



Zoning Resolution

THE CITY OF NEW YORK
Zohran K. Mamdani, Mayor

CITY PLANNING COMMISSION
Daniel R. Garodnick, Chair

91-85 - Special Permit for Enlargements of 7,500 Square Feet or Greater

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LAST AMENDED 6/21/2016

In addition to any certification pursuant to Section [91-83](#) (Retail Uses Within Existing Arcades), inclusive, or an authorization pursuant to Section [91-841](#) (Authorization for retail uses within existing arcades), the City Planning Commission may permit a horizontal #enlargement# of 7,500 square feet or greater within Areas A or B on Map 9 in Appendix A of this Chapter, provided that the Commission finds that the public amenity or improvement that is provided on the #zoning lot# is of equal or greater benefit to the public than the #arcade# to be eliminated or reduced.

For the purposes of calculating the total area of the horizontal #enlargement# that is subject to the special permit, the aggregate area of the horizontal #enlargement# permitted by any prior certification pursuant to Section [91-83](#), inclusive, and prior authorizations pursuant to Section [91-841](#) shall be included in such calculation, except the area of an indoor public space provided in accordance with the provision of Section [91-834](#) (Indoor public spaces) shall be excluded from such calculation.

As part of the special permit, the Commission may modify the requirements of Section [91-831](#) (Ground floor requirements), the provisions of Sections [91-832](#) (Plaza improvements) and [91-833](#) (Special regulations for plazas less than 40 feet in depth) for #publicly accessible open areas# and the provisions of Section [91-834](#) for indoor public spaces. In no event shall an #enlargement# be permitted within a #publicly accessible open area# or other required open area unless specified on Map 9 in Appendix A of this Chapter.

The Commission may prescribe additional conditions and safeguards to enhance the relationship between the #enlargement# and the surrounding #streets#, #buildings# and public open areas.