



Zoning Resolution

THE CITY OF NEW YORK

Eric Adams, Mayor

CITY PLANNING COMMISSION

Daniel R. Garodnick, Chair

98-10 - SPECIAL USE AND PARKING REGULATIONS WITHIN THE SPECIAL WEST CHELSEA DISTRICT

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98-10 - SPECIAL USE AND PARKING REGULATIONS WITHIN THE SPECIAL WEST CHELSEA DISTRICT

LAST AMENDED
3/22/2006

98-11 - Special Regulations for Developments and Enlargements Above, Beneath or Adjacent to the High Line

LAST AMENDED
6/23/2005

The Commissioner of Buildings shall not issue any building permit for demolition, excavation or foundation work to be performed above or beneath the #High Line# or within 25 feet of support structures of the #High Line#, except by determination by such Commissioner that such work would not adversely affect the structural integrity of the #High Line# and by determination by the Commissioner of Parks that such work would not adversely affect the City's ability to inspect and maintain as necessary to ensure the structural integrity of the #High Line#.

98-12 - Modification of Use Regulations

LAST AMENDED
6/23/2005

The #use# regulations of the underlying districts are modified by the provisions of this Section, inclusive.

98-121 - In Subarea H

LAST AMENDED
6/23/2005

In Subarea H, the provisions of Section [32-25](#) (Use Group 16), paragraph D (Heavy Service, Wholesale or Storage Establishments) are modified to permit, in C6 Districts, warehouse #uses# only in #cellars# located wholly below #curb level#.

98-122 - In Subarea K

LAST AMENDED
2/2/2011

In Subarea K, the provisions of Section [42-10](#) (USES PERMITTED AS-OF-RIGHT), inclusive, shall be modified as follows:

- (a) The following additional #uses# shall be permitted, provided that the floor space allocated to such #uses# does not exceed 25 percent of the total #floor area# of the #building#:
 - (1) from Use Groups 3 and 4, all #uses#, not otherwise permitted by the underlying regulations, other than those with sleeping accommodations;
 - (2) from Use Group 6A, food stores, including supermarkets, grocery stores or delicatessen stores, larger than 10,000 square feet;
 - (3) from Use Groups 6C, 9A, and 12B, all #uses# not otherwise permitted by the underlying regulations; or

- (4) from Use Group 10A, all #uses#, not otherwise permitted by the underlying regulations, provided that the floor space allocated to such #uses# does not exceed 10 percent of the total #floor area# of the #building#.

98-123 - Adult establishments

LAST AMENDED

6/23/2005

The provisions of Section [52-77](#) (Termination of Adult Establishments) shall not apply to any #adult establishment# that located within the #Special West Chelsea District# after October 25, 1995 and prior to May 25, 2005, and which, as of May 25, 2005 and June 22, 2005, was an existing #use# and conformed to all provisions of Section [42-01](#) (Special Provisions for Adult Establishments) applicable to M1-5 Districts.

98-124 - Location within buildings

LAST AMENDED12/9/2021

In any C6 District in the #Special West Chelsea District#, the provisions of Section [32-422](#) (Location of floors occupied by commercial uses) are modified to permit #commercial# #uses# on the same #story# as a #residential use# or on a #story# higher than that occupied by #residential uses#, provided that the #commercial# #uses#:

- (a) are located in a portion of the #building# that has separate direct access to the #street# with no access to the #residential# portion of the #building# at any #story#; and
- (b) are not located directly over any portion of a #building# containing #dwelling units#, except this limitation shall not preclude the location of:
 - (1) #residential# lobby space below or on the same #story# as #commercial# #uses#; or
 - (2) a #commercial# #use# that fronts on the #High Line# and is located within five feet of the level of the #High Line bed#.

98-13 - Modification of Use Regulations in M1 Districts

LAST AMENDED

6/23/2005

In the #Special West Chelsea District#, the provisions of Sections [42-10](#) (USES PERMITTED AS-OF-RIGHT) and [42-30](#) (USES PERMITTED BY SPECIAL PERMIT) are modified to permit, as-of-right, without limitation, in M1 Districts, museums and non-commercial art galleries as listed in Use Group 3.

98-14 - Ground Floor Use and Transparency Requirements on Tenth Avenue

LAST AMENDED

11/13/2012

Except in Subarea J, the special ground floor #use# and glazing regulations of this Section apply to that portion of a #building or other structure# fronting on Tenth Avenue in the #Special West Chelsea District#. Ground floor #uses# in Subarea J shall be governed by the underlying #use# regulations as modified by Section [98-13](#) (Modification of Use Regulations in M1 Districts).

#Uses# within #stories# that have a floor level within five feet of #curb level#, and within 25 feet of the #street line#, shall be

limited to #commercial# #uses# permitted by the underlying district or museums or non-commercial art galleries as listed in Use Group 3. A #building's# #street# frontage shall be allocated exclusively to such #uses#, except for lobby space or entryways. In no event shall the length of #street# frontage occupied by lobby space or entryways exceed, in total, 40 feet or 50 percent of the #building's# total #street# frontage, whichever is less.

For any #building# or portion of a #building# #developed# or #enlarged# after June 23, 2005, each ground floor #street wall# shall be glazed with materials which may include #show windows#, glazed transoms or glazed portions of doors. Such glazed area shall occupy at least 70 percent of such ground floor #street wall# surface. The lowest point at any point of transparency that is provided to satisfy the requirements of this Section shall be not higher than two feet above the level of the adjoining sidewalk or public access area and shall be no less than eight feet in height measured from such lowest point. Not less than 50 percent of such ground floor #street wall# surface shall be glazed with transparent materials, and up to 20 percent of such ground floor #street wall# may be glazed with translucent materials.

98-141 - Transparency requirements within Subareas H and I

LAST AMENDED
2/2/2011

The transparency requirements of this Section shall apply to all portions of #buildings# #developed# or #enlarged# after June 23, 2005, within the #High Line frontage# of Subareas H and I, except for such portions that contain #dwelling units#. At least 70 percent of the area of such frontage, to be measured from a point not lower than four feet and not higher than eight feet above the level of the #High Line bed# shall be glazed and transparent and at least 75 percent of such glazed surface shall be fully transparent.

98-142 - High Line level wall requirements within Subarea J

LAST AMENDED
11/13/2012

Any additions to the windows or other glazing located on the #building# wall separating the #High Line# from any #building# located on a #zoning lot# within Subarea J at the #High Line# level shall be designed to provide for a minimum of 30 dBA noise attenuation, and any general illumination fixtures in the adjoining interior portion of the #building# shall not exceed 50 foot-candles of illumination within four feet of such window or glazing and shall not be pointed directly at the #High Line#.

98-15 - Signs

LAST AMENDED
2/2/2011

The #sign# regulations of the underlying districts in the #Special West Chelsea District# shall not apply to #signs# located within 50 feet of the #High Line#, except for #signs# located entirely below the level of the #High Line bed#. In lieu thereof, the #sign# regulations of a C1 District shall apply, except that #accessory# #signs# located within the #High Line frontage# may have a maximum height of 20 feet above the level of the #High Line bed#.

No #signs# affixed to or resting upon the #High Line# shall be permitted, except as pursuant to a signage plan for the #High Line#, as authorized by the City Planning Commission, provided the Commission finds that such signage plan will:

- (a) enhance the use of the #High Line# by providing signage that is consistent with the use of the #High Line# as a public open space;

- (b) provide, at a minimum, directional, informational and interpretive signage consistent with the use of the #High Line# as a public open space;
- (c) be integrated with the design of the #High Line# open space; and
- (d) not adversely affect development adjacent to the #High Line# and in the surrounding neighborhood.

98-151 - Modification of sign regulations in Subarea K

LAST AMENDED 12/9/2021

Within Subarea K, the #sign# regulations of the underlying district shall apply. However, within 15 feet of the intersection of two #streets#, the provisions of Section [42-562](#) (Restriction on angle and height above curb level) shall not apply.

98-16 - Air Space Over a Railroad or Transit Right-of-way or Yard

LAST AMENDED
2/2/2011

For the purposes of this Resolution, the #High Line# shall not be considered a railroad or transit right-of-way and the provisions of Sections [32-44](#) (Air Space Over a Railroad or Transit Right-of-way or Yard) and [42-462](#) (Use of railroad or transit air space) shall not apply.

98-17 - Modification of Parking and Loading Regulations

LAST AMENDED
6/23/2005

The underlying provisions of Article III, Chapter 6 and Article IV, Chapter 4 (Accessory Off-street Parking and Loading Regulations) shall apply within the #Special West Chelsea District#, subject to modification by the regulations of this Section, inclusive.

98-171 - Parking regulations in Subarea H

LAST AMENDED 12/9/2021

#Accessory# off-street parking spaces for existing or new governmental offices may be located on a #zoning lot# other than the same #zoning lot# as the #use# to which such spaces are #accessory#, provided that:

- (a) such spaces are located within Subarea H and in a facility, or portion thereof, that is entirely below #curb level#;
- (b) the portion of such facility beneath the required public plaza area shown on Diagram 3 in Appendix A of this Chapter is sufficiently below #curb level# so that trees may be planted at #curb level# within such public plaza but is in no case less than four feet below #curb level#; and
- (c) no more than 377 spaces are provided within such facility.

For purposes of this Section, the governmental offices on #Block# 688, Lots 1001-1002, as of June 23, 2005, may have up to 377 #accessory# off-street parking spaces in such facility.

98-172 - Waiver of accessory off-street loading berths in Subarea K

LAST AMENDED 12/9/2021

In Subarea K, the provisions of Section [44-52](#) (Required Accessory Off-street Loading Berths) shall not apply to changes of #use#.

98-19 - Lighting

LAST AMENDED

6/23/2005

All exterior light sources located within the #High Line frontage# shall be shielded from direct view from the #High Line#.