Zoning Resolution

THE CITY OF NEW YORK
Zohran K. Mamdani, Mayor

CITY PLANNING COMMISSION
Sideya Sherman, Chair

87-00 - GENERAL PURPOSES

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LAST AMENDED
12/11/2017

The "Special Harlem River Waterfront District" established in this Resolution is designed to promote and protect public health, safety and general welfare. These general goals include, among others, the following specific purposes:

(a) to maintain and reestablish physical and visual public access to and along the waterfront;

(b) to create a lively and attractive built environment that will provide amenities and services for the use and enjoyment of area residents, workers and visitors;

(c) to promote the pedestrian orientation of ground floor uses in appropriate locations, and thus safeguard a traditional quality of higher density areas of the City;

(d) to encourage well-designed development that complements the built character of the neighborhood;

(e) to take advantage of the Harlem River waterfront and provide an open space network comprised of parks, public open space and public access areas;

(f) to provide flexibility of architectural design within limits established to assure adequate access of light and air to streets and public access areas, and thus encourage more attractive and economic building forms;

(g) to enhance neighborhood economic diversity by broadening the range of housing choices for residents at varied incomes;

(h) to encourage investment in mixed residential and industrial neighborhoods by permitting expansion and new development of a wide variety of uses in a manner that will safeguard the health and safety of people using the area; and

(i) to promote the most desirable use of land and building development in accordance with the District Plan for the Harlem River waterfront and thus conserve the value of land and buildings and thereby protect City tax revenues.

87-01 - Definitions

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6/6/2024

For purposes of this Chapter, matter in italics is defined in Sections 12-10, 32-301, 62-11 or 64-11, or within this Section.

Ground floor level

The "ground floor level" shall mean the finished floor level of the first #story# that is within five feet of an adjacent public sidewalk or any other #publicly accessible open area#.

Major Deegan Expressway street line

The "Major Deegan Expressway street line" shall be:

(a) in the event that the portion of the Major Deegan Expressway traversing Parcels 1, 2, 3 or 4, as shown on Map 1 in the Appendix to this Chapter, has been widened after December 11, 2017, a line 22 feet west of and parallel to the as-built western edge of such Expressway structure for Parcel 1, and a line 14 feet west of and parallel to the as-built western edge of such Expressway for Parcels 2, 3, or 4; or

(b) in the event that the portion of the Major Deegan Expressway traversing Parcels 1, 2 , 3 or 4, as shown on Map 1 in the Appendix to this Chapter, has not been widened after December 11, 2017, a line connecting on:

(1) Parcel 1:

(i) a point located on the northern boundary of Parcel 1 that is 120 feet west of its intersection with the eastern parcel boundary; and

(ii) a point on the southern boundary of Parcel 1 that is 110 feet west of its intersection with the eastern parcel boundary.

(2) Parcel 2:

(i) a point located on the northern boundary of Parcel 2 that is 74 feet west of its intersection with the eastern parcel boundary; and

(ii) a point located on the southern boundary of Parcel 2 that is 74 feet west of its intersection with the eastern parcel boundary.

(3) Parcel 3:

(i) a point located on the northern boundary of Parcel 3 that is 74 feet west of its intersection with the eastern parcel boundary; and

(ii) a point located on the southern boundary of Parcel 3 that is 30 feet west of its intersection with the eastern parcel boundary.

(4) Parcel 4:

(i) a point located on the northern #lot line# of Parcel 4 that is 30 feet west of its eastern #lot line#; and

(ii) a point located on the eastern #lot line# of Parcel 4 that intersects with a line parallel to and 60 feet from the northern #lot line#.

87-02 - General Provisions

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In harmony with the general purpose and intent of this Resolution and the general purposes of the #Special Harlem River Waterfront District#, the regulations of the #Special Harlem River Waterfront District# shall apply. The regulations of all other Chapters of this Resolution are applicable, except as superseded, supplemented or modified by the provisions of this Chapter. In the event of a conflict between the provisions of this Chapter and other regulations of this Resolution, the provisions of this Chapter shall control, except as specifically modified in this Chapter.

87-03 - District Plan

LAST AMENDED
12/11/2017

The regulations of this Chapter are designed to implement the #Special Harlem River Waterfront District# Plan as set forth in the Appendix to this Chapter. The plan area has been divided into three Subdistricts comprised of parcels that consist of tax blocks and lots as follows:

Core Subdistrict - tax blocks and lots existing on June 30, 2009

Parcel 1: Block 2349, Lot 112

Parcel 2: Block 2349, Lot 100 (that portion not mapped as parkland in accordance with Alteration Map No. 13124, dated January 29, 2009, in the Office of the Bronx Borough President)

Parcel 3: Block 2349, Lots 46, 47, 146

Parcel 4: Block 2349, Lot 38

Parcel 5: Block 2349, Lots 15, 20

Parcel 6: Block 2349, Lots 3, 4

Parcel 7: Block 2323, Lot 43

Parcel 8: Block 2323, Lot 28

Parcel 9: Block 2323, Lots 5, 13, 18

North Subdistrict - tax blocks and lots existing on December 11, 2017

Parcel 10: Block 2539, Lot 1, portion of
Lots 2, 3

Block 2356, Lots 2, 72 and tentative
Lot 102 (existing on December 11, 2017)

South Subdistrict - tax blocks and lots existing on December 11, 2017

Parcel 11: Block 2319, Lot 55

Parcel 12: Block 2319, Lot 60

Parcel 13: Block 2319, Lots 37 and 155

Parcel 14: Block 2319, Lot 98

Parcel 15: Block 2319, Lot 99

Parcel 16: Block 2319, Lots 100 and 108

Parcel 17: Block 2319, Lot 109

Parcel 18: Block 2319, Lot 112

Parcel 19: Block 2319, Lot 2

Parcel 20: Block 2316, Lots 1 and 35

Parcel 21: Block 2319, Lot 200

The District Plan includes the following maps:

Map 1. (Special Harlem River Waterfront District, Subdistricts and Parcels)

Map 2. (Designated Non-residential Use Locations)

Map 3. (Waterfront Access Plan: Public Access Elements)

Map 4. (Waterfront Access Plan: Designated Visual Corridors)

87-04 - Applicability of District Regulations

LAST AMENDED
12/11/2017

Parcels 1, 2, 3 and 4, as shown on Map 1 (Special Harlem River Waterfront District and Parcels) in the Appendix to this Chapter, shall be considered #waterfront zoning lots#, notwithstanding the mapping of any #streets# on such parcels after June 30, 2009.

87-041 - Applicability of Article VI, Chapter 2

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12/5/2024

The provisions of Article VI, Chapter 2 (Special Regulations Applying in the Waterfront Area) shall apply in all #waterfront areas#, except as modified by the provisions of this Chapter.

For the purpose of applying the provisions of Article VI, Chapter 2, Parcels 1, 2, 3 and 4 within the Core Subdistrict, and any parcels having a boundary within 40 feet of a #shoreline# within the South Subdistrict, as shown on Map 1 (Special Harlem River Waterfront District, Subdistricts and Parcels) in the Appendix to this Chapter, shall be considered #waterfront zoning lots#, notwithstanding the mapping of any #streets# on such parcels after June 30, 2009 for the Core Subdistrict, and after December 11, 2017, for the South Subdistrict.

87-042 - Applicability of Article VI, Chapter 4

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In #flood zones#, in the event of a conflict between the provisions of this Chapter and the provisions of Article VI, Chapter 4 (Special Regulations Applying in Flood Zones), the provisions of Article VI, Chapter 4, shall control.

87-043 - Applicability of Article XII, Chapter 3

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Within the South Subdistrict, for M1 Districts mapped with a #Residence District#, the provisions of Article XII, Chapter 3 (Special Mixed Use District) for #waterfront blocks# shall apply, except as modified in this Chapter. In the event of a conflict between the provisions of Article XII, Chapter 3

and this Chapter, the provisions of this Chapter shall control.

87-044 - Applicability of Mandatory Inclusionary Housing

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The North Subdistrict, as shown on Map 1, shall be a #Mandatory Inclusionary Housing area#.

87-05 - Modification of Use and Bulk Regulations for Parcels Containing Newly Mapped Streets

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In the event that #streets# are mapped on Parcels 1, 2, 3 and 4 in the Core Subdistrict after June 30, 2009, and on any Parcel in the South Subdistrict after December 11, 2017, as shown on Map 1 in the Appendix to this Chapter, the area within such #streets# may continue to be considered part of the #zoning lot# for the purposes of applying #floor area# regulations of this Zoning Resolution.