



## Zoning Resolution

THE CITY OF NEW YORK

Eric Adams, Mayor

CITY PLANNING COMMISSION

Daniel R. Garodnick, Chair

# **23-14 - Open Space and Floor Area Regulations in R1 Through R5 Districts**

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## 23-14 - Open Space and Floor Area Regulations in R1 Through R5 Districts

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LAST AMENDED

3/22/2016

R1 R2 R3 R4 R5

In the districts indicated for any #zoning lot#, the minimum required #open space# or #open space ratio# shall not be less than set forth in this Section, and the maximum #lot coverage# shall not exceed the #lot coverage# as set forth in this Section. Any given #lot area# or area of #open space# shall be counted only once in determining the #floor area ratio#, the amount of #open space# or the #open space ratio#.

In R1 and R2 Districts without a letter suffix, the #floor area# and #open space# provisions of Section [23-141](#) shall apply. In R1 and R2 Districts with a letter suffix, and R3, R4 and R5 Districts, the provisions of Section [23-142](#) shall apply.

In R4 and R5 Districts without a letter suffix, the provisions of Section [23-143](#) shall apply to #buildings# utilizing the optional provisions for a #predominantly built-up area#. In R3-2, R4 and R5 Districts without a letter suffix, the provisions of Section [23-144](#) shall apply to #affordable independent residences for seniors#.

For #zoning lots# with #buildings# containing multiple #uses# or multiple #buildings# with different #uses#, the maximum #floor area ratio# for each #use# shall be as set forth in the applicable provisions of this Section, inclusive, or Section [24-10](#) (FLOOR AREA AND LOT COVERAGE REGULATIONS), inclusive, provided the total of all such #floor area ratios# does not exceed the greatest #floor area ratio# permitted for any such #use# on the #zoning lot#. However, for #zoning lots# providing #affordable independent residences for seniors# and other #residential uses#, the sum of all #floor area# allocated to #uses# other than #affordable independent residences for seniors# on the #zoning lot# shall not exceed the maximum #floor area ratio# permitted for #residential uses# set forth in Sections [23-142](#) or [23-143](#), as applicable.

Where #floor area# in a #building# is shared by multiple #uses#, the #floor area# for such shared portion shall be attributed to each #use# proportionately, based on the percentage each #use# occupies of the total #floor area# of the #zoning lot#, less any shared #floor area#.

In addition to complying with the provisions of this Section, all #zoning lots# shall be subject to the provisions set forth in Section [23-22](#) (Maximum Number of Dwelling Units) as well as all other applicable #bulk# regulations as set forth in this Chapter.

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### 23-141 - Open space and floor area regulations in R1 and R2 Districts without a letter suffix

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LAST AMENDED

3/22/2016

R1 R2

In the districts indicated, except R1-2A, R2A and R2X Districts, the minimum required #open space ratio# shall be 150.0, and the maximum #floor area ratio# shall be 0.50.

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### 23-142 - Open space and floor area regulations in R1 and R2 Districts with a letter suffix and R3 through R5 Districts

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R1 R2 R3 R4 R5

In R1 and R2 Districts with a letter suffix and R3 through R5 Districts, the maximum #lot coverage#, minimum #open space# and maximum #floor area ratio# shall be as set forth in the following table:

District	Maximum #Lot Coverage# (in percent)	Minimum Required #Open Space# (in percent)	Maximum #Floor Area Ratio#
R1-2A	30	70	.50
R2A	30	70	.50
R2X	N/A — governed by #yard# requirements		.85
R3-1 R3-2	35	65	.50
R3A R3X	N/A — governed by #yard# requirements		.50
R4	45	55	.75
R4-1 R4A	N/A — governed by #yard# requirements		.75
R4B	55	45	.90
R5	55	45	1.25
R5A	N/A — governed by #yard# requirements		1.10
R5B	55	45	1.35
R5D	60*	40*	2.00

\* For #corner lots#, the maximum #lot coverage# shall be 80 percent and the minimum required #open space# shall be 20 percent

In addition, the following rules shall apply:

- (a) In R2X, R3, R4, R4A and R4-1 Districts, except R3, R4A and R4-1 Districts within #lower density growth management areas#, the #floor area ratio# in the table in this Section may be increased by up to 20 percent provided that any such increase in #floor area# is located directly under a sloping roof which rises at least three and one half inches in vertical distance for each foot of horizontal distance and the structural headroom of such #floor area# is between five and eight feet.
- (b) In R3, R4-1 and R4A Districts in #lower density growth management areas#, the #floor area ratio# in the table in this Section may be increased by up to 20 percent provided that any such increase in #floor area# is located in any portion of a #building# covered by a sloping roof that rises at least seven inches in vertical distance for each foot of horizontal distance.
- (c) In R3, R4 and R5 Districts, the permitted #floor area# of a #single-# or #two-family# #detached# or #semi-detached# #residence# #developed# after June 30, 1989, may be increased by up to 300 square feet if at least one enclosed #accessory# off-street parking space is provided in a garage located, wholly or partly, in the #side lot ribbon# pursuant to Sections [23-12](#) (Permitted Obstructions in Open Space), paragraph (c), [23-443](#) (Location of garages in side yards of corner lots) or [23-444](#) (Location of garages in side yards of other zoning lots).
- (d) In R1-2A Districts and in R3, R4-1 and R4A Districts within #lower density growth management areas#, the permitted #floor area# of a #single-# or #two-family# #detached# or #semi-detached# #residence# may be increased by up to 300 square feet for one parking space and up to 500 square feet for two parking spaces provided such spaces are in a garage located, wholly or partly, in the #side lot ribbon# pursuant to Sections [23-12](#), paragraph (c), [23-443](#) or [23-444](#), except that in R1-2A Districts, such parking spaces need not be located in the #side lot ribbon#.
- (e) In R2A Districts, the permitted #floor area# may be increased by up to 300 square feet for a detached garage located in a #rear yard#, except where a parking space is provided within a #building# containing #residences#.
- (f) In R3 Districts, except for #zoning lots# containing #single-#, #two-# or three-#family# #residences#, 50 percent of the required #open space# on a #zoning lot#, except such #open space# in a #front yard#, shall have a minimum dimension of 12 feet and shall not be used for driveways, private streets, open or enclosed #accessory# off-street parking spaces or open or enclosed #accessory# off-street loading berths.
- (g) In R4 and R5 Districts, except for #zoning lots# containing #single-#, #two-# or three-#family# #residences#, 33 percent of the required #open space# on a #zoning lot#, except such #open space# in a #front yard# or, in R5D Districts, the open area between the #street line# and #street wall# of a #building# or its prolongation, shall have a minimum dimension of 12 feet and shall not be used for driveways, private streets, open or enclosed #accessory# off-street parking spaces, or open or enclosed #accessory# off-street loading berths.

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## 23-143 - Optional regulations for predominantly built-up areas

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LAST AMENDED

3/22/2016

R4 R5

In the districts indicated without a letter suffix, the maximum #floor area ratio# and #lot coverage# and the minimum required #open space# for any #zoning lot# utilizing the special optional regulations of a #predominantly built-up area# are set forth in the following table:

District	Maximum #Lot Coverage# (in percent)	Minimum Required #Open Space# (in percent)	Maximum #Floor Area Ratio#
R4	55	45	1.35
R5	55	45	1.65

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### **23-144 - Affordable independent residences for seniors**

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LAST AMENDED

3/22/2016

R3-2 R4 R5

In the districts indicated, except R4-1, R4A, R4B, R5A, R5B and R5D Districts, the maximum #lot coverage# and maximum #floor area ratio# for #affordable independent residences for seniors# shall be as set forth in the table in this Section.

In R5D Districts, the #open space# and #floor area# regulations set forth in Section [23-142](#) (Open space and floor area regulations in R1 and R2 Districts with a letter suffix and R3 through R5 Districts) shall apply to #affordable independent residences for seniors#.

#### **MAXIMUM FLOOR AREA RATIO FOR AFFORDABLE INDEPENDENT RESIDENCES FOR SENIORS IN R3-2, R4 AND R5 DISTRICTS**

District	Maximum #Lot Coverage# (in percent)	Maximum #Floor Area Ratio#
R3-2	35	0.95
R4	45	1.29
R5	55	1.95