Zoning Resolution

THE CITY OF NEW YORK
Zohran K. Mamdani, Mayor

CITY PLANNING COMMISSION
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98-62 - High Line Access Easement Regulations

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LAST AMENDED
11/13/2012

The provisions of this Section shall apply to any #zoning lot# providing an access easement volume, other than a #zoning lot# developed pursuant to Section 98-25 (High Line Improvement Bonus), as follows:

(a) Location and Minimum Dimensions

(1) Primary access easement volume

A primary access easement volume may be located within a #building# or within open areas on the #zoning lot#, including open areas required pursuant to Section 98-53 (Required Open Areas on the East Side of the High Line), provided such volume is within 15 feet of a #narrow# #street line#. The minimum length of such volume shall be 18 feet, 6 inches, and the minimum width shall be 10 feet; however, the minimum area of such volume shall be 350 square feet. The height of such volume shall extend from a point at least 10 feet below #curb level# to a point at least 15 feet above the level of the #High Line bed#. A primary access easement volume may also replace a previously provided secondary access easement volume, and such secondary access easement volume may be terminated pursuant to Section 98-64. Such minimum dimensions are illustrated in Diagram 6 (High Line Access Easement Volume Parameters) of Appendix C of this Chapter.

(2) Secondary access easement volume

A secondary access easement volume shall be located within 15 feet of a #narrow#

#street line# and directly adjacent to the #High Line# for a minimum length of 25 feet. Such volume shall have a minimum width of 10 feet. The height of such volume shall extend from #curb level# to a point at least 10 feet above the level of the #High Line bed#.

(b) Access

All access easement volumes shall be accessible either directly from a public sidewalk or through a publicly traversable way through the #zoning lot# directly connecting with a public sidewalk. Such publicly traversable way shall meet the following requirements:

(1) The required width of the publicly traversable way shall be a minimum of eight feet.

(2) No portion of the publicly traversable way shall be interrupted or occupied by an off-street parking or loading area.

(3) The access easement volume shall be visible from the public sidewalk or the publicly traversable way.

(4) The publicly traversable way shall be maintained by the property owner in good repair.

(5) The publicly traversable way shall be fully accessible to persons with disabilities.

(6) The publicly traversable way shall be open and accessible to the public at all times when a stairway and/or elevator located within the associated access easement volume is open and accessible to the public.

(c) Permitted obstructions

Any access structure within the access easement volume, or any weather protection provided by an overhang or roofed area over such access easement volume, #accessory# to the access

structure, shall be considered permitted obstructions within required #yards# or open areas.

(d) Permitted #uses#

An access easement volume required on a #zoning lot# pursuant to the provisions of this Chapter may be temporarily used by the owner of such #zoning lot# for any permitted #use# until such time as required by the City of New York or its designee for access purposes. Such permitted #use# shall be limited to non-residential #uses# where such access easement volume is within a #building#. Where such access easement volume is within an open area, such area shall be landscaped, or may be improved in accordance with the provisions of Sections 37-726 (Permitted obstructions) and 37-73 (Kiosks and Open Air Cafes), except that in the case of open air cafes and kiosks, a certification shall not be required.

Improvements or construction of a temporary nature within the easement volume shall be removed by the owner of such #zoning lot# prior to the time at which public use of the easement areas is required. A minimum notice of six months in writing shall be given by the City of New York or its designee to the owner of the #zoning lot#, in order to vacate the tenants of such temporary #uses#.

(e) #Legally required windows#

The minimum distance between any #legally required window# in a portion of a #building# used for #residential use# and an access easement volume shall be 30 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.