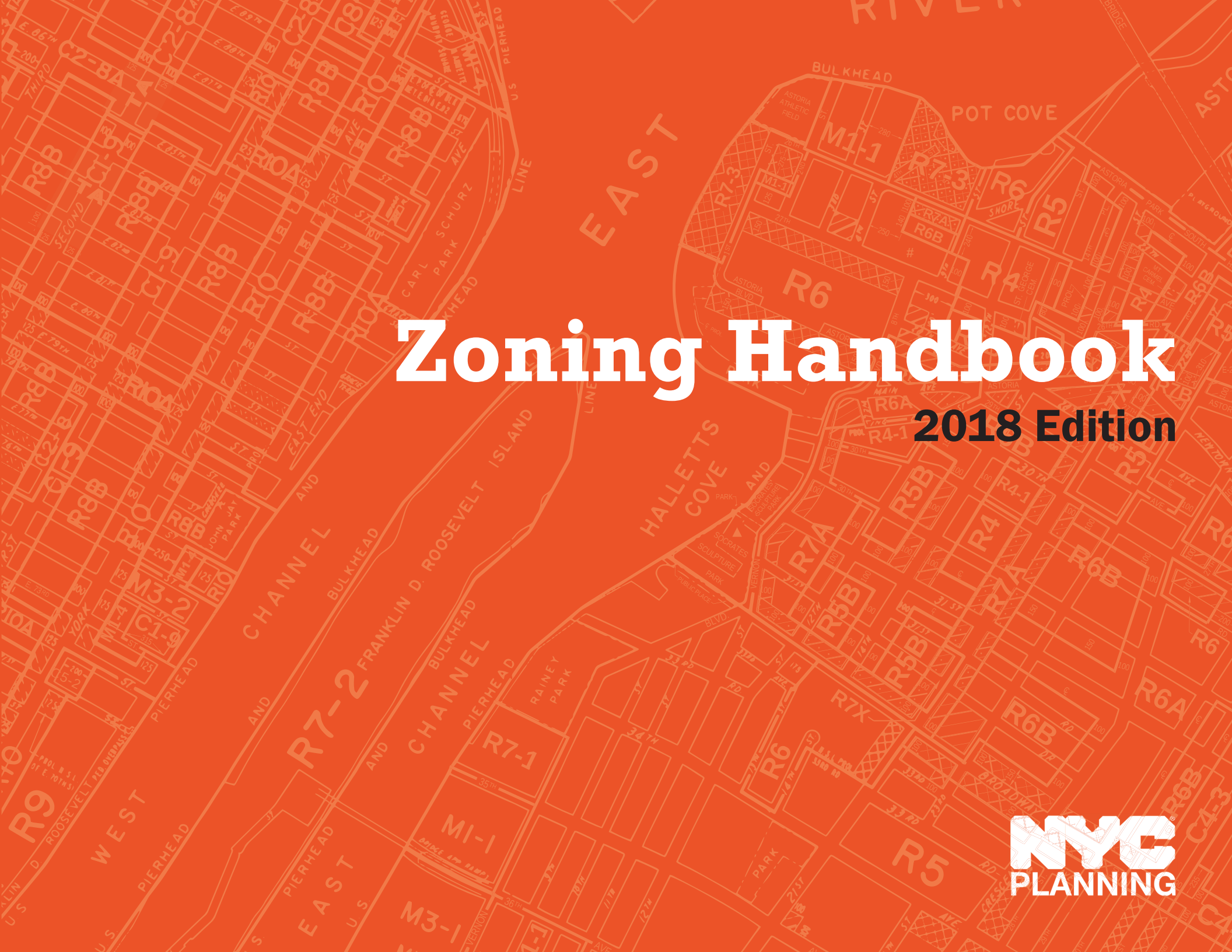


Zoning Handbook

2018 Edition

Zoning Handbook

The City of New York
Bill de Blasio, Mayor

Department of City Planning
Marisa Lago, Director

120 Broadway, 31st Fl.
New York, NY 10271
www.nyc.gov/planning

2018 Edition

The Zoning Handbook provides a brief overview of the zoning rules and regulations of New York City and is not intended to serve as a substitute for the actual regulations which are to be found in the Zoning Resolution of the City of New York, available in print and also online at www.nyc.gov/planning. The City disclaims any liability for errors that may be contained herein and shall not be responsible for any damages, consequential or actual, arising out of or in connection with the use of this information.

©1990, 2006, 2011, 2018. New York City Department of City Planning.

All rights reserved

How to Use this Handbook

Since 1961, the Zoning Handbook has been published as a helpful companion to the Zoning Resolution. This edition of the Handbook is intended to meet the needs of a wide variety of readers, ranging from those unfamiliar with zoning to those who are familiar but looking to better understand its rules in greater detail. It includes charts, drawings and photos to explain the applicable zoning regulations, as well as information on the history and rationale for the rules.

The first two chapters set the stage for the rest of the Handbook with background information, history and case studies demonstrating some of the basic concepts in zoning. For those who are unfamiliar with how zoning works in the city, these chapters are an excellent place to start. Chapters 3 through 5 go into greater detail about the rules applicable in the three core types of zoning districts: Residence, Commercial and Manufacturing. Each of the three starts with a summary of the overarching rules while the individual district pages provide more specific information about each district. Chapters 6 and 7 include descriptions of rules applicable in certain parts of the city that modify the basic regulations, while Chapter 8 describes the public process necessary to amend the Zoning Resolution. The chapters are followed by a glossary of important zoning terms.

It is important to note that the Handbook is a reference guide to help interpret the rules, and should not be taken as the actual zoning law. The Resolution, which can be found on the Department of City Planning's website, contains the official rules regulating land use in the city. To make it easier to find these rules, the Handbook includes references to specific applicable sections of the Zoning Resolution in the following form: **(ZR ##-###)**.

Chapter 1: Introduction to Zoning
Page 4

This chapter provides an overview of the 100-year history of zoning in New York and the major concepts in the Zoning Resolution.

Chapter 2: Applying Zoning
Page 30

Three case studies examine how zoning rules work in practice. These examples look at (1) how zoning regulates the construction of a new building, (2) how it regulates the modification of an existing building and (3) how special approvals can be granted when needed.

Chapter 3: Residence Districts
Page 62

This chapter explains the rules applicable in the city's wide variety of residential neighborhoods – from suburban areas of Staten Island to the dense skyscrapers of Manhattan.

Chapter 4: Commercial Districts
Page 122

This chapter introduces the rules applicable in commercial areas, including neighborhood commercial streets and the Coney Island amusement park.

Chapter 5: Manufacturing Districts
Page 146

This chapter presents the rules for manufacturing districts – from high-density loft buildings to locations with essential services such as power plants.

Chapter 6: Special Area Rules
Page 158

This chapter explains supplemental zoning rules applicable in large areas of the city – such as around airports or along the waterfront.

Chapter 7: Special Purpose Districts
Page 174

This chapter provides descriptions of each special purpose district – over 50 of which are currently in effect – that modify the underlying zoning rules on a neighborhood scale.

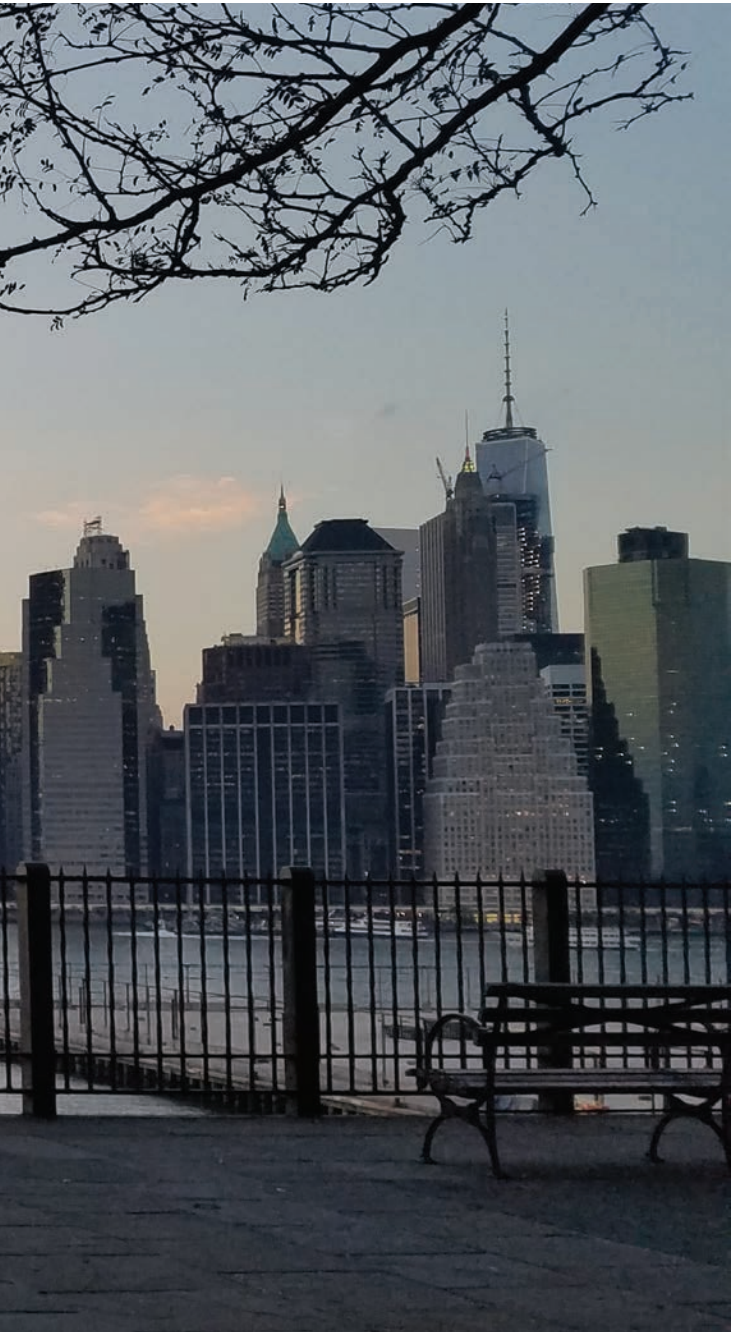
Chapter 8: How Zoning Gets Amended
Page 190

This chapter describes the public process by which zoning regulations can be amended or other discretionary actions sought.

Appendix: Glossary of Zoning Terms
Page 198

Key zoning terms, highlighted in bold throughout the Handbook, are compiled here for easy reference.





Reflecting on the long history of zoning in New York City, I smile at the thought that the Department of City Planning (DCP) is currently located in Lower Manhattan's beautiful, landmarked Equitable Building. Rising 42 stories straight from the street, the edifice was of a scale previously unseen when completed in 1915. In response to its construction, residents, elected officials and civic groups decided that the time had come to regulate the city's growth, leading to New York City's 1916 Zoning Resolution. The Resolution, the country's first ever comprehensive zoning law, set out a blueprint for the city and established planning as a core governmental function.

Like the city, zoning has not stood still. Over time, it became a key land use tool that continues to help us plan the future of the city and its neighborhoods. As new challenges arose, like the automobile, zoning regulations were updated to address them. This continues today as the city grapples with a growing and graying population, a housing affordability crisis, climate change and aging infrastructure – to name a few. Recent zoning changes – such as the Mandatory Inclusionary Housing program, the most far-reaching and rigorous of its kind in the country – have helped address these challenges. Others include flood resilience zoning, which helped the city rebuild after Hurricane Sandy, and the Greater East Midtown rezoning that, just a year after its approval, is already yielding results, securing this area as a staple of New York City's world-class business economy for decades to come.

Addressing all of these issues in a city that is continually evolving makes zoning complex. So, to help the public understand the rules, DCP began publishing a 'Zoning Handbook' in 1961. This most recent edition continues the tradition. It includes zoning rules revised since the last edition was published in 2011. It also adds history, drawings, photos and technical details, so that the Handbook now tells a fuller story about zoning.

Zoning, at its core, is a system of priorities that adapts over time to reflect the needs and consciousness of a changing city. Just as importantly, zoning is most successful when there is active public participation. Our goal is for this Handbook to increase your understanding and appreciation of zoning, and allow you to play a more informed and robust role in shaping our dynamic city. We hope that this Handbook will be a valuable resource for every reader – whether you are a neighborhood resident, worker, business owner, community advocate, student, planner or applicant.

Very truly yours,

Marisa Lago

Marisa Lago, Director
New York City Department of City Planning


ARTICLE III: COMMERCIAL DISTRICT REGULATIONS
36-20
Special Provisions for Zoning Lots Divided by District Boundaries
36-27
Waiver for Certain Small Zoning Lots
36-10
REQUIRED ACCESSORY OFF-STREET PARKING SPACES FOR RESIDENCES WHEN PERMITTED IN COMMERCIAL DISTRICTS
36-11
General Provisions
36-111
Application of requirements to conversions in C1 or C2 Districts
36-112
Application of requirements to conversions in C1, C4, C5 and C6 Districts
36-12
Requirements Where Individual Parking Facilities Are Provided
36-121
In C1 or C2 Districts governed by surrounding Residence District bulk regulations
36-122
In C3 or C4 Districts
36-13
Requirements Where Group Parking Facilities Are Provided
36-14
Modification of Requirements for Small Zoning Lots
36-141
Reduced requirements in C1 or C2 Districts governed by surrounding Residence District bulk regulations
REDUCED REQUIREMENTS FOR SMALL ZONING LOTS
District within which C1 or C2 District is Mapped
Lot Area
Parking Spaces Required as a Percent of Total Dwelling Units
R3-2* R4 R4A R4-1 R5 R5A R5D R6 R7-1 R7A R7D R8 R9 R10
1,700 square feet or less
30
1,701 to 2,900 square feet
30
2,901 to 3,800 square feet
20
3,801 to 4,750 square feet
10
4,751 to 5,700 square feet
5
5,701 to 13,000 square feet
0
R3-2*
13,001 to 15,000 square feet
20
15,001 or more square feet
30
R4** R5 R5D
1,700 square feet or less
30
1,701 to 2,900 square feet
20
2,901 to 3,800 square feet
10
3,801 to 4,750 square feet
5
4,751 or more square feet
0
C1-6 or C1-7 Districts mapped within R7-2, R8, R9 or R10 Districts
C1-6A or C1-7A Districts mapped within R7-2, R8, R9 or R10 Districts
C1-8 or C1-9 Districts mapped within R7-2, R8, R9 or R10 Districts
C1-8A or C1-9A Districts mapped within R7-2, R8, R9 or R10 Districts
C2-6 or C2-7 Districts mapped within R7-2, R8, R9 or R10 Districts
C2-6A or C2-7A Districts mapped within R7-2, R8, R9 or R10 Districts
C2-8 Districts mapped within R7-2, R8, R9 or R10 Districts
C2-8A Districts mapped within R7-2, R8, R9 or R10 Districts
* In the Borough of Staten Island, the parking requirements for R3-2 Districts are the same as for R4 Districts.
** In the Borough of Staten Island, the parking requirements for R4 Districts are the same as for R3-2 Districts.
Indicated words are defined in Section 12-10.
332
Effective dates of Sections are indicated in parentheses
ARTICLE III: COMMERCIAL DISTRICT REGULATIONS
333
R7-1
R6
R5
MX-14
M1-1
M1-4
C4-4A
C4-4D
C4-4L
R6A
R7A
R7X
M1-5
34



Introduction to Zoning

Zoning establishes an orderly pattern of development across neighborhoods, and the city as a whole, by identifying what is permissible on a piece of property. It is a law which organizes how land may be used, enacted pursuant to State authorizing legislation and, in New York City, the City Charter. Zoning is not planning itself, but is often one of its results; it is a tool that often accompanies, and effectively implements, a well-considered plan. Zoning regulations in New York City are contained within the Zoning Resolution.

Under New York City's Zoning Resolution, land throughout the City is divided into districts, or "zones," where similar rules are in effect. Zoning regulations are assigned based on consideration of relevant land use issues, rather than other factors such as property ownership or financial considerations. By virtue of the legal authority that establishes it, zoning is a set of limits on the use of land, rather than a set of affirmative requirements for a property owner to use a property in a particular way.

New York City zoning regulations originally stated which ***uses*** could be conducted on a given piece of property, and placed limits on how a building could be shaped, or its ***bulk***. Today, zoning continues to regulate land use under a more expansive concept of use and bulk provisions to encompass issues such as off-street parking, affordable housing, walkability, public space, sustainability and climate change resiliency.

New York City's Zoning Resolution became effective in 1961, replacing an earlier Resolution dating from 1916. It has been amended many times since 1961, reflecting the changing needs and priorities of the city.

Zoning History

Zoning has had a relatively short history, yet it plays a prominent role in the shaping of the city. It sets limitations on the size and use of buildings, where they may be located and the density of the city's diverse neighborhoods. Along with the City's power to budget, tax and acquire and manage property, zoning is a key tool for carrying out planning policy. New York City has been a pioneer in the field of zoning since it enacted the nation's first comprehensive zoning ordinance in 1916.

The Call for Reforms pre-1916

For much of New York's early history, there were few formal limitations on what property owners were able to construct on their property. In the late 19th century population growth and technological changes began to change this equation, as fires and other disasters gave rise to fire code and early construction codes. Housing shortages, caused by a rapid expansion of the city's economy and an influx of new immigrants, created a market for tenements built to the greatest bulk achievable and to minimal standards. As early as the 1860s and 1870s, New Yorkers began to express health and safety concerns stemming from overcrowding, with reformers focused particularly on the living conditions in teeming precincts like the Lower East Side. In response, the state legislature took the first step to establish housing standards by enacting a series of health and safety-oriented restrictions on residential buildings, culminating in the Tenement House Act of 1901.

Concurrently, New York City was becoming the foremost business center of the country and expanding companies needed office space. With the introduction of steel frame construction techniques and improved elevators, technical constraints that had limited building height vanished. The Manhattan skyline was beginning to assume its distinctive form.

In 1915, when the 42-story Equitable Building was erected in Lower Manhattan, the need for consistent controls on the height and form of buildings became clear. Rising without setbacks to its full height of 538 feet, the Equitable Building cast a seven-acre shadow over neighboring buildings, prompting anxiety about the effects if this building were replicated throughout the area, and setting the stage for reform.

Unregulated development had other ramifications that caused alarm. With the growth of industry, warehouses and factories began to encroach upon the fashionable stores along Ladies' Mile, creating concerns from the department stores of Fifth Avenue. This rapid change amplified concerns about the potential disruptive side effects of development. It added urgency to the calls of reformers for zoning restrictions separating uses and for new and more effective height and setback controls for all buildings.

The 1916 Zoning Resolution

The groundbreaking Zoning Resolution of 1916 consisted of a 14-page text and three sets of maps designating use, height and area for all portions of the city. Though a relatively simple document mainly looking to limit the most egregious land use outcomes, it made the first step to control the size and shape of all buildings in the city and to designate residential and commercial areas that excluded what were seen as incompatible uses. It fostered the iconic tall, slender towers and tiered "wedding cake" buildings that came to epitomize the city's central business districts and, coupled with other state legislation such as the Tenement Law and the 1929 Multiple Dwelling Law, yielded the familiar three- to six-story residential buildings found in much of the city. The new ordinance became a model for urban communities throughout the United States, as other growing cities found that New York's problems were not unique.

The 1916 Zoning Resolution guided development during the city's building boom of the 1920s, which was by far the most rapid expansion the city has seen. While many small changes were made to the document after 1916 to reflect changing development patterns in some neighborhoods, its overall structure remained relatively intact for many decades. In the 1930s, the ***City Planning Commission (CPC)*** and the ***Department of City Planning (DCP)*** were created and tasked with planning for the entire city, which included ensuring that the Resolution was in keeping with the city's current and future needs. They instituted many zoning changes through the 1940s that addressed, for the first time, issues previously unaddressed by the 1916 Resolution such as building signage, truck loading, low-rise garden apartments and the rapid rise of automobile usage in the city.

Outgrowing the 1916 Zoning Resolution

By mid-century, however, many of the underlying planning principles of the 1916 document had not stood the test of time. If, for example, the city had been built out to the full density permitted in the 1950s, it could have contained an estimated 55 million people, far beyond its realistic capacity. New theories were capturing the imaginations of planners and government leaders: Le Corbusier's "tower-in-the-park" model, where tall towers surrounded by open space would replace the varied context of existing blocks, became more prevalent as planners and the public sought more greenery within the city. The remaining vacant areas on the city's edges needed to be developed at densities that recognized the new, automobile-oriented lifestyle that made areas far from the subway accessible. By the 1950s, it was evident that the original 1916 framework needed to be completely reconsidered and replaced with a new and more detailed zoning resolution.











Top Left: Street scene from the Lower East Side in the late 19th century.

Top Middle: The Equitable Building, completed in 1915.

Top Right: Typical "wedding cake" buildings constructed under the 1916 Zoning Resolution.

Middle Left: The Seagram Building, completed in 1958.

Bottom Left: Queensview cooperative homes, first opened in 1950.

The overarching vision the drafters of this new plan held was a dramatic departure from the traditional form of New York City, reflecting a sense that the city itself was becoming obsolete and needed to compete with popular characteristics of development elsewhere in the United States. In general, uses would be separated to limit conflicts between them. Residents would increasingly access jobs, schools and shopping areas by automobile. Medium and high density residential neighborhoods would see tower-in-the-park developments with light and air guaranteed by wide swaths of open space at their edges. Lower density areas on the edges of the city would see single- and two-family homes as well as single-story manufacturing, office and retail buildings. In most instances, permitted densities would be far lower than what had previously been permitted, reflecting the idea that zoning should more closely reflect a plan for the city. Even the office towers permitted in high density commercial areas like Midtown were intended to be smaller than existing buildings so as to limit congestion, though they were given greater design flexibility than the "wedding cake" form dictated by earlier regulations. These new rules were also intended to make zoning approvals simpler, swifter and more comprehensible.

The 1961 Zoning Resolution

To accommodate this vision, the 1961 Zoning Resolution introduced a number of zoning concepts, many of which are still with us today. It created three types of zoning districts – ***Residence***, ***Commercial*** and ***Manufacturing Districts*** – and split them further into individual types that each had different combinations of ***use***, ***bulk*** and parking regulations. It defined hundreds of uses, and prescribed ***zoning districts*** in which they could occur. Significantly, it restricted residential uses in Manufacturing Districts, in contrast to the 1916 Resolution's allowance of any use in areas where manufacturing was permitted. The 1961 Resolution introduced the concept of ***floor area ratio*** for all districts to better control the size of buildings, and included ***incentive zoning*** tools that allowed extra floor area for developments that provided public open spaces. Automobile parking requirements, which had been established for new housing in 1950, were also incorporated citywide for all uses. After lengthy study and public debate, the current Zoning Resolution was enacted and took effect on December 15, 1961.

Zoning Since 1961

Although it was based upon the leading planning theories of the day, and was a marked improvement over the 1916 Resolution as a planning tool, aspects of the 1961 Zoning Resolution quickly revealed certain shortcomings. The emphasis on open space for light and air sometimes resulted in towers that disrupted the fabric of their surroundings and open spaces (created by incentive zoning provisions) that were not always useful or attractive. Despite its focus on open space, the Resolution gave little consideration to the relationship between buildings and adjacent public spaces like sidewalks. While created with the laudable goal of making flexible regulations that did not require frequent modification, the 1961 Resolution missed some of the complexity and variability that defines the city. For example, the proposed separation of manufacturing uses from residences did not accommodate the existing intermingling of housing and industry in the city's formerly "unrestricted" mixed-use neighborhoods. The small palette of zoning districts sometimes led to new buildings that did not match their surroundings. Additionally, while the Resolution focused on adapting the city to the automobile, it did not provide for a harmonious relationship with the diversity of other transportation modes that pass through the city.

Fortunately, the Resolution was designed with mechanisms that facilitated change, and has proven to be remarkably flexible. While still forming the basis for today's zoning rules, the 1961 Zoning Resolution has undergone a continuous evolution. Hundreds of zoning changes – both big and small – have expanded the Resolution's size and scope. Some of these have corrected issues or oversights in the original Resolution, while others have addressed new challenges not imagined by the drafters of the 1961 Resolution.

Zoning has been reshaped over time to better embody smart growth and sustainability principles while also addressing a range of goals as diverse as the city's neighborhoods. In a city where housing is often in short supply, new opportunities for housing development for residents at a range of incomes have been created in areas with good transit connections and other infrastructure that can support increased density. Conversely, in outlying and auto-dependent lower density areas distant from mass transit and other services, zoning has been modified to limit growth.

Zoning regulations have also become more focused on "contextual" development to help ensure that new buildings contribute both to the fabric of the city's neighborhoods and the overall pedestrian experience. Contextual zoning rules have been refined and expanded to be more compatible with buildings constructed under pre-1961 regulations, while still maintaining flexibility for architectural creativity.

While zoning does not regulate the specific design of buildings, the regulations increasingly address how new developments interact with the sidewalk, other public spaces and surrounding buildings. These rules have come to be generally referred to as ***streetscape*** regulations, and have included new requirements for elements such as ground floor commercial space, street trees and parking lot landscaping, as well as new and more stringent regulations for public spaces.

Since 1961, the number of zoning districts has more than doubled to address the varied conditions in the city's neighborhoods, and ***special purpose districts*** have been introduced throughout the city that modify the underlying zoning district rules to meet specific planning goals for the area. These have ranged from planning new neighborhoods like Hunters Point South in Queens, enhancing Central Business Districts such as Midtown, or protecting environmentally sensitive areas in Staten Island (see Chapter 7). In addition, to address areas of the city that are not intended to be planned as a district but share common characteristics, the Resolution has incorporated special rules that apply in certain areas (see Chapter 6). These have been utilized to address myriad goals, such as ensuring public access to the city's waterfront, and facilitating storm recovery after Hurricane Sandy.

Several new zoning tools have also been created to respond to particular conditions and trends. The Zoning Resolution has been changed to help preserve landmarked buildings like Grand Central Terminal, and promote economic diversity and affordability in neighborhoods where residential growth is planned. ***Incentive zoning*** has expanded far beyond its initial focus on public open space to meet new policy goals such as improving subway stations, promoting energy efficient buildings and bringing healthy food to underserved neighborhoods.

The Zoning Resolution is a blueprint for the development of the city. It seeks to be both consistent, to provide predictability and fairness, and flexible to address the advances in technology, changing neighborhoods and land use patterns and emerging planning and design philosophies that combine to make New York one of the great cities of the world. The Resolution will continue to change and evolve, as the city confronts new challenges and opportunities, to shape the city and ensure a better future for all New Yorkers. Cities never stand still, nor should zoning.









Top Left: Infill building using the 1961 Zoning Resolution's Height Factor regulations.

Top Right: Recent construction under the Quality Housing Program, adopted in 1987.

Bottom Left: Lower density contextual zoning, adopted in 1989.

Bottom Right: Special West Chelsea District, an example of the many Special Purpose Districts created since 1961.

Zoning Basics

Zoning Districts

Under the Zoning Resolution, the map of New York City is generally apportioned into three basic zoning district categories: Residence (R), Commercial (C) and Manufacturing (M), which are further divided into a range of individual zoning districts, denoted by different number and letter combinations. In general, the higher the number immediately following the first letter (R, C or M), the higher the density or intensity of land use permitted.

- ***Residence Districts*** are characterized by a range of housing types, from detached single-family homes in R1 Districts to residential skyscrapers in R10 Districts.
- ***Commercial Districts*** are characterized by a range of business activities, from neighborhood retail and services in C1 Districts, to regional commercial areas with department stores and movie theaters in C4 Districts and potentially noxious activities such as gas stations and car repair in C8 Districts. Some C1 and C2 Districts are depicted on the zoning map with a hatch pattern, indicating Commercial District overlays, which are a type of Commercial District mapped on local commercial streets in Residence Districts that accommodate neighborhood-oriented retail and services.
- ***Manufacturing Districts*** are characterized by a wide range of industrial and commercial activities, including light manufacturing in M1 Districts and heavy manufacturing in M3 Districts.

A district's first letter and number combination is often accompanied by a numerical suffix that indicates additional variations in permitted uses, bulk or parking requirements. M1 Districts, for example, comprise M1-1, M1-2, M1-3, M1-4, M1-5 and M1-6 Districts. Generally, suffixes with lower numbers indicate lower scaled development and higher parking requirements while higher number suffixes indicate larger buildings with lower parking requirements which are typically mapped in more central areas or areas with better public transit access.

An A, B, D or X letter suffix at the end of a Residence or Commercial District designation (or a -1 suffix in R3 and R4 Districts) denotes an alternate version of the district that is applied in areas where it is considered appropriate that new buildings have a form and scale comparable to either the predominant building type in the area or to specific building types desired in the future. Districts that end with these letter suffixes are referred to as ***contextual districts***, while those without a letter suffix are ***non-contextual districts***.

These many zoning districts support the character of a wide range of different neighborhoods, from the low residential scale of Jamaica Estates in Queens, to the high-rise dynamism of Midtown and Lower Manhattan; from the frenetic carnival atmosphere of Coney Island to the industrial hum along Newtown Creek.

Zoning districts are mapped to reflect existing conditions, as well as desired future conditions, and can be a tool to achieve specific planning goals. In some instances zoning is intended to chart a new future for a neighborhood, reflecting a specific plan, coordinated with public investments and the availability of transit and local services. In other cases, zoning is calibrated to reflect the existing built context of a particular area and ensure that future development will be compatible with this context. The same district may achieve different goals, depending on where it is mapped – one neighborhood's growth district may be another's preservation district.

Zoning Text and Zoning Maps

The Zoning Resolution contains two parts: the ***zoning maps***, showing the zoning district designation for every location in the city, and the zoning text, which describes the specific zoning regulations that apply within these districts. The Department of City Planning is responsible for the drafting and dissemination of the Resolution, and providing staff assistance to the ***City Planning Commission (CPC),*** which is responsible for planning for the orderly growth, improvement, and future development of the city. The CPC and City Council review amendments to both the text and maps of the Resolution, which are also reviewed by the public and other elected officials through a City Charter-mandated process. This process is described further in Chapter 8.

To determine the specific zoning district for a property, one can consult the zoning index map – found either on DCP's website or in the printed version right before the individual zoning maps – to determine which zoning map to refer to. The entire city has been subdivided into 35 section maps which are further divided into 126 separate "a," "b," "c" and "d" zoning maps.

As an alternative reference source, one can also consult DCP's online interactive Zoning and Land Use Application (ZoLa) at www.nyc.gov/zola. Here, one can type in their address or borough, block and lot number (BBL) and the application automatically determines what the zoning district is. However, the zoning map in the Resolution remains the source of the official zoning designation.

Both of these sources will specify the basic zoning district designation, as well as whether the location lies within a ***special purpose district***, in which the rules that generally apply for the zoning district have been modified to reflect a plan for the area.

To determine the specific rules that apply in a particular zoning district, one needs to consult the zoning text. The current text is divided into 14 Articles, with the first seven

forming the general rules, often called the "underlying rules," and the last seven containing special purpose districts.

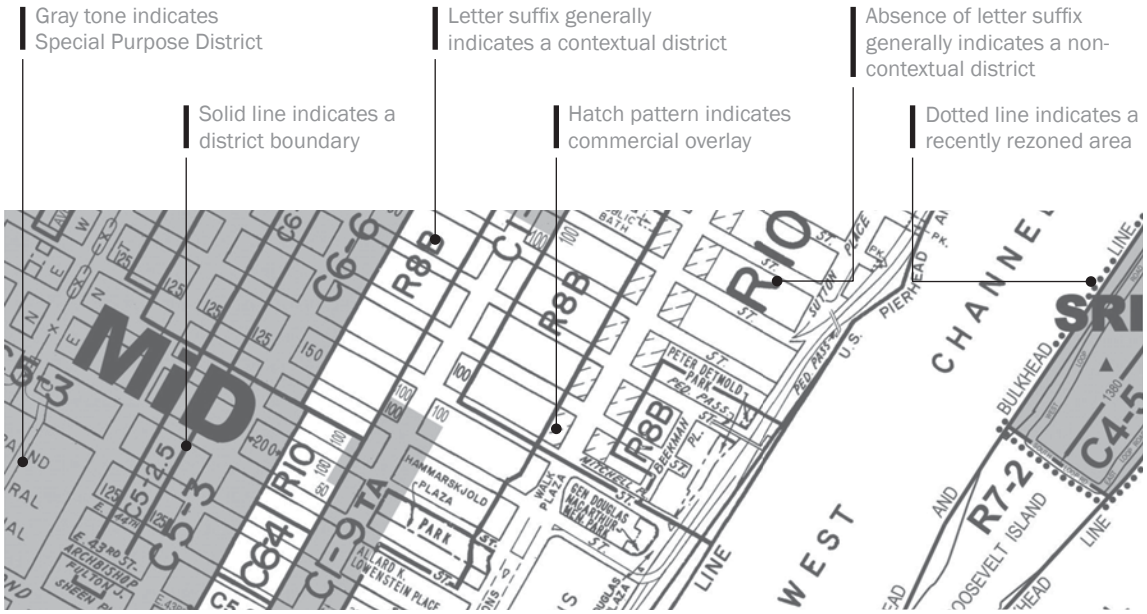
Most of the underlying rules are set forth in articles devoted to the basic zoning district categories – Article II is devoted to Residence Districts, Article III to Commercial Districts and Article IV to Manufacturing Districts. The remainder of the underlying rules apply more generally, and include definitions, administrative procedures, special rules that modify or supersede the underlying rules over larger geographies, and rules for existing buildings or uses that pre-date the current zoning designation and do not adhere to its current rules.

- Article I: General Provisions
- Article II: Residence District Regulations
- Article III: Commercial District Regulations
- Article IV: Manufacturing District Regulations
- Article V: Non-conforming Uses and Non-complying Buildings
- Article VI: Special Regulations Applicable to Certain Areas
- Article VII: Administration

Within each Article, the regulations in the zoning text are broken down into Chapters and Sections. The Chapters divide up the regulations into ***use*** regulations, which determine the range of activities permitted on a parcel; ***bulk*** regulations, which govern the size and shape of a development; ***parking*** regulations, which stipulate minimum and maximum amounts of parking spaces; and ***streetscape*** regulations, which govern the relationship between a property and the adjoining public street.

Specific sections spell out the specific rules for each set of regulations. The first two digits of a section indicate the article and chapter, while the remaining two or three digits indicate the specific section. For example, Section

Zoning Map Basics



Zoning Text Basics

Number indicates Article three, Chapter five, Section 311

Indicates districts to which the rules in this Section are applicable

Date created or last revised

Italicized words are defined terms, generally found in ZR 12-10

35-311 (3/22/16)

Maximum floor area and special provisions for mixed buildings or zoning lots with multiple buildings containing community facility use in certain districts

C1 C2

†In C1 and C2 Districts mapped within R6 Districts, without a letter suffix, and in R7-1 Districts, the provi-

35-312 (10/17/07)

Existing public amenities for which floor area bonuses have been received

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

In all districts, 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*

33-122 indicates that the provision is within Article III, Chapter 3. Most sections of the zoning text have the same basic structure, beginning with the date it was created or last amended (specifically, the date it was passed by City Council), the section number, section title and, often, a list of zoning districts to which the section's rules apply. The body of the section follows this, detailing the particular zoning rules. Any words that are italicized denote a defined term that can be found in either Section 12-10 or a supplemental definition section of the chapter being read. (In the current online version of the Zoning Resolution, defined terms are bookended by the "#"symbol.)

Special Rules

Special purpose districts modify or supplement the underlying use, bulk, parking or streetscape provisions. They are created to address specific conditions and planning objectives that cannot be achieved through the more generally applicable rules (see Chapter 7). On the zoning map, special purpose districts are always shown in grey-tone. In the Resolution, individual chapters in Articles VIII through XIV each specify the regulations for a different special purpose district.

In addition to special purpose districts, certain types of areas with unique features warrant special zoning rules such as ***waterfront areas*** along the shoreline and areas around the city's airports. Special zoning rules have also been established to advance planning objectives through a variety of special incentives, allowances or requirements. Incentives include additional floor area in exchange for the provision of ***public plazas***, certain types of affordable housing or ***FRESH food stores***. Allowances include provisions to let restaurants provide ***sidewalk cafes*** and facilitate conversions of older buildings, while requirements have been put in place to limit growth in ***lower density growth management areas*** and to mitigate certain environmental conditions through what are known as ***(E) designations***. Areas subject to these special rules, which modify or supplement underlying use, bulk, parking or streetscape provisions, are generally not shown on the zoning maps but their applicability is described in the relevant chapters of Articles I or VI, or in other sections of the Resolution (see Chapter 6).

The boundaries of all special purpose districts and many areas subject to special rules can also be found by consulting ZoLa at www.nyc.gov/zola.

What Zoning Does Not Regulate

The ability for municipalities to zone is enabled by State governments that, in turn, are empowered to create this legislation by the United States and State Constitutions and applicable case law. Because local government is subsidiary to higher forms of government, case law and statutes, it must defer where a proposed zoning action might conflict with any of these constraints on its authority.

New York State authorized municipalities to adopt zoning legislation through enabling legislation in 1913. This legislation determines the limits to what local zoning ordinances can regulate. Many issues that come up in land use discussions are not authorized to be addressed through zoning, such as wage and labor regulations or the taking of private property without compensation.

Properties controlled by the Federal government and used for Federal purposes do not have to follow the local zoning code, and the State has authority to override local zoning for specifically enumerated purposes. For instance, the Metropolitan Transportation Authority (MTA) can override zoning on its property for transportation purposes. There are other instances where other State or Federal laws preempt the City's authority to regulate through zoning. For instance, the City cannot regulate the hours of operation of establishments serving alcohol, which are governed by the State Liquor Authority.

Zoning applies primarily to parceled property — it does not apply to public ***streets*** (which typically include both the road and the sidewalk), ***public parks*** or to the open waters in the rivers or the harbor beyond the ***pierhead line***. The Department of Transportation, for example, regulates streets, the Department of Parks and Recreation governs city parks, and the U.S. Army Corps of Engineers and the Coast Guard regulate navigable waterways. The MTA regulates construction and operation of the mass transit system, and the Port Authority of New York and New Jersey has authority over ports and airports as well as road, rail and bus facilities linking to New Jersey. Interstate railroads are regulated by the U.S. Department of Transportation. Nevertheless, even though zoning does not regulate public lands or infrastructure, it is very responsive to it. The proximity of parks and availability of mass transit are always considered in mapping different zoning designations.

The Zoning Resolution generally attempts to establish a harmonious relationship amongst ***buildings***, but it does not dictate construction techniques, architectural styles, or particular design materials (beyond some limited requirements for ground floor levels on some retail streets). While the Resolution promotes the most desirable use of land and building construction to protect the value of properties (and thereby the City's tax revenues), it does not govern the health or safety of building occupants or public safety stemming from how well buildings are constructed. Other City laws, including the Construction Codes and the Housing Maintenance Code address health and safety related to building construction. Additionally, even though many zoning regulations concern themselves with developments, zoning rules do not initiate or require construction.

Finally, zoning is not the only land use regulation affecting different properties. The Landmarks Preservation Commission designates both individual Historic

Landmark buildings and entire Historic Districts to ensure that their historic value is retained. The Federal Aviation Administration restricts the heights of buildings near airport flight paths. The Environmental Protection Agency and the New York State Department of Environmental Conservation administer a range of environmental regulations. Buildings must satisfy the requirements of building code, fire code, sewer code, and other local regulations. Certain businesses must receive licenses from other agencies like the Department of Consumer Affairs or the Department of Health and Mental Hygiene.

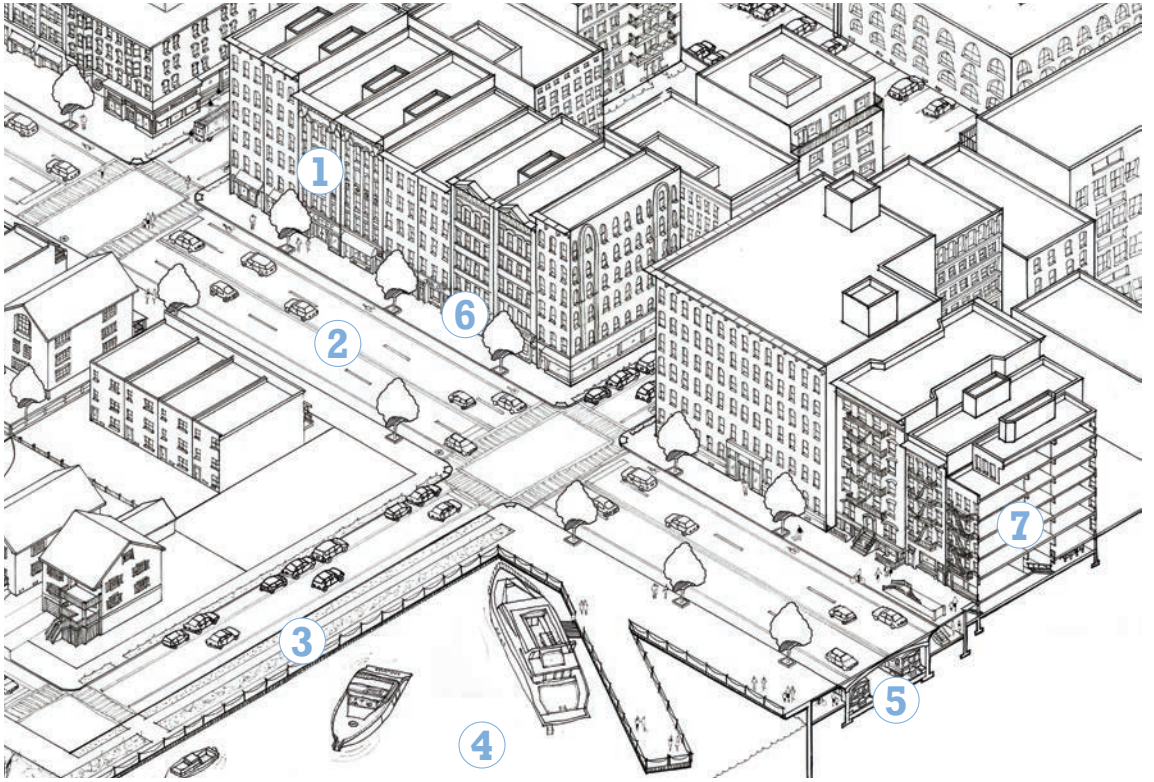
In general, the requirements of each set of regulations must be satisfied. Just because the Zoning Resolution permits something does not give an owner the right to violate a different City, State, or Federal law. Where other City laws conflict with zoning, in general, the more restrictive provision applies.

Developments and Existing Buildings

Zoning regulations apply to nearly every piece of privately owned real property in the city. The way in which they apply depends on whether a new ***building*** is being constructed, an existing building is being enlarged, reconfigured, or converted to a different use, or the land is simply being used for an open use.

The Zoning Resolution applies most comprehensively to the construction of a new building, which, in zoning parlance, is referred to as a ***development***. At the time of construction, the architect or engineer filing permits must ensure that a building complies with all of the various zoning regulations applicable to the property. These include the ***uses*** that may be conducted within the building; the size and shape or ***bulk*** of the building itself; the amount of parking that is required or permitted to be provided; and a palette of ***streetscape*** measures that may be required. Each of these regulations is determined by the zoning district in which the building is to be located.

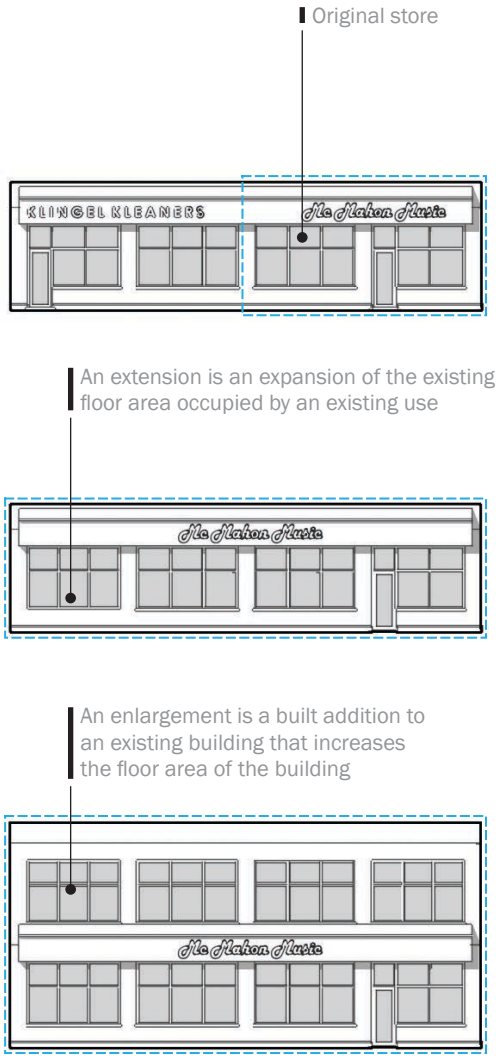
Other Agencies and Land Use Regulations



Zoning is one of many types of land use regulations. Many other agencies have regulations that govern different aspects of the built environment of the City.

1. The Landmarks Preservation Commission (LPC) regulates Landmarked Buildings and Historic Districts.
2. The Department of Transportation (DOT) regulates streets.
3. The Department of Parks and Recreation (DPR) governs city parks.
4. The U.S. Army Corps of Engineers and the Coast Guard regulate navigable waterways.
5. The Metropolitan Transportation Authority (MTA) regulates construction of the mass-transit system.
6. The State Liquor Authority regulates hours of operation for bars.
7. The Department of Buildings (DOB) regulates building construction and alterations.

Extensions versus Enlargements



Zoning regulations also apply to existing buildings. Rather than demolish buildings whose original function and configuration have become obsolete, owners often make changes to their building over time. They may change the uses within one district type (such as from warehouse to office, i.e., from a commercial use to another commercial use), carry out a ***conversion*** of a space from one district type to another (e.g., from manufacturing to residential), an ***extension*** of one use into another space, or an ***enlargement*** of the building through an addition. In each of these cases, the alteration or new construction must comply with zoning.

Some existing buildings were constructed before zoning regulations existed, while others were constructed legally under the zoning provisions in effect at the time, but the regulations have since changed. Existing buildings or uses that do not comply with zoning are typically classified as either ***non-complying*** buildings or ***non-conforming*** uses, depending on their failure to comply with bulk or use regulations, respectively.

Recognizing that it would be extremely punitive to require owners to lop off parts of their buildings, or cease certain activities within buildings whenever regulations change, the Zoning Resolution generally allows these conditions to continue – a concept known as "grandfathering" – as long as the amount or degree of non-compliance or non-conformance is not increased. Over time, if uses change, and buildings are renovated, improvements are generally expected to bring a building and its uses into greater zoning compliance and/or conformance. The Resolution places more emphasis on facilitating the eventual disappearance of non-conforming uses than on correcting non-complying buildings, as converting the uses in a building is typically easier that changing its physical shape.

Finally, zoning regulations extend beyond buildings and their uses, as they also apply to ***zoning lots*** without buildings. Open uses, or those that are conducted outside a building, are also governed by the regulations for the particular zoning district in which they are located.

Zoning Lot Basics

In zoning terminology, a parcel of privately owned property is classified as a ***zoning lot***. This is the unit around which nearly all zoning regulations are constructed.

While a zoning lot and a ***tax lot*** are often coterminous (sharing the same boundaries), a zoning lot can also be comprised of two or more tax lots within a block. A row of townhouses constructed at the same time, for example, may occupy several separate tax lots within a single zoning lot. Similarly, a multi-family building on a single zoning lot may contain separate condominium units, each constituting a separate tax lot. Zoning lots may be subdivided into two or more zoning lots, while two or more adjoining zoning lots on the same block may be merged, provided that all resulting zoning lots still comply with all applicable zoning regulations.

Zoning lots are divided into three basic types:

- A ***corner lot*** is any zoning lot that is within 100 feet of the point of intersection of two or more streets
- A ***through lot*** is any zoning lot that touches two generally parallel streets and is not a corner lot
- An ***interior lot*** is any zoning lot that is neither a corner lot nor a through lot

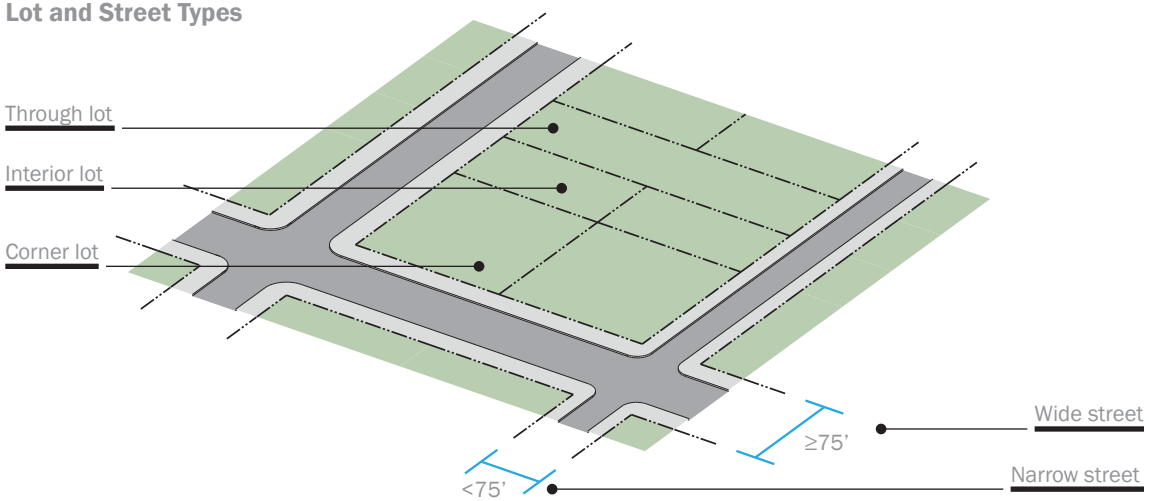
Larger lots may have portions that consist of different lot types. For example, the first 100 feet of a large lot at an intersection of two streets is considered a corner lot portion, while the remaining portion is either an interior

or through lot portion, depending on its configuration. This is important, as bulk regulations will often differ for each part.

In addition, there are three different types of ***zoning lot lines*** that can bound each zoning lot – front, side and rear lot lines – often synonymous with the property lines of the parcel. These all work in relation to a street which, for zoning purposes, includes both the street bed and the adjoining sidewalks. The ***front lot line*** is alongside the street (typically along the sidewalk), and is also known as the ***street line***. Each ***side lot line*** intersects and is generally perpendicular to the front lot line. ***Rear lot lines*** are generally parallel to front lot lines and at no point can they intersect with the street line. Because of the way these definitions are fashioned, not every zoning lot has every type of lot line. Corner lots and through lots, for example, are often comprised entirely of only side and front lot lines.

Finally, the ***block*** on which the zoning lot is located will be bounded by ***streets***, rail road rights-of-way, parks or ***pierhead lines***. The width of the street that adjoins a particular zoning lot can also affect its bulk regulations, as there is more sensitivity to preserving light and air on narrower streets. For zoning purposes, streets of 75 feet or greater in width are considered ***wide streets***, while streets less than 75 feet wide are considered ***narrow streets***.

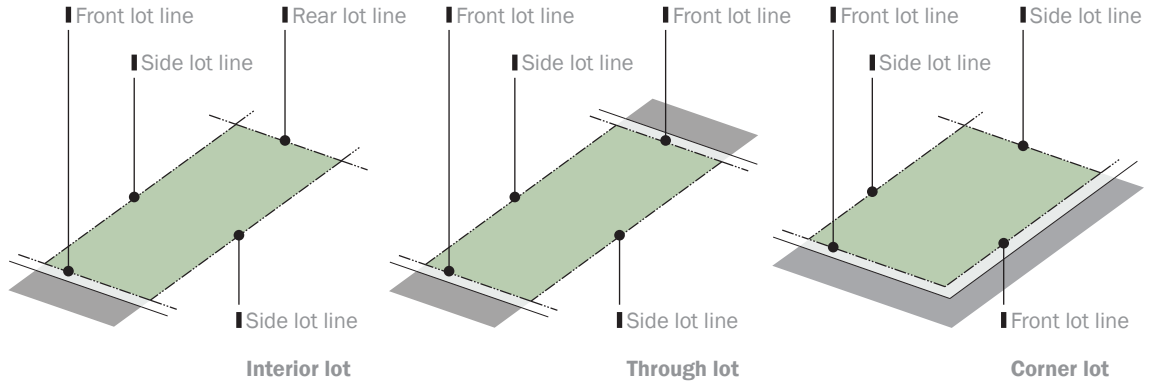
Lot and Street Types



Zoning lots are divided into three basic types. A corner lot is any zoning lot that is within 100 feet of the point of intersection of two or more streets. A through lot is any zoning lot that touches two generally parallel streets and is not a corner lot. An interior lot is any zoning lot that is neither a corner lot nor a through lot.

For zoning purposes, streets of 75 feet or greater in width are considered wide streets, while streets less than 75 feet wide are considered narrow streets.

Lot Lines



There are three different types of zoning lot lines that can bound each zoning lot – front, side and rear lot lines. The front lot line is along the street. Side lot lines intersect, and are generally perpendicular to, the front lot line, whereas rear lot lines are generally parallel to, and cannot intersect, the front lot line. Not every lot type has every type of lot line.

Permitted Uses

On any given piece of property, the Zoning Resolution establishes a set of permitted uses viewed as compatible with other uses in the area. Some uses may be considered incompatible for environmental reasons – for instance, a power plant or other heavy industrial use located close to residences – or for other reasons, such as traffic generation or the effect on the surrounding business environment. Zoning establishes limitations on the uses that can occur on a property – whether in a building or on the land itself – that are intended to avoid conflicts but also to promote virtuous relationships among uses, such as the proximity of shopping and services to residences.

Use Groups

In the Zoning Resolution, all permissible uses have been categorized into four broad use categories: residential, community facility, commercial and manufacturing. An apartment building contains ***residential uses***, a hospital or school is a ***community facility use***, an office tower or a shopping mall are ***commercial uses*** and a concrete plant is a ***manufacturing use***. A building in a Commercial District that contains residences along with either a commercial use, such as a ground floor restaurant, or a community facility use, like a doctor's office, is a ***mixed building***.

All of the permitted types of uses in the Zoning Resolution are further divided into 18 ***Use Groups***, which are clustered into these four broad categories:

- ***Residential*** – Use Groups 1 and 2
- ***Community facility*** – Use Groups 3 and 4
- ***Commercial*** – Use Groups 5 through 16
- ***Manufacturing*** – Use Groups 17 and 18

In general, the higher the use group, the more commercial or industrial the character of the activity is. Use Group 1 is limited to single-family detached homes, while Use Group 18 includes heavy industrial activities such as those that involve hazardous materials or have significant emissions.

All zoning districts permit some combination of these use groups, and more than just the categories denoted by the district name. Residence Districts permit community facility uses in addition to residential uses; most Commercial Districts also permit residential and community facility uses; and Manufacturing Districts also permit many commercial uses and some community facility uses.

Uses considered to be in conflict with the purpose of the district are prohibited or restricted. Commercial and manufacturing use groups are not permitted use groups in Residence Districts, and residential use groups are generally not permitted in Manufacturing Districts. Use regulations are set forth in Chapter 2 of Articles II, III and IV of the Zoning Resolution, and as a convenience, are summarized in a list in Appendix A at the back of the Resolution.

Supplemental Use Provisions

In addition to designating permissible uses, the Zoning Resolution establishes supplemental use regulations that typically apply in Commercial and Manufacturing Districts.

Enclosure regulations require that commercial and manufacturing uses be contained within buildings, unless specifically allowed by the use regulations (ZR 32-41, 42-41). In Manufacturing Districts, screening requirements apply to open material storage (ZR 42-42).

Limitations on the stories occupied by commercial uses apply in most Commercial Districts. In mixed buildings in Commercial Districts, commercial uses must be located below any residential use. Additionally, in lower-intensity C1, C2 or C3 Districts, the number of floors that commercial uses can occupy is restricted (ZR 32-421).

Finally, in some zoning districts, the uses on the ground floor are restricted in order to contribute to the streetscape of the area. These regulations are further discussed in the streetscape section.

Non-conforming Uses

Many neighborhoods in the city have undergone zoning changes since they were first developed, and the Resolution includes several measures to accommodate pre-existing uses as neighborhoods evolve. Uses that were established prior to a zoning change, and are no longer permitted by the current district regulations, are classified as ***non-conforming uses***.

Instances of non-conformance are quite common throughout the city: some Manufacturing Districts contain residences that were built in an earlier era of unrestricted land use, and some Residence Districts contain corner stores or other commercial uses that were built prior to 1961. Pursuant to Article V, Chapter 2 of the Resolution, non-conforming uses can remain as grandfathered uses, or may be changed, but generally only to uses that maintain, reduce or eliminate the degree of non-conformance. A corner store in a Residence District, for example, could change to another kind of local store, or to a another use that is permitted in a Residence District, like a doctor's office, but not to a car repair service, which, as a semi-industrial use, would bring the space further away from conformance.

In general, if a non-conforming use is discontinued, and the space it occupied remains vacant for more than two years, the non-conforming status lapses, and only permitted uses may be re-established in its place.

Permitted Use Groups

	Residential		Community Facility		Retail and Commercial											General Service	Manufacturing	
	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18
Residence Districts																		
R1 R2	●		●	●														
R3 — R10	●	●	●	●														
Commercial Districts																		
C1	●	●	●	●	●	●												
C2	●	●	●	●	●	●	●	●	●					●				
C3	●	●	●	●										●				
C4	●	●	●	●	●	●		●	●	●		●						
C5	●	●	●	●	●	●			●	●	●							
C6	●	●	●	●	●	●	●	●	●	●	●	●						
C7												●	●	●	●			
C8				●	●	●	●	●	●	●	●	●	●	●		●		
Manufacturing Districts																		
M1				●	●	●	●	●	●	●	●	●	●	●		●	●	
M2						●	●	●	●	●	●	●	●	●		●	●	
M3						●	●	●	●	●	●	●	●	●		●	●	●

Use Group 1 — Single-family detached residences **(ZR 22-11)**

Use Group 2 — All other types of residences **(ZR 22-12)**

Use Group 3 — Community facilities that serve educational needs, such as schools, libraries, or museums, and other essential services with sleeping accommodations, such as nursing homes and residential facilities for special needs populations **(ZR 22-13)**

Use Group 4 — Community facilities that provide recreational, religious, or health services, such as houses of worship, hospitals, or medical offices, and other essential services without sleeping accommodations **(ZR 22-14)**

Use Group 5 — Hotels **(ZR 32-14)**

Use Group 6 — Retail and service establishments that serve local shopping needs, such as food and small clothing stores, beauty parlors and dry cleaners, as well as offices **(ZR 32-15)**

Use Group 7 — Home maintenance and repair services, such as plumbing and electrical shops which serve nearby residential areas **(ZR 32-16)**

Use Group 8 — Amusement establishments such as movie theaters and small bowling alleys, service uses such as appliance repair shops, as well as car rental and public parking facilities **(ZR 32-17)**

Use Group 9 — Business and other services, such as printers or caterers **(ZR 32-18)**

Use Group 10 — Large retail establishments that serve a large area, such as department stores and appliance stores **(ZR 32-19)**

Use Group 11 — Custom manufacturing activities such as for jewelry or clothing **(ZR 32-20)**

Use Group 12 — Large entertainment facilities that draw large numbers of people such as arenas and indoor skating rinks **(ZR 32-21)**

Use Group 13 — Low coverage or open amusement uses, such as golf driving ranges, and children's small amusement parks, camps **(ZR 32-22)**

Use Group 14 — Facilities for boating and related activities which are suitable in waterfront recreation areas **(ZR 32-23)**

Use Group 15 — Large commercial amusement establishments, including typical amusement park attractions such as Ferris wheels and roller coasters **(ZR 32-24)**

Use Group 16 — Automotive and semi-industrial uses, such as automotive repair, gas stations, custom woodworking and welding shops **(ZR 32-25)**

Use Group 17 — Light industrial uses that can normally conform to high performance standards, such as appliance manufacturing or contractor yards **(ZR 42-14)**

Use Group 18 — Heavy industrial uses, such as cement plants, meat or fish preparation, and junk yards **(ZR 42-15)**

Permitted Bulk

The size and shape of a building are controlled by provisions collectively referred to as ***bulk*** regulations. These rules set forth the amount of development that can take place on a property, the amount of open area that needs to be provided and any restrictions on building height or proximity to a lot line. In some instances, bulk regulations include other physical controls, such as the ***density*** of ***dwelling units*** (or number of apartment units) in a residential building.

Bulk regulations often change based on the uses that occupy the building. In Commercial Districts, for example, different rules apply depending on whether a building contains only ***commercial*** and/or ***community facility uses***, only ***residential uses*** or a mixture of uses. For ***mixed buildings***, the residential bulk regulations are typically assigned to the residential portion of a building, and the commercial or community facility bulk regulations are applied to the commercial or community facility portion (ZR 24-16, 35-10). In ***commercial overlay districts***, the residential rules that apply are those of the Residence District under the overlay (ZR 35-22). In other Commercial Districts, a ***residential district equivalent*** is established to indicate which residential provisions to apply (ZR 35-23). A C6-3 District, for example, has a residential equivalent of an R9 District, so the R9 District bulk regulations apply to the residential portion of a mixed building in that district.

Bulk regulations for Residence Districts are set forth in Article II, Chapters 3 and 4 of the Zoning Resolution; for Commercial Districts in Article III, Chapters 3, 4 and 5; and for Manufacturing Districts in Article IV, Chapter 3. Articles with multiple bulk chapters have different regulations for different building use compositions. Each chapter is typically structured with a similar subdivision of sections, ranging from ***floor area***, to ***yards*** to height and setback.

Floor Area Ratio

Floor area ratio (FAR) is one of the principal bulk regulations controlling the size of buildings, determining how much floor area can be located on a zoning lot. Each use within a zoning district has an FAR which, when multiplied by the area of the zoning lot, produces the maximum amount of floor area allowed. On a 10,000 square foot lot, for example, if the permitted uses had a maximum FAR of 1.0, the floor area on the zoning lot could not exceed 10,000 square feet (1 FAR x 10,000). This floor area can be configured in different ways, in conjunction with the other bulk regulations that shape buildings.

Within a given district, different uses often have different maximum FARs. In a mixed building, the maximum FAR for the zoning lot is the highest FAR of a use located on it. In a C2-1 commercial overlay district mapped over an R4 Residence District, for example, the maximum commercial FAR is 1.0, the maximum community facility FAR is 2.0, and the maximum residential FAR is 0.9. If all three uses are provided in the building, one does not add up all the individual FARs to arrive at a maximum FAR of 3.9. The maximum FAR is the highest provided, 2.0 in this instance, and each use must still follow its respective maximum FAR, meaning, that the residential FAR cannot exceed 0.9 and the commercial FAR cannot exceed 1.0.

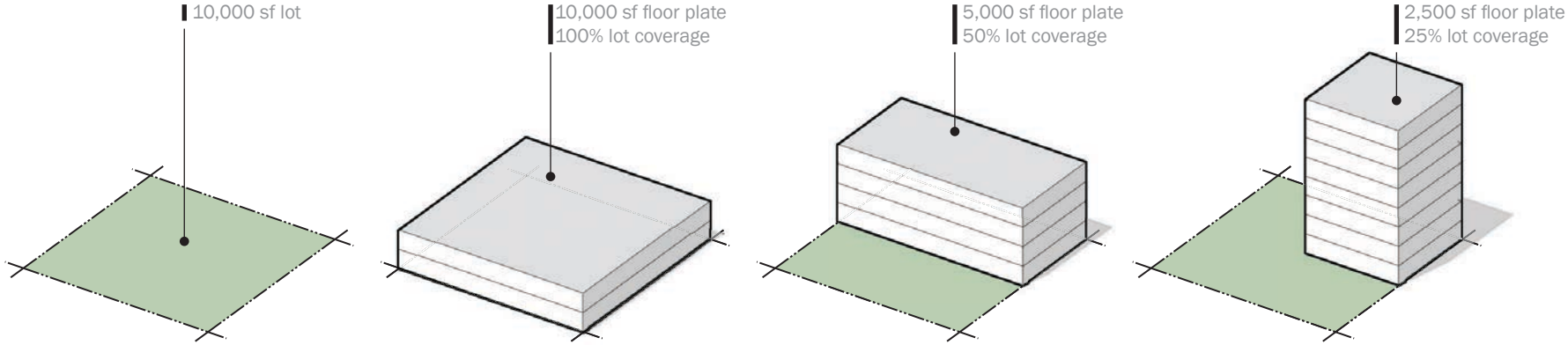
Certain portions of a building are excluded from floor area calculations, so the gross square footage of a building generally exceeds the zoning floor area. For instance, if a commercial tower built all of its permitted 15 FAR on a 20,000 square foot lot, even though the zoning square footage could not exceed 300,000 square feet (20,000 x 15), the actual gross square footage may be upwards of 350,000 square feet. The additional space may include ***cellar*** space, elevator or stair bulkheads, mechanical space and space for loading berths or parking. The definition of floor area in the Zoning Resolution describes what portions of a building do and do not count as floor area (ZR 12-10). These floor area calculations can vary according to both the zoning district and the type of building. They have generally been created to recognize space necessary for functional purposes or to enable the achievement of specific policy goals. To promote energy-efficient design, for instance, a portion of thick exterior walls is permitted to be deducted from floor area calculations.

Open Areas

The Zoning Resolution often requires a portion of the zoning lot to remain open to the sky, in the form of either ***yards***, ***courts***, ***lot coverage***, or ***open space*** percentages or ratios. The amount and type of open area that is required varies by ***zoning district***, building use and the permitted intensity of the use. In general, ***residential uses*** have more extensive yard and open area requirements than ***commercial*** or ***manufacturing uses***, even at comparable levels of ***density*** or intensity, and lower density Residence Districts typically require more generous amounts of open area than their higher density counterparts, to support a particular neighborhood character.

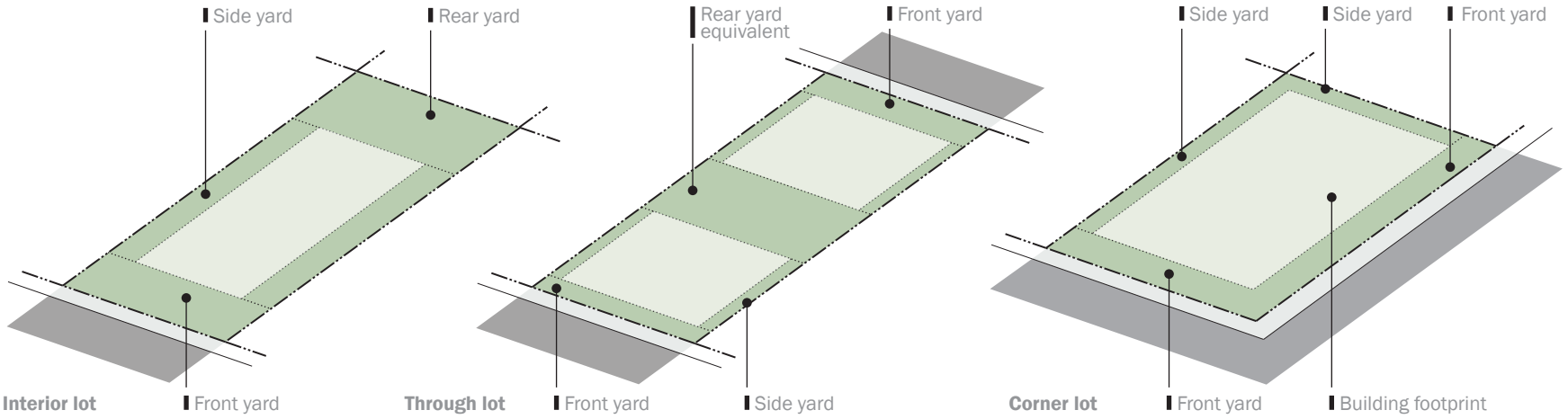
In zoning terminology, ***yards*** are a type of required open volume alongside a property line that restricts where a building can be located on the zoning lot. There are three types of yards that correspond to, and are measured from, the three types of lot lines: a ***front yard*** adjoins a front lot line; a ***rear yard*** is next to a rear lot line; and a ***side yard*** extends along a ***side lot line***, between any required rear or front yards. Lower density Residence Districts typically require all three types of yards, while higher density Residence, Commercial, and Manufacturing Districts generally only require rear yards, or no yards at all. Since ***interior lots*** are the only lot type with a rear yard line, they are the only type of lot where a rear yard is required. ***Through lots*** often require an alternative to a rear yard, called a ***rear yard equivalent*** (which equates to the depth of two rear yards, back to back), while ***corner lots,*** because

Floor Area Ratio



Each use within a zoning district has a floor area ratio (FAR), which, when multiplied by the area of the zoning lot produces the maximum amount of floor area allowed. On a 10,000 square foot lot, for example, if the permitted uses have a maximum FAR of 2.0, the floor area of the zoning lot cannot exceed 20,000 square feet. This floor area can be configured in many different ways, subject to other bulk regulations.

Lot and Yard Types



There are three basic yard types — front yards, side yards and rear yards — that generally correspond to, and border, the three respective lot line types. Through lots often require a rear yard equivalent instead of a rear yards as they have no rear lot lines.

they only have side and front lot lines, only require side or front yards (where applicable). Yards sometimes are provided at ground level and sometimes only at a higher level. In this sense, a zoning "rear yard" may differ from what is commonly called a "back yard".

In addition to yard regulations, for residential buildings and some ***community facility*** buildings, the overall amount of open area on the lot may also be controlled, in the form of either a maximum ***lot coverage*** or a minimum amount of ***open space***, depending on the building type and the zoning district. Lot coverage rules dictate the maximum percentage of the zoning lot that can be covered by a building, while open space rules establish the minimum amount of open space that needs to be provided, either as a percentage of the zoning lot or as an ***open space ratio*** of the floor area being provided (ZR 23-10, 24-11).

To ensure necessary light and air, residences in multi-family buildings must have ***legally required windows***, which are windows that provide light and air (and emergency egress) by opening onto a street, yard or a ***court***. If an open area is not required in the form of a yard (as often happens on a corner lot), an ***outer court*** or an ***inner court*** must exist for any units that do not face the street. As with yards, courts have minimum dimensions and sizes (ZR 23-80).

Height and Setback

After the required amount of open area on the lot has been assigned, height and setback regulations, which vary by zoning district and use, are applied to determine the potential maximum volume, or ***building envelope***, for all of the zoning lot's permitted ***floor area***. Many height and setback regulations also vary depending on whether the building is on a ***narrow*** or ***wide street***, to enable light and air to reach the street.

Most ***non-contextual districts*** permit a wide variety of building forms through regulations governing the ***sky exposure plane*** — an imaginary sloping plane that begins at a certain height above the ***street line*** and behind which the building must be located. Because the slope of the sky exposure plane rises inward from the street, the further a building is set back from the street, the taller it can be. Both the slope of the sky exposure plane and the height at which it starts are determined by the zoning district and by whether the adjacent street is wide or narrow (ZR 23-64, 24-52, 33-43). Generally, sky exposure planes begin at a higher point above the street as district density increases, and the slope of the plane is steeper on wide streets than narrow. In the highest density non-contextual districts, where skyscrapers dominate the skyline, towers are permitted to pierce the sky exposure plane (ZR 23-65, 24-54, 33-45).

Height and setback limits in ***contextual districts*** prioritize consistency in building form and limit overall building heights. In low density contextual districts, residences are often subject to height and setback controls designed to mimic the quintessential, pitched-roof housing types found in many older neighborhoods (ZR 23-63). In medium and high density districts, two height maximums – a maximum ***base height***, above which a ***setback*** is required, and a maximum overall height (ZR 23-66, 35-65) – are set forth to maintain or establish a consistency with pre-1961 buildings. The required setback distances, and sometimes the permitted base and overall heights themselves, differ depending on whether a building is located on a narrow or wide street.

Height regulations are measured from a horizontal plane, or "reference plane". Most contextual districts use ***base planes*** as the point from which heights are measured, while non-contextual districts following sky exposure plane regulations use the ***street line*** or ***curb level***. In areas subject to coastal flooding, the reference plane rises to the ***flood-resistant construction elevation*** as a safety measure.

Other Residential Rules

Buildings that contain ***residential uses*** are subject to additional ***bulk*** rules to safeguard the quality of the residential environment. To prevent overcrowding, ***density*** regulations establish the maximum number of ***dwelling units*** that can be situated on a zoning lot (ZR 23-20). To ensure reasonable lot sizes, especially in lower density districts, regulations specify minimum ***lot width*** and ***lot areas*** (ZR 23-30). Finally, minimum distances are established between the legally required windows in a housing unit and the side or rear lot lines of the zoning lot and between any other buildings on the zoning lot (ZR 23-70, 23-80).

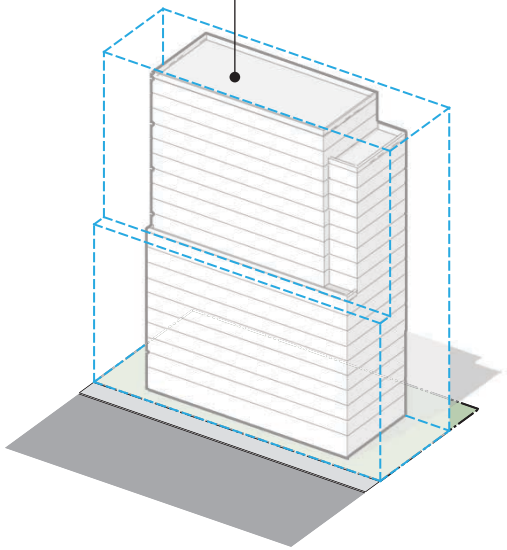
Non-complying Buildings

Buildings can have a very long lifespan, and in many neighborhoods the vast majority of buildings pre-date the 1961 Zoning Resolution itself, let alone more recent zoning changes. It is common for these older buildings not to comply with one or more aspects of the current bulk regulations for the zoning district. Buildings that exceed the current height, encroach into required yards, or exceed the permitted floor area ratio all are examples of ***non-complying buildings***.

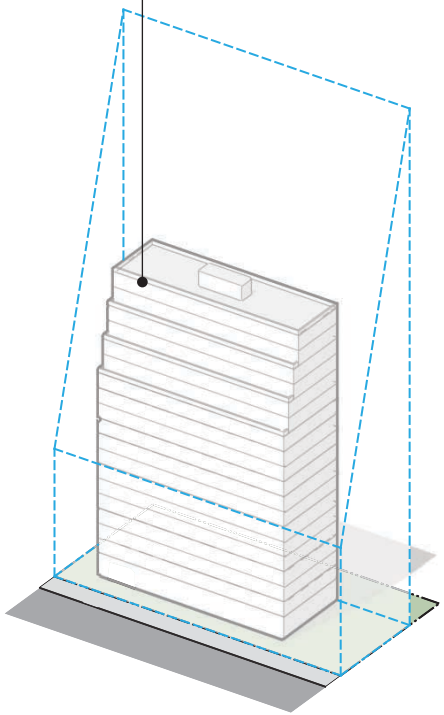
The Resolution anticipated non-compliance, and Article V, Chapter 4 provides grandfathered status to these buildings — the non-compliance can remain as long as it is not increased.

Basic Envelope Types

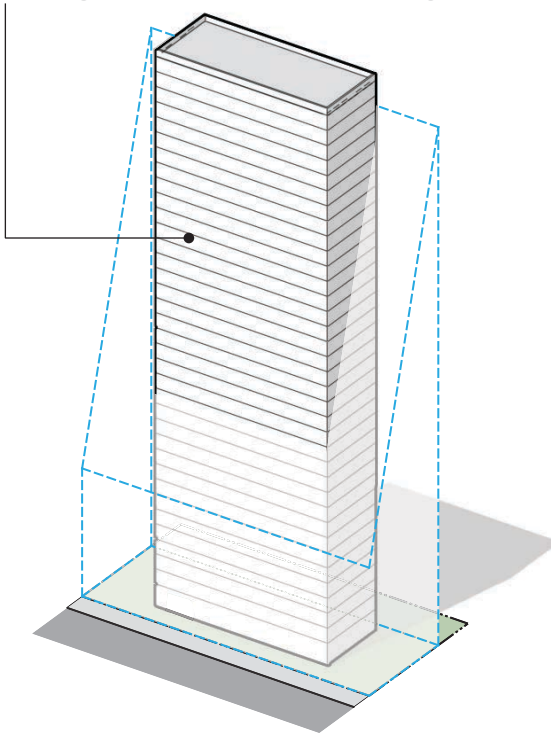
Contextual districts typically have fixed building heights to ensure predictable building forms



Non-contextual districts utilize sky exposure planes, which require bulk to be behind a diagonally sloping plane



The highest density districts often permit **towers** to exceed the general height restrictions, so long as the lot coverage is limited to a maximum percentage





Building in a contextual district



Building in a non-contextual district



Building using tower regulations

Parking and Loading

While the original 1916 Zoning Resolution did not contain any provisions pertaining to required or permitted parking, over time parking regulations have incrementally been added. These originally included regulations governing vehicular parking and loading berths to dock the trucks that bring inventory or supplies to and from ***commercial***, ***manufacturing*** and some ***community facility uses***. Over time, off-street parking regulations have been extended to include bicycle parking and a number of ***streetscape*** regulations that specify the permitted location of spaces. They have also been reduced or eliminated in some instances to reflect best practices for smart growth and housing affordability. These regulations are further discussed in the streetscape section.

Vehicular Parking

Parking regulations specify the minimum number of off-street parking spaces required to support a particular use (known as ***accessory*** parking spaces), and also the maximum number of spaces permitted. Some zoning districts also allow ***public parking garages*** and ***public parking lots*** that are not intended to support a specific use, but can address a range of needs and users for parking in a particular area.

Residential buildings typically establish a parking requirement as a percentage of dwelling units. A 50 percent parking requirement for a 100-unit building, for example, would mean a requirement of 50 parking spaces. In transit-rich areas such as the ***Manhattan Core*** and parts of Long Island City, provision of parking spaces is optional, and limits are placed on the maximum number of parking spaces provided. Accessory residential parking requirements typically decrease as density increases and in locations closer to the core of the city. A person living or working in a central, transit-accessible location is less likely to own or use a car than a person living or working in eastern Queens, so the parking regulations reflect this.

Accessory parking regulations for non-residential uses also consider proximity to Central Business Districts, but these also attempt to reflect the varying rates of parking demand that different commercial, community facility and manufacturing uses generate. A department store at a distance from transit in the Bronx, for example, would generate a greater need for private vehicle parking than a warehouse in the same area, and so the parking requirements aim to respond to different parking needs accordingly.

Commercial uses are grouped into nine ***Parking Requirement Categories*** (PRC), based on characteristics of each use (ZR 36-21). Commercial, community facility and manufacturing uses are typically assigned a parking ratio for a particular use or PRC, which is then multiplied by the size of the use to determine the required amount of accessory parking for that particular use. A 10,000 square foot retail space in a zoning district with a 1:400 parking ratio for that use, for example, would be required to provide 25 parking spaces (10,000 divided by 400). Different districts are assigned different ratios – the suffix of the district (along with the PRC for commercial uses) indicates whether the parking requirement will be high or low. A C1-1 overlay, for instance, will have a much higher parking requirement than a C1-4 District.

Buildings that contain multiple uses will have different parking requirements for each use category. The total number of parking spaces required is calculated by determining each requirement independently, and then adding the individual requirements together.

The Resolution allows for both reductions and waivers of parking requirements in some zoning districts – for small zoning lots or for when the number of required parking spaces is small. Like the requirements themselves, reduction and waiver thresholds depend on the district – some low density districts do not permit waivers at all, while greater allowances exist to reduce or waive parking requirements as permitted density increases. In addition, in some areas with good access to public transportation designated in the Resolution, such as the ***Transit Zone***, there are additional ways to reduce parking requirements.

Bicycle Parking and Loading Berths

In addition to regulating vehicular parking, the Zoning Resolution contains requirements for bicycle parking and loading berths.

Multi-family residential buildings require an amount of secure, enclosed bike parking for half of the dwelling units, while commercial and community facility uses require bike parking for employees, with the amount calculated by applying a ratio to the size of their floor space (ZR 36-711). These requirements may be waived for small buildings.

The Resolution also requires many commercial and manufacturing uses to provide off-street loading berths to accommodate trucks delivering or distributing goods. The number of berths required depends on the use, zoning district and size of the establishment (ZR 36-60, 44-50).

Streetscape

Since 1961, informed by the contributions of Jane Jacobs and other urbanists, planners in New York City have increasingly recognized the importance of how ***buildings*** interact with public areas like the sidewalk, and the Zoning Resolution has evolved to reflect this.

Vibrant commercial corridors are often the lifeblood of neighborhoods and in New York City the ground floor of the building will often "hug" the sidewalk so that large, transparent show windows displaying retail wares, and frequent store entrances, are readily accessible to passersby. Residential streets, on the other hand, can provide for a degree of separation from the noise, crowds and traffic of the city, and have different physical qualities underpinning their success, such as street trees continuously lining the block, building facades maintaining a relatively uniform separation from the sidewalk and architectural articulation that adds visual interest. For both types of conditions, the ***streetscape***, or design quality of the street, plays a pivotal role in providing an enjoyable environment for both pedestrians and occupants of the adjoining buildings.

Streetscape regulations have no dedicated chapter in the Resolution, and so are often located within the Chapters governing use, bulk or parking.

Ground Floor Use Regulations

In some Commercial Districts, ground floor use regulations require uses along the sidewalk to consist primarily of neighborhood retail and service uses. Buildings must also provide transparency, generally in the form of shop windows, so they are inviting to those walking by. Collectively, these rules help to prevent large expanses of blank walls, residential lobbies or apartments at ground level, which can disrupt the continuity of a commercial corridor dependent on pedestrian activity. Ground floor requirements are sometimes required by a particular zoning district, but more commonly are

Streetscape Regulations



A series of streetscape allowances and requirements help ensure new buildings contribute to their neighborhoods.

1. Ground floor use regulations may require certain uses and minimum levels of transparency for windows.
2. Qualifying ground floor regulations allow additional building height in exchange for taller ground floors.
3. Street wall regulations establish the relationship between the building facade and the sidewalk.
4. Articulation allowances add visual interest to a facade.
5. Sign rules allow businesses to direct attention to their stores.
6. Planting rules include street tree planting and, potentially, other planting in front of a building.
7. Parking location rules restrict parking from being located in front of a building and can require spaces to be screened or buffered from the sidewalk (or "wrapped") by other uses.

Signage Types



An accessory sign directs attention to a business, profession, commodity, service or entertainment conducted, sold or offered on the same zoning lot.



An advertising sign directs attention to a business, profession, commodity, service or entertainment conducted, sold or offered on a different zoning lot.



An illuminated sign uses artificial light or reflected light from an artificial source.

included as part of a ***special purpose district*** (see Chapter 7), as part of special rules for certain areas (see Chapter 6), or as supplemental requirements for ***qualifying ground floors*** for certain ***Quality Housing buildings*** (ZR 23-662, 35-652).

Street Wall Rules

Many contextual districts prescribe where the ***street wall*** of a ***building*** may be located in relation to the sidewalk or neighboring buildings. Sometimes these rules require new buildings to "line up" with the existing buildings on either side, while at other times the rules specify how close to the ***street*** a building must be located. Generally, residential rules try to ensure that buildings are close enough to the street to establish a sense of enclosure, but not so close so as to erode a sense of privacy for building occupants. Commercial rules, on the other hand, try to ensure that buildings are as close to the street as possible so ground floor retail and service uses enliven the pedestrian experience. Collectively, these street wall location rules help establish or maintain consistency along a block-front.

Articulation allowances complement these street wall location rules by allowing portions of the building's wall to project forward or to be recessed beyond the locations prescribed, accommodating varied facades reminiscent of the city's older building stock. Other bulk regulations allow for architectural features such as ***dormers*** and ***balconies***, subject to size limitations.

Signs

When an owner or tenant wants to provide signage on a lot, whether affixed to a building or on a sign pole, it is regulated by the Zoning Resolution. For the purposes of zoning, signage is characterized as a use regulation, and all ***signs*** are classified as either ***accessory*** or ***advertising,*** depending on whether the sign is promoting a business, product or service that is located on the zoning lot (accessory), or not (advertising). Within each district, the Resolution lays out which type is permitted, along with whether or not they can be ***illuminated*** or ***flashing***, and what their size and location can be on the lot. In general, only very limited accessory signage is permitted in Residence Districts, while Commercial Districts and Manufacturing Districts have more generous allowances. Advertising signs are limited to Manufacturing Districts and a few Commercial Districts . Certain areas of the city, such as Times Square and Coney Island, have special signage rules that add to their distinct character.

Planting Rules

Street trees and planted areas are required in many zoning districts. Trees must be planted at regular intervals along the sidewalk in front of the entire zoning lot for most new developments and significant enlargements in all zoning districts. Additionally, for residential buildings, open areas in front of a building may be required to be planted with grass or other vegetation.

Parking Design Requirements

Parking-related rules have been created to help make the provision of off-street parking spaces less disruptive to both pedestrians and on-street parkers. Curb cut limitations restrict the width, frequency and location of curb cuts for driveways and entrances to larger parking facilities. Parking location rules require that any parking spaces be screened from the street, while screening and buffering rules provide separation from the exhaust, lights and noise associated with parking garages and lots. In areas with ground floor use requirements, off-street parking spaces typically must not be visible from the street, so are often required to be surrounded by – or "wrapped" with – these ground floor uses. ***Bioswale*** requirements for certain parking lots accessory to commercial and community facility uses serve the same aesthetic purpose of screening parking, but also serve an environmental function by managing storm water run-off.

Other Zoning Fundamentals

As-of-right versus Discretionary

In general, when a building is being developed, enlarged or otherwise altered within the existing zoning regulations, construction can proceed ***as-of-right*** by filing for building permits at the ***Department of Buildings***. If modifications to zoning regulations are needed in order to proceed, either in the form of special permissions set forth in the Zoning Resolution or amendments to the applicable regulations themselves, this will require a governmental planning body to use its judgment about the merits of the permission requested, which occurs through a public review process. For this reason, the application procedures that change the baseline zoning rules or grant other permissions are called ***discretionary actions***.

Special Permits

Sometimes the Zoning Resolution allows predefined modifications to the as-of-right use, bulk or parking regulations at the discretion of a planning body so the merits of the proposal can be considered by the general public, a group of expert planners, as well as (in some instances) elected officials. A proposed land use may be appropriate, but may require review to evaluate the specific characteristics of the project or its context before it is allowed. The most common review processes are ***special permits*** granted by either the ***City Planning Commission (CPC)*** or the ***Board of Standards and Appeals (BSA)***. Each has a slightly different public review process, set forth in the City Charter. The Resolution specifies the special permits that are available to modify the underlying regulations, the extent of the permitted modifications, what criteria, or "findings," need to be met in order to be granted the permit, and which agency has discretion to grant or deny the application. Special permits involving larger planning decisions are generally issued by the CPC and are subject to a more extensive process than BSA special permits which address generally narrower land use considerations. When a special permit is granted by the CPC or BSA, it is granting permission for specific zoning waivers or modifications requested by the application for a specific development to occur. However, the body granting the permit may sometimes incorporate relevant conditions and safeguards in its approvals to ensure that the resulting project does not have adverse effects on the surrounding area.

Because these discretionary actions are all site-specific, applicants are most often private property owners or developers.

Zoning Amendments

Zoning regulations are regularly updated to reflect the changing needs and priorities of the city and its neighborhoods. However, instances arise where a development is not permitted by current zoning even though it would advance sound planning objectives in a manner consistent with the broad purpose and form of the Zoning Resolution. If there is no special permit available under the current zoning that would enable the project to occur, the development team may pursue an amendment to the Zoning Resolution itself. Amendments are of two types, depending on whether the changes are being made to the Resolution's maps or text. Zoning map amendments and zoning text amendments each have different processes.

A ***zoning map amendment*** entails changing the zoning designation for an area, whether a relatively small one or an entire neighborhood. An example would be changing the zoning district for a block near a subway station to allow additional housing to be built. Zoning districts must be drawn based on land use planning considerations, such as the location or configuration of lots and the type of development considered appropriate in its respective area. Zoning boundaries based solely on ownership and lacking any underlying land use rationale may be considered "spot zoning," which is impermissible.

A zoning text amendment can introduce new rules or amend existing rules. The creation of the ***FRESH food store*** program, which established floor area incentives for the development of grocery stores selling fresh and healthy produce in underserved neighborhoods, is an example of a zoning text amendment. A zoning text amendment may also create a new special permit, enabling new rules to be accessed through a discretionary review process.

Sometimes both text and map changes are needed, as when a new ***special purpose district*** is written into the zoning text and designated on the zoning map or when a zoning map change occurs and the Mandatory Inclusionary Housing program is applied within the rezoned area.

Under Section 201 of the City Charter any taxpayer, Community Board, Borough Board, Borough President, the Mayor, or the land use committee of the City Council (if two-thirds of the committee members approve) can apply for a zoning amendment. However, for site-specific changes, the property owner must agree to the application. The most common applicants for zoning amendments are the Department of City Planning, other public agencies and private property owners. In 2017, 39 zoning map amendments and 47 zoning text amendments were adopted; some affected a small area while others modified zoning rules throughout the city.

Variances

As a matter of law, zoning must allow relief if applying the regulations of the Zoning Resolution would result in practical difficulties or unnecessary hardship for a property owner because of factors such as site irregularities. In these instances, an applicant can seek zoning relief through a ***variance*** at the BSA.

While zoning regulations seek to accommodate common conditions they cannot possibly contemplate every single site irregularity created by a range of issues, such as intersecting street grids, rail infrastructure, underground streams or large rock outcrops. If the Resolution offered no relief for property holders impacted by obstacles such as these, the ordinance could be subject to constitutional challenges. However, in order to be considered for a variance, the conditions that create the irregularity cannot be self-created — a property owner cannot subdivide a lot in a manner that makes development difficult and then petition for a variance to modify the zoning based on this difficulty.

DCP and DOB

While the Department of City Planning, in conjunction with the CPC, oversees the preparation and incorporation of zoning changes into the Zoning Resolution, the Department of Buildings (DOB) is the agency tasked by the City Charter with administering and enforcing the Resolution. For practical reasons, the review and enforcement of compliance with both the Zoning Resolution and Construction Codes is conducted by DOB. As part of this process, DOB is responsible for interpreting how the zoning regulations apply to a particular property. In rare instances, an interpretation of the zoning may be appealed to the BSA.

Once a development team is ready to begin construction, the architect or engineer will file the building plans at DOB to obtain a building permit, and DOB staff will review the application to ensure that the proposal complies with the relevant regulations of the Zoning Resolution and other regulations, including the Construction Codes, Fire Code, and Energy Code. The Construction Codes set standards for the design, construction, alteration and maintenance of buildings for the health, safety and welfare of its occupants, and include the Building Code, the Fuel and Gas Code, the Mechanical Code and the Plumbing Code. Once DOB determines that the proposed building complies with all the applicable regulations, they will issue a building permit and the developer can commence construction.

When a building has completed construction, the owner can obtain a certificate of occupancy (CO or "C of O") from DOB denoting the intended use of each floor of the building. Only when all work is completely finished on every floor can a final CO be obtained. COs must be amended for changes of use, egress or occupancy type.

Odds and Ends

Split Lots

Sometimes a zoning district boundary will divide a ***zoning lot*** into different ***zoning districts***. This type of property is known as a ***split lot***. Split lots generally fall into one of two categories, depending on how the zoning lot is divided.

Where the boundary divides a pre-existing zoning lot into two unequal portions, so that the proportion of one district versus the other is relatively small, the "***25-foot rule"*** may be applied, which allows for the rules governing the zoning district mapped in larger proportion to be applied over the entire lot (ZR 77-11).

In other cases, the zoning regulations for each district are generally applied to the portion of the lot mapped within that district (ZR 77-02, 77-03), with a few modifications. For example, there are special floor area ratio (FAR) regulations that allow the generation of a "blended FAR," or weighted average, and for modest redistribution of floor area across the boundary (ZR 77-22). A zoning lot, 60 percent of which is located within an R7X District and 40 percent in an R6A District, would multiply the FARs for the respective district by the percentage of the lot in each portion to determine a blended FAR. In this case, the blended FAR for the entire zoning lot would be 4.2 ((60% x 5.0) + (40% x 3.0) = 3.0+1.2). The maximum permitted floor area on each portion of the zoning lot would either be the FAR permitted for the district or the blended FAR, whichever is higher. This would allow the R6A portion to absorb a little bit of the FAR from the R7X portion, but not vice versa.

Mergers and Development Transfers

When the actual built ***floor area*** on a ***zoning lot*** is less than the permitted floor area, the property owner cannot lawfully be simply deprived of the remaining development rights. To reflect the nature of these property rights without encouraging the demolition of underbuilt buildings, these unused development rights may be used in another ***development*** or ***enlargement***.

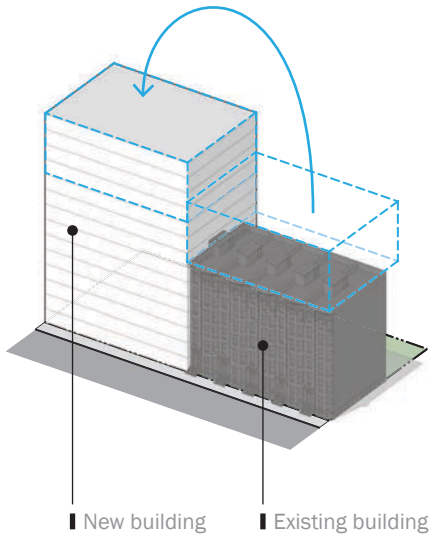
A common way for these unused development rights to be utilized is through a ***zoning lot merger***. This involves the joining of two or more adjacent zoning lots into a larger new zoning lot. Mergers are very common, and as long as the new zoning lot meets the definitional requirements for a zoning lot (ZR 12-10), such as having 10 feet of contiguous boundary between adjoining tax lots, they are permitted. The owners of the respective tax lots codify this transaction by entering into a Zoning Lot Development Agreement (ZLDA), which is recorded against each of the properties. A merged lot becomes subject to all provisions of zoning as a single zoning lot.

Zoning lot mergers are separate and distinct from a "transfer of development rights," which involves transferring unused development rights from one zoning lot to another through certain special mechanisms defined to address specific planning objectives. There are typically limits placed on the amount of transfer that occur to any one site.

The most prevalent type of transfer involves shifting the unused rights from a landmarked building (the "generating site") to a "receiving site," a separate zoning

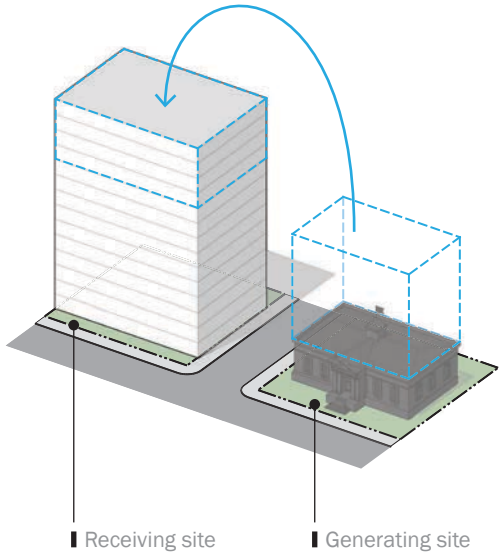
lot that is in close proximity to the landmark — either next to, across the street from or diagonally across an intersection from it. This allowance is available, by special permit of the City Planning Commission, in most districts (ZR 74-79) and is described in more detail in Chapter 6. A few ***special purpose districts*** utilize unique transfer of development rights mechanisms to achieve broader policy goals, including the Special Midtown District, the Special West Chelsea District, the Special Lower Manhattan District and the Special Sheepshead Bay District. In the Special Midtown District, some subdistricts have differing provisions that broaden the eligible receiving sites of transferred floor area. For example, the Theater Subdistrict allows transfers from specific theaters around Times Square to other sites within the subdistrict (ZR 81-744). The Special West Chelsea District allows zoning lots under or adjacent to the High Line, within the High Line Transfer Corridor, to transfer development rights to facilitate views from the High Line park itself (ZR 98-30).

Zoning Lot Merger



A zoning lot merger is the joining of two or more adjacent zoning lots into one new zoning lot. Unused development rights may be shifted from one lot to another, as-of-right, as long as the merged lot complies with all bulk regulations.

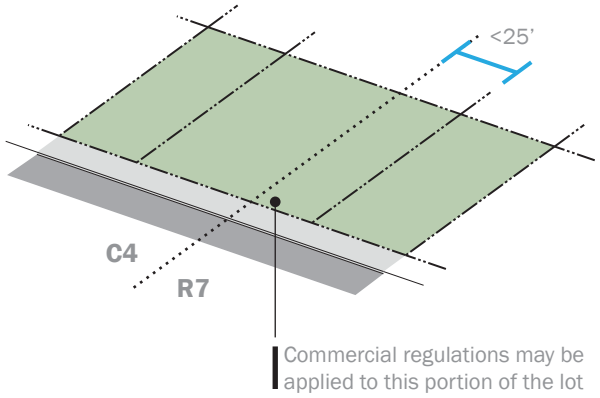
Transfer of Development Rights



A transfer of development rights (TDR) allows for the transfer of unused development rights from one zoning lot to another through certain special mechanisms defined to address specific planning objectives.

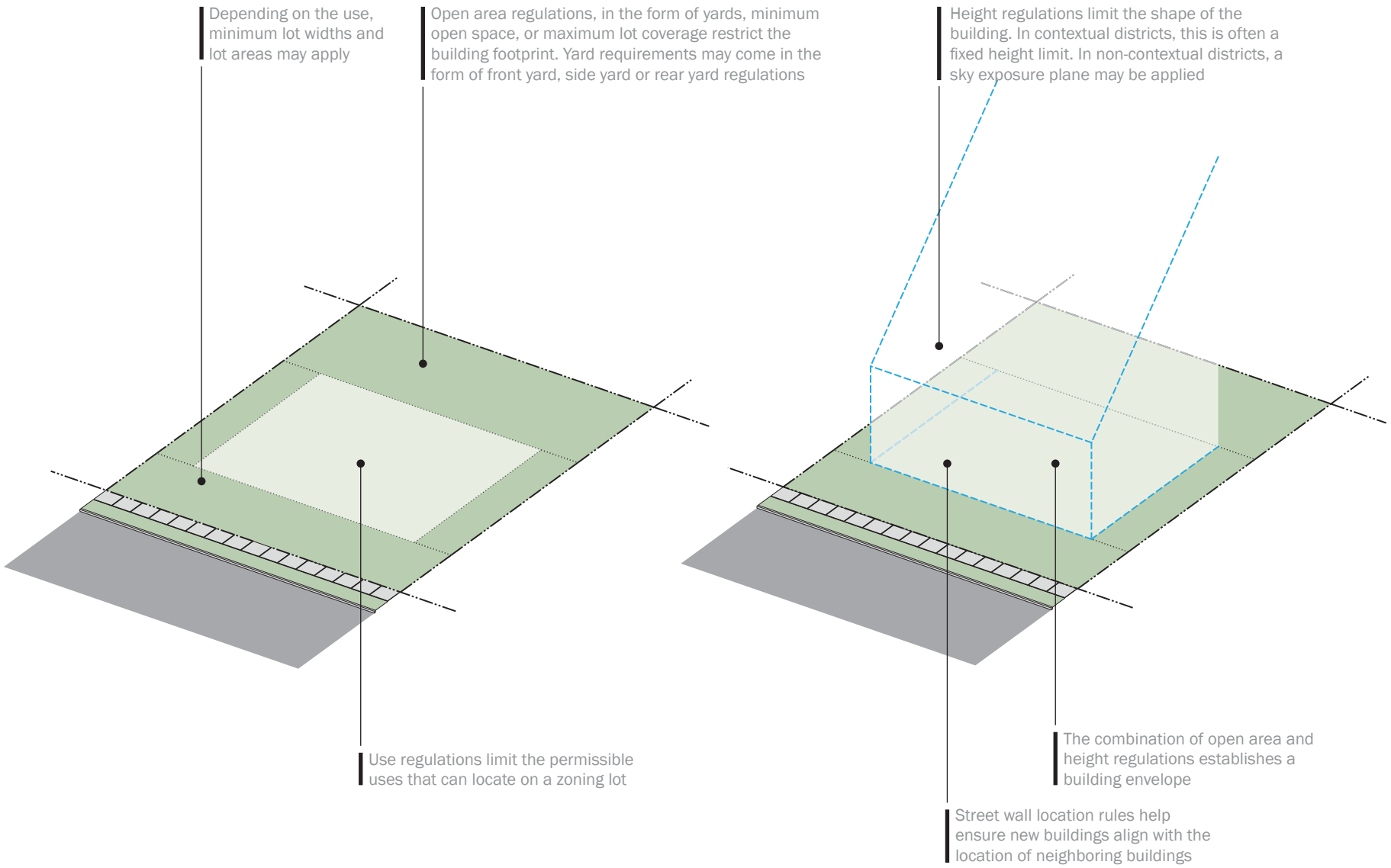
25 Foot Rule

Where a zoning district boundary divides a zoning lot so that the entirety of the smaller portion is within 25 feet of the district boundary, the 25-foot rule may be applied, which permits the use or bulk rules of the larger portion to be applied over the entire zoning lot.

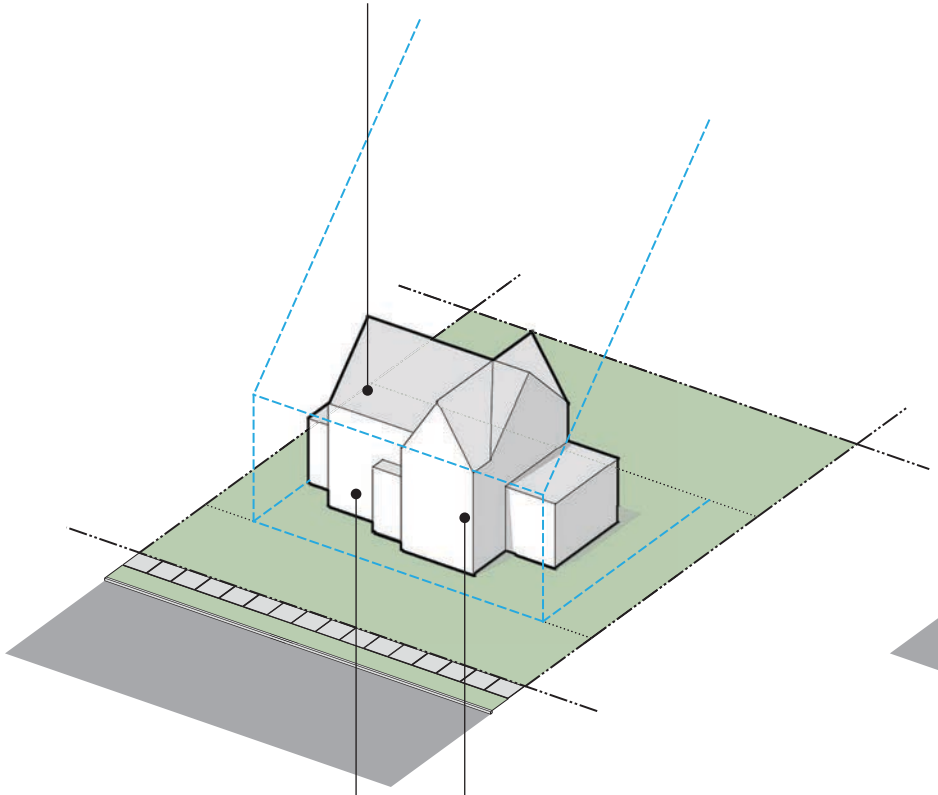


Putting it All Together

Use, bulk, parking and streetscape regulations layer on each other to help shape what is permissible through zoning on each property.



The maximum floor area permitted determines how large a building can be constructed within the envelope

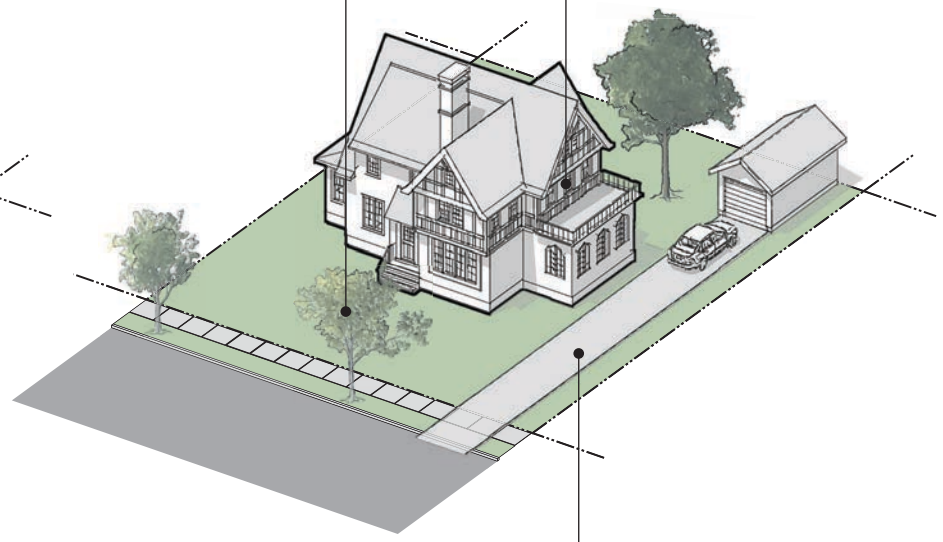


Articulation allowances and permitted obstructions allow many of the architectural features associated with common building types – from decks and porches to bay windows, balconies and dormers

In buildings containing residences, regulations dictate the maximum number of dwelling units that can be provided

Other streetscape rules set forth minimum street tree planting requirements, front yard planting rules and other requirements to enhance the public realm

Minimum distances are required between legally required windows in a housing unit facing certain lot lines



Parking regulations stipulate the amount of vehicle parking that is permitted, and how much is required




THE CRADDOCK





Applying Zoning

To help the reader understand the range of the Zoning Resolution's ***use***, ***bulk***, parking and ***streetscape*** regulations, this chapter pairs an explanation of zoning rules with three hypothetical case studies to illustrate how they work in practice. While no two zoning cases are identical, these following prototypical scenarios illustrate how the regulations of the Zoning Resolution are applied:

- The first case study involves perhaps the most typical application of zoning: the construction of a new building that follows the applicable zoning rules without any special approvals. In zoning terms, this is an ***as-of-right development***.
- The second case study illustrates how zoning is generally applied to existing buildings. It explores how one is able to modify, adapt and enlarge existing buildings if they were built before, and do not comply with, the current zoning rules. This is the ***conversion*** and ***enlargement*** of a grandfathered building.
- The final case study explores a scenario where the standard zoning regulations do not permit what the property owners would like to do. In order to accomplish this, a ***discretionary action*** – a ***special permit***, a zoning text or zoning map amendment, or a ***variance*** – needs to be sought and obtained through a public review process.

Of course, no set of case studies can capture every zoning issue – properties, owners, and zoning rules are varied and diverse. This handbook is intended as a quick reference source to help answer many common questions about zoning, but authoritative and complete answers must rely on the Zoning Resolution itself, which is available either online – at www.nyc.gov/zoning – or in print form at the agency's bookstore. Additional zoning and planning information is available on the Department of City Planning (DCP) website at www.nyc.gov/planning. This website also includes demographic and socioeconomic data for each neighborhood, information on agency-led plans and studies around the city and a repository of historical information, such as the ***City Planning Commission (CPC)*** reports for all previous actions taken by the CPC, including zoning text and zoning map amendments and CPC special permits. DCP also maintains a Zoning Helpdesk to assist the public, reachable at (212) 720-3291 or zoningdesk@planning.nyc.gov.

Case Study 1: Development of an As-of-Right Building

Carlos has lived on the same block his entire life. He knows all of his neighbors, all of the clerks in the stores and even most of the dogs that are being walked past his house. As president of his block association, he prides himself on knowing everything that is going on in the neighborhood.

So Carlos' interest was immediately piqued when he noticed a construction fence surrounding the former parking lot across from his apartment on Wargo Street. He wondered: "What type of building will this be? An apartment building? A shopping center? An office building?" He wanted to find out more about what rules this new building would need to follow.

Carlos decided to attend the next Community Board meeting and asked the members how he could find out more information about this new construction. They informed him that at the time of obtaining construction permits, all new buildings must comply with the relevant zoning regulations, and that he could find information on the Department of Buildings website about the building permits that had been filed, including the proposed size and use of the building. They also told him that this was likely an ***as-of-right*** new building, as they did not recall any applications for a ***discretionary action*** related to the site passing through the Community Board as part of the public review process. To have a better sense of what type of building would be constructed, Carlos was told he could begin by understanding the pertinent zoning rules that govern the new building.

The construction across the street from Carlos' apartment is classified as a ***development*** in the Zoning Resolution because it is the construction of a new building. Carlos used the Resolution to find out more about the range of zoning regulations that could apply to this as-of-right development.

Development Site



Carlos was curious about the construction across from his house. He wanted to find out more about how zoning would govern this new development.

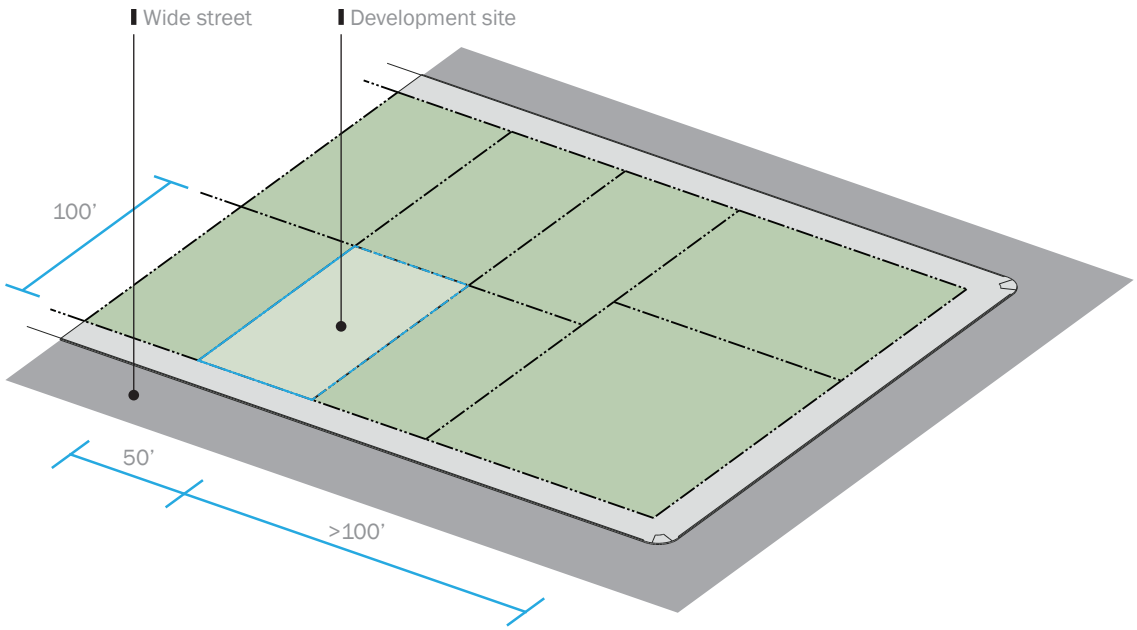
Zoning District, Street Type and Zoning Lot Type

Carlos first needs to figure out some basics, including the zoning district in which the property is located, whether is it located on a wide or narrow street and what type of zoning lot it is.

From the ***zoning map***, Carlos learns that the property is located within an R7A District. The "R" designates a Residence District, the "7" denotes the relative density among districts ranging from 1 to 10 and the letter "A" suffix signifies a ***contextual district***. From this, Carlos now knows an R7A District to be a medium density, contextual Residence District. The map also includes cross-hatching along the entire frontage of the block, which means that the property is located within a ***commercial overlay*** district, specifically a C1-4 District. On the map he does not see a grey tone over the property, so it is not in a ***special purpose district***. Additionally, it is not located near the waterfront, an airport or any of the other areas where special zoning rules apply, so the standard zoning regulations for a C1-4 District mapped within an R7A District will apply. Properties within commercial overlays are first and foremost considered to be in a Commercial District, so Carlos will need to consult Article III of the Zoning Resolution to determine the applicable rules for the new building.

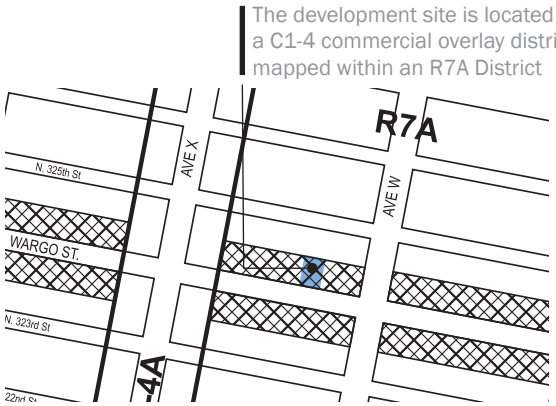
Since the development site is located along the middle of the block, and fronts onto just one street, it is an ***interior lot***. The street that abuts the property is 80 feet wide, so it is considered a ***wide street*** (***narrow streets*** have a width of less than 75 feet). The zoning lot is 50 feet wide by 100 feet deep, so it has a ***lot area*** of 5,000 square feet. This information will be useful when applying different regulations.

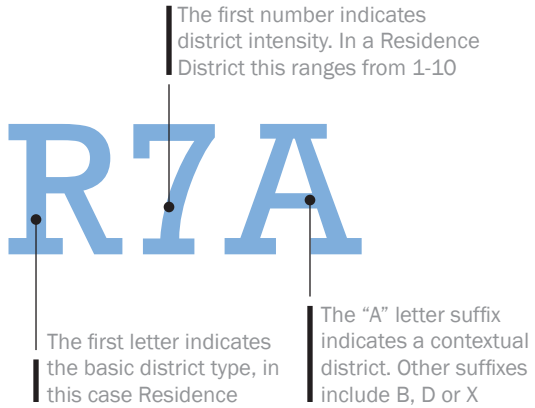
Zoning Lot Type



The development site measures 50 feet by 100 feet, or an area of 5,000 square feet. It is located more than 100 feet from the corner, and has frontage on only one street, so it is an interior lot.

Zoning District Type





Permitted Uses

Now that Carlos has gathered some basic information, including the zoning district, he can begin to assess the pertinent zoning regulations, starting with the use regulations.

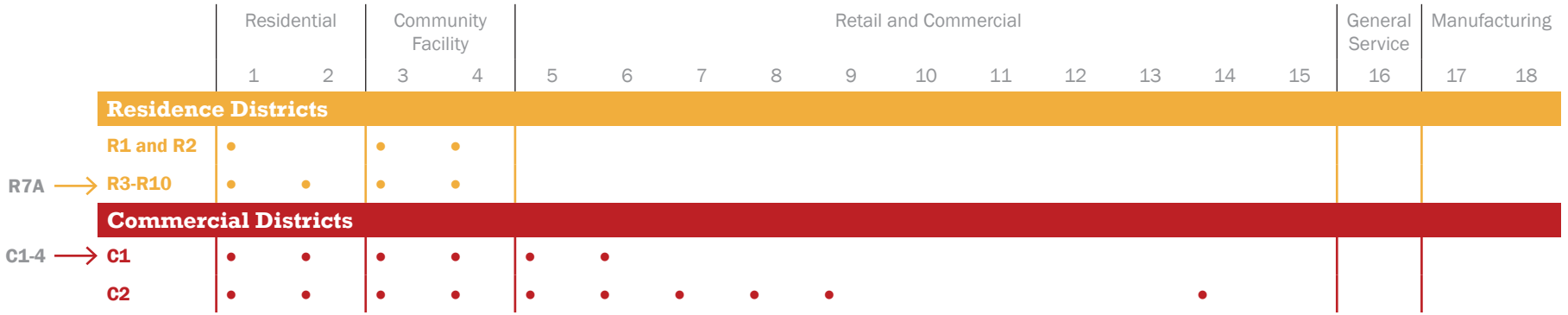
Carlos assumes that the commercial overlay designation means all the properties in that zone are permitted to have ***commercial uses***, but he doesn't know what types are allowed. He wonders: "Can they build department stores? Gas stations? Offices? Delis?" Since the overlay is mapped over a Residence District, he also assumes that housing is permitted, but doesn't know to what extent ***community facility uses*** are allowed.

To find out, Carlos consults the Commercial District use regulations in Article III, Chapter 2 of the Zoning Resolution to determine which uses are permitted in a C1-4 District mapped within an R7A District. He discovers that the district allows ***residential uses*** in Use Groups 1 and 2, community facility uses in Use Groups 3 and 4 and commercial uses in Use Group 6 (ZR 32-00). This narrows Carlos' questions down considerably: the development cannot be a department store or a gas station ("automotive service station" in the Resolution), as Use Group 10 and 16 uses are not permitted in a C1 District.

Carlos is still curious about some of the specific commercial uses that would be allowed in the overlay, and decides to examine Use Group 6 further by going to the full list of uses permitted (ZR 32-15). He finds that Use Group 6 permits a wide array of retail and service establishments oriented toward the neighborhood, including eating and drinking establishments, bakeries, delicatessens, clothing stores, florists, and pet shops. He notes that Use Group 6 also permits offices.

Next, Carlos checks to see if any supplemental use restrictions apply to the property. In a C1-4 District mapped within an R7A District, any commercial uses in a ***mixed building*** would be limited to the ground floor, and in a non-residential building they would be limited to two ***stories*** (ZR 32-421). Carlos sees that these rules largely reflect the character of his block: most of the buildings have ground floor retail with apartments on the upper stories.

Permitted Use Groups



Sample C1 District Commercial Uses



Bakeries – Use Group 6A



Barber Shops – Use Group 6A



Post Offices – Use Group 6A



Bars – Use Group 6A or 6C



Restaurants – Use Group 6A or 6C



Banks – Use Group 6C



Toy Stores – Use Group 6C



Ice Cream Stores – Use Group 6C



Fire Houses – Use Group 6D

Permitted Bulk

A few days after Carlos learns about the permitted uses on the property across the street, his hunch is confirmed: the developer put up a construction fence with a temporary banner announcing "coming soon — new apartment rentals with ground floor retail." The construction crew begins excavating the site in order to create the foundations of the new building.

With construction beginning, Carlos has many new questions about the physical shape of the building: "How tall can it be? Can it be set back from the ***lot line,*** or does it need to be close to the street, like the other buildings on the block? How many new apartments can it contain?"

Bulk regulations typically determine how much floor area may be contained within a building, how it may be located within a lot and how tall a building may be. Rules often depend on both the zoning district and the particular uses in the building. In a Commercial District, the bulk rules for a mixed building – one containing residential as well as non-residential uses – are set out in Article III, Chapter 5 of the Zoning Resolution. These regulations generally instruct him to reference Article III, Chapter 3 to determine the regulations for the commercial component of the building and Article II, Chapter 3 for the residential portion, which is subject to the rules for R7A Districts. In a few instances, those respective regulations are modified by Article III, Chapter 5. For example, the residential street wall provisions are modified to better reflect the commercial context.

Floor Area Ratio

The ***floor area ratio (FAR)*** for a particular property describes how much ***floor area*** a building can contain, as a ratio of building area to lot area. Floor area ratios differ by uses and by districts.

To determine the maximum floor area permitted, Carlos needs to examine the maximum FARs for mixed buildings. No use can exceed the maximum set forth for it, and the entire building cannot exceed the highest FAR permitted by any individual use.

By looking through these various FAR provisions, Carlos sees that the maximum FAR for residential uses in a C1-4 District mapped within an R7A District is 4.0 (ZR 23-153), or 20,000 square feet of floor area (5,000 square foot lot x 4), and the maximum FAR for commercial uses is 2.0 (ZR 33-121), or 10,000 square feet of floor area (5,000 square foot lot x 2). However, he also remembers that in a mixed building in a C1-4 District, the commercial use will be limited to the ground floor.

Open Areas

Carlos is curious to learn how the building's size and shape is affected by the amount of open area that needs to be provided around the building. While the intent of these regulations is to ensure light and air for building occupants and the public realm, the rules themselves come in a variety of types. Depending on the district, and the uses in the building, rules may include standards for ***yards***, ***courts***, ***lot coverage***, or ***open space*** percentages or ratios.

Reading through the various open area rules, Carlos realizes that the 4.0 FAR permitted will not be equivalent to four stories, because yard and lot coverage requirements do not allow the building to cover the entire lot. Carlos also learns that, like the floor area regulations, the yard regulations for the new building differ based on whether the particular portion of the building contains residential or commercial uses.

For the residential portion, he sees that an interior lot needs to provide a ***rear yard*** with a minimum depth of 30 feet along the entire ***rear lot line*** (ZR 23-47), and needs to comply with a maximum lot coverage of 65 percent (ZR 23-153). This means the residential building footprint can only occupy 3,250 square feet (5,000 square foot lot x 65 percent). A rear yard at least 20 feet deep is typically required for the commercial portion if it rises more than one story (or higher than 23 feet) (ZR 33-26, 33-23). However, since the proposed retail will occupy just one floor, ground floor retail use may cover 100 percent of the lot, and the residential yard can begin above this first story.

Height and Setback Regulations

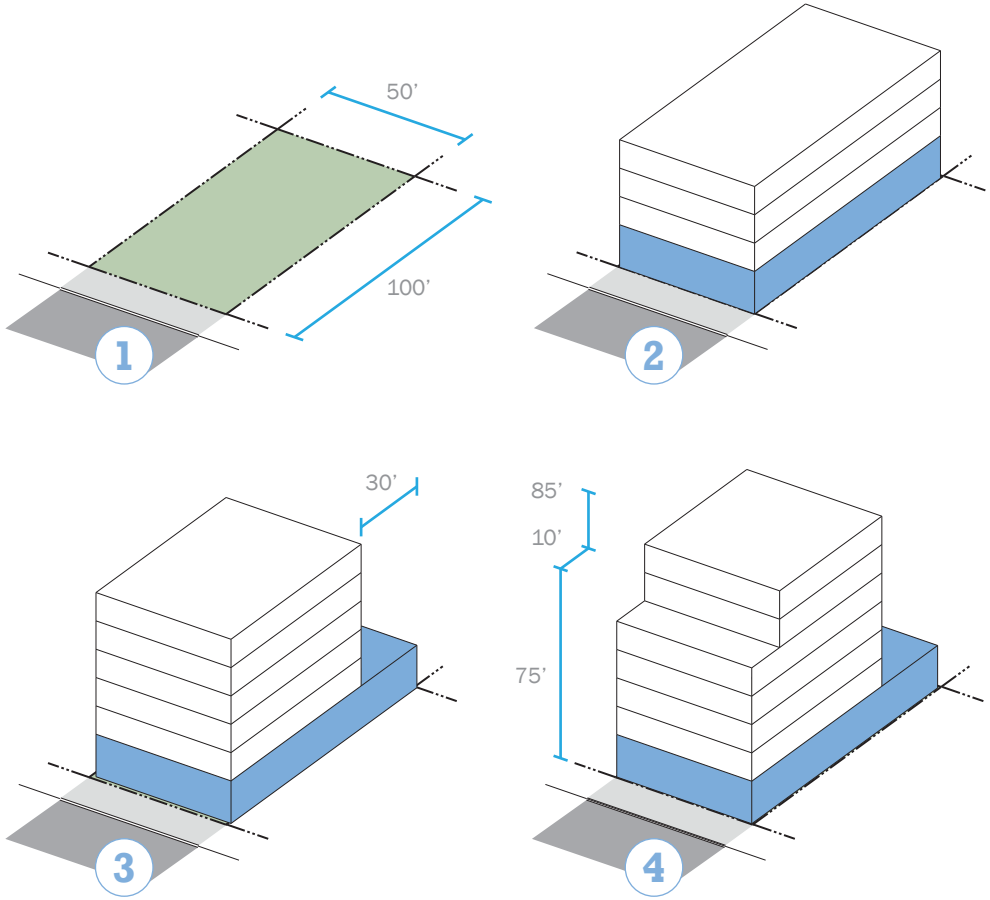
Since the development site is located in a contextual district, the Quality Housing Program regulations, which have specific height controls, will apply. Looking at the provisions for mixed buildings (ZR 35-60), Carlos determines that the building's front wall must rise to a base height between 40 feet and 65 feet (ZR 35-652, 23-662). Above the base height, a horizontal setback of at least 10 feet will need to be provided. The depth of the setback is determined by the type of street on which the building is located, in this case a ***wide street*** (a frontage on a ***narrow street*** would require a 15 foot setback). After this setback, the overall building height will be limited to 80 feet or eight stories (ZR 35-652, 23-662 Table 1). However, for a building that provides quality retail space with high ceilings, known as a ***qualifying ground floor*** (which will be described further in the streetscape section), the maximum base height may rise to 75 feet, and the building height may rise to a maximum of 85 feet. The building still cannot exceed eight stories though. (ZR 35-652, 23-662 Table 2)

Other Residential Bulk Rules

Residential uses contain other bulk regulations that serve as an extra measure of protection for building residents, largely to prevent overcrowding. These include density provisions and minimum lot sizes.

Carlos sees that the minimum lot width for a residential building in an R7A District with or without a commercial overlay is 18 feet and that the minimum lot size is 1,700 square feet (ZR 23-32). With a lot width of 50 feet and an area of 5,000 square feet, the property meets these standards, so Carlos now determines how many apartments the development is allowed to have: the permitted unit density. By dividing the permitted residential floor area (minus any commercial or community facility space) by the ***dwelling unit factor*** for the zoning district, which is 680, Carlos determines that, at a maximum, 22 units are permitted (20,000 square feet minus 5,000 square feet, divided by the R7A District dwelling unit factor of 680) (ZR 23-22). If the maximum number of units were provided, the average dwelling unit size would be less than 680 square feet, since a portion of the residential floor area must be devoted to common spaces, such as the lobby, elevators, stairs and the hallways between apartments. (Carlos later learns that the developer will only provide 20 units, so that the average apartment size will be larger.)

Applying the Bulk Regulations



1. The development site is on an interior lot located on a wide street. The 50 foot width and 5,000 square feet area exceed the minimum lot width and area for the R7A District.
2. The developers will provide 1.0 FAR of commercial uses (shown in blue), and 3.0 FAR of residential (shown in white), for a total of 4.0 FAR.
3. A 30 foot rear yard is required for the residential portion, but no yard is required for the commercial portion if limited to the ground floor.
4. The minimum base height is 40 feet and the maximum base height is 75 feet, if providing a qualifying ground floor. A setback of 10 feet is required on wide streets, and must be applied between the minimum and maximum base height. The overall height is limited to 85 feet, and 8 stories.

Parking and Loading

As construction has been progressing across the street, Carlos has seen five on-street parking spaces blocked off in front of the construction project, to accommodate construction equipment. Carlos' neighbor Bob, who usually parks in this area, asks him whether the new development needs to provide ***parking***. Carlos isn't sure whether the requirements are the same near a subway line or other form of mass transit as they are elsewhere, or whether there need to be loading docks for deliveries, or bike storage spaces, since more and more people in the area seem to be biking these days.

Carlos finds that the Zoning Resolution regulates permitted and required automobile off-street parking, the minimum amount of loading berths required and, as part of recent changes, the amount of bike parking spaces required. Parking regulations are set forth in Article II, Chapter 5 (Residence Districts); Article III, Chapter 6 (Commercial Districts) and Article IV, Chapter 4 (Manufacturing Districts). Each chapter is structured with a similar sequence of sections that reflects the range of these rules.

Vehicular Parking

Looking at the regulations of Article III, Chapter 6, Carlos sees that the required parking depends on the uses in the building, with separate amounts required for any residential, commercial or community facility component.

Carlos concludes that the residential component of the development will need to provide parking for 50 percent of the dwelling units (ZR 36-33, 25-23), based on the R7A District provisions. Since the owner is proposing 20 units, 10 residential parking spaces will be required. Assuming that the retail component of the building will be a Use Group 6 use with a ***Parking Requirement Category*** B requirement (PRC-B), the C1-4 District rules require one parking space per 1,000 square feet of floor area (ZR 36-21), so a 5,000 square feet store would require five parking spaces. In total, it appears that the new building across the street will be required to provide 15 accessory parking spaces (10 residential plus five commercial).

However, because of the practical difficulties and cost of constructing parking in a modest-sized building with a relatively small number of spaces, the Resolution allows for both reductions and waivers of parking requirements in some zoning districts.

Since the zoning lot across from Carlos is smaller than 10,000 square feet, the residential parking is eligible for a reduced requirement, from 50 percent to 30 percent of the dwelling units (ZR 36-341). This reduces the requirement from 10 to six spaces. In addition, since this six-space requirement is below the threshold of 15 spaces in an R7A District, the residential parking requirement may be waived altogether (ZR 36-361). Similarly, since the C1-4 commercial overlay has very low parking requirements, and because the resulting commercial parking requirement is below 40 spaces, the parking requirement for this small retail space can also be waived (ZR 36-232). Since neither use proposed on the lot requires parking, it is up to the owner whether they wish to provide parking as a building amenity (subject to the maximum permitted number of spaces) (ZR 36-12, 36-13). Because the development is only a short walk from a subway stop, Carlos anticipates that the owners will opt not to include any parking in the development.

Bicycle Parking and Loading Berths

Carlos discovers that the 20 new residences across the street will generate a requirement for 10 bike parking spaces (one per two dwelling units in Use Group 2) (ZR 36-711). While the ground floor retail generates a requirement for one additional space (one per 10,000 square feet of floor area in Use Group 6, with calculations resulting in fractions of 50 percent or more rounded up to an additional space), bike parking for commercial or community facility spaces may be waived if the resulting requirement is equal to or less than three spaces (ZR 36-711). As long as the space does not exceed 15 square feet per bike (165 square feet total), the square footage of the bike storage area or room can be exempted from the maximum floor area (ZR 36-75), as is allowed for vehicular parking as well.

For retail uses in C1-4 Districts, loading berths are only required for spaces larger than 25,000 square feet (ZR 36-62). Since the new retail store across from Carlos will be no more than 5,000 square feet, the owner will not be required to provide a loading berth.

Parking Calculations

Requirement for R7A Districts	Application
Basic requirement: Parking required for 50 percent of dwelling units	20 dwelling units x 50% = 10 parking spaces
Reduced requirement for small lots: Parking required for 30 percent of dwelling units	20 dwelling units x 30% = 6 parking spaces
Waiver: Requirements of up to 15 spaces may be waived	6 < 15, so parking may be waived

Requirement for Use Group 6 with PRC-B in C1-4 Districts	Application
Basic Requirement: 1 parking space required for every 1,000 sf of floor area	5,000 sf of space ÷ 1,000 = 5 parking spaces
Waiver: Requirement of up to 40 spaces may be waived	5 < 40, so parking may be waived

Residential Parking

Required Residential Parking **(ZR 36-33, 25-23)**

District within which C1 or C2 is Mapped	Parking Spaces (Percent of Dwelling Units)
R1, R2, R3, R4, R5A	100
R5	85
R6	70
R5B, R5D	66
R7-1	60
R6A, R6B, R7-2, **R7A**, R7B, R7D, R7X, R8B	**50**
R8, R9, R10	40

Reductions in Residential Parking **(ZR 36-341, 36-343)**

District within which C1 or C2 is Mapped	Lot Area	Parking Spaces (Percent of Dwelling Units)
R6, R7-1, R7B	**10,000 sf or less**	50
R7-1, **R7A**, R7D, R7X		**30**
R7-2, R8, R9, R10		0
R7-2	10,001 sf to 15,000 sf	30
R8, R9, R10		20

Waived Residential Parking **(ZR 36-361)**

District within which C1 or C2 is Mapped	Maximum Number of Spaces Waived
R5D	1
R6, R7-1, R7B	5
R7-2, **R7A**, R7D, R7X, R8, R9, R10	**15**

Commercial Parking in Commercial Overlay Districts

Required Commercial Parking **(ZR 36-21)**

Type of Use	Districts	Parking Spaces
Uses in PRC-B in Use Group **6**, 8, 9, 10 or 12	C1-1, C2-1	1 per 150 sf
	C1-2, C2-2	1 per 300 sf
	C1-3, C2-3	1 per 400 sf
	C1-4, C2-4	**1 per 1,000 sf**
	C1-5, C2-5	None Required

Waived Commercial Parking **(ZR 36-231, 36-232)**

Residence District within which C1 or C2 is Mapped	Maximum Number of Spaces Waived
C1-1, C2-1	10
C1-2, C2-2	15
C1-3, C2-3	25
C1-4, C1-5, C2-4, C2-5	**40**

Loading

Required Loading Berths **(ZR 36-62)**

Type of Use	Districts	For Floor Area	Required Berths
Retail or Service in Use Group **6A**, 6C, 7B, 8B, 9A, 9B, 10A, 12B, 14A or 16A	**C1**, C2, C3, C4, C5, C6, C7, C8	**First 25,000 sf**	**None**
		Next 15,000 sf	1
		Next 60,000 sf	1
		Each additional 150,000 sf	1

Bicycle Parking in certain Commercial Overlay Districts

Required Bicycle Parking **(ZR 36-711)**

Districts	Type of Use		Bicycle Parking Spaces Required
C1 or C2 mapped within R6-R10	**Residential**	Use Group 1	None required
		Use Group 2	**1 per 2 dwelling units**
	Commercial	Use Group 6B	1 per 7,500 sf of floor area
		General Retail	**1 per 10,000 sf of floor area**
		Use Groups 8A, 12A	1 per 20,000 sf of floor area
		Public parking garages	1 per 10 car parking spaces
		Not specified above	None required

Waived Bicycle Parking **(ZR 36-711)**

Type of Use	Spaces Waived
Residences	10 or fewer residential units
Commercial uses	**3 or fewer spaces required**

Streetscape

Across the street, the concrete workers have finished, and the crew is working on the building facade. Carlos can see what the final building will look like. His neighbors share with him their opinions and concerns about the developer's choices of building materials, architectural style, and the particular way the building interfaces with the sidewalk and rest of the buildings on the block.

While the Zoning Resolution does not dictate architectural styles or, for the most part, prescribe materials (although ground floor transparency is a notable and common exception), it often establishes rules to ensure that new buildings interact with the sidewalk in a way that promotes walkability. Since there is no discrete ***streetscape*** chapter in the Resolution, ground floor use requirements, ***street wall*** location rules, ***sign*** regulations, planting rules and parking location restrictions are mixed among the various other use, bulk and parking regulations.

Ground Floor Use Regulations

The contextual district regulations specify that for this new building on Carlos' street to obtain an additional five feet of building height, it must provide a ***qualifying ground floor***. This means that the ground floor must be at least 13 feet high, and must comply with additional streetscape rules, which differ depending on whether the lot has primary or secondary street frontage. Since the C1-4 overlay along the street extends along the entire front of the block, the parcel is considered to be located along a ***primary street frontage***. This requires the portion of the ground floor within 30 feet of the street to contain commercial or community facility uses, with a limited amount of space dedicated to entrances and the residential lobby. To ensure that retail and service spaces are visible from the street, 50 percent of the surface area of the ground floor must be transparent (ZR 35-652, 37-30).

Street Wall Rules

Since the property across from Carlos is in a zoning district with a commercial overlay, he determines that the new building will have to be located close to the sidewalk. Specifically, he reads that in a C1-4 District mapped within an R7A District, 70 percent of the ***street wall*** needs to be within eight feet of the sidewalk (ZR 35-651). It looks to him like the facade will be at varying depths (within eight feet or less of the street) to allow the upper floors to include balconies and terraces facing the street.

Signs

When the retail tenants move into the ground floor space, any ***signs*** they want to provide will be subject to the commercial sign regulations (ZR 32-60).

Advertising signs, and any type of ***flashing signs***, are not permitted in commercial overlay districts.

In C1 Districts, the total area, in square footage, of all accessory signs for a retailer will be limited three times the width of the lot along the street and may not exceed a maximum of 150 square feet (ZR 32-641, 32-642), of which no more than 50 square feet may be ***illuminated signs*** (ZR 32-643). This would allow, for example, a 50 foot wide, non-illuminated sign that is three feet tall, or a 30 foot wide sign that is five feet tall.

The height of a commercial sign in this district is limited to 25 feet above street level (ZR 32-655), but in a mixed building such as this one, it can be no more than two feet above the floor of the second story (ZR 32-421). If the building owner, at a later point, wants to divide the retail portion of the ground floor into two establishments, each would be considered a separate zoning lot when applying the sign regulations (ZR 32-64).

Planting Rules

Looking at these regulations, Carlos realizes that by the time the building is completed, the developer must plant two street trees along the sidewalk, one for every 25 feet of street frontage (ZR 23-03, 26-41). Because the ground floor use is commercial, no other plantings are required in front of the building. If the building were purely residential, the ***Quality Housing*** regulations would require any open area between the street wall and the sidewalk to be planted (ZR 28-23).

Parking Design Requirements

This development is not required to provide any parking spaces. If parking is provided, however, the regulations for a qualifying ground floor would require that, since the zoning lot is located on a ***primary street frontage***, all parking must be "wrapped" by other uses to prevent it from being seen from the sidewalk (ZR 35-652).

Applying the Streetscape Regulations

1. At least 70 percent of the street wall is required to be located within eight feet of the street line.
2. Up to 30 percent of the street wall is allowed to recess beyond eight feet of the street line.
3. Up to 150 square feet of signage may be provided below a height of 25 feet.
4. To obtain an additional five feet in building height, a qualifying ground floor is provided, with a ground floor retail use that is at least 13 feet tall.
5. One street tree is required for every 25 feet of street frontage.



Basic Information	
Zoning District	C1-4 mapped in an R7A District
Zoning lot type	Interior lot
Street type	Wide street

	Section	Permitted/Required		Provided
Permitted Uses				
Uses	ZR 32-11	Residential	Use Groups 1 and 2	Use Group 2
	ZR 32-12, 32-13	Community Facility	Use Groups 3 and 4	None
	ZR 32-15	Commercial	Use Group 6	Use Group 6A
Supplemental Use Regulations	ZR 32-421	In mixed buildings, no commercial use listed in Use Groups 6, 7, 8, 9 or 14 is permitted above the first story		Commercial use located on ground floor
Permitted Bulk				
Minimum Lot Size	ZR 23-32	Residential	Lot width of 18 ft, lot area of 1,700 sf	50 ft lot width, 5,000 sf lot area
Floor Area Ratio	ZR 23-153	Residential	4.0 (20,000 sf of floor area)	3.0 (15,000 sf of floor area)
	ZR 33-121	Commercial	2.0 (10,000 sf of floor area)	1.0 (5,000 sf of floor area)
Open Areas	ZR 23-153	Residential lot coverage	65% max.	62% lot coverage
	ZR 23-47	Residential rear yard	30 ft deep	30 ft deep
	ZR 33-26, 33-23	Commercial rear yard	20 ft deep above ground floor	None
Height and Setback	ZR 35-652, 23-662	Base height	Min. 40 ft Max. 75 ft (with qualifying ground floor)	55 ft
		Setback	10 ft on a wide street	10 ft
		Overall height	85 ft (with qualifying ground floor)	75 ft
Density	ZR 23-22	20,000 sf (permitted residential floor area) minus 5,000 sf (commercial floor area) divided by dwelling unit factor of 680: 15,000÷680 = 22 dwelling units permitted		20 units
Parking and Loading				
Vehicular Parking	ZR 36-341, 36-361	Residential	30% of dwelling units (small lots), waived if less than 15 spaces: 20 x 30% = 6 spaces, 6 < 15, so waived	None
	ZR 36-21, 36-232	Commercial	1 per 1,000 sf of floor area for uses in PRC-B in Use Group 6, waived if less than 40 spaces: 5,000 ÷ 1,000 = 5 spaces, 5 < 40, so waived	None
Bicycle Parking	ZR 36-711	Residential	1 space per 2 dwelling units, waived for less than 10 units	10 bicycle parking spaces
		Commercial	1 per 10,000 sf of floor area for general retail, waived if less than 3 spaces: 5,000 ÷ 10,000 = 1 space, 1 < 3, so waived	None
Loading Berths	ZR 36-62	No loading berth required for first 25,000 sf of floor area for retail uses in Use Group 6A		None
Streetscape				
Ground Floor Use	ZR 35-652	In order to use additional height for qualifying ground floor, ground floor on primary street frontage must contain commercial or community facility uses and be at least 13 ft tall		Contains retail use and is 15 ft tall
	ZR 37-30	Commercial frontage between 2 and 12 ft above grade must be at least 50% transparent		Retail frontage is 55% transparent
Street Wall Rules	ZR 35-651	70% of the street wall must be located within 8 ft of the street line		70% is at street line
Signs	ZR 32-642	Three times the street frontage: 3 x 50 = 150 sf permitted		Surface area = 80 sf
Planting	ZR 23-03, 33-03	One tree every 25 feet of street frontage: 50 ÷ 25 = 2 street trees		2 street trees



Carlos considers his zoning analysis, and realizes that development is not at all happenstance; many of the things he took for granted about how neighborhoods look and feel are actually codified in the Zoning Resolution.

Case Study 2: Conversions and Enlargements to Existing Buildings

In another part of the city, Louisa has been retired for five years, and has been rekindling her passion for the history of her neighborhood and its buildings. She leads neighborhood tours once a month, where she checks in on some of her favorite buildings. On her last tour, she noticed a fence being put up around a three-story loft building, known in the neighborhood as "the Craddock building" because of its early 20th century tenants, the Craddock Company, a gyroscope and aviation-instrument manufacturer. After the company moved out several years ago, the building became a warehouse for a movie production studio and was continuously used for this purpose until last year, when the movie studio put the property up for sale. It has been vacant since, and Louisa is concerned that, if it remains empty for long, the building may deteriorate.

Louisa is encouraged to see new interest in the building but realizes that, while she knows plenty about her neighborhood's architecture, she knows little about the regulations affecting the repurposing of old buildings. She knows that the zoning regulations apply to new buildings, but is not sure how they would apply to older buildings, especially those that were built prior to the enactment of zoning in 1916. She wonders: "What can the owners do with the building? Do they have to change it to comply with today's rules?" She would like to see the building repurposed rather than knocked down, so she decides to try and learn more about the applicable zoning regulations.

Existing Building



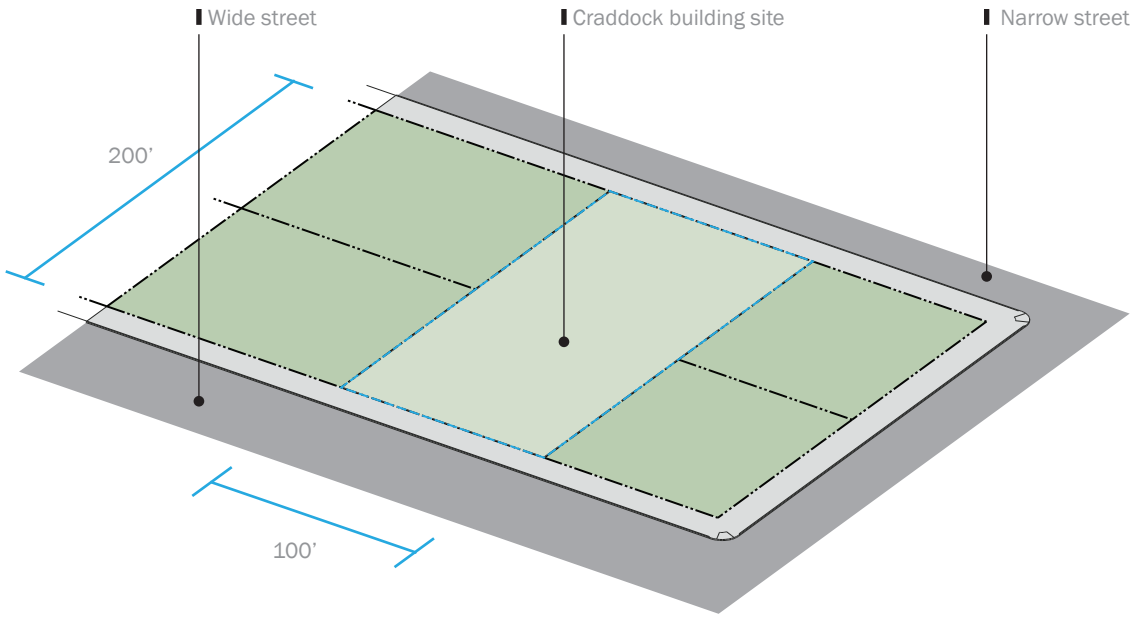
As Louisa sees new interest in "the Craddock building" she wonders how zoning regulations apply to existing buildings.

Zoning District, Street Type and Zoning Lot Type

Using the ZoLa application on the Department of City Planning website, Louisa is able to input the property address and learn some basics: the Craddock building is located on, and occupies the entirety of, a 20,000 square foot zoning lot (100 feet wide and 200 feet deep) and is situated within a C4-4 District. By looking through the defined terms in Article I, Chapter 2 of the Zoning Resolution, she learns that this lot would be classified as a ***through lot*** because it is on the midblock, and it has frontages on two ***streets***, in this case both a ***wide street*** and a ***narrow street***.

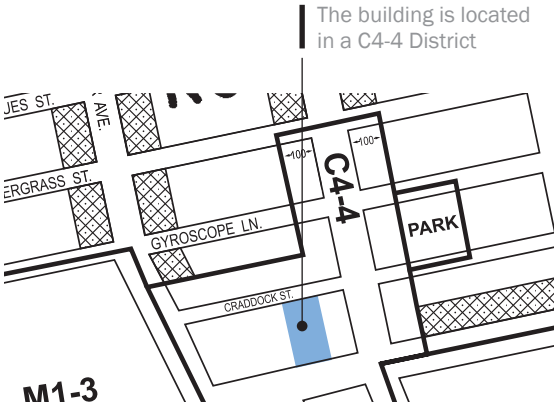
Because the Craddock building was built well before the current zoning went into effect, the degree to which the building deviates from the zoning regulations in place today will determine the degree to which the new owners can change and potentially even enlarge their building.

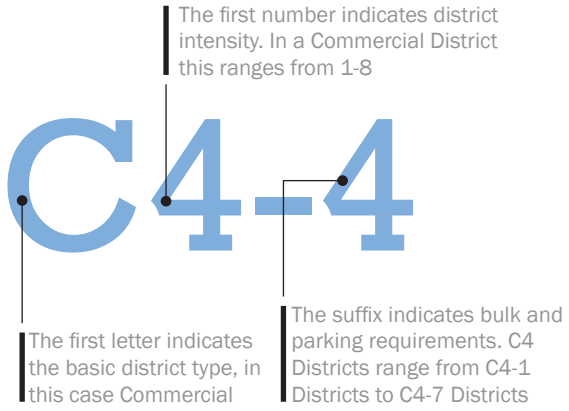
Zoning Lot Type



The Craddock building is on a site that measures 100 feet by 200 feet, or an area of 20,000 sf. It is located more than 100 feet from the corner, but has frontage on two streets, so it is a through lot.

Zoning District Type





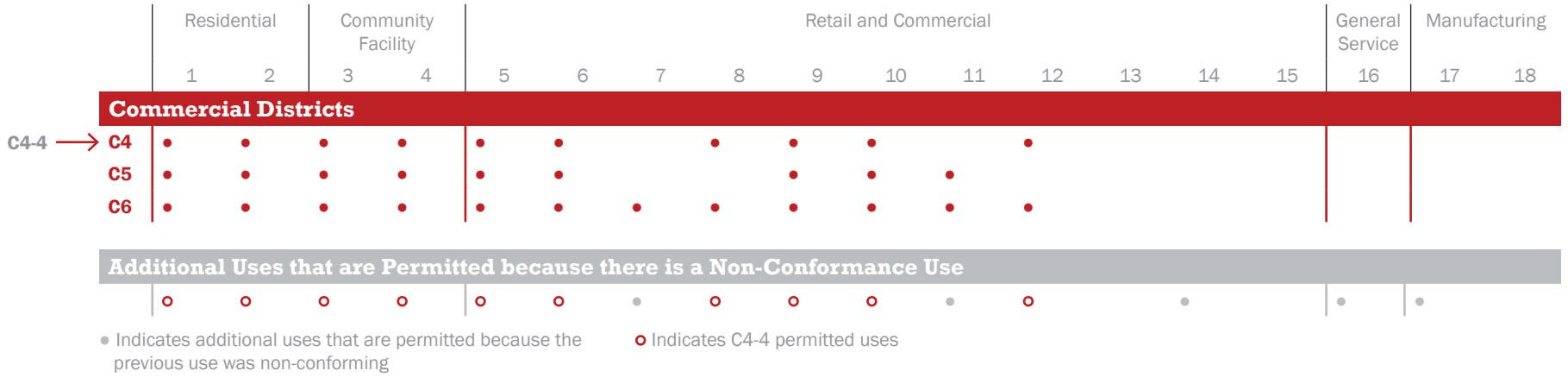
Permitted Uses

Louisa's neighborhood has changed significantly since the Craddock building was built. Built with a mix of manufacturing, warehousing, and residential buildings, the neighborhood today contains a mix of ***residential*** and office ***uses***, reflected by the C4-4 zoning designation. While this district permits a wide range of residential, ***community facility***, retail, office and entertainment uses, the Craddock building has most recently been used as a warehouse, which is listed in Use Group 16 and is not permitted in a C4-4 District (ZR 32-25). Consequently, the warehouse is classified as a ***non-conforming use***. But because the warehouse was in operation long before the zoning district that prohibits the use was mapped, as long as the space was never vacant for a continuous period of more than two years, its status is grandfathered and the Craddock building can continue to operate as a warehouse. If the space had been vacant for more than two years, then it could only be occupied by conforming uses (ZR 52-61) which, for this property, are those uses permitted in C4-4 Districts in Use Groups 1, 2, 3, 4, 5, 6, 8, 9, 10 and 12 (ZR 32-10).

By looking in the Zoning Resolution at the regulations for non-conforming uses in Article V, Chapter 2, Louisa sees that the warehouse could change either to a comparable use or one that is closer to conforming (Use Groups 7B, 7C, 7D, 11A, 11B, 14, 16 or 17), or to a permitted use in the C4-4 District, such as office space (Use Group 6) (ZR 52-35). It could not be changed to a use in Use Group 18, which includes intensive manufacturing activities, because this would move the building further from the range of uses intended for the C4-4 District. If the owners of the building established a conforming use in the space, they could not revert the space to a non-conforming use at a future date, even if that use had previously been grandfathered.

Louisa now knows that the owners of the Craddock building have the option to reactivate the building as a warehouse, change the use or convert it to other uses such as office space or apartments.

Permitted Use Groups



Sample C4 District Commercial Uses



Offices – Use Group 6B



Movie Theaters – Use Group 8A



Parking Garages – Use Group 8C



Trade Schools – Use Group 9A



Automobile Showrooms – Use Group 9A



Department Stores – Use Group 10A



Large Furniture Stores – Use Group 10A



Bowling Alleys – Use Group 12A



Pool Halls – Use Group 12A

Permitted Bulk

To assess the potential changes to the Craddock building, Louisa also needs to consider the owners' options to change the use, and potentially even enlarge the building, from a ***bulk*** perspective. She needs to understand how the existing bulk of the building compares to the current district regulations: Does the ***floor area*** in the existing building exceed that which is allowed today for the particular use? Are the ***yards*** and open area provided on the ***zoning lot*** insufficient under the current regulations? Does the height of the existing building exceed that permitted by the current C4-4 District? If the answer to any of these questions is "yes," then the Craddock building is a ***non-complying building***.

Floor Area Ratio

The owners are likely to hire an architect who will measure the gross square footage of the building and deduct all the spaces that do not constitute zoning floor area, such as mechanical space. Louisa has looked at old floor plans of the building, and roughly estimates the built ***FAR*** to be 2.4. She compares this to what is allowed in a C4-4 District, which is set forth in Article III, Chapters 3 through 5 of the Zoning Resolution. A C4-4 District permits an FAR of 3.4 for commercial uses such as offices (ZR 33-12), and an FAR of between 3.44 and 4.0 for residential uses (an R7-2 District is the residential equivalent of a C4-4 District), depending on whether the building is using ***height factor*** regulations or ***Quality Housing Program*** regulations (ZR 35-23, 23-15). Since the existing FAR of the Craddock building is lower than the permitted FAR for both uses, the owner could potentially enlarge the building.

Open Areas

Louisa next assesses the degree to which the building may need to be physically altered to accommodate a change of use (much like the owner's architect is doing). Concerned that the building occupies the entirety of its lot, Louisa consults the open area provisions for high density Commercial Districts. She learns that while no maximum ***lot coverage***, ***rear yard*** or ***rear yard equivalents*** apply to commercial uses in a C4-4 District (ZR 33-28), the regulations for residential uses in an R7-2 District will require either a minimum amount of ***open space*** using the height factor regulations or a maximum lot coverage if using the Quality Housing regulations. Both sets of residential regulations will additionally require that a 60 foot deep rear yard equivalent be provided on the through lot (ZR 23-53), necessitating cutting out a portion of the building to bring it into compliance — a very expensive proposition.

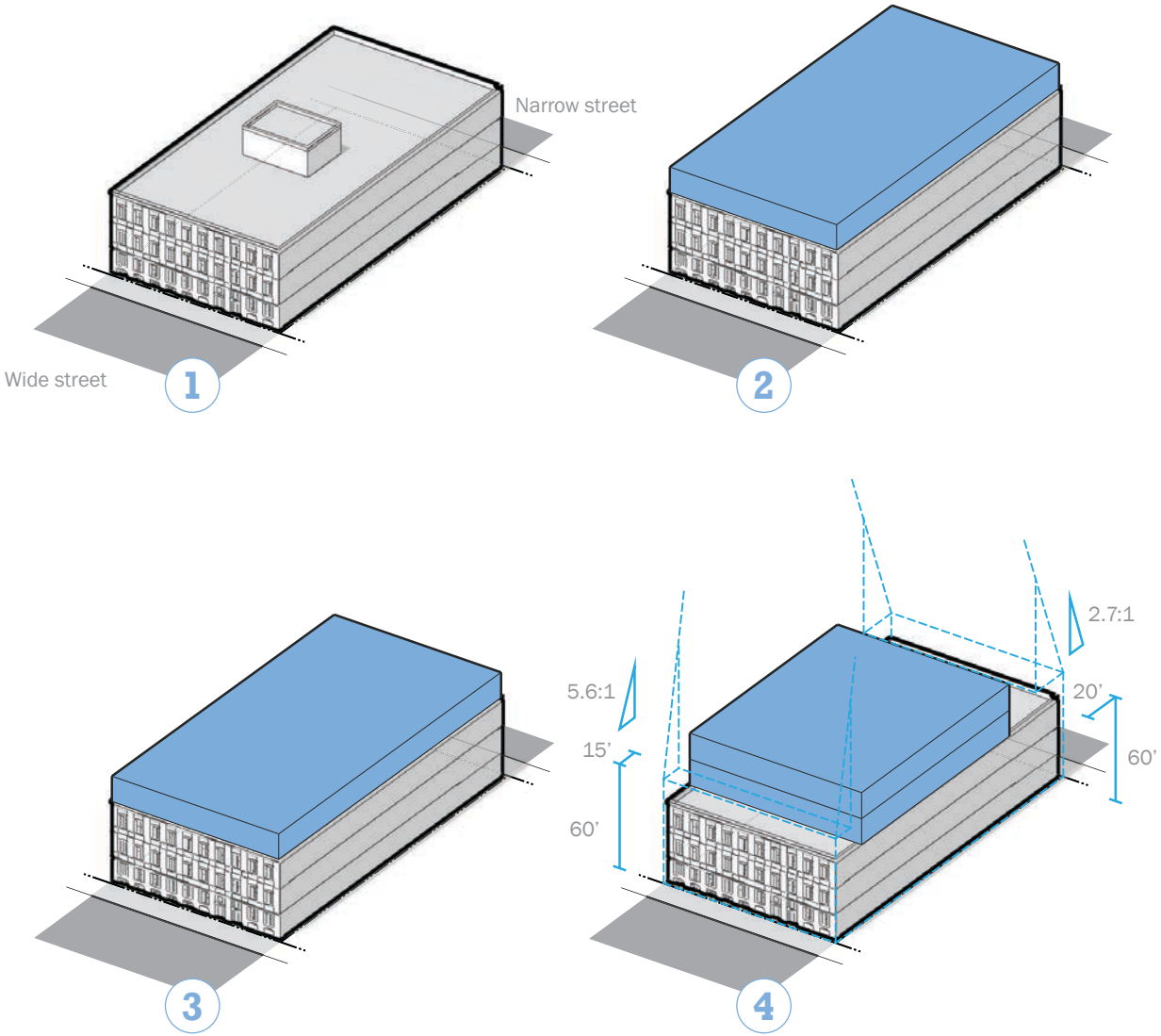
However, Louisa discovers that if a ***non-conforming*** use is converted to a conforming use, the applicable bulk (and parking) regulations do not apply (ZR 52-31). This generous rule is intended to encourage the transition of uses from non-conforming to conforming, and recognizes the expense of physically altering older buildings to bring them into compliance. While this provision theoretically allows the residential conversion of the Craddock building, the configuration of this particular building makes this unlikely, because either the windowless center portions of the building would remain unoccupied or units would have dark and undesirable spaces. Louisa therefore assumes that the most practical conversion option would be to office uses.

Height and Setback Regulations

Since the Craddock building has a significant amount of unused floor area, the architects can create an enlargement on top of the building, as long as the enlarged portion complies with all the current zoning regulations. Because the existing building is three stories high and 45 feet tall, and commercial buildings in C4-4 Districts are governed by a ***sky exposure plane*** that begins at a height of four stories or 60 feet (whichever is lower) above the street (ZR 33-43), the entire building is below the point at which the sky exposure plane begins, so there are no ***non-compliances*** for height and setback. The enlarged portion of the building will need to be constructed fully beneath the sky exposure plane. Because the building is located between a ***wide*** and ***narrow street***, the planes will have different angles and different setback distances for each side of the zoning lot (ZR 33-43). Louisa estimates that the resulting envelope is sufficient to accommodate the remaining 1.0 FAR in a two-story ***enlargement***.

Applying the Bulk Regulations

1. The Craddock building is on a through lot which is located on both a wide street and a narrow street. The lot measures 100 feet by 200 feet, for a lot area of 20,000 square feet.
2. The existing building contains 2.4 FAR, which the developers will enlarge by 1.0 FAR (shown in blue) for a total of 3.4 FAR of commercial uses.
3. No rear yard equivalent is required for non-residential uses on through lots in C4-4 Districts.
4. Sky exposure plane starts above 60 feet or 4 stories, whichever is less. The angle of the plane differs between wide and narrow streets, as does the initial setback distance.



Parking and Loading

Two weeks after her first tour, when she initially noticed the construction fence, Louisa led another tour past the Craddock building. This time she reads the construction permit posted at the Craddock building site and realizes that her hunch was indeed correct – the owners are planning to convert the existing warehouse space into an office building. A rendering of the project shows they are also planning a small, two-story glass enlargement on top.

Now that Louisa understands how the use and bulk aspects of zoning apply to existing buildings and enlargements, she begins to wonder how other regulations such as those for parking apply.

Vehicular Parking

While developments and enlargements typically generate parking requirements, alterations, changes of use and ***conversions*** generally do not. Conversions involving the creation of new dwelling units sometimes do require parking, but they are not required in C4-4 Districts for buildings constructed prior to 1961 (ZR 36-312), nor are they required if the conversion is from a non-conforming to a conforming use (ZR 52-31). These provisions recognize that the reuse of buildings is often desirable, and the addition of parking to an existing building is often impractical.

Parking requirements for enlargements are usually based on either the amount of new commercial, community facility or manufacturing floor area in the building or the number of new dwelling units created. The 1.0 FAR of new commercial office space that the owners of the Craddock building would build is equivalent to 20,000 square feet. From the commercial parking regulations in Article III, Chapter 6 of the Zoning Resolution, Louisa sees that the parking ratio for an office use in a C4-4 District with a ***Parking Requirement Category*** [PRC-B1] is one space per 1,000 square feet of floor area (ZR 36-21), which would generate a 20-space parking requirement. However, a waiver of up to 40 spaces is allowed for this district (ZR 36-23); C4-4 Districts are typically mapped in regional business districts with ample public transportation. Because multiple subway and bus lines are within a five-minute walk, and because it would likely be difficult to carve parking spaces into the building, Louisa assumes that the owners will take advantage of the waiver allowance.

Bicycle Parking and Loading Berths

Finally, Louisa checks Article III, Chapter 6 to determine whether the enlargement will need to include bicycle parking or loading berths. Bicycle parking is required for developments and substantial enlargement (increases in the floor area of the building by 50 percent or more), and is not required for smaller enlargements, conversions or changes of use because it is often more challenging for existing buildings to accommodate this requirement (ZR 36-70). Since the size of the enlargement is less than 50 percent of the existing floor area, the owners of the Craddock building will not need to provide bicycle parking.

Changed, converted or enlarged portions of buildings (in addition to developments) generate loading requirements. In C4-4 Districts, there is no loading berth required for the first 100,000 square feet of office space, and one berth is required for the next 200,000 square feet (ZR 36-62). Since the total square footage of office use will be just 68,000 square feet, the owners will not need to include any loading berths.

Parking and Loading Calculations

Requirement for Use Group 6 with PRC-B1 in C4-4 Districts	Application
Basic Requirement: 1 parking space required for every 1,000 square feet of enlarged floor area	20,000 square feet of space ÷ 1,000 = 20 parking spaces
Waiver: Requirements of up to 40 spaces may be waived	20 < 40, so parking may be waived

Requirement for offices in C4-4 Districts	Application
Basic Requirement: 1 loading berth for first 100,000 square feet, and one for the next 200,000 square feet of office floor area.	68,000 < 100,000 square feet, so no berths are required

Commercial Parking in C4 Through C6 Non-contextual Districts

Required Commercial Parking **(ZR 36-21)**

Type of Use	Districts	Parking Spaces
Uses in PRC-B1 in Use Groups **6**, 7, 8, 9, 10, 11, 13, 14 or 16	C4-5, C4-6, C4-7, C5, C6	None required
	C4-1	1 per 150 sf
	C4-2	1 per 300 sf
	C4-3	1 per 400 sf
	C4-4	**1 per 1,000 sf**

Waived Commercial Parking **(ZR 36-361, 36-232)**

Districts	Spaces Waived if Less Than
C4-1	10
C4-2	15
C4-3	25
C4-4, C4-7, C5, C6	**40**

Loading in C4 Through C6 Non-contextual Districts

Required Loading Berths **(ZR 36-62)**

Type of Use	Districts	For Floor Area	Required Berths
Hotels **Offices** Courthouses	C4-1, C4-2, C4-3	First 25,000 sf	None
		Next 75,000 sf	1
		Next 200,000 sf	1
		Each additional 300,000 sf	1
	C4-4, C4-5, C4-6, C4-7, C5, C6	**First 100,000 sf**	**None**
		Next 200,000 sf	1
		Each additional 300,000 sf	1

Streetscape

A couple of months after her last visit, Louisa leads another tour past the Craddock building and continues to check on its progress. As the project moves towards completion, Louisa wonders how ***streetscape*** regulations in the Zoning Resolution interact with conversions, changes of use and enlargements.

Based on the challenges and limitations that can exist in modifying an existing building, fewer streetscape provisions apply to conversions, other changes of use, and enlargements..

Ground Floor Use Regulations

As the Craddock building is not located within any ***special purpose district***, or in a district with supplemental use requirements (such as a C4-5D District), Louisa has discovered that there will be no applicable ground floor use requirements. Even if the building were located within a special purpose district with ground floor use provisions, such as the Special Enhanced Commercial District, many of these provisions would only apply to developments and enlargements of the ground floor. This limited applicability is intended to establish a reasonable overlap between the scope of the construction work and the relevance of the zoning regulations. For example, it may be impractical to impose requirements for additional alterations on the ground floor when the entire scope of work is limited to a small enlargement several stories up.

Street Wall Rules

There are no street wall location regulations for commercial buildings within non-contextual districts. Even if the Craddock building were located within a contextual district – where street walls often need to be close to the sidewalk – street wall provisions would still be inapplicable to conversions or changes of use and would have limited applicability to enlargements. This is because it is often impractical or unfeasible to move the street wall of an existing building (ZR 35-61). For buildings subject to street wall regulations, there are also minor allowances to vertically enlarge a non-complying street wall by one story, or 15 feet (ZR 35-655).

Signs

Louisa is anticipating that, once converted, the office space in the Craddock building will be subdivided among a few tenants. She imagines they may have two options: allow each of the tenants to have ***signs***, which would, in the aggregate, be subject to the maximum surface area regulations, or use the rules to create a sign containing the name of the building, and rely on a directory inside for people to find the individual tenants.

In C4-4 Districts, a building is allowed to have both ***illuminated*** and non-illuminated signs. Either sign type is permitted to have a surface area of up to five times the street frontage, or 500 square feet per frontage, whichever is less. This amount is also the maximum sign allowance for the zoning lot — the maximum amounts for illuminated and non-illuminated signs are not added together (ZR 32-64). Since the Craddock building is located on a through lot, each of its two frontages is permitted a 500 square feet sign (5 x 100 = 500 square feet). In C4-4 Districts, all signs must be located below a height of 40 feet (ZR 32-65).

Louisa takes another peek at the rendering posted on the construction fence and notices that the owners have designed cutout, illuminated letters to announce "the Craddock building" on each facade. The area calculations for such a sign would be determined by placing a single theoretical boundary around the outermost extent of the letters (ZR 12-10).

Planting Rules

Conversions or changes of use do not typically trigger requirements for street trees or other planted areas, and even small enlargements are typically exempt. Street trees are required for enlargements that increase the existing floor area of the building by 20 percent or more (ZR 33-03). If the owners of the Craddock building create a 1.0 FAR enlargement – going from the current FAR of 2.4 to 3.4 – they will be increasing the floor area by 41.6 percent, so they will need to provide street trees. Applying the requirement of one tree per every 25 feet of street frontage (ZR 26-41), they will need to provide a total of eight street trees along the sidewalk (200 feet of total frontage divided by 25).

Applying Streetscape Regulations

1. There are no street wall location rules for commercial buildings in non-contextual districts.
2. Up to 500 square feet of signage may be provided per frontage below a height of 40 feet.
3. There are no ground floor use restrictions in this C4-4 District.
4. One street tree is required for every 25 feet of street frontage.



Basic Information	
Zoning District	C4-4
Zoning lot type	Through lot
Street type	Wide street Narrow street

	Section	Permitted/Required		Provided
Permitted Uses				
Uses	ZR 32-11	Residential	Use Groups 1 and 2	None
	ZR 32-12, 32-13	Community Facility	Use Groups 3 and 4	None
	ZR 32-15, 52-35	Commercial	Use Groups 5, 6, 8, 9, 10 and 12, or, in the case of non-conforming Use Group 16 use, Use Groups 7B, 7C, 7D, 11A, 11B, 14, 16 and 17	Use Group 6B
Supplemental Use Regulations	ZR 32-422	In mixed buildings, commercial uses are permitted only on stories below residential dwelling units		n/a
Permitted Bulk				
Floor Area Ratio	ZR 33-122	Commercial	3.4 (68,000 sf of floor area)	Existing floor area = 2.4 (48,000 sf) Proposed floor area = 1.0 (20,000 sf) Total = 3.4 (68,000 sf)
Open Areas	ZR 33-281	Commercial rear yard	No rear yard equivalent required on through lots in C4-4 Districts	None
Height and Setback	ZR 33-432	Height the sky exposure plane begins at	60 ft or four stories, whichever is less	60 ft
		Initial setback distance	15 ft on a wide street, 20 ft on a narrow street if using basic regulations	20 ft on a wide street, 40 ft on a narrow street
		Height limit	None, governed by a sky exposure plane, which is 5.6:1 on a wide street and 2.7:1 on a narrow street if using basic regulations	85 ft
Parking and Loading				
Vehicular Parking	ZR 36-21, 36-232	Commercial	1 per 1,000 sf of enlarged floor area for uses in PRC-B1 in Use Group 6, waived if less than 40 spaces: 20,000 sf enlargement ÷ 1,000 = 20 spaces, 20 < 40, so waived	None
Bicycle Parking	ZR 36-70	Commercial	No requirement for enlargements that increase the floor area of the building by less than 50%	None
Loading Berths	ZR 36-62	No loading berth required for first 100,000 sf of floor area for offices in C4-4 Districts		None
Streetscape				
Signs	ZR 32-642	Five times the street frontage: 5 x 100 = 500 sf of surface area permitted per frontage		400 sf of surface area per frontage
Planting	ZR 23-03	One tree every 25 feet of street frontage: 200 ÷ 25 = 8 street trees, 4 per frontage		8 street trees



Louisa now knows about the concept of grandfathering and understands how buildings can be adaptively re-used pursuant to zoning.

Case Study 3: Modifying Zoning

Jackie is the owner of a small clothing and accessory store that specializes in articles with tweed and other woven fabrics from around the world. She started her business over 25 years ago, and has watched it grow steadily ever since.

Jackie's actual storefront has changed along with her retailing needs over the years. The initial shop was just 500 square feet in size, and she subsequently moved it to larger spaces before growing into the 5,000 square foot corner store it has occupied for the last five years. She is once again outgrowing her space, and is currently assessing her expansion options. She would like a retail space that is around 15,000 square feet, so that she can accommodate a wider selection of goods and not worry about moving again for a while. While she has moved the business a few times in the past, she has always stayed on the same retail street within two blocks of the original location. If she does need to move, she would still like to maintain this proximity to her customer base. Jackie has three potential options: moving her shop to an available space in a nearby Manufacturing District; expanding within the building where she is currently located, which is in a C2-3 District mapped within an R6 District; or moving her shop into a large, but irregularly shaped storefront in a different ***Commercial District***.

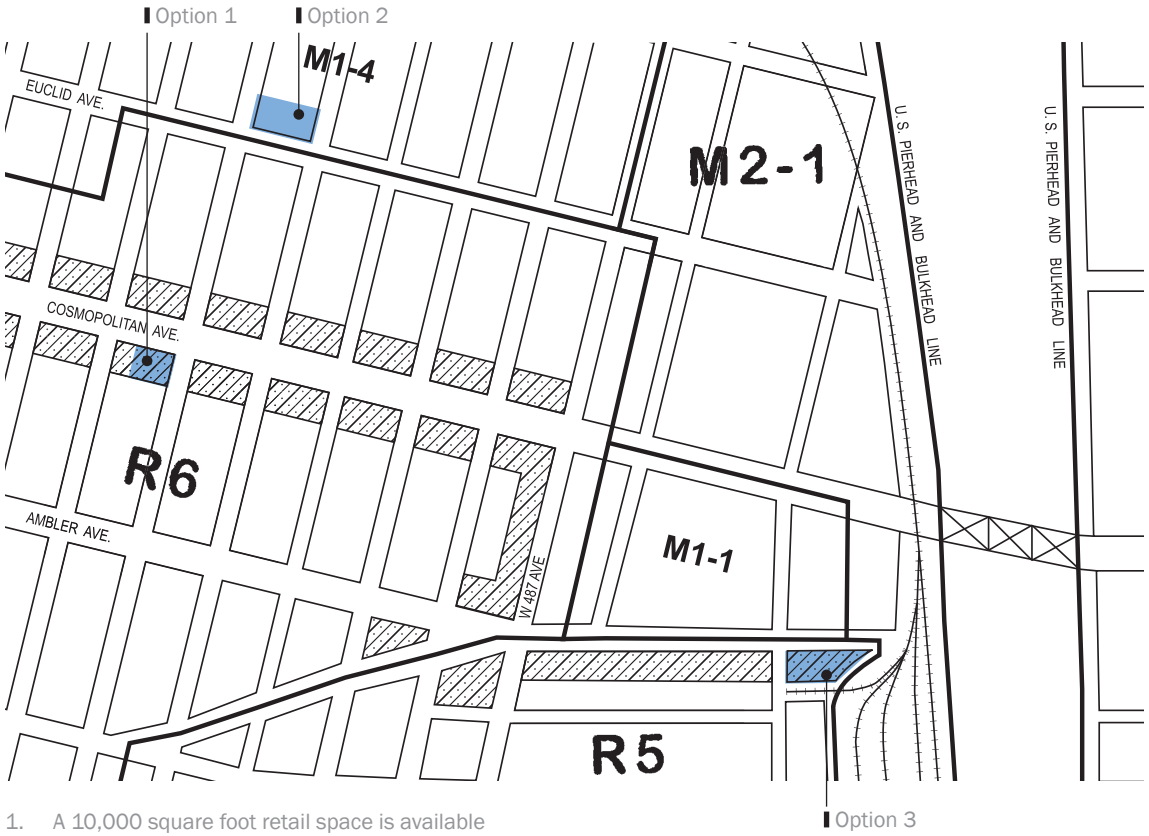
Clothing or clothing accessory stores are listed as ***uses*** in two separate ***Use Group*** categories in the Zoning Resolution, depending on their square footage: Use Group 6C, if 10,000 square feet or less, or Use Group 10A if larger. While Use Group 6 uses are permitted as-of-right in C1, C2, C4, C5, C6 and C8 Commercial Districts and in all Manufacturing Districts, Use Group 10 is only permitted as-of-right in the higher intensity C4, C5, C6 and C8 Commercial Districts and, by ***special permit*** of the ***City***

Jackie's Store



Jackie is the owner of a small clothing and accessory store. She is outgrowing her space, and is assessing her options for a larger store.

Possible Sites



1. A 10,000 square foot retail space is available adjacent to current space in a C2-3 District mapped within an R6 District. (A 15,000 square foot space is not permitted as it would require a zoning map or text amendment to allow the larger store.)
2. A 15,000 square foot retail space is available in a nearby M1-4 District. This would be eligible for a CPC special permit.
3. A 15,000 square foot retail space is also available on an irregularly shaped lot in a C2-3 District mapped within an R5 District. This parcel might be eligible for a variance.

Planning Commission (CPC), in M1 Districts. Since she is looking for a store larger than 10,000 square feet, she will need to focus on this more limited set of districts.

None of Jackie's three options are located within the high intensity Commercial Districts that would allow a larger clothing store to be permitted as-of-right. In fact, the nearest location for one of those districts is a half-mile away, which she feels is too far from her current customer base.

To remain in her current neighborhood, Jackie wants to seek modifications to the zoning. The types of zoning solutions that would work for each of Jackie's potential sites is different: a special permit for one, a zoning change for the next or a variance for the third. Each of these is a type of ***discretionary action***, as it may be approved or denied at the discretion of the governmental body overseeing the application (see Chapter 8).

Special Permits

The first vacant retail space Jackie looks at is around the corner, in an M1-4 District. Many ground floors on this block had been empty, but because of the success of the retail street on which Jackie is located, there are already a few retailers who have moved to the block. The 15,000 square foot space was previously tenanted by a liquor store, which is a use allowed as-of-right with no size restriction. The M1 designation would allow Jackie's Use Group 6C use – clothing or clothing accessory stores, up to 10,000 square feet – as-of-right. It would also allow the Use Group 10A version, with no size restriction, through a special permit from the CPC.

Jackie's lawyer explains that the Zoning Resolution contains pre-defined modifications to the underlying use, bulk and parking regulations through mechanisms known as ***special permits*** that are administered by either the CPC or the ***Board of Standards and Appeals (BSA)***.

CPC special permits generally involve larger planning decisions such as the approval of a stadium or arena. CPC special permits are also subject to the ***Uniform Land Use Review Procedure (ULURP)*** and are considered, over a roughly seven-month period, by the affected Community Board, the Borough President (and Borough Board if it affects more than one Community Board), the City Planning Commission and, finally, the City Council. Each stakeholder in this process has a prescribed period in which to consider the proposal. A ***public hearing*** is held at each stage of review, and a hearing and a vote occur at the CPC, then at the City Council.

BSA special permits are generally narrower in scope that those granted by the CPC. The BSA is comprised of members with technical expertise in various aspects of development, and BSA special permits often require consideration of factors that utilize those skills. BSA special permits are subject to a public hearing and review process, but are not subject to ULURP or review by the CPC or City Council.

Both types of special permits trigger ***City Environmental Quality Review (CEQR)*** and therefore, depending on the scope of the action, either an Environmental Assessment Statement (EAS) or an ***Environmental Impact Statement (EIS)*** will need to be completed. The CEQR Technical Manual provides guidance for the types of analysis required to complete these documents.

Special permits typically contain specific "findings" that describe determinations the CPC or the BSA must reach in making their decision whether or not to approve the application. Many special permits instruct the CPC or BSA to consider how the zoning modification before them will impact the surrounding area. If the application is a use permit, the decision-making body may be asked to consider whether the use would exacerbate traffic congestion, draw traffic through local streets to the detriment of residential neighborhoods, or change the essential character of the neighborhood. If it is a bulk special permit, the decision-making body may be required to consider whether the height change would unnecessarily obstruct access to light and air to surrounding properties and streets, or alter the essential character of the neighborhood.

Section 74-922 of the Zoning Resolution, which allows the CPC to grant a special permit for larger clothing stores in M1 Districts, has between seven and 13 separate findings for the CPC to consider before allowing a clothing store to exceed 10,000 square feet, depending on whether the application is additionally requesting bulk or loading berth modifications. Five of the findings instruct the CPC to consider the traffic implications of the project, by ensuring that adequate measures are in place to prevent congestion, and confirming that consideration has been given to siting the project near mass transit. Two of the findings require the CPC to consider the use in the context of the surrounding area — the CPC needs to determine that the larger retail establishment will not impair the character or future development of the area and must conclude that the store will not have adverse impacts on the appropriate uses in the district. If the CPC concludes that a larger retail store would disrupt industrial activity in an active M1 district, for instance, it can reject the application. The final six findings pertain to exclusively to projects seeking bulk or loading berth modifications.

If Jackie pursues this option, she will need to work with professionals, potentially including architects, planners, land use attorneys and environmental engineers to prepare her land use and environmental review applications. Among the materials required will be a detailed statement describing how each of the specific findings of the special permit are met. The ***Department of City Planning (DCP)*** staff conduct meetings to help guide the applicant team toward their completion of the application, which is then reviewed by DCP in order to determine if it is complete and ready to begin the land use review process. Applicants for a BSA special permit would similarly work with staff of that agency.

Zoning Changes

The second option for Jackie is to remain at her current location and expand into the neighboring space, which was recently vacated. The 5,000 square foot space she currently occupies, plus the 10,000 square foot store next door would give her a combined 15,000 square foot store. The zoning designation is a C2-3 commercial district mapped within an R6 District. While this district permits the broad commercial Use Group 6, it does not permit the Use Group 10 she is seeking. Unlike the Manufacturing District site she looked at earlier, there is no special permit available in C1 or C2 Districts for larger stores. If Jackie wants to remain in this location, she would need to amend the applicable zoning for her property. She can do this through a ***zoning map amendment*** or, potentially, a zoning text amendment.

A zoning map amendment, or a ***rezoning***, changes the zoning designation for a group of properties based on a land use planning objective for that area. To allow a larger clothing store as-of-right, Jackie could consider rezoning the block front to a zoning district that permits these larger stores, such as a C4 District. For the rezoning to be considered appropriate, the regulations of the C4 District, such as the allowance for certain larger stores, would need to be considered generally suitable within the area, and the area subject to the rezoning would need to be delineated in a way that makes sense based on planning considerations for the area, and not arbitrarily limited to a particular owner's property. Zoning map amendments are, like CPC special permits, subject to ULURP, and therefore require roughly seven months of public review by the Community Board, the Borough President, the CPC and the City Council. A rezoning can be proposed by a private applicant like Jackie, or by the City government. Dozens of rezonings occur around the city every year, differing widely in terms of size and degree of change from the previous district designation.

Jackie could also consider a zoning text amendment, which would modify the underlying regulations of the Zoning Resolution for a zoning district, a defined geographic area or another category of properties (such as those with buildings built before 1961). Text amendments are not subject to ULURP, but follow a very similar process pursuant to the City Charter. In text amendments, there is no "clock" that binds decision-makers to collectively act within seven months, and the Community Board and Borough President review can occur concurrently. Zoning text amendments can also be initiated by private applicants or by City government. However, DCP would rarely recommend a zoning text amendment to address an issue that could be addressed by a zoning map amendment or other zoning action. In addition, the environmental review process would need to consider how the text amendment would affect all properties to which the change would apply; this would extend well beyond the narrow condition Jackie is trying to address.

Either of these applications would go through a process administered by DCP. Out of curiosity, Jackie reached out to the Borough Office of the Department and, after some preliminary discussions, her team believes that with the steady increase in residential growth near the corridor, which has increased the demand for commercial uses, plus the limited availability of higher intensity Commercial Districts within the area, it would make sense to propose a rezoning. A C4-3 District, for example, would retain the same level of permitted residential density (an R6 District equivalent) while allowing a wider range of commercial uses at a higher commercial FAR. The Department advised Jackie to map this district over the entire block front – not just her establishment – because the same factors affecting her property exist on the remainder of the block. The ***City Environmental Quality Review (CEQR)*** analysis to determine the environmental impacts of the rezoning and the land use application will be based on the entire rezoning area.

Variances

The final site that Jackie looks at is a C2-3 District mapped within an R5 District, but it is located in a part of the neighborhood where the historic street pattern created an awkwardly shaped block that is narrow, shallow and irregularly angled. The entire block is just one 15,000 square foot zoning lot, with a one-story vacant building. The site is too narrow to feasibly accommodate any residential uses, limiting the possibility of a more substantial development. Because of the awkward shape of the parcel, and the limited viability for other types of retail in a space that small and irregularly shaped, Jackie has been instructed that this site might be a candidate for a zoning variance, which addresses hardships that result from zoning regulations as they apply to a particular site.

Variance applications are administered by the BSA and, while not subject to ULURP, they are referred to the local Community Board and do require a public hearing before the BSA renders its decision. In granting variances, the BSA must find that the application meets all five findings set forth in the Zoning Resolution (ZR 73-03):

- there are unique physical conditions on the property, like narrowness, shallowness or exceptional topography, that make complying with the zoning regulations a practical difficulty;
- without the variance, a reasonable rate of financial return is unlikely for the owner were they to proceed under the as-of-right regulations;
- the variance, if granted, would not alter the essential character of the neighborhood;
- the practical difficulties are not self-created; and
- the variance is the minimum amount necessary to provide relief.

Prospective variance applicants work with the staff at the BSA in preparing their application materials and determining whether these findings can be met for a particular property.

The Public Review Process

Working with her professional consultants to choose between pursuing a special permit, a rezoning or a variance, Jackie opts to try to obtain a CPC special permit to allow the clothing store on the first site in the M1-4 District.

When her land use application is complete, the project will be "certified" as ready to begin ULURP at one of the twice-monthly CPC review sessions. After this step, copies of the application will be delivered to the Community Board and Borough President, which will hold public hearings and offer their advisory recommendations on the project, for consideration by the Commission. The environmental analysis helps inform these decisions. For example, the assessment of traffic conditions will enable decision-makers to understand whether the proposed retail store is likely to affect traffic congestion.

When the project returns to the CPC, a public hearing will be scheduled and publicized, with "notice" placed in The City Record (and on the DCP website). Jackie or her representative will be asked to describe why she is seeking the special permit, and may be asked to answer questions from the CPC Commissioners about the project. The CPC will consider this testimony, and testimony from any other members of the public, together with recommendations from the Community Board and Borough President, and determine whether a clothing store of the proposed size is appropriate on the site in that area. If the CPC grants the special permit, the project will move on to the City Council, which has the option to hold a public hearing and vote on the application. If the Council does not vote to disapprove the special permit, then the special permit becomes effective and the use becomes legal to operate at that location, subject to any conditions imposed by the special permit. Jackie can proceed to convert the space into an expanded clothing store, in accordance with Building Code and any other relevant laws and regulations.



Once the special permit becomes effective, Jackie can proceed to convert the space into an expanded clothing store.



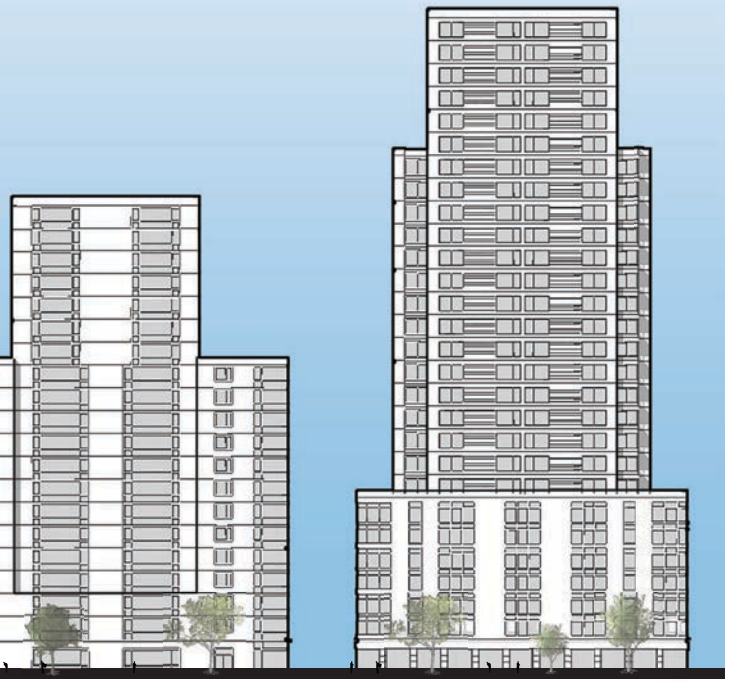
R1 R2 R3 R4 R5 R6 R7 R8

Residence Districts

Residence Districts are the most prevalent zoning districts in New York City, accounting for about 75 percent of the city's zoned land area. Many of the types of zoning regulations affecting the Residence Districts we have today are rooted in laws that emerged in the decades before the 1916 Zoning Resolution. During this period, tenement laws sought to improve the crowded and unhealthy living conditions of dense enclaves like the Lower East Side by, among other things, requiring access to light and air for residents. The goals of enhancing public health, safety, and welfare are still at the core of zoning, but the Resolution has expanded to include a wide range of mechanisms to ensure that residential development is consistent with supporting infrastructure and planning goals for an area and contributes to, rather than detracts from, the character of the surrounding neighborhood. To this end, the Zoning Resolution sets parameters for the size and shape of buildings, mix of uses in an area, and how new buildings will relate to the public street and sidewalk, and to other buildings on the block.

Residence Districts in New York City reflect and shape the city's extraordinary range of residential building forms — from single-family homes with extensive yards in the city's outskirts to soaring towers in Manhattan. These extremes, and all the building types in between, correlate with 10 basic types of Residence Districts (R1-R10). R1 Districts permit only the lowest residential density with detached single-family homes, have the most limited range of uses, are typically further from mass transit and have high parking requirements. R10 Districts, in contrast, permit the highest residential density, often in tower forms, have good access to mass transit and have the lowest (if any) parking requirements.

In the Zoning Resolution, R1-R5 Districts are commonly grouped together as low density Residence Districts, while R6-R10 Districts are medium to high density Residence Districts. Residence Districts can also be divided into categories that promote contextual building form and those that allow a variety of forms, from low to high densities. These categories will be used to further describe these districts and the regulations that apply to them.



R9 R10

Basic Types



Low Density Residential District



Medium Density Residential District



High Density Residential District

Residence Districts are generally categorized based on the building form they promote: ***non-contextual districts*** were created by the 1961 Resolution, and ***contextual districts*** have been added since the 1980s. Non-contextual districts remain in many locations, and are designed to allow a wide range of building forms. They continue to be mapped, usually in locations without a clear, uniform scale or prevailing building typology. Contextual districts are designed to maintain or establish a scale and form reflective of many of the city's older or more uniformly developed neighborhoods, and are denoted by an A, B, D or X letter suffix (and, in R3 or R4 Districts, the number suffix "-1").

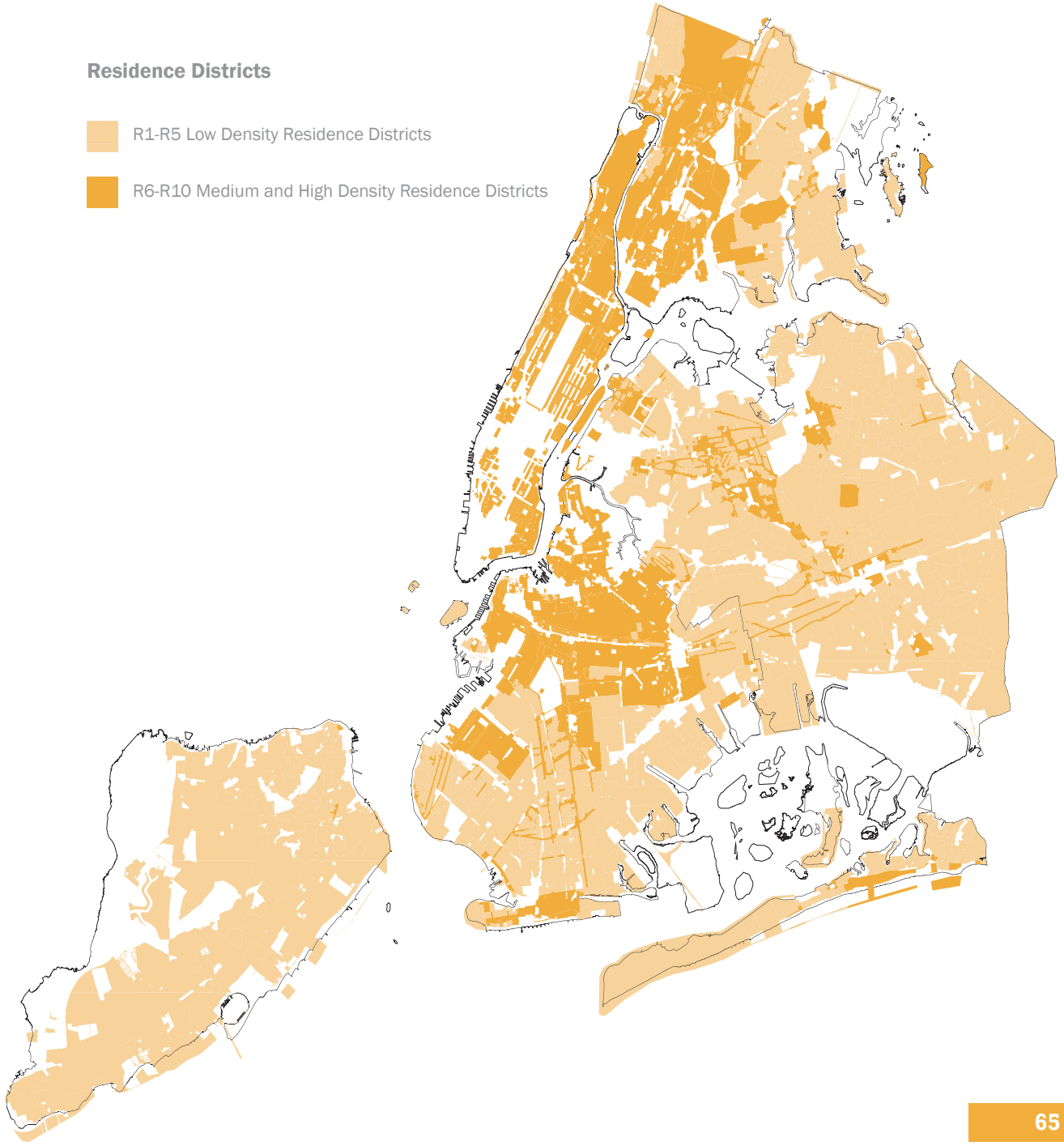
R1-R5 Districts

Low density Residence Districts in the 1961 Resolution originally consisted of single-family detached (R1 and R2), single- and two-family detached and semi-detached (R3-1), and general Residence Districts (R3-2, R4 and R5), which permitted all types of residential buildings. R3-2, R4, and R5 Districts were widely mapped, often in neighborhoods that were consistently developed with detached or semi-detached homes. Over time, it became evident that the rowhouses and taller apartment buildings permitted by the general Residence District regulations clashed with the built fabric of many of these neighborhoods. To remedy this, in 1989 the City created lower density contextual zoning districts, the regulations for which restrict the range of permitted building types, set maximum height limits and have additional streetscape regulations to preserve or establish a particular low density character. Since 1989, low density contextual districts have been widely mapped throughout the outer portions of the city, and some of the height controls and streetscape elements of these districts have even been incorporated into non-contextual district regulations.

R6-R10 Districts

The original medium and higher density residence districts established under the 1961 Zoning Resolution rejected the side-by-side, six-story apartment buildings that were ubiquitous under the pre-1961 zoning and Multiple Dwelling Law, in favor of an idealized configuration of tall buildings set in large amounts of open space (the "tower-in-a-park" vision). This 1961 model was shaped to fit large urban renewal projects, in which older buildings were razed, streets were demapped and blocks were consolidated to produce "superblocks" that could accommodate large-scale redevelopment. However, the 1961 zoning came into effect during an era in which public opposition to urban renewal projects was already growing. In addition, these regulations were more commonly applied to smaller, "infill" sites where the surrounding buildings and blocks remained intact. This resulted in new buildings that were much taller and set much further away from the street than their pre-1961 neighbors. Required open areas were piecemeal and often became parking lots, or were underused. The zoning regulations, collectively, made it difficult to design infill buildings that matched the scale and shape of their neighbors. This led to a public backlash and a demand for more compatible zoning.

As a result, contextual zoning was introduced in the 1980s. It included maximum heights and prescribed street wall locations in districts that sought to mimic the character of existing pre-1961 buildings with higher lot coverages and a strong street presence — a sharp contrast with tower-in-the-park developments. In 1987, these provisions were adopted and made applicable in medium and high density districts citywide in the ***Quality Housing Program***, which created a set of building requirements that became mandatory in newly mapped contextual districts and optional in non-contextual districts.


Residence Districts
R1-R5 Low Density Residence Districts
R6-R10 Medium and High Density Residence Districts

Permitted Uses

The type of land ***uses*** that are allowed on a zoning lot in each particular Residence District are set forth in Article II, Chapter 2 of the Zoning Resolution.

Residence Districts generally allow uses listed in Use Groups 1 through 4, which include a range of residential and community facility uses (ZR 22-10). In general, buildings may be solely residential, solely community facility or include some combination of the two use types. Use Group 1 is limited to single-family detached residences (ZR 22-11), whereas Use Group 2 allows residences of all kinds (ZR 22-12). ***Community facility uses*** are listed in Use Groups 3 and 4. As the name suggests, these uses provide essential community services. Use Group 3 includes community facilities that serve educational needs or provide other essential services to residents, such as schools, libraries, dormitories, ***long-term care facilities*** (which include nursing homes) and other facilities with sleeping accommodations (ZR 22-13). Use Group 4 includes community facilities that provide recreational, religious, health or other essential services to residents, such as hospitals, ambulatory health care facilities (which include doctors' offices), houses of worship, community centers and other facilities without sleeping accommodations. Use Group 4 also includes open uses that are compatible with a residential neighborhood, such as cemeteries, agricultural uses and golf courses (ZR 22-14).

R1-R5 Districts

In low density Residence Districts, use regulations recognize the prevailing characteristics of the neighborhood in which the district is mapped. District regulations often vary by the type of residences they permit, and the type of building these buildings these can be housed within.

Of the types of residential uses, R1 and R2 Districts allow only Use Group 1, detached single-family homes (ZR 22-00). Due to the low density, residential character of neighborhoods where these districts are mapped, they also only allow a limited range of community facility uses in Use Groups 3 and 4 (ZR 22-13, 22-14). For example, ambulatory health care facilities and long-term care facilities (nursing homes) are not allowed ***as-of-right*** in R1 and R2 Districts.

In R3, R4 and R5 Districts, both Use Group 1, detached single-family homes, and Use Group 2, residences of all kinds, are permitted. However, in most contextual districts, regulations limiting the housing type are included to promote a building form consistent with the existing or desired built character of the neighborhood (ZR 22-12). In R3A, R3X, R4A and R5A Districts, for example, single- and two-family detached homes predominate, and semi-detached buildings, attached buildings (rowhouses) and multi-family residences are not permitted. Similarly, in R3-1 and R4-1 Districts, single- or two-family detached or semi-detached homes are typically the prevailing form, and attached buildings and multi-family residences are not permitted. In R3-1, R3A, R3X, R4-1 and R4A Districts, two-family homes are required to be arranged so that 75 percent of the floor area in one unit is located directly above or below the other, to distinguish these buildings from a semi-detached or attached home (ZR 22-42). R4B Districts permit only single- and two-family residences, but allow them in all building types, including attached rowhouses.

In the remaining R3-R5 Districts without letter suffixes, as well as in R5B and R5D Districts, Use Groups 1 and 2 are allowed without limitations on the number of units in a building, or the building form (ZR 22-11, 22-12).

In all R3, R4 and R5 Districts, regardless of suffixes, community facilities listed in Use Group 3 and 4 are generally allowed without restriction, except that in contextual districts, ambulatory health care facilities are limited to 1,500 square feet as-of-right (ZR 22-13, 22-14).

R6-R10 Districts

Medium and high density Residence Districts, like their lower density counterparts, allow a range of residential and community facility uses, which are listed in Use Groups 1 through 4. Since higher densities often correlate with increasing proximity to mass transit, a mix of residential types has historically occurred in these districts. Multi-family or apartment buildings, attached or otherwise, are allowed, as are single- or two-family residences of any type. There are also generally no limitations on community facilities (ZR 22-00).

Permitted Use Groups

	Residential		Community Facility		Retail and Commercial											General Service	Manufacturing	
	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18
Residence Districts																		
R1, R2 Single-family detached	●		●	●														
R3A, R3X, R4A, R5A Single- and two-family detached	●	●	●	●														
R3-1, R4-1 Single- and two-family detached and semi-detached	●	●	●	●														
R4B Single- and two-family detached, semi-detached and attached	●	●	●	●														
R3-2, R4, R5B, R6-R10 Detached, semi-detached and attached	●	●	●	●														

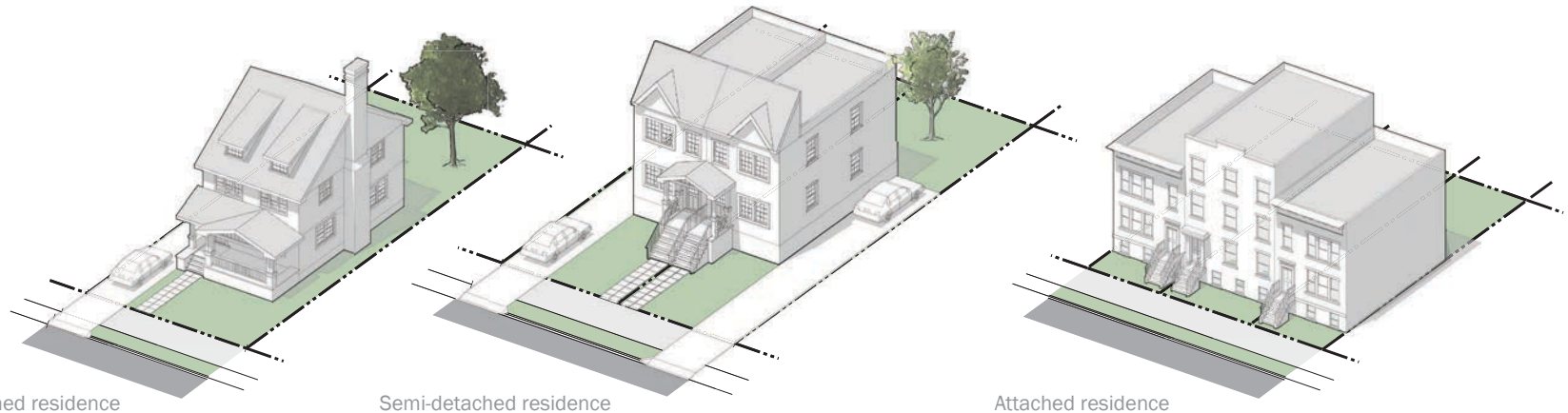
Use Group 1 — consists of single-family detached residences **(ZR 22-11)**

Use Group 2 — consists of all other types of residences **(ZR 22-12)**

Use Group 3 — consists of community facilities that may appropriately be located in residential areas to serve educational needs or to provide other essential services for the residents **(ZR 22-13)**

Use Group 4 — consists primarily of community facilities that may appropriately be located in residential areas to provide recreational, religious, health and other essential services for the residents **(ZR 22-14)**

Basic Low Density Housing Types



Detached residence

Semi-detached residence

Attached residence

Permitted Bulk

Residence Districts establish many different ***bulk*** regulations that govern the maximum size and placement of a building on a zoning lot. The applicable bulk regulations depend on whether the building is purely residential, purely community facility or a combination of the two. The bulk rules for purely residential buildings are set forth in Article II, Chapter 3 of the Zoning Resolution, while the bulk rules for purely community facility buildings are set forth in Article II, Chapter 4. If a building is a mixture of both uses, such as an apartment building with a doctor's office on the ground floor, the residential bulk rules of Article II, Chapter 3 are applied to the residential portion, and the community facility bulk rules of Article II, Chapter 4 are applied to the community facility portion.

Under the bulk regulations, an amount of permitted ***floor area*** for a zoning lot may be configured within a three-dimensional volume that limits the extent of the building — the ***building envelope***. This envelope is based on the combination of a number of bulk rules, and can vary greatly based on the district, type of zoning lot and street type.

Some bulk rules limit the amount of the lot that can be covered by a building, or the inverse – a required minimum amount of ***open space***. Other rules require ***yards*** that cannot be occupied by a building, or height limits that cannot be exceeded. Still other rules may determine how close to or far from the street the front building wall may be, and the minimum or maximum building height before a setback must be provided. Rules establishing minimum lot sizes, ***court*** sizes and distances between buildings (or separated parts of the same building) also affect the building envelope.

Once a potential building form has been established, other bulk regulations, such as density regulations, further determine the shape, size and configuration of the building.

R1-R5 Districts

The bulk regulations of low density districts are intended to reflect the numerous factors that contribute to the character of many low density neighborhoods, such as a neighborhood's prevailing lot width, yard depth, and size and height of homes. These detailed rules are generally intended to result in new homes that are constructed to be compatible with their neighbors.

Lot Sizes and Open Areas

Low density Residence Districts have a large range of minimum lot widths and minimum lot areas. Generally, the largest minimum lot sizes are required in the lowest density districts, to preserve their character and place appropriate limits on growth, with minimum lot sizes becoming smaller as residential intensity increases. Minimum lot widths and areas range from as high as 100 feet and 9,500 square feet, respectively, in R1-1 Districts, to as low as 18 feet and 1,700 square feet, respectively, for semi-detached or attached housing, where permitted in R3-R5 Districts (ZR 23-32). If a zoning lot does not meet the minimum widths or lot areas, and existed with those dimensions prior to the creation of the 1961 Zoning Resolution (or, in some districts, prior to the most recent zoning change), a building is still allowed to be constructed on the zoning lot, but it is limited to a single- or two-family residence (ZR 23-33).

The yard requirements in low density districts generally decrease as the district number increases (ZR 23-45, 23-46). R1-1 Districts, for example, are characterized by large lots and generous amounts of open space, and therefore require front yards at least 20 feet deep and two side yards that must total at least 35 feet in width. R5D Districts, on the other hand, allow for a wider range of building types requiring only a five-foot-deep front yard, with no side yards where attached buildings are constructed.

R1 Districts require front yards at least 20 feet deep, R2 and R3 Districts require at least 10 to 15-foot-deep front yards, and R4 and R5 require at least five to 10-foot-deep foot yards. These baseline rules are modified in a few ways. For example, low density contextual districts generally require the depth of a front yard to match the depth of neighboring front yards (discussed further in the streetscape section), while in R4 or R5 Districts, if the depth of a front yard exceeds 10 feet, the depth must be at least 18 feet to adequately fit a parking space (ZR 23-45).

The side yard regulations for low density districts generally require that at least one side yard be eight feet wide, in order to provide sufficient separation between homes and to accommodate a driveway along the side lot line (which often leads to a garage in a rear yard). In some contextual districts, this width of eight feet may be shared by adjacent lots, so that if one lot provides a side yard of six feet, for example, the adjoining lot needs to provide an adjacent side yard of only two feet (ZR 23-461). Where district regulations allow for buildings that abut one another (R3-1, R3-2, R4 and R5), the side yard regulations are modified to allow the construction of semi-detached homes and rowhouses (ZR 23-49).

All low density districts require that rear yards be at least 30 feet deep, except for R2X Districts, where a 20 foot rear yard is permitted (ZR 23-47, 23-544)

In addition to yard requirements, some districts also have minimum ***open space*** and maximum ***lot coverage*** requirements (ZR 23-142). Like yard requirements, the amount of required open space tends to decrease as one moves up in district intensity. For example, R1-2A

Districts require that 70 percent of the lot be maintained as open space (permitting a maximum lot coverage of 30 percent), while R5D Districts require only 40 percent open space on the lot, thereby permitting a maximum lot coverage of 60 percent. Some contextual districts (R2X, R3A, R3X, R4-1, R4A and R5A) rely solely on yards and do not have open space or lot coverage requirements.

FAR and Height and Setback

The permitted FAR in low density Residence Districts ranges from 0.5 in R1 Districts to 2.0 in R5D Districts (ZR 23-142). These ratios keep the density of the districts relatively low, and together with the regulations defining the building envelope, keep buildings consistent with their low-scale character. In certain districts (R2X, R3, R4, R4-1 and R4A), an ***attic allowance*** permits additional floor area to encourage pitched roofs that typify many neighborhoods.

One of the chief distinctions between lower density districts is the way height is regulated. These height controls can generally be categorized into three types: sky exposure planes in the lowest density areas; pitched roof envelopes for low-rise neighborhoods that are characterized by their sloping rooflines; and flat-roofed envelopes for areas with rowhouses and garden apartment buildings.

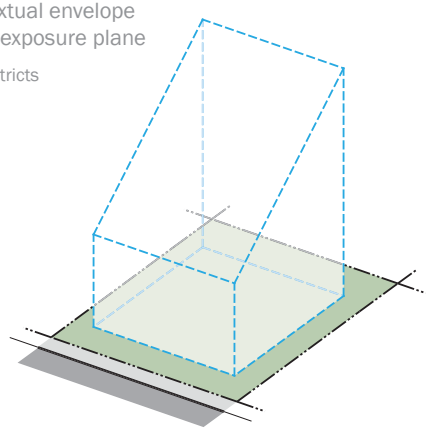
The height in R1-1, R1-2 and R2 Districts is governed by a ***sky exposure plane***, which begins at a height of 25 feet above the front yard line, and has a slope of 1:1 (ZR 23-631). While there is no overall height limit, yard regulations and limited FAR typically result in homes of about two or three stories.

Pitched roof envelopes were developed in tandem with the establishment of low density contextual districts in 1989 as a method of promoting this desired form for new buildings in neighborhoods characterized by sloped roofs.

Low Density Envelope Types

Non-contextual envelope with a sky exposure plane

R1 or R2 Districts

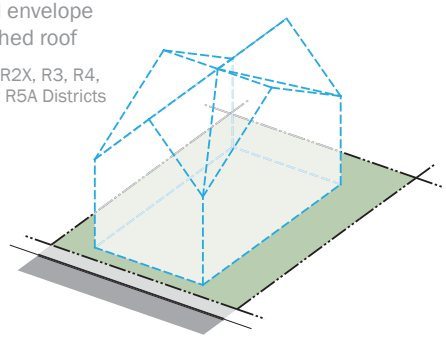




R1-2 District

Contextual envelope with a pitched roof

R1-2A, R2A, R2X, R3, R4, R4-1, R4A or R5A Districts

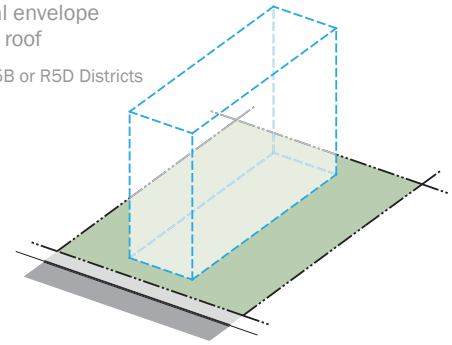




R3A District

Contextual envelope with a flat roof

R4B, R5, R5B or R5D Districts





R4B District

These envelopes apply in most contextual districts (R1-2A, R2A, R2X, R3-1, R3A, R3X, R4-1, R4A, R5A), as well as to non-contextual R3-2 and R4 Districts. The envelope establishes a maximum ***perimeter wall*** height, ranging from 21 to 25 feet, depending on the district, above which pitched roofs or setbacks are required. The maximum height limit in these districts, including all portions of the roof, is 35 feet (ZR 23-631). Where the additional floor area through the ***attic allowance*** is utilized, pitched roofs are required, and a minimum roof slope of three and one half inches of vertical rise for every horizontal foot is required (ZR 23-142).

Finally, a flat-roofed envelope exists for low density rowhouse neighborhoods in R4B and R5B Districts, and to permit low-rise apartment buildings in R5 and R5D Districts. In R4B and R5D Districts, the height limits create an envelope that is a simple box where the maximum building height cannot exceed a fixed height of 24 feet in R4B Districts and 40-45 feet in R5D Districts, the variation in the latter depending on whether or not the building incorporates a ***qualifying ground floor*** (ZR 23-631). In R5 and R5B Districts, height is governed by a combination of maximum street wall heights (of 30 feet) and sloping planes above that point. The overall building height beyond the sloping plane cannot exceed 40 feet in R5 Districts and 33 feet in R5B Districts (ZR 23-631).

In all districts, a range of ***permitted obstructions*** is allowed to penetrate the limits established by the building envelope. In lower density districts, these often include stairs and porches located within the front yard, chimneys extending above the maximum height limits, air conditioners protruding into yards, and dormers or parapets located above the maximum perimeter wall height (ZR 23-12, 23-44, 23-62).

Density

Zoning limits the number of dwelling units permitted on a zoning lot. This is calculated by dividing the permitted residential floor area by a dwelling unit factor listed for each district (ZR 23-22). The factors for each district are approximations of average dwelling unit sizes, plus allowances for common areas within buildings, such as lobbies, corridors and amenity spaces. While some anomalies occur, dwelling unit factors generally become smaller as district intensity increases. Specifically, dwelling unit factors range from 4,750 in R1-1 Districts to as low as 625 for single- and two-family detached and semi-detached residences in R3-1 and R3-2 Districts. In addition to density controls, some districts have minimum dwelling unit sizes – R3, R4 and R5 Districts, for example, require that each dwelling unit be at least 300 square feet (ZR 23-23).

R6-R10 Districts

In medium and high density districts, the widely varying building patterns that contribute to the character of a neighborhood, such as the prevailing height of buildings, the amount of open space surrounding a building, and the placement of buildings in relation to the street, are all reflected in the district bulk regulations.

Lot Sizes, Yards and Density

Unlike low density districts, all R6-R10 Districts have the same minimum lot width and minimum lot areas, which depend on building type (ZR 23-30). Where a single- or two-family detached building is constructed, the minimum lot width is 40 feet and the minimum lot area is 3,800 square feet. For all other buildings the minimum lot width is 18 feet, and the minimum lot area is 1,700 square feet.

Medium and high density districts typically require only a rear yard, which has a minimum depth of 30 feet (ZR 23-47). Front or side yards are permitted, but not required. However, side yards are required if a single- or two-family detached residence is constructed in an R6-R10 District (ZR 23-461). When any open area is provided along a side lot line, it is required to be a minimum of eight feet (ZR 23-462).

Medium and high density districts all have the same dwelling unit factor of 680 (ZR 23-22). This means that all of these districts permit levels of unit density proportional to the permitted floor area.

FAR, Open Space, and Height and Setback

In medium and high density districts, the type of regulations for open space, floor area ratio, and height and setback that apply to a residential building depend primarily upon whether the building is located in a contextual or non-contextual district. If the building is located within an R6 through R10 District with an A, B, D or X letter suffix, ***contextual zoning*** regulations apply and buildings must adhere to the entire set of provisions for buildings in the ***Quality Housing Program***. If the building is located in a non-contextual district, it may follow either the basic regulations, or the optional regulations for Quality Housing buildings.

Basic, Non-contextual District Rules

In R6-R9 Districts without a letter suffix (i.e., non-contextual districts), the basic bulk regulations that were established in 1961, known as ***height factor*** regulations, are available to residential buildings. Under these regulations, the size of a building is determined by a complex relationship between the height factor, ***floor area ratio (FAR)*** and ***open space ratio***. The permitted FAR for each district is based on a sliding scale where the maximum is achieved by striking a particular balance between the height of the building and the amount of open space on the zoning lot (ZR 23-151). In each district, the highest FAR is achievable (with a reasonable amount of space on each floor of the building) only on a relatively large

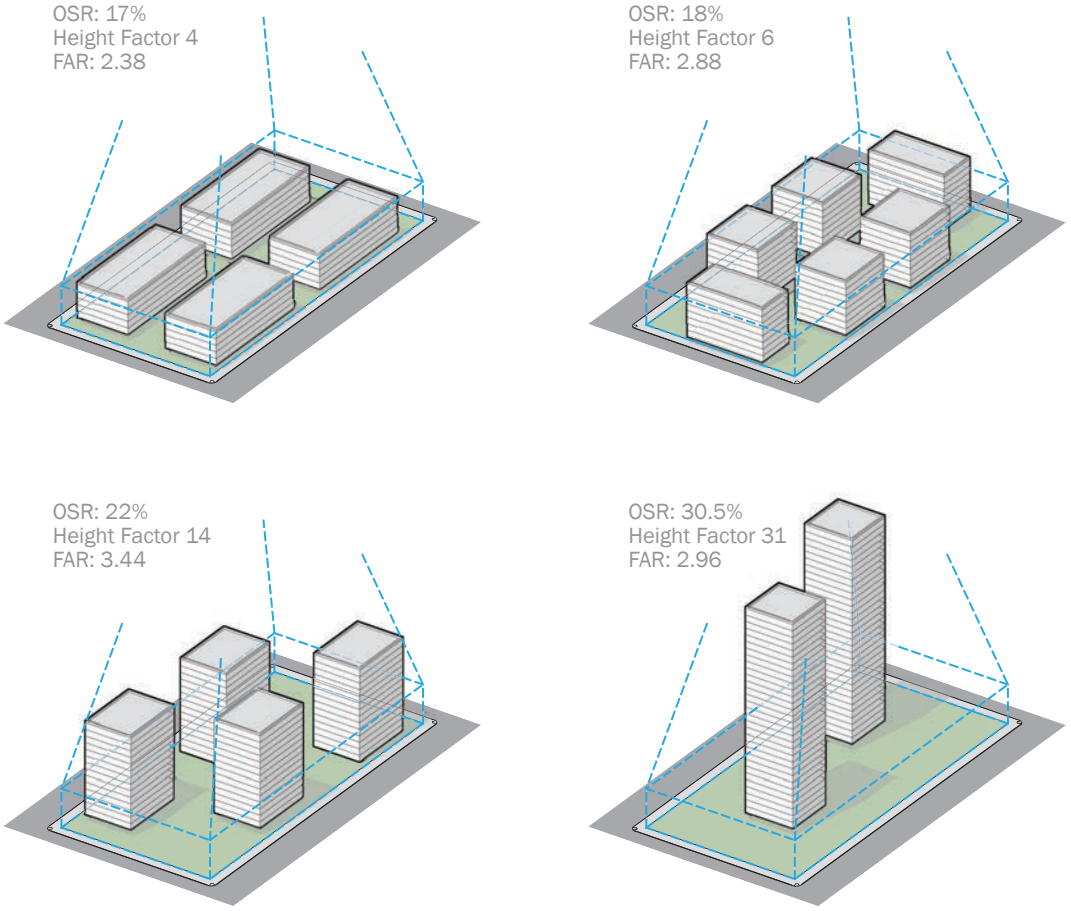
zoning lot that would contain large amounts of open space — reflecting the "tower-in-a-park" vision. Providing less open space in favor of a shorter, higher lot coverage building reduces the amount of permitted floor area, as does constructing a much taller tower.

In R10 Districts, the basic regulations established in 1961 also continue to apply. These regulations do not include height factors or open space ratios. Instead, each zoning lot, regardless of its size, has a basic FAR of 10.0, and no requirements for open space (ZR 23-152).

In R6 through R10 non-contextual districts, the basic regulations established in 1961 control residential building height by the use of the ***sky exposure plane***, an imaginary, diagonally sloping plane that the building must be located beyond to ensure sufficient light and air reach the street and buildings. There are two available options for a sky exposure plane for residential buildings – the basic front setback provisions (ZR 23-641) and the alternate front setback provisions (ZR 23-642). The slopes of the sky exposure plane differ depending upon whether the plane is being measured from a ***wide street*** line or a ***narrow street*** line. The primary distinction between these two options is that under the alternate setback provisions, taller buildings are allowed (under a steeper plane) in exchange for a continuous open area in front of the building. Certain building elements, such as parapet walls and elevator and stair bulkheads, are allowed to penetrate a sky exposure plane as permitted obstructions (ZR 23-62), subject to size limitations.

In R9 and R10 non-contextual districts, the 1961 ***tower*** regulations apply, which allow a building to penetrate a sky exposure plane if it does not exceed a maximum lot coverage of 40 percent (or 50 percent for smaller zoning lots) and complies with special setback regulations (ZR 23-65). In 1994, tower-on-a-base regulations were introduced in response to the construction of sheer-rising

Applying Height Factor Regulations



Under height factor regulations, the size of a building is determined by a complex relationship between the range of height factors, floor area ratios (FAR) and open space ratios (OSR). The permitted FAR for each district is on a sliding scale where the maximum is achieved by counter-balancing the height of the building with the amount of open space on the zoning lot. Providing less open space in favor of a shorter, higher lot coverage building diminishes the amount of permitted floor area, as does constructing too tall of a tower.

residential towers along avenues on the Upper East Side, which, because they were set far back from the sidewalk, disrupted the continuity established by the older tenement buildings on the rest of the block. As the name suggests, all residential towers on wide streets in R9 and R10 Districts must be built above a building base which mimics the scale and street wall location of older nearby tenement buildings (ZR 23-651).

Quality Housing

Quality Housing regulations establish bulk regulations that promote high lot coverage residential buildings built close to the street, based on building types common prior to 1961. They are mandatory in R6 through R10 contextual districts, and may be used as an alternative to the basic regulations (that include height factor and, where applicable, tower regulations) in R6 through R10 non-contextual districts.

In contrast to the height factor rules available in non-contextual districts, open space and floor area rules are greatly simplified for Quality Housing buildings. Often, a single residential ***floor area ratio (FAR)*** applies in each zoning district, except that in non-contextual R6 through R8 Districts Quality Housing buildings are permitted a higher FAR on wide streets than on narrow ones (ZR 23-153). The FAR applicable on a wide street is typically somewhat higher than what is permitted under the height factor regulations, which serves as an incentive to utilize the Quality Housing program where it is optional.

Instead of a sliding scale of ***open space ratios,*** Quality Housing regulations include simple maximum lot coverage rules that vary by lot type and district intensity. Corner lots are permitted 100 percent lot coverage while most interior lots and through lots have a maximum coverage ranging between 60 and 70 percent (ZR 23-153). These coverages allow for much larger building footprints on a zoning lot than could be achieved under the ideal tower-in-a-park housing types in the original 1961 regulations, but at lower overall building heights that more closely resemble the type of high lot coverage multi-family housing built prior to 1961.

All Quality Housing buildings are subject to the Quality Housing Program. This program requires basic amenities for the building's occupants, such as on-site recreation space and enclosed refuse space, and encourages additional building improvements, such as laundry facilities, daylight in public corridors, and small numbers of apartments per floor (to facilitate greater neighbor recognition) with floor area deductions (ZR 28-10, 28-20, 28-30).

All Quality Housing buildings, whether they are in contextual or non-contextual districts, are subject to street wall location rules and height limitations.

Street walls of Quality Housing buildings (the building walls that face a street) are typically subject to restrictions about how close to or far from the street line they may be located, to ensure that new buildings are compatible with the placement of other buildings in the area (ZR 23-661). These rules are described in further detail in the streetscape section.

Height limits for Quality Housing buildings are typically in two main tiers: a maximum ***base height*** to which a street wall may rise before a setback is required, and an overall maximum building height (ZR 23-662). The base heights for a particular district typically relate to the range of heights characteristic of older, pre-1961 buildings found in medium to high density neighborhoods. The maximum building height allows for additional housing on the uppermost stories set back from the base, where it is less obtrusive to the streets below. The depths of required setbacks for upper-story portions are related to the width of the street the building fronts upon — 15-foot setbacks are required along narrow streets and 10-foot setbacks are required along wide streets (ZR 23-662). These upper-story setbacks above the base may be reduced if instead a ground floor level setback is provided between the building and the sidewalk, so long as the upper story setback is never less than seven feet (ZR 23-662). In certain districts, these base heights and overall building heights may be increased by five feet to accommodate a ***qualifying ground floor***, (see streetscape section, below). Additionally, two contextual districts (R9D and R10X) allow towers on contextual bases and have no maximum building heights (ZR 23-663). In all districts, certain building elements, such as ***dormers***, parapet walls, and elevator and stair bulkheads, are allowed to penetrate all maximum base heights and maximum building heights as permitted obstructions (ZR 23-62), subject to size limitations.

Affordable and Senior Housing

In non-contextual lower density districts that permit multi-family housing (R3-2 and R4 and R5 Districts without a suffix), additional bulk allowances have been established for certain types of senior housing – ***affordable independent residences for seniors*** and ***long-term care facilities*** – which require a different physical form and have lesser land use impacts than some other housing types. In these districts, bulk modifications increase the permitted floor area (ZR 23-144) and building height (ZR 23-631). Other rules omit unit density controls while applying a minimum unit size, to better accommodate these facilities (ZR 23-22, 23-23).

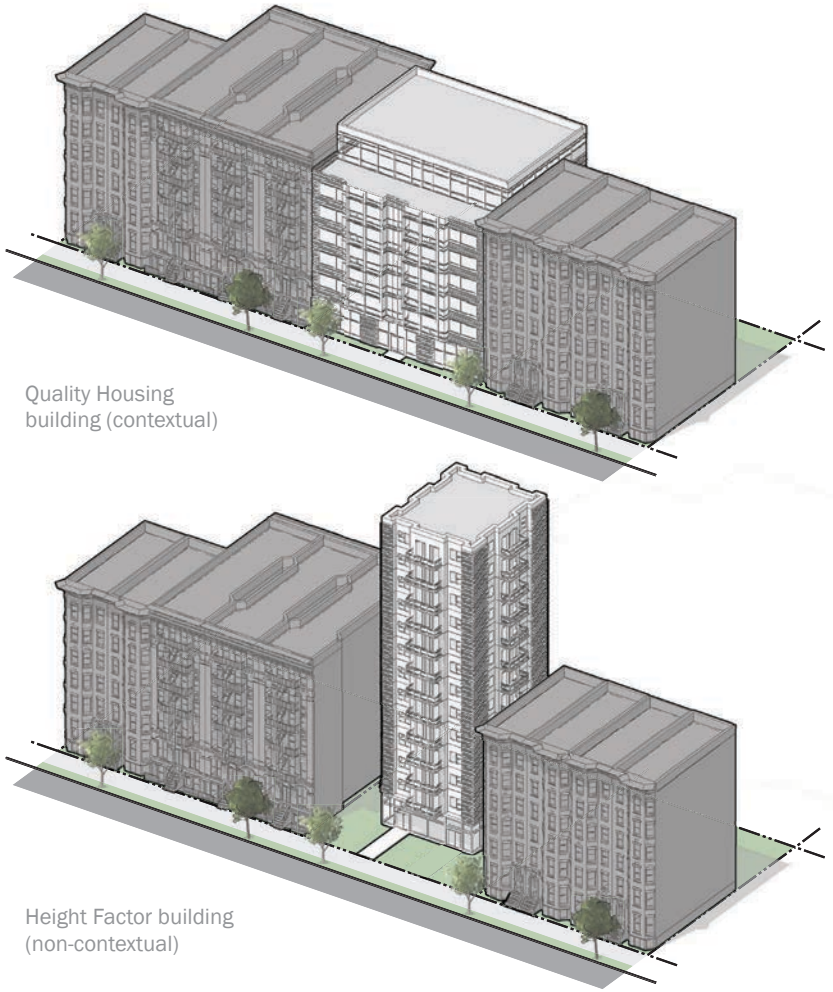
In medium and higher density districts, Quality Housing buildings containing ***Inclusionary Housing*** (constructed through any of the branches of the program), as well as affordable independent residences for seniors and long-term care facilities, are all permitted additional floor area (ZR 23-154, 23-155) and enough additional height (ZR 23-664) to accommodate it.

Community Facilities

The 1961 Zoning Resolution allowed community facilities to have substantially more ***floor area*** than residences in the same zoning district, so that essential neighborhood services such as schools, hospitals, and houses of worship could be provided in close proximity to the people they served, and at a scale that was economically viable. Because of this, community facility buildings in non-contextual districts generally have greater permitted floor area ratios and larger allowable lot coverages (ZR 24-10) as well as greater permitted height (ZR 24-50).

In contextual districts, by contrast, community facility and residential buildings have similar permitted FAR and the nearly identical height and setback controls, reflecting the value placed on maintaining a relatively similar built form.

Quality Housing Versus Height Factor Regulations



Quality Housing regulations are designed to ensure that new buildings fit within the prevailing character of a neighborhood, with strict height, setback, and lot coverage regulations and a fixed FAR. These rules were established in 1987 as a response to the older height factor regulations of the original 1961 Zoning Resolution, which allowed broad flexibility for how a building is arranged on a site and a variable FAR based on the amount of open space that is provided. Quality Housing regulations, which are required in contextual districts and optional in non-contextual districts, tend to encourage shorter buildings with larger footprints, while height factor regulations encourage taller buildings with smaller footprints.

Parking and Loading

Most areas of the city require off-street parking spaces based on the objective of ensuring that residents, their visitors or those employed by or using community facilities have adequate parking spaces. Except in certain geographies where special parking regulations apply, all parking spaces in Residence Districts must be ***accessory*** parking spaces that serve a particular use. Residential district parking rules are set forth in Article II, Chapter 5 of the Zoning Resolution. Stand-alone ***public parking garages*** and ***public parking lots*** are Use Group 8 ***commercial uses*** that are not permitted in Residence Districts.

Permitted and Required Parking Spaces

For the most part, all new buildings and enlargements in Residence Districts require a minimum number of accessory parking spaces (ZR 25-20). In addition, the zoning sets a maximum number of permitted parking spaces that may be provided beyond the amount required (ZR 25-10). Parking is calculated separately for residential and community facility uses.

In all Residence Districts, the number of permitted residential parking spaces in a single facility cannot exceed 300, and the number of permitted community facility parking spaces cannot exceed 225 (ZR 25-12, 25-13). Certain uses have allowances to increase the permitted parking (ZR 25-14), and certain zoning districts or use configurations place additional limitations on parking based on the area of the zoning lot (ZR 25-16, 25-18).

Parking requirements for residential uses are generally set based on a percentage of dwelling units. In most instances, this percentage becomes smaller as the density of the district and the proximity to a Central Business District (CBD) increases. Certain parts of the city have special parking regulations, largely based on their proximity to these CBDs. The ***Manhattan Core***, and Long Island City area, for example, have no parking requirements; the ***Transit Zone***, mapped in areas adjacent to the core, has lower requirements for certain housing types, and ***lower density growth management areas*** which are relatively far from the core in parts of Staten Island and the Bronx, have higher parking requirements to account for higher car ownership (See Chapter 6).

Required off-street parking also may be reduced or even waived when the number of parking spaces required is small or the development or enlargement is located on a small zoning lot. Waiver allowances increase with the district intensity – a larger number of spaces may be waived for a building in an R8 District, for example, than for one in an R5 District.

R1-R5 Districts

Lower density parking regulations recognize that households living further from central business districts and mass transit lines typically have higher levels of automobile ownership. Parking regulations are designed to ensure the provision of a sufficient number of off-street parking spaces where new housing is constructed while retaining on-street parking spaces where possible. On zoning lots developed with single- or two-family homes, at least one off-street parking space must be provided for each dwelling unit (ZR 25-22).

When residential parking spaces are provided in ***group parking facilities***, which is a parking area with more than one space that serves more than one residence, parking is required for a percentage of dwelling units, which generally decreases as the density increases. The basic parking requirements, range from 100 percent in R1-R4, and R5A Districts to as low as 66 percent in R5B and R5D Districts (ZR 25-23). Five units of housing in an R3X District would need to provide five parking spaces based on a 100 percent requirement, whereas five units of housing in an R5D District would generate a requirement for three parking spaces based on a 66 percent requirement.

Most low density districts do not allow parking requirements to be waived. Some rowhouse and multi-family districts (R4B, R5B and R5D) allow waivers if the parking calculation results in only one required parking space (ZR 25-261), while a limited set of districts (R3A and R4-1) permit waivers for narrow interior lots (ZR 25-243) where accommodating both a driveway and building in the limited width may not be feasible.

R6-R10 Districts

Accessory off-street parking was first required for residential buildings in 1950 as the postwar boom in car ownership began to overwhelm available on-street parking and the limited amount of off-street parking. At the time, the City Planning Commission acknowledged that requiring parking was a tradeoff between mitigating community impacts and the increased costs of constructing housing that included parking garages. Required parking was increased in the 1961 Resolution, but the "tower-in-the-park" configuration encouraged by the zoning facilitated inexpensive outdoor parking lots. As zoning moved from tower-in-the park to contextual forms in which parking might need to be enclosed, and thus more costly, requirements were reduced for Quality Housing buildings, then further reduced (and more recently eliminated) for income-restricted housing types where car ownership was expected to be very low and the cost of providing parking would hamper housing affordability goals. Parking requirements in medium and high density districts often reflect an effort to strike a balance between allowing buildings the flexibility to respond cost-effectively to perceived parking demand and avoiding adverse effects on shared neighborhood parking resources.

In R6-R10 Districts, required parking is generally provided in a ***group parking facility,*** with requirements expressed as a percentage of the total dwelling units. These requirements decrease as the intensity and density of the district increases, and range from as high as 70 percent in R6 Districts for larger non-contextual developments, to as low as 40 percent in R8-R10 Districts (ZR 25-23). A building with 50 dwelling units in an R6A District would require 35 parking spaces, whereas a building that size in an R8X District would only require 20 spaces. In R6 and R7 Districts, to reflect the practical limitations of cost-effective construction within the Quality Housing building envelope, parking requirements for Quality Housing buildings are lower compared to those required for height factor buildings.

Requirements for off-street parking for new residential buildings in R6-R10 Districts can be reduced or waived for small zoning lots or for buildings that would generate a small number of spaces. In higher density districts (R7-2, R8 other than R8B, R9 and R10 Districts), parking requirements are reduced to between 20 and 30 percent for lots less than 15,000 square feet (ZR 25-241), and are waived for lots smaller than 10,000 square feet (ZR 25-242). In other districts, parking rates may be reduced to 30 or 50 percent for lots less than 10,000 square feet, depending upon the district (ZR 25-241). Parking can also be waived on lots of any size in these districts if the number of spaces required by the parking calculation does not exceed five spaces in some medium density districts (R6, R7-1 and R7B), and 15 spaces in all higher density districts (ZR 25-26).

Affordable and Senior Housing

Parking requirements are reduced for certain types of affordable or senior housing to reflect lower parking demand among their users. Inside the ***Transit Zone***, no parking spaces are required for either ***affordable independent residences for seniors*** or for ***income-restricted housing units***, and outside the Transit Zone, a lower percentage is required for these housing types compared to the general requirement (ZR 25-25).

Community Facilities

Separate parking requirements apply to community facility uses. These are established as number of spaces required per square foot (or other unit) of the use, with different requirements specified for different uses (ZR 25-30). Some community facility uses, such as hospitals, dormitories or long-term care facilities, calculate their parking requirements on the number of beds, while houses of worship determine parking requirements based on the rated capacity of their largest assembly space. Community facility uses also have allowances to waive requirements for a small number of spaces.

Additional Parking and Loading Provisions

Aside from establishing limitations and requirements for permitted and required parking, the Residence District parking regulations also set certain rules for the use and configuration of parking.

Many districts allow accessory spaces to be rented to other residents on a monthly basis should the residents of the building itself not need all the required parking spaces (ZR 25-40). If it is too difficult to accommodate all the required spaces on the zoning lot, special provisions allow them either to be placed off-site within a certain radius of the zoning lot generating the requirement, or to be combined with parking spaces for other uses, on the same or different zoning lots, in shared parking facilities (ZR 25-50).

All accessory off-street parking spaces are subject to additional regulations that establish the minimum size and location of spaces, limitations on ***curb cuts***, surfacing and screening requirements and allowances for ***car sharing vehicles*** to be parked in a facility primarily intended for private passenger vehicles (ZR 25-60). Community facility buildings may be subject to perimeter landscaping rules for open parking lots or, for some uses, loading berth requirements (ZR 25-70).

Finally, all Residence Districts require bicycle parking for half of the dwelling units in buildings with more than 10 units. For community facility uses, the bike parking requirement is based on a proportion of the floor area to the use (ZR 25-80).

Streetscape

Residence Districts have mandatory streetscape provisions, and some optional provisions that aim to create an attractive public realm. These are not contained within a specific chapter of the Zoning Resolution, but include use regulations such as ***sign*** provisions or ground floor use requirements; bulk regulations, which include street tree or other forms of planting, and rules that specify the location of ***street walls*** (the portion of a building facade that faces the street); and screening and other requirements for parking that seek to limit the impact of vehicles on the streetscape.

R1–R5 Districts

To preserve the character of low density neighborhoods, from leafy estates to low-rise townhouses, several mandatory streetscape provisions have been established over the years.

Apart from the restrictive standard Residence District sign regulations, low density Residence Districts have few use-related streetscape provisions. However, in all R1-R5 Districts, street trees are required of all developments and significant enlargements. These must be planted in a grass or groundcover planting strip within the sidewalk area (ZR 23-04, 26-42). All low density districts also require a percentage of the front yard to be planted with grass, groundcover, shrubs or other plants. These percentages increase with the width of the lot, from a minimum planting requirement of 20 percent of the front yard for lots less than 20 feet wide to a minimum of 50 percent for lots with a frontage of 60 feet or more (ZR 23-451).

Low density contextual districts employ a variety of line-up provisions to ensure streetscape continuity. In many contextual districts (R2A, R3A, R3X, R4-1, R4A and R5A Districts), if the adjacent front yards are deeper than the minimum required front yard, a new building must provide a front yard at least as deep as its neighbors' yards. In contextual townhouse and apartment districts (R4B, R5B and R5D Districts), if the adjacent front yards are deeper than the minimum required front yard, then the front yard of a new building must be at least as deep, but also not deeper than, these adjacent front yards (ZR 23-45). These types of rules ensure that a new development will not create protrusions or gaps in the line of building walls facing the sidewalk along the block. Under either rule, if the neighboring yards are so deep as to make line-up impractical or undesirable (deeper than 20 feet, for example), then the new building is not required to align with them. Certain districts (R3A, R4-1, R4A, R4B and R5B Districts) further promote consistency of building form by requiring a second story line-up where the majority of adjoining lots have a first story that projects further towards the sidewalk than the second story (ZR 23-631).

Low density districts also include regulations to prevent the area directly in front of the home from being cluttered by parked vehicles. In the majority of low density districts, parking must generally be located either in the side yard or rear yard, and driveways to access parking must be within the ***side lot ribbon***, which is the portion of the zoning lot that extends along the entire length of the ***side lot line***. Limited exceptions are made in certain districts for larger lots where driveways extend directly to a garage, and further restrictions are placed on semi-detached and attached housing types (ZR 25-621).

Additionally, in all districts, the location and width of curb cuts is restricted to ensure adequate access to the driveways and preserve sufficient distance between curb cuts to allow space for on-street parking and to leave enough space for required front yard plantings and sidewalk planting strips. Accordingly, the specific curb cut regulations depend upon the district, the housing type and the width of the street frontage of the zoning lot (ZR 23-631, 25-633). In most districts (R2X, R3, R4 and R5 – other than R4B and R5B), if the zoning lot has less than 50 feet of street frontage, only one curb cut with a width of 10 feet is allowed. If the lot has a width of 50 feet or more, either one curb cut with a width of 18 feet, or two curb cuts, each with a maximum width of 10 feet, may be provided. To preserve the character of rowhouse districts (R4B and R5B), curb cuts for driveways are not permitted on zoning lots with less than 40 feet of street frontage (ZR 25-631).

R6-R10 Districts

Several use, bulk, and parking-related zoning regulations in medium and high density Residence Districts work together to improve the quality of the streetscape.

Quality Housing buildings are required to locate street walls in a manner that responds to – and harmonizes with – the surrounding neighborhood. These rules are intended to ensure consistency along the block front, but at the same time be flexible enough for designers to add the architectural embellishments that characterize many neighborhoods throughout the city (ZR 23-661), if desired. Medium density contextual districts (R6A, R6B, R7A, R7B, R7D, R7X, R8B and R9D) and non-contextual districts using the Quality Housing option require the street wall of a new building to be located no closer to the street line than the adjoining buildings (those portions within 25 feet of the new building), so that new buildings cannot protrude from the rest of the block front and block light or visibility to neighboring buildings. For narrow zoning lots (less than 50 feet wide), in districts with a "B" suffix, which are characterized by brownstone and rowhouse blocks, this rule is stricter, and requires that a new street wall cannot be located closer to, or further from, the sidewalk than the adjoining street walls. This promotes the "line-up" of the new building facade with the neighboring street walls. However, in all of these medium density districts, if the adjoining building is set so far back from the street line (beyond 10 or 15 feet, depending on the district) that lining up with it may actually detract

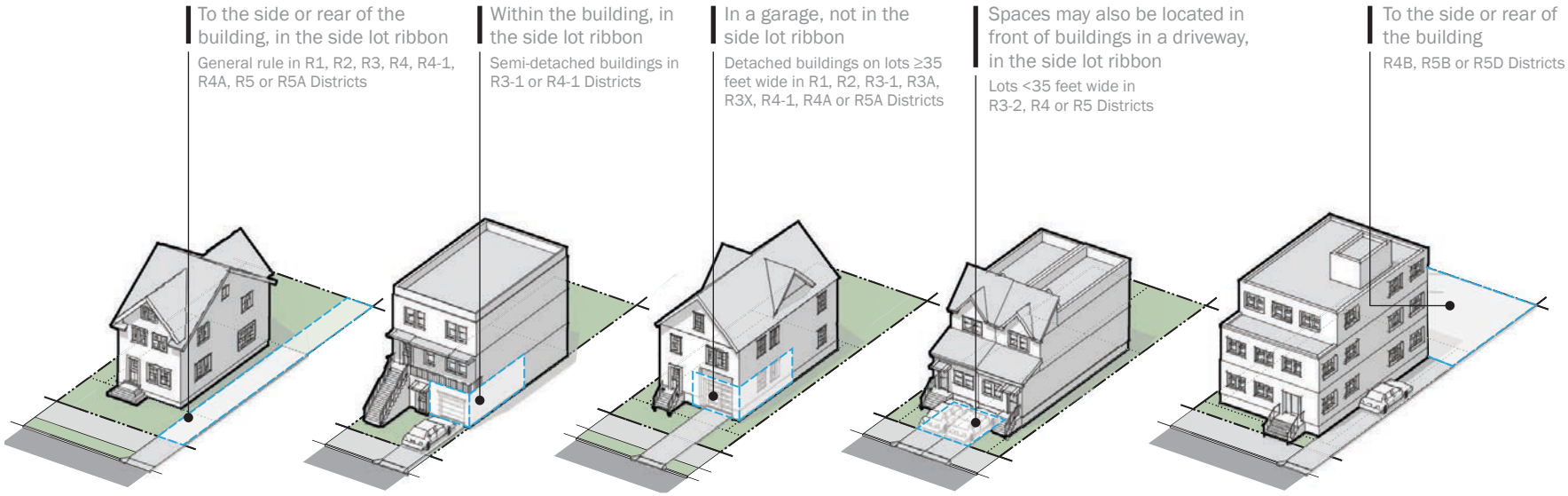
Low Density Streetscape Requirements

A series of Residence District streetscape allowances and requirements help ensure new buildings contribute to their neighborhoods.

1. Front yard regulations establish the relationship between the building facade and the sidewalk, relative to the adjoining properties.
2. Permitted obstruction allowances add visual interest to a facade by allowing architectural elements like porches and dormers.
3. Planting rules include street tree planting and, planting in front of a building.
4. Parking location rules encourage parking in the side or rear of a building. Curb cut rules limit the number and size of paved driveways.



Low Density Parking Location Regulations



from the streetscape, the rule does not apply (ZR 23-661). Street wall location rules for higher density R8-R10 Districts do not refer to neighboring buildings, but ensure a degree of consistency among neighboring buildings by requiring that 70 percent of the street wall be located within a certain distance of the sidewalk (ZR 23-661). Finally, in all R6-R10 Districts, the open space between the street wall of a Quality Housing building and the sidewalk must include planted areas (ZR 28-23).

Many Quality Housing buildings are eligible for an additional five feet in overall building and maximum base height if they contain a ***qualifying ground floor*** (ZR 23-662, 23-664). For Quality Housing buildings providing affordable independent residences for seniors, long-term care facilities or dwelling units as part of the Inclusionary Housing Program (and in a limited number of non-contextual districts), the building is able to utilize the additional five feet by providing a ground floor that rises to a height of 13 feet or more above curb level. This can be accomplished by providing ground floor spaces (such as community facility space) with high ceilings, or by elevating ground floor units a few feet above the adjacent public sidewalk (thereby giving occupants greater privacy while retaining "eyes on the street"), all of which improve the pedestrian experience (ZR 23-662, 23-664). For buildings in R6A, R6B, R7A, R7D, R7X, R8A, R8X, R9X and R10A contextual districts outside the Manhattan Core, or in R5D Districts, that are not providing Inclusionary Housing or senior housing, to be eligible for the additional five feet, the qualifying ground floor must comply with supplemental use provisions in addition to having a height of 13 feet. In Residence Districts, this entails providing a community facility space with a depth of at least 15 feet along a substantial portion of the zoning lot frontage, and ensuring that, in most instances, parking will be wrapped by floor area so that it is unable to be seen from the sidewalk (ZR 23-662).

One of the mandatory components of the Quality Housing Program is a requirement that all parking spaces associated with the building must be located in an underground garage or behind or to the side of a building, but never in front of the building (ZR 28-43). This ensures that the pedestrian experience is not disrupted by vehicles obstructing the sidewalk, and the sense of enclosure offered by building walls is not diminished by open parking lots.

Whether a zoning lot is located in a contextual or non-contextual district, the number of curb cuts allowed on any street frontage depends on the size of the group parking facility. If the parking facility has fewer than 50 spaces, only one curb cut with a width of 12 feet is allowed. If the facility has more than 50 spaces, the size increases to 22 feet or two curb cuts of 12 feet each spaced at least 60 feet apart. To preserve the character of rowhouse districts (R6B, R7B and R8B), curb cuts for driveways are not permitted on zoning lots with less than 40 feet of street frontage (ZR 25-631).

Other Provisions

Medium and high density contextual districts (as well as R5D Districts) require compliance with the ***Quality Housing Program*** (ZR 28-00). Quality Housing mandates certain types of amenity spaces (such as recreation, laundry and refuse space), encourages quality interior common areas (by promoting increased daylight along corridors as well as limited density) and incorporates streetscape measures (parking location and planting rules). The Quality Housing Program is mandatory in contextual R6-R10 Districts, and required in non-contextual R6-R10 Districts when buildings utilize the optional contextual building envelopes.

Special zoning rules, whether mandatory or optional, apply within certain geographies of the city, and modify their underlying residential regulations. Many of these rules are either special rules for certain areas (see Chapter 6) or are contained within special purpose districts (Chapter 7).

Medium and High Density Streetscape Requirements

A series of Residence District streetscape allowances and requirements help ensure new buildings contribute to their neighborhoods.

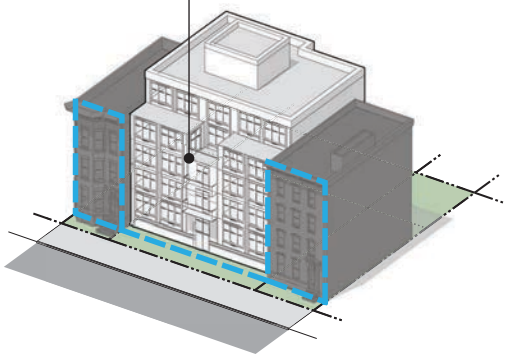
1. Qualifying ground floor regulations allow additional building height in exchange for taller, or elevated ground floors.
2. Street wall regulations establish the relationship between the building facade and the sidewalk.
3. Articulation allowances add visual interest to a facade.
4. Planting rules include street tree planting and, potentially, other planting in front of a building.
5. Parking location rules restrict parking from being located in front of a building and can require spaces to be screened or buffered from the sidewalk (or "wrapped") by other uses. Curb cut rules limit the number and size of paved driveways.



Medium and High Density Contextual Street Wall Regulations

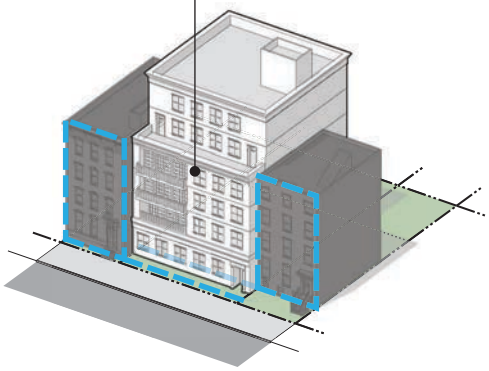
New buildings can be no closer to the street line than the adjoining buildings

R6A, R7A, R7D, R7X or R9D Districts, or lots ≥50 feet wide in R6B, R7B or R8B Districts



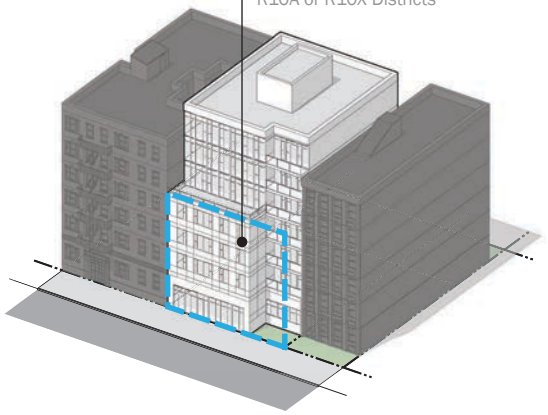
New buildings can be no closer to and no further from the street line than the adjoining buildings

Lots <50 feet wide in R6B, R7B or R8B Districts



70% of the street wall must be within 8' of the street line

Wide streets in R8A, R8X, R9A, R9X, R10A or R10X Districts



R1 and R2

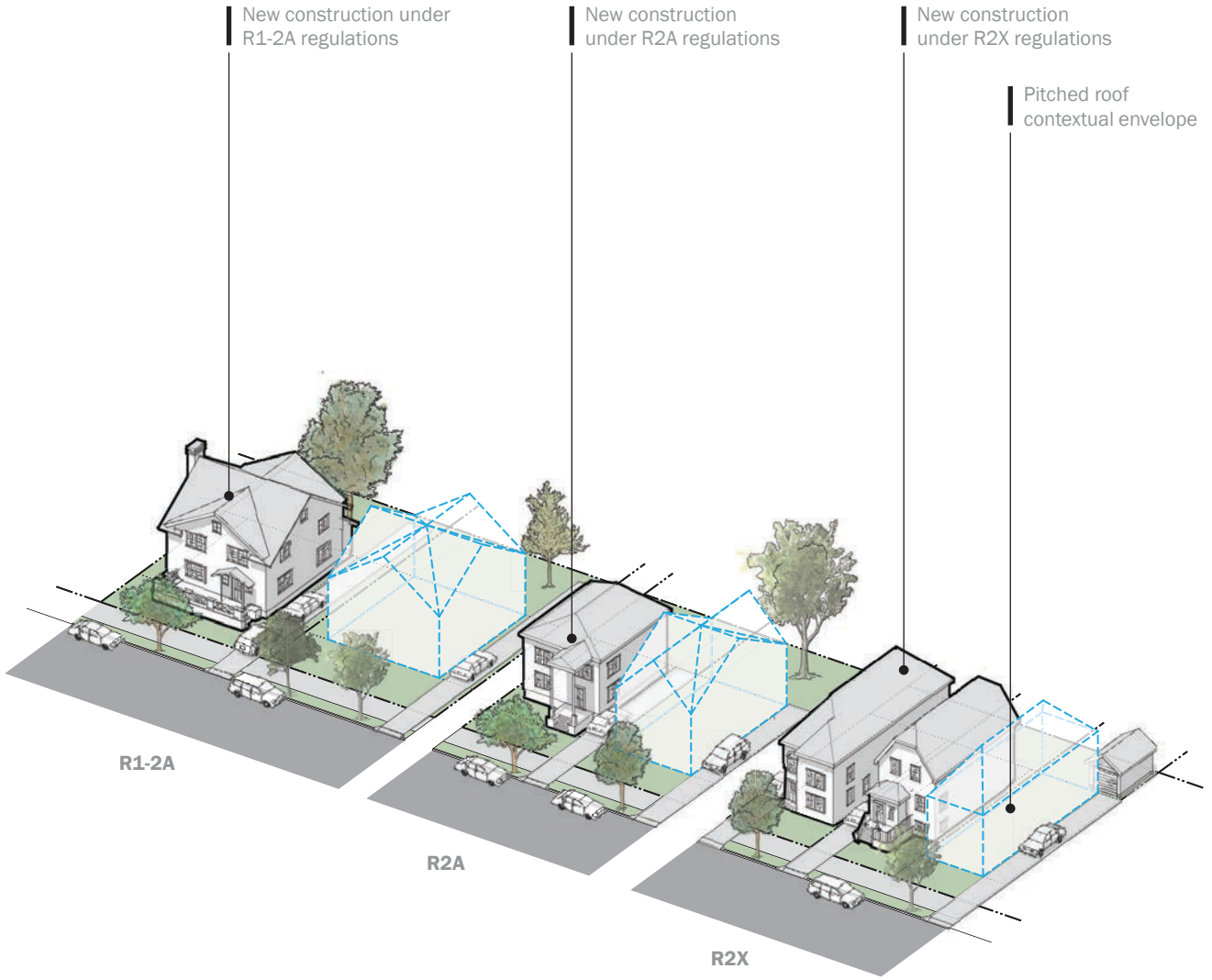
R1 and R2 ***contextual districts*** offer the predictable building forms of a contextual district in open, suburban-like settings. These districts permit only single-family detached homes, with a narrow range of ***community facility uses***. R1-2A Districts were created in 2009, and are mapped in limited areas of Queens. R2A Districts were created in 2005 to be mapped in Bayside, Queens, and have since been mapped in many other neighborhoods in eastern Queens, including Little Neck and Whitestone. R2X Districts were created in 1989 as part of the citywide establishment of lower density contextual districts and are mapped in a few areas of Brooklyn near Ocean Parkway, and in Far Rockaway, Queens.



Whitestone, Queens



Ocean Parkway, Brooklyn



Low Density Contextual Residence Districts

R1 and R2		Lot Area min.	Lot Width min.	Front Yard min.	Rear Yard min.	Side Yards #	Side Yards Each min.	Side Yards Total min.	Lot Coverage max.	FAR max.	Perimeter Wall/ Building Height max.	DU Factor	Required Parking min.
R1-2A	Single-family Detached	5,700 sf	60 ft	20 ft	30 ft	2	8 ft	20 ft	30%	0.50	25/35 ft	2,850	1 per DU
R2A		3,800 sf	40 ft	15 ft			5 ft	13 ft			21/35 ft	1,900	
R2X		2,850 sf	30 ft		20 ft		2 ft	10 ft	n/a	0.85		2,900	



Low Density Non-contextual Residence Districts

R1 and R2		Lot Area min.	Lot Width min.	Front Yard min.	Rear Yard min.	Side Yards #	Side Yards Each min.	Side Yards Total min.	Open Space Ratio max.	FAR max.	Sky Exposure Plane	DU Factor	Required Parking min.
R1-1	Single-family Detached	9,500 sf	100 ft	20 ft	30 ft	2	15 ft	35 ft	150.0	0.50	Starts at 25 ft	4,750	1 per DU
R1-2		5,700 sf	60 ft				8 ft	20 ft				2,850	
R2		3,800 sf	40 ft	15 ft			5 ft	13 ft				1,900	

R1 and R2

R1 and R2 ***non-contextual districts*** are mapped in low density neighborhoods characterized by large homes on spacious lots. These districts permit only single-family detached homes, and a limited range of ***community facility uses***. R1-1, R1-2 and R2 Districts are all original to the 1961 Zoning Resolution, and are mapped along the edge of the city: R1-1 Districts can be found in Riverdale, The Bronx; Great Neck, Queens; and Todt Hill, Staten Island. R1-2 Districts can be found in Fieldston, The Bronx; Jamaica Estates, Queens; Prospect Park South, Brooklyn; and Tottenville, Staten Island. R2 Districts can be found in Country Club, The Bronx; in many parts of eastern Queens; Midwood, Brooklyn; and West Brighton, Staten Island.



Jamaica Estates, Queens



Fieldston, The Bronx

R3-1

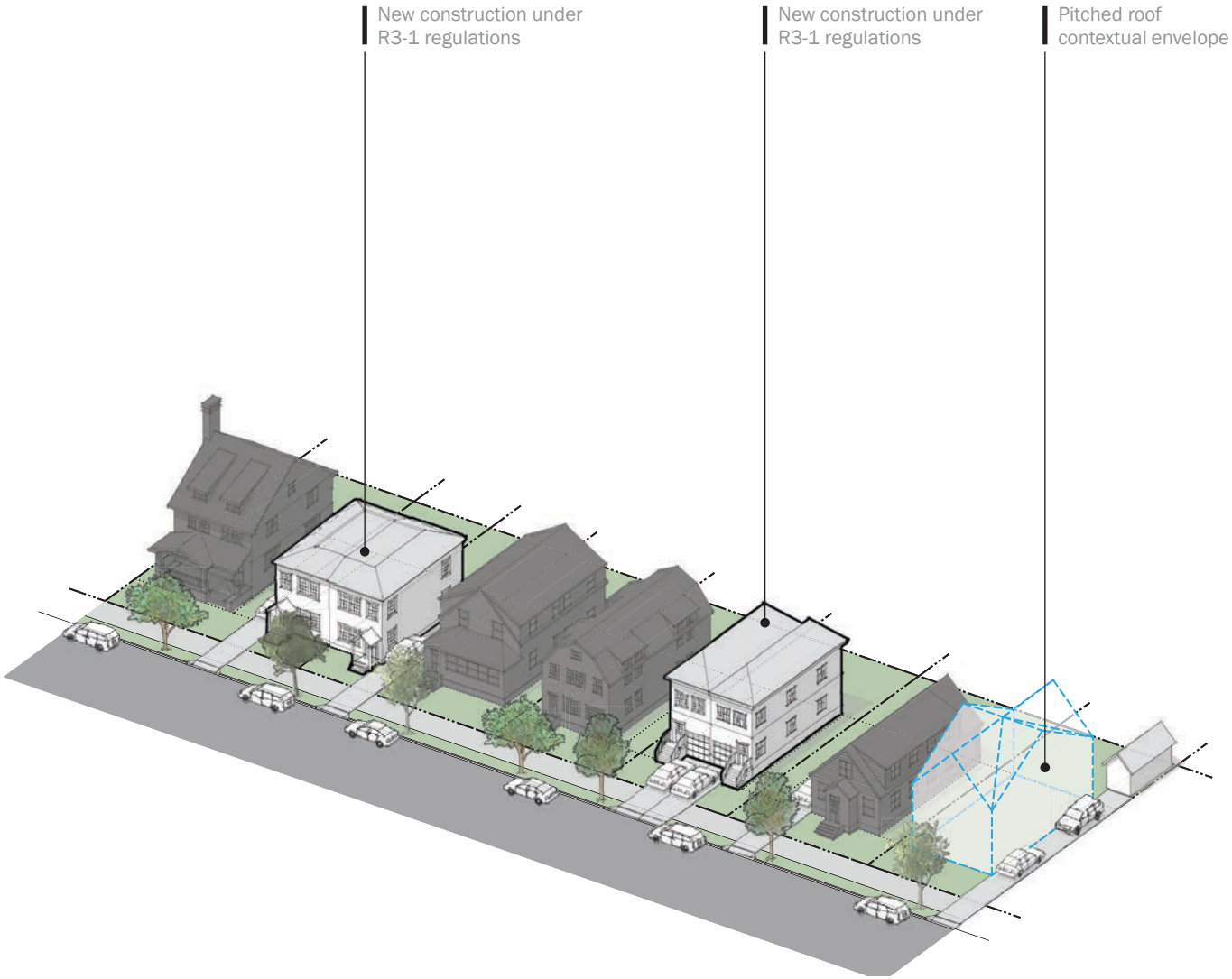
One of only two ***contextual districts*** (with R4-1) having a numerical suffix, R3-1 contextual districts are intended for neighborhoods that have a slightly wider range of housing types than might be found in other low density neighborhoods – including some semi-detached homes. Accordingly, these districts allow single- or two-family detached, and semi-detached residences. R3-1 Districts are mapped in Locust Point, The Bronx; Seagate and Manhattan Beach in southern Brooklyn; Howard Beach and Woodhaven, Queens; and the Staten Island neighborhoods of Great Kills, Willowbrook and Midland Beach.



Bergen Beach, Brooklyn

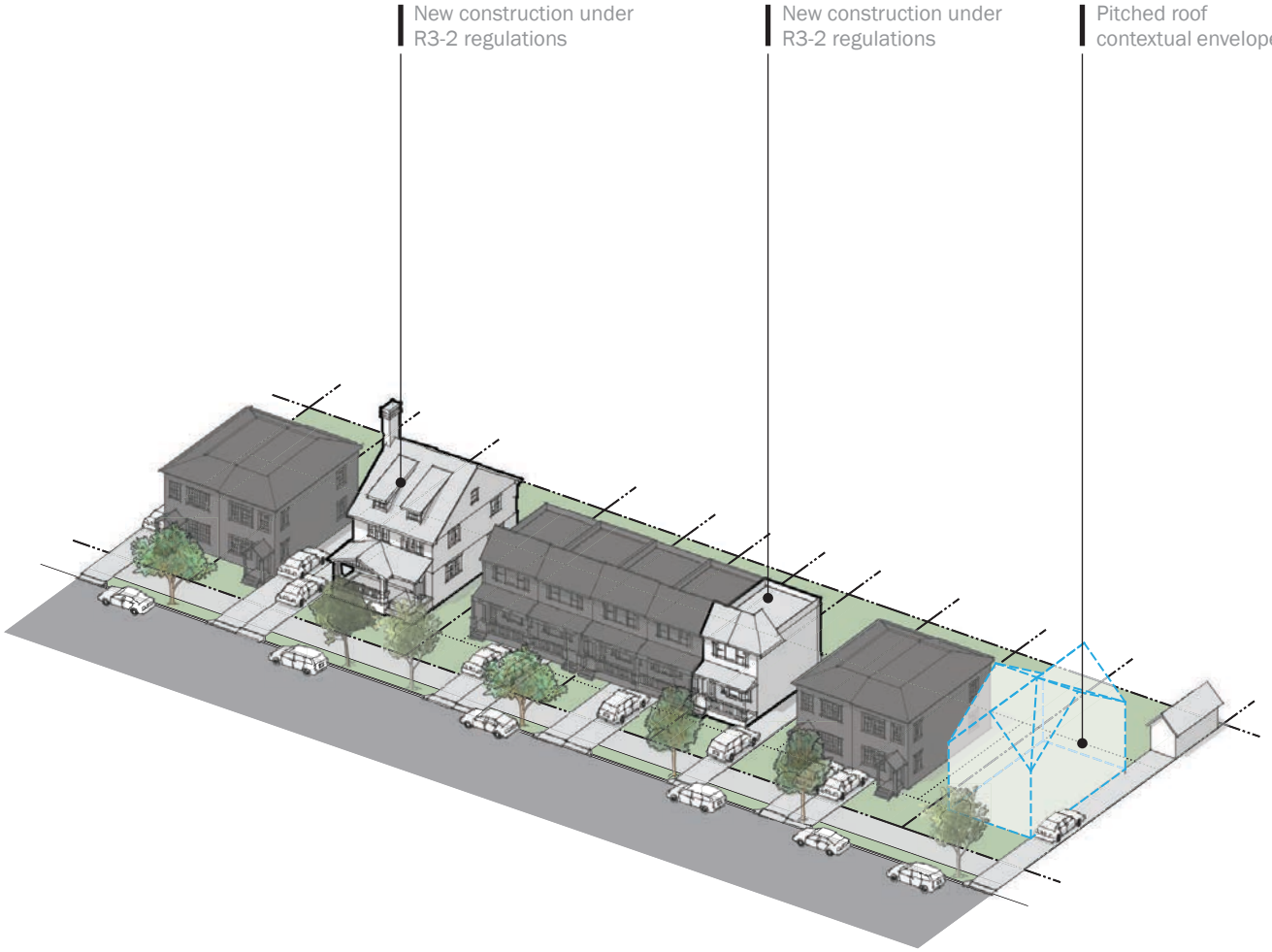


Castleton Corners, Staten Island



Low Density Contextual Residence District

R3-1		Lot Area min.	Lot Width min.	Front Yard min.	Rear Yard min.	Side Yards #	Side Yards Each min.	Side Yards Total min.	Lot Coverage max.	FAR max.	Street Wall/ Building Height max.	DU Factor	Required Parking min.
Single- and Two-family	Detached	3,800 ft	40 ft	15 ft	30 ft	2	5 ft	13 ft	35%	0.50	21/35 ft	625	1 per DU
	Semi-detached	1,700 ft	18 ft			1	8 ft	8 ft					



R3-2

R3-2 ***non-contextual districts*** are widely mapped districts intended for neighborhoods with a variety of low density housing types. These districts allow single- or two-family homes along with small multi-family apartment buildings in a range of housing types — ***detached***, ***semi-detached*** and ***attached buildings***. ***Zero lot line*** buildings are not permitted. R3-2 Districts are original to the 1961 Resolution, although they were substantially altered in 1989 to have predictable building forms. The distribution of R3-2 Districts has shrunk over time as contextual districts have been mapped in their place, but they remain in Soundview, The Bronx; Marine Park, Brooklyn; large parts of eastern Queens; and Willowbrook, Staten Island.



Clason Point, The Bronx



Springville, Staten Island

Low Density Non-contextual Residence District

R3-2		Lot Area min.	Lot Width min.	Front Yard min.	Rear Yard min.	Side Yards #	Side Yards Each min.	Side Yards Total min.	Lot Coverage max.	FAR max.	Perimeter Wall/ Building Height max.	DU Factor	Required Parking Standard min.	Required Parking IRHU min.
Single- and Two-family	Detached	3,800 sf	40 ft	15 ft	30 ft	2	5 ft	13 ft	35%	0.50	21/35 ft	625	1 per DU	50% of IRHU
	Semi-detached	1,700 sf	18 ft			1	8 ft	8 ft						
	Attached					n/a						870		
Multi-family	All					2	8 ft	16 ft						

R3A

R3A ***contextual districts*** are often mapped to preserve or establish a character of modest, pitched roof homes on smaller ***zoning lots***. The district allows for single- and two-family residences in ***detached*** and ***zero lot line buildings***. R3A Districts were created in 1989 along with many other low density contextual districts, and have since been mapped in neighborhoods such as City Island and Throgs Neck, The Bronx; Whitestone, Forest Hills and South Ozone Park, Queens; and in Tottenville, Eltingville and Elm Park, Staten Island.



Middletown, Staten Island



Mariner's Harbor, Staten Island



Low Density Contextual Residence District

R3A		Lot Area min.	Lot Width min.	Front Yard min.	Rear Yard min.	Side Yards #	Side Yards Each	Side Yards Total	Lot Coverage max.	FAR max.	Street Wall/ Building Height max.	DU Factor	Required Parking min.
Single- and Two-family	Detached	2,375 sf	25 ft	10 ft	30 ft	1	0 ft	8 ft	n/a	0.50	21/35 ft	710	1 per DU
	Zero Lot Line												



R3X

R3X ***contextual districts*** are often mapped to preserve or establish the character of older neighborhoods characterized by detached, pitched roofed homes on average sized lots. Accordingly, the district only permits single- and two-family detached homes on lot sizes slightly larger than required in R3A Districts. R3X Districts were created in 1990, and have since been mapped extensively in Staten Island and eastern Queens. R3X Districts can be found in Baychester, The Bronx; in Kensington, Brooklyn; Rosedale, Woodhaven and East Elmhurst, Queens; and Westerleigh, Bulls Head and much of the southern portion of Staten Island.



New Dorp, Staten Island



Flushing, Queens

Low Density Contextual Residence District

R3X		Lot Area	Lot Width	Front Yard	Rear Yard	Side Yards			Lot Coverage	FAR	Street Wall/ Building Height	DU Factor	Required Parking
		min.	min.	min.	min.	#	Each	Total	max.	max.	max.		min.
Single- and Two-family	Detached	3,325 sf	35 ft	10 ft	30 ft	2	2 ft	10 ft	n/a	0.50	21/35 ft	1,000	1 per DU

R4

R4 ***non-contextual districts*** are widely mapped districts intended for neighborhoods with a mixture of low density housing types — at densities slightly higher than R3-2. These districts allow single- or two-family homes along with multi-family buildings in a variety of housing types (all but ***zero lot line buildings***). R4 Districts are original to the 1961 Resolution, but were substantially altered in 1989 to have predictable building forms. The distribution of R4 Districts has diminished as ***contextual districts*** have been mapped in their place, but they can still be found in Throgs Neck, The Bronx; Sunnyside, Queens; Sheepshead Bay, Brooklyn; and in Grymes Hill, Staten Island.



Saint George, Staten Island

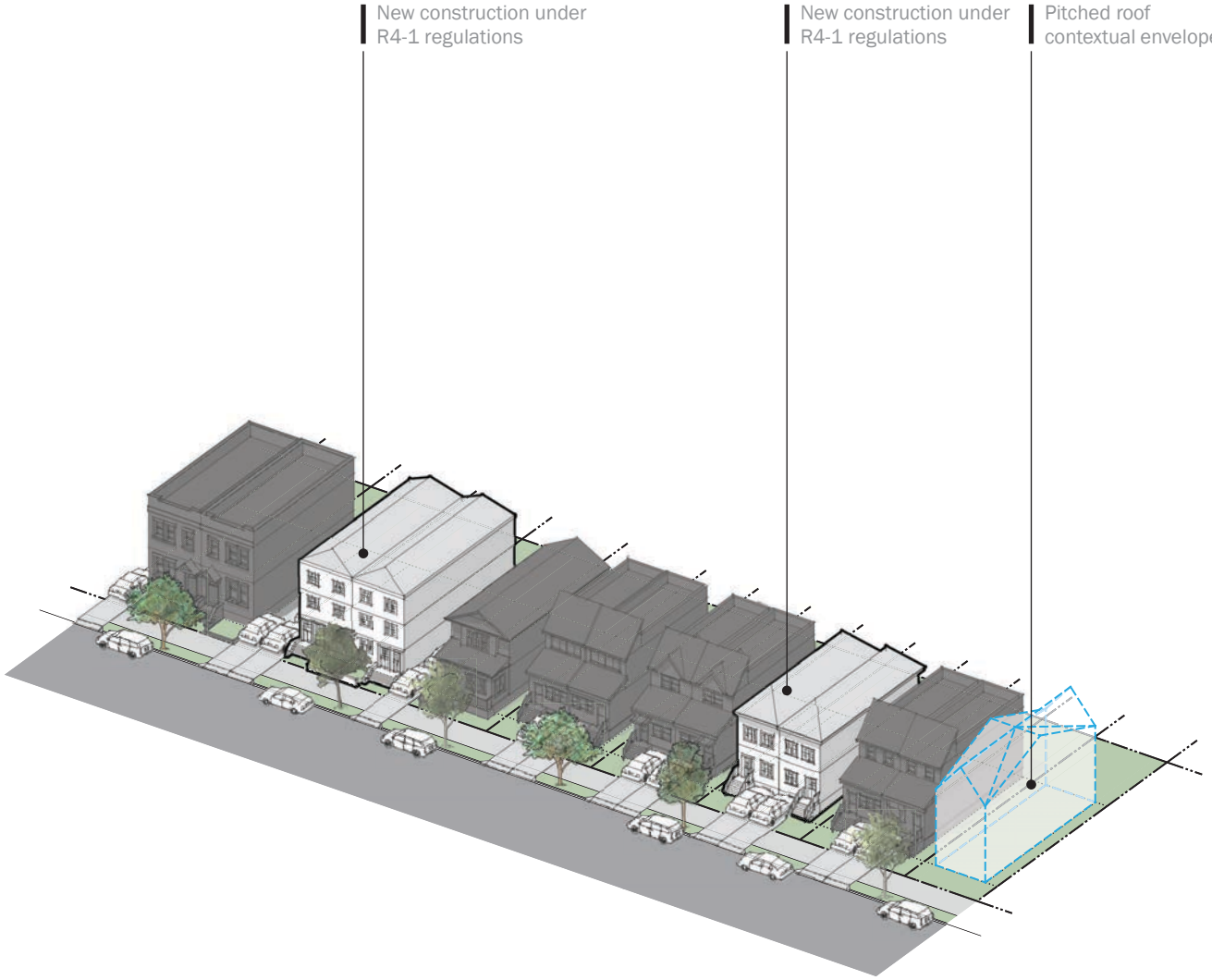


North Corona. Queens



Low Density Non-contextual Residence District

R4		Lot Area min.	Lot Width min.	Front Yard min.	Rear Yard min.	Side Yards #	Side Yards Each min.	Side Yards Total min.	Lot Coverage max.	FAR max.	Perimeter Wall/ Building Height max.	DU Factor	Required Parking Standard min.	Required Parking IRHU min.
Single- and Two-family	Detached	3,800 sf	40 ft	10 ft	30 ft	2	5 ft	13 ft	45%	0.75	25/35 ft	870	1 per DU	50% of IRHU
	Semi-detached	1,700 sf	18 ft			1	8 ft	8 ft						
	Attached					n/a								
Multi-family	All					2	8 ft	16 ft						



Low Density Contextual Residence District

R4-1		Lot Area min.	Lot Width min.	Front Yard min.	Rear Yard min.	Side Yards #	Side Yards Each min.	Side Yards Total min.	Lot Coverage max.	FAR max.	Perimeter Wall/ Building Height max.	DU Factor	Required Parking Standard min.	Required Parking IRHU min.
Single- and Two-family	Detached	2,375 sf	25 ft	10 ft	30 ft	1	0 ft	8 ft	n/a	0.75	25/35 ft	870	1 per DU	50% of IRHU
	Zero Lot Line													
	Semi-detached	1,700 sf	18 ft			1	4 ft	4 ft						

R4-1

One of only two ***contextual districts*** (with R3-1) having a numerical suffix, R4-1 contextual districts are similar to R3-1 Districts, in that they are meant for neighborhoods that have a slightly wider range of housing types than might be found in other contextual neighborhoods. R4-1 Districts allow slightly larger single- or two-family ***detached*** and ***semi-detached*** residences than might be found in R3-1 Districts. They were created in 1989 and have since been mapped in neighborhoods like Pelham Gardens and Baychester, The Bronx; Gravesend and Dyker Heights in southern Brooklyn; and Maspeth and Glendale, Queens.



Bay Ridge, Brooklyn



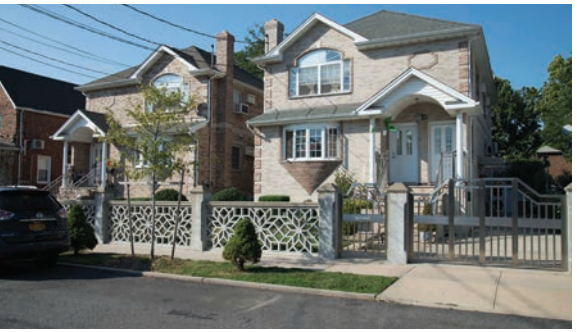
Flushing, Queens

R4A

R4A ***contextual districts*** are often mapped to preserve or establish the character of older neighborhoods with pitched roof homes on smaller ***zoning lots***, permitting slightly bulkier ***buildings*** than in R3A Districts. The district allows for single- and two-family residences in detached homes. R4A Districts were created in 1989 along with many other low density contextual districts, and have since been mapped in neighborhoods such as Woodlawn and Schuylerville, The Bronx; Bay Ridge, Brooklyn; College Point, Queens; and Rosebank, Staten Island.



Dyker Heights, Brooklyn



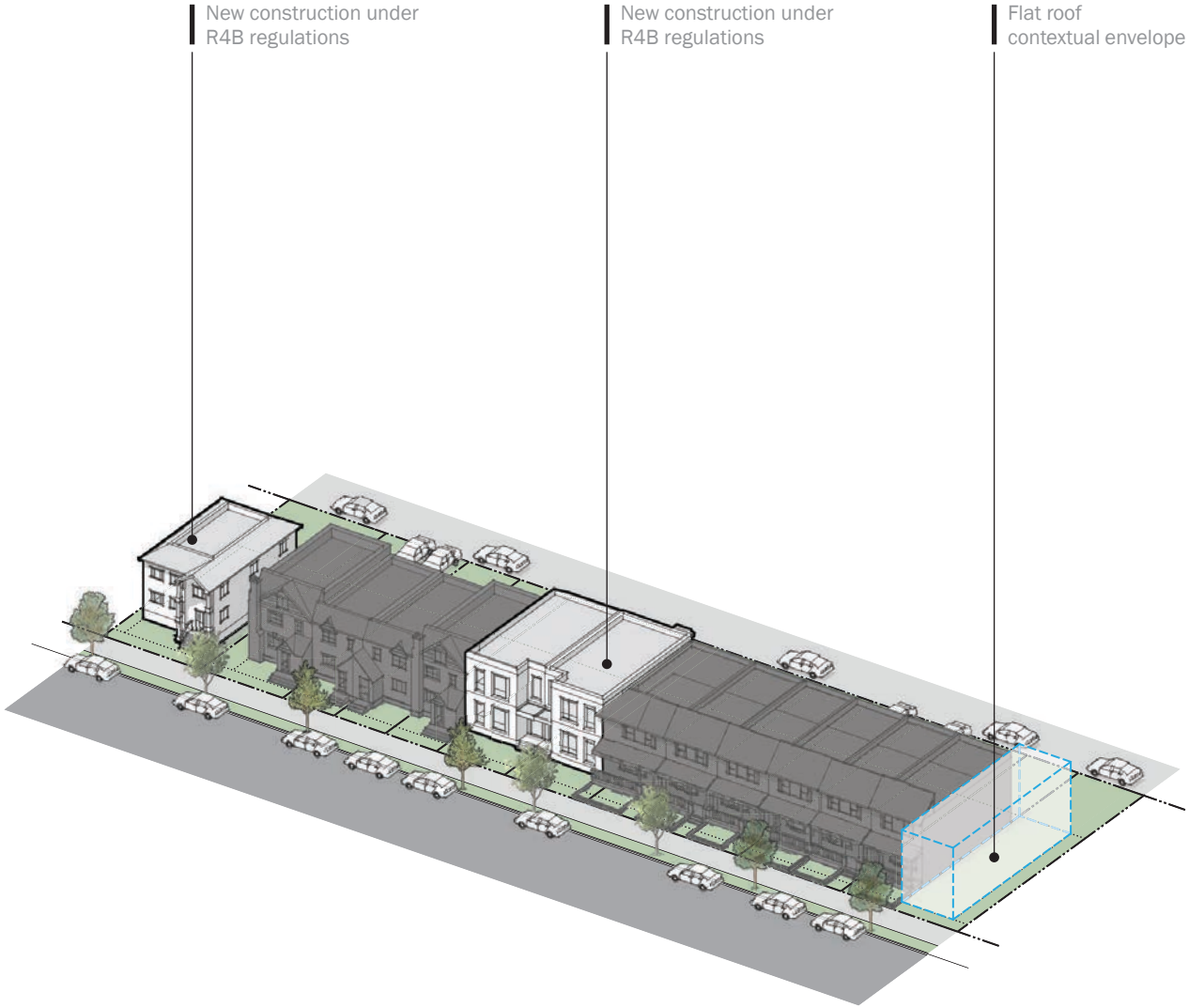
Murray Hill, Queens



Low Density Contextual Residence District

R4A		Lot Area (min.)	Lot Width (min.)	Front Yard (min.)	Rear Yard (min.)	Side Yards (min.) #	Side Yards (min.) Each	Side Yards (min.) Total	Lot Coverage (max.)	FAR (max.)	Street Wall/ Building Height (max.)	DU Factor	Required Parking (min.) Standard	Required Parking (min.) IRHU
Single- and Two-family	Detached	2,850 sf	30 ft	10 ft	30 ft	2	2 ft	10 ft	n/a	0.75	21/35 ft	1,280	1 per DU	50% of IRHU

R4B ***contextual districts*** are often mapped in neighborhoods characterized by one- or two-story rowhouses. The district allows for single- and two-family homes, in all building types – detached, semi-detached, attached and zero lot line residences. R4B Districts were created in 1989 along with many other low density contextual districts, and have subsequently been mapped in neighborhoods like Bay Ridge in Brooklyn; and Middle Village and Forest Hills in Queens.



Low Density Contextual Residence District

R4B		Lot Area min.	Lot Width min.	Front Yard min.	Rear Yard min.	Side Yards #	Side Yards Each min.	Side Yards Total min.	Lot Coverage max.	FAR max.	Building Height max.	DU Factor	Required Parking Standard min.	Required Parking IRHU min.
Single- and Two-family	Detached	2,375 sf	25 ft	5 ft	30 ft	1	0 ft	8 ft	55%	0.90	24 ft	870	1 per DU	50% of IRHU
	Zero Lot Line													
	Semi-detached	1,700 sf	18 ft			1	4 ft	4 ft						
	Attached					n/a								



Brookville, Queens



Middle Village, Queens

R5

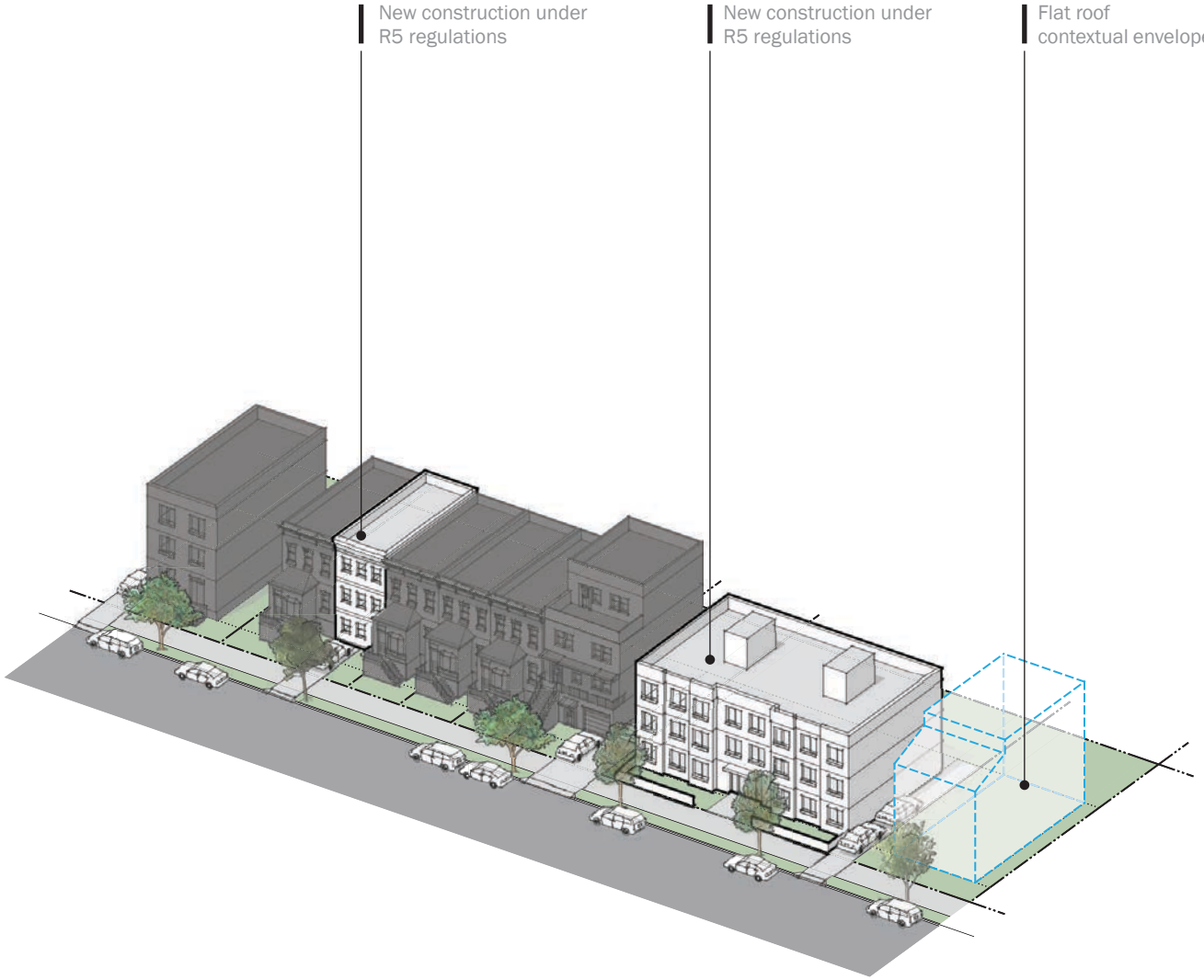
R5 ***non-contextual districts*** are widely mapped districts intended for neighborhoods with an assortment of housing types at densities higher than those found in R3-2 or R4 Districts, and are often transition districts between medium and lower density areas. These districts allow all types of residences in a variety of housing types (all but ***zero lot line buildings***). R5 Districts are original to the 1961 Resolution, but were substantially altered in 1989 to have predictable building forms. The distribution of R5 Districts has shrunk over time, as contextual districts have been mapped in their place, but they remain in Van Nest, The Bronx; Bensonhurst, Brooklyn; Astoria, Queens; and Heartland Village, Staten Island.



Englewood, Staten Island



Bergen Beach, Brooklyn



Low Density Non-contextual Residence District

R5		Lot Area min.	Lot Width min.	Front Yard min.	Rear Yard min.	Side Yards #	Side Yards Each min.	Side Yards Total min.	Lot Coverage max.	FAR max.	Street Wall/ Building Height max.	DU Factor	Required Parking Standard min.	Required Parking IRHU min.
Single- and Two-family	Detached	3,800 sf	40 ft	10 ft	30 ft	2	5 ft	13 ft	55%	1.25	30/40 ft	760	85% of DU	42.5% of IRHU
	Semi-detached	1,700 sf	18 ft			1	8 ft	8 ft						
	Attached					n/a								
Multi-family	All					2	8 ft	16 ft						



R5A

R5A ***contextual districts***, are often mapped in older neighborhoods characterized by pitched roof homes on smaller zoning lots, but these districts permit slightly bulkier buildings than in R3A and R4A Districts. The district allows for single- and two-family residences in ***detached*** homes. R5A Districts were created in 2005, and have been mapped in only a few areas, such as in Pelham Bay, Olinville and Wakefield, The Bronx; and North Corona, Queens.



Williamsbridge, The Bronx



Olinville, The Bronx

Low Density Contextual Residence District

R5A		Lot Area min.	Lot Width min.	Front Yard min.	Rear Yard min.	Side Yards #	Side Yards Each min.	Side Yards Total min.	Lot Coverage max.	FAR max.	Street Wall/ Building Height max.	DU Factor	Required Parking min.
Single- and Two-family	Detached	2,850 sf	30 ft	10 ft	30 ft	2	2 ft	10 ft	n/a	1.10	25/35 ft	1,560	1 per DU

R5B

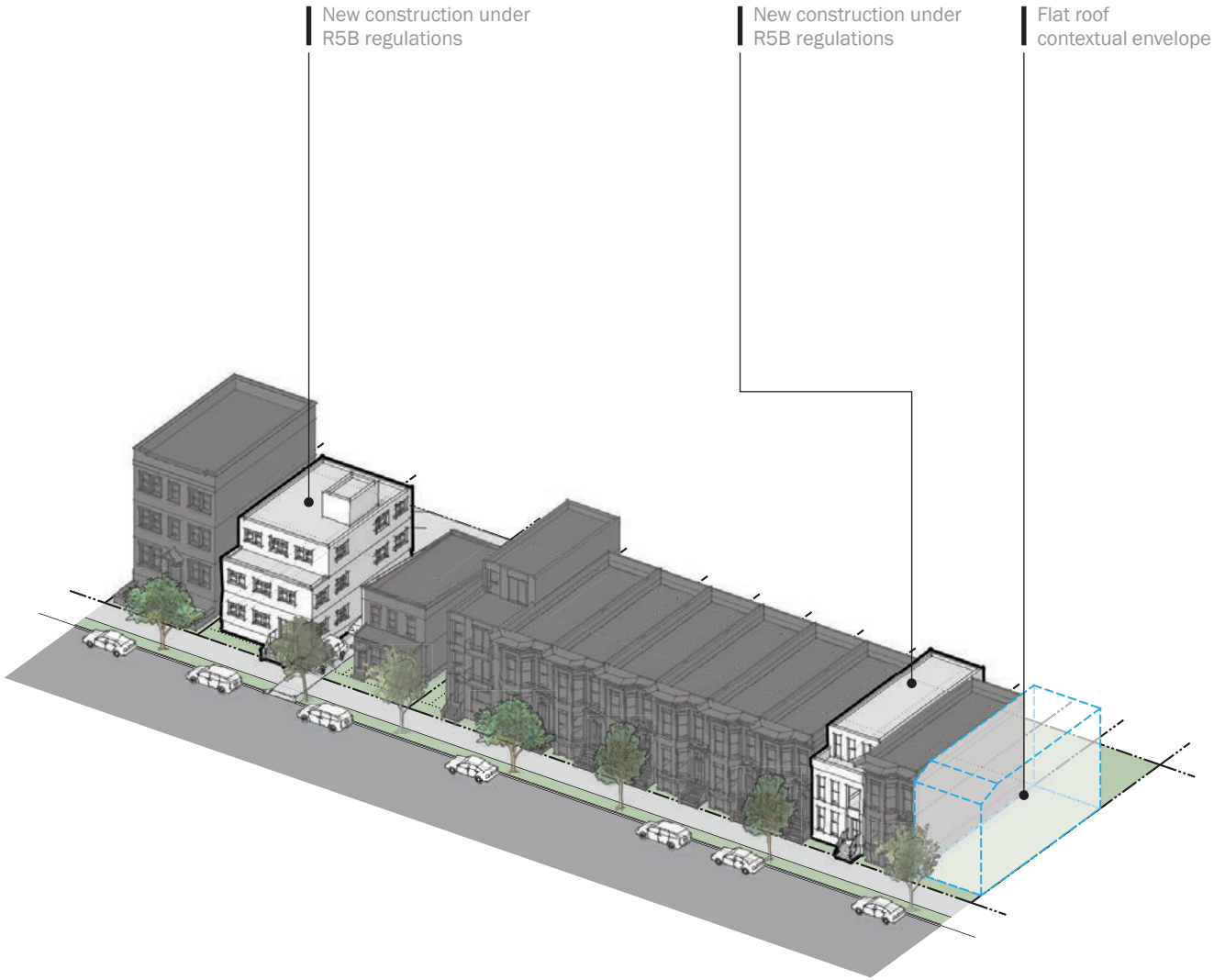
R5B ***contextual districts*** are often mapped in neighborhoods characterized by three-story rowhouses. The district is similar to R4B, but permits slightly more ***bulk***, and allows for all types of residences in all building types – detached, semi-detached, attached and zero lot line residences. R5B Districts were created in 1989 along with many other low density contextual districts, and have subsequently been mapped in neighborhoods such as Woodlawn, The Bronx; Windsor Terrace and Dyker Heights, Brooklyn; and Ridgewood, Queens.



Bay Ridge, Brooklyn



Ridgewood, Queens

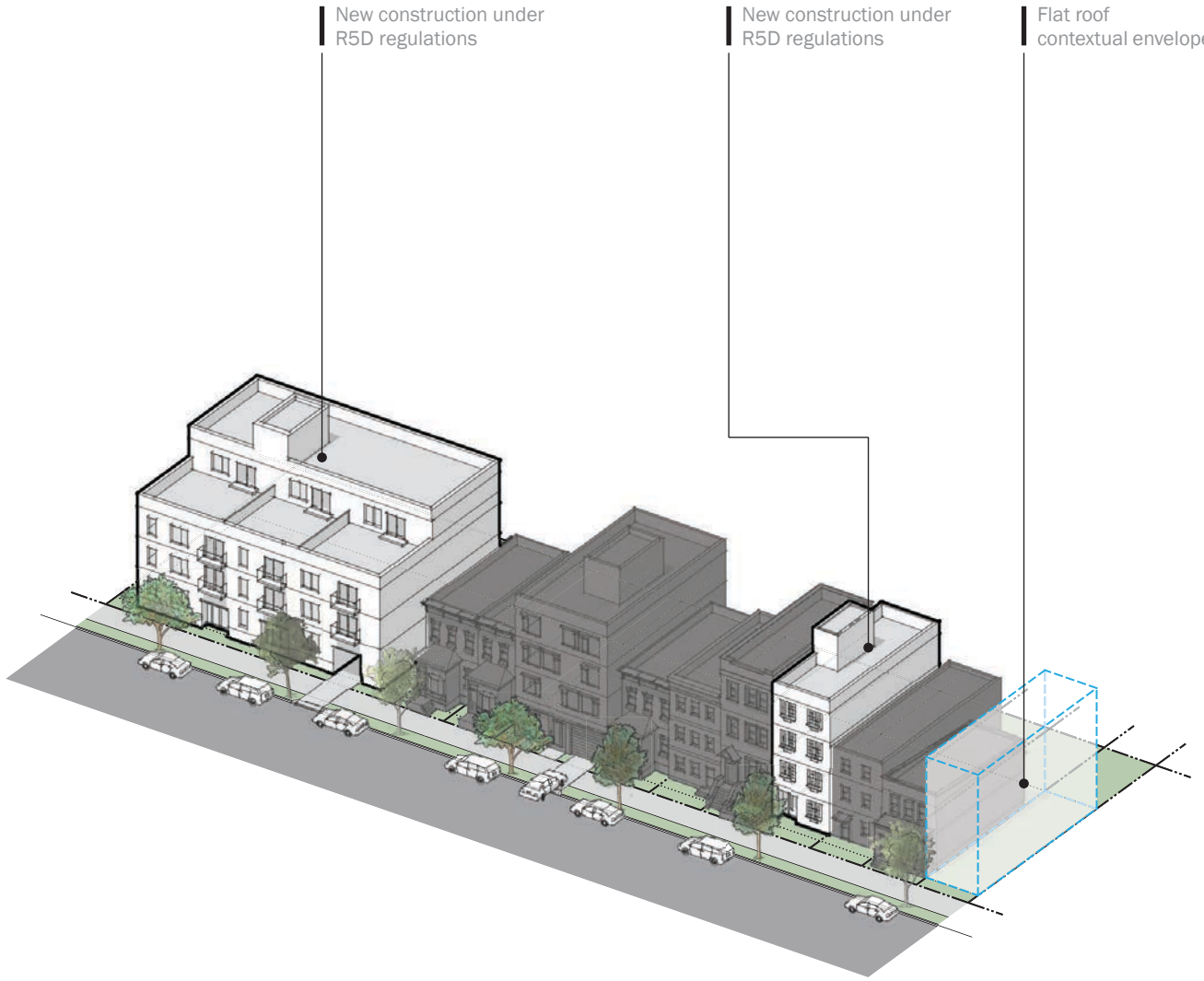


Low Density Contextual Residence District

R5B		Lot Area (min.)	Lot Width (min.)	Front Yard (min.)	Rear Yard (min.)	Side Yards #	Side Yards Each (min.)	Side Yards Total (min.)	Lot Coverage (max.)	FAR (max.)	Street Wall/ Building Height (max.)	DU Factor	Required Parking Standard (min.)	Required Parking IRHU (min.)
Single- and Two-family	Detached	2,375 sf	25 ft	5 ft	30 ft	1	0 ft	8 ft	55%	1.35	30/33 ft	900	66% of DU	42.5% of IRHU
	Zero Lot Line													
	Semi-detached	1,700 sf	18 ft			1	4 ft	4 ft						
	Attached					n/a								
Multi-family	All													

R5D

R5D ***contextual districts*** are often mapped in neighborhoods characterized by low-rise apartment buildings, of up to four stories. The district allows for all types of residences in all building types – detached, semi-detached, attached and zero-lot line residences. R5D Districts were created in 2006, and are unique amongst lower density districts in that they are subject to the ***Quality Housing Program***. The district can be found in limited areas, such as in Morris Park, The Bronx; and Jamaica, Queens.



Low Density Contextual Residence District

R5D		Lot Area (min.)	Lot Width (min.)	Front Yard (min.)	Rear Yard (min.)	Side Yards # (min.)	Side Yards Each (min.)	Side Yards Total (min.)	Lot Coverage Corner (max.)	Lot Coverage Other Lot (max.)	FAR (max.)	Building Height max. (w/Qualifying Ground Floor)	DU Factor	Required Parking Standard (min.)	Required Parking IRHU (min.)
Single- and Two-family	Detached	2,375 sf	25 ft	5 ft	30 ft	1	0 ft	8 ft	80%	60%	2.00	40 (45) ft	760	66% of DU	35% of IRHU
	Zero Lot Line	1,700 sf	18 ft												
	Semi-detached					1	4 ft	4 ft							
	Attached					n/a									
Multi-family	All														



Far Rockaway, Queens



Woodside, Queens

R1-R3 Districts

Use			R1-1	R1-2	R1-2A	R2	R2A	R2X	R3-1	R3-2	R3A	R3X
Single-family	Detached	Use Group 1	•	•	•	•	•	•	•	•	•	•
Single- and Two-family	Detached	Use Group 2							•	•	•	•
	Zero Lot Line										•	
	Semi-detatched								•	•		
	Attached									•		
Multi-family	All	Use Group 2								•		
Community Facility		Use Groups 3, 4	•	•	•	•	•	•	•	•	•	•
Bulk												
Lot Area (min.)	Detached or Zero Lot Line		9,500 sf	5,700 sf		3,800 sf		2,850 sf	3,800 sf		2,375 sf	3,325 sf
	Other		n/a						1,700 sf		n/a	
Lot Width (min.)	Detached or Zero Lot Line		100 ft	60 ft		40 ft		30 ft	40 ft		25 ft	35 ft
	Other		n/a						18 ft		n/a	
Front Yard (min.)			20 ft		20 ft*	15 ft	15 ft*		15 ft		10 ft*	
Side Yards (min.) Interior or Through Lots	Detached or Zero Lot Line	Number	2	2		2		2	2		1	2
		Each	15 ft	8 ft		5 ft		2 ft	5 ft		0 ft	2 ft
		Total	35 ft	20 ft		13 ft		10 ft	13 ft		8 ft	10 ft
	Semi-detached	Number	n/a						1		n/a	
		Each							8 ft			
		Total							8 ft			
	Multi-family	Number	n/a							2	n/a	
		Each								8 ft		
		Total								16 ft		
Rear Yard (min.)			30 ft					20 ft	30 ft			
Open Space Ratio			150.0		n/a	150.0		n/a				
Lot Coverage (max.)			n/a		30%	n/a	30%	n/a	35%		n/a	
Residential FAR	Basic		0.50					0.85	0.50			
	with Attic Allowance		n/a					1.02	0.60			
Community Facility FAR			0.5					1.00				
Sky Exposure Plane	starts at:		25 ft		n/a	25 ft		n/a				
Perimeter/Street Wall (max.)			n/a		25 ft	n/a		21 ft				
Building Height (max.)	Basic		n/a		35 ft	n/a		35 ft				
	with Qualifying Ground Floor		n/a									
Street Wall (max.)			n/a							125 ft	n/a	
Dwelling Unit Factor	Detached/Semi-detached		4,750	2,850		1,900		2,900	625		710	1,000
	Other		n/a							870	n/a	
Parking												
General (min. % of DU)	for Group Parking Facilities		100%									
Reduced Requirements (min. % of DU)	IRHU—outside Transit Zone		n/a							50%	n/a	
	AIRS—outside Transit Zone		n/a							10%	n/a	
	IRHU/AIRS—inside Transit Zone		n/a							0%	n/a	
Waived Requirements	small number of spaces required		n/a									
	for single-family interior lots less than 25 ft wide		n/a								waived	n/a

Streetscape

All Districts

Street Tree (min.)	Shall be provided for every 25 ft of street frontage.
Planting (min.)	Different % of front yard has to be planted, depending on street frontage width:

Less than 20 ft	20%
20 - 34 ft	25%
35 - 59 ft	30%
60 ft or greater	50%

R1-2A, R2A, R3A, R3X

***Line Up Provision**	Front yard has to be at least as deep as adjacent front yard but need not exceed 20 ft in depth, except that in R1-2A Districts, need not exceed 25 ft in depth.

R4-R5 Districts

Use			R4	R4 Infill	R4-1	R4A	R4B	R5	R5 Infill	R5A	R5B	R5D
Single-family	Detached	Use Group 1	•	•	•	•	•	•	•	•	•	•
Single- and Two-family	Detached	Use Group 2	•	•	•	•	•	•	•	•	•	•
	Zero Lot Line				•		•				•	•
	Semi-detached		•	•	•		•	•	•		•	•
	Attached		•	•			•	•	•		•	•
Multi-family	All	Use Group 2	•	•				•	•		•	•
Community Facility		Use Groups 3, 4	•	•	•	•	•	•	•	•	•	•
Bulk												
Lot Area (min.)	Detached or Zero Lot Line		3,800 sf		2,375 sf	2,850 sf	2,375 sf	3,800 sf		2,850	2,375 sf	
	Other		1,700 sf			n/a	1,700 sf			n/a	1,700 sf	
Lot Width (min.)	Detached or Zero Lot Line		40 ft		25 ft	30 ft	25 ft	40 ft		30 ft	25 ft	
	Other		18 ft			n/a	18 ft			n/a	18 ft	
Front Yard (min.)			10 or 18 ft	18 ft	10 ft*		5 ft*	10 or 18 ft	18 ft	10 ft*	5 ft*	
Side Yards (min.) Interior or Through Lots	Detached or Zero Lot Line	Number	2		1	2	1	2		2	1	
		Each	5 ft		0 ft	2 ft	0 ft	5 ft		2 ft	0 ft	
		Total	13 ft		8 ft	10 ft	8 ft	13 ft		10 ft	8 ft	
	Semi-detached	Number	1		1		1	1			1	
		Each	8 ft		4 ft	n/a	4 ft	8 ft		n/a	4 ft	
		Total	8 ft		4 ft		4 ft	8 ft			4 ft	
	Multi-family	Number	2					2			0	
		Each	8 ft		n/a			8 ft		n/a	0 ft	
		Total	16 ft					16 ft			0 ft	
Rear Yard (min.)			30 ft									
Open Space Ratio			n/a									
Lot Coverage (max.)			45%	55%	n/a		55%		55%	n/a	55%	60%
Residential FAR	Basic		0.75	1.35	0.75		0.90	1.25	1.65	1.10	1.35	2.00
	with Attic Allowance		0.90	n/a	0.90		n/a					
Community Facility FAR			2.00									
Sky Exposure Plane	starts at:		n/a									
Perimeter/Street Wall (max.)			25 ft			21 ft	n/a	30 ft		25 ft	30 ft	n/a
Building Height (max.)	Basic		35 ft				24 ft	40 ft	33 ft	35 ft	33 ft	40 ft
	with Qualifying Ground Floor		n/a									45 ft
Street Wall (max.)			185 ft		n/a			185 ft		n/a		
Dwelling Unit Factor	Detached/Semi-detached		870	900	870	1,280	870	760	900	1,560	900	760
	Other											
Parking												
General (min. % of DU)	for Group Parking Facilities		100%	66%	100%			85%	66%	100%	66%	66%
Reduced Requirements (min. % of DU)	IRHU—outside Transit Zone		50%					42.5%		50%	42.5%	35%
	AIRS—outside Transit Zone		10%		n/a			10%		n/a	10%	
	IRHU/AIRS—inside Transit Zone		0%		n/a			0%		n/a	0%	
Waived Requirements	small number of spaces required		n/a				1	n/a			1	
	for single-family interior lots less than 25 ft wide		n/a		waived		n/a					

Streetscape		
All Districts		
Street Tree (min.)	Shall be provided for every 25 ft of street frontage.	
Planting (min.)	Different % of front yard has to be planted, depending on street frontage width:	
	Less than 20 ft	20%
	20 - 34 ft	25%
	35 - 59 ft	30%
	60 ft or greater	50%
R4-1, R4A, R5A		
***Line Up Provision**	Front yard has to be at least as deep as adjacent front yard but need not exceed 20 ft in depth.	
R4B, R5B, R5D		
***Line Up Provision**	Front yard has to be no deeper nor shallower as adjacent front yard but need not exceed 20 ft in depth.	

R6A

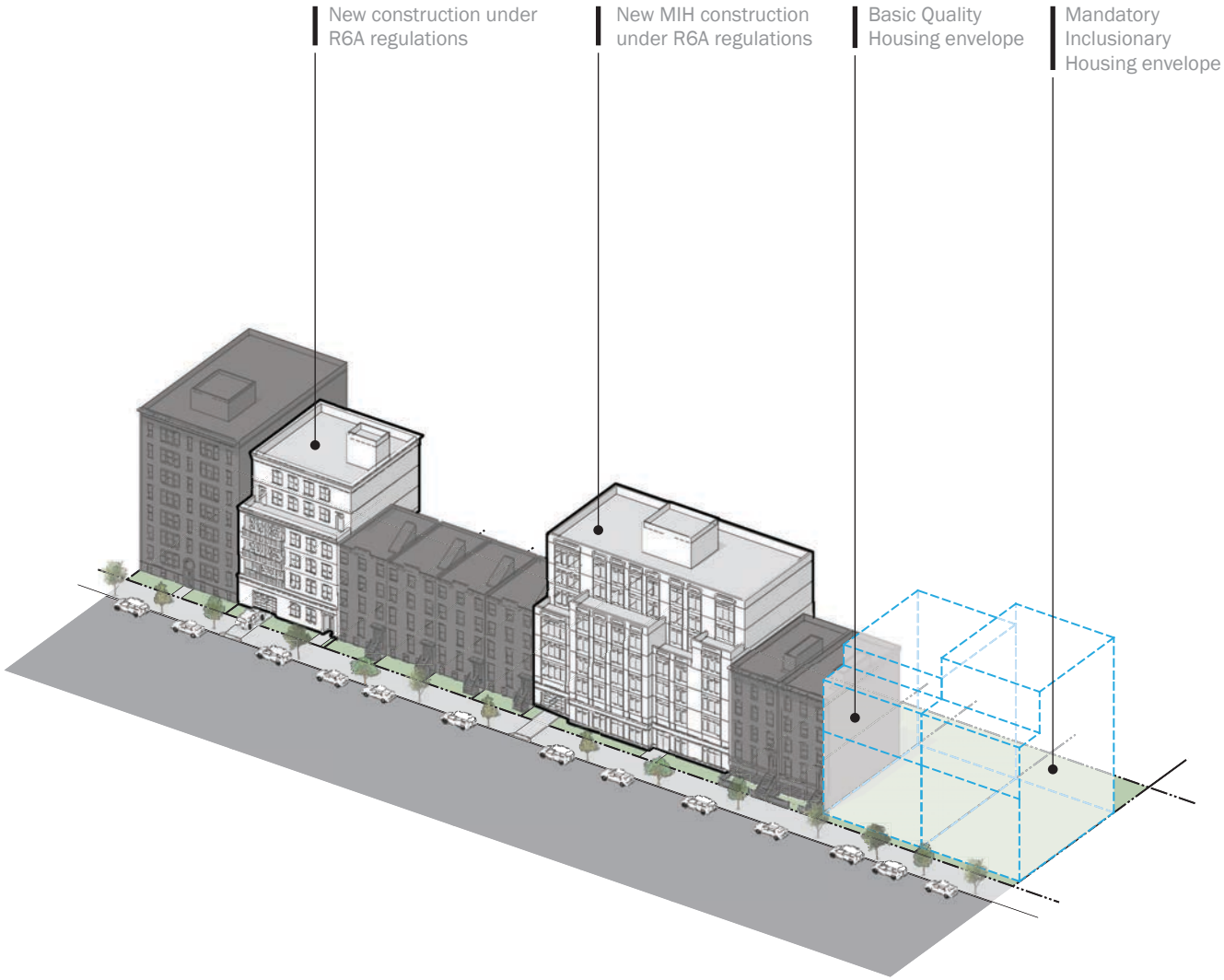
R6A ***contextual districts***, created in 1987, are medium density districts designed to produce ***Quality Housing buildings*** that are seven or eight ***stories*** tall. Several ***bulk*** regulations, including high ***lot coverage*** allowances, ***street wall*** location rules and maximum ***base height*** rules ensure the construction of ***buildings*** that either maintain or establish a scale similar to older buildings in medium density neighborhoods. These districts are often, but not exclusively, mapped along ***wide streets***. R6A Districts can be found in Spuyten Duyvil, Williamsbridge and Belmont, The Bronx; Williamsburg, Bedford-Stuyvesant, and Crown Heights, Brooklyn; around Sugar Hill, Manhattan; and in Jamaica, Queens.



Jamaica, Queens



Williamsburg, Brooklyn

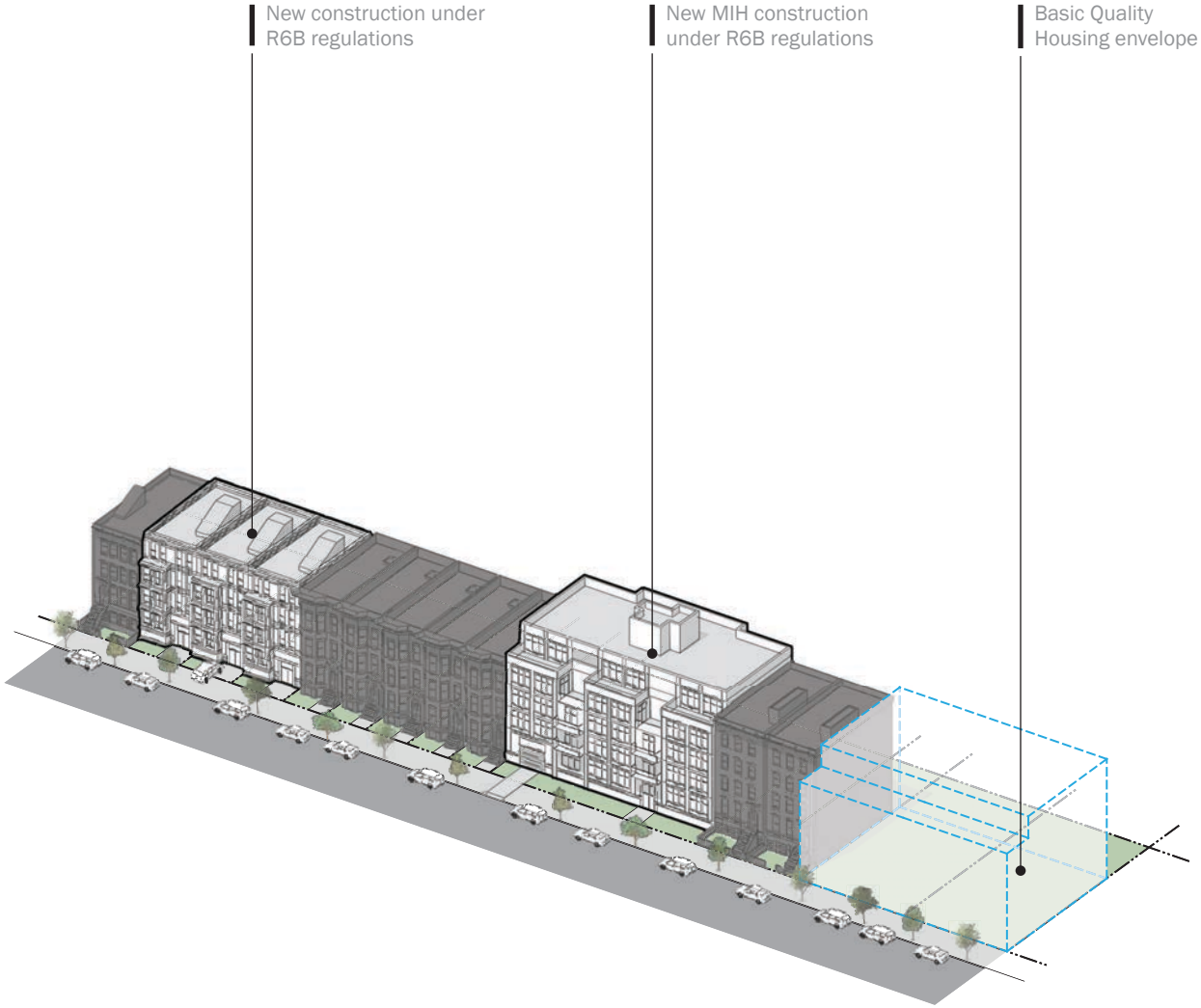


Medium Density Contextual Residence District

R6A	Lot Area	Lot Width	Rear Yard	Lot Coverage		FAR	Base Height	Building Height	# of Stories	DU Factor	Required Parking	
				Corner	Other Lot						Basic	IRHU
	min.	min.	min.	max.		max.	min.–max. (w/QGF)	max. (w/QGF)	max. (w/QGF)		min.	
Basic	1,700 sf	18 ft	30 ft	100%	65%	3.00	40–60 (65) ft	70 (75) ft	n/a (7)	680	50% of DU	25% of IRHU
Mandatory Inclusionary Housing						3.60	40–65 ft	80 (85) ft	8			

R6B

R6B ***contextual districts***, created in 1987, are medium density districts designed to reflect the character and scale of old rowhouse neighborhoods, particularly those Brooklyn neighborhoods lined with brownstone buildings. Any new buildings constructed must be ***Quality Housing*** buildings, and building heights generally range from four to five ***stories***. These districts are often, but not exclusively, mapped along ***narrow streets***. R6B Districts are mapped extensively in Park Slope and Prospect Heights, Brooklyn and can also be found in Fordham Manor and Norwood, The Bronx, as well as Astoria and North Corona, Queens.



Medium Density Contextual Residence District

R6B	Lot Area min.	Lot Width min.	Rear Yard min.	Lot Coverage max. Corner	Lot Coverage max. Other Lot	FAR max.	Base Height min.–max. (w/QGF)	Building Height max. (w/QGF)	# of Stories max. (w/QGF)	DU Factor	Required Parking min. Basic	Required Parking min. IRHU
Basic	1,700 sf	18 ft	30 ft	100%	60%	2.00	30–40 (45) ft	50 (55) ft	n/a (5)	680	50% of DU	25% of IRHU
Mandatory Inclusionary Housing						2.20						


Bedford Stuyvesant, Brooklyn


Long Island City, Queens

R7A

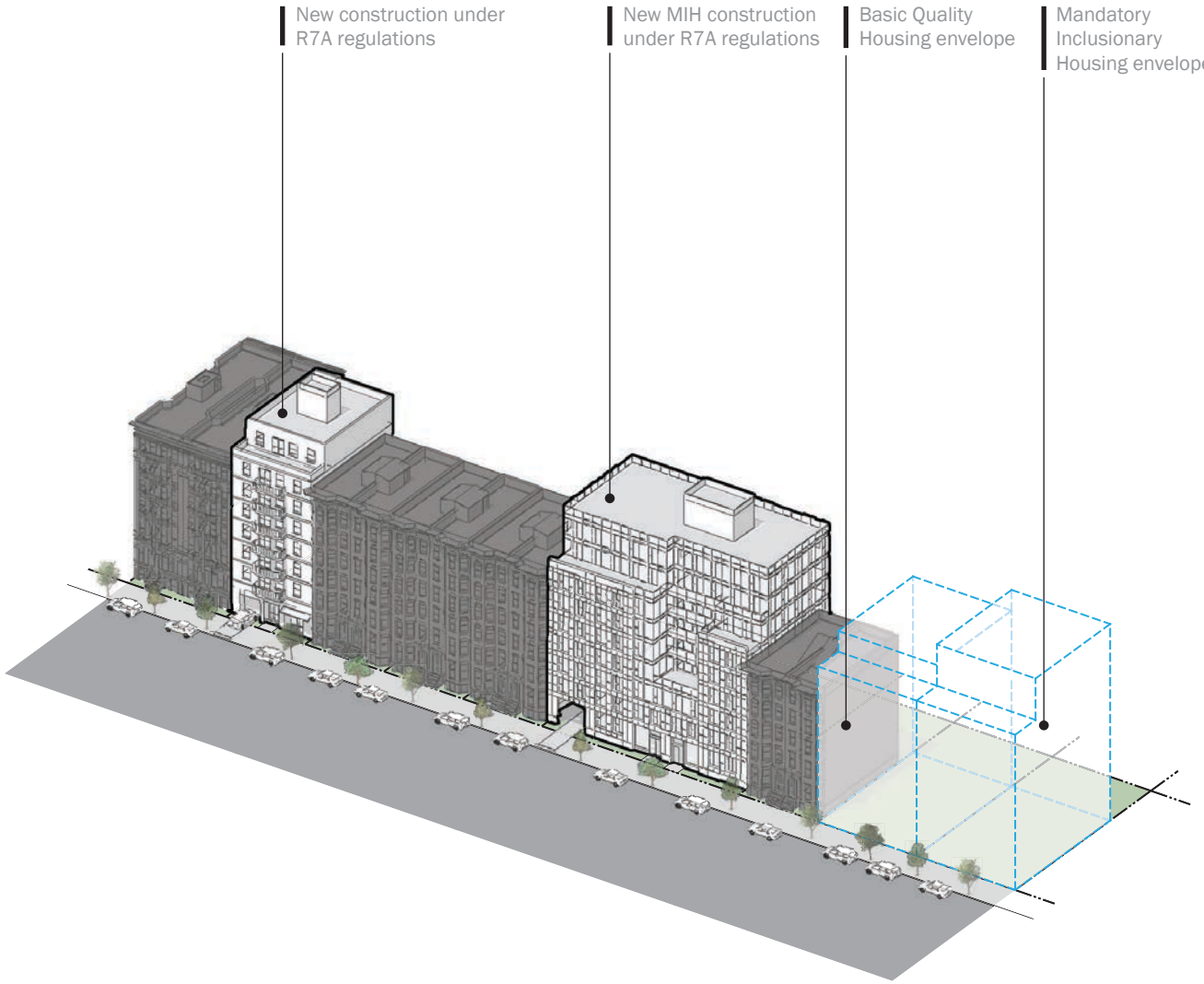
R7A ***contextual districts***, created in 1987, are medium density districts designed to produce ***Quality Housing buildings*** at a scale slightly larger and taller than in an R6A District — roughly eight to nine ***stories***. ***Bulk*** regulations ensure the construction of ***buildings*** that either maintain a medium density neighborhood scale, or create a new one. These districts are often, but not exclusively, mapped along ***wide streets***. They can be found in Riverdale, Bedford Park, and Williamsbridge, The Bronx; Prospect Heights, Ditmas Park, Kensington and Midwood, Brooklyn; East and West Harlem as well as the Lower East Side, Manhattan; and Sunnyside and Jamaica, Queens.



Riverdale, The Bronx

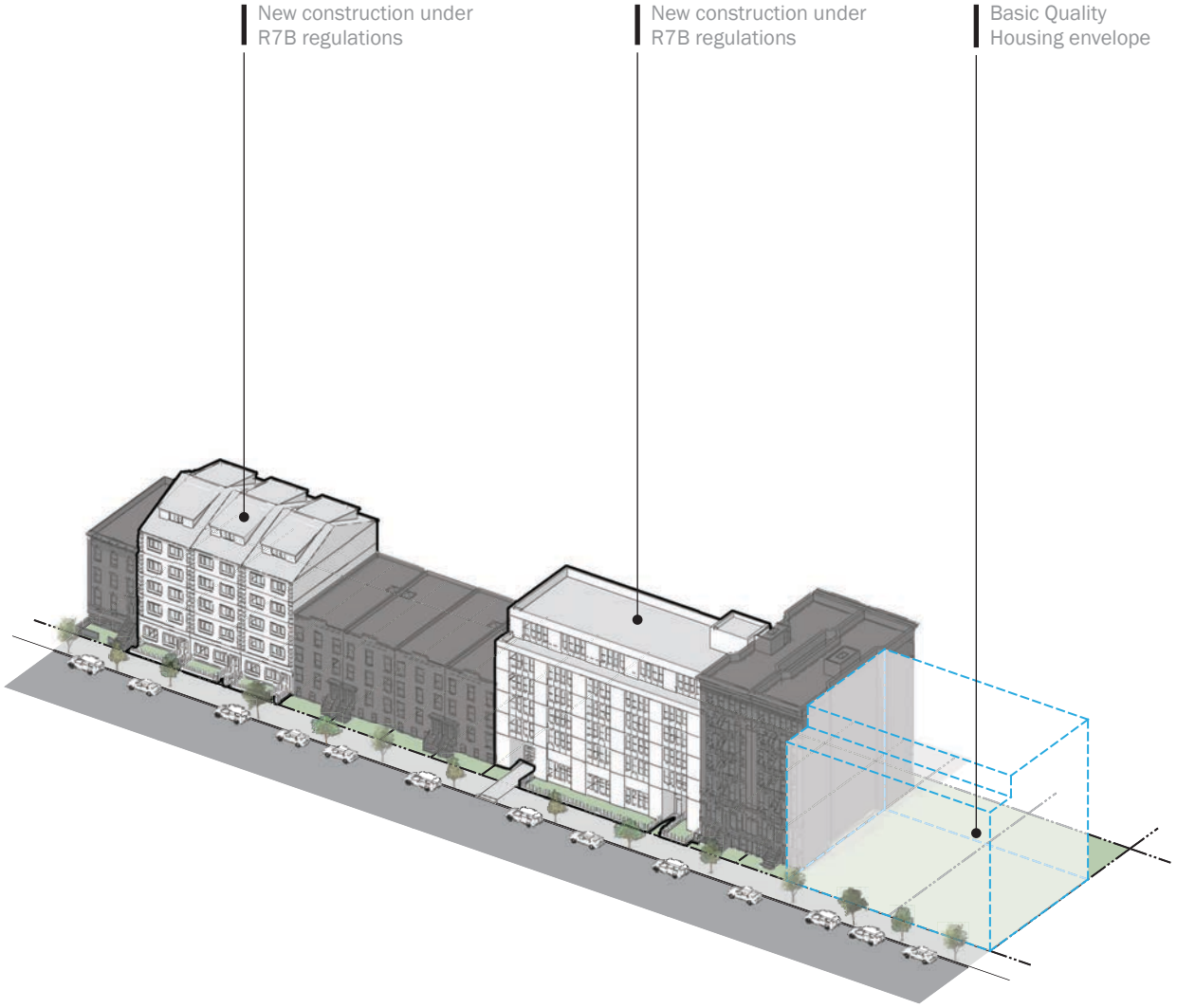


Harlem, Manhattan



Medium Density Contextual Residence District

R7A	Lot Area	Lot Width	Rear Yard	Lot Coverage		FAR	Base Height	Building Height	# of Stories	DU Factor	Required Parking	
				Corner	Other Lot						Basic	IRHU
	min.	min.	min.	max.		max.	min.–max. (w/QGF)	max. (w/QGF)	max. (w/QGF)		min.	
Basic	1,700 sf	18 ft	30 ft	100%	65%	4.00	40–65 (75) ft	80 (85) ft	n/a (8)	680	50% of DU	15% of IRHU
Mandatory Inclusionary Housing						4.60	40–75 ft	90 (95) ft	9			



Medium Density Contextual Residence District

R7B	Lot Area	Lot Width	Rear Yard	Lot Coverage		FAR	Base Height	Building Height	# of Stories	DU Factor	Required Parking	
				Corner	Other Lot						Basic	IRHU
	min.	min.	min.	max.		max.	min.–max.	max.	max.		min.	
Basic	1,700 sf	18 ft	30 ft	100%	65%	3.00	40–65 ft	75 ft	n/a	680	50% of DU	25% of IRHU

R7B

R7B ***contextual districts*** are medium density districts designed to reflect the character and scale of older neighborhoods with a slightly larger scale than R6B Districts. Any new ***buildings*** constructed must be ***Quality Housing buildings***, and heights are typically either six or seven ***stories***. The ***bulk*** rules ensure that buildings either preserve or establish a neighborhood form that is compatible with older, medium density buildings. These districts are often, but not exclusively, mapped along ***narrow streets***. R7B Districts were created in 1987, and can be found in Park Slope and Bay Ridge, Brooklyn; the East Village and Greenwich Village, Manhattan; and in Elmhurst, Queens.



Boerum Hill, Brooklyn



Lower East Side, Manhattan

R7D

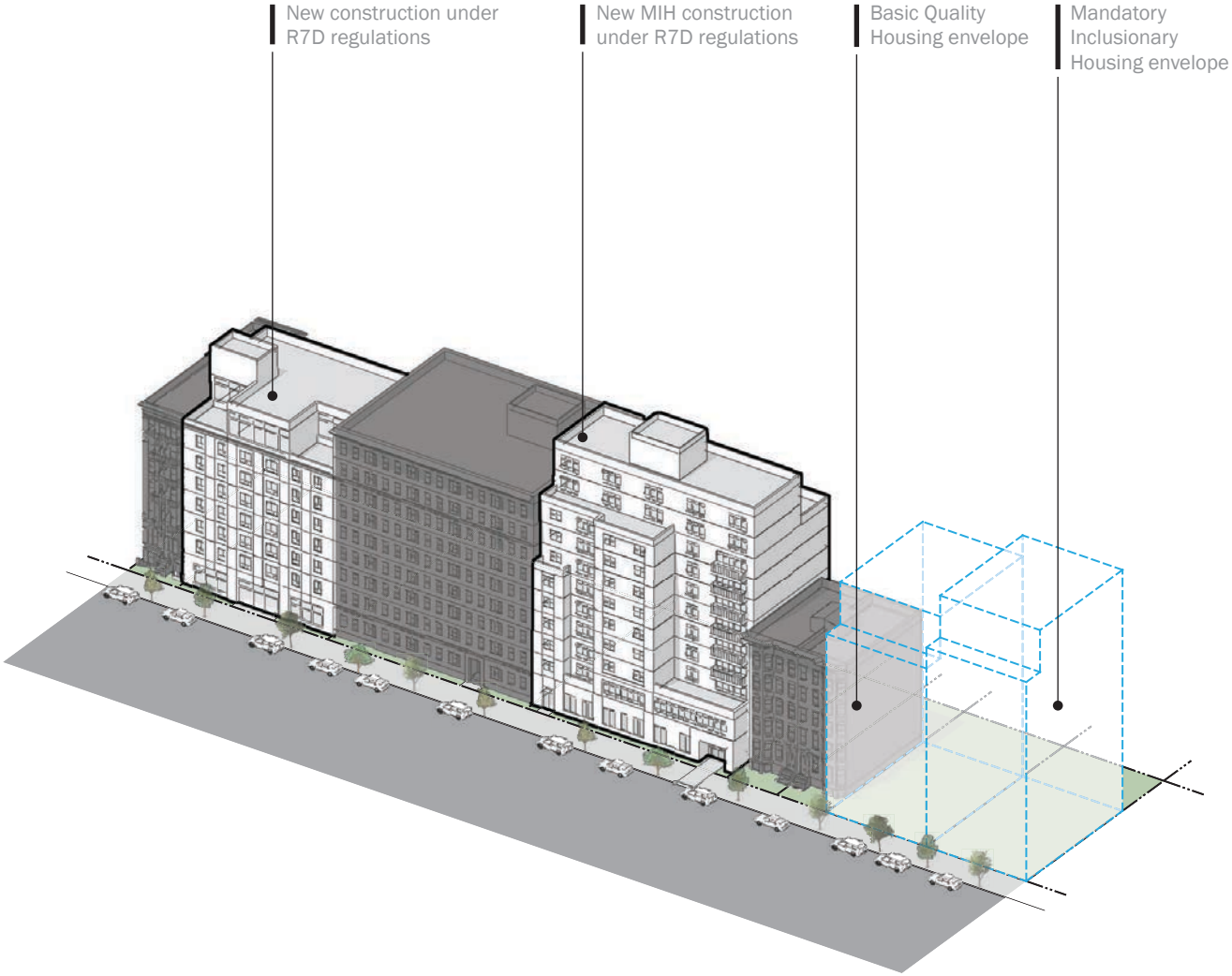
R7D ***contextual districts*** are medium density districts designed to produce ***Quality Housing*** buildings that are slightly larger than what an R7A District allows. Building heights in these districts typically range between 10 and 11 ***stories***. Contextual ***bulk*** regulations produce new ***buildings*** that will be similar in scale to older medium density buildings. These districts are often, but not exclusively, mapped along ***wide streets***. The R7D District was created in 2007 to be mapped in Bedford Stuyvesant. Since then, the district has been mapped in Norwood, The Bronx and Hamilton Heights, Manhattan.



Bedford Stuyvesant, Brooklyn

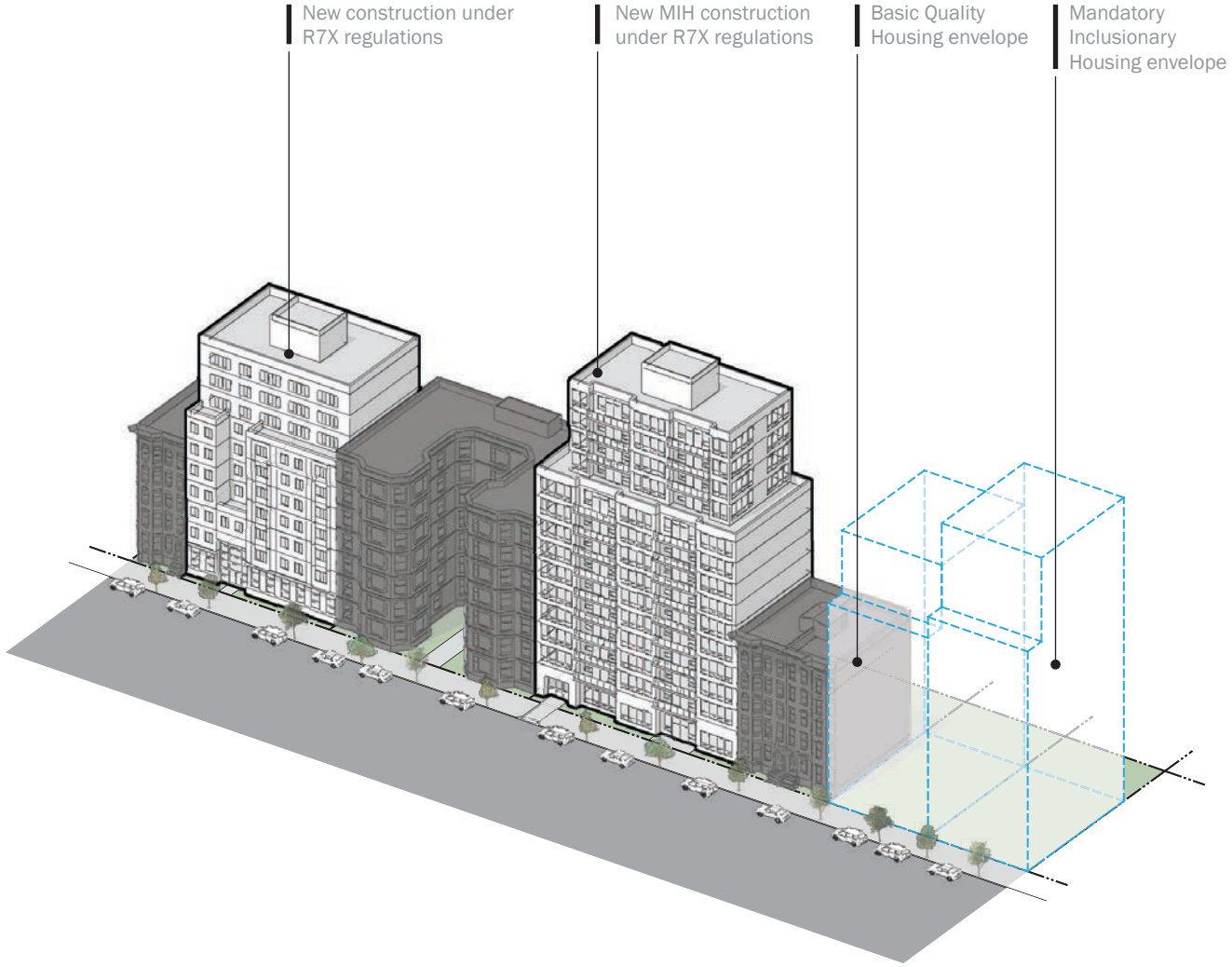


Bedford Stuyvesant, Brooklyn



Medium Density Contextual Residence District

R7D	Lot Area	Lot Width	Rear Yard	Lot Coverage		FAR	Base Height	Building Height	# of Stories	DU Factor	Required Parking	
				Corner	Other Lot						Basic	IRHU
	min.	min.	min.	max.		max.	min.–max.	max. (w/QGF)	max. (w/QGF)		min.	
Basic	1,700 sf	18 ft	30 ft	100%	65%	4.20	60–85 ft	100 (105) ft	n/a (10)	680	50% of DU	15% of IRHU
Mandatory Inclusionary Housing						5.60	60–95 ft	110 (115) ft	11			



R7X

R7X ***contextual districts***, created in 1987, are medium density districts designed to produce new ***Quality Housing buildings*** that are larger than what an R7A District allows, with much more flexibility in the ***building envelope***. These districts often result in building heights of between 12 and 14 ***stories***. ***Bulk*** regulations ensure the lower portions of the ***buildings*** are compatible with older medium density buildings, whether this scale is being newly established or preserved. These districts are often, but not exclusively, mapped along ***wide streets***. They can be found in Mott Haven, The Bronx; Williamsburg, Brooklyn; East Harlem, Manhattan; and in Woodside and Hunters Point, Queens.



Long Island City, Queens



Astoria, Queens

Medium Density Contextual Residence District

R7X	Lot Area	Lot Width	Rear Yard	Lot Coverage		FAR	Base Height	Building Height	# of Stories	DU Factor	Required Parking	
				Corner	Other Lot						Basic	IRHU
	min.	min.	min.	max.		max.	min.–max. (w/QGF)	max. (w/QGF)	max. (w/QGF)		min.	
Basic	1,700 sf	18 ft	30 ft	100%	70%	5.00	60–85 (95) ft	120 (125) ft	n/a (12)	680	50% of DU	15% of IRHU
Mandatory Inclusionary Housing						6.00	60–105 ft	140 (145) ft	14			

R8A

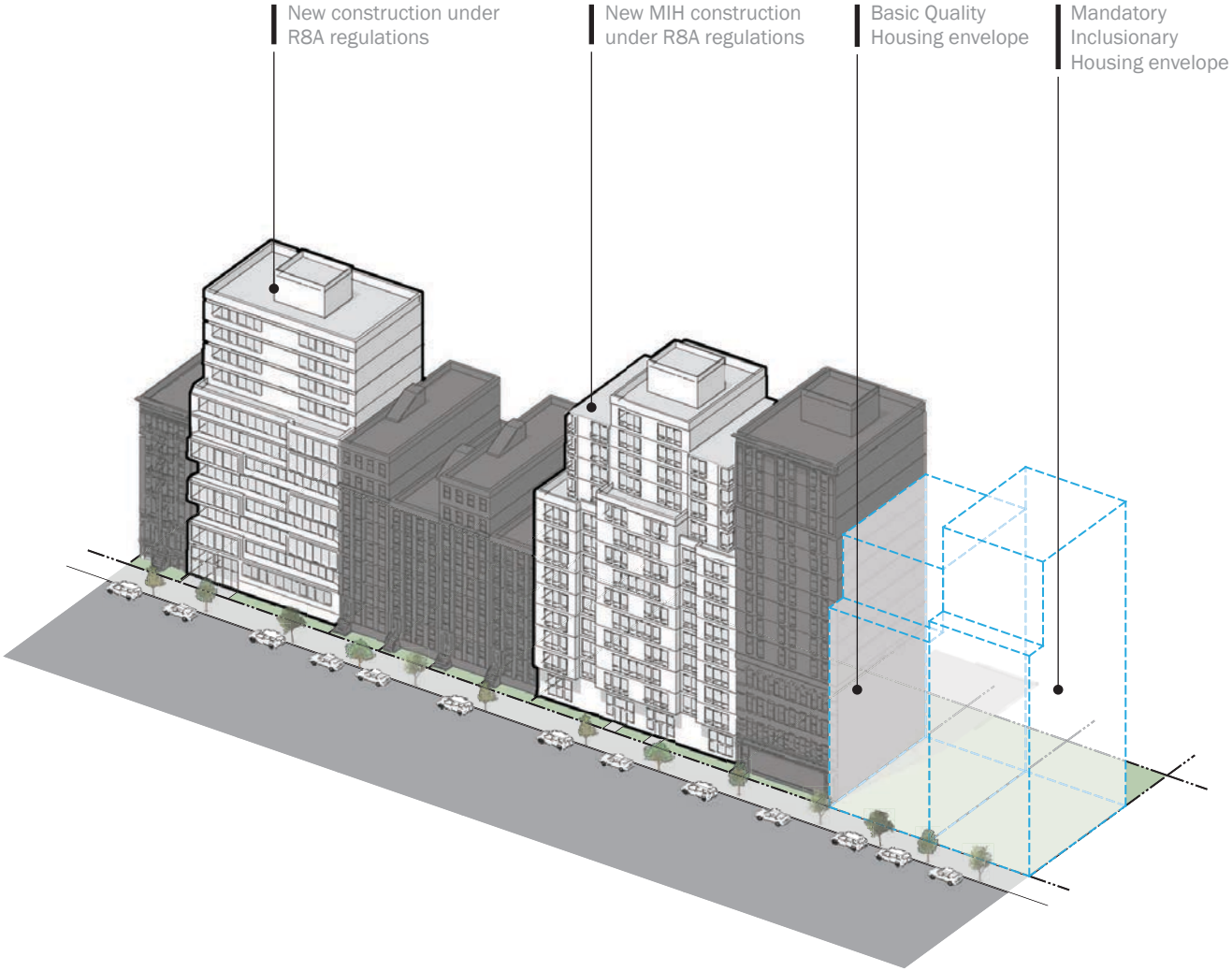
R8A ***contextual districts*** are high density districts designed to produce ***Quality Housing*** buildings, which, with heights of roughly 12 to 14 ***stories***, are higher than an R7A District, and with higher ***FAR*** than an R7X District allows. Contextual ***bulk*** regulations ensure that ***buildings*** will either preserve or establish a scale compatible with older, higher density buildings. These districts are often, but not exclusively, mapped along ***wide streets***. R8A Districts were created in 1984, and can be found in Mott Haven and the Lower Concourse, The Bronx; in DUMBO, along 4th Avenue in Park Slope and along Atlantic Avenue in East New York, Brooklyn; and in Harlem and the Lower East Side of Manhattan.



Harlem, Manhattan

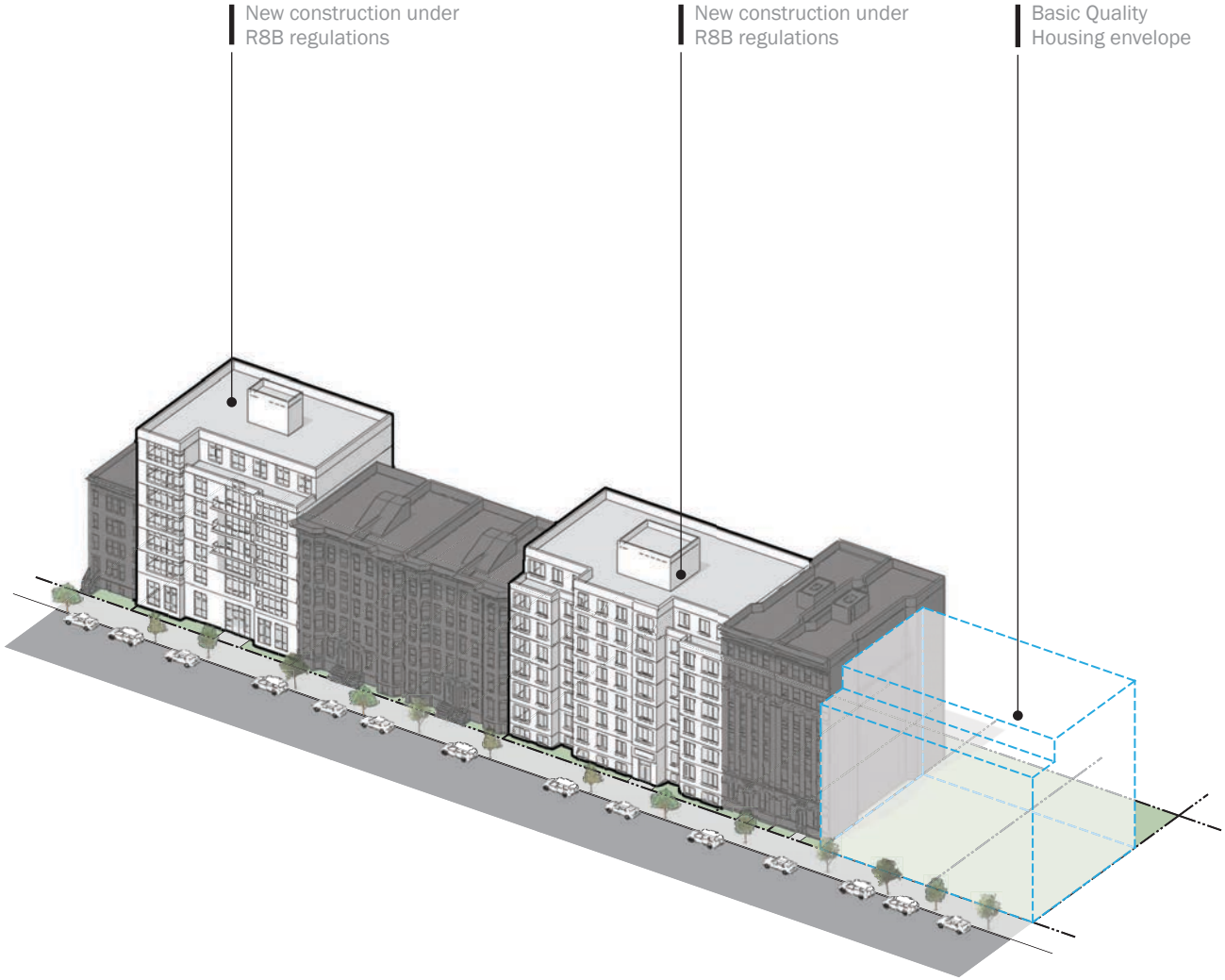


Lower East Side, Manhattan



Medium Density Contextual Residence District

R8A	Lot Area	Lot Width	Rear Yard	Lot Coverage		FAR	Base Height	Building Height	# of Stories	DU Factor	Required Parking	
				Corner	Other Lot						Basic	IRHU
	min.	min.	min.	max.		max.	min.–max. (w/QGF)	max. (w/QGF)	max. (w/QGF)		min.	
Basic	1,700 sf	18 ft	30 ft	100%	70%	6.02	60–85 (95) ft	120 (125) ft	n/a (12)	680	40% of DU	12% of IRHU
Mandatory Inclusionary Housing						7.20	60–105 ft	140 (145) ft	14			



R8B

R8B ***contextual districts***, created in 1984, are medium density districts designed to preserve the character and scale of older row-house neighborhoods. These districts allow the construction of buildings with heights of roughly six to seven ***stories***, with a slightly higher ***FAR*** than R7B Districts. Any new buildings constructed must be ***Quality Housing*** buildings. Contextual ***bulk*** controls produce ***buildings*** that either preserve or create a context similar to older, rowhouse and tenement buildings. These districts are often, but not exclusively, mapped along ***narrow streets*** and are found primarily on the midblocks of the Upper West Side, Upper East Side and Lower East Side of Manhattan.



Lower East Side, Manhattan



Upper West Side, Manhattan

Medium Density Contextual Residence District

R8B	Lot Area	Lot Width	Rear Yard	Lot Coverage		FAR	Base Height	Building Height	# of Stories	DU Factor	Required Parking	
				Corner	Other Lot						Basic	IRHU
	min.	min.	min.	max.		max.	min.–max.	max.	max.		min.	
Basic	1,700 sf	18 ft	30 ft	100%	70%	4.00	55–65 ft	75 ft	n/a	680	50% of DU	15% of IRHU

R8X

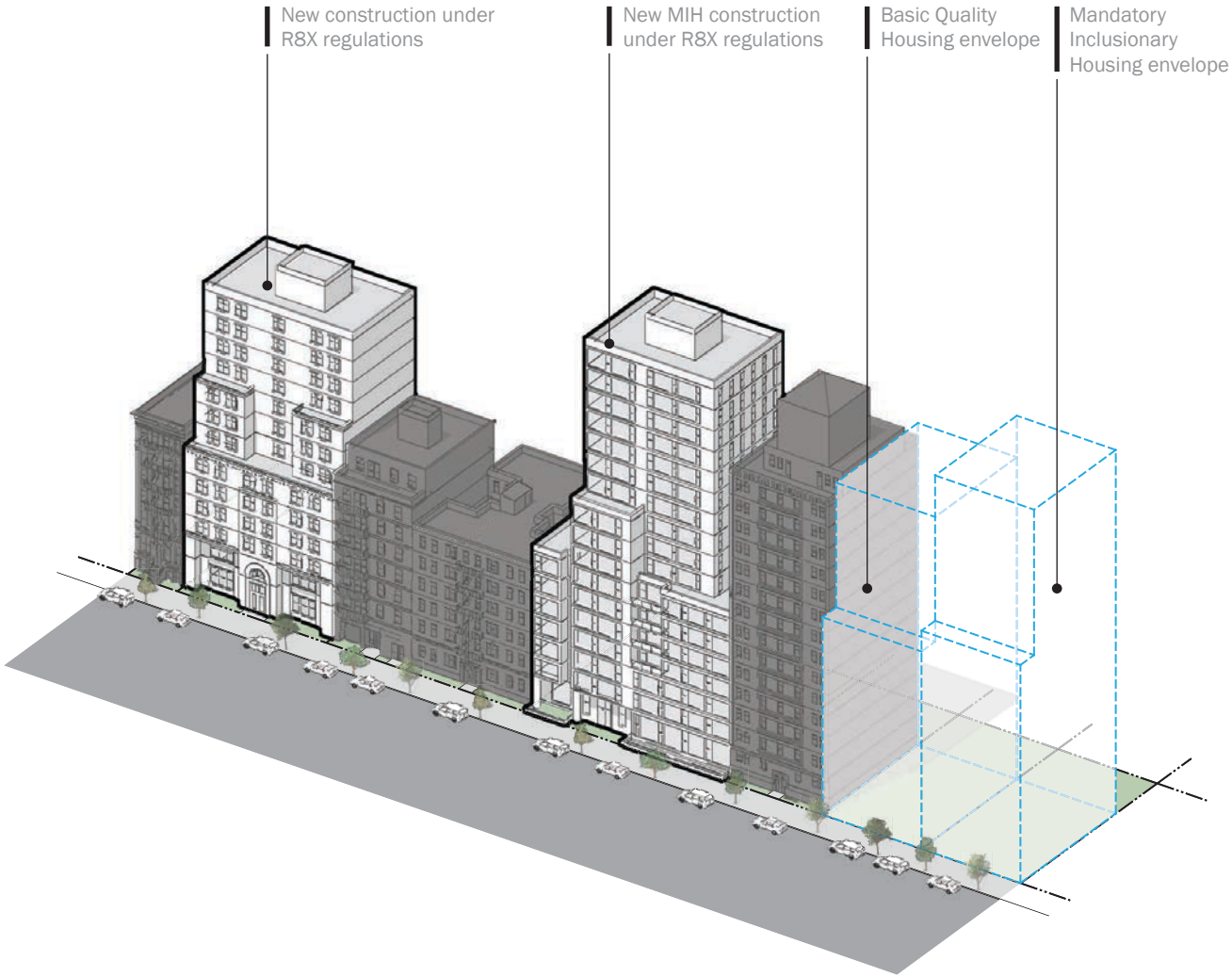
R8X ***contextual districts*** are high density districts designed to produce ***Quality Housing*** buildings, with the same ***FAR*** as an R8A District but with more flexibility in the ***building envelope***. These districts allow buildings with a height of between 15 and 17 ***stories***. Contextual ***bulk*** regulations ensure that the lower portions of the ***buildings*** are compatible with older medium density buildings, whether this scale is being newly established or preserved. These districts are often, but not exclusively, mapped along ***wide streets***. R8X Districts were created in 1987, at the same time many other medium density contextual districts were established. They are mapped in very few locations, but can be found in West Farms and around Grand Army Plaza in Brooklyn.



Prospect Heights, Brooklyn



Foxhurst, The Bronx

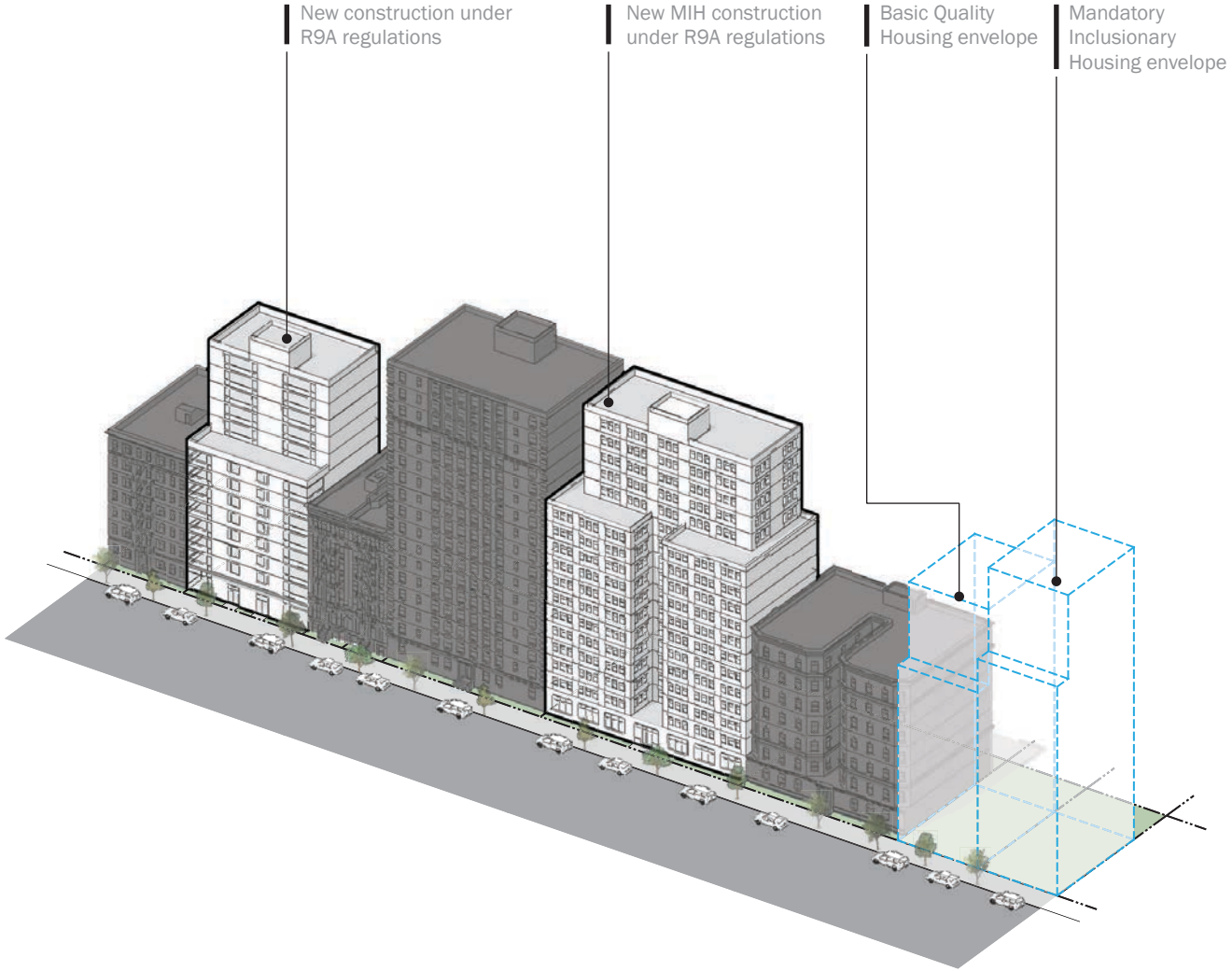


Medium Density Contextual Residence District

R8X	Lot Area	Lot Width	Rear Yard	Lot Coverage		FAR	Base Height	Building Height	# of Stories	DU Factor	Required Parking	
				Corner	Other Lot						Basic	IRHU
	min.	min.	min.	max.		max.	min.–max. (w/QGF)	max. (w/QGF)	max. (w/QGF)		min.	
Basic	1,700 sf	18 ft	30 ft	100%	70%	6.02	60–85 (95) ft	150 (155) ft	n/a (15)	680	40% of DU	12% of IRHU
Mandatory Inclusionary Housing						7.20	60–105 ft	170 (175) ft	17			

R9A

R9A ***contextual districts***, created in 1984, are high density districts designed to produce new ***Quality Housing buildings*** at a larger scale than an R8A District. Building heights range between 13 and 17 ***stories***. ***Bulk*** controls, ensure a building form that mimics older, ***buildings*** with high street walls in high density areas. These districts are often mapped along wide streets, but have different height limits for ***wide*** and ***narrow streets***. They are mapped in very few locations, but can be found along Broadway in the Upper West Side, and on Lexington Avenue near Gramercy Park and along Second Avenue, Manhattan.



High Density Contextual Residence District

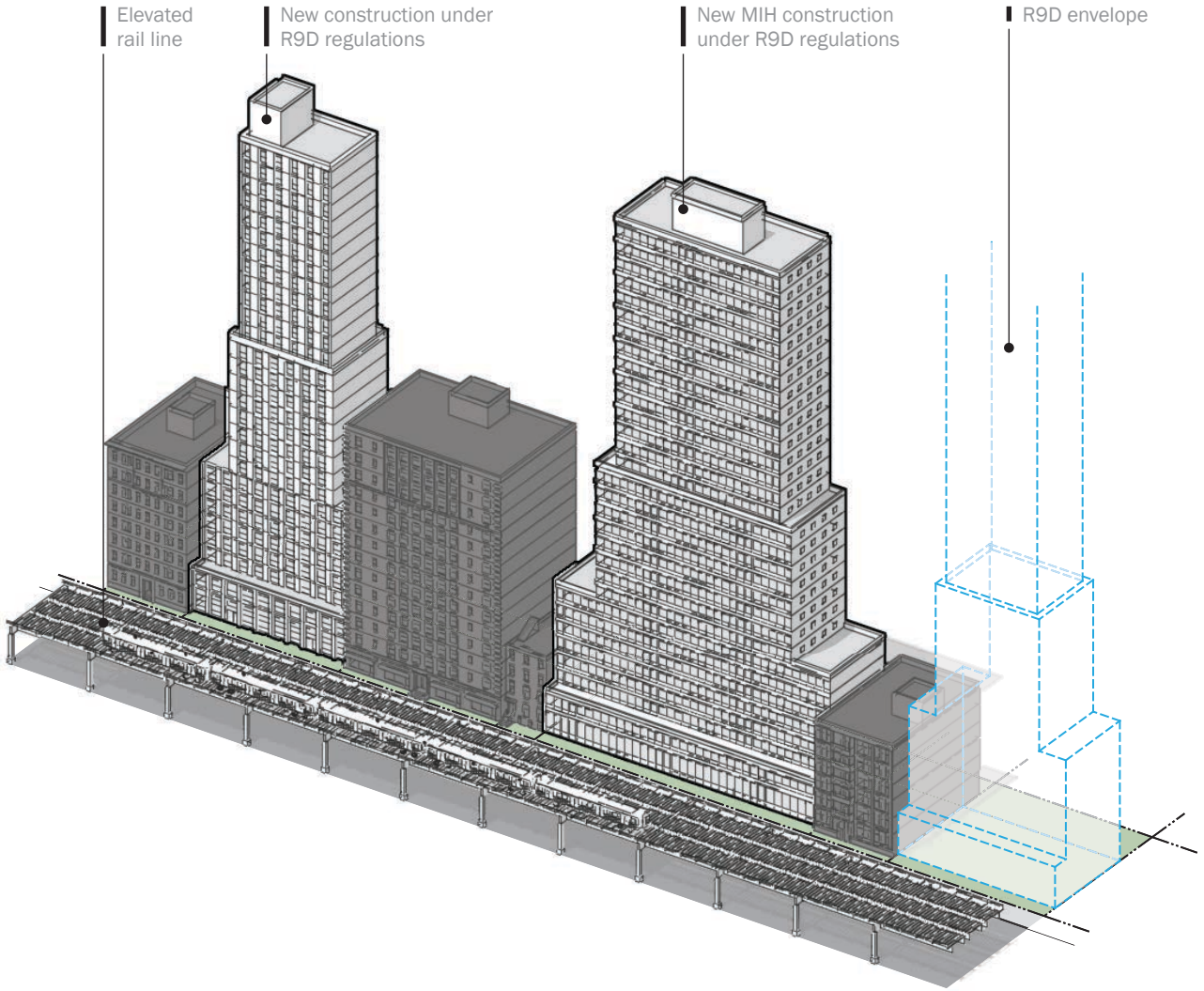
R9A		Lot Area min.	Lot Width min.	Rear Yard min.	Lot Coverage max. Corner	Lot Coverage max. Other Lot	FAR max.	Base Height min.–max.	Building Height max. (w/QGF)	# of Stories max. (w/QGF)	DU Factor	Required Parking min. Basic	Required Parking min. IRHU
Basic	Narrow Street	1,700 sf	18 ft	30 ft	100%	70%	7.52	60–95 ft	135 ft	n/a	680	40% of DU	12% of IRHU
	Wide Street							60–105 ft	145 ft				
Mandatory Inclusionary Housing	Narrow Street						8.50	60–125 ft	160 (165) ft	16			
	Wide Street								170 (175) ft	17			



Tribeca, Manhattan

R9D

R9D ***contextual districts*** are high density districts designed to produce ***Quality Housing*** buildings with more flexibility than would be found in an R9X District. These districts permit a ***tower*** that sits on a low contextual base. Modified ***bulk*** regulations were created so that this district could be mapped along elevated rail lines, while along other frontages the bulk controls ensure that the base of these ***buildings*** are compatible with older buildings, such as tenements, in high density areas. R9D Districts were created in 2009, at the same time as C6-3D Districts, their high density contextual Commercial District equivalent. R9D Districts are not yet mapped in any locations, but a C6-3D District is mapped along River Avenue near Yankee Stadium in The Bronx.

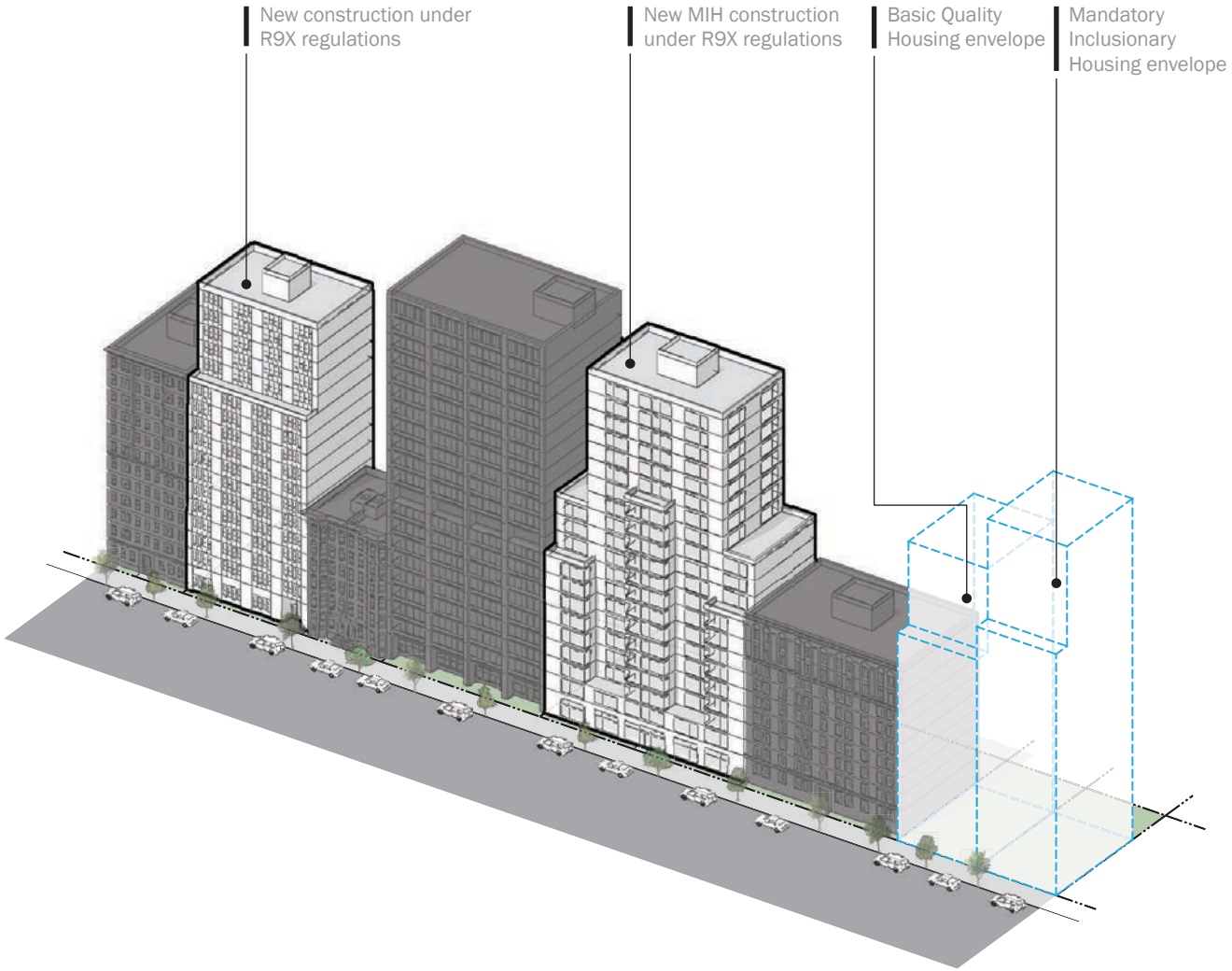




River Avenue, The Bronx

High Density Contextual Tower Residence District

R9D	Lot Area	Lot Width	Rear Yard	Lot Coverage		FAR	Base Height	Building Height	# of Stories	DU Factor	Required Parking	
				Corner	Other Lot						Basic	IRHU
	min.	min.	min.	max.		max.	min.–max.	max. (w/QGF)	max. (w/QGF)		min.	
Basic	1,700 sf	18 ft	30 ft	100%	70%	9.00	0-25 ft (60-85 ft not facing elevated rail)	n/a	n/a	680	40% of DU	12% of DU
Mandatory Inclusionary Housing						10.00						



R9X

R9X ***contextual districts***, created in 1984, are high density districts designed to produce new ***Quality Housing buildings*** at a larger scale than an R9A District. Accordingly, building heights range between 16 and 20 ***stories***. The district ***bulk*** rules produce ***buildings*** that are compatible with older buildings with high ***street walls***. These districts have separate heights for both ***wide*** and ***narrow streets***. They are mapped in very few locations, but can be found along Lexington Avenue in the Upper East Side of Manhattan.

High Density Contextual Residence District

R9X		Lot Area	Lot Width	Rear Yard	Lot Coverage		FAR	Base Height	Building Height	# of Stories	DU Factor	Required Parking	
					Corner	Other Lot						Basic	IRHU
		min.	min.	min.	max.		max.	min.–max. (w/QGF)	max. (w/QGF)	max. (w/QGF)		min.	
Basic	Narrow Street	1,700 sf	18 ft	30 ft	100%	70%	9.00	60–120 (125) ft	160 (165) ft	n/a (16)	680	40% of DU	12% of IRHU
	Wide Street							105–120 (125) ft	170 (175) ft	n/a (17)			
Mandatory Inclusionary Housing	Narrow Street						9.70	60–145 ft	190 (195) ft	19			
	Wide Street							105–145 ft	200 (205) ft	20			



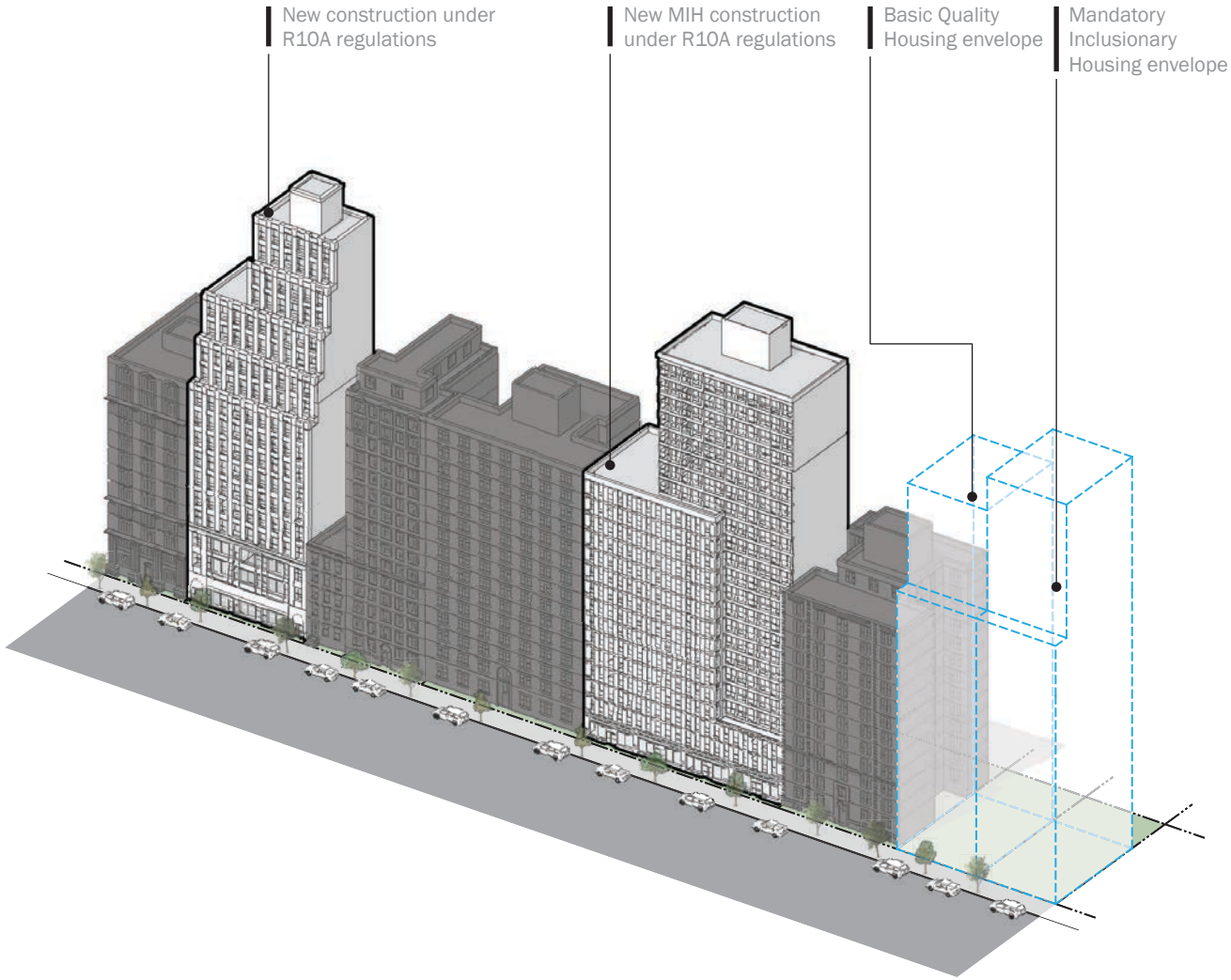
Upper East Side, Manhattan

R10A

R10A ***contextual districts***, created in 1984, are high density districts designed to produce ***Quality Housing buildings*** that are larger than what is allowed in an R9A or R9X District — between 21 and 23 ***stories*** when mapped along avenues. Contextual ***bulk*** controls produce ***buildings*** that are compatible with older, high ***street wall*** buildings. These districts are often mapped along ***wide streets***, but have different maximum heights allowed for wide and ***narrow streets***. They are mapped in very few locations, but can be found along avenues in the Upper West Side and Upper East Side of Manhattan.

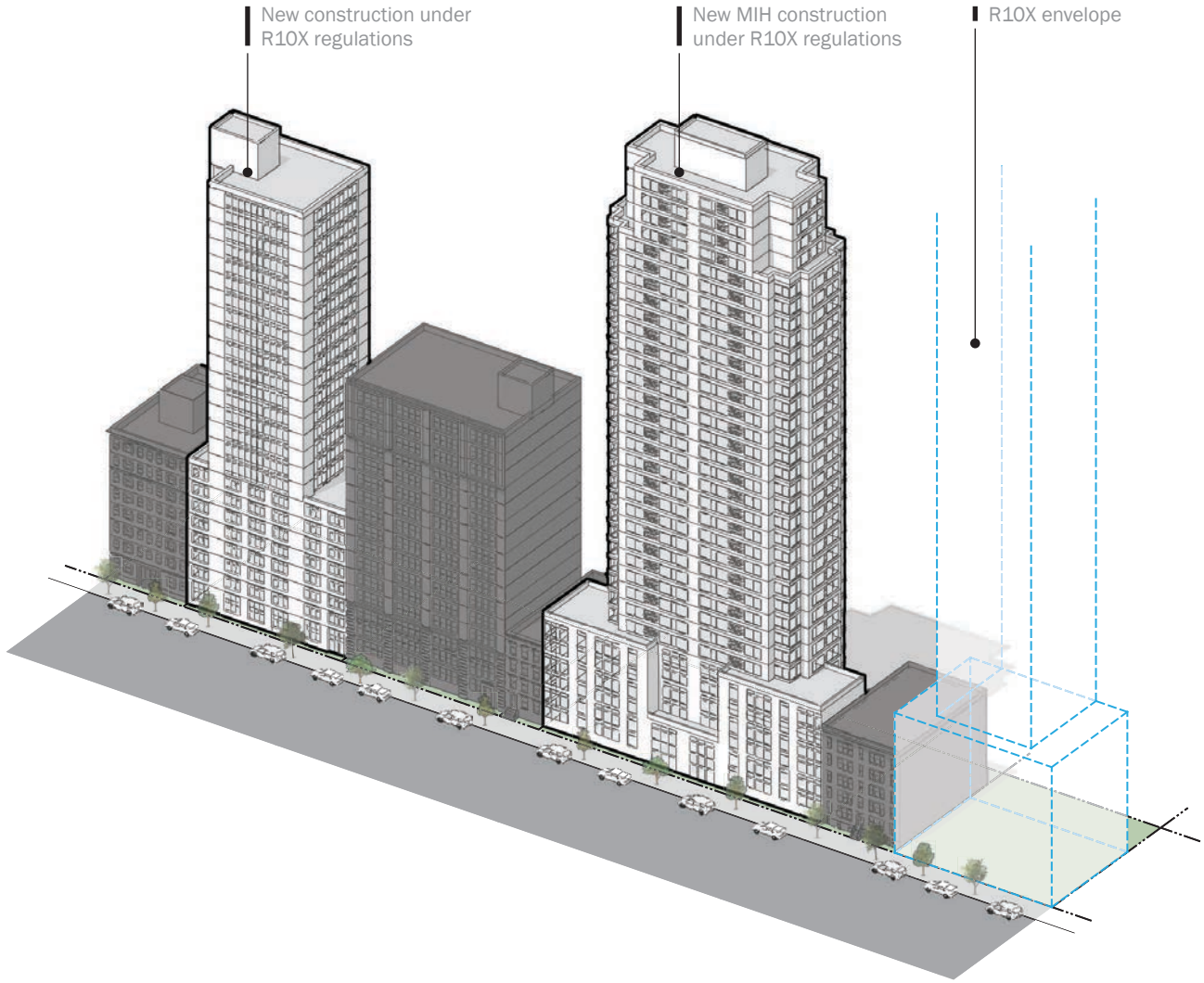


Upper West Side, Manhattan



High Density Contextual Residence District

R10A		Lot Area min.	Lot Width min.	Rear Yard min.	Lot Coverage max. Corner	Lot Coverage max. Other Lot	FAR max.	Base Height min.–max. (w/QGF)	Building Height max. (w/QGF)	# of Stories max. (w/QGF)	DU Factor	Required Parking min. Basic	Required Parking min. IRHU
Basic	Narrow Street	1,700 sf	18 ft	30 ft	100%	70%	10.00	60–125 ft	185 ft	n/a	680	40% of DU	12% of IRHU
	Wide Street							125–150 (155) ft	210 (215) ft	n/a (21)			
Mandatory Inclusionary Housing	Narrow Street						12.00	60–155 ft	210 (215) ft	21			
	Wide Street							125–155 ft	230 (235) ft	23			



R10X

R10X ***contextual districts*** are high density districts designed to produce ***Quality Housing*** buildings with more flexibility than would be found in an R10A District. These districts permit a ***tower*** that sits on a roughly six- to eight-story contextual base. ***Street wall*** location and maximum ***base height*** rules ensure ***buildings*** where the lower portions of the building are compatible with older buildings, such as tenements, in high density areas. R10X Districts were created in 1994, at the same time as its Commercial District equivalent, C6-4X Districts. R10X Districts are not yet mapped in any locations, but a C6-4X District is mapped along Sixth Avenue near Madison Square Park.

High Density Contextual Tower Residence District

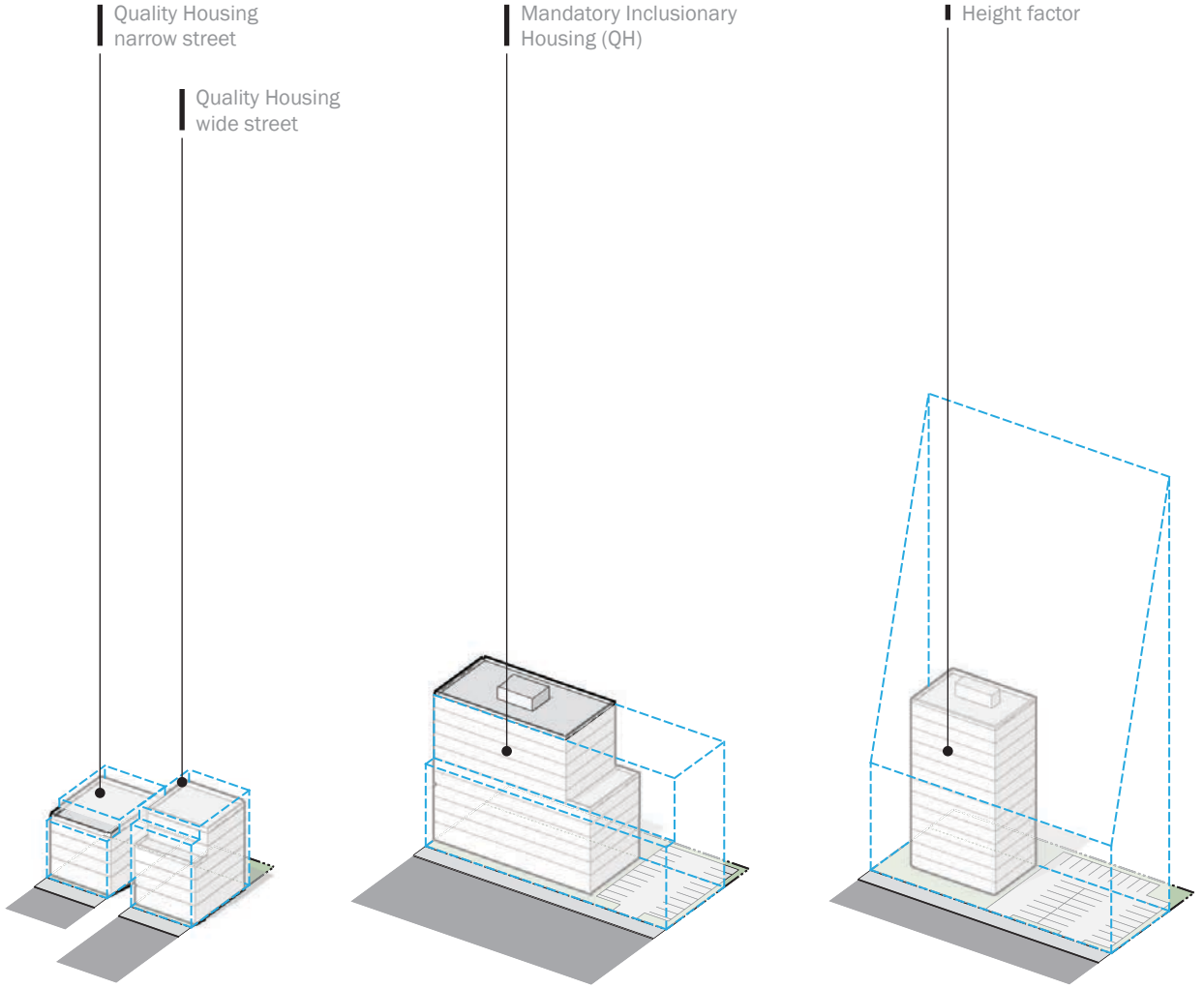
R10X	Lot Area	Lot Width	Rear Yard	Lot Coverage		FAR	Base Height	Building Height	Tower Lot Coverage	DU Factor	Required Parking	
				Corner	Other Lot						Basic	IRHU
	min.	min.	min.	max.		max.	min.–max.	max.	min.–max.		min.	
Basic	1,700 sf	18 ft	30 ft	100%	70%	10.00	60–85 ft	n/a	33–40%	680	40% of DU	12% of IRHU
Mandatory Inclusionary Housing						12.00						



Chelsea, Manhattan

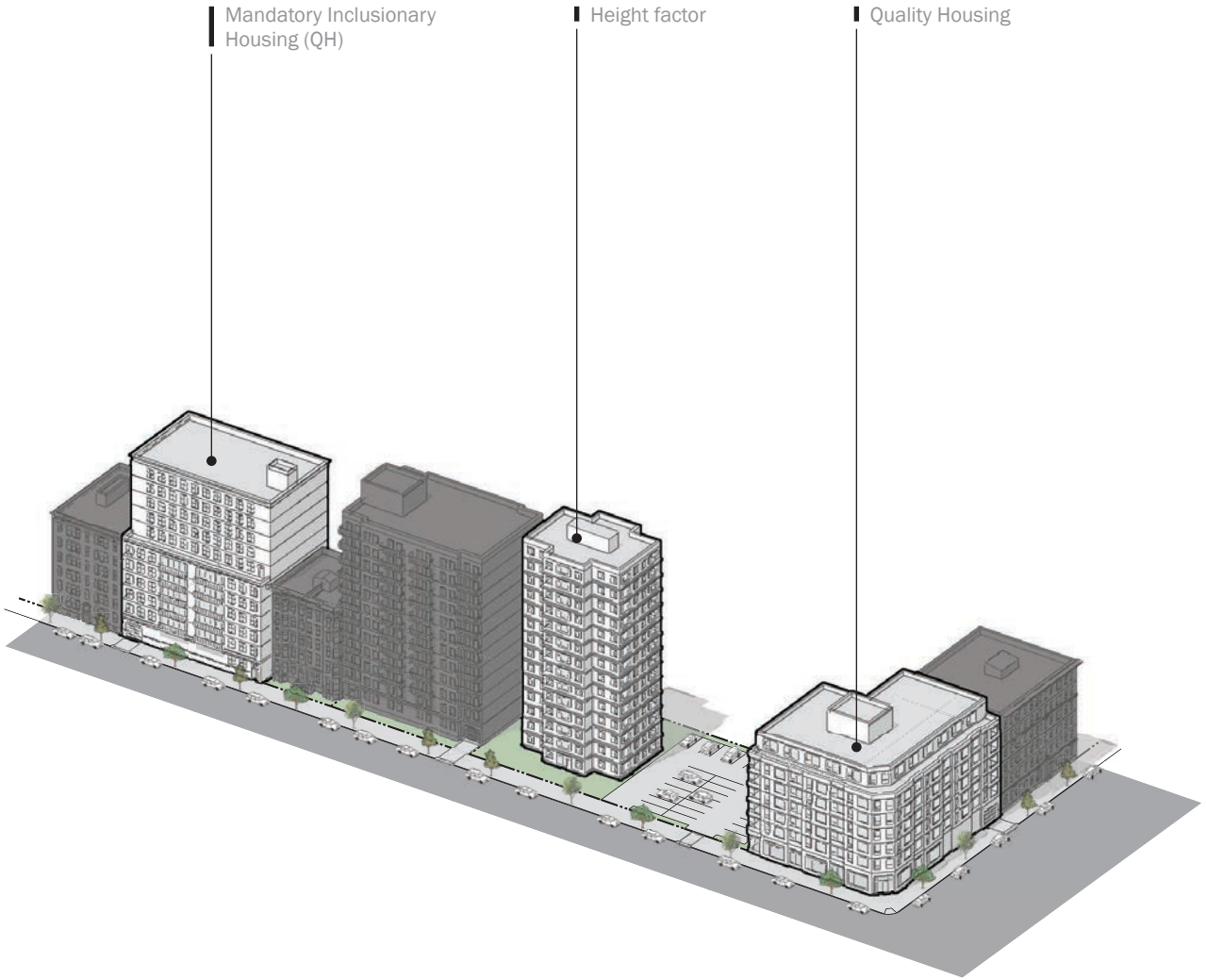
R6

R6 ***non-contextual districts*** are widely mapped in medium density areas of the city and cover a wide range of ***building*** types. In these districts, there are two sets of ***bulk*** regulations to choose from: the ***height factor*** regulations, original to the 1961 Resolution, and the ***Quality Housing*** regulations that were introduced in 1987. R6 Districts often encompass many ***blocks***, and thus have ***wide*** and ***narrow street*** rules for each set of regulations. The distribution of R6 Districts has shrunk over time, as contextual districts have been mapped in their place. R6 Districts remain in Mott Haven, Morrisania and University Heights, The Bronx; Williamsburg, Crown Heights, Brownsville and Borough Park, Brooklyn; Greenwich Village, Manhattan; and Astoria and Flushing, Queens.



Medium Density Non-contextual Residence District

R6		FAR (max.)	Open Space Ratio (range)	Sky Exposure Plane	DU Factor	Required Parking (min.) Basic	Required Parking (min.) IRHU
Height Factor	Basic	0.78-2.43	27.50-37.50	Starts at 60 ft	680	70% of DU	25% of IRHU



Medium Density Non-contextual Residence District

R6 QH		Lot Area	Lot Width	Rear Yard	Lot Coverage		FAR	Base Height	Building Height	# of Stories	DU Factor	Required Parking	
					Corner	Other Lot						Basic	IRHU
		min.	min.	min.	max.		max.	min.–max.	max. (w/QGF)	max. (w/QGF)		min.	
Basic	Narrow Street	1,700 sf	18 ft	30 ft	100%	60%	2.20	30-45 ft	55 ft	n/a	680	50% of DU	25% of IRHU
	Wide Street					65%	3.00	40-65 ft	70 (75) ft	n/a (7)			
Mandatory Inclusionary Housing	Narrow Street					60%	2.42	40-65 ft	115 ft	11			
	Wide Street						3.60						



Franklin Ave, The Bronx



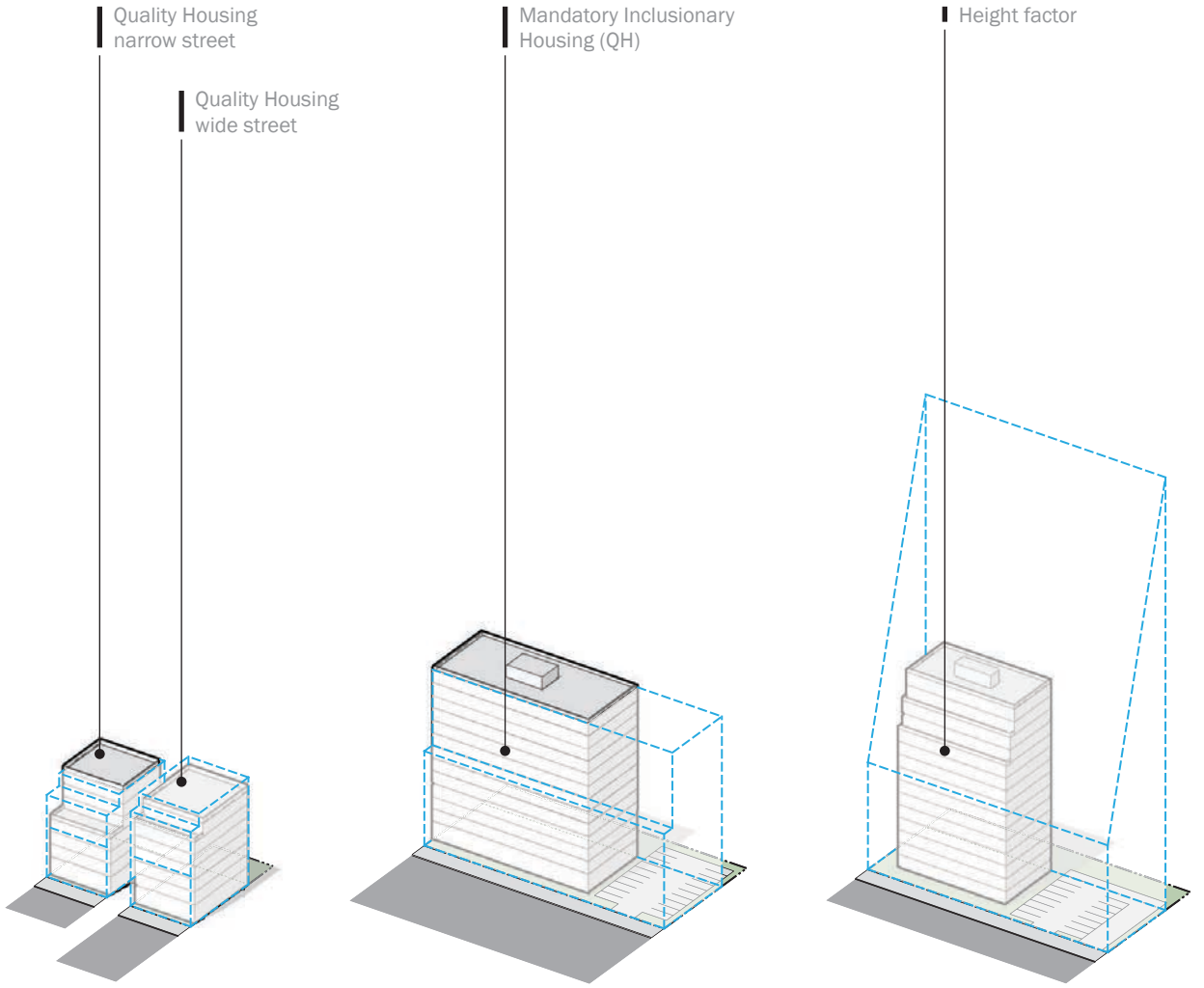
Kingsbridge, The Bronx



Kingsbridge, The Bronx

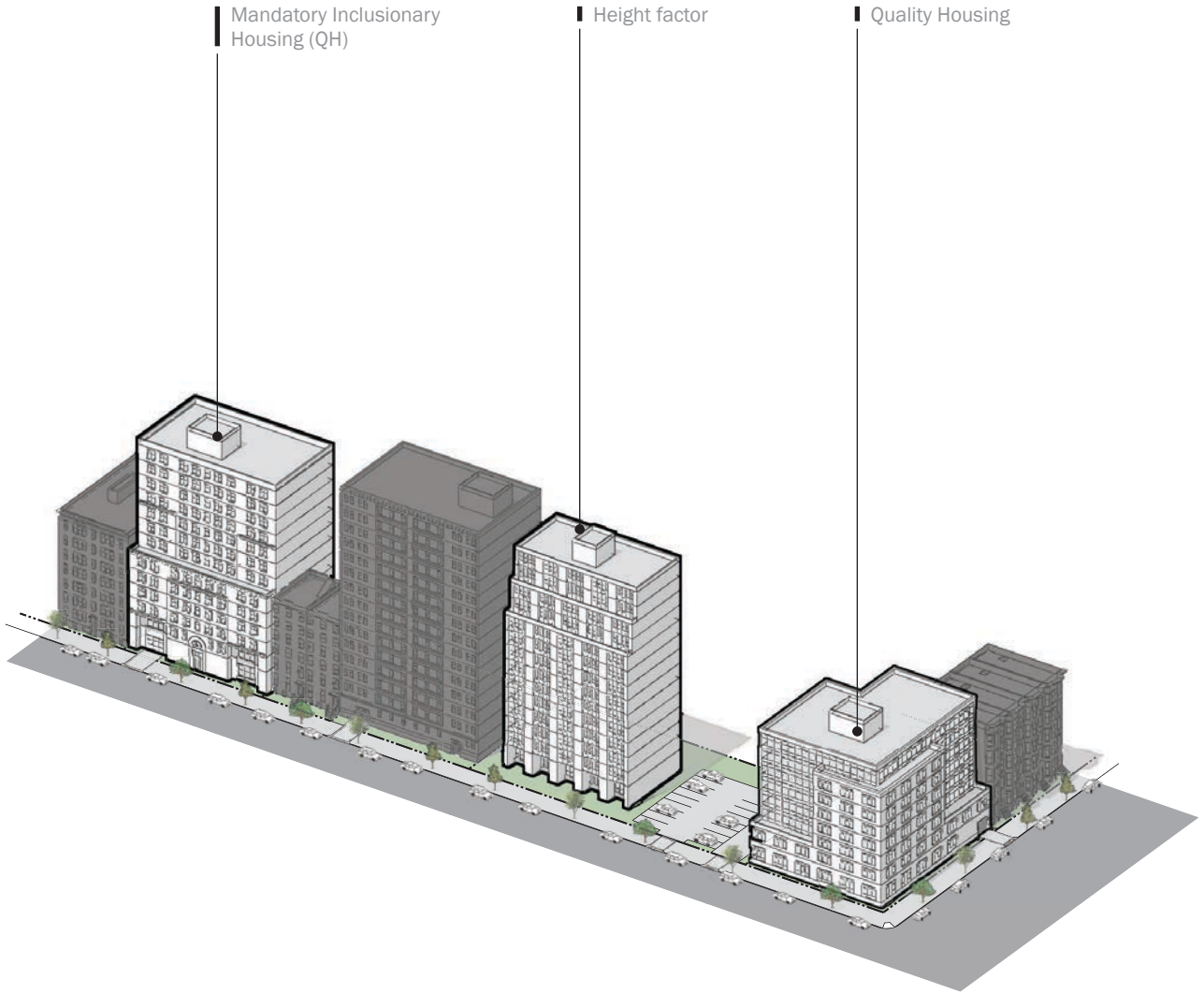
R7

R7 ***non-contextual districts***, which encompass both R7-1 and R7-2 Districts, are widely mapped in medium density areas of the city across a wide range of building types. While R7-1 and R7-2 Districts are very similar, R7-2 Districts have lower parking requirements and provide higher ***community facility floor area***. In both districts there are two sets of ***bulk*** regulations to choose from: the ***height factor*** regulations original to the 1961 Resolution, and ***Quality Housing*** regulations that were introduced in 1987. R7 Districts often encompass many ***blocks***, and thus have ***wide*** and ***narrow street*** rules for each set of regulations. Since the establishment of contextual districts, the amount of the city mapped as R7 Districts has been greatly reduced. R7-1 Districts remain in many parts of the South Bronx, including Highbridge, Morris Heights, Morrisania, and Longwood, The Bronx, but can also be found in Prospect Lefferts Gardens, Brooklyn as well as Jackson Heights and Rego Park, Queens. However, R7-2 Districts can be found primarily in Manhattan, including Inwood, Washington Heights, Harlem, Two Bridges, Stuyvesant Town and the waterfront areas of the Lower East Side.



Medium Density Non-contextual Residence District

R7		FAR (max.)	Open Space Ratio (range)	Sky Exposure Plane	DU Factor	Required Parking (min.) Basic		Required Parking (min.) IRHU
Height Factor	Basic	0.87-3.44	15.5-25.5	Starts at 60 ft	680	60% R7-1	50% R7-2	15% of IRHU





Harlem, Manhattan



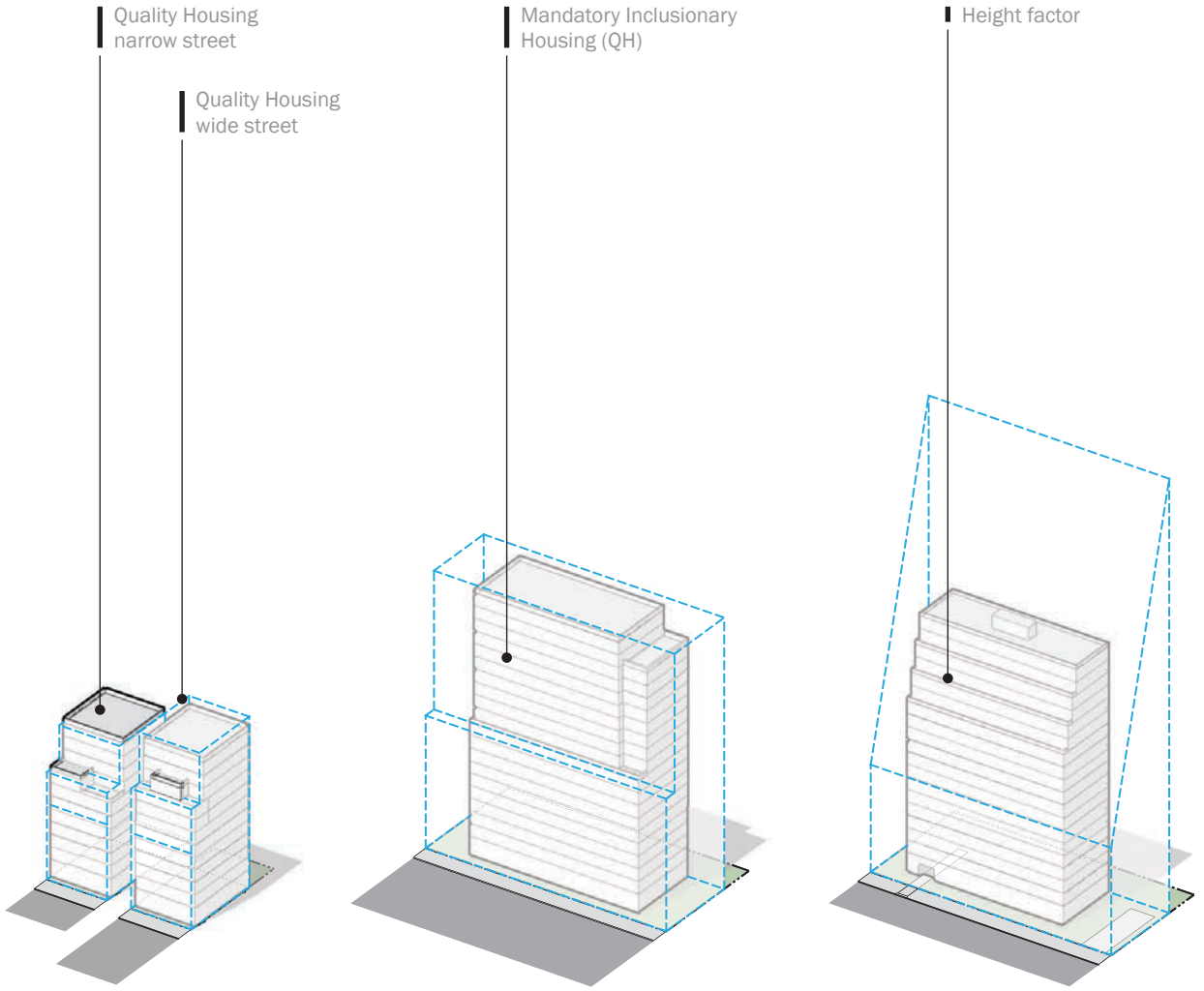
Roosevelt Island, Manhattan

Medium Density Non-contextual Residence District

R7 QH		Lot Area	Lot Width	Rear Yard	Lot Coverage		FAR	Base Height	Building Height	# of Stories	DU Factor	Required Parking	
					Corner	Other Lot						Basic	IRHU
		min.	min.	min.	max.		max.	min.–max.	max. (w/QGF)	max. (w/QGF)		min.	
Basic	Narrow Street	1,700 sf	18 ft	30 ft	100%	65%	3.44	40-65 ft	75 ft	n/a	680	50% or 60% of DU	15% of IRHU
	Wide Street						4.00	40-75 ft	80 (85) ft	n/a (8)			
Mandatory Inclusionary Housing							4.60	40-75 ft	135 ft	13			

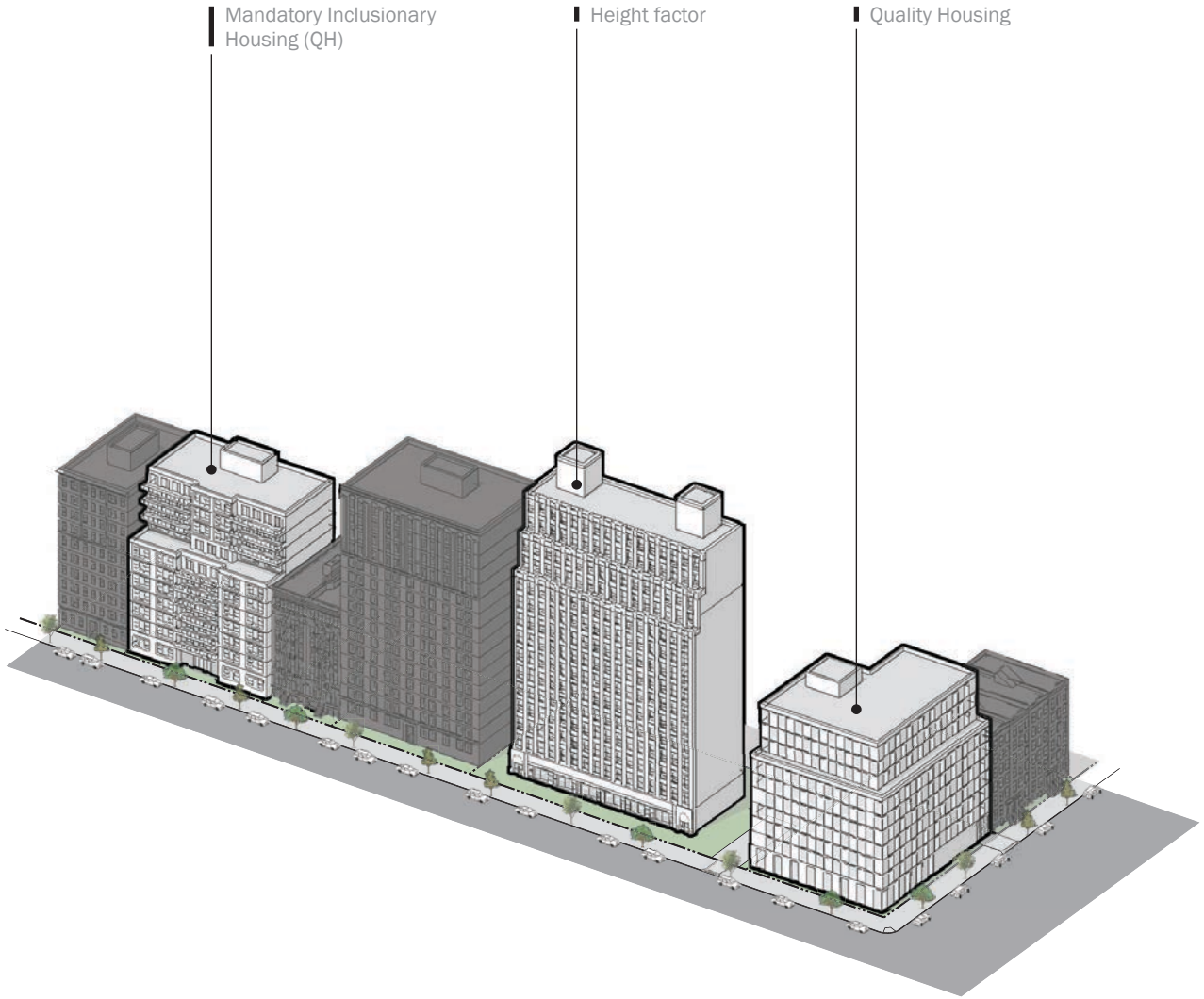
R8

R8 ***non-contextual districts*** are mapped in higher density areas of the city with a wide range of ***building*** types. In these districts, there are two sets of ***bulk*** regulations to choose from: the ***height factor*** regulations original to the 1961 Resolution, and the ***Quality Housing*** regulations that were introduced in 1987. R8 Districts often encompass many adjacent blocks, and thus have ***wide*** and ***narrow street*** rules for each set of regulations. Since the establishment of ***contextual zoning***, the distribution of R8 Districts has been greatly reduced. They remain near the Grand Concourse, The Bronx; and in Washington Heights, Chelsea, Clinton and the Upper West Side, Manhattan.



Medium Density Non-contextual Residence District

R8		FAR (max.)	Open Space Ratio (range)	Sky Exposure Plane	DU Factor	Required Parking (min.) Basic	Required Parking (min.) IRHU
Height Factor	Basic	0.94-6.02	5.9-11.9	Starts at 85 ft	680	40% of DU	12% of IRHU





Morris Heights, The Bronx



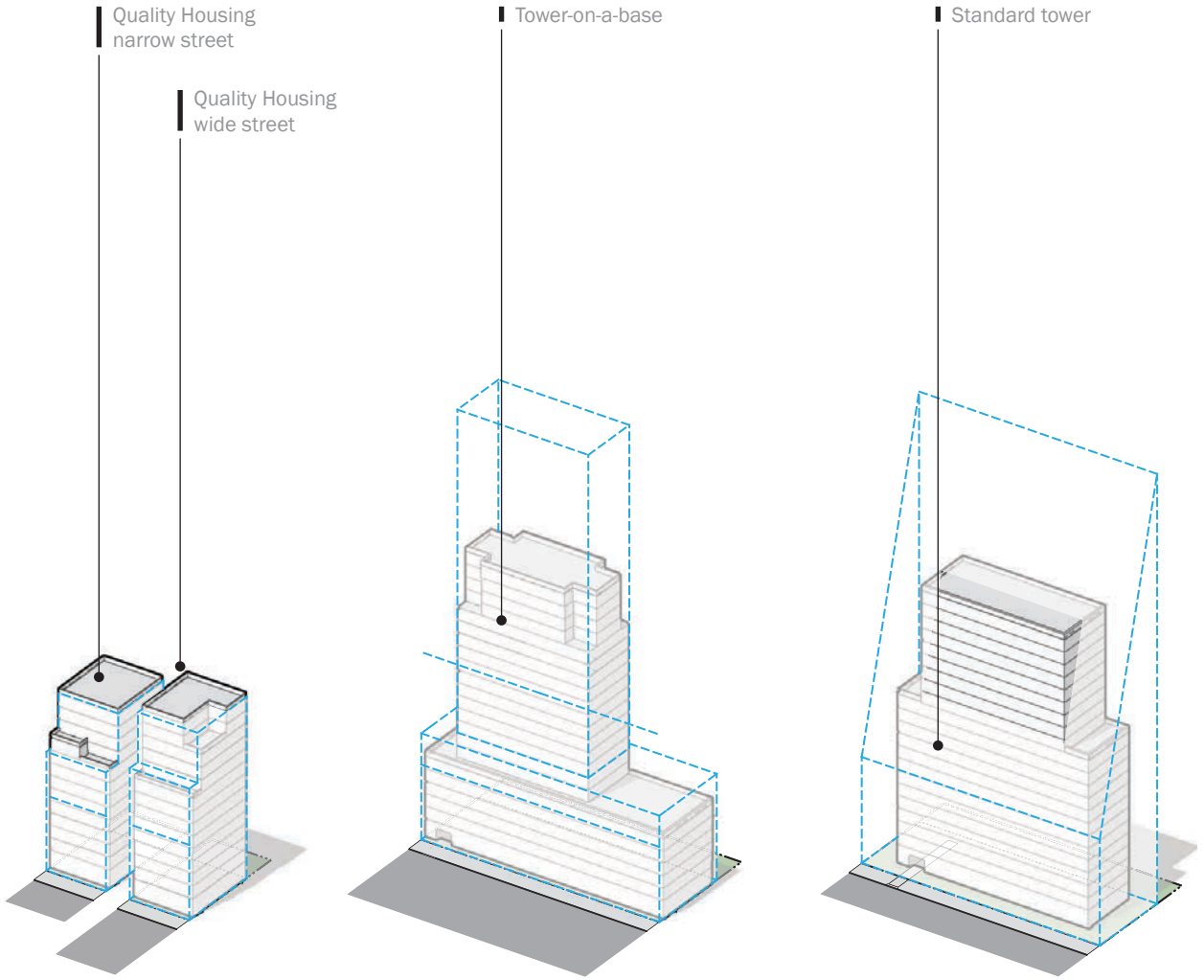
Bedford Park, The Bronx

Medium Density Non-contextual Residence District

R8 QH		Lot Area	Lot Width	Rear Yard	Lot Coverage		FAR	Base Height	Building Height	# of Stories	DU Factor	Required Parking	
					Corner	Other Lot						Basic	IRHU
		min.	min.	min.	max.		max.	min.–max.	max. (w/QGF)	max.(w/QGF)		min.	
Basic	Narrow Street	1,700 sf	18 ft	30 ft	100%	65%	6.02	60-85 ft	115 ft	n/a	680	40% of DU	12% of IRHU
	Wide Street						7.20	60-95 ft	130 (135) ft	n/a (13)			
Mandatory Inclusionary Housing							7.20	60-105 ft	215 ft	21			

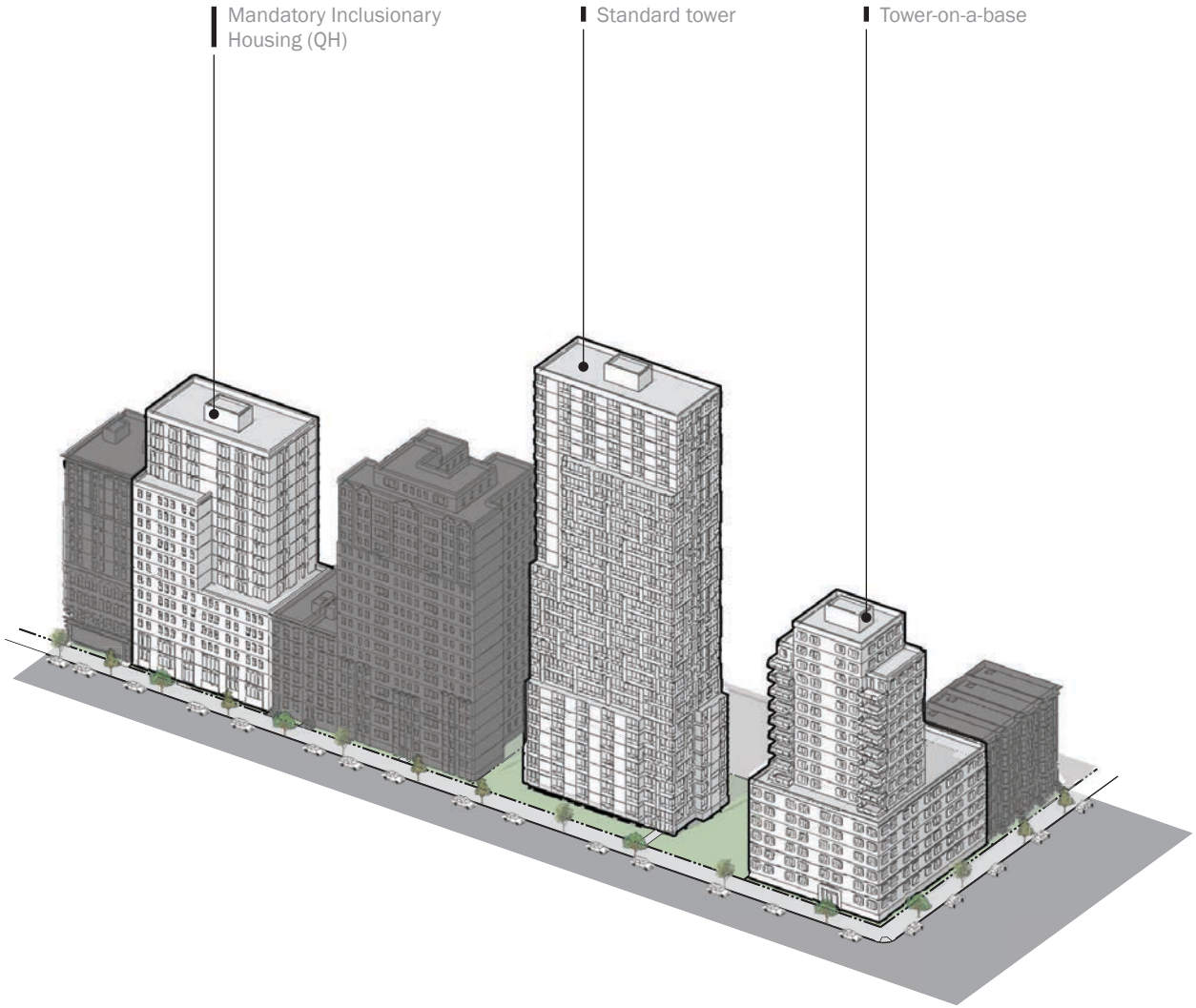
R9

R9 ***non-contextual districts*** are mapped in high density areas of the city with a wide range in ***building*** types. In these districts, there are two sets of ***bulk*** regulations to choose from: the basic regulations, where ***towers*** are permitted, and ***Quality Housing*** regulations that were introduced in 1987. The basic regulations are original to the 1961 Resolution, but were substantially modified in 1994 to require ***tower-on-a-base*** provisions for buildings on ***wide streets***. Although R9 Districts were never widely mapped, their occurrence has been further reduced over time. Today R9 Districts can be found in only a few areas, including along the FDR Drive in Lenox Hill and along West 96th Street in the Upper West Side, Manhattan; and in Long Island City, Queens.



High Density Non-contextual Residence District

R9		FAR	Open Space Ratio	Lot Coverage		Base Height	Sky Exposure Plane	Tower Lot Coverage	DU Factor	Required Parking	
				Corner	Other					Basic	IRHU
		max.	range	max.		min.-max.		min.-max.		min.	
Height Factor w/ Tower Allowance	Basic	0.99-7.52	1.0-9.0	n/a		n/a	Starts at 85 ft	n/a-40%	680	40% of DU	12% of IRHU
Tower-on-a-base	Basic	7.52	n/a	100%	70%	60-85 ft	n/a	30%-40%			
	MIH	8.00									





Upper East Side, Manhattan



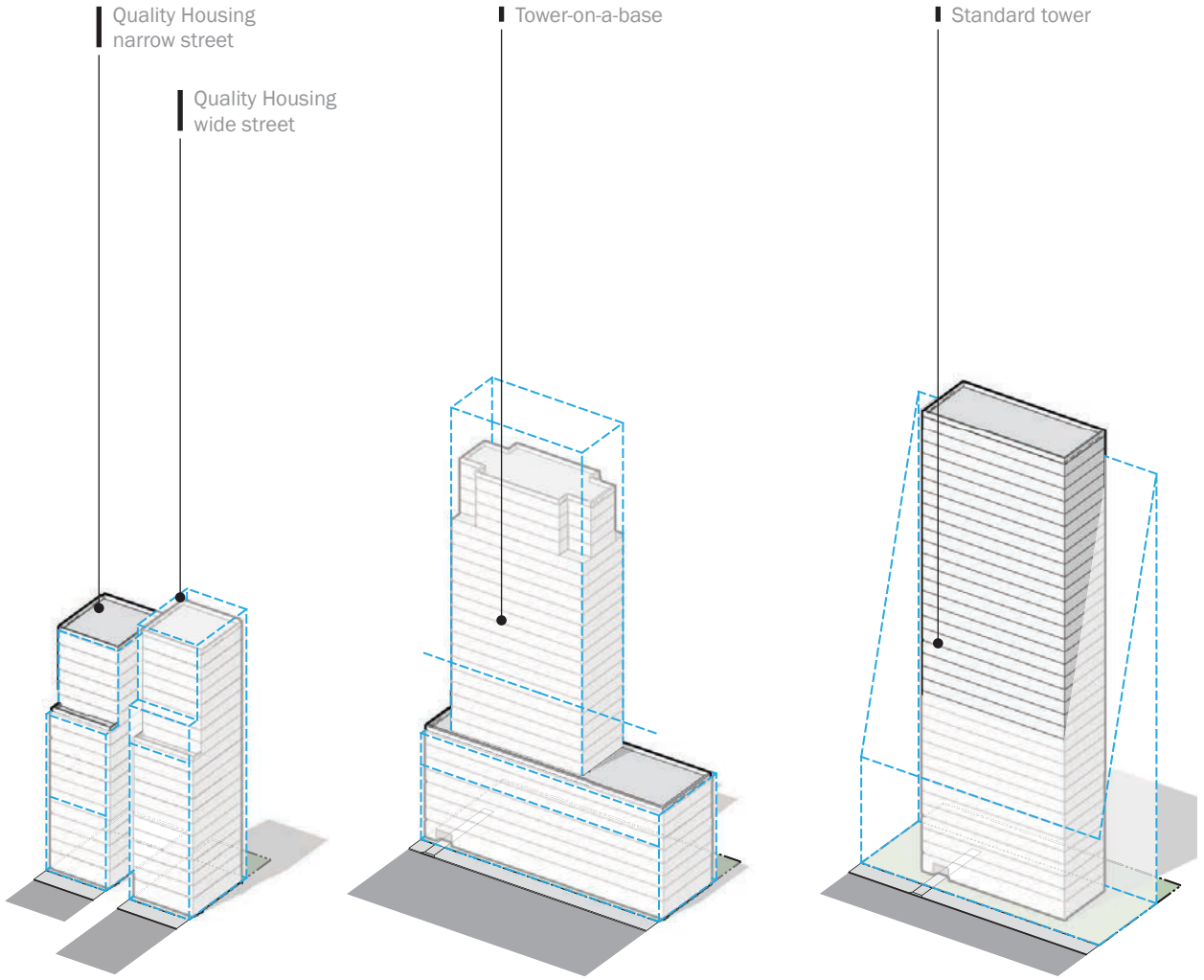
Hell's Kitchen, Manhattan

High Density Non-contextual Residence District

R9 QH		Lot Area	Lot Width	Rear Yard	Lot Coverage		FAR	Base Height	Building Height	# of Stories	DU Factor	Required Parking	
					Corner	Other Lot						Basic	IRHU
		min.	min.	min.	max.		max.	min.–max. (w/QGF)	max. (w/QGF)	max. (w/QGF)		min.	
Basic	Narrow Street	1,700 sf	18 ft	30 ft	100%	70%	7.52	60-95 ft	135 ft	n/a	680	40% of DU	12% of IRHU
	Wide Street							60-105 ft	145 ft				
Mandatory Inclusionary Housing	Narrow Street						8.00	60-125 ft	160 (165) ft	16			
	Wide Street								170 (175) ft	17			

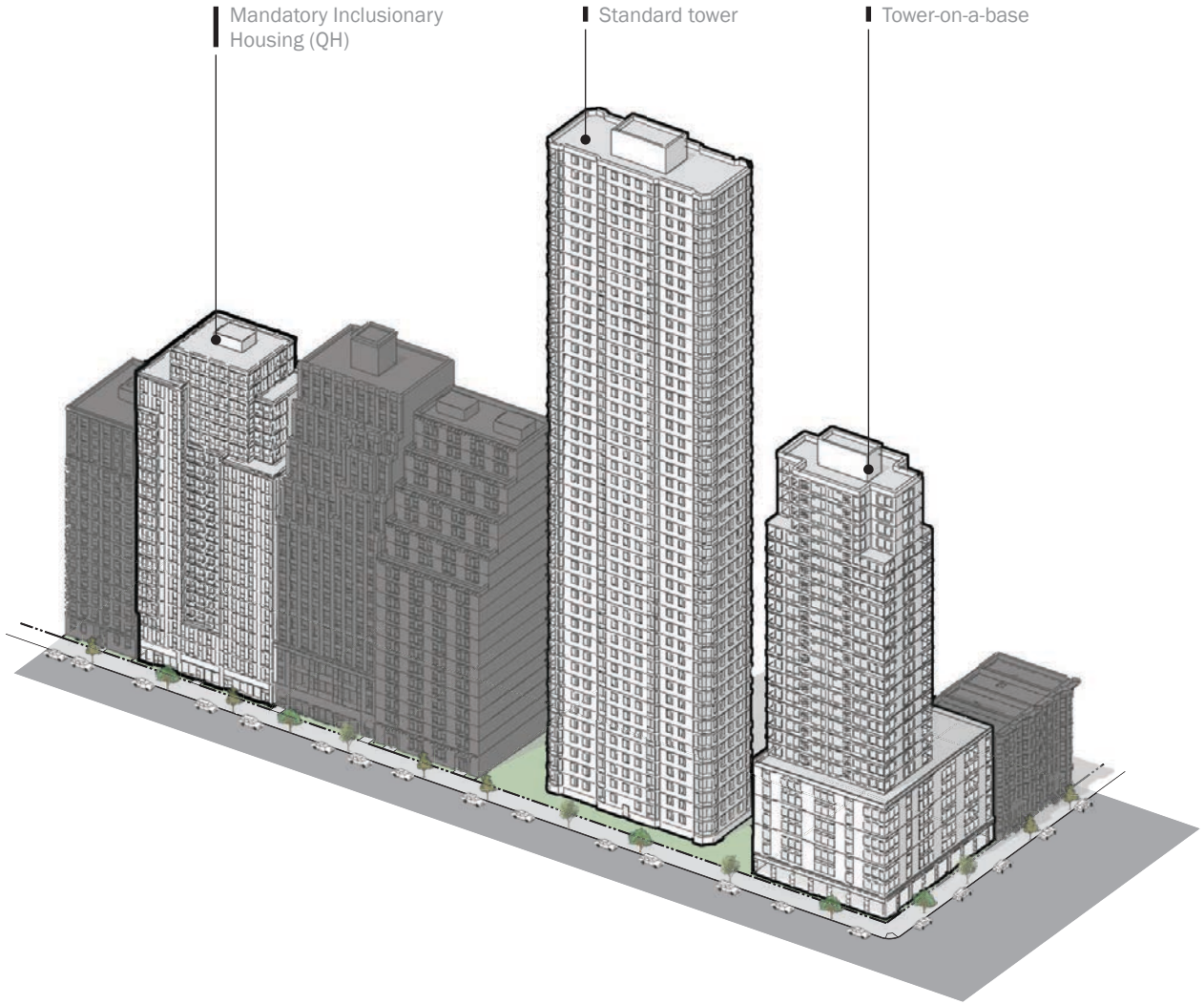
R10

R10 ***non-contextual districts*** are mapped, in high density areas of the city, with a wide range in ***building*** types. In these districts, there are two sets of ***bulk*** regulations to choose from: the basic regulations, where ***towers*** are permitted, and the ***Quality Housing*** regulations that were introduced in 1987. The basic regulations are original to the 1961 Resolution, but were substantially modified in 1994 to require ***tower-on-a-base*** provisions for buildings on ***wide streets***. Since the establishment of ***contextual zoning***, the distribution of R10 Districts has been reduced, as contextual districts have been mapped in their place. However, R10 Districts still remain in a few locations in Manhattan, including Midtown East, along York Avenue in the Upper East Side and along Riverside Boulevard in the Upper West Side.



High Density Non-contextual Residence District

R10		FAR	Open Space Ratio	Lot Coverage		Base Height	Sky Exposure Plane	Tower Lot Coverage	DU Factor	Required Parking	
				Corner	Other					Basic	IRHU
		max.	range	max.		min.-max.		min.-max.		min.	
Standard Tower	Basic	10.00	n/a	n/a		n/a	Starts at 85 ft	n/a-40%	680	40% of DU	12% of IRHU
Tower-on-a-base	Basic			100%	70%	60-85 ft	n/a	30%-40%			
	MIH	12.00									



High Density Non-contextual Residence District

R10 QH		Lot Area	Lot Width	Rear Yard	Lot Coverage		FAR	Base Height	Building Height	# of Stories	DU Factor	Required Parking	
					Corner	Other Lot						Basic	IRHU
		min.	min.	min.	max.		max.	min.–max.	max. (w/QGF)	max. (w/QGF)		min.	
Basic	Narrow Street	1,700 sf	18 ft	30 ft	100%	70%	10.00	60-125 ft	185 ft	n/a (21)	680	40% of DU	12% of IRHU
	Wide Street							125-155 ft	200 (215) ft				
Mandatory Inclusionary Housing	Narrow Street						12.00	60-155 ft	210 (215) ft	21			
	Wide Street							125-155 ft	230 (235) ft	23			



Upper East Side, Manhattan

R6-R10 Contextual Districts

Use			R6A	R6B	R7A	R7B	R7D	R7X	R8A	R8B	R8X	R9A	R9D	R9X	R10A	R10X
Single-family	Detached	Use Group 1	•	•	•	•	•	•	•	•	•	•	•	•	•	•
Single and Two-family / **Multi-family**	All	Use Group 2	•	•	•	•	•	•	•	•	•	•	•	•	•	•
Community Facility		Use Groups 3, 4	•	•	•	•	•	•	•	•	•	•	•	•	•	•
Bulk																
Lot Area (min.)		All	1,700 sf													
Lot Width (min.)		All	18 ft													
Rear Yard (min.)		All	30 ft													
Lot Coverage (max.)	Corner Lot		100%													
	Other Lot	Narrow Street / Wide Street	65%	60%	65%			70%								
Residential FAR	Basic	Narrow Street / Wide Street	3.00	2.00	4.00	3.00	4.20	5.00	6.02	4.00	6.02	7.52	9.00		10.00	
	MIH/VIH	Narrow Street / Wide Street	3.60	2.20	4.60	n/a	5.60	6.00/ 5.00	7.20	n/a	7.20	8.50	10.00	9.70	12.00	
Community Facility FAR			3.00	2.00	4.00	3.00	4.20	5.00	6.50	4.00	6.00	7.50	9.00		10.00	
Base Height (min.-max.) Outside Manhattan Core	Basic (w/QGF)	Narrow Street	40-60 ft (65ft)	30-40 ft (45 ft)	40-65 ft (75 ft)	40-65 ft	60-85 ft	60-85 ft (95 ft)	60-85 ft (95 ft)	55-65 ft	60-85 ft (95 ft)	60-95 ft	60-85 ft or 15-25ft (if facing elevated rail)	60-120 ft (125 ft)	60-125 ft	60-85 ft
		Wide Street										60-105 ft		105-120 ft (125 ft)	125-155 ft	
	MIH/VIH (w/QGF)	Narrow Street / Wide Street	40-65 ft	30-40 ft (45 ft)	40-75 ft	n/a	60-95 ft	60-105 ft/ 60-85 ft (95 ft)	60-105 ft	n/a	60-105 ft	60-125 ft		60-145 ft / 105-145 ft	60-155 ft / 125-155 ft	60-85 ft
Building Height (max.) Outside Manhattan Core	Standard (w/QGF)	Narrow Street	70 ft (75 ft)	50 ft (55 ft)	80 ft (85 ft)	75 ft	100 ft (105 ft)	120 ft (125 ft)	120 ft (125 ft)	75 ft	150 ft (155 ft)	135 ft	n/a	160 ft (165 ft)	185 ft	n/a
		Wide Street										145 ft		170 ft (175 ft)	210 ft (215 ft)	
	MIH/VIH (w/QGF)	Narrow Street	80 ft (85 ft)	50 ft (55 ft)	90 ft (95 ft)	n/a	110 ft (115 ft)	140 ft (145 ft)/ 120 ft (125 ft)	140 ft (145 ft)	n/a	170 ft (175 ft)	160 ft (165 ft)	n/a	190 ft (195 ft)	210 ft (215 ft)	n/a
		Wide Street										170 ft (175 ft)		200 ft (205 ft)	230 ft (235 ft)	
Number of Stories (max.)	Standard (w/QGF)	Narrow Street	n/a (7)	n/a (5)	n/a (8)	n/a	n/a (10)	n/a (12)	n/a (12)	n/a	n/a (15)	n/a	n/a	n/a (16)	n/a	n/a
		Wide Street												n/a (17)	n/a (21)	
	MIH/VIH (w/QGF)	Narrow Street	8	n/a (5)	9	n/a	11	14 / n/a (12)	14	n/a	17	16	n/a	19	21	n/a
		Wide Street										17		20	23	
Tower Lot Coverage (min.-max.)			n/a										33-40%	n/a		33-40%
Dwelling Unit Factor		All	680													
Parking																
General (min. % of DU)	for Group Parking Facilities		50%						40%	50%	40%					
Reduced and Waived Requirements (min. % of DU)	IRHU—outside Transit Zone		25%		15%	25%	15%		12%	15%	12%					
	AIRS—outside Transit Zone		10%													
	IRHU/AIRS—inside Transit Zone		0%													
	Small Lot	10,000 sf or less	50%		30%	50%	30%		0%	n/a	0%					
		10,000-15,000 sf	n/a						20%	n/a	20%					
	waived if small no. of spaces		5		15	5	15									

R6-R10 Non-contextual Districts (Quality Housing)

Use			R6 QH	R7 QH R7-1	R7 QH R7-2	R8 QH	R9 QH	R10 QH
Single-family	Detached	Use Group 1	•	•		•	•	•
Single and Two-family Multi-family	All	Use Group 2	•	•		•	•	•
Community Facility		Use Groups 3, 4	•	•		•	•	•
Bulk								
Lot Area (min.)		All	1,700 sf					
Lot Width (min.)		All	18 ft					
Rear Yard (min.)		All	30 ft					
Lot Coverage (max.)	Corner Lot		100%					
	Other Lot	Narrow Street	60%	65%		70%		
		Wide Street	65%					
Residential FAR	Standard	Narrow Street	2.20	3.44		6.02	7.52	10.00
		Wide Street	3.60	4.00		7.20		
	MIH	Narrow/Wide Street	3.60	4.60		7.20	8.00	12.00
Community Facility FAR			4.80	4.80	6.50	6.50	10.00	10.00
Base Height (min.-max.) Outside Manhattan Core	Standard	Narrow Street	30-45 ft	40-65 ft		60-85 ft	60-95 ft	60/125 ft
		Wide Street	40-65 ft	40-75 ft		60-95 ft	60-105 ft	125-155 ft
	MIH / VIH	Narrow Street	30-45 ft	40-65 ft		60-105 ft	60-125 ft	60-155 ft
		Wide Street	40-65 ft	40-75 ft				125-155 ft
Building Height (max.) Outside Manhattan Core	Standard (w/QGF)	Narrow Street	55 ft	75 ft		115 ft	135 ft	185 ft
		Wide Street	70ft (75 ft)	80 ft (85 ft)		130 ft (135 ft)	145 ft	210 ft
	MIH (w/ QGF)	Narrow Street	80 ft (85 ft)	100 ft (105 ft)		215 ft	160 ft (165 ft)	210 ft (215 ft)
		Wide Street					170 ft (175 ft)	230 ft (235 ft)
	VIH (w/ QGF)	Narrow Street	55 ft	75 ft		140 ft	160 ft (165 ft)	210 ft (215 ft)
		Wide Street	80 ft (85 ft)	100 ft (105 ft)		(145 ft)	170 ft (175 ft)	230 ft (235 ft)
Number of Stories (max.)	Standard (w/QGF)	Narrow Street	n/a	n/a		n/a	n/a	21
		Wide Street	n/a (7)	n/a (8)		n/a (13)		
	MIH (w/ QGF)	Narrow Street	8	13		14	16	21
		Wide Street					17	23
	VIH (w/ QGF)	Narrow Street	n/a	n/a		21	16	21
		Wide Street	n/a (8)	8			17	23
Tower Lot Coverage (min.-max.)			n/a					
Dwelling Unit Factor		All	680					
Parking								
General (min. % of DU)	for Group Parking Facilities		50%			40%		
Reduced and Waived Requirements (min. % of DU)	IRHU—outside Transit Zone		25%	15%		12%		
	AIRS—outside Transit Zone		10%					
	IRHU/AIRS—inside Transit Zone		0%					
	Small Lot	10,000 sf or less	50%			0%		
		10,000-15,000 sf	n/a		30%	20%		
	waived if small no. of spaces		5	5 (15)		15		

R6-R10 Non-contextual Districts (Height Factor and Tower)

Use			R6 HF	R7 HF R7-1	R7 HF R7-2	R8 HF	R9 HF	R9 TOB	R10 ST	R10 TOB
Single-family	Detached	Use Group 1	•	•		•	•		•	
Single and Two-family Multi-family	All	Use Group 2	•	•		•	•		•	
Community Facility		Use Groups 3, 4	•	•		•	•		•	
Bulk										
Lot Area (min.)		All	1,700 sf							
Lot Width (min.)		All	18 ft							
Rear Yard (min.)		All	30 ft							
Residential FAR	Standard		0.78-2.43	0.87-3.44		0.95-6.02	0.99-7.52	7.52	10	
	MIH							8	10	12
Community Facility FAR			4.8	4.8	6.5	6.5	10			
Sky Exposure Plane	begins at:		60 ft			85 ft				
Tower Lot Coverage (min.-max.)			n/a				n/a-40%	30- 40%	n/a-40%	30- 40%
Dwelling Unit Factor		All	680							
Parking										
General (min. % of DU)	for Group Parking Facilities		70%	60%	50%	40%				
Reduced and Waived Requirements (min. % of DU)	IRHU (outside Transit Zone)		25%	15%		12%				
	AIRS (outside Transit Zone)		10%							
	Small Lot	10,000 sf or less	50%	30%		0%				
	Area (sf)	10,000-15,000	n/a		30%	20%				
	if required small no. of spaces		5			15				

All R6-R10 Districts

Streetscape	
Street Trees (min.)	
All Contextual Districts	Shall be provided within a planting strip for every 25 ft of street frontage
All Non-contextual Districts	
Planting (min.)	
All Contextual Districts	Area between street line and building street wall shall be planted at ground level or in raised planting beds
All Non-contextual (QH Option) Districts	

Streetscape			
Street Wall Location Provision			
Contextual Districts			
R6B, R7B, R8B		Lot < 50 ft	no closer nor further
		Lot > 50 ft	no closer than adjacent street wall
R6A, R7A, R7D, R7X, R9D		All	
Non-contextual Districts (QH Option)			
R6, R7	Narrow street	Lot < 50 ft	no closer nor further
		Lot > 50 ft	no closer than adjacent street wall
	Wide street	All	
R8, R9, R10	All within 50 ft of wide st		70% within 8 ft
	Narrow st beyond 50 ft of wide		70% within 15 ft
Non-contextual Districts (HF and Tower Options)			
n/a			

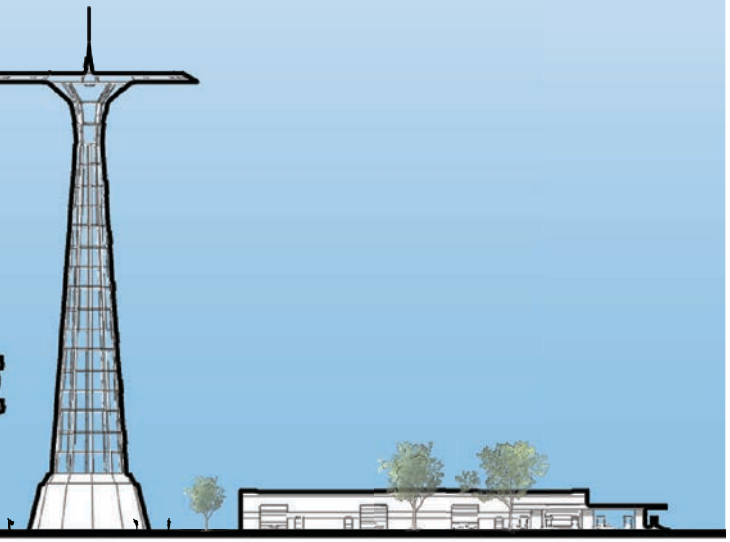


C1-C2 C3 C4 C5 C6 C7

Commercial Districts

Zoning regulations for ***Commercial Districts*** lay out the rules governing the wide variety of commercial places in the city, including regional centers in Manhattan, shopping centers along arterial highways and the local retail streets found throughout the city's neighborhoods.

Today's Commercial Districts are the successor to the Business Districts in the 1916 Zoning Resolution, which were created primarily to exclude industrial uses that were deemed to be a nuisance, without precluding the possibility of mixed-use neighborhoods with residences. The city's Commercial Districts today permit a wide range of uses, often including residences and ***community facilities***. They also broadly reflect the wide range of densities found in these areas, by permitting development at a variety of scales and building types, from one-story shopping centers with parking lots in peripheral areas to high density commercial office towers in the region's core. There are more types of Commercial Districts (more than 80) than there are ***Residence*** and ***Manufacturing Districts*** combined (more than 40 and 20, respectively), even though they occupy the least amount of land area of the three.



C8

Basic Types



Neighborhood Commercial District



General Commercial District



Specialty Commercial District

There are eight basic types of Commercial Districts, ranging from C1 to C8, which can be grouped into three general types: neighborhood, general and specialty. As with Residence Districts, each of these base districts is further divided into individual districts indicated by the alphanumeric suffixes which relate to different ***use***, ***bulk***, parking and ***streetscape*** regulations.

C1 and C2 Districts

New York's residential neighborhoods often contain streets or areas lined with a broad mix of ***commercial uses*** containing the variety of retail shops and other businesses that primarily serve a neighborhood's commercial needs. These uses are frequently found either in one- to two-story commercial buildings or on the lower floors of ***mixed buildings***. C1 and C2 Districts are neighborhood commercial districts that were created to reflect and continue this condition at the full range of overall densities found across the city. They have a low commercial ***floor area ratio (FAR)*** and permit a relatively limited range of commercial uses that are commonly found in residential buildings with ground floor commercial activity and are subtly distinguished from each other by the uses allowed in each. There are two types of C1 and C2 Districts: ***commercial overlays***, which are always mapped within Residence Districts, and stand-alone districts.

C4, C5 and C6 Districts

Other commercial areas serve a population larger than a single neighborhood and have a wider range of commercial uses, including large retail stores, office buildings or movie theaters. These regional and central business districts range in type from shopping centers along arterial highways to neighborhood centers to the commercial core of Midtown Manhattan. C4, C5 and C6 Districts, were created to accommodate these types of commercial areas at an appropriate scale and location.

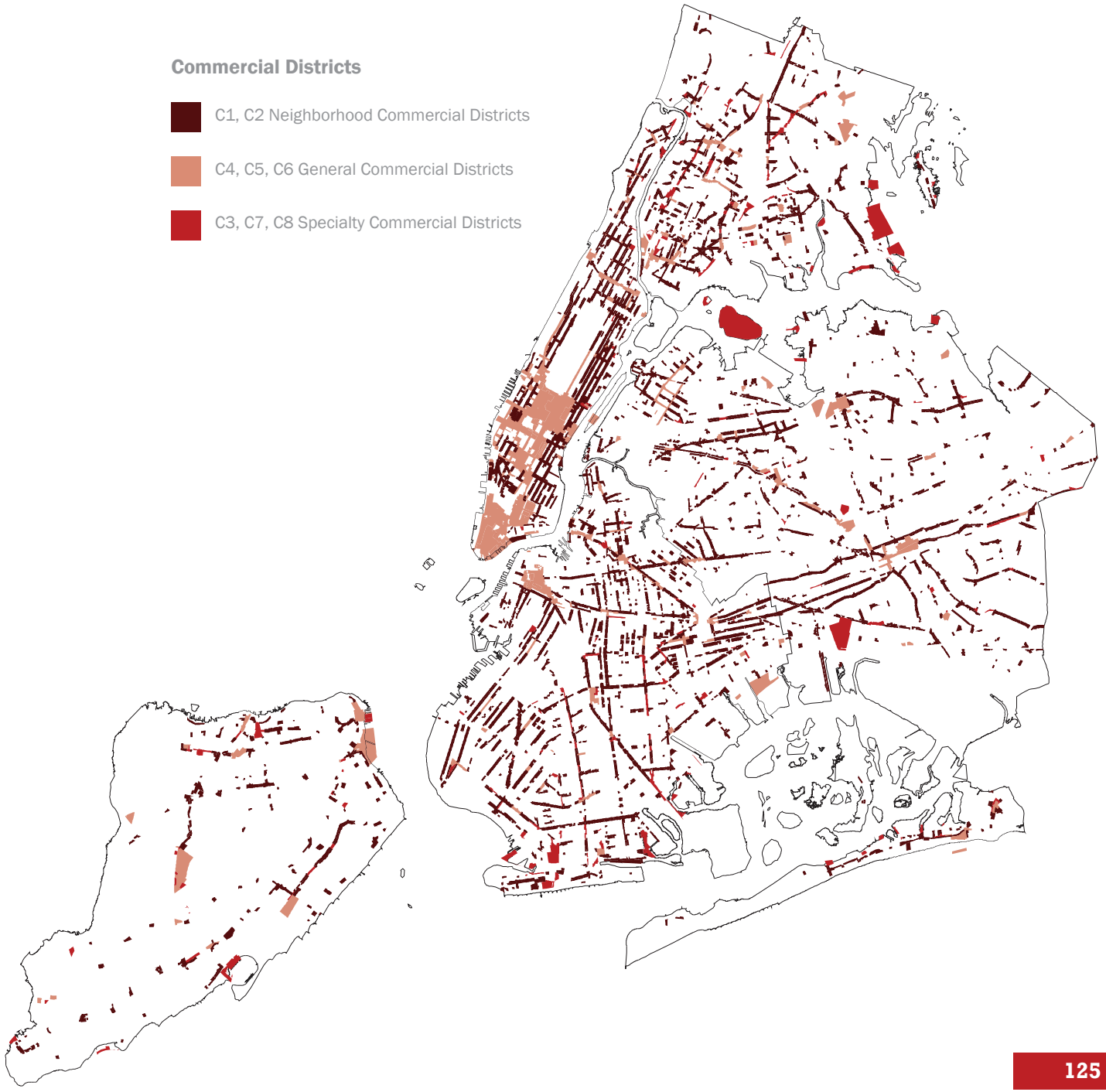
C4 Districts are mapped in the widest range of conditions, from suburban-style shopping centers in Staten Island to bustling areas such as The Hub in the Bronx. C5 and C6 Districts accommodate the city's highest density commercial areas. C5 Districts were designed for a particular type of high density business location containing offices and continuous retail frontages, as on Fifth Avenue and the east side of Midtown around Grand Central Terminal. They do not permit entertainment uses and have more stringent signage rules. C6 Districts have more permissive use and signage rules and are found in a wide range of business areas including the western part of Midtown and portions of Downtown Brooklyn. To reflect this range of conditions, C4, C5 and C6 Districts are subdivided into a large number of districts through alphanumeric suffixes.

C3, C7 and C8 Districts

These three districts were included as part of the 1961 Resolution to meet special commercial needs.

C3 Districts are mapped along the waterfront in a limited number of places, and allow a narrow range of waterfront-related, low-density recreational and commercial activities. C7 Districts are mapped in limited major regional amusement districts, such as Coney Island in Brooklyn.

C8 Districts permit automotive and other heavy commercial uses, as well as a full range of other commercial uses, and sometimes act as a bridge between Manufacturing Districts and other Commercial Districts. In 1961, they were often mapped along arterial highways, reflecting expectations at the time about the increasing prominence of automobiles in the city. Today they often contain a commercially diverse set of activities including automobile showrooms, repair shops, and gas stations, along with other retail uses, offices, hotels and warehouses.


Commercial Districts
C1, C2 Neighborhood Commercial Districts
C4, C5, C6 General Commercial Districts
C3, C7, C8 Specialty Commercial Districts

Permitted Uses

Commercial Districts allow a range of commercial uses and, with limited exceptions, residential and community facility uses. In addition to the ***use groups*** permitted in Residence Districts (Use Groups 1 through 4), Commercial Districts permit, as-of-right, different combinations of Use Groups 5 through 16 to suit a variety of planning objectives. The list of permitted uses in each use group can be quite long and detailed and, in some instances, the uses in each use group are also further categorized into more specific groupings through the use of additional letter suffixes, such as Use Group 10A. When new commercial activities emerge that may not be specifically listed in any of the use groups, the Department of Buildings includes it with the most similar use that is listed in the Zoning Resolution. For example, tattoo parlors, which are not listed in the Zoning Resolution, are considered similar to beauty parlors and therefore treated as Use Group 6A in terms of their land use characteristics.

In addition, a number of uses are permitted only by ***special permits*** granted by either the ***Board of Standards and Appeals (BSA)*** (ZR 32-31) or the ***City Planning Commission (CPC)*** (ZR 32-32). For example, automotive service stations are permitted in C2 Districts through a BSA special permit, while large arenas are permitted in certain Commercial Districts only by a CPC special permit. The specific special permits for the BSA and the CPC are found in Article VII, Chapters 3 and 4, respectively.

Where residential uses are permitted, they cannot be located as-of-right on a floor below any commercial use (ZR 32-42). Many of the bulk provisions described next are consistent with this key requirement.

C1 and C2 Districts

The primary, albeit minor, difference between C1 and C2 Districts is the range of commercial uses permitted in each district. C1 Districts are intended to serve local shopping needs and maintain the highest level of retail continuity. They permit a variety of retail stores and personal service establishments, such as grocery stores, restaurants, hair salons, drug stores and small clothing stores (Use Group 6) that cater to the needs of the surrounding neighborhood. C2 Districts were designed for a wider range of locations where retail continuity may be less important. They allow Use Group 6 uses as well as other local establishments not regularly visited in day-to-day activities, such as funeral homes, movie theaters and repair services for bicycles, for example (Use Groups 7, 8, 9 and 14). In C1 and C2 Districts, a handful of retail uses, including clothing and furniture stores are limited to 10,000 square feet per zoning lot.

The districts also permit the full range of residential and community facility uses (Use Group 1 through 4). In some limited conditions, hotels (Use Group 5) are also permitted in certain C1 and C2 Districts (ZR 32-14).

In addition to the type of uses permitted in these districts, there are restrictions on the location of such uses within a building. In buildings that contain only commercial uses, these uses are restricted to a maximum of two stories or 30 feet in height, whichever is less. This restriction does not apply to Use Group 5 (where permitted). In buildings with residences or community facilities, commercial uses are restricted to the ground floor, although commercial uses on the second floor of buildings constructed after 1970 are permitted in C1 and C2 Districts mapped within R9 and R10 Districts and their equivalents (ZR 32-421).

C4, C5, and C6 Districts

All three of these districts permit a broad range of commercial uses including retail and department stores, entertainment uses, offices and hotels. These include all commercial uses permitted in C1 Districts (Use Groups 5 and 6), as well as business services like printers (Use Group 9) and larger retail establishments such as department stores (Use Group 10) and larger clothing or furniture stores. C4 Districts also permit some amusement and entertainment uses, including bowling alleys and skating rinks (Use Groups 8 and 12). C5 Districts do not permit these amusement or entertainment uses, but do allow specialized custom manufacturing like jewelry-making (Use Group 11) which, historically, was found in high-density central business districts of the city. C6 Districts are the most permissive of these districts as they permit all the uses allowed in both C4 and C5 Districts as well as home maintenance and repair services, such as plumbing shops (Use Group 7) (ZR 32-10). All three districts also permit residences and community facilities (Use Groups 1 through 4).

C3, C7 and C8 Districts

C3 Districts only allow commercial uses related to boating and other waterfront recreational activities, such as docks and mooring facilities, bicycle shops and candy stores, in addition to the full range of residential and community facility uses (Use Groups 1 through 4).

C7 Districts allow for a wide variety of entertainment and amusement facilities (Use Groups 12 through 15) and include uses convenient to the customers of the entertainment facilities, such as ice cream parlors, restaurants, delis, gift shops and toy stores. They permit no other commercial, community facility or residential uses.

C8 Districts permit all commercial and general services (Use Groups 5 through 16, but not Use Group 15). Additionally, they allow certain Use Group 4 community facility uses, although residences are not permitted. Semi-industrial uses (Use Groups 11A and 16) are required to comply with the performance standards applicable to Manufacturing Districts (as described in Chapter 5) (ZR 32-10).

Permitted Use Groups

	Residential		Community Facility		Retail and Commercial											General Service	Manufacturing	
	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18
Commercial Districts																		
C1	•	•	•	•	•	•												
C2	•	•	•	•	•	•	•	•	•					•				
C3	•	•	•	•										•				
C4	•	•	•	•	•	•		•	•	•		•						
C5	•	•	•	•	•	•			•	•	•							
C6	•	•	•	•	•	•	•	•	•	•	•	•						
C7												•	•	•	•			
C8				•	•	•	•	•	•	•	•	•	•	•		•		

Use Group 5 — Hotels **(ZR 32-14)**

Use Group 6 — Retail and service establishments that serve local shopping needs, such as food and small clothing stores, beauty parlors and dry cleaners, as well as offices **(ZR 32-15)**

Use Group 7 — Home maintenance and repair services, such as plumbing and electrical shops which serve nearby residential areas **(ZR 32-16)**

Use Group 8 — Amusement establishments such as movie theaters and small bowling alleys, service uses such as appliance repair shops, as well as car rental and public parking facilities **(ZR 32-17)**

Use Group 9 — Business and other services, such as printers or caterers **(ZR 32-18)**

Use Group 10 — Large retail establishments that serve a large area, such as department stores and appliance stores **(ZR 32-19)**

Use Group 11 — Custom manufacturing activities such as for jewelry or clothing **(ZR 32-20)**

Use Group 12 — Large entertainment facilities that draw large numbers of people such as arenas and indoor skating rinks **(ZR 32-21)**

Use Group 13 — Low coverage or open amusement uses, such as golf driving ranges, and children's small amusement parks, camps **(ZR 32-22)**

Use Group 14 — Facilities for boating and related activities which are suitable in waterfront recreation areas **(ZR 32-23)**

Use Group 15 — Large commercial amusement establishments, including typical amusement park attractions such as Ferris wheels and roller coasters **(ZR 32-24)**

Use Group 16 — Automotive and semi-industrial uses, such as automotive repair, gas stations, custom woodworking and welding shops **(ZR 32-25)**

Permitted Bulk

Commercial Districts establish many different ***bulk*** parameters, which control the maximum size and placement of buildings on the zoning lot. As in Residence Districts, bulk rules in Commercial Districts are dependent on whether the building contains commercial or community facility uses, residential uses or some combination of both. The bulk rules are also dependent on whether the zoning district is a contextual or a non-contextual zoning district.

The bulk regulations for buildings in Commercial Districts that contain only commercial or community facility uses are found in Article III, Chapter 3, while the regulations for purely residential buildings in Commercial Districts are found in Article III, Chapter 4. Buildings that contain a mixture of both – such as a residential building with ground floor retail – follow the rules in Article III, Chapter 5. As with buildings with more than one use in Residence Districts, one generally applies the residential bulk rules to the residential portion and the commercial or community facility rules to the non-residential portion.

In Commercial Districts that permit residential uses, a ***residential district equivalent*** is used to determine the rules for residences (ZR 34-112). For example, the residential district equivalent of a C4-3 District is R6, and any residences in a C4-3 District must comply with the bulk regulations of an R6 District. In all these instances, the Commercial District regulations modify the Residence District rules to accommodate residential or ***mixed buildings*** within their commercial contexts. This is also true of the C1 and C2 overlay districts, which modify the rules of the Residence District mapped below it. For example, no front or side yards are required in low density Residence Districts mapped with a commercial overlay. Also, in contextual Commercial Districts, such as C6-3A, the overall building envelope is determined by the applicable residential district equivalent which, in this instance, is R9A.

Commercial and Community Facility Rules

Whereas Residence Districts include a wide variety of lot coverage, yard, and minimum lot size requirements to regulate where buildings can be placed on the zoning lot, the rules for commercial and community facility uses in Commercial Districts are far simpler. Here, the interaction of height and setback regulations and required rear yards (the only yards required in Commercial Districts) create the permitted building envelope, while other bulk regulations, such as permitted floor area, further determine the shape, size and position of the building. In total, they reflect the wide range of building sizes and configurations in the city.

The ***floor area ratio*** (FAR) permitted in Commercial Districts ranges from 0.5 in C3 Districts for commercial uses, to 15.0 for both commercial and community facility uses in a number of high density C5 and C6 Districts (ZR 33-12). They can generally be grouped as follows:

- C1 and C2 Districts – These districts have a low commercial FAR. For C1 and C2 overlay districts mapped within low density Residence Districts (R1 through R5), the permitted commercial FAR is limited to 1.0. Where the underlying Residence District or the residential district equivalent is a medium or high density district (R6 through R10), the commercial FAR for C1 and C2 Districts is limited to 2.0.
- C4, C5 and C6 Districts – C4 Districts have commercial FAR ranging from 1.0 to 10.0, while C5 and C6 Districts permit commercial FAR ranging from 4.0 to 15.0 and from 6.0 to 15.0, respectively. Districts with higher numerical suffixes such as C5-5 or C6-9 generally denote higher permitted densities.
- C3, C7 and C8 Districts – In C3 Districts, the maximum commercial FAR is 0.5. The maximum commercial FAR is 2.0 in C7 Districts. In C8 Districts, the maximum commercial FAR ranges between 1.0 and 5.0, with the higher number suffixes, such as C8-3 and C8-4, denoting higher permitted densities.

In certain districts, incentives exist for ***public plazas, arcades*** and deep ***front yards***. These enable the permitted FAR to be increased by a maximum of 20 percent, subject to the specific conditions included for each type of open space (ZR 33-13, 33-14, 33-15).

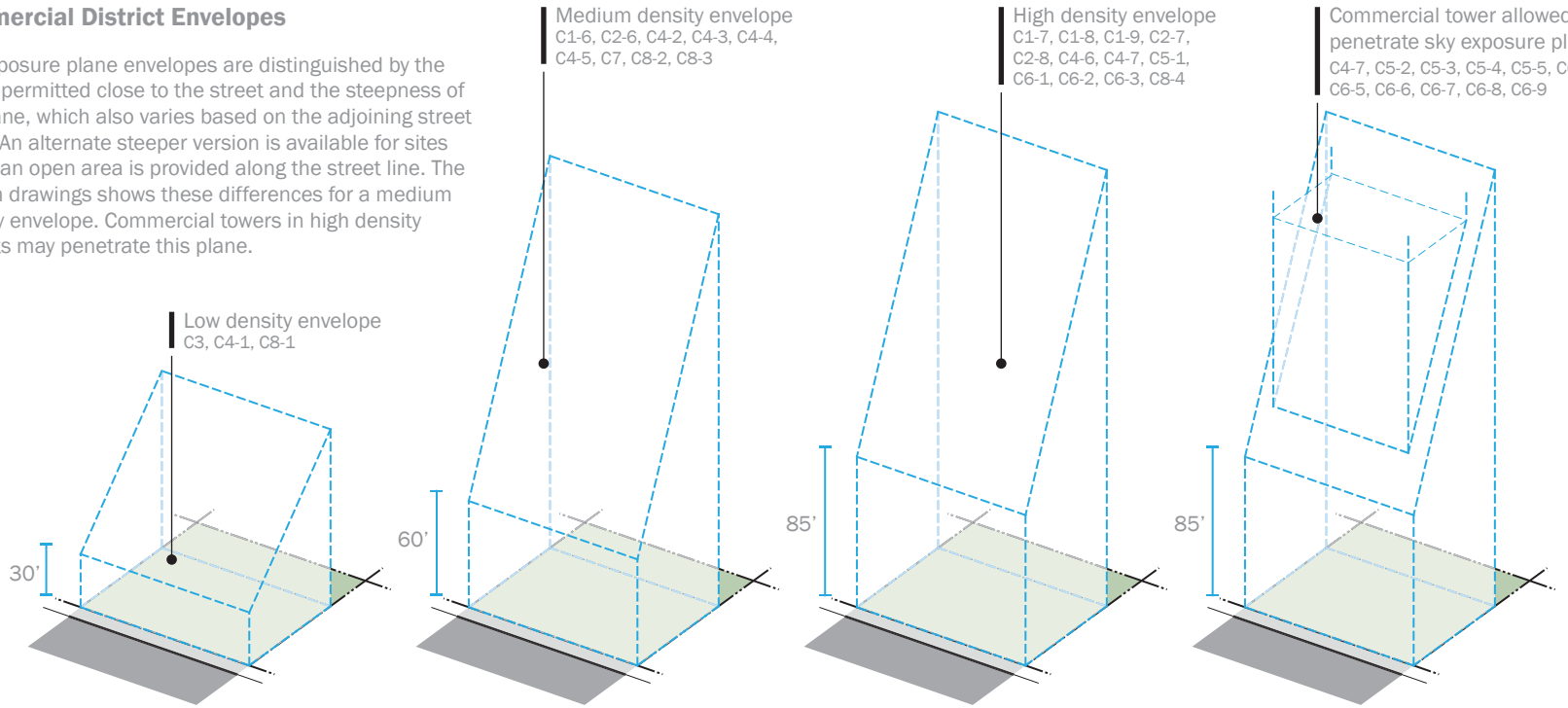
In all Commercial Districts there are no requirements for front or ***side yards***, and ***rear yards*** for non-residential portions of a building are required to be 20 feet deep as measured from the ***rear lot line***, while ***through lots*** require a 40 foot rear yard equivalent (ZR 33-20). These rules are modified in some limited circumstances. For example, if the Commercial District is located next to a Residence District, there are requirements for deeper rear yards and minimum side yards to provide sufficient separation between buildings in the two districts (ZR 33-29). In a number of high density Commercial Districts, to accommodate buildings with larger footprints, rear yard equivalents are not required for through lots. In addition, except for towers as described below, there are no lot coverage limitations for non-residential buildings or portions of buildings in any Commercial District.

Height and setback regulations in Commercial Districts utilize a variety of "envelopes" to control shapes of buildings. Some districts follow contextual regulations, while others are governed by ***sky exposure planes***. Towers without height limits are typically permitted in the highest density Commercial Districts.

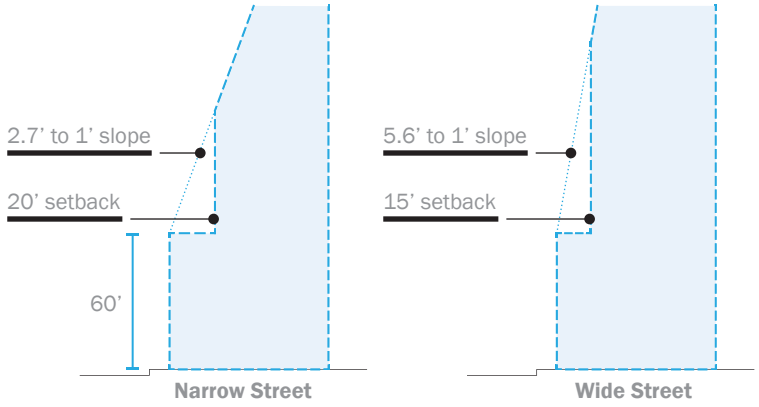
Buildings in non-contextual Commercial Districts that contain only commercial or community facility uses are governed by a sky exposure plane (ZR 33-40). These envelopes favor development set back from the sidewalk by permitting only limited development close to the

Commercial District Envelopes

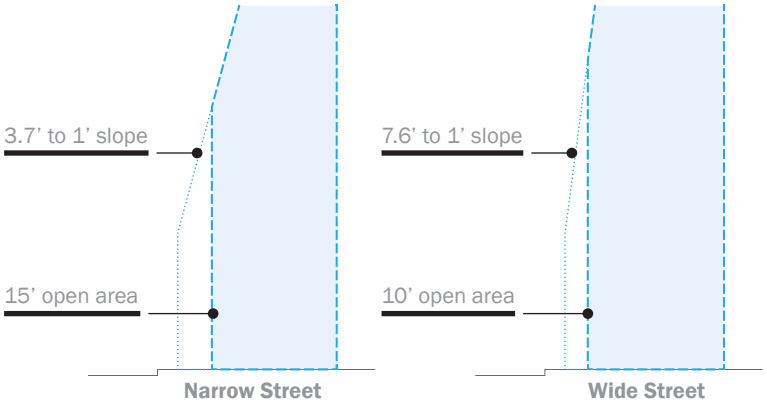
Sky exposure plane envelopes are distinguished by the height permitted close to the street and the steepness of the plane, which also varies based on the adjoining street width. An alternate steeper version is available for sites where an open area is provided along the street line. The bottom drawings shows these differences for a medium density envelope. Commercial towers in high density districts may penetrate this plane.



Basic Sky Exposure Plane



Alternate Sky Exposure Plane



street up to a maximum height, above which the ***building envelope*** is limited by a sky exposure plane that rises at a prescribed angle away from the street. To ensure access to light and air below, the building must be constructed behind this invisible plane, except where permitted obstructions, including window-washing equipment and elevator bulkheads, may extend beyond (ZR 33-42).

There are different sets of sky exposure planes for low, medium and high density Commercial Districts (ZR 33-43) that vary in the maximum height permitted close to the street (highest in high density districts) and the steepness of the sky exposure plane (which depends on the width of the adjoining street, and is steepest in high density districts). As in Residence Districts, there is an alternate, steeper sky exposure plane available for sites where open space is provided along the street line (ZR 33-44). The medium density commercial height and setback rules produce mid-rise office buildings and hotels in the city's regional business districts, such as Downtown Flushing in Queens. In the highest density districts, towers are permitted to penetrate the sky exposure plane as long as they meet certain size and locational standards (ZR 33-45). These rules typically produce high-rise commercial office towers and hotels. The lot coverage of towers is generally limited to 40 percent, but may increase to 50 percent on smaller lots. Special purpose districts within many of the city's central business districts, such as Midtown and Downtown Brooklyn, often include special rules to refine these bulk regulations (see Chapter 7).

Buildings in medium and high density contextual districts that only contain commercial or community facility uses follow the height and setback regulations for their respective residential district equivalent, as modified in Article III, Chapter 5 of the Zoning Resolution.

Residential Rules

The Zoning Resolution includes special rules for purely residential buildings developed in Commercial Districts. These first specify the applicable Residence District if the building is located in a commercial overlay (ZR 34-111) and the ***residential district equivalent*** if the building is located in another Commercial District (ZR 34-112). Article III, Chapter 4 then modifies some of the bulk regulations specified by the applicable Residence District. For example, buildings in low density districts are exempt from having to provide front or side yards (ZR 34-23) and the height and setback regulations for a number of zoning districts are modified (ZR 34-24). In some low density Commercial Districts these modifications allow residential buildings to use the building envelope of a more flexible higher density Commercial District. For example, when commercial overlays are mapped within R3 or R4A Districts, the height and setback regulations of the R4 District are applicable. Bulk regulations are also modified for Quality Housing buildings in medium and high density districts, particularly with regard to the street wall location rules.

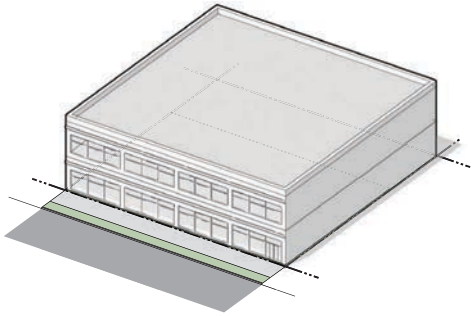
Rules for Mixed Buildings

Buildings on retail streets in Commercial Districts often include a mix of residential uses and commercial or community facility uses. This type of building is called a ***mixed building***.

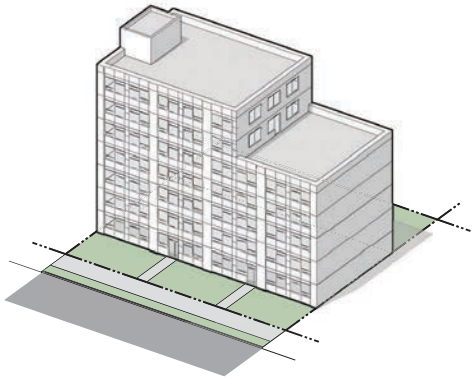
Zoning rules treat the residential portion of the building separately from the commercial or community facility portion and subject the entire building to special modifications in Article III, Chapter V, which were created to clarify how these separate sets of requirements interact. Similar to how fully residential buildings are treated, these rules specify the applicable Residence District if the building is in a ***commercial overlay*** (ZR 35-22) and the residential district equivalent for other Commercial Districts (ZR 35-23). The modifications in that chapter include clarifications of how permitted FAR, open space requirements and density are determined (ZR 35-31, 35-33, 35-40). These regulations also exempt mixed buildings in low density districts from front or side yard requirements and clarify that the deeper 30-foot rear yard required for residential uses is only required at the lowest floor used for dwelling units (ZR 35-50).

There are also special bulk regulations for ***mixed buildings***. In low density districts, these include modifications to eliminate front yard requirements in mixed buildings and to provide a small increase in the district height limits to allow ground floor retail uses with higher ceilings (ZR 35-62). To reflect their context in medium and high density commercial areas, these alterations include modifications to the tower rules in the highest density districts (ZR 35-64), and, for Quality Housing buildings (ZR 35-65), modifications that adjust the street wall location provisions and the supplemental rules for ***qualifying ground floors***. The specifics of these rules are described in the streetscape section of this chapter.

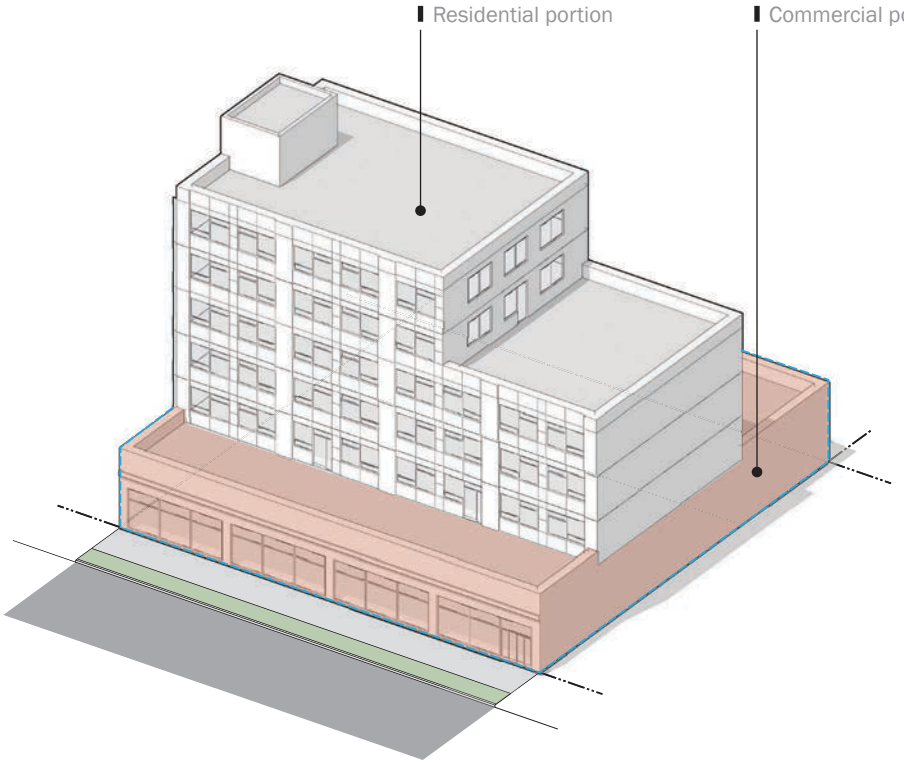
Mixed Building Bulk Controls



Commercial building



Residential building



Mixed building

In Commercial Districts, bulk rules differ based on the uses included in a building, with different chapters of the Zoning Resolution devoted to each situation. In mixed buildings, zoning rules treat the residential portion separately from the commercial or community facility portion.

Parking and Loading

The parking and loading regulations in Commercial Districts are highly complex, reflecting an effort to distinguish the number of vehicle trips likely to be generated by various commercial uses and how this relates to the characteristics of the zoning districts in which they are located. These requirements are found in Article III, Chapter 6 of the Zoning Resolution. In low density districts, these regulations often act as an effective limit on the size of buildings, even if bulk regulations would nominally permit larger buildings.

Permitted and Required Parking Spaces

Most Commercial Districts require a certain minimum number of spaces (ZR 36-20), and all limit (ZR 36-10) the number of ***accessory*** parking spaces that may be provided beyond what is required.

To determine the amount of parking required in different parts of the city, commercial uses are divided into eight ***parking requirement categories (PRC)***. In addition, Commercial Districts are further divided into five parking requirement levels, four with gradually decreasing parking requirements and the fifth with no required parking. Each level has specific requirements for each PRC. These rules are intended to match appropriate minimum parking requirements with uses located in different areas of the city. Districts with a low parking requirement are typically mapped in areas where employees or customers are less likely to use cars or require dedicated off-street parking, and the highest parking requirement districts are intended to be mapped in areas where auto use and the need for a supply of parking spaces are likely to be highest.

The specific PRC assigned to each use can be found in brackets after its listing in its use group in Article III, Chapter 2. Within each PRC, the size of the development and the intensity of the zoning district determine the minimum ***accessory*** parking requirement for commercial and community facility uses (ZR 36-21). The requirements are often expressed in terms of the specific amount of space that generates a requirement for a single accessory parking space – for example, one space per 500 square feet of floor area. For some uses, required parking is based on other relevant measures such as the number of employees or guest rooms.

Minimum parking requirements can be reduced in certain circumstances. When the calculation of requirements results in a small number of spaces, for example, the parking requirement can be waived (ZR 36-23). This threshold varies from 10 spaces in districts with high parking requirements to 40 spaces in districts with very low requirements.

In general, developments in low density districts are required to provide parking unless they are very small, while only very large developments in medium and high density districts are required to provide parking. To illustrate, the following describes the parking requirements in various Commercial Districts for PRC B1, general retail or office use:

- C1 and C2 Districts – Parking requirements in C1 and C2 Districts vary by the district's numeric suffix. As the suffix increases, parking requirements decrease and the number of spaces that may be waived increases. Requirements are highest in districts with -1 overlays and lowest in -4 overlays (ranging from one space per 150 square feet to one space per 1,000 square feet, respectively). No parking is typically required in districts with -5 or higher suffixes.
- C4, C5 and C6 Districts – Parking requirements differ greatly among the three districts: in C4 Districts they range from one space per 150 square feet in districts with -1 suffixes to one space per 1,000 square feet in those with -4 suffixes. Similarly, the higher the numeric suffix, the greater the number of spaces that may be waived. Generally, for C4-5 through C4-7 Districts, no parking is required. C5 and C6 Districts have no parking requirements since they are meant for high density areas with a range of public transportation options.
- C3, C7 and C8 Districts – C3 Districts, which are intended to accommodate waterfront-oriented uses in low density areas, have high parking requirements (1 per 150 square feet). Parking requirements are relatively low in C7 Districts. In C8 Districts, as the suffix increases, parking requirements decrease and the waiver threshold increases. Parking requirements range from one space per 300 square feet in districts with -1 suffixes to one space per 1,000 square feet in districts with -3 suffixes). There are no parking requirements in C8-4 Districts.

The parking requirements for residential uses are calculated separately (ZR 36-30), but generally follow the requirements for the residential district equivalent for required parking and permitted waivers.

As with Residence Districts, Commercial Districts limit the maximum amount of permitted accessory parking that can be provided on a zoning lot — for all uses the maximum is 225 spaces (300 for ***Quality Housing*** buildings). Required parking is not subject to these limits (ZR 36-13).

Additional Parking Provisions

Aside from establishing the permitted and required parking amounts, Commercial District regulations also have corresponding provisions for the use and design of the spaces, as well as requirements for bicycle parking and for loading berths.

To recognize conditions where it may be difficult to accommodate all the required spaces on the zoning lot, special provisions allow for off-site parking in Commercial or Manufacturing Districts, within a certain radius of the

zoning lot generating the need for parking (ZR 36-40). Many districts allow accessory spaces for residences to be rented to other users should the primary uses not utilize all the required parking (ZR 36-46).

Public parking garages and public parking lots with a capacity of up to 150 spaces are allowed as-of-right in many Commercial Districts (Use Group 8C) (ZR 32-17). Public parking garages and public parking lots with more than 150 spaces in lower and medium density districts require a special permit from the BSA. In C1 Districts and high density central areas, public parking garages and parking lots with some size limitations are allowed only by CPC special permit.

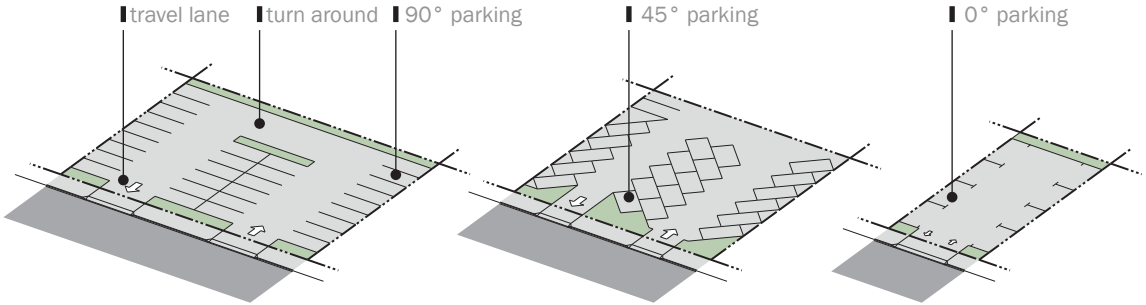
Loading berths (ZR 36-60) are required for certain commercial uses, such as office buildings or large retail establishments, to accommodate the loading and unloading of trucks and other vehicles. For some uses, loading requirements are uniform across all districts; for other uses there are two categories of loading berth requirements with the lower requirement corresponding to zoning districts with very low or no parking requirements, and the higher requirement applying to other Commercial Districts. Generally, more berths are required in lower density districts than in higher density districts for the same amount of floor area.

Accessory bicycle parking for employees (ZR 36-70) is required for new developments, significant enlargements or residential conversions. One bicycle parking space is required per 7,500 square feet of floor area for commercial offices, or per 10,000 square feet of retail and most other commercial uses. Bike parking requirements can be waived in all Commercial Districts if three or fewer bicycle parking spaces are required. Enclosed areas used for bike parking may be exempted from floor area calculations.

Parking Requirement Categories (PRC)

Parking Requirement Category (PRC)	Types of Uses	Traffic Volume	Examples
A	Food stores (larger than 2,000 sf)	High	supermarkets
B	Local retail or service uses	High	restaurants, department stores
B1	Offices and stores that sell large items	Low	furniture, carpet, appliance stores
C	Miscellaneous	Low	court houses, auto showrooms
D	Places of assembly	High	theaters, bowling alleys, stadiums
E	Outdoor amusement areas	High	amusement parks
F	Light manufacturing	Moderate	ceramics, dental products, commercial laundry
G	Storage uses	Low	warehouses, trucking terminals
H	Other uses	Unique	hotels, funeral parlors, post offices

Parking Maneuverability



Parking Angle	Minimum Length	Minimum Width	Minimum Travel Lane	Minimum Turnaround
0 (one way)	8'6"	20'0"	13'2"	N/A
0 (two way)	8'6"	20'0"	23'2"	N/A
45	17'1"	8'6"	12'10"	18'0"
50	17'8"	8'6"	13'2"	17'6"
55	18'1"	8'6"	13'7"	17'3"
60	18'5"	8'6"	14'6"	17'0"
65	18'7"	8'6"	15'4"	17'3"
70	18'8"	8'6"	16'5"	17'6"
75	18'7"	8'6"	17'10"	18'0"
90	18'0"	8'6"	22'0"	22'0"

Streetscape

Streetscape regulations exist in Commercial Districts to promote buildings that improve the quality of the public street environment. These regulations are found throughout the Zoning Resolution and are comprised of use regulations such as sign provisions or ground floor use requirements, as well as requirements for street trees or other forms of planting, bulk rules that specify the location of street walls and parking regulations that seek to limit the impact of vehicles on the sidewalk.

Signage plays an important role in identifying commercial establishments and zoning regulations are intended to ensure that new ***signs*** are appropriate to the objectives of the zoning district (ZR 32-60). The Zoning Resolution sets limits on the sign type, size, and degree of illumination that is permitted in each district. Most Commercial Districts only permit ***accessory signs*** (signs for businesses or activities located on the particular zoning lot). ***Advertising signs*** are limited to only certain entertainment-oriented Commercial Districts or ones that allow quasi-industrial uses, and are further restricted by locational rules. For example, they are not permitted to directly face adjoining Residence Districts. Some Commercial Districts restrict ***illuminated signs*** – those lit by artificial or reflected light – while districts that permit them often place special restrictions on the size of ***flashing signs*** (illuminated signs that change light or color). Standards for maximum sizes and heights as well as lighting types vary by zoning district and are described in the separate sections below. Most districts determine a maximum surface area for signs by multiplying a specified factor by the amount of street frontage the zoning lot has (ZR 32-641, 32-642). If a zoning lot has multiple retail establishments, the surface area of a sign is calculated using the street frontage of each establishment as if each were a separate zoning lot (ZR 32-64). In most districts, permitted signs may project over the street line by 12 inches, or 18 inches for double- or multi-faced signs. Accessory commercial signs on buildings containing residences are limited to the commercial portion of the building. In addition, signs are not permitted to be located on a roof in most zoning districts. Accessory signs on awnings and canopies that project over the sidewalk are also regulated (ZR 32-653). Signage rules in the different zoning districts can generally be grouped as follows:

- C1 and C2 Districts – Signs are restricted to small accessory signs in C1 and C2 Districts (150 square feet maximum) with limited provisions for illumination, given their location in residential neighborhoods.
- C4, C5 and C6 Districts – Signs in C4 and most C6 Districts can be larger than in C1 or C2 Districts (up to 500 square feet) and may be illuminated or flashing, but they are still limited to ***accessory signs***. However, in C6-5 and C6-7 Districts, generally found around Times Square, signs of all types are permitted without restriction as to size, location or illumination. C5 Districts have more restrictive signage regulations (200 square feet) than C4 or C6 Districts, reflecting their more staid character. Except in C5-4 Districts, no signs in C5 Districts can be illuminated or flashing.
- C3, C7 and C8 Districts – In C3 Districts, sign sizes are more limited (50 square feet) and cannot be illuminated because of their proximity to the waterfront and to low-density residential areas. Consistent with the character of amusement areas, sign regulations are quite permissive in C7 Districts, with flashing, illuminated and advertising signs allowed and no size or height restrictions. C8 Districts permit signs generally similar to those found in Manufacturing Districts (500-750 square feet), with a broad range of signs, including large illuminated or flashing signs permitted.

Street trees are required for new developments or significant enlargements in a Commercial District, at a rate of one tree per every 25 feet of street frontage (ZR 33-03).

Some Commercial Districts or specified geographies in the city require or restrict certain uses on the ground floor and often require minimum amounts of transparency to ensure an active streetscape (ZR 32-43). These rules are particularly concentrated in the highest density districts but also in Staten Island where special requirements apply (see ***lower density growth management areas*** in Chapter 6). Special regulations also restrict the location of business entrances, show windows and signs, when located adjacent to a Residence District (ZR 32-51). These requirements are intended to maintain the character of residential block fronts and minimize commercial intrusions on the nearby residential area.

The street wall location requirements for Quality Housing buildings are modified in Commercial Districts to reflect the typical relationship between commercial activity and the street (ZR 35-65). In medium density Residence Districts (generally R6 and R7), these requirements simplify street wall location provisions by requiring that 70 percent of the building be located within eight feet of the street. In high density Residence Districts (generally R8 through R10), these modified provisions require that, except for minor articulation allowances, the building be located on the street line.

Similar to Residence Districts, Quality Housing buildings in medium and high density Commercial Districts are eligible for an additional five feet in overall building and maximum base height if they include a ***qualifying ground floor***. For buildings in most contextual districts outside the ***Manhattan Core*** that are not providing Inclusionary Housing or affordable senior housing, the qualifying ground floor must include commercial or community facility uses and comply with supplemental use provisions to be eligible for the additional height. For example, in Commercial Districts a qualifying ground floor must contain commercial or community facility space with a depth of 30 feet and minimum transparency along a

substantial portion of the ***primary street frontage***. Any parking provided on a qualifying ground floor needs to be wrapped by floor area consisting of the commercial or community facility space. On ***secondary street frontages***, there are no use restrictions except that parking must be either wrapped by floor area or screened so that it is not possible to see it from the sidewalk (ZR 35-652).

To ensure that parking and loading do not compromise the quality of the streetscape, and to promote pedestrian safety and minimize disruption of sidewalk activity, special parking and loading design requirements restrict the location and size of curb cuts, as well as require surfacing and screening for the facilities (ZR 36-50, 36-60).

Large public parking lots and accessory parking lots for new commercial or community facility uses are required to comply with parking lot landscaping regulations that are intended to improve the appearance of the lot and to promote sustainable storm water management. The standards mandate perimeter landscaping along the edge of the parking lot, and for larger lots landscaped planting islands throughout the parking area (ZR 36-58, 37-90).

Commercial Streetscape



A series of Commercial District streetscape allowances and requirements help ensure new buildings contribute to their neighborhoods.

1. On primary streets, ground floor use regulations may require certain uses and minimum levels of transparency on show windows.
2. Qualifying Ground Floor regulations allow additional building height in exchange for taller ground floors.
3. Street wall regulations establish the relationship between the building facade and the sidewalk. In Commercial Districts, these generally allow or, in some instances, require buildings to be located close to the sidewalk.
4. Signage rules allow businesses to direct attention to their stores subject to various standards and allow advertising signs in some districts.
5. Parking is often required to be located off the primary street and wrapped or screened when located on secondary streets.
6. Planting regulations include rules for street tree planting.

C1 and C2

C1 and C2 Districts are mapped within residential neighborhoods along streets that serve local retail needs. They are found extensively throughout the city's lower and medium density areas and occasionally in higher density areas, and can either be mapped as commercial overlays or stand-alone districts.

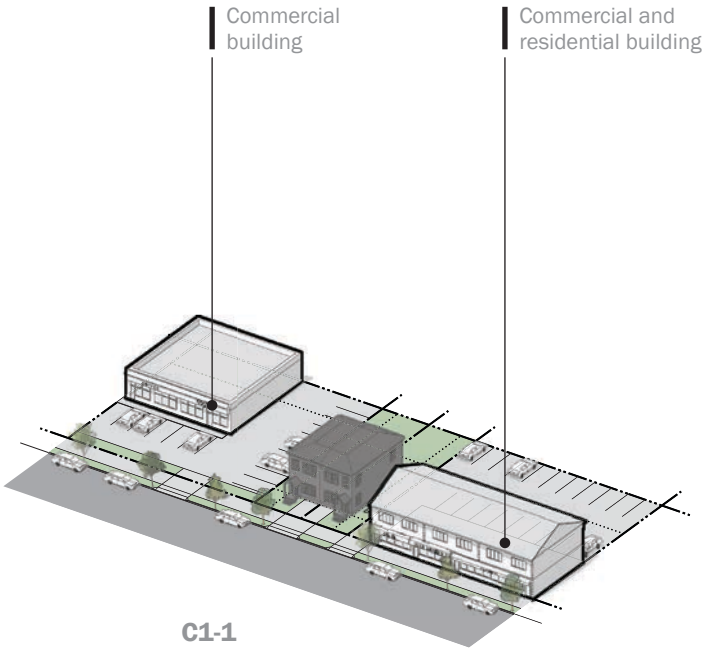
Commercial Districts with -1 and -2 suffixes are commonly found in lower density areas of the city such as Staten Island, eastern Queens and southern Brooklyn, while districts with -3 and -4 suffixes are found in portions of central Brooklyn, upper Manhattan and southern portions of the Bronx. Districts with -5 suffixes or higher are almost exclusively found in central portions of Manhattan along major avenues.



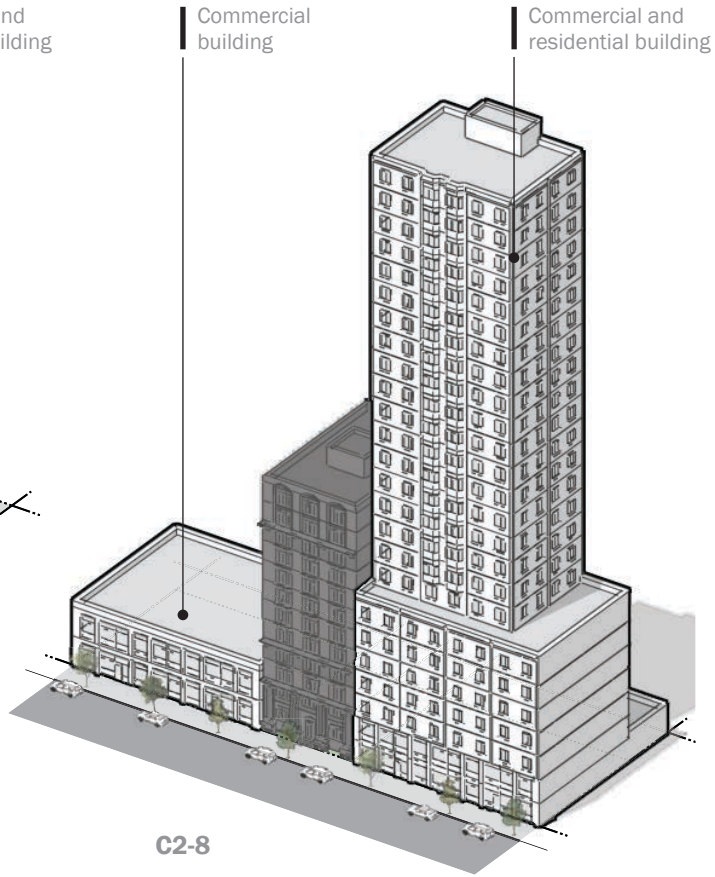
Jackson Heights, Queens



Cobble Hill, Brooklyn



C1-1



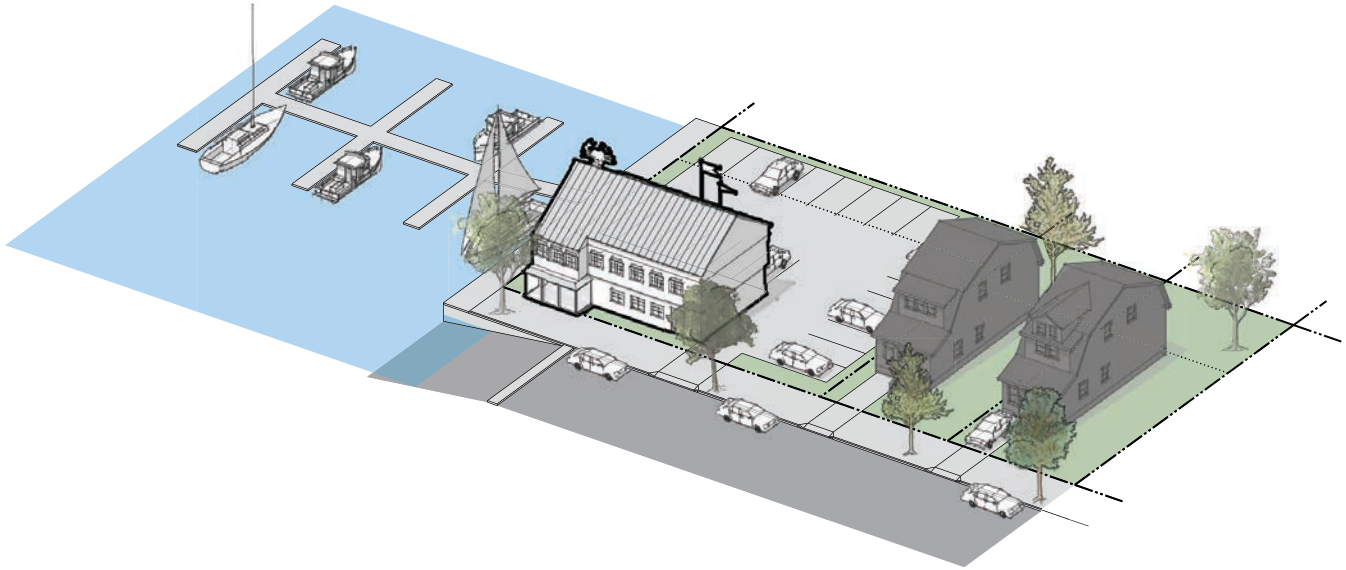
C2-8

C1 and C2 Overlays	Local Retail and Local Service District									
	C1-1	C2-1	C1-2	C2-2	C1-3	C2-3	C1-4	C2-4	C1-5	C2-5
Commercial FAR within R1-R5	All districts have a commercial FAR of 1.0									
Commercial FAR within R6-R10	All districts have a commercial FAR of 2.0									
Depth of Overlay District (in feet)	200	150					100			
Required Accessory Parking PRC-B	1 per 150 sf		1 per 300 sf		1 per 400 sf		1 per 1,000 sf		none	
Permitted Signage	3 x street frontage (150 sf total maximum)									

C1 and C2	Local Retail and Local Service District								
	C1-6 C2-6	C1-7	C2-7 C1-8	C2-8 C1-9	C1-6A C2-6A	C1-7A	C2-7A C1-8A	C2-7X C1-8X	C2-8A C1-9A
Commercial FAR	All districts have a commercial FAR of 2.0								
Residential District Equivalent	R7-2	R8	R9	R10	R7A	R8A	R9A	R9X	R10A
Required Accessory Parking PRC-B	None								
Permitted Signage	3 x street frontage (150 sf total maximum)								

C3

C3 Districts permit waterfront recreational activities, primarily boating and fishing, in areas along the ***shoreline*** that are adjacent to Residence Districts. The non-contextual C3 District, which originated with the 1961 Zoning Resolution, and the more recent C3A contextual districts are commonly found in low density areas along the city's ***waterfront areas:*** C3 Districts are found on City Island in the Bronx and along Mill Basin in Brooklyn, while C3A Districts are found in Staten Island near Great Kills Harbor and the Throgs Neck area of the Bronx.





City Island, The Bronx



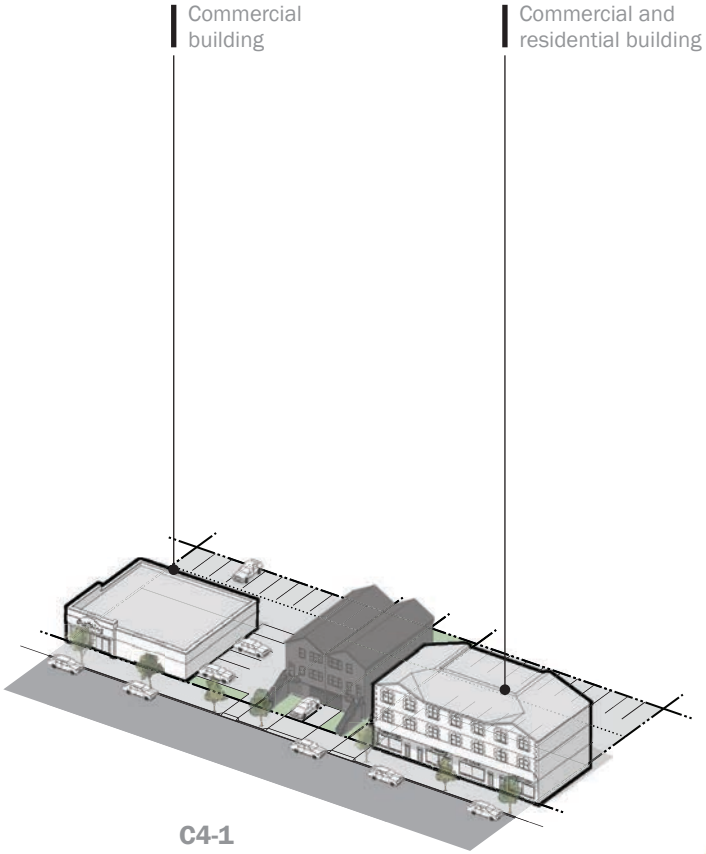
Eltingville, Staten Island

C3	Waterfront Recreation District	
	C3	C3A
Commercial FAR	All districts have a commercial FAR of 0.5	
Residential District Equivalent	R3-2	R3A
Required Accessory Parking PRC-B	1 per 150 sf	
Permitted Signage	50 sf (maximum)	

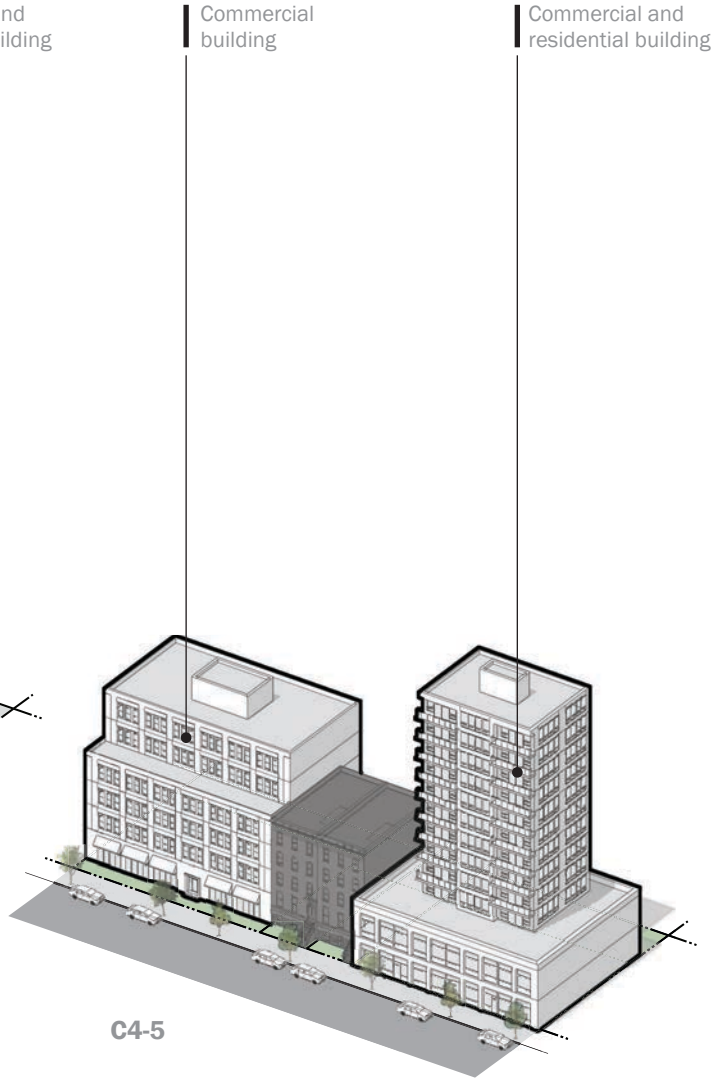
C4

C4 Districts are mapped in regional centers located outside of central business districts where specialty and department stores, theaters and office ***uses*** serve a larger region than neighborhood shopping areas. Although established by the 1961 Zoning Resolution, they have evolved to cover a very wide range of densities. A large number of individual C4 Districts have been created over time to address a range of conditions designated by different suffixes. In general, the higher the numeric suffix is, the higher the permitted density and the lower the commercial parking requirement. C4 Districts with a letter suffix are contextual districts that require a contextual building form.

C4-1 Districts are mapped in outlying areas, such as the Staten Island Mall, that require large amounts of parking. C4-2 through C4-5 Districts are mapped in more densely built areas, such as Steinway Street in Astoria (C4-2A), Fordham Road (C4-4), and parts of Jamaica (C4-5X). C4-6 and C4-7 Districts are mapped in densely built areas of Manhattan, including most of Broadway on the Upper West Side (C4-6A) and portions of central Harlem (C4-7).

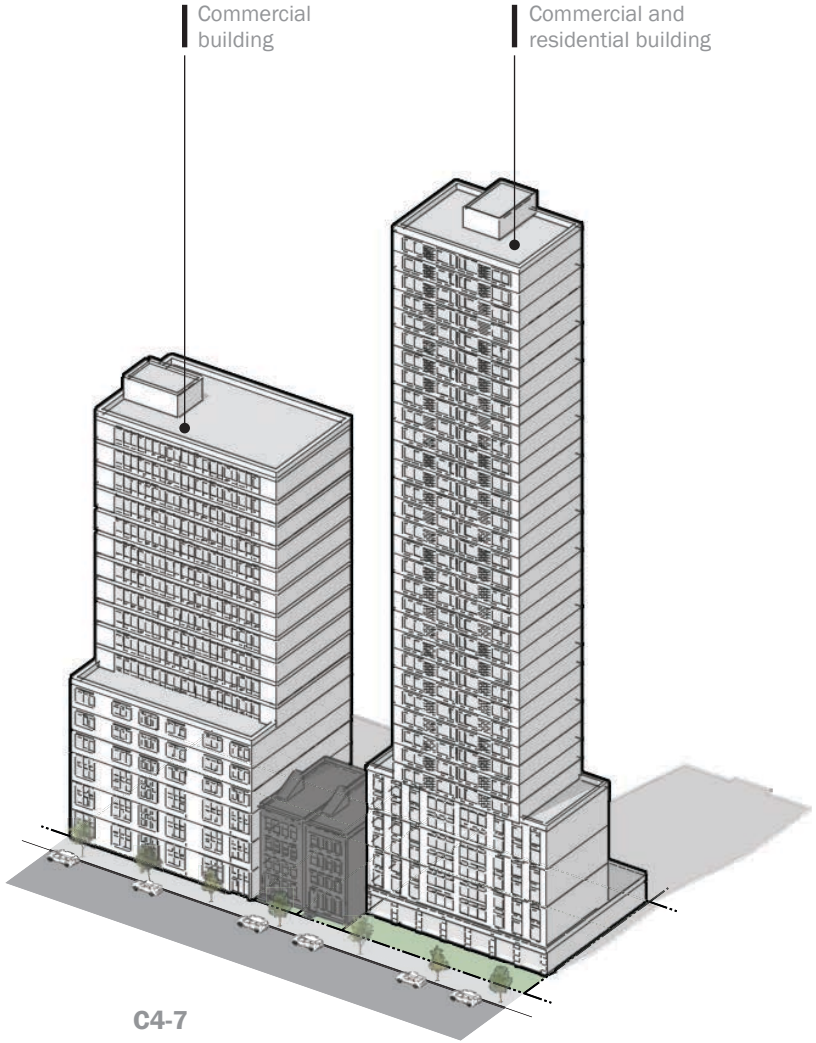


C4-1



C4-5

C4	Non-contextual General Commercial District						
	C4-1	C4-2	C4-3	C4-4	C4-5	C4-6	C4-7
Commercial FAR	1.0	3.4					10.0
Residential District Equivalent	R5	R6		R7-2		R10	
Required Accessory Parking PRC-B	1 per 150 sf	1 per 300 sf	1 per 400 sf	1 per 1,000 sf	None		
Permitted Signage	5 x street frontage (500 sf maximum)						



C4-7

C4 — Contextual General Commercial District

	C4-2A	C4-3A	C4-4A	C4-5A	C4-6A	C4-7A	C4-4D	C4-5D	C4-5X
Commercial FAR	3.0		4.0		3.4	10.0	3.4	4.2	4.0
Residential District Equivalent	R6A		R7A		R10A		R8A	R7D	R7X
Required Accessory Parking PRC-B	1 per 400 sf		None				1 per 1,000 sf		None
Permitted Signage	5 x street frontage (500 sf maximum)								



Staten Island Mall, Staten Island



Mott Haven, The Bronx


Upper West Side, Manhattan

C5 and C6

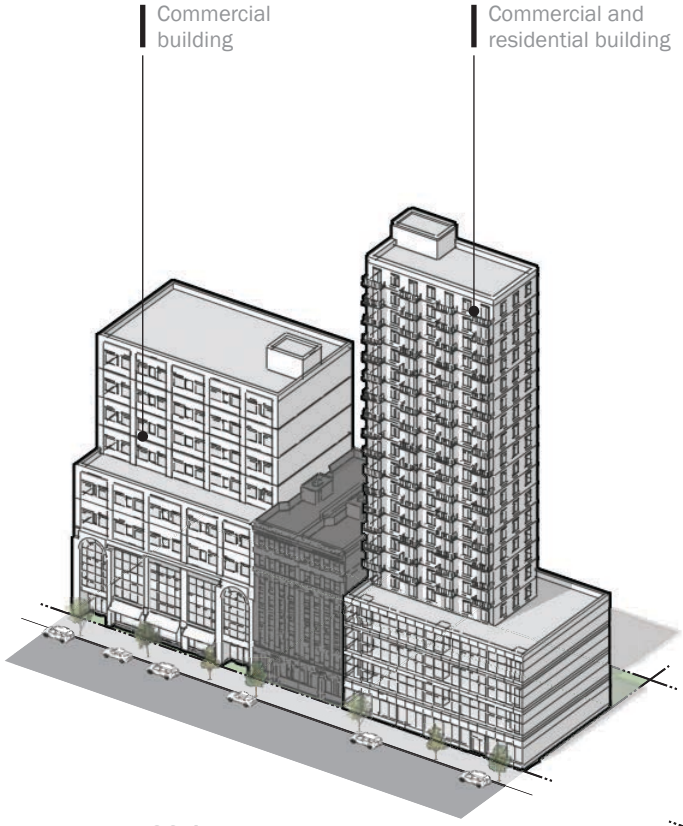
C5 and C6 Districts are both high density areas intended for commercial uses that require central locations or serve the entire metropolitan region. Mainly distinguished by differing use and sign regulations, both districts are most often found in Lower and Midtown Manhattan, Downtown Brooklyn, Long Island City and Downtown Jamaica.

C5 and C6 Districts are distinguished by individual suffixes. In general, the higher the numeric suffix, the higher the permitted commercial density. Both are original to the 1961 Resolution, but some of the districts with suffixes have been created over time to address different planning needs.

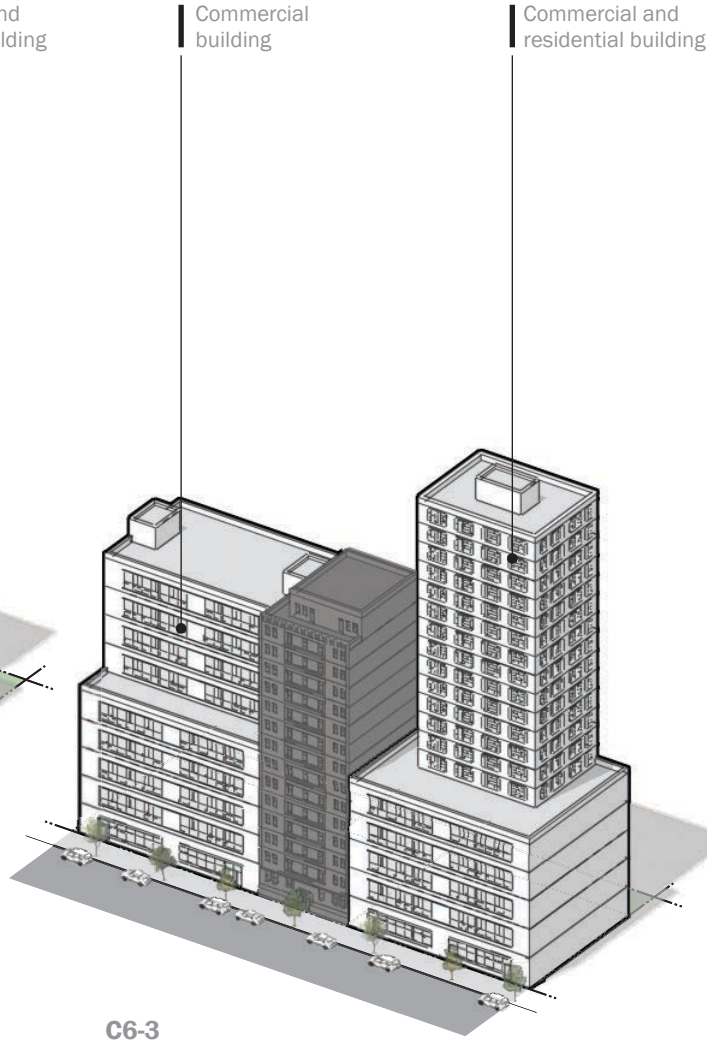
C5-1 Districts are found on the edges of Midtown Manhattan, while C5-2 and C5-4 Districts are found in Midtown and Downtown Brooklyn. C5-3 Districts are located in the eastern part of Midtown and Lower Manhattan as well as in Long Island City. C5-5 Districts are found exclusively in Lower Manhattan.

C6-1, C6-2 and C6-3 Districts are typically found in areas outside of ***central business districts***, such as the Lower East Side and Chelsea in Manhattan. C6-4 Districts are mapped in a variety of locations in Manhattan and in core areas of Brooklyn and Queens. Districts with higher suffixes are typically located in Midtown or Lower Manhattan.

C5 and C6 Districts are widely mapped within ***special purpose districts*** or other areas with special rules. For example, C6-6.5 Districts are mapped only within the ***Special Midtown District*** and have unique ***floor area ratio*** rules, while C6 Districts with G or M suffixes have special rules for the conversion of non-residential space.



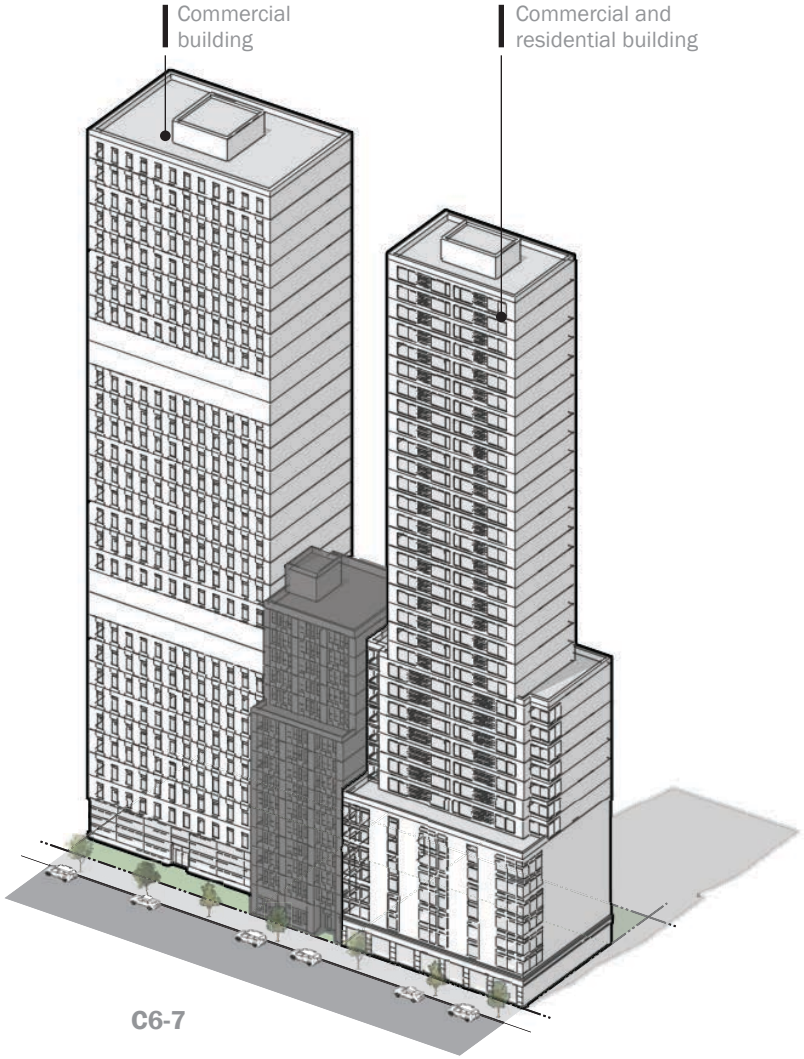
C6-1



C6-3

Non-contextual Restricted and General Central Commercial District

C5 and C6	C5-1	C6-1	C5-2	C6-2	C5-3 / C5-5	C6-3	C5-4 / C6-4 / C6-8	C6-5	C6-6 / C6-9	C6-7
Commercial FAR	4.0	6.0	10.0	6.0	15.0	6.0	10.0		15.0	
Residential District Equivalent	R10	R7-2	R10	R8	R10	R9	R10			
Required Accessory Parking PRC-B	None									
Permitted Signage	3 x street frontage (200 sf max.)	5 x street frontage (500 sf max.)	3 x street frontage (200 sf max.)	5 x street frontage (500 sf max.)	3 x street frontage (200 sf max.)	5 x street frontage (500 sf max.)		No restriction	5 x street frontage (500 sf max.)	No restriction



C6-7

C5 and C6

Contextual Restricted and General Central Commercial District

	C5-1A	C6-1A	C5-2A	C6-2A	C6-3A	C6-3D	C6-3X	C6-4A	C6-4X
Commercial FAR	4.0	6.0	10.0	6.0		9.0	6.0	10.0	
Residential District Equivalent	R10A	R6	R10A	R8A	R9A	R9D	R9X	R10A	R10X
Required Accessory Parking PRC-B	None								
Permitted Signage	3 x steet frontage (200 sf max.)	5 x street frontage (500 sf max.)	3 x street frontage (200 sf max.)	5 x street frontage (500 sf max.)					



Long Island City, Queens



Midtown. Manhattan



Columbus Circle, Manhattan

C7

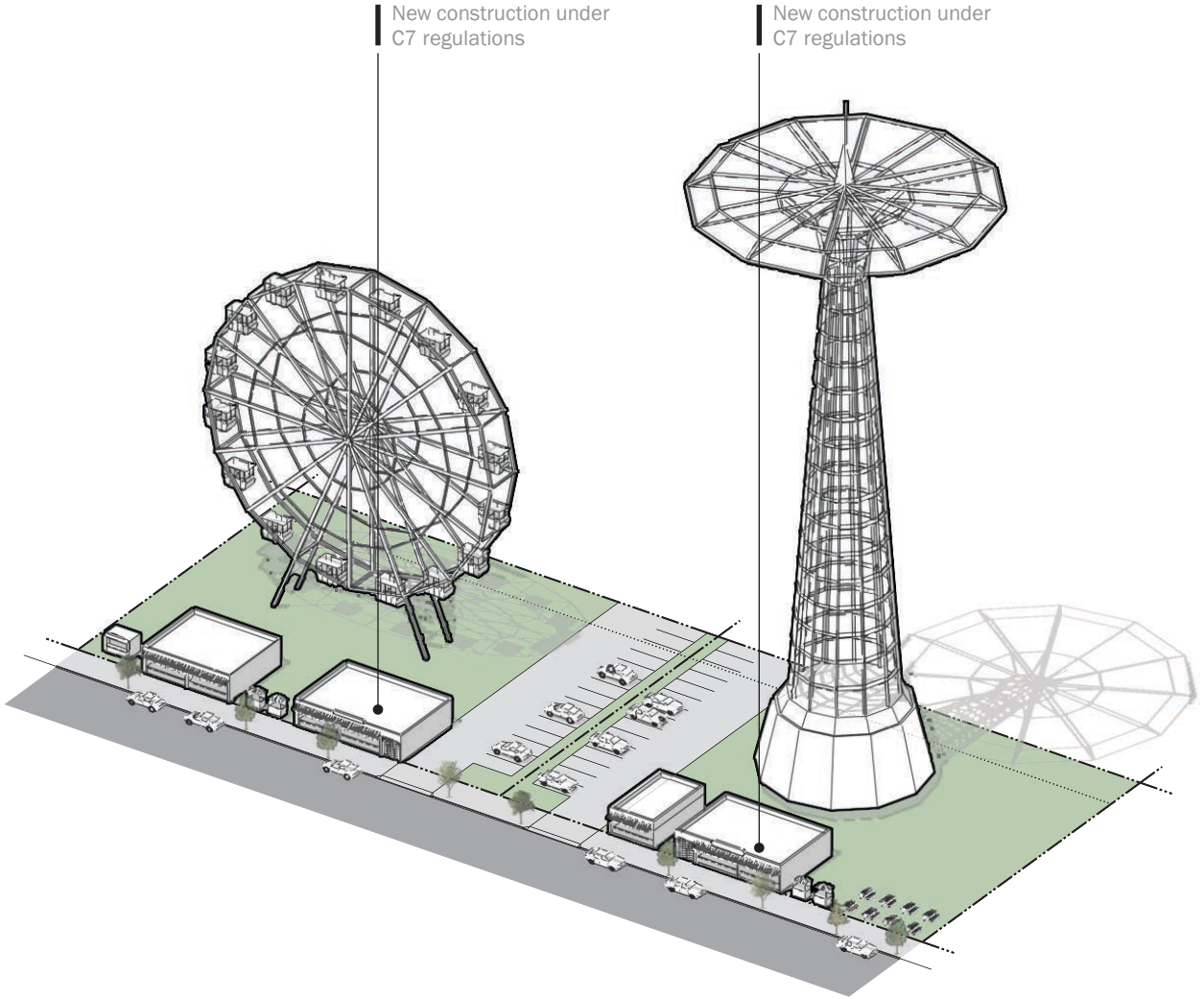
C7 Districts are specifically designated for large open amusement parks. The district is located inlocated in just three areas of the city, the largest being the Coney Island amusement area in Brooklyn, while two smaller areas are located in Brooklyn and the Bronx. It is original to the 1961 Resolution.



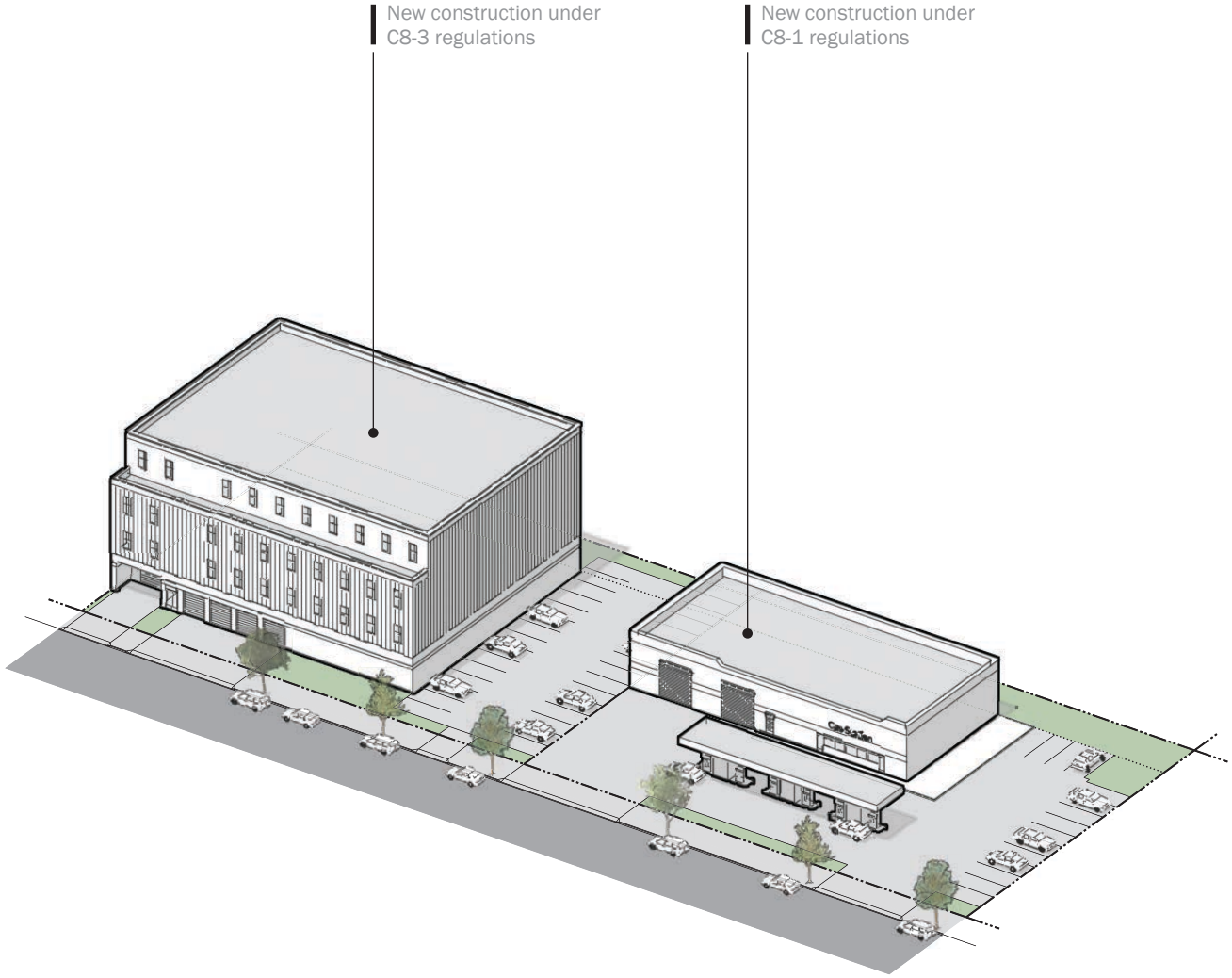
Coney Island, Brooklyn



Coney Island, Brooklyn



C7	Commercial Amusement District
	C7
Commercial FAR	2.0
Residential District Equivalent	None
Required Accessory Parking PRC-B	1 per 400 sf
Permitted Signage	No restriction



C8

C8 Districts, which bridge commercial and manufacturing uses, provide for automotive and other heavy commercial services that often require large amounts of land. They are mapped mainly along major traffic arteries where concentrations of automotive uses have developed. There are four types, each designated by a numeric suffix that increases along with increasing density. All are original to the 1961 Resolution.

C8-1 Districts are typically found in Staten Island, southern Brooklyn and eastern Queens. C8-2 Districts are found in central Brooklyn, while C8-3 Districts are typically found in northern Manhattan and southern portions of the Bronx. C8-4 Districts are only found in the central portions of Manhattan.



Park Hill, Staten Island



Bay Ridge, Brooklyn

C8	General Service District			
	C8-1	C8-2	C8-3	C8-4
Commercial FAR	1.0	2.0		5.0
Residential District Equivalent	None			
Required Accessory Parking PRC-B	1 per 300 sf	1 per 400 sf	1 per 1,000 sf	None
Permitted Signage	6 x street frontage			

C1-C4 Commercial Districts

Local Retail and Service Overlay	Depth of Overlay	Required Accessory Parking PRC-B	Commercial FAR	Community Facility FAR	Signage			
					Size (individual)	Size (maximum)	Size (illuminated)	Height above street level
C1-1	200 ft	1 per 150 sf	R1-R5: 1.00 R6-R10: 2.00	Residential Equivalent	150 sf	3 x street frontage (150 sf maximum)	3 x street frontage (50 sf maximum)	25 ft
C1-2	150 ft	1 per 300 sf						
C1-3		1 per 400 sf						
C1-4	100 ft	1 per 1000 sf						
C1-5		None						
C2-1	150 ft	1 per 150 sf						
C2-2		1 per 300 sf						
C2-3		1 per 400sf						
C2-4	100 ft	1 per 1000 sf						
C2-5		None						

Local Retail and Service	Residential Equivalent	Required Accessory Parking PRC-B	Commercial FAR	Community Facility FAR	Signage			
					Size (individual)	Size (maximum)	Size (illuminated)	Height above street level
C1-6	R7-2	None	2.00	6.5	150 sf	3 x street frontage (150 sf maximum)	3 x street frontage (50 sf maximum)	25 ft
C1-7	R8							
C1-8	R9			10				
C1-9	R10							
C1-6A	R7A			4				
C1-7A	R8A			6.5				
C1-8A	R9A			7.5				
C1-8X	R9X			9				
C1-9A	R10A			10				
C2-6	R7-2			6.5				
C2-7	R9			10				
C2-8	R10							
C2-6A	R7A			4				
C2-7A	R9A			7.5				
C2-7X	R9X			9				
C2-8A	R10A			10				

Waterfront Recreation	Residential Equivalent	Required Accessory Parking PRC-B	Commercial FAR	Community Facility FAR	Signage			
					Size (individual)	Size (maximum)	Size (illuminated)	Height above street level
C3	R3-2	1 per 150 sf	0.5	1	50 sf	50 sf	Not permitted	25 sf
C3A	R3A							

Non-contextual General Commercial	Residential Equivalent	Required Accessory Parking PRC-B	Commercial FAR	Community Facility FAR	Signage			
					Size (individual)	Size (maximum)	Size (illuminated)	Height above street level
C4-1	R5	1 per 150 sf	1.00	2	500 sf	5 x street frontage (500 sf maximum)	5 x street frontage (500 sf maximum)	40 ft
C4-2	R6	1 per 300 sf	3.40	4.8				
C4-3		1 per 400 sf						
C4-4	R7-2	1 per 1,000 sf		6.5				
C4-5		None						
C4-6	R10		10.00	10				
C4-7								

C4-C8 Commercial Districts

Contextual General Commercial	Residential Equivalent	Commercial FAR	Community Facility FAR	Required Accessory Parking	Signage			
					Size (individual)	Size (maximum)	Size (illuminated)	Height above street level
C4-2A	R6A	3.00	3	1 per 400 sf	500 sf	5 x street frontage (500 sf maximum)	5 x street frontage (500 sf maximum)	40 ft
C4-3A								
C4-4A	R7A	4.00	4	None				
C4-5A								
C4-6A	R10A	3.40	10					
C4-7A		10.00						
C4-4D	R8A	3.40	6.5	1 per 1,000 sf				
C4-5D	R7D	4.20	4.2					
C4-5X	R7X	4.00	5	None				

Restricted Central Commercial	Residential Equivalent	Commercial FAR	Community Facility FAR	Required Accessory Parking	Signage			
					Size (individual)	Size (maximum)	Size (illuminated)	Height above street level
C5-1	R10	4.00	10	None	200 sf	3 x street frontage (200 sf)	Not permitted	25 ft
C5-2	R10	10.0						
C5-3	R10	15.00	15					
C5-4	R10	10.00	10		500 sf	5 x street frontage (500 sf maximum)	5 x street frontage (500 sf maximum)	40 ft
C5-5		15.00	15		200 sf	3 x street frontage (200 sf)	Not permitted	25 ft
C5-1A	R10A	4.00	10					
C5-2A		10.00						

General Central Commercial	Residential Equivalent	Commercial FAR	Community Facility FAR	Required Accessory Parking	Signage			
					Size (individual)	Size (maximum)	Size (illuminated)	Height above street level
C6-1	R7-2	6.00	6.5	None	500 sf	5 x street frontage (500 sf maximum)	5 x street frontage (500 sf maximum)	40 ft
C6-2	R8							
C6-3	R9		10					
C6-4	R10	10.00						
C6-5	R10				No restriction			
C6-6	R10	15.00	15		500 sf	5 x street frontage (500 sf maximum)	5 x street frontage (500 sf maximum)	40 ft
C6-7	R10				No restriction			
C6-8	R10	10.00	10		500 sf	5 x street frontage (500 sf maximum)	5 x street frontage (500 sf maximum)	40 ft
C6-9	R10	15.00	15					
C6-1A	R6	6.00	6					
C6-2A	R8A		6.5					
C6-3A	R9A		7.5					
C6-3D	R9D	9.00	9					
C6-3X	R9X	6.00						
C6-4A	R10A	10.00	10					
C6-4X	R10X							

Commercial Amusement	Residential Equivalent	Commercial FAR	Community Facility FAR	Required Accessory Parking	Signage			
					Size (individual)	Size (maximum)	Size (illuminated)	Height above street level
C7	None	2.00	N/A	1 per 400 sf	No restriction			

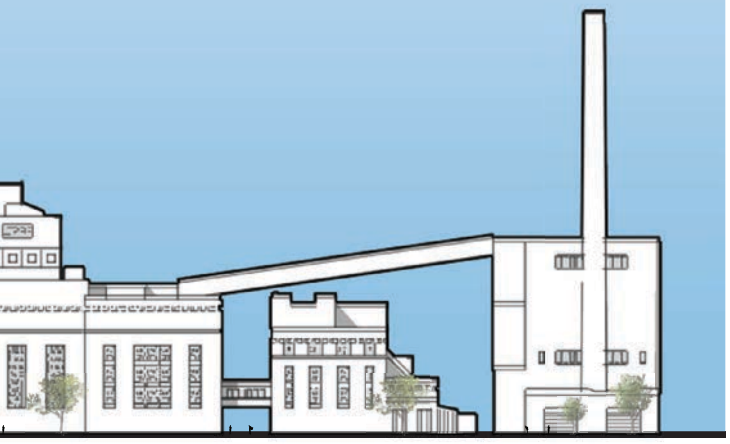
General Service	Residential Equivalent	Commercial FAR	Community Facility FAR	Required Accessory Parking	Signage				
					Size (individual accessory)	Size (individual advertising)	Size (maximum)	Size (illuminated)	Height above street level
C8-1	None	1.00	2.4	1 per 300 sf	Illuminated: 500 sf Non-illuminated: 750 sf	Indirect illumination: 500 sf Non-illuminated: 500 sf	6 x street frontage	5 x street frontage	40 ft illuminated; 58 ft non-illuminated
C8-2		2.00	4.8	1 per 400 sf					
C8-3		2.00	6.5	1 per 1,000 sf					
C8-4		5.00		None					



MX M1 M2

Manufacturing Districts

New York City's industrial areas contain a wide range of activities that are vital to the region's economy. These include traditional production facilities, warehouses and distribution centers, construction contractors' establishments, film production studios, ferry and ship terminals, emerging tech and maker spaces and essential municipal facilities like sewage treatment plants and train yards. Manufacturing Districts also include a wide range of offices, wholesale and retail businesses and a limited number of community facility uses. In 1916 the zoning included unrestricted zones in which this wide range of activities could occur; the 1961 Resolution introduced the concept of separating industrial activities from residences and limiting their effects on nearby residential areas. Today the Zoning Resolution regulates Manufacturing Districts through rules intended to support the availability of space for a wide range of businesses in an environment that benefits from separation from residential neighborhoods.



M3

Basic Types



Light Manufacturing District



Medium Manufacturing District



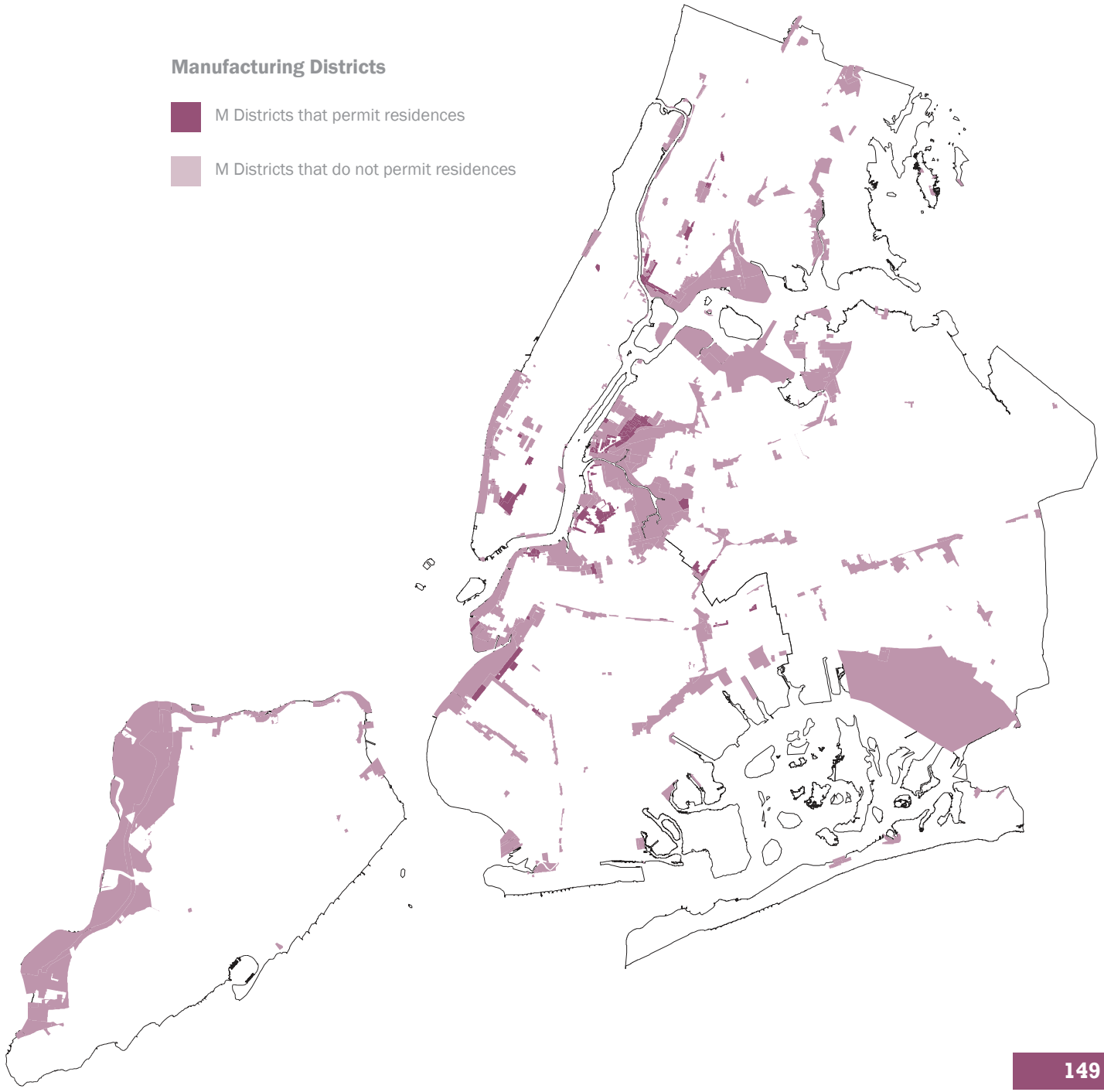
Heavy Manufacturing District

There are three types of ***Manufacturing Districts*** that are distinguishable from each other by the intensity of industrial ***uses*** permitted within them, the applicable ***performance standards*** (regulations that limit the amount and type of industrial nuisances permitted for a variety of potentially noxious elements including noise, vibration, smoke, odor and fire hazard) and the range of permitted non-industrial activities. Each district type is further subdivided into a number of individual districts characterized by different ***floor area ratios (FARs)*** and parking requirements, with increasing intensity of industrial use and density generally indicated by the accompanying numeric suffix. The district categories are:

- M1 – Light Manufacturing Districts. Designed for a wide range of industrial, commercial and a limited number of community facility uses, M1 Districts in some cases act as transition zones between residential areas and areas with heavier industrial activity.
- M2 – Medium Manufacturing Districts. While generally regulated similarly to the more intensive M3 Districts, M2 Districts have more stringent performance standards in some cases. Although not widely mapped, M2 Districts are usually found in or near waterfront areas.
- M3 – Heavy Manufacturing Districts. Originally designed to accommodate essential heavy manufacturing uses and facilities, such as power plants and foundries, which generate high amounts of noise, truck traffic or pollutants, M3 Districts today are the location for open industrial uses such as recycling facilities and cement production.

When adopted in 1961, the Zoning Resolution separated industrial and residential areas so that residential communities would be protected from industrially generated pollution, noise, traffic and other hazardous materials and, conversely, to shield industry from nuisance-generated complaints. (This preceded the establishment of modern environmental regulations governing air and water quality.) After its adoption, new residences were not permitted in Manufacturing Districts, although many existing residences remained – and continue to remain – as ***non-conforming uses*** because of historic land use patterns (see Chapter 1 for more background).

Over time, this separation has been relaxed, either to reflect the existing mixed character of the area or to implement a mixed-use neighborhood plan, through the creation of special M1 Districts that permit a mix of residential and manufacturing uses. These ***paired districts***, mapped in one of 16 Special ***Mixed Use Districts*** (denoted on Zoning Maps by "MX" followed by a discrete number) and other special districts, combine an M1 District with a Residence District, allowing a broad range of uses that are considered compatible in close proximity (see Chapter 7). The provisions for other distinct M1 Districts are also described in this chapter. Additional residential uses in certain Manufacturing Districts have also been legalized through provisions of the State Multiple Dwelling Law – known as the Loft Law – and created over time through the adaptive reuse of non-residential buildings.


Manufacturing Districts
M Districts that permit residences
M Districts that do not permit residences

Permitted Uses

The city's Manufacturing Districts generally permit a wide range of industrial and commercial uses. Industrial uses, which are listed in Use Groups 17 and 18, are permitted in M1, M2 and M3 Districts according to the characteristics of their operations. Each of the three Manufacturing Districts incorporates different minimum performance standards (ZR 42-20), with the most stringent performance standards required in M1 Districts. Since 1961, many of these performance standards have been superseded by other City, State, or Federal environmental regulations, which in many instances are more restrictive.

In general, the more potentially noxious uses, such as power plants and fuel supply depots in Use Group 18, are limited to M3 Districts, but they may also locate in M1 and M2 Districts if they comply with the higher performance standards of those districts. Light manufacturing uses (Use Group 17), such as woodworking shops, repair services and wholesale service and storage facilities, are permitted in all three Manufacturing Districts.

Commercial uses are permitted as-of-right in M1 Districts with few exceptions (ZR 42-10). However, certain retail uses with over 10,000 square feet of floor area – such as food, clothing, furniture, and department stores – require a ***City Planning Commission (CPC) special permit*** (ZR 42-30).

In M2 and M3 Districts, Use Group 5 transient hotels are not permitted. Certain categories of retail and service uses in Use Groups 6A, 6C, 9A, 10A and 12B are limited in size or not permitted at all.

Certain community facility uses in Use Group 4, primarily houses of worship and medical offices, are permitted as-of-right in M1 Districts, while others such as schools and hospitals are allowed only by a special permit from the ***Board of Standards and Appeals*** or the CPC (ZR 42-31, 42-32). Community facilities are not permitted in M2 and M3 Districts.

Commercial and manufacturing uses, except for materials or product storage and uses for which a specific exception is made in the use group regulations, are subject to special enclosure requirements (ZR 42-41). Such uses are required to be enclosed in M1 Districts, as well as M2 or M3 Districts located close to Residence Districts. In other instances, M2 and M3 Districts do not require enclosure. Open storage of materials or products is not permitted in M1 Districts close to a Residence District. Elsewhere in M1 Districts, and in M2 and M3 Districts close to a Residence District boundary, such open storage is required to be screened (ZR 42-42).

Except in special circumstances, no new residences are permitted in any Manufacturing District. In M1-5A and M1-5B Districts, located only in SoHo and NoHo, artists may occupy ***joint living-work quarters for artists*** as an industrial use (ZR 42-14). In M1-5M and M1-6M Districts mapped in Midtown South, older buildings can be converted to residential use by CPC Chair ***certification*** if specified percentages of floor area are preserved for commercial or manufacturing use (ZR 15-21), or by CPC special permit if preservation is not feasible (ZR 74-782). In M1-1D through M1-5D Districts, new residential uses are permitted by CPC ***authorization*** (ZR 42-47), in recognition of pre-existing residential buildings. In M1-6D Districts, new residential buildings are permitted as-of-right and small existing buildings can also be converted to residential use as-of-right, while commercial and community facility uses are subject to special provisions intended to ensure a robust supply of space for nonresidential activities (ZR 42-48).

In Special Mixed Use Districts, residential and non-residential uses (commercial, community facility and light industrial) are allowed as-of-right and can be located side-by-side or within the same building, within certain limits based on the environmental ratings of materials used within industrial businesses. To accomplish this, an M1 District is paired with an R3 through R10District, such as M1-2/R6. Most light industrial uses are permitted in MX Districts as-of-right; others are subject to restrictions, and Use Group 18 uses are not allowed, except for small breweries (ZR 123-22).

Permitted Use Groups

	Residential		Community Facility		Retail and Commercial											General Service	Manufacturing	
	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18
Manufacturing Districts																		
M1				•	•	•	•	•	•	•	•	•	•	•		•	•	
M2						•	•	•	•	•	•	•	•	•		•	•	
M3						•	•	•	•	•	•	•	•	•		•	•	•

Use Group 6 — Retail and service establishments that serve local shopping needs, such as food and small clothing stores, beauty parlors and dry cleaners, as well as offices **(ZR 32-15)**

Use Group 7 — Home maintenance and repair services, such as plumbing and electrical shops which serve nearby residential areas **(ZR 32-16)**

Use Group 8 — Amusement establishments such as movie theaters and small bowling alleys, service uses such as appliance repair shops, as well as car rental and public parking facilities **(ZR 32-17)**

Use Group 9 — Business and other services, such as printers or caterers **(ZR 32-18)**

Use Group 10 — Large retail establishments that serve a large area such as department stores and appliance stores **(ZR 32-19)**

Use Group 11 — Custom manufacturing activities such as for jewelry or clothing **(ZR 32-20)**

Use Group 12 — Large entertainment facilities that draw large numbers of people such as arenas and indoor skating rinks **(ZR 32-21)**

Use Group 13 — Low coverage or open amusement uses, such as golf driving ranges, and children's small amusement parks, camps **(ZR 32-22)**

Use Group 14 — Facilities for boating and related activities which are suitable in waterfront recreation areas **(ZR 32-23)**

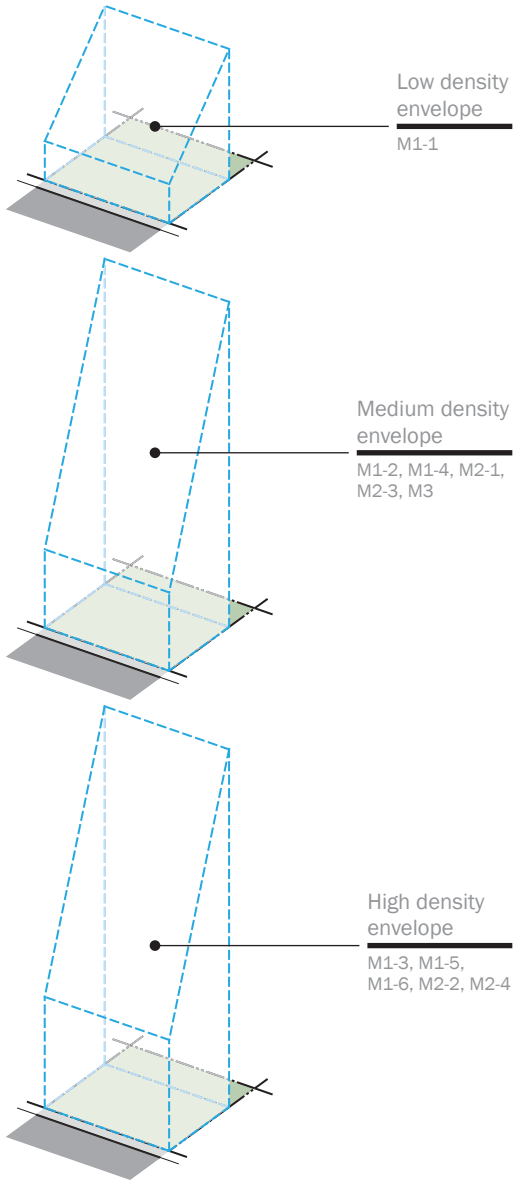
Use Group 15 — Large commercial amusement establishments, including typical amusement park attractions such as Ferris wheels and roller coasters **(ZR 32-24)**

Use Group 16 — Automotive and semi-industrial uses, such as automotive repair, gas stations, custom woodworking and welding shops **(ZR 32-25)**

Use Group 17 — Light industrial uses that can normally conform to high performance standards, such as appliance manufacturing or contractor yards **(ZR 42-14)**

Use Group 18 — Heavy industrial uses, such as cement plants, meat or fish preparation, and junk yards **(ZR 42-15)**

Manufacturing District Envelopes



Permitted Bulk

Floor area ratio (FAR) is the primary instrument for controlling building size in Manufacturing Districts. FARs ranging from 1.0 in M1-1 to 10.0 in M1-6 regulate the size of buildings in these districts (ZR 43-12). Special regulations permit a higher FAR to allow the limited enlargement of manufacturing businesses in buildings built before 1961. In M1 Districts, permitted community facility uses are generally allowed a higher FAR, and bonuses are permitted for public plazas and arcades in M1-6 Districts.

In all Manufacturing Districts there are no requirements for ***front*** or ***side yards***. ***Rear yards*** on ***interior lots*** are required to be 20 feet deep, while ***through lots*** require a 40-foot ***rear yard equivalent*** above the ground floor (ZR 43-20). If the Manufacturing District is located next to a Residence District, there are requirements for deeper rear yards and for minimum side yards to provide sufficient separation between buildings in the two districts (ZR 43-30). Like Commercial Districts, there are no ***lot coverage*** limitations in any Manufacturing District.

Building heights in Manufacturing Districts are governed by a ***sky exposure plane*** (ZR 43-40). Similar to non-contextual Commercial Districts, there are three separate sets of sky exposure planes for low, medium and high density Manufacturing Districts. They vary in the maximum height permitted close to the street (highest in high density districts) and the steepness of the sky exposure plane, which varies based on the width of the adjoining street and is steepest in high density districts. In addition, an alternate option permits a steeper sky exposure plane for buildings on sites where an open area is provided along the ***street line***, and the entirety of the building is constructed behind this open area. ***Towers*** are permitted to penetrate the sky exposure plane in a number of zoning districts (M1-3 through M1-6) as long as they meet certain size and locational standards (ZR 43-45).

In M1-1D through M1-5D Districts, residential uses are permitted by CPC authorization, and special bulk rules apply (ZR 43-61). In M1-6D Districts, buildings are subject to special lot coverage, yard regulations, FAR and height and setback controls similar to those for an R10A District, including additional FAR and height allowances when located in an Inclusionary Housing Program area (ZR 43-62).

In MX Districts, residential uses are generally subject to the bulk controls of the governing Residence District. Commercial, community facility and industrial uses are subject to the M1 District bulk controls, except that community facility uses are subject to the residential FAR limits. Special lot coverage, yard and height and setback regulations apply (ZR 123-60).

Parking and Loading

Some Manufacturing Districts require parking while others (M1-4, M1-5, M1-6, M2-3, M2-4 and M3-2) are exempt from parking requirements for all permitted uses and are intended to be mapped in locations where the need for off-street parking is limited.

Permitted and Required Parking Spaces

In districts that require parking, the amount will vary according to the parking rate for the use as well as the size of the building (ZR 44-20). New manufacturing facilities require one parking space for every three employees or every 1,000 square feet of floor area, whichever requires more spaces. Warehouses and other storage establishments, which are often large spaces with relatively few employees, require one space for every three employees or every 2,000 square feet of floor area, whichever requires fewer spaces. Commercial uses permitted in Manufacturing Districts have the same parking requirements as commercial uses in C8-1 Districts. Office buildings and most general retail

establishments in manufacturing zones, for example, require one parking space per 300 square feet of floor space.The parking requirements can be waived if the calculation of parking requirements result in a small number of spaces (ZR 44-23). This threshold varies from 15 to 40 spaces depending on the zoning district.

As in Commercial Districts, Manufacturing Districts limit the maximum number of permitted accessory parking spaces that can be provided on a zoning lot to 225 spaces (ZR 44-13). These limits apply only to permitted parking; required parking is not subject to these limits.

Residential uses in M1-1D, M1-2D, M1-3D, M1-4D, M1-5D and M1-6D Districts are subject to special parking requirements. One parking space per dwelling unit is required in M1-1D Districts and parking is only permitted in M1-2D through M1-5D Districts through a CPC authorization (ZR 44-28). In M1-6D Districts, the parking requirements of C6-4 Districts apply to residential uses (ZR 44-024).

In MX Districts, residential and community facility uses are generally subject to the parking rules of the governing Residence District, while commercial and industrial uses are subject to the M1 District regulations (ZR 123-70).

Additional Parking Provisions

Manufacturing District regulations also set forth many complementary provisions for the use and design of the spaces, as well as for loading and for bicycle parking.

To address conditions where there may be difficulty accommodating all the required parking spaces on the zoning lot, special provisions allow for off-site parking within a 600-foot radius of the zoning lot generating the requirement. The additional site could be located in an adjoining Manufacturing District or C8 District, or within joint facilities, or, for houses of worship, shared facilities (ZR 44-30). Many districts allow accessory spaces to be rented to other users should the primary uses not utilize all the required parking (ZR 44-35).

All parking spaces are subject to additional regulations that establish the minimum size and location of spaces as well as rules allowing car sharing vehicles to park in a range of off-street parking facilities (ZR 44-40).

Public parking garages, with a capacity of up to 150 spaces, are allowed as-of-right in many low density Manufacturing Districts. Public parking garages require a CPC special permit if they contain more than 150 spaces in low density districts, and with any capacity in higher density districts. ***Public parking lots***, with a capacity of up to 150 spaces, are allowed as-of-right in all Manufacturing Districts, with higher capacities only permitted by a CPC special permit (ZR 42-32).

Loading berths are required for many uses. The number of required berths varies with the zoning district, the size of the establishment and the type of use, though more berths are usually required in lower density districts than in higher density districts for the same amount of floor area. The regulations also control the size and location of berths, surfacing materials, screening and access requirements (ZR 44-50).

Special design requirements wapply to off-street parking facilities, including locational and size restrictions for curb cuts, and surfacing and screening requirements (ZR 44-40).

Provision of accessory enclosed bicycle parking facilities for employees is required for new commercial developments and for significant enlargements or conversions (ZR 44-60, 36-70). Enclosed areas used for bicycle parking can be exempted from floor area calculations.

Streetscape

Streetscape regulations in Manufacturing Districts are more limited than in Residence or Commercial Districts.

Sign regulations are the same in all three Manufacturing Districts and are generally permissive. Both ***accessory signs*** and ***advertising signs*** are permitted in all Manufacturing Districts (ZR 42-52). Different size and height limitations apply to signs based on whether and how they are illuminated and whether they are advertising or accessory signage. For example, a non-illuminated sign can attain a maximum of 1,200 square feet in area, while a sign lit by indirect illumination can only be 750 square feet. Illuminated signs can only be located up to 40 feet in height, while non-illuminated signs can be placed at 58 or 75 feet above curb level depending, respectively, on whether the sign is accessory or advertising.

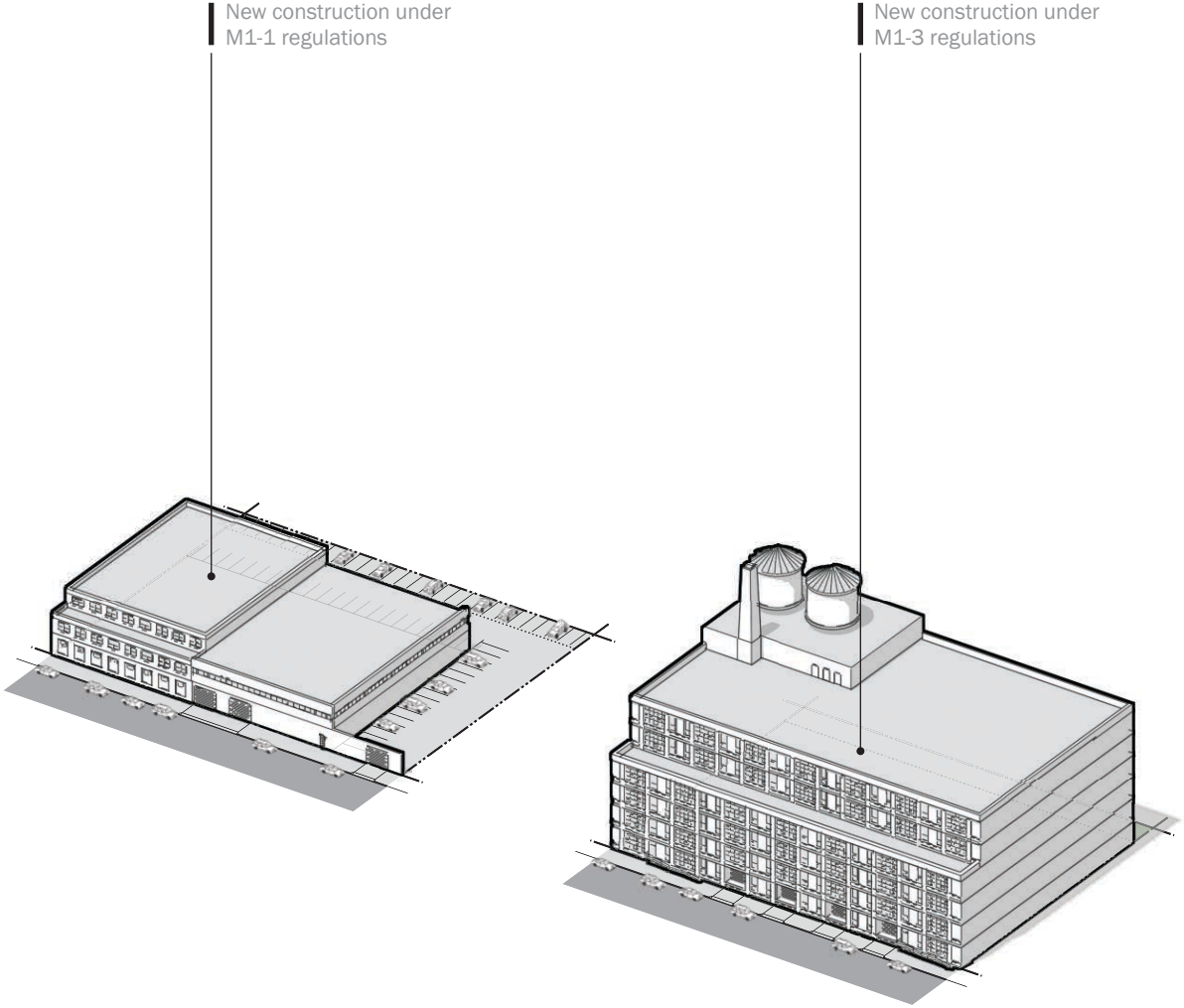
Special requirements apply more limited signage allowances in M1 Districts that permit residential use and when the Manufacturing District is located close to an arterial highway, Residence District or public park (ZR 42-55, 42-56). In MX Districts, the sign regulations of a C6-1 District apply (ZR 123-40). When located adjacent to a Residence District, special regulations restrict the location of business entrances, show windows and signs (ZR 42-44).

Street trees are required for any new development or significant enlargement in a Manufacturing District, except for those in Use Groups 17 or 18, at a rate of one tree per every 25 feet of street frontage (ZR 43-02). However, the street frontage used to calculate the number of required trees may exclude the frontage occupied by curb cuts serving a number of uses in Use Group 16.

M1

M1 Districts are designated for areas with light industries, as well as wholesale service and storage facilities. They are often buffers between the more intensive M2 or M3 Districts and adjacent Residence or Commercial Districts. There are six types, each designated by a numeric suffix.

M1-1 Districts are mainly found in areas with one-story industrial buildings, such as the Flatlands neighborhood of Brooklyn. Concentrations of two- to four-story industrial buildings can be found in M1-2 and M1-4 Districts, with M1-4 Districts generally found close to transit, such as in East New York in Brooklyn, while M1-2 Districts are found in areas further from transit as in Hunts Point in The Bronx. Similarly, M1-3 and M1-5 designations denote denser industrial areas, with access to transit varying by neighborhood: M1-3 Districts are found outside of Manhattan in areas such as Ravenswood in Queens, while M1-5 Districts are mainly found along the western edge of Manhattan. M1-6 Districts are mainly found in central areas of Manhattan where multi-story manufacturing buildings originally developed.





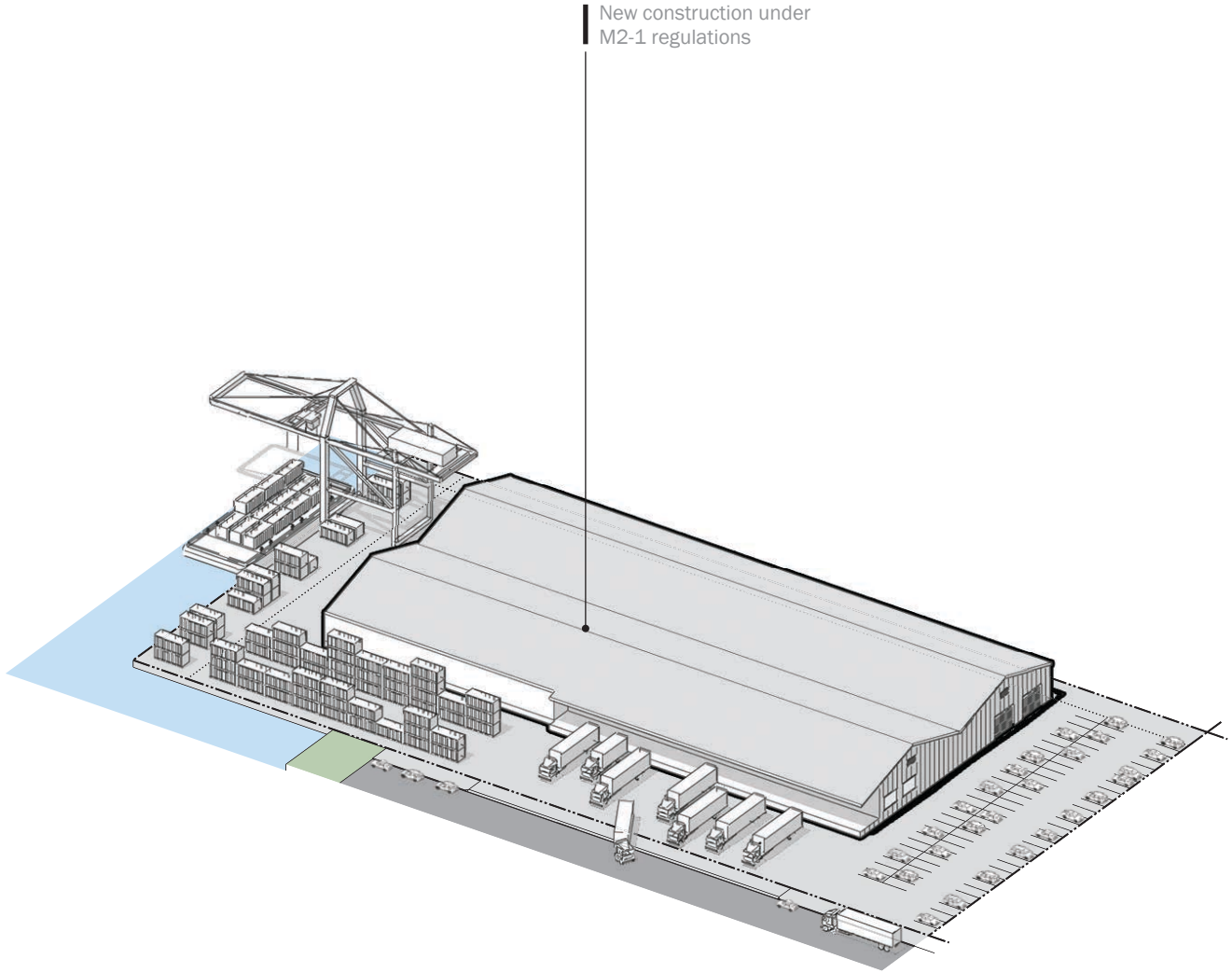
Long Island City, Queens

M1	Light Manufacturing District (High Performance)					
	M1-1	M1-2	M1-3	M1-4	M1-5	M1-6
Manufacturing FAR	1.0	2.0	5.0	2.0	5.0	10.0
Required Accessory Parking PRC-B	1 per 300 sf			None		
Permitted Sign Regulations (Surface Area)	6 x street frontage					

M2

M2 Districts occupy the middle ground between light and heavy industrial areas. The four types of M2 Districts, each designated by a numeric suffix, are mapped mainly in the city's older industrial areas along the waterfront. All are original to the 1961 Zoning Resolution.

M2-1 Districts are mapped along much of Brooklyn's Red Hook and Sunset Park waterfronts and College Point in Queens. M2-2, M2-3 and M2-4 Districts are only found in Manhattan. The borough's Hudson River piers, including the Passenger Ship Terminal at West 51st Street and many municipal facilities, are located within M2-3 Districts.



M2	Medium Manufacturing District (Medium Performance)			
	M2-1	M2-2	M2-3	M2-4
Manufacturing FAR	2.0	5.0	2.0	5.0
Required Accessory Parking PRC-B	1 per 300 sf		None	
Permitted Sign Regulations (Surface Area)	6 x street frontage			



West Rossville, Staten Island


Gowanus, Brooklyn

M3

M3 Districts are designated for areas with heavy industries that generate noise, traffic or pollutants. Typical uses located in M3 Districts include power plants, solid waste transfer facilities and recycling plants, as well as fuel supply depots. The two types of M3 Districts, each designated by a numeric suffix, are original to the 1961 Zoning Resolution.

Like M2 Districts, M3 Districts are generally located near the waterfront and are buffered from residential areas. Large M3 Districts are mapped along the Arthur Kill in Staten Island, along the East River in the South Bronx and along the Gowanus Canal in Brooklyn. Smaller M3 Districts, such as portions of Astoria in Queens, are located in all five boroughs and accommodate public utilities.

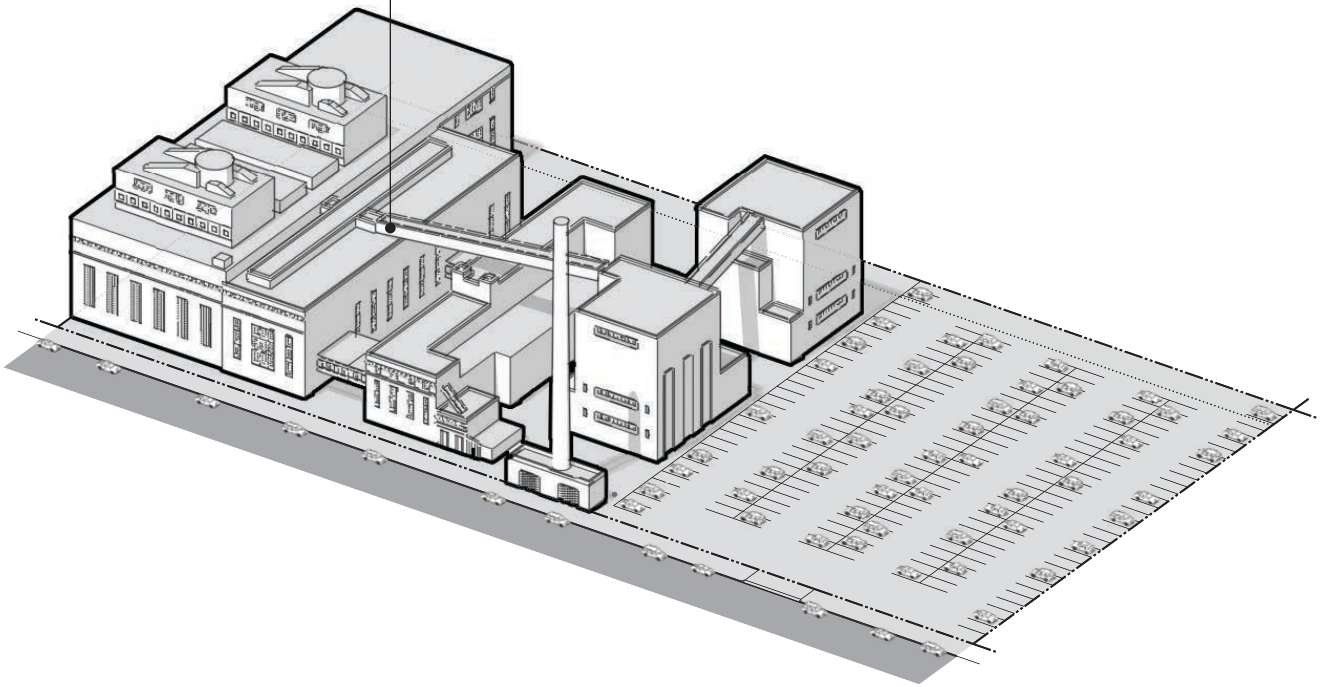


Ravenswood, Queens



Greenpoint, Brooklyn

New construction under M3-1 regulations



M3	Heavy Manufacturing District (Low Performance)	
	M3-1	M3-2
Manufacturing FAR	2.0	
Required Accessory Parking PRC-B	1 per 300 sf	None
Permitted Sign Regulations (Surface Area)	6 x street frontage	

M1-M3 Manufacturing Districts

Use		M1-1	M1-2	M1-3	M1-4	M1-5	M1-6	M2-1	M2-2	M2-3	M2-4	M3-1	M3-2
Residential	Use Groups 1-2												
Community Facility	Use Groups 3-4	•	•	•	•	•	•						
Commercial	Use Groups 5-15	•	•	•	•	•	•	•	•	•	•	•	•
General Service	Use Group 16	•	•	•	•	•	•	•	•	•	•	•	•
Manufacturing	Use Group 17	•	•	•	•	•	•	•	•	•	•	•	•
	Use Group 18											•	•
Bulk													
Manufacturing FAR		1.0	2.0	5.0	2.0	5.0	10.0	2.0	5.0	2.0	5.0	2.0	
Community Facility FAR		2.40	4.80	6.50			10.0	N/A					
Parking													
Required Accessory Manufacturing Parking (sf) PRC-B		1 per 300 sf			None			1 per 300 sf		None		1 per 300 sf	None

Signage			Height Above Curb Level	Size of Individual Sign	Surface Area
All Manufacturing Districts	Accessory	Illuminated or flashing	40 ft	500 sf	5 x street frontage
		Indirect illumination	75 ft	750 sf	5 x street frontage
		Non-illuminated	75 ft	1,200 sf	6 x street frontage
	Advertising	Indirect illumination	75 ft	750 sf	5 x street frontage
		Non-illuminated	75 ft	1,200 sf	6 x street frontage





Special Area Rules

Special zoning provisions modify the underlying ***Residence***, ***Commercial*** and ***Manufacturing District*** rules in broad geographies of the city for a variety of planning reasons. Each typically focuses on a particular planning goal or concern — such as neighborhoods around airports or near the water — but applies to a number of areas across many ***zoning districts***. Unlike the ***special purpose districts*** described in Chapter 7, these are not shown on the ***Zoning Map***. Many of these provisions are found either in Article I (General Provisions) or Article VI (Special Regulations Applicable to Certain Areas), while others are interspersed throughout the Zoning Resolution. The descriptions that follow indicate where each of the provisions can be found.

Two of these topics (regulations applying around airports and those for privately owned public spaces) were part of the Zoning Resolution upon its adoption in 1961, while the others have been added over time to address then-current planning priorities. About one-third are applicable in specific areas identified in maps or lists in the Zoning Resolution, such as ***Inclusionary Housing*** or the ***FRESH Program***. Another third only apply in certain zoning districts no matter where the districts are mapped, for example, ***infill housing***. The applicability of the remaining provisions is determined by other governmental agencies, such as the Landmarks Preservation Commission for historic districts, or within specified distances of certain places, such as airport runways.

Because a single piece of property may be affected by one or more of these provisions, it is important to understand what these provisions are intended to accomplish, where they are applicable and how they modify the underlying zoning rules. One can consult DCP's online interactive Zoning and Land Use Application (ZoLa) at www.nyc.gov/zola, which includes mapping information for many of the rules described in this chapter.

Applicable Only in Identified Areas

- Lower Density Growth Management
- Off-street Parking
- Inclusionary Housing
- FRESH Program
- Sidewalk Cafes

Applicable in Identified Zoning Districts

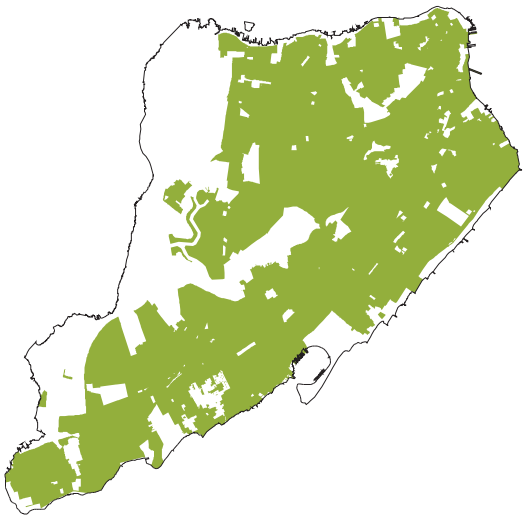
- Narrow Buildings
- Privately Owned Public Spaces
- Infill Housing
- Adjacent to Subway Stations
- Large-scale Development

Applicable Based on Other Conditions

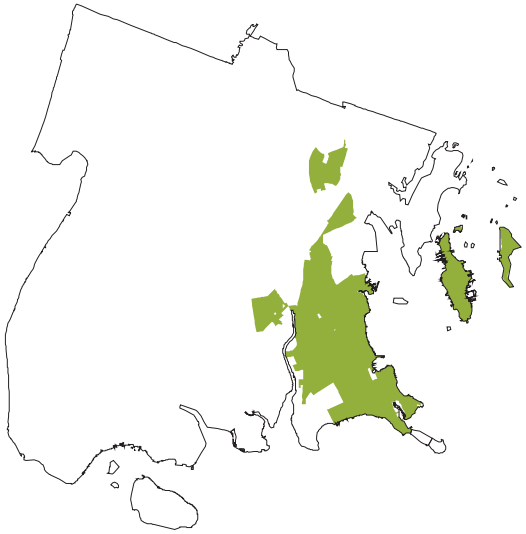
- Flood Hazard
- Waterfront
- Historic Districts and Landmark Buildings
- Around Airports

Lower Density Growth Management Areas (LDGMA)

LDGMA Areas



Staten Island LDGMA



The Bronx LDGMA

Special zoning controls were established in 2004 to limit growth in some lower density areas that are far from the city's core, not well-served by mass transit, and have high car ownership rates. In these areas, new ***developments*** must provide more off-street parking, larger ***yards*** and more ***open space*** than would otherwise be required, and certain uses are more limited as to where they can locate. These regulations were first applied to Community Districts 1, 2 and 3 in Staten Island in response to concerns that emerged when the borough experienced rapid housing growth during the 1990s. In 2010, these regulations were extended to Community District 10 in The Bronx, to address similar issues that had arisen there. The various requirements for ***LDGMA*** are interspersed throughout the Resolution but a list of all of these sections is available in one location (ZR 23-012).

In these areas, LDGMA zoning controls apply to any development in R1, R2, R3, R4-1, R4A or C3A Districts. They also apply to R4 or R5 Districts accessed by a ***private road***, C1, C2 and C4 Districts in Staten Island and R6 and R7-1 Districts in Community District 10 in The Bronx.

In low density districts, residential parking requirements are increased from one space per dwelling unit to 1.5 spaces. A new single-family home would therefore require two off-street parking spaces (0.5 is rounded up to the next whole number), and a two-family house would require three. Required parking spaces are also subject to special locational and design requirements that prohibit parking in ***front yards*** and special ***floor area*** incentives are available for in-house or detached garages in some districts. Developments in R6 and R7-1 Districts in Community District 10 in The Bronx are subject to higher parking requirements.

LDGMA rules limit the number of homes that can be built on large lots by requiring 30-foot rear yards for all residences and increasing the minimum distance between them. Developments on private roads are held to stricter standards than those elsewhere to reduce the amount of housing that can be constructed along them. All ***residential uses*** are governed by the same yard and parking rules as those for developments on public ***streets***.

To support the character of residential and commercial areas, certain uses are subject to special requirements. Medical offices and day care centers are subject to the stricter residential bulk regulations in ***Residence Districts***, instead of the more permissive community facility regulations. They are also subject to special minimum lot size requirements to better fit their required parking. These uses are encouraged in ***Commercial Districts*** through additional ***floor area ratio (FAR)*** and reduced parking requirements. In Staten Island, where much less land is zoned for commercial use than elsewhere in the city, special rules prohibit residential-only development in Commercial Districts and require any residential or mixed-use development on large sites in C4-1 Districts, which typically contain regional shopping malls and commercial centers, to obtain a ***City Planning Commission (CPC) special permit***.

Off-street Parking

Special parking regulations apply in three large geographies based on their respective levels of access to transit.

Manhattan Core

Special ***parking*** provisions exist in the ***Manhattan Core***, the area made up of Manhattan Community Districts 1 through 8 (excluding Governors Island, Roosevelt Island and the area subject to the special Hudson Yards regulations). These regulations were established to limit congestion and pollution in this area, which is better-served by public transit than any other location in North America. The regulations went into effect in 1982, were updated in 2011, and can be found in Article I, Chapter 3 of the Zoning Resolution.

There are no minimum accessory parking requirements for any ***development*** and there are caps on the amount of accessory parking that can be provided. ***Public parking lots*** are restricted in areas of Midtown and Lower Manhattan. New public parking facilities and accessory parking facilities requesting additional parking require a CPC special permit and must demonstrate that they are meeting an unmet parking need for residents, employees or visitors (ZR 13-45). All accessory spaces may be made available to the public to satisfy neighborhood parking demand, and all new parking facilities are subject to special layout and design requirements. In addition, the floor area of automated parking facilities is exempted from the development's floor area if located below a height of 40 feet, instead of 23 feet, to account for their space needs.

Long Island City

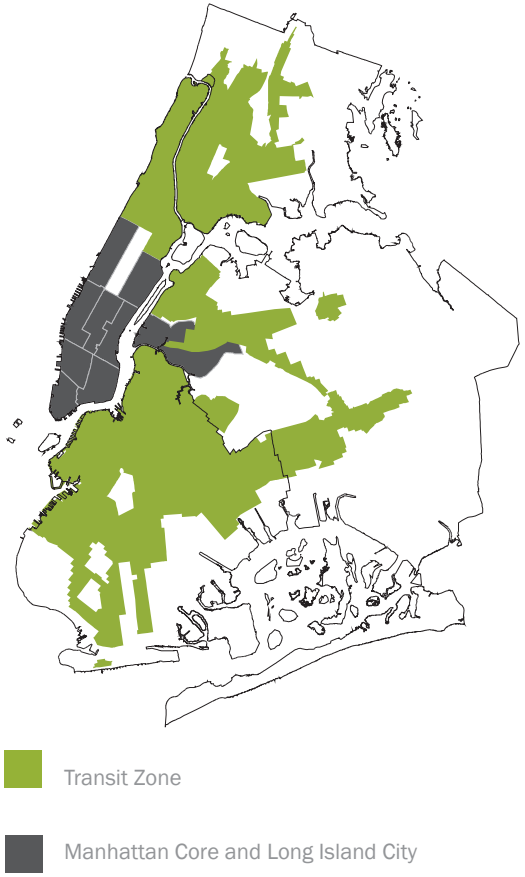
Special parking requirements were instituted for Long Island City in 1995. They were similar to the then-applicable regulations in the Manhattan Core and were intended to serve a similar purpose. In this area, there are no accessory parking requirements for any development and there are caps on the amount of parking that can be constructed, though these are less stringent than the limits in the Manhattan Core. In addition, public parking lots require a CPC ***authorization*** and new public parking facilities or those requesting additional parking above the maximum as-of-right limits require a CPC special permit. These regulations, and the boundary of the area subject to the Long Island City parking regulations, can be found in Article I, Chapter 6.

Transit Zone

In 2016, special parking regulations for various types of affordable housing were applied in areas designated as the ***Transit Zone***. These are areas outside the Manhattan Core, generally within one-half mile of a subway station, where auto ownership rates are lower than elsewhere in the city. Requirements for parking were reduced or eliminated in these areas to reduce the unnecessarily high costs of building parking for affordable housing developments. The map of the Transit Zone is located in Appendix I of the Zoning Resolution.

In the Transit Zone, parking is optional for affordable senior housing units that satisfy the requirements of the Inclusionary Housing Program or those that meet the definition of ***income-restricted housing unit*** (ZR 25-25). Existing affordable senior housing developments are permitted to remove parking spaces they find unnecessary as-of-right and replace them with new buildings or open space, so long as any dwelling units created are income-restricted. Other existing affordable housing would have to apply for a ***Board of Standards and Appeals (BSA)*** special permit (ZR 73-43). For a mixed-income development, special permits are available to modify parking requirements either from the BSA or the CPC, depending on the amount of affordable housing included within the building.

Areas With Reduced or No Parking



Inclusionary Housing

There are three branches of the ***Inclusionary Housing Program***. Each applies in distinct areas and has its own requirements, although all were created to promote economic diversity in the highest density districts and neighborhoods where significant residential growth has been planned. The first two — R10 and Inclusionary Housing Designated Areas — are "voluntary" programs where a ***floor area bonus*** is available in exchange for the creation or preservation of affordable housing. The newer ***Mandatory Inclusionary Housing*** program requires the provision of affordable housing as part of any residential development above a certain size. In all three programs, affordable housing units may be on the same site as the market-rate residences, or off-site in the same Community District or within one-half mile of them. The affordable apartments may be rental or homeownership. Residents are subject to a minimum and maximum income requirement based on a percentage of the Area Median Income (AMI) and all units subject to the program must remain permanently affordable. (ZR 23-154, 23-90)

R10 Program

The first Inclusionary Housing program was created in 1987 and is available, in many of the highest density Residence Districts (R10) and Commercial Districts that have an R10 equivalent, which are predominantly located in Manhattan. Under this program, new developments can increase their maximum FAR from 10.0 to 12.0 if they provide units for residents with incomes lower than 80 percent of the AMI. For each square foot of affordable housing built, the floor area of the building can increase by between 1.25 and 3.5 square feet. The ratio depends on whether the affordable housing is on the same site as the market-rate development or at a different location, whether the apartments are provided in a new development or by rehabilitating or preserving an existing building and whether the developer receives public funding such as low-income housing tax credits.

Designated Areas Program

The Inclusionary Housing Designated Areas program (IHDA) was created in 2005 to promote mixed-income housing in other parts of the city where growth was being planned at more varied densities. The first IHDA was included as part of the city's rezoning plan for Greenpoint-Williamsburg in Brooklyn. Between 2005 and 2014, the program was applied to other medium and high density areas where zoning changes promoted substantial new housing. Floor area increase is available through the IHDA program only where the program has been designated. These areas are mapped in Appendix F of the Zoning Resolution.

Within an IHDA, zoning districts have a "base" FAR that is typically lower than the FAR available for the same zoning district outside an IHDA, and a higher "bonus" FAR available for projects participating in the program. For example, the FAR of an R7A District is 4.0. In an IHDA, the base FAR of 3.45 can be increased to the bonus FAR of 4.6 through the provision of affordable housing.

New developments, or enlargements constituting more than 50 percent of existing floor area, can build to the bonus FAR if 20 percent of the floor area on the zoning lot is reserved for residents at 80 percent of AMI and below. To accommodate mixed-use buildings, ground-floor non-residential space may be excluded from this calculation. Additional height, generally ranging from one to two stories, is also available to fit the additional FAR within the building envelope if the affordable housing units are provided on site.

Mandatory Inclusionary Housing

In 2016, the City adopted ***Mandatory Inclusionary Housing (MIH)***, which has since been applied in areas where zoning changes significantly increase permitted residential density. The CPC and the City Council can apply one or more of the following options within areas where MIH applies:

- Option 1 — 25 percent of the residential floor area at an average of 60 percent AMI, with a minimum of 10 percent at 40 percent AMI
- Option 2 — 30 percent of the residential floor area at an average of 80 percent AMI
- Deep Affordability Option — 20 percent of the residential floor area at an average of 40 percent AMI (public funding allowed only where necessary to support more affordable housing)
- Workforce Option — 30 percent of the residential floor area at an average of 115 percent AMI, with a minimum of five percent at 70 percent AMI and five percent at 90 percent AMI (no public funding permitted)

Within an ***MIH area***, also mapped in Appendix F of the Resolution, new developments, enlargements and conversions that create more than 10 units or 12,500 square feet of residential floor area on a zoning lot must comply with one of the options that are available there.

The program options available in each MIH area are determined through the public review process for the proposal. Option 1 and Option 2 are basic options, and at least one must be available in each MIH area. The Deep Affordability or Workforce Options may also be available, although the Workforce Option cannot be applied in Manhattan Community Districts 1 through 8, where market rents are generally strong enough to help cross-subsidize lower-income housing.

MIH allows "income averaging," which means that the affordable units can target multiple income bands, so long as the weighted average is at or below the AMI threshold specified in the chosen option. This makes it possible to

make units affordable to people with a range of incomes that are sometimes difficult to meet with other affordable housing programs.

MIH projects that include the affordable units on site can generally use the same higher FAR and heights for the relevant zoning district available under the IHDA program. Projects that do not exceed 25 units or 25,000 square feet are eligible to pay into an ***Affordable Housing Fund,*** as an alternative to building the affordable units. The Department of Housing Preservation and Development administers the fund, which must be used for affordable housing purposes within the same Community District as the site.

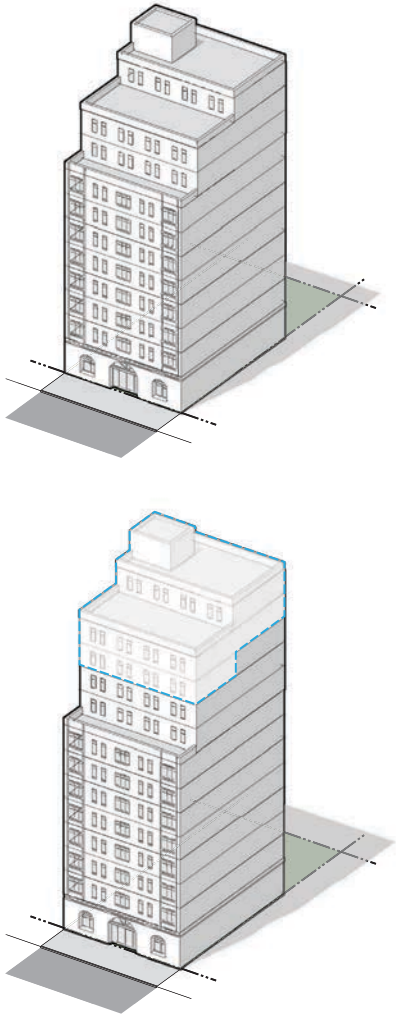
The program requires that an additional five percent of the total floor area also be reserved when the affordable units are located on a separate zoning lot.

Designated Areas		
District	**Base FAR**	**Max FAR**
R6[1]	2.20	2.42
R6[2]	2.70	3.60
R6A	2.70	3.60
R6B	2.00	2.20
R7A	3.45	4.60
R7-2[1]	2.70	3.60
R7-2[2]	3.45	4.60
R7-3	3.75	5.00
R7D	4.20	5.60
R7X	3.75	5.00
R8	5.40	7.20
R9	6.00	8.00
R9A	6.50	8.50
R9D	7.50	10.00
R9X	7.30	9.70

[1] for zoning lots, or portions thereof, beyond 100 ft of a wide street

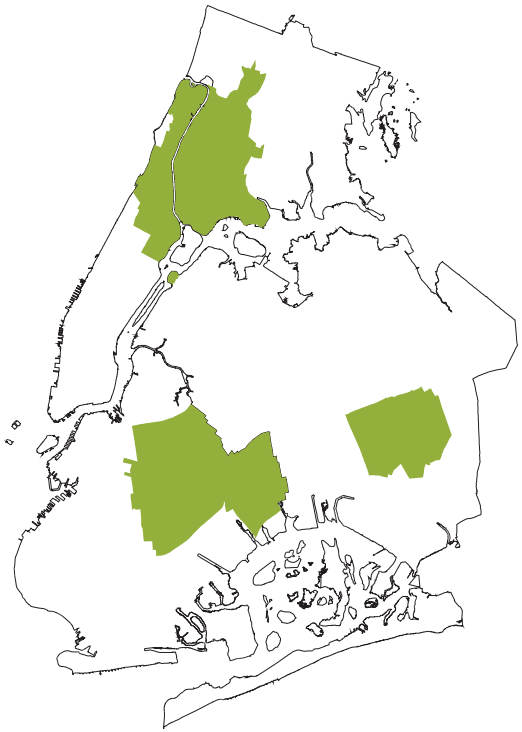
[2] for zoning lots, or portions thereof, within 100 ft of a wide street

Designated Areas Building Envelope



An R8A building in an IHDA, not participating in the Inclusionary Housing program, has a maximum residential FAR of 5.4 and a maximum height of 125 feet (top). A building participating in the program would be allowed a maximum residential FAR of 7.2 and a maximum height of 145 feet (bottom).

FRESH Areas



Areas with FRESH applicability

FRESH Program

The Food Retail Expansion to Support Health (***FRESH***) program was created in 2009 to spur the development of grocery stores that sell fresh and healthy food in underserved neighborhoods. The program was developed after a City study found that many neighborhoods did not have convenient access to grocery stores and that this often correlated to higher rates of diet-related diseases, including heart disease and diabetes. These special zoning incentives are found in Article VI, Chapter 3 of the Zoning Resolution.

The FRESH program applies in ***Commercial*** and ***Manufacturing Districts*** in portions of Manhattan Community Districts 9 through 12, portions of Bronx Community Districts 1 through 7, portions of Brooklyn Community Districts 3, 4, 5, 8, 9, 16 and 17, and in the Special Downtown Jamaica District in Community District 12 in Queens.

To be eligible for the special zoning provisions, an applicant must demonstrate, and the Chair of the CPC must certify, that the store will meet the program's minimum size and design standards, that a grocer has agreed to operate the store and that the space will remain in use as a grocery store indefinitely. For example, the space for grocery products must be at least 6,000 square feet and have at least 500 square feet reserved for fresh produce.

Developments with FRESH stores are permitted one additional square foot of floor area for every square foot of a FRESH store built, up to a maximum of 20,000 square feet. The Commission may, by ***authorization***, also allow an increase in the maximum building height to fit this additional floor area. In M1 Districts, where large grocery stores normally require a CPC special permit, FRESH stores up to a maximum of 30,000 square feet are permitted as-of-right. In addition, parking requirements in some zoning districts are lower for FRESH food stores.

Sidewalk Cafes

Sidewalk cafes have long been a feature of New York City's streetscape. First regulated by the Zoning Resolution in 1979, special provisions establish design and locational criteria to limit sidewalk congestion. These regulations can be found in Article I, Chapter 4 of the Zoning Resolution.

There are three types of sidewalk cafes: enclosed, unenclosed and small. An ***enclosed sidewalk cafe*** meets certain design criteria and is contained within an enclosed structure on the sidewalk (ZR 14-10). An ***unenclosed sidewalk cafe*** is open to the sky, except for umbrellas or retractable awnings, and contains removable tables, chairs or railings. (ZR 14-20) A ***small sidewalk cafe*** is an unenclosed sidewalk cafe containing no more than a single row of tables and chairs in a space extending no further than 4 feet 6 inches from the property line, with no barrier between the cafe space and the sidewalk. (ZR 14-30)

Sidewalk cafes are generally permitted in any Commercial District (other than C3 Districts), as well as in Manufacturing Districts (with some exceptions), R10H Districts and certain special purpose districts. They are sometimes prohibited on streets with narrow sidewalks or with high levels of pedestrian traffic. Of the three types, small sidewalk cafes are allowed on the largest number of streets while enclosed cafes are allowed on the fewest. Information on where the various types of sidewalk cafes are permitted can be found in the Zoning Resolution itself or through the web application ZoLA. Sidewalk cafe regulations are administered by the Department of Consumer Affairs.

Narrow Buildings

Special height regulations limit the size of narrow buildings in medium and high density parts of the city. Put in place in 1983, and commonly called the "sliver law," these rules were intended to address buildings that were being built, under the then-applicable ***sky exposure plane*** regulations, to four or five times the height of their low-rise neighbors. These provisions have been extended to comparable ***contextual districts***.

Buildings that are 45 feet wide or less have their height restricted to the width of the adjoining street or 100 feet, whichever is less. The regulations (ZR 23-692) are applicable in certain medium and high density districts (R7-2, R7D, R7X, R8, R9 and R10 Districts) as well as in C1, C2 and other contextual Commercial Districts with those same ***residential district equivalents***, and for Quality Housing buildings in any other zoning district.

Privately Owned Public Spaces (POPS)

In high density commercial areas — where public open space is limited — floor area bonuses are available for spaces constructed and maintained for public use, commonly called ***privately owned public spaces*** or ***POPS***. These regulations were included in the 1961 Zoning Resolution to emulate the iconic plaza in front of the Seagram Building in Midtown Manhattan, though the applicability and design standards have significantly evolved since then. Today, two types of spaces — ***public plazas*** and arcades — can be built in exchange for extra commercial or community facility ***floor area***.

Public plazas are outdoor park-like spaces that provide respite from busy city streets (ZR 37-70). They are subject to dimensional requirements as well as design standards for individual aspects such as seating, lighting, planted areas and kiosks. The Chair of the CPC must certify that the plaza meets these standards. The plazas must be open to the public at all times, although they can be closed at night if they receive a CPC ***authorization*** to do so based on operational or safety reasons. An arcade is a covered space extending along a street or open space that reserves additional space for walking, by pushing back from the street any building entrances, ground-floor retail or lobbies (ZR 37-80). They are subject to dimensional requirements and must be open to the public at all times.

Both bonuses are available in high density, ***non-contextual Commercial Districts***, such as C4-6, C4-7 and most C5 and C6 Districts. The amount of bonus floor area is based on the size of the space, up to an extra 20 percent of the maximum FAR permitted in the zoning district. For example, in a C6-6 District (base maximum FAR of 15.0) a plaza would be able to increase the maximum floor area by 3.0 FAR for a total of 18.0. Community facilities are also permitted floor area bonuses in C1 and C2 Districts with ***residential district equivalents*** of R9 or R10 Districts, such as C1-9 Districts.

POPS



Recently constructed POPS at 8 Spruce St, Manhattan



Recently renovated POPS at 55 Water St, Manhattan



R4 Infill in Windsor Terrace, Brooklyn



R5 Infill in Kensington, Brooklyn

Infill Housing

Special optional bulk provisions exist for infill housing in portions of R4 and R5 Districts without letter or number suffixes that are mostly occupied by buildings. These regulations were enacted in 1973 to encourage the construction of two- and three-family houses on small vacant lots in scale with the surrounding neighborhood. These provisions are available in locations where at least 50 percent of the area of the block contains ***zoning lots*** with ***buildings***, and the size of the site is less than 1.5 acres. However, to discourage demolition of existing homes, the regulations may not be used to redevelop a lot occupied by a one- or two-family detached or semi-detached house unless the blockfront is predominantly developed with attached or multifamily housing, or ***commercial*** or ***manufacturing uses***. The regulations governing infill housing are set forth in the definition of ***predominantly built-up areas*** in the Zoning Resolution (ZR 12-10).

If a parcel meets the applicable criteria, then these regulations allow increases to the district's maximum ***lot coverage*** and maximum ***floor area ratio***, require deeper ***front yards*** and, in R5 Districts, modify the permitted envelope. There are also separate density controls, which allow slightly fewer units than buildings in standard R4 and R5 Districts. In addition, accessory parking requirements are lower for infill housing.

Adjacent to Subway Stations

Special zoning regulations in certain high density commercial areas of the city exist to improve nearby subway stations. Beginning with the Special Midtown District in 1982 and expanding to other zoning districts with a commercial FAR of 10.0 or higher in 1984, these regulations include requirements for sites adjacent to subway stairs and provide a floor area ***bonus*** for other station improvements.

When developments on zoning lots larger than 5,000 square feet are located next to a subway stair entrance, they are required to relocate the entrance from the sidewalk onto the zoning lot (ZR 37-40). This requirement is intended to clear sidewalk space and improve pedestrian circulation in the city's most heavily trafficked areas. There are rules specifying the location, design and hours of operation of the entrance.

New developments adjacent to subway stations can also obtain a floor area bonus of up to 20 percent of the maximum permitted floor area, via a CPC special permit, if they make major subway improvements (ZR 74-634). This bonus has led to significant station improvements that help Midtown and Lower Manhattan to accommodate additional density, such as building new entrances, enhanced connections between stations and expanded mezzanines and platforms.

Large-scale Development

Large sites may apply for special zoning provisions that allow some zoning rules to be modified to enable a better plan for the site as a whole. Called ***large-scale developments***, these sites can span a single, large zoning lot or several lots that are contiguous or separated by streets but planned as one unit. To enable good site planning for these types of developments and their surrounding neighborhoods, the CPC may modify the underlying zoning rules to allow greater flexibility on the site. To do this, the CPC may allow site plans that shift ***floor area***, ***dwelling units***, ***lot coverage*** and ***open space*** within a site without regard to zoning ***lot lines*** or district boundaries, and allow ***use***, ***bulk*** and parking configurations that would otherwise not be allowed. This concept was part of the 1961 Zoning Resolution and there are three types of large-scale developments today.

A large-scale residential development must be located entirely in a Residence District or in a C1, C2, C3 or C4-1 District. Sites must either be a minimum of three acres with at least 500 dwelling units or 1.5 acres with at least three buildings (ZR 78-00). Large-scale residential developments were designed to enable a suitable alternative set of regulations to be applied to a multi-building development that is predominantly residential, but also may contain convenience shopping and community facilities. The Navy Green project in Brooklyn is a recent example of this type.

A large-scale community facility development must also be located entirely in a Residence District or in a C1, C2, C3 or C4-1 District (ZR 79-00). The project must be used predominantly for ***community facility uses*** but can also contain any permitted residential and commercial uses. The minimum site size is three acres, and may include existing buildings provided they form an integral part of the development. Albert Einstein College of Medicine in the Bronx is a large-scale community facility development.

A large-scale general development must be located at least partially in a medium or high density Commercial or Manufacturing District (ZR 74-74). It can include any mix of uses permitted by the underlying zoning districts. The minimum site size requirement is 1.5 acres and it can include existing buildings, provided they form an integral part of the development. This type of large-scale development was first created in 1989 and is now the most often used. Seward Park/Essex Crossing on the Lower East Side and Waterline Square on the Upper West Side are recent examples.

Before these provisions can be used by a development, the Commission must first approve the large-scale development via a ***special permit*** or ***authorization*** (depending on the zoning district, intended mix of uses and the size of the development or enlargement) by making the findings that relate to the waivers requested, such as that the redistribution of bulk and open space will result in a better site plan for the lot and surrounding neighborhood than would otherwise be possible.

Large-scale Developments



Riverside Center, a multi-building Large-scale General Development, under construction on the Upper West Side of Manhattan



Example of a Large-scale Community Facility Development at Cooper Union in Manhattan's East Village

Flood Hazard

Flood Zones



Area of current flood zone

Hurricane Sandy in October 2012 was a reminder that a significant portion of the city is at risk from coastal flooding events. Special zoning provisions applicable within the ***flood zone*** (an area designated by the Federal Emergency Management Agency, FEMA) were added to the Zoning Resolution in October, 2013, to help existing and new buildings adhere to the ***Building Code's*** flood-resistant construction regulations, which are based on FEMA standards. These zoning provisions are found in Article VI, Chapter 4 of the Zoning Resolution. Additional regulations were added in July 2015 to help accelerate recovery in a series of Sandy-impacted neighborhoods. These provisions are optional but in most cases, if followed, require the building to comply with flood-resistant construction standards.

These special zoning regulations are intended to facilitate the elevation of buildings and relocation of buildings' systems above the ***flood elevation*** (a level that FEMA designates as being more susceptible to flooding), plus any additional height (freeboard) required by the Building Code. To accomplish this, building heights are allowed to be measured from the flood elevation, instead of from the applicable ground elevation (ZR 64-13). In areas with moderate to high flood elevations, additional building height is allowed to ensure the utility of spaces subject to flooding. If wet-floodproofed, this space can be used for parking, storage and access. If dry-floodproofed, non-residential uses are permitted. To avoid the potential lackluster appearance of elevated buildings and blank walls, buildings are required to follow special design standards (ZR 64-60). For example, for single- and two-family homes, this may include requirements for elements such as porches and planter beds. In addition, ground floor spaces, as well as entryways, stairs and ramps accessing an elevated first floor are excluded from counting towards floor area in order to incentivize internal building access. Dry-floodproofed space is discounted from floor area calculations to encourage active commercial space at-grade.

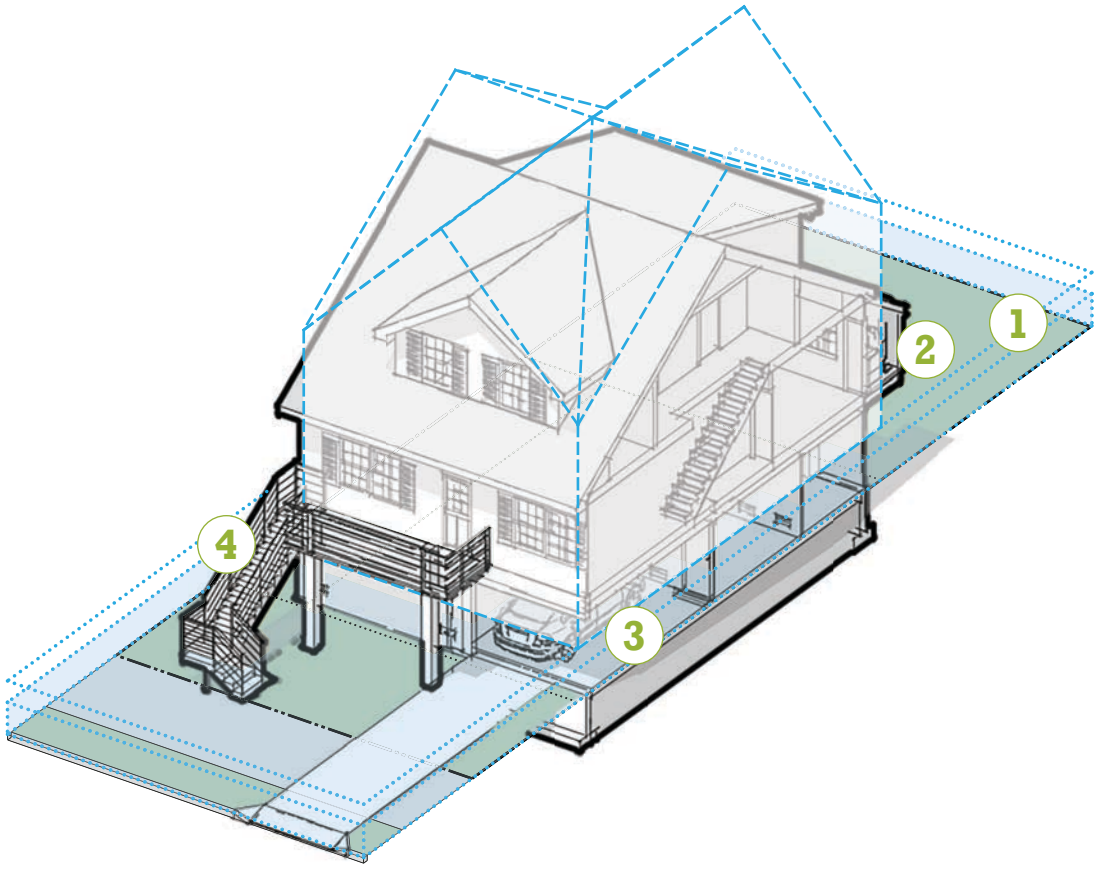
Greater flexibility is also provided for buildings to adopt resiliency measures without fully complying with flood-resistant construction standards. For instance, allowances are offered to allow mechanical systems, often located below or at-grade, to be relocated onto the roof of a building and to allow flood panels as permitted obstructions in yards and open space

There are also special provisions that allow for the reconstruction of buildings with ***non-conforming uses*** (such as restaurants in Residence Districts) and ***non-complying buildings*** (for example, tall buildings built before height limits were put in place). In addition, a special zoning envelope is available for small lots within low density districts to help ensure that new buildings can be built to resiliency standards while being sensitive to the low scale neighborhood context.

Retrofitting in Flood Hazard Area Rules

A variety of zoning provisions are available to buildings located within the flood zone to help improve their resiliency.

1. Height can be measured from the flood elevation or, in certain instances a higher reference plane.
2. Mechanical equipment can be relocated above the flood elevation as a permitted obstruction.
3. Wet-floodproofed ground floors can be excluded from floor area.
4. Design elements to mitigate blank walls are required for elevated buildings.





Example of new single-family flood resilient construction in Hamilton Beach, Queens.



New multi-family flood resilient residences in Seagate, Brooklyn.

Waterfront

Special zoning regulations for the city's ***waterfront areas*** were adopted in 1993 to maximize the public's access to, and enjoyment of, the waterfront. They modify the underlying zoning regulations by requiring publicly accessible areas and by applying other special requirements for new development on waterfront blocks, which are those adjacent to or along the shoreline, as well as to piers, platforms and floating structures. These regulations are located in Article VI, Chapter 2 of the Zoning Resolution.

Use Regulations

Special regulations modify the underlying zoning for uses that are Water-Dependent (WD), which must be located near the shoreline, and uses that are Waterfront-Enhancing (WE), which contribute to public use and enjoyment of the waterfront. For instance, docks for recreational, sightseeing, or ferry vessels are assigned to Use Groups and permitted in districts where these uses are considered compatible with other uses. Activities on new piers or platforms are restricted to recreational or WD uses.

Bulk Regulations

All residential and commercial developments are required to provide a waterfront yard that is 30 to 40 feet wide, depending on the district, along the entire shoreline of the zoning lot. In addition, special bulk regulations apply in different types of zoning districts. In ***non-contextual*** medium- and high density districts, taller buildings are permitted on waterfront blocks, but the buildings are subject to size and location requirements that are meant to maintain a sense of openness along the waterfront. In low density Residence Districts and medium- and high density ***contextual districts***, waterfront development generally follows the same bulk rules as upland development with limited modifications that tailor the regulations to waterfront sites. In addition, visual corridors are required to provide unobstructed views from upland streets to the shoreline and must correspond to the existing street grid, or be spaced between 400 and 600 feet apart on large sites. Visual corridors are not required to be open to the public and may contain elements such as parking and trees.

Public Access Requirements

Based on longstanding legal principles entitling the public to waterfront access, medium to high density residential, commercial and community facility developments in all districts are required to provide and maintain public open space at the water's edge that is connected to upland areas. Public access is also required on piers, platforms and floating structures that undergo development. ***Waterfront public access areas*** must be provided to connect the public to open space at the shoreline, with a minimum of 15 or 20 percent of the zoning lot required for public access, depending on the zoning district. These areas consist of three different types: ***shore public walkways***, ***upland connections*** and ***supplemental public access areas***. Each of these types has rules that govern the location, minimum size, proportion and required design elements of the open space. Shore public walkways provide the public with a place to stroll and sit along the shoreline. Upland connections link shore public walkways to streets, parks or other public places inland, at regular intervals (at least every 600 feet). Finally, supplemental public access areas are required when the total space of the other components does not fulfill the minimum area requirement. This additional open space must have design elements such as planted areas, seating, tables, shaded areas, bike racks and trash receptacles. Certain WD uses such as ferry docks are subject to a simplified, reduced public access requirement.

Waterfront Access Plans

Waterfront Access Plans (WAPs) adapt waterfront zoning regulations governing the location, dimensions, and design of public access areas to specific conditions as part of a plan for a defined area. They can be used, for instance, to specify locations of particular public access elements across multiple property owners' developments to ensure a harmonious relationship among them. WAPs have been adopted for the Harlem River waterfront in the Bronx, Northern Hunters Point, Downtown Flushing and Newtown Creek waterfronts in Queens and for the Greenpoint-Williamsburg waterfront in Brooklyn.

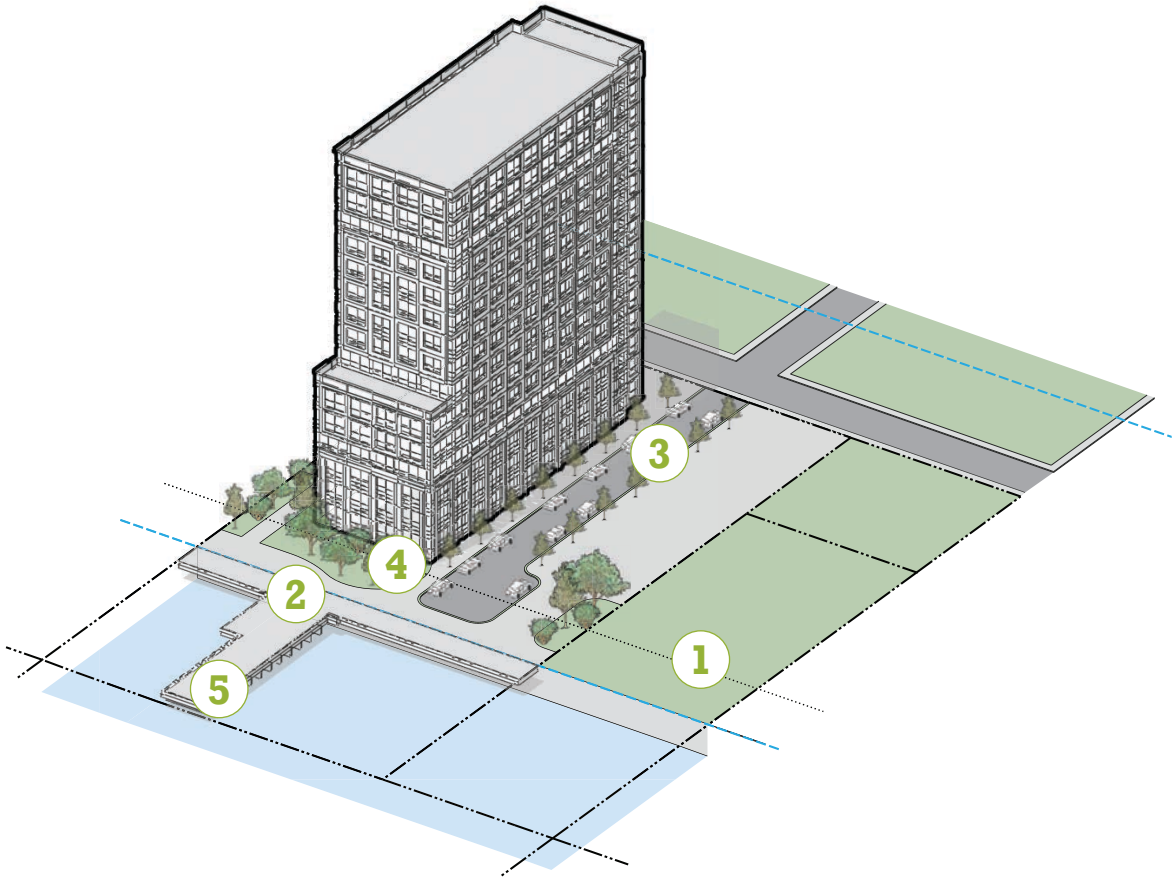
Review Procedures

The Chair of the ***City Planning Commission (CPC)*** must certify that the proposed development on a waterfront block complies with requirements for public access and visual corridors. A long-term maintenance and operation agreement with the Department of Parks and Recreation must be filed and recorded at the time of certification and before a building permit can be issued. The quantity and location of waterfront public access areas, or the design requirements for these areas, can be modified by CPC authorization (ZR 62-822).

Waterfront Areas and Public Access

A variety of yard and public access requirements apply to most developments on waterfront zoning lots.

1. Commercial and residential developments are required to provide a waterfront yard along the entire shoreline.
2. Many uses are required to provide shore public walkways along the shoreline subject to various design requirements.
3. Upland Connections are required to provide physical access from upland areas to the shoreline at regular intervals. Visual corridors, which often align with these spaces, provide visual access but are not required to be open to the public.
4. Supplemental public access areas are required when the total space of the other components does not fulfill the minimum area requirement.
5. Public access is also required on piers, platforms and floating structures that undergo development.





Greenpoint-Williamsburg, Brooklyn



Red Hook, Brooklyn



DUMBO Historic District, Brooklyn



Grand Central Terminal, a landmark in Manhattan

Historic Districts and Landmark Buildings

The Landmarks Preservation Commission (LPC) has jurisdiction over the modification of individual landmarks and buildings within the city's historic districts, but some special zoning regulations also apply to help preserve them.

Buildings or areas with architectural or historical significance are designated by LPC as individual landmarks and historic districts, respectively. To date, there are more than 35,000 properties subject to LPC designations. Most of these are located in the city's 139 historic districts, but there are also over 1,300 individual landmarks. Owners or tenants subject to these regulations must receive permission from LPC before undertaking work affecting the exterior of their property.

In historic districts, requirements for front yards, street trees and street walls are more flexible, so that LPC can decide what is most in keeping with the area. Prior to the creation of contextual zoning districts, a series of special ***limited height districts*** were created to apply in areas designated as historic districts. These remain mapped in historic districts of the Upper East Side, Gramercy Park, Brooklyn Heights and Cobble Hill, and are identified on the Zoning Map. In these areas, no structure can be erected or enlarged to a height above the maximum height permitted in each individual district, which range from 50 to 100 feet (ZR 23-69).

Since individual landmarks have limited ability to utilize unused floor area generated by their zoning lots, they are permitted to transfer it to other properties through a CPC special permit (ZR 74-79). Floor area can transfer to properties that are contiguous, across the street, or that share an intersection. The transfer cannot increase the development site's floor area by more than 20 percent, except in high density Commercial Districts where there is no specified limit. Modifications to other zoning regulations, such as height and setback controls, are also available for the development site. The special permit requires a maintenance plan to preserve the individual landmark building. The provision is not available in historic districts or low density Residence Districts.

A separate special permit allows modifications to use and bulk requirements (except FAR) in historic districts or on zoning lots with individual landmarks (ZR 74-711). The permit requires a Certificate of Appropriateness from the LPC that any requested modifications will relate harmoniously to the subject building and contribute to a preservation purpose, and that a maintenance plan has been established for the subject building. Additionally, owners of vacant lots in historic districts can apply for a special permit to modify bulk and some use requirements (ZR 74-712). This permit requires that the LPC determine there will be a harmonious relationship between the new development and the historic district.

Around Airports

To ensure that buildings constructed near the city's airports do not negatively affect air navigation, special height limitations apply in their vicinity. These regulations date to the 1961 Zoning Resolution. Structures in areas within approximately two miles of Floyd Bennett Field, or LaGuardia and John F. Kennedy International airports are limited to a height of 150 feet. Areas within approximately five miles are subject to separate height controls if they align with the airport runways. The precise locations and measurements of these limitations can be found in Article VI, Chapter 1 of the Zoning Resolution and in the flight obstruction area maps on the DCP website. The Federal Aviation Administration also imposes limits on building heights near airports.












Yacht Sales & Marina
OFFICE UPSTAIRS
Summer Slips & Winter Storage AVAILABLE


THOMSON ME











Special Purpose Districts

Some specific areas of the city have special regulations that modify the underlying zoning rules to implement a plan for that area. These ***special purpose districts*** are generally one of two types. The more common type addresses related planning issues within a single area that can range in size from a few blocks to a much larger area, depending on the district's goals and needs. The second type is more specific to a set of planning issues than to a single geography, and can be mapped in multiple areas of the city that have similar needs.

These special purpose districts are always found in the zoning text and on the ***zoning maps***. On the zoning maps, they are shaded in grey with a specific letter designation (e.g., the Special Ocean Parkway District is "OP"). The special purpose district provisions are located in Article VIII through XIV in the Zoning Resolution with each district having its own chapter.

Special purpose districts are generally created where area-wide conditions warrant modification of some generally applicable zoning provisions. This frequently occurs for one or more of the following planning reasons:

- Preserving specific special features — either uses, building form or natural conditions, such as ecosystems in the Special Natural Areas Districts or the historic look of Fifth Avenue and Park Avenue in the Special Park Improvement District
- Allowing a broader mix of uses than would otherwise be permitted, such as the mix of uses allowed in the Special Long Island City Mixed Use District
- Supporting revitalization efforts for central business districts, whether central to the region or to a borough, as in the Special Midtown or Special Downtown Jamaica Districts
- Carrying out comprehensive redevelopment strategies for underused areas — through special requirements for new streets, public spaces or building forms — as in the Special Willets Point District.

To accomplish one or more of these objectives, special purpose districts either modify or replace the ***use, bulk***, ***parking*** and ***streetscape*** regulations of the underlying zoning districts mapped in the area. The first special purpose district was created in 1967 and there are over 50 today. Some early special purpose districts have been removed from the Zoning Resolution, either because their purpose had been achieved or because the original purposes had become outdated. Some have been substantially modified since they were first created to achieve new or different planning objectives, while others have been expanded in size to regulate adjacent areas with similar needs. Over time, special purpose districts have become more complex and have been used to implement, or complement, relatively broader planning goals. These have included a West Chelsea district in Manhattan, which was created to facilitate the creation of the High Line Park; the establishment of a district to provide a framework for the mixed-use growth of Downtown Brooklyn; and the development of an entire new neighborhood in Southern Hunters Point in Queens.

The following sections contain short descriptions of each special purpose district, starting with those that have applicability anywhere in the city, with the others then grouped by borough. The accompanying charts show where the use, bulk, parking and streetscape regulations have been modified or superseded in each of the special purpose districts.

Citywide Special Purpose Districts

Coastal Risk (ZR 137-00)

The Special Coastal Risk District (CR) was first created in 2017 to address coastal areas that are currently at exceptional risk from flooding and may face greater risk in the future. This special purpose district places appropriate limits on new development in each of these highly vulnerable areas and, in certain instances, protects sensitive natural areas to ensure that new ***development*** is consistent with ***open space*** and infrastructure plans. Three Coastal Risk Districts are currently mapped in areas of Broad Channel and Hamilton Beach in Queens, and portions of Graham and Oakwood Beach in Staten Island.

Enhanced Commercial (ZR 132-00)

The Special Enhanced Commercial District (EC) was first created in 2011 to help enliven street activity and maintain ground floor retail character in well-established or emerging commercial corridors. To address the particular needs of each corridor, the special purpose district includes a menu of different use, transparency, ***street wall*** and ***parking*** requirements that can apply in different combinations depending on the area's needs. Enhanced Commercial districts have been mapped along major streets in Brooklyn such as Fourth Avenue, as well as along the major avenues of the Upper West Side in Manhattan.

Limited Commercial (ZR 83-00)

The Special Limited Commercial District (LC) was created in 1969 to preserve the character of commercial areas within a historic district by permitting only those ***commercial uses*** that are considered to be compatible with the historic district, and by mandating that uses be located in completely enclosed buildings. This special purpose district has been mapped only in Greenwich Village in Manhattan.

Mixed Use (ZR 123-00)

The Special Mixed Use District (MX) was first established in 1997 to recognize the varied character of mixed residential and industrial neighborhoods by permitting the expansion and new development of a wide variety of ***uses***, as well as to create new opportunities for mixed use areas. The Special Mixed Use Districts are currently found in all boroughs except Staten Island. These include Port Morris (MX-1), in the Bronx; Greenpoint-Williamsburg (MX-8) in Brooklyn; the Northern Hunters Point Waterfront (MX-9) in Queens; and West Harlem (MX-15) in Manhattan. More information can be found in Chapter 5 on ***Manufacturing Districts***.

Natural Area (ZR 105-00)

The Special Natural Area District (NA) was first created in 1974 to guide new ***development*** and site alterations in areas endowed with unique natural characteristics, including forests, mature trees, rock outcrops, erratic boulders, steep slopes, creeks and a variety of botanic and aquatic environments. There are four Special Natural Area Districts in the city: the tidal wetlands and serpentine, hilly spine of central Staten Island (NA-1); portions of the Riverdale Ridge in the Bronx (NA-2); and two smaller districts in the Shore Acres area of Staten Island (NA-3) and Fort Totten in Queens (NA-4).

Planned Community (ZR 103-00)

The Special Planned Community Preservation District (PC) was first created in 1974 to protect the unique character of certain communities that have been planned and developed as a unit on large tracts of land. Planned

		Use		Bulk					Parking	Streetscape					
	Special District	Use Location (in bldg.)	Permitted Uses	FAR	Bonuses and Transfers	Inclusionary	Yard/ Coverage	Height and Setback	Parking/Loading Amounts	Ground Floor Uses, Glazing	Street Wall	Parking/ Loading	Signage	Other Streetscape	Site Plan/ Public Space
137	Coastal Risk		●	●											
132	Enhanced Commercial									●		●			
83	Limited Commercial		●							●			●		
123	Mixed Use	●	●	●		●	●	●	●		●		●		
105	Natural Area						●								●
103	Planned Community Pres.			●			●	●	●			●			
102	Scenic View							●							

Community Preservation Districts have been mapped in Sunnyside Gardens and Fresh Meadows in Queens, Parkchester in the Bronx and the Harlem River Houses in Manhattan.

Scenic View (ZR 102-00)

The Special Scenic View District (SV) was created in 1974 to prevent the obstruction of outstanding scenic views from certain public parks, esplanades or mapped public places. To date, the only district extends over an area west of the Brooklyn Heights Promenade to protect the panoramic views of the Lower Manhattan skyline, Governors Island, Statue of Liberty and Brooklyn Bridge.

Range of City Wide Special Purpose Districts



The Bronx Special Purpose Districts

City Island (ZR 112-00)

The Special City Island District (CD), encompassing all of City Island in Long Island Sound, was created in 1976 to preserve the balance between the area's nautical heritage, ***commercial uses*** and low-rise residential character, all of which contribute to its "village" quality.

Grand Concourse Preservation (ZR 122-00)

The Special Grand Concourse Preservation District (C), extending almost the entire length of the boulevard, from East 151st Street to Mosholu Parkway, was created in 1989 to preserve the distinctive composition and scale of the apartment buildings that line this wide thoroughfare. The district consists of Residential Preservation Areas as well as Commercial Areas located around major commercial intersections where retail uses are considered consistent with the district's residential character.

Harlem River Waterfront (ZR 87-00)

The Special Harlem River Waterfront District (HRW), extending south along the water's edge just north of the 145th Street Bridge for approximately a mile, was created in 2009 to support the redevelopment of this underutilized area into a vibrant, mixed-use, mixed-income neighborhood with waterfront access.

Hunts Point (ZR 108-00)

The Special Hunts Point District (HP), adjacent to the city's primary wholesale food distribution center at Hunts Point, was created in 2008 to support the expanding food industry sector and establish a mixed-use area with manufacturing and ***commercial uses*** between the established Hunts Point residential neighborhood and adjacent heavy industrial areas.

Jerome Corridor (ZR 141-00)

The Special Jerome Corridor District (J), was created in 2018 as part of a comprehensive neighborhood plan to foster a vibrant mix of ***residential***, ***commercial*** and ***community facility uses*** along a two-mile stretch of Jerome Avenue in the southwest Bronx. The Special District regulations include provisions that respond to the challenges of building adjacent to the elevated rail line on Jerome Avenue, enable improved walkability between residential neighborhoods, and help facilitate development on irregularly shaped parcels. The majority of the special district is located within a ***Mandatory Inclusionary Housing area***.

		Use		Bulk					Parking	Streetscape					
	Special District	Use Location (in bldg.)	Permitted Uses	FAR	Bonuses and Transfers	Inclusionary	Yard/ Coverage	Height and Setback	Parking/Loading Amounts	Ground Floor Uses, Glazing	Street Wall	Parking/ Loading	Signage	Other Streetscape	Site Plan/ Public Space
112	City Island		●	●			●	●	●	●		●	●		●
122	Grand Concourse Pres.		●	●				●	●	●	●		●	●	
87	Harlem River	●	●	●		●		●	●	●	●	●			●
108	Hunts Point		●						●					●	
141	Jerome Corridor	●	●	●		●	●	●		●	●	●		●	●



City Island



Grand Concourse Preservation



City wide

Borough specific

Brooklyn Special Purpose Districts

Bay Ridge (ZR 114-00)

The Special Bay Ridge District (BR), encompassing the entirety of this southwest Brooklyn neighborhood, was created in 1978 to preserve the neighborhood's existing scale and character. The special purpose district was substantially modified in 2005 in conjunction with the mapping of contextual and lower-density zoning districts.

Coney Island (ZR 131-00)

The Special Coney Island District (CI), encompassing the amusement area and surrounding blocks, was created in 2009 as part of a comprehensive, long-range plan to re-establish Coney Island as a year-round entertainment and amusement destination. The amusement area is at the core of the special purpose district, and special regulations encourage new housing opportunities and neighborhood amenities in the surrounding area.

Coney Island Mixed Use (ZR 106-00)

The Special Coney Island Mixed Use District (CO), located between Neptune Avenue and Coney Island Creek, was created in 1974 to stabilize this mixed-use area by allowing investment in existing residences and light industrial uses.

Downtown Brooklyn (ZR 101-00)

The Special Downtown Brooklyn District (DB), encompassing the borough's largest economic, civic and retail center, was created in 2001 to support the mixed-use growth of its central business district, while providing a transition to the surrounding lower-scaled neighborhoods. The special purpose district includes two subdistricts along two of the area's primary streets. Along Atlantic Avenue, special regulations preserve the scale, character and architectural features of the street, while along Fulton Mall regulations are intended to support an attractive shopping environment.

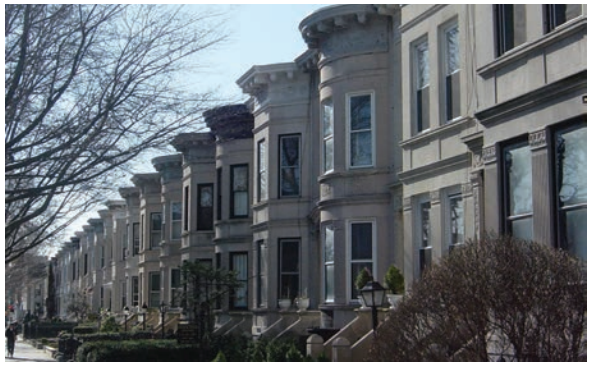
Ocean Parkway (ZR 113-00)

The Special Ocean Parkway District (OP) encompasses Ocean Parkway between Prospect Park and Brighton Beach as well as a band of blocks east and west of the thoroughfare. It was created in 1977 to enhance the qualities of this broad, landscaped boulevard which had recently been designated a scenic landmark and the neighborhoods immediately flanking it. The regulations were intended to preserve the existing scale and character of the surrounding area and require large front setbacks and landscaping for buildings along the parkway itself.

Sheepshead Bay (ZR 94-00)

The Special Sheepshead Bay District (SB), which covers much of the area between Sheepshead Bay and the Belt Parkway, was created in 1973 to encourage a particular type of development to strengthen and protect the character of this mixed-use community as a location for waterfront-related commercial and recreational uses.

		Use		Bulk					Parking	Streetscape					
	Special District	Use Location (in bldg.)	Permitted Uses	FAR	Bonuses and Transfers	Inclusionary	Yard/ Coverage	Height and Setback	Parking/Loading Amounts	Ground Floor Uses, Glazing	Street Wall	Parking/ Loading	Signage	Other Streetscape	Site Plan/ Public Space
114	Bay Ridge			●				●							
131	Coney Island	●	●	●	●	●	●	●	●	●	●	●	●	●	●
106	Coney Island Mixed Use	●	●	●			●								
101	Downtown Brooklyn			●	●	●		●	●	●	●	●	●	●	
113	Ocean Parkway		●	●			●	●	●			●		●	
94	Sheepshead Bay		●	●	●			●		●		●	●	●	●



Bay Ridge



Downtown Brooklyn



Ocean Parkway



Manhattan Special Purpose Districts

125th Street (ZR 97-00)

The Special 125th Street District (125), encompassing both sides of 125th Street between Broadway and Second Avenue, was created in 2008 as part of a city initiative to enhance Harlem's "Main Street" as a major arts and entertainment destination as well as a regional business district.

Battery Park City (ZR 84-00)

The Special Battery Park City District (BPC), encompassing the entirety of this new community between the Hudson River and Lower Manhattan, was created in 1973 — and substantially modified in 1981 — to reflect the master plan for residential and commercial development, as well as public space.

Clinton (ZR 96-00)

The Special Clinton District (CL), generally between West 41st and West 59th Streets west of Eighth Avenue, was created in 1974 to preserve the residential character of this community bordering Midtown, maintain a broad mix of incomes and ensure that the area was not adversely affected by the expansion of the central business district underway at the time. Special regulations for designated perimeter areas provide transitions between the lower-scale side streets of the neighborhood and its higher density surroundings.

East Harlem Corridors (ZR 138-00)

The Special East Harlem Corridors District (EHC) was created in 2017 as part of a plan to foster a dynamic, mixed-use, mixed-income neighborhood in East Harlem. The special district regulations apply only to the area's major avenues and crosstown streets and include minimum requirements for non-residential uses in certain areas, unique height and setback controls and ground floor requirements to improve walkability. The majority of the special district is also located within a Mandatory Inclusionary Housing area.

Garment Center (ZR 121-00)

The Special Garment Center District (GC), encompassing the area bounded by West 35th and West 40th Streets, Broadway and Ninth Avenue, was created in 1987 to maintain opportunities for apparel production as well as wholesale and showroom uses in designated Preservation Areas in the district's mid-blocks. In 2005, the portion west of Eighth Avenue was updated to recognize the mixed-use nature of the midblocks in that area by permitting a wider range of uses, including residences.

Governors Island (ZR 134-00)

The Special Governors Island District (GI), encompassing the northern portion of the island in Upper New York Harbor, was created in 2013 to support the reuse and redevelopment of the former military base's existing historic structures in the Governors Island Historic District and further the vision of the island as a mixed use, year-round educational, cultural and recreational destination within a park-like landscape.

Hudson River Park (ZR 89-00)

The Special Hudson River Park District (HRP), encompassing sites along West Street/Route 9A and near Hudson River Park, was established in 2016 to allow the transfer of ***floor area*** from property within the park to upland sites to facilitate their redevelopment with a mix

		Use		Bulk					Parking	Streetscape					
	Special District	Use Location (in bldg.)	Permitted Uses	FAR	Bonuses and Transfers	Inclusionary	Yard/ Coverage	Height and Setback	Parking/Loading Amounts	Ground Floor Uses, Glazing	Street Wall	Parking/ Loading	Signage	Other Streetscape	Site Plan/ Public Space
97	125th Street	●	●	●	●	●		●	●	●	●	●	●		
84	Battery Park City	●	●	●				●	●	●	●	●		●	●
96	Clinton		●	●	●	●	●	●	●	●	●	●		●	
138	East Harlem Corridors	●	●	●		●		●	●	●	●				
121	Garment Center		●	●	●	●		●	●		●		●		
134	Governors Island		●	●				●	●				●		
89	Hudson River Park		●	●	●										
88	Hudson Square		●	●	●	●	●	●	●	●	●		●		

of ***residential*** and ***commercial uses***. Funds generated by the floor area transfer will support the repair and rehabilitation of facilities within Hudson River Park.

Hudson Square (ZR 88-00)

The Special Hudson Square District (HSQ), encompassing much of the area bounded by Canal Street, Sixth Avenue, West Houston Street and Greenwich Street, was created in 2012 to support the growth of a mixed-use neighborhood and business center by permitting the development and expansion of ***residential***, ***commercial*** and ***community facility uses*** while maintaining a supply of commercial and light manufacturing space.

Hudson Yards (ZR 93-00)

The Special Hudson Yards District (HY), generally encompassing the area west of 8th Avenue between West 30th and West 41st Streets, was established in 2005 to extend the Midtown business district further west through capital improvements including a subway extension and new public park, new opportunities for substantial commercial and residential development and publicly accessible open spaces, as well as preservation of the scale of adjoining residential neighborhoods.

Lincoln Square (ZR 82-00)

The Special Lincoln Square District (L), encompassing the arts complex and the blocks that face it, was created in 1969 to preserve and enhance the area surrounding Lincoln Center as an international center for the performing arts.

Little Italy (ZR 109-00)

The Special Little Italy District (LI), located mostly in the area between Bleecker, Canal and Lafayette Streets and the Bowery, was established in 1977 to preserve and enhance the historic and commercial character of the area by encouraging residential rehabilitation and new development on a scale consistent with existing buildings and discouraging the demolition of the area's noteworthy buildings.

Lower Manhattan (ZR 91-00)

The Special Lower Manhattan District (LM), encompassing the area south of Murray Street, City Hall Park and the approaches to the Brooklyn Bridge (excluding Battery Park City), was created in 1998 to support the continued revitalization of Lower Manhattan, home to the city's oldest central business district and a growing residential community. Regulations encourage a dynamic mix of uses in the area while protecting its distinctive skyline and historic street patterns. Three subareas are located within the special purpose district. The South Street Seaport Subdistrict protects the scale and character of the area's existing 18th and 19th century mercantile buildings. The Historic and Commercial Core ensures that new development will be compatible with existing buildings. The Water Street Subdistrict was added in 2016 to support the improvement of the existing ***privately owned public spaces*** along that street.

Madison Avenue Preservation (ZR 99-00)

The Special Madison Avenue Preservation District (MP), encompassing the Madison Avenue blockfronts between East 61st and East 96th Streets, was created in 1973 to

		Use		Bulk					Parking	Streetscape					
	Special District	Use Location (in bldg.)	Permitted Uses	FAR	Bonuses and Transfers	Inclusionary	Yard/ Coverage	Height and Setback	Parking/Loading Amounts	Ground Floor Uses, Glazing	Street Wall	Parking/ Loading	Signage	Other Streetscape	Site Plan/ Public Space
93	Hudson Yards	●	●	●	●	●		●	●	●	●	●	●	●	●
82	Lincoln Square	●		●	●	●		●		●	●	●	●	●	
109	Little Italy		●	●			●	●	●	●	●	●		●	●
91	Lower Manhattan		●	●	●		●	●	●	●	●	●	●	●	●
99	Madison Avenue MU		●					●	●	●	●	●			
104	Manhattanville MU	●	●	●	●			●		●	●	●		●	●

preserve the retail and residential character of the avenue, including its famed specialty shops, and to provide a transition to the lower buildings typically found on the side streets in the surrounding area.

Manhattanville Mixed Use (ZR 104-00)

The Manhattanville Mixed Use special purpose district (MMU), encompassing much of the area between Broadway and the Hudson River between West 125th and West 135th Streets, was created in 2007 to implement the plan for Columbia University's new campus with state-of-the-art educational and research facilities and extensive below-grade development, alongside commercial and residential development in the surrounding area.

Midtown (ZR 81-00)

The Special Midtown District (MiD), encompassing the entirety of the Midtown central business district, was created in 1982 to guide long-term development within this high density area and to improve its working and living environment. Portions of the special purpose district are included in five subdistricts. The Theater Subdistrict, for example, helps to preserve the area's numerous theaters and ensure the continued vibrancy of the area around Times Square. In the East Midtown Subdistrict, special regulations established in 2017 encourage new office development, preservation of the area's landmarks and improvements to the area's pedestrian and transportation network.

Park Improvement (ZR 92-00)

The Special Park Improvement District (PI) was created in 1973 to preserve the residential character and architectural quality of Fifth Avenue and Park Avenue from East 59th to East 111th Streets by requiring that new development be of a scale and character consistent with existing buildings.

Southern Roosevelt Island (ZR 133-00)

The Special Southern Roosevelt Island District (SRI), encompassing a portion of the island south of the Ed Koch Queensboro Bridge, was created in 2013 to implement the mixed-use master plan for a new Cornell NYCTech applied sciences and engineering campus, which includes new publicly accessible open areas.

Transit Land Use (ZR 95-00)

The Special Transit Land Use District (TA), mapped along portions of Second Avenue between Chatham Square and 125th Street, was created in 1973 to align development with the construction of the then-future Second Avenue subway line by requiring that new developments next to planned subway stations reserve space for station entrances and other facilities.

Tribeca Mixed Use (ZR 111-00)

The Special Tribeca Mixed Use District (TMU) was originally enacted in 1976 and modified in 1995 and 2010 to guide development in this mixed-use 62-block area within the triangle below Canal Street, west of Broadway, and north of Murray Street. Regulations encourage a mix of uses by allowing many light industrial and commercial uses in addition to residences, at a scale consistent with the area's existing buildings.

Union Square (ZR 118-00)

The Special Union Square District (US), encompassing the blockfronts facing Union Square Park, was established in 1985 to support the revitalization of the area by encouraging mixed use development and ensuring that new development is compatible with existing buildings and the park.

United Nations Development (ZR 85-00)

The Special United Nations Development District (U), encompassing a small area at the intersection of First Avenue and East 44th Street, was created in 1970 to implement a master plan for the area adjacent to the United Nations, consisting primarily of the United Nations Plaza buildings.

		Use		Bulk					Parking	Streetscape					
	Special District	Use Location (in bldg.)	Permitted Uses	FAR	Bonuses and Transfers	Inclusionary	Yard/ Coverage	Height and Setback	Parking/Loading Amounts	Ground Floor Uses, Glazing	Street Wall	Parking/ Loading	Signage	Other Streetscape	Site Plan/ Public Space
81	Midtown		●	●	●			●		●	●	●	●	●	
92	Park Improvement			●				●	●		●	●	●		
133	Southern Roosevelt	●	●	●			●	●							●
95	Transit Land Use							●	●	●		●		●	
111	Tribeca Mixed Use		●	●		●	●	●		●					
118	Union Square			●				●		●	●		●		
85	United Nations Development	●	●	●	●		●	●							
98	West Chelsea	●	●	●	●	●	●	●	●	●	●		●	●	●

West Chelsea (ZR 98-00)

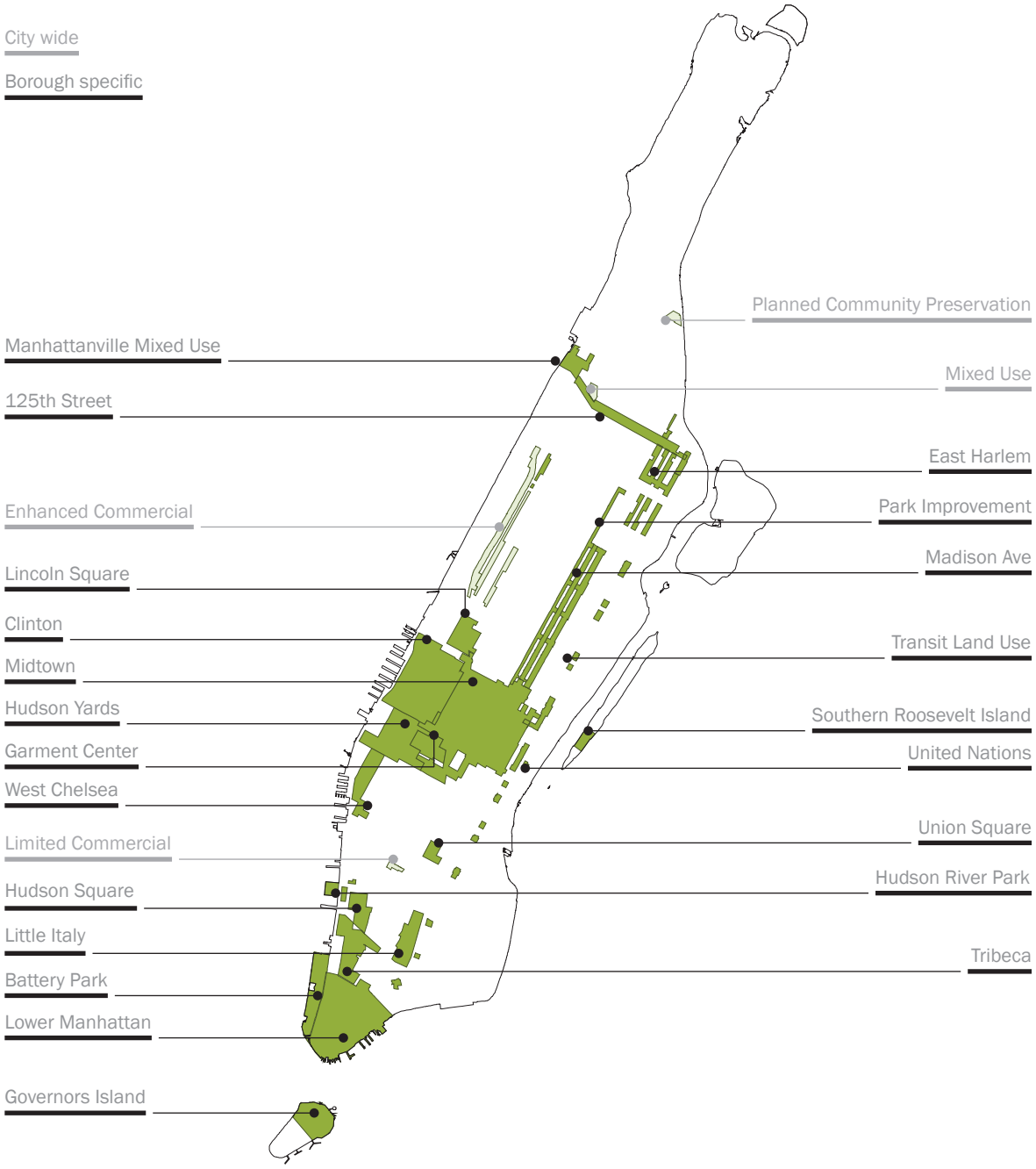
The Special West Chelsea District (WCh), bounded generally by Tenth and Eleventh Avenues between West 14th and West 30th Streets, was created in 2005 to provide a framework for the development of a dynamic mixed-use area centered around the improvement of the High Line park, which runs through the area. The district's regulations provide for the transfer of development rights from the High Line right of way, funding for the improvement of the park, and special bulk regulations to preserve light, air and views to and from the structure.



Tribeca



West Chelsea



Queens Special Purpose Districts

College Point (ZR 126-00)

The Special College Point District (CP), encompassing the College Point Corporate Park, was created in 2009 to help maintain the area as an attractive, well-functioning business environment while ensuring that there are minimal effects on adjacent residential areas.

Downtown Far Rockaway (ZR 136-00)

The Special Downtown Far Rockaway District (DFR) was created in 2017 as part of a plan to revitalize this area by fostering significant mixed-use development on vacant and underutilized sites near mass transit and along the area's primary corridors.

Downtown Jamaica (ZR 115-00)

The Special Downtown Jamaica District (DJ), spanning Downtown Jamaica, its multimodal transportation hub, and surrounding neighborhoods, was created in 2007 to help transform the downtown business district into a mixed-use, transit-oriented neighborhood, to expand housing and economic opportunities along the area's major streets and to protect adjacent low density neighborhoods.

Forest Hills (ZR 86-00)

The Special Forest Hills District (FH), bounded by Queens Boulevard, Ascan Avenue, the Long Island Railroad and Yellowstone Boulevard, was created in 2009 to support the vibrant commercial hub around Austin Street, including a successful mix of shops and restaurants that serve the residents of Forest Hills and the surrounding area.

Long Island City Mixed Use (ZR 117-00)

The Special Long Island City Mixed Use District (LIC) encompasses a large area generally centered on Jackson Avenue, Court Square and Northern Boulevard. It was created in 2001 to support the continuing growth of the longstanding mix of ***residential***, ***commercial***, industrial and cultural ***uses*** in the area. The district includes four Subdistricts. The Court Square and Queens Plaza Subdistricts comprise a 37-block area where moderate to high density development is permitted. The Dutch Kills and Hunters Point Subdistricts share a similar scale and density pattern and both permit a wide range of uses, including manufacturing and residences.

Southern Hunters Point (ZR 125-00)

The Special Southern Hunters Point District (SHP), where Newtown Creek flows into the East River, was created in 2008 as part of a master plan to transform the waterfront area into a high density mixed-use development with ***residential*** and retail ***uses***, community facilities, a ***public park*** and waterfront open space.

Willets Point (ZR 124-00)

The Special Willets Point District (WP), located to the east of Citi Field baseball stadium, was created in 2008 as part of a comprehensive redevelopment strategy to transform a 61-acre site into a lively, mixed-use community and a regional retail and entertainment destination.

		Use		Bulk					Parking	Streetscape					
	Special District	Use Location (in bldg.)	Permitted Uses	FAR	Bonuses and Transfers	Inclusionary	Yard/ Coverage	Height and Setback	Parking/Loading Amounts	Ground Floor Uses, Glazing	Street Wall	Parking/ Loading	Signage	Other Streetscape	Site Plan/ Public Space
126	College Point		●	●			●	●	●			●	●	●	
136	Downtown Far Rockaway	●	●			●		●	●	●	●	●		●	●
115	Downtown Jamaica		●	●		●	●	●	●	●	●	●		●	
86	Forest Hills	●		●			●	●	●	●		●			
117	Long Island City Mixed Use		●	●		●	●	●	●	●	●		●	●	●
125	Southern Hunters Point	●		●	●	●		●	●	●	●	●		●	●
124	Willets Point	●	●	●				●	●	●	●	●	●	●	●



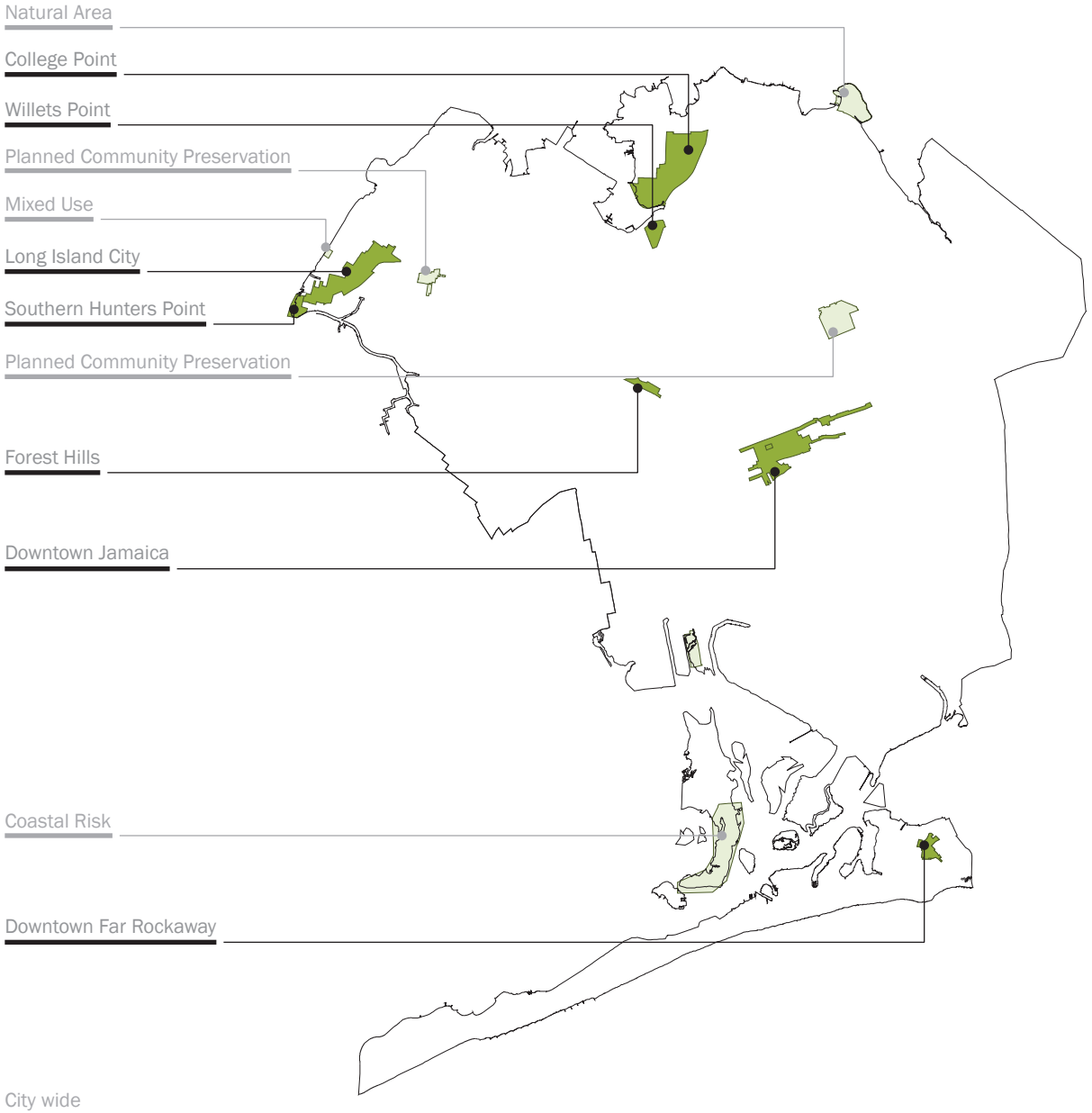
Long Island City



Downtown Jamaica



Southern Hunters Point



Staten Island Special Purpose Districts

Hillsides Preservation (ZR 119-00)

The Special Hillsides Preservation District (HS) was created in 1987 to reduce erosion, landslides and excessive storm water runoff along Serpentine Ridge, an area of approximately 1,900 acres in the northeastern part of the borough, defined by its topography and steep slopes.

South Richmond Development (ZR 107-00)

The Special South Richmond Development District (SRD) was established in the southern part of Staten Island in 1975, a time of rapid development following the recent opening of the Verrazano Narrows Bridge. It was intended to manage growth and avoid destruction of natural and recreational resources in this 12,000-acre area, which includes undeveloped land and historic town centers.

St. George (ZR 128-00)

The Special St. George District (SG), encompassing the mixed-use neighborhood adjacent to the Staten Island Ferry Terminal, was created in 2008 to bolster the borough's civic center, a major transit hub and the thriving, pedestrian-friendly business and residential district that is one of Staten Island's oldest neighborhoods.

Stapleton Waterfront (ZR 116-00)

The Special Stapleton Waterfront District (SW), on the north shore of Staten Island, was created in 2006 as part of a plan to develop the former U.S. Navy homeport. The special purpose district was designed to encourage a walkable, mixed-use district, including a 12-acre waterfront esplanade, as well as retail and pedestrian connections to the Stapleton town center and surrounding community.

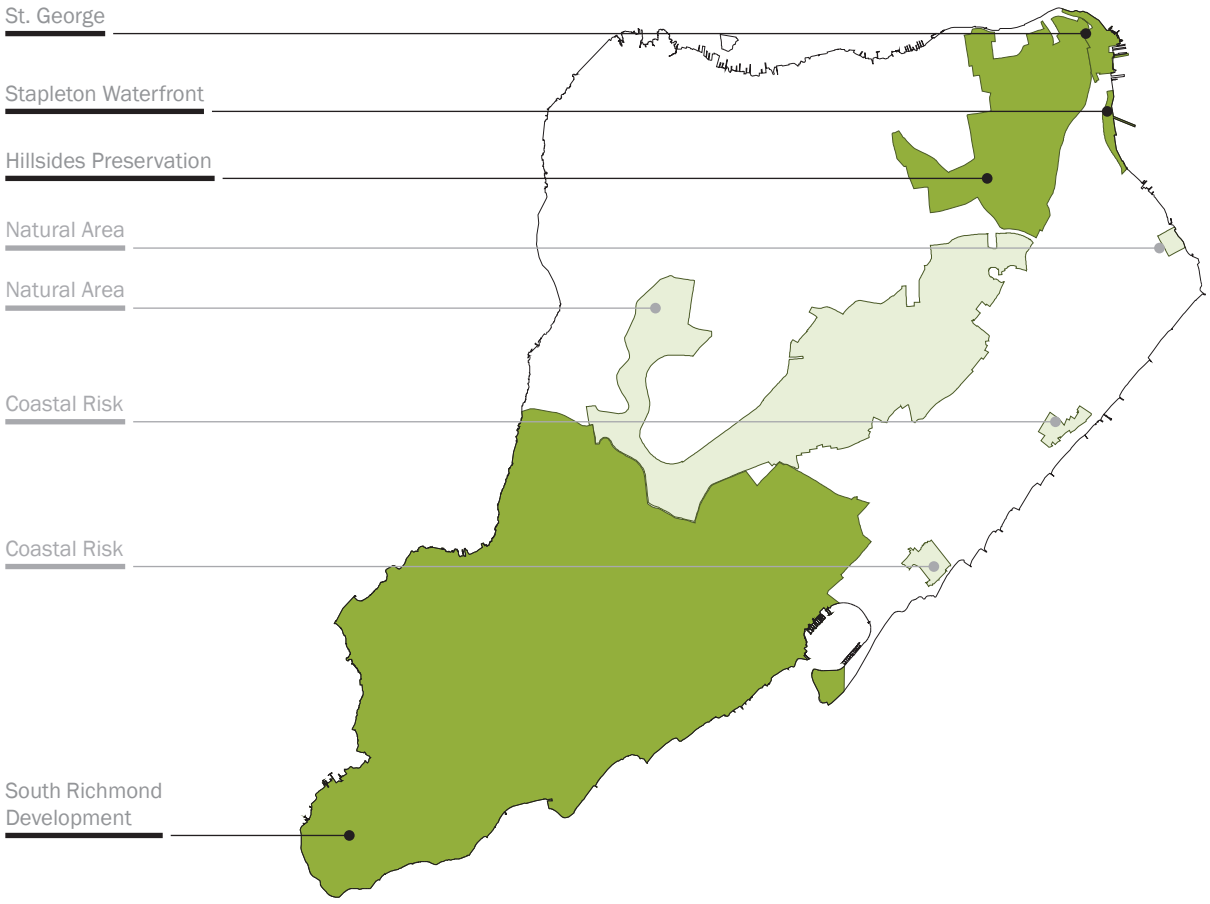
		Use		Bulk					Parking	Streetscape					
	Special District	Use Location (in bldg.)	Permitted Uses	FAR	Bonuses and Transfers	Inclusionary	Yard/ Coverage	Height and Setback	Parking/Loading Amounts	Ground Floor Uses, Glazing	Street Wall	Parking/ Loading	Signage	Other Streetscape	Site Plan/ Public Space
119	HIllsides Preservation						●	●							●
107	South Richmond Development		●	●			●	●	●			●			●
128	St. George	●		●			●	●	●	●	●	●		●	●
116	Stapleton Waterfront		●	●				●	●	●	●	●	●		●



Hillsides Preservation



Stapleton Waterfront




Area Map



How Zoning Gets Amended

While most development in the city occurs ***as-of-right***, there are a number of discretionary actions that require the review and approval of the ***City Planning Commission (CPC)*** or the ***Board of Standards and Appeals (BSA)*** and, in some instances, the City Council.

CPC or BSA ***discretionary actions*** are mostly zoning-related modifications authorized by the Zoning Resolution. They are termed "discretionary" because they require the exercise of judgment, in contrast to "ministerial" actions that involve the verification of objective conditions, such as compliance with laws or regulations. Discretionary actions can apply to a single, small building or can be as large as a citywide zoning text amendment that affects buildings throughout the city. Some actions that apply to an individual property ***include special permits*** administered by the CPC or the BSA, ***authorizations*** administered by the CPC, and ***variances*** administered by the BSA. See the "Other Zoning Fundamentals" section of Chapter 1 for more information.

In addition to the actions authorized by the Zoning Resolution, a number of other land use decisions are subject to public review. Most of these are triggered when the City intends to either sell or acquire property, or intends to put its property to a new use. This includes instances when the City is looking to site new facilities such as sanitation garages, fire houses and libraries. Changes to the ***City Map*** – a map that shows the locations and grades of public parks, streets and certain easements – are also subject to public review. City agencies are frequently the applicant for these kinds of actions.

While discretionary actions vary in scale and scope, all are subject to some form of public review to ensure that the public can voice their opinions on the proposed action. These actions are all also subject to environmental review, which requires that adverse environmental effects which are considered likely to stem from the action are described and considered by decision makers.

Discretionary actions are reviewed by bodies that are able to solicit and consider local as well as citywide perspectives, as appropriate to the nature of the project. Actions before the CPC, for instance, are open to comment from the general public, and frequently involve formal review by ***community boards***, Borough Presidents, the CPC and the City Council.

Most of these discretionary actions are subject to a formal public review process, where they must ultimately be approved by the CPC and then adopted by the City Council. This process, the ***Uniform Land Use Review Procedure (ULURP),*** sets timeframes for public participation and decision making. ULURP as it exists today was established in 1989, and is set out in the City Charter. The various steps of the formal process and those leading up to it are the basis for the first section of this chapter.

However, some actions, including zoning text amendments, CPC authorizations and BSA special permits and variances follow different processes which are described separately at the end of this chapter.

ULURP

Before ULURP Begins

Even before the formal public review process begins, a significant amount of research, analysis and discussion are often required to determine which types of actions are needed and to prepare the land use and environmental review applications. In addition, applicants often engage in outreach to the community so that area residents can help shape or understand a proposal.

Preliminary Outreach

While the public review process itself lays out a formal process for public input directed toward decision makers, applicants are encouraged to reach out to the affected community and to elected officials before initiating this process. For example, a property owner considering a rezoning to allow higher density development, or a special permit to allow a specific use not permitted as-of-right, will often speak first with the local community board and council member to understand potential concerns and consider how they can be addressed while the proposal is being developed.

When the Department of City Planning (DCP) is itself considering proposing a zoning change, it will communicate with elected officials and hold public information sessions, workshops or other types of outreach meetings to solicit early input and help shape the proposal. DCP also shares information in the Plans/Studies section of its website so that members of the public can get more details and participate in the process.

DCP has created a formal process, with downloadable documentation, to help applicants put together and finalize their land use application and to undertake the necessary environmental review.

Environmental Review

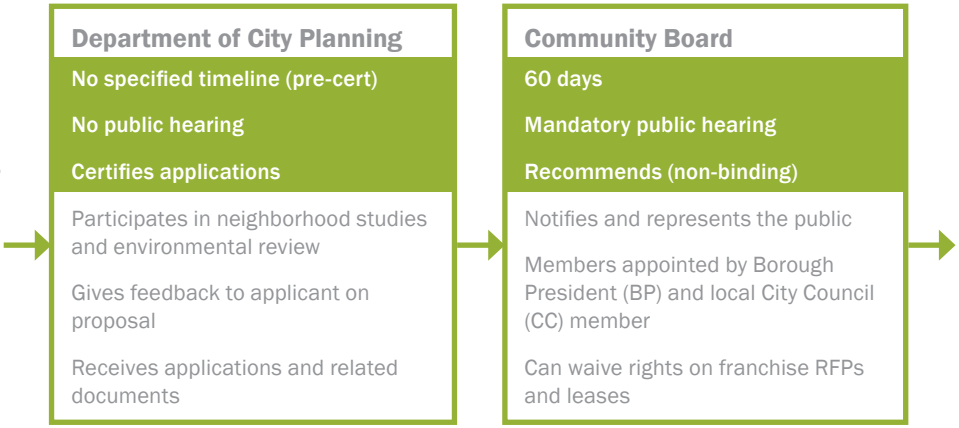
Discretionary actions are subject to the ***City Environmental Quality Review (CEQR)*** process. Pursuant to state and local law, CEQR anticipates adverse environmental effects that might reasonably be expected to result from the action, assesses their significance and proposes measures to eliminate or mitigate any significant impacts. Small applications known as Type II actions, such as actions that would result in a single- or two-family house, are exempt from these review requirements.

A range of environmental topics are examined under CEQR. This includes analyses of the traffic, noise and shadows the action may be expected to create, as well as its effects on public facilities such as sewers or schools. CEQR also assesses how the action would affect socioeconomic conditions and neighborhood character of the surrounding area. The environmental analysis compares what can reasonably be expected to happen if the action is approved (the "future with the action") with what would be expected in the absence of the action (the "future without the action"). This is done to focus the assessment of impacts on those outcomes that can be attributed to the proposed action itself, rather than to other trends, factors, or projects.

The CPC must take any projected environmental impacts into consideration when it votes to approve, modify, or disapprove an application during the public review

What Goes Through ULURP?

- City Map Changes
- Maps of Subdivisions or Plattings
- Zoning Map Changes
- City Planning Commission (CPC) Special Permits
- Revocable Consents and other Franchises
- Request for Proposals (RFPs)
- Major Concessions
- Non-City Public Improvements
- Housing and Urban Renewal Plans
- Landfills
- Disposition of Real Property
- Acquisition of Real Property
- Site Selection



process. Therefore, the environmental analysis must be largely completed before the formal public review process begins.

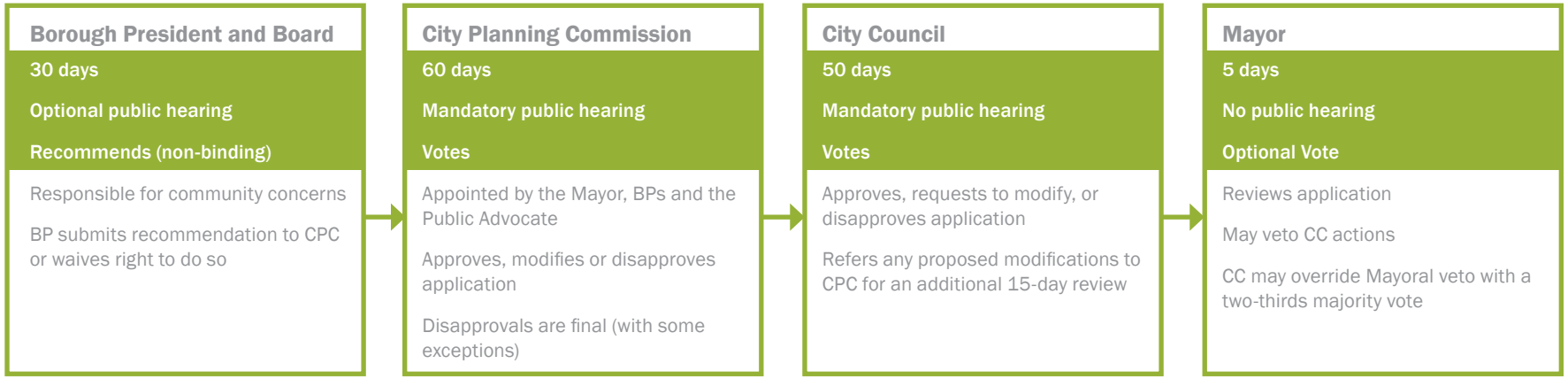
Applicants, whether public or private entities, are responsible for preparing the environmental analyses. Guidance for data sources and methodologies is provided in the CEQR Technical Manual, which is available at the Mayor's Office of Environmental Coordination's website. This manual assists City agencies, applicants and the public in conducting and participating in environmental reviews subject to CEQR.

CEQR requires a "lead agency" that is undertaking or approving a discretionary action to be responsible for coordinating the environmental review and determining the significance of its potential environmental impacts. The CPC, with DCP as staff, is the lead agency for most discretionary land use actions, including those subject to the Uniform Land Use Review Procedure (ULURP).

The first step in this process is completing an Environmental Assessment Statement (EAS). The EAS provides an initial analysis of likely effects of the proposed zoning change on the environment. It includes sufficient analysis to enable the lead agency to determine whether the potential exists for adverse effects on the environment.

Based on information in the EAS, and utilizing guidance provided in the manual, the lead agency determines whether or not the analysis suggests that adverse environmental impacts are possible. If none are anticipated, the agency issues what is termed a "negative declaration," signaling completion of the CEQR process and allowing the public review process to begin. A conditional negative declaration may be issued if significant impacts are identified but a private applicant agrees, at this stage, to restrictions that would prevent the anticipated impacts as part of the land use action. In all other instances, if the potential for one or more significant impacts is identified, a positive declaration is issued which requires completion of a Draft Environmental Impact Statement (DEIS) before the land use application can begin the public review process.

If the need for a DEIS is identified, the lead agency must first issue a draft ***scope of work***, which details the topics to be addressed in the ***Environmental Impact Statement (EIS),*** the methods of analysis to be used and possible alternatives to the proposal that would reduce or eliminate significant impacts. A public scoping meeting, normally the first formal public meeting for the project, must be held to solicit public comments on the draft scope. A notice stating when and where the meeting will be held is circulated to all affected and interested agencies, community boards, advocacy groups and elected officials and is posted to the lead agency's website. Comments are solicited at these meetings on the scope of the analysis and any changes needed to ensure appropriate and thorough assessment of potential impacts. Written comments may be submitted up to 10 days after the public meeting. After updating the scope based on the public comments



received, as appropriate, the lead agency issues a final scope of work. Both the draft and final scopes of work are posted on its website.

The purpose of an EIS is to help the public and decision-makers understand the nature of the action's anticipated effects on the environment and, if necessary, how to avoid or mitigate those impacts to the maximum extent practicable. Although the precise content and format of an EIS depends on the type of action and its impacts, it must include a project description, technical analyses, a section describing any mitigation measures and an assessment of reasonable project alternatives that would also meet project objectives while reducing or eliminating identified impacts. The draft EIS must be completed before the public review process can begin. It is issued in draft form to allow for public comment on the analysis and findings during that process. A public hearing is required; for most actions before the CPC, the Commission's public hearing (described below) serves this purpose. The EIS must be finalized before the CPC can vote on the proposal. EIS documents are available on the lead agency's website.

If the environmental review indicates that development on a property may be adversely affected by noise, air emissions or hazardous material contamination, then a special zoning label – an ***E-Designation*** – may be placed on the property. This designation requires that these issues be addressed before a new building is constructed or the use of the land changes. The E-Designation rules are found in the Zoning Resolution (ZR 11-15) and the individual properties that have received these designations are listed in Appendix C by individual "E" number, along with the related ULURP number, CEQR number and block and lot number. Designations can also be found on individual lots through the ZoLa web application. The requirements to satisfy E-Designations (satisfaction of a noise designation, for example, may necessitate the installation of soundproofing windows) are administered by the Office of Environmental Remediation; more information is available on their website.

Waterfront Revitalization Program

Projects located within the designated Coastal Zone must also be reviewed by DCP or another lead agency to assess the consistency of a proposed activity or project with a set of 10 policies that form the Waterfront Revitalization Program. More information on this can also be found on DCP's website in the Applicant Portal.

Preparing an Application

Every discretionary action subject to ULURP requires filing a formal application with DCP that clearly describes the proposal and any potential development stemming from it. Maps showing the extent and type of zoning change, as well as a draft of any amended zoning text are often included. The Applicant Portal on DCP's website has downloadable forms and guidelines on the materials necessary for different types of applications, and specifies required fees (waived for government agencies and local non-profit organizations).

Each individual land use action is given a specific application number (ULURP number) that begins with a six-digit designation that starts with the fiscal year followed by a number noting the order in which each application was filed. For example, 160035 would be the 35th filed application in fiscal year 2016. These numbers are followed by a three-letter designation. The first two letters identify the type of application. For example, "ZM" is used for zoning map changes and "ZR" for zoning text amendments. The last letter will designate the borough or citywide applicability of the application. Hence, a ZMK designation will be for a zoning map amendment in the borough of Brooklyn.

DCP's team of technical land use review experts review each application for completeness and technical accuracy. Once DCP determines that an application is complete (and the CEQR lead agency determines that the necessary environmental review has been completed), the formal public review process can begin.

During ULURP

The length of time a project takes to travel through the ULURP process is approximately seven months. During the process, proposals can be modified based on comments from the public, community boards or elected officials. The various steps of the process are described below.

Certification

DCP is responsible for certifying that an application is complete and ready to begin the ULURP process. This is formally done at one of the CPC's public Review Sessions, which typically occur twice monthly on Mondays. At these sessions, DCP staff members give an overview of the application and answer questions from the Commissioners. Certified applications are sent within nine days to the affected Community Board, Borough President and the City Council. If a project spans more than one Community District, copies are sent to all affected Community Boards and also to the respective Borough Board. For DCP-sponsored actions, application materials are on its website.

Community Board

Within 60 days of receiving a certified application, the ***Community Board*** is required to hold a public hearing and adopt and submit a written recommendation to the CPC to either approve or deny an application. While the Community Board's action is advisory, its recommendation becomes part of the public record and is carefully considered at subsequent stages of the process. Community Board recommendations often

include proposed conditions or suggested modifications that the Board believes would improve the application. A Community Board may waive its right to act on an application, and then it proceeds to the next level of review.

Borough President/Borough Board

Within 30 days of receipt of a Community Board recommendation, or at the end of its review period, the Borough President may hold a public hearing, and is required to submit a written recommendation to the CPC to approve or deny an application. These recommendations may include comments and suggestions on the application. As with the Community Boards, a Borough President's recommendations are advisory but are considered at subsequent stages of review. If an application involves land in more than one Community District, the Borough Board may also review and submit a recommendation to the CPC within the Borough President's review period. Even if the Borough President does not issue a recommendation within the prescribed time limit for an application, it moves on to the CPC.

"(A)" Applications

During the early stages of the public review process, recommendations or suggestions may be submitted that warrant making substantive changes to the original application. This can be addressed through what is often called an ***(A) application***. The CPC must hold a public hearing on both the original, certified application and the (A) application at the same time, so the deadline for filing the (A) application is dependent on the date of the scheduled CPC public hearing to allow sufficient time for public notice of the CPC's hearing.

City Planning Commission

After the Borough President's review period, the CPC must hold a public hearing to either approve, approve with modifications or disapprove an application within 60 days. CPC public hearings are generally held on Wednesdays, twice a month. They provide a forum for public officials, community groups and individual citizens to testify in favor of or in opposition to an application. This testimony is then logged as part of the official public record. Under the City Charter, the CPC is responsible for considering all of this input, including local and neighborhood views, as well as broader perspectives and citywide needs. A calendar listing the location, starting time, and items to be heard at each public hearing is posted on the DCP website, along with the annual schedule of CPC public meetings. Anyone wishing to speak is asked to sign up, and speakers are each allotted a limited amount of time for their remarks, after which the Commissioners may ask questions. Written comments can also be submitted by speakers at the hearing or by those who are unable to attend; details on this can be found on the DCP website.

Following the hearing, the CPC considers whether to approve, approve with modifications or disapprove the application, taking into account the recommendations received from the Community Board, the Borough President (and, where relevant, Borough Board) and testimony at the public hearing. Any modifications have to be "within the scope" of the originally proposed action, or of the (A) application. This means that a modification must remain within the subject matter of the application, and can reduce the amount of change proposed, but cannot introduce new subject matter or increase the degree of change under the zoning. For example, if a zoning amendment was proposing to change a Manufacturing District to an R8A District, the CPC could not modify the proposed zoning designation to a higher-density R10 District, but could modify the zoning designation to a lower-density R6A District. This limitation is in place to ensure that members of the public have adequate notice to understand the implications of a proposal and a chance to testify to the CPC.

For projects requiring an EIS, a Final EIS (or FEIS) must be issued 10 days before the CPC can vote on the land use action. The FEIS includes a summary of public comments on the environmental analysis and agency responses to these comments as well as any revisions or additional analysis necessary to support the responses to the received comments. The conclusions of the FEIS help inform the CPC's decisions about the approval, modification, or denial of an application. The CPC must also adopt a formal set of findings indicating that it has taken a close look at the impacts, mitigations and alternatives. These findings conclude the CEQR process.

Adoption of a CPC Report approving, modifying or disapproving an application requires an affirmative vote from a majority of at least seven of the Commissioners. When the report is favorably adopted, the CPC then files copies of its decision with the City Council. Disapproval of an application by the CPC is final and concludes ULURP.

The CPC Report for any action since 1938 can be found on the DCP website. With the inclusion of project descriptions, summary of testimony at different phases of review and insight into the Commission's deliberation, these Reports provide a historic record of land use actions in the city.

City Council Review

The City Council automatically reviews many ULURP actions that are approved by the CPC. For others, the Council may elect to review an application. For example, the Council is required to review zoning map changes, but may elect to review City Map changes (if it does, this is commonly known as Council "call-up"). If the Council decides to or is required to review an application, it has 50 days from receipt of the CPC Report to hold its own public hearing and either approve, approve with modifications or disapprove the decision of the CPC.

Other Public Review Processes

If, during the course of its review period, the Council decides it wants to approve an application with a modification, the proposed modification is referred back to the CPC for it to determine whether the modification is within the scope of the original application, based on the same criteria that apply to the CPC's modifications, or is beyond the scope and therefore would require additional review. The CPC has 15 days to make this determination, and during this period the City Council's 50-day clock is stopped. If no additional review is needed, the Council can then adopt the application with the modification.

A City Council action that approves, approves with modifications or disapproves zoning changes requires a majority vote of the Council. In addition, if the Council fails to act within its review period, the Council is deemed to have approved the decision of the CPC.

Mayoral Review

Mayoral approval is not required for a zoning change. A decision by the City Council to approve or disapprove a land use application is considered to be final unless the Mayor decides to veto a Council action within five days of the vote. The Council, by a two-thirds vote, can override a Mayor's veto within 10 days.

After Approval

After approval by the City Council, the land use action becomes effective immediately. For example, if a zoning amendment changes the applicable zoning district for a property, the owner can file plans and receive approval from the Department of Buildings under that new designation once the Council has voted to approve the action.

For CPC actions, the Applicant Portal on DCP's website lays out the forms and standards to follow for the variety of different application types. The BSA website includes information on the actions the Board is responsible for, as described below.

Zoning Text Amendments

When a zoning text amendment is part of a set of related actions that include a zoning map amendment or other action subject to ULURP, the actions travel together on the ULURP timeline, to enable comprehensive review of the overall project. However, when a zoning text amendment is not attached to such an action, it follows a similar but more flexible timeline.

Zoning text amendments come in a wide range of shapes and sizes – some may simply tweak a few words in the Zoning Resolution in a limited way, while others may run to hundreds of pages and modify regulations in districts throughout the city. The review process for zoning text amendments differs from the ULURP process in two significant ways. The review periods for Community Board and Borough President (and Borough Board, if necessary) run concurrently and the timeframe for their review is set by the CPC at the time an application is certified. Applications are usually sent out for review for 30 to 60 days, depending on the text amendment's complexity. The CPC review period is also not limited to the 60-day period set forth in ULURP. Instead, the CPC can take more or less time to finalize its consideration. The City Council is required to review text amendments and is bound by the same 50-day time limit as in the formal ULURP process. As with ULURP, the public review process for zoning text amendments is set out in the City Charter.

CPC Authorizations

CPC authorizations modify specific provisions of the zoning, limited in their scope and extent, if certain findings have been met. Authorizations do not require public hearings and are not subject to ULURP. However, the CPC informally refers applications to affected Community Boards for comment before acting on them. There are no fixed time frames for review.

BSA Special Permits

The Zoning Resolution delegates to the BSA the granting of special permits for the modification of certain zoning regulations that are generally more limited in scope or impact than those reviewed by the CPC, or which require expertise particular to the BSA. Unlike CPC special permits, BSA special permits are not subject to ULURP. However, they are subject to environmental review. Applications must be sent to the local community board, councilmember, borough president and DCP.
The BSA must hold a public hearing before it can act on an application.

BSA Variances

As with BSA special permits, variances are not subject to ULURP but are still subject to environmental review and public notice requirements, and the BSA must hold a public hearing before it can act on them. See the "Other Zoning Fundamentals" section of Chapter 1 for more information about variances.

Glossary

This Glossary provides brief explanations for the planning and zoning terms that appear in bold and italics throughout the Zoning Handbook. When the term listed in the Glossary is followed by an asterisk (*), that term is legally defined in the Zoning Resolution. Most of those terms can be found in Section 12-10.

25-Foot Rule
Applies to an existing zoning lot that is split between two or more ***zoning districts*** that permit different ***uses*** or have different ***bulk*** rules. When the width of the portion of the ***zoning lot*** in one of the districts measures 25 feet or less at every point, the ***use*** or ***bulk*** rules of the larger district can be applied to the entire ***zoning lot***. (See Chapter 1: Introduction to Zoning)

(A) Application
A modified land use application, sometimes called an "(A) Text," that introduces new subject matter or goes beyond the extent of changes proposed in the original application. The ***City Planning Commission (CPC)*** must hold a public hearing on both the original and modified applications at the same time. (See Chapter 8: How Zoning Gets Amended)

Accessory Use*
A ***use*** that is related to and customarily found in connection with the principal ***use***. For example, parking is typically provided for the convenience of the owners, employees, occupants or customers of a ***use*** and is therefore accessory for most uses. Both must be on the same ***zoning lot***, unless the district regulations permit another location for the accessory use.

Accessory Sign*
A ***sign*** that directs attention to a business, profession, commodity, service or entertainment conducted, sold or offered upon the same ***zoning lot***.

Advertising Sign*
A ***sign*** that directs attention to a business, profession, commodity, service or entertainment conducted, sold or offered somewhere other than the ***zoning lot***.

Affordable Housing Fund*
In certain instances, compliance with ***Mandatory Inclusionary Housing*** (MIH) program, can be met by paying into this fund administered by the Department of Housing Preservation and Development, which is restricted to use for affordable housing purposes. (See Chapter 6: Special Area Rules)

Affordable Housing Unit*
A ***dwelling unit***, other than a super's unit, that can only be rented or sold to low-income households and/or a combination of low-income and moderate- or middle-income households as part of the ***Inclusionary Housing*** program. (See Chapter 6: Special Area Rules)

Affordable Independent Residence for Seniors (AIRS)*
A category of low-income senior housing that is eligible for additional floor area and more flexible height and setback regulation in many districts. An AIRS is a ***building***, several buildings, or a portion of a building, containing residences where at least 90 percent of the ***dwelling units*** are occupied by at least one person aged 62 years or over and where all of the units are ***income-restricted housing units,*** other than a super's unit. Social and welfare facilities that are primarily for residents – such as cafeterias, dining halls, community rooms and workshops – must be provided. (See Chapter 3: Residence Districts)

As-of-right Development
A ***development*** that complies with all applicable zoning regulations and other laws, and does not require any ***discretionary action*** by the ***City Planning Commission (CPC)*** or ***Board of Standards and Appeals (BSA)***. A large majority of development in the city is as-of-right. (See Chapter 1: Introduction to Zoning)

Attached Building*
A ***building*** that abuts two ***side lot lines*** or is part of a row of abutting buildings.

Attic Allowance
Allows the maximum ***floor area ratio (FAR)*** to be increased by up to 20 percent for the provision of a pitched roof in R2X and all R3 and R4 (except R4B) districts. Design requirements for the pitched roof vary in ***lower density growth management areas (LDGMA)***. (See Chapter 3: Residence Districts and Chapter 6: Special Area Rules)

Authorization
A ***discretionary action*** by which the ***City Planning Commission (CPC)*** may modify certain specific zoning requirements for a property if certain findings in the Zoning Resolution have been met. Authorizations are not subject to ***Uniform Land Use Review Procedure*** review and the CPC does not hold any public hearings, although it generally refers such applications to the appropriate community board(s) for comment. (See Chapter 1: Introduction to Zoning)

Balcony
A residential building element, subject to certain limitations on dimensions and enclosure that is allowed to project as a ***permitted obstruction*** into required ***yards***, open areas and beyond limits on height and setback.

Base Flood Elevation*
A flood protection standard that is the height that has a one percent chance of being equaled or exceeded by a flood in any given year, as determined and represented on maps generated by the Federal Emergency Management Agency. Space in buildings below the base flood elevation is restricted by the ***Building Code.***

Base Height
The maximum permitted height of the front wall of a ***building*** before any required ***setback***.

Base Plane*
A horizontal plane from which the height of a ***building*** is measured. It is used in most lower density and contextual districts, and for properties in ***waterfront areas***. The base plane is often at curb level. On sites that slope upwards or downwards from a ***street***, or on large lots where buildings are far from a street, the base plane is adjusted to more accurately reflect the level at which the building meets the ground.

Basement*
A ***building story*** that has at least one-half of its floor-to-ceiling height above ***curb level*** or the ***base plane,*** but the rest below this level. This distinguishes a basement from a ***cellar***. A basement is included in ***floor area*** calculations.

Bioswale
A landscape element designed to capture storm water run-off from adjacent surface areas. It has inverted sloped sides that allow rainwater to drain into it and contains vegetation and mulch designed to remove pollutants before the water enters the soil. It is required in certain parking lots ***accessory*** to ***commercial*** or ***community facility uses***. (See Chapter 4: Commercial Districts)

Block*
A tract of land bounded on all sides by ***streets***, or a combination of streets, ***public parks***, ***railroad rights-of-way***, ***pierhead lines*** or airport boundaries.

Blockfront
A portion of a ***block*** consisting of all of the ***zoning lots*** fronting on a single ***street***.

Board of Standards and Appeals (BSA)
A body of five commissioners, appointed by the Mayor, which reviews and grants applications for ***special permits*** for certain proposed ***developments*** and ***uses***, and ***variances*** for ***zoning lots*** with irregular physical conditions and where construction might not otherwise be possible. In addition, the BSA hears and decides appeals to determinations by the Department of Buildings (DOB). (See Chapter 1: Introduction to Zoning)

Bonus (see Incentive Zoning)

Building*
A structure that has one or more floors and a roof, is permanently affixed to the land and is bounded by open areas or ***zoning lot lines***, has at least one primary entrance, and does not rely on other buildings for vertical circulation or fire protection systems.

Building Code
Common name for the New York City construction codes that, along with the Zoning Resolution, regulate building construction in the city. These codes – for plumbing, building, mechanical, fuel gas, and energy conservation – are administered by the Department of Buildings (DOB).

Building Envelope
A three-dimensional space that defines the maximum volume within which a structure can be built on a ***zoning lot***. This is shaped by applicable height, ***setback***, ***lot coverage*** and ***yard*** controls.

Building Height
A ***building's*** vertical dimension, measured from the ***curb level*** or ***base plane*** to the roof of the building (not including permitted obstructions above a height limit, such as elevator ***bulkheads***).

Building Segment
A portion of a ***building*** where each portion contains one or more ***dwelling units*** served by a separate entrance, but is not located above or below another building segment. For example, each townhouse in a row of ***attached*** townhouses is considered a building segment.

Bulk*
The combination of controls including ***lot*** size, ***floor area ratio***, ***lot coverage***, ***open space***, ***yards***, height and ***setback*** that determine the maximum size and placement of a ***building*** on a ***zoning lot***.

Bulkhead
An enclosed structure on the roof of a ***building*** that can include mechanical equipment, water tanks and roof access from interior stairwells. It is not counted as ***floor area*** and can exceed the maximum permitted zoning height and ***setback*** requirements, within limits specified in the Zoning Resolution.

Bulkhead Line
A line shown on the ***Zoning Maps*** that divides the upland and seaward portions of ***zoning lots*** in ***waterfront areas***. The bulkhead line typically reflects the outermost limit where land can be located. (See Chapter 6: Special Area Rules)

Car Sharing Vehicle*
A vehicle maintained and owned or leased by an organization making it available for short-term use by its members, and which may be parked in certain types of ***accessory*** or ***public parking*** facilities.

Cellar*
A level of a ***building*** that has at least one-half of its floor-to-ceiling height below ***curb level*** or the ***base plane***. This distinguishes a cellar from a ***basement***. A cellar is not included in ***floor area*** calculations.

Certification
A non-***discretionary action*** taken by the ***City Planning Commission (CPC)***, or its Chair, informing the ***Department of Buildings (DOB)*** that a project has complied with specific conditions in the Zoning Resolution.

This word is also used to denote the beginning of the ***Uniform Land Use Review Procedure (ULURP)*** process, when the Department of City Planning has determined that an application is complete and ready to begin the public review process. (See Chapter 8: How Zoning Gets Amended)

City Environmental Quality Review (CEQR)
Pursuant to state law, the CEQR process identifies and assesses the expected effects of ***discretionary actions*** on the surrounding environment. (See Chapter 8: How Zoning Gets Amended)

City Map
A collection of maps that show ***streets***, grades, parks, ***pierhead*** and ***bulkhead lines***, public places and other legally established map elements. It is the official map of New York City and is the basis for the ***Zoning Maps*** in the Zoning Resolution. The office of each Borough President is responsible for maintaining the portions of the City Maps in that borough.

City Planning Commission (CPC)
First established in 1936, the CPC today is a 13-member panel responsible for the conduct of planning relating to the orderly growth and development of the city. The CPC meets regularly to hold public hearings and review and vote on applications related to the use and improvement of land, taking into account anticipated environmental impacts. The Mayor appoints the Chair, who also serves as the Director of the Department of City Planning (DCP), and six other members; each Borough President appoints one member and one member is appointed by the Public Advocate. DCP provides technical support for the work of the Commission.

Commercial Building*
Any ***building*** occupied only by ***commercial uses***.

Commercial District*
A zoning district, designated by the letter C (C1-2, C3, C4-7, for example), in which ***commercial uses*** are allowed. ***Residential*** and ***community facility uses*** may also be permitted. The regulations for Commercial Districts are set forth in Article III of the Zoning Resolution. (See Chapter 4: Commercial Districts)

Commercial Overlay
A C1 or C2 District ***mapped*** within ***Residence Districts*** to accommodate local retail and services (grocery stores, dry cleaners, restaurants, for example). These districts, designated by the letters C1-1 through C1-5 and C2-1 through C2-5, appear on the Zoning Map as a pattern superimposed on a Residence District. (See Chapter 4: Commercial Districts)

Commercial Use*
Any retail, service or office ***use*** listed in Use Groups 5 through 16, or allowed by ***special permit***. (See Chapter 4: Commercial Districts)

Community Board (see Community District)

Community District (CD)
New York City is organized into 59 Community Districts. Each CD is represented by a Community Board, composed of volunteer community members (appointed by the Borough President and at least half of whom are nominated by local Councilmembers), that provides information to local residents and businesses and advises on planning and service issues.

Community Facility Building*
Any ***building*** occupied only by ***community facility uses***.

Community Facility Use*
A facility providing educational, health, recreational, religious or other services. These ***uses*** are listed in ***Use Groups*** 3 and 4. (See Chapter 3: Residence Districts)

Contextual District
A ***zoning district*** that regulates the height and ***bulk*** of new ***buildings***, their setback from the ***street line***, and their width along the street frontage, to reflect a form consistent with the scale and character of many neighborhoods. ***Residence*** and ***Commercial Districts*** with an A, B, D or X suffix are contextual zoning districts. (See Chapter 3: Residence Districts)

Conversion*
A change of a building's ***use*** to another use category, such as from a commercial to a residential ***use group***. (See Chapter 1: Introduction to Zoning)

Court*
An open area, other than a ***yard*** or a portion of a yard, that is unobstructed from its lowest level to the sky, and is bounded by ***building*** walls, or by building walls and one or more ***lot lines***. (See Chapter 3: Residence Districts)

Corner Lot*
A ***zoning lot*** that adjoins the point of intersection of two or more ***streets***. A zoning lot bounded entirely by streets is also considered a corner lot.

Curb Cut
A drop in the curb that permits vehicular access from a street to a driveway, garage, parking lot or loading dock. In ***Residence Districts*** there are width and spacing rules to protect the existence of curbside parking. (See Chapter 3: Residence Districts)

Curb Level*
The level of the sidewalk in front of a ***zoning lot***. In general, it is used to determine the point from which building height and setback controls are measured.

Density
Generally refers to a combination of ***bulk*** and concentration or intensity of ***use***, often describing extent or degree of concentration. For ***residential use***, density is often used descriptively to refer to the ***dwelling unit factor***.

Detached Building*
A freestanding ***building*** whose sides are surrounded by ***yards*** or open areas within the ***zoning lot***.

Development*
Either the construction of a new ***building*** or other structure on a ***zoning lot***, the relocation of an existing building to another zoning lot, or the establishment of a new open ***use*** on a tract of land.

Development Rights
Generally speaking, an amount of ***floor area*** permissible on a ***zoning lot***. When the floor area that has been built is less than the maximum amount of floor area permitted, the difference is often referred to as "unused development rights."

Discretionary Action
An action requiring the approval of either the ***City Planning Commission (CPC)*** or the ***Board of Standards and Appeals (BSA)***. Discretionary actions include zoning amendments, special permits, ***authorizations*** and variances. (See Chapter 1: Introduction to Zoning)

Dormer
A portion of a ***building*** allowed as a ***permitted obstruction*** within a required ***setback*** area to create architectural interest and design variety. In lower density districts, it is often a window protruding from a sloped roof to provide more light and air to the top floors of homes. In R6 through R10 ***contextual districts***, it is a portion of a building allowed to penetrate a required ***setback*** above the maximum ***base height***. Both types of dormers are subject to size limitations. (See Chapter 3: Residence Districts)

Dwelling Unit*
Consists of one or more rooms in a residential ***building***, or residential portion of a building, that also contains cooking and sanitary facilities and is inhabited by one or more persons living together, maintaining a common household. Most conventional apartments or houses in New York City consist of dwelling units.

Dwelling Unit Factor
A number by which total residential ***floor area*** is divided to calculate and regulate the maximum number of ***dwelling units*** permitted in a ***building***. The factor varies by ***zoning district***. (See Chapter 3: Residence Districts)

E-Designation
A special zoning label placed on a property as part of a ***discretionary action*** that requires specified environmental issues be addressed before a ***building*** is constructed or enlarged or the ***use*** of the land changes. (See Chapter 6: Special Area Rules)

Enlargement*
A change to an existing ***building*** that increases its ***floor area***, or an expansion of an existing open ***use*** onto a portion of a ***zoning lot*** not previously used for that purpose. (See Chapter 1: Introduction to Zoning)

Environmental Impact Statement (EIS)
A detailed study that examines the environmental effects of a project requiring a ***discretionary action.*** An EIS is required when a more limited analysis is not sufficient to conclude that the project would not result in significant adverse effects on the environment. The study looks at a variety of environmental categories, typically including traffic, schools, air quality, noise and building shadows. (See Chapter 8: How Zoning Gets Amended)

Extension*
An expansion of an existing ***use*** to occupy additional existing ***floor area*** within a ***building***. (See Chapter 1: Introduction to Zoning)

Fence
In most instances, fences are considered ***permitted obstructions***. In ***Residence Districts***, the maximum height of a fence constructed along a ***front lot line*** is four feet above ground level. The maximum height of a fence along the ***side*** or ***rear lot line*** is six feet.

Flashing Sign*
An ***illuminated sign***, whether stationary, revolving or rotating, which changes light or color.

Flood-resistant construction elevation* (FRCE)
The height from which ***building*** heights are measured for a building complying with the flood-resistant construction standards of the ***Building Code***. This is based on the ***base flood elevation*** as well as Building Code requirements.

Flood Zone*
The area of the city that is at risk of flooding in an event that has a one percent annual chance of occurring, as designated by the Federal Emergency Management Agency. In a flood zone, special ***Building Code*** requirements apply, and special zoning provisions are available to enable compliance with the Building Code and reduce the vulnerability of ***buildings***. (See Chapter 6: Special Area Rules)

Floor Area*
The sum of the gross area of each floor of a ***building***. Several types of spaces are excluded from this sum, including mechanical space, ***cellar*** space, open balconies, elevator or stair ***bulkheads*** and, in most zoning districts, the space for ***accessory parking*** that is less than 23 feet above ***curb level***.

Floor Area Ratio (FAR)*
The principal ***bulk*** regulation that controls the size of ***buildings***. Each ***zoning district*** specifies a maximum FAR for a ***use*** which, when multiplied by the ***lot area*** of the ***zoning lot***, produces the maximum amount of ***floor area*** allowable for that ***use*** on that zoning lot. (See Chapter 1: Introduction to Zoning)

FRESH Food Store*
A grocery store meeting certain requirements in one of the underserved neighborhoods designated under the ***Food Retail Expansion to Support Health (FRESH)*** program to increase the availability of fresh, healthy food. FRESH Food Stores are eligible for ***floor area*** and financial incentives. (See Chapter 6: Special Area Rules)

Front Lot Line*
A ***zoning lot line*** that fronts upon a ***street***. Also known as a ***street line***.

Front Yard*
An open area that extends along the full width of a ***front lot line***. In the case of a ***corner lot***, any yard extending along the full length of a ***street line*** is considered a ***front yard***.

Front Yard Line*
A line drawn parallel to the ***front lot line*** at the depth of a required ***front yard***.

Group Parking Facility*
A ***building***, structure or lot used for parking multiple vehicles. If the parking is ***accessory*** to ***residences,*** group parking serves more than one ***dwelling unit***.

Height Factor*
A number equal to the total ***floor area*** of the ***building*** divided by its ***lot coverage*** (in square feet), used to determine floor area limits and lot coverage requirements. In general, the height factor is equal to the number of stories in a building constructed without ***setbacks***. Height factor applies only in R6 through R9 ***non-contextual districts***.

Height Factor Building
A ***building*** containing ***residences*** whose residential ***bulk*** is determined by a corresponding range of ***height factors***, ***floor area ratios*** and ***open space ratios***, and is set within a ***sky exposure plane***. Higher floor area ratios are permitted for tall buildings surrounded by open space. Height factor buildings are permitted only in R6 through R9 ***non-contextual districts***. (See Chapter 3: Residence Districts)

Home Occupation*
A business operated by the occupant(s) of a ***dwelling unit***, which is permitted as ***accessory*** to the residential use. It is generally restricted to no more than 25 percent of the ***floor area*** of the dwelling unit, or 500 square feet, whichever is less. Certain occupations that may create excessive noise, odors or pedestrian traffic are not permitted.

Illuminated Sign*
A ***sign*** that uses artificial light or reflected light from an artificial source.

Incentive Zoning
A term often used to refer to additional ***floor area*** or other zoning flexibility permitted in exchange for providing a ***use,*** public amenity or facility that contributes to planning objectives. Incentive zoning exists in certain areas to promote ***privately owned public spaces***, improvements to nearby subway stations, preservation of a theaters, ***FRESH*** food stores, and affordable housing.

Inclusionary Housing Program
Zoning provisions established to create and preserve housing that is affordable to low- and moderate-income households to promote neighborhood economic diversity. There are three branches of the Inclusionary Housing programs, including voluntary, incentive-based programs and the ***Mandatory Inclusionary Housing*** program. Each branch of the program has specific standards and applicability. (See Chapter 6: Special Area Rules)

Income-Restricted Housing Unit*
A ***dwelling unit*** that complies with the definition of an ***affordable housing unit*** under one of the ***Inclusionary Housing Programs***, or another dwelling unit with a long-term, binding restriction requiring rents and incomes to remain at or below 80 percent of Area Median Income.

Infill Housing (see Predominantly Built-up Areas)

Initial Setback Distance*
A ***setback*** requirement for ***buildings*** using the ***sky exposure plane*** regulations available in ***non-contextual districts***. (See Chapter 3: Residence Districts)

Inner Court*
A ***court*** bounded by either ***building*** walls, building walls and ***side*** or ***rear lot lines,*** or building walls and an opening along a side or rear lot line (with a width of less than 30 feet). (See Chapter 3: Residence Districts)

Interior Lot*
Any ***zoning lot*** that is neither a ***corner lot*** nor a ***through lot***.

Joint Living-Work Quarters for Artists*
Spaces in non-residential buildings used as both living quarters and work space by artists and their households, in certain districts where this is permitted. (See Chapter 5: Manufacturing Districts)

Large-scale Development
A ***development*** generally involving several ***zoning lots*** that are planned together as a unit. The large-scale development regulations allow modifications to various zoning regulations. Such modifications can allow for design flexibility to achieve a better site plan. Large-scale developments require a ***discretionary action*** from the ***CPC***. (See Chapter 6: Special Area Rules)

LDGMA (see Lower Density Growth Management Area)*

Legally Required Window
A window mandated by ***Building Code*** or other regulation in a ***dwelling unit*** to provide necessary light, air and ventilation. These windows generally cannot be located closer than 30 feet to a ***side*** or ***rear lot line***.

Limited Height District*
A zoning designation established prior to the creation of ***contextual districts,*** superimposed on certain areas designated as historic districts by the Landmarks Preservation Commission (LPC). Limited Height Districts cap total building heights and are ***mapped*** in areas of the Upper East Side, Gramercy Park, Brooklyn Heights and Cobble Hill. (See Chapter 6: Special Area Rules)

Loft
A term for a ***building*** or space, usually with high ceilings, within a building designed for ***commercial*** or ***manufacturing use***, generally constructed prior to 1930. In certain ***Manufacturing Districts***, lofts may be converted to residential use if granted a ***CPC special permit***. In other areas, some lofts have been granted permission for legal residential occupancy by State legislation.

Long-term Care Facility*
A category of ***community facility use*** that provides for live-in care for a range of populations, including nursing homes, assisted living facilities and continuing care retirement communities. (See Chapter 3: Residence Districts)

Lot (see Tax Lot or Zoning Lot)

Lot Area*
Lot area is the area (typically measured in square feet) of a ***zoning lot***.

Lot Coverage*
That portion of a ***zoning lot*** which, when viewed from above, is covered by a ***building***. ***Permitted obstructions*** are not counted towards lot coverage.

Lot Depth*
The average horizontal distance between the ***front lot line*** and ***rear lot line*** of a ***zoning lot***.

Lot Line*
A boundary of a ***zoning lot***. There are three different types: ***front***, ***side*** and ***rear lot lines***.

Lot Width*
The average horizontal distance between the ***side lot lines*** of a ***zoning lot***.

Lower Density Growth Management Area (LDGMA)*
An area designated in the Zoning Resolution in which ***developments*** must provide more accessory parking, larger ***yards*** and more open space than would otherwise be required in the same ***zoning districts*** elsewhere. LDGMAs exist in Staten Island and Community District 10 in The Bronx. (See Chapter 6: Special Area Rules)

Mandatory Inclusionary Housing (MIH)
A zoning provision that requires a share of new housing in areas rezoned for higher residential density to be permanently affordable to low- and moderate-income households. The required amount of affordable housing and income levels vary based on several options specified in the Zoning Resolution, and areas subject to the program are mapped in Appendix F. (See Chapter 6: Special Area Rules)

Manhattan Core*
The portion of Manhattan including ***Community Districts*** 1 through 8, within which certain special regulations for parking and ***bulk*** apply. Extends from the southern tip of Manhattan to 110th Street on the Upper West Side and 96th Street on the Upper East Side.

Manufacturing District*
Designated by the letter M (M1-1, M2-2, for example), Manufacturing Districts are ***zoning districts*** in which ***manufacturing uses***, most ***commercial uses*** and some ***community facility uses*** are permitted. The manufacturing uses are subject to a range of ***performance standards***. New ***residential development*** is not allowed, except under certain conditions in M districts with a "D" suffix, or in ***Mixed Use Districts***. (See Chapter 5: Manufacturing Districts)

Manufacturing Use*
Any ***use*** listed in ***Use Group*** 17 or 18, or a manufacturing use allowed only by ***special permit***.

Mixed Building*
A ***building*** in a ***Commercial District*** used partly for ***residential use*** and partly for ***community facility*** or ***commercial use***. (See Chapter 4: Commercial Districts)

Mixed Use District*
A ***Special Purpose District*** mapped in numerous locations within the city that includes allows a wide range of uses, based on the regulations of an M1 district and a ***Residence District.*** The M and R districts are mapped together (M1-2/R6, for example) as ***paired districts*** and designated by the prefix "MX" on the ***Zoning Maps***. New residential and non-residential ***uses*** are permitted within the same building, with certain restrictions, and any such building is a ***mixed building***. (See Chapter 7: Special Purpose Districts)

Narrow Street*
A ***street*** that appears on the ***City Map*** with a width of less than 75 feet.

Non-complying or Non-compliance*
A lawfully existing ***building*** that does not comply with one or more of the ***bulk*** regulations of the applicable ***zoning district***. This frequently occurs because a building was constructed prior to the zoning currently in effect. The degree of non-compliance generally may not be increased. (See Chapter 1: Introduction to Zoning)

Non-conforming or Non-conformity*
A lawfully existing ***use*** that would not be permitted under the use regulations of the applicable ***zoning district.*** This frequently occurs because a use was established prior to the zoning currently in effect. The degree of non-conformance generally may not be increased. (See Chapter 1: Introduction to Zoning)

Non-contextual District
Zoning districts other than ***contextual districts***. (See Chapter 3: Residence Districts)

Open Space*
The part of a ***zoning lot*** containing ***residences*** that is open and unobstructed from its lowest level to the sky, except for specific ***permitted obstructions***, and is accessible to all residents. Open space may include ***courts*** or ***yards***. (See Chapter 3: Residence Districts)

Open Space Ratio (OSR)*

A number specified in the Zoning Resolution that is used to calculate the amount of ***open space*** required on a ***zoning lot*** containing ***residences*** in R6 through R10 non-***contextual districts***, expressed as a percentage of the total ***floor area*** on the ***zoning lot***. For example, if a building with 20,000 square feet of floor area has a required OSR of 20, then 4,000 square feet of open space would be required on the zoning lot (0.20 × 20,000 sq ft). (See Chapter 3: Residence Districts)

Outer Court*

A ***court*** bounded by building walls, or building walls and ***side*** or ***rear lot lines***, except for one opening upon: a ***front lot line***; ***front yard***; a ***rear yard***; or other open space along a side or rear lot line that is at least 30 feet in width. (See Chapter 3: Residence Districts)

Overlay District

A ***zoning district*** superimposed upon another that supersedes, modifies or supplements the underlying district's regulations. ***Commercial overlay districts*** and ***Limited Height Districts*** are examples. (See Chapter 4: Commercial Districts and Chapter 6: Special Area Rules)

Paired Districts

These match an M1 District with an R3 through R10 district (M1-5/R10, for example) to permit a mixture of ***residential*** and non-residential ***uses*** (commercial, community facility, light manufacturing) in the same ***zoning district***, ***block*** or ***building***. Paired districts are often ***mapped*** in ***Mixed Use Districts***. (See Chapter 7: Special Purpose Districts).

Parapet

A low wall or protective barrier that extends vertically above the roof of a building or other structure. When four feet or shorter, it is considered a ***permitted obstruction*** above a height limit or within a required ***setback*** area.

Parking and Loading Regulations

Zoning rules that regulate the minimum or maximum number of off-street spaces for parking of cars or bikes, as well as for loading berths. The sections of the Zoning Resolution for ***Residence Districts, Commercial Districts, and Manufacturing Districts*** each have a chapter on parking and loading regulations, and certain special geographies (e.g., the ***Manhattan Core***) are subject to modified or special parking and loading regulations.

Parking Requirement Category (PRC)

The requirements for how many accessory parking spaces ***commercial uses*** must provide are grouped into nine categories based on assumptions about the number of private vehicle trips that may be generated by each. (See Chapter 4: Commercial Districts)

Performance Standards

Minimum requirements or maximum allowable limits on noise, vibration, smoke, odor and other effects from the ***manufacturing uses*** listed in ***Use Groups*** 17 and 18, established when the Zoning Resolution was created in 1961. (See Chapter 5: Manufacturing Districts)

Perimeter Walls

In a lower density district, the outermost walls that enclose a ***building***'s ***floor area.*** These walls may rise from the ***base plane*** to a specified maximum height before a setback or pitched roof is required. (See Chapter 3: Residence Districts)

Permitted Obstruction

A structure or object that may be located in a volume where buildings are not generally allowed, such as a required ***yard*** or ***open space,*** above a height limit, within a ***setback*** area, or beyond the ***sky exposure plane***. For example, a balcony, trellis, air conditioner, gutter or fence is a permitted obstruction in a required yard or open space. Certain structures on a roof, such as elevator ***bulkheads***, water towers or ***parapets*** are permitted obstructions that may penetrate height limits, setback areas or sky exposure planes.

Physical Culture or Health Establishment (PCE)*

A facility that provides instruction, services or activities that improve a person's physical condition by exercise or massage. Gyms fall under this term. In most instances, a PCE can only be permitted through a ***BSA special permit***. Other therapeutic or relaxation services, including saunas, jacuzzis and meditation facilities are considered ***accessory*** to the physical exercise or massage programs. (See Chapter 6: Special Area Rules)

Pierhead Line

A line that defines the outermost seaward boundary of the area where over-water structures can be built, which is also the boundary of the area regulated by the Zoning Resolution. Pierhead lines are established by the Federal, State, or City government and are shown on the ***Zoning Maps.*** (See Chapter 6: Special Area Rules)

Planting Strips

Grassy areas in R1 through R5 ***Residence Districts*** that extend along the edge of the curb within which street trees are planted. (See Chapter 3: Residence Districts)

Predominantly Built-up Area*

A ***blockfront*** that is entirely within an R4 or R5 ***Residence District*** (without a suffix) in which optional regulations that permit higher ***FAR*** and lower ***accessory*** parking requirements may be used to produce ***infill housing***. (See Chapter 6: Special Area Rules)

Primary Street Frontage

The portion of the lowest ***story*** of a ***building*** fronting on a ***wide street***, a ***narrow street*** where a ***Commercial District*** is ***mapped*** along the entire ***blockfront***, or a narrow street within 50 feet of a wide street. ***Streetscape*** regulations treat the primary street frontage differently from other portions of a lot.

Private Road*

A right-of-way that gives vehicular access to ***developments*** with five or more ***dwelling units*** that are at least 50 feet from a public ***street*** in R1 through R5 ***Residence Districts***. Developments on private roads must comply with special design rules to ensure that these roads can function properly. In ***LDGMA,*** a right-of-way that serves three or more dwelling units is considered a private road and is subject to special design rules. (See Chapter 6: Special Area Rules)

Privately Owned Public Space (POPS)

An amenity provided and maintained by a property owner for public use, usually in exchange for additional ***floor area***. Located mainly in the high-density, central business districts of Manhattan, these spaces can be either arcades or ***public plazas***. (See Chapter 6: Special Area Rules)

Public Hearing

A meeting where the public has the opportunity to testify and express support or concerns for a specific proposal. A number of public hearings are required for land use actions subject to the ***Uniform Land Use Review Procedure*** and for many other ***discretionary actions***.

Public Park*

A park, playground, beach, parkway or other area within the jurisdiction and control of the New York City Commissioner of Parks and Recreation. Public parks are typically not subject to zoning regulations.

Public Parking Garage*

Part or all of a building that is used on a daily basis for general-purpose parking of private passenger vehicles. A public parking garage may include some ***accessory*** parking spaces for uses on the same ***zoning lot***.

Public Parking Lot*

A tract of land that is used on a daily basis for public parking and is not ***accessory*** to a use on the same or another ***zoning lot***.

Public Plaza*

A ***privately owned public space*** adjacent to a building and accessible to the public. It must generally be at the level of the sidewalk and unobstructed to the sky except for seating and other amenities. In certain high density ***zoning districts***, a floor area bonus is available for the provision of a public plaza. (See Chapter 6: Special Area Rules)

Quality Housing Building*

A ***building*** that is ***developed***, ***enlarged***, ***extended*** or ***converted*** pursuant to the ***Quality Housing Program***.

Quality Housing Program

The program, mandatory in ***contextual*** R6 through R10 ***Residence Districts*** and optional in non-contextual R6 through R10 districts, encourages development consistent with the character of many established neighborhoods. Its bulk regulations set height limits and allow high lot coverage buildings that are set at or near the street line. The Quality Housing Program also requires amenities relating to interior space, recreation areas and landscaping. (See Chapter 3: Residence Districts)

Qualifying Ground Floor*

A ground floor of a ***development*** or ***enlargement*** of a ***Quality Housing*** building, where the second story begins 13 feet or more above the level of the sidewalk and, in certain instances, where additional supplementary ***use*** provisions are met. In some ***zoning districts***, buildings with a qualifying ground floor are permitted a higher maximum ***base height*** and overall height. (See Chapter 3: Residence Districts)

Railroad or Transit Air Space*

Space directly over an above-ground railroad or transit right-of-way or ***yard*** that has been in existence since at least September 27, 1962. Any new development in this space requires a ***CPC special permit***.

Rear Lot Line*

A ***lot line*** that is generally parallel to a ***street line*** bounding the ***zoning lot*** and does not intersect a ***street line***.

Rear Yard*

A ***yard*** that extends for the full width of a ***rear lot line***. In ***Residence Districts***, the minimum depth of a rear yard is normally 30 feet. In ***Commercial*** and ***Manufacturing Districts***, the minimum depth of a rear yard is 20 feet. A corner lot is not required to have a rear yard.

Rear Yard Equivalent* (see Yard)
An open area on a ***through lot*** required to comply with ***rear yard*** regulations.

Remapping (see Rezoning or Remapping, or Zoning Map Amendment)

Residence*
Consists of one or more ***dwelling units*** and any common areas. Residences vary in building type, from one-family and two-family houses, to multi-family dwellings or apartment hotels. A single-family residence* is a ***building*** on a ***zoning lot*** containing one dwelling unit occupied by one household. A two-family residence* contains two separate dwelling units occupied by two different households. A multi-family residence contains at least three dwelling units. Residences are used for permanent rather than transient occupancy, and can be leased for periods of no less than 30 days. (See Chapter 3: Residence Districts)

Residence District*
A ***zoning district***, designated by the letter R (R3-2, R5, R10A, for example), in which only ***residences*** and ***community facilities*** are permitted.

Residential District Equivalent
A zoning designation assigned to a C1, C2, C3, C4, C5 or C6 District that establishes the regulations for any residential ***uses*** within the district, usually referred to as a "residential equivalent." For example, the residential portion of a building in a C4-4 District must follow the ***bulk*** regulations of its residential equivalent, an R7 District. (See Chapter 4: Commercial Districts)

Residential Use*
Any ***use*** listed in ***Use Group*** 1 (single-family detached residences) or Use Group 2 (all other types of residences).

Restrictive Declaration
A covenant that binds the present and future owners of the property to restrictions placed on the land. They are sometimes used to specify how conditions attached to a ***special permit*** or environmental mitigations or restrictions will be implemented.

Rezoning or Remapping, or Zoning Map Amendment

Common terms used to describe when the zoning designation for an area is changed on the ***Zoning Map***, as a result of an application from a private or public entity. This action is subject to ***Uniform Land Use Review Procedure***. (See Chapter 8: How Zoning Gets Amended).

Scope
A term often used to describe the limits placed on the subject matter of an application during the land use review process. Once an application has been calendared for hearing by the ***City Planning Commission (CPC),*** it may be modified by the CPC or City Council only in ways that do not introduce new subject matter or increase the degree of the proposed change. This is done to ensure that members of the public can understand the types of changes that may be enacted, and have a chance to testify before decision-makers about them. (See Chapter 8: How Zoning Gets Amended)

Secondary Street Frontage*
The portion of the lowest ***story*** of a ***building*** fronting on a street that is not a ***primary street frontage***.

Semi-detached Building*
A ***building*** that shares a wall, on a ***side lot line***, with another building on an adjoining ***zoning lot,*** and the remaining sides of which are surrounded by open areas or ***street lines***. (See Chapter 3: Residence Districts)

Setback, Building
A requirement for the upper floors of a ***building*** to be located further from a ***lot line*** than lower floors to allow more light and air to the ***street*** or the lower stories of the building.

Setback, Initial or Ground Level
Rules governing the depth of open areas at ground level between the front ***building*** wall and the ***street line***. (See Chapter 3: Residence Districts)

Shore Public Walkway*
A linear ***waterfront public access area*** running alongside the ***shoreline***. (See Chapter 6: Special Area Rules)

Shoreline
Because the intersection of the land with the water surface shifts with changing tides, the shoreline is defined as being located at the mean high water line. (See Chapter 6: Special Area Rules)

Side Lot Line
Any ***lot line*** that is neither a ***front lot line*** nor a ***rear lot line***.

Side Lot Ribbon*
An eight- to 10-foot wide strip that extends along the length of the ***side lot line*** of a ***zoning lot*** and is generally where driveways are located in lower-density residence districts. It is not required to be open to the sky and can extend through an attached house set along the side lot line. In R3, R4 and R5 Districts, if a zoning lot is less than 35 feet wide, parking must be located in a side lot ribbon. (See Chapter 3: Residence Districts)

Side Yard*
A ***yard*** that extends along a ***side lot line*** from the required ***front yard***, or from the ***front lot line*** if no front yard is required, to the required ***rear yard***, or to the ***rear lot line*** if no rear yard is required. In the case of a corner lot, any yard that is not a front yard is considered a side yard.

Sidewalk Cafe*
An eating or drinking establishment, or a portion of it, that is located on a public sidewalk. There are three different types of sidewalk cafes: enclosed sidewalk cafe, unenclosed sidewalk cafe, small sidewalk cafe. (See Chapter 6: Special Area Rules)

Sign*
Any writing – words, pictures, or symbols – that is on or attached to a building or other structure. Limitations on the attributes of signs are set forth in ***use*** regulations.

Sky Exposure Plane*
A plane that defines the ***building envelope*** in ***non-contextual districts*** designed to protect light and air at street level. The sky exposure plane is a virtual sloping plane that begins at a specified height above the ***street line*** and rises inward over the ***zoning lot*** at a ratio of vertical distance to horizontal distance set forth in district regulations.

Sliver Rule
A common term for restrictions that apply to a building or ***enlargement*** that is 45 feet wide or less, in many medium and high density ***Residence Districts***. Such buildings are generally limited to a height equal to the width of the adjacent ***street*** or 100 feet, whichever is less. (See Chapter 6: Special Area Rules)

Special Permit
A ***discretionary action*** by the ***City Planning Commission (CPC)***, or the ***Board of Standards and Appeals (BSA)***, that allows modification of zoning regulations if certain conditions and findings specified in the Zoning Resolution are met. (See Chapter 1: Introduction to Zoning)

Special Purpose District
An area where the underlying zoning regulations are modified or superseded to achieve specific planning objectives. Special Purpose Districts appear as grayscale areas on the ***Zoning Maps.*** (See Chapter 7: Special Purpose Districts)

Split Lot
A ***zoning lot*** located in two or more ***zoning districts*** and divided by a zoning district boundary. In most cases, zoning regulations for each district must be applied separately for each portion of the lot. Special rules exist for zoning lots that existed prior to 1961, or prior to any rezoning that split the lot. (See Chapter 1: Introduction to Zoning)

Story*
The part of a ***building*** between the surface of one floor and the ceiling immediately above. A ***cellar*** does not count as a story.

Street*
Any road (other than a ***private road***), highway, parkway, avenue, alley or other way shown on the ***City Map***, or a way at least 50 feet wide and intended for public use which connects a way shown on the City Map to another such way or to a building or structure. A street refers to the entire public right-of-way (including public sidewalks).

Streetscape
Zoning rules that are focused on a how a building relates to the sidewalk and surrounding ***buildings***.

Street Frontage
Portion of a ***zoning lot*** facing a ***street***.

Street Line*
A ***front lot line*** separating the ***zoning lot*** from the ***street***.

Street Wall*
A wall or portion of a wall of a ***building*** facing a ***street***.

Supplemental Public Access Area*
An additional amount of public access area required to fulfill the minimum percentage of ***Waterfront Public Access Area*** required on a waterfront ***zoning lot***, once a ***shore public walkway*** and ***upland connections*** have been provided. (See Chapter 6: Special Area Rules)

Tax Lot
A parcel of land identified with a unique borough, ***block*** and lot number for property tax purposes. A ***zoning lot*** typically comprises one or more adjacent tax lots within a block.

Through Lot*
A ***zoning lot*** that connects two generally parallel ***streets*** and is not a ***corner lot***.

Tower
A portion of a building that is permitted to penetrate the ***sky exposure plane*** or other applicable height limit. Towers are allowed only in specified high density areas. There are two major types of tower rules: standard tower rules and tower-on-a-base rules. Some ***Special Purpose Districts*** also include special regulations for towers.

Transfer of Development Rights (TDR)
In limited circumstances specified in the Zoning Resolution, TDR allows for the transfer of unused ***development rights*** from one ***zoning lot*** to another, to preserve historic buildings, open spaces or unique cultural resources. For such purposes, TDR may be permitted where the transfer could not be accomplished through a ***zoning lot merger***. In the case of a landmarked building, for example, a transfer may be made by ***CPC special permit*** to a broader area than permitted through a ***zoning lot merger.*** (See Chapter 6: Special Area Rules)

Transit Zone*
An area where special lower ***accessory*** parking requirements apply for various types of affordable housing. These are areas of the city beyond the ***Manhattan Core*** that are accessible to transit and have low auto ownership rates. (See Chapter 6: Special Area Rules)

Uniform Land Use Review Procedure (ULURP)
The public review process, mandated by the City Charter, for certain ***discretionary actions***, such as ***zoning map amendments***, ***CPC special permits***, site selections and acquisitions for City capital projects and disposition of City property. ULURP sets forth a clear time frame and process for public participation and decision-making. (See Chapter 8: How Zoning Gets Amended)

Upland Connection*
A pedestrian way between a public area (a ***street***, a sidewalk or a park, for example) and a ***shore public walkway***. (See Chapter 6: Special Area Rules)

Use*
Any activity, occupation, business or operation, listed in ***Use Groups*** 1 through 18, or identified in a ***special permit***, that occurs in a ***building*** or on a tract of land.

Use Group
Uses that have similar functional characteristics and/or impacts on the environment or neighbors and are generally compatible with each other are listed in one or more of 18 groups. The uses are categorized as ***residential uses*** (Use Groups 1–2), ***community facility uses*** (Use Groups 3–4), retail and service uses (Use Groups 5–9), regional commercial centers/amusement uses (Use Groups 10–12), waterfront/recreation uses (Use Groups 13–15), heavy automotive uses (Use Group 16) and ***manufacturing uses*** (Use Groups 17–18).

Variance
A ***discretionary action*** by the ***Board of Standards and Appeals (BSA)*** to grant relief from provisions of the Zoning Resolution to the minimum extent necessary when unique conditions on a specific parcel of land would cause the property owner practical difficulty and undue hardship if zoning were applied. (See Chapter 1: Introduction to Zoning)

Waterfront Access Plan (WAP)
A detailed framework set forth in the Zoning Resolution that tailors public access requirements for ***zoning lots*** along the ***shoreline*** to the specific conditions of a particular waterfront. (See Chapter 6: Special Area Rules)

Waterfront Area*
The geographical area adjacent to a body of water at least 100 feet wide, comprising all ***blocks*** between the ***pierhead line*** and a parallel line 800 feet landward from the ***shoreline***. Blocks within the waterfront area are subject to waterfront zoning regulations, which appear in Article VI, Chapter 2 of the Zoning Resolution. (See Chapter 6: Special Area Rules)

Waterfront Public Access Area* (WPAA)
The portion of a ***zoning lot*** in a ***waterfront area*** required to be improved and maintained as publicly accessible, including a ***shore public walkway, upland connections,*** and any ***supplemental public access area*** required. All WPAAs are required to be improved with landscaping and trees, seating and other amenities. (See Chapter 6: Special Area Rules)

Waterfront Yard*
The portion of a ***zoning lot*** in a ***waterfront area*** that extends along the entire length of the ***shoreline*** and must be open and unobstructed from the lowest level to the sky, except for certain ***permitted obstructions***. (See Chapter 6: Special Area Rules)

Wide Street*
A ***street*** that appears on the ***City Map*** with a width of 75 feet or more. Most ***bulk*** regulations applicable to wide streets are also applicable to ***buildings*** on intersecting streets within 100 feet of a wide street.

Yard*

A required open area along the ***lot lines*** of a ***zoning lot*** which must be unobstructed from the lowest level to the sky, except for certain ***permitted obstructions***. Rules for yards are intended to regulate the location and shape of ***buildings*** to ensure enough light and air between structures. One example is a ***front yard***. (See Chapter 3: Residence Districts)

Zero Lot Line Building*

A freestanding ***building*** that abuts one side lot line of a ***zoning lot*** and does not abut any other building on an adjoining zoning lot. (See Chapter 3: Residence Districts)

Zoning District

A specifically delineated area of the city within which various combinations of the zoning regulations govern land ***use***, building ***bulk***, parking and ***streetscape***. Zoning districts include ***Residence Districts, Commercial Districts,*** and ***Manufacturing Districts,*** and are shown on the ***Zoning Maps***.

Zoning Lot*

A tract of land typically comprising a single ***tax lot*** or two or more adjacent tax lots within a ***block***. An apartment building on a single zoning lot, for example, may contain separate condominium units, each occupying its own tax lot. Similarly, a building containing a row of townhouses may occupy several separate tax lots within a single zoning lot, or two or more detached homes on one zoning lot may each have its own tax lot.

The zoning lot is the basic unit for zoning regulations and may be subdivided into two or more zoning lots. Two or more adjoining zoning lots on the same block may be merged, provided that all resulting zoning lots comply with applicable regulations.

Zoning Lot Merger

The joining of two or more adjacent ***zoning lots*** into a single new zoning lot. As part of the merger, unused ***development rights*** may be located anywhere on the new lot, ***as-of-right***, as long as the entire merged lot complies with all applicable provisions of the Zoning Resolution.

Zoning Maps*

One of the two main parts of the Zoning Resolution, the 126 New York City Zoning Maps indicate the location and boundaries of ***zoning districts*** and ***Special Purpose Districts***. ***Zoning map amendments***, or ***rezonings***, are subject to the ***Uniform Land Use Review Procedure***. (See Chapter 8: How Zoning Gets Amended)

Zoning Map Amendment (see Rezoning or Remapping, or Zoning Map Amendment)

Department of City Planning

Marisa Lago, Director

Purnima Kapur, Executive Director

Howard Slatkin, Deputy Executive Director of Strategic Planning

Beth Lebowitz, Director, Zoning Division

Chris Hayner and ***Frank Ruchala Jr,*** Authors

Samantha Kleinfield and Paul Power, Editors

Ryann McMahon, Design and Graphics

Contributors and Reviewers

Pippa Brashear, Johane Clermont, Chris Holme, Nilus Klingel, Eric Kober, John Mangin, Linda McIntyre, Lara Merida, James Miraglia, Amy Pivak, Manuela Powidayko, Ian Sinclair, Anna Too, Tom Wargo, Taylor Wolfson, Jackie Weisberg, Kiyoshi Yamazaki, Jean You

Photographs

Most of the photographs in the Zoning Handbook were taken by City Planning staff, who were generous with their time and talent. A special thank you to ***Marcelo Lorca*** and ***Freddy Patterson***.

Production

Alfred Conyers, Luis Falcon, Roman Gofman, David Parish, Yvonne Williams

Thank you to the many staff members of the Department of City Planning and many others who shared their knowledge and expertise in the preparation of this edition of the Zoning Handbook.

Image Credits

Page 7: "Street scene from the Lower East Side in the late 19th century."
Library of Congress Prints and Photographs Division Washington, D.C. 20540 USA "Life on the lower East Side, cor. Pitt and Rivington Streets North, N.Y. Copyright Underwood & Underwood U-117291" http://hdl.loc.gov/loc.pnp/pp.print

Page 7: "The Equitable Building, completed in 1915."
Irma and Paul Milstein Division of United States History, Local History and Genealogy, The New York Public Library. "Broadway - Wall Street - Cedar Street" The New York Public Library Digital Collections. 1887 - 1986. http://digitalcollections.nypl.org/items/510d47e2-02e2-a3d9-e040-e00a18064a99