Zoning Resolution

THE CITY OF NEW YORK
Zohran K. Mamdani, Mayor

CITY PLANNING COMMISSION
Sideya Sherman, Chair

23-00 - APPLICABILITY AND GENERAL PURPOSES

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23-00 - APPLICABILITY AND GENERAL PURPOSES

LAST AMENDED
12/15/1961

23-01 - Applicability of This Chapter

LAST AMENDED
12/5/2024

The #bulk# regulations of this Chapter apply to any #zoning lot# or portion of a #zoning lot# located in any #Residence District# which contains any #residential# #building or other structure#, or to the #residential# portion of a #building or other structure# used for both #residential# and #community facility# #uses#. The #bulk# regulations of Article II, Chapter 4, shall apply to any #zoning lot# or portion of a #zoning lot# containing a #community facility building# or to the #community facility# portion of a #building# used for both #residential# and #community facility# #uses#, except as set forth in Sections 24-04 (Applicability of Article II, Chapter 3 Regulations) and 24-05 (Buildings containing certain community facility uses). In addition, the #bulk# regulations of this Chapter, or of specified Sections thereof, also apply in other provisions of this Resolution where they are incorporated by cross reference.

23-02 - Applicability in Special Situations

LAST AMENDED
12/5/2024

The conversion of non-#residential# #floor area# to #residences# shall be subject to the provisions of Article I, Chapter 5 (Residential Conversions Within Existing Buildings), unless such #conversions# meet the requirements for #residential# #developments# of Article II (Residence District Regulations).

Existing #buildings or other structures# that are #non-complying buildings or other structures# or existing #buildings# where an #enlargement#, #conversion#, #extension#, change of #use# or other alternation would create a #non-compliance# with the applicable #bulk# regulations are subject to the regulations set forth in Article V, Chapter 4.

Special regulations applying in certain areas are set forth in Article VI, inclusive.

Special permits that may be granted by the Board of Standards and Appeals are set forth in Article VII, Chapter 3. Special permits and authorizations that may be granted by the City Planning Commission are set forth in Article VII, Chapters 4 and 5, respectively.

Special regulations applying to #large-scale residential developments# or #large-scale community facility developments# are set forth in Article VII, Chapters 8 or 9, respectively. Special regulations applying to #large-scale general developments# are set forth in Section 74-74.

Any #development# or #enlargement# that occurs on or over a #railroad right-of-way#, or the inclusion of a #railroad right-of-way# in the #lot area# of a #zoning lot# less than one and a half acres, and that is not #accessory# to such #railroad right-of-way#, shall be certified by the Chairperson of the City Planning Commission pursuant to Section 75-41. In addition, the #development# or #enlargement# of a #building# on a #zoning lot# greater than one and a half acres that includes a #railroad right-of-way# or #former railroad right-of-way#, where such #building# is not #accessory# to a #railroad right-of-way#, may be permitted by the Commission pursuant to Section 74-61.

Special regulations applying only in Special Purpose Districts are set forth in Articles VIII, IX, X, XI, XII, XIII and XIV.

23-03 - General Purposes of Residential Bulk Regulations

LAST AMENDED
12/5/2024

The following bulk regulations are adopted in order to protect residential areas against congestion and to encourage the development of desirable and stable residential neighborhoods. In order to achieve these purposes, a direct control of density as well as of the physical volume of buildings is established.

23-04 - Zoning Lots Divided by District Boundaries

LAST AMENDED
12/5/2024

In all districts, whenever a #zoning lot# is divided by a boundary between districts or is subject to different #bulk# regulations for different portions of the #zoning lot#, the provisions set forth in Article VII, Chapter 7, shall apply.

23-05 - Applicability of Certain Bulk Regulations

LAST AMENDED
12/5/2024

Special rules governing optional #bulk regulations# affecting one or more #bulk# parameters are set forth in Section 23-70 (ALTERNATIVE BULK REGULATIONS FOR CERTAIN AREAS), inclusive.

These optional #bulk# provisions include alternative rules for:

(a) #predominantly built-up areas#, as set forth in Section 23-71, inclusive;

(b) portions of Community District 12 in the Borough of Brooklyn, as set forth in Section 23-72, inclusive; and

(c) #sky exposure plane buildings#, as set forth in Section 23-73, inclusive.

Where any of such optional provisions are utilized, all the other associated #bulk# provisions set forth in Section 23-70, inclusive, shall apply.

23-06 - Applicability of Bulk Regulations for Certain Sites

LAST AMENDED
12/5/2024

In R6 through R12 Districts without a letter suffix, on #zoning lots# where demolition or disposition is subject to approval from the U.S. Department of Housing and Urban Development (HUD) under section 18 of the Housing Act of 1937, the provisions of this Section shall apply.

For #developments# or #enlargements# of #residences# other than #qualifying senior housing# or #MIH developments# on #MIH sites#:

(a) on #zoning lots# where the height of any existing #building# containing #residences# exceeds the heights for #zoning lots# containing standard #residences# set forth in Section 23-432, the regulations for #sky exposure plane buildings# set forth in Section 23-73, inclusive, shall apply, and shall not be optional; and

(b) on #zoning lots# where the height of all existing #building# containing #residences# are less than or equal to the heights for #zoning lots# containing standard #residences# set forth in Section 23-432, the #bulk# regulations for #residential buildings# of this Chapter applicable to non-#sky exposure plane buildings# may be applied, except that:

(1) the height and setback modifications for eligible sites set forth in Section 23-434 shall not apply; and

(2) the minimum distance between #buildings# two of more #buildings# on the same #zoning lot# that are not connected at any level shall be governed by the provisions of paragraph (c) of Section 23-735. Notwithstanding the provisions of Section 23-05, the use of this Section shall not necessitate the utilization of all other provisions for #sky exposure plane buildings# unless other provisions of Section 23-73, inclusive, are applied.