

ZONING RESOLUTION Web Version

THE CITY OF NEW YORK



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Article IX: Special Purpose Districts Chapter 1: Special Lower Manhattan District

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11/15/07

Article IX - Special Purpose Districts

Chapter 1

Special Lower Manhattan District

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8/27/98

91-00

GENERAL PURPOSES

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

- (a) encourage development of a 24-hour community through the conversion of older commercial buildings to residential use;
- (b) facilitate maximum design flexibility of buildings and enhance the distinctive skyline and streetscape of Lower Manhattan;

- (c) improve public use and enjoyment of the East River waterfront by creating a better physical and visual relationship between development along the East River and the waterfront area, public access areas and the adjoining upland community;
- (d) enhance the pedestrian environment by relieving sidewalk congestion and providing pedestrian amenities;
- (e) restore, preserve and assure the use of the South Street Seaport Subdistrict as an area of small historic and restored buildings, open to the waterfront and having a high proportion of public spaces and amenities, including a South Street Seaport Environmental Museum, with associated cultural, recreational and retail activities;
- (f) establish the Historic and Commercial Core to protect the existing character of this landmarked area by promoting development that is harmonious with the existing scale and street configuration; and
- (g) promote the most desirable use of land and thus conserve and enhance the value of land and buildings, and thereby protect the City's tax revenues.

11/15/07

91-01

General Provisions

Except as modified by the express provisions of the #Special Lower Manhattan District#, the regulations of the underlying zoning districts shall remain in effect.

Requirements that apply generally throughout the District are set forth in the provisions for this Chapter. The provisions of Section 91-40 (MANDATORY DISTRICT PLAN ELEMENTS) specify planning and urban design features to be provided in connection with new #developments# or #enlargements# that are primarily oriented toward the accommodation and well-being of pedestrians.

For requirements that are not generally applicable but are tied to specific locations within the Special District, the locations where these requirements apply are shown on District Map 2 (Street Wall Continuity Types 1, 2A, 2B & 3), Map 3 (Street Wall

Continuity Types 4 & 5), Map 4 (Designated Retail Streets) and Map 5 (Curb Cut Prohibitions) in Appendix A. Certain #sign# regulations that apply to landmark #buildings# with #street walls# fronting Broadway are set forth in Section 91-134.

The provisions of Article VI, Chapter 2 (Special Regulations in the Waterfront Area), shall apply to all areas of the #waterfront area# within the #Special Lower Manhattan District#, except as otherwise provided in Section 91-60 (REGULATIONS FOR THE SOUTH STREET SEAPORT SUBDISTRICT) for Piers 9, 11, 13 and 14. Piers 9, 11, 13 and 14 are shown on Maps 1 and 6 in Appendix A.

An existing public amenity, open or enclosed, that was a mandatory requirement or received a #floor area# bonus pursuant to the provisions of the former Special Greenwich Street Development District, eliminated on August 27, 1998, shall not be removed, reduced in size or in any way altered, other than pursuant to the provisions of Section 91-71 (Authorization for the Modification of Required Public Amenities).

Special regulations governing the development of three specific sites in the #Special Lower Manhattan District# are set forth in the following Sections:

Section 91-72 (Certification for Development on the Block Bounded by Liberty, Washington, Cedar and West Streets)

Section 91-73 (Special Permit for Development over the Approaches to the Brooklyn Battery Tunnel)

Section 91-74 (Special Provisions for Battery Park Underpass/South Street).

8/27/98

91-02 Definitions

For the purposes of this Chapter, matter in italics is defined in this Section or in Sections 12-10 or 91-62 (Definitions).

Special Lower Manhattan District
(repeated from Section 12-10)

The "Special Lower Manhattan District" is a Special Purpose District designated by the letters "LM" in which special regulations set forth in Article IX, Chapter 1, apply to all #developments#. The #Special Lower Manhattan District# appears on the #zoning maps# superimposed on other districts, and its regulations supplement or modify those of the districts on which it is superimposed.

11/15/07

91-03

District Maps

District maps are located in Appendix A of this Chapter and are hereby incorporated and made an integral part of this Resolution. They are incorporated for the purpose of specifying locations where special regulations and requirements, as set forth in the text of this Chapter, apply.

Map 1	Special Lower Manhattan District
Map 2	Street Wall Continuity Types 1, 2A, 2B & 3
Map 3	Street Wall Continuity Types 4 & 5
Map 4	Designated Retail Streets
Map 5	Curb Cut Prohibitions
Map 6	South Street Seaport Subdistrict (Section 91-63)
Map 7	Subway Station Improvement Areas.

8/27/98

91-04

Subdistrict and Core Areas

In order to carry out the purposes and provisions of this Chapter, the South Street Seaport Subdistrict and the Historic and Commercial Core are established within the #Special Lower Manhattan District# and include specific regulations designed to advance the purpose of these areas:

(a) The South Street Seaport Subdistrict

The South Street Seaport Subdistrict contains certain provisions that do not apply to other areas of the Special District. Except as otherwise provided in the Subdistrict

regulations, the Subdistrict is subject to all other regulations of the #Special Lower Manhattan District# and the underlying districts. The requirements for the South Street Seaport Subdistrict are set forth in Section 91-60 (SPECIAL REGULATIONS FOR THE SOUTH STREET SEAPORT SUBDISTRICT).

The Subdistrict is shown on Map 1 (Special Lower Manhattan District) and Map 6 (South Street Seaport Subdistrict) in Appendix A.

(b) The Historic and Commercial Core

The Historic and Commercial Core has been established to promote #development# compatible with existing #buildings# that border the area whose street plan has been accorded landmark status by the New York City Landmarks Commission as the Streetplan of New Amsterdam and Colonial New York. Height and setback provisions for the Historic and Commercial Core are set forth in Sections 91-31 through 91-33.

The Core is bounded by Broadway and Wall, Whitehall and Water Streets, as shown on Map 1 (Special Lower Manhattan District) in Appendix A.

8/27/98

91-05

Applicability of the Quality Housing Program

Within the #Special Lower Manhattan District#, #residential buildings# or the #residential# portion of a #mixed building# may be #developed# or #enlarged# in accordance with the provisions of Article II, Chapter 8 (The Quality Housing Program), except that the #bulk# regulations of Section 28-11 shall be superseded by the #bulk# regulations of this Chapter. Recreation space required pursuant to Section 28-30 (RECREATION SPACE AND PLANTING AREAS) shall be in addition to any recreation space required pursuant to this Chapter.

8/27/98

91-06

Applicability of Article VII Provisions

8/12/04

91-061

Applicability of special permits by the Board of Standards and Appeals

Within the #Special Lower Manhattan District#, the following Board of Standards and Appeals special permits shall not be applicable or shall be applicable only as modified.

The following special permit by the Board of Standards and Appeals shall not be applicable:

Section 73-68 (Modifications of Height, Setback and Rear Yard Regulations)

The following special permits by the Board of Standards and Appeals shall be applicable as modified:

Section 73-21 (Automotive Service Stations) shall not apply on #zoning lots# with frontage on any #street# listed on Map 2 or Map 4 in Appendix A

Section 73-244 (In C2, C3, C4*, C6-4**, M1-5A, M1-5B, M1-5M and M1-6M Districts and the Special Tribeca Mixed Use District) shall also apply in C5 Districts to eating or drinking establishments with entertainment, including musical entertainment or dancing, and a capacity of more than 200 persons.

12/21/09

91-07

Modification of Use and Bulk Regulations for Zoning Lots Fronting Upon DeLury Square Park

Where the #lot line# of a #zoning lot# coincides with, or is within 20 feet of, the boundary of DeLury Square Park, such #lot

line# shall be considered to be a #street line# for the purposes of applying all #use# and #bulk# regulations of this Resolution.

8/27/98

91-062

Applicability of special permits by the City Planning Commission

Within the #Special Lower Manhattan District#, the following special permits by the City Planning Commission shall not be applicable or shall be applicable within C5 Districts.

The following special permits by the City Planning Commission shall not be applicable:

Section 74-721 (Modification of Height, Setback and Yard Regulations)

Section 74-82 (Through Block Arcades)

The following special permits by the City Planning Commission shall be applicable also within C5 Districts:

Section 74-41 (Arenas, Auditoriums, Stadiums or Trade Expositions)

Section 74-46 (Indoor Interactive Entertainment Facilities).

8/27/98

91-10

SPECIAL USE REGULATIONS

8/27/98

91-11

Modification of Use Regulations in C5 Districts

8/27/98

91-111

Additional uses in C5 Districts

In addition to the special permit #uses# cited in Section 91-06, the #use# regulations for C5 Districts within the #Special Lower Manhattan District# are modified to permit the following #uses#:

From Use Group 7:

Use Groups 7B and 7E

From Use Group 8:

Use Groups 8A*, 8B and 8E

From Use Group 12:

Use Groups 12A**, 12B, 12C and 12E

* inclusive of the waiting area requirements for theaters as listed in Use Group 8A

** except for eating or drinking establishments as listed in Use Group 12A

8/12/04

91-112

Eating and drinking establishments with dancing in C5 Districts

In all C5 Districts within the #Special Lower Manhattan District#, in addition to eating and drinking establishments permitted pursuant to Section 32-15 (Use Group 6), the following types of eating and drinking establishments shall be permitted:

eating or drinking establishments with entertainment, including musical entertainment or dancing, with a total capacity of 200 persons or fewer, provided that the dance floor or area, if any, does not exceed 400 square feet. The locational and waiting area requirements for eating or drinking establishments of Section 73-244 (In C2, C3, C4*,

C6-4**, M1-5A, M1-5B, M1-5M and M1-6M Districts and the Special Tribeca Mixed Use District) shall apply;

eating or drinking establishments with entertainment, including musical entertainment or dancing, with a capacity of more than 200 persons, pursuant to the provisions of Section 73-244, as modified in Section 91-061 (Applicability of special permits by the Board of Standards and Appeals).

8/27/98

91-113

Location of certain commercial uses

In C5 Districts within the #Special Lower Manhattan District#, the provisions of Section 32-423 (Limitation on ground floor location) shall not apply.

8/27/98

91-12

Uses on Designated Retail Streets

On designated retail #streets#, as shown on Map 4 in Appendix A, for any #development# or #enlargement# fronting on such #streets#, #uses# located on the ground floor level, or within five feet of #curb level#, shall be limited to only those #uses# permitted by the underlying regulations and Section 91-111 (Additional uses in C5 Districts), other than automobile showrooms or plumbing, heating or ventilating equipment showrooms or any of the #uses# listed in Use Groups 6B, 6E, 7C, 7D, 8C, 8D, 9B, 10B, 11 or 12D.

8/27/98

91-13

Sign Regulations

In the #Special Lower Manhattan District#, except as modified by the provisions of this Section, inclusive, the regulations of Section 32-60, et. seq., pertaining to #signs#, shall apply.

8/27/98

91-131

Illuminated signs in C5 Districts

In all C5 Districts within the #Special Lower Manhattan District#, not more than one #illuminated#, non-#flashing sign#, other than an #advertising sign#, with a total #surface area# not exceeding eight square feet shall be permitted for each #street# frontage of the #zoning lot#. Such #sign# may be located only within a window of a #building#.

8/27/98

91-132

Banner regulations

In all C5 and C6 Districts within the #Special Lower Manhattan District#, in lieu of the provisions of Section 32-652 (Permitted projection in all other Commercial Districts), banners may project across a #street line# for a maximum distance of eight feet.

In C5-3 or C5-5 Districts within the Special District, in lieu of the provisions of Section 32-655 (Height of signs in all other Commercial Districts), banners may extend above #curb level# to a maximum height of 40 feet.

5/9/01

91-133

Height of signs in C6-9 Districts

In C6-9 Districts within the #Special Lower Manhattan District#, the regulations of Section 32-655 (Height of signs in all other Commercial Districts) may be modified to allow a maximum height of 50 feet above #curb level#, provided the City Planning Commission certifies that the design features of the existing #building#, as they appear on May 9, 2001, would unduly obstruct the visibility of the #sign# without such modification. An

application for such certification shall be filed with detailed plans showing compliance with this Section.

5/14/03

91-134

Signs on landmark buildings fronting Broadway in C5-5 Districts

In addition to #signs# and banners otherwise permitted pursuant to this Section, 91-13, et. seq., within 100 feet of Broadway in C5-5 Districts, on any #building# with a #street wall# fronting Broadway that is a landmark designated by the Landmarks Preservation Commission, the applicable #sign# regulations of Section 32-60 shall be modified according to the following provisions, provided such #signs# and any alterations to the #building# connected with such #signs# have received a certificate of appropriateness or other permit from the Landmarks Preservation Commission.

- (a) #Illuminated# non-#flashing signs# other than #advertising signs# are permitted with a total #surface area# (in square feet) not to exceed 50 square feet along any #street# frontage.
- (b) No permitted #sign# shall extend above #curb level# at a height greater than 30 feet.
- (c) No permitted #sign# shall project across a #street line# more than 60 inches.
- (d) Permitted #signs# displayed on awnings may also include commercial copy related to the type of business, profession, commodity, service or entertainment conducted, sold or offered within such #building#.

8/27/98

91-20

FLOOR AREA AND DENSITY REGULATIONS

8/27/98

91-21**Floor Area Regulations for Residential Buildings and the Residential Portion of Mixed Buildings**

4/30/03

91-211**Maximum floor area ratio for residential uses**

Within the #Special Lower Manhattan District#, the maximum #floor area ratio# for a #residential building# or the #residential# portion of a #mixed building# shall be determined in accordance with the regulations of the underlying district and may not be increased except as provided in Sections 91-212 (Floor area increase in a C6-4 District) or 91-213 (Floor area increase for provision of recreation space). The maximum #floor area ratio# for the #residential# portion of a #mixed building# is specified in the table in Section 91-22 (Floor Area Regulations for Non-Residential and Mixed Buildings) showing maximum #floor area ratios# and #floor area# bonuses, by zoning district, for non-#residential# and #mixed buildings#.

In a C4-6 District, the maximum #floor area ratio# for a #residential building# or the #residential# portion of a #mixed building# shall be 3.4.

10/17/07

91-212**Floor area increase in a C6-4 District**

In a C6-4 District, the #residential floor area# of a #building# may exceed 10.0 in accordance with the provisions of Sections 23-90 (INCLUSIONARY HOUSING) or 91-231 (Floor area bonus for public plazas), provided that the maximum #residential floor area ratio# shall not exceed 12.0.

8/27/98

91-213

Floor area increase for provision of recreation space

In C5-3, C5-5 and C6-9 Districts, the #residential floor area# of a #building# may be increased to 12.0, provided that the #building# includes recreation space for the #residential# occupants in an amount not less than 13 square feet for each #rooming unit#, 16.25 square feet for each #dwelling unit# or a total area of at least 5,000 square feet, whichever is greater.

Such recreation space may be located at any level, including a roof, and shall:

- (a) be restricted to #residential# occupants of the #building# and their guests for whom no admission or membership fees may be charged;
- (b) be directly accessible from a lobby or other public area served by the #residential# elevators;
- (c) be landscaped, including trees or shrubbery, except where covered or developed with recreational facilities and seating areas;
- (d) contain not less than 500 square feet of continuous area on a single level with no dimension of less than 15 feet; and
- (e) have not less than 50 percent of the area open from its lowest level to the sky. The remaining portion may be roofed and up to 50 percent of its perimeter may be enclosed. In no event may more than 25 percent of the required recreation space be fully enclosed. All enclosures shall be transparent except when located within the #building#. Covered areas shall contain recreation facilities or seating areas.

A copy of requirements (a) through (e) shall be permanently posted in a conspicuous place within each recreation space.

10/17/07

91-22

Floor Area Regulations for Non-Residential and Mixed Buildings

For non-#residential buildings# or #mixed buildings# within the #Special Lower Manhattan District#, the basic maximum #floor area ratio# of the underlying district may be increased by the

inclusion of specific additional bonus #floor area# for a maximum #floor area ratio# as specified in the following table.

The provisions of paragraph (c) of Section 74-792 (Conditions and limitations), pertaining to the transfer of development rights from landmark sites, shall be subject to the restrictions on the transfer of development rights (FAR) of a landmark "granting lot" as set forth in this table. Wherever there may be an inconsistency between any provision in Section 74-79 and the following table, the provisions of the table shall apply.

MAXIMUM FLOOR AREA RATIOS AND FLOOR AREA BONUSES
BY ZONING DISTRICT FOR NON-RESIDENTIAL AND MIXED BUILDINGS

BASIC AND MAXIMUM FLOOR AREA RATIOS (FAR)

Means for Achieving Permitted FAR Levels on a #Zoning Lot#	#Special Lower Manhattan District# except within Core or Subdistrict				Historic & Comm Core	South Street Seaport Subdistrict and all waterfront #zoning lots#				
	R8	C6-4	C5-3 C5-5 C6-9	M1-4		C5-5	C2-8	C4-6	C6-2A	C5-3
Basic maximum FAR	6.02 ¹ 6.5 ³	10 ^{2,3,4}	10 ⁴ 15 ^{2,3}	2.0 ² 6.5 ³	10 ⁴ 15 ^{2,3}	2.0 ² 3.4 ³ 10 ⁴	3.4 ^{2,3,4}	6.0 ² 6.02 ⁴ 6.5 ³	10 ⁴ 15 ^{2,3}	15
Maximum as-of-right #floor area# bonus for #public plazas#	NA	2	3	NA	NA	NA	NA	NA	NA	NA
Maximum as-of-right #floor area# bonus for Inclusionary Housing	NA	2	NA	NA	NA	NA	NA	NA	NA	NA
Maximum FAR with as-of-right #floor area# bonuses	6.02 ¹ 6.5 ³	12	18	2.0 ² 6.5 ³	15	2.0 ² 3.4 ³ 10.0 ⁴	3.4	6.0 ² 6.02 ⁴ 6.5 ³	15	15
Maximum special permit #floor area# bonuses: subway station improvements & #covered pedestrian spaces#	NA	2	3	NA	3	NA	NA	NA	NA	NA
Maximum FAR with as-of-right and/or special permit	6.02 ¹			2.0 ²		2.0 ² 3.4 ³		6.0 ² 6.02 ⁴		

#floor area# bonuses	6.5 ³	12	18	6.5 ³	18	10.0 ⁴	3.4	6.5 ³	15	15
Development rights(FAR) of a landmark lot for transfer purposes(74-79)	NA	10	15.0 ⁵ 18.0 ⁶	NA	15	NA	NA	NA	NA	NA
Maximum total FAR of designated receiving sites in South Street Seaport Subdistrict (91-60)	NA	NA	NA	NA	NA	NA	3.4	8.02	21.6 ⁷	21.6 ⁷
Maximum FAR with transferred development rights from landmark #zoning lot# and as-of-right and special permit #floor area# bonuses	6.02 ¹ 6.5 ³	14	21.6	2.4 ² 7.8 ³	21.6	NA	3.4	8.02	21.6 ⁷	21.6 ⁷

-
1. maximum #floor area ratio# and minimum #open space ratio# shall be determined in accordance with the provisions of Article II, Chapter 3
 2. for a #commercial# or, where permitted, #manufacturing use#
 3. for a #community facility use#
 4. for the #residential# portion of a #mixed building#
 5. if receiving lot is located in a zoning district with a basic maximum FAR of less than 15
 6. if receiving lot is located in a zoning district with a basic maximum FAR of 15
 7. for lots greater than 30,000 square feet, may be exceeded by special permit (Section 91-663)

7/26/01

91-23

As-of-Right Bonuses for Increased Floor Area

Within the #Special Lower Manhattan District#, as-of-right bonuses for increased #floor area# are allowed only in accordance with the provisions of this Section.

11/15/07

91-231

Floor area bonus for public plazas

The maximum permitted #floor area# on a #zoning lot# may be increased in accordance with the following regulations, provided that a #public plaza#, which shall meet the requirements of Section 37-70 (PUBLIC PLAZAS), is included in the #development# or #enlargement#:

- (a) a #floor area# bonus for a #public plaza# shall not be permitted for any #development# or #enlargement# located within:
 - (1) the Historic and Commercial Core;
 - (2) the South Street Seaport Subdistrict; or
 - (3) 50 feet of a #street line# of a designated #street# on which:
 - (i) retail continuity is required pursuant to Section 91-41 (Regulations for Designated Retail Streets); or
 - (ii) #street wall# continuity is required pursuant to the regulations for Type 1 or Type 2A #street walls# pursuant to Section 91-31 (Street Wall Regulations).
- (b) For each square foot of a #public plaza#, the basic maximum #floor area# permitted by Section 91-22 (Floor Area Regulations for Non-Residential and Mixed Buildings) may be increased, in C6-4 Districts, by six square feet to a

maximum #floor area# ratio of 12.0, and, in C5-3, C5-5 and C6-9 Districts, by ten square feet to a maximum #floor area# ratio of 18.0.

- (c) When a #public plaza# that meets the requirements for a #floor area# bonus is located on a #zoning lot# divided by a district boundary, the bonusable #floor area# may be credited to either portion of the #zoning lot#, notwithstanding the location of the #public plaza# or the date of the creation of the #zoning lot#. The amount of bonusable #floor area# permitted on either portion of the #zoning lot# shall not exceed the maximum amount of #floor area# permitted on such portion if it were a separate #zoning lot# subject to all other provisions of Article VII, Chapter 7.

7/26/01

91-232

Floor area bonuses for improvements on the block bounded by Liberty, Washington, Cedar and West Streets

For any #development# on the #block# bounded by Liberty, Washington, Cedar and West Streets within the former Special Greenwich Street Development District, certain improvements, as certified by the City Planning Commission, shall be eligible for as-of-right bonuses for #floor area#, pursuant to the provisions of Section 91-72.

7/26/01

91-24

Special Permit Bonuses for Increased Floor Area

Within the #Special Lower Manhattan District#, the City Planning Commission may grant the following special permits for increased #floor area# in accordance with the provisions of this Section.

7/26/01

91-241

Special permit for subway station improvements

Within the #Special Lower Manhattan District#, the City Planning Commission may grant, by special permit, a #floor area# bonus for #buildings# that provide subway station improvements, pursuant to the provisions of Section 74-634 (Subway station improvements in commercial zones of 10 FAR and above in Manhattan).

The total additional #floor area# permitted on the #zoning lot# shall not exceed the maximum amount permitted in the underlying district by the provisions of Sections 91-21 (Floor Area Regulations For Residential Buildings and the Residential Portion of Mixed Buildings) or 91-22 (Floor Area Regulations for Non-Residential and Mixed Buildings).

For the purposes of the Special District, the #zoning lot# for the #development# or #enlargement# that will receive the #floor area# bonus shall be located within a #Commercial District# with a #floor area ratio# of 10.0 or above and shall be adjacent to a subway station where major improvements have been provided. Upon completion of the improvement, the #zoning lot# will physically adjoin a subway station mezzanine, platform, concourse or connecting passageway.

The subway stations where such improvements are permitted are listed in the following table and shown on Map 7 (Subway Station Improvement Areas) in Appendix A.

Station	Line
Bowling Green	Lexington Ave IRT
Broad St	Nassau St BMT
Broadway-Nassau St	8th Ave IND
Brooklyn Bridge-City Hall	Lexington Ave IRT
Chambers St	Nassau St BMT
Chambers St	Broadway-7th Ave IRT
Chambers St	8th Ave IND
City Hall	Broadway BMT
Cortlandt St-WTC	Broadway-7th Ave IRT/Broadway BMT
Fulton St	Nassau St BMT
Fulton St	Broadway-7th Ave IRT
Fulton St-Broadway	Lexington Ave IRT
Rector St	Broadway-7th Ave IRT/Broadway BMT
Park Place	Broadway-7th Ave IRT
South Ferry	Broadway-7th Ave IRT
Wall St	Broadway-7th Ave IRT

Wall St
Whitehall St-South Ferry
World Trade Center

Lexington Ave IRT
Broadway BMT
8th Ave IND

7/26/01

91-242

Special permit for covered pedestrian space

In C5-3, C5-5, C6-4 and C6-9 Districts within the #Special Lower Manhattan District#, except within the South Street Seaport Subdistrict, the City Planning Commission may grant, by special permit, a #floor area# bonus for a #commercial# or #community facility development# or #mixed building# that provides #covered pedestrian space# on a #zoning lot#, in accordance with the provisions of Section 74-87 (Covered Pedestrian Space).

The total additional #floor area# permitted on the #zoning lot# shall not exceed the maximum amount permitted in the underlying district by the provisions of Sections 91-21 (Floor Area Regulations For Residential Buildings and the Residential Portion of Mixed Buildings) and 91-22 (Floor Area Regulations for Non-Residential and Mixed Buildings).

4/30/03

91-30

HEIGHT AND SETBACK AND LOT COVERAGE REGULATIONS

For all #buildings or other structures# in the #Special Lower Manhattan District#, the height and setback regulations of the underlying districts are superseded by the regulations of this Section.

The height of all #buildings or other structures# shall be measured from #curb level#.

11/15/07

91-31

Street Wall Regulations

Within the #Special Lower Manhattan District#, all portions of #buildings or other structures# located above the maximum base heights specified in paragraph (a) of this Section shall provide a setback in accordance with the regulations of Section 91-32 (Setback Regulations).

(a) Within the Special District, the maximum base height shall be 85 feet or 1.5 times the width of the #street# upon which the #building# fronts, whichever is greater, except as provided for the following types of #street wall# regulations:

(1) #Street wall# regulations: Type 1

For #developments# or #enlargements# that front upon a #street# indicated as "Type 1" on Map 2 (Street Wall Continuity Types 1, 2A, 2B & 3) in Appendix A, #street walls# shall extend along the entire #street# frontage of the #zoning lot# to a minimum base height of 150 feet or the height of the #building#, whichever is less. The maximum base height shall be 250 feet.

(2) #Street wall# regulations: Type 2A

For #developments# or #enlargements# that front upon a #street# indicated as "Type 2A" on Map 2 in Appendix A, #street walls# shall extend along such entire #street# frontage of the #zoning lot# to a minimum base height of 85 feet or the height of the #building#, whichever is less. The maximum base height shall be 150 feet.

(3) #Street wall# regulations: Type 2B

For #developments# or #enlargements# that front upon a #street# indicated as "Type 2B" on Map 2 in Appendix A, #street walls# shall extend along at least 60 percent of such #street# frontage of the #zoning lot# to a minimum base height of 85 feet or the height of the #building#, whichever is less. The maximum base height shall be 150 feet.

(4) #Street wall# regulations: Type 3

For #developments# or #enlargements# that front upon a #street# indicated as "Type 3" on Map 2 in Appendix A, #street walls# shall extend along the entire #street#

frontage of the #zoning lot# to a minimum base height of 60 feet, five stories, or the height of the #building#, whichever is less. The maximum base height shall be 85 feet or 1.5 times the width of the #street# upon which the #building# fronts, whichever is greater.

(5) #Street wall# regulations: Type 4

For #developments# or #enlargements# that front upon a #street# within the Historic and Commercial Core, indicated as "Type 4" on Map 3 (Street Wall Continuity Types 4 & 5) in Appendix A, the maximum base height shall be 100 feet.

(6) #Street wall# regulations: Type 5

For #developments# or #enlargements# that front upon a #street# indicated as "Type 5" on Map 3 (Street Wall Continuity Types 4 & 5) in Appendix A, no setbacks are required for any portion of a #building#.

(b) For #developments# or #enlargements# that front upon a #street# indicated as "Type 1" or "Type 2A," at least 70 percent of the #aggregate width of street walls# shall be located on such #street line#. For #developments# or #enlargements# that front upon a #street# indicated as "Type 2B," at least 60 percent of the #aggregate width of street walls# shall be located within 10 feet of such #street line#. For #developments# or #enlargements# that front upon a #street# indicated as "Type 3," at least 70 percent of the #aggregate width of street walls# shall be located within 10 feet of such #street line#. The remaining 30 percent of the #aggregate width of street walls# may be located beyond such #street lines# in compliance with:

(1) the #outer court# regulations of Article II, Chapter 3, for #residential# portions of #buildings#;

(2) the #outer court# regulations of Article II, Chapter 4, for all other portions of #buildings#; or

(3) the requirements of Section 37-50 where such areas are pedestrian circulation spaces.

(c) When a #building# fronts on two intersecting #streets# for which different maximum base heights are specified, the higher maximum base height may wrap around to the #street#

with the lower maximum base height for a distance along the #street line# of 100 feet. However, "Type 5" #street walls# shall not be permitted to wrap around to the intersecting #street#.

- (d) Arcades and sidewalk widenings shall be permitted along any #street# indicated as "Type 1," "Type 2A" or "Type 3," pursuant to paragraphs (a), (b) or (c) of this Section, provided such arcade or sidewalk widening extends along the entire #block# frontage or abuts another arcade, existing on August 27, 1998, of equal width and height or another sidewalk widening of equal width. In such case, the #street wall# requirements for paragraph (b) of this Section shall be measured from the permitted arcade or sidewalk widening.

11/15/07

91-32

Setback Regulations

Within the #Special Lower Manhattan District#, setbacks are required for any portion of a #building# that exceeds the maximum base heights specified for the applicable #street# in Section 91-31 (Street Wall Regulations).

Required setbacks shall be provided at a height not lower than any minimum base height or 60 feet where none is specified and not higher than any maximum base height specified for the applicable #street# in Section 91-31. The depth of the setback shall be determined by the #lot area# of the #zoning lot# on which the #building# is located, as shown in the following table:

REQUIRED DEPTH OF SETBACKS

#Lot area# of #zoning lot#	Minimum setback depth
Less than 15,000 square feet	10 feet
15,001 to 30,000 square feet	15 feet
Greater than 30,000 square feet	20 feet

For "Type 1" and "Type 2A and 2B" #street walls#, the required setbacks shall be measured from the #street line#.

For "Type 3" #street walls#, the required setbacks shall be measured from a line drawn at or parallel to the #street line# so that at least 70 percent of the #aggregate width of street walls# of the #building# at the minimum base height are within such line and the #street line#.

For all other #street walls#, the required setbacks shall be measured from a line drawn at or parallel to the #street line# so that at least 50 percent of the #aggregate width of street walls# of the #building# at the minimum base height are within such drawn line and the #street line#. However, setbacks are not required for #street walls# fronting upon the major portion of a bonused #public plaza#.

For #buildings# within the Historic and Commercial Core as shown on Map 1 in Appendix A, any #building# or portion of a #building# may be located within the required setback area beneath a #sky exposure plane# that rises from a height of 100 feet above the #street line# over the #zoning lot# at a vertical distance of six to a horizontal distance of one.

8/27/98

91-33

Lot Coverage Regulations

Except within the Historic and Commercial Core, any #development# or #enlargement#, or portion thereof, shall have a maximum #lot coverage# of 65 percent of the #lot area# of the #zoning lot# above the maximum base height specified in Section 91-31 (Street Wall Regulations), up to a height of 300 feet. Above a height of 300 feet, any #development# or #enlargement#, or portion thereof, shall have a maximum #lot coverage# of 50 percent of the #lot area# of the #zoning lot#.

Within the Historic and Commercial Core, any #development# or #enlargement#, or portion thereof, shall have a maximum #lot coverage# of 75 percent of the #lot area# of the #zoning lot# above the maximum base height specified in Section 91-31, up to a height of 300 feet. Above a height of 300 feet, any #development#

or #enlargement#, or portion thereof, shall have a maximum #lot coverage# of 60 percent of the #lot area# of the #zoning lot#.

For #developments# or #enlargements# fronting on more than one #street# where different maximum base heights are specified, the maximum #lot coverage# regulations specified in this Section, up to a height of 300 feet, shall apply above the lowest maximum base height specified for such #developments# or #enlargements#.

8/27/98

91-34

Maximum Horizontal Dimension for Tall Buildings

For any portion of a #development# or #enlargement# above a height of 300 feet, the maximum horizontal dimension, measured in any direction, shall not exceed 175 feet.

2/27/02

91-35

Modification of Street Wall, Setback, Lot Coverage and Maximum Horizontal Dimension Regulations

The City Planning Commission, by special permit, may modify:

- (a) the #street wall# requirements and minimum base heights of Section 91-31 (Street Wall Regulations);
- (b) the setback requirements of Section 91-32; and
- (c) where such #zoning lots# contain #buildings# existing on December 15, 1961, that exceed a height of 300 feet, the #lot coverage# regulations of Section 91-33 and the maximum horizontal dimension set forth in Section 91-34 (Maximum Horizontal Dimension for Tall Buildings), provided such modifications are limited to that portion of the #development# or #enlargement# between 300 and 325 feet in height, and provided the #lot coverage# of such portion does not exceed 55 percent.

As a condition for granting such special permit, the Commission shall find that:

- (1) such modifications will result in a site plan consistent with existing scale and streetscape patterns;
- (2) such modifications will ensure a harmonious relationship between the #development# and the surrounding area;
- (3) such #street wall# modifications will enhance pedestrian circulation by providing pedestrian amenities that relieve sidewalk congestion;
- (4) such setback, #lot coverage# or horizontal dimension modifications will not unduly obstruct access to light and air to surrounding #streets# and properties; and
- (5) such setback, #lot coverage# or horizontal dimension modifications will result in a built form that maintains an appropriate relationship between tower and base portions of the #development#.

The Commission may prescribe appropriate conditions and safeguards to minimize adverse effects on the character of the surrounding area.

8/27/98

91-40

MANDATORY DISTRICT PLAN ELEMENTS

8/27/98

91-41

Regulations for Designated Retail Streets

8/27/98

91-411

Location of required retail space

For any #development# or #enlargement# fronting on the ground floor level of designated retail #streets#, as shown on Map 4 in

Appendix A, the #street# frontage of the #building# shall be allocated exclusively to the #uses# set forth in Section 91-12 (Uses on Designated Retail Streets). However, #uses# located within lobby or entrance spaces, subway station improvements or pedestrian circulation spaces that do not front on the ground floor level of the #street# shall be in accordance with the provisions for permitted #uses# of the underlying district.

Where the #street# frontage occupied by all building entrances is 20 feet or more in width, the amount of #street# frontage occupied by lobby space, entrance space and/or a building entrance recess shall not exceed, in total, 40 linear feet or 25 percent of the building's total #street# frontage, whichever is less, exclusive of any frontage occupied by a relocated subway stair or the entrance area to a bonused subway station improvement.

Storefronts for permitted ground floor #uses# shall be no more than 10 feet from the #street line# or, where an #arcade# is provided with supporting columns at the #street line#, no more than 10 feet from the supporting columns.

8/27/98

91-412

Access and glazing of required retail space

Access to each permitted establishment or #use# shall be provided directly from the designated retail #street#, as shown on Map 4 in Appendix A. Where there is more than one entrance to the establishment or #use# from the designated retail #street#, direct access shall be provided via the entrance with the greatest aggregate clear opening width.

At least 50 percent of the #street wall# surface of each permitted establishment or #use# shall be glazed with clear untinted transparent material and not more than 50 percent of such transparent surface shall be painted or obstructed with #signs#.

For the purposes of this glazing requirement, the #street wall# surface of each permitted establishment shall be measured from the floor to the height of the ceiling or 14 feet above grade, whichever is less.

10/17/07

91-42

Pedestrian Circulation Space

Within the boundaries of the #Special Lower Manhattan District#, all new #developments# or #enlargements# on #zoning lots# of at least 5,000 square feet that contain more than 70,000 square feet of new #floor area# shall provide pedestrian circulation space in accordance with the provisions of Section 37-50.

Pedestrian circulation space shall not be required if any of the following conditions exist:

- (a) the #zoning lot# is entirely occupied by a #building# of no more than one #story# in height;
- (b) the #zoning lot# is an #interior lot# fronting on a #wide street# with less than 80 feet of #street frontage#;
- (c) the #zoning lot# is an #interior# or #through lot# fronting on a #street# or #streets# listed in paragraph (a) of Section 91-31 (Street Wall Regulations);
- (d) the #zoning lot# is a #through lot# and both #street frontages# are less than 25 feet in length; or
- (e) the #zoning lot# is located in a C6-2A or C6-9 District within the South Street Seaport Subdistrict.

10/17/07

91-43

Off-Street Relocation or Renovation of a Subway Stair

Where a #development# or #enlargement# is constructed on a #zoning lot# that contains at least 5,000 square feet of #lot area# and fronts on a sidewalk containing a stairway entrance or entrances into a subway station, the existing entrance or entrances shall be relocated from the #street# onto the #zoning lot#. The new entrance or entrances shall be provided in accordance with the provisions of Section 37-40 (OFF-STREET RELOCATION OR RENOVATION OF A SUBWAY STAIR). A relocated or

renovated subway stair may be counted as pedestrian circulation space in accordance with the provisions of Section 37-50.

The subway stations where such improvements are required are listed in the following table and shown on Map 7 (Subway Station Improvement Areas) in Appendix A.

Station	Line
Bowling Green	Lexington Ave IRT
Broad St	Nassau St BMT
Broadway-Nassau St	8th Ave IND
Brooklyn Bridge-City Hall	Lexington Ave IRT
Chambers St	Nassau St BMT
Chambers St	Broadway-7th Ave IRT
Chambers St	8th Ave IND
City Hall	Broadway BMT
Cortlandt St-WTC	Broadway-7th Ave IRT/Broadway BMT
Fulton St	Nassau St BMT
Fulton St	Broadway-7th Ave IRT
Fulton St-Broadway	Lexington Ave IRT
Rector St	Broadway-7th Ave IRT/Broadway BMT
Park Place	Broadway-7th Ave IRT
South Ferry	Broadway-7th Ave IRT
Wall St	Broadway-7th Ave IRT
Wall St	Lexington Ave IRT
Whitehall St-South Ferry	Broadway BMT
World Trade Center	8th Ave IND

8/27/98

91-50

OFF-STREET PARKING, LOADING AND CURB CUT REGULATIONS

The off-street parking regulations of Article 1, Chapter 3 (Comprehensive Off-Street Parking Regulations in Community Districts 1, 2, 3, 4, 5, 6, 7 and 8 in the Borough of Manhattan and a Portion of Community Districts 1 and 2 in the Borough of Queens) and the loading regulations of the underlying districts apply to the #Special Lower Manhattan District#, except as supplemented or modified by the provisions of this Section.

8/27/98

91-51

Accessory Off-Street Parking for Residential Uses in Converted Buildings

#Accessory# off-street parking spaces shall be permitted for #dwelling units# in non-#residential buildings# erected prior to January 1, 1977, or portions thereof, that are converted to #residential use#, provided:

- (a) no more than 200 spaces or a number of spaces equal to 20 percent of the number of #dwelling units# on the #zoning lot#, whichever is less, shall be permitted;
- (b) no curb cut shall be permitted on any #street# where the converted #building# has a #street# frontage of 40 feet or less;
- (c) no portion of any such parking facility shall be more than 23 feet above #curb level#;
- (d) no exhaust vents shall open onto any #street# or #public park# or publicly accessible #open space#, and no portion of the parking facility, other than entrances and exits, shall be visible from adjoining #zoning lots#, #streets# or parks; and
- (e) all such parking facilities shall be provided on the same #zoning lot# as the #residential uses# to which they are #accessory#, except as otherwise provided in Section 91-511 (Authorization for off-site parking facilities for converted buildings).

8/27/98

91-511

Authorization for off-site parking facilities for converted buildings

The City Planning Commission may authorize #accessory# residential off-site parking spaces for non-#residential buildings# erected prior to January 1, 1977, or portions thereof, that are converted to #residential use#, to be provided in a

fully-enclosed #building# on a #zoning lot# within the #Special Lower Manhattan District# other than the #zoning lot# that contains the #residential use#, provided the Commission finds that:

- (a) such #accessory# off-site parking spaces are conveniently located in relation to the #residential use#, and in no case further than 600 feet from the #zoning lot# containing the #residential use#;
- (b) such location of the #accessory# off-site parking facility will permit better site planning for the #building# converted to #residential use#;
- (c) the #accessory# off-site parking facility will not create or contribute to traffic congestion or unduly inhibit vehicular and pedestrian movement;
- (d) that the #accessory# off-site parking facility is located so as to draw a minimum of additional vehicular traffic to and through local #residential streets#; and
- (e) that such #accessory# off-site parking facility shall contain parking spaces #accessory# only to #residential uses#.

The number of #accessory# off-site parking spaces authorized in accordance with the provisions of this Section shall be recorded on the certificates of occupancy, temporary and permanent, for both the #residential use# and the #accessory# off-site parking facility.

8/27/98

91-52

Curb Cut Regulations

All curb cuts shall be prohibited on #streets# indicated on Map 5 in Appendix A, except that:

- (a) the Commissioner of Buildings may approve a curb cut where there are no alternative means of access to required off-street loading berths from other #streets# bounding the #zoning lot#; and

- (b) the City Planning Commission may authorize curb cuts for loading berths, provided:
- (1) such loading berths are adjacent to a fully enclosed maneuvering area on the #zoning lot#;
 - (2) such maneuvering area is at least equal in size to the area of the loading berth; and
 - (3) there is adequate space to permit head-in and head-out truck movements to and from the #zoning lot#.

The City Planning Commission may refer such applications to the Department of Transportation for comment.

- (c) the City Planning Commission may authorize curb cuts for #accessory# parking for #residences#, provided such curb cuts:
- (1) will not create or contribute to serious traffic congestion or unduly inhibit vehicular and pedestrian movement; and
 - (2) will not interfere with the efficient functioning of required pedestrian circulation spaces, or public transit facilities.

The City Planning Commission may refer such applications to the Department of Transportation for comment.

No curb cuts may be approved or authorized on Battery Place, Broad Street, Broadway, Liberty Street west of Broadway, Park Row South or Wall Street.

Where a curb cut is approved or authorized pursuant to this Section, the maximum width of a curb cut, including splays, shall be 15 feet for a #street# with one-way traffic and 25 feet for a #street# with two-way traffic.

8/27/98

91-60

REGULATIONS FOR THE SOUTH STREET SEAPORT SUBDISTRICT

8/27/98

91-61

General Provisions

The regulations of Sections 91-60, et. seq., relating to special regulations for the South Street Seaport Subdistrict are applicable only in the South Street Seaport Subdistrict. The boundaries of the South Street Seaport Subdistrict are shown on Map 1 (Special Lower Manhattan District) and Map 6 (South Street Seaport Subdistrict) in Appendix A. The regulations of Section 91-60, et. seq., supplement or modify the regulations of this Chapter applying in general to the South Street Seaport Subdistrict area of the #Special Lower Manhattan District#.

In order to preserve and protect the character of the South Street Seaport Subdistrict and to implement the provisions of the Brooklyn Bridge Southeast Urban Renewal Plan, as amended, special controls and incentives are provided.

The provisions of Article VI, Chapter 2 (Special Regulations in the Waterfront Area), shall apply to #waterfront zoning lots# within the South Street Seaport Subdistrict. The provisions of paragraph (c) of Section 74-792 (Conditions and limitations) concerning the transfer of development rights from landmark sites in C5-3, C5-5, C6-6, C6-7 or C6-9 Districts shall not apply in the South Street Seaport Subdistrict.

10/17/07

91-62

Definitions

For purposes of this Section, matter in *italics* is defined in Section 12-10 (DEFINITIONS) or within this Section.

Development rights

Within the South Street Seaport Subdistrict, the basic maximum permitted #floor area# for a #granting lot# shall be that which is allowed by the applicable district regulations as if such granting lot were undeveloped, and shall not include any additional #floor area# bonuses for #public plazas#, #arcades# or any other form of #floor area# increase, whether as-of-right or

by special permit. #Streets# located within the Subdistrict that have been closed or discontinued in whole, part or whose air space has been closed or discontinued pursuant to Section E15-3.0 of the Administrative Code, or its successor, shall have attributed to such closed area or closed air space the basic maximum permitted #floor area# allowed within the underlying zoning district within which such #streets# are situated. The #lot area# of a closed or discontinued volume of air space shall be measured by the area of the bed of the #street# lying below and within such closed or discontinued volume.

Granting lot

Within the South Street Seaport Subdistrict, "granting lot" is a #zoning lot# or a closed or discontinued portion of a #street# or air space over a #street # which is identified as a #granting lot#, as identified on Map 6 (South Street Seaport Subdistrict) in Appendix A, upon which #development# is regulated by contract, lease, covenant, declaration or otherwise to assure compliance with the purposes of this Subdistrict and from which #development rights# may be transferred. Such #zoning lots# and closed portions of #streets# or air space over #streets# are identified on the map of the transfer areas (Map 6) as Parcels 6, 7 and 9 and the adjacent hatched #street# areas.

Person

Within the South Street Seaport Subdistrict, a "person" is an individual, corporation (whether incorporated for business, public benefit or not-for-profit purposes or otherwise), partnership, trust firm, organization, other association or any combination thereof.

Receiving lot

Within the South Street Seaport Subdistrict, a "receiving lot" is a #zoning lot# identified on the map of transfer areas (Map 6 in Appendix A) to which #development rights# may be added. Such "receiving lots" are identified on the map as Parcels 1, 8, 15, 16, 20, 21 and 22.

Street

- (a) A #street#, as defined in Section 12-10; or
- (b) a way, designed or intended for general public circulation and #use#, that:

- (1) performs the pedestrian circulation functions usually associated with a way shown on the City Map;
- (2) remains open and unobstructed from the at-grade circulation level to the sky, except for public facilities customarily located on a #street# shown on the City Map, or those facilities permitted to be located on a #street# shown on the City Map, including without limitation, transitory fixtures or objects unattached to the real property encompassed by such way; and
- (3) is a designated pedestrian way, pursuant to Section 91-68.

A #street#, as defined in paragraph (b) of this Section, shall satisfy and apply to all references to #streets# provided elsewhere in the Zoning Resolution.

8/27/98

91-63

Transfer Areas Map

The South Street Seaport Subdistrict transfer areas map, shown hereto as Map 6 in Appendix A, sets forth each #granting lot# and #receiving lot# within the Subdistrict.

8/27/98

91-64

Transfer of Development Rights from Granting Lots

Within the South Street Seaport Subdistrict, #development rights# from each of the #granting lots# may be conveyed or otherwise disposed of:

- (a) directly to a #receiving lot#; or
- (b) to a #person# for subsequent disposition to a #receiving lot#, all in accordance with the provisions of this Subdistrict, except that with respect to #zoning lots#

located on Parcels 6, 7 and 9, as identified on Map 6 (South Street Seaport Subdistrict) in Appendix A, only those #development rights# in excess of the larger of the following conditions may be so conveyed or otherwise disposed of:

- (1) an amount equal to the product of the #lot area# of each of such #zoning lots# multiplied by 5.0; or
- (2) the total #floor area# of all existing #buildings# on any such #zoning lots#.

The City Planning Commission shall certify such initial transfer from the #granting lots#. Any #person# may convey its interest in all or a portion of such #development rights# to another #person# but such #development rights# may only be used for a #development# on a #receiving lot#.

4/30/03

91-65

Addition of Development Rights to Receiving Lots

Within the South Street Seaport Subdistrict, all or any portion of the #development rights# transferred from a #granting lot# may be added to the #floor area# of all or any one of the #receiving lots# in an amount not to exceed the ratio of 10 square feet of #development rights# to each square foot of #lot area# of such #receiving lot#, except that with respect to a #receiving lot# having a #lot area# of less than 30,000 square feet, the total #floor area ratio# shall not exceed 21.6. However, if a #receiving lot# is located in a C4-6 District, the total #floor area ratio# shall not exceed 3.4 and if a #receiving lot# is located in a C6-2A District, the total #floor area ratio# shall not exceed 8.02. #Development rights# transferred to a #receiving lot# may be applied to the #development# of a #mixed building# to increase the #floor area# of the #residential#, #commercial# and/or #community facility# portions of such #building# so that the maximum #floor area# for such #building# may be increased by the aggregate of #development rights# so transferred. In no event shall the #floor area ratio# of a #residential building#, or portion thereof, exceed 12.0.

The City Planning Commission shall certify that any proposed #development# that utilizes such transferred #development rights#

conforms to this Section and, for those #receiving lots# within the Urban Renewal Area, to the regulations and controls of the Urban Renewal Plan.

12/11/01

91-66
Modification of Bulk Regulations

4/30/03

91-661
Bulk modifications in C6-2A Districts

Within the South Street Seaport Subdistrict, for any #zoning lot# located in a C6-2A District, the underlying height and setback regulations shall apply, except the maximum building height shall be 120 feet. No minimum base height shall apply, and the depth of a required setback along a #narrow street# shall be at least 10 feet. No #lot coverage# regulations shall apply to #corner lots#. Furthermore, the provisions of Article II, Chapter 8 (The Quality Housing Program), shall not apply.

12/11/01

91-662
Authorization for modification of bulk provisions and public space in C6-9 Districts

In the South Street Seaport Subdistrict, the City Planning Commission may authorize:

- (a) the alteration of any public amenity, open or enclosed, for which a #floor area# bonus has been granted, provided that the Commission finds that such modifications improve the intended public purpose of the amenity; or
- (b) the elimination or reduction of an existing public amenity, open or enclosed, for which a #floor area# bonus has been granted, provided that a new and/or improved public amenity, open or enclosed, is supplied elsewhere on, or within

proximity to, the #zoning lot#, and the Commission finds that:

- (1) the public amenity to be eliminated no longer serves its original purpose; and
 - (2) the proposed new or improved public amenity will provide a greater public benefit than the amenity to be eliminated or reduced and will better serve the purposes of the #Special Lower Manhattan District#; and
- (c) the modification of the applicable height, setback, lot coverage and distance between buildings requirements for any new #development# or #enlargement# on a designated #receiving lot# that will incorporate transferred #development rights#, provided the Commission finds that the modifications:
- (1) provide an appropriate distribution of #bulk# on the #zoning lot#;
 - (2) permit adequate access of light and air to the occupants or users of the #development# or #enlargement# and adjoining properties as well as the surrounding #streets#; and
 - (3) will not impair the use and desirability of any public amenity that may be created or improved under the provisions of paragraph (b) of this Section.

If a #receiving lot# contains an existing #building#, such authorization shall incorporate any previous height and setback or other bulk modifications, granted prior to December 11, 2001, by the Board of Standards and Appeals, for such existing #building#.

The Commission may prescribe appropriate conditions and safeguards in connection with the grant of such authorization.

4/30/03

91-663
Special permit for bulk modifications

Within the South Street Seaport Subdistrict, the City Planning

Commission may modify, by special permit, the height and setback and #lot coverage# regulations of Section 91-30, provided that:

- (a) either of the following conditions have been met:
 - (1) that the developer has obtained negative easements limiting the height of future #development# to 85 feet or less on any adjoining #zoning lots# which are contiguous or would be contiguous to said #zoning lot# but for their separation by a #street# or #street# intersection, and such easements are recorded against such adjoining #zoning lots# by deed or written instrument. The Commission shall consider the aggregated areas of said #zoning lot# and the adjoining lots subject to such negative easements and the extent to which they achieve future assurance of light and air in determining the maximum permitted coverage. In no event shall such coverage exceed 80 percent of the #zoning lot# on which the #development# will be located; or
 - (2) that the #lot coverage# for that portion of a #development# below 300 feet may be increased to a maximum of 80 percent when additional #development rights# have been purchased and converted to increased #lot coverage#. The maximum percentage of #lot coverage# on such #receiving lot# shall be the sum of 65 percent plus one-half of one percent for every .10 by which the total #floor area ratio# on such #receiving lot# would exceed a #floor area ratio# of 21.6, provided that the #development# on such #receiving lot# has achieved a minimum #floor area ratio# of 18.0;
- (b) In order to grant such special permit, the Commission shall make the following findings:
 - (1) the location of the #development# and the distribution of #bulk# will permit adequate access of light and air to surrounding #streets# and properties;
 - (2) any modification of height and setback will provide for better distribution of #bulk# on the #zoning lot#; and
 - (3) such special permit will aid in achieving the general purposes and intent of the Subdistrict.

The Commission may prescribe appropriate conditions and safeguards to minimize adverse effects on the character of the surrounding area.

8/27/98

91-67

Recordation

Within the South Street Seaport Subdistrict, at the time of transfer of #development rights# from a #granting lot#, there shall be recorded in the Office of the Register of the City of New York, and indexed against such #granting lot# from which #floor area# is removed, an instrument removing such #floor area# and prohibiting construction on such #zoning lot# of any #building or other structure# which would contain #floor area# in excess of that still available to the #zoning lot# after deducting the #floor area# removed, such prohibition to be non-cancelable for 99 years; and at the time of the addition of #development rights# to a #receiving lot# as provided in Section 91-65, there shall be recorded in the Office of the Register of the City of New York, and indexed against such #receiving lot# to which #floor area# is added, an instrument transferring the #floor area# to the #receiving lot# benefited and identifying the #granting lot# (by tax block and lot number and description) from which the #floor area# has been removed. A certified copy of such instruments shall be submitted to the City Planning Commission upon recordation.

8/27/98

91-68

Designated Pedestrian Ways

Within the South Street Seaport Subdistrict, the volume situated above the subsurface #streets# shown on the City Map, and listed in this Section are designated pedestrian ways and are governed by paragraph (b) of the definition of #street# as set forth in Section 91-62 (Definitions):

- (a) Fulton Street, between Water and South Streets
- (b) Water Street, between Fulton and Beekman Streets

- (c) Front Street, between Fulton and Beekman Streets, and between John and Fulton Streets
- (d) South Street (the 18-foot-wide strip located on the northwesterly side), between Beekman and John Streets.

4/22/09

91-69

Special Permit for Development of Piers 9, 11, 13 and 14

Within the area bounded by South Street, the southerly edge of Pier 9, the U. S. Pierhead Line and the northerly edge of Pier 14, which, for the requirements of this Section, shall be deemed to be a single #zoning lot#, the City Planning Commission may, by special permit, permit modification of the bulk regulations, other than #floor area ratio# applicable to the #zoning lot#, and may modify or waive the requirements of Section 62-50 (GENERAL REQUIREMENTS FOR VISUAL CORRIDORS AND WATERFRONT PUBLIC ACCESS AREAS), in accordance with the provisions of this Section.

The special permit shall be subject to the condition that the property owner, principal lessee or licensee of property owner has entered into an agreement with the Department of Parks and Recreation to operate and maintain the publicly-accessible areas in accordance with Section 62-70 (MAINTENANCE AND OPERATION REQUIREMENTS FOR WATERFRONT PUBLIC ACCESS AREAS). For purposes of this Section, such publicly-accessible areas shall be deemed "waterfront public access areas."

In granting any such modifications, the Commission shall find that:

- (a) any modification of height and setback regulations results in an appropriate distribution of permitted bulk on the piers;
- (b) no #buildings or other structures# shall unduly obstruct the visual corridor bounded by the prolongation of the northern and southern #street lines# of Wall Street seaward to the U. S. Pierhead Line;
- (c) any modification will not unduly impede surface traffic and will minimize possible vehicular/pedestrian conflicts in the

surrounding area;

- (d) that the seaward end of all such piers is unobstructed to the greatest extent feasible so as to maximize views northward and southward;
- (e) the development plan for such area includes an appropriate amount of publicly-accessible open space which shall incorporate appropriate design features that serve the needs of the local area, including but not limited to landscaping, lighting and seating; and
- (f) the development plan is integrated with existing and proposed nearby #developments#.

The Commission may prescribe additional appropriate conditions and safeguards to minimize adverse effects on the character of the waterfront and surrounding area.

12/11/01

91-70

SPECIAL REGULATIONS FOR CERTAIN AREAS

#Developments# or #enlargements# in the former Special Greenwich Street Development District built prior to August 27, 1998, will continue to be governed by the regulations in effect at the time of issuance of the building permit and can only be modified or altered by Sections 91-71 through 91-74, inclusive.

8/27/98

91-71

Authorization for the Modification of Required Public Amenities

The City Planning Commission may authorize modifications of certain provisions of the former Special Greenwich Street Development District, eliminated on August 27, 1998, that mandated public amenities, as follows:

- (a) For any mandatory or elective public amenities or improvements built pursuant to the regulations of the former Special District that resulted in an increase in the basic

maximum #floor area ratio# or an increase in the adjusted basic maximum #floor area ratio#, the Commission may authorize:

- (1) the alteration of the amenity or improvement, provided that the Commission finds that such modifications improve the intended public purpose of the amenity;
 - (2) the elimination of the amenity or improvement, provided that the Commission finds that the intended public purpose is no longer useful or desirable and a new public amenity or improvement is supplied, as permitted pursuant to this Chapter, that generates the same or higher amount of bonusable #floor area#; or
 - (3) in the case of an amenity or improvement built in excess of the requirements necessary to generate the bonus #floor area# at the time of #development#, the elimination of such portion of the amenity not tied to the bonus #floor area#, provided that the Commission finds that such portion is no longer useful or desirable.
- (b) For any mandatory or elective public amenities or improvements built pursuant to the regulations of the former Special District that did not result in an increase in the basic maximum #floor area ratio#, the Commission may authorize the elimination or alteration of the amenity or improvement if it finds that the intended public purpose is no longer useful or desirable.
- (c) No mandatory or elective public amenity or improvement built pursuant to the regulations of the former Special District shall be eliminated or reduced in size, without a corresponding reduction in the #floor area# of the #building# or the substitution of equivalent complying area for such amenity elsewhere on the #zoning lot#, in accordance with the provisions of paragraph (a)(2) of this Section, except by special permit of the City Planning Commission, subject to a finding that the proposed change will provide a greater public benefit in light of the public amenity's purpose and the purposes of the #Special Lower Manhattan District#.

However, the open pedestrian bridge spanning Greenwich Street between Liberty and Cedar Streets may be eliminated, without recourse to the City Planning Commission, where the pedestrian

access provided between the required elevated public pedestrian circulation systems is no longer useful or desired.

The Commission may prescribe appropriate conditions and safeguards in connection with the grant of such authorization.

8/27/98

91-72

Certification for Development on the Block bounded by Liberty, Washington, Cedar and West Streets

For the #block# bounded by Liberty, Washington, Cedar and West Streets, the City Planning Commission shall certify that the following improvements, eligible for as-of-right #floor area# bonuses in the amount specified, are included in any plans for a proposed #development#.

- (a) The following mandatory improvements are eligible for as-of-right #floor area# bonuses:
- (1) For an open pedestrian bridge with a minimum width of 15 feet spanning Washington Street near its intersection with Liberty Street to provide pedestrian access to the existing elevated public #open space# at the northern edge of the #block# bounded by Liberty, Washington, Albany and Greenwich Streets, as certified by the Commission, a #floor area# bonus shall be granted in the amount of 90 square feet per linear foot.
 - (2) For a pedestrian connection at least 15 feet wide with a minimum floor to ceiling height of 12 feet between the existing pedestrian bridge spanning West Street and the bridge required over Washington Street pursuant to paragraph (a)(1) of this Section, as certified by the Commission, a #floor area# bonus shall be granted in the amount of 100 square feet per linear foot.

This connection shall be at the same height as the new bridge, provide an integrated connection to the existing West Street bridge and be open to the public for the same hours as the West Street bridge. Ramps but not stairs may be incorporated into the pedestrian connection to adjust its height to the Washington and

West Street bridges.

- (b) An optional pedestrian connection of public access from the pedestrian connection specified in paragraph (a)(2) of this Section to #street# level may be provided by stair, ramp or escalator and shall be eligible for an as-of-right #floor area# bonus of 120 square feet per linear foot of stair or, if provided by escalators at least 32 inches wide, 20,000 square feet for the provision of a single run, and 30,000 square feet for the provision of a double run.

The #development# shall have its major pedestrian entrance and lobby on Liberty Street and be integrated with and provide unobstructed pedestrian access between the pedestrian connection specified in paragraph (a)(2) of this Section and the lobby of any new #building# on this #block#

No other #floor area# bonuses are permitted on the #block# unless the Commission has certified that the improvements specified in paragraphs (a) and (b) of this Section are included in any plans for #development# on the #block#.

11/15/07

91-73

Special Permit for Development Over or Adjacent to the Approaches to the Brooklyn Battery Tunnel

The City Planning Commission, by special permit, may allow:

- (a) the unmapped air space above the approaches to the Brooklyn Battery Tunnel to be considered a single #zoning lot# and may allow the #development# or #enlargement# of a #building# on such unmapped air space, where the #zoning lot# for such #development# or #enlargement# shall include only that portion of the area above the approaches to the Brooklyn Battery Tunnel and contiguous areas of land or property that are covered by a permanent platform and not designated as approaches to the Brooklyn Battery Tunnel.
- (b) the unmapped air space above the approaches to the Brooklyn Battery Tunnel, the unmapped air space above Joseph P. Ward Street and the at-grade parcels bounding the northern #street line# of Joseph P. Ward Street to be deemed a single #zoning lot#, and in connection therewith:

- (1) such #zoning lot# shall generate #floor area# only from such at-grade parcels and only those portions of the unmapped air space above the approaches to the Brooklyn Battery Tunnel covered by a permanent platform or #building# existing on November 15, 2007;
- (2) no #floor area# shall be generated from the unmapped air space above Joseph P. Ward Street; and
- (3) unused #floor area# generated from those portions of the unmapped air space above the approaches to the Brooklyn Battery Tunnel covered by a permanent platform or #building# existing on November 15, 2007, shall only be located on the at-grade parcels bounding the northern #street line# of Joseph P. Ward Street and shall only be used for #residential floor area#.

Notwithstanding any of the foregoing, the use and occupancy of the unmapped air space above the approaches to the Brooklyn Battery Tunnel and of the at-grade parcel bounding the northern #street line# of Joseph P. Ward Street and shown on the City Map, as amended October 3, 1946, as an approach to the Brooklyn Battery Tunnel by the New York State Triborough Bridge and Tunnel Authority, may be continued and in effect as set forth in Resolutions of the former New York City Board of Estimate and as otherwise permitted by law.

The at-grade parcels of the #zoning lot# bounding the northern #street line# of Joseph P. Ward Street shall be considered a #through lot# bounded by Washington Street and West Street from its lowest level to the sky, and only such at-grade parcels shall be used to determine compliance with applicable #bulk# regulations other than #floor area# and #lot area# regulations.

For purposes of this paragraph, (b), the at-grade parcels bounding the northern #street line# of Joseph P. Ward Street shall mean:

the at-grade parcel bounding the northern #street line# of Joseph P. Ward Street and shown on the City Map, as amended October 3, 1946, as an approach to the Brooklyn Battery Tunnel; and

the at-grade parcel bounding the northern line of said

parcel.

In order to grant such special permit, the Commission shall find that adequate access and #street# frontage to one or more #streets# is provided; and the streetscape, site design and location of building entrances of the proposed #development# or #enlargement# will contribute to the overall improvement of pedestrian circulation within the surrounding area.

The Commission may prescribe appropriate conditions and safeguards to protect and minimize any adverse effects on the character of the surrounding area.

8/27/98

91-74

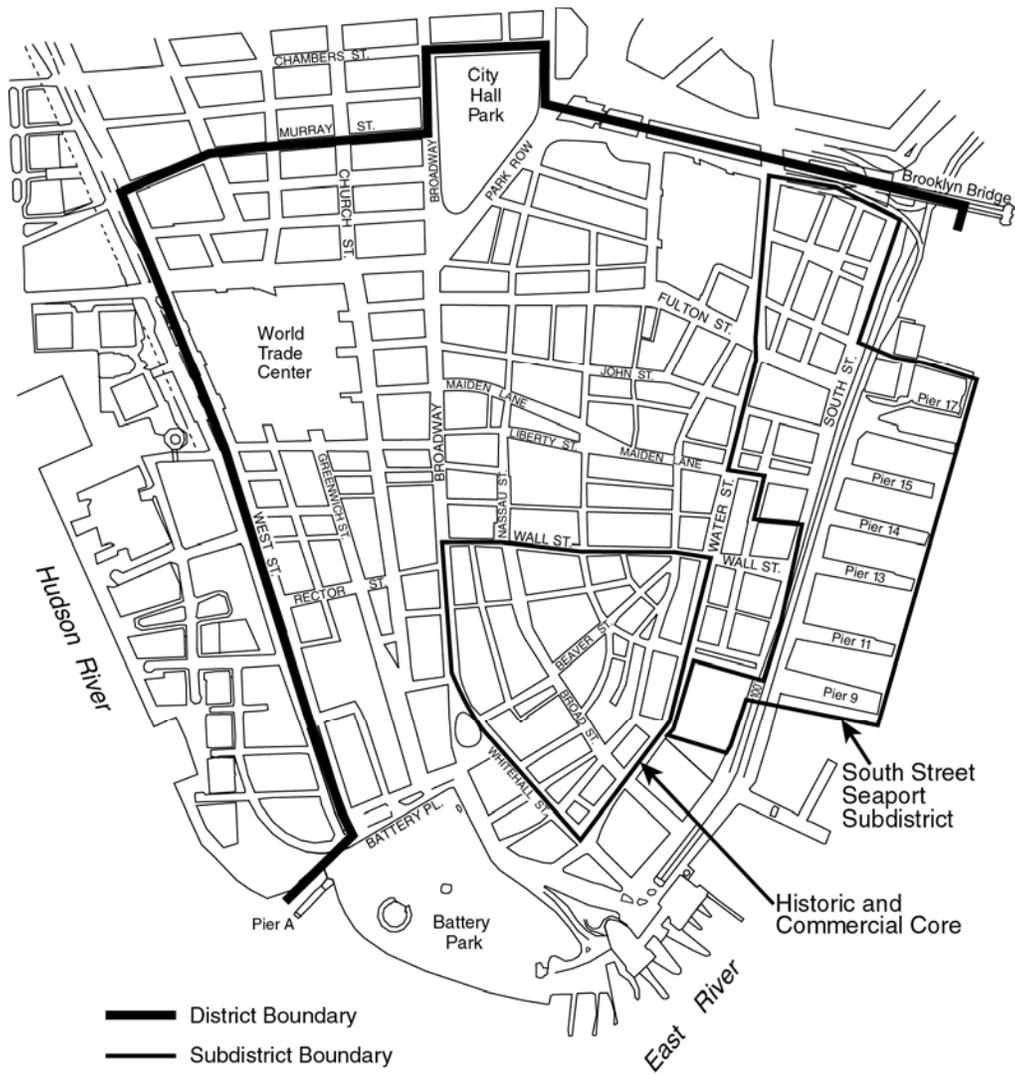
Special Provisions for Battery Park Underpass/South Street

A #zoning lot# containing a #development#, or portion thereof, on a #waterfront zoning lot#, may be located within the volume above the upper limiting plane of the Battery Park Underpass/South Street, when such volume is eliminated, discontinued and closed. That portion of the #zoning lot# that lies above the Battery Park Underpass/South Street shall not be considered #lot area# for the purpose of computing maximum #floor area#; however, such portion shall be considered #lot area# for all other purposes of this Resolution.

Appendix A
District Maps

12/11/01

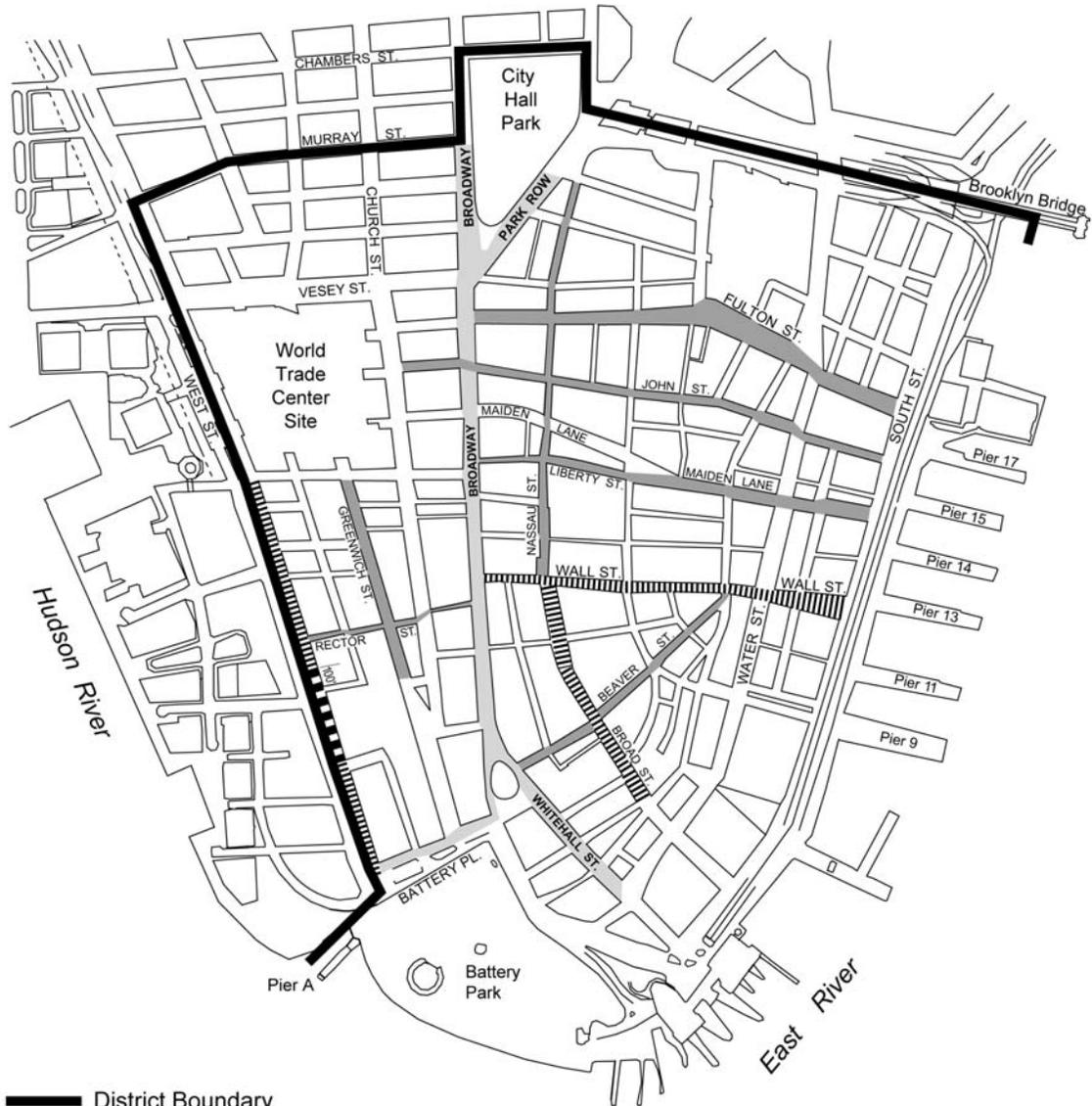
Map 1
Special Lower Manhattan District



11/15/07

Map 2

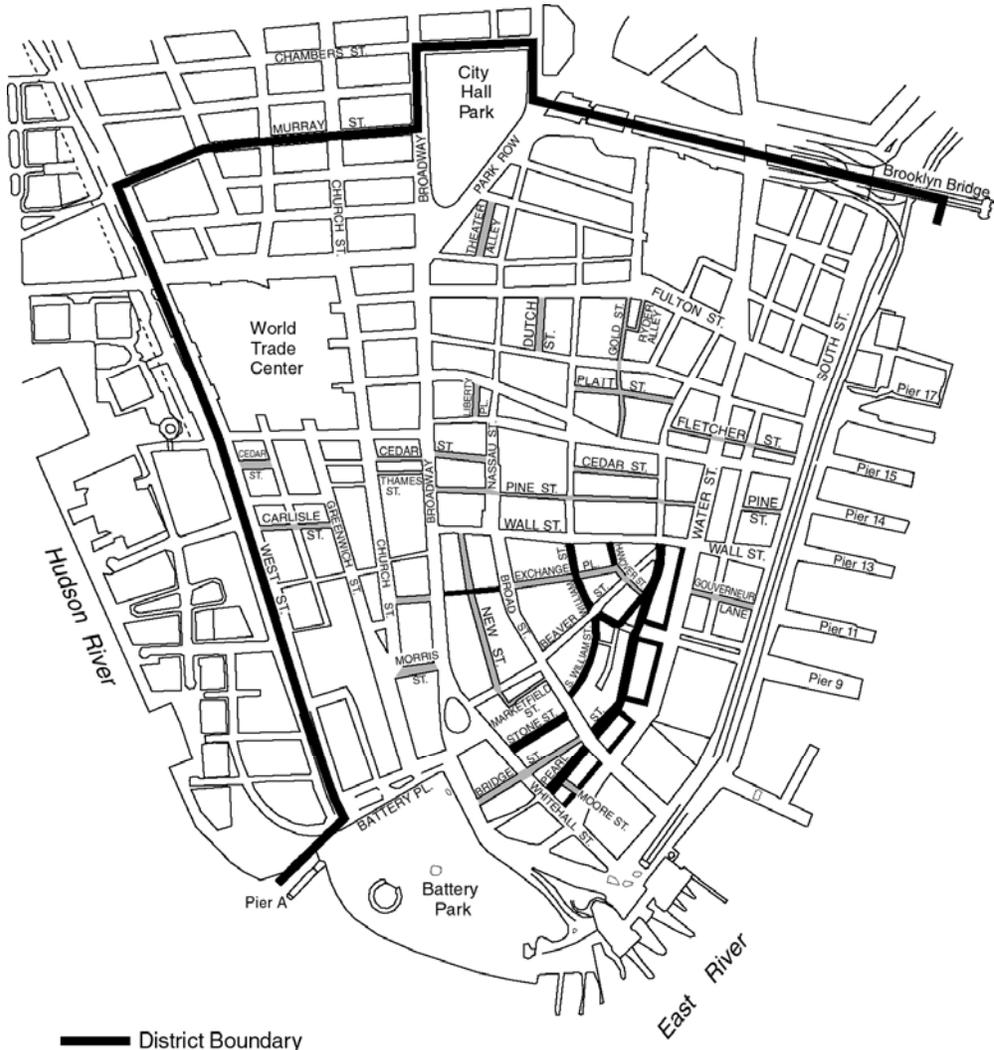
Street Wall Continuity Types 1, 2A, 2B & 3



- District Boundary
- Type 1: 150' Minimum/ 250' Maximum Before Setback
- Type 2A: 85' Minimum/ 150' Maximum Before Setback/
100% Street Wall Continuity Required
-** Type 2B: 85' Minimum/ 150' Maximum Before Setback/
At least 60% Street Wall Continuity Required
- Type 3: 60' Minimum

8/27/98

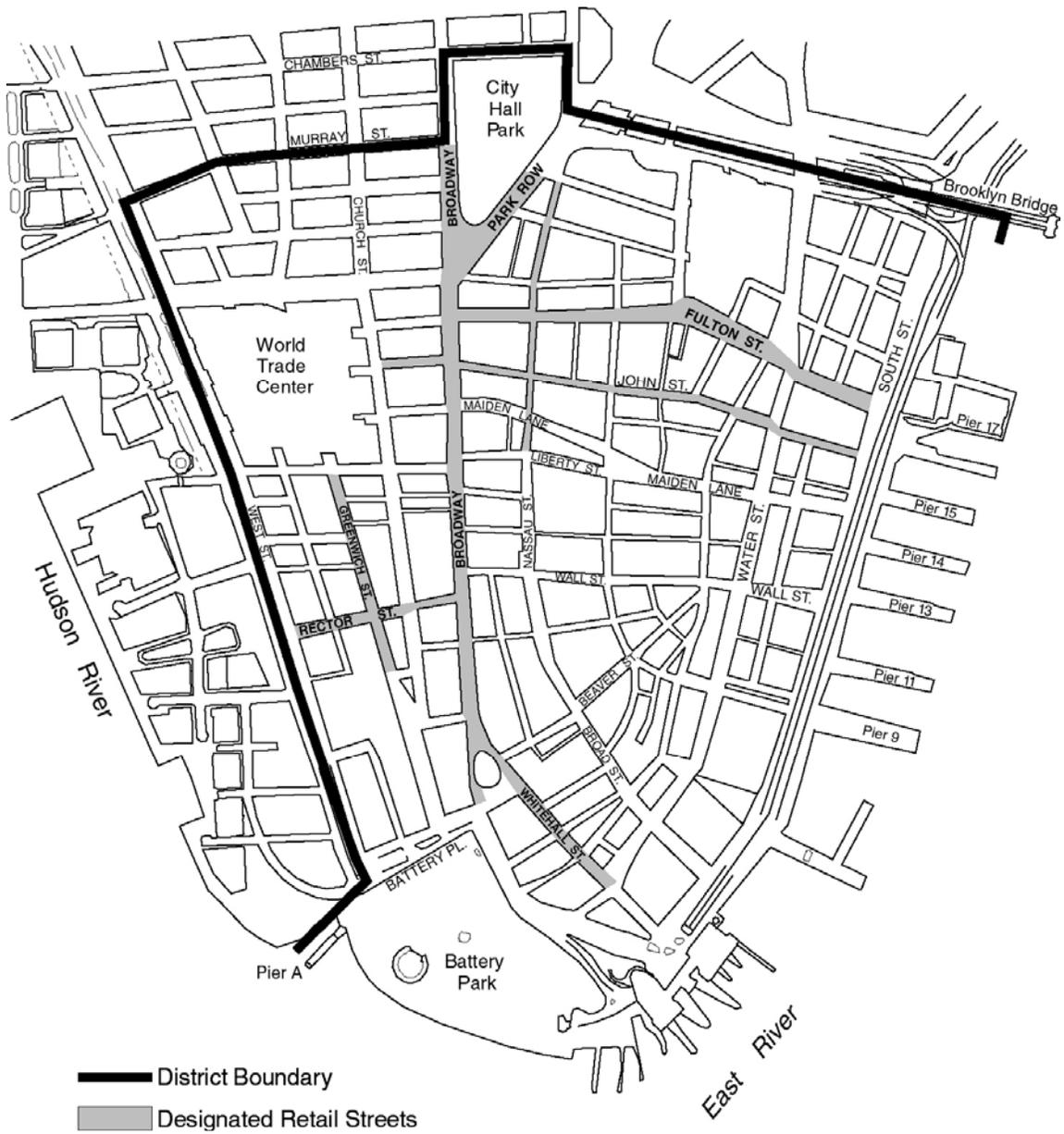
Map 3
Street Wall Continuity Types 4 & 5



- District Boundary
- Type 4: 100' Maximum Before Setback
- Type 5: Streets With No Required Setbacks

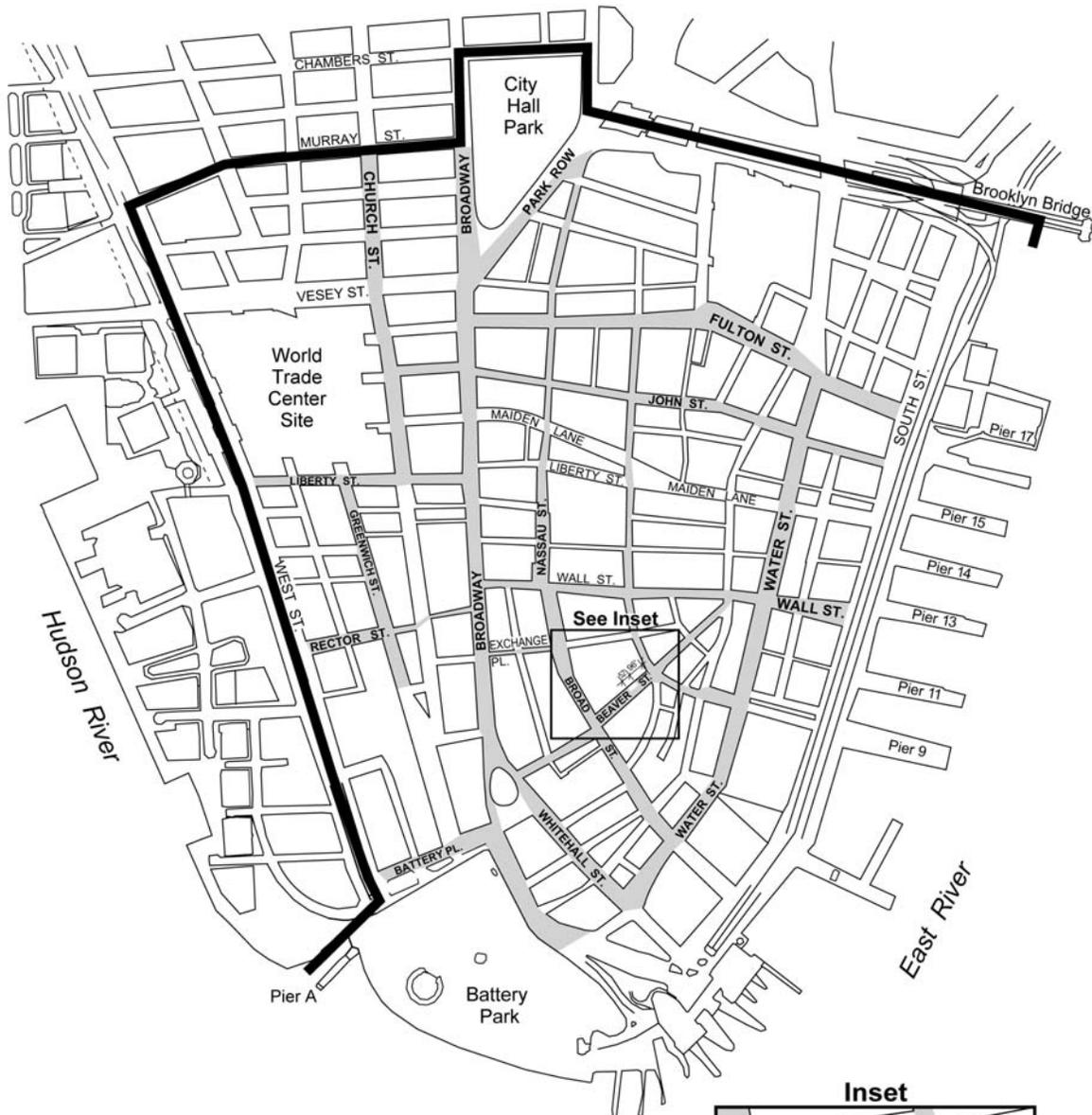
8/27/98

Map 4
Designated Retail Streets

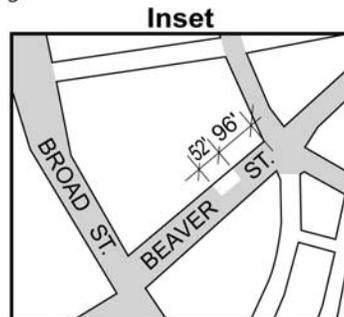


12/21/09

Map 5
Curb Cut Prohibitions

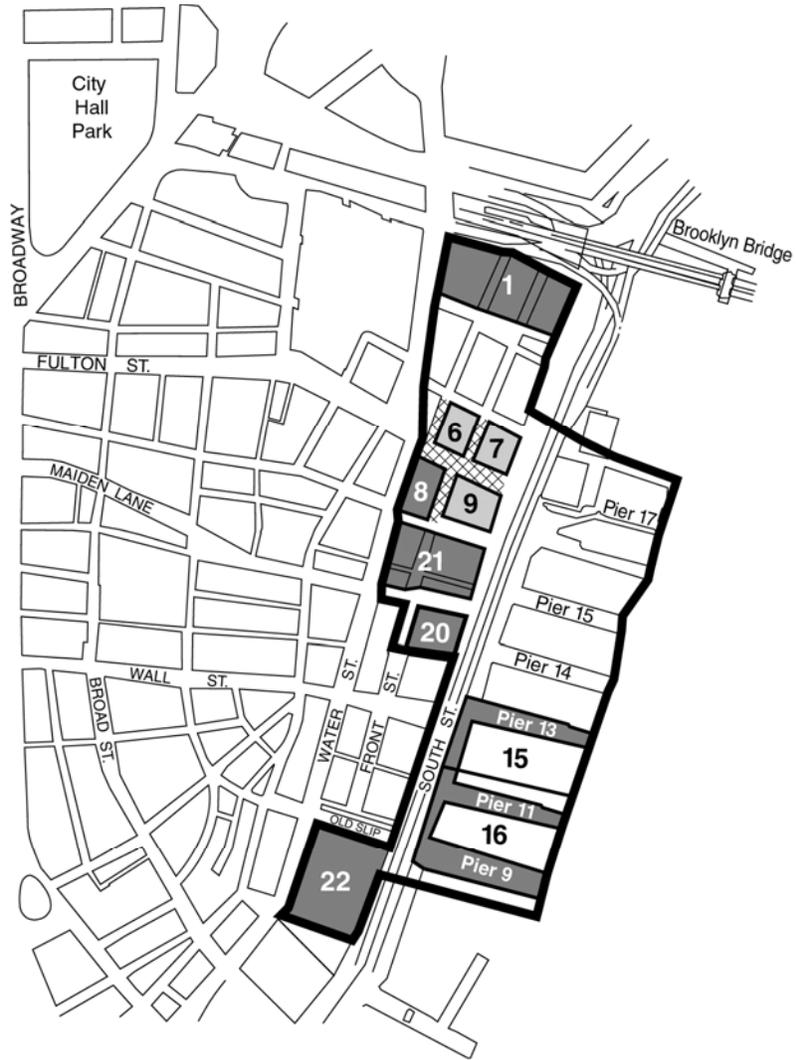


-  District Boundary
-  Streets with Curb Cut Prohibitions



12/11/01

Map 6
South Street Seaport Subdistrict



— South Street Seaport Subdistrict

■ Receiving Lot

■ Granting Lot

▨ Designated Pedestrian Ways

Numbers indicate Brooklyn Bridge Southeast Urban Renewal Plan Parcels

8/27/98

Map 7
Subway Station Improvement Areas

