Zoning Resolution

THE CITY OF NEW YORK
Zohran K. Mamdani, Mayor

CITY PLANNING COMMISSION
Sideya Sherman, Chair

74-31 - Stores or Offices on Large-scale Sites in Residence Districts

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LAST AMENDED
6/6/2024

In #Residence Districts# the City Planning Commission may allow, by special permit, modifications to the underlying #use# regulations to permit #uses# that would be permitted in a C2 District on the #ground floor level# of a #building#. However, #accessory# drive-through facilities serving a #use# listed under Use Group VI, as set forth in Section 32-16 (Use Group VI – Retail and Services), shall not be permitted. The Commission may also permit the #sign# regulations applicable to a C2 District to be applied to such #use#. In order to grant such permit, the Commission shall find that the conditions of paragraph (a) and the findings of paragraph (b) are met.

(a) Conditions

As a condition for the special permit, the applicant shall demonstrate that the proposed #use#:

(1) is located on a #large-scale development#, or is located on either a single #zoning lot# that has an area of at least 1.5 acres, or two or more contiguous #zoning lots#, or lots that would be contiguous but for their separation by a #street#, under the same single fee ownership or alternate ownership arrangements, that has an area of at least 1.5 acres and contains #residences#; and

(2) does not exceed a size of 15,000 square feet. The #floor area# associated with such #uses# permitted in a C2 District shall be considered a #community facility# #use# for the purposes of determining compliance with the applicable district #floor area ratio# regulations.

(b) Findings

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

(1) such #use# will serve residents on the #zoning lot# and the surrounding residential area;

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

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

(4) such #use#, including any permitted #signs#, will not alter the essential character of the neighborhood in which the #building# is located.

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