PROPOSED
SPECIAL INWOOD DISTRICT
TEXT AMENDMENT

Matter underlined is new, to be added;
Matter ~~struck out~~ is to be deleted;
Matter within # # is defined in Section 12-10;
* * * indicates where unchanged text appears in the Zoning Resolution

Article I: - General Provisions
Chapter 1 - Title, Establishments of Controls and Interpretations of Regulations

* * *

11-122
Districts established

* * *

Establishment of the Special Hunts Point District

In order to carry out the special purposes of this Resolution as set forth in Article X, Chapter 8, the #Special Hunts Point District# is hereby established.

Establishment of the Special Inwood District

In order to carry out the special purposes of this Resolution as set forth in Article XIV, Chapter 2, the #Special Inwood District# is hereby established.

Establishment of Special Limited Commercial District

In order to carry out the special purposes of this Resolution as set forth in Article VIII, Chapter 3, the #Special Limited Commercial District# is hereby established.

* * *

Chapter 2 - Construction of Language and Definitions

* * *

12-10
DEFINITIONS

* * *

Special Hunts Point District

The "Special Hunts Point District" is a Special Purpose District designated by the letters "HP" in which special regulations set forth in Article X, Chapter 8, apply.

Special Inwood District

The "Special Inwood District" is a Special Purpose District designated by the letters "IN" in which special regulations set forth in Article XIV, Chapter 2, apply.

Special Limited Commercial District

The "Special Limited Commercial District" is a Special Purpose District designated by the letters "LC" in which special regulations set forth in Article VIII, Chapter 3, apply.

* * *

Chapter 4 – Sidewalk Cafe Regulations

* * *

14-44
Special Zoning Districts Where Certain Sidewalk Cafes Are Permitted

* * *

Manhattan	#Enclosed Sidewalk Cafe#	#Unenclosed Sidewalk Cafe#
* * *		
Hudson Square District	Yes	Yes
Inwood District	No	Yes
Limited Commercial District	No	No[1]

* * *

Article II – RESIDENCE DISTRICT REGULATIONS

Chapter 3 – Residential Bulk Regulations in Residence Districts

23-00
APPLICABILITY AND GENERAL PURPOSES

23-01
Applicability of This Chapter

* * *

Special regulations applying to #large-scale residential developments# or #residential uses# in #large-scale community facility developments# are set forth in Article VII, Chapter 8.

Special regulations applying only in Special Purpose Districts are set forth in Articles VIII, IX, X, XI, XII ~~and~~ XIII and XIV.

* * *

23-011
Quality Housing Program

* * *

(c) In the districts indicated without a letter suffix, the optional Quality Housing #bulk# regulations permitted as an alternative pursuant to paragraph (b) of this Section, shall not apply to:

* * *

(2) Special Purpose Districts

However, such optional Quality Housing #bulk# regulations are permitted as an alternative to apply in the following Special Purpose Districts:

* * *

#Special Grand Concourse Preservation District#;

#Special Inwood District#;

#Special Harlem River Waterfront District#;

* * *

Chapter 4 - Bulk Regulations for Community Facilities in Residence Districts

24-00
APPLICABILITY, GENERAL PURPOSES AND DEFINITIONS

24-01
Applicability of This Chapter

* * *

Special regulations applying to #large-scale community facility developments# or to #community facility uses# in #large-scale residential developments# are set forth in Article VII, Chapter 8.

Special regulations applying only in Special Purpose Districts are set forth in Articles VIII, IX, X, XI, XII ~~and,~~ XIII and XIV.

* * *

ARTICLE III – COMMERCIAL DISTRICT REGULATIONS

Chapter 3 - Bulk Regulations for Commercial or Community Facility Buildings in Commercial Districts

33-00
APPLICABILITY, GENERAL PURPOSES AND DEFINITIONS

33-01
Applicability of This Chapter

* * *

Special regulations applying to #large-scale residential developments#, #community facility uses# in #large-scale residential developments# or #large-scale community facility developments# are set forth in Article VII, Chapter 8.

Special regulations applying only in Special Purpose Districts are set forth in Articles VIII, IX, X, XI, XII, ~~and~~ XIII and XIV.

* * *

Chapter 4 - Bulk Regulations for Residential Buildings in Commercial Districts

34-00
APPLICABILITY AND DEFINITIONS

34-01
Applicability of This Chapter

* * *

Existing #buildings or other structures# that do not comply with one or more of the applicable #bulk# regulations are #noncomplying buildings or other structures# and are subject to the regulations set forth in Article V, Chapter 4.

Special regulations applying only in Special Purpose Districts are set forth in Articles VIII, IX, X, XI, XII, ~~and~~ XIII and XIV.

* * *

Chapter 5 - Bulk Regulations for Mixed Buildings in Commercial Districts

35-00
APPLICABILITY AND DEFINITIONS

35-01
Applicability of This Chapter

* * *

Existing #buildings or other structures# that do not comply with one or more of the applicable #bulk# regulations are #noncomplying buildings or other structures# and are subject to the regulations set forth in Article V, Chapter 4.

Special regulations applying only in Special Purpose Districts are set forth in Articles VIII, IX, X, XI, XII, ~~and~~ XIII and XIV.

* * *

Chapter 7 - Special Urban Design Regulations

37-00
GENERAL PURPOSES

Special urban design regulations are set forth in this Chapter to improve the quality of the streetscape and to promote a lively and engaging pedestrian experience along commercial streets in various neighborhoods.

The provisions of this Chapter shall apply as follows:

* * *

(c) Section 37-30, inclusive, sets forth special streetscape provisions that apply in conjunction with provisions specified in the supplemental use provisions of Article III, Chapter 2, special provisions for certain areas in Article VI, or in Special Purpose Districts in Articles VIII through ~~XIII~~ XIV;

* * *

ARTICLE IV – MANUFACTURING DISTRICT REGULATIONS
Chapter 3 - Bulk Regulations

43-00
APPLICABILITY AND GENERAL PROVISIONS

43-01
Applicability of This Chapter

* * *

Special regulations applying to #large-scale community facility developments# are set forth in Article VII, Chapter 8.

Special regulations applying only in Special Purpose Districts are set forth in Articles VIII, IX, X, XI, XII, ~~and~~ XIII and XIV.

* * *

ARTICLE VI – SPECIAL REGULATIONS APPLICABLE TO CERTAIN AREAS
Chapter 2 - Special Regulations Applying in the Waterfront Area

* * *

62-10
GENERAL PROVISIONS

* * *

62-13
Applicability of District Regulations

* * *

The regulations of this Chapter shall apply in the ~~#Special St. George District# +~~ following Special Purpose Districts except as specifically modified within the ~~North Waterfront Subdistrict~~ Special Purpose District provisions:

#Special Inwood District#

#Special St. George District#.

* * *

62-90
WATERFRONT ACCESS PLANS

* * *

62-94
Borough of Manhattan

The following Waterfront Access Plans are hereby established within the Borough of Manhattan. All applicable provisions of Article VI, Chapter 2 remain in effect within the areas delineated by such plans, except as expressly set forth otherwise in the plans:

M-1: Inwood, in the #Special Inwood District# as set forth in Section 142-60 (Inwood Waterfront Access Plan)

* * *

ARTICLE XIV – SPECIAL PURPOSE DISTRICTS

Chapter 2 - Special Inwood District

142-00
GENERAL PURPOSES

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

(a) to create a lively and attractive built environment that will provide amenities and services for the use and enjoyment of area residents, workers and visitors;

(b) to encourage well-designed #development# that complements and enhances the built character of the neighborhood;

(c) to enhance neighborhood economic diversity by broadening the range of housing choices for residents of varied incomes;

(d) to maintain and establish physical and visual public access to and along the waterfront;

(e) to promote the pedestrian orientation of ground floor uses in appropriate locations, and thus safeguard a traditional quality of higher density areas of the City;

(f) to take advantage of the waterfront along the Harlem River, Sherman Creek, and the North Cove and create a public open space network;

(g) to focus higher-density development in appropriate locations along wide, mixed-use corridors with good access to transit;

(h) to provide flexibility of architectural design within limits established to assure adequate access of light and air to streets and public access areas, and thus encourage more attractive and economic building forms; and

(i) to promote the most desirable use of land and development in accordance with the District Plan for the Inwood waterfront, and thus conserve and enhance the value of land and buildings, and thereby protect the City's tax revenues.

142-01
General Provisions

The provisions of this Chapter shall apply within the #Special Inwood District#. The regulations of all other Chapters of this Resolution are applicable, except as superseded, supplemented or modified by the provisions of this Chapter. In the event of a conflict between the provisions of this Chapter and other regulations of this Resolution, the provisions of this Chapter shall control. However, in #flood zones#, in the event of a conflict between the provisions of this Chapter and the provisions of Article VI, Chapter 4 (Special Regulations Applying in Flood Hazard Areas), the provisions of Article VI, Chapter 4, shall control.

142-02
District Plan and Maps

The regulations of this Chapter are designed to implement the #Special Inwood District# Plan. The District Plan, including Map 1 (Subdistricts and Subareas), Map 2 (Ground Floor Use and Curb Cut Regulations), and Map 3 (Special Inwood District – Transit Easement Zones) is set forth in the Appendix to this Chapter and is hereby incorporated as part of this Resolution for the purpose of specifying locations where the special regulations and requirements set forth in this Chapter apply. In order to carry out the purposes and provisions of this Chapter, district maps are located in the Appendix to 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 Inwood District - Subdistricts and Subareas

Map 2. Special Inwood District - Ground Floor Use and Curb Cut Regulations

Map 3. Special Inwood District – Transit Easement Zones

Map 4. Waterfront Access Plan: Parcel Designation

Map 5. Waterfront Access Plan: Public Access Areas

Map 6. Waterfront Access Plan: Visual Corridors

142-03
Subdistricts and Subareas

In order to carry out the provisions of this Chapter, five subdistricts are established, as follows:

Sherman Creek Subdistrict A

Tip of Manhattan Subdistrict B

Commercial "U" Subdistrict C

Upland Area Subdistrict D

Infrastructure Zone Subdistrict E

In each of these subdistricts, certain special regulations apply which do not apply within the remainder of the #Special Inwood District#. Within certain subdistricts, subareas are established, as follows:

Within Sherman Creek Subdistrict A:

Subarea A1
Subarea A2
Subarea A3

Within Tip of Manhattan Subdistrict B:

Subarea B1
Subarea B2
Subarea B3
Subarea B4

The location and boundaries of subdistricts and subareas are outlined on Map 1 (Special Inwood District - Subdistricts and Subareas) in the Appendix to this Chapter.

142-04
Applicability

142-041
Applicability of the Quality Housing Program

In the #Special Inwood District#, any #building# containing #residences#, or any #building# containing #long-term care facilities# or philanthropic or non-profit institutions with sleeping accommodations, shall be #developed# or #enlarged# in accordance with the Quality Housing Program and the regulations of Article II, Chapter 8 shall apply. The #bulk# regulations of this Chapter shall be considered the applicable #bulk# regulations for #Quality Housing buildings#.

142-042
Applicability of the Inclusionary Housing Program

For the purposes of applying the Inclusionary Housing Program provisions set forth in Section 23-154 and 23-90, #Mandatory Inclusionary Housing areas# within the #Special Inwood District# are shown in APPENDIX F of this Resolution.

142-043
Applicability of Article XII, Chapter 3

In M1 Districts paired with a #Residence District#, the special #use#, #bulk# and parking and loading provisions of Article XII, Chapter 3 (Special Mixed Use District) shall apply, except where modified by the provisions of this Chapter, and shall supplement or supersede the provisions of the designated #Residence# or M1 District, as applicable.

142-05
Modification of Use and Bulk Regulations for Zoning Lots Fronting on Former West 208th Street

Where the #lot line# of a #zoning lot# coincides with the former boundary of West 208th Street, as shown on Map 1 in the Appendix to this Chapter, such #lot line# shall be considered a #street line# for the purpose of applying all #use# and #bulk# regulations of this Resolution.

142-06
Development over a Street in Subarea A1

In Subarea A1, as shown on Map 1 (Special Inwood District – Subdistricts and Subareas) in the Appendix to this Chapter, when a volume above a #street#, or portion thereof, has been eliminated, discontinued or closed, such volume may, at the option of an owner of a #zoning lot# adjoining such volume, be considered part of the adjoining #zoning lot#, and a #development# or #enlargement# may be located within such volume that is part of or connected to a #building# on the adjoining #zoning lot# utilizing #floor area# generated by the adjoining #zoning lot#, provided that the #street# below the volume is provided with lighting in accordance with Department of Transportation standards. In no event shall such volume contribute to the amount of #lot area# of any #zoning lot# for the purposes of generating #floor area#.

142-07
Shoreline boundary

For the purposes of this Chapter, the #shoreline# shall be as shown on a survey available on the Department of City Planning website

142-08

Off-street Relocation of Subway Station Entrances

For all #developments# or #enlargements# involving ground floor level construction on a #zoning lot# that is wholly or partially located within a Transit Easement Zone, as shown on Map 3 (Special Inwood District – Transit Easement Zones) in Appendix A of this Chapter, a transit easement volume may be required on such #zoning lot# for public access between the #street# and the adjacent above- or below-grade subway station.

(a) Transit Easement

Prior to filing any application with the Department of Buildings for an excavation permit, foundation permit, new building permit or alteration permit for a #development# or #enlargement#, the owner of the #zoning lot# shall file an application with the Metropolitan Transportation Authority (MTA) and the Chairperson of the City Planning Commission requesting a certification as to whether or not a transit easement volume is required on the #zoning lot#.

Within 60 days of receipt of such application, the MTA and the Chairperson shall jointly certify whether or not a transit easement volume is required on the #zoning lot#. Failure to certify within the 60-day period will release the owner from any obligation to provide a transit easement volume on such #zoning lot#.

When the MTA and the Chairperson indicate that a transit easement volume is required, the MTA shall, in consultation with the owner of the #zoning lot# and the Chairperson, determine the appropriate type of transit easement and reasonable dimensions for such transit easement volume.

The owner shall submit a site plan showing a proposed location of such transit easement volume that would provide access between the #street# and the adjacent subway station and be compatible with the proposed #development# or #enlargement# on the #zoning lot# for joint approval and final certification by the MTA and the Chairperson. The MTA and the Chairperson shall comment on such site plan within 45 days of its receipt and may, within such 45-day period or following its expiration, permit the granting of an excavation permit while the location and size of the transit easement volume is being finalized. Upon joint approval of a site plan by the MTA and the Chairperson, copies of such certification shall be forwarded by the Chairperson to the Department of Buildings.

Legally enforceable instruments, running with the land, creating a transit easement volume, and setting forth the obligations of either the MTA or the owner and developer, their successors and assigns, to design and construct the improvement, shall be executed and recorded in a form acceptable to the MTA and the Chairperson. The execution and recording of such instruments shall be a precondition to the issuance of any foundation permit, new building permit, or alteration permit by the Department of Buildings allowing such #development# or #enlargement#.

(b) Construction and Maintenance

Where a transit easement volume is required pursuant to this Section, transit access improvements within such volume shall be constructed and maintained either by the MTA or the owner of the #zoning lot# with the #development# or #enlargement#.

(1) Where such mass transit improvement is constructed and maintained by the owner of the #development # or #enlargement#:

(i) A transit access improvement shall be provided in accordance with standards set forth by the MTA;

(ii) Such improvement shall be accessible to the public at all times, except as otherwise approved by the MTA;

(iii) such improvement shall include #signs# to announce accessibility to the public. Such #signs# shall be exempt from the maximum #surface area# of non-#illuminated signs# permitted by Section 32-642 (Non-illuminated signs); and

(iv) no temporary certificate of occupancy shall be granted by the Department of Buildings for the #building# until the Chairperson of the City Planning Commission, acting in consultation with the MTA, has certified that the improvement is substantially complete and usable by the public.

(2) Where such mass transit improvement is constructed and maintained by the MTA:

(i) where the construction of the improvement is not contemporaneous with the construction of the #development# or #enlargement#, any underground walls constructed along the #front lot line# adjacent to a below-grade subway station shall include a knockout panel, not less than 12 feet wide, below #curb level# down to the bottom of the easement. The actual location and size of such knockout panel shall be determined through consultation with the MTA.

(ii) temporary construction access shall be granted to the MTA on portions of the #zoning lot# outside of the transit easement volume, as necessary, to enable construction within and connection to the transit easement volume.

(iii) in the event that the MTA has approved of obstructions associated with the #development# or #enlargement# within the transit easement volume, such as building columns or footings, such construction and maintenance shall exclude any such obstructions within the transit easement volume.

(c) Additional modifications

Where a transit easement volume is required pursuant to paragraph (a) of this Section, the Chairperson of the City Planning Commission shall certify the following modifications in conjunction with such transit easement volume certification:

(1) the edge of the transit easement volume facing the #street# shall be considered a #street wall# for the purposes of applying the #street wall# location provisions set forth in Section 142-40 (SPECIAL HEIGHT AND SETBACK REGULATIONS), inclusive, irrespective of whether such volume is incorporated into a #building#;

(2) for #zoning lots# adjacent to a below-grade subway station, the maximum height for the #building# set forth in Section 142-40, inclusive, shall be increased by 10 feet, and the maximum number of #stories#, if applicable, shall be increased by one, except where the provisions of Section 142-48 (Special Regulations for Certain Sites in Subdistrict C) are being utilized;

(3) the floor space contained within any transit easement volume required pursuant to this Section shall be excluded from the definition of #floor area#; and

(4) the street frontage of such transit easement volume shall be excluded for the purpose of applying the provisions of Section 142-14 (Ground Floor Level Requirements).

(d) Temporary Use

Any easement volume required on a #zoning lot# pursuant to paragraph (a) of this Section may be temporarily used for any permitted #commercial# or #community facility uses# until such time as required by the MTA for transit access improvements. The floor space allocated to such temporary #uses# within the transit easement volume shall continue to be exempt from the definition of #floor area# and shall not be included for the purpose of calculating #accessory# off-street parking, bicycle parking, or loading berths.

Improvements or construction of a temporary nature within the easement volume for such temporary #uses# shall be removed by the owner of the #building# or portion of the #zoning lot# within which the easement volume is located prior to the time at which public #use# of the easement area is required, except as otherwise specified by the MTA. A minimum notice of six months in writing shall be given by the MTA to the owner of the #building# or portion of the #zoning lot# in order to vacate the occupants of such temporary #uses#.

(e) Termination of an easement volume

In the event that the MTA and the City Planning Commission jointly notify the Department of Buildings and the owner in writing that a transit easement volume is not required on a #zoning lot# in its final construction plans, the restrictions imposed on such #zoning lot# by the provisions of this Section shall lapse, following receipt of notification thereof by the owner, and the owner

shall have the right to record an instrument reciting the consent of the MTA to the extinguishment of the easement volume.

On any #zoning lot# which has been #developed# or #enlarged# in accordance with the provisions of this Section and on which termination of transit easement has been certified, pursuant to this paragraph, any floor space in a previously required transit easement volume shall continue to be exempt from the definition of #floor area#, and shall not be included for the purpose of calculating requirements for #accessory# off-street parking, bicycle parking, or loading berths. However, where such previously required volume is located within a #building#, the ground floor space shall be subject to the provisions of Section 142-14.

142-10
SPECIAL USE REGULATIONS

The underlying #use# regulations are modified by the provisions of this Section, inclusive. In M1-4/R7A and M1-4/R9A Districts, the #use# regulations of Article XII, Chapter 3 of the #Special Mixed Use District# shall apply, except where modified by the provisions of this Section.

142-11
Permitted Uses

#Physical culture or health establishments# shall be permitted as-of-right in C2-4, C4-4D, C4-5D, C6-2, M1-4 and M1-5 Districts. For the purposes of applying the underlying regulations to such #use#, a #physical culture or health establishment# shall be considered a Use Group 9 #use# and shall be within parking requirement category B.

In Subarea B1, as shown on Map 1 (Special Inwood District – Subdistricts and Subareas) in the Appendix to this Chapter, commercial or public utility vehicle storage, open or enclosed, including #accessory# motor fuel pumps, as listed in Use Group 16C, shall be a permitted #use#.

In Subareas B2 and B3, as shown on Map 1, all #uses# listed in Use Groups 3 and 4 shall be permitted #uses#, and Use Group 6A food stores, including supermarkets, grocery stores, or delicatessen stores, shall not be limited to #floor area# per establishment.

142-112
Special provisions for transient hotels

The #development# or #enlargement# of a #building# containing a #transient hotel#, as listed in Section 32-14 (Use Group 5), or the #conversion# or change of #use# within an existing #building# to a #transient hotel#, shall only be allowed in C2 Districts, subject to the locational criteria set forth in the double-asterisked footnote of Use Group 5 in Section 32-14, and in C4, C6 or M1 Districts:

(a) upon certification by the Chairperson of the City Planning Commission to the Commissioner of Buildings that the residential development goal, as set forth in this Section, has been met, or

(b) where such residential development goal has not been met, by special permit by the City Planning Commission. To permit such a #transient hotel#, the Commission shall find that:

(1) sufficient sites are available in the area to meet the residential development goal; or

(2) a harmonious mix of #residential# and non-#residential# uses has been established in the area, and the #transient hotel# is consistent with the character of the surrounding area.

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

For the purpose of applying the provisions of this Section, the residential development goal shall be met when at least 3,860 #dwelling units# within the #Special Inwood District# have received temporary or final certificates of occupancy subsequent to [date of adoption].

142-113
Regulations for manufacturing uses in Subareas B2 and B3

In Subareas B2 and B3, as shown on Map 1 (Special Inwood District – Subdistricts and Subareas) in the Appendix to this Chapter, the #manufacturing uses# permitted in M1 Districts shall be subject to the modifications set forth in Section 123-22 (Modification of Use Groups 16, 17 and 18), inclusive.

142-12
Location of Uses

In C2 Districts mapped within R7 or R8 Districts, for #buildings# constructed after [date of adoption], the underlying provisions of Section 32-421 (Limitation on floors occupied by commercial uses) shall be modified to permit #commercial uses# listed in Use Groups 6, 7, 8, 9 or 14 on the second #story# of a #building# occupied on one or more of its upper #stories# by #residential uses# or by #community facility uses#, and provided no #commercial uses# are located directly over any #dwelling units#.

Within the portion of the C2-4 District mapped within an R8A District and the portion of the C2-4 District mapped within an R9A District, where located east of Tenth Avenue, south of West 207th Street, west of Ninth Avenue, and north of West 206th Street, the underlying provisions of Section 32-421 (Limitation on floors occupied by commercial uses) shall be inapplicable. In lieu thereof, Section 32-422 (Location of floor occupied by commercial uses) shall apply.

In C4 or C6 Districts, the underlying provisions of Section 32-422 (Location of floors occupied by commercial uses) shall be modified for #mixed buildings# to permit #dwelling units# on the same #story# as a #commercial use# provided no access exists between such #uses# at any level containing #dwelling units#, and provided no #commercial uses# are located directly over any #dwelling units#. However, such #commercial uses# may be located over #dwelling units# by authorization of the City Planning Commission upon a finding that sufficient separation of #residential uses# from #commercial uses# exists within the #building#.

In Subareas A1, B2 and B3, as shown on Map 1 (Special Inwood District – Subdistricts and Subareas) in the Appendix to this Chapter, no #uses# listed in Use Group 6A, 6C or 10A shall be permitted above the ground floor level.

142-13
Enclosure Requirements in Subdistrict E

In Subdistrict E, #commercial# and #manufacturing# activities and storage #uses# shall not be subject to the provisions of Section 42-41 (Enclosure of Commercial and Manufacturing Activities) or Section 42-42 (Enclosure or Screening of Storage).

142-14
Ground Floor Level Requirements

For the purposes of applying the special #ground floor level# streetscape provisions set forth in Section 37-30 to this Chapter, any portion of a #ground floor level street# frontage along #streets# designated on Map 2 (Ground Floor Use and Curb Cut Regulations) in the Appendix to this Chapter shall be considered #primary street frontages#, and shall consist of Type 1, Type 2 and Type 3 #primary street frontages#. A #ground floor level street# frontage along any other #street# shall be considered a #secondary street frontage#. For the purposes of this Section, defined terms shall include those in Sections 12-10 and 37-311.

The provisions of this Section shall apply to #developments# or #ground floor level enlargements#.

(a) Along #primary street frontages#

(1) Type 1 #primary street frontages#

For #buildings#, or portions thereof, with Type 1 #primary street frontage#, #uses# on the #ground floor level#, to the minimum depth set forth in Section 37-32 (Ground Floor Depth Requirements for Certain Uses), shall be limited to non-#residential uses#, except for Type 1 lobbies and entrances and exits to #accessory# parking spaces provided in accordance with the applicable provisions of Section 37-33 (Maximum Width of Certain Uses). Group parking facilities located on the #ground floor level# shall be wrapped by

#floor area# in accordance with the provisions of paragraph (a) of Section 37-35 (Parking Wrap and Screening Requirements). #Ground floor level street walls# shall be glazed in accordance with the provisions set forth in Section 37-34 (Minimum Transparency Requirements), except that in M1 Districts in Subdistrict B, where the #ground floor level# is occupied by #uses# in Use Groups 16, 17 or 18, up to 50 percent of the #ground floor level street wall# width may be exempt from such regulations.

(2) Type 2 #primary street frontages#

For #buildings#, or portions thereof, with Type 2 #primary street frontage#, all #uses# permitted by the underlying district shall be permitted on the #ground floor level#, provided that group parking facilities located on the #ground floor level# shall be wrapped by #floor area# in accordance with the provisions of paragraph (a) of Section 37-35.

(3) Type 3 #primary street frontages#

For #buildings#, or portions thereof, with Type 3 #primary street frontage#, #uses# on the #ground floor level# shall comply with the regulations applicable to Type 1 #primary street frontages#. In addition, the following regulations shall apply to the #ground floor level# to a depth of 30 feet from the #street line#:

(i) An aggregate width equal to at least 50 percent of a #building's street wall# shall be occupied by #commercial uses# listed in Use Groups 5, 6A, 6C excluding banks and loan offices, 7B, 8A, 8B, 9A, 10, or 12; and

(ii) The maximum #street wall# width of a bank or loan office, as listed in Use Group 6C, shall not exceed 25 feet.

However, in Subarea A1 or B1, as shown on Map 1, for #buildings# containing predominantly commercial or public utility vehicle storage, including #accessory# fuel pumps, as listed in Use Group 16C, the screening provisions of paragraph (b) of Section 37-35 may be utilized as an alternative to such wrapping requirement and any transparency requirements need not apply.

(b) Along #secondary street frontages#

For #buildings#, or portions thereof, with #secondary street frontage#, all #uses# permitted by the underlying district shall be permitted on the #ground floor level#, provided that any off-street parking spaces on the #ground floor level# shall be wrapped or screened in accordance with Section 37-35. Entrances and exits to accessory parking facilities shall be subject to the provisions of paragraph (b) of Section 37-33.

(c) For blank walls

In #Commercial Districts# or #Manufacturing Districts#, any #street wall# width exceeding 50 feet with no transparent elements on the #ground floor level# shall provide planting or wall treatment in accordance with the provisions of Section 142-141 (Special Streetscape Provisions for Blank Walls).

The level of the finished floor of such ground floor shall be located not higher than five feet above nor lower than five feet below the as-built level of the adjoining #street#.

In C4-5D Districts, and in C2 Districts mapped within R7D Districts, the provisions of Section 32-434 (Ground floor use in C4-5D and C6-3D Districts and in certain C2 Districts) shall not apply. In lieu thereof, the provisions of this Section shall apply.

142-141
Special Streetscape Provisions for Blank Walls

Where visual mitigation elements are required on a blank wall along the #ground floor level street wall# pursuant to the provisions of Section 142-14 (Ground Floor Level Requirements), at least 75 percent of the linear footage of any such blank wall shall be treated by any of the following visual mitigation elements, or both.

(a) Planting

When planting is provided as a visual mitigation element, any combination of perennials, annuals, decorative grasses or shrubs shall be provided in planting beds, raised planting beds or planter boxes in front of the #street wall#. Each foot in width of a planting bed, raised planting bed or planter box, as measured parallel to the #street wall#, shall satisfy one linear foot of frontage mitigation requirement. Such planting bed shall extend to a depth of at least three feet, inclusive of any structure containing the planted material. Any individual planted area shall have a width of at least five feet, and the height of such planting, inclusive of any structure containing the planted materials, shall be at least three feet.

At least 25 percent of such #street wall# width shall be planted in accordance with the provisions of this paragraph.

(b) Wall treatment

When a wall treatment is provided as a visual mitigation element, permitted signs, graphic or sculptural art, rustication, decorative screening or latticework, or living plant material, shall be provided along the #street wall#. Each linear foot of wall treatment shall constitute one linear foot of frontage mitigation requirement. Such wall treatment shall extend to a height of at least 10 feet, as measured from the level of the adjoining sidewalk or grade, and have a minimum width of 10 feet, as measured parallel to the #street wall#.

142-20
SPECIAL FLOOR AREA REGULATIONS

The underlying #floor area# regulations are modified by the provisions of this Section, inclusive.

142-21
Floor Area Regulations on Waterfront Blocks

On #waterfront blocks#, the provisions of Section 62-31 (Bulk Computations on Waterfront Zoning Lots) shall be modified so that #lot area# that is seaward of the #shoreline# shall not be included for the purpose of determining allowable #floor area# or to satisfy any other #bulk# regulation.

142-22
Floor Area Regulations in Subareas A2, A3 and B1

In Subareas A2, A3 and B1, as shown on Map 1 (Special Inwood District – Subdistricts and Subareas) in the Appendix to this Chapter, the #floor area# regulations shall be modified as follows:

For #zoning lots# without a #shoreline#, or for #zoning lots# with a #shoreline# length of 100 feet or less, the maximum #residential floor area ratio# shall be 4.6. For #zoning lots# with a #shoreline# length of more than 100 feet, the maximum #residential floor area ratio# shall be as set forth in paragraph (d) of Section 23-154 (Inclusionary Housing) for the particular district.

For #zoning lots# that are divided by zoning district boundary lines, #floor area# may be distributed within a #zoning lot# without regard to zoning district boundary lines.

#Accessory# parking located below a height of 33 feet shall be exempt from the definition of #floor area#.

142-23
Floor Area Regulations in Subarea B2 and B3

In Subarea B2, as shown on Map 1 (Special Inwood District – Subdistricts and Subareas) in the Appendix to this Chapter, all permitted #uses# shall have a permitted #floor area ratio# of 2.0. In Subarea B3, as shown on Map 1, the base #floor area ratio# shall be 5.0, and may be increased only in accordance with the provisions of this Section.

The Chairperson of the City Planning Commission shall allow, by certification, a transfer of #floor area# from a #zoning lot# located in Subarea B2 to a #zoning lot# located in Subarea B3 provided that the

provisions of this Section are met. For the purpose of this Section, a "granting lot" shall mean a #zoning lot# within Subarea B2 that transfers #floor area# pursuant to this Section, and a "receiving lot" shall mean a #zoning lot# within Subarea B3 that receives additional #floor area# pursuant to this Section.

Such certification for a transfer of #floor area# shall be subject to the following conditions:

(a) the maximum amount of #floor area# that may be transferred from a granting lot shall be based on a #floor area ratio# of 2.0, less the total #floor area# of all existing #buildings# on the granting lot and any previously transferred #floor area#;

(b) each transfer, once completed, shall irrevocably reduce the amount of #floor area# that may be #developed# or #enlarged# on the granting lot by the amount of #floor area# transferred;

(c) for #developments# or #enlargements#, which in the aggregate for both the granting lot and the receiving lot, involve an increase in the #floor area# of more than 20,000 square feet of the amount existing on [date of adoption], a waterfront certification pursuant to Section 62-811 (Waterfront public access and visual corridors) has been granted; and

(d) prior to the issuance of a building permit, as set forth in this Section, the owners of the granting lot and the receiving lot shall submit to the Chairperson a copy of the transfer instrument legally sufficient in both form and content to effect such a transfer. Notice of the restrictions upon further #development# or #enlargement# of the granting lot and the receiving lot shall be filed by the owners of the respective lots in the Office of the Register of the City of New York (County of New York). Proof of recordation shall be submitted to the Chairperson.

Both the transfer instrument and the notices of restrictions shall specify the total amount of #floor area# transferred and shall specify, by #block# and lot numbers, the granting lot and the receiving lot that are a party to such transfer.

An application filed with the Chairperson for certification pursuant to this Section shall be made jointly by the owners of the granting lot and the receiving lot, and shall include site plans and zoning calculations for the granting lot and receiving lot showing the additional #floor area# associated with the transfer, and any such other information as may be required by the Chairperson.

The Chairperson shall certify to the Department of Buildings that a #development# is in compliance with the provisions of this Section only after the transfer instrument and notice of restrictions required by this Section have been executed and recorded with proof of recordation provided to the Chairperson. Such certification shall be a precondition to the filing for or issuing of any building permit allowing more than the basic maximum #floor area ratio# for such #development#.

A separate application shall be filed for each transfer of #floor area# to any #zoning lot# pursuant to this Section.

142-24
Floor Area Regulations in Subdistrict D

For #zoning lots# that are located partially in a #Commercial District# mapped within an R8A District and partially in a #Commercial District# mapped within an R9A District, #residential floor area# may transfer across the zoning district boundary line from the #Commercial District# mapped within an R8A District to the #Commercial District# mapped within an R9A District.

142-25
Special Commercial and Community Facility Floor Area Regulations in Subdistricts C and D

Within Subdistricts C and D, the maximum #floor area ratio# permitted for #commercial# and #community facility uses# shall be modified as follows:

(a) Within Subdistrict C:

(1) within the C4-4D District mapped around the intersection of Broadway and 207th Street, the maximum #community facility floor area ratio# shall be 4.2;

(2) within the portion of the C4-4D District mapped around the intersection of Broadway and Dyckman Street that is west of Broadway, the maximum #community facility floor area ratio# and #commercial floor area ratio# shall be 4.2; and

(3) within the portion of the C4-4D District mapped around the intersection of Broadway and Dyckman Street that is east of Broadway and that is within 100 feet of Dyckman Street, the maximum #community facility floor area ratio# and #commercial floor area ratio# shall be 4.2.

(b) Within Subdistrict D:

(1) within the C2-4 District mapped within an R7D District to the west of Broadway, the maximum #community facility floor area ratio# shall be 4.0;

(2) within the C4-4D Districts mapped to the west of Tenth Avenue, the maximum #community facility floor area ratio# and #commercial floor area ratio# shall be 4.2; and

(3) within the portion of the C2-4 District mapped within an R8A District or the portion of the C2-4 District mapped within an R9A District, where located east of Tenth Avenue, south of West 207th Street, west of Ninth Avenue, and north of West 206th Street, the #commercial floor area ratio# shall be 3.5.

142-30
SPECIAL YARD REGULATIONS

The underlying #yard# regulations are modified by the provisions of this Section.

In M1-4/R7A and M1-4/R9A Districts, in Subareas A1 and B3 as shown on Map 1 (Special Inwood District – Subdistricts and Subareas) in the Appendix to this Chapter, and in the portion of the C2-4 District mapped within an R8A District or the portion of the C2-4 District mapped within an R9A District, where located east of Tenth Avenue, south of West 207th Street, west of Ninth Avenue, and north of West 206th Street, no #rear yard equivalents# are required for #through lots# or #through lot# portions of a #zoning lot#.

In Subdistrict D, no #rear yard# is required along any portion of a #rear lot line# that is coincident with a #lot line# of the rail yard for the Metropolitan Transportation Authority located east of Tenth Avenue between West 207th Street and West 215th Street.

A #waterfront yard#, as defined in Section 62-11 (Definitions), shall be provided on any portion of a #zoning lot# located within 40 feet of the #shoreline#. Any other #yard# regulations shall be inapplicable within such portion of a #zoning lot#.

142-40
SPECIAL HEIGHT AND SETBACK REGULATIONS

In Subareas A1 and B2, and in Subdistrict E, as shown on Map 1 (Special Inwood District – Subdistricts and Subareas) in the Appendix to this Chapter, the height and setback regulations of the underlying districts shall apply.

In Subareas A2, A3, B1, B3 and B4, the height and setback regulations of the underlying district regulations are modified by Sections 142-41 through 142-47 shall apply, and all heights shall be measured from the #base plane#.

In Subdistricts C and D, the height and setback regulations of the underlying district regulations are modified by Sections 142-48 (Special Regulations for Certain Sites in Subdistrict C) and 142-49 (Height and Setback for Certain Sites in Subdistricts C and D), as applicable.

142-41
Permitted Obstructions in Subareas A2, A3, B1, B3 and B4

In Subareas A2, A3, B1, B3 and B4, as shown on Map 1 (Special Inwood District – Subdistricts and Subareas) in the Appendix to this Chapter, the provisions of Section 33-42 (Permitted Obstructions) shall apply to all #buildings#. In addition, along all #street# frontages, dormers may penetrate a maximum base height in accordance with the provisions of paragraph (c)(1) of Section 23-621 (Permitted

obstructions in certain districts), and balconies shall be permitted in conjunction with #residential uses# as set forth in Section 23-132 (Balconies in R6 through R10 Districts).

142-42
Height and Setback for Zoning Lots in Subareas A2, A3 and B1 With 100 Feet or Less of Shoreline

In Subareas A2, A3 and B1, as shown on Map 1 (Special Inwood District – Subdistricts and Subareas) in the Appendix to this Chapter, for #zoning lots# that do not have a #shoreline# or that have a #shoreline# with a length of 100 feet or less, the height and setback regulations for R7A Districts set forth in Sections 23-662 (Maximum height of buildings and setback regulations) and 23-664 (Modified height and setback regulations for certain Inclusionary Housing buildings or affordable independent residences for seniors), as applicable, shall apply.

The #street wall# location requirements of paragraph (b) of Section 35-651 shall apply to #street# frontages along and within 50 feet of Ninth Avenue, and the #street wall# requirements of paragraphs (a)(1) and (2) of Section 35-651 shall apply along all other #street# frontages of the #zoning lot#. The #street wall# articulation provisions of paragraph (e) of Section 35-651 shall apply along all #street# frontages.

142-43
Height and Setback for Zoning Lots in Subarea A2 With More Than 100 Feet of Shoreline

In Subarea A2, as shown on Map 1 (Special Inwood District – Subdistricts and Subareas) in the Appendix to this Chapter, for #zoning lots# that have a #shoreline# with a length of more than 100 feet, the following height and setback regulations shall apply:

(a) #Street wall# location

The #street wall# location requirements of paragraph (b) of Section 35-651 shall apply to #street# frontages along and within 50 feet of Ninth Avenue, and the #street wall# requirements of paragraphs (a)(1) and (2) of Section 35-651 shall apply along all other #street# frontages of the #zoning lot#. For the purposes of applying such regulations, all #street walls# shall extend to at least the minimum base height set forth in paragraph (b) of this Section, or the height of the #building#, whichever is less. The #street wall# articulation provisions of paragraph (e) of Section 35-651 shall apply along all #street# frontages.

(b) Base height and setbacks

The minimum base height shall be 60 feet on all #street# frontages. Within R9A Districts, or C1 or C2 Districts mapped within R9A Districts, the maximum base height shall be 105 feet. Within R8 Districts, or C1 or C2 Districts mapped within R8 Districts, the maximum base height before setback shall be 105 feet if the #building's# maximum overall height does not exceed 155 feet, or

85 feet if a #building# is developed with a tower in accordance with the regulations of paragraph (e) of this Section.

At a height not lower than the minimum base height nor higher than the maximum base height specified for the applicable district, a setback with a minimum depth of 10 feet shall be provided from the #street wall# of the base. The provisions of paragraphs (c)(2) through (c)(4) of Section 23-662 (Maximum height of buildings and setback regulations) shall apply to such setbacks.

(c) Within 70 feet of the #shoreline#

Within 70 feet of the #shoreline#, the height of a #building# along 30 percent of the length of a #zoning lot#, as measured parallel to Ninth Avenue, shall be limited to a maximum height of 30 feet, and the height along the remaining 70 percent may rise to a maximum height of 85 feet.

(d) Maximum #building# height

The maximum #building# height shall be 155 feet, except where towers are provided in accordance with paragraph (e) of this Section.

(e) Optional tower regulations

For #zoning lots# that have a #lot area# of more than one acre, a "tower" shall be permitted above a height of 125 feet, provided that:

(1) the gross area of any #story# shall not exceed 9,000 square feet, except that any dormers provided within the setback area shall not be included in such gross area;

(2) the gross area of any #story# above 205 feet shall not exceed 90 percent of the gross area of the highest #story# that is located entirely below a height of 205 feet;

(3) no portion of such tower shall be located within 80 feet of the #shoreline#;

(4) the width of such tower shall not exceed 100 feet, as measured parallel to Ninth Avenue. Such width shall be measured in plan and shall include the total width of the combined #lot coverage# of all #stories# above 125 feet; and

(5) The maximum height of such tower shall not exceed 245 feet.

#Zoning lots# with a #lot area# in excess of 1.5 acres may contain a second tower, provided that the heights of the two towers differ by at least 50 feet from each other, and provided that the combined width of the towers does not exceed 140 feet, as measured parallel to Ninth Avenue. Such width shall be measured in plan and shall include the total width of the combined #lot

coverage# of all #stories# above 125 feet.

142-44
Height and Setback for Zoning Lots in Subarea A3 With More Than 100 Feet of Shoreline

In Subarea A3, as shown on Map 1 (Special Inwood District – Subdistricts and Subareas) in the Appendix to this Chapter, for #zoning lots# that have a #shoreline# with a length of more than 100 feet, the height and setback regulations of this Section shall apply:

(a) Base along West 207th Street and Ninth Avenue

Along the West 207th Street and Ninth Avenue frontages, all #buildings# shall have a minimum base height of 60 feet, or the height of the #building#, whichever is less, and a maximum base height of 105 feet. The #street wall# location requirements of paragraph (a)(1) and (2) of Section 35-651 shall apply along both #streets#. The boundary of any easement required for a #street# or sidewalk widening pursuant to Section 142-64 shall be considered the #street line# for the purpose of this Section.

At a height not lower than the minimum base height nor higher than the maximum base height, a setback with a minimum depth of 10 feet shall be provided from the #street wall# of the base. The provisions of paragraphs (c)(2) through (c)(4) of Section 23-662 (Maximum height of buildings and setback regulations) shall apply to such setbacks.

(b) Within 70 feet of the #shoreline#

Within 70 feet of the #shoreline#, the maximum #building# height shall be 85 feet.

(c) Within 30 feet of former West 208th Street

Within 30 feet of Former West 208th Street, as shown on Map 1 in the Appendix to this Chapter, the height of a #building# along 30 percent of the length of a #zoning lot#, as measured along the former extent of West 208th Street, shall not exceed 30 feet, and the height of the remaining 70 percent may rise to a maximum height of 85 feet.

(d) Maximum #building# height

Within the portion of the #zoning lot# that is beyond 100 feet of West 207th Street, the maximum #building# height shall be limited to 145 feet. Within the portion of the #zoning lot# that is within 100 feet of West 207th Street, the maximum #building# height shall be 175 feet, except where towers are provided in accordance with paragraph (e) of this Section.

(e) Optional tower regulations

For #zoning lots# that have a #lot area# of more than one acre, a "tower" shall be permitted above a height of 175 feet within the portion of the #zoning lot# that is within 100 feet of West 207th Street, provided that:

(1) the gross area of any #story# shall not exceed 10,000 square feet, except that any dormers provided within the setback area shall not be included in such gross area;

(2) the gross area of any #story# above 255 feet shall not exceed 90 percent of the gross area of the highest #story# that is located entirely below a height of 255 feet; and

(3) The maximum height of such tower shall not exceed 295 feet.

142-45
Height and Setback for Zoning Lots in Subarea B1 With More Than 100 Feet of Shoreline

In Subarea B1, as shown on Map 1 (Special Inwood District – Subdistricts and Subareas) in the Appendix to this Chapter, for #zoning lots# that have a #shoreline# with a length of more than 100 feet, the height and setback regulations of Section 142-43 (Height and Setback for Sites in Subarea A2 With More Than 100 Feet of Shoreline) shall apply, except that paragraph (e) of such Section shall be modified to allow the gross area of any #story# in a tower to be up to 10,000 square feet and to rise to a height of 265 feet, provided that the gross area of any #story# above 225 feet shall not exceed 90 percent of the gross area of the highest #story# that is located entirely below 225 feet. The #visual corridor# located between a line parallel to and 20 feet south of the prolongation of the centerline of West 218th Street and a line parallel to and 30 feet north of such centerline established by Section 142-60 (INWOOD WATERFRONT ACCESS PLAN) shall be treated as a narrow #street line# for the purposes of applying all height and setback regulations.

142-46
Height and Setback in Subarea B3

In Subarea B3, as shown on Map 1 (Special Inwood District – Subdistricts and Subareas) in the Appendix to this Chapter, the maximum #building# height shall be 125 feet within 10 feet of a #street line#. Beyond 10 feet of a #street line#, the maximum #building# height shall be 265 feet.

142-47
Height and Setback in Subarea B4

In Subarea B4, as shown on Map 1 (Special Inwood District – Subdistricts and Subareas) in the Appendix to this Chapter, the height of a #building# within 10 feet of a #street line# shall not exceed 125 feet.

Portions of #buildings# located beyond 10 feet of a #street line# may rise to a maximum height of 210 feet. Any #development# or #enlargement# with frontage on West 218th Street must provide a sidewalk widening with a minimum depth of five feet along such frontage. Any #development# or #enlargement# with frontage on 9th Avenue must provide a sidewalk widening with a minimum depth of five feet along such frontage.

142-48

Special Regulations for Certain Sites in Subdistrict C

In Subdistrict C, as shown on Map 1 (Special Inwood District – Subdistricts and Subareas) in the Appendix to this Chapter, for #zoning lots# that share a #side lot line# with an adjacent #zoning lot# that is #developed# with a #building# constructed prior to December 15, 1961 that contains #residences# with #legally required windows# facing and located within 15 feet of the shared #side lot line#, the underlying height and setback provisions shall be modified by the provisions of this Section.

The #street wall# location provisions of paragraph (b)(1) of Section 35-651 shall apply except that where an adjoining #zoning lot# contains #residences# with #legally required windows# facing and within 15 feet of a shared #side lot line#, the #street wall# of a #building# need not extend along the entire #street# frontage of such a #zoning lot# if an open area is provided above the level of the first #story# or a height of 15 feet, whichever is lower, along the entire shared #side lot line#. Where such an open area is provided, the #street# frontage of such open area may be excluded for the purpose of applying the #street wall# location provisions of paragraph (b)(2) of Section 35-651.

In addition, where an open area with a depth of at least 15 feet, as measured perpendicular from the shared #side lot line#, and is provided in the form of a recess, #court# or other open area is provided along shared #side lot line#, and such open area is provided adjacent to all portions of a #building# on an adjoining #zoning lot# that contain #legally required windows# facing and located within 15 feet of the shared #side lot line#, the maximum height for the #building# set forth in Section 23-662, 23-664, 35-652 or 35-654, as applicable, may be increased by 10 feet; and the maximum number of #stories#, if applicable, may be increased by one.

#Zoning lots# may apply the regulations of this Section along multiple #side lot lines# where applicable, but in no case shall the permitted #building# height be increased by more than one #story# or 10 feet, whichever is lower.

142-49
Height and Setback for Certain Zoning Lots in Subdistricts C and D

In Subdistricts C and D, as shown on Map 1 (Special Inwood District – Subdistricts and Subareas) in the Appendix to this Chapter, all #non-residential buildings# in C4 and C6 Districts shall follow the height and setback regulations of paragraph (b) of Section 23-664 (Modified height and setback regulations for certain Inclusionary Housing buildings or affordable independent residences for seniors) for the applicable residential equivalent.

In Subdistrict D, all #developments# or #enlargements# on zoning lots# within M1-4/R7A and M1-4/R9A Districts shall follow the height and setback regulations of paragraph (b) of Section 23-664, for the applicable #Residence District#, except portions of #zoning lots# that are located within 30 feet of West 201st Street shall be limited to a maximum #building# height to 85 feet.

In Subdistricts C and D, for portions of #zoning lots# located within 100 feet of a #street# that contains an elevated rail line, the underlying height and setback regulations shall be modified as follows:

(a) the minimum required base height shall be 25 feet;

(b) the maximum permitted #building# height shall be 165 feet and the maximum number of #stories# shall be 16; and

(c) along the frontage of a #street# that contains an elevated rail line, the #street wall# location regulations of paragraph (a)(1) of Section 35-651 shall apply.

142-50
SPECIAL OFF-STREET PARKING AND LOADING REGULATIONS

The underlying off-street parking and loading regulations are modified by the provisions of this Section, inclusive.

142-51
Required Accessory Parking Spaces for Residences

The requirements of Sections 25-23 (Requirements Where Group Parking Facilities Are Provided) are modified to require #accessory residential# off-street parking spaces for a minimum of 20 percent of new #residences#. The number of #accessory# off-street parking spaces required may be reduced or waived as set forth in the underlying district regulations.

142-52
Required Accessory Parking Spaces for Commercial or Community Facility Uses in Certain Districts

No #accessory# parking is required for new #commercial# or #community facility uses# in #mixed buildings# in C2-4, C4-4D, or C4-5D Districts.

142-53

Public Use of Accessory Parking

All required or permitted #accessory# off-street parking spaces may be made available for public use. However, any such space shall be made available to the occupant of a #residence# to which it is #accessory# within 30 days after written request for such space is made to the landlord.

142-54
Accessory Parking on a Roof in Subarea A1

In Subarea A1, the underlying off-street parking regulations of Section 44-11 (General Provisions) are modified to permit #accessory# parking to be located on the roof of any #story# of a #building#.

142-55
Curb Cuts

Curb cuts accessing off-street parking facilities or loading berths shall not be permitted along the #streets# specified as a Type 1 or Type 2 primary street on Map 2 (Ground Floor Use and Curb Cut Regulations) in the Appendix to this Chapter on #zoning lots# that also have frontage on a #street# that is not specified on Map 2.

142-60
INWOOD WATERFRONT ACCESS PLAN

The provisions of Article VI, Chapter 2, (Special Regulations Applying in the Waterfront Area), shall apply, except as superseded, supplemented or modified by the provisions of this Section, inclusive.

Map 4 (Waterfront Access Plan: Parcel Designation), Map 5 (Waterfront Access Plan: Public Access Areas), and Map 6 (Waterfront Access Plan: Visual Corridors) in the Appendix to this Chapter show the boundaries of the area comprising the Inwood Waterfront Access Plan, boundaries of parcels within the Plan, and the location of certain features mandated or permitted by the Plan.

The Plan has been divided into parcels consisting of tax blocks and lots and other lands as established on [date of adoption], as follows:

Parcel 1: block 2215, lots 877 and 885; and block 2197, lots 67, 71, 74 and 174

Parcel 2/3: block 2197, lot 47 and 75

Parcel 4: block 2197, portion of lot 1

Parcel 5: block 2188, lot 1

Parcel 6: block 2187, lots 1, 5, 7 and 20

Parcel 7: block 2185, lots 25, 36 and 51

Parcel 8: block 2185, lots 1 and 10

Parcel 9: block 2184, lots 20 and 40

Within the #Special Inwood District#, the parcels of land designated in this Section need not be contiguous for the area to be considered to be a Waterfront Access Plan pursuant to Section 62-911.

For the purposes of this Section, inclusive, defined terms shall include those listed in Section 12-10 (DEFINITIONS) and Section 62-11 (Definitions).

142-61
Lot area and waterfront public access area requirements

For the purposes of determining requirements for #waterfront public access areas#, #lot area# shall not include any portion of a #zoning# lot that is seaward of the #shoreline. For the purposes of determining the applicability of #waterfront public access area# requirements, pursuant to Section 62-52, all #zoning lots# with portions located within 40 feet of the #shoreline# shall be considered #waterfront zoning lots#.

On Parcel 1, as shown on Map 4 (Waterfront Access Plan: Parcel Designation) in the Appendix to this Chapter, for the purposes of calculating the total #waterfront public access area# requirements on a "granting lot," as described in Section 142-23 (Floor Regulations in Subarea B2 and B3), #lot area# shall be the combined #lot area# of all "granting lots" and all "receiving lots."

142-62
Tip of Manhattan, Subdistrict B

In Tip of Manhattan Subdistrict B, for Parcels 1 and 2/3, as shown on Map 4 (Waterfront Access Plan: Parcel Designation) in the Appendix to this Chapter, the following regulations shall apply.

(a) Applicability of #waterfront public access area requirements# to Use Group 16

In Subarea B1, as shown on Map 1, #developments# of #buildings# containing exclusively commercial or public utility vehicle storage, including #accessory# fuel pumps, as listed in Use Group 16C, shall be exempted from #waterfront public access area# requirements.

(b) #Shore public walkways#

(1) the minimum width of a #shore public walkway# set forth in Section 62-53 (Shore Public Walkways) shall be reduced to 20 feet;

(2) the minimum width of the screening buffer shall be five feet;

(3) on Parcel 1, no #shore public walkway# shall be required.

(c) #Upland connections#

On Parcel 2/3, #upland connections# shall be provided along the shared boundary between Parcels 1 and Parcel 2/3, and within the area located between a line parallel to and 20 feet south of the prolongation of the centerline of West 218th Street and a line parallel to and 30 feet north of such centerline.

(d) #Supplemental public access areas#

(1) on Parcel 1, #supplemental public access area# shall be bounded by Ninth Avenue to the west, the shared boundary of Parcels 1 and 2/3 to the south, and the stabilized shore to the east. Section 62-571 (Location and area requirements for supplemental public access areas) shall not apply to such #supplemental public access area#;

(2) on Parcel 2/3, #supplemental public access area#, if required, shall be located at the intersection of the #upland connection# and the #shore public walkway#. Section 62-571 shall be modified to allow the longest side of such #supplemental public access area# to adjoin the #upland connection# provided that the maximum depth measured perpendicular to the #upland connection# does not exceed 1.5 times the width measured parallel to the #upland connection#.

(e) #Visual corridors#

#Visual corridors# shall be provided at three locations as shown on Map 6 (Waterfront Access Plan: Visual Corridors) in the Appendix to this Chapter:

(1) within the prolongation of the #street lines# of West 220th Street;

(2) within the prolongation of the #street lines# of Ninth Avenue;

(3) within the area located between a line parallel to and 20 feet south of the prolongation of the centerline of West 218th Street and a line parallel to and 30 feet north of such centerline. In the event that such #visual corridor abuts# an open area with a minimum

depth of 20 feet along the entire length of such #visual corridor#, and an easement for such open area has been recorded against the property, the minimum dimension of a #visual corridor# set forth in 62-512 (Dimensions of visual corridors) may be reduced to 30 feet.

142-63
Sherman Creek Subdistrict A

In the Sherman Creek Subdistrict A, Parcels 5, 6, 7, 8 and 9, as shown on Map 4 (Waterfront Access Plan: Parcel Designation) in the Appendix to this Chapter, the following regulations shall apply.

(a) #Shore public walkways#

(1) #Waterfront zoning lots# that have a #shoreline# measuring more than 100 feet shall provide a #shore public walkway# as required by Section 62-53 (Requirements for Shore Public Walkways).

(2) #Zoning lots# within or partially within 40 feet of the #shoreline# that do not #abut# the #shoreline#, or that contain a #shoreline# measuring 100 feet or less shall provide either:

(i) a #shore public walkway#, located partly on the #zoning lot# and partly on an adjoining #waterfront zoning lot#; or

(ii) a #shore public walkway# on any portion of the #zoning lot# within 40 feet of the #shoreline#. Such #shore public walkway# shall have a minimum width of 14 feet, and its pedestrian circulation path shall connect to and provide access from adjoining public #streets#, parks or public places. Such #shore public walkway# shall extend beyond 40 feet of the #shoreline# as necessary to satisfy the minimum dimensional requirements, but the total area of the #shore public walkway# need not exceed an area equivalent to that portion of the #zoning lot# within 40 feet of the #shoreline#. The provisions of Section 62-62 (Design Requirements for Shore Public Walkways and Supplemental Public Access Areas) shall be modified to allow the circulation path to have a minimum width of 10 feet and to be located entirely beyond 10 feet from the #shoreline#. In addition, for Parcels 6, 7 or 8, the planting requirements set forth in paragraph (c)(1) of Section 62-62 need not apply.

Where the #zoning lot# does not include all of the adjacent #shoreline#, the design of the #shore public walkway# shall be compatible with the future improvement of public access areas on the land between the #zoning lot# and the #shoreline#.

(3) The primary circulation path required pursuant to Section 62-62 shall be provided at a minimum elevation of 7.5 feet above the #shoreline#, except that such requirement need not include portions of a circulation path that slope downward to meet the elevation of an existing publicly accessible sidewalk.

(b) #Supplemental public access areas#

On Parcel 5, no #supplemental public access area# shall be required.

142-64
Special Regulations on Parcel 5

(a) Section 62-811 (Waterfront public access and visual corridors) shall not apply to Parcel 5, as shown on Map 4 (Waterfront Access Plan: Parcel Designation) in the Appendix to this Chapter. In lieu thereof, the following regulations shall apply. Required Certification

No excavation or building permit shall be issued for any #development# on Parcel 5 until the Chairperson of the City Planning Commission has certified to the Department of Buildings, that:

(1) a site plan has been submitted showing compliance with 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) as modified by Section 142-60 (INWOOD WATERFRONT ACCESS PLAN);

(2) the Chairperson has certified that an easement, the requirements for which shall be determined in consultation with the Department of Transportation, has been provided to enlarge the adjoining mapped #streets#, an instrument creating such easement has been recorded in the Office of the City Register, and a certified copy of such easement has been submitted to the Department of City Planning; and

(3) an acceptable restrictive declaration is executed and filed pursuant to Section 62-74 (Requirements for Recordation).

(b) Buildout of Adjoining #Streets#

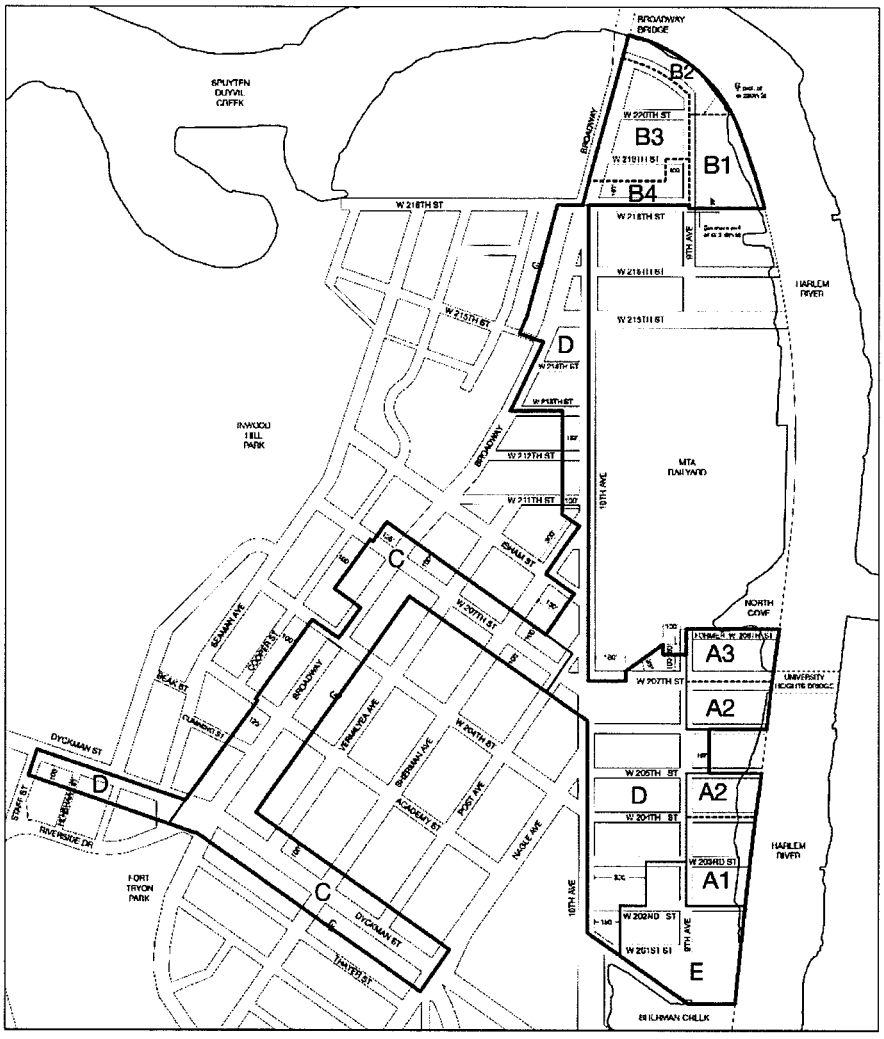
No certificate of occupancy for any #development# on Parcel 5 shall be issued until the Department of Buildings has been furnished with a certification by the Department of

Transportation that adjoining mapped #streets# have been built out to Department of Transportation standards.

Within 45 days of receipt of a complete application, the Chairperson shall either certify that the proposed #development# complies with the requirements of this Section or disapprove such application, citing the nature of any failure to comply. Failure to certify or disapprove such application within the 45 day period will release the Department of Buildings or the Department of Business Services from any obligation to withhold the excavation or building permit and authorize such agency to determine compliance with the provisions of this Section.

APPENDIX
Special Inwood District Plan

Map 1. Special Inwood District – Subdistricts and Subareas



Subdistricts and Subareas:

A – Sherman Creek Subdistrict A
Subarea A1
Subarea A2
Subarea A3

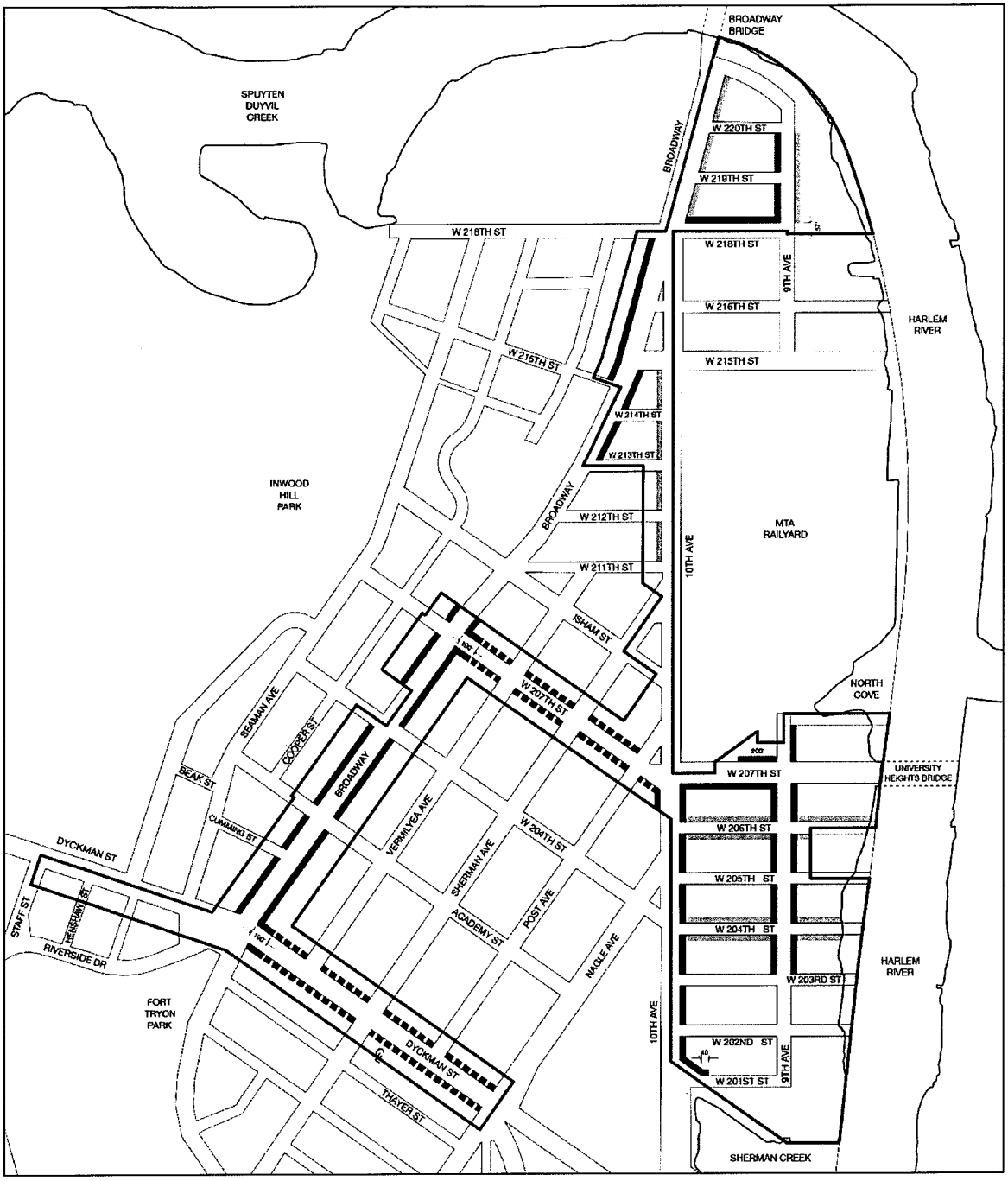
B – Tip of Manhattan Subdistrict B
Subarea B1
Subarea B2
Subarea B3
Subarea B4

C – Commercial "U" Subdistrict C

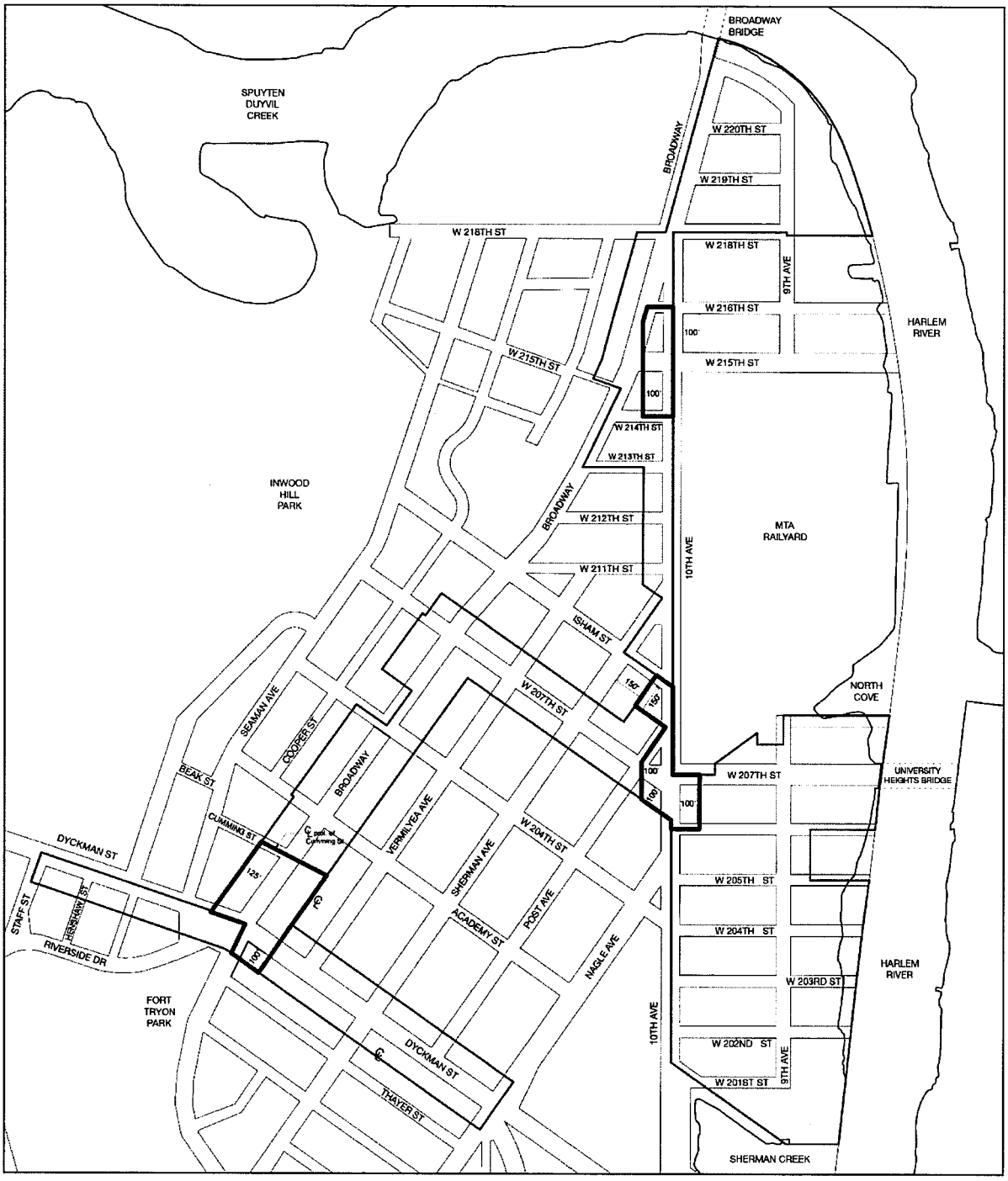
D – Upland Area Subdistrict D

E – Infrastructure Zone Subdistrict E

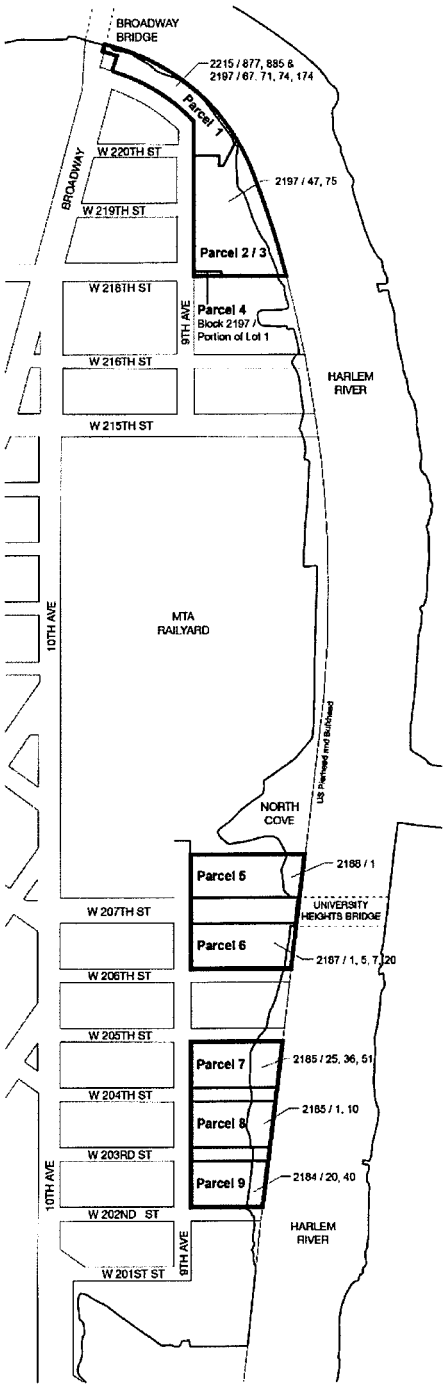
Map 2. Special Inwood District – Ground Floor Use and Curb Cut Regulations



Map 3. Special Inwood District – Transit Easement Zones



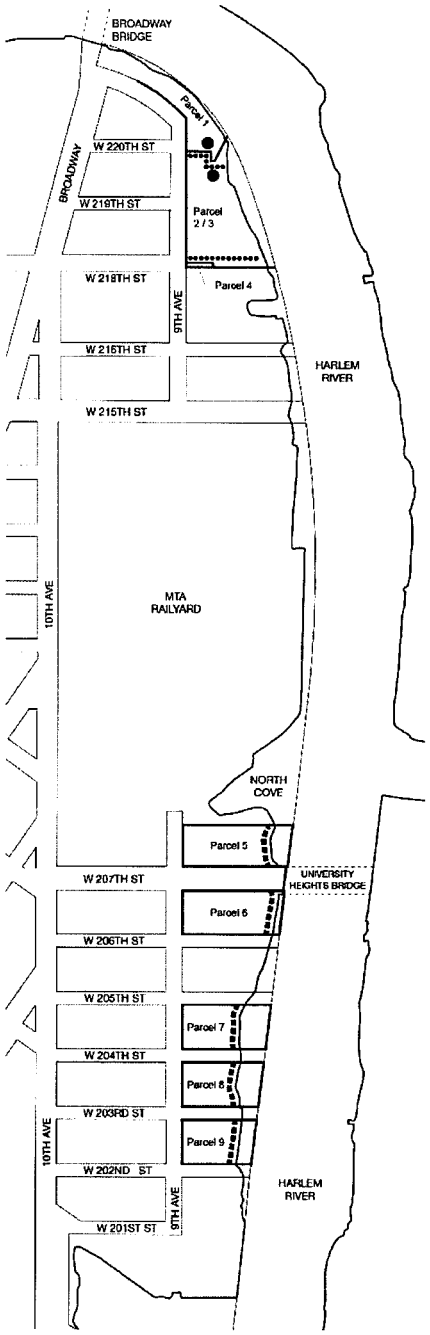
Map 4. Waterfront Access Plan: Parcel Designation



Parcel Designation

WAP boundary
Parcel line
2185 / 1, 10 Tax *Block / Lot* numbers

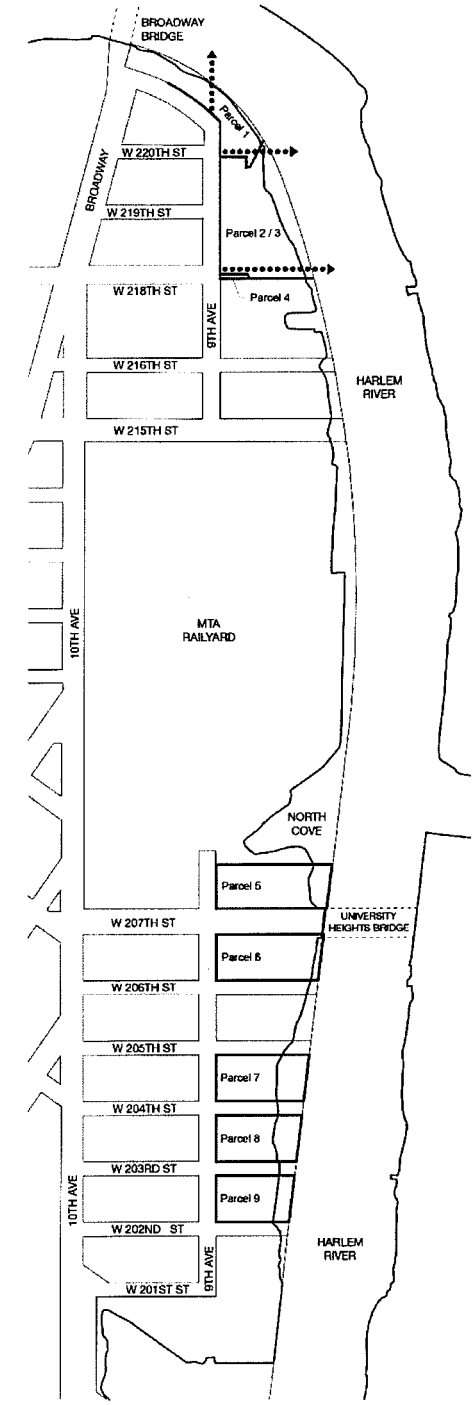
Map 5. Waterfront Access Plan: Public Access Areas



Public Access Areas

- Parcel line
- Shore Public Walkway - 20-ft minimum required
- Shore Public Walkway - 40-ft minimum required, or as modified by Section 142-63(a)
- Supplemental Public Access Area
- Upland Connection (Designated Location)

Map 6. Waterfront Access Plan: Visual Corridors



* * *

APPENDIX F
Inclusionary Housing Designated Areas and Mandatory Inclusionary Housing Areas

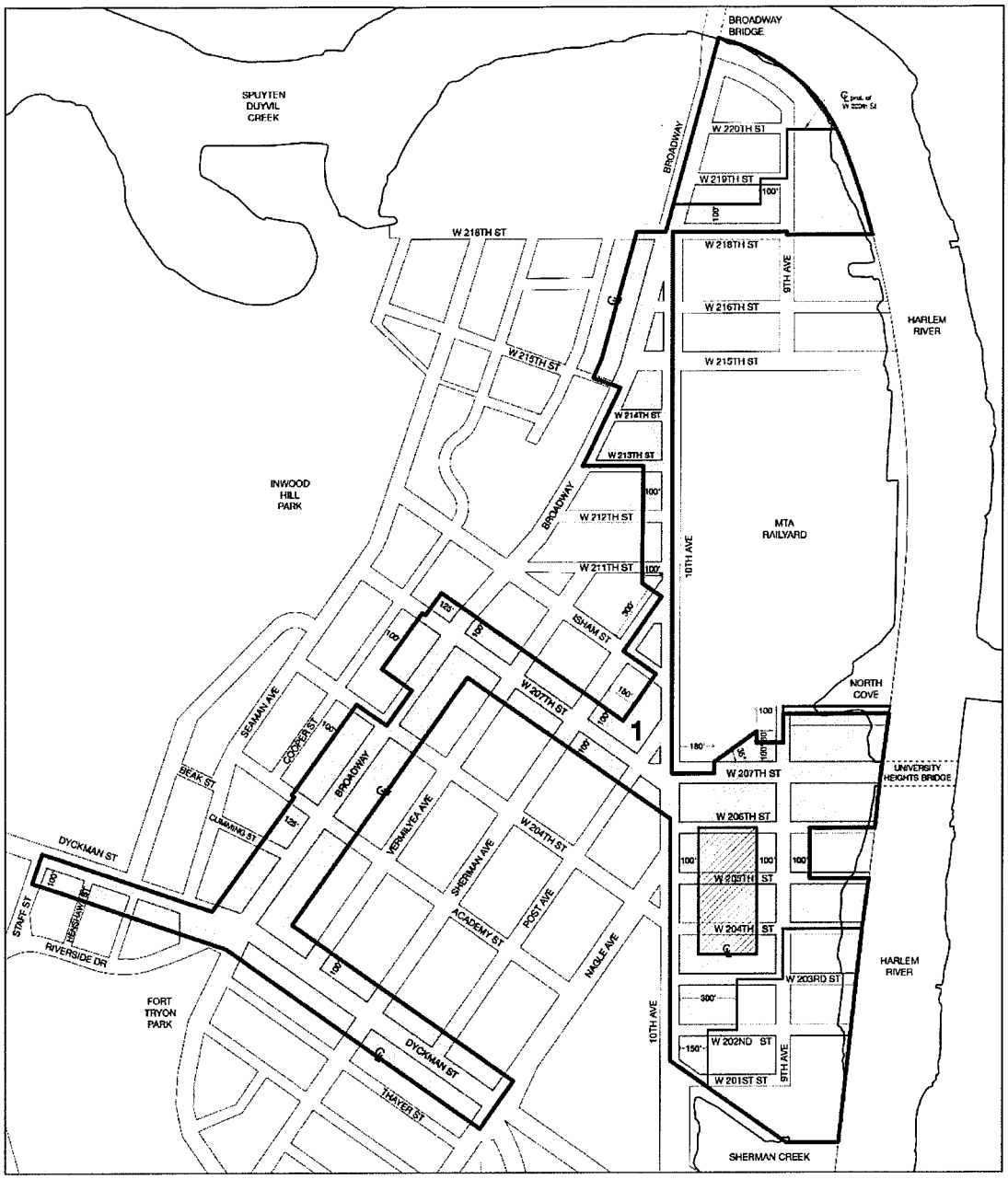
* * *

Manhattan

* * *

Manhattan Community District 12

Map 1 – (date of adoption)



Mandatory Inclusionary Housing Program *see section 23-154(d)(3)*
Area 1 - [date of adoption] MIH Program Option 1 and Option 2

Excluded Area

Portion of Community District 12, Manhattan

* * *