Zoning Resolution

THE CITY OF NEW YORK
Zohran K. Mamdani, Mayor

CITY PLANNING COMMISSION
Sideya Sherman, Chair

123-60 - SPECIAL BULK REGULATIONS

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123-60 - SPECIAL BULK REGULATIONS

LAST AMENDED
12/10/1997

123-61 - General Provisions

LAST AMENDED
12/5/2024

All #buildings or other structures# on #zoning lots# within the #Special Mixed Use District# shall comply with the #bulk# regulations of this Chapter.

In #Special Mixed Use Districts#, the #bulk# regulations set forth in Article II, Chapter 3, shall apply to all #residential uses# in a #building or other structure. However, the optional #bulk# provisions of Section 23-70, inclusive, shall not apply.

The #bulk# regulations set forth in Article IV, Chapter 3, shall apply to all #manufacturing#, #commercial# and other #community facility uses# in a #building or other structure#.

Exceptions to the applicability of such underlying #bulk# regulations are set forth in Section 123-60 (SPECIAL BULK REGULATIONS), inclusive.

When two or more #buildings# on a single #zoning lot# are used in any combination for #uses# which, if located in a single #building#, would make it a #mixed use building#, the regulations set forth in this Section shall apply as if such #buildings# were a single #mixed use building#.

123-62 - Special Floor Area Regulations

LAST AMENDED
12/5/2024

123-621 - Maximum floor area ratio for community facilities

LAST AMENDED
12/5/2024

The maximum #floor area ratio# permitted for a #community facility# #use# pursuant to Article IV, Chapter 3, shall not apply. In lieu thereof, the maximum #floor area ratio# permitted for a #community facility use# shall be the maximum #floor area ratio# allowed for a #community facility use# pursuant to the designated #Residence District# regulations set forth in Section 24-10 (FLOOR AREA AND LOT COVERAGE REGULATIONS), inclusive.

On #waterfront blocks#, as defined in Section 62-11, the applicable provisions of 62-32 (Floor Area Regulations on Waterfront Blocks), inclusive, shall apply.

123-622 - Maximum floor area ratio for zoning lots containing only residential buildings

LAST AMENDED
12/5/2024

Where the designated #Residence District# is an R3, R4 or R5 District, the #floor area# regulations of Section 23-21 (Floor Area Regulations for R1 Through R5 Districts), inclusive, applicable to such

#Residence District# shall apply except that, where located within the #Greater Transit Zone#, the #floor area# regulations for R5 Districts on #qualifying residential sites# shall apply.

Where the designated #Residence District# is an R6 through R12 District, the #floor area# regulations of Section 23-22 (Floor Area Regulations for R6 Through R12 Districts), inclusive, applicable to such #Residence District# shall apply.

123-623 - Maximum floor area ratio for zoning lots containing mixed use buildings

LAST AMENDED
12/5/2024

For #zoning lots# containing #mixed use buildings#, the following provisions shall apply.

(a) Maximum #floor area ratio#

(1) #Manufacturing# or #commercial# #uses#

The maximum #floor area ratio# permitted for #manufacturing# or #commercial# #uses# shall be the applicable maximum #floor area ratio# permitted for #manufacturing# or #commercial# #uses# under the provisions of Section 43-12, in accordance with the designated M1 District.

(2) #Community facility uses#

The maximum #floor area ratio# permitted for #community facility uses# shall be the applicable maximum #floor area ratio# permitted for #community facility uses# in

#Residence Districts# under the provisions of Section 24-10 (FLOOR AREA AND LOT COVERAGE REGULATIONS), inclusive, in accordance with the designated #Residence District#.

(3) #Residential uses#

The maximum #floor area ratio# permitted for #residential uses# shall be the maximum #floor area ratio# permitted in Section 123-622 (Maximum floor area ratio for zoning lots containing only residential buildings).

(4) Maximum #floor area# in #mixed use buildings#

The maximum total #floor area# in a #mixed use building# shall be the maximum #floor area# permitted for either the #commercial#, #manufacturing#, #community facility# or #residential use#, as set forth in this Section, whichever permits the greatest amount of #floor area#.

However, where the #Residence District# designation is an R3, R4 or R5 District, the maximum total #floor area# in a #mixed use building# shall be the greater of the maximum #floor area ratio# for non-residential #uses# permitted by the designated M1 District, or the following #floor area ratios#:

(i) for #qualifying residential sites# within the #Greater Transit Zone#, 2.50;

(ii) for #qualifying residential sites# outside the #Greater Transit Zone#:

(a) 1.50 for R3 Districts;

(b) 2.00 for R4 Districts; and

(c) 2.50 for R5 Districts.

(b) Floor area bonus for a public plaza or arcade

Any #floor area# bonus for a #public plaza# or #arcade#, permitted under the applicable district regulations, shall apply to a #zoning lot# containing a #mixed use building#, provided that any given #public plaza# or #arcade# shall be counted only once in determining a bonus.

However, on #waterfront blocks#, as defined in Section 62-11, #floor area# bonuses for a #public plaza# or #arcade# shall not apply.

123-63 - Special Yard and Lot Coverage Regulations

LAST AMENDED
12/5/2024

123-631 - Special yard regulations

LAST AMENDED
12/5/2024

In #Special Mixed Use Districts#, the following #yard# regulations shall apply:

(a) For #residential buildings# or #residential# portions of #mixed use buildings#:

(1) No #front yards# or #side yards# are required in #Special Mixed Use Districts#. However, for #multiple dwelling residences#, if any open area extending along a #side lot line# is provided at any level, it shall have a minimum width of five feet, measured perpendicular to the #side lot line#; and

(2) For a #residential# portion of a #mixed use building#, the required #rear yard# shall be provided at the floor level of the lowest #story# containing #dwelling units# where any window of such #dwelling unit# faces onto such #rear yard#.

(b) On #waterfront blocks#, as defined in Section 62-11, the #rear yard# regulations of Section 62-33 (Special Yard and Lot Coverage Regulations on Waterfront Blocks) shall apply. However, for #mixed use buildings#, the special #yard# regulations of paragraph (b) shall apply.

123-632 - Special lot coverage regulations

LAST AMENDED
12/5/2024

For #zoning lots# containing only #residential buildings# the underlying #residential# #lot coverage# requirements shall apply. For all other #zoning lots#, no #lot coverage# requirements shall apply.

123-64 - Special Height and Setback Regulations in Special Mixed Use Districts with R3, R4, or R5 District designations

LAST AMENDED

In #Special Mixed Use Districts# where the #Residence District# designation is an R3, R4 or R5 District, the maximum base height and maximum #building# height for #qualifying residential sites# shall be as set forth in the following table. For all #qualifying residential sites# in the #Greater Transit Zone#, the height and setback provisions applicable to an R5 District shall apply.

For #building# #street walls# fronting a #street# where either a #Commercial District# or a #Special Mixed Use District# is mapped along the entire #block# frontage, for the portion of such #street wall# that exceeds the maximum base height, a setback shall be provided in accordance with the provisions of Section 23-423. Such setback shall be provided at a height not lower than a minimum base height of 20 feet and not higher than the maximum base height set forth in the following table.

MAXIMUM BASE HEIGHT AND MAXIMUM #BUILDING# HEIGHTS

District	**Maximum Base Height (in feet)**	**Maximum Height of #Buildings or other Structures# (in feet)**
R3	35	45
R4	35	55
R5	45	65

Permitted obstructions shall be permitted pursuant to Sections 23-41, 24-51 or 43-42. In addition, for #all buildings or other structures#, a dormer may be provided in accordance with the provisions of paragraph (b)(1) of Section 23-413 (Permitted obstructions in certain districts).

However, for M1 Districts with an A suffix paired with a #Residence District#, the applicable height and setback regulations shall be whichever regulations permit the tallest overall heights between the applicable #Manufacturing District# regulations set forth in Section 43-46, or the applicable

#Residence District# regulations set forth in this Section, depending on the particular M1 District and #Residence District# pairing.

Additional height and setback provisions are set forth in Section 123-66, inclusive.

The height of all #buildings or other structures# shall be measured from the #base plane#. For the purposes of this Section, where #base planes# of different elevations apply to different portions of a #building or other structure#, each such portion of the #building# may be considered to be a separate #building#.

123-65 - Special Height and Setback Regulations in Special Mixed Use Districts with R6 Through R12 District Designations

LAST AMENDED
12/5/2024

In #Special Mixed Use Districts# where the designated #Residence District# is an R6 through R12 District, the #street wall# location of a #building# shall be as set forth in 123-651 (Street wall location for all buildings), and the height and setback regulations of a #building or other structure# shall be as set forth in Section 123-652 (Special base and building heights). Additional height and setback provisions are set forth in Section 123-653 and Section 123-66, inclusive.

Permitted obstructions shall be permitted pursuant to Sections 23-41, 24-51 or 43-42. In addition, for all #buildings or other structures#, a dormer may be provided in accordance with the provisions of paragraph (b)(1) of Section 23-413 (Permitted obstructions in certain districts).

The height of all #buildings or other structures# shall be measured from the #base plane#. For the purposes of this Section, where #base planes# of different elevations apply to different portions of a #building or other structure#, each such portion of the #building# may be considered to be a separate #building#.

123-651 - Street wall location for all buildings

LAST AMENDED
12/5/2024

Where the designated #Residence District# is an R6 through R12 District, the applicable #street wall# location provisions of this Section shall apply. Such provisions shall apply to the portion of a #street wall# located below the maximum base height and before the required setback as set forth in Section 123-652 as applicable.

(a) Percentage-based rules

At least 70 percent of the #aggregate width of street walls# shall be located within eight feet of the #street line# and shall extend to at least the minimum base height specified in Section 123-652 or the height of the #building#, whichever is less. Up to 30 percent of the #aggregate width of street walls# may be recessed beyond eight feet of the #street line#, provided that any such recesses deeper than 10 feet along a #wide street# or 15 feet along a #narrow street# are located within an #outer court#.

However, where the #street walls# surrounding the subject #building# are located on a #block# with a #prevailing street wall frontage# that is located further from the #street line# than the applicable provisions of this paragraph, the line-up provisions of paragraph (a) of Section 23-431 may be applied.

(b) Modifications for large #zoning lots#

Notwithstanding the provisions of paragraphs (a) of this Section, for #street walls# on #buildings# on a #zoning lot# that has a #lot area# of at least 40,000 square feet or that occupy

an entire #block#, at least 70 percent of the #aggregate width of street walls# shall be located within 15 feet of the #street line# and extend to at least the minimum base height specified in Section 123-652, or the height of the #building#, whichever is less.

(c) Articulation allowances

In all districts, and along all frontages, #street wall# articulation, including, but not limited to, window recesses and structural expression on the #building# facade, shall be permitted to project or recess beyond the #street wall# locations established in paragraphs (a) or (b) of this Section, provided that such articulation does not exceed a depth or projection of 12 inches. In addition, to accommodate other forms of #street wall# articulation, such as bay windows, and facade recesses, up to 50 percent of the #aggregate width of street wall#, at any level, may recess or project beyond such #street wall# location provisions of this Section, provided that no such recess or projection exceeds a depth of three feet, as measured perpendicular to the #street wall#, or portion thereof. No projection shall extend beyond the #street line#, except where encroachments into the public right-of-way are permitted by the New York City Administrative Code.

123-652 - Special base and building heights

LAST AMENDED
12/5/2024

Where the designated #Residence District# is an R6 through R12 District, the following shall apply.

(a) Districts with a letter suffix

Where the designated #Residence District# is an R6 through R12 District with a letter suffix, the minimum base height, maximum base height and maximum #building# height shall be as set forth in the table in Section 23-432 (Height and setback requirements) for the applicable #Residence District#. Separate maximum base heights and maximum #building# heights are set forth for #zoning lots# containing standard #residences# and #zoning lots# containing #qualifying affordable housing# or #qualifying senior housing#. For portions of a #building# #street wall# that exceed the maximum base height, a setback shall be provided at a height not lower than the minimum base height or higher than the maximum base height, in accordance with Section 23-433 (Standard setback regulations).

However, for M1 Districts with an A suffix paired with a #Residence District#, the applicable height and setback regulations for the district shall be whichever regulations permit the tallest overall heights between the height and setback regulations applicable to the particular #Manufacturing District# set forth in the table in Section 43-46 (Height and Setback Provisions for Districts With an A Suffix), or the height and setback regulations applicable to the particular #Residence District# set forth in Section 23-432. In either case, for #zoning lots# with a #lot area# greater than or equal to 20,000 square feet, a #building# may exceed the maximum #building# heights established in such tables by 25 percent.

(b) Districts without a letter suffix

Where the designated #Residence District# is an R6 through R12 District without a letter suffix, the minimum base height, maximum base height and maximum #building# height shall be as set forth in the following table. For portions of a #building# #street wall# that exceed the maximum base height, at a height not lower than the minimum base height or higher than the maximum base height, a setback shall be provided in accordance with Section 23-433.

MAXIMUM BASE HEIGHT AND MAXIMUM #BUILDING# HEIGHTS

District	Minimum Base Height (in feet)	Maximum Base Height (in feet)	Maximum Height o #Buildings or othe Structures# (in feet
R6-2	30	55	9
R6 R6-1	40	65	12
R7-1 R7-2	40	85	15
R7-3	60	105	18
R8	60	105	21
R8[1]	60	125	25
R9	60	135	28
R9-1	60	155	31
R10	60	155	35
R11	60	155	40
R12	60	155	49

[1] for #UAP developments# or #qualifying senior housing# on #zoning lots#, or portions thereof, within 100 feet of a #wide street#

However, for M1 Districts with an A suffix paired with a #Residence District#, the applicable height and setback regulations for the district shall be whichever regulations permit the tallest overall heights between the height and setback regulations applicable to the particular #Manufacturing District# set forth in the table in Section 43-46, or the height and setback regulations applicable to the particular #Residence District# set forth in this Section.

In addition, for all #buildings#, the maximum #building# heights set forth in this paragraph may be increased by 25 percent, provided that the gross area of any such #story# located above

the maximum #building# height does not exceed 90 percent of the gross area of that #story# located directly below the maximum #building# height.

123-653 - Additional height and setback provisions

LAST AMENDED
12/5/2024

The additional height and setback regulations set forth in Section 23-436 shall apply, except as follows:

(a) for the purposes of applying such provisions, references to the #street wall# location provisions of Section 23-431 shall be superseded by those of Section 123-651 and base heights by the provisions of Section 123-652; and

(b) for the purposes of applying the #street wall# modifications on #corner lots#, where a #zoning lot# is bounded by only one #street line# along a #street# frontage where a #Commercial District# or #Special Mixed Use District# is mapped along the entire #block# frontage, the #street wall# shall be applied along such frontage.

123-66 - Special Provisions for Certain Areas

LAST AMENDED
12/5/2024

123-661 - Special rules for certain districts in certain Special Mixed Use Districts

LAST AMENDED
12/5/2024

For zoning districts in certain #Special Mixed Use Districts# specified by this Section, the height and setback regulations of Sections 123-63 or 123-64 shall be modified as follows:

(a) In R7-2 Districts within #Special Mixed Use District# 15 the #street wall# location provisions of Section 123-651 shall be modified so that at least 70 percent of the #aggregate width of street walls# shall be located on the #street line# and shall extend to the minimum base height of 60 feet or the height of the #building#, whichever is less. The remaining 30 percent of the #aggregate width of street walls# shall be located within eight feet of the #street line#.

(b) In R6A Districts within #Special Mixed Use District# 23, where such R6A District is paired with an M1-5 District, the underlying height and setback regulations applicable to an R7A District shall apply.

(c) On #waterfront blocks#, as defined in Section 62-11, the height and setback regulations of Section 62-34 (Height and Setback Regulations on Waterfront Blocks) shall apply.

123-662 - Special provisions in other geographies

LAST AMENDED
12/5/2024

(a) Special provisions for #zoning lots# with #transportation-infrastructure-adjacent frontage#

For #zoning lots# or portions thereof within 100 feet of a #street line# along a #transportation-infrastructure-adjacent frontage#, the following shall apply:

(1) the #street wall# location provisions of paragraph (a) of Section 123-651 shall apply except that such #street wall# need not extend to the minimum base height set forth in Section 123-652. In lieu thereof, the #street wall# shall extend to a minimum base height of one #story# or 15 feet, whichever is lower; and

(2) for #buildings# containing #multiple dwelling residences# in M1 Districts paired with #Residence Districts# other than R6 through R12 without a letter suffix, the applicable maximum #building# heights may be increased by 10 feet in M1 Districts paired with R1 through R6 Districts, and by 20 feet in M1 Districts paired with R7 through R12 Districts.

123-67 - Residential Conversion

LAST AMENDED
12/5/2024

The provisions of Article I, Chapter 5 (Residential Conversion Within Existing Buildings) shall apply to #conversions# in #buildings# existing on December 10, 1997.