Zoning Resolution

THE CITY OF NEW YORK
Zohran K. Mamdani, Mayor

CITY PLANNING COMMISSION
Sideya Sherman, Chair

74-61 - Developments on Lots that Include Railroad Right-of-Ways

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LAST AMENDED
12/5/2024

The City Planning Commission may permit a #development# or #enlargement# on a #zoning lot# that includes either a #railroad right-of-way# or a #former railroad right-of-way# where the #lot area# is one and a half acres or greater, and may include a #railroad right-of-way# that would otherwise be considered a #block# boundary in the #lot area# of such #zoning lot#, provided the Commission finds that:

(a) the distribution of #floor area# on the #zoning lot# does not adversely affect the character of the surrounding area by being unduly concentrated in any portion of such #development# or #enlargement#; and

(b) where the #zoning lot# includes a #former railroad right-of-way# and a transportation agency has a plan to use such tract of land for transportation purposes, the site plan does not preclude future improvements to facilitate such transportation purposes. The Commission shall request the Metropolitan Transportation Authority and the Departments of Transportation of the State of New York and the City of New York to indicate within 30 days whether said agencies have any such plans.

On #zoning lots# of any size that require a certification pursuant to Section 75-411 (Developments on or over railroad rights-of-way), the Commission may permit the establishment of an appropriate level or levels instead of #curb level#, #base plane#, or other applicable reference plane, as the reference plane for the applicable regulations pertaining to, but not limited to, height and setback, #floor area#, #lot coverage#, #open space#, #yards#, and minimum distance between #buildings#.

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