



Zoning Resolution

THE CITY OF NEW YORK
Zohran K. Mamdani, Mayor

CITY PLANNING COMMISSION
Sideya Sherman, Chair

74-71 - Landmark Preservation

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74-71 - Landmark Preservation

LAST AMENDED

11/25/1997

74-711 - Landmark preservation in all districts

LAST AMENDED

2/2/2011

In all districts, for #zoning lots# containing a landmark designated by the Landmarks Preservation Commission, or for #zoning lots# with existing #buildings# located within Historic Districts designated by the Landmarks Preservation Commission, the City Planning Commission may permit modification of the #use# and #bulk# regulations, except #floor area ratio# regulations, provided that:

- (a) The following conditions are met:
- (1) any application pursuant to this Section shall include a report from the Landmarks Preservation Commission stating that a program has been established for continuing maintenance that will result in the preservation of the subject #building# or #buildings#, and that such #use# or #bulk# modifications, or restorative work required under the continuing maintenance program, contributes to a preservation purpose;
 - (2) any application pursuant to this Section shall include a Certificate of Appropriateness, other permit, or report from the Landmarks Preservation Commission stating that such #bulk# modifications relate harmoniously to the subject landmark #building# or

#buildings# in the Historic District, as applicable; and

- (3) the maximum number of **#dwelling units#** shall be as set forth in Section [15-111](#) (Number of permitted dwelling units).

(b) In order to grant a special permit, the City Planning Commission shall find that:

- (1) such **#bulk#** modifications shall have minimal adverse effects on the structures or **#open space#** in the vicinity in terms of scale, location and access to light and air; and
- (2) such **#use#** modifications shall have minimal adverse effects on the conforming **#uses#** within the **#building#** and in the surrounding area.

The Commission may prescribe appropriate additional conditions and safeguards which will enhance the character of the **#development#** and **#buildings#** on the **#zoning lot#**.

74-712 - Developments in Historic Districts

LAST AMENDED

12/5/2024

Within Historic Districts designated by the Landmarks Preservation Commission, the City Planning Commission may grant a special permit, in accordance with the following provisions:

- (a) In M1-5B Districts, on a **#zoning lot#** that, as of December 15, 2003, is vacant, is **#land with minor improvements#**, or has not more than 40 percent of the **#lot area#** occupied by existing **#buildings#**, the Commission may modify **#use#** regulations to permit **#residential# #development#** and, below the floor level of the second **#story#** of any **#development#**, **#uses#**

permitted in Use Group VI, provided:

(1) the #use# modifications shall meet the following conditions, that:

- (i) #residential# #development# complies with the requirements of Sections [23-342](#) (Rear yard requirements) and [23-372](#) (Distances between legally required windows and lot lines), inclusive, pertaining to R8 Districts;
- (ii) total #floor area ratio# on the #zoning lot# shall be limited to 5.0;
- (iii) the minimum #floor area# of each #dwelling unit# permitted by this Section shall be 1,200 square feet;
- (iv) all #signs# for #residential# or #commercial# #uses# permitted by this Section shall conform to the applicable regulations of Section [32-60](#) (SIGN REGULATIONS) pertaining to C2 Districts; and
- (v) eating or drinking establishments of any size, as set forth in Use Group VI, are not permitted; and

(2) the Commission shall find that such #use# modifications:

- (i) have minimal adverse effects on the conforming #uses# in the surrounding area;
- (ii) are compatible with the character of the surrounding area; and
- (iii) for modifications that permit #residential use#, result in a #development# that is compatible with the scale of the surrounding area.

(b) In all districts, the Commission may modify #bulk# regulations, except #floor area ratio# regulations, for any #development# on a #zoning lot# that is vacant or is #land with minor

improvements#, and in M1-5B Districts, the Commission may make such modifications for #zoning lots# where not more than 40 percent of the #lot area# is occupied by existing #buildings# as of December 15, 2003, provided the Commission finds that such #bulk# modifications:

- (1) shall not adversely affect structures or #open space# in the vicinity in terms of scale, location and access to light and air; and
- (2) relate harmoniously to #buildings# in the Historic District as evidenced by a Certificate of Appropriateness or other permit from the Landmarks Preservation Commission.

The City Planning Commission may prescribe appropriate additional conditions and safeguards in order to enhance the character of the #development# and to minimize adverse effects on the character of the surrounding area.