



Zoning Resolution

THE CITY OF NEW YORK

Eric Adams, Mayor

CITY PLANNING COMMISSION

Daniel R. Garodnick, Chair

Article XIV - Special Purpose Districts

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Chapter 1 - Special Jerome Corridor District (J)

File generated by <https://zr.planning.nyc.gov> on 3/22/2024

Chapter 1 - Special Jerome Corridor District (J)

141-00 - GENERAL PURPOSES

LAST AMENDED

3/22/2018

The “Special Jerome Corridor 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 well-designed buildings that complement the built character of the Highbridge, Concourse, Mount Eden, Mount Hope, Morris Heights and University Heights neighborhoods;
- (b) to achieve a harmonious visual and functional relationship with the adjacent neighborhoods;
- (c) to enhance neighborhood economic diversity by broadening the range of housing choices for residents at varied incomes;
- (d) to create a livable community combining housing, retail and other uses throughout the district;
- (e) to create a walkable, urban streetscape environment through a mix of ground floor uses;
- (f) to create a lively and attractive built environment that will provide daily amenities and services for the use and enjoyment of area residents, workers and visitors;
- (g) to provide flexibility of architectural design within limits established to assure adequate access of light and air to the street, and thus to encourage more attractive and economic building forms on zoning lots with irregular shapes and on zoning lots fronting on the elevated rail structure along Jerome and River Avenues; and
- (h) to promote the most desirable use of land in accordance with a well-considered plan and thus conserve the value of land and buildings, and thereby protect the City’s tax revenues.

141-01 - General Provisions

LAST AMENDED

10/7/2021

The provisions of this Chapter shall apply within the #Special Jerome Corridor 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 The regulations of all other Chapters of this Resolution are applicable, except as superseded, supplemented or modified by the provisions of this Chapter.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, for #transit-adjacent sites# or #qualifying transit improvement 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 6 (Special Regulations Applying Around Mass Transit Stations), the provisions of Article VI, Chapter 6 shall control.

141-02 - District Plan and Maps

LAST AMENDED

3/22/2018

In order to carry out the purposes and provisions of this Chapter, district maps are located in the Appendix to this Chapter and are hereby incorporated and made an integral part of this Resolution. They are incorporated for the purpose of specifying locations where special regulations and requirements, as set forth in the text of this Chapter, apply.

- Map 1. Special Jerome Corridor District, Subdistrict and Subareas
- Map 2. Designated locations for street wall continuity and ground floor requirements in Subarea A1
- Map 3. Designated locations for street wall continuity and ground floor requirements in Subarea A2
- Map 4. Designated locations for street wall continuity requirements in Subarea A3
- Map 5. Boundary of Subarea A4

141-03 - Subdistricts and Subareas

LAST AMENDED
3/22/2018

To carry out the provisions of this Chapter, Subdistrict A, comprised of Subareas A1, A2, A3 and A4, is established. The location and boundaries of this Subdistrict and Subareas are shown on Map 1 (Special Jerome Corridor District, Subdistrict and Subareas) in the Appendix to this Chapter.

141-04 - Applicability of the Inclusionary Housing Program

LAST AMENDED
3/22/2018

For the purposes of applying the Inclusionary Housing Program provisions set forth in Sections [23-154](#) and [23-90](#), inclusive, #Mandatory Inclusionary Housing areas# within the #Special Jerome Corridor District# are shown on the maps in APPENDIX F of this Resolution.

141-10 - SPECIAL USE REGULATIONS

LAST AMENDED
3/22/2018

Within the #Special Jerome Corridor District#, the underlying #use# regulations are modified by the provisions of this Section.

141-11 - Modification of Supplemental Use Provisions

LAST AMENDED
3/22/2018

For #mixed buildings# constructed after March 22, 2018, on #zoning lots# in C1 or C2 Districts mapped within R7 or R8 Districts with #street lines# along the elevated rail structure on Jerome or River Avenues, the underlying provisions of Section [32-421](#) (Limitation on floors occupied by commercial uses) shall be modified to allow #commercial# #uses# listed in Use Groups 6, 7, 8, 9 or 14 to occupy the lowest two #stories#.

141-20 - SPECIAL BULK REGULATIONS

LAST AMENDED
3/22/2018

The underlying #bulk# regulations are modified by the provisions of this Section.

141-21 - Special Yard Regulations

LAST AMENDED

12/6/2023

In #Commercial Districts#, for #zoning lots# or portions thereof, with #street lines# along the elevated rail structure on Jerome or River Avenues and within 100 feet of such #street lines#, the permitted obstructions set forth in Section [33-23](#) (Permitted Obstructions in Required Yards or Rear Yard Equivalents) shall be modified to permit any #building# or portion of a #building# used for any permitted #use# other than #residences#, to be a permitted obstruction within a required #yard#, #rear yard equivalent# or other #open space# required pursuant to the provisions of Section [33-20](#) (YARD REGULATIONS), inclusive, or Section [33-30](#) (OTHER SPECIAL PROVISIONS FOR REAR YARDS), inclusive, provided that the height of such portion of a #building# shall not exceed two #stories#, excluding #basement#, nor in any event 30 feet above #curb level#. Any allowance for other permitted obstructions above a #building# in a #rear yard# or #rear yard equivalent# set forth in Section [33-23](#), shall be permitted above such modified height limitations.

141-22 - Special Floor Area Regulations in R8A Districts

LAST AMENDED

3/22/2018

For #zoning lots# in R8A Districts, or C1 or C2 Districts mapped within R8A Districts, or in #Commercial Districts# with an R8A residential equivalent, within 100 feet of a #wide street# located outside of #Mandatory Inclusionary Housing areas#, the maximum #residential# #floor area ratio# shall be 7.2.

141-23 - Special Height and Setback Regulations Along the Elevated Rail Structure Outside Subdistrict A

†

LAST AMENDED

12/6/2023

For #zoning lots#, or portions thereof, within 100 feet of #street lines# along the elevated rail structure on Jerome or River Avenues, and located outside Subdistrict A, the underlying height and setback provisions are modified by the provisions of this Section.

(a) #Street wall# location

At least 70 percent of the #aggregate width of street walls# shall be located within eight feet of the #street line# and shall extend to at least a minimum base height of 15 feet, or the height of the #building#, whichever is lower. The remaining #aggregate width of street walls# may be recessed beyond eight feet of the #street line#, provided that any such recesses deeper than 10 feet along a #wide street# or 15 feet along a #narrow street# are located within an #outer court#.

The underlying allowances for #street wall# articulation, set forth in paragraph (e) of Section [35-651](#) (Street wall location) shall be permitted to project or recess, where applicable, beyond the #street wall# locations established in this paragraph.

Any open space between a #street wall# and a #street line# along the elevated rail structure on Jerome or River Avenues

shall comply with the special open space provisions of paragraph (a) of Section [141-33](#).

(b) Base heights, maximum #building# heights and maximum number of #stories#

The table in this Section sets forth, by zoning district, the minimum and maximum base height, the maximum height of a #building or other structure#, and the maximum number of #stories# for #buildings#, or portions thereof. For #zoning lots# in a #Commercial District# the applicable district shall be the #Residence District# within which such #Commercial District# is mapped, or the applicable residential equivalent set forth in the tables in Section [35-23](#) (Residential Bulk Regulations in Other C1 or C2 Districts or in C3, C4, C5 or C6 Districts).

Separate maximum base heights are established in the table in this Section for #street walls# of #buildings# facing #streets# intersecting Jerome or River Avenues, and for #street walls# facing the elevated rail structure. The maximum base heights along intersecting #streets# shall also apply to #street walls# facing the elevated rail structure on Jerome or River Avenues within 75 feet of the corner.

A setback is required for all portions of #buildings or other structures# that exceed the maximum base height specified for the district, and shall be provided at a height not lower than the minimum base height or higher than the permitted maximum base height. Such setback shall have a depth of at least 10 feet from any #street wall# fronting on a #wide street#, and a depth of at least 15 feet from any #street wall# fronting on a #narrow street#. The underlying provisions of paragraphs (c)(2) through (c)(4) of Section [23-662](#) (Maximum height of buildings and setback regulations) shall apply to such setbacks.

BASE HEIGHTS, MAXIMUM BUILDING HEIGHTS AND MAXIMUM NUMBER OF STORIES

District	Maximum Base Height Along Elevated Rail Structure, beyond 75 feet of the corner (in feet)	Maximum Base Height on Intersecting Streets, and within 75 feet of the corner (in feet)	Maximum Height of #Buildings or Other Structures# (in feet)	Maximum Number of #Stories#
R7A	30	75	115	11
R7D	30	95	135	13
R8A	30	105	165	16
R9A	30	125	195	19

(c) Required and permitted articulation

For #street walls# fronting the elevated rail structure on Jerome or River Avenues with widths exceeding 100 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#. Any such projections shall be considered a permitted obstruction into a required setback, and the depth of such projections along the elevated rail structure shall not exceed three feet.

In addition, the underlying dormer provisions of paragraph (c) of Section [23-623](#) shall be modified for portions of #buildings# facing the elevated rail structure, so that above the maximum base height set forth in paragraph (b) of this Section, dormers shall be permitted only within 75 feet of a corner.

141-24 - Special Height and Setback Regulations in Subdistrict A

†

LAST AMENDED
12/6/2023

In Subdistrict A, as shown on Map 1 in the Appendix to this Chapter, the underlying height and setback provisions are modified by the provisions of this Section.

(a) #Street wall# location

(1) Along the elevated rail structure

For #street walls#, or portions thereof, within 100 feet of #street lines# along the elevated rail structure on Jerome or River Avenues, the provisions of paragraph (a) of Section [141-23](#) shall apply.

(2) Along designated #streets#

In Subareas A1 through A3, along the #streets# designated on Maps 2 through 4 in the Appendix to this Chapter, the following shall apply:

(i) In #Commercial Districts#

For #street walls#, or portions thereof, located in #Commercial Districts#, at least 70 percent of the #aggregate width of street walls# shall be located within eight feet of the #street line# and shall extend to at least a height of 30 feet, or the height of the #building#, whichever is lower. In addition, above a height of 30 feet, at least 50 percent of the #aggregate width of street walls# shall be located within eight feet of the #street line# and shall extend to at least a minimum base height of 60 feet, or the height of the #building#, whichever is lower.

The remaining #aggregate width of street walls# may be recessed beyond 15 feet of the #street line#, provided that any such recesses deeper than 10 feet along a #wide street# or 15 feet along a #narrow street# are located within an #outer court#.

The underlying allowances for #street wall# articulation, set forth in paragraph (e) of Section [35-651](#)

shall be permitted to project or recess, where applicable, beyond the #street wall# locations established in this paragraph.

In the corner locations designated on Maps 2 and 3, an open space may be provided within 75 feet of the corner, pursuant to the provisions of paragraph (b) of Section [141-33](#).

(ii) In #Residence Districts#

For #street walls#, or portions thereof, located in #Residence Districts#, at least 70 percent of the #aggregate width of street walls# shall be located within 15 feet of the #street line# and shall extend to at least the minimum base height set forth in paragraph (b) of this Section, or the height of the #building#, whichever is lower.

The remaining #aggregate width of street walls# may be recessed beyond 15 feet of the #street line#, provided that any such recesses deeper than 10 feet along a #wide street# or 15 feet along a #narrow street# are located within an #outer court#.

The underlying allowances for #street wall# articulation, set forth in paragraph (e) of Section [35-651](#) shall be permitted to project or recess, where applicable, beyond the #street wall# locations established in this paragraph.

In the corner locations designated on Map 4, an open space may be provided within 75 feet of the corner, pursuant to the provisions of paragraph (b) of Section [141-33](#).

(3) Along other #streets#

In Subareas A1 through A3, along #streets# that are not designated on Maps 2 through 4, and in Subarea A4, along all #streets#, no #street wall# location provisions shall apply, and no minimum base heights shall apply.

(b) Base heights, maximum #building# heights, and maximum number of #stories#

The table in this Section sets forth, by zoning district, the maximum base height, the maximum transition height, the maximum height of a #building or other structure# and the maximum number of #stories# for #buildings#.

However, for #street walls# facing the elevated rail structure along Jerome or River Avenues beyond 75 feet of the corner, the maximum base height shall be 30 feet.

A setback is required for all portions of #buildings or other structures# that exceed the maximum base height specified for the district, and shall be provided at a height not lower than the minimum base height, where applicable, or higher than the permitted maximum base height. Such setback shall have a depth of at least 10 feet from any #street wall# fronting on a #wide street#, and a depth of at least 15 feet from any #street wall# fronting on a #narrow street#. However, for portions of #buildings or other structures# along Cromwell Avenue located beyond 200 feet from a corner, a minimum setback with a depth of at least 30 feet shall be provided. The underlying provisions of paragraphs (c) (2) through (c)(4) of Section [23-662](#) (Maximum height of buildings and setback regulations) shall apply to all such setbacks.

In R9A Districts, or #Commercial Districts# mapped over an R9A District, above the required setback, the height of a #building# shall not exceed the maximum transition height set forth in the table in this Section, except that where the #lot coverage# of all #buildings# on the #zoning lot# above the maximum transition height has been reduced to 50 percent on #zoning lots# with a #lot area# less than or equal to 15,000 square feet, 40 percent on #zoning lots# with a #lot area# greater than 15,000 square feet but less than 30,000 square feet, and 30 percent for all other #zoning lots#, a #building# may rise to the maximum height of the #building or other structure# set forth in the table in this Section. The maximum #street wall# width of any #story# above the maximum transition height shall not exceed 165 feet and, where two or more non-contiguous portions of a #building# exist at the same level above the maximum transition height, such portions shall provide a minimum distance of 60 feet between facing walls at any point.

BASE HEIGHTS, MAXIMUM BUILDING HEIGHTS AND MAXIMUM NUMBER OF STORIES

District	Maximum Base Height (in feet)	Maximum Transition Height (in feet)	Maximum Height of #Buildings or Other Structures# in Certain Locations (in feet)	Maximum Number of #Stories#
R8A	105	N/A	145	14
R9A	125	175	225	22

(c) Required and permitted articulation

In Subareas A1 through A3, along #streets# designated in Maps 2, 3 and 4 in the Appendix to this Chapter, for #street wall# widths exceeding 100 feet, a minimum of 20 percent of the surface area of #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#. Any such projections shall be considered a permitted obstruction into a required setback, provided that any projections with a depth greater than five feet shall be considered a dormer.

In addition, the underlying dormer provisions of paragraph (c) of Section [23-623](#) shall apply, except that in Subareas A1 through A3, for #street walls# intersecting within 100 feet of the corners designated on Maps 2, 3 and 4, and irrespective of the width of the #street wall# below the maximum base height, dormers shall be permitted within 100 feet of such intersecting #street walls#. Such dormers need not decrease in width as the height above the maximum base height increases.

Any dormers or projections provided in accordance with this paragraph need not be included in the maximum #lot coverage# permitted above the maximum transition height, nor be included in the maximum #street wall# width of a #story#.

LAST AMENDED
3/22/2018

For #zoning lots# in R8A Districts or in C1 or C2 Districts mapped within R8A Districts, or in #Commercial Districts# with an R8A residential equivalent, within 100 feet of a #wide street# located outside of #Mandatory Inclusionary Housing areas#, the height and setback provisions of Sections [23-662](#) (Maximum height of buildings and setback regulations) or [35-652](#) (Maximum height of buildings and setback regulations), respectively, shall be modified as follows: the maximum base height shall be 105 feet, the maximum height of a #building or other structure# without a #qualifying ground floor# shall be 140 feet, the maximum height of a #building or other structure# with a #qualifying ground floor# shall be 145 feet, and the maximum number of #stories# shall be 14.

141-30 - SPECIAL STREETSCAPE REGULATIONS

LAST AMENDED
3/22/2018

141-31 - Applicability of Underlying Ground Floor Use Regulations

LAST AMENDED
3/22/2018

In C2 Districts mapped within R7D Districts, the underlying supplemental #use# regulations of Section [32-434](#) (Ground floor use in C4-5D and C6-3D Districts and in certain C2 Districts) shall not apply. In lieu thereof, the provisions of Section [141-32](#) (Ground Floor Use Regulations) shall apply.

141-32 - Ground Floor Use Regulations

LAST AMENDED
3/22/2018

For the purposes of applying to this Chapter the special #ground floor level# streetscape provisions set forth in Section [37-30](#), any portion of a #ground floor level# #street# frontage of a #zoning lot# in a #Commercial District# located within 50 feet of #street lines# along the elevated rail structure on Jerome or River Avenues and, in Subdistrict A, for Subareas A1 or A2, a #ground floor level# #street# frontage along #streets#, or portions thereof, designated on Maps 2 and 3 in the Appendix to this Chapter, shall be considered #primary street frontages#. A #ground floor level# #street# frontage along any other #street# shall be considered a #secondary street frontage#. For the purposes of this Section, defined terms shall include those in Sections [12-10](#) and [37-311](#).

The provisions of this Section shall apply to #developments# or #ground floor level# #enlargements#.

(a) Along #primary street frontages#

For #buildings# with #primary street frontage#, or portions thereof, #uses# on the #ground floor level#, to the minimum depth set forth in Section [37-32](#) (Ground Floor Depth Requirements for Certain Uses), shall be limited to non-#residential uses#, except for Type 1 lobbies and entrances and exits to #accessory# parking spaces provided in accordance with the applicable provisions of Section [37-33](#) (Maximum Width of Certain Uses). #Group parking facilities# located on the #ground floor level# shall be wrapped by #floor area# in accordance with the provisions of paragraph (a) of Section [37-35](#) (Parking Wrap and Screening Requirements). #Ground floor level# #street walls# shall be glazed in accordance with the provisions set forth in Section [37-34](#) (Minimum Transparency Requirements).

(b) Along #secondary street frontages#

For #buildings# with #secondary street frontage#, or portions thereof, all #uses# permitted by the underlying district shall be permitted on the #ground floor level#, provided that any #accessory# off-street parking spaces on the #ground floor level# shall be wrapped or screened in accordance with Section [37-35](#).

The level of the finished floor of such ground floor shall be located not higher than five feet above nor lower than five feet below the as-built level of the adjoining #street#.

141-33 - Special Open Space Provisions

LAST AMENDED

3/22/2018

Along the elevated rail structure on Jerome or River Avenues, where open space is provided between the #street line# of the #zoning lot# and the #street wall# of a #building# facing the elevated rail structure, or in Subdistrict A, for Subareas A1 through A3, where open space is provided between the #street wall# and the corner at a location designated on Maps 2, 3 or 4 in the Appendix to this Chapter, the provisions of Section [28-23](#) (Planting Areas) shall apply to all #buildings#, whether the ground floor is occupied by #residential uses# or non- #residential uses#, subject to the modifications of this Section.

(a) Along the elevated rail structure

Along the elevated rail structure on Jerome or River Avenues, a sidewalk widening, built to Department of Transportation standards, may be provided as an alternative to planting, provided that the area that would otherwise be allocated to planting, measured in square feet, is allocated to streetscape amenities, including, but not limited to, trees, bicycle racks, benches or wall treatment, that are provided along such sidewalk widening, as set forth below.

Where benches are provided as an alternative to such planting, the length of such benches shall not exceed, in the aggregate, 15 feet per every 50 feet of #street wall# frontage. Where bicycle racks are provided, such racks shall be oriented so that the bicycles are placed parallel to the #street wall#, and the width of such bicycle racks shall not exceed, in the aggregate, 10 feet per every 50 feet of #street wall# frontage. Such benches or bicycle racks shall be located entirely within the #zoning lot#, and each bench or bicycle rack so provided shall be equivalent to 15 square feet of planted area.

Where trees, and associated tree pits are provided as an alternative, the minimum depth of any open space between the #street wall# and #street line# shall be eight feet. Each tree provided shall be equivalent to 15 square feet of planted area.

Where a wall treatment is provided as an alternative, it shall be in the form of permitted #signs#, graphic or sculptural art, rustication, decorative screening or latticework, or living plant material along the #street wall#. Such wall treatment shall extend to a height of at least 10 feet, as measured from the level of the adjoining sidewalk or grade, and shall have a minimum width of 10 feet, as measured parallel to the #street wall#. Portions of a #street wall# providing such wall treatment may be exempt from the ground floor glazing requirements of paragraph (a) of Section [141-32](#), provided that the exempted area not exceed 50 percent of the #street wall#, or a #street wall# width of 20 feet, whichever is less. The portion of the #street wall# allocated to a wall treatment shall satisfy the planting requirement directly in front of such #street wall#.

Where planting is provided, the minimum depth of open space between the #street line# and the #street wall# shall not be less than three feet.

(b) In Subdistrict A

In Subdistrict A, where open space is provided between the #street wall# and the intersection of two #streets#, pursuant to paragraph (a)(2) of Section [141-23](#), streetscape amenities may be provided as an alternative to planting, provided that the area that would otherwise be allocated to planting, measured in square feet, is allocated to trees, benches, or tables and chairs, as set forth below. However, planting shall not be reduced to less than 20 percent of the area of the open space.

Each bench provided shall be equivalent to 10 square feet of planted area, and each set of tables and at least two chairs shall be equivalent to 15 square feet of planted area. Seating shall be publicly accessible, unless tables and chairs are associated with an open eating or drinking establishment on the #zoning lot#. The area under such seating shall be paved with permeable materials and shall either abut the adjoining sidewalk or be connected to such sidewalk by a circulation path at least five feet wide that is also paved with permeable materials.

Each tree and associated tree pits provided shall be equivalent to 15 square feet of planted area, and shall be located at least 10 feet from any #building wall# or the adjoining sidewalk.

Where planting is provided, the minimum depth of a planted bed shall not be less than three feet.

In no event shall chain link fencing or barbed or razor wire be permitted in any open space provided pursuant to this Section.

141-40 - SPECIAL PARKING AND LOADING REGULATIONS

LAST AMENDED
3/22/2018

The underlying parking provisions are modified by the provisions of this Section.

141-41 - Location of Curb Cuts

LAST AMENDED
3/22/2018

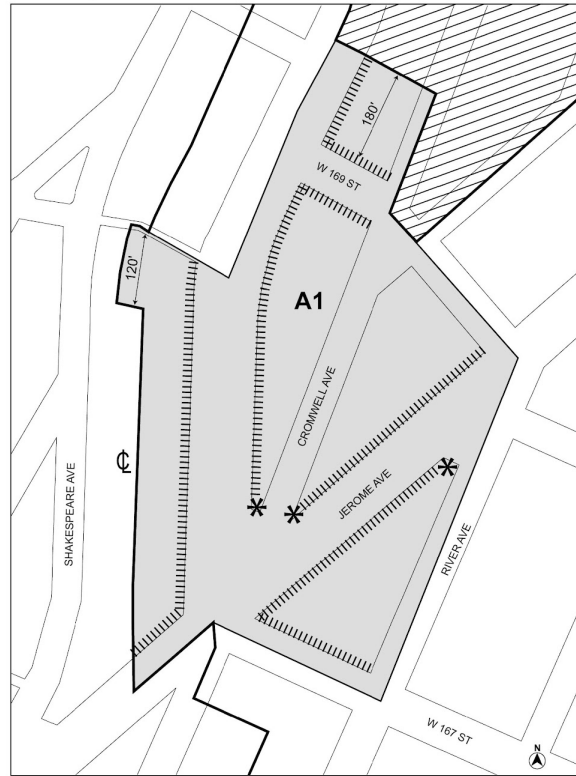
In all districts, for #zoning lots# existing on March 22, 2018, with frontage along Edward L. Grant Highway, West 170th Street, or the portions of Jerome or River Avenues with an elevated rail structure, and fronting along other #streets#, no curb cut accessing off-street parking spaces or loading spaces shall be permitted along such #streets#, as applicable.






APPENDIX -

LAST AMENDED 3/22/2018

Map 1. Special Jerome Corridor District, Subdistrict and Subareas

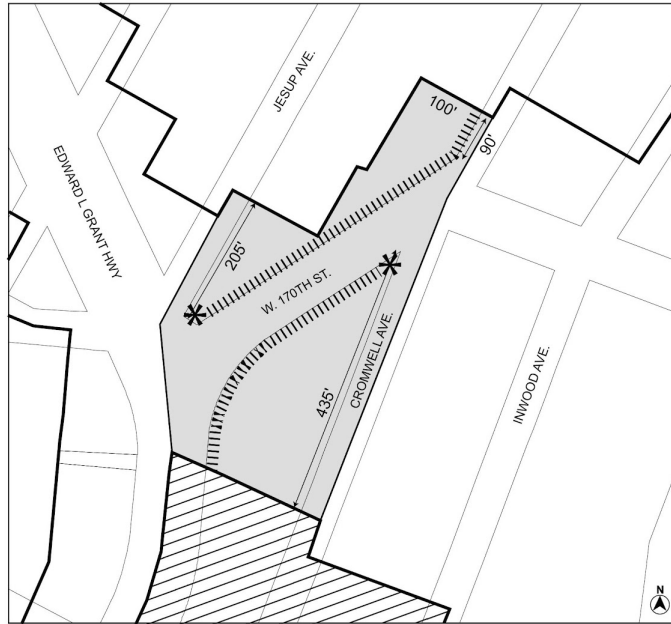
Map 2. Designated locations for street wall continuity and ground floor requirements in Subarea A1








-  Special Jerome Corridor District
-  Subdistrict A
-  Excluded Area
-  Designated street frontages
-  Locations where open space (Section 141-33 (a)) and modified dormers (Section 141-23 (c)) are permitted

Map 3. Designated locations for street wall continuity and ground floor requirements in Subarea A2






Map 3. Designated locations for street wall continuity and ground floor requirements in Subarea A2



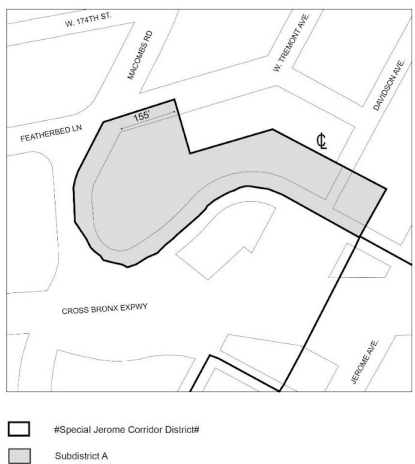
-  Special Jerome Corridor District
-  Subdistrict A
-  Excluded Area
-  Designated street frontages
-  Locations where open space (Section 141-33 (a)) and modified dormers (Section 141-23 (c)) are permitted

Map 4. Designated locations for street wall continuity requirements in Subarea A3



-  Special Jerome Corridor District
-  Subdistrict A
-  Excluded Area
-  Designated street frontages
-  Locations where open space (Section 141-33 (a)) and modified dormers (Section 141-23 (c)) are permitted

Map 5 Boundary of Subarea A4





Zoning Resolution

THE CITY OF NEW YORK

Eric Adams, Mayor

CITY PLANNING COMMISSION

Daniel R. Garodnick, Chair

Chapter 2 - Special Inwood District (IN)

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Chapter 2 - Special Inwood District (IN)

142-00 - GENERAL PURPOSES

LAST AMENDED 8/8/2018

The “Special Inwood 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 create a lively and attractive built environment that will provide amenities and services for the use and enjoyment of area residents, workers and visitors;
- (b) to encourage well-designed #development# that complements and enhances the built character of the neighborhood;
- (c) to enhance neighborhood economic diversity by broadening the range of housing choices for residents of varied incomes;
- (d) to maintain and establish physical and visual public access to and along the waterfront;
- (e) to promote the pedestrian orientation of ground floor uses in appropriate locations, and thus safeguard a traditional quality of higher density areas of the City;
- (f) to take advantage of the waterfront along the Harlem River, Sherman Creek, and the North Cove and create a public open space network;
- (g) to focus higher-density development in appropriate locations along wide, mixed-use corridors with good access to transit;
- (h) to provide flexibility of architectural design within limits established to assure adequate access of light and air to streets and public access areas, and thus encourage more attractive and economic building forms; and
- (i) to promote the most desirable use of land and development in accordance with the District Plan for the Inwood waterfront, and thus conserve and enhance the value of land and buildings, and thereby protect the City’s tax revenues.

142-01 - General Provisions

LAST AMENDED
10/7/2021

The provisions of this Chapter shall apply within the #Special Inwood 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# or #qualifying transit improvement 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.

142-02 - District Plan and Maps

LAST AMENDED 8/8/2018

The regulations of this Chapter are designed to implement the #Special Inwood District# Plan. The District Plan, including Map 1 (Special Inwood District – Subdistricts and Subareas), Map 2 (Special Inwood District – Ground Floor Use and Curb

Cut Regulations), and Map 3 (Special Inwood District – Transit Easement Zones) is set forth in the Appendix to this Chapter and is hereby incorporated as part of this Resolution for the purpose of specifying locations where the special regulations and requirements set forth in this Chapter apply. In order to carry out the purposes and provisions of this Chapter, district maps are located in the Appendix to this Chapter and are hereby incorporated and made an integral part of this Resolution. They are incorporated for the purpose of specifying locations where special regulations and requirements, as set forth in the text of this Chapter, apply.

- Map 1. Special Inwood District – Subdistricts and Subareas
- Map 2. Special Inwood District – Ground Floor Use and Curb Cut Regulations
- Map 3. Special Inwood District – Transit Easement Zones
- Map 4. Waterfront Access Plan: Parcel Designation
- Map 5. Waterfront Access Plan: Public Access Areas
- Map 6. Waterfront Access Plan: Visual Corridors

142-03 - Subdistricts and Subareas

LAST AMENDED 8/8/2018

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

Sherman Creek Subdistrict A

Tip of Manhattan Subdistrict B

Library Subdistrict C

Upland Area Subdistrict D

Infrastructure Zone Subdistrict E

Commercial “U” Subdistrict F

In each of these subdistricts, certain special regulations apply which do not apply within the remainder of the #Special Inwood District#. Within certain subdistricts, subareas are established, as follows:

Within Sherman Creek Subdistrict A:

Subarea A1

Subarea A2

Subarea A3

Within Tip of Manhattan Subdistrict B:

Subarea B1

Subarea B2

Subarea B3

Subarea B4

Within Upland Area Subdistrict D

Subarea D1

Subarea D2

Subarea D3

Subarea D4

The location and boundaries of subdistricts and subareas are outlined on Map 1 (Special Inwood District - Subdistricts and Subareas) in the Appendix to this Chapter.

142-04 - Definitions

LAST AMENDED 8/8/2018

For purposes of this Chapter, matter in italics is defined in Section [12-10](#) (DEFINITIONS), Section [37-311](#) (Definitions) and in this Section.

Shoreline adjacent lot

For the purposes of this Chapter, a “shoreline adjacent lot” shall refer to a #waterfront zoning lot# with a #shoreline# length of more than 100 feet, or any #zoning lot# that has entered into a binding agreement to improve and maintain a #waterfront public access area# for an adjoining #waterfront zoning lot#.

142-05 - Applicability

LAST AMENDED 8/8/2018

142-051 - Applicability of the Quality Housing Program

LAST AMENDED 8/8/2018

In the #Special Inwood District#, except within Subdistrict F, any #building# containing #residences#, or any #building# containing #long-term care facilities# or philanthropic or non-profit institutions with sleeping accommodations, shall be #developed# or #enlarged# in accordance with the Quality Housing Program and the regulations of Article II, Chapter 8 shall apply. The #bulk# regulations of this Chapter shall be considered the applicable #bulk# regulations for #Quality Housing buildings#.

Within Subdistrict F, the provisions of Section [23-011](#) shall apply. Where the optional regulations for #Quality Housing buildings# are utilized, the regulations of Article II, Chapter 8 shall apply, and the #bulk# regulations of this Chapter shall be considered the applicable #bulk# regulations for #Quality Housing buildings#.

142-052 - Applicability of the Inclusionary Housing Program

LAST AMENDED 8/8/2018

For the purposes of applying the Inclusionary Housing Program provisions set forth in Section [23-154](#) and [23-90](#), #Mandatory Inclusionary Housing areas# within the #Special Inwood District# are shown in APPENDIX F of this Resolution.

142-053 - Applicability of Article XII, Chapter 3

LAST AMENDED8/8/2018

In M1 Districts paired with a #Residence District#, the special #use#, #bulk# and parking and loading provisions of Article XII, Chapter 3 (Special Mixed Use District) shall apply, except where modified by the provisions of this Chapter, and shall supplement or supersede the provisions of the designated #Residence# or M1 District, as applicable.

142-06 - Modification of Use and Bulk Regulations for Zoning Lots Fronting on Former West 208th Street

LAST AMENDED8/8/2018

Where the #lot line# of a #zoning lot# coincides with the former boundary of West 208th Street, as shown on Map 1 in the Appendix to this Chapter, such #lot line# shall be considered a #street line# for the purpose of applying all #use# and #bulk# regulations of this Resolution.

142-07 - Development over a Street in Subarea A1

LAST AMENDED8/8/2018

In Subarea A1, as shown on Map 1 (Special Inwood District – Subdistricts and Subareas) in the Appendix to this Chapter, when a volume above a #street#, or portion thereof, has been eliminated, discontinued or closed, such volume may, at the option of an owner of a #zoning lot# adjoining such volume, be considered part of the adjoining #zoning lot#, and a #development# or #enlargement# may be located within such volume that is part of or connected to a #building# on the adjoining #zoning lot# utilizing #floor area# generated by the adjoining #zoning lot#, provided that the #street# below the volume is provided with lighting in accordance with Department of Transportation standards. In no event shall such volume contribute to the amount of #lot area# of any #zoning lot# for the purposes of generating #floor area#.

142-08 - Shoreline Boundary

LAST AMENDED8/8/2018

For the purposes of this Chapter, the #shoreline# shall be as shown on a survey available on the Department of City Planning website.

142-09 - Off-street Relocation of Subway Station Entrances

LAST AMENDED
10/7/2021

For all #developments# or #enlargements# involving ground floor level construction on a #zoning lot# that is wholly or partially located within a Transit Easement Zone, as shown on Map 3 (Special Inwood District – Transit Easement Zones) in the Appendix to this Chapter, a transit easement volume may be needed on such #zoning lot# for public access between the #street# and the adjacent above- or below-grade subway station, pursuant to the provisions of Section [66-20](#) (SPECIAL PROVISIONS

FOR PRIMARY TRANSIT-ADJACENT SITES). Such #zoning lots# that are wholly or partially within a Transit Easement Zone shall be considered a #primary transit-adjacent site#, as defined in Section [66-11](#) (Definitions).

142-10 - SPECIAL USE REGULATIONS

LAST AMENDED8/8/2018

The underlying #use# regulations are modified by the provisions of this Section, inclusive. In M1-4/R7A and M1-4/R9A Districts, the #use# regulations of Article XII, Chapter 3 (Special Mixed Use District) shall apply, except where modified by the provisions of this Section, inclusive.

142-11 - Permitted Uses

LAST AMENDED12/9/2021

In Subarea B1, as shown on Map 1 (Special Inwood District – Subdistricts and Subareas) in the Appendix to this Chapter, commercial or public utility vehicle storage, open or enclosed, including #accessory# motor fuel pumps, as listed in Use Group 16C, shall be a permitted #use#.

In Subareas B2 and B3, as shown on Map 1, all #uses# listed in Use Groups 3 and 4 shall be permitted #uses#, and Use Group 6A food stores, including supermarkets, grocery stores, or delicatessen stores, shall not be limited to #floor area# per establishment.

In Subdistrict D, as shown on Map 1, #self-service storage facilities# shall be permitted as-of-right in C6-2A Districts.

142-111 - Regulations for manufacturing uses in Subareas B2 and B3

LAST AMENDED12/9/2021

In Subareas B2 and B3, as shown on Map 1 (Special Inwood District – Subdistricts and Subareas) in the Appendix to this Chapter, the #manufacturing uses# permitted in M1 Districts shall be subject to the modifications set forth in Section [123-22](#) (Modification of Use Groups 16, 17 and 18), inclusive.

142-12 - Location of Uses

LAST AMENDED8/8/2018

In C2 Districts mapped within R7 or R8 Districts, for #buildings# constructed after August 8, 2018, the underlying provisions of Section [32-421](#) (Limitation on floors occupied by commercial uses) shall be modified to permit #commercial# #uses# listed in Use Groups 6, 7, 8, 9 or 14 on the second #story# of a #building# occupied on one or more of its upper #stories# by #residential uses# or by #community facility uses#, and provided no #commercial# #uses# are located directly over any #dwelling units#.

Within the portion of the C2-4 District mapped within an R8A District and the portion of the C2-4 District mapped within an R9A District, located east of Tenth Avenue, south of West 207th Street, west of Ninth Avenue and north of West 206th Street, the underlying provisions of Section [32-421](#) (Limitation on floors occupied by commercial uses) shall be inapplicable. In lieu thereof, Section [32-422](#) (Location of floors occupied by commercial uses) shall apply.

In C4 or C6 Districts, the underlying provisions of Section [32-422](#) (Location of floors occupied by commercial uses) shall be modified for #mixed buildings# to permit #dwelling units# on the same #story# as a #commercial# #use# provided no access exists between such #uses# at any level containing #dwelling units#, and provided no #commercial# #uses# are located directly over any #dwelling units#. However, such #commercial# #uses# may be located over #dwelling units# by authorization of the

City Planning Commission upon a finding that sufficient separation of #residential uses# from #commercial# #uses# exists within the #building#.

In Subareas A1, B2 and B3, as shown on Map 1 (Special Inwood District – Subdistricts and Subareas) in the Appendix to this Chapter, no #uses# listed in Use Group 6A, 6C or 10A shall be permitted above the ground floor level.

142-13 - Enclosure Requirements in Subdistrict E

LAST AMENDED 8/8/2018

In Subdistrict E, #commercial# and #manufacturing# activities and storage #uses# shall not be subject to the provisions of Section [42-41](#) (Enclosure of Commercial and Manufacturing Activities) or Section [42-42](#) (Enclosure or Screening of Storage).

142-14 - Ground Floor Level Requirements

LAST AMENDED
5/12/2021

For the purposes of applying the special #ground floor level# streetscape provisions set forth in Section [37-30](#) to this Chapter, any portion of a #ground floor level# #street# frontage along #streets# designated on Map 2 (Ground Floor Use and Curb Cut Regulations) in the Appendix to this Chapter shall be considered #primary street frontages#, and shall consist of Type 1, Type 2 and Type 3 #primary street frontages#. A #ground floor level# #street# frontage along any other #street# shall be considered a #secondary street frontage# except for frontages located within Subdistrict F. For the purposes of this Section, defined terms shall include those in Sections [12-10](#) and 37-311.

The provisions of this Section shall apply to #developments# or #ground floor level# #enlargements#.

(a) Along #primary street frontages#

(1) Type 1 #primary street frontages#

For #buildings#, or portions thereof, with Type 1 #primary street frontage#, #uses# on the #ground floor level#, to the minimum depth set forth in Section [37-32](#) (Ground Floor Depth Requirements for Certain Uses), shall be limited to non-#residential uses#, except for Type 1 lobbies and entrances and exits to #accessory# parking spaces provided in accordance with the applicable provisions of Section [37-33](#) (Maximum Width of Certain Uses). Group parking facilities located on the #ground floor level# shall be wrapped by #floor area# in accordance with the provisions of paragraph (a) of Section [37-35](#) (Parking Wrap and Screening Requirements). #Ground floor level# #street walls# shall be glazed in accordance with the provisions set forth in Section [37-34](#) (Minimum Transparency Requirements).

(2) Type 2 #primary street frontages#

For #buildings#, or portions thereof, with Type 2 #primary street frontage#, all #uses# permitted by the underlying district shall be permitted on the #ground floor level#, provided that group parking facilities located on the #ground floor level# shall be wrapped by #floor area# in accordance with the provisions of paragraph (a) of Section [37-35](#).

(3) Type 3 #primary street frontages#

For #buildings#, or portions thereof, with Type 3 #primary street frontage#, the following regulations shall apply to the #ground floor level# to a depth of 30 feet from the #street line#:

- (i) the maximum #street wall# width of a bank or loan office, as listed in Use Group 6C, shall not exceed 25 feet.

However, in Subarea A1 or B1, as shown on Map 1, for #buildings# containing predominantly commercial or public utility vehicle storage, including #accessory# fuel pumps, as listed in Use Group 16C, the screening provisions of paragraph (b) of Section [37-35](#) may be utilized as an alternative to such wrapping requirement and any transparency requirements need not apply.

(b) Along #secondary street frontages#

For #buildings#, or portions thereof, with #secondary street frontage#, all #uses# permitted by the underlying district shall be permitted on the #ground floor level#, provided that any off-street parking spaces on the #ground floor level# shall be wrapped or screened in accordance with Section [37-35](#). Entrances and exits to accessory parking facilities shall be subject to the provisions of paragraph (b) of Section [37-33](#).

(c) For blank walls

In #Commercial Districts# or #Manufacturing Districts#, except for portions of #zoning lots# located within Subdistrict F, planting or wall treatment in accordance with the provisions of paragraphs (a)(1) or (b)(2) of Section [37-362](#) (Mitigation elements) shall be provided pursuant to the provisions for Type 1 blank walls set forth in Section [37-361](#) (Blank wall thresholds).

The level of the finished floor of such ground floor shall be located not higher than five feet above nor lower than five feet below the as-built level of the adjoining #street#.

In C4-5D Districts, and in C2 Districts mapped within R7D Districts, the provisions of Section [32-434](#) (Ground floor use in C4-5D and C6-3D Districts and in certain C2 Districts) shall not apply. In lieu thereof, the provisions of this Section shall apply.

142-20 - SPECIAL FLOOR AREA REGULATIONS

LAST AMENDED 8/8/2018

The underlying #floor area# regulations are modified by the provisions of this Section, inclusive.

142-21 - Floor Area Regulations on Waterfront Blocks

LAST AMENDED 8/8/2018

On #waterfront blocks#, the provisions of Section [62-31](#) (Bulk Computations on Waterfront Zoning Lots) shall be modified so that #lot area# that is seaward of the #shoreline# shall not be included for the purpose of determining allowable #floor area# or to satisfy any other #bulk# regulation.

142-22 - Floor Area Regulations in Subareas A2, A3 and B1

LAST AMENDED 8/8/2018

In Subareas A2, A3 and B1, as shown on Map 1 (Special Inwood District – Subdistricts and Subareas) in the Appendix to this Chapter, the #floor area# regulations shall be modified as follows:

For #zoning lots# other than #shoreline adjacent lots# the maximum #residential# #floor area ratio# shall be 4.6. For #shoreline adjacent lots#, the maximum #residential# #floor area ratio# shall be as set forth in paragraph (d) of Section [23-154](#) (Inclusionary Housing) for the particular district.

For #zoning lots# that are divided by zoning district boundary lines, #floor area# may be distributed within a #zoning lot# without regard to zoning district boundary lines.

#Accessory# parking located below a height of 33 feet shall be exempt from the definition of #floor area#.

142-23 - Floor Area Regulations in Subareas B2 and B3

LAST AMENDED 8/8/2018

In Subarea B2, as shown on Map 1 (Special Inwood District – Subdistricts and Subareas) in the Appendix to this Chapter, all permitted #uses# shall have a permitted #floor area ratio# of 2.0. In Subarea B3, as shown on Map 1, the base #floor area ratio# shall be 5.0, and may be increased only in accordance with the provisions of this Section.

The Chairperson of the City Planning Commission shall allow, by certification, a transfer of #floor area# from a #zoning lot# located in Subarea B2 to a #zoning lot# located in Subarea B3 provided that the provisions of this Section are met. For the purpose of this Section, a “granting lot” shall mean a #zoning lot# within Subarea B2 that transfers #floor area# pursuant to this Section, and a “receiving lot” shall mean a #zoning lot# within Subarea B3 that receives additional #floor area# pursuant to this Section.

Such certification for a transfer of #floor area# shall be subject to the following conditions:

- (a) the maximum amount of #floor area# that may be transferred from a granting lot shall be based on a #floor area ratio# of 2.0, less the total #floor area# of all existing #buildings# on the granting lot and any previously transferred #floor area#;
- (b) each transfer, once completed, shall irrevocably reduce the amount of #floor area# that may be #developed# or #enlarged# on the granting lot by the amount of #floor area# transferred;
- (c) for #developments# or #enlargements#, which in the aggregate for both the granting lot and the receiving lot, involve an increase in the #floor area# of more than 20,000 square feet of the amount existing on August 8, 2018, a waterfront certification pursuant to Section [62-811](#) (Waterfront public access and visual corridors) has been granted; and
- (d) prior to the issuance of a building permit, as set forth in this Section, the owners of the granting lot and the receiving lot

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 lot and the receiving lot 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 lot and the receiving lot that are a party to such transfer.

An application filed with the Chairperson for certification pursuant to this Section shall be made jointly by the owners of the granting lot and the receiving lot, and shall include site plans and zoning calculations for the granting lot and receiving lot showing the additional #floor area# associated with the transfer, and any such other information as may be required by the Chairperson.

The Chairperson shall certify to the Department of Buildings that a #development# or #enlargement# is in compliance with the provisions of this Section only after the transfer instrument and notice of restrictions required by this Section 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 #zoning lot# pursuant to this Section.

142-24 - Floor Area Regulations in Subdistrict D

LAST AMENDED8/8/2018

For #zoning lots# that are located partially in a #Commercial District# mapped within an R8A District and partially in a #Commercial District# mapped within an R9A District, #residential# #floor area# may transfer across the zoning district boundary from the #Commercial District# mapped within an R8A District to the #Commercial District# mapped within an R9A District.

142-30 - SPECIAL YARD REGULATIONS

LAST AMENDED8/8/2018

The underlying #yard# regulations are modified by the provisions of this Section.

In M1-4/R7A and M1-4/R9A Districts, in Subareas A1 and B3 as shown on Map 1 (Special Inwood District – Subdistricts and Subareas) in the Appendix to this Chapter, and in the portion of the C2-4 District mapped within an R8A District or the portion of the C2-4 District mapped within an R9A District, located east of Tenth Avenue, south of West 207th Street, west of Ninth Avenue, and north of West 206th Street, no #rear yard equivalents# are required for #through lots# or #through lot# portions of a #zoning lot#.

In Subdistrict D, no #rear yard# is required along any portion of a #rear lot line# that is coincident with a #lot line# of the rail yard for the Metropolitan Transportation Authority located east of Tenth Avenue between West 207th Street and West 215th Street.

A #waterfront yard#, as defined in Section [62-11](#) (Definitions), shall be provided on any portion of a #zoning lot# located within 40 feet of the #shoreline#. Any other #yard# regulations shall be inapplicable within such portion of a #zoning lot#.

142-40 - SPECIAL HEIGHT AND SETBACK REGULATIONS

In Subareas A1 and B2, and in Subdistrict E, as shown on Map 1 (Special Inwood District – Subdistricts and Subareas) in the Appendix to this Chapter, the height and setback regulations of the underlying districts shall apply.

In Subareas A2, A3, B1, B3 and B4, the height and setback regulations of the underlying district regulations are modified by Sections [142-41](#) through [142-47](#) shall apply, and all heights shall be measured from the #base plane#.

In Subdistricts C, D and F, the height and setback regulations of the underlying district regulations are modified by Sections [142-48](#) (Special Regulations for Certain Sites in Subdistricts C and F) and [142-49](#) (Height and Setback for Certain Zoning Lots in Subdistricts C and D), as applicable.

142-41 - Permitted Obstructions in Subareas A2, A3, B1, B3 and B4

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LAST AMENDED

12/6/2023

In Subareas A2, A3, B1, B3 and B4, as shown on Map 1 (Special Inwood District – Subdistricts and Subareas) in the Appendix to this Chapter, the provisions of Section [33-42](#) (Permitted Obstructions) shall apply to all #buildings#. In addition, along all #street# frontages, dormers may penetrate a maximum base height in accordance with the provisions of paragraph (c) of Section [23-623](#) (Permitted obstructions in certain districts), and balconies shall be permitted in conjunction with #residential uses# as set forth in Section [23-132](#) (Balconies in R6 through R10 Districts).

142-42 - Height and Setback for Non-Shoreline Adjacent Lots in Subareas A2, A3 and B1

LAST AMENDED8/8/2018

In Subareas A2, A3 and B1, as shown on Map 1 (Special Inwood District – Subdistricts and Subareas) in the Appendix to this Chapter, for #zoning lots# other than #shoreline adjacent lots#, the height and setback regulations for R7A Districts set forth in Sections [23-662](#) (Maximum height of buildings and setback regulations) and [23-664](#) (Modified height and setback regulations for certain Inclusionary Housing buildings or affordable independent residences for seniors), as applicable, shall apply.

The #street wall# location requirements of paragraph (b) of Section [35-651](#) shall apply to #street# frontages along and within 50 feet of Ninth Avenue, and the #street wall# requirements of paragraphs (a)(1) and (2) of Section [35-651](#) shall apply along all other #street# frontages of the #zoning lot#. The #street wall# articulation provisions of paragraph (e) of Section [35-651](#) shall apply along all #street# frontages.

142-43 - Height and Setback for Shoreline Adjacent Lots in Subarea A2

LAST AMENDED8/8/2018

In Subarea A2, as shown on Map 1 (Special Inwood District – Subdistricts and Subareas) in the Appendix to this Chapter, for #shoreline adjacent lots#, the following height and setback regulations shall apply:

- (a) #Street wall# location

The #street wall# location requirements of paragraph (b) of Section [35-651](#) shall apply to #street# frontages along and

within 50 feet of Ninth Avenue, and the #street wall# requirements of paragraphs (a)(1) and (2) of Section [35-651](#) shall apply along all other #street# frontages of the #zoning lot#. For the purposes of applying such regulations, all #street walls# shall extend to at least the minimum base height set forth in paragraph (b) of this Section, or the height of the #building#, whichever is less. The #street wall# articulation provisions of paragraph (e) of Section [35-651](#) shall apply along all #street# frontages.

(b) Base height and setbacks

The minimum base height shall be 60 feet on all #street# frontages. Within R9A Districts, or C1 or C2 Districts mapped within R9A Districts, the maximum base height shall be 105 feet. Within R8 Districts, or C1 or C2 Districts mapped within R8 Districts, the maximum base height before setback shall be 105 feet if the #building's# maximum overall height does not exceed 155 feet, or 85 feet if a #building# is developed with a tower in accordance with the regulations of paragraph (e) of this Section.

At a height not lower than the minimum base height nor higher than the maximum base height specified for the applicable district, a setback with a minimum depth of 10 feet shall be provided from the #street wall# of the base. The provisions of paragraphs (c)(2) through (c)(4) of Section [23-662](#) (Maximum height of buildings and setback regulations) shall apply to such setbacks.

(c) Within 70 feet of the #shoreline#

Within 70 feet of the #shoreline#, the height of a #building# along 30 percent of the length of a #zoning lot#, as measured parallel to Ninth Avenue, shall be limited to a maximum height of 30 feet, and the height along the remaining 70 percent may rise to a maximum height of 85 feet.

(d) Maximum #building# height

The maximum #building# height shall be 155 feet, except where towers are provided in accordance with paragraph (e) of this Section.

(e) Optional tower regulations

For #zoning lots# that have a #lot area# of more than one acre, a “tower” shall be permitted above a height of 125 feet, provided that:

- (1) the gross area of any #story# shall not exceed 9,000 square feet, except that any dormers provided within the setback area shall not be included in such gross area;
- (2) the gross area of any #story# above 205 feet shall not exceed 90 percent of the gross area of the highest #story# that is located entirely below a height of 205 feet;
- (3) no portion of such tower shall be located within 80 feet of the #shoreline#;
- (4) the width of such tower shall not exceed 100 feet, as measured parallel to Ninth Avenue. Such width shall be measured in plan and shall include the total width of the combined #lot coverage# of all #stories# above 125 feet; and
- (5) The maximum height of such tower shall not exceed 245 feet.

#Zoning lots# with a #lot area# in excess of 1.5 acres may contain a second tower, provided that the heights of the two towers differ by at least 50 feet from each other, and provided that the combined width of the towers does not exceed

140 feet, as measured parallel to Ninth Avenue. Such width shall be measured in plan and shall include the total width of the combined #lot coverage# of all #stories# above 125 feet.

142-44 - Height and Setback for Shoreline Adjacent Lots in Subarea A3

LAST AMENDED 8/8/2018

In Subarea A3, as shown on Map 1 (Special Inwood District – Subdistricts and Subareas) in the Appendix to this Chapter, for #shoreline adjacent lots#, the height and setback regulations of this Section shall apply:

(a) Base along West 207th Street and Ninth Avenue

Along the West 207th Street and Ninth Avenue frontages, all #buildings# shall have a minimum base height of 60 feet, or the height of the #building#, whichever is less, and a maximum base height of 105 feet. The #street wall# location requirements of paragraph (a)(1) and (2) of Section [35-651](#) shall apply along both #streets#. The boundary of any easement required for a #street# or sidewalk widening pursuant to Section [142-64](#) shall be considered the #street line# for the purpose of this Section.

At a height not lower than the minimum base height nor higher than the maximum base height, a setback with a minimum depth of 10 feet shall be provided from the #street wall# of the base. The provisions of paragraphs (c)(2) through (c)(4) of Section [23-662](#) (Maximum height of buildings and setback regulations) shall apply to such setbacks.

(b) Within 70 feet of the #shoreline#

Within 70 feet of the #shoreline#, the maximum #building# height shall be 85 feet.

(c) Within 30 feet of former West 208th Street

Within 30 feet of Former West 208th Street, as shown on Map 1 in the Appendix to this Chapter, the height of a #building# along 30 percent of the length of a #zoning lot#, as measured along the former extent of West 208th Street, shall not exceed 30 feet, and the height of the remaining 70 percent may rise to a maximum height of 85 feet.

(d) Maximum #building# height

Within the portion of the #zoning lot# that is beyond 100 feet of West 207th Street, the maximum #building# height shall be limited to 145 feet. Within the portion of the #zoning lot# that is within 100 feet of West 207th Street, the maximum #building# height shall be 175 feet, except where towers are provided in accordance with paragraph (e) of this Section.

(e) Optional tower regulations

For #zoning lots# that have a #lot area# of more than one acre, a “tower” shall be permitted above a height of 175 feet within the portion of the #zoning lot# that is within 100 feet of West 207th Street, provided that:

- (1) the gross area of any #story# shall not exceed 10,000 square feet, except that any dormers provided within the setback area shall not be included in such gross area;
- (2) the gross area of any #story# above 255 feet shall not exceed 90 percent of the gross area of the highest #story# that is located entirely below a height of 255 feet; and
- (3) The maximum height of such tower shall not exceed 295 feet.

142-45 - Height and Setback for Shoreline Adjacent Lots in Subarea B1

LAST AMENDED8/8/2018

In Subarea B1, as shown on Map 1 (Special Inwood District – Subdistricts and Subareas) in the Appendix to this Chapter, for #shoreline adjacent lots#, the height and setback regulations of Section [142-43](#) (Height and Setback for Sites in Subarea A2 With More Than 100 Feet of Shoreline) shall apply, except that paragraph (e) of such Section shall be modified to allow the gross area of any #story# in a tower to be up to 10,000 square feet and to rise to a height of 265 feet, provided that the gross area of any #story# above 225 feet shall not exceed 90 percent of the gross area of the highest #story# that is located entirely below 225 feet. The #visual corridor# located between a line parallel to and 20 feet south of the prolongation of the centerline of West 218th Street and a line parallel to and 30 feet north of such centerline established by Section [142-60](#) (INWOOD WATERFRONT ACCESS PLAN) shall be treated as a narrow #street line# for the purposes of applying all height and setback regulations.

142-46 - Height and Setback in Subarea B3

LAST AMENDED8/8/2018

In Subarea B3, as shown on Map 1 (Special Inwood District – Subdistricts and Subareas) in the Appendix to this Chapter, the maximum #building# height shall be 125 feet within 10 feet of a #street line#. Beyond 10 feet of a #street line#, the maximum #building# height shall be 265 feet.

142-47 - Height and Setback in Subarea B4

LAST AMENDED8/8/2018

In Subarea B4, as shown on Map 1 (Special Inwood District – Subdistricts and Subareas) in the Appendix to this Chapter, the height of a #building# within 10 feet of a #street line# shall not exceed 125 feet. Portions of #buildings# located beyond 10 feet of a #street line# may rise to a maximum height of 210 feet. Any #development# or #enlargement# with frontage on West 218th Street must provide a sidewalk widening with a minimum depth of five feet along such frontage. Any #development# or #enlargement# with frontage on Ninth Avenue must provide a sidewalk widening with a minimum depth of five feet along such frontage.

142-48 - Special Regulations for Certain Sites in Subdistricts C and F

LAST AMENDED8/8/2018

In Subdistrict C, as shown on Map 1 (Special Inwood District – Subdistricts and Subareas) in the Appendix to this Chapter, and in Subdistrict F, for #buildings# #developed# pursuant to the #bulk# regulations for #Quality Housing buildings#, the underlying height and setback provisions shall be modified for #zoning lots# that share a #side lot line# with an adjacent #zoning lot# that is #developed# with a #building# constructed prior to December 15, 1961 that contain #residences# with #legally required windows# facing and located within 15 feet of the shared #side lot line#.

The #street wall# location provisions of paragraph (b)(1) of Section [35-651](#) shall apply except that where an adjoining #zoning lot# contains #residences# with #legally required windows# facing and within 15 feet of a shared #side lot line#, the #street wall# of a #building# need not extend along the entire #street# frontage of such a #zoning lot# if an open area is provided above the level of the first #story# or a height of 15 feet, whichever is lower, along the entire shared #side lot line#. Where such an open area is provided, the #street# frontage of such open area may be excluded for the purpose of applying the #street wall# location provisions of paragraph (b)(2) of Section [35-651](#).

In addition, where an open area with a depth of at least 15 feet, as measured perpendicular from the shared #side lot line#, and is provided in the form of a recess, #court# or other open area is provided along shared #side lot line#, and such open area is provided adjacent to all portions of a #building# on an adjoining #zoning lot# that contain #legally required windows# facing and located within 15 feet of the shared #side lot line#, the maximum height for the #building# set forth in Section [23-662](#), [23-664](#), [35-652](#) or [35-654](#), as applicable, may be increased by 10 feet; and the maximum number of #stories#, if applicable, may be increased by one.

#Zoning lots# may apply the regulations of this Section along multiple #side lot lines# where applicable, but in no case shall the permitted #building# height be increased by more than one #story# or 10 feet, whichever is lower.

142-49 - Height and Setback for Certain Zoning Lots in Subdistricts C and D

LAST AMENDED8/8/2018

In Subdistricts C and D, as shown on Map 1 (Special Inwood District – Subdistricts and Subareas) in the Appendix to this Chapter, all non-#residential# #buildings# in C4 and C6 Districts shall follow the height and setback regulations of paragraph (b) of Section [23-664](#) (Modified height and setback regulations for certain Inclusionary Housing buildings or affordable independent residences for seniors) for the applicable residential equivalent.

In Subdistrict D, all #developments# or #enlargements# on #zoning lots# within M1-4/R7A and M1-4/R9A Districts shall follow the height and setback regulations of paragraph (b) of Section [23-664](#), for the applicable #Residence District#, except portions of #zoning lots# that are located within 30 feet of West 201st Street shall be limited to a maximum #building# height to 85 feet.

In Subdistrict D, for portions of #zoning lots# located within 100 feet of a #street# that contains an elevated rail line, the underlying height and setback regulations shall be modified as follows, and as set forth in Section [142-491](#):

- (a) the minimum required base height shall be 25 feet;
- (b) the maximum permitted #building# height shall be 165 feet and the maximum number of #stories# shall be 16 in C6-2A, C4-4D, and in C2 Districts mapped within R8A Districts;
- (c) the maximum permitted #building# height shall be 135 feet and the maximum number of stories shall be 13 in C4-5D Districts; and
- (d) along the frontage of a #street# that contains an elevated rail line, the #street wall# location regulations of paragraph (a) (1) of Section [35-651](#) shall apply.

142-491 - Special base height regulations for certain zoning lots within Subdistrict D

LAST AMENDED8/8/2018

The underlying height and setback regulations shall be further modified for the following areas within Subdistrict D:

- (a) for portions of #zoning lots# located in Subarea D2, the maximum permitted base height shall be 75 feet;
- (b) for portions of #zoning lots# located in Subarea D3, the maximum permitted base height shall be 65 feet; and
- (c) for portions of #zoning lots# located in Subarea D4, the maximum permitted base height shall be 85 feet, and for portions of a #development# or #enlargement# containing #residences#, the maximum permitted base height shall be 65 feet.

142-50 - SPECIAL OFF-STREET PARKING AND LOADING REGULATIONS

LAST AMENDED8/8/2018

The underlying off-street parking and loading regulations are modified by the provisions of this Section, inclusive.

142-51 - Required Accessory Parking Spaces for Residences

LAST AMENDED8/8/2018

Except for within Subdistrict F, as shown on Map 1 (Special Inwood District-Subdistricts and Subareas) in the Appendix to this Chapter, the requirements of Sections [25-23](#) (Requirements Where Group Parking Facilities Are Provided) are modified to require #accessory# #residential# off-street parking spaces for a minimum of 20 percent of new #residences#. The number of #accessory# off-street parking spaces required may be reduced or waived as set forth in the underlying district regulations, including as set forth in Sections [25-251](#) through 25-253.

Within Subdistrict F, for #buildings developed# pursuant to the Quality Housing #bulk regulations#, if at least 20 percent of the #residential# #floor area# of the #development# consists of #income-restricted housing units#, the requirements of Sections [25-23](#) are modified to require #accessory# #residential# off-street parking spaces for a minimum of 20 percent of new #residences#. For purposes of this Section, the definition of #income-restricted housing units# shall be modified such that the #income-restricted housing units# must be affordable to households with incomes at or below 60 percent of the #income index#. The number of #accessory# off-street parking spaces required may be reduced or waived as set forth in the underlying district regulations, including as set forth in Sections [25-251](#) through 25-253. Prior to issuance of a building permit for such #development#, the Department of Housing Preservation and Development shall certify to the Department of Buildings that such #development# complies with the affordability provisions of this Section.

142-52 - Required Accessory Parking Spaces for Commercial or Community Facility Uses in Certain Districts

LAST AMENDED8/8/2018

In Subdistricts A, B, C, D, and E, no #accessory# parking is required for new #commercial# or #community facility uses# in #mixed buildings# in C2-4 and C4 Districts.

In Subdistrict F, no #accessory# parking is required for #commercial# or #community facility uses# in #mixed buildings# #developed# after August 8, 2018, pursuant to the Quality Housing #bulk# regulations in C2-4 and C4 Districts.

142-53 - Public Use of Accessory Parking

LAST AMENDED8/8/2018

All required or permitted #accessory# off-street parking spaces may be made available for public use. However, any such space shall be made available to the occupant of a #residence# to which it is #accessory# within 30 days after written request for such space is made to the landlord.

142-54 - Accessory Parking on a Roof in Subarea A1

LAST AMENDED8/8/2018

In Subarea A1, the underlying off-street parking regulations of Section [44-11](#) (General Provisions) are modified to permit accessory parking to be located on the roof of any story of a building.

142-55 - Curb Cuts

LAST AMENDED 8/8/2018

Curb cuts accessing off-street parking facilities or loading berths shall not be permitted along the streets specified as a Type 1 or Type 2 primary street on Map 2 (Special Inwood District – Ground Floor Use and Curb Cut Regulations) in the Appendix to this Chapter on zoning lots that also have frontage on a street that is not specified on Map 2.

142-60 - INWOOD WATERFRONT ACCESS PLAN

LAST AMENDED 8/8/2018

The provisions of Article VI, Chapter 2 (Special Regulations Applying in the Waterfront Area), shall apply, except as superseded, supplemented or modified by the provisions of this Section, inclusive.

Map 4 (Waterfront Access Plan: Parcel Designation), Map 5 (Waterfront Access Plan: Public Access Areas) and Map 6 (Waterfront Access Plan: Visual Corridors) in the Appendix to this Chapter show the boundaries of the area comprising the Inwood Waterfront Access Plan, boundaries of parcels within the Plan and the location of certain features mandated or permitted by the Plan.

The Plan has been divided into parcels consisting of tax blocks and lots and other lands as established on August 8, 2018, as follows:

- Parcel 1: block 2215, lots 877 and 885; and block 2197, lots 67, 71, 74 and 174
- Parcel 2/3: block 2197, lots 47 and 75
- Parcel 4: block 2197, portion of lot 1
- Parcel 5: block 2188, lot 1
- Parcel 6: block 2187, lots 1, 5, 7 and 20
- Parcel 7: block 2185, lots 25, 36 and 51
- Parcel 8: block 2185, lots 1 and 10
- Parcel 9: block 2184, lots 20 and 40

Within the Special Inwood District, the parcels of land designated in this Section need not be contiguous for the area to be considered to be a Waterfront Access Plan pursuant to Section 62-911.

For the purposes of this Section, inclusive, defined terms shall include those listed in Section [12-10](#) (DEFINITIONS) and Section [62-11](#) (Definitions).

142-61 - Lot area and waterfront public access area requirements

LAST AMENDED 8/8/2018

For the purposes of determining requirements for #waterfront public access areas#, #lot area# shall not include any portion of a #zoning lot# that is seaward of the #shoreline#. For the purposes of determining the applicability of #waterfront public access area# requirements, pursuant to Section [62-52](#), all #zoning lots# with portions located within 40 feet of the #shoreline# shall be considered #waterfront zoning lots#.

On Parcel 1, as shown on Map 4 (Waterfront Access Plan: Parcel Designation) in the Appendix to this Chapter, for the purposes of calculating the total #waterfront public access area# requirements on a “granting lot,” as described in Section [142-23](#) (Floor Regulations in Subarea B2 and B3), #lot area# shall be the combined #lot area# of all “granting lots” and all “receiving lots.”

142-62 - Tip of Manhattan, Subdistrict B

LAST AMENDED 8/8/2018

In Tip of Manhattan Subdistrict B, for Parcels 1 and 2/3, as shown on Map 4 (Waterfront Access Plan: Parcel Designation) in the Appendix to this Chapter, the following regulations shall apply.

(a) #Applicability of #waterfront public access area# requirements to Use Group 16

In Subarea B1, as shown on Map 1, #developments# of #buildings# containing exclusively commercial or public utility vehicle storage, including #accessory# fuel pumps, as listed in Use Group 16C, shall be exempted from #waterfront public access area# requirements.

(b) #Shore public walkways#

On Parcel 1, no #shore public walkway# shall be required.

(c) #Upland connections#

On Parcel 2/3, #upland connections# shall be provided along the shared boundary between Parcels 1 and 2/3, and within the area located between a line parallel to and 20 feet south of the prolongation of the centerline of West 218th Street and a line parallel to and 30 feet north of such centerline.

(d) #Supplemental public access areas#

(1) on Parcel 1, #supplemental public access area# shall be bounded by Ninth Avenue to the west, the shared boundary of Parcels 1 and 2/3 to the south, and the stabilized shore to the east. Section [62-571](#) (Location and area requirements for supplemental public access areas) shall not apply to such #supplemental public access area#;

(2) on Parcel 2/3, #supplemental public access area#, if required, shall be located at the intersection of the #upland connection# and the #shore public walkway#. Section [62-571](#) shall be modified to allow the longest side of such #supplemental public access area# to adjoin the #upland connection# provided that the maximum depth measured perpendicular to the #upland connection# does not exceed 1.5 times the width measured parallel to the #upland connection#.

(e) #Visual corridors#

#Visual corridors# shall be provided at three locations as shown on Map 6 (Waterfront Access Plan: Visual Corridors) in the Appendix to this Chapter:

(1) within the prolongation of the #street lines# of West 220th Street;

- (2) within the prolongation of the #street lines# of Ninth Avenue;
- (3) within the area located between a line parallel to and 20 feet south of the prolongation of the centerline of West 218th Street and a line parallel to and 30 feet north of such centerline. In the event that such #visual corridor# #abuts# an open area with a minimum depth of 20 feet along the entire length of such #visual corridor#, and an easement for such open area has been recorded against the property, the minimum dimension of a #visual corridor# set forth in Section [62-512](#) (Dimensions of visual corridors) may be reduced to 30 feet.

142-63 - Sherman Creek Subdistrict A

LAST AMENDED 8/8/2018

In the Sherman Creek Subdistrict A, Parcels 5, 6, 7, 8 and 9, as shown on Map 4 (Waterfront Access Plan: Parcel Designation) in the Appendix to this Chapter, the following regulations shall apply.

- (a) #Shore public walkways#
 - (1) #Waterfront zoning lots# that have a #shoreline# measuring more than 100 feet shall provide a #shore public walkway# as required by Section [62-53](#) (Requirements for Shore Public Walkways).
 - (2) #Zoning lots# within or partially within 40 feet of the #shoreline# that do not #abut# the #shoreline#, or that contain a #shoreline# measuring 100 feet or less shall provide either:
 - (i) a #shore public walkway#, located partly on the #zoning lot# and partly on an adjoining #waterfront zoning lot#; or
 - (ii) a #shore public walkway# on any portion of the #zoning lot# within 40 feet of the #shoreline#. Such #shore public walkway# shall have a minimum width of 14 feet, and its pedestrian circulation path shall connect to and provide access from adjoining public #streets#, parks or public places. Such #shore public walkway# shall extend beyond 40 feet of the #shoreline# as necessary to satisfy the minimum dimensional requirements, but the total area of the #shore public walkway# need not exceed an area equivalent to that portion of the #zoning lot# within 40 feet of the #shoreline#. The provisions of Section [62-62](#) (Design Requirements for Shore Public Walkways and Supplemental Public Access Areas) shall be modified to allow the circulation path to have a minimum width of 10 feet and to be located entirely beyond 10 feet from the #shoreline#. In addition, for Parcels 6, 7 or 8, the planting requirements set forth in paragraph (c)(1) of Section [62-62](#) need not apply.

Where the #zoning lot# does not include all of the adjacent #shoreline#, the design of the #shore public walkway# shall be compatible with the future improvement of public access areas on the land between the #zoning lot# and the #shoreline#.

- (3) The primary circulation path required pursuant to Section [62-62](#) shall be provided at a minimum elevation of 7.5 feet above the #shoreline#, except that such requirement need not include portions of a circulation path that slope downward to meet the elevation of an existing publicly accessible sidewalk.
- (b) #Supplemental public access areas#

On Parcel 5, no #supplemental public access area# shall be required.

142-64 - Special Regulations on Parcel 5

- (a) Section [62-811](#) (Waterfront public access and visual corridors) shall not apply to Parcel 5, as shown on Map 4 (Waterfront Access Plan: Parcel Designation) in the Appendix to this Chapter. In lieu thereof, the following regulations shall apply:

Required Certification

No excavation or building permit shall be issued for any #development# on Parcel 5 until the Chairperson of the City Planning Commission has certified to the Department of Buildings, that:

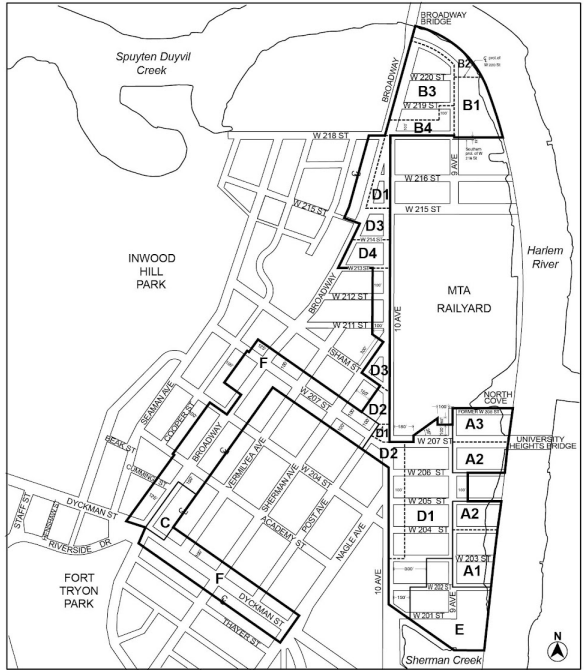
- (1) a site plan has been submitted showing compliance with the provisions of Sections [62-50](#) (GENERAL REQUIREMENTS FOR VISUAL CORRIDORS AND WATERFRONT PUBLIC ACCESS AREAS) and [62-60](#) (DESIGN REQUIREMENTS FOR WATERFRONT PUBLIC ACCESS AREAS) as modified by Section [142-60](#) (INWOOD WATERFRONT ACCESS PLAN);
 - (2) the Chairperson has certified that an easement, the requirements for which shall be determined in consultation with the Department of Transportation, has been provided to enlarge the adjoining mapped #streets#, an instrument creating such easement has been recorded in the Office of the City Register, and a certified copy of such easement has been submitted to the Department of City Planning; and
 - (3) an acceptable restrictive declaration is executed and filed pursuant to Section [62-74](#) (Requirements for Recordation).
- (b) Buildout of Adjoining #Streets#

No certificate of occupancy for any #development# on Parcel 5 shall be issued until the Department of Buildings has been furnished with a certification by the Department of Transportation that adjoining mapped #streets# have been built out to Department of Transportation standards.

Within 45 days of receipt of a complete application, the Chairperson shall either certify that the proposed #development# complies with the requirements of this Section or disapprove such application, citing the nature of any failure to comply. Failure to certify or disapprove such application within the 45 day period will release the Department of Buildings or the Department of Small Business Services from any obligation to withhold the excavation or building permit and authorize such agency to determine compliance with the provisions of this Section.

APPENDIX - Special Inwood District Plan

Map 1. Special Inwood District – Subdistricts and Subareas



- Special Inwood District
- Subdistricts
- Subareas within Subdistricts

SUBDISTRICTS AND SUBAREAS:

A – Sherman Creek Subdistrict A

- Subarea A1
- Subarea A2
- Subarea A3

B – Tip of Manhattan Subdistrict B

- Subarea B1
- Subarea B2
- Subarea B3
- Subarea B4

C – Library Subdistrict C

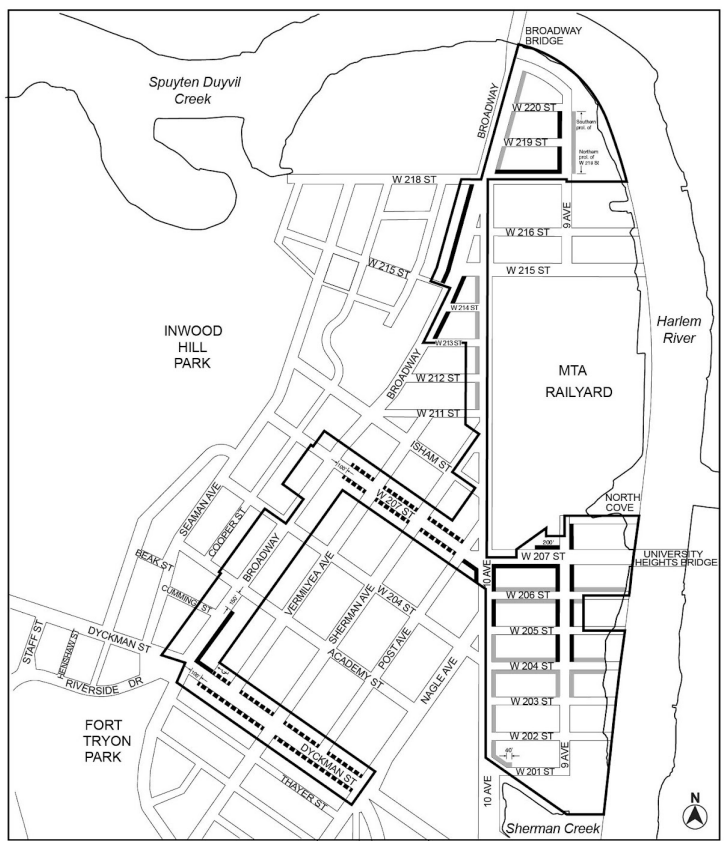
D – Upland Area Subdistrict D

- Subarea D1
- Subarea D2
- Subarea D3
- Subarea D4

E – Infrastructure Zone Subdistrict E

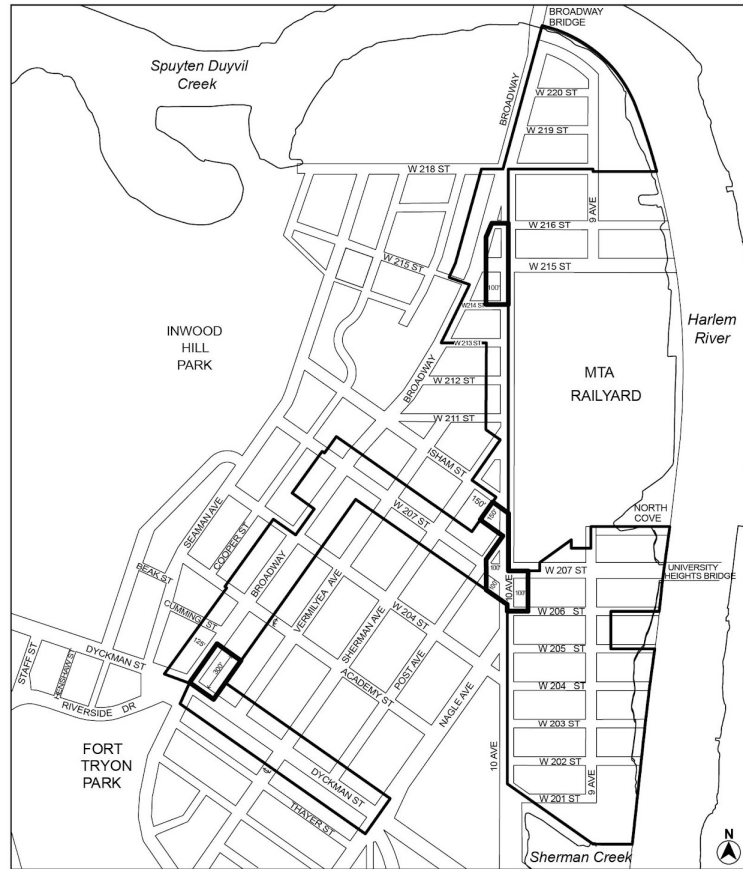
F – Commercial "U" Subdistrict F

Map 2. Special Inwood District – Ground Floor Use and Curb Cut Regulations



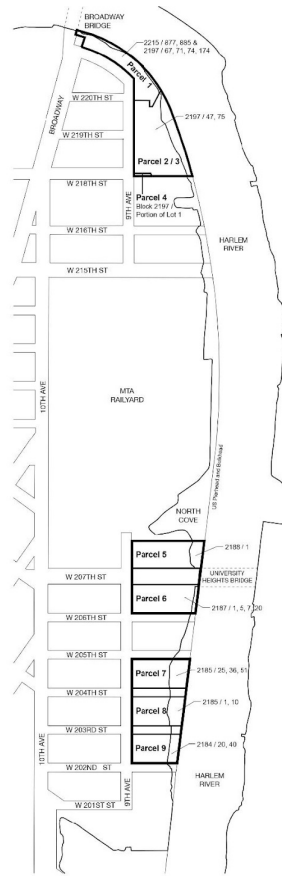
- Special Inwood District
- Type 1 primary street
- Type 2 primary street
- Type 3 primary street

Map 3. Special Inwood District – Transit Easement Zones



- Special Inwood District
- Transit Easement Zone

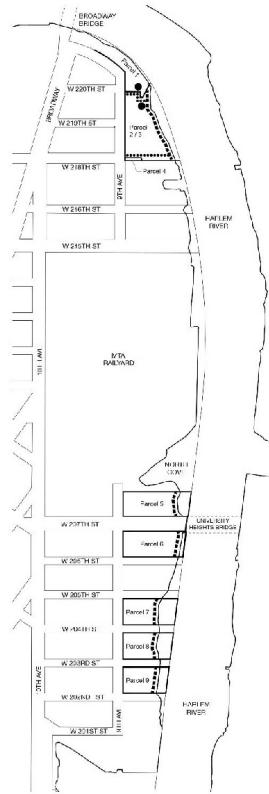
Map 4. Waterfront Access Plan: Parcel Designation



Parcel Designation

- WAP boundary
- Parcel line
- 2185 / 1, 10 Tax Block / Lot numbers

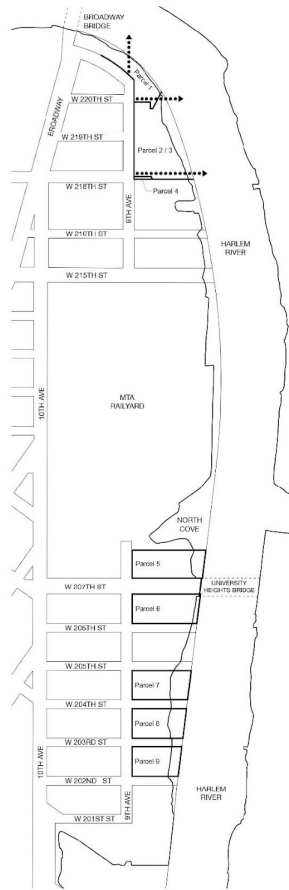
Map 5. Waterfront Access Plan: Public Access Areas



Public Access Areas

- Parcel line
- ▬▬▬▬ Shore Public Walkway - 40-ft minimum required, or as modified by Section 142-63(a)
- Supplemental Public Access Area
- - - - Upland Connection (Designated Location)

Map 6. Waterfront Access Plan: Visual Corridors



Visual Corridors
—— Parcel line
..... Visual Corridor



Zoning Resolution

THE CITY OF NEW YORK

Eric Adams, Mayor

CITY PLANNING COMMISSION

Daniel R. Garodnick, Chair

Chapter 3 - Special SoHo-NoHo Mixed Use District (SNX)

File generated by <https://zr.planning.nyc.gov> on 3/22/2024

Chapter 3 - Special SoHo-NoHo Mixed Use District (SNX)

143-00 - GENERAL PURPOSES

LAST AMENDED
12/15/2021

The “Special SoHo-NoHo 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 enhance neighborhood economic diversity by broadening the range of housing choices for residents of varied incomes;
 - (b) to reinforce the longstanding mixed-use character of the area by allowing a wider range of residential, commercial and community facility uses while retaining significant concentration of commercial and manufacturing space;
 - (c) to ensure the development of buildings is compatible with existing neighborhood character;
 - (d) to sustain SoHo/NoHo’s cultural legacy and support New York City’s creative economy with provisions that support arts, cultural and creative uses, organizations and their broader public audience;
 - (e) to retain jobs within New York City; and
 - (f) to promote the most desirable use of land in accordance with a well-considered plan and thus conserve the value of land and buildings, and thereby protect City tax revenues.
-

143-01 - General Provisions

LAST AMENDED
12/15/2021

The provisions of this Chapter shall apply within the *Special SoHo-NoHo Mixed Use 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.

143-02 - Definitions

LAST AMENDED
12/15/2021

Definitions specifically applicable to this Chapter are set forth in this Section. Other defined terms are set forth in Section [12-10 \(DEFINITIONS\)](#).

Qualifying building

For the purposes of this Chapter, a “qualifying building” shall be any #building# where, prior to December 15, 2021:

- (a) such #building# contained at least 60,000 square feet of #floor area#; and

- (b) at least 20 percent of the #floor area# within such #building# was allocated to non-#residential floor area#, as such term is utilized in Section [143-14](#).

SoHo-NoHo Arts Fund

For the purposes of this Chapter, the “SoHo-NoHo Arts Fund” (the “Arts Fund”) shall be a separate interest-bearing account established for the deposit of contributions made when converting #joint living-work quarters for artists# to #residences# in accordance with the provisions of Section [143-13](#) (Joint Living-Work Quarters for Artists). Funds within the #SoHo-NoHo Arts Fund# shall be allocated by the New York City Department of Cultural Affairs, or a not-for-profit entity designated by the Department of Cultural Affairs, to support arts programming, projects, organizations, and facilities that promote the public presence of the arts within the Special District and surrounding neighborhoods and extend the cultural legacy of SoHo and NoHo generally. Such allocation should prioritize under-resourced organizations and under-served areas within Lower Manhattan neighborhoods south of 14th Street.

No later than June 30 of each year, the Department of Cultural Affairs shall submit a report to the Speaker detailing the amount of money deposited into the #SoHo-NoHo Arts Fund# and any expenditure of funds.

143-03 - District Plan and Map

LAST AMENDED

12/15/2021

In order to carry out the purposes and provisions of this Chapter, a district map is located in the Appendix to this Chapter and is hereby incorporated and made an integral part of this Resolution. It is incorporated for the purpose of specifying locations where special regulations and requirements, as set forth in the text of this Chapter, apply:

Appendix A

Map 1. Ground Floor Use Requirements

Such map is hereby incorporated and made part of this Resolution for the purpose of specifying locations where the special regulations and requirements set forth in the text of this Chapter apply.

143-04 - Applicability of the Inclusionary Housing Program

LAST AMENDED

12/15/2021

For the purposes of applying the Inclusionary Housing Program provisions set forth in Sections [23-154](#) and [23-90](#), inclusive, #Mandatory Inclusionary Housing areas# within the #Special SoHo-NoHo Mixed Use District# are shown on the maps in APPENDIX F of this Resolution. Such provisions are modified as follows:

- (a) #Conversions# from #joint living-work quarters for artists# to #residences#, as set forth in Section [143-13](#) (Joint Living-Work Quarters for Artists), shall not be subject to the provisions of paragraph (d)(1) of Section [23-154](#).
- (b) The provisions of paragraph (d)(4)(i) of Section [23-154](#) shall apply:

- (1) in M1 districts paired with R7D districts, to #developments# or #enlargements# on #zoning lots# existing on December 15, 2021, on which the maximum permitted #residential floor area#, less #floor area# equivalent to a #floor area ratio# of 0.6, does not exceed 12,500 square feet; and
 - (2) in all other districts, to #developments# or #enlargements# on #zoning lots# existing on December 15, 2021, on which the maximum permitted #residential floor area#, less the #lot area#, does not exceed 12,500 square feet.
- (c) For #conversions# in #buildings# existing prior to December 15, 2021, that are not otherwise subject to paragraph (d)(3)(v) of Section [23-154](#), the Board of Standards and Appeals may permit a contribution to the #affordable housing fund#, pursuant to the provisions of Section 73-625.

143-05 - Applicability of Article VI, Chapters 4 and 6

LAST AMENDED
12/15/2021

In #flood zones#, or for #transit-adjacent sites# or #qualifying transit improvement 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 Zones), or Article VI, Chapter 6 (Special Regulations Applying Around Mass Transit Stations), the provisions of Article VI shall control.

143-06 - Applicability of Article XII, Chapter 3

LAST AMENDED
12/15/2021

In the #Special SoHo-NoHo Mixed Use District#, M1 Districts are paired with a #Residence District#. In paired districts, the special #use#, #bulk#, and parking and loading provisions of Article XII, Chapter 3 (Special Mixed Use District) shall apply, except where modified by the provisions of this Chapter.

Notwithstanding the provisions of Section [123-10](#) (GENERAL PROVISIONS), in the event of a conflict between the provisions of this Chapter and the provisions of Article XII, Chapter 3, the provisions of this Chapter shall control.

143-07 - Applicability of Quality Housing Regulations

LAST AMENDED
12/15/2021

All #buildings# shall be #developed# or #enlarged# in accordance with the Quality Housing Program and the regulations of Article II, Chapter 8 shall apply. The #bulk# regulations of this Chapter shall be considered the applicable #bulk# regulations for #Quality Housing buildings#.

143-08 - Applicability of Article I, Chapter 5

LAST AMENDED
12/15/2021

The provisions of Article I, Chapter 5 shall apply to the #conversion# of non-#residential floor area# to #residences#, except where such regulations are modified by the provisions of this Chapter. Where the regulations in effect prior to the establishment of this Chapter were utilized to provide #floor area# for #joint living-work quarters for artists# in a manner not otherwise permitted by Article I, Chapter 5, such provisions may continue to apply in order to #convert# such #floor area# to #residences#, provided that light and air provisions of Section [15-23](#), and #conversion# provisions of Section [143-13](#) are met.

143-10 - SPECIAL USE REGULATIONS

LAST AMENDED

12/15/2021

Within the #Special SoHo-NoHo Mixed Use District#, the #use# provisions of Article XII, Chapter 3 are modified by the provisions of this Section.

143-11 - Modifications for Certain Uses

LAST AMENDED

12/15/2021

Within the #Special SoHo-NoHo Mixed Use District#, the following #use# modifications shall apply:

- (a) the following #uses# listed in Use Group 3A shall not be permitted:
 - colleges or universities, including professional schools but excluding business colleges or trade schools
 - college or school student dormitories and fraternity or sorority student houses;
- (b) eating or drinking establishments, as set forth in Use Groups 6A, 6C, 10A or 12A, shall be limited to 8,500 square feet of #floor area# per establishment; and
- (c) all #uses# listed in Use Group 10A shall be permitted, provided that retail #uses# do not exceed the following size limitations:
 - (1) for establishments with a #primary entrance# along a #wide street#, 25,000 square feet of #floor area# per establishment; and
 - (2) for all other establishments, 10,000 square feet of #floor area# per establishment.

However, the City Planning Commission may, by special permit, allow retail #uses# in Use Group 10A that exceed the size limitations of this Section, pursuant to Section [143-31](#) (Special Permit for Certain Retail Uses).

143-12 - Home Occupation

LAST AMENDED

12/15/2021

The #home occupation# provisions of Section [12-10](#) (DEFINITIONS - Home occupation) shall apply, except that up to 49 percent of the total #floor area# of a #dwelling unit# may be used for a #home occupation#, and such #home occupation# may occupy more than 500 square feet of #floor area#.

In addition, in connection with such #home occupation#, up to three persons not residing in such #dwelling unit# may be

employed, and a #home occupation# may include any permitted #commercial use#, subject to the limitations set forth in paragraph (b) of the definition of #home occupation#.

143-13 - Joint Living-Work Quarters for Artists

LAST AMENDED

12/15/2021

#Conversions# to #joint living-work quarters for artists#, as listed in Use Group 17D, shall not be permitted after December 15, 2021, within the #Special SoHo-NoHo Mixed Use District#.

For #developments#, #enlargements# or #conversions#, for the purposes of applying Section [123-21](#), Use Group 17D #joint living-work quarters for artists# shall not be considered an existing #manufacturing# or #commercial use#.

For #joint living-work quarters for artists# existing on December 15, 2021, any #conversion# to a #residence# shall only be permitted upon certification by the Chairperson of the City Planning Commission to the Commissioner of the Department of Building that instruments in a form acceptable to the City are executed and recorded and that, thereafter, a contribution has been deposited in the #SoHo-NoHo Arts Fund#. The execution and recording of such instruments and the payment of such non-refundable contribution shall be a precondition to the filing for or issuing of any building permit allowing the #conversion# a #joint living-work quarters for artists# to a #residence#.

The contribution amount shall be \$100.00 per square foot of #floor area# to be #converted# from a #joint living-work quarters for artists# to a #residential use# as of December 15, 2021, and shall be adjusted by the Chairperson annually. Such adjustment shall occur on August 1 of each calendar year, based on the percentage change in the Consumer Price Index for all urban consumers as defined by the U.S. Bureau of Labor Statistics for the 12 months ended on June 30 of that year. The contribution amount shall be determined based upon the rate which is in effect at the time the contribution is received.

143-14 - Non-residential Retention for Qualifying Buildings

LAST AMENDED

12/15/2021

For #developments#, #enlargements#, and #conversions# on #zoning lots# with #qualifying buildings# existing on December 15, 2021, #residential uses# shall only be permitted upon certification by the Chairperson of the City Planning Commission to the Commissioner of the Department of Buildings that the #zoning lot#, as it existed on December 15, 2021, will contain at least the amount of non-#residential# #floor area# that existed within such #qualifying buildings# on the #zoning lot# on December 15, 2021, or where the #qualifying building# will be #converted# to #residences# that are exclusively #income-restricted housing units#. For the purposes of this Section, non-#residential floor area# shall not include #residences#, including #dwelling units# that are registered Interim Multiple Dwellings or are covered by the New York City Loft Board pursuant to Article 7-C of the New York State Multiple Dwelling Law or that the Loft Board determines were occupied for #residential use# on September 1, 1980, #joint living-work quarters for artists#, #community facility uses# with sleeping accommodations or #transient hotels#, where permitted.

A restrictive declaration acceptable to the Department of City Planning shall be executed and recorded, binding the owners, successors and assigns to provide the amount of non-#residential floor area# that existed within #qualifying buildings# on December 15, 2021, on the #zoning lot#. Such restrictive declaration shall be recorded in the Office of the City Register.

143-15 - Ground Floor Use Requirements

LAST AMENDED

The provisions of this Section shall apply to #developments# and #ground floor level enlargements#.

For the purposes of applying the special #ground floor level# streetscape provisions set forth in Section [37-30](#) to this Chapter, any portion of a #ground floor level street# frontage along #streets# designated on Map 1 in the Appendix to this Chapter shall be considered #primary street frontages#. A #ground floor level street# frontage along any other #street# shall be considered a #secondary street frontage#. For the purposes of this Section, defined terms shall include those in Sections [12-10](#) and 37-311.

(a) Along #primary street frontages#

For #buildings#, or portions thereof, with #primary street frontage#, #uses# on the #ground floor level#, to the minimum depth set forth in Section [37-32](#) (Ground Floor Depth Requirements for Certain Uses), shall be limited to non-#residential uses#, except for Type 1 lobbies and entrances and exits to #accessory# parking spaces provided in accordance with the applicable provisions of Section [37-33](#) (Maximum Width of Certain Uses). #Ground floor level street walls# shall be glazed in accordance with the provisions set forth in Section [37-34](#) (Minimum Transparency Requirements).

(b) Along #secondary street frontages#

Any #street wall# width exceeding 50 feet with no transparent elements on the #ground floor level# shall provide visual mitigation elements in accordance with the provisions for Type 1 blank walls set forth in Section [37-361](#) (Blank wall thresholds).

143-20 - SPECIAL BULK REGULATIONS

LAST AMENDED

12/15/2021

Within the #Special SoHo-NoHo Mixed Use District#, the #bulk# provisions of Article XII, Chapter 3 are modified by the provisions of this Section.

143-21 - Special Floor Area Regulations

LAST AMENDED

12/15/2021

The applicable #floor area# regulations shall be modified as follows:

(a) the #floor area ratio# for #community facility uses# shall be 6.5; and

(b) in M1-6 Districts paired with an R10 District east of Broadway and north of Great Jones Street, the #floor area ratio# for all other non-#residential uses# shall be 7.0.

143-22 - Density

LAST AMENDED
12/15/2021

For all #residential buildings#, or portions thereof, including those existing on December 15, 1961, the factor to determine the maximum number of #dwelling units# shall be 680.

Where a #joint living-work quarters for artists# has utilized the provisions of Section [15-024](#) (Special bulk regulations for certain pre-existing dwelling units, joint living-work quarters for artists and loft dwellings) as alternative density provisions, such provisions shall remain in effect for any subsequent #conversion# to #dwelling units#. However, in applying such provisions, the #dwelling unit# factor provisions of this Section shall apply in lieu of Section [15-111](#) (Number of permitted dwelling units).

143-23 - Special Yard Regulations

†

LAST AMENDED
12/6/2023

The applicable #rear yard# and #rear yard equivalent# regulations shall be modified as follows:

(a) Permitted obstructions

In any #rear yard# or #rear yard equivalent#, any #building# or portion of a #building# used for #commercial#, #manufacturing#, or #residential uses#, other than dwelling units, shall be a permitted obstruction, provided that the height of such #building# shall not exceed one #story#, excluding #basement#, nor in any event 23 feet above #curb level#.

In addition, in M1-5 Districts paired with an R9X District north of Howard Street, in any #rear yard#, any #building# or portion of a #building# used for any permitted non-#residential use#, shall be a permitted obstruction, provided that the height of such #building#, or portion thereof, shall not exceed two #stories#, excluding #basements#, nor in any event 30 feet above #curb level#.

Any allowance for other permitted obstructions above a #building# in a #rear yard# or #rear yard equivalent# set forth in Section [43-23](#), shall be permitted above such modified height limitations.

(b) Required #rear yards#

For all #uses#, a #rear yard# with a depth of not less than 20 feet shall be provided at every #rear lot line# on any #zoning lot#, except as follows:

- (1) no #rear yard# shall be required within 100 feet of the point of intersection of two #street lines# intersecting at an angle of 135 degrees or less;
- (2) whenever a #front lot line# of a #zoning lot# coincides with all or part of a #street line# measuring less than 230 feet in length between two intersecting #streets#, no #rear yard# shall be required within 100 feet of such #front lot line#; and
- (3) for #interior lots# where the depth of such #zoning lot#, or a portion thereof, is less than 90 feet, and such

shallow depth was in existence on December 15, 1961 and on the date of application for a #building# permit, the required #rear yard# for such #interior lot#, or portion thereof, may be reduced by six inches for each foot by which the depth of a #zoning lot#, or portion thereof, is less than 90 feet. However, in no event shall the minimum depth of a #required yard#, or portion thereof, be reduced to less than 10 feet.

(c) Required #rear yard equivalents#

For #buildings#, or portions thereof, containing non-#residential uses#, no #rear yard equivalent# shall be required on any #through lot# or #through lot# portion of a #zoning lot#.

For #buildings#, or portions thereof, containing #residential uses#, on any #through lot# that is 110 feet or more in maximum depth from #street# to #street#, a #rear yard equivalent# consisting of an open area with a minimum depth of 40 feet midway, or within 10 feet of being midway, between the two #street lines# upon which such #through lot# fronts, shall be provided.

However, for #through lots# where the depth of such #zoning lot#, or a portion thereof, is less than 180 feet, and such shallow depth was in existence on December 15, 1961 and on the date of application for a building permit, the required #rear yard equivalent# for such #through lot#, or portion thereof, may be reduced by one foot for each foot by which the depth of a #zoning lot#, or portion thereof, is less than 180 feet. However, in no event shall the minimum depth of a #required yard#, or portion thereof, be reduced to less than 20 feet.

(d) Along district boundaries

The provisions of [43-30](#) (Special Provisions Applying Along District Boundaries), shall not apply along the district boundaries of two M1 Districts paired with #Residence Districts#.

143-24 - Special Height and Setback Regulations

†

LAST AMENDED

12/6/2023

For the purposes of this Section, Watts Street, West Broadway, Centre Street, and Great Jones Street shall be considered #wide streets#.

The applicable height and setback regulations are modified as follows:

(a) #Street wall# location

Along all #street# frontages, the #street wall# regulations applicable to #Quality Housing buildings# on a #wide street# in a C6 District, as set forth in Section [35-651](#) (Street wall location), shall apply. On #through lots#, the additional regulations set forth in paragraph (b) of Section [35-655](#) shall not apply.

For the purposes of applying such regulations, the minimum base height a #street wall# shall rise to, without setback, shall be those set forth in paragraph (b) of this Section.

(b) Base heights and maximum #building# heights

The table below sets forth the minimum and maximum base height, and maximum #building# height for all #buildings#.

A setback is required for all portions of a #building# that exceed the maximum base height specified for the applicable district and shall be provided in accordance with paragraph (c) of this Section.

MINIMUM BASE HEIGHT, MAXIMUM BASE HEIGHT,
AND MAXIMUM BUILDING HEIGHTS

District	Minimum base height (in feet)	Maximum base height (in feet)	Maximum #building# height (in feet)
M1-5/R7D	60	105	115
M1-5/R7X	60	105	145
M1-5/R9A	60	125	175
M1-5/R9X, north of East Houston Street	60	125	195
M1-5/R9X, south of East Houston Street	85	145	205
M1-5/R10 and M1-6/R10	125	155	275

However, for any #zoning lot# located in a Historic District designated by the Landmarks Preservation Commission, the minimum and maximum base heights may be modified as follows:

- (1) the minimum base height of a #street wall# may vary between the minimum height set forth in the table above, and the height of the #street wall# of an adjacent #building# before setback, if such height is lower than the minimum base height; and
- (2) the maximum base height of a #street wall# may vary between the maximum base height set forth in the table above, and the height of the #street wall# of an adjacent #building# before setback, if such height is higher than the maximum base height.

(c) Setbacks

At a height not lower than the minimum base height or higher than the maximum base height specified for the applicable district in the table in paragraph (b) of this Section, a setback shall be provided in accordance with paragraph (c) of Section [23-662](#) (Maximum height of buildings and setback regulations) shall apply to such setbacks.

(d) Dormers

As an alternative to the dormer provisions of paragraph (c) of Section [23-623](#), dormers may be a permitted obstruction within a required front setback distance above a maximum base height, provided that the aggregate width of all dormers at the maximum base height does not exceed 40 percent of the width of the #street wall# of the highest #story# entirely below the maximum base height. Such dormers need not decrease in width as the height above the maximum base height

increases.

143-25 - Additional Bulk Modifications

LAST AMENDED

12/15/2021

For #buildings# containing #residences#, or portions thereof, the following additional #bulk# modifications shall apply.

(a) #Outer court# modifications

For #outer courts# containing #legally required windows#, if an #outer court# is less than 20 feet wide, the width of such #outer court# shall be at least equal to the depth of such #outer court#. If an #outer court# is 20 feet or more in width, it may extend to any depth.

(b) #Inner court# modifications

For #inner courts# containing #legally required windows#, the area shall not be less than 600 square feet, and the minimum dimension of such #inner court# shall not be less than 20 feet.

The minimum horizontal distance between a #legally required window# opening on an #inner court# and any wall opposite such window on the same #zoning lot# shall not be less than 20 feet.

(c) Distance between #legally required windows# and #lot lines#

The minimum distance between a #legally required window# and:

- (1) any wall;
- (2) a #rear lot line#, or vertical projection thereof; or
- (3) a #side lot line#, or vertical projection thereof;

shall be 20 feet, measured in a horizontal plane at the sill level of, and perpendicular to, such window for the full width of the rough window opening.

(d) Distance between #buildings#

The required minimum distance between the portion of a #building# containing #dwelling units# and any other #building# on the same #zoning lot# shall be 40 feet below a height of 125 feet. Portions of #buildings# above 125 feet that exceed, in aggregate, a #lot coverage# of 40 percent, shall be spaced at least 80 feet apart.

143-30 - SPECIAL PERMITS

LAST AMENDED
12/15/2021

143-31 - Special Permit for Certain Retail Uses

LAST AMENDED
12/15/2021

Within the #Special SoHo-NoHo Mixed Use District#, the City Planning Commission may, by special permit, allow retail #uses# in Use Group 10A that exceed the size limitations of Section [143-11](#), provided that the conditions of paragraph (a) and the findings of paragraph (b) are met.

(a) Conditions

For #buildings# that do not contain #accessory# off-street loading berths, the application shall include a delivery plan for the retail #use#. Such loading plans shall be based upon a traffic and curbside management study prepared by a qualified professional, outlining and identifying the operational needs of the tenant as well as adjacent #uses#.

(b) Findings

The Commission shall find that:

- (1) in consultation with the Department of Transportation, where a loading plan is provided, such plan will incorporate sustainable best practices in loading, consolidating, timing of deliveries and other delivery methods and procedures;
- (2) such retail #use# will not create or contribute to serious safety concerns, unduly inhibit pedestrian, cyclist or vehicular movement adjacent to the site; and

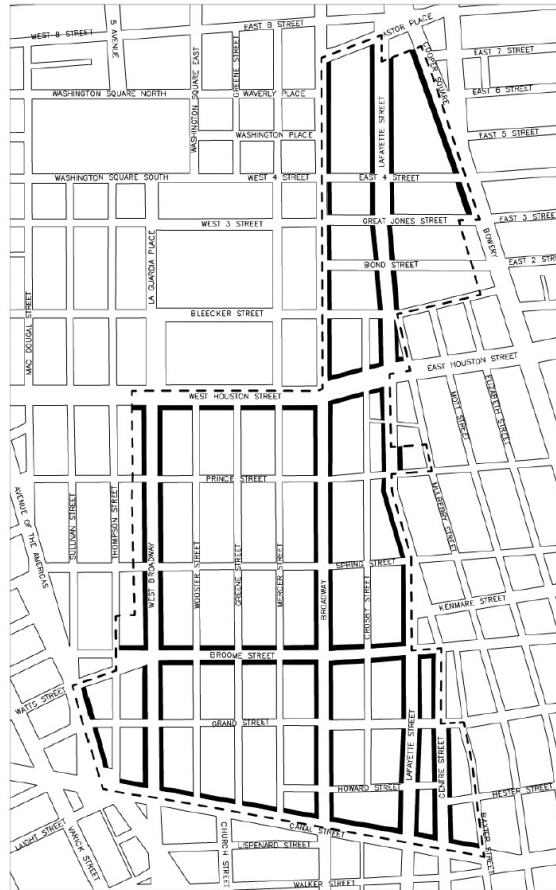
- (3) such retail #use# will not impair the character or the future #use# or #development# of the surrounding mixed-use neighborhood.

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

APPENDIX A - Special SoHo-NoHo Mixed Use District Plan

LAST AMENDED 12/15/2021

Map 1: Ground Floor Use Requirements (12/15/21)



----- Special SoHo-NoHo Mixed Use District (SNX)
————— Type 1 Primary Street Frontage (143-15(a))





Zoning Resolution

THE CITY OF NEW YORK

Eric Adams, Mayor

CITY PLANNING COMMISSION

Daniel R. Garodnick, Chair

Chapter 4 - Special Brooklyn Navy Yard District (BNY)

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Chapter 4 - Special Brooklyn Navy Yard District (BNY)

144-00 - GENERAL PURPOSES

LAST AMENDED 12/15/2021

The “Special Brooklyn Navy Yard District” established in this Resolution is designed to promote and protect public health, safety and general welfare. These goals include, among others, the following specific purposes:

- (a) to encourage investment in the Brooklyn Navy Yard and facilitate the expansion of the Brooklyn Navy Yard as a modern manufacturing complex;
- (b) to promote job growth;
- (c) to allow for a mix of office, community facility, retail, and other commercial uses to complement the industrial and manufacturing facilities at the Brooklyn Navy Yard;
- (d) to use traffic management planning to meet loading and parking needs including through alternate means of travel;
- (e) to better integrate the Brooklyn Navy Yard with the urban fabric of surrounding residential and mixed-use communities and to introduce publicly accessible open space areas within the perimeter of the Yard; and
- (f) to promote the most desirable use of land in accordance with a well-considered plan and thus conserve the value of land and buildings, and thereby protect the City’s tax revenues.

144-01 - Definitions

LAST AMENDED 12/15/2021

Definitions specifically applicable to this Chapter are set forth in this Section and may modify definitions set forth in Section [12-10](#) (DEFINITIONS). Where a term in italics is defined in both Section [12-10](#) and in this Chapter, the definitions in this Chapter shall govern. The terms #pier#, #platform#, and #floating structure# shall have the meaning set forth in Section [62-11](#) (Definitions).

Barge Basin

“Barge Basin” shall mean that inlet from the East River identified on Map 2 in the Appendix to this Chapter as the Barge Basin.

Shoreline

The definition of #shoreline# set forth in Section [12-10](#) is modified for the purposes of this Chapter to mean the shoreline on a survey available on the Department of City Planning website.

144-02 - General Provisions

LAST AMENDED 12/15/2021

The provisions of this Chapter shall apply within the #Special Brooklyn Navy Yard 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#, 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 Zones), the provisions of Article VI, Chapter 4 shall control.

144-03 - District Plan and Maps

LAST AMENDED 12/15/2021

The regulations of this Chapter are designed to implement the #Special Brooklyn Navy Yard District# Plan. The district plan includes the following maps in the Appendix to this Chapter:

- Map 1 Special Brooklyn Navy Yard District and Subdistricts
- Map 2 Barge Basin Subareas
- Map 3 Navy Street Central Subarea
- Map 4 Flushing Avenue Subareas and View Corridors
- Map 5 Street Line Locations in the Barge Basin Subdistrict
- Map 6 Primary Street Frontages

The maps are hereby incorporated and made part of this Resolution for the purpose of specifying locations where the special regulations and requirements set forth in the text of this Chapter apply.

144-04 - Subdistricts and Subareas

LAST AMENDED 12/15/2021

In order to carry out the purposes and provisions of this Chapter, four subdistricts are established within the #Special Brooklyn Navy Yard District# comprised of three perimeter subdistricts and one core subdistrict for the remainder of the Yard. In addition, one subarea is established within the Navy Street Subdistrict, two subareas are established within the Flushing Subdistrict and two subareas are established within the Barge Basin Subdistrict.

Perimeter Subdistricts

Navy Street Subdistrict

Navy Street Central Subarea

Flushing Subdistrict

Flushing West Subarea

Flushing East Subarea

Barge Basin Subdistrict

Barge Basin East Subarea

Barge Basin West Subarea

Core Subdistrict

The boundaries of the Subdistricts are shown in Map 1 and the boundaries of the Subareas are shown on Maps 2 through 4 in the Appendix to this Chapter.

144-05 - Applicability of Special Regulations Applying in the Waterfront Area

LAST AMENDED 12/15/2021

The provisions of Article VI, Chapter 2 (Special Regulations Applying in the Waterfront Area) shall not apply in the #Special Brooklyn Navy Yard District# except as expressly provided in this Chapter.

144-06 - Single Zoning Lot

LAST AMENDED 12/15/2021

For all purposes of this Chapter, the #Special Brooklyn Navy Yard District# shall be deemed to be a single #zoning lot# except where expressly provided otherwise in this Chapter. #Floor area# attributable to the #zoning lot# may be located anywhere on the #zoning lot# without regard to Subdistrict boundary lines, and all #floor area# located within a Subdistrict shall be subject to the #use# and #bulk# requirements of such Subdistrict.

144-10 - SPECIAL USE REGULATIONS

LAST AMENDED 12/15/2021

Within the #Special Brooklyn Navy Yard District#, the #use# provisions of Article IV, Chapter 2 are modified by the provisions of this Section, inclusive.

144-11 - Additional Uses Permitted in All Districts

LAST AMENDED 12/15/2021

In all districts, the underlying #use# regulations are modified as follows:

(a) Alcoholic beverages and breweries

The manufacture of alcoholic beverages and breweries, as specified in Section [42-15](#) (Use Group 18), shall be permitted, subject to the applicable performance standards, except that the provisions of Section [42-27](#) (Performance Standards Regulating Fire and Explosive Hazards) shall not apply.

(b) Water-dependent #uses#

The provisions of Section [62-21](#) (Classification of Uses in the Waterfront Area), Section [62-22](#) (Commercial Docking Facilities), Section [62-24](#) (Uses on Piers and Platforms), and Section [62-25](#) (Uses on Floating Structures) shall apply, provided that all #uses# existing on #piers# and #platforms# as of December 15, 2021, shall be deemed conforming #uses#.

144-12 - Additional Uses Permitted in M2-1 Districts

LAST AMENDED 12/15/2021

The provisions of Section [42-10](#) (USES PERMITTED AS-OF-RIGHT) shall be modified to permit the following uses in M2-1 Districts, subject to the requirements of Section [144-212](#) (Floor area limitations on additional uses):

- (a) all Use Group 3A #uses#, as set forth in Section [22-13](#), not otherwise permitted by the underlying regulations other than #uses# containing sleeping accommodations; and
- (b) all Use Group 6C, 9A, 10A and 12B #uses#, as set forth in Sections [32-15](#), [32-18](#), [32-19](#) and [32-21](#), respectively, not otherwise permitted by the underlying regulations.

144-13 - Additional Uses in M3-1 Districts

LAST AMENDED 12/15/2021

Within M3-1 Districts, the City Planning Commission may allow, by authorization, #schools#, colleges or universities, without sleeping accommodations, as listed in Use Group 3A, provided that the Commission finds that:

- (a) such #school#, college or university has an academic program compatible with a tenant or industrial operation in the #Special Brooklyn Navy Yard District#; and
- (b) the location of the #school#, college or university will not interfere with any #manufacturing use# or alter the essential industrial character of the #Special Brooklyn Navy Yard District#.

The Commission may impose appropriate conditions and safeguards to minimize adverse impacts effects on the character of the surrounding area.

144-14 - Special Sign Regulations

LAST AMENDED 12/15/2021

In the #Special Brooklyn Navy Yard District#, the underlying #sign# regulations of Section [42-50](#) (SIGN REGULATIONS) shall apply, except as modified by the provisions of Section [144-141](#) (Illuminated non-flashing signage) through Section [144-143](#) (Special provisions near certain parks).

144-141 - Illuminated non-flashing signage

LAST AMENDED 12/15/2021

The provisions of Section [42-533](#) (Illuminated or flashing signs) shall be modified to allow one #accessory# non-#flashing# #illuminated sign# to have a #surface area# of 750 square feet in each of the following Subareas: the Navy Street Central Subarea, the Flushing East Subarea, between Clinton Avenue and Washington Avenue, the Barge Basin East Subarea, and the Barge Basin West Subarea. All other #illuminated signs# shall comply with the requirements of Section [42-533](#) (Illuminated or flashing signs).

144-142 - Special provisions along district boundaries

LAST AMENDED 12/15/2021

The provisions of Section [42-56](#) (Special Provisions Applying Along District Boundaries) shall be modified as follows:

- (a) within the Flushing East Subarea, the provisions of Section [42-561](#) (Restrictions along the district boundary located in a street) shall not apply to any #sign# provided in accordance with Section [144-141](#) (Illuminated non-flashing signage); and
- (b) within the Navy Street Central Subarea, the Flushing East Subarea, and the Barge Basin Subdistrict, the orientation provisions of Section [42-562](#) (Restriction on angle and height above curb level) shall not apply to #signs# provided in accordance with Section [144-141](#).

144-143 - Special provisions near certain parks

LAST AMENDED12/15/2021

The provisions of Section [42-55](#) (Additional Regulations for Signs Near Certain Parks and Designated Arterial Highways) shall not apply to any #signs# provided in accordance with Section [144-141](#) (Illuminated non-flashing signage) within the Barge Basin East Subarea.

144-20 - SPECIAL BULK REGULATIONS

LAST AMENDED12/15/2021

Within the #Special Brooklyn Navy Yard District#, the #bulk# provisions of Article IV, Chapter 3 are modified by the provisions of this Section, inclusive.

144-21 - Floor Area Regulations

LAST AMENDED12/15/2021

The underlying #floor area# regulations of Section [43-10](#) (FLOOR AREA REGULATIONS), inclusive, are modified by the provisions of Sections [144-211](#) (Floor area ratio) through [144-213](#) (Floor area limitations on additional uses).

144-211 - Floor area ratio

LAST AMENDED12/15/2021

In all districts, the maximum #floor area ratio# for all #uses# shall be 2.0.

144-212 - Floor area ratio calculations

LAST AMENDED12/15/2021

For the purposes of calculating #floor area# on #waterfront zoning lots#, the provisions of Section [62-31](#) (Bulk Computations on Waterfront Zoning Lots) shall apply.

144-213 - Floor area limitations on additional uses

LAST AMENDED12/15/2021

The additional #uses# allowed pursuant to Section [144-11](#) (Additional Uses Allowed in M2 Districts) shall be limited to 300,000 square feet of #floor area# within each Subdistrict where such additional #uses# are allowed, and the total #floor area# allocated

to such additional #commercial uses# shall not exceed 100,000 square feet in each Subdistrict where the additional #uses# are allowed.

144-22 - Yard and Shoreline Setback

LAST AMENDED 12/15/2021

The underlying #yards# regulations of Section [43-20](#) (YARD REGULATIONS), inclusive, and Section [43-31](#) (Other Special Provisions for Rear Yards) shall not apply. In lieu thereof, the provisions of this Section shall apply.

In all districts, no #building# shall be located closer to the #shoreline# than 30 feet, except for #buildings# used for water dependent #uses#, as set forth in Section [62-21](#) (Classification of Uses in the Waterfront Area), or #buildings# containing not more than 5,000 square feet of #floor area#.

The #shoreline# setback requirement shall be reduced in dimension, or eliminated, where the Chair of the City Planning Commission certifies to the Commissioner of the Department of Buildings or the Commissioner of the Department of Small Business Services, as applicable, that either:

- (a) a #building# proposed to be located within such 30-foot setback area incorporates flood protection measures for the immediate area of the #building# that protect the #building# to a level that is 58 inches above the mean high water line existing on December 15, 2021; or
- (b) a district-wide resiliency plan for the #Special Brooklyn Navy Yard District# has been adopted and the measures to be incorporated in connection with the #development# or already in place are in furtherance of the district-wide plan.

Measures shall be deemed protective if they alone or together with other measures in place at the time of construction protect the #building# from flooding to the elevation set forth in paragraph (a) of this Section or if they would support protection of the entire #Special Brooklyn Navy Yard District# to such elevation without further improvement of the portion of area directly seaward of the proposed #building#.

The Chairperson shall certify the application within 45 days of receipt of a complete application. Failure to certify within the 45-day period will release the Department of Buildings or the Department of Small Business Services from any obligation to withhold the excavation or building permit and authorize such agency to determine compliance with the provisions of this Section.

144-23 - Height and Setback Regulations

LAST AMENDED 12/15/2021

The underlying height and setback regulations of Section [43-40](#) (HEIGHT AND SETBACK REGULATIONS) are modified by the provisions of this Section, inclusive.

144-231 - Flushing East Subarea

LAST AMENDED 12/15/2021

In the Flushing East Subarea, the following height and setback modifications shall apply:

- (a) Wide street designation

For purposes of applying the height and setback controls, Flushing Avenue shall be deemed a #wide street#.

(b) Street wall location

The #street wall# of any #development# or horizontal #enlargement# within the Flushing East Subarea shall be located at least 50 feet from the Flushing Avenue #street line#. The area between such #development# or horizontal #enlargement# and the adjoining #street# shall be improved as publicly accessible space in accordance with Section [144-30](#) (SPECIAL PUBLIC ACCESS AREA REGULATIONS).

(c) View corridors

View corridors with a minimum width of 50 feet shall be provided:

- (1) within the Vanderbilt Avenue view corridor; and
- (2) within one of the Clinton Avenue or Waverly Avenue view corridors.

The locations of such required view corridors are designated on Map 4 in the Appendix to this Chapter.

No #development# or #enlargement# may be located in the required view corridors, provided that gates and fencing, entry signage, sentry booths, and other entry and security measures may be located within such areas. Any gates or fencing shall be designed to allow for views into the #Special Brooklyn Navy Yard District#.

144-232 - Barge Basin Subdistrict

LAST AMENDED 12/15/2021

In the Barge Basin Subdistrict, as shown on Map 5 in the Appendix to this Chapter, the height and setback regulations set forth in Section [43-40](#) (HEIGHT AND SETBACK REGULATIONS), inclusive, shall apply, as modified by the provisions of this Section.

For purposes of applying the height and setback provisions of this Section, the #street walls# of #abutting# #buildings# shall be considered a single #building# #street wall#.

(a) Sidewalk widening

A sidewalk widening shall be provided along Kent Avenue to the extent necessary so that a minimum width of 15 feet is achieved, including portions within and beyond the #zoning lot#. Such sidewalk widening shall be:

- (1) improved as a sidewalk to Department of Transportation standards;
- (2) at the same level as the adjoining public sidewalk; and
- (3) accessible to the public at all times.

The interior boundary of the sidewalk widening shall be considered the #street line# for the purposes of this Section.

(b) Establishing #street lines# along #Barge Basin#

For the purposes of applying the height and setback regulations of this Section to portions of #buildings# fronting #Barge Basin# and prolongations thereof, the following shall be considered #street lines# along a #wide street#:

- (1) Along the long dimension of the #Barge Basin#

Along the long dimension of the #Barge Basin# a line offset 40 feet northeast from the northeastern boundary of the #Barge Basin# in the Barge Basin East Subarea, and a line offset 50 feet southwest from the southwestern

boundary of the #Barge Basin# in the Barge Basin West Subarea, shall be considered #street lines#.

The area between the #Barge Basin# and such #street lines# shall be improved as publicly accessible areas in accordance with the applicable provisions of Section [144-30](#) (SPECIAL PUBLIC ACCESS AREA REGULATIONS), inclusive.

(2) Along the short dimension of the #Barge Basin#

Along the short dimension of the #Barge Basin#, the southeasterly boundaries of the Barge Basin Subdistrict, including the boundary extending from the centerline prolongation of Taylor Street, and the boundary constructed from an offset of the southeastern terminus of the #Barge Basin#, shall be considered #street lines#.

Within the area between the #Barge Basin# and such #street lines# shall be an area adjacent to the short dimension of the #Barge Basin# that connects the Barge Basin East Subarea pedestrian esplanade and the Barge Basin West Subarea pedestrian esplanade that shall be:

- (i) improved as a sidewalk to Department of Transportation standards;
- (ii) at the same level as the adjoining public sidewalk; and
- (iii) accessible to the public at all times the public access areas are required to be open to the public, pursuant to Section [144-33](#) (Hours of Operation).

The locations of these #street lines#, are shown on Map 5 in the Appendix to this Chapter.

(c) #Street wall# location, and articulation

At least 70 percent of the #aggregate width of street walls# facing #Barge Basin# shall be located within eight feet of the #street line# and shall extend to at least a minimum base height of 30 feet, or two #stories#, whichever is lower. The remaining #aggregate width of street walls# may be recessed beyond eight feet of the #street line#, provided that any recesses deeper than 10 feet are located within an #outer court#.

Any open area between a #street wall# and the #street lines# along #Barge Basin# that is within eight feet of such #street line# shall be improved as publicly accessible areas in accordance with the applicable provisions of Section [144-30](#), inclusive. Open areas between the #street line# and #street walls# that are beyond eight feet of such #street line# may be publicly accessible areas, as needed, to achieve the minimum percentage of public access area required by each Subarea pursuant to Section [144-31](#) (Required Public Access Area).

For those portions of #buildings# facing #Barge Basin# with a #street wall# width exceeding 200 feet, a minimum of 20 percent of the surface area of such #street wall# up to the height of the second #story#, or 30 feet, whichever is lower, and a maximum of 50 percent of such surface area, shall either recess or project from the remaining surface area of the #street wall# by a minimum of three feet. #Building# projections shall be a permitted obstruction within any open area between the #street wall# and #street line#, including publicly accessible areas, provided that the minimum percentage of public access area required by each Subarea pursuant to Section [144-31](#) remains open to the sky. Additional permitted obstructions are allowed in accordance with paragraph (a) of Section [144-32](#) (Design Requirements).

(d) Base heights, required setbacks, and dormers

The front setback provisions applicable to an M1-5 District set forth in Section [43-43](#) (Maximum Height of Front Wall and Required Front Setbacks) shall apply, except as modified by the provisions of this Section. The alternate front setback regulations of Section [43-44](#) (Alternate Front Setbacks) shall not apply.

(1) #Initial setback distances#

The #initial setback distance# regulations shall be modified as follows:

- (i) along the #Barge Basin#, such #initial setback distance# shall have a depth of at least 30 feet from the #street line#;
- (ii) along all other #wide streets#, such #initial setback distance# shall have a depth of at least 15 feet from the #street line#; and
- (iii) such #initial setback distance# shall be provided at a height not lower than the minimum base height, where applicable, nor higher than a maximum base height of 85 feet, or six #stories#, whichever is lower.

(2) Dormers

Along the #Barge Basin# frontages, dormers shall be a permitted obstruction within an #initial setback distance#, provided that:

- (i) the depth of such dormers does not exceed 10 feet for #buildings# fronting along the northeastern boundary of the #Barge Basin# or 20 feet for #buildings# fronting along the southwestern boundary;
- (ii) the #street wall# width of such dormer does not exceed 30 percent of the #street wall# width of the #building# above the maximum base height; and
- (iii) the #street wall# width of such dormer along a single tower does not exceed 100 feet.

(e) Towers

The allowances for towers to penetrate a #sky exposure plane# applicable to an M1-5 District, as set forth in Section [43-45](#) (Tower Regulations), shall apply, except as modified by the provisions of this Section.

The tower allowances shall be modified as follows:

- (1) for the purposes of determining the #lot area# a tower may occupy, the Barge Basin East Subarea and the Barge Basin West Subarea shall each be considered an individual #zoning lot#;
- (2) the underlying setback provisions, including the aggregate area permitted within 40 feet of a #wide street#, shall not apply. In lieu thereof, the setbacks and dormer allowances set forth in paragraph (d) of this Section shall apply; and
- (3) the #street wall# width of a tower fronting #Barge Basin# shall not exceed 200 feet within 200 feet of the #street line# fronting #Barge Basin#.

144-24 - Special Permit for Modification of Bulk Regulations

LAST AMENDED 12/15/2021

Within the #Special Brooklyn Navy Yard District# the City Planning Commission may, by special permit, allow modifications to the #bulk# regulations of this Chapter and the underlying #bulk# regulations, except #floor area# regulations, provided the Commission finds that:

- (a) such modifications further the needs and objectives of the #Special Brooklyn Navy Yard District#;
- (b) such #bulk# modifications will result in a better site plan and will benefit the occupants and users of the #Special Brooklyn Navy Yard District# and the residents of the surrounding neighborhood;

- (c) such #bulk# modifications will permit adequate access to light and air to surrounding public access areas, #streets# and properties; and
- (d) such distribution of #bulk# will not unduly increase the #bulk# of #buildings# in the #Special Brooklyn Navy Yard District# to the detriment of the occupants or users of #buildings# in the #Special Brooklyn Navy Yard District# or on nearby #blocks#.

The Commission may impose appropriate conditions and safeguards to assure that such modifications will not adversely affect the surrounding area.

144-30 - SPECIAL PUBLIC ACCESS AREA REGULATIONS

LAST AMENDED 12/15/2021

Within the #Special Brooklyn Navy Yard District#, public access areas shall be provided in connection with #developments# or #enlargements# located within the Subareas identified in this Section, inclusive, as applicable. For the purposes of determining the amount of public access area required in the Navy Street Central Subarea, the Barge Basin East Subarea, and the Barge Basin West Subarea, each such Subarea shall be deemed a single #zoning lot#.

144-31 - Required Public Access Areas

LAST AMENDED 12/15/2021

Mandatory public access areas in connection with any #development# or #enlargement# shall be provided in accordance with the provisions of paragraphs (a) through (c) of this Section. The phasing of public access areas shall be permitted in accordance with paragraph (d). #Developments# or #enlargements# that are exempt from public access area requirements are set forth in paragraph (e).

(a) Navy Street Central Subarea

A public access area in an amount equal to at least 15 percent of the #lot area# of the Navy Street Central Subarea shall be provided within the boundaries of such Subarea. The required public access area shall have a minimum dimension, in all directions, of 50 feet for at least 80 percent of the public access area and shall have no dimension of less than 30 feet for the remainder of the required public access area.

(b) Flushing East Subarea

A public access area with a minimum depth of 50 feet, as measured perpendicular to the #street line# of Flushing Avenue, shall be provided within the boundaries of such Subarea along the entire length of the #street wall line# adjacent to the #development# or #enlargement#, and shall extend to the nearest view corridors depicted on Map 4 (Flushing Avenue Subareas and View Corridors) of this Chapter, and for #developments# or #enlargements# located east of the Waverly Avenue view corridor, to the boundary of the prolongation of Washington Avenue.

(c) Barge Basin East and West Subareas

A public access area in an amount of at least 30 percent of the #lot area# of Barge Basin East Subarea, and a public access area in an amount of at least 20 percent of the #lot area# of Barge Basin West Subarea shall be provided within such respective Subareas.

Such public access areas shall consist of:

- (1) in the Barge Basin East Subarea, a pedestrian esplanade with a seaward edge contiguous with the eastern edge of the #Barge Basin# and a minimum width of 40 feet, as measured perpendicular to such edge, and in the Barge Basin West Subarea, a pedestrian esplanade with a seaward edge contiguous with the western edge of the #Barge Basin# and a minimum width of 50 feet, as measured perpendicular to such edge;
- (2) in the Barge Basin East Subarea, a pedestrian connection with a minimum width of 30 feet located along the shared boundary between the Barge Basin East Subarea and the contiguous property to the northeast connecting the Kent Avenue and the eastern portion of the pedestrian esplanade required by this Section;
- (3) in the Barge Basin East Subarea, a pedestrian connection with a minimum width of 60 feet, located within 150 feet of the southern boundary of the Barge Basin East Subarea and connecting Kent Avenue and the pedestrian esplanade required by this Section;
- (4) in the Barge Basin West Subarea, an esplanade entry area at the southern end of the Barge Basin West Subarea, having a minimum width of 60 feet and a minimum length of 30 feet measured parallel to the western edge of the #Barge Basin#; and
- (5) any supplemental publicly accessible space contiguous to one or more of the elements set forth above as may be required to achieve the required percentage of publicly accessible area.

(d) Public Access Area Phasing

Where the Navy Street, Barge Basin East and Barge Basin West Subareas are #developed# with more than one #building# or #enlarged# in phases, or there is an increase in #building# #lot coverage#, the mandatory public access area may be constructed in phases, provided that, at the completion of each phase by certification of the Chairperson of the City Planning Commission, the following criteria are met:

- (1) the square footage of public access area being provided in any phase shall be in proportion to the total public access requirement based on the area of the Subarea being #developed# or #enlarged# as compared to the #lot coverage# of the Subarea. 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;
- (2) the public access area being proposed in any phase shall not prevent the total amount of public access area required for a Subarea from being achieved;
- (3) any phased portion of the required public access area shall comply with the minimum widths and other dimensions required for the public access areas;
- (4) any phased portion of the required public access area shall connect directly to either a #street# or an improved public access area;
- (5) in the Barge Basin West Subarea:
 - (i) public access to be provided shall include the portion of the required public access area located between the #development# or #enlargement# and the #Barge Basin#; and
 - (ii) where any #development# or #enlargement# included in a phase is located within 100 feet of the southern boundary of the Subarea, the public access area shall also include the required public access area between the southern boundary and the #development# or #enlargement#; and
- (6) a proportionate amount of planting shall be included within each phase.

(e) Exceptions to Public Access Area Requirements for Minor Developments

The public access area requirements of paragraphs (a) through (d) of this Section shall not apply to any #development# or #enlargement# where:

- (1) the additional #floor area# created through such #development# or #enlargement# in the respective Subarea, as compared to the #floor area# existing on December 15, 2021, does not exceed:
 - (i) 10,000 square feet in either the Barge Basin East or the Navy Street Central Subareas; or
 - (ii) 20,000 square feet in either the Barge Basin West or Flushing East Subareas;
- (2) such #floor area# is allocated exclusively to #uses# in Use Group 11, 16, 17, or 18; and
- (3) such #floor area# is not located within the boundaries of designated public access areas required pursuant to this Section or, if located in the Navy Street Central Subarea, is not within 50 feet of a #street#.

144-32 - Design Requirements

LAST AMENDED 12/15/2021

The required public access areas in each Subarea shall comply with the following provisions:

- (a) The required public access area shall be open to the sky, provided that #building# awnings, entrance canopies, solar shading devices, and similar structures attached to an adjoining #building# and extending over the public access area shall be permitted;
- (b) The required public access area shall include planted areas in an amount not less than 20 percent of the area of the required open space;
- (c) At least one linear foot of seating shall be provided for each 200 square feet of required public access areas, except that for the pedestrian connection required pursuant to paragraph (c)(2) of Section [144-31](#), at least 12 linear feet of seating for every 100 feet of pedestrian connection shall be provided; and
- (d) Public access area signage complying with the requirements of Section [37-751](#) (Public space signage systems) shall be located at all entry points to the public access areas.
- (e) In the Barge Basin Subdistrict:
 - (1) the pedestrian esplanade around the #Barge Basin# and the pedestrian connections from Kent Avenue to the eastern pedestrian esplanade shall include a primary circulation path along the length of such elements with a minimum clear width of 10 feet; and
 - (2) at least three different types of seating shall be provided, which may include moveable seating, fixed individual seats, fixed benches with and without backs, and design-feature seating such as seat walls, planter ledges, or seating steps.

Additional amenities including pathways, seating steps, entrances to adjoining #buildings#, artwork, maritime or industrial elements, tables, seating above the required minimum, lighting fixtures, litter receptacles, kiosks, children play areas, railings, drinking fountains, water features, planting and trees may be included in the public access areas and shall be permitted obstructions.

144-33 - Hours of Operation

LAST AMENDED 12/15/2021

All public access areas shall be open to the public from 6:00 a.m. to 10:00 p.m. from April 15th to October 31st and from 7:00 a.m. to 8:00 p.m. from November 1st to April 14th, except when required to be closed for repairs.

144-34 - Maintenance

LAST AMENDED 12/15/2021

The owner of each applicable portion of a Subarea, or a ground tenant if the applicable portion is subject to a ground lease, shall be responsible for the maintenance and operation of the required public access area. Maintenance shall include, but not be limited to, necessary repairs, litter control and the care and replacement of vegetation. The owner or ground tenant of a public access 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 areas.

144-35 - Chairperson Certification of Waterfront Compliance and Phasing

LAST AMENDED 12/15/2021

No excavation or building permit shall be issued for any #development# or #enlargement# requiring the provision of a public access area in the Navy Street Central Subarea, the Barge Basin East Subarea, or the Barge Basin West Subarea until the Chairperson of the City Planning Commission certifies to the Department of Buildings or Department of Small Business Services, as applicable, that a complete application has been submitted showing compliance with the applicable provisions of Section [144-30](#), inclusive.

Within 45 days of submission of such complete application, the Chairperson shall either certify that the proposed public access area complies with the requirements of this Section or disapprove such complete application in writing, citing the nature of any failure to comply. Failure to certify or disapprove such complete application within the 45-day period will release the Department of Buildings or the Department of Small Business Services from any obligation to withhold the excavation or building permit and authorize such agency to determine compliance with the provisions of this Section.

144-36 - Certificates of Occupancy for Developments or Enlargements in Public Access Areas

LAST AMENDED 12/15/2021

No temporary certificate of occupancy shall be issued by the Department of Buildings or Department of Small Business Services for #floor area# in a #development# or #enlargement# resulting in a public access area requirement under Section [144-31](#) (Required Public Access Areas) without the substantial completion of the public access area required for such #development# or #enlargement#, and no final certificate of occupancy shall be issued prior to the final completion of the required public access area.

Notwithstanding the provisions above, the Department of Buildings or the Department of Small Business Services, as applicable, may issue a temporary certificate of occupancy allowing for #floor area# allocated to #uses# in Use Groups 11, 16, 17, or 18 without the substantial completion of the required public access area, in which case the public access area shall be completed within one year of the issuance of the first such certificate of occupancy. Following such one-year period, no additional #floor area# within the #development# or #enlargement# shall receive a certificate of occupancy until the substantial completion of the required public access area.

144-40 - MANDATORY DISTRICT PLAN ELEMENTS

LAST AMENDED 12/15/2021

Within the #Special Brooklyn Navy Yard District#, mandatory district plan elements shall be provided in connection with #developments# or #enlargements# in the Navy Street Central Subarea, the Flushing East Subarea, and the Barge Basin Subdistrict.

144-41 - Ground Floor Streetscape Provisions

LAST AMENDED 12/15/2021

The provisions of this Section shall apply to #developments# and #ground floor level# #enlargements#.

For the purposes of applying to this Chapter the special #ground floor level# streetscape provisions set forth in Section [37-30](#) (SPECIAL GROUND FLOOR LEVEL STREETSCAPE PROVISIONS FOR CERTAIN AREAS), inclusive, a #ground floor level# #street# frontage designated on Map 6 in the Appendix to this Chapter shall be considered a #primary street frontage#, and any #ground floor level# frontage within 50 feet of a #primary street frontage# shall be considered a #secondary street frontage#. #Primary street frontages# shall also include Priority Zones, which are also designated on Map 6.

Any #primary# or #secondary street frontages# shall be considered #streets# for the purposes of applying the provisions of this Section. For the purposes of this Section, defined terms shall include those in Sections [12-10](#) and 37-311.

(a) Along #primary street frontages#

(1) Minimum frontage width

For portions of #buildings# fronting a #primary street frontage#, at least 50 percent of the #street wall# width of the #ground floor level# of such #primary street frontage# shall be occupied by #floor area#.

In addition, for portions of #buildings# fronting a Priority Zone of a #primary street frontage#, at least 50 percent of the #street wall# width of the #ground floor level# of such Priority Zone shall be occupied by #floor area#. #Floor area# provided within a Priority Zone may be counted towards the #floor area# requirement along the #primary street frontage#.

(2) Minimum depth

The #floor area# provided to meet the requirements of paragraph (a)(1) of this Section shall extend to the minimum depth set forth in Section [37-32](#) (Ground Floor Depth Requirements for Certain Uses) within the Priority Zone, and outside of a Priority Zone shall extend to a minimum depth of 15 feet.

(3) Transparency requirement

The portion of the #ground floor level# #street wall# along a #primary street frontage# allocated to such minimum #floor area# requirements of paragraph (a)(1) of this Section shall be glazed in accordance with the provisions set forth in Section [37-34](#) (Minimum Transparency Requirements). However, where such minimum #floor area# is attributed to #uses# in Use Groups 11, 16, 17 or 18, the minimum percentage to fulfill the minimum transparency requirement shall be reduced to 25 percent and the maximum width of a portion of the #ground floor level# #street wall# without transparency may exceed 10 feet provided that any portion of the #ground floor level# #street wall# without transparency shall be subject to the provisions for Type 1 blank walls.

(b) Blank wall provisions along #primary# and #secondary street frontages#

Along both #primary# and #secondary street frontages#, any #street wall# width of 50 feet or more with no transparent elements on the #ground floor level# shall provide visual mitigation elements in accordance with the provisions for Type 1 blank walls set forth in Section [37-361](#) (Blank wall thresholds).

144-50 - SPECIAL PARKING AND LOADING REGULATIONS

LAST AMENDED12/15/2021

Within the #Special Brooklyn Navy Yard District#, the #accessory# off-street parking and loading regulations of Article IV, Chapter 4 shall not apply, except as specifically set for the in this Section.

144-51 - Permitted Accessory Parking

LAST AMENDED12/15/2021

In all districts, #accessory# off-street parking spaces shall be permitted in #group parking facilities# without a limitation in the overall number of spaces.

144-52 - Required Accessory Off-street Parking

LAST AMENDED12/15/2021

In all districts, the requirements of Section [44-21](#) (General Provisions) shall apply, except that, in the event that a Transportation Management Plan has been prepared in accordance with Section [144-56](#) (Transportation Management Planning), no parking shall be required.

144-53 - Loading Berths

LAST AMENDED12/15/2021

In all districts, loading berths are not required, but are permitted. Any loading berths provided shall be deemed required loading berths for purposes of determining the amount of #floor area# in any #building#.

144-54 - Curb Cuts

LAST AMENDED12/15/2021

Access to any #accessory# off-street loading berth and off-street parking areas for a #development# or #enlargement# within the Navy Street Central Subarea, the Flushing East Subarea, and the Barge Basin East Subarea shall be limited to one curb cut from the adjoining #street#.

An additional curb cut may be added in the Barge Basin East Subarea upon certification by the Chairperson of the City Planning Commission to the Commissioner of Buildings or the Department of Small Business Services, as applicable, that an additional curb cut has been approved by the Commissioner of the Department of Transportation.

In addition, where the Chairperson of the City Planning Commission certifies such additional curb cut, the Chairperson may certify a reduction in the #ground floor level# streetscape provisions of paragraph (a) of Section [144-41](#) (Ground Floor

Streetscape Provisions), to the minimum extent necessary, where the applicant demonstrates that the reduction is necessary to accommodate the proposed loading configuration on the ground floor. For such portions of the #ground floor level#, the provisions of paragraph (b) of Section [144-41](#) shall continue to apply.

The Chairperson shall issue the certification within 45 days of receipt of a communication from the Department of Transportation approving an additional curb cut or receipt of application materials demonstrating the proposed loading configuration, as applicable. Failure to certify within the 45-day period will release the Department of Buildings or the Department of Small Business Services from any obligation to withhold the excavation or building permit and authorize such agency to determine compliance with the provisions of this Section.

144-55 - Bicycle Parking

LAST AMENDED 12/15/2021

The requirements of Section [44-60](#) (BICYCLE PARKING) shall apply, provided that up to half of the required spaces may be provided as unenclosed bicycle parking spaces, and may be located anywhere on the #zoning lot#.

144-56 - Transportation Management Planning

LAST AMENDED 12/15/2021

In lieu of the requirements of Section [44-21](#) (General Provisions), a Transportation Management Plan may be prepared for the #Special Brooklyn Navy Yard District# that documents:

- (a) existing parking within the Special District;
- (b) parking and bicycle parking utilization rates;
- (c) transportation mode choice;
- (d) plans, if any, for additional parking within the Special District;
- (e) public transportation options in and around the Special District;
- (f) indoor and outdoor bicycle parking facilities, including any covered outdoor bicycle spaces; and
- (g) measures being employed and planned to incentivize alternate means of transportation.

Any Transportation Management Plan shall be filed with the Department of City Planning and made available to the public via a website. The Transportation Management Plan shall be updated not less than every three years with surveys or other data collection undertaken not less than annually to document changes in parking facilities and utilization; the average number of employees and visitors arriving at the #Special Brooklyn Navy Yard District# and their modes of arrival; bike parking availability and utilization of both open and enclosed facilities; transit options, and new technologies and strategies for managing the number of private vehicles accessing the Special District. Such updates shall be submitted to the Department of City Planning and made available to the public via a website and the submission to the Department of City Planning shall be accompanied by an affidavit from the owner or ground tenant stating that the Transportation Management Plan remains in effect or, if it is no longer in effect, the date on which the Transportation Management Plan terminated.

Any #development# or #enlargement# occurring after the date a Transportation Management Plan has terminated will be subject to the requirements of Section [44-21](#).

144-57 - Reporting Requirements

LAST AMENDED 12/15/2021

No later than April 1 of every other calendar year, beginning April 1, 2023, the Brooklyn Navy Yard Development Corporation shall submit to the Chairperson of the City Planning Commission and to the Speaker of the City Council a report on the #development# and #enlargement# of #buildings#, and the types of #uses# contained within the #Special Brooklyn Navy Yard District#. Such report shall include, but shall not be limited to:

- (a) the name of each business establishment existing in the #Special Brooklyn Navy Yard District#. For each business establishment, the address or #building# number and floor, type of business, size, and lease duration;
- (b) new leases executed during the reporting period, categorized by tenant name, type of business, size, and lease duration;
- (c) the amount of #floor area# in #developments# and #enlargements# created after December 15, 2021, in each of the following Use Groups, subgroups and specific #use# as listed in this Resolution:
 - (1) #community facility uses# in Use Groups 3 and 4;
 - (2) retail #uses# in Use Groups 6A, 6C, 9A, 10A and 12B;
 - (3) office #uses# in Use Group 6B;
 - (4) art, music, dancing or theatrical studios in Use Group 9;
 - (5) photographic or motion picture production studios, or radio or television studios in Use Group 10;
 - (6) #manufacturing uses# in Use Groups 11, 16A, 16D, 17, and 18; and
 - (7) any other #uses#; and
- (d) the number of #buildings# #developed# or #enlarged# during the reporting period and the amount of #floor area# and #uses# contained within such #development# or #enlargement#.

APPENDIX A - Special Brooklyn Navy Yard District Plan

LAST AMENDED 12/15/2021

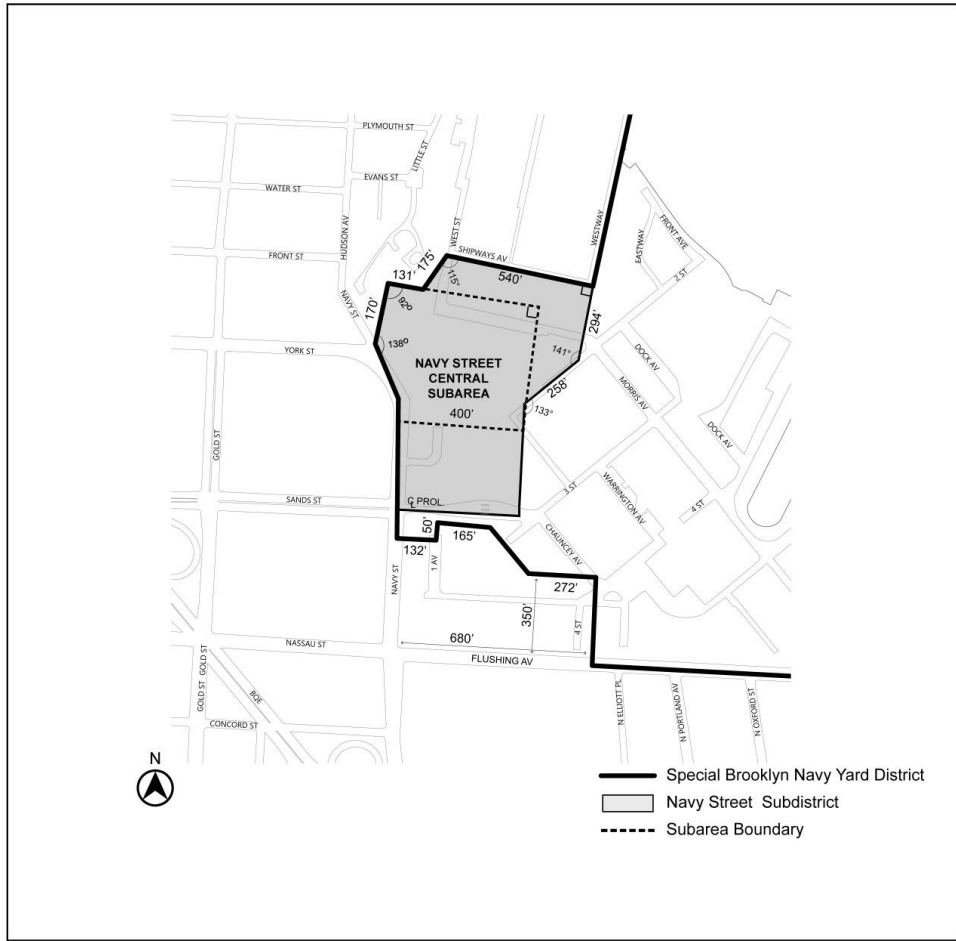
Map 1 — Special Brooklyn Navy Yard District and Subdistricts



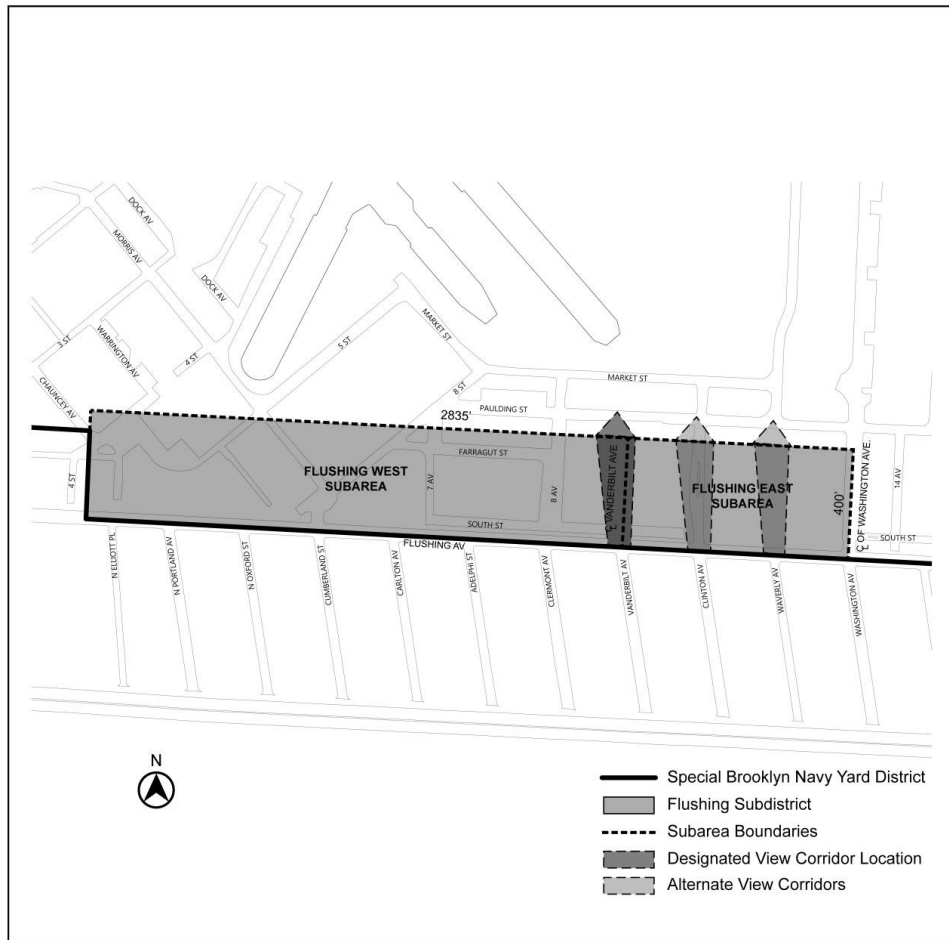
Map 2 — Barge Basin Subareas



Map 3 — Navy Street Central Subarea



Map 4 — Flushing Avenue Subareas and View Corridors



Map 5 — Street Line Locations in the Barge Basin Subdistrict



Map 6 — Primary Street Frontages

