Zoning Resolution

THE CITY OF NEW YORK
Zohran K. Mamdani, Mayor

CITY PLANNING COMMISSION
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62-36 - Special Bulk Regulations in Certain Areas Within Community District 1, Brooklyn

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62-36 - Special Bulk Regulations in Certain Areas Within Community District 1, Brooklyn

LAST AMENDED
12/5/2024

On #waterfront blocks# in Waterfront Access Plan BK-1 in Community District 1, Borough of Brooklyn, the special #bulk# regulations of this Chapter are further modified as set forth in this Section, inclusive.

62-361 - Special floor area regulations

LAST AMENDED
7/16/2026

(a) R6 R7 R8

In the districts indicated, the maximum #residential# #floor area ratio# shall be as follows:

(1) For #zoning lots# located in #Mandatory Inclusionary Housing areas#, the maximum #residential# #floor area ratio# shall be as set forth in Section 23-22 (Floor Area Regulations for R6 Through R12 Districts); or

(2) For #zoning lots# located outside of #Mandatory Inclusionary Housing areas#, the maximum #residential# #floor area ratio# shall be as set forth in the following table. Separate maximum #residential# #floor area ratios# are set forth for #zoning lots#

containing standard #residences# and #zoning lots# containing #UAP developments# or #qualifying senior housing#.

MAXIMUM FLOOR AREA RATIO FOR R6-R8 DISTRICTS

District	**Standard #residences#**	**#UAP development# or #qualifying senior housing#**
R6	2.54	3.05
R7-3	4.17	5.00
R8	5.42	6.50

(b) #Buildings# used for #accessory# off-street parking spaces

Within Waterfront Access Plan BK-1, the #floor area# of a #building# shall not include floor space used for #accessory# off-street parking spaces provided in any #story# located not more than 33 feet above the height of the #base plane#.

(c) Special regulations for Parcels 4 and 5e within Waterfront Access Plan BK-1

On Parcels 4 and 5e within Waterfront Access Plan BK-1, in the event that a property is #developed# as a #public park#, such property shall continue to be considered part of a #zoning lot# for the purposes of generating #residential# #floor area# based on the #residential# #floor

area ratio# applicable to the property prior to its #development# as a #public park#. In no event shall the #floor area# generated by the property #developed# as a #public park# be utilized within the #public park#, but may be utilized pursuant to Section 62-362 (Special floor area, lot coverage and residential density distribution regulations). Floor space within any structure constructed pursuant to an agreement with the Department of Parks and Recreation within such #public park# shall be exempt from the definition of #floor area#.

(d) Special regulations for Parcel 5d within Waterfront Access Plan BK-1

On Parcel 5d within Waterfront Access Plan BK-1, up to 120,000 square feet of floor space within a public #school#, constructed in whole or in part pursuant to agreement with the New York City School Construction Authority and subject to the jurisdiction of the New York City Department of Education, shall be exempt from the definition of #floor area# and from #lot coverage# requirements for the purposes of calculating the permitted #floor area ratio# and #lot coverage# for #community facility# #uses# and the maximum #floor area ratio# and total permitted #lot coverage# of the #zoning lot#.

62-362 - Special floor area, lot coverage and residential density distribution regulations

LAST AMENDED
12/5/2024

Within any parcel identified in Section 62-931 (Waterfront Access Plan BK1: Greenpoint-Williamsburg), and with respect to any such parcels that are adjacent to each other and that are under single-fee ownership and with respect to which each party having any interest therein is a party in

interest (as defined in paragraph (e) of the definition of a #zoning lot# in Section 12-10) or with respect to which each party in interest (as defined in paragraph (f)(4) of the definition of a #zoning lot# in Section 12-10) has executed a declaration declaring that the properties are to be developed as a single parcel or has waived its right to execute such declaration, the total #lot coverage# permitted pursuant to Section 62-333, the total #floor area# permitted pursuant to Sections 62-361 or 62-362 and the #residential# density permitted pursuant to Section 23-50, may be located anywhere within such parcel or between such parcels without regard to #zoning lot# #lines# or district boundaries provided that such location of #floor area#, #lot coverage# or #residential# density complies with Sections 62-31 (Bulk Computations on Waterfront Lots) and 62-34 (Height and Setback Regulations on Waterfront Blocks), as modified by Sections 62-363 and 32-364 (Special height and setback regulations)

62-363 - Special height and setback regulations

LAST AMENDED
7/16/2026

Within Waterfront Access Plan BK-1, the provisions of Section 62-30 (SPECIAL BULK REGULATIONS) are modified, as follows:

(a) The maximum base heights of paragraph (a) of Section 62-343 (Height and setback regulations in other medium- and high-density districts) shall be modified in R6 Districts to permit a maximum base height of 65 feet or six #stories#, whichever is less.

(b) The maximum #building# heights of Section 62-343 shall not apply. In lieu thereof, the provisions of this paragraph, (b), shall apply:

(1) The maximum #building# height in an R6 District shall be 65 feet or six #stories#, whichever is less, within 100 feet of Commercial Street, West Street, Dupont Street, Franklin Street and Kent Avenue. However, for #buildings or other structures# with #qualifying affordable housing# or #qualifying senior housing# the maximum #building# height shall be 75 feet.

Beyond 100 feet of such #streets# and any other portions of an R6 District, the maximum #building# height shall be 110 feet. In R8 Districts, the maximum #building# height shall be 190 feet, except that for #zoning lots# #developed# with multiple #buildings# or portions of #buildings# that exceed a height of 180 feet, not more than half of such #buildings# or portions of #buildings# may exceed a height of 190 feet, to a maximum #building# height of 290 feet.

(2) For #zoning lots# containing #qualifying affordable housing# or #qualifying senior housing#, the height limits of an R8 District set forth in paragraph (b)(1) of this Section may be exceeded, provided that:

(i) outside of #Mandatory Inclusionary Housing areas#, the maximum #building# height shall be 260 feet. However, for #zoning lots# #developed# with multiple #buildings# or portions of #buildings# that exceed a height of 200 feet, not more than half of such #buildings# or portions of #buildings# may exceed a height of 260 feet to a maximum #building# height of 360 feet; or

(ii) in #Mandatory Inclusionary Housing areas#, the maximum #building# height shall be 500 feet. However, for #zoning lots# #developed# with multiple #buildings# or portions of #buildings# that exceed a height of 440 feet, not more than half of such #buildings# or portions of #buildings# may exceed a height of

500 feet to a maximum #building# height of 600 feet.

(3) The maximum #building# height may be exceeded by a penthouse portion of a #building# with a height of not more than 40 feet, only if the gross area of any #story# within such portion has a #lot coverage# of at least 50 percent and not more than 85 percent of the highest #story# that is located entirely below the applicable maximum #building# height. Such reduced #lot coverage# shall be achieved by one or more setbacks on each face of the penthouse portion, where at least one setback on each face has a depth of at least four feet and a width that, individually or in the aggregate, is equal to at least 10 percent of the width of such respective face. For the purposes of paragraphs (b)(1) and (b)(2) of this Section, the penthouse portion shall have four faces, with each face being the side of the rectangle within which the outermost walls of the highest #story# located entirely below the maximum #building# height have been inscribed. The required setbacks shall be measured from the outermost walls of the #building# facing each penthouse portion face. Required setback areas may overlap.

(c) The provisions of paragraph (a) of Section 62-322 shall not apply.

(d) The provisions of paragraph (d)(2)(i) of Section 62-343 shall not apply. In lieu thereof, each #residential# #story# of a #building# located entirely above a height of 85 feet shall not exceed a gross area of 8,100 square feet in an R6 District and 11,000 square feet in an R8 District. However, in R8 Districts, for #developments# that provide #qualifying affordable housing# or #qualifying senior housing# pursuant to Section 62-361, each #residential# #story# of such #building# located entirely above a height of 100 feet shall not exceed a gross area of 11,000 square feet. If such #residential# #story# of a #building# is located partially in an R6 District and partially in an R8 District, it shall not exceed a gross area of 11,000 square feet and any portion located in an R6 District shall not exceed a gross area of 8,100 square feet.

(e) The provisions of paragraph (d)(1) of Section 62-343 shall not apply. In lieu thereof, the outermost walls of each #story# located entirely above a height of 85 feet shall be inscribed within a rectangle. The maximum length of any side of such rectangle that is parallel or within 45 degrees of being parallel to Kent Avenue, West Street or Commercial Street, whichever is closest, shall not exceed 110 feet. The maximum length of any other side of such rectangle shall not exceed 170 feet, except that for #buildings# where #qualifying affordable housing# or #qualifying senior housing# is provided pursuant to Section 62-361, such maximum length of 170 feet shall apply above a height of 100 feet.

(f) The provisions of Section 62-351 shall not apply. In lieu thereof, all off-street parking spaces located within 50 feet of a #street#, a #visual corridor# containing a #private road# and a #shore public walkway#, #upland connection# or #supplemental public access area# and which are located on a #story# that is above the #base plane#, shall be within facilities that are located behind #commercial#, #community facility# or #residential# floor space so that no portion of such parking facility, other than entrances and exits, is visible from such #streets#, #visual corridors# or publicly accessible open spaces. Such floor space shall have a minimum depth of 25 feet. Up to five percent of such floor space may be used for mechanical equipment provided that no floor space used for mechanical equipment is located within 15 feet of the #street wall# of the #building# below a height of 15 feet above the #base plane#, and that no exhaust vents are located on the #street wall# of the #building# below a height of 15 feet above the #base plane#. The remainder of such floor space shall be used for #commercial#, #community facility# or #residential# #floor area#. Seventy percent of the surface area of the facade of a facility containing parking spaces, which are not otherwise required to be behind such #floor area#, shall be composed of the same materials as the facade of the #building# in which it is located.

(g) Any roof of a facility containing off-street parking spaces, not otherwise covered by a #building#, which is larger than 400 square feet, shall be landscaped. Up to five percent of such roof area may be used for mechanical equipment, provided that such mechanical equipment is

screened from view by a fence which is at least 75 percent opaque or by at least three feet of dense planting. Up to 25 percent of such roof area may be accessible solely from an adjacent #dwelling unit# and the remaining roof area shall be accessible for the recreational use of the occupants of the #building# in which it is located. Hard surfaced areas shall not cover more than 60 percent of such roof area.

(h) At least 70 percent of the width of the #street wall# of a #building# or #buildings# fronting on a portion of a #street#, #upland connection# or #visual corridor# that is not adjacent to a #shore public walkway# or #supplemental public access area# shall be located within eight feet of such #street line# and extend to a minimum height of 30 feet.

(i) In addition to the applicable underlying #street# tree planting requirements, all #extensions# which increase the existing #floor area# by more than 10 percent, shall provide #street# trees in accordance with Section 26-41.

(j) On Parcel 5d, the maximum base height and maximum #building# height provisions of paragraph (a) of Section 62-343 shall be modified for public #schools# constructed in whole or in part pursuant to an agreement with the New York City School Construction Authority and subject to the jurisdiction of the New York City Department of Education, as follows:

(1) the maximum base height provisions shall not apply; and

(2) the maximum #building# height provisions shall be modified to permit a maximum #building# height of 100 feet or six #stories#, whichever is less.

62-364 - Special yard regulations

LAST AMENDED
12/5/2024

On Parcel 5d within Waterfront Access Plan BK-1, the #yard# provisions of Section 24-36 (Minimum Required Rear Yards) shall not apply to public #schools# constructed in whole or in part pursuant to an agreement with the New York City School Construction Authority and subject to the jurisdiction of the New York City Department of Education.

62-365 - Special bulk regulations for zoning lots adjacent to public parks

LAST AMENDED
12/5/2024

On Parcel 12b within Waterfront Access Plan BK-1 in Section 62-931, any #lot line# that coincides with the boundary of a #public park# shall be considered to be a #street line# of a #wide street# for the purposes of applying all #bulk# regulations of this Resolution, except that the provisions of paragraphs (g) and (h) of Section 62-363 (Special height and setback regulations) shall not apply.

In lieu thereof, the #street wall# of any #building# fronting on a #lot line# that coincides with the boundary of a #public park# shall be located at least eight feet from such #lot line#, except that any portion of a #building# containing a #legally required window# shall be located at least 28 feet from such lot line. No balconies shall be permitted on any #street wall# of such #building# facing a #public park#.

In addition, a wall, or if a wall is prohibited by the New York City Building Code, a fence, shall be provided along the #lot line# that coincides with the boundary of a #public park#. Such wall or fence shall be a minimum of six feet in height, except that any portion of such wall or fence facing a ground floor level #commercial# #use# in a #building# shall be a minimum of 10 feet in height. However, if the Commissioner of Buildings determines that such wall or fence located in a #Residence District# is subject to the provisions of Building Code Section 3112.1, exceptions (2) or (3), such wall or fence shall be a minimum of eight feet in height along the boundary of a #public park#.

At least 90 percent of the width of the #street wall# of a #building# or #buildings# fronting on Kent Street shall be located within eight feet of the #street line# and extend to a minimum height of 30 feet.