

# Part B

## Zoning and Land Use



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## Zoning and Land Use

The second part of this report gives an overview of the citywide zoning followed by a detailed description of the zoning districts along Flatbush Avenue within the area of study. Finally, a description of the land use surrounding Flatbush Avenue is provided.

### Zoning

Here is a brief overview of New York City's zoning:

There are three basic zoning designations within New York City: residential (R), commercial (C), and manufacturing (M). The three basic categories are further subdivided into lower, medium, and higher density of residential, commercial, and manufacturing districts. Development within these districts is regulated by use, bulk, and parking regulations.

Residential zoning districts range from R1 (the lowest density) to R10 (the highest density). R1 and R2 districts allow only detached single-family residences and certain community facilities. The R3-2 through R10 districts permit all types of dwelling units and community facilities and are distinguished by differing bulk and density, height and setback, parking, and lot coverage or open space requirements. However R2A, R2X, R3A, R3X, R3-1, R4-1, R5A, and R5-B permit limited types of one, two or three family houses depending on the residential district.

Commercial zoning districts range from C1 to C8. Of the eight basic commercial districts, two (C1 and C2 districts) are designed to serve local needs, one (C4 district) is for shopping centers outside the central business district, two (C5 and C6 districts) are for the central business districts, and three (C3, C7, and C8 districts) are designed for special purposes (waterfront activity, large commercial amusement parks and heavy repair services). The eight basic commercial districts are further subdivided to reflect variations in bulk, parking, and loading requirements.

Manufacturing is permitted in three districts: M1, M2, and M3. These districts incorporate performance standards that establish limits on the amount and type of industrial nuisances which may be created. The more noxious uses are restricted to M3 districts but may be permitted in M1 and M2 districts if they comply with the performance standards of those districts. Retail and commercial uses are permitted in manufacturing districts with some exceptions. The floor area ratio is the primary instrument for controlling both building size, levels of activity and congestion in manufacturing districts.

The zoning designation determines which uses are allowed in each zoning district. These uses are categorized into 18 Use Groups by their common functional characteristics. Use Groups 1-4 include residential and community facility uses, which are considered the least burdensome uses on the nuisance scale. Use Groups 5-16 consist of commercial uses. However, these are further broken down into local retail and commercial uses (Use Groups 5-11), waterfront and recreational uses (Use groups 12-15), and general service uses such as automotive-related services (Use Group 16). Finally, Use Groups 17 and 18 are comprised of manufacturing uses.

Figure B-1 represents the study area, a large area that has been divided into four sections in this report to better understand the zoning and land use configurations within the area of study. Section 1 stretches along Flatbush Avenue from Empire Boulevard to Albermarle Road, Section 2 from Albermarle Road to Glenwood Road, Section 3 from Glenwood Road to Flatlands Avenue and Section 4 from Flatlands Avenue to Avenue V.

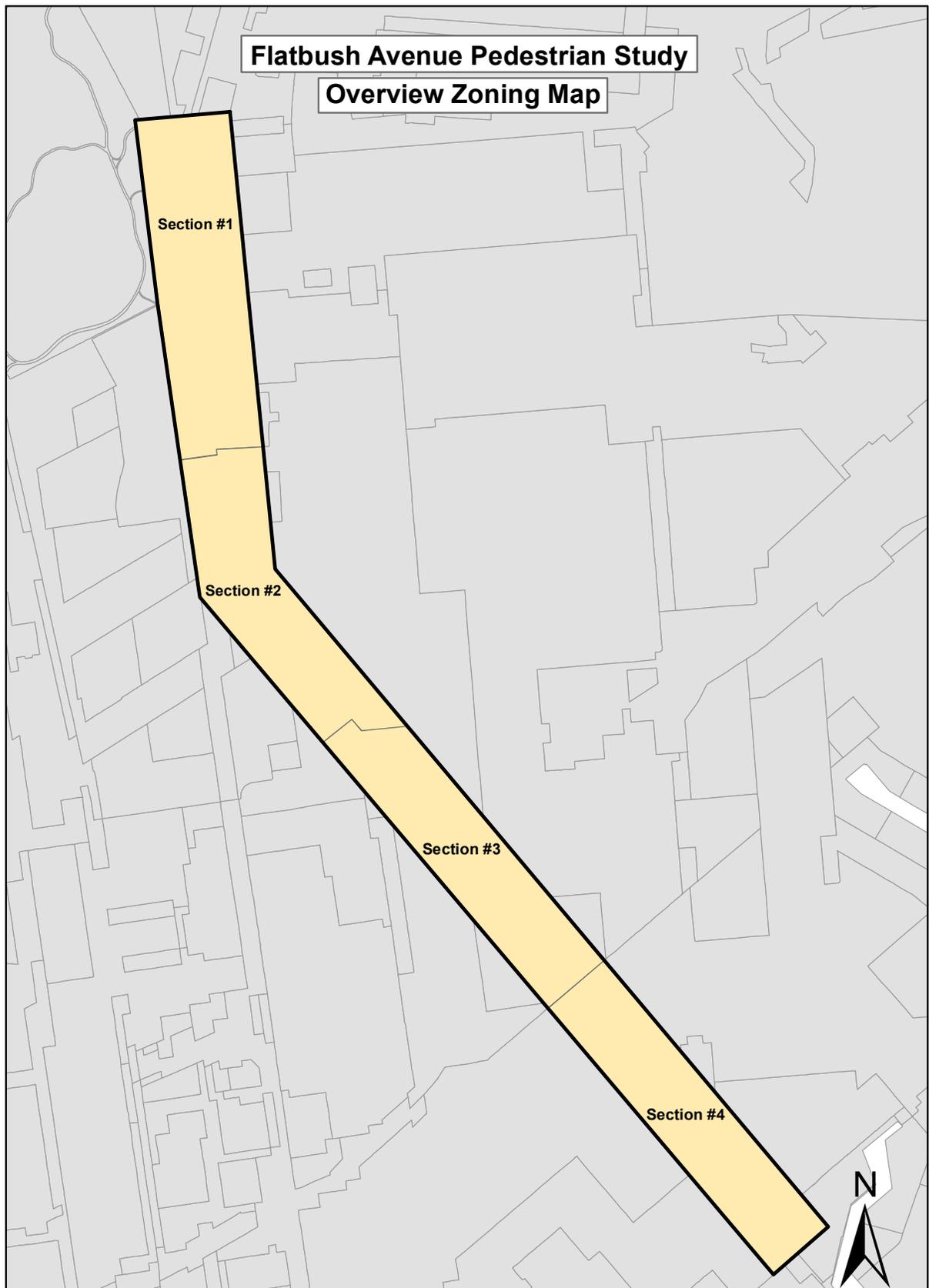


Figure B-1

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***Residential Zoning Districts:***

There are six residential zoning districts ranging from R2 to R7-1.

**R2 District**

The R2 district is bounded by Lincoln Road to the north, Fillmore Street to the south, Bedford Avenue to the east and Flatbush Avenue to the west (see Zoning Map - Section 1, Figure B-2).

In R2 districts, residential development is limited to single-family detached houses.

**R3-2 District**

One of the three areas zoned R3-2 is generally bordered by Foster Avenue to the north, Bedford Avenue to the east and the study area boundary to the west (see Zoning Map -Section 2, Figure B-3). The other R3-2 district is located at the southern end of the study area and is bounded generally by Flatlands Avenue to the north, Avenue S to the south, East 49<sup>th</sup> Street to the east and Coleman Street to the west (see Zoning Map - Section 4, Figure B-5). Finally, there is a small triangular block just north of Flatlands Avenue and east of East 38<sup>th</sup> Street which is also zoned R3-2 (see Zoning Map - Section 3, Figure B-4).

R3-2 districts are residential districts that allow a variety of housing types, including low-rise attached houses, small multi-family apartment houses, detached and semi-detached one- and two-family residences.

**R4 District**

There are three separate R4 districts located within the study area. The first site is bounded by Avenue I to the north, East 35<sup>th</sup> Street to the east and the study area boundary to the west. The second site is bounded generally by East 36<sup>th</sup> Street to the west and Avenue K to the south (see Zoning Map - Section 3, Figure B-4). The third R4 district in the study area is bounded by Avenue S to the north, Avenue V to the south, Coleman Street to the west and Flatbush Avenue to the east (see Zoning Map - Section 4, Figure B-5).

R4 districts are residential zones that permit for a variety of housing types including single- and two-family residences that are detached or semi-detached, row houses, and garden apartments. The buildings are usually three stories high.

**R5 District**

The R5 district is another residential district which exists within the study area. The first R5 district is limited to the north by Empire Boulevard, to the south by Lincoln Road, to the west by Flatbush Avenue and to the east by Bedford (see Zoning Map – Section 1, Figure B-2). The second R5 district is generally bounded by Avenue I to the north, Flatlands Avenue to the south, and by the study area boundary to the west and east (see Zoning Map - Section 3, Figure B-4). The third R5 district in the study area is generally limited to the north by Utica Avenue, to the south by Avenue U, to the west by Flatbush Avenue and to the east by the study area boundary (see Zoning Map – Section 4, Figure B-5).

R5 districts allows for the development of three story attached houses and small apartment houses.

### R6 District

There are five areas within the study area zoned R6. The first R6 district is adjacent to Prospect Park and located north of Empire Boulevard. The second R6 district area is limited to the north by Fenimore Street, to the south by Clarkson Avenue, to the west by Flatbush Avenue and to the east by Bedford Avenue. In addition there is a very small R6 area just north of Church Avenue and east of Bedford Avenue (see Zoning Map - Section 1, Figure B-2). The third R6 district, which is a large area in the middle of the study area, is generally bounded to the north by Cortelyou Road, to the south by Glenwood Road, to the west by East 21<sup>st</sup> Street/Foster Avenue/Bedford Avenue and to the east by the study area boundary (see Zoning Map - Section 2, Figure B-3). The last two R6 zoning districts are generally bounded to the north by Glenwood Road and to the south by Avenue I. They are separated in the middle by Flatbush Avenue and several commercial districts (see Zoning Map - Section 3, Figure B-4).

R6 districts encourage small apartment buildings on small lots and tall narrow buildings on larger lots. Heights of tall buildings can range from seven to thirteen-story apartment houses.

### R7-1 District

An elongated R7-1 residential district stretches from north to south from Empire Boulevard to Newkirk Avenue. This area is generally bounded to the west by Ocean Avenue, to the east by Flatbush and Bedford Avenues (see Zoning Map - Section 1 and 2, Figures B-2 and B-3).

R7-1 districts encourage low apartment buildings on smaller zoning lots and on larger lots, taller buildings with low lot coverage. Within R7-1 residential zoning district, parking is required for 60% of the dwelling units but can be waived if five or fewer spaces are required.

### ***Commercial Zoning Districts:***

There are five commercial zoning districts within the study area ranging from C4-2 to C8-4 and several commercial overlay districts lined up along Flatbush Avenue.

### C4-2 and C4-3 Districts

The C4-2 district in the study area is limited by Martense Street to the north, Cortelyou Road to the south, East 21<sup>st</sup> Street to the west and Bedford Avenue to the east (see Zoning Map - Section 1, Figure B-2).

The C4-3 district located further south is bordered to the north by Glenwood Road, to the south by Avenue H and extends midblock east and west of Flatbush Avenue (see Zoning Map - Section 3, Figure B-4).

In general C4 districts are mapped in regional commercial centers outside of the central business districts. This district allows for specialty and department stores, theaters, and other commercial and office uses that serve a larger area and generate more traffic than the typical neighborhood shopping area. It also permits residential development of a R6 district.

### C8-1, C8-2 and C8-4 Districts

There are three C8 zoning districts located in the study area: C8-1, C8-2 and C8-4 districts.

The C8-1 district extends generally from Avenue R to Avenue V along Flatbush Avenue (see Zoning Map - Section 4, Figure B-5). The C8-2 districts occupy small sections of the study area. The first C8-2 district is located near Prospect Park and is bounded to the north by Sullivan Avenue, to the south by Sterling Street, to the west by Flatbush Avenue and to the east by Bedford Avenue. The second C8-2 district is limited to the north by Church Avenue, to the south by Albermarle Road and stretches along Bedford Avenue (see Zoning Map - Section 1, Figure B-2). The last two C8-2 districts lie generally between Avenue H and Avenue I and are separated by Flatbush Avenue and the only C8-4 commercial district in the study area (see Zoning Map - Section 3, Figure B-4).

C8 districts permit automotive and heavy commercial services that often require large amounts of land. Typically mapped along major traffic arteries, allowable uses include automobile showrooms, gas stations, and car washes. Housing is not permitted within these districts.

The allowable uses are similar among all C8 districts however the maximum floor area ratio and parking requirements are determined by the difference in the numerical suffix. Automotive uses in C8-1 to C8-3 districts require substantial parking while C8-4 districts are usually exempt from parking requirements.

### ***Commercial Overlay Districts***

The commercial overlay districts within the study area are aligned along Flatbush Avenue grouped in four clustered areas:

- a) between Sterling Street and Church Avenue,
- b) between Cortelyou Road and Glenwood Road,
- c) between Avenue H and Fillmore Avenue,
- d) just north and south of Avenue U on the west side of Flatbush Avenue

Refer to Zoning Map Sections 1 – 4 (Figures B-2 through B-5) at the beginning of Part B for the location of the commercial overlay districts.

There are a total of ten designated commercial overlay districts mapped along Flatbush Avenue: C1-1, C1-2, C1-3, C1-4, C1-5, C2-1, C2-2, C2-3, C2-4, and C2-5. They permit retail uses that cater to the daily needs of the immediate and local neighborhood. These uses include grocery stores, small dry cleaners, and local clothing stores. However C2 overlay districts permit a wider range of uses including funeral homes and local repair shops than C1 districts. For both C1 and C2 overlay districts, in mixed residential/commercial buildings, commercial uses are limited to one or two floors and must always be located below the residential use.

***Manufacturing Zoning Districts:***

The only manufacturing district M3-1 is located at the southernmost part of the study area. This area is bordered by Avenue U to the north, Avenue V to the south, Flatbush Avenue to the west and by the study area boundary to the east (see Zoning Map - Section 4, Figure B-5).

M3 districts are for heavy industries that generate noise, traffic or pollutants. Typical uses include power plants, solid waste transfer facilities and recycling plants, and fuel supply depots. M3 districts are usually located near the waterfront and buffered from residential areas.

Zoning Map - Section 1 of 4

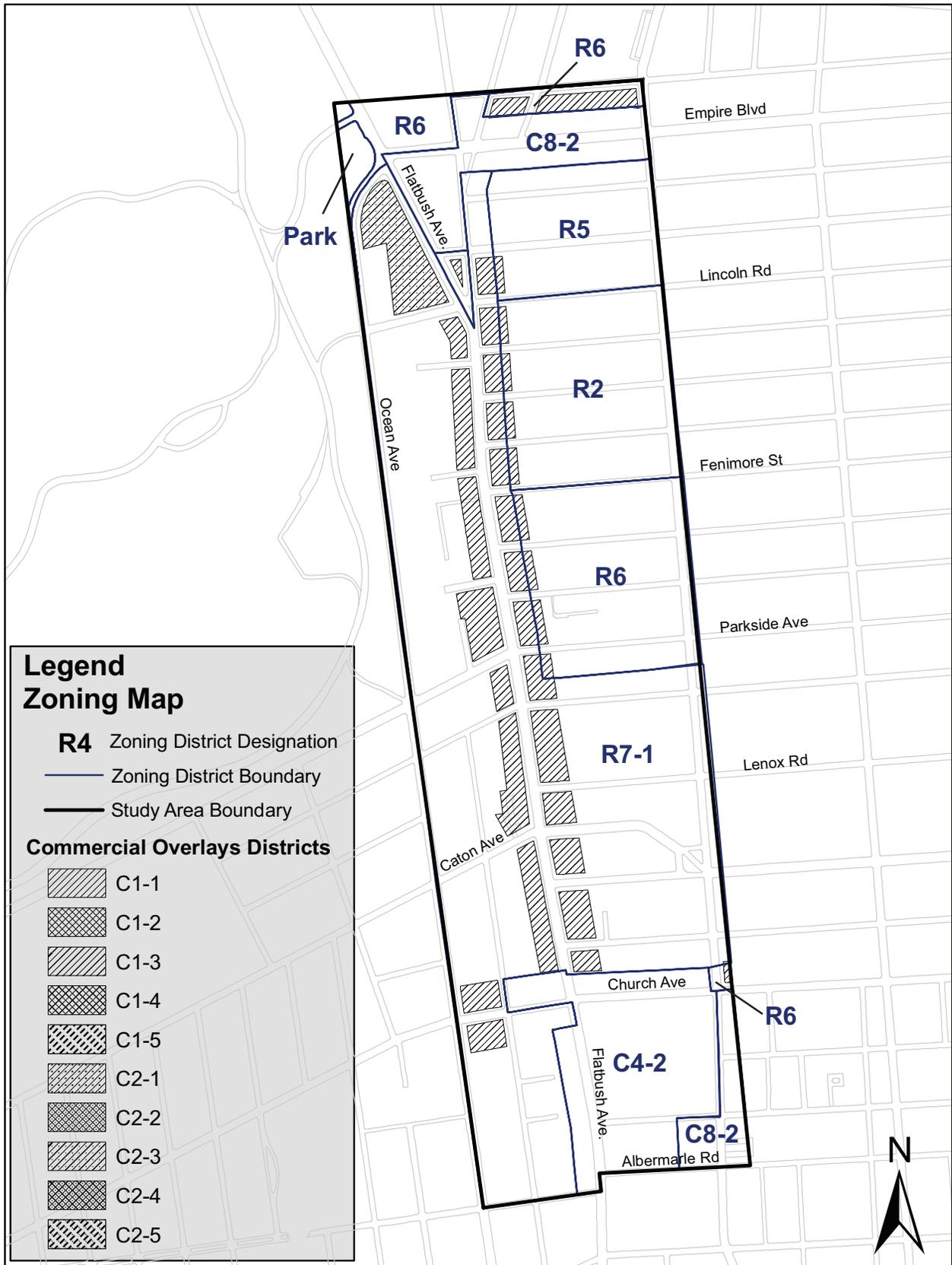


Figure B-2

### Zoning Map - Section 2 of 4

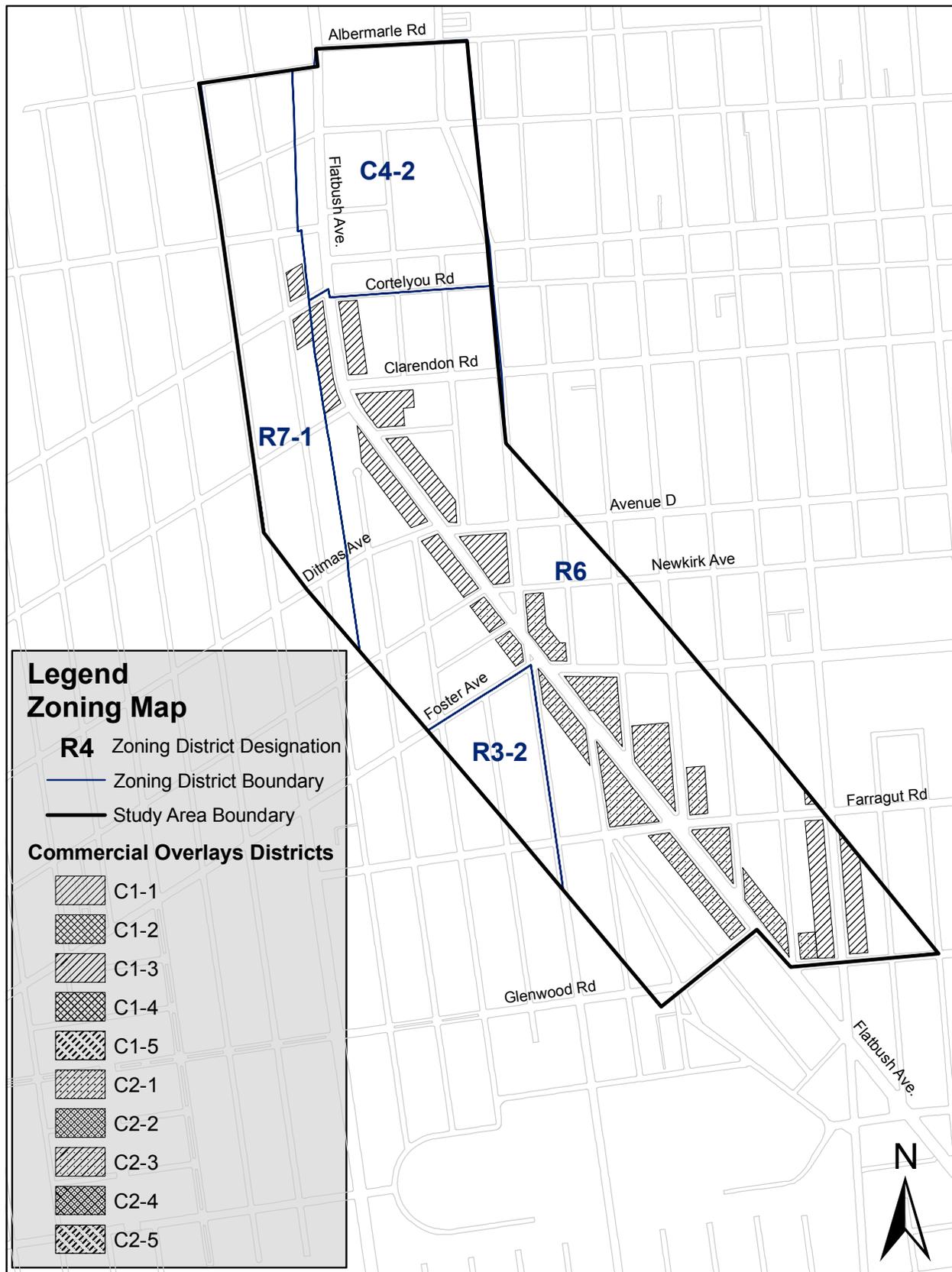


Figure B-3

Zoning Map - Section 3 of 4

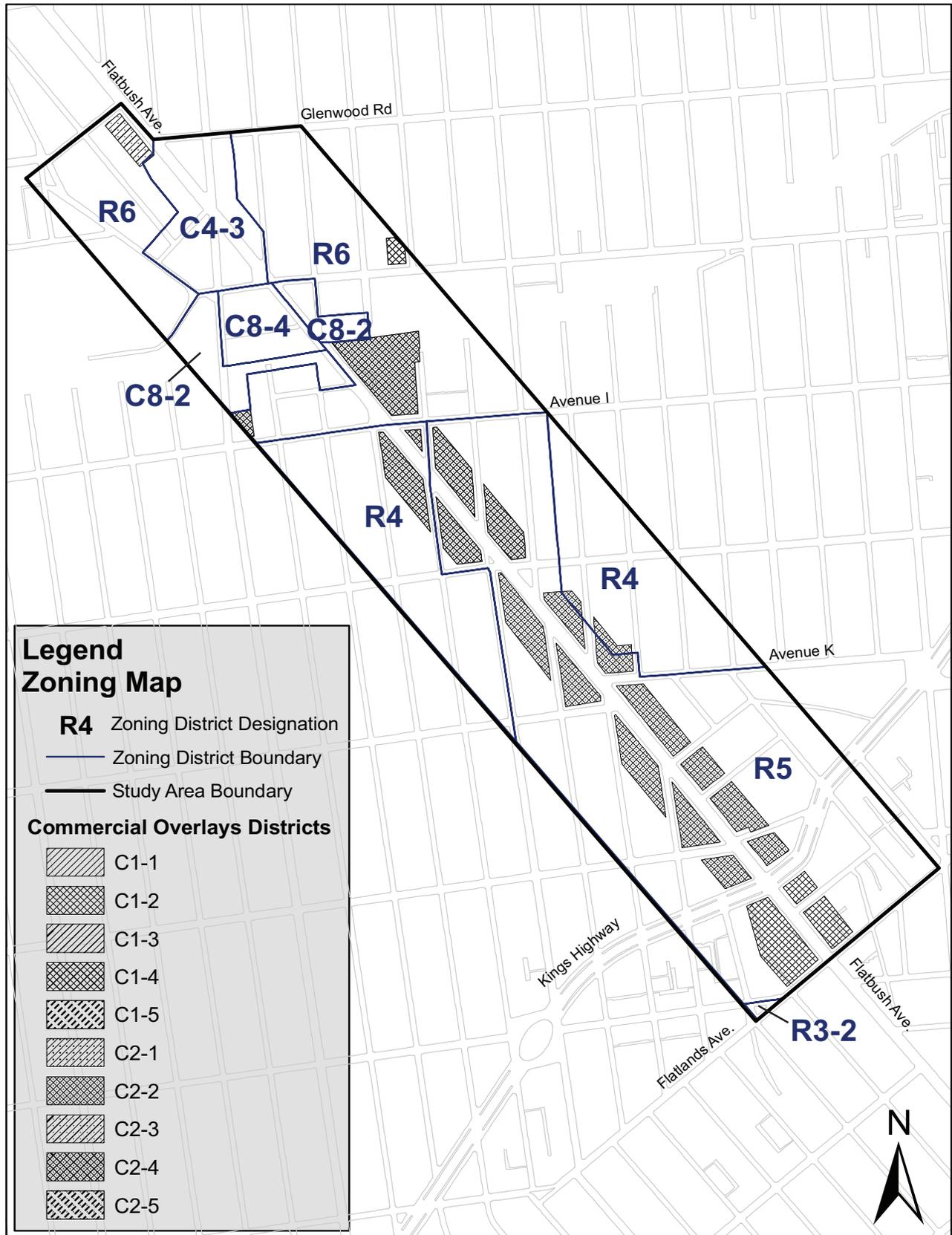


Figure B-4

### Zoning Map - Section 4 of 4

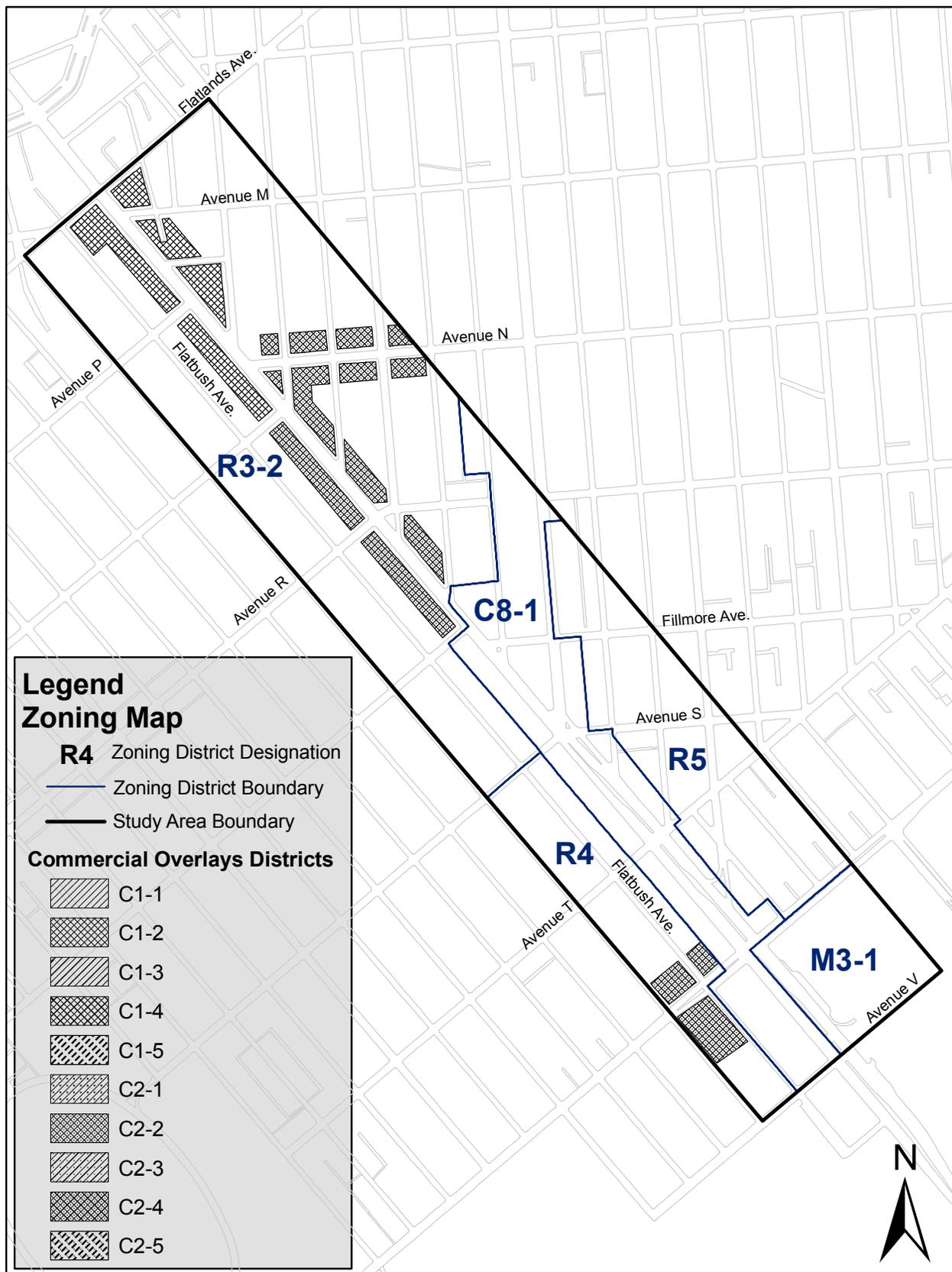


Figure B-5