Zoning Resolution

THE CITY OF NEW YORK
Zohran K. Mamdani, Mayor

CITY PLANNING COMMISSION
Sideya Sherman, Chair

73-65 - Public Utilities and Special Infrastructure

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73-65 - Public Utilities and Special Infrastructure

LAST AMENDED
12/6/2023

73-651 - Enlargement of public utility facilities

LAST AMENDED
12/6/2023

The Board of Standards and Appeals may permit modifications to the #bulk# regulations for certain #enlargements# of public utility facilities set forth in paragraph (a) of this Section, provided that the findings set forth in paragraph (b) are met.

(a) The Board may permit #enlargements# which do not comply with the applicable district #bulk# regulations for #buildings or other structures# existing on December 15, 1961, within which any one of the following public utilities is located:

Electric or gas utility substations;

Telephone exchanges or other communications equipment structures;

Water or sewage pumping stations; or

#Energy infrastructure equipment#.

(b) In order to grant such permit, the Board shall find:

(1) that the growth of the utility service demand in the area served by the #building or other structure# requires such #enlargement# to house the additional facilities needed to fulfill the demand;

(2) that the network of lines, pipes or other distribution facilities located below the surface of the #streets# is so integrated with the operations carried on within such #building# that the provision of such additional facilities at another location would cause substantial duplication of plant and facilities and inconvenience to the public; and

(3) that #non-compliance#, if any, with the applicable #yard# or height and setback regulations is the minimum made necessary by essential engineering requirements.

The Board may prescribe appropriate conditions and safeguards to minimize adverse effects on the character of the surrounding area and shall require that the certificate of occupancy shall be limited to such #use#.

73-652 - Energy infrastructure equipment and mechanical equipment

LAST AMENDED
12/6/2023

The Board of Standards and Appeals may permit the #bulk# modifications set forth in paragraph (a) of this Section, provided that the findings set forth in paragraph (b) are met.

(a) The Board may permit modifications to all #bulk# regulations, other than #floor area ratio#, in order to accommodate #energy infrastructure equipment# or #accessory# mechanical equipment.

(b) In order to grant such permit, the Board shall find that:

(1) such modifications would facilitate one or more of the following sustainability goals:

(i) reduction of the electrical demand of the #building# on the energy grid;

(ii) increased energy generation or storage at an essential location for the purposes of operating the energy grid;

(iii) support compliance with the standards of the New York City Energy Conservation Code (NYCECC); or

(iv) support compliance with the carbon emission reduction requirements of Local Law 97 of 2019;

(2) such modifications are the minimum necessary to allow for an appropriate installation, with consideration for collocation of other #uses#, whether upon a rooftop, within a #building or other structure#, or in an open area on the #zoning lot#; and

(3) the proposed modifications will not impair the character or the future use or development of the surrounding area.

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