Zoning Resolution

THE CITY OF NEW YORK
Zohran K. Mamdani, Mayor

CITY PLANNING COMMISSION
Sideya Sherman, Chair

91-66 - Modification of Use and Bulk Regulations

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91-66 - Modification of Use and Bulk Regulations

LAST AMENDED
3/20/2013

91-661 - Bulk modifications in C6-2A Districts

LAST AMENDED
12/5/2024

Within the South Street Seaport Subdistrict, for any #zoning lot# located in a C6-2A District, the underlying height and setback regulations shall apply, except that no minimum base height shall apply, and the depth of a required setback along a #narrow street# shall be at least 10 feet.

91-662 - Authorization for modification of bulk provisions and public space in C6-9 Districts

LAST AMENDED2/2/2011

In the South Street Seaport Subdistrict, the City Planning Commission may authorize:

(a) the alteration of any public amenity, open or enclosed, for which a #floor area# bonus has been granted, provided that the Commission finds that such modifications improve the intended public purpose of the amenity; or

(b) the elimination or reduction of an existing public amenity, open or enclosed, for which a #floor area# bonus has been granted, provided that a new or improved public amenity, open or enclosed, is supplied elsewhere on, or within proximity to, the #zoning lot#, and the Commission finds that:

(1) the public amenity to be eliminated no longer serves its original purpose; and

(2) the proposed new or improved public amenity will provide a greater public benefit than the amenity to be eliminated or reduced and will better serve the purposes of the #Special Lower Manhattan District#; and

(c) the modification of the applicable height, setback, lot coverage and distance between #buildings# requirements for any #development# or #enlargement# on a designated #receiving lot# that will incorporate transferred #development rights#, provided the Commission finds that the modifications:

(1) provide an appropriate distribution of #bulk# on the #zoning lot#;

(2) permit adequate light and air to the #development# or #enlargement# and adjoining properties as well as the surrounding #streets#; and

(3) will not impair the use and desirability of any public amenity that may be created or improved under the provisions of paragraph (b) of this Section.

If a #receiving lot# contains an existing #building#, such authorization shall incorporate any previous height and setback or other bulk modifications, granted prior to December 11, 2001, by the Board of Standards and Appeals, for such existing #building#.

The Commission may prescribe appropriate conditions and safeguards in connection with the grant of such authorization.

91-663 - Special permit for bulk modifications

LAST AMENDED
2/2/2011

Within the South Street Seaport Subdistrict, the City Planning Commission may modify, by special permit, the height and setback and #lot coverage# regulations of Section 91-30, provided that:

(a) either of the following conditions have been met:

(1) that the developer has obtained negative easements limiting the height of future #development# or #enlargement# to 85 feet or less on any adjoining #zoning lots# which are contiguous or would be contiguous to said #zoning lot# but for their separation by a #street# or #street# intersection, and such easements are recorded against such adjoining #zoning lots# by deed or written instrument. The Commission shall consider the aggregated areas of said #zoning lot# and the adjoining lots subject to such negative easements and the extent to which they achieve future assurance of light and air in determining the maximum permitted coverage. In no event shall such coverage exceed 80 percent of the #zoning lot# on which the #development# or #enlargement# will be located; or

(2) that the #lot coverage# for that portion of a #development# or #enlargement# below 300 feet may be increased to a maximum of 80 percent when additional #development rights# have been purchased and converted to increased #lot coverage#. The maximum percentage of #lot coverage# on such #receiving lot# shall be the sum of 65 percent plus one-half of one percent for every .10 by which the total #floor area ratio# on such #receiving lot# would exceed a #floor area ratio# of 21.6, provided that the #development# or #enlargement# on such #receiving lot# has achieved a minimum #floor area ratio# of 18.0;

(b) In order to grant such special permit, the Commission shall make the following findings:

(1) the location of the #development# or #enlargement# and the distribution of #bulk# will permit adequate light and air to surrounding #streets# and properties;

(2) any modification of height and setback will provide for better distribution of #bulk# on the #zoning lot#; and

(3) such special permit will aid in achieving the general purposes and intent of the Subdistrict.

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

91-664 - Modification of hours of operation for waterfront public access areas

LAST AMENDED
3/20/2013

For any #zoning lot# which was the subject of application N130058 ZCM, the hours of operation set forth in paragraph (a) of Section 62-71 (Operational Requirements) may be extended to allow public access up to 24 hours per day, and the provisions of paragraph (a)(3) of Section 62-654 (Signage) shall be modified to require any such extended hours of public access, as may change over time, to be included on the required signage. The provisions of paragraph (a)(4) of Section 62-654 shall not apply where 24 hour access is allowed. The provisions of paragraph (b) of Section 62-71 requiring rules of conduct for the #waterfront public access area# to be established with the Department of Parks and Recreation, and other provisions of this Chapter requiring a maintenance and operation agreement pursuant to Section 62-74 (Requirements for Recordation), shall not apply so long as a legal instrument acceptable to the Chairperson, in all other respects consistent with the provisions of Section 62-74, has been executed and recorded, setting forth rules of conduct and maintenance and operations requirements.