Zoning Resolution

THE CITY OF NEW YORK
Zohran K. Mamdani, Mayor

CITY PLANNING COMMISSION
Sideya Sherman, Chair

92-00 - GENERAL PURPOSES

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92-00 - GENERAL PURPOSES

LAST AMENDED
4/23/1973

The "Special Park Improvement District" established in this Resolution is designed to promote and protect public health, safety, general welfare and amenity. These general goals include, among others, the following specific purposes:

(a) to preserve and protect the unique character and architectural quality of the residential part of Fifth Avenue and Park Avenue which includes many landmarks and other cultural buildings;

(b) to provide alternatives to plaza and arcade development along Fifth Avenue and Park Avenue which are redundant in view of the existence of Central Park and the Park Avenue malls;

(c) to channel private expenditures which would otherwise be spent on redundant facilities into development, beautification and maintenance of proximate public parks and other public areas;

(d) to encourage the development of buildings compatible with the height of present development; and

(e) to promote the most desirable use of land in this area and thus to conserve the value of land and buildings and thereby protect the City's tax revenues.

92-01 - Definitions

LAST AMENDED
2/2/2011

Development

For purposes of this Chapter a "development" includes the construction of a new #building or other structure# on a #zoning lot#, the relocation of an existing #building# on another #zoning lot#, and an #enlargement# involving an increase in #lot coverage#.

92-02 - General Provisions

LAST AMENDED
10/7/2021

Except as modified by the express provisions of this Chapter, the regulations of the underlying district remain in effect.

For the purposes of this Chapter, Duke Ellington Circle, located at the intersection of Fifth Avenue and East 110th Street, shall be considered a separate #street#.

For #transit-adjacent sites# or #qualifying transit improvement sites#, in the event of a conflict between the provisions of this Chapter and the provisions of Article VI, Chapter 6 (Special Regulations Applying Around Mass Transit Stations), the provisions of Article VI, Chapter 6 shall control. For the purposes of this paragraph, defined terms additionally include those in Section 66-11 (Definitions).

In #flood zones#, in the event of a conflict between the provisions of this Chapter and the provisions of Article VI, Chapter 4 (Special Regulations Applying in Flood Zones), the provisions of Article VI, Chapter 4 shall control.

92-10 - SPECIAL USE REGULATIONS

LAST AMENDED
12/5/2024

For any #zoning lot# located between Fifth Avenue, Duke Ellington Circle, East 109th Street and East 110th Streets:

(a) #commercial# #uses# shall only be permitted beyond 100 feet of Fifth Avenue and shall be restricted to #uses# listed under Offices in Use Group VII;

(b) the underlying district #sign# regulations shall not apply. In lieu thereof, #signs# #accessory# to a #commercial# #use# shall conform with all the #sign# regulations applicable in C1 Districts, except that #illuminated signs# shall not be permitted and, within 100 feet of Fifth Avenue, signs shall conform with the #sign# regulations for #Residence Districts# set forth in Section 22-20; and

(c) the underlying #ground floor level# streetscape provisions set forth in Section 32-30 (STREETSCAPE REGULATIONS), inclusive, shall apply, except that any #ground floor level# #use# limitations shall be modified to reflect the #use# provisions of this Section.

92-20 - SPECIAL BULK REGULATIONS

LAST AMENDED
12/5/2024

92-21 - Special Floor Area Regulations

LAST AMENDED
8/14/2025

The underlying #floor area# regulations shall apply except as modified in this Section.

For #developments# or #enlargements# on #qualifying transit improvement sites#, a #floor area# bonus for #mass transit station# improvements may be granted by the City Planning Commission pursuant to the provisions of Section 66-51 (Additional Floor Area for Mass Transit Station Improvements). For the purposes of this paragraph, defined terms additionally include those in Section 66-11 (Definitions). No other #floor area# bonuses shall be permitted.

92-22 - Mandatory Front Building Walls Along Certain Street Lines

LAST AMENDED
12/5/2024

(a) Except as provided in paragraph (b) of this Section, the front #building# wall for all #developments# on #zoning lots# having frontage on Fifth Avenue or Park Avenue, and within 50 feet of their intersection with the #street lines# of Fifth Avenue or Park Avenue, the #street wall# location provisions of paragraph (a) of Section 35-631 (Street wall location) shall apply to all #street# frontages, except that the #street wall# shall extend without any articulation up to a height of 125 feet above #curb level# or the full height of the #building#, whichever is less. Above the height of 150 feet above #curb level#, the provisions of Section 23-433 (Standard setback regulations) shall apply. The mandatory front #building# wall requirements are optional for the next 20 feet along the #street line# of a #narrow street# or for the next 75 feet along the #street line# of a #wide street#. However, where the front wall of a #building# with a height less than 125 feet above #curb level# was constructed with a setback from the #street

lines#, #enlargement# of such #building# may be permitted by vertical extension of its existing #building# wall.

(b) For any #zoning lot# having frontage on Fifth Avenue or Duke Ellington Circle, and along East 109th Street and East 110th Street within 50 feet of their intersection with Fifth Avenue and Duke Ellington Circle, the #street wall# location provisions of paragraph (a) of Section 35-631 shall apply to all #street# frontages, except that the #street wall# shall extend without any articulation to a minimum height of 85 feet above #curb level# or the full height of the #building#, whichever is less. Above a height of 150 feet, the provisions of Section 23-433 shall apply. Such mandatory front #building# wall requirements are optional for the next 50 feet along the East 109th Street and East 110th Street #street lines#.

(c) Front wall recesses are permitted within mandatory front #building# walls for architectural or decorative purposes pursuant to recess provisions of paragraph (a) of Section 35-631 except that the aggregate length at the level of any #story# does not exceed 50 percent of the length of the front wall where such recesses are permitted, the depth of such recesses shall not exceed six feet and no front wall recesses are permitted within 20 feet of the intersection of two #street lines#.

The underlying district height and setback regulations apply along #street lines#, or portions thereof, not subject to the front #building# wall requirement.

92-23 - Special Height Limitation

LAST AMENDED
12/5/2024

The maximum height of a #building or other structure#, or portion thereof, shall not exceed 215 feet above #curb level#, except that:

(a) for #qualifying affordable housing# or #qualifying senior housing# in R10 Districts or #Commercial Districts# mapped within, or with a #residential equivalent# of such district, the provisions of an R10A District, as set forth in Section 23-432 (Height and setback requirements), shall apply; and

(b) #energy infrastructure equipment# and #accessory# mechanical equipment shall be permitted obstructions above such height limits, subject to the provisions of Sections 23-41, inclusive, or 33-42, as applicable.