



Zoning Resolution

THE CITY OF NEW YORK

Eric Adams, Mayor

CITY PLANNING COMMISSION

Daniel R. Garodnick, Chair

43-10 - FLOOR AREA REGULATIONS

File generated by <https://zr.planning.nyc.gov> on 6/26/2022

43-10 - FLOOR AREA REGULATIONS

LAST AMENDED
12/15/1961

43-11 - Definitions

LAST AMENDED
11/19/1987

Words in italics are defined in Section 12-10 (DEFINITIONS) or, if applicable exclusively to this Section, in this Section.

43-12 - Maximum Floor Area Ratio

LAST AMENDED
9/21/2011

M1 M2 M3

In all districts, as indicated, for any #zoning lot#, the maximum #floor area ratio# shall not exceed the #floor area ratio# set forth in the following table, except as otherwise provided in the following Sections:

- Section 43-121 (Expansion of existing manufacturing buildings)
- Section 43-122 (Maximum floor area ratio for community facilities)
- Section 43-13 (Floor Area Bonus for Public Plazas)
- Section 43-14 (Floor Area Bonus for Arcades)
- Section 43-15 (Existing Public Amenities for which Floor Area Bonuses Have Been Received)
- Section 43-16 (Special Provisions for Zoning Lots Divided by District Boundaries)
- Section 43-61 (Bulk Regulations for Residential Uses in M1-1D Through M1-5D Districts)
- Section 43-62 (Bulk Regulations in M1-6D Districts)

Any given #lot area# shall be counted only once in determining the #floor area ratio#.

Districts	Maximum Permitted #Floor Area Ratio#
M1-1	1.00
M1-2* M1-4 M2-1 M2-3 M3	2.00
M1-3 M1-5 M2-2 M2-4	5.00

M1-6	10.00
------	-------

- * In Community District 1, in the Borough of Queens, in the M1-2 District bounded by a line 100 feet southwesterly of 37th Avenue, a line 100 feet southeasterly of 24th Street, a line 100 feet southwesterly of 39th Avenue, 24th Street, and a line 100 feet northeasterly of 40th Avenue, 23rd Street, 39th Avenue and 24th Street, the maximum #floor area ratio# shall be increased to 4.0 provided that such additional #floor area# is limited to the following #uses#: photographic or motion picture production studios and radio or television studios listed in Use Group 10A; and #uses# listed in Use Groups 16A, 16D, 17A and 17B as set forth in Section 123-22 (Modification of Use Groups 16, 17 and 18), except for automobile, motorcycle, trailer or boat sales, motorcycle or motor scooter rental establishments, poultry or rabbit killing establishments, riding academies, stables for horses and trade schools for adults

For #zoning lots# containing both #community facility use# and #manufacturing# or #commercial# #use#, the total #floor area# used for #manufacturing# or #commercial# #use# shall not exceed the amount permitted in the table in this Section or by the bonus provisions in Sections 43-13 or 43-14.

Notwithstanding any other provisions of this Resolution, the maximum #floor area ratio# in an M1-6 District shall not exceed 12.0.

43-121 - Expansion of existing manufacturing buildings

LAST AMENDED
5/29/2019

M1 M2 M3

In all districts, as indicated, where a #building or other structure# used for a conforming #manufacturing# #use# was in existence prior to December 15, 1961, such #building or other structure# may be expanded for a #manufacturing# #use#. Such expansion may consist of an #enlargement#, or additional #development#, on the same #zoning lot#, provided that:

- (a) the resulting total #floor area# shall not be greater than:
 - (1) 150 percent of the #floor area# existing on December 15, 1961; or
 - (2) 110 percent of the maximum #floor area# otherwise permitted under the provisions of Section 43-12 (Maximum Floor Area Ratio).
- (b) the resulting #floor area ratio# shall not exceed the highest of:
 - (1) 150 percent of the maximum #floor area ratio# otherwise permitted under the provisions of Section 43-12;
 - (2) 110 percent of the #floor area ratio# existing on December 15, 1961; or
 - (3) a #floor area ratio# of 2.4, provided that in the event this paragraph, (b)(3), is utilized, the City Planning Commission shall administratively certify and the City Council approve, that such expansion will not adversely affect the surrounding area.

Within M3-2 Districts in the portion of Queens Community District 2 located within a Subarea 2 Designated Area (as set forth in APPENDIX J of this Resolution), the provisions of this Section shall also apply where a #building or other structure# on a #zoning lot# larger than two acres used for a conforming #manufacturing# #use# was in existence prior to December 31, 1965.

The parking reduction provisions of Section 44-27 (Special Provisions for Expansion of Existing Manufacturing Buildings) shall apply to such expansion.

43-122 - Maximum floor area ratio for community facilities

LAST AMENDED
9/21/2011

M1

In the districts indicated, for any #community facility# #use# on a #zoning lot#, the maximum #floor area ratio# shall not exceed the #floor area ratio# set forth in the following table:

Districts	Maximum Permitted #Floor Area Ratio#
M1-1	2.40
M1-2	4.80
M1-3 M1-4 M1-5	6.50
M1-6	10.00

In M1-1D, M1-2D, M1-3D, M1-4D and M1-5D Districts, for any #zoning lot# containing both #residential use# and #community facility# #use#, the total #floor area# used for #residential use# shall not exceed the amount permitted in Section 43-61 (Bulk Regulations for Residential Uses in M1-1D Through M1-5D Districts).

43-123 - Floor area increase for an industrial space within a self-service storage facility

LAST AMENDED
12/19/2017

In M1-1 Districts in designated areas in Subarea 1, as shown on the maps in APPENDIX J (Designated Areas Within Manufacturing Districts) of this Resolution, for any #zoning lot# containing a #self-service storage facility# that meets the requirements of paragraphs (a) or (b)(1) of Section 42-121 (Use Group 16D self-service storage facilities), the maximum permitted #floor area# for #commercial# or #manufacturing# #uses# on the #zoning lot# pursuant to the provisions of Section 43-12 (Maximum floor area ratio), inclusive, may be increased by a maximum of 25 percent of the #lot area# or up to 20,000 square feet, whichever is less.

43-13 - Floor Area Bonus for Public Plazas

LAST AMENDED
9/21/2011

M1-6

In the district indicated, except for M1-6D Districts, for each square foot of #public plaza# provided on a #zoning lot#, in accordance with the provisions of Section 37-70, inclusive, the total #floor area# permitted on that #zoning lot# under the provisions of Section 43-12 (Maximum Floor Area Ratio) may be increased by six square feet.

43-14 - Floor Area Bonus for Arcades

LAST AMENDED
9/21/2011

M1-6

In the district indicated, except for M1-6D Districts, for each square foot of #arcade# provided on a #zoning lot#, the total #floor area# permitted on the #zoning lot# under the provisions of Section 43-12 (Maximum Floor Area Ratio) may be increased by three square feet. However, the provisions of this Section shall not apply to #zoning lots# that are both within 100 feet of the western #street line# of Seventh Avenue and between West 28th and West 30th Streets in the Borough of Manhattan.

43-15 - Existing Public Amenities for which Floor Area Bonuses Have Been Received

LAST AMENDED
10/17/2007

- (a) Elimination or reduction in size of non-bonused open area on a #zoning lot# containing a bonused amenity

In all districts, any existing open area for which a #floor area# bonus has not been utilized that occupies the same #zoning lot# as an existing #publicly accessible open area# or other public amenity, open or enclosed, for which a #floor area# bonus has been utilized, may be reduced in size or eliminated only upon certification of the Chairperson of the City Planning Commission that all bonused amenities comply with the standards under which such #floor area# bonus was granted.

- (b) Kiosks and open air cafes

Kiosks and open air cafes may be placed within an existing #publicly accessible open area# for which a #floor area# bonus has been received, by certification, pursuant to Section 37-73 (Kiosks and Open Air Cafes).

- (c) Nighttime closing of existing #publicly accessible open areas#

The Commission may, upon application, authorize the closing of an existing #publicly accessible open area# for which a #floor area# bonus has been received, during certain nighttime hours pursuant to Section 37-727 (Hours of access).

- (d) Elimination or reduction of existing public amenities

No existing #arcade#, #publicly accessible open area# or other public amenity, open or enclosed, for which a #floor area# bonus has been utilized, shall be eliminated or reduced in size except by special permit, pursuant to Section 74-761 (Elimination or reduction in size of bonused public amenities).

43-16 - Special Provisions for Zoning Lots Divided by District Boundaries

LAST AMENDED

12/15/1961

M1 M2 M3

In all districts, as indicated, whenever a #zoning lot# is divided by a boundary between districts with different maximum #floor area ratios#, the provisions set forth in Article VII, Chapter 7 shall apply.

43-17 - Special Provisions for Joint Living-Work Quarters for Artists in M1-5B Districts

LAST AMENDED

1/22/1998

M1-5B

In the district indicated, no #building# containing #joint living-work quarters for artists# shall be #enlarged#.

Mezzanines are allowed within individual quarters, in #buildings# with an existing #floor area ratio# of 12.0 or less, and only between floors, or between a floor and a roof, existing on January 22, 1998, that are to remain, provided that such mezzanines do not exceed 33 and 1/3 percent of the gross #floor area# of such individual quarters. Such mezzanines shall not be included as #floor area# for the purpose of calculating minimum required size of a #joint living-work quarters for artists#.

In the district indicated no #building# containing #joint living-work quarters for artists# shall be subdivided into quarters of less than 1,200 square feet except where no #story# contains more than one #joint living-work quarters for artists# unless modified pursuant to Section 43-171.

However, the minimum size requirement may be replaced by the requirements of Section 15-024 for #joint living-work quarters for artists#:

- (a) for which a determination of #residential# or #joint living-work quarters for artists# occupancy on September 1, 1980, has been made pursuant to Sections 42-14, paragraph D.(1)(f), 42-141 paragraph (b) or 74-782; or
- (b) that are registered Interim Multiple Dwellings or are found covered by the New York City Loft Board pursuant to Article 7C of the New York State Multiple Dwelling Law; or
- (c) that the Loft Board determines were occupied for #residential use# or as #joint living-work quarters for artists# on September 1, 1980.

#Joint living-work quarters for artists# existing on September 1, 1980, may not be divided subsequently into quarters of less than 1,200 square feet, unless required by the Loft Board for the legalization of Interim Multiple Dwelling Units in the implementation of Article 7C of the New York State Multiple Dwelling Law.

In the districts indicated, two or more #buildings# which are separated by individual load-bearing walls and contain #joint living-work quarters for artists#, each of which #building# conforms to the regulations set forth in Section 42-14 may be combined to produce a #lot area# covered by #buildings# in excess of 3,600 square feet.

43-171 - Minor modifications

LAST AMENDED

2/2/2011

On application, the Chairperson of the City Planning Commission may grant minor modifications to the requirements of Section 43-17 relating to #joint living-work quarters for artists# size, provided that the Chairperson of the City Planning

Commission had administratively certified to the Department of Buildings that the division of one or more #stories# into #joint living-work quarters for artists# with an area of at least 1,200 square feet cannot be accomplished without practical difficulties because the #floor area# of such #story#, exclusive of exterior walls and common areas, is within five percent of a multiple of 1,200 square feet.

The applicant must send a copy of any request for a modification pursuant to this Section to the applicable Community Board at least 20 days prior to the next regularly scheduled Community Board meeting.