**Zoning Resolution**

THE CITY OF NEW YORK
**Zohran K. Mamdani, Mayor**

CITY PLANNING COMMISSION
**Sideya Sherman, Chair**

# 93-13 - Special Commercial Use Regulations

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## 93-13 - Special Commercial Use Regulations

LAST AMENDED
1/19/2005

## 93-131 - Certification for office use

LAST AMENDED
8/14/2025

The provisions of this Section shall apply to all #developments# or #enlargements# in the #Hudson Yards Redevelopment Area#, with the exception of Subdistricts F and G.

(a) No temporary certificate of occupancy from the Department of Buildings may be issued for any portion of a #development# or #enlargement# in the #Hudson Yards Redevelopment Area# that includes #uses# listed under Office in Use Group VII #developed# or #enlarged# after January 19, 2005, until the Chairperson of the Department of City Planning certifies to the Commissioner of Buildings that:

(1) such #development# or #enlargement# does not utilize any #floor area# increases pursuant to Section 96-25 (Floor Area Bonus for New Theater Use); or

(2) such #development# or #enlargement# utilizes #floor area# increases pursuant to the special provisions for #qualifying affordable housing# or #qualifying senior housing# in Sections 93-222 (Maximum floor area ratio in the 34th Street Corridor Subdistrict C) or 93-223 (Maximum floor area ratio in Hell's Kitchen Subdistrict D), or the provisions of

Sections 93-30 (SPECIAL FLOOR AREA REGULATIONS), inclusive, or 96-25, and will not result in a total amount of office #floor area# #developed# or #enlarged# after January 19, 2005, within the #Hudson Yards Redevelopment Area# of over 20 million square feet.

All #developments# or #enlargements# so certified shall be permitted in accordance with the provisions of this Chapter, or the provisions of the #Special Clinton District#, as applicable.

(b) Where the Chairperson of the Department of City Planning determines that the amount of #floor area# for #uses# listed under Offices in Use Group VII in any #development# or #enlargement# will result in a total amount of #floor area# #developed# or #enlarged# with such #use# after January 19, 2005, within the #Hudson Yards Redevelopment Area# of over 20 million square feet, no building permit from the Department of Buildings shall be issued for any #development# or #enlargement# that includes offices constructed after January 19, 2005, until the Chairperson certifies to the Commissioner of Buildings that:

(1) such #development# or #enlargement# does not utilize any #floor area# increases pursuant to the special provisions for #qualifying affordable housing# or #qualifying senior housing# in Sections 93-222 or 93-223, or the provisions of Sections 93-30, inclusive, or 96-25; or

(2) such #development# or #enlargement# utilizes #floor area# increases pursuant to the special provisions for #qualifying affordable housing# or #qualifying senior housing# in Sections 93-222 or 93-223, or the provisions of Sections 93-30, inclusive, or 96-25, and will not result in a total amount of office #floor area# #developed# or #enlarged# after January 19, 2005, within the #Hudson Yards Redevelopment Area# of over 25 million

square feet.

All #developments# or #enlargements# so certified shall be permitted in accordance with the provisions of this Chapter, or the provisions of the #Special Clinton District#, as applicable.

However, if such #developments# or #enlargements# fail to comply with the provisions of Section 11-331 with respect to completion of foundations within one year of the date of certification pursuant to this Section, such building permit shall lapse, and any new building permit will require a new Chairperson's certification pursuant to this Section.

(c) Where the Chairperson of the Department of City Planning determines that the amount of #floor area# for #uses# listed under Offices in Use Group VII in any #development# or #enlargement# will result in a total amount of #floor area# #developed# or #enlarged# with such #use# after January 19, 2005, within the #Hudson Yards Redevelopment Area# of over 25 million square feet, and where such #development# or #enlargement# utilizes #floor area# increases pursuant to the special provisions for #qualifying affordable housing# or #qualifying senior housing# in Sections 93-222 or 93-223, or the provisions of Sections 93-30, inclusive, or 96-25, such #development# or #enlargement# shall be permitted only upon authorization of the City Planning Commission pursuant to Section 93-132.

However, no such authorization shall be required for #developments# or #enlargements# utilizing the Inclusionary Housing Program within the area bounded by West 35th Street, Eighth Avenue, West 33rd Street, and a line 100 feet east of and parallel to Ninth Avenue, or in the 42nd Street Perimeter Area of the #Special Clinton District#, where the total #floor area ratio# for such #developments# or #enlargements# does not exceed 12.0.

## 93-132 - Authorization for office use

LAST AMENDED
12/5/2024

The provisions of this Section shall apply to all #developments# or #enlargements# in the #Hudson Yards Redevelopment Area#, with the exception of Subdistricts F and G.

Where the amount of #floor area# for #uses# listed under Offices in Use Group VII in a #development# or #enlargement# will result in over 25 million square feet of such #use# #developed# or #enlarged# after January 19, 2005, within the #Hudson Yards Redevelopment Area#, and such #development# or #enlargement# utilizes increased #floor area# pursuant to the special provisions for #qualifying affordable housing# or #qualifying senior housing# in Sections 93-222 (Maximum floor area ratio in the 34th Street Corridor Subdistrict C) or 93-223 (Maximum floor area ratio in Hell's Kitchen Subdistrict D), or the provisions of Sections 93-30 (SPECIAL FLOOR AREA REGULATIONS), inclusive, or 96-25 (Floor Area Bonus for New Theater Use), such #development# or #enlargement# shall be permitted only upon authorization of the City Planning Commission that:

(a) such #development# or #enlargement# will not require any significant additions to the supporting services of the neighborhood or that provisions for adequate supporting services have been made;

(b) the #streets# providing access to the #development# or #enlargement# are adequate to handle the traffic generated thereby or provisions have been made to handle such traffic; and

(c) such #development# or #enlargement# is consistent with the goals of the applicable special district.

## 93-133 - Transient hotels and offices in Subdistrict H

LAST AMENDED
8/14/2025

For a #building# subject to the provisions of Sections 93-90 (HARASSMENT) and 93-91 (Demolition) and for which #HPD# issued a #certification of no harassment# that was in effect on June 11, 2018, a special permit pursuant to Section 74-152 (In Commercial Districts) shall not be required where such #building# is #enlarged# and a portion of which is subsequently converted to #residences# pursuant to Article I, Chapter 5 (Residential Conversions Within Existing Buildings), provided that all new #transient hotel# rooms shall be located in the #enlarged# portion of such #building#, and except for #transient hotel# lobbies and #accessory# #uses# located below the floor level of the second #story#, the non-#enlarged# portion of such #building# shall contain only permanently affordable #residences# pursuant to a #regulatory agreement# enforceable by #HPD#.

In Subdistrict H, any #development# or #enlargement# that includes #uses# listed under Offices in Use Group VII, #developed# or #enlarged# after January 19, 2005, shall be permitted only pursuant to Section 93-13 (Special Office Use Regulations).

## 93-134 - C6-4M Districts in Subdistrict H

LAST AMENDED
8/14/2025

In the C6-4M District located within Subdistrict H, for #buildings# existing on January 19, 2005, the #use# regulations of the underlying district shall be modified as follows:

The following #uses# shall be allowed:

From Use Group IX

All #uses# listed under Use Group IX(A) that are permitted in a C8 District

From Use Group X

All #uses# listed under Use Group X that are permitted in a C8 District.

## 93-135 - Vehicle storage establishments

LAST AMENDED
8/14/2025

Within Subdistrict G, commercial or public vehicle storage, including #accessory# motor fuel pumps listed under Use Group IX(C) shall be permitted as-of-right, applicable to a C8 District. The #floor area# of a #building# shall not include floor space used for public utility vehicle storage provided in any #story# located not more than 56 feet above #curb level#.