Zoning Resolution

THE CITY OF NEW YORK
Zohran K. Mamdani, Mayor

CITY PLANNING COMMISSION
Sideya Sherman, Chair

84-10 - ZONE A GENERAL DISTRICT REGULATIONS

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LAST AMENDED
2/2/2011

Zone A is designed generally to provide for residential development with ancillary retail and service #uses#, and #transient hotels# as permitted pursuant to Section 84-12. Zone A is divided into six subzones: A-1, A-2, A-3, A-4, A-5 and A-6. The location and boundaries of the subzones are shown in Appendices 2 and 3 of this Chapter.

84-11 - General Provisions

LAST AMENDED
12/5/2024

Except as expressly modified by the provisions of this Chapter, the regulations applying to an R10 District shall apply in subzones A-1, A-2, A-3, A-5 and A-6 of the #Special Battery Park City District#.

Notwithstanding any other provision of this Resolution, #developments# and #enlargements# may only be constructed in subzone A-4 in accordance with certifications given by the City Planning Commission. #Residential# #open space# in subzone A-4 shall be subject to the provisions of Sections 12-10 (DEFINITIONS) and 23-311 (Permitted obstructions in all yards, courts and open areas). All other provisions of this Chapter with respect to Zone A shall not apply to #developments# or #enlargements# in subzone A-4 unless otherwise indicated.

84-12 - Use Regulations

LAST AMENDED
6/6/2024

In the areas indicated as permitted #commercial# locations in Appendices 2.3 and 3.3, the #use# regulations applying in a C2 District shall apply, except as provided in Section 84-121 (Uses along Esplanade) and this Section.

In the case of a #mixed building# containing #residential# and #commercial# #uses#, the provisions set forth in Section 32-422 (Location of floors occupied by commercial uses) applicable to a C6 District shall apply. However, such provisions shall be modified as follows:

(a) the limitations set forth in paragraph (a) of such Section need not apply; and

(b) the requirements in paragraph (b) of such Section shall apply only where #commercial uses# are located above any #story# containing #dwelling units#.

Notwithstanding any other provisions of this Resolution, #uses# listed under Use Groups VI, VII or VIII shall be limited in size to 10,000 square feet of #floor area# per establishment, with the exception of grocery and convenience retailers listed under Use Group VI. In addition, the #zoning lot# south of First Place and east of Battery Place may contain #residential uses#, #transient hotel# #uses# where permitted pursuant to Section 32-153 (Use Group V – uses subject to additional conditions), or both #residential# and hotel #uses#.

84-121 - Uses along Esplanade

LAST AMENDED
6/6/2024

#Uses# fronting on the #Esplanade# shall be limited to the #uses# listed under Use Groups I, II and III, except that in the areas indicated as permitted #commercial# locations in Appendix 2.3, in the lowest #story# other than a #basement# in any #building#, eating or drinking establishments listed under Use Group VI shall be permitted.

84-122 - Uses permitted within public open space areas

LAST AMENDED
2/27/2001

Public open space areas located between Murray Street and Warren Street, as indicated in Appendix 3.6, shall be improved at or above grade for use by the public as open areas for passive and/or active recreational #uses#.

84-123 - Streetscape regulations

LAST AMENDED
6/6/2024

In the areas indicated as permitted #commercial# locations in Appendices 2.3 and 3.3 of this Chapter, the underlying #ground floor level# streetscape provisions for a C2 District, set forth in Section 32-30 (STREETSCAPE REGULATIONS), inclusive, shall apply.

84-13 - Bulk Regulations

#Residential# and #community facility# #bulk# regulations otherwise applicable in R10 Districts are modified to the extent set forth in this Section and Sections 84-131 through 84-135, inclusive.

The regulations otherwise applicable in R10 Districts are superseded by the regulations set forth in Sections 84-131 (Floor area regulations), 84-132 (Mandatory front building walls), 84-133 (Front wall recess), 84-134 (Mandatory arcades) and 84-135 (Limited height of buildings).

The provisions of Sections 23-343 (Rear yard equivalent requirements) and 24-11 (Maximum Floor Area Ratio and Percentage of Lot Coverage), and Article VII, Chapter 8 (Special Regulations Applying to Large-scale Residential Developments) and Chapter 9 (Special Regulations Applying to Large-scale Community Facility Developments), are not applicable.

The provisions of Section 23-371 (Distance in between buildings) may be modified by the Battery Park City Authority. Prior to the granting of any such modification, the Authority shall make the following findings:

(a) that such modification will aid in achieving the general purpose and intent of the #Special Battery Park City District#, as set forth in Section 84-01;

(b) that such modification will not unduly increase the #bulk# of #buildings#, the density of population or the intensity of #use# on any #zoning lot# to the detriment of the occupants of #buildings# on such #zoning lot# or nearby #zoning lots# ;

(c) that such modification will not adversely affect the #buildings# on the #zoning lot# or nearby #zoning lots# by restricting access to light and air; and

(d) that if an open area is provided, at any level, between two #buildings#, it shall have a width of not less than eight feet.

84-131 - Floor area regulations

LAST AMENDED
12/5/2024

Notwithstanding any other provisions of this Resolution, the permitted #floor area ratio# for any #zoning lot#:

(a) in subzones A-1 and A-5 shall not exceed 12.0; and

(b) in subzones A-2, A-3 and A-6 shall not exceed 8.0, except that for #qualifying affordable housing# or #qualifying senior housing#, the permitted #floor area ratio# shall be 9.60. In addition, within subzone A-6, the #floor area ratio# for the #zoning lot# on the southeast corner of Chambers Street and North End Avenue may be increased from 8.0 to a maximum of 12.0, provided that such additional #floor area# is occupied by a #school#.

The #floor area# bonus provisions with respect to R10 Districts shall not apply.

84-132 - Mandatory front building walls

LAST AMENDED
2/2/2011

Except as set forth in paragraphs (g) and (i) of this Section, where Appendices 2.1 or 3.1 show a requirement for a #building# in Zone A to be built to a #mandatory front building wall line#, any such #building# shall have a mandatory front #building# wall coincident with and constructed along such #mandatory front building wall line#, which shall rise without setback for a height above #curb level#, as specified in this Section, except that, at #building# entrances, openings below the second #story# ceiling in the mandatory front #building# walls will be permitted to provide access to

courtyards:

(a) except as set forth in paragraph (d) of this Section, with respect to any 60–85 foot #mandatory front building wall line# shown in Appendix 2.1, a height of not less than 60 feet nor more than 85 feet;

(b) with respect to any 110–135 foot #mandatory front building wall line# shown in Appendix 2.1, a height of not less than 110 feet nor more than 135 feet. However, a setback of not more than 10 feet may be provided at a height of 85 feet or more above #curb level# ;

(c) on the portion of any #zoning lot# designated as a #special height location# in Appendix 2.2, a height of not less than the applicable amount set forth in paragraphs (a) or (b) of this Section and not more than the maximum height indicated in Appendix 2.2 or in paragraph (d)(1) of Section 84-135 (Limited height of buildings);

(d) with respect to any #zoning lot# south of West Thames Street, east of South End Avenue, north of Third Place and west of Battery Place, a height of not less than 18 feet nor more than 85 feet above #curb level# ;

(e) with respect to any 110–135 foot #mandatory front building wall line# shown in Appendix 3.1, a height of not less than 110 feet nor more than 135 feet;

(f) with respect to any 110–230 foot #mandatory front building wall line# shown in Appendix 3.1, a height of not less than 110 feet nor more than 230 feet, except that:

(1) the width of the mandatory front #building# wall in excess of a height of 135 feet shall not exceed 120 feet along any frontage;

(2) where the width of the #mandatory front building wall line# along #street lines# intersecting North End Avenue exceeds 100 feet, the mandatory front #building# wall in excess of a height of 135 feet shall not exceed a width of 75 feet along North End Avenue. However, the width of the mandatory front #building# wall along #street

lines# intersecting North End Avenue may be reduced to not less than 100 feet in order to accommodate landscaping and other improvements within or adjacent to the public open space areas shown in Appendix 3.6;

(3) a setback of 10 feet at a height of 135 feet is required along all street frontages, except Park Place West; and

(4) a setback of not less than five feet and not more than 10 feet is required in other locations at a height of 135 feet, as shown in Appendix 3.1;

(g) with respect to any 150–250 foot #mandatory front building wall line# shown in Appendix 3.1, a height of not less than 150 feet nor more than 250 feet, except that the height may not exceed either 150 feet for more than 120 feet or 75 percent of the length of the site's western property line, whichever is less, and a setback of not less than five feet and not more than 10 feet is required at a height of 150 feet. Where Appendix 3.1 shows a requirement for a #building# to be built to a #mandatory front building wall line# along frontage on River Terrace, any such #building# may have a mandatory front #building# wall coincident with and constructed along a line set back one and one-half feet from the #street line# along River Terrace to accommodate landscaping treatment as required by the Battery Park City Authority;

(h) on the portion of any #zoning lot# designated as a #special height location# in Appendix 3.2, a height of not less than the applicable amount set forth in paragraphs (e), (f) or (g) of this Section and not more than the height shown in Appendix 3.2; and

(i) on the #zoning lot# south of First Place and west of Battery Place, the eastern mandatory front #building# wall may be located within 30 feet from the eastern #mandatory front building wall line#, and the southern mandatory front #building# wall may be reduced in width up to 30 feet along the southern #mandatory front building wall line# within 30 feet from the intersection with the eastern #mandatory building wall line#.

Subject to the provisions of Section 84-133 (Front wall recesses), the mandatory front #building# wall requirements set forth in this Section shall also apply to all #buildings# along all #street lines# within 50 feet of their intersection with any #mandatory front building wall line#. For the next 20 feet along the #street line#, the mandatory front #building# wall requirements are optional except that, for any #building# north of Vesey Street and Vesey Place, the mandatory front #building# wall requirements are optional for the next 25 feet. The height limit of 85 feet shall apply along #street lines# or to #buildings# not subject to the mandatory front #building# wall requirements.

84-133 - Front wall recesses

LAST AMENDED
12/5/2024

Front wall recesses for architectural or decorative purposes are permitted, except in an #arcade# required in Section 84-134 (Mandatory arcades), provided that below the level of the second #story# ceiling the depth of such recess does not exceed 20 feet. At any #story# above the level of the second #story# ceiling, recesses to the amount of 25 percent of the aggregate area of the wall at each #story# are permitted, provided the depth of any such recess does not exceed 10 feet. All recesses shall be subject to the applicable provisions of Section 23-353 (Outer court regulations).

84-134 - Mandatory arcades

LAST AMENDED
2/2/2011

Appendix 2.4 (Mandatory Arcades) specifies those #zoning lots# where an #arcade#, as defined in Section 12-10 (DEFINITIONS), shall be provided; and:

(a) the #arcade# shall extend the full width of the #zoning lot# along the indicated #street lines# or other lines, except where otherwise indicated in Appendix 2.4; and

(b) the minimum unobstructed depth of the #arcade# shall be 12 feet, and the minimum height of the #arcade# shall be 20 feet above #curb level#.

84-135 - Limited height of buildings

LAST AMENDED
12/5/2024

For the purposes of this Section, the term "#buildings#" shall include #buildings or other structures#. No portion of any #building# may be built to a height greater than 85 feet above #curb level#, except that:

(a) any portion of a #building# required to have an exterior wall coincident with a 110–135 foot #mandatory front building wall line#, as provided in Section 84-132 (Mandatory front building walls), may be built to a height of up to 135 feet above #curb level# ;

(b) any portion of a #building# required to have an exterior wall coincident with a 110–230 foot #mandatory front building wall line#, as provided in Section 84-132 and subject to the requirements contained in paragraph (f) therein, may be built to a height of up to 230 feet above #curb level# ;

(c) portions of a #building# required to have an exterior wall coincident with a 150–250 foot #mandatory front building wall line#, as provided in Section 84-132, may be built to a height

of up to 250 feet above #curb level# ;

(d) on the portion of any #zoning lot# designated as a #special height location# in Appendices 2.2 or 3.2, a #building# may be built to the height above #curb level# indicated in Appendices 2.2 or 3.2, subject to the following:

(1) on any #building# south of First Place and east of Battery Place, with a mandatory front #building# wall, the area of which, below the level of the second story ceiling, occupies 100 percent of the frontage along its #mandatory front building wall line#, a height of not more than 450 feet, provided, however, that a setback of not more than 10 feet may be provided at a height of 85 feet or more above #curb level#;

(2) on #zoning lots# located north of First Place, south of Third Place, and east of Battery Place, #special height locations# not to exceed heights of 135 feet or 360 feet above #curb level# are permitted as indicated in Appendix 2.2, provided that a setback of 10 feet is provided at a height of 85 feet above #curb level# along any #narrow street# frontage;

(3) on the #zoning lot# at the southeast corner of Chambers Street and North End Avenue, the #special height location# indicated in Appendix 3.2 shall apply only if such #zoning lot# is occupied by #school# and #residential uses# and the portion of the #building# above a height of 135 feet above #curb level# does not exceed a #lot coverage# of 40 percent; and

(4) on the #zoning lot# at the northeast corner of Murray Street and North End Avenue, a #special height location# of 320 feet above #curb level# is permitted as indicated in Appendix 3.2, subject to the requirements contained in Section 84-132, paragraph (f);

(e) Any portion of a #building# that exceeds an established height limit shall be subject to the following provisions:

(1) The obstructions set forth in Section 23-41 and 33-42, as applicable, along with heliostats, may penetrate a maximum height limit.

(2) The maximum permitted size of enclosure walls surrounding elevator or stair bulkheads, roof water tanks, cooling towers and #accessory# mechanical equipment may be increased by authorization of the City Planning Commission, provided the Commission finds that:

(i) the width of such additional enclosure wall at each #building# face does not exceed 80 percent of the width of the enclosure wall as allowed in paragraph (e)(1) of this Section;

(ii) the additional area of the enclosure wall at each #building# face is not more than 50 percent of the area permitted as-of-right; and

(iii) the enclosure wall is compatible with the #building# and the urban design goals of the Special District and complements the design by providing a decorative top; and

(f) in #special height locations# in Appendices 2.2 and 3.2 of this Chapter, no portion of a #building#, including permitted obstructions, shall exceed a height of 450 feet above #curb level#.

84-14 - Parking Regulations and Curb Cuts

LAST AMENDED
1/8/1997

84-141 - Accessory off-street parking spaces

LAST AMENDED
12/5/2024

Except as provided in Section 84-142 (Accessory off-street parking spaces for buildings containing hotel uses), #accessory# off-street parking spaces may be provided only for #residential uses# subject to the provisions of this Section. The ownership requirement for #accessory# off-street parking is satisfied by an interest commensurate with the interest of the principal #use#. Such #accessory# parking spaces shall be #completely enclosed#. No portion of any #accessory# parking facility may be constructed at a height of more than 23 feet above #curb level#. Except as otherwise provided in this Section, no #accessory# off-site parking shall be permitted.

#Accessory# parking facilities shall be constructed so that no exhaust vents open onto any #street# or park or onto the #Esplanade# and so that no portion of the facility, other than entrances and exits, is visible from adjoining #zoning lots#, #streets# or parks or the #Esplanade#.

The City Planning Commission may, upon application, authorize permitted #accessory# off-street parking spaces to be located anywhere within Zone A without regard for #zoning lot lines#, provided that the Commission shall find that:

(a) the #accessory# off-street parking spaces and required curb cuts are located within subzones A-1, A-2 or A-3 for #zoning lots# within subzones A-1, A-2 or A-3, or within subzones A-5 or A-6 for #zoning lots# in subzones A-5 or A-6, as indicated in Appendices 2 and 3; parking setbacks in Appendices 2.5 and 3.4; and curb cut locations in Appendices 2.6 and 3.5;

(b) such #accessory# off-street parking spaces will be conveniently located in relation to the #buildings# containing #residences# to which such off-street spaces are #accessory#, and provided that all such spaces shall not be further than 600 feet from the nearest boundary of the #zoning lot# occupied by the #residences# to which they are #accessory# ;

(c) such location of #accessory# off-street parking spaces will permit better site planning;

(d) such #accessory# off-street parking facility shall contain parking spaces #accessory# to #residential uses# only; and

(e) such parking facility complies with the findings in paragraphs (b)(1), (b)(2), (b)(3) and (b)(5) of Section 13-45 (Special Permits for Additional Parking Spaces).

Whenever off-street parking spaces are authorized to be located without regard to #zoning lot lines# in accordance with the provisions of this Section, the number of spaces generated by each #building# shall be recorded in that building's certificate of occupancy (temporary and permanent). In addition, any certificate of occupancy for the #accessory# off-street parking facility shall state the number of parking spaces authorized to be relocated from each #zoning lot#.

84-142 - Accessory off-street parking spaces for buildings containing hotel uses

LAST AMENDED
5/8/2013

For the #zoning lot# south of First Place and east of Battery Place, #accessory# off-street parking spaces for hotel #uses# may be provided at the rate established for #transient hotels# in Section 13-12 (Permitted Parking for Non-residential Uses) or 13-13 (Permitted Parking for Zoning Lots With Multiple Uses), as applicable.

84-143 - Off-street loading

LAST AMENDED
6/6/2024

Enclosed #accessory# off-street loading berths shall be provided in conformity with the requirements set forth in the following table and under rules and regulations promulgated by the Commissioner of Buildings for the #uses# listed in the table.

REQUIRED OFF-STREET LOADING BERTHS

Type of #Use#	For #Floor Area# (in square feet)	Required Berths
Food and beverage retailers	First 8,000	None
	Next 17,000	1
	Next 15,000	1
	Each additional 15,000 or fraction thereof	1
#Transient hotels#	First 100,000	None
	Next 200,000	1
	Each additional 300,000 or fraction thereof	1

84-144 - Location of curb cuts

LAST AMENDED
2/2/2011

Curb cuts are permitted only in the areas or locations indicated in Appendices 2.6 and 3.5. The aggregate width of all curb cuts provided for any #zoning lot# shall not exceed 20 feet, except that:

(a) for the #zoning lot# bounded to the north by a mapped public place, to the west by North Park, to the south by Chambers Street, and to the east by Marginal Street, the aggregate width of all curb cuts shall not exceed 40 feet;

(b) for the #zoning lot# bounded by Warren Street to the north, River Terrace to the west, North End Avenue to the east and Park Place West to the south, the aggregate width of all curb cuts shall not exceed 30 feet, comprised of two 15 foot curb cuts;

(c) for the #zoning lot# bounded by Murray Street to the north, River Terrace to the west, North End Avenue to the east and Vesey Place to the south, the aggregate width of all curb cuts shall not exceed 40 feet, including a 25 foot wide curb cut to the #accessory# off-street parking facility;

(d) for the #zoning lot# south of First Place and east of Battery Place, the aggregate width of all curb cuts shall not exceed 50 feet;

(e) for each #zoning lot# located on the east side of Battery Place:

(1) between First Place and Second Place, the aggregate width of all curb cuts shall not exceed 40 feet;

(2) between Second Place and Third Place, the aggregate width of all curb cuts shall not exceed 50 feet; and

(f) for the #zoning lot# south of First Place and west of Battery Place, the aggregate width of all curb cuts shall not exceed 24 feet.