*Long Island City Neighborhood Plan*

**CD 1, 2** **N 250177 ZRQ**

**IN THE MATTER OF** an application submitted by NYC 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 amending the Special Long Island City District (Article XI, Chapter 7), and related Sections, and amending APPENDIX F for the purpose of establishing a Mandatory Inclusionary Housing area.

Matter underlined is new, to be added;
Matter ~~struck out~~ is old, to be deleted;
Matter within # # is defined in Sections 12-10, 32-301, 66-11, 117-361 or 117-503;
* * * indicates where unchanged text appears in the Zoning Resolution.

* * *

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

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

* * *

**62-10**
**GENERAL PROVISIONS**

* * *

**62-13**
**Applicability of District Regulations**

The regulations of all other Chapters of this Resolution are applicable, except as superseded, supplemented or modified by the provisions of this Chapter. In the event of a conflict between the provisions of this Chapter and other regulations of this Resolution, the provisions of this Chapter shall control. However, in the event of a conflict between the provisions of this Chapter and the provisions of Article VI, Chapter 4, or Article VI, Chapter 6, the provisions of Article VI, Chapter 4, or Article VI, Chapter 6 shall control.

* * *

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

#Special Flushing Waterfront District#

#Special Gowanus Mixed Use District#

#Special Inwood District#

#Special Long Island City Mixed Use District#

#Special St. George District#.

* * *

**62-90**
**WATERFRONT ACCESS PLANS**

* * *

**62-95**
**Borough of Queens**

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

Q-1: Northern Hunters Point, as set forth in ~~Section 62-951~~ the #Special Long Island City Mixed Use District#, Section 117-36 (Northern Hunters Point Waterfront Access Plan)

Q-2: Flushing Waterfront, in the #Special Flushing Waterfront District#, as set forth in Section 127-50 (FLUSHING WATERFRONT ACCESS PLAN)

Q-3: Newtown Creek, in the #Special Southern Hunters Point District#, as set forth in Section 125-46 (Newtown Creek Waterfront Access Plan).

~~**62-951**~~
~~**Waterfront Access Plan Q-1: Northern Hunters Point**~~

[MOVING PROVISIONS TO SECTION 117-36 AND MODIFYING]

~~Maps Q-1a through Q-1c in paragraph (f) of this Section show the boundaries of the area comprising the Northern Hunters Point Waterfront Access Plan and the location of certain features mandated or permitted by the Plan. The plan area has been divided into parcels consisting of tax blocks and lots and other lands as established on October 14, 1997, as follows:~~

~~Parcel 1: Block 477, Lot 7~~

~~Parcel 2: Block 477, Lots 13, 15, 20~~

~~Parcel 3: Block 477, Lot 24~~

~~Parcel 4: 43rd Avenue between Vernon Boulevard and the East River~~

~~Parcel 5: Block 488, Lot 114~~

~~Parcel 6: Block 488, Lot 1~~

~~Parcel 7: Block 488, Lots 15, 35~~
~~Block 489, Lots 23, 46~~

~~Parcel 8: Block 25, Lot 15~~

~~Parcel 9: Block 25, Lots 1, 9, 11~~

~~Parcel 10: Block 26, Lot 10~~

~~Parcel 11: Block 26, Lots 1, 2, 3, 4, 8~~

~~Parcel 12: Block 26, Lots 17 and 21~~

~~(a) Special #waterfront yard# requirements~~

~~The #yard# regulations of Section 62-33 (Special Yard Regulations on Waterfront Blocks) shall be applicable. In addition, where a #waterfront yard# is not required, pursuant to Section 62-33, #yards# meeting the dimensional requirements of Section 62-33 shall be provided in connection with any #development#, in accordance with the provisions of paragraph (f) of Section 62-912 (Elements of a Waterfront Access Plan).~~

~~(b) Area-wide modifications~~

~~The following provisions shall apply to #zoning lots# required to provide a #waterfront public access area#, pursuant to Section 62-50 (GENERAL REQUIREMENTS FOR VISUAL CORRIDORS AND WATERFRONT PUBLIC ACCESS AREAS), inclusive:~~

~~(1) Section 62-57 (Requirements for Supplemental Public Access Areas) shall be inapplicable except where specifically stated otherwise in this Plan.~~

~~(2) Section 62-58 (Requirements for Water-Dependent Uses and Other Developments) shall be inapplicable. In lieu thereof, for #developments# listed in Section 62-52 (Applicability of Waterfront Public Access Area Requirements), paragraph (b), required #waterfront public access areas# shall be provided in accordance with Sections 62-53 (Requirements for Shore Public Walkways), 62-54 (Requirements for Public Access on Piers), 62-55 (Requirements for Public Access on Floating Structures) and 62-56 (Requirements for Upland Connections), as modified by this Plan.~~

~~However, for #developments# that include WD #uses# and would otherwise be~~

permitted to provide public access pursuant to Section 62-58, the location of the public access areas specified in this Plan may be moved upland from the #shoreline# for the minimum distance required to accommodate the upland water-dependent functions of such #developments#, provided the relocation allows for a continuous public walkway connecting to #shore public walkways# on adjoining #zoning lots#.

(c) Special #waterfront public access area# and #visual corridor# provisions applying on Anable Basin

The following provisions shall apply to certain #developments# on Parcels 8, 9, 10, 11 and 12:

(1) In the event that a #building or other structure#, existing at the time that a #waterfront public access area# is required, is located so that the minimum dimensional provisions of Sections 62-53 and 62-54 cannot be met without requiring the partial or complete demolition of such #building or other structure#, the required width of such a #waterfront public access area# shall be reduced to the width between the seaward edge of the #waterfront yard# or #lot line# and the existing #building or other structure#. However, the minimum width of a #shore public walkway# shall be six feet and that of an #upland connection# shall be 12 feet. In no case shall a #shore public walkway# have a width less than 10 feet for a continuous distance of more than 300 feet.

(2) In the event that a #building or other structure#, existing at the time a #waterfront public access area# is required, is located so that the minimum dimensional standards for public access pursuant to paragraph (c)(1) of this Section cannot be met without requiring the partial or complete demolition of such #building or other structure#, all #waterfront public access area# requirements for such #development# shall be waived.

(3) A #shore public walkway# required in conjunction with a #development# involving existing #buildings or other structures#, or required on any #zoning lot# having a #shoreline# length of less than 150 feet, shall be improved pursuant to Section 62-62 (Design Requirements for Shore Public Walkways and Supplemental Public Access Areas), except that the circulation path as required in paragraph (a)(1) of such Section may be reduced to 10 feet and the amount of planting area as required in paragraph (c)(1) of such Section may be reduced to 40 percent.

(4) Within any portion of a #shore public walkway# having a width of less than 10 feet, the minimum width of the circulation path shall be six feet and all planting requirements shall be waived.

(d) Special public access provisions by parcel

The provisions of Sections 62-52 and 62-60 (DESIGN REQUIREMENTS FOR WATERFRONT PUBLIC ACCESS AREAS), inclusive, are modified at the following

~~designated locations which are shown on Map Q-1b in paragraph (f) of this Section:~~

~~(1) Parcel 1~~

~~No #upland connection# shall be required within Parcel 1; however, a direct connection shall be provided between the #shore public walkway# and Queensbridge Park.~~

~~(2) Parcel 2~~

~~An #upland connection# shall be located between Vernon Boulevard and the #shore public walkway# within the flexible location zone shown on Map Q-1b in paragraph (f) of this Section, which is the westerly prolongation of Queens Plaza South, either:~~

~~(i) along the northerly tax lot line of Block 477, Lot 15, and its extension to Vernon Boulevard, if such tax lot is #developed# as a #zoning lot# separate from Block 477, Lot 13; or~~

~~(ii) continuously adjoining the boundary between Parcels 1 and 2.~~

~~(3) Parcel 3~~

~~No #upland connection# shall be required within Parcel 3; however, a direct connection shall be provided between the #shore public walkway# and the public access area provided on Parcel 4.~~

~~(4) Parcel 4~~

~~(i) A continuous public access area shall be provided across the westerly termination~~ of 43rd Avenue adjoining the East River and ~~connecting without interruption to the #shore public walkways# on Parcels 3 and 5. Such #waterfront public access area# shall have a minimum width of 40 feet and be improved consistent with the design standards set forth in Section 62-62, paragraphs (a) and (c)(1), for a #shore public walkway#. A screening buffer, pursuant to Section 62-655, shall be provided along any open or enclosed storage areas, maintenance vehicle parking or similar uses adjoining the #waterfront public access area#. Fencing may be provided to assure physical control of non-publicly accessible upland areas.~~

~~(ii) The remaining portion of Parcel 4 shall provide pedestrian access from Vernon Boulevard to the #waterfront public access area# designated in paragraph (d)(4)(i) of this Section. The New York City Waterfront Symbol with the words "Public Waterfront" shall be installed at the intersection of any pedestrian access area with Vernon Boulevard.~~

~~(iii) In the event that 43rd Avenue is demapped as a #street# within Parcel 4,~~

a #shore public walkway# and #upland connection# shall be provided on Parcel 4, pursuant to Sections 62-50 and 62-60, within the westerly prolongation of 43rd Avenue.

Except as otherwise provided in this paragraph (d)(4), Section 62-60 shall be inapplicable.

(5) Parcel 5

(i) #Upland connection#

An #upland connection# shall be provided through Parcel 5 between Vernon Boulevard and the #shore public walkway#. The #upland connection# shall be located within either:

(a) the flexible location zone indicated on Map Q-1b in paragraph (f) of this Section, having as its southerly boundary a line 500 feet south of 43rd Avenue and as its northerly boundary a line 200 feet north of such southerly boundary; or

(b) a raised pedestrian sidewalk immediately adjoining a #building# provided both the sidewalk and #building# were existing on October 14, 1997.

The requirements of Sections 62-561 (Types of upland connections) and 62-64 (Design Requirements for Upland Connections) shall be inapplicable; however, any vehicular way traversing the pedestrian sidewalk shall be at the same level as such raised pedestrian sidewalk.

A direct connection shall be provided between the #shore public walkway# and the public access areas on Parcels 4 and 6.

(ii) #Supplemental public access area#

Notwithstanding paragraph (b)(1) of this Section, a #supplemental public access area# shall be provided pursuant to Sections 62-57 and 62-62, and shall be located within the flexible location zone described in paragraph (d)(5)(i) of this Section, immediately adjacent to the intersection of the #shore public walkway# and any #upland connection#, if the #upland connection# is located therein.

(6) Parcel 6

Sections 62-50 and 62-60 shall be inapplicable if public access is provided pursuant to restrictive declaration, number D-138, executed by the RAK Tennis Corporation on July 29, 1991, and as such may be modified pursuant to the terms of the declaration and in accordance with Section 62-12 (Applicability to

~~Developments in the Waterfront Area). If public access is not provided pursuant to the declaration, as such may be modified, then a #waterfront public access area# shall be provided in accordance with Sections 62-50, as modified by paragraph (b) of this Section, and Section 62-60.~~

~~(7) Parcel 7~~

~~(i) #Shore public walkway#~~

~~The #shore public walkway# shall be located within the flexible location zone shown on Map Q-1b in paragraph (f) of this Section, having as its westerly boundary the seaward edge of the #waterfront yard# and as its easterly boundary a line perpendicular to the northerly #street line#~~ of ~~44th Drive, 600 feet westerly of Vernon Boulevard. The area between the seaward edge of the #waterfront yard# and the #shore public walkway# shall be subject to the provisions of Section 62-332 (Rear yards and waterfront yards).~~

~~For #developments# on a #zoning lot# having a #building or other structure#, existing on October 14, 1997, and which #developments# would retain the existing #building or other structure#, any portion of which is located within the #waterfront yard#, the #shore public walkway# may be improved pursuant to Section 62, except that the circulation path as required in paragraph (a)(1) of such Section may be reduced to 10 feet and the planting area as required in paragraph (c)(1) of such Section may be reduced to 40 percent. In addition, any portion of the #shore public walkway# located on a #platform# existing on October 14, 1997, shall be exempt from the planting requirements of such Section, except that trees shall be required; however, such trees may be located off the #platform# anywhere within or immediately adjoining the #shore public walkway#.~~

~~(ii) #Upland connection#~~

~~No #upland connection# shall be required within Parcel 7.~~

~~(8) Parcel 8~~

~~An #upland connection# shall be provided through Parcel 8 and shall be located within the flexible location zone shown on Map Q-1b in paragraph (f) of this Section, having as its westerly boundary the westerly #street line#~~ ~~of 5th Street and as its easterly boundary a line 250 feet east of such #street line#. In the event that a #building or other structure#, existing at the time an #upland connection# is required, is located within the southerly prolongation~~ ~~of 5th Street, the #upland connection# may be located anywhere within the flexible location zone; otherwise, the #upland connection# shall be located within the southerly prolongation~~ ~~of 5th Street.~~

~~(9) Parcels 9, 10 and 11~~

(i) #Shore public walkway#

Except as provided in paragraph (c) of this Section, a #shore public walkway# shall be required across each parcel; however, on any #zoning lot# existing on October 14, 1997, having a #shoreline# length of less than 150 feet, the width of the #shore public walkway# may be reduced to 16 feet, consisting of a 10 foot wide circulation path and six foot wide screening buffer, pursuant to Section 62-655. In addition, the width may be further reduced as permitted pursuant to paragraph (c)(1) of this Section.

(ii) #Upland connection#

Except as provided in paragraph (c) of this Section and on any #zoning lot# with a #shoreline# length less than 100 feet, an #upland connection# shall be provided between Vernon Boulevard and the #shore public walkway# within the flexible location zone shown on Map Q-1b, having as its northerly boundary the westerly prolongation of the southerly #street line# of 45th Avenue and as its southerly boundary the westerly prolongation of the southerly #street line# of 45th Road. In the event that Parcels 10 and 11 are #developed# as a single #zoning lot# and the #upland connection# has not been provided prior to such #development# of Parcels 10 and 11, the #upland connection# shall be located within the westerly prolongation of 45th Road. Notwithstanding the requirements of Section 62-56 (Requirements for Upland Connections), on any #zoning lot# having a #shoreline# length of less than 150 feet, the required width of an #upland connection# may be reduced to 16 feet consisting of a 10 foot wide circulation path with the remaining area to be planted. In addition, the width may be further reduced, as permitted pursuant to paragraph (c)(1) of this Section.

(10) Parcel 12

No #upland connection# shall be required within Parcel 12; however, a direct connection shall be provided between the #shore public walkway# and 5th Street.

(e) Special #visual corridor# provisions by parcel

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

(1) Parcels 1 and 2

A #visual corridor# shall be provided through Parcels 1 and 2 to the pierhead line as the westerly prolongation of Queens Plaza South. In the event that Block 477, Lot 13, is #developed# as a single #zoning lot#, all #visual corridor# requirements on that lot shall be waived.

~~(2) Parcel 3~~

~~The requirement for #visual corridors# on Parcel 3 is waived.~~

~~(3) Parcel 4~~

~~43rd Avenue shall be provided as a #visual corridor#.~~

~~(4) Parcel 5~~

~~A #visual corridor# shall be provided through Parcel 5 to the pierhead line within the flexible location zone described in paragraph (d)(5)(ii) of this Section and coincident with any #upland connection# provided therein.~~

~~(5) Parcel 6~~

~~Sections 62-51 (Applicability of Visual Corridor Requirements) and 62-513 (Permitted obstructions in visual corridors) shall be inapplicable if a #visual corridor# is provided pursuant to restrictive declaration, number D-138, executed by the RAK Tennis Corporation on July 29, 1991, and as may subsequently be modified pursuant to the terms of the declaration and in accordance with Section 62-12 (Applicability to Developments in the Waterfront Area). If the #visual corridor# is not provided pursuant to the declaration, as such may be modified, then a #visual corridor# shall be provided in accordance with Section 62-51.~~

~~(6) Parcel 7~~

~~The requirement for #visual corridors# on Parcel 7 is waived.~~

~~(7) Parcel 8~~

~~A #visual corridor# shall be provided through Parcel 8 as the southerly prolongation of 5th Street.~~

~~(8) Parcels 9, 10 and 11~~

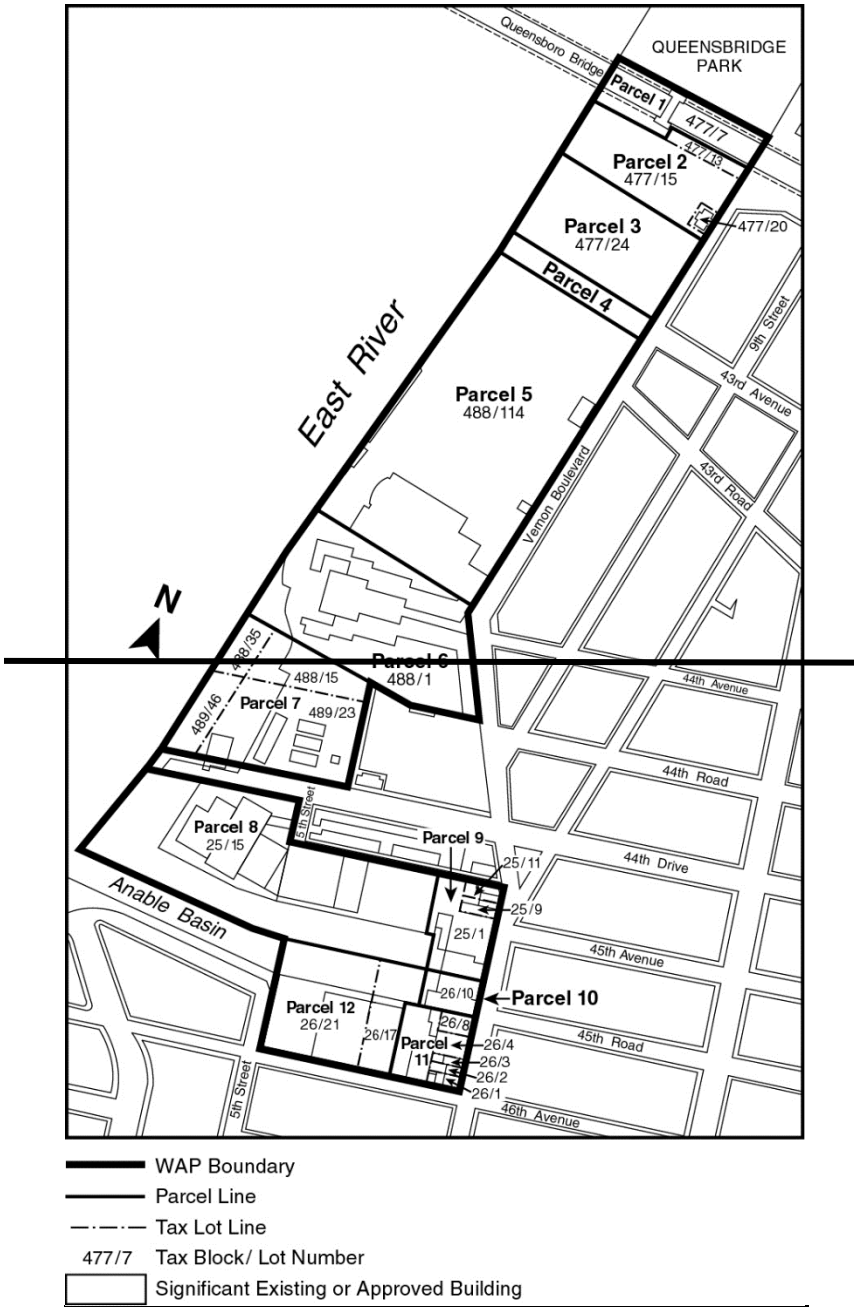
~~A #visual corridor#, if required pursuant to Section 62-51, shall be located through Parcel 9, 10 or 11 from Vernon Boulevard using the locational criteria for, and coincident with, the #upland connection# required pursuant to paragraph (d)(9)(ii) of this Section.~~

~~(9) Parcel 12~~

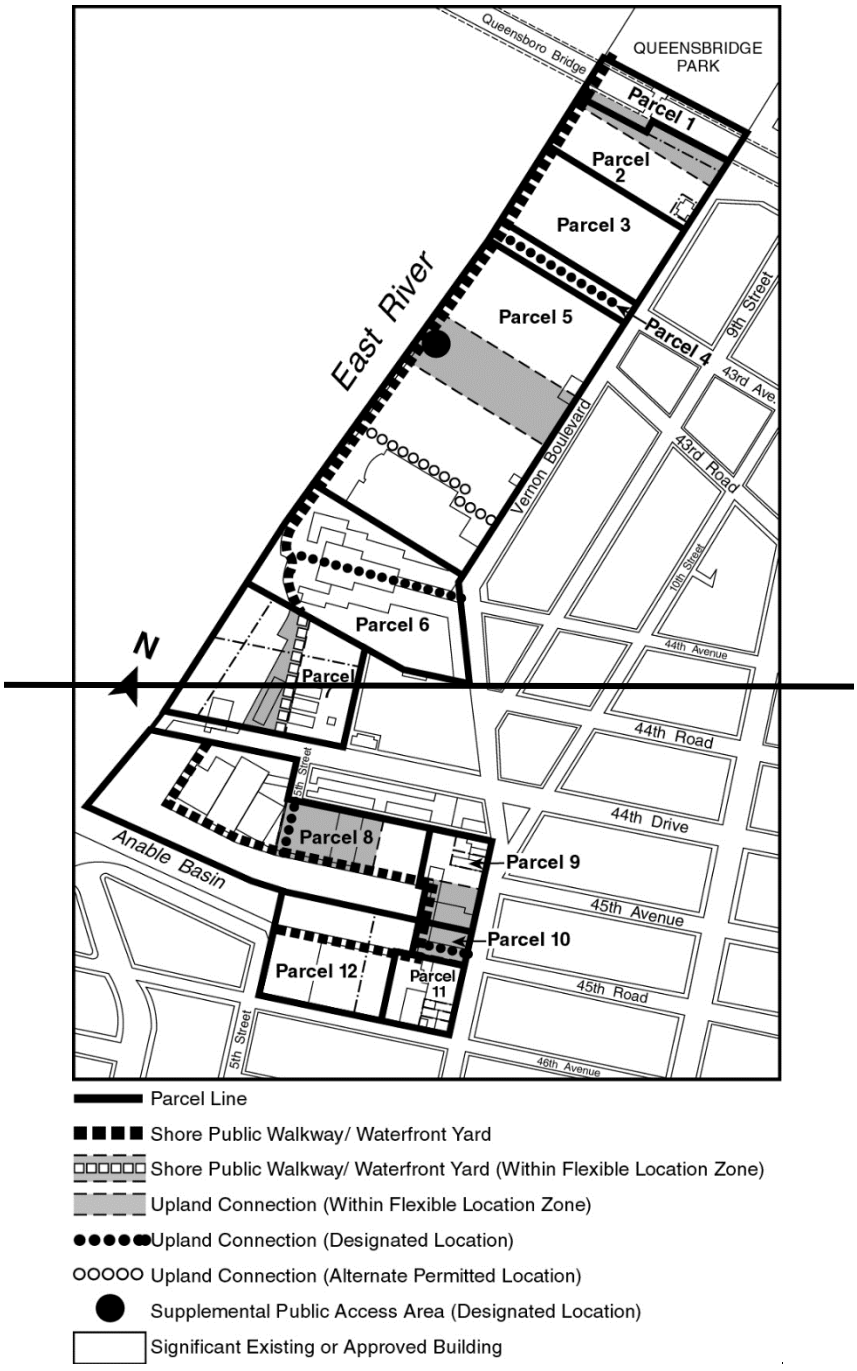
~~The requirement for #visual corridors# on Parcel 12 is waived.~~

~~(f) Northern Hunters Point Waterfront Access Plan Maps~~

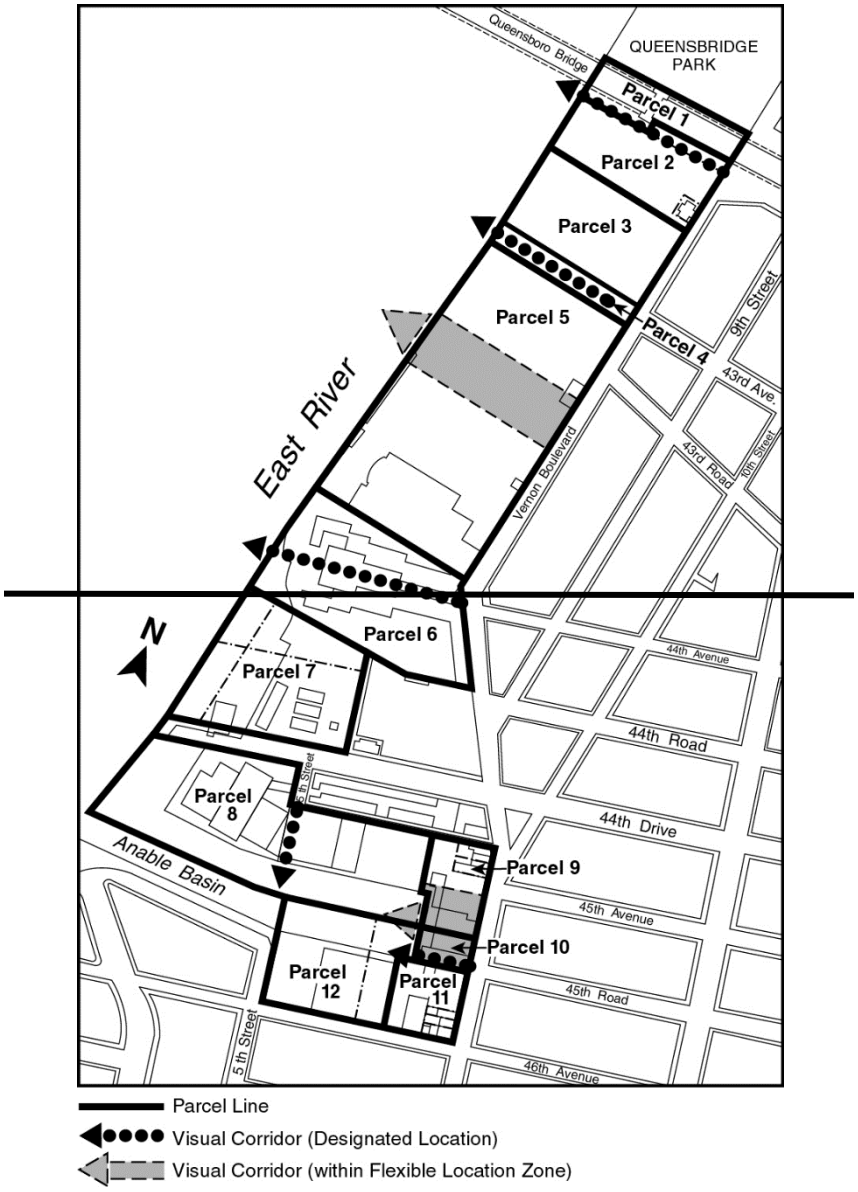
~~Q-1a: Parcel Designation (62-951f.1)~~



~~Q-1b: Public Access Elements Designation (62-951f.2)~~



~~Q-1c: Designated Visual Corridors Designation (62-951f.3)~~



* * *

**ARTICLE XI**
**SPECIAL PURPOSE DISTRICTS**

**Chapter 7**
**Long Island City Mixed Use District**

**117-00**
**GENERAL PURPOSES**

[UPDATING TO REFLECT BROADER APPLICABILITY]

The "Special Long Island City Mixed Use District" established in this Resolution is designed to promote and protect the public health, safety and general welfare of the Long Island City community. These general goals include, among others, the following specific purposes:

(a) to support the continuing growth of a mixed residential, commercial and industrial neighborhoods by permitting expansion and development of residential, commercial, community facility and light manufacturing uses where adequate environmental standards are assured;

(b) to encourage the development of moderate to high density commercial uses within a compact transit-oriented area;

(c) ~~to strengthen traditional retail streets in Hunters Point by allowing the development of new residential and retail uses~~ to establish and maintain walkable retail corridors in the neighborhood;

(d) ~~to encourage the development of affordable housing~~ to enhance neighborhood economic diversity by broadening the range of housing choices for residents of varied incomes;

(e) to promote the opportunity for people to work in the vicinity of their residences;

(f) to maintain and establish physical and visual public access to and along the waterfront;

~~(f)~~(g) to retain jobs within New York City;

~~(g)~~(h) to provide an opportunity for the improvement of Long Island City; and

~~(h)~~(i) to promote the most desirable use of land and thus conserve the value of land and buildings and thereby protect City tax revenues.

**117-01**
**Definitions**

[ADDING SECTION 66-11 APPLICABILITY HERE]

Definitions specifically applicable to this Chapter are set forth in this Section. Other defined terms are set forth in Section 12-10 (DEFINITIONS), Section 32-301 (Definitions) and Section 66-11 (Definitions).

Mixed use building or development

For the purposes of this Chapter, a "mixed use building" or a "mixed use development" shall be any #building# or #development# used partly for #residential use# and partly for #community facility#, #commercial# or #manufacturing use#.

**117-02**
**General Provisions**

[REMOVING REFERENCE TO SECTION 66-11]

In harmony with the general purposes and content of this Resolution and the general purposes of the #Special Long Island City Mixed Use District#, the regulations of this Chapter shall apply within the #Special Long Island City Mixed Use District#. The regulations of all other Chapters of this Resolution are applicable, except as modified, supplemented or superseded by the provisions of this Chapter. In the event of a conflict between the provisions of this Chapter and other regulations of this Resolution, the provisions of this Chapter shall control. However, in #flood zones#, or for #transit-adjacent sites# or #qualifying transit improvement sites#, ~~as defined in Section 66-11 (Definitions),~~ in the event of a conflict between the provisions of this Chapter and the provisions of Article VI, Chapter 4 (Special Regulations Applying in Flood Hazard Areas), or Article VI, Chapter 6 (Special Regulations Applying Around Mass Transit Stations), the provisions of Article VI shall control.

* * *

**117-03**
**District Plan and Maps**

[ADDING NEW APPENDICES AND MAPS]

The regulations of this Chapter implement the #Special Long Island City Mixed Use District# Plan.

The District Plan includes the following maps in Appendices A, B ~~and~~ , C, D, and E:

Appendix A Special Long Island City Mixed Use District and Subdistricts Plan Map

Appendix B ~~Court Square Subdistrict Plan Map and Description of Improvements~~ Queens Plaza West Subdistrict Plan Maps

Appendix C ~~Queens Plaza Subdistrict Plan Maps:~~

~~Map 1 - Designated Districts within the Queens Plaza Subdistrict~~

~~Map 2 - Ground Floor Use and Frontage~~

~~Map 3 - Sidewalk Widening and Street Wall Location.~~ Northern Hunters Point Waterfront Subdistrict Plan Maps

Appendix D Court Square Subdistrict Plan Map and Description of Improvements

Appendix E Queens Plaza Subdistrict Plan Maps:

Map 1 - Designated Districts within the Queens Plaza Subdistrict

Map 2 - Ground Floor Use and Frontage

Map 3 - Sidewalk Widening and Street Wall Location.

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

**117-04**
**Subdistricts**

[UPDATING AND ADDING NEW SUBDISTRICTS]

In order to carry out the purposes and provisions of this Chapter, ~~four~~ six subdistricts are established within the #Special Long Island City Mixed Use District#~~.~~, as follows: ~~In each of these subdistricts, special regulations apply that do not apply elsewhere within the #Special Long Island City Mixed Use District# and supplement or supersede the provisions of Sections 117-00 through 117-03, inclusive.~~

Court Square Subdistrict, as set forth in Section 117-40, inclusive;

Dutch Kills Subdistrict, as set forth in Section 117-60, inclusive;

Hunters Point Subdistrict, as set forth in Section 117-10, inclusive;

Northern Hunters Point Waterfront Subdistrict, as set forth in Section 117-30, inclusive;

Queens Plaza Subdistrict, as set forth in Section 117-50, inclusive; and

Queens Plaza West Subdistrict, as set forth in Section 117-2
0, inclusive

~~Sections 117-10 through 117-30, inclusive, shall apply to the Hunters Point Subdistrict.~~
~~Sections 117-40 through 117-45, inclusive, shall apply to the Court Square Subdistrict.~~
~~Sections 117-50 through 117-57, inclusive, shall apply to the Queens Plaza Subdistrict.~~
~~Sections 117-60 through 117-64, inclusive, shall apply to the Dutch Kills Subdistrict.~~

In each of these subdistricts, certain special regulations apply which do not apply within the remainder of the #Special Long Island City Mixed Use District#. The subdistricts are outlined on Map 1 in Appendix A of this Chapter.

~~**117-06**~~
**117-05**
**Applicability of the Mandatory Inclusionary Housing Program**

* * *

**117-06**
**Applicability of Article XII, Chapter 3**

In the #Special Long Island City Mixed Use District#, M1 Districts are paired with a #Residence District#. In paired districts, the special #use#, #bulk#, and parking and loading provisions of Article XII, Chapter 3 (Special Mixed Use District) shall apply, except where modified by the provisions of this Chapter. For the purposes of applying the provisions of this Chapter, such provisions shall be considered the underlying district regulations.

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

**117-10**
**HUNTERS POINT SUBDISTRICT**

[CONSOLIDATING EXISTING HUNTERS POINT SUBDISTRICT PROVISIONS INTO SECTION 117-10, INCLUSIVE]

In the #Special Long Island City Mixed Use District#, the special regulations of ~~Sections~~ Section 117-10 ~~through 117-30~~, inclusive, shall apply within the Hunters Point Subdistrict ~~and, where noted in Sections 117-40 through 117-45, inclusive, shall also apply within the Court Square Subdistrict~~.

**117-11**
**General Provisions**

[CONSOLIDATING PROVISIONS FROM SECTIONS 117-11 AND 117-21 AND REVISING TO GIVE DISTRICT-WIDE APPLICABILITY]

~~In special areas of the Hunters Point Subdistrict of the #Special Long Island City Mixed Use District#, an M1 District is paired with a #Residence District#. For the purposes of this Chapter, such #Residence# and M1 Districts are referred to as the "designated districts". The designated districts within the Hunters Point Subdistrict are indicated on the #zoning map# and are as follows:~~

~~M1-4/R6A~~
~~M1-4/R6B~~
~~M1-4/R7A~~
~~M1-5/R7X~~
~~M1-5/R8A~~

The #use#, #bulk# and parking regulations of the underlying districts shall apply, except as modified by the provisions of Section 117-10 (HUNTERS POINT SUBDISTRICT), inclusive.

**~~117-20~~**
**~~SPECIAL PROVISIONS IN THE DESIGNATED DISTRICTS~~**

**~~117-21~~**
**~~Special Provisions for Use, Bulk and Parking~~**

~~M1-4/R6A M1-4/R6B M1-4/R7A M1-5/R7X M1-5/R8A~~

~~The special #use#, #bulk# and parking provisions of Article XII, Chapter 3, of the #Special Mixed Use District# shall apply to the designated districts within the Hunters Point Subdistrict, except where modified by the provisions of this Section, and shall supplement or supersede the provisions of the designated #Residence# or M1 District, as applicable.~~

**~~117-22~~**
**117-12**
**Modification of Use Group VI**

M1-4/R6A M1-4/R6B M1-4/R7A M1-5/R7X M1-5/R8A

In the districts indicated, #uses# listed under Food and Beverage Retailers in Use Group VI shall be permitted without a size limitation.

**~~117-23~~**
**117-13**
**Street Wall Location ~~in Certain Designated Districts~~ Modifications**

[CONSOLIDATING STREET WALL LOCATION PROVISIONS FROM FORMER SECTIONS 117-23 AND 117-31 INTO ONE SECTION]

R6B M1-4/R6A M1-4/R7A M1-5/R8A M1-4/R6B M1-5/R7X

(a) In certain districts

In the districts indicated, the #street wall# location provisions of paragraph (a) Section 23-431 shall apply. ~~However, the #street wall# of a #building# need not be located further from a #street line# than 15 feet.~~

~~**117-30**~~
~~**SPECIAL PROVISIONS FOR C1 AND C2 DISTRICTS**~~

~~**117-31**~~
~~**Special Bulk Regulations**~~

(b) In C1 and C2 Districts

For C1 or C2 Districts, the #street wall# location provisions of paragraph (a) Section 35-631 shall apply.

* * *

**117-20**
**QUEENS PLAZA WEST SUBDISTRICT**

[ADDING NEW SUBDISTRICT]

In the #Special Long Island City Mixed Use District#, the special regulations of Section 117-20, inclusive, shall apply in the Queens Plaza West Subdistrict.

**117-201**
**General provisions**

In the Queens Plaza West Subdistrict, the #use#, #bulk#, and parking regulations of the underlying districts shall apply, except as modified by the provisions of Section 117-20 (QUEENS PLAZA WEST SUBDISTRICT), inclusive.

**117-202**
**Queens Plaza West subdistrict plan**

The regulations of this Section are designed to implement the Queens Plaza West subdistrict plan as set forth in Appendix B to this Chapter.

**117-21**
**Special Use Regulations**

The #use# regulations of the underlying districts shall apply, except as modified by the provisions of this Section, inclusive.

**117-211**
**Retail and service establishments**

The underlying M1 District #use# regulations shall be modified such that #uses# listed under Use Group VI with a size limitation, as denoted with an "S" in the Use Group tables set forth in Section 42-16 (Use Group VI – Retail and Services), inclusive, shall be permitted without a size limitation.

**117-212**
**Streetscape regulations**

The underlying #ground floor level# streetscape provisions set forth in Section 32-30 (STREETSCAPE REGULATIONS), inclusive, shall apply, except that:

(a) #ground floor level# #street# frontages along #streets#, or portions thereof, designated on Map 1 (Subdistrict Plan Map and Streetscape Regulations) in Appendix B of this Chapter, shall be considered #Tier C street frontages#;

(b) all other frontages in applicable #Commercial Districts# or in M1 Districts paired with a #Residence District# shall be considered #Tier B street frontages#; and

(c) In #Manufacturing Districts#, Type 1 and Type 2 #streets# designated below shall be subject to the alternate provisions for #Tier B street frontages# set forth in Section 31-322. In addition, where a #zoning lot# has frontage along a Type 1 #street# and a frontage along another #street#, no curb cuts accessing off-street parking spaces or loading spaces shall be permitted on such Type 1 #street# frontage.

For the purposes of this paragraph, Type 1 frontages shall include: Vernon Boulevard; 11th Street; 21st Street; 23rd Street; and Queens Plaza South.

For the purposes of this paragraph, Type 2 frontages shall include: 43rd Avenue and 44th Avenue.

**117-22**
**Special Floor Area Regulations**

The #floor area# regulations of the underlying districts shall apply, except as modified by the provisions of this Section, inclusive.

**117-221**
**Special floor area regulations in certain paired districts**

In M1 Districts paired with an R9 or R10 District, the following maximum #floor area ratios# shall apply:

MAXIMUM FLOOR AREA RATIO FOR ALL USES

| | #Residential# #Floor Area Ratio# for Standard #Residences# | #Residential Floor Area Ratio# for #Qualifying Affordable Housing# or #Qualifying Senior Housing# | #Community Facility# #Floor Area Ratio# | #Commercial# or #Manufacturing# #Floor Area Ratio# |
|---|---|---|---|---|
| M1-6/R9 | 8.0 | 9.6 | 10.0 | 15.0 |
| M1-6/R10 | 10.0 | 12.0 | 12.0 | 12.0 |

Such maximum #floor area# may be increased where a #public plaza# is provided pursuant to 117-223.

**117-222**
**Special floor area provisions for zoning lots containing schools**

#Zoning lots# with a #lot area# of at least 20,000 square feet, and with up to 150,000 square feet of floor space within a public #school# constructed in whole or in part pursuant to a written agreement with the New York City School Construction Authority and subject to the jurisdiction of the Department of Education, shall be exempt from the definition of #floor area#.

**117-223**
**Authorization for a public plaza**

In M1 Districts paired with an R9 or R10 District, for #zoning lots# with a #lot area# of at least 25,000 square feet, the City Planning Commission may authorize an increase in the maximum #floor area ratio# where a #public plaza# is provided on the #zoning lot# in accordance with the provisions of Section 37-70 (PUBLIC PLAZAS), inclusive.

In conjunction with such #floor area# bonus, the Commission may authorize modifications to the applicable #bulk# regulations of this Resolution, or to the regulations governing #public plazas# in Section 37-70, inclusive.

In order to grant such authorization, the Commission shall determine that the conditions and limitations of paragraph (a) and the findings of paragraph (b) are met.

(a) Conditions and limitations

The following conditions and limitations shall apply:

(1) for the purposes of determining the bonus ratio to follow:

(i) for M1 Districts paired with an R9 District, the underlying bonus ratio for a C6-3 District shall apply; and

(ii) for M1 Districts paired with an R10 District, the underlying bonus ratio for a C6- 4 District shall apply; and

the #floor area# bonus resulting from applying such ratio shall not exceed 20 percent of the maximum #floor area ratio# otherwise permitted by the applicable district regulations;

(2) modifications to the maximum permitted #building# height shall not result in an increase that exceeds 25 percent of the maximum #building# height otherwise permitted by the applicable district regulations; and

(3) modifications to the regulations governing #public plazas# shall be limited to:

(i) the basic design criteria set forth in Section 37-71, inclusive, other than the area dimensions provisions of Section 37-712;

(ii) the access and circulation provisions set forth in Section 37-72, inclusive, other than hours of access set forth in Section 37-727; and

(iii) the types and standards for amenities set forth in Section 37-74, inclusive.

(b) Findings

The Commission shall find that:

(1) the public benefit derived from the #public plaza# merits the amount of additional #floor area# being granted pursuant to this Section;

(2) the #public plaza# will be well-integrated with the overall pedestrian circulation network and will contribute to an enhanced streetscape;

(3) any modification to #bulk# regulations are the minimum extent necessary to reasonably accommodate the #public plaza# and the additional #floor area# granted pursuant to this Section and will not unduly obstruct access to light and air to surrounding #streets# and properties; and

(4) any modification to #public plaza# regulations are the minimum extent necessary, and will better align such #public plaza# regulations with unique site configurations or with the mixed-use character of the neighborhood.

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

**117-224**
**Special floor area provisions for off-street parking**

Floor space used for #accessory# off-street parking spaces provided in any #story# located not more than 33 feet above #curb level# shall be exempt from the definition of #floor area#.

**117-23**
**Special Yard Regulations**

The #yard# regulations of the underlying districts shall apply, except that in all M1 Districts paired with a #Residence District#, the #yard# regulations applicable to an M1 District with an A suffix shall apply to portions of #buildings# allocated to #manufacturing#, #commercial#, or #community facility# #uses#.

**117-24**
**Special Height and Setback Regulations**

The height and setback regulations of the underlying districts shall apply, except as modified by the provisions this Section, inclusive.

**117-241**
**Street wall location**

In M1 Districts paired with a #Residence District#, the #street wall# location provisions of paragraph (a) of Section 123-651 shall apply, except that:

(a) along the portion of Vernon Boulevard south of 45th Avenue, the #street line# shall be considered a line within the #zoning lot# that is parallel to, and five feet beyond, the Vernon Boulevard #street line#; and

(b) for #developments# with #building# widths exceeding 150 feet along designated frontages, a minimum of 20 percent of the surface area of such #street walls# above the level of the #second story#, or a height of 30 feet, whichever is lower, shall either recess or project a minimum of three feet from the remaining surface of the #street wall#. Such provisions shall apply along the following #streets#:

(1) 46th Avenue;

(2) 45th Road; and

(3) 44th Drive.

**117-242**
**Height and setback**

In M1 Districts paired with an R9 or R10 District, the following height and setback modifications shall apply:

(a) the maximum base height for both districts shall be 155 feet; and

(b) no maximum height limit shall apply, except that for #zoning lots# located north of Queens Plaza North, the maximum height limit for #residential# #buildings#, or portions thereof, shall be 750 feet.

**117-25**
**Modifications to Bulk Regulations**

**117-251**
**Certification to modify height restrictions**

In M1 Districts paired with an R9 or R10 District, the special permit provisions of Section 73-66 (Height Regulations Around Airports) shall not apply. In lieu thereof, the height restrictions of Sections 61-21 (Restriction on Highest Projection of Building or Structure) or 61-22 (Permitted Projection within any Flight Obstruction Area), may be modified where the Chairperson of the City Planning Commission has certified to the Department of Buildings that the Federal Aviation Administration and the Port Authority of New York and New Jersey have determined that such #building or other structure#, including the location of temporary structures such as construction cranes, will not constitute a danger to the safety of air passengers or disrupt established airways or runway operations, respectively. An application for such certification shall include separate verification letters from such agencies.

**117-252**
**Authorization for sites containing schools**

For #zoning lots# containing #schools#, the City Planning Commission may authorize the modification of any #bulk# regulation, other than #floor area ratio#, provided that the conditions in paragraph (a) and the findings in paragraph (b) are met.

(a) Conditions

Where maximum height limitations apply, modifications to maximum #building# height limits shall not exceed 30 feet.

(b) Findings

The Commission shall find that:

(1) such #bulk# modifications are the minimum extent necessary to reasonably accommodate the #school# and #buildings or other structures# on the #zoning lot#;

(2) the proposed modification does not impair the essential character of the surrounding area; and

(3) the proposed modification will not unduly obstruct access to light and air to surrounding #streets# or properties.

* * *

**117-30**
**NORTHERN HUNTERS POINT WATERFRONT SUBDISTRICT**

[ADDING NEW SUBDISTRICT]

In the #Special Long Island City Mixed Use District#, the special regulations of Section 117-30, inclusive, shall apply in the Northern Hunters Point Waterfront Subdistrict.

**117-301**
**General provisions**

In the Northern Hunters Point Waterfront Subdistrict, the #use#, #bulk, and parking regulations of the underlying districts shall apply, except as modified by the provisions of Section 117-30 (NORTHERN HUNTERS POINT WATERFRONT SUBDISTRICT), inclusive.

**117-302**
**Northern Hunters Point Waterfront Subdistrict Plan**

The regulations of this Section are designed to implement the Northern Hunters Point Waterfront Subdistrict Plan as set forth in Appendix C to this Chapter.

**117-303**
**Applicability of Article VI, Chapter 2**

In the Northern Hunters Point Waterfront Subdistrict, all #zoning lots# in M1 Districts paired with a #Residence District# without a letter suffix shall be considered #waterfront zoning lots# for the purposes of applying the height and setback regulations of Section 62-343 (Height and setback regulations in other medium- and high-density districts), as modified by the provisions of Section 117-34 (Special Height and Setback Regulations), inclusive. Such height and setback provisions, along with other applicable #bulk# regulations, may be modified by special permit of

the City Planning Commission on such #waterfront zoning lots# pursuant to Section 62-837 (Bulk modifications on waterfront blocks).

In addition, all #zoning lots# under common ownership that are contiguous or would be contiguous but for a #street# established after [date of adoption] shall be considered #waterfront zoning lots# for the purposes of applying the provisions of Section 62-50 (GENERAL REQUIREMENTS FOR VISUAL CORRIDORS AND WATERFRONT PUBLIC ACCESS AREAS), inclusive, as modified by Section 117-36 (Northern Hunters Point Waterfront Access Plan), inclusive.

**117-304**
**Applicability of Article VII, Chapter 7**

In the Northern Hunters Point Waterfront Subdistrict, for #zoning lots# divided by district boundaries, the provisions of Section 77-22 (Floor Area Ratio) shall be modified such that the #floor area# resulting from the application of adjusted maximum #floor area ratio# may be located anywhere on the #zoning lot#, subject to the height and setback regulations for each portion of the #zoning lot#.

**117-31**
**Special Use Regulations**

The #use# regulations of the underlying districts shall apply, except as modified by the provisions of this Section, inclusive.

**117-311**
**Retail and service establishments**

The underlying M1 District #use# regulations shall be modified such that #uses# listed under Use Group VI with a size limitation, as denoted with an "S" in the Use Group tables set forth in Section 42-16 (Use Group VI – Retail and Services), shall be permitted without a size limitation.

**117-312**
**Streetscape regulations**

The underlying #ground floor level# streetscape provisions set forth in Section 32-30 (STREETSCAPE REGULATIONS), inclusive, shall apply, except that #ground floor level# #street frontage# locations as designated on Map 2 (Streetscape Regulations) in Appendix C to this Chapter, shall be considered #Tier C street frontages#, and all other frontages in applicable #Commercial Districts# or in M1 Districts paired with a #Residence District# shall be considered #Tier B street frontages#. In certain locations designated on Map 2, such #Tier C street frontages# are designated in 50-foot increments.

**117-32**
**Special Floor Area Regulations**

The #floor area# regulations of the underlying districts shall apply, except as modified by the provisions this Section, inclusive.

For the purpose of applying the special #floor area ratio# provisions of this Subdistrict, six Subareas are designated. The locations of these subareas are shown on Map 1 (Subdistrict Plan Map and Designated Subareas) in the Appendix C to this Chapter. Outside of a Subarea, the underlying #floor area# regulations shall apply.

**117-321**
**Maximum floor area ratio**

The maximum #floor area ratio# permitted for #commercial#, #community facility#, #manufacturing#, or #residential uses# in Subareas A through F is specified in the following table:

MAXIMUM FLOOR AREA RATIO FOR ALL USES

| Subarea | #Residential# #Floor Area Ratio# for Standard #Residences# | #Residential# #Floor Area Ratio# for #Qualifying Affordable Housing# or #Qualifying Senior Housing# | #Community Facility# #Floor Area Ratio# | #Commercial# or #Manufacturing# #Floor Area Ratio# |
|---|---|---|---|---|
| A | 8.42 | 10.10 | 10.0 | 8.0 |
| B | 6.00 | 7.20 | 7.2 | 6.5 |
| C1 | 6.45 | 7.74 | 7.2 | 4.0 |
| C2 | 6.50 | 7.80 | 7.2 | 4.0 |
| D | 7.02 | 8.42 | 8.0 | 8.0 |
| E | 6.00 | 7.20 | 4.0 | 6.5 |
| F | 5.00 | 6.00 | 4.0 | 4.0 |

**117-322**
**Floor area bonus for active recreation space**

For #zoning lots# with a minimum #lot area# of 40,000 square feet or more, in R9 Districts and in M1 Districts paired with an R9 District, for each square foot of publicly accessible, supplemental open area provided in accordance with Section 17-365 (Requirements for supplemental open spaces and amenities), inclusive, the maximum #floor area# permitted on the #zoning lot# may be increased by six square feet, provided that the resulting bonus #floor area ratio# shall not exceed 0.6.

**117-323**
**Special floor area provisions for zoning lots containing schools**

For #zoning lots# with a #lot area# of at least 20,000 square feet, up to 150,000 square feet of floor space within a public #school# constructed in whole or in part pursuant to a written agreement with the New York City School Construction Authority and subject to the jurisdiction of the Department of Education shall be exempt from the definition of #floor area# in Section 12-10 (DEFINITIONS).

**117-324**
**Special floor area provisions for off-street parking**

Floor space used for #accessory# off-street parking spaces provided in any #story# located not more than 33 feet above #curb level# shall be exempt from the definition of #floor area#.

**117-325**
**Certification for transfer of floor area**

The Chairperson of the City Planning Commission shall allow, by certification, a transfer of #floor area# between contiguous #zoning lots# in common ownership otherwise separated by mapped #streets#. Such certification for a transfer of #floor area# shall be subject to the conditions of paragraph (a) and application requirements of paragraph (b) of this Section.

For the purposes of this Section, the "granting site" shall mean the #zoning lot# that transfers #floor area# pursuant to this Section, and a "receiving site" shall mean a #zoning lot# that receives additional #floor area# pursuant to this Section.

(a) Conditions

The maximum amount of #floor area# that may be transferred from the granting site shall be the maximum #floor area ratio# permitted pursuant to the applicable provisions of Section 117-32, inclusive, less the total #floor area# of all existing #buildings#. Each transfer, once completed, shall irrevocably reduce the amount of #floor area# that may be transferred.

(b) Application requirements

An application filed with the Chairperson for certification pursuant to this Section shall be made jointly by the owners of the granting site and the receiving site. Such application shall include site plans and zoning calculations for the granting site and receiving site showing the additional #floor area# associated with the transfer.

Additionally, at the time of certification, the owners of the granting site and of the receiving site shall submit to the Chairperson a copy of the transfer instrument legally

sufficient in both form and content to effect such a transfer. Notice of the restrictions upon further #development# or #enlargement# of the granting site and the receiving site shall be filed by the owners of the respective lots in the Office of the Register of the City of New York (County of New York). Proof of recordation shall be submitted to the Chairperson. Both the transfer instrument and the notices of restrictions shall specify the total amount of #floor area# transferred and shall specify, by #block# and lot numbers, the granting site and the receiving site that are a party to such transfer.

The Chairperson shall certify to the Department of Buildings that #development# or #enlargement# is in compliance with the provisions of this Section only after the transfer instrument and notice of restrictions required by this paragraph have been executed and recorded with proof of recordation provided to the Chairperson. Such certification shall be a precondition to the filing for or issuing of any building permit allowing more than the basic maximum #floor area ratio# for such #development#.

A separate application shall be filed for each transfer of #floor area# to any receiving site pursuant to this Section.

**117-33**
**Special Yard Regulations**

The underlying #yard# regulations of Section 62-33 (Special Yard and Lot Regulations on Waterfront Blocks), inclusive, shall apply. In addition, where a #waterfront yard# is not required pursuant to Section 62-33, #yards# meeting the dimensional requirements of Section 62-332 (Rear yards and waterfront yards) shall be provided in connection with any #development#, in accordance with the provisions of paragraph (f) of Section 62-912 (Elements of a Waterfront Access Plan).

**117-34**
**Special Height and Setback Regulations**

In #Manufacturing Districts#, the underlying height and setback regulations shall apply.

In M1 Districts paired with a #Residence District# with a letter suffix, the provisions of Section 123-65 (Special Height and Setback Regulations in Special Mixed Use Districts With R6 Through R12 District Designations), inclusive, shall apply, except as modified by the provisions of this Section, inclusive.

In other districts, the underlying height and setback regulations shall apply, except as modified by the provisions of this Section, inclusive.

**117-341**
**Street wall location**

In #Residence Districts#, and M1 Districts paired with #Residence Districts#, the #street wall# location provisions of paragraph (a) of Section 123-651 (Street wall location for all buildings) shall apply, except that:

(a) along the portion of Vernon Boulevard south of 44th Drive, the #street line# shall be considered a line within the #zoning lot# that is parallel to, and five feet beyond, the Vernon Boulevard #street line#;

(b) along the southerly #street line# of 45th Avenue, beyond 100 feet of Vernon Boulevard, a sidewalk widening, with a depth of five feet, as measured perpendicular to the #street line#, shall be provided in accordance with Department of Transportation standards, and shall be accessible to the public. The southerly edge of such sidewalk widening shall be considered the #street line# for the purposes of applying the #street wall# location provisions;

(c) no minimum percentage of #street wall# need be located within a set distance of the #street line#:

(1) along #shore public walkways#;

(2) along the portion of Vernon Boulevard north of 44th Avenue and south of 43rd Road; and

(3) within the following distances of #street lines# intersecting at 5th Street and 44th Drive:

(i) 150 feet, as measured in a northerly or southerly direction from such intersection; and

(ii) 250 feet, as measured in an easterly direction; and

(d) such #street walls# shall extend to a minimum base of at least 40 feet, or the height of the #building#, whichever is less.

**117-342**
**Base heights, minimum setbacks and articulation**

In #Residence Districts# and in M1 Districts paired with #Residence Districts#, the maximum base heights, required minimum setback and required #street wall# articulation shall be as follows:

(a) The maximum base height before a required setback shall be:

(1) 85 feet in the following locations:

(i) along the #shore public walkways# located along Anable Basin; and

(ii) along the portion of 44th Avenue that is beyond 100 feet of both Vernon Boulevard and 5th Street;

(2) 125 feet in the following locations:

(i) within 100 feet of the #street line# along the portion of Vernon Boulevard that is located north of 45th Avenue;

(ii) within 100 feet of the #street line# along the portion of 44th Drive that is beyond 100 feet from the easterly #street line# of 5th Street; and

(iii) along the remaining northerly portion of 44th Avenue; and

(3) 105 feet along all other #streets#, or portions thereof.

(b) At a height not lower than the minimum base height or higher than the maximum base height, setbacks shall be provided in accordance with the provisions of Section 23-433 (Standard setback regulations), except that:

(1) along a #shore public walkway#, a setback of 30 feet shall be required, as measured from the upland boundary of the #shore public walkway#;

(2) no setback need be provided along the #visual corridor# located at the prolongation of 45th Avenue;

(3) for the purposes of applying such setback regulations, the following may be considered #wide streets#:

(i) #streets# that adjoin a #waterfront public access area#;

(ii) #upland connections# or #visual corridors# at the prolongation of #streets# on #blocks# surrounding Anable Basin; and

(iii) other #upland connections# or #visual corridors# along the northerly side of Anable Basin.

Dormers provided in accordance with paragraph (b) of Section 23-413 (Permitted obstructions in certain districts) shall be permitted within any setback area, provided that the depth of encroachment of a dormer facing the #shore public walkway# shall not exceed 15 feet.

(c) For #developments# with #building# widths exceeding 150 feet along designated frontages, a minimum of 20 percent of the surface area of such #street walls# shall either recess or project a minimum of three feet from the remaining surface of the #street wall#. Such surface area shall be measured:

(1) above the level of adjoining grade, for #street walls# facing #shore public walkways# along Anable Basin; and

(2) above the level of the #second story#, or a height of 30 feet, whichever is lower, along the following #streets# and portions of #waterfront public access areas#:

(i) 46th Avenue;

(ii) the southerly side of 45th Avenue;

(iii) 44th Drive and the #upland connection# or #visual corridor# at the prolongation of 44th Drive; and

(iv) the portion of 44th Avenue located east of 5th Street.

(d) In M1 Districts paired with a #Residence District# with a letter suffix, after the required setback the maximum height limits set forth in paragraph (a) of Section 123-652 (Special base and building heights) shall apply. In #Residence Districts# without a letter suffix, and in M1 Districts paired with #Residence Districts# without a letter suffix, after the required setback a #building# may rise to the maximum transition height, in accordance with Section 117-343 (Transition heights), and may provide towers in accordance with Section 117-344 (Towers).

**117-343**
**Transition heights**

In M1 Districts paired with #Residence Districts# without a letter suffix, after the required setback provided in accordance with paragraph (b) of Section 117-342 (Base heights, minimum setbacks and articulation), a #building# may rise to a maximum transition height of 350 feet, provided that:

(a) within 100 feet of the easterly #street line# of 5th Street, north of Anable Basin, the footprint of a #building#, or portion thereof, within the transition heights shall be limited to that of a tower provided above such transition height in accordance with Section 117-344 (Towers);

(b) along any single #street# frontage, the #aggregate width of street walls# above the required setback and below the maximum transition height shall not exceed 300 feet, and the maximum #street wall# width of any individual, contiguous #street wall#, shall not exceed 200 feet; and

(c) south of Anable Basin, portions of #buildings# utilizing transition heights shall only be permitted in the following locations:

(1) within 150 feet of 5th Street; and

(2) east of an #upland connection# or #visual corridor#, where applicable.

**117-344**
**Towers**

In M1 Districts paired with #Residence Districts# without a letter suffix, any portion of a #building# that exceeds the maximum transition height shall be subject to the following tower regulations:

(a) For #residential# #stories#, each tower footprint shall not exceed a gross area of 10,000 square feet.

(b) The provisions for maximum width of towers facing a #shoreline# set forth in paragraph (d)(1) of Section 62-343 (Height and setback regulations in other medium- and high-density districts) shall apply, except that:

(1) beyond 200 feet east of 5th Street, north of Anable Basin, such maximum widths need not apply;

(2) for towers with a single face along a #shoreline# the following modifications shall apply:

(i) where such #shoreline# is the northerly portion of Anable Basin, the maximum width of such tower face may be increased to 115 feet; and

(ii) where no setbacks are required pursuant to Section 117-342 (Base heights, minimum setbacks and articulation), the maximum width of such tower may be increased to 130 feet.

For the purposes of this Section, where a tower faces a #shoreline# but has a separate #building# located between a tower face and the #shoreline#, such tower face shall not be considered to be facing the #shoreline# along that frontage.

(c) The minimum distance between any two towers on the same or an adjoining #zoning lot# shall be as follows:

(1) for towers facing the northerly or southerly #shoreline# of Anable Basin east of 5th Street, there shall be a minimum of 100 feet between any two towers; and

(2) in other locations, the regulations governing underlying distance between #buildings# shall apply, except that the maximum length of overlap between any two tower faces that are located within 100 feet of another tower face on the same or an adjacent #zoning lot#, as measured perpendicular to each tower face, shall not exceed:

(i) 100 feet, at or below a height of 500 feet; or

(ii) 75 feet, for portions of towers that exceed a height of 500 feet.

(d) There shall be at least 50 feet in height difference between any two immediately adjacent towers on the same or an adjacent #zoning lot#. For #zoning lots# separated by Anable Basin, this provision shall apply only to immediately adjacent towers on the same upland portion of the Basin.

(e) In M1 Districts paired with R8 Districts, tower heights and locations shall be limited in the following locations:

(1) where located north of Anable Basin, the maximum tower height south of 44th Drive shall not exceed 500 feet; and

(2) where located south of Anable Basin, towers shall only be permitted within 100 feet of 5th Street, and the maximum tower height shall not exceed 500 feet.

(f) In other locations, no maximum height limits shall apply. However, for towers that exceed a height of 500 feet, the gross area of any #story# within the highest 15 percent of the #building# shall not exceed 90 percent of the gross area of that #story# located directly below the highest 15 percent of the #building#.

(g) The penthouse allowances set forth in paragraph (c)(1) of Section 62-34 (Height and Setback Regulations on Waterfront Blocks) shall not apply.

## 117-35
## Modification to Bulk Regulations

### 117-351
### Certification to modify height restrictions

In M1 Districts paired with a #Residence District# without a letter suffix, the special permit provisions of Section 73-66 (Height Regulations Around Airports) shall not apply. In lieu thereof, the height restrictions of Sections 61-21 (Restriction on Highest Projection of Building or Structure) or 61-22 (Permitted Projection within any Flight Obstruction Area), may be modified where the Chairperson of the City Planning Commission has certified to the Department of Buildings that the Federal Aviation Administration and the Port Authority of New York and New Jersey have determined that such #building or other structure#, including the location of temporary structures such as construction cranes, will not constitute a danger to the safety of air passengers or disrupt established airways or runway operations, respectively. An application for such certification shall include separate verification letters from such agencies.

### 117-352
### Authorization for sites containing schools

For #zoning lots# containing #schools#, the City Planning Commission may authorize the modification of any #bulk# regulation, other than #floor area ratio#, provided that the conditions in paragraph (a) and the findings in paragraph (b) are met.

(a) Conditions

Where maximum height limitations apply, modifications to maximum #building# height limits shall not exceed 30 feet.

(b) Findings

The Commission shall find that:

(1) such #bulk# modifications are the minimum extent necessary to reasonably accommodate the #school# and #buildings or other structures# on the #zoning lot#;

(2) the proposed modification does not impair the essential character of the surrounding area; and

(3) the proposed modification will not unduly obstruct access to light and air to surrounding #streets# or properties.

**117-36**
**Northern Hunters Point Waterfront Access Plan**

[RELOCATING SECTION 62-951 AND MODIFYING PER PROPOSAL]

The boundaries of the area comprising the Northern Hunters Point Waterfront Access Plan and the location of certain features mandated or permitted by the Plan are shown in Maps 3 through 5 through located in Appendix C to this Chapter. The plan area has been divided into parcels consisting of tax #blocks# and lots and other lands existing on [date of adoption], as follows:

Parcel 1: Block 477, Lots 13, 15, 20

Parcel 2: Block 477, Lot 24

Parcel 3: Block 488, Lot 114

Parcel 4: Block 488, Lot 1, 2, 3

Parcel 5: Block 488, Lots 11, 15, 35

Block 489, Lots 1, 23, 46

Parcel 6: Beginning at the intersection of 44th Drive and 5th Street extending westerly to the U.S. Pierhead and Bulkhead line #abutting# Parcel 5 on the northern edge and Parcel 7 on the southern edge

Parcel 7: Block 25, Lot 15

Parcel 8: Block 25, Lots 1, 9, 10, 11

Block 26, Lot 10

Parcel 9: Block 26, Lots 1, 2, 3, 4

Parcel 10: Block 26, Lots 17 and 21

**117-361**
**Definitions**

Definitions specifically applicable to the Northern Hunters Point Waterfront Access Plan are set forth in this Section. Other defined terms are set forth in Section 117-01 and Section 12-10. In addition, for the purposes of Section 117-36, inclusive, the definition of #development# shall be as set forth in Section 62-11 (Definitions).

Active recreation space

For the purposes of this Chapter, "active recreation space" shall mean a designated area outdoors designed and equipped for recreational activities that involve physical movement, exercise, sports or play. These spaces accommodate a wide range of dynamic uses and may include, but are not limited to:

(a) sports courts, such as tennis, basketball, volleyball, pickleball or ping pong courts;

(b) athletic fields, such as baseball, football, soccer, cricket, rugby or lacrosse fields;

(c) water-based recreation, such as splash parks, sprinkler parks or swimming pools;

(d) water access and interaction space, such as boat and kayak launches or urban beaches;

(e) adventure and skill-based activities, such as skate parks, climbing walls or obstacle courses;

(f) social and leisure games, such as bocce, shuffleboard, mini golf or horseshoe pits;

(g) fitness facilities, such as outdoor gyms or yoga areas, exercise circuits or jogging tracks;

(h) play spaces, such as playgrounds, tot lots or adventure playgrounds; or

(i) community and cultural spaces, such as open-air amphitheaters, performance stages or gathering lawns.

**117-362**
**Area-wide modifications**

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

(a) All waterfront public access areas

(1) Gates

The provisions of paragraph (d) of Section 62-651 (Guardrails, gates and other protective barriers) shall not apply.

(2) Fences and walls

The provisions of paragraph (c) of Section 62-651 shall apply, except that fences around the perimeter of areas designated as #active recreation space# may exceed 36 inches in height.

(3) Kiosks and boathouses

Section 62-611 (Permitted obstructions) shall be modified to permit the following in all areas:

(i) kiosks and boathouses which comply with the special design guidelines of Section 117-364 (Special design standards); and

(ii) storage areas and structures, which are #accessory# to water-dependent #uses# and have an area of 150 square feet or less.

(4) Permitted obstructions

The location requirements of paragraph (c) of Section 62-611 shall not apply to tot-lots and playgrounds.

(b) Shore public walkways

The circulation and access provisions of paragraph (a) of Section 62-62 (Design Requirements for Shore Public Walkways and Supplemental Public Access Areas) shall be modified as follows:

(1) Location of circulation paths

The required primary circulation path within a #shore public walkway# shall be provided within 10 feet of the #shoreline# for at least 15 percent of the length of such shoreline, and the remainder of the path may be located anywhere within the #shore public walkway# or #supplemental public access area#. Where secondary circulation paths are provided, such paths may count as a part of the required circulation path for satisfying the locational requirement of being within 10 feet of the #shoreline# for at le
st 20 percent of the length of such #shoreline# and may utilize the permitted paving materials pursuant to paragraph (a)(1) and (a)(2) of Section 62-656.

(2) Level of circulation paths

At least 70 percent of a required primary circulation path shall be located at a level not less than six feet above the shoreline.

(3) Width of secondary circulation path

Secondary paths, where provided, shall have a minimum clear width of at least 4 feet, 6 inches.

(4) Connection between circulation paths

Stairs and ramps shall be permitted to connect primary and secondary path.

(c) #Supplemental public access areas#

(1) Configuration requirements

The area of #supplemental public access area# may utilize width to depth ratios other than the minimum width to depth ratio requirements of paragraph (a)(1) of Section 62-571 (Location and area requirements for supplemental public access areas) for not more than 20 percent of such area.

(2) Lawns

The provisions of paragraph (c)(1) of Section 62-62 (Design Requirements for Shore Public Walkways and Supplemental Public Access Areas) shall be modified so that a lawn shall only be required where a #supplemental public access area# is greater than 15,000 square feet. In addition, a lawn may be substituted for an #active recreation space# of equivalent size.

(d) Screening

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

In addition to the waiver allowances of paragraph (c)(2)(iii) of Section 62-62, no screening buffer shall be required along the upland boundary, or portion thereof, which is

adjacent to an unenclosed seating area #accessory# to a #use# listed in Use Group VI. Where a screening buffer is waived, design features shall be utilized to demarcate the #shore public walkway# or #supplemental public access area# from the non-publicly accessible area, which may include, but shall not be limited to, railings, fences, planting boxes, and distinct paving materials.

**117-363**
**Special public access and visual corridor provisions by parcel**

The provisions of Sections 62-52 (Applicability of Waterfront Public Access Area Requirements) and 62-60 (DESIGN REQUIREMENTS FOR WATERFRONT PUBLIC ACCESS AREAS), inclusive, are modified at the designated locations along with #visual corridors# as shown on Map 4 (Public Access Elements Designation) and Map 5 (Visual Corridors Designation) of Appendix C to the Chapter:

(a) Parcel 1

An #upland connection# and #visual corridor# shall be located between Vernon Boulevard and the #shore public walkway# within the designated flexible location zone on Parcel 1. The #upland connection# shall intersect Vernon Boulevard at its intersection with Queens Plaza South.

(b) Parcel 2

No #upland connection# shall be required within Parcel 2. However, a direct connection shall be provided between the #shore public walkway# and the public access area at the prolongation of 43rd Avenue.

(c) Parcel 3

(1) #Upland connections# and #visual corridors#

#Upland connections# and #visual corridors# shall be provided through Parcel 3 between Vernon Boulevard and the #shore public walkway#:

(i) at the prolongation of 43rd Road; and

(ii) in the flexible zone that begins 200 feet south of the prolongation of 43rd Road and ends at the southern boundary of Parcel 3.

(2) #Supplemental public access area#

The #supplemental public access area# shall #abut# the #shore public walkway# continuously along its longest side, and shall also #abut# the southern boundary of required #upland connection# as described in paragraph (c)(1) of this Section where it meets the #shore public walkway#. The #upland connection# may cut across the #supplemental public access area#, provided that any resulting

#supplemental public access area# shall measure at least 5,000 square feet.

As an alternative, a required #supplemental public access area# of at least 5,000 square feet may #abut# the entire length of the prolongation of 43rd Avenue provided that it also #abuts# both the #shore public walkway# and Vernon Boulevard.

In addition, where a #development# is comprised exclusively of new public-accessible open areas provided along the #shoreline#, only the provisions applicable to a #shore public walkways# set forth in Sections 62-50 and 62-60, inclusive, as modified by Section 117-362, shall apply in conjunction with such #development#.

(d) Parcel 4

A Type 1 #upland connection# pursuant to paragraph (a)(1) of Section 62-561 (Types of upland connections) and a #visual corridor# coincident with such #upland connection# shall be provided through Parcel 4 at the prolongation of 44th Avenue to the #shore public walkway#.

However, the provisions of Sections 62-50 and Section 62-60, inclusive, as modified by Section 117-36, inclusive, relating to required #waterfront public access areas# and #visual corridors#, shall be inapplicable if public access and #visual corridors# are provided pursuant to restrictive declaration, number D-138, executed by the RAK Tennis Corporation on July 29, 1991, and as such may be modified pursuant to the terms of the declaration and in accordance with Section 62-12 (Applicability to Developments in the Waterfront Area).

(e) Parcel 5

(1) #Supplemental public access area#

The requirements of Section 62-57 (Requirements for Supplemental Public Access Areas) shall not apply to #supplemental public access areas# on Parcel 5.

(2) #Shore public walkway#

The #shore public walkway# on Parcel 5 shall have a seaward edge that is contiguous with the seaward edge of the #waterfront yard# established pursuant to Section 62-332 (Rear yards and waterfront yards), and shall extend to the western boundary of 5th Street.

(f) Parcel 6

A Type 1 #upland connection# pursuant to paragraph (a)(1) of Section 62-561 and a #visual corridor# coincident with such #upland connection# shall be provided through Parcel 6 at prolongation of 44th Drive between 5th Street and the #shore public walkway#. However, the reduction provisions of paragraph (a)(1) of Section 62-561 shall not apply to #upland connections# in Parcel 6.

(g) Parcel 7

(1) #Upland connection#

A Type 1 #upland connection# pursuant to paragraph (a)(1) of Section 62-561 shall be provided through Parcel 7 and shall be located on the southerly prolongation of 5th Street.

(2) #Visual corridors#

#Visual corridors# shall be provided in the following locations:

(i) coincident with the #upland connection# required pursuant to paragraph (g)(1) of this Section;

(ii) within the flexible zone at the westerly prolongation of 45th Avenue to the #shore public walkway#; and

(iii) along the boundary between Parcel 7 and Parcel 8 with a width of not less than 25 feet on each Parcel.

(3) #Supplemental public access area#

The #supplemental public access area# shall #abut# the #shore public walkway# continuously along its longest side and shall be located in the area designated on Map 4 (Public Access Elements Designation) and Map 5 (Visual Corridors Designation) of Appendix C to this Chapter.

(h) Parcel 8

(1) #Upland connection# and #visual corridor#

A Type 1 #upland connection# pursuant to paragraph (a)(1) of Section 62-561 shall be provided through Parcel 8 on the westerly prolongation of 45th Road, at the #abutting# boundary of Parcel 8 and Parcel 9. Such #upland connection# shall have a width of not less than 30 feet on each Parcel. Where portions of the #abutting# #upland connection# located outside of either Parcel will not be constructed concurrently, the applicant shall follow the provisions of paragraph (b) of Section 117-366 (Special review provisions).

A #visual corridor# coincident with such #upland connection# shall be provided.

(2) #Supplemental public access area#

The #supplemental public access area# shall #abut# the #shore public walkway#, the #upland connection# as described in paragraph (h)(1) of this Section, and

Vernon Boulevard. However, the longest side of the #supplemental public access area# need not #abut# the #upland connection#.

(i) Parcel 9

(1) #Shore public walkway#

The underlying requirements for #shore public walkway# apply, except that the reduction provisions of paragraph (a)(3)(i) of Section 62-53 (Requirements for Shore Public Walkways) shall not apply.

(2) #Upland connection# and #visual corridor#

An #upland connection# and #visual corridor# shall be provided in accordance with paragraph (h)(1) of this Section.

(j) Parcel 10

A Type 1 #upland connection# pursuant to paragraph (a)(1) of Section 62-561 and a #visual corridor# coincident with such #upland connection# shall be provided through Parcel 10 within the flexible location zone located 150 feet east of 5th Street from 46th Avenue to the #shore public walkway#.

**117-364**
**Special design standards**

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

(a) Special design standards for seating

(1) Seating depth

The minimum seating depth requirements of paragraph (b) of Section 62-652 shall be modified to 16 inches.

(2) Armrests

At least 50 percent of all required seating shall include armrests.

(3) Design feature seating

Along Anable Basin, planter ledges, seating walls, and seating steps may qualify towards required seating provided that they constitute no more than 40 percent of the required seating. Walls and planter ledges shall be flat and smooth with at least one inch radius rounded edges.

(b) Special design standards for lighting

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

(c) Special design standards for planting

Reduction in planting requirement

(1) #Shore public walkway# and #supplemental public access areas#

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

TABLE 1

| Amenity | Reduction per feature (in square feet) |
|---|---|
| Historic interpretation elements | 20 |
| Public art pieces | 100 |

TABLE 2

| Amenity | Ratio of reduction to size of feature |
|---|---|
| #Active recreation space# | 1:1 |
| Dog runs | 1:1 |
| Comfort stations | 1:1 |
| Kiosks | 1:1 |

Such planting requirements may be further reduced to 20 percent along Anable Basin.

(2) #Upland connection#

For Type 1 #upland connections#, at least 30 percent of the area of the #upland connection# may be planted in accordance with the provisions set forth in Section 62-655 (Planting and trees).

(d) Special design standards for paving

The maximum area for unit pavers and concrete slabs specified in paragraphs (b)(1) and (b)(3) of Section 62-656 shall not apply.

(e) Special design standards for kiosks and boathouses

The standards of this Section shall be applicable for sites providing greater than 20,000 square feet of #waterfront public access areas#.

(1) Maximum size

Kiosks permitted under this Section shall have an area no greater than 400 square feet. Boathouses permitted under this Section shall have an area no greater than 800 square feet.

(2) Location

A kiosk or boathouse may be located within a #shore public walkway#, provided that any portion of a kiosk or boathouse located within the area comprising an upper level of such #shore public walkway# shall be located below the walking surface of such upper level. Kiosks and boathouses shall not reduce compliance with other requirements, including planting or circulation, except as modified by the provisions of paragraph (c) of this Section.

(3) Minimum design requirements

A minimum of 25 percent of any wall facing a circulation path, as measured from the level of the adjoining circulation path to the roof of the kiosk or boathouse, shall be provided as transparent material.

Blank walls on kiosks and boathouses that exceed five feet in height and 10 feet in width shall be treated with one or more of the following visual mitigation elements:

(i) additional transparency consisting of an additional 25 percent of the wall facing a circulation path, as measured from the level of the adjoining circulation path to the roof of the kiosk or boathouse;

(ii) plantings in planting beds or planter boxes at least two feet in height, at least six feet in width and at least two feet in depth when measured perpendicular to the wall of the kiosk or boathouse;

(iii) fixed benches with or without backs of at least 6 linear feet; or

(iv) wall treatments in the form of permitted #signs#, graphic or sculptural art or decorative screening. Such wall treatments must be at least six feet in height and have a minimum width of six feet.

(f) Special design modifications for #upland connections#

The Chairperson of the City Planning Commission may modify the design requirements for #upland connections# where the Chairperson certifies to the Commissioner of the Department of Buildings that such a change is the minimum necessary to accommodate subsurface sewer infrastructure. Any application for such change shall include a site plan from a licensed architect or engineer that conveys the extent of the needs and required modifications, as well as a letter from the Department of Environmental Protection describing the needs for such modifications.

**117-365**
**Requirements for supplemental open spaces and amenities**

For all #zoning lots# utilizing bonus #floor area# set forth in Section 117-322 (Floor area bonus for active recreation space), the supplemental open area provisions of paragraph (a) of this Section and the supplemental amenities of paragraph (b) of this Section shall be met.

(a) Supplemental open area

An area equivalent to the #floor area# generated pursuant to Section 117-322, which shall in no instance be less than 4,000 square feet, shall be allocated to publicly accessible, supplemental open area. Such open area shall be in addition to any area allocated to a #waterfront public access area#, as applicable, and shall connect directly to either #waterfront public access areas# or adjoining #streets#. Supplemental open areas shall be subject to the design requirements for #supplemental public access areas# set forth in Section 62-60 (DESIGN REQUIREMENTS FOR WATERFRONT PUBLIC ACCESS AREAS), inclusive, as such provisions are modified by the provisions of Section 117-364 (Special design standards), inclusive. All amenities provided in supplemental open areas shall either match or shall be comparable with amenities in a #waterfront public access area# on the same #zoning lot# with regard to quality, materials, finishes and form. In addition, supplemental open areas shall be subject to the maintenance and operation requirements of Section 62-70, inclusive, and the review procedures of Section 62-80, inclusive.

(b) Supplemental amenities

Supplemental amenities, in the form of #active recreation space# or public restrooms, shall be provided in accordance with the following regulations with regards to the minimum points required for the size of supplemental open area. Such amenities may be provided either in the supplemental open area or in #waterfront public access areas# on the same #zoning lot#. No amenity included pursuant to this Section may count towards meeting a requirement of a #waterfront public access area#.

(1) Minimum points required

The minimum required amount of points on a #zoning lot# shall be equivalent to one point per every additional 2,000 square feet of supplemental open space,

except that the maximum points of amenity for any #zoning lot# need not exceed ten. Fractions equal to or greater than one-half resulting from this calculation shall be considered to be one point.

(2) Calculating points for amenities

For every 1,000 square feet of #active recreation space# provided, one point shall be generated. However, where such #active recreation space# involves open and flexible areas with no permanent infrastructure or equipment, one point shall be generated for every 2,000 square feet of amenity.

The area allocated to the #active recreation space# shall include those areas bounded by the physical equipment associated with such space, as applicable, as well as the additional space around the equipment for access, circulation and buffering. Where an amenity involves water access, the area may include areas associated with the amenity both upland of and seaward of the shoreline, as applicable, and where watercraft launches are provided, may include temporary storage facilities.

No more than two points shall be permitted for multiple courts, leisure games or other facilities allocated to the same type of active recreation. For example, no more than two points may be generated by ping pong courts; however, further points may be generated from other types of courts such as volleyball courts.

For every 200 square feet of public restroom, one point shall be generated and the maximum points permitted for public restrooms shall not exceed four.

(3) Additional requirements for large #zoning lots#

Where the size of a supplemental open area exceeds 5,000 square feet, a singular #active open amenity equivalent to at least two points shall be provided. Where a supplemental open area exceeds 10,000 square feet, either a singular amenity equivalent to at least three points shall be provided, or two amenities each equivalent to at least two points shall be provided.

**117-366**
**Special review provisions**

The Chairperson of the City Planning Commission shall, by certification pursuant to Section 62-811 (Waterfront public access and visual corridors), further certify the following provisions as applicable:

(a) #Waterfront public access area# phasing

Where more than one #building# is #developed# in phases, the mandatory public access area may be constructed in phases, provided that the Chairperson certifies the following criteria are met:

(1) a plan has been submitted that provides for an amount of public access area proportionate to the amount of #floor area# being #developed# in each phase;

(2) the square footage of public access area provided in any phase is in proportion to the total public access area requirement based on the area being developed. Any public access area provided in an earlier phase in excess of the amount required for such phase may be applied to a later phase;

(3) the public access area being proposed in any phase shall not prevent the total amount of public access area required for such area from being achieved;

(4) any phased portion of the required public access area shall comply with the minimum widths and other dimensions required for the public access areas;

(5) any phased portion of the required public access area shall connect directly to either a #street# or an improved public access area; and

(6) a proportionate amount of planting and seating shall be included within each phase.

(b) #Upland connection# phasing

Where an #upland connection# is designated on two or more parcels, and the portion of such #upland connection# located outside of the applicant's parcel has previously been certified as part of a #waterfront public access area#, the Chairperson shall certify that the proposed #upland connection# on the applicant's parcel is consistent with that of the prior certification, including with respect to the proposed amenities and design elements therein.

**117-40**
**COURT SQUARE SUBDISTRICT**

In the #Special Long Island City Mixed Use District#, the special regulations of Section 117-40, inclusive, shall apply in the Court Square Subdistrict.

**117-401**
**General provisions**

~~The regulations governing the Court Square Subdistrict of the #Special Long Island City Mixed Use District# are contained within Sections 117-40 through 117-45, inclusive. These regulations supplement the provisions of Sections 117-01 through 117-03, inclusive, of the #Special Long Island City Mixed Use District# and supersede the underlying districts.~~

In the Court Square Subdistrict, the #use#, #bulk, and parking regulations of the underlying districts shall apply, except as modified by the provisions of Section 117-40 (COURT SQUARE SUBDISTRICT), inclusive.

Mandatory subway improvements are elements of the Subdistrict Plan, which shall be built by the developer of the #zoning lot# to which they apply.

**117-41**
**Court Square Subdistrict Plan**

[UPDATING CROSS-REFERENCE]

The Subdistrict Plan for the Court Square Subdistrict specifies the location of Blocks 1, 2 and 3 and identifies the improvements to be provided in the District under the provisions of this Chapter. The elements of the Subdistrict Plan are set forth in ~~Appendix B~~ Appendix D of this Chapter, which consists of the Subdistrict Plan Map and Description of Improvements, and is incorporated into the provisions of this Chapter.

**117-42**
**Special Bulk and Use Regulations in the Court Square Subdistrict**

#Zoning lots# of at least 10,000 square feet with #buildings# containing at least 70,000 square feet of #floor area# are subject to the provisions of the underlying C5-3 District, as modified by Sections 117-40 through 117-45, inclusive.

All other #zoning lots# are subject to the #use# provisions of the underlying C5-3 District and the #bulk# provisions of an M1-4/R6B district ~~designated district, pursuant to the regulations of Article XII, Chapter 3 (Special Mixed Use District), as modified by Sections 117-00 through 117-22, inclusive~~.

**117-421**
**Special bulk regulations**

* * *

**117-44**
**Mandatory Subway Improvements**

[UPDATING CROSS-REFERENCE]

For the purposes of mandatory subway improvements, any tract of land consisting of two or more contiguous lots of record under single ownership or control as of March 1, 1986, shall be considered a single #zoning lot#.

Subway improvements are required for qualifying #developments# or #enlargements#, as

follows:

(a) #Zoning lots# with at least 5,000 square feet of #lot area#

* * *

(b) #Zoning lots# with at least 10,000 square feet of #lot area#

For the purposes of this paragraph (b), the #floor area# of the #development# or #enlargement# shall be the total amount of #floor area# constructed after August 14, 1986.

#Developments# or #enlargements# on Blocks 1, 2 or 3, identified in ~~Appendix B~~ Appendix D (Court Square Subdistrict Plan Map and Description of Improvements) of this Chapter, containing at least 70,000 square feet of #floor area# on #zoning lots# of at least 10,000 square feet of #lot area# shall provide mandatory subway improvements as described, in ~~Appendix B~~ Appendix D, in paragraph (a) for Block 1, paragraph (b) for Block 2 and paragraph (c)(1) for Block 3.

* * *

**117-50**
**QUEENS PLAZA SUBDISTRICT**

In the #Special Long Island City Mixed Use District#, the special regulations of Section 117-50, inclusive, shall apply within the Queens Plaza Subdistrict.

**117-501**
**General provisions**

[UPDATING AREA OF APPLICABILITY AND CROSS-REFERENCE]

~~In Areas A-1, A-2, B, C and D of the Queens Plaza Subdistrict of the #Special Long Island City Mixed Use District#, an M1 District is paired with a #Residence District#, as indicated on Map 1 in Appendix C of this Chapter. For the purposes of this Chapter, such #Residence# and M1 Districts are referred to as the "designated districts."~~

In the Queens Plaza Subdistrict, the #use#, #bulk, and parking regulations of the underlying districts shall apply, except as modified by the provisions of Section 117-50 (QUEENS PLAZA SUBDISTRICT), inclusive.

For the purposes of this Chapter, in the Queens Plaza Subdistrict, the area referred to as the “Sunnyside Yard” shall include: Yard A, the Arch Street Yard and the Sunnyside Yard, which are located generally between Crane Street, Jackson Avenue, 21st Street, 49th Avenue, Skillman Avenue, 43rd Street and the North Railroad property line.

**117-502**
**Queens Plaza Subdistrict Plan**

[UPDATING AREA OF APPLICABILITY AND CROSS-REFERENCE]

The Queens Plaza Subdistrict Plan partly consists of the following three maps located within ~~Appendix C~~ Appendix E of this Chapter:

Map 1 (Designated Districts within the Queens Plaza Subdistrict) of the Queens Plaza Subdistrict Plan identifies special areas comprising the Queens Plaza Subdistrict in which an M1 District is paired with a #Residence District# as indicated on the Subdistrict Map. These areas are as follows:

| Area | Designated Districts |
|---|---|
| A-1 A-2 | M1-6/R10 |
| B | M1-5/R9 |
| C | M1-5/R7-3 |
| ~~D~~ | ~~M1-6/R9~~ |

* * *

**117-503**
**Definitions**

[MOVING COMMERCIAL DEFINITIONS CROSS-REFERENCE TO SECTION 117-01 FOR BROADER APPLICABILITY]

Definitions specifically applicable to the Queens Plaza Subdistrict of the #Special Long Island City Mixed Use District# are set forth in this Section. Other defined terms are set forth in Section 117-01 (Definitions) of the #Special Long Island City Mixed Use District#~~,~~ and Section 12-10 (DEFINITIONS) ~~and Section 32-301 (Definitions)~~.

* * *

**117-51**
**Queens Plaza Subdistrict Special Use Regulations**

~~The special #use# provisions of Sections 123-20 through 123-50, inclusive, of the #Special Mixed Use District# shall apply in the Queens Plaza Subdistrict except where modified by the provisions of this Section and shall supplement or supersede the provisions of the designated #Residence# or M1 District, as applicable.~~

The #use# regulations of the underlying districts shall apply, except as modified by the provisions this Section, inclusive.

* * *

**117-512**
**Streetscape regulations**

[UPDATING CROSS-REFERENCE]

The underlying #ground floor level# streetscape provisions set forth in Section 32-30 (STREETSCAPE REGULATIONS), inclusive, shall apply, except that #ground floor level# #street# frontages along #streets#, or portions thereof, designated on Map 2 in ~~Appendix C~~ Appendix E of this Chapter shall be considered #Tier C street frontages#.

* * *

**117-52**
**Queens Plaza Subdistrict Special Bulk Regulations**

[UPDATING AREA OF APPLICABILITY]

The #bulk# regulations of the underlying districts shall apply, except as modified by the provisions this Section, inclusive.

~~**117-521**~~
~~**General provisions**~~

~~In Areas A-1, A-2, B, C and D of the Queens Plaza Subdistrict, the provisions of Article XII, Chapter 3 (Special Mixed Use District) shall apply, except as modified in Section 117-52 (Queens Plaza Subdistrict Special Bulk Regulations), inclusive.~~

* * *

**117-522**
**Floor area regulations**

[UPDATING AREA OF APPLICABILITY]

The ~~maximum #floor area ratio# permitted for #commercial#, #community facility#, #manufacturing# and #residential uses# in accordance with the applicable designated district shall not apply. In lieu thereof, the~~ maximum #floor area ratio# permitted for #commercial#, #community facility#, #manufacturing# or #residential uses#, separately or in combination, is specified in the following table:

MAXIMUM FLOOR AREA RATIO FOR ALL #USES# ~~IN THE QUEENS PLAZA SUBDISTRICT~~

| Area | Maximum #Floor Area Ratio# |
|---|---|
| A-1 A-2 | 12.0 C, M, CF or R |
| B | 8.0 C, M, CF or R |
| C | 5.0 C, M, CF or R |
| ~~D~~ | ~~15.0 C or M~~<br>~~10.0 CF~~<br>~~8.0 R~~ |

C = Commercial
M = Manufacturing
CF = Community Facility
R = Residential

However, for #qualifying affordable housing# or #qualifying senior housing#, the maximum #residential# #floor area ratio# shall be 9.6 in ~~Areas~~ Area B ~~and D~~, and 6.0 in Area C.

**117-523**
**Floor area bonuses**

* * *

**117-53**
**Height and Setback and Street Wall Location Regulations**

* * *

**117-531**
**Street wall location**

[UPDATING AREA OF APPLICABILITY AND CROSS-REFERENCE]

(c) In the locations specified on Map 3 (Sidewalk Widening and Street Wall Location) in ~~Appendix C~~ Appendix E of this Chapter, a #building# shall comply with the provisions of paragraphs (a) and (b) of this Section, as applicable, except that #street walls# shall be located as specified on Map 3. The #street wall# of a #building# may be set back only in the areas indicated on Map 3 as "Permitted #Street Wall# Setback Locations," provided that the additional sidewalk widening resulting from such setback is accessible to the public, in accordance with the provisions of Section 117-553 (Mandatory sidewalk widening design requirements), and located adjacent to a public sidewalk or mandatory sidewalk widening.

(d) For any #building# fronting on Queens Plaza South in Area A-1~~,~~ or Area B ~~or Area D~~, as shown on Map 1 (Designated Districts within the Queens Plaza Subdistrict) of ~~Appendix C~~ Appendix E, any #street wall# along Queens Plaza South shall be set back five feet from the #street line#, except as otherwise specified on Map 3.

* * *

**117-532**
**Setback regulations for buildings that exceed the maximum base height**

[UPDATING AREA OF APPLICABILITY]

All portions of #buildings or other structures# that exceed the maximum base height specified in the table in this Section shall comply with the following provisions:

(a) At a height not lower than the minimum base height or higher than the maximum base height specified in the table for the applicable area, 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#. Such setback may be modified in accordance with the provisions of Section 23-433 (Standard setback regulations).

| Area | Minimum Base Height | Maximum Base Height |
|---|---:|---:|
| A-1 | 60 | — |
| A-2 | 60 | 150 |
| B ~~and D~~ | 100 | 150 |
| C* | 60 | 100 |

* * *

**117-55**
**Mandatory Plan Elements for the Queens Plaza Subdistrict**

**117-551**
**General provisions**

[UPDATING CROSS-REFERENCE]

The provisions of Sections 117-552 (Mandatory sidewalk widening) and 117-553 (Mandatory sidewalk widening design requirements) apply to those locations identified on Map 3 in ~~Appendix C~~ Appendix E of this Chapter.

**117-552**
**Mandatory sidewalk widening**

[UPDATING CROSS-REFERENCE]

The sidewalk widening provisions of this Section shall apply to all #developments# or #enlargements# with ground floor #street walls# with a ratio of #floor area# to #lot area# of 3.0 or more.

Sidewalk widening accessible to the public must be provided in the locations specified on Map 3 (Sidewalk Widening and Street Wall Location) in ~~Appendix C~~ Appendix E of this Chapter. Such mandatory sidewalk widening is subject to the design requirements of Section ~~117-554~~ 117-553 ( Mandatory sidewalk widening design requirements).

**117-553**
**Mandatory sidewalk widening design requirements**

* * *

**117-56**
**Special Permit for Bulk Modifications on Blocks 86/72 and 403**

[UPDATING CROSS-REFERENCE]

For any #development# or #enlargement# on a #zoning lot# that has at least 50,000 square feet of #lot area# located on #Block# 86/72 or #Block# 403 in Area C as shown on Map 1 (Designated Districts within the Queens Plaza Subdistrict) in ~~Appendix C~~ Appendix E of this Chapter, the City Planning Commission may increase the #floor area ratio# up to a maximum of 8.0 and may modify the #street wall# regulations of paragraphs (a) and (b) of Section 117-531 (Street wall location) and paragraph (a) of Section 117-532 (Setback regulations for buildings that exceed the maximum base height), provided that:

* * *

**117-60**
**DUTCH KILLS SUBDISTRICT**

In the #Special Long Island City Mixed Use District#, the special regulations of ~~Sections~~ Section 117-60 ~~through 117-64~~, inclusive, shall apply within the Dutch Kills Subdistrict.

**117-61**
**General Provisions**

~~In specified areas of the Dutch Kills Subdistrict of the #Special Long Island City Mixed Use District#, an M1 District is paired with a #Residence District#. For the purposes of Section 117-60, inclusive, regulating the Dutch Kills Subdistrict, such #Residence# and M1 #Districts# are referred to as the "designated districts." The designated districts within the Dutch Kills Subdistrict are indicated on the #zoning map# and are as follows:~~

~~M1-2/R5B~~

~~M1-2/R5D~~

~~M1-2/R6A~~

~~M1-3/R7X.~~

~~The special provisions of Article XII, Chapter 3, of the #Special Mixed Use District# shall apply to the designated districts within the Dutch Kills Subdistrict except where modified by the provisions of the Subdistrict, and shall supplement or supersede the provisions of the underlying designated #Residence# or M1 #District#, as applicable.~~

In the Dutch Kills Subdistrict, the #use#, #bulk, and parking regulations of the underlying districts shall apply, except as modified by the provisions of Section 117-60, inclusive.

**117-62**
**Special Use Regulations**

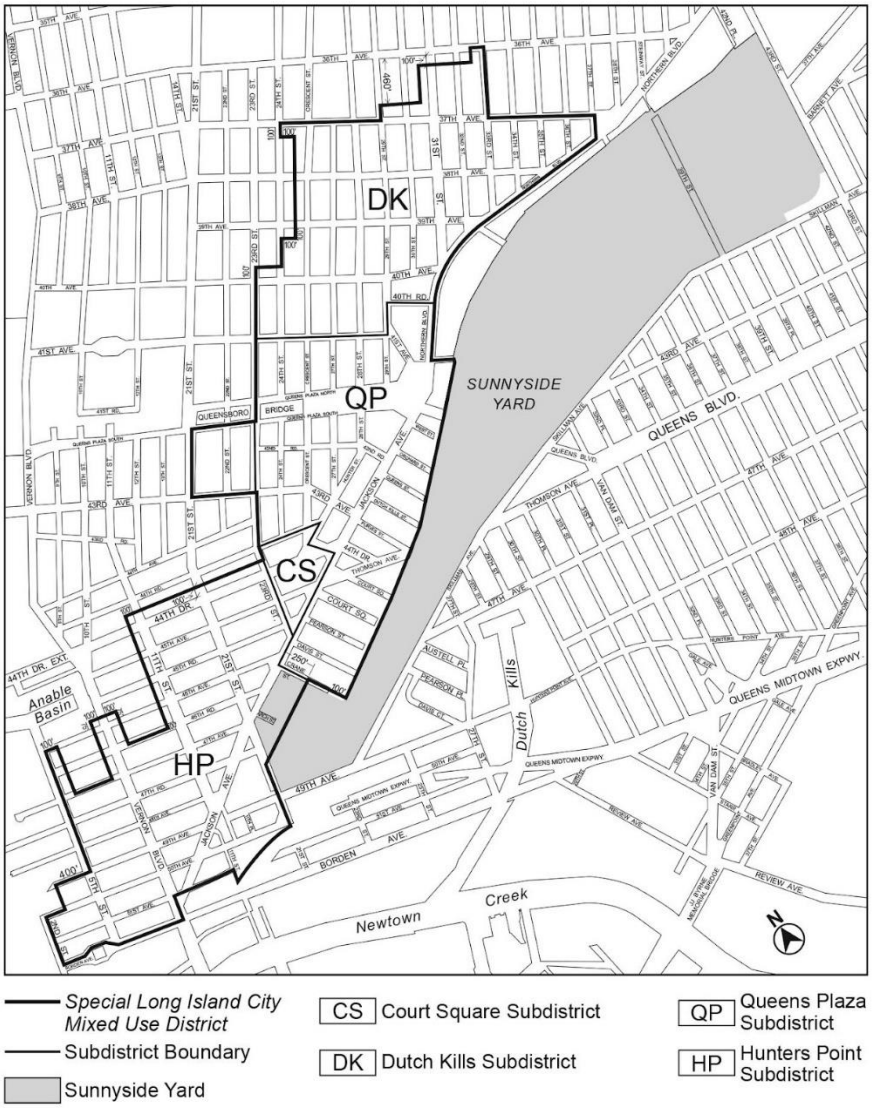
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**Appendix A**
**Special Long Island City Mixed Use District and Subdistricts**

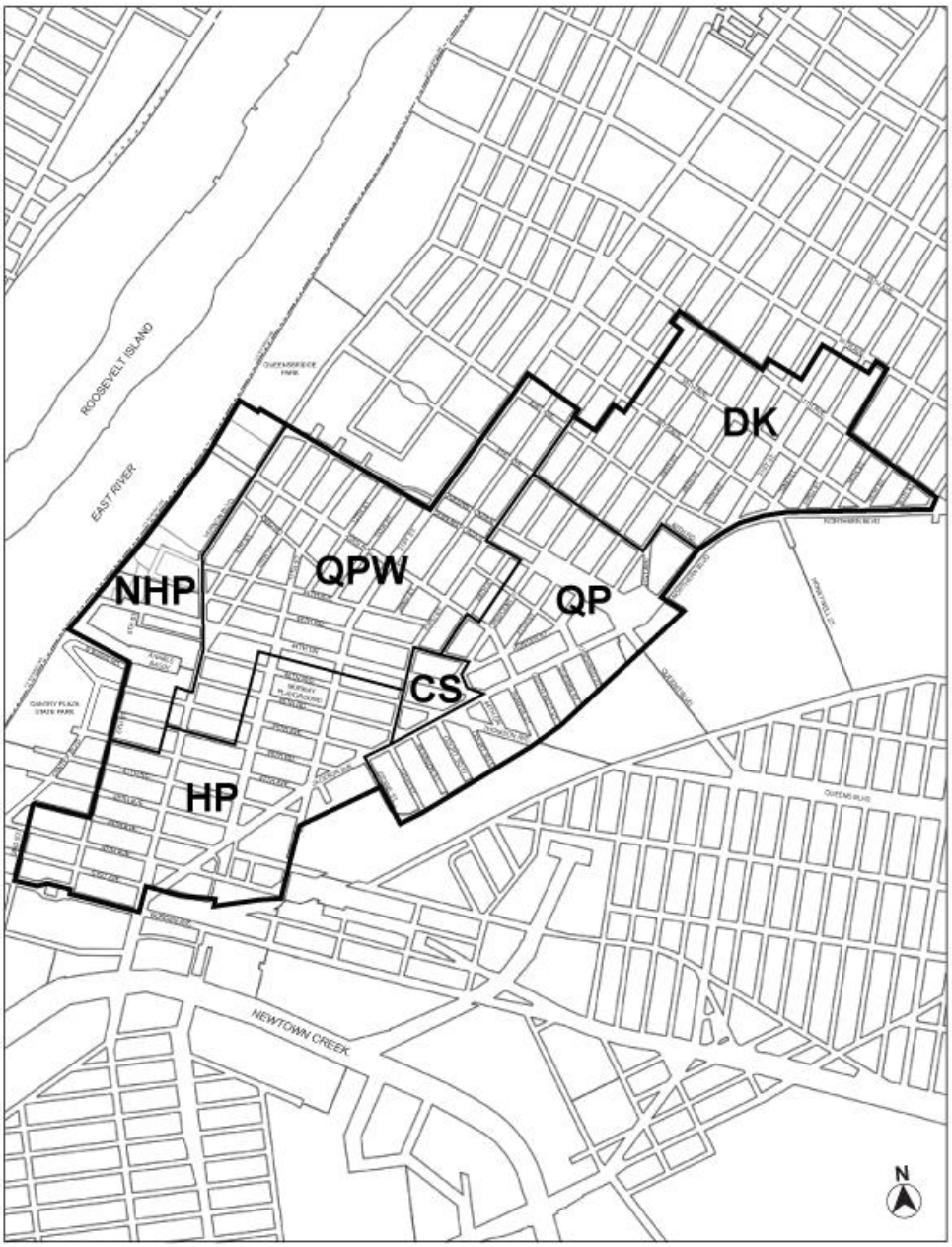
[UPDATING MAP TO INCLUDE TWO NEW SUBDISTRICTS]

~~District and Subdistricts~~

[EXISTING MAP]




[PROPOSED MAP]




Special Long Island City Mixed Use District

Subdistrict Boundary

DK Dutch Kills Subdistrict

CS Court Square Subdistrict

NHP Northern Hunters Point Waterfront Subdistrict

QPW Queens Plaza West Subdistrict

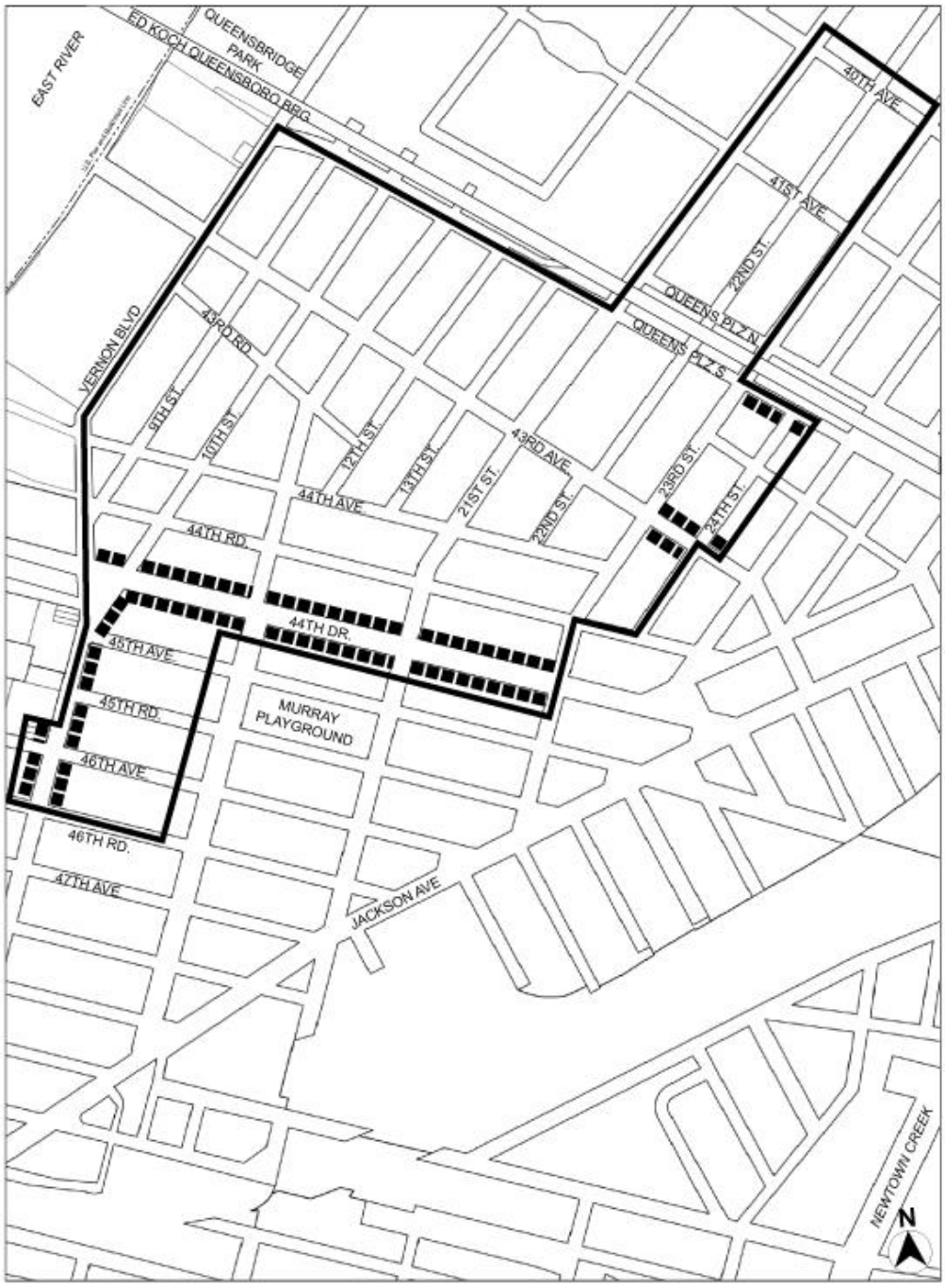
HP Hunters Point Subdistrict

QP Queens Plaza Subdistrict

**Appendix B**
**~~Court Square Subdistrict Plan Map and Description of Improvements~~**
**Queens Plaza West Subdistrict Plan Map**

[PROPOSED MAP]

Map 1: Subdistrict Plan Map and Streetscape Regulations



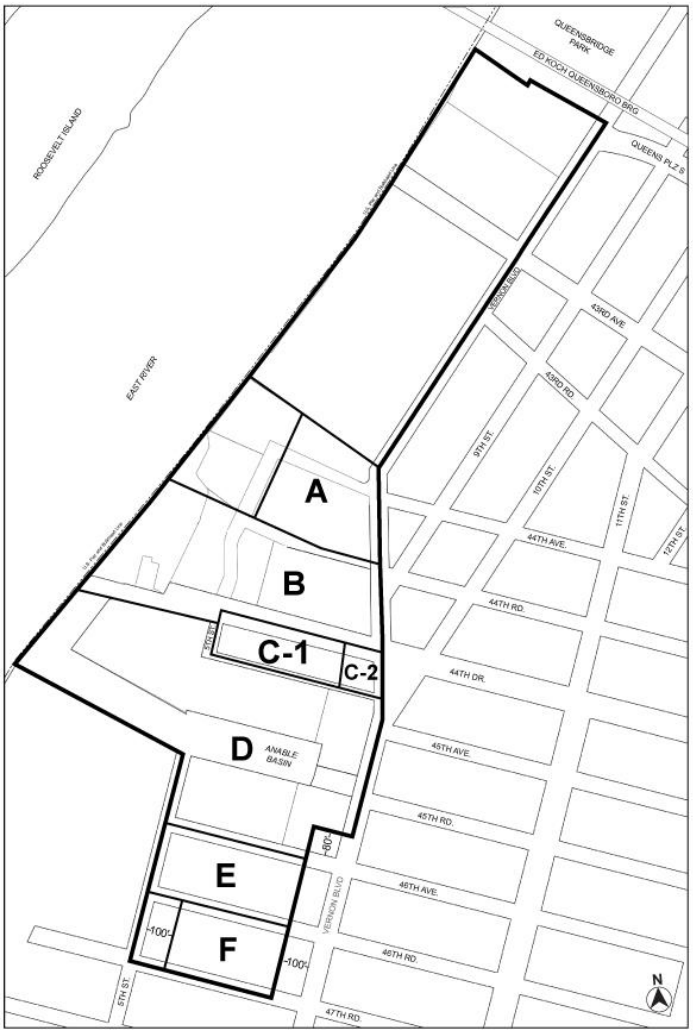

Queens Plaza West Subdistrict Boundary

*Tier C Street Frontage*

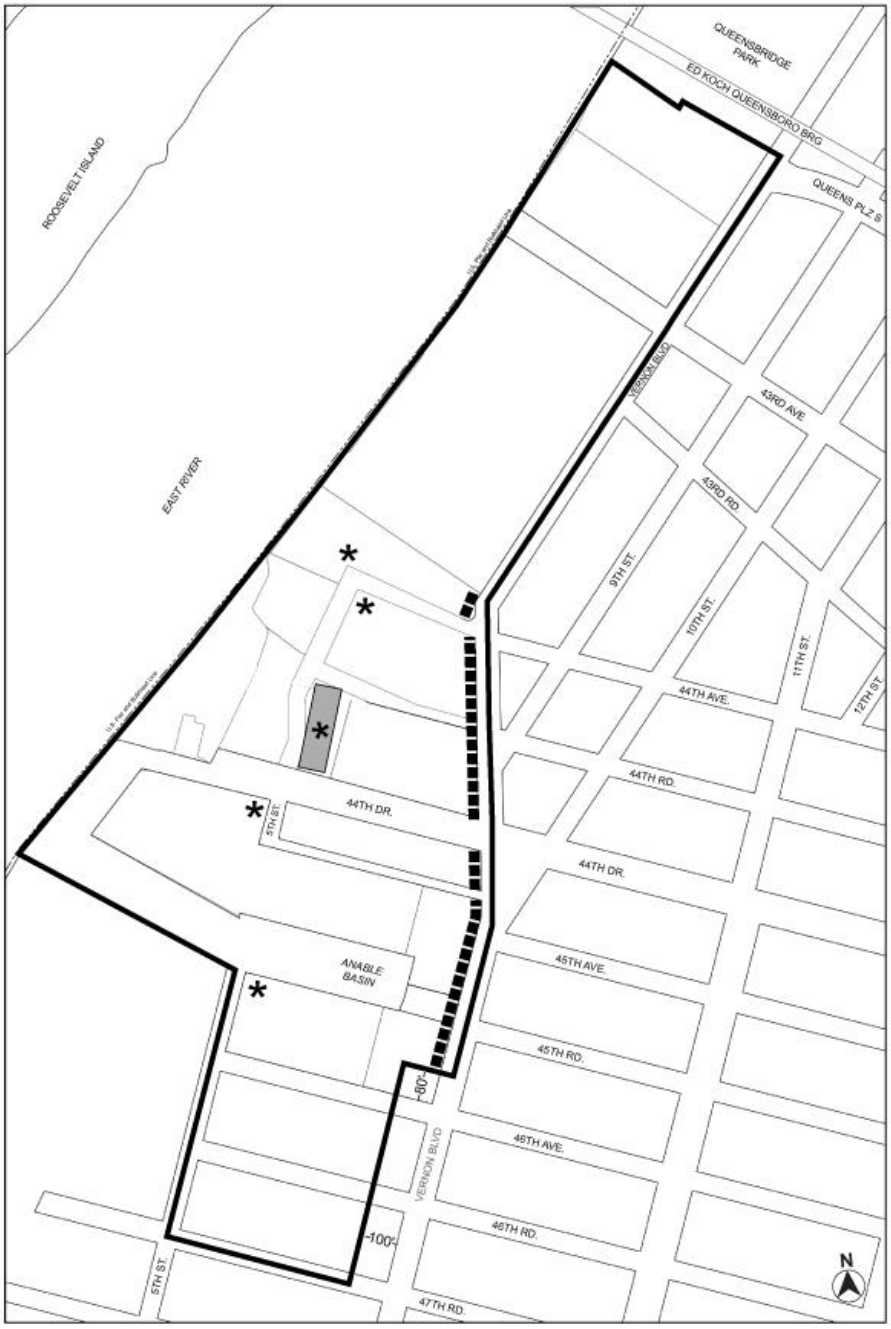
**Appendix C**
**~~Queens Plaza Subdistrict Plan Maps~~**
**Northern Hunters Point Waterfront Subdistrict Plan Maps**

[PROPOSED MAPS]

Map 1: Subdistrict Plan Map and Designated Subareas




Map 2: Streetscape Regulations




Northern Hunters Point Waterfront Subdistrict

*Tier C Street Frontage*

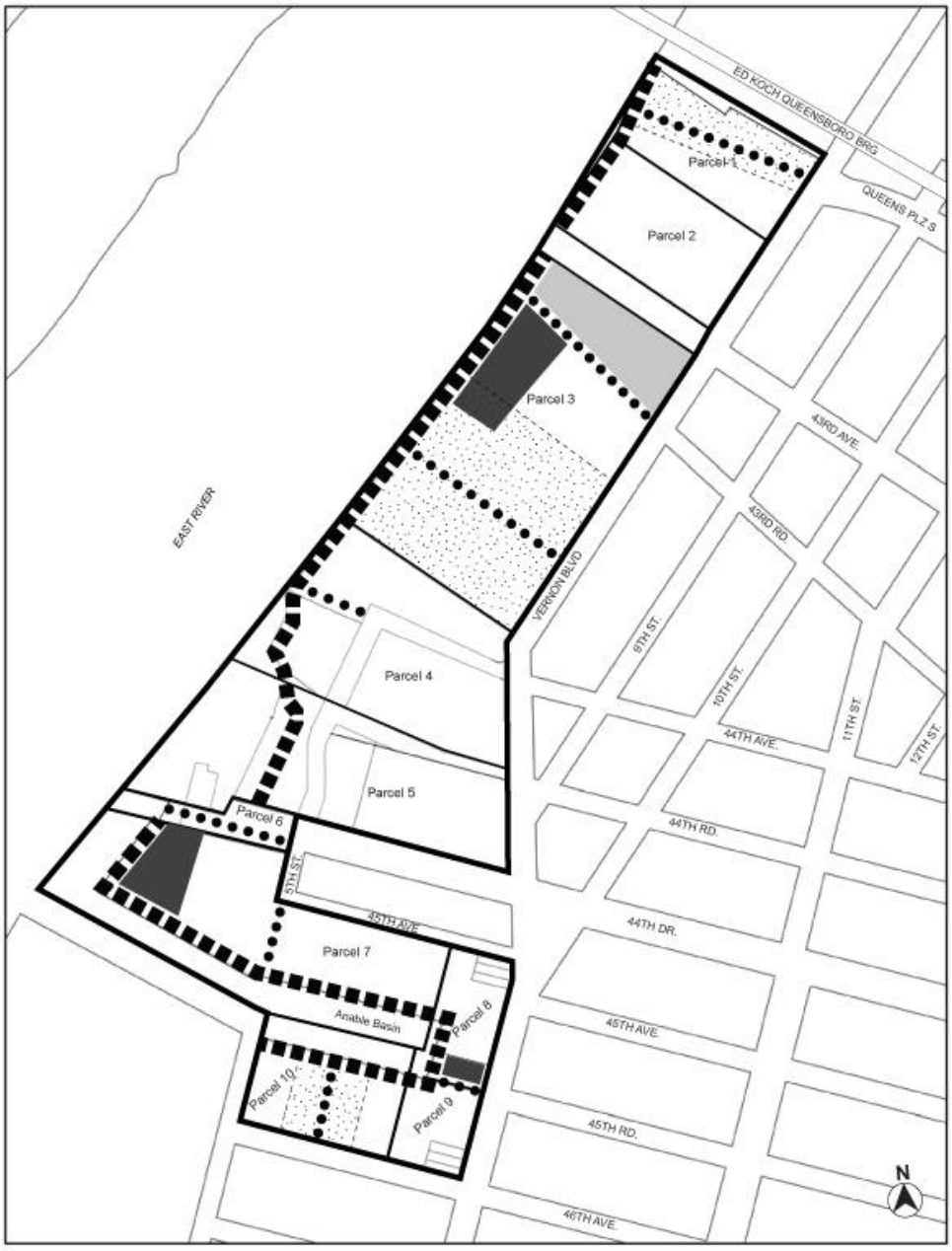
* *Tier C Street Frontage* 50' Increment within 50'

* *Tier C Street Frontage* 50' Increment Flexible Zone

Map 3: Waterfront Access Plan Parcel Designation




Map 4: Public Access Elements Designation




Waterfront Access Plan Boundary

Parcel Lines

*Supplemental Public Access Area* Designated Location

Flexible *Supplemental Public Access Area* Alternative Zone

Flexible *Upland Connection* Zone

*Shore Public Walkway*

*Upland Connection*

Map 5: Visual Corridors Designation




Waterfront Access Plan Boundary

Parcel Lines

Shoreline

Flexible *Visual Corridor* Location

*Visual Corridor*

~~**Appendix B**~~

**Appendix D**
**Court Square Subdistrict Plan Map and Description of Improvements**

* * *

[MOVING MAP HERE AND UPDATING CROSS-REFERENCE]

Description of Improvements

This Appendix describes the mandatory lot improvements that are designated on the District Plan Map in ~~Appendix B~~ Appendix D for the Court Square Subdistrict. Descriptions refer to the text for requirements and standards for the following improvements.

* * *

~~**Appendix C**~~
**Appendix E**
**Queens Plaza Subdistrict Plan Maps**

[MOVING MAPS HERE AND UPDATING AREA OF APPLICABILITY]

Map 1: Designated Districts within the Queens Plaza Subdistrict

* * *

**APPENDIX F**
**Mandatory Inclusionary Housing Areas and former Inclusionary Housing Designated Areas**

**QUEENS**

**Queens Community Districts 1 and 2**

Map 1 – [date of adoption]

[PROPOSED MAP]




*Mandatory Inclusionary Housing Area*

Area # - [date of adoption] MIH Option 1,Option 2 and Option 3

* * *