Zoning Resolution

THE CITY OF NEW YORK
Zohran K. Mamdani, Mayor

CITY PLANNING COMMISSION
Sideya Sherman, Chair

125-40 - DISTRICT PLAN ELEMENTS

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125-40 - DISTRICT PLAN ELEMENTS

LAST AMENDED
11/13/2008

125-41 - Sidewalk Widenings

LAST AMENDED
11/13/2008

Map 7 (Mandatory Sidewalk Widenings and Publicly Accessible Open Area), in Appendix A of this Chapter, shows locations of mandatory sidewalk widenings in the East River Subdistrict. The depth of such sidewalk widenings shall be as indicated on Map 7 and shall be measured perpendicular to the #street line# unless otherwise indicated. All sidewalk widenings shall be improved to Department of Transportation standards for sidewalks, shall be at the same level as the adjoining public sidewalk, and shall be accessible to the public at all times.

125-42 - Publicly Accessible Open Area Requirements on

LAST AMENDED
11/13/2008

Parcels B, D, E and F

Map 7 (Mandatory Sidewalk Widenings and Publicly Accessible Open Area), in Appendix A of this Chapter, shows locations where open areas are permitted or required on Parcels B, D, E and F in the

East River Subdistrict. Where any such area is provided, it shall be publicly accessible and comply with the standards of Sections 37-741 (Seating), 37-743 (Lighting and electrical power), 37-744 (Litter receptacles), 37-745 (Bicycle parking), 37-746 (Drinking fountains), 37-747 (Public space signage), 37-76 (Mandatory Allocation of Frontages for Permitted Uses) and 37-77 (Maintenance).

In addition, the provisions of Section 37-742 (Planting and trees) shall apply to such open areas, and shall be modified to require that:

(a) at least 30 percent of each open area be comprised of planting beds;

(b) at least two four-inch caliper trees or three ornamental trees be provided within such open areas on Parcels D and F; and

(c) no trees shall be required within the open areas on Parcels B and E.

125-43 - Publicly Accessible Open Area Requirements on

LAST AMENDED
11/13/2008

A publicly accessible private open area shall be provided within the area of Parcel G in the East River Subdistrict as shown on Map 7 (Mandatory Sidewalk Widenings and Publicly Accessible Open Area) in Appendix A of this Chapter. No excavation or building permit shall be issued for any #development# on such parcel until the Chairperson of the City Planning Commission certifies to the Department of Buildings that a site plan for such open area has been submitted that is consistent with the Department of Parks and Recreation design standards used for the development of the adjacent #public park#. A certification under this paragraph shall be granted on condition that an acceptable restrictive declaration is executed and filed, binding the owners, successors and assigns to develop such

publicly accessible private open area in accordance with the approved site plan and to maintain such open area in accordance with maintenance standards acceptable to the Department of Parks and Recreation.

In the event that Parcel G is not owned by the City, then, prior to design and development of the #publicly accessible open area#, the owner of Parcel G may make a request directed to the Office of the Mayor to transfer to the City its fee simple absolute interest, free and clear of any encumbrances in the open area. The City may accept the transfer request, provided that development of the open area is made in accordance with guidelines established by the Chairperson of the City Planning Commission and the Commissioner of the Department of Parks and Recreation, and transfer is made pursuant to such instruments as are necessary for implementation. In the event of a transfer, the #bulk# and parking computations for the #zoning lot# shall include the transferred property and such transfer shall not be deemed a #non-compliance#.

125-44 - Private Street Requirements in Newtown Creek Subdistrict

LAST AMENDED
11/13/2008

In the Newtown Creek Subdistrict, where a private street is provided pursuant to paragraph (a) of Section 125-22, such private street shall be constructed to minimum Department of Transportation standards for public #streets#, including lighting, curbs and curb drops. Such private street shall consist of a paved road bed with a minimum width of 34 feet from curb to curb with 13 foot wide sidewalks on each side along its entire length. Such private street shall be located as shown on Map 8 (Publicly Accessible Private Street and Open Area in Newtown Creek Subdistrict) in Appendix A of this Chapter. One tree shall be planted for every 25 feet of curb length of the private street. Fractions equal to or greater than one-half resulting from this calculation shall be considered to be one tree. Such trees shall be planted at approximately equal intervals along the entire length of the curb of the private street.

125-45 - Publicly Accessible Open Area in Newtown Creek Subdistrict

LAST AMENDED
2/2/2011

Where a publicly accessible private open area is provided pursuant to paragraph (a) of Section 125-22, such open area shall be located as shown on Map 8 (Publicly Accessible Private Street and Open Area in Newtown Creek Subdistrict) in Appendix A of this Chapter. No excavation or building permit shall be issued for any #development# or #enlargement# on such parcel until the Chairperson of the City Planning Commission certifies to the Department of Buildings that a site plan for such open area has been submitted that is either:

(a) consistent with the Department of Parks and Recreation design standards for the #public park# located on 55th Avenue between Center Boulevard and Second Street; or

(b) in the event that design standards have not been developed for the #public park# located on 55th Avenue between Center Boulevard and Second Street, acceptable to the Chairperson of the City Planning Commission and the Department of Parks and Recreation.

A certification under this Section shall be granted on condition that an acceptable restrictive declaration is executed and filed, binding the owners, successors and assigns to develop such publicly accessible private open area in accordance with the approved site plan and to maintain such open area in accordance with maintenance standards acceptable to the Department of Parks and Recreation. Such approved plan shall allow for pedestrian access from 55th Avenue to the #residential# entrance of a #building# bounding the publicly accessible private open area. The paved width of such access shall not exceed 13 feet, and its location shall be within the area shown on Map 8.

125-46 - Newtown Creek Waterfront Access Plan

LAST AMENDED
6/6/2024

Map 9, in Appendix A of this Chapter, shows the boundaries of the area comprising the Newtown Creek Waterfront Access Plan and the location of certain features mandated or permitted by the Plan. The plan area consists of Block 11, Lot 1, as established on November 13, 2008.

(a) Modification of #use# requirements

Docks for water taxis and docks or mooring facilities for non-commercial pleasure boats, listed under Use Group IV(B), shall be permitted #uses# within the Newtown Creek Waterfront Access Plan.

(b) Area-wide modifications

The requirements for #waterfront public access area#, as defined in Section 62-11, pursuant to Sections 62-53 through 62-57, inclusive, are modified at the following designated locations:

(1) #Upland connection#

An #upland connection#, as defined in Section 62-11, shall be provided through Block 11, Lot 1, abutting the prolongation of 5th Street and extending from the #shore public walkway#, as defined in Section 62-11, northerly to 54th Avenue.

(2) #Supplemental public access area#

#Supplemental public access areas#, as defined in Section 62-11, shall be provided as indicated on Map 9.

125-47 - Phased Implementation of Publicly Accessible Areas

LAST AMENDED
2/2/2011

In the Newtown Creek Subdistrict, the Chairperson of the City Planning Commission shall allow for the phased implementation of all required publicly accessible areas upon certification to the Commissioner of Buildings that a plan has been submitted that provides for an amount of public access area proportionate to the amount of #floor area# being #developed# or #enlarged# in each phase. For any #development# or #enlargement# located within 100 feet of a #shoreline#, the initial phase shall provide, at a minimum, the required #shore public walkway# and any adjacent #supplemental public access areas# located between such #development# or #enlargement# and such #shore public walkway#, as defined in Section 62-11. For any #development# or #enlargement# that fronts upon 54th Avenue, the initial phase shall provide, at a minimum, the required publicly accessible private street.