Zoning Resolution

THE CITY OF NEW YORK
Zohran K. Mamdani, Mayor

CITY PLANNING COMMISSION
Sideya Sherman, Chair

75-23 - Bulk Modifications for Non-complying Buildings

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LAST AMENDED
12/5/2024

For #buildings# existing on December 31, 1990, the City Planning Commission may authorize an #enlargement#, #extension#, #conversion#, change of #use# or other alteration to a #building# that includes or will include #residences# that would create a new #non-compliance# or increase the degree of an existing #non-compliance#, with the applicable #bulk# regulations, provided that the conditions of paragraph (a) and the findings of paragraph (b) are met.

(a) Conditions

The following conditions shall be met:

(1) Where maximum #building# height limitations apply, the proposed height modifications shall not result in an increase that exceeds 25 percent of the height permitted by the applicable district regulations, or the height of the existing #building#, whichever is greater; and

(2) Where #floor area ratio# modifications are proposed, no increase in #residential# #floor area# shall exceed the maximum #floor area# permitted by the applicable district regulations by more than 20 percent.

(b) Findings

In order to grant such authorization, the Commission shall find that:

(1) the configuration of the existing #building#, proximity to other #buildings#, or other site conditions create practical difficulties that would adversely affect the configuration of #residences# or the #building# site plan;

(2) for #enlargements#, where applicable:

(i) the proposed modifications will not unduly obstruct access to light and air to adjoining properties or #streets#;

(ii) the proposed scale and placement relates harmoniously with the surrounding area; and

(3) the requested modification is the least amount necessary to relieve such practical difficulties.

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