Zoning Resolution

THE CITY OF NEW YORK
Zohran K. Mamdani, Mayor

CITY PLANNING COMMISSION
Sideya Sherman, Chair

62-11 - Definitions

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62-11 - Definitions

LAST AMENDED
12/6/2023

Definitions specially applicable to this Chapter are set forth in this Section. The definitions of other defined terms are set forth in Section 12-10 (DEFINITIONS) and Section 64-11 (Definitions).

Development

For the purposes of this Chapter, a "development" shall also include:

(a) an #enlargement#;

(b) any alteration that increases the height or coverage of an existing #building or other structure#;

(c) an #extension#; or

(d) a change of #use# from one Use Group to another, or from one #use# to another in the same Use Group, or from one #use# listed in Section 62-21 (Classification of Uses in the Waterfront Area) to another such #use#.

However, a #development# shall not include incidental modifications to a #zoning lot#, including but not limited to, the addition of deployable flood control measures and any associated permanent fixtures, the addition of temporary structures such as trash receptacles, food carts or kiosks, and the incorporation of minor permanent structures such as light stanchions, bollards, fences, or structural landscaped berms and any associated flood gates. All such modifications shall remain subject to any associated permitted obstruction allowances, as applicable.

Furthermore, a #development# shall not include the exclusive addition of #energy infrastructure equipment#, #accessory# mechanical equipment, electric vehicle charging facilities, as a primary or #accessory# #use#, or #qualifying exterior wall thickness#, whether added to a #building# or to an open area of the #zoning lot#.

Floating structure

A “floating structure” is any vessel, barge or other water-supported structure, other than a floating dock #accessory# to a WD #use#, which is bounded by either open water, a dock or the #lot lines# of a #zoning lot#, and that is permanently moored or otherwise attached to a #pier#, wharf, dock, #platform#, bulkhead or flotation system for a period of more than 180 consecutive days. Support by means of a cradle or as a result of natural siltation shall not exempt a normally water-supported structure from this definition.

Any water-supported structure, other than a navigational vessel, docked for not more than 180 consecutive days for a purpose other than navigation or #accessory# to a WD #use#, shall be deemed to be a "temporary #floating structure#." Such temporary #floating structures# shall only be permitted subject to the approval of the Commissioner of Buildings or Business Services, as applicable.

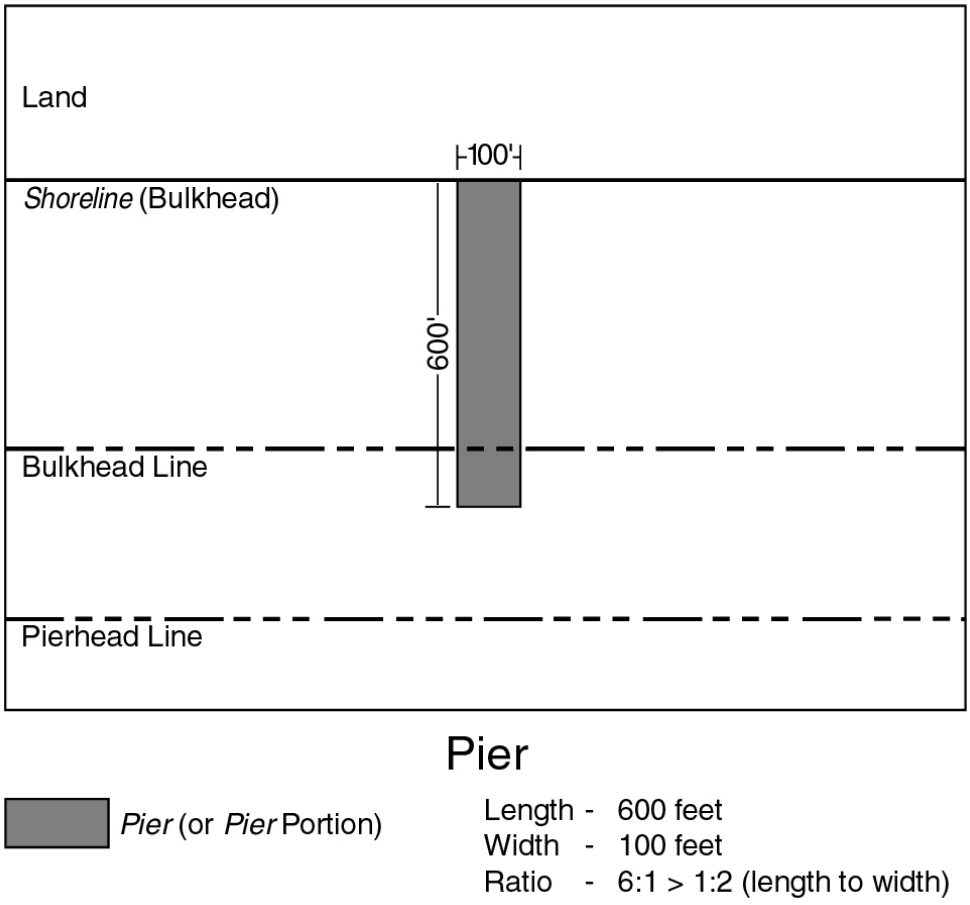
Pier

A “pier” is a structure at the water's edge, not otherwise defined as a #platform#, that is:

(a) a pile-supported overwater structure, or a portion thereof, that projects from a #shoreline#, bulkhead or #platform#; or

(b) a solid-core structure, or a portion thereof, constructed for the docking of water-borne vessels, that projects from the land or from a #platform#.

Projections from #platforms# shall be considered #piers# if their length, measured from the portion of the #platform# from which they project, exceeds 50 percent of their width at such portion. Any further extensions from such projections shall be considered #piers# regardless of their configuration.



(62 - 11.1)

Pier, existing

An "existing pier" is a #pier# where at least 75 percent of its surface is visible in the April 1988 Lockwood, Kessler and Bartlett aerial photographs of New York City.

Pier, new

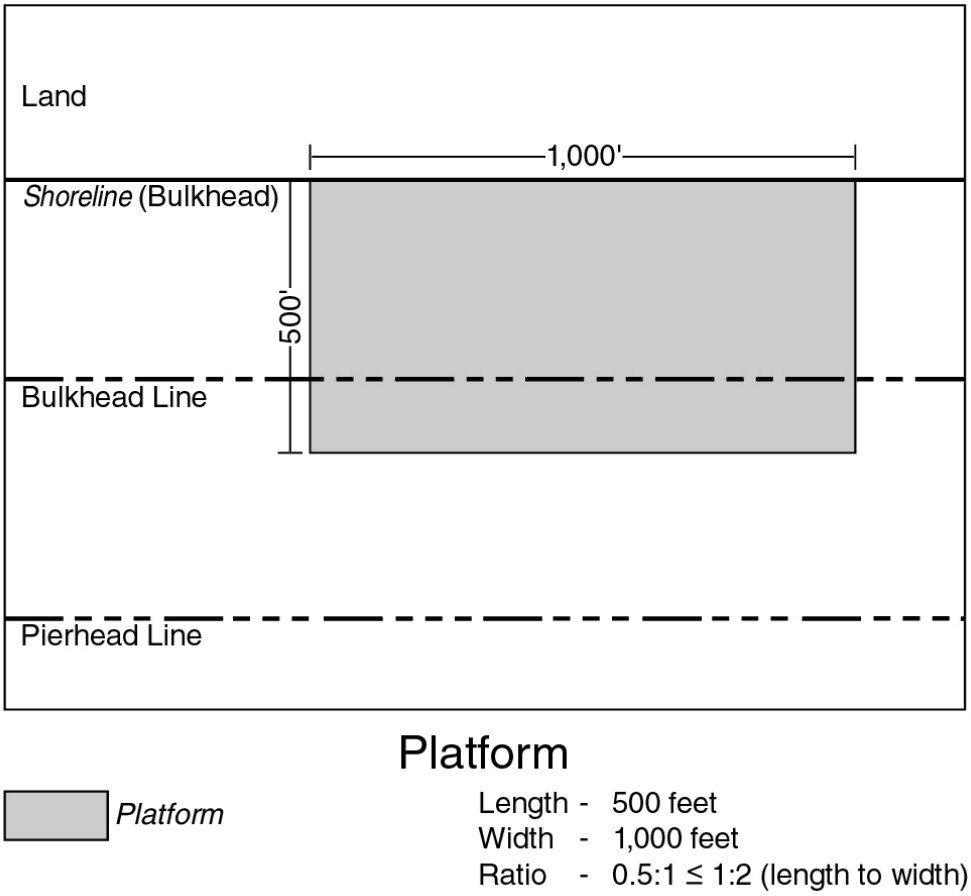
A “new pier” is any #pier# other than an #existing pier#.

Platform

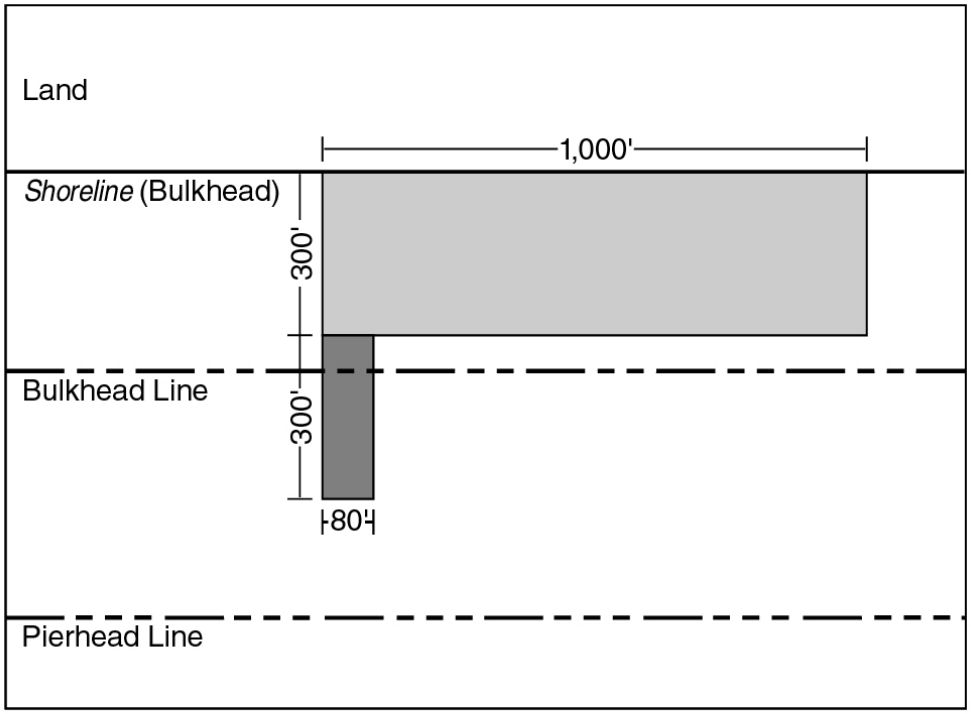
A “platform” is a pile-supported or solid-core structure at the water's edge, or a portion thereof, that:

(a) is permanently connected to the land; and

(b) has a seaward dimension that does not exceed 50 percent of its dimension along the land to which it is connected.



(62 - 11.2)



Platform with Pier Portion

Pier (or *Pier* Portion)

Platform

Platform: Length - 300 feet
Width - 1,000 feet
Ratio - 0.3:1 < 1:2 (length to width)

Pier: Length - 300 feet
Width - 80 feet
Ratio - 3.75:1 > 1:2 (length to width)

(62 - 11.3)

Platform, existing

An “existing platform” is a #platform# where at least 75 percent of its surface is visible in the April 1988 Lockwood, Kessler and Bartlett aerial photographs of New York City.

Platform, new

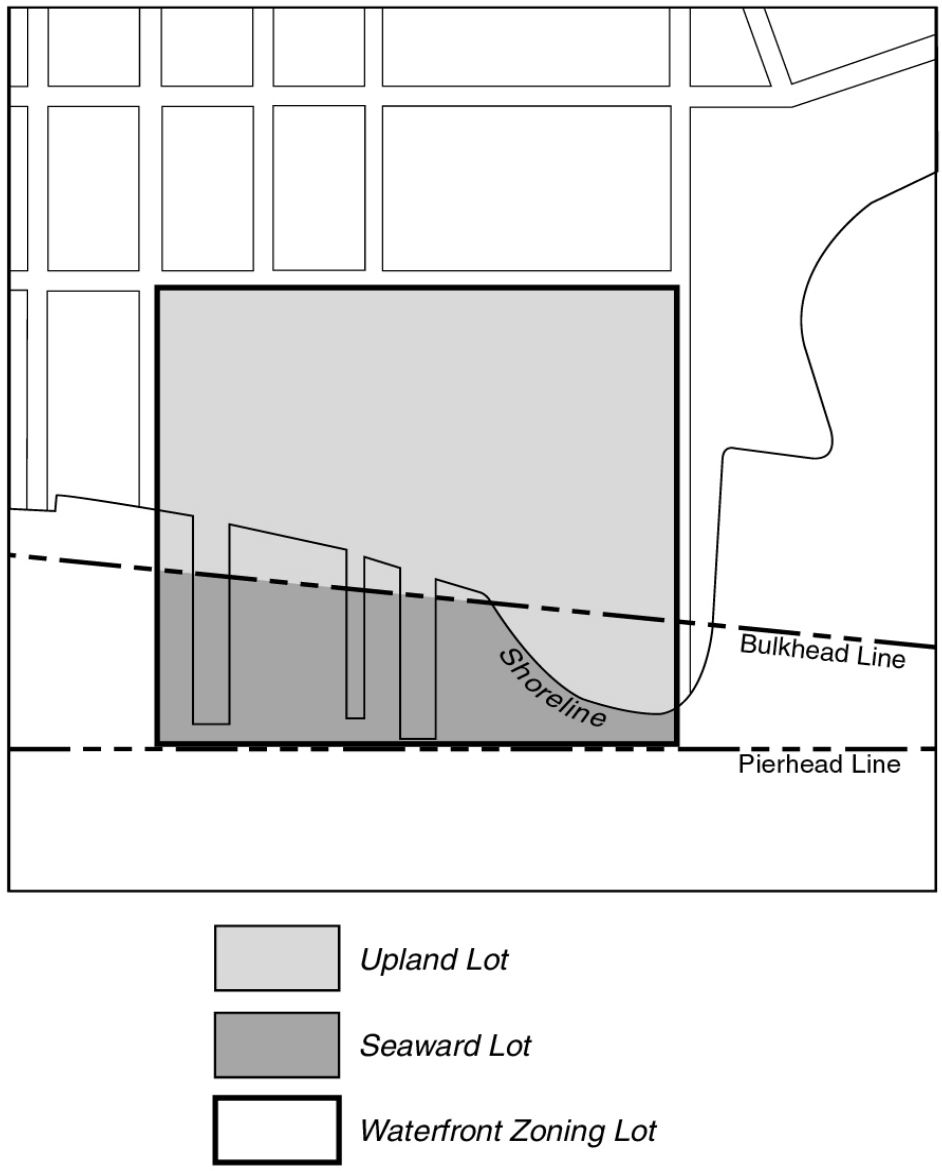
A “new platform” is any #platform# other than an #existing platform#.

Predominant or predominantly

“Predominant” or “predominantly” shall mean that a #use# or a group of #uses# comprises at least 75 percent of the total #floor area# of the #building# or on the #zoning lot# or, in the case of open #uses#, the #lot area# or #pier# #water coverage#, as applicable.

Seaward lot

A “seaward lot” is the portion of a #waterfront zoning lot# located seaward of the bulkhead line, except for any land above water included as part of the #upland lot#.



SEAWARD/UPLAND LOTS

(62 - 11.4)

Shore public walkway

A “shore public walkway” is a linear public access area running alongside the shore or water edges of a #platform# on a #waterfront zoning lot#.

Supplemental public access area

A “supplemental public access area” is a public access area provided on a #waterfront zoning lot#, in addition to other required public access areas, in order to fulfill the required #waterfront public access area# requirements. A #supplemental public access area# shall not include a #shore public walkway# or an #upland connection#.

Tidal wetland area

A “tidal wetland area” is an area planted with species tolerant of saline water inundation that is located between the mean low water line and the landward edge of the stabilized natural shore or bulkhead. Such area may be used to satisfy requirements for #waterfront yards#, #shore public walkways# and planting in this Chapter.

Upland connection

An “upland connection” is a pedestrian way which provides a public access route from a #shore public walkway# to a public sidewalk within an open and accessible #street#, #public park# or other accessible public place.

Upland lot

An “upland lot” is the portion of a #waterfront zoning lot# located landward of the bulkhead line. Where a portion of the #shoreline# projects seaward of the bulkhead line, such land above water shall be included as part of the #upland lot# (see illustration of Seaward/Upland Lots).

Visual corridor

A “visual corridor” is a public #street# or open area within one or more #zoning lots# that provides a direct and unobstructed view to the water from a vantage point within a public #street#, #public park# or other public place.

Water coverage

“Water coverage” is the portion of a #zoning lot# seaward of the #shoreline# that, when viewed directly from above, would be covered by a #pier#, #platform# or #floating structure#, including portions of #buildings or other structures# projecting over the water from such structures. #Water coverage# shall not include docking or navigational appurtenances which may project from the aforementioned structures.

Waterfront block or waterfront zoning lot

A “waterfront block” or "waterfront zoning lot” is a #block# or #zoning lot# in the #waterfront area# having a boundary at grade coincident with or seaward of the #shoreline#. For the purposes of this Chapter:

(a) a #block# within the #waterfront area# shall include the land within a #street# that is not improved or open to the public, and such #street# shall not form the boundary of a #block#;

(b) a #block# within the #waterfront area# that #abuts# a #public park# along the waterfront shall be deemed to be part of a #waterfront block#; and

(c) a #zoning lot# shall include the land within any #street# that is not improved or open to the public and which is in the same ownership as that of any contiguous land.

However, any #block# or #zoning lot# in the #waterfront area# having a boundary within or coincident with the boundaries of the Gowanus Canal, as shown on the City Map, shall be a #waterfront block# or #waterfront zoning lot#, respectively.

Any #zoning lot#, the boundaries of which were established prior to November 1, 1993, and which is not closer than 1,200 feet from the #shoreline# at any point and which does not #abut# a #public park# along the waterfront, shall be deemed outside of the #waterfront block#.

Waterfront public access area

A "waterfront public access area" is the portion of a #zoning lot# improved for public access. It may include any of the following: a #shore public walkway#, #upland connection#, #supplemental public access area# or public access area on a #pier# or #floating structure#.

Waterfront yard

A "waterfront yard" is that portion of a #waterfront zoning lot# extending open and unobstructed from the lowest level to the sky along the entire length of the #shoreline#, stabilized natural shore, bulkhead or water edge of a #platform#, as applicable, for a depth or width as set forth in this Chapter.