Zoning Resolution

THE CITY OF NEW YORK
Zohran K. Mamdani, Mayor

CITY PLANNING COMMISSION
Sideya Sherman, Chair

Chapter 4 - Special Manhattanville Mixed Use District (MMU)

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Chapter 4 - Special Manhattanville Mixed Use District (MMU)

104-00 - GENERAL PURPOSES

LAST AMENDED
7/26/2001

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

(a) to encourage the development of a mixed use neighborhood that complements a revitalized community-oriented waterfront;

(b) to support a variety of community facility, commercial and manufacturing uses;

(c) to provide opportunities for the expansion of large academic, scientific and mixed use facilities in a manner that benefits the surrounding community;

(d) to strengthen the retail and service character and economic vitality of the neighborhood by encouraging active ground floor uses along Broadway, West 125th Street and 12th Avenue;

(e) to facilitate the maximum amount of design flexibility while fulfilling the goals of the mixed use district;

(f) to improve the physical appearance of the streetscape by providing and coordinating harmonious open space, sidewalk amenities and landscaping within a consistent urban design;

(g) to strengthen the visual corridors along West 125th Street and other east-west corridors that connect the community to the waterfront;

(h) to expand local employment opportunities;

(i) to recognize, preserve and promote the existing historic transportation infrastructure of the neighborhood;

(j) to promote the most desirable use of land in this area and thus conserve the value of land and buildings, and thereby protect the City's tax revenues.

104-01 - Definitions

LAST AMENDED
12/19/2007

Definitions specifically applicable to this Chapter are set forth in this Section. The definitions of other defined terms are set forth in Section 12-10 (DEFINITIONS).

Lower street wall

"Lower street wall" is that portion of the #street wall# of a #building# that extends from grade to the height set forth in Section 104-33, paragraph (a).

Mandatory widened sidewalk

A "mandatory widened sidewalk" is a paved area along the #front lot line# of a #zoning lot# at the same elevation as the adjoining sidewalk and directly accessible to the public at all times. #Mandatory widened sidewalks# are shown on Map 3 (Widened Sidewalk Lines) in Appendix A of this Chapter.

Mandatory widened sidewalk line

A “mandatory widened sidewalk line” is the line shown on Map 3 in Appendix A of this Chapter.

Upper street wall

“Upper street wall” is that portion of the #street wall# of a #building# that extends from the #lower street wall# to the maximum #building# height set forth for each Parcel in the Base Plane and Building Height Table in Appendix B of this Chapter, or the height of the #building#, whichever is less.

104-02 - General Provisions

LAST AMENDED
10/7/2021

In harmony with the general purposes and content of this Resolution and the general purposes of the #Special Manhattanville Mixed Use District#, the regulations of this Chapter shall apply within the Special District. The regulations of all other Chapters of this Resolution are applicable, except as superseded, supplemented or modified by the provisions of this Chapter. In the event of a conflict between the provisions of this Chapter and other regulations of this Resolution, the provisions of this Chapter shall control. However, in #flood zones#, or for #transit-adjacent 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.

104-03 - District Plan and Maps

LAST AMENDED
12/19/2007

The regulations of this Chapter are designed to implement the #Special Manhattanville Mixed Use District# Plan.

The District Plan includes the following maps and illustrative diagrams in Appendix A of this Chapter:

Map 1 Special Manhattanville Mixed Use District and Subdistricts

Map 2 Subdistrict A Block Plan

Map 3 Widened Sidewalk Lines

Map 4 Street Wall Types and Locations

Map 5 Parcel Designation and Maximum Building Heights

Map 6 Ground Floor Use and Frontage

Map 7 Mandatory Open Areas

The District Plan includes the following table in Appendix B of this Chapter:

Base Plane and Building Height Table

These maps, diagrams and table are hereby incorporated and made part of this Resolution for the purpose of illustrating requirements or specifying locations where the special regulations and requirements set forth in the text of this Chapter apply.

104-04 - Subdistricts

LAST AMENDED
12/19/2007

In order to carry out the provisions of this Chapter, three subdistricts are established, as follows:

Subdistrict A – Academic Mixed Use Area

Subdistrict B – Waterfront Area

Subdistrict C – Mixed Use Development Area

The location of the subdistricts of the #Special Manhattanville Mixed Use District# is specified on Map 1 in Appendix A of this Chapter.

104-10 - SPECIAL USE REGULATIONS

LAST AMENDED
12/19/2007

The #use# regulations of the underlying C6 Districts are modified in Sections 104-11 through 104-18, inclusive.

104-11 - Residential Use Modifications

LAST AMENDED
6/6/2024

The #residential use# regulations of the underlying C6-1 District are modified, as follows.

In Subdistrict A, a #residential use# may locate in the same #building#, or #abut# a #building# containing a #use# listed in Section 104-13 (Commercial and Manufacturing Use Modifications), inclusive, only in accordance with the certification provisions of Section 104-14.

104-12 - Community Facility Use Modifications

LAST AMENDED
6/6/2024

The #community facility use# regulations of the underlying C6-1 and M1-2 Districts are modified, as follows:

(a) in Subdistrict A, #uses# listed under Use Group III(A) may locate in the same #building#, or #abut# a #building# containing a #use# listed in Section 104-13 (Commercial and Manufacturing Use Modifications), inclusive, only in accordance with the certification provisions of Section 104-14.

(b) in Subdistrict B, #uses# listed under Use Group III permitted in the underlying M1-2 District, pursuant to Sections 42-10 (USE ALLOWANCES), inclusive, and 74-133 (Other community facility uses in M1 Districts), inclusive, shall be limited to 5,000 square feet of #floor area# per establishment

104-13 - Commercial and Manufacturing Use Modifications

LAST AMENDED
6/6/2024

(a) In Subdistricts A and C, the #use# regulations of a C6 District shall apply except that additional #uses# allowed in M1 Districts within a #Special Mixed Use District#, as set forth in Section 123-21 (Modification to M1 use regulations), inclusive, shall be permitted. All such #uses# shall be subject to the performance standards for an M1 District set forth in Section 42-20.

Such #uses# may locate in the same #building#, or in an #abutting# #building# containing a #residential use# or a #community facility# #use# with sleeping accommodations listed in Section 104-12 (Community Facility Use Modifications), only in accordance with the certification provisions of Section 104-14.

(b) In Subdistrict B, the #commercial# #use# regulations of the underlying M1 District are modified to permit #uses# listed under Food and Beverage Retailers in Use Group VI without limitation as to #floor area# per establishment.

104-14 - Certification Requirements

LAST AMENDED
6/6/2024

In Subdistrict A, a #use# listed in Section 104-13 (Commercial and Manufacturing Use Modifications) and a #residential use# or a #community facility# #use# with sleeping accommodations listed in Section 104-12 (Community Facility Use Modifications) may locate in the same #building#, or in an #abutting# #building#, only upon certification by a licensed architect or a professional engineer to the Department of Buildings stating that the #commercial# or #manufacturing use#:

(a) does not have a New York City or New York State environmental rating of "A," "B" or "C" under Section 24-153 of the New York City Administrative Code for any process equipment requiring a New York City Department of Environmental Protection operating certificate or New York State Department of Environmental Conservation state facility permit; and

(b) is not required, under the City Right-to-Know Law, to file a Risk Management Plan for Extremely Hazardous Substances.

104-15 - Ground Floor Use and Frontage Regulations

LAST AMENDED
6/6/2024

The underlying #ground floor level# streetscape provisions shall apply except that #ground floor level# #street# frontages along #streets#, or portions thereof, designated on Map 6 (Ground Floor Use and Frontage) in Appendix A of this Chapter shall be considered #Tier C street frontages#. In addition, for #buildings# along such #Tier C street frontages#, the underlying streetscape requirements shall be modified such that:

(a) within the portion of the #ground floor level# #street frontage that is required to be allocated to non-#residential uses# to the #minimum qualifying depth#, #uses# may only include colleges or universities listed under Use Group III(B) where the #use# is #accessory# and open to the public;

(b) #uses# listed under Use Group VI with a size limitation in M1 Districts, as denoted with an "S" in the Use Group tables set forth in Section 42-16 (Use Group VI – Retail and Services), inclusive, shall be subject to a size limit of 10,000 square feet per establishment; and

(c) in lieu of the transparency requirements, the provisions of Section 104-41 shall apply.

104-16 - Modification of Article VII, Chapter 4 (Special Permits by the City Planning Commission)

LAST AMENDED
6/6/2024

The provisions of Section 74-171 (Laboratories) shall not apply in the #Special Manhattanville Mixed Use District#.

104-20 - SPECIAL BULK REGULATIONS

LAST AMENDED
2/2/2011

In Subdistricts A, B and C, the #bulk# regulations of the underlying C6 and M1 Districts, as modified in this Chapter, shall apply.

The #floor area ratio#, #open space ratio# and #lot coverage# regulations applicable in the underlying C6 Districts are modified as set forth in Sections 104-21 through 104-25.

The #floor area ratio# regulations applicable in the underlying M1 District are modified as set forth in Section 104-22. No #floor area# bonuses shall be permitted.

Special provisions regulating change of #use# in #non-complying# #buildings# are set forth in Section 104-26.

The height and setback regulations of the underlying C6 Districts are superseded as set forth in Sections 104-30 through 104-34, inclusive.

The special maximum #building# height regulations for the M1-2 District are set forth in Section 104-31.

Notwithstanding the special #bulk# regulations of this Chapter, any #development# containing #dwelling units#, or college or school student dormitories as listed in Use Group 3, on Parcel H, as shown on Map 5 (Parcel Designation and Maximum Building Heights) in Appendix A of this Chapter, shall comply with the height and setback regulations for an R8A District as set forth in Article II of this Resolution.

104-21 - Maximum Floor Area Ratio, Open Space Ratio and Lot Coverage for Residential Uses

LAST AMENDED
12/5/2024

In Subdistricts A and C, the #bulk# regulations for #residential use# are modified in accordance with the provisions of this Section.

For all #zoning lots#, or portions thereof, the maximum #floor area ratio#, #open space ratio# and #lot coverage# regulations shall not apply. In lieu thereof, the provisions of this Section shall apply.

In Subdistrict A, the maximum #floor area ratio# for #residential use# shall be 3.44. However, for #qualifying affordable housing# or #qualifying senior housing#, the maximum #floor area ratio# shall be 4.13.

In Subdistrict C, the maximum #floor area ratio# for #residential use# shall be 6.02. However, for #qualifying affordable housing# or #qualifying senior housing#, the maximum #floor area ratio# shall be 7.20.

For #interior# or #through lots#, or portions thereof, the maximum #lot coverage# shall not exceed 70 percent. For #corner lots#, the maximum #lot coverage# shall be 100 percent.

The provisions of Section 23-371 (Distance between buildings) shall not apply.

104-22 - Maximum Floor Area Ratio and Lot Coverage for Community Facility Uses

LAST AMENDED
12/5/2024

In Subdistricts A and C, the maximum #floor area ratio# permitted for #community facility uses# shall be 6.0.

In Subdistrict B, the maximum #floor area ratio# permitted for #community facility uses# shall be 2.0.

104-23 - Maximum Floor Area Ratio for Certain Uses

LAST AMENDED
6/6/2024

In Subdistricts A and C, the maximum #floor area ratio# permitted for #commercial# #uses# shall be 6.0, except that the maximum #floor area ratio# for #uses# listed in Section 104-13 (Commercial and Manufacturing Use Modifications) shall be 2.0.

104-24 - Maximum Floor Area Ratio for Multiple Uses on a Zoning Lot

LAST AMENDED
6/6/2024

When more than one #use# is located on a #zoning lot#, the maximum #floor area ratio# permitted for any #use# on such #zoning lot# shall not exceed the maximum permitted for such #use#, as set forth in Sections 104-21 through 104-24, inclusive, provided that the total of all such #floor area ratios# does not exceed the greatest #floor area ratio# permitted for any such #use# on the #zoning lot#.

104-25 - Change of Use

LAST AMENDED
12/5/2024

In Subdistrict A, the provisions of Section 54-31 (General Provisions) shall not apply. In lieu thereof, a #use# listed under Use Groups IV, VI, VIII, IX, or X and not permitted as-of-right within C6

Districts, that is located in a #non-complying# #building or other structure# may be changed to:

(a) a #use# listed in 104-13 (Commercial and Manufacturing Use Modifications), subject to the performance standards for an M1 District set forth in Section 42-20, and subject to Section 104-14 (Certification Requirements), if applicable; or

(b) a #community facility# #use#, or #uses# listed under Offices in Use Group VII.

The #bulk# regulations of the underlying C6 District as modified by the #Special Manhattanville Mixed Use District# and the regulations set forth in Section 104-40 (SPECIAL URBAN DESIGN REGULATIONS) shall not apply to the changes of #use# set forth in this Section.

The provisions of this Section shall apply to Blocks A and C, as shown on Map 2 (Subdistrict A Block Plan) in Appendix A of this Chapter, and to Parcel D4, as shown on Map 5 (Parcel Designation and Maximum Building Heights) in Appendix A of this Chapter, through December 31, 2015, and to all other Parcels and Blocks in Subdistrict A through December 31, 2030. Beginning on January 1, 2016, with respect to Blocks A and C and Parcel D4, and beginning on January 1, 2031, with respect to Parcels D1, D2, and D3, as shown on Map 5, and Blocks E, F, G, and H, as shown on Map 2, the provisions of this Section shall lapse, and the #bulk# regulations of the underlying C6 District as modified by the #Special Manhattanville Mixed Use District# and the requirements set forth in Section 104-40, shall apply to the changes of #use# set forth in this Section.

104-30 - SPECIAL HEIGHT AND SETBACK REQUIREMENTS

LAST AMENDED
10/23/2024

In the #Special Manhattanville Mixed Use District#, the height and setback regulations of the underlying C6 Districts shall not apply. In lieu thereof, the height and setback provisions of this

Section, inclusive, shall apply in C6 Districts. In Subdistrict B, special height regulations for the underlying M1-2 District are set forth in Section 104-31, et seq.

In Subdistrict A, the height of all #buildings or other structures# shall be measured from the #base plane#. However, the provisions for establishing #base planes# set forth in Section 12-10 (DEFINITIONS) shall not apply. In lieu thereof, #base planes# are specified for each Parcel as shown on Map 5 (Parcel Designation and Maximum Building Heights) in Appendix A of this Chapter. The level of the #base plane# is designated for each such Parcel in Appendix B of this Chapter.

Wherever a #mandatory widened sidewalk line# is shown on Map 3 (Widened Sidewalk Lines) in Appendix A of this Chapter, such line shall be used instead of the #street line# for all purposes of Section 104-30, et seq.

The City Planning Commission may modify, by special permit, the special height and setback requirements of this Section pursuant to Section 104-60 (MODIFICATION OF BULK REQUIREMENTS AND TRANSFER OF FLOOR AREA BY SPECIAL PERMIT).

104-31 - Maximum Building Height

LAST AMENDED
12/5/2024

In Subdistrict A, the maximum #building# height, by Parcel, is shown on Map 5 (Parcel Designation and Maximum Building Heights) in Appendix A of this Chapter and specified in Appendix B of this Chapter. In Subdistricts B, C and the Other Area east of Broadway, the maximum #building# heights are shown on Map 5. However, for #qualifying affordable housing# or #qualifying senior housing# in Subdistricts C and the Other Area east of Broadway, the maximum #building# height shall be 145 feet. No other #building# shall exceed the maximum #building# height set forth in such Map or Appendix B of this Chapter.

104-32 - Rooftop Regulations

LAST AMENDED
12/19/2007

The special rooftop regulations of Section 104-32, inclusive, shall apply in Subdistricts A and C.

104-321 - Rooftop equipment

LAST AMENDED
12/6/2023

#Energy infrastructure equipment# and #accessory# mechanical equipment, other than solar or wind energy systems, may be located on the roof of a #building# in accordance with the following provisions:

(a) #Energy infrastructure equipment# and #accessory# mechanical equipment shall not exceed the maximum height for rooftop equipment specified for each Parcel as set forth in Appendix B of this Chapter and shall be measured from the roof level of the highest #story# of the #building#. Such equipment may penetrate the maximum #building# height specified for each Parcel as set forth in Appendix B.

(b) Such equipment shall be set back at least 10 feet from the #upper street wall# of the #building#. In addition, such equipment shall not penetrate a #sky exposure plane# that begins at the point of intersection of the roof and the #upper street wall# of the #building#, and rises over the #building# at a slope of 2.7 feet of vertical distance for each foot of horizontal distance, except for permitted obstructions set forth in Section 104-322. Where

portions of the #upper street wall# are located at different distances from the #street line# or #mandatory widened sidewalk line#, whichever is applicable, the portion used to establish such reference line shall be the portion that occupies the greatest area of such #upper street wall#.

(c) Such equipment shall not overhang any recess in the #building# wall that is open to the sky.

104-322 - Permitted obstructions

LAST AMENDED
12/6/2023

The obstructions set forth in Section 33-42, other than the rooftop equipment permitted pursuant to Section 104-321, as well as the following obstructions, may penetrate the applicable maximum #building# height and the applicable maximum height for rooftop equipment set forth in Appendix B of this Chapter, and may also penetrate the #sky exposure plane# set forth in Section 104-321 (Rooftop equipment). Within 50 feet of the #upper street wall#, the width of such obstructions shall be limited in total to 10 percent of the #aggregate width of street walls# of a #building#, per #street# frontage, at any level above the maximum level of rooftop equipment as set forth in Section 104-321. Beyond 50 feet from the #upper street wall#, the permitted obstructions may occupy an area not to exceed 30 percent of the #building# coverage at the ground level. Where portions of the #upper street wall# are located at different distances from the #street line# or #mandatory widened sidewalk line#, whichever is applicable, the portion used to establish such reference line shall be the portion that occupies the greatest area of such #upper street wall#. However, in no event shall such obstructions be located within 10 feet of the #upper street wall#.

(a) Antennae and structural support thereto;

(b) Pipes and supporting structures;

(c) Railings.

104-33 - Mandatory Street Walls

LAST AMENDED
2/2/2011

Six types of mandatory #street walls# are established in the #Special Manhattanville Mixed Use District#, the regulations for which are set forth in Sections 104-331 through 104-336. Map 4 (Street Wall Types and Locations) and Map 5 (Parcel Designation and Maximum Building Heights), in Appendix A of this Chapter, specify locations where such regulations apply. The mandatory #street wall# requirements shall apply to any #development# and the #enlarged# portion of an existing #building#, except as set forth in paragraph (c) of this Section.

In Subdistrict A, the mandatory #street walls# specified as Street Wall Types 1, 3 and 4 consist of a #lower street wall# and an #upper street wall#, except that for #buildings# fronting on a #wide street# that do not exceed a height of 85 feet, and for #buildings# fronting on a #narrow street# that do not exceed a height of 60 feet, such #street wall# may in its entirety comply with the rules for an #upper street wall#.

(a) #Lower street wall#

(1) For Parcels D1, E1, F1, G1, G2 and H, the #lower street wall# is that portion of the #street wall# that extends from grade to a minimum height of 15 feet above the highest elevation of the #street# frontage of the #building# on Broadway and a maximum height of 55 feet above such elevation for each #street# frontage. For #buildings# without frontage on Broadway, the #lower street wall# shall be measured from the highest elevation of each such #street# frontage of such #building#;

(2) For Parcels A, C1, C4, D4, E4 and F4, the #lower street wall# of each #street# frontage of a #building# is that portion of the #street wall# that extends from grade to a minimum height of 20 feet and a maximum height of 55 feet above the highest elevation of such #street# frontage of such #building#;

(3) For Parcels C2, C3, D2, E2, E3, F2 and F3, the #lower street wall# of each #street# frontage of a #building# is that portion of the #street wall# that extends from grade to a minimum height of 20 feet and a maximum height of 45 feet above the highest elevation of such #street# frontage of such #building#. For the purposes of this Section, Parcel C2 shall be considered to have frontage only on West 130th Street.

(b) #Upper street wall#

For all Parcels, the #upper street wall# is that portion of the #street wall# that extends from the #lower street wall# to the maximum #building# height set forth in Appendix B or the height of the #building#, whichever is less.

(c) The mandatory #street wall# requirements shall not apply to vertical #enlargements# of one #story# not exceeding 15 feet in height.

(d) Where a #building# is located on more than one Parcel, the requirements of Sections 104-331 through 104-336, with respect to the locations of the #upper street wall# and the #lower street wall#, may apply to the entire #street frontage# of the Parcels.

(e) On Parcels C3 and C4, the applicable #lower street wall# provision may be applied to the entire #building#.

(f) For a #building# within Subdistrict A, located on a portion of a Parcel where no required #street wall# is shown on Map 4, such #building# shall comply with the #street wall# requirements for a #building# on the same Parcel. For a #building# on Parcel C3, the #street

wall# requirements shall be those provisions applicable to Parcel D2.

104-331 - Type 1 street wall location

LAST AMENDED
12/19/2007

Type 1 #street walls#, as shown on Map 4 in Appendix A of this Chapter, shall comply with the provisions of this Section.

(a) The #upper street wall# shall be located anywhere within five feet of the #street line# for at least 70 percent of the #street frontage# of the Parcel and shall rise without setback to a minimum height of 85 feet above #curb level#, or the height of the #building#, whichever is less.

(b) The #lower street wall# shall be set back at least two feet but no more than 10 feet from the #upper street wall# required pursuant to paragraph (a) of this Section and shall extend along at least 70 percent of the #street# frontage of the Parcel. For Parcels D1, E1, F1, G1, G2 and H, the height of the #lower street wall# shall be not less than twice the depth of the setback of the #lower street wall# from the #upper street wall#, but not less than 15 feet.

(c) No #street wall# location regulation shall apply to the remaining 30 percent of the #street# frontage of a Parcel.

(d) At least 20 percent of the area of an #upper street wall# facing Broadway shall be recessed to a minimum depth of 10 feet.

(e) The #street wall# provisions of this Section may apply along a #narrow street# within 100 feet of its intersection of a #wide street#.

104-332 - Type 2 street wall location

LAST AMENDED12/19/2007

Type 2 #street walls#, as shown on Map 4 in Appendix A of this Chapter, shall comply with the provisions of either paragraph (a) or (b) of this Section.

(a) The #street wall# shall be located within two to five feet of the #street line# or the #mandatory widened sidewalk line#, whichever is applicable, and shall rise without setback to a minimum height of 45 feet. A #street wall# fronting on West 125th Street shall extend along at least 70 percent of the length of the #street line# of the Parcel; a #street wall# fronting on West 130th Street shall extend along at least 50 percent of the length of the #mandatory widened sidewalk line#. No #street wall# location regulation shall apply to the remaining 30 percent of the #street# frontage of the Parcel on West 125th Street, or to the remaining 50 percent of the #street# frontage of the Parcel on West 130th Street; or

(b) Where the #lower street wall# is set back from the #upper street wall#:

(1) the provisions of Section 104-334 (Type 4 street wall location) shall apply to #street walls# facing West 130th Street;

(2) the provisions of Section 104-331 (Type 1 street wall location) shall apply to #street walls# facing West 125th Street; and

(3) for #street walls# facing 12th Avenue, the #upper street wall# shall be located within five feet of the #mandatory widened sidewalk line# and the #lower street wall# shall be set back not more than 30 feet from the #upper street wall#.

104-333 - Type 3 street wall location

LAST AMENDED
12/19/2007

Type 3 #street walls#, as shown on Map 4 in Appendix A of this Chapter, shall comply with the provisions of this Section.

(a) The #upper street wall# shall be located within two feet of the 12th Avenue #mandatory widened sidewalk line#, and shall extend along no more than 70 percent of the length of the #mandatory widened sidewalk line# of the Parcel. Any #upper street wall# located on the remaining portion of the #street# frontage of the Parcel shall be set back from the 12th Avenue #widened sidewalk line# by a minimum distance of either:

(1) 20 feet, if such setback area faces both 12th Avenue and a #narrow street#; or

(2) 10 feet, if such setback area faces only 12th Avenue.

(b) The #lower street wall# shall be located at the same distance from the #mandatory widened sidewalk line#, or set back not more than 10 feet from the #upper street wall# required pursuant to paragraph (a) of this Section, and shall extend along at least 80 percent of the length of such required #upper street wall#. No #street wall# location regulations shall apply

to the remaining portion of the #lower street wall# frontage of a Parcel.

(c) The #street wall# provisions of this Section may apply along a #narrow street# within 100 feet of its intersection of a #wide street#.

104-334 - Type 4 street wall location

LAST AMENDED
12/19/2007

Type 4 #street walls#, as shown on Map 4 in Appendix A of this Chapter, shall comply with the provisions of this Section.

(a) The #upper street wall# shall be located within five feet of the #street line# or #mandatory widened sidewalk line#, as applicable. Such #street wall# shall extend along at least 50 percent of the length of the #street line# or #mandatory widened sidewalk line# of the Parcel, as applicable, and shall rise without setback to a minimum height of 60 feet above #curb level#, or the height of the #building#, whichever is less.

(b) The #lower street wall# shall be set back at least two feet but no more than 10 feet from the #upper street wall# required pursuant to paragraph (a) of this Section and shall extend along at least 50 percent of the #street line# or #mandatory widened sidewalk line# of the Parcel, as applicable.

(c) No #street wall# location regulation shall apply to the remaining 50 percent of the #street# frontage of a Parcel.

104-335 - Type 5 street wall location

LAST AMENDED
12/19/2007

Type 5 #street walls#, as shown on Map 4 in Appendix A of this Chapter, shall comply with the provisions of paragraph (a) or (b) of this Section:

(a) The #street wall# shall be located within two feet of the #street line# or the #mandatory widened sidewalk line#, as applicable, and shall rise without setback to a minimum height of 45 feet or the height of the #building#, whichever is less. Such required #street walls# shall extend along at least 50 percent of the length of the #street line# or the #mandatory widened sidewalk line# of the Parcel, as applicable; or

(b) Where the #lower street wall# is set back from the #upper street wall#, the provisions of Section 104-334 (Type 4 street wall location) shall apply.

No #street wall# location regulations shall apply to the remaining 50 percent of the #street# frontage of a Parcel.

104-336 - Type 6 street wall location

LAST AMENDED
12/19/2007

Type 6 #street walls#, as shown on Map 4 in Appendix A of this Chapter, shall be located at or within 10 feet of the #street line# and shall extend along at least 70 percent of the length of the #street line# of the Parcel, and may rise to a maximum height of 120 feet. No #street wall# location regulations shall apply to the remaining 30 percent of the #street# frontage of a Parcel.

104-34 - Street Wall Recesses

LAST AMENDED
12/19/2007

Recesses are permitted for architectural, decorative or functional purposes, provided that such recesses comply with the provisions of this Section.

For portions of the #lower street wall# required pursuant to the provisions of Section 104-33, the maximum area of recesses shall not exceed 30 percent of the area of such required #lower street wall# and the maximum depth of such recesses shall not exceed three feet.

For that portion of the #upper street wall# required pursuant to the provisions of Section 104-33, and located below a height of 85 feet on a #wide street# and 60 feet on a #narrow street#, the maximum area of recesses shall not exceed 30 percent of the area of such portion of the #upper street wall# and the maximum depth of such recesses shall not exceed three feet. However, the regulation limiting the maximum depth of such recesses to three feet, set forth in this paragraph, shall not apply to the recesses required in paragraph (d) of Section 104-331.

104-40 - SPECIAL URBAN DESIGN REGULATIONS

LAST AMENDED
12/19/2007

The special urban design regulations of this Chapter include ground floor transparency requirements, and requirements for six different types of open areas that are accessible to the public, as described in Sections 104-42 and 104-43, inclusive, and shown on Maps 3 (Widened Sidewalk Lines) and 7 (Mandatory Open Areas) in Appendix A of this Chapter.

104-41 - Street Wall Transparency Requirements

LAST AMENDED
12/19/2007

Within Subdistrict A, the transparency requirements of paragraph (a) of this Section, subject to the modifications of paragraph (b) of this Section, as applicable, shall apply to #developments#, changes of #use# on the ground floor of a #building or other structure#, and #enlargements# that increase the #floor area# of the ground floor by more than 25 percent, but shall not apply to a change of #use# on the ground floor of a #building# located on Parcels E2 or G2, as shown on Map 5 (Parcel Designation and Maximum Building Heights) in Appendix A of this Chapter.

(a) On all #streets#, at least 70 percent of the surface of the #street wall# shall be glazed, and at least 50 percent of the area of each such #street wall# shall be transparent to a minimum height of the ceiling of the ground floor, or not less than 15 feet above the finished level of the adjacent sidewalk, whichever is lower. The glazing material shall be highly transparent, with low reflectivity. Above this height, and to the top of the #lower street wall#, the #street wall# surface shall be at least 50 percent glazed and at least 30 percent transparent. Door or window openings within such walls shall be considered as transparent. Each such opening shall have a minimum width of two feet.

(b) For #street walls# where the provisions of Section 104-332 (Type 2 street wall location) apply, the required glazing at the ground floor shall apply to the minimum height of the ceiling of the ground floor, or not less than 20 feet above the finished level of the adjacent sidewalk, whichever is lower.

104-42 - Open Areas

LAST AMENDED
12/19/2007

All mandatory open areas as shown on Map 7 (Mandatory Open Areas) in Appendix A of this Chapter and all open areas adjacent thereto up to the #street wall# required pursuant to the provisions of Section 104-33 (Mandatory Street Walls) shall comply with the urban design regulations of Sections 104-42 through 104-43, inclusive, and shall be open and unobstructed except as specified.

104-421 - Mandatory widened sidewalks and adjacent areas

LAST AMENDED
12/19/2007

(a) Map 3 (Widened Sidewalk Lines) in Appendix A of this Chapter specifies the locations of #mandatory widened sidewalks#. The depth of such #mandatory widened sidewalks# shall be as indicated on Map 3 and specified in this Section, and shall be measured perpendicular to the #street line#. #Mandatory widened sidewalks# shall be constructed at the same level as the adjoining public sidewalks and shall be accessible to the public at all times. The portions of all #mandatory widened sidewalks# used for pedestrian circulation shall be improved as sidewalks to Department of Transportation standards.

(b) Within #mandatory widened sidewalks#, landscaping and other amenities shall be permitted. #Mandatory widened sidewalks# shall be considered #streets# for the purposes of applying the provisions of the New York City Building Code governing cornices, eaves, sills and other architectural elements that project over #streets#. However, no fences shall be permitted, no planters shall be higher than two feet above the finished level of the adjacent sidewalk, and all trees shall be planted flush to grade.

(c) Adjacent area at grade between #lower street wall# and sidewalk

Where the #lower street wall#, or the #street wall# if no #lower street wall# is required, is set back from the #mandatory widened sidewalk line# or the #street line#, whichever is applicable, the entire surface area of the ground located between the #street wall# and the public sidewalk shall comply with the standards of paragraphs (a) and (b) of this Section. Such areas may be covered and may include columns and other elements not specifically excluded pursuant to paragraph (b) of this Section.

(d) Additional regulations shall apply to the following areas and conditions:

(1) #Narrow streets#

The #mandatory widened sidewalks# located along #narrow streets# shall be five feet wide. A paved walking path not less than 10 feet wide, which may include the public sidewalk, shall be provided. The paving surface shall be of a non-skid material, whether wet or dry.

(2) 12th Avenue

The #mandatory widened sidewalks# located along 12th Avenue, as shown on Map 7 in Appendix A of this Chapter, shall be 30 feet wide and include a 15 foot wide area adjacent to the #street line# for the provision of an open market and a walking surface with a minimum clear path of 15 feet adjacent to the market area. The walking surface shall be of a non-skid material, whether wet or dry.

(i) Permanent, fixed elements, such as landscaping and seating, with a minimum coverage of five percent of the market area, shall be required.

(ii) The following obstructions shall be permitted:

Temporary, moveable elements with a maximum coverage of 30 percent of

the market area per #zoning lot#, such as carts, kiosks or pavilions, open or enclosed; market umbrellas; retail structures, open; and seating and other street furniture.

104-422 - Midblock Open Areas

LAST AMENDED
2/2/2011

Midblock Open Areas shall be provided as shown on Map 7 (Mandatory Open Areas) in Appendix A of this Chapter. However, no Midblock Open Area is required on any #block# that is not developed as a single #zoning lot#. The Midblock Open Areas shall have a minimum width of 50 feet clear and open to the sky.

All Midblock Open Areas shall have a minimum clear path of 15 feet and shall be improved as paved surfaces of a non-skid material, whether wet or dry. A minimum of 20 percent and a maximum of 50 percent of each Midblock Open Area shall be improved with landscape treatment, including planting and other amenities. No fences shall be permitted. No walls or planters shall be higher than two feet above the finished level of the nearest adjoining sidewalk.

The full width of each Midblock Open Area shall be improved and open to the public prior to applying for and receiving a temporary certificate of occupancy for any #development# adjacent to such area. However, up to 10 feet of the width of a Midblock Open Area may be temporarily enclosed within a construction fence for the shortest period of time reasonably necessary to permit construction in the adjacent area.

For #buildings# adjacent to the Midblock Open Areas, other than a #building# located on Parcel E2 as shown on Map 5 (Parcel Designation and Maximum Building Heights) in Appendix A of this Chapter, #building# walls fronting on such Midblock Open Areas shall be transparent for at least 50

percent of the area of each such wall, measured from the finished level of the adjacent pavement to the height of the ceiling of the second #story#.

104-423 - East/West Open Area

LAST AMENDED
2/2/2011

An East/West Open Area shall be provided as shown on Map 7 (Mandatory Open Areas) in Appendix A of this Chapter. The East/West Open Area shall have:

(a) a minimum width of 60 feet and shall be open to the sky;

(b) a minimum clear path of 15 feet, which shall be improved as a paved surface of a non-skid material, whether wet or dry; and

(c) a minimum of 20 percent of its area improved with landscape treatment, including planting and other amenities. No walls or planters shall be higher than two feet above the finished level of the adjacent sidewalk.

Air intake grilles, flush to grade, shall be permitted, provided such intake grilles do not exceed 10 percent of the area of the East/West Open Area, and are concealed from public view by planting or other design features.

The full width of the East/West Open Area shall be improved and open to the public, prior to applying for and receiving a temporary certificate of occupancy for any #development# adjacent to such area.

104-424 - The Square

LAST AMENDED
2/2/2011

Area of the Square

If Block D is developed as a single #zoning lot#, an open area known as “the Square,” with a minimum area of 40,000 square feet, shall be provided, connecting West 130th and West 131st Streets, as shown on Map 7 (Mandatory Open Areas) in Appendix A of this Chapter. This minimum area shall not include either the Midblock Open Area on Block D, or the area of the #mandatory widened sidewalks# on the West 130th and 131st Street frontages adjacent to the Square.

The Square shall be used for open space accommodating both passive recreation and limited active recreation.

#Building# transparency

The bounding #building# wall on the west side of the Square shall be transparent for 50 percent of the area of such wall, measured from the finished level of the adjacent pavement to the height of the ceiling of the second #story#.

Circulation and access

No fences or gates shall be permitted anywhere in the Square.

An unimpeded pedestrian access, with a minimum width of 15 feet, shall be provided across the Square in a generally diagonal direction in the north/south orientation, connecting the two narrow streets, with both ends located a minimum of 100 feet from the Midblock Open Area on Block D.

The Square shall provide unobstructed access from the adjoining sidewalks for at least 50 percent of the length of each street frontage of the Square. No single fixed element, within 15 feet of the #street line# of the Square, shall have a dimension greater than 15 feet or be higher than 30 inches, measured from the finished level of the adjacent sidewalk. The clear path between obstructions shall be at least three feet; however, to qualify as an unobstructed access that contributes to the 50 percent requirement set forth in this paragraph, a minimum width of five feet is required.

Elevation of the Square

The elevation of the Square shall generally follow the adjacent topography. Within 15 feet of the #street line#, the elevation of the Square, for a minimum of 50 percent of the length of each frontage on a #street#, shall have a maximum slope of 1:15. Beyond 15 feet from the #street line#, all open areas in the Square, including rolling or bermed lawn areas, may vary but shall not be more than five feet above or one foot below the level of the nearest sidewalk or natural topography. Paved areas shall not be higher than two feet above the level of the nearest sidewalk.

Permitted obstructions

No walls or planters shall be higher than 2 feet, 6 inches above the finished level of the nearest adjoining sidewalk. No planters or planter walls shall be higher than 18 inches above the level of the adjacent grade.

Permanent structures, such as food or information kiosks, pavilions or public restrooms, may be placed in the Square, provided they do not exceed a height of 20 feet, or occupy more than three

percent of the area of the Square.

Temporary or movable amenities, including elements such as trellises, movable tables, game tables, play equipment and performance facilities, are permitted, not to exceed 10 percent of the area of the Square.

Seating

A minimum of one linear foot of seating shall be provided for each 50 square feet of the Square. A minimum of 75 percent of the required seating shall be fixed; up to 25 percent may be movable. Every two and one-half linear feet of fixed seating shall be considered as seating for one person.

The following standards shall apply to all required seating:

(a) fixed seating may be provided in the form of double-sided benches, which shall be a minimum of 36 inches deep;

(b) 50 percent of the fixed seats shall have backs; such backs shall be not less than 14 inches high;

(c) fixed seating shall be between 16 inches and 18 inches in height, with a minimum depth of 18 inches measured from the edge to the back; and

(d) all seating shall be made of durable material and shall be comfortable to sit on, with rounded edges of at least one inch radius.

However, other types of seating, such as the edges of planters and fountains, may count toward the required amount of seating if such seating has a minimum depth of 22 inches and is between 16 and 18 inches in height.

At least 20 percent of the required seating shall be provided within 15 feet of the #street line# of the Square fronting all #streets# and the adjacent Midblock Open Area, and arranged to encourage a

variety of uses. If such Midblock Open Area is provided with seating, that frontage of the Square may be exempt from this requirement.

General requirements for trees and planting

A minimum of 50 percent of the Square shall be landscaped with soft ground cover. Soft ground cover shall include trees, grasses, shrubs and other ornamental planting material. The remaining 50 percent of the Square may be paved as hard surface.

At least 30 percent of the area of the Square shall contain a continuous planting area, with minimum soil depth of five feet. Berming is allowed provided that the height of the berm is not greater than five feet above the level of the adjoining sidewalk.

Trees

A minimum of 38 trees is required. Such trees shall measure at least four inches in caliper at the time of planting, except that trees which are multi-stem varieties shall have a minimum height of eight feet. Trees shall be planted in continuous planted areas that have a minimum depth of four feet and a minimum area of 500 square feet of soil. All trees shall be planted flush to grade. The requirements of this paragraph, (a), shall be in addition to the requirements of Section 104-422 (Midblock Open Areas).

Planting

Seasonal planting is encouraged but not required. When planting beds are provided, they can be counted towards meeting the requirement for soft ground cover. Planting beds shall have a minimum soil depth of two feet for grass or other similar ground cover and three feet for shrubs.

Other required amenities

Racks shall be provided for a minimum of 16 bicycles. Such racks shall be located in the Square within 10 feet of the #street line# or, if outside the Square, on any open area facing the Square.

Four drinking fountains, two of which shall be fully accessible for children and people with disabilities, shall be provided in the Square or on the sidewalks, #mandatory widened sidewalks# or Midblock Open Area adjacent to the Square.

Not less than 40 cubic feet of trash receptacles shall be provided. Individual containers shall not be smaller than 25 gallons each. There shall be 10 containers, at least three of which shall be for used for recycling paper, plastic and metal waste. Such recycling containers shall be located in the Square within 10 feet of the #street line# or, if outside the Square, on any open area facing the Square.

Permitted amenities

Permitted amenities include such elements as artwork and water features, which may occupy up to 10 percent of the area of the Square.

Public space signage

At least four entry and two information plaques shall be provided. The content and design of such #signs# shall comply with the standards for public space #signs# set forth in the Zoning Resolution. Information about the Square may be provided on the entry plaques.

Vents facing the square

On any #building# wall adjacent to and facing the Square, exhaust or air intake vents shall be located higher than 15 feet above the level of the Square.

Vents and stairs in the Square

Exhaust or air intake vents and stair bulkheads shall not be permitted in the Square, except as authorized by the City Planning Commission, subject to the following conditions:

(a) the top of the exhaust or intake vent shall be a minimum of 20 feet above the finished level of the adjacent grade;

(b) no single element shall be more than 200 square feet; and

(c) the aggregate area occupied by all vents and stair bulkheads shall not exceed one percent of the area of the Square.

In order to grant such authorization, the Commission shall find that:

(1) placement of such elements cannot be reasonably accommodated elsewhere on the #zoning lot#; and

(2) such vents and stair bulkheads are located so as to minimize impact on the visibility, accessibility and public use and enjoyment of the Square.

The Commission may prescribe appropriate conditions and safeguards to minimize adverse effects on the character of the Square.

104-425 - The Small Square

LAST AMENDED

2/2/2011

If Block C is developed as a single #zoning lot#, an open area known as the "Small Square," with a minimum area of 10,000 square feet, shall be provided as a passive open space, connecting West 129th and West 130th Streets. It shall be improved with paved surfaces of a non-skid material, whether wet or dry. No fences or walls shall be permitted in the Small Square.

The bounding #building# walls on all #buildings# #abutting# the Small Square shall be transparent for 50 percent of the area of the portion of each such wall measured from the finished level of the adjacent pavement to the height of the ceiling of the second #story#.

The Small Square shall be landscaped with a minimum of eight trees. Such trees shall measure at least four inches in caliper at the time of planting, except that trees which are multi-stem varieties shall have a minimum height of eight feet, and shall be planted in soil with a minimum depth of four feet. All trees shall be planted flush to grade.

A minimum of 30 moveable seats shall be provided at all times; additional moveable or fixed seating may be provided.

104-426 - The Grove

LAST AMENDED
2/2/2011

If Block A is developed as a single #zoning lot#, an open area known as "the Grove," with a minimum area of 400 square feet, shall be provided as a passive open space connecting West 125th and West 129th Streets. It shall contain seating at the western portion of the Block and a grove of trees with a minimum of four trees. Such trees shall measure at least four inches in caliper at the time of planting, except that trees which are multi-stem varieties shall have a minimum height of eight feet, and shall be

planted in soil with a minimum depth of four feet.

The Grove shall be improved with paved surfaces of a non-skid material, whether wet or dry. It shall be landscaped with trees planted flush to grade and may include additional planting. The Grove may contain fixed or moveable seating.

No fences, walls or planters are permitted in the Grove.

104-43 - Open Area Standards

LAST AMENDED
12/19/2007

104-431 - Access and hours of public accessibility

LAST AMENDED
12/19/2007

All open areas shall be accessible directly from an adjoining public sidewalk, except as otherwise provided in this Chapter. No fences or gates shall be permitted anywhere within the open areas, except as permitted in Section 104-42 (Open Areas).

All open areas except the Square and the East/West Open Area shall be accessible to the public 24 hours per day, seven days a week.

The Square and the East/West Open Area shall be accessible to the public seven days per week, from the hours of 7:00 a.m. to 8:00 p.m., from November 1 through April 14, and from 7:00 a.m. to 11:00 p.m. from April 15 through October 31.

All open areas may be closed not more than one day each year, on a non-holiday weekend day in January, to preserve the private ownership of such areas, except the Square and the East/West Open Area may each be closed by its respective owner for private events and activities for a maximum of 12 days in each calendar year, which days shall not include public holidays. Advance notice of such closing shall be posted at the perimeter of the Square and the East/West Open Area and shall be provided to the Chairperson of the City Planning Commission not less than 24 hours prior to each such closing.

104-432 - Lighting

LAST AMENDED
12/19/2007

All paved areas shall be illuminated with a minimum level of illumination not less than two horizontal foot candles (lumens per foot) throughout. All other areas shall have a minimum level of illumination not less than 0.5 horizontal foot candles (lumens per foot). Such level of illumination shall be maintained from one hour before sunset to one hour after sunrise. Electrical power shall be supplied by one or more outlets furnishing a total of at least 1,200 watts of power for every 4,000 square feet, or fraction thereof, of the area of the open space.

104-433 - Maintenance and operation

LAST AMENDED
12/19/2007

The owner of each open area within Subdistrict A shall be responsible for its maintenance and operation. Maintenance shall include, but not be limited to, necessary repairs, litter control and the care and replacement of vegetation. The owner of an open area may temporarily close the smallest portion reasonably necessary for the shortest period of time reasonably necessary to make repairs or to mitigate hazardous or emergency conditions, or in connection with construction on adjacent Parcels. The owner may establish and enforce rules of conduct for the use of the open areas and standards for permits for events and activities in an open area. Rules and regulations for the open areas will be subject to review and approval by the Chairperson of the City Planning Commission.

No vehicles shall be stored on any of the open areas.

104-44 - Street Trees on Narrow Streets and Broadway

LAST AMENDED
12/19/2007

On #narrow streets# and Broadway, #street# trees with a minimum caliper of four inches shall be provided for the entire length of the #street# frontage of the #zoning lot#, except adjacent to the Midblock Open Areas and the Grove. Such trees shall be planted at maximum intervals of 25 feet on center. The location and/or spacing of trees may be waived by the Commissioner of Parks and Recreation to the extent that these requirements are determined to be infeasible. All trees shall be planted flush to grade and in accordance with the applicable standards of the Department of Parks and Recreations, and shall be located within a soft surface, landscaped strip at least five feet wide adjacent to the curb, which landscaped strips need not be continuous. Other planted landscape treatment and amenities may be permitted within such landscaped strip. Such trees shall be maintained by the owner of the adjacent #development# or #enlargement#.

104-50 - PERMITTED TRANSFER OF FLOOR AREA

LAST AMENDED
10/23/2024

Transfers of #floor area# may be made from granting sites to receiving sites, within Subdistrict A, subject to the requirements of this Section.

For the purposes of this Section, a "granting site" shall mean any #zoning lot# in Subdistrict A that comprises a #block# as identified by letter on Map 2 (Subdistrict A Block Plan) in Appendix A of this Chapter, or the portion of the #block# identified as Block H on Map 2, from which #floor area# is to be transferred pursuant to the provisions of this Section, and a "receiving site" shall mean a #zoning lot# in Subdistrict A that comprises a #block#, as identified by letter on Map 2, or the portion of the #block# identified as Block H on Map 2, to which #floor area# is transferred.

#Floor area# may be transferred as follows:

(a) by notice, in accordance with the provisions of Section 104-52 (Transfer of Floor Area by Notice);

(b) by authorization, in accordance with the provisions of Section 104-53 (Transfer of Floor Area by Authorization); or

(c) by special permit, in accordance with the provisions of Section 104-60 (MODIFICATION OF BULK REQUIREMENTS AND TRANSFER OF FLOOR AREA BY SPECIAL PERMIT), where the proposed #development# or #enlargement# on the receiving site requires modification of the #bulk# regulations of Section 104-30 (SPECIAL HEIGHT AND SETBACK REQUIREMENTS).

104-51 - General Requirements for Transfer

LAST AMENDED
12/19/2007

For any transfer of #floor area# by notice or by authorization pursuant to Section 104-50, inclusive, the requirements of this Section shall apply.

(a) Notification

Prior to any transfer of #floor area#, pursuant to Sections 104-52 (Transfer of Floor Area by Notice) or 104-53 (Transfer of Floor Area by Authorization), the owners of the granting site and the receiving site(s) shall jointly notify or apply to the Department of City Planning, as applicable, in writing, of such intent to transfer #floor area#. Such notification or application shall be signed by the owners of the granting site and the receiving site(s) and shall include site plans.

(b) Notices of restriction

Notices of restrictions shall be filed by the owners of the granting site and the receiving site(s) in the Office of the Register of the City of New York, indexed against the granting site and the receiving site(s), certified copies of which shall be submitted to the Department of City Planning. Notice by the Department of City Planning of its receipt of certified copies thereof shall be a condition to issuance by the Commissioner of Buildings of a building permit for a #building# on the receiving site containing any such transferred #floor area#.

(c) #Floor area#

The amount of #floor area# to be transferred from a granting site shall not exceed the maximum amount of #floor area# permitted on the #block# containing the granting site for #community facility uses#, pursuant to Section 104-12 (Community Facility Use Modifications), less the total floor area of all existing #buildings# on such #block#. The

transfer of #floor area#, once completed, shall irrevocably reduce the maximum #floor area# permitted on the granting site for any #use# by the amount of #floor area# transferred.

(d) #Use#

#Floor area# transferred pursuant to the provisions of Section 104-50 through 104-53, inclusive, shall only be used for #community facility uses# and shall be in addition to the #floor area# permitted for #community facility uses# on the receiving site.

(e) Height and setback

Any #building# on a receiving site that uses the #floor area# so transferred shall comply with the special #bulk# regulations of this Chapter.

104-52 - Transfer of Floor Area by Notice

LAST AMENDED
12/19/2007

For any transfer of #floor area# from a granting site which comprises any of Blocks A, C or D to one or more receiving sites on Blocks B, E, F, G or H, the general requirements of Sections 104-50 and 104-51 shall apply as well as the following:

(a) the site plan submitted for the granting site under the provisions of paragraph (a) of Section 104-51 shall show the conditions and #floor area# calculations for the granting site and the receiving site, before and after the transfer;

(b) no building permit shall be issued by the Department of Buildings for a #building# on a receiving site containing any such transferred #floor area# until the Chairperson of the City

Planning Commission has certified to the Department of Buildings that plans submitted to the Department of City Planning for the Square, the Small Square or the Grove, as applicable, on the granting site, conform with the requirements of Section 104-40 (SPECIAL URBAN DESIGN REGULATIONS); and

(c) no temporary certificate of occupancy shall be issued by the Department of Buildings for any portion of a #building# utilizing the transferred #floor area# unless and until the Chairperson of the City Planning Commission certifies to the Department of Buildings that the public open area which is required to be provided on the granting site pursuant to the provisions of Sections 104-424 (The Square), 104-425 (The Small Square) or 105-426 (The Grove), as applicable, has been constructed substantially in accordance with the plan certified by the Chairperson pursuant to paragraph (a) of this Section and is substantially complete and may be opened to the public, and no permanent certificate of occupancy shall be issued by the Department of Buildings for any portion of a #building# utilizing the transferred #floor area# unless and until the Chairperson certifies to the Department of Buildings that construction of the public open space which is required to be provided on the granting site is complete.

104-53 - Transfer of Floor Area by Authorization

LAST AMENDED
12/19/2007

Within Subdistrict A, the City Planning Commission may authorize the transfer of #floor area# from a granting site other than Blocks A, C or D to a receiving site, subject to the general requirements of Sections 104-50 and 104-51, provided the Commission finds that such transfer:

(a) will permit better site planning; and

(b) will not unduly increase the #bulk# of #buildings# in any #block# to the detriment of the occupants or users of #buildings# on #blocks# outside Subdistrict A.

In granting such authorization, the Commission may prescribe additional conditions and safeguards to minimize adverse effects on the character of the surrounding area.

104-60 - MODIFICATION OF BULK REQUIREMENTS AND TRANSFER OF FLOOR AREA BY SPECIAL PERMIT

LAST AMENDED
10/23/2024

The City Planning Commission may, by special permit:

(a) modify the special height and setback requirements of Section 104-30 (SPECIAL HEIGHT AND SETBACK REQUIREMENTS), inclusive, provided the Commission finds that such modifications are necessary to:

(1) meet programmatic and mechanical requirements;

(2) achieve a better distribution of #bulk# on the #zoning lot# and will not adversely affect access to light and air for surrounding public access areas, #streets#, #buildings# and properties;

(3) provide flexibility of architectural design and encourage more attractive #building# forms; and

(4) result in a #development# or #enlargement# that is compatible with #development# in the surrounding area.

(b) permit the transfer of #floor area# from any granting site to a receiving site for a #development# that requires modification of the special height and setback requirements of Section 104-30, inclusive, provided the Commission finds:

(1) such transfer complies with the general requirements set forth in paragraphs (a), (b), (c) and (d) of Section 104-51;

(2) the distribution of #floor area# on the receiving site does not adversely affect the character of the surrounding area by unduly concentrating #floor area# in any portion of Subdistrict A; and

(3) where such transfer is from a granting site on Blocks A, C or D, it shall also comply with the provisions of paragraphs (b) and (c) of Section 104-52 (Transfer of Floor Area by Notice).

(c) modify the applicable #bulk# requirements for any #development# or #enlargement# that is subject to the provisions of Section 74-681 (Development within or over a railroad or transit right-of-way or yard), except #floor area ratio# provisions, provided that such #bulk# modifications will:

(1) not unduly obstruct access to light and air to surrounding #streets# and properties; and

(2) be compatible with the essential character of the surrounding area.

The Commission may prescribe additional conditions and safeguards to minimize adverse effects of the #development# or #enlargement# on the character of the surrounding area.

104-70 - PARKING AND LOADING REGULATIONS AND CURB CUT LOCATIONS

LAST AMENDED
12/19/2007

In the #Special Manhattanville Mixed Use District#, the #accessory# off-street parking and loading regulations of the underlying zoning districts shall apply, except as set forth in this Section, inclusive.

104-71 - Accessory Off-street Parking

LAST AMENDED
12/19/2007

In Subdistrict B, the regulations regarding required #accessory# off-street parking spaces set forth in Section 44-20, shall not apply.

In Subdistrict A, the #accessory# off-street parking and loading regulations in Article III, Chapter 6, pertaining to the underlying C6 District shall be modified, as follows:

(a) #accessory# parking spaces at or above grade shall be completely enclosed;

(b) #accessory# parking garages at or above grade shall not be located:

(1) within 60 feet of the #lot line# on Broadway of any #zoning lot# or within 90 feet of the #lot line# on 12th Avenue of any #zoning lot#;

(2) on Parcels E2 or G2; or

(3) on any Mandatory Open Area as shown on Map 7 in Appendix A of this Chapter or within 10 feet of any such Mandatory Open Area, except that access to and egress from #accessory# parking garages shall be permitted in such areas; and

(c) parking spaces provided below grade shall not be subject to the provisions of Section 36-12 (Maximum Size of Accessory Group Parking Facilities).

104-711 - Accessory parking below grade

LAST AMENDED
12/19/2007

Required and permitted #accessory# off-street parking spaces may be located below grade, without regard to #zoning# #lot lines#.

(a) Such #accessory# group parking facilities shall not exceed the following maximum number of spaces:

Blocks C, D and E combined: up to 1,800 spaces in total

Block F: up to 1,000 spaces in total

Blocks G and H combined: up to 600 spaces in total

(b) Such #accessory# group parking facilities are subject to the following requirements:

(1) the location of the curb cuts shall be subject to the provisions of Section 104-73;

(2) such #accessory# off-street parking spaces shall not be located further than 1,000 feet from the nearest boundary of the #zoning lot# to which they are #accessory#; and

(3) such #accessory# off-street parking facilities shall provide adequate reservoir spaces at the vehicular entrances to accommodate either 10 automobiles or five percent of the total parking spaces provided by the #use#, whichever amount is greater, but in no event shall such reservoir spaces be required for more than 50 automobiles at each entrance.

104-72 - Public Parking Garages

LAST AMENDED
12/19/2007

In Subdistrict A, #public parking garages# shall not be located:

(a) within 60 feet of the #lot line# on Broadway of any #zoning lot# or within 90 feet of the #lot line# on 12th Avenue of any #zoning lot#;

(b) on Parcels E2 or G2; or

(c) on any Mandatory Open Area as shown on Map 7 in Appendix A of this Chapter, or within 10 feet of any such Mandatory Open Area.

104-73 - Permitted Curb Cut Locations

LAST AMENDED
12/19/2007

The following curb cut regulations shall apply to any #development# or #enlargement#:

(a) existing curb cuts on #wide streets# may remain until such time as a #community facility use# is located on that portion of the #zoning lot#;

(b) no new curb cuts are permitted on #wide streets# or within 50 feet of the intersection of any two #street lines#. Furthermore, no curb cuts are permitted on Block B. However, curb cuts may be permitted in such areas where the Commissioner of Buildings determines there is no alternative means of access to off-street parking spaces or required loading berths from other

#streets# bounding the #block# or #zoning lot#;

(c) new curb cuts shall not be greater than 30 feet in width;

(d) there shall be no more than two new curb cuts per #street# frontage on a #zoning lot#, except on Block F where three curb cuts per #street# frontage are permitted, and except as provided in paragraph (f) of this Section;

(e) there shall be a minimum distance of 30 feet between curb cuts on a #street# frontage of a #zoning lot#; and

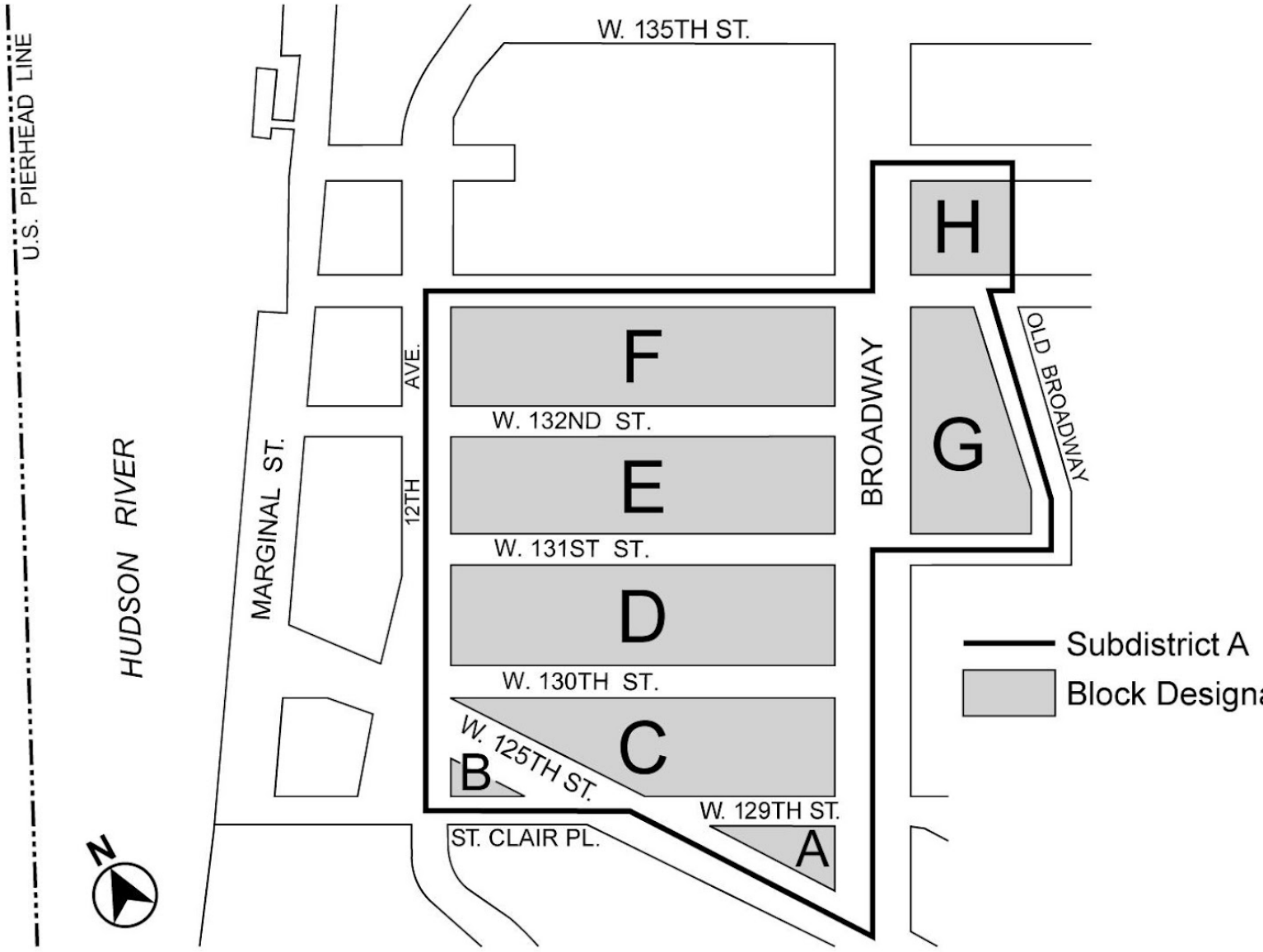
(f) in order to access the Square, as described in Section 104-424, one curb cut, not to exceed 15 feet in width, shall be permitted along each #street# frontage of the sidewalk adjacent to the Square. Such curb cuts shall be in addition to the two curb cuts permitted on Block D, pursuant to paragraph (d) of this Section.

Appendix A - Special Manhattanville Mixed Use District Plan

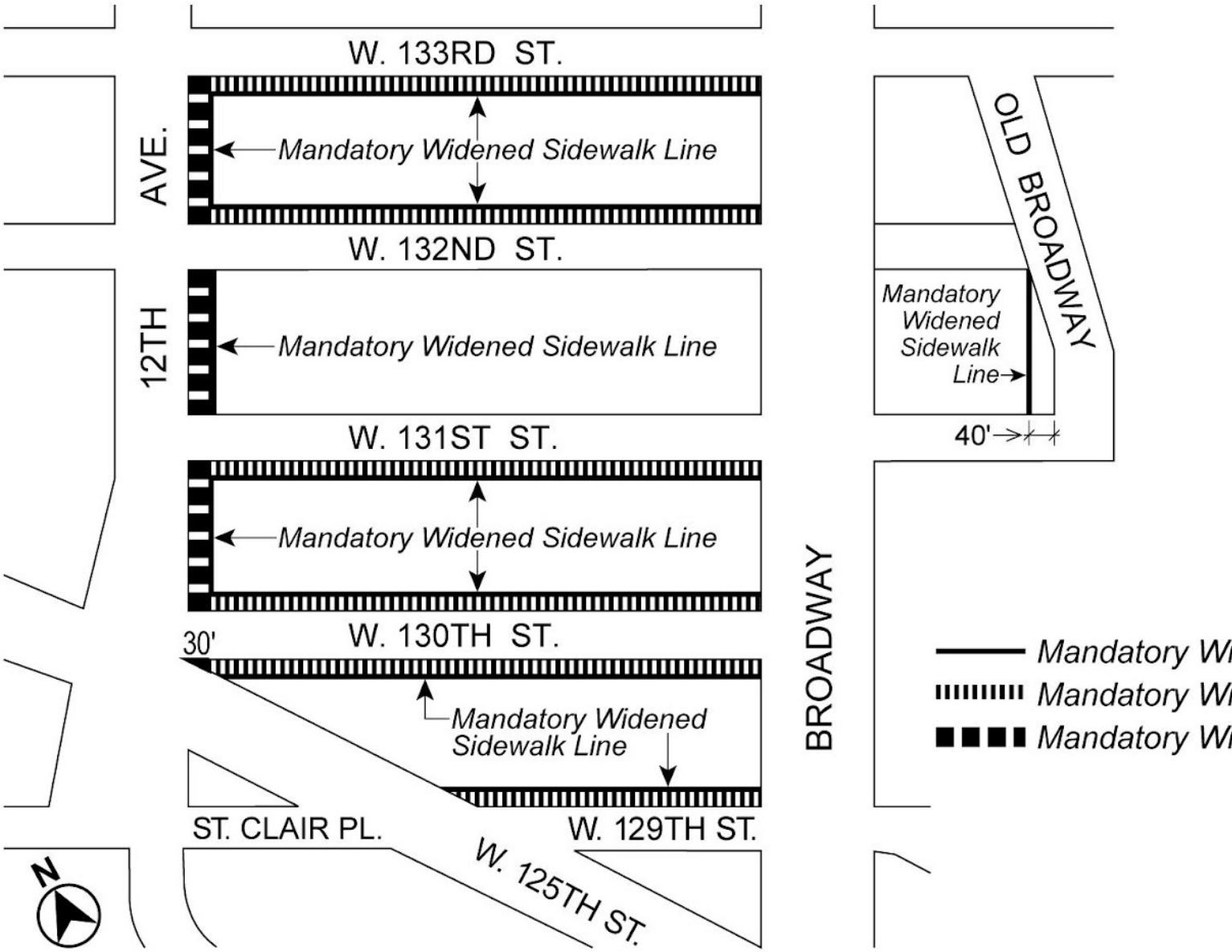
LAST AMENDED
10/23/2024

Map 1 - Special Manhattanville Mixed Use District and Subdistricts (10/23/24)

Map 2 - Subdistrict A Block Plan (12/19/07)



Map 3 - Widened Sidewalk Lines (12/19/07)



Map 4 - Street Wall Types and Locations (10/23/24)

Map 5 - Parcel Designation and Maximum Building Heights (10/23/24)

Map 6 - Ground Floor Use and Frontage (10/23/24)

Map 7 - Mandatory Open Areas (10/23/24)

Appendix B - Base Plane and Building Height Table

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12/19/2007

Parcel*	#Base Plane#** (in feet)	Maximum #Building# Height** Above #Base Plane# (in feet)	Maximum Height of Rooftop Equipment (in feet)
A	21.6	140	40
B	10.37	60	20
C1	20.74	180	60
C2	19.29	125	40
C3	15.19	190	40
C4	9.36	130	40
D1	26.68	230	60
D2	23.25	160	60

D3	15.85	50	N/A
D4	9.05	180	40
E1	32.42	240	60
E2	23.38	118	40
E3	14.82	170	60
E4	10.11	210	60
F1	46.0	180	40
F2	34.92	170	60
F3	25.63	190	60
F4	11.97	240	60
G1	44.92	210	60
G2	55.62	100	40
H	66.61	120	20

* Parcels are shown on Map 5 in Appendix A

** These numbers reflect measurement in feet above Manhattan Datum, which is 2.75 feet above Sea Level