

Preliminary Analysis of Uses with Respect to Act and Zoning

Uses Discussed by Task Force	Allowed by Act? ¹	Allowed by Zoning? ²	Action to Authorize Use ³
Maritime Related⁴			
Botel	No	No	Change Act and Zoning
Marina/Moorings	Yes	Yes	
Boat Exhibits (e.g., Titanic replica)	Yes (need clarity on dredging)	Potentially -- Depends on nature of activities (e.g., historical exhibits must be in a completely enclosed building)	Potential Zoning Change
Working Waterfront	Depends on nature of activities	Potentially -- Depends on nature of activities	Potential Zoning Change
Floating Restaurants	Yes if on boat; No if on "floating structure" (Both: need clarity on dredging)	Yes	
Riverboat Gambling	No	No	Change Act and Zoning
Sports Related			
Sports Bubble	Yes	Generally permitted; some restrictions	Possible Zoning Actions
Commercial Sports	Yes	Generally permitted; some restrictions	Possible Zoning Actions
Aquatic Center	Yes	Depends how defined	Zoning Change
Field Rentals	Yes	Yes	
Sports Camps	Yes	Yes	
Commercial			
Catering/Events Space	Yes	Yes. Banquet halls and catering establishments permitted. Trade expositions with rated capacity of no more than 2500 people as determined by DOB permitted.	Possible Zoning Actions
Theater/Cultural/Exhibit Halls	Yes	Potentially - "theaters" are permitted.	Possible Zoning Actions
Movie Theaters	Yes	See above.	Possible Zoning Actions
Aquarium	Yes	Unknown	Possible Zoning Actions
Film Studios	No (only at Chelsea Piers)	Yes	Possible Zoning Actions
Business Conference Center	Yes	Trade expositions with rated capacity of no more than 2500 people as determined by DOB permitted.	Possible Zoning Actions
Specialty Retail	Yes	Many types of small "mom and pop" retail are permitted; wholesale generally permitted; small service retail (hair salons, repair shops) generally permitted; variety stores are limited to 10,000 sf; many other specific types of retail and services defined.	Possible Zoning Actions
Destination Retail	Yes		Possible Zoning Actions
Big Box Retail	Yes		Possible Zoning Actions
Lifestyle Mall	Yes		Possible Zoning Actions
Destination Restaurants	Yes	Yes, although there are restrictions on capacity in some instances	Possible Zoning Actions
Artists/Artisans Space	Potentially -- depends on whether characterized as "manufacturing"	Depends on scale and use	Possible Act and Zoning Actions
Large Attractions (ferris wheel)	Yes	Depends on use	Possible Zoning Actions
Amusement Park	Yes	Children's amusement parks smaller than 10,000 sf permitted	Possible Zoning Actions
Office Space/Tech Center	No	Yes if business, professional, or government offices	Change Act
Office Space	No (exception if incidental to permitted use)	Yes if business, professional, or government offices	Change Act
Casino	No	No	Change Act and Zoning
Urban Entertainment	Yes	Depends how defined	Possible Zoning Actions
Urban Spa	Yes	TBD (Assumed to be a physical culture establishment)	Possible Zoning Actions
Hotel	No	No	Change Act and Zoning
Housing	No	No	Change Act and Zoning
Roof Uses			
Cell Towers	Yes	Certain telephone communications equipment permitted	Possible Zoning Action
Rooftop Farm	Yes	Potentially	Possible Zoning Action
Storage			
Public Parking	Only at Pier 40 for vehicles with fewer than 10 passengers	Yes for 150 vehicles or less and generally not permitted on rooftops	Possible Act Change and Zoning Action
Storage -- Vehicles and Other	Potentially yes	Generally yes	Possible Act Change and Zoning Action
Construction Staging	Depends on type and context	Yes with some restrictions	Possible Zoning Action
Generic storage	No if interpreted as warehousing	Potentially	Possible Zoning Action
Cultural/Educational			
Museum	Yes	Potentially	Possible Zoning Action
School	Yes	Business schools and colleges, and trade or other schools for adults permitted	Possible Zoning Action
University	Yes	Technical and business schools permitted	Possible Zoning Action
Other Non-Profit	Depends on Use	Depends on Use	Possible Zoning Action
Dance/Theater Venues	Yes	Yes, though there may be restrictions on size of venue	Possible Zoning Action
Ecological Education	Yes	Depends on Use	Possible Zoning Action
Major Events			
Indoor/Outdoor space for occasional events	Yes	Potentially; Temporary events appear generally permissible; Restrictions on number of people for arenas, auditoriums, stadia etc.	Possible Zoning Action

1: Even when uses are not prohibited outright by the Hudson River Park Act, the Trust must still satisfy other aspects of the Act. For example, many uses are permitted on park/commercial piers only. There are also restrictions governing floating structures.

2: The underlying zoning throughout Hudson River Park is predominantly M2-3; at Gansevoort, it is M3-2. Because of the Act's prohibition on manufacturing, only uses in Groups 6-14, and potentially a few in Use Groups 16-18 are permitted as of right. The Zoning Resolution also contains restrictions on design, bulk, parking and loading etc. that would also have to be considered but which are not identified here. The assessments provided here are preliminary staff opinions only and would need to be vetted by an expert in the Zoning Resolution before making a final determination about their permissibility.

3: Aside from amending the Act and/or changing/modifying/seeking a variance on zoning, a variety of ministerial permits would typically also be necessary. Examples include permits from DEC and the Army Corps for in-water construction, Department of Buildings permits, and BSA approvals. Environmental reviews would also be needed in most cases.

4: Both the Army Corps and DEC have strong restrictions on in-water uses, including consideration of the extent to which uses are water dependent. Even uses permitted by the Act and/or Zoning may be prohibited by these regulatory agencies.