1. Introduction

The New York City Department of City Planning (DCP), together with the Department of Housing Preservation and Development (HPD), the Department of Parks and Recreation (NYC Parks) and the Department of Citywide Administrative Services (DCAS), is proposing a series of land use actions (collectively, the "Proposed Actions") to implement recommendations in the Gowanus Neighborhood Plan (the "Neighborhood Plan" or "Plan"). The Neighborhood Plan , which is the subject of an ongoing community planning process, to facilitate new housing, including affordable housing, new public open space, space for jobs and schools, and to support the ongoing neighborhood-wide cleanup efforts in an approximately 82-block area of the Gowanus neighborhood of Brooklyn, Community Districts 2 and 6. The area subject to the Proposed Actions (the "Project Area") is generally bounded by Bond, Hoyt, and Smith streets; 3rd and 4th avenues; Huntington, 3rd, 7th, and 15th streets; and Warren, Baltic, and Pacific streets.

The Gowanus Neighborhood Plan is a comprehensive plan developed with community stakeholders and elected officials, in coordination with City and other public agencies, to identify needs and opportunities to support a shared long-term vision of a sustainable, inclusive, and mixed-use Gowanus. The Plan aims to leverage the neighborhood's unique assets and features to realize this vision and accomplish and support many local and Citywide goals, including remediating the Gowanus Canal and surrounding contaminated land, supporting existing and future resiliency and sustainability efforts, creating more housing, including permanently affordable housing, promoting more diverse mixing of compatible uses, encouraging economic development and diverse employment opportunities, and improving existing community resources and investing in new ones like schools and parks, all in an area with excellent transit access and within minutes of thriving central business districts.

8,000 new dwelling units are projected as a result of the Proposed Actions (compared to the what could be built without the Proposed Actions), including approximately 3,000 affordable units (nearly 1,000 City-sponsored affordable units), along with a 1.5 acre new parkland, 4 acres of new waterfront open space, and significant amounts of non-residential space.[1] In order to facilitate and accommodate this growth, the Plan proposes strategies to remediate brownfield sites; elevate portions of the shoreline to prepare for future sea level rise and facilitate redevelopment to meet the highest standards of flood-resilient design; invest in new affordable housing; create new community and cultural resources, including a potential new school and a new approximately 1.5 acre park on City-owned land; improve and invest in area streetscapes and connectivity; and improve and invest in existing parks and cultural spaces.

To facilitate the Gowanus Neighborhood Plan, the following land use actions are proposed:

- Amendments to the Zoning Map to change from existing low-density light-manufacturing and commercial districts to mid- to higher-density mixed-use, residential, commercial and light-manufacturing districts along the Canal and major corridors, and to contextual mid-density residential and light-manufacturing districts along side streets;
- Amendment to the Zoning Resolution text to:
    - Establish the Special Gowanus Mixed-Use District (GSD);
    - Create the Gowanus Waterfront Access Plan;
    - Replace the Special Enhanced Commercial District (EC-1); and
    - Apply Mandatory Inclusionary Housing ("MIH") within the rezoning area.
- Designation of City-owned land on Block 471, Lots 1 and 100 ("Gowanus Green Development Site" or "Disposition Area") as an Urban Development Action Area ("UDAA"), approval of the project ("Gowanus Green Development") as an Urban Development Action Area Project ("UDAAP"), and disposition approval for the Disposition Area.[2] The proposed mixed-use Gowanus Green Development would include approximately 950 affordable housing units in approximately six new construction mixed-use residential buildings ranging between five and 28 stories in height. The Gowanus Green Development would also include a variety of non-residential uses, including ground-floor community facility, commercial, and retail spaces, and a site for a potential future school. Additionally, the project will include new mapped streets and an approximately 1.5-acre mapped public park that will remain under City ownership. In order to provide site plan flexibility

[1] The number of affordable units would be determined by a number of factors, including the MIH option ultimately selected for the Proposed Actions. The number of affordable units shown here is approximate and based on projected development assumptions, which assumed MIH Option 1 (25 percent of residential floor area).

[2] In a related application, the City is also seeking acquisition approval after the disposition of a portion of the Block 471 disposition area for the development of a future public park.

to accommodate a potential schoolyard connected to the potential new school that is currently planned for across the proposed extension of Hoyt Street, the park could include a carve-out of an approximately 15,000 sf schoolyard. The schoolyard would be available for community use after school hours and on weekends. Additionally, in the related application referenced below, the City is seeking acquisition approval for a portion of the Disposition Area to receive the proposed park parcel once the development completes remediation and construction to NYC Parks' standards.

- Disposition of City-owned property located at 276 4th Avenue (Block 456, Lot 29) between Carroll Street and 1st Street pursuant to the proposed zoning. The parcel is currently zoned M1-2 and included in the City's master lease to the Metropolitan Transportation Authority (MTA). It is used as a New York City Transit Authority (NYCTA) substation (known as the Garfield Substation). The substation would remain active on Block 456, Lot 29.
- Concurrent related City Map Changes to:
    - Map and acquire new parkland
    - Map new streets
    - De-map segments of streets
    - Remove a "Public Place" designation to facilitate an affordable housing, mixed-use development on a City-owned site

2. Background

Study Area History

Gowanus is a neighborhood with a diverse mix of residents, workers and businesses – a community that has overcome challenges while being a center for entrepreneurship, innovation and creative expression.

Once referred to as Gowanus Creek, the Gowanus Canal was originally a wide tidal creek with numerous small tributaries that extended northeast from its mouth at Lower New York Bay south of Red Hook. The creek system included Coles Mill Pond, Dentons Mill Pond, and Freeks Mill Pond. The head of the Gowanus Creek once was home to a native village named Werpos, and in 1679 a Dutch missionary wrote of eating the best oysters in the region along the Gowanus Canal.

In 1846, the Brooklyn Common Council engaged Major David B. Douglass to draw up plans to drain "the Gowanus Meadow" to "accommodate a population of 200,000 inhabitants." Before these residential development plans were set in motion, Daniel Richards, an upstate developer who founded the Atlantic Dock Company in 1840, received permission to fill, dredge, and install a bulkhead to create the approximately one-mile-long Gowanus Canal. That plan was approved in 1849 by the Brooklyn Common Council and authorized by the State of New York a month later in order to open the area to barge traffic, increase circulation and flushing, receive stormwater, and fill the adjacent lowlands for development. Construction of the Canal began in the 1860s by installing bulkheads and dredging the creek. The Canal included five turning basins branching to the east of the main channel, which allowed vessels in the Canal to turn and/or reverse direction. The First Street Turning Basin, one of the five original turning basins, was approximately 475 to 560 feet long by 50 to 60 feet wide.

By 1870, the waterbody had been transformed to resemble its current configuration and was serving as a major industrial waterway by which materials arrived to support area industries. By the 1880s, the banks of the Canal had transitioned from gristmills and oyster exporters to a wide range of industrial activities, including heavy manufacturing of coal and oil, foundries, paint and ink factories, electroplating shops, and paper mills, as well as the storage and distribution of materials used to build and maintain adjacent residential neighborhoods.

Residents of the surrounding area from its early development through the early 20th century consisted of European immigrants from Germany, Sweden, and Ireland, many of whom lived in squatter settlements adjacent to the waterway, which came to be known as Tinkerstown. There was also a large Mohawk community that began to move to New York City (NYC) as early as 1912. For many years Boerum Hill, just north of the Gowanus neighborhood, was one of the largest communities of Mohawks. While European immigration continued, in the early 20th century a shift began to occur and new immigrant groups began arriving from Latin America, Puerto Rico, and countries from the Middle East.

The short-term industrial success of the Canal came with a long-term effect: sewage and industrial wastes from the surrounding drainage area were discharged directly into the Canal without treatment, and the natural marshlands and freshwater streams were replaced with combined sewers and storm drains.

From its inception, wet weather events burdened the Canal and challenged its function, and combined with the growth of Brooklyn and the resulting changes in drainage to the Canal, it became flooded with mud and sediments, making it difficult to navigate outside of high tide. Efforts to address water quality in the Gowanus Canal date back to the late 1800s, when the City contracted for the design of a tunnel between the head of the Canal and Buttermilk Channel to improve circulation and flush pollutants from the Canal. In 1911, the 6,280-foot Gowanus Canal Flushing Tunnel to Buttermilk Channel was constructed. The Gowanus Canal Flushing Tunnel (or "Flushing Tunnel") pumped polluted water from the head of the Canal to Buttermilk Channel with the objective of flushing the stagnant canal water out to New York Harbor.

In 1934 the New York State Legislature passed the Municipal Housing Authority Act, which permitted cities to form local housing authorities. Shortly after, the New York City Housing Authority (NYCHA) was formed. In 1944 NYCHA announced that several blocks of Boerum Hill (then known as North Gowanus) would be demolished to make room for the Gowanus Houses (completed in 1949), which today consists of 1,139 units across 14 buildings that range from four to 14 stories tall. Subsequently, Wyckoff Gardens was constructed in 1966 and consists of 529 units across three 21-story buildings. Warren Street Houses was constructed in 1972 and consists of 200 units in one building that is six stories tall. Today, the roughly 1,800 households across the three NYCHA communities contain a broad spectrum of diverse residents from a variety of backgrounds and are an integral component of the Gowanus community.

Peak industrial activity occurred roughly around the end of World War II when approximately six million tons of cargo per year were handled by the Canal. However, by 1950, the Canal was handling a fraction of its previous freight volume. Structural changes, including suburbanization, decentralization, and containerization—combined with larger ships and global changes in production—led to a decline in industrial activity throughout the city and around the Canal. The Flushing Tunnel functioned until the mid-1960s when service was suspended due to mechanical failure, and the Canal returned to a more polluted state.

From 1970 to 1990, the Gowanus neighborhood saw its population drop from approximately 33,000 to 24,000, reflecting an overall decrease of the City's population. In more recent decades, broad economic and demographic trends have led to a resurgence in nearby communities and interest in both working and living in and around the Canal area. However, the nature of activity along the Canal has changed.

The reactivation of the Flushing Tunnel in 1999 under the New York City Department of Environmental Protection's (DEP) Inner Harbor Combined Sewer Overflow (CSO) Facility Plan resulted in an improvement in the Canal's water quality and aquatic habitat. At this time, the direction of flow was reversed to bring more highly oxygenated water from Buttermilk Channel to the head of the Canal.

The Canal's designation as a Federal Superfund Site by the U.S. Environmental Protection Agency (EPA) in 2010 and Superstorm Sandy in 2012 led to increased attention and community engagement on the potential to remediate and improve the infrastructure in the Gowanus area and advanced discussions about the Gowanus' future among members of the community, elected officials, and City, state, and federal agencies. As part of the remediation plan, EPA has also mandated the installation of underground tanks to reduce CSO discharges into the Canal and the excavation and restoration of the 1st Street Turning Basin. The New York State Department of Environmental Conservation (DEC) and the Mayor's Office of Environmental Remediation (OER) have developed remedial programs and incentive programs to facilitate the investigation and cleanup of brownfield sites.

Consistent with citywide trends over the past three decades, interest in and appeal of working and living in older industrial neighborhoods, such as the area surrounding the Canal, has returned. Since 2010, Brooklyn gained over 100,000 new residents and 50,000 new jobs. Without providing additional residential capacity or new space for jobs, it has been increasingly difficult to accommodate the growth in Brooklyn. Strong demand for housing citywide has played out locally by pushing up prices and limiting housing that is affordable for households at lower and moderate incomes. At the same time over the past few decades, the city has experienced a rapidly growing and diversifying economy. Although a small portion of the land around the Canal remains industrial in character, manufacturing and industrial uses are no longer present in many locations adjacent to the Canal. Commercial businesses, offices, and other uses that serve the surrounding residential communities have increased alongside long-time resident artists and a small number of remaining industrial tenants. The reinvestment in and reactivation of older loft buildings for a variety of commercial office and artist spaces indicate a growing local demand for new office and other work spaces.

The COVID-19 pandemic has led to social, physical, and economic crises across the world, country, and New York City. It has highlighted broad inequities in our society across the racial and socioeconomic spectrum. It has also elevated the importance of complete neighborhoods to a community's health and resiliency, including walkability, housing security, open spaces, and active places. The underlying aspects that make New York successful have not changed and the pre-Covid-19 trends that caused an unprecedented housing crisis are not anticipated to abate. New homes near jobs and proximate transit will continue to be critical goals of the city to plan for and implement as we seek to be a more just, equitable and sustainable city.

Gowanus Green Development Site History

Gowanus Urban Renewal Plan

In 1971, the City of New York adopted the first Gowanus Industrial Development Plan, an Urban Renewal Plan ("URP") that designated an Urban Renewal Area ("URA") along the Canal. Block 471, Lots 1 and 100 were originally proposed to be included in the URP, but were removed, along with the remaining area bounded by 4th Street, Bond Street, the Canal, West 9th Street, and Smith Street, in the City Planning Commission (CPC) and Board of Estimate (BOE) approvals. The URP was adopted in 1971 and expired in February 2011. The URP sought to facilitate redevelopment of the Gowanus URA by removing substandard and deteriorating non-industrial land uses, removing impediments to land disposition and development, creating job opportunities, and establishing appropriate industrial land uses to strengthen and support the area's industrial character. The URP permitted a mix of industrial uses, commercial uses, and public facilities and improvements on City-owned sites.

Gowanus Green Development Site

From the late 1860s until 1958, the Gowanus Green Development Site, comprised of Block 471, Lots 1 and 100, was a manufactured gas plant ("MGP") operated by Brooklyn Union Gas and its successor organizations. In 1974, Lots 1 and 100 were designated as a "Public Place" on the City Map to allow a future public purpose compatible with the surrounding area and to provide open space for public use. In 1975, the City of New York acquired both of the lots through eminent domain. Lots 1 and 100 have remained under City ownership since their acquisition in 1975; they are currently vacant. Due to its historical use as an MGP, the Gowanus Green Development Site will be the subject of substantial remediation, including the currently underway remediation by National Grid.

In 2008, through competitive request for proposals HPD selected a mixed-income proposal, which included a waterfront park, for the redevelopment of this site that has since evolved following Superfund designation and based on community input during the Gowanus neighborhood planning process. Some of these changes to program assumptions include the need for a greater number of affordable homes meeting a range of incomes and needs, expanded open space requirements, and the potential need for a new school on the site.

Prior Neighborhood Rezoning Efforts

In the mid-2000s, the neighborhoods surrounding Gowanus were the focus of contextual zoning changes that sought to prevent out-of-scale, height factor towers. While these zoning changes were being put forward and enacted, a neighborhood planning study in Gowanus contemplated opportunities for growth, affordable housing and new open spaces. Below are brief descriptions of the zoning changes by neighborhood and the first Gowanus planning study.

Park Slope and 4th Avenue Rezoning

The 2003 rezoning was at the request of the local community to protect the scale of development in Park Slope and to allow for housing growth along 4th Avenue. The rezoning leveraged 4th Avenue's width and access to transit to accommodate new housing, albeit without any zoning tools to encourage or require the inclusion of affordable housing. New residential developments are not currently required to provide affordable housing.

DCP initiated a follow-up zoning text amendment in 2011 to map the first Enhanced Commercial District in the City along 4th Avenue to require commercial and community facility uses on the ground floor and apply transparency and curb cut location requirements for ground floors in new developments to enhance the pedestrian streetscape.

Carroll Gardens Rezoning

In 2009, the Carroll Gardens Rezoning mapped contextual zoning districts that established height and bulk regulations to ensure that future development reflected the predominantly brownstone, walk-up apartment building character of the area, while allowing for modest growth on appropriate corridors and limited building enlargements. The rezoning focused on 86 blocks in the Carroll Gardens and Columbia Street neighborhoods that were primarily zoned R6. The community was concerned that new buildings would be developed and expanded under the existing R6 zoning height factor regulations and could produce developments that were out of scale with the rowhouses in these neighborhoods.

Boerum Hill Rezoning

In 2011, the Boerum Hill Rezoning mapped contextual zoning districts to reflect existing building forms and uses to protect the character and scale of the neighborhood while allowing for limited expansions and development on vacant sites. The rezoning, which focused on a 31-block area formerly known as North Gowanus, also refined commercial overlays on many of the thoroughfares to more closely tailor them to the existing distribution of mixed uses, bringing existing uses into conformance, and preventing the expansion of commercial activity into residential midblocks where such uses would threaten existing neighborhood character.

Gowanus 2009 Rezoning Proposal

In 2009, the City proposed zoning changes would have affected 25 blocks along the waterfront area and a portion of the upland area south of Sackett Street and north of 3rd Street. Building upon the existing mixed-use character of the area, the study proposed to: allow for a mix of uses, including residential, in certain areas currently zoned for manufacturing uses; maintain areas for continued industrial as well as commercial uses; encourage the redevelopment of the waterfront, including opportunities for public access at the Canal's edge; enliven the streetscape with pedestrian-friendly, active ground-floor uses; promote new housing production, including affordable housing through the City's Inclusionary Housing Program; and establish limits for height and density that consider neighborhood context as well as other shared goals. The study was put on hold in 2010. The proposed rezoning would have facilitated thousands of new homes adjacent to thriving communities where recent rezonings limited new housing capacity.

Gowanus: A Framework for a Sustainable, Inclusive, Mixed-use Neighborhood

In May 2014, Mayor Bill de Blasio released *Housing New York*, a plan to build and preserve affordable housing throughout New York City, in coordination with strategic infrastructure investments and through extensive community engagement processes, to foster a more equitable and livable New York City. In 2018, *Housing New York 2.0* was released, detailing progress and updates since 2014 on the construction and preservation of affordable housing in New York City. *Housing New York* calls for neighborhood studies to be undertaken in communities across the five boroughs that offer opportunities for new affordable housing.

Gowanus was selected based on previous planning efforts the community has engaged in over the past decade, including a previous DCP study in 2009 and *Bridging Gowanus* from 2013 to 2015, which was led by local elected officials to create shared goals and priorities for the area's future development.

In October 2016, the City launched a Neighborhood Study of the Gowanus area. The planning process was a collaboration with local elected officials, community boards, community members, and City agencies—including HPD, DPR, NYCHA, the Landmarks Preservation Commission (LPC), Department of Transportation (DOT), School Construction Authority (SCA), Department of Education (DOE), Department of Environmental Protection (DEP), Small Business Services (SBS), Economic Development Corporation (EDC), Mayor's Office of Resiliency (MOR), Mayor's Office of Sustainability (MOS), New York City Department of Emergency Management (NYCEM), and the Department of Cultural Affairs (DCA).

Thousands of community stakeholders, residents, workers, business owners, and elected officials participated in over 100 hours of meetings and workshops that began in October 2016, including large public events and smaller focused meetings, including working groups covering five broad topics: Arts and Culture; Housing, Industry, and Economic Development; Public Realm; Sustainability; and Resiliency. Coupled with *PlanGowanus.com*, DCP's pilot online community engagement platform, a broad cross-section of community members articulated challenges and needs that Gowanus faces today and in the future. This engagement process solicited community goals and objectives and generated ideas about policies and investments to achieve a thriving, more resilient neighborhood.

Through this iterative process of engagement and feedback, DCP and its partner agencies developed the *Gowanus Framework*, which included recommended land use changes that would be developed into a comprehensive rezoning proposal and implemented as part of an overall Gowanus Neighborhood Plan.

The Framework includes goals and strategies to make Gowanus a cleaner, greener, and more inclusive neighborhood. The policies and proposals aim to support the evolution of Gowanus into a model green neighborhood where existing and future residents and workers can live, work, and play with a minimal carbon footprint and impact on climate change. Key strategies based on the June 2018 Framework for a more sustainable future for Gowanus include:

- Promoting a more resilient future, where buildings and infrastructure are designed to manage flood risk today and into the future;
- Increasing public open space that is green and resilient along the Canal and capitalizing on opportunities to green public spaces throughout the area;
- Creating new job-generating spaces and fostering a mix of uses within the neighborhood so that residents can live, work, create, play and shop, and all users can reach their destinations by walking, bicycling or other means;
- Promote new, denser housing – including significant amounts of affordable housing – near public transit in order to reduce energy use and promote an integrated and diverse neighborhood;
- Preserve existing affordable housing and protect tenants by investing in public housing, providing free legal representation for tenants, and implementing the Certification of No Harassment pilot program;
- Improving access to new jobs, training opportunities and other resources that support social, economic and environmental resiliency in the community;
- Improving mobility and safety for pedestrians, cyclists and drivers on streets and public areas; and
- Planning for meeting the infrastructure and community resources needs of a growing neighborhood.

Together, these strategies would reinvest private and public resources in existing urban land, primarily contaminated brownfields, to help ease the existing housing crisis and prevent thousands of households from potentially moving to homes farther from jobs and public transportation and placing our environment further at risk by increasing auto-dependent and energy-intensive suburban development.

Below is a short synopsis of the overall vision for the neighborhood, which includes updates on progress and subsequent community engagement as well as specific land use recommendations for the area and waterfront public access based on the Framework published in June 2018.

PROMOTE A MORE RESILIENT AND SUSTAINABLE FUTURE FOR ALL

As clean-up progresses in the Canal, the community has worked toward a vision of a cleaner, greener and inclusive future. Through programs and actions led by local residents, City agencies, elected officials, and others, the Gowanus community can address sustainability and resiliency challenges, which range from energy efficiency to environmental remediation to emergency preparedness. Gowanus can lead New York City as a model green and flood-resilient urban neighborhood through the following:

- Support remediation of sites adjacent to the Canal through remediation requirements attached to redevelopment;
- Assess current and future drainage issues and infrastructure needs, considering existing conditions, projected sea level rise, and potential growth and development;
- Support properties that today face risk of damage from flooding to redevelop using the highest standards of flood resilient design; and
- Engage Gowanus community members in an emergency response planning process that leverages and continues community-led work to identify hazards, vulnerabilities, and resources.

SUPPORT AFFORDABLE AND MIXED-INCOME HOUSING

To address the housing shortage that is driving up rents in the Gowanus area and citywide, the City will create opportunities for new housing on City-owned and privately owned land. The Mandatory Inclusionary Housing (MIH) Program will require permanent affordability for a percentage of the floor area of new developments across the proposed rezoning area. At the same time, the City will use all the tools at its disposal to preserve Gowanus's existing rent-regulated housing. Finally, the City will protect

existing tenants by aggressively investigating complaints of harassment and taking action against landlords who break the law. Key strategies include:

- Implement MIH across the rezoning area to generate new permanently affordable housing;
- Provide free legal representation to Gowanus tenants facing harassment;
- Move forward on redevelopment of the City-owned Gowanus Green Development Site to create a mixed-use development that will include affordable housing, community facilities, commercial retail and open space;
- Implement the Certification of No Harassment pilot program and continue to work with the Tenant Harassment Prevention Task Force to investigate and take action against landlords who harass tenants; and
- Evaluate improvements to NYCHA's Gowanus Houses, Wyckoff Gardens, and Warren Street Houses. Capital needs will be evaluated via an assessment of improvements needed in these developments, in the context of broader investments in NYCHA.

ENCOURAGE A THRIVING AND DIVERSE LOCAL ECONOMY

A central goal of the *Framework* is to promote economic development and increased access to jobs and training opportunities. This can be accomplished by applying land use strategies that balance a mix of uses while removing certain specific barriers in zoning that unnecessarily limit business expansion and growth, along with supportive infrastructure investments and business services and programs.

- Maintain the prohibition on residential use in certain areas, while promoting non-residential uses in new mixed-use developments where housing is appropriate;
- Make off-street parking regulations more flexible, reduce unnecessarily high parking requirements and update bulk regulations;
- Promote workforce development and job training opportunities for NYCHA and other neighborhood residents, particularly for City-sponsored projects;
- Connect businesses, property owners and non-profits with programs, grants and services that support entrepreneurship, business growth and revitalization projects; and
- Work with Industrial Business Zone (IBZ) stakeholders to identify potential additional interventions to assist businesses to grow and thrive in the IBZ.

PLAN FOR THE NEEDS OF A GROWING NEIGHBORHOOD

Targeted investments in infrastructure and the public realm can help improve quality of life and the business environment in Gowanus. Coordinated, proactive planning in Gowanus can advance the realization of the long-term vision of a mixed-use community in which development is supported by critical waterfront, transportation, educational and recreational investments.

- Create new community space and programming for NYCHA residents, and expand space for art and cultural uses;
- Encourage retention and reuse of key loft buildings;
- Recognize and celebrate themes in Gowanus's history through a coordinated interpretive plan;
- Identify improvements that support businesses within the area;
- Strengthen cross-canal connections, transit and regional linkages; and
- Assess existing school capacity and identify opportunities to meet future needs.

LAND USE FRAMEWORK OVERVIEW

The land use framework outlined in the broader *Framework* document is a set of guiding principles related to use, density, bulk, and waterfront access, and was intended to provide standards for developing and evaluating proposals for future land use changes. These principles were shaped by shared goals, the opportunities and challenges of achieving those goals, and an understanding of the entire Gowanus neighborhood. The parameters of the land use framework were developed to encourage cleanup and redevelopment of sites while balancing a variety of goals, including:

- Strengthen existing clusters of light industrial and commercial activity and promote new, job-generating uses—including industrial, arts, and cultural uses;
- Encourage and reinforce a vibrant, live-work neighborhood by balancing the preservation of neighborhood scale and encouraging growth that promotes a mix of uses and allows for improvements to the public realm and local services while affirming the qualities that make the neighborhood distinct; and
- Promote the creation of an active, accessible, resilient, and diverse waterfront esplanade that

celebrates the unique nature of the Canal and is flanked by a mix of uses that include new permanently affordable housing as well as commercial, artist, and manufacturing space.

Waterfront Public Access

Redevelopment of sites on the Canal creates an opportunity to achieve public access at the Canal's edge. The land use framework identified parameters for the creation of public open space along the Canal in conjunction with residential and non-residential development, including:

- Encourage street end design that is flood-resilient and ensures continuity of public access across sites;
- Allow and promote a mix of uses on ground floors leading to and along the Canal to support an active and lively waterfront;
- Relate the height of new buildings to the lower-scale neighboring context along upland frontages such as Bond Street;
- Set back higher portions of buildings to ensure light and air to side streets and the Canal;
- Ensure continuity of public access at bridge crossings with grade-change constraints; and
- Ensure access of light and air to inner courtyards and the Canal by staggering building heights and keeping street wall heights low.

Use, Density, and Height

In order to facilitate a dynamic, mixed-use neighborhood that considers block-specific conditions, the Framework identified parameters for use, density, and height. The land use framework recommended areas suitable for new residential or mixed-use development, in addition to areas proposed to be maintained primarily for continued industrial and commercial activity. The Framework broke these into three broad areas, each with its own recommendations: Industrial and Commercial, Enhanced Mixed-Use, and the Canal Corridor. The interconnectedness of these areas to each other and to the adjacent neighborhoods, which include thriving residential communities and active retail corridors (e.g., 4th Avenue and Smith Street), and the vision of a mixed-use neighborhood were taken into consideration. Recommendations within these three areas were partly derived from and respond to block- and neighborhood-wide characteristics—including current and past land use patterns, market trends, site contamination, and block and lot size and orientation—and are mutually supportive in contributing to the overall objective of a dynamic, mixed-use neighborhood.

Analysis of existing land use and business activity revealed that while much of the former industrial neighborhood is no longer comprised of heavy manufacturing uses, clusters of light industrial, commercial, and arts-related activity remain in portions of the midblocks between 3rd and 4th Avenues and west of the Canal along 4th and Hoyt Streets. Therefore, in some areas it was determined that maintenance of the current restriction on residential use is necessary to support the continuation of these uses. Other areas are characterized by lower levels of industrial and commercial activity, higher levels of vacancy and underutilization, and existing pockets of residential uses. DCP proposes to rezone these areas to permit a mix of uses, including residential, commercial, retail, light industrial, community facility, and artist spaces.

3. Description of the Proposed Project Area

The Proposed Actions affect an approximately 82-block area surrounding the Gowanus Canal and a segment of 4th Avenue. The area directly affected by the Proposed Actions, or Project Area, is generally bounded by Pacific Street, 4th Avenue, 15th Street, 7th Street, 3rd Avenue, 3rd Street, 2nd Avenue, Gowanus Canal, Huntington Street, Smith Street, 3rd Avenue, Bond Street, Warren Street, Nevins Street and Baltic Street. The area encompasses approximately 200 acres, and is defined by the 1.8-mile-long, man-made Gowanus Canal, which splits the neighborhood, and the major north–south and east–west corridors that connect the upland areas to the surrounding neighborhoods. Major corridors and areas of the neighborhood are described below.

Gowanus Canal

The approximately 100-foot-wide Canal defines the eastern edge of the Project Area from Huntington Street to 3rd Street and divides the Project Area from 3rd Street to Butler Street, where it terminates. The former industrial waterfront is a mix of commercial activity, parking lots, storage, and light industrial uses

interspersed with vacant buildings and land. The recently completed 363-365 Bond Street residential developments, which were facilitated by a rezoning in 2010, are the first new residences along the Canal, and include a publicly accessible esplanade, community facility space and affordable housing, all utilizing principles of resilient design. Connections across the Canal are limited within the Project Area, with only three bridges traversing the waterbody, including only one (at 3rd Street) that allows westbound traffic. The area surrounding the Gowanus Canal is currently zoned M1-2, M2-1, M3-1 and M1-4/R7-2.

Designated as a Superfund Site in 2010 by EPA, remediation and cleanup of the Canal's contaminant-contributing upland sites are critical to the neighborhood's future. A high-water table increases the risk of cross-property contamination and the cost of remediation and construction. Because most waterfront sites are under private ownership, access and views to the Canal are limited to public street ends, bridges, and recently constructed waterfront esplanades. Access to water-based recreational activities in the Canal is limited to the end of 2nd Street.

4th Avenue

At 120 feet wide, 4th Avenue is the widest corridor running through the neighborhood. It is one of the main thoroughfares in Brooklyn, and is also a truck route. The D/N/R subway lines run below 4th Avenue and include local stops at Union Street and 4th Avenue/9th Street, which is also an F/G subway stop. Uses along 4th Avenue vary and include one-story semi-industrial uses, various commercial uses (including local retail shops), and residential apartment and walk-up buildings. The avenue also has bus stops and a newly constructed separated bike lane.

A portion of 4th Avenue was rezoned in 2003 to R8A/C2-4. That rezoning was implemented at the request of the community to protect the scale of development in Park Slope and to allow for housing growth along 4th Avenue. The rezoning leveraged 4th Avenue's width and access to transit to accommodate new housing, albeit without any zoning tools to encourage or require the inclusion of affordable housing. New residential developments on 4th Avenue are not currently required to provide affordable housing.

In response to new housing construction resulting in blank walls along 4th Avenue and no retail or services as a result of the rezoning, at the request of the community, DCP initiated a follow-up zoning text amendment in 2011 to map the first Enhanced Commercial District in the city to require commercial and community facility uses on the ground floor and apply transparency and curb cut location requirements for ground floors in new developments to enhance the pedestrian experience. The remaining portion of 4th Avenue within the Project Area, between Douglass Street and 6th Street, is currently zoned M1-2 and C8-2.

3rd Avenue

3rd Avenue is a major corridor in the Project Area and one of two truck routes that serve the Gowanus neighborhood and the Southwest Brooklyn IBZ to the south of the Project Area. The width and uses along 3rd Avenue vary within the Project Area. 3rd Avenue is served by the B103 and B37 bus routes along with a bike lane.

The northern portion of 3rd Avenue from Baltic to Union Streets is a narrow, 70-foot-wide street. Uses along this portion include a hotel and parking lot, a gas station, former industrial buildings reused for commercial activities, and industrial or commercial businesses (including distribution/warehousing, contractor's storage yards, or fuel oil truck parking and repair).

Between Union Street and 1st Street, 3rd Avenue continues as a narrow street lined with multi-family and mixed-use walkup apartment buildings. As 3rd Avenue gently curves, it widens to 80 feet at 3rd Street. Uses along this segment become more industrial and commercial with self-storage, utility facilities, the Old American Can Factory (a repurposed former industrial loft building containing manufacturing, arts-related, and event space), a hotel, and a school.

East–West Corridors

Bridge connections across the Canal and neighborhood are limited, with three bridges traversing the waterbody, including only one (at 3rd Street) that allows westbound traffic. Below are descriptions of the key corridors that provide important connections between and within area neighborhoods.

Baltic Street between Bond Street and 4th Avenue

Baltic Street is a key corridor that traverses the Project Area and neighborhood north of the Canal. Baltic Street, from Bond Street to 4th Avenue, varies considerably in land use, street conditions, and width. Uses along this stretch include distribution warehouses, bicycle and auto repair shops, and commercial uses,

such as hotels. Despite its importance, Baltic Street lacks an inviting pedestrian streetscape and supportive uses for the three NYCHA communities it connects.

Union Street

One of the few major east–west commercial corridors in the neighborhood, Union Street is a wide street that crosses the Canal. Traffic is one-way eastbound between Bond Street and 3rd Avenue and two-way further east to 4th Avenue. The uses and built context vary along Union Street with low-rise former industrial buildings converted to commercial retail and catering uses mixed with former manufacturing facilities and distribution/warehousing, and a gas station. Non-conforming residences are interspersed along the corridor with some of the Project Area's only new construction buildings, which are primarily hotel development.

3rd Street

3rd Street is a wide street that runs from Hoyt Street to 4th Avenue in the Project Area and is the only cross-canal connector that allows westbound traffic. Both sides of 3rd Street are currently industrial or commercial in nature with distribution warehouses, parking lots, and a utilities facility interspersed with former loft buildings that have been renovated and reused for office or a convergence of uses, like the Old American Can Factory. A portion of 3rd Street is within the IBZ and includes a large supermarket with an accessory parking lot. The grocery store with waterfront access was built pursuant to a New York City Board of Standards and Appeals (BSA) approval in 2012, which also renovated the landmarked adjacent Coignet building.

Carroll Street

Carroll Street is a narrow cross-canal corridor with traffic moving east to west. Constructed in 1889, the Carroll Street Bridge is an LPC-designated Landmark and is just north of the 363-365 Bond Street redevelopment and waterfront esplanade. Between Nevins Street and 4th Avenue, legal, non-conforming residential walk-up buildings of two to five stories are mixed with former industrial buildings, many of which have been reused for residential use. Residential use has been allowed by way of variances and other approvals issued by the BSA. Many lots in this area have frontage of 20 feet or less, which makes future use or development for industrial or manufacturing space unlikely and infeasible under the current M1-2 zoning. Other properties along the corridor include light industrial uses, such as warehouses, artist/maker space, or commercial uses like retail and entertainment. There are also a number of older residences and a neighborhood institution, 505 Carroll Street, which is undergoing an expansion of its light industrial and artist space.

Around Thomas Greene Playground

Thomas Greene Playground is a unique neighborhood park located between Douglass, Degraw, and Nevins Streets and 3rd Avenue. The park is heavily used by the community and provides approximately 2.54 acres of public open space, including passive recreation at seating areas, and planted landscape areas. Active recreational amenities include a playground multi-use asphalt area, handball courts, a skate park, and a pool complex with both intermediate and wading pools, open during the summer months. It is proposed to be remediated and reconstructed as part of the overall effort to clean up the Canal and surrounding neighborhood. Around the park, vacant or underutilized land is interspersed with high lot-coverage former industrial buildings that have been reused for truck repair and storage, commercial retail and office, small-scale artisanal manufacturing, and arts-related uses. Recent new construction includes a hotel. Some properties surrounding the park are polluted due to past industrial activities and soil composition, coupled with a high-water table that has allowed contaminants to migrate underground from tanks and spills to nearby properties. Redevelopment plays a critical role in cleaning up these properties, which would otherwise remain as-is and contaminated.

Block 471

Two large properties located on Block 471 are located directly adjacent to the Smith and 9th Street and Carroll Street F/G stations—one is a privately owned site and the other is the aforementioned City-owned, Gowanus Green Development Site. The sites are separated from the residential neighborhood to the west and the more industrial context to the south and east by the elevated train line and the Canal, respectively. The Gowanus Green Development Site is approximately six acres and occupies Block 471, Lots 1 and 100. It is bounded by 5th Street to the north, Smith Street to the west, and the Canal to the east. It is bounded to the south by an approximately four-acre, privately owned parcel on Block 471, Lot 200. In total, the sites contain approximately 10 acres of underutilized land that is currently vacant or, in the case of the privately owned site (Lot 200), used in connection with Superfund remediation activities (dredging and

staging work). A 72-inch-diameter Bond Street combined sewer runs diagonally across the eastern portion of the site. Both sites require extensive remediation from prior uses including a former MGP. Block 471 is currently zoned M3-1.

The Gowanus Green Development Site is commonly referred to as Public Place after a technical term for locations mapped on the City Map for a public purpose. Public Places are mapped throughout New York City. They may or may not be zoned or generate development rights and are typically established to allow flexibility in use. When a Public Place is proposed, CPC opines on the intended purpose. In 1974, the Gowanus Green Development Site was designated as a Public Place on the City Map to allow a future public purpose compatible with the surrounding residential community and to provide open space for public use.

The major defining characteristics of the Gowanus Green Development Site include its waterfront boundary and its significant slope from the intersection of Smith and 5th Streets to the intersection of 5th and Hoyt Streets. It has 523 linear feet of frontage along the Canal, and is constrained by below-grade infrastructure that limits the location of development. In addition, an easement for an existing high-pressure gas main and related gas shed bisect the proposed waterfront open space. Today, the site is vacant.

The area across 5th Street, north of Block 471, is currently zoned M1-1 and M3-1, and contains a mix of low-scale warehouses and multi-story, loft-style buildings with various commercial and light industrial uses. Recently, former loft buildings have been reused and converted to space for artist studios, co-working, technology, media and design firms, and other newly emerging business sectors, a trend that has led to property reinvestment and spurred employment growth. Most lots in this area are smaller and built with full-lot-coverage buildings containing active businesses. At 3rd and 4th Streets, the area abuts the residential neighborhood of Carroll Gardens, which contains primarily three- to five-story rowhouses.

4. Existing Zoning

The existing zoning in the Project Area, most of which has been in place since 1961, is composed of M1-1, M1-2, M2-1, M3-1, C8-2, M1-4/R7-2, R6, R6B, R8A and R8A/C2-4 districts. Three zoning map or text amendments have been adopted since 2000. A portion of 4th Avenue was rezoned in 2003 from R7A/C2-4 (north of President Street) and R6 (south of President Street) to R8A/C2-4. The Park Slope Rezoning changed the zoning on the superblocks between 3rd and 4th Avenues from M1-2 to C8-2 to reflect the existing land uses and broaden the permitted range of commercial activities.

In 2011, DCP initiated a follow-up zoning text amendment in response to blank walls on new buildings and a lack of retail space along 4th Avenue. The text amendment mapped the first Enhanced Commercial District in the City to require commercial and community facility uses on the ground floor and applied transparency and curb cut location requirements to new developments along 4th Avenue to enhance the pedestrian streetscape.

A private rezoning in 2009, known as the 363-365 Bond Street Rezoning, changed an M2-1 zoning district to an M1-4/R7-2 zoning district on two blocks bounded by Bond Street, 2nd Street, Carroll Street, and the Canal. The rezoning facilitated the remediation and redevelopment of an approximately three-acre site of a former waterfront industrial warehouse with residential space, including affordable housing, commercial, and community facility uses and a publicly accessible waterfront open space. Currently, it is the only area mapped for Inclusionary Housing (IH) within Community District 6 and has generated 140 affordable units to house low-income New Yorkers.

In addition to the zoning changes discussed above, since 2000, there have been over 20 applications submitted to the BSA, generally for use variances. Of these applications, 12 have been granted to allow the conversion or new construction of residential space, schools, or physical culture establishments within the Project Area.

In the mid-2000s, the neighborhoods surrounding Gowanus were the focus of contextual zoning changes to prevent out-of-scale, height factor towers. Standard height factor regulations produce small multifamily buildings on small zoning lots and, on larger lots, tall buildings that are set back from the street. The zoning changes also had the effect of restricting opportunities for new housing production, including affordable housing.

M1-1 & M1-2

M1-1 zoning districts are mapped west of the Canal around 4th Street between Smith and Bond Streets. An M1-2 district is located in a portion upland of the Canal between Nevins Street and 4th Avenue from 3rd Street to Baltic Street.

M1-1 and M1-2 districts generally allow a wide range of commercial and light manufacturing uses, including office, repair shops, and wholesale service facilities. Self-storage facilities and hotels are only allowed by special permit in most cases. M1 Districts permit all types of industry, but are subject to more stringent performance standards than M2 or M3 Districts. Many retail uses are restricted to 10,000 square feet in M1 districts, which may only be exceeded by special permit of the City Planning Commission. Residential uses and community facility uses with sleeping accommodations are not permitted in M1 districts.

M1-1 districts allow industrial and commercial uses at a maximum FAR of 1.0 and certain community facility uses at a maximum FAR of 2.4. M1-2 districts allow industrial and commercial uses at a maximum FAR of 2.0 and community facility uses at a maximum FAR of 4.8.

Heights in M1-1 and M1-2 Districts are governed by a sloping sky exposure plane, which begins at 30 feet above the street line in M1-1 Districts, and at 60 feet in M1-2 Districts. Above this height, the building must be located entirely beyond the sloping plane. There is no maximum building height

Off-street parking requirements vary by use, but typically require one parking space for every three employees or every 1,000 square feet of industrial floor area and one parking space per 300 square feet of commercial space. Parking requirements that result in less than 15 spaces may be waived, but such waiver does not apply to most manufacturing or warehousing uses. Loading requirements vary by use, and are triggered after providing 25,000 square feet of office floor area, and after providing 8,000 square feet of other commercial or manufacturing floor area.

Land uses within the M1-1 and M1-2 districts include warehouses/storage for light industrial uses, auto-related businesses (such as auto repair shops), gas stations, self-storage facilities, hotels, retail, entertainment, and fitness/recreational facilities. There is also a considerable amount of vacant or underutilized land. In certain locations, commercial activities (e.g., restaurants, food stores, recreation, and entertainment establishments) that serve the adjoining residential communities as well as a broader customer base are scattered throughout much of the area, with the greatest concentration along 3rd Avenue north of Carroll Street (especially between 3rd and 4th Avenues along Douglass and Degraw Streets) and along Union and 3rd Streets between the Canal and 4th Avenue.

M2-1

An M2-1 district is mapped over much of the western portion of the Project Area. The M2-1 district is generally bounded by Nevins Street to the east, Bond Street to the west, Butler Street to the north, and the Gowanus Canal to the south. M2 districts are primarily found in older industrial neighborhoods and along waterfronts. M2 districts occupy the middle ground between light and heavy industrial areas and have an FAR of 2.0. M2-1 districts are subject to parking requirements based on the type of use and size of an establishment. There is no maximum building height. The maximum base height before setback is 60 feet in M2-1 districts. No new residential or community facility uses are permitted.

The former industrial waterfront is a mix of commercial activity, parking lots, storage, and light industrial uses interspersed with vacant buildings and vacant land. The recently completed 363-365 Bond Street residential developments, which were facilitated by a rezoning from M2-1 to M1-4/R7-2, are the first new residences along the Canal. They include a public esplanade and community facility space, and are built to meet current requirements for flood-resilient construction.

M3-1

An M3-1 zoning district, which permits a maximum FAR of 2.0 for industrial and commercial uses, is on the western side of the Canal from Huntington Street to 4th Street. M3 districts are designated for areas with heavy industries that generate noise, traffic, or pollutants. M3-1 districts are subject to parking requirements based on the type of use and size of an establishment. There is no maximum building height. M3-1 districts have a base height, above which a structure must fit within a sloping sky exposure plane; the base height is 60 feet, or four stories, whichever is less, above the street line. No new residential or community facility uses are permitted.

The M3-1 district is mapped over two large sites of approximately 10 acres of highly underutilized land; one site is a City-owned site and the other is privately owned and currently used for the Superfund dredging staging work and construction support. Along 4th Street, former loft buildings have been reused and converted to space for artist studios, co-working, technology, media and design firms, and other newly emerging business sectors.

C8-2

A C8-2 district is mapped in the southernmost portion of the Project Area generally between 3rd Street, 7th Street, 3rd Avenue, and 4th Avenue. C8 districts are found mainly along major traffic arteries. C8-2 districts permit light manufacturing, auto-related businesses, and other heavy commercial uses at a maximum FAR 2.0. C8 districts have a base height limit, above which a structure must fit with a sloping sky exposure plane; the base height is 30 feet in C8-1 districts, and 60 feet in C8-2 districts, and typically produces low-rise, one-story structures. Typical uses are automobile showrooms and repair shops, warehouses, gas stations, and car washes; community facilities, self-storage facilities, hotels and amusements, such as theatres, are also permitted. No new residential uses are permitted.

R6

An R6 district is mapped in an area bounded by Nevins, Bond, Warren, and Baltic Streets. R6 districts are medium-density residential districts that permit a wide variety of housing types. Buildings in R6 districts can be developed in accordance with either height factor or Quality Housing regulations. Under height factor regulations, the floor area ratio (FAR) ranges from 0.78 to 2.43, depending on the amount of open space provided, while under Quality Housing regulations outside the Manhattan Core, the maximum FAR is 3.0 for buildings on or within 100 feet of a wide street and 2.2 on a narrow street beyond 100 feet of a wide street. Higher maximum FARs are available for buildings participating in the Inclusionary Housing Program or that provide certain senior facilities, permitting up to 2.42 and 3.0 FAR for narrow and wide streets, respectively. Under height factor regulations, the sky exposure plane starts at 60 feet; under Quality Housing regulations, the maximum base height is 45 feet on a narrow street and 65 feet on a wide street, while the maximum building height is 55 feet on a narrow street and 70 feet on a wide street, which may be increased by 5 feet with a Qualifying Ground Floor. If utilizing the Inclusionary Housing program, the maximum building height may increase to 115 feet. Standard height factor regulations produce tall buildings that are set back from the street on large lots. Optional Quality Housing regulations produce high lot coverage buildings within height limits that often reflect the scale of older apartment buildings in the neighborhood that pre-date the 1961 Zoning Resolution.

Off-street parking is generally required for 70 percent of a building's dwelling units (DUs). These requirements are reduced to 50 percent on lots less than 10,000 sf, and are eliminated for income-restricted housing units (IRHU) within the Transit Zone. Parking can be waived if five or fewer spaces are required.

R6B

An R6B district is mapped along the west side of Bond Street, between Carroll and 1st Streets. R6B districts are contextual districts that typically produce traditional four- to five-story attached rowhouses set back from the street with stoops and small front yards, or apartment buildings of a similar scale. R6B districts permit residential and community facility uses to a maximum FAR of 2.0 (an FAR of 2.2 is allowed in areas designated as part of the Inclusionary Housing program). Building base heights must be between 30 and 40 feet, with a 50-foot maximum building height (or 55 feet with a Qualifying Ground Floor) after the building is set back to a depth of 10 feet on a wide street and 15 feet on a narrow one. New developments in the proposed R6B district would be required to line up with adjacent structures to maintain the continuous street wall character. New multi-family residences must provide one off-street parking space for 50 percent of DUs, which may be waived if five or fewer spaces would be required.

R8A

Within the Project Area, an R8A district is mapped on both sides of 4th Avenue from Pacific Street to Douglass Street, on the eastern side from Douglass Street to 6th Street and then on both sides from 6th Street to 15th Street. R8A districts permit residential and community facility uses at a maximum FAR of 6.02 and 6.50, respectively (an FAR of 7.2 is allowed in areas designated as part of the Inclusionary Housing program). The building form requires a base height between 60 feet and 85 feet and a maximum building height of 120 feet. The off-street parking requirement is one space per 1,000 sf of commercial space and health care facilities and one off-street parking space for 40 percent of DUs,

which can be waived if 15 or fewer parking spaces are required or if the zoning lot is 10,000 square feet or less. Current uses along 4th Avenue vary and include one-story semi-industrial uses, various commercial uses like local retail shops, and residential apartment and walk-up buildings. Today, new residential developments are not required to provide affordable housing.

M1-4/R7-2

Within the Project Area, a M1-4/R7-2 district (MX-11) is mapped on two blocks bounded by Bond Street, 2nd Street, Carroll Street, and the Canal. The uses permitted as of right in an MX district include new residential, community facility, commercial and light industrial uses. The maximum commercial and manufacturing FAR allowed is 2.0. Pursuant to the text amendment to the Voluntary Inclusionary Housing Program, the base residential FAR is 2.7, with the potential of increasing to 3.6 with the provision of at least 20 percent of the residential floor area as housing affordable to low-income households. The maximum community facility FAR is 6.5. The off-street parking requirement is 50 percent of the number of market rate dwelling units and 25 percent for the affordable units in the development. Within an R7-2 district in an MX district, the maximum permitted base height is 60 feet, with a maximum building height of 135 feet.

Special Enhanced Commercial District

The Special Enhanced Commercial District (EC-1) is mapped along 4th Avenue from Pacific Street to the north to 24th Street to the south. From Pacific Street to Douglass Street and from 6th Street to the Prospect Expressway, the district encompasses block frontages on the east and west sides of 4th Avenue. Between Douglass Street and 6th Street and south of the Prospect Expressway, the district encompasses only the frontages on the east side of 4th Avenue.

EC-1 provisions apply ground-floor use regulations, retail transparency requirements, and limitations on parking and curb cuts to promote a vibrant mix of commercial and community facility uses on the ground flood of new developments and enlargements, enhance the pedestrian environment, and create an active streetscape on 4th Avenue. Horizontal enlargements and new developments in EC-1 must provide windows on the ground floor facing 4th Avenue and may not locate residences or parking on the ground floor within 30 feet of 4th Avenue. At least 50 percent of the frontage must be occupied by retail and service uses as defined for the Special District, and lobbies are limited to a maximum width of 25 feet. Curb cuts are not allowed on 4th Avenue for lots that have access to the side street.

Waterfront Zoning

Properties along the Canal are also subject to waterfront zoning regulations. Generally, redevelopment, enlargements, and/or changes of use on the waterfront are required to comply with standard waterfront zoning regulations. Standard waterfront public access area (WPAA) guidelines generally require a minimum 40-foot shore public walkway and less on certain constrained sites. On larger lots, supplemental public access areas are required equal to a total amount of waterfront public access that is at least 20 percent of the total lot area. WPAA guidelines are broad guides for waterfront open space that are applied throughout the City, including the Gowanus Canal. Waterfront zoning typically does not require heavier industrial uses to provide waterfront open space or to comply with standard waterfront zoning regulations. In the case of unique places, like the Gowanus Canal, pure application of WPAA guidelines is often challenging and may not respond to the unique nature of the local waterfront context.

Commercial Overlays

A C2-4 commercial overlay is mapped within the existing R8A district mapped along 4th Avenue. C2 commercial overlays are intended to provide local shopping needs, as well as meet broader shopping and service needs. Commercial buildings in C2 overlay districts have a maximum permitted FAR of 2.0. Otherwise, residential, mixed residential/commercial, and community facility uses in C2 commercial overlays are regulated by the bulk regulations of the underlying residential districts. C2-4 districts typically require one parking space per 1,000 sf of commercial space.

5. Proposed Actions

The Proposed Actions are intended to facilitate the implementation of the objectives of the Gowanus Neighborhood Plan and the shared long-term vision for the neighborhood to create affordable housing; spur economic and job growth; facilitate brownfield remediation; foster safer, active streets; create a

vibrant, accessible, and resilient waterfront; and generate new community resources. To accomplish these goals, DCP is proposing zoning map amendments, zoning text amendments, and changes to the City Map that would affect approximately 82 blocks surrounding the Gowanus Canal and a segment of 4th Avenue.

In addition, HPD is seeking UDAA designation and UDAA Project approval of City-owned property on Block 471, Lots 1 and 100; and disposition of City-owned property on Block 471, Lots 1 and 100. NYC Parks is proposing the acquisition (post-disposition) and mapping of new parkland on a portion of the City-owned site on Block 471. DCAS, on behalf of the Economic Development Corporation (EDC) who is acting as project sponsor, is proposing the disposition of City-owned property on Block 456, Lot 29.

In addition, a potential new public school facility is planned as part of the Gowanus Neighborhood Plan. Approval and site selection from the SCA would be required; however, these actions are not subject to ULURP. HPD will also be seeking an amendment to the Urban Development Action Area Project (UDAAP) approval for a project located at Block 1028, Lot 7. The amended UDAAP approval is not subject to ULURP but will need review and approval by the City Council and Mayor.

The Proposed Actions include the following:

Zoning Map Amendments

The Proposed Actions would change the zoning in an approximately 82 block area of Gowanus. The Proposed Actions include Zoning Map Amendments to:

- Rezone all or portions of existing R6, R6B, R8A, C8-2, M1-1, M1-2, M2-1, and M3-1 zoning districts with R6A, R6B, M1-4/R6A, M1-4/R6B, M1-4/R7-2, M1-4/R7A, M1-4/R7X, C4-4D, and M1-4 zoning districts.
- Eliminate existing C2-4 overlays along 4th Avenue and replace with a C4-4D district within the GSD.

Zoning Text Amendments

The Proposed Actions include Zoning Text Amendments to:

- Establish the Special Gowanus Mixed-Use District (GSD) within the Project Area. The proposed special mixed-use district would create special use, floor area, bulk, and parking regulations on both waterfront and non-waterfront blocks and would establish special height and setback regulations for buildings on waterfront blocks and on select corridors among other special rules. In addition, the GSD would create a new special permit and three new authorizations that may be pursued by applicants in the future:
    - A CPC Special Permit to allow hotels in the Project Area (as permitted by the underlying zoning district regulations);
    - A CPC Authorization to allow for the exemption of school floor area and modified bulk under certain conditions throughout the GSD;
    - A CPC Authorization to modify the bulk envelope (height and setback regulations) and use and streetscape regulations for large mixed-use sites seeking to redevelop while integrating new development with non-residential uses; and
    - A CPC Authorization to allow an increase in density in exchange for identified transit improvements.
    - A Chair Certification to allow an increase in density in exchange for identified transit improvements at the Union Street R Station.
- Create the Gowanus Waterfront Access Plan (WAP) for the waterfront blocks within the Project Area. The proposed WAP would specify the location of required shore public walkways, supplemental public access areas, upland connections, and visual corridors to ensure access to the Canal from surrounding neighborhoods and to address the configuration of and varied conditions along the Canal. The WAP would also modify requirements and standards for public access to address the unique character of the Canal;
- Amend Appendix F of the Zoning Resolution (ZR) to apply MIH to the proposed R6A, M1-4/R6A, M1-4/R6B, M1-4/R7-2, M1-4/R7A, M1-4/R7X, and C4-4D zoning districts to require a share of new housing to be permanently affordable where significant new housing capacity would be created; and
- Replace the Special Enhanced Commercial District – 1 (EC) from Pacific Street to 15th Street with

similar and additional controls required through the GSD. The EC would continue to control development outside of the GSD and Project Area.

Urban Development Action Area Designation, Urban Development Action Area Project Approval, and Disposition Approval

- The designation of City-owned land at Block 471, Lots 1 and 100 as an Urban Development Action Area, approval of the project as an Urban Development Action Area Project, and approval of disposition of City-owned land.

Disposition of City-owned Property

- Disposition of City-owned property located at 276 4th Avenue (Block 456, Lot 29) between Carroll Street and 1st Street pursuant to the proposed zoning.

Concurrent related City Map Amendments

The Proposed Actions include City Map Amendments to:

- Acquire and map portions of Block 471, p/o Lots 1 and 100 as parkland;
- Remove the Public Place designation on Block 471;
- Map new public streets on Block 471; and
- De-map 7th Street between Smith Street and the Gowanus Canal.

Zoning Map Amendments

The Proposed Actions would change the zoning in an approximately 82 block area of Gowanus. The Proposed Actions include Zoning Map Amendments to:

Rezone all or portions of existing R6, R6B, R8A, R8A/C2-4, C8-2, M1-1, M1-2, M2-1, and M3-1 zoning districts with R6B, R6A, M1-4/R6B, M1-4/R6A, M1-4/R7A, M1-4/R7-2, M1-4/R7X, C4-4D, and M1-4 zoning districts. The proposed rezoning would also establish the GSD boundaries within the Project Area. The proposed special district would create the WAP and special use, bulk, and parking regulations on both waterfront and non-waterfront blocks and would establish special height and setback regulations for buildings on waterfront blocks and on select corridors. The proposed rezoning would also eliminate existing C2-4 districts mapped within an existing R8A district along 4th Avenue, from 15th Street to Pacific Street. The proposed rezoning would replace the R8A/C2-4 district and Enhanced Commercial District along 4th Avenue within the Project Area with the proposed C4-4D district and the GSD.

Proposed M1-4 (within the GSD)

(Existing M1-1, M1-2, M2-1, M3-1, and C8-2 Districts)

An M1-4 district is proposed on approximately 14 full or partial blocks in six areas:

- On portions of four blocks along 3rd, 4th and 5th Streets between Smith and Bond Streets currently zoned M1-1 and M3-1;
- On portions of two blocks bounded by 3rd and 4th Avenues, 6th and 7th Streets and 3rd Street currently zoned C8-2;
- On Butler Street, between Bond and Nevins Streets;
- On portions of two blocks along President Street, between 3rd and 4th Avenues currently zoned M1-2;
- On portions of five blocks along Butler, Douglass, Degraw, and Sackett Streets between 3rd and 4th Avenues currently zoned M1-2; and
- On a portion of the block bounded by Hoyt, 4th, and 5th Streets currently zoned M3-1.

Typically, M1-4 districts permit commercial and light industrial uses up to 2.0 FAR and community facility uses up to 6.5 FAR. Building height and setbacks in M1-4 districts are controlled by a sky exposure plane, and commercial and community facility buildings can be constructed as towers. No off-street accessory parking is required in M1-4 zoning districts.

The Proposed Actions would establish M1-4 districts within the Project Area. The GSD would modify the M1-4 district to fill the need for a medium-density contextual district that allows commercial, industrial, and community facility uses at a moderate density in appropriate locations. As modified, the proposed

M1-4 district would support the goals and objectives of the Gowanus Neighborhood Plan by being mapped throughout the Project Area in isolation and paired with residential districts, which are described individually below.

Specifically, M1-4 districts, as modified, would allow retail and entertainment uses at a maximum FAR of 2.0 and industrial, certain community facilities, and other commercial uses (such as office and arts-related uses) at an FAR of 3.0 or 4.0, depending on the location. Schools, houses of worship and health facilities and non-profit hospitals would be allowed at a maximum FAR of 4.8. The 3.0 FAR district would allow buildings to rise to 65 feet before setting back and rising to a maximum height of 85 feet. The 4.0 FAR district would allow buildings to rise to 95 feet before setting back and rising to a maximum height of 115 feet. An additional 30 feet would be allowed for sites larger than 20,000 sf. Use groups 3-14 and 16-18 would be allowed. No new residential use would be permitted. No off-street accessory parking is required in M1-4 zoning districts.

Proposed R6B

(Existing R6 District)

An R6B district is proposed for one partial block along Warren Street between Bond and Nevins Street currently zoned R6.

R6B is a typical rowhouse district that includes height limits and street wall lineup provisions to ensure that new buildings are consistent with the scale of the existing built context. R6B permits residential and community facility uses to a maximum FAR of 2.0 (2.2 residential FAR in areas designated as part of IH). Building base heights must be between 30 and 40 feet, with 10-foot setbacks on a wide street and 15-foot setbacks on a narrow street, before rising to a maximum height of 50 feet. New development in the proposed R6B district would be required to line up with adjacent structures to maintain a continuous street wall. New multifamily residences must provide one off-street parking space for 50 percent of DUs, which may be waived if five or fewer spaces are required.

Proposed R6A

(Existing R6B District)

An R6A district is proposed for one partial block along Bond Street between Carroll and 1st Streets currently zoned R6B.

R6A districts allow residential and community facility uses up to 3.0 FAR (up to 3.6 FAR is allowed in areas designated as part of IH). The district allows up to 3.90 FAR for affordable independent residences for seniors (AIRS). The building form requires a street wall between 40 and 60 feet, a setback above the maximum base height of 60 feet, and a maximum building height of 70 feet. Off-street parking is required for 50 percent of the dwelling units, but this requirement is waived if 5 or fewer spaces are required. No accessory parking would be required for affordable DUs.

Proposed M1-4/R6B

(Existing M1-1, M1-2, M2-1 and C8-2 Districts)

An M1-4/R6B district is proposed for 12 full or partial blocks in four areas:

- Along Bond Street between Baltic and Douglass Streets currently zoned M1-2 and M2-1;
- Along 3rd Avenue between Nevins Street and 4th Avenue currently zoned M1-2 and M2-1;
- Along 7th Street between 3rd and 4th Avenues currently zoned C8-2; and
- Along Smith Street between 4th and 5th Streets currently zoned M1-1.

M1-4/R6B districts allow a maximum FAR of 2.2 for residential uses with MIH, and 2.0 for industrial, community facility, and commercial uses. Residential buildings with qualifying ground floors developed pursuant to IH have a base height of 30 to 45 feet, a setback above the street wall and reach a maximum building height of 55 feet. No accessory parking is required for non-residential uses or affordable DUs.

The GSD would modify the bulk regulations to allow non-residential and residential buildings with qualifying ground floors developed in accordance with IH to have base heights of 30 to 45 feet, setback, and reach a maximum building height of 55 feet (which currently would only apply to residential buildings). The proposed GSD would reduce the underlying R6B district's accessory off-street parking requirement, such that parking would be required for 20 percent of market-rate DUs.

Proposed M1-4/R6A

(Existing R6, M1-1, M1-2 and M2-1 Districts)

An M1-4/R6A district is proposed for 12 full or partial blocks in six areas currently zoned M1-2 and M3-1:

- Along blocks between Warren and Douglass Streets and between Bond and Nevins Streets;
- Along the midblock of Baltic Street between 3rd and 4th Avenues;
- Along the east side of Nevins Street between Union and Carroll Streets and portions of the midblocks between Sackett and President Streets;
- Along the southern portion of Union Street at the intersection of 3rd Avenue;
- Along the midblock of Butler Street between Nevins Street and 3rd Avenue; and
- Along a portion of the north side of 4th Street, between Smith and Hoyt Streets.

M1-4/R6A districts allow a maximum FAR of 3.6 for residential uses with MIH, 3.0 for community facility uses and 2.0 for commercial and manufacturing uses. Residential buildings with qualifying ground floors developed pursuant to IH have a street wall of 40 feet to 65 feet, a setback above the street wall and a maximum building height of 85 feet. No accessory parking is required for non-residential uses or affordable DUs.

As modified by the GSD, M1-4/R6A districts would allow commercial and manufacturing uses at a maximum FAR of 3.0 and retail and entertainment uses, as defined by the GSD, at a maximum FAR of 2.0. The GSD would modify the bulk regulations so that both non-residential and residential buildings with qualifying ground floors developed pursuant to IH have a base height ranging between 40 feet and 65 feet, a setback above the street wall and a maximum building height of 85 feet (which currently would only apply to residential buildings). The proposed GSD would reduce the underlying R6A district's accessory off-street parking requirement, such that parking would be required for 20 percent of market-rate DUs.

Proposed M1-4/R7A

(Existing M1-2 District)

An M1-4/R7A district is proposed for four partial blocks along Union Street between Nevins Street and 4th Avenue currently zoned M1-2.

M1-4/R7A districts allow a maximum FAR of 4.6 for residential uses with MIH, 4.0 for community facility uses and 2.0 for commercial and manufacturing uses. Residential buildings with qualifying ground floors developed pursuant to IH have a street wall of 40 feet to 75 feet, a setback above the street wall and a maximum building height of 95 feet. No accessory parking is required for non-residential uses or affordable DUs.

As modified by the GSD, M1-4/R7A districts would allow commercial and manufacturing uses at a maximum FAR of 3.0 and retail and entertainment uses, as defined by the GSD, at a maximum FAR of 2.0. The GSD would modify the bulk regulations so that both non-residential and residential buildings with qualifying ground floors developed pursuant to IH have base heights of 40 feet to 75 feet, a setback above the street wall and a maximum building height of 95 feet. The proposed GSD would reduce the underlying R7A district's accessory off-street parking requirement, such that parking would be required for 20 percent of market-rate DUs.

Proposed M1-4/R7X

(Existing R6, M1-2, M2-1, and C8-2 Districts)

An M1-4/R7X district is proposed for 11 full or partial blocks in three areas:

- Between Baltic and Sackett Streets along 3rd Avenue, and around Thomas Greene Playground;
- On portions of two block frontages at the intersection of Baltic and Nevins Streets; and
- Along 3rd Avenue between 1st and 3rd Streets.

M1-4/R7X districts allow a maximum FAR of 6.0 for residential uses with MIH, 5.0 for community facility uses and 2.0 for commercial and manufacturing uses. Residential buildings with qualifying ground floors developed pursuant to IH have a base height ranging between 60 and 105 feet, a setback above the street

wall and a maximum building height of 145 feet. No accessory parking would be required for non-residential uses or affordable DUs.

As modified by the GSD, M1-4/R7X districts would establish a basic maximum FAR of 5.6 for residential uses with MIH. Commercial and manufacturing uses would be allowed at a maximum FAR of 4.0 and retail and entertainment uses, as defined by the GSD, at a maximum FAR of 2.0. The basic maximum FAR can be increased up to 6.0 FAR with the inclusion of certain non-residential uses (see below for additional details). The GSD would modify the height and setback regulations to allow non-residential and residential buildings with qualifying ground floors developed pursuant to IH to have base heights ranging between 60 feet and 105 feet, setback above the street wall, and have a maximum building height of 145 feet. The proposed GSD would reduce the underlying R7X district's accessory off-street parking requirement, such that parking would be required for 20 percent of market-rate DUs.

Proposed M1-4/R7-2

(Existing M2-1 and M3-1 Districts)

An M1-4/R7-2 district is proposed on approximately 13 full or partial blocks in three areas:

- On waterfront blocks between Douglass and Carroll Streets on the west side of the Canal, and Degraw Street and 1st Street on the east side of the Canal;
- On waterfront blocks that front 3rd Street on the west side of the Canal and between 2nd and 3rd Streets on the east side of the Canal; and
- On a waterfront block that fronts Smith and 5th Streets along the west side of the Canal.

M1-4/R7-2 districts typically allow a maximum FAR of 3.44 for residential uses (4.6 FAR with MIH), 6.5 for community facility uses and 2.0 for commercial and manufacturing uses. No accessory parking is required for non-residential uses or affordable DUs.

As modified by the GSD, M1-4/R7-2 districts would establish a basic maximum FAR of 4.4 for residential uses with MIH. Community facility uses would be allowed at a maximum FAR of 4.0, commercial and manufacturing uses would be allowed at a maximum FAR of 3.0 and retail and entertainment uses, as defined by the GSD, at a maximum FAR of 2.0. The basic maximum FAR can be increased up to 5.0 FAR with the inclusion of certain non-residential uses (see below for additional details). Special street wall, height, and bulk envelope regulations would be controlled by the proposed GSD along with other special urban design and parking provisions, which are described in more detail below. The proposed GSD would reduce the underlying R7-2 district's accessory off-street parking requirement, such that parking would be required for 20 percent of market-rate DUs.

Proposed C4-4D

(Existing M1-2, C8-2, R8A and R8A/C2-4 Districts)

A C4-4D district is proposed on 50 partial block frontages along 4th Avenue between Pacific and 15th Streets currently zoned R8A, M1-2, and C8-2.

C4-4D is typically an R8-equivalent district that permits residential development up to 7.2 FAR with MIH, commercial uses up to 3.4 FAR, and community facilities up to 6.5 FAR. Buildings in C4-4D districts generally require a base height between 60 and 85 feet and a maximum building height of 120 feet. No accessory parking is required for affordable DUs.

The GSD would establish a maximum FAR of 8.5 for residential uses with MIH (R9A equivalent) and modify the height and setback regulations so that buildings with qualifying ground floors developed pursuant to IH have a maximum base height of 125 feet and a maximum building height of 175 feet on wide streets. The proposed GSD would eliminate the non-residential parking requirement and reduce the underlying C4-4D district's accessory off-street parking requirement, such that parking would be required for 20 percent of market-rate DUs.

Zoning Text Amendments

DCP proposes a series of text amendments to facilitate the land use objectives of the Gowanus Neighborhood Plan. The following is a summary description of the proposed text amendments.

Special Gowanus Mixed-Use District (GSD)

The GSD would be mapped within the Project Area and on waterfront blocks affected by the Proposed Actions. The proposed GSD would create special use, floor area, bulk, and parking regulations on both waterfront and non-waterfront blocks and establish special height and setback regulations for buildings on waterfront blocks and key corridors.

Use and Streetscape Regulations

As described above, the GSD would allow a mix of compatible light industrial, commercial, community facility, and residential uses; expand the types of community facility and commercial uses permitted as-of-right; and allow for additional flexibility for location of uses within the same building. In zoning districts that permit hotels, the GSD would require a special permit for any new hotel developments. The GSD would establish certain streetscape requirements to encourage a pedestrian-friendly environment, including requirements for ground-floor use in key locations, like cross-canal connectors, on a percentage of building frontages, and screening requirements for off-street parking facilities.

The GSD would include supplemental ground floor use regulations in key locations to require active non-residential or commercial uses and minimum levels of transparency as well as limit curb cuts, where appropriate. Non-residential ground-floor uses (i.e., commercial space, light industrial space, arts-related space, or community facilities) would be required along key corridors (4th and 3rd Avenues, Union and 3rd Streets) and around certain planned investments and improvements (Thomas Greene Playground area), and would require active ground-floor use requirements at Canal crossings within the rezoning area, which are critical junctures for east–west travel and the envisioned new public esplanade space. Overall, the controls would foster a safe, varied, and walkable pedestrian experience along major corridors and at key locations where access to the waterfront esplanade should be encouraged. The ground-floor requirements would also help activate and create a mixed-use neighborhood in other areas where major private and public investments are planned for the public realm.

Floor Area Regulations

The GSD would modify floor area regulations of underlying proposed zoning districts as described above. The special district would establish a basic maximum FAR for the proposed districts and maximum FARs for specific uses as described above in more detail. Along 4th Avenue, the GSD would modify the underlying C4-4D district to have an R9A equivalent maximum residential FAR of 8.5. The GSD would modify the M1-4 district to fill the need for a medium-density contextual district that allows commercial, industrial, and community facility uses at a moderate density in appropriate locations. As modified, the proposed M1-4 district would support the goals and objectives of the Gowanus Neighborhood Plan by being mapped throughout the Project Area in isolation and paired with residential districts, which are described individually below. Within M1-4 districts, the GSD would allow schools, houses of worship, health facilities and non-profit hospitals at a maximum FAR of 4.8. The GSD would create special floor area regulations where new streets are proposed to be mapped under the Gowanus Plan. The special district would compensate these sites with an equal amount of floor area as contained within the bed of the proposed mapped streets.

In key locations, the GSD would apply special FAR regulations to ensure a desirable mix of residential, commercial, light industrial, arts-related, and production uses that support the objectives of the Plan. Incentives would be applied to districts that are primarily proposed along the Canal and around Thomas Greene Playground to promote mixed-use residential buildings that include a diversity of non-residential uses. One would incentivize the inclusion of a wide range of non-residential uses allowed in the proposed districts. The other would incentivize inclusion of a more specific set of uses that include light industrial, arts-related, cultural, and civic uses; and repair and production services.

The GSD would also apply special FAR regulations to promote community resources, such as schools. The GSD would allow floor area for schools, as defined by the GSD and under certain conditions, to be exempted. Along the Canal, exempted floor area would be accompanied by an increase in maximum permitted height to accommodate the school. The GSD would also create an authorization that would allow for the exemption of school floor area and modified bulk under certain conditions throughout the GSD.

Street Wall Location and Bulk Envelope

The GSD would modify height and setback regulations and street wall location requirements of the underlying proposed zoning districts.

In order to reach a total sidewalk width of 15 feet, the GSD would require a sidewalk widening on portions of Nevins Street from Degraw to Carroll Streets, on both sides of 3rd Avenue from Baltic to Union Streets and the southern side of 5th Street between Smith and Hoyt Streets. Additional street wall location requirements would be required at certain bridge crossings. Street walls in excess of 200 feet would be required to recess or project from the street wall.

The GSD would modify underlying yard and rear yard regulations, including permitted obstructions, rear yard equivalents and rear yards along district boundaries. The GSD would modify typical yard regulations including to allow rear yards to be provided at a height of 30 feet, as opposed to 23 feet, to accommodate higher floor-to-ceiling heights that commercial and industrial uses typically require, increasing the viability of these spaces in mixed-use buildings. The GSD would remove the location requirement of rear yard equivalents in through lots, which would allow rear yard equivalents to be located anywhere within the lot, provided that the dimensional requirements are met.

In addition to the zoning requirements of the underlying districts, the GSD would modify certain height and setback and permitted obstruction regulations and create special rules for the Canal blocks. Along the frontages of Bond Street, the base of a building would be limited to a height of 55 feet followed by a required setback of 15 feet. Along the frontages of Nevins Street and the Canal from the head of the Canal to 2nd Street, the base of a building would be limited to a height of 65 feet followed by a required setback of 15 feet. Within a distance of 65 feet from Bond Street, building heights would be limited to a height of 65 feet. Beyond these frontages, building heights would be limited to a maximum of 85 feet. Certain side streets would have a base height of 85 feet. The GSD would control width, length, coverage and height of a “tower” and regulations for sites with multiple “towers.” Generally, on typical Canal sites, building portions above a height of 85 feet would be considered a “tower” with a maximum height of 225 feet after a setback of 15 feet above the base height and 30 feet from a waterfront yard and Nevins Street. No “towers” would be permitted within 65 feet of Bond Street. Sites with multiple towers would have additional regulations including a required four-story or 50-foot height difference, whichever is greater, and would be required to locate the taller tower north of the mid-block line at certain locations. Additional modifications, regulations, and controls would be applied to sites with unique conditions or constraints including the below. Along portions of 3rd Street and portions of the proposed extensions of Nelson, Luquer and Hoyt Streets, a building would be limited to a height of 85 feet followed by a setback of 10 feet. Along portions of 5th, Smith, Luquer and Nelson Street, a building would be limited to base heights ranging from 75 feet to 105 feet, followed by either a 10-foot or 15-foot setback depending on the location. Transition heights would be applied in these areas to allow for a graduation of height across sites. Transition heights range from 65 feet to 95 feet depending on location. In limited areas, including around new mapped parkland and new streets, transition heights range from 115 to 145 feet and the maximum heights would range from 245 feet to 305 feet.

The 3.0 FAR M1-4 district would allow buildings to rise to 65 feet before setting back and rising to a maximum height of 85 feet. The 4.0 FAR M1-4 district would allow buildings to rise to 95 feet before setting back and rising to a maximum height of 115 feet. An additional 30 feet of height would be allowed for developments on lots greater than 20,000 sf in the modified M1-4 district to accommodate larger office buildings.

The GSD would create an authorization to modify the bulk envelope for existing, large mixed-use sites seeking to redevelop while integrating new development with substantial, existing buildings. The authorization, which would apply to zoning lots greater than 40,000 square feet and which contain predominantly non-residential uses, would allow for modifications to height and setback regulations and use and streetscape regulations to promote a mixed-use development with a superior site plan and design that better relates to the zoning lot, adjacent streets and surrounding neighborhood.

Public Access Area

In key locations, the GSD would support public access to existing and future neighborhood resources, like designed upland connections to an improved waterfront recreation area. The creation of new public areas and access points would facilitate key goals of the Neighborhood Plan by creating new publicly accessible open space and reestablishing the neighborhood's connection and use of the waterfront.

Parking and Loading Regulations

The GSD would modify the underlying accessory residential parking requirements to 20 percent of market-rate dwelling units and eliminate parking requirements for non-residential uses. No parking would be required on the City-owned Gowanus Green Development site to help facilitate the proposed remediation

and redevelopment plans. The GSD would allow for wider flexibility in off-site provision of required accessory off-street parking spaces to zoning lots anywhere within the GSD and would allow for joint parking facilities to provide required accessory off-street parking for two or more buildings. The GSD would allow car sharing vehicles to occupy up to 20 percent of all required off-street parking spaces in a parking facility. All accessory off-street parking spaces may be made available for public use. Special curb cut regulations limiting curb cuts to off-street parking facilities and loading berths would be focused along key streets and in proximity to a shore public walkway. The modifications would address site conditions and facilitate active ground-floor use for a percentage of site frontage. To encourage a more vibrant, active, and safe 4th Avenue, the GSD would allow for existing ground-floor parking to be replaced by active ground-floor uses. Loading requirements would be modified to better reflect modern business needs.

Transit Improvements

Under the proposed GSD, owners of lots adjacent to subway stations along 4th Avenue within the Project Area would be required to coordinate with the Metropolitan Transportation Authority (MTA) and DCP in order to obtain a CPC Chairperson Certification prior to any development. This process will determine whether an easement, zoning relief, or other interventions would be needed to allow for station improvements. Any floor area utilized by MTA for station circulation improvements would be exempt from FAR calculations and any development required to provide an easement for an improvement would be allowed to rise an additional story (10 feet).

The GSD would also apply special FAR regulations to promote transit improvements. The GSD would create an authorization that would allow an increase in density in exchange for identified transit improvements. The authorization, which would apply to developments or enlargements within 500 feet of a subway station, would allow for an increase in density and maximum building height up to 20 percent and modification of street wall location and street wall continuity regulations to accommodate the additional density in exchange for improvements and access to transit infrastructure. This bonus would be in addition to the proposed as-of-right maximum FAR. The GSD would also create a chair certification that would allow an increase in density in exchange for identified transit improvements at the southbound Union Street subway station.

Waterfront Access Plan

The GSD would establish the Gowanus WAP in order to institutionalize a framework by which a continuous shore public walkway would be constructed over time through a mix of public and private investment. The WAP would cover the waterfront blocks within the Project Area. Developments, enlargements, and/or changes of use on the waterfront would be required to comply with waterfront zoning regulations.

Standard Waterfront Public Access Area (WPAA) guidelines generally require a minimum 40-foot shore public walkway on typical sites and a minimum of 30-foot shore public walkway on certain constrained sites, and on larger sites supplemental public access areas that ensure that 20 percent of the lot is devoted to waterfront public access. WPAA guidelines are broad guides for waterfront open space that apply throughout the City. In the case of unique places like the Gowanus Canal, standard application of WPAA guidelines is often challenging if not impossible and may not respond to the unique nature of the local waterfront context. Moreover, simply applying the existing WPAA guidelines will not support the community vision for a unique open space with a diversity of experiences along the Canal. The Gowanus WAP would modify the underlying standard WPAA requirements to address the unique character of the Canal and support the overall goals outlined in the Gowanus Plan.

Specifically, the WAP, in conjunction with the proposed zoning districts and GSD, would establish the location of required shore public walkways, supplemental public access areas, upland connections, and visual corridors to ensure access to the Canal from surrounding neighborhoods and to address the varied lot configurations and conditions along the Canal's edge. The WAP would modify requirements and standards for public access. It would also modify typical dimensional and grading requirements, permitted obstructions, and design standards for public access to allow and encourage unique design solutions that are challenging to implement under standard WPAA regulations, such as flood-resilient, bi-level esplanades. The WAP would ensure long-term continuity of public access across all sites along the Canal (including at street ends and bridge crossings) with maximum grade-change constraints.

The WAP would incentivize incorporation of community amenities like comfort stations, boat launches, and historic interpretation elements, as well as include incentives that encourage programming and activation of the waterfront with design features such as playrgounds and dog runs. The WAP would

eliminate lawn requirement for sites smaller than 15,000 square feet and expand the size of permitted kiosks on the largest sites along the Canal. Generally, on certain narrow or otherwise encumbered parcels, the minimum width of the required shore public walkway would be modified from 40 to 30 feet. On larger parcels, the minimum width of the required shore public walkway would remain 40 feet. Additionally, the WAP would require that at least 80 percent of the required circulation path be located at a level no less than six feet above the shoreline to help protect against long-term daily tidal inundation. Other modifications include improving adjacent streets as a continuation of the shore public walkway or supplemental public access area and modifying the minimum width of the primary and secondary circulation path. The WAP would also allow for an adjusted maintained level of illumination to respond to unique conditions along the Canal. These and other modifications in the WAP would help ensure the future shoreline is appropriately elevated while allowing for a shore public walkway with sufficient design flexibility to accommodate a variety of uses, activities, and experiences.

City Planning Commission Special Permits and Authorizations

Though much of the proposal provides a future as-of-right zoning framework to achieve the stated land use objectives of the rezoning, the Proposed Actions would create one new special permit and three new authorizations that may be pursued by applicants in the future:

- Create a special permit to allow hotels in the Project Area (as permitted by the underlying zoning district regulations);
- Create an authorization to allow for the exemption of school floor area and modified bulk under certain conditions throughout the GSD;
- Create an authorization to modify the bulk envelope (height and setback regulations) for sites proposed for development (new construction) that also include a preservation component intended to promote superior site design and preservation of important neighborhood buildings and assets;
- Create an authorization to allow an increase in density in exchange for identified transit improvements; and
- Create a chair certification to allow an increase in density in exchange for identified transit improvements at the Union Street R Station.

Mandatory Inclusionary Housing Program

The Proposed Actions would amend Appendix F of the ZR to apply MIH Options 1, 2 and 3 to the proposed R6A, M1-4/R6A, M1-4/R6B, M1-4/R7A, M1-4/R7-2, M1-4/R7X, and C4-4D zoning districts to require a share of new housing to be permanently affordable where significant new housing capacity would be created.

MIH requires permanently affordable housing within new residential developments, enlargements, and conversions from non-residential to residential use within the mapped MIH Areas. The program requires permanently affordable housing set-asides for all developments over 10 units or 12,500 zoning square feet (zsf) within the MIH Areas. An additional option of a payment into an Affordable Housing Fund is available for developments between 10 and 25 units, or between 12,500 sf to 25,000 sf. In cases of hardship, where these requirements would make development financially infeasible, developers may apply to BSA for a special permit to reduce or modify the requirements. Developments, enlargements, or conversions that do not exceed either 10 units or 12,500 zsf of residential floor area would be exempt from the requirements of the program.

MIH includes two primary options that pair set-aside percentages with different affordability levels to reach a range of low and moderate incomes while accounting for the financial feasibility trade-off inherent between income levels and size of the affordable set-aside. Option 1 would require 25 percent of residential floor area to be set aside for affordable housing units for households with incomes averaging 60 percent of the Area Median Income (AMI). Option 1 also includes a requirement that 10 percent of residential floor area be affordable at 40 percent of AMI. Option 2 would require 30 percent of residential floor area to be for affordable to households with an average of 80 percent of AMI. Additionally, Option 3—which could be applied in conjunction with Options 1 or 2—would require that 20 percent of the residential floor area be affordable to residents at 40 percent AMI.

Amendment to the Special Enhanced Commercial District – 1 (EC)

The Proposed Actions would modify the Special Enhanced Commercial District – 1 (EC), which was mapped along portions of 4th Avenue in 2011 to enhance the vitality of emerging commercial districts ensuring

that a majority of the ground floor space within buildings is occupied by commercial establishments that enliven the pedestrian experience along the street. The Proposed Actions would replace the EC from Pacific Street to 15th Street and replace it with similar and additional controls required through the GSD. The EC would continue to control development outside of the GSD and Project Area.

Urban Development Action Area Project Designation and Disposition Approval

HPD proposes the following actions to facilitate the development at the Gowanus Green Development Site (Block 471, Lots 1 and 100):

Designation of an Urban Development Action Area and Approval of an Urban Development Action Area Project

The Disposition Area (Block 471, Lots 1 and 100) consists of underutilized land that tends to impair or arrest the sound development of the surrounding community, with or without tangible physical blight. Incentives are needed in order to induce the correction of these substandard, insanitary, and blighting conditions. The project activities would protect and promote health and safety and would promote sound growth and development. The Disposition Area is therefore eligible to be an Urban Development Action Area and the proposed project is therefore eligible to be Urban Development Action Area Project pursuant to Article 16 of the General Municipal Law.

Disposition of City-Owned Property

The Disposition Area (Block 471, Lots 1 and 100) will be conveyed to a developer to be selected by HPD.

As part of a proposed related application that includes park mapping and acquisition (see below), the City will acquire a portion of the area proposed to be disposed of to facilitate redevelopment of the Gowanus Green Development Site upon or prior to completion of the project. Upon acquisition by the City, the future park will ultimately be placed under the jurisdiction of the Department of Parks and Recreation.

Disposition of City-owned Property

DCAS, on behalf of the Economic Development Corporation (EDC) who is acting as project sponsor, is seeking approval to dispose of City-owned property, in the form of one or more easements, located at 276 4th Avenue (Block 456, Lot 29) between Carroll Street and 1st Street pursuant to the proposed zoning. The parcel is currently zoned M1-2 and used by the MTA as a Transit Authority substation (known as the Garfield Substation). The substation would remain active on Block 456, Lot 29. The lot area is approximately 6,000 square feet and is proposed to be rezoned to a C4-4D (R9A equivalent) district within the GSD. The proposed C4-4D will allow new mixed income housing, including market-rate and permanently affordable units, at maximum FAR of 8.5, which would create approximately 51,000 square feet of floor area. The approval of the disposition action would allow the sale of development rights and may facilitate the construction of mixed-use development on adjacent, privately-owned tax lot(s) that will comply with the proposed zoning. As described above, the purpose of the C4-4D (R9A equivalent) district is to revitalize the Fourth Avenue Corridor through public realm and street improvements and requirements for permanently affordable housing.

Concurrent Related City Map Amendments

The Proposed Actions include changes to the City Map to:

- Remove the Public Place designation to facilitate development of housing, community resources, and new open space;
- Acquisition of a portion of the UDAAP disposition area (Block 471, p/o Lots 1 and 100) for use as a future park. NYC Parks approval on the construction of the future park is required prior to acquisition. NYC Parks will assume jurisdiction of the future park.
- Map portions of Block 471, p/o Lots 1 and 100, as parkland to provide a new waterfront park (the City-owned parcel is located at the end of 5th Street adjacent the west side of the Gowanus Canal).
- Map new public streets on Block 471 to coordinate private and public improvements and to provide access to new mixed-use developments and neighborhood open space; and
- Demap 7th Street between Smith Street and the Gowanus Canal.

The proposed changes to the City Map are intended to reconnect the community to the Gowanus Canal, improve neighborhood livability by increasing access to publicly accessible open space and the waterfront, and facilitate public realm improvements in connection with planned private and public investments. The proposed demapping of a Public Place designation and mapping of new streets and parkland would facilitate the redevelopment of City-owned property for a mix of uses, including significant amounts of affordable housing along with community facility, commercial, light manufacturing, open space or other uses allowed under the proposed zoning, and would provide new open space and connect new parkland and waterfront open space along the Canal. The proposed mapping and demapping actions on Block 471 would reconnect the area to the street grid and surrounding communities and support the redevelopment and remediation of large vacant and underutilized sites.

6. Conclusion

The COVID-19 pandemic has led to social, physical, and economic crises across the world, country, and New York City. It has highlighted broad inequities in our society across the racial and socioeconomic spectrum. It has also elevated the importance of complete neighborhoods to a community's health and resiliency, including walkability, housing security, open spaces, and active places. The underlying aspects that make New York successful have not changed and the pre-Covid-19 trends that caused an unprecedented housing crisis are not anticipated to abate. New homes near jobs and proximate transit will continue to be critical goals of the city to plan for and implement as we seek to be a more just, equitable and sustainable city.

Approval of the Proposed Actions is necessary because existing land use patterns and zoning do not allow for implementation of the Neighborhood Plan. Current zoning around the Canal only permits industrial and some commercial uses, with no new residential uses or affordable housing, and little incentive to create waterfront public open space. New non-residential development has been limited by the existing zoning's relatively low permitted densities, high parking and loading requirements, and outdated envelopes. Current zoning along 4th Avenue does not include incentives or requirements for permanently affordable housing.

Absent the Proposed Actions, future development in Gowanus would occur in a piecemeal manner and without the benefit of a comprehensive rezoning and well-considered plan that encourages a resilient, mixed-use neighborhood; and coordinates remediation and redevelopment activities, infrastructure investments and new open spaces, and urban design controls. New residential development along the portion of 4th Avenue currently zoned for residential would continue without any requirements to provide needed affordable housing. The Proposed Actions seek to avoid a haphazard approach to neighborhood development and would facilitate the implementation of the Neighborhood Plan by comprehensively updating the zoning on an approximately 82 block area to allow a wide range of uses including residential, commercial, retail, light industrial, arts-related uses, community facilities, and new open space.

The Proposed Actions would support new housing and jobs in a neighborhood with strong public transit access and proximate to the Central Business Districts of Downtown Brooklyn and Lower Manhattan. In addition, the Proposed Actions would work in tandem with and support the remediation activities in Gowanus. By allowing new residential use where it is currently prohibited, by increasing density at select locations, and by requiring appropriate safeguards during construction and operation to protect the health and safety of workers and future occupants of new mixed-use developments from contamination, these changes are expected to spur the cleanup and redevelopment of Brownfield sites. The creation of a WAP as part of the zoning changes and proposed mapping of new parkland would facilitate new access to the waterfront and create new waterfront public open space along the Canal, providing a recreational amenity for current and future residents.

To help alleviate NYC's housing crisis, provide new housing choices for a wide range of incomes and households, and to support neighborhood integration, the Proposed Actions would create opportunities for new housing in mixed-use developments and requirements that such development include affordable housing, particularly along major north–south corridors (3rd and 4th Avenues) and east–west corridors (Union, Carroll, and 3rd Streets), around Thomas Greene Playground, and along the Canal. Additionally, approval of the Proposed Actions would further the goals for an underutilized City-owned property at the Gowanus Green Development Site that maximizes the development of uses that better meet the current needs of the Gowanus neighborhood and the city-at-large.

To support job growth for a wide range of skills and residents, the diversification of employment sectors, and support the mixed-use character of the neighborhood, the Proposed Actions create zones for mixed-use incentives, mixed-use requirements, and areas reserved exclusively for non-residential activity.

The Proposed Actions would also support the creation of new community resources and facilities through zoning incentives, a comprehensive WAP that requires the development of new waterfront public open

Particularly on large waterfront blocks, the Proposed Actions would be able to achieve a variety of goals including: remediating and reactivating contaminated, vacant, and underutilized land; facilitating the creation of new housing, including permanently affordable housing; facilitating the creation of publicly accessible open space at the water's edge; facilitating the creation of new non-residential space; and balancing the unusual physical and economic conditions of Canal-front blocks. Development along the waterfront would also be required to elevate portions of the shoreline to prepare for future sea level rise, which would support on-going neighborhood-wide resiliency efforts.

The Proposed Actions would obviate a future without the Proposed Actions. Absent the Proposed Actions the population that would live, work, grow up and play in Gowanus would not simply disappear. The population would instead double- or triple-up in overcrowded housing; move to a less-expensive neighborhood in NYC, increasing displacement pressures on existing tenants; or leave the city altogether for more auto-oriented suburban or exurban areas, exacerbating environmental degradation and encouraging greenfield development, increasing per-capita GHG emissions, and intensifying climate change and global sea level rise. In contrast, the Proposed Actions would increase density, the number of homes and jobs, proximate to public transportation and the Central Business Districts in Downtown Brooklyn and Manhattan, and require the remediation of brownfields, installation of solar and green roofs, capturing more stormwater and reducing combined sewer overflows while planting a new tree canopy and creating a resilient shoreline.

The comprehensive set of Gowanus Plan investments, strategies and policies respond to the challenges and opportunities presented by the proposed zoning changes. The City's proposed strategic investments would serve and improve a vibrant, livable neighborhood for current and future generations in Gowanus. These investments include new infrastructure, including water and sewer upgrades; a new school, a new park and waterfront open spaces; improvements to existing parks and community and cultural facilities, including renovating and reopening the Gowanus Houses NYCHA community center; and major streetscape design and safety improvements. Together with the Proposed Actions, the Gowanus Plan would foster a thriving, inclusive, and more resilient Gowanus, where existing and future residents and workers are able to participate in civic, cultural, and economic activities, and where a wholly unique resource—the Gowanus Canal—can thrive and play an active role in that equitable and sustainable growth.