

SPECIAL DOWNTOWN JAMAICA DISTRICT

Matter underlined is new, to be added;

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

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

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

**ARTICLE I
GENERAL PROVISIONS**

**Chapter 1
Title, Establishment of Controls and Interpretation of Regulations**

* * *

**11-10
ESTABLISHMENT AND SCOPE OF CONTROLS, ESTABLISHMENT OF DISTRICTS,
AND INCORPORATION OF MAPS**

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**11-15
Environmental Requirements**

* * *

**11-151
Special requirements for properties in the Borough of Queens**

- (a) Block 9898, Lots 1 and 117, in the Borough of Queens, shall be subject to the provisions of Section 11-15 (Environmental Requirements) governing (E) designations. The City Environmental Quality Review (CEQR) Declarations for these sites shall be listed in APPENDIX C (City Environmental Quality Review (CEQR) Environmental Requirements) of the Zoning Resolution.
- (b) The following special requirements shall apply to a #development#, #enlargement# or change of #use# for properties in the Borough of Queens located within the areas described in paragraphs (1) through ~~(5)~~(4) of this paragraph, (b).
 - (1) The regulations of an R4 District shall apply within an area bounded by Liberty Avenue, 170th Street, a line 100 feet southeasterly of Liberty Avenue, and a line 100 feet southwesterly of 168th Place.
 - (2) The regulations of a C8-1 District shall apply within an area bounded by Liberty Avenue, a line 100 feet southwesterly of 168th Place, a line 150 feet northwesterly of 104th Avenue, and Merrick Boulevard.

- (3) The regulations of an M1-1 District shall apply within an area bounded by Liberty Avenue, Sutphin Boulevard, 105th Avenue, a line 50 feet southwesterly of 148th Street, a line 100 feet northwesterly of 105th Avenue, and a line 150 feet northeasterly of Sutphin Boulevard.
- (4) The regulations of an R6 District with a C2-2 District overlay shall apply within an area bounded by 163rd Street, a line perpendicular to 163rd Street passing through a point distant 109.42 feet as measured along the easterly #street line# of 163rd Street from the intersection of the southeasterly line of Hillside Avenue and the northeasterly line of 163rd Street, a line 86 feet northeasterly of 163rd Street, a line perpendicular to 163rd Street passing through a point 146.92 feet distant as measured along the easterly #street line# of 163rd Street from the intersection of the southeasterly line of Hillside Avenue and the northeasterly line of 163rd Street.
- (5) ~~The regulations of a C8-1 District shall apply within an area bounded by Hillside Avenue, a line 388 feet westerly of 144th Street, a line 100 feet northwesterly of 88th Avenue, a line 100 feet northeasterly of 139th Street, a line 120 feet northwesterly of 88th Avenue, a line 60 feet northeasterly of 139th Street, a line 70 feet southeasterly of Hillside Avenue, and 139th Street; and within an area bounded by Queens Boulevard, Hillside Avenue, 139th Street, a line 100 feet southeasterly of Hillside Avenue, a line midblock between 139th Street and Queens Boulevard, a line perpendicular to Queens Boulevard passing through a point distant 140 feet as measured along the northeasterly #street line# of Queens Boulevard from the intersection of the southeasterly line of Hillside Avenue and the northeasterly line of Queens Boulevard.~~

However, in the event that the Chairperson of the City Planning Commission, based on consultation with the Department of Environmental Protection of the City of New York, provides a certificate of no effect to the Department of Buildings with regard to industrial air emissions for an area described in paragraph (b) of this Section, the regulations of the zoning districts designated on the #zoning map# shall apply to any #development#, #enlargement# or change of #use# within such area, to the extent permitted under the terms of the certificate of no effect.

ARTICLE XI SPECIAL PURPOSE DISTRICTS

Chapter 5 Special Downtown Jamaica District

115-00

GENERAL PURPOSES

The “Special Downtown Jamaica District” established in this Resolution is designed to promote and protect the public health, safety and general welfare of the Downtown Jamaica community. These general goals include, among others, the following specific purpose:

- ~~(a) to strengthen the business core of Downtown Jamaica by improving the working and living environments;~~
- ~~(b) to foster development in Downtown Jamaica and provide direction and incentives for further growth where appropriate;~~
- ~~(c) to encourage the development of affordable housing;~~
- ~~(d) to expand the retail, entertainment and commercial character of the area around the transit center and to enhance the area’s role as a major transportation hub in the City;~~
- ~~(e) to provide transitions between the downtown commercial core, the lower scale residential communities and the transportation hub;~~
- ~~(f) to improve the quality of development in Downtown Jamaica by requiring the provision of specified public amenities in appropriate locations;~~
- ~~(g) to encourage the design of new buildings that are in character with the area;~~
- ~~(h) to enhance the pedestrian environment by relieving sidewalk congestion and providing pedestrian amenities; and~~
- ~~(i) to promote the most desirable use of land and thus conserve and enhance the value of land and buildings, and thereby protect the City’s tax revenues.~~
- (a) to strengthen Downtown Jamaica and its nearby major corridors by promoting the establishment of mixed-use, transit-oriented growth hubs;
- (b) to enhance neighborhood economic diversity by broadening the range of housing choices at varied incomes;
- (c) to create a lively and attractive built environment that will provide amenities and services for the use and enjoyment of area residents, workers and visitors;
- (d) to encourage designs of new buildings that support the neighborhood’s character;
- (e) to establish walkable retail corridors in the neighborhood;
- (f) to support industrial growth in manufacturing districts that are appropriate near certain residential districts; and

- (g) to promote the most desirable use of land and thus conserve and enhance the value of land and buildings, and thereby protect the City's tax revenues.

115-01

General Provisions

In harmony with the general purposes and content of this Resolution and the general purposes of the #Special Downtown Jamaica District#, the regulations of this Chapter shall apply within the #Special Downtown Jamaica District#. The regulations of all other chapters of this Resolution are applicable except as modified, supplemented or superseded by the provisions of this Chapter. In the event of a conflict between the provisions of this Chapter and other regulations of this Resolution, the provisions of this Chapter shall control. However, for #transit-adjacent sites# or #qualifying transit improvement sites#, in the event of a conflict between the provisions of this Chapter and the provisions of Article VI, Chapter 6 (Special Regulations Applying Around Mass Transit Stations), the provisions of Article VI, Chapter 6 shall control. ~~For the purposes of this paragraph, defined terms additionally include those in Section 66-11 (Definitions).~~

~~Any special permit granted by the City Planning Commission before September 10, 2007, may be started or continued, in accordance with the terms thereof, or as such terms may be subsequently modified, pursuant to the regulations in effect at the time such special permit was granted, subject to the provisions of Sections 11-42 (Lapse of Authorization or Special Permit Granted by the City Planning Commission Pursuant to the 1961 Zoning Resolution) and 11-43 (Renewal of Authorization or Special Permit).~~

115-02

Definitions

For the purposes of this Chapter, matters in italics are defined in Sections 12-10 (DEFINITIONS), 32-301 (Definitions), and 66-11 (Definitions), except where explicitly stated otherwise in individual provisions in this Chapter.

115-03

District Plan and Maps

The regulations of this Chapter implement the #Special Downtown Jamaica District# Plan.

The District Plan includes the following maps in the Appendix to this Chapter:

- | | |
|-------|---|
| Map 1 | Special Downtown Jamaica District |
| Map 2 | Ground Floor Use and Transparency and Curb-Cut Restrictions <u>Streetscape Regulations</u> |

Map 3 Street Wall Location

Map 4 Maximum Building Height

Map 5 Map 3 Sidewalk Widening

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

115-04 **Subdistricts**

To carry out the provisions of this Chapter, the Core Subdistrict is established. The location and boundaries of this Subdistrict is shown on Map 1 (Special Downtown Jamaica District) in the Appendix to this Chapter.

115-03

115-05

Applicability of the Mandatory Inclusionary Housing Program

For the purposes of applying the Inclusionary Housing Program provisions set forth in Section 27-10 (ADMINISTRATION OF AFFORDABLE HOUSING), inclusive, #Mandatory Inclusionary Housing areas# within the #Special Downtown Jamaica District# are shown on the maps in APPENDIX F of this Resolution.

115-06

Applicability of Article XII, Chapter 3

In the #Special Downtown Jamaica District#, M1 Districts are paired with a #Residence District#. In paired districts, the special #use#, #bulk#, and parking and loading provisions of Article XII, Chapter 3 (Special Mixed Use District) shall apply, except where modified by the provisions of this Chapter.

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

115-10

SPECIAL USE REGULATIONS

[RELOCATING TEXT TO SECTION 115-12, AND MODIFYING]

In the ~~#Special Downtown Jamaica District#~~, the ~~#use#~~ regulations of the underlying district shall apply except as modified in this Section, inclusive. ~~The #use# regulations of the underlying C4-5X, C6 and M1-4 Districts relating to #public parking garages# are modified in Section 115-11. The #use# regulations of the underlying C6-4 District relating to Use Group IX are modified in Section 115-12. Special streetscape regulations shall apply pursuant to Section 115-14. The #use# regulations of the underlying M1-4 District are modified as specified in Section 115-13.~~

In addition, the provisions of paragraph (d) of Section ~~32-422~~ (Location of floors occupied by commercial uses) shall be modified such that eating or drinking establishments listed under Use Group VI shall be permitted on a ~~#story#~~ above ~~#dwelling units#~~.

115-11 Public Parking Garages

In the ~~#Special Downtown Jamaica District#~~, the ~~#use#~~ regulations of the underlying ~~C4-5X, C6-2, C6-3, C6-4 and M1-4 Districts~~ shall be modified to permit ~~#public parking garages#~~ with a capacity of 150 spaces or less, as of right, subject to the provisions set forth for ~~#accessory#~~ off-street parking spaces in Sections ~~36-53~~ (Width of Curb Cuts and Location of Access to the Street), ~~36-55~~ (Surfacing) and ~~36-56~~ (Screening). ~~#Public parking garages#~~ may be open or enclosed, provided that no portion of such ~~#use#~~ shall be located on a roof other than a roof which is immediately above a ~~#cellar#~~ or ~~#basement#~~, except as provided by the special permit provisions of Section ~~74-194~~ (Parking garages or public parking lots in high density central areas).

115-12 Use Group IX in C6-4 Districts

In ~~C6-4 Districts~~, the size limitations applicable to wholesale establishments listed under Use Group IX(A), as set forth in paragraph (e)(2) of Section ~~32-193~~ (Use Group IX—uses subject to size limitations) shall not apply.

115-13 Modification of Use Regulations in M1-4 Districts

The ~~#use#~~ regulations of the underlying ~~M1-4 District~~ shall apply, except as follows:

- (a) all ~~#uses#~~ listed under Use Group III(B) shall be permitted;

- (b) ~~#uses# listed under Use Group VI with a size limitation, as denoted with an “S” in the Use Group tables set forth in Section 42-16 (Use Group VI – Retail and Services), shall be permitted without size limitation;~~
- (c) ~~#uses# listed under Use Groups IV(B), IX and X shall be limited to those permitted within M1 Districts in #Special Mixed Use Districts#, as set forth in Section 123-20 (SPECIAL USE REGULATIONS), inclusive; and~~
- (d) ~~such permitted #uses# listed under Use Groups IV(B), IX and X, along with #uses# in Use Group VI that are listed in paragraph (c) of Section 42-163 (Use Group VI – uses subject to additional conditions) shall be located within a #completely enclosed building#.~~

115-11
Modifications to Permitted Uses

[CONSOLIDATING AND CLARIFYING SECTIONS 115-11 THROUGH 115-13]

The underlying #use# regulations shall be modified as follows:

- (a) in M1 Districts paired with a #Residence District#, #uses# listed under Use Group VI with a size limitation, as denoted with an “S” in the Use Group tables set forth in Section 42-16 (Use Group VI – Retail and Services), shall be permitted without size limitation;
- (b) in M2 Districts, no associated size limitations shall apply to grocery and convenience retailers and specialty food retailers, as listed under Use Group VI;
- (c) in C4, C6, M1 Districts paired with a #Residence District# and all #Manufacturing Districts#, #public parking garages#, as listed in Use Group IX, with a capacity of 150 spaces or less, shall be permitted as-of-right; and
- (d) in M1 and M2 Districts, #uses# listed under Use Groups IV(B), IX and X, along with #uses# in Use Group VI that are listed in paragraph (c) of Section 42-163 (Use Group VI – uses subject to additional conditions) shall be located within a #completely enclosed building#.

115-12
Location of Uses

[RELOCATING FROM SECTION 115-10]

In C4 and C6 Districts, the provisions of paragraph (d) of Section 32-422 (Location of floors occupied by commercial uses) shall be modified such that eating or drinking establishments listed under Use Group VI shall be permitted on a #story# above #dwelling units#.

115-14

115-13

Streetscape Regulations

The underlying #ground floor level# streetscape provisions set forth in Section 32-30 (STREETSCAPE REGULATIONS), inclusive, shall apply, except that #ground floor level# #street# frontages along #streets#, or portions thereof, designated on Map 2 (~~Ground Floor Use and Transparency and Curb Cut Restrictions~~ Streetscape Regulations) in Appendix A of this Chapter shall be considered #Tier C street frontages#, and all other frontages in applicable #Commercial Districts# or in M1 Districts paired with a #Residence District# shall be considered #Tier B street frontages#. ~~In addition to the underlying provisions, #ground floor level# frontages on #Tier C street frontages# shall provide a major #building# entrance onto such #street#, except that where #zoning lot# has frontage on more than one #Tier C street frontage#, a major #building# entrance need only be located on one #street# frontage.~~

Defined terms in this Section include those in Sections 12-10 and 32-301.

115-20

SPECIAL BULK REGULATIONS

The underlying #bulk# provisions shall apply except as modified in this Section, inclusive.

For the purposes of applying the provisions of this Section, the #residential equivalent# for a C6-3 District shall be an R9-1 District in the Core Subdistrict.

115-21

Floor Area Ratio

(a) ~~Maximum #floor area ratio# for #zoning lots# containing non-#residential uses#~~

~~In C6-2 and C6-3 Districts, the maximum #floor area ratio# permitted for #commercial# and #community facility uses#, separately or in combination, shall not exceed 6.0 in C6-2 Districts and 8.0 in C6-3 Districts.~~

~~In C6-4 Districts, for #commercial uses#, the maximum #floor area ratio# shall be 12.0.~~

~~In M1-4 Districts, the maximum #floor area ratio# permitted for #commercial#,~~

~~#community facility# or #manufacturing uses#, separately or in combination, shall be 2.0.~~

- (b) ~~Maximum #floor area ratio# for #zoning lots# containing #residential uses#~~

~~The maximum #residential# #floor area ratio# shall be as set forth by the underlying district regulations. However, #sky exposure plane buildings# shall not be permitted.~~

- (c) ~~#Floor area# bonus~~

~~For #developments# or #enlargements# on #qualifying transit improvement sites#, a #floor area# bonus for #mass transit station# improvements may be granted by the City Planning Commission pursuant to the provisions of Section 66-51 (Additional Floor Area for Mass Transit Station Improvements). No other #floor area# bonuses shall apply. For the purposes of this paragraph, defined terms additionally include those in Section 66-11 (Definitions).~~

The underlying #floor area# regulations shall be modified as follows:

- (a) the maximum #floor area ratio# permitted for #commercial# #uses# shall be 8.0 in C6-3 Districts and 12.0 in C6-4 Districts;
- (b) in all Districts, the maximum #floor area ratio# permitted for #residential uses# shall be as set forth pursuant to the underlying district regulations, except that #sky exposure plane buildings# shall not be permitted;
- (c) the maximum #floor area ratios# may only be exceeded where:
- (1) a #floor area# bonus for #mass transit station# improvements is granted by the City Planning Commission pursuant to the provisions of Section 66-51 (Additional Floor Area for Mass Transit Station Improvements); or
 - (2) a #floor area# bonus for a #public plaza# is granted by the City Planning Commission in accordance with the provisions of Section 115-52 (Authorization for a Public Plaza); and
- (d) for #zoning lots# with a #lot area# of at least 20,000 square feet, up to 150,000 square feet of floor space within a public #school# constructed in whole or in part pursuant to a written agreement with the New York City School Construction Authority and subject to the jurisdiction of the Department of Education shall be exempt from the definition of #floor area#.

115-22

Modification of Rear Yard Regulations

~~#Rear yard# requirements shall not apply to non-#residential uses# along such portion of a #lot line# that coincides with a boundary of a railroad right-of-way, or in any portion of a C6-4 District.~~

115-23 Height and Setback Regulations

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

~~For #zoning lots# subject to the sidewalk widening requirements of Section 115-31, the boundary of the sidewalk widening furthest from the #street line# shall be considered the #street line# for the purposes of applying all height and setback regulations.~~

All heights shall be measured from the #base plane#.

115-231 Permitted obstructions

The provisions of Section 33-42 (Permitted Obstructions) shall apply to all #buildings# within the #Special Downtown Jamaica District#, except that dormers may penetrate a maximum base height in accordance with the provisions of paragraph (b)(1) of Section 23-413 (Permitted obstructions in certain districts).

115-232 Street wall location

~~C4-C6~~

~~In the districts indicated, #street walls# shall be provided in accordance with the provisions of this Section.~~

- ~~(a) For #zoning lot# frontages designated on Map 3 (Street Wall Location) in Appendix A of this Chapter the #street wall# location provisions of paragraph (a) of Section 35-631 shall apply. For the purposes of applying the #street wall# location provisions of this Section, all #streets# shall be considered as #wide street#; and~~
- ~~(b) For all other #zoning lot# frontages, the #street wall# location provisions of paragraph (b) of Section 35-631 shall apply.~~

~~However, such #street walls# need only extend to a minimum base height of 40 feet.~~

No ~~street wall~~ location requirements shall apply to any open space fronting on Sutphin Boulevard between 94th and 95th Avenues provided pursuant to the Jamaica Gateway Urban Renewal Plan, as shown on Map 3.

For ~~building~~ walls facing Archer Avenue on Blocks 9988 and 9994, the ~~street walls~~ required pursuant to this paragraph (b) shall not be located along the Archer Avenue ~~street line~~, but shall instead be located along the northern boundary of the Public Place mapped on each such block. However, if the Public Place is not mapped on Block 9994, then the ~~street wall~~ shall be located on a line perpendicular to 147th Place and passing through a point 51.77 feet distant (as measured along the southwesterly ~~street line~~ of 147th Place) from the corner of the northeasterly ~~street line~~ of Archer Avenue and the southwesterly ~~street line~~ of 147th Place. To accommodate the ~~development~~ of a one ~~story~~ ~~building~~ which may be located within each Public Place, such ~~street walls~~ shall have no ~~building~~ entrances or windows up to a height of 30 feet within 100 feet of 147th Place on Block 9994 and within 100 feet of 146th Street on Block 9988.

In ~~Residence Districts~~, ~~Commercial Districts~~ and M1 Districts paired with a ~~Residence District~~, the underlying ~~street wall~~ location provisions shall be modified as follows:

- (a) along Jamaica Avenue, the ~~street wall~~ location provisions of paragraph (a) of Section 35-631 shall apply;
- (b) along all other ~~zoning lot~~ frontages, the ~~street wall~~ location provisions of paragraph (b) of Section 35-631 shall apply. However, for ~~zoning lots~~ fronting along 164th Street between Jamaica Avenue and Archer Avenue, or 92nd Road between 164th Street and 165th Street, such ~~street wall~~ location provisions need not apply;
- (c) for all Districts, such ~~street walls~~ need only extend to a minimum base height of 40 feet; and
- (d) along the following ~~street~~ frontages, for ~~developments~~ with ~~building~~ widths exceeding 100 feet, a minimum of 20 percent of the surface area of such ~~street walls~~ above the level of the ~~second story~~, or a height of 30 feet, whichever is lower, shall either recess or project a minimum of three feet from the remaining surface of the ~~street wall~~:
 - (1) Hillside Avenue, between the Van Wyck Expressway and Parsons Boulevard;
 - (2) Archer Avenue, between the Van Wyck Expressway and Parsons Boulevard;
 - (3) Sutphin Boulevard, between Hillside Avenue and Liberty Avenue; and
 - (4) 150th Street, between Hillside Avenue and Liberty Avenue.

115-233

Maximum building height

C4-C6

The maximum base height for #buildings# shall be provided in accordance with the provisions of Section 23-43, inclusive, for the applicable #residential equivalent#, except that the minimum base height shall be 40 feet. At a height not lower than the minimum base height or higher than the maximum base height specified for the applicable district, a setback shall be provided in accordance with the provisions of Section 23-433 (Standard setback regulations).

After setback, the maximum #building# heights shall as set forth in Section 23-43, inclusive, for the applicable #residential equivalent#, except that:

- (a) in C6-2 and C6-3 Districts, no #building or other structure# shall exceed a height of 250 feet. However, no maximum #building# height limitation shall apply on Block 9993, shown on Map 4 (Maximum Building Height) in Appendix A of this Chapter, if such #block# is #developed# or if a #building# on such #block# is #enlarged#, pursuant to the Jamaica Gateway Urban Renewal Plan; and
- (b) in C6-4 Districts, no #building or other structure# shall exceed a height of 290 feet.

The underlying height and setback provisions shall be modified as follows:

In #Residence# and #Commercial Districts#, all #buildings# shall follow the applicable height and setback regulations for #residences# set forth in Section 23-43 (Height and Setback Requirements in R6 Through R12 Districts), inclusive, in accordance with the applicable #residential equivalent, except that in C6 Districts without a letter suffix, the height and setback provisions of paragraph (b) of Section 123-652 (Special base and building heights) may be applied for the applicable #residential equivalent# in lieu of the provisions of Section 23-434 (Height and setback modifications for eligible sites).

115-30

MANDATORY IMPROVEMENTS

115-31

Sidewalk Widening

The provisions of this Section shall apply to all #developments# fronting upon locations requiring sidewalk widenings as shown on ~~Map 6~~ Map 3 (Sidewalk Widening) in Appendix A of this Chapter. A sidewalk widening is a continuous, paved open area along the #street line# of a #zoning lot# having a depth of two feet or five feet, as set forth on ~~Map 6~~ Map 3. Such depth shall be measured perpendicular to the #street line#. Sidewalk widenings shall be improved as sidewalks to Department of Transportation standards, at the same level as the adjoining public

sidewalk and directly accessible to the public at all times. No #enlargement# shall be permitted to decrease the depth of such sidewalk to less than such minimum required total sidewalk depth.

~~All mandatory sidewalk widenings must provide lighting in accordance with the requirements of Section 37-743, except that the minimum level of illumination shall be not less than two horizontal foot candles throughout the entire mandatory sidewalk widening.~~

115-40

SPECIAL OFF-STREET PARKING AND OFF-STREET LOADING REGULATIONS

The underlying off-street parking and loading provisions shall apply except as modified in this Section, inclusive.

115-41

Parking and Loading Regulations

~~Within the #Special Downtown Jamaica District#, the underlying off-street parking and loading regulations shall be modified, as follows:~~

~~(a) #Commercial# and #manufacturing uses#.~~

~~In C4, C6 and M1 Districts, the off-street parking and loading regulations of a C4-4 District shall apply, except as modified in this Section.~~

- ~~(1) For any #use# that is not allowed in a C4 District, the underlying off-street parking requirements of the applicable C6-2, C6-3, C6-4 or M1-4 District shall apply.~~
- ~~(2) In C4, C6 and M1 Districts, the provisions of Sections 36-12 and 44-12 (Maximum Size of Accessory Group Parking Facilities) shall be modified to permit an #accessory# #group parking facility# to contain up to 300 off-street parking spaces. Pursuant to the provisions of Sections 36-13 and 46-13 (Modification of Maximum Size of Accessory Group Parking Facilities), the Commissioner of Buildings may permit such #group parking facility# to contain up to 150 additional spaces.~~
- ~~(3) In C4, C6 and M1 Districts, the provisions of Section 36-21 (General Provisions) pertaining to #accessory# off-street parking spaces for #commercial# or #community facility uses# shall be modified as follows: #uses# in listed under Use Groups VII and IX, with parking requirement category A3, shall be required to provide one parking space per 2,000 square feet of #floor area#.~~
- ~~(4) Modification of Waiver of Parking Requirements~~

- (i) ~~In C4, C6 and M1 Districts, the provisions of Sections 36-23 (Waiver of Requirements for Spaces Below Minimum Number) and 44-23 (Waiver of Requirements for Spaces Below Minimum Number or Certain Small Zoning Lots, Developments or Enlargements) shall only apply to #zoning lots# existing both on September 10, 2007 and on the date of application for a building permit.~~
- (ii) ~~In C4, C6 and M1 Districts, for any #commercial# #use# permitted in a C4 or C6 District, the waiver provisions for a C4-4 District set forth in Section 36-232 (In districts with very low parking requirements) shall not apply. In lieu thereof, the maximum number of #accessory# off-street parking spaces for which requirements are waived shall be 15 spaces, pursuant to the waiver provisions for a C4-2 District set forth in Section 36-231 (In districts with high, medium or low parking requirements).~~

(b) ~~#Residential uses#~~

- (1) ~~The provisions of Section 25-12 (Maximum Size of Accessory Group Parking Facilities) shall be modified to permit an #accessory# #group parking facility# to contain up to 300 off-street parking spaces. Pursuant to the provisions of Section 25-13 (Modification of Maximum Size of Accessory Group Parking Facilities), the Commissioner of Buildings may permit such #group parking facility# to contain up to 150 additional spaces.~~
- (2) ~~The provisions of Sections 25-52 (Off-site Spaces for Residences) and 25-521 (Maximum distance from zoning lot) shall be modified to permit the location of off-street parking spaces #accessory# to #residences# on a #zoning lot# other than the same #zoning lot# as the #residences# to which such spaces are #accessory#, provided that such #zoning lot# is no more than 1,500 feet from the nearest boundary of the #zoning lot# occupied by the #residences# to which they are #accessory#.~~
- (3) ~~The provisions of Section 36-42 (Off-site Spaces for Residences) and 36-421 (Maximum distance from zoning lot) shall be modified to permit the location of off-street parking spaces #accessory# to #residences# on a #zoning lot# other than the same #zoning lot# as the #residences# to which such spaces are #accessory#, provided that such #zoning lot# is no more than 1,500 feet from the nearest boundary of the #zoning lot# occupied by the #residences# to which they are #accessory#.~~

The underlying parking and loading provisions shall be modified as follows:

- (a) permitted or required off-street parking spaces #accessory# to #residences# may be provided on a #zoning lot# other than the same #zoning lot# as the #residences# to which such spaces are #accessory#, provided that such #zoning lot# is no more than 1,500 feet from the nearest boundary of the #zoning lot# occupied by the #residences# to which they are #accessory#; and

- (b) along #Tier C street frontages#, as shown on Map 2 in the Appendix to this Chapter, all curb cuts accessing off-street parking or loading spaces shall be subject to the provisions for R8 Districts set forth in Section 25-631 (Location and width of curb cuts in certain districts).

115-42

Location of Access to the Street

~~Curb cuts shall be prohibited at locations specified as #Tier C street frontages# on Map 2 (Ground Floor Use and Transparency and Curb Cut Restrictions) in Appendix A of this Chapter.~~

~~However, where permitted or required #accessory# off-street parking and loading requirements apply in a location where such curb cuts are prohibited, a curb cut may be allowed, provided that the City Planning Commission certifies to the Commissioner of Buildings that such #zoning lot# has access only to such prohibited location and that such curb cut shall be no greater than 20 feet in width.~~

~~An application to the City Planning Commission for certification respecting such curb cut shall be accompanied by a site plan drawn to a scale of at least one sixteenth inch to a foot, showing the size and location of the proposed curb cut.~~

~~The waiver provisions of Article III, Chapter 6 (Accessory Off-street Parking and Loading Regulations), shall not apply to the special location of access requirements of this Section.~~

115-43

Authorization for Curb Cut

~~Between 160th Street and a point 205 feet east of 160th Street along Archer Avenue, The City Planning Commission may authorize, subject to the applicable zoning district regulations, curb cuts that are prohibited by Section 115-42 (Location of Access to the Street), provided the Commission finds that a curb cut at such location:~~

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

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

115-50

SPECIAL PERMIT TO MODIFY USE OR BULK REGULATIONS SPECIAL APPROVALS

115-51

Special Permit to Modify Use or Bulk Regulations

For any #zoning lot# within the #Special Downtown Jamaica District#, the City Planning Commission may permit modification of the #use# or #bulk# regulations, except #floor area ratio# provisions, provided the Commission shall find that such:

- (a) #use# or #bulk# modification will aid in achieving the general purposes and intent of the Special District;
- (b) #use# modification will encourage a lively pedestrian environment along the #street# or mandatory sidewalk widening, or is necessary for, and the only practicable way to achieve, the programmatic requirements of the development;
- (c) #bulk# modifications will enhance the distribution of #bulk# on the #zoning lot#;
- (d) #bulk# modifications will permit adequate access of light and air to surrounding #streets# and properties; and
- (e) #use# or #bulk# modification will relate harmoniously to the character of the surrounding area.

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

115-52

Authorization for a Public Plaza

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

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

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

(a) Conditions and limitations

The following conditions and limitations shall apply:

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

- (i) For #Commercial Districts# with a #residential equivalent# of an R9 District, or M1 Districts paired with an R9 District, the underlying bonus ratio for a C6-3 District shall apply; and
- (ii) For #Commercial Districts# with a #residential equivalent# of an R10 District, or M1 Districts paired with an R10 District, the underlying bonus ratio for a C6-4 District shall apply.

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

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

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

- (i) the basic design criteria set forth in Section 37-71, inclusive, other than the area dimensions of Section 37-712;
- (ii) the access and circulation provisions set forth in Section 37-72, inclusive, other than hours of access set forth in Section 37-727; and
- (iii) the types and standards for amenities, set forth in Section 37-74, inclusive.

(b) Findings

The Commission shall find that:

- (1) the public benefit derived from the #public plaza# merits the amount of additional #floor area# being granted pursuant to this Section;
- (2) the #public plaza# will be well-integrated with the overall pedestrian circulation network and contribute to an enhanced streetscape;

- (3) any modification to #bulk# regulations are the minimum extent necessary to reasonably accommodate the #public plaza# and the additional #floor area# granted pursuant to this Section and will not unduly obstruct access to light and air to surrounding #streets# and properties; and
- (4) any modification to #public plaza# regulations are the minimum extent necessary, and will better align such #public plaza# regulations with unique site configurations or with the mixed-use character of the neighborhood.

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

115-53

Authorization for Sites Containing Schools

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

(a) Conditions

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

(b) Findings

The Commission shall find that:

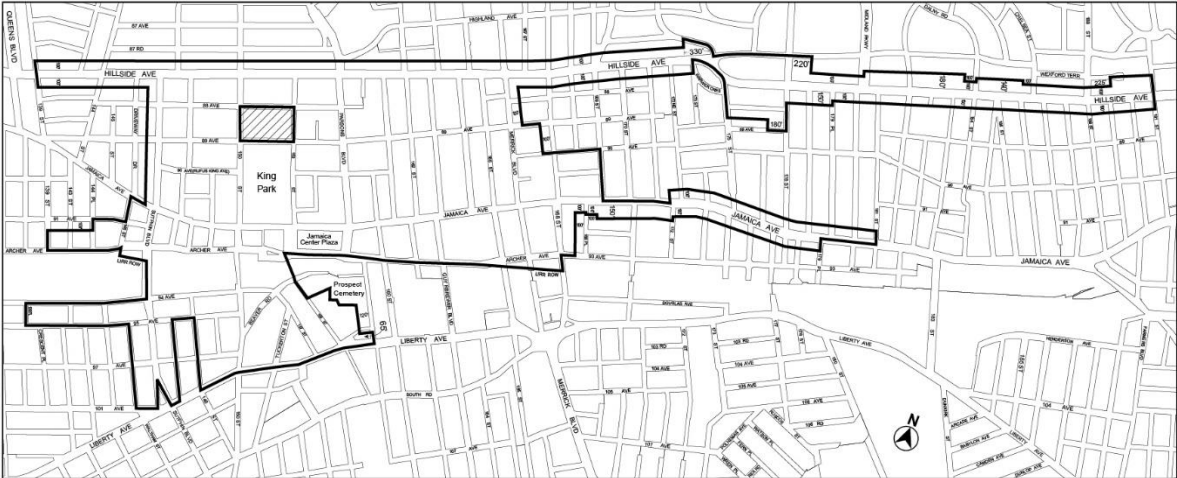
- (1) such #bulk# modifications are the minimum extent necessary to reasonably accommodate the #school# and other #buildings# on the #zoning lot#;
- (2) the proposed modification does not impair the essential character of the surrounding area; and
- (3) the proposed modification will not unduly obstruct access of light and air to surrounding #streets# or properties.

Appendix A

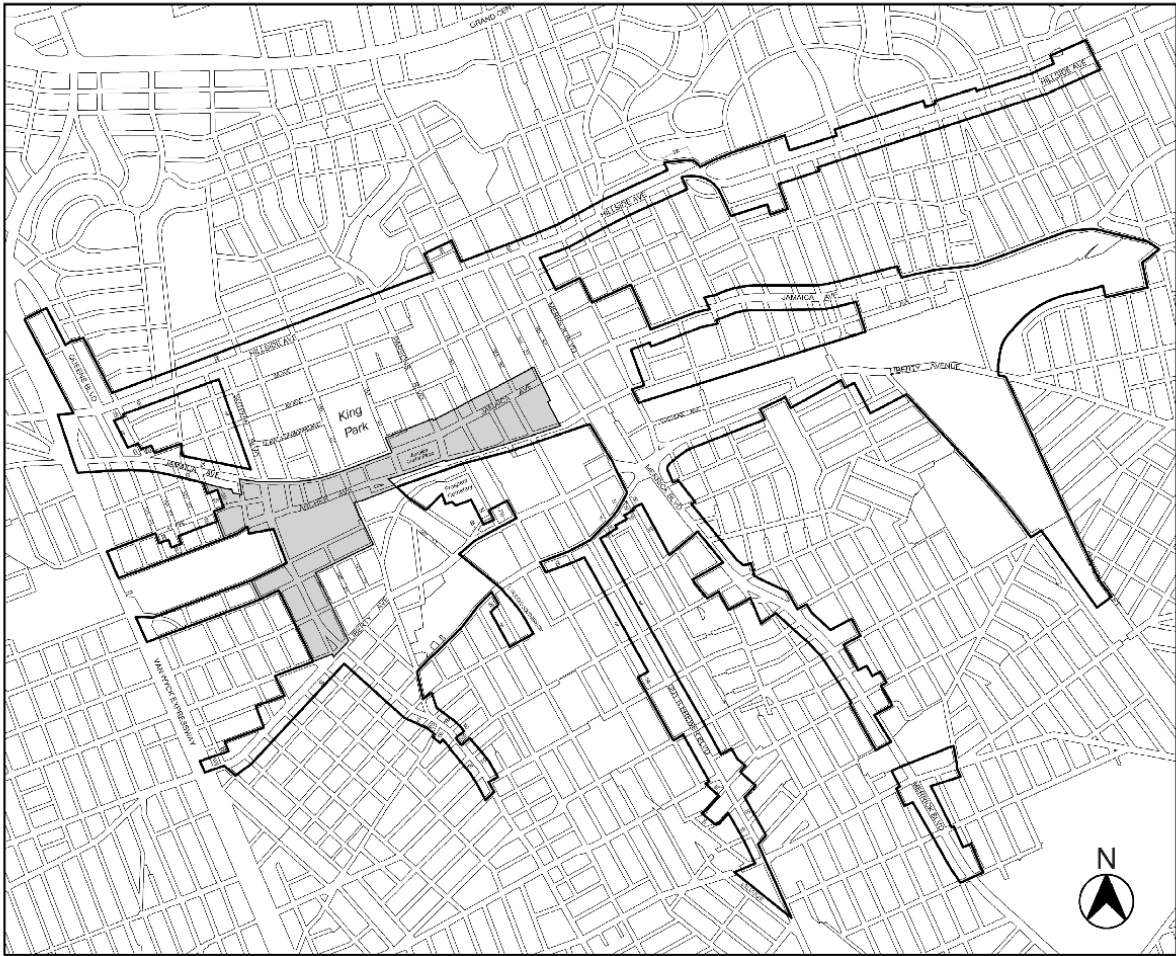
Special Downtown Jamaica District Maps

Map 1 — Special Downtown Jamaica District

[MAP UPDATED WITH SUBDISTRICTS]



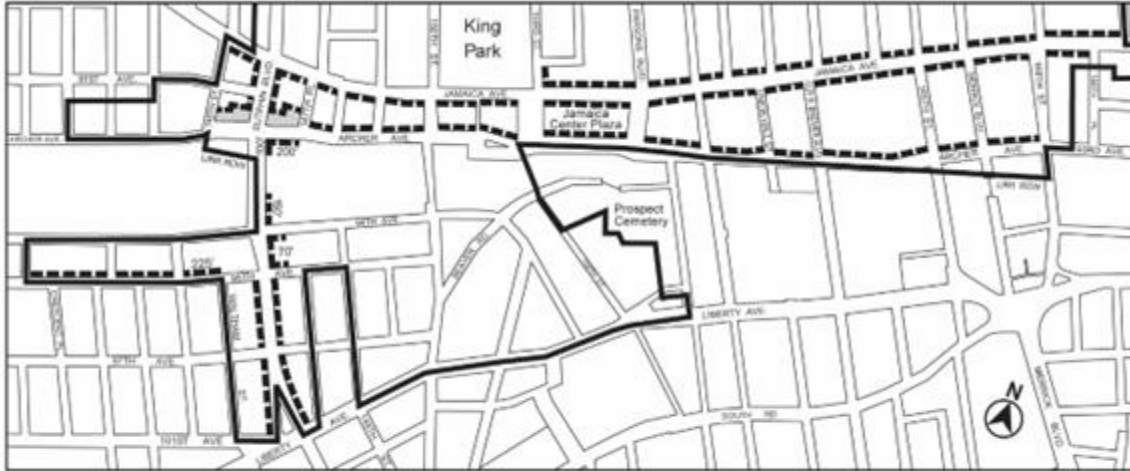
- Special Downtown Jamaica District
- ▨ Excluded area



- Special Downtown Jamaica District
- Core Subdistrict

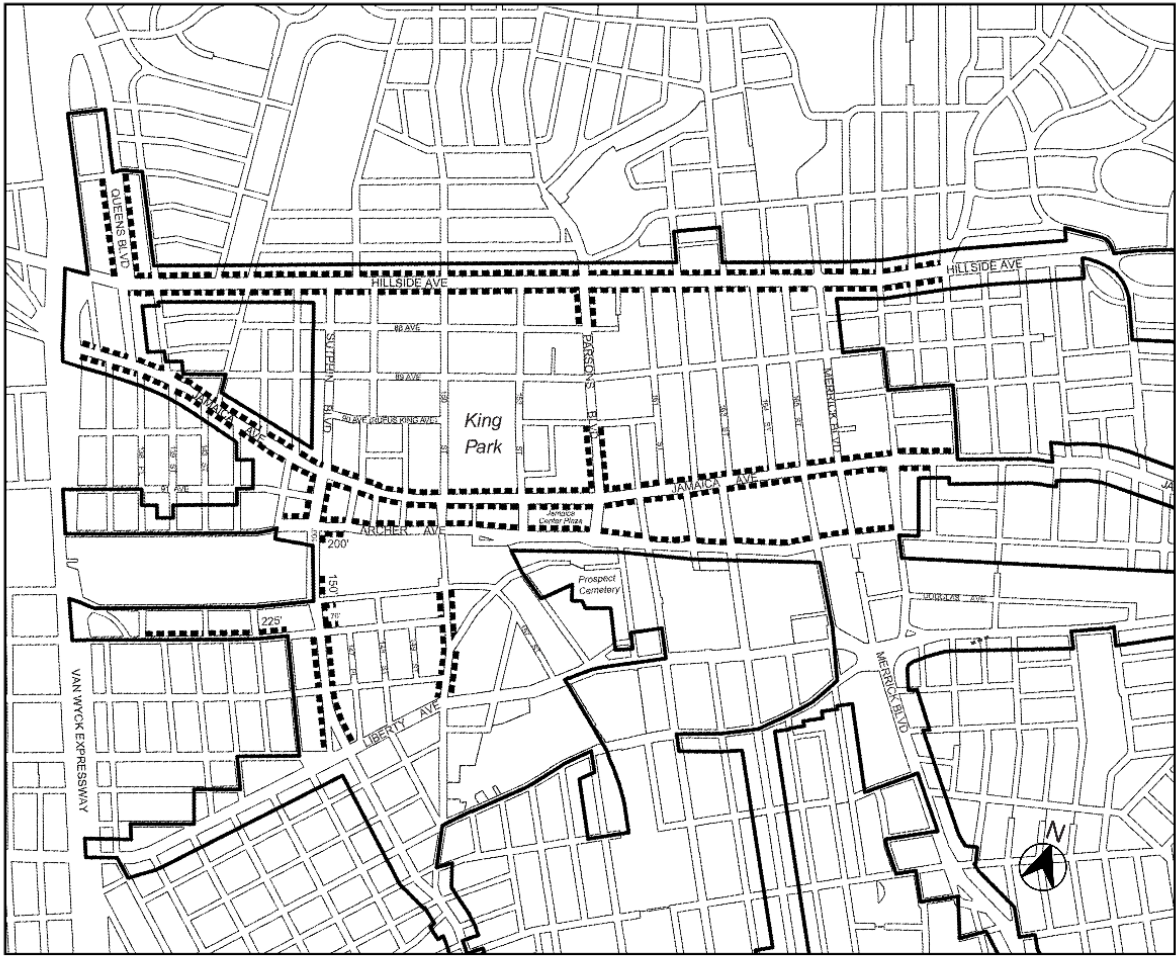
Map 2 — ~~Ground Floor Use and Transparency and Curb Cut Restrictions~~ Streetscape Regulations

[EXISTING MAP]



- Special Downtown Jamaica District
- - - Tier C street frontage
- Public place

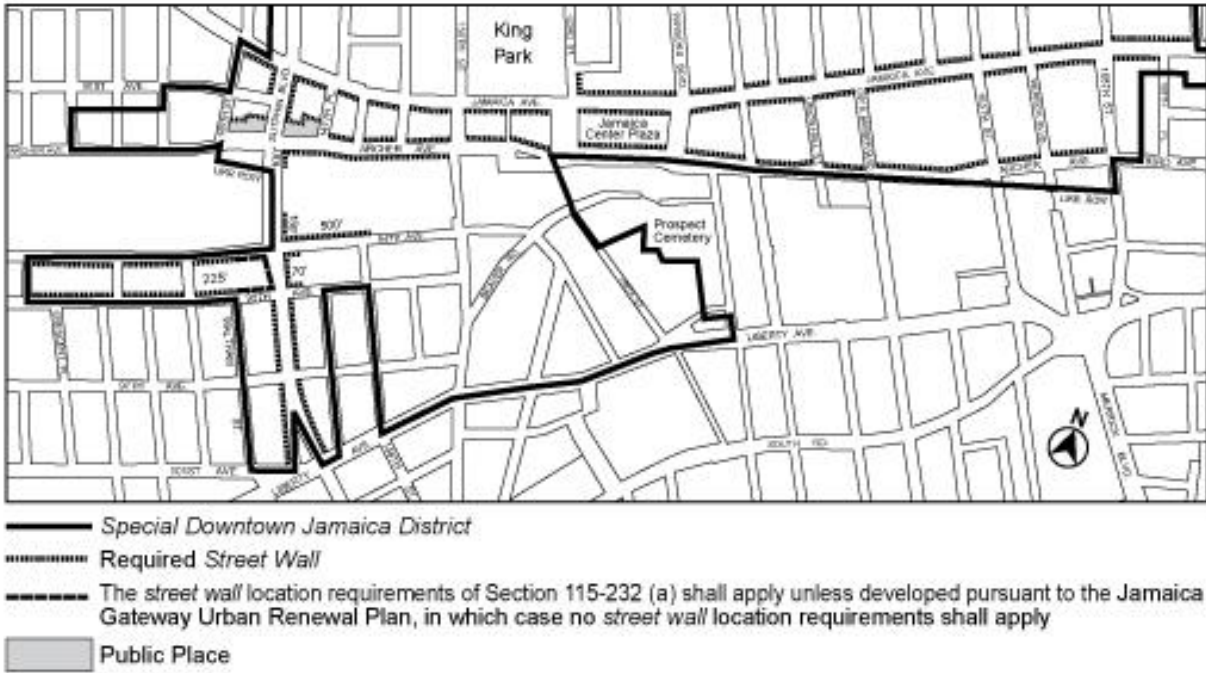
[PROPOSED MAP]



- Special Downtown Jamaica District
- - - Tier C street frontages

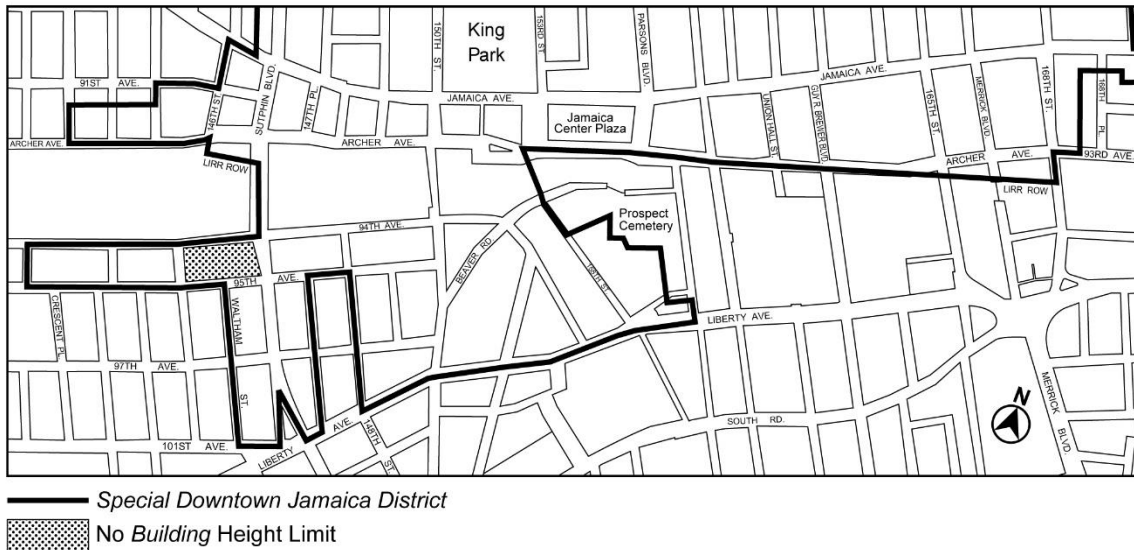
Map 3 — Street Wall Location

[EXISTING MAP]



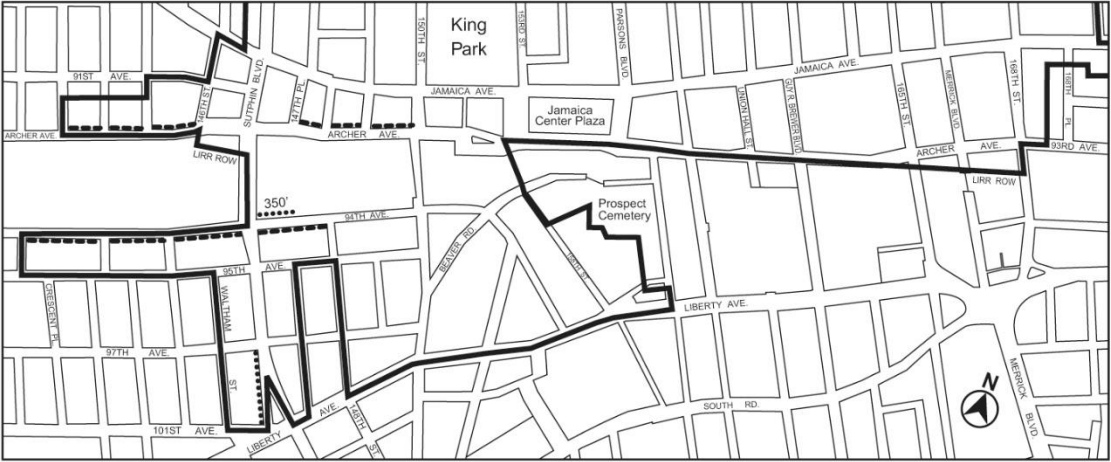
Map 4 — Maximum Building Height

[EXISTING MAP]



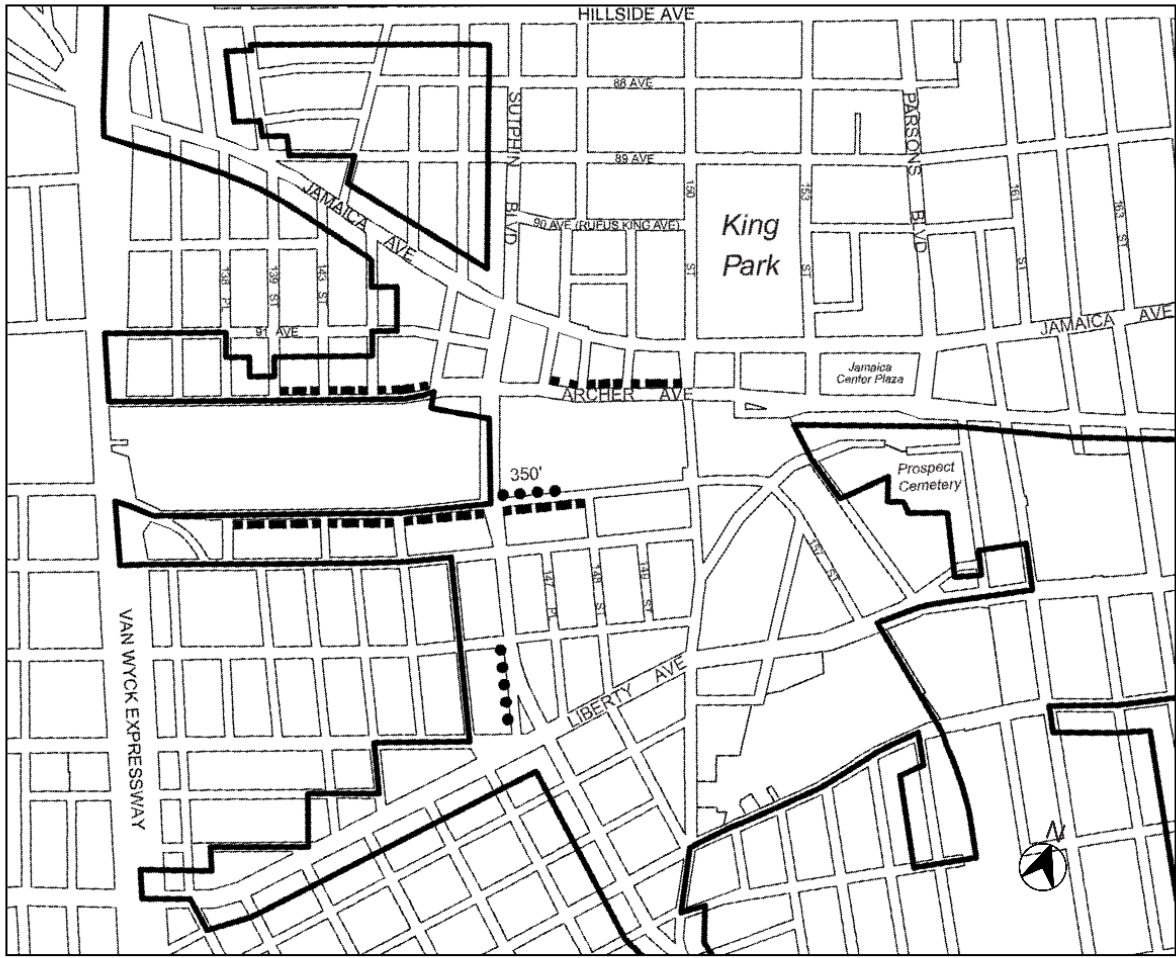
Map 5 Map 3 — Sidewalk Widening

[EXISTING MAP]



- Special Downtown Jamaica District
- 2' Sidewalk Widening
- - - - - 5' Sidewalk Widening

[PROPOSED MAP]



- Special Downtown Jamaica District
- - - 2' Sidewalk Widening
- 5' Sidewalk Widening

* * *

APPENDIX F

Mandatory Inclusionary Housing Areas and former Inclusionary Housing Designated Areas

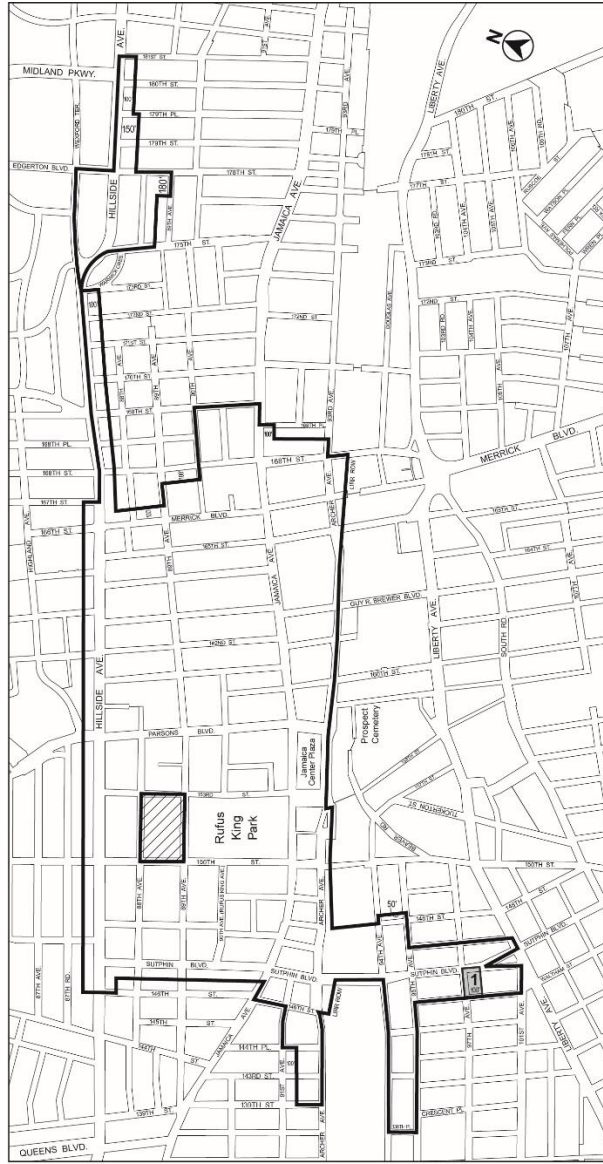
QUEENS

* * *

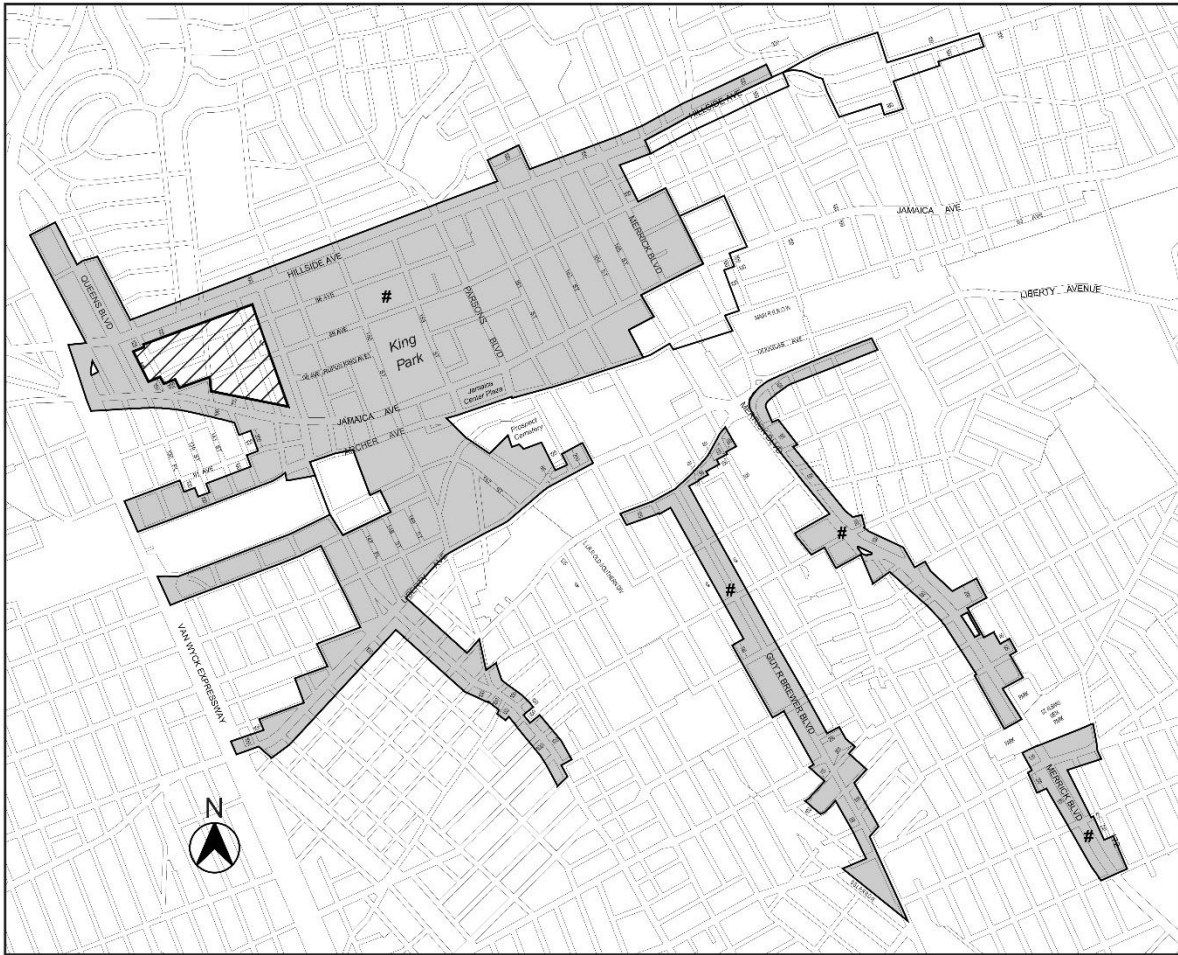
Queens Community Districts 8 and 12




Map TK – [date of adoption]

[EXISTING MAP]



[PROPOSED MAP]



-  Former Inclusionary Housing designated area
-  Mandatory Inclusionary Housing area
- Area # – [date of adoption] MIH Option 1, Option 2 and Option 3
-  Excluded area

Portion of Community Districts 8 and 12, Queens

* * *