11-12
Establishment of Districts

* * *

Establishment of the Special Downtown Brooklyn District

In order to carry out the special purposes of this Resolution as set forth in Article X, Chapter 1, the #Special Downtown Brooklyn District# is hereby established.

Establishment of the Special Downtown Jamaica District

In order to carry out the special purposes of this Resolution as set forth in Article XI, Chapter 5, the #Special Downtown Jamaica District# is hereby established.

* * *

11-15
Environmental Requirements

* * *

11-151
Special Requirements for properties in the Borough of Queens

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 (a) through (e) of this Section:

(a) The regulations of an R4 District shall apply within an area bounded by Liberty Ave, 170th Street, a line 100 feet southeasterly of Liberty Avenue and a line 100 feet southwesterly of 168th Place.

(b) 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.

(c) 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.

(d) 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.

(e) 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 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.

* * *

12-10
Definitions

* * *

Special Downtown Brooklyn District

* * *

Special Downtown Jamaica District

The "Special Downtown Jamaica District" is a Special Purpose District designated with the letters "DJ" in which regulations set forth in Article XI, Chapter 5, apply. The #Special Downtown Jamaica District# and its regulations supplement, modify and supersede those of the districts on which it is superimposed.

* * *

14-44
Special Zoning Districts Where Certain Sidewalk Cafes are Permitted

* * *

The Bronx	#Enclosed Sidewalk Cafe#	#Unenclosed Sidewalk Cafe#
City Island District	No	Yes

Queens	#Enclosed Sidewalk Cafe#	#Unenclosed Sidewalk Cafe#
Downtown Jamaica District	No	Yes

Staten Island	#Enclosed Sidewalk Cafe#	#Unenclosed Sidewalk Cafe#
South Richmond Development District	Yes	Yes

* * *

15-011
Applicability within Special Districts

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

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

* * *

23-011
Quality Housing Program

* * *

(c) The Quality Housing Program shall not apply to:

(1) Article VII, Chapter 8 (Large Scale Residential Developments);

(2) Special Purpose Districts, except the following:

* * *

(vii) the #Special Long Island City Mixed Use District#; ~~and~~

(viii) the #Special Downtown Brooklyn District#; ~~or~~

(ix) the #Special Downtown Jamaica District#;

* * *

23-90
INCLUSIONARY HOUSING

* * *

23-922
Inclusionary Housing designated areas

The Inclusionary Housing Program shall apply in the following areas:

* * *

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

* * *

23-942
In Inclusionary Housing designated areas

The provisions of this Section shall apply in the #Inclusionary Housing designated areas# set forth in Section 23-922, except within Waterfront Access Plan BK-1 and in R7-3 Districts within Community District 1, Borough of Brooklyn.

* * *

(a) Maximum #floor area ratio#

The #floor area# of a #development# or #enlargement# may not exceed the base #floor area ratio# set forth in the following table, except that such #floor area# may be increased by one and one-quarter square feet for each square foot of #floor area# provided for #lower income housing#, up to the maximum #floor area ratio# specified in the table. However, the amount of #lower income housing# required to receive such bonus #floor area# need not exceed 20 percent of the total #floor area#, exclusive of ground floor non-#residential floor area#, in the #building#. In addition, the following rules shall apply:

District	Base #floor area ratio#	Maximum #floor area ratio#
R6*	2.2	2.42
R6**	2.7	3.6
R6A	2.7	3.6
R6B	2.0	2.2
R7A	3.45	4.6

R7X	3.75	5.0
R8~~A~~	5.40	7.2
R9	6.0	8.0
R10	9.0	12.0

---

* for #zoning lots#, or portions thereof, beyond 100 feet of a #wide street#

** for #zoning lots#, or portions thereof, within 100 feet of a #wide street#

* * *

42-03
Residential Use

* * *

In the M1-1 District bounded by 95th Avenue, 148th Street, 97th Avenue and 147th Place in Community District 12 in the Borough of Queens, the #use# regulations of an M1 District shall apply, except that #residential use# is allowed subject to the #bulk# regulations of Section 43-01 (Applicability of this Chapter) and the #accessory# off-street parking regulations of Section 44-024 (Applicability of regulations in an M1-1 District in Community District 12 in the Borough of Queens).

* * *

43-01
Applicability of this Chapter

* * *

In M1-1D, M1-2D, M1-3D, M1-4D and M1-5D Districts, the #bulk# regulations governing M1 Districts shall apply to #community facility#, #commercial#, and #manufacturing uses#, and the regulations of Section 43-61 (Bulk Regulations for Residential Uses in M1-D Districts) shall apply to #residential uses# authorized pursuant to Section 42-47 (Residential Uses in M1-D Districts).

In the M1-1 District bounded by 95th Avenue, 148th Street, 97th Avenue and 147th Place in Community District 12 in the Borough of Queens, the #bulk# regulations of an M1 District shall apply to #manufacturing#, #commercial # and #community facility uses#, and the #bulk# regulations for an R5 District set forth in Article II, Chapter 3, shall apply to #residential uses#.

* * *

44-024
Applicability of regulations in an M1-1 District in Community District 12 in the Borough of Queens

In the M1-1 District bounded by 95th Avenue, 148th Street, 97th Avenue and 147th Place in Community District 12 in the Borough of Queens, the #accessory# off-street parking regulations of an M1 District shall apply, except that the #accessory# off-street parking regulations for an R5 District set forth in Article

II, Chapter 5, shall apply to #residential uses#.

73-16
Public Transit, Railroad or Electric Utility Substations

In all #Residence ~~Districts# or~~ and #Commercial Districts#, and in M1 Districts in the #Special Downtown Jamaica District#, the Board of Standard and Appeals may permit electric utility substations (including transformers, switches, or auxiliary apparatus) or public transit or railroad electric substations, limited in each case to a site of not more than 40,000 square feet, and in the case of electric utility substations to a site of not less than 10,000 square feet, provided that the following findings are made:

* * *

74-61
Public Transit, Railroad or Electric Utility Substations

In all #Residence# and #Commercial Districts#, and in M1 Districts in the #Special Downtown Jamaica District#, the City Planning Commission may permit electric utility substations (including transformers, switches, or auxiliary apparatus) or public transit or railroad electric substations, limited in each case to a site of not less than 40,000 square feet nor more than 10 acres, provided that the following findings are made:

* * *

Note: All text is new in Article XI, Chapter 5 - No underlining used.

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 purposes, to:

(a) strengthen the business core of Downtown Jamaica by improving the working and living environments;

(b) foster development in Downtown Jamaica and provide direction and incentives for further growth where appropriate;

(c) encourage the development of affordable housing;

(d) 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) provide transitions between the downtown commercial core, the lower-scale residential communities and the transportation hub;

(f) improve the quality of new development in Downtown Jamaica by requiring the provision of specified public amenities in appropriate locations;

(g) encourage the design of new development that is in character with the area;

(h) enhance the pedestrian environment by relieving sidewalk congestion and providing pedestrian amenities; and

(i) 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 the #Special Downtown Jamaica District# shall apply to all #developments#, #enlargements#, alterations and changes of #use# within the #Special Downtown Jamaica District#, except as otherwise provided in this Chapter. 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.

Any special permit granted by the City Planning Commission before (the effective date of this amendment), 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
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
Map 3 Street Wall Location
Map 4 Street Wall Height
Map 5 Maximum Building Height
Map 6 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.

115-03

Applicability of Article I, Chapter 1

Within the #Special Downtown Jamaica District#, Section 11-15 (Environmental Requirements) shall apply, except that prior to issuing a building permit for any #development#, or for an #enlargement#, #extension# or a change of #use#, on a lot that has an (E) designation for hazardous material contamination, noise or air quality, the Department of Buildings shall be furnished with a report from the Department of Environmental Protection (DEP) of the City of New York stating:

(a) in the case of an (E) designation for hazardous material contamination, that environmental requirements related to the (E) designation have been met for that lot; or

(b) in the case of an (E) designation for noise or air quality, that the plans and drawings for such #development# or #enlargement# will result in compliance with the environmental requirements related to the (E) designation.

115-10
SPECIAL USE REGULATIONS

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 (Public Parking Garages). The #use# regulations of the underlying C6-4 District relating to Use Group 11B, are modified in Section 115-12 (Use Group 11B in C6-4 Districts). Special ground floor #use# and transparency regulations shall apply in the C4-5X and C6 Districts pursuant to Sections 115-13 (Ground Floor Use, Frontage and Major Building Entrance Regulations in C4-5X and C6 Districts) and 115-14 (Transparency Requirement in C4-5X and C6 Districts). The #use# regulations of the underlying M1-4 District, including Use Groups 3, 4, 6, 10, 16, 17 and 18, are modified as specified in Section 115-15 (Modification of Use Regulations in M1-4 Districts).

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 (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 74-52 (Parking Garages or Public Parking Lots in High Density Central Areas).

115-12
Use Group 11B in C6-4 Districts

In C6-4 Districts, the provisions of Section 32-20 (Use Group 11), paragraph B. (Wholesale or Similar Establishments), shall be modified to allow wholesale establishments with no limitation on #accessory# storage.

115-13
Ground Floor Use, Frontage and Major Building Entrance Regulations in C4-5X and C6 Districts

On designated #streets#, as shown on Map 2 (Ground Floor Use and Transparency and Curb Cut Restrictions) in the Appendix to this Chapter, the special ground floor #use#, frontage and major building entrance regulations of this Section shall apply to any #building or other structure# fronting on such #streets#.

#Uses# located on the ground floor level or within five feet of the level of the adjoining sidewalk, and within 30 feet of the #street line#, shall be limited to #community facility uses# without sleeping accommodations, as listed in Section 115-15 (Modification of Use Regulations in M1-4 Districts), and #uses# listed in Use Groups 5, 6A, 6B, 6C, 6D, 7A, 7B, 8A, 8B, 8D, 9, 10, 11, 12A, 12B and 12C. A building's #street# frontage shall be allocated exclusively to such #uses#, except for lobby space, entryways or entrances to subway stations.

In no event shall the length of #street# frontage occupied by lobby space, entrance space and/or a building entrance recess exceed, in total, 30 feet or 50 percent of the building's total #street# frontage, whichever is less.

Any #development# or any #enlarged# portion of a #building# located on a #zoning lot# with frontage on such designated #street# shall provide a major building entrance onto such #street#. However, #developments# or #enlargements# on #zoning lots# with frontage on more than one designated #street#, may provide a major building entrance on only one designated #street#.

115-14
Transparency Requirement in C4-5X and C6 Districts

For any #development#, or for the #enlarged# portion of a #building#, on designated #streets# as shown on Map 2 (Ground Floor Use and Transparency and Curb Cut Restrictions) in the Appendix to this Chapter, each ground floor #street wall# shall be glazed with transparent materials which may include #show windows#, glazed transoms or glazed portions of doors. Such glazed area shall occupy at least 50 percent of the area of each such ground floor #street wall# measured to a height of 10 feet above the level of the adjoining sidewalk.

115-15
Modification of Use Regulations in M1-4 Districts

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

Use Groups 3A and 4A

The following #community facility uses# as listed in Sections 22-13 (Use Group 3) and 22-14 (Use Group 4) shall be permitted as-of-right, provided that such #uses# are without sleeping accommodations:

From Use Group 3A:

> College or universities, including professional schools but excluding business colleges or trade schools

Libraries, museums or non-commercial art galleries, without limitation

#Schools#;

From Use Group 4A:

Ambulatory diagnostic or treatment health care facilities, limited to public, private, for-profit or not-for-profit medical, health and mental health care facilities in which patients are diagnosed or treated by health care professionals, licensed by the New York State Department of Education or successor agency, for medical, health or mental health conditions, and where such patients are ambulatory rather than admitted. Such facilities shall not include the practice of veterinary medicine, #physical culture or health establishments# or ophthalmic dispensing

Clubs, except:

(a) clubs, the chief activity of which is a service predominantly carried on as a business;

(b) non-commercial outdoor swimming pool clubs;

(c) any other non-commercial clubs with outdoor swimming pools located less than 500 feet from any #lot line#; or

(d) any activity or #use# listed within the definitions of either #adult physical culture establishments# or #physical culture or health establishments# in Section 12-10 (DEFINITIONS)

Community centers or settlement houses

Rectories and parish houses

Non-commercial recreation centers

Philanthropic or non-profit institutions, without limitation on central office functions

Seminaries

Welfare centers

Use Groups 6 and 10

All #uses# listed in Sections 32-15 (Use Group 6) and 32-19 (Use Group 10), shall be permitted and shall not be subject to the limitations specified in Section 42-12 (Use Groups 3A, 6A, 6B, 6D, 6F, 7B, 7C, 7D, 7E, 8, 9B, 9C, 10A, 10B, 10C, 11, 12A, 12C, 12D, 12E, 13, 14, and 16).

Use Groups 16, 17 and 18

The following #uses# from Sections 32-25 (Use Group 16), 42-14 (Use Group 17) and 42-15 (Use Group 18) shall be permitted, provided that such #uses# are in completely enclosed #buildings#, except as specifically modified in this Section:

From Use Group 16A (Retail or Service Establishments):

Animal hospitals or kennels

Automobile, motorcycle, trailer or boat sales

Building materials sales, limited to 10,000 square feet of #lot area# per establishment

Carpentry, custom woodworking or custom furniture making shops

Electrical, glazing, heating, painting, paper hanging, plumbing, roofing or ventilating contractors' establishments

Fuel, ice, oil, coal or wood sales, limited to 5,000 square feet of #lot area# per establishment

Household or office equipment or machinery repair shops, such as refrigerators, washing machines, stoves, deep freezers or air conditioning units

Machinery rental or sales establishments

Mirror silvering or glass cutting shops

Motorcycle or motor scooter rental establishments

Sign painting shops, with no limitation on #floor area# per establishment

Silver plating shops, custom

Soldering or welding shops

Tool, die or pattern making establishments, or similar small machine shops

Trade schools for adults

From Use Group 16B (Automotive Service Establishments):

#Automotive service stations#, open or enclosed, provided that facilities for lubrication, minor repairs or washing are permitted only if located within a #completely enclosed building#

From Use Group 16C (Vehicle Storage Establishments):

Commercial or public utility vehicle storage, including #accessory# motor fuel pumps

From Use Group 16D **(**Heavy Service, Wholesale, or Storage Establishments):

Carpet cleaning establishments

Dry cleaning or cleaning and dyeing establishments, with no limitation on type of operation, solvents, #floor area# or capacity per establishment

Laundries, with no limitation on type of operation

Linen, towel or diaper supply establishments

Moving or storage offices, with no limitation as to storage or #floor area# per establishment

Packing or crating establishments

Photographic developing or printing with no limitation on #floor area# per establishment

Warehouses

Wholesale establishments, with no limitation on #accessory# storage

From Use Group 17A (Service or Wholesale Establishments):

Building materials or contractors' yards, including sales, storage, or handling of building materials, with no limitation on #lot area# per establishment, except that lumber yards shall be limited to 20,000 square feet of #lot area# per establishment

Produce or meat markets, wholesale

From Use Group 17B (Manufacturing Establishments):

Advertising displays

Aircraft, including parts

Apparel or other textile products from textiles or other materials, including hat bodies, or similar products

Beverages, non-alcoholic

Bottling work, for all beverages

Brushes or brooms

Cameras or other photographic equipment, except film

Canvas or canvas products

Carpets

Ceramic products, including pottery, small glazed tile, or similar products

Chemicals, compounding or packaging

Cork products

Cosmetics or toiletries

Cotton ginning, or cotton wadding or linters

Electrical appliances, including lighting fixtures, irons, fans, toasters, electric toys, or similar appliances

Electrical equipment assembly, including home radio or television receivers, home movie equipment, or similar products, but not including electrical machinery

Electrical supplies, including wire or cable assembly, switches, lamps, insulation, dry cell batteries, or similar supplies

Film, photographic

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

Fur goods, not including tanning or dyeing

Glass products from previously manufactured glass

Hair, felt or feather products, except washing, curing or dyeing

Hosiery

Ice, dry or natural

Ink or inked ribbon

Jute, hemp, sisal or oakum products

Laboratories, research, experimental or testing

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

Luggage

Machines, business, including typewriters, accounting machines, calculators, card-counting equipment, or similar products

Machinery, miscellaneous, including washing machines, firearms, refrigerators, air-conditioning, commercial motion picture equipment, or similar products

Machine tools, including metal lathes, metal presses, metal stamping machines, woodworking machines, or similar products

Mattresses, including rebuilding or renovating

Metal finishing, plating, grinding, sharpening, polishing, cleaning, rust-proofing, heat treatment, or similar processes

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

Motorcycles, including parts

Musical instruments, including pianos or organs

Novelty products

Optical equipment, clocks or similar precision instruments

Orthopedic or medical appliances, including artificial limbs, braces, supports, stretchers, or similar appliances

Paper products, including envelopes, stationery, bags, boxes, shipping containers, bulk goods, tubes, wallpaper printing, or similar products

Perfumes or perfumed soaps, compounding only

Pharmaceutical products

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

Printing or publishing, with no limitation on #floor area# per establishment

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

Scenery construction

Silverware, plate or sterling

Soap or detergents, packaging only

Sporting or athletic equipment, including balls, baskets, cues, gloves, bats, racquets, rods, or similar products

Statuary, mannequins, figurines, or religious art goods, excluding foundry operations

Steel products, miscellaneous fabrication or assembly, including steel cabinets, doors, fencing, metal furniture, or similar products

Textiles, spinning, weaving, manufacturing, dyeing, printing, knit goods, yarn, thread or cordage

Tobacco, including curing or tobacco products

Tools or hardware, including bolts, nuts, screws, doorknobs, drills, hand tools or cutlery, hinges, house hardware, locks, non-ferrous metal castings, plumbing appliances, or similar products

Toys

Umbrellas

Upholstering, bulk, excluding upholstering shops dealing directly with consumers

Vehicles, children's, including bicycles, scooters, wagons, baby carriages, or similar vehicles

Venetian blinds, window shades, or awnings, with no limitation on production or on #floor area# per establishment

Wax products

Wood products, including furniture, boxes, crates, baskets, pencils, cooperage works, or similar products

From Use Group 17C (Miscellaneous #Uses#):

Public transit, railroad or electric utility substations, open or enclosed, subject to the special permit provisions of Section 73-16 (Public Transit, Railroad or Electric Utility Substations) or 74-61 (Public Transit, Railroad or Electric Utility Substations)

Railroads, including rights-of-way, freight terminals, yards or appurtenances, or facilities or services used or required in railroad operations, but not including passenger stations

From Use Group 18:

Breweries, limited to 10,000 square feet of #floor area# per establishment

#Uses accessory# to the preceding listed #uses#

115-16
Modification of Article V, Chapter 2

Within the #Special Downtown Jamaica District#, for any #zoning lot# in a C8-1 District prior to (date of amendment), the provisions of paragraph (b) of Section 52-332 (Other buildings or structures in Residence Districts) and the provisions of paragraph (b) of Section 52-35 (Manufacturing or Related Uses in Commercial Districts) shall be modified as follows: A #non-conforming use# listed in Use Group 16 may not be changed to a #use# listed in Use Group 17.

115-20
SPECIAL BULK REGULATIONS

115-21
Floor Area Ratio, Open Space and Lot Coverage

(a) Maximum #floor area ratio# for #buildings# containing non-#residential uses#

In C6-2 and C6-3 Districts, the underlying #floor area ratio# and #open space# provisions shall not apply. In lieu thereof, 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. No #floor area# bonuses shall be permitted.

In C6-4 Districts, the underlying #floor area ratio# provisions, including #floor area# bonus provisions, shall apply to #community facility uses#. For #commercial uses#, the maximum #floor area ratio# shall be 12.0, and no #floor area# bonuses shall apply.

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 #buildings# containing #residential uses#

The maximum #floor area ratio# for any #building# containing a #residential# #use# shall not exceed the #floor area ratio# set forth in Section 115-211 (Special Inclusionary Housing regulations) for the applicable district.

(c) #Lot coverage#

In C4 and C6 Districts, for #residential buildings# or the #residential# portion of a #mixed building#, the maximum #lot coverage# shall be 80 percent on a #corner lot# and 70 percent on an #interior# or #through lot#. However, no #lot coverage# provisions shall apply to any #zoning lot# comprising an entire #block# or to any #zoning lot# comprising a #corner lot# of 5,000 square feet or less.

115-211
Special Inclusionary Housing regulations

(a) Applicability

R7A, R7X, C4-4A, C4-5X,C6-2, C6-3 and C6-4 Districts within the #Special Downtown Jamaica District# shall be #Inclusionary Housing designated areas#, pursuant to Section 12-10 (Definitions), for the purpose of making the Inclusionary Housing Program regulations of Section 23-90 (Inclusionary Housing Program), inclusive, applicable as modified , within the Special District.

(b) Maximum #floor area ratio#

The maximum #floor area ratio# for any #building# containing #residences#

shall not exceed the base #floor area ratio# set forth in the following table, except that such base #floor area ratio# may be increased to the maximum #floor area ratio# set forth in Section 23-942 through the provision of #lower income housing#, pursuant to the provisions relating to #Inclusionary Housing designated areas# in Section 23-90 (INCLUSIONARY HOUSING).

District	Base Far
R7A, C4-4A	3.45
R7X, C4-5X	3.75
R8, C6-2	5.4
R9, C6-3	6.0
R10, C6-4	9.0

(c) Modification of location requirements

The requirements of paragraph (a) of Section 23-952 (Substantial rehabilitation and off-site new construction options) shall be modified as follows: #Lower income housing# may be located in any #Inclusionary Housing designated area# within the #Special Downtown Jamaica District#.

(d) Height and setback

The height and setback regulations of paragraph (b) of Section 23-942 shall not apply. In lieu thereof, the special height and setback regulations of Section 115-22, inclusive, of this Chapter shall apply.

115-22
Height and Setback Regulations

In M1-4 Districts, the underlying height and setback regulations shall apply except as modified in Section 115-221 (Permitted obstructions).

In C4 and C6 Districts, the underlying height and setback regulations are modified as set forth in Sections 115-221 through 115-225, 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#.

115-221
Permitted obstructions

The provisions of Section 33-42 (Permitted Obstructions) shall apply to all #buildings# within the #Special Downtown Jamaica District#, except the provisions of paragraph (c) of Section 33-42 shall not apply. In lieu thereof, the following regulations shall apply:

Elevator or stair bulkheads, roof water tanks, cooling towers or other mechanical equipment (including enclosures) may penetrate a maximum height limit or #sky exposure plane# provided that either:

(a) the product, in square feet, of the #aggregate width of street walls# of such obstructions facing each #street# frontage, times their average height, in feet, shall not exceed a figure equal to eight times the width, in feet, of the #street wall# of the #building# facing such frontage; or

(b) for #buildings# at least 120 feet in height, the #lot coverage# of all such obstructions does not exceed 20 percent of the #lot coverage# of the #building#, and the height of all such obstructions does not exceed 40 feet.

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

115-222
Street wall location

C4 C6

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

(a) For all locations, except as specified on Map 3 (Street Wall Location) in the Appendix to this Chapter, the #street wall# of a #building# shall be located on the #street line# and extend along at least 70 percent of the #street# frontage of the #zoning lot#. No #street wall# location rules shall apply to the remaining portion of the #street frontage# of the #zoning lot#; however, any #street walls# provided in such portion shall be located on the #street line# or recessed within an #outer court#. All required #street walls# shall rise without setback to at least the minimum base height specified in Section 115-223 (Street wall height), or the height of the #building#, whichever is less. For #zoning lots# bounded by more than one #street line#, these #street wall# location requirements shall apply on all such #street lines#.

(b) Map 3 specifies the #street# frontages where the regulations set forth in this paragraph, (b), apply.

(1) The #street wall# shall be located on the #street line# and extend along the entire #street# frontage as specified on Map 3, and shall rise without setback to at least the minimum base height specified in Section 115-223, or the height of the #building#, whichever is less. This requirement shall also apply along that portion of any #street line# that intersects such #street# frontage, specified on Map 3, within 50 feet of such intersection.

(2) To allow articulation of #street walls# at the intersection of two #street lines# with mandatory #street wall# requirements, up to 50 percent of the area bounded by the two #street lines# and lines parallel to and 20 feet from such #street lines# may be unoccupied by a #building#.

(3) Where corner articulation is specified on Map 3, the following regulations shall apply:

(i) Where base corner articulation is specified, the #building# shall occupy, at every level up to the level of the setback provided pursuant to Section 115-223 (Street wall height), not less than 50 percent and not more than 75 percent of the area bounded by the two #street lines# and lines parallel to and 20 feet from such #street lines#.

(ii) Where tower corner articulation is specified, no articulation is required where all portions of the #building# that exceed a height of 60 feet are located at least 10 feet from a #wide street line# and at least 15 feet from a #narrow street line#. Where a #building# rises without setback along those #street lines# where no setback is required, as specified on Map 4 (Street Wall Height), the #building# shall cover, at every level above the setback provided pursuant to Section 115-223, not less than 50 percent and not more than 75 percent of the area bounded by:

(a) the #street line# of the #street# where no setback is required;

(b) a line 10 feet from and parallel to a #wide street# with a setback requirement or 15 feet from and parallel to a #narrow street# with a setback requirement; and

(c) lines parallel to and 20 feet from such lines.

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

(5) 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.

(c) In all locations where #street walls# are required, recesses, not to exceed three feet in depth from the #street line#, shall be permitted on the ground floor where required to provide access to the #building#.

Above a height of 12 feet, up to 30 percent of the aggregate width of required #street walls# may be recessed beyond the #street line#, provided any such recesses deeper than 10 feet along a #wide street#, or 15 feet along a #narrow street#, are located within an #outer court#. Furthermore, no recesses shall be permitted within 30 feet of the intersection of two #street lines# except to articulate the #street walls# as set forth in this Section.

Existing #buildings# may be vertically #enlarged# by up to one #story# or 15 feet, without regard to the #street wall# location requirements of this Section.

115-223
Street wall height

C4 C6

Except in the locations indicated on Map 4 (Street Wall Height) in the Appendix to this Chapter, the minimum and maximum heights before setback of a #street wall# required pursuant to Section 115-232 (Street wall location) shall be as set forth in the following Table:

District	Minimum Street Wall Height	Maximum Street Wall Height
C4-4A	40 feet	65 feet
C4-5X	40 feet	85 feet
C6	40 feet	60 feet

Any portion of a #building# that exceeds the maximum height of a #street wall# shall be set back at least 10 feet from a #wide street line# and at least 15 feet from a #narrow street line#.

In the locations indicated on Map 4, required #street walls# shall rise without setback to the minimum height specified for that location on Map 4 or the height of the #building#, whichever is less. Any portion of a #building# that exceeds the maximum #street wall# height specified for that location shall be set back at least 10 feet from a #wide street line# and at least 15 feet from a #narrow street line#.

However, in the locations indicated on Map 4 where no maximum #street wall# height or setback is required, #street walls# required pursuant to Section 115-222, shall rise without setback to a minimum height of 40 feet or the height of the #building#, whichever is less. Above a height of 40 feet, no setbacks are required for any portion of the building.

115-224
Maximum building height
C4 C6

In C4-4A Districts, no #building or other structure# shall exceed a height of 80 feet.

In C4-5X Districts, no #building or other structure# shall exceed a height of 125 feet.

In all C6 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 5 (Maximum Building Height) in the Appendix to this Chapter, if such #block# is developed pursuant to the Jamaica Gateway Urban Renewal Plan.

115-225
Transition area

R6 R7 R8 R9 R10

In the districts indicated, and in #Commercial Districts# where such #Residence District bulk# regulations are applicable, that portion of a #development# or #enlargement# located within 25 feet of an adjacent #zoning lot# in an R1, R2, R3, R4 or R5 District shall not exceed a maximum building height of 35 feet. In addition, an open area not higher than #curb level# shall be provided within eight feet of such adjacent #zoning lot#. Such open area may be used for #accessory# parking.

115-30
MANDATORY IMPROVEMENTS

115-31
Sidewalk Widenings

The provisions of this Section shall apply to all #developments# fronting upon locations requiring sidewalk widenings as shown on Map 6 (Sidewalk Widenings) in the Appendix to this Chapter. A sidewalk widening is a continuous, paved open area along the #street line# of a #zoning lot# having a depth of five feet or 10 feet, as set forth on Map 6. 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 paragraph (n) of Section 37-04 (Requirements for Urban Plazas), except that the minimum level of illumination shall be not less than two horizontal foot candles throughout the entire mandatory sidewalk widening.

Sidewalk widenings of 10 feet or more must provide one linear foot of seating for every 150 square feet of mandatory sidewalk widening. In addition, the provisions of Section 62-672 (Seating) shall apply.

115-32
Street Tree Planting

All new #developments# or #enlargements# that increase the existing #floor area# by at least 20 percent shall provide and maintain trees of not less than three inch caliper at the time of planting in the sidewalk adjacent to the #zoning lot#. Such trees shall be provided for the entire length of the #street# frontage of the #zoning lot# at maximum intervals of 25 feet except where the

Commissioner of Parks and Recreation determines that such tree planting would be infeasible.

Trees shall be planted with gratings flush to grade in at least 200 cubic feet of soil per tree, with a depth of soil of at least 3 feet, 6 inches. Species shall be selected, installed and maintained in accordance with the specifications established by the Department of Parks and Recreation.

115-33
Refuse Storage, Recreation Space and Planting Areas

All #residential buildings# shall provide refuse storage space, recreation space and planting areas in accordance with the provisions of Section 28-23 (Refuse Storage and Disposal) and Section 28-30 (RECREATION SPACE AND PLANTING AREAS), whether or not they are #developed# or #enlarged# pursuant to the Quality Housing Program.

115-40
RESIDENTIAL CONVERSIONS

In all #Commercial Districts#, the conversion to #dwelling units# of non-#residential buildings#, or portions thereof, erected prior to January 1, 1977, shall be permitted subject to Sections 15-11 (Bulk Regulations), 15-12 (Open Space Equivalent) and 15-30 (Minor Modifications), paragraph (b).

#Uses# in #buildings# erected prior to January 1, 1977, containing both #residential# and non-#residential uses# shall not be subject to the provisions of Section 32-42 (Location within Building).

115-50
SPECIAL OFF-STREET PARKING AND OFF-STREET LOADING REGULATIONS

115-51
Parking and Loading Regulations

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

(a) Commercial and Manufacturing development

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 (Maximum Size of Accessory Group Parking Facilities) 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 (Modification of Maximum Size of Accessory

Group Parking Facilities) 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 Use Groups 6B (Offices), 10B (Wholesale Establishments) and 11B (Wholesale Establishments), with parking requirement category B1, 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) shall only apply to #zoning lots# existing both on (the date of adoption of this amendment) 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).

(iii) The provisions of Sections 36-342 (Reduced requirements in other C1 or C2 Districts or in C4, C5 or C6 Districts) and 36-344 (Waiver of requirements in other C1 or C2 Districts or in C4, C5 or C6 Districts) shall not apply in the #Special Downtown Jamaica District#.

(b) Residential Development

(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 required accessory off-street parking space regulations for #residential developments# or #enlargements# of the underlying districts in the #Special Downtown Jamaica District# shall be modified as follows: The regulations set forth for an R6A District in Section 25-20 shall apply. The regulations set forth for an R6 District in Sections 25-50 (RESTRICTIONS ON LOCATIONS OF ACCESSORY OFF-STREET PARKING SPACES) inclusive, and 25-60 (ADDITIONAL REGULATIONS FOR PERMITTED OR REQUIRED ACCESSORY OFF STREET PARKING SPACES), inclusive, shall apply except as modified in paragraphs (b) (3) and (b) (4) of this Section.

(3) In all #Residence Districts#, the provisions of Section 25-26 (Waiver of Requirements for Small Number of Spaces) are modified as follows:

(i) The provisions of Section 25-26 shall only apply to #zoning lots# existing both on (the date of adoption of this amendment) and on the date of application for a building permit.

(ii) For all new #residential developments# or #enlargements#, the maximum number of #accessory# off-street parking spaces for which requirements are waived shall be 5 spaces.

(4) The provisions of Section 25-52 (Off-Site Spaces for Residences) and 25-521 (Maximum distance from zoning lot) shall be modified to permit the location of permitted or required 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#.

(5) 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 permitted or required 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#.

115-52
Location of Access to the Street

Map 2 (Ground Floor Use and Transparency and Curb Cut Restrictions) in the Appendix to this Chapter specifies locations where curb cuts shall be prohibited within the #Special Downtown Jamaica District#.

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.

115-60
SPECIAL PERMIT TO MODIFY USE OR BULK REGULATIONS

For any #development#, #enlargement#, alteration or change of #use# on a #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) 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) #development# or #enlargement# 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.

APPENDIX

Map 1 - Special Downtown Jamaica District
Map 2 - Ground Floor Use and Transparency and Curb Cut Restrictions
Map 3 - Street Wall Location
Map 4 - Street Wall Height
Map 5 - Maximum Building Height
Map 6 - Sidewalk Widening

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