

**Update May 11, 2011:**

On May 11, City Council adopted the Department's proposal to allow public and café tables and chairs in arcades along and nearby Water Street in Lower Manhattan. [View the adopted text amendment](#)

Introduction

The New York City Department of City Planning proposes a zoning text amendment to the Special Lower Manhattan Zoning District that would allow tables and chairs in existing privately-owned, publicly accessible arcades along and nearby Water Street. This text amendment would allow the currently underutilized pedestrian circulation areas to have a new purpose as public open areas with public or café seating, thus providing an amenity to both visitors and existing commercial tenants and retailers.

The proposed text amendment would apply to a 23-block, "Arcades Modification Area" that is centered on Water Street and roughly bounded by Fulton Street, South and Front Streets, Whitehall Street, and Pearl Street. This text amendment would encourage the activation and improvement of the streetscape and pedestrian realm along Water Street, thereby supporting the economic vitality of the Water Street corridor.



Land Use Map - [View a larger image](#)

Neighborhood Context

Water Street is located on the eastern side of Lower Manhattan and is lined with a mix of high-rise office buildings, former office buildings converted to residential and hotel use, and several historic townhouses. Some of the buildings have ground floor retail and small parks and plazas are interspersed throughout.

Arcades are privately-owned, publicly accessible areas which were built by a developer in exchange for a floor area bonus. Most of the arcades in the affected area were built in the mid-1960s through the 1970s. Arcades were required to meet certain dimensional and location requirements and were intended to create a network of covered pedestrian circulation areas to protect against inclement weather. They were meant to provide relief from congested sidewalks and give pedestrians a more pleasant walking environment which was covered and direct.

Due to the design and variation of the arcades along and nearby Water Street, the arcades do not function well as pedestrian areas and, instead, diminish vitality from this important pedestrian corridor. The proposal would help Water Street become a lively pedestrian corridor connecting visitors from the South Street Seaport area down to the Staten Island Ferry Terminal, with outdoor cafes and new signs of life. The text amendment builds on the success of City Planning's many initiatives to improve the pedestrian realm, and furthers Mayor Bloomberg's commitment to revitalizing Lower Manhattan.



7 Hanover Square (view from Water Street)



75 Wall Street (view from Water Street)

Existing Zoning Regulations on Arcades

The regulations governing arcades are located in ZR Section 37-53 and ZR Section 37-80. The Zoning Resolution describes the design guidelines for arcades including regulations related to dimensions, illumination, and column width. It currently does not allow any permitted obstructions in arcades or the pedestrian circulation spaces.

Proposed Amendment

The proposed text amendment would modify sections 37-53 and 37-80 of the Zoning Resolution with a new Zoning Resolution Section 91-80 in the Special Lower Manhattan Zoning District to allow permitted obstructions.

The text amendment creates a new "Arcades Modification Area" in a new Map 8 of the Special Lower Manhattan District and two Chairperson's Certifications. One would be for the provision of public seating, and the other for café seating. The text amendment:

- Allows for the provision of moveable tables and chairs, umbrellas, and litter receptacles in arcades. If there is café seating, 40% of the total seating must be available to the public.
- Prioritizes the activation of Water Street with tables and chairs by requiring that 50% of the public seating be within 25' of the street line, if possible.
- Requires a 3 foot circulation path for arcades with a depth of 10 feet or less and a 6 foot circulation path for arcades with a depth of 10 feet or more.
- Provides dimensional requirements for the moveable tables and chairs and minimum hours of operation.

The proposed text specifies that a site plan and a drawing with details of furniture are required for the Chairperson Certifications. The certifications will also require a Notice of Certification with the City Register. No changes are proposed to sections of the zoning that relate to bulk, permitted floor area, or the amount of floor area generated through the provision of bonus plazas.

 [View the adopted text amendment](#)

Public Review

The proposed text amendment was referred on January 24, 2011 to Manhattan Community Board 1. The proposed text amendment was approved unanimously by Manhattan Community Board 1 on February 22, 2011. The Manhattan Borough President issued a letter of overall support and asked for heightened scrutiny in the review of the public spaces. The City Planning Commission voted to approve the proposed text amendment on April 13th.  [Read the CPC report](#). On May 11, City Council adopted the Department's proposal to allow public and café tables and chairs in arcades along and nearby Water Street in Lower Manhattan.

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.