

Matter in underline is new, to be added;

Matter in ~~strikeout~~ is to be deleted;

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

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

Article X - Special Purpose Districts

Chapter 1

Special Downtown Brooklyn District

101-00

GENERAL PURPOSES

The "Special Downtown Brooklyn 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 strengthen the business core of Downtown Brooklyn by improving the working and living environments;
- (b) to foster development in Downtown Brooklyn and provide direction and incentives for further growth where appropriate;
- (c) to create and provide a transition between the Downtown commercial core and the lower-scale residential communities of Fort Greene, Boerum Hill, Cobble Hill and Brooklyn Heights;
- (d) to encourage the design of new buildings that are in character with the area;
- (e) to preserve the historic architectural character of development along certain streets and avenues and the pedestrian orientation of ground floor uses, and thus safeguard the vitality of Downtown Brooklyn;
- (f) to improve the quality of development in Downtown Brooklyn by fostering the provision of specified public amenities in appropriate locations;
- (g) to improve visual amenity by establishing special sign regulations within the Fulton Mall and Atlantic Avenue Subdistricts; and
- (h) to promote the most desirable use of land and building development for Downtown Brooklyn and thus conserve the value of land and buildings and thereby protect the City's tax revenues.

* * *

101-10 SPECIAL USE REGULATIONS

101-11 Special Ground Floor Use Regulations

Map 2 (Ground Floor Retail Frontage), in Appendix E of this Chapter, specifies locations where the special ground floor #use# regulations of this Section apply.

#Uses# within #stories# that have a floor level within five feet of #curb level#, and within 50 feet of the #street line#, shall be limited to #commercial uses# listed in Use Groups 5, 6A, 6C, 6D, 7A, 7B, 8A, 8B, 8D, 9, 10, 11, 12A, 12B and 12C, where such #uses# are permitted by the underlying district. In addition, libraries, museums and non-commercial art galleries shall be permitted. A #building's street# frontage shall be allocated exclusively to such #uses#, except for Type 2 lobby space, entryways or entrances to subway stations provided in accordance with the provisions of Section 37-33 (Maximum Width of Certain Uses). However, loading berths serving any permitted #use# in the #building# may occupy up to 40 feet of such #street# frontage provided such #street# frontage is not subject to curb cut restrictions as shown on Map 5 (Curb cut restrictions) in Appendix E of this Chapter.

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

* * *

101-12 Transparency Requirements

Map 3 (Ground Floor Transparency Requirements) in Appendix E of this Chapter specifies locations where the following transparency requirements apply.

For any #buildings developed# after June 28, 2004, or portions of #buildings enlarged# on the ground floor level after June 28, 2004, each ground floor #street wall# shall be glazed in accordance with the provisions of Section 37-34 (Minimum Transparency Requirements).~~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. Where such glazed area is required to occupy at least 70 percent of the area of the ground floor #street wall#, up to 20 percent of the area of the ground floor #street wall# may be glazed with translucent materials. #Show windows# shall have a sill height not more than 2 feet, 6 inches above #curb level#.~~

~~For all locations specified on Map 3 in Appendix E of this Chapter, security gates installed after June 28, 2004,~~

that are swung, drawn or lowered to secure #commercial# or #community facility# premises shall, when closed, permit visibility of at least 75 percent of the area covered by such gate when viewed from the #street#.

* * *

101-20 SPECIAL BULK REGULATIONS

101-21 Special Floor Area and Lot Coverage Regulations

R7-1 C6-1 C6-4.5

(a) In R7-1 Districts

In R7-1 Districts, the #floor area ratio# and #open space ratio# provisions applicable to #residential buildings# and #residential# portions of #mixed buildings# pursuant to Sections ~~23-151 23-142, 23-143~~ and ~~23-154 23-144~~ shall not apply. In lieu thereof, the maximum #floor area ratio# for #residential buildings# or #residential# portions of #mixed buildings# shall be 4.0, ~~except that for #non-profit residences for the elderly# the maximum #floor area ratio# shall be 5.01~~. The maximum #lot coverage# for #residential buildings# or #residential# portions of #mixed buildings# shall be 65 percent for #interior lots#, except that for #affordable independent residences for seniors# ~~#non-profit residences for the elderly#~~, the maximum #lot coverage# for #interior lots# shall be 70 percent. For all #residential buildings# or #residential# portions of #mixed buildings#, the maximum #lot coverage# for #corner lots# shall be ~~100~~ 80 percent.

(b) In C6-1 Districts

In C6-1 Districts, the #floor area ratio# and #open space ratio# provisions applicable to #residential buildings# and #residential# portions of #mixed buildings#, pursuant to Sections ~~23-151 23-142, 23-143~~ and ~~23-154 23-144~~, shall not apply. In lieu thereof, the maximum #floor area ratio# for #residential buildings# or #residential# portions of #mixed buildings# shall be 3.44, ~~except that for #non-profit residences for the elderly#, the maximum #floor area ratio# shall be 5.01~~. The maximum #lot coverage# for #residential buildings# or #residential# portions of #mixed buildings# shall be 65 percent for #interior lots#, except that for #affordable independent residences for seniors# ~~#non-profit residences for the elderly#~~, the maximum #lot coverage# for #interior lots# shall be 70 percent. For all #residential buildings# or #residential# portions of #mixed buildings#, the maximum #lot coverage# for #corner lots# shall be ~~100~~ 80 percent. For #Quality Housing buildings#, the underlying #floor area ratio# and #lot coverage# regulations shall apply.

(c) In C6-4.5 Districts

In C6-4.5 Districts, the maximum permitted #floor area ratio# for #commercial# or #community facility uses# shall be 12.0. No #floor area# bonuses for #commercial# or #community facility uses# shall be

permitted.

* * *

101-222

Standard height and setback regulations

C2-4 / R7-1

C6-4.5

~~C5-4 C6-1 C6-4~~

In the districts indicated, except C6-1A Districts, a #building or other structure# shall not exceed the applicable maximum #building# height set forth in the table in this Section. Furthermore, any portion of a #building or other structure# that exceeds the applicable maximum base height shall be set back at least 10 feet from a #wide street line# and at least 15 feet from a #narrow street line#.

MAXIMUM BASE HEIGHTS AND MAXIMUM BUILDING HEIGHTS
IN C2-4/R7-1, C5-4, C6-1 AND C6-4 DISTRICTS

District	Maximum Base Height		Maximum #building# Height	
	Beyond 100 feet of a #wide street#	Within 100 feet of a #wide street#	Beyond 100 feet of a #wide street#	Within 100 feet of a #wide street#
C2-4/R7-1	85	85	160	160
C5-4 C6-1 C6-4	125	150	185	210
C6-4.5	125	150	250	250

C5-4 C6-4

In the districts indicated, the maximum height of a #building or other structure# and the maximum number of #stories# shall be as set forth in Section 23-662 (Maximum height of buildings and setback regulations) for an R10 District. For #development# or #enlargements# providing either #affordable housing# pursuant to the

Inclusionary Housing Program, as set forth in Section 23-90, inclusive, or #affordable independent residences for seniors#, where at least 20 percent of the #floor area# of the #zoning lot# is allocated to such #use#, such maximum heights and number of #stories# may be modified in accordance with the provisions of paragraph (a) of Section 23-664 for an R10 District. Separate maximum #building# heights are set forth within such Sections for #developments# or #enlargements# with #qualifying ground floors# and for those with #non-qualifying ground floors#, as defined in Section 23-662. Furthermore, any portion of a #building or other structure# that exceeds the applicable maximum base height shall be set back at least 10 feet from a #wide street line# and at least 15 feet from a #narrow street line#.

* * *

**101-30
SPECIAL PROVISIONS WITHIN HEIGHT LIMITATION AREAS**

The provisions of this Section shall apply within the Flatbush Avenue Extension and Schermerhorn Street Height Limitation Areas, as shown on Map 6 in Appendix E of this Chapter.

* * *

(b) Schermerhorn Street Height Limitation Area

* * *

(3) #Rear yard# modification

The provisions of Section 23-532 (Required rear yard equivalents) or 23-533 (Required rear yard equivalents for Quality Housing buildings), as applicable, shall not apply to any #through lot#. In lieu thereof, an open area with a minimum depth of 60 feet, midway, or within 10 feet of being midway between the two #street lines# upon which such #through lot# fronts, shall be provided. Such #rear yard# shall be unobstructed from its lowest level to the sky, except as provided in Section 23-44 (Permitted Obstructions in Required Yards or Rear Yard Equivalents).

* * *

**101-50
OFF-STREET PARKING AND OFF-STREET LOADING REGULATIONS**

The provisions of Article II, Chapter 5, and Article III, Chapter 6 (ACCESSORY OFF-STREET PARKING AND LOADING REGULATIONS), shall apply, except ~~as modified in this Section, inclusive.~~ that the #accessory# parking requirements of Section 25-23 (Requirements Where Group Parking Facilities Are Provided) shall be modified to require #accessory# off-street parking spaces for at least 20 percent of the total number of new #dwelling units#. However, such modification shall not apply in R6B Districts.

101-51

Minimum Parking Requirements

The provisions of this Section shall apply to all districts within the ~~#Special Downtown Brooklyn District#~~, except R6B Districts.

- (a) ~~— The #accessory# parking requirements of Section 25-23 (Requirements Where Group Parking Facilities Are Provided) shall be modified to require #accessory# off-street parking spaces for at least 20 percent of the total number of new #dwelling units#.~~
- (b) ~~— There shall be no minimum parking requirement for #affordable housing units# as defined in Section 23-91, or for #dwelling units# eligible for reduced parking pursuant to Section 25-25 (Modification of Requirements for Public, Publicly Assisted and Government Assisted Housing or for Non-profit Residences for the Elderly).~~

* * *

101-80

SPECIAL PERMITS

101-81

Special Permit for Use and Bulk Modifications for Cultural Use in Certain C6-2 Districts

In order to support a concentration of cultural #uses# and public open spaces in the C6-2 District bounded by Flatbush Avenue, Hanson Place, St. Felix Street and Lafayette Avenue, for #buildings# intended to be occupied in whole or in part by cultural #uses#, the City Planning Commission may permit the maximum #community facility floor area ratio# to be increased from 6.5 to 7.0, may permit modifications of the special #street wall# location regulations of Section 101-41, and the height and setback regulations of Section ~~23-641~~ ~~23-632~~ as applied to the #residential# portion of a #building#, and modifications of applicable #sign# regulations in accordance with this Section.

* * *

END