Zoning Resolution

THE CITY OF NEW YORK
Zohran K. Mamdani, Mayor

CITY PLANNING COMMISSION
Sideya Sherman, Chair

62-60 - DESIGN REQUIREMENTS FOR WATERFRONT PUBLIC ACCESS AREAS

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62-60 - DESIGN REQUIREMENTS FOR WATERFRONT PUBLIC ACCESS AREAS

LAST AMENDED
2/2/2011

#Waterfront public access areas# required pursuant to Section 62-52 (Applicability of Waterfront Public Access Area Requirements) shall comply with the provisions of this Section, inclusive.

62-61 - General Provisions Applying to Waterfront Public Access Areas

LAST AMENDED
5/12/2021

(a) All #waterfront public access areas# shall be unobstructed from their lowest level to the sky, except as set forth in Section 62-611 (Permitted obstructions). The lowest level of any portion of a #waterfront public access area# shall be determined by the elevation of the adjoining portion on the same or an adjoining #zoning lot# or the public sidewalk to which it connects. Reference elevations shall be established from the public sidewalks, #waterfront yard# levels and the elevations previously established by adjoining #zoning lots# at #lot line# intersections of a waterfront public access network, as applicable.

(b) The minimum required circulation path shall be connected and continuous through all #waterfront public access areas# on adjacent #zoning lots#.

(c) #Waterfront public access areas# shall be accessible to persons with physical disabilities in accordance with the Americans with Disabilities Act and the American National Standards Institute (ANSI) design guidelines.

(d) All #waterfront public access areas# improved for public access shall meet the following regulations for site grading:

(1) In required circulation paths:

(i) for cross-sectional grading regulations (perpendicular to the general direction of pedestrian movement), the minimum slope of a required circulation path shall be one and one-half percent to allow for positive drainage and the maximum slope shall be three percent. Steps and stairways accommodating a cross-sectional grade change are only permitted outside of the required circulation path(s).

(ii) for longitudinal grading controls (parallel to the general direction of pedestrian movement), grade changes shall be permitted along the length of a required circulation path by means of steps or ramps in compliance with the requirements for handicapped accessibility.

(2) In required planting areas, including screening buffers:

Within three feet of the edge of any planting area, the grade level of such planting area shall be no more than three feet higher or lower than the adjoining level of the pedestrian circulation path.

(e) Vehicle and emergency access

Vehicular access is prohibited within #waterfront public access areas# except for emergency and maintenance vehicular access. Parking areas, passenger drop-offs, driveways, loading berths and #building# trash storage facilities are not permitted within, or allowed to be accessed or serviced through, a #waterfront public access area#, except for vehicular access to drop-offs and other required services #accessory# to docking facilities or to #development# on

a #pier# or #floating structure#.

Such vehicular ways shall be used only to provide access across the #shore public walkway#. No single driveway shall exceed a width of 25 feet. Bollards shall be installed in accordance with Section 62-651. A minimum 12 inch paved border shall be installed along the driveway boundaries and shall have a color distinct from the paving of the adjoining paved surface.

Vehicular roadways are permitted as part of an #upland connection# in accordance with the regulations of Section 62-56.

Any vehicular roadway crossing a required #waterfront public access area# shall comply with the requirements for paving in Section 62-656.

62-611 - Permitted obstructions

LAST AMENDED
5/12/2021

#Waterfront public access areas# shall be unobstructed from their lowest level to the sky except that the obstructions listed in this Section shall be permitted, as applicable. However, no obstructions of any kind shall be permitted within a required circulation path, except as specifically set forth herein.

(a) In all areas

(1) Trees and other plant materials, including grasses, vines, shrubs and flowers, watering equipment, arbors, trellises, observation decks, retaining walls;

(2) Seating, litter receptacles, drinking fountains, other outdoor furniture;

(3) Fountains, reflecting pools, waterfalls, sculptures and other works of art, temporary exhibitions;

(4) Guardrails, bollards, gates and other protective barriers, in accordance with Section 62-651;

(5) Lights and lighting stanchions, flag poles, exercise and other recreational equipment;

(6) Kiosks and open air cafes

Where a kiosk is provided, it shall occupy an area no greater than 150 square feet, including roofed areas. A kiosk may be freestanding or attached on only one side to a #building# wall. Any area occupied by a kiosk shall be excluded from the definition of #floor area#, and may only be occupied by news or magazine stands, food stands, flower stands, bicycle rental stands, information booths or #uses# #accessory# to permitted WD #uses#, as permitted by the applicable district #use# regulations or as modified by Section 62-29.

Open air cafes shall be permanently unenclosed except that they may have a temporary fabric roof. No kitchen equipment shall be installed within an open air cafe. Kitchen equipment may be contained in a kiosk adjoining the open air cafe.

Notwithstanding the provisions of Section 32-41 (Enclosure Within Buildings), outdoor eating services or #uses# occupying kiosks may serve customers on a #waterfront public access area# through open windows;

(7) Structural landscaped berms and associated flood gates, including emergency egress systems that are assembled prior to a storm and removed thereafter, provided the

height of such berm does not exceed the #flood-resistant construction elevation# required on the #zoning lot# or five feet above the lowest adjoining grade of the #waterfront yard# established pursuant to Section 62-332 (Rear yards and waterfront yards), whichever is higher;

(8) Temporary flood control devices and associated permanent fixtures, including emergency egress systems that are assembled prior to a storm and removed thereafter. Permanent fixtures for self-standing flood control devices shall be flush-to-grade, and shall be permitted obstructions within a required circulation path.

(b) In screening buffers

(1) Paved entrances to #buildings# fronting upon a screening buffer, including awnings and canopies over such entrances, seating located within 42 inches of an adjacent paved area, bicycle racks within six feet of the sidewalk of an open accessible #street# or within 10 feet of an #upland connection#;

(2) Service equipment necessary for maintenance of #waterfront public access areas# or the functioning of adjacent structures such as watering equipment, sheds for tool storage, electrical transformers or other mechanical or electrical service devices, provided all such equipment covers no more than 100 square feet in any location and has a maximum height of 10 feet. Such obstructions shall be screened in accordance with Section 62-655 (Planting and trees);

(3) Exhaust vents located on #building# walls fronting on the screening buffer, only if the bottom of such vent is a minimum of 10 feet above the adjacent ground level and projects no more than four inches from the #building# wall.

(c) Beyond 20 feet of the #shoreline#

Tot-lots, playgrounds, dog runs, public telephones, toilets, bicycle racks.

(d) In Community District 1 in the Borough of Brooklyn

Any amenity #accessory# to docking facilities for ferries or water taxis shall be considered a permitted obstruction only where such amenity is certified by the Chairperson of the City Planning Commission in conjunction with the docking facility, pursuant to Section 62-813 (Docking facilities for ferries or water taxis in certain waterfront areas).

62-62 - Design Requirements for Shore Public Walkways and Supplemental Public Access Areas

LAST AMENDED
5/12/2021

The design requirements of this Section shall apply to #shore public walkways# and #supplemental public access areas#, except as modified by Section 62-57 (Requirements for Supplemental Public Access Areas).

(a) Circulation and access

(1) In all districts, a #shore public walkway# shall provide a circulation path with a minimum clear width of 12 feet, except that in R3, R4, R5, C1, C2 and C3 Districts, and in C1 or C2 Districts mapped within R1 through R5 Districts, the minimum clear width shall be 10 feet.

Such path shall be located within 10 feet of the #shoreline# for at least 20 percent of the length of such #shoreline#, and the remainder of the path may be located

anywhere within the #shore public walkway# or #supplemental public access area#. Secondary paths, when provided, shall be at least six feet wide. When two circulation paths are parallel to each other, they shall be connected by other paths or accessible lawn at intervals not to exceed 200 feet. In order to facilitate the future connection of pedestrian circulation paths, where a #shore public walkway# is on a #zoning lot# that is adjacent to a #zoning lot# without a #shore public walkway#, the portion of the circulation path that terminates at the common #zoning# #lot line# shall be located within 30 feet of the #shoreline#.

(2) A #supplemental public access area# shall provide at least one circulation path with a minimum clear width of six feet that provides access throughout the #supplemental public access area#. This requirement may be met by a circulation path of the #shore public walkway# that traverses the #supplemental public access area#;

(b) Seating

One linear foot of seating shall be provided for every 75 square feet of #shore public walkway# and #supplemental public access area#. Such seating may be located anywhere within such public access areas and shall comply with the standards of Section 62-652.

In addition, up to 25 percent of required seating may be located seaward of the #shore public walkway# and shall be subject to the provisions of Section 62-652, paragraph (h).

(c) Planting

(1) Planting areas

An area equal to at least 35 percent of the area of the #shore public walkway# and #supplemental public access area# shall be planted.

In addition, the following conditions shall apply:

(i) Where a #supplemental public access area# is greater than 1,875 square feet, at least 15 percent of the required planting area of the #shore public walkway# and #supplemental public access area#, combined, shall be provided as lawn;

(ii) Up to 30 percent of the required planting area may be provided as #tidal wetland area# and shall be measured in plan view and not along the planted slope; or

(iii) When a dedicated bicycle path is provided within a #supplemental public access area#, a planting area with a width of at least five feet shall be provided between the bicycle path and any paved area for pedestrian use. For the purpose of calculating planting requirements, the area of the bicycle path may be deducted from the combined area of the #shore public walkway# or #supplemental public access area#.

Such planting areas in this paragraph, (c), may be located anywhere within the #shore public walkway# or #supplemental public access area# and shall comply with the standards of Section 62-655.

(2) Screening buffer

(i) A screening buffer shall be provided within the #shore public walkway# or the #supplemental public access area#, running along the entire upland boundary of such area where it abuts non-publicly accessible areas of the #zoning lot#, except as waived pursuant to paragraph (c)(2)(iii) of this Section. Any screening buffer provided pursuant to this Section may be used to meet the planting requirements of paragraph (c)(1) of this Section.

(ii) The minimum width of the screening buffer shall be six feet. On shallow lots where the width of the #shore public walkway# may be reduced pursuant to Section 62-53, the width of the screening buffer may be reduced proportionally but shall not be less than four feet.

(iii) No screening buffer shall be required:

(a) adjacent to a private drive, a #street# or at the entrances to #buildings#; or

(b) for a #commercial# or #community facility# #use# within a distance of 15 feet from the sidewalk or #waterfront public access area#, that is glazed with windows, transoms or glazed portions of doors in accordance with the provisions of Section 37-34 (Minimum Transparency Requirements).

(3) Trees and additional planting

(i) A minimum of one canopy tree shall be provided for every 2,000 square feet of #shore public walkway# and #supplemental public access area#. In no event may a #shore public walkway# have less than two canopy trees for every 100 feet of #shoreline#.

(ii) In addition to the trees required pursuant to paragraph (c)(3)(i) of this Section, for every 1,250 square feet of #shore public walkway# and #supplemental public access area#, one of the following must be provided: a canopy tree, an ornamental tree or a multi-stemmed equivalent, 60 square feet of planting beds or 110 square feet of accessible lawn.

Trees and additional planting areas may be located anywhere within the #shore public walkway# or #supplemental public access area# and shall comply with the standards of Section 62-655.

(4) Reduction in minimum required planting area

The minimum planting area, required by paragraph (c)(1) of this Section, may be reduced by 10 square feet for every linear foot of:

(i) #shoreline# improved for boat launching or mooring or designed with architectural features to facilitate direct access to the water, such as steps or other forms of "get-downs," except that rip-rap used as stabilized shore shall not qualify for a planting reduction; or

(ii) WE #uses# with frontage adjoining, and having a public entrance on, the #shore public walkway# or #supplemental public access area#, provided that the screening buffer for such #shore public walkway# or #supplemental public access area# is waived pursuant to the conditions of paragraph (c)(2)(iii) of this Section.

However, where a #supplemental public access area# having an area of least 7,500 square feet containing a playground of at least 3,500 square feet in area and improved in accordance with the standards of the Department of Parks and Recreation is provided, the required minimum planting area may be reduced by one square foot for every five square feet of playground area. The playground area may be located anywhere within the #waterfront public access area# that is beyond 20 feet of the #shoreline#.

In no event shall the reduced planting area be less than 25 percent of the combined area of the

#shore public walkway# and #supplemental public access area#.

(d) Bicycle parking

Bicycle racks sufficient to provide at least four bicycle parking spaces shall be provided within a #waterfront public access area#.

Furthermore, when the combined area of the #shore public walkway# and #supplemental public access area# is greater than 8,000 square feet, two additional bicycle parking spaces shall be provided for every additional 2,000 square feet of #shore public walkway# or #supplemental public access area#.

Bicycle racks shall be adjacent to a circulation path and at least 20 feet from the #shoreline#. Such bicycle racks may be located in public sidewalks adjacent to the #zoning lot#. All bicycle racks shall comply with the standards of Section 62-657.

(e) Trash receptacles

One trash receptacle shall be provided for every 4,000 square feet of #shore public walkway# and #supplemental public access area#, and all trash receptacles shall be located in visible and convenient locations. All trash receptacles shall comply with the standards of Section 62-658.

62-63 - Design Requirements for Public Access on Piers and Floating Structures

LAST AMENDED
4/22/2009

62-631 - Design requirements for public access on piers

LAST AMENDED
3/26/2014

The design requirements of this Section shall apply to #waterfront public access areas# on #piers#, pursuant to Section 62-54.

(a) Circulation and access

At least one circulation path having a minimum clear width of 10 feet shall be provided throughout the public access area required on the #pier#.

(b) Permitted obstructions

In addition to permitted obstructions pursuant to Section 62-611, #pier# public access areas may include one freestanding open or enclosed public pavilion, provided such structure does not exceed one #story#, is no taller than 30 feet and has an area no larger than 1,600 square feet. At least 50 percent of the perimeter wall area on all sides, up to a height of 15 feet, shall consist of clear or glazed materials which may include #show windows#, glazed transoms, glazed portions of doors or latticework. Such structures shall be exempt from #building# spacing requirements on #piers# provided they maintain a spacing of at least 12 feet from other #buildings# and from any water edge of the #pier#, except that when a #pier# is 30 feet or less in width, a pavilion may abut one water edge.

In Community District 1 in the Borough of Brooklyn, any amenity #accessory# to docking facilities for ferries or water taxis shall be considered a permitted obstruction only where such amenity is certified by the Chairperson of the City Planning Commission in conjunction with the docking facility, pursuant to Section 62-813 (Docking facilities for ferries or water taxis in certain waterfront areas).

(c) Seating

At least one linear foot of seating is required for every 100 square feet of #pier# public access area, subject to the provisions of paragraphs (a) through (d) of Section 62-652.

62-632 - Design requirements for public access on floating structures

LAST AMENDED
4/22/2009

The design requirements of this Section shall apply to #shore public walkways# provided in conjunction with as-of-right #development# on #floating structures#, pursuant to Section 62-55.

(a) Circulation and access

A circulation path shall be provided with a minimum clear width of 10 feet. On shallow portions of #zoning lots# where the width of the #shore public walkway# may be reduced in accordance with Section 62-53, the minimum clear width of the path may be reduced to a minimum of six feet when the #shore public walkway# is less than 16 feet.

(b) Seating

At least one linear foot of seating is required for every 100 square feet of public access area, subject to the provisions of paragraphs (a) through (d) of Section 62-652.

(c) Screening

Any service areas, such as that used for equipment storage or similar purposes, shall be screened from the circulation path in accordance with the standards for screening in Section

62-655 (Planting and trees).

62-64 - Design Requirements for Upland Connections

LAST AMENDED
4/22/2009

#Upland connections# shall be improved in accordance with the provisions of this Section.

(a) Circulation and access

(1) For Type 1 #upland connections# provided in accordance with the provisions of paragraph (a) of Section 62-561, there shall be at least one circulation path linking an open #street#, #public park# or other public place with a #shore public walkway#. Such path shall have a minimum clear width of 12 feet. Any secondary paths shall have a minimum clear width of six feet.

(2) For Type 2 #upland connections# provided in accordance with the provisions of paragraph (b) of Section 62-561, each pedestrian walkway shall have a circulation path with a minimum clear width of eight feet linking an open #street#, #public park# or other public place with a #shore public walkway#. However, when a turnaround is provided, the entire required area shall be provided as a circulation path.

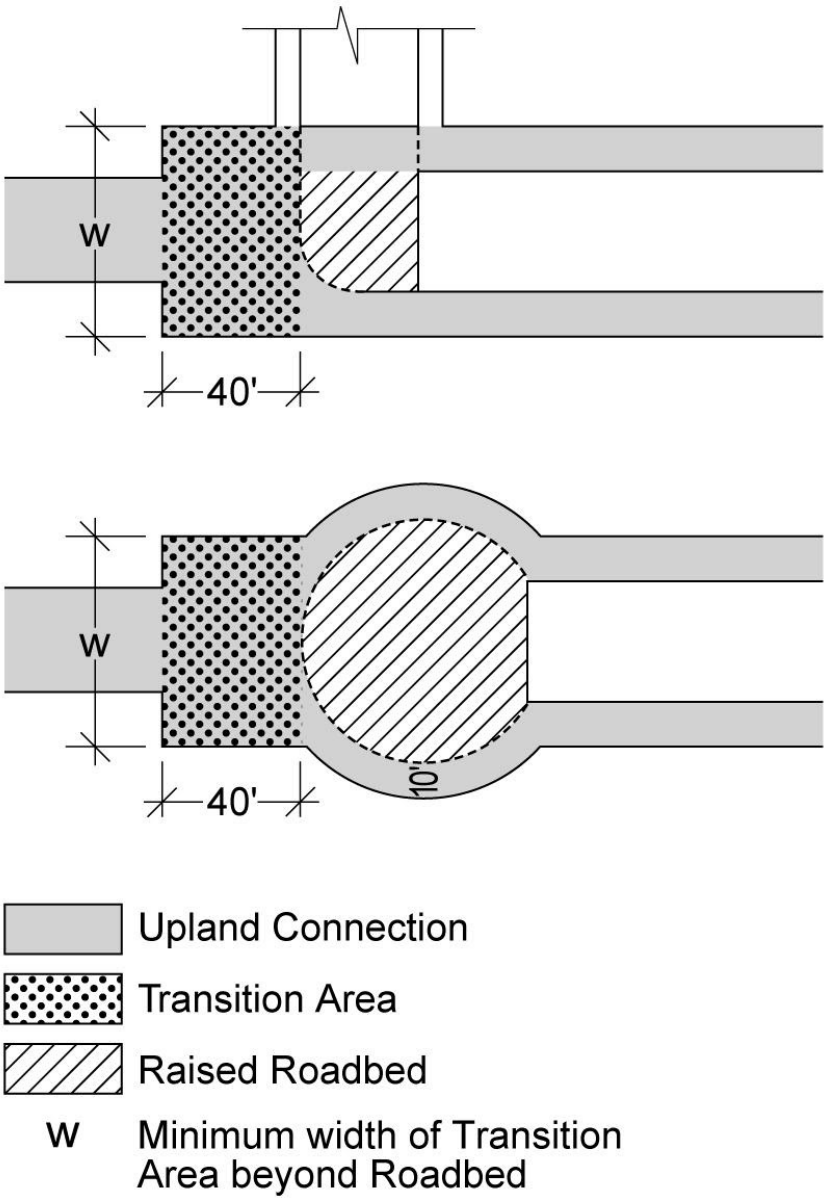
(3) For transition areas, a circulation path with a width of at least 12 feet shall connect each circulation path of the Type 2 #upland connection# with a circulation path of a #shore public walkway#, #supplemental public access area# or Type 1 #upland connection#, whichever is applicable.

(b) Paving

(1) For Type 1 #upland connections#, at least 40 percent but not more than 65 percent of the entry area shall be paved. Such paving shall include a five foot wide area along at least 70 percent of the frontage adjoining a public sidewalk.

(2) Where any #upland connection# is interrupted by a private driveway, the full width of the required #upland connection# shall traverse the roadbed without a drop in level, and be paved with materials distinct from the roadbed. Such portion of the #upland connection# shall not count towards fulfilling a minimum required amount of #waterfront public access area#.

In addition, for Type 2 #upland connections#, the area of the roadbed between both circulation paths, within which lines perpendicular to the #upland connection# traversing the roadbed can be drawn or the portion of the roadbed within a vehicular turnaround, shall be raised to be flush with the level of such adjoining #upland connections#.



Type 2 Upland Connection

(62—64)

(3) The roadbed paving material of a private driveway leading to a vehicular turnaround may be extended into the turnaround provided the area of the turnaround paved with such material is not wider than the roadbed leading to the turnaround. The remaining portions of the turnaround shall be paved with distinct materials to facilitate pedestrian usage. In addition, the level of the area within the turnaround shall be

raised to be flush with the level of adjoining circulation paths.

(c) Planting

(1) For Type 1 #upland connections#, at least 40 percent of the area of the #upland connection# shall be planted in accordance with the provisions set forth in Section 62-655 (Planting and trees).

In addition, the following rules shall apply:

(i) where such #upland connections# do not abut open parking lots or private driveways, six caliper inches of ornamental trees or their equivalent in multi-stemmed plants shall be required for every 100 linear feet of #upland connection#.

(ii) where such #upland connections# abut an open parking lot, screening shall be provided within the #upland connection# along the curb of such parking lot in accordance with Section 37-921 (Perimeter landscaping).

(iii) where such #upland connections# abut a private driveway, a continuous tree pit shall be provided within the #upland connection# along the curb of the driveway. Such tree pit shall meet the minimum planting requirements set forth in Section 62-655, and in addition, shall be planted with one tree for every 25 feet of private driveway frontage.

(iv) where such #upland connections# do not coincide with a #visual corridor#, at least 30 percent of the required open area along the length of the #upland connection# shall be planted, and the requirements of Section 62-513

(Permitted obstructions in visual corridors) shall apply within such open areas.

(2) For Type 2 #upland connections#, a continuous tree pit shall be provided within the #upland connection# along the curb of the private driveway. Such tree pit shall meet the minimum planting requirements set forth in Section 62-655, and in addition, shall be planted with one tree for every 25 feet of private driveway frontage. Portions of the continuous tree pit may be paved with permeable paving such as Belgian block or similar unit pavers in order to accommodate any required amenities, such as benches or bicycle racks, or other permitted obstructions in accordance with the provisions of Section 62-611. However, no continuous tree pit shall be required where an #upland connection# abuts a portion of a roadbed that is required to be raised pursuant to paragraphs (b)(2) or (b)(3) of this Section.

(3) For transition areas, at least 40 percent of such area shall be planted. In addition, a minimum of two canopy trees or their equivalent in caliper inches of ornamental trees or multi-stemmed plants are required.

(d) Seating

At least 12 linear feet of seating shall be provided for every 100 linear feet of #upland connection#, excluding the length of any entry or transition areas and the first 50 feet of a Type 2 #upland connection#. Such excluded areas shall have at least 24 linear feet of seating.

(e) Trash receptacles

One trash receptacle shall be provided within 15 feet of a #street#, #public park# or other public place and one receptacle shall be provided where the #upland connection# adjoins a #shore public walkway# or #supplemental public access area#, pursuant to Section 62-658.

62-65 - Public Access Design Reference Standards

LAST AMENDED
4/22/2009

The standards of this Section, inclusive, shall be applicable to all #waterfront public access areas# and #visual corridors#.

No hollow plastic material, such as PVC (polyvinyl chloride) or similar material shall be permitted in guardrails, fences, seating, trash receptacles or other similar furniture within a #waterfront public access area#. However, high-density polyethylene shall be permitted.

62-651 - Guardrails, gates and other protective barriers

LAST AMENDED
4/22/2009

(a) Guardrails

For the purposes of this paragraph, (a), the term "guardrail" shall refer only to fencing or similar structures provided along a bulkhead, stabilized shore or the water edges of a #pier# or #platform#.

When a guardrail is provided, it shall have a maximum height of 42 inches measured from the adjoining grade level, and shall be at least 70 percent open. Guardrails may be mounted on a solid curb not higher than six inches.

A guardrail may be substituted for a wall, pursuant to paragraph (c)(3) of this Section.

(b) Bollards

(1) Bollards shall be limited to the following locations:

(i) along the bulkhead, stabilized shore or the water edges of a #pier# or #platform#;

(ii) along a #zoning# #lot line# adjacent to, and limiting access from an upland #street#; and

(iii) along the boundaries of a roadway within an #upland connection#.

(2) Bollards shall not exceed 30 inches in height and shall be between six and 15 inches in width. The top of bollards shall not consist of any sharp edges. The minimum clearance between two bollards shall be five feet.

(c) Fences and walls

(1) Fences and walls, when provided, shall be limited to the following locations:

(i) along the boundary of a #waterfront public access area# and an adjoining private area on the #zoning lot#;

(ii) around the perimeter of a playground, tot-lot or dog-run;

(iii) adjoining WD #uses#;

(iv) within a #visual corridor#; and

(v) along any grade level change of 30 inches or greater.

(2) Fences shall have a maximum height of 36 inches measured from the adjoining grade level, and be at least 70 percent open. Fences may be mounted on a solid curb not higher than six inches.

(3) Walls shall not exceed a height of 21 inches, and may be fully opaque.

(4) Chain link fencing or barbed or razor wire shall not be permitted.

(d) Gates

Gates attached to fences and walls that limit physical access to #waterfront public access areas# from #streets#, #public parks# or other public ways, or from adjacent #waterfront public access areas# on adjoining #zoning lots#, shall comply with the provisions of this paragraph (d). Such gates shall be permitted only at the boundaries of #waterfront public access areas# and such adjacent publicly accessible areas, except that in Type 1 #upland connections# gates may be located at the seaward boundary of the entry area. Gates shall not intrude into any planting area. Gates may be closed only pursuant to Section 62-71 (Operational

Requirements).

The maximum height of a gate shall be four feet above the adjoining grade level. Gates shall be no more than 30 percent opaque.

When opened for access, 70 percent of the total width, in aggregate, of the #waterfront public access area# shall be free of obstructions associated with the gate, and there shall be a minimum clear distance of at least 16 feet between any two obstructions of the gate.

In addition, in its open position, the gate and its support structures shall not obstruct:

(1) any circulation path;

(2) 25 percent of the width of the entry area of an #upland connection# along each side of the centerline of such entry area; and

(3) at least 50 percent of the width of the #shore public walkway# closest to the #shoreline#.

62-652 - Seating

LAST AMENDED
4/22/2009

All required seating shall comply with the following standards:

(a) Seating with backs

At least 50 percent of the required seating shall have backs, and at least 50 percent of such seating shall face in the general direction of the water. Seat backs shall be at least 14 inches high. Walls located adjacent to a seating surface shall not count as seat backs. All seat backs must either be contoured in form for comfort or shall be reclined from the vertical between 10 to 15 degrees.

(b) Depth

Seating with or without backs shall have a depth of not less than 18 inches, and for seating with backs, such depth shall not be greater than 20 inches. Seating with a depth of at least 36 inches, and accessible from both sides, may be credited as double seating. When seating is provided on a planter ledge, such ledge must have a minimum depth of 22 inches.

(c) Height

At least 75 percent of the required seating shall have a height not less than 16 inches nor greater than 20 inches above the level of the adjacent grade. Seating higher than 36 inches or lower than 12 inches shall not qualify toward the seating requirements. Seating may be mounted on a solid curb not higher than six inches.

(d) Clearance

Seating shall be located a minimum of 22 inches from any circulation path or permitted obstruction along the accessible side of such seating, except that seating without backs may be as close to a guardrail as 12 inches.

(e) Types of seating

In #shore public walkways# and #supplemental public access areas#, at least two of the following types of seating are required: moveable seating, fixed individual seats, fixed benches with backs, fixed benches without backs, lounging chairs and design feature seating.

(1) Design feature seating

Planter ledges, seating walls, and seating steps may be provided, and shall be limited to 25 percent of the required seating. Walls and planter ledges shall be flat and smooth with at least one inch radius rounded edges.

(2) Moveable seating

Moveable chairs, excluding those in open air cafes, may be credited as 18 inches of linear seating per chair; however, not more than 50 percent of required linear seating may be in moveable chairs. Moveable chairs may be placed in storage outside of the required hours of operation, pursuant to Section 62-71, paragraph (a). All moveable chairs must have backs. Moveable chairs shall not be chained, fixed, or otherwise secured while the #waterfront public access area# is open to the public.

(3) Seating steps

Seating steps shall not include any steps intended for circulation and must have a height not less than 12 inches nor greater than 30 inches and a depth not less than 18 inches.

(4) Lounge chairs

Lounge chairs shall allow for a reclined position supporting the back as well as the legs. Lounge chairs may be credited as 36 inches of linear seating per chair.

(f) Social seating and tables

At least 25 percent of required seating shall be social seating, consisting of seats that are placed in close proximity and at angles to one another or in facing configurations that facilitate social interaction. A minimum of two square feet of tables shall be required for every three linear feet of social seating. However, any requirement for tables that, in total, is less than 10 square feet shall be waived, and no more than 150 square feet of tables shall be required in any site.

(g) Shaded seating

At least 20 percent of required seating shall be shaded. Seating shall be considered shaded if it is located under a canopy tree or shade structure, or on the eastern side and within 45 feet of the trunk of a canopy tree or of a shade structure.

(h) Seaward seating

Up to 25 percent of required seating may be located seaward of the #shore public walkway# provided it is designed as:

(1) a generally smooth and flat surface within a stabilized natural #shoreline#, in the form of rock, stone, wood or other solid material that measures at least 15 inches in width and depth and is between 12 and 30 inches high measured from the adjoining accessible surface; or

(2) steps, with a depth and height between 12 and 30 inches, that facilitate access to the water.

Seaward seating shall not be subject to the provisions of paragraphs (a) through (g) of this Section.

Seating in open air cafes or stairs shall not qualify towards seating requirements. All seating located within a planting area shall be on permeable pavement and secured for stability.

62-653 - Lighting

LAST AMENDED
2/2/2011

All #waterfront public access areas# shall provide lighting in accordance with the following requirements:

An average maintained level of illumination of not less than one horizontal foot candle (lumens per foot) throughout all walkable areas, and a minimum level of illumination of not less than 0.2 horizontal foot candles (lumens per foot) throughout all other areas, shall be required. Such level of illumination shall be maintained from one-half hour before sunset to one-half hour after sunrise.

The average illumination to minimum foot candle uniformity ratio shall be no greater than 10:1 within a #waterfront public access area#.

Glare shall be controlled to a semi-cutoff standard (not more than five percent of peak foot candle intensity radiating above 90 degrees and 20 percent of peak intensity above 80 degrees). The luminaire shall be equipped with lamps with a color temperature range of 3000 K to 4100 K with a minimum color rendering index of 65.

All lenses and globes shall be polycarbonate or equivalent.

All lighting sources that illuminate a #waterfront public access area# and are mounted on or located within #buildings# adjacent to the #waterfront public access area# shall be shielded from direct view. In addition, all lighting within the #waterfront public access area# shall be shielded to minimize any adverse effect on surrounding #buildings# containing #residences#.

62-654 - Signage

LAST AMENDED
4/22/2009

The provisions of this Section shall apply to signs required in #waterfront public access areas#. All such signs shall be located in directly visible locations, without any obstruction at any time. Such signs shall be fully opaque, non-reflective and constructed of permanent, highly durable materials, such as metal or stone. All lettering shall be in a clear, sans-serif, non-narrow font such as Arial, Helvetica, or Verdana, solid in color with a minimum height of one-quarter inch, unless otherwise specified in this Section, and shall highly contrast with the background color.

Drawings documenting the size, format, and orientation of all required signs shall be included in the application for certification, pursuant to Section 62-80. Such drawings shall include detailed information about dimensions of the sign, lettering size, color and materials.

(a) Entry signage

All #waterfront public access areas# shall contain an entry sign mounted on a permanent structure. Such sign shall be located within five feet of the boundary of the entrance from a #street#, #public park# or other public way. Required signage shall contain:

(1) the New York City waterfront symbol, 12 inches square in dimension, as provided in the Required Signage Symbols file at the Department of City Planning website and the "The New York Waterfront Symbol Standards and Specifications" (published by the Department of City Planning, April 1989, and as modified from time to time);



(62—654)

(2) lettering at least one-and one-half inches in height, stating "OPEN TO PUBLIC" in bold type;

(3) lettering at least one-half inch in height stating the approved hours of operation as required pursuant to Section 62-71 (Operational Requirements), paragraph (a);

(4) lettering at least one-half inch in height stating “Do not enter outside of hours of operation”;

(5) the International Symbol of Access for persons with physical disabilities, at least three inches square, or the statement: “This public access area is accessible to persons with physical disabilities”;

(6) the address of the property where the #waterfront public access area# is located;

(7) the name of the current owner and the name, phone number and email address of the person designated to maintain the #waterfront public access area#;

(8) the statement: "For complaints or questions: call 311”;

(9) the statement: “For more information go to http://nyc.gov/planning”; and

(10) rules of conduct as specified in Section 62-71, paragraph (b).

Information in paragraphs (a)(1) and (a)(2) may be inscribed in pavement or on any permitted appropriate amenity, such as a seating wall or sculpture.

All information required in this paragraph, (a), shall be included on signs with a maximum dimension in one direction of 16 inches. The maximum height of a sign above the adjoining grade shall be three feet for a horizontal sign and five feet for a vertical sign. The bottom of all signs shall be at least eighteen inches above adjoining grade, except for signs angled 45 degrees or less as measured from adjacent grade. However, the waterfront symbol required pursuant to paragraph (a)(1) need not be included in such signage if such symbol is inscribed nearby in pavement or any appropriate amenity.

(b) Signage at #zoning lot# line

A sign shall be required to be located within five feet of any #zoning lot line# adjacent to another #zoning lot# within a #shore public walkway# and at a distance no greater than five feet from the required circulation path. All information required in paragraph (a) of this Section shall be included on signs with a maximum dimension in one direction of 16 inches. The maximum height of a sign above adjoining grade shall be three feet. The bottom of all signs shall be at least 18 inches above adjoining grade, except for signs angled 45 degrees or less, as measured from adjacent grade. However, the waterfront symbol required pursuant to paragraph (a)(1) of this Section need not be included in such signage if such symbol is inscribed nearby in pavement or any appropriate amenity, such as a seating wall or sculpture.

However, the waterfront symbol required pursuant to paragraph (a)(1) shall be no larger than four inches square, or 12 inches square if inscribed in pavement or any appropriate amenity, and the information required in paragraph (a)(2) of this Section shall be one inch high.

The information required in paragraphs (a)(1) and (a)(2) may be inscribed in pavement or on any permitted appropriate amenity.

(c) Other signage

Seating areas within #waterfront public access areas# allowed pursuant to paragraph (b) of Section 62-62 (Design Requirements for Shore Public Walkways and Supplemental Public Access Areas) shall be identified by a sign with the words “SEATING OPEN TO PUBLIC” in lettering at least one inch high. Such sign shall be clearly visible from the #waterfront public access area#. In addition, such sign shall be no greater than 60 square inches, no higher than 18 inches above adjacent grade, and angled for visibility. The required sign may be freestanding or attached to a permitted amenity within the #waterfront public access area#.

No #advertising signs# may be located within a #waterfront public access area#.

62-655 - Planting and trees

LAST AMENDED
5/12/2021

Within #waterfront public access areas# and parking areas where planting or screening is required, the design standards of this Section shall apply.

A detailed landscape plan prepared by a registered landscape architect shall be submitted to the Department of Parks and Recreation prior to seeking certification by the Chairperson of the City Planning Commission, pursuant to the requirements of Section 62-80. Such plans shall include plants suited for waterfront conditions and include a diversity of species with emphasis on native plants, species that are tolerant of salt, sediment, high seasonal water flow, and high winds, as applicable to the location and the facilitation of sustainable wildlife habitats, where appropriate. No species listed on quarantine or as a host species for any disease listed by the Department of Parks and Recreation at the time of application shall be included.

All landscaped areas shall contain a built-in irrigation system or contain hose bibs within 100 feet of all planting areas.

(a) Planting areas

Wherever a minimum percentage of planting area is specified for a #waterfront public access area#, such requirements shall be met only through the provisions of the types of planting areas listed in paragraphs (a)(1) through (a)(8) of this Section. A curb with a maximum height of six inches is permitted along the perimeter of any planting area. Any edging higher than six inches above adjacent grade shall be considered a retaining wall. Retaining walls shall not exceed a maximum height of three feet, as measured from the level of the adjoining grade or planted area below such wall so that no more than three feet of such retaining wall is visible

from the #waterfront public access areas#. Where not specifically indicated, the minimum planting standard for required planting areas shall be turf grass, other natural grasses or groundcover. All planting areas shall be located on undisturbed subsoil or clean fill.

(1) Single tree pits

A single tree pit shall have a minimum dimension of five feet with a minimum area of 30 square feet and a minimum depth of 3 feet, 6 inches. Only tree pits planted with ground cover shall count towards meeting a minimum planting area requirement.

(2) Continuous tree pits

A continuous tree pit is a planting area containing two or more trees. Continuous tree pits shall have a minimum width of five feet and a minimum depth of 3 feet, 6 inches, and a length as required to meet a minimum of five feet from the trunk of the tree to the end of the tree pit.

(3) Planting beds

Planting beds for turf grass or groundcovers shall have minimum dimensions of two feet in any direction and a minimum depth of two feet. Planting beds for shrubs shall have minimum dimensions of three feet by three feet for each shrub and a minimum depth of 2 feet, 6 inches. Planting beds containing trees shall have a minimum dimension of five feet and a minimum area of 30 square feet for each tree, with a minimum depth of 3 feet, 6 inches. Trees, shrubs or groundcovers may be combined in a single planting bed only if such bed meets the minimum depth required for the largest plant.

Retaining walls are permitted along the perimeter of a planting bed in accordance with the regulations for planting areas in paragraph (a) of this Section.

(4) Terraced planting area

A “terraced planting area” is a planting area with two or more planting beds incorporating retaining walls on a slope with a grade change greater than or equal to three feet. A terraced planting area shall comply with the dimensional standards for a planting bed except that the average depth of the individual planting beds between the two retaining walls shall not be less than three feet, as measured perpendicular to the edge of the retaining wall. In addition, for retaining walls between two or more planting beds, their height may exceed three feet, provided that the front of such retaining walls is screened by plant material.

(5) Berms

A "berm" is a planting area with sloped grade stabilized primarily by plant materials rather than retaining walls or other similar built structures. A berm shall comply with the dimensional standards for a planting bed except that the height of the berm shall not exceed the #flood-resistant construction elevation# on the #zoning lot#, or five feet above the lowest adjoining grade of the #waterfront yard# established pursuant to Section 62-332 (Rear yards and waterfront yards), whichever is higher.

(6) Lawns

A "lawn" is an area planted with turf grass having a minimum soil depth of 2 feet, 6 inches. Along at least 60 percent of the perimeter, a lawn shall have a grade level within six inches of the adjacent grade providing unobstructed pedestrian access. Any

required lawn shall have a minimum area of 500 square feet and no dimension less than 18 feet.

(7) Screening

Screening is intended to create a landscaped buffer between the #waterfront public access areas# and adjoining non-public #uses# to protect the privacy or minimize the visual impact of blank walls, equipment, loading and parking areas or similar conditions.

(i) Screening buffers

Screening buffers required pursuant to paragraph (c)(2) of Section 62-62 (Design Requirements for Shore Public Walkways and Supplemental Public Access Areas) shall consist of densely planted shrubs or multi-stemmed screening plants, with at least 50 percent being evergreen species. Shrubs shall have a height of at least four feet at the time of planting. The requirements of this paragraph, (a)(7)(i), may also be satisfied by the requirements of paragraph (a)(7)(ii) of this Section.

(ii) Blank walls and service areas

Blank walls higher than four feet measured from an adjacent grade level and service areas anywhere within a #waterfront public access area# shall be screened with any combination of evergreen trees, vines or espaliered trees or shrubs, and an architectural treatment such as a pergola, stone rustication, grills or sculptural features.

(iii) Parking garage screening

Open parking areas on any #zoning lot# fronting on an #upland connection# or #street# on any #waterfront block#, notwithstanding the #use# on such lot, shall require screening pursuant to Section 37-921 (Perimeter landscaping). Screening required pursuant to Section 62-453 shall consist of a planting strip at least four feet wide. Plants shall be at least four feet high at the time of planting and 50 percent of them shall be evergreen shrubs.

All required screening may be interrupted by vehicular or pedestrian entrances.

(8) Tidal wetland area

A #tidal wetland area# may satisfy up to 30 percent of the required planting area for #waterfront public access areas#.

(b) Trees

(1) Tree caliper

At time of planting, canopy trees shall be a minimum of three inches caliper and ornamental trees shall be a minimum of two inches caliper.

(2) Trees in single tree pits

One of the procedures in this paragraph, (b)(2), shall be employed to protect trees planted at grade:

(i) granite or cast concrete block pavers with a minimum four inch depth shall be installed in accordance with New York City Department of Parks and Recreation (DPR) standards for #street# trees;

(ii) a grate shall be installed over the root zone, supported at its edges and set flush with the adjacent pavement for pedestrian safety, in accordance with DPR standards for #street# trees for grate size; or

(iii) the root zone shall be surrounded with barrier hedge planting.

62-656 - Paving

LAST AMENDED
4/22/2009

Paving in #waterfront public access areas# shall comply with the following:

(a) Locational requirements

(1) Within required circulation paths

All paving material for a required circulation path shall be permanent, durable, accessible to persons with physical disabilities, and shall consist of one or a combination of the following:

(i) Unit pavers constituted of stone, concrete, granite, asphalt or a mix of these materials with other aggregates;

(ii) Concrete, prefabricated, poured or permeable;

(iii) Wood planks for boardwalk or decking, except that tropical hardwood shall not be permitted;

(iv) Solid plastic, such as "plastic lumber," high density polyethylene, wood composite plastic or fiber-reinforced plastic.

(2) Other than within required circulation paths

In addition to the permitted paving materials of paragraph (a)(1) of this Section, the following materials shall be permitted anywhere in a #waterfront public access area#:

(i) Blocks such as Belgian blocks, cobble stones, concrete cobbles or Eurocobble;

(ii) Gravel, loose, installed over a solid surface or glued with resin;

(iii) Wood chips or other similar material;

(iv) Metal grating, limited to locations that require drainage and for #platforms#;

(v) Asphalt, impermeable or porous, which may be imprinted with thermoplastic patterns.

(3) Special regulations for Type 2 #upland connections#

Paving for driveways and pedestrian paths shall be subject to the standards of the New York City Department of Transportation for roadbeds and sidewalks.

(b) Dimensional requirements

(1) All unit pavers shall have a minimum thickness dimension of two inches for pedestrian use and three inches for vehicular use and shall not exceed a maximum of four square

feet in area.

(2) Wood planks or plastic lumber for boardwalk or decking shall be a minimum of three inches thick (nominal dimension). The direction of planks shall not be parallel to the direction of traffic.

(3) Concrete slabs, other than in #upland connections#, shall be a maximum of two feet in any one dimension.

All the above materials may be installed to facilitate storm water management appropriate for specific site conditions.

62-657 - Bicycle racks

LAST AMENDED
4/22/2009

Each bicycle rack shall allow for the bicycle frame and one wheel to be locked to the rack. If bicycles can be locked to each side of the rack, each side may be counted as a required space. Thirty inches of maneuverable space shall be provided between parallel bicycle racks and an eight foot wide aisle shall be provided between bicycle rack areas.

62-658 - Trash receptacles

LAST AMENDED
4/22/2009

Trash receptacles shall be placed within 50 feet of a seating area, have a minimum capacity of 25 gallons and have either top openings that measure at least 12 inches wide or side openings that inscribe a rectangle measuring at least 12 inches wide and six inches high. Trash receptacles shall be able to use standard bags used to collect trash.