Zoning Resolution

THE CITY OF NEW YORK
Zohran K. Mamdani, Mayor

CITY PLANNING COMMISSION
Sideya Sherman, Chair

73-171 - Ground floor offices in the flood zone

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LAST AMENDED
6/6/2024

In all #Residence Districts# in the #flood zone#, for #buildings# containing #residential uses#, the Board of Standards and Appeals may permit offices listed under Use Group VII, provided that the conditions of paragraph (a) of this Section, and the findings of paragraph (b) of this Section are met:

(a) Conditions

All applications shall be subject to the following conditions:

(1) the #building# complies with #flood-resistant construction standards#;

(2) the office #use# is located on the lowest #story# above grade within the #building#;

(3) access to such office #use# is from a separate entrance than that serving the #residential# portion of the #building#;

(4) the #floor area# associated with such office #use# shall be considered as #community facility# #use# for the purposes of determining compliance with the applicable district #floor area ratio# regulations, and amount of #floor area# attributed to such office #use# shall not exceed 10,000 square feet;

(5) the office #use# complies with the #accessory# off-street parking regulations for ambulatory diagnostic or treatment health care facilities listed under Use Group III(B), in accordance with Article II, Chapter 5 (Accessory Off-Street Parking and Loading

Regulations); and

(6) such office #use# complies with #accessory# #signs# regulations for #buildings# containing #residences#, as set forth in Section 22-32 (Permitted Non-Illuminated Accessory Signs).

(b) Findings

In order to grant the special permit, the Board shall find that:

(1) such office #use# will generate a minimum of vehicular traffic to and through local #streets# and will not create traffic congestion;

(2) such office #use# will not produce objectionable effects; and

(3) such office #use# will not alter the essential character of the neighborhood in which the #building# is located.

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