**Zoning Resolution**

THE CITY OF NEW YORK
**Zohran K. Mamdani, Mayor**

CITY PLANNING COMMISSION
**Sideya Sherman, Chair**

# 74-761 - Elimination or reduction in size of bonused public amenities

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## 74-761 - Elimination or reduction in size of bonused public amenities

LAST AMENDED
10/17/2007

In all districts, the City Planning Commission may, by special permit, allow the elimination or reduction in size of any existing #publicly accessible open area#, #arcade# or other public amenity, open or enclosed, for which a #floor area# bonus has been utilized, provided that such reduction or elimination shall not create a #floor area# #non-compliance# on the #zoning lot#.

In granting such special permit, the Commission shall find that:

(a) such elimination or reduction is adequately compensated by the substitution of another public amenity or improvement on the #zoning lot# that shall provide equal or increased public benefit; and

(b) for #publicly accessible open areas# any remaining bonused open area will comply to the maximum extent feasible with the standards of #public plazas# as set forth in Section 37-70.

However, the Commission may waive the provisions of paragraph (b) of this Section if it finds that such standards for #public plazas# would compromise the design integrity of the #publicly accessible open area# or would result in the loss of significant design elements or character that are integral components of the #publicly accessible open area's# design.

The Commission may prescribe additional conditions to enhance the relationship of public open areas, #buildings# or other amenities on the #zoning lot#, to the surrounding areas.