Zoning Resolution

THE CITY OF NEW YORK
Zohran K. Mamdani, Mayor

CITY PLANNING COMMISSION
Sideya Sherman, Chair

54-50 - MODIFICATIONS TO THE PROVISIONS OF THIS CHAPTER

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54-50 - MODIFICATIONS TO THE PROVISIONS OF THIS CHAPTER

LAST AMENDED
12/5/2024

The provisions of this Section may be combined, except that individual #bulk# allowances to increase the height of a #building# or diminish the amount of an open area through an #enlargement# shall not be aggregated.

54-51 - Energy Infrastructure or Retrofits

LAST AMENDED
12/6/2023

Notwithstanding the other provisions of this Chapter, in all districts, a #development#, #enlargement# or alteration comprised exclusively of the addition of #energy infrastructure equipment#, #accessory# mechanical equipment, or #qualifying exterior wall thickness#, whether to a #building# or to an open area of the #zoning lot#, may create a new #non-compliance# or increase the degree of #non-compliance# of a #building or other structure#, provided that:

(a) where locating such equipment in a #non-complying# #open space#, #yard#, #rear yard equivalent#, or #court#, as applicable, such equipment shall comply with the applicable height and area restrictions for the respective open area set forth in the applicable underlying district regulations, as applied to the level and size of the #non-complying# open area;

(b) where locating such equipment on the rooftop of a #building# that is #non-complying# with respect to height and setback regulations, such equipment shall comply with the height and

area regulations for such permitted obstruction set forth in the applicable underlying district regulations, as applied to the level of the rooftop, inclusive of any #non-compliance# into a required setback area, #yard#, or other required open area;

(c) at any level, all #energy infrastructure equipment# or #accessory# mechanical equipment will be enclosed or screened in compliance with the applicable provisions for such permitted obstructions; and

(d) where locating #qualifying exterior wall thickness# into either a #non-complying# #open space#, #yard#, #rear yard#, or # court#, or into a #non-complying# distance between two #buildings# or a #non-complying# distance between a #building# and #lot line#, or in a location not otherwise permitted by underlying #street wall location rules#, such additional encroachment of wall thickness shall not exceed the depth permitted by the underlying permitted obstruction regulations.

54-52 - Accessibility or Safety Retrofits

LAST AMENDED
12/5/2024

Notwithstanding the other provisions of this Chapter, in all districts, an #enlargement#, #extension#, #conversion#, change of #use# or other alteration to a #building# that furthers the design and construction of facilities for accessibility for individuals with disabilities or furthers #building# safety by greater conformance with the most recent New York City Construction Codes, may create a new #non-compliance# or increase the degree of a #non-compliance#, provided that increases to existing #non-compliances#, or the creation of new #non-compliances#, with regard to:

(a) maximum #floor area ratio# shall not exceed ten percent of the existing #floor area#, or 1,000 square feet, whichever is less;

(b) required #open space#, #yards#, #rear yard equivalents#, or #courts#, as applicable, shall not diminish the size of the required or existing open area, as applicable, by more than 20 percent, and no further encroachment to a #non-complying# #yard# shall be closer to a #lot line# than an existing #building# on the #zoning lot#; and

(c) the permitted height and setback of a #building#, shall be limited to one #story# or 15 feet, whichever is less, measured relative to the height of the existing #building#.

Allowances for permitted obstructions may be applied to an existing #building#, including as modified pursuant to the provisions of this Section.

54-53 - Residential Retrofits

LAST AMENDED
12/5/2024

Notwithstanding the other provisions of this Chapter, in all districts, for #buildings# where 75 percent or more of the existing floor space is allocated to #residential uses#, an #enlargement#, #extension#, #conversion#, change of #use# or other alteration to such #building# that increases or improves the #residential# floor space within a #building#, may create a new #non-compliance# or increase the degree of a #non-compliance#, provided that increases to existing #non-compliances#, or the creation of new #non-compliances#, with regard to:

(a) maximum #residential# #floor area ratio# shall be limited in size to floor space existing within the volume of a #building# on the #zoning lot#. For #multiple dwelling residences#, such

allowance shall be limited to #buildings# existing on December 5, 2024;

(b) required #open space#, #yards#, #rear yard equivalents#, or #courts#, as applicable, shall not diminish the area of the existing open area by more than 20 percent and no further encroachment to a #non-complying# #yard# shall be closer to a #lot line# than an existing #building# on the #zoning lot#; and

(c) the permitted height and setback of a #building#, shall be limited to one #story# or 15 feet, whichever is less, measured relative to the height of the existing #building#.

Allowances for permitted obstructions may be applied to an existing #building#, including as modified pursuant to the provisions of this Section.