**Zoning Resolution**

THE CITY OF NEW YORK
**Zohran K. Mamdani, Mayor**

CITY PLANNING COMMISSION
**Sideya Sherman, Chair**

# 91-00 - GENERAL PURPOSES

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## 91-00 - GENERAL PURPOSES

LAST AMENDED
6/21/2016

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

(a) encourage development of a 24-hour community through the conversion of older commercial buildings to residential use;

(b) facilitate maximum design flexibility of buildings and enhance the distinctive skyline and streetscape of Lower Manhattan;

(c) improve public use and enjoyment of the East River waterfront by creating a better physical and visual relationship between development along the East River and the waterfront area, public access areas and the adjoining upland community;

(d) enhance the pedestrian environment by relieving sidewalk congestion and providing pedestrian amenities;

(e) restore, preserve and assure the use of the South Street Seaport Subdistrict as an area of small historic and restored buildings, open to the waterfront and having a high proportion of public spaces and amenities, including a South Street Seaport Environmental Museum, with associated cultural, recreational and retail activities;

(f) establish the Historic and Commercial Core to protect the existing character of this landmarked area by promoting development that is harmonious with the existing scale and street configuration;

(g) establish the Water Street Subdistrict to improve the urban design relationship between existing buildings and open areas by promoting retail activities and the enhancement of existing public spaces with new amenities in this area; and

(h) promote the most desirable use of land and thus conserve and enhance the value of land and buildings, and thereby protect the City's tax revenues.

## 91-01 - General Provisions

LAST AMENDED
6/6/2024

Except as modified by the express provisions of the #Special Lower Manhattan District#, the regulations of the underlying zoning districts shall remain in effect.

Requirements that apply generally throughout the District are set forth in the provisions for this Chapter. The provisions of Section 91-40 (MANDATORY DISTRICT PLAN ELEMENTS) specify planning and urban design features that are primarily oriented toward the accommodation and well-being of pedestrians.

For requirements that are not generally applicable but are tied to specific locations within the Special District, the locations where these requirements apply are shown on District Map 2 (Street Wall Continuity Types 1, 2A, 2B & 3), Map 3 (Street Wall Continuity Types 4 & 5), Map 4 (Designated Retail Streets) and Map 5 (Curb Cut Prohibitions) in Appendix A. Certain #sign# regulations that apply to landmark #buildings# with #street walls# fronting Broadway are set forth in Section 91-114.

The provisions of Article VI, Chapter 2 (Special Regulations in the Waterfront Area), shall apply to all areas of the #waterfront area# within the #Special Lower Manhattan District#, except as otherwise provided in Section 91-60 (REGULATIONS FOR THE SOUTH STREET SEAPORT

SUBDISTRICT) for Piers 9, 11, 13 and 14. Piers 9, 11, 13 and 14 are shown on Maps 1 and 6 in Appendix A.

In #flood zones#, or for #transit-adjacent sites# or #qualifying transit improvement 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 4 (Special Regulations Applying in Flood Hazard Areas), or Article VI, Chapter 6 (Special Regulations Applying Around Mass Transit Stations), the provisions of Article VI shall control.

An existing public amenity, open or enclosed, that was a mandatory requirement or received a #floor area# bonus pursuant to the provisions of the former Special Greenwich Street Development District, eliminated on August 27, 1998, shall not be removed, reduced in size or in any way altered, other than pursuant to the provisions of Section 91-71 (Authorization for the Modification of Required Public Amenities).

Special regulations governing the development of three specific sites in the #Special Lower Manhattan District# are set forth in the following Sections:

Section 91-72 (Special Permit for Development Over or Adjacent to the Approaches to the Brooklyn Battery Tunnel)

Section 91-73 (Special Provisions for Battery Park Underpass/South Street).

## 91-02 - Definitions

LAST AMENDED
2/2/2011

For the purposes of this Chapter, matter in italics is defined in Sections 12-10 or 91-62 (Definitions).

## 91-03 - District Maps

LAST AMENDED
6/21/2016

District maps are located in Appendix A of 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 Lower Manhattan District

Map 2 Street Wall Continuity Types 1, 2A, 2B & 3

Map 3 Street Wall Continuity Types 4 & 5

Map 4 Designated Retail Streets

Map 5 Curb Cut Prohibitions

Map 6 South Street Seaport Subdistrict (Section 91-63)

Map 7 Subway Station Improvement Areas

Map 8 Water Street Subdistrict

Map 9 Water Street Subdistrict Arcades

## 91-04 - Subdistricts and Core Area

LAST AMENDED
2/2/2011

In order to carry out the purposes and provisions of this Chapter, the South Street Seaport Subdistrict, the Historic and Commercial Core and the Water Street Subdistrict are established within the #Special Lower Manhattan District# and include specific regulations designed to advance the purpose of these areas:

(a) South Street Seaport Subdistrict

The South Street Seaport Subdistrict contains certain provisions that do not apply to other areas of the Special District. Except as otherwise provided in the Subdistrict regulations, the Subdistrict is subject to all other regulations of the #Special Lower Manhattan District# and the underlying districts. The requirements for the South Street Seaport Subdistrict are set forth in Section 91-60 (SPECIAL REGULATIONS FOR THE SOUTH STREET SEAPORT SUBDISTRICT).

The Subdistrict is shown on Map 1 (Special Lower Manhattan District) and Map 6 (South Street Seaport Subdistrict) in Appendix A of this Chapter.

(b) The Historic and Commercial Core

The Historic and Commercial Core has been established to promote development compatible with existing #buildings# that border the area whose street plan has been accorded landmark status by the New York City Landmarks Commission as the Streetplan of New Amsterdam and Colonial New York. Height and setback provisions for the Historic and Commercial Core are set forth in Sections 91-31 through 91-33.

The Core is bounded by Broadway and Wall, Whitehall and Water Streets, as shown on Map 1 (Special Lower Manhattan District) in Appendix A of this Chapter.

(c) Water Street Subdistrict

The Water Street Subdistrict has been established to improve the urban design relationship between existing #buildings# and open areas by promoting retail activities and the enhancement of existing public spaces with new amenities in this area.

The Subdistrict is shown on Map 8 (Water Street Subdistrict) and Map 9 (Water Street Subdistrict Arcades) in Appendix A of this Chapter.

## 91-05 - Applicability of Article VII Provisions

LAST AMENDED
12/5/2024

## 91-051 - Applicability of special permits by the Board of Standards and Appeals

LAST AMENDED
12/5/2024

Within the #Special Lower Manhattan District#, the following Board of Standards and Appeals special permits shall not be applicable or shall be applicable only as modified.

The following special permit by the Board of Standards and Appeals shall not be applicable:

Section 73-68 (Modifications of Height, Setback and Rear Yard Regulations)

The following special permits by the Board of Standards and Appeals shall be applicable as modified:

Section 73-163 (Automotive Service Stations) shall not apply on #zoning lots# with frontage on any #street# listed on Map 2 or Map 4 in Appendix A.

## 91-052 - Applicability of special permits by the City Planning Commission

LAST AMENDED
12/5/2024

Within the #Special Lower Manhattan District#, the following special permits by the City Planning Commission shall not be applicable or shall be applicable within C5 Districts.

The following special permits by the City Planning Commission shall not be applicable:

Section 74-721 (Height, setback and yard regulations)

Section 74-81 (Through Block Arcades).

## 91-07 - Modification of Use and Bulk Regulations for Zoning Lots Fronting Upon DeLury Square Park

LAST AMENDED
12/21/2009

Where the #lot line# of a #zoning lot# coincides with, or is within 20 feet of, the boundary of DeLury Square Park, such #lot line# shall be considered to be a #street line# for the purposes of applying all

#use# and #bulk# regulations of this Resolution.