Zoning Resolution

THE CITY OF NEW YORK
Zohran K. Mamdani, Mayor

CITY PLANNING COMMISSION
Sideya Sherman, Chair

93-60 - MANDATORY IMPROVEMENTS

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93-60 - MANDATORY IMPROVEMENTS

LAST AMENDED
1/19/2005

93-61 - Sidewalk Widenings

LAST AMENDED
1/19/2005

Map 4 (Mandatory Sidewalk Widenings) in Appendix A of this Chapter specifies locations of mandatory sidewalk widenings. The depth of such sidewalk widenings shall be as indicated on Map 4 in Appendix A and shall be measured perpendicular to the #street line#. All sidewalk widenings shall be improved as sidewalks to Department of Transportation standards, at the same level as the adjoining public sidewalks, and shall be accessible to the public at all times.

93-62 - Street Tree Planting

LAST AMENDED
5/29/2019

In addition to the applicable underlying #street# tree planting requirements, in the Four Corners Subarea A2 of the Large-Scale Plan Subdistrict A, trees shall also be provided along the #street# edge of the mandatory sidewalk widenings along West 34th Street. All such trees shall be provided for the entire length of the #street# frontage of the #zoning lot#, at maximum intervals of 25 feet. Trees shall be planted in gratings flush to grade in at least 200 cubic feet of soil per tree with a depth of soil at

least three feet, six inches. Species shall be selected and installed in accordance with specifications established by the Department of Parks and Recreation. The provisions of this Section shall not apply where the Department of Parks and Recreation determines that such tree planting would be infeasible.

93-63 - Pedestrian Circulation Space

LAST AMENDED
2/2/2011

In C2-8 and C6-4 Districts, except within Subdistrict G, all #developments# or #enlargements# on #zoning lots# of 5,000 square feet or larger with more than 70,000 square feet of new #floor area# shall provide pedestrian circulation space in accordance with the provisions of Section 37-50. In addition, for #developments# or #enlargements# that provide subway entranceways constructed after December 21, 2005, one and one-half times the area of such entranceway accessible to the public at #street# level may qualify as pedestrian circulation space, up to a maximum amount of 3,000 square feet.

Pedestrian circulation space shall not be required if any of the following conditions exist:

(a) The #zoning lot# is entirely occupied by a #building# of no more than one #story# in height.

(b) The #zoning lot# is an #interior lot# fronting on a #wide street# with less than 80 feet of #street# frontage.

(c) The #zoning lot# is a #through lot# and both #street# frontages are less than 25 feet in length.

(d) The #zoning lot# is required to provide public access pursuant to Section 93-70 (PUBLIC ACCESS REQUIREMENTS FOR SPECIAL SITES).

93-64 - Major Building Entrances

LAST AMENDED
2/2/2011

Any #development# or #enlargement# with a #commercial# #floor area ratio# of 5.0 or greater and located on a #zoning lot# with frontage upon Hudson Boulevard shall provide a major entranceway to the #commercial# portion of the #building# on Hudson Boulevard.

Any #development# or #enlargement# containing #residences# located on #zoning lots# with frontage upon Tenth Avenue north of West 33rd Street shall provide a major entrance to the #residential# portion of the #building# on or within 100 feet of Tenth Avenue.

The #street wall# of any #building# facing east towards Ninth Avenue south of West 33rd Street shall contain either a major #building# entrance or have at least 70 percent of its ground floor frontage occupied by retail #uses#.

93-65 - Transit Facilities

LAST AMENDED
10/27/2010

(a) Any #development# or #enlargement# on a #zoning lot# that includes the southwest corner of West 40th Street and Eighth Avenue shall provide an easement for public access to the subway mezzanine or station as illustrated on Map 5 (Transit Facilities) in Appendix A of this Chapter. The easement shall accommodate a relocated subway entrance from the adjoining sidewalk to a location within the #development# or #enlargement#.

The Chairperson of the City Planning Commission shall certify that a plan has been submitted indicating the volume of the easement necessary for future construction of a subway entrance. Such plan shall be developed in consultation with, and with the approval of, the Transit Authority. The Chairperson may alternately certify that a plan has been submitted whereby the applicant agrees to provide the required easement, at the applicant's expense, within two years of request by the Transit Authority or by its designee.

An instrument establishing such transit easement, or agreement to provide one within two years of request by the Transit Authority, once certified, shall be filed and duly recorded in the Borough Office of the City Register of the City of New York, indexed against the property in the form of a legal instrument providing notice of such certification. Such filing and recording of the instrument shall be a precondition for the filing for or issuance of any building permit for any #development# or #enlargement# on the #zoning lot#. The recording information shall be included on the certificate of occupancy for any #building#, or portion thereof, on the #zoning lot# issued after the recording date.

Floor space within any required transit easement shall be excluded from the definition of #floor area#, and may be temporarily used by the owner of the #zoning lot# for any permitted #uses# until such time as required by the Transit Authority or by its designee for subway purposes. Improvements or construction of a temporary nature within the easement volume for such temporary #uses# shall be removed by the owner of the #zoning lot# prior to the time at which public use of the easement area is required. A minimum notice of six months in

writing shall be given by the Transit Authority to the owner of the #zoning lot# in order to vacate the tenants of such temporary #uses#.

(b) For the locations listed in this paragraph, (b), floor space devoted to subway-related #uses# consisting of ventilation facilities and other facilities or services used or required in connection with the operation of a subway line or station, which are established pursuant to an easement or other agreement, shall be excluded from the definition of #floor area# in Section 12-10:.

(1) The volume bounded by Eleventh Avenue, a line 52 feet north of and parallel to West 33rd Street, the western boundary of the #public park#, and West 33rd Street, up to a height of 82 feet, as illustrated on Map 5.

(2) The volume bounded by Eleventh Avenue, West 36th Street, a line 95 feet east of and parallel to Eleventh Avenue, and a line 95 feet south of and parallel to West 36th Street, up to a height of 129 feet, as illustrated on Map 5.

(3) The tax lot located at Block 1051, Lot 2, existing on October 27, 2010, up to a height of 73 feet, as illustrated on the District Map in Appendix A of the #Special Clinton District#.

(4) The volume bounded by a line 37 feet east of and parallel to Eleventh Avenue, West 26th Street, a line 100 feet east of and parallel to Eleventh Avenue, and a line 95 feet south of and parallel to West 26th Street, up to a height of 60 feet, as illustrated on the District Map in Appendix A of the #Special West Chelsea District#.

Any transit easement or other agreement for such subway-related #use# shall be filed and duly recorded in the Borough Office of the City Register of the City of New York, and indexed against the property.

93-66 - Open Area Requirements in the Large-Scale Plan Subdistrict A

LAST AMENDED
10/17/2007

In Subareas A2 through A5 of the Large-Scale Plan Subdistrict A, the provisions of this Section shall apply to all open areas between the #street wall# of any #development# or #enlargement# and the #street line#.

(a) Where such open areas are sidewalk widenings required pursuant to Section 93-61, or where a sidewalk widening is not required but an open area extends along the entire #street line# of the #zoning lot#, no obstructions shall be permitted within such open areas within five feet of the #street line#. Beyond five feet of the #street line#, up to a distance of 10 feet from the #street line#, obstructions shall be limited to seating, tables, and trees planted flush to grade. Any open area provided beyond 10 feet of the #street line# shall comply with the provisions of paragraphs (b) through (d) of this Section, as applicable.

(b) All open areas less than 1,200 square feet in area, or open areas of any size but with a width or depth of less than 30 feet, shall be paved or contain landscaping. Paved areas shall be at the same elevation as the adjoining sidewalk or any adjoining public access area required pursuant to this Chapter.

(c) All open areas at least 1,200 square feet in area, and with a width and depth of at least 30 feet, shall be paved and contain landscaping. Paved areas shall not be more than 2 feet, 6 inches above or below the level of the adjoining sidewalk or any adjoining public access area required pursuant to this Chapter.

(d) Open areas described in paragraphs (b) and (c) of this Section may be occupied by features, equipment and appurtenances normally found in #public parks# and playgrounds, as listed in Section 37-726 (Permitted obstructions). In addition, gates or fences shall be permitted for open areas described in paragraph (c) of this Section, provided such gates are fully open during business hours, such gates or fences are not higher than five feet, and are a minimum of 65 percent open to permit visibility of the open area. No parking areas shall be permitted in any open area. Driveways in any open area shall lead directly to an enclosed parking or loading facility, except that portes-cocheres are allowed in any open area on #zoning lots# with at least 80,000 square feet of #lot area#. #Building# trash storage facilities and mechanical equipment shall be screened by a wall or planted area sufficient to visually conceal these facilities from the #street# or any public access area. All paved areas shall be accessible to the public during business hours and have lighting with a minimum level of two foot candles. Edges of planters in all landscaped areas shall not be higher than 2 feet, 6 inches above the level of any adjacent paved area.