



## Zoning Resolution

THE CITY OF NEW YORK

Eric Adams, Mayor

CITY PLANNING COMMISSION

Daniel R. Garodnick, Chair

# **93-23 - Modifications of Inclusionary Housing Program**

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## 93-23 - Modifications of Inclusionary Housing Program

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LAST AMENDED  
12/20/2018

Subdistrict C (34th Street Corridor) and Subareas D1 and D2 of Subdistrict D (Hell's Kitchen) of the #Special Hudson Yards District# and Subdistrict A-2 of the #Special Garment Center District#, shall be #Inclusionary Housing designated areas#, pursuant to Section [12-10](#) (DEFINITIONS) for the purpose of making the Inclusionary Housing Program regulations of Sections [23-154](#) (Inclusionary Housing) and [23-90](#) (INCLUSIONARY HOUSING), inclusive, applicable as modified within the Special Districts. The underlying provisions of Sections [23-154](#) and [23-90](#) shall only be applicable in Subdistrict F as modified by Section [93-233](#) (Floor area increase for affordable housing in Subdistrict F).

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### 93-231 - Definitions

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LAST AMENDED  
7/29/2009

For the purposes of this Chapter, matter in italics is defined in Section [12-10](#) or [23-911](#) (General definitions), inclusive.

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### 93-232 - Floor area increase in Subdistricts B, C, D and E, and Special Garment Center District Subdistrict A-2

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LAST AMENDED  
12/20/2018

Within Subdistricts B, C, D and E, and Subdistrict A-2 of the #Special Garment Center District#, the provisions of Section [23-154](#) (Inclusionary Housing) shall not apply. In lieu thereof, the #floor area# compensation provisions of this Section shall apply. In accordance with the provisions set forth in Section [93-22](#) (Floor Area Regulations in Subdistricts B, C, D, E and F) or [121-41](#) (Maximum Permitted Floor Area Within Subdistrict A-2), the maximum permitted #residential# #floor area ratio# on a #zoning lot# with #developments# or #enlargements# that provide #affordable housing# pursuant to the Inclusionary Housing Program may be increased, as follows:

- (a) The permitted #floor area ratio# may be increased from 6.5, or as otherwise specified in Section [93-22](#), to a maximum of 9.0, provided that:
  - (1) the amount of #low income floor area# is equal to at least 10 percent of the total #residential# #floor area# on the #zoning lot#; or
  - (2) the amount of #low income floor area# is equal to at least five percent of the total #residential# #floor area# on the #zoning lot#, and the amount of #moderate income floor area# is equal to at least 7.5 percent of the total #residential# #floor area# on the #zoning lot#; or
  - (3) the amount of #low income floor area# is equal to at least five percent of the total #residential# #floor area# on the #zoning lot# and the amount of #middle income floor area# is equal to at least 10 percent of the total #residential# #floor area# on the #zoning lot#.
- (b) The permitted #floor area ratio# may be increased from 9.0 to a maximum of 12.0, provided that:
  - (1) the amount of #low income floor area# is equal to at least 20 percent of the total #residential# #floor area# on the #zoning lot#; or

- (2) the amount of #low income floor area# is equal to at least 10 percent of the total #residential# #floor area# on the #zoning lot#, and the amount of #moderate income floor area# is equal to at least 15 percent of the total #residential# #floor area# on the #zoning lot#; or
- (3) the amount of #low income floor area# is equal to at least 10 percent of the total #residential# #floor area# on the #zoning lot# and the amount of #middle income floor area# is equal to at least 20 percent of the total #residential# #floor area# on the #zoning lot#.

For the purposes of this Section, #low income floor area# may be considered #moderate income floor area# or #middle income floor area#, and #moderate income floor area# may be considered #middle income floor area#.

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### **93-233 - Floor area increase for affordable housing in Subdistrict F**

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LAST AMENDED

10/9/2013

The #floor area# of any #building# containing #residences# in Subdistrict F may be increased by up to five percent, and such increase may be in excess of the maximum #floor area ratio# of 8.0 for #residential use#, and the total maximum #floor area ratio# of 10.0, provided that:

- (a) at least 20 percent of the #residential# units in such #building#, inclusive of any #floor area# increase permitted by this Section, shall be occupied by #low income households#, as defined in Section [23-911](#) (General definitions);
- (b) such #building# shall comply with the provisions of:
  - (1) Section [23-953](#) (Additional requirements for compensated developments and MIH developments);
  - (2) Section [23-96](#) (Requirements for Generating Sites or MIH Sites), paragraphs (b) through (i); and;
  - (3) Section [23-961](#) (Additional requirements for rental affordable housing), paragraphs (a) through (d); and
- (c) the sum of all #floor area# increases permitted pursuant to this Section does not exceed 0.4 times the total #lot area# of Subdistrict F.