Zoning Resolution

THE CITY OF NEW YORK
Zohran K. Mamdani, Mayor

CITY PLANNING COMMISSION
Sideya Sherman, Chair

137-50 - SPECIAL REQUIREMENTS FOR DEVELOPMENTS AND ENLARGEMENTS

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137-50 - SPECIAL REQUIREMENTS FOR DEVELOPMENTS AND ENLARGEMENTS

LAST AMENDED
12/5/2024

In #Special Coastal Risk District# 3, no #development# or horizontal #enlargement# shall occur, except where authorized by the City Planning Commission pursuant to Sections 137-51 (Authorization for Development of Single Buildings and Enlargements) or 137-52 (Authorization for Development of Multiple Buildings), as applicable. In addition, the provisions of Article VI, Chapter 5 (Special Regulations Applying in Designated Recovery Areas) and Section 64-60 (SPECIAL REGULATIONS FOR NON-CONFORMING USES AND NON-COMPLYING BUILDINGS) shall not apply.

For the purposes of determining which authorization shall be applicable, the #zoning lot# upon which the #development# shall occur shall be considered to be a tract of land that existed under separate ownership from all adjoining tracts of land on April 24, 2017.

For the purposes of such authorizations, the alteration of any existing #building# resulting in the removal of more than 75 percent of the #floor area# and more than 25 percent of the perimeter walls of such existing #building#, and the replacement of any amount of #floor area#, shall be considered a #development#.

The provisions of Section 137-50, inclusive, shall not apply to the reconstruction of a garage #accessory# to a #single-family residence# or #two-family residence#.

The provisions of Section 73-81 (Special Permit for Modification of Certain Zoning Regulations) shall be inapplicable to a #building# that is #developed# pursuant to this Section, inclusive.

137-51 - Authorization for Development of Single Buildings and Enlargements

LAST AMENDED
9/7/2017

The City Planning Commission may authorize a horizontal #enlargement#, or a #development# consisting of no more than one #building# containing a non-#accessory# #use#, on one or more #zoning lots#, and may modify the #bulk# regulations of the underlying district, except #floor area ratio# regulations, provided that:

(a) the site plan, to the extent practicable, minimizes the need for new paving and impervious surfaces upon the #zoning lot#;

(b) the site plan provides access to the new or #enlarged building# using #streets# that were improved and open to traffic on the date of application for an authorization, and which serve other occupied #buildings#;

(c) the site plan, to the extent practicable, minimizes adverse effects on wetlands, planned open space, drainage, or other functions in the surrounding area;

(d) the resulting #building# and other site improvements would not impair the essential ecological character of the surrounding area for its future use as open space;

(e) the site plan and resulting #building# incorporate such measures as are reasonable to minimize risks to public safety from natural hazards such as flooding and wildfires; and

(f) where the Commission is modifying #bulk# regulations, such modifications are the minimum necessary to protect, or provide buffering from, wetlands or wetland-adjacent areas.

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

137-52 - Authorization for Development of Multiple Buildings

LAST AMENDED
9/7/2017

The City Planning Commission may authorize a #development# consisting of more than one #building# on one or more #zoning lots#, and may modify the #bulk# regulations of the underlying district, except #floor area ratio# regulations, provided that:

(a) all #zoning lots# comprising such #development# together provide a minimum of 9,500 square feet of #lot area# per #building#, where no portion of such #lot area# shall contain delineated wetland on a wetland survey reviewed by the New York State Department of Environmental Conservation (NYSDEC). Such review by the NYSDEC shall have occurred no more than two years prior to the date of application for this authorization;

(b) the #development# satisfies the findings of paragraphs (a) through (e) of Section 137-51 (Authorization for Development of Single Buildings and Enlargements);

(c) where the Commission is modifying #bulk# regulations, such modifications shall:

(1) facilitate the configuration of #buildings# in order to protect, or provide buffering from, adjacent wetlands, open space and natural resources;

(2) facilitate, to the extent practicable, the configuration of #buildings# in proximity to the location of existing #buildings# within the area;

(3) limit the need for new paving and impermeable surfaces; and

(4) be consistent with the scale and character of the surrounding area.

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