

## **Section 74-712 (Development in Historic Districts) Special Permit Application Guidelines**

**Version: 1.4**

### **Purpose**

This document provides general guidance for the minimum drawing requirements and content parameters for the production of an application package for a special permit. This information is necessary for the City Planning Commission to make an informed decision when it comes to addressing the findings of this action. These guidelines should be used in coordination with the application requirements laid out in the Zoning Resolution.

### **When to Use**

Please use these minimum requirements when producing an application for a special permit pursuant to Section 74-712 (Development in Historic Districts). This special permit can be used to either modify the use regulations in M1-5A and M1-5B districts pursuant to Section 74-712(a) or it can also be used to modify the bulk regulations, except floor area ratio, in all zoning districts pursuant to Section 74-712(b). This special permit may only be granted for zoning lots on which existing buildings occupy 20 percent or less of the lot area.

### **Exceptions**

These requirements are for use as a reference only. Application requirements are based on the action requested by the applicant and will be confirmed by the DCP Project Team at the Interdivisional Meeting. Exceptions to the content of these guidelines should be based on unique site or project considerations and should be discussed at the Interdivisional Meeting.

### **Application Guidelines Overview**

In order to address the findings related to neighborhood context, signage, floor area ratio, rear yards, and window / wall location for use changes pursuant to section 74-712(a) and findings related to open space and access to light and air pursuant to section 74-712(b), the drawings listed in the tables below are required.

For any projects where the applicant has been working extensively with the Landmarks Preservation Commission, DCP will work with the applicant to attempt to re-use already created materials. These materials will not be accepted if they do not address key findings in the Zoning Resolution, however, DCP will make every attempt to work with the applicant to identify drawings that can suit DCP and CPC purposes, without having to be re-drawn.

In addition to the aforementioned drawings, the application for a special permit pursuant to Section 74-712 also requires an attachment entitled Attachment 11: Applicant's Statement of Findings. This is a written document which responds in prose form to the findings of the text. The application drawings will not always be sufficient to address the findings and sometimes the information requested is not easily represented graphically.

Additional guidance will be provided at the Interdivisional Meeting if other materials are appropriate for inclusion in the application package.

## Submission Requirements

**Table A. Required Drawings for 74-712(a)  
Use modification in M1-5A & M1-5B Districts**

Number	Required Drawing(s)	Additional Content Requirements	Relevant Zoning Section Nos.
1	Area Map	<ul style="list-style-type: none"> <li>• Follow the general DCP format guidelines for this document</li> <li>• Include the boundary of the Historic District</li> <li>• If modifying use requirements label or use symbology to show specific uses &amp; Use Group Numbers within the required 600' surrounding the project area (i.e. JLWQA. Retail, office space)</li> <li>• For JLWQA uses, use a “J” on the appropriate buildings.</li> <li>• In mixed-use buildings, distinguish ground-floor retail space by placing an asterisk in front of the building on the Area Map</li> </ul>	<ul style="list-style-type: none"> <li>• 74-712(a)2(i)</li> <li>• 74-712(a)2(ii)</li> <li>• 74-712(a)2(iii)</li> </ul>
2	Zoning Analysis	<ul style="list-style-type: none"> <li>• Include the floor area of each dwelling unit</li> <li>• Include the requirements of Sections 23-47 and 23-86</li> <li>• Include lot coverage of existing buildings as of 12/15/2003 (applies in M1-5A and M1-5B districts only)</li> </ul>	<ul style="list-style-type: none"> <li>• 74-712(a)1(ii)</li> <li>• 74-712(a)1(iii)</li> </ul>

Number	Required Drawing(s)	Additional Content Requirements	Relevant Zoning Section Nos.
3	Zoning Lot Site Plan	<ul style="list-style-type: none"> <li>• Follow the general DCP format guidelines for this document</li> <li>• May be combined with the Ground Floor Plan as long as both remain legible</li> </ul>	
4	Ground Floor Plan	<ul style="list-style-type: none"> <li>• Ground floor plan must use zoning lot site plan content requirements regarding adjacent properties and general zoning information as a base</li> <li>• Label and dimension the required and proposed rear yard depth</li> <li>• Dimension and label the distance between any windows and any wall, side lot line or rear lot line</li> <li>• Not needed if entire building is being converted, unless Floor Area is being relocated</li> </ul>	74-712(a)
5	Upper Floor Plan(s)	<ul style="list-style-type: none"> <li>• Follow the general DCP format guidelines for this document</li> <li>• Not needed if entire building is being converted, unless Floor Area is being relocated</li> <li>• If included, show residential units and label SF</li> </ul>	74-712(a)1(iii)

Number	Required Drawing(s)	Additional Content Requirements	Relevant Zoning Section Nos.
6	Elevation(s) (Illustrative) – Only use if signage is non-compliant)	<ul style="list-style-type: none"> <li>Label Signage surface area and include square footage.</li> <li>Approximately 25' feet beyond the lot line of the development site should be included to show the existing character of the block into which the new buildings will be constructed. – to be confirmed by DCP</li> </ul>	74-712(a)1(iv)
7	Section	<ul style="list-style-type: none"> <li>Show proposed uses in section</li> <li>Dimension distance from windows to signage</li> <li>Show distance between windows</li> </ul>	Required to document condition of approval
8	Neighborhood Character Diagram	<ul style="list-style-type: none"> <li>Follow the general DCP format guidelines for this document.</li> </ul>	74-712(a)2(iii)

**Table B. Additional Application Requirements for 74-712(a) Use modification in M1-5A & M1-5B Districts**

Number	Additional Application Requirements	Description
1	LR Form	<ul style="list-style-type: none"> <li>Pages 1-2</li> <li>If the owner/applicant is not signing on page 2, include an owner's authorization letter.</li> </ul>
2	LR Form Attachment 2: Site Data	<ul style="list-style-type: none"> <li>Only required if the affected tax block and lots do not fit on LR Form page 1</li> </ul>
3	Supplemental Form ZS/ZA/ZC	<ul style="list-style-type: none"> <li>Include the full title of the ZR Section</li> <li>Under <u>TO MODIFY</u>: these sections must be consistent with the zoning analysis.</li> </ul>

Number	Additional Application Requirements	Description
4	Official Zoning Sectional Map	<ul style="list-style-type: none"> <li>• Submit at 8.5x14” or 11x17”</li> <li>• Ex: 12b</li> <li>• Maps can be accessed online here: <a href="http://www.nyc.gov/html/dcp/html/zone/zonedex.shtml">http://www.nyc.gov/html/dcp/html/zone/zonedex.shtml</a></li> </ul>
5	DOF Tax Map(s)	<ul style="list-style-type: none"> <li>• Submit at 11x17”</li> <li>• DCP will accept maps printed from the Library of Tax Maps or a hard copy from the Department of Finance only. The maps can be accessed online and printed from here: <a href="#">Digital Tax Map Library - New York City Department of Finance</a></li> </ul>
6	LR Item 3: Description of Proposal	<ul style="list-style-type: none"> <li>• Follow general DCP guidelines for this document.</li> <li>• Under Project Description, briefly describe any related work, interior or exterior, that is subject to Landmarks approval.</li> <li>• Under Actions Requested, describe all waivers and reference appropriate sections that are being modified by the action.</li> </ul>

Number	Additional Application Requirements	Description
7	Discussion of Conditions	<ul style="list-style-type: none"> <li>• This attachment is only required for special permits pursuant to Section 74-712(a).</li> <li>• This is a separate document and should be labeled as “Special Permit Pursuant to Section 74-712(a), Applicant’s Discussion of Conditions.”</li> <li>• Following the format guidelines for Attachment 11, copy and cite the text exactly as it appears in the Zoning Resolution and respond to each condition stated in 74-712(a)(1), conditions (i) thru (v) .</li> <li>• For (a)(1)(i), state the permitted and proposed conditions.</li> <li>• For (a)(1)(ii), state the lot area of the zoning lot, the proposed total floor area, and the resultant floor area ratio.</li> <li>• For (a)(1)(iii), a floor area schedule may be included for reference.</li> <li>• For findings (a)(1)(iv) and (a)(1)(v), reference the zoning analysis sheet number in the response.</li> </ul>

Number	Additional Application Requirements	Description
8	Statement of Findings (Attachment 11)	<ul style="list-style-type: none"> <li>• Follow the general DCP format guidelines for this document.</li> <li>• <b>For applications pursuant to Section 74-712(a)</b> <ul style="list-style-type: none"> <li>○ For finding (a)(2)(i), using the area/land use map as a guide, discuss the surrounding conforming uses and describe any potential impacts to those uses by the proposed use in terms of noise, traffic, and circulation conflicts.</li> <li>○ For finding (a)(2)(ii), using the area/land use map as a guide, describe the uses and types of buildings and activities, including parks and other civic institutions, in the vicinity and how the proposed use contributes or can co-exist with the neighborhood. Discuss whether there will be additional pedestrian or vehicular traffic because of the use modification and whether that will impact the neighborhood.</li> <li>○ For finding (a)(2)(iii), if proposing a residential use, describe how the massing and orientation of the building(s) reinforces the urban design and topographic features of the surrounding area.</li> </ul> </li> </ul>
9	Photos	<ul style="list-style-type: none"> <li>• Follow the general DCP format guidelines for this document.</li> </ul>
10	Certificate of Appropriateness from the Landmarks Preservation Commission	<ul style="list-style-type: none"> <li>• Only required for bulk actions pursuant to Section 74-712(b)</li> </ul>

**Table C. Required Drawings for 74-712(b)**  
**Bulk modification in all Districts**

Number	Required Drawing(s)	Additional Content Requirements	Relevant Zoning Section Nos.
1	Area Map	<ul style="list-style-type: none"> <li>• Follow the general DCP format guidelines for this document.</li> <li>• If modifying use requirements label or use symbology to show specific uses &amp; Use Group Numbers within the required 600' surrounding the project area (i.e. JLVQA. Retail, office space)</li> <li>• For JLVQA uses, use a "J" on the appropriate buildings.</li> <li>• In mixed-use buildings, distinguish ground-floor retail space by placing an asterisk in front of the building on the Area Map</li> </ul>	<ul style="list-style-type: none"> <li>• 74-712(b)1</li> <li>• 74-712(b)2</li> </ul>
2	Zoning Analysis	<ul style="list-style-type: none"> <li>• Include lot coverage of existing buildings as of 12/15/2003 (applies in M1-5A and M1-5B districts only).</li> </ul>	<ul style="list-style-type: none"> <li>• 74-712(b)</li> </ul>
3	Ground Floor Plan	<ul style="list-style-type: none"> <li>• Ground floor plan must use zoning lot site plan content requirements regarding adjacent properties and general zoning information as a base.</li> <li>• Include and label any existing buildings on the zoning lot</li> </ul>	<ul style="list-style-type: none"> <li>• 74-712(b)</li> </ul>
4	Section(s)	<ul style="list-style-type: none"> <li>• Follow the general DCP format guidelines for this document.</li> </ul>	<ul style="list-style-type: none"> <li>• 74-712(b)1</li> </ul>



Number	Required Drawing(s)	Additional Content Requirements	Relevant Zoning Section Nos.
5	Elevation(s) (Illustrative)	<ul style="list-style-type: none"> <li>Follow the general DCP format guidelines for this document.</li> <li>Approximately 25' feet beyond the lot line of the development site should be included to show the existing character of the block into which the new buildings will be constructed. – to be confirmed by DCP</li> </ul>	
6	Neighborhood Character Diagram	<ul style="list-style-type: none"> <li>Follow the general DCP format guidelines for this document.</li> </ul>	<ul style="list-style-type: none"> <li>74-712(b)1</li> </ul>

**Table D. Additional Application Requirements for 74-712(b)  
Bulk modification in all Districts**

Number	Additional Application Requirements	Description
1	LR Form	<ul style="list-style-type: none"> <li>Pages 1-2</li> <li>If the owner/applicant is not signing on page 2, include an owner's authorization letter.</li> </ul>
2	LR Form Attachment 2: Site Data	<ul style="list-style-type: none"> <li>Only required if the affected tax block and lots do not fit on LR Form page 1</li> </ul>
3	Supplemental Form ZS/ZA/ZC	<ul style="list-style-type: none"> <li>Include the full title of the ZR Section</li> <li>Under <u>TO MODIFY</u>: these sections must be consistent with the zoning analysis.</li> </ul>

Number	Additional Application Requirements	Description
4	Official Zoning Sectional Map	<ul style="list-style-type: none"> <li>• Submit at 8.5x14" or 11x17"</li> <li>• Ex: 12b</li> <li>• Maps can be accessed online here: <a href="http://www.nyc.gov/html/dcp/html/zone/zonedex.shtml">http://www.nyc.gov/html/dcp/html/zone/zonedex.shtml</a></li> </ul>
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6	LR Item 3: Description of Proposal	<ul style="list-style-type: none"> <li>• Follow general DCP guidelines for this document.</li> <li>• Under Project Description, briefly describe any related work, interior or exterior, that is subject to Landmarks approval.</li> <li>• Under Actions Requested, describe all waivers and reference appropriate sections that are being modified by the action.</li> </ul>

Number	Additional Application Requirements	Description
7	Discussion of Conditions	<ul style="list-style-type: none"> <li>• This attachment is only required for special permits pursuant to Section 74-712(a).</li> <li>• This is a separate document and should be labeled as “Special Permit Pursuant to Section 74-712(a), Applicant’s Discussion of Conditions.”</li> <li>• Following the format guidelines for Attachment 11, copy and cite the text exactly as it appears in the Zoning Resolution and respond to each condition stated in 74-712(a)(1), conditions (i) thru (v) .</li> <li>• For (a)(1)(i), state the permitted and proposed conditions.</li> <li>• For (a)(1)(ii), state the lot area of the zoning lot, the proposed total floor area, and the resultant floor area ratio.</li> <li>• For (a)(1)(iii), a floor area schedule may be included for reference.</li> <li>• For findings (a)(1)(iv) and (a)(1)(v), reference the zoning analysis sheet number in the response.</li> </ul>

Number	Additional Application Requirements	Description
8	Statement of Findings (Attachment 11)	<ul style="list-style-type: none"> <li>• Follow the general DCP format guidelines for this document.</li> <li>• <b>For applications pursuant to Section 74-712(b)</b> <ul style="list-style-type: none"> <li>○ For finding (b)(1), discuss the following:                             <ul style="list-style-type: none"> <li>▪ Describe the relationship of the building(s) on the zoning lot to any open areas on the zoning lot, including parking and passive recreation space, and to adjacent and proximate properties.</li> <li>▪ The discussion should also focus on how the form and location of the proposed building is designed with sensitivity to the scale of the surrounding area and would minimize adverse impacts to light and air of the users of the buildings within the project and people using public streets. Shadow assessment pursuant to the CEQR Technical Manual may be referred to in this discussion.</li> </ul> </li> <li>○ For finding (b)(2), discuss the overall height, setback(s), and street wall height of the subject buildings in comparison to the heights, setbacks, and street wall heights of the adjacent structures within the extent of the streetscape elevation drawing [the vicinity]. Note any significant design features that are maintained or are characteristic of the historic district.</li> </ul> </li> </ul>
9	Photos	<ul style="list-style-type: none"> <li>• Follow the general DCP format guidelines for this document.</li> </ul>
10	Certificate of Appropriateness from the Landmarks Preservation Commission	<ul style="list-style-type: none"> <li>• Only required for bulk actions pursuant to Section 74-712(b)</li> <li>• Typically called the “Draft Permit” or “Marked Draft”</li> </ul>

## For More Information

Please contact your Borough Office Project Manager for additional information.

## Related Documents

Document	Description
Statement of Findings Guidelines	Lists findings related to the proposed action and the applicant's response to those findings.
Zoning Analysis Guidelines	Depicts a proposed project's compliance with applicable Zoning Regulations.
Zoning Lot Site Plan Guidelines	Depicts all aspects of the development site and zoning lot(s) that relate to the proposed land use action.
Section Guidelines	Depicts a building's height, massing, and land uses, as well as any deviations from compliance with the requirements of the Zoning Resolution.
Elevation Guidelines	Depicts the façade(s) of the proposed project in order to illustrate the impact and/or relationship of a proposed building to neighboring buildings.
Neighborhood Character Diagram Guideline	Depicts the total massing of the proposed building(s) on a development site that would be facilitated by proposed land use actions in relation to neighboring, existing structures.
Ground Floor Plan Guidelines	Depicts the interior layout of a proposed building on a zoning lot that will be affected by the requested land use action(s).
Upper Floor Plan Guidelines	Depicts the proposed programmatic arrangement of the upper floors within a proposed building.

## Revision History

Date	Version	Description	Author
06/08/2012	1.0	First draft.	Aline Fader
06/25/12	1.1	General format and content revisions.	B. Estroff
08/06/2013	1.2	Changes following meeting with TRD	B. Budelman
08/16/2013	1.3	Final version for internal review	B. Budelman
06/25/14	1.4	Final edits	D. Goodman