



## Zoning Resolution

THE CITY OF NEW YORK

Eric Adams, Mayor

CITY PLANNING COMMISSION

Daniel R. Garodnick, Chair

# **Chapter 5 - Special Southern Hunters Point District (SHP)**

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# Chapter 5 - Special Southern Hunters Point District (SHP)

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## 125-00 - GENERAL PURPOSES

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LAST AMENDED

2/2/2011

The "Special Southern Hunters Point District" established in this Resolution is designed to promote and protect public health, safety and general welfare. These general goals include, among others, the following specific purposes:

- (a) to encourage well-designed buildings that complement the built character of the Hunters Point neighborhood;
- (b) to maintain and reestablish physical and visual public access to and along the waterfront;
- (c) to broaden the regional choice of residences by introducing new affordable housing;
- (d) to achieve a harmonious visual and functional relationship with the adjacent neighborhood;
- (e) to create a lively and attractive built environment that will provide daily amenities and services for the use and enjoyment of area residents, workers and visitors;
- (f) to take maximum advantage of the beauty of the East River waterfront and provide an open space network comprised of public parks, public open space and public access areas;
- (g) to provide flexibility of architectural design within limits established to assure adequate access of light and air to the street, and thus to encourage more attractive and economic building forms; and
- (h) to promote the most desirable use of land in accordance with the district plan for Southern Hunters Point, thus conserving the value of land and buildings, thereby protecting the City's tax revenues.

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## 125-01 - General Provisions

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LAST AMENDED

10/7/2021

In harmony with the general purpose and intent of this Resolution and the general purposes of the #Special Southern Hunters Point District#, the regulations of this Chapter shall apply within the #Special Southern Hunters Point District#. The regulations of all other Chapters of this Resolution are applicable, except as superseded, supplemented or modified by the provisions of this Chapter.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, in #flood zones#, or for #transit-adjacent sites# or #qualifying transit improvement sites#, as defined in Section [66-11](#) (Definitions), in the event of a conflict between the provisions of this Chapter and the provisions of Article VI, Chapter 4 (Special Regulations Applying in Flood Hazard Areas), or Article VI, Chapter 6 (Special Regulations Applying Around Mass Transit Stations), the provisions of Article VI shall control.

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## 125-02 - District Plan and Maps

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LAST AMENDED

11/13/2008

The regulations of this Chapter are designed to implement the #Special Southern Hunters Point District# Plan.

The District Plan, in Appendix A of this Chapter, includes the following maps:

- Map 1. Special Southern Hunters Point District, Subdistricts and Parcels
- Map 2. Special Ground Floor Use Regulations
- Map 3. Street Wall Location
- Map 4. Minimum Base Heights of 40 Feet
- Map 5. Maximum Base Heights Other Than 70 Feet
- Map 6. Tower Areas
- Map 7. Mandatory Sidewalk Widening and Publicly Accessible Open Area
- Map 8. Publicly Accessible Private Street and Open Area in Newtown Creek Subdistrict
- Map 9. Newtown Creek Waterfront Access Plan (Q-3)
- Map 10. Permitted Curb Cut Locations

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## 125-03 - Subdistricts

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LAST AMENDED  
11/13/2008

In order to carry out the purposes and provisions of this Chapter, the #Special Southern Hunters Point District# is divided into two subdistricts: the East River Subdistrict and the Newtown Creek Subdistrict. The East River Subdistrict is further subdivided into parcels A through G. The location and boundaries of the subdistricts and parcels are shown on Map 1 (Special Southern Hunters Point District, Subdistricts and Parcels), in Appendix A of this Chapter.

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## 125-04 - Applicability of District Regulations

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LAST AMENDED  
11/13/2008

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### 125-041 - Modification of use and bulk regulations for zoning lots bounding parks

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LAST AMENDED  
11/13/2008

Where the #lot line# of a #zoning lot# coincides with the boundary of a #public park#, such #lot line# shall be considered to be a #street line# for the purposes of applying all #use# and #bulk# regulations of this Resolution.

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### 125-042 - Applicability of Article II, Chapter 5

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LAST AMENDED  
4/22/2009

The provisions of Section [25-86](#) (Waiver or Reduction of Spaces for Subsidized Housing) shall not apply in the #Special Southern Hunters Point District#.

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### 125-043 - Modification of Article VI, Chapter 2

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LAST AMENDED  
4/22/2009

The provisions of Sections [62-52](#) (Applicability of Waterfront Public Access Area Requirements) and [62-60](#) (DESIGN REQUIREMENTS FOR WATERFRONT PUBLIC ACCESS AREAS) are modified as set forth in Section [125-46](#) (Newtown Creek Waterfront Access Plan).

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## 125-10 - USE REGULATIONS

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LAST AMENDED  
11/13/2008

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## 125-11 - Streetscape Regulations

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LAST AMENDED  
6/6/2024

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 (Special Ground Floor Use Regulations) in Appendix A of this Chapter shall be considered #Tier C street frontages#. In addition, for the purposes of applying the underlying streetscape regulations, any #street# that #abuts# the park space designated on Map 1 shall be considered a #wide street#.

Defined terms in this Section shall include those in Sections [12-10](#) and 32-301.

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## 125-12 - Location of Uses in Mixed Buildings

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LAST AMENDED  
6/6/2024

In C2 Districts, the provisions of Section [32-422](#) (Location of floors occupied by commercial uses) shall apply in lieu of Section [32-421](#) (Limitation on floors occupied by commercial uses). In addition, the provisions of Section [32-422](#) shall be modified such that the limitations set forth in paragraph (a) of such Section need not apply, and the requirements in paragraph (b) of such Section shall apply only where #commercial uses# are located above any #story# containing #dwelling units#.

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## 125-20 - FLOOR AREA REGULATIONS

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LAST AMENDED  
11/13/2008

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## 125-21 - East River Subdistrict

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LAST AMENDED  
12/5/2024

In the East River Subdistrict, the basic maximum #residential# #floor area ratio# for #zoning lots# containing standard #residences# shall be as set forth in the following table. On Parcels B, C, and F, the maximum #residential# #floor area ratio# for #zoning lots# containing #qualifying affordable housing# or #qualifying senior housing# shall be as set forth in Section [23-22](#) (Floor Area Regulations for R6 Through R12 Districts) for R10 Districts. 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).

Parcel	Maximum #Floor Area#
A	12.0
B	10.0
C	10.5
D	12.0
E	12.0
F	10.0
G	12.0

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### 125-22 - Newtown Creek Subdistrict

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LAST AMENDED  
12/5/2024

In the Newtown Creek Subdistrict, the maximum #floor area ratio# shall be 3.15, and may be increased only as set forth in this Section.

- (a) #Floor area# bonus for public amenities

For #developments# located within the Newtown Creek Subdistrict that provide a publicly accessible private street and open area, the #floor area ratio# may be increased from 3.15 to a maximum permitted #floor area ratio# of 4.15, provided that the Chairperson of the City Planning Commission has certified that such publicly accessible private street and open area comply with the design standards of Sections [125-44](#) (Private Street Requirements in Newtown Creek Subdistrict) and [125-45](#) (Publicly Accessible Open Area in Newtown Creek Subdistrict).

- (b) #Floor area# for #qualifying affordable housing# or #qualifying senior housing#

In the Newtown Creek Subdistrict, for #developments# that provide a publicly accessible private street and open area that comply with the provisions of paragraph (a) of this Section, the maximum #residential# #floor area ratio# for #zoning lots# containing #qualifying affordable housing# or #qualifying senior housing# shall be 5.0.

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### 125-30 - HEIGHT AND SETBACK REGULATIONS

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LAST AMENDED

The underlying height and setback regulations shall be modified by the provisions of this Section, inclusive. All heights shall be measured from the #base plane#.

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## 125-31 - Permitted Obstructions

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LAST AMENDED

12/5/2024

The provisions of Section [33-42](#) (Permitted Obstructions) shall apply to all #buildings# within the #Special Southern Hunters Point District#, except that dormers provided in accordance with paragraph (b) of Section [23-413](#) (Permitted obstructions in certain districts) shall be a permitted obstruction in a required setback.

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## 125-32 - Balconies

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LAST AMENDED

12/5/2024

Balconies shall not be permitted below a height of 70 feet. Above a height of 70 feet, balconies are permitted in accordance with the provisions of Section [23-62](#) (Balconies).

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## 125-33 - Required Street Walls

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LAST AMENDED

12/5/2024

(a) #Street wall# location

The #street wall# location provisions of paragraph (a) of Section [35-631](#) shall apply, except that the #street walls# shall extend up to the minimum base height specified in paragraph (b), as applicable, or the height of the #building#, whichever is less. For the purposes of applying such #street wall# location provisions, all #streets# shall be considered #wide streets#.

Additionally, wherever a #building# fronts upon any #public park#, or any sidewalk widening, #publicly accessible open area# or private street provided in accordance with the design requirements of Sections [125-41](#) through [125-46](#), inclusive, the boundary of such #public park#, sidewalk widening, #publicly accessible open area# or private street shall be considered a #wide# #street line#.

(b) Minimum base heights

All #street walls# shall extend up to at least a minimum base height of 50 feet or the height of the #building#, whichever is less, except that a minimum base height of 40 feet shall be permitted in the locations specified on Map 4 (Minimum Base Heights of 40 Feet) in Appendix A of this Chapter.

(c) Maximum base heights

The maximum height of a #street wall# before setback shall be 70 feet, except in the locations specified on Map 5 (Maximum Base Heights Other Than 70 Feet) in Appendix A of this Chapter.

(d) Required setbacks and maximum #building# heights

Setbacks are required for all portions of #buildings# that exceed the applicable maximum base height, except #schools#. All required setbacks shall be provided at a height not lower than the applicable minimum base height. A setback with a depth of at least 10 feet shall be provided from any #street wall# fronting on a #wide street#, and a setback with a depth of at least 15 feet shall be provided from any #street wall# fronting on a #narrow street#, except that the depth of such setbacks may include the depth of any permitted recesses in the #street wall#. For the purposes of this paragraph (c), the following shall be considered #wide streets#:

- (1) Second Street between 54th Avenue and Borden Avenue
- (2) 55th Avenue between Center Boulevard and Second Street
- (3) Center Boulevard between 50th Avenue and 57th Avenue.

Above the applicable maximum base height, the maximum height of a #building or other structure# shall be 125 feet, except where towers are permitted, pursuant to Section [125-34](#).

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## 125-34 - Towers

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LAST AMENDED  
12/5/2024

Any portion of a #building# that exceeds a height of 125 feet shall comply with the following provisions:

- (a) Tower location and maximum tower height

All towers shall be located entirely within a Tower Area as designated on Map 6 (Tower Areas), in Appendix A of this Chapter. The maximum height of such towers shall be as indicated for the specified location on Map 6. For #buildings# higher than 165 feet, the gross area of all #stories# entirely within 40 feet of the highest roof level of the #building# shall be at least 50 percent shall not exceed 90 percent of the #story# located directly below the #stories# within 40 feet of the highest roof level.

- (b) Orientation and maximum tower size

The outermost walls of each #story# located entirely above a height of 125 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 Second Street or Center Boulevard, whichever is closest, shall be 100 feet. The maximum length of any other side of such rectangle shall be 170 feet. Each #story# of a tower located entirely above a height of 125 feet shall not exceed a gross area of 11,000 square feet.

However, on Parcel G in the East River Subdistrict, the maximum length of the side of such rectangle that is parallel or within 45 degrees of being parallel to Second Street shall not exceed 170 feet.

- (c) Tower and base integration

Notwithstanding the setback provisions of paragraph (c) of Section [125-33](#) (Required Street Walls), up to 50 percent of the #street wall# width of a tower may rise sheer from grade without setback. The underlying dormer provisions of paragraph (b)(1) of Section [23-413](#) (Permitted obstructions in certain districts) shall be superseded by this Section for tower portions of #buildings#.

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## 125-35 - Authorization for Height and Setback Modifications

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LAST AMENDED

2/2/2011

Within the #Special Southern Hunters Point District#, for any #development# or #enlargement#, the City Planning Commission may modify the regulations set forth in Section [125-30](#), inclusive, provided the Commission finds that such modifications:

- (a) will result in a better distribution of #bulk# on the #zoning lot# and will not adversely affect access to light and air for surrounding public access areas, #streets# and properties;
- (b) are consistent with the goals of the Special District to provide flexibility of architectural design and encourage more attractive #building# forms; and
- (c) will result in a #development# or #enlargement# that enhances the streetscape and is compatible with development in the surrounding area.

The Commission may prescribe additional conditions and safeguards to minimize adverse effects of the #development# or #enlargement# on the character of the surrounding area.

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## **125-40 - DISTRICT PLAN ELEMENTS**

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LAST AMENDED

11/13/2008

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## **125-41 - Sidewalk Widening**

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LAST AMENDED

11/13/2008

Map 7 (Mandatory Sidewalk Widening and Publicly Accessible Open Area), in Appendix A of this Chapter, shows locations of mandatory sidewalk widening in the East River Subdistrict. The depth of such sidewalk widening shall be as indicated on Map 7 and shall be measured perpendicular to the #street line# unless otherwise indicated. All sidewalk widening shall be improved to Department of Transportation standards for sidewalks, shall be at the same level as the adjoining public sidewalk, and shall be accessible to the public at all times.

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## **125-42 - Publicly Accessible Open Area Requirements on**

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LAST AMENDED

11/13/2008

Parcels B, D, E and F

Map 7 (Mandatory Sidewalk Widening and Publicly Accessible Open Area), in Appendix A of this Chapter, shows locations where open areas are permitted or required on Parcels B, D, E and F in the East River Subdistrict. Where any such area is provided, it shall be publicly accessible and comply with the standards of Sections [37-741](#) (Seating), [37-743](#) (Lighting and electrical power), [37-744](#) (Litter receptacles), [37-745](#) (Bicycle parking), [37-746](#) (Drinking fountains), [37-747](#) (Public space signage), [37-76](#) (Mandatory Allocation of Frontages for Permitted Uses) and [37-77](#) (Maintenance).

In addition, the provisions of Section [37-742](#) (Planting and trees) shall apply to such open areas, and shall be modified to require that:

- (a) at least 30 percent of each open area be comprised of planting beds;



- (b) at least two four-inch caliper trees or three ornamental trees be provided within such open areas on Parcels D and F; and
- (c) no trees shall be required within the open areas on Parcels B and E.

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## **125-43 - Publicly Accessible Open Area Requirements on**

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LAST AMENDED  
11/13/2008

A publicly accessible private open area shall be provided within the area of Parcel G in the East River Subdistrict as shown on Map 7 (Mandatory Sidewalk Widening and Publicly Accessible Open Area) in Appendix A of this Chapter. No excavation or building permit shall be issued for any #development# on such parcel until the Chairperson of the City Planning Commission certifies to the Department of Buildings that a site plan for such open area has been submitted that is consistent with the Department of Parks and Recreation design standards used for the development of the adjacent #public park#. A certification under this paragraph shall be granted on condition that an acceptable restrictive declaration is executed and filed, binding the owners, successors and assigns to develop such publicly accessible private open area in accordance with the approved site plan and to maintain such open area in accordance with maintenance standards acceptable to the Department of Parks and Recreation.

In the event that Parcel G is not owned by the City, then, prior to design and development of the #publicly accessible open area#, the owner of Parcel G may make a request directed to the Office of the Mayor to transfer to the City its fee simple absolute interest, free and clear of any encumbrances in the open area. The City may accept the transfer request, provided that development of the open area is made in accordance with guidelines established by the Chairperson of the City Planning Commission and the Commissioner of the Department of Parks and Recreation, and transfer is made pursuant to such instruments as are necessary for implementation. In the event of a transfer, the #bulk# and parking computations for the #zoning lot# shall include the transferred property and such transfer shall not be deemed a #non-compliance#.

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## **125-44 - Private Street Requirements in Newtown Creek Subdistrict**

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LAST AMENDED  
11/13/2008

In the Newtown Creek Subdistrict, where a private street is provided pursuant to paragraph (a) of Section [125-22](#), such private street shall be constructed to minimum Department of Transportation standards for public #streets#, including lighting, curbs and curb drops. Such private street shall consist of a paved road bed with a minimum width of 34 feet from curb to curb with 13 foot wide sidewalks on each side along its entire length. Such private street shall be located as shown on Map 8 (Publicly Accessible Private Street and Open Area in Newtown Creek Subdistrict) in Appendix A of this Chapter. One tree shall be planted for every 25 feet of curb length of the private street. Fractions equal to or greater than one-half resulting from this calculation shall be considered to be one tree. Such trees shall be planted at approximately equal intervals along the entire length of the curb of the private street.

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## **125-45 - Publicly Accessible Open Area in Newtown Creek Subdistrict**

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LAST AMENDED  
2/2/2011

Where a publicly accessible private open area is provided pursuant to paragraph (a) of Section [125-22](#), such open area shall be located as shown on Map 8 (Publicly Accessible Private Street and Open Area in Newtown Creek Subdistrict) in Appendix A of this Chapter. No excavation or building permit shall be issued for any #development# or #enlargement# on such parcel until the Chairperson of the City Planning Commission certifies to the Department of Buildings that a site plan for such open area has been submitted that is either:

- (a) consistent with the Department of Parks and Recreation design standards for the #public park# located on 55th Avenue between Center Boulevard and Second Street; or
- (b) in the event that design standards have not been developed for the #public park# located on 55th Avenue between Center Boulevard and Second Street, acceptable to the Chairperson of the City Planning Commission and the Department of Parks and Recreation.

A certification under this Section shall be granted on condition that an acceptable restrictive declaration is executed and filed, binding the owners, successors and assigns to develop such publicly accessible private open area in accordance with the approved site plan and to maintain such open area in accordance with maintenance standards acceptable to the Department of Parks and Recreation. Such approved plan shall allow for pedestrian access from 55th Avenue to the #residential# entrance of a #building# bounding the publicly accessible private open area. The paved width of such access shall not exceed 13 feet, and its location shall be within the area shown on Map 8.

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## 125-46 - Newtown Creek Waterfront Access Plan

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LAST AMENDED  
6/6/2024

Map 9, in Appendix A of this Chapter, shows the boundaries of the area comprising the Newtown Creek Waterfront Access Plan and the location of certain features mandated or permitted by the Plan. The plan area consists of Block 11, Lot 1, as established on November 13, 2008.

- (a) Modification of #use# requirements

Docks for water taxis and docks or mooring facilities for non-commercial pleasure boats, listed under Use Group IV(B), shall be permitted #uses# within the Newtown Creek Waterfront Access Plan.

- (b) Area-wide modifications

The requirements for #waterfront public access area#, as defined in Section [62-11](#), pursuant to Sections [62-53](#) through [62-57](#), inclusive, are modified at the following designated locations:

- (1) #Upland connection#

An #upland connection#, as defined in Section [62-11](#), shall be provided through Block 11, Lot 1, abutting the prolongation of 5th Street and extending from the #shore public walkway#, as defined in Section [62-11](#), northerly to 54th Avenue.

- (2) #Supplemental public access area#

#Supplemental public access areas#, as defined in Section [62-11](#), shall be provided as indicated on Map 9.

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## 125-47 - Phased Implementation of Publicly Accessible Areas

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LAST AMENDED  
2/2/2011

In the Newtown Creek Subdistrict, the Chairperson of the City Planning Commission shall allow for the phased implementation of all required publicly accessible areas upon certification to the Commissioner of Buildings that a plan has been submitted that provides for an amount of public access area proportionate to the amount of #floor area# being #developed# or #enlarged# in each

phase. For any #development# or #enlargement# located within 100 feet of a #shoreline#, the initial phase shall provide, at a minimum, the required #shore public walkway# and any adjacent #supplemental public access areas# located between such #development# or #enlargement# and such #shore public walkway#, as defined in Section [62-11](#). For any #development# or #enlargement# that fronts upon 54th Avenue, the initial phase shall provide, at a minimum, the required publicly accessible private street.

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## 125-50 - PARKING REGULATIONS

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LAST AMENDED  
5/8/2013

The regulations governing permitted and required #accessory# off-street parking spaces of Article I, Chapter 6 (Comprehensive Off-street Parking Regulations in the Long Island City Area) and Article II, Chapter 5; Article III, Chapter 6; and Article IV, Chapter 4 (Accessory Off-street Parking and Loading Regulations) shall apply, except as set forth in this Section.

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## 125-51 - General Regulations

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LAST AMENDED  
11/13/2008

For the purposes of Section [125-50](#) (PARKING REGULATIONS), inclusive, 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 #curb level#.

No #public parking garages# or #public parking lots# shall be permitted.

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## 125-52 - Rooftop Landscaping

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LAST AMENDED  
6/6/2024

Any roof area of a parking garage not otherwise covered by a #building# and 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 50 percent of such roof area. #Schools# shall be exempt from the provisions of this paragraph (b).

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## 125-53 - Maximum Size of Permitted Accessory Group Parking Facilities

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LAST AMENDED  
5/8/2013

In the East River Subdistrict, Section [16-13](#) (Permitted Parking for Zoning Lots With Multiple Uses) shall apply, except that the maximum number of spaces shall be 780. Section [16-21](#) (Off-site Parking) shall not apply.

In the Newtown Creek Subdistrict, Section [16-13](#) shall apply except that the maximum number of spaces shall not exceed 40 percent of the number of #dwelling units# within the #development# or #enlargement#.

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## 125-54 - Off-site Facilities in the East River Subdistrict

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LAST AMENDED  
11/13/2008

In the East River Subdistrict, all #accessory# off-street parking spaces may be provided within parking facilities on #zoning lots# other than the same #zoning lot# as the #uses# to which they are #accessory#, provided such parking facilities are located within the #Special Southern Hunters Point District#, and the number of parking spaces within such facility shall not exceed the combined maximum number of spaces permitted on each off-site #zoning lot# using such facility, less the number of any spaces provided on such #zoning lots#.

**125-55 - Location of Curb Cuts**

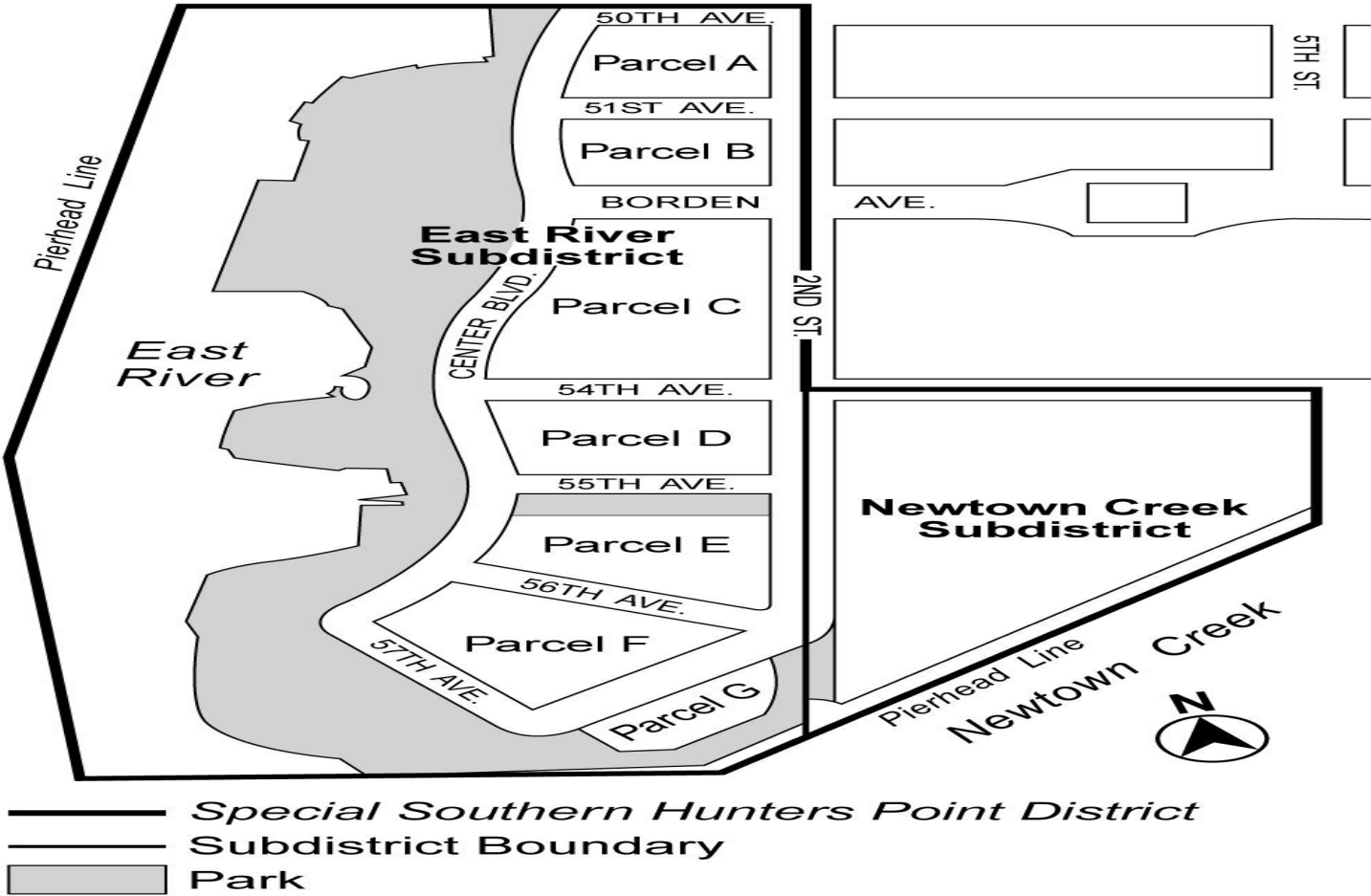
LAST AMENDED  
2/2/2011

Curb cuts are permitted only in the locations indicated on Map 10 (Permitted Curb Cut Locations) in Appendix A of this Chapter. The aggregate width of all curb cuts provided for any #building# shall not exceed 50 feet.

**Appendix A - Special Southern Hunters Point District Plan**

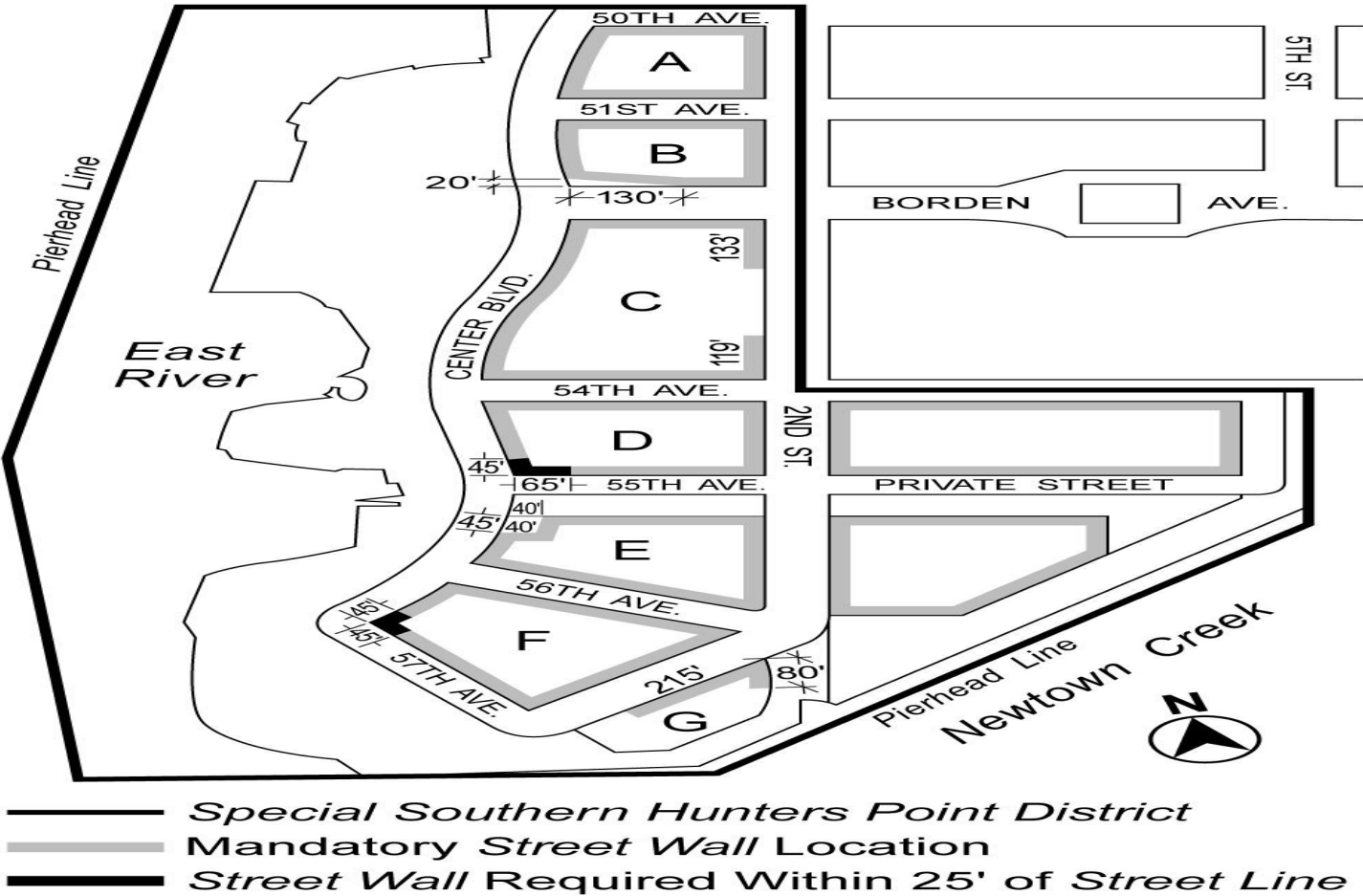
LAST AMENDED  
6/6/2024

Map 1 – Special Southern Hunters Point District, Subdistricts and Parcels

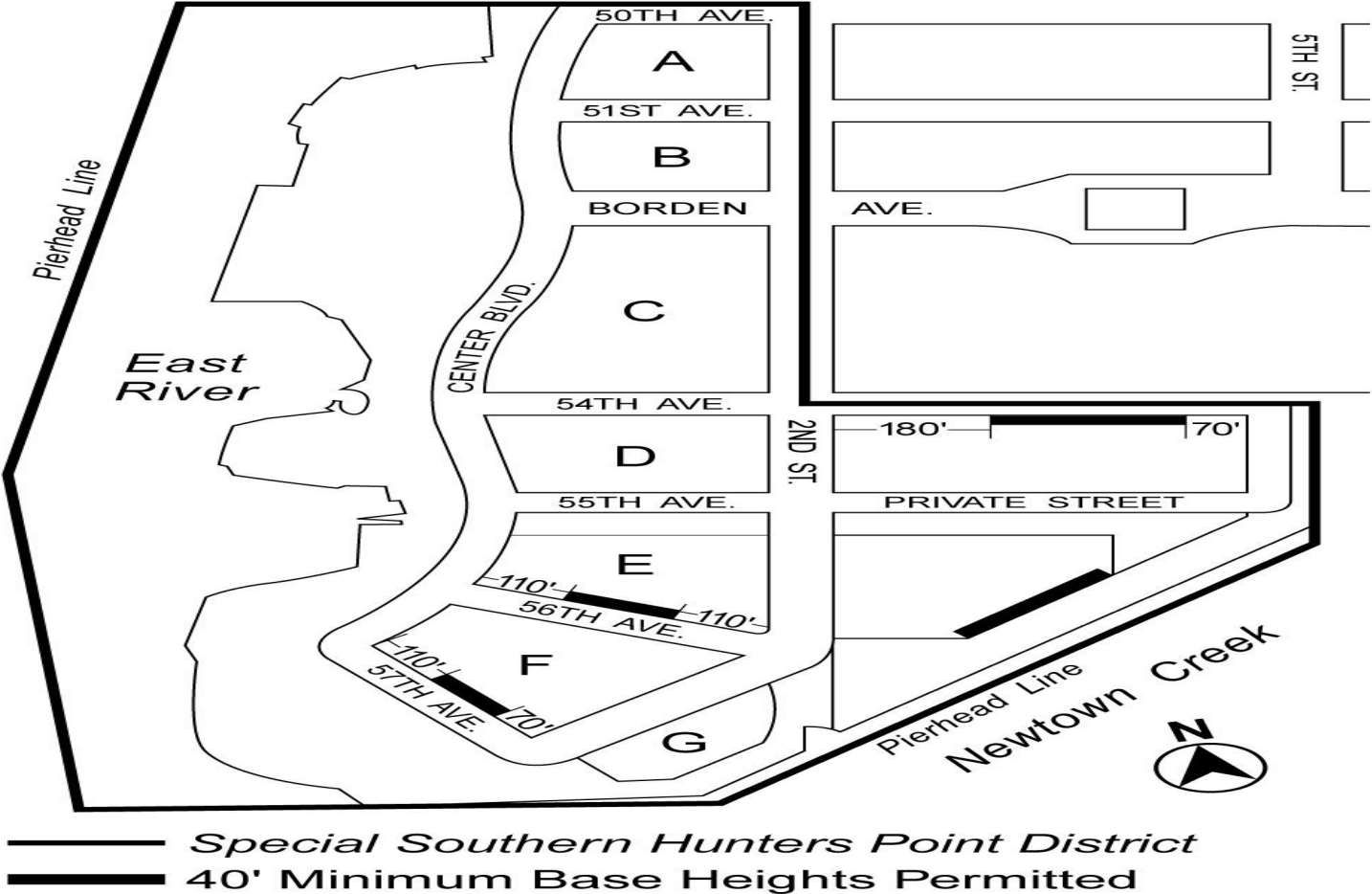


Map 2 – Special Ground Floor Use Regulations

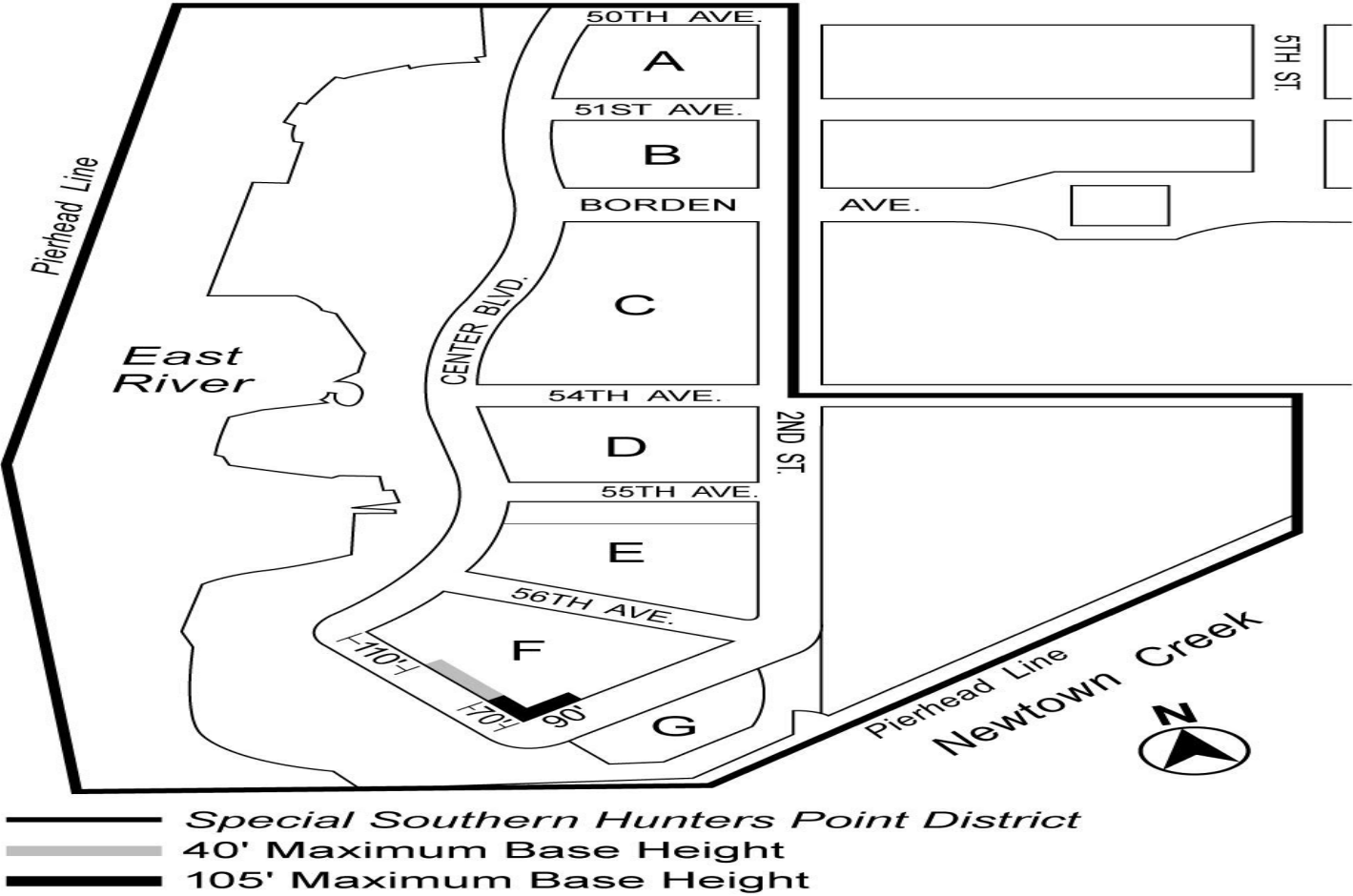
Map 3 – Street Wall Locations



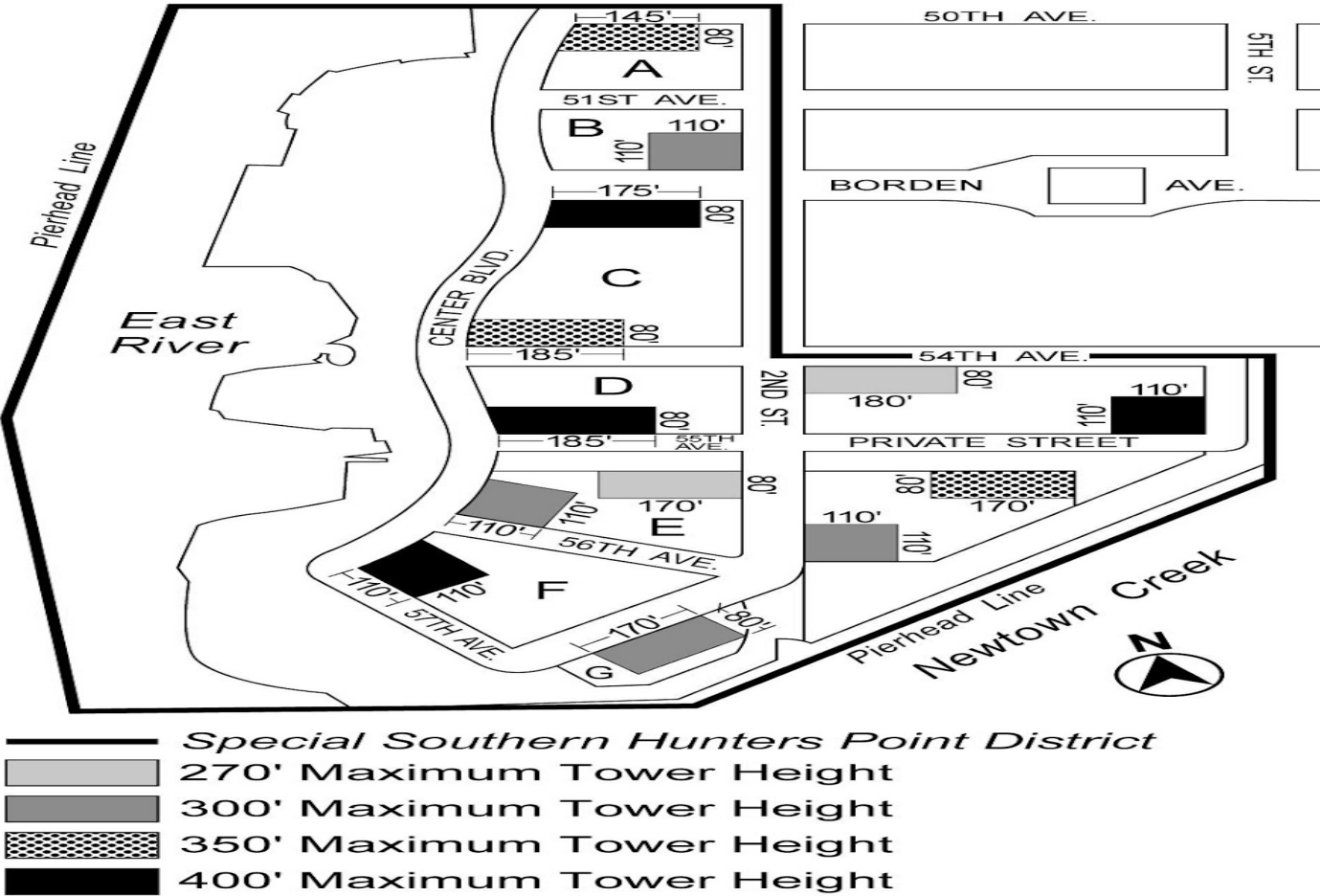
Map 4 – Minimum Base Heights of 40 Feet



Map 5 – Maximum Base Heights other than 70 Feet

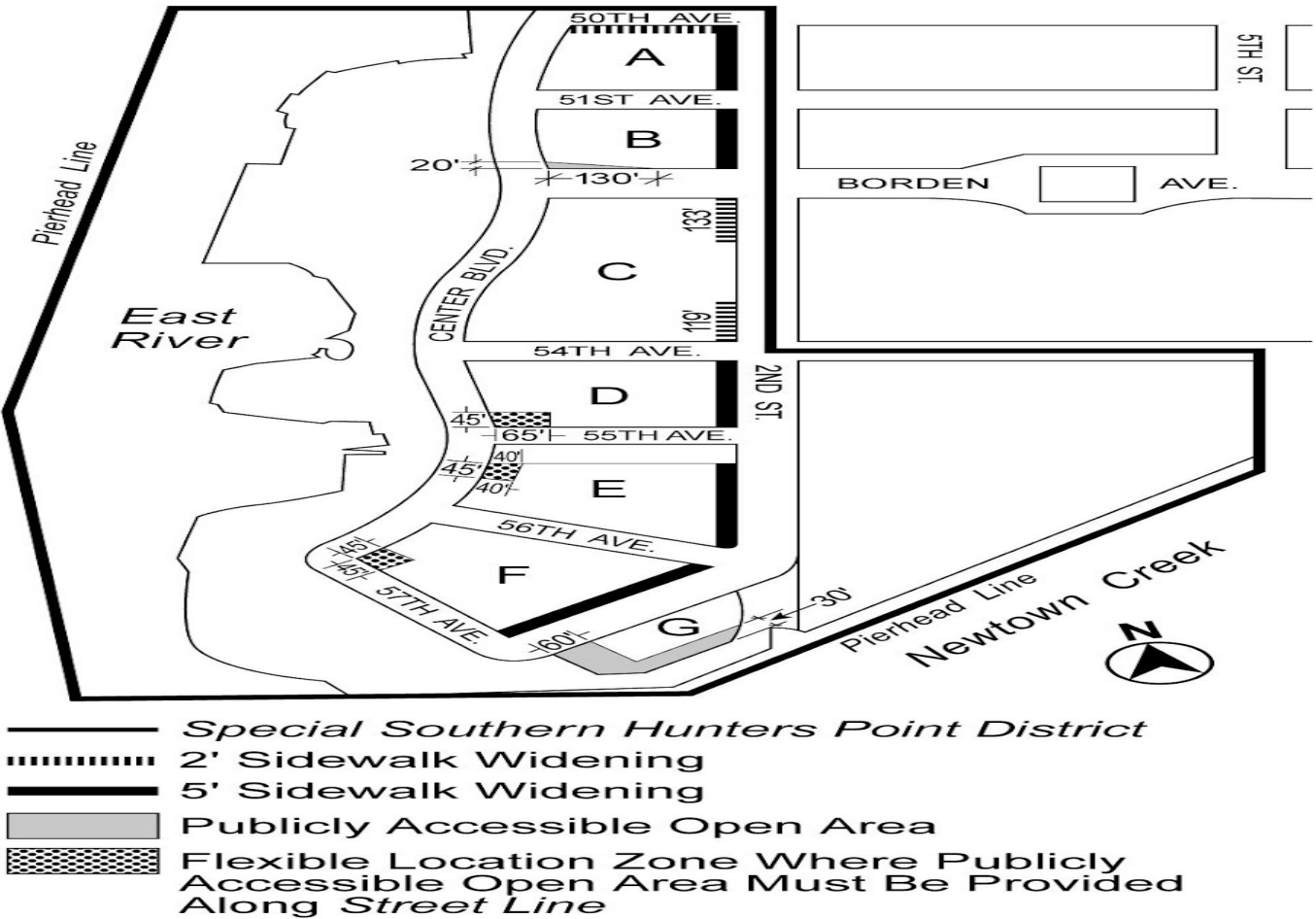


Map 6 – Tower Areas

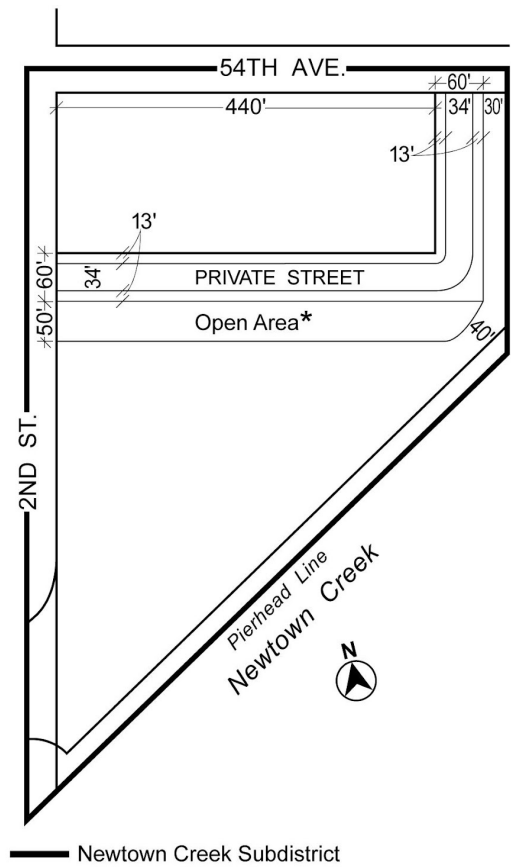




Map 7 – Mandatory Sidewalk Widening and Publicly Accessible Open Area

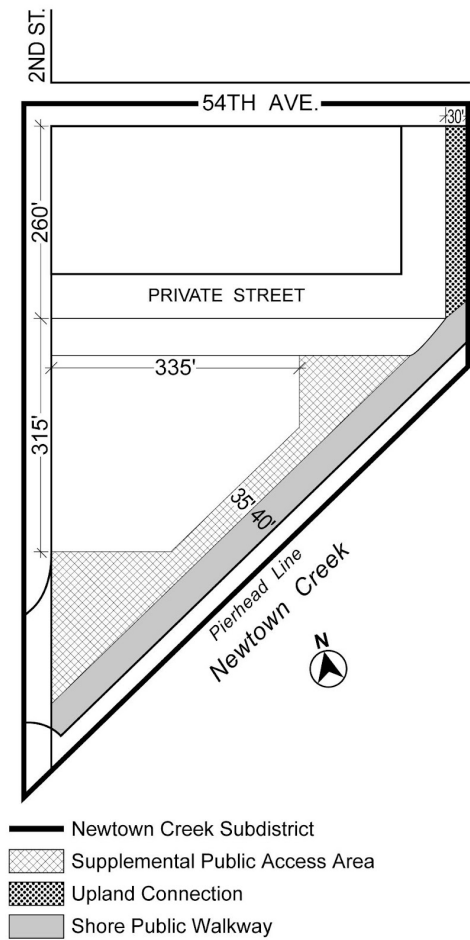


Map 8 – Publicly Accessible Private Street and Open Area in Newtown Creek Subdistrict



\*One 13' wide walkway connecting sidewalk of private street and residential building entrance may traverse Open Area beyond 200' of 2nd St.

Map 9 – Newtown Creek Waterfront Access Plan (Q-3)



Map 10 – Permitted Curb Cut Locations

