Zoning Resolution

THE CITY OF NEW YORK
Zohran K. Mamdani, Mayor

CITY PLANNING COMMISSION
Sideya Sherman, Chair

139-45 - Waterfront Public Access Area Requirements

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LAST AMENDED
6/6/2024

For all #waterfront zoning lots#, the exemptions from #waterfront public access area# requirements listed in paragraph (a) of Section 62-52 shall not apply.

(a) Reduced requirement for certain manufacturing uses

For #zoning lots# with #developments#, #enlargements#, or #conversions# comprised #predominantly# of #uses# listed under Use Groups IV(B), IX and X that are not permitted in M1 Districts in #Special Mixed Use Districts# pursuant to the provisions of Section 123-21 (Modifications to M1 Use Regulations), the reduced design requirements of Section 62-58 (Requirements for Water-Dependent Uses and Other Developments) shall apply to #waterfront public access areas#.

(b) Authorization for incompatible uses

For #zoning lots# comprised #predominantly# of #uses# listed under Use Groups IV(B), IX and X, the City Planning Commission may authorize the waiver of #waterfront public access area# requirements, provided the Commission finds that:

(1) such #uses# produce objectionable effects on its surroundings such that the #uses# are incompatible with a waterfront public access requirement; or

(2) such #uses# have demonstrable operational requirements which would be incompatible with waterfront public access requirements; and

(3) such waiver is the least necessary to accommodate the proposed #uses#.

Such waivers shall be in effect for as long as the proposed #use# remains on the #zoning lot#. Upon #development# of the #zoning lot# following cessation of the #use# for a period of more than two years, full compliance with #waterfront public access area# requirements, as may be modified by future approvals, is required.