Zoning Resolution

THE CITY OF NEW YORK
Zohran K. Mamdani, Mayor

CITY PLANNING COMMISSION
Sideya Sherman, Chair

66-10 - GENERAL PROVISIONS

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66-10 - GENERAL PROVISIONS

LAST AMENDED
10/7/2021

66-11 - Definitions

LAST AMENDED
8/14/2025

For purposes of this Chapter, matter in italics is defined in Section 12-10 (DEFINITIONS) and in this Section, except where explicitly stated otherwise in individual provisions in this Chapter.

Above-grade mass transit station

For the purposes of this Chapter, an "above-grade mass transit station" shall refer to a #mass transit station# with a platform that is located entirely above five feet from #curb level#.

At or below-grade mass transit station

For the purposes of this Chapter, an "at- or below-grade mass transit station" shall refer to a #mass transit station# that is not an #above-grade mass transit stations#.

Central Business Districts

For the purposes of this Chapter, "Central Business Districts" shall refer to #Special Midtown District#, #Special Hudson Yards District#, #Special Lower Manhattan District#, #Special Downtown Brooklyn District#, #Special Long Island City Mixed Use District# or #Special Midtown South Mixed Use District#.

Clear path

For the purposes of this Chapter, a "clear path" shall refer to an unobstructed area between the #street line# and #street wall# that:

(a) directly #abuts# an adjoining public sidewalk; and

(b) extends along the #street line# for a distance equal to the width of an existing or planned access point to a #mass transit station# facing such #transit-adjacent site#, plus, in the aggregate, a maximum of 30 feet from the outermost extents of such width.

All #clear paths# shall be accessible to the public at all times.

Easement volume

For the purposes of this Chapter, an "easement volume" shall refer to an area of the #zoning lot# used to accommodate either:

(a) station access infrastructure, including but not limited to elevators, stairs, escalators, ramps or fare control areas; or

(b) ancillary facilities that are needed to support transit system functionality.

Eligible zoning districts

For the purposes of this Chapter, “eligible zoning districts” shall refer to the following zoning districts:

(a) R5D through R12 Districts or #Commercial Districts# mapped within, or with a #residential equivalent# of such districts;

(b) C7 or C8 Districts;

(c) M1 Districts paired with a #Residence District#; or

(d) #Manufacturing Districts#.

Mass transit station

For the purposes of this Chapter, “mass transit station” shall refer to any subway or rail #mass transit station# operated by a #transit agency#. Such #mass transit stations# shall include all publicly accessible parts of the station, including but not limited to stairs, escalators, elevators, corridors, platforms, and fare control areas inclusive of paid and unpaid areas of the station. Publicly accessible parts of the station shall also include stairs, escalators, elevators, corridors and fare control areas that are currently closed but could be reopened and that have previously been open to the public.

Primary transit-adjacent sites

For the purposes of this Chapter, “primary transit-adjacent sites” shall refer to #transit-adjacent sites# that have a #lot area# of 5,000 square feet or more.

Qualifying transit improvement sites

For the purposes of this Chapter, "qualifying transit improvement sites" shall refer to #zoning lots# that are:

(a) located in one of the following zoning districts:

(1) R9 through R12 Districts;

(2) #Commercial Districts# mapped within, or with an equivalent of an R9 through R12 District, or C7-6, C7-7, C7-8 or C7-9 Districts;

(3) M1 Districts paired with an R9 through R12 District; or

(4) M1-6, M1-7A, M1-8A or M1-9A Districts; and

(b) located wholly or partially within 500 feet of a #mass transit station# or, where both the #zoning lot# and #mass transit station# are located in #Central Business Districts#, within 1,500 feet of a #mass transit station#.

Such distance shall be measured from the outermost extent of the #mass transit station#. For the purposes of such calculation, the outermost extent may include #buildings# containing #easement volumes# serving such #mass transit station#.

Secondary transit-adjacent sites

For the purposes of this Chapter, "secondary transit-adjacent sites" shall refer to #transit-adjacent sites# that have a #lot area# of less than 5,000 square feet.

Transit agency

For the purposes of this Chapter, a “transit agency” shall refer to any governmental agency with jurisdiction over the affected #mass transit station#.

Transit-adjacent sites

For the purposes of this Chapter, “transit-adjacent sites” shall refer to #zoning lots# that are located within 50 feet of a #mass transit station# and located in:

(a) #eligible zoning districts#;

(b) #qualifying residential sites#; or

(c) #large sites# located in R1 through R5 Districts or in #Commercial Districts# mapped within, or with a #residential equivalent# of, such districts.

#Transit-adjacent sites# include #primary transit-adjacent sites# and #secondary transit-adjacent sites#.

Transit volume

For the purposes of this Chapter, a “transit volume” shall refer to an area of a #transit-adjacent site# where, pursuant to the provisions of this Chapter, a #transit agency# has determined transit or pedestrian circulation improvements are needed for a #mass transit station#. Such #transit volume# may be used to accommodate #easement volumes# or #clear paths#.

66-12 - Applicability

LAST AMENDED
10/7/2021

The regulations of all other Chapters of this Resolution are applicable, except as superseded, supplemented or modified by the provisions of this Chapter. In the event of a conflict between the provisions of this Chapter and other regulations of this Resolution, the provisions of this Chapter shall control.

66-121 - General applicability

LAST AMENDED
10/7/2021

The provisions of this Chapter shall apply to #transit-adjacent sites# or #qualifying transit improvement sites#, as follows:

(a) For #transit-adjacent sites#

(1) The provisions of Section 66-20 (SPECIAL PROVISIONS FOR PRIMARY TRANSIT-ADJACENT SITES), inclusive, shall apply to all #developments# or #enlargements# on the lowest #story# of a #building# on #primary transit-adjacent sites#.

(2) The provisions of Section 66-30 (SPECIAL PROVISIONS FOR SECONDARY TRANSIT-ADJACENT SITES), inclusive, include optional provisions available to #developments# and #enlargements# on #secondary transit-adjacent sites#, #conversions# on #transit-adjacent sites#.

(3) The provisions of Section 66-40 (CONSTRUCTION, MAINTENANCE AND ADDITIONAL PROVISIONS), inclusive, shall apply to all #transit-adjacent sites# providing an #easement volume# pursuant to Section 66-20 or Section 66-30.

(b) For #qualifying transit improvement sites#

The provisions of Section 66-51 (Additional Floor Area for Mass Transit Station Improvements) shall be optional for #qualifying transit improvement sites#.

66-122 - Limitations on applicability in certain areas

LAST AMENDED
10/7/2021

The provisions of this Chapter shall not apply as follows:

(a) The provisions of Section 66-20 (SPECIAL PROVISIONS FOR PRIMARY TRANSIT-ADJACENT SITES) and Section 66-30 (SPECIAL PROVISIONS FOR SECONDARY TRANSIT-ADJACENT SITES), shall not apply to the following areas within Special Purpose District:

(1) all subdistricts except 34th Street Corridor Subdistrict C and South of Port Authority Subdistrict E within #Special Hudson Yards District#;

(2) #qualifying sites# in the East Midtown Subdistrict within #Special Midtown District#, as defined in Section 81-613 (Definitions); or

(3) the #Special Transit Land Use District#.

(b) The provisions of Section 66-51 (Additional Floor Area for Mass Transit Station Improvements) shall not apply:

(1) to the following areas within Special Purpose Districts:

(i) all subdistricts except 34th Street Corridor Subdistrict C and South of Port Authority Subdistrict E within #Special Hudson Yards District#;

(ii) the Court Square Subdistrict within #Special Long Island Mixed Use District#; or

(iii) #qualifying sites# in the East Midtown Subdistrict within the #Special Midtown District#, as defined in Section 81-613 (Definitions); or

(2) to the 34th Street - Hudson Yards Station.

66-123 - Other limitations on applicability

LAST AMENDED
10/7/2021

The provisions of Section 11-30 (BUILDING PERMITS ISSUED BEFORE EFFECTIVE DATE OF AMENDMENT) regarding the right to continue construction shall apply. In addition, the following special vesting provisions shall apply:

(a) Inapplicability of easement provisions for vested sites and previously approved easements

The provisions of Section 66-20 (SPECIAL PROVISIONS FOR PRIMARY TRANSIT-ADJACENT SITES), shall not apply to:

(1) #developments# or #enlargements# on the lowest #story# of a #building# on #zoning lots# with an easement created pursuant to the provisions of this Resolution on or before October 7, 2021, where such easement is providing transit station access infrastructure or ancillary facilities; or

(2) #developments# or #enlargements# on the lowest #story# of a #building# if, on or before October 7, 2021:

(i) an application has been filed with the Department of Buildings, and if, on or before October 7, 2021, the Department of Buildings has approved an application for a foundation, a new #building# or an alteration based on a complete zoning analysis showing zoning compliance for such #development# or #enlargement#. The application may be revised and retain vested status, provided that the #lot coverage# for the #development# or #enlargement# is not increased beyond the amount described in the approved application;

(ii) an application for a special permit or variance has either been approved or is pending before the Board of Standards and Appeals;

(iii) an authorization or special permit from the City Planning Commission has either been approved, certified or referred; or

(iv) an application for a Certificate of Appropriateness or other permits has either been approved or is pending before the Landmarks Preservation Commission.

Subsequent to October 7, 2021, such applications for #developments# or #enlargements# may be continued, and, if approved, construction may be started or continued pursuant to the provisions in effect prior to October 7, 2021.

(b) Applicability of bonus provisions to previously filed special permits applications

If, before October 7, 2021, an application for a special permit for a #floor area# bonus for subway station improvements has been referred for public review by the City Planning Commission pursuant to Section 74-634 (Subway station improvements in Downtown Brooklyn and in Commercial Districts of 10 FAR and above in Manhattan), as such Section existed prior to October 7, 2021, such application may continue pursuant to the regulations in effect at the time such special permit was referred for public review by the Commission. Such special permit, if granted by the Commission, may be started or continued, in accordance with the terms thereof, or as such terms may be subsequently modified, pursuant to the regulations in effect at the time such special permit was referred by the Commission.