



## Zoning Resolution

THE CITY OF NEW YORK

Eric Adams, Mayor

CITY PLANNING COMMISSION

Daniel R. Garodnick, Chair

# **82-30 - SPECIAL BULK REGULATIONS**

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## 82-30 - SPECIAL BULK REGULATIONS

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LAST AMENDED  
2/9/1994

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## 82-31 - Floor Area Ratio Regulations for Commercial Uses

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LAST AMENDED  
2/2/2011

Within Subdistrict A, for any #building# in a C4-7 District, the maximum permitted #commercial# #floor area# shall be 100,000 square feet.

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## 82-311 - Floor area increase by special permit

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LAST AMENDED  
2/2/2011

The City Planning Commission may by special permit allow the #commercial# #floor area ratio# permitted on a #zoning lot# pursuant to Section [82-31](#) (Floor Area Ratio Regulations for Commercial Uses) within Subdistrict A to be increased to 10.0 for #commercial# #uses#. As a condition for such special permit, the Commission shall find that:

- (a) the #uses# are appropriate for the location and shall not unduly affect the #residential uses# in the nearby area or impair the future land use and development of the adjacent areas;
- (b) the #uses# shall not require any significant addition to the supporting services of the neighborhood or that provision for adequate supporting services has been made;
- (c) the additional #bulk# devoted to #commercial# #uses# shall not create or contribute to serious traffic congestion and will not unduly inhibit vehicular and pedestrian flow; and
- (d) the #streets# providing access to such #use# are adequate to handle the traffic generated thereby or provision has been made to handle such traffic.

The Commission may prescribe appropriate conditions and safeguards to minimize adverse effects of any such #uses# on the character of the surrounding area.

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## 82-32 - Special Provisions for Increases in Floor Area

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LAST AMENDED  
10/7/2021

No #floor area# bonuses shall be permitted within the #Special Lincoln Square District# except as provided in this Section. The following #floor area# increases may be used separately or in combination.

- (a) #Floor area# increase for Inclusionary Housing

For any #development# to which the provisions of Section [23-90](#) (INCLUSIONARY HOUSING) are applicable, the maximum permitted #residential# #floor area ratio# may be increased by a maximum of 20 percent under the terms and conditions set forth in Section [23-90](#).

- (b) #Floor area# bonus for public amenities

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).

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## 82-33 - Modification of Bulk Regulations

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LAST AMENDED  
2/2/2011

The City Planning Commission may, by special permit, modify the height and setback regulations, #yard# regulations, regulations governing minimum distance between #buildings# on a single #zoning lot#, and regulations governing #courts# and minimum distance between #legally required windows# and walls or #lot lines#, provided the Commission finds that such modifications are necessary to:

- (a) facilitate good design;
- (b) allow design flexibility for any #development# to which the mandatory provisions of Section [82-10](#) (MANDATORY DISTRICT IMPROVEMENTS) are applicable; or
- (c) incorporate a #floor area# allowance pursuant to Section [82-32](#) (Special Provisions for Increases in Floor Area) where inclusion of the proposed public amenity will significantly further the specific purposes for which the #Special Lincoln Square District# is established.

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## 82-34 - Bulk Distribution

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LAST AMENDED  
2/9/1994

Within the Special District, at least 60 percent of the total #floor area# permitted on a #zoning lot# shall be within #stories# located partially or entirely below a height of 150 feet from #curb level#.

For the purposes of determining allowable #floor area#, where a #zoning lot# has a mandatory 85 foot high #street wall# requirement along Broadway, the portion of the #zoning lot# located within 50 feet of Broadway shall not be included in #lot area# unless such portion contains or will contain a #building# with a wall at least 85 feet high coincident with the entire #street line# of Broadway.

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## 82-35 - Height and Setback Regulations

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LAST AMENDED  
2/2/2011

Within the Special District, all #buildings# shall be subject to the height and setback regulations of the underlying districts, except as set forth in:

- (a) paragraph (a) of Section [82-37](#) (Street Walls Along Certain Street Lines) where the #street wall# of a #building# is required to be located at the #street line#; and
- (b) paragraphs (b), (c) and (d) of Section [82-37](#) where the #street wall# of a #building# is required to be located at the #street

line# and to penetrate the #sky exposure plane# above a height of 85 feet from #curb level#.

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## 82-36 - Special Tower Coverage and Setback Regulations

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LAST AMENDED

2/2/2011

The requirements set forth in Sections [33-45](#) (Tower Regulations) or [35-64](#) (Special Tower Regulations for Mixed Buildings) for any #building#, or portion thereof, that qualifies as a "tower" shall be modified as follows:

- (a) At any level at or above a height of 85 feet above #curb level#, a tower shall occupy in the aggregate:
- (1) not more than 40 percent of the #lot area# of a #zoning lot# or, for a #zoning lot# of less than 20,000 square feet, the percent set forth in Section [23-65](#) (Tower Regulations); and
  - (2) not less than 30 percent of the #lot area# of a #zoning lot#.

However, the highest four #stories# of the tower or 40 feet, whichever is less, may cover less than 30 percent of the #lot area# of a #zoning lot# if the gross area of each #story# does not exceed 80 percent of the gross area of the #story# directly below it.

- (b) At all levels at or above a height of 85 feet from #curb level#, the minimum required setback of the #street wall# of a tower shall be at least 15 feet from the #street line# of Broadway or Columbus Avenue, and at least 20 feet on a #narrow street#.
- (c) In Subdistrict A, the provisions of paragraph (a) of Section [35-64](#), as modified by paragraphs (a) and (b) of this Section, shall apply to any #mixed building#.

For the purposes of determining the permitted tower coverage in Block 3, as indicated on the District Plan in Appendix A of this Chapter, that portion of a #zoning lot# located within 100 feet of the west #street line# of Central Park West shall be treated as if it were a separate #zoning lot# and the tower regulations shall not apply to such portion.

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## 82-37 - Street Walls Along Certain Street Lines

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LAST AMENDED

2/2/2011

- (a) On a #zoning lot# with a #front lot line# coincident with any of the following #street lines#, a #street wall# shall be located on such #street line# for the entire frontage of the #zoning lot# on that #street# and shall rise without setback to a height of 85 feet above #curb level#:
- (1) the east side of Broadway between West 61st Street and West 65th Street;
  - (2) the east side of Columbus Avenue between West 65th Street and West 66th Street;
  - (3) the east side of Broadway between West 67th Street and West 68th Street;
  - (4) the west side of Broadway between West 66th Street and West 68th Street; and
  - (5) the west side of Broadway between West 60th Street and West 62nd Street.

Such #street wall# shall extend on a #narrow street# to a distance of not less than 50 feet from its intersection with the #street line# of Broadway or Columbus Avenue and shall include a 20 foot setback at a height of 85 feet above #curb

level# as required in Section [33-432](#) (In other Commercial Districts).

(b) On a #zoning lot# in Block 1, as indicated on the District Plan in Appendix A of this Chapter, with a #front lot line# coincident with any of the following #street lines#, a #street wall# shall be located on such #street lines# for the entire frontage of the #zoning lot# on that #street#:

- (1) the west side of Broadway between West 62nd Street and West 63rd Street;
- (2) the south side of West 63rd Street between Broadway and Columbus Avenue; and
- (3) the east side of Columbus Avenue between West 62nd Street and West 63rd Street.

The #street wall# located on the south side of West 63rd Street shall rise vertically without setback to the full height of the #building# except for the top four floors or 40 feet, whichever is less, and shall extend along Columbus Avenue and/or Broadway for no more than one-half of the length of the total #block# front. The #street wall# located on the remaining #block# front on Broadway shall rise to a height of 85 feet above #curb level# and then set back 20 feet as required in Section [33-432](#).

(c) On a #zoning lot# in Block 2, as indicated on the District Plan, with a #front lot line# coincident with any of the following #street lines#, a #street wall# shall be located on such #street line# for the entire frontage of the #zoning lot# on that #street#:

- (1) the east side of Broadway between West 67th Street and West 66th Street;
- (2) the north side of West 66th Street between Broadway and Columbus Avenue; and
- (3) the west side of Columbus Avenue between West 66th Street and West 67th Street.

The #street wall# located on the north side of West 66th Street shall rise vertically without setback to the full height of the #building# except for the top four floors or 40 feet, whichever is less, and shall extend on Broadway and/or Columbus Avenue for no more than one-half of the length of the total #block# front. The #street wall# located on the remaining #block# front on Broadway shall rise to a height of 85 feet above #curb level# and then set back 20 feet as required in Section [33-432](#).

(d) On a #zoning lot# in Block 3, as indicated on the District Plan, with a #front lot line# coincident with the #street line# of Central Park West, the #street wall# shall be located on such #street line# for the entire frontage of the #zoning lot# on that #street#.

The #street wall# fronting on Central Park West shall rise vertically without setback to a height of at least 125 feet but not greater than 150 feet and shall extend along the #street line# of West 61st Street and along the #street line# of West 62nd Street to a distance of not less than 50 feet but not more than 100 feet from their intersection with the west #street line# of Central Park West. Above that height, no #building or other structure# shall penetrate a #sky exposure plane# that starts at the #street line# and rises over the #zoning lot# at a ratio of 2.5 : 1.

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## **82-38 - Recesses in the Street Wall**

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LAST AMENDED  
2/2/2011

Recessed fenestration and special architectural expression lines in the #street wall# are required as follows:

(a) Except as set forth in paragraph (b) of this Section, the aggregate width of all recesses in the #street wall# fronting upon

Broadway shall be between 15 percent and 30 percent of the entire width of such #street wall# at any #story# between the ground floor and 85 feet above #curb level#.

- (b) In Block 1, as indicated on the District Plan in Appendix A of this Chapter, for any #street wall# fronting upon the south side of West 63rd Street and extending along Broadway and/or Columbus Avenue to a distance of not less than 50 percent of the #block# front, the aggregate width of all recesses in the #street walls# along each such #street# shall be between 15 percent and 30 percent of the entire width of each #street wall# at any #story# between the ground floor and 85 feet above #curb level# and shall be between 30 percent and 50 percent of the entire width of each #street wall# at any #story# above 85 feet above #curb level#.
- (c) In Block 2, as indicated on the District Plan, the requirement of #street wall# recesses in paragraph (b) of this Section shall also apply to a #street wall# fronting upon the north side of West 66th Street and extending along Broadway and/or Columbus Avenue to a distance of not less than 50 percent of the #block# front.

Such recesses shall be a minimum of one foot in depth and shall not exceed a depth of 10 feet. Below a height of 85 feet above #curb level#, no recesses deeper than one foot shall be permitted in a #street wall# within a distance of 10 feet from the intersection of any two #street lines#.

In addition, along the #street lines# of Broadway, West 63rd Street and West 66th Street within Blocks 1 and 2, the #street wall# shall provide, at a height of 20 feet above #curb level#, an architectural expression line consisting of a minimum six inch recess or projection, for a minimum height of one foot and maximum height of two feet.

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## **82-39 - Permitted Obstructions Within Required Setback Areas**

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LAST AMENDED  
2/9/1994

The #street wall# of a #building# may be vertically extended above a height of 85 feet above #curb level# without setback in accordance with either of the following provisions:

- (a) A dormer may be allowed as a permitted obstruction within the required #initial setback distance# above a height of 85 feet above #curb level#. The #street wall# of a dormer shall rise vertically as an extension of the #street wall# of the #building#. A dormer may be located anywhere on a #wide# or #narrow street# frontage.

On any #street# frontage the aggregate width of all dormers at the required initial setback level shall not exceed 60 percent of the width of the #street wall# of the #story# immediately below the initial setback level. For each foot of height above the required initial setback level, the aggregate width of all dormers at that height shall be decreased by one percent of the width of the #street wall# of the #story# immediately below the initial setback level. Such dormers shall count as #floor area# but not as tower #lot coverage#.

- (b) On a #wide street# and on a #narrow street# within 50 feet of its intersection with a #wide street#, the #street wall# of a #building# may be vertically extended without setback within the required #initial setback distance# above a height of 85 feet above #curb level#, up to a maximum height of 125 feet, provided that the aggregate width of such #street walls# shall not exceed 50 percent of the width of the #street wall# of the #story# immediately below the initial setback level and provided the #street wall# of the #building# contains special architectural expression lines at a height of 85 feet above #curb level#.