Zoning Resolution

THE CITY OF NEW YORK
Zohran K. Mamdani, Mayor

CITY PLANNING COMMISSION
Sideya Sherman, Chair

81-231 - Existing plazas or other public amenities

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LAST AMENDED
3/26/2026

(a) Elimination or reduction in size of existing #publicly accessible open area# or other public amenities

No existing #publicly accessible open area# or other public amenity, open or enclosed, for which a #floor area# bonus has been utilized, shall be eliminated or reduced in size, except by special permit of the City Planning Commission, pursuant to Section 74-761 (Elimination or reduction in size of bonused public amenities).

(b) Kiosks and open air cafes

Kiosks and open air cafes may be placed within an existing #publicly accessible open area# or through #block# galleria for which a #floor area# bonus has been received by certification, pursuant to Section 37-73 (Kiosks and Open Air Cafes).

However, for through #block# gallerias, the provisions for open air cafes shall be modified as follows:

(1) such cafes need not be open to the sky; and

(2) movable planters or barriers that separate such cafes from the remainder of the through #block# galleria are allowed, provided that such planters or barriers do not exceed a height of three feet, or a depth of 12 inches.

The planters or barriers shall be removed from the through #block# galleria when the open air cafe is not in active use.

(c) Nighttime closing of existing #publicly accessible open areas#

The Commission may, upon application, authorize the closing of an existing #publicly accessible open area# for which a #floor area# bonus has been received, during certain nighttime hours, pursuant to Section 37-727 (Hours of access).

(d) Special provisions for certain #covered pedestrian spaces#

Where a portion of an existing #covered pedestrian space# was designated by a special authorization of the Commission prior to May 13, 1982, to be used for off-street loading after business hours, the Commission may, by special permit, after public notice and hearing, and subject to City Council action, allow relocation of the loading facilities and modifications relating to the loading berth requirements, provided that such modifications will result in substantial improvement of the pedestrian circulation system and amenities within the existing #covered pedestrian space# without adversely affecting the operation of off-street loading facilities.

(e) Elimination or reduction in size of non-bonused open area on a #zoning lot# containing a bonused amenity

Any existing open area for which a #floor area# bonus has not been utilized that occupies the same #zoning lot# as an existing #publicly accessible open area# or other public amenity, open or enclosed, for which a #floor area# bonus has been utilized, may be reduced in size or eliminated only upon certification of the Chairperson of the City Planning Commission that all bonused amenities comply with the standards under which such #floor area# bonus was granted.