Zoning Resolution

THE CITY OF NEW YORK
Zohran K. Mamdani, Mayor

CITY PLANNING COMMISSION
Sideya Sherman, Chair

75-20 - BULK AUTHORIZATIONS

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75-20 - BULK AUTHORIZATIONS

LAST AMENDED
6/6/2024

75-21 - Bulk Modifications in Certain Commercial and Manufacturing Districts

LAST AMENDED
6/6/2024

For #developments# or #enlargement# of #buildings# in C4, C5, C6, C8, M1, M2, or M3 Districts, as well as M1 Districts paired with #Residence Districts#, the City Planning Commission may authorize modifications to the applicable #bulk# regulations, other than #floor area ratio#, provided that the conditions of paragraph (a) and the findings of paragraph (b) are met.

(a) Conditions

As a condition for the authorization, the proposed #development# or #enlargement# shall:

(1) be allocated exclusively to non-#residential uses#; and

(2) comply with the applicable #bulk# regulations of a C7 District. In order to apply such #bulk# regulations:

(i) where the maximum permitted #floor area ratio# for #commercial# or #manufacturing# #uses#, as applicable, is less than 2.0, the provisions for a C7-1 District shall be applied;

(ii) where the maximum permitted #floor area ratio# for #commercial# or #manufacturing# #uses#, as applicable, is greater than or equal to 2.0 but less than 3.0, the provisions for a C7-2 District shall be applied; and

(iii) in all other instances, one shall determine the particular C7 District with the same maximum permitted #floor area ratio# as that of the highest #floor area ratio# permitted for a #use# in the proposed #development# or #enlargement# pursuant to the district regulations. Where there is no C7 District with the same maximum permitted #floor area ratio#, the C7 District with the closest #floor area ratio# above that of the applicable district shall be selected.

(b) Findings

In order to grant the authorization, the Commission shall find that such #bulk# modifications:

(1) will not be incompatible with or adversely affect the essential character, use or future growth of the surrounding area; and

(2) will not unduly obstruct access of light and air to surrounding #streets# and properties.

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

75-22 - Height Modifications for Certain Sites

LAST AMENDED
12/5/2024

For #zoning lots# in R3-2 Districts, as well as R4 and R5 Districts without a letter or number suffix, the City Planning Commission may authorize modifications to the applicable height and setback regulations for #residences#, provided that the conditions of paragraph (a) and the findings of paragraph (b) are met.

(a) Conditions and limitations

The height modifications shall not apply to #buildings# utilizing the optional provisions for #predominantly built-up areas# set forth in Section 23-71, inclusive.

(b) Findings

The Commission shall find that:

(1) where the height modification is proposed for a #zoning lot# containing #qualifying senior housing#, the additional #floor area# permitted for the #use# is accommodated in an efficient manner;

(2) where the height modification is proposed for other #residences#, by concentrating permitted #floor area# in a #building# or #buildings# of greater height, the preservation of an existing #building#, topography, vegetation, or view corridors having environmental, historic or aesthetic value to the public will be assured, and that such preservation would not be possible by careful siting of lower #buildings# containing the same permitted #floor area#;

(3) such modification is the least modification required to achieve the purpose for which it is granted;

(4) the proposed modification does not impair the essential character of the surrounding area; and

(5) the proposed modification will not have adverse effects upon light, air, and privacy of adjacent properties and of any existing #buildings# on the #zoning lot#.

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

75-23 - Bulk Modifications for Non-complying Buildings

LAST AMENDED
12/5/2024

For #buildings# existing on December 31, 1990, the City Planning Commission may authorize an #enlargement#, #extension#, #conversion#, change of #use# or other alteration to a #building# that includes or will include #residences# that would create a new #non-compliance# or increase the degree of an existing #non-compliance#, with the applicable #bulk# regulations, provided that the conditions of paragraph (a) and the findings of paragraph (b) are met.

(a) Conditions

The following conditions shall be met:

(1) Where maximum #building# height limitations apply, the proposed height modifications shall not result in an increase that exceeds 25 percent of the height

permitted by the applicable district regulations, or the height of the existing #building#, whichever is greater; and

(2) Where #floor area ratio# modifications are proposed, no increase in #residential# #floor area# shall exceed the maximum #floor area# permitted by the applicable district regulations by more than 20 percent.

(b) Findings

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

(1) the configuration of the existing #building#, proximity to other #buildings#, or other site conditions create practical difficulties that would adversely affect the configuration of #residences# or the #building# site plan;

(2) for #enlargements#, where applicable:

(i) the proposed modifications will not unduly obstruct access to light and air to adjoining properties or #streets#;

(ii) the proposed scale and placement relates harmoniously with the surrounding area; and

(3) the requested modification is the least amount necessary to relieve such practical difficulties.

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

75-24 - Bulk Modifications Associated With a Transfer of Development Rights From Landmark Sites

LAST AMENDED
12/5/2024

In all districts, for #developments# or #enlargements#, the City Planning Commission may authorize #bulk# modifications, other than #floor area ratio#, to be made in conjunction with a transfer of development rights from landmark #buildings or other structures# certified pursuant to Section 75-42 (Transfer of Development Rights From Landmarks), provided the Commission determines that the conditions and limitations set forth in paragraph (a) and the findings set forth in paragraph (b) of this Section are met:

(a) Conditions and limitations

Where maximum #building# height limitations apply, modifications to the maximum permitted #building# height shall not result in an increase that exceeds 25 percent of the maximum #building# height as set forth in applicable district regulations.

(b) Findings

The Commission shall find that:

(1) the proposed modifications will not unduly obstruct access to light and air to adjoining properties or #streets#;

(2) the proposed scale and placement of the #development# or #enlargement# relates harmoniously with the surrounding area; and

(3) the requested modification is the least amount necessary to reasonably accommodate such transferred development rights.

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