Zoning Resolution

THE CITY OF NEW YORK
Zohran K. Mamdani, Mayor

CITY PLANNING COMMISSION
Sideya Sherman, Chair

73-14 - Public Service Facilities and Infrastructure

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73-14 - Public Service Facilities and Infrastructure

LAST AMENDED
6/6/2024

73-141 - Radio or Television Towers

LAST AMENDED
6/6/2024

In all districts, the Board of Standards and Appeals may permit non-#accessory# radio or television towers listed under Use Group IV(B), provided that it finds that the proposed location, design, and method of operation of such tower will not have a detrimental effect on the privacy, quiet, light and air of the neighborhood.

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

73-142 - Telephone exchanges or other communications equipment structures

LAST AMENDED
6/6/2024

In all #Residence Districts#, the Board of Standards and Appeals may permit telephone exchanges or other communications equipment structures listed under Use Group IV(B), provided that the Board finds that:

(a) such #use# will serve the residential area within which it is proposed to be located; and

(b) there are serious difficulties in locating it in a district wherein it is permitted as of right and from which it could serve the residential area, which make it necessary to locate such #use# within a #Residence District#.

The Board may prescribe appropriate conditions or safeguards to minimize adverse effects on the character of the surrounding area, including requirements that such #use# shall be landscaped.

73-143 - Electric or gas utility substations

LAST AMENDED
6/6/2024

The Board of Standards and Appeals may permit electric or gas utility substations listed under Use Group IV(B) pursuant to either paragraph (a) or (b) of this Section, as applicable.

(a) In all #Residence Districts#, the Board may permit electric or gas utility substations, limited in each case to a site of between 4,500 square feet and not more than 10,000 square feet, provided that the Board finds that:

(1) such #use# will serve the residential area within which it is proposed to be located; and

(2) there are serious difficulties in locating it in a district wherein it is permitted as of right and from which it could serve the residential area, which make it necessary to locate such #use# within a #Residence District#.

The Board may prescribe appropriate conditions or safeguards to minimize adverse effects on the character of the surrounding area, including requirements that such substations shall be

landscaped and surrounded with fences, barriers, or other safety devices; and that electric utility substations shall meet the performance standards for an M1 District.

(b) In all #Residence# and #Commercial Districts#, and in M1 Districts in the #Special Downtown Jamaica District#, the Board may permit electric utility substations (including transformers, switches, or auxiliary apparatus), limited in each case to a site of between 10,000 square feet and not more than 40,000 square feet, provided that the Board finds that:

(1) such #use# will serve either the residential community within which it is proposed to be located or the residential community immediately adjacent, and that there are serious difficulties in locating such #use# in a nearby district where it is permitted as-of-right;

(2) the site for such #use# is so located in #Residence Districts# as to minimize the adverse effects on the integrity of existing and future development, or is so located in #Commercial Districts# as to minimize the interruption of the continuity of retail frontage;

(3) the architectural and landscaping treatment of such #use# will blend harmoniously with the rest of the area; and

(4) such #use# will conform to the performance standards applicable to M1 Districts.

The Board may prescribe appropriate conditions and safeguards to minimize adverse effects on the character of the surrounding area, including requirements for soundproofing, for the construction of fences, barriers, or other safety devices, for screening of apparatus, or for landscaping.

73-144 - Public utility stations or terminal facilities

LAST AMENDED

6/6/2024

In all #Residence Districts#, the Board of Standards and Appeals may permit public utility stations for oil or gas metering or regulating, or terminal facilities located at river crossings for access to electric, gas or steam lines, as listed under Use Group IV(B), provided that the Board finds that the proposed location, design and method of operation will not have a detrimental effect on the privacy and quiet of the neighborhood and the safety of its inhabitants.

The Board may prescribe appropriate conditions and safeguards to minimize adverse effects on the character of the surrounding area, including requirements for construction of fences, barriers or other safety devices, or for landscaping.

73-145 - Water pumping stations

LAST AMENDED
6/6/2024

In all #Residence Districts#, the Board of Standards and Appeals may permit potable water pumping stations listed under Use Group IV(B), on sites with a minimum #lot area# of at least 4,500 square feet, provided that the Board finds that:

(a) such #use# will serve the residential area within which it is proposed to be located; and

(b) there are serious difficulties in locating such #use# in a district where it is permitted as of right and from which it could serve the residential area, that make it necessary to locate such #use# within a #Residence District#.

The Board may prescribe appropriate conditions or safeguards to minimize adverse effects on the character of the surrounding area, including requirements that such pumping stations shall be landscaped and surrounded with fences, barriers, or other safety devices.

73-146 - Public transit or railroad electric substations

LAST AMENDED
6/6/2024

In all #Residence# and #Commercial Districts#, and in M1 Districts in the #Special Downtown Jamaica District#, the Board of Standards and Appeals may permit public transit or railroad electric substations listed under Use Group IV(B), limited in each case to a site of between 4,500 and not more than 40,000 square feet, and a minimum frontage of 50 feet, provided that the following findings are made:

(a) that such #use# will serve either the residential community within which it is proposed to be located or the residential community immediately adjacent, and that there are serious difficulties in locating such #use# in a nearby district where it is permitted as-of-right;

(b) that the site for such #use# is so located in #Residence Districts# as to minimize the adverse effects on the integrity of existing and future development, or is so located in #Commercial Districts# as to minimize the interruption of the continuity of retail frontage;

(c) that the architectural and landscaping treatment of such #use# will blend harmoniously with the rest of the area; and

(d) that such #use# will conform to the performance standards applicable to M1 Districts.

The Board may prescribe appropriate conditions and safeguards to minimize adverse effects on the character of the surrounding area, including requirements for soundproofing, for the construction of fences, barriers, or other safety devices, for screening of apparatus, or for landscaping.

73-147 - Energy infrastructure equipment

LAST AMENDED
6/6/2024

In all #Residence Districts#, the Board of Standards and Appeals may permit #energy infrastructure equipment# listed under Use Group IV(C), without size restriction, provided that the Board finds that:

(a) such #use# will serve the residential area within which it is proposed to be located; and

(b) there are serious difficulties in locating it in a district wherein it is permitted as of right and from which it could serve the residential area, which make it necessary to locate such #use# within a #Residence District#.

The Board may prescribe appropriate conditions or safeguards to minimize adverse effects on the character of the surrounding area, including requirements that such #use# shall be landscaped.