



Sunset Park Rezoning - **Approved!**

Overview

Update September 30, 2009:

On September 30, 2009 the City Council adopted the Sunset Park Rezoning. The zoning text and map amendments are now in effect.

At the request of Community Board 7 and local elected officials, the Department of City Planning proposes zoning map and text amendments for an approximately 128 block area in the Sunset Park neighborhood within Community District 7 in Brooklyn.

The rezoning area consists of three residential areas within the Sunset Park neighborhood. The northern area consists of portions of nine blocks between 4th and 5th avenues generally bounded by 29th Street on the north and 38th Street on the south. The western area consists of parts of four blocks between Second and Third avenues generally bounded by 59th Street on the north and 63rd Street on the south. The larger area consists of one hundred and fifteen blocks in an area generally bounded by Third Avenue to the west, Eighth Avenue on the east, a line between 39th Street and 40th Street to the north, and a line generally along the Gowanus Expressway to the south. The area is predominantly zoned R6, with a small C4-3 district mapped along a portion of Fifth Avenue



6th Avenue and 41st Street

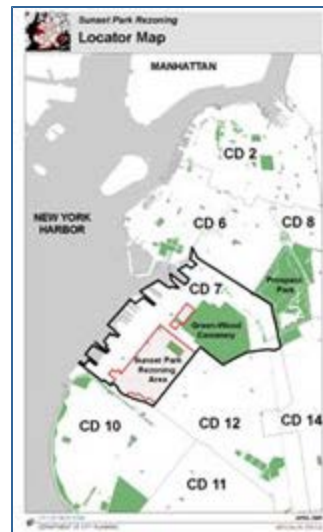
The rezoning proposal has been developed after extensive discussion with the Community Board, elected officials, and neighborhood residents. The rezoning aims to preserve neighborhood character and scale by placing height limits throughout the area, allowing for new development where appropriate at a height and scale that is in keeping with the existing context, to create opportunities and incentives for affordable housing through inclusionary zoning, and to support local retail corridors while protecting the residential character of nearby side streets.

Sunset Park Rezoning - **Approved!** Existing Context and Zoning

The neighborhood of Sunset Park is located south of Green-Wood Cemetery and north of Bay Ridge, and takes its name from the twenty-four acre Sunset Park bounded by 41st and 44th streets and Fifth and Seventh avenues.

The area is served by the N and R trains that run along Fourth Avenue, and the N train also stops at the southeast corner of the neighborhood at 8th Avenue and 62nd Street. The D and M trains also run along Fourth Avenue to 36th Street before turning east to a stop at 9th Avenue and 39th Street, just east of the rezoning area. The area is served by New York City Transit's 9, 11, 35, 37, 63, and 70 bus lines.

View the [Zoning Comparison Table](#)



Locator Map

[View a larger image](#)

Neighborhood Character

Sunset Park is a predominantly residential neighborhood, characterized by row houses on the side streets and larger apartment buildings along the avenues. The blocks within the rezoning area were originally developed in the early 1900s as housing for employees of the industrial businesses along the Upper New York harbor waterfront. Most residential construction halted in the 1930s with the Great Depression, but there has been a recent increase in construction of housing in the neighborhood.

Most blocks in the rezoning area consist of 2 to 4 story row houses and apartment buildings, while some buildings rise to five or six stories. There are also small areas of *detached* and *semi-detached* houses.

These buildings often include ground floor *commercial uses* when located along the commercial corridors of Fourth, Fifth, Seventh, and Eighth avenues. *Community facilities* such as schools and churches are common.

Existing Context

Residential side streets	Commercial Corridors
	
<p>62nd Street between 5th and 6th avenues in an existing R6 district</p>	<p>Fifth Avenue at 51st Street in an existing C4-3 district</p>
<p>Wide Streets</p>	<p>Out of Context Development</p>



Fourth Avenue looking north from 59th Street in an existing R6 district
59th Street between 7th and 8th avenues existing R6 district

The area is predominantly zoned R6, with a small C4-3 district mapped along a portion of Fifth Avenue. C1 and C2 commercial overlays occur on blocks along retail corridors. R6 is a height factor district with no height limits and which permits tower construction on large lots. Building envelopes are regulated by the sky exposure plane. The maximum floor area ratio (FAR) in R6 is 2.43 for residential buildings and 4.8 for community facilities. The optional Quality Housing program permits an FAR of 2.2 on narrow street and 3.0 on wide street and limits building heights to 55 feet and 70 feet, respectively. Off-street parking is required for 70 percent of the dwelling units, or for 50 percent of the dwelling units when the Quality Housing program is utilized.

A C4-3 district covers 6 full blocks along Fifth Avenue between 50th and 56th streets. C4-3 district regulations permit general commercial uses to an FAR of 3.4 and community facility uses to an FAR of 4.8. Unlike C1 and C2 commercial overlays, C4-3 districts permit commercial uses above the ground floor in buildings with residences, and permit larger and more varied retail establishments such as department stores. Residential uses are also permitted and are largely governed by R6 regulations. C4-3 districts do not have height limits and building envelopes are regulated by the sky exposure plane.

C1-3 and C2-3 commercial overlays are mapped within the R6 district on the commercial corridors of Fourth, Fifth, Sixth, Seventh, and Eighth avenues. These overlays permit local retail and service uses.

C1 overlays permit basic small-scale retail shops, grocery stores and offices. C2 overlays permit a slightly broader range of service uses, such as local repair services. C1 and C2 overlays have a maximum FAR of 2.0 when mapped in R6 districts, though commercial uses are limited to the first floor when residences are located above. These overlays require parking for general retail space at rates of between one space per 300 square feet and one space per 1,000 square feet.



Land Use Map

[View a larger image](#)



Existing Zoning

[View a larger image](#)

Sunset Park Rezoning - **Approved!** Proposed Zoning

Some recent residential construction developed as-of-right under the existing R6 zoning has produced apartment buildings that are much taller and inconsistent with the low-rise row house context found within the rezoning area.

The proposed zoning map and text amendments would:

- Preserve neighborhood character and scale by replacing the R6 district with [contextual zoning districts](#) having height limits that allow for new development at a height and scale that is in keeping with the existing context;
- Create opportunities and incentives for affordable housing through the [inclusionary housing](#) bonus at appropriate locations;
- Adjust boundaries of commercial districts to reflect existing development patterns and preclude commercial intrusions into residential mid-blocks.



Proposed zoning

 [View a larger image](#)

View the  [Zoning Comparison Table](#)

Proposed Zoning Map Changes

R4A

R4A is proposed for a portion of 2 blocks between Second and Third avenues on 62nd Street. R4A districts only allow detached, one and two family homes with a maximum FAR of 0.9 (including the [attic allowance](#)). The minimum lot width for the R4A district is 30 feet, with a minimum lot area of 2,850 square feet. Maximum building height is 35 feet, with a maximum [perimeter wall](#) of 21 feet. The front yard must be a minimum of ten feet and must be as deep as an adjacent front yard. Two side yards, each a minimum of two feet and totaling a minimum of ten feet are required. One parking space is required per dwelling unit.



62nd Street between Second and Third avenues

R4-1

R4-1 is proposed for a portion of 2 blocks between Third and Fourth avenues on 62nd Street. R4-1 districts allow both detached and semi-detached one- and two-family residences with a maximum FAR of 0.9 (including the attic allowance). The minimum lot width for detached homes is 25 with a minimum area of 2,375 square feet, and 18 feet for semi-detached homes with a minimum area of 1,700 square feet. Maximum building height is 35 feet, with a maximum perimeter wall of 25 feet. The front yard must be a minimum of ten feet and must be at least as deep as an adjacent front yard. For detached homes, two side yards are required for an eight feet total. For semi-detached buildings, one four foot side yard is required. One parking space is required per dwelling unit.



62nd Street between Third and Fourth avenues

R6B

R6B is proposed for approximately 66% of the rezoning area (121 full or partial blocks). R6B would be mapped on narrow residential side streets that are not major commercial or transportation corridors.

R6B is a [contextual district](#) that permits residential and community facility uses to an FAR of 2.0. [Base heights](#) are required to be between 30 and 40 feet, and the maximum building height is 55 feet after a setback from the street. This typically produces a four- to five-story building. New development in the proposed R6B district would be required to line up with adjacent structures to maintain the existing street wall. New multifamily



45th Street between Fifth and Sixth

residences in R6B districts must provide one off-street parking space for 50% of dwelling units. avenues

R6A

R6A is proposed for approximately 13% of the rezoning area (60 full or partial blocks). R6A would be mapped along all of Sixth Avenue and portions of Fifth Avenue. These areas are currently zoned R6 or C4-3 and are wide street. In addition, R6A is proposed for some narrow street developed with higher density apartment buildings.

R6A permits residential and community facility uses to an FAR of 3.0. Base heights are required to be between 40 and 60 feet, and the maximum building height is 70 feet after a setback from the street. This typically produces a 6-7 story building. New buildings in R6A districts must be located no closer to the street than a neighboring building. Off-street parking is required for 50% of new residential units.



Sixth Avenue and 61st Street

R7A

R7A is proposed for approximately 16% of the rezoning area (101 partial blocks). R7A would be mapped along Fourth and Seventh avenues well served by transit and appropriate for more development.

As part of the related zoning text amendment, the Inclusionary Housing Program would be made applicable within R7A district in this area. R7A permits residential and community facility uses to a base FAR of 3.45. The FAR may be increased to 4.6 if affordable housing is provided. Base heights are required to be between 40 and 65 feet, and the maximum building height is 80 feet after a setback from the street. This typically produces six- to eight-story buildings. New buildings in R7A districts must be located no closer to the street than a neighboring building. One parking space is required for 50% of new residential units.

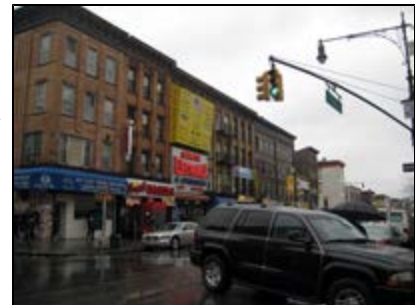


Seventh Avenue and 44th Street

C4-3A

C4-3A is proposed for 10 block fronts on the area's commercial center on Fifth Avenue from 47th to 57th streets. This area is currently zoned C4-3 or R6 with C1-3 overlay.

C4-3A districts are mapped in commercial centers that are located outside of central business districts. These districts permit specialty and department stores, theaters, and offices, which are not permitted in C1 or C2 overlays intended for smaller neighborhood shopping centers. C4-3A permits residential, commercial, and community facility uses to an FAR of 3.0. Base heights are required to be between 40 and 60 feet, and the maximum building height is 70 feet after a setback from the street. This typically produces a six to seven story building. One parking space is required for 50% of residential units and requirements vary by use for commercial space. The C4-3A district is being extended three blocks to the north and one block to the south from the current C4-3 district to match existing uses and to allow for commercial uses above the ground floor in buildings with residential uses, which is not allowed in C1 overlays.



Fifth Avenue between 49th and 50th Streets

Commercial Overlays

The proposed rezoning would also change all existing **C1-3** and **C2-3** commercial overlays to **C2-4** and would reduce overlay depths from 150 feet to 100 feet. This would allow a slightly wider range of local uses and prevent commercial uses from encroaching on the residential side streets.

In addition, new C2-4 overlays would be mapped at specific locations along Seventh Avenue where stores already exist. On Fourth Avenue, some new C2-4 overlays would be mapped to create a more cohesive commercial corridor along the entire length of Fourth Avenue. Similarly, some C1-3 overlays would be removed at specific locations on Sixth Avenue where no commercial uses exist.

Proposed Zoning Text Changes

Inclusionary Housing Program

The Sunset Park rezoning proposal applies the Inclusionary Housing program to the proposed R7A district within the study area, establishing incentives for the creation and preservation of affordable housing in conjunction with new development.

For residential development without an affordable housing component, the maximum FAR within the areas proposed to be rezoned to R7A would be limited to a base FAR of 3.45. Under the Inclusionary Housing program, a development providing affordable housing is eligible for a floor area bonus within the underlying contextual height and bulk regulations. Developments could qualify for a maximum FAR of 4.6 by providing 20 percent of the residential floor area in the development as permanently affordable housing for low- and moderate-income households. Affordable units can be provided either on-site or off-site. Off-site affordable units must be located within Community District 7 or within a half-mile of the bonused development if in a different community district. Other city, state and federal housing finance programs may be used to provide further assistance in creating affordable units.

Sunset Park Rezoning - **Approved!**

Public Review


On April 20th, 2009 the Department of City Planning certified the [Uniform Land Use Review \(ULURP\)](#) application (C 090387 ZMK) for the Sunset Park rezoning and referred the related non-ULURP text amendment (N 090386 ZRK) to begin the formal public review process.

Project Milestones

Milestone	Date
Department of City Planning Certification	April 20, 2009
Community Board 7 Approval (with conditions)	May 20, 2009
Brooklyn Borough President Approval (with conditions)	June 22, 2009
City Planning Commission Hearing	July 1, 2009
City Planning Commission Approval (Read the CPC Reports)	August 5, 2009
City Council Approval	September 30, 2009

For more information about this proposal please contact the Brooklyn Office of the Department of City Planning at (718) 780-8280.

Related Notes

-  Items accompanied by this symbol require the [free Adobe Acrobat Reader](#).
- Brief explanations of terms in *green italics* can be viewed by [visiting glossary page](#). Words and phrases followed by an asterisk (*) are defined terms in the Zoning Resolution, primarily in Section 12-10. Consult the Zoning Resolution for the official and legally binding definitions of these words and phrases.