Zoning Resolution

THE CITY OF NEW YORK  CITY PLANNING COMMISSION
Bill de Blasio, Mayor  Marisa Lago, Chair

23-20 - DENSITY REGULATIONS

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23-20 - DENSITY REGULATIONS

LAST AMENDED
7/26/2001

23-21 - Required Floor Area per Dwelling Unit

LAST AMENDED
3/22/2016

R1 R2 R3 R4 R5 R6 R7 R8 R9 R10

This Section shall apply to existing buildings in which the number of dwelling units is increased as well as to all new development.

Any given floor area shall be counted only once in meeting the floor area requirements.

In all districts, as indicated, the floor area requirement per dwelling unit shall not be less than as set forth in this Section, except as provided in Sections 23-24 (Special Provisions for Buildings Containing Multiple Uses) or Section 23-25 (Special Provisions for Existing Small Zoning Lots).

23-22 - Maximum Number of Dwelling Units

LAST AMENDED
3/22/2016

R1 R2 R3 R4 R5 R6 R7 R8 R9 R10

In all districts, as indicated, the maximum number of dwelling units shall equal the maximum residential floor area permitted on the zoning lot divided by the applicable factor in the following table. In R1 through R5 Districts, no rooming units shall be permitted and any dwelling unit shall be occupied by only one family. Fractions equal to or greater than three-quarters resulting from this calculation shall be considered to be one dwelling unit.

For the purposes of this Section, where a floor area ratio is determined pursuant to Section 23-151 (Basic regulations for R6 through R9 Districts), notwithstanding the height factor of the zoning lot, the maximum residential floor area ratio shall be 2.43 in an R6 District within 100 feet of a wide street, 3.44 in an R7 District and 6.02 in an R8 District. In an R6 District beyond 100 feet of a wide street, the maximum residential floor area ratio shall be as specified in Section 23-151, or 2.2, whichever is greater.

For affordable independent residences for seniors, there shall be no applicable dwelling unit factor.

For zoning lots with buildings containing multiple uses or multiple buildings with different uses, special provisions are set forth in Section 23-24 (Special Provisions for Buildings Containing Multiple Uses) to determine the maximum number of dwelling units permitted.

FACTOR FOR DETERMINING MAXIMUM NUMBER OF DWELLING UNITS

<table>
<thead>
<tr>
<th>District</th>
<th>Factor for #Dwelling Units#</th>
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<tbody>
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</tr>
<tr>
<td>R1-1</td>
<td>4,750</td>
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<tr>
<td>R1-2</td>
<td>2,850</td>
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<td>R2 R2A</td>
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<tr>
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<td>R3-1 R3-2(^1)</td>
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<tr>
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<td>R3-2 R4 R4-1 R4B</td>
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<tr>
<td>R4A</td>
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<td>R4(^2) R5(^2) R5B</td>
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<td>R5A</td>
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<tr>
<td>R5B(^3)</td>
<td>1,350</td>
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<tr>
<td>R6 R7 R8 R9 R10</td>
<td>680</td>
</tr>
</tbody>
</table>

1. for #single-# and #two-family detached# and #semi-detached residences#
2. for #residences# in a #predominantly built-up area#
3. for #zoning lots# with less than 40 feet of #street# frontage and existing on the effective date of establishing such districts on the #zoning maps#

### 23-23 - Minimum Size of Dwelling Units

LAST AMENDED
3/22/2016

R3 R4 R5
(a) In the districts indicated, for all buildings other than affordable independent residences for seniors, each dwelling unit shall contain at least 300 square feet of floor area. For affordable independent residences for seniors, each dwelling unit shall contain at least 325 square feet of floor area.

(b) In the districts indicated, for all two-family detached and, where permitted, two-family semi-detached and zero lot line buildings, one dwelling unit shall contain at least 925 square feet.

(c) In the districts indicated, for affordable independent residences for seniors, each dwelling unit shall contain at least 325 square feet of floor area.

Regulations Applying in Special Situations

**23-24 - Special Provisions for Buildings Containing Multiple Uses**

LAST AMENDED
3/22/2016

In all districts, as indicated, for zoning lots with buildings containing multiple uses or multiple buildings with different uses, the maximum number of dwelling units permitted on the zoning lot shall equal the maximum residential floor area permitted on the zoning lot, divided by the applicable factor in Section 23-22 (Maximum Number of Dwelling Units). For the purposes of such calculation, the maximum residential floor area permitted on the zoning lot shall equal the applicable total floor area permitted on the zoning lot, minus the amount of non-residential floor area and floor area allocated to affordable independent residences for seniors. 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.

Illustrative Examples

The following examples, although not part of the Zoning Resolution, are included to demonstrate the application of density regulations to buildings or zoning lots containing multiple uses.

For a 25,000 square foot zoning lot outside a predominantly built-up area of an R5 District, the owner is looking to construct two buildings of similar size — one that is a mix of affordable independent residences for seniors and community facility uses and one that is exclusively residential uses other than affordable independent residences for seniors. For this zoning lot, the maximum permitted community facility FAR is 2.0, the maximum permitted FAR for affordable independent residences for seniors is 1.95 and the maximum permitted FAR for other residential uses is 1.25, provided the total FAR for all uses on the zoning lot does not exceed 2.0, pursuant to Section 23-14. If this zoning lot is developed with 0.25 FAR of community facility use and 0.75 FAR of affordable independent residences for seniors, the maximum residential floor area ratio for residences other than affordable independent residences for seniors permitted for the residential building is 1.0. The maximum number of dwelling units permitted on the zoning lot is 33 (25,000 x 1.0 divided by a factor of 760, pursuant to Section 23-22).

For a 10,000 square foot zoning lot in an R8A District, the owner is looking to construct a building with a mix of community facility and
For this zoning lot, the maximum permitted FAR is 6.5 and the maximum permitted FAR for residential uses is 6.02, provided the total FAR for all uses on the zoning lot does not exceed 6.5, pursuant to Section 23-15. If this zoning lot is developed with 1.0 FAR of community facility use, the maximum residential floor area ratio permitted for such building is 5.5. The maximum number of dwelling units permitted on the zoning lot is 81 (10,000 x 5.5 divided by a factor of 680, pursuant to Section 23-22).

23-25 - Special Provisions for Existing Small Zoning Lots

LAST AMENDED
3/22/2016

R1 R2 R3 R4 R5 R6 R7 R8 R9 R10

In all districts, as indicated, notwithstanding the provisions of Section 23-22 (Maximum Number of Dwelling Units), one single-family detached residence or, where permitted, one single-family residence, may be built upon a zoning lot consisting entirely of a tract of land that was owned separately and individually from all other adjoining tracts of land, both on December 15, 1961, and on the date of application for a building permit.

23-26 - Special Provisions for Zoning Lots Divided by District Boundaries

LAST AMENDED
2/2/2011

R1 R2 R3 R4 R5 R6 R7 R8 R9 R10

In all districts, as indicated, whenever a zoning lot is divided by a boundary between districts or is subject to other regulations resulting in different requirements for density, the provisions set forth in Article VII, Chapter 7, shall apply.