Zoning Resolution

THE CITY OF NEW YORK
Zohran K. Mamdani, Mayor

CITY PLANNING COMMISSION
Sideya Sherman, Chair

78-311 - Authorizations by the City Planning Commission

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LAST AMENDED
2/2/2011

When a #large-scale residential development# includes, or will include after subdivision, two or more #zoning lots#, the City Planning Commission may authorize:

(a) the total #floor area#, #lot coverage#, #dwelling units# or #rooming units# permitted by the applicable district regulations for all #zoning lots# within the #large-scale residential development# to be distributed without regard for #zoning# #lot lines#;

(b) the total #open space# required by the applicable district regulations for all #zoning lots# within the #large-scale residential development# to be distributed without regard for #zoning # #lot lines#, except that where subdivision is authorized in accordance with the provisions of Section 78-51 (General Provisions), the Commission, in authorizing such distribution may allow reductions in the minimum required #open space# on individual #zoning lots# only where adequate provision is made for common #open space# to serve such lots.

If the required #open space# on the roof of a #community facility building# has an equivalent access arrangement acceptable to the Commission, it may authorize modification of requirements set forth in paragraph (b) of the #open space# definition in Section 12-10;

(c) for #zoning lots# adequately served by common #open space#, the minimum required #lot area# as set forth in Section 23-10 (LOT AREA AND LOT WIDTH REGULATIONS) to be reduced, provided that any #residence# for which the minimum required #lot area# is so reduced shall be separated from all other #buildings# on the same or adjacent #zoning lots# by a distance consistent with the provisions of Section 23-371 (Standard minimum distance between buildings), or in cases where at least one of the #buildings# is a one-family or two-

family #detached# or #semi-detached# house, rowhouse, or series of rowhouses, by a lesser distance to be determined by the Commission;

(d) the location of #buildings# without regard for #yard# regulations which would otherwise apply along portions of #streets# or #lot lines# "wholly within" the #large-scale residential development# provided that any #building# for which required #rear# or #side yards# are reduced shall be separated from all other #buildings# with which it does not share a party wall, on the same or adjacent #zoning lots#, by a distance consistent with the provisions of Section 23-371 or, in cases where at least one of the #buildings# is a single-family or two-family #detached# or #semi-detached# house, rowhouse or series of rowhouses, by a lesser distance to be determined by the Commission, where the location of the #buildings# will not be detrimental to the privacy of the occupants of the #buildings# on the #block#;

(e) the location of #buildings# without regard for the height and setback regulations which would otherwise apply along portions of #streets# "wholly within" the #large-scale residential development# or along #side# or #rear lot lines# #abutting# other #zoning lots# within the #large-scale residential development#, provided that any #building# for which required rear or side setbacks are reduced shall be separated from all other #buildings# with which it does not share a party wall, on the same or adjacent #zoning lots#, by a distance consistent with the provisions of Section 23-371;

(f) the location of primary business entrances, #show windows# or #signs# along frontages which are adjacent only to other #zoning lots# within the #large-scale residential development#, without regard to restrictions applicable near #Residence District# boundaries, for the purpose of achieving better site planning and community planning;

(g) special directional #signs# and their location and design within a #large-scale residential development# comprising an area of at least five acres provided that their construction would result in better pedestrian and vehicular circulation. The Commission shall in each case give due consideration to the effect of such #signs# on the surrounding residential area and may impose appropriate conditions and safeguards;

(h) the location of #buildings# on a single #zoning lot# without regard for spacing between #buildings#, provided that the resultant spacing will not be reduced beyond an amount considered appropriate by the Commission and in no case by more than 15 percent of that required by Section 23-371.

For that portion of a #large-scale residential development# located in an R6 District, the Commission may authorize the permitted #floor area ratio# and required #open space ratio# to be determined on the basis of a #height factor# which is different than the actual #height factor# of such portion of the #large-scale residential development#, for the purpose of achieving better site planning and community planning.

When subdivision is authorized in accordance with the provisions of Section 78-51 and satisfactory provision is made for common #open space#, the Commission may consider such common #open space# in determining to what extent, if any, modifications of the #yard# regulations are justified.

For any #large-scale residential development#, the City Planning Commission may, upon application, authorize in R3, R4 and R5 Districts, modifications of the height and setback regulations set forth in Section 23-42 (Height and Setback Requirements in R1 Through R5 Districts) and paragraph (b) of Section 78-31 for #buildings# "wholly within" the #large-scale residential development# for the purposes of introducing variety or preserving natural features or view corridors.