Zoning Resolution

THE CITY OF NEW YORK
Zohran K. Mamdani, Mayor

CITY PLANNING COMMISSION
Sideya Sherman, Chair

65-20 - SPECIAL DAMAGE AND DESTRUCTION PROVISIONS

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LAST AMENDED
5/12/2021

The following modifications to damage and destruction provisions associated with this Resolution may be applied to #zoning lots# within #designated recovery areas#, as set forth in Section 65-01 (Applicability of Article VI, Chapter 5).

65-21 - Reconstruction Provisions

LAST AMENDED
5/12/2021

In all districts, where the provisions of this Section are utilized, the provisions of Article V, Chapters 2 (Non-Conforming Uses) and 4 (Non-Complying Buildings) shall be modified to allow the reconstruction of #buildings or other structures# containing #non-conforming# #uses# and #non-complying# #buildings or other structures#, that were damaged due to the effects of the #severe disaster#, as follows:

(a) Section 52-53 (Buildings or Other Structures in All Districts), inclusive, shall be modified to allow the reconstruction of a #non-conforming# #use# where a #building or other structure# containing such #use# is damaged to the extent of 50 percent or more due to the effects of a #severe disaster#. In addition, for the purpose of this paragraph, the provisions of Section 52-60 (DISCONTINUANCE) shall not apply to such damaged #building or other structure# with #non-conforming# #uses#; and

(b) Section 54-40 (DAMAGE OR DESTRUCTION IN NON-COMPLYING BUILDINGS) shall be modified to allow the reconstruction of a #non-complying# #building or other structure# where such #building or other structure# is damaged to the extent of 75 percent or more due to the effects of a #severe disaster#.

For the purpose of applying waterfront and parking regulations, #buildings# reconstructed pursuant to this Section shall not be considered #developments# or #enlargements#.