

Statement of Findings Guidelines

Version: 1.1

Purpose

The purpose of these guidelines is to outline the requirements for completing a statement of findings for a land use application, while allowing for flexibility and professional judgment. A Statement of Findings is intended to capture the applicant's response as to how they meet required findings for Authorizations and Special Permits in the New York City Zoning Resolution.

When to Use

A statement of findings is required for all applications for Special Permits and Authorizations that require applicants to meet discretionary findings.

Exceptions & Modifications

These guidelines provide general guidance only. Depending on the specifics of the project, the DCP Project Team may require drawings and information in addition to or different from those described in the guidelines. At the Interdivisional Meeting, the DCP Project Team will discuss whether and to what extent preparation of the application requires exceptions to or modifications of these guidelines, in order to take into account site or project features.

Overview

When the Chair of the City Planning Commission or the City Planning Commission must make findings in order to grant a certification, authorization or special permit, the applicant must submit an analysis which states specifically how the proposed development will satisfy each of the findings required by the specific zoning action. If the analysis fits on the bottom of the ZS/ZA/ZC Form (Discussion of findings), it may be placed there instead of as submitted as a separate attachment. Where a separate attachment is submitted it should be titled "Attachment # 11, Statement of Findings".

- Use the Statement of Findings to describe specifically how the proposed development meets the requirements of the Zoning Resolution as stated in the specific section(s) pursuant to the action being requested. Do not simply restate the ZR findings. Rather, provide an explanation of how the proposal meets or complies with each of the findings. For certifications, the statement must describe and affirm the existence of the conditions of the certification.
- The ZR section relating to each specific statement should be clearly identified. If reports or other supporting documentation are needed to substantiate the findings, include this material with the attachment.
- When responding to each Finding, draw upon and summarize information discussed/disclosed in the "LR Item 3. Description of Proposal" document or include relevant information from the EAS/EIS to support your conclusion as to why the proposed project meets the required finding(s).
- The proper way to format the Statement of Findings is to first directly quote the applicable Zoning Resolution text preamble for the action being requested and then proceed to directly quote the first finding (*it is recommend to directly copy and paste the applicable text from the Zoning Resolution*). Thereafter, insert the response to the first finding. If the action has multiple findings, proceed to directly quote the next finding and insert your response to each finding in turn, until every finding has been responded to.

- When a finding is inapplicable to the request being made under the action simply insert “N/A” or “Not Applicable” as the response to the inapplicable finding. (see *sample Statement of Findings for a 74-711 application for an illustration of the format described above*)

NOTE: Some Special Permits, Authorization and Certifications include threshold “conditions”, which are required to be met before the application can be made for the requested action. The conditions are not technically findings. Accordingly, where conditions are required please submit a separate document titled “Discussion of Conditions” (see *example Discussion of Conditions for a 74-711 application Findings for an illustration of the format described above*).

NOTE: Please use ***** to indicate that there are sections that appear after the preamble, or before and/or after the applicable findings that have been omitted from the Statement of Findings (Please see the attached sample formatting for a special permit pursuant to 74-681 for clarification).

NOTE: Where an application involves multiple actions, each with their own set of findings, each Statement of Findings shall be submitted as a separate attachment.

Please see the template and examples below for further guidance. For specifics regarding the required content for your statement of findings, refer to the application guidelines or zoning text for your specific action.

For More Information

Please contact your Lead Planner for additional information.

Revision History

All revisions to this document should be noted below with a description of what changes were made in each version.

Date	Version	Description	Author
07/01/14	1.1	Template	D. Goodman