



## Zoning Resolution

THE CITY OF NEW YORK

Eric Adams, Mayor

CITY PLANNING COMMISSION

Daniel R. Garodnick, Chair

# **23-20 - DENSITY REGULATIONS**

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## 23-20 - DENSITY REGULATIONS

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LAST AMENDED  
7/26/2001

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## 23-21 - Required Floor Area per Dwelling Unit

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LAST AMENDED  
3/22/2016

R1 R2 R3 R4 R5 R6 R7 R8 R9 R10

This Section shall apply to existing #buildings# in which the number of #dwelling units# is increased as well as to all new #development#.

Any given #floor area# shall be counted only once in meeting the #floor area# requirements.

In all districts, as indicated, the #floor area# requirement per #dwelling unit# shall not be less than as set forth in this Section, except as provided in Sections [23-24](#) (Special Provisions for Buildings Containing Multiple Uses) or Section [23-25](#) (Special Provisions for Existing Small Zoning Lots).

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## 23-22 - Maximum Number of Dwelling Units

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LAST AMENDED  
3/22/2016

R1 R2 R3 R4 R5 R6 R7 R8 R9 R10

In all districts, as indicated, the maximum number of #dwelling units# shall equal the maximum #residential# #floor area# permitted on the #zoning lot# divided by the applicable factor in the following table. In R1 through R5 Districts, no #rooming units# shall be permitted and any #dwelling unit# shall be occupied by only one #family#. Fractions equal to or greater than three-quarters resulting from this calculation shall be considered to be one #dwelling unit#.

For the purposes of this Section, where a #floor area ratio# is determined pursuant to Section [23-151](#) (Basic regulations for R6 through R9 Districts), notwithstanding the #height factor# of the #zoning lot#, the maximum #residential# #floor area ratio# shall be 2.43 in an R6 District within 100 feet of a #wide street#, 3.44 in an R7 District and 6.02 in an R8 District. In an R6 District beyond 100 feet of a #wide street#, the maximum #residential# #floor area ratio# shall be as specified in Section [23-151](#), or 2.2, whichever is greater.

For #affordable independent residences for seniors#, there shall be no applicable #dwelling unit# factor.

For #zoning lots# with #buildings# containing multiple #uses# or multiple #buildings# with different #uses#, special provisions are set forth in Section [23-24](#) (Special Provisions for Buildings Containing Multiple Uses) to determine the maximum number of #dwelling units# permitted.

### FACTOR FOR DETERMINING MAXIMUM NUMBER OF DWELLING UNITS

District	Factor for #Dwelling Units#
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R1-1	4,750
R1-2	2,850
R2 R2A	1,900
R2X	2,900
R3-1 R3-2 <sup>1</sup>	625
R3A	710
R3-2 R4 R4-1 R4B	870
R3X	1,000
R4A	1,280
R4 <sup>2</sup> R5 <sup>2</sup> R5B	900
R5 R5D	760
R5A	1,560
R5B <sup>3</sup>	1,350
R6 R7 R8 R9 R10	680

<sup>1</sup> for #single-# and #two-family# #detached# and #semi-detached# #residences#

<sup>2</sup> for #residences# in a #predominantly built-up area#

<sup>3</sup> for #zoning lots# with less than 40 feet of #street# frontage and existing on the effective date of establishing such districts on the #zoning maps#

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## 23-23 - Minimum Size of Dwelling Units

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LAST AMENDED  
3/22/2016

R3 R4 R5

- (a) In the districts indicated, for all #buildings# other than #affordable independent residences for seniors#, each #dwelling unit# shall contain at least 300 square feet of #floor area#. For #affordable independent residences for seniors#, each #dwelling unit# shall contain at least 325 square feet of #floor area#.

R3 R4-1 R4A

- (b) In the districts indicated, for all two-family #detached# and, where permitted, two-family #semi-detached# and #zero lot line buildings#, one #dwelling unit# shall contain at least 925 square feet.

R6 R7 R8 R9 R10

- (c) In the districts indicated, for #affordable independent residences for seniors#, each #dwelling unit# shall contain at least 325 square feet of #floor area#.

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## 23-24 - Special Provisions for Buildings Containing Multiple Uses

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LAST AMENDED

3/22/2016

R1 R2 R3 R4 R5 R6 R7 R8 R9 R10

In all districts, as indicated, for #zoning lots# with #buildings# containing multiple #uses# or multiple #buildings# with different #uses#, the maximum number of #dwelling units# permitted on the #zoning lot# shall equal the maximum #residential# #floor area# permitted on the #zoning lot#, divided by the applicable factor in Section [23-22](#) (Maximum Number of Dwelling Units). For the purposes of such calculation, the maximum #residential# #floor area# permitted on the #zoning lot# shall equal the applicable total #floor area# permitted on the #zoning lot#, minus the amount of non-#residential# #floor area# and #floor area# allocated to #affordable independent residences for seniors#. Where #floor area# in a #building# is shared by multiple #uses#, the #floor area# for such shared portion shall be attributed to each #use# proportionately, based on the percentage each #use# occupies of the total #floor area# of the #zoning lot#, less any shared #floor area#.

### Illustrative Examples

The following examples, although not part of the Zoning Resolution, are included to demonstrate the application of density regulations to #buildings# or #zoning lots# containing multiple #uses#.

For a 25,000 square foot #zoning lot# outside a #predominantly built-up area# of an R5 District, the owner is looking to construct two #buildings# of similar size — one that is a mix of #affordable independent residences for seniors# and #community facility# #uses# and one that is exclusively #residential uses# other than #affordable independent residences for seniors#. For this #zoning lot#, the maximum permitted #community facility# FAR is 2.0, the maximum permitted FAR for #affordable independent residences for seniors# is 1.95 and the maximum permitted FAR for other #residential uses# is 1.25, provided the total FAR for all #uses# on the #zoning lot# does not exceed 2.0, pursuant to Section [23-14](#). If this #zoning lot# is #developed# with 0.25 FAR of #community facility# #use# and 0.75 FAR of #affordable independent residences for seniors#, the maximum #residential# #floor area ratio# for #residences# other than #affordable independent residences for seniors# permitted for the #residential building# is 1.0. The maximum number of #dwelling units# permitted on the #zoning lot# is 33 (25,000 x 1.0 divided by a factor of 760, pursuant to Section [23-22](#)).

For a 10,000 square foot #zoning lot# in an R8A District, the owner is looking to construct a #building# with a mix of #community facility# and #residential uses#. For this #zoning lot#, the maximum permitted #community facility# FAR is 6.5 and the maximum permitted FAR for #residential uses# is 6.02, provided the total FAR for all #uses# on the #zoning lot# does not exceed 6.5, pursuant to Section [23-15](#). If this #zoning lot# is #developed# with 1.0 FAR of #community facility# #use#, the maximum #residential# #floor area ratio# permitted for such #building# is 5.5. The maximum number of #dwelling units# permitted on the #zoning lot# is 81 (10,000 x 5.5 divided by a factor of 680, pursuant to Section [23-22](#)).

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## 23-25 - Special Provisions for Existing Small Zoning Lots

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LAST AMENDED

3/22/2016

R1 R2 R3 R4 R5 R6 R7 R8 R9 R10

In all districts, as indicated, notwithstanding the provisions of Section [23-22](#) (Maximum Number of Dwelling Units), one #single-family# #detached# #residence# or, where permitted, one #single-family residence#, may be built upon a #zoning lot# consisting entirely of a tract of land that was owned separately and individually from all other adjoining tracts of land, both on December 15, 1961, and on the date of application for a building permit.

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## **23-26 - Special Provisions for Zoning Lots Divided by District Boundaries**

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LAST AMENDED

2/2/2011

R1 R2 R3 R4 R5 R6 R7 R8 R9 R10

In all districts, as indicated, whenever a #zoning lot# is divided by a boundary between districts or is subject to other regulations resulting in different requirements for density, the provisions set forth in Article VII, Chapter 7, shall apply.