Zoning Resolution

THE CITY OF NEW YORK
Zohran K. Mamdani, Mayor

CITY PLANNING COMMISSION
Sideya Sherman, Chair

127-00 - GENERAL PURPOSES

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LAST AMENDED12/10/2020

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

(a) to enhance neighborhood economic diversity by broadening the range of housing choices for residents of varied incomes;

(b) to create a lively and attractive built environment that will provide amenities and services for the use and enjoyment of area residents, workers and visitors;

(c) to encourage well-designed development that complements the pedestrian experience and enhances the built character of the neighborhood;

(d) to establish and maintain physical and visual public access to and along Flushing Creek;

(f) to make use of the waterfront by providing public access via private street network, direct connections to the water and to promote coordinated redevelopment of the area in a manner consistent with waterfront access and internal circulation within the Special District; and

(g) to promote the most desirable use of land and building development in accordance with the District Plan for Downtown Flushing and thus conserve the value of land and buildings and thereby improve the City's tax revenues.

127-01 - General Provisions

LAST AMENDED12/10/2020

The provisions of this Chapter shall apply within the #Special Flushing Waterfront 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 The regulations of all other Chapters of this Resolution are applicable, except as superseded, supplemented or modified by the provisions of this Chapter.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 unless expressly stated otherwise.

127-02 - District Plan and Maps

LAST AMENDED12/10/2020

In order to carry out the purposes and provisions of this Chapter, district maps are located in the Appendix to this Chapter and are hereby incorporated and made an integral part of this Resolution. They are incorporated for the purpose of specifying locations where special regulations and requirements, as set forth in the text of this Chapter, apply.

Map 1: Special Flushing Waterfront District and Subdistricts

Map 2: Publicly Accessible Private Street Network

Map 3: Requirements Along Street Frontages

Map 4: Waterfront Access Plan: Parcel Designation

Map 5: Waterfront Access Plan: Visual Corridors

Map 6: Waterfront Access Plan: Public Access Areas

Map 7: Waterfront Access Plan: Phase I Waterfront Public Access Improvements

Map 8: Waterfront Access Plan: Phase II Waterfront Public Access Improvements

127-03 - Subdistricts

LAST AMENDED12/10/2020

In order to carry out the provisions of this Chapter, three subdistricts, Subdistrict A, Subdistrict B and Subdistrict C, are established.

The location and boundaries of these subdistricts are shown on Map 1 (Special Flushing Waterfront District and Subdistricts) in the Appendix to this Chapter.

127-04 - Definitions

LAST AMENDED
6/6/2024

For purposes of this Chapter, matter in italics is defined in Section 12-10 (DEFINITIONS), Section 32-301 (Definitions) and within this Section, except where explicitly stated otherwise in individual provisions in this Chapter.

Conceptual plan

A “conceptual plan” is a plan that sets forth the proposed final design, in compliance with the requirements of Section 127-421 (Requirements for publicly accessible private streets), for the remaining portions of the #publicly accessible private street# or #upland connection# certified pursuant to paragraph (b)(1)(i) of Section 127-422 (Certification for publicly accessible private streets), or paragraph (a)(1)(i) of Section 127-542 (Supplemental provisions), respectively. The plan shall include the proposed location, dimensions and grading for such remaining portions on adjoining #zoning lots# and shall be considered by the Chairperson of the City Planning Commission in reviewing the proposed #final site plan# for such remaining portions, if and when they become the subject of a certification pursuant to paragraph (b)(2) of Section 127-422 or paragraph (a)(2) of Section 127-542.

Final site plan

A “final site plan” is a plan that specifies the final design for the location, dimensions, and grading of all or portions of the #publicly accessible private streets# or #upland connection# that are the subject of a certification pursuant to paragraphs (a) or (b) of Section 127-422 or paragraphs (a)(1) or (a)(2) of Section 127-542. Where applicable, the design of such plan shall be consistent with any #conceptual plan# for the same portion of the #publicly accessible private street# or #upland connection# and, once certified and implemented in accordance with paragraph (b) of Section 127-422 or paragraph (a) of Section 127-542, such plan shall supersede any #interim plan# for the same portion of a #publicly accessible private street# or #upland connection#.

Interim site plan

An “interim site plan” is a plan that specifies, for an interim period, the design for the location, dimensions, and grading of portions of the #publicly accessible private street# or #upland connection#

that are the subject of a certification pursuant to paragraph (b)(1) of Section 127-422 or paragraph (a)(1) of Section 127-542 and located on the applicant's #zoning lot#. A design for an interim period is necessary where it is not feasible to implement the final design for such portions until build-out of the remaining portions of the #publicly accessible private street# or #upland connection# occurs. Such #interim site plan#, once certified, shall remain in effect until implementation of the #final site plan# in accordance with paragraph (b) of Section 127-422 or paragraph (a) of Section 127-542, at which time the certified #final site plan# shall supersede the #interim site plan#.

Publicly accessible private street

A "publicly accessible private street" is a way specified on Map 2 in the Appendix to this Chapter that functions as a #street# for the purposes of general public use, including vehicular and pedestrian traffic, and is open and unobstructed from its ground level to the sky, except by streetscape elements required or permitted by the provisions of this Chapter.

127-05 - Applicability of District Regulations

LAST AMENDED12/10/2020

127-051 - Applicability of the Mandatory Inclusionary Housing Program

LAST AMENDED
12/5/2024

For the purposes of applying the Mandatory Inclusionary Housing Program provisions set forth in Section 27-10 (ADMINISTRATION OF AFFORDABLE HOUSING), #Mandatory Inclusionary Housing areas# within the #Special Flushing Waterfront District# are shown in APPENDIX F (Mandatory Inclusionary Housing Areas and former Inclusionary Housing Designated Areas) of this Resolution.

127-052 - Applicability of Article VI, Chapter 1

LAST AMENDED
12/5/2024

The provisions of Article VI, Chapter I (Special Regulations Applying Around Major Airports) shall apply, except as modified in accordance with the provisions of this Chapter.

127-053 - Applicability of Article VI, Chapter 2

LAST AMENDED
12/5/2024

The provisions of Article VI, Chapter 2 (Special Regulations Applying in the Waterfront Area) shall apply in all #waterfront areas#, except as modified in accordance with the provisions of this Chapter.

127-054 - Applicability of Article VI, Chapter 4

LAST AMENDED
12/5/2024

The provisions of Article VI, Chapter 4 (Special Regulations Applying in Flood Zones) shall apply. In the event of a conflict between the provisions of this Chapter and Article VI, Chapter 4, the provisions of Article VI, Chapter 4 shall control.

127-055 - Applicability of Article XII, Chapter 3

LAST AMENDED
12/5/2024

In M1 Districts paired with a #Residence District#, the special #use#, #bulk# and parking and loading provisions of Article XII, Chapter 3 (Special Mixed Use District) shall apply, except as modified by the provisions of this Chapter, and shall supplement or supersede the provisions of the designated #Residence District# or M1 District, as applicable.