Zoning Resolution

THE CITY OF NEW YORK
Zohran K. Mamdani, Mayor

CITY PLANNING COMMISSION
Sideya Sherman, Chair

93-91 - Demolition

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LAST AMENDED
8/14/2025

The Department of Buildings shall not issue a permit for the demolition of a #multiple dwelling#, as defined in Section 93-90 (HARASSMENT), paragraph (a)(14), located within Subareas D4 or D5 in the Hell's Kitchen Subdistrict D or within Subdistrict H of the #Special Hudson Yards District#, or an alteration permit for the partial demolition of a #multiple dwelling# located within Subareas D4 and D5 or within Subdistrict H of the #Special Hudson Yards District#, where such partial demolition would decrease the amount of #residential# #floor area# in such #multiple dwelling# by 20 percent or more, unless:

(a) such #multiple dwelling# is an unsafe #building# or an emergency exists such that demolition is required pursuant to the provisions of Title 28, Chapter 2, Articles 215 or 216 of the New York City Administrative Code; or

(b) the Commissioner of the Department of Housing Preservation and Development, after providing 60 days notice and opportunity to comment to the local Community Board, has certified:

(1) if such #multiple dwelling# is to be substantially preserved, that an alteration permit is required to allow the removal and replacement of 20 percent or more of the #floor area#;

(2) if such #multiple dwelling# is not to be substantially preserved, that the Department of Housing Preservation and Development has determined that the rehabilitation of such #multiple dwelling# is not feasible under any active governmentally funded program; and

(3) that the Department of Housing Preservation and Development has issued a #certification of no harassment# pursuant to Section 93-90, paragraph (c), or has certified compliance with the cure provisions of Section 93-90, paragraph (d).

(c) the following structures shall be exempt from the provisions of this Section:

(1) any city-owned #multiple dwellings#;

(2) any #multiple dwelling# which is the subject of a program approved by the Department of Housing Preservation and Development for the provision of housing for persons of low- or moderate-income and has been exempted from the provisions of this Section by written determination of the Department of Housing Preservation and Development;

(3) any #multiple dwelling# initially occupied for #residential# purposes after January 1, 1974, except for #buildings# which are or have been interim #multiple dwellings#, pursuant to Article 7C of the Multiple Dwelling Law;

(4) any #exempt hotel#, as defined in Section 93-90;

(5) any #multiple dwelling# in which occupancy is restricted to clubhouse or school dormitory #use# and occupancy was restricted to clubhouse or school dormitory #use# on June 21, 2004; or

(6) any #exempt institutional residence#, as defined in Section 93-90.