



## Zoning Resolution

THE CITY OF NEW YORK

Bill de Blasio, Mayor

CITY PLANNING COMMISSION

Anita Laremont, Chair

# Chapter 4 - Special Governors Island District (GI)

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## Chapter 4 - Special Governors Island District (GI)

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### 134-00 - GENERAL PURPOSES

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LAST AMENDED

5/27/2021

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

- (a) to promote public use and enjoyment of the Island as a recreational destination that draws upon its location in New York Harbor with singular views and natural beauty;
- (b) to encourage educational and cultural uses such as the arts, music and dance which bring the public to the Island to enjoy cultural events in a unique setting of historic buildings and green spaces;
- (c) to promote public use of the Island for water-related recreational and educational activities that benefit from the unique Island setting;
- (d) to preserve historic buildings in the historic district and encourage their renovation and redevelopment for appropriate educational, cultural and commercial uses;
- (e) to facilitate commercial uses including, but not limited to, hotels, restaurants, retail, arts and crafts galleries and related uses that are compatible with the educational, cultural and recreational uses of the Island and with the primary use of the Island by the public as a recreational resource;
- (f) to provide additional opportunities for new development in defined areas of the southern part of the Island with connections to and an appropriate relationship with publicly accessible open spaces and the Governors Island Historic District;
- (g) to provide flexibility of architectural design within limits established to preserve views and activate buildings along publicly accessible open spaces;
- (h) to create a network of publicly accessible open spaces that provides pedestrian connections and view corridors and provides a community amenity that takes advantage of the unique geography of the Island; and
- (i) to promote the most desirable use of land and thus conserve the value of land and buildings, and thereby protect the City’s tax revenues.

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### 134-01 - General Provisions

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LAST AMENDED

5/27/2021

The provisions of this Chapter shall apply within the #Special Governors Island District#. Except as modified by the express provisions of the #Special Governors Island District#, the regulations of the underlying zoning districts shall remain in effect. In the event of a conflict between the provisions of this Chapter and the 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.

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## 134-02 - District Plan and Maps

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LAST AMENDED  
5/27/2021

The regulations of this Chapter are designed to implement the #Special Governors Island District# Plan.

The District Plan includes the following maps in the Appendix to this Chapter:

Map 1. Special Governors Island District, Subdistricts and Subareas

Map 2. Building Parcels, Primary Connection Locations and Esplanade

Map 3. Secondary Connection Locations

Map 4. Maximum Base Heights and Setbacks

The maps are hereby incorporated and made part of this Resolution. They are incorporated for the purpose of specifying locations where special regulations and requirements set forth in the text of this Chapter apply.

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## 134-03 - Subdistricts and Subareas

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LAST AMENDED  
5/27/2021

The provisions of Article VI, Chapter 2 (Special Regulations Applying in the Waterfront Area) shall not apply, except as set forth in Section 134-22 (Special Height and Setback Regulations).

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

Northern Subdistrict

Southern Subdistrict

In each of these Subdistricts, certain special regulations apply which do not apply within the remainder of the #Special Governors Island District#. Within the Southern Subdistrict, three subareas are established, as follows:

Eastern Subarea

Containing #building parcels# E-1 through E-4

Western Subarea

Containing #building parcel# W-1

Open Space Subarea

The location and boundaries of the subdistricts, subareas, and #building parcels# are shown on Maps 1 and 2 in the Appendix to this Chapter.

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## 134-04 - Definitions

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LAST AMENDED

Definitions specifically applicable to this Chapter are set forth in this Section. The definition of other defined terms is set forth in Section 12-10 (Definitions).

#### Building parcel

A “building parcel” is a portion of the #zoning lot# located within the Eastern Subarea or Western Subarea that is bounded on each side by #primary connections#, subarea boundaries or #Yankee Pier Plaza#. For the purposes of applying the regulations of this Resolution, other than #floor area ratio#, the boundary of any #building parcel# shall be considered a #street line# and a wall or portion of a wall of a #building# facing such #street line# shall be considered a #street wall#.

#### Esplanade

The “esplanade” is that portion of the Open Space Subarea along the #shoreline# identified on Map 2 in the Appendix to this Chapter, that includes the public way existing as of May 27, 2021.

#### Primary connection

A “primary connection” is a public way within one of the primary connection locations shown on Map 2 in the Appendix to this Chapter, that complies with the requirements of Section 134-41 (Primary Connections).

#### Secondary connection

A “secondary connection” is a public way within one of the secondary connection locations shown on Map 3 in the Appendix to this Chapter, that complies with the requirements of Section 134-42 (Secondary Connections).

#### Yankee Pier Plaza

The “Yankee Pier Plaza” is the portion of the Eastern Subarea designated to contain a publicly accessible open space, as shown on Map 2, that complies with the requirements of Section 134-43 (Yankee Pier Plaza).

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### **134-05 - Applicability of Article VI, Chapter 2**

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LAST AMENDED  
5/27/2021

The provisions of Article VI, Chapter 2 (Special Regulations Applying in the Waterfront Area) shall not apply within the #Special Governors Island District#.

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### **134-06 - Applicability of Article VII, Chapter 6**

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LAST AMENDED

5/27/2021

The provisions of Section 76-145 (Boundary Line Coinciding With Parks, Cemeteries or Navigable Waters) shall be modified such that where the zoning district boundaries shown on the applicable zoning map coincide with the #shoreline#, such zoning district boundaries shall be deemed to extend beyond the #shoreline# to also include any piers contained within the #Special Governors Island District#.

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## **134-10 - SPECIAL USE REGULATIONS**

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LAST AMENDED

5/27/2021

The #use# regulations of the underlying districts are hereby superseded, modified or supplemented as set forth in this Section, inclusive

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## **134-11 - Permitted Uses**

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LAST AMENDED

5/27/2021

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## **134-111 - Permitted uses in subdistricts**

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LAST AMENDED

5/27/2021

In the Northern Subdistrict and the Southern Subdistrict, the following #uses# shall be permitted, except as otherwise specified in Section 134-112 (Permitted uses in the Open Space Subarea). In addition, in the Northern Subdistrict, the provisions of Section 134-14 (Certification for Large Commercial Establishments) shall apply to any #commercial# #use# exceeding 7,500 square feet of #floor area#.

From Use Groups 1 through 4, as set forth in Sections 22-11 through 22-14:

All #uses#.

From Use Group 5, as set forth in Section 32-14:

All #uses#.

From Use Group 6, as set forth in Section 32-15:

All #uses#, except automobile supply stores, drive-in banks, carpet, rug, linoleum or other floor covering stores, furniture stores, loan offices, medical or orthopedic appliance stores, paint stores, sewing machine stores or typewriter stores.

From Use Group 7, as set forth in Section 32-16:

All #uses# in Use Group 7A

From Use Group 7B: bicycle rental or repair shops, sailmaking establishments, and sign painting shops, limited to 2,500 square feet of #floor area# per establishment.

From Use Group 8A, as set forth in Section 32-17:

All #uses#.

From Use Group 9A, as set forth in Section 32-18:

All #uses#, except automobile, motorcycle, #trailer# or boat showrooms or sales, with no repair services and with no preparation of vehicles or boats for delivery, blueprinting or photostating establishments, musical instrument repair shops, plumbing, heating or ventilating equipment showrooms, without repair facilities, typewriter or other small business machine sales, rental or repairs, or umbrella repair shops.

From Use Group 10A, as set forth in Section 32-19:

Docks for ferries, other than #gambling vessels#, with no restriction on passenger load; eating or drinking places, without restrictions on entertainment or dancing, but limited to location in hotels; photographic or motion picture production studios; and radio or television studios.

Additionally, in the Southern Subdistrict only, carpet, rug, linoleum or other floor covering stores, with no limitation on #floor area# per establishment; and furniture stores, with no limitation on #floor area# per establishment.

From Use Group 11A, as set forth in Section 32-20:

In the Northern Subdistrict: all #uses#, except for medical, dental, drafting instruments, optical goods, or similar precision instruments; or orthopedic or medical appliances custom manufacturing.

In the Southern Subdistrict: all #uses#.

From Use Group 12, as set forth in Section 32-21:

In the Northern Subdistrict, from Use Group 12A: all #uses#, except for eating or drinking establishments with entertainment and a capacity of more than 200 persons, or of any capacity with dancing; stadiums or trade expositions.

In the Southern Subdistrict, from Use Group 12A: all #uses#, except stadiums

In the Northern and Southern Subdistricts, from Use Groups 12B and 12C: all #uses#.

From Use Groups 13 and 14, as set forth in Sections 32-22 and 32-23:

All #uses#.

From Use Group 15, as set forth in Section 32-24:

Merry-go-rounds.

From Use Group 16, as set forth in Section 32-25:

In the Southern Subdistrict, from Use Group 16A: carpentry, custom woodworking or custom furniture making shops.

In the Southern Subdistrict, from Use Group 16C: warehouses.

From Use Group 17, as set forth in Section 42-14:

In the Southern Subdistrict, from Use Group 17B: research, experimental or testing laboratories; furniture manufacture; manufacture of pharmaceutical products, chemical compounding or packaging; manufacture of non-alcoholic beverages; food product manufacture (except slaughtering of meat or preparation of fish for packing); building and repair of boats of less than 200 feet in length.

In the Southern Subdistrict, from Use Group 17C: electric utility substations, enclosed, with no limitation as to size; and docks for vessels, other than passenger ocean vessels or gambling vessels.

From Use Group 18, as set forth in Section 42-15:

In the Southern Subdistrict, from Use Group 18A: the manufacture of alcoholic beverages and breweries, without limitation on size; sewage disposal plants.

In the Southern Subdistrict, from Use Group 18B: marine transfer stations.

Transit facilities, open or enclosed.

#Accessory uses#, open or enclosed.

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## **134-112 - Permitted uses in the Open Space Subarea**

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LAST AMENDED

5/27/2021

In the Open Space Subarea of the Southern Subdistrict, the following #uses# shall be permitted.

(a) In locations of the Open Space Subarea other than piers, #uses# shall be limited to:

From Use Group 4, as set forth in Section 22-14:

#Public parks# or playgrounds or private parks.

From Use Group 6A, as set forth in Section 32-15:

Eating or drinking establishments with entertainment but not dancing, with a capacity of 200 persons or fewer.

From Use Group 13, as set forth in Section 32-22:

All open #uses# in Use Group 13A.

Transit facilities, open or enclosed.

#Accessory# #uses#, open or enclosed.

#Uses# otherwise permitted in the Southern Subdistrict pursuant to Section 134-111 (Permitted uses in subdistricts) may be located in #cellars# within the Open Space Subarea.

(b) On any pier in the Open Space Subarea, #uses# shall be limited to the following:

From Use Group 4, as set forth in Section 22-14:

Clubs, limited to non-profit private beach clubs and non-profit private boat clubs.

From Use Group 6, as set forth in Section 32-15:

Docks for water taxis, with a vessel capacity of up to 99 passengers.

From Use Group 7, as set forth in Section 32-16:

#Boatels#.

From Use Group 9, as set forth in Section 32-18:

Docks for sightseeing, excursion or sport fishing vessels, other than gambling vessels.

From Use Group 10, as set forth in Section 32-19:

Docks for ferries, other than #gambling vessels#, with no restriction on passenger load.

From Use Group 14, as set forth in Section 32-23:

Boat launching facilities for non-commercial pleasure boats; boat rental establishments, open or enclosed; boat storage, repair, or painting establishments.

From Use Group 16, as set forth in Section 32-25:

Warehouses.

From Use Group 18, as set forth in Section 42-15:

Sewage disposal plants; marine transfer stations.

#Accessory# #uses#, open or enclosed.

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## 134-12 - Applicability of Performance Standards

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LAST AMENDED

5/27/2021

In all districts, any #use# listed in Use Group 16, 17, or 18 shall conform to the performance standards for M1 Districts as set forth in Sections 42-20 and 42-28, inclusive, except that the provisions of Section 42-27 (Performance Standards Regulating Fire and Explosive Hazards) shall not apply to the manufacture of alcoholic beverages and breweries.

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## 134-13 - Physical Culture or Health Establishments

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LAST AMENDED

5/27/2021

In all districts, #physical culture or health establishments# shall be permitted as-of-right and shall be considered a Use Group 9A #use#.

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## 134-14 - Certification for Large Commercial Establishments

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LAST AMENDED

5/27/2021

In the Northern Subdistrict, any #commercial# #use# larger than 7,500 square feet in #floor area# shall be permitted provided that, prior to the establishment of such #use#, the applicant shall submit a written description of such #use# to the local community board, together with information to demonstrate that such #use# will promote the goals of the #Special Governors Island District#, complement existing #uses# within the special district, and be compatible with the nature, scale and character of other #uses# within the special district.



The local community board shall have the opportunity to respond to such submission with written comments within forty-five (45) days of receipt and the applicant shall thereafter provide the local community board with a written response to such comments, including a description of any modifications to the proposal or, if a recommendation of the local community board has not been adopted, the reasons such modification has not been made.

In the Northern Subdistrict, no building permit shall be issued with respect to a #commercial# #use# larger than 7,500 square feet of #floor area# unless the Chairperson of the City Planning Commission shall have certified to the Department of Buildings that the applicant has complied with the provisions of this Section.

The provisions of this Section shall not apply to #commercial# #uses# permitted pursuant to Section 134-15 (Authorization for Certain Commercial Uses).

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## **134-15 - Authorization for Certain Commercial Uses**

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LAST AMENDED

5/27/2021

The City Planning Commission may authorize any #commercial# #use# not allowed pursuant to Section 134-11, inclusive, to locate within the Northern Subdistrict, Eastern Subarea or the Western Subarea of the #Special Governors Island District#, provided that such #commercial# #use#:

- (a) will promote the goals of the #Special Governors Island District#;
- (b) will complement existing #uses# within the special district; and
- (c) is compatible with the nature, scale and character of other #uses# within its subdistrict.

Any application to authorize a #commercial# #use# in the Eastern Subarea or Western Subarea pursuant to this Section shall be referred to the local community board. The City Planning Commission shall not grant such authorization prior to forty-five (45) days after the referral.

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## **134-16 - Special Supplemental Use Regulations**

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LAST AMENDED

5/27/2021

In the Southern Subdistrict, special supplemental #use# regulations shall apply to all #buildings# as set forth in this Section, inclusive.

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## **134-161 - Location of uses**

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LAST AMENDED

5/27/2021

- (a) Buildings containing #commercial# and #residential uses#

In any #mixed building#, the provisions of Section 32-422 (Location of floors occupied by commercial uses) shall apply, except that #dwelling units# shall be permitted 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, #commercial# #uses# may be located on a higher #story# than any #dwelling units#, including 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#. Any application to authorize such a modification shall be referred to the local community board. The Commission shall not grant such authorization prior to forty-five (45) days following the referral.

(b) Buildings containing certain #commercial# or industrial #uses#

No #dwelling units# shall be permitted within any #building# which also contains a #use# listed in Use Groups 16, 17, or 18.

(c) Limitation on access to #dwelling units#

In any #building# containing #residential uses#, no direct access shall be provided from the exterior of the #building# to an individual #dwelling unit#. However, access to #dwelling units# shall be permitted through shared entrances, lobbies or #courts#.

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## 134-162 - Enclosure of uses

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LAST AMENDED  
5/27/2021

In the #Special Governors Island District#, the underlying supplemental #use# regulations of Section 32-412 (In other Commercial Districts) shall be modified to also apply to any permitted #manufacturing uses#.

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## 134-17 - Special Signage Regulations

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LAST AMENDED  
5/27/2021

In the #Special Governors Island District#, the #sign# regulations shall apply as follows:

- (a) In the Northern Subdistrict, the #sign# regulations of a C1 District mapped within an R3-2 District shall apply.
- (b) In the Southern Subdistrict, the #sign# regulations of a C4 District shall apply, except that no #flashing signs# shall be permitted.
- (c) No #signs# shall be permitted on any pier within the Southern Subdistrict. However, such restriction shall not apply to informational or wayfinding signs not exceeding 25 square feet each, or to signage identifying “Governors Island” or a pier from the waterway.

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## 134-20 - SPECIAL BULK REGULATIONS

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LAST AMENDED  
5/27/2021

In the Northern Subdistrict, the underlying #bulk# regulations shall apply, as superseded, modified, or supplemented by this Section, inclusive. The #bulk# regulations of a C1 District mapped within an R3-2 District shall apply to all #commercial# #uses#.

In the Southern Subdistrict, the underlying #bulk# regulations shall not apply. In lieu thereof, the provisions of this Section, inclusive, shall apply. All heights within the Southern Subdistrict shall be measured from the #base plane#, except as otherwise provided for by the provisions of Article VI, Chapter 4 (Regulations Applying in Special Flood Hazard Areas).

For the purposes of applying the regulations of this Section, inclusive, to the #esplanade#, the open area required by paragraph (d) of Section 134-44 shall be considered part of the # esplanade#.

134-21 - Floor Area Regulations

LAST AMENDED  
5/27/2021

134-211 - Floor Area Regulations in the Northern Subdistrict

LAST AMENDED  
5/27/2021

For the purposes of determining the permitted #floor area ratio# pursuant to this Section, the Northern Subdistrict shall be considered a single #zoning lot#.

Within the Northern Subdistrict, the underlying #floor area ratios# shall apply to all permitted #uses#.

134-212 - Floor Area Regulations in the Southern Subdistrict

LAST AMENDED  
5/27/2021

For the purposes of determining the permitted #floor area ratio# pursuant to this Section, the Eastern and Western Subarea of the Southern Subdistrict shall, in combination, be considered a single #zoning lot#. No #floor area# may be generated from the Open Space Subarea.

Within the Southern Subdistrict, the maximum #floor area ratios# permitted for #residential# and non-#residential uses# on a #zoning lot#, along with the total #floor area ratio# permitted on a #zoning lot#, shall be as set forth in the following table:

MAXIMUM FLOOR AREA RATIO IN SOUTHERN SUBDISTRICT

Use Group 3 & 4 (exclusive of ambulatory diagnostic or treatment health care facilities)	2.63
All other #uses#	2.0
#residential uses#	0.5
Use Group 5	0.313
total maximum FAR	2.63

In addition, the following provisions shall apply:

- (a) the aggregate #lot area# of the Eastern and Western Subareas, shall be considered to be 1,436,930 square feet. #Floor area# shall be permitted to be located anywhere within such subareas without regard to the #lot area# of a subarea or the

separation of the subareas by the Open Space Subarea;

- (b) no #floor area# shall be generated within the Open Space Subarea, but the #floor area# contained in any #buildings or other structures# permitted as obstructions within the Open Space Subarea pursuant to paragraph (b)(5) of Section 134-24 (Height and Setback Regulations) shall be included in the calculation of aggregate #floor area# for the purposes of paragraph (c) of this Section; and
- (c) in no event shall the aggregate #floor area# in the Southern Subdistrict exceed 3,775,000 square feet.

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## 134-22 - Lot Coverage

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LAST AMENDED  
5/27/2021

For the purposes of determining the permitted #lot coverage# pursuant to this Section, each #building parcel# shall be considered a separate #zoning lot#. Within the Eastern and Western Subareas, the maximum #lot coverage# shall be as set forth in the following table:

### MAXIMUM LOT COVERAGE

height above #base plane# (in feet)	#lot coverage# (in percent)
Below 60	80
60 to 125	50
above 125	30

In the Open Space Subarea, no #lot coverage# regulations shall apply.

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## 134-23 - Yard Regulations

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LAST AMENDED  
5/27/2021

Within the Southern Subdistrict, no #yard# regulations shall apply.

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## 134-24 - Height and Setback Regulations

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LAST AMENDED  
5/27/2021

- (a) Northern Subdistrict

The underlying district height and setback regulations of Article II (Residence District Regulations) are applicable or modified as follows:

- (1) For #buildings# containing #residences#, the underlying height and setback regulations for #buildings# containing #residences# shall apply, except for in #buildings# in which 75 percent or more of the #floor area# is #community facility# #floor area#.
- (2) For #buildings# in which 75 percent or more of the #floor area# is #community facility# #floor area#, the underlying height and setback regulations shall not apply. In lieu thereof, any portion of a #building# that exceeds a height of 35 feet shall be set back at least 25 feet from a #front yard line# or #street line#, where applicable, and no portion of such #building# shall exceed a height of 60 feet.
- (3) For #buildings# containing #commercial# #uses#, the underlying height and setback regulations for #commercial# #uses# are modified as follows: no #building# containing #commercial# #uses# shall exceed a height of 30 feet, except for #buildings# subject to paragraphs (a)(1) or (a)(2) of this Section.
- (4) All structures other than #buildings# shall be limited to a height of 35 feet.

(b) Southern Subdistrict

Within the Southern Subdistrict, the following height and setback regulations shall apply.

Where heights are measured from the #base plane#, the #base plane# shall be established at 12.348 feet above Manhattan Datum.

(1) #Street wall# location

On #building parcel# E-2, where any portion of a #building# is located within 60 feet of #Yankee Pier Plaza#:

- (i) at least 65 percent of the #street wall# facing #Yankee Pier Plaza# shall be located within 15 feet of the #street line# adjoining #Yankee Pier Plaza#, and shall rise to a minimum base height of 30 feet; and
- (ii) where any portion of such #building# exceeds 125 feet in height, at least 50 percent of the #street wall# facing the #esplanade# shall rise to a minimum base height of 30 feet and be located within 30 feet of the #esplanade#.

On all other #building parcels# and for the #street lines# on #building parcel# E-2 other than the #street lines# facing #Yankee Pier Plaza# and the #esplanade#, no #street wall# location requirements shall apply.

(2) Maximum base height and required setback

Within 15 feet of the #street line#, or as otherwise specified in Map 4 of the Appendix to this Chapter, the height of a #building# shall not exceed the maximum base heights set forth in Map 4 for the applicable frontage of a #building parcel#.

(3) Maximum #building# height

The maximum height of a #building or other structure# shall not exceed the height set forth in the following table for the applicable #building parcel#:

MAXIMUM HEIGHT

#Building parcel#	Height above #base plane# (in feet)
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E-1	125
E-2	225
E-3	175
E-4	125
W-1	200

In addition, the following shall apply:

- (i) In the Eastern Subarea, no portion of a #building or other structure# may exceed the maximum base height set forth in paragraph (b)(2) of this Section within 150 feet of the boundary of the Northern Subdistrict.
- (ii) In the Eastern Subarea, no portion of a #building or other structure# may be located in the open area required by paragraph (d) of Section 134-44 (Other Open Areas).
- (iii) In the Western Subarea, no portion of a #building or other structure# may exceed the maximum base height set forth in paragraph (b)(2) of this Section within:
  - (a) 100 feet of the #esplanade#;
  - (b) 150 feet of the boundary of the Northern Subdistrict; or
  - (c) 100 feet of the southern end of #building parcel# W-1.

For the purposes of this Section, the southern end of #building parcel# W-1 shall be measured from a line drawn perpendicular to the #esplanade# and intersecting #building parcel# W-1.

- (iv) In the Open Space Subarea, no portion of a #building or other structure# shall be permitted above #base plane#, except as provided in paragraph (b)(5) of this Section.

(4) Permitted obstructions in the Eastern Subarea and Western Subarea

In the Eastern Subarea and Western Subarea, the provisions of Section 33-42 (Permitted Obstructions) shall apply to all #buildings#, modified as follows:

- (i) the obstructions permitted by paragraph (f) of Section 33-42 may exceed the maximum #building# height by 40 feet with no restriction on area; and
- (ii) no such obstructions shall be permitted within the setback required by paragraph (b)(2) of this Section.

(5) Permitted obstructions in the Open Space Subarea

In the Open Space Subarea, permitted obstructions shall include:

- (i) #buildings or other structures# containing permitted #uses#, up to a height of not more than 25 feet;

- (ii) #buildings or other structures# containing permitted theater #uses#, up to a height of not more than 35 feet; and
- (iii) equipment and appurtenances associated with public parks and playgrounds, including, but not limited to, sculptures, works of art and other amenities referenced in Section 37-726 (Permitted obstructions).

The permitted obstructions set forth in paragraphs (b)(5)(i) and (b)(5)(ii) of this Section shall occupy no more than 20 percent of the Open Space Subarea.

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## 134-25 - Maximum Floor Plate Size

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LAST AMENDED  
5/27/2021

Within the Southern Subdistrict, the maximum area and length of any #story# shall be as specified in this Section, as applicable.

Within the Eastern Subarea, the maximum length of a #building# at any height shall be 400 feet, as measured parallel to the #street line#. For the purposes of the Section, #abutting# #buildings# shall be considered a single #building#. However, #buildings# that only #abut# via an enclosed bridge that is located at least 30 feet above the adjoining grade, and that has a width of not more than 30 feet, length of not more than 60 feet and a height not exceeding 15 feet, shall not be considered a single #building#.

For any #story# fully above a height of 125 feet, the following provisions shall apply. Where a #building# has multiple portions above such height, the maximum size requirements shall apply to each portion separately.

- (a) In the Eastern Subarea, no #story# shall be permitted to have a gross area in excess of 30,000 square feet.
- (b) In the Western Subarea, no #story# shall be permitted to have a gross area in excess of 27,000 square feet.

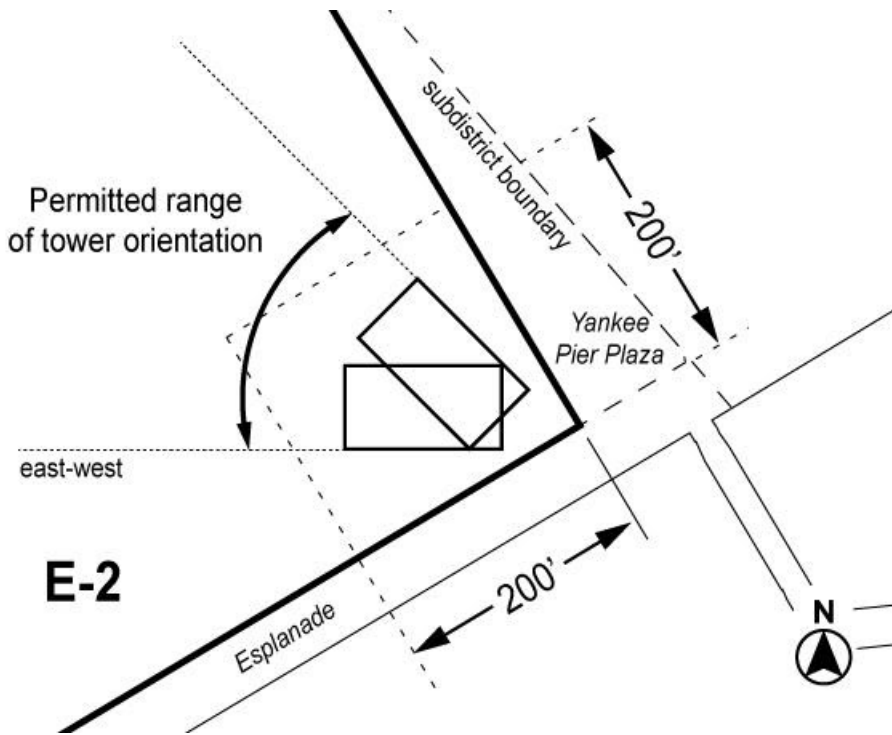
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## 134-26 - Orientation and Maximum Widths of Upper Portions of Buildings

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LAST AMENDED  
5/27/2021

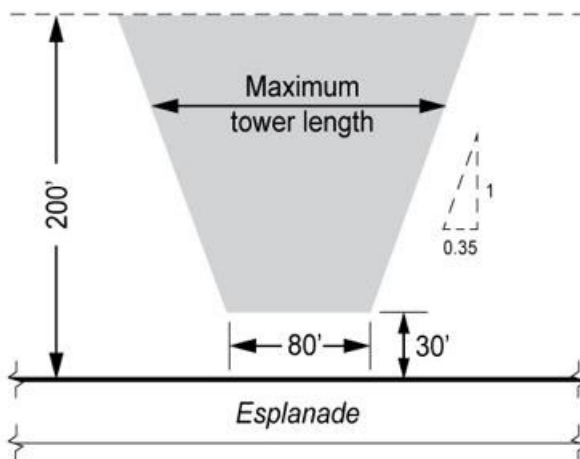
On #building parcel# E-2, within 200 feet of #Yankee Pier Plaza# and 200 feet of the #esplanade#, the longest side of any portion of a #building# located within this area, and above a height of 125 feet, shall be oriented parallel to the boundary of the Northern Subdistrict, true East-West, or anywhere between these two directions.



On the portion of #building parcel# E-2 that is beyond 200 feet of #Yankee Pier Plaza#, and on #building parcels# E-3 and E-4, for portions of #buildings# above a height of 125 feet, the provisions of paragraph (a) of this Section shall apply where no #story# within such portion has a gross area greater than or equal to 20,000 square feet, and the provisions of paragraph (b) shall apply where any #story# within such portion has a gross area greater than 20,000 square feet.

(a) For floor plates less than 20,000 square feet

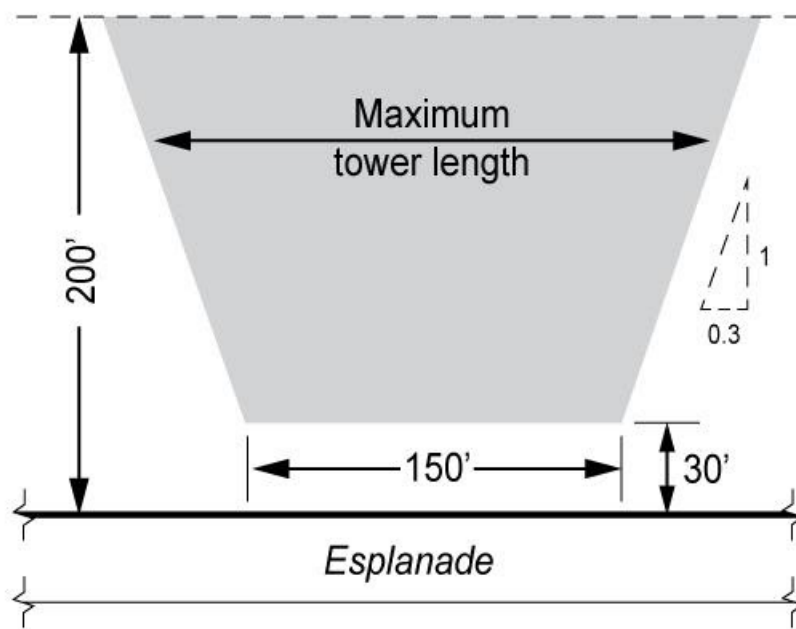
Within 200 feet of the #esplanade#, the maximum length of any #street walls# facing the #esplanade# shall be 80 feet along a line running 30 feet from and parallel to the #esplanade# and the maximum length shall increase on each side by 0.35 feet for every one foot of additional distance beyond the line running 30 feet from and parallel to the #esplanade#.



(b) For floor plates equal to or greater than 20,000 square feet

Within 200 feet of the #esplanade#, the maximum length of any #street walls# facing the #esplanade# shall be 150 feet along a line running 30 feet from and parallel to the #esplanade# and the maximum length shall increase on each side by 0.3 feet for every one foot of additional distance beyond the line running 30 feet from and parallel to the #esplanade#.





### 134-27 - Minimum Distance Between Buildings

LAST AMENDED  
5/27/2021

Within the Southern Subdistrict, the requirements of this Section shall apply to all #buildings#.

- (a) No separation shall be required between portions of #buildings# that are less than or equal to a height of 75 feet, except as set forth in paragraph (d) of this Section.

However, in the Eastern Subarea, where the total #street wall# width of all #buildings# along a single #street line# exceeds 400 feet along such #street line#, such #buildings# shall be at least 30 feet apart.

- (b) Portions of #buildings# located above a height of 75 feet and below 125 feet shall at no point be located less than 60 feet apart.
- (c) Portions of #buildings# located at or above a height of 125 feet shall at no point be located less than 90 feet apart.
- (d) The regulations of Sections 23-70 (MINIMUM REQUIRED DISTANCE BETWEEN TWO OR MORE BUILDINGS ON A SINGLE ZONING LOT) and 23-80 (COURT REGULATIONS, MINIMUM DISTANCE BETWEEN WINDOWS AND WALLS OR LOT LINES AND OPEN AREA REQUIREMENTS) shall apply to any portion of a #building# containing #residences# or #community facility uses# containing living accommodations with required windows, except where more stringent requirements apply pursuant to paragraphs (a) through (c) of this Section.

### 134-28 - Building Articulation

LAST AMENDED  
5/27/2021

Within the Southern Subdistrict, any portion of a #building# that is located at or below a height of 75 feet, and has a #street wall# width greater than 200 feet, as measured parallel to the #street line#, shall provide recesses in accordance with the

following requirements:

- (a) recesses shall be required to extend along at least 25 percent of the #street wall# width that is in excess of 200 feet. No required recess shall have a width of less than 10 feet;
- (b) such recesses shall have an average depth of at least 10 feet;
- (c) such recesses may be of varying dimensions and heights, provided that the requirements of this Section are met at each level of the #building#.

No articulation shall be required where frontage requirements apply pursuant to paragraph (b)(1) of Section 134-24 (Height and Setback Regulations).

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## **134-29 - Authorization for Bulk Modifications in the Southern Subdistrict**

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LAST AMENDED  
5/27/2021

The City Planning Commission may authorize modification of the provisions of Sections 134-25 through 134-28, provided that the Commission finds that such modification:

- (a) will promote the goals of the #Special Governors Island District#; and
- (b) will result in a superior urban design relationship with surrounding ways, #buildings# and public open areas or provide an equivalent or better distribution of #bulk# on the #building parcel#.

Any application pursuant to this Section shall be referred to the local Community Board. The Commission shall not grant such authorization prior to forty-five (45) days following the referral.

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## **134-30 - SPECIAL GROUND FLOOR AND STREETScape REQUIREMENTS**

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LAST AMENDED  
5/27/2021

In the Southern Subdistrict, the ground floor and streetscape requirements of this Section, inclusive, shall apply to all #buildings#.

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## **134-31 - Transparency Requirements**

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LAST AMENDED  
5/27/2021

- (a) Facing #Yankee Pier Plaza#

On #building parcel# E-2, the ground floor level #street wall# facing #Yankee Pier Plaza# shall comply with the requirements of Section 37-34 (Minimum Transparency Requirements). For the purpose of applying these requirements, such ground floor level #street wall# shall be considered a #primary street frontage#, as that term is defined in Section 37-311 (Definitions).

- (b) Enclosed #secondary connections#

For any entrance to a #secondary connection# that is enclosed at the point of entry, 50 percent of the surface area of the

#street wall# of such #secondary connection# between a height of two feet and the height of the #secondary connection# at the point of entry shall be glazed with transparent materials.

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## **134-32 - Mechanical Screening Requirements**

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LAST AMENDED

5/27/2021

Mechanical equipment located on top of #buildings#, and below the maximum base height or maximum #building# height, shall be screened with plantings, solid walls, or fences from the Open Space Subarea, as well as from any connections and open spaces required pursuant to Section 134-40 (REQUIREMENTS FOR CONNECTIONS AND OPEN AREAS), inclusive.

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## **134-40 - REQUIREMENTS FOR CONNECTIONS AND OPEN AREAS**

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LAST AMENDED

5/27/2021

In the Southern Subdistrict, connections and open spaces shall be provided as set forth in this Section, inclusive.

- (a) No building permit shall be issued by the Department of Buildings for a #development# or #enlargement# on a #building parcel# until the Chairperson of the City Planning Commission certifies to the Commissioner of Buildings that a site plan designating the location of any connection or open area required within or adjacent to such #building parcel# by Sections 134-41 through 134-44, has been approved by the Chairperson.

Notwithstanding the foregoing, the Chairperson shall allow for the phased development of such connections or open area within each #building parcel#, or portion thereof, upon certification to the Commissioner of Buildings that a site plan has been submitted that provides for the location of any connection or open space required by Sections 134-41 through 134-44, in association with the #development# or #enlargement# of a #building# or #buildings# within each phase.

- (b) An application under this Section shall be filed with the Chairperson of the City Planning Commission and such application shall include a site plan indicating the area and dimensions of the connections and open area, or portions thereof, in the phase that is subject to the application, which shall demonstrate that:
- (1) any partial connections and open areas are of sufficient length and width to provide adequate site access for the benefit of residents and workers in the phase to which they relate, as well as for the general public;
  - (2) the site plan is consistent with, and appropriate in relation to, any previously approved plan for other phases; and
  - (3) the site plan is consistent with the requirements set forth in this Section, inclusive.
- (c) No temporary certificate of occupancy from the Department of Buildings may be issued for any portion of a #development# or #enlargement# within a phase until the connections and open areas, or portions thereof associated with such phase, are substantially complete in accordance with the site plan, and are useable by the public.
- (d) No permanent certificate of occupancy from the Department of Buildings may be issued for any portion of such #development# or #enlargement# within a phase until the connections and open areas, or portions thereof associated with such phase, are fully complete in accordance with the site plan.

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## **134-41 - Primary Connections**

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The Eastern Subarea shall be subdivided by #primary connections# within the flexible locations identified on Map 2 (Building Parcels, Primary Connection Locations and Esplanade) in the Appendix to this Chapter.

#Primary connections# shall comply with the following requirements:

- (a) a #primary connection# shall have a minimum width of 60 feet;
- (b) a #primary connection# shall be open to the sky for its full length and width, except that awnings or canopies of less than 250 square feet per awning or canopy shall be permitted at #building# entrances. Awnings and canopies, and associated structural supports extending from the #street wall#, shall extend no farther than 15 feet, and shall be located not less than 15 feet above grade and no vertical supports shall be permitted;
- (c) an unobstructed path having a width of at least 24 feet shall be provided for the full length of each #primary connection#. Such clear path shall be designed for pedestrian use, and may additionally be designed for, and crossed by, pathways for bicycles or vehicular access. Trees, planters, bike racks, seating and other pedestrian amenities shall be permitted outside of the clear path; and
- (d) #primary connections# shall be open to the public at all times that the Southern Subdistrict is open to the public.

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## **134-42 - Secondary Connections**

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#Secondary connections# shall be provided in the locations identified on Map 3 (Secondary Connection Locations) in the Appendix to this Chapter. #Secondary connections# shall comply with the following requirements:

- (a) one #secondary connection# shall be provided within each of the #building parcels# W-1 and E-2;
- (b) one #secondary connection# shall be provided within #building parcel# E-3, except that where the #primary connections# abutting #building parcel# E-3 are less than 500 feet apart, the #secondary connection# may instead be provided within #building parcel# E-4;
- (c) a #secondary connection# may be open, covered, enclosed, or some combination thereof;
- (d) a #secondary connection# shall have a minimum width of 30 feet;
- (e) any portion of a #secondary connection# that is enclosed or covered shall have a minimum clear height of 30 feet;
- (f) an unobstructed path having a width of at least 12 feet shall be provided for the full length of each #secondary connection#. Such clear path shall permit pedestrian use, and may additionally permit bicycles or vehicular access. Trees, planters, bike racks, seating and other pedestrian amenities shall be permitted outside of the clear path;
- (g) open or covered #secondary connections# shall be open to the public at all times that the Southern Subdistrict is open to the public. Enclosed #secondary connections# shall be open to the public at all times that the Open Space Subarea, other than the #esplanade#, is open to the public; and
- (h) signage shall be located at each point of entry to a #secondary connection# and shall state that the #secondary connection# is "OPEN TO THE PUBLIC," list its hours of operation, and include a public space symbol exactly matching the symbol provided in the Required Signage Symbols file on the Department of City Planning website.

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## 134-43 - Yankee Pier Plaza

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LAST AMENDED

5/27/2021

The Eastern Subarea shall include a public open area, within the location designated as #Yankee Pier Plaza# on Map 2 (Building Parcels, Primary Connection Locations and Esplanade) in the Appendix to this Chapter.

Such plaza:

- (a) shall have a minimum area of 25,000 square feet;
- (b) shall provide connections between Yankee Pier, the Northern Subdistrict and portions of the Open Space Subarea north of the Eastern Subarea;
- (c) shall be open to the public at all times that the Southern Subdistrict is open to the public;
- (d) may have areas designed and designated for vehicular and pedestrian access; and
- (e) may include stairs, ramps, planted areas, open or enclosed facilities for ferry passengers, kiosks containing no more than 250 square feet of #floor area#, ticket machines, information booths, temporary structures not exceeding one #story#, bicycle parking, #cellars#, and other amenities not containing #floor area#, as permitted obstructions.

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## 134-44 - Other Open Areas

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LAST AMENDED

5/27/2021

- (a) Adjacent to #Yankee Pier Plaza#

Open areas between #Yankee Pier Plaza# and any wall of a #building# or open #commercial# #use# that is within 60 feet of #Yankee Pier Plaza# shall be provided as publicly accessible open area and subject to the requirements of paragraphs (c) through (e) of Section 134-43 (Yankee Pier Plaza).

- (b) Adjacent to #primary connections#

Open areas between a #primary connection# and any wall of a #building# or open #commercial# #use# that is within 50 feet of such #primary connection# shall be provided as publicly accessible open areas, and shall be open to the public at all times that such adjoining #primary connection# is open to the public. In addition, open areas beyond 50 feet of a #primary connection# may be provided as publicly accessible open areas. All such open areas may be improved with pathways for access to #building# entrances, trees, planters, seating, bike racks and other public amenities.

- (c) Adjacent to portions of the Open Space Subarea

Open areas located between a #building# or open #commercial# #uses# and the Open Space Subarea or an open area required by paragraph (d) of this Section, shall be provided as publicly accessible open areas, and shall be open to the public at all times that the adjoining portion of the Open Space Subarea is open to the public.

Where portions of such open areas are located beyond 50 feet of the Open Space Subarea or an open area required by paragraph (d), such portions may be provided as publicly accessible open areas.

All such open areas may be improved with pathways for access to #building# entrances, trees, planters, seating, bike racks and other public amenities.

- (d) Adjacent to the eastern #esplanade#

Within the Eastern Subarea, on all #building parcels#, an open area with a depth of 20 feet shall be provided along the entire portion of the #esplanade# which #abuts# the #building parcel#. This open area shall be provided as a publicly accessible widening of the #esplanade#, and shall be open to the public at all times that the Open Space Subarea is open to the public.

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## 134-45 - Fences

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LAST AMENDED

5/27/2021

Fences, where provided, shall be considered permitted obstructions within any of the connections or open spaces required by Section 134-40 (REQUIREMENTS FOR CONNECTIONS AND OPEN AREAS), inclusive, provided they comply with the requirements of this Section:

- (a) no fence shall be permitted within any clear circulation path required by Section 134-40, inclusive;
- (b) within any required connection or open space, fences shall only be permitted:
  - (1) at the perimeter of recreation spaces, such as any playgrounds, tot lots, or dog runs, provided within such connection of open space; and
  - (2) along the boundary of an adjoining open #commercial# #use# or other private area;
- (c) a fence shall have a maximum height of four feet measured from the adjoining grade level, and must be at least 70 percent open; and
- (d) chain link fencing or barbed or razor wire fencing shall not be permitted.

The City Planning Commission may authorize modification of provisions of paragraphs (a) and (b) of this Section, upon a finding that such modification is necessary to facilitate site safety and operations, and does not adversely impact access to the required connection or open space during operable hours. Fences which are permitted pursuant to this authorization may rise to a maximum height of five feet measured from the adjoining grade.

Any application to authorize modification of the provisions of paragraphs (a) and (b) of this Section shall be referred to the local Community Board. The Commission shall not grant such authorization prior to forty-five (45) days following the referral.

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## 134-50 - OFF-STREET PARKING AND OFF-STREET LOADING REGULATIONS

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LAST AMENDED

5/27/2021

The off-street parking and loading regulations of the underlying districts shall not apply, exclusive of bicycle parking, in the #Special Governors Island District#. In lieu thereof, the provisions of this Section 134-50, inclusive, shall apply.

No accessory off-street parking facilities or loading berths shall be required for any #development# or #enlargement# within the #Special Governors Island District#.

#Accessory# off-street parking spaces may be provided for all permitted #uses#. Within the Southern Subdistrict a maximum of 200 such spaces shall be permitted.

#Accessory# off-street loading berths may be provided for all permitted #uses#. All loading berths within the Southern Subdistrict shall either be enclosed or screened from the Open Space Subarea, as well as any connections and open spaces required pursuant to Section 134-40 (REQUIREMENTS FOR CONNECTIONS AND OPEN AREAS), inclusive, with planting, solid walls or fences, except that screening may be interrupted by vehicular and pedestrian entrances.

No more than two entrances to enclosed facilities containing off-street parking spaces, loading berths, or a combination thereof shall be permitted on #street walls# facing the Open Space Subarea, per #building parcel#. Such limitation shall not apply to #street walls# facing a #primary connection# or #secondary connection#.

The underlying bicycle parking regulations of Section 25-80, inclusive and Section 36-70 (BICYCLE PARKING), inclusive, shall apply in the #Special Governors Island District#. For any #use# permitted in the Southern Subdistrict where the number of required bicycle parking spaces is not provided in the tables in Sections 25-811 or 36-711 (Enclosed bicycle parking spaces), the required number of bicycle parking spaces for such #use# shall be one per 10,000 square feet of #floor area#.

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## **134-51 - Certification for Additional Access to Accessory Off-Street Parking Spaces and Loading Berths**

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LAST AMENDED  
5/27/2021

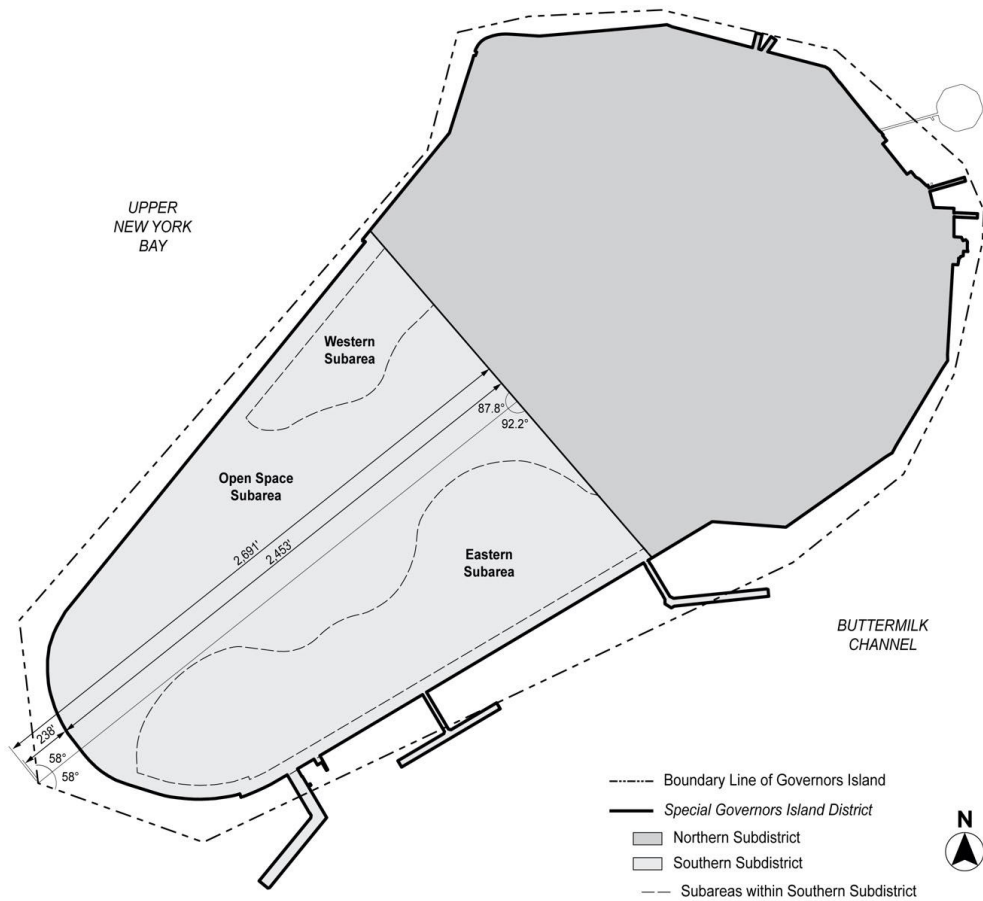
In the Southern Subdistrict, if access to #accessory# off-street parking spaces or loading berths is necessary beyond the number of entrances to loading berths permitted pursuant to Section 134-50 (OFF-STREET PARKING AND OFF-STREET LOADING REGULATIONS), an additional entrance may be allowed if the Chairperson of the City Planning Commission certifies to the Commissioner of Buildings that:

- (a) such #accessory# off-street parking spaces or loading berths cannot be practically accessed from existing entrances along the #esplanade#;
- (b) the proposed entrance location will not be hazardous to pedestrian safety;
- (c) the proposed entrance will be located not less than 50 feet from the intersection of a #primary connection# or #Yankee Pier Plaza#;
- (d) the proposed entrance will be screened, constructed and maintained so as to have a minimal effect on the streetscape; and
- (e) the entrance, if allowed, shall be no greater than 20 feet in width.

## **APPENDIX - Special Governors Island District Plan**

LAST AMENDED 5/27/2021

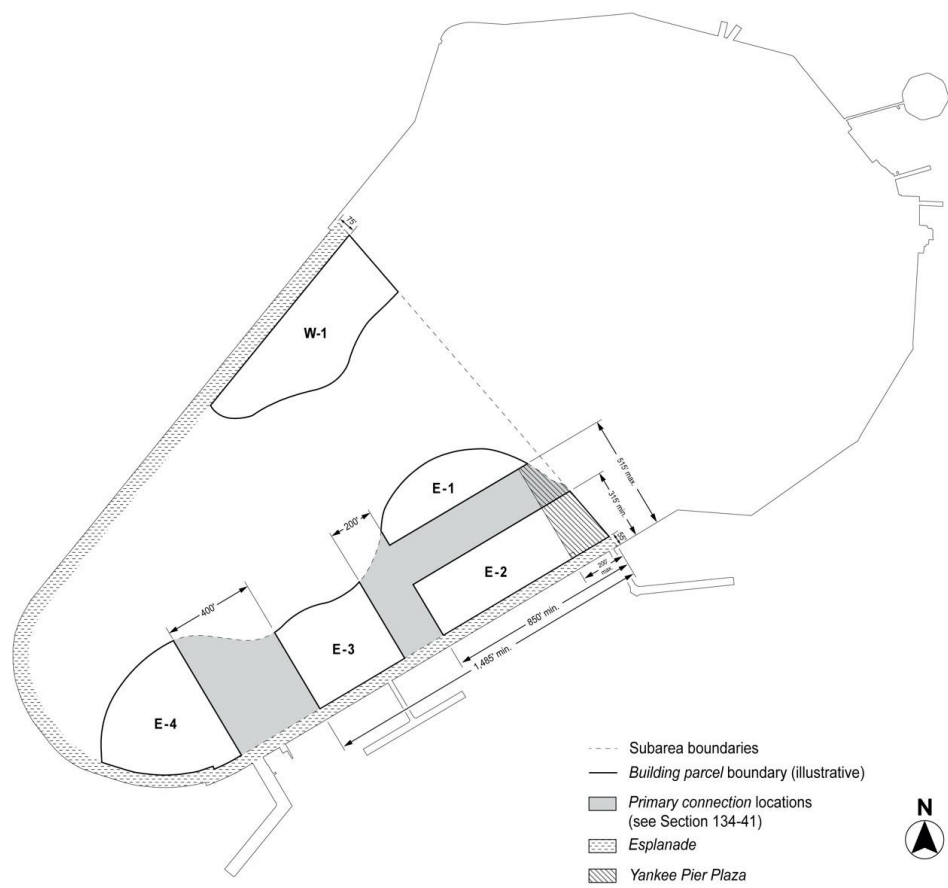
Map 1 - Special Governors Island District, Subdistricts, and Subareas





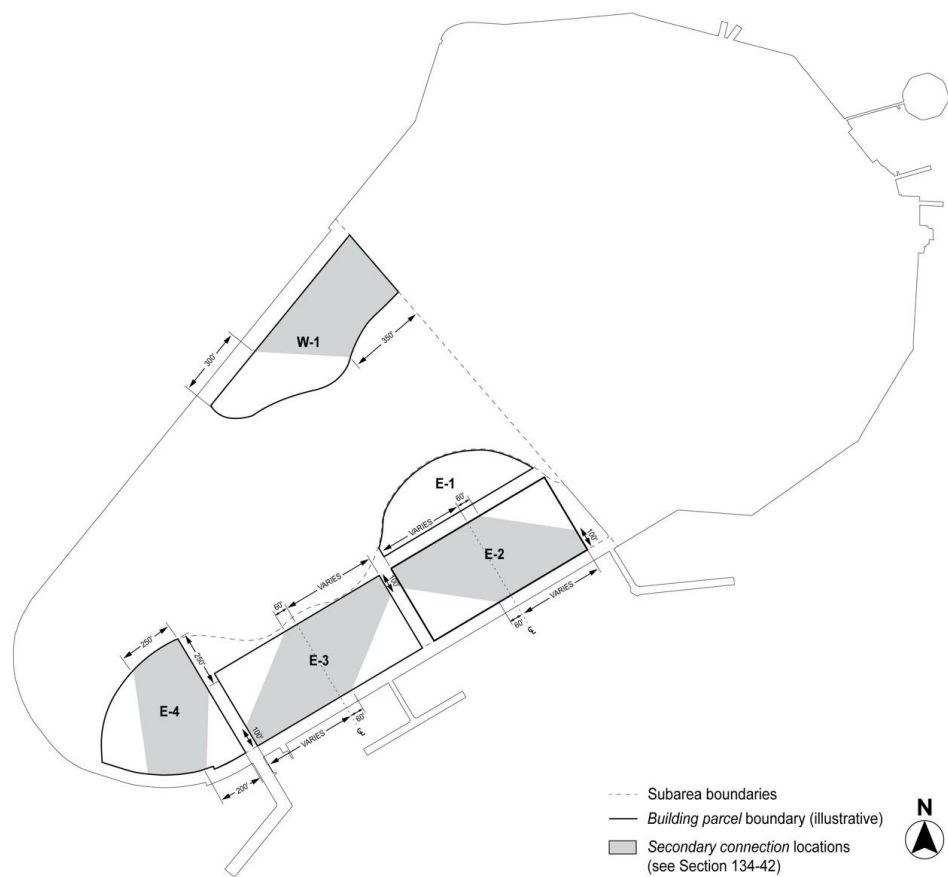
For the purpose of dimensioning the subareas illustrated above, the dimensions shall be as shown on the surveys dated April 17, 2020, available on the Department of City Planning website.

Map 2 - Building Parcels, Primary Connection Locations and Esplanade



For the purpose of dimensioning the esplanade, the dimensions shall be as shown on the surveys dated April 17, 2020, available on the Department of City Planning website.

Map 3 - Secondary Connection Locations



Map 4 – Maximum Base Heights and Setbacks

