



# THE CITY RECORD

Official Journal of The City of New York

THE CITY RECORD U.S.P.S. 0114-660  
Printed on paper containing 30% post-consumer material

VOLUME CXLVIII NUMBER 111

THURSDAY, JUNE 10, 2021

Price: \$4.00

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## THE CITY RECORD

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Published Monday through Friday except legal holidays by the New York City Department of Citywide Administrative Services under Authority of Section 1066 of the New York City Charter.

Subscription \$500 a year, \$4.00 daily (\$5.00 by mail). Periodicals Postage Paid at New York, NY  
POSTMASTER: Send address changes to THE CITY RECORD, 1 Centre Street, 17th Floor, New York, NY 10007-1602

Editorial Office/Subscription Changes:  
The City Record, 1 Centre Street, 17th Floor, New York, NY 10007-1602 (212) 386-0055

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## PUBLIC HEARINGS AND MEETINGS

See Also: Procurement; Agency Rules

### BOROUGH PRESIDENT - BRONX

#### ■ PUBLIC HEARINGS

A VIRTUAL PUBLIC HEARING is being called by the President of the Borough of The Bronx, Honorable Ruben Diaz Jr. The hearing will take place on Tuesday, June 15, 2021, commencing at 11:00 A.M. To attend this hearing please see the attached link:

ULURP Hearing - Office of The Bronx Borough President

<https://nycbp.webex.com/nycbp/j.php?MTID=m0bba0de3bbb591c0e77754e625edd41b>

Tuesday, June 15, 2021, 11:00 A.M. | 1 hour | (UTC-04:00) Eastern Time (US & Canada)

Meeting number: 173 497 7493

Password: bx0615

The following matter will be heard:

**CD #7: ULURP APPLICATION: C 210338 PSX-Fordham Building CTAC Site Selection**

IN THE MATTER OF an application submitted by the Department of Citywide Administrative Services, pursuant to Section 197-c of the New York City Charter, for the site selection of property located at 2556 Bainbridge Avenue, (Block 3286, Lot 14) for use as a Computer-based Testing and Application Center, Borough of The Bronx, Community District 7.

PLEASE DIRECT ANY QUESTIONS CONCERNING THIS HEARING TO THE OFFICE OF THE BRONX BOROUGH PRESIDENT (718) 590-6124.

Accessibility questions: Sam Goodman (718) 590-6124, by: Tuesday, June 15, 2021, 10:00 A.M.



j8-14

### BOROUGH PRESIDENT - BROOKLYN

#### ■ PUBLIC HEARINGS

NOTICE IS HEREBY GIVEN that, pursuant to Section 201 of the New York City Charter, the Brooklyn borough president will hold a remote public hearing on the following matter, commencing at 6:00 P.M. on Monday, June 14, 2021.

The hearing will be conducted via the Webex video conferencing system. Members of the public may join using the following information:

Event Address: https://nycbp.webex.com/nycbp/onstage/g.php?MTID=e6dc5817f90b28ca256ef5191bc0385d8
Event Number: 173 938 0736
Event Password: Ulurp
Those wishing to call in without video may do so using the following information:
Audio Conference: +1-408-418-9388
Access Code: 173 938 0736

This hearing will be recorded for public transparency and made available on Borough President Adams' YouTube channel, One Brooklyn.

Note: For further information on accessibility or to make a request for accommodations, such as sign language interpretation services, please contact Nathan Sherfinski via email at nathan.sherfinski@brooklynbp.nyc.gov, or via phone at (718) 802-3857, at least five (5) business days in advance to ensure availability.

1) 101 Varick Avenue (210239 PCK)

An application submitted by the New York City Department of Transportation (DOT) and the New York City Department of Citywide Administrative Services (DCAS), for site selection and acquisition of a 141,863 square-foot (sq. ft.) lot improved with a 70,500 sq. ft. warehouse and a 5,434 sq. ft. office building, at 101 Varick Avenue, in Brooklyn Community District 1 (CD 1). The M3-1 zoned property, is located in the North Brooklyn Industrial Business Zone (IBZ). The proposed facility would support two growing units within DOT's Traffic Operations and Sidewalk Inspection and Management (SIM) divisions.

2) 1776 48th Street (200296 ZMK, 200297 ZRK)

An application submitted by Yitzchock Stern, pursuant to Sections 197-c and 201 of the New York City Charter, for land use actions affecting the west side of 18th Avenue between 48th and 49th Streets, in Brooklyn Community District 12 (CD 12). The proposed zoning map amendment would change the project area from R5 to R6B and establish a C2-4 overlay 35 feet from 18th Avenue. A concurrent zoning text amendment would designate a MIH area coterminous with the project area. Such actions would facilitate an approximately 4,928 sq. ft., three-story, mixed-use building with five dwelling units and 2,065 sq. ft. of local retail uses.

3) 307 Kent Avenue (200306 ZMK, 200307 ZRK)

An application submitted by 307 Kent Associates, pursuant to Sections 197-c and 201 of the New York City Charter, for land use actions affecting the western half of a block bounded by Kent and Wythe Avenues, and South 2nd and 3rd Streets, presently zoned M3-1. The proposed zoning map amendment would establish an M1-5 district, to a depth of 120 feet from Kent Avenue, and extend an existing M1-4/R6A district, on the eastern half of the block to 300 feet from Wythe Avenue. A concurrent zoning text amendment would establish the additional M1-4/R6A section as a Mandatory Inclusionary Housing (MIH) area. Such actions would facilitate a nine-story, approximately 93,000 sq. ft., primarily commercial office building at the northeast corner of South 3rd Street and Kent Avenue in Brooklyn CD 1.

4) 270 Nostrand Avenue (210151 ZMK, 210152 ZRK)

An application submitted by BRP East Brooklyn Development LLC, pursuant to Sections 197-c and 201 of the New York City Charter, for land use actions affecting a 48,000 sq. ft. property, on the west side of Nostrand Avenue between DeKalb Avenue and Kosciuszko Street in Brooklyn Community District 3 (CD 3). The proposed zoning map amendment would change the project area from R7A to R8A and establish a C2-4 district, to a depth of 100 feet from both DeKalb and Nostrand Avenues. A parallel zoning text amendment would create an MIH area coterminous with the rezoning boundary. Such actions would facilitate an approximately 342,921 sq. ft., 14-story development with 487 dwelling units, of which 144 would be affordable to households at an average of 115 percent AMI, pursuant to the MIH Workforce Option. Ground-floor retail uses enabled by the proposed commercial overlay would be located along the building's DeKalb and Nostrand avenue frontages. The development would also provide 176 parking spaces accessible via Kosciuszko Street.

Accessibility questions: Nathan Sherfinski, (718) 802-3857, nathan.sherfinski@brooklynbp.nyc.gov, by: Tuesday, June 8, 2021, 1:00 P.M.



BOROUGH PRESIDENT - QUEENS

PUBLIC HEARINGS

NOTICE IS HEREBY GIVEN that a Remote Public Hearing will be held by the Borough President of Queens, Donovan Richards on Thursday, June 10, 2021 starting at 9:30 A.M. via a live stream available on the Office of the Queens Borough President web page at: www.queensbp.org. The following items will be heard:

CD Q02 - ULURP #190260 ZMQ - IN THE MATTER OF an application submitted by, 48-18 Van Dam Property Holdings, LLC, pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 9b, by changing from an M2-1 District to an M1-5 District property bounded by 48th Avenue, Van Dam Street, Hunters Point Avenue, and 31st Place, Borough of Queens, Community District 2, as shown on a diagram (for illustrative purposes only) dated April 5, 2021, and subject to the conditions of CEQR Declaration E-608.

CD Q02 - ULURP #N200069 ZRQ - IN THE MATTER OF an application submitted by, Woodside 63 Management, LLC and Mare Nostrum Elements, Inc., pursuant to Sections 197-d and 201 of the New York City Charter for a zoning text amendment to designate the Project Area as a Mandatory Inclusionary Housing ("MIH") area, Borough of Queens, Community District 2, as shown on a diagram (for illustrative purposes only) dated April 19th, 2021, and subject to the conditions of CEQR Declaration E-613. (Related ULURP #200070 ZMQ)

CD Q02 - ULURP #200070 ZMQ - IN THE MATTER OF an application submitted by, Woodside 63 Management, LLC and Mare Nostrum Elements, Inc., pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 9c:

- 1. eliminating from an existing R6 District a C1-4 District bounded by Roosevelt Avenue, 63rd Street, a line 100 feet southerly of Roosevelt Avenue, and the northwesterly prolongation of the southwesterly street line of Trimble Road; and
2. changing from an existing R6 to a C4-4 District property bounded by Roosevelt Avenue, 63rd Street and its southerly prolongation, and the northwesterly prolongation of the southwesterly street line of Trimble Road;

Borough of Queens, Community District 2, as shown on a diagram (for illustrative purposes only) dated April 5, 2021, and subject to the conditions of CEQR Declaration of E-603. (Related ULURP #200070 ZMQ)

CD Q01 - ULURP #210025 ZMQ - IN THE MATTER OF an application submitted by, 11 Street & Broadway LLC, pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 9a:

- 1. changing from an R5 District to an M1-4/R7A District bounded by Broadway, 12th Street, 33rd Avenue, and 11th Street; and
2. establishing a Special Mixed Use District (MX-23) bounded by Broadway, 12th Street, 33rd Avenue, and 11th Street;

Borough of Queens, Community District 1, as shown on a diagram (for illustrative purposes only) dated April 19th, 2021, and subject to the conditions of CEQR Declaration E-613. (Related ULURP #210026 ZRQ)

CD Q01 - ULURP #210026 ZRQ - IN THE MATTER OF an application submitted by, 11 Street & Broadway LLC, pursuant to Sections 197-d and 201 of the New York City Charter for a zoning text amendment to designate the Project Area as a Mandatory Inclusionary Housing ("MIH") area, Borough of Queens, Community District 1, as shown on a diagram (for illustrative purposes only) dated April 19th, 2021, and subject to the conditions of CEQR Declaration E-613. (Related ULURP #210025 ZMQ)

CW - ULURP #N210406 ZRY - IN THE MATTER OF an application submitted by the Metropolitan Transportation Authority and the Department of City Planning, pursuant to Sections 197-d and 201 of the New York City Charter, for a zoning text amendment to establish a framework for coordinating the siting and provision of transit station improvements with new developments or enlargements on adjacent sites to make the transit system more accessible, more quickly and better coordinated with the streets and buildings around it.

CITY COUNCIL

PUBLIC HEARINGS

NOTICE IS HEREBY GIVEN that the Council has scheduled the following remote public hearing on the matter indicated below:

The Subcommittee on Landmarks, Public Sitings, and Dispositions, will hold a remote public hearing, on the following matters, commencing at 2:00 P.M., on June 15, 2021, at https://council.nyc.gov/livestream/.

860-SEAT PRIMARY AND INTERMEDIATE SCHOOL FACILITY MANHATTAN CB - 12 20215029 SCM

Application, pursuant to Section 1732 of the New York School Construction Authority Act, concerning the proposed site selection for a new, approximately 860-Seat Primary and Intermediate School Facility, replacing a leased space currently occupied by two organizations presently known as PS18M and PSMS278M, located at 3761 10th Avenue (Block 2198, Lots 1 and 5), Borough of Manhattan, Council District 10, Community School District 6.

TBK1002 RISEBORO - UDAAP/ARTICLE XI BROOKLYN CB - 4 20215027 HAK

Application, submitted by the New York City Department of Housing Preservation and Development, pursuant to Article 16 of the General Municipal Law, and Section 577 of Article XI of the Private Housing Finance Law, for approval of an urban development action area project, waiver of the area designation requirement, waiver of the requirements of Sections 197-c and 197-d of the New York City Charter, and approval of a real property tax exemption for property, located at 135 Menahan Street (Block 3306, Lot 53), Community District 4, Council District 37.

TBX1002 MBD - UDAAP/ARTICLE XI BRONX CBs - 3 & 4 20215030 HAX

Application, submitted by the New York City Department of Housing Preservation and Development, pursuant to Article 16 of the General Municipal Law and Section 577 of Article XI of the Private Housing Finance Law, for approval of an urban development action area project, waiver of the area designation requirement, waiver of the requirements of Sections 197-c and 197-d of the New York City Charter, and approval of a real property tax exemption, for properties, located at 970 Anderson Avenue (Block 2504, Lot 70), and 1105 Tinton Avenue (Block 2661, Lot 52), Community Districts 3 and 4, Council Districts 8 and 16.

For questions about accessibility and requests for additional accommodations, please contact swerts@council.nyc.gov, or nbenjamin@council.nyc.gov, or (212) 788-6936, at least three (3) business days before the hearing.

Accessibility questions: Kaitlin Greer, kgreer@council.nyc.gov, by: Thursday, June 10, 2021, 3:00 P.M.



j9-15

CITY PLANNING COMMISSION

PUBLIC HEARINGS

In support of the City's efforts to contain the spread of COVID-19, the City Planning Commission will hold a remote public hearing, via the teleconferencing application Zoom, at 10:00 A.M. Eastern Daylight Time, on Wednesday, June 23, 2021, regarding the calendar items listed below.

The meeting will be live streamed through Department of City Planning's (DCP's) website and accessible from the following webpage, which contains specific instructions on how to observe and participate, as well as materials relating to the meeting: https://www1.nyc.gov/site/nycengage/events/city-planning-commission-public-meeting/287253/1.

Members of the public should observe the meeting through DCP's website.

Testimony can be provided verbally by joining the meeting using either Zoom or by calling the following number and entering the information listed below:

877 853 5247 US Toll-free
888 788 0099 US Toll-free

253 215 8782 US Toll Number
213 338 8477 US Toll Number
Meeting ID: 618 237 7396

[Press # to skip the Participation ID]
Password: 1

To provide verbal testimony via Zoom please follow the instructions available through the above webpage.

Written comments will also be accepted until 11:59 P.M., one week before the date of vote. Please use the CPC Comments form that is accessible through the above webpage.

Please inform the Department of City Planning if you need a reasonable accommodation, such as a sign language interpreter, in order to participate in the meeting. The submission of testimony, verbal or written, in a language other than English, will be accepted, and real time interpretation services will be provided based on available resources. Requests for a reasonable accommodation or foreign language assistance during the meeting should be emailed to [AccessibilityInfo@planning.nyc.gov], or made by calling [212-720-3508]. Requests must be submitted at least five business days before the meeting.

CITYWIDE No. 1

ELEVATE TRANSIT - ZONING FOR ACCESSIBILITY CITYWIDE N 210270 ZRY

IN THE MATTER OF an application submitted by the Metropolitan Transit Authority and the New York City Department of City Planning, pursuant to Section 201 of the New York City Charter, for an amendment of the Zoning Resolution of the City of New York, creating Article VI, Chapter 6 (Special Regulations Applying Around Mass Transit Stations) and modifying related Sections.

Matter underlined is new, to be added;
Matter struck out is to be deleted;
Matter within # # is defined in Section 12-10;
\* \* \* indicates where unchanged text appears in the Zoning Resolution.

ARTICLE II RESIDENCE DISTRICT REGULATIONS

Chapter 3 Residential Bulk Regulations in Residence Districts

\* \* \*

23-10 OPEN SPACE AND FLOOR AREA REGULATIONS

\* \* \*

23-16 Special Floor Area and Lot Coverage Provisions for Certain Areas

\* \* \*

(b) For R10 Districts in Community District 7 in the Borough of Manhattan

Within the boundaries of Community District 7 in the Borough of Manhattan, in R10 Districts, except R10A or R10X Districts, the maximum #floor area ratio# shall be 10.0. No #floor area# bonuses shall be permitted except as authorized by the City Planning Commission pursuant to the provisions of Section 66-51 (Additional Floor Area for Mass Transit Station Improvements).

\* \* \*

ARTICLE III COMMERCIAL DISTRICT REGULATIONS

\* \* \*

Chapter 7 Special Urban Design Regulations

\* \* \*

37-40 OFF-STREET RELOCATION OR RENOVATION OF A SUBWAY STAIR

Where a #development# or an #enlargement# is constructed on a #zoning lot# of 5,000 square feet or more of #lot area# that fronts on a portion of a sidewalk containing a stairway entrance or entrances into a subway station located within the #Special Midtown District# as listed in Section 81-46, the #Special Lower Manhattan District# as listed in Section 91-43, the #Special Downtown Brooklyn District# as listed in Section 101-43, the #Special Long Island City Mixed Use District# as described in Section 117-44, the #Special Union Square District# as listed in Section 118-50, the #Special East Harlem Corridors District# as described in Section 138-33, and those stations listed in the following table, the existing entrance or entrances shall be relocated from the #street# onto the #zoning lot#. The new entrance or entrances\* shall be provided in accordance with the provisions of this Section.

A relocated subway stair or a subway stair that has been renovated in accordance with the provisions of Section 37-50 (REQUIREMENTS FOR PEDESTRIAN CIRCULATION SPACE) may be counted as pedestrian circulation space pursuant to Section 37-50. In addition, for

#developments or #enlargements# on such #zoning lots# where a relocated or renovated subway stair has been provided in accordance with the provisions of this Section, the special #use#, #bulk#, parking, and streetscape modifications set forth in Sections 66-22 (Special Use Regulations) through 66-25 (Special Streetscape Regulations) may be applied.

\* \* \*

\* Provision of a new subway entrance or entrances pursuant to the requirements of this Section may also require satisfaction of additional obligations under the Americans with Disabilities Act of 1990 (ADA), including the ADA Accessibility Guidelines. The New York City Transit Authority should be consulted with regard to any such obligations

\* \* \*

37-50 REQUIREMENTS FOR PEDESTRIAN CIRCULATION SPACE

\* \* \*

37-52 Types of Pedestrian Circulation Space

The pedestrian circulation space provided shall be of one or more of the following types: an arcade, #building# entrance recess area, corner arcade, corner circulation space, relocation or renovation of a subway stair, sidewalk widening, subway station improvement #transit volumes# and improvements to #mass transit stations#, through #block# connection or #public plaza#. For the purposes of this paragraph, defined terms additionally include those in Section 66-11 (Definitions).

Each #zoning lot# shall be categorized as either a #corner lot#, #through lot# or #interior lot#, and pedestrian circulation space shall be provided on each #zoning lot# in at least one of the applicable types, or combinations of types, specified in the following table:

PROVISION OF PEDESTRIAN CIRCULATION SPACE ON CERTAIN TYPES OF LOTS

Table with 4 columns: Type of Pedestrian Circulation Space, #Corner lot#, #Through lot#, #Interior lot#. Rows include Arcade, #Building# entrance recess area, Corner arcade, Corner circulation space, Relocation or renovation of subway stair, Sidewalk widening, Subway station improvement #Transit volumes# and improvements to #mass transit stations#, Through #block# connection, #Public plaza#.

\* \* \*

37-53 Design Standards for Pedestrian Circulation Spaces

\* \* \*

(g) Subway station improvement #Transit volumes# and improvements to #mass transit stations#. For #developments# or #enlargements# that are granted a special permit pursuant to Section 74-634 (Subway station improvements in Downtown Brooklyn and in Commercial Districts of 10 FAR and above in Manhattan), no more than 3,000 square feet may count toward meeting the pedestrian circulation space requirement.

Where #transit volumes# or improvements to #mass transit stations# are provided pursuant to the provisions of Article VI, Chapter 6 (Special Regulations Applying Around Mass Transit Stations), each square foot of mass transit access may constitute one square foot of required pedestrian circulation space, not to exceed 3,000 square feet. For the purposes of this paragraph (g), defined terms include those in Section 66-11 (Definitions).

\* \* \*

ARTICLE VI SPECIAL REGULATIONS APPLICABLE TO CERTAIN AREAS

\* \* \*

Chapter 2 Special Regulations Applying in the Waterfront Area

\* \* \*

62-10 GENERAL PROVISIONS

\* \* \*

62-13 Applicability of District Regulations

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 the event of a conflict between the provisions of this Chapter and the provisions of Article VI, Chapter 4, or Article VI, Chapter 6, the provisions of Article VI, Chapter 4, or Article VI, Chapter 6 shall control.

\* \* \*

62-30 SPECIAL BULK REGULATIONS

62-32 Maximum Floor Area Ratio and Lot Coverage on Waterfront Blocks

62-324 Community facility and commercial uses in Residence Districts

In #Residence Districts#, for any #community facility building# or #community facility# portion of a #building# on a #zoning lot#, the following regulations shall apply:

- (a) The maximum #floor area ratio# shall be in accordance with the applicable district regulations, except that no #floor area# bonuses shall apply. In R7-3 and R9-1 Districts, the maximum #floor area ratio# shall be the maximum permitted for #residential buildings# pursuant to Section 62-322 (Residential uses in R1, R2, R6, R7, R8, R9 and R10 Districts). For #developments# or #enlargements# on #qualifying transit improvement sites#, a #floor area# bonus for #mass transit station# improvements may be authorized 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).

\* \* \*

62-325 Buildings in Commercial Districts

In #Commercial Districts#, for any #commercial# or #community facility uses# on a #zoning lot#, the maximum #floor area ratio# shall be in accordance with the applicable district regulations, except:

- (a) no #floor area# bonuses shall be permitted except as permitted pursuant to the provisions of paragraph (c) of this Section; and
(b) the #floor area ratio# on a #zoning lot# shall not exceed 10.0; and
(c) for #developments# or #enlargements# on #qualifying transit improvement sites#, a #floor area# bonus for #mass transit station# improvements may be authorized by the City Planning Commission pursuant to the provisions of Section 66-51 (Additional Floor Area for Mass Transit Station Improvements). For the purposes of this paragraph, defined terms additionally include those in Section 66-11 (Definitions).

For #residential buildings# and #residential# portions of #mixed buildings#, the maximum #floor area ratio# and #lot coverage# applicable to #residential buildings# set forth in Sections 62-321 through 62-323 shall apply as set forth for the applicable #Residence District# and its corresponding #Commercial District# in Section 35-23 (Residential Bulk Regulations in Other C1 or C2 Districts or in C3, C4, C5 or C6 Districts).

62-326 Buildings in Manufacturing Districts

In #Manufacturing Districts#, for any #zoning lot#, the maximum #floor area ratio# shall be in accordance with the applicable district regulations; except that no #floor area# bonuses shall be permitted. However, for #developments# or #enlargements# on #qualifying transit improvement sites#, a #floor area# bonus for #mass transit station# improvements may be authorized by the City Planning Commission pursuant to the provisions of Section 66-51 (Additional Floor Area for Mass Transit Station Improvements). For the purposes of this paragraph, defined terms additionally include those in Section 66-11 (Definitions).

\* \* \*

## Chapter 6 Special Regulations Applying Around Mass Transit Stations

[All text in this Chapter is new text]

### 66-00 GENERAL PURPOSES

The provisions of this Chapter establish special regulations which are designed to support and facilitate transit accessibility and improvements in conjunction with developments and enlargements near transit stations, and in doing so, promote and protect public health, safety, general welfare and amenity. The general goals of this Chapter include, among others, the following purposes:

- (a) to support the long-term planning needs of mass transit stations and systemwide accessibility;
- (b) to reduce pedestrian congestion on city streets in the vicinity of transportation nodes, by facilitating the provision of easements and moving transit station entrance infrastructure off the sidewalk;
- (c) to offset potential burdens of such easement on development feasibility by providing zoning flexibility where easements are provided;
- (d) to encourage well-designed development and pedestrian environment, including enhanced pedestrian circulation, around mass transit stations;
- (e) to coordinate the present and future relationship of land uses around transit stations; and
- (f) to promote the most desirable use of land in the area and thus to conserve the value of land and buildings, and thereby protect the City's tax revenues.

### 66-10 GENERAL PROVISIONS

#### 66-11 Definitions

For purposes of this Chapter, matter in italics is defined in Section 12-10 (DEFINITIONS) and in this Section, except where explicitly stated otherwise in individual provisions in this Chapter.

#### Above-grade mass transit station

For the purposes of this Chapter, an "above-grade mass transit station" shall refer to a #mass transit station# with a platform that is located entirely above five feet from #curb level#.

#### At or below-grade mass transit station

For the purposes of this Chapter, an "at- or below-grade mass transit station" shall refer to a #mass transit station# that is not an #above-grade mass transit stations#.

#### Central Business Districts

For the purposes of this Chapter, "Central Business Districts" shall refer to #Special Midtown District#, #Special Hudson Yards District#, #Special Lower Manhattan District#, #Special Downtown Brooklyn District#, #Special Long Island City Mixed Use District# or #Special Garment Center District#.

#### Clear path

For the purposes of this Chapter, a "clear path" shall refer to an unobstructed area between the #street line# and #street wall# that

- (a) directly #abuts# an adjoining public sidewalk; and
- (b) extends along the #street line# for a distance equal to the width of an existing or planned access point to a #mass transit station# facing such #transit-adjacent site#, plus, in the aggregate, a maximum of 30 feet from the outermost extents of such width.

All #clear paths# shall be accessible to the public at all times.

#### Easement volume

For the purposes of this Chapter, an "easement volume" shall refer to an area of the #zoning lot# used to accommodate either:

- (a) station access infrastructure, in the form of elevators, stairs, escalators, or fare control areas; or

- (b) ancillary facilities that are needed to support transit system functionality.

#### Eligible zoning districts

For the purposes of this Chapter, "eligible zoning districts" shall refer to the following zoning districts:

- (a) R5D, R6, R7, R8, R9 or R10 Districts;
- (b) #Commercial Districts# mapped within, or with an equivalent of an R5, R5D, R6, R7, R8, R9, or R10 District;
- (c) M1 Districts paired with R6 through R10 Districts; or
- (d) #Manufacturing Districts#.

#### Enlargements

For the purposes of applying the provisions of Sections 62-20, inclusive, an "enlargement" on any #transit-adjacent site# shall be limited to #enlargements# involving ground floor level construction.

#### Mass transit station

For the purposes of this Chapter, "mass transit station" shall refer to any subway or rail #mass transit station# operated by a #transit agency#. Such #mass transit stations# shall include all publicly accessible parts of the station, including but not limited to stairs, escalators, elevators, corridors, platforms, and fare control areas inclusive of paid and unpaid areas of the station. Publicly accessible parts of the station shall also include stairs, escalators, elevators, corridors and fare control areas that are currently closed but could be reopened and that have previously been open to the public.

#### Primary transit-adjacent sites

For the purposes of this Chapter, "primary transit-adjacent sites" shall refer to #transit-adjacent sites# that have a #lot area# of 5,000 square feet or more.

#### Qualifying transit improvement sites

For the purposes of this Chapter, "qualifying transit improvement sites" shall refer to #zoning lots# that are:

- (a) located in one of the following zoning districts:
  - (1) R9 or R10 Districts;
  - (2) #Commercial Districts# mapped within, or with an equivalent of an R9 or R10 District;
  - (3) M1 Districts paired with an R9 or R10 District; or
  - (4) M1-6 Districts; and
- (b) located wholly or partially within the following distance from a #mass transit station#:
  - (1) 500 feet for such #zoning lots# outside of #Central Business Districts#; or
  - (2) 1,500 feet for such #zoning lots# and #mass transit stations# within #Central Business Districts#.

Such distance shall be measured from the outermost extent of the #mass transit station#. For the purposes of such calculation, the outermost extent may include #buildings# containing #easement volumes# serving such #mass transit station#.

#### Secondary transit-adjacent sites

For the purposes of this Chapter, "secondary transit-adjacent sites" shall refer to #transit-adjacent sites# that have a #lot area# of less than 5,000 square feet.

#### Transit agency

For the purposes of this Chapter, a "transit agency" shall refer to any governmental agency with jurisdiction over the affected #mass transit station#.

#### Transit-adjacent sites

For the purposes of this Chapter, "transit-adjacent sites" shall refer to #zoning lots# that are located within 50 feet of a #mass transit station#, and located in #eligible zoning districts#. #Transit-adjacent sites# include #primary transit-adjacent sites# and #secondary transit-adjacent sites#.

#### Transit volume

For the purposes of this Chapter, a "transit volume" shall refer to an area of a #transit-adjacent site# where, pursuant to the provisions of this Chapter, a #transit agency# has determined transit or pedestrian circulation improvements are needed for a #mass transit station#. Such #transit volume# may be used to accommodate #easement volumes# or #clear paths#.

### 66-12 Applicability

The provisions of this Chapter shall apply to #transit-adjacent sites# or #qualifying transit improvement sites#, as follows:

- (a) For #transit-adjacent sites#
  - (1) The provisions of Section 66-20 (SPECIAL PROVISIONS FOR PRIMARY TRANSIT-ADJACENT SITES), inclusive, shall apply to all #developments# or #enlargements#, as such term is modified pursuant to Section 66-11 (Definitions), on #primary transit-adjacent sites#.
  - (2) The provisions of Section 66-30 (SPECIAL PROVISIONS FOR SECONDARY TRANSIT-ADJACENT SITES), inclusive, include optional provisions available to #developments# and #enlargements# on #secondary transit-adjacent sites#, #conversions# on #transit-adjacent sites#, as well as parking modifications available to all #transit-adjacent sites#.
- (b) For #qualifying transit improvement sites#  
The provisions of Section 66-51 (Additional Floor Area for Mass Transit Station Improvements) shall be optional for #qualifying transit improvement sites#.

66-13  
*Applicability of District Regulations*

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, the following provisions of this Chapter shall not apply to certain areas:

- (a) The provisions of Section 66-20 (SPECIAL PROVISIONS FOR PRIMARY TRANSIT-ADJACENT SITES), Section 66-30 (SPECIAL PROVISIONS FOR SECONDARY TRANSIT-ADJACENT SITES), shall not apply to the following areas within Special Purpose District:
  - (1) All subdistricts except 34th Street Corridor Subdistrict C and South of Port Authority Subdistrict E within #Special Hudson Yards District#
  - (2) #Qualifying sites# in the East Midtown Subdistrict within #Special Midtown District#, as defined in Section 81-613 (Definitions)
  - (3) #Special Transit Land Use District#
- (b) The provisions of 66-51 (Floor Area Bonus for Mass Transit Station Improvements) shall not apply to the following areas within Special Purpose Districts:
  - (1) All subdistricts except 34th Street Corridor Subdistrict C and South of Port Authority Subdistrict E within #Special Hudson Yards District#
  - (2) The Court Square Subdistrict within #Special Long Island Mixed Use District#
  - (3) #Qualifying sites# in the East Midtown Subdistrict within #Special Midtown District#, as defined in Section 81-613 (Definitions)

66-14  
*Applicability of Previously Filed Special Permits*

If, before [date of adoption], an application for a special permit for a #floor area# bonus for subway station improvements has been referred by the City Planning Commission pursuant to Section 74-634 (Subway station improvements in Downtown Brooklyn and in Commercial Districts of 10 FAR and above in Manhattan), as such Section existed prior to [date of adoption], such application may continue pursuant to the regulations in effect at the time such special permit was referred by the Commission. Such special permit, if granted by the Commission, may be started or continued, in accordance with the terms thereof, or as such terms may be subsequently modified, pursuant to the regulations in effect at the time such special permit was referred by the Commission.

66-20  
**SPECIAL PROVISIONS FOR PRIMARY TRANSIT-ADJACENT SITES**

For all #developments# or #enlargements# on #primary transit-adjacent sites#, a certification by the Chairperson of the City Planning Commission shall apply pursuant to Section 66-21 (Certification for Transit Volume) to determine if a #transit volume# is needed. Where a #transit volume# is needed, special #use#, #bulk#, parking, and streetscape regulations are set forth in Sections 66-22 (Special Use Regulations), 66-23 (Special Bulk Regulations), 66-24 (Special Regulations for Accessory Off-Street Parking and Curb Cuts), and 66-25 (Special Streetscape Regulations) respectively. Separate applicability is set forth within such Sections for #primary transit-adjacent sites# with #easement volumes# and for those with #clear paths#.

66-21  
*Certification for Transit Volumes*

For all #developments# or #enlargements# on #primary transit-adjacent sites#, the #transit agency# and Chairperson shall jointly certify to the Commissioner of the Department of Buildings whether or not a #transit volume# is needed on the #zoning lot#, in accordance with the provisions of paragraph (a) of this Section. Such certification shall be obtained prior to any application with the Department of Buildings for an excavation permit, foundation permit, new building permit or alteration permit for such #development# or #enlargement#. Where an #easement volume# is needed, the additional requirements set forth in paragraph (b) of this Section shall apply.

- (a) Application requirements  
The owner of the #zoning lot# shall file an application with the #transit agency# and the Chairperson of the City Planning Commission requesting a certification as to whether or not a #transit volume# is needed on the #primary transit-adjacent site#.

Within 60 days of receipt of such application, the #transit agency# and the Chairperson shall jointly certify whether or not a #transit volume# is needed on the #zoning lot#. Failure to certify within the 60-day period will release the owner from any obligation to provide a #transit volume# on such #zoning lot#.

When the #transit agency# and the Chairperson indicate that a #transit volume# is needed, the #transit agency# shall, in consultation with the owner of the #zoning lot# and the Chairperson, determine the appropriate type, and reasonable dimensions for such #transit volume# based on a concept plan for the use of such volume.

The owner shall submit a site plan showing a proposed location of such #transit volume# that would accommodate needed transit or pedestrian circulation improvements and be compatible with the proposed #development# or #enlargement# on the #zoning lot# for joint approval and final certification by the #transit agency# and the Chairperson.

The #transit agency# and the Chairperson shall comment on such site plan within 45 days of its receipt and may, within such 45-day period or following its expiration, permit the granting of an excavation permit while the location and size of the #transit volume# is being finalized. Upon joint approval of a site plan by the #transit agency# and the Chairperson, copies of such certification shall be forwarded by the Chairperson to the Commissioner of the Department of Buildings.

- (b) Recordation, completion procedures and termination of an easement volume

Where an #easement volume# is needed pursuant to paragraph (a) of this Section, the Chairperson of the City Planning Commission shall be provided with a certified copy of the legally enforceable instrument providing the mechanism for creating such #easement volume#, as well as necessary documentation setting forth other obligations and requirements pursuant to Section 66-40 (RECORDATION, CONSTRUCTION AND MAINTENANCE, AND TERMINATION).

66-22  
*Special Use Regulations*

Where an #easement volume# is provided, the applicable #use# regulations of this Resolution shall be modified in accordance with the provisions of Sections 62-221 (Temporary uses) and 62-222 (Special use allowances around easement volumes).

66-221  
*Temporary uses*

Any space within an #easement volume# may be temporarily allocated to the following #uses# until such time as the space is needed by the #transit agency#:

- (a) in all districts, any #community facility use# without sleeping accommodations allowed by the underlying district;
- (b) in #Residence Districts#, #uses# listed in Use Group 6A and 6C; and
- (c) in #Commercial# and #Manufacturing Districts#, any #commercial# or #manufacturing use# allowed by the underlying district.

The floor space allocated to such temporary #uses# within the #easement volume# shall continue to be exempt from the definition of #floor area# and shall not be included for the purpose of calculating #accessory# off-street parking, bicycle parking, or loading berths.

Improvements to, or construction of a temporary nature within the #easement volume# for such temporary #uses# shall be removed by the owner of the #building# or portion of the #zoning lot# within which the #easement volume# is located prior to the time at which public

#use# of the easement area is needed, except as otherwise specified by the #transit agency#. A minimum notice of six months shall be given, in writing, by the #transit agency# to the owner of the #building# or portion of the #zoning lot# to vacate the easement volume.

66-222

*Special use allowances around easement volumes*

The following #use# allowances around #easement volumes# shall apply in applicable districts.

(a) Special #use# allowances in #Residence Districts#

In all #Residence Districts#, #uses# listed in Use Group 6A and 6C shall be permitted within a distance of 30 feet from the outermost edge of the #easement volume#:

- (1) at the ground floor level of a #building# on a #zoning lots# with an #easement volume# serving an #at- or below-grade mass transit station#, or
- (2) at the two lowest #stories# of a #building# on a #zoning lot# with an #easement volume# serving an #above-grade mass transit station#.

Such #uses# may be permitted so long as that in #buildings# that include #residential uses#, such #uses# are located in a portion of the #building# that has separate access to the outside with no opening of any kind to the #residential# portion of the #building#, and that such #uses# are not located directly over any #story# containing #dwelling units#.

(b) Special regulations for #commercial use# location in #mixed buildings# in #Commercial Districts#

In C1 or C2 Districts, the underlying provisions of Section 32-422 (Location of floors occupied by commercial uses) shall be modified for #mixed buildings# that are #developed# or #enlarged# with an #easement volume# serving an #above-grade mass transit station#, to allow all permitted #commercial uses# on the lowest two #stories#.

66-23

*Special Bulk Regulations*

Where an #easement volume# is provided, the applicable #bulk# regulations of this Resolution shall be modified in accordance with the provisions of this Section. Where a #clear path# is provided, only the #street wall# provisions of Section 66-234 (Special street wall modifications) shall apply.

66-231

*Special floor area modification*

The floor space contained within any #easement volume# shall be excluded from the definition of #floor area#.

66-232

*Special open space, lot coverage and yard modifications*

The #open space#, #lot coverage# and #yard# modifications of this Section shall apply as follows.

(a) Permitted obstructions

(1) #Easement volumes# in all zoning districts

Any portion of an #easement volume# shall be considered a permitted obstruction within a required #open space#, #yards#, #rear yard equivalent#, or #court# pursuant to the regulations of this Resolution. Any #easement volume#, including any #use# or structure therein, shall be located at least 30 feet from any #legally required window# at the same level on the #zoning lot#.

(2) Non-residential uses in #Commercial# or #Manufacturing Districts#

Any #building# or portion of a #building# used for any permitted #commercial# or #community facility uses#, up to two #stories#, excluding #basements#, or 30 feet above #curb level, whichever is less, shall be considered a permitted obstruction in any #rear yard# or #rear yard equivalent# of a #zoning lot# with an #easement volume# serving an #above-grade mass transit station#. Any portion of a #building# containing residences or rooms used for living or sleeping purposes (other than a room in a hospital used for the care or treatment of patients, or #joint living-work quarters for artists#) shall not be a permitted obstruction.

(b) Special #open space# modifications in certain districts

In R5D Districts and #Commercial Districts# mapped within or with a #residential# equivalent of an R5 or R5D Districts, the provisions of paragraph (g) of Section 23-142 (Open space and floor area regulations in R1 and R2 Districts with a letter suffix and R3 through R5 Districts) shall not apply.

(c) Special #lot coverage# modifications in certain districts

The underlying #lot coverage# provisions shall apply except as modified pursuant to this paragraph.

- (1) Any #easement volume#, or portion thereof, that is open to the sky shall not be included in #lot coverage#.
- (2) In R5D Districts and #Commercial Districts# mapped within or with a #residential# equivalent of an R5 or R5D Districts, the maximum #residential lot coverage# for #interior lots# or #through lots# shall be 65 percent, and the maximum #residential lot coverage# for #corner lots# shall be 85 percent. Such provisions shall also apply to #buildings# utilizing the optional provisions for a #predominantly built-up area#.
- (3) In R6 and R7 Districts, for #Quality Housing buildings#, the maximum #residential lot coverage# for #interior lots# and #through lots# shall be 70 percent.

66-234

*Special street wall modifications*

The #street wall# modifications of this Section shall apply to districts with #street wall# requirements.

(a) #Street wall# location where an #easement volume# is provided For #Quality Housing buildings#, the underlying #street wall# location provisions shall be modified pursuant to this paragraph.

- (1) For all #zoning lots#, any portion of the #easement volume# facing the #street#, as well as any portion of a #building# behind or above such #easement volume# shall not be subject to #street wall# location provisions along the #street# frontage the #easement volume# is located.
- (2) Where an #easement volume# is located wholly beyond 50 feet of the intersection of two #street lines#, #street walls# within 15 feet of an #easement volume#, as measured along the #street line# may be recessed, provided that any such recesses deeper than 10 feet along a #wide street# or 15 feet along a #narrow street# are located within an #outer court#. However, on #corner lots#, where an #easement volume# is placed partially or wholly within 50 feet of the intersection of two #street lines#, the #street wall# may be located anywhere within an area bounded by the two #street lines# and 15 feet from the edges of the #easement volume#. For #corner lots# with an angle of 75 degrees or less, such distance may be increased to 20 feet.

(b) #Street wall# location where a #clear path# is provided

Where a #clear path# is provided, the interior boundary of such #clear path# shall be considered a #street line# for the purposes of applying the applicable #street wall# location requirements.

66-235

*Special height and setback modifications*

The height and setback modifications of this Section shall apply as follows:

(a) Permitted obstructions

(1) #Easement volumes#

Any portion of an #easement volume# shall be considered a permitted obstruction within a required setback or above any maximum base height, maximum #building# height, or #sky exposure plane# set forth in height and setback regulations of this Resolution. Any #easement volume#, including any #use# or structure therein, shall be located at least 30 feet from any #legally required window# at the same level on the #zoning lot#.

(2) Dormers

For #Quality Housing buildings#, as an alternative to the provisions of paragraph (c) of Section 23-621, dormers may be a permitted obstruction within a required front setback distance above a maximum base height, provided that the aggregate width of all dormers at the maximum base height does not exceed 40 percent of the width of the #street wall# of the highest #story# entirely below the maximum base height. Such dormers need not decrease in width as the height above the maximum base height increases. For the purposes of this paragraph, the width of the #street wall# shall be determined pursuant to the provisions of paragraph (a) of Section 234 (Special street wall modifications).

(b) Special height and setback provisions for R5 Districts

The requirements of Section 23-63 (Height and Setback Requirements in R1 Through R5 Districts) shall be modified for the portions of a #building# used for #residential use#, as follows:

- (1) In #Commercial Districts# mapped within, or with a #residential# equivalent of an R5 District, the maximum

height of a #street wall# before setback shall be 35 feet. Above such height, a setback of 10 feet shall be provided, and the maximum #building# height shall be 45 feet. Such provisions shall also apply to #buildings# utilizing the optional provisions for a #predominantly built-up area#; and

- (2) In R5D Districts or #Commercial Districts# mapped within, or with a #residential# equivalent of an R5D District, the maximum permitted #building# height shall be increased by 10 feet or one #story#, whichever is less.

- (c) Special height provisions for R6 through R10 Districts and certain #Commercial# and M1 Districts

In R6 through R10 Districts, #Commercial Districts# mapped within or with a #residential# equivalent of such districts, M1 Districts paired with R6 through R10 Districts, and M1-6D Districts, where #building# height limitations apply, the maximum permitted height shall be increased by 10 feet, or one #story#, whichever is less.

However, for #zoning lots# with an #easement volume# serving an #above-grade mass transit station# in R7 through R10 Districts, #Commercial Districts# mapped within or with a #residential# equivalent of such districts, M1 Districts paired with R7 through R10 Districts, and M1-6D Districts, the maximum permitted height for a #building or other structure# shall be increased by 20 feet or two #stories#, whichever is less.

**66-24**  
*Special Regulations for Accessory Off-Street Parking and Curb Cuts*

Where an #easement volume# is provided, the underlying parking regulations of this Resolution shall be modified in accordance with the provisions of Section 66-241 (Special accessory off-street parking provisions) and 66-242 (Special regulations for location of access to the street).

**66-241**  
*Special accessory off-street parking provisions*

Where off-street parking spaces are required pursuant to the underlying parking requirements, the following parking space deduction and waivers shall apply:

- (a) Parking space deduction

For all applicable #zoning lots#, 15 spaces may be deducted from the total number of required #accessory# off-street parking spaces. Where #accessory# off-street parking spaces are required by multiple #uses# on a #zoning lot#, such deduction may apply to any required #accessory# off-street parking spaces provided that in no event shall the aggregate total of such deduction exceed 15 spaces.

- (b) Special waiver of requirements for small #zoning lots#

For #zoning lots# with a #lot area# of 10,000 or 15,000 square feet or less, as applicable, requirements for #accessory# off-street parking spaces are waived pursuant to the following table:

District	Lot Area (in square feet)
R5 R5D C1-1 C2-1 C3 C4-1 C1-2 C2-2 C4-2 C8-1 C1-3 C2-3 C4-2A C4-3 C7 C8-2 M1-1 M1-2 M1-3 M2-1 M2-2 M3-1	10,000 or less
R6 R7 R8 R9 R10 C1-4 C2-4 C4-4 C4-5D C8-3 C1-5 C1-6 C1-7 C1-8 C1-9 C2-5 C2-6 C2-7 C2-8 C4-4A C4-4L C4-5 C4-5A C4-5X C4-6 C4-7 C5 C6 C8-4 M1-4 M1-5 M1-6 M2-3 M2-4 M3-2	15,000 or less

**66-242**  
*Special regulations for location of access to the street*

Where permitted or required off-street parking spaces or loading berths are provided, entrances and exits for #accessory# off-street parking spaces or loading berths, #public parking garages#, or #public parking lots# shall not be located less than 30 feet from a #transit volume#. In addition, such restriction, and the location of the #transit volume# shall be considered for the purposes of applying waivers provisions of Sections 25-27, 25-34, 36-24, 36-38 or 44-24 (Waiver of Requirements for All Zoning Lots Where Access Would be Forbidden).

**66-25**  
*Special Streetscape Regulations*

Where an #easement volume# is provided, the underlying ground floor level and planting requirements shall be modified in accordance with Sections 62-251 (Ground floor level requirements) and 62-252 (Planting requirements).

**66-251**  
*Ground floor level requirements*

An #easement volume# shall be excluded from any ground floor level requirements of this Resolution, including, but not limited to, the location of such ground floor in relation to the adjoining sidewalk level, the height of a #qualifying ground floor#, restrictions of types of #use#, the minimum depth for certain #uses#, maximum width for certain #uses#, minimum transparency requirement, and parking wrap and screening requirements.

**66-252**  
*Planting requirements*

- (a) Planting requirements for R5D Districts

In R5D Districts, planting requirements shall be modified as follows:

- (i) The #easement volume# shall be discounted from the area of a #front yard# for the purposes of applying the planting requirement of Section 23-451 (Planting requirement). Where planting is required within the #front yard# pursuant to Section 23-451 (Planting requirement), the area of the #easement volume# shall be discounted from the #street# frontage for the purposes of the #zoning lot# for the purposes of determining the minimum percentage of #front yard# to be planted; and
- (ii) Where planting strips are required along the entire length of the curb of the #street# pursuant to Section 26-42 (Planting Strips), such planting strips may be interrupted by utilities or paved areas providing public access to an #easement volume#.

- (b) Planting requirements for #Quality Housing buildings#

For #Quality Housing buildings#, the area of the #zoning lot# between the #street line# and the #easement volume# shall be exempt from the planting requirements of Section 28-23 (Planting Areas).

**66-26**  
*Additional Modifications*

The City Planning Commission may authorize or grant, by special permit, the modification of applicable regulations of this Resolution, other than #floor area ratio#, including the other modifications set forth within Section 66-20 (SPECIAL PROVISIONS FOR PRIMARY TRANSIT-ADJACENT SITES), inclusive, pursuant to Section 66-52 (Additional Modifications).

**66-30**  
*SPECIAL PROVISIONS FOR SECONDARY TRANSIT-ADJACENT SITES*

For all #secondary transit-adjacent sites#, the provisions of this Section are optional. On such sites, an optional #transit volume# may be provided in accordance with a certification by the Chairperson of the City Planning Commission pursuant to Section 66-31 (Certification for Optional Transit Volumes). Where a #transit volume# is provided, special #use#, #bulk#, parking, and streetscape regulations are set forth in Sections 66-32 (Special Modifications for Secondary Transit-adjacent Sites).

**66-31**  
*Certification for Optional Transit Volumes*

For all #developments# and #enlargements# on #secondary transit-adjacent sites# and #conversions# on all #transit-adjacent sites# seeking to provide a #transit volume#, the #transit agency# and Chairperson shall jointly certify to the Commissioner of the Department of Buildings the location, appropriate type, and reasonable dimensions for such #transit volume# in accordance with the provisions of paragraph (a) of this Section. Such certification shall be obtained prior to any application with the Department of Buildings for an excavation permit, foundation permit, new building permit or alteration permit for such #development#, #enlargement# or #conversion#. Where an #easement volume# is provided, the additional requirements set forth in paragraph (b) of this Section shall apply.

- (a) Application requirements

The owner of the #zoning lot# shall file an application with the #transit agency# and the Chairperson of the City Planning Commission requesting a certification as to whether or not a #transit volume# is needed on the #secondary transit-adjacent site#.

Within 60 days of receipt of such application, the #transit agency# and the Chairperson shall jointly certify whether or not a #transit volume# is needed on the #zoning lot#. When the #transit agency# and the Chairperson indicate that a #transit



volume# is needed within the 60-day period, the #transit agency# shall, in consultation with the owner of the #zoning lot# and the Chairperson, determine the appropriate type, and reasonable dimensions for such #transit volume# based on a concept plan for the use of such volume.

The owner shall submit a site plan showing a proposed location of such #transit volume# that would accommodate needed transit or pedestrian circulation improvements and be compatible with the proposed #development# or #enlargement# on the #zoning lot# for joint approval and final certification by the #transit agency# and the Chairperson.

The #transit agency# and the Chairperson shall comment on such site plan within 45 days of its receipt and may, within such 45-day period or following its expiration, permit the granting of an excavation permit while the location and size of the #transit volume# is being finalized. Upon joint approval of a site plan by the #transit agency# and the Chairperson, copies of such certification shall be forwarded by the Chairperson to the Commissioner of the Department of Buildings.

(b) Recordation, completion procedures and termination of an easement volume

Where an #easement volume# is needed pursuant to paragraph (a) of this Section, the Chairperson of the City Planning Commission shall be provided with a certified copy of the legally enforceable instrument providing the mechanism for creating such #easement volume#, as well as necessary documentation setting forth other obligations and requirements pursuant to Section 66-40 (RECORDATION, CONSTRUCTION AND MAINTENANCE, AND TERMINATION).

66-32

Special Modifications for Secondary Transit-adjacent Sites

Where a #transit volume# is provided pursuant to Section 66-31 (Certification for Optional Transit Volumes), special #use#, #bulk#, parking, and streetscape regulations may be applied as follows:

- (a) For all #developments# or #enlargements# on #secondary transit-adjacent sites#, the modifications set forth in Sections 66-22 through 66-25 shall apply as if such #development# or #enlargement# was on a #primary transit-adjacent site#.
- (b) For #conversions# on all #transit-adjacent sites#, the following modifications shall apply as if such #conversion# was on a #primary transit-adjacent site#:
  - (1) #Use# modifications pursuant to Section 66-221 (Temporary uses);
  - (2) #Bulk# modifications pursuant to Section 66-231 (Special floor area modification), paragraph (a)(1) of Section 66-232 (Special open space, lot coverage and yard modifications), Section 66-234 (Special street wall modifications), and paragraph (a)(1) of Section 66-235 (Special height and setback modifications);
  - (3) Curb cut provisions pursuant to Section 66-242 (Special regulations for location of access to the street); and
  - (4) Streetscape modifications pursuant to Section 66-25 (Special Streetscape Regulations).

66-33

Additional Modifications

Where a #transit volume# is provided pursuant to Section 66-31 (Certification for Optional Transit Volumes), the City Planning Commission may authorize or grant, by special permit, the modification of applicable regulations of this Resolution, other than #floor area ratio#, including the other modifications set forth within this Section, pursuant to Section 66-52 (Additional Modifications).

66-40

RECORDATION, CONSTRUCTION AND MAINTENANCE, AND TERMINATION PROVISIONS

Where an #easement volume# is provided pursuant to Section 66-20 (SPECIAL PROVISIONS FOR PRIMARY TRANSIT-ADJACENT SITES) or Section 66-30 (SPECIAL PROVISIONS FOR SECONDARY TRANSIT-ADJACENT SITES) the provisions of this Section shall apply.

66-41

Recordation and Completion Procedures

The recordation and completion procedures of this Section shall apply to #transit-adjacent sites# providing an #easement volume#.

(a) Recordation

Legally enforceable instruments, running with the land, creating an #easement volume#, and setting forth the obligations of either the #transit agency# or the owner and developer, their successors and assigns, to design and construct the improvement, as well

as other basic terms of the easement shall be executed and recorded in a form acceptable to the #transit agency# and the Chairperson. The execution and recording of such instruments shall be a precondition to the issuance of any foundation permit, new building permit, or alteration permit by the Department of Buildings allowing such #development#, #enlargement# or #conversion#.

(b) Construction and maintenance

Where an #easement volume# is provided pursuant to this Section, transit access improvements within such volume shall be constructed and maintained either by the #transit agency# or the owner of the #zoning lot# with the #development#, #enlargement# or #conversion#.

- (1) Where such transit access improvement is constructed and maintained by the #transit agency#:
  - (i) Owner of #zoning lot# with the #development#, #enlargement# or #conversion# shall provide an #easement volume# that is designed and constructed in such a manner that would not inhibit the #transit agency's# functional requirements and ability to construct such transit access improvement at a future date.
  - (ii) Where the construction of the improvement is not contemporaneous with the construction of the #development#, #enlargement# or #conversion#, any underground walls constructed along the #front lot line# adjacent to an #at- or below-grade mass transit station# shall include one or more knockout panels, below #curb level# down to the bottom of the #easement volume#. The actual location and size of such knockout panels shall be determined through consultation with the #transit agency#.
  - (iii) Temporary construction access shall be granted to the #transit agency# on portions of the #zoning lot# outside of the #easement volume#, as needed, to enable construction within and connection to the #easement volume#.
  - (iv) In the event that the #transit agency# has approved of obstructions associated with the #development#, #enlargement# or #conversion# within the #easement volume#, such as #building# columns or footings, such construction and maintenance shall exclude any such obstructions within the #easement volume#.
- (2) Where such transit access improvement is constructed and maintained by the owner of the #development #, #enlargement# or #conversion#
  - (i) a transit access improvement shall be provided in accordance with standards set forth by the #transit agency#;
  - (ii) such improvement shall be accessible to the public at all times, except as otherwise approved by the #transit agency#;
  - (iii) such improvement shall include #signs# to announce accessibility to the public. Such #signs# shall be exempt from the maximum #surface area# of non-#illuminated signs# permitted by Section 32-642 (Non-illuminated signs); and
  - (iv) no temporary certificate of occupancy shall be granted by the Department of Buildings for the #building# until the Chairperson of the City Planning Commission, acting in consultation with the #transit agency#, has certified that the improvement is substantially complete and usable by the public.

66-42

Termination of an Easement

In the event that the #transit agency# and the Chairperson of the City Planning Commission jointly notify, in writing, the owner of the #zoning lot# and the Department of Buildings that an #easement volume# is not needed on such #zoning lot# in its final construction plans, the restrictions imposed on such #zoning lot# by the provisions of this Section shall lapse, following receipt of notification thereof by the owner, and the owner shall have the right to record an instrument reciting the consent of the #transit agency# to the extinguishment of the #easement volume#.

On any #zoning lot# which has been #developed#, #enlarged# or #converted# in accordance with the provisions of this Section and on which termination of the #easement volume# has been certified, pursuant to this paragraph, any floor space in a previously needed #easement volume# shall continue to be exempt from the definition of #floor area# and shall not be included for the purpose of calculating requirements for #accessory# off-street parking, bicycle parking or

loading berths. However, where such previously needed volume is located within a #building#, the ground floor space shall be subject to all applicable ground floor level requirements of this Resolution.

66-50  
SPECIAL APPROVALS

For #qualifying transit improvement sites#, a #floor area# bonus may be authorized by the City Planning Commission pursuant to Section 66-51 (Additional Floor Area for Mass Transit Improvements) where major #mass transit station# improvements are provided.

For all applications pursuant to the provisions of Sections 66-20 (SPECIAL PROVISIONS FOR PRIMARY TRANSIT-ADJACENT SITES), 66-30 (SPECIAL PROVISIONS FOR SECONDARY TRANSIT-ADJACENT SITES) or 66-51, additional modifications may be granted by the City Planning Commission, either by authorization or special permit, pursuant to Section 66-52 (Additional Modifications).

66-51  
Additional Floor Area for Mass Transit Station Improvements

For #developments# or #enlargements# located on #qualifying transit improvement sites# the City Planning Commission may authorize a #floor area# bonus in accordance with the provisions of paragraph (a) of this Section where a major improvement to a #mass transit station# is provided in accordance with paragraph (b). All applications for an authorization pursuant to this Section shall be subject to the conditions, application requirements, findings and additional requirements of paragraphs (c) through (e).

(a) #Floor area# bonus

The City Planning Commission may authorize a #floor area# bonus not to exceed 20 percent of the basic maximum #floor area ratio# permitted by the applicable district regulations of this Resolution, in accordance with the following provisions:

- (1) Such #floor area# increase may be applied to the maximum #floor area ratio# of any permitted #use#, provided that the total of all such #floor area ratios# does not exceed such percent increase applied to the greatest #floor area ratio# permitted for any such #use# on the #qualifying transit improvements#;
- (2) Such #floor area# bonus may be used in combination with other #floor area# bonuses. However, the maximum #floor area# permitted through the combination of bonuses may exceed 20 percent of the base #floor area ratio# only as follows:
  - (i) within #Inclusionary Housing designated areas# and in R10 Districts outside of #Inclusionary Housing designated areas#, the percent in #floor area# bonus granted on a #qualifying transit improvement site# shall be calculated from the maximum #floor area ratios# set forth in paragraph (a) or (b) of Section 23-154 (Inclusionary Housing); or
  - (ii) where explicitly specified in a #Special Purpose District#; and
- (3) For #compensated developments# or #MIH developments#, as defined in Section 23-911 (General definitions), the requirements of Section 23-154 (Inclusionary Housing) shall not apply to the bonus #floor area# authorized under the provisions of this Section.

(b) Conditions

All applications shall include a proposed improvement to a proximate #mass transit station#, and may consist of on-site or off-site improvements.

Such improvements shall be characteristic of current best practice in mass-transit network design, and shall include capacity-enhancing, accessibility or significant environmental improvements, including, but not limited to, the provision of elevators and escalators, widening, straightening, expanding or otherwise enhancing the existing pedestrian circulation network, reconfiguring circulation routes to provide more direct pedestrian connections to subway or rail mass transit facilities, or providing daylight access, retail #uses# or enhancements to noise abatement, air quality, lighting, finishes or rider orientation in new or existing passageways.

All proposed improvements shall be subject to the approval of the applicable #transit agency# and the City Planning Commission.

(c) Application requirements

All applications for an authorization pursuant to this Section shall include the following:

- (1) Prior to submitting an application for an authorization pursuant to this Section, the applicant shall submit a schematic or concept plan for the proposed improvement to the #transit agency# and the Chairperson of the City

Planning Commission. Such schematic or concept plan shall include such materials and information sufficient to provide the basis for the #transit agencies# to evaluate and determine the constructability of such proposed improvement.

- (2) At the time of certification, the Commission shall be provided with the following application materials:

- (i) a letter from the #transit agency# containing a conceptual approval of the improvement, including a statement of any considerations regarding the construction and operation of the improvement;
- (ii) all information and justification sufficient to provide the Commission with the basis for evaluating the benefits of such improvements to the general public; and
- (iii) initial plans for the maintenance of the proposed improvements.

- (3) Where a #transit volume# is needed pursuant to the provisions of Section 66-21 (Certification for Transit Volume), the applicant shall provide materials sufficient to demonstrate the relationship between the proposed on-site improvement and such #transit volume#.

(d) Findings

In order to grant such authorization, the Commission shall find that:

- (1) the public benefit derived from the #mass transit station# improvements merits the amount of additional #floor area# being granted to the proposed #development# pursuant to this authorization;
- (2) for improvements involving capacity enhancements or accessibility, that newly created or expanded accessible routes for persons with physical disabilities, or measures to improve station ingress and egress routes or platform capacity, will constitute significant enhancements to connectivity from the pedestrian circulation network to and through the #mass transit station#; or
- (3) for improvements involving environmental design, that measures to augment station beautification, walkability and passenger safety, or environmental noise or air quality, will constitute significant enhancements to the station environment.

(e) Additional requirements

In addition to the application requirements of paragraph (c) of this Section, additional requirements set forth in this paragraph shall apply.

- (1) Prior to the granting of an authorization pursuant to this Section, the following requirements shall be met:
  - (i) To the extent required by the #transit agency#, the applicant shall execute an agreement, setting forth the obligations of the owner, its successors and assigns, to establish a process for design development and a preliminary construction schedule for the proposed improvement; construct the proposed improvement; establish a program for maintenance and capital maintenance; and establish that such improvements shall be accessible to the public during the hours of operation of the station or as otherwise approved by the #transit agency#. Where the #transit agency# deems necessary, such executed agreement shall set forth obligations of the applicant to provide a performance bond or other security for completion of the improvement in a form acceptable to the #transit agency#.
  - (ii) The City Planning Commission shall be provided with a final letter of approval from the #transit agency# stating that the drawings and other documents submitted by the applicant have been determined by such #transit agency# to be of sufficient scope and detail to describe the size and character of the improvement as to architectural, structural, mechanical and electrical systems, materials, relationship to existing site conditions and such other conditions as may be appropriate, and that the construction of the improvement in accordance with such submission is feasible; and
- (2) Prior to obtaining a foundation permit or building permit from the Department of Buildings, a written declaration of restrictions, in a form acceptable to the Chairperson of the City Planning Commission, containing complete drawings of the improvement and setting forth the obligations of the owner as agreed upon with the #transit agency# pursuant to the requirements of paragraph (e)(1) of this Section, shall be

recorded against such property in the Borough Office of the City Register of the City of New York. Proof of recordation of the declaration of restrictions shall be submitted in a form acceptable to the Department of City Planning.

- (3) No temporary certificate of occupancy shall be granted by the Department of Buildings for the portion of the #building# utilizing bonus #floor area# authorized pursuant to the provisions of this Section until the required improvements have been substantially completed, as determined by the Chairperson, acting in consultation with the #transit agency#, where applicable, and such improvements are usable by the public. Such portion of the #building# utilizing bonus #floor area# shall be designated by the Commission in drawings included in the declaration of restrictions filed pursuant to this paragraph.

No permanent certificate of occupancy shall be granted by the Department of Buildings for the portion of the #building# utilizing bonus #floor area# until all improvements have been completed in accordance with the approved plans, as determined by the Chairperson, acting in consultation with the #transit agency#, where applicable.

The Commission may prescribe additional appropriate conditions and safeguards to enhance the character of the surrounding area.

66-52 Additional Modifications

In conjunction with any application pursuant to Section 66-21 (Certification for Transit Volume), 66-31 (Certification for Optional Transit Volume) and 66-51 (Additional Floor Area for Mass Transit Station Improvements), modifications may be granted pursuant to Section 66-521 (Authorization for transit-adjacent sites or qualifying transit improvement sites) or Section 66-522 (Special permit for transit-adjacent sites or qualifying transit improvement sites).

66-521 Authorization for transit-adjacent sites or qualifying transit improvement sites

For #transit-adjacent sites# or #qualifying transit improvement sites#, the City Planning Commission may authorize the modification of applicable regulations of this Resolution, other than #floor area ratio#, including the other modifications set forth within this Chapter, provided that the Commission determines that the conditions and limitations set forth in paragraph (a), the application requirements of paragraph (b) and the findings set forth in paragraph (c) of this Section are met.

(a) Conditions and limitations

Modifications to the maximum #building# height limits shall not result in a #building# height that exceeds 25 percent of the maximum permitted height as set forth in applicable district regulations, and as such heights are modified pursuant to the provisions of 66-235 (Special height and setback modifications), as applicable.

(b) Application requirements

Applications for an authorization for modifications pursuant to this Section shall contain materials, of sufficient scope and detail, to enable the Commission to determine the extent of the proposed modifications.

(c) Findings

The Commission shall find that:

- (1) such proposed modifications are the minimum extent necessary to
(i) reasonably accommodate an #easement volume# and associated access thereto; or
(ii) where improvements to #mass transit stations# are provided, reasonably accommodate the proposed #development# or #enlargement#;
(2) any modifications to #use# regulations will not be incompatible with or adversely affect the essential character, use or future growth of the surrounding area;
(3) any modifications to #bulk# regulations will not unduly obstruct access of light and air to surrounding #streets# and #properties; and
(4) any modifications to #accessory# off-street parking or loading regulations will not create or contribute to serious traffic congestion and will not unduly inhibit surface traffic and pedestrian flow.

The City Planning Commission may prescribe appropriate conditions and safeguards to minimize adverse effects on the character of the surrounding area.

66-522 Special permit for transit-adjacent sites or qualifying transit improvement sites

For #transit-adjacent sites# or #qualifying transit improvement sites#, the City Planning Commission may grant, by special permit, the modification of applicable regulations of this Resolution, other than #floor area ratio#, including the other modifications set forth within this Chapter, provided that the Commission determines that the application requirements of paragraph (a) and the findings set forth in paragraph (b) of this Section are met.

(a) Application requirements

Applications for a special permit for modifications pursuant to this Section shall contain materials, of sufficient scope and detail, to enable the Commission to determine the extent of the proposed modifications.

(b) Findings

The Commission shall find that:

- (1) such modifications will result in a better site plan for the proposed #transit volume#, improvement to #mass transit station# or #building# that is superior in design and harmonious with the surrounding area;
(2) any modifications to #use# regulations will not be incompatible with or adversely affect the essential character, use or future growth of the surrounding area;
(3) any modifications to #bulk# regulations:
(i) will not unduly obstruct the access of light and air to surrounding #streets# and #properties nor adversely affect the character of the surrounding area; and
(ii) will result in an improved distribution of #bulk# on the #zoning lot# that is harmonious with the surrounding area; and
(4) any modifications to #accessory# off-street parking or loading regulations will not create or contribute to serious traffic congestion and will not unduly inhibit surface traffic and pedestrian flow.

The Commission may prescribe appropriate conditions and safeguards to minimize adverse effects on the character of the surrounding area.

ARTICLE VII ADMINISTRATION

Chapter 4 Special Permits by the City Planning Commission

74-60 PUBLIC SERVICE OR TRANSPORTATION FACILITIES

74-63 Bus Stations

74-63A Subway station improvements in Downtown Brooklyn and in Commercial Districts of 10 FAR and above in Manhattan

[Replaced by various provisions of Article VI, Chapter 6]

The City Planning Commission may grant, by special permit, a #floor area# bonus not to exceed 20 percent of the basic maximum #floor area ratio# permitted by the underlying district regulations, and may waive or modify the provisions of Article III, Chapter 7 (Special Regulations), and the #street wall# continuity provisions of Sections 81-43 (Street Wall Continuity Along Designated Streets), 91-31 (Street Wall Regulations) or 101-41 (Special Street Wall Location Regulations) for #developments# or #enlargements# located on #zoning lots# where major improvements to adjacent subway stations are provided in accordance with the provisions of this Section. For the purposes of this Section, "adjacent" shall mean that upon completion of the improvement, the #zoning lot# will physically adjoin a subway station mezzanine, platform, concourse or connecting passageway. Subway stations where such improvements may be constructed are those stations located within the #Special Midtown District# as listed in Section 81-292 (Subway station improvements), the #Special Lower Manhattan District# as listed in Section 91-43 (Off-street Relocation or Renovation of a Subway Stair), the #Special Downtown Brooklyn District# as listed in Section 101-211 (Special permit for subway station improvements), the #Special Union Square District# as listed in Section 118-50 and those stations listed in the following table:

Station	Line
8th Street	Broadway-60th Street
23rd Street	Broadway-60th Street
23rd Street	Lexington Avenue
28th Street	Lexington Avenue
33rd Street	Lexington Avenue
34th Street-Penn Station	8th Avenue
59th Street/Lexington Avenue (60th St)	Lexington Avenue and Broadway-60th Street

The selection of subway station improvements shall be on a case-by-case basis and shall be subject to the approval of the Metropolitan Transportation Authority, New York City Transit and the City Planning Commission. All such improvements shall comply with all applicable design standards of the current station planning guidelines of New York City Transit.

(a) Pre-application requirements

Prior to submitting an application for a special permit pursuant to this Section, the applicant shall submit a schematic or concept plan for the proposed improvement to the Metropolitan Transportation Authority, New York City Transit and the Chairperson of the City Planning Commission.

(b) Requirements for application

An application for a special permit pursuant to this Section shall include a letter from New York City Transit to the City Planning Commission containing conceptual approval of the improvement and a statement of any special considerations regarding New York City Transit's future operation of the improvement. The applicant shall submit all information and justification sufficient to enable the Commission to:

- (1) evaluate the benefits to the City;
- (2) determine the appropriate amount of bonus #floor area#; and
- (3) where applicable, assess the advantages and disadvantages of waiving or modifying #street wall# continuity requirements.

(c) Conditions

- (1) Within the #Special Midtown District#, for a #development# or #enlargement# within the Theater Subdistrict on a #zoning lot# containing a theater designated as listed pursuant to Section 81-742 (Listed theaters), the Commission shall find that the requirements of Section 81-743 (Required assurances for continuance of legitimate theater use) have been met.
- (2) Within the #Special Midtown District#, for a #development# or #enlargement# located on a #zoning lot# divided by a Theater Subdistrict Core boundary, as defined in Section 81-71 (General Provisions), the amount of #lot area# eligible for bonus #floor area# shall not exceed an amount equal to twice the #lot area# of that portion of the #zoning lot# located outside the Theater Subdistrict Core.

(d) Findings

- (1) In determining the amount of #floor area# bonus, the City Planning Commission shall consider the degree to which:
  - (i) the general accessibility and security of the subway station will be improved by the provision of new connections, additions to or reconfigurations of circulation space, including provision of escalators or elevators; and
  - (ii) significant improvements to the station's environment by provision for direct daylight access, or improvements to noise control, air quality, lighting or rider orientation and satisfactory integration of the #street# level entryway into the #development# or #enlargement# will occur.
- (2) In determining modifications to the requirements of Article III, Chapter 7 (Special Regulations), the Commission shall

find that the provisions of a subway improvement cannot be accommodated without modification to these requirements.

- (3) In determining modifications to the #street wall# continuity provisions of Section 81-43 in the #Special Midtown District#, Section 91-31 (Street Wall Regulations) in the #Special Lower Manhattan District# or Section 101-41 in the #Special Downtown Brooklyn District#, the Commission shall find that the modification will permit the proposed design to provide for access of daylight and air to the subway platform, mezzanine or concourse and that the advantages of such access outweigh the disadvantages incurred by the interruption of #street wall# and retail continuity.

(e) Procedural requirements

Prior to the granting of a special permit, the City Planning Commission shall be provided with the following:

- (1) a letter from New York City Transit stating that the drawings and other documents submitted by the applicant have been determined by New York City Transit to be of sufficient scope and detail to fix and describe the size and character of the subway improvement as to architectural, structural, mechanical and electrical systems, materials, relationship to existing site conditions and such other conditions as may be appropriate, and that the construction of the subway improvement in accordance with such submission is feasible; and
- (2) a legally enforceable instrument running with the land and signed by the applicant and all parties in interest, other than parties in interest who have waived and subordinated their interests, containing complete drawings of the improvement and setting forth the obligations of owner and developer, their successors and assigns, to construct and provide capital maintenance for the improvement, establish a construction schedule and provide a performance bond for completion of the improvement.

(f) Recordation and completion procedures

Any instrument creating a transit easement on the #zoning lot# shall be recorded against the #zoning lot# in the Office of the Register of the City of New York and a certified copy of the instrument shall be submitted to the City Planning Commission and New York City Transit. The applicant shall not apply for nor accept a temporary certificate of occupancy for the bonus #floor area#, and the Department of Buildings shall not issue such a temporary certificate of occupancy, until New York City Transit has determined that the bonused subway improvement is substantially complete which shall, for this purpose, mean open to and usable by the public.

The applicant shall not apply for or accept a permanent certificate of occupancy for the #development# or #enlargement#, nor shall the Department of Buildings issue such permanent certificate of occupancy, until the bonused subway improvement has been completed in accordance with the approved plans and such completion has been certified by New York City Transit.

The Commission may prescribe additional appropriate conditions and safeguards to enhance the character of the surrounding area.

\* \* \*

ARTICLE VIII  
SPECIAL PURPOSE DISTRICTS

Chapter 1  
Special Midtown District

81-00  
GENERAL PURPOSES

\* \* \*

81-02  
General Provisions

81-021  
Applicability of underlying district regulations

Except as modified by the express provisions of this Chapter, the regulations of the underlying districts remain in effect.

The regulations of the districts set forth below are applicable in the following Midtown districts unless modified by this Chapter:

Midtown Districts	Districts Whose Regulations Apply
C5P C5-2.5	C5-2

C6-4.5	C6-4
C6-5.5	C6-5
C6-6.5	C6-6
C6-7T	C6-7

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 6 (Special Regulations Applying Around Mass Transit Stations), the provisions of Article VI, Chapter 6 shall control.

81-022

Applicability of Special Transit Land Use District regulations

Except as otherwise provided in paragraphs (a), (b) or (c) of this Section, wherever the #Special Transit Land Use District# includes an area which also lies within the #Special Midtown District#, as designated on the #zoning map# by the letters "MiD-TA", the requirements of the #Special Transit Land Use District#, as set forth in Article IX, Chapter 5, shall apply.

(a) However, the requirements of Article IX, Chapter 5, shall be waived where the City Planning Commission certifies, in the case of a specific #development# otherwise subject to those requirements, that:

- (1) the developer has agreed in a writing recorded against the property to implement a plan approved by the Commission and New York City Transit for off-street relocation of a subway stair entrance, in accordance with the requirements of Section 81-46 (Off-street Relocation or Renovation of a Subway Stair); or
- (2) the developer has agreed in a writing recorded against the property to implement a plan approved by the Commission and New York City Transit for the provision of a subway station #mass transit station# improvement in accordance with the provisions of Section 74-634 (Subway station improvements in Downtown Brooklyn and in Commercial Districts of 10 FAR and above in Manhattan) Section 66-51 (Additional Floor Area for Mass Transit Station Improvements).

\* \* \*

81-06

Applicability of Article VII Provisions

\* \* \*

81-066

Special permit modifications of Section 81-254, Section 81-40 and certain Sections of Article VII, Chapter 7

\* \* \*

(b) For #developments# or #enlargements# on a #zoning lot# with a #lot area# of at least 60,000 square feet located wholly or partially in the Penn Center Subdistrict, which have been granted authorized a #floor area# bonus for subway station and/or rail mass transit facility improvements pursuant to Section 81-541 in accordance with Section 74-634 (Subway station improvements in Downtown Brooklyn and in Commercial Districts of 10 FAR and above in Manhattan), the Commission may permit modifications of the mandatory district plan elements of Section 81-40, the height and setback regulations of 81-26 and 81-27, or the provisions of Article VII, Chapter 7 (Special Provisions for Zoning Lots Divided by District Boundaries), that determine the distribution of permitted #floor area# on such #zoning lots# and, in conjunction with such modifications, may also modify the applicable #yard# and #court# requirements subject to the following findings:

\* \* \*

81-20

BULK REGULATIONS

81-21

Floor Area Ratio Regulations

\* \* \*

81-211

Maximum floor area ratio for non-residential or mixed buildings

(a) For #non-residential buildings# or #mixed buildings#, the basic maximum #floor area ratios# of the underlying districts shall apply as set forth in this Section.

(b) In the #Special Midtown District#, the basic maximum #floor area ratio# on any #zoning lot# may be increased by bonuses or other #floor area# allowances only in accordance with the provisions of this Chapter, and the maximum #floor area ratio# with such additional #floor area# allowances shall in no event exceed the amount set forth for each underlying district in the following table:

MAXIMUM FLOOR AREA ALLOWANCES FOR SPECIFIED FEATURES AND MAXIMUM FLOOR AREA RATIOS BY DISTRICTS

	Maximum #Floor Area Ratio# (FAR)				
	C5P	C6-4 C6-5 M1-6	C5-2.5 C6-4.5 C6-5.5 C6-6.5	C6-7T	C5-3 C6-6 C6-7
A. Basic Maximum FAR	8.0	10.0	12.0	14.0	15.0
B. Maximum As-of-Right #Floor Area# Allowances:(District-wide Incentives), #Public plazas# - Section 81-23	—	1.0 <sup>1,2</sup>	1.0 <sup>1,3</sup>	—	1.0 <sup>2</sup>
C. Maximum Total FAR with As-of-Right Incentives	8.0	11.0 <sup>1,2,7</sup>	13.0 <sup>1,3</sup>	14.0	16.0
D. Maximum Special Permit #Floor Area# Allowances by Authorization:(District-wide Incentives), Subway station improvements - Section 74-634 #Mass Transit Station# Improvements - Section 66-51	1.6	2.0 <sup>1,6</sup>	2.4 <sup>1</sup>	2.8	3.0
E. Maximum Total FAR with District-wide and As-of-Right Incentives	8.0	12.0	14.4	14.0	18.0
F. Maximum Special Permit #Floor Area# Allowances by Authorization in Penn Center Subdistrict: #Mass Transit Facility Station# Improvement - Section 74-634 Section 81-541	—	2.0	—	—	3.0
G. Maximum Total FAR with As-of-Right, District-wide and Penn Center Subdistrict Incentives:	—	12.0	—	—	18.0
H. Maximum As-of-Right #Floor Area# Allowances in Theater Subdistrict:					
Development rights (FAR) of a "granting site" - Section 81-744	—	10.0	12.0	14.0	15.0
Maximum amount of transferable development rights (FAR) from "granting sites" that may be utilized on a "receiving site" - Section 81-744(a)	—	2.0	2.4	2.8	3.0
Inclusionary Housing - Sections 23-90 and 81-22	—	2.0 <sup>4</sup>	—	—	—
I. Maximum Total FAR with As-of-Right #Floor Area# Allowances in Theater Subdistrict	—	12.0	14.4	16.8	18.0

J. Maximum #Floor Area# Allowances by Authorization in Eighth Avenue Corridor - Section 81-744(b)	—	2.4	—	—	—
K. Maximum Total FAR with As-of-Right and Theater Subdistrict Authorizations	—	14.4	14.4	16.8	18.0
L. Maximum Special Permit #Floor Area# Allowances in Theater Subdistrict: Rehabilitation of "listed theaters" Section 81-745	—	4.4	2.4	2.8	3.0
M. Maximum Total FAR with Theater Subdistrict, District-wide and As-of-Right Incentives	8.0	14.4	14.4	16.8	18.0
N. Maximum FAR of Lots Involving Landmarks:					
Maximum FAR of a lot containing non-bonusable landmark - Section 74-711 or as-of-right	8.0	10.0	12.0	14.0	15.0
Development rights (FAR) of a landmark lot for transfer purposes - Section 74-79	8.0	10.0	13.0 <sup>5</sup>	14.0	16.0
Maximum amount of transferable development rights (FAR) from a landmark #zoning lot# that may be utilized on an "adjacent lot" - Section 74-79	1.6	2.0	2.4	No Limit	No Limit
O. Maximum Total FAR of a Lot with Transferred Development Rights from Landmark #Zoning Lot#, Theater Subdistrict Incentives, District-wide Incentives and As-of Right Incentives	9.6	14.4	14.4	No Limit	No Limit

- 1 Not available for #zoning lots# located wholly within Theater Subdistrict Core
- 2 Not available within the Eighth Avenue Corridor
- 3 Not available within 100 feet of a #wide street# in C5-2.5 Districts
- 4 Applicable only within that portion of the Theater Subdistrict also located within the #Special Clinton District#
- 5 12.0 in portion of C6-5.5 District within the Theater Subdistrict Core
- 6 Not available on west side of Eighth Avenue within the Eighth Avenue Corridor
- 7 12.0 for #zoning lots# with full #block# frontage on Seventh Avenue and frontage on West 34th Street, pursuant to Section 81-542 (Retention of floor area bonus for plazas or other public spaces)

**81-29**  
*Incentives by Special Permit for Provisions of Public Amenities*

**81-291**  
*General provisions and procedures*

The City Planning Commission may grant special permits authorizing for #non-residential# or #mixed buildings#, #floor area# bonuses in accordance with the provisions of this Section.

**81-292**  
*Subway station improvements*

[Replaced by various provisions of Article VI, Chapter 6]

Except in the Preservation Subdistrict and except for #zoning lots# wholly within the Theater Subdistrict Core, as defined in Section 81-

71 (General Provisions), the City Planning Commission may grant special permits for #floor area# bonuses for #non-residential# or #mixed buildings#, in accordance with the provisions of Section 74-634 (Subway station improvements in Downtown Brooklyn and in Commercial Districts of 10 FAR and above in Manhattan).

The subway stations where such improvements are permitted are listed in the following table and shown on Map 3 (Subway Station and Rail Mass Transit Facility Improvement Areas) in Appendix A of this Chapter.

MIDTOWN SUBWAY STATIONS

Station	Line
34th Street-Penn Station	Broadway-7th Avenue
34th Street-Penn Station	8th Avenue
34th Street-Herald Square	6th Avenue/Broadway-60th Street
42nd Street-Times Square/42nd Street-Port Authority Bus Terminal	Broadway-7th Ave/Broadway/8th Ave/42nd Street Shuttle
42nd Street-Bryant Park/Fifth Avenue	6th Avenue/Flushing
42nd Street-Grand Central	Lexington Avenue/Flushing/42nd Street Shuttle
47th-50th Street-Rockefeller Center	6th Avenue
49th Street	Broadway-60th Street
50th Street	8th Avenue
50th Street	Broadway-7th Avenue
7th Avenue	53rd Street
Fifth Avenue-53rd Street	53rd Street
51st Street/Lexington Avenue-53rd Street	53rd Street/Lexington Avenue
57th Street	Broadway-60th Street
57th Street	6th Avenue
59th Street-Columbus Circle	Broadway-7th Avenue/8th Avenue

\* \* \*

**81-40**  
**MANDATORY DISTRICT PLAN ELEMENTS**

\* \* \*

**81-42**  
*Retail Continuity Along Designated Streets*

For #buildings developed# or #enlarged# after May 13, 1982, where the ground floor level of such #development# or #enlarged# portion of the #building# fronts upon a designated retail #street# (see Appendix A, Map 3), #uses# within #stories# on the ground floor or with a floor level within five feet of #curb level# shall be limited to retail, personal service or amusement #uses# permitted by the underlying zoning district regulations but not including #uses# in Use Groups 6B, 6E, 7C, 7D, 8C, 8D, 9B, 10B, 11 and 12D or automobile showrooms or plumbing, heating or ventilating equipment showrooms. Museums and libraries shall be permitted. A #building's street# frontage shall be allocated exclusively to such #uses#, except for:

- (a) lobby space or entrance space;
- (b) entrance areas to subway station improvements for which bonus #floor area# is granted and #street wall# continuity restrictions waived pursuant to Sections 74-634 (Subway station improvements in Downtown Brooklyn and in Commercial Districts of 10 FAR and above in Manhattan) 66-51 (Additional Floor Area for Mass Transit Station Improvements) and 81-292 (Subway station improvements);

\* \* \*

81-43  
Street Wall Continuity Along Designated Streets

\* \* \*

Pedestrian circulation spaces may be provided to meet the requirements of Sections 81-45 (Pedestrian Circulation Space), 81-46 (Off-street Relocation or Renovation of a Subway Stair) or 81-48 (Off-street Improvement of Access to Rail Mass Transit Facility), subject to the setback restrictions of this Section and to the minimum width of the #street wall# subject to such setback restrictions. However, the City Planning Commission may waive such restrictions for a subway entrance area which is part of a subway station or a rail mass transit facility improvement for which bonus #floor area# is granted, in accordance with the provisions of Sections 74-634 (Subway station improvements in Downtown Brooklyn and Commercial Districts of 10 FAR and above in Manhattan) 66-51 (Additional Floor Area for Mass Transit Station Improvements), 81-292 (Subway station improvements) and 81-542 (Retention of floor area bonus for plazas or other public spaces), or an off-street improvement of access to a rail mass transit facility that has been certified in accordance with Section 81-48.

\* \* \*

81-50  
SPECIAL REGULATIONS FOR THE PENN CENTER SUBDISTRICT

\* \* \*

81-54  
Floor Area Bonus in the Penn Center Subdistrict

81-541  
Rail mass transit facility improvement Mass transit station improvements

In addition to the provisions of Section 81-29 (Incentives by Special Permit for Provisions of Public Amenities), the City Planning Commission may grant #floor area# bonuses for subway station and/or rail mass transit facility improvements for #non-residential# or #mixed buildings#, in accordance with Section 74-634 (Subway station improvements in Downtown Brooklyn and in Commercial Districts of 10 FAR and above in Manhattan), and may modify or waive the provisions of Section 81-43 (Street Wall Continuity Along Designated Streets) in accordance with the provisions of Section 74-634, provided that such improvement is approved by the entities which own and/or operate the rail mass transit facility.

Prior to granting a special permit, the City Planning Commission shall be provided with-

- (a) a letter from each entity that operates the rail mass transit facility confirming that the drawings of the subway and/or rail mass transit improvement are of sufficient scope and detail to describe the layout and character of the improvements and that the proposed implementation of the improvements is physically and operationally feasible; and
- (b) a legally enforceable instrument containing-
  - (1) drawings of the improvements, as approved by the transit operator;
  - (2) provisions that all easements required for the on-site improvements will be conveyed and recorded against the property;
  - (3) the obligations of the applicant to construct, maintain and provide capital maintenance for the improvements; and
  - (4) a schedule for completion of the improvements and a requirement that a performance bond or other appropriate security be provided to ensure the completion of the improvements.

For #developments# or #enlargements# on #qualifying transit improvement sites#, a #floor area# bonus for #mass transit station# improvements may be authorized by the City Planning Commission pursuant to the provisions of Section 66-51 (Additional Floor Area for Mass Transit Station Improvements). For the purposes of this paragraph, defined terms additionally include those in Section 66-11 (Definitions).

For the purposes of this Section, improvements to any rail mass transit facility #mass transit station# on a #zoning lot# #qualifying transit improvement site# located wholly or partially within the Subdistrict

qualifies for bonus #floor area# in accordance with the provisions of Section 74-634 66-51, as modified herein. For #zoning lot# #qualifying transit improvement site# located partially within the Subdistrict, such bonus #floor area# may be located anywhere on such #zoning lot# #qualifying transit improvement site#. In addition, if a subway and/or rail mass transit #mass transit station# improvement has been constructed in accordance with an approved special permit authorization and has received a Notice of Substantial Completion in accordance with the provisions of Section 74-634 66-51, the bonus #floor area# may be retained at the full amount granted by the special permit authorization and may be utilized elsewhere on the #zoning lot# #qualifying transit improvement site# subject to any applicable review and approval process for such #development# or #enlargement#.

\* \* \*

81-60  
SPECIAL REGULATIONS FOR THE EAST MIDTOWN SUBDISTRICT

\* \* \*

81-63  
Special Floor Area Provisions for the Vanderbilt Corridor Subarea

For non-#residential buildings# or #mixed buildings# in the Vanderbilt Corridor Subarea of the East Midtown Subdistrict, as shown on Map 2 (East Midtown Subdistrict and Subareas) in Appendix A of this Chapter, the basic maximum #floor area ratios# of the underlying districts shall apply as set forth in this Section. Such basic maximum #floor area ratio# on any #zoning lot# may be increased by bonuses or other #floor area# allowances only in accordance with the provisions of this Chapter, and the maximum #floor area ratio# with such additional #floor area# allowances shall in no event exceed the amount set forth for each underlying district in the following table:

Means for Achieving Permitted FAR Levels on a #Zoning Lot# in the Vanderbilt Corridor Subarea	Maximum #Floor Area Ratio# (FAR)
A. Basic Maximum FAR	15
B. Maximum Special Permit #Floor Area# Allowances: (District-wide Incentives), Subway station #Mass transit station# improvements (Section 74-634 66-51)	3.0
C. Maximum FAR of Lots Involving Landmarks:	
Maximum FAR of a lot containing non bonusable landmark (Section 74-711 or as-of-right)	15.0
Development rights (FAR) of a landmark lot for transfer purposes (Section 74-79)	15.0
Maximum amount of transferable development rights (FAR) from a landmark #zoning lot# that may be utilized on:	
(a) an #adjacent lot# (Section 74-79)	No Limit
(b) a #receiving lot# (Section 81-632)	15.0
D. Maximum #Floor Area# Allowances by Special Permit for Grand Central public realm improvements (Section 81-633)	15.0
E. Maximum Total FAR of a Lot with Transferred Development Rights on #receiving lots# (Section 81-632) or District-wide Incentives (including Section 81-633)	30.0
F. Maximum Total FAR of a Lot with Transferred Development Rights on an #adjacent lot# (Section 74-79) or District-wide Incentives (other than Section 81-633)	No Limit

Any transfer of development rights from a landmark site may be made pursuant to either Section 74-79 or Section 81-632 (Special permit for transfer of development rights from landmarks to the Vanderbilt Corridor Subarea), but not both.

81-64  
Special Floor Area Provisions for Qualifying Sites

\* \* \*

81-644  
Special permit for transit improvements

For #qualifying sites# located in the Grand Central Transit Improvement Zone Subarea, or the Other Transit Improvement Zone Subarea, as shown on Map 2 (East Midtown Subdistrict and Subareas) in Appendix A of this Chapter, the City Planning Commission may permit a #floor area# bonus in accordance with the provisions of this Section, where a major improvement to a subway or mass rail transit

facility is provided in accordance with paragraph (b). All applications for a special permit pursuant to this Section shall be subject to the conditions, application requirements, findings and additional requirements of paragraphs (c) through (e). an increase in the amount of #floor area ratio# permitted on such #zoning lots#, up to the amount specified in Row F of the table in Section 81-64 (Special Floor Area Provisions for Qualifying Sites), as applicable, where subway station improvements are made in accordance with the provisions of Sections 81-292 (Subway station improvements) and 74-634 (Subway station improvements in Downtown Brooklyn and in Commercial Districts of 10 FAR and above in Manhattan).

As a pre-condition to applying for such special permit, an applicant shall demonstrate that the maximum as-of-right #floor area ratio# for #qualifying sites# set forth in Row E of the table in Section 81-64 has been achieved prior to, or in conjunction with, the special permit application.

(a) #Floor area# bonus

The City Planning Commission may permit an increase in the amount of #floor area ratio# permitted on a #qualifying site#, up to the amount specified in Row F of the table in Section 81-64 (Special Floor Area Provisions for Qualifying Sites).

(b) Conditions

All applications shall include a proposed improvement to a proximate subway or rail mass transit facility, and may consist of on-site or off-site improvements.

Such improvements shall be characteristic of current best practice in mass-transit network design, and shall include capacity-enhancing, accessibility or significant environmental improvements, including, but not limited to, the provision of elevators and escalators, widening, straightening, expanding or otherwise enhancing the existing pedestrian circulation network, reconfiguring circulation routes to provide more direct pedestrian connections to subway or rail mass transit facilities, or providing daylight access, retail #uses# or enhancements to noise abatement, air quality, lighting, finishes or rider orientation in new or existing passageways.

All proposed improvements shall be subject to the approval of the Metropolitan Transportation Authority (MTA) and the City Planning Commission.

(c) Application requirements

All applications for a special permit pursuant to this Section shall include the following:

- (1) Prior to submitting an application for a special permit pursuant to this Section, the applicant shall submit a schematic or concept plan for the proposed improvement to the MTA and the Chairperson of the City Planning Commission. Such schematic or concept plan shall include such materials and information sufficient to provide the basis for the #transit agencies# to evaluate and determine the constructability of such proposed improvement.
- (2) At the time of certification, the Commission shall be provided with the following application materials:
  - (i) a letter from the MTA containing a conceptual approval of the improvement, including a statement of any considerations regarding the construction and operation of the improvement;
  - (ii) all information and justification sufficient to provide the Commission with the basis for evaluating the benefits of such improvements to the general public; and
  - (iii) initial plans for the maintenance of the proposed improvements.

(d) Findings

In order to grant such special permit, the Commission shall find that:

- (1) the public benefit derived from the improvements to a subway or rail mass transit facility merits the amount of additional #floor area# being granted to the proposed #development# pursuant to this special permit;
- (2) for improvements involving capacity enhancements or accessibility, that newly created or expanded accessible routes for persons with physical disabilities, or measures to improve station ingress and egress routes or platform capacity, will constitute significant enhancements to connectivity from the pedestrian circulation network to and through the subway or rail mass transit facility; or
- (3) for improvements involving environmental design, that measures to augment station beautification, walkability and passenger safety, or environmental noise or air quality, will constitute significant enhancements to the station environment.

(e) Additional requirements

In addition to the application requirements of paragraph (c) of this Section, additional requirements set forth in this paragraph shall apply.

- (1) Prior to the granting of a special permit pursuant to this Section, the following requirements shall be met:
  - (i) To the extent required by the MTA, the applicant shall execute an agreement, setting forth the obligations of the owner, its successors and assigns, to establish a process for design development and a preliminary construction schedule for the proposed improvement; construct the proposed improvement; establish a program for maintenance and capital maintenance; and establish that such improvements shall be accessible to the public during the hours of operation of the station or as otherwise approved by the MTA. Where the MTA deems necessary, such executed agreement shall set forth obligations of the applicant to provide a performance bond or other security for completion of the improvement in a form acceptable to the MTA.
  - (ii) The City Planning Commission shall be provided with a final letter of approval from the MTA stating that the drawings and other documents submitted by the applicant have been determined by the MTA to be of sufficient scope and detail to fix and describe the size and character of the improvement as to architectural, structural, mechanical and electrical systems, materials, relationship to existing site conditions and such other conditions as may be appropriate, and that the construction of the improvement in accordance with such submission is feasible; and
- (2) Prior to obtaining a foundation permit or building permit from the Department of Buildings, a written declaration of restrictions, in a form acceptable to the Chairperson of the City Planning Commission, containing complete drawings of the improvement and setting forth the obligations of the owner as agreed upon with the MTA pursuant to the requirements of paragraph (e)(1) of this Section, shall be recorded against such property in the Borough Office of the City Register of the City of New York. Proof of recordation of the declaration of restrictions shall be submitted in a form acceptable to the Department of City Planning.
- (3) No temporary certificate of occupancy shall be granted by the Department of Buildings for the portion of the #building# utilizing bonus #floor area# granted pursuant to the provisions of this Section until the required improvements have been substantially completed, as determined by the Chairperson, acting in consultation with the MTA, where applicable, and such improvements are usable by the public. Such portion of the #building# utilizing bonus #floor area# shall be designated by the Commission in drawings included in the declaration of restrictions filed pursuant to this paragraph.  
No permanent certificate of occupancy shall be granted by the Department of Buildings for the portion of the #building# utilizing bonus #floor area# until all improvements have been completed in accordance with the approved plans, as determined by the Chairperson, acting in consultation with the MTA, where applicable.

The Commission may prescribe additional appropriate conditions and safeguards to enhance the character of the surrounding area.

\* \* \*

81-65  
Special Floor Area Provisions for All Non-qualifying Sites

For #non-residential buildings# or #mixed buildings# on #non-qualifying sites# in the East Midtown Subdistrict, the basic maximum #floor area ratios# of the underlying districts shall apply as set forth in this Section. Such basic maximum #floor area ratio# on any #zoning lot# may be increased by bonuses or other #floor area# allowances only in accordance with the provisions of this Chapter, and the maximum #floor area ratio# with such additional #floor area# allowances shall in no event exceed the amount set forth for each underlying district in the following table:



	Grand Central Core Area		Any Other Area	
	C5-3 C6-6	C5-2.5 C6-4.5	C5-3 C6-6	C5-2.5 C6-4.5
Means for achieving permitted FAR on a #zoning lot# for all other sites				
A. Basic Maximum FAR	15	12	15	12
B. Additional FAR for provision of a #public plaza# (Section 81-651)	--	--	1	1
C. Total as-of-right FAR	15	12	16	13
D. Additional FAR for subway station #mass transit station# improvements through special permit (Section 81-652)	3	2.4	3	2.4
E. Maximum FAR of a #landmark or other structure# for transfer purposes (Sections 74-79 and 81-653)	15	12	16	13
F. Maximum amount of transferable development rights from a landmark #zoning lot# that may be utilized on an #adjacent lot# (Sections 74-79 and 81-653)	No limit	2.4	No limit	2.4
G. Maximum FAR permitted on an #adjacent lot#	No limit	14.4	No limit	14.4

\* \* \*

**81-652**  
*Floor area bonus for subway station mass transit station improvements*

For #non-qualifying sites#, the City Planning Commission may permit an increase in the amount of #floor area ratio# permitted on such #zoning lots#, up to the amount specified in Row D of the table in Section 81-65 (Special Floor Area Provisions for All Non-qualifying Sites), as applicable, where subway station improvements are made in accordance with the provisions of Sections 81-292 (Subway station improvements) and Section 74-634 (Subway station improvements in Downtown Brooklyn and in Commercial Districts of 10 FAR and above in Manhattan):

For #developments# or #enlargements# on #non-qualifying sites# that are #qualifying transit improvement sites#, a #floor area# bonus for #mass transit station# improvements may be authorized by the City Planning Commission pursuant to the provisions of Section 66-51 (Additional Floor Area for Mass Transit Station Improvements). For the purposes of this paragraph, defined terms additionally include those in Section 66-11 (Definitions).

\* \* \*

**81-70**  
**SPECIAL REGULATIONS FOR THEATER SUBDISTRICT**

\* \* \*

**81-74**  
*Special Incentives and Controls in the Theater Subdistrict*

\* \* \*

**81-743**  
*Required assurances for continuance of legitimate theater use*

Prior to the issuance of any special permit under the provisions of Sections 81-745 (Floor area bonus for rehabilitation of existing listed theaters) or 81-747 (Transfer of development rights from landmark theaters), or the issuance of a certification or authorization under the provisions of Sections 66-51 (Additional Floor Area for Mass Transit Station Improvements), 81-744 (Transfer of development rights from listed theaters), or 81-746 (Additional provisions for zoning lots divided by district or subdistrict core boundaries) the following conditions shall exist:

\* \* \*

**Chapter 2**  
**Special Lincoln Square District**

**82-00**  
**GENERAL PURPOSES**

\* \* \*

**82-02**  
*General Provisions*

In harmony with the general purpose and intent of this Resolution and the general purposes of the #Special Lincoln Square District# and in accordance with the provisions of this Chapter, certain specified regulations of the districts on which the #Special Lincoln Square District# is superimposed are made inapplicable, and special regulations are substituted in this Chapter. Each #development# within the Special District shall conform to and comply with all of the applicable district regulations of this Resolution, except as otherwise specifically provided in this Chapter.

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 6 (Special Regulations Applying Around Mass Transit Stations), the provisions of Article VI, Chapter 6 shall control.

\* \* \*

**82-10**  
**MANDATORY DISTRICT IMPROVEMENTS**

\* \* \*

**82-13**  
*Special Provisions for a Transit Easement*

Any #development# located on the east side of Broadway between West 66th Street and West 67th Street shall provide an easement on the #zoning lot# for public access to the subway mezzanine or station when required by the New York City Transit Authority (TA) in accordance with the procedure set forth in Section 95-04 (Certification of Transit Easement Volume) and hereby made applicable.

\* \* \*

**82-30**  
**SPECIAL BULK REGULATIONS**

\* \* \*

**82-32**  
*Special Provisions for Increases in Floor Area*

No #floor area# bonuses shall be permitted within the #Special Lincoln Square District# except as provided in this Section. The following #floor area# increases may be used separately or in combination, provided that the total #floor area ratio# permitted on a #zoning lot# does not exceed 12.0.

- (a) #Floor area# increase for Inclusionary Housing

For any #development# to which the provisions of Section 23-90 (INCLUSIONARY HOUSING) are applicable, the maximum permitted #residential floor area ratio# may be increased by a maximum of 20 percent under the terms and conditions set forth in Section 23-90.

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

On a #zoning lot# that is adjacent to the West 59th Street (Columbus Circle) or the West 66th Street subway station mezzanine, platform, concourse or connecting passageway, where no tracks intervene to separate the #zoning lot# from these elements, and such #zoning lot# contains 5,000 square feet or more of #lot area#, the City Planning Commission may, by special permit pursuant to Section 74-634 (Subway station improvements in Downtown Brooklyn and in Commercial Districts of 10 FAR and above in Manhattan), grant a maximum of 20 percent #floor area# bonus.

For a subway station improvement or for a subsurface concourse connection to a subway, the amount of #floor area# bonus that may be granted shall be at the discretion of the Commission. In determining the precise amount of #floor area# bonus, the Commission shall consider:

- (1) the direct construction cost of the public amenity;
- (2) the cost of maintaining the public amenity; and
- (3) the degree to which the station's general accessibility and security will be improved by the provision of new connections, additions to, or reconfigurations of, circulation space, including the provision of escalators or elevators.

For #developments# or #enlargements# on #qualifying transit improvement sites#, a #floor area# bonus for #mass transit station#

improvements may be authorized by the City Planning Commission pursuant to the provisions of Section 66-51 (Additional Floor Area for Mass Transit Station Improvements). For the purposes of this paragraph, defined terms additionally include those in Section 66-11 (Definitions).

\* \* \*

Chapter 3  
Special Limited Commercial District

\* \* \*

83-00  
GENERAL PURPOSES

\* \* \*

83-02  
General Provisions

#Special Limited Commercial Districts# may only be mapped in #Commercial Districts# within areas, or portions of areas, designated by the Landmarks Preservation Commission as "Historic Districts" pursuant to Chapters 8A or 63 of the New York City Charter and Chapter 8A of the New York City Administrative Code.

In harmony with the general purpose and intent of this Resolution and the general purpose of the #Special Limited Commercial District# and in accordance with the provisions of this Chapter, certain specified #use#, #sign# and enclosure regulations of the districts on which #Special Limited Commercial Districts# are superimposed are made inapplicable, and are superseded by the #use#, #sign# and enclosure regulations of the #Special Limited Commercial District# as set forth in this Chapter.

In addition to meeting the #use#, #sign# and enclosure regulations as set forth in this Chapter, each #building# shall conform to and comply with all of the applicable district regulations of this Resolution, except as otherwise specifically provided in this Chapter.

For #transit-adjacent 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 6 (Special Regulations Applying Around Mass Transit Stations), the provisions of Article VI, Chapter 6 shall control.

\* \* \*

Chapter 6  
Special Forest Hills District

\* \* \*

86-00  
GENERAL PURPOSES

\* \* \*

86-02  
General Provisions

In harmony with the general purposes of this Resolution and in accordance with the provisions of the #Special Forest Hills District#, the regulations of this Chapter shall apply within the Special District. Unless modified by the particular provisions of the Special District, the regulations of the underlying zoning districts shall remain in effect. 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, for #transit-adjacent 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 6 (Special Regulations Applying Around Mass Transit Stations), the provisions of Article VI, Chapter 6 shall control.

Any special permit granted by the Board of Standards and Appeals before March 24, 2009, may be started or continued, in accordance with the terms thereof, or as such terms may be subsequently modified, pursuant to the regulations in effect at the time such special permit was granted, subject to the provisions of Sections 11-42 (Lapse of Authorization or Special Permit Granted by the City Planning Commission Pursuant to the 1961 Zoning Resolution) and 11-43 (Renewal of Authorization or Special Permit).

\* \* \*

Chapter 8  
Special Hudson Square District

88-00  
GENERAL PURPOSES

\* \* \*

88-02  
General Provisions

In harmony with the general purposes and intent of this Resolution and the general purposes of the #Special Hudson Square District#, the provisions of this Chapter shall apply within the #Special Hudson

Square 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, Chapter 4, shall control.

\* \* \*

88-30  
SPECIAL BULK REGULATIONS

\* \* \*

88-31  
Floor Area Regulations

Except in Subdistrict A of this Chapter, the maximum #floor area# ratio for #zoning lots# that do not contain #residences# shall be 10.0; no #floor area# bonuses shall apply.

The maximum base #floor area ratio# for #zoning lots# that contain #residences# shall be 9.0 plus an amount equal to 0.25 times the non-#residential floor area ratio# provided on the #zoning lot#, provided that such base #floor area ratio# does not exceed 10.0. Such #floor area ratio# may be increased to a maximum of 12.0 only as set forth in Section 88-32 (Inclusionary Housing). In addition, for #developments# or #enlargements# on #qualifying transit improvement sites#, a #floor area# bonus for #mass transit station# improvements may be authorized by the City Planning Commission pursuant to the provisions of Section 66-51 (Additional Floor Area for Mass Transit Station Improvements). Such bonuses may be applied separately or in combination. For the purposes of this paragraph, defined terms additionally include those in Section 66-11 (Definitions).

88-311  
Special floor area regulations in Subdistrict A

For #zoning lots# in Subdistrict A of this Chapter that do not contain #residences#, the maximum #floor area ratio# shall be 10.0; no #floor area# bonuses shall apply except as specified in Section 88-31 (Floor Area Regulations).

\* \* \*

ARTICLE IX  
SPECIAL PURPOSE DISTRICTS

Chapter 1  
Special Lower Manhattan District

91-00  
GENERAL PURPOSES

\* \* \*

91-01  
General Provisions

\* \* \*

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, Chapter 4, shall control.

\* \* \*

91-20  
FLOOR AREA AND DENSITY REGULATIONS

\* \* \*

91-22  
Floor Area Increase Regulations

The basic maximum #floor area ratio# (FAR) of the underlying district may be increased by the inclusion of specific additional bonus #floor area# for a maximum #floor area ratio# as specified in the table in this Section.

The provisions of paragraph (c) of Section 74-792 (Conditions and limitations), pertaining to the transfer of development rights from landmark sites, shall be subject to the restrictions on the transfer of development rights (FAR) of a landmark "granting lot" as set forth in this table. Wherever there may be an inconsistency between any provision in Section 74-79 and the table, the provisions of the table shall apply.

MAXIMUM FLOOR AREA RATIOS AND FLOOR AREA BONUSES BY ZONING DISTRICT  
BASIC AND MAXIMUM FLOOR AREA RATIOS (FAR)

Means for Achieving Permitted FAR Levels on a #Zoning Lot#	#Special Lower Manhattan District# except within Core or Subdistrict				Historic & Comm Core	South Street Seaport Subdistrict and all waterfront #zoning lots#				
	R8	C6-4	C5-3 C5-5 C6-9	M1-4		C5-5	C2-8	C4-6	C6-2A	C5-3
Basic maximum FAR	6.02 <sup>1</sup> 6.5 <sup>3</sup>	10.0 <sup>2,3,4</sup>	10.0 <sup>4</sup> 15.0 <sup>2,3</sup>	2.0 <sup>2</sup> 6.5 <sup>3</sup>	10.0 <sup>4</sup> 15.0 <sup>2,3</sup>	2.0 <sup>2</sup> 3.4 <sup>3</sup> 10.0 <sup>4</sup>	3.4 <sup>2,3,4</sup>	6.0 <sup>2</sup> 6.02 <sup>4</sup> 6.5 <sup>3</sup>	10.0 <sup>4</sup> 15.0 <sup>2,3</sup>	15.0
Maximum as-of-right #floor area# bonus for #public plazas#	NA	2.0	3.0	NA	NA	NA	NA	NA	NA	NA
Maximum as-of-right #floor area# bonus for Inclusionary Housing (23-90)	NA	2.0	NA	NA	NA	NA	NA	NA	NA	NA
Maximum FAR with as-of-right #floor area# bonuses	6.02 <sup>1</sup> 6.5 <sup>3</sup>	12.0	18.0	2.0 <sup>2</sup> 6.5 <sup>3</sup>	15.0	2.0 <sup>2</sup> 3.4 <sup>3</sup> 10.0 <sup>4</sup>	3.4	6.0 <sup>2</sup> 6.02 <sup>4</sup> 6.5 <sup>3</sup>	15.0	15.0
Maximum special-permit #floor area# bonuses by authorization and special permit: subway station #mass transit station# improvements and #covered pedestrian spaces#	NA	2.0	3.0	NA	3.0	NA 2.0 <sup>8</sup>	NA	NA	NA 3.0 <sup>8</sup>	NA 3.0 <sup>8</sup>
Maximum FAR with as-of-right, and/or authorization or special permit #floor area# bonuses	6.02 <sup>1</sup> 6.5 <sup>3</sup>	12.0	18.0	2.0 <sup>2</sup> 6.5 <sup>3</sup>	18.0	2.0 2.4 <sup>2</sup> 3.4 4.08 <sup>3</sup> 10.0 12.0 <sup>4</sup>	3.4	6.0 <sup>2</sup> 6.02 <sup>4</sup> 6.5 <sup>3</sup>	15.0 18.0	15.0 18.0
Development rights (FAR) of a landmark lot for transfer purposes (74-79)	NA	10.0	15.0 <sup>5</sup> 18.0 <sup>6</sup>	NA	15.0	NA	NA	NA	NA	NA
Maximum total FAR of designated receiving sites in South Street Seaport Subdistrict (91-60)	NA	NA	NA	NA	NA	NA	3.4	8.02	21.6 <sup>7</sup>	21.6 <sup>7</sup>
Maximum FAR with transferred development rights from landmark #zoning lot# and as-of-right and special permit #floor area# bonuses	6.02 <sup>1</sup> 6.5 <sup>3</sup>	14.0	21.6	2.4 <sup>2</sup> 7.8 <sup>3</sup>	21.6	NA	3.4	8.02	21.6 <sup>7</sup>	21.6 <sup>7</sup>

<sup>1</sup> maximum #floor area ratio# and minimum #open space ratio# shall be determined in accordance with the provisions of Article II, Chapter 3

<sup>2</sup> for a #commercial# or, where permitted, #manufacturing use#

<sup>3</sup> for a #community facility use#

<sup>4</sup> for a #residential use#

<sup>5</sup> if receiving lot is located in a zoning district with a basic maximum FAR of less than 15

<sup>6</sup> if receiving lot is located in a zoning district with a basic maximum FAR of 15

<sup>7</sup> maximum FAR for receiving lots less than 30,000 square feet

<sup>8</sup> pursuant to Section 66-51 (Additional Floor Area for Mass Transit Station Improvements)

\* \* \*

\* \* \*

91-251

Special permit for subway station improvements

[Replaced by various provisions of Article VI, Chapter 6]

Within the #Special Lower Manhattan District#, the City Planning Commission may grant, by special permit, a #floor area# bonus for #zoning lots# that provide subway station improvements, pursuant to the provisions of Section 74-634 (Subway station improvements in Downtown Brooklyn and in Commercial Districts of 10 FAR and above in Manhattan)-

The total additional #floor area# permitted on the #zoning lot# shall not exceed the maximum amount permitted in the underlying district by the provisions of Sections 91-21 (Maximum Floor Area Ratio) or 91-22 (Floor Area Increase Regulations).

For the purposes of the Special District, the #zoning lot# that will receive the #floor area# bonus shall be located within a #Commercial District# with a #floor area ratio# of 10.0 or above and shall be adjacent to a subway station where major improvements have been provided. Upon completion of the improvement, the #zoning lot# will physically adjoin a subway station mezzanine, platform, concourse or connecting passageway.

The subway stations where such improvements are permitted are listed in the following table and shown on Map 7 (Subway Station Improvement Areas) in Appendix A.

STATION	LINE
Bowling Green	Lexington Avenue
Broad St	Nassau Street
Broadway-Nassau Street	8th Avenue
Fulton Street	Nassau Street/Broadway-7th Ave/ Lexington Ave
Brooklyn Bridge-City Hall	Lexington Avenue
Chambers Street	Nassau Street
Chambers Street	Broadway-7th Avenue
Chambers Street	8th Avenue
Park Place	Broadway-7th Avenue
World Trade Center	8th Avenue
City Hall	Broadway-60th Street
Cortlandt Street-WTC	Broadway-7th Avenue
Cortlandt Street	Broadway-60th Street
Rector Street	Broadway-7th Avenue
Rector Street	Broadway-60th Street
Wall Street	Broadway-7th Avenue
Wall Street	Lexington Avenue
Whitehall Street-South Ferry	Broadway-7th Avenue/ Broadway-60th Street

91-252

Special permit for covered pedestrian space

\* \* \*

Chapter 2

Special Park Improvement District

92-00

GENERAL PURPOSES

\* \* \*

92-02

General Provisions

Except as modified by the express provisions of this Chapter, the regulations of the underlying district remain in effect.

For the purposes of this Chapter, Duke Ellington Circle, located at the intersection of Fifth Avenue and East 110th Street, shall be considered a separate #street#.

For #transit-adjacent sites# or #qualifying transit improvement sites#, in the event of a conflict between the provisions of this Chapter and the provisions of Article VI, Chapter 6 (Special Regulations Applying

Around Mass Transit Stations), the provisions of Article VI, Chapter 6 shall control. For the purposes of this paragraph, defined terms additionally include those in Section 66-11 (Definitions).

\* \* \*

92-04

Special Bulk Provisions

92-041

Maximum Floor Area Ratio

The maximum #floor area ratio# for any #zoning lot# shall not exceed 10.0. No #floor area# bonuses shall be permitted. However, for #developments# or #enlargements# on #qualifying transit improvement sites#, a #floor area# bonus for #mass transit station# improvements may be authorized by the City Planning Commission pursuant to the provisions of Section 66-51 (Additional Floor Area for Mass Transit Station Improvements). For the purposes of this paragraph, defined terms additionally include those in Section 66-11 (Definitions).

\* \* \*

Chapter 3

Special Hudson Yards District

93-00

GENERAL PURPOSES

\* \* \*

93-02

General Provisions

The provisions of this Chapter shall apply within the #Special Hudson Yards 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, Chapter 4, shall control.

\* \* \*

93-20

SPECIAL FLOOR AREA REGULATIONS

\* \* \*

93-22

Floor Area Regulations in Subdistricts B, C, D, E and F

\* \* \*

93-222

Maximum floor area ratio in the 34th Street Corridor Subdistrict C

In the 34th Street Corridor Subdistrict C, the basic maximum #floor area ratios# of #non-residential buildings# are set forth in Row A in the table in Section 93-22 and may be increased to the amount specified in Row C pursuant to Section 93-31 (District Improvement Fund Bonus). The basic maximum #floor area ratios# of any #building# containing #residences# are set forth in Row B.

The #floor area ratio# of any #building# containing #residences# may be increased from 6.5, pursuant to Sections 93-31 (District Improvement Fund Bonus) and 23-154 (Inclusionary Housing), as modified by Section 93-23 (Modifications of Inclusionary Housing Program), as follows:

- (a) the #residential floor area ratio# may be increased from 6.5 to a maximum of 12.0 only if for every five square feet of #floor area# increase, pursuant to Section 93-31, there is a #floor area# increase of six square feet, pursuant to Section 23-154, as modified by Section 93-23; and
- (b) any #floor area# increase above a #floor area ratio# of 12.0 shall be only pursuant to Section 93-31.

For #developments# or #enlargements# on #qualifying transit improvement sites#, a #floor area# bonus for #mass transit station# improvements may be authorized by the City Planning Commission pursuant to the provisions of Section 66-51 (Additional Floor Area for Mass Transit Station Improvements). As a pre-condition to applying for such authorization, the applicant shall demonstrate that a #floor area ratio# of no less than 0.1 of the maximum #floor area ratio# set forth in Row C of Section 93-22 (Floor Area Regulations in Subdistricts B, C, D, E, and F), has been achieved prior to, or in conjunction with, the application. For the purposes of this paragraph, defined terms additionally include those in Section 66-11 (Definitions).

\* \* \*

93-224

Maximum floor area ratio in the South of Port Authority Subdistrict E

In the South of Port Authority Subdistrict E, #residential use# shall only be permitted as part of a #development# or #enlargement# on a #zoning lot# with a #commercial floor area ratio# of 15.0 or more, or as provided for phased developments in Section 93-122 (Certification for residential use in Subdistricts A, B and E).

For #developments# or #enlargements# on #qualifying transit improvement sites#, a #floor area# bonus for #mass transit station# improvements may be authorized by the City Planning Commission pursuant to the provisions of Section 66-51 (Additional Floor Area for Mass Transit Station Improvements). As a pre-condition to applying for such authorization, the applicant shall demonstrate that a #floor area ratio# of no less than 0.1 of the maximum #floor area ratio# set forth in Row C of Section 93-22 (Floor Area Regulations in Subdistricts B, C, D, E, and F), has been achieved prior to, or in conjunction with, the application. For the purposes of this paragraph, defined terms additionally include those in Section 66-11 (Definitions).

\* \* \*

Chapter 5

Special Transit Land Use District

95-00

GENERAL PURPOSES

\* \* \*

95-02

General Provisions

#Special Transit Land Use Districts# are mapped in the vicinity of existing or proposed subway stations. Except as modified by the express provisions of this Chapter, the regulations of the underlying district remain in effect.

Whenever this Special District overlaps another Special District and imposes contradictory regulations, the provisions of the #Special Transit Land Use District# shall apply. Nothing contained in this regulation shall be understood to supersede Landmark or Historic District designations of the New York City Landmarks Preservation Commission.

For #qualifying transit improvement sites#, in the event of a conflict between the provisions of this Chapter and the provisions of Article VI, Chapter 6 (Special Regulations Applying Around Mass Transit Stations), the provisions of Article VI, Chapter 6 shall control. For the purposes of this paragraph, defined terms additionally include those in Section 66-11 (Definitions).

\* \* \*

95-05

Terms and Conditions for Permitted Uses and Construction Within Transit Easement Volume

The transit easement volume shall be used as an entrance/exit for public access to the subway and/or to provide better access of light and air to the subway station mezzanine, and for related uses. Illustrative of such purposes are light wells, stairs, ramps, escalators, elevators or, for #zoning lots# subject to the provisions of Section 95-032 (Determination of transit easements at other stations), ancillary facilities required to support the functioning of subways, including, but not limited to, emergency egress or ventilation structures.

No #floor area# bonus shall be allowed for any transit easement provided on a #zoning lot#. When a transit easement volume required on a #zoning lot# is located within a #building#, any floor spaces occupied by such transit easement volume shall not count as #floor area#. Any portion of the #lot area# of a #zoning lot# occupied by a transit easement and weather protected by an overhang or roofed area, shall be considered as a #public plaza# in the districts that allow such #public plaza# bonuses. In addition, for #developments# or #enlargements# on #qualifying transit improvement sites#, a #floor area# bonus for #mass transit station# improvements may be authorized by the City Planning Commission pursuant to the provisions of Section 66-51 (Additional Floor Area for Mass Transit Station Improvements). For the purposes of this paragraph, defined terms additionally include those in Section 66-11 (Definitions).

The transit easement volume, any construction allowed therein or any weather protection provided thereon by an overhang or roofed area pursuant to Section 95-053, shall be considered permitted obstructions within required #yards#, #open space# or in a #public plaza# area.

\* \* \*

Chapter 6

Special Clinton District

96-00

GENERAL PURPOSES

\* \* \*

96-02

General Provisions

Except as modified by the express provisions of this Chapter, the regulations of the underlying districts, or as modified by the #Special Midtown District#, remain in effect.

The #Special Midtown District# and its regulations, where applicable in the #Special Clinton District#, shall also apply and shall supplement or supersede regulations as set forth in this Chapter pursuant to Section 96-22 (Special Regulations for Eighth Avenue Perimeter Area). In the event of any conflict or discrepancy between the regulations, the more restrictive regulations shall apply in accordance with Section 11-22 (Application of Overlapping Regulations). This portion of the Special Purpose District is designated on the #zoning map# by the letters "CL-Mid."

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, Chapter 4, shall control.

\* \* \*

96-20

PERIMETER AREA

\* \* \*

96-21

Special Regulations for 42nd Street Perimeter Area

\* \* \*

(b) #Floor area# regulations

(1) #Floor area# regulations in Subarea 1

In Subarea 1 of the 42nd Street Perimeter Area as shown in Appendix A, the basic #floor area ratio# on a #zoning lot# shall be 10.0, and may be increased to a maximum of 12.0 only in accordance with the provisions of Section 23-154 (Inclusionary Housing), except that any units for which a #floor area# increase has been earned, pursuant to Section 23-154 shall be within the #Special Clinton District#. In addition, for #developments# or #enlargements# on #qualifying transit improvement sites#, a #floor area# bonus for #mass transit station# improvements may be authorized by the City Planning Commission pursuant to the provisions of Section 66-51 (Additional Floor Area for Mass Transit Improvements). Such bonuses may be applied separately or in combination. For the purposes of this paragraph, defined terms additionally include those in Section 66-11 (Definitions).

\* \* \*

96-22

Special Regulations for Eighth Avenue Perimeter Area

For #zoning lots#, or portions thereof, located in an area bounded by a line 150 feet west of Eighth Avenue, West 56th Street, Eighth Avenue and West 45th Street, excluding such area between West 49th and West 50th Streets, the #floor area ratio# permitted by the underlying district may be increased from 10.0 to 12.0 only pursuant to Section 23-90 (INCLUSIONARY HOUSING), except that any units for which a #floor area# increase has been earned pursuant to Section 23-90 shall be within the #Special Clinton District#.

All #developments# or #enlargements# located in an area bounded by a line 150 feet west of Eighth Avenue, West 45th Street, Eighth Avenue and West 42nd Street shall comply with special regulations set forth in Article VIII, Chapter 1 (Special Midtown District), including Sections 81-21 (Floor Area Ratio Regulations) and 81-70 (SPECIAL REGULATIONS FOR THEATER SUBDISTRICT). For #developments# or #enlargements# that utilize a #floor area# increase pursuant to the Inclusionary Housing Program of Section 23-90, any units for which a #floor area# increase has been earned shall be within the #Special Clinton District#.

In addition, for #developments# or #enlargements# on #qualifying transit improvement sites#, a #floor area# bonus for #mass transit station# improvements may be authorized by the City Planning Commission pursuant to the provisions of Section 66-51 (Additional Floor Area for Mass Transit Improvement Bonus). Such bonuses may be applied separately or in combination. For the purposes of this paragraph, defined terms additionally include those in Section 66-11 (Definitions).

\* \* \*

Chapter 7

Special 125th Street District

97-00

GENERAL PURPOSES

\* \* \*

97-02  
General Provisions

In harmony with the general purposes of the #Special 125th Street District# and in accordance with the provisions of this Chapter, the express requirements of the Special District shall apply within the Special District.

Except as modified by the particular provisions of the Special District, the regulations of the underlying zoning districts shall remain in effect. 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, 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 6 (Special Regulations Applying Around Mass Transit Stations), the provisions of Article VI, Chapter 6 shall control.

\* \* \*

97-40  
SPECIAL BULK REGULATIONS

\* \* \*

97-42  
Additional Floor Area and Lot Coverage Regulations

Within #Inclusionary Housing designated areas#, as specified in APPENDIX F of this Resolution, the maximum #floor area ratio# may be increased pursuant to the #floor area# provisions of Section 97-421 (Inclusionary Housing) or paragraph (a) of Section 97-422 (Floor area bonus for visual or performing arts uses), which may be used concurrently.

Within #Mandatory Inclusionary Housing areas#, as specified in APPENDIX F of this Resolution, the maximum #floor area ratio# may be increased for certain #zoning lots# specified in paragraph (b) or (c), as applicable, of Section 97-412 (Maximum floor area ratio in the Park Avenue Hub Subdistrict) by the provisions of Section 97-422.

For #developments# or #enlargements# on #qualifying transit improvement sites#, a #floor area# bonus for #mass transit station# improvements may be authorized by the City Planning Commission pursuant to the provisions of Section 66-51 (Additional Floor Area for Mass Transit Station Improvements). Bonuses pursuant to Sections 66-51, 97-421 and 97-422 may be applied separately or in combination. For the purposes of this paragraph, defined terms additionally include those in Section 66-11 (Definitions).

\* \* \*

Chapter 9  
Special Madison Avenue Preservation District

99-00  
GENERAL PURPOSES

\* \* \*

99-02  
General Provisions

Except as modified by the express provisions of this Chapter, the regulations of the underlying district remain in effect.

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 6 (Special Regulations Applying Around Mass Transit Stations), the provisions of Article VI, Chapter 6 shall control.

\* \* \*

99-04  
Special Bulk Provisions

For the purposes of this Chapter, the maximum #floor area ratio# on a #zoning lot# shall not exceed 10.0. In addition, for #developments# or #enlargements# on #qualifying transit improvement sites#, a #floor area# bonus for #mass transit station# improvements may be authorized by the City Planning Commission pursuant to the provisions of Section 66-51 (Additional Floor Area for Mass Transit Station Improvements). For the purposes of this paragraph, defined terms additionally include those in Section 66-11 (Definitions).

\* \* \*

ARTICLE X  
SPECIAL PURPOSE DISTRICTS

Chapter 1  
Special Downtown Brooklyn District

101-00  
GENERAL PURPOSES

\* \* \*

101-02  
General Provisions

The provisions of this Chapter shall apply within the #Special Downtown Brooklyn 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, 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 6 (Special Regulations Applying Around Mass Transit Stations), the provisions of Article VI, Chapter 6 shall control.

Whenever a #zoning lot# is divided by the boundary of the #Special Downtown Brooklyn District#, the requirements set forth in this Chapter shall apply, and shall apply only to that portion of the #zoning lot# within the #Special Downtown Brooklyn District#.

\* \* \*

101-20  
SPECIAL BULK REGULATIONS

The bulk regulations of the underlying districts shall apply, except as superseded, supplemented or modified by the provisions of this Section, inclusive.

Within #Mandatory Inclusionary Housing areas#, as shown on the map in APPENDIX F of this Resolution, the provisions of Sections 23-154 (Inclusionary Housing) and 23-90 (INCLUSIONARY HOUSING) shall apply.

In addition, for #developments# or #enlargements# on #qualifying transit improvement sites#, a #floor area# bonus for #mass transit station# improvements may be authorized by the City Planning Commission pursuant to the provisions of Section 66-51 (Additional Floor Area for Mass Transit Station Improvements). For the purposes of this paragraph, defined terms additionally include those in Section 66-11 (Definitions).

101-21  
Special Floor Area and Lot Coverage Regulations

\* \* \*

(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 except in accordance with the provisions of Section 66-51 (Additional Floor Area for Mass Transit Station Improvements), where applicable.

(d) In C6-6 Districts

In C6-6 Districts, the maximum permitted #floor area ratio# for #commercial# or #community facility uses# shall be 15.0, and the maximum #residential floor area ratio# shall be 9.0. No #floor area# bonuses shall be permitted except in accordance with the provisions of Section 66-51 (Additional Floor Area for Mass Transit Station Improvements), where applicable.

(e) In C6-9 Districts

In C6-9 Districts, the maximum permitted #floor area ratio# for #commercial# or #community facility uses# shall be 18.0, and no #commercial# or #community facility floor area# bonuses shall be permitted. In addition, #residential floor area ratio# may be increased only pursuant to the applicable provisions of Section 23-154 (Inclusionary Housing); and no other #residential floor area# bonuses shall be permitted.

However, in the C6-9 District bounded by Flatbush Avenue, State Street, 3rd Avenue and Schermerhorn Street, the maximum permitted #floor area ratio# for #commercial# or #community facility uses# shall be 12.0, and the maximum #residential floor area ratio# shall be 9.0. No #floor area# bonuses shall be permitted. However, on a #zoning lot# with a minimum #lot area# of 50,000 square feet improved with public #schools# containing at least 100,000 square feet of floor space #developed# pursuant to an agreement with the New York City Educational Construction Fund, the maximum permitted #floor area ratio# for #commercial# or #community facility uses# shall be 15.0, and the maximum #residential floor area ratio# shall be 12.0. Up to 46,050 square feet of floor space within such public #schools# shall be exempt from the definition of #floor area# for the purposes of calculating the permitted #floor area ratio# for #community facility uses# and the total maximum #floor area ratio# of the #zoning lot#. In addition, any #building# containing #residences# may be #developed# in accordance with the Quality Housing Program and the regulations of Article II, Chapter 8 shall apply. In such instances, the #bulk# regulations of this Chapter shall be considered the applicable #bulk# regulations for #Quality Housing buildings#.

No #floor area# bonuses shall be permitted except as authorized by the City Planning Commission pursuant to the provisions of Section 66-51 (Additional Floor Area for Mass Transit Station Improvements).

101-211

Special permit for subway station improvements

[Replaced by various provisions of Article VI, Chapter 6]

Within the #Special Downtown Brooklyn District#, the City Planning Commission may grant, by special permit, a #floor area# bonus for #buildings# that provide subway station improvements, pursuant to the provisions of Section 74-634 (Subway station improvements in Downtown Brooklyn and in Commercial Districts of 10 FAR and above in Manhattan).

The total additional #floor area# permitted on the #zoning lot# shall not exceed 20 percent of the basic maximum #floor area ratio# permitted by the underlying district regulations.

For the purposes of the Special District, the #zoning lot# for the #development# that will receive the #floor area# bonus shall be adjacent to a subway station where major improvements have been provided. Upon completion of the improvement, the #zoning lot# will physically adjoin a subway station mezzanine, platform, concourse or connecting passageway.

The subway stations where such improvements are permitted are listed in the following table and shown on Map 7 (Subway Station Improvement Areas) in Appendix E of this Chapter.

Table with 2 columns: Station, Line. Rows include Borough Hall (Eastern Parkway), Court Street (Montague Street Tunnel), DeKalb Avenue (4th Avenue/Brighton), Hoyt Street (Eastern Parkway), Hoyt-Schermerhorn Street (Crosstown/Fulton Street), Jay St.-MetroTech (Culver/Fulton Street), Lawrence Street (Montague Street Tunnel), Nevins Street (Eastern Parkway), Atlantic Ave-Pacific Street (4th Avenue/Brighton/Eastern Parkway).

\* \* \*

Chapter 4

Special Manhattanville Mixed Use District

\* \* \*

104-00

GENERAL PURPOSES

\* \* \*

104-02

General Provisions

In harmony with the general purposes and content of this Resolution and the general purposes of the #Special Manhattanville Mixed Use District#, the regulations of this Chapter shall apply within the Special 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#, 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, Chapter 4, shall control.

\* \* \*

Chapter 5

Special Natural Area District

\* \* \*

105-00

GENERAL PURPOSES

\* \* \*

105-02

General Provisions

In harmony with the general purpose and intent of this Resolution and the general purposes of the #Special Natural Area District#, the regulations of the districts upon which this Special District is superimposed are supplemented or modified in accordance with the provisions of this Chapter, in order to protect outstanding #natural features# described herein. Except as modified by the express provisions of this Chapter, the regulations of the underlying district remain in effect.

The provisions of this Chapter shall apply to:

\* \* \*

When a #zoning lot# existing on the effective date of the Special District designation is subdivided into two or more #zoning lots#, an application shall be submitted to the Commission for review and approval pursuant to Section 105-90 (FUTURE SUBDIVISION).

For #transit-adjacent 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 6 (Special Regulations Applying Around Mass Transit Stations), the provisions of Article VI, Chapter 6 shall control.

\* \* \*

Chapter 7

Special South Richmond Development District

\* \* \*

107-00

GENERAL PURPOSES

\* \* \*

107-02

General Provisions

In harmony with the general purpose and intent of this Resolution and the general purpose of the #Special South Richmond Development District#, the regulations of the districts upon which this Special District is superimposed are supplemented or modified in accordance with the provisions of this Chapter. Except as modified by the express provisions of this Chapter, the regulations of the underlying districts remain in effect. In #flood zones#, or for #transit-adjacent 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, Chapter 4, shall control.

\* \* \*

Chapter 9

Special Little Italy District

109-00

GENERAL PURPOSES

\* \* \*

109-02

General Provisions

In harmony with the general purposes and intent of this Resolution and the general purposes of the #Special Little Italy District# and in accordance with the provisions of this Chapter, certain specified regulations of the districts on which the #Special Little Italy District# are superimposed are made inapplicable, and special regulations are substituted therefore in this Chapter.

Except as modified by the express provisions of this Special District, the regulations of the underlying zoning district remain in effect. For the purposes of this Chapter, the provisions of Sections 23-15, 23-20 and 33-13 are made inapplicable.

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 6 (Special Regulations Applying Around Mass Transit Stations), the provisions of Article VI, Chapter 6 shall control.

\* \* \*

109-30

HOUSTON STREET CORRIDOR (Area B)

109-32  
Bulk Regulations

\* \* \*

109-321  
Floor area regulations

The maximum #floor area ratio# permitted on a #zoning lot# is 7.52 for #residential use#, 6.0 for #commercial use# and 7.5 for #community facility use#. In no event shall the total #floor area ratio# for all #uses# exceed 7.52. However, for #developments# or #enlargements# on #qualifying transit improvement sites#, a #floor area# bonus for #mass transit station# improvements may be authorized by the City Planning Commission pursuant to the provisions of Section 66-51 (Additional Floor Area for Mass Transit Station Improvements). For the purposes of this paragraph, defined terms additionally include those in Section 66-11 (Definitions).

\* \* \*

**ARTICLE XI  
SPECIAL PURPOSE DISTRICTS**

Chapter 1  
Special Tribeca Mixed Use District

111-00  
GENERAL PURPOSES

\* \* \*

111-02  
General Provisions

The provisions of this Chapter shall apply to all #developments, enlargements, extensions#, alterations, #accessory uses#, open and enclosed and changes in #uses# within the Special District.

Except as modified by the express provisions of the District, the regulations of the underlying districts remain in effect. 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-Chapter 4, shall control.

\* \* \*

111-20  
SPECIAL BULK PROVISIONS FOR AREAS A1 THROUGH A7

\* \* \*

(b) Area A2

The underlying regulations applicable to a C6-3 District shall apply to #developments# and #enlargements#, except as set forth herein.

(1) Maximum #floor area ratio#

No #floor area# bonuses shall be permitted in Area A2.

The maximum #floor area ratio# permitted shall be 7.52. In no case shall the #floor area ratio# of the #commercial# or #community facility# portion of the #building# be more than 6.0.

For #developments# or #enlargements# on #qualifying transit improvement sites#, a #floor area# bonus for #mass transit station# improvements may be authorized by the City Planning Commission pursuant to the provisions of Section 66-51 (Additional Floor Area for Mass Transit Station Improvements). For the purposes of this paragraph, defined terms additionally include those in Section 66-11 (Definitions). No other #floor area# bonuses shall be permitted in Area A2.

\* \* \*

Chapter 3  
Special Ocean Parkway District

\* \* \*

113-00  
GENERAL PURPOSES

\* \* \*

113-01  
General Provisions

In harmony with the general purposes of the #Special Ocean Parkway District# and in accordance with the provisions of this Chapter, certain specified regulations of the districts on which the #Special Ocean Parkway District# is superimposed are made inapplicable and special regulations are substituted therefor. Except as modified by the express provisions of the Special District, the regulations of the underlying

districts remain in force. In #flood zones#, or for #transit-adjacent 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, Chapter 4, shall control.

\* \* \*

Chapter 4  
Special Bay Ridge District

\* \* \*

114-00  
GENERAL PURPOSES

\* \* \*

114-01  
General Provisions

In harmony with the general provisions and intent of this Resolution and the general purposes of the #Special Bay Ridge District#, the regulations of the districts upon which this Special District is superimposed are supplemented or modified in accordance with the provisions of this Chapter. The provisions of this Chapter shall apply to all #buildings#.

Except as modified by the provisions of this Chapter, the regulations of the underlying districts remain in effect.

For #transit-adjacent 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 6 (Special Regulations Applying Around Mass Transit Stations), the provisions of Article VI, Chapter 6 shall control.

\* \* \*

Chapter 5  
Special Downtown Jamaica District

115-00  
GENERAL PURPOSES

\* \* \*

115-01  
General Provisions

In harmony with the general purposes and content of this Resolution and the general purposes of the #Special Downtown Jamaica District#, the regulations of this Chapter shall apply within the #Special Downtown Jamaica District#. The regulations of all other chapters of this Resolution are applicable except as modified, supplemented or superseded 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, for #transit-adjacent sites# or #qualifying transit improvement sites#, in the event of a conflict between the provisions of this Chapter and the provisions of Article VI, Chapter 6 (Special Regulations Applying Around Mass Transit Stations), the provisions of Article VI, Chapter 6 shall control. For the purposes of this paragraph, defined terms additionally include those in Section 66-11 (Definitions).

Any special permit granted by the City Planning Commission before September 10, 2007, may be started or continued, in accordance with the terms thereof, or as such terms may be subsequently modified, pursuant to the regulations in effect at the time such special permit was granted, subject to the provisions of Sections 11-42 (Lapse of Authorization or Special Permit Granted by the City Planning Commission Pursuant to the 1961 Zoning Resolution) and 11-43 (Renewal of Authorization or Special Permit).

\* \* \*

115-20  
SPECIAL BULK REGULATIONS

\* \* \*

115-21  
Floor Area Ratio, Open Space and Lot Coverage

(a) Maximum #floor area ratio# for #zoning lots# containing non-#residential uses#

In C6-2 and C6-3 Districts, the underlying #floor area ratio# and #open space# provisions shall not apply. In lieu thereof, the maximum #floor area ratio# permitted for #commercial# and #community facility uses#, separately or in combination, shall not exceed 6.0 in C6-2 Districts and 8.0 in C6-3 Districts. ~~No #floor area# bonuses shall be permitted.~~

In C6-4 Districts, the underlying #floor area ratio# provisions, ~~including #floor area# bonus provisions,~~ shall apply to #community facility uses#. For #commercial uses#, the maximum



#floor area ratio# shall be 12.0, and no #floor area# bonuses shall apply.

In M1-4 Districts, the maximum #floor area ratio# permitted for #commercial#, #community facility# or #manufacturing uses#, separately or in combination, shall be 2.0.

For #developments# or #enlargements# on #qualifying transit improvement sites#, a #floor area# bonus for #mass transit station# improvements may be authorized 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).

- (b) Maximum #floor area ratio# for #zoning lots# containing #residential uses#

The maximum #floor area ratio# for any #zoning lot# containing a #residential use# shall not exceed the #floor area ratio# set forth in Section 115-211 (Special Inclusionary Housing regulations) for the applicable district. In addition, for #developments# or #enlargements# on #qualifying transit improvement sites#, a #floor area# bonus for #mass transit station# improvements may be authorized by the City Planning Commission pursuant to the provisions of Section 66-51. Such bonuses may be applied separately or in combination. For the purposes of this paragraph, defined terms additionally include those in Section 66-11.

\* \* \*

Chapter 6
Special Stapleton Waterfront District

\* \* \*

116-00
GENERAL PURPOSES

\* \* \*

116-02
General Provisions

In harmony with the general purposes and content of this Resolution and the general purposes of the #Special Stapleton Waterfront District#, the provisions of this Chapter shall apply to all #developments#, #enlargements# and changes of #use# within the #Special Stapleton Waterfront District#. The regulations of all other Chapters of this Resolution are applicable except as modified, supplemented or superseded 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#, 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, Chapter 4, shall control, except in Subarea E of this Chapter.

Within the #Special Stapleton Waterfront District#, the regulations of the underlying R6, C2-2, C4-2A and M2-1 Districts shall apply, as modified in this Chapter.

\* \* \*

Chapter 7
Special Long Island City Mixed Use District

117-00
GENERAL PURPOSES

\* \* \*

117-02
General Provisions

In harmony with the general purposes and content of this Resolution and the general purposes of the #Special Long Island City Mixed Use District#, the regulations of this Chapter shall apply within the #Special Long Island City Mixed Use District#. The regulations of all other Chapters of this Resolution are applicable, except as modified, supplemented or superseded 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, Chapter 4, shall control.

\* \* \*

117-50
QUEENS PLAZA SUBDISTRICT

\* \* \*

117-52
Queens Plaza Subdistrict Special Bulk Regulations

\* \* \*

117-522
Maximum floor area ratio for all uses

The maximum #floor area ratio# permitted for #commercial#, #community facility#, #manufacturing# and #residential uses# in accordance with the applicable designated district shall not apply. In lieu thereof, the maximum #floor area ratio# permitted for #commercial#, #community facility#, #manufacturing# or #residential uses#, separately or in combination, is specified in the following table:

MAXIMUM FLOOR AREA RATIO FOR ALL USES IN THE QUEENS PLAZA SUBDISTRICT

Table with 2 columns: Area, Maximum #Floor Area Ratio#. Rows include A-1 A-2 (12.0), B (8.0), and C (5.0).

For #developments# or #enlargements# on #qualifying transit improvement sites#, a #floor area# bonus for #mass transit station# improvements may be authorized by the City Planning Commission pursuant to the provisions of Section 66-51 (Additional Floor Area for Mass Transit Station Improvements). For the purposes of this paragraph, defined terms additionally include those in Section 66-11 (Definitions).

\* \* \*

Chapter 8
Special Union Square District

118-00
GENERAL PURPOSES

\* \* \*

118-01
General Provisions

In harmony with the general purpose and intent of this Resolution and the general purposes of the #Special Union Square District# and in accordance with the provisions of this Chapter, certain specified #use#, #bulk# and #sign# regulations of the underlying district are made inapplicable and are superseded by the #use#, #bulk# and #sign# regulations of the #Special Union Square District# as set forth in this Chapter. In addition, special #street wall# transparency and location of entrance requirements are set forth in this Chapter. Except as modified by the express provisions of this Chapter, the underlying district regulations remain in effect.

For #transit-adjacent sites# or #qualifying transit improvement sites#, in the event of a conflict between the provisions of this Chapter and the provisions of Article VI, Chapter 6 (Special Regulations Applying Around Mass Transit Stations), the provisions of Article VI, Chapter 6 shall control. For the purposes of this paragraph, defined terms additionally include those in Section 66-11 (Definitions).

\* \* \*

118-20
BULK REGULATIONS

118-21
Floor Area Regulations

The maximum #floor area ratio# permitted on property bounded by:

- (a) Broadway, a line midway between East 14th Street and East 13th Street, a line 100 feet west of University Place, Union Square West and Broadway, a line midway between East 17th Street and East 18th Street, a line 100 feet east of Park Avenue South and Union Square East, East 15th Street, Union Square East, East 17th Street, Union Square West and East 14th Street is 8.0; and
(b) Broadway, a line midway between East 13th Street and East 14th Street, south prolongation of the center line of Irving Place and Irving Place, East 15th Street, Union Square East, Fourth Avenue, and East 14th Street is 10.0, except as provided in Section 118-60 (SUBWAY STATION IMPROVEMENTS WITHIN THE SPECIAL UNION SQUARE DISTRICT).

In no event, shall the The commercial #floor area ratio# shall not exceed 6.0 except in accordance with the provisions of Section 66-51 (Additional Floor Area for Mass Transit Station Improvements).

118-60  
SUBWAY STATION IMPROVEMENTS WITHIN THE SPECIAL UNION SQUARE DISTRICT

[Replaced by various provisions of Article VI, Chapter 6]

The City Planning Commission may, by special permit, grant ~~#residential floor area# bonuses for #developments# or #enlargements# that provide major improvements on the 14th Street/Union Square Subway Station in accordance with the provisions of Section 74-634. The #zoning lot# for the #development# or #enlargement# on which such #floor area# bonus is requested shall be adjacent to the 14th Street/Union Square Subway Station or to an existing passageway to the station.~~

As part of the special permit, the Commission may modify the ~~#street wall# regulations of Section 118-30 (STREET WALL HEIGHT AND SETBACK REGULATIONS) if it finds that such major improvements cannot be provided without modifications of these provisions.~~

\* \* \*  
**ARTICLE XII  
SPECIAL PURPOSE DISTRICTS**

Chapter 1  
Special Garment Center District

121-00  
GENERAL PURPOSES

\* \* \*

121-01  
*General Provisions*

The provisions of this Chapter shall apply within the #Special Garment Center 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, 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 6 (Special Regulations Applying Around Mass Transit Stations), the provisions of Article VI, Chapter 6 shall control.

\* \* \*

121-40  
SPECIAL BULK REGULATIONS WITHIN SUBDISTRICT A-2

\* \* \*

121-41  
*Maximum Permitted Floor Area Within Subdistrict A-2*

The basic maximum #floor area ratio# of a #zoning lot# containing #non-residential buildings# shall be 10.0 and may be increased to a maximum #floor area ratio# of 12.0 only pursuant to Section 93-31 (District Improvement Fund Bonus). Such #zoning lot# may also contain #residences# within #buildings# existing on January 19, 2005, provided that such #buildings# are not #enlarged# after such date. For #zoning lots# containing #residences# within a #building# that is #developed# or #enlarged# on or after January 19, 2005, the basic maximum #floor area ratio# shall be 6.5. The #floor area ratio# of any such #zoning lot# may be increased from 6.5, pursuant to Section 93-31, and pursuant to Section 23-90 (INCLUSIONARY HOUSING), as modified by Section 93-23 (Modifications of Inclusionary Housing Program), provided that for every five square feet of #floor area# increase pursuant to Section 93-31, there is a #floor area# increase of six square feet pursuant to Section 23-90, as modified by Section 93-23, inclusive. The maximum #residential floor area ratio# shall be 12.0.

For the #conversion# to #dwelling units# of #non-residential buildings#, or portions thereof, where the total #floor area# on the #zoning lot# to be #converted# to #residential use# exceeds a #floor area ratio# of 12.0, such excess #floor area# shall be permitted only pursuant to Section 93-31.

For #developments# or #enlargements# on #qualifying transit improvement sites#, a #floor area# bonus for #mass transit station# improvements may be authorized by the City Planning Commission pursuant to the provisions of Section 66-51 (Additional Floor Area for Mass Transit Station Improvements). As a pre-condition to applying for such authorization, the applicant shall demonstrate that a #floor area ratio# of no less than 0.1 of the maximum #floor area ratio# pursuant to Section 93-31 or Section 93-23, has been achieved prior to, or in conjunction with, the application. For the purposes of this paragraph, defined terms additionally include those in Section 66-11 (Definitions).

\* \* \*

Chapter 2  
Special Grand Concourse Preservation District

122-00  
GENERAL PURPOSES

\* \* \*

122-02  
*General Provisions*

Except as modified by the express provisions of the #Special Grand Concourse Preservation District#, the regulations of the underlying zoning districts shall remain in effect.

For #transit-adjacent 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 6 (Special Regulations Applying Around Mass Transit Stations), the provisions of Article VI, Chapter 6 shall control.

\* \* \*

Chapter 3  
Special Mixed Use District

123-10  
GENERAL PROVISIONS

The provisions of this Chapter shall apply within the #Special Mixed Use 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, Chapter 4, shall control.

In #Special Mixed Use Districts#, an M1 District is paired with a #Residence District#, as indicated on the #zoning maps#.

The designated #Residence Districts# in #Special Mixed Use Districts# shall not include either an R1 or an R2 District.

\* \* \*

Chapter 5  
Special Southern Hunters Point District

\* \* \*

125-00  
GENERAL PURPOSES

\* \* \*

125-01  
*General Provisions*

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#, 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, Chapter 4, shall control.

\* \* \*

125-20  
FLOOR AREA REGULATIONS

125-21  
*East River Subdistrict*

In the East River Subdistrict, the maximum #residential floor area ratio# shall be as set forth in the following table, and no #floor area# bonuses shall apply. For #developments# or #enlargements# on #qualifying transit improvement sites#, a #floor area# bonus for #mass transit station# improvements may be authorized 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).

\* \* \*

Chapter 8  
Special St. George District

\* \* \*  
128-00  
GENERAL PURPOSES

128-02  
General Provisions

In harmony with the general purpose and intent of this Resolution and the general purposes of the #Special St. George District#, the regulations of this Chapter shall apply within the #Special St. George 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#, 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, Chapter 4, shall control.

\* \* \*  
**ARTICLE XIII**  
**SPECIAL PURPOSE DISTRICTS**

\* \* \*  
Chapter 1  
Special Coney Island District

\* \* \*  
131-00  
GENERAL PURPOSES

\* \* \*  
131-01  
General Provisions

The provisions of this Chapter shall apply within the #Special Coney Island 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#, 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, Chapter 4, shall control.

\* \* \*  
Chapter 2  
Special Enhanced Commercial District

\* \* \*  
132-10  
GENERAL PROVISIONS

The provisions of this Chapter shall apply to all #buildings# with #street# frontage along a #designated commercial street#. 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, for #transit-adjacent sites# or #qualifying transit improvement sites#, in the event of a conflict between the provisions of this Chapter and the provisions of Article VI, Chapter 6 (Special Regulations Applying Around Mass Transit Stations), the provisions of Article VI, Chapter 6 shall control. For the purposes of this paragraph, defined terms additionally include those in Section 66-11 (Definitions).

\* \* \*  
Chapter 5  
Special Bay Street Corridor District

\* \* \*  
135-00  
GENERAL PURPOSES

\* \* \*  
135-04  
Applicability

\* \* \*  
135-045  
Applicability of Article VI, Chapter 6

Notwithstanding the general provisions of Section 135-01, for #transit-adjacent 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 6 (Special Regulations Applying Around Mass Transit Stations), the provisions of Article VI, Chapter 6 shall control.

135-045 135-046  
Applicability of this Chapter to certain zoning lots in Subdistrict D

For #zoning lots# in Subdistrict D containing a Use Group 16 or 17 #use# operated in support of a public service or public transportation facility and existing on June 26, 2019, the provisions of this Chapter shall not apply. In lieu thereof, the provisions of an M1-1 District shall apply.

\* \* \*  
Chapter 6  
Special Downtown Far Rockaway District

\* \* \*  
136-00  
GENERAL PURPOSES

\* \* \*  
136-01  
General Provisions

The regulations of this Chapter shall apply within the #Special Downtown Far Rockaway District#. The regulations of all other Chapters of this Resolution are applicable except as modified, supplemented or superseded 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.

For #transit-adjacent 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 6 (Special Regulations Applying Around Mass Transit Stations), the provisions of Article VI, Chapter 6 shall control.

\* \* \*  
Chapter 7  
Special Coastal Risk District

\* \* \*  
137-10  
GENERAL PURPOSES

The provisions of this Chapter shall apply in the #Special Coastal Risk 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.

For #transit-adjacent 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 6 (Special Regulations Applying Around Mass Transit Stations), the provisions of Article VI, Chapter 6 shall control.

\* \* \*  
Chapter 8  
Special East Harlem Corridors District

\* \* \*  
138-00  
GENERAL PURPOSES

\* \* \*  
138-01  
General Provisions

The provisions of this Chapter shall apply within the #Special East Harlem Corridors 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, for #transit-adjacent sites# or #qualifying transit improvement sites#, in the event of a conflict between the provisions of this Chapter and the provisions of Article VI, Chapter 6 (Special Regulations Applying Around Mass Transit Stations), the provisions of Article VI, Chapter 6 shall control. For the purposes of this paragraph, defined terms additionally include those in Section 66-11 (Definitions).

\* \* \*  
138-20  
SPECIAL BULK REGULATIONS

\* \* \*  
138-21  
Floor Area Regulations

\* \* \*

138-211  
Special floor area regulations

\* \* \*

(c) Any floor space occupied by a subway entrance provided pursuant to the provisions of Section 138-33 (Off-street Relocation or Renovation of a Subway Stair) shall not count as #floor area#. For #transit-adjacent sites# or #qualifying transit improvement sites#, in the event of a conflict between the provisions of this Chapter and the provisions of Article VI, Chapter 6 (Special Regulations Applying Around Mass Transit Stations), the provisions of Article VI, Chapter 6 shall control. For the purposes of this paragraph, defined terms additionally include those in Section 66-11 (Definitions).

138-212  
Additional floor area regulations in the Park Avenue Subdistrict

Within the Park Avenue Subdistrict, as shown on Map 1 of the Appendix to this Chapter, the #floor area ratio# regulations of paragraphs (a) and (b) of Section 138-211 are further modified in this Section.

\* \* \*

ARTICLE XIV  
SPECIAL PURPOSE DISTRICTS

Chapter 1  
Special Jerome Corridor District

141-00  
GENERAL PURPOSES

\* \* \*

141-01  
General Provisions

The provisions of this Chapter shall apply within the #Special Jerome Corridor 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, 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 6 (Special Regulations Applying Around Mass Transit Stations), the provisions of Article VI, Chapter 6 shall control.

\* \* \*

Chapter 2  
Special Inwood District

142-00  
GENERAL PURPOSES

\* \* \*

142-01  
General Provisions

The provisions of this Chapter shall apply within the #Special Inwood 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, Chapter 4, shall control.

\* \* \*

142-09  
Off-street Relocation of Subway Station Entrances

For all #developments# or #enlargements# involving ground floor level construction on a #zoning lot# that is wholly or partially located within a Transit Easement Zone, as shown on Map 3 (Special Inwood District – Transit Easement Zones) in the Appendix to this Chapter, a transit easement volume may be required needed on such #zoning lot# for public access between the #street# and the adjacent above- or below-grade subway station, pursuant to the provisions of Section 66-20 (SPECIAL PROVISIONS FOR PRIMARY TRANSIT-ADJACENT SITES). Such #zoning lots# that are wholly or partially within a Transit Easement Zone shall be considered a #primary transit-adjacent site#, as defined in Section 66-11 (Definitions).

(a) Transit Easement

Prior to filing any application with the Department of Buildings for an excavation permit, foundation permit, new building permit or alteration permit for a #development# or #enlargement#, the owner of the #zoning lot# shall file an application with the Metropolitan Transportation Authority (MTA) and the Chairperson of the City Planning Commission requesting a certification as to whether or not a transit easement volume is required on the #zoning lot#.

Within 60 days of receipt of such application, the MTA and the Chairperson shall jointly certify whether or not a transit easement volume is required on the #zoning lot#. Failure to certify within the 60-day period will release the owner from any obligation to provide a transit easement volume on such #zoning lot#.

When the MTA and the Chairperson indicate that a transit easement volume is required, the MTA shall, in consultation with the owner of the #zoning lot# and the Chairperson, determine the appropriate type of transit easement and reasonable dimensions for such transit easement volume.

The owner shall submit a site plan showing a proposed location of such transit easement volume that would provide access between the #street# and the adjacent subway station and be compatible with the proposed #development# or #enlargement# on the #zoning lot# for joint approval and final certification by the MTA and the Chairperson. The MTA and the Chairperson shall comment on such site plan within 45 days of its receipt and may, within such 45-day period or following its expiration, permit the granting of an excavation permit while the location and size of the transit easement volume is being finalized. Upon joint approval of a site plan by the MTA and the Chairperson, copies of such certification shall be forwarded by the Chairperson to the Department of Buildings.

Legally enforceable instruments, running with the land, creating a transit easement volume, and setting forth the obligations of either the MTA or the owner and developer, their successors and assigns, to design and construct the improvement, shall be executed and recorded in a form acceptable to the MTA and the Chairperson. The execution and recording of such instruments shall be a precondition to the issuance of any foundation permit, new building permit, or alteration permit by the Department of Buildings allowing such #development# or #enlargement#.

(b) Construction and Maintenance

Where a transit easement volume is required pursuant to this Section, transit access improvements within such volume shall be constructed and maintained either by the MTA or the owner of the #zoning lot# with the #development# or #enlargement#.

(1) Where such mass transit improvement is constructed and maintained by the owner of the #development# or #enlargement#:

- (i) a transit access improvement shall be provided in accordance with standards set forth by the MTA;
- (ii) such improvement shall be accessible to the public at all times, except as otherwise approved by the MTA;
- (iii) such improvement shall include #signs# to announce accessibility to the public. Such #signs# shall be exempt from the maximum #surface area# of non-#illuminated-signs# permitted by Section 32-642 (Non-illuminated signs); and
- (iv) no temporary certificate of occupancy shall be granted by the Department of Buildings for the #building# until the Chairperson of the City Planning Commission, acting in consultation with the MTA, has certified that the improvement is substantially complete and usable by the public.

(2) Where such mass transit improvement is constructed and maintained by the MTA:

- (i) Where the construction of the improvement is not contemporaneous with the construction of the #development# or #enlargement#, any underground walls constructed along the #front lot line# adjacent to a below-grade subway station shall include a knockout panel, not less than 12 feet wide, below #curb level# down to the bottom of the easement. The actual location and size of such knockout panel shall be determined through consultation with the MTA.
- (ii) Temporary construction access shall be granted to the MTA on portions of the #zoning lot# outside of the transit easement volume, as necessary, to enable construction within and connection to the transit easement volume.

(iii) In the event that the MTA has approved of obstructions associated with the #development# or #enlargement# within the transit easement volume, such as building columns or footings, such construction and maintenance shall exclude any such obstructions within the transit easement volume.

(c) Additional modifications

Where a transit easement volume is required pursuant to paragraph (a) of this Section, the Chairperson of the City Planning Commission shall certify the following modifications in conjunction with such transit easement volume certification:

- (1) the edge of the transit easement volume facing the #street# shall be considered a #street wall# for the purposes of applying the #street wall# location provisions set forth in Section 142-40 (SPECIAL HEIGHT AND SETBACK REGULATIONS); inclusive, irrespective of whether such volume is incorporated into a #building#;
(2) for #zoning lots# adjacent to a below-grade subway station, the maximum height for the #building# set forth in Section 142-40, inclusive, shall be increased by 10 feet, and the maximum number of #stories#, if applicable, shall be increased by one, except where the provisions of Section 142-48 (Special Regulations for Certain Sites in Subdistricts C and F) are being utilized;
(3) the floor space contained within any transit easement volume required pursuant to this Section shall be excluded from the definition of #floor area#; and
(4) the street frontage of such transit easement volume shall be excluded for the purpose of applying the provisions of Section 142-14 (Ground Floor Level Requirements).

(d) Temporary Use

Any easement volume required on a #zoning lot# pursuant to paragraph (a) of this Section may be temporarily used for any permitted #commercial# or #community facility uses# until such time as required by the MTA for transit access improvements. The floor space allocated to such temporary #uses# within the transit easement volume shall continue to be exempt from the definition of #floor area# and shall not be included for the purpose of calculating #accessory# off-street parking, bicycle parking, or loading berths.

Improvements or construction of a temporary nature within the easement volume for such temporary #uses# shall be removed by the owner of the #building# or portion of the #zoning lot# within which the easement volume is located prior to the time at which public #use# of the easement area is required, except as otherwise specified by the MTA. A minimum notice of six months shall be given, in writing, by the MTA to the owner of the #building# or portion of the #zoning lot# to vacate the easement volume.

(e) Termination of an easement volume

In the event that the MTA and the City Planning Commission jointly notify the Department of Buildings and the owner in writing that a transit easement volume is not required on a #zoning lot# in its final construction plans, the restrictions imposed on such #zoning lot# by the provisions of this Section shall lapse, following receipt of notification thereof by the owner, and the owner shall have the right to record an instrument reciting the consent of the MTA to the extinguishment of the easement volume.

On any #zoning lot# which has been #developed# or #enlarged# in accordance with the provisions of this Section and on which termination of transit easement has been certified, pursuant to this paragraph, any floor space in a previously required transit easement volume shall continue to be exempt from the definition of #floor area# and shall not be included for the purpose of calculating requirements for #accessory# off-street parking, bicycle parking or loading berths. However, where such previously required volume is located within a #building#, the ground floor space shall be subject to the provisions of Section 142-14.

\* \* \*

BOROUGH OF BROOKLYN
Nos. 2 & 3
840 ATLANTIC AVENUE REZONING
No. 2

CD 8 C 210249 ZMK
IN THE MATTER OF an application submitted by Vanderbilt Atlantic Holdings LLC, pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 16c:

- 1. changing from an R6B District to a C6-3X District, property bounded by a line midway between Atlantic Avenue and Pacific Street, a line 125 feet easterly of Vanderbilt Avenue, Pacific Street, and a line 100 feet easterly of Vanderbilt Avenue; and

- 2. changing from an M1-1 District to a C6-3X District, property bounded by the northerly boundary line of the Long Island Railroad Right-Of-Way (Atlantic Division), a line 200 feet easterly of Vanderbilt Avenue and its northerly prolongation, a line midway between Atlantic Avenue and Pacific Street, a line 100 feet easterly of Vanderbilt Avenue, Pacific Street, and Vanderbilt Avenue and its northerly centerline prolongation;

as shown on a diagram (for illustrative purposes only), dated March 1, 2021, and subject to the conditions of CEQR Declaration E-604.

No. 3

CD 8 N 210250 ZRK

IN THE MATTER OF an application submitted by Vanderbilt Atlantic Holdings LLC, pursuant to Section 201 of the New York City Charter, for an amendment of the Zoning Resolution of the City of New York, modifying Article III Chapter 5 for the purpose of amending street wall location regulations and modifying APPENDIX F for the purpose of establishing a Mandatory Inclusionary Housing area.

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 III
COMMERCIAL DISTRICT REGULATIONS

\* \* \*

Chapter 5

Bulk Regulations for Mixed Buildings in Commercial Districts

\* \* \*

35-66

Special Height and Setback Provisions for Certain Areas

\* \* \*

35-66Z

Special height and setback provisions in C6-3X Districts along Atlantic Avenue within Community District 8, Borough of Brooklyn

In C6-3X Districts in Community District 8, in the Borough of Brooklyn, for a #zoning lot# with frontage along Atlantic Avenue, the #street wall# provisions of paragraph (a) of Section 35-651 shall apply along the Atlantic Avenue #street# frontage, and shall also apply along #street# frontages intersecting Atlantic Avenue, within 50 feet of the intersection.

\* \* \*

APPENDIX F
Inclusionary Housing Designated Areas and Mandatory Inclusionary Housing Areas

\* \* \*

BROOKLYN

\* \* \*

Brooklyn Community District 8

\* \* \*

Map 4. [date of adoption]



Mandatory Inclusionary Housing area  
 (see Section 23-154(d)(3))  
 Area # — [date of adoption] MIH Program Option 2  
 Portion of Community District 8, Brooklyn  
 \* \* \*

**BOROUGH OF QUEENS**  
**No. 4**

**133 BEACH 116<sup>TH</sup> STREET REZONING**

**CD 14** **C 210148 ZMQ**

**IN THE MATTER OF** an application submitted by Beach 116<sup>th</sup> Associates LLC, pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 30b:

1. eliminating from within an existing R7A District a C1-3 District, bounded by Beach 116<sup>th</sup> Street, a line 200 feet northwesterly of Ocean Promenade, a line midway between Beach 116<sup>th</sup> Street and Beach 117<sup>th</sup> Street, and a line 150 feet southeasterly of Rockaway Beach Boulevard; and
2. establishing within an existing R7A District a C2-4 District, bounded by Beach 116<sup>th</sup> Street, a line 200 feet northwesterly of Ocean Promenade, a line midway between Beach 116<sup>th</sup> Street and Beach 117<sup>th</sup> Street, and a line 150 feet southeasterly of Rockaway Beach Boulevard;

as shown on a diagram (for illustrative purposes only) dated April 5, 2021.

YVETTE V. GRUEL, Calendar Officer  
 City Planning Commission  
 120 Broadway, 31<sup>st</sup> Floor, New York, NY 10271  
 Telephone (212) 720-3370



**j9-23**

**COMMUNITY BOARDS**

**■ PUBLIC HEARINGS**

**NOTICE IS HEREBY GIVEN** that the following matter has been scheduled for public hearing by Community Board:

**BOROUGH OF MANHATTAN**

COMMUNITY BOARD NO. 06 - Monday, June 28, 2021, at 6:30 P.M., on Zoom. A link to the hearing on Zoom can be found here: [https://zoom.us/join/zoom/register/WN\\_zLJ-YSoUSbu0Gev\\_Htjuaw](https://zoom.us/join/zoom/register/WN_zLJ-YSoUSbu0Gev_Htjuaw)

A public hearing with respect to a ULURP application by Commodore Owner LLC and the Department of Citywide Administrative Services for a zoning text amendment (N 210416 ZRM), special permits (210412 ZSM, 210413 ZSM, 210414 ZSM, 210415 ZSM), certifications and disposition of City-owned property (210417 PPM), to facilitate the construction of a new 1,646 ft tall, 2.25 million sf, office and hotel building at 109 East 42nd Street/175 Park Avenue.

**j8-28**

**NOTICE IS HEREBY GIVEN** that the following matters have been scheduled for public hearing by Community Board:

**BOROUGH OF QUEENS**

Community Board NO. 11 - Monday, June 7, 2021, 7:30 P.M. via Zoom: Join Zoom Meeting <https://zoom.us/j/93804476620> Meeting ID: 938 0447 6620 One tap mobile+16465588656,,93804476620# US (New York)

**ULURP #N 210270 ZRY**  
 Zoning for Accessibility (ZFA) seeks to make NYC's transit more accessible, more quickly and better coordinated with the streets and buildings around it. Through ZFA, developers would work with the MTA to set aside space where needed for station elevators. It would expand incentives for developers to build elevators and related station upgrades in new, high-density buildings.

**ULURP #N 210382 ZRY**  
 Proposal to amend the Zoning Resolution to modify regulations related to gyms, spas, licensed massage therapy, and other health and fitness facilities defined in the "Physical Culture or Health Establishments". The proposed text amendment will remove the requirement for such facilities to receive a special permit by the Board of Standards and Appeals (ZR-73-36).

**ULURP #N 210406 ZRY**  
 A proposed zoning change that would require the City Planning Commission approval for new and enlarged hotels and motels, tourist cabins and boatels in commercial, mixed-use and paired M1/R districts.

**j7-11**

**NOTICE IS HEREBY GIVEN** that the following matters have been scheduled for public hearing by Community Board:

**BOROUGH OF BROOKLYN**

COMMUNITY BOARD NO. 18 - Wednesday, June 16, 2021, 7:00 P.M., via WebEx: <https://nycb.webex.com/nycb/onstage/g.php?MTID=eb8af9833cc5a5a6c0d7809d94d751550>

**N 210380 ZRY - Fresh Foods Store Update** – The Department of City Planning is proposing to update and expand the FRESH food stores program, which supports convenient, accessible grocery stores in underserved neighborhoods of the Bronx, Brooklyn, Queens and Staten Island. The update would bring the FRESH program to more communities across the city, among other changes to ensure FRESH stores are evenly distributed and financially viable. A citywide text amendment to expand the FRESH program to other underserved neighborhoods. The Proposal Information is available at: <https://www1.nyc.gov/site/planning/plans/fresh2/fresh2-overview.page>

**j8-16**

**NOTICE IS HEREBY GIVEN** that the following matters have been scheduled for public hearing by Community Board:

**BOROUGH OF BROOKLYN**

COMMUNITY BOARD NO. 18 - Wednesday, June 16, 2021, 7:00 P.M., via WebEx: <https://nycb.webex.com/nycb/onstage/g.php?MTID=eb8af9833cc5a5a6c0d7809d94d751550>

**N 210382 ZRY - Health and Fitness Citywide Text Amendment** – Proposal to amend the Zoning Resolution to modify regulations related to gyms, spas, licensed massage therapy, and other health and fitness facilities defined as "Physical Culture or Health Establishments." The proposed text amendment will remove the requirement for such facilities to receive a special permit by the Board of Standards and Appeals (ZR 73-36). The Proposal Information is available at: <https://www1.nyc.gov/site/planning/plans/health-and-fitness/health-and-fitness-overview.page>.

**j8-16**

**EMPLOYEES' RETIREMENT SYSTEM**

**■ MEETING**

Please be advised, that the next Common Investment Meeting of the Board of Trustees of the New York City Employees' Retirement System is Wednesday, June 16, 2021, at 9:00 A.M.

Due to the Covid-19 pandemic and for everyone's safety, the NYCERS Regular Board of Trustees no longer meet in person and instead the meeting is held over Zoom. However, you can still view only the public session online, at <https://comptroller.nyc.gov/services/financialmatters/pension/common-investment-meeting/>.

**j9-15**

**EQUAL EMPLOYMENT PRACTICES COMMISSION**

**■ MEETING**

**Notice of NYC Equal Employment Practices Commission Meeting (Open to the Public)**

**When and where is the Commission Meeting?** The Equal Employment Practices Commission's upcoming Commission Meeting will take place at 10:30 A.M., on Thursday, June 10, 2021. The meeting will be conducted by video conference via WebEx using the details below:

**Meeting number (event number): 173 196 1068**  
**Meeting password: axRuMvqa826**

- **Join by internet**  
 Click to join meeting
- **Join by phone**  
 (408) 418-9388 United States Toll
- **Join by video system or application**  
 Dial [1731961068@webex.com](https://www1.nyc.gov/site/eepc/meeting)  
 You can also dial 173.243.2.68 and enter your meeting number.

**How do I ask questions during the Commission meeting?**  
 Anyone can ask questions during the Commission meeting by:

- **WebEx.** You can submit your questions directly through the chat panel of the WebEx once joined via the internet option above.
- **Email.** You can email questions to mpinckney@eeep.nyc.gov.

**Is there a deadline to submit questions?** Yes, you must submit all questions during the meeting session on June 10, 2021.

**Can I review the recording of the Commission Meeting?** Yes, you can review the recorded Commission meeting, which will be made available online by going to the Equal Employment Practices Commission's YouTube page <https://www.youtube.com/channel/UCDgAeD4p-esdjymDTdGSfcA/featured> a few days after the meeting.

j3-10

## HOUSING AUTHORITY

### MEETING

Because of the ongoing COVID-19 health crisis and in relation to Governor Andrew Cuomo's Executive Orders, the Board Meeting of the New York City Housing Authority, scheduled for Wednesday, June 30, 2021, at 10:00 A.M., will be limited to viewing the livestream or listening, via phone, instead of attendance in person.

For public access, the meeting will be streamed live on NYCHA's Website, <http://nyc.gov/nycha> and <http://on.nyc.gov/boardmeetings>, or can be accessed by calling (646) 558-8656 using Webinar ID: 822 7060 5738 and Passcode: 3881717485.

For those wishing to provide public comment, pre-registration is required, via email, to [corporate.secretary@nychanyc.gov](mailto:corporate.secretary@nychanyc.gov), or by contacting (212) 306-6088, no later than 5:00 P.M., on the day prior to the Board Meeting. When pre-registering, please provide your name, development or organization name, contact information and item you wish to comment on. You will then be contacted with instructions for providing comment.

Comments are limited to the items on the Calendar.

Speaking time will be limited to three minutes. Speakers will provide comment in the order in which the requests to comment are received. The public comment period will conclude upon all speakers being heard, or at the expiration of 30 minutes allotted for public comment, whichever occurs first.

Copies of the Calendar will be available on NYCHA's Website, no earlier than 24 hours before the upcoming Board Meeting. Copies of the Minutes will also be available on NYCHA's Website, no earlier than 3:00 P.M., on the Thursday following the Board Meeting.

Any changes to the schedule will be posted here and on NYCHA's Website, at <http://www1.nyc.gov/site/nycha/about/board-calendar.page>, to the extent practicable, at a reasonable time before the meeting.

For additional information, please visit NYCHA's Website, or contact (212) 306-6088.

j9-30

Because of the ongoing COVID-19 health crisis and in relation to Governor Andrew Cuomo's Executive Orders, the Audit Committee Meeting of the New York City Housing Authority, scheduled for **Thursday, June 17, 2021, at 10:00 A.M.**, will be limited to viewing the livestream or listening via phone instead of, attendance in person.

For public access, the meeting will be streamed live on NYCHA's Website, at [www1.nyc.gov/sienycaabouaudi-commiee-meeings.aga](http://www1.nyc.gov/sienycaabouaudi-commiee-meeings.aga) <https://www1.nyc.gov/site/nycha/about/audit-committee-meetings.page> or can be accessed by calling 1 (877) 853-5247 and using Webinar ID: 832 5212 8338.

For those wishing to provide public comment, pre-registration is required via email to [audit@nychanyc.gov](mailto:audit@nychanyc.gov) or by contacting (212) 306-3441, no later than 2:00 pm on the day prior to the Audit Committee Meeting. When pre-registering, please provide your name, development or organization name, contact information, email address and item you wish to comment on. You will then be contacted with instructions for providing comment. Comments are limited to the items on the Agenda.

Speaking time will be limited to three minutes. Speakers will provide comment in the order in which the requests to comment are received. The public comment period will conclude upon all speakers being heard or, at the expiration of 30 minutes allotted for public comment, whichever occurs first.

Copies of the Agenda will be available on NYCHA's Website, no earlier than 24 hours before the upcoming Audit Committee Meeting. Copies of the draft Minutes will also be available on NYCHA's Website no earlier than 3:00 P.M. on Thursday, two weeks after the Audit Committee Meeting.

Any changes to the schedule will be posted here and on NYCHA's Website, at [www1.nyc.gov/sienycaabouaudi-commiee-meeings.aga](http://www1.nyc.gov/sienycaabouaudi-commiee-meeings.aga) <https://www1.nyc.gov/site/nycha/about/audit-committee-meetings.page> to the extent practicable, at a reasonable time before the meeting.

For additional information regarding the Audit Committee Meeting, please visit NYCHA's Website, contact by phone, at (212) 306-3441 or by email, at [audit@nychanyc.gov](mailto:audit@nychanyc.gov).

m27-j17

Because of the ongoing COVID-19 health crisis and in relation to Governor Andrew Cuomo's Executive Orders, the Board Meeting of the New York City Housing Authority, scheduled for Wednesday, June 16, 2021, at 10:30 A.M., will be limited to viewing the live-stream or listening via phone instead of attendance in person.

For public access, the meeting will be streamed live on NYCHA's website <http://nyc.gov/nycha> and <http://on.nyc.gov/boardmeetings>, or can be accessed by calling (646) 558-8656 using Webinar ID: 896 6912 6975 and Passcode: 4393520253.

For those wishing to provide public comment, pre-registration is required via email to [corporate.secretary@nychanyc.gov](mailto:corporate.secretary@nychanyc.gov), or by contacting (212) 306-6088, no later than 5:00 P.M. on the day prior to the Board Meeting. When pre-registering, please provide your name, development or organization name, contact information and item you wish to comment on. You will then be contacted with instructions for providing comment. Comments are limited to the items on the Calendar.

Speaking time will be limited to three minutes. Speakers will provide comment in the order in which the requests to comment are received. The public comment period will conclude upon all speakers being heard or at the expiration of 30 minutes allotted for public comment, whichever occurs first.

Copies of the Calendar will be available on NYCHA's website, no earlier than 24 hours before the upcoming Board Meeting. Copies of the Minutes will also be available on NYCHA's website no earlier than 3:00 P.M. on the Thursday following the Board Meeting.

Any changes to the schedule will be posted here and on NYCHA's website, at <http://www1.nyc.gov/site/nycha/about/board-calendar.page> to the extent practicable at a reasonable time before the meeting.

For additional information, please visit NYCHA's website or contact (212) 306-6088.



m28-j16

## LANDMARKS PRESERVATION COMMISSION

### PUBLIC HEARINGS

**NOTICE IS HEREBY GIVEN** that, pursuant to the provisions of Title 25, Chapter 3 of the Administrative Code of the City of New York (Sections 25-303, 25-307, 25-308, 25-309, 25-313, 25-318, 25-320), on Tuesday, June 22, 2021, at 9:30 A.M., the Landmarks Preservation Commission (LPC or agency), will hold a public hearing by teleconference with respect to the properties list below, and then followed by a public meeting.

The final order and estimated times for each application will be posted on the Landmarks Preservation Commission website, the Friday before the hearing. Please note that the order and estimated times are subject to change. The teleconference will be by the Zoom app and will be live streamed on the LPC's YouTube channel, [www.youtube.com/nyclpc](http://www.youtube.com/nyclpc). Members of the public should observe the meeting on the YouTube channel and may testify on particular matters by joining the meeting using either the Zoom app or by calling in from any phone. Specific instructions on how to observe and testify, including the meeting ID and password, and the call-in number, will be posted on the agency's website, under the "Hearings" tab, <https://www1.nyc.gov/site/lpc/hearings/hearings.page>, on the Monday before the public hearing. Any person requiring language assistance services or other reasonable accommodation in order to participate in the hearing or attend the meeting should contact the LPC, by contacting Anthony Fabre, Director of Community and Intergovernmental Affairs, at [anfibre@lpc.nyc.gov](mailto:anfibre@lpc.nyc.gov), at least five (5) business days before the hearing or meeting. Please note: Due to the City's response to COVID-19, this public hearing and meeting is subject to change and/or cancellation.

### Fort Greene Park - Fort Greene Historic District LPC-21-09533 - Block 2088 - Lot 1 - Zoning: Park BINDING REPORT

A 19th-century park, built in 1840 and altered in 1866-1873, to designs by Olmsted & Vaux and in 1906-1909, to designs by McKim, Mead & White. Application is to install barrier-free access pathways.

**109 State Street - Brooklyn Heights Historic District**

LPC-21-08044 - Block 267 - Lot 7 - Zoning: R6

**CERTIFICATE OF APPROPRIATENESS**

A Greek Revival style rowhouse, built in 1839. Application is to alter front and side areaways, modify and install new window openings, add an oriel window, alter the rear extension, and construct rooftop additions.

**89 Remsen Street - Brooklyn Heights Historic District**

LPC-21-06338 - Block 248 - Lot 3 - Zoning: R6

**CERTIFICATE OF APPROPRIATENESS**

A Greek Revival style house, built in 1840. Application is to replace the sidewalk.

**10 Montague Terrace - Brooklyn Heights Historic District**

LPC-21-09062 - Block 208 - Lot 501 - Zoning: R6

**CERTIFICATE OF APPROPRIATENESS**

An Eclectic style rowhouse built in 1861-79. Application is to construct a terrace and install doors at the rear façade.

**48 Clifton Place - Clinton Hill Historic District**

LPC-21-07492 - Block 1951 - Lot 29 - Zoning: R6B

**CERTIFICATE OF APPROPRIATENESS**

An Italianate style residence. Application is to modify window openings and construct a deck at the rear façade.

**114-11 177th Street - Addisleigh Park Historic District**

LPC-21-07831 - Block - Lot 63 - Zoning: R2

**CERTIFICATE OF APPROPRIATENESS**

A Medieval Revival style free-standing house, design by C. Cahill and built in 1931. Application is to replace windows.

**4 Jane Street - Greenwich Village Historic District**

LPC-21-02996 - Block 615 - Lot 75 - Zoning: C1-6

**CERTIFICATE OF APPROPRIATENESS**

A Greek Revival style rowhouse with Neo-Grec alterations, built in 1843. Application is to construct a rooftop addition, excavate the rear yard and construct a below-grade rear yard addition.

**235 West 11th Street - Greenwich Village Historic District**

LPC-20-09891 - Block 614 - Lot 36 - Zoning: R6

**CERTIFICATE OF APPROPRIATENESS**

A rowhouse originally built in 1844 and altered in the early 20th century. Application is to modify the entrance and areaway, enlarge window openings, install ironwork, re-stucco the façade, and construct a rear yard addition.

**1780 Broadway - Individual Landmark**

LPC-21-09115 - Block 1029 - Lot 14 - Zoning: C5-1

**CERTIFICATE OF APPROPRIATENESS**

An office building with Elizabethan, Jacobean and Viennese Secessionist influences, designed by Howard Van Doren Shaw in association with Ward & Willauer, and built in 1909. Application is to install flagpoles.

**1790 Broadway - Individual Landmark**

LPC-21-05624 - Block 1029 - Lot 53 - Zoning: C5-1

**CERTIFICATE OF APPROPRIATENESS**

A Beaux-Arts style office building, designed by Carrere & Hastings and built in 1911-12, and altered in 1959. Application is to establish a master plan governing the future installation of banner signage.

**322 Central Park West - Upper West Side/Central Park West Historic District**

LPC-21-07488 - Block 1206 - Lot 29 - Zoning: R10A

**CERTIFICATE OF APPROPRIATENESS**

A Neo-Renaissance style apartment building with Gothic elements, designed by George and Edward Blum and built in 1926. Application is to extend a chimney.

**346 Convent Avenue - Hamilton Heights Historic District**

LPC-21-09450 - Block 2059 - Lot 47 - Zoning: R6A

**CERTIFICATE OF APPROPRIATENESS**

A Neo-French Renaissance style townhouse, built in 1886-90. Application is to replace windows and install an enclosure.

**2580-2595 Adam Clayton Powell Boulevard (aka 2802-2822 Frederick Douglass Boulevard, 209-247 West 149th Street, and 210-246 West 150th Street) - Dunbar Apartments - Individual Landmark**

LPC-21-07160 - Block 2035 - Lot 1 - Zoning: R7-2/C1-4

**CERTIFICATE OF APPROPRIATENESS**

A complex of six apartment buildings surrounding an interior garden courtyard, designed by Andrew J. Thomas and built in 1926-28. Application is to establish a Master Plan governing the future installation of fire escapes and louvers.

j9-22

**NOTICE IS HEREBY GIVEN** that, pursuant to the provisions of Title 25, Chapter 3 of the Administrative Code of the City of New York (Sections 25-303, 25-307, 25-308, 25-309, 25-313, 25-318, 25-320) on Tuesday, June 15, 2021, the Landmarks Preservation Commission (LPC or agency) will hold a public hearing by teleconference with

respect to the properties list below, and then followed by a public meeting.

The final order and estimated times for each application will be posted on the Landmarks Preservation Commission website, the Friday before the hearing. Please note that the order and estimated times are subject to change. The teleconference will be by the Zoom app and will be live streamed on the LPC's YouTube channel, [www.youtube.com/nyclpc](http://www.youtube.com/nyclpc). Members of the public should observe the meeting on the YouTube channel and may testify on particular matters by joining the meeting using either the Zoom app or by calling in from any phone. Specific instructions on how to observe and testify, including the meeting ID and password, and the call-in number, will be posted on the agency's website, under the "Hearings" tab, <https://www1.nyc.gov/site/lpc/hearings/hearings.page>, on the Monday before the public hearing. Any person requiring language assistance services or other reasonable accommodation in order to participate in the hearing or attend the meeting should contact the LPC by contacting Rich Stein, Community and Intergovernmental Affairs Coordinator, at [richstein@lpc.nyc.gov](mailto:richstein@lpc.nyc.gov), or (646) 248-0220 at least five (5) business days before the hearing or meeting. Please note: Due to the City's response to COVID-19, this public hearing and meeting is subject to change and/or cancellation.

**424 7th Avenue - Park Slope Historic District Extension**

LPC-21-08130 - Block 1043 - Lot 42 - Zoning: R6A, C2-4

**CERTIFICATE OF APPROPRIATENESS**

A Queen Anne style flats building with stores, designed by William H. Wirth and built c. 1887. Application is to reconstruct and modify a garage.

**1207 8th Avenue - Park Slope Historic District**

LPC-21-02318 - Block 1099 - Lot 6 - Zoning: R6B

**CERTIFICATE OF APPROPRIATENESS**

An apartment house, designed by William Musgrave Calder and built in 1900. Application is to legalize the replacement of an areaway fence without Landmarks Preservation Commission permit(s).

**114-11 177th Street - Addisleigh Park Historic District**

LPC-21-07831 - Block -10308 - Lot 63 - Zoning: R2

**CERTIFICATE OF APPROPRIATENESS**

A Medieval Revival style free-standing house, designed by C. Cahill and built in 1931. Application is to replace windows.

**430 West 22nd Street - Chelsea Historic District**

LPC-21-00561 - Block 719 - Lot 60 - Zoning: R7B

**CERTIFICATE OF APPROPRIATENESS**

A Greek Revival style building, built in 1843. Application is to construct a rear yard addition.

**30 Rockefeller Plaza - Individual and Interior Landmark**

LPC-21-09092 - Block 1265 - Lot 7501 - Zoning: C5-2.5, C5-3

**CERTIFICATE OF APPROPRIATENESS**

An office building and designated lobby, designed by the Associated Architects and featuring artwork by Jose Maria Sert and Frank Brangwyn, and constructed in 1931-33 as part of an Art Deco style office, commercial and entertainment complex. Application is to modify openings, extend walls, and replace light fixtures within the interior lobby, install storefront infill at the ground floor, and install attractions and accretions at the rooftop observation terraces.

**170 Central Park West - Upper West Side/Central Park West Historic District**

LPC-21-08924 - Block 1129 - Lot 29 - Zoning: R10A R8B

**CERTIFICATE OF APPROPRIATENESS**

A Roman Eclectic style museum and library, designed by York and Sawyer and built in 1903-1908, with wings added in 1937-1938 by Walker and Gillette. Application is to demolish a free-standing wall, construct an addition, re-construct and alter the library stack tower, and alter the south façade.

**200 Central Park West - Individual and Interior Landmark**

LPC-21-08864 - Block 1130 - Lot 1 - Zoning: 8C

**ADVISORY REPORT**

A complex of museum exhibition and support buildings, designed by Vaux and Mould; Cady, Berg and See; Trowbridge and Livingston; John Russell Pope; Charles Volz; and others, located within a park, and built between 1874 and 1935. Application is to remove a statue, modify stairs and paving, and install plaques.

**333 Central Park West - Upper West Side/Central Park West Historic District**

LPC-21-05268 - Block 1207 - Lot 29 - Zoning: R10A R7-2

**CERTIFICATE OF APPROPRIATENESS**

A Neo-Renaissance style apartment building designed by Albert Joseph Bodker and built in 1909-1910. Application is to install rooftop structures.

**333 Central Park West - Upper West Side/Central Park West Historic District**

LPC-21-05268 - Block 1207 - Lot 29 - Zoning: R10A R7-2

**CERTIFICATE OF APPROPRIATENESS**

A Neo-Renaissance style apartment building, designed by Albert Joseph Bodker and built in 1909-1910. Application is to install rooftop structures.

j2-15



## RENT GUIDELINES BOARD

### ■ NOTICE

**NOTICE IS HEREBY GIVEN** that the New York City Rent Guidelines Board (RGB), will hold a virtual public hearing on **June 17, 2021** from 5:00 P.M. to 9:00 P.M. to consider public comments concerning proposed rent adjustments for renewal leases for apartments, lofts, hotels (including class A and class B hotels, SROs, rooming houses and lodging houses) and other housing units subject to the Rent Stabilization Law of 1969 and the Emergency Tenant Protection Act of 1974. These adjustments will affect renewal leases commencing between October 1, 2021 through September 30, 2022.

The RGB will hold a virtual Zoom public hearing on the proposed guidelines on June 17, 2021 beginning, at 5:00 P.M. No in-person hearing will occur. The public may participate in the hearing online by going, to <https://us02web.zoom.us/j/84907708770> and entering Passcode: 848480 (video) or telephone by dialing 646-558-8656, then when prompted, entering Meeting ID: 849 0770 8770; when prompted for Participant ID, pressing #; then when prompted, entering Passcode: 848480. Directions on how to register to speak can be found below. The public may also view, but not participate in, the hearing via livestream from YouTube at: <https://youtube.com/RentGuidelinesBoard> and by listening on the phone by dialing the number above and when prompted, entering the above Meeting ID.

People wishing to speak at the virtual public hearings can register in advance. The instructions for registering to speak follow below. If you are registered, you will be heard in the order of registration. If there is time at the end of each hearing, after all of those who have registered have been heard, we will hear from other attendees at each virtual hearing. The information for joining and/or participating in a hearing (whether registered or not) can be found above or can be obtained by calling our office, at (212) 669-7480.

Registration will begin on **May 17, 2021, at 9:00 A.M.** and will end on **June 14, 2021, at 12:00 P.M.** Speakers can attend and participate in a hearing by two different methods. You can use a phone to dial in to the meeting or join the meeting online. Detailed instructions on how to attend and participate in a hearing can be found above.

You can register online through our website, <https://rentguidelinesboard.cityofnewyork.us/registration/> or you can sign up to speak by calling (212) 669-7480 from 9:00 A.M. till 5:00 P.M., Monday through Friday.

Written requests for registration can be emailed, to [csuperville@nycrgb.org](mailto:csuperville@nycrgb.org) and must be received no earlier than 9:00 A.M., on May 17, 2021 and no later than 12:00 P.M. on June 14, 2021. Emails must include the name of the speaker, if they are speaking on behalf of tenants or owners and the method they will use to testify (telephone or video). Those testifying by phone must include their phone number and those testifying by video must include the exact name they will use to sign into the online meeting. Failure to provide the exact phone number or name may result in the loss of your place in the queue to speak. Instructions on how to attend the meeting will be emailed to the registered speaker.

Persons who request that a language interpreter or a sign language interpreter or other form of reasonable accommodation for a disability be provided at any of the scheduled hearings must notify Ms. Charmaine Superville at the NYC Rent Guidelines Board, at (212) 669-7480 or via email, at [csuperville@nycrgb.org](mailto:csuperville@nycrgb.org) by **Wednesday, June 9, 2021** no later than 4:30 P.M.

Speakers who have confirmed their presence on the day of a hearing will be heard in the order of registration. Public officials may be given priority over other speakers. The public is invited to observe all public meetings and public hearings but is invited to speak at only the public hearings.

j7-16

**NOTICE IS HEREBY GIVEN** that the New York City Rent Guidelines Board (RGB), will hold a virtual public hearing, on **June 15, 2021**, from 4:00 P.M. to 7:00 P.M., to consider public comments concerning proposed rent adjustments, for renewal leases, for apartments, lofts, hotels (including class A and class B hotels, SROs, rooming houses and lodging houses), and other housing units subject to the Rent Stabilization Law of 1969 and the Emergency Tenant Protection Act of 1974. These adjustments will affect renewal leases commencing between October 1, 2021 through September 30, 2022.

The RGB will hold a virtual Zoom public hearing on the proposed guidelines, on June 15, 2021, beginning at 4:00 P.M. No in-person hearing will occur. The public may participate in the hearing online by going to, <https://us02web.zoom.us/j/83877223517>, and entering Passcode: 403700 (video), or by telephone, by dialing 646-558-8656, then when prompted, entering Meeting ID: 838 7722 3517; when prompted for Participant ID, pressing #; then when prompted, entering

Passcode: 403700. Directions on how to register to speak can be found below. The public may also view, but not participate in, the hearing, via livestream from YouTube, at: <https://youtube.com/RentGuidelinesBoard>, and by listening on the phone, by dialing the number above and when prompted, entering the above Meeting ID.

People wishing to speak at the virtual public hearings can register in advance. The instructions for registering to speak follow below. If you are registered, you will be heard in the order of registration. If there is time at the end of each hearing, after all of those who have registered have been heard, we will hear from other attendees at each virtual hearing. The information for joining and/or participating in a hearing (whether registered or not), can be found above or can be obtained by calling our office, at (212) 669-7480.

Registration will begin on **May 17, 2021, at 9:00 A.M.**, and will end on **June 14, 2021, at 12:00 P.M.** Speakers can attend and participate in a hearing by two different methods. You can use a phone to dial in to the meeting or join the meeting online. Detailed instructions on how to attend and participate in a hearing can be found above.

You can register online through our website, <https://rentguidelinesboard.cityofnewyork.us/registration/>, or you can sign up to speak by calling (212) 669-7480 from 9:00 A.M. till 5:00 P.M., Monday through Friday.

Written requests for registration can be emailed, to [csuperville@nycrgb.org](mailto:csuperville@nycrgb.org), and must be received no earlier than 9:00 A.M. on May 17, 2021, and no later than 12:00 P.M., on June 14, 2021. Emails must include the name of the speaker, if they are speaking on behalf of tenants or owners and the method they will use to testify (telephone or video). Those testifying by phone must include their phone number and those testifying by video must include the exact name they will use to sign into the online meeting. Failure to provide the exact phone number or name may result in the loss of your place in the queue to speak. Instructions on how to attend the meeting will be emailed to the registered speaker.

Persons who request that a language interpreter or a sign language interpreter or other form of reasonable accommodation for a disability be provided at any of the scheduled hearings, must notify Ms. Charmaine Superville, at the NYC Rent Guidelines Board, at (212) 669-7480, or via email, at [csuperville@nycrgb.org](mailto:csuperville@nycrgb.org), by **Monday, June 7, 2021**, no later than 4:30 P.M.

Speakers who have confirmed their presence on the day of a hearing, will be heard in the order of registration. Public officials may be given priority over other speakers. The public is invited to observe all public meetings and public hearings but is invited to speak at only the public hearings.

j3-14

## BOARD OF STANDARDS AND APPEALS

### ■ PUBLIC HEARINGS

**June 28, 2021 and June 29, 2021, 10:00 A.M. and 2:00 P.M.**

**NOTICE IS HEREBY GIVEN** of teleconference public hearings, Monday, June 28, 2021, at 10:00 A.M. and 2:00 P.M., and Tuesday, June 29, 2021, at 10:00 A.M. and 2:00 P.M., to be streamed live through the Board's website ([www.nyc.gov/bsa](http://www.nyc.gov/bsa)), with remote public participation, on the following matters:

#### SPECIAL ORDER CALENDAR

##### 467-58-BZIII

APPLICANT – Walter T. Gorman, P.E., P.C., for (GTY-CPG) Leasing, Inc., owner; Global Partners LP, lessee.

SUBJECT – Application December 24, 2020 – Extension of Term (§11-411) of a previously approved variance permitting the operation of an Automotive Service Station (UG 16B) which expired on December 14, 2019, Waiver of the Board's Rules of Practice and Procedures. R3-2, R4B and R3X zoning districts.

PREMISES AFFECTED – 172-11 Northern Boulevard, Block 5363, Lot 1, Borough of Queens.

##### COMMUNITY BOARD #7Q

##### 81-74-BZIV

APPLICANT – Gerald J. Caliendo, RA, AIA, for 57 Avenue Market Inc., owner.

SUBJECT – Application August 4, 2020 – Extension of Time to Obtain a Certificate of Occupancy for a previously approved variance (§72-21) which permitted the operation of a supermarket (UG 6) which expired on July 23, 2020. C1-2/R6A & R6B zoning district.

PREMISES AFFECTED – 97-27 57<sup>th</sup> Avenue, Block 1906, Lot 1, Borough of Queens.

##### COMMUNITY BOARD #4Q

##### 42-09-BZIII

APPLICANT – Sheldon Lobel, P.C., for Arrow Linen Supply Co., Inc., owner.

SUBJECT – Application June 5, 2020 – Extension of Term of a previously approved variance (expired July 12, 1992) which permitted the extension of a legal non-conforming commercial laundry use (Arrow Linen Supply) within a residential zoning district which expired on August 11, 2019; Extension of Time to Obtain a Certificate of Occupancy which expired on February 11, 2010; Waiver of the Board’s Rules. R5B zoning district.  
 PREMISES AFFECTED – 441-467 Prospect Avenue, Block 1113, Lot(s) 61,73, Borough of Brooklyn.  
**COMMUNITY BOARD #3BK**

**2017-240-BZ**  
 APPLICANT – Troutman Pepper LLC, for 310 Lenox Avenue LLC & RM 310 Lenox LLC., owner.  
 SUBJECT – Application February 12, 2021 – Extension of Term of a previously approved Special Permit (§73-244) permitting an eating and drinking establishment without restrictions and no limitation on entertainment and dancing (UG 12A) (Red Rooster Harlem Restaurant, located on the cellar level which expires on expiring March 27, 2021. C4-4A (Special 125th Street District).  
 PREMISES AFFECTED – 310 Lenox Avenue, Block 1723, Lot 69, Borough of Manhattan.  
**COMMUNITY BOARD #10M**

**APPEAL CALENDAR**

**2021-11-BZY**  
 APPLICANT – Kenneth K. Loweinstein, for 559 Development, LLC, owner.  
 SUBJECT – Application January 21, 2021 – Extension of Time to Complete Construction and Obtain a Certificate of Occupancy (§11-332) for a period of two years from December 20, 2020.  
 PREMISES AFFECTED – 38-59 11th Street, Block 00473, Lot 559, Borough of Queens.  
**COMMUNITY BOARD #2Q**

*Margery Perlmutter, Chair/Commissioner*  
 • j10-11

**PROPERTY DISPOSITION**

**CITYWIDE ADMINISTRATIVE SERVICES**

■ SALE

The City of New York in partnership with PropertyRoom.com posts vehicle and heavy machinery auctions online every week, at: <https://www.propertyroom.com/s/nyc+fleet>  
 All auctions are open, to the public and registration is free.  
 Vehicles can be viewed in person, at:  
 Kenben Industries Ltd., 1908 Shore Parkway, Brooklyn, NY 11214  
 Phone: (718) 802-0022  
 No previous arrangements or phone calls are needed to preview.  
 Hours are Monday and Tuesday from 10:00 A.M. – 2:00 P.M.

f23-a4

**OFFICE OF CITYWIDE PROCUREMENT**

■ SALE

The Department of Citywide Administrative Services, Office of Citywide Procurement is currently selling surplus assets on the Internet. Visit <http://www.publicsurplus.com/sms/nyedcas.ny/browse/home>  
 To begin bidding, simply click on ‘Register’ on the home page.  
 There are no fees to register. Offerings may include but are not limited to: office supplies/equipment, furniture, building supplies, machine tools, HVAC/plumbing/electrical equipment, lab equipment, marine equipment, and more.  
 Public access to computer workstations and assistance with placing bids is available, at the following locations:

- DCAS Central Storehouse, 66-26 Metropolitan Avenue, Middle Village, NY 11379

- DCAS, Office of Citywide Procurement, 1 Centre Street, 18th Floor, New York, NY 10007
- j4-j30

**HOUSING PRESERVATION AND DEVELOPMENT**

■ PUBLIC HEARINGS

All Notices Regarding Housing Preservation and Development Dispositions of City-Owned Property appear in the Public Hearing Section.

j4-d30

**PROCUREMENT**

*“Compete To Win” More Contracts!*

*Thanks to a new City initiative - “Compete To Win” - the NYC Department of Small Business Services offers a new set of FREE services to help create more opportunities for minority and Women-Owned Businesses to compete, connect and grow their business with the City. With NYC Construction Loan, Technical Assistance, NYC Construction Mentorship, Bond Readiness, and NYC Teaming services, the City will be able to help even more small businesses than before.*

- Win More Contracts, at [nyc.gov/competetowin](http://nyc.gov/competetowin)

*“The City of New York is committed to achieving excellence in the design and construction of its capital program, and building on the tradition of innovation in architecture and engineering that has contributed, to the City’s prestige as a global destination. The contracting opportunities for construction/construction services and construction-related services that appear in the individual agency listings below reflect that commitment to excellence.”*

**HHS ACCELERATOR**

To respond to human services Requests for Proposals (RFPs), in accordance with Section 3-16 of the Procurement Policy Board Rules of the City of New York (“PPB Rules”), vendors must first complete and submit an electronic prequalification application using the City’s Health and Human Services (HHS) Accelerator System. The HHS Accelerator System is a web-based system maintained by the City of New York for use by its human services Agencies to manage procurement. The process removes redundancy by capturing information about boards, filings, policies, and general service experience centrally. As a result, specific proposals for funding are more focused on program design, scope, and budget.

Important information about the new method

- Prequalification applications are required every three years.
- Documents related to annual corporate filings must be submitted on an annual basis to remain eligible to compete.
- Prequalification applications will be reviewed to validate compliance with corporate filings, organizational capacity, and relevant service experience.
- Approved organizations will be eligible to compete and would submit electronic proposals through the system.

The Client and Community Service Catalog, which lists all Prequalification service categories and the NYC Procurement Roadmap, which lists all RFPs to be managed by HHS Accelerator may be viewed, at <http://www.nyc.gov/html/hhsaccelerator/html/roadmap/roadmap.shtml>. All current and prospective vendors should frequently review information listed on roadmap to take full advantage of upcoming opportunities for funding.

**Participating NYC Agencies**

HHS Accelerator, led by the Office of the Mayor, is governed by an Executive Steering Committee of Agency Heads who represent the following NYC Agencies:

- Administration for Children’s Services (ACS)
- Department for the Aging (DFTA)
- Department of Consumer Affairs (DCA)
- Department of Corrections (DOC)

Department of Health and Mental Hygiene (DOHMH)  
 Department of Homeless Services (DHS)  
 Department of Probation (DOP)  
 Department of Small Business Services (SBS)  
 Department of Youth and Community Development (DYCD)  
 Housing and Preservation Department (HPD)  
 Human Resources Administration (HRA)  
 Office of the Criminal Justice Coordinator (CJC)

To sign up for training on the new system, and for additional information about HHS Accelerator, including background materials, user guides and video tutorials, please visit [www.nyc.gov/hhsaccelerator](http://www.nyc.gov/hhsaccelerator)

**ADMINISTRATION FOR CHILDREN'S SERVICES**

**YOUTH AND FAMILY JUSTICE**

■ INTENT TO AWARD

*Human Services/Client Services*

**06821N0034-TUTORING GRANT #1** - Negotiated Acquisition/  
 Pre-Qualified List - PIN# 06821N0034 - Due 6-22-21 at 2:00 P.M.

Tutoring grant to provide educational support services to youth in ACS secure detention and placement facilities.

This NA will not be sent to a PQL.

j8-14

**06821N0035-TUTORING GRANT #2** - Negotiated Acquisition/  
 Pre-Qualified List - PIN# 06821N0035 - Due 6-22-21 at 2:00 P.M.

Tutoring grant to provide educational support services to youth in ACS secure detention and placement facilities.

This NA will not be sent to a PQL. This NA will not be sent to a PQL.

j8-14

**CITYWIDE ADMINISTRATIVE SERVICES**

■ AWARD

*Goods*

**PURATE SOLUTION - DEP** - Competitive Sealed Bids -  
 PIN# 8572000022 - AMT: \$19,199,587.09 - TO: Azure Water Services LLC DbA Jamestown Technologies, 280 Callegari Drive, West Haven, CT 06516.

• j10

**STEAM LIFTS NEEDED** - Small Purchase - PIN#85621C0031001 -  
 AMT: \$8,230.24 - TO: NY Plumbing Wholesale and Supply Inc., 933 Columbus Avenue, New York, NY 10025.

Steam Lifts needed, Delivery and Invoicing information: Delivery to: Pat English, 111 Centre Street, New York, NY 10013 Telephone (212) 442-8524 Invoicing: Audits and Accounts 17th Floor, 1 Centre Street New York, NY 10013. Items are required to install 2 semi instantaneous H/W heaters, at 111 Centre Street as part of an ExCEL funded energy project. The units use Con Edison steam to heat the hot water.

• j10

**DISTRICT ATTORNEY - NEW YORK COUNTY**

■ AWARD

*Services (other than human services)*

**SOLE SOURCE AWARD FOR ROYAL IMAGING NY LLC** -  
 Renewal - PIN#901DOCUWARE22 - AMT: \$26,088.00 - TO: Royal Imaging NY LLC, 242 West 38th Street, 8th Floor, New York, NY 10018.

Sole Source Award for Royal Imaging NY LLC, for Docuware Enterprise and Dokmee Capture Software Subscription Renewal.

PPB Rules, Section 3-05 Sole Source Procurement.

• j10-16

**SOLE SOURCE AWARD FOR MATTHEW BENDER & CO INC.**  
 - Renewal - PIN#901CASEMAP22 - AMT: \$23,450.00 - TO: Matthew Bender & Co Inc., P.O. Box 9584, New York, NY 10087-4584.

Sole Source Award for Matthew Bender & Co Inc., for Casemap Software Subscription Renewal.

PPB Rules, Section 3-05 Sole Source Procurement.

• j10-16

**MWBE AWARD FOR SATURN BUSINESS SYSTEMS** - Renewal - PIN#901IMANAGE2022 - AMT: \$106,720.64 - TO: Saturn Business Systems, 228 East 45th Street, 5th Floor, New York, NY 10036.

MWBE Award for Saturn Business Systems for Imanage Software Subscription Renewal.

M/WBE Noncompetitive Method over \$100,000.00

• j10-16

**ENVIRONMENTAL PROTECTION**

**WATER SUPPLY**

■ SOLICITATION

*Services (other than human services)*

**FOREST MANAGEMENT PROJECT #5175 BID SOLICITATION FOR THE SALE OF TIMBER AND FIREWOOD IN THE TOWN OF NEVERSINK, NEW YORK.** - Competitive Sealed Bids - PIN# FMP #5175 - Due 6-29-21 at 4:00 P.M.

**NOTICE OF PROJECT AVAILABILITY**

Project Information/Description: Bid Solicitation for the Sale of Timber and Firewood in the Town of Neversink. The City of New York will sell approximately 50,542 board feet (International ¼" Rule) of sawtimber and 143 cords of hardwood cordwood through Forest Management Project ID #5175. The products included in this sale are on NYCDEP land located on Viscomi Road in Neversink, NY.

Availability of Bid Information: Bid solicitation information and Bid Packages are available by calling Jamie Overton, DEP Forester, at (845) 334-7883, or requesting via email at [joverton@dep.nyc.gov](mailto:joverton@dep.nyc.gov). Bid Packages can also be collected at one of the Bid Showings.

Show Dates: Prospective bidders are recommended to attend one of the public showings which will be held on Monday, June 14, 2021, at 1:00 P.M. and Tuesday, June 15, 2021, at 9:00 A.M. Participants should park and gather at the NYCDEP Sugarloaf Mountain Recreation Unit parking area on the north side of Viscomi Road. Meet-up location coordinates 41°52'07.2"N, 74°30'25.1"W. All prospective attendees must notify the DEP Forester of the representatives they will be sending to the showing at least 24 hours in advance.

Required Contractor Qualification: 1. The Contractor must maintain the required Workers Compensation and Disability Benefits Coverage. 2. The Contractor shall furnish and maintain Commercial General Liability & Commercial Auto Insurance Policies. 3. The Contractor must have demonstrated experience, ability and equipment to assure removal of timber under terms of the agreement.

Bid Due Date: All bid proposals must be received by Jamie Overton, P.O. Box 358, Grahamsville, NY 12740 (845-334-7883), NO LATER THAN Tuesday, June 29, 2021, at 4:00 P.M., local time.

Opening of Bids: Sealed bids will be publicly opened at the DEP Office, 16 Little Hollow Road, Grahamsville, NY, on Wednesday, June 30, 2021, at 9:00 A.M., local time. The projected date for awarding the bid is on or around Wednesday, July 7, 2021.

Use the following address unless otherwise specified in notice, to secure, examine or submit bid/proposal documents, vendor pre-qualification and other forms; specifications/blueprints; other information; and for opening and reading of bids at date and time specified above.

*Environmental Protection, PO Box 358, Grahamsville, NY 12740. Jamie Overton (845) 334-7883; joverton@dep.nyc.gov*

j1-14

**WATER AND SEWER OPERATION**

■ SOLICITATION

*Services (other than human services)*

**82621B0024-BHOE-22-1M** - Competitive Sealed Bids - PIN# 82621B0024 - Due 7-9-21 at 10:00 A.M.

Contract BHOE-22-1M: Services - Backhoe loaders with operating engineers, Region 1, Manhattan. This Competitive Sealed Bid ("RFx") is being released through PASSPort, New York City's online procurement portal. Responses to this RFx should be submitted via PASSPort. To access the solicitation, vendors should visit the PASSPort Public Portal at, <https://www1.nyc.gov/site/mocs/systems/about-go-to-passport.page> and click on the "Search Funding Opportunities in PASSPort" blue box. This will take you to the Public Portal of all procurements in the PASSPort system. To quickly locate the RFx, insert the EPIN 82621B0024 into the Keywords search field. If you need assistance submitting a response, please contact [help@mocs.nyc.gov](mailto:help@mocs.nyc.gov). On the Response Due Date at 10:00 A.M., please be advised that you will be required to submit a PAPER copy of the Bid Submission Form and the

Bid Security to NYC Department of Environmental Protection, 96-05 Horace Harding Expressway, 1st Floor Low Rise, Flushing, NY 11373.

Pre-Bid Conference location -Virtual Meeting-Microsoft Team call in (audio only) +1 347-921-5612, 668508185# Flushing NY 11373. Mandatory: no Date/Time - 2021-06-21 10:00.

• j10

**82621B0027-BWSO\_BHOE-22-2X** - Competitive Sealed Bids - PIN# 82621B0027 - Due 7-8-21 at 10:00 A.M.

Contract BHOE-22-2X: Services - Backhoe Loader(s) with operating engineer(s) Region 2, Bronx. This Competitive Sealed Bid ("RFx") is being released through PASSPort, New York City's online procurement portal. Responses to this RFx should be submitted via PASSPort. To access the solicitation, vendors should visit the PASSPort Public Portal at, <https://www1.nyc.gov/site/mocs/systems/about-go-to-passport.page> and click on the "Search Funding Opportunities in PASSPort" blue box. This will take you to the Public Portal of all procurements in the PASSPort system. To quickly locate the RFx, insert the EPIN 82621B0027 into the Keywords search field. If you need assistance submitting a response, please contact [help@mocs.nyc.gov](mailto:help@mocs.nyc.gov). On the Response Due Date at 10:00 A.M., please be advised that you will be required to submit a PAPER copy of the Bid Submission Form and the Bid Security to NYC Department of Environmental Protection, 96-05 Horace Harding Expressway, 1st Floor Low Rise, Flushing, NY 11373.

Pre-Bid Conference location -Virtual Meeting-Microsoft Team call in (audio only) +1 347-921-5612, 668508185# Flushing, NY 11373 Mandatory: no Date/Time - 2021-06-21 10:00.

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## HOUSING AUTHORITY

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### PROCUREMENT

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#### ■ SOLICITATION

*Construction Related Services*

**SMD SERVICES SERVICE AND MAINTENANCE OF THE ADVANCED BOILER MANAGEMENT SYSTEMS (HI-TECH PLANTS), CITYWIDE** - Competitive Sealed Bids - PIN#69714-2 - Due 7-1-21 at 10:10 A.M.

Contractor shall perform servicing and maintenance of the boiler management control systems. This is inclusive of the following but not limited to AutoFlame – MK Series, Fireye – Nexus Series, Siemens – LMV Series, and Preferred Utilities Manufacturing Corp - BurnerMate Series. Observe operating temperatures, pressures, settings of all equipment covered. Report any unusual noises and conditions noticed on all equipment covered. Inspect all gas components for leaks, check main gas valves, high and low gas pressure switches. Check and record ambient air flow within the boiler room.

Interested vendors are invited to obtain a copy of the opportunity, at NYCHA's website by going to the <http://www.nyc.gov/nychabusiness>. On the left side, click on "iSupplier Vendor Registration/Login" link. (1) If you have an iSupplier account, then click on the "Login for registered vendors" link and sign into your iSupplier account. (2) If you do not have an iSupplier account you can Request an account by clicking on "New suppliers register in iSupplier" to apply for log-in credentials. Once you have accessed your iSupplier account, log into your account, then choose under the Oracle Financials home page, the menu option "Sourcing Supplier", then choose "Sourcing", then choose "Sourcing Homepage"; and conduct a search in the "Search Open Negotiations" box for the RFQ Number (s) 69714-2.

Note: In response to the COVID-19 outbreak, we are accepting only electronic bids submitted online via iSupplier. Paper bids will not be accepted or considered. Please contact NYCHA Procurement, at [procurement@nycha.nyc.gov](mailto:procurement@nycha.nyc.gov), for assistance.

Use the following address unless otherwise specified in notice, to secure, examine or submit bid/proposal documents, vendor pre-qualification and other forms; specifications/blueprints; other information; and for opening and reading of bids, at date and time specified above.  
Housing Authority, 90 Church Street, 6th Floor, New York, NY 10007.  
Miriam Rodgers (212) 306-4718; [miriam.rodders@nycha.nyc.gov](mailto:miriam.rodders@nycha.nyc.gov)

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**SMD SERVICES DECOMMISSIONING OF MONITORING/RECOVERY WELLS WITHIN ALL FIVE (5) BOROUGHES OF NEW YORK CITY** - Competitive Sealed Bids - PIN#327889 - Due 7-1-21 at 10:00 A.M.

The project Scope of Work, herein after referred to as the SOW is for the citywide decommissioning of monitoring/ recovery wells as required by 6NYCRR 360 and Environmental Conservation Law Article 23, at various locations in all Five (5) Boroughs of New York City. During the tank closure process (under TSD FORU and Environmental Consulting

supervision) the soil under and around the tank must be sampled and tested. If product or product contaminated soil or ground water is discovered. All contaminated soil will have to be removed and properly disposed of. All information (report) regarding the oil tank removal must be submitted to TSD, FORU (2 CDs and 2 hard copies). TSD will forward to the DEC requesting the spill closure. DEC will respond by closing the spill.

Interested vendors are invited to obtain a copy of the opportunity, at NYCHA's website by going to the <http://www.nyc.gov/nychabusiness>. On the left side, click on "iSupplier Vendor Registration/Login" link. (1) If you have an iSupplier account, then click on the "Login for registered vendors" link and sign into your iSupplier account. (2) If you do not have an iSupplier account you can Request an account by clicking on "New suppliers register in iSupplier" to apply for log-in credentials. Once you have accessed your iSupplier account, log into your account, then choose under the Oracle Financials home page, the menu option "Sourcing Supplier", then choose "Sourcing", then choose "Sourcing Homepage"; and conduct a search in the "Search Open Negotiations" box for the RFQ Number (s) 327889.

Note: In response to the COVID-19 outbreak, we are accepting only electronic bids submitted online via iSupplier. Paper bids will not be accepted or considered. Please contact NYCHA Procurement, at [procurement@nycha.nyc.gov](mailto:procurement@nycha.nyc.gov), for assistance.

Use the following address unless otherwise specified in notice, to secure, examine or submit bid/proposal documents, vendor pre-qualification and other forms; specifications/blueprints; other information; and for opening and reading of bids, at date and time specified above.

Housing Authority, 90 Church Street, 6th Floor, New York, NY 10007.  
Miriam Rodgers (212) 306-4718; [miriam.rodders@nycha.nyc.gov](mailto:miriam.rodders@nycha.nyc.gov)

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## HUMAN RESOURCES ADMINISTRATION

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#### ■ AWARD

*Human Services/Client Services*

**FY21 05545 PROVISION OF EMERGENCY GRANTS FOR HOMELESSNESS PREVENTION PROGRAM THAT HELPS FAMILIES AT RISK OF EVICTION.** - BP/City Council Discretionary - PIN#06921L0353001 - AMT: \$139,400.00 - TO: Community Service Society of New York, 633 3rd Avenue, 10th Floor, New York, NY 10017-6701. Contract Term: from 7/1/2020 to 6/30/2021.

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### CONTRACTS

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#### ■ INTENT TO AWARD

*Human Services/Client Services*

**PROVIDE WAREHOUSE DELIVERY OF NON-PERISHABLE FOOD TO SOUP KITCHENS** - Negotiated Acquisition - Other - PIN# 06921N0385 - Due 6-17-21 at 2:00 P.M.

The Human Resources Administration (HRA)/ Emergency and Intervention Services (EIS) intends to enter into a Negotiated Acquisition Extension (NAE) contract with Food Bank For New York City. E-PIN#: 06921N0385 Contract amount: \$4,393,582.00.

Contract Term: 7/1/2021 - 6/30/2022

Under this NAE the current vendor, Food Bank For New York City, will continue to provide warehouse delivery of non-perishable food to soup kitchens for Emergency Food Assistance Program (EFAP) .

Use the following address unless otherwise specified in notice, to secure, examine or submit bid/proposal documents, vendor pre-qualification and other forms; specifications/blueprints; other information; and for opening and reading of bids at date and time specified above.

Human Resources Administration, 150 Greenwich Street, 37th Floor, New York, NY 10007. Jacques Frazier (929) 221-5554; [frazierjac@dss.nyc.gov](mailto:frazierjac@dss.nyc.gov)

• j10-16

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## OFFICE OF THE MAYOR

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#### ■ AWARD

*Construction Related Services*

**GANNETT FLEMING ENGINEERS & ARCHITECTS RENEWAL NO. 1** - Renewal - PIN# 00217P8215KXLR001 - AMT: \$3,000,000.00 -

TO: Gannett Fleming Engineers & Architects PC, 207 Senate Avenue, Camp Hill, PA 17011. Renewal No. 1 for Asset Management Services

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**POLICE**

**MANAGEMENT AND BUDGET**

■ INTENT TO AWARD

*Services (other than human services)*

**05621Y0022-HAMILTON JET MARINE SERVICE AND PARTS**  
- Request for Information - PIN#05621Y0022 - Due 6-21-21 at 2:00 P.M.

Pursuant to Section 3-05 of the NYC Procurement Policy Board Rules, NYPD, intends to award a contract for Hamilton Jet Marine service and parts to Kraft Powers Corporation, located, at 241 West Parkway, NJ 07444. The NYPD has determined that the Sole Source Procurement Method is the best method to procure these goods because Kraft Powers is the only authorized distributor and provider of Hamilton Jet Marine service and parts. Due the complexity of the jet propulsion system only Hamilton Jet authorized service mechanics can work on the systems. Kraft Power Corporation is the sole and exclusive authorized distributor for Hamilton Jet Marine service and parts for the Northeast Geographical area, New York. The goods and services being sought in this contract are Hamilton Jet service and parts for Police Patrol operations of the NYPD's Harbor Unit. Any other supplier who is capable of providing Hamilton Jet Marine service and parts may express interest to Dorothy Carter-Starks, Administrative Procurement Analyst, NYPD Office Contract Administration Procurement Division. Such interest shall be provided by email to [contracts@nypd.org](mailto:contracts@nypd.org), or in writing addressed to Dorothy Carterstarks, at 90 Church Street Suite 1206 New York, NY 10007, on or before 2:00 P.M. on June 21, 2021.

Use the following address unless otherwise specified in notice, to secure, examine or submit bid/proposal documents, vendor pre-qualification and other forms; specifications/blueprints; other information; and for opening and reading of bids, at date and time specified above.

Police Department, Dorothy Carter-Starks (646) 610-5193; [contracts@nypd.org](mailto:contracts@nypd.org)

j4-11

**PROBATION**

■ AWARD

*Human Services/Client Services*

**ARCHES TRANSFORMATIVE MENTORING INTERVENTION**  
- Renewal - PIN# 78120F8008KXLR002 - AMT: \$253,514.75 - TO: New York Center for Interpersonal Development Inc., 130 Stuyvesant Place, 5th Floor, Staten Island, NY 10301.

• j10

**TRANSPORTATION**

■ AWARD

*Services (other than human services)*

**DIVERSITY & INCLUSION ASSESSMENTS, TRAINING AND COACHING** - Other - PIN# 84121U0005001 - AMT: \$200,000.00 - TO: Turning Point Leadership Group LLC, 3340 Peachtree Road, Suite 1800, Atlanta, GA 30326.

• j10

■ INTENT TO AWARD

*Services (other than human services)*

**84121D0008-DRIVER EDUCATION PROGRAM UNDER LOCAL LAW 36 OF 2020, CITYWIDE** - Demonstration Project - Other - PIN#84121D0008 - Due 6-18-21 at 5:00 P.M.

Driver Education Program under Local Law 36 of 2020, Citywide. The New York City Department of Transportation (NYCDOT), intends to enter into negotiations with Fund for the City of New York, Inc., for the award of a demonstration project for the provision of the design and administration of a safe driving class related to the launch of a Driver Education Program. The services is to assist the New York City Department of Transportation in implementing a Dangerous Vehicle Abatement Program for a group of drivers who have been identified as engaging in recurrent reckless behaviors on the roadways, pursuant to Local Law 36 of 2020.

The Program will consist of an education course that will be a combination of exploring driver behavior and a restorative justice model about the community impact of speeding and red light running. On February 2, 2021, the Agency Chief Contracting Officer determined that the services related to the demonstration project(s) of Driver Education Program in New York City, met the requirements enumerated, under Section 3-11(c) of the Procurement Policy Board Rules, for the award of a contract for a demonstration project, namely: to evaluate existing driver education courses that can be part of the Program to hold drivers in NYC accountable for their behaviors and encourage them to drive safely on our roadways. Vendors may express interest in providing this service, by contacting Gail Hatchett, New York City Department of Transportation, ACCO's Office, 55 Water Street, 8th Floor, New York, NY 10041, [ghatchett@dot.nyc.gov](mailto:ghatchett@dot.nyc.gov), no later than 6/18/21, 5:00 P.M. E.S.T.

Use the following address unless otherwise specified in notice, to secure, examine or submit bid/proposal documents, vendor pre-qualification and other forms; specifications/blueprints; other information; and for opening and reading of bids at date and time specified above.

Gail Hatchett, Authorized Agency Contact; (212) 839-9308; [ghatchett@dot.nyc.gov](mailto:ghatchett@dot.nyc.gov).

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**CONTRACT AWARD HEARINGS**

**NOTE: LOCATION(S) ARE ACCESSIBLE TO INDIVIDUALS USING WHEELCHAIRS OR OTHER MOBILITY DEVICES. FOR FURTHER INFORMATION ON ACCESSIBILITY OR TO MAKE A REQUEST FOR ACCOMMODATIONS, SUCH AS SIGN LANGUAGE INTERPRETATION SERVICES, PLEASE CONTACT THE MAYOR'S OFFICE OF CONTRACT SERVICES (MOCS) VIA E-MAIL AT [DISABILITYAFFAIRS@MOCS.NYC.GOV](mailto:DISABILITYAFFAIRS@MOCS.NYC.GOV) OR VIA PHONE AT (212) 788-0010. ANY PERSON REQUIRING REASONABLE ACCOMMODATION FOR THE PUBLIC HEARING SHOULD CONTACT MOCS AT LEAST THREE (3) BUSINESS DAYS IN ADVANCE OF THE HEARING TO ENSURE AVAILABILITY.**



**HEALTH AND MENTAL HYGIENE**

■ PUBLIC HEARINGS

**NOTICE IS HEREBY GIVEN** that a Contract Public Hearing will be held Friday, June 11, 2021, at 10:00 A.M. The call in number is 866.213.1863 access code 6343549.

**IN THE MATTER OF** a proposed contract between the Department of Health and Mental Hygiene and Services for the Underserved Inc located, at 463 7th Avenue 18th Floor New York, NY 10018, to psychosocial rehabilitative services to men and women living with serious mental illness to further their self-empowerment, recovery, health and wellness. The contract term shall be from 07/01/2021 to 6/30/2030 with no option to renew. The contract amount will be \$7,508,313.00. E-PIN #: 81621M0033001. The proposed contractor is being funded through Required Method, pursuant to Section 102- d of the Procurement Policy Board Rules.

In order to access the Public Hearing and testify, please join the meeting no later than 5 minutes prior to the meeting start time. If you need further accommodations, please let us know, at least five business days in advance of the Public Hearing via email, at DisabilityAffairs@mocs.nyc.gov or via phone, at 1-646-872-0231.

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# AGENCY RULES

## CAMPAIGN FINANCE BOARD

### ■ NOTICE

#### Notice of Final Rules

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IN COMPLIANCE WITH SECTION 1043 OF THE NEW YORK CITY CHARTER, and exercising authority vested in the Campaign Finance Board (the "CFB" or "Board") under Chapters 45 and 46 of the New York City Charter (including Sections 1043, 1052(a)(8) and 1052(a)(12) thereof) and under the New York City Campaign Finance Act (including Section 3-708(8) of the New York City Administrative Code), the Board hereby adopts amendments to the Campaign Finance Board Rules (the "Board rules") related to expenditures made for the purpose of furthering a candidate's selection as Speaker of the City Council.

These amendments are being made to clarify the requirements applicable to candidates who wish to use campaign funds to run for Council Speaker.

#### I. Explanation, Basis, and Purpose

The Board rules are codified in Chapter 52 of the Rules of the City of New York.

The CFB is a nonpartisan, independent City agency that empowers New Yorkers to make a greater impact in elections. The CFB administers the City's campaign finance system, overseeing and enforcing the regulations related to campaign finance and holding candidates accountable for using public funds responsibly. The CFB publishes detailed public information about money raised and spent in City elections by candidates and independent spenders, and engages and educates voters through community outreach, the Voter Guide, and the Debate Program.

The CFB is amending several of its rules regarding expenditures made for the purpose of furthering a candidate's selection as Speaker of the City Council. Candidates who receive public funds may make post-election expenditures only for very narrow purposes related to winding down the campaign and responding to the post-election audit. However, in recognition of the fact that a significant portion of expenditures related to the Speaker's race may be made after the election, the CFB is allowing elected candidates who received public funds to make such expenditures either from a segregated account, or from a transition and inauguration entity. The following is a summary of the changes.

#### Summary of Final Rules

Section 6-01(h)(v) is amended to add the word "of."

Section 7-07 is amended to provide that, for elected candidates who receive public funds, expenditures for the Speaker's race may be made after the election from a segregated bank account. Contributions deposited into a segregated bank account are not matchable and must be accompanied by a contribution card attesting that the contributor is aware that the funds will be deposited into a segregated account and used for specific purposes as enumerated in section 7-07(a).

Section 9-02(c)(i) is amended to replace the phrase "winding up" with "winding down."

Section 13-03(b)(i) is amended to provide that expenditures for the Speaker's race may be made from a transition and inauguration entity (TIE).

#### II. Final Rules

New material is underlined.  
[Deleted material is in brackets.]

**§ 1. Paragraph (v) of subdivision (h) of section 6-01 of chapter 6 of title 52 of the rules of the city of New York is amended to read as follows:**

**(v) Timing of expenditures.** As provided and described in §§ 3-706 (1) and (2) of the Code, an expenditure for goods or services is made when the goods or services are received, used, or rendered, regardless of when payment is made. Expenditures for goods or services received, used, or rendered in more than one year, including campaign websites, shall be attributed in a reasonable manner to the expenditure limits of § 3-706(1) or (2) of the Code, as appropriate.

**§ 2. Subparagraph (F) of paragraph (ii) of subdivision (a) of section 7-07 of chapter 7 of title 52 of the rules of the city of New York is amended to read as follows:**

(f) expenditures made for the purpose of furthering the candidate's [election to the position of] selection as Speaker of the City Council.

**§ 3. Subdivision (e) of section 7-07 of chapter 7 of title 52 of the rules of the city of New York is amended to read as follows:**

(e) Any funds remaining in a segregated bank account after the election must be returned to the contributors whose contributions were deposited into the account, or, if that is impracticable, to the Fund, on or before December 31 in the year following the year of the election, provided, however, that expenditures made for the purpose of furthering the candidate's selection as Speaker of the City Council may be made from a segregated bank account after the election, but no later than the financial disclosure cut-off date of the first semi-annual disclosure statement in the year following the year of the election.

**§ 4. Paragraph (i) of subdivision (c) of section 9-02 of chapter 9 of title 52 of the rules of the city of New York is amended to read as follows:**

(i) Before repaying campaign funds remaining in the committee bank account, a candidate may make post-election expenditures only for routine activities involving nominal cost associated with winding [up] down a campaign and responding to the post-election audit. Such expenditures may include: payment of utility bills and rent; reasonable staff salaries and consultancy fees for responding to a post-election audit; reasonable staff salaries and legal fees incurred prior to the date of the issuance of the candidate's final audit report and associated with defending against a claim that public funds must be repaid; a post-election event for staff, volunteers, or supporters held within 30 days of the election; reasonable moving expenses related to closing the campaign office; a holiday card mailing to contributors, campaign volunteers, and staff; thank you notes to contributors, campaign volunteers, and staff; payment of taxes and other reasonable expenses for compliance with applicable tax laws; and interest expense. Routine post-election expenditures that may be paid for with remaining campaign funds do not include such items as post-election mailings other than as specifically provided for in this paragraph; making contributions; or making bonus payments or gifts to staff or volunteers. Campaign funds remaining in the committee account may not be used for transition and inauguration activities.

**§ 5. Paragraph (i) of subdivision (b) of section 13-03 of chapter 13 of title 52 of the rules of the city of New York is amended to read as follows:**

(i) Funds raised for a TIE may not be used for any purpose other than transition or inauguration expenses. Expenses related to the holding of office, or related to any past or future election, are prohibited. The following are examples of types of expenditures that are presumed to be TIE-related:

- (A) Transition[.]
- (1) Conferences and seminars related to city government and elected service;
- (2) Costs related to seeking and selecting city office staff;
- (3) Payroll and consulting fees directly related to transition; [and]
- (4) Costs related to fundraising to pay for transition expenses[.]; and
- (5) Expenditures made for the purpose of furthering the elected candidate's selection as Speaker of the City Council.

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## HOUSING PRESERVATION AND DEVELOPMENT

### ■ NOTICE

#### CAPA REGULATORY AGENDA FY 2022

Pursuant to section 1042 of the Charter, the New York City Department of Housing Preservation and Development sets forth below its regulatory agenda for the City's fiscal year 2021:

1. **SUBJECT:** §421-a Program
  - A. **Reason:** To amend rules governing the 421-a Program and implement legislation.

- B. Anticipated contents: Amendments to change and clarify existing rules and implement legislation.
- C. Objectives: Change and clarify existing rules and implement legislation.
- D. Legal basis: Real Property Tax Law (“RPTL”), Charter, and Administrative Code.
- E. Other relevant laws: RPTL §421-a and Administrative Code.
- F. Types of individuals and entities likely to be affected: Sponsors of projects eligible for exemption.
- G. Approximate schedule: On or before June 30, 2022.

Agency Contact: Miriam Colón, Tax Credits and Incentives (212) 863-6263, colonmir@hpd.nyc.gov

**2. SUBJECT: J-51 Program**

- A. Reason: To amend rules governing the J-51 Program and implement legislation.
- B. Anticipated contents: Amendments to change and clarify existing rules and implement anticipated legislation.
- C. Objectives: Change and clarify existing rules and implement anticipated legislation.
- D. Legal basis: RPTL, Charter, and Administrative Code.
- E. Other relevant laws: RPTL §489 and Administrative Code.
- F. Types of individuals and entities likely to be affected: Sponsors of projects eligible for tax benefits.
- G. Approximate schedule: On or before June 30, 2022.

Agency Contact: Miriam Colón, Tax Credits and Incentives (212) 863-6263, colonmir@hpd.nyc.gov

**3. SUBJECT: §420-c Program**

- A. Reason: To amend rules governing the 420-c Program and implement legislation.
- B. Anticipated contents: Amendments to change and clarify existing rules and implement legislation.
- C. Objectives: Change and clarify existing rules and implement legislation.
- D. Legal basis: RPTL and Charter.
- E. Other relevant laws: RPTL §420-c.
- F. Types of individuals and entities likely to be affected: Sponsors of projects eligible for exemption.
- G. Approximate schedule: On or before June 30, 2022.

Agency Contact: Miriam Colón, Tax Credits and Incentives (212) 863-6263, colonmir@hpd.nyc.gov

**4. SUBJECT: Mitchell-Lama Program**

- A. Reason: To amend rules governing the Mitchell-Lama Program and implement legislation.
- B. Anticipated contents: Amendments to change and clarify existing rules and implement legislation.
- C. Objectives: Change and clarify existing rules and implement legislation.
- D. Legal basis: Private Housing Finance Law (“PHFL”) and Charter.
- E. Other relevant laws: PHFL Article II.
- F. Types of individuals and entities likely to be affected: Owners and residents of Mitchell-Lama projects.
- G. Approximate schedule: On or before June 30, 2022.

Agency Contact: Julie C. Walpert, Housing Supervision (212) 863-6500, walpj@hpd.nyc.gov

**5. SUBJECT: Inclusionary Housing Program**

- A. Reason: To amend rules governing the voluntary and mandatory inclusionary housing programs.
- B. Anticipated contents: Rules for administering the voluntary and mandatory inclusionary housing programs.
- C. Objectives: To change and clarify existing rules and procedures, as well as to establish rules called for in the Zoning Resolution for the general administration of the inclusionary housing programs.
- D. Legal basis: Zoning Resolution and Charter.
- E. Other relevant laws: Zoning Resolution.
- F. Types of individuals and entities likely to be affected:

Developers and renters/purchasers of inclusionary housing affordable housing units.

- G. Approximate schedule: On or before June 30, 2022.

Agency Contact: Patricia Zafiriadis, Housing Incentives (212) 863-5695, zafirp@hpd.nyc.gov

**6. SUBJECT: Lead-Based Paint**

- A. Reason: To amend the rules to implement policy and legislative changes to the Childhood Lead Poisoning Prevention Act of 2003.
- B. Anticipated contents: Revised definitions and programmatic changes.
- C. Objectives: To provide guidance to the regulated public and implement new legal requirements.
- D. Legal basis: Administrative Code.
- E. Other relevant laws: Administrative Code and Health Code.
- F. Types of individuals and entities likely to be affected: Owners and occupants of residential buildings; repair and renovation companies and workers.
- G. Approximate schedule: On or before June 30, 2022.

Agency Contact: Mary-Lynne Rifenburg, Legal Affairs (212) 863-8341, rifenm@hpd.nyc.gov

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**COMMISSION ON HUMAN RIGHTS**

■ NOTICE

**CAPA REGULATORY AGENDA FY 2022**

Below is a list of rules that the Commission on Human Rights intends to propose and finalize in FY 2022. The Commission may engage in additional rulemaking as necessary and in response to the evolving needs of the agency and the communities it serves.

**1. FINAL RULES ON PREGNANCY AND SEXUAL AND REPRODUCTIVE HEALTH DECISIONS**

- A. Reason: To correct an error in numbering for rules recently adopted concerning protections against discrimination based on pregnancy, childbirth, and related medical conditions and sexual and reproductive health decisions.
- B. Anticipated contents: Amend 47 R.C.N.Y. § 2-09, 2-10
- C. Legal basis: Admin. Code § 8-107
- D. Types of individuals and entities likely to be affected: The change is non-substantive and will not have any added impact on covered entities (which include employers, providers of housing accommodations, and providers of public accommodations)
- E. Other relevant laws: None.
- F. Status: Proposed rules were published in the City Record on April 14, 2021. The Commission will receive public comment until May 17, 2021.
- G. Approximate schedule: First Quarter of FY 2022.
- H. Agency Contact: Bianca Victoria Scott, [bvscott@cchr.nyc.gov](mailto:bvscott@cchr.nyc.gov), and Zoey Chenitz, [zchenitz@cchr.nyc.gov](mailto:zchenitz@cchr.nyc.gov)

**2. PROPOSED AMENDMENTS TO RULES ON EMPLOYMENT PROTECTIONS BASED ON CRIMINAL HISTORY**

- A. Reason: The NYC Human Rights Law was amended, effective July 28, 2021, to expand employment protections based on criminal history. Current rules will be updated to account for changes to the law.

- B. **Anticipated contents:** Amend 47 R.C.N.Y. § 2-04
- C. **Legal basis:** LL 4 (2021)
- D. **Types of individuals and entities likely to be affected:** Employers, employees, and job applicants.
- E. **Other relevant laws:** Executive L. § 296; Correction L. § Art. 23-A
- F. **Status:** Not yet submitted to the Law Department and Operations for review.
- G. **Approximate schedule:** First or Second Quarter of FY 2022.
- H. **Agency Contact:** Zoey Chenitz, [zchenitz@cchr.nyc.gov](mailto:zchenitz@cchr.nyc.gov)

**3. PROPOSED RULES ON DISCRIMINATION BASED ON IMMIGRATION STATUS**

- A. **Reason:** To clarify protections under the NYC Human Rights Law related to discrimination in housing, employment, and public accommodations based on immigration status and national origin.
- B. **Anticipated contents:** Title 47, ch. 2 of the R.C.N.Y.
- C. **Legal basis:** Admin. Code § 8-107
- D. **Types of individuals and entities likely to be affected:** Employers, providers of housing accommodations, and providers of public accommodations
- E. **Other relevant laws:** Federal immigration law
- F. **Status:** Not yet submitted to the Law Department and Operations for review.
- G. **Approximate schedule:** Second Quarter of FY 2022.
- H. **Agency Contact:** Bianca Victoria Scott, [bvscott@cchr.nyc.gov](mailto:bvscott@cchr.nyc.gov), and Zoey Chenitz, [zchenitz@cchr.nyc.gov](mailto:zchenitz@cchr.nyc.gov)

**4. PROPOSED RULES ON RULEMAKING PETITIONS**

- A. **Reason:** To add rules governing the process by which any person may petition the Commission to consider the adoption of any rule.
- B. **Anticipated contents:** Title 47, ch. 1 of the R.C.N.Y.
- C. **Legal basis:** N.Y.C. Charter § 1043(g).
- D. **Types of individuals and entities likely to be affected:** All members of the public
- E. **Other relevant laws:** None.
- F. **Status:** Not yet submitted to the Law Department and Operations for review.
- G. **Approximate schedule:** Second Quarter of FY 2022.
- H. **Agency Contact:** Zoey Chenitz, [zchenitz@cchr.nyc.gov](mailto:zchenitz@cchr.nyc.gov)

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- D. **Legal basis:** The enabling legislation for SCRIE and DRIE benefits are set forth in Real Property Tax Law sections 467(b) and 467(c) and the local laws are set forth in Chapter 3 (Section 26-401 et seq.), Chapter 4 (Section 26-501 et seq.) and Chapter 7 (Section 26-601 et seq.) of Title 26 of the Administrative Code of the City of New York.
- E. **Other relevant laws:** See paragraph D above.
- F. **Types of individuals and entities likely to be affected:** SCRIE and DRIE beneficiaries and owners of rent stabilized and rent controlled apartments.
- G. **Approximate schedule:** 1st quarter of FY 2022.

Agency Contact: Timothy LaRose Office of Legal Affairs  
(212) 748-7242 [laroset@finance.nyc.gov](mailto:laroset@finance.nyc.gov)

**2. SUBJECT:** Petition the Department of Finance to Consider the Adoption of any Rule

- A. **Reason:** The purpose is to provide any person with the ability to petition the Department of Finance to adopt any rule.
- B. **Anticipated contents:** The proposed rule will set forth the procedures for how the public may submit petitions to the Department of Finance to consider the adoption of a rule. The proposed rule will also set forth the procedures for the Department of Finance for responding to such petitions.
- C. **Objectives:** The proposed rule will provide the public with specific procedures to follow to petition the Department of Finance to adopt rules.
- D. **Legal basis:** New York City Charter sections 1043 and 1504 authorize the Department to adopt this proposed rule amendment.
- E. **Other relevant laws:** See paragraph D above
- F. **Types of individuals and entities likely to be affected:** Any person or entity which wants to petition the Department of Finance for adoption of a rule.
- G. **Approximate schedule:** 1st quarter of FY 2022.

Agency Contact: Timothy LaRose Office of Legal Affairs  
(212) 748-7242 [laroset@finance.nyc.gov](mailto:laroset@finance.nyc.gov)

**3. SUBJECT:** Dangerous Vehicle Abatement Program

- A. **Reason:** The Department of Finance is adopting new rules relating to the services the Sheriff's Office will be providing pursuant to the New York City Dangerous Vehicle Abatement Law.
- B. **Anticipated contents:** The proposed rule will set forth the procedures the Sheriff's Office will follow when it receives an order of seizure and impoundment for motor vehicles from the New York City Department of Transportation for motorists who fail to complete a safe vehicle operation course.
- C. **Objectives:** The objective of the proposed rule is to describe when the Sheriff will seize motor vehicles pursuant to the Dangerous Vehicle Abatement Program and to set forth how the fees for such motor vehicle seizures will be calculated.
- D. **Legal basis:** The enabling legislation for this proposed rule is set forth in subchapter 4 of chapter 1 of title 19 of the Administrative Code of the City of New York.
- E. **Other relevant laws:** See paragraph D above.
- F. **Types of individuals and entities likely to be affected:** Persons who are required to take a safe vehicle operation course but fail to do so.
- G. **Approximate schedule:** 1st quarter of FY 2022.

Agency Contact: Timothy LaRose Office of Legal Affairs  
(212) 748-7242 [laroset@finance.nyc.gov](mailto:laroset@finance.nyc.gov)

**4. SUBJECT:** Define Commercial Adjudication Unit (CAU) and clarify format of CAU decisions.

- A. **Reason:** CAU is not formally defined and the format of its decisions rendered by ALJs, unique to CAU, is not formally clarified in the RCNY.
- B. **Anticipated contents:** Amend section 19 RCNY 39-01 and add Section 19 RCNY 39-09(a)(7)(vi).
- C. **Objectives:** To formally define CAU and clarify the format of its decisions rendered by ALJs.
- D. **Legal basis:** Section 19-203(c) of the Administrative Code of the City of New York.
- E. **Other relevant laws:** None.
- F. **Types of individuals and entities likely to be affected:** All respondents who submit hearing requests and contest parking summonses in CAU.

**FINANCE**

■ NOTICE

**CAPA REGULATORY AGENDA FY 2022**

- 1. SUBJECT:** SCRIE and DRIE Program Rules
  - A. **Reason:** The Senior Citizen Rent Increase Exemption (SCRIE) Program and Disability Rent Increase Exemption (DRIE) Programs provide eligible senior citizens and persons with disabilities with exemptions from certain rent increases and property owners with a corresponding abatement of real property taxes. These rules will provide more detailed information concerning the eligibility as well as calculation of SCRIE and DRIE benefits for eligible senior citizens and persons with disabilities.
  - B. **Anticipated contents:** The proposed rules will address who is eligible for SCRIE and DRIE benefits as well as the income and apartment eligibility requirements. The proposed rules will also address rent increase exemption orders, the treatment of Major Capital Improvements (MCI), preferential rents, benefit takeovers and rent redeterminations.
  - C. **Objectives:** These rules will provide guidance concerning the eligibility for as well as calculation of rent increase exemption benefits for eligible senior citizens and persons with disabilities as well as corresponding tax abatement benefits for building owners.



G. Approximate schedule: 1st quarter of FY 2022.

Agency Contact: Jeremy Loewenberger Office of Legal Affairs  
(212) 748-7262 loewenbergerj@finance.nyc.gov

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**HUMAN RESOURCES ADMINISTRATION**

■ NOTICE

DSS/HRA (OCSS) intends to issue an RFP seeking qualified nonprofit CBOs to implement the Child Support Young Parents Initiative in every borough. The Office of Child Support Services (OCSS) offers child support services to custodial parents (CPs) and noncustodial parents (NCPs), as well as guardians and caretakers, regardless of income or immigration status. The initiative will serve custodial parents who are applying for child support services and who are neither applying nor receiving cash assistance. DSS/HRA (OCSS) is seeking feedback and comments via email to ACCOContractPlanning@dss.nyc.gov.

There is an information session scheduled for Webex on June 10, 2021, at 10:30 A.M.

WebEx information: Hosted by Office of Contracts  
<https://nyc-dss.webex.com/nyc-dss/j.php?MTID=m71419f82c1ce08e4a574a4a27c79edd4>  
Meeting number: 173 804 9095

Join by phone  
+1-646-992-2010 United States Toll (New York City)  
+1-408-418-9388 United States Toll  
Access code: 173 804 9095

The Concept Paper will be posted on PASSPort, EPIN: 06921Y0037-Child Support Young Parent Initiative [https://passport.cityofnewyork.us/page.aspx/en/rfp/request\\_browse\\_public](https://passport.cityofnewyork.us/page.aspx/en/rfp/request_browse_public), from June 4, 2021 through June 11, 2021. Instructions on how to submit written comments will be included in the PASSPort posting as well as the concept paper itself.

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**SANITATION**

■ NOTICE

**CITYWIDE ADMINISTRATIVE PROCEDURE ACT  
REGULATORY AGENDA FY 2022  
NEW YORK CITY DEPARTMENT OF SANITATION**

**PURSUANT TO SECTION 1042 OF THE NEW YORK CITY CHARTER, THE NEW YORK CITY DEPARTMENT OF SANITATION SETS FORTH BELOW ITS REGULATORY AGENDA FOR THE CITY'S FISCAL YEAR OF 2022 COMMENCING JULY 1, 2021 THROUGH JUNE 30, 2022:**

**SUBJECT AREA: RULES GOVERNING REQUIREMENTS RELATING TO THE PROVISION OF WASTE COLLECTION SERVICE BY CERTAIN PRIVATE HAULING COMPANIES TO BUSINESS ESTABLISHMENTS WITHIN COMMERCIAL WASTE ZONES**

**REASONS FOR RULE:** In November 2019 comprehensive waste reform legislation to reform the private carting industry in New York City was signed into law. Local Law 199 of 2019 authorizes the Department to create a commercial waste zone system in New York City for the collection and removal of solid waste and recyclable materials generated by businesses in such newly-created waste collection zones throughout the City. The Department may promulgate new rules that are consistent with the anticipated new local law as may be necessary.

**SUMMARY OF ANTICIPATED CONTENT:** Pursuant to Local Law 199, the Department may promulgate rules under Title 16 of the Rules of the City of New York to carry out the mandates of Local Law 199, including rules governing customer service for commercial establishments, operational requirements for private carting companies, health and safety protective measures for private carting employees, and recycling and organics requirements, following its creation of 20 designated commercial waste zones across New York City in the first half of 2020.

**SUMMARY OF OBJECTIVES:** The Department may promulgate rules governing private carter and business customer practices consistent with the implementation plan for comprehensive reform of the commercial waste industry. The rules will improve and enhance the City's regulatory practices pertaining to commercial waste collection, transport and disposal in the City.

**INDIVIDUALS AND ENTITIES LIKELY TO BE AFFECTED BY PROPOSED RULE:** Private waste hauling carters and generators of commercial waste who receive private carting collection service.

**RELEVANT FEDERAL, STATE AND LOCAL LAWS AND RULES APPLICABLE TO PROPOSED RULE:**

- (a) Title 16 of the Rules of the City of New York; and
- (b) City Administrative Procedure Act: New York City Charter Section 1043.

**SCHEDULE FOR ADOPTION:** Fiscal Year 2022.

**AGENCY CONTACT:** New York City Department of Sanitation  
Bureau of Legal Affairs  
Robert Orlin, Deputy Commissioner  
(646) 885-5006 [rorlin@dsnyc.gov](mailto:rorlin@dsnyc.gov)

**SUBJECT AREA: RULES GOVERNING REQUIREMENTS FOR CERTAIN LARGE RESIDENTIAL BUILDINGS TO INSTALL A WASTE CONTAINERIZATION SYSTEM**

**REASONS FOR RULE:** Pursuant to Section 753 of the New York City Charter, the Sanitation Commissioner may adopt rules governing the manner under which refuse shall be sorted, stored and collected.

**SUMMARY OF ANTICIPATED CONTENT:** Across New York City the construction of large, high-rise apartment buildings containing hundreds of new dwelling units continues to flourish. As a result, the Department continually adjusts its collection routes to add such new buildings into the City's refuse collection system. When the buildings are designed there is no mandatory requirement that such buildings consider waste management planning and incorporate measures for managing the substantial amount of refuse and recyclables generated by residents of such buildings. There are negative impacts associated with the placement of piled bags of refuse generated at such buildings that become placed at the curb awaiting Department collection.

**SUMMARY OF OBJECTIVES:** The Department may promulgate rules requiring owners and/or managing agents of certain new or altered residential multiple dwellings to install a waste containerization system for the management of waste generated at such building unless the Department determines that collection service through this system is not feasible.

**INDIVIDUALS AND ENTITIES LIKELY TO BE AFFECTED BY PROPOSED RULE:** Owners and managing agents of large multiple dwellings, and generators of residential waste.

**RELEVANT FEDERAL, STATE AND LOCAL LAWS AND RULES APPLICABLE TO PROPOSED RULE:**

- (a) Subchapter B of Chapter 9 of Title 16 of the Rules of the City of New York;
- (b) Chapter 1 of Title 16 of the Rules of the City of New York; and
- (c) City Administrative Procedure Act: New York City Charter Section 1043.

**SCHEDULE FOR ADOPTION:** Fiscal Year 2022.

**AGENCY CONTACT:** New York City Department of Sanitation  
Bureau of Legal Affairs  
Robert Orlin, Deputy Commissioner  
(646) 885-5006 [rorlin@dsnyc.gov](mailto:rorlin@dsnyc.gov)

**SUBJECT AREA: RULES GOVERNING REQUIREMENTS FOR CERTAIN LARGE RESIDENTIAL BUILDINGS TO SUBMIT A BUILDING WASTE MANAGEMENT PLAN FOR DEPARTMENT APPROVAL**

**REASONS FOR RULE:** Pursuant to Section 753 of the New York City Charter, the Sanitation Commissioner may adopt rules governing the manner under which refuse shall be sorted, stored and collected.

**SUMMARY OF ANTICIPATED CONTENT:** Across New York City the construction of large, high-rise apartment buildings containing hundreds of new dwelling units continues to flourish. As a result, the Department continually adjusts its collection routes to add such new buildings into the City's refuse collection system. When the buildings are designed there is no mandatory requirement that such buildings consider waste management planning and incorporate measures for managing the substantial amount of refuse and recyclables generated by residents of such buildings. There are negative impacts associated with the placement of piled bags of refuse generated at such buildings that become placed at the curb awaiting Department collection.

**SUMMARY OF OBJECTIVES:** The Department may promulgate rules requiring owners and/or managing agents of certain new or altered residential multiple dwellings to submit a building waste management plan for approval by the Department.

**INDIVIDUALS AND ENTITIES LIKELY TO BE AFFECTED BY PROPOSED RULE:** Owners and managing agents of large multiple dwellings, and generators of residential waste.

**RELEVANT FEDERAL, STATE AND LOCAL LAWS AND RULES APPLICABLE TO PROPOSED RULE:**

- (a) Section 16-120 of the Administrative Code of the City of New York;
- (b) Chapter 1 of Title 16 of the Rules of the City of New York; and
- (c) City Administrative Procedure Act: New York City Charter Section 1043.

**SCHEDULE FOR ADOPTION:** Fiscal Year 2022.

**AGENCY CONTACT:** New York City Department of Sanitation  
Bureau of Legal Affairs  
Robert Orlin, Deputy Commissioner  
(646) 885-5006 [rorlin@dwny.nyc.gov](mailto:rorlin@dwny.nyc.gov)

**SUBJECT AREA: RULES GOVERNING THE ESTABLISHMENT OF A PENALTY MITIGATION PROGRAM FOR CERTAIN FOOD SERVICE ESTABLISHMENTS WHICH DONATE EXCESS FOOD**

**REASONS FOR RULE:** Local Law 74 of 2018 requires the Sanitation Commissioner to review violations enforced by the Department against certain small businesses to establish a penalty waiver program.

**SUMMARY OF ANTICIPATED CONTENT:** Local Law 74 of 2018 was enacted as part of efforts by the Administration and the City Council to improve the local regulatory climate for small businesses. Specifically, Local Law 74 requires the Sanitation Commissioner to review violations enforced by the Department and study the feasibility of establishing a program for which civil penalties imposed by notices of violation issued to food service establishments and retail establishments may be waived through a penalty mitigation program. Such penalty mitigation program would allow the waiver of payment of civil penalties for a food service establishment that donates its excess food to a non-profit organization, and a retailer that provides public access to its bathrooms.

The Department reviewed all violations it currently enforces and determined one such infraction that would be feasible for penalty mitigation relating to sign requirements for employees instructing them how to source separate food waste material in large food service establishments in the City's commercial organics program.

**SUMMARY OF OBJECTIVES:** The Department may promulgate a rule allowing certain food generator businesses covered by the city's commercial organics program to waive into the penalty mitigation program contemplated under Local Law 74 by donating its excess food to a non-profit entity. This is consistent with the Department's goal to facilitate food recovery for food-challenged New Yorkers, reduces the environmental impact on the City's food system, and is an appropriate link between the violation infraction and penalty waiver activity. =

**INDIVIDUALS AND ENTITIES LIKELY TO BE AFFECTED BY PROPOSED RULE:** Commercial food waste generators and private carters that furnish collection service to them.

**RELEVANT FEDERAL, STATE AND LOCAL LAWS AND RULES APPLICABLE TO PROPOSED RULE:**

- (a) Section 1-10 of Title 16 of the Rules of the City of New York governing commercial organics recycling requirements;
- (b) Section 16-306 (c)(1)(iv) of the New York City Administrative Code; and
- (c) City Administrative Procedure Act: New York City Charter Section 1043.

**SCHEDULE FOR ADOPTION:** Fiscal Year 2022.

**AGENCY CONTACT:** New York City Department of Sanitation  
Bureau of Legal Affairs  
Robert Orlin, Deputy Commissioner  
(646) 885-5006 [rorlin@dwny.nyc.gov](mailto:rorlin@dwny.nyc.gov)

**SUBJECT AREA: REFUSE AND RECYCLING COLLECTION FROM RESIDENTIAL PROPERTIES ON PRIVATELY OWNED STREETS AND ALLEYS**

**REASONS FOR RULE:** Pursuant to Section 753 of the New York City Charter, the Commissioner may adopt rules governing the manner under which such refuse shall be arranged or sorted, the time when it will be collected and the place at which it shall be deposited for collection.

**SUMMARY OF ANTICIPATED CONTENT:** The Department currently enters privately owned property, such as private streets, alleys and parking lots, to provide refuse and recycling collection services from residential properties, provided that the Department has first obtained a signed written agreement that indemnifies the City together with insurance. The agreement only covers the collection and removal of refuse and recyclable materials and does not obligate the Department to provide snow removal services to these privately-owned areas. Failure to sign an indemnity agreement and provide the requisite insurance for potentially hazardous conditions that can impact worker safety and equipment results in the Department

requiring that residents of these private areas set out all their refuse and recyclable materials in an accessible public area for collection.

**SUMMARY OF OBJECTIVES:** The Department may amend section 1-02 to Title 16 of the Rules of the City of New York to incorporate this practice regarding the provision of collection service in these areas.

**RELEVANT FEDERAL, STATE AND LOCAL LAWS AND RULES APPLICABLE TO PROPOSED RULE:**

- (a) Title 16 of the Rules of the City of New York;
- (b) Section 753 of the New York City Charter; and
- (c) City Administrative Procedure Act: Section 1043 of the New York City Charter.

**INDIVIDUALS AND ENTITIES LIKELY TO BE AFFECTED BY PROPOSED RULE:** Owners and/or managing agents of residential properties that currently or might request that the Department provide collection service on privately owned property.

**SCHEDULE FOR ADOPTION:** Fiscal Year 2022.

**AGENCY CONTACT:** New York City Department of Sanitation  
Bureau of Legal Affairs  
Robert Orlin, Deputy Commissioner  
(646) 885-5006 [rorlin@dwny.nyc.gov](mailto:rorlin@dwny.nyc.gov)

**SUBJECT AREA: COMMERCIAL WASTE REMOVAL -- RULES RELATING TO COMMERCIAL GENERATORS OF "INFREQUENT" OR "INSIGNIFICANT AMOUNTS" OF WASTE PURSUANT TO SECTION 16-116(c) OF THE NEW YORK CITY ADMINISTRATIVE CODE:**

**REASONS FOR RULE:** Section 16-116(a) of the New York City Administrative Code requires commercial establishments in New York City to arrange for the removal of solid waste by a licensed private carter or by obtaining a trade waste permit from the New York City Business Integrity Commission allowing the establishment to dispose of its own solid waste. Section 16-116(c) authorizes the Sanitation Commissioner to promulgate rules exempting from this requirement any commercial establishment that generates infrequent or insignificant amount of waste. Section 1-06 of Title 16 of the Rules of the City of New York currently allows commercial establishments generating less than 20 gallons of trade waste within a seven day period to be exempt from the requirements outlined in Section 16-116(a) and (b) of the New York City Administrative Code. This has resulted in some commercial establishments improperly placing out their trade waste material at the curb for the Department to collect, or improperly placing such material in Department corner litter baskets.

**SUMMARY OF ANTICIPATED CONTENT:** A proposed rule would require that all commercial establishments, regardless of the quantity of waste or recyclable material generated, must retain a private carter to collect and remove trade waste generated at such establishment for proper disposal.

**SUMMARY OF OBJECTIVES:** The Department may amend section 1-06 of Title 16 of the Rules of the City of New York to clarify that all commercial establishments, regardless of the amount of waste generated, must arrange with a private carter for removal of such waste and recyclable material.

**RELEVANT FEDERAL, STATE AND LOCAL LAWS OR RULES APPLICABLE TO THIS PROPOSED RULE:**

- (a) Section 1-06 of Title 16 of the Rules of the City of New York;
- (b) Section 16-116 of the Administrative Code of the City of New York;
- (c) Section 753(a) of the New York City Charter relating to the Commissioner's authority to promulgate rules governing the removal of solid waste;
- (d) City Administrative Procedure Act: New York City Charter Section 1043.

**INDIVIDUALS AND ENTITIES LIKELY TO BE AFFECTED BY PROPOSED RULE:**

Owners, lessees and/or persons in control of any commercial establishment.

**SCHEDULE FOR ADOPTION:** Fiscal Year 2022.

**AGENCY CONTACT:** New York City Department of Sanitation  
Bureau of Legal Affairs  
Robert Orlin, Deputy Commissioner  
(646) 885-5006 [rorlin@dwny.nyc.gov](mailto:rorlin@dwny.nyc.gov)

**SUBJECT AREA: RULES RELATING TO ESTABLISHING PROCEDURES ALLOWING THE PUBLIC TO SUBMIT PETITIONS FOR PROPOSED RULEMAKING BY AGENCIES**

**REASONS FOR RULE:** The Citywide Administrative Procedure Act pursuant to § 1043(g) of the New York City Charter provides that every agency's rules include a procedure by which citizens may submit

proposals for rulemaking by various agencies. Accordingly, the Department may amend its rules by outlining the procedures for the public to submit to the Department an agency petition for rulemaking and the procedures for agency consideration and disposition of such Petitions.

**SUMMARY OF ANTICIPATED CONTENT:** The Department may amend its rules by adding a section that will allow citizens to submit proposals for rulemaking to the Department for consideration. Should the Department choose to adopt any such proposal, the Department would alert the person submitting the petition, together with a timeline for adoption of a proposed rule. If the Department chooses to deny such a proposal, the Department would notify the person making the petition and a reason for its denial.

**SUMMARY OF OBJECTIVES:** This rule will allow members of the public to submit proposals for rulemaking to the Department as provided by the Citywide Administrative Procedure Act.

**RELEVANT FEDERAL, STATE AND LOCAL LAWS AND RULES APPLICABLE TO PROPOSED RULE:**

- (a) Title 16 of the Rules of the City of New York; and
- (b) City Administrative Procedure Act: New York City Charter Section 1043.

**INDIVIDUALS AND ENTITIES LIKELY TO BE AFFECTED BY PROPOSED RULE:** Individuals and businesses.

**SCHEDULE FOR ADOPTION:** Fiscal Year 2022.

**AGENCY CONTACT:** New York City Department of Sanitation  
Bureau of Legal Affairs  
Robert Orlin, Deputy Commissioner  
(646) 885-5006 [rorlin@dpsny.nyc.gov](mailto:rorlin@dpsny.nyc.gov)

**SUBJECT AREA: ENFORCEMENT—PENALTY SCHEDULE FOR VIOLATIONS RETURNABLE TO THE OFFICE OF ADMINISTRATIVE TRIALS AND HEARINGS, ENVIRONMENTAL CONTROL BOARD**

**REASONS FOR RULE:** The Office of Administrative Trials and Hearings, Environmental Control Board (“OATH ECB”), is in the process of repealing all penalty schedules in its rules so they can be relocated to the rules of the enforcement agencies with primary rulemaking and policymaking jurisdiction over the laws that underlie these penalties.

**SUMMARY OF ANTICIPATED CONTENT:** The Department will amend its rule to include certain provisions of its existing penalty schedule, which is currently found in Title 48 of the Rules of the City of New York, by moving those provisions into Title 16 of the Rules of the City of New York. In conjunction with this rule, OATH ECB will remove the existing agency penalty schedule from its rule.

**SUMMARY OF OBJECTIVES:** Working with the City’s rulemaking agencies, the Law Department, OMB, and the Office of Operations conducted a retrospective rules review of the City’s existing rules, identifying those rules that will be repealed or modified to reduce regulatory burdens, increase equity, support small businesses, and simplify and update content to help support public understanding and compliance. This proposed rule meets the criteria for this initiative.

**RELEVANT FEDERAL, STATE AND LOCAL LAWS AND RULES APPLICABLE TO PROPOSED RULE:**

- (a) Title 16 of the Administrative Code of the City of New York;
- (b) Title 16 of the Rules of the City of New York;
- (c) Section 753 of the New York City Charter; and
- (d) City Administrative Procedure Act: New York City Charter Section 1043.

**INDIVIDUALS AND ENTITIES LIKELY TO BE AFFECTED BY PROPOSED RULE:** Individuals and businesses.

**SCHEDULE FOR ADOPTION:** Fiscal Year 2022.

**AGENCY CONTACT:** New York City Department of Sanitation  
Bureau of Legal Affairs  
Robert Orlin, Deputy Commissioner  
(646) 885-5006 [rorlin@dpsny.nyc.gov](mailto:rorlin@dpsny.nyc.gov)

**SUBJECT AREA: VARIOUS PLAIN LANGUAGE AMENDMENTS**

**REASONS FOR RULE:**

Working with the City’s rulemaking agencies, the Law Department, OMB, and the Office of Operations conducted a review of the City’s existing rules, identifying those rules that should be repealed or modified to reduce regulatory burdens, increase equity, support small businesses, and simplify and update content to help support public understanding and compliance. This proposed rule meets the criteria for this initiative.

**SUMMARY OF ANTICIPATED CONTENT:**

The Department will modify its rules to incorporate plain language

changes that were identified during the retrospective rules review conducted by the City.

**SUMMARY OF OBJECTIVES:** Modification of such rules will help to reduce regulatory burdens, increase equity, support small businesses, and simplify and update content to help support public understanding and compliance.

**RELEVANT FEDERAL, STATE AND LOCAL LAWS AND RULES APPLICABLE TO PROPOSED RULE:**

- (a) Title 16 of the Administrative Code of the City of New York;
- (b) Title 16 of the Rules of the City of New York;
- (c) Section 753 of the New York City Charter; and
- (d) City Administrative Procedure Act: New York City Charter Section 1043.

**INDIVIDUALS AND ENTITIES LIKELY TO BE AFFECTED BY PROPOSED RULE:** Individuals and businesses.

**SCHEDULE FOR ADOPTION:** Fiscal Year 2022.

**AGENCY CONTACT:** Bureau of Legal Affairs  
Robert Orlin, Deputy Commissioner  
(646) 885-5006 [rorlin@dpsny.nyc.gov](mailto:rorlin@dpsny.nyc.gov)

**SUBJECT AREA: RECEPTACLE REQUIREMENTS FOR YARD WASTE AND ORGANICS**

**REASONS FOR RULE:**

The Department may establish specifications relating to the size and dimension for organics receptacles, similar to what is already in place for refuse and recycling receptacles. This would allow the Department to provide decals as it currently does for mixed paper and metal, glass and plastic containers used by residents. It would also expand the types of bags that would be allowed for the disposal of lawn, leaf and plant material.

**SUMMARY OF ANTICIPATED CONTENT:**

The Department may amend its rule to establish specifications for receptacles for organics. Additionally, the rule may expand the types of bags that law and leaf material may be used for disposal.

**SUMMARY OF OBJECTIVES:** The Department may amend section 1-08 of Title 16 of the Rules of the City of New York to establish specifications for receptacles used in its organics program and also expand the types of bags permitted to be used for the disposal of lawn and leaf material.

**RELEVANT FEDERAL, STATE AND LOCAL LAWS AND RULES APPLICABLE TO PROPOSED RULE:**

- (a) Sections 1-08 of Title 16 of the Rules of the City of New York;
- (b) Section 16-308 of the Administrative Code of the City of New York;
- (c) Section 753(a) of the New York City Charter relating to the Commissioner’s authority to promulgate rules governing the removal of solid waste;
- (d) City Administrative Procedure Act: New York City Charter Section 1043.

**INDIVIDUALS AND ENTITIES LIKELY TO BE AFFECTED BY PROPOSED RULE:** Individuals and businesses.

**SCHEDULE FOR ADOPTION:** Fiscal Year 2022.

**AGENCY CONTACT:** New York City Department of Sanitation  
Bureau of Legal Affairs  
Robert Orlin, Deputy Commissioner  
(646) 885-5006 [rorlin@dpsny.nyc.gov](mailto:rorlin@dpsny.nyc.gov)

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**CHANGES IN PERSONNEL**

ADMIN FOR CHILDREN’S SVCS FOR PERIOD ENDING 04/30/21							
NAME			TITLE		ACTION	PROV EFF DATE	AGENCY
			NUM	SALARY			
BAUTISTA	JADIRA	A	52366	\$55125.0000	RESIGNED	NO 04/18/21	067
BOWENS	TAMARA	J	52287	\$49318.0000	RESIGNED	YES 04/12/21	067
BRADLEY JR	DEXTER		52287	\$45759.0000	RESIGNED	YES 04/13/21	067
COOK	KRISTI	N	52366	\$60327.0000	RESIGNED	NO 03/28/21	067
DANIELS	DOMINIQUE	J	52366	\$58782.0000	RESIGNED	NO 04/11/21	067
DRUITT	RAKEEM	L	52366	\$58782.0000	RESIGNED	NO 04/18/21	067
FAMANIA	OBULIA	A	52366	\$60327.0000	RESIGNED	NO 04/11/21	067



DEPT OF YOUTH & COMM DEV SRVS
FOR PERIOD ENDING 04/30/21

Table with columns: NAME, TITLE, NUM, SALARY, ACTION, PROV EFF DATE, AGENCY. Includes entries for APARICIO CALDER ANA and CHOW.

BOARD OF ELECTION POLL WORKERS
FOR PERIOD ENDING 04/30/21

Table with columns: NAME, TITLE, NUM, SALARY, ACTION, PROV EFF DATE, AGENCY. Lists numerous names including ABARCA, ACOSTA, APFEN, etc.

BOARD OF ELECTION POLL WORKERS
FOR PERIOD ENDING 04/30/21

Table with columns: NAME, TITLE, NUM, SALARY, ACTION, PROV EFF DATE, AGENCY. Lists numerous names including AU YEUNG, AUGUSTINE, AVERY, etc.

Table with columns: NAME, TITLE, NUM, SALARY, ACTION, PROV EFF DATE, AGENCY. Includes entries for BREWSTER, BROWN, BROWN, etc.

BOARD OF ELECTION POLL WORKERS
FOR PERIOD ENDING 04/30/21

Table with columns: NAME, TITLE, NUM, SALARY, ACTION, PROV EFF DATE, AGENCY. Lists numerous names including CARLIER, CARPIO, CARROLL, etc.

BOARD OF ELECTION POLL WORKERS
FOR PERIOD ENDING 04/30/21

Table with columns: NAME, TITLE, NUM, SALARY, ACTION, PROV EFF DATE, AGENCY. Includes entries for DONKOR, DONNIACUO, DOOKIE, etc.



# READER'S GUIDE

The City Record (CR) is published each business day. The Procurement section of the City Record is comprised of notices of proposed New York City procurement actions, contract awards, and other procurement-related information. Notice of solicitations and other notices for most procurement methods valued at or above \$100,000 for goods, services, and construction must be published once in the City Record, among other requirements. Other procurement methods authorized by law, such as sole source procurements, require notice in the City Record for five consecutive editions. Unless otherwise specified, the agencies and offices listed are open for business Monday through Friday from 9:00 A.M. to 5:00 P.M., except on legal holidays.

## NOTICE TO ALL NEW YORK CITY CONTRACTORS

The New York State Constitution ensures that all laborers, workers or mechanics employed by a contractor or subcontractor doing public work are to be paid the same wage rate that prevails in the trade where the public work is being done. Additionally, New York State Labor Law §§ 220 and 230 provide that a contractor or subcontractor doing public work in construction or building service must pay its employees no less than the prevailing wage. Section 6-109 (the Living Wage Law) of the New York City Administrative Code also provides for a "living wage", as well as prevailing wage, to be paid to workers employed by City contractors in certain occupations. The Comptroller of the City of New York is mandated to enforce prevailing wage. Contact the NYC Comptroller's Office at [www.comptroller.nyc.gov](http://www.comptroller.nyc.gov), and click on Prevailing Wage Schedules to view rates.

## CONSTRUCTION/CONSTRUCTION SERVICES OR CONSTRUCTION-RELATED SERVICES

The City of New York is committed to achieving excellence in the design and construction of its capital program, and building on the tradition of innovation in architecture and engineering that has contributed to the City's prestige as a global destination.

## VENDOR ENROLLMENT APPLICATION

New York City procures approximately \$17 billion worth of goods, services, construction and construction-related services every year. The NYC Procurement Policy Board Rules require that agencies primarily solicit from established mailing lists called bidder/proposer lists. Registration for these lists is free of charge. To register for these lists, prospective suppliers should fill out and submit the NYC-FMS Vendor Enrollment application, which can be found online at [www.nyc.gov/selltonyc](http://www.nyc.gov/selltonyc). To request a paper copy of the application, or if you are uncertain whether you have already submitted an application, call the Vendor Enrollment Center at (212) 857-1680.

## SELLING TO GOVERNMENT TRAINING WORKSHOP

New and experienced vendors are encouraged to register for a free training course on how to do business with New York City. "Selling to Government" workshops are conducted by the Department of Small Business Services at 110 William Street, New York, NY 10038. Sessions are convened on the second Tuesday of each month from 10:00 A.M. to 12:00 P.M. For more information, and to register, call (212) 618-8845 or visit [www.nyc.gov/html/sbs/nycbiz](http://www.nyc.gov/html/sbs/nycbiz) and click on Summary of Services, followed by Selling to Government.

## PRE-QUALIFIED LISTS

New York City procurement policy permits agencies to develop and solicit from pre-qualified lists of vendors, under prescribed circumstances. When an agency decides to develop a pre-qualified list, criteria for pre-qualification must be clearly explained in the solicitation and notice of the opportunity to pre-qualify for that solicitation must be published in at least five issues of the CR. Information and qualification questionnaires for inclusion on such lists may be obtained directly from the Agency Chief Contracting Officer at each agency (see Vendor Information Manual). A completed qualification questionnaire may be submitted to an Agency Chief Contracting Officer at any time, unless otherwise indicated, and action (approval or denial) shall be taken by the agency within 90 days from the date of submission. Any denial or revocation of pre-qualified status can be appealed to the Office of Administrative Trials and Hearings (OATH). Section 3-10 of the Procurement Policy Board Rules describes the criteria for the general use of pre-qualified lists. For information regarding specific pre-qualified lists, please visit [www.nyc.gov/selltonyc](http://www.nyc.gov/selltonyc).

## NON-MAYORAL ENTITIES

The following agencies are not subject to Procurement Policy Board Rules and do not follow all of the above procedures: City University, Department of Education, Metropolitan Transportation Authority, Health & Hospitals Corporation, and the Housing Authority. Suppliers interested in applying for inclusion on bidders lists for Non-Mayoral entities should contact these

entities directly at the addresses given in the Vendor Information Manual.

## PUBLIC ACCESS CENTER

The Public Access Center is available to suppliers and the public as a central source for supplier-related information through on-line computer access. The Center is located at 253 Broadway, 9th floor, in lower Manhattan, and is open Monday through Friday from 9:30 A.M. to 5:00 P.M., except on legal holidays. For more information, contact the Mayor's Office of Contract Services at (212) 341-0933 or visit [www.nyc.gov/mocs](http://www.nyc.gov/mocs).

## ATTENTION: NEW YORK CITY MINORITY AND WOMEN-OWNED BUSINESS ENTERPRISES

Join the growing number of Minority and Women-Owned Business Enterprises (M/WBEs) that are competing for New York City's business. In order to become certified for the program, your company must substantiate that it: (1) is at least fifty-one percent (51%) owned, operated and controlled by a minority or woman and (2) is either located in New York City or has a significant tie to New York City's business community. To obtain a copy of the certification application and to learn more about this program, contact the Department of Small Business Services at (212) 513-6311 or visit [www.nyc.gov/sbs](http://www.nyc.gov/sbs) and click on M/WBE Certification and Access.

## PROMPT PAYMENT

It is the policy of the City of New York to pay its bills promptly. The Procurement Policy Board Rules generally require that the City pay its bills within 30 days after the receipt of a proper invoice. The City pays interest on all late invoices. However, there are certain types of payments that are not eligible for interest; these are listed in Section 4-06 of the Procurement Policy Board Rules. The Comptroller and OMB determine the interest rate on late payments twice a year: in January and in July.

## PROCUREMENT POLICY BOARD RULES

The Rules may also be accessed on the City's website at [www.nyc.gov/selltonyc](http://www.nyc.gov/selltonyc)

## COMMON ABBREVIATIONS USED IN THE CR

The CR contains many abbreviations. Listed below are simple explanations of some of the most common ones appearing in the CR:

ACCO	Agency Chief Contracting Officer
AMT	Amount of Contract
CSB	Competitive Sealed Bid including multi-step
CSP	Competitive Sealed Proposal including multi-step
CR	The City Record newspaper
DP	Demonstration Project
DUE	Bid/Proposal due date; bid opening date
EM	Emergency Procurement
FCRC	Franchise and Concession Review Committee
IFB	Invitation to Bid
IG	Intergovernmental Purchasing
LBE	Locally Based Business Enterprise
M/WBE	Minority/Women's Business Enterprise
NA	Negotiated Acquisition
OLB	Award to Other Than Lowest Responsive Bidder/Proposer
PIN	Procurement Identification Number
PPB	Procurement Policy Board
PQL	Pre-qualified Vendors List
RFEI	Request for Expressions of Interest
RFI	Request for Information
RFP	Request for Proposals
RFQ	Request for Qualifications
SS	Sole Source Procurement
ST/FED	Subject to State and/or Federal requirements

## KEY TO METHODS OF SOURCE SELECTION

The Procurement Policy Board (PPB) of the City of New York has by rule defined the appropriate methods of source selection for City procurement and reasons justifying their use. The CR procurement notices of many agencies include an abbreviated reference to the source selection method utilized. The following is a list of those methods and the abbreviations used:

CSB	Competitive Sealed Bidding including multi-step Special Case Solicitations/Summary of Circumstances:
CSP	Competitive Sealed Proposal including multi-step
CP/1	Specifications not sufficiently definite
CP/2	Judgement required in best interest of City
CP/3	Testing required to evaluate
CB/PQ/4	CSB or CSP from Pre-qualified Vendor List/ Advance qualification screening needed
CP/PQ/4	Demonstration Project
DP	Sole Source Procurement/only one source
RS	Procurement from a Required Source/ST/FED
NA	Negotiated Acquisition
	<i>For ongoing construction project only:</i>
NA/8	Compelling programmatic needs
NA/9	New contractor needed for changed/additional work
NA/10	Change in scope, essential to solicit one or limited number of contractors
NA/11	Immediate successor contractor required due to termination/default
	<i>For Legal services only:</i>

NA/12	Specialized legal devices needed; CSP not advantageous
WA	Solicitation Based on Waiver/Summary of Circumstances (Client Services/CSB or CSP only)
WA1	Preventing loss of sudden outside funding
WA2	Existing contractor unavailable/immediate need
WA3	Unsuccessful efforts to contract/need continues
IG	Intergovernmental Purchasing (award only)
IG/F	Federal
IG/S	State
IG/O	Other
EM	Emergency Procurement (award only): An unforeseen danger to:
EM/A	Life
EM/B	Safety
EM/C	Property
EM/D	A necessary service
AC	Accelerated Procurement/markets with significant short-term price fluctuations
SCE	Service Contract Extension/insufficient time; necessary service; fair price Award to Other Than Lowest Responsible & Responsive Bidder or Proposer/Reason (award only) anti-apartheid preference
OLB/a	local vendor preference
OLB/b	recycled preference
OLB/c	other: (specify)

## HOW TO READ CR PROCUREMENT NOTICES

Procurement notices in the CR are arranged by alphabetically listed Agencies, and within Agency, by Division if any. The notices for each Agency (or Division) are further divided into three subsections: Solicitations, Awards, and Lists & Miscellaneous notices. Each of these subsections separately lists notices pertaining to Goods, Services, or Construction.

Notices of Public Hearings on Contract Awards appear at the end of the Procurement Section.

At the end of each Agency (or Division) listing is a paragraph giving the specific address to contact to secure, examine and/or to submit bid or proposal documents, forms, plans, specifications, and other information, as well as where bids will be publicly opened and read. This address should be used for the purpose specified unless a different one is given in the individual notice. In that event, the directions in the individual notice should be followed.

The following is a SAMPLE notice and an explanation of the notice format used by the CR.

# SAMPLE NOTICE

## POLICE

### DEPARTMENT OF YOUTH SERVICES

#### ■ SOLICITATIONS

*Services (Other Than Human Services)*

**BUS SERVICES FOR CITY YOUTH PROGRAM**  
-Competitive Sealed Bids- PIN# 056020000293 -  
DUE 04-21-03 AT 11:00 A.M.

*Use the following address unless otherwise specified in notice, to secure, examine or submit bid/proposal documents, vendor pre-qualification and other forms; specifications/blueprints; other information; and for opening and reading of bids at date and time specified above.*

*NYPD, Contract Administration Unit,  
51 Chambers Street, Room 310, New York, NY 10007.  
Manuel Cruz (646) 610-5225.*

◀m27-30

ITEM	EXPLANATION
POLICE DEPARTMENT	Name of contracting agency
DEPARTMENT OF YOUTH SERVICES	Name of contracting division
■ SOLICITATIONS	Type of Procurement action
<i>Services (Other Than Human Services)</i>	Category of procurement
BUS SERVICES FOR CITY YOUTH PROGRAM	Short Title
CSB	Method of source selection
PIN #056020000293	Procurement identification number
DUE 04-21-03 AT 11:00 A.M.	Bid submission due 4-21-03 by 11:00 A.M.; bid opening date/time is the same.
<i>Use the following address unless otherwise specified or submit bid/proposal documents; etc.</i>	Paragraph at the end of Agency Division listing providing Agency
◀	Indicates New Ad
m27-30	Date that notice appears in The City Record

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Email: \_\_\_\_\_  
Signature: \_\_\_\_\_

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