



## **Zoning Resolution**

**THE CITY OF NEW YORK**  
**Zohran K. Mamdani, Mayor**

**CITY PLANNING COMMISSION**  
**Sideya Sherman, Chair**

# **43-15 - Existing Public Amenities for which Floor Area Bonuses Have Been Received**

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## 43-15 - Existing Public Amenities for which Floor Area Bonuses Have Been Received

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LAST AMENDED

10/17/2007

- (a) Elimination or reduction in size of non-bonused open area on a #zoning lot# containing a bonused amenity

In all districts, any existing open area for which a #floor area# bonus has not been utilized that occupies the same #zoning lot# as an existing #publicly accessible open area# or other public amenity, open or enclosed, for which a #floor area# bonus has been utilized, may be reduced in size or eliminated only upon certification of the Chairperson of the City Planning Commission that all bonused amenities comply with the standards under which such #floor area# bonus was granted.

- (b) Kiosks and open air cafes

Kiosks and open air cafes may be placed within an existing #publicly accessible open area# for which a #floor area# bonus has been received, by certification, pursuant to Section [37-73](#) (Kiosks and Open Air Cafes).

- (c) Nighttime closing of existing #publicly accessible open areas#

The Commission may, upon application, authorize the closing of an existing #publicly accessible open area# for which a #floor area# bonus has been received, during certain nighttime hours pursuant to Section [37-727](#) (Hours of access).

- (d) Elimination or reduction of existing public amenities

No existing #arcade#, #publicly accessible open area# or other public amenity, open or enclosed, for which a #floor area# bonus has been utilized, shall be eliminated or reduced in size except by special permit, pursuant to Section [74-761](#) (Elimination or reduction in size of bonused public amenities).