Zoning Resolution

THE CITY OF NEW YORK
Zohran K. Mamdani, Mayor

CITY PLANNING COMMISSION
Sideya Sherman, Chair

75-22 - Height Modifications for Certain Sites

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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.