

Update October 27, 2010:

On October 27, 2010 the City Council adopted the Hudson Yards / West Chelsea Follow-up Text Amendment. View the  [adopted text amendment](#). The zoning text changes are now in effect.

Overview

The Department of City Planning proposes a text amendment to the Special Hudson Yards (SHYD), Clinton (SCD), West Chelsea (SWCD) and Garment Center (SGCD) districts in order to:

1. Facilitate the construction of the above-grade infrastructure necessary for access and operation of the No. 7 Subway extension
2. Address community concerns that the significant growth forecasted for the Hudson Yards and adjacent areas, should it occur, could result in development pressure that may affect tenement housing that has historically provided an affordable housing resource for residents

The proposed text amendment would do the following:

Transit Provisions

The amendment would add provisions to the SHYD for transit easements necessary for subway-related uses, including their location, process for establishment, and relationship to floor area calculations; it would also add additional references for such transit easements, located in the SWCD and SCD, to their respective chapters' text and appendix maps.

In addition, the amendment would update the provisions governing the future Tenth Avenue subway station to reflect the station's design as of May 2010. This includes adding easement dimensions in the SCD for the future entrance, and removing a required easement in the SHYD that reflected an earlier design.

Finally, the amendment would revise ZR Section 93-14 so that subway-related uses in defined locations are exempted from the ground floor level retail continuity requirements in the SHYD, similar to the allowance for subway station entrances. It would also clarify that the maximum lobby and entranceway dimensions on such frontages do not apply to both subway station entrances and subway-related uses.



Transit Provision Locations -

 [View a larger image](#).

Demolition Provisions

The amendment, which is similar to the Demolition provisions of the SCD's Perimeter Area, would restrict issuance of a permit for the demolition of pre-1974 residential buildings with three or more units – or alterations that would decrease residential floor area by more than 20 percent – located within the SHYD subareas D4 and D5, SGCD Preservation Area P-2 or the SWCD, unless:

- The building is deemed to be unsafe and demolition is required pursuant to the City's Administrative Code, or
- The Commissioner of the Department of Housing Preservation and Development (HPD) *certifies* compliance with the anti-harassment provisions of ZR Section 93-90, and that either:
 - the building will be preserved but an alteration requiring demolition of a limited amount of floor area is required, or
 - the building will not be preserved but HPD has determined that rehabilitation is not feasible under an active government program.



Demolition Provision Locations -

[View a larger image.](#)

The following would be exempted from these provisions: city-owned buildings; buildings that take part in certain HPD programs and have received exemption from the agency; buildings constructed after January 1, 1974; or, buildings used as hotels, clubhouses, dormitories or institutional residences. In addition, the proposed text amendment would update references in the SCD regulations to the Administrative Code governing the demolition of buildings

Under the Western Rail Yard Points of Agreement entered into between the Administration and the City Council in December 2009, the Department committed to refer the demolition provisions of the text amendment for public review on or prior to July 1, 2010.

Public Review

On June 7th, 2010 the Department of City Planning referred the Hudson Yards / West Chelsea Follow-up Text Amendment application (N 100424ZRM) to Community Board 4 and the Manhattan Borough President. On July 9th, 2010 the Manhattan Borough President recommended approval of the text amendment and on August 6th, 2010 Community Board 4 recommended conditional approval.

On August 11th, 2010 the City Planning Commission held a public hearing on the Hudson Yards / West Chelsea Follow-up Text Amendment (N 100424ZRM) and on September 29th, 2010 the Commission approved the application with modifications*. ([Read the CPC Report](#))

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*** CPC Modifications**

In response to issues raised during the public review, the Commission approved the zoning text amendment with modifications consisting of technical clarifications and corrections intended to make the text clearer to the reader.

For more information about this proposal please contact the Manhattan Office of the Department of City Planning at (212) 720-3480.

Related Notes

-  Items accompanied by this symbol require the [free Adobe Acrobat Reader](#).
- Brief explanations of terms in *green italics* can be viewed by [visiting glossary page](#). Words and phrases followed by an asterisk (*) are defined terms in the Zoning Resolution, primarily in Section 12-10. Consult the Zoning Resolution for the official and legally binding definitions of these words and phrases.