Zoning Resolution

THE CITY OF NEW YORK
Zohran K. Mamdani, Mayor

CITY PLANNING COMMISSION
Sideya Sherman, Chair

98-61 - High Line Access or Support Easement Volumes Requirement

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LAST AMENDED
11/13/2012

For all #developments# or #enlargements# within the #Special West Chelsea District#, an easement volume to facilitate public pedestrian access to the #High Line# via stairway and elevator (hereinafter referred to as "primary access"), shall be provided on any #zoning lot# over which the #High Line# passes that, on or after December 20, 2004, has more than 5,000 square feet of #lot area#. For all #developments# or #enlargements# within Subareas H, I and J that are developed pursuant to Section 98-25 (High Line Improvement Bonus), this provision does not apply.

In the #High Line Transfer Corridor#, an easement volume to facilitate public pedestrian access to the #High Line# via stairway (hereinafter referred to as "secondary access"), shall be provided on any #zoning lot# from which #floor area# has been transferred pursuant to Section 98-33 unless a primary access easement has been provided pursuant to this Section.

However, a primary access easement shall not be required if a primary access easement is already provided on the same #block# and a secondary access easement shall not be required if a primary or secondary access easement has already been provided on the same #block#. Furthermore, primary and/or secondary access easements shall not be required where the Chairperson of the City Planning Commission certifies that:

(a) the minimum dimensions required for the access easement volume pursuant to paragraph (a) of Section 98-62 cannot be accommodated within 33 feet, 6 inches of a #street line# for primary access easements and 40 feet of a #street line# for secondary access easements; or

(b) in the case of a primary easement, a secondary easement is already provided on the same #zoning lot# and such easement is sufficient in size, or has been enlarged to be sufficient in

size, to accommodate the provisions for primary access easements as specified in Section 98-62 ; or

(c) for primary or secondary easements, access has already been constructed, or an access volume has been dedicated, on the same #block# or on the same #street# frontage, and that such access or access volume meets the location and access requirements for primary or secondary access easements, as specified in Section 98-62, paragraphs (a) and (b), and meets all standards, as applicable, for persons with disabilities; or

(d) for primary or secondary easements, construction documents for the #High Line# open space have been developed by the City that specify the same #street# frontage as an access location; or

(e) such #development# or #enlargement# is located wholly within an M1-5 District and no portion of such #development# or #enlargement# has more than 10,000 square feet of #floor area# and is located within five feet of the #High Line#; or

(f) such #development# or #enlargement# is located on a #zoning lot# that fronts on West 23rd Street.