

[Queens Civic Congress](#) welcomes this long-advocated zoning text change. In [CIVIC 2030](#) (see #33, page 7), called on City Planning to: “Ban overpaving in residential areas. Restrict paving over of front, side and rear yards and restrict decks or patios to no more than 10% of the open space. Any added construction should provide adequate drainage into the natural water table, and prohibit paving over the patch of green between the sidewalk and the street. Existing open space and green space must be preserved.” Previous [platforms](#) also covered this need. [View](#) the [Residential Streetscape Preservation](#) text [amendment](#) (N 100139 ZRY) which City Planning already sent to all community boards, borough boards, and borough presidents for review and comment (all comments due January 25, 2010). A City Planning Commission public hearing follows. The proposal also requires City Council approval.

- [Corey Bearak](#), President, [Queens Civic Congress](#)

<http://cityroom.blogs.nytimes.com/2009/11/20/city-moves-to-restrict-front-yard-driveways/?emc=eta1>

November 20, 2009, 12:50 pm

City Moves to Restrict Front-Yard Driveways

Chester Higgins Jr./The New York Times. A house in Dyker Heights, Brooklyn, where the owner said he spent \$60,000 fighting for permission to build a driveway.

By [MIKE REICHER](#)

The [Department of City Planning](#) has proposed regulations that would restrict certain homeowners from paving over their front yards to create parking spaces, a move that could alter the residential streetscape, especially in boroughs like Queens and Brooklyn.

Responding to [residents' complaints](#) of unsightly concrete driveways and lost street parking, the new rules would restrict so-called curb cuts — the sidewalk indentations created to allow cars to move from the street onto the front yards of houses — and tighten front-yard “planting” requirements. They would also require certain residential building owners to add parking if they modify their buildings.



These changes are “key to fostering inviting, walkable blocks,” the city planning commissioner, [Amanda M. Burden](#), said when she announced the proposed new rules on Monday.

Like the [PlaNYC](#) and other recent Bloomberg administration initiatives, the rules hold the potential for making the city more pedestrian friendly and create more green spaces. But if approved, they would inhibit homeowners who want to carve out parking spaces on their own properties.

Ambiguous zoning regulations now allow residents in some neighborhoods to make curb cuts, which are created by breaking the concrete of a regular curb and repaving it to slope up to a private property’s front yard. (The city also creates curb cuts — for wheelchair accessibility at street intersections, for example.)

Residents in recent years have protested that their neighbors’ front-yard parking pads and curb cuts made it hard to walk down the sidewalk, took away a parking space in front of the driveway, and were just plain ugly.

“Of course, everyone wants a parking space,” said Josephine Beckmann, who lives in a row house in Dyker Heights, Brooklyn, where some neighbors paved over their front yard. “But it looks terrible. I enjoy seeing my grass, though that might be a little hokey.”

Ms. Beckmann is also the district manager of [Community Board 10](#), which represents Dyker Heights, Bay Ridge and Fort Hamilton, neighborhoods where many residents have made curb cuts and paved their front yards.

The new rules and modifications would:

- Restrict people from building parking pads in their front yards, in neighborhoods dominated by one- and two-family homes.
- Close loopholes that allow people in low-density neighborhoods to plant just a sliver of grass or other shrubs on their [front yards](#) to satisfy planting requirements. The proposed rules would require a strip of planting to be at least a foot wide.
- Require owners of certain existing residential buildings to add parking spaces to their property when adding new residential units. For instance, when converting a single-family home to a two-family home, a building owner would have to add a parking space, using, for example, a side-yard driveway at least eight feet wide.
- Prohibit new curb cuts at row house buildings less than 40 feet wide with planted front yards.
- Add new restrictions on curb cuts in higher-density residential areas.

In addition, in Manhattan Community Districts 1 to 8 and in Queens Community Districts 1 and 2, the new rules would tighten the criteria for approving certain curb cuts and new residential parking to consider the “character of the existing streetscape” and whether the cuts would “affect pedestrian movement.” Currently, the rules in those neighborhoods primarily take into consideration the impact on traffic congestion.

Those districts had developed exceptional standards, according Rachaele Raynoff, a spokeswoman for the Planning Department.

“There were certain rules that didn’t apply to every district,” said Ms. Raynoff. In addition to Dyker Heights and Bay Ridge, she pointed to North Corona, Queens, as places where residents complained.

Building owners who have already made curb cuts and parking pads legally, under the existing regulations, will be able to keep their arrangement. But if the new zoning rules are approved, Ms. Raynoff said, those who apply for a permit will be subjected to them.

Not everyone believes front-yard driveways should be restricted. Sal Papandrea, 55, a resident of Dyker Heights, parks his car in his front driveway. As long as it is not blocking pedestrian traffic, he believes it is fine. “What are you going to do — you got to park somewhere,” he said. “You can’t park in the air.”

In the last four to five years, more and more people have been making curb cuts and paving their driveways, said Ms. Beckmann, the community board manager. “Once one person does it, it seems like a chain reaction,” she said.

One of her neighbors applied for a curb cut permit and she contested the application at the Board of Standards and Appeals, but she lost. With the urging of Councilman [Vincent J. Gentile](#), a Democrat who represents the area, the Planning Department evaluated the zoning regulations. They eventually drafted an amendment to the “[zoning text](#),” which applies to the entire city.

Ms. Beckmann said this amendment exceeded her expectations. “It included everything we were hoping for,” she said.

The proposed amendment is now up for review by the community boards. After 60 days, it will go to the borough presidents for additional feedback and to the [City Planning Commission](#) and the City Council, which can modify the rules before approving or rejecting them.