Zoning Resolution

THE CITY OF NEW YORK
Zohran K. Mamdani, Mayor

CITY PLANNING COMMISSION
Sideya Sherman, Chair

93-75 - Publicly Accessible Open Spaces in Subdistrict F

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93-75 - Publicly Accessible Open Spaces in Subdistrict F

LAST AMENDED
4/29/2014

Public access areas in Subdistrict F shall be comprised of publicly accessible open spaces, private streets and pedestrian ways.

Publicly accessible open spaces are listed in this Section, inclusive. Such publicly accessible open spaces shall be comprised of the Western Open Space, the Central Open Space, the Southwest Open Space, the Northeast Plaza, the Midblock Connection, and the #High Line# as described within this Section, inclusive. Map 3 (Subdistrict F: Public Access Area Plan) in Appendix B identifies the location of publicly accessible open spaces.

General requirements for each publicly accessible open space are set forth within this Section. Design requirements for each publicly accessible open space are set forth in Section 93-77 (Design Criteria for Public Access Areas in Subdistrict F). The phasing and approval process for each publicly accessible open space is set forth in Section 93-78 (Site and Landscape Plans for Public Access Areas in Subdistrict F).

All publicly accessible open spaces listed in this Section shall be accessible to the public from the hours of 6:00 a.m. to 1:00 a.m. with the exception of the #High Line# and the Northeast Plaza. The Northeast Plaza shall provide hours of access pursuant to Section 37-727.

93-751 - General requirements for the Western Open Space

LAST AMENDED

A publicly accessible open space, (henceforth referred to as the "Western Open Space"), shall be provided in Subdistrict F. Such a space shall be open to the sky, except that amenities that are provided in accordance with this Section and Section 93-77 (Design Criteria for Public Access Areas in Subdistrict F) shall be permitted to cover a portion of the Western Open Space.

(a) General purpose

The Western Open Space is intended to serve the following purposes:

(1) to provide a major open space that joins the northern portion of the #High Line# open space network on its west to the open space networks leading to the Hudson Park and Boulevard on its east;

(2) to provide a large open lawn area overlooking the Hudson River for public use and enjoyment; and

(3) to provide transition areas that offer shade, supplemental space between the open lawn and surrounding #building# and connections between surrounding publicly accessible open spaces.

(b) Location and minimum dimensions

The Western Open Space shall be located east of the #High Line#, and encompass the area between Sites 1 and 5 as shown on Map 3 (Subdistrict F: Public Access Area Plan) in Appendix B. The Western Open Space shall have a minimum easterly boundary of 225 feet, as measured from the easterly #street line# of Twelfth Avenue.

(c) Core elements

The Western Open Space shall provide the following core elements:

(1) Lawn area

An accessible lawn area shall be provided with a minimum area of one acre. Any lawn area located within 40 feet of a #building# wall on Sites 1 or 5 shall not contribute towards this one acre requirement. The required lawn area shall be comprised of the following amenities:

(i) a continuous lawn area shall be provided over a minimum of 75 percent of the required one acre. Such area shall have a maximum slope of three degrees and unobstructed visual access toward the Hudson River; and

(ii) a transitional lawn area may be provided for a maximum of 25 percent of the required one acre of lawn area. Such area need not be continuous, and shall have a maximum slope of 15 degrees. Trees and other plantings shall be permitted in such area.

(2) #High Line# connection

Access to the #High Line# shall be provided along a minimum of 75 feet and a maximum of 150 feet of #High Line# frontage length. Such frontage need not be continuous, however, in order to qualify as unobstructed access that contributes to the minimum 75 foot requirement set forth in this paragraph (c)(2), a minimum frontage width of five feet is required. Such access need not be opened to the public until the #High Line# is reconstructed as public open space in accordance with the

provisions of Section 93-756 (General requirements for the High Line).

(3) Supplemental area

Any space provided in the Western Open Space which does not meet the criteria for lawn area set forth in paragraph (c)(1) of this Section or the criteria for the #High Line# connection set forth in paragraph (c)(2) shall be designated as supplemental area and shall comply with the requirements set forth in this paragraph (c)(3).

A minimum of 50 percent of the supplemental area shall be landscaped with soft ground cover, and the remaining 50 percent may be paved. At least one tree shall be provided for every 2,000 square feet of supplemental area. Such trees may be distributed anywhere within the supplemental area.

A minimum of two unimpeded paved pedestrian accesses, each with a minimum width of 12 feet, shall be provided in the supplemental area. One such pedestrian access shall link the Allee of the West 32nd Street Extension, as defined in paragraph (c)(2) of Section 93-761 and shown on Map 3 in Appendix B, to the #High Line#, and the second such pedestrian access shall link the West 31st Street Extension to the #High Line#.

A minimum of one linear foot of seating shall be provided for every 75 square feet of supplemental area. At least 50 percent of such required seating shall provide seatbacks. Such seating may be distributed anywhere within the supplemental area.

Permanent structures such as food or information kiosks, pavilions or public restrooms may be placed within the supplemental area, provided the height of such structures does not exceed 20 feet. The maximum #lot coverage# that all such permanent structures may occupy shall be 400 square feet, and such structures shall

be exempt from the definition of #floor area#.

(d) Transparency

For portions of #buildings# on Site 1 and Site 5 fronting upon the Western Open Space, a minimum of 50 percent of the surface area of the ground floor #street wall# fronting upon the open space shall be treated with clear, untinted transparent material.

(e) Permitted encroachments from private streets and pedestrian ways

The Connector and the terminus of the West 32nd Street Extension shall be permitted to encroach upon the supplemental area of the Western Open Space, provided that the site and landscape plans incorporating the private street or pedestrian way are approved in conjunction with the Western Open Space, pursuant to Section 93-78 (Site and Landscape Plans for Public Access Areas in Subdistrict F).

93-752 - General requirements for the Central Open Space

LAST AMENDED
4/29/2014

A publicly accessible open space, (henceforth referred to as the "Central Open Space"), shall be provided in Subdistrict F. Such a space shall be open to the sky, except that portions of a #building# on Site 3 and amenities that are provided in accordance with Sections 93-75 and 93-77 (Design Criteria for Public Access Areas in Subdistrict F) shall be permitted to cover a portion of the Central Open Space.

(a) General purpose

The Central Open Space is intended to serve the following purposes:

(1) to serve as a neighborhood open space;

(2) to provide amenities for area residents, workers and the general public; and

(3) to provide areas that offer varied programs, supplemental spaces between amenities and surrounding #buildings# and connections between surrounding publicly accessible open spaces.

(b) Location and dimensions

The Central Open Space shall be located within the area bounded by the West 32nd Street Extension, the West 31st Street Extension, the Connector and Eleventh Avenue, and shall also be comprised of any portion of Sites 3 and 4 that are not covered by #buildings# at the ground level as shown on Map 3 (Subdistrict F: Public Access Area Plan) in Appendix B.

The Central Open Space shall have a minimum dimension in the north-south direction as measured from the southerly #street line# of the West 32nd Street Extension to the northerly #street line# of the West 31st Street Extension of 175 feet. In addition, the minimum dimension of the Central Open Space in the north-south direction between the northern boundary of Site 3 and the southerly #street line# of the West 32nd Street Extension shall be 55 feet.

The Central Open Space shall have a minimum dimension in the east-west direction as measured from the easterly #street line# of the Connector to the westerly #street line# of Eleventh Avenue of 545 feet. In addition, the minimum dimension of the open space in the east-west direction between the eastern boundary of Site 3 and the western boundary of Site 4

shall be 265 feet.

Within 350 feet of the Eleventh Avenue #street line#, the maximum height of the finished grade of the Central Open Space shall be 45 feet above the Manhattan Datum, which is 2.75 feet above sea level. Beyond 350 feet of Eleventh Avenue, the maximum height of the finished grade shall be 47 feet above the Manhattan Datum.

(c) Core elements

The Central Open Space shall provide the following core elements:

(1) Lawn area

An accessible lawn area shall be provided with a minimum aggregate area of 10,000 square feet and a maximum slope of three degrees. Such area need not be continuous. Any lawn area located within 12 feet of a #building# wall on Sites 3 or 4 shall not contribute towards such minimum gross area.

(2) Playground

A playground shall be provided with a minimum area of 10,000 square feet.

(3) Supplemental area

Any space in the Central Open Space other than the required lawn area set forth in paragraph (c)(1) of this Section or the required playground space set forth in paragraph (c)(2) of this Section, shall be designated as supplemental area and shall comply with the requirements set forth in this Section.

A minimum of 50 percent of the supplemental area shall be landscaped with soft ground cover, and the remaining 50 percent may be paved. At least one tree shall be provided for every 1,500 square feet of the supplemental area. Such trees may be distributed anywhere within the supplemental area.

A minimum of two unimpeded paved pedestrian accesses, each with a minimum width of 12 feet, shall be provided in the supplemental area. Such pedestrian access shall link the West 31st and West 32nd Street Extensions and be no closer than 150 feet to one another at any point.

A minimum of one linear foot of seating shall be provided for every 75 square feet of supplemental area. At least 50 percent of such required seating shall provide seatbacks. Such seating may be distributed anywhere within the supplemental area.

Within 15 feet of a required sidewalk or pedestrian access, the slope of the supplemental area shall not exceed 7.5 degrees, or a maximum height of two feet. Beyond 15 feet of a required sidewalk or pedestrian access, the slope of the supplemental area shall not exceed 15 degrees.

(d) Permanent structures

Permanent structures, such as food or information kiosks, pavilions or public restrooms may be placed within the Central Open Space, provided the height of such structures does not exceed 20 feet. The maximum #lot coverage# that all such permanent structures may occupy shall be 400 square feet and such structures shall be exempt from the definition of #floor area#.

(e) Transparency

For portions of #buildings# in Site 4 fronting upon the Central Open Space, a minimum of 50 percent of the surface area of the ground floor #street wall# fronting upon the open space shall be treated with clear, untinted, transparent material.

(f) Permitted encroachments from private streets and pedestrian ways

The Connector and the terminus of the West 31st Street Extension shall be permitted to encroach upon the supplemental area of the Central Open Space, provided that the site and landscape plans incorporating the private street or pedestrian way are approved in conjunction with the Central Open Space, pursuant to Section 93-78 (Site and Landscape Plans for Public Access Areas in Subdistrict F).

93-753 - General requirements for the Southwest Open Space

LAST AMENDED
4/29/2014

A publicly accessible open space, (henceforth referred to as the "Southwest Open Space"), shall be provided in Subdistrict F. Such accessible open space shall be open to the sky, except that portions of a #building or other structure# on Site 5, the #High Line# and amenities that are provided in accordance with Sections 93-75 and 93-77 (Design Criteria for Public Access Areas in Subdistrict F) shall be permitted to cover a portion of the Southwest Open Space.

(a) General purpose

The Southwest Open Space is intended to serve the following purposes:

(1) to serve as an inviting pedestrian gateway to the Western Rail Yard from open space networks along the Hudson River;

(2) to provide pedestrian amenities and connections between surrounding public spaces both on and adjacent to the Western Rail Yard; and

(3) to offer a unique open space experience for pedestrians through the negotiation of the area's grade changes.

(b) Location and minimum dimensions

The Southwest Open Space shall be located within the area bounded by Twelfth Avenue, the Western Open Space, the West 31st Street Extension, Site 6 and West 30th Street, and shall also be comprised of any portion of Site 5 which is not covered by a #building or other structure# at the ground level as shown on Map 3 (Subdistrict F: Public Access Area Plan) in Appendix B.

The Southwest Open Space shall have a minimum dimension in the east-west direction as measured from the easterly #street line# of Twelfth Avenue to the western boundary of Site 6 of 400 feet. However, if the length of Site 6 is extended to accommodate a public #school# in accordance with the provisions of paragraph (b) of Section 93-568 (Site 6), the minimum dimension of the Southwest Open Space shall be 360 feet.

The Southwest Open Space shall have a minimum dimension in the north-south direction as measured from the northerly #street line# of West 30th Street to the southern boundary of the Western Open Space of 180 feet and a maximum dimension of 200 feet.

(c) Core elements

The Southwest Open Space shall have the following core elements. For the purpose of determining the amount of an amenity to provide in relation to the area of the Southwest Open Space, the area of the Southwest Open Space shall exclude the area occupied by a #building or other structure# on Site 5 and the #High Line#.

A minimum of 50 percent of the area of the Southwest Open Space shall be landscaped with soft ground cover, and the remaining 50 percent of the Southwest Open Space may be paved. At least one tree shall be provided for every 1,500 square feet of Southwest Open Space.

An unimpeded paved pedestrian access with a minimum width of 12 feet shall link either Twelfth Avenue or West 30th Street and the West 31st Street Extension. If such pedestrian access contains 'switchbacks,' comprised of a series of ascending pedestrian ways, the minimum distance between midpoints of each way, as measured, in plan, from the northerly edge of one way to the southerly edge of the next ascending way shall be 15 feet.

A second unimpeded paved pedestrian access with a minimum width of 12 feet shall link either Twelfth Avenue or West 30th Street and the #High Line bed# or with an elevator located adjacent to the #High Line# that provides public access to the #High Line bed#. Such access need not be opened to the public until the #High Line# is reconstructed as public open space in accordance with the provisions of Section 93-756.

A minimum of one linear foot of seating shall be provided for every 75 square feet of soft ground cover provided within the Southwest Open Space. At least 50 percent of such required seating shall provide seatbacks.

Permanent structures, such as food or information kiosks, pavilions or public restrooms shall be permitted within the Southwest Open Space, provided the height of such structures does not exceed 20 feet. The maximum area #lot coverage# that all such permanent structures may occupy shall be 1,000 square feet, provided that such structures are located entirely west of the

#High Line#. Such permanent structures shall be exempt from the definition of #floor area#.

(d) Permitted encroachments from private streets

The terminus of the West 31st Street Extension shall be permitted to encroach upon the Southwest Open Space, provided that the site and landscape plans for the West 31st Street Extension are approved in conjunction with the Southwest Open Space, pursuant to Section 93-78 (Site and Landscape Plans for Public Access Areas in Subdistrict F).

93-754 - General requirements for the Northeast Plaza

LAST AMENDED
4/29/2014

A publicly accessible open space, (henceforth referred to as the "Northeast Plaza"), shall be provided at the intersection of West 33rd Street and Eleventh Avenue, as shown on Map 3 (Subdistrict F: Public Access Area Plan) in Appendix B. The area of such space shall be at least 2,600 square feet, and shall have a minimum #street# frontage of 40 feet along each #street#. The Northeast Plaza shall be provided in accordance with the standards for #public plazas#, as set forth in Section 37-70 (PUBLIC PLAZAS), exclusive of the area dimensions set forth in Section 37-712.

93-755 - General requirements for the Midblock Connection

LAST AMENDED
4/29/2014

A pedestrian way, (henceforth referred to as the "Midblock Connection"), shall be provided between West 33rd Street and the West 32nd Street Extension, as shown on Map 3 (Subdistrict F: Public Access Area Plan) in Appendix B.

(a) General purpose

The Midblock Connection is intended to serve the following purposes:

(1) to provide pedestrian access between West 33rd Street and the Western Rail Yard Subdistrict F; and

(2) to provide amenities similar to a through block public plaza.

(b) Location and dimensions

The entirety of the Midblock Connection shall be located between 335 feet and 455 feet west of the westerly Eleventh Avenue #street line#.

The minimum width of the Midblock Connection, measured in the east-west direction, shall be 60 feet.

(c) Core elements

The Midblock Connection shall provide the following core elements:

(1) A minimum of one unimpeded pedestrian access, with a minimum width of 12 feet, shall be provided to connect the West 32nd Street Extension with West 33rd Street;

(2) A minimum of one linear foot of seating shall be provided for every 75 square feet of the Midblock Connection. A minimum of 50 percent of the required seating shall provide seatbacks; and

(3) A minimum of 20 percent of the gross area of the Midblock Connection shall be landscaped with soft ground cover, and shall provide a minimum of one tree per every 1,500 square feet.

93-756 - General requirements for the High Line

LAST AMENDED
2/2/2011

For the portion of the #High Line# that is located within the boundary of Subdistrict F, the following provisions shall apply.

(a) General purpose

The #High Line# is intended to serve the following purposes:

(1) to serve as a continuation of the #High Line# public open space to the east and to the south of West 30th Street;

(2) to offer a pedestrian and passive open space experience similar to the #High Line# open space south of West 30th Street, through planting, materials and amenities, while

taking into account the nature and character of the Western Rail Yard Subdistrict F; and

(3) to allow for connections to other public areas on the Western Rail Yard Subdistrict F.

(b) Permitted #uses#

Any permitted change of #use# for the #High Line# shall be made pursuant to the provisions of Section 93-10 (USE REGULATIONS).

(c) Core elements

The #High Line# open space shall provide amenities including, but not limited to, planting, seating and lighting designed to complement and be integrated with portions of the #High Line# south of West 30th Street in a manner that provides both visual and pedestrian continuity along the #High Line# open space network. The #High Line# open space shall not be subject to the design criteria for public access areas in Subdistrict F set forth in Section 93-77.

The site and landscape plans for the #High Line# approved pursuant to Section 93-78 (Site and Landscape Plans for Public Access Areas in Subdistrict F) shall make provision for access points to and from the #High Line# open space, including the public access provided in the Southwest Open Space pursuant to Section 93-753 (General requirements for the Southwest Open Space) and, subject to agreement, shall include support facilities necessary for the operation, maintenance and public enjoyment of the #High Line# open space located in Subdistrict F, or at other locations north of West 30th Street.

(d) Certification to modify requirements adjacent to the #High Line#

The Chairperson of the City Planning Commission may modify certain regulations on adjacent development sites 1 through 6, provided that the Chairperson certifies to the Commissioner of Buildings that such a change is necessary in order to provide access to the #High Line# open space or to accommodate facilities for the #High Line# open space, and that such change is compatible with the character of developed portions of the #High Line# south of West 30th Street.

The following regulations may be modified:

(1) The ground floor level requirements set forth in Section 93-14 (Ground Floor Level Requirements), where applicable;

(2) The unobstructed five foot separation between the #High Line# and a #street wall# on Sites 1, 5 and 6 required pursuant to paragraph (a) of Section 93-561 (General rules for Subdistrict F) in order to accommodate a pedestrian access way, open to the sky, between the #High Line# and such development sites. However, the required five foot #street wall# separation from the edge of the #High Line# shall not be modified;

(3) The #street wall# requirements for Site 6 set forth in Section 93-562 (Street wall regulations for certain streets), only as necessary to accommodate pedestrian access onto the #High Line#;

(4) The general requirements for the Western Open Space and the Southwest Open Space set forth in Section 93-75 (Publicly Accessible Open Spaces in Subdistrict F); and

(5) The general requirements for the 30th Street Corridor set forth in Section 93-76 (Publicly Accessible Private Streets and Pedestrian Ways in Subdistrict F).

Any application for such change shall be included in the application for the site and landscape plans submitted pursuant to the provisions of Section 93-78 (Site and Landscape Plans for Public Access Areas in Subdistrict F) for the #High Line# open space.