Zoning Resolution

THE CITY OF NEW YORK
Zohran K. Mamdani, Mayor

CITY PLANNING COMMISSION
Sideya Sherman, Chair

87-40 - SPECIAL REGULATIONS FOR GROUND FLOOR LEVEL

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87-40 - SPECIAL REGULATIONS FOR GROUND FLOOR LEVEL

LAST AMENDED
6/6/2024

The provisions set forth in this Section, inclusive, shall apply to #ground floor levels# within the #Special Harlem River Waterfront District#, as applicable.

87-41 - Streetscape Regulations

LAST AMENDED
6/6/2024

The underlying #ground floor level# streetscape provisions set forth in Section 32-30 (STREETSCAPE REGULATIONS), inclusive, shall apply, except that #ground floor level# #street frontages# locations, in 50-foot increments designated on Map 2 (Designated Non-Residential Use Locations) in the Appendix of this Chapter, shall be considered #Tier C street frontages#, and all other frontages shall be considered #Tier B street frontages#.

For the purposes of applying such streetscape regulations, #shore public walkways#, mapped parkland, #supplemental public access areas#, #upland connections# and fire apparatus access roads provided pursuant to the provisions of Section 87-61 (Special Provisions for Certain Fire Apparatus Access Roads), shall be considered #streets#, and #shore public walkways# and mapped parkland shall be considered #wide streets#.

87-42 - Building Entrances and Maximum Widths

LAST AMENDED
6/6/2024

On Parcels 5 and 6, as shown on Map 1 in the Appendix to this Chapter, the width of any ground floor level #commercial# or #community facility# establishments facing a #shore public walkway# or #upland connection#, shall be limited to 60 feet for each #street wall# facing such #shore public walkway# or #upland connection#.

On Parcels 2, 3 and 4, as shown on Map 1 in the Appendix to this Chapter, a main front entrance for at least one #building#, as the term "main front entrance" is used in the New York City Fire Code, Section 502.1 (FRONTAGE SPACE), or its successor, shall be located facing the #shore public walkway#. Such main front entrance of a #building# shall be:

(a) on Parcel 2, located no less than 95 feet from a mapped parkland; and

(b) on Parcels 3 and 4, located no less than 45 feet from an #upland connection#.

87-43 - Open Parking Areas

LAST AMENDED
6/6/2024

Open parking areas shall be permitted only in the following locations:

(a) on Parcel 1, as shown on Map 1 in the Appendix to this Chapter, a parking lot shall be permitted east of the #Major Deegan Expressway street line#;

(b) on Parcel 5, as shown on Map 1, a parking lot shall be permitted anywhere within the parcel only if a commercial or public utility vehicle storage #use#, including #accessory# motor fuel pumps listed under Use Group IX(C), is #developed# or #enlarged# as the primary #use# on the parcel;

(c) on Parcel 6, a parking lot shall be permitted within 130 feet of the southern boundary of the parcel with East 138th Street; and

(d) on all parcels, open, unscreened, in tandem (one behind the other), #accessory# off-street parking spaces shall be permitted on private roads, including fire apparatus access roads provided pursuant to the provisions of Section 87-61 (Special Provisions for Certain Fire Apparatus Access Roads), provided that all parking spaces comply with the Department of Transportation standards for on-street parking.

For such open parking lots, the provisions of paragraph (c) of Section 25-621 (Location of parking spaces in certain districts) shall not apply. In addition, on Parcel 1, for parking lots located east of the #Major Deegan Expressway street line#, or, on Parcel 5, for parking lots used solely as a commercial or public utility vehicle storage #use#, including #accessory# motor fuel pumps listed under Use Group IX(C), the provisions of Sections 37-90 (PARKING LOTS) and 62-655 (Planting and trees) shall be modified to permit fencing, excluding chain link fencing, in lieu of all planting requirements, provided that the surface area of such fencing is not more than 50 percent opaque and provided that the height does not exceed six feet. The provisions of Sections 37-90 and 62-555 shall not apply to any parking lots provided within private roads, including fire apparatus access roads provided pursuant to the provisions of Section 87-61.

87-44 - Special Open Area Provisions

LAST AMENDED
6/6/2024

(a) For Parcels 1, 2, 3 and 4, as shown on Map 1 in the Appendix to this Chapter, the open area between the #street wall# of a #building# fronting on the #Major Deegan Expressway street line# and the western edge of such Expressway, shall be subject to the provisions of Section 23-613 (Front yard planting requirements), whether the ground floor is occupied by #residential uses# or non- #residential uses#. Such provisions shall be modified by the provisions of this Section.

(1) Primary circulation path

A circulation path, with a width of at least 13 feet or the width of such open area, whichever is less, and the western edge of such path shall be provided within five feet of a #street wall# facing the #Major Deegan Expressway street line#. Such circulation path shall extend along the entire frontage of the #zoning lot#, and shall be constructed in accordance with Department of Transportation standards for sidewalks.

(2) Planting

At least 20 percent, but not more than 50 percent of the required open area shall be planted with any combination of perennials, annuals, decorative grasses, shrubs or trees in planting beds, raised planting beds or planter boxes. Such planting bed shall extend to a depth of at least three feet, inclusive of any structure containing the planted material, and any individual planted area shall have a width of at least five feet. For planting located east of the circulation path required pursuant to this paragraph (a), the maximum linear length of any individual planting bed shall not exceed 50 feet.

(3) Other amenities

The remainder of the open area may contain any combination of:

(i) streetscape amenities including, but not limited to, benches or tables and chairs;

(ii) entertainment amenities including, but not limited to, water features, playgrounds, dog runs, game tables, courts or skateboard parks; and

(iii) streetscape-enhancing amenities including, but not limited to, trees in tree pits, and lighting, or sculptural artwork.

All streetscape and entertainment amenities provided in accordance with paragraphs (a)(3)(i) and (a)(3)(ii) of this Section shall be connected to the primary circulation path required by paragraph (a) of this Section through secondary circulation paths, paved with permeable materials, each with a minimum width of six feet. Any planting associated with an amenity including, but not limited to, playgrounds and dog runs, as applicable, may exceed the amount set forth in paragraph (b) of this Section.

Any open area not otherwise allocated to amenities or secondary circulation paths shall also be paved with permeable materials. The minimum clear space between any planted areas required by paragraph (b) of this Section, any amenity provided under this paragraph, or any combination thereof, shall be six feet.

(4) Fencing

In no event shall chain link fencing or barbed or razor wire be permitted in any open area provided pursuant to this Section. No fences may exceed a height of four feet.

(b) In the event that Parcel 1 is #developed# with #mixed buildings#, sidewalks shall be provided on such parcel as follows:

(1) Sidewalks with a width of at least 15 feet shall be provided along the entire Exterior Street and East 149th Street frontage of a #zoning lot#.

(2) In locations where the width of the sidewalk within the #street# is less than 15 feet, a sidewalk widening shall be provided on the #zoning lot# such that the combined width of the sidewalk within the #street# and the sidewalk widening equals at least 15 feet. However, existing #buildings# remaining on the #zoning lot# need not be removed in order to comply with this requirement.

All sidewalks and sidewalk widenings shall be constructed or improved to Department of Transportation standards and shall connect at grade to the adjoining public sidewalks.