



## 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

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LAST AMENDED  
10/4/1973

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### 94-091 - Basic floor area ratio

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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).

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### 94-092 - Maximum floor area ratio

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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#.

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### 94-093 - Transfer of development rights from granting lots

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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.

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

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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.

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## **94-095 - Open space ratio**

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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.

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

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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.