Zoning Resolution

THE CITY OF NEW YORK
Zohran K. Mamdani, Mayor

CITY PLANNING COMMISSION
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62-33 - Special Yard and Lot Coverage Regulations on Waterfront Blocks

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62-33 - Special Yard and Lot Coverage Regulations on Waterfront Blocks

LAST AMENDED
12/5/2024

#Yard# and #lot coverage# regulations for #zoning lots# within #waterfront blocks# shall be governed by the provisions of this Section, inclusive.

For #developments# containing WD #uses# or, in C8 or #Manufacturing Districts# without an A suffix, #developments# comprised predominantly of #uses# listed under Use Groups IV(B), IX or X, or for #developments# on #zoning lots# that are not #waterfront zoning lots#, #yards# shall be provided in accordance with the applicable district regulations. For all other #developments#, #yards# shall be provided in accordance with the provisions of Sections 62-331 (Front yards and side yards) and 62-332 (Rear yards and waterfront yards), except that no #yard# regulations shall be applicable on #piers# or #floating structures# nor may #piers# or #floating structures# be used to satisfy any #yard# requirements.

The maximum #lot coverage# in #Residence Districts# shall be as set forth in Section 62-333 and the maximum #lot coverage# in #Commercial Districts# shall be as set forth in Section 62-334.

62-331 - Front yards and side yards

LAST AMENDED7/26/2001

#Front yards# and #side yards# shall be provided on #zoning lots# within #waterfront blocks# in accordance with applicable district regulations, except that:

(a) any #rear lot line# of a #waterfront zoning lot# that intersects the #shoreline# shall be deemed to be a #side lot line# and be subject to #side yard# regulations; and

(b) #side yard# regulations shall be inapplicable along #side lot lines# that are coincident with or seaward of the #shoreline#. In lieu thereof, a #waterfront yard# shall be provided in accordance with the provisions of Section 62-332.

62-332 - Rear yards and waterfront yards

LAST AMENDED
12/5/2024

#Rear yard# regulations shall be inapplicable on #waterfront zoning lots#. In lieu thereof, a #waterfront yard# shall be provided along the entire length of the #shoreline#, bulkhead or stabilized natural shore, whichever is furthest landward. In addition, the following rules shall apply to the #waterfront yard#:

(a) Depth of the #waterfront yard#

The required minimum depth of a #waterfront yard# is set forth in the following table. Column A sets forth districts where the minimum depth is 30 feet, and Column B sets forth districts where the minimum depth is 40 feet. Such minimum depths shall be measured from the landward edge of the bulkhead, landward edge of stabilized natural shore, or, in the case of natural #shorelines#, the mean high water line.

Where a #platform# projects from the #shoreline#, stabilized natural shore, or bulkhead (see illustration below of Waterfront Yard), such #waterfront yard# shall, in lieu of following the shore at that portion, continue along the water edge of such #platform# until it again intersects

the #shoreline#, stabilized natural shore, or bulkhead, at which point it shall resume following the #shoreline#, stabilized natural shore, or bulkhead.

WATERFRONT YARD DEPTH FOR ALL DISTRICTS

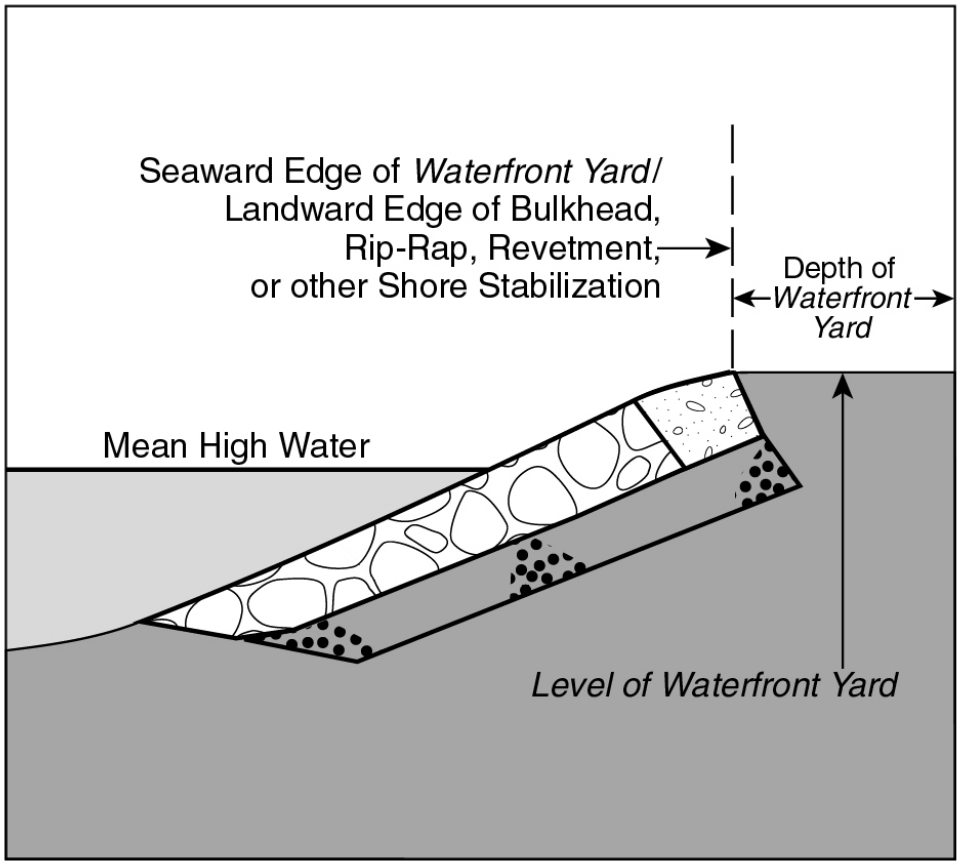
Column A	Column B
Districts with 30 Foot Requirement	Districts with 40 Foot Requirement
R1 R2 R3 R4 R5	R6 R7 R8 R9 R10 R11 R12
C1 C2 mapped in R1 R2 R3 R4 R5	C1 C2 mapped in R6 R7 R8 R9 R10 R11 R12
C3	C1-6 C1-7 C1-8 C1-9 C2-6 C2-7 C2-8 C4 C5 C6 C7 C8 M1 M2 M3

The minimum depth set forth in the preceding table may be reduced at the following locations provided no #waterfront yard# is reduced to less than 10 feet:

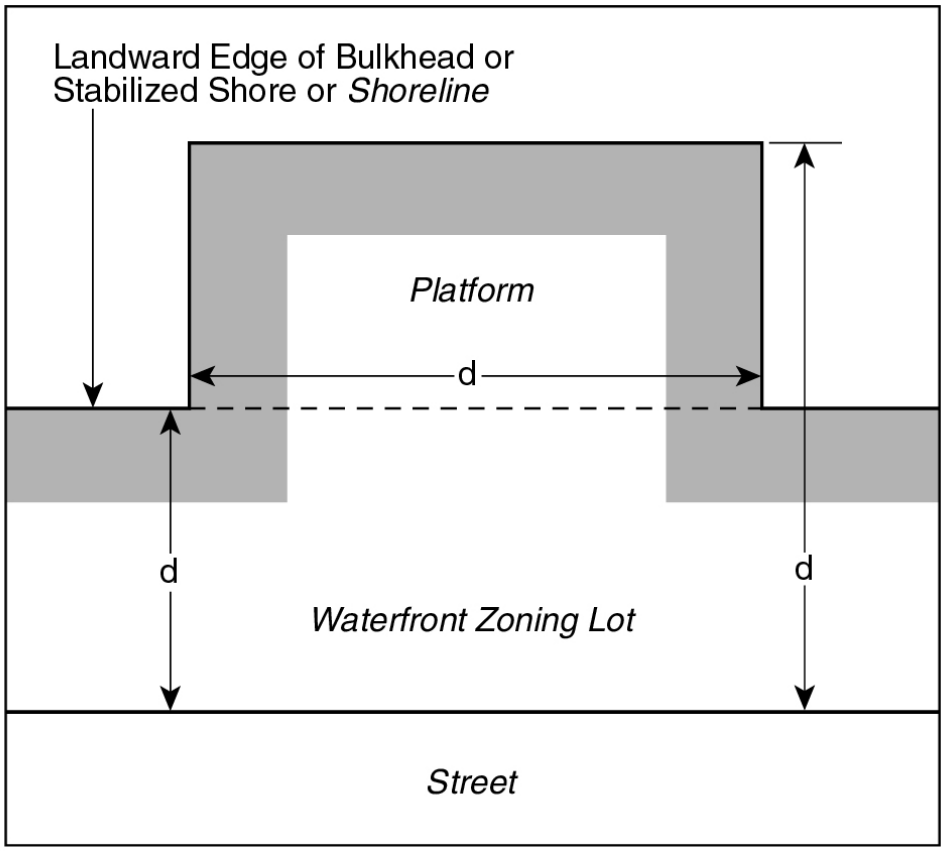
(1) Along those portions of the landward edge of stabilized shore, bulkhead, natural #shoreline# or along those portions of the water edge of a #platform#, having a lot dimension, measured perpendicular to and landward from such edge, that is less than 70 feet in the case of districts in Column A or 80 feet in the case of districts in Column B. For such shallow portions of lots, the minimum depth may be reduced by one foot for each foot that the lot dimension measured from such edge is less than 70 or 80 feet, as applicable.

(2) Along those portions of the water edge of a #platform# having a dimension, measured perpendicular from such water edge to an opposite water edge that is less than 100 feet in the case of districts in Column A or 120 feet in the case of districts in Column B. For such narrow portions of #platforms#, the minimum depth along each opposite edge may be reduced by one-half foot for each foot that the #platform# dimension is less than 100 or 120 feet, as applicable.

(3) Where a #tidal wetland area# is provided, the depth of the #waterfront yard# may be reduced by a foot for every foot of stabilized natural shore or intertidal planting area beyond the landward edge of the bulkhead, stabilized natural shore or #shoreline# up to seven feet. Such reduction in depth shall not extend along more than 30 percent of the #shoreline# of the #waterfront zoning lot#.



WATERFRONT YARD AT STABILIZED SHORELINE (62-332a.1)



WATERFRONT YARD (62-332a.2)

(b) The level of the #waterfront yard#

The level of required #waterfront yards# shall not be higher than the elevation of the top of the adjoining existing bulkhead, existing stabilized natural shore or mean high water line, as applicable, except that natural grade level need not be disturbed in order to comply with this requirement.

The level of the portion of a #waterfront yard# on a #platform# shall not be more than three

feet higher than the abutting level of the non-platformed portion of the #waterfront yard#, of which it is the continuation, except that the level of a #platform# existing on October 25, 1993 need not be altered in order to comply with this requirement.

However, the level of the #waterfront yard# may be modified as follows:

(1) For #zoning lots# not required to provide #waterfront public access areas# pursuant to Section 62-52 (Applicability of Waterfront Public Access Area Requirements), the level of #waterfront yards# may be raised either to:

(i) the #flood-resistant construction elevation# or six feet above #shoreline#, whichever is higher; or

(ii) a higher elevation, provided that the #waterfront yard# complies with the applicable provisions of paragraph (b)(2) of this Section, depending on the condition of the shared #lot line#.

(2) For #zoning lots# with required #waterfront public access areas# pursuant to Section 62-52, the level of #waterfront yards# may be raised to a higher elevation, provided that such elevated #waterfront yard# complies with the following provisions, depending on the condition of the adjacent #zoning lot# :

(i) where a #waterfront yard# adjoins a #street#, #public park#, or #waterfront public access area# on an adjacent #zoning lot#, the level of the #waterfront yard# within 15 feet of the shared #lot line# shall not exceed three feet above the level of the adjoining #street#, #public park# or #waterfront public access area#, and the width of the circulation path at the #lot line# is greater than that required by paragraph (a) of Section 62-62 (Design Requirements for Shore

Public Walkways and Supplemental Public Access Areas). However, the elevation of the required circulation path shall be no higher than the grade of the adjacent #street#, #public park#, or #zoning lot# at the #lot line#.

(ii) where a #waterfront yard# does not adjoin a #street#, #public park#, or #waterfront public access area# on an adjacent #zoning lot#, the level of the #waterfront yard# at the shared #lot line#, may exceed the level of the adjacent #zoning lot#:

(a) up to a maximum of six feet above the #shoreline#; or

(b) to a level higher than six feet above the #shoreline#, where the Chairperson of the City Planning Commission certifies, pursuant to Section 62-811 (Waterfront public access and visual corridors) that:

(1) the applicant has submitted a plan indicating the proposed level of the #waterfront yard# at the #lot line# of adjacent #zoning lots# and the level of such adjacent #zoning lots# adjacent to the #waterfront yard#; and

(2) submitted proof of a legal instrument, executed by the fee owner of any #zoning lot# that is adjacent to the subject #waterfront yard#, and binding upon all necessary parties in interest, that the owner will develop a #waterfront public access area# with a grade that meets that of the adjacent #zoning lots# based on the proposed level of the subject #waterfront yard# as reflected in the submitted plan. Such legal instrument shall run with the land and shall be recorded against all affected parcels of land.

(c) Permitted obstructions

No #building or other structure# shall be erected above the lowest level of a #waterfront yard#. Permitted obstructions in #waterfront yards# in all districts shall include permitted obstructions as listed in Sections 23-311 (Permitted obstructions in all yards, courts and open areas), 23-312 (Additional permitted obstructions generally permitted in all yards), and 62-611, except that enclosed #accessory# off-street parking spaces and walls exceeding four feet in height shall not be permitted. Where any power systems, including, but not limited to, generators, solar energy systems, fuel cells, batteries and other energy storage systems, are located in a #front yard#, the entire width of the portion of such equipment facing a #street#, whether open or enclosed, shall be fully screened by vegetation.

In addition, the following #rear yard# obstructions shall not be permitted except when #accessory# to #single-# or #two-family residences# in #detached#, #semi-detached# or #zero lot line buildings#:

Balconies, unenclosed;

Greenhouses, non-commercial, #accessory#;

Parking spaces, off-street, open or enclosed, #accessory#;

Swimming pools, #accessory#;

Terraces or porches, open.

62-333 - Maximum lot coverage in Residence Districts

LAST AMENDED
12/5/2024

R1 R2 R3 R4 R5 R6 R7 R8 R9 R10 R11 R12

In the districts indicated, the maximum #lot coverage# for #residential# #buildings#, #community facility# #buildings# or the portions of #buildings# containing #residential# or #community facility# #uses# shall be the applicable #residential# #lot coverage# set forth in Section 23-36 (Maximum Lot Coverage), inclusive. For the purpose of applying such regulations, the regulations for #interior lots# or #through lots# shall apply, and additional limitations for #large sites# need not apply.

Any portion of a #building# at any height up to but not exceeding 23 feet above the #base plane# may be excluded in determining the percent of #lot coverage# set forth in this Section.

Additionally, for #buildings# in R6 through R12 Districts that exceed the maximum base height listed in Section 62-343 (Height and setback regulations in other medium- and high-density districts), the minimum #lot coverage# shall be 30 percent of the #lot area# at a height of 20 feet. For the purposes of determining this requirement, the #lot area# of #waterfront zoning lots# shall be deemed to be the area of the #zoning lot# landward of the #shoreline#. In the event the site plan involves construction on only a portion of the #zoning lot#, sufficient calculations shall be provided to show that such partial construction does not preclude compliance with the minimum #lot coverage# requirements of this Section at the time the site is fully developed.

In #Special Mixed Use Districts#, #lot coverage# requirements shall not apply to #community facility# #uses#.

62-334 - Maximum lot coverage for residences in Commercial Districts

LAST AMENDED
12/5/2024

In #Commercial Districts#, for #residential# #buildings#, or the #residential# portion of #mixed buildings#, the maximum #lot coverage# regulations of Section 62-333 (Maximum lot coverage in Residence Districts) shall apply.