



## Zoning Resolution

THE CITY OF NEW YORK

Eric Adams, Mayor

CITY PLANNING COMMISSION

Daniel R. Garodnick, Chair

# **Chapter 6 - Special Atlantic Avenue Mixed Use District (AAM)**

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# Chapter 6 - Special Atlantic Avenue Mixed Use District (AAM)

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## 146-00 - GENERAL PURPOSES

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LAST AMENDED

5/28/2025

The “Special Atlantic Avenue Mixed Use 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 expand local employment opportunities and to promote the opportunity for workers to live in the vicinity of their work;
  - (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 enhance neighborhood economic diversity by broadening the range of housing choices for residents at varied incomes;
  - (d) to encourage stability and growth in the neighborhood by permitting compatible light manufacturing and residential uses to coexist;
  - (e) to ensure that the form and use of new buildings relates to and enhances neighborhood character and responds to unique corridors such as Atlantic Avenue; and
  - (f) to promote the most desirable use of land in the area and thus preserve, protect and enhance the value of land and buildings and thereby protect City tax revenues.
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## 146-01 - General Provisions

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LAST AMENDED

5/28/2025

The provisions of this Chapter shall apply within the #Special Atlantic Avenue 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 The regulations of all other Chapters of this Resolution are applicable, except as superseded, supplemented or modified by the provisions of this Chapter.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, except where explicitly stated otherwise in this Chapter.

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## 146-02 - District Plan and Map

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LAST AMENDED

5/28/2025

The regulations of this Chapter are designed to implement the #Special Atlantic Avenue Mixed Use District# Plan. The district plan includes the following map in the Appendix to this Chapter:

Map 1 Designated Streetscape Frontages

Such map is hereby incorporated and made part of this Resolution for the purpose of specifying locations where the special regulations and requirements set forth in the text of this Chapter apply.

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## 146-03 - Definitions

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LAST AMENDED

5/28/2025

For the purposes of this Chapter, matter in *italics* is defined in Sections [12-10](#) (DEFINITIONS), [32-301](#) (Definitions) or [123-11](#) (Definitions).

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## **146-04 - Applicability of the Mandatory Inclusionary Housing Program**

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LAST AMENDED

5/28/2025

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 Atlantic Avenue Mixed Use District# are shown in APPENDIX F of this Resolution.

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## **146-041 - Applicability of Article VI, Chapter 6**

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LAST AMENDED

5/28/2025

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.

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## **146-042 - Applicability of Article XII, Chapter 3**

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LAST AMENDED

5/28/2025

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 where modified by the provisions of this Chapter.

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## **146-10 - SPECIAL USE REGULATIONS**

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LAST AMENDED

5/28/2025

The #use# regulations of the underlying districts, or of Article XII, Chapter 3 (Special Mixed Use Districts), shall apply, except as modified by the provisions this Section, inclusive.

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## **146-11 - Additional Conditions for Certain Uses**

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LAST AMENDED

5/28/2025

In M1 Districts paired with a #Residence District#, all applicable #commercial# and #manufacturing# #uses# may only locate in the same #building# as, or may only share a common wall with, a #building# containing a #residence# or a #community facility# #use# with sleeping accommodations:

- (a) where the provisions of paragraph (b)(1) of Section [123-22](#) (Additional Conditions for Certain Uses) are met; or
- (b) where the Chairperson of the City Planning Commission certifies an alternative means of compliance pursuant to Section [146-12](#), and an (E) designation listed in APPENDIX C of this Resolution applies to all tax lots with such #uses# in accordance with Section [11-15](#) (Environmental Requirements), establishing specific building design or other environmental requirements in order to protect occupants of the #building# and surrounding properties from any hazardous materials, noise or air quality associated with such #commercial# or #manufacturing# #uses#.

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## 146-13 - Streetscape Regulations

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LAST AMENDED

5/28/2025

The underlying #ground floor level# streetscape provisions set forth in Section [32-30](#) (STREETSCAPE REGULATIONS), inclusive, shall apply, except where Map 1, in the Appendix to this Chapter, designates:

- (a) #ground floor level# #street frontages# that shall be considered #Tier C street frontages#; and
- (b) #ground floor level# #street frontages# where the alternative provisions for #Tier B street frontages# set forth in Section [32-322](#) shall not apply.

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## 146-12 - Certification for an Alternate Means of Compliance for Mixed Buildings

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LAST AMENDED

5/28/2025

In M1 Districts paired with a #Residence District#, the Chairperson of the City Planning Commission shall allow, by certification, an alternative to the provisions of paragraph (b) of Section [123-22](#) (Additional Conditions for Certain Uses) where applicable #commercial# and #manufacturing# #uses# are proposed to locate in the same #building# as, or share a common wall with, a #building# containing a #residence# or a #community facility# #use# with sleeping accommodations.

In order for the Chairperson to make such certification, the applicant shall submit a report, from a licensed architect or engineer, demonstrating that specific physical design standards to be implemented in the #building# design, or other environmental requirements, will protect occupants of such #residences# or #community facility# #uses# with sleeping accommodations from any potential hazardous materials, noise or air quality associated with such #commercial# or #manufacturing# #uses#.

An (E) designation shall be listed in APPENDIX C of this Resolution and bind the owners, successors, and assigns to comply with Section [11-15](#) (Environmental Requirements) and the specific building design or other environmental requirements listed in the report.

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## 146-20 - SPECIAL BULK REGULATIONS

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LAST AMENDED

5/28/2025

The #bulk# regulations of the underlying districts or of Article XII, Chapter 3 (Special Mixed Use District) shall apply, except as modified by the provisions of this Section, inclusive.

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## 146-21 - Floor Area Regulations

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LAST AMENDED  
5/28/2025

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### 146-211 - Floor area modifications for certain paired districts

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LAST AMENDED  
5/28/2025

In M1A Districts paired with #Residence Districts#, for #zoning lots# with #buildings# containing #residential# and non-#residential uses#, notwithstanding the maximum #floor area ratio# for individual #uses# on the #zoning lot#, the total #floor area ratio# shall be as follows:

#### TOTAL FLOOR AREA RATIO

District	Total #floor area ratio#
M1-1A/R6B	3.0
M1-2A/R6A	5.0

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## 146-22 - Special Yard Regulations

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LAST AMENDED  
5/28/2025

The #yard# regulations of the underlying districts shall apply, except that for #zoning lots# where the #side lot line# is located within 30 feet of an elevated rail line, the #rear yard# and #rear yard equivalent# provisions of Section [23-34](#) (Rear Yard and Rear Yard Equivalent Requirements), inclusive, need not apply.

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## 146-23 - Special Height and Setback Regulations

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LAST AMENDED  
5/28/2025

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### 146-231 - Street wall modifications

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LAST AMENDED  
5/28/2025

- For #zoning lots#, or portions thereof, fronting on Atlantic Avenue or Bedford Avenue, the applicable #street wall# location regulations shall be modified as follows:
- (a) the #street wall# shall be located at least 20 feet beyond the curb of the sidewalk, except that such depth need not exceed five feet from the #street line#;
  - (b) for #developments# with #building# widths exceeding 100 feet, a minimum of 20 percent of the surface area of such #street walls# above the level of the second #story#, or a height of 30 feet, whichever is lower, shall either recess or project a minimum of three feet from the remaining surface of the #street wall#; and
  - (c) for the purposes of applying the provisions of Section [35-633](#) (Additional height and setback provisions) on shallow

#through lots# with a frontage along Atlantic Avenue, the #street wall# location requirements of this Section shall be required along Atlantic Avenue.

146-232 - Other height and setback modifications

LAST AMENDED  
5/28/2025

The height and setback regulations of the applicable underlying districts shall be modified as follows:

- (a) for #zoning lots#, or portions thereof, within 100 feet of a #side lot line# that is located within 30 feet of an elevated rail line, the applicable maximum #building# heights may be increased by 10 feet in M1-2A/R6A Districts, and by 20 feet in C6-3A and M1-4A/R9A Districts; and
- (b) in M1A Districts paired with #Residence Districts#, for #zoning lots# with #buildings# containing both #residential# and non-#residential uses#, the following height and setback modifications may be applied:

District	Maximum base height (in feet)	Maximum height of #buildings or other structures# (in feet)
M1-1A/R6B	95	
M1-2A/R9A	125	

In addition, for #zoning lots# with a #lot area# greater than or equal to 20,000 square feet, a #building# may exceed the maximum #building# heights established in such table by 25 percent.

146-30 - SPECIAL OFF-STREET PARKING REGULATIONS

LAST AMENDED  
5/28/2025

The #accessory# off-street parking regulations of the underlying districts are modified by the provisions of this Section, inclusive.

146-31 - Accessory Off-street Parking Spaces for Non-residential Uses

LAST AMENDED  
5/28/2025

In all districts, no #accessory# off-street parking spaces shall be required for #manufacturing#, #commercial#, or #community facility# #uses#.

146-40 - SPECIAL APPROVALS

LAST AMENDED  
5/28/2025

146-41 - Authorization for a Public Plaza

In C6-3A, C6-3X and M1-4A/R9A Districts, for #zoning lots# with a #lot area# of at least 30,000 square feet, the City Planning Commission may authorize an increase in the maximum #floor area ratio# where a #public plaza# is provided on the #zoning lot# in accordance with the provisions of Section [37-70](#) (PUBLIC PLAZAS), inclusive.

In conjunction with such #floor area# bonus, the Commission may authorize modifications to the applicable #bulk# regulations of this Resolution, or to the regulations governing #public plazas# in Section [37-70](#), inclusive.

In order to grant such authorization, the Commission shall determine that the conditions and limitations of paragraph (a) and the findings of paragraph (b) are met.

(a) Conditions and limitations

The following conditions and limitations shall apply:

- (1) For the purposes of determining the bonus ratio in #Commercial Districts# with a #residential equivalent# of an R9 District, or in M1 Districts paired with an R9 District, the underlying bonus ratio for a C6-3 District shall apply. The #floor area# bonus resulting from applying such ratio shall not exceed 20 percent of the maximum #floor area ratio# otherwise permitted by the district.
- (2) Modifications to the maximum permitted #building# height shall not result in an increase that exceeds 25 percent of the maximum #building# height otherwise permitted by the applicable district regulations; and
- (3) Modifications to the regulations governing #public plazas# shall be limited to:
  - (i) the basic design criteria set forth in Section [37-71](#), inclusive, other than the area dimensions of Section [37-712](#);
  - (ii) the access and circulation provisions set forth in Section [37-72](#), inclusive, other than hours of access set forth in Section [37-727](#); and
  - (iii) the types and standards for amenities, set forth in Section [37-74](#), inclusive.

(b) Findings

The Commission shall find that:

- (1) the public benefit derived from the #public plaza# merits the amount of additional #floor area# being granted pursuant to this Section;
- (2) the #public plaza# will be well-integrated with the overall pedestrian circulation network and contribute to an enhanced streetscape;
- (3) any modifications to #bulk# are the minimum extent necessary to reasonably accommodate the #public plaza# and the additional #floor area# granted pursuant to this Section and will not unduly obstruct access to light and air to surrounding #streets# and properties; and
- (4) any modifications to #public plaza# regulations are the minimum extent necessary, and will better align such #public plaza# regulations with unique site configurations or with the mixed-use character of the neighborhood.

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

## **Appendix - Special Atlantic Avenue Mixed Use Plan - Map 1 – Designated Streetscape Frontages**

LAST AMENDED  
5/28/2025