Zoning Resolution

THE CITY OF NEW YORK
Bill de Blasio, Mayor

CITY PLANNING COMMISSION
Marisa Lago, Chair

74-712 - Developments in Historic Districts

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Within Historic Districts designated by the Landmarks Preservation Commission, the City Planning Commission may grant a special permit, in accordance with the following provisions:

(a) In M1-5A and M1-5B Districts, on a zoning lot that, as of December 15, 2003, is vacant, is land with minor improvements, or has not more than 40 percent of the lot area occupied by existing buildings, the Commission may modify use regulations to permit residential development and, below the floor level of the second story of any development, uses permitted under Section 32-15 (Use Group 6), provided:

(1) the use modifications shall meet the following conditions, that:

(i) residential development complies with the requirements of Sections 23-47 (Minimum Required Rear Yards) and 23-86 (Minimum Distance Between Legally Required Windows and Walls or Lot Lines) pertaining to R8 Districts;

(ii) total floor area ratio on the zoning lot shall be limited to 5.0;

(iii) the minimum floor area of each dwelling unit permitted by this Section shall be 1,200 square feet;

(iv) all signs for residential or commercial uses permitted by this Section shall conform to the applicable regulations of Section 32-60 (SIGN REGULATIONS) pertaining to C2 Districts; and

(v) eating and drinking establishments of any size, as set forth in Use Groups 6A and 12A, are not permitted; and

(2) the Commission shall find that such use modifications:

(i) have minimal adverse effects on the conforming uses in the surrounding area;

(ii) are compatible with the character of the surrounding area; and

(iii) for modifications that permit residential use, result in a development that is compatible with the scale of the surrounding area.

(b) In all districts, the Commission may modify bulk regulations, except floor area ratio regulations, for any development on a zoning lot that is vacant or is land with minor improvements, and in M1-5A and M1-5B Districts, the Commission may make such modifications for zoning lots where not more than 40 percent of the lot area is occupied
by existing #buildings# as of December 15, 2003, provided the Commission finds that such #bulk# modifications:

(1) shall not adversely affect structures or #open space# in the vicinity in terms of scale, location and access to light and air; and

(2) relate harmoniously to #buildings# in the Historic District as evidenced by a Certificate of Appropriateness or other permit from the Landmarks Preservation Commission.

The City Planning Commission may prescribe appropriate additional conditions and safeguards in order to enhance the character of the #development# and to minimize adverse effects on the character of the surrounding area.