Zoning Resolution

THE CITY OF NEW YORK
Zohran K. Mamdani, Mayor

CITY PLANNING COMMISSION
Sideya Sherman, Chair

117-421 - Special bulk regulations

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LAST AMENDED
12/5/2024

(a) #Developments# or #enlargements# on #zoning lots# that meet the standards of Section 117-44 and provide mandatory subway improvements as required by Section 117-44, may be #developed# or #enlarged# to a #floor area ratio# of 15.0. #Developments# or #enlargements# on #zoning lots# that do not meet the minimum standards of Section 117-44 shall not exceed the maximum #floor area ratio# of the M1-4/R6B designated district for the applicable #use#.

(b) The following provisions shall not apply within the Court Square Subdistrict:

Section 33-13 (Floor Area Bonus for a Public Plaza)

Section 33-14 (Floor Area Bonus for Arcades)

Section 33-26 (Minimum Required Rear Yards)

Section 34-223 (Floor area bonus for a public plaza)

Section 34-224 (Floor area bonus for an arcade)

Section 34-23 (Modification of Yard and Open Area Regulations).

(c) The height and setback regulations of the underlying C5-3 District shall apply, except that:

(1) no #building or other structure# shall exceed a height of 85 feet above the #base plane# within the area bounded by 23rd Street, 44th Road, a line 60 feet east of and parallel to 23rd Street, and 45th Avenue; and

(2) on Blocks 1 and 3, the #street wall# of a #building or other structure# shall be located on the #street line# or sidewalk widening line, where applicable, and extend along the entire #street# frontage of the #zoning lot# up to at least a height of 60 feet and a maximum height of 85 feet before setback, except any portion of a #building# on Block 3 fronting upon 23rd Street may rise to a maximum height of 125 feet before setback. Recesses, not to exceed three feet in depth from the #street line#, shall be permitted on the ground floor where required to provide access to the #building#. Above the level of the second #story#, up to 30 percent of the #aggregate width of street walls# may be located beyond the #street line#, provided no such recesses are within 15 feet of an adjacent #building#.

Above the highest applicable maximum #street wall# height, the underlying height and setback regulations shall apply. However, the underlying tower regulations shall be modified:

(i) to permit portions of #buildings# that exceed a height of 85 feet to be set back at least five feet from a #wide street line#, provided no portion of such #building# that exceeds a height of 85 feet is located within 15 feet of a #side lot line#; and

(ii) so that the provisions of Section 33-451 (In certain specified Commercial Districts) regulating the aggregate area of a tower within 50 feet of a #narrow street# shall not apply to any #building# or portion of such #building# on Block 3 fronting upon 45th Avenue.

The provisions of this paragraph (c)(2) shall not apply to #enlargements# on #zoning lots# existing on June 30, 2009, where such #zoning lot# includes an existing #building# to remain with at least 300,000 square feet of #floor area#.