

[The Queens Civic Congress copied this letter to Queens Community Board Chairs to City Planning Commission Chair Amanda Burden, Queens City Planning Director John Young, Queens Borough President Helen Marshall and City Council Speaker Christine Quinn; please note the deadline for comments from community boards is November 15, 2007]

October 11, 2007

Dear Community Board Chairperson:

The Queens Civic Congress submits this letter as its formal testimony in support of the Department of City Planning Commission's Yard Text Amendment. We have on behalf of all civics in Queens been calling for these reforms, and while these text amendments do not meet all our CIVIC 2030 Platform demands, they go a long way to accomplish community needs. Therefore, we are happy to support this text amendment with the following necessary amendments:

- The first modification is to reduce the front yard fence from the proposed four feet to three feet and require that it be 50% open. In addition, the front fence rule needs to apply to all corner houses for both their yards facing the street. (The proposed text language is unclear for the second front yard).
- The second modification is to require the proposed 50% planting for the entire property not just for the front yard in R1, R 2, and R 3 zones. 50% is a very low percentage for any portion of the property. Aesthetics is not the only issue at stake. Environmental circumstances dictate the need for private green space to clean our air, help moderate the air temperature and prevent flooding.

If you have any questions please feel free to contact us. Thank you.

Sean M. Walsh
President

Attachment [City Planning Yards Text Amendments summary follows on the next page]

DCP Yards Text Amendment

The Department of City Planning is proposing amendments to the Zoning Resolution relating to yard regulations for residential developments. Although the current regulations prescribe minimum requirements relating to location and size of yards, they generally do not deal with the amount of paving and planting in the yards. In addition, the current regulations are in some cases unclear and do not deal with fences and steps. Some of these issues are now dealt with in the zoning regulations for Lower Density Growth Management Areas (LDGMA) in Staten Island and Community Board 10 in the Bronx, and are now proposed to be extended city-wide. The proposal would also help achieve some of the goals of PlaNYC.

- Front yards are not currently required to be planted. Front yards in many new developments are completely paved to provide space for parking and driveways and similar situations have become common in front yards of existing homes. The proposal would require a minimum percentage of planting in front yards in R1 – R5 Districts, based upon street frontage, ranging from 20% for narrow lots (less than 20' wide) to 50% for lots 60 feet wide or greater.
- Currently, except in LDGMAs, interior lots within 100 feet of a corner and on the short end of a block do not have to provide rear yards. The proposal would require rear yards for all interior lots.
- The proposal would require a 30 foot open area behind every building segment (rowhouse) to ensure a useable rear yard, whether or not a rear yard is required. (Existing LDGMA rule)
- On corner lots in R1 – R5 districts, require one side yard to be at least 20 feet wide (Existing LDGMA rule)
- Prohibit steeply sloped driveways. Maximum slope would be 11% (Existing LDGMA rule)
- To encourage parking in rear yard garages, the proposal would increase floor area bonus for detached garage in rear yard from 100 square feet to 300 square feet in all R3, R4 and R5 districts (Existing in LDGMA)
- Prohibit required parking spaces from locating in the required front yard in R1 and R2 districts
- Reduce allowable front yard fence and wall height in R1- R5 districts from 8 feet to 4 feet, except that on corner lots, permit a height of 6 feet where a front yard overlaps a side yard
- Steps in front yards would be restricted in height to the first story above a basement
- Clarify how rear yard regulations are applied on irregularly shaped lots with more than one rear lot line, and on large corner lots. Existing zoning requires only one rear yard. The proposal would require additional rear yards under clearly defined parameters. A BSA special permit would be created to modify or waive the additional rear yard requirements where there are site planning constraints.
- For curb cuts serving paired driveways, increase maximum width from 15 feet to 18 feet, and establish a minimum width of 15 feet. This will ensure better access to driveways, a greater chance the 16 foot spacing requirement between curb cuts will be maintained, and allow sufficient space for the minimum front yard planting requirements be met.
- Apply modified “transition” rule between high and low density developments. The current transition rule only applies when the zoning lot line and zoning district boundary line are coincident. The proposal requires a 35 foot height limit for developments in R6 – R10 district within 25 feet of a R1 through R5 district, and an 8 foot open area along the side lot line between the two developments. This regulation was recently adopted as part of the Special Downtown Jamaica District.