Zoning Resolution
THE CITY OF NEW YORK   CITY PLANNING COMMISSION
Eric Adams, Mayor     Daniel R. Garodnick, Chair

62-912 - Elements of a Waterfront Access Plan

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A Waterfront Access Plan may:

(a) on zoning lots where a waterfront public access area or visual corridors are required pursuant to the provisions of Sections 62-50 (GENERAL REQUIREMENTS FOR VISUAL CORRIDORS AND WATERFRONT PUBLIC ACCESS AREAS) and 62-60 (DESIGN REQUIREMENTS FOR WATERFRONT PUBLIC ACCESS AREAS), inclusive, modify the size, configuration, location or design of required waterfront public access areas or visual corridors within certain designated areas in order to address local conditions, provided such plan does not impose a waterfront public access area or visual corridor requirement on any zoning lot greater than would otherwise be required pursuant to the provisions of Sections 62-50 or 62-60. For the purpose of determining the amount of public access, the highest standard applicable to a zoning lot may be applied regardless of any specific use permitted or proposed for such zoning lot. Within Waterfront Access Plan BK-1, the waterfront public access area and visual corridor requirements for any parcel located within the Waterfront Access Plan may be determined by aggregating the waterfront public access area and visual corridor requirements of each zoning lot within the parcel and such aggregated requirements may be modified within such parcel without regard to zoning lot lines;

(b) on zoning lots where waterfront public access area or visual corridors are not required pursuant to the provisions of Sections 62-50 and 62-60, inclusive, establish requirements for a waterfront public access area or visual corridors, except for those zoning lots predominantly developed for airports, heliports, seaplane bases or, in C8 or Manufacturing Districts, uses in Use Groups 16, 17 or 18, provided that such zoning lots, when improved would result in a community need for such physical or visual access to the waterfront or a waterfront linkage of public parks or other public areas. The plan may incorporate one or more of the waterfront public access areas or visual corridors listed in Section 62-50, inclusive, consistent with the standards of Sections 62-50 and 62-60, inclusive. Such standards may be modified as necessary to address local conditions provided such plan does not impose a requirement for any component greater than would otherwise be required pursuant to the provisions of Sections 62-50 or 62-60;

(c) modify or waive specific requirements for a waterfront public access area or visual corridors in certain designated areas where such requirements would not be compatible with local conditions and therefore not serve to further public enjoyment of the waterfront;

(d) identify shore terminations of mapped streets or existing piers or platforms within seaward prolongations of such streets and establish public access treatments for such areas after referral to the Department of Transportation or other City agency having jurisdiction over such property for its review and concurrence;

(e) apply the bulk regulations of Section 62-30 to a non-waterfront block when such block results from a subdivision of a waterfront block as the result of a street mapping; and

(f) for developments where a waterfront yard is not otherwise required by Section 62-33, establish requirements for a waterfront yard provided such plan does not impose a requirement greater than would be required by the provisions of Sections 62-331 (Front yards and side yards) or 62-332 (Rear yards and waterfront yards), as modified by the further provisions of this paragraph, (f), for such other developments. Enlargements of buildings or other structures existing on the effective date of the Waterfront Access Plan shall be permitted within such waterfront yard provided that the enlargement is for WD uses or Use Group 16, 17 or 18 uses and no portion of the enlargement, other than permitted obstructions, is within 20 feet of the seaward edge of the waterfront yard. In addition, obstructions shall be permitted within such waterfront yard pursuant to applicable district yard regulations, except that no building or portion of a building shall be permitted within 10 feet of the seaward edge of such waterfront yard.
A Waterfront Access Plan shall include the following elements:

1. identification of the plan by Borough and plan number or area name;

2. a zoning map, or portion thereof, showing the boundaries of the geographical area included within the plan, which shall constitute the plan map;

3. delineation on the plan map of any physical or visual waterfront access features mandated by the plan to be at specific locations; and

4. a description in the plan text of all features established or modified by the plan, with reference to affected blocks and lots.