Zoning Resolution

THE CITY OF NEW YORK
Zohran K. Mamdani, Mayor

CITY PLANNING COMMISSION
Sideya Sherman, Chair

136-50 - AUTHORIZATIONS

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136-50 - AUTHORIZATIONS

LAST AMENDED
9/7/2017

136-51 - Authorization to Modify Provisions for Publicly Accessible Open Spaces and Private Streets

LAST AMENDED
9/7/2017

The City Planning Commission may authorize modification of the provisions of Sections 136-323 (Private streets) and 136-324 (Publicly accessible open space requirements), provided that the Commission shall find that:

(a) the usefulness and attractiveness of the publicly accessible open space will be improved by the proposed design and layout;

(b) such modification to private street provisions will result in a private street network that will ensure pedestrian and vehicular mobility and safety and will be well integrated with the surrounding #streets#; and

(c) such modification will result in a superior urban design relationship with surrounding #buildings# and open areas, including #streets# and private streets.

The Commission may prescribe appropriate conditions and controls to enhance the relationship of such publicly accessible open spaces and private streets to surrounding #buildings# and open areas.

136-52 - Authorization to Modify Bulk Regulations for Affordable Housing Units

LAST AMENDED
12/5/2024

For #developments# or #enlargements# containing only #dwelling units# that either comply with the definition of "affordable housing unit" set forth in Section 27-111 (General definitions), or have a legally binding restriction limiting rents to households with incomes at or below 80 percent of the #income index#, or #qualifying senior housing#, the City Planning Commission may authorize modifications of:

(a) #yard# regulations;

(b) regulations governing the minimum required distance between #buildings# on the same #zoning lot#, provided that no waiver shall authorize a minimum distance of less than 40 feet; and

(c) regulations governing the minimum required distance between #legally required windows# and walls or #lot lines#.

The Commission shall find that such modifications:

(1) will aid in achieving the general purposes and intent of this Chapter as set forth in Section 136-00 (GENERAL PURPOSES);

(2) will provide a better distribution of #bulk# on the #zoning lot#, resulting in a superior site plan, in which the #buildings# subject to this authorization and any associated open areas will relate harmoniously with one another and with adjacent #buildings# and open areas; and

(3) will not unduly increase the #bulk# of any #building# or unduly obstruct access of adequate light and air to the detriment of the occupants or users of #buildings# on the #block# or

nearby #blocks#, or of people using the public #streets# and other public spaces.

The City Planning Commission may prescribe appropriate conditions and safeguards to minimize adverse effects on the character of the surrounding area.