



COUNCIL OF THE CITY OF NEW YORK

**CALENDAR
OF**

**THE LAND USE COMMITTEE
FOR THE WEEK OF OCTOBER 4, 2010 - OCTOBER 8, 2010**

LEROY G. COMRIE, *Chair*, Land Use Committee

MARK WEPRIN, *Chair*, Subcommittee on Zoning and Franchises

BRAD LANDER, *Chair*, Subcommittee on Landmarks, Public Siting
and Maritime Uses

STEPHEN LEVIN, *Chair*, Subcommittee on Planning, Dispositions
and Concessions

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SUBCOMMITTEE ON ZONING AND FRANCHISES

The Subcommittee on Zoning and Franchises will hold a public hearing on the following matters in the 16th Floor Hearing Room, 250 Broadway, New York City, New York 10007, commencing at **9:30 a.m. on Tuesday October 5, 2010:**

L.U. NOS. 177 THROUGH 193 ARE RELATED

L.U. No. 177

CULVER EL REZONING

BROOKLYN CB - 12

C 100345 ZMK

Application submitted by the Department of City Planning pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 22c:

1. changing from an M1-2 District to an R5 District property bounded by 36th Street, a line 100 feet northwesterly of 13th Avenue, 37th Street, and 12th Avenue;
2. changing from an M1-2 District to a C4-2A District property bounded by 36th Street, Old New Utrecht Road, 37th Street, and 13th Avenue;
3. changing from an M1-2 District to an M1-2/R6A District property bounded by:
 - a. 36th Street, 13th Avenue, 37th Street and a line 100 feet northwesterly of 13th Avenue; and
 - b. 38th Street, a line 80 feet southeasterly of 13th Avenue, a line midway between 39th Street and 40th Street, 13th Avenue, 39th Street, and a line 100 feet northwesterly of 13th Avenue;
4. changing from an M1-2 District to an M1-2/R6B District property bounded by:
 - a. 38th Street, a line 100 feet northwesterly of 13th Avenue, 39th Street, and 12th Avenue; and

- b. 38th Street, 14th Avenue, a line midway between 38th Street and 39th Street, and a line 80 feet southeasterly of 13th Avenue;
- 5. changing from an M2-1 District to an M1-2/R6A District property bounded by 37th Street, Old New Utrecht Road, a line 50 feet southwesterly of 37th Street, a line 80 feet southeasterly of 13th Avenue, 38th Street, a line 100 feet northwesterly of 13th Avenue, a line 50 feet southwesterly of 37th Street, and 12th Avenue:
- 6. changing from an M2-1 District to an M1-2/R6B District property bounded by:
 - a. a line 50 feet southwesterly of 37th Street, a line 100 feet northwesterly of 13th Avenue, 38th Street, and 12th Avenue; and
 - b. a line 50 feet southwesterly of 37th Street, Old New Utrecht Road, 14th Avenue, 38th Street, and a line 80 feet southeasterly of 13th Avenue;
- 7. establishing within a proposed R5 District a C2-3 District bounded by 36th Street, a line 150 feet southeasterly of 12th Avenue, a line 80 feet southwesterly of 36th Street, and 13th Avenue; and
- 8. establishing a Special Mixed Use District (MX-12) bounded by 37th Street, a line 100 feet northwesterly of 13th Avenue, 36th Street, 13th Avenue, 37th Street, Old New Utrecht Road, 14th Avenue, a line midway between 38th Street and 39th Street, a line 80 feet southeasterly of 13th Avenue, a line midway between 39th Street and 40th Street, 13th Avenue, 39th Street, and 12th Avenue;

as shown on a diagram (for illustrative purposes only) dated May 10, 2010, and subject to the conditions of CEQR Declaration E-252.

L.U. No. 178
CULVER EL REZONING

BROOKLYN CB - 12

N 100346 ZRK

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, concerning Article XII, Chapter 3 (Special Mixed Use Districts), relating to the establishment of a new Special Mixed Use District.

Matter in underline is new, to be added;

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

Matter with # # is defined in Section 12-10 (DEFINITIONS);

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

* * *

123-90

Special Mixed Use Districts Specified

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

* * *

#Special Mixed Use District# - 1

Port Morris, The Bronx

The #Special Mixed Use District# - 1 is established in Port Morris in The Bronx as indicated on the #zoning maps#.

* * *

#Special Mixed Use District# - 12

Borough Park, Brooklyn

The #Special Mixed Use District# - 12 is established in Borough Park in Brooklyn as indicated on the #zoning maps#.

* * *

L.U. No. 179
CULVER EL REZONING

BROOKLYN CB - 12

C 100347 HAK

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 1284 37th Street (Block 5295, Lot 4), and 1300 37th Street (Block 5300, Lot 9), as an Urban Development Action Area; and
 - b) an Urban Development Action Area Project for such area; and
- 2) pursuant to Section 197-c of the New York City Charter for the disposition of such property to a developer to be selected by HPD;

to facilitate the development of seventeen 4-story buildings with a total of approximately 68 units of affordable housing.

L.U. No. 180
CULVER EL REZONING

BROOKLYN CB - 12

C 100348 ZSK

Application submitted by the NYC Department of Housing Preservation and Development pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit pursuant to Section 74-681 of the Zoning Resolution to allow that portion of the railroad or transit right-of-way which has been permanently discontinued or terminated to be included in the lot area in connection with the development of two 4-story residential buildings, on property located on Block 5300, p/o Lot 9 (tentative Lots 115 & 116), in a M1-2/R6A* District, within a Special Mixed Use District (MX-12)*.

* Note: The site is proposed to be rezoned from a M2-1 District to an M1-2/R6A (MX-12) District, under a concurrent related application (C 100345 ZMK).

L.U. No. 181
CULVER EL REZONING

BROOKLYN CB - 12

C 100349 ZSK

Application submitted by the NYC Department of Housing Preservation and Development pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit pursuant to Section 74-681 of the Zoning Resolution to allow that portion of the railroad or transit right-of-way which has been permanently discontinued or terminated to be included in the lot area in connection with the development of an off-site accessory parking lot, on property located on Block 5300, p/o Lot 9 (Tentative Lot 114), in a M1-2/R6A* District, within a Special Mixed Use District (MX-12)*.

* Note: The site is proposed to be rezoned from a M2-1 District to an M1-2/R6A (MX-12) District, under a concurrent related application (C 100345 ZMK).

L.U. No. 182
CULVER EL REZONING

BROOKLYN CB - 12

C 100350 ZSK

Application submitted by the NYC Department of Housing Preservation and Development pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit pursuant to Section 74-681 of the Zoning Resolution to allow that portion of the railroad or transit right-of-way which has been permanently discontinued or terminated to be included in the lot area in connection with the development of two 4-story residential buildings, on property located on Block 5300, p/o Lot 9 (Tentative Lots 112 & 113), in a M1-2/R6A* District, within a Special Mixed Use District (MX-12)*.

* Note: The site is proposed to be rezoned from a M2-1 District to an M1-2/R6A (MX-12) District, under a concurrent related application (C 100345 ZMK).

L.U. No. 183
CULVER EL REZONING

BROOKLYN CB - 12

C 100351 ZSK

Application submitted by the NYC Department of Housing Preservation and Development pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit pursuant to Section 74-681 of the Zoning Resolution to allow that portion of the railroad or transit right-of-way which has been permanently discontinued or terminated to be included in the lot area in connection with the development of a 4-story residential buildings, on property located on Block 5300, p/o Lot 9 (Tentative Lot 111), in a M1-2/R6A* District, within a Special Mixed Use District (MX-12)*.

* Note: The site is proposed to be rezoned from a M2-1 District to an M1-2/R6A (MX-12) District, under a concurrent related application (C 100345 ZMK).

L.U. No. 184
CULVER EL REZONING

BROOKLYN CB - 12

C 100352 ZSK

Application submitted by the NYC Department of Housing Preservation and Development pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit pursuant to Section 74-681 of the Zoning Resolution to allow that portion of the railroad or transit right-of-way which has been permanently discontinued or terminated to be included in the lot area in connection with the development of a 4-story residential buildings, on property located on Block 5300, p/o Lot 9 (Tentative Lot 110), in a M1-2/R6A* District, within a Special Mixed Use District (MX-12)*.

* Note: The site is proposed to be rezoned from a M2-1 District to an M1-2/R6A (MX-12) District, under a concurrent related application (C 100345 ZMK).

L.U. No. 185
CULVER EL REZONING

BROOKLYN CB - 12

C 100353 ZSK

Application submitted by the NYC Department of Housing Preservation and Development pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit pursuant to Section 74-681 of the Zoning Resolution to allow that portion of the railroad or transit right-of-way which has been permanently discontinued or terminated to be included in the lot area in connection with the development of two 4-story residential buildings, on property located on Block 5300, p/o Lot 9 (Tentative Lots 9 & 109), in a M1-2/R6A* District, within a Special Mixed Use District (MX-12)*.

* Note: The site is proposed to be rezoned from a M2-1 District to an M1-2/R6A (MX-12) District, under a concurrent related application (C 100345 ZMK).

L.U. No. 186
CULVER EL REZONING

BROOKLYN CB - 12

C 100354 ZSK

Application submitted by the NYC Department of Housing Preservation and Development pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit pursuant to Section 74-681 of the Zoning Resolution to allow that portion of the railroad or transit right-of-way which has been permanently discontinued or terminated to be included in the lot area in connection with the development of two 4-story residential buildings, on property located on Block 5295, p/o Lot 4 (Tentative Lots 112 & 113), in a M1-2/R6A* District, within a Special Mixed Use District (MX-12)*.

* Note: The site is proposed to be rezoned from a M2-1 District to an M1-2/R6A (MX-12) District, under a concurrent related application (C 100345 ZMK).

L.U. No. 187
CULVER EL REZONING

BROOKLYN CB - 12

C 100355 ZSK

Application submitted by the NYC Department of Housing Preservation and Development pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit pursuant to Section 74-681 of the Zoning Resolution to allow

that portion of the railroad or transit right-of-way which has been permanently discontinued or terminated to be included in the lot area in connection with the development of a 4-story residential building, on property located on Block 5295, p/o Lot 4 (Tentative Lot 111), in a M1-2/R6A* District, within a Special Mixed Use District (MX-12)*.

* Note: The site is proposed to be rezoned from a M2-1 District to an M1-2/R6A (MX-12) District, under a concurrent related application (C 100345 ZMK).

L.U. No. 188
CULVER EL REZONING

BROOKLYN CB - 12

C 100356 ZSK

Application submitted by the NYC Department of Housing Preservation and Development pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit pursuant to Section 74-681 of the Zoning Resolution to allow that portion of the railroad or transit right-of-way which has been permanently discontinued or terminated to be included in the lot area in connection with the development of an off-site accessory parking lot, on property located on Block 5295, p/o Lot 4 (Tentative Lot 110), in a M1-2/R6A* District, within a Special Mixed Use District (MX-12)*.

* Note: The site is proposed to be rezoned from a M2-1 District to an M1-2/R6A (MX-12) District, under a concurrent related application (C 100345 ZMK).

L.U. No. 189
CULVER EL REZONING

BROOKLYN CB - 12

C 100357 ZSK

Application submitted by the NYC Department of Housing Preservation and Development pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit pursuant to Section 74-681 of the Zoning Resolution to allow that portion of the railroad or transit right-of-way which has been permanently discontinued or terminated to be included in the lot area in connection with the development of an off-site accessory parking lot, on property located on Block 5295, p/o Lot 4 (Tentative Lot 109), in a M1-2/R6A* District, within a Special Mixed Use District (MX-12)*.

* Note: The site is proposed to be rezoned from a M2-1 District to an M1-2/R6A (MX-12) District, under a concurrent related application (C 100345 ZMK).

L.U. No. 190
CULVER EL REZONING

BROOKLYN CB - 12

C 100358 ZSK

Application submitted by the NYC Department of Housing Preservation and Development pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit pursuant to Section 74-681 of the Zoning Resolution to allow that portion of the railroad or transit right-of-way which has been permanently discontinued or terminated to be included in the lot area in connection with the development of two 4-story residential buildings, on property located on Block 5295, p/o Lot 4 (Tentative Lots 107 & 108), in a M1-2/R6A* District, within a Special Mixed Use District (MX-12)*.

* Note: The site is proposed to be rezoned from a M2-1 District to an M1-2/R6A (MX-12) District, under a concurrent related application (C 100345 ZMK).

L.U. No. 191
CULVER EL REZONING

BROOKLYN CB - 12

C 100359 ZSK

Application submitted by the NYC Department of Housing Preservation and Development pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit pursuant to Section 74-681 of the Zoning Resolution to allow that portion of the railroad or transit right-of-way which has been permanently discontinued or terminated to be included in the lot area in connection with the development of a 4-story residential building, on property located on Block 5295, p/o Lot 4 (Tentative Lot 106), in a M1-2/R6A* District, within a Special Mixed Use District (MX-12)*.

* Note: The site is proposed to be rezoned from a M2-1 District to an M1-2/R6A (MX-12) District, under a concurrent related application (C 100345 ZMK).

L.U. No. 192
CULVER EL REZONING

BROOKLYN CB - 12

C 100360 ZSK

Application submitted by the NYC Department of Housing Preservation and Development pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit pursuant to Section 74-681 of the Zoning Resolution to allow

that portion of the railroad or transit right-of-way which has been permanently discontinued or terminated to be included in the lot area in connection with the development of a 4-story residential building, on property located on Block 5295, p/o Lot 4 (Tentative Lot 105), in a M1-2/R6A* District, within a Special Mixed Use District (MX-12)*.

* Note: The site is proposed to be rezoned from a M2-1 District to an M1-2/R6A (MX-12) District, under a concurrent related application (C 100345 ZMK).

L.U. No. 193
CULVER EL REZONING

BROOKLYN CB - 12

C 100361 ZSK

Application submitted by the NYC Department of Housing Preservation and Development pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit pursuant to Section 74-681 of the Zoning Resolution to allow that portion of the railroad or transit right-of-way which has been permanently discontinued or terminated to be included in the lot area in connection with the development of two 4-story residential buildings, on property located on Block 5295, p/o Lot 4 (Tentative Lots 4 & 104), in a M1-2/R6A* District, within a Special Mixed Use District (MX-12)*.

* Note: The site is proposed to be rezoned from a M2-1 District to an M1-2/R6A (MX-12) District, under a concurrent related application (C 100345 ZMK).

L.U. No. 216
EAST END BAR & GRILL

MANHATTAN CB - 8

20115161 TCM

Application pursuant to Section 20-226 of the Administrative Code of the City of New York, concerning the petition of Jasper Hospitality LLC, d/b/a East End Bar & Grill, for a revocable consent to establish, maintain and operate an unenclosed sidewalk café located at 1664 First Avenue.

L.U. No. 213
HIGH HAWK REZONING

BRONX CB - 3

C 070550 ZMX

Application submitted by High Hawk, LLC pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 3d:

1. changing from a C8-3 District to an R7-1 District property bounded by Boston Road, Hoe Avenue, and East 174th Street; and
2. establishing within the proposed R7-1 District a C2-4 District on property bounded by Boston Road, Hoe Avenue, and East 174th Street;

as shown on a diagram (for illustrative purposes only) dated May 10, 2010 and subject to the conditions of CEQR Declaration E- 251.

L.U. No. 219
3500 PARK AVENUE

BRONX CB - 3

C 080129 ZMX

Application submitted by 3500 Park Avenue, LLC Associates pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 3d:

1. changing from an M1-1 District to an R7-1 District property bounded by East 168th Street, a line midway between Park Avenue and Washington Avenue, a line 100 feet southwesterly of East 168th Street and Park Avenue; and
2. establishing within an existing and proposed R7-1 District a C2-4 District bounded by East 168th Street, Washington Avenue, a line 100 feet southwesterly of East 168th Street, and Park Avenue;

as shown on a diagram (for illustrative purposes only) dated June 7, 2010 and subject to the conditions of CEQR Declaration E- 259.

L.U. No. 220

THE CROSSING AT SOUTHERN BOULEVARD

BRONX CB - 2

C 100036 ZMX

Application submitted by Crossings Partners LLC pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 6c:

1. eliminating from within an existing R7-1 District a C2-4 District bounded by Southern Boulevard, Hunts Point Avenue, Bruckner Boulevard, a line 200 feet northeasterly of Barretto Street, a line midway between Southern Boulevard and Bruckner Boulevard, and a line 400 feet northeasterly of Barretto Street; and
2. changing from an R7-1 District to a C4-5X District property bounded by Southern Boulevard, East 163rd Street, Bruckner Boulevard, a line 200 feet northeasterly of Barretto Street, a line midway between Southern Boulevard and Bruckner Boulevard, and a line 400 feet northeasterly of Barretto Street;

as shown on a diagram (for illustrative purposes only) dated June 7, 2010 and subject to the conditions of CEQR Declaration E-258.

L.U. NOS. 221 AND 222 ARE RELATED

L.U. No. 221

NORTH TRIBECA REZONING

MANHATTAN CB - 1

C 100369 ZMM

Application submitted by the NYC 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 No. 12a, changing from an M1-5 District to a C6-2A District, property bounded by Canal Street, Hudson Street, Vestry Street and its easterly centerline prolongation, Canal Street, Broadway, Walker Street, West Broadway, North Moore Street, a line 100 feet westerly of Varick Street, Ericsson Place, Beach Street, Greenwich Street, Hubert Street, Washington Street, Watts Street, and West Street, as shown on a diagram (for illustrative purposes only) dated June 7, 2010.

L.U. No. 222

NORTH TRIBECA REZONING

MANHATTAN CB - 1

N 100370(A) ZRM

Application submitted by the Department of City Planning pursuant to Section 201 of the New York City Charter, and proposed for modification pursuant to Section 2-06 (c)(1) of the Uniform Land Use Review Procedure, for an amendment of the Zoning Resolution of the City of New York, concerning Article XI, Chapter I (Special Tribeca Mixed Use District).

Matter in underline is new, to be added;

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

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

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

Article I

* * *

Chapter 2

Construction of Language and Definitions

* * *

12-10

DEFINITIONS

* * *

Accessory use, or accessory

* * *

An #accessory use# includes:

* * *

(iv) in C6-2M, C6-4M, M1-5M, M1-6M, M1-5A, and M1-5B Districts ~~and the #Special Tribeca Mixed Use District#~~, no living or sleeping accommodation for caretakers is permitted in any #building# which contains a #residential use# or a #joint living-work quarters for artists#.

* * *

Joint living-work quarters for artists

A "joint living-work quarters for artists" consists of one or more #rooms# in a non-#residential building#, on one or more floors, with lawful cooking space and sanitary facilities meeting the requirements of the Housing Maintenance Code, occupied:

- (a) and arranged and designed for use by, and is used by, not more than four non-related #artists#, or an #artist# and his household, and including adequate working space reserved for the #artist#, or #artists# residing therein;
- (b) by any household residing therein on September 15, 1986, whose members are all unable to meet the #artist# certification qualifications of the Department of Cultural Affairs that registers with the Department of Cultural Affairs prior to nine months from January 8, 1987; or
- (c) by any person who is entitled to occupancy by any other provision of law.

An #artist# is a person so certified by the New York City Department of Cultural Affairs.

Regulations governing #joint living-work quarters for artists# are set forth in Article I, Chapter 5, Sections 42-14, paragraph (D) (Use Group 17 - Special Uses), 42-141 (Modification by certification of the City Planning Commission of uses in M1-5A and M1-5B Districts), 43-17 (Special Provisions for Joint Living-Work Quarters for Artists), and 74-78 (Conversions of Non-Residential Buildings) ~~and Article XI, Chapter 1 (Special Tribeca Mixed Use District).~~

* * *

Loft dwelling

A "loft dwelling" is a #dwelling unit# in the #Special Tribeca Mixed Use District#, in a #building# designed for non-#residential use# erected prior to December 15, 1961.

Regulations governing #loft dwellings# are set forth in Sections 111-11 (Residential use modification) and 111-40 (REQUIREMENTS FOR LOFT DWELLINGS CONSTRUCTED PRIOR TO (EFFECTIVE DATE)). ~~Article XI, Chapter 1 (Special Tribeca Mixed Use District).~~

* * *

Chapter 5 Residential Conversion of Existing Non-Residential Buildings

* * *

15-011 Applicability within Special Districts

The provisions of this Chapter shall apply in any #Special Mixed Use District# as modified by Article XII, Chapter 3 (Special Mixed Use District).

The provisions of this Chapter shall apply in the #Special Downtown Jamaica District# as modified by Article XI, Chapter 5 (Special Downtown Jamaica District).

The provisions of this Chapter shall apply in the #Special St. George District# as modified by Article XII, Chapter 8 (Special St. George District).

The provisions of this Chapter shall apply in the #Special Coney Island District# as modified by Article XIII, Chapter 1 (Special Coney Island District).

The Preservation Area of the #Special Clinton District# is excluded from the applicability of the provisions of this Chapter.

The provisions of this Chapter shall apply in the #Special Tribeca Mixed Use District# as modified by Article XI, Chapter 1 (Special Tribeca Mixed Use District),

~~Except as specifically set forth in Sections 15-013 and 15-026, the provisions of this Chapter are not applicable in the #Special Tribeca Mixed Use District#.~~

* * *

15-013

Building permits and variances issued before the effective date of amendment

(a) Building permits in Manhattan Community Districts 1, 2, 3, 4, 5 and 6

* * *

(2) for all #floor area# for which the Board has made a finding that, as of the date said building permit lapsed, there was substantial construction in compliance with the approved plans pursuant to which said lapsed permit has been granted. A finding of substantial construction shall not be made unless, as of the date said permit lapsed, the #floor area# was either vacant or occupied by #residential# or #joint living-work quarters for artists use#, and unless the expenditures prior to the date said permit lapsed were significant in proportion to the costs of construction of the entire project, not including the costs of acquisition, demolition, professional fees or financing. Notwithstanding anything to the contrary above, the building permit shall only be reinstated pursuant to the provisions of this Section, provided that for any portion of the #building# for which said permit is reinstated:

(i) the conversion shall comply with the provisions of Sections 15-12, 15-24, or 42-14, paragraph (D)(1)(e), ~~or 111-112,~~ as appropriate in the zoning district in which the #building# being converted is located, except that the Board may modify the requirements of Sections 15-12, 15-24, or 42-14, paragraph (D)(1)(e), ~~or 111-112,~~ provided that the rooftop open space was not permitted under said building permit and the Board determines that the roof either is unsuited for open space #use# or cannot be made suitable for open space #use# at a reasonable cost;

* * *

15-026

Special bulk regulations for certain pre-existing dwelling units, joint living-work quarters for artists and loft dwellings

(a) The minimum size, #yard#, and density requirements of Sections 15-111, 15-22, 43-17 and ~~111-111~~ Section 111-40 (REQUIREMENTS FOR LOFT DWELLINGS CONSTRUCTED PRIOR TO (EFFECTIVE DATE)) may be

replaced by the requirements of this Section for #dwelling units#, #joint living-work quarters for artists# or #loft dwellings#:

- (1) existing on September 1, 1980 for which a determination of #residential# or #joint living-work quarters for artists# occupancy has been made pursuant to Sections 15-021, paragraph (c), 15-215, 42-133, paragraph (a), 42-141, paragraph (b); or 74-782, or 111-201 paragraph (a); or
 - (2) that are registered Interim Multiple Dwellings or are found covered by the New York City Loft Board pursuant to Article 7C of the New York State Multiple Dwelling Law; or
 - (3) that the Loft Board determines were occupied for #residential use# or as #joint living-work quarters for artists# on September 1, 1980.
- (b) Unless required by the Loft Board for the legalization of Interim Multiple Dwelling Units in the implementation of Article 7C of the New York State Multiple Dwelling Law, #dwelling units# or #joint living-work quarters for artists# described in paragraph (a) and existing on such dates may not be divided subsequently into units or quarters of less than 1,200 square feet, and #loft dwellings# may not be divided subsequently into dwellings that do not meet the requirements of ~~Section 111-111 paragraphs (a), (b)(1) and (c).~~ Section 111-40.

No #building# that meets the density requirements of Sections 15-111 or paragraph (c) of Section 111-40 ~~111-111 paragraph (c)~~, may subsequently add additional units or quarters except in accordance thereof. No #building# to which the regulations of this Section have been applied may subsequently add additional units or quarters except in accordance with the requirements of Sections 15-111 ~~or 111-111 paragraph (c)~~.

- (c) In lieu of the stated minimum size, #yard#, and density requirements of Sections 15-111, 15-22, 43-17 and Section 111-40 ~~111-111~~, the following regulations shall apply:
- (1) The minimum size of a #dwelling unit#, #joint living work quarters for artists#, or #loft dwelling# may be no less than 415 square feet of #floor area#, provided that all of the following requirements are met:

- (i) the unit or quarters shall contain one or more windows that open onto a #street# or thirty foot #yard#;
 - (ii) the area of such required window shall be not less than eight percent of the #floor area# of the unit or quarters and 50 percent of the area of such required window shall be openable; and
 - (iii) the interior dimension of the wall in which such required window is located shall be no less than 12 feet in width; or
- (2) The minimum size of a #dwelling unit#, #joint living-work quarters for artists#, or #loft dwelling# may be no less than 600 square feet of #floor area#, provided that all of the following requirements are met:
- (i) the unit or quarters shall contain one or more windows that open onto either:
 - (a) a ten foot #yard#, where the window sill of such required window is at least 23 feet above #curb level#; ~~or~~
 - (b) a 15 foot #yard#, where the window sill of such required window is less than 23 feet above #curb level#; ~~or~~
 - (c) a #court# with a minimum dimension of 15 feet perpendicular to such required window and 375 square feet or more in area; or
 - (d) a #street#;
 - (ii) the minimum horizontal distance between such required window opening onto a #yard# and any wall opposite such window on the same or another #zoning lot# shall be at least 15 feet;
 - (iii) the area of such required window shall be no less than five percent of the #floor area# of the unit or quarters, and 50 percent of the area of such required window shall be openable;
 - (iv) the interior dimension of the wall in which such required window is located shall be no less than 12 feet in width;

- (v) the average width of such unit or quarters shall be no less than 14 feet; and
- (vi) not less than two-thirds of the #floor area# of the unit or quarters shall have a floor-to-ceiling height of nine feet or more.

* * *

32-01

Special Provisions for Adult Establishments

In addition to the applicable regulations for the #uses# listed in a permitted Use Group, #adult establishments# shall be subject to the following provisions:

- (a) #Adult establishments# are not permitted in C1, C2, C3, C4, C5, C6-1, C6-2 or C6-3 Districts.
- (b) In C6-4, C6-5, C6-6, C6-7, C6-8, C6-9, C7 or C8 Districts, no #adult establishment# shall be established less than 500 feet from a house of worship, a #school#, a #Residence District#, a C1, C2, C3, C4, C5-1, C6-1, C6-2 or C6-3 District, or a #Manufacturing District#, other than an M1-6M District, in which new #residences#, or new #joint living-work quarters for artists# ~~or new #loft dwellings#~~ are allowed, ~~under the provisions of the Zoning Resolution,~~ as-of-right or by special permit or authorization. No provisions or findings of such special permit or authorization which require an assessment of the impact of new #residences#, or new #joint living-work quarters for artists# ~~or new #loft dwellings#~~ on #commercial# or #manufacturing uses# within a #Manufacturing District# shall be construed as a limitation on the scope of this provision. However, on or after October 25, 1995, an #adult establishment# that otherwise complies with the provisions of this paragraph shall not be rendered #non-conforming# if a house of worship or a #school# is established on or after April 10, 1995, within 500 feet of such #adult establishment#.

* * *

42-01

Special Provisions for Adult Establishments

In addition to the applicable regulations for the #uses# listed in a permitted Use Group, #adult establishments# shall be subject to the following provisions:

- (a) #Adult establishments# are not permitted in a #Manufacturing District# in which #residences#, or #joint living-work quarters for artists# ~~or #loft dwellings#~~ are, ~~under the provisions of the Zoning Resolution~~, allowed as-of-right or by special permit or authorization. No provisions or findings of such special permit or authorization which require an assessment of the impact of new #residences#, or new #joint living-work quarters for artists# ~~or new #loft dwellings#~~ on #commercial# or #manufacturing uses# within a #Manufacturing District# shall be construed as a limitation on the scope of this provision.
- (b) In all other #Manufacturing Districts#, no #adult establishment# shall be established less than 500 feet from a house of worship, a #school#, a #Residence District#, a C1, C2, C3, C4, C5-1, C6-1, C6-2 or C6-3 District, or a #Manufacturing District#, other than an M1-6M District, in which new #residences#, or new #joint living-work quarters for artists# ~~or new #loft dwellings#~~ are allowed, under the provisions of the Zoning Resolution, as-of-right or by special permit or authorization. No provisions or findings of such special permit or authorization which require an assessment of the impact of new #residences#, or new #joint living-work quarters for artists# ~~or new #loft dwellings#~~ on #commercial# or #manufacturing uses# within a #Manufacturing District# shall be construed as a limitation on the scope of this provision. However, on or after October 25, 1995, an #adult establishment# that otherwise complies with the provisions of this paragraph shall not be rendered #nonconforming# if a house of worship or a #school# is established on or after April 10, 1995, within 500 feet of such #adult establishment#.

* * *

42-53

Surface Area and Illumination Provisions

M1 M2 M3

* * *

No #illuminated sign# shall have a degree or method of illumination that exceeds standards established by the Department of Buildings by rule pursuant to the City Administrative Procedure Act. Such standards shall ensure that illumination on any #illuminated sign# does not project or reflect on #residences#, ~~#loft dwellings#~~ or #joint living-work quarters for artists# so as to interfere with the reasonable use and enjoyment thereof. Nothing herein shall be construed to authorize a #sign with indirect illumination# to arrange an external artificial source of illumination so that direct rays of light are projected from such artificial source into #residences#, ~~#loft dwellings#~~ or #joint living-work quarters for artists#.

* * *

42-532

Non-illuminated signs

M1 M2 M3

In all districts, as indicated, non-#illuminated signs# with total #surface areas# not exceeding six times the #street# frontage of the #zoning lot#, in feet, but in no event more than 1,200 square feet for each #sign#, are permitted.

However, in any #Manufacturing District# in which #residences#, ~~#loft dwellings#~~ or #joint living-work quarters for artists# are, under the provisions of the Zoning Resolution, allowed as-of-right or by special permit or authorization, the total #surface area# of all such permitted #signs# shall not exceed six times the #street# frontage of the #zoning lot#, in feet, and that the #surface area# of each #sign# shall not exceed 750 square feet.

* * *

42-533

Illuminated or flashing signs

M1 M2 M3

* * *

However, in any #Manufacturing District# in which #residences#, ~~#loft dwellings#~~ or #joint living-work quarters for artists# are, under the provisions of the Zoning Resolution, allowed as-of-right or by special permit or authorization, the total #surface area# of all such permitted #signs# shall not exceed five times the #street# frontage of the #zoning lot#, in feet, and that the #surface area# of each #sign# shall not exceed 500 square feet.

* * *

42-541

Permitted projection

M1 M2 M3

In all districts, as indicated, except as otherwise provided in Section 42-542 (Additional regulations for projecting signs), no permitted #sign# shall project across a #street line# more than 18 inches for double- or multi-faceted #signs# or 12 inches for all other #signs#, except that:

- (a) In M1-5A, M1-5B, M1-5M and M1-6M Districts and in #Manufacturing Districts# mapped within the #Special Tribeca Mixed Use District#, for each establishment located on the ground floor, non-#illuminated signs# other than #advertising signs# may project no more than 40 inches across a #street line#, provided that along each #street# on which such establishment fronts, the number of such #signs# for each establishment shall not exceed two two-sided #signs# separated at least 25 feet apart, and further provided that any such #sign# shall not exceed a #surface area# of 24 by 36 inches and shall not be located above the level of the first #story# ceiling.

* * *

- (b) For #zoning lots# occupies . . .

Article VII

Administration

* * *

Chapter 4

Special Permits by the City Planning Commission

* * *

74-92

Use Groups 3A and 4A Community Facilities and Certain Large Retail Establishments in Manufacturing Districts

74-921

Use Groups 3A and 4A community facilities

- (a) Use modifications for Use Groups 3A and 4A in M1 Districts

In M1 Districts, except for houses of worship, the City Planning Commission may permit #uses# listed in Use Group 4A - Community Facilities and, in M1-5 Districts, except in M1-5A, M1-5B and M1-5M Districts, the Commission may permit museums and noncommercial art galleries as listed in Use Group 3A, provided that such community facility is located not more than 400 feet from the boundary of a district where such facility is permitted as-of-right and the Commission finds that:

* * *

- (6) such facility will not impair the essential character of the surrounding area.

~~The provisions of this special permit relating to Use Group 3A museums and noncommercial art galleries shall be inapplicable to the #Special Tribeca Mixed Use District#.~~

* * *

Article XI - Special Purpose Districts

Chapter 1

Special Tribeca Mixed Use District

111-00

GENERAL PURPOSES

The "Special Tribeca Mixed Use 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 retain adequate wage, job producing, stable industries within the Tribeca neighborhood;
- (b) to protect light manufacturing and to encourage stability and growth in the Tribeca neighborhood by permitting light manufacturing and controlled residential uses to coexist where such uses are deemed compatible;

- (c) to provide a ~~limited new~~ housing opportunity of a type and at a density appropriate to this mixed use zone;
- (d) to insure the provision of safe and sanitary housing units in converted buildings; and
- (e) to promote the most desirable use of land and building development in accordance with the Plan for Lower Manhattan as adopted by the City Planning Commission.

* * *

111-02

General Provisions

The provisions of this Chapter shall apply to all ~~developments, enlargements, extensions, alterations, accessory uses, open and enclosed, and changes in uses~~ within the Special District.

~~Loft dwellings and joint living work quarters for artists are permitted uses within the Special District and loft dwellings are the only permitted residential use in buildings designed for non-residential use and erected prior to December 15, 1961. Loft dwellings and joint living work quarters for artists converted under the provisions of this Chapter, are not subject to the provisions of Section 32-42 (Location within Buildings).~~

~~Buildings designed for non-residential use, and erected prior to December 15, 1961, that have not since been enlarged may be converted to loft dwellings, subject to the bulk regulations of Section 111-11 (Bulk Regulations for Buildings Containing Loft Dwellings or Joint Living Work Quarters for Artists).~~

~~Buildings designed for non-residential use, and erected prior to December 15, 1961, that have since been enlarged may be converted to loft dwellings, and buildings designed for non-residential use and erected prior to December 15, 1961, may be enlarged for loft dwellings, provided that such conversion or enlargement shall be made only by special permit of the City Planning Commission pursuant to Section 111-51 (Special Permit for Enlargements of Buildings Containing Loft Dwellings).~~

~~A #home occupation# may occupy a #loft dwelling# as an #accessory use# in excess of the #floor area# limitations of Section 12-10 (DEFINITIONS—Home occupation), and subject to the following:~~

- ~~(a) Businesses operated as #home occupations# may have up to three non-#residential# employees., and~~
- ~~(b) Notwithstanding the limitation on #uses# listed in Section 12-10, a #home occupation# may include a permitted #commercial# or permitted #manufacturing use#. It shall not include the sale of merchandise produced elsewhere.~~
- ~~(c) The Commissioner of Buildings may issue rules and regulations setting forth appropriate standards to implement the intent of this Section.~~

~~Museums or non-commercial art galleries are permitted #uses# within Areas B1 and B2 of the Special District in accordance with the provisions of Section 111-105 (Museums or noncommercial art galleries), and are subject to the #bulk# regulations applicable to #manufacturing uses# in Areas B1 and B2.~~

Except as modified by the express provisions of the District, the regulations of the underlying districts remain in effect.

111-03

District Map

The District Map for the #Special Tribeca Mixed Use District#, in Appendix A, identifies special areas comprising the Special District in which special zoning regulations carry out the general purposes of the #Special Tribeca Mixed Use District#. These areas are as follows:

Area A1 - General Mixed Use Area

Area A2 - Limited Mixed Use Area (~~Commercial and Residential Uses~~)

Area A3 - General Mixed Use Area

Area A4 - General Mixed Use Area

~~Area B1 - Limited Mixed Use Area~~

~~Area B2 - Limited Mixed Use Area~~

Area A5 - General Mixed Use Area

Area A6 - General Mixed Use Area

Area A7 - General Mixed Use Area

111-10 SPECIAL USE REGULATIONS

~~111-101~~

~~Location of permitted uses in buildings containing loft dwellings or joint living-work quarters for artists~~

~~Within Areas B1 and B2, #loft dwellings# and #joint living-work quarters for artists# are not permitted below the floor level of the third #story#, unless modified by the Chairperson of the City Planning Commission pursuant to Section 111-20 (MINOR MODIFICATIONS), paragraph (a), by authorization of the City Planning Commission pursuant to Section 111-23 (Modification of Location and Additional Use Regulations by Authorization of the City Planning Commission) or by special permit of the City Planning Commission pursuant to Section 111-50 (SPECIAL PERMIT FOR CONVERSION TO LOFT DWELLINGS OR JOINT LIVING WORK QUARTERS FOR ARTISTS).~~

111-11

Residential use modification

(a) Loft dwellings

#Loft dwellings# created prior to (effective date) shall be governed by the provisions for #loft dwellings# in Section 111-40 (REQUIREMENTS FOR LOFT DWELLINGS CONSTRUCTED PRIOR TO (EFFECTIVE DATE)). Such #loft dwellings# may be #extended#, #enlarged#, or subdivided into two or more #loft dwellings# only in accordance with such provisions. No #loft dwellings# may be created after (effective date), except as the result of a subdivision of a #loft dwelling# existing prior to (effective date).

(b) Home occupations

A #home occupation# may occupy a #loft dwelling#, or a #dwelling unit# converted pursuant to Article I, Chapter 5 (Residential Conversion of Existing Non-Residential Buildings), as an #accessory use# pursuant to Section 15-13 (Special Home Occupation Provision), except that:

- (1) businesses operated as #home occupations# may have up to three non-#residential# employees; and

(2) notwithstanding the limitation on #uses# listed in Section 12-10, a #home occupation# may include a permitted #commercial# or permitted #manufacturing use#.

111-102 12

Ground floor use restrictions

~~(a)~~ In all areas except Areas A2,s A1, A3 and A4G ground floor spaces in separate #buildings# may not be combined for #uses# in Use Groups 3, 4, 5 and 6, except in those #buildings# having frontage on Broadway, Chambers Street, Church Street, Greenwich Street, Hudson Street, Sixth Avenue, Varick Street, West Broadway or West Street.

~~(b)~~ Areas B1 and B2

~~(1) Use of the ground floor in #buildings# constructed prior to March 10, 1976, shall be restricted to #uses# in Use Groups 7, 9, 11, 16, 17a, 17b, 17c or 17e, except that where a #use# other than these occupied the ground floor of a #building# prior to March 10, 1976, it shall be permitted in conformance with the underlying district regulations.~~

~~(2) In #buildings# having frontage on Greenwich Street, West Street, Hudson Street, West Broadway or Canal Street, ground floor #uses# shall be permitted in conformance with the underlying districts except as provided in Section 111-103, paragraph (c).~~

111-103 13

Additional use regulations

(a) Areas A1; and A3 and A4

(1) #Uses# in Use Groups 16 and 17 shall be permitted, except the following #uses# are prohibited ~~in all #buildings#~~:

~~(i)~~ within Use Group 16A: crematoriums, poultry or rabbit killing establishments, unenclosed automobile, boat, motorcycle or trailer sales, motorcycle rentals;

~~(ii)~~ all Use Group 16B #uses#, except #automotive service stations# by special permit pursuant to Section 73-21;

- (iii)—all Use Group 16C #uses#;
 - (iv)—within Use Group 16D: dry cleaning or cleaning or dyeing establishments, with no limitation on type of operation, solvents, #floor area# or capacity per establishment;
 - (v)—within Use Group 17B: manufacture of aircraft, automobiles, trucks, trailers, boats, motorcycles or chemicals; and
 - (vi)—all Use Group 17C #uses#, except agriculture.
- (2) The following #uses# are prohibited in #buildings# that do not front on Chambers Street, Church Street, Greenwich Street, Hudson Street, or West Broadway ~~or West Street~~:
- (i)—all Use Group 8A #uses#;
 - (ii)—all Use Group 8D #uses#;
 - (iii)—all Use Group 10A #uses#, except depositories, photographic or motion picture studios, radio or television studios; and
 - (iv)—all Use Group 12A #uses#.
- (3) In #buildings# fronting on Chambers Street, Church Street, Greenwich Street, Hudson Street, or West Broadway ~~or West Street~~, the following ~~retail facilities~~ #uses# shall be limited to 20,000 square feet of #floor area# on a #zoning lot#, including retail #cellar# space allotted to such #uses#, except as otherwise provided in Section ~~111-40~~ 111-32 (Special Permit For Certain Large Commercial Establishments):
- (i)—all #uses# in Use Groups 6A and 6C;
 - (ii)—all #uses# in Use Group 10 with parking categories B or B1; and
 - (iii)—the above #uses# when listed in other use groups.

Separate ~~#buildings#~~ on separate ~~#zoning lots#~~ may not be combined for ~~#uses#~~ in Use Groups 6A, ~~and 6C~~ ~~and or~~ all ~~#uses#~~ with parking categories B or B1. in Use Group 10 ~~with parking categories B or B1.~~

In addition, in ~~#buildings#~~ not fronting on the ~~above listed #streets#~~ listed in paragraph (a)(3) of this Section, ~~#uses# listed retail facilities~~ in Use Groups 6A and 6C shall be limited to 10,000 square feet of ~~#floor area#~~ on a ~~#zoning lot#~~, including retail ~~#cellar#~~ space ~~allotted~~ allocated to such ~~#uses#~~, except as otherwise provided in Section 111-40 32.

(b) ~~Areas B1 and B2~~

~~#Loft dwellings# and #joint living work quarters for artists# shall be permitted in #buildings# where the #lot coverage# is less than 5,000 square feet. #Loft dwellings# and #joint living work quarters for artists# shall be permitted in other #buildings or other structures# only by special permit of the City Planning Commission, pursuant to Section 111-50 (SPECIAL PERMIT FOR CONVERSION TO LOFT DWELLINGS OR JOINT LIVING WORK QUARTERS FOR ARTISTS), or by minor modification of the Chairperson of the City Planning Commission, pursuant to Section 111-20, paragraph (d), or by authorization of the City Planning Commission, pursuant to Section 111-23 (Modification of Location and Additional Use Regulations by Authorization of the City Planning Commission).~~

Areas A4, A5, A6 and A7

(1) All #uses# listed in Use Groups 16B, 16C or 16D shall be permitted,

(2) The following #uses# listed in Use Group 16 shall be permitted:

Carpentry, custom woodworking or custom furniture making shops
Electrical, glazing, heating, painting, paper hanging, plumbing, roofing or
ventilating contractors' establishments, open or enclosed, with open storage
limited to 5,000 sq. ft.

Household or office equipment or machinery repair shops

Machinery rental or sales establishments.

(3) All #uses# in Use Group 17 shall be permitted, except that the following #uses# shall be prohibited:

Building materials or contractors' yards, open or enclosed

Produce or meat markets, wholesale

Adhesives, including manufacture of basic components

Food products, including slaughtering of meat or preparation of fish for packing

Laboratories, research, experimental or testing

Leather products, including shoes, machine belting, or similar products

Metal stamping or extrusion, including costume jewelry, pins and needles, razor blades, bottle caps, buttons, kitchen utensils, or similar products

Pharmaceutical products

Plastic products, including tableware, phonograph records, buttons, or similar products

Rubber products, such as washers, gloves, footwear, bathing caps, atomizers, or similar products, including manufacture of natural or synthetic rubber

Shoddy

Soap or detergents.

(4) For establishments with frontage on #wide streets#, #uses# listed in Use Groups 6A, 6C and 10 shall be limited to 10,000 square feet of #floor area#. For establishments that front only upon a #narrow street#, such #uses# shall be limited to 5,000 square feet of #floor area#. For the purposes of this Section, #floor area# shall include retail #cellar# space allocated to such #uses#.

The #floor area# requirements of this paragraph, (b)(4), may be modified only pursuant to Section 111-32 (Special Permit For Certain Large Commercial Establishments).

(c) Eating or drinking establishments with entertainment and a capacity of more than 200 persons, or establishments of any capacity with dancing, as listed in Use Group 12A, in any location within a #building#, shall be permitted only by special permit of the Board of Standards and Appeals as provided in Section 73-244. ~~In Areas A1, A2, A3 and A4,~~ The Board of Standards and Appeals shall additionally find for establishments of any capacity with dancing, as listed in Use Group 12A, that primary ingress and egress for such #uses# may only be located on Broadway, Chambers Street, Church Street, Greenwich Street, Hudson Street, Sixth Avenue, Varick Street, West Broadway or West Street, with only fire or emergency egress on other #streets#, and that no portion of such #use# may be located more than 100 feet, measured perpendicularly, from the above-listed streets. Furthermore, such #uses# are restricted as provided in paragraph (a)(2) of this Section.

(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 (effective date of amendment), may continue under the terms of such approval.

(e) Environmental conditions for Area A2

(1) All #developments# or #enlargements# shall be subject to Ambient Noise Quality Zone Regulations*. #Uses# listed in Use Group 11A shall be subject to the performance standards of an M1 District.

(2) All new #dwelling units# shall be provided with a minimum 35dB(A) of window wall attenuation in order to maintain an interior noise level of 45dB(A), or less, with windows closed. Therefore, an alternate means of ventilation is required.

* Ambient Noise Quality Regulations for an M2 District as set forth in the Noise Control Code for the City of New York, Article VI(B).

111-104

Special provisions for Areas A1, A2, A3, A4 and B2

111-20

SPECIAL BULK PROVISIONS FOR AREAS A1 THROUGH A7

(a) Area A1

The regulations applicable to a C6-2A District shall apply to ~~all new~~ #developments# and #enlargements#, except as set forth herein.

(1) Maximum #floor area ratio#

The maximum #floor area ratio# permitted on a #zoning lot# shall be 5.0.

(2) Special regulations for narrow #buildings#

A #building# or portion of a #building# may be constructed above the maximum height of a #street wall# permitted pursuant to Section 23-692 (Height limitations for narrow buildings or enlargements), provided the portion of a #building# exceeding such height limitation does not exceed a height of one #story# or 15 feet, whichever is less, and provided such portion is set back at least 10 feet from the #street wall# of the #building# facing a #wide street#, and 15 feet from the #street wall# of the #building# facing a #narrow street#.

(b) Area A2

The regulations applicable to a C6-3 District shall apply to ~~all new~~ #developments# and #enlargements#, except as set forth herein.

(1) Maximum #floor area ratio#

No #floor area# bonuses shall be permitted in Area A2.

The maximum #floor area ratio# permitted shall be 7.52. In no case shall the #floor area ratio# of the #commercial# or #community facility# portion of the #building# be more than 6.0.

(2) #Open space# and #lot coverage# regulations

The #open space# and #lot coverage# regulations of Article II, Chapters 3 and 4, and Article III, Chapter 5, for a #residential building#, or the #residential# portion of a #mixed building#, are not applicable. In lieu thereof, the maximum permitted #lot coverage# on a #zoning lot# shall not exceed 80 percent of the #lot area#. However, any permitted obstruction on a #zoning lot# pursuant to Sections 23-44, 24-12 or 33-23 shall not count as #lot coverage#.

(3) #Yard#, #court# and minimum distance between #buildings# regulations

The #yard# and #court# regulations of a C6-3 District shall apply, except that on a #through lot# the provisions of paragraphs (b) and (c) of Sections 23-533 and 24-382 (Required rear yard equivalents) and 23-71 (Minimum Distance between Buildings on a Single Zoning Lot) shall not apply. On any single #zoning lot# within Area A2, if a #development# or #enlargement# results in two or more #buildings# or portions of #buildings# detached from one another at any level, such #buildings# or portions of #buildings# shall at no point be less than eight feet apart.

(4) #Height factor#, front height and setback regulations

The #height factor#, front height and setback, alternate front setback and tower regulations of a C6-3 District shall not apply. In lieu thereof, for the first two #stories# of any #development# or #enlargement#, the #street wall# shall be located on the #street line# and shall extend the entire width of the #zoning lot# not occupied by existing #buildings# to remain, except that at the intersection of two #street lines# the #street wall# may be located within five feet of the #street line#. Above the ceiling of the second #story# for any #development# or #enlargement#, there shall be mandatory #street walls# extending the entire width of the #zoning lot# not occupied by existing #buildings# to remain, as set forth ~~below~~ in this paragraph, (b)(4). Along #wide streets# and along #narrow streets#, within 75 feet of the intersection with #wide streets#, the #street wall# shall rise for a minimum of 60 feet above #curb level# but shall not exceed a height of 100 feet above #curb level#. Along a #narrow street#, beyond a distance of 75 feet from the intersection of a #wide street# and a #narrow street#, the #street wall# shall rise for a minimum of 60 feet above #curb level# but shall not

exceed a height of 85 feet above #curb level#. Notwithstanding the above requirements, for the 25 feet of a #zoning lot# furthest from the intersection of a #wide street# and a #narrow street#, the height of the #street wall# shall be 60 feet or the height of the adjacent #building# fronting on the same #street line#, whichever is greater. Above the ceiling of the second #story#, 75 percent of the aggregate area of the mandatory #street walls# at each #story# shall be within five feet of the #street line#; the mandatory #street wall# shall abut the #street line# at least once every 25 feet; and at the intersection of two #street lines# the mandatory #street wall# shall be located within five feet of the #street line#, measured perpendicular to the #street line#. For #residential# and community facility #developments# or #enlargements#, recesses shall comply with the applicable #outer court# provisions of Sections 23-84 and 24-63.

For any #zoning lot# located in a Historic District designated by the Landmarks Preservation Commission, the minimum base height of a #street wall# may vary between the height of the #street wall# of an adjacent #building# before setback, if such height is lower than the minimum base height required, up to the minimum base height requirements of this Chapter.

For any #zoning lot# located in a Historic District designated by the Landmarks Preservation Commission, the location of the #street wall# of any #building# may vary between the #street wall# location requirements of this Chapter and the location of the #street wall# of an adjacent #building# fronting on the same #street line#.

(5) Curb cuts

Curb cuts shall not be permitted on Greenwich Street, Murray Street and Chambers Street.

(c) Area A3

The regulations applicable to a C6-3A District shall apply to ~~all~~ new #developments# and #enlargements#, except as set forth herein.

(3) Height and setback regulations

The height and setback regulations of Section 35-24 (Special Street Wall Location and Height and Setback Regulations in Certain Districts) shall not apply. In lieu thereof, the following height and setback regulations shall apply:

(i) Permitted obstructions

Permitted obstructions for all #buildings or other structures# shall be as set forth in Section 33-42.

(ii) Measurement of height

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

(iii) #Street wall# location

The #street wall# of any #development# or #enlargement# shall be located on the #street line# and extend along the entire #street# frontage of the #zoning lot# not occupied by existing #buildings#, and shall rise to at least a height of 60 feet *[remove double-space]* or the height of the #building#, whichever is less. However, to allow articulation of #street walls# at the intersection of two #street lines#, the #street wall# may be located anywhere within an area bounded by the two #street lines# and a line *[remove double-space]* connecting such #street lines# at points 15 feet from their intersection. Recesses, not to exceed three feet in depth from the #street line#, shall be permitted on the ground floor where required to provide access to the #building#. At any level above the ground floor, but at least 12 feet above the level of the #base plane#, recesses shall be permitted in the #street wall# for #outer courts# or articulation of #street walls# at the intersection of two #street lines# as set forth in this Section. The aggregate width of such recesses shall not exceed 30 percent of the width of the #street wall# at any level.

(iv) Maximum height of #street walls# and required setbacks

The maximum height of a #street wall# before setback shall be 85 feet or the height of an adjoining #building# fronting on the same #street line# with a height of at least 60 feet, whichever is less. Setbacks are required for all portions of #buildings# that exceed these maximum #street wall# heights. At a height not lower than 60 feet nor higher than 85 feet, or the height of an adjoining #building# fronting on the same #street line# which is less than 85 feet, a setback with a depth of at least 10 feet shall be provided from any #street wall# fronting on a #wide street#, and a setback with a depth of at least 15 feet shall be provided from any #street wall# fronting on a #narrow street#, except that such dimensions may include the depth of any permitted recesses in the #street wall#.

(v) Maximum building height

No #building or other structure# shall exceed a height of 135 feet.

(vi) Vertical #enlargements# of low #buildings#

Existing #buildings# with #street walls# less than 60 feet in height may be vertically #enlarged# by up to one #story# or 15 feet, whichever is less, without regard to the #street wall# location provisions of paragraph (c)(1)(iii) of this Section.

(2) Special regulations for narrow #buildings#

A #building# or portion of a #building# may be constructed above the maximum height of #street wall# permitted pursuant to Section 23-692 (Height limitations for narrow buildings or enlargements), provided such portion of a #building# exceeding such height limitation does not exceed a height of one #story# or 15 feet, whichever is less, and provided such portion of a #building# is set back at least 10 feet from the #street wall# of the #building# facing a #wide street#, and 15 feet from the #street wall# of a #building# facing a #narrow street#.

(d) Areas A4, A5, A6 and A7

Except as set forth herein, the #bulk# regulations of the underlying district shall apply.

- (1) In C6-2A and C6-3A Districts, the hHeight and setback regulations, as set forth in Table A of Section 35-24, shall be modified, as follows:

<u>District Area</u>	<u>Minimum base height (in ft.)</u>	<u>Maximum base height (in ft.)</u>	<u>Maximum building height (in ft.)</u>
C6-2A	60	70	110
C6-3A <u>A4</u>	60	70	140
<u>A5</u>	<u>60</u>	<u>70</u>	<u>110</u>
<u>A6</u>	<u>60</u>	<u>85</u>	<u>120</u>
<u>A7</u>	<u>60</u>	<u>85</u>	<u>120</u>

In a ~~C6-3A District~~, Area A4, a penthouse portion of a #building#, not exceeding ten feet in height, may be constructed above the maximum building height, provided that such penthouse portion is set back at least 25 feet from any #narrow street#.

In Area A4, ~~However~~, the provisions of this paragraph, (d) (1), shall not apply to any #building# located in Historic Districts designated by the Landmarks Preservation Commission.

- (2) The provisions of Section 33-42 (Permitted Obstructions) shall apply to all #buildings# ~~within Area A4~~, except that elevator or stair bulkheads, roof water tanks, cooling towers or other mechanical equipment (including enclosures), may penetrate a maximum height limit provided that either the product, in square feet, of the #aggregate width of street walls# of such obstructions facing each #street# frontage, times their average height, in feet, shall not exceed a figure equal to eight times the width, in feet, of the #street wall# of the #building# facing such frontage or, the #lot coverage# of all such obstructions does not exceed 20 percent of the #lot coverage# of the #building#, and the height of all such obstructions does not exceed 40

feet. In addition, dormers may penetrate a maximum base height in accordance with the provisions of paragraph (c) of Section 23-621 (Permitted obstructions in certain districts).

- (3) ~~In a C6-3A District, the~~ The maximum #floor area ratio# permitted on a #zoning lot# shall be 6.5 as follows:

<u>Area</u>	<u>Maximum #floor area ratio#</u>
<u>A4</u>	<u>6.5</u>
<u>A5</u>	<u>5.5</u>
<u>A6</u>	<u>5.4</u>
<u>A7</u>	<u>5.0</u>

- (4) ~~In a C6-2A District, the maximum #floor area ratio# permitted on a #zoning lot# shall be 5.5.~~

Applicability of Inclusionary Housing Program

R8A Districts within Area A6 shall be #Inclusionary Housing designated areas#, 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. The base #floor area ratio# for any #zoning lot# containing #residences# shall be 5.4. Such base #floor area ratio# may be increased to a maximum of 7.2 through the provision of #affordable housing# pursuant to the provisions for #Inclusionary Housing designated areas# in Section 23-90 (INCLUSIONARY HOUSING), except that the height and setback regulations of paragraph (a) of Section 23-954 (Additional requirements for compensated developments) shall not apply. In lieu thereof, the height and setback regulations of this Chapter shall apply.

- (5) #Buildings# that have received a certification from the Chairperson of the City Planning Commission pursuant to paragraph (c) of the

former Section 111-20 (MINOR MODIFICATIONS), prior to (effective date of amendment), to modify the rooftop open space requirements of the former Section 111-112 (Open space equivalent), shall be exempt from the rooftop open space requirements of Section 15-24 (Open Space Equivalent).

- (6) Notwithstanding any of the provisions of Section 11-33 (Building Permits for Minor or Major Development or Other Construction Issued Before Effective Date of Amendment), the #development# of a #building# pursuant to variance granted by the Board of Standards and Appeals under calendar #231-09-BZ to modify #bulk# regulations, may be continued provided that a building permit has been issued, in accordance with the terms of said variance, within two years of the grant of said variance.

(e) ~~Area B2~~

~~In Area B2, except as modified by the express provisions of this Chapter, the underlying district regulations are superseded and replaced by the regulations applicable in M2-4 Districts.~~

~~**111-105**~~

~~**Museums or non-commercial art galleries**~~

~~Areas B1 and B2~~

~~In any #building#, a museum or non-commercial art gallery is permitted on the ground floor where a #use# in Use Group 6 is permitted pursuant to the provisions of Sections 111-102 and above the ground floor where #joint living-work quarters for artists# or #loft dwellings# are permitted pursuant to the provisions of Sections 111-101 or 111-103.~~

~~**111-11**~~

~~**Bulk Regulations for Buildings Containing Loft Dwellings or Joint Living-Work Quarters for Artists**~~

~~#Joint living-work quarters for artists# located within the District shall comply with all the #bulk# regulations of this Section applicable to #loft dwellings#.~~

~~111-111~~

~~Loft dwelling requirements~~

- ~~(a) All #loft dwellings# shall have one or more windows which open into a #street# or a #yard# of 30 feet minimum depth.~~
- ~~(b) (1) The minimum #floor area# contained within a #loft dwelling# shall be not less than 2,000 square feet, except that:~~
- ~~(i) where a #loft dwelling# occupies the entire usable area of a floor, there shall be no minimum #floor area#;~~
 - ~~(ii) where a #loft dwelling# has a minimum clear width of 14 feet throughout and has windows opening onto both a #street# and a #yard# which has a depth of 10 percent of the depth of the #loft dwelling#, there shall be no minimum #floor area#;~~
 - ~~(iii) where the ratio in a #loft dwelling# of the window area opening onto a #street# or a #yard# of 30 feet minimum depth to the #floor area# contained within the #loft dwelling# exceeds 5 percent, the minimum #floor area# contained within the #loft dwelling# may be reduced by 200 square feet for each additional percent, to a ratio of 10 percent; or~~
 - ~~(iv) where the ratio in a #loft dwelling# of the window area opening onto a #street# or a #yard# of 30 feet minimum depth to the #floor area# contained within the #loft dwelling# equals or exceeds 10 percent, there shall be no minimum #floor area#.~~
- ~~(2) The minimum #loft dwelling# size and #yard# requirement, however, may be replaced by the requirements of Section 15-026 (Special bulk regulations for certain pre-existing dwelling units, joint living work quarters for artists and loft dwellings) for #loft dwellings#:~~
- ~~(i) for which a determination of #residential# occupancy on September 1, 1980 has been made; or~~
 - ~~(ii) that are registered Interim Multiple Dwellings or are found covered by the New York City Loft Board pursuant to Article 7C of the New York State Multiple Dwelling Law; or~~

~~(iii) that the Loft Board determines were occupied for residential use on September 1, 1980.~~

~~#Loft dwellings# existing on September 1, 1980, may not be subsequently divided into dwellings that do not meet the requirements of paragraphs (a), (b)(1) and (c) of this Section, unless required by the Loft Board for the legalization of Interim Multiple Dwelling units in the implementation of Article 7C of the New York State Multiple Dwelling Law.~~

~~No #building# that meets the density requirements of paragraph (c) of this Section may subsequently add additional units or quarters except in accordance thereof. No #building# to which the regulations of Section 15-026 have been applied may subsequently add additional units or quarters except in accordance with the requirements of paragraph (c).~~

~~(c) The number of #loft dwellings# shall not exceed one per 1,000 square feet of #floor area# devoted to #loft dwellings#, except as a result of the application of paragraph (b)(2) of this Section.~~

~~(d) Mezzanines constructed pursuant to Chapter 26 of the Administrative Code shall be allowed within individual #loft dwellings#, provided that the gross #floor area# of each mezzanine does not exceed 33 and 1/3 percent of the #floor area# contained within such #loft dwelling#. Such mezzanines are permitted only in #buildings# with an existing #floor area ratio# of 12 or less and only between floors, or between a floor and a roof, existing on January 22, 1998, that are to remain. Such mezzanines shall not be included as #floor area# for the purpose of calculating the minimum required size of a #loft dwelling# or for calculating #floor area# devoted to #loft dwellings#.~~

~~(e) No #building# in Areas B1 and B2 containing #loft dwellings# or #joint living-work quarters for artists# shall be #enlarged#, except that such #buildings# containing #loft dwellings# may be #enlarged# by special permit of the City Planning Commission, pursuant to Section 111-51 (Special Permit for Enlargements of Buildings Containing Loft Dwellings). Mezzanines shall be permitted as provided in paragraph (d) of this Section.~~

~~111-112~~

~~Open space equivalent~~

~~At least 30 percent of the gross roof area of a #building# containing 15 or more #loft dwellings# shall be #developed# for recreational #use#.~~

~~For each additional #loft dwelling#, 100 square feet of additional roof area shall be #developed# for recreational #use# up to a maximum of 50 percent of the gross roof area. This recreational area shall be accessible to all the occupants of said #loft dwellings# and their guests for whom no fees are charged.~~

~~111-20~~

~~MINOR MODIFICATIONS~~

~~On application, the Chairperson of the City Planning Commission may grant minor modifications to the following provisions of this Chapter:~~

~~(a) — The requirements of Section 111-101 relating to location of #loft dwellings# or #joint living work quarters for artists# below the floor level of the third #story# of a #building# in Areas B1 and B2, and Section 111-102, paragraph (b), relating to #use# restrictions in #floor area# on the ground floor may be modified provided that the Chairperson finds that the owner of the space has made a good faith effort to rent such space to a mandated #use# at fair market rentals.~~

~~Such efforts shall include but not be limited to:~~

~~advertising in local and city wide press;~~

~~listing the space with brokers;~~

~~notifying the New York City Office of Economic Development; and~~

~~informing local and city wide industry groups.~~

~~Such efforts shall have been actively pursued for a period of no less than six months for #buildings# under 3,600 square feet and one year for #buildings# over 3,600 square feet prior to the date of the application.~~

- ~~(b) The requirements of Section 111-111 relating to #loft dwellings# may be modified provided that the Chairperson has administratively certified to the Department of Buildings that the design of the #loft dwellings# or #joint living work quarters for artists# provides sufficient light and air to allow minor modifications of these provisions.~~
- ~~(c) The requirements of Section 111-112 relating to roof top #open space# may be modified provided that the Chairperson has administratively certified to the Department of Buildings that the roof either is unsuited for #open space use# or cannot be made suitable for #open space use# at reasonable cost.~~
- ~~(d) The requirements of Section 111-103 (Additional use restrictions), paragraph (b), relating to #loft dwellings# and #joint living work quarters for artists# in #buildings# within Area B1 and B2, where the #lot coverage# is 5,000 square feet or more, may be modified provided that:~~
- ~~(1) such #floor area# was occupied on September 1, 1980, as #loft dwellings# or #joint living work quarters for artists#, or consists of registered Interim Multiple Dwellings, or is found covered by the New York City Loft Board pursuant to Article 7C of the New York State Multiple Dwelling Law;~~
 - ~~(2) such #building# consisted, on June 21, 1983, of two or more contiguous sections separated structurally by load bearing walls, with independent entrances, independent addresses, and other evidence of the independent functional use of each section of the #building#, which evidence may include but is not limited to separate deeds, separate tax lots, separate certificates of occupancy, or separate utilities or systems for the entirety of each section of the #building#; and~~
 - ~~(3) the section within which such #floor area# is located has a #lot coverage# of less than 5,000 square feet of #lot area#.~~

~~A developer must send a copy of any request for modification pursuant to this Section to the applicable Community Board at least ten days prior to the next regularly scheduled Community Board meeting. If the Community Board elects to comment on such requests, it must do so within 30 days of such notification.~~

~~111-21~~

~~Notice of Filing to Create Loft Dwellings or Joint Living Work Quarters for Artists~~

~~A duplicate copy of the application for an alteration permit shall be sent to the City Planning Commission by the applicant for information purposes only. No building permit shall be issued by the Department of Buildings for such #loft dwellings# or #joint living work quarters for artists# without the acknowledged receipt of such notice by the City Planning Commission.~~

~~111-23~~

~~Modification of Location and Additional Use Regulations by Authorization of the City Planning Commission~~

~~The provisions of Section 111-101 (Location of permitted uses in buildings containing loft dwellings or joint living work quarters for artists), relating to the prohibition of #loft dwellings# or #joint living work quarters for artists# below the level of the third #story# of a #building# in areas B1 and B2, and Section 111-103 (Additional use regulations), paragraph (b), relating to #loft dwellings# and #joint living work quarters for artists# in #buildings# within Areas B1 and B2 where the #lot coverage# is 5,000 square feet or more, may be modified by authorization of the City Planning Commission, provided that:~~

- ~~(a) such #building# is either a landmark or lies within a Historic District designated by the Landmarks Preservation Commission;~~
- ~~(b) any alterations to the subject #building# required in connection with such conversion to #loft dwellings# or #joint living work quarters for artists# have received a Certificate of Appropriateness or other permit from the Landmarks Preservation Commission; and~~
- ~~(c) a program has been established for continuing maintenance that will result in the preservation of the subject #building# or #buildings# as evidenced by a report from the Landmarks Preservation Commission.~~

~~In order to grant an authorization, the City Planning Commission shall find that such modification shall have minimal adverse effects on the conforming #uses# located within the #building# and in the surrounding area.~~

~~The City Planning Commission may prescribe appropriate additional conditions and safeguards in order to enhance the character of the #development# and to minimize adverse effects on the character of the surrounding area.~~

~~111-30~~

~~ENVIRONMENTAL CONDITIONS FOR AREA A2~~

~~(a) All #developments# or #enlargements# shall be subject to Ambient Noise Quality Zone Regulations*. #Uses# listed in Use Group 11A shall be subject to the performance standards of an M1 District.~~

~~(b) All new #dwelling units# shall be provided with a minimum 35dB(A) of window wall attenuation in order to maintain an interior noise level of 45dB(A), or less, with windows closed. Therefore, an alternate means of ventilation is required.~~

~~* Ambient Noise Quality Regulations for an M2 District as set forth in the Noise Control Code for the City of New York, Article VI(B).~~

111-30

SPECIAL PERMITS

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.

111-4032

Special Permit for Certain Large Commercial Establishments ~~SPECIAL PERMIT FOR CERTAIN LARGE RETAIL FACILITIES~~

The City Planning Commission may permit the total #floor area# of large commercial establishments ~~retail facilities~~ subject to Section 111-103, paragraph (a)(3) to exceed

~~the underlying limitations #floor area# requirements set forth in Section 111-13, paragraphs (a)(3) and (b)(4) on square feet to exceed 20,000 square feet of #floor area#, including the #floor area# requirements for retail #cellar# space allotted to such #uses#, in #buildings# fronting on Chambers Street, Church Street, Greenwich Street, Hudson Street or West Broadway, and 10,000 square feet of #floor area#, including retail #cellar# space allotted to such #uses#, in #buildings# fronting on other #streets#, provided~~

~~As a condition of granting a special permit for such large #commercial# establishments, the Commission shall find that:~~

- ~~(a) such #development#, #enlargement#, #extension# or change of #use# is so located as not to impair the essential character or the future use of, or development of, the surrounding area; and~~
- ~~(b) the #streets# providing access to the facility will be adequate to handle the vehicular and pedestrian traffic generated by such #use#.~~

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

111-40
REQUIREMENTS FOR LOFT DWELLINGS CONSTRUCTED PRIOR TO (EFFECTIVE DATE)

~~The following is applicable to all existing #loft dwellings#, created prior to (effective date), within the #Special Tribeca Mixed Use District#.~~

- ~~(a) All #loft dwellings# shall have one or more windows which open into a #street# or a #yard# with a minimum depth of 30 feet.~~
- ~~(b) (1) The minimum #floor area# contained within a #loft dwelling# shall be not less than 2,000 square feet, except that:~~
 - ~~(i) where a #loft dwelling# occupies the entire usable area of a floor, there shall be no minimum #floor area#;~~
 - ~~(ii) where a #loft dwelling# has a minimum clear width of 14 feet throughout and has windows opening onto both a #street# and a #yard# which has a depth of 10 percent of the depth of the #loft dwelling#, there shall be no minimum #floor area#;~~

- (iii) where the ratio in a #loft dwelling# of the window area opening onto a #street# or a #yard# of 30 feet minimum depth to the #floor area# contained within the #loft dwelling# exceeds five percent, the minimum #floor area# contained within the #loft dwelling# may be reduced by 200 square feet for each additional percent, to a ratio of 10 percent; or
- (iv) where the ratio in a #loft dwelling# of the window area opening onto a #street# or a #yard# of 30 feet minimum depth to the #floor area# contained within the #loft dwelling# equals or exceeds 10 percent, there shall be no minimum #floor area#.
- (2) The minimum #loft dwelling# size and #yard# requirement may be replaced by the requirements of Section 15-026 (Special bulk regulations for certain preexisting dwelling units, joint living-work quarters for artists and loft dwellings) for #loft dwellings#:

 - (i) for which a determination of #residential# occupancy on September 1, 1980 has been made;
 - (ii) that are registered Interim Multiple Dwellings or are found covered by the New York City Loft Board pursuant to Article 7C of the New York State Multiple Dwelling Law; or
 - (iii) that the Loft Board determines were occupied for #residential use# on September 1, 1980.

#Loft dwellings# existing on September 1, 1980, may not be subsequently divided into multiple #loft dwellings# that do not meet the requirements of paragraphs (a), (b)(1) and (c) of this Section, unless required by the Loft Board for the legalization of Interim Multiple Dwelling units in the implementation of Article 7C of the New York State Multiple Dwelling Law.

No #building# that meets the density requirements of this paragraph (c) may subsequently add additional units or quarters except in accordance thereof. No #building# to which the regulations of Section 15-026 have been applied may subsequently add additional units or quarters except in accordance with the requirements of paragraph (c).

(c) The number of #loft dwellings# shall not exceed one per 1,000 square feet of #floor area# devoted to #loft dwellings#, except as a result of the application of paragraph (b)(2) of this Section.

No #building# that meets the density requirements of paragraph (c) of this Section may subsequently add additional units or quarters except in accordance thereof. No #building# to which the regulations of Section 15-026 have been applied may subsequently add additional units or quarters except in accordance with the requirements of paragraph (c).

(d) Mezzanines constructed pursuant to Chapter 26 of the Administrative Code shall be allowed within individual #loft dwellings#, provided that the gross #floor area# of each mezzanine does not exceed 33 and 1/3 percent of the #floor area# contained within such #loft dwelling#. Such mezzanines are permitted only in #buildings# with an existing #floor area ratio# of 12 or less and only between floors, or between a floor and a roof, existing on January 22, 1998, that are to remain. Such mezzanines shall not be included as #floor area# for the purpose of calculating the minimum required size of a #loft dwelling# or for calculating #floor area# devoted to #loft dwellings#.

(e) At least 30 percent of the gross roof area of a #building# containing 15 or more #loft dwellings# shall be provided for recreational #use#. For each additional #loft dwelling#, 100 square feet of additional roof area shall be #developed# for recreational #use# up to a maximum of 50 percent of the gross roof area. This recreational area shall be accessible to all the occupants of said #loft dwellings# and their guests for whom no fees are charged.

(f) Existing #loft dwellings# may be #extended#, #enlarged#, or subdivided into two or more #loft dwellings# only in accordance with the provisions of this Section. In addition, #floor area# added to an existing #loft dwelling# shall not be subject to the provisions of Section 32-42 (Location within Buildings).

111-50

~~SPECIAL PERMIT FOR CONVERSION TO LOFT DWELLINGS OR JOINT LIVINGWORK QUARTERS FOR ARTISTS~~

~~The City Planning Commission may permit, in Areas B1 and B2, the modification of the #use# provisions of Sections 111 101 (Location of permitted uses in buildings containing loft dwellings or joint living work quarters for artists), Section 111 102~~

~~(Ground floor use restrictions), paragraph (b), or 111-103 (Additional use regulations), paragraph (b), to allow #loft dwellings# or #joint living work quarters for artists# on any #story# in any #building#, provided the Commission finds that:~~

- ~~(a) — the conversion will not harm the commercial and manufacturing sectors of the City's economy;~~
- ~~(b) — the conversion will not harm the commercial and manufacturing character of the surrounding area;~~
- ~~(c) — the process of conversion will not unduly burden #commercial# and #manufacturing uses# in the #building#; and~~
- ~~(d) — the neighborhood in which the conversion is taking place will not be excessively burdened by increased #residential# activity.~~

~~All #loft dwellings# or #joint living work quarters for artists# permitted by this special permit shall meet the standards of the applicable district for such units or quarters. The City Planning Commission may prescribe appropriate conditions and safeguards to minimize adverse effects on the character of the surrounding area, including requiring the preservation of #floor area# for #commercial# or #manufacturing uses#.~~

~~111-51~~

~~Special Permit for Enlargements of Buildings Containing Loft Dwellings~~

~~In Area B1, outside of historic districts designated by the Landmarks Preservation Commission, the City Planning Commission may permit:~~

- ~~(a) — #loft dwellings# in #buildings# designed for non #residential use# and erected prior to December 15, 1961, that have since been #enlarged#; or~~
- ~~(b) — the #enlargement# of #buildings# designed for non #residential use# and erected prior to December 15, 1961, for #loft dwellings#, provided that:~~
 - ~~(1) — all #loft dwellings# comply with the requirements of Section 111-111 or have received a certification pursuant to Section 111-20, paragraph (b);~~

~~(2) the #bulk# regulations of an M1 5 District shall apply, except that the #enlarged# portion of the #building# shall comply with the requirements of Section 23 47 (Minimum Required Rear Yards) and 23 86 (Minimum Distance Between Legally Required Windows and Walls or Lot Lines) applicable to R8 Districts; and~~

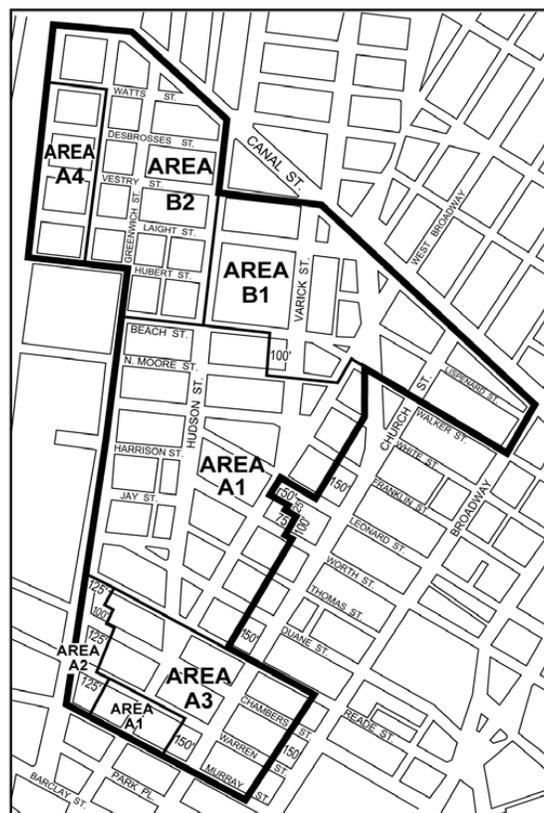
~~(3) the maximum #floor area ratio# for all #loft dwellings# shall not exceed 5.0.~~

~~In order to grant a special permit, the City Planning Commission shall find that the process of #enlargement# will not unduly burden #commercial# and #manufacturing uses# in the #building# and the neighborhood in which the #enlargement# is taking place will not be excessively burdened by increased #residential# activity.~~

~~The City Planning Commission may prescribe appropriate conditions and safeguards to minimize adverse effects on the character of the surrounding area, including requiring the preservation of #floor area# for #commercial# or #manufacturing uses#.~~

Appendix A Special Tribeca Mixed Use District Map

To be deleted



— Special Tribeca Mixed Use District
— Area Boundary

To be added



- Area A1: General Mixed Use Area
- Area A2: Limited Mixed Use Area
- Area A3: General Mixed Use Area
- Area A4: General Mixed Use Area
- ~~Area B1: Limited Mixed Use Area~~
- ~~Area B2: Limited Mixed Use Area~~
- Area A5: General Mixed Use Area
- Area A6: General Mixed Use Area
- Area A7: General Mixed Use Area

* * *

APPENDIX F

Inclusionary Housing Designated Areas

The boundaries of #Inclusionary Housing designated areas# are shown on the maps listed in this Appendix F. The #Residence Districts# listed for such areas shall include #Commercial Districts# where #residential buildings# or the #residential# portion of #mixed buildings# are governed by the #bulk# regulations of such #Residence Districts#.

In addition, the following special purpose districts contain #Inclusionary Housing designated areas#, as set forth within such special districts:

#Special 125th Street District# – see Section 97-421 (Inclusionary Housing)

#Special Clinton District# – see Section 96-81 (C6-3X Designated District)

#Special Coney Island District# – see Section 131-321 (Special floor area regulations for residential uses)

#Special Downtown Jamaica District# – see Section 115-211 (Special Inclusionary Housing regulations)

#Special Garment Center District# – see Sections 121-31 (Maximum Permitted Floor Area) and 93-23 (Modifications of Inclusionary Housing Program)

#Special Harlem River Waterfront District# – see Section 87-20 (SPECIAL FLOOR AREA REGULATIONS)

#Special Hudson Yards District# – see Section 93-23 (Modifications of Inclusionary Housing Program)

#Special Long Island City Mixed Use District# – see Section 117-631 (Floor area ratio and lot coverage modifications)

#Special Southern Hunters Point District# – see Section 125-22 (Newtown Creek Subdistrict)

#Special Tribeca Mixed-Use District# – see paragraphs (d)(3) and (d)(4) of Section 111-20 (SPECIAL BULK PROVISIONS FOR AREAS A1 THROUGH A7)

#Special West Chelsea District# – see Section 98-26 (Modifications of Inclusionary Housing Program.

L.U. NOS. 223 AND 224 RELATED

L.U. No. 223

THIRD AVENUE/TREMONT AVENUE REZONING

BRONX CB - 6

C 100407 ZMX

Application submitted by the Department of City Planning pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section Nos. 3c and 3d:

1. eliminating from within an existing R7-1 District a C1-4 District bounded by East 178th Street, Hughes Avenue, a line 100 feet northeasterly of East Tremont Avenue, Clinton Avenue, a line 150 feet northeasterly of East Tremont Avenue, Marmion Avenue, a line 100 feet southwesterly of East Tremont Avenue, Arthur Avenue, East Tremont Avenue, Third Avenue, a line 100 feet southwesterly of East 178th Street, and a line midway between Third Avenue and Monterey Avenue;
2. eliminating from within an existing R7-1 District a C2-4 District bounded by:
 - a. East 189th Street, Park Avenue (northwesterly portion), East 188th Street, and Webster Avenue; and
 - b. Quarry Road, East 181st Street, Monterey Avenue and its southwesterly centerline prolongation, a line 100 feet southwesterly of East 180th Street, and Third Avenue;
3. changing from an R7-1 District to an R5 District property bounded by:
 - a. East 186th Street, Washington Avenue, a line midway between East 185th Street and East 186th Street, a line 300 feet southeasterly of Park Avenue (southeasterly portion), a line midway between East 184th Street and East 185th Street, Washington Avenue, East 184th Street, a line 100 feet southeasterly of Park Avenue (southeasterly portion), a line 130 feet northeasterly of East 184th Street, and Park Avenue (southeasterly portion); and
 - b. East 180th Street, Bathgate Avenue, a line 330 feet northeasterly of East 179th Street, a line midway between Bathgate Avenue and Third Avenue, a line 110 feet northeasterly of East 178th Street, Bathgate Avenue, East

179th Street, Washington Avenue, a line 220 feet northeasterly of East 178th Street, and a line midway between Park Avenue (southeasterly portion) and Washington Avenue;

4. changing from an R7-1 District to an R6A District property bounded by:

a. Cyrus Place, a line 100 feet westerly of Third Avenue, a line 170 feet southeasterly of Park Avenue (southeasterly portion), a line midway between Cyrus Place and East 187th Street, a line 100 feet westerly of Third Avenue, a line 250 feet southeasterly of Park Avenue (southeasterly portion), East 187th Street, a line 100 feet northwesterly of Washington Avenue, East 186th Street, and Park Avenue (southeasterly portion);

b. Park Avenue (southeasterly portion), a line 130 feet northeasterly of East 184th Street, a line 100 feet southeasterly of Park Avenue (southeasterly portion), East 184th Street, Washington Avenue, a line midway between East 184th Street and East 185th Street, a line 300 feet southeasterly of Park Avenue (southeasterly portion), a line midway between East 185th Street and East 186th Street, Washington Avenue, East 185th Street, Bassford Avenue, East 184th Street, a line 130 feet northwesterly of Third Avenue, East 181st Street, Bathgate Avenue, East 180th Street, a line midway between Park Avenue (southeasterly portion) and Washington Avenue, and East 183rd Street;

c. East 179th Street, Bathgate Avenue, a line 110 feet northeasterly of East 178th Street, a line midway between Bathgate Avenue and Third Avenue, a line 220 feet southwesterly of East 178th Street, Washington Avenue, a line 150 feet northeasterly of East Tremont Avenue, a line 100 feet northwesterly of Washington Avenue, a line 240 feet southwesterly of East 178th Street, a line midway between Park Avenue (southeasterly portion) and Washington Avenue, a line 220 feet northeasterly of East 178th Street, and Washington Avenue; and

d. East 180th Street, a line midway between Bathgate Avenue and Third Avenue, a line 330 feet northeasterly of East 179th Street, and Bathgate Avenue;

5. changing from a C4-4 District to an R6A District property bounded by a line 150 feet northeasterly of East Tremont Avenue, Washington Avenue, a line 340 feet

southwesterly of East 178th Street, and a line 100 feet northwesterly of Washington Avenue;

6. changing from an C8-3 District to an R6A District property bounded by:
 - a. Cyrus Place, a line 170 feet southeasterly of Park Avenue (southeasterly portion), and a line 100 feet westerly of Third Avenue; and
 - b. a line midway between Cyrus Place and East 187th Street, a line 250 feet southeasterly of Park Avenue (southeasterly portion), and a line 100 feet westerly of Third Avenue;
7. changing from an R7-1 District to an R7X District property bounded by Marmion Avenue, a line 100 feet northeasterly of East Tremont Avenue, Honeywell Avenue, a line 150 feet northeasterly of East Tremont Avenue, Daly Avenue, and a line 100 feet southwesterly of East Tremont Avenue;
8. changing from an R7-1 District to a C4-4A District property bounded by:
 - a. East 181st Street, Monterey Avenue and its southwesterly centerline prolongation, a line 100 feet southwesterly of East 180th Street, and Third Avenue;
 - b. East 181st Street, a line 100 feet northwesterly of Third Avenue, East 180th Street, and Bathgate Avenue; and
 - c. Belmont Avenue, a line 100 feet northeasterly of East Tremont Avenue, Clinton Avenue, a line 150 feet northeasterly of East Tremont Avenue, Marmion Avenue, a line 100 feet southwesterly of East Tremont Avenue, Belmont Avenue, and East Tremont Avenue;
9. changing from a C8-3 District to a C4-4A District property bounded by East 181st Street, Third Avenue, a line 330 feet northeasterly of East 179th Street, a line midway between Bathgate Avenue and Third Avenue, and a line 100 feet northwesterly of Third Avenue;
10. changing from an R7-1 District to a C4-4D District property bounded by East 184th Street, a line 100 feet northwesterly of Third Avenue, East 181st Street, and a line 130 feet northwesterly of Third Avenue;

11. changing from a C8-3 District to a C4-4D District property bounded by East 184th Street, Third Avenue, East 181st Street, and a line 100 feet northwesterly of Third Avenue;
12. changing from an R7-1 District to a C4-5X District property bounded by:
 - a. East 189th Street, Park Avenue (southeasterly portion), East 188th Street, and Webster Avenue;
 - b. Third Avenue, a line 100 feet southwesterly of East 178th Street, a line midway between Third Avenue and Monterey Avenue, a line 110 feet northeasterly of East 178th Street, Monterey Avenue, East 178th Street, Hughes Avenue, a line 100 feet northeasterly of East Tremont Avenue, Belmont Avenue, East Tremont Avenue, Belmont Avenue, a line 100 feet southwesterly of East Tremont Avenue, Arthur Avenue, and East Tremont Avenue;
 - c. Washington Avenue, a line 220 feet southwesterly of East 178th Street, a line midway between Bathgate Avenue and Third Avenue, and a line 150 feet northeasterly of East Tremont Avenue; and
 - d. a line 240 feet southwesterly of East 178th Street, a line 100 feet northwesterly of Washington Avenue, a line 150 feet northeasterly of East Tremont Avenue, and a line midway between Park Avenue (southeasterly portion) and Washington Avenue;
13. changing from a C4-4 District to a C4-5X District property bounded by Webster Avenue, a line 150 feet northeasterly of East Tremont Avenue, the northwesterly boundary line of a railroad right-of-way (New York and Harlem R.R. Division), a line 150 feet northeasterly of East Tremont Avenue, a line 100 feet northwesterly of Washington Avenue, a line 340 feet southwesterly of East 178th Street, Washington Avenue, a line 150 feet northeasterly of East Tremont Avenue, Third Avenue, a line 330 feet northeasterly of East 176th Street, Bathgate Avenue, a line 150 feet southwesterly of East Tremont Avenue, a line 220 feet northeasterly of East 176th Street, Washington Avenue, a line 150 feet southwesterly of East Tremont Avenue, a line 200 feet northwesterly of East 176th Street, a line 120 feet northwesterly of Washington Avenue, and a line 100 feet northeasterly of East 176th Street;

14. changing from an M1-1 District to a C4-5X District property bounded by:
 - a. a line 220 feet northeasterly of East 178th Street, Park Avenue (northwesterly portion), East 178th Street, and a line 230 feet northwesterly of Park Avenue (northwesterly portion);
 - b. Park Avenue (southeasterly portion), a line 240 feet southwesterly of East 178th Street, a line midway between Park Avenue (southeasterly portion) and Washington Avenue, and a line 150 feet northeasterly of East Tremont Avenue; and
 - c. a line midway between Webster Avenue and Park Avenue (northwesterly portion), a line 300 feet southwesterly of East 178th Street, Park Avenue (northwesterly portion), and a line 150 feet northeasterly of East Tremont Avenue;

15. changing from an M1-4 District to a C4-5X District property bounded by:
 - a. a line 150 feet southwesterly of East Tremont Avenue, Bathgate Avenue, and a line 220 feet northeasterly of East 176th Street;
 - b. a line 150 feet southwesterly of East Tremont Avenue, Washington Avenue, and a line 200 feet northeasterly of East 176th Street; and
 - c. a line 150 feet southwesterly of East Tremont Avenue, a line 120 feet northwesterly of Washington Avenue, a line 100 feet northeasterly of East 176th Street, and a line midway between Park Avenue (southeasterly portion) and Washington Avenue;

16. changing from a C8-3 District to a C4-5X District property bounded by:
 - a. East 189th Street, a line 100 feet northwesterly of Washington Avenue, a line 100 feet northeasterly of East 188th Street, Washington Avenue, East 188th Street, Third Avenue, Cyrus Place, and Park Avenue (southeasterly portion);
 - b. Webster Avenue, a line 220 feet northeasterly of East 178th Street, a line 230 feet northwesterly of Park Avenue (northwesterly portion), East 178th Street, a line midway between Webster Avenue and Park Avenue

(northwesterly portion), and a line 150 feet northeasterly of East Tremont Avenue;

- c. East 178th Street, a line midway between Third Avenue and Monterey Avenue, a line 100 feet southwesterly of East 178th Street, and Third Avenue; and
- d. a line midway between Bathgate Avenue and Third Avenue, a line 200 feet southwesterly of East 178th Street, Third Avenue, and a line 150 feet northeasterly of East Tremont Avenue;

17. changing from an R7-1 District to an M1-4/R7A District property bounded by:

- a. a line 170 feet southeasterly of Park Avenue (southeasterly portion), a line 100 feet southwesterly of Third Avenue, and a line midway between Cyrus Place and East 187th Street; and
- b. a line 250 feet southeasterly of Park Avenue (southeasterly portion), a line 100 feet southwesterly of Third Avenue, and East 187th Street;

18. changing from an C4-4 District to an M1-4/R7A District property bounded by Bathgate Avenue, a line 330 feet northeasterly of East 176th Street, a line midway between Bathgate Avenue and Third Avenue, and a line 150 feet southwesterly of East Tremont Avenue;

19. changing from a C8-3 District to an M1-4/R7A District property bounded by:

- a. East 188th Street, Washington Avenue, a line 170 feet southwesterly of East 188th Street, a line perpendicular to the last named course and passing through a point distant 180 feet southeasterly (as measured along the last named course) from the southeasterly street line of Washington Avenue, East 187th Street, Bathgate Avenue, a line 100 feet northeasterly of Third Avenue, Lorillard Place, a line 100 feet northeasterly of Third Avenue, Third Avenue and its northeasterly centerline prolongation, East 184th Street, Bassford Avenue, East 185th Street, Washington Avenue, East 186th Street, a line 100 feet northwesterly of Washington Avenue, a line 100 feet westerly of Third Avenue, a line 250 feet southeasterly of Park Avenue (southeasterly portion), a line midway between Cyrus Place and East 187th Street, a line 100 feet westerly of Third Avenue, a line 170 feet

southeasterly of Park Avenue (southeasterly portion), Cyrus Place, and Third Avenue; and

- b. a line midway between Bathgate Avenue and Third Avenue, a line 330 feet northeasterly of East 179th Street, Third Avenue, East 179th Street, a line midway between Third Avenue and Monterey Avenue, a line 125 feet southwesterly of East 179th Street, Third Avenue, a line 100 feet

northeasterly of East 178th Street, a line midway between Third Avenue and Monterey Avenue, East 178th Street, Third Avenue, and a line 200 feet southwesterly of East 178th Street;

- 20. changing from an M1-4 District to an M1-4/R7A District property bounded by a line midway between Park Avenue (southeasterly portion) and Washington Avenue, a line 100 feet northeasterly of East 176th Street, a line 120 feet northwesterly of Washington Avenue, a line 200 feet northeasterly of East 176th Street, Washington Avenue, a line 150 feet southwesterly of East Tremont Avenue, a line 220 feet northeasterly of East 176th Street, Bathgate Avenue, a line 150 feet southwesterly of East Tremont Avenue, a line midway between Bathgate Avenue and Third Avenue, a line 100 feet northeasterly of East 175th Street, Bathgate Avenue, and East 175th Street;
- 21. changing from a C4-4 District to an M1-4/R7X District property bounded by a line 330 feet northeasterly of East 176th Street, Third Avenue, a line 150 feet southwesterly of East Tremont Avenue, and a line midway between Bathgate Avenue and Third Avenue;
- 22. changing from an M1-4 District to an M1-4/R7X District property bounded by a line 150 feet southwesterly of East Tremont Avenue, Third Avenue, East 175th Street, Bathgate Avenue, a line 100 feet northeasterly of East 175th Street, and a line midway between Bathgate Avenue and Third Avenue;
- 23. establishing within an existing R7-1 District a C1-4 District bounded by Third Avenue, a line 400 feet northeasterly of East 181st Street, a line 100 feet southeasterly of Third Avenue, and East 181st Street; and

24. establishing a Special Mixed Use District (MX-14) bounded by:
- a. East 188th Street, Washington Avenue, a line 170 feet southwesterly of East 188th Street, a line perpendicular to the last named course and passing through a point distant 180 feet southeasterly (as measured along the last named course) from the southeasterly street line of Washington Avenue, East 187th Street, Bathgate Avenue, a line 100 feet northeasterly of Third Avenue, Lorillard Place, a line 100 feet northeasterly of Third Avenue, Third Avenue and its northeasterly centerline prolongation, East 184th Street, Bassford Avenue, East 185th Street, Washington Avenue, East 186th Street, a line 100 feet northwesterly of Washington Avenue, East 187th Street, a line 250 feet southeasterly of Park Avenue (southeasterly portion), a line midway between East 187th Street and Cyrus Place, a line 170 feet southeasterly of Park Avenue (southeasterly portion), Cyrus Place, and Third Avenue;
 - b. a line 330 feet northeasterly of East 179th Street, Third Avenue, East 179th Street, a line midway between Third Avenue and Monterey Avenue, a line 125 feet southwesterly of East 179th Street, Third Avenue, a line 100 feet northeasterly of East 178th Street, a line midway between Third Avenue and Monterey Avenue, East 178th Street, Third Avenue, a line 200 feet southwesterly of East 178th Street, and a line midway between Bathgate Avenue and Third Avenue; and
 - c. a line midway between Park Avenue (southeasterly portion) and Washington Avenue, a line 100 feet northeasterly of East 176th Street, a line 120 feet northwesterly of Washington Avenue, a line 200 feet northeasterly of East 176th Street, Washington Avenue, a line 220 feet northeasterly of East 176th Street, Bathgate Avenue, a line 330 feet northeasterly of East 176th Street, Third Avenue, and East 175th Street;

as shown on a diagram (for illustrative purposes only) dated May 24, 2010 and subject to the conditions in CEQR Declaration E-255.

L.U. NO. 224

THIRD AVENUE/TREMONT AVENUE REZONING

BRONX CB - 6

N 100408 ZRX

Application submitted by the Department of City Planning pursuant to Section 201 of the New York City Charter, for an amendment of the Zoning Resolution of the City of New York, relating to Article II, Chapter 3 (Bulk Regulations for Residential Buildings in Residence Districts), Section 23-90, and Appendix F (Inclusionary Housing Designated Areas), inclusive, relating to the extension of the Inclusionary Housing Program to proposed R7A, R7X, and R8A districts; and, Article XII, Chapter 3 (Special Mixed Use District), Section 123-63, 123-90, and Appendix D specifying a Special Mixed Use District (MX-14).

Matter in underline is new, to be added;

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

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

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

23-90

INCLUSIONARY HOUSING

* * *

23-933

Inclusionary housing designated areas

The Inclusionary Housing Program shall apply in #Inclusionary Housing designated areas#.

The Inclusionary Housing Program shall also apply in special purpose districts when specific zoning districts or areas are defined as #Inclusionary Housing designated areas# within the special purpose district.

#Inclusionary Housing designated areas# are listed in APPENDIX F of this Resolution.

* * *

Article XII - Special Purpose Districts

Chapter 3

Special Mixed Use District

* * *

123-63

Maximum Floor Area Ratio and Lot Coverage Requirements for Residential Buildings in R6, R7, R8 and R9 Districts

Where the designated #Residence District# is an R6, R7, R8 or R9 District, the minimum required #open space ratio# and maximum #floor area ratio# provisions of Sections 23-142, 23-143 and paragraph (a) of Section 23-147 shall not apply. In lieu thereof, all #residential buildings#, regardless of whether they are required to be #developed# or #enlarged# pursuant to the Quality Housing Program, shall comply with the maximum #floor area ratio# and #lot coverage# requirements set forth for the designated district in Section 23-145, or paragraph (b) of Section 23-147 for #non-

profit residences for the elderly#. For purposes of this Section, #non-profit residences for the elderly# in R6 and R7 Districts without a letter suffix, shall comply with the provisions for R6A or R7A Districts, respectively, as set forth in paragraph (b) of Section 23-147.

Where the designated district is an R7-3 District, the maximum #floor area ratio# shall be 5.0 and the maximum #lot coverage# shall be 70 percent on an #interior# or #through lot# and 80 percent on a #corner lot#.

Where the designated district is an R9-1 District, the maximum #floor area ratio# shall be 9.0, and the maximum #lot coverage# shall be 70 percent on an #interior# or #through lot# and 80 percent on a #corner lot#.

The provisions of this Section shall not apply on #waterfront blocks#, as defined in Section 62-11. In lieu thereof, the applicable maximum #floor area ratio# and #lot coverage# requirements set forth for #residential uses# in Section 62-30 (SPECIAL BULK REGULATIONS) through 62-32 (Maximum Floor Area Ratio and Lot Coverage on Waterfront Blocks), inclusive, shall apply.

However, in #Inclusionary Housing designated areas#, as listed in the table in this Section, the maximum permitted #floor area ratio# shall be as set forth in Section 23-952. The locations of such districts are specified in APPENDIX F of this Resolution.

<u>Special Mixed Use District</u>	<u>Designated Residence District</u>
MX 2- Community District 2, Brooklyn	R7A R8A
MX 8- Community District 1, Brooklyn	R6 R6A R6B R7A
MX 11- Community District 6, Brooklyn	R7-2
<u>MX 14 – Community District 6, the Bronx</u>	<u>R7A, R7X</u>

* * *

123-90

SPECIAL MIXED USE DISTRICTS SPECIFIED

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

#Special Mixed Use District# - 1: Port Morris, the Bronx

The #Special Mixed Use District# - 1 is established in Port Morris in The Bronx as indicated on the #zoning maps#.

* * *

#Special Mixed Use District# - 13: Lower Concourse, the Bronx

The #Special Mixed Use District# - 13 is established in the Lower Concourse in The Bronx as indicated on the #zoning maps#.

#Special Mixed Use District# - 14: Third Avenue, the Bronx

The #Special Mixed Use District# - 14 is established along Third Avenue in the Bronx as indicated on the #zoning maps#.

* * *

APPENDIX D

Index of Special Purpose Districts

SPECIAL DISTRICT (SYMBOL)	SECTION NUMBER	ZONING MAP(S)	CP/ULURP NUMBER *	CPC ADOPTION	BOE/COUNCIL ADOPTION
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* * *

Mixed Use District-11 (MX-11) Gowanus, Brooklyn	123-00	16a	090049 ZRK	2/17/09	3/11/09
Mixed Use District-13 (MX-13) Lower Concourse, the Bronx	123-00	6a	090302 ZRX	5/20/09	6/30/09
Mixed Use District-14 (MX-14) Third Avenue, the Bronx	<u>123-00</u>	<u>3c 3d</u>	<u>100408 ZRX</u>	<u>9/15/10</u>	<u>(effective date of adoption)</u>
Natural Area District-1 (NA-1)	105-00	21b 26a 26b 26c 26d 27a 27b	22748(A)	11/18/74	12/19/74

* * *

APPENDIX F

Inclusionary Housing Designated Areas

The boundaries of #Inclusionary Housing designated areas# are shown on the maps listed in this Appendix F. The #Residence Districts# listed for such areas shall include #Commercial Districts# where #residential buildings# or the #residential# portion of #mixed buildings# are governed by #bulk# regulations of such #Residence Districts#.

The Bronx, Community District 1

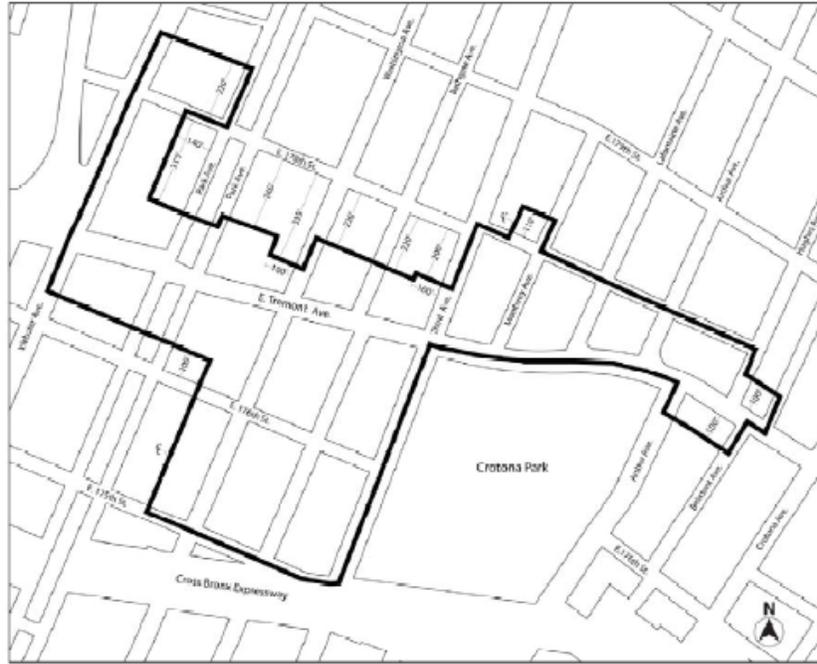
In the R6A, R7-2, R7A, R7X and R8A Districts within the areas shown on the following Map 1:

* * *

The Bronx, Community District 6

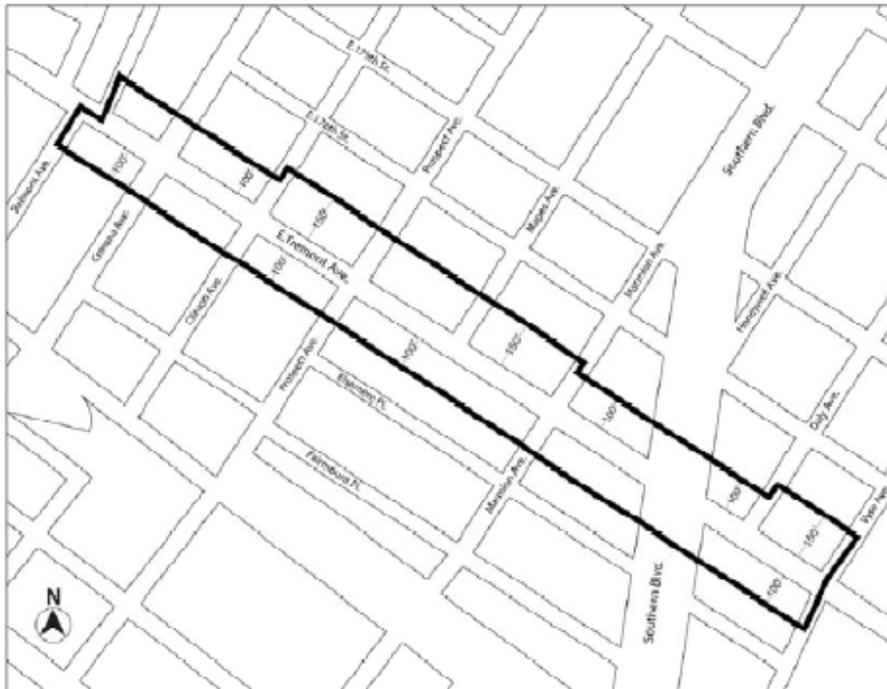
In the R7A, R7X and R8A Districts within the areas shown on the following Maps 1, 2, 3 and 4:

Map 3-



Portion of Community District 6, the Bronx

Map 4-



Portion of Community District 6, the Bronx

* * *



SUBCOMMITTEE ON LANDMARKS, PUBLIC SITING AND MARITIME USES

The Subcommittee on Landmarks, Public Siting and Maritime Uses will hold a public hearing on the following matters in the 16th Floor Hearing Room, 250 Broadway, New York City, New York, 10007, commencing at **11:00 a.m. on Tuesday, October 5, 2010:**

**L.U. No. 214
DOS GARAGE**

BROOKLYN CB - 1

C 100258 PQK

Application submitted by the Department of Sanitation and the Department of Citywide Administrative Services, pursuant to Section 197-c of the New York City Charter, for the acquisition of property located at 525 Johnson Avenue (Block 2987, Lot 16), Community District 1, for continued use as a garage.

**L.U. No. 215
DOS GARAGE/PARKING LOT**

BROOKLYN CB - 1

C 100264 PQK

Application submitted by the Department of Sanitation and the Department of Citywide Administrative Services, pursuant to Section 197-c of the New York City Charter, for the acquisition of property located at 145 Randolph Street (Block 2976, Lot 45), for continued use as parking lot.



SUBCOMMITTEE ON PLANNING, DISPOSITIONS AND CONCESSIONS

The Subcommittee on Planning, Dispositions and Concessions will hold a public hearing on the following matters in the 16th Floor Hearing Room, 250 Broadway, New York City, New York 10007, commencing at **1:00 p.m. on Tuesday, October 5, 2010:**

L.U. NOS. 194 THROUGH 196 ARE RELATED

L.U. No. 194

SUGAR HILL

MANHATTAN CB - 9

C 100274 PPM

Application submitted by the Department of Citywide Administrative Services (DCAS), pursuant to Section 197-c of the New York City Charter, for the disposition to the Broadway Housing Development Fund Company, Inc., of a surface easement located at 882 St. Nicholas Avenue, on the southeast corner of 155th Street and St. Nicholas Avenue, (Block 2069, part of Lot 26).

L.U. No. 195

SUGAR HILL

MANHATTAN CB - 9

C 100275 PQM

Application submitted by the Department of Citywide Administrative Services and the Department of Environmental Protection, pursuant to Section 197-c of the New York City Charter for the acquisition of a surface easement generally bounded by West 155th Street, St. Nicholas Avenue and St. Nicholas Place (Block 2069, p/o Lot 21), to facilitate vehicular parking, access, storage and emergency staging.

L.U. No. 196

SUGAR HILL

MANHATTAN CB - 9

C 100277 ZMM

Application submitted by Broadway Housing Development Fund Company pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 3b:

1. changing from an R7-2 District to an R8A District property bounded by a line 100 feet southwesterly of West 155th Street, a line perpendicular to the

southwesterly street line of West 155th Street distant 205 feet southeasterly (as measured along the street line) from the point of intersection of the southeasterly street line of St. Nicholas Avenue and the southwesterly street line of West 155th Street, a line 150 feet southwesterly of West 155th Street and St. Nicholas Avenue; and

2. changing from a C8-3 District to an R8A District property bounded by West 155th Street, a line perpendicular to the southwesterly street line of West 155th Street distant 205 feet southeasterly (as measured along the street line) from the point of intersection of the southeasterly street line of St. Nicholas Avenue and the southwesterly street line of West 155th Street, a line 100 feet southwesterly of West 155th Street, and St. Nicholas Avenue;

as shown on a diagram (for illustrative purposes only) dated June 7, 2010, and subject to the conditions of CEQR Declaration E-256.

L.U. NOS. 208, 209, 210, 217 AND 218

Proposals subject to Council review and action pursuant to the Urban Development Action Area Act, Article 16 of the New York General Municipal Law, at the request of the Department of Housing Preservation and Development ("HPD"), which requests that the Council:

1. Find that the present status of the listed areas tends to impair or arrest the sound growth and development of the municipality and that the proposed Urban Development Action Area Project is consistent with the policy and purposes of Section 691 of the General Municipal Law;
2. Waive the area designation requirement of Section 693 of the General Municipal Law pursuant to said Section;
3. Waive the requirements of Sections 197-c and 197-d of the New York City Charter pursuant to Section 694 of the General Municipal Law;
4. Approve the projects as Urban Development Action Area Projects pursuant to Section 694 of the General Municipal Law; and

5. Approve an exemption of the projects from real property taxes pursuant to Section 577 of the Private Housing Finance Law for L.U. Nos. 209 and 210; and pursuant to Section 696 of the General Municipal Law for L.U. No. 208.

L.U. No.	Non-ULURP No.	Address	Block/Lot	Program	CB	Tax Exemption
208	20115156 HAK	760 Jefferson Avenue Brooklyn	1657/44	Asset Control Area	03	Section 696
<i>Laid over from the meeting of the Subcommittee on Planning, Dispositions and Concessions on September 13, 2010 and September 21, 2010.</i>						
209	20115157 HAM	2053 7 th Avenue Manhattan	1907/63	Tenant Interim Lease	10	Section 577
<i>Laid over from the meeting of the Subcommittee on Planning, Dispositions and Concessions on September 13, 2010 and September 21, 2010.</i>						
210	20115158 HAM	108 West 114 th Street Manhattan	1823/40	Tenant Interim Lease	10	Section 577
<i>Laid over from the meeting of the Subcommittee on Planning, Dispositions and Concessions on September 13, 2010 and September 21, 2010.</i>						
217	20115198 HAX	190 Brown Place Bronx	2264/01	Neighborhood Redevelopment	01	
218	20115199 HAX	100 West 163 rd Street 954 Anderson Avenue Bronx	2511/64 2504/59	Neighborhood Redevelopment	04	

LAND USE COMMITTEE

The Land Use Committee will hold a meeting in the 16th Floor Hearing Room, 250 Broadway, New York City, New York 10007, commencing at **10:00 a.m. on Thursday, October 7, 2010**, and will consider all items reported out of the Subcommittees at the meetings held on Tuesday, October 5, 2010, and conduct such other business as may be necessary.