541-545 Bay Street
Community District 1, Staten Island

4/19/22
Zoning Map 21c

Matter underlined is new, to be added;
Matter ~~struck out~~ is to be deleted;
Matter within # # is defined in Section 12-10;
* * * indicates where unchanged text appears in the Zoning Resolution

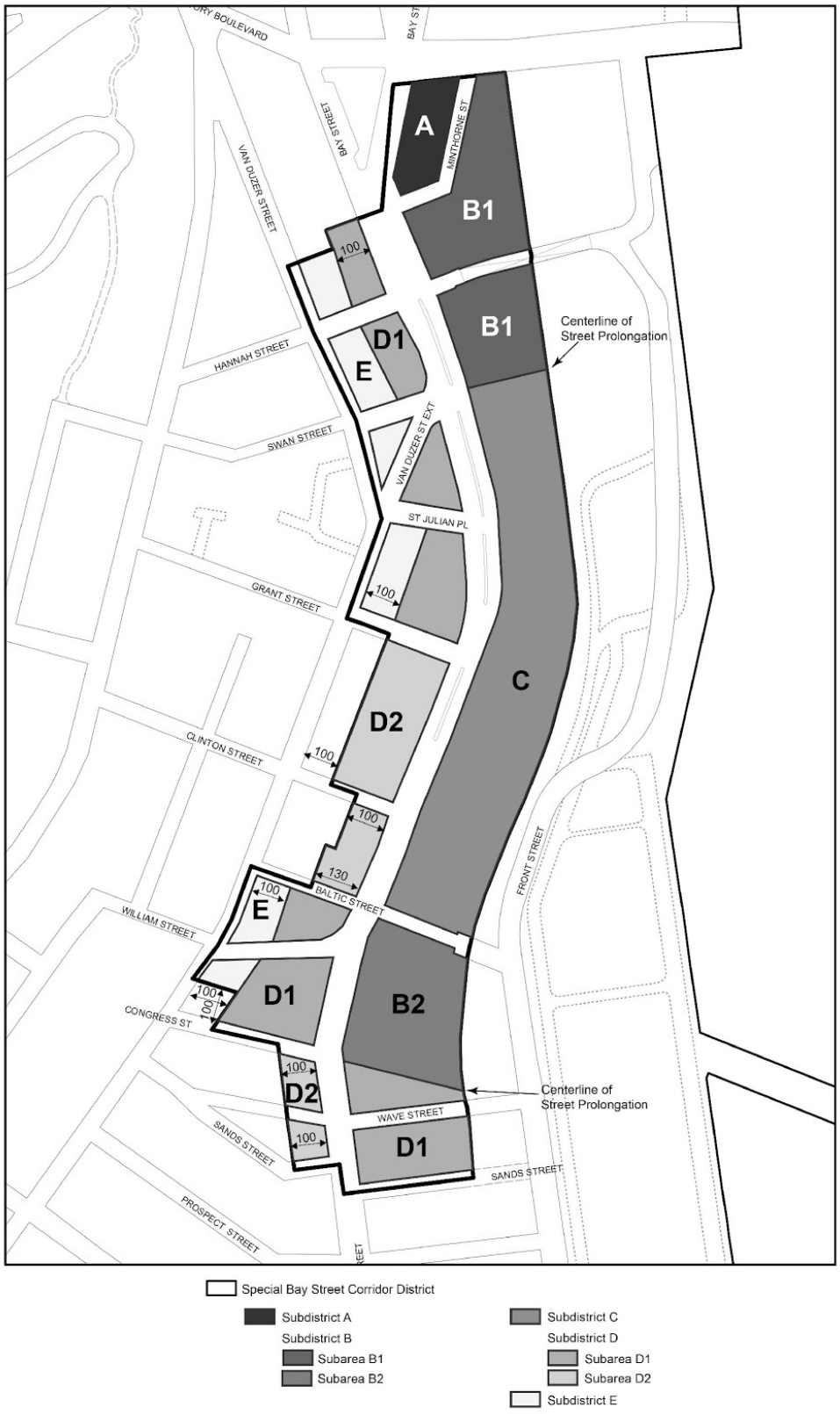
* * *

ARTICLE XIII
Special Purpose Districts
Chapter 5 - Special Bay Street Corridor District
Appendix A - Special Bay Street Corridor District

* * *

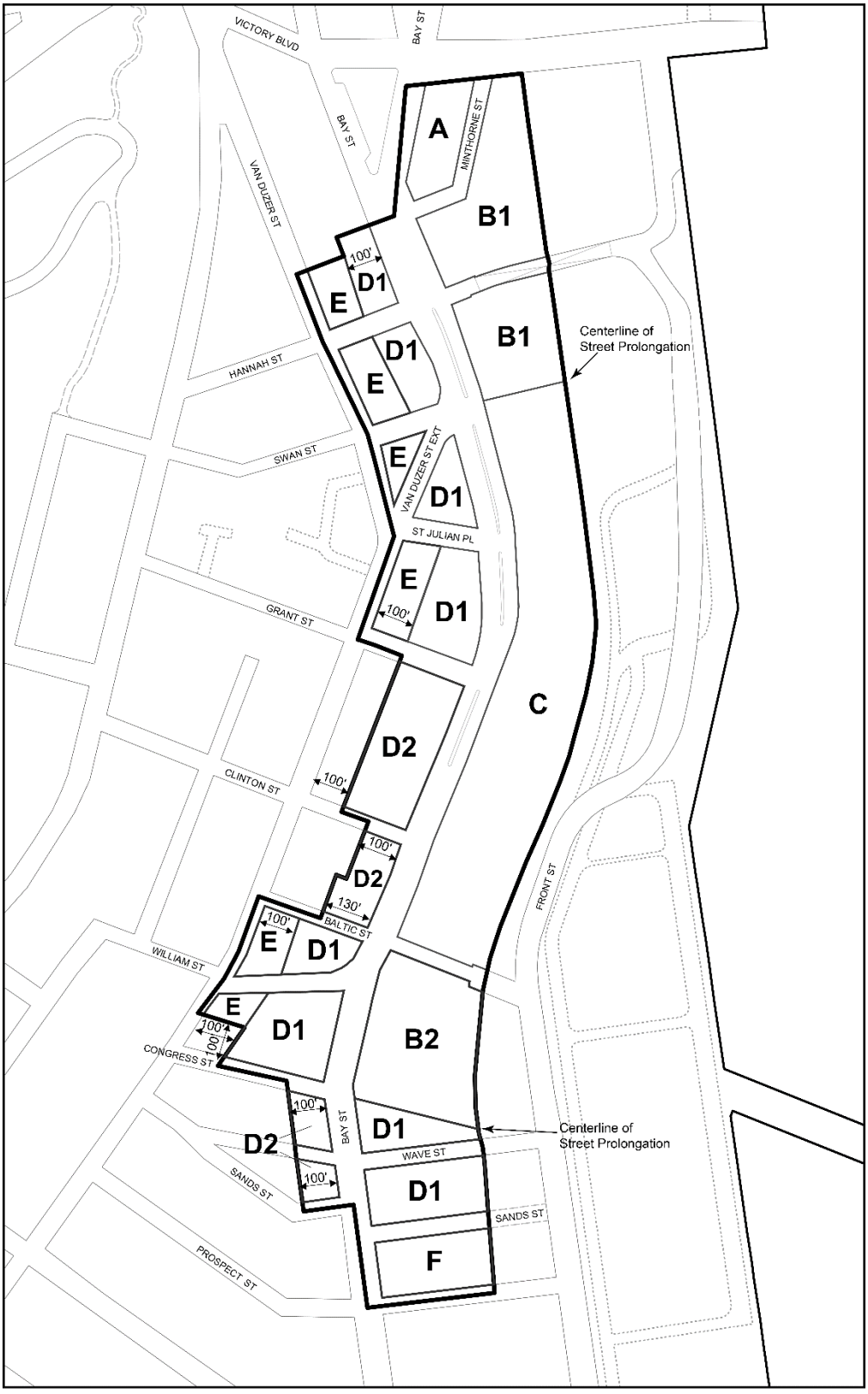
[EXISTING]

Map 1 – Special Bay Street Corridor District, Subdistricts and Subareas



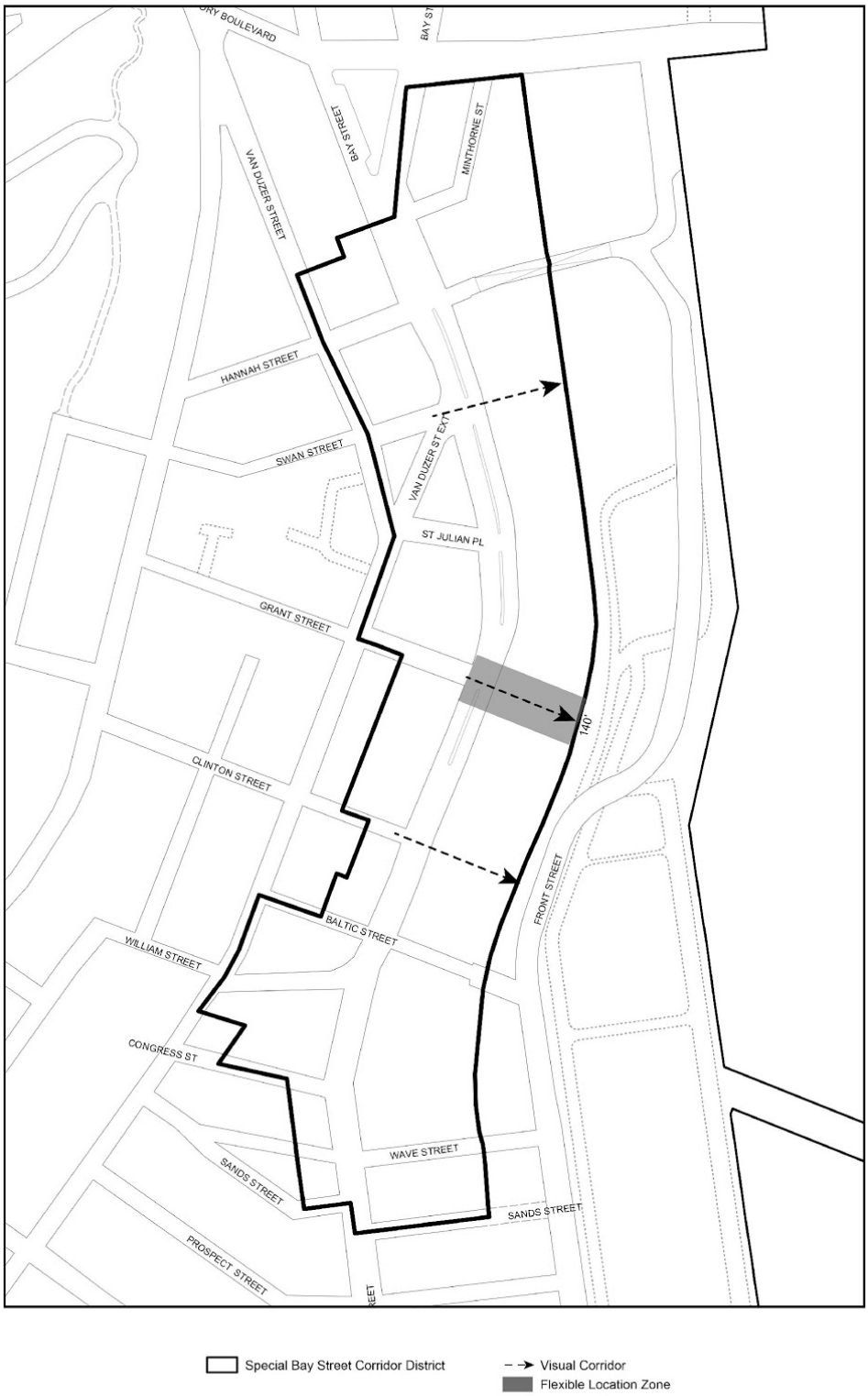
[PROPOSED]

Map 1 – Special Bay Street Corridor District, Subdistricts and Subareas



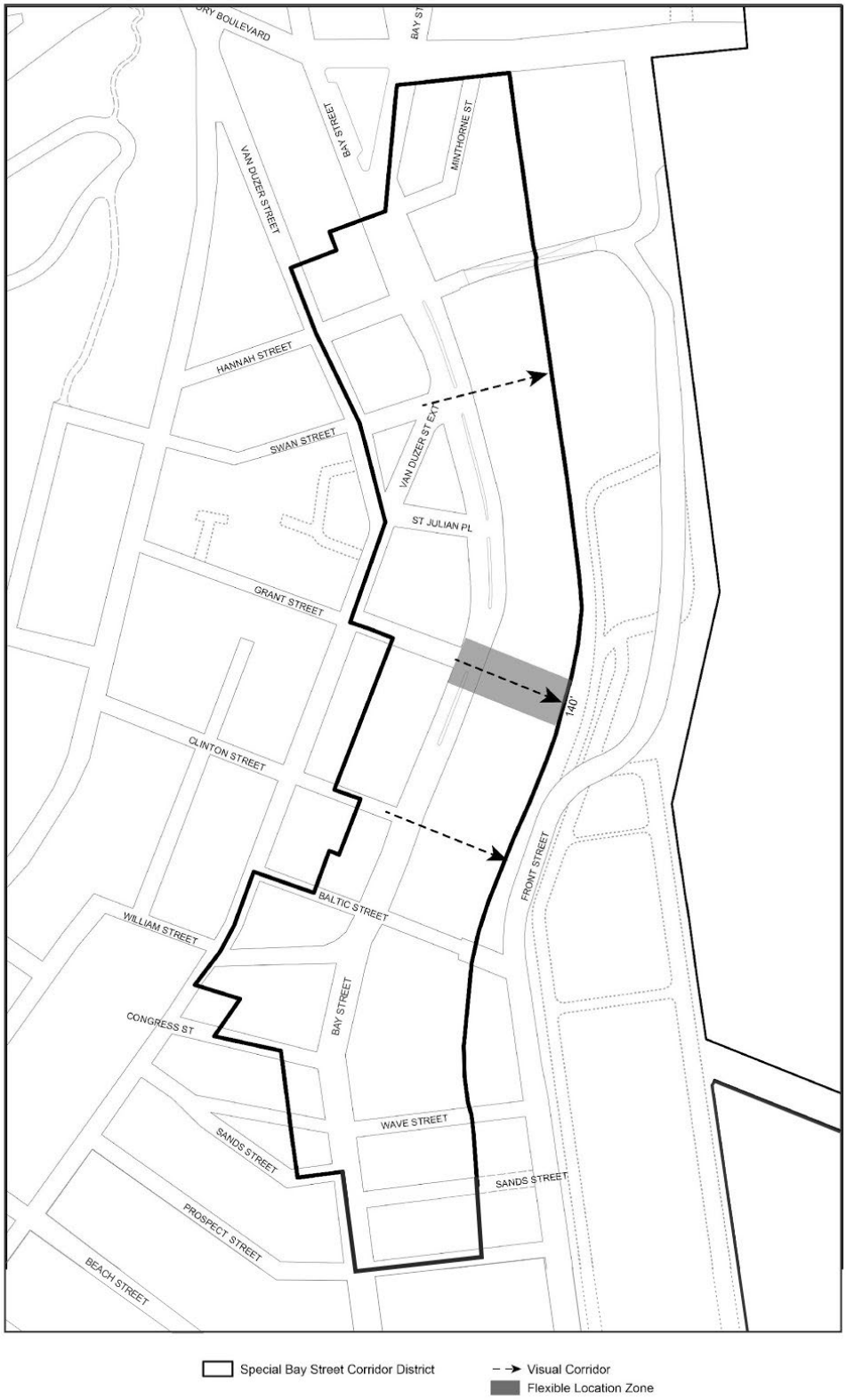
[EXISTING]

Map 2 – Location of visual corridors



[PROPOSED]

Map 2 – Location of visual corridors



* * *

* * *

ARTICLE XIII
Special Purpose Districts
Chapter 5 - Special Bay Street Corridor District
Section 135-03 - Subdistricts

* * *

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

Subdistrict A
Subdistrict B
Subdistrict C
Subdistrict D
Subdistrict E
Subdistrict F

Within Subdistrict B, subareas are established as follows:

Subarea B1
Subarea B2

Within Subdistrict D, subareas are established as follows:
Subarea D1
Subarea D2

The location and boundaries of these subdistricts are shown on Map 1 (Special Bay Street Corridor District and Subdistricts) in Appendix A of this Chapter.

* * *

* * *

ARTICLE XIII
Special Purpose Districts
Chapter 5 - Special Bay Street Corridor District
Section 135-11 – Ground Floor Use Regulations

* * *

For the purposes of applying to this Chapter the special #ground floor level# streetscape provisions set forth in Section 37-30, any portion of a #ground floor level# #street# frontage along Bay Street, as well as any #ground floor level# #street# frontage within 50 feet of Bay Street or along Prospect Street, shall be considered a #primary street frontage#. A #ground floor level# #street# frontage along any other #street# shall be considered a #secondary street frontage#. For the purposes of this Section, inclusive, defined terms shall include those in Sections 12-10 and 37-311.

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

(a) Along #primary street frontages#

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

For #zoning lots# with a #lot area# of less than 5,000 square feet existing both on June 26, 2019 and on the date of application for a building permit, the provisions of this paragraph (a) shall not apply. In lieu thereof, the provisions of paragraph (b) of this Section shall apply.

In #flood zones#, where no transparent materials or #building# entrances or exits are provided on the #ground floor level# #street wall# below a height of four feet above the level of the adjoining sidewalk for a continuous width of at least 15 feet, visual mitigation elements shall be provided in accordance with Section 135-12 (Special Streetscape Provisions for Blank Walls) for such blank wall the provisions for Type 3 blank walls set forth in Section 37-361 (Blank wall thresholds).

(b) Along #secondary street frontages#

For #buildings#, or portions thereof, with #secondary street frontage#, all #uses# permitted by the underlying district shall be permitted on the #ground floor level#, provided that any #accessory# off-street parking spaces on the #ground floor level# shall be wrapped or screened in accordance with Section 37-35.

The level of the finished floor of such ground floor shall be located not higher than five feet above nor lower than five feet below the as-built level of the adjoining #street#.

* * *

* * *

ARTICLE XIII
Special Purpose Districts
Chapter 5 - Special Bay Street Corridor District
Section 135-21 – Special Floor Area Regulations

* * *

The underlying #floor area# regulations are modified by the provisions of this Section. For the purpose of this Section, defined terms include those set forth in Sections 12-10 and 23-911.

The table below sets forth the maximum #floor area ratio# of a #zoning lot# for each Subdistrict. Column 1 sets forth the maximum #floor area ratio# for #commercial uses# other than offices, as listed in Use Group 6B, and Column 2 sets forth the maximum #floor area ratio# for offices. Column 3 sets forth the maximum #floor area ratio# for #residences#, other than #MIH sites# and #affordable independent residences for seniors#, that are subject to the provisions of paragraph (d)(4)(i) or (d)(4)(iii) of Section 23-154 (Inclusionary Housing). Column 4 sets forth the maximum #residential floor area ratio# for #MIH sites# where either #affordable floor area# is provided in accordance with the provisions of paragraphs (d)(3)(i) through (d)(3)(iv) or paragraph (d)(5) of Section 23-154, or where a contribution to the #affordable housing fund# is made in accordance with paragraph (d)(3)(v) of such Section. Column 4 also sets forth the maximum #floor area ratio# for #community facility uses#, other than #long-term care facilities#. Column 5 sets forth the maximum #floor area ratio# for #zoning lots# containing #affordable independent residences for seniors# or #long-term care facilities#.

For #zoning lots# with #buildings# containing multiple #uses# or for #zoning lots# with multiple #buildings# containing different #uses#, the maximum #floor area ratio# for each #use# shall be as set forth in the table, and the maximum #floor area ratio# for the #zoning lot# shall not exceed the greatest #floor area ratio# permitted for any such #use# on the #zoning lot#.

MAXIMUM #FLOOR AREA RATIO#

	Column 1	Column 2	Column 3	Column 4	Column 5
Subdistrict, or Subarea, as applicable	For #commercial uses# other than offices	For offices	For #residences# other than #MIH sites# and #affordable independent residences for seniors#	For #MIH sites# and #community facility uses# other than #long-term care facilities#	For #affordable independent residences for seniors# or #long-term care facilities#
A	2.0	4.0	3.6	4.0	4.6
B	2.0	3.6	3.0	3.6	3.9
C	2.0	3.0	2.5	3.0	3.25
D1	2.0	2.0	2.5	3.0	3.25
D2	2.0	2.0	2.25	2.75	3.0
E	2.0	2.0	2.0	2.2	2.2
F	2.0	2.0	3.6	3.9	3.9

* * *

* * *

ARTICLE XIII
Special Purpose Districts
Chapter 5 - Special Bay Street Corridor District
Section 135-25 – Special Height and Setback Regulations

* * *

The underlying height and setback provisions are modified by the provisions of this Section.

Pursuant to Section 135-31 (Special Visual Corridor Requirements), required visual corridors shall be considered #streets#. Such visual corridors shall be considered #wide streets# for the purposes of applying the height and setback regulations of this Section.

(a) Base heights and maximum #building# heights

The table below sets forth the minimum and maximum base height, the maximum transition height, where applicable, the maximum height of a #building or other structure# and the maximum number of #stories# for #buildings# in the #Special Bay Street Corridor District#.

In all subdistricts, a setback is required for all portions of #buildings or other structures# that exceed the maximum base height specified for the subdistrict, and shall be provided in accordance with paragraph (b) of this Section.

In Subdistrict A and Subarea B1, any portion of a #building or other structure# located above the maximum transition height, and in Subarea B2 and Subdistrict C, any portion of a #building or other structure# located above the maximum base height, shall be subject to the maximum #street wall# width restrictions set forth in paragraph (c) of this Section.

MAXIMUM BASE HEIGHTS AND MAXIMUM #BUILDING# HEIGHTS

Subdistrict, or Subarea, as applicable	Minimum Base Height (in feet)	Maximum Base Height (in feet)	Maximum Transition Height (in feet)	Maximum Height of #Buildings or Other Structures# in Certain Locations (in feet)	Maximum Number of #Stories#
A	40	65	85	125	12
B1	40	65	85	125	12
B2	40	65	N/A	125	12
C	40	65	N/A	85	8
D1	40	65	N/A	75	7
D2	40	65	N/A	65	6
E	30	45	N/A	55	5
F	40	65	N/A	85	8

(b) Required setbacks

At a height not lower than the minimum base height or higher than the maximum base height specified for the subdistrict in the table in paragraph (a), a setback with a depth of at least 15 feet shall be provided from any #street wall# fronting on a #narrow street#, and a setback with a depth of at least 10 feet shall be provided from any #street wall# fronting on a #wide street#.

In Subdistrict F, along Prospect Street, two setbacks totaling a depth of at least 15 feet shall be permitted.

In addition, the underlying provisions of paragraphs (c)(2) through (c)(4) of Section 23-662 (Maximum

height of buildings and setback regulations) shall apply to such setbacks.
(c) Maximum #street wall# width in Subdistricts A, B and C

In Subdistricts A, B and C, the maximum #building# height set forth in the table in paragraph (a) shall only be permitted within 100 feet of #streets# intersecting Bay Street. In addition, in Subdistricts A and F, and Subarea B2, such maximum #building# height shall be permitted beyond 100 feet of #streets# intersecting Bay Street, provided that the maximum #street wall# width above the maximum base height does not exceed 100 feet.

In all such Subdistricts, at least 60 feet of separation shall exist between any portions of #buildings# located above such maximum transition height, or maximum base height, as applicable.

(d) Dormer provisions

The underlying dormer provisions of paragraph (c) of Section 23-621 (Permitted obstructions in certain districts) shall apply, except that no dormer shall be permitted above a height of 85 feet, or above the maximum height of the #building or other structure# permitted in paragraph (a) of this Section, whichever is less.

* * *

* * *

APPENDIX F
Inclusionary Housing Designated Areas and Mandatory Inclusionary Housing Areas

* * *

STATEN ISLAND

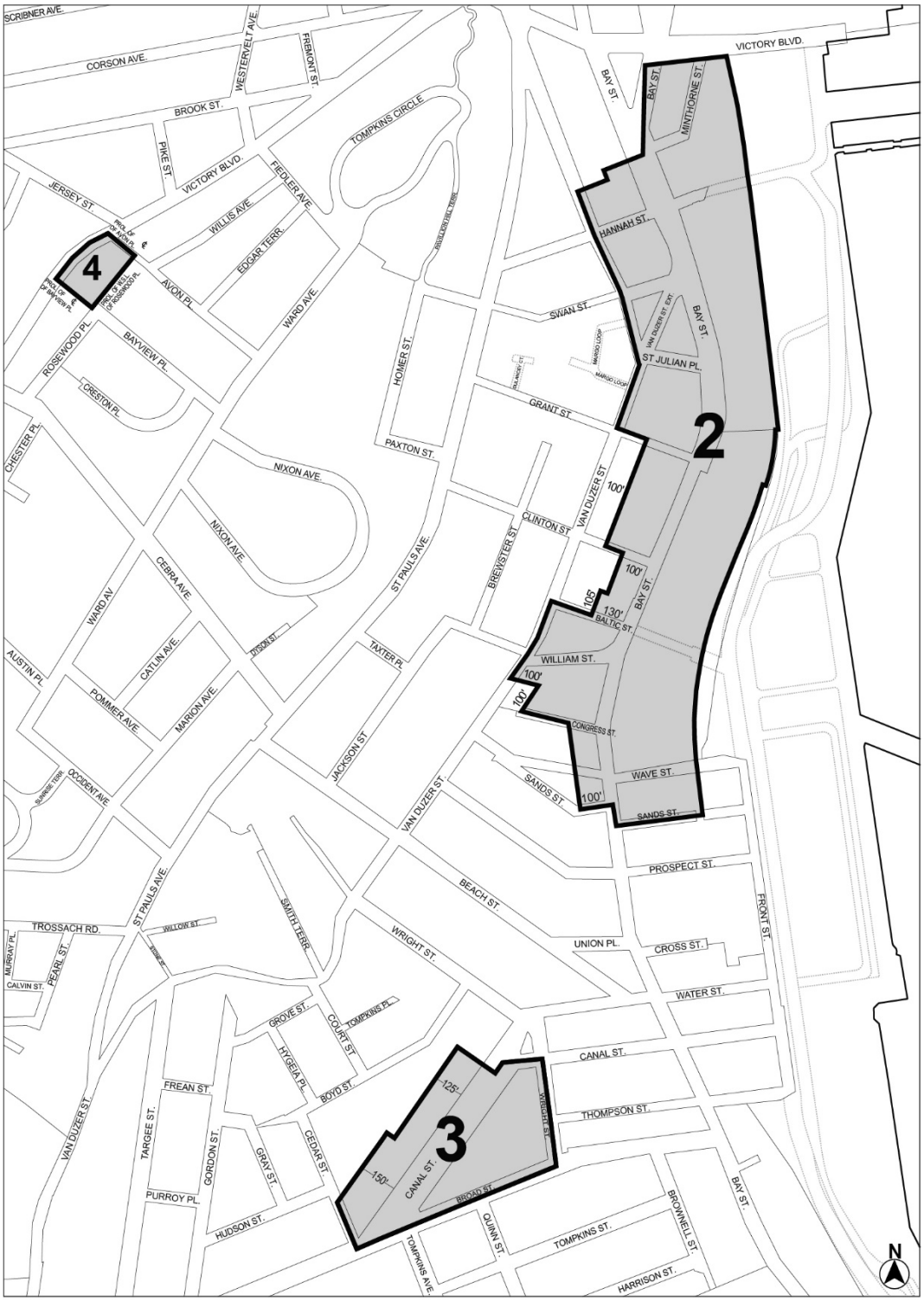
* * *

Staten Island Community District 1

* * *

[EXISTING]

Map 2 - (6/26/19)



Mandatory Inclusionary Housing Program Area *see Section 23-154(d)(3), 135-043 and 135-21 (MIH Area 2) and see Section 23-154(d)(3) (MIH Area 3)*

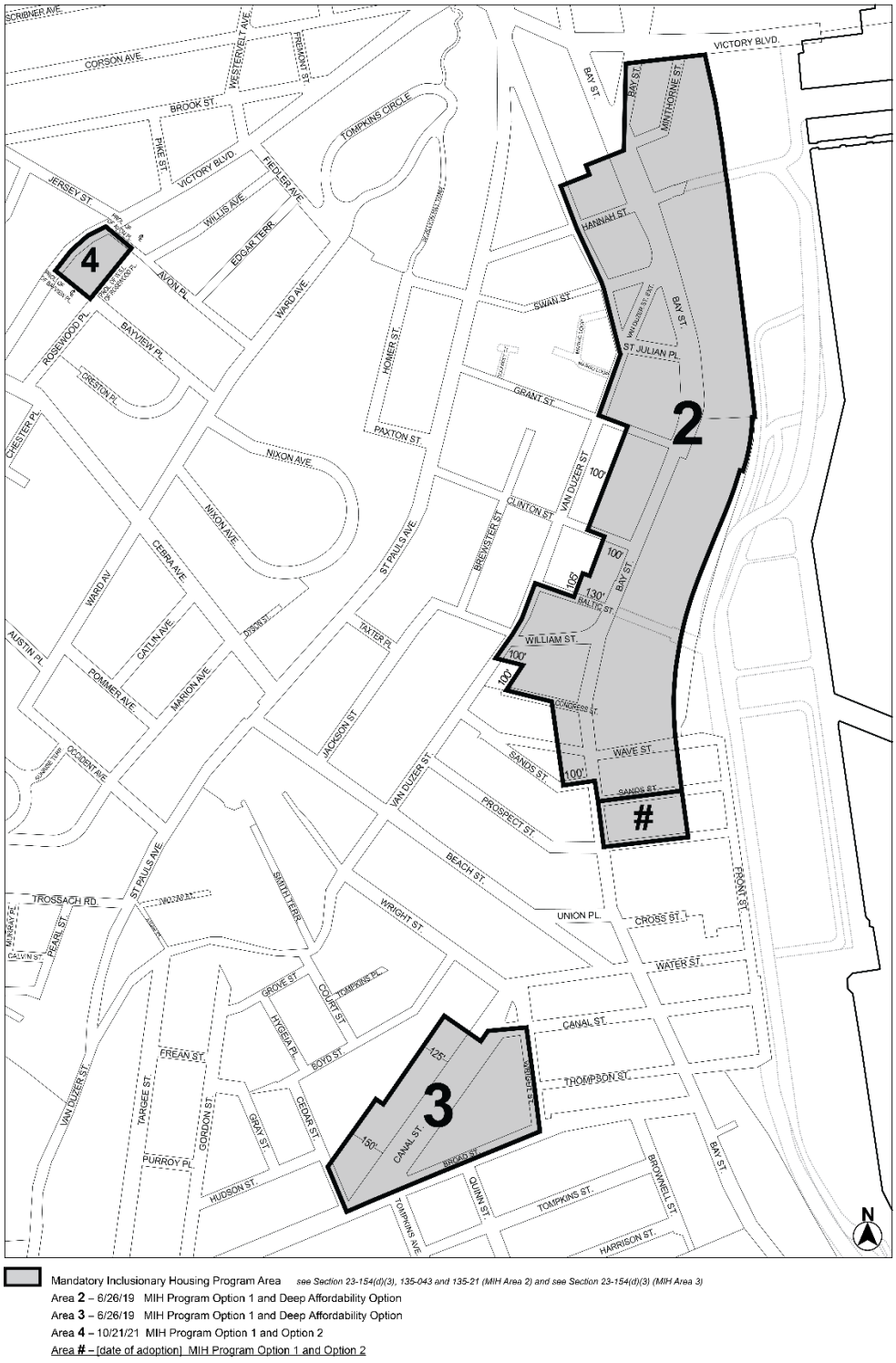
Area **2** – 6/26/19 MIH Program Option 1 and Deep Affordability Option

Area **3** – 6/26/19 MIH Program Option 1 and Deep Affordability Option

Area **4** – 10/21/21 MIH Program Option 1 and Option 2

[PROPOSED]

Map 2 - (<u>date of adoption</u>)



Portion of Community District 1, Staten Island

* * *