



Zoning Resolution

THE CITY OF NEW YORK

Eric Adams, Mayor

CITY PLANNING COMMISSION

Daniel R. Garodnick, Chair

74-921 - Use Groups 3A and 4A community facilities

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LAST AMENDED

10/13/2010

(a) #Use# modifications for Use Groups 3A and 4A in M1 Districts

In M1 Districts, except for houses of worship and ambulatory diagnostic or treatment health care facilities, the City Planning Commission may permit #uses# listed in Use Group 4A - Community Facilities and, in M1-5 Districts, except in M1-5B and M1-5M Districts, the Commission may permit museums and non-commercial art galleries as listed in Use Group 3A, provided that such #community facility# is located not more than 400 feet from the boundary of a district where such facility is permitted as-of-right and the Commission finds that:

- (1) an adequate separation from noise, traffic and other adverse effects of the surrounding non-#residential districts# is achieved through the use of sound-attenuating exterior wall and window construction or by the provision of adequate open areas along #lot lines# of the #zoning lot#;
- (2) such facility is so located as to draw a minimum of vehicular traffic to and through local #streets# and that such #use# will not produce traffic congestion or other adverse effects that interfere with the appropriate #use# of land in the district or in any adjacent district;
- (3) where applicable, adequate reservoir space at the vehicular entrance and sufficient vehicular entrances and exits are provided to prevent congestion;
- (4) in selecting the site, due consideration has been given to the proximity and adequacy of bus and rapid transit facilities;
- (5) for a Use Group 4A #use#, within the neighborhood primarily to be served by the #community facility#, there is no practical possibility of obtaining a site of adequate size located in a district where it is permitted as-of-right because appropriate sites in such districts are occupied by substantial improvements; and
- (6) such facility will not impair the essential character of the surrounding area.

(b) #Bulk# modifications for museums in M1-5 Districts

For a #building# containing a museum #use# listed in Use Group 3A, in an M1-5 District, on a #zoning lot# over which the High Line (as defined in Section 98-01) passes, the Commission may modify height and setback regulations, provided that such modifications:

- (1) provide a better distribution of #bulk# on the #zoning lot#;
- (2) result in a better relationship of the #building# to open areas including the High Line, adjacent #streets# and surrounding properties;
- (3) provide adequate light and air for #buildings# on the #zoning lot# and do not adversely affect adjacent #zoning lots# by unduly restricting access to light and air to surrounding #streets# and properties; and
- (4) result in a #building# containing a museum #use# that facilitates the public's use and enjoyment of the High Line.

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

surrounding area.