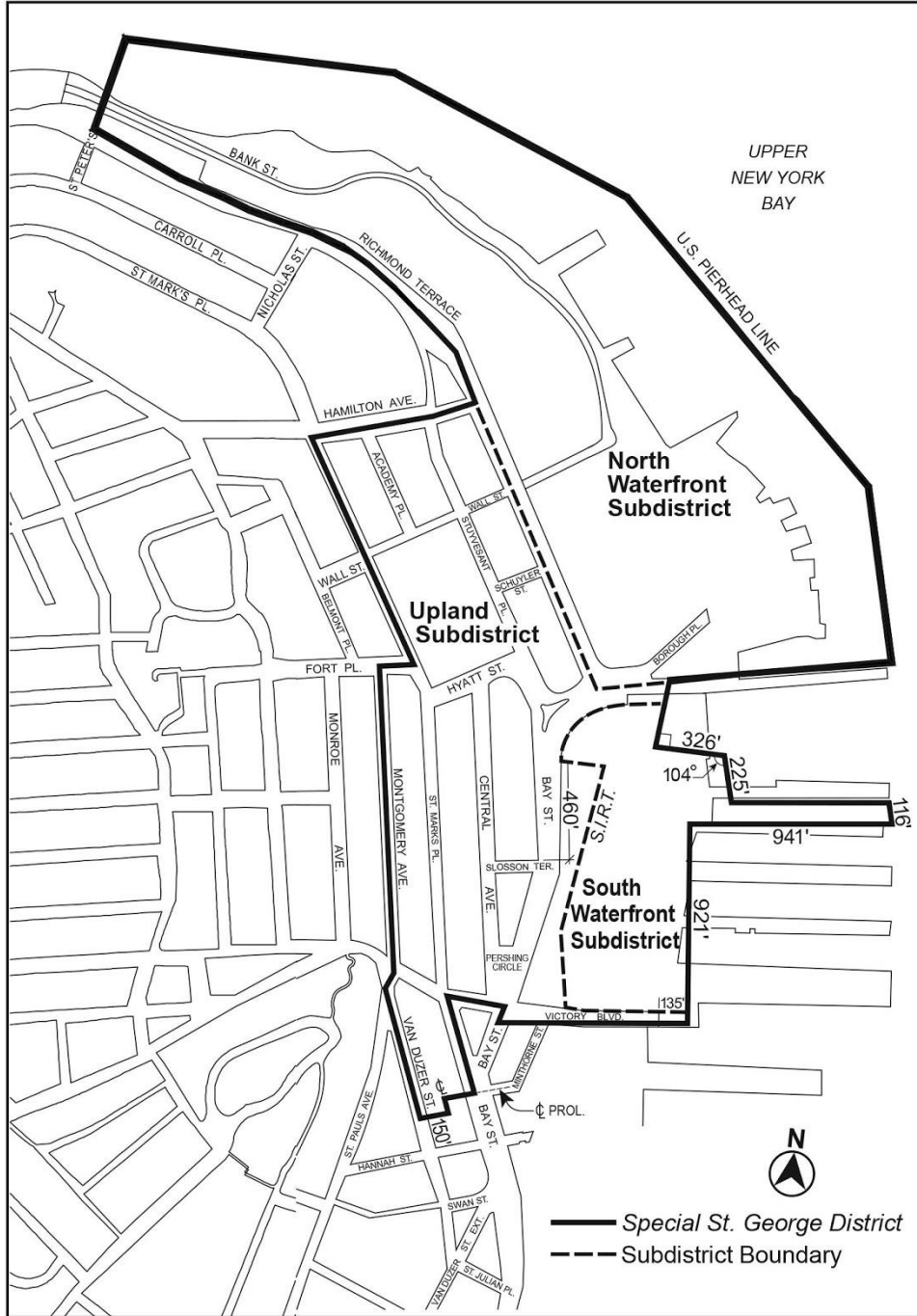
- (a) will aid in achieving the general purposes and intent of the Special District;
- (b) will enhance the distribution of #bulk# on the #zoning lot#;
- (c) will not unduly obstruct access to light and air from surrounding #streets# and properties; and
- (d) will result in a better site plan and urban design relationship with adjacent #streets#, open areas, and the surrounding neighborhood.

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

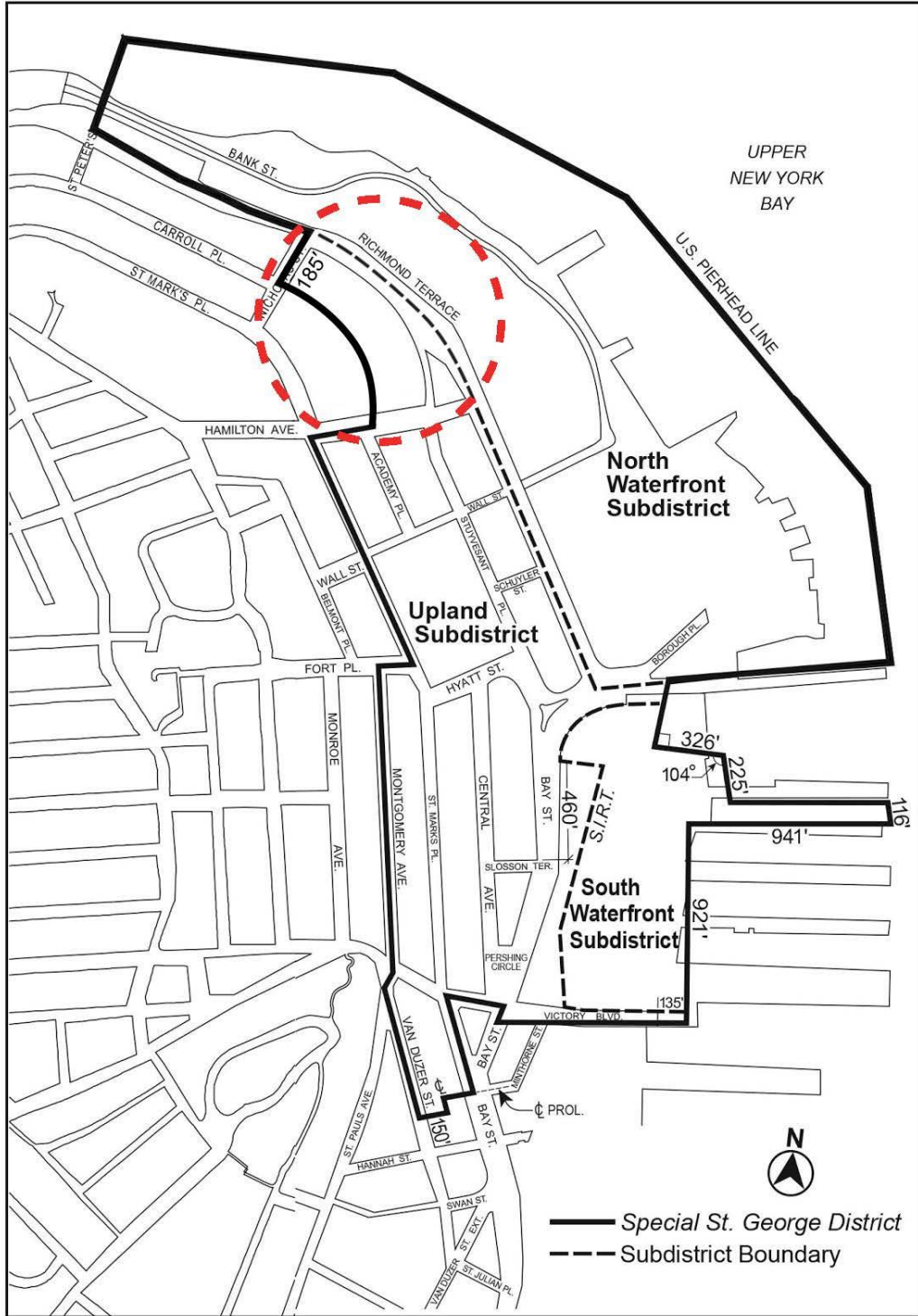
Appendix – Special St. George District Plan

Map 1 – Special St. George District and Subdistricts [date of adoption]

[EXISTING MAP]

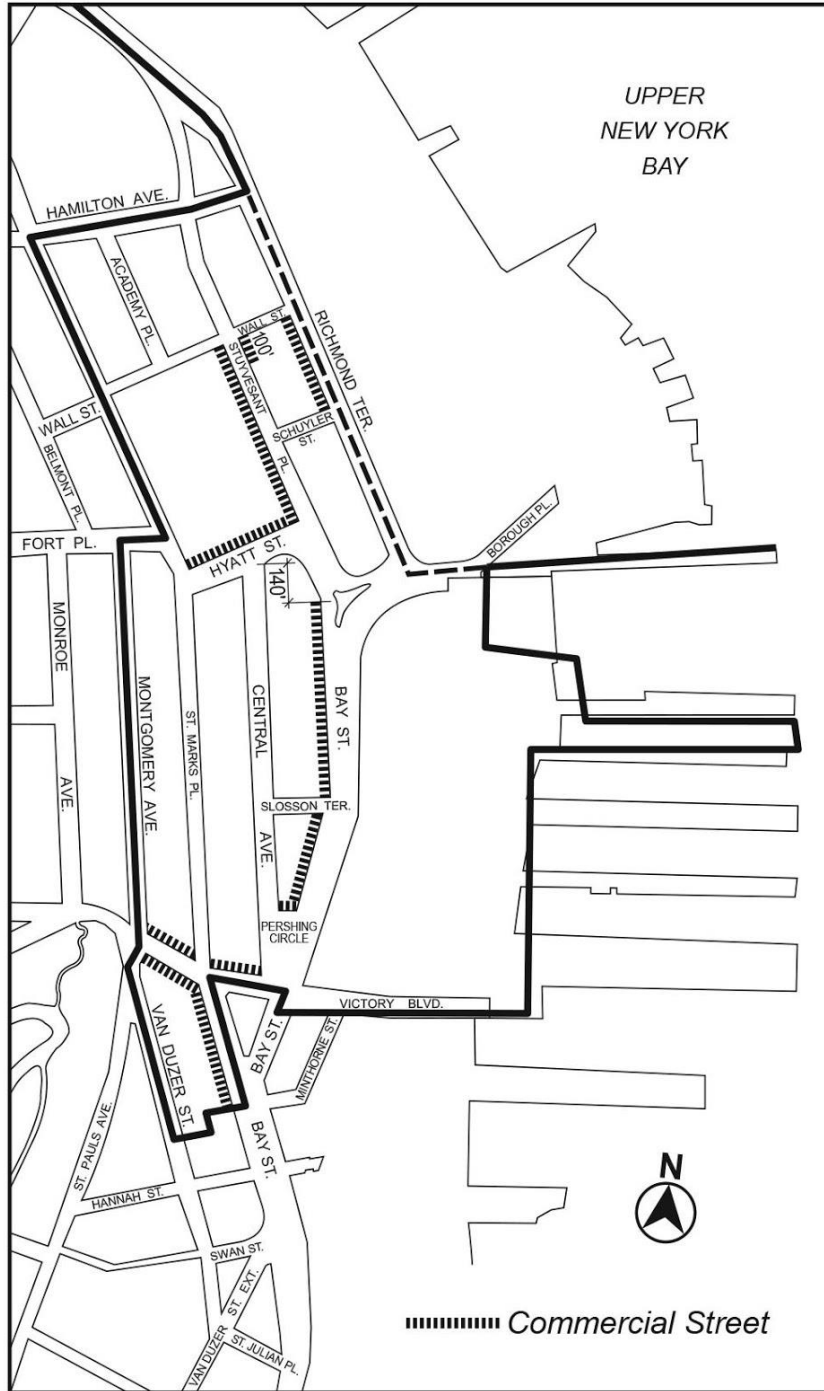


[PROPOSED MAP]

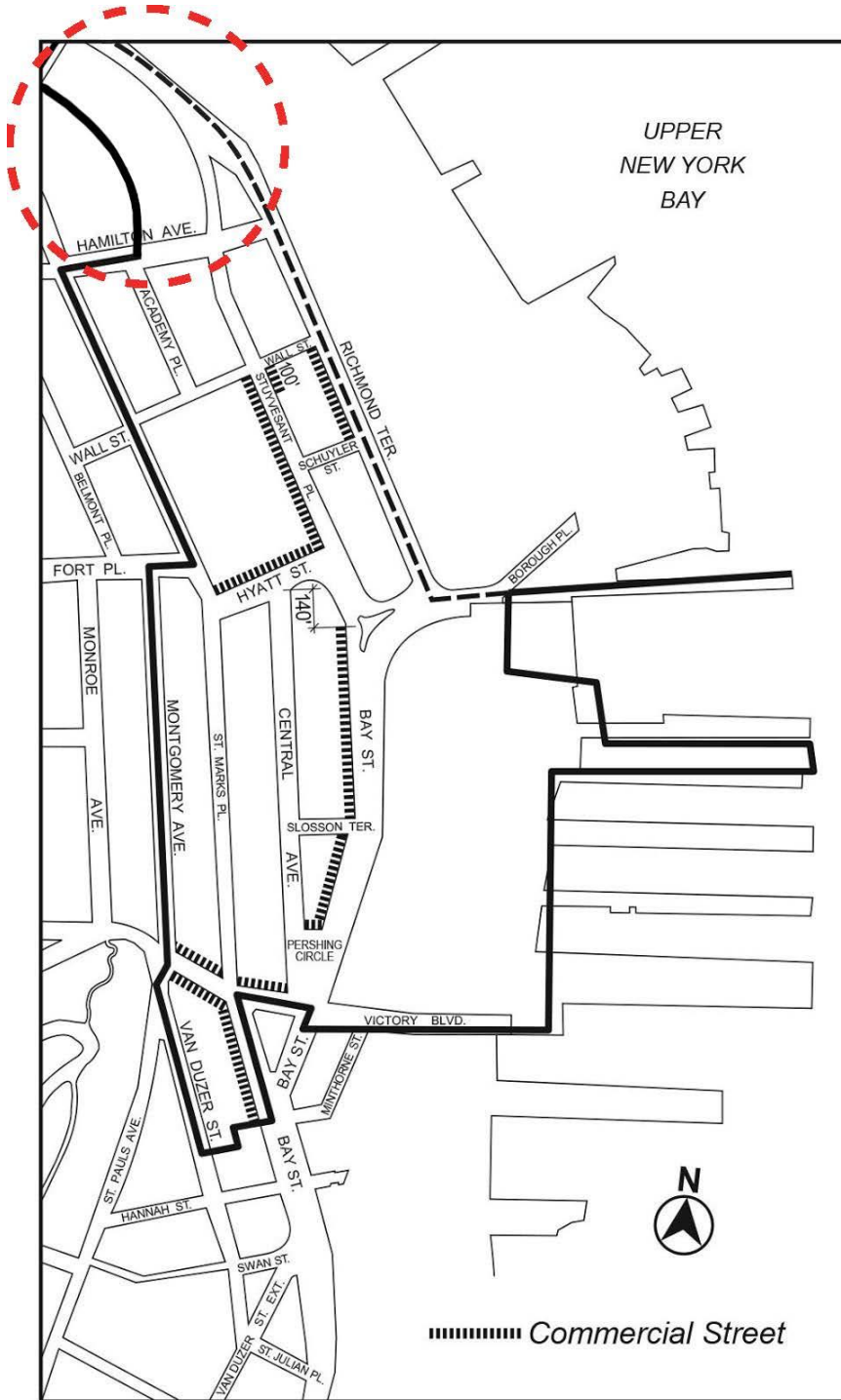


Map 2 – Commercial Streets [date of adoption]

[EXISTING MAP]

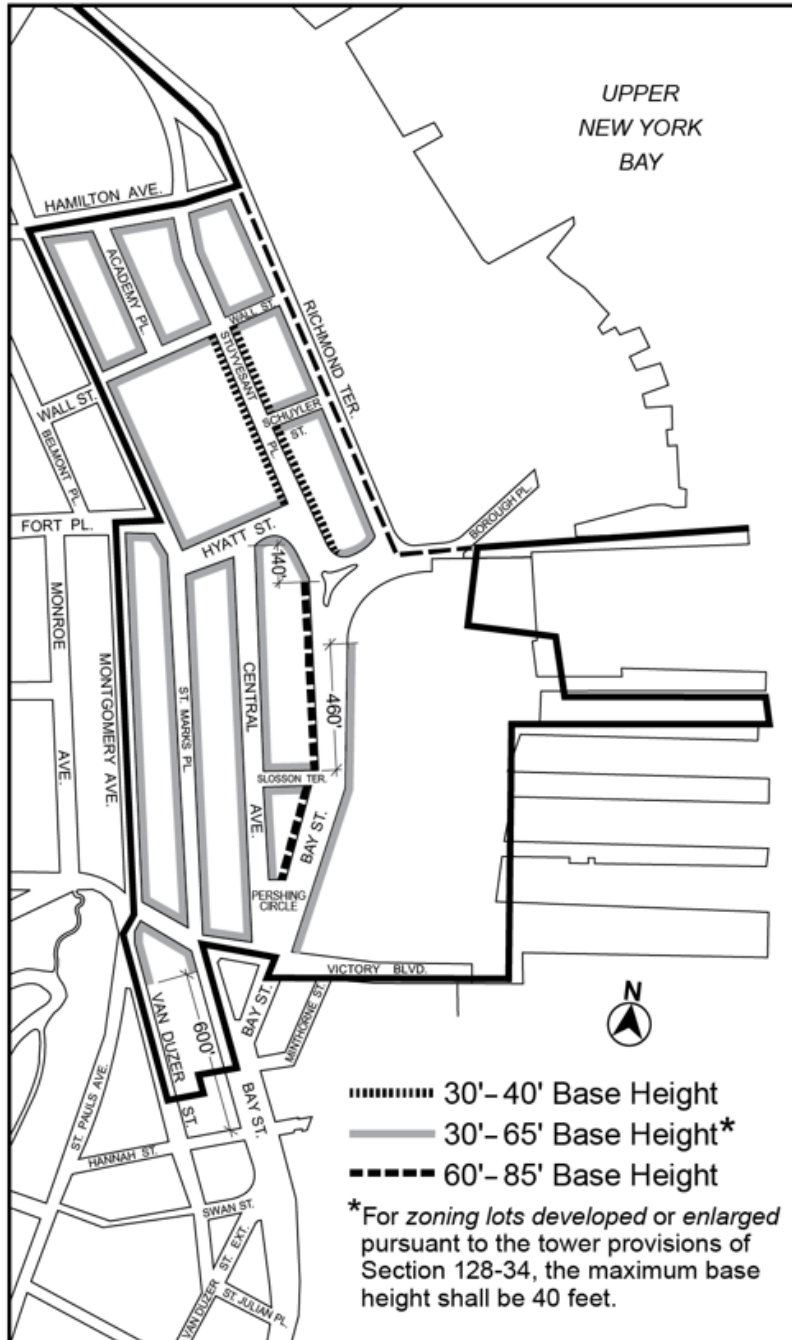


[PROPOSED MAP]

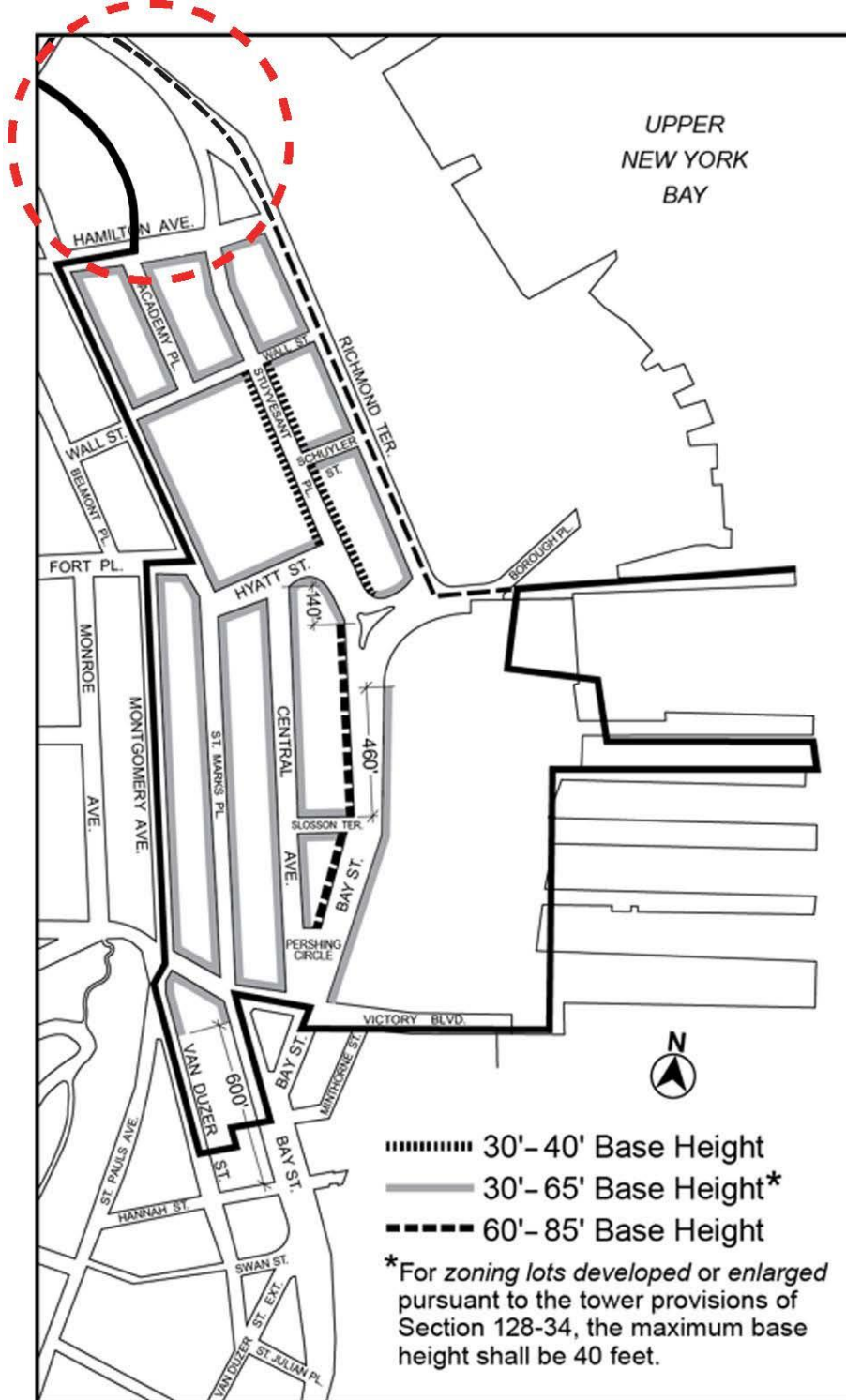


Map 3 –Minimum and Maximum Base Heights [date of adoption]

[EXISTING MAP]



[PROPOSED MAP]

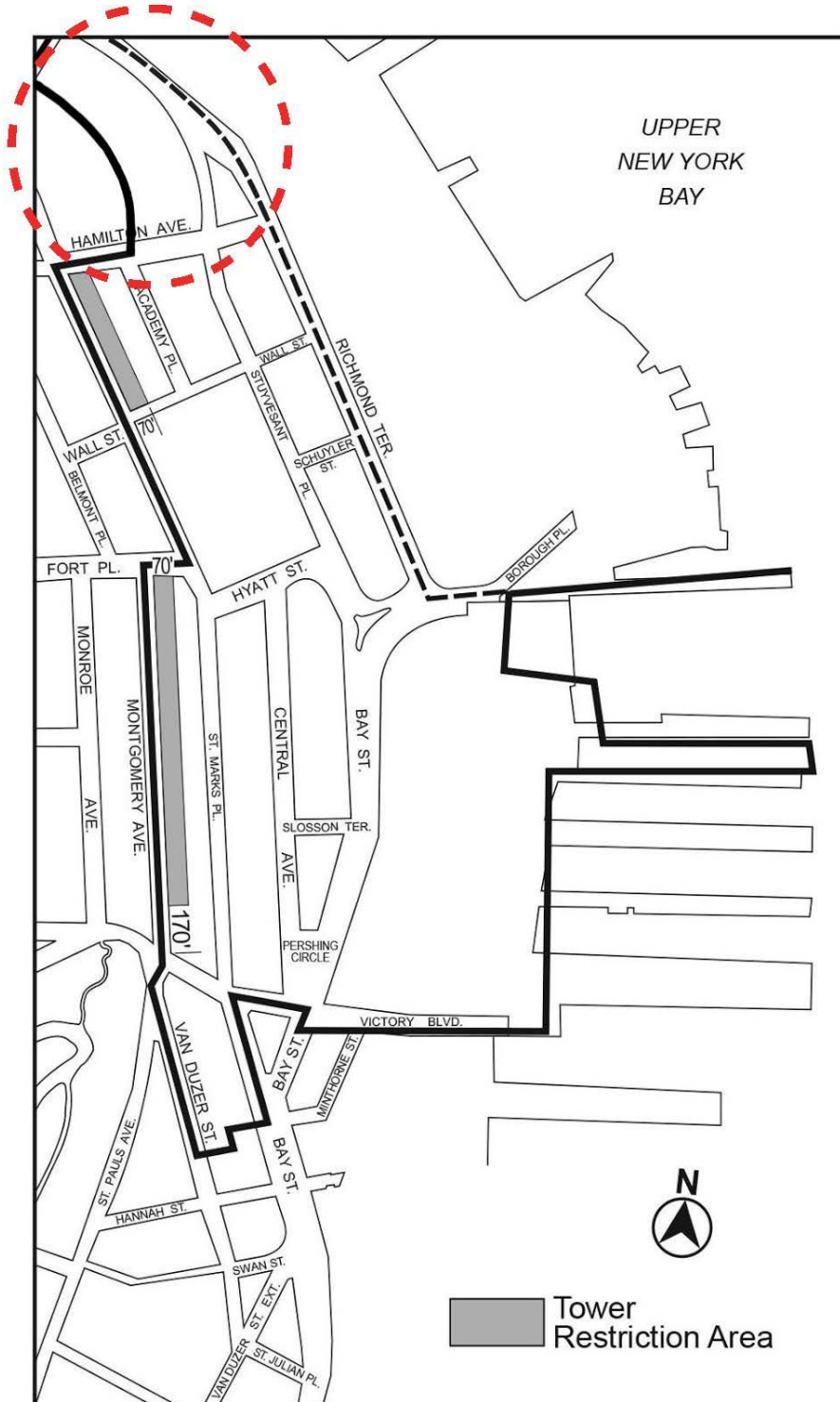


Map 4 – Tower Restriction Areas [date of adoption]

[EXISTING MAP]

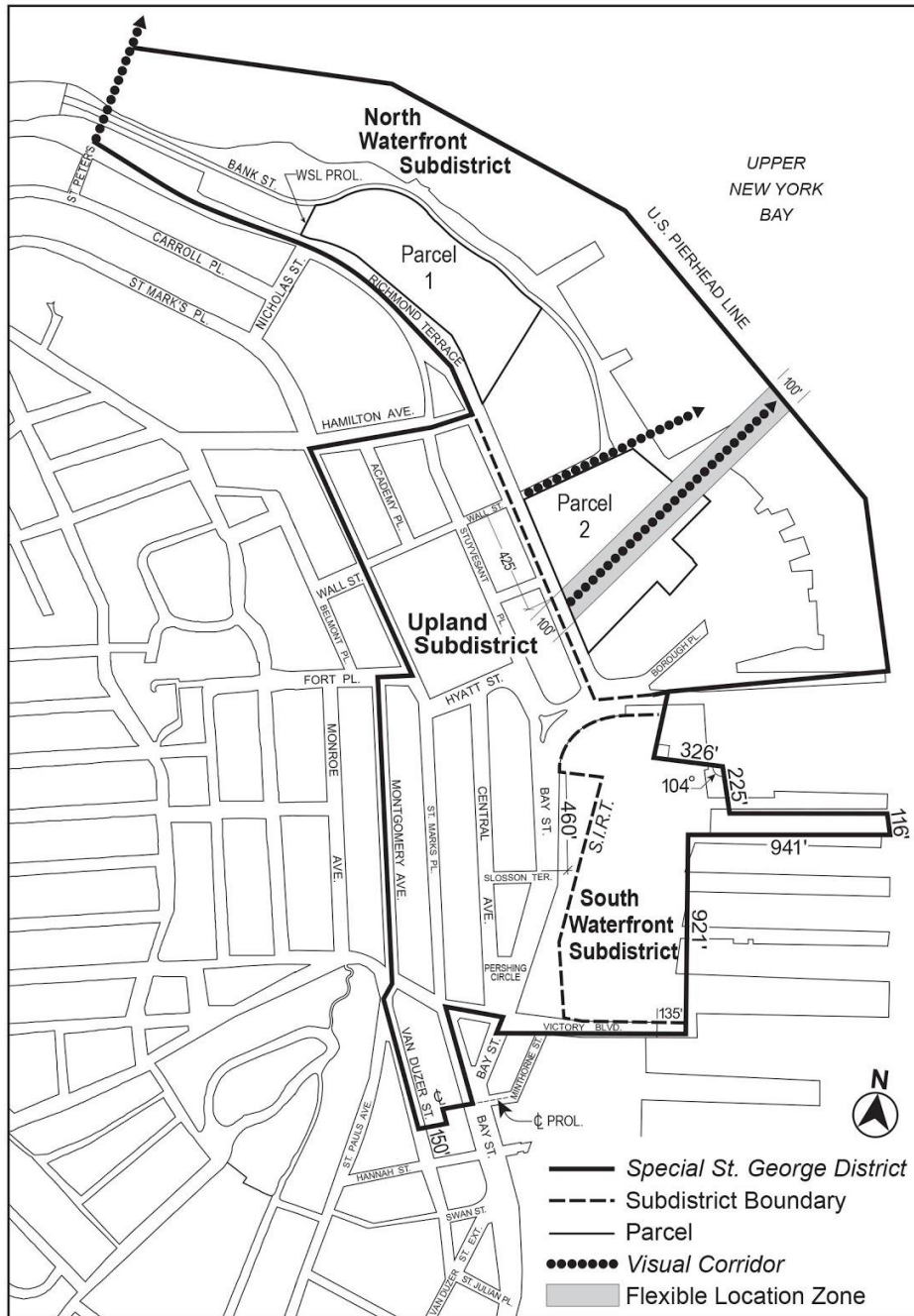


[PROPOSED MAP]

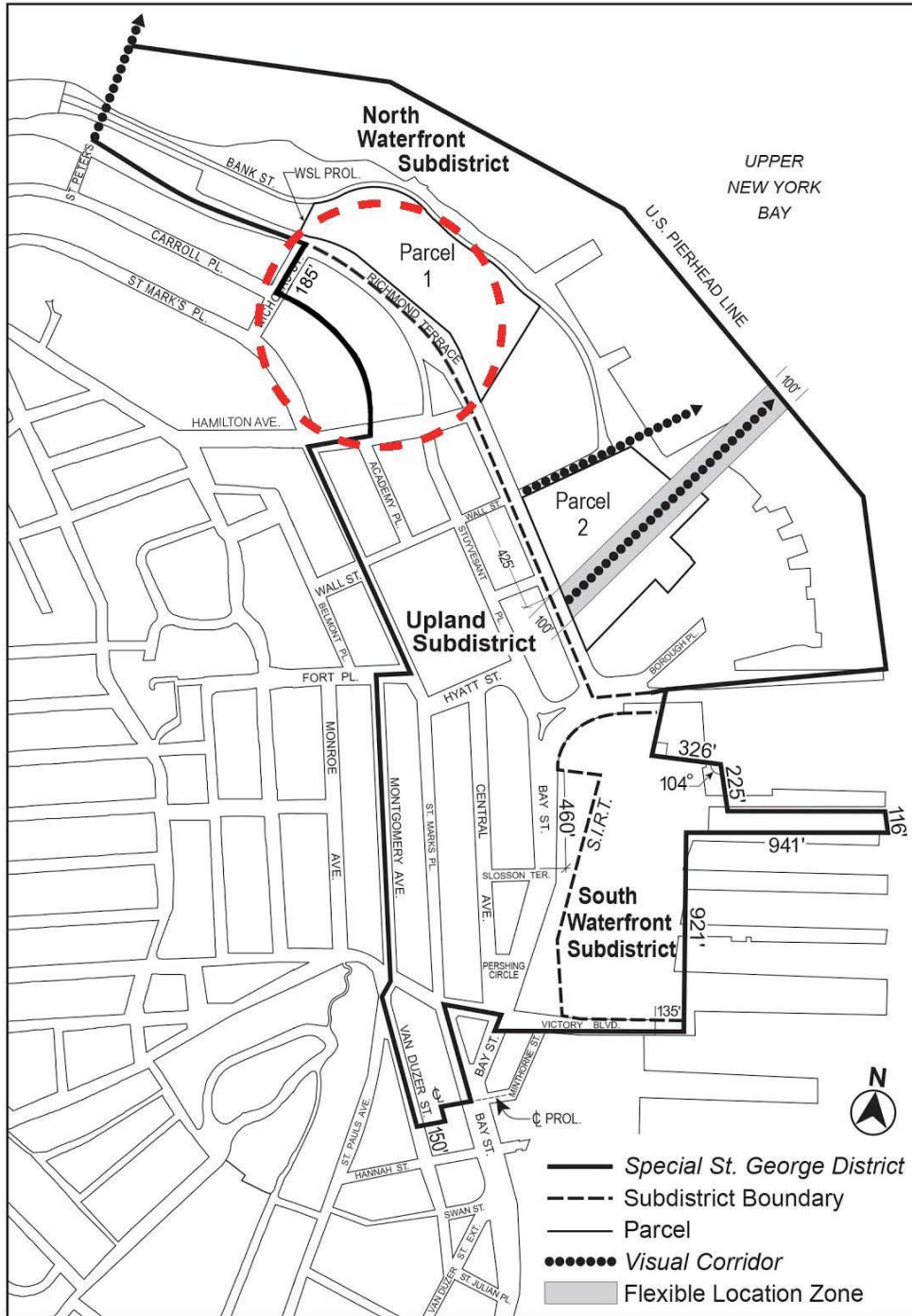


Map 5 – Visual Corridors and Parcels [date of adoption]

[EXISTING MAP]



[PROPOSED MAP]



* * *

APPENDIX F

Inclusionary Housing Designated Areas and Mandatory Inclusionary Housing Areas

* * *

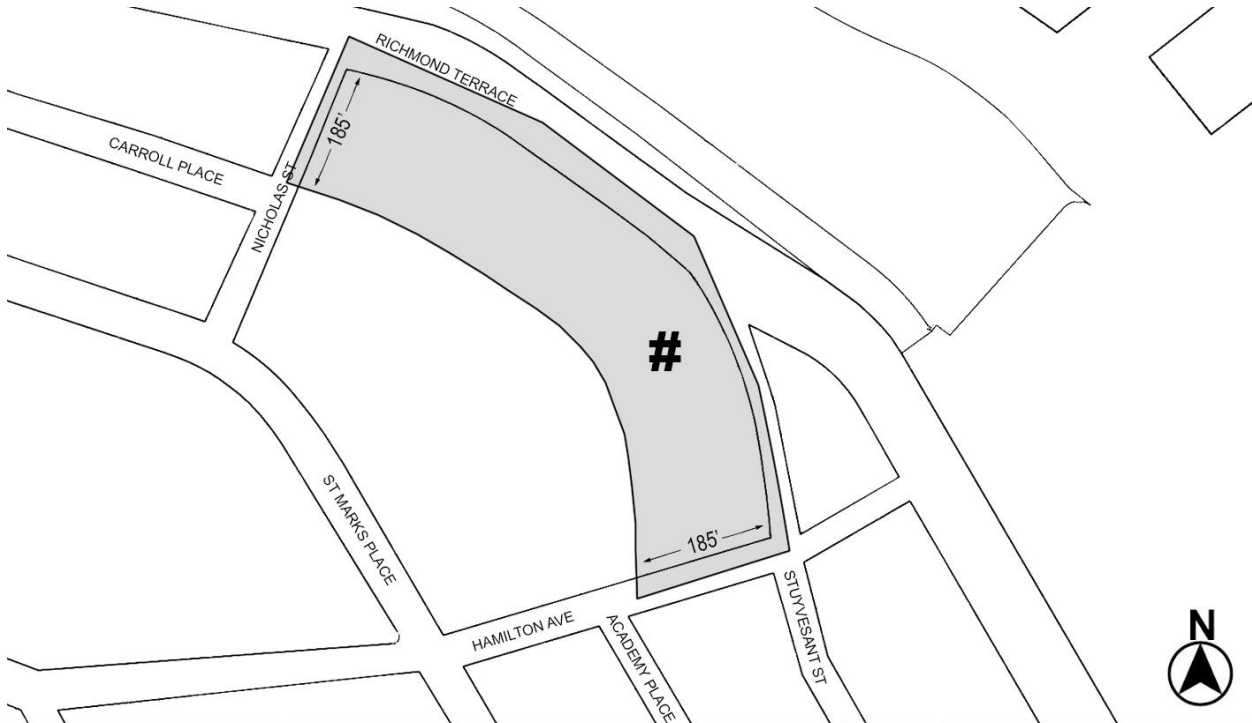
STATEN ISLAND

Staten Island Community District 1

* * *

Map 3 – [date of adoption]

[PROPOSED MAP]



 Mandatory Inclusionary Housing Program Area *see Section 23-154(d)(3)*

Area # - [date of adoption] MIH Program Option 1 and Option 2

* * *

(On June 23, 2021, Supplemental Cal. No. 3, the Commission duly advertised July 14, 2021 for a public hearing.)

Close the hearing.

No. 49

CD 1

C 210291 ZSR

PUBLIC HEARING:

IN THE MATTER OF an application submitted by Richmond SI Owner, LLC pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit pursuant to Section 128-62* of the Zoning Resolution as follows:

1. to modify the rear yard requirements of Section 23-47 (Minimum Required rear yard);
2. to modify the permitted obstruction requirements of Section 128-31 (Roof-top Regulations) and Section 33-42 (Permitted Obstructions);
3. to modify the height and setback requirements of Section 128-33* (Maximum Base Height) and Section 128-34* (Maximum Building Height); and
4. to modify the planting requirements of Section 128-42 (Planting Areas); in connection with a proposed mixed-use development, on property located at 24 Stuyvesant Place (Block 13, Lots 82, 92, 100 and p/o Lot 8), in an R7-3/C2-4** District, within the Special St. George District (SG)**.

* Note: Sections 128-33, 128-34 & 128-62 are proposed to be change under a concurrent related application for a Zoning Text change (N 210290 ZRR).

** Note: This site is proposed to be rezoned by changing R6(HS) & R6/C2-2(HS) Districts to an R7-3/C2-4(SG) District under a concurrent related application for a Zoning Map change (C 210289 ZMR).

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

(On June 23, 2021, Supplemental Cal. No. 2, the Commission duly advertised July 14, 2021 for a public hearing.)

Close the hearing.

NOTICE

On Wednesday, July 14, 2021, a remote public hearing is being held by the City Planning Commission (CPC), accessible both in person and remotely, in conjunction with the above ULURP hearing to receive comments related to a Draft Environmental Impact Statement (DEIS) concerning an application by Richmond SI Owner LLC (“The Applicant”). The Applicant seeks approval of a series of discretionary land use actions including a zoning map amendment, zoning text amendments, and a special permit (the “Proposed Actions”) from the City Planning Commission (CPC) that would facilitate the development of a mixed use project comprising residential and commercial uses, open space, and accessory parking (the “Proposed Development”) in the St. George neighborhood of Staten Island, Community District 1. The Project Area includes two vacant development sites and an underdeveloped site near the St. George Waterfront and the Staten Island Ferry Terminal. The Proposed Actions would facilitate the development of 919,442 gross square feet (gsf) of floor area within four buildings across two development sites. The Applicant’s site would be developed with three buildings totaling 801,594 gsf (see architectural drawings in Appendix A). The Applicant also would develop an approximately 7,790 square foot (sf) privately owned public space next to the intersection of Stuyvesant Place and Hamilton Avenue. An additional site that is not controlled or under ownership of the Applicant (“Projected Development Site 2) is projected to be developed as a result of the Proposed Actions.

Written comments on the DEIS are requested and will be received and considered by the Lead Agency through Monday, July 26, 2021.

For instructions on how to submit comments and participate remotely in the hearing, please refer to the instructions at the beginning of this agenda.

This hearing is being held pursuant to the State Environmental Quality Review Act (SEQRA) and City Environmental Quality Review (CEQR), CEQR No. 20DCP140R.

CITYWIDE

No. 50

CITYWIDE HOTELS TEXT AMENDMENT

CITYWIDE

N 210406 ZRY

PUBLIC HEARING:

IN THE MATTER OF an application submitted by the Department of City Planning, pursuant to Section 201 of the New York City Charter, for an amendment of the Zoning Resolution of the City of New York, to modify Article III, Chapter 2 (Use Regulations), Article IV, Chapter 2 (Use Regulations) and related Sections, to create a special permit for new hotels, motels, tourist cabins and boatels in Commercial Districts and in M1 Districts paired with Residence Districts.

Matter underlined is new, to be added;

Matter ~~struck out~~ is to be deleted;

Matter within # # is defined in Section 12-10 or other, as applicable;

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

* * *

**ARTICLE III
COMMERCIAL DISTRICT REGULATIONS**

**Chapter 2
Use Regulations**

**32-00
GENERAL PROVISIONS**

* * *

**32-02
Special Provisions for Hotels**

#Transient hotels#, as listed in Section 32-14 (Use Group 5), and #motels#, #tourist cabins# or #boatels#, as listed in Section 32-16 (Use Group 7A), shall be subject to the special provisions of this Section. For the purposes of this Section, #transient hotels# shall include #motels#, #tourist cabins# and #boatels#.

In all Districts, #transient hotels# shall be permitted only as set forth in this Section.

(a) Applicability

A special permit for #transient hotels#, by the City Planning Commission, pursuant to Section 74-802 (Transient hotels within Commercial Districts) shall be applicable to:

- (1) the #development# of a #transient hotel#;
- (2) a change of #use# or #conversion# to a #transient hotel#, or an #enlargement#, containing a #transient hotel#, of a #building# that, as of [date of adoption], did not contain such #use#; or
- (3) an #enlargement# or #extension# of a #transient hotel# that existed prior to [date of adoption], that increases the #floor area# of such #use# by 20 percent or more.

(b) Exclusions

Notwithstanding the above, the provisions of this Section shall not apply to the following:

- (1) a #transient hotel# operated exclusively for the public purpose of temporary housing assistance by the City or State of New York, or operated by a non-governmental entity pursuant to an active contract or other written agreement with an agency of the City or State specifying such public purpose;
- (2) where an application for a project containing a #transient hotel# has been filed at the Board of Standards and Appeals before [date of adoption] and such application has been approved after January 1, 2018, provided that:
 - (i) such #transient hotel# was considered in such application, as evidenced by its description or assessment at a specified location in a land use application or in environmental review documents; and
 - (ii) in the event that a temporary or final certificate of occupancy has not been issued by [six years after date of adoption], the building permit shall automatically lapse and the right to continue construction shall terminate. An application to renew the building permit may be made to the Board of Standards and Appeals not more than 30 days after the lapse of such building permit pursuant to the applicable provisions of Section 11-332 (Extension of period to complete construction); or
- (3) where an application for a project containing a #transient hotel# has been certified by the City Planning Commission before [date of adoption] and has been approved by the Commission after January 1, 2018, provided that:
 - (i) such #transient hotel# was considered in such application, as evidenced by its description or assessment at a specified location in a land use application or in environmental review documents; and
 - (ii) in the event that a temporary or final certificate of occupancy has not been issued by [six years after date of adoption], the building permit shall automatically lapse and the right to continue construction shall terminate. An application to renew the building permit may be made to the Board of Standards and Appeals not more than 30 days after the lapse of such building permit pursuant to the applicable provisions of Section 11-332. For such applications where a special permit for a #transient hotel# has been certified by the Commission pursuant to a #Special Purpose

District#, such application may continue pursuant to the regulations and term of years proposed or in effect at the time such special permit was certified by the Commission.

(c) Existing hotels

- (1) Any #transient hotel# existing on [date of adoption] shall be considered a conforming #use# and may be continued, structurally altered, #extended# or #enlarged# subject to the limitations set forth in this Section and subject to the applicable #bulk# regulations. However, if for a continuous period of two years such #transient hotel# is discontinued, the space allocated to such #transient hotel# shall thereafter be used only for a conforming #use# other than a #transient hotel#, or may be utilized for a #transient hotel# only if the Commission grants a special permit for such #use# in accordance with the provisions of Section 74-802 or other applicable section of this Resolution.
- (2) The provisions of paragraph (c)(1) of this Section shall be modified up to [six years after date of adoption] to allow a #transient hotel# existing on [date of adoption] to be restored to such #use# regardless of more than two years of discontinuance of the #use#, and regardless of any change of #use# between [date of adoption] and [six years after date of adoption].
- (3) In the event a casualty damages or destroys a #transient hotel# that was in such #use# as of [date of adoption], such #building# may be reconstructed and used as a #transient hotel# without obtaining a special permit. A #non-complying building# may be reconstructed pursuant to Section 54-40 (DAMAGE OR DESTRUCTION IN NON-COMPLYING BUILDINGS).

(d) Vesting regulations

The provisions of Section 11-30 (BUILDING PERMITS ISSUED BEFORE EFFECTIVE DATE OF AMENDMENT) regarding the right to continue construction shall apply. As an alternative, the following provisions shall apply.

- (1) If, on or before [date of referral], an application for a #development#, #enlargement# or #conversion# to a #transient hotel# has been filed with the Department of Buildings, and if, on or before [date of adoption], the Department of Buildings has approved an application for a foundation, a new #building# or an alteration based on a complete zoning analysis showing zoning compliance for such #transient hotel#, such application may be continued, and construction may be started or continued. The application may be revised and retain vested status, provided that the #floor area# for the #transient hotel# is not increased beyond the amount approved.
- (2) However, in the case of an application for a #development#, #enlargement# or #conversion# to a #transient hotel# that has been filed with the Department of Buildings prior to January 1, 2018 and has not received a permit contingent on zoning approval on or before [date of adoption], the provisions of paragraph (d)(1) of this Section shall not apply. In lieu thereof, the provisions of this paragraph shall apply. For such applications, if, on or before [date of adoption] a

permit contingent on zoning approval was lawfully issued by the Department of Buildings, such construction may be started or continued.

In the event that a temporary or final certificate of occupancy has not been issued by [six years after date of adoption], the building permit shall automatically lapse and the right to continue construction shall terminate. An application to renew the building permit may be made to the Board of Standards and Appeals not more than 30 days after the lapse of such building permit pursuant to the applicable provisions of Section 11-332 (Extension of period to complete construction).

* * *

**32-10
USES PERMITTED AS-OF-RIGHT**

* * *

**32-14
Use Group 5**

C1* C2** C4 C5 C6 C8

Use Group 5 consists of hotels used primarily for transient occupancy.

A. Transient Accommodations

#Hotels, transient#*** [PRC-H]

B. #Accessory Uses#

* In a C1-1, C1-2, C1-3 or C1-4 District, a #transient hotel# shall not be permitted

** In a C2-1, C2-2, C2-3 or C2-4 District, each #transient hotel# shall be located on a #zoning lot# in whole or in part within a 1,000-foot radius of the entrance or exit of a limited-access expressway, freeway, parkway, or highway, all of which prohibit direct vehicular access to abutting land and provide complete separation of conflicting traffic flows, measured from the centerline of the entrance or exit ramp at its intersection with the nearest adjacent #street#

*** Subject to the provisions of Section 32-02 (Special Provisions for Hotels)

* * *

**32-16
Use Group 7**

C2 C6* C8

Use Group 7 consists primarily of home maintenance or repair services which:

- (1) fulfill recurrent needs of residents in nearby areas;

- (2) have a relatively small service area and are, therefore, widely distributed throughout the City; and
- (3) are incompatible in primary retail districts since they break the continuity of retail frontage.

A. Transient Accommodations

#Motels#, #tourist cabins# or #boatels#** [PRC-H]

In C2 Districts, each #motel# or #tourist cabin# shall be located on a #zoning lot# in whole or in part within a 1,000 foot radius of the entrance or exit of a limited-access expressway, freeway, parkway or highway, all of which prohibit direct vehicular access to abutting land and provide complete separation of conflicting traffic flows, measured from the centerline of the entrance or exit ramp at its intersection with the nearest adjacent #street#

* * *

E. #Accessory Uses#

* In a C6-1A District, #uses# in Use Group 7 are not permitted

** Subject to the provisions of Section 32-02 (Special Provisions for Hotels)

* * *

32-30

USES PERMITTED BY SPECIAL PERMIT

32-31

By the Board of Standards and Appeals

In the districts indicated, the following #uses# are permitted by special permit of the Board of Standards and Appeals, in accordance with standards set forth in Article VII, Chapter 3.

C4-1

Amusement arcades [PRC-E]

C2 C4 C6 C7

#Automotive service stations#, open or enclosed, with sites of not less than 7,500 square feet per establishment, and provided that facilities for lubrication, minor repairs, or washing are permitted only if located within a #completely enclosed building#

C3

#Boatels# [PRC-H]

C1 C2 C3
Camps, overnight or outdoor day [PRC-H]

* * *

**ARTICLE IV
MANUFACTURING DISTRICT REGULATIONS**

**Chapter 2
Use Regulations**

* * *

**42-10
USES PERMITTED AS-OF-RIGHT**

**42-11
Use Groups 4A, 4B, 4C, 5, 6C, 6E, 7A, 9A and 12B**

M1

Use Groups 4B, 4C, 5, 6C, 6E, 7A, 9A and 12B as set forth in Sections 32-13, 32-14, 32-15, 32-16, 32-18, 32-21.

Use Group 4A shall be limited to all health facilities requiring approval under Article 28 of the Public Health Law of the State of New York that, prior to July 10, 1974, have received approval of Part I of the required application from the Commissioner of Health, ambulatory diagnostic or treatment health care facilities, as listed in Section 22-14 (Use Group 4), and houses of worship. Such #uses# are not subject to the special permit provisions of Sections 42-32 and 74-921.

#Transient hotels#, as listed in Section 32-14 (Use Group 5), and #motels#, #tourist cabins# or #boatels#, as listed in Section 32-16 (Use Group 7A), shall be subject to the special provisions of Section 42-111 (Special provisions for hotels in M1 Districts) or, where applicable, Section 32-02 (Special Provisions for Hotels). For the purposes of this Section, inclusive, #transient hotels# shall include #motels#, #tourist cabins# and #boatels#.

**42-111
Special provisions for hotels in M1 Districts**

In M1 Districts, #transient hotels# shall be permitted only as set forth in this Section. The City Planning Commission may permit #transient hotels# in an M1 District pursuant to a special permit set forth in another Section of this Resolution, or pursuant to Section 74-803 (Transient hotels within M1 Districts), as applicable.

(a) Applicability

Such special permit for #transient hotels# pursuant to Section 74-803 shall be applicable to:

- (1) #development# of a #transient hotel#;

- (2) a change of #use# or #conversion# to a #transient hotel#, or an #enlargement#, containing a #transient hotel#, of a #building# that, as of December 20, 2018, did not contain such #use#; or
- (3) #enlargement# or #extension# of a #transient hotel# that existed prior to December 20, 2018, that increases the #floor area# of such #use# by 20 percent or more.

(b) Exclusions

The provisions of this Section shall not apply to the following:

- (1) ~~A special permit shall not be required for a #transient hotel# operated exclusively for the public purpose of temporary housing assistance by the City or State of New York, or operated by a non-governmental entity pursuant to an active contract or other written agreement with an agency of the City or State specifying such public purpose.~~
- (1) ~~In addition, a special permit pursuant to the provisions of Section 74-803 shall not be required for #developments#, #enlargements#, #extensions# or changes of #use# of #transient hotels# in:~~
 - (i)(2) ~~a #transient hotel# located within John F. Kennedy International Airport and LaGuardia Airport, which shall include property under the jurisdiction of the Port Authority of New York and New Jersey for airport use;~~
 - (ii)(3) ~~a #transient hotel# in an M1-6D District, a #Special Mixed Use District# or any other #Special Purpose District# where any M1 District is paired with a #Residence District#, all of which shall instead be subject to the provisions of Section 32-02 (Special Provisions for Hotels); or~~
 - (iii) ~~an M1 District where another special permit in this Resolution permitting such #use# is applicable, subject to approval by the City Planning Commission, including, but not limited to, a special permit for a #transient hotel# applicable within a Special Purpose District or in a Historic District designated by the Landmarks Preservation Commission.~~
- (4)(2) ~~A special permit pursuant to the provisions of Section 74-803 shall also not be required in an M1-2 District for a change of #use# to a #transient hotel# that occupies no more than 30 percent of the #floor area# on the #zoning lot# and where such #zoning lot# contains a minimum #lot area# of 100,000 square feet, comprises an entire #block#, and contains #buildings# with a minimum total of 500,000 square feet of #floor area# on December 20, 2018.~~

(c) Within M1-5A and M1-5B Districts

Within an M1-5A or M1-5B District, a special permit pursuant to Section 74-803 shall be required in conjunction with a special permit pursuant to Section 74-781 (Modifications by special permit of the City Planning Commission of uses in M1-5A and M1-5B Districts) except that a permit pursuant to Section 74-781 shall not be required for a #transient hotel# located above the ground floor level, where the #floor area# used for such #use# on the ground floor does not exceed an amount minimally necessary to access and service such #transient hotel#.

(d) Existing hotels

- (1) Any #transient hotel# existing prior to December 20, 2018, within an M1 District shall be considered a conforming #use# and may be continued, structurally altered, #extended# or #enlarged# subject to the limitations set forth in this Section and subject to the applicable #bulk# regulations. However, if for a continuous period of two years such #transient hotel# is discontinued, or the active operation of substantially all the #uses# in the #building# or other structure# is discontinued, the space allocated to such #transient hotel# shall thereafter be used only for a conforming #use#, or may be utilized #used# for a #transient hotel# only if the Commission grants a special permit for such #use# in accordance with the provisions of Section 74-803 or other applicable section of this Resolution.
- (2) The provisions of paragraph (d)(1) of this Section shall be modified up to [six years after date of adoption] to allow a #transient hotel# existing on [date of adoption] to be restored to such #use# regardless of more than two years of discontinuance of the #use#, and regardless of any change of #use# between [date of adoption] and [six years after date of adoption].
- (3) In addition, in the event a casualty damages or destroys a #transient hotel# within an M1 District that was in such #use# as of December 20, 2018, such #building# may be reconstructed and used as a #transient hotel# without obtaining a special permit. A #non-complying building# may be reconstructed pursuant to Section 54-40 (DAMAGE OR DESTRUCTION IN NON-COMPLYING BUILDINGS).

(e) Vesting

The provisions of Section 11-30 (BUILDING PERMITS ISSUED BEFORE EFFECTIVE DATE OF AMENDMENT) regarding the right to continue construction shall apply. As an alternative, if on or before April 23, 2018, a building permit for a #development#, #enlargement# or #conversion# to a #transient hotel#, or a partial permit for a #development# of a #transient hotel# was lawfully issued by the Department of Buildings, such construction may be started or continued. In the event that construction has not been completed and a certificate of occupancy including a temporary certificate of occupancy, has not been issued by December 20, 2021, the building permit shall automatically lapse and the right to continue construction shall terminate. An application to renew the building permit may be made to the Board of Standards and Appeals not more than 30 days after the lapse of such building permit pursuant to the applicable provisions of Section 11-332 (Extension of period to complete construction). Any special permit approved by the City Council for a #transient hotel# prior to December 20, 2018, shall be permitted and this Section shall not apply to such #transient hotel#, subject to the provisions of Section 11-42 (Lapse of Authorization or Special Permit Granted by the City Planning Commission Pursuant to the 1961 Zoning Resolution).

* * *

USES PERMITTED BY SPECIAL PERMIT

* * *

42-32

By the City Planning Commission

In the districts indicated, the following #uses# are permitted by special permit of the City Planning Commission, in accordance with standards set forth in Article VII, Chapter 4.

* * *

M1 M2 M3

Trade expositions, with rated capacity of more than 2,500 persons [PRC-D]

~~M1~~

~~#Transient hotels#, as listed in Section 32-14 (Use Group 5), and #motels#, #tourist cabins# or #boatels#, as listed in Section 32-16 (Use Group 7A), pursuant to the special provisions of Section 42-111 (Special provisions for hotels in M1 Districts)~~

M1 M2 M3

#Uses# listed in a permitted Use Group for which #railroad or transit air space# is #developed#

* * *

42-40

SUPPLEMENTARY USE REGULATIONS AND SPECIAL PROVISIONS APPLYING ALONG DISTRICT BOUNDARIES

* * *

42-48

Supplemental Use Regulations in M1-6 Districts

* * *

42-483

Commercial uses

The #commercial use# regulations applicable in M1 Districts shall apply in M1-6D Districts, except that:

- (a) ~~#Transient hotels# shall be allowed, except that #developments# or #enlargements# of #transient hotels# with greater than 100 sleeping units on #zoning lots# where #residential use# is permitted as of right, in accordance with paragraph (a) of Section 42-481 (Residential use), shall only be allowed upon certification by the Chairperson of the City Planning Commission to the Commissioner of Buildings that the residential development goal has been met for the area in which such #transient hotel# is located, as~~

set forth in this paragraph, (a), or where such residential development goal has not been met, by special permit pursuant to Section 74-802 (In M1-6D Districts).

The residential development goal shall be met when at least 865 #dwelling units#, permitted pursuant to the provisions of Section 42-481, on #zoning lots# located within an area bounded by West 28th Street, West 30th Street, a line 100 feet west of Seventh Avenue, and a line 100 feet east of Eighth Avenue, have received temporary or final certificates of occupancy subsequent to September 21, 2011.

- (b)(a) Food stores, including supermarkets, grocery stores and delicatessen stores, shall not be limited as to size of establishment.
- (e)(b) On #narrow streets#, ground floor #commercial uses# shall be subject to special streetscape provisions, as set forth in Section 42-485.
- (d)(c) All #uses# listed in Use Group 10 shall be permitted without limitation, except as provided for in paragraph (e)(b) of this Section.

* * *

ARTICLE VII ADMINISTRATION

Chapter 3 Special Permits by the Board of Standards and Appeals

* * *

73-25 Boatels

In C3 Districts, the Board of Standards and Appeals may permit #boatels# provided that the following findings are made:

- (a) that such #use# is so located as not to impair the essential character or the future use or development of the nearby residential neighborhood; and
- (b) that any restaurant permitted in connection with such #use# satisfies the conditions for issuance of special permits to eating or drinking places, as set forth in Section 73-24.

The Board may modify the regulations relating to #signs# in C3 Districts to permit a maximum total #surface area# of 50 square feet of non #illuminated# or #illuminated# non #flashing signs# on each of not more than three #street# or water frontages.

The Board may prescribe appropriate conditions or safeguards to minimize adverse effects on the character of the surrounding area, including requirements with respect to the location of #illuminated signs#, the shielding of floodlights or adequate screening.

~~73-26~~

~~73-25~~

~~Children's Amusement Parks~~

* * *

~~73-27~~

~~73-26~~

~~Funeral Establishments~~

* * *

~~73-28~~

~~73-27~~

~~Newspaper Publishing~~

* * *

~~73-29~~

~~73-28~~

~~Utilization of Explosives in Manufacturing Processes~~

* * *

Chapter 4

Special Permits by the City Planning Commission

* * *

74-80

TRANSIENT HOTELS

* * *

74-802

~~In M1-6D Districts~~

~~In M1-6D Districts, in areas that have not met the residential development goal set forth in paragraph (a) of Section 42-483 (Commercial uses), the City Planning Commission may permit #developments# or #enlargements# of #transient hotels# with greater than 100 sleeping units on #zoning lots# where #residential use# is permitted as of right, in accordance with Section 42-481 (Residential use), provided the Commission finds that:~~

- (a) ~~a sufficient development site is available in the area to meet the residential development goal; or~~
- (b) ~~a harmonious mix of #residential# and non-#residential uses# has been established in the area, and such #transient hotel# resulting from a #development# or #enlargement# is consistent with such character of the surrounding area.~~

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

Transient hotels within Commercial Districts

In C1 Districts, except C1-1, C1-2, C1-3 and C1-4 Districts, in C2 Districts, except C2-1, C2-2, C2-3 and C2-4 Districts where #transient hotels# are not permitted pursuant to Section 32-14 (Use Group 5), in C4, C5, C6 and C8 Districts, in M1 Districts paired with a #Residence District#, and in M1-6D Districts, #transient hotels#, as listed in Section 32-14 (Use Group 5), and #motels#, #tourist cabins# or #boatels#, as listed in Section 32-16 (Use Group 7A), shall be permitted only by special permit of the City Planning Commission. In order to grant such special permit, the Commission shall find that such #use# will not impair the future use or development of the surrounding area.

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

74-803

Transient hotels within M1 Districts

In M1 Districts, pursuant to Section 42-111 (Special provisions for hotels in M1 Districts), #transient hotels#, as listed in Section 32-14 (Use Group 5), and #motels#, #tourist cabins# or #boatels#, as listed in Section 32-16 (Use Group 7A), shall be permitted only by special permit of the City Planning Commission. In order to grant such special permit, the Commission shall find that:

- (a) the site plan incorporates elements that address any potential conflicts between the proposed #use# and adjacent #uses#, such as the location of the proposed access to the #building# and to service areas for refuse and laundry, and the #building's# orientation and landscaping;
- (b) the site plan demonstrates that the proposed #street wall# location and the design and landscaping of any area of the #zoning lot# between the #street line# and all #street walls# of the #building# and their prolongations will result in a site design that does not impair the character of the existing streetscape;
- (c) such #use# will not cause undue vehicular or pedestrian congestion on local #streets# or unduly inhibit vehicular or pedestrian movement or loading operations; and
- (d) such #use# will not impair the essential character including, but not limited to, existing industrial businesses, or future use or development of the surrounding area.

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

* * *

ARTICLE VIII SPECIAL PURPOSE DISTRICTS

Chapter 1 Special Midtown District

* * *

81-60 SPECIAL REGULATIONS FOR THE EAST MIDTOWN SUBDISTRICT

* * *

81-62 Special Use Provisions

~~81-621~~ ~~Special provisions for transient hotels~~

Within the East Midtown Subdistrict, as shown on Map 1 (Special Midtown District and Subdistricts) in Appendix A of this Chapter, the ~~#development#~~ of a ~~#building#~~ containing a ~~#transient hotel#~~, as listed in Use Group 5, or the ~~#conversion#~~ or change of ~~#use#~~ within an existing ~~#building#~~ to a ~~#transient hotel#~~, shall only be allowed by special permit of the City Planning Commission pursuant to the provisions of this Section. In addition, in Subareas other than the Vanderbilt Corridor, as shown on Map 2 (Special East Midtown District and Subareas), the ~~#enlargement#~~ of a ~~#building#~~ containing a ~~#transient hotel#~~ shall only be allowed by special permit of the City Planning Commission pursuant to the provisions of this Section. However, in the event a casualty damages or destroys a ~~#building#~~ within the East Midtown Subdistrict that was used as a ~~#transient hotel#~~ as of May 27, 2015, in the Vanderbilt Corridor Subarea or on August 9, 2017, in other Subareas, such ~~#building#~~ may be reconstructed and used as a ~~#transient hotel#~~ without obtaining a special permit, provided the ~~#floor area#~~ of such reconstructed ~~#building#~~, less the ~~#floor area#~~ of any other ~~#buildings#~~ on the ~~#zoning lot#~~ does not exceed the applicable basic maximum ~~#floor area ratio#~~ for the ~~#zoning lot#~~ set forth in Section 81-60, inclusive. ~~#Transient hotels#~~ existing on May 27, 2015 within the Vanderbilt Corridor Subarea or on August 9, 2017, in other Subareas, shall be considered conforming ~~#uses#~~.

To permit such a ~~#transient hotel#~~, the Commission shall find that such ~~#transient hotel#~~ will:
(a) — be appropriate to the needs of businesses in the vicinity of the East Midtown area; and

(b) ~~provide on-site amenities and services that will support the area's role as an office district. Such business-oriented amenities and services shall be proportionate to the scale of the #transient hotel# being proposed, and shall include, but shall not be limited to, conference and meeting facilities, and telecommunication services.~~

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

~~However, after August 9, 2017, #development# of a #building# containing a #transient hotel# shall be permitted under the regulations which were in effect prior to August 9, 2017, if a new building application for such #development# was filed at the Department of Buildings after June 9, 2016, and a partial permit for such application was issued by the Department of Buildings on or prior to July 20, 2017, and a temporary certificate of occupancy for the entire #building# has been granted prior to January 31, 2020. In the event that such temporary certificate of occupancy has not been granted prior to such date, and an application is filed prior to such date, pursuant to this Section, with the Board of Standards and Appeals, the Board may permit the new building permit to be renewed for a term of one year upon the following findings:~~

- ~~(1) that the applicant has been prevented from completing such construction by hardship or circumstances beyond the applicant's control;~~
- ~~(2) that the applicant has not recovered all or substantially all of the financial expenditures incurred in construction, nor is the applicant able to recover substantially all of the financial expenditures incurred through development that conforms and complies with any applicable amendment to this Resolution; and~~
- ~~(3) that there are no considerations of public safety, health and welfare that have become apparent since the issuance of the permit that indicate an overriding benefit to the public in enforcement of the special permit provisions of this Section. In the event that the Board permits the renewal, the temporary certificate of occupancy shall be obtained by no later than January 31, 2021.~~

81-622

81-621

Location of uses in mixed buildings

* * *

81-70

SPECIAL REGULATIONS FOR THEATER SUBDISTRICT

* * *

81-72

Use Regulations Modified

* * *

81-722

Use Group T

The following #uses# are subject to the limitations on location and #floor area# of the underlying zoning district:

* * *

#Use#

Hotels, where permitted pursuant to Section 32-02 (Special Provisions for Hotels) - lobby space limited to 20 percent of total #zoning lot# frontage on #wide streets#

* * *

Chapter 3

Special Limited Commercial District

* * *

83-03

Use Group “LC”

Use Group “LC” comprises #residential uses# listed in Use Groups 1 and 2, and a group of specially related #uses# selected from Use Groups 3, 4, 5, 6, 8 and 9 to provide for the special needs, comfort, convenience, enjoyment, education and recreation of the residents of the surrounding communities and of the many visitors who are attracted to its activities.

* * *

H. Transient Accommodations

#Hotels, transient#, where permitted pursuant to Section 32-02 (Special Provisions for Hotels)

* * *

Chapter 4

Special Battery Park District

* * *

84-10

ZONE A GENERAL DISTRICT REGULATIONS

* * *

84-12

Use Regulations

In the areas indicated as permitted #commercial# locations in Appendices 2.3 and 3.3, the #use# regulations applying in a C2 District shall apply, except as provided in Sections 84-031 (Special permit uses), 84-032 (Uses not permitted), 84-121 (Uses along Esplanade) and this Section. In the case of a #mixed building# containing #residential# and #commercial uses#, #residential uses# are permitted on the same #story# as a #commercial use#, provided no access exists

between such #uses# at any level containing #residences# and provided any #commercial uses# are not located over any #residences#. However, such #commercial use# may be located over #residences# by authorization of the City Planning Commission upon finding that sufficient separation of #residences# from #commercial uses# exists within the #building#.

Notwithstanding any other provisions of this Resolution, the permitted #uses# listed in Use Groups 6, 7, 8, 9 or 14 and the additional #uses# permitted hereunder shall be limited, per establishment, to 10,000 square feet of #floor area# of any #story# and shall not be located above the first #story# ceiling, except that:

- (a) in any #building# containing an #arcade# required in Section 84-134 (Mandatory arcades), any permitted #use# may be located above the first #story# ceiling and below the second #story# ceiling; and
- (b) supermarkets are permitted with no limitation on #floor area#.

Notwithstanding any other provisions of this Resolution, the #zoning lot# south of First Place and east of Battery Place may contain #residential uses#, #transient hotel uses# where permitted pursuant to Section 32-02 (Special Provisions for Hotels), or both #residential# and hotel #uses#. In the case of hotel #uses# on this #zoning lot#:

- (1) a #physical culture or health establishment# may be permitted; and
- (2) an eating and drinking establishment, as permitted in Section 32-15 (Use Group 6), and a #physical culture and health establishment# or a non-#residential accessory use#, may be located above a #story# containing #residential uses#.

* * *

**Chapter 8
Special Hudson Square District**

* * *

**88-10
SUPPLEMENTAL USE REGULATIONS**

* * *

**88-13
Commercial Use**

The #commercial use# regulations applicable in M1 Districts shall apply in the #Special Hudson Square District#, except that:

- (a) food stores, including supermarkets, grocery stores or delicatessen stores, shall not be limited as to the size of the establishment;
- (b) #uses# listed in Use Group 6A, other than food stores, and Use Groups 6C, pursuant to Section 42-13, 6E, 10 and 12B, shall be limited to 10,000 square feet of #floor area# at the ground floor level, per establishment. Portions of such establishments located above or below ground floor level shall not be limited in size;
- (c) ground floor #commercial uses# shall be subject to special streetscape provisions set forth in Section 88-131;

- (d) #commercial uses# permitted in M1 Districts shall be subject to the modifications set forth in Section 123-22 (Modification of Use Groups 16, 17 and 18), inclusive;
- (e) #transient hotels# shall be subject to the provisions of Section 32-02 (Special Provisions for Hotels); and allowed, except that:
- (1) #development# or #enlargement# of #transient hotels# with greater than 100 sleeping units on #zoning lots# where #residential use# is permitted as of right, in accordance with paragraph (a) of Section 88-11, shall only be allowed upon certification by the Chairperson of the City Planning Commission to the Commissioner of Buildings that the residential development goal has been met for the #Special Hudson Square District# as set forth in this paragraph (e)(1), or, where such residential development goal has not been met, by special permit pursuant to Section 88-132 (Special permit for large transient hotels). The residential development goal shall be met when at least 2,255 #dwelling units#, permitted pursuant to the provisions of Section 88-11, within the #Special Hudson Square District#, have received temporary or final certificates of occupancy subsequent to March 20, 2013; and
 - (2) a change of #use# within a #qualifying building# to a #transient hotel# with greater than 100 sleeping units shall only be allowed by special permit, pursuant to Section 88-132; and
- (f) eating or drinking establishments with entertainment and a capacity of more than 200 persons, or establishments of any capacity with dancing, are permitted only by special permit of the Board of Standards and Appeals, pursuant to Section 73-244.

* * *

88-132**Special permit for large transient hotels**

- (a) ~~#Developments# or #enlargements# In the #Special Hudson Square District#, prior to the residential development goal set forth in paragraph (e) of Section 88-13 (Commercial Use) having been achieved, the City Planning Commission may permit #developments# or #enlargements# of #transient hotels# with greater than 100 sleeping units on #zoning lots# where #residential use# is permitted as of right, in accordance with paragraph (a) of Section 88-11, provided the Commission finds that:~~
- (1) ~~sufficient development sites are available in the area to meet the residential development goal; or~~
 - (2) ~~a harmonious mix of #residential# and non-#residential uses# has been established in the surrounding area, and such #transient hotel# resulting from a #development# or #enlargement# is consistent with the character of such surrounding area.~~
- (b) ~~Changes of #use# In the #Special Hudson Square District#, the City Planning Commission may permit the change of #use# of #floor area# within #qualifying buildings# to a Use Group 5 #transient hotel# with greater than 100 sleeping units provided that, at minimum, the amount of #floor area# changed to such #transient hotel# is:~~

- (1) ~~preserved for Use Group 6B office #use# within a #qualifying building# located within the #Special Hudson Square District#; or~~
- (2) ~~created for Use Group 6B office #use# within a #building developed# after March 20, 2013, or within the #enlarged# portion of a #building#, where such #enlargement# was constructed within one year of the date an application pursuant to this Section is filed with the Department of City Planning (DCP). Such #developed# or #enlarged buildings# may be located anywhere within the #Special Hudson Square District#, and shall have either temporary or final certificates of occupancy for Use Group 6B office #use#.~~

~~In order to permit such change of #use#, the Commission shall find that the proposed #transient hotel# is so located as not to impair the essential character, or the future use or development, of the surrounding area.~~

~~A restrictive declaration acceptable to the DCP shall be executed and recorded, binding the owners, successors and assigns to preserve an amount of Use Group 6B office #use# within a #qualifying building#, or created within a #development# or #enlargement#, as applicable. Such restrictive declaration shall be recorded in the Office of the City Register. A copy of such declaration shall be provided to the Department of Buildings upon application for any building permit related to a change in #use# from Use Group 6B office #use# to any other #use#.~~

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

* * *

**ARTICLE IX
SPECIAL PURPOSE DISTRICTS**

* * *

**Chapter 4
Special Sheepshead Bay District**

* * *

**94-06
Special Use Regulations**

* * *

**94-061
Permitted residential, community facility and commercial uses**

A. #Residential# and #community facility uses#

#Uses# listed in Use Groups 1, 2, 3 and 4 shall be allowed anywhere within the Special District, except as set forth in Section 94-065 (Restriction on ground floor use).

B. #Commercial uses#

In Areas A, B, C, D and E, as indicated in Appendix A (Special Sheepshead Bay District Map) of this Chapter, only those #commercial uses# listed in Section 94-062 (Use Group SB), those #uses# listed in Section 62-211 (Water-Dependent (WD) uses) from Use Groups 6, 7, where permitted pursuant to Section 32-02 (Special Provisions for Hotels), 9 and 14, and those #uses# permitted pursuant to Section 94-063 (Uses permitted by special permit), shall be allowed. In addition, in Area B, a food store, as listed in Section 32-15 (Use Group 6), shall also be allowed on a #zoning lot# existing on May 27, 2015, for a period of 10 years from such date. Such food store shall be limited to one such establishment per #zoning lot# and shall be limited to 15,000 square feet of #floor area# utilized for the sale of food and non-food grocery products, and further such establishment shall be limited to an additional 6,500 square feet of #floor area# for #accessory# office and storage space. There shall be no limitation on the amount of #floor area# utilized for eating or drinking places as listed in Use Group SB, pursuant to Section 94-062.

In Area F, only #commercial uses# listed in Use Group 6 and those listed in Section 62-211 from Use Groups 6, 7, where permitted pursuant to Section 32-02 (Special Provisions for Hotels), 9 and 14 shall be allowed within the underlying #Commercial Districts#.

In Area G, only #commercial uses# listed in Use Groups 6, 7, where permitted pursuant to Section 32-02 (Special Provisions for Hotels), 8 and 9 and those listed in Section 62-211 from Use Groups 6, 7, 9 and 14 shall be allowed within the underlying #Commercial Districts#.

In Area H, except for #uses# permitted pursuant to Section 94-063, #commercial uses# shall be limited to those listed in Section 62-211 from Use Groups 6, 7, 9 and 14 and the following #uses#:

* * *

#Hotels, transient#, #motels# or #boatels#, where permitted pursuant to Section 32-02 (Special Provisions for Hotels)

Jewelry or art metal craft shops

~~#Motels# or #boatels#~~

* * *

Chapter 6 Special Clinton District

* * *

96-30 OTHER AREAS

* * *

96-34 Special Regulations in Northern Subarea C1

Within Northern Subarea C1, Special Use Regulations Areas C1-1 and C1-2, as shown on the map in Appendix A of this Chapter, are subject to the special #use# regulations of this Section. In addition, the special Inclusionary Housing 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 23-154 (Inclusionary Housing). 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, the following #uses# shall be permitted below the level of the lowest floor occupied by #dwelling units#:

(i)(1) automobile showrooms or sales with preparation of automobiles for delivery; and

(ii)(2) 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 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 not to 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.~~

* * *

Chapter 7 Special 125th Street District

* * *

97-14 Transient Hotels Within the Park Avenue Hub Subdistrict

~~Within the Park Avenue Hub Subdistrict, as shown on Map 1 in Appendix A of this Chapter, the #development# or #enlargement# of a #building# containing a #transient hotel#, as listed in Section 32-14 (Use Group 5), or the #conversion# or change of #use# within an existing #building# to a #transient hotel#, shall only be allowed:~~

- ~~(a) — upon certification by the Chairperson of the City Planning Commission to the Commissioner of Buildings that the residential development goal, as set forth in this Section, has been met; or~~
- ~~(b) — where such residential development goal, has not been met, by special permit by the City Planning Commission. To permit such a #transient hotel#, the Commission shall find that:

 - ~~(1) — sufficient sites are available in the area to meet the #residential development# goal; or~~
 - ~~(2) — a harmonious mix of #residential# and non-#residential uses# has been established in the area, and such #transient hotel# is consistent with the character of the surrounding area.~~~~

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

For the purpose of applying the provisions of this Section, the ~~#residential development#~~ goal shall be met when at least 3,865 ~~#dwelling units#~~ within the combined areas of the ~~#Special East Harlem Corridors District#~~, and the Park Avenue Hub Subdistrict, as shown on Map 1 in Appendix A of this Chapter, have received temporary or final certificates of occupancy subsequent to November 30, 2017.

* * *

97-412

Maximum floor area ratio in the Park Avenue Hub Subdistrict

Within the Park Avenue Hub Subdistrict, as shown on Map 1 in Appendix A of this Chapter, the maximum ~~#floor area ratio#~~ for ~~#zoning lots#~~ is set forth in paragraph (a) of this Section, and is modified for certain ~~#zoning lots#~~ in accordance with paragraph (b) of this Section.

- (a) ~~Maximum #floor area ratio#~~ The maximum ~~#floor area ratio#~~ shall be 12.0. Where a ~~#development#~~ or ~~#enlargement#~~ contains ~~#residential floor area#~~, such ~~#zoning lot#~~ shall satisfy the provisions of either:
- (1) a minimum non-~~#residential floor area ratio#~~ of 2.0 shall be provided on such ~~#zoning lot#~~. Such ~~#floor area#~~ shall not include any ~~#floor area#~~ containing a ~~#transient hotel#~~ pursuant to the provisions of Section 97-14 (~~Transient Hotels Within the Park Avenue Hub Subdistrict~~); or

* * *

Chapter 9

Special Madison Avenue Preservation District

* * *

99-03

Special Use Regulations

* * *

99-031

Use Group MP

Use Group MP comprises a group of ~~#commercial#~~ establishments selected to promote and strengthen the existing ~~#commercial#~~ character of the Special District. The ~~#commercial uses#~~ listed in Table A of this Section are permitted in any portion of the Special District located within a C1 District. The ~~#commercial uses#~~ listed in Tables A and B of this Section are permitted in any portion of the Special District located within a C5 District.

Table A

A. Transient Accommodations

#Hotels, transient#, where permitted pursuant to Section 32-02 (Special Provisions for Hotels)

* * *

**ARTICLE XI
SPECIAL PURPOSE DISTRICTS**

**Chapter 1
Special Tribeca Mixed Use District**

* * *

**111-10
SPECIAL USE REGULATIONS**

* * *

**111-13
Additional Use Regulations**

* * *

(d) ~~Areas A4, A5, A6 and A7~~

~~#Transient hotels# shall be allowed, except that #developments#, #enlargements#, #extensions# or changes of #use# that result in a #transient hotel# with greater than 100 sleeping units shall only be allowed pursuant to Section 111-31 (Special Permit for Large Transient Hotels). However, any #transient hotel# that received a special permit pursuant to Section 74-711, granted prior to October 13, 2010, may continue under the terms of such approval.~~

(e)(d) Environmental conditions for Area A2

* * *

**111-31
Special Permit for Large Transient Hotels**

In Areas A4 through A7, the City Planning Commission may permit ~~#transient hotels#~~ that are comprised of more than 100 sleeping units, provided the Commission shall find that such ~~#transient hotel#~~, resulting from a ~~#development#~~, ~~#enlargement#~~, ~~#extension#~~ or change of ~~#use#~~, is so located as not to impair the essential residential character of, or the future use or development of, the surrounding area. The Commission may prescribe additional conditions and safeguards to minimize adverse effects on the character of the surrounding area.

**111-32
Special Permit for Certain Large Commercial Establishments**

* * *

**ARTICLE XII
SPECIAL PURPOSE DISTRICTS**

**Chapter 1
Special Garment Center District**

* * *

**121-10
SPECIAL USE REGULATIONS**

* * *

**121-11
Transient Hotels and Offices**

In the ~~#Special Garment Center District#~~, ~~#transient hotels#~~, as listed in Section 32-14 (Use Group 5), and ~~#motels#~~, ~~#tourist cabins#~~ or ~~#boatels#~~, as listed in Section 32-16 (Use Group 7A), shall be permitted only by special permit of the City Planning Commission pursuant to Section 121-70 (Special Permit for Transient Hotels).

However, a special permit shall not be required for a ~~#transient hotel#~~ operated exclusively for the public purpose of temporary housing assistance by the City or State of New York, or operated by a non-governmental entity pursuant to an active contract or other written agreement with an agency of the City or State specifying such public purpose.

Furthermore, ~~for~~ For a ~~#building#~~ subject to the provisions of Section 121-60 (ANTI-HARASSMENT AND DEMOLITION REGULATIONS IN SUBDISTRICT A-2) and for which ~~#HPD#~~ issued a ~~#certification of no harassment#~~ that was in effect on June 11, 2018, a special permit pursuant to Section 74-802 (Transient hotels within Commercial Districts) shall not be required where such ~~#building#~~ is ~~#enlarged#~~ and a portion of which is subsequently converted to ~~#residences#~~ pursuant to Article I, Chapter 5 (Residential Conversions Within Existing Buildings), provided all new ~~#transient hotel#~~ rooms shall be located in the ~~#enlarged#~~ portion of such ~~#building#~~, and except for ~~#transient hotel#~~ lobbies and ~~#accessory uses#~~ located below the floor level of the second ~~#story#~~, the non-~~#enlarged#~~ portion of such ~~#building#~~ shall contain

only permanently affordable #residences# pursuant to a #regulatory agreement# enforceable by #HPD#.

~~Any #transient hotel# existing prior to December 20, 2018, within the #Special Garment Center District#, shall be considered a conforming #use#. Any #enlargement# or #extension# of such existing conforming #use# shall not require a special permit. In the event a casualty damages or destroys a #building# within the #Special Garment Center District# that was used as a #transient hotel# as of December 20, 2018, such #building# may be reconstructed and continue as a #transient hotel# without obtaining a special permit, provided the #floor area# of such reconstructed #building# does not exceed the #floor area# permitted pursuant to the provisions of Section 121-31 (Maximum Permitted Floor Area Within Subdistrict A-1) or Section 121-41 (Maximum Permitted Floor Area Within Subdistrict A-2), as applicable.~~

In Subdistrict A-2, any #development# or #enlargement# that includes offices, as listed in Section 32-15 (Use Group 6B) #developed# or #enlarged# after January 19, 2005, shall be permitted only pursuant to Section 93-13 (Special Office Use Regulations).

* * *

121-70

SPECIAL PERMIT FOR TRANSIENT HOTELS

~~In the #Special Garment Center District#, the City Planning Commission may permit a #transient hotel# as listed in Use Group 5, including #motels#, #tourist cabins# or #boatels# as listed in Use Group 7, that is not otherwise permitted pursuant to Section 121-10 (SPECIAL USE REGULATIONS), provided that:~~

- ~~(a) — the location of such proposed #transient hotel# within the Special District will not impair the achievement of a diverse and harmonious mix of #commercial#, #manufacturing# and #community facility uses# within Subdistrict A-1 and of #residential#, #commercial#, #manufacturing# and #community facility uses# in Subdistrict A-2, consistent with the applicable district regulations;~~
- ~~(b) — the site plan for such #transient hotel# demonstrates that the design is appropriate, does not impair the character of the area and incorporates elements that are necessary to address any potential conflicts between the proposed #use# and adjacent #uses#, such as the location of the proposed access to the #building#, the orientation of the #building# and landscaping;~~
- ~~(c) — such #transient hotel use# will not cause undue vehicular or pedestrian congestion on local #streets; and~~
- ~~(d) — such #transient hotel use# is consistent with the planning objectives of the Special District.~~

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

* * *

ARTICLE XIII

SPECIAL PURPOSE DISTRICTS

**Chapter 1
Special Coney Island District**

* * *

**131-10
SPECIAL USE REGULATIONS**

* * *

**131-11
Use Group 5**

For the purposes of this Chapter, the definition of #transient hotel# shall be modified to allow only such hotels used exclusively for transient occupancy. Such #transient hotels# used exclusively for transient occupancy shall be permitted only in specified locations as set forth in this Chapter, where permitted pursuant to Section 32-02 (Special Provisions for Hotels).

* * *

**131-13
Special Use Regulations in Subdistricts**

* * *

**131-131
Coney East Subdistrict**

The #use# regulations of the underlying C7 District are modified as set forth in this Section. The provisions of Section 32-02 (Special Provisions for Hotels) are modified to apply in a C7 District. The locations of the mandatory ground floor #use# regulations of paragraphs (b), (c), (d) and (f) of this Section are shown on the #streets#, or portions of #streets#, specified on Map 2 in the Appendix to this Chapter. #Transient hotels# and Use Groups A, B and C, as set forth in Sections 131-11 through 131-123, inclusive, and #public parking garages#, shall be the only #uses# allowed in the Coney East Subdistrict, and shall comply with the following regulations:

* * *

(e) #Transient hotels#

- (1) Where permitted pursuant to Section 32-02, #Transient-transient hotels# shall be permitted only on #blocks# with Surf Avenue frontage, except that no #transient hotels# shall be permitted on that portion of the #block# bounded by West 15th and West 16th Streets south of the prolongation of the centerline of Bowery.

- (2) #Transient hotel use# shall not be permitted within 50 feet of Bowery on the ground floor level of a #building#, except that where a #zoning lot# has frontage only on Bowery, a #transient hotel# lobby may occupy up to 30 feet of such frontage.
- (3) For #transient hotels# located on #zoning lots# with at least 20,000 square feet of #lot area#, an amount of #floor area# or #lot area# of Use Group A1 #uses# equal to at least 20 percent of the total #floor area# permitted on such #zoning lot# shall be provided either onsite or anywhere within the Coney East Subdistrict.
- (4) The #street wall# of the ground floor level of a #transient hotel# shall be occupied by active #accessory uses# including, but not limited to, lobbies, retail establishments, eating and drinking establishments and amusements.
- (5) #Accessory# retail establishments within a #transient hotel# shall be limited to 2,500 square feet of #floor area#.

* * *

131-132

Coney North and Coney West Subdistricts

In the Coney North and Coney West Subdistricts, #uses# allowed by the underlying district regulations shall apply, except as modified in this Section for #uses# fronting upon #streets# specified on Map 2 (Mandatory Ground Floor Use Requirements) in the Appendix to this Chapter. For the purposes of this Section, the “building line” shown on Parcel F on Map 2 shall be considered a #street line# of Ocean Way or Parachute Way, as applicable. Furthermore, an open or enclosed ice skating rink shall be a permitted #use# anywhere within Parcel F in the Coney West Subdistrict.

(a) Mandatory ground floor level #uses# along certain #streets#

Any #use# listed in Use Groups A, B and C, as set forth in Section 131-12, inclusive, not otherwise allowed by the underlying district regulations, shall be permitted within 70 feet of Riegelmann Boardwalk and within 100 feet of all other designated #streets#, as shown on Map 2.

(1) Riegelmann Boardwalk

Only #uses# listed in Use Groups A, B and C and, where permitted pursuant to Section 32-02 (Special Provisions for Hotels), #transient hotels# located above the ground floor level are permitted within 70 feet of Riegelmann Boardwalk, except that a #transient hotel# lobby may occupy up to 30 feet of such ground

floor frontage along Riegelmann Boardwalk. Use Group C #uses# shall be limited to 2,500 square feet of #floor area# and 30 feet of #street# frontage for each establishment. All other establishments shall be limited to 60 feet of #street# frontage, except that for any establishment on a corner, one #street# frontage may extend up to 100 feet. All ground floor #uses# within #buildings# shall have a depth of at least 15 feet measured from the #street wall# of the #building#. However, such minimum depth requirement may be reduced where necessary in order to accommodate vertical circulation cores or structural columns associated with upper #stories# of the #building#.

(2) #Streets# other than Riegelmann Boardwalk

At least 20 percent of the frontage of a #building# or of an open #use#, on a #street# specified on Map 2, shall be allocated exclusively to #uses# listed in Use Groups A, B or C. The remaining frontage of such #building# or open #use#, on a specified #street#, shall be allocated to #commercial uses# permitted by the underlying district regulations or, where permitted pursuant to Section 32-02, a #transient hotel#. In addition, a #residential# lobby may occupy up to 40 feet of frontage along a specified #street# frontage.

There shall be at least four separate ground floor or open #commercial# establishments fronting upon each #block# fronting on Surf Avenue.

All ground floor #commercial uses# within #buildings# shall have a depth of at least 50 feet measured from the #street wall# of the #building#. Such minimum 50 foot depth requirement may be reduced where necessary in order to accommodate a #residential# lobby, vertical circulation cores or structural columns associated with upper #stories# of the #building#.

(b) Prohibited ground floor level #uses# along #streets# other than Riegelmann Boardwalk

No #use# listed in this paragraph, (b), shall be permitted within 50 feet of a #street# specified on Map 2. Lobbies or entryways to non-ground floor level #uses# are permitted, provided the length of #street# frontage occupied by such lobbies or entryways does not exceed, in total, 60 feet.

* * *

From Use Group 5A:

All #uses#, except that #transient hotels# shall be permitted within 200 feet of Surf Avenue between Stillwell Avenue and West 16th Street, where permitted pursuant to Section 32-02

* * *

**Chapter 4
Special Governors Island District**

[NOTE: Modifications to this chapter are based on zoning changes proposed pursuant to the current Governors Island Text Amendment N 210126 ZRM]

* * *

**134-10
SPECIAL USE REGULATIONS**

**134-11
Permitted Uses**

* * *

**134-111
Permitted uses in subdistricts**

In the Northern Subdistrict and the Southern Subdistrict, the following #uses# shall be permitted, except as otherwise specified in Section 134-112 (Permitted uses in the Open Space Subarea). In addition, in the Northern Subdistrict, the provisions of Section 134-14 (Certification for Large Commercial Establishments) shall apply to any #commercial use# exceeding 7,500 square feet of #floor area#.

From Use Groups 1 through 4, as set forth in Sections 22-11 through 22-14:

All #uses#.

From Use Group 5, as set forth in Section 32-14:

All #uses#, where permitted pursuant to Section 32-02 (Special Provisions for Hotels).

From Use Group 6, as set forth in Section 32-15:

All #uses#, except automobile supply stores, drive-in banks, carpet, rug, linoleum or other floor covering stores, furniture stores, loan offices, medical or orthopedic appliance stores, paint stores, sewing machine stores or typewriter stores.

From Use Group 7, as set forth in Section 32-16:

All #uses# in Use Group 7A, where permitted pursuant to Section 32-02 (Special Provisions for Hotels).

From Use Group 7B: bicycle rental or repair shops, sailmaking establishments, and sign painting shops, limited to 2,500 square feet of #floor area# per establishment.

* * *

**134-112
Permitted uses in the Open Space Subarea**

In the Open Space Subarea of the Southern Subdistrict, the following #uses# shall be permitted.

* * *

(b) On any pier in the Open Space Subarea, #uses# shall be limited to the following:

From Use Group 4, as set forth in Section 22-14:

Clubs, limited to non-profit private beach clubs and non-profit private boat clubs.

From Use Group 6, as set forth in Section 32-15:

Docks for water taxis, with a vessel capacity of up to 99 passengers.

From Use Group 7, as set forth in Section 32-16:

#Boatels#, where permitted pursuant to Section 32-02 (Special Provisions for Hotels)

* * *

**Chapter 8
Special East Harlem Corridors District**

* * *

**138-10
SPECIAL USE REGULATIONS**

* * *

138-12**Transient Hotels**

~~C1-5 C2-5 C4-6 C6-4 M1-6/R9 M1-6/R10~~

In the districts indicated, the ~~#development#~~ or ~~#enlargement#~~ of a ~~#building#~~ containing a ~~#transient hotel#~~, as listed in Section 32-14 (Use Group 5), or the ~~#conversion#~~ or change of ~~#use#~~ within an existing ~~#building#~~ to a ~~#transient hotel#~~, shall only be allowed:

- (a) ~~— upon certification by the Chairperson of the City Planning Commission to the Commissioner of Buildings that the residential development goal, as set forth in this Section, has been met, or~~
- (b) ~~— where such residential development goal, has not been met, by special permit by the City Planning Commission. To permit such a #transient hotel#, the Commission shall find that:~~
 - (1) ~~— sufficient sites are available in the area to meet the #residential development# goal; or~~
 - (2) ~~— a harmonious mix of #residential# and non-#residential uses# has been established in the area, and such #transient hotel# is consistent with the character of the surrounding area.~~

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

~~For the purpose of applying the provisions of this Section, the #residential development# goal shall be met when at least 3,865 #dwelling units# within the combined areas of the #Special East Harlem Corridors District#, and the Park Avenue Hub Subdistrict, as shown on Map 1 in Appendix A of Article IX, Chapter 7 (Special 125th Street District), have received temporary or final certificates of occupancy subsequent to November 30, 2017.~~

138-13**Physical Culture or Health Establishments**

Within the ~~#Special East Harlem Corridors District#~~, the provisions of Section 73-36 (Physical Culture or Health Establishments) shall not apply. In lieu thereof, ~~#physical culture or health establishments#~~ shall be permitted as-of-right in C2-5, C4-6 and C6-4 Districts, and in M1 Districts paired with an R9 or R10 District.

138-14 138-13

Public Parking Garages

* * *

**ARTICLE XIV
SPECIAL PURPOSE DISTRICTS**

**Chapter 1
Special Jerome Corridor District**

* * *

**141-10
SPECIAL USE REGULATIONS**

* * *

**141-11
Special Permit for Transient Hotels**

~~The #development# or #enlargement# of a #building# containing a #transient hotel#, as listed in Section 32-14 (Use Group 5), or the #conversion# or change of #use# within an existing #building# to a #transient hotel#, shall only be allowed in C2 Districts, subject to the locational criteria set forth in the double-asterisked footnote of Use Group 5 in Section 32-14, and in C4 Districts;~~

- ~~(a) — upon certification by the Chairperson of the City Planning Commission to the Commissioner of Buildings that the #residential development# goal, as set forth in this Section, has been met; or~~
- ~~(b) — by special permit by the City Planning Commission where such #residential development# goal, has not been met. To permit such a #transient hotel#, the Commission shall find that:

 - ~~(1) — sufficient sites are available in the area to meet the #residential development# goal; or~~
 - ~~(2) — a harmonious mix of #residential# and non #residential uses# has been established in the area, and such #transient hotel# is consistent with the character of the surrounding area.~~~~

~~The City Planning Commission may prescribe additional conditions and safeguards to minimize adverse effects on the character of the surrounding area.~~

~~For the purpose of applying the provisions of this Section, the #residential development# goal shall be met when at least 3,006 #dwelling units# within the #Special Jerome Corridor District# have received temporary or final certificates of occupancy subsequent to March 22, 2018.~~

**141-12
Physical Culture or Health Establishments**

#Physical culture or health establishments# shall be permitted as-of-right in C2 and C4 Districts. For the purposes of applying the underlying regulations to such #use#, a #physical culture or health establishment# shall be considered a Use Group 9 #use# and shall be within parking requirement category B.

141-13-141-12

Modification of Supplemental Use Provisions

* * *

Chapter 2

Special Inwood District

* * *

142-10

SPECIAL USE REGULATIONS

* * *

142-11

Permitted Uses

* * *

142-111

Special provisions for transient hotels

The #development# or #enlargement# of a #building# containing a #transient hotel#, as listed in Section 32-14 (Use Group 5), or the #conversion# or change of #use# within an existing #building# to a #transient hotel#, shall only be allowed in C2 Districts, subject to the locational criteria set forth in the double-asterisked footnote of Use Group 5 in Section 32-14, and in C4, C6 or M1 Districts:

- (a) — upon certification by the Chairperson of the City Planning Commission to the Commissioner of Buildings that the residential development goal, as set forth in this Section, has been met, or
- (b) — where such residential development goal has not been met, by special permit by the City Planning Commission. To permit such a #transient hotel#, the Commission shall find that:
 - (1) — sufficient sites are available in the area to meet the residential development goal; or
 - (2) — a harmonious mix of #residential# and non #residential# uses has been established in the area, and the #transient hotel# is consistent with the character of the surrounding area.

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

~~For the purpose of applying the provisions of this Section, the residential development goal shall be met when at least 3,860 #dwelling units# within the #Special Inwood District# have received temporary or final certificates of occupancy subsequent to August 8, 2018.~~

142-112

Regulations for manufacturing uses in Subareas B2 and B3

* * *

(On June 23, 2021, Cal. No. 1, the Commission scheduled July 14, 2021 for a public hearing which has been duly advertised.)

Close the hearing.

NOTICE

On Wednesday, July 14, 2021, a remote public hearing is being held by the City Planning Commission (CPC), accessible both in person and remotely, in conjunction with the above ULURP hearing to receive comments related to a Draft Environmental Impact Statement (DEIS) concerning an application by the New York City Department of City Planning (DCP). The Proposed Action is a zoning text amendment to require a CPC special permit for new and enlarged transient hotels (Use Group 5) and motels, tourist cabins, and boatels (Use Group 7). The new CPC special permit would replace existing special permits for hotels in Special Purpose Districts. These include the Inwood, Jerome Avenue, East Harlem, Midtown, Garment Center, Hudson Square, 125th Street, Clinton, and Tribeca Special Purpose Districts. It would also require a CPC special permit citywide for new hotels and enlargements in C1 (except for C1- 1, C1-2, C1-3 or C1-4 Districts), C2 , C4, C5, C6, C8, Mixed Use (MX), and paired M1/R districts. This is the “Area of Applicability” for the Proposed Action. The proposed text amendment would retain existing findings and regulations for hotels in M1 districts where a special permit was adopted in December 2018. The Proposed Action would also retain provisions adopted in the 2018 text amendment to exempt hotels in M1 districts operated for a public purpose. The proposed zoning text amendment would affect every community district within the City, since all community districts contain zoning districts that currently permit as-of-right hotel development, either in the form of commercial (C) districts or mixed-use (MX) districts. In addition, since changes to discontinuance provisions described below may apply to existing commercial hotels that are closed on the date of enactment and could apply in all districts citywide, the action has the potential to affect all community districts.

Written comments on the DEIS are requested and will be received and considered by the Lead Agency through Monday, July 26, 2021.

For instructions on how to submit comments and participate remotely in the hearing, please refer to the instructions at the beginning of this agenda.

This hearing is being held pursuant to the State Environmental Quality Review Act (SEQRA) and City Environmental Quality Review (CEQR), CEQR No. 21DCP111Y.

IV. CITY PLANNING COMMISSION 2021 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							31
FEBRUARY		1 REVIEW SESSION	2	3 CPC PUBLIC MEETING	4	5	6
	7	8	9	10	11	12 CHINESE NEW YEAR / LINCOLN'S BIRTHDAY	13
	14	15 PRESIDENTS DAY	16 REVIEW SESSION	17 CPC PUBLIC MEETING	18	19	20
	21	22 WASHINGTON'S BIRTHDAY	23	24	25	26	27
	28						
MARCH		1 REVIEW SESSION	2	3 CPC PUBLIC MEETING	4	5	6
	7	8	9	10	11	12	13
	14	15 REVIEW SESSION	16	17 CPC PUBLIC MEETING	18	19	20
	21	22	23	24	25	26	27
	28 PALM SUNDAY / PASSOVER	29	30	31			
APRIL					1	2 GOOD FRIDAY	3
	4	5 REVIEW SESSION	6	7 CPC PUBLIC MEETING	8	9	10
	11	12	13 RAMADAN BEGINS	14	15	16	17
	18	19 REVIEW SESSION	20	21 CPC PUBLIC MEETING	22	23	24
	25	26	27	28	29	30	
MAY	2	3 REVIEW SESSION	4	5 CPC PUBLIC MEETING	6	7	8
	9	10	11	12	13	14	15
	16	17 REVIEW SESSION	18	19 CPC PUBLIC MEETING	20	21	22
	23	24	25	26	27	28	29
	30	31 MEMORIAL DAY					
JUNE			1	2	3	4	5
	6	7 REVIEW SESSION	8	9 CPC PUBLIC MEETING	10	11	12
	13	14	15	16	17	18	19
	20	21 REVIEW SESSION	22	23 CPC PUBLIC MEETING	24	25	26
	27	28	29	30			
JULY							
	4 INDEPENDENCE DAY	5 INDEPENDENCE DAY OBSERVED	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	26 REVIEW SESSION	27	28 CPC PUBLIC MEETING	29	30	31
AUGUST	1	2	3	4	5	6	7
	8	9	10	11	12	13	14
	15	16 REVIEW SESSION	17	18 CPC PUBLIC MEETING	19	20	21
	22	23	24	25	26	27	28
	29	30 REVIEW SESSION	31				
SEPTEMBER							
	5	6 LABOR DAY	7 ROSH HASHANAH	8	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		
OCTOBER							
	3	4 REVIEW SESSION	5	6 CPC PUBLIC MEETING	7	8	9
	10	11 COLUMBUS DAY OBSERVED	12	13	14	15	16
	17	18 REVIEW SESSION	19	20 CPC PUBLIC MEETING	21	22	23
	24	25	26	27	28	29	30
31							
NOVEMBER							
	1	2 REVIEW SESSION	3 ELECTION DAY	4 CPC PUBLIC MEETING	5	6	7
	8	9	10	11	12	13	14
	15	16 REVIEW SESSION	17	18 CPC PUBLIC MEETING	19	20	21
	22	23	24	25	26	27	28
29	30						
DECEMBER							
	1	2	3	4	5	6	7
	8	9	10	11	12	13	14
	15	16 REVIEW SESSION	17	18 CPC PUBLIC MEETING	19	20	21
	22	23	24	25	26	27	28
29	30						
DECEMBER							
	1	2	3	4	5	6	7
	8	9	10	11	12	13	14
	15	16 REVIEW SESSION	17	18 CPC PUBLIC MEETING	19	20	21
	22	23	24	25	26	27	28
29	30	31					

Review Sessions are held at 120 Broadway, lower level, starting at 1:00 PM
 Public Meetings are held at 120 Broadway, lower level, starting at 10:00 AM