Zoning Resolution

THE CITY OF NEW YORK
Zohran K. Mamdani, Mayor

CITY PLANNING COMMISSION
Sideya Sherman, Chair

63-22 - Authorization to Modify Maximum Building Height

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LAST AMENDED
12/5/2024

For #zoning lots# containing a #FRESH food store# and #residences# in #Commercial Districts# mapped within, or with a #residential equivalent# of R6 through R12 Districts, the City Planning Commission may authorize modifications to Section 35-632 (Maximum height of buildings and setback regulations), or to the height and setback regulations of any Special Purpose District where maximum height limits apply to allow the applicable maximum #building# height to be increased by up to 15 feet and by up to one #story#, provided that the portion of the first #story# occupied by a #FRESH food store# has a minimum finished floor to finished ceiling height of 14 feet, and provided that such finished ceiling height is at least 14 feet above the #base plane# or #curb level#, as applicable.

In order to grant such authorizations, the Commission shall find that:

(a) such modifications are necessary to accommodate a first #story# utilized as a #FRESH food store#;

(b) the proposed modifications shall not adversely affect the essential scale and character of the adjacent #buildings# and any adjacent historic resources; and

(c) the proposed modifications will not unduly obstruct access to light and air of adjacent properties.

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