Zoning Resolution

THE CITY OF NEW YORK
Zohran K. Mamdani, Mayor

CITY PLANNING COMMISSION
Sideya Sherman, Chair

117-30 - NORTHERN HUNTERS POINT WATERFRONT SUBDISTRICT

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117-30 - NORTHERN HUNTERS POINT WATERFRONT SUBDISTRICT

LAST AMENDED
11/12/2025

In the #Special Long Island City Mixed Use District#, the special regulations of Section 117-30, inclusive, shall apply in the Northern Hunters Point Waterfront Subdistrict.

117-301 - General provisions

LAST AMENDED
11/12/2025

In the Northern Hunters Point Waterfront Subdistrict, the #use#, #bulk#, and parking regulations of the underlying districts shall apply, except as modified by the provisions of Section 117-30 (NORTHERN HUNTERS POINT WATERFRONT SUBDISTRICT), inclusive.

117-302 - Northern Hunters Point Waterfront Subdistrict Plan

LAST AMENDED
11/12/2025

The regulations of Section 117-30, inclusive, are designed to implement the Northern Hunters Point Waterfront Subdistrict Plan as set forth in Appendix C to this Chapter.

117-303 - Applicability of Article VI, Chapter 2

LAST AMENDED
11/12/2025

In the Northern Hunters Point Waterfront Subdistrict, all #zoning lots# in M1 Districts paired with a #Residence District# without a letter suffix shall be considered #waterfront zoning lots# for the purposes of applying the height and setback regulations of Section 62-343 (Height and setback regulations in other medium- and high-density districts), as modified by the provisions of Section 117-34 (Special Height and Setback Regulations), inclusive. Such height and setback provisions, along with other applicable #bulk# regulations, may be modified by special permit of the City Planning Commission on such #waterfront zoning lots# pursuant to Section 62-837 (Bulk modifications on waterfront blocks).

In addition, all #zoning lots# under common ownership that are contiguous or would be contiguous but for a #street# established after November 12, 2025, shall be considered #waterfront zoning lots# for the purposes of applying the provisions of Section 62-50 (GENERAL REQUIREMENTS FOR VISUAL CORRIDORS AND WATERFRONT PUBLIC ACCESS AREAS), inclusive, as modified by Section 117-36 (Northern Hunters Point Waterfront Access Plan), inclusive.

117-304 - Applicability of Article VII, Chapter 7

LAST AMENDED

11/12/2025

In the Northern Hunters Point Waterfront Subdistrict, for #zoning lots# divided by district boundaries, the #floor area# resulting from the calculation of adjusted maximum #floor area ratio# pursuant to Section 77-22 (Floor Area Ratio) may be located anywhere on the #zoning lot# and the limitations on the amount of #floor area ratio# permitted on any portion of the #zoning lot# set forth in Section 77-22 shall not apply.

117-31 - Special Use Regulations

LAST AMENDED
11/12/2025

The #use# regulations of the underlying districts shall apply, except as modified by the provisions of this Section, inclusive.

117-311 - Retail and service establishments

LAST AMENDED
11/12/2025

The underlying M1 District #use# regulations shall be modified such that #uses# listed under Use Group VI with a size limitation, as denoted with an “S” in the Use Group tables set forth in Section 42-16 (Use Group VI – Retail and Services), shall be permitted without a size limitation.

117-312 - Streetscape regulations

LAST AMENDED
11/12/2025

The underlying #ground floor level# streetscape provisions set forth in Section 32-30 (STREETSCAPE REGULATIONS), inclusive, shall apply, except that:

(a) #ground floor level# #street frontage# locations as designated on Map 2 (Streetscape Regulations) in Appendix C to this Chapter, shall be considered #Tier C street frontages#. In certain locations an asterisk designates the intersection of two #street# frontages where #Tier C street frontage# regulations need only apply to a 50 foot increment of #ground floor level# #street wall# along each #street# frontage of the designated intersection. Where a flexible zone is denoted, only one such 50 foot increment need be provided and may be located anywhere along any of the designated frontages; and

(b) all other frontages in applicable #Commercial Districts# or in M1 Districts paired with a #Residence District# shall be considered #Tier B street frontages#.

117-32 - Special Floor Area Regulations

LAST AMENDED
11/12/2025

The #floor area# regulations of the underlying districts shall apply, except as modified by the provisions of this Section, inclusive.

For the purpose of applying the special #floor area ratio# provisions of this Subdistrict, six Subareas are designated. The locations of these subareas are shown on Map 1 (Subdistrict Plan Map and Designated Subareas) in Appendix C to this Chapter. Outside of a Subarea, the underlying #floor area# regulations shall apply.

117-321 - Maximum floor area ratio

LAST AMENDED
11/12/2025

The maximum #floor area ratio# permitted for #commercial#, #community facility#, #manufacturing#, or #residential uses# in Subareas A through F is specified in the following table:

MAXIMUM FLOOR AREA RATIO FOR ALL USES

Subarea	#Residential# #Floor Area Ratio# for Standard #Residences#	#Residential# #Floor Area Ratio# for #Qualifying Affordable Housing# or #Qualifying Senior Housing#	#Community Facility# #Floor Area Ratio#	#Commercial# or #Manufacturing# #Floor Area Ratio#
A	8.42	10.10	10.0	8.0
B	6.00	7.20	7.2	6.5
C1	6.45	7.74	7.2	4.0
C2	6.50	7.80	7.2	4.0
D	7.02	8.42	8.0	8.0
E	6.00	7.20	4.0	6.5
F	5.00	6.00	4.0	4.0

117-322 - Floor area bonus for active recreation space

LAST AMENDED
11/12/2025

In R9 Districts and in M1 Districts paired with an R9 District, for #zoning lots# with a minimum #lot area# of 40,000 square feet or more, for each square foot of publicly accessible, supplemental open area provided in accordance with Section 117-365 (Requirements for supplemental open spaces and amenities), inclusive, the maximum #floor area# permitted on the #zoning lot# may be increased by six square feet, provided that the resulting bonus #floor area ratio# shall not exceed 0.6.

117-323 - Special floor area provisions for zoning lots containing schools

LAST AMENDED
11/12/2025

For #zoning lots# with a #lot area# of at least 20,000 square feet, up to 150,000 square feet of floor space within a public #school# constructed in whole or in part pursuant to a written agreement with the New York City School Construction Authority and subject to the jurisdiction of the Department of Education shall be exempt from the definition of #floor area#.

117-324 - Special floor area provisions for off-street parking

LAST AMENDED
11/12/2025

Floor space used for #accessory# off-street parking spaces provided in any #story# located not more than 33 feet above #curb level# shall be exempt from the definition of #floor area#.

117-325 - Certification for transfer of floor area

LAST AMENDED
11/12/2025

The Chairperson of the City Planning Commission shall allow, by certification, a transfer of #floor area# between two or more #zoning lots# under single fee ownership or alternate ownership arrangement that are contiguous, or would be contiguous but for their separation by a #street#. Such certification for a transfer of #floor area# shall be subject to the conditions of paragraph (a) and application requirements of paragraph (b) of this Section.

For the purposes of this Section, the "granting site" shall mean the #zoning lot# that transfers #floor area# pursuant to this Section, and a "receiving site" shall mean a #zoning lot# that receives additional #floor area# pursuant to this Section.

(a) Conditions

The maximum amount of #floor area# that may be transferred from the granting site shall be the maximum #floor area ratio# permitted pursuant to the applicable provisions of Section 117-32, inclusive, less the total #floor area# of all existing #buildings#. Each transfer, once completed, shall irrevocably reduce the amount of #floor area# that may be transferred.

(b) Application requirements

An application filed with the Chairperson for certification pursuant to this Section shall be

made jointly by the owners of the granting site and the receiving site. Such application shall include site plans and zoning calculations for the granting site and receiving site showing the additional #floor area# associated with the transfer.

Additionally, at the time of certification, the owners of the granting site and of the receiving site shall submit to the Chairperson a copy of the transfer instrument legally sufficient in both form and content to effect such a transfer. Notice of the restrictions upon further #development# or #enlargement# of the granting site and the receiving site shall be filed by the owners of the respective lots in the Office of the Register of the City of New York (County of New York). Proof of recordation shall be submitted to the Chairperson. Both the transfer instrument and the notices of restrictions shall specify the total amount of #floor area# transferred and shall specify, by #block# and lot numbers, the granting site and the receiving site that are a party to such transfer.

The Chairperson shall certify to the Department of Buildings that #development# or #enlargement# is in compliance with the provisions of this Section only after the transfer instrument and notice of restrictions required by this paragraph have been executed and recorded with proof of recordation provided to the Chairperson. Such certification shall be a precondition to the filing for or issuing of any building permit allowing more than the basic maximum #floor area ratio# for such #development#.

A separate application shall be filed for each transfer of #floor area# to any receiving site pursuant to this Section.

117-33 - Special Yard Regulations

LAST AMENDED
11/12/2025

The underlying #yard# regulations of Section 62-33 (Special Yard and Lot Regulations on Waterfront Blocks), inclusive, shall apply. In addition, where a #waterfront yard# is not required pursuant to Section 62-33, #yards# meeting the dimensional requirements of Section 62-332 (Rear yards and waterfront yards) shall be provided in connection with any #development#, in accordance with the provisions of paragraph (f) of Section 62-912 (Elements of a Waterfront Access Plan).

117-34 - Special Height and Setback Regulations

LAST AMENDED
11/12/2025

In #Manufacturing Districts#, the underlying height and setback regulations shall apply.

In M1 Districts paired with a #Residence District# with a letter suffix, the provisions of Section 123-65 (Special Height and Setback Regulations in Special Mixed Use Districts With R6 Through R12 District Designations), inclusive, shall apply, except as modified by the provisions of this Section, inclusive.

In other districts, the underlying height and setback regulations shall apply, except as modified by the provisions of this Section, inclusive.

117-341 - Street wall location

LAST AMENDED
11/12/2025

In #Residence Districts#, and M1 Districts paired with #Residence Districts#, the #street wall# location provisions of paragraph (a) of Section 123-651 (Street wall location for all buildings) shall apply, except that:

(a) along the portion of Vernon Boulevard south of 44th Drive, the #street line# shall be considered a line, parallel to the Vernon Boulevard #street line#, located at a depth of five feet within the #zoning lot#;

(b) along the southerly #street line# of 45th Avenue, beyond 100 feet of Vernon Boulevard, a sidewalk widening, with a depth of five feet, as measured perpendicular to the #street line#, shall be provided in accordance with Department of Transportation standards, and shall be accessible to the public. The southerly edge of such sidewalk widening shall be considered the #street line# for the purposes of applying the #street wall# location provisions;

(c) no minimum percentage of #street wall# need be located within a set distance of the #street line#:

(1) along #shore public walkways#;

(2) along the portion of Vernon Boulevard north of 44th Avenue and south of 43rd Road; and

(3) along the portion of 5th Street that is within 150 feet of its intersection with 44th Drive, as measured from both the northerly and southerly #street lines# of 44th Drive;

(4) along the northerly portion of 44th Drive that is within 250 feet of its intersection with 5th Street;

(5) along the southerly portion of 44th Drive that is east of 5th Street and west of Vernon Boulevard; and

(6) along the northerly portion of 45th Avenue that is within 250 feet of its intersection with Vernon Boulevard; and

(d) such #street walls# shall extend to a minimum base of at least 40 feet, or the height of the #building#, whichever is less.

117-342 - Base heights, minimum setbacks and articulation

LAST AMENDED
11/12/2025

In #Residence Districts# and in M1 Districts paired with #Residence Districts#, the maximum base heights, required minimum setback and required #street wall# articulation shall be as follows:

(a) The maximum base height before a required setback shall be:

(1) 85 feet in the following locations:

(i) along the #shore public walkways# located along Anable Basin; and

(ii) along the portion of 44th Avenue that is beyond 100 feet of both Vernon Boulevard and 5th Street;

(2) 125 feet in the following locations:

(i) within 100 feet of the #street line# along the portion of Vernon Boulevard that is located north of 45th Avenue;

(ii) within 100 feet of the #street line# along the portion of 44th Drive that is beyond 100 feet from the easterly #street line# of 5th Street; and

(iii) along the remaining northerly portion of 44th Avenue; and

(3) 105 feet along all other #streets#, or portions thereof.

(b) At a height not lower than the minimum base height or higher than the maximum base height, setbacks shall be provided in accordance with the provisions of Section 23-433 (Standard setback regulations), except that:

(1) along a #shore public walkway#, a setback of 30 feet shall be required, as measured from the upland boundary of the #shore public walkway#;

(2) no setback need be provided along the #visual corridor# located at the prolongation of 45th Avenue;

(3) for the purposes of applying such setback regulations, the following may be considered #wide streets#:

(i) portions of #streets# adjoining #public parks#;

(ii) #upland connections# or #visual corridors# at the prolongation of #streets# on #blocks# surrounding Anable Basin;

(iii) other #upland connections# or #visual corridors# along the northerly side of Anable Basin; and

(iv) along the portion of 5th Street south of Anable Basin that adjoins a #waterfront block#.

Dormers provided in accordance with paragraph (b) of Section 23-413 (Permitted obstructions in certain districts) shall be permitted within any setback area, provided that the depth of encroachment of a dormer facing the #shore public walkway# shall not exceed 15 feet.

(c) #Street wall# articulation shall be provided as follows:

(1) For #developments# where the #street wall# width facing #shore public walkways# along Anable Basin exceeds 150 feet, a minimum of 20 percent of the surface area of such #street walls#, as measured above the level of adjoining grade, shall either recess or project a minimum of three feet from the remaining surface of the #street wall#.

(2) Along the following frontages, for #developments# where the #street wall# width exceeds 150 feet, a minimum of 20 percent of the surface area of such #street walls# above the level of the #second story#, or a height of 30 feet, whichever is lower, shall either recess or project a minimum of three feet from the remaining surface of the #street wall#:

(i) 46th Avenue;

(ii) the southerly side of 45th Avenue;

(iii) 44th Drive and the #upland connection# or #visual corridor# at the prolongation of 44th Drive; and

(iv) the portion of 44th Avenue located east of 5th Street.

(d) After the required setback, the following shall apply:

(1) in M1 Districts paired with a #Residence District# with a letter suffix, after the required setback, the maximum height limits set forth in paragraph (a) of Section 123-652 (Special base and building heights) shall apply; and

(2) in #Residence Districts# without a letter suffix, and in M1 Districts paired with #Residence Districts# without a letter suffix, after the required setback, a #building# may rise to the maximum transition height, in accordance with Section 117-343 (Transition heights), and may provide towers in accordance with Section 117-344 (Towers).

117-343 - Transition heights

LAST AMENDED
11/12/2025

In #Residence Districts# without a letter suffix, and in M1 Districts paired with #Residence Districts# without a letter suffix, after the required setback provided in accordance with paragraph (b) of Section 117-342 (Base heights, minimum setbacks and articulation), a #building# may rise to a maximum transition height of 350 feet, provided that:

(a) within 100 feet of the easterly #street line# of 5th Street, north of Anable Basin, the footprint of a #building#, or portion thereof, within the transition heights shall be limited to that of a tower provided above such transition height in accordance with Section 117-344 (Towers);

(b) along any single #street# frontage, the #aggregate width of street walls# above the required setback and below the maximum transition height shall not exceed 300 feet, and the maximum #street wall# width of any individual, contiguous #street wall#, shall not exceed 200 feet; and

(c) south of Anable Basin, portions of #buildings# utilizing transition heights shall only be permitted in the following locations:

(1) within 150 feet of 5th Street; and

(2) east of an #upland connection# or #visual corridor#, where applicable.

117-344 - Towers

LAST AMENDED
11/12/2025

In #Residence Districts# without a letter suffix, and in M1 Districts paired with #Residence Districts# without a letter suffix, any portion of a #building# that exceeds the maximum transition height shall be subject to the following tower regulations:

(a) For #residential# #stories#, each tower footprint shall not exceed a gross area of 10,000 square feet, exclusive of the square footage contained in any permitted dormers.

(b) The provisions for maximum width of towers facing a #shoreline# set forth in paragraph (d)(1) of Section 62-343 (Height and setback regulations in other medium- and high-density districts) shall apply, except that:

(1) beyond 200 feet east of 5th Street, north of Anable Basin, such maximum widths need not apply;

(2) for towers that face a single #shoreline#, the following modifications shall apply:

(i) where such #shoreline# is the northerly portion of Anable Basin, the maximum width of such tower face may be increased to 115 feet;

(ii) where no setbacks are required pursuant to Section 117-342 (Base heights, minimum setbacks and articulation), the maximum width of such tower may be increased to 130 feet; and

(iii) where such #shoreline# extends between the prolongation of 44th Road and 44th Drive, the maximum width of such tower may be increased to 130 feet.

For the purposes of this Section, wherever a tower faces a #shoreline# but there is a separate #building# located between such tower face and the #shoreline#, such tower face shall not be considered to be facing the #shoreline# along that frontage.

(c) The minimum distance between any two towers on the same or an adjoining #zoning lot# shall be as follows:

(1) for towers facing the northerly or southerly #shoreline# of Anable Basin east of 5th Street, or the prolongation thereof, there shall be a minimum of 100 feet between any two towers; and

(2) in other locations, the regulations governing underlying distance between #buildings# shall apply, except that the maximum length of overlap between any two tower faces that are located within 100 feet of another tower face on the same or an adjacent #zoning lot#, as measured perpendicular to each tower face, shall not exceed:

(i) 100 feet, at or below a height of 500 feet; or

(ii) 75 feet, for portions of towers that exceed a height of 500 feet.

(d) Tower heights shall be subject to the following limitations:

(1) in M1 Districts paired with R8 Districts, tower heights and locations shall be limited in the following locations:

(i) where located north of Anable Basin, the maximum tower height south of 44th Drive shall not exceed 500 feet; and

(ii) where located south of Anable Basin, towers shall only be permitted within 100 feet of 5th Street, and the maximum tower height shall not exceed 500 feet;

(2) in all other locations, no maximum height limits shall apply to towers. However, for towers that exceed a height of 500 feet, the gross area of any #story# within the highest 15 percent of the #building# shall not exceed 90 percent of the gross area of that #story# located directly below the highest 15 percent of the #building#;

(3) there shall be at least 50 feet in height difference between any two immediately adjacent towers on the same or an adjacent #zoning lot#. For #zoning lots# separated by Anable Basin, this provision shall apply only to immediately adjacent towers on the same upland portion of the Basin; and

(4) the penthouse allowances set forth in paragraph (c)(1) of Section 62-34 (Height and Setback Regulations on Waterfront Blocks) shall not apply.

117-35 - Modification to Bulk Regulations

LAST AMENDED
11/12/2025

117-351 - Authorization for sites containing schools

LAST AMENDED
11/12/2025

For #zoning lots# containing #schools#, the City Planning Commission may authorize the modification of any #bulk# regulation, other than #floor area ratio#, provided that the conditions in paragraph (a) and the findings in paragraph (b) are met.

(a) Conditions

Where maximum height limitations apply, modifications to maximum #building# height limits

shall not exceed 30 feet.

(b) Findings

The Commission shall find that:

(1) such #bulk# modifications are the minimum extent necessary to reasonably accommodate the #school# and #buildings or other structures# on the #zoning lot#;

(2) the proposed modification does not impair the essential character of the surrounding area; and

(3) the proposed modification will not unduly obstruct access to light and air to surrounding #streets# or properties.

117-36 - Northern Hunters Point Waterfront Access Plan

LAST AMENDED
11/12/2025

The boundaries of the area comprising the Northern Hunters Point Waterfront Access Plan and the location of certain features mandated or permitted by the Plan are shown in Maps 3 through 5 through located in Appendix C to this Chapter. The plan area has been divided into parcels consisting of tax #blocks# and lots and other lands existing on November 12, 2025, as follows:

Parcel 1: Block 477, Lots 13, 15, 20

Parcel 2: Block 477, Lot 24

Parcel 3: Block 488, Lot 114

Parcel 4: Block 488, Lot 1, 2, 3

Parcel 5: Block 488, Lots 11, 15, 35

Block 489, Lots 1, 23, 46

Parcel 6: Beginning at the intersection of 44th Drive and 5th Street extending westerly to the U.S. Pierhead and Bulkhead line #abutting# Parcel 5 on the northern edge and Parcel 7 on the southern edge

Parcel 7: Block 25, Lot 15

Parcel 8: Block 25, Lots 1, 9, 10, 11

Block 26, Lot 10

Parcel 9: Block 26, Lots 1, 2, 3, 4

Parcel 10: Block 26, Lots 17 and 21

117-361 - Definitions

LAST AMENDED
11/12/2025

Definitions specifically applicable to the Northern Hunters Point Waterfront Access Plan are set forth in this Section. Other defined terms are set forth in Section 117-01 and Section 12-10. In addition, for the purposes of Section 117-36, inclusive, the definition of #development# shall be as set forth in

Section 62-11 (Definitions).

Active recreation space

For the purposes of this Chapter, “active recreation space” shall mean a designated area outdoors designed and equipped for recreational activities that involve physical movement, exercise, sports or play. These spaces accommodate a wide range of dynamic uses and may include, but are not limited to:

(a) sports courts, such as tennis, basketball, volleyball, pickleball or ping pong courts;

(b) athletic fields, such as baseball, football, soccer, cricket, rugby or lacrosse fields;

(c) water-based recreation, such as splash parks, sprinkler parks or swimming pools;

(d) water access and interaction space, such as boat and kayak launches or urban beaches;

(e) adventure and skill-based activities, such as skate parks, climbing walls or obstacle courses;

(f) social and leisure games, such as bocce, shuffleboard, mini golf or horseshoe pits;

(g) fitness facilities, such as outdoor gyms or yoga areas, exercise circuits or jogging tracks;

(h) play spaces, such as playgrounds, tot lots or adventure playgrounds; or

(i) community and cultural spaces, such as open-air amphitheaters, performance stages or gathering lawns.

117-362 - Area-wide modifications

LAST AMENDED
11/12/2025

The provisions of Article VI, Chapter 2 (Special Regulations Applying in the Waterfront Area) shall be modified in the area comprising the Northern Hunters Point Waterfront Access Plan by the provisions of this Section.

(a) All waterfront public access areas

(1) Gates

The provisions of paragraph (d) of Section 62-651 (Guardrails, gates and other protective barriers) shall not apply.

(2) Fences and walls

The provisions of paragraph (c) of Section 62-651 shall apply, except that fences around the perimeter of areas designated as #active recreation space# may exceed 36 inches in height.

(3) Kiosks and boathouses

Section 62-611 (Permitted obstructions) shall be modified to permit the following in all areas:

(i) kiosks and boathouses which comply with the special design guidelines of Section 117-364 (Special design standards); and

(ii) storage areas and structures, which are #accessory# to water-dependent #uses# and have an area of 150 square feet or less.

(4) Permitted obstructions

The location requirements of paragraph (c) of Section 62-611 shall not apply to tot-lots and playgrounds.

(b) Shore public walkways

The circulation and access provisions of paragraph (a) of Section 62-62 (Design Requirements for Shore Public Walkways and Supplemental Public Access Areas) shall be modified as follows:

(1) Location of circulation paths

The required primary circulation path within a #shore public walkway# shall be provided within 10 feet of the #shoreline# for at least 15 percent of the length of such shoreline, and the remainder of the path may be located anywhere within the #shore public walkway# or #supplemental public access area#. Where secondary circulation paths are provided, such paths may count as a part of the required circulation path for satisfying the locational requirement of being within 10 feet of the #shoreline# for at least 20 percent of the length of such #shoreline# and may utilize the permitted paving materials pursuant to paragraphs (a)(1) and (a)(2) of Section 62-656.

(2) Level of circulation paths

At least 70 percent of a required primary circulation path shall be located at a level not less than six feet above the shoreline.

(3) Width of secondary circulation paths

Secondary paths, where provided, shall have a minimum clear width of at least 4 feet, 6 inches.

(4) Connection between circulation paths

Stairs and ramps shall be permitted to connect primary and secondary paths.

(c) #Supplemental public access areas#

(1) Configuration requirements

The area of a #supplemental public access area# may utilize width to depth ratios other than the minimum width to depth ratio requirements of paragraph (a)(1) of Section 62-571 (Location and area requirements for supplemental public access areas) for not more than 20 percent of such area.

(2) Lawns

The provisions of paragraph (c)(1) of Section 62-62 (Design Requirements for Shore Public Walkways and Supplemental Public Access Areas) shall be modified so that a lawn shall only be required where a #supplemental public access area# is greater than 15,000 square feet. In addition, a lawn may be substituted for an #active recreation space# of equivalent size.

(d) Screening

Wherever a screening buffer is required to be provided, the minimum width of such buffer shall be four feet.

In addition to the waiver allowances of paragraph (c)(2)(iii) of Section 62-62, no screening buffer shall be required along the upland boundary, or portion thereof, which is adjacent to an unenclosed seating area #accessory# to a #use# listed in Use Group VI. Where a screening buffer is waived, design features shall be utilized to demarcate the #shore public walkway# or #supplemental public access area# from the non-publicly accessible area, which may include, but shall not be limited to, railings, fences, planting boxes, and distinct paving materials.

117-363 - Special public access and visual corridor provisions by parcel

LAST AMENDED
11/12/2025

The provisions of Sections 62-52 (Applicability of Waterfront Public Access Area Requirements) and 62-60 (DESIGN REQUIREMENTS FOR WATERFRONT PUBLIC ACCESS AREAS), inclusive, are modified at the designated locations along with #visual corridors# as shown on Map 4 (Public Access Elements Designation) and Map 5 (Visual Corridors Designation) of Appendix C to the Chapter:

(a) Parcel 1

An #upland connection# and #visual corridor# shall be located between Vernon Boulevard and the #shore public walkway# within the designated flexible location zone on Parcel 1. The #upland connection# shall intersect Vernon Boulevard at its intersection with Queens Plaza South.

(b) Parcel 2

No #upland connection# shall be required within Parcel 2. However, a direct connection shall be provided between the #shore public walkway# and the public access area at the prolongation of 43rd Avenue.

In addition, where a #development# not otherwise exempt from #waterfront public access area# requirements is comprised exclusively of new publicly accessible open areas provided along the #shoreline#, only the provisions applicable to a #shore public walkway# set forth in Sections 62-50 and 62-60, inclusive, as modified by Section 117-362, shall apply in conjunction with such #development#.

(c) Parcel 3

(1) #Upland connections# and #visual corridors#

#Upland connections# and #visual corridors# shall be provided through Parcel 3 between Vernon Boulevard and the #shore public walkway#:

(i) at the prolongation of 43rd Road; and

(ii) in the flexible zone that begins 200 feet south of the prolongation of 43rd Road and ends at the southern boundary of Parcel 3.

(2) #Supplemental public access area#

The #supplemental public access area# shall #abut# the #shore public walkway# continuously along its longest side, and shall also #abut# the southern boundary of required #upland connection# as described in paragraph (c)(1) of this Section where it

meets the #shore public walkway#. The #upland connection# may cut across the #supplemental public access area#, provided that any resulting #supplemental public access area# shall measure at least 5,000 square feet.

As an alternative, a required #supplemental public access area# of at least 5,000 square feet may #abut# the entire length of the prolongation of 43rd Avenue provided that it also #abuts# both the #shore public walkway# and Vernon Boulevard.

In addition, where a #development# not otherwise exempt from #waterfront public access area# requirements is comprised exclusively of new publicly accessible open areas provided along the #shoreline#, only the provisions applicable to a #shore public walkways# set forth in Sections 62-50 and 62-60, inclusive, as modified by Section 117-362, shall apply in conjunction with such #development#.

(d) Parcel 4

A Type 1 #upland connection# pursuant to paragraph (a)(1) of Section 62-561 (Types of upland connections) and a #visual corridor# coincident with such #upland connection# shall be provided through Parcel 4 at the prolongation of 44th Avenue to the #shore public walkway#.

However, the provisions of Sections 62-50 and Section 62-60, inclusive, as modified by Section 117-36, inclusive, relating to required #waterfront public access areas# and #visual corridors#, shall be inapplicable if public access and #visual corridors# are provided pursuant to restrictive declaration, number D-138, executed by the RAK Tennis Corporation on July 29, 1991, and as such may be modified pursuant to the terms of the declaration and in accordance with Section 62-12 (Applicability to Developments in the Waterfront Area).

(e) Parcel 5

(1) #Supplemental public access area#

The requirements of Section 62-57 (Requirements for Supplemental Public Access Areas) shall not apply to #supplemental public access areas# on Parcel 5.

(2) #Shore public walkway#

The #shore public walkway# on Parcel 5 shall have a seaward edge that is contiguous with the seaward edge of the #waterfront yard# established pursuant to Section 62-332 (Rear yards and waterfront yards), and shall extend to the western boundary of 5th Street.

(f) Parcel 6

A Type 1 #upland connection# pursuant to paragraph (a)(1) of Section 62-561 and a #visual corridor# coincident with such #upland connection# shall be provided through Parcel 6 at prolongation of 44th Drive between 5th Street and the #shore public walkway#. However, the reduction provisions of paragraph (a)(1) of Section 62-561 shall not apply to #upland connections# in Parcel 6.

(g) Parcel 7

(1) #Upland connection#

A Type 1 #upland connection# pursuant to paragraph (a)(1) of Section 62-561 shall be provided through Parcel 7 and shall be located on the southerly prolongation of 5th

Street.

(2) #Visual corridors#

#Visual corridors# shall be provided in the following locations:

(i) coincident with the #upland connection# required pursuant to paragraph (g)(1) of this Section;

(ii) within the flexible zone at the westerly prolongation of 45th Avenue to the #shore public walkway#; and

(iii) along the boundary between Parcel 7 and Parcel 8 with a width of not less than 25 feet on each Parcel.

(3) #Supplemental public access area#

The #supplemental public access area# shall #abut# the #shore public walkway# continuously along its longest side and shall be located in the area designated on Map 4 (Public Access Elements Designation) and Map 5 (Visual Corridors Designation) of Appendix C to this Chapter.

(h) Parcel 8

(1) #Upland connection# and #visual corridor#

A Type 1 #upland connection# pursuant to paragraph (a)(1) of Section 62-561 shall be provided through Parcel 8 on the westerly prolongation of 45th Road, at the #abutting#

boundary of Parcel 8 and Parcel 9. Such #upland connection# shall have a width of not less than 30 feet on each Parcel. Where portions of the #abutting# #upland connection# located outside of either Parcel will not be constructed concurrently, the applicant shall follow the provisions of paragraph (b) of Section 117-366 (Special review provisions).

A #visual corridor# coincident with such #upland connection# shall be provided.

(2) #Supplemental public access area#

The #supplemental public access area# shall #abut# the #shore public walkway#, the #upland connection# as described in paragraph (h)(1) of this Section, and Vernon Boulevard. However, the longest side of the #supplemental public access area# need not #abut# the #upland connection#.

(i) Parcel 9

(1) #Shore public walkway#

The underlying requirements for #shore public walkway# apply, except that the reduction provisions of paragraph (a)(3)(i) of Section 62-53 (Requirements for Shore Public Walkways) shall not apply.

(2) #Upland connection# and #visual corridor#

An #upland connection# and #visual corridor# shall be provided in accordance with paragraph (h)(1) of this Section.

(j) Parcel 10

A Type 1 #upland connection# pursuant to paragraph (a)(1) of Section 62-561 and a #visual corridor# coincident with such #upland connection# shall be provided through Parcel 10 within the flexible location zone located 150 feet east of 5th Street from 46th Avenue to the #shore public walkway#.

117-364 - Special design standards

LAST AMENDED
11/12/2025

The design requirements of Section 62-60 (DESIGN REQUIREMENTS FOR WATERFRONT PUBLIC ACCESS AREAS), inclusive, are modified by the provisions of this Section.

(a) Special design standards for seating

(1) Seating depth

The minimum seating depth requirements of paragraph (b) of Section 62-652 shall be modified to 16 inches.

(2) Armrests

At least 50 percent of all required seating shall include armrests.

(3) Design feature seating

Along Anable Basin, planter ledges, seating walls, and seating steps may qualify towards

required seating provided that they constitute no more than 40 percent of the required seating. Walls and planter ledges shall be flat and smooth with at least one inch radius rounded edges.

(b) Special design standards for lighting

Along Anable Basin, the lighting requirements of Section 62-653 (Lighting) shall be modified such that an average maintained level of illumination not less than 0.5 horizontal foot candle (lumens per foot) shall be provided throughout all walkable areas, and the average illumination to minimum foot candle uniformity ratio shall be no greater than 6:1 within any #waterfront public access area#.

(c) Special design standards for planting

Reduction in planting requirement

(1) #Shore public walkway# and #supplemental public access areas#

An area equal to at least 35 percent of the area of the #shore public walkway# and #supplemental public access area# shall be planted. Such planting area may be reduced to 30 percent if an amenity is provided in accordance with the following tables:

TABLE 1

Amenity	Reduction per feature (in square feet)

Historic interpretation elements	20
Public art pieces	100

TABLE 2

Amenity	Ratio of reduction to size of feature
#Active recreation space#	1.1
Dog runs	1.1
Comfort stations	1.1
Kiosks	1.1

Such planting requirements may be further reduced to 20 percent along Anable Basin.

(2) #Upland connection#

For Type 1 #upland connections#, at least 30 percent of the area of the #upland connection# may be planted in accordance with the provisions set forth in Section 62-655 (Planting and trees).

(d) Special design standards for paving

The maximum area for unit pavers and concrete slabs specified in paragraphs (b)(1) and (b)(3) of Section 62-656 shall not apply.

(e) Special design standards for kiosks and boathouses

The standards of this Section shall be applicable for sites providing greater than 20,000 square feet of #waterfront public access areas#.

(1) Maximum size

Kiosks permitted under this Section shall have an area no greater than 400 square feet. Boathouses permitted under this Section shall have an area no greater than 800 square feet.

(2) Location

A kiosk or boathouse may be located within a #shore public walkway#, provided that any portion of a kiosk or boathouse located within the area comprising an upper level of such #shore public walkway# shall be located below the walking surface of such upper level. Kiosks and boathouses shall not reduce compliance with other requirements, including planting or circulation, except as modified by the provisions of paragraph (c) of this Section.

(3) Minimum design requirements

A minimum of 25 percent of any wall facing a circulation path, as measured from the level of the adjoining circulation path to the roof of the kiosk or boathouse, shall be provided as transparent material.

Blank walls on kiosks and boathouses that exceed five feet in height and 10 feet in width shall be treated with one or more of the following visual mitigation elements:

(i) additional transparency consisting of an additional 25 percent of the wall facing a circulation path, as measured from the level of the adjoining circulation path to the roof of the kiosk or boathouse;

(ii) plantings in planting beds or planter boxes at least two feet in height, at least six feet in width and at least two feet in depth when measured perpendicular to the wall of the kiosk or boathouse;

(iii) fixed benches with or without backs of at least six linear feet; or

(iv) wall treatments in the form of permitted #signs#, graphic or sculptural art or decorative screening. Such wall treatments must be at least six feet in height and have a minimum width of six feet.

(f) Special design modifications for #upland connections#

The Chairperson of the City Planning Commission may modify the design requirements for #upland connections# where the Chairperson certifies to the Commissioner of the Department of Buildings that such a change is the minimum necessary to accommodate subsurface sewer infrastructure. Any application for such change shall include a site plan from a licensed architect or engineer that conveys the extent of the needs and required modifications, as well as a letter from the Department of Environmental Protection describing the needs for such modifications.

117-365 - Requirements for supplemental open spaces and amenities

LAST AMENDED
11/12/2025

For all #zoning lots# utilizing bonus #floor area# set forth in Section 117-322 (Floor area bonus for active recreation space), the supplemental open area provisions of paragraph (a) of this Section and the supplemental amenities of paragraph (b) of this Section shall be met.

(a) Supplemental open area

Any publicly accessible supplemental open area shall be consistent in size with the open area created pursuant to the provisions of Section 117-322, but in no event shall such open area have a size of less than 4,000 square feet. Such open area shall be in addition to any area allocated to a #waterfront public access area#, as applicable, and shall connect directly to either #waterfront public access areas# or adjoining #streets#. Supplemental open areas shall be subject to the design requirements for #supplemental public access areas# set forth in Section 62-60 (DESIGN REQUIREMENTS FOR WATERFRONT PUBLIC ACCESS AREAS), inclusive, as such provisions are modified by the provisions of Section 117-364 (Special design standards), inclusive. All amenities provided in supplemental open areas shall either match or shall be comparable with amenities in a #waterfront public access area# on the same #zoning lot# with regard to quality, materials, finishes and form. In addition, supplemental open areas shall be subject to the maintenance and operation requirements of Section 62-70, inclusive, and the review procedures of Section 62-80, inclusive.

(b) Supplemental amenities

Supplemental amenities, in the form of #active recreation space# or public restrooms, shall be provided in accordance with the following regulations with regards to the minimum points required for the size of supplemental open area. Such amenities may be provided either in the

supplemental open area or in #waterfront public access areas# on the same #zoning lot#. No amenity included pursuant to this Section may count towards meeting a requirement of a #waterfront public access area#.

(1) Minimum points required

The minimum required amount of points on a #zoning lot# shall be equivalent to one point per every additional 2,000 square feet of supplemental open space, except that the maximum points of amenity for any #zoning lot# need not exceed ten. Fractions equal to or greater than one-half resulting from this calculation shall be considered to be one point.

(2) Calculating points for amenities

For every 1,000 square feet of #active recreation space# provided, one point shall be generated. However, where such #active recreation space# involves open and flexible areas with no permanent infrastructure or equipment, one point shall be generated for every 2,000 square feet of amenity.

The area allocated to the #active recreation space# shall include those areas bounded by the physical equipment associated with such space, as applicable, as well as the additional space around the equipment for access, circulation and buffering. Where an amenity involves water access, the area may include areas associated with the amenity both upland of and seaward of the shoreline, as applicable and, where watercraft launches are provided, may include temporary storage facilities.

No more than two points shall be permitted for multiple courts, leisure games or other facilities allocated to the same type of active recreation. For example, no more than two

points may be generated by ping pong courts; however, further points may be generated from other types of courts such as volleyball courts.

For every 200 square feet of public restroom, one point shall be generated and the maximum points permitted for public restrooms shall not exceed four.

(3) Additional requirements for large #zoning lots#

Where the size of a supplemental open area exceeds 5,000 square feet, a singular #active recreation space# equivalent to at least two points shall be provided. Where a supplemental open area exceeds 10,000 square feet, either a singular amenity equivalent to at least three points shall be provided, or two amenities each equivalent to at least two points shall be provided.

117-366 - Special review provisions

LAST AMENDED
11/12/2025

The Chairperson of the City Planning Commission shall, by certification pursuant to Section 62-811 (Waterfront public access and visual corridors), further certify the following provisions as applicable:

(a) #Waterfront public access area# phasing

Where more than one #building# is #developed# in phases, the mandatory public access area may be constructed in phases, provided that the Chairperson certifies the following criteria are

met:

(1) a plan has been submitted that provides for an amount of public access area proportionate to the amount of #floor area# being #developed# in each phase;

(2) the square footage of public access area provided in any phase is in proportion to the total public access area requirement based on the area being developed. Any public access area provided in an earlier phase in excess of the amount required for such phase may be applied to a later phase;

(3) the public access area being proposed in any phase shall not prevent the total amount of public access area required for such area from being achieved;

(4) any phased portion of the required public access area shall comply with the minimum widths and other dimensions required for the public access areas;

(5) any phased portion of the required public access area shall connect directly to either a #street# or an improved public access area; and

(6) a proportionate amount of planting and seating shall be included within each phase.

(b) #Upland connection# phasing

Where an #upland connection# is designated on two or more parcels, and the portion of such #upland connection# located outside of the applicant's parcel has previously been certified as part of a #waterfront public access area#, the Chairperson shall certify that the proposed #upland connection# on the applicant's parcel is consistent with that of the prior certification, including with respect to the proposed amenities and design elements therein.