64-82 - Modification of Waterfront Regulations Relating to Level of Yards, Visual Corridors and the Ground Floor
64-82 - Modification of Waterfront Regulations Relating to Level of Yards, Visual Corridors and the Ground Floor

LAST AMENDED
10/10/2013

The provisions of paragraphs (a) and (b) of this Section shall apply to all zoning lots, without requiring a building to comply with flood-resistant construction standards as established in paragraph (a) of Section 64-12 (Applicability).

Within the area that has a one percent chance of flooding in a given year, as determined by the Federal Emergency Management Agency (FEMA) in flood maps or by earlier adopted Flood Insurance Rate Maps, certain provisions regarding waterfront yards and visual corridors, as defined in Section 62-11, and ground floor uses, are modified as follows:

(a) Waterfront yards

Section 62-332 (Rear yards and waterfront yards) shall be modified to allow the level of a waterfront yard to be raised above the elevation of the top of the adjoining existing bulkhead, existing stabilized natural shore or mean high water line, as applicable, provided that:

1. where a waterfront yard terminates at a lot line, the grade of the waterfront yard shall be no higher than the grade of the adjacent street or zoning lot, except that natural grade need not be disturbed to comply with this requirement;

2. for zoning lots without a shore public walkway, as defined in Section 62-11, the maximum grade of the waterfront yard, measured parallel to the shoreline, shall not exceed three percent; and

3. for zoning lots with a shore public walkway, as defined in Section 62-11, the maximum grade shall be determined by the maximum permitted grade of the circulation path and the provisions of Section 62-60 (DESIGN REQUIREMENTS FOR WATERFRONT PUBLIC ACCESS AREAS).

(b) Visual corridors

Section 62-512 (Dimensions of visual corridors) shall be modified so that the lowest level of a visual corridor shall be determined by establishing a plane connecting the two points along the street lines from which the visual corridor emanates at an elevation three feet above curb level with the two points where the prolonged street lines intersect the shoreline, stabilized natural shore, bulkhead, upland edge of a waterfront yard raised pursuant to the provisions of paragraph (a) of this Section, or the base plane of a pier or platform, whichever intersection occurs first. Such plane shall then continue horizontally seaward from the line of intersection. Visual corridors that are not prolongations of mapped streets shall be determined by establishing a plane connecting an elevation three feet above curb level at the two points along the lot line from which the visual corridor emanates with the two points of intersection at the shoreline, stabilized natural shore, bulkhead, upland edge of a waterfront yard raised pursuant to the provisions of paragraph (a) of this Section, or the base plane of a pier or platform, whichever intersection occurs first.

(c) Ground floor uses

Section 62-341 (Developments on land and platforms), paragraph (c)(6), shall be modified so that “ground floor level” shall mean the lowest level permitted for habitable use as if it were “Post-FIRM Construction” as defined by Appendix G of the New York City Building Code, using elevation and wet flood-proofing techniques, provided that where such lowest permitted level would be less than five feet above the finished level of the adjacent sidewalk, such level need not be lower than five feet above the finished level of the adjacent sidewalk.