



## Zoning Resolution

THE CITY OF NEW YORK

Eric Adams, Mayor

CITY PLANNING COMMISSION

Daniel R. Garodnick, Chair

# 93-13 - Special Commercial Use Regulations

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## 93-13 - Special Commercial Use Regulations

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LAST AMENDED  
1/19/2005

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### 93-131 - Certification for office use

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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.

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## 93-132 - Authorization for office use

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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.

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

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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).

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

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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.

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## **93-135 - Vehicle storage establishments**

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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#.