



## Zoning Resolution

THE CITY OF NEW YORK

Eric Adams, Mayor

CITY PLANNING COMMISSION

Daniel R. Garodnick, Chair

# **93-223 - Maximum floor area ratio in Hell's Kitchen Subdistrict D**

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LAST AMENDED

2/2/2011

(a) Subareas D1 and D2

In Subareas D1 and D2 of Hell's Kitchen Subdistrict D, the basic maximum #floor area ratios# of non-#residential buildings# are set forth in Row A in the table in Section [93-22](#) and may be increased to the amount specified in Row C pursuant to Section [93-31](#) (District Improvement Fund Bonus) or through the transfer of #floor area# from the #Phase 2 Hudson Boulevard and Park# as set forth in Section [93-32](#). The basic maximum #floor area ratios# of any #building# containing #residences# are set forth in Row B.

The #floor area ratio# of any #building# containing #residences# may be increased from 6.5 pursuant to Section [93-31](#) (District Improvement Fund Bonus) or through the transfer of #floor area# from the #Phase 2 Hudson Boulevard and Park# as set forth in Section [93-32](#), and pursuant to Section [23-154](#) (Inclusionary Housing), as modified by Section [93-23](#), as follows:

The #residential# #floor area ratio# may be increased from 6.5 to a maximum of 12.0 only if for every five square feet of #floor area# increase pursuant to Sections [93-31](#) or [93-32](#) there is a #floor area# increase of six square feet, pursuant to Section [23-154](#), as modified by Section [93-23](#). Any #floor area# increase above a #floor area ratio# of 12.0 shall be only pursuant to Sections [93-31](#) or [93-32](#).

Furthermore, in Subarea D1, the #floor area ratio# on a #zoning lot# may exceed 13.0 only where the #community facility# #floor area ratio# is not less than the excess of such #floor area ratio# above 13.0.

(b) Subarea D3

In Subarea D3, the basic maximum #floor area ratio# may be increased only pursuant to Section [93-31](#).

(c) Subareas D4 and D5

In Subareas D4 and D5, the underlying #floor area ratio# regulations shall apply.

(d) Authorization for transfer of #floor area# for public facilities

For any #zoning lot# located partially in Subarea D2 and partially in Subarea D4, where such #zoning lot# is occupied by a #development# or #enlargement# that includes a public facility, the City Planning Commission may authorize modifications to the #street wall# requirements of Subarea D4 and authorize modifications to the provisions of Section [77-22](#) (Floor Area Ratio) in order to allow the transfer of #floor area# from that portion of the #zoning lot# located in Subarea D4 to that portion located in Subarea D2, provided the #floor area ratio# for the #zoning lot# does not exceed the adjusted maximum #floor area ratio# for the #zoning lot# as specified in Section [77-22](#). In order to authorize such modifications, the Commission shall find that:

- (1) such public facility provides a necessary service to the surrounding area;
- (2) such transfer of #floor area# is necessary in order for the #development# or #enlargement# to achieve an adequate separation of #uses# on the #zoning lot#; and
- (3) such transfer of #floor area# will not unduly increase the #bulk# of any #development# or #enlargement#, density

of population or intensity of #use# to the detriment of occupants of #buildings# on the #block# or surrounding #blocks#, and that any disadvantages to the surrounding area caused by reduced access of light and air will be more than offset by the advantages of the public facility to the local community and the City as a whole.

(e) Authorization for transfer of floor area for public open areas

For #developments# or #enlargements# on #zoning lots# divided by district boundaries that are wholly or partially within Hell's Kitchen Subdistrict D and provide publicly accessible open areas contiguous to or over the Lincoln Tunnel Approaches or Dyer Avenue, the Commission may authorize the distribution of #floor area# across such district boundaries pursuant to Section [23-543](#) (Authorization for the provision of public open areas).