



Zoning Resolution

THE CITY OF NEW YORK

Eric Adams, Mayor

CITY PLANNING COMMISSION

Daniel R. Garodnick, Chair

94-09 - Special Bulk Regulations

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94-09 - Special Bulk Regulations

LAST AMENDED
10/4/1973

94-091 - Basic floor area ratio

LAST AMENDED
2/2/2011

For the purposes of this Chapter, the #floor area ratio# of a #zoning lot# within the Special District shall not exceed the #floor area ratio# permitted by the underlying district regulations, except as set forth in Section [94-092](#) (Maximum floor area ratio).

94-092 - Maximum floor area ratio

LAST AMENDED
3/22/2016

The permitted basic #floor area ratio# for #residential# or #community facility use# is 1.25 and for #commercial# #use# is 1.00. The permitted basic #floor area ratio# may be increased on any #zoning lot# by the amount set forth in Section [94-08](#) (Special Floor Area Bonus Provisions) or through transfer provisions pursuant to Section [94-094](#) (Authorization provisions for transfer of development rights to receiving lots) or by special permit pursuant to Section [94-096](#) (Special permit for floor area, location within buildings, building height and related parking modifications within Area G).

In Areas A, E and F, the maximum #floor area ratio# for any #residential# or #community facility use# on a #zoning lot# shall in no event be more than 2.00 and for #commercial# #use# be no more than 1.00.

In Area C, the maximum #floor area ratio# for any #residential# or #community facility use# on a #zoning lot# shall in no event be more than 1.25 and for #commercial# #use# be more than 1.50. The maximum #floor area# in a #mixed building# within the Special District shall be the maximum #floor area# permitted for either the #residential# portion, the #community facility# portion or the #commercial# portion of such a #building#, whichever permits the greatest amount of #floor area#.

94-093 - Transfer of development rights from granting lots

LAST AMENDED
10/4/1973

#Development rights# from a #granting lot# may be conveyed, or otherwise disposed of:

- (a) directly to a #receiving lot#; or
- (b) to a #person# for subsequent disposition to a #receiving lot# all in accordance with the provisions of this Special District. Any #person# may convey interest in all or any portion of such #development rights# to another #person#, but such #development rights# may only be used for a #development# on a #receiving lot#.

In transferring #development rights# from #granting lots#, such bonus #floor area# shall not exceed 40 percent of the basic #floor area ratio# in Areas A, C and E, and shall not exceed 60 percent of the basic #floor area ratio# in Area D, as permitted on such #granting lots# by Section [94-09](#) (Special Bulk Regulations), inclusive.

94-094 - Authorization provisions for transfer of development rights to receiving lots

The City Planning Commission, on application after public notice and hearing, may authorize the addition of all or any portion of the #development rights# from a #granting lot# to the permitted #floor area# of a #receiving lot#, provided that:

- (a) the maximum #floor area# for any #development# on a #receiving lot# does not exceed the maximum #floor area# permitted by Section [94-092](#) (Maximum floor area ratio);
- (b) the #development# shall aid in achieving the general purposes and intent of this Chapter as set forth in Section [94-00](#) (GENERAL PURPOSES);
- (c) the design of the #development# shall not impair the character of the surrounding area or its future development;
- (d) the distribution of the #bulk# on the #receiving lot# permits adequate access of light and air to surrounding #streets# and properties;
- (e) the traffic created by the #development# will not create or contribute to serious traffic congestion and will make adequate provisions for unconstrained pedestrian circulation; and
- (f) the requirements set forth in Sections [94-093](#) (Transfer of development rights from granting lots), [94-12](#) (Recordation) and [94-13](#) (Certification) are satisfied.

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

94-095 - Open space ratio

For the purposes of this Section, the minimum required #open space ratio# for a #building# on a #zoning lot# shall be 40.0. However, if a #zoning lot# is #developed# pursuant to Sections [94-08](#) (Special Floor Area Bonus Provisions) or [94-094](#) (Authorization provisions for transfer of development rights to receiving lots), then the minimum #open space ratio# may be modified as set forth in this Section. For every 0.10 increase in permitted #floor area ratio# on a #zoning lot#, the corresponding required #open space ratio# may be decreased by not more than 2.0. In no event shall the required #open space ratio# on a #zoning lot# be less than 25.0.

94-096 - Special permit for floor area, location within buildings, building height and related parking modifications within Area G

For #enlargements# to #buildings# in Area G, on #zoning lots# with a #lot area# of at least 10,000 square feet and existing on March 22, 2016, the City Planning Commission may:

- (a) modify the provisions of Section [94-092](#) (Maximum floor area ratio) to increase the permitted #floor area ratio# for #commercial# #use# to 2.0 provided that such #enlargement#:
 - (1) is designed so as not to impair the character of the surrounding area or its future development; and

- (2) will not cause undue congestion on local #streets# or impair pedestrian circulation;
- (b) modify the height provisions of paragraph (a) of Section [33-431](#) (In C1 or C2 Districts with bulk governed by surrounding Residence District) relating to the requirements in Section [32-42](#) for location of #uses# within #buildings#, to allow a #commercial building# or portion thereof to exceed 30 feet in height or two #stories#, provided that such #building# shall not exceed a maximum height of 35 feet or three #stories#, whichever is less; and provided that the distribution of the #bulk# permits adequate access of light and air to surrounding #streets# and properties, and does not impair the view of the Bay; and
- (c) waive or reduce the number of #accessory# off-street parking spaces required by Section [36-21](#) (General Provisions) for such #use#, provided that the applicant has demonstrated that the number of #accessory# off-street parking spaces supplied is sufficient to meet the parking needs of such #use#.

The Commission may prescribe appropriate additional conditions and safeguards to minimize adverse effects on the character of the surrounding area.