



## Zoning Resolution

THE CITY OF NEW YORK

Eric Adams, Mayor

CITY PLANNING COMMISSION

Daniel R. Garodnick, Chair

# Article XIV - Special Purpose Districts

File generated by <https://zr.planning.nyc.gov> on 7/1/2025



## Zoning Resolution

THE CITY OF NEW YORK

Eric Adams, Mayor

CITY PLANNING COMMISSION

Daniel R. Garodnick, Chair

# Chapter 1 - Special Jerome Corridor District (J)

File generated by <https://zr.planning.nyc.gov> on 7/1/2025

# Chapter 1 - Special Jerome Corridor District (J)

---

## 141-00 - GENERAL PURPOSES

---

LAST AMENDED

3/22/2018

The “Special Jerome Corridor District” established in this Resolution is designed to promote and protect public health, safety and general welfare. These general goals include, among others, the following specific purposes:

- (a) to encourage well-designed buildings that complement the built character of the Highbridge, Concourse, Mount Eden, Mount Hope, Morris Heights and University Heights neighborhoods;
- (b) to achieve a harmonious visual and functional relationship with the adjacent neighborhoods;
- (c) to enhance neighborhood economic diversity by broadening the range of housing choices for residents at varied incomes;
- (d) to create a livable community combining housing, retail and other uses throughout the district;
- (e) to create a walkable, urban streetscape environment through a mix of ground floor uses;
- (f) to create a lively and attractive built environment that will provide daily amenities and services for the use and enjoyment of area residents, workers and visitors;
- (g) to provide flexibility of architectural design within limits established to assure adequate access of light and air to the street, and thus to encourage more attractive and economic building forms on zoning lots with irregular shapes and on zoning lots fronting on the elevated rail structure along Jerome and River Avenues; and
- (h) to promote the most desirable use of land in accordance with a well-considered plan and thus conserve the value of land and buildings, and thereby protect the City’s tax revenues.

---

## 141-01 - General Provisions

---

LAST AMENDED

10/7/2021

The provisions of this Chapter shall apply within the #Special Jerome Corridor District#. The regulations of all other Chapters of this Resolution are applicable, except as superseded, supplemented or modified by the provisions of this Chapter. In the event of a conflict between the provisions of this Chapter and other regulations of this Resolution, the provisions of this Chapter shall control. However, for #transit-adjacent sites# or #qualifying transit improvement sites#, as defined in Section [66-11](#) (Definitions), in the event of a conflict between the provisions of this Chapter and the provisions of Article VI, Chapter 6 (Special Regulations Applying Around Mass Transit Stations), the provisions of Article VI, Chapter 6 shall control.

---

## 141-02 - District Plan and Maps

---

LAST AMENDED

3/22/2018

In order to carry out the purposes and provisions of this Chapter, district maps are located in the Appendix to this Chapter and are hereby incorporated and made an integral part of this Resolution. They are incorporated for the purpose of specifying locations where special regulations and requirements, as set forth in the text of this Chapter, apply.

- Map 1. Special Jerome Corridor District, Subdistrict and Subareas
- Map 2. Designated locations for street wall continuity and ground floor requirements in Subarea A1
- Map 3. Designated locations for street wall continuity and ground floor requirements in Subarea A2
- Map 4. Designated locations for street wall continuity requirements in Subarea A3
- Map 5. Boundary of Subarea A4

---

### **141-03 - Subdistricts and Subareas**

---

LAST AMENDED  
3/22/2018

To carry out the provisions of this Chapter, Subdistrict A, comprised of Subareas A1, A2, A3 and A4, is established. The location and boundaries of this Subdistrict and Subareas are shown on Map 1 (Special Jerome Corridor District, Subdistrict and Subareas) in the Appendix to this Chapter.

---

### **141-04 - Applicability of the Mandatory Inclusionary Housing Program**

---

LAST AMENDED  
12/5/2024

For the purposes of applying the Mandatory Inclusionary Housing Program provisions set forth in Section [27-10](#) (ADMINISTRATION OF AFFORDABLE HOUSING), inclusive, #Mandatory Inclusionary Housing areas# within the #Special Jerome Corridor District# are shown on the maps in APPENDIX F of this Resolution.

---

### **141-10 - SPECIAL USE REGULATIONS**

---

LAST AMENDED  
6/6/2024

Within the #Special Jerome Corridor District#, the underlying #use# regulations shall apply.

---

### **141-11 - Modification of Supplemental Use Provisions**

---

LAST AMENDED  
6/6/2024

In C1 or C2 Districts mapped within R7 or R8 Districts and located along the elevated rail structure on Jerome or River Avenues, the provisions of Section [32-421](#) (Limitation on floors occupied by commercial uses) shall be modified for #buildings# containing #residences# as follows. The limitations set forth in paragraph (a) of such Section shall be modified to apply to #buildings# constructed before March 22, 2018.

---

### **141-20 - SPECIAL BULK REGULATIONS**

---

LAST AMENDED  
3/22/2018

The underlying #bulk# regulations are modified by the provisions of this Section.

---

## 141-21 - Special Yard Regulations

---

LAST AMENDED  
12/6/2023

In #Commercial Districts#, for #zoning lots# or portions thereof, with #street lines# along the elevated rail structure on Jerome or River Avenues and within 100 feet of such #street lines#, the permitted obstructions set forth in Section [33-23](#) (Permitted Obstructions in Required Yards or Rear Yard Equivalents) shall be modified to permit any #building# or portion of a #building# used for any permitted #use# other than #residences#, to be a permitted obstruction within a required #yard#, #rear yard equivalent# or other #open space# required pursuant to the provisions of Section [33-20](#) (YARD REGULATIONS), inclusive, or Section [33-30](#) (OTHER SPECIAL PROVISIONS FOR REAR YARDS), inclusive, provided that the height of such portion of a #building# shall not exceed two #stories#, excluding #basement#, nor in any event 30 feet above #curb level#. Any allowance for other permitted obstructions above a #building# in a #rear yard# or #rear yard equivalent# set forth in Section [33-23](#), shall be permitted above such modified height limitations.

---

## 141-22 - Special Floor Area Regulations in R8A Districts

---

LAST AMENDED  
12/5/2024

For #zoning lots# in R8A Districts, or #Commercial Districts# mapped within, or with a #residential equivalent# of an R8A District, within 100 feet of a #wide street# located outside of #Mandatory Inclusionary Housing areas#, the underlying #floor area# provisions applicable to an R8 District within 100 feet of a #wide street# shall apply.

---

## 141-23 - Special Height and Setback Regulations Along the Elevated Rail Structure Outside Subdistrict A

---

LAST AMENDED  
12/5/2024

For #zoning lots#, or portions thereof, within 100 feet of #street lines# along the elevated rail structure on Jerome or River Avenues, and located outside Subdistrict A, the underlying height and setback provisions are modified by the provisions of this Section.

(a) #Street wall# location

The #street wall# location provisions of paragraph (a)(1) of Section [35-643](#) shall apply.

Any open space between a #street wall# and a #street line# along the elevated rail structure on Jerome or River Avenues shall comply with the special open space provisions of paragraph (a) of Section [141-33](#).

(b) Base heights, maximum #building# heights

The underlying height and setback provisions of Section [35-63](#) (Height and Setback Requirements in Commercial Districts with R6 Through R12 Equivalency), inclusive, shall apply, as modified by the provisions of paragraph (a) of Section [35-643](#) (Special provisions in other geographies). However, for #street walls# facing the elevated rail structure, beyond 75 feet of the corner of #streets# intersecting Jerome or River Avenues, the maximum base height shall be 30 feet.

(c) Required and permitted articulation

For #street walls# fronting the elevated rail structure on Jerome or River Avenues with widths exceeding 100 feet, a minimum of 20 percent of the surface area of such #street walls# above the level of the second #story#, or a height of 30 feet, whichever is lower, shall either recess or project a minimum of three feet from the remaining surface of the #street wall#. Any such projections shall be considered a permitted obstruction into a required setback, and the depth of such projections along the elevated rail structure shall not exceed three feet.

In addition, the underlying dormer provisions of paragraph (b) of Section [23-413](#) (Permitted obstructions in certain districts) shall be modified for portions of #buildings# facing the elevated rail structure, so that above the maximum base height set forth in paragraph (b) of this Section, dormers shall be permitted only within 75 feet of a corner.

---

## 141-24 - Special Height and Setback Regulations in Subdistrict A

---

LAST AMENDED

12/5/2024

In Subdistrict A, as shown on Map 1 in the Appendix to this Chapter, the underlying height and setback provisions are modified by the provisions of this Section.

(a) #Street wall# location

(1) Along the elevated rail structure

For #street walls#, or portions thereof, within 100 feet of #street lines# along the elevated rail structure on Jerome or River Avenues, the #street wall# location provisions of paragraph (a)(1) of Section [35-643](#) (Special provisions in other geographies) shall apply.

(2) Along designated #streets#

In Subareas A1 through A3, along the #streets# designated on Maps 2 through 4 in the Appendix to this Chapter, the following shall apply:

(i) In #Commercial Districts#

In #Commercial Districts#, the #street wall# location provisions of paragraph (b) of Section [35-631](#) shall apply, except that the #street wall# shall extend to at least a height of 30 feet, or the height of the #building#, whichever is lower. In addition, above a height of 30 feet, at least 50 percent of the #aggregate width of street walls# shall be located within eight feet of the #street line# and shall extend to at least a minimum base height of 60 feet, or the height of the #building#, whichever is lower.

The remaining #aggregate width of street walls# may be recessed beyond 15 feet of the #street line#, provided that any such recesses deeper than 10 feet along a #wide street# or 15 feet along a #narrow street# are located within an #outer court#.

In the corner locations designated on Maps 2 and 3, an open space may be provided within 75 feet of the corner, pursuant to the provisions of paragraph (b) of Section [141-33](#).

(ii) In #Residence Districts#

For #street walls#, or portions thereof, located in #Residence Districts#, at least 70 percent of the #aggregate width of street walls# shall be located within 15 feet of the #street line# and shall extend to at

least the minimum base height set forth in paragraph (b) of this Section, or the height of the #building#, whichever is lower.

The remaining #aggregate width of street walls# may be recessed beyond 15 feet of the #street line#, provided that any such recesses deeper than 10 feet along a #wide street# or 15 feet along a #narrow street# are located within an #outer court#.

The underlying allowances for #street wall# articulation, set forth in paragraph (d) of Section [23-431](#) shall be permitted to project or recess, where applicable, beyond the #street wall# locations established in this paragraph.

In the corner locations designated on Map 4, an open space may be provided within 75 feet of the corner, pursuant to the provisions of paragraph (b) of Section [141-33](#).

(3) Along other #streets#

In Subareas A1 through A3, along #streets# that are not designated on Maps 2 through 4, and in Subarea A4, along all #streets#, no #street wall# location provisions shall apply, and no minimum base heights shall apply.

(b) Base heights and maximum #building# heights

The underlying height and setback regulations shall apply, except as modified below:

- (1) for #street walls# facing the elevated rail structure, beyond 75 feet of the corner of #streets# intersecting Jerome or River Avenues, the maximum base height shall be 30 feet;
- (2) the setback provisions of Section [23-433](#) (Standard setback regulations) shall apply except that for portions of #buildings or other structures# along Cromwell Avenue located beyond 200 feet from a corner, a minimum setback with a depth of at least 30 feet shall be provided;
- (3) In R9A Districts, or in #Commercial Districts# mapped within R9A Districts:
  - (i) the maximum base height shall be 125 feet;
  - (ii) above the required setback, the height of a #building# shall not exceed a maximum transition height of 175 feet;
  - (iii) where the #lot coverage# of all #buildings# on the #zoning lot# above the maximum transition height has been reduced to 50 percent on #zoning lots# with a #lot area# less than or equal to 15,000 square feet, 40 percent on #zoning lots# with a #lot area# greater than 15,000 square feet but less than 30,000 square feet, and 30 percent for all other #zoning lots#, a #building# may rise to a maximum #building# height of 225 feet. The maximum #street wall# width of any #story# above the maximum transition height shall not exceed 165 feet and, where two or more non-contiguous portions of a #building# exist at the same level above the maximum transition height, such portions shall provide a minimum distance of 60 feet between facing walls at any point.

(c) Required and permitted articulation

In Subareas A1 through A3, along #streets# designated in Maps 2, 3 and 4 in the Appendix to this Chapter, for #street wall# widths exceeding 100 feet, a minimum of 20 percent of the surface area of #street walls# above the level of the

second #story#, or a height of 30 feet, whichever is lower, shall either recess or project a minimum of three feet from the remaining surface of the #street wall#. Any such projections shall be considered a permitted obstruction into a required setback, provided that any projections with a depth greater than five feet shall be considered a dormer.

In addition, the underlying dormer provisions of paragraph (b) of Section [23-413](#) (Permitted obstructions in certain districts) shall apply, except that in Subareas A1 through A3, for #street walls# intersecting within 100 feet of the corners designated on Maps 2, 3 and 4, and irrespective of the width of the #street wall# below the maximum base height, dormers shall be permitted within 100 feet of such intersecting #street walls#. Such dormers need not decrease in width as the height above the maximum base height increases.

Any dormers or projections provided in accordance with this paragraph need not be included in the maximum #lot coverage# permitted above the maximum transition height, nor be included in the maximum #street wall# width of a #story#.

---

## 141-25 - Special Height and Setback Regulations in R8A Districts

---

LAST AMENDED  
12/5/2024

For #zoning lots# in R8A Districts, or in #Commercial Districts# mapped within, or with a #residential equivalent# of an R8A District, within 100 feet of a #wide street# located outside of #Mandatory Inclusionary Housing areas#, the underlying height and setback provisions applicable to an R8 District within 100 feet of a #wide street# shall apply. However, #sky exposure plane buildings# shall not be permitted, and the additional height allowances for eligible sites set forth in Section [23-434](#) (Height and setback modifications for eligible sites) shall not apply.

---

## 141-30 - SPECIAL STREETSCAPE REGULATIONS

---

LAST AMENDED  
3/22/2018

---

## 141-31 - Streetscape Regulations

---

LAST AMENDED  
6/6/2024

The underlying #ground floor level# streetscape provisions set forth in Section [32-30](#) (STREETSCAPE REGULATIONS), inclusive, shall apply, except that #ground floor level# #street# frontages along Jerome Avenue or River Avenue, or portions thereof, as well as designated #street frontages# shown on Maps 2 or 3 in the Appendix to this Chapter, shall be considered #Tier C street frontages#.

Defined terms in this Section shall include those in Sections [12-10](#) and 32-301.

---

## 141-32 - Special Open Space Provisions

---

LAST AMENDED  
12/5/2024

Along the elevated rail structure on Jerome or River Avenues, where open space is provided between the #street line# of the

#zoning lot# and the #street wall# of a #building# facing the elevated rail structure, or in Subdistrict A, for Subareas A1 through A3, where open space is provided between the #street wall# and the corner at a location designated on Maps 2, 3 or 4 in the Appendix to this Chapter, the provisions of Section [22-613](#) (Front yard planting requirements) shall apply to all #buildings#, whether the ground floor is occupied by #residential uses# or non- #residential uses#, subject to the modifications of this Section.

(a) Along the elevated rail structure

Along the elevated rail structure on Jerome or River Avenues, a sidewalk widening, built to Department of Transportation standards, may be provided as an alternative to planting, provided that the area that would otherwise be allocated to planting, measured in square feet, is allocated to streetscape amenities, including, but not limited to, trees, bicycle racks, benches or wall treatment, that are provided along such sidewalk widening, as set forth below.

Where benches are provided as an alternative to such planting, the length of such benches shall not exceed, in the aggregate, 15 feet per every 50 feet of #street wall# frontage. Where bicycle racks are provided, such racks shall be oriented so that the bicycles are placed parallel to the #street wall#, and the width of such bicycle racks shall not exceed, in the aggregate, 10 feet per every 50 feet of #street wall# frontage. Such benches or bicycle racks shall be located entirely within the #zoning lot#, and each bench or bicycle rack so provided shall be equivalent to 15 square feet of planted area.

Where trees, and associated tree pits are provided as an alternative, the minimum depth of any open space between the #street wall# and #street line# shall be eight feet. Each tree provided shall be equivalent to 15 square feet of planted area.

Where a wall treatment is provided as an alternative, it shall be in the form of permitted #signs#, graphic or sculptural art, rustication, decorative screening or latticework, or living plant material along the #street wall#. Such wall treatment shall extend to a height of at least 10 feet, as measured from the level of the adjoining sidewalk or grade, and shall have a minimum width of 10 feet, as measured parallel to the #street wall#. Portions of a #street wall# providing such wall treatment may satisfy applicable requirements of Section [141-32](#), or the planting requirement directly in front of such #street wall#.

Where planting is provided, the minimum depth of open space between the #street line# and the #street wall# shall not be less than three feet.

(b) In Subdistrict A

In Subdistrict A, where open space is provided between the #street wall# and the intersection of two #streets#, pursuant to paragraph (a)(2) of Section [141-23](#), streetscape amenities may be provided as an alternative to planting, provided that the area that would otherwise be allocated to planting, measured in square feet, is allocated to trees, benches, or tables and chairs, as set forth below. However, planting shall not be reduced to less than 20 percent of the area of the open space.

Each bench provided shall be equivalent to 10 square feet of planted area, and each set of tables and at least two chairs shall be equivalent to 15 square feet of planted area. Seating shall be publicly accessible, unless tables and chairs are associated with an open eating or drinking establishment on the #zoning lot#. The area under such seating shall be paved with permeable materials and shall either abut the adjoining sidewalk or be connected to such sidewalk by a circulation path at least five feet wide that is also paved with permeable materials.

Each tree and associated tree pits provided shall be equivalent to 15 square feet of planted area, and shall be located at least 10 feet from any #building wall# or the adjoining sidewalk.

Where planting is provided, the minimum depth of a planted bed shall not be less than three feet.

In no event shall chain link fencing or barbed or razor wire be permitted in any open space provided pursuant to this Section.

141-40 - SPECIAL PARKING AND LOADING REGULATIONS

LAST AMENDED  
3/22/2018

The underlying parking provisions are modified by the provisions of this Section.

141-41 - Location of Curb Cuts

LAST AMENDED  
3/22/2018

In all districts, for #zoning lots# existing on March 22, 2018, with frontage along Edward L. Grant Highway, West 170th Street, or the portions of Jerome or River Avenues with an elevated rail structure, and fronting along other #streets#, no curb cut accessing off-street parking spaces or loading spaces shall be permitted along such #streets#, as applicable.

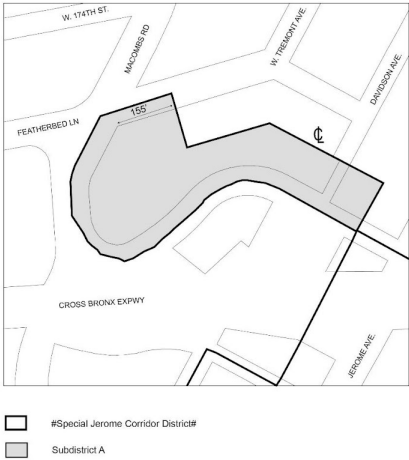
APPENDIX -

LAST AMENDED  
6/6/2024

Map 1. Special Jerome Corridor District, Subdistrict and Subareas



- Map 2. Designated locations for street wall continuity and ground floor requirements in Subarea A1
- Map 3. Designated locations for street wall continuity and ground floor requirements in Subarea A2
- Map 4. Designated locations for street wall continuity requirements in Subarea A3
- Map 5. Boundary of Subarea A4







## Zoning Resolution

THE CITY OF NEW YORK

Eric Adams, Mayor

CITY PLANNING COMMISSION

Daniel R. Garodnick, Chair

# **Chapter 2 - Special Inwood District (IN)**

File generated by <https://zr.planning.nyc.gov> on 7/1/2025

## Chapter 2 - Special Inwood District (IN)

---

### 142-00 - GENERAL PURPOSES

---

LAST AMENDED 8/8/2018

The “Special Inwood District” established in this Resolution is designed to promote and protect public health, safety and general welfare. These general goals include, among others, the following specific purposes:

- (a) to create a lively and attractive built environment that will provide amenities and services for the use and enjoyment of area residents, workers and visitors;
  - (b) to encourage well-designed #development# that complements and enhances the built character of the neighborhood;
  - (c) to enhance neighborhood economic diversity by broadening the range of housing choices for residents of varied incomes;
  - (d) to maintain and establish physical and visual public access to and along the waterfront;
  - (e) to promote the pedestrian orientation of ground floor uses in appropriate locations, and thus safeguard a traditional quality of higher density areas of the City;
  - (f) to take advantage of the waterfront along the Harlem River, Sherman Creek, and the North Cove and create a public open space network;
  - (g) to focus higher-density development in appropriate locations along wide, mixed-use corridors with good access to transit;
  - (h) to provide flexibility of architectural design within limits established to assure adequate access of light and air to streets and public access areas, and thus encourage more attractive and economic building forms; and
  - (i) to promote the most desirable use of land and development in accordance with the District Plan for the Inwood waterfront, and thus conserve and enhance the value of land and buildings, and thereby protect the City’s tax revenues.
- 

### 142-01 - General Provisions

---

LAST AMENDED  
10/7/2021

The provisions of this Chapter shall apply within the #Special Inwood District#. The regulations of all other Chapters of this Resolution are applicable, except as superseded, supplemented or modified by the provisions of this Chapter. In the event of a conflict between the provisions of this Chapter and other regulations of this Resolution, the provisions of this Chapter shall control. However, in #flood zones#, or for #transit-adjacent sites# or #qualifying transit improvement sites#, as defined in Section [66-11](#) (Definitions), in the event of a conflict between the provisions of this Chapter and the provisions of Article VI, Chapter 4 (Special Regulations Applying in Flood Hazard Areas), or Article VI, Chapter 6 (Special Regulations Applying Around Mass Transit Stations), the provisions of Article VI shall control.

---

### 142-02 - District Plan and Maps

---

LAST AMENDED 8/8/2018

The regulations of this Chapter are designed to implement the #Special Inwood District# Plan. The District Plan, including Map 1 (Special Inwood District – Subdistricts and Subareas), Map 2 (Special Inwood District – Ground Floor Use and Curb

Cut Regulations), and Map 3 (Special Inwood District – Transit Easement Zones) is set forth in the Appendix to this Chapter and is hereby incorporated as part of this Resolution for the purpose of specifying locations where the special regulations and requirements set forth in this Chapter apply. In order to carry out the purposes and provisions of this Chapter, district maps are located in the Appendix to this Chapter and are hereby incorporated and made an integral part of this Resolution. They are incorporated for the purpose of specifying locations where special regulations and requirements, as set forth in the text of this Chapter, apply.

- Map 1. Special Inwood District – Subdistricts and Subareas
- Map 2. Special Inwood District – Ground Floor Use and Curb Cut Regulations
- Map 3. Special Inwood District – Transit Easement Zones
- Map 4. Waterfront Access Plan: Parcel Designation
- Map 5. Waterfront Access Plan: Public Access Areas
- Map 6. Waterfront Access Plan: Visual Corridors

---

## **142-03 - Subdistricts and Subareas**

---

LAST AMENDED 8/8/2018

In order to carry out the provisions of this Chapter, six subdistricts are established, as follows:

Sherman Creek Subdistrict A

Tip of Manhattan Subdistrict B

Library Subdistrict C

Upland Area Subdistrict D

Infrastructure Zone Subdistrict E

Commercial “U” Subdistrict F

In each of these subdistricts, certain special regulations apply which do not apply within the remainder of the #Special Inwood District#. Within certain subdistricts, subareas are established, as follows:

Within Sherman Creek Subdistrict A:

Subarea A1

Subarea A2

Subarea A3

Within Tip of Manhattan Subdistrict B:

Subarea B1

Subarea B2

Subarea B3

Subarea B4

Within Upland Area Subdistrict D

Subarea D1

Subarea D2

Subarea D3

Subarea D4

The location and boundaries of subdistricts and subareas are outlined on Map 1 (Special Inwood District - Subdistricts and Subareas) in the Appendix to this Chapter.

---

## **142-04 - Definitions**

---

LAST AMENDED

6/6/2024

For purposes of this Chapter, matter in italics is defined in Section [12-10](#) (DEFINITIONS), Section [32-301](#) (Definitions) and in this Section.

Shoreline adjacent lot

For the purposes of this Chapter, a “shoreline adjacent lot” shall refer to a #waterfront zoning lot# with a #shoreline# length of more than 100 feet, or any #zoning lot# that has entered into a binding agreement to improve and maintain a #waterfront public access area# for an adjoining #waterfront zoning lot#.

---

## **142-05 - Applicability**

---

LAST AMENDED8/8/2018

---

### **142-051 - Applicability of Mandatory Inclusionary Housing**

---

LAST AMENDED

12/5/2024

#Mandatory Inclusionary Housing areas# within the #Special Inwood District# are shown in APPENDIX F of this Resolution.

---

### **142-052 - Applicability of Article XII, Chapter 3**

---

LAST AMENDED

12/5/2024

In M1 Districts paired with a #Residence District#, the special #use#, #bulk# and parking and loading provisions of Article XII, Chapter 3 (Special Mixed Use District) shall apply, except where modified by the provisions of this Chapter, and shall supplement or supersede the provisions of the designated #Residence# or M1 District, as applicable.

---

## **142-06 - Modification of Use and Bulk Regulations for Zoning Lots Fronting on Former West 208th Street**

---

LAST AMENDED 8/8/2018

Where the #lot line# of a #zoning lot# coincides with the former boundary of West 208th Street, as shown on Map 1 in the Appendix to this Chapter, such #lot line# shall be considered a #street line# for the purpose of applying all #use# and #bulk# regulations of this Resolution.

## **142-07 - Development over a Street in Subarea A1**

---

LAST AMENDED 8/8/2018

In Subarea A1, as shown on Map 1 (Special Inwood District – Subdistricts and Subareas) in the Appendix to this Chapter, when a volume above a #street#, or portion thereof, has been eliminated, discontinued or closed, such volume may, at the option of an owner of a #zoning lot# adjoining such volume, be considered part of the adjoining #zoning lot#, and a #development# or #enlargement# may be located within such volume that is part of or connected to a #building# on the adjoining #zoning lot# utilizing #floor area# generated by the adjoining #zoning lot#, provided that the #street# below the volume is provided with lighting in accordance with Department of Transportation standards. In no event shall such volume contribute to the amount of #lot area# of any #zoning lot# for the purposes of generating #floor area#.

## **142-08 - Shoreline Boundary**

---

LAST AMENDED 8/8/2018

For the purposes of this Chapter, the #shoreline# shall be as shown on a survey available on the Department of City Planning website.

## **142-09 - Off-street Relocation of Subway Station Entrances**

---

LAST AMENDED  
10/7/2021

For all #developments# or #enlargements# involving ground floor level construction on a #zoning lot# that is wholly or partially located within a Transit Easement Zone, as shown on Map 3 (Special Inwood District – Transit Easement Zones) in the Appendix to this Chapter, a transit easement volume may be needed on such #zoning lot# for public access between the #street# and the adjacent above- or below-grade subway station, pursuant to the provisions of Section [66-20](#) (SPECIAL PROVISIONS FOR PRIMARY TRANSIT-ADJACENT SITES). Such #zoning lots# that are wholly or partially within a Transit Easement Zone shall be considered a #primary transit-adjacent site#, as defined in Section [66-11](#) (Definitions).

## **142-10 - SPECIAL USE REGULATIONS**

---

LAST AMENDED 8/8/2018

The underlying #use# regulations are modified by the provisions of this Section, inclusive. In M1-4/R7A and M1-4/R9A Districts, the #use# regulations of Article XII, Chapter 3 (Special Mixed Use District) shall apply, except where modified by the provisions of this Section, inclusive.

---

## 142-11 - Permitted Uses

---

LAST AMENDED

6/6/2024

In Subarea B1, as shown on Map 1 (Special Inwood District – Subdistricts and Subareas) in the Appendix to this Chapter, commercial or public utility vehicle storage, open or enclosed, including #accessory# motor fuel pumps, listed under Use Group IX(C), shall be a permitted #use#, open or enclosed.

In Subareas B2 and B3, as shown on Map 1, #uses# listed under Use Group III, shall be permitted, and #uses# listed under Food and Beverage Retailers in Use Group VI shall not be limited to #floor area# per establishment.

In Subdistrict D, as shown on Map 1, #self-service storage facilities# listed under Use Group IX(A), shall be permitted as-of-right in C6-2A Districts.

---

### 142-111 - Regulations for manufacturing uses in Subareas B2 and B3

---

LAST AMENDED

6/6/2024

In Subareas B2 and B3, as shown on Map 1 (Special Inwood District – Subdistricts and Subareas) in the Appendix to this Chapter, the #manufacturing uses# permitted in M1 Districts shall be subject to the modifications set forth in Section [123-20](#) (SPECIAL USE REGULATIONS), inclusive.

---

## 142-12 - Location of Uses

---

LAST AMENDED

6/6/2024

In C2 Districts mapped within R7 or R8 Districts, provisions of Section [32-421](#) (Limitation on floors occupied by commercial uses) shall be modified or #buildings# containing #residences# as follows. The limitations set forth in paragraph (a) of such Section shall be modified to apply to #buildings# constructed before August 8, 2018.

Within the portion of the C2-4 District mapped within an R8A District and the portion of the C2-4 District mapped within an R9A District, located east of Tenth Avenue, south of West 207th Street, west of Ninth Avenue and north of West 206th Street, the underlying provisions of Section [32-421](#) (Limitation on floors occupied by commercial uses) shall be inapplicable. In lieu thereof, Section [32-422](#) (Location of floors occupied by commercial uses) shall apply.

In C4 or C6 Districts, the provisions of Section [32-422](#) (Location of floors occupied by commercial uses) shall be modified such that the limitations set forth in paragraph (a) of such Section need not apply, and the requirements in paragraph (b) of such Section shall apply only where #commercial uses# are located above any #story# containing #dwelling units#.

In Subareas A1, B2 and B3, as shown on Map 1 (Special Inwood District – Subdistricts and Subareas) in the Appendix to this Chapter, no #uses# listed under Use Group VI shall be permitted above the ground floor level.

---

### 142-13 - Enclosure Requirements in Subdistrict E

---

LAST AMENDED

6/6/2024

In Subdistrict E, #commercial# and #manufacturing# activities and storage #uses# shall not be subject to the provisions of

Section [42-51](#) (Enclosure of Commercial and Manufacturing Activities) or Section [42-52](#) (Enclosure or Screening of Storage).

---

## 142-14 - Streetscape Requirements

---

LAST AMENDED

6/6/2024

The underlying #ground floor level# streetscape provisions set forth in Section [32-30](#) (STREETSCAPE REGULATIONS), inclusive, shall apply, except that #ground floor level# #street frontages# along #streets#, or portions thereof, designated on Map 2 (Special Inwood District – Ground Floor Use and Curb Cut Regulations) in Appendix A of this Chapter shall be considered #Tier C street frontages#.

---

## 142-20 - SPECIAL FLOOR AREA REGULATIONS

---

LAST AMENDED8/8/2018

The underlying #floor area# regulations are modified by the provisions of this Section, inclusive.

---

## 142-21 - Floor Area Regulations on Waterfront Blocks

---

LAST AMENDED8/8/2018

On #waterfront blocks#, the provisions of Section [62-31](#) (Bulk Computations on Waterfront Zoning Lots) shall be modified so that #lot area# that is seaward of the #shoreline# shall not be included for the purpose of determining allowable #floor area# or to satisfy any other #bulk# regulation.

---

## 142-22 - Floor Area Regulations in Subareas A2, A3 and B1

---

LAST AMENDED

12/5/2024

In Subareas A2, A3 and B1, as shown on Map 1 (Special Inwood District – Subdistricts and Subareas) in the Appendix to this Chapter, the #floor area# regulations shall be modified as follows:

For #zoning lots# other than #shoreline adjacent lots# the maximum #residential# #floor area ratio# shall be 4.6. For #shoreline adjacent lots#, the maximum #residential# #floor area ratio# for #qualifying affordable housing# or #qualifying senior housing# shall be as set forth in Section [23-22](#) (Floor Area Regulations for R6 Through R12 Districts) for the particular district.

For #zoning lots# that are divided by zoning district boundary lines, #floor area# may be distributed within a #zoning lot# without regard to zoning district boundary lines.

#Accessory# parking located below a height of 33 feet shall be exempt from the definition of #floor area#.

---

## 142-23 - Floor Area Regulations in Subareas B2 and B3

---

LAST AMENDED8/8/2018

In Subarea B2, as shown on Map 1 (Special Inwood District – Subdistricts and Subareas) in the Appendix to this Chapter, all permitted #uses# shall have a permitted #floor area ratio# of 2.0. In Subarea B3, as shown on Map 1, the base #floor area ratio# shall be 5.0, and may be increased only in accordance with the provisions of this Section.

The Chairperson of the City Planning Commission shall allow, by certification, a transfer of #floor area# from a #zoning lot# located in Subarea B2 to a #zoning lot# located in Subarea B3 provided that the provisions of this Section are met. For the purpose of this Section, a “granting lot” shall mean a #zoning lot# within Subarea B2 that transfers #floor area# pursuant to this Section, and a “receiving lot” shall mean a #zoning lot# within Subarea B3 that receives additional #floor area# pursuant to this Section.

Such certification for a transfer of #floor area# shall be subject to the following conditions:

- (a) the maximum amount of #floor area# that may be transferred from a granting lot shall be based on a #floor area ratio# of 2.0, less the total #floor area# of all existing #buildings# on the granting lot and any previously transferred #floor area#;
- (b) each transfer, once completed, shall irrevocably reduce the amount of #floor area# that may be #developed# or #enlarged# on the granting lot by the amount of #floor area# transferred;
- (c) for #developments# or #enlargements#, which in the aggregate for both the granting lot and the receiving lot, involve an increase in the #floor area# of more than 20,000 square feet of the amount existing on August 8, 2018, a waterfront certification pursuant to Section [62-811](#) (Waterfront public access and visual corridors) has been granted; and
- (d) prior to the issuance of a building permit, as set forth in this Section, the owners of the granting lot and the receiving lot shall submit to the Chairperson a copy of the transfer instrument legally sufficient in both form and content to effect such a transfer. Notice of the restrictions upon further #development# or #enlargement# of the granting lot and the receiving lot shall be filed by the owners of the respective lots in the Office of the Register of the City of New York (County of New York). Proof of recordation shall be submitted to the Chairperson.

Both the transfer instrument and the notices of restrictions shall specify the total amount of #floor area# transferred and shall specify, by #block# and lot numbers, the granting lot and the receiving lot that are a party to such transfer.

An application filed with the Chairperson for certification pursuant to this Section shall be made jointly by the owners of the granting lot and the receiving lot, and shall include site plans and zoning calculations for the granting lot and receiving lot showing the additional #floor area# associated with the transfer, and any such other information as may be required by the Chairperson.

The Chairperson shall certify to the Department of Buildings that a #development# or #enlargement# is in compliance with the provisions of this Section only after the transfer instrument and notice of restrictions required by this Section have been executed and recorded with proof of recordation provided to the Chairperson. Such certification shall be a precondition to the filing for or issuing of any building permit allowing more than the basic maximum #floor area ratio# for such #development#.

A separate application shall be filed for each transfer of #floor area# to any #zoning lot# pursuant to this Section.

---

## **142-24 - Floor Area Regulations in Subdistrict D**

---

LAST AMENDED 8/8/2018

For #zoning lots# that are located partially in a #Commercial District# mapped within an R8A District and partially in a #Commercial District# mapped within an R9A District, #residential# #floor area# may transfer across the zoning district boundary from the #Commercial District# mapped within an R8A District to the #Commercial District# mapped within an R9A District.

---

## **142-30 - SPECIAL YARD REGULATIONS**

---

LAST AMENDED 8/8/2018

The underlying #yard# regulations are modified by the provisions of this Section.

In M1-4/R7A and M1-4/R9A Districts, in Subareas A1 and B3 as shown on Map 1 (Special Inwood District – Subdistricts and Subareas) in the Appendix to this Chapter, and in the portion of the C2-4 District mapped within an R8A District or the portion of the C2-4 District mapped within an R9A District, located east of Tenth Avenue, south of West 207th Street, west of Ninth Avenue, and north of West 206th Street, no #rear yard equivalents# are required for #through lots# or #through lot# portions of a #zoning lot#.

In Subdistrict D, no #rear yard# is required along any portion of a #rear lot line# that is coincident with a #lot line# of the rail yard for the Metropolitan Transportation Authority located east of Tenth Avenue between West 207th Street and West 215th Street.

A #waterfront yard#, as defined in Section [62-11](#) (Definitions), shall be provided on any portion of a #zoning lot# located within 40 feet of the #shoreline#. Any other #yard# regulations shall be inapplicable within such portion of a #zoning lot#.

---

## 142-40 - SPECIAL HEIGHT AND SETBACK REGULATIONS

---

LAST AMENDED 8/8/2018

In Subareas A1 and B2, and in Subdistrict E, as shown on Map 1 (Special Inwood District – Subdistricts and Subareas) in the Appendix to this Chapter, the height and setback regulations of the underlying districts shall apply.

In Subareas A2, A3, B1, B3 and B4, the height and setback regulations of the underlying district regulations are modified by Sections [142-41](#) through [142-47](#) shall apply, and all heights shall be measured from the #base plane#.

In Subdistricts C, D and F, the height and setback regulations of the underlying district regulations are modified by Sections [142-48](#) (Special Regulations for Certain Sites in Subdistricts C and F) and [142-49](#) (Height and Setback for Certain Zoning Lots in Subdistricts C and D), as applicable.

---

## 142-41 - Permitted Obstructions in Subareas A2, A3, B1, B3 and B4

---

LAST AMENDED  
12/5/2024

In Subareas A2, A3, B1, B3 and B4, as shown on Map 1 (Special Inwood District – Subdistricts and Subareas) in the Appendix to this Chapter, the provisions of Section [33-42](#) (Permitted Obstructions) shall apply to all #buildings#. In addition, a dormer shall be allowed as a permitted obstruction pursuant to paragraph (b) of Section [23-413](#) (Permitted obstructions in certain districts), and balconies shall be permitted in conjunction with #residential uses# as set forth in Section [23-62](#) (Balconies).

---

## 142-42 - Height and Setback for Non-Shoreline Adjacent Lots in Subareas A2, A3 and B1

---

■

LAST AMENDED  
12/5/2024

In Subareas A2, A3 and B1, as shown on Map 1 (Special Inwood District – Subdistricts and Subareas) in the Appendix to this Chapter, for #zoning lots# other than #shoreline adjacent lots#, the height and setback regulations for R7A Districts set forth in

the applicable provisions of Section [23-43](#), inclusive, shall apply.

The #street wall# location provisions of paragraph (a) of Section [35-631](#) shall apply to #street# frontages along and within 50 feet of Ninth Avenue, and the #street wall# requirements of paragraph (b) of Section [35-631](#) shall apply along all other #street# frontages of the #zoning lot#.

---

## 142-43 - Height and Setback for Shoreline Adjacent Lots in Subarea A2

---

■  
LAST AMENDED

12/5/2024

In Subarea A2, as shown on Map 1 (Special Inwood District – Subdistricts and Subareas) in the Appendix to this Chapter, for #shoreline adjacent lots#, the following height and setback regulations shall apply:

(a) #Street wall# location

The #street wall# location provisions of paragraph (a) of Section [35-631](#) shall apply to #street# frontages along and within 50 feet of Ninth Avenue, and the #street wall# requirements of paragraph (b) of Section [35-651](#) shall apply along all other #street# frontages of the #zoning lot#. However, the #street walls# shall extend to at least the minimum base height set forth in paragraph (b) of this Section, or the height of the #building#, whichever is less.

(b) Base height and setbacks

The minimum base height shall be 60 feet on all #street# frontages. Within R9A Districts, or C1 or C2 Districts mapped within R9A Districts, the maximum base height shall be 105 feet. Within R8 Districts, or C1 or C2 Districts mapped within R8 Districts, the maximum base height before setback shall be 105 feet if the #building's# maximum overall height does not exceed 155 feet, or 85 feet if a #building# is developed with a tower in accordance with the regulations of paragraph (e) of this Section.

At a height not lower than the minimum base height nor higher than the maximum base height specified for the applicable district, a setback with a minimum depth of 10 feet shall be provided from the #street wall# of the base. Such setbacks may be modified in accordance with the provisions of Section 23-433.

(c) Within 50 feet of the #shoreline#

Within 50 feet of the #shoreline#, the height of a #building# along 30 percent of the length of a #zoning lot#, as measured parallel to Ninth Avenue, shall be limited to a maximum height of 30 feet, and the height along the remaining 70 percent may rise to a maximum height of 85 feet.

(d) Maximum transition height

After the required setback, #buildings# may rise to a maximum transition height of 155 feet. However, for portions of #buildings# exceeding the maximum base height with a gross area of a #story# of 10,000 square feet, or more, exclusive of any permitted dormers, setbacks shall be taken at any point above 125 feet to achieve a footprint reduction of 10 percent from #stories# below 125 feet. Any portion of a #building# that exceeds the maximum transition height shall be considered a tower and subject to the provisions of paragraph (e) of this Section.

(e) Tower regulations

Any portion of a #building# that exceeds the maximum transition height shall be subject to the following tower provisions:

- (1) the gross area of any #story# shall not exceed 10,000 square feet, except that any dormers provided within the setback area shall not be included in such gross area;
- (2) the gross area of any #story# located above 205 feet shall not exceed 90 percent of the gross area of that #story# located directly below a height of 205 feet;
- (3) no portion of such tower shall be located within 80 feet of the #shoreline#;
- (4) the width of such tower shall not exceed 100 feet, as measured parallel to Ninth Avenue. Such width shall be measured in plan and shall include the total width of the combined #lot coverage# of all #stories# above 125 feet; and
- (5) the maximum height of such tower shall not exceed 245 feet.

#Zoning lots# with a #lot area# in excess of 1.5 acres may contain a second tower, provided that the heights of the two towers differ by at least 50 feet from each other, and provided that the combined width of the towers does not exceed 140 feet, as measured parallel to Ninth Avenue. Such width shall be measured in plan and shall include the total width of the combined #lot coverage# of all #stories# above 125 feet.

---

## 142-44 - Height and Setback for Shoreline Adjacent Lots in Subarea A3

---

LAST AMENDED  
12/5/2024

In Subarea A3, as shown on Map 1 (Special Inwood District – Subdistricts and Subareas) in the Appendix to this Chapter, for #shoreline adjacent lots#, the height and setback regulations of this Section shall apply:

(a) Base along West 207th Street and Ninth Avenue

Along the West 207th Street and Ninth Avenue frontages, the #street wall# location provisions of paragraph (b) of Section [35-631](#) shall apply except that the #street wall# shall extend up to a minimum base height of 60 feet, or the height of the #building#, whichever is less, and a maximum base height of 105 feet. The boundary of any easement required for a #street# or sidewalk widening pursuant to Section [142-64](#) shall be considered the #street line# for the purpose of this Section.

At a height not lower than the minimum base height nor higher than the maximum base height, a setback with a minimum depth of 10 feet shall be provided from the #street wall# of the base. Such setbacks may be modified in accordance with the provisions of Section 23-433.

(b) Within 50 feet of the #shoreline#

Within 50 feet of the #shoreline#, the maximum #building# height shall be 85 feet.

(c) Within 30 feet of former West 208th Street

Within 30 feet of Former West 208th Street, as shown on Map 1 in the Appendix to this Chapter, the height of a #building# along 30 percent of the length of a #zoning lot#, as measured along the former extent of West 208th Street, shall not exceed 30 feet, and the height of the remaining 70 percent may rise to a maximum height of 85 feet.

(d) Maximum transition height

Within the portion of the #zoning lot# that is beyond 100 feet of West 207th Street, after the required setback, #buildings# may rise to a maximum transition height of 145 feet. No towers shall be permitted above such maximum transition height.

Within the portion of the #zoning lot# that is within 100 feet of West 207th Street, after the required setback, #buildings# may rise to a maximum transition height of 175 feet. Any portion of a #building# that exceeds such maximum transition height shall be considered a tower and subject to the provisions of paragraph (e) of this Section.

(e) Tower regulations

Any portion of a #building# that exceeds the maximum transition height shall be subject to the following tower provisions:

- (1) the gross area of any #story# shall not exceed 10,000 square feet, except that any dormers provided within the setback area shall not be included in such gross area;
- (2) the gross area of any #story# located above 255 feet shall not exceed 90 percent of the gross area of that #story# located directly below a height of 255 feet; and
- (3) the maximum height of such tower shall not exceed 295 feet.

---

## 142-45 - Height and Setback for Shoreline Adjacent Lots in Subarea B1

---



LAST AMENDED  
12/5/2024

In Subarea B1, as shown on Map 1 (Special Inwood District – Subdistricts and Subareas) in the Appendix to this Chapter, for #shoreline adjacent lots#, the height and setback regulations of Section [142-43](#) (Height and Setback for Sites in Subarea A2 With More Than 100 Feet of Shoreline) shall apply, except that paragraph (e) of such Section shall be modified to allow a tower to rise to a height of 265 feet, provided that the gross area of any #story# above 225 feet does not exceed 90 percent of the gross area of that #story# located directly below 225 feet. The #visual corridor# located between a line parallel to and 20 feet south of the prolongation of the centerline of West 218th Street and a line parallel to and 30 feet north of such centerline established by Section [142-60](#) (INWOOD WATERFRONT ACCESS PLAN) shall be treated as a narrow #street line# for the purposes of applying all height and setback regulations.

---

## 142-46 - Height and Setback in Subarea B3

---

LAST AMENDED  
8/8/2018

In Subarea B3, as shown on Map 1 (Special Inwood District – Subdistricts and Subareas) in the Appendix to this Chapter, the

maximum #building# height shall be 125 feet within 10 feet of a #street line#. Beyond 10 feet of a #street line#, the maximum #building# height shall be 265 feet.

---

## 142-47 - Height and Setback in Subarea B4

---

LAST AMENDED  
8/8/2018

In Subarea B4, as shown on Map 1 (Special Inwood District – Subdistricts and Subareas) in the Appendix to this Chapter, the height of a #building# within 10 feet of a #street line# shall not exceed 125 feet. Portions of #buildings# located beyond 10 feet of a #street line# may rise to a maximum height of 210 feet. Any #development# or #enlargement# with frontage on West 218th Street must provide a sidewalk widening with a minimum depth of five feet along such frontage. Any #development# or #enlargement# with frontage on Ninth Avenue must provide a sidewalk widening with a minimum depth of five feet along such frontage.

---

## 142-48 - Special Regulations for Certain Sites in Subdistricts C and F

---

LAST AMENDED  
12/5/2024

In Subdistrict C, as shown on Map 1 (Special Inwood District – Subdistricts and Subareas) in the Appendix to this Chapter, and in Subdistrict F, the underlying height and setback provisions shall be modified for #zoning lots# that share a #side lot line# with an adjacent #zoning lot# that is #developed# with a #building# constructed prior to December 15, 1961 that contain #residences# with #legally required windows# facing and located within 15 feet of the shared #side lot line#.

The #street wall# location provisions of paragraph (a)(1) of Section [35-631](#) shall apply except that where an adjoining #zoning lot# contains #residences# with #legally required windows# facing and within 15 feet of a shared #side lot line#, the #street wall# of a #building# need not extend along the entire #street# frontage of such a #zoning lot# if an open area is provided above the level of the first #story# or a height of 15 feet, whichever is lower, along the entire shared #side lot line#. Where such an open area is provided, the #street# frontage of such open area may be excluded for the purpose of applying the #street wall# location provisions of paragraph (a)(2) of Section [35-631](#).

In addition, where an open area with a depth of at least 15 feet, as measured perpendicular from the shared #side lot line#, and is provided in the form of a recess, #court# or other open area is provided along shared #side lot line#, and such open area is provided adjacent to all portions of a #building# on an adjoining #zoning lot# that contain #legally required windows# facing and located within 15 feet of the shared #side lot line#, the applicable maximum #building# height set forth in Section [35-63](#), inclusive, may be increased by 10 feet; and the maximum number of #stories#, if applicable, may be increased by one.

#Zoning lots# may apply the regulations of this Section along multiple #side lot lines# where applicable, but in no case shall the permitted #building# height be increased by more than one #story# or 10 feet, whichever is lower.

---

## 142-49 - Height and Setback for Certain Zoning Lots in Subdistricts C and D

---

LAST AMENDED  
12/5/2024

In Subdistricts C and D, as shown on Map 1 (Special Inwood District – Subdistricts and Subareas) in the Appendix to this Chapter, all non-#residential# #buildings# in C4 and C6 Districts shall follow the height and setback regulations for #qualifying affordable housing# or #qualifying senior housing# as set forth in Section [23-432](#) (Height and setback requirements) for the applicable #residential equivalent#.

In Subdistrict D, all #developments# or #enlargements# on #zoning lots# within M1-4/R7A and M1-4/R9A Districts shall follow the height and setback regulations for #qualifying affordable housing# or #qualifying senior housing# as set forth in Section [23-432](#), for the applicable #Residence District#, except portions of #zoning lots# that are located within 30 feet of West 201st Street shall be limited to a maximum #building# height to 85 feet.

In Subdistrict D, for #street walls# with a #transportation infrastructure adjacent frontage#, the underlying height and setback regulations, or those set forth in Section [142-491](#), shall be modified pursuant to the provisions of paragraph (a) of Section [35-643](#) (Special provisions in other geographies).

---

## **142-491 - Special base height regulations for certain zoning lots within Subdistrict D**

---

LAST AMENDED 8/8/2018

The underlying height and setback regulations shall be further modified for the following areas within Subdistrict D:

- (a) for portions of #zoning lots# located in Subarea D2, the maximum permitted base height shall be 75 feet;
- (b) for portions of #zoning lots# located in Subarea D3, the maximum permitted base height shall be 65 feet; and
- (c) for portions of #zoning lots# located in Subarea D4, the maximum permitted base height shall be 85 feet, and for portions of a #development# or #enlargement# containing #residences#, the maximum permitted base height shall be 65 feet.

---

## **142-50 - SPECIAL OFF-STREET PARKING AND LOADING REGULATIONS**

---

LAST AMENDED 8/8/2018

The underlying off-street parking and loading regulations are modified by the provisions of this Section, inclusive.

---

## **142-51 - Public Use of Accessory Parking**

---

LAST AMENDED  
12/5/2024

All required or permitted #accessory# off-street parking spaces may be made available for public use. However, any such space shall be made available to the occupant of a #residence# to which it is #accessory# within 30 days after written request for such space is made to the landlord.

---

## **142-52 - Accessory Parking on a Roof in Subarea A1**

---

LAST AMENDED  
12/5/2024

In Subarea A1, the underlying off-street parking regulations of Section [44-11](#) (General Provisions) are modified to permit #accessory# parking to be located on the roof of any #story# of a #building#.

---

## **142-60 - INWOOD WATERFRONT ACCESS PLAN**

---

LAST AMENDED 8/8/2018

The provisions of Article VI, Chapter 2 (Special Regulations Applying in the Waterfront Area), shall apply, except as

superseded, supplemented or modified by the provisions of this Section, inclusive.

Map 4 (Waterfront Access Plan: Parcel Designation), Map 5 (Waterfront Access Plan: Public Access Areas) and Map 6 (Waterfront Access Plan: Visual Corridors) in the Appendix to this Chapter show the boundaries of the area comprising the Inwood Waterfront Access Plan, boundaries of parcels within the Plan and the location of certain features mandated or permitted by the Plan.

The Plan has been divided into parcels consisting of tax blocks and lots and other lands as established on August 8, 2018, as follows:

Parcel 1:	block 2215, lots 877 and 885; and block 2197, lots 67, 71, 74 and 174
Parcel 2/3:	block 2197, lots 47 and 75
Parcel 4:	block 2197, portion of lot 1
Parcel 5:	block 2188, lot 1
Parcel 6:	block 2187, lots 1, 5, 7 and 20
Parcel 7:	block 2185, lots 25, 36 and 51
Parcel 8:	block 2185, lots 1 and 10
Parcel 9:	block 2184, lots 20 and 40

Within the #Special Inwood District#, the parcels of land designated in this Section need not be contiguous for the area to be considered to be a Waterfront Access Plan pursuant to Section 62-911.

For the purposes of this Section, inclusive, defined terms shall include those listed in Section [12-10](#) (DEFINITIONS) and Section [62-11](#) (Definitions).

---

## **142-61 - Lot area and waterfront public access area requirements**

---

LAST AMENDED 8/8/2018

For the purposes of determining requirements for #waterfront public access areas#, #lot area# shall not include any portion of a #zoning lot# that is seaward of the #shoreline#. For the purposes of determining the applicability of #waterfront public access area# requirements, pursuant to Section [62-52](#), all #zoning lots# with portions located within 40 feet of the #shoreline# shall be considered #waterfront zoning lots#.

On Parcel 1, as shown on Map 4 (Waterfront Access Plan: Parcel Designation) in the Appendix to this Chapter, for the purposes of calculating the total #waterfront public access area# requirements on a “granting lot,” as described in Section [142-23](#) (Floor Regulations in Subarea B2 and B3), #lot area# shall be the combined #lot area# of all “granting lots” and all “receiving lots.”

---

## **142-62 - Tip of Manhattan, Subdistrict B**

---

LAST AMENDED  
6/6/2024

In Tip of Manhattan Subdistrict B, for Parcels 1 and 2/3, as shown on Map 4 (Waterfront Access Plan: Parcel Designation) in the Appendix to this Chapter, the following regulations shall apply.

(a) Applicability of #waterfront public access area# requirements to Use Group IX(C)

In Subarea B1, as shown on Map 1, #developments# of #buildings# containing exclusively commercial or public utility vehicle storage, including #accessory# fuel pumps, as listed in Use Group IX(C), shall be exempted from #waterfront public access area# requirements.

(b) #Shore public walkways#

On Parcel 1, no #shore public walkway# shall be required.

(c) #Upland connections#

On Parcel 2/3, #upland connections# shall be provided along the shared boundary between Parcels 1 and 2/3, and within the area located between a line parallel to and 20 feet south of the prolongation of the centerline of West 218th Street and a line parallel to and 30 feet north of such centerline.

(d) #Supplemental public access areas#

- (1) on Parcel 1, #supplemental public access area# shall be bounded by Ninth Avenue to the west, the shared boundary of Parcels 1 and 2/3 to the south, and the stabilized shore to the east. Section [62-571](#) (Location and area requirements for supplemental public access areas) shall not apply to such #supplemental public access area#;
- (2) on Parcel 2/3, #supplemental public access area#, if required, shall be located at the intersection of the #upland connection# and the #shore public walkway#. Section [62-571](#) shall be modified to allow the longest side of such #supplemental public access area# to adjoin the #upland connection# provided that the maximum depth measured perpendicular to the #upland connection# does not exceed 1.5 times the width measured parallel to the #upland connection#.

(e) #Visual corridors#

#Visual corridors# shall be provided at three locations as shown on Map 6 (Waterfront Access Plan: Visual Corridors) in the Appendix to this Chapter:

- (1) within the prolongation of the #street lines# of West 220th Street;
- (2) within the prolongation of the #street lines# of Ninth Avenue;
- (3) within the area located between a line parallel to and 20 feet south of the prolongation of the centerline of West 218th Street and a line parallel to and 30 feet north of such centerline. In the event that such #visual corridor# #abuts# an open area with a minimum depth of 20 feet along the entire length of such #visual corridor#, and an easement for such open area has been recorded against the property, the minimum dimension of a #visual corridor# set forth in Section [62-512](#) (Dimensions of visual corridors) may be reduced to 30 feet.

---

## 142-63 - Sherman Creek Subdistrict A

---

LAST AMENDED 8/8/2018

In the Sherman Creek Subdistrict A, Parcels 5, 6, 7, 8 and 9, as shown on Map 4 (Waterfront Access Plan: Parcel Designation) in the Appendix to this Chapter, the following regulations shall apply.

(a) #Shore public walkways#

- (1) #Waterfront zoning lots# that have a #shoreline# measuring more than 100 feet shall provide a #shore public walkway# as required by Section [62-53](#) (Requirements for Shore Public Walkways).
- (2) #Zoning lots# within or partially within 40 feet of the #shoreline# that do not #abut# the #shoreline#, or that contain a #shoreline# measuring 100 feet or less shall provide either:
  - (i) a #shore public walkway#, located partly on the #zoning lot# and partly on an adjoining #waterfront zoning lot#; or
  - (ii) a #shore public walkway# on any portion of the #zoning lot# within 40 feet of the #shoreline#. Such #shore public walkway# shall have a minimum width of 14 feet, and its pedestrian circulation path shall connect to and provide access from adjoining public #streets#, parks or public places. Such #shore public walkway# shall extend beyond 40 feet of the #shoreline# as necessary to satisfy the minimum dimensional requirements, but the total area of the #shore public walkway# need not exceed an area equivalent to that portion of the #zoning lot# within 40 feet of the #shoreline#. The provisions of Section [62-62](#) (Design Requirements for Shore Public Walkways and Supplemental Public Access Areas) shall be modified to allow the circulation path to have a minimum width of 10 feet and to be located entirely beyond 10 feet from the #shoreline#. In addition, for Parcels 6, 7 or 8, the planting requirements set forth in paragraph (c)(1) of Section [62-62](#) need not apply.

Where the #zoning lot# does not include all of the adjacent #shoreline#, the design of the #shore public walkway# shall be compatible with the future improvement of public access areas on the land between the #zoning lot# and the #shoreline#.

- (3) The primary circulation path required pursuant to Section [62-62](#) shall be provided at a minimum elevation of 7.5 feet above the #shoreline#, except that such requirement need not include portions of a circulation path that slope downward to meet the elevation of an existing publicly accessible sidewalk.

(b) #Supplemental public access areas#

On Parcel 5, no #supplemental public access area# shall be required.

---

## 142-64 - Special Regulations on Parcel 5

---

LAST AMENDED 8/8/2018

- (a) Section [62-811](#) (Waterfront public access and visual corridors) shall not apply to Parcel 5, as shown on Map 4 (Waterfront Access Plan: Parcel Designation) in the Appendix to this Chapter. In lieu thereof, the following regulations shall apply:

### Required Certification

No excavation or building permit shall be issued for any #development# on Parcel 5 until the Chairperson of the City Planning Commission has certified to the Department of Buildings, that:

- (1) a site plan has been submitted showing compliance with the provisions of Sections [62-50](#) (GENERAL REQUIREMENTS FOR VISUAL CORRIDORS AND WATERFRONT PUBLIC ACCESS AREAS) and [62-60](#) (DESIGN REQUIREMENTS FOR WATERFRONT PUBLIC ACCESS AREAS) as modified by Section [142-60](#) (INWOOD WATERFRONT ACCESS PLAN);

- (2) the Chairperson has certified that an easement, the requirements for which shall be determined in consultation with the Department of Transportation, has been provided to enlarge the adjoining mapped #streets#, an instrument creating such easement has been recorded in the Office of the City Register, and a certified copy of such easement has been submitted to the Department of City Planning; and
- (3) an acceptable restrictive declaration is executed and filed pursuant to Section [62-74](#) (Requirements for Recordation).

(b) Buildout of Adjoining #Streets#

No certificate of occupancy for any #development# on Parcel 5 shall be issued until the Department of Buildings has been furnished with a certification by the Department of Transportation that adjoining mapped #streets# have been built out to Department of Transportation standards.

Within 45 days of receipt of a complete application, the Chairperson shall either certify that the proposed #development# complies with the requirements of this Section or disapprove such application, citing the nature of any failure to comply. Failure to certify or disapprove such application within the 45 day period will release the Department of Buildings or the Department of Small Business Services from any obligation to withhold the excavation or building permit and authorize such agency to determine compliance with the provisions of this Section.

## **APPENDIX - Special Inwood District Plan**

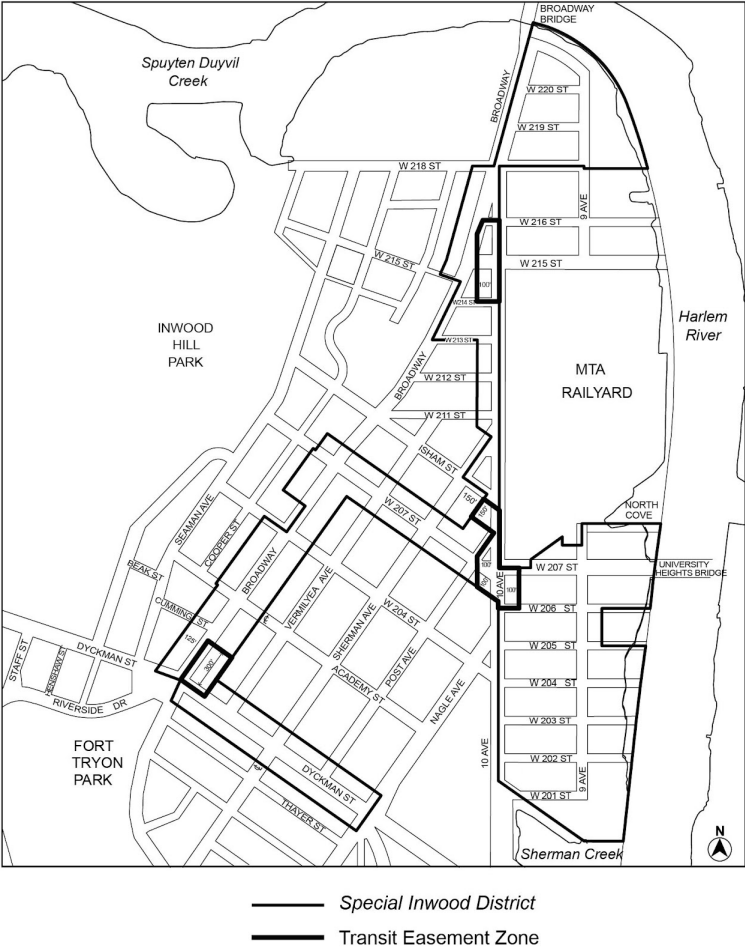
LAST AMENDED  
6/6/2024

Map 1. Special Inwood District – Subdistricts and Subareas

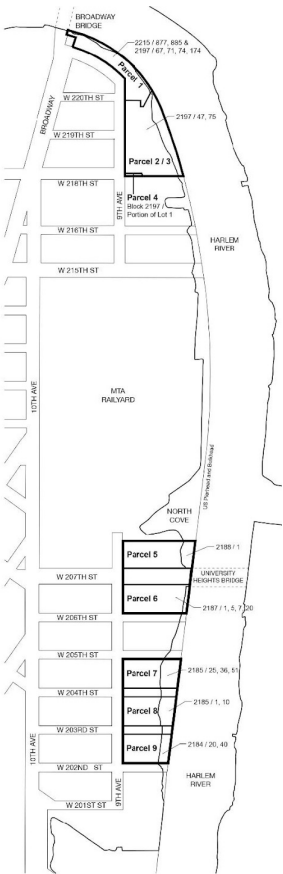


Map 2. Special Inwood District – Ground Floor Use and Curb Cut Regulations

Map 3. Special Inwood District – Transit Easement Zones



Map 4. Waterfront Access Plan: Parcel Designation



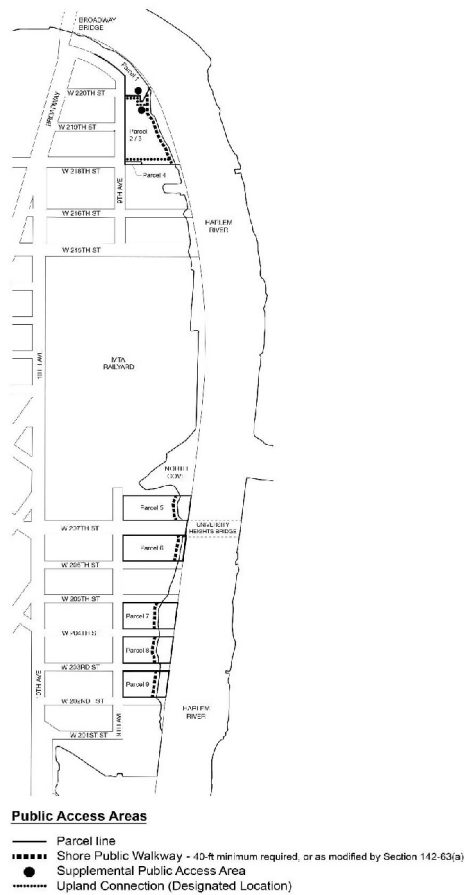
**Parcel Designation**

— WAP boundary

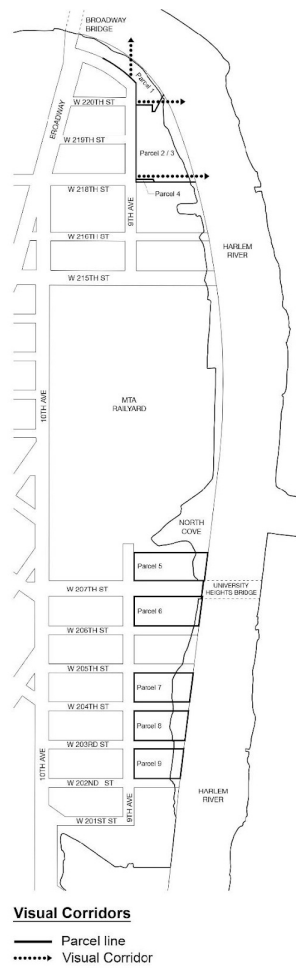
— Parcel line

2185 / 1, 10 Tax Block / Lot numbers

Map 5. Waterfront Access Plan: Public Access Areas



Map 6. Waterfront Access Plan: Visual Corridors







## Zoning Resolution

THE CITY OF NEW YORK

Eric Adams, Mayor

CITY PLANNING COMMISSION

Daniel R. Garodnick, Chair

# **Chapter 3 - Special SoHo-NoHo Mixed Use District (SNX)**

File generated by <https://zr.planning.nyc.gov> on 7/1/2025

## Chapter 3 - Special SoHo-NoHo Mixed Use District (SNX)

---

### 143-00 - GENERAL PURPOSES

---

LAST AMENDED  
12/15/2021

The “Special SoHo-NoHo Mixed Use District” established in this Resolution is designed to promote and protect public health, safety and general welfare. These general goals include, among others, the following specific purposes:

- (a) to enhance neighborhood economic diversity by broadening the range of housing choices for residents of varied incomes;
  - (b) to reinforce the longstanding mixed-use character of the area by allowing a wider range of residential, commercial and community facility uses while retaining significant concentration of commercial and manufacturing space;
  - (c) to ensure the development of buildings is compatible with existing neighborhood character;
  - (d) to sustain SoHo/NoHo’s cultural legacy and support New York City’s creative economy with provisions that support arts, cultural and creative uses, organizations and their broader public audience;
  - (e) to retain jobs within New York City; and
  - (f) to promote the most desirable use of land in accordance with a well-considered plan and thus conserve the value of land and buildings, and thereby protect City tax revenues.
- 

### 143-01 - General Provisions

---

LAST AMENDED  
12/15/2021

The provisions of this Chapter shall apply within the *Special SoHo-NoHo Mixed Use District*. The regulations of all other Chapters of this Resolution are applicable, except as superseded, supplemented or modified by the provisions of this Chapter. In the event of a conflict between the provisions of this Chapter and other regulations of this Resolution, the provisions of this Chapter shall control.

---

### 143-02 - Definitions

---

LAST AMENDED  
6/6/2024

Definitions specifically applicable to this Chapter are set forth in this Section. Other defined terms are set forth in Sections [12-10](#) (DEFINITIONS) and [32-301](#) (Definitions).

#### Qualifying building

For the purposes of this Chapter, a “qualifying building” shall be any #building# where, prior to December 15, 2021:

- (a) such #building# contained at least 60,000 square feet of #floor area#; and
- (b) at least 20 percent of the #floor area# within such #building# was allocated to non-#residential# #floor area#, as such term is utilized in Section [143-13](#).

## SoHo-NoHo Arts Fund

For the purposes of this Chapter, the “SoHo-NoHo Arts Fund” (the “Arts Fund”) shall be a separate interest-bearing account established for the deposit of contributions made when converting #joint living-work quarters for artists# to #residences# in accordance with the provisions of Section [143-12](#) (Joint Living-Work Quarters for Artists). Funds within the #SoHo-NoHo Arts Fund# shall be allocated by the New York City Department of Cultural Affairs, or a not-for-profit entity designated by the Department of Cultural Affairs, to support arts programming, projects, organizations, and facilities that promote the public presence of the arts within the Special District and surrounding neighborhoods and extend the cultural legacy of SoHo and NoHo generally. Such allocation should prioritize under-resourced organizations and under-served areas within Lower Manhattan neighborhoods south of 14th Street.

No later than June 30 of each year, the Department of Cultural Affairs shall submit a report to the Speaker detailing the amount of money deposited into the #SoHo-NoHo Arts Fund# and any expenditure of funds.

---

### 143-03 - District Plan and Map

---

LAST AMENDED  
12/15/2021

In order to carry out the purposes and provisions of this Chapter, a district map is located in the Appendix to this Chapter and is hereby incorporated and made an integral part of this Resolution. It is incorporated for the purpose of specifying locations where special regulations and requirements, as set forth in the text of this Chapter, apply:

#### Appendix A

##### Map 1. Ground Floor Use Requirements

Such map is hereby incorporated and made part of this Resolution for the purpose of specifying locations where the special regulations and requirements set forth in the text of this Chapter apply.

---

### 143-04 - Applicability of the Mandatory Inclusionary Housing Program

---

LAST AMENDED  
12/5/2024

For the purposes of applying the Mandatory Inclusionary Housing Program provisions set forth in Section [27-10](#) (ADMINISTRATION OF AFFORDABLE HOUSING), #Mandatory Inclusionary Housing areas# within the #Special SoHo-NoHo Mixed Use District# are shown on the maps in APPENDIX F of this Resolution. Such provisions are modified as follows:

- (a) #Conversions# from #joint living-work quarters for artists# to #residences#, as set forth in Section [143-12](#) (Joint Living-Work Quarters for Artists), shall not be subject to the provisions of paragraph (a)(1) of Section [27-131](#) (Mandatory Inclusionary Housing).
- (b) The provisions of paragraph (a)(4)(i) of Section [27-131](#) shall apply:
  - (1) in M1 Districts paired with R7D Districts, to #developments# or #enlargements# on #zoning lots# existing on December 15, 2021, on which the maximum permitted #residential floor area#, less #floor area# equivalent to a #floor area ratio# of 0.6, does not exceed 12,500 square feet; and
  - (2) in all other districts, to #developments# or #enlargements# on #zoning lots# existing on December 15, 2021, on

which the maximum permitted #residential floor area#, less the #lot area#, does not exceed 12,500 square feet.

- (c) For #conversions# in #buildings# existing prior to December 15, 2021, that are not otherwise subject to paragraph (a)(3) (v) of Section [27-131](#), the Board of Standards and Appeals may permit a contribution to the #affordable housing fund#, pursuant to the provisions of Section [73-624](#) (Modification of Affordable Housing Fund payment options in the SoHo NoHo Mixed Use District).

---

## 143-05 - Applicability of Article VI, Chapters 4 and 6

---

LAST AMENDED  
12/15/2021

In #flood zones#, or for #transit-adjacent sites# or #qualifying transit improvement sites#, as defined in Section [66-11](#) (Definitions), in the event of a conflict between the provisions of this Chapter and the provisions of Article VI, Chapter 4 (Special Regulations Applying in Flood Zones), or Article VI, Chapter 6 (Special Regulations Applying Around Mass Transit Stations), the provisions of Article VI shall control.

---

## 143-06 - Applicability of Article XII, Chapter 3

---

LAST AMENDED  
12/15/2021

In the #Special SoHo-NoHo Mixed Use District#, M1 Districts are paired with a #Residence District#. In paired districts, the special #use#, #bulk#, and parking and loading provisions of Article XII, Chapter 3 (Special Mixed Use District) shall apply, except where modified by the provisions of this Chapter.

Notwithstanding the provisions of Section [123-10](#) (GENERAL PROVISIONS), in the event of a conflict between the provisions of this Chapter and the provisions of Article XII, Chapter 3, the provisions of this Chapter shall control.

---

## 143-07 - Applicability of Article I, Chapter 5

---

LAST AMENDED  
12/5/2024

The provisions of Article I, Chapter 5 shall apply to the #conversion# of non-#residential floor area# to #residences# or #community facilities# with sleeping accommodations, except where such regulations are modified by the provisions of this Chapter. Where the regulations in effect prior to the establishment of this Chapter were utilized to provide #floor area# for #joint living-work quarters for artists# in a manner not otherwise permitted by Article I, Chapter 5, such provisions may continue to apply in order to #convert# such #floor area# to #residences#, provided that light and air provisions of Section [15-112](#) (Light and air provisions), and #conversion# provisions of Section [143-13](#) (Joint Living-Work Quarters for Artists) are met.

---

## 143-10 - SPECIAL USE REGULATIONS

---

LAST AMENDED  
12/15/2021

Within the #Special SoHo-NoHo Mixed Use District#, the #use# provisions of Article XII, Chapter 3 are modified by the provisions of this Section.

---

## 143-11 - Modifications for Certain Uses

---

LAST AMENDED

6/6/2024

Within the #Special SoHo-NoHo Mixed Use District#, the following #use# modifications shall apply:

- (a) the following #uses# listed under Use Group III shall not be permitted:
- colleges or universities, including professional schools but excluding business colleges or trade schools
- college or school student dormitories and fraternity or sorority student houses;
- (b) eating or drinking establishments listed under Use Group VI, shall be limited to 8,500 square feet of #floor area# per establishment; and
- (c) #uses# listed under Use Group VI with a size limitation, as denoted in the Use Group table with an “S”, are subject to the following modifications:
- (1) for establishments with a #primary entrance# along a #wide street#, 25,000 square feet of #floor area# per establishment; and
- (2) for all other establishments, 10,000 square feet of #floor area# per establishment.

However, the City Planning Commission may, by special permit, allow #uses# that exceed the size limitations of this paragraph, pursuant to Section [143-31](#) (Special Permit for Certain Retail Uses).

---

## 143-12 - Home Occupation

---

LAST AMENDED

6/6/2024

For the purposes of this Chapter, the #home occupation# provisions of Section [12-10](#) shall apply, except that a #home occupation# may occupy more than 1,000 square feet of #floor area# and up to three persons not residing in the #dwelling unit# or #rooming unit# may be employed. In addition to the #uses# listed in Section [12-10](#), a #home occupation# may include any permitted #commercial use#.

---

## 143-13 - Joint Living-Work Quarters for Artists

---

LAST AMENDED

6/6/2024

#Conversions# to #joint living-work quarters for artists# shall not be permitted after December 15, 2021, within the #Special SoHo-NoHo Mixed Use District#.

For #developments#, #enlargements# or #conversions#, for the purposes of applying Section [123-22](#) (Additional Conditions for Certain Uses), #joint living-work quarters for artists# shall not be considered an existing #manufacturing# or #commercial use#.

For #joint living-work quarters for artists# existing on December 15, 2021, any #conversion# to a #residence# shall only be permitted upon certification by the Chairperson of the City Planning Commission to the Commissioner of the Department of Building that instruments in a form acceptable to the City are executed and recorded and that, thereafter, a contribution has been deposited in the #SoHo-NoHo Arts Fund#. The execution and recording of such instruments and the payment of such

non-refundable contribution shall be a precondition to the filing for or issuing of any building permit allowing the #conversion# a #joint living-work quarters for artists# to a #residence#.

The contribution amount shall be \$100.00 per square foot of #floor area# to be #converted# from a #joint living-work quarters for artists# to a #residential use# as of December 15, 2021, and shall be adjusted by the Chairperson annually. Such adjustment shall occur on August 1 of each calendar year, based on the percentage change in the Consumer Price Index for all urban consumers as defined by the U.S. Bureau of Labor Statistics for the 12 months ended on June 30 of that year. The contribution amount shall be determined based upon the rate which is in effect at the time the contribution is received.

---

## 143-14 - Non-residential Retention for Qualifying Buildings

---

LAST AMENDED  
12/15/2021

For #developments#, #enlargements#, and #conversions# on #zoning lots# with #qualifying buildings# existing on December 15, 2021, #residential uses# shall only be permitted upon certification by the Chairperson of the City Planning Commission to the Commissioner of the Department of Buildings that the #zoning lot#, as it existed on December 15, 2021, will contain at least the amount of non-#residential# #floor area# that existed within such #qualifying buildings# on the #zoning lot# on December 15, 2021, or where the #qualifying building# will be #converted# to #residences# that are exclusively #income-restricted housing units#. For the purposes of this Section, non-#residential floor area# shall not include #residences#, including #dwelling units# that are registered Interim Multiple Dwellings or are covered by the New York City Loft Board pursuant to Article 7-C of the New York State Multiple Dwelling Law or that the Loft Board determines were occupied for #residential use# on September 1, 1980, #joint living-work quarters for artists#, #community facility uses# with sleeping accommodations or #transient hotels#, where permitted.

A restrictive declaration acceptable to the Department of City Planning shall be executed and recorded, binding the owners, successors and assigns to provide the amount of non-#residential floor area# that existed within #qualifying buildings# on December 15, 2021, on the #zoning lot#. Such restrictive declaration shall be recorded in the Office of the City Register.

---

## 143-15 - Streetscape Regulations

---

LAST AMENDED  
6/6/2024

The underlying #ground floor level# streetscape provisions set forth in Section [32-30](#) (STREETSCAPE REGULATIONS), inclusive, shall apply, except that #ground floor level# #street# frontages along #streets#, or portions thereof, designated on Map 1 in the Appendix of this Chapter shall be considered #Tier C street frontages#.

---

## 143-20 - SPECIAL BULK REGULATIONS

---

LAST AMENDED  
12/15/2021

Within the #Special SoHo-NoHo Mixed Use District#, the #bulk# provisions of Article XII, Chapter 3 are modified by the provisions of this Section.

---

## 143-21 - Special Floor Area Regulations

---

LAST AMENDED  
12/5/2024

The applicable #floor area# regulations shall be modified as follows:

- (a) the maximum #floor area ratio# for #qualifying affordable housing# or #qualifying senior housing# shall be as set forth in the table below:

District	Maximum #floor area ratio#	
M1-5/R7D	5.6	
M1-5/R7X	6.0	
M1-5/R9A	8.5	
M1-5/R9X, south of East Houston Street	9.7	
M1-5/R10 and M1-6/R10	12.0	

- (b) the #floor area ratio# for #community facility# #uses# shall be 6.5; and
- (c) in M1-6 Districts paired with an R10 District east of Broadway and north of Great Jones Street, the #floor area ratio# for all other non-#residential uses# shall be 7.0.

143-22 - Special Yard Regulations



LAST AMENDED  
12/5/2024

The applicable #rear yard# and #rear yard equivalent# regulations shall be modified as follows:

- (a) Permitted obstructions

In any #rear yard# or #rear yard equivalent#, any #building# or portion of a #building# used for #commercial#, #manufacturing#, or #residential uses#, other than dwelling units, shall be a permitted obstruction, provided that the height of such #building# shall not exceed one #story#, excluding #basement#, nor in any event 23 feet above #curb level#.

In addition, in M1-5 Districts paired with an R9X District north of Howard Street, in any #rear yard#, any #building# or portion of a #building# used for any permitted non-#residential use#, shall be a permitted obstruction, provided that the height of such #building#, or portion thereof, shall not exceed two #stories#, excluding #basements#, nor in any event 30 feet above #curb level#.

Any allowance for other permitted obstructions above a #building# in a #rear yard# or #rear yard equivalent# set forth in Section [43-23](#), shall be permitted above such modified height limitations.

- (b) Required #rear yards#

For all #uses#, a #rear yard# with a depth of not less than 20 feet shall be provided at every #rear lot line# on any #zoning lot#, except as follows:

- (1) no #rear yard# shall be required within 100 feet of the point of intersection of two #street lines# intersecting at

an angle of 135 degrees or less;

- (2) whenever a #front lot line# of a #zoning lot# coincides with the #short dimension# of a block#, no #rear yard# shall be required within 100 feet of such #front lot line#; and
- (3) for shallow interior lots, the provisions of paragraph (b) of Section [23-342](#) (Rear yard requirements) may be applied.

(c) Required #rear yard equivalents#

For #buildings#, or portions thereof, containing non-#residential uses#, no #rear yard equivalent# shall be required on any #through lot# or #through lot# portion of a #zoning lot#.

For #buildings#, or portions thereof, containing #residential uses#, on any #through lot# that is 110 feet or more in maximum depth from #street# to #street#, a #rear yard equivalent# consisting of an open area with a minimum depth of 40 feet midway, or within 10 feet of being midway, between the two #street lines# upon which such #through lot# fronts, shall be provided.

For shallow #interior lots#, the provisions of paragraph (b)(2) of Section [23-343](#) (Rear yard equivalent requirements) may be applied.

(d) Along district boundaries

The provisions of [43-30](#) (Special Provisions Applying Along District Boundaries), shall not apply along the district boundaries of two M1 Districts paired with #Residence Districts#.

---

## 143-23 - Special Height and Setback Regulations

---

LAST AMENDED  
12/5/2024

For the purposes of this Section, Watts Street, West Broadway, Centre Street, and Great Jones Street shall be considered #wide streets#.

The applicable height and setback regulations are modified as follows:

(a) #Street wall# location

The #street wall# location provisions of paragraph (a) of Section [35-631](#) shall apply except that, the #street wall# shall extend to at least the minimum base height as set forth in paragraph (b) of this Section, or the height of the #building#, whichever is less. On #through lots#, the additional regulations set forth in paragraph (b) of Section [23-436](#) shall not apply.

(b) Base heights and maximum #building# heights

The table below sets forth the minimum and maximum base height, and maximum #building# height for all #buildings#.

A setback is required for all portions of a #building# that exceed the maximum base height specified for the applicable district and shall be provided in accordance with paragraph (c) of this Section.

MINIMUM BASE HEIGHT, MAXIMUM BASE HEIGHT,  
AND MAXIMUM BUILDING HEIGHTS

District	Minimum base height (in feet)	Maximum base height (in feet)	Maximum #building# height (in feet)
M1-5/R7D	60	105	115
M1-5/R7X	60	105	145
M1-5/R9A	60	125	175
M1-5/R9X, north of East Houston Street	60	125	195
M1-5/R9X, south of East Houston Street	85	145	205
M1-5/R10 and M1-6/R10	125	155	275

(c) Setbacks

At a height not lower than the minimum base height or higher than the maximum base height specified for the applicable district in the table in paragraph (b) of this Section, a setback shall be provided in accordance with paragraphs (a) through (c) of Section [23-433](#) (Standard setback regulations).

(d) Dormers

For all #buildings or other structures#, a dormer shall be allowed as a permitted obstruction pursuant to paragraph (b) (1) of Section [23-413](#) (Permitted obstructions in certain districts).

---

## 143-24 - Additional Bulk Modifications

---

LAST AMENDED  
12/5/2024

For #buildings# containing #residences#, or portions thereof, the following additional #bulk# modifications shall apply.

(a) #Outer court# modifications

For #outer courts# containing #legally required windows#, if an #outer court# is less than 20 feet wide, the width of such #outer court# shall be at least equal to the depth of such #outer court#. If an #outer court# is 20 feet or more in width, it may extend to any depth.

(b) #Inner court# modifications

For #inner courts# containing #legally required windows#, the area shall not be less than 600 square feet, and the minimum dimension of such #inner court# shall not be less than 20 feet.

The minimum horizontal distance between a #legally required window# opening on an #inner court# and any wall opposite such window on the same #zoning lot# shall not be less than 20 feet.

---

## 143-30 - SPECIAL PERMITS

---

LAST AMENDED

12/15/2021

---

## 143-31 - Special Permit for Certain Retail Uses

---

LAST AMENDED

6/6/2024

Within the #Special SoHo-NoHo Mixed Use District#, the City Planning Commission may, by special permit, allow #uses# that exceed the size limitations of paragraph (c) of Section [143-11](#), provided that the conditions of paragraph (a) and the findings of paragraph (b) are met.

(a) Conditions

For #buildings# that do not contain #accessory# off-street loading berths, the application shall include a delivery plan for the retail #use#. Such loading plans shall be based upon a traffic and curbside management study prepared by a qualified professional, outlining and identifying the operational needs of the tenant as well as adjacent #uses#.

(b) Findings

The Commission shall find that:

- (1) in consultation with the Department of Transportation, where a loading plan is provided, such plan will incorporate sustainable best practices in loading, consolidating, timing of deliveries and other delivery methods and procedures;
- (2) such retail #use# will not create or contribute to serious safety concerns, unduly inhibit pedestrian, cyclist or vehicular movement adjacent to the site; and
- (3) such retail #use# will not impair the character or the future #use# or #development# of the surrounding mixed-use neighborhood.

The Commission may prescribe appropriate conditions and safeguards to minimize adverse effects on the character of the surrounding area.

## APPENDIX A - Special SoHo-NoHo Mixed Use District Plan

LAST AMENDED

6/6/2024

Map 1: Ground Floor Use Requirements (6/6/24)



## Zoning Resolution

THE CITY OF NEW YORK

Eric Adams, Mayor

CITY PLANNING COMMISSION

Daniel R. Garodnick, Chair

# **Chapter 4 - Special Brooklyn Navy Yard District (BNY)**

File generated by <https://zr.planning.nyc.gov> on 7/1/2025

## Chapter 4 - Special Brooklyn Navy Yard District (BNY)

---

### 144-00 - GENERAL PURPOSES

---

LAST AMENDED 12/15/2021

The “Special Brooklyn Navy Yard District” established in this Resolution is designed to promote and protect public health, safety and general welfare. These goals include, among others, the following specific purposes:

- (a) to encourage investment in the Brooklyn Navy Yard and facilitate the expansion of the Brooklyn Navy Yard as a modern manufacturing complex;
- (b) to promote job growth;
- (c) to allow for a mix of office, community facility, retail, and other commercial uses to complement the industrial and manufacturing facilities at the Brooklyn Navy Yard;
- (d) to use traffic management planning to meet loading and parking needs including through alternate means of travel;
- (e) to better integrate the Brooklyn Navy Yard with the urban fabric of surrounding residential and mixed-use communities and to introduce publicly accessible open space areas within the perimeter of the Yard; and
- (f) to promote the most desirable use of land in accordance with a well-considered plan and thus conserve the value of land and buildings, and thereby protect the City’s tax revenues.

---

### 144-01 - Definitions

---

LAST AMENDED 12/15/2021

Definitions specifically applicable to this Chapter are set forth in this Section and may modify definitions set forth in Section [12-10](#) (DEFINITIONS). Where a term in italics is defined in both Section [12-10](#) and in this Chapter, the definitions in this Chapter shall govern. The terms #pier#, #platform#, and #floating structure# shall have the meaning set forth in Section [62-11](#) (Definitions).

#### Barge Basin

“Barge Basin” shall mean that inlet from the East River identified on Map 2 in the Appendix to this Chapter as the Barge Basin.

#### Shoreline

The definition of #shoreline# set forth in Section [12-10](#) is modified for the purposes of this Chapter to mean the shoreline on a survey available on the Department of City Planning website.

---

### 144-02 - General Provisions

---

LAST AMENDED 12/15/2021

The provisions of this Chapter shall apply within the #Special Brooklyn Navy Yard District#. The regulations of all other

Chapters of this Resolution are applicable, except as superseded, supplemented, or modified by the provisions of this Chapter. In the event of a conflict between the provisions of this Chapter and other regulations of this Resolution, the provisions of this Chapter shall control. However, in #flood zones#, in the event of a conflict between the provisions of this Chapter and the provisions of Article VI, Chapter 4 (Special Regulations Applying in Flood Zones), the provisions of Article VI, Chapter 4 shall control.

---

## 144-03 - District Plan and Maps

---

LAST AMENDED 12/15/2021

The regulations of this Chapter are designed to implement the #Special Brooklyn Navy Yard District# Plan. The district plan includes the following maps in the Appendix to this Chapter:

- Map 1     Special Brooklyn Navy Yard District and Subdistricts
- Map 2     Barge Basin Subareas
- Map 3     Navy Street Central Subarea
- Map 4     Flushing Avenue Subareas and View Corridors
- Map 5     Street Line Locations in the Barge Basin Subdistrict
- Map 6     Primary Street Frontages

The maps are hereby incorporated and made part of this Resolution for the purpose of specifying locations where the special regulations and requirements set forth in the text of this Chapter apply.

---

## 144-04 - Subdistricts and Subareas

---

LAST AMENDED 12/15/2021

In order to carry out the purposes and provisions of this Chapter, four subdistricts are established within the #Special Brooklyn Navy Yard District# comprised of three perimeter subdistricts and one core subdistrict for the remainder of the Yard. In addition, one subarea is established within the Navy Street Subdistrict, two subareas are established within the Flushing Subdistrict and two subareas are established within the Barge Basin Subdistrict.

### Perimeter Subdistricts

#### Navy Street Subdistrict

##### Navy Street Central Subarea

#### Flushing Subdistrict

##### Flushing West Subarea

##### Flushing East Subarea

#### Barge Basin Subdistrict

##### Barge Basin East Subarea

## Barge Basin West Subarea

### Core Subdistrict

The boundaries of the Subdistricts are shown in Map 1 and the boundaries of the Subareas are shown on Maps 2 through 4 in the Appendix to this Chapter.

---

## 144-05 - Applicability of Special Regulations Applying in the Waterfront Area

---

LAST AMENDED 12/15/2021

The provisions of Article VI, Chapter 2 (Special Regulations Applying in the Waterfront Area) shall not apply in the #Special Brooklyn Navy Yard District# except as expressly provided in this Chapter.

---

## 144-06 - Single Zoning Lot

---

LAST AMENDED 12/15/2021

For all purposes of this Chapter, the #Special Brooklyn Navy Yard District# shall be deemed to be a single #zoning lot# except where expressly provided otherwise in this Chapter. #Floor area# attributable to the #zoning lot# may be located anywhere on the #zoning lot# without regard to Subdistrict boundary lines, and all #floor area# located within a Subdistrict shall be subject to the #use# and #bulk# requirements of such Subdistrict.

---

## 144-10 - SPECIAL USE REGULATIONS

---

LAST AMENDED  
12/15/2021

Within the #Special Brooklyn Navy Yard District#, the #use# provisions of Article IV, Chapter 2 are modified by the provisions of this Section, inclusive.

---

## 144-11 - Additional Uses Permitted in All Districts

---

LAST AMENDED  
6/6/2024

In all districts, the underlying #use# regulations are modified as follows:

The provisions of Section [62-21](#) (Classification of Uses in the Waterfront Area), Section [62-22](#) (Commercial Docking Facilities), Section [62-24](#) (Uses on Piers and Platforms), and Section [62-25](#) (Uses on Floating Structures) shall apply, provided that all #uses# existing on #piers# and #platforms# as of December 15, 2021, shall be deemed conforming #uses#.

---

## 144-12 - Additional Uses Permitted in M2-1 Districts

---

LAST AMENDED  
12/5/2024

The provisions of Section [42-10](#) (USE ALLOWANCES) shall be modified to permit the following uses in M2-1 Districts, subject to the requirements of Section [144-213](#) (Floor area limitations on additional uses):

- (a) all #uses# listed under Use Group III(B) shall be permitted; and
- (b) all #uses# listed under Use Group VI shall be permitted, and where such #uses# have a size limitation, as denoted with an “S” in the Use Group tables set forth in Section [42-16](#) (Use Group VI – Retail and Services), such size limitation shall not apply.

---

## 144-13 - Additional Uses in M3-1 Districts

---

LAST AMENDED  
12/15/2021

Within M3-1 Districts, the City Planning Commission may allow, by authorization, #schools#, colleges or universities, without sleeping accommodations, as listed in Use Group 3A, provided that the Commission finds that:

- (a) such #school#, college or university has an academic program compatible with a tenant or industrial operation in the #Special Brooklyn Navy Yard District#; and
- (b) the location of the #school#, college or university will not interfere with any #manufacturing use# or alter the essential industrial character of the #Special Brooklyn Navy Yard District#.

The Commission may impose appropriate conditions and safeguards to minimize adverse impacts effects on the character of the surrounding area.

---

## 144-14 - Special Sign Regulations

---

LAST AMENDED  
12/5/2024

In the #Special Brooklyn Navy Yard District#, the underlying #sign# regulations of Section [42-60](#) (SIGN REGULATIONS) shall apply, except as modified by the provisions of Section [144-141](#) (Illuminated non-flashing signage) through Section [144-143](#) (Special provisions near certain parks).

---

### 144-141 - Illuminated non-flashing signage

---

LAST AMENDED  
12/5/2024

The provisions of Section [42-633](#) (Illuminated or flashing signs) shall be modified to allow one #accessory# non-#flashing# #illuminated sign# to have a #surface area# of 750 square feet in each of the following Subareas: the Navy Street Central Subarea, the Flushing East Subarea, between Clinton Avenue and Washington Avenue, the Barge Basin East Subarea, and the Barge Basin West Subarea. All other #illuminated signs# shall comply with the requirements of Section [42-633](#).

---

### 144-142 - Special provisions along district boundaries

---

LAST AMENDED  
12/5/2024

The provisions of Section [42-66](#) (Special Provisions Applying Along District Boundaries) shall be modified as follows:

- (a) within the Flushing East Subarea, the provisions of Section [42-661](#) (Restrictions along the district boundary located in a

street) shall not apply to any #sign# provided in accordance with Section [144-141](#) (Illuminated non-flashing signage); and

- (b) within the Navy Street Central Subarea, the Flushing East Subarea, and the Barge Basin Subdistrict, the orientation provisions of Section [42-662](#) (Restriction on angle and height above curb level) shall not apply to #signs# provided in accordance with Section [144-141](#).

---

## 144-143 - Special provisions near certain parks

---

LAST AMENDED

12/5/2024

The provisions of Section [42-65](#) (Additional Regulations for Signs Near Certain Parks and Designated Arterial Highways) shall not apply to any #signs# provided in accordance with Section [144-141](#) (Illuminated non-flashing signage) within the Barge Basin East Subarea.

---

## 144-20 - SPECIAL BULK REGULATIONS

---

LAST AMENDED12/15/2021

Within the #Special Brooklyn Navy Yard District#, the #bulk# provisions of Article IV, Chapter 3 are modified by the provisions of this Section, inclusive.

---

## 144-21 - Floor Area Regulations

---

LAST AMENDED12/15/2021

The underlying #floor area# regulations of Section [43-10](#) (FLOOR AREA REGULATIONS), inclusive, are modified by the provisions of Sections [144-211](#) (Floor area ratio) through [144-213](#) (Floor area limitations on additional uses).

---

## 144-211 - Floor area ratio

---

LAST AMENDED12/15/2021

In all districts, the maximum #floor area ratio# for all #uses# shall be 2.0.

---

## 144-212 - Floor area ratio calculations

---

LAST AMENDED12/15/2021

For the purposes of calculating #floor area# on #waterfront zoning lots#, the provisions of Section [62-31](#) (Bulk Computations on Waterfront Zoning Lots) shall apply.

---

## 144-213 - Floor area limitations on additional uses

---

LAST AMENDED12/15/2021

The additional #uses# allowed pursuant to Section [144-11](#) (Additional Uses Allowed in M2 Districts) shall be limited to 300,000 square feet of #floor area# within each Subdistrict where such additional #uses# are allowed, and the total #floor area# allocated to such additional #commercial uses# shall not exceed 100,000 square feet in each Subdistrict where the additional #uses# are

allowed.

---

## 144-22 - Yard and Shoreline Setback

---

LAST AMENDED 12/15/2021

The underlying #yards# regulations of Section [43-20](#) (YARD REGULATIONS), inclusive, and Section [43-31](#) (Other Special Provisions for Rear Yards) shall not apply. In lieu thereof, the provisions of this Section shall apply.

In all districts, no #building# shall be located closer to the #shoreline# than 30 feet, except for #buildings# used for water dependent #uses#, as set forth in Section [62-21](#) (Classification of Uses in the Waterfront Area), or #buildings# containing not more than 5,000 square feet of #floor area#.

The #shoreline# setback requirement shall be reduced in dimension, or eliminated, where the Chair of the City Planning Commission certifies to the Commissioner of the Department of Buildings or the Commissioner of the Department of Small Business Services, as applicable, that either:

- (a) a #building# proposed to be located within such 30-foot setback area incorporates flood protection measures for the immediate area of the #building# that protect the #building# to a level that is 58 inches above the mean high water line existing on December 15, 2021; or
- (b) a district-wide resiliency plan for the #Special Brooklyn Navy Yard District# has been adopted and the measures to be incorporated in connection with the #development# or already in place are in furtherance of the district-wide plan.

Measures shall be deemed protective if they alone or together with other measures in place at the time of construction protect the #building# from flooding to the elevation set forth in paragraph (a) of this Section or if they would support protection of the entire #Special Brooklyn Navy Yard District# to such elevation without further improvement of the portion of area directly seaward of the proposed #building#.

The Chairperson shall certify the application within 45 days of receipt of a complete application. Failure to certify within the 45-day period will release the Department of Buildings or the Department of Small Business Services from any obligation to withhold the excavation or building permit and authorize such agency to determine compliance with the provisions of this Section.

---

## 144-23 - Height and Setback Regulations

---

LAST AMENDED 12/15/2021

The underlying height and setback regulations of Section [43-40](#) (HEIGHT AND SETBACK REGULATIONS) are modified by the provisions of this Section, inclusive.

---

### 144-231 - Flushing East Subarea

---

LAST AMENDED 12/15/2021

In the Flushing East Subarea, the following height and setback modifications shall apply:

- (a) Wide street designation

For purposes of applying the height and setback controls, Flushing Avenue shall be deemed a #wide street#.

(b) Street wall location

The #street wall# of any #development# or horizontal #enlargement# within the Flushing East Subarea shall be located at least 50 feet from the Flushing Avenue #street line#. The area between such #development# or horizontal #enlargement# and the adjoining #street# shall be improved as publicly accessible space in accordance with Section [144-30](#) (SPECIAL PUBLIC ACCESS AREA REGULATIONS).

(c) View corridors

View corridors with a minimum width of 50 feet shall be provided:

- (1) within the Vanderbilt Avenue view corridor; and
- (2) within one of the Clinton Avenue or Waverly Avenue view corridors.

The locations of such required view corridors are designated on Map 4 in the Appendix to this Chapter.

No #development# or #enlargement# may be located in the required view corridors, provided that gates and fencing, entry signage, sentry booths, and other entry and security measures may be located within such areas. Any gates or fencing shall be designed to allow for views into the #Special Brooklyn Navy Yard District#.

---

## 144-232 - Barge Basin Subdistrict

---

LAST AMENDED 12/15/2021

In the Barge Basin Subdistrict, as shown on Map 5 in the Appendix to this Chapter, the height and setback regulations set forth in Section [43-40](#) (HEIGHT AND SETBACK REGULATIONS), inclusive, shall apply, as modified by the provisions of this Section.

For purposes of applying the height and setback provisions of this Section, the #street walls# of #abutting# #buildings# shall be considered a single #building# #street wall#.

(a) Sidewalk widening

A sidewalk widening shall be provided along Kent Avenue to the extent necessary so that a minimum width of 15 feet is achieved, including portions within and beyond the #zoning lot#. Such sidewalk widening shall be:

- (1) improved as a sidewalk to Department of Transportation standards;
- (2) at the same level as the adjoining public sidewalk; and
- (3) accessible to the public at all times.

The interior boundary of the sidewalk widening shall be considered the #street line# for the purposes of this Section.

(b) Establishing #street lines# along #Barge Basin#

For the purposes of applying the height and setback regulations of this Section to portions of #buildings# fronting #Barge Basin# and prolongations thereof, the following shall be considered #street lines# along a #wide street#:

- (1) Along the long dimension of the #Barge Basin#

Along the long dimension of the #Barge Basin# a line offset 40 feet northeast from the northeastern boundary of the #Barge Basin# in the Barge Basin East Subarea, and a line offset 50 feet southwest from the southwestern

boundary of the #Barge Basin# in the Barge Basin West Subarea, shall be considered #street lines#.

The area between the #Barge Basin# and such #street lines# shall be improved as publicly accessible areas in accordance with the applicable provisions of Section [144-30](#) (SPECIAL PUBLIC ACCESS AREA REGULATIONS), inclusive.

(2) Along the short dimension of the #Barge Basin#

Along the short dimension of the #Barge Basin#, the southeasterly boundaries of the Barge Basin Subdistrict, including the boundary extending from the centerline prolongation of Taylor Street, and the boundary constructed from an offset of the southeastern terminus of the #Barge Basin#, shall be considered #street lines#.

Within the area between the #Barge Basin# and such #street lines# shall be an area adjacent to the short dimension of the #Barge Basin# that connects the Barge Basin East Subarea pedestrian esplanade and the Barge Basin West Subarea pedestrian esplanade that shall be:

- (i) improved as a sidewalk to Department of Transportation standards;
- (ii) at the same level as the adjoining public sidewalk; and
- (iii) accessible to the public at all times the public access areas are required to be open to the public, pursuant to Section [144-33](#) (Hours of Operation).

The locations of these #street lines#, are shown on Map 5 in the Appendix to this Chapter.

(c) #Street wall# location, and articulation

At least 70 percent of the #aggregate width of street walls# facing #Barge Basin# shall be located within eight feet of the #street line# and shall extend to at least a minimum base height of 30 feet, or two #stories#, whichever is lower. The remaining #aggregate width of street walls# may be recessed beyond eight feet of the #street line#, provided that any recesses deeper than 10 feet are located within an #outer court#.

Any open area between a #street wall# and the #street lines# along #Barge Basin# that is within eight feet of such #street line# shall be improved as publicly accessible areas in accordance with the applicable provisions of Section [144-30](#), inclusive. Open areas between the #street line# and #street walls# that are beyond eight feet of such #street line# may be publicly accessible areas, as needed, to achieve the minimum percentage of public access area required by each Subarea pursuant to Section [144-31](#) (Required Public Access Area).

For those portions of #buildings# facing #Barge Basin# with a #street wall# width exceeding 200 feet, a minimum of 20 percent of the surface area of such #street wall# up to the height of the second #story#, or 30 feet, whichever is lower, and a maximum of 50 percent of such surface area, shall either recess or project from the remaining surface area of the #street wall# by a minimum of three feet. #Building# projections shall be a permitted obstruction within any open area between the #street wall# and #street line#, including publicly accessible areas, provided that the minimum percentage of public access area required by each Subarea pursuant to Section [144-31](#) remains open to the sky. Additional permitted obstructions are allowed in accordance with paragraph (a) of Section [144-32](#) (Design Requirements).

(d) Base heights, required setbacks, and dormers

The front setback provisions applicable to an M1-5 District set forth in Section [43-43](#) (Maximum Height of Front Wall and Required Front Setbacks) shall apply, except as modified by the provisions of this Section. The alternate front setback regulations of Section [43-44](#) (Alternate Front Setbacks) shall not apply.

(1) #Initial setback distances#

The #initial setback distance# regulations shall be modified as follows:

- (i) along the #Barge Basin#, such #initial setback distance# shall have a depth of at least 30 feet from the #street line#;
- (ii) along all other #wide streets#, such #initial setback distance# shall have a depth of at least 15 feet from the #street line#; and
- (iii) such #initial setback distance# shall be provided at a height not lower than the minimum base height, where applicable, nor higher than a maximum base height of 85 feet, or six #stories#, whichever is lower.

(2) Dormers

Along the #Barge Basin# frontages, dormers shall be a permitted obstruction within an #initial setback distance#, provided that:

- (i) the depth of such dormers does not exceed 10 feet for #buildings# fronting along the northeastern boundary of the #Barge Basin# or 20 feet for #buildings# fronting along the southwestern boundary;
- (ii) the #street wall# width of such dormer does not exceed 30 percent of the #street wall# width of the #building# above the maximum base height; and
- (iii) the #street wall# width of such dormer along a single tower does not exceed 100 feet.

(e) Towers

The allowances for towers to penetrate a #sky exposure plane# applicable to an M1-5 District, as set forth in Section [43-45](#) (Tower Regulations), shall apply, except as modified by the provisions of this Section.

The tower allowances shall be modified as follows:

- (1) for the purposes of determining the #lot area# a tower may occupy, the Barge Basin East Subarea and the Barge Basin West Subarea shall each be considered an individual #zoning lot#;
- (2) the underlying setback provisions, including the aggregate area permitted within 40 feet of a #wide street#, shall not apply. In lieu thereof, the setbacks and dormer allowances set forth in paragraph (d) of this Section shall apply; and
- (3) the #street wall# width of a tower fronting #Barge Basin# shall not exceed 200 feet within 200 feet of the #street line# fronting #Barge Basin#.

---

## 144-24 - Special Permit for Modification of Bulk Regulations

---

LAST AMENDED 12/15/2021

Within the #Special Brooklyn Navy Yard District# the City Planning Commission may, by special permit, allow modifications to the #bulk# regulations of this Chapter and the underlying #bulk# regulations, except #floor area# regulations, provided the Commission finds that:

- (a) such modifications further the needs and objectives of the #Special Brooklyn Navy Yard District#;
- (b) such #bulk# modifications will result in a better site plan and will benefit the occupants and users of the #Special Brooklyn Navy Yard District# and the residents of the surrounding neighborhood;

- (c) such #bulk# modifications will permit adequate access to light and air to surrounding public access areas, #streets# and properties; and
- (d) such distribution of #bulk# will not unduly increase the #bulk# of #buildings# in the #Special Brooklyn Navy Yard District# to the detriment of the occupants or users of #buildings# in the #Special Brooklyn Navy Yard District# or on nearby #blocks#.

The Commission may impose appropriate conditions and safeguards to assure that such modifications will not adversely affect the surrounding area.

---

## **144-30 - SPECIAL PUBLIC ACCESS AREA REGULATIONS**

---

LAST AMENDED 12/15/2021

Within the #Special Brooklyn Navy Yard District#, public access areas shall be provided in connection with #developments# or #enlargements# located within the Subareas identified in this Section, inclusive, as applicable. For the purposes of determining the amount of public access area required in the Navy Street Central Subarea, the Barge Basin East Subarea, and the Barge Basin West Subarea, each such Subarea shall be deemed a single #zoning lot#.

---

## **144-31 - Required Public Access Areas**

---

LAST AMENDED 12/15/2021

Mandatory public access areas in connection with any #development# or #enlargement# shall be provided in accordance with the provisions of paragraphs (a) through (c) of this Section. The phasing of public access areas shall be permitted in accordance with paragraph (d). #Developments# or #enlargements# that are exempt from public access area requirements are set forth in paragraph (e).

(a) Navy Street Central Subarea

A public access area in an amount equal to at least 15 percent of the #lot area# of the Navy Street Central Subarea shall be provided within the boundaries of such Subarea. The required public access area shall have a minimum dimension, in all directions, of 50 feet for at least 80 percent of the public access area and shall have no dimension of less than 30 feet for the remainder of the required public access area.

(b) Flushing East Subarea

A public access area with a minimum depth of 50 feet, as measured perpendicular to the #street line# of Flushing Avenue, shall be provided within the boundaries of such Subarea along the entire length of the #street wall line# adjacent to the #development# or #enlargement#, and shall extend to the nearest view corridors depicted on Map 4 (Flushing Avenue Subareas and View Corridors) of this Chapter, and for #developments# or #enlargements# located east of the Waverly Avenue view corridor, to the boundary of the prolongation of Washington Avenue.

(c) Barge Basin East and West Subareas

A public access area in an amount of at least 30 percent of the #lot area# of Barge Basin East Subarea, and a public access area in an amount of at least 20 percent of the #lot area# of Barge Basin West Subarea shall be provided within such respective Subareas.

Such public access areas shall consist of:

- (1) in the Barge Basin East Subarea, a pedestrian esplanade with a seaward edge contiguous with the eastern edge of the #Barge Basin# and a minimum width of 40 feet, as measured perpendicular to such edge, and in the Barge Basin West Subarea, a pedestrian esplanade with a seaward edge contiguous with the western edge of the #Barge Basin# and a minimum width of 50 feet, as measured perpendicular to such edge;
- (2) in the Barge Basin East Subarea, a pedestrian connection with a minimum width of 30 feet located along the shared boundary between the Barge Basin East Subarea and the contiguous property to the northeast connecting the Kent Avenue and the eastern portion of the pedestrian esplanade required by this Section;
- (3) in the Barge Basin East Subarea, a pedestrian connection with a minimum width of 60 feet, located within 150 feet of the southern boundary of the Barge Basin East Subarea and connecting Kent Avenue and the pedestrian esplanade required by this Section;
- (4) in the Barge Basin West Subarea, an esplanade entry area at the southern end of the Barge Basin West Subarea, having a minimum width of 60 feet and a minimum length of 30 feet measured parallel to the western edge of the #Barge Basin#; and
- (5) any supplemental publicly accessible space contiguous to one or more of the elements set forth above as may be required to achieve the required percentage of publicly accessible area.

(d) Public Access Area Phasing

Where the Navy Street, Barge Basin East and Barge Basin West Subareas are #developed# with more than one #building# or #enlarged# in phases, or there is an increase in #building# #lot coverage#, the mandatory public access area may be constructed in phases, provided that, at the completion of each phase by certification of the Chairperson of the City Planning Commission, the following criteria are met:

- (1) the square footage of public access area being provided in any phase shall be in proportion to the total public access requirement based on the area of the Subarea being #developed# or #enlarged# as compared to the #lot coverage# of the Subarea. Any public access area provided in an earlier phase in excess of the amount required for such phase may be applied to a later phase;
- (2) the public access area being proposed in any phase shall not prevent the total amount of public access area required for a Subarea from being achieved;
- (3) any phased portion of the required public access area shall comply with the minimum widths and other dimensions required for the public access areas;
- (4) any phased portion of the required public access area shall connect directly to either a #street# or an improved public access area;
- (5) in the Barge Basin West Subarea:
  - (i) public access to be provided shall include the portion of the required public access area located between the #development# or #enlargement# and the #Barge Basin#; and
  - (ii) where any #development# or #enlargement# included in a phase is located within 100 feet of the southern boundary of the Subarea, the public access area shall also include the required public access area between the southern boundary and the #development# or #enlargement#; and
- (6) a proportionate amount of planting shall be included within each phase.

(e) Exceptions to Public Access Area Requirements for Minor Developments

The public access area requirements of paragraphs (a) through (d) of this Section shall not apply to any #development# or #enlargement# where:

- (1) the additional #floor area# created through such #development# or #enlargement# in the respective Subarea, as compared to the #floor area# existing on December 15, 2021, does not exceed:
  - (i) 10,000 square feet in either the Barge Basin East or the Navy Street Central Subareas; or
  - (ii) 20,000 square feet in either the Barge Basin West or Flushing East Subareas;
- (2) such #floor area# is allocated exclusively to #uses# in Use Group 11, 16, 17, or 18; and
- (3) such #floor area# is not located within the boundaries of designated public access areas required pursuant to this Section or, if located in the Navy Street Central Subarea, is not within 50 feet of a #street#.

---

## 144-32 - Design Requirements

---

LAST AMENDED 12/15/2021

The required public access areas in each Subarea shall comply with the following provisions:

- (a) The required public access area shall be open to the sky, provided that #building# awnings, entrance canopies, solar shading devices, and similar structures attached to an adjoining #building# and extending over the public access area shall be permitted;
- (b) The required public access area shall include planted areas in an amount not less than 20 percent of the area of the required open space;
- (c) At least one linear foot of seating shall be provided for each 200 square feet of required public access areas, except that for the pedestrian connection required pursuant to paragraph (c)(2) of Section [144-31](#), at least 12 linear feet of seating for every 100 feet of pedestrian connection shall be provided; and
- (d) Public access area signage complying with the requirements of Section [37-751](#) (Public space signage systems) shall be located at all entry points to the public access areas.
- (e) In the Barge Basin Subdistrict:
  - (1) the pedestrian esplanade around the #Barge Basin# and the pedestrian connections from Kent Avenue to the eastern pedestrian esplanade shall include a primary circulation path along the length of such elements with a minimum clear width of 10 feet; and
  - (2) at least three different types of seating shall be provided, which may include moveable seating, fixed individual seats, fixed benches with and without backs, and design-feature seating such as seat walls, planter ledges, or seating steps.

Additional amenities including pathways, seating steps, entrances to adjoining #buildings#, artwork, maritime or industrial elements, tables, seating above the required minimum, lighting fixtures, litter receptacles, kiosks, children play areas, railings, drinking fountains, water features, planting and trees may be included in the public access areas and shall be permitted obstructions.

---

## 144-33 - Hours of Operation

---

LAST AMENDED 12/15/2021

All public access areas shall be open to the public from 6:00 a.m. to 10:00 p.m. from April 15th to October 31st and from 7:00 a.m. to 8:00 p.m. from November 1st to April 14th, except when required to be closed for repairs.

---

## **144-34 - Maintenance**

---

LAST AMENDED 12/15/2021

The owner of each applicable portion of a Subarea, or a ground tenant if the applicable portion is subject to a ground lease, shall be responsible for the maintenance and operation of the required public access area. Maintenance shall include, but not be limited to, necessary repairs, litter control and the care and replacement of vegetation. The owner or ground tenant of a public access area may temporarily close the smallest portion reasonably necessary for the shortest period of time reasonably necessary to make repairs or to mitigate hazardous or emergency conditions, or in connection with construction on adjacent areas.

---

## **144-35 - Chairperson Certification of Waterfront Compliance and Phasing**

---

LAST AMENDED 12/15/2021

No excavation or building permit shall be issued for any #development# or #enlargement# requiring the provision of a public access area in the Navy Street Central Subarea, the Barge Basin East Subarea, or the Barge Basin West Subarea until the Chairperson of the City Planning Commission certifies to the Department of Buildings or Department of Small Business Services, as applicable, that a complete application has been submitted showing compliance with the applicable provisions of Section [144-30](#), inclusive.

Within 45 days of submission of such complete application, the Chairperson shall either certify that the proposed public access area complies with the requirements of this Section or disapprove such complete application in writing, citing the nature of any failure to comply. Failure to certify or disapprove such complete application within the 45-day period will release the Department of Buildings or the Department of Small Business Services from any obligation to withhold the excavation or building permit and authorize such agency to determine compliance with the provisions of this Section.

---

## **144-36 - Certificates of Occupancy for Developments or Enlargements in Public Access Areas**

---

LAST AMENDED

6/6/2024

No temporary certificate of occupancy shall be issued by the Department of Buildings or Department of Small Business Services for #floor area# in a #development# or #enlargement# resulting in a public access area requirement under Section [144-31](#) (Required Public Access Areas) without the substantial completion of the public access area required for such #development# or #enlargement#, and no final certificate of occupancy shall be issued prior to the final completion of the required public access area.

Notwithstanding the provisions above, the Department of Buildings or the Department of Small Business Services, as applicable, may issue a temporary certificate of occupancy allowing for #floor area# allocated to #uses# listed under Use Group IV(B), IX or X without the substantial completion of the required public access area, in which case the public access area shall be completed within one year of the issuance of the first such certificate of occupancy. Following such one-year period, no additional #floor area# within the #development# or #enlargement# shall receive a certificate of occupancy until the substantial completion of the required public access area.

---

## 144-40 - MANDATORY DISTRICT PLAN ELEMENTS

---

LAST AMENDED 12/15/2021

Within the #Special Brooklyn Navy Yard District#, mandatory district plan elements shall be provided in connection with #developments# or #enlargements# in the Navy Street Central Subarea, the Flushing East Subarea, and the Barge Basin Subdistrict.

---

## 144-41 - Ground Floor Streetscape Provisions

---

LAST AMENDED

6/6/2024

The provisions of this Section shall apply to #developments# and #ground floor level# #enlargements#.

For the purposes of applying to this Chapter the special #ground floor level# streetscape provisions set forth in Section [37-30](#) (SPECIAL GROUND FLOOR LEVEL STREETSCAPE PROVISIONS FOR CERTAIN AREAS), inclusive, a #ground floor level# #street# frontage designated on Map 6 in the Appendix to this Chapter shall be considered a #primary frontage#, and any #ground floor level# frontage within 50 feet of a #primary frontage# shall be considered a #secondary frontage#. #Primary frontages# shall also include Priority Zones, which are also designated on Map 6.

Any #primary# or #secondary frontages# shall be considered #streets# for the purposes of applying the provisions of this Section. For the purposes of this Section, defined terms shall include those in Sections [12-10](#) and 37-311.

(a) Along #primary frontages#

(1) Minimum frontage width

For portions of #buildings# fronting a #primary frontage#, at least 50 percent of the #street wall# width of the #ground floor level# of such #primary frontage# shall be occupied by #floor area#.

In addition, for portions of #buildings# fronting a Priority Zone of a #primary frontage#, at least 50 percent of the #street wall# width of the #ground floor level# of such Priority Zone shall be occupied by #floor area#. #Floor area# provided within a Priority Zone may be counted towards the #floor area# requirement along the #primary frontage#.

(2) Minimum depth

The #floor area# provided to meet the requirements of paragraph (a)(1) of this Section shall extend to the minimum depth set forth in Section [37-32](#) (Ground Floor Depth Requirements for Certain Uses) within the Priority Zone, and outside of a Priority Zone shall extend to a minimum depth of 15 feet.

(3) Transparency requirement

The portion of the #ground floor level# #street wall# along a #primary street frontage# allocated to such minimum #floor area# requirements of paragraph (a)(1) of this Section shall be glazed in accordance with the provisions set forth in Section [37-34](#) (Minimum Transparency Requirements). However, where such minimum #floor area# is attributed to #uses# listed under Use Groups IV(B), IX or X, the minimum percentage to fulfill the minimum transparency requirement shall be reduced to 25 percent and the maximum width of a portion of the #ground floor level# #street wall# without transparency may exceed 10 feet provided that any portion of the #ground floor

level# #street wall# without transparency shall be subject to the provisions for Type 1 blank walls.

(b) Blank wall provisions along #primary# and #secondary frontages#

Along both #primary# and #secondary frontages#, any #street wall# width of 50 feet or more with no transparent elements on the #ground floor level# shall provide visual mitigation elements in accordance with the provisions for Type 1 blank walls set forth in Section [37-361](#) (Blank wall thresholds).

---

## **144-50 - SPECIAL PARKING AND LOADING REGULATIONS**

---

LAST AMENDED12/15/2021

Within the #Special Brooklyn Navy Yard District#, the #accessory# off-street parking and loading regulations of Article IV, Chapter 4 shall not apply, except as specifically set for the in this Section.

---

### **144-51 - Permitted Accessory Parking**

---

LAST AMENDED12/15/2021

In all districts, #accessory# off-street parking spaces shall be permitted in #group parking facilities# without a limitation in the overall number of spaces.

---

### **144-52 - Required Accessory Off-street Parking**

---

LAST AMENDED12/15/2021

In all districts, the requirements of Section [44-21](#) (General Provisions) shall apply, except that, in the event that a Transportation Management Plan has been prepared in accordance with Section [144-56](#) (Transportation Management Planning), no parking shall be required.

---

### **144-53 - Loading Berths**

---

LAST AMENDED12/15/2021

In all districts, loading berths are not required, but are permitted. Any loading berths provided shall be deemed required loading berths for purposes of determining the amount of #floor area# in any #building#.

---

### **144-54 - Curb Cuts**

---

LAST AMENDED12/15/2021

Access to any #accessory# off-street loading berth and off-street parking areas for a #development# or #enlargement# within the Navy Street Central Subarea, the Flushing East Subarea, and the Barge Basin East Subarea shall be limited to one curb cut from the adjoining #street#.

An additional curb cut may be added in the Barge Basin East Subarea upon certification by the Chairperson of the City Planning Commission to the Commissioner of Buildings or the Department of Small Business Services, as applicable, that an additional curb cut has been approved by the Commissioner of the Department of Transportation.

In addition, where the Chairperson of the City Planning Commission certifies such additional curb cut, the Chairperson may certify a reduction in the #ground floor level# streetscape provisions of paragraph (a) of Section [144-41](#) (Ground Floor Streetscape Provisions), to the minimum extent necessary, where the applicant demonstrates that the reduction is necessary to accommodate the proposed loading configuration on the ground floor. For such portions of the #ground floor level#, the provisions of paragraph (b) of Section [144-41](#) shall continue to apply.

The Chairperson shall issue the certification within 45 days of receipt of a communication from the Department of Transportation approving an additional curb cut or receipt of application materials demonstrating the proposed loading configuration, as applicable. Failure to certify within the 45-day period will release the Department of Buildings or the Department of Small Business Services from any obligation to withhold the excavation or building permit and authorize such agency to determine compliance with the provisions of this Section.

---

## **144-55 - Bicycle Parking**

---

LAST AMENDED 12/15/2021

The requirements of Section [44-60](#) (BICYCLE PARKING) shall apply, provided that up to half of the required spaces may be provided as unenclosed bicycle parking spaces, and may be located anywhere on the #zoning lot#.

---

## **144-56 - Transportation Management Planning**

---

LAST AMENDED 12/15/2021

In lieu of the requirements of Section [44-21](#) (General Provisions), a Transportation Management Plan may be prepared for the #Special Brooklyn Navy Yard District# that documents:

- (a) existing parking within the Special District;
- (b) parking and bicycle parking utilization rates;
- (c) transportation mode choice;
- (d) plans, if any, for additional parking within the Special District;
- (e) public transportation options in and around the Special District;
- (f) indoor and outdoor bicycle parking facilities, including any covered outdoor bicycle spaces; and
- (g) measures being employed and planned to incentivize alternate means of transportation.

Any Transportation Management Plan shall be filed with the Department of City Planning and made available to the public via a website. The Transportation Management Plan shall be updated not less than every three years with surveys or other data collection undertaken not less than annually to document changes in parking facilities and utilization; the average number of employees and visitors arriving at the #Special Brooklyn Navy Yard District# and their modes of arrival; bike parking availability and utilization of both open and enclosed facilities; transit options, and new technologies and strategies for managing the number of private vehicles accessing the Special District. Such updates shall be submitted to the Department of City Planning and made available to the public via a website and the submission to the Department of City Planning shall be accompanied by an affidavit from the owner or ground tenant stating that the Transportation Management Plan remains in effect or, if it is no longer in effect, the date on which the Transportation Management Plan terminated.

Any #development# or #enlargement# occurring after the date a Transportation Management Plan has terminated will be

subject to the requirements of Section [44-21](#).

---

## 144-57 - Reporting Requirements

---

LAST AMENDED

6/6/2024

No later than April 1 of every other calendar year, beginning April 1, 2023, the Brooklyn Navy Yard Development Corporation shall submit to the Chairperson of the City Planning Commission and to the Speaker of the City Council a report on the #development# and #enlargement# of #buildings#, and the types of #uses# contained within the #Special Brooklyn Navy Yard District#. Such report shall include, but shall not be limited to:

- (a) the name of each business establishment existing in the #Special Brooklyn Navy Yard District#. For each business establishment, the address or #building# number and floor, type of business, size, and lease duration;
- (b) new leases executed during the reporting period, categorized by tenant name, type of business, size, and lease duration;
- (c) the amount of #floor area# in #developments# and #enlargements# created after December 15, 2021, in each of the following Use Groups, subgroups and specific #use# as listed in this Resolution:
  - (1) #uses# listed under Use Group III;
  - (2) retail #uses# listed under Use Group VI;
  - (3) #uses# listed under Use Group VII;
  - (4) art, music, dancing or theatrical studios listed under Use Group VIII;
  - (5) production or entertainment studios listed under Use Group VIII;
  - (6) #uses# listed under Use Group IX(A);
  - (7) #uses# listed under Use Group X; and
  - (8) any other #uses#; and
- (d) the number of #buildings# #developed# or #enlarged# during the reporting period and the amount of #floor area# and #uses# contained within such #development# or #enlargement#.

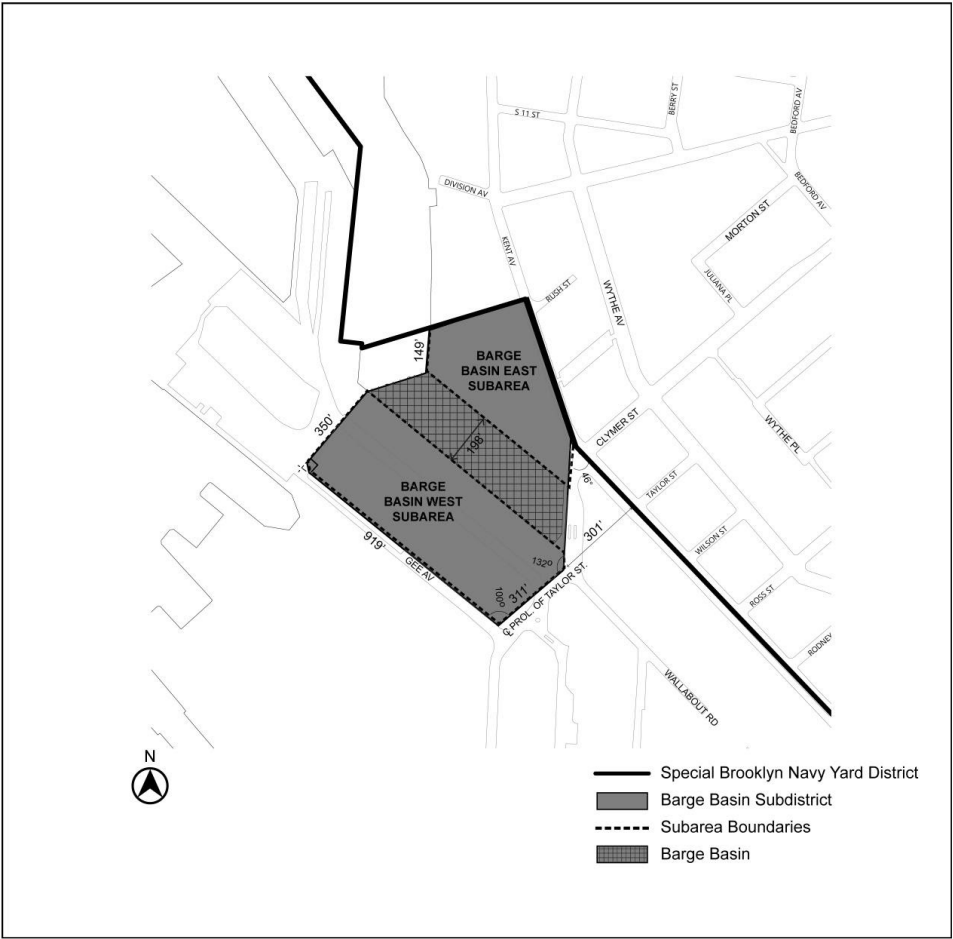
## APPENDIX A - Special Brooklyn Navy Yard District Plan

LAST AMENDED12/15/2021

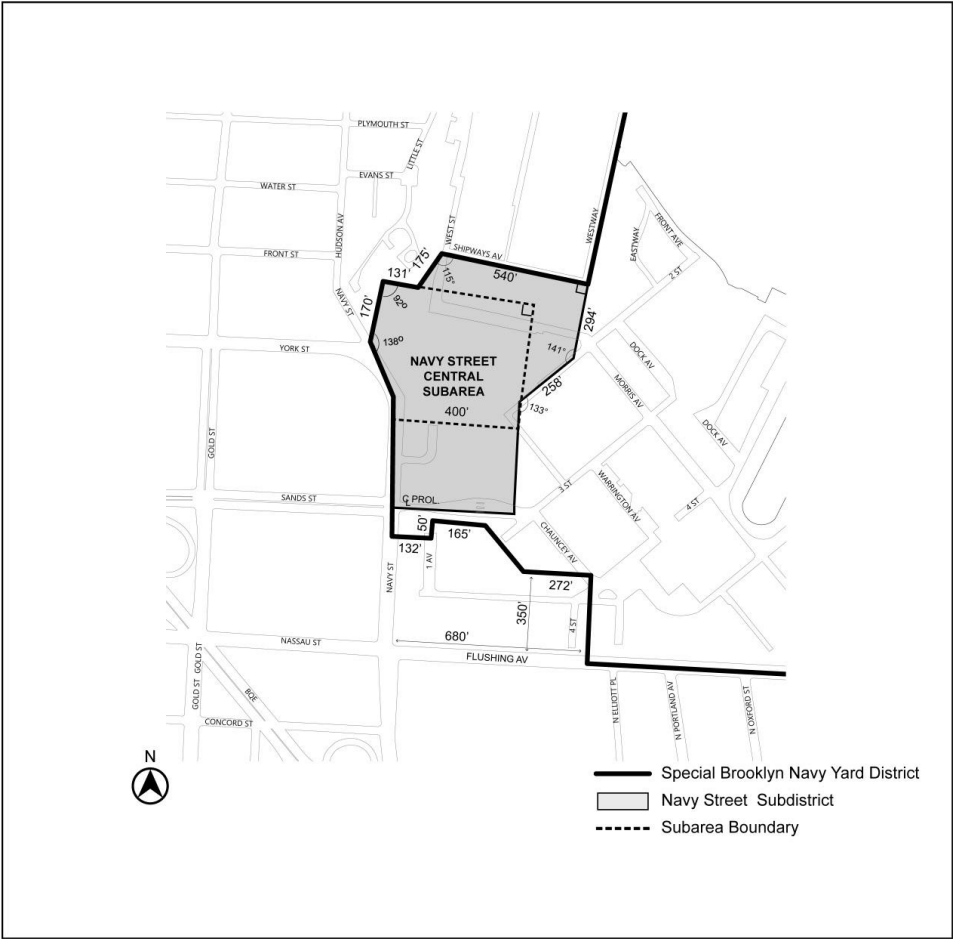
Map 1 — Special Brooklyn Navy Yard District and Subdistricts



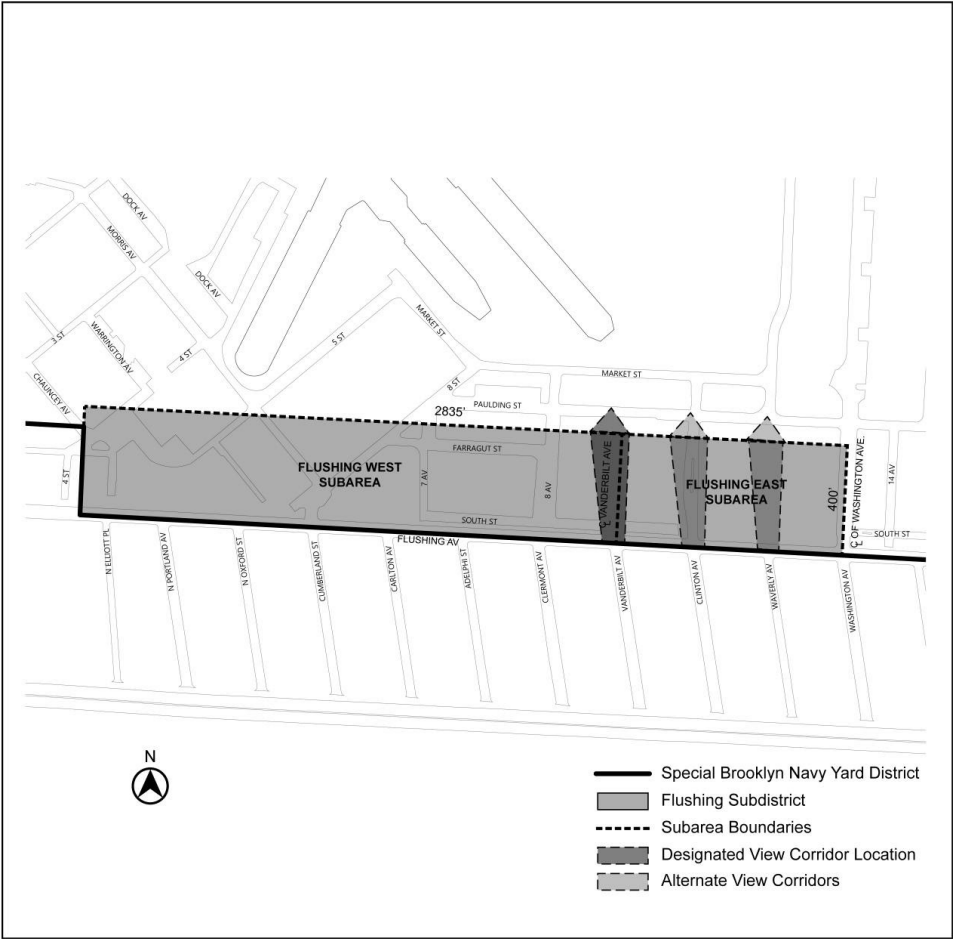
Map 2 — Barge Basin Subareas



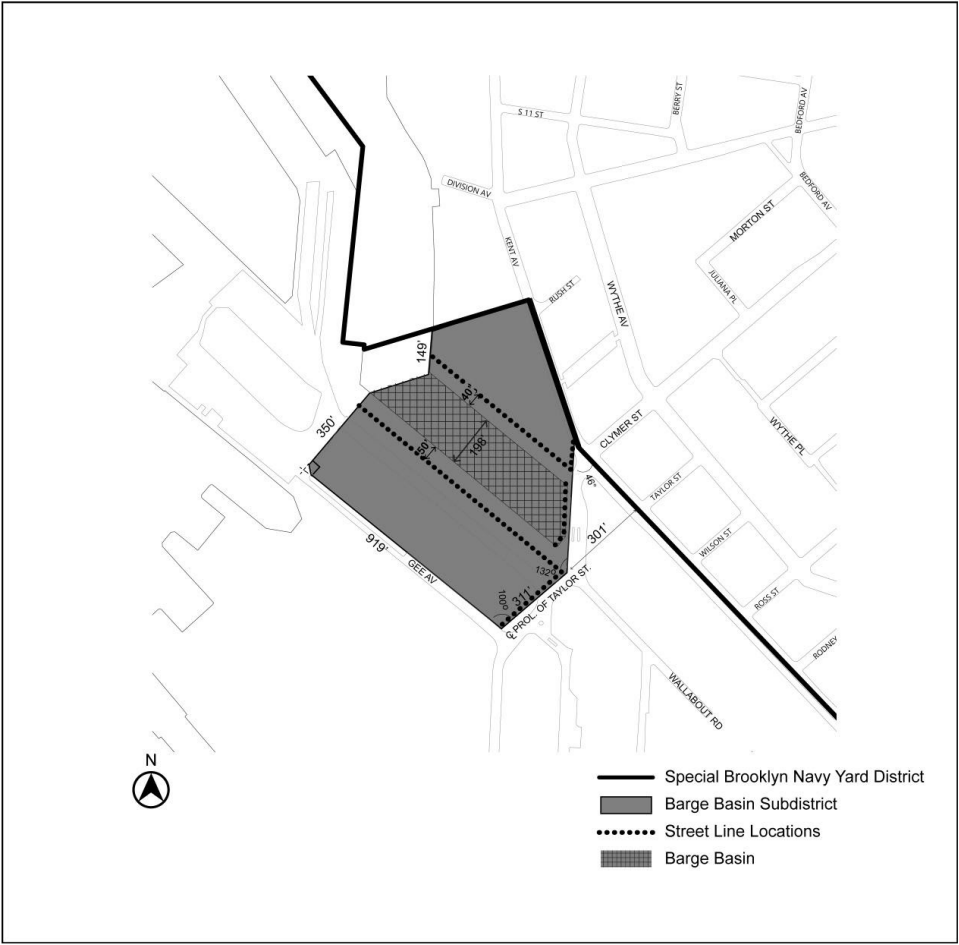
Map 3 — Navy Street Central Subarea



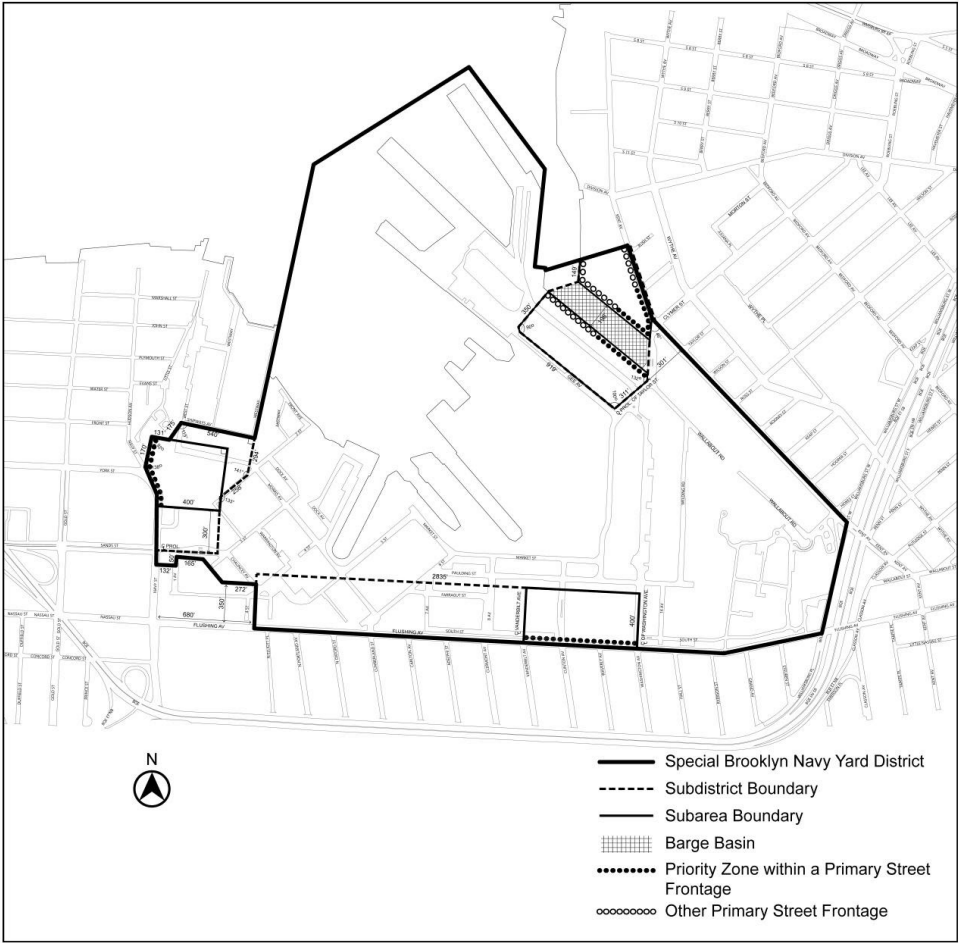
Map 4 — Flushing Avenue Subareas and View Corridors



Map 5 — Street Line Locations in the Barge Basin Subdistrict



Map 6 — Primary Street Frontages







## Zoning Resolution

THE CITY OF NEW YORK

Eric Adams, Mayor

CITY PLANNING COMMISSION

Daniel R. Garodnick, Chair

# **Chapter 5 - Special Eastchester – East Tremont Corridor District (ETC)**

File generated by <https://zr.planning.nyc.gov> on 7/1/2025

# Chapter 5 - Special Eastchester – East Tremont Corridor District (ETC)

---

## 145-00 - GENERAL PURPOSES

---

LAST AMENDED

8/15/2024

The “Special Eastchester – East Tremont Corridor District” established in this Resolution is designed to promote and protect public health, safety and general welfare. These general goals include, among others, the following specific purposes:

- (a) to encourage the development of a mixed-use neighborhood around planned mass transit stations in Parkchester, Van Nest, and Morris Park;
- (b) to enhance neighborhood economic diversity by broadening the range of housing choices for residents at varied incomes;
- (c) to support a variety of community facility and commercial uses and provide opportunities for the expansion of large academic, scientific and medical facilities in a manner that benefits the surrounding community;
- (d) to establish walkable retail corridors in the neighborhood;
- (e) to create a lively and attractive built environment that will provide daily amenities and services for the use and enjoyment of area residents, workers, and visitors;
- (f) to coordinate development with planned mass transit stations and facilitate improved pedestrian access to such facilities; and
- (g) to promote the most desirable use of land in the area and thus preserve, protect and enhance the value of land and buildings and thereby protect City tax revenues.

---

## 145-01 - General Provisions

---

LAST AMENDED

8/15/2024

The provisions of this Chapter shall apply within the #Special Eastchester – East Tremont Corridor District#. The regulations of all other Chapters of this Resolution are applicable, except as superseded, supplemented or modified by the provisions of this Chapter. In the event of a conflict between the provisions of this Chapter and other regulations of this Resolution, the provisions of this Chapter shall control.

---

## 145-02 - District Plan and Maps

---

LAST AMENDED

8/15/2024

The regulations of this Chapter are designed to implement the #Special Eastchester – East Tremont Corridor District# Plan. The district plan includes the following maps in the Appendix to this Chapter:

Map 1. Special Eastchester – East Tremont Corridor District, Subdistricts and Subareas

Map 2. Designated Street Frontages for Ground Floor Level and Street Wall Continuity Requirements

Map 3. Subdistrict A Site Plan

Map 4. Subdistrict B, Subarea B1, Morris Park Avenue Site Plan

---

## **145-03 - Subdistricts**

---

LAST AMENDED  
8/15/2024

In order to carry out the provisions of this Chapter, two subdistricts, Subdistrict A and Subdistrict B, are established. In Subdistrict B, Subarea B1 is established. The location and boundaries of these subdistricts and subarea are shown on Map 1 (Special Eastchester – East Tremont Corridor District, Subdistricts and Subareas) in the Appendix to this Chapter.

---

## **145-04 - Definitions**

---

LAST AMENDED  
8/15/2024

For the purposes of this Chapter, matter in *italics* is defined in Sections [12-10](#) (DEFINITIONS), [32-301](#) (Definitions), [66-11](#) (Definitions) and in this Section, except where explicitly stated otherwise in individual provisions in this Chapter.

Qualifying public realm improvement sites

For the purposes of this Chapter, “qualifying public realm improvement sites” shall refer to #zoning lots# in Subarea B1, as shown in Map 1 (Special Eastchester – East Tremont Corridor District, Subdistricts and Subareas) in the Appendix, that have a #lot area# of 20,000 square feet or more.

---

## **145-05 - Applicability**

---

LAST AMENDED  
8/15/2024

---

### **145-051 - Applicability of the Mandatory Inclusionary Housing Program**

---

LAST AMENDED  
12/5/2024

For the purposes of applying the Mandatory Inclusionary Housing Program provisions set forth in Section [27-10](#) (ADMINISTRATION OF AFFORDABLE HOUSING), #Mandatory Inclusionary Housing areas# within the #Special Eastchester – East Tremont Corridor District# are shown in APPENDIX F of this Resolution.

---

### **145-052 - Applicability of Article VI, Chapter 4**

---

LAST AMENDED  
12/5/2024

The provisions of Article VI, Chapter 4 (Special Regulations Applying in Flood Zones) shall apply. In the event of a conflict between the provisions of this Chapter and Article VI, Chapter 4, the provisions of Article VI, Chapter 4 shall control.

---

## 145-053 - Applicability of Article XII, Chapter 3

---

LAST AMENDED  
12/5/2024

In M1 Districts paired with a #Residence District#, the special #use#, #bulk# and parking and loading provisions of Article XII, Chapter 3 (Special Mixed Use District) shall apply, except where modified by the provisions of this Chapter.

---

## 145-10 - SPECIAL USE REGULATIONS

---

LAST AMENDED  
8/15/2024

The #use# regulations of the underlying districts, or Article XII, Chapter 3 (Special Mixed Use District), shall apply, except as modified by the provisions of this Section, inclusive.

---

## 145-11 - Streetscape Regulations

---

LAST AMENDED  
8/15/2024

The underlying #ground floor level# streetscape provisions set forth in Section [32-30](#) (STREETSCAPE REGULATIONS), inclusive, shall apply, except that:

- (a) #ground floor level# #street# frontages along #streets#, or portions thereof, designated on Map 2 (Designated Street Frontages for Ground Floor Level and Street Wall Continuity Requirements) in the Appendix to this Chapter shall be considered #Tier C street frontages#; and
  - (b) remaining applicable frontages shall be considered #Tier B street frontages#.
- 

## 145-20 - SPECIAL BULK REGULATIONS

---

LAST AMENDED  
8/15/2024

The #bulk# regulations of the underlying districts shall apply except as modified by the provisions of this Section, inclusive. For the purposes of applying the provisions of this Section, inclusive, the #bulk# regulations for #residential# portions of #buildings# in #Commercial Districts# are modified as follows:

- (a) In C4-3 Districts, the applicable residential equivalent shall be an R6-1 District, as modified by the provisions of this Section, inclusive, shall apply; and
  - (b) In C4-4 Districts within Subdistrict B, the applicable residential equivalent shall be an R7-3 District, without a letter suffix, shall apply.
- 

## 145-21 - Floor Area Regulations

---

LAST AMENDED  
8/15/2024

The #floor area# regulations of the underlying districts shall apply, except as modified by the provisions of this Section.

inclusive.

---

## 145-211 - Basic floor area regulations

---

LAST AMENDED  
12/5/2024

(a) #Commercial # #floor area ratio#

In C4-3 or C4-4 Districts, the maximum #floor area ratio# for #commercial# #uses# shall be 4.0.

(b) #Community facility# #floor area ratio#

In M1 Districts with an A suffix paired with an R7-3 District, the maximum #floor area ratio# for #community facility# #uses# shall be 6.5.

---

## 145-212 - Floor area provisions for zoning lots containing schools in Subdistrict A

---

LAST AMENDED  
8/15/2024

In Subdistrict A, on a #zoning lot# improved with public #schools# pursuant to an agreement with the New York City School Construction Authority, up to 100,000 square feet of floor space within such public #schools# shall be exempt from the definition of #floor area# for the purposes of calculating the permitted #floor area ratio# for #community facility uses# and the total maximum #floor area ratio# of the #zoning lot#.

---

## 145-22 - Yard Regulations

---

LAST AMENDED  
8/15/2024

The #yard# regulations of the underlying districts shall apply except that in C8-2 Districts, no #rear yard# regulations shall apply to any #zoning lot# abutting a railroad or transit right-of-way.

---

## 145-23 - Height and Setback Regulations

---

■  
LAST AMENDED  
12/5/2024

In all districts, except in C8-2 Districts, all #developments# and #enlargements# shall comply with the height and setback provisions of this Section.

(a) #Street wall# location rules

For #zoning lots#, or portions thereof, along #streets#, or portions thereof, designated on Map 2 (Designated Street Frontages for Ground Floor Level and Street Wall Continuity Requirements) in the Appendix to this Chapter, the

#street wall# location provisions of paragraph (b) of Section [35-631](#) (Street wall location) shall apply except that the #street walls# shall extend to minimum base heights as specified in paragraph (b) of this Section.

Along other #streets#, no #street wall# location rules shall apply.

(b) Base and #building# heights

In R6A and R8X Districts, the underlying height regulations shall apply. For all other districts, the table in this Section sets forth the minimum base height, maximum base height and the maximum height of a #building or other structure#. For the purposes of this Section, in a #Commercial District#, the applicable height and setback provisions are the regulations for the #Residence District# within which such #Commercial District# is mapped, the equivalent #Residence District#, or the designated #Residence District# where such district is paired with an M1 District with an A suffix.

A setback, pursuant to the provisions of Section [23-433](#) (Standard setback regulations), is required for all portions of #buildings or other structures# that exceed the maximum base height specified for the district and shall be provided at a height not lower than the minimum base height or higher than the permitted maximum base height.

BASE HEIGHTS AND MAXIMUM BUILDING HEIGHTS

District	Minimum base height (in feet)	Maximum base height (in feet)	Maximum height of #buildings or other structures# (in feet)
R6-1	40	65	125
R7-2	40	85	155
R7-3	60	95	185
R8	60	105	215

(c) Modifications in certain areas

In Subdistrict B and in other areas, the provisions of paragraphs (a) and (b) of this Section shall be modified as follows:

(1) Modifications in Subdistrict B

- (i) In Subdistrict B, the maximum base and #building# height provisions of an R8 District without a letter suffix, as set forth in paragraph (b) of this Section, shall apply.
- (ii) In Subarea B1, portions of #buildings or other structures# located adjacent to an open space, as designated on Map 4 (Subdistrict B, Morris Park Avenue Site Plan) in the Appendix to this Chapter, may rise without setback, provided that such open space has a minimum depth of 30 feet from the point of intersection of two #street lines#. For the purposes of applying the #street wall# location rules of paragraph (a) of this Section, the interior boundary of such publicly accessible area shall be considered a #street line#.

(2) Modifications in other areas

In C2 Districts mapped within R8 Districts without a letter suffix, for #zoning lots# with a #street# frontage of at least 200 feet along East Tremont Avenue, the maximum building height set forth in paragraph (b) of this Section shall be increased by 20 feet.

(d) Dormers

For all #buildings or other structures#, dormers shall be a permitted obstruction in a required setback, and may be provided in accordance with the provisions of paragraph (b)(1) of Section [23-413](#) (Permitted obstructions in certain districts).

---

## 145-30 - SPECIAL OFF-STREET PARKING AND LOADING REGULATIONS

---

LAST AMENDED  
8/15/2024

The #accessory# off-street parking and loading regulations of the underlying districts are modified by the provisions of this Section, inclusive.

---

## 145-31 - Accessory Off-street Parking Spaces for Non-residential Uses

---

LAST AMENDED  
8/15/2024

In all #Commercial Districts#, the #accessory# off-street parking requirements for #manufacturing#, #commercial# or #community facility# #uses#, applicable to a C4-4 District, shall apply.

---

## 145-32 - Public Use of Accessory Parking

---

LAST AMENDED  
8/15/2024

All required or permitted #accessory# off-street parking spaces may be made available for public use. However, any such space shall be made available to the occupant of a #residence# to which it is #accessory# within 30 days of a written request for such space made to the landlord.

---

## 145-33 - Loading Regulations

---

LAST AMENDED  
8/15/2024

For the purposes of applying the provisions of Section [36-60](#) (OFF-STREET LOADING REGULATIONS), the #accessory# off-street loading berth requirements of C4-4 Districts shall apply in all #Commercial Districts#.

---

## 145-40 - SPECIAL APPROVALS

---

LAST AMENDED  
8/15/2024

In Subdistrict A, a #floor area# bonus for public realm improvements shall be granted pursuant to the provisions of Section [145-41](#) (Special Approvals in Subdistrict A).

In portions of Subdistrict B, special approvals for a transfer of #floor area# or #floor area# bonus for public realm improvements may be granted pursuant to the provisions of Section [145-42](#) (Special Approvals in Subdistrict B).

---

## 145-41 - Special Approvals in Subdistrict A

---

LAST AMENDED

8/15/2024

In Subdistrict A, the Chairperson of the City Planning Commission shall allow, by certification, a #floor area# bonus where public realm improvements, pursuant to Section [145-411](#) (Certification for public realm improvements in Subdistrict A), are provided on a single #zoning lot# or on two or more #zoning lots# that are contiguous or would be contiguous but for their separation by a #street# or #street# intersection, and:

- (a) has or will have an area of at least 1.5 acres; and
- (b) has or will be #developed# or #enlarged# as a unit under single fee ownership or alternate ownership arrangements as set forth in the definition of #zoning lot#.

In conjunction with such #floor area# bonus, the Commission may authorize the modification of bulk regulations, other than #floor area ratio#, pursuant to Section [145-412](#) (Authorization for additional modifications in Subdistrict A).

---

## 145-411 - Certification for public realm improvements in Subdistrict A

---

LAST AMENDED

12/5/2024

In Subdistrict A, the Chairperson of the City Planning Commission shall allow a 20 percent increase in the maximum permitted #floor area ratio# on #zoning lots# pursuant to the provisions of Section [145-41](#) (Special Approvals in Subdistrict A), upon certification to the Commissioner of the Department of Buildings that public realm improvements comprising an Entry Open Space, Western Open Space, Pierce Avenue Extension and supplementary open spaces as designated on Map 3 (Subdistrict A Site Plan) in the Appendix to this Chapter, are provided, Such #floor area ratio# increase and public realm improvements shall be subject to the rules and limitations of paragraph (a), the general requirements of paragraphs (b) and (c), application requirements of paragraph (d), and additional requirements of paragraph (e) of this Section.

- (a) Rules and limitations

The following rules and limitations on bonus #floor area# and other #bulk# modifications shall apply:

- (1) where a #zoning lot# contains multiple #uses# with different #floor area ratios#, the bonus may be applied to any individual #use#, and the total of all #floor area ratios# shall not exceed 20 percent of the greatest #floor area ratio# permitted on the #zoning lot#; and
  - (2) for #MIH developments#, the requirements of Article II, Chapter 7 (Additional Regulations and Administration in Residence Districts) shall not apply to the bonus #floor area# granted under the provisions of this Section.
- (b) General requirements for publicly accessible open spaces

Publicly accessible open spaces shall include the Entry Open Space, Western Open Space and supplementary open spaces, as designated on Map 3 in the Appendix to this Chapter.

(1) Location and minimum dimensions

Publicly accessible open spaces shall be provided in the location designated on Map 3 in the Appendix. Such publicly accessible open spaces shall comprise:

- (i) an Entry Open Space with a minimum area of at least 8,500 square feet and the minimum dimensions set forth on Map 3;
- (ii) a Western Open Space with a minimum area of at least 10,000 square feet and the minimum dimensions set forth on Map 3; and
- (iii) three supplementary open spaces with a minimum area of at least 4,800 square feet each, with minimum dimensions set forth on Map 3.

(2) Design requirements

All publicly accessible open spaces shall comply with the following design provisions:

- (i) seating shall be provided in accordance with the requirements of Section [37-741](#) (Seating);
- (ii) planting and trees shall be provided in accordance with the provisions of Section [37-742](#) (Planting and trees);
- (iii) an average maintained level of illumination of not less than one horizontal foot candle (lumens per foot) throughout all walkable areas, and a minimum level of illumination of not less than 0.2 horizontal foot candles (lumens per foot) throughout all other areas, shall be required;
- (iv) litter receptacles shall be provided in accordance with the standards of Section [37-744](#) (Litter receptacles);
- (v) bicycle parking shall be provided in accordance with the standards of Section [37-745](#) (Bicycle parking);
- (vi) drinking fountains shall be provided pursuant to the standards set forth in Section [37-746](#) (Drinking fountains);
- (vii) additional amenities shall be provided and designed pursuant to the standards set forth in Section [37-748](#) (Additional amenities);
- (viii) permitted obstructions within such area shall be subject to the provisions of Section [37-726](#) (Permitted obstructions), and any kiosk or open air cafe provided shall meet the operational and service requirements listed in paragraphs (a) and (b) of Section [37-73](#) (Kiosks and Open Air Cafes);
- (ix) the provisions of Sections [37-722](#) (Level of plaza) and [37-728](#) (Standards of accessibility for persons with disabilities) shall apply to such area, and any steps provided shall be subject to the provisions of Section [37-725](#) (Steps); and
- (x) entry plaques and information plaques shall be provided in accordance with the provisions of paragraphs (a) and (b) of Section [37-751](#) (Public space signage systems).

Notwithstanding the foregoing, up to 50% of two of the publicly accessible open spaces, as designated on Map 3, may consist of playground space designed and equipped in a manner consistent with New York City Department of Parks and Recreation standards.

(3) Hours of public access

Such publicly accessible open spaces shall be accessible to the public each day from 6:00 a.m. to 10:00 p.m.

(c) General requirements for Pierce Avenue Extension

The Pierce Avenue Extension shall be publicly accessible and constructed in accordance with the Department of Transportation Design Streets Manual and approved by the New York City Department of Transportation.

(d) Application requirements

An application under this Section shall be filed with the Chairperson of the City Planning Commission and such application shall include the following materials:

- (1) a site plan indicating the area and dimensions of the publicly accessible open space, or portions thereof, and the location of all proposed #developments# subject to the application;
- (2) a landscape plan, prepared by a registered landscape architect, for the publicly accessible open spaces; and
- (3) for #zoning lots# undergoing phased #development#, a phasing plan shall be submitted to implement the public realm improvements. Such phasing plan shall set forth the amount and location of public realm improvements that will be provided at the time each phase is #developed#. The amount of improvements in any phase shall be proportionate to the #lot area# being #developed# in such phase, except where physical or programmatic constraints make it infeasible to provide such amount of improvements.

(e) Additional requirements

The owner(s) shall be responsible for the maintenance of the Pierce Avenue Extension and other required publicly accessible open spaces, including, but not limited to, litter control, management of pigeons and rodents, maintenance of required lighting levels, and the care and replacement of furnishings and vegetation.

At the time of certification, a written declaration of restrictions, in a form acceptable to the Chairperson of the City Planning Commission, containing complete drawings of the improvements and setting forth the obligations of the owner, its successors and assigns, shall be recorded against such property in the Borough Office of the City Register of the City of New York. Proof of recordation of the declaration of restrictions shall be submitted in a form acceptable to the Department of City Planning.

No temporary certificate of occupancy shall be granted by the Department of Buildings for the portion of the #building# utilizing bonus #floor area# granted pursuant to the provisions of this Section until the improvements required for the phase associated with such bonus #floor area# have been substantially completed, as determined by the Chairperson, where applicable, and such improvements are usable by the public. Such portion of the #building# utilizing bonus #floor area# shall be designated by the Commission in drawings included in the declaration of restrictions filed pursuant to this paragraph.

No permanent certificate of occupancy shall be granted by the Department of Buildings for the portion of the #building# utilizing bonus #floor area# until all improvements have been completed in accordance with the approved

plans, as determined by the Chairperson.

---

## 145-412 - Authorization for additional modifications in Subdistrict A

---

LAST AMENDED

8/15/2024

In conjunction with an application pursuant to Section [145-411](#) (Certification for public realm improvements in Subdistrict A), the City Planning Commission may, by authorization, allow the total #floor area#, #lot coverage#, #dwelling units# or #rooming units# permitted by the applicable district regulations for all #zoning lots# within Subdistrict A to be distributed without regard for #zoning# lot lines. Additionally, the Commission may modify other #bulk# regulations, other than #floor area ratio#.

All such modifications shall be subject to the conditions and limitations set forth in paragraph (a), the application requirements of paragraph (b) and the findings set forth in paragraph (c) of this Section.

(a) Conditions and limitations

For #zoning lots# or portions thereof within 150 feet of Bronxdale Avenue, modifications to maximum permitted #building# height shall not apply.

For #zoning lots# or portions thereof beyond 150 feet of Bronxdale Avenue, the maximum permitted #building# height may be modified provided that such modification does not result in an increase that exceeds 13 percent of the maximum #building# height, as set forth in paragraph (b) of Section [145-23](#) (Height and Setback Regulations).

(b) Application requirements

Applications for an authorization for modifications pursuant to this Section shall contain materials, of sufficient scope and detail, to enable the Commission to determine the extent of the proposed modifications.

(c) Findings

The Commission shall find that:

- (1) such distribution of #floor area#, #lot coverage#, #dwelling units#, or #rooming units# will result in a better site plan, and will not:
  - (i) unduly increase the #bulk# of #buildings# to the detriment of the occupants of #buildings# in the #block# or nearby #blocks#; or
  - (ii) adversely affect any other #zoning lots# outside of the Subdistrict, by restricting access to light and air; and
- (2) modifications to other #bulk# regulations will not unduly obstruct the access of light and air to surrounding #streets# and properties nor adversely affect the character of the surrounding area, and will result in an improved distribution of #bulk# that is harmonious with the surrounding area.

The City Planning Commission may prescribe appropriate conditions and safeguards to minimize adverse effects on the character of the surrounding area.

---

## 145-42 - Special Approvals in Subdistrict B

---

For certain portions of Subarea B1, a transfer of #floor area# from a granting site to a receiving site shall be allowed by certification of the Chairperson of the City Planning Commission, pursuant to Section [145-421](#) (Certification for transfer of floor area).

For #qualifying public realm improvement sites# in Subarea B1, the Commission may grant, by authorization, a #floor area# bonus for transit and station area improvements pursuant to Section [145-422](#) (Authorization for qualifying public realm improvement sites). In conjunction with such #floor area# bonus, the Commission may authorize #bulk# modifications, other than modifications to the #floor area ratio#, pursuant to Section [145-423](#) (Authorization for additional modifications on qualifying public realm improvement sites).

---

## **145-421 - Certification for transfer of floor area**

---

The Chairperson of the City Planning Commission shall allow, by certification, a transfer of #floor area# from the Improvement Area located in Subarea B1, as shown on Map 4 (Subdistrict B, Morris Park Avenue Site Plan) in the Appendix to this Chapter, to a #zoning lot# fronting on Morris Park Avenue or other #zoning lots# on the #block# contiguous to the Improvement Area. Such certification for a transfer of #floor area# shall be subject to the conditions of paragraph (a), and application requirements of paragraph (b) of this Section.

For the purposes of this Section, the “granting site” shall mean the Improvement Area that transfers #floor area# pursuant to this Section, and a “receiving site” shall mean a #zoning lot# that receives additional #floor area# pursuant to this Section.

(a) Conditions

- (1) the maximum amount of #floor area# that may be transferred from the granting site shall equal the area designated on Map 4 multiplied by the maximum #floor area ratios# pursuant to the zoning district within Subdistrict B. Each transfer, once completed, shall irrevocably reduce the amount of #floor area# that may be transferred; and
- (2) all certificates of occupancy have been surrendered for such granting site, and all structures on such granting site have been demolished.

(b) Application requirements

An application filed with the Chairperson for certification pursuant to this Section shall be made jointly by the owners of the granting site and the receiving site. Such application shall include site plans and zoning calculations for the granting site and receiving site showing the additional #floor area# associated with the transfer.

Additionally, at the time of certification, the owners of the granting site and the receiving site shall submit to the Chairperson a copy of the transfer instrument legally sufficient in both form and content to effect such a transfer. Notice of the restrictions upon further #development# or #enlargement# of the granting site and the receiving site shall be filed by the owners of the respective lots in the Office of the Register of the City of New York (County of New York). Proof of recordation shall be submitted to the Chairperson. Both the transfer instrument and the notices of restrictions shall specify the total amount of #floor area# transferred and shall specify, by #block# and lot numbers, the granting site and the receiving site that are a party to such transfer.

The Chairperson shall certify to the Department of Buildings that a #development# or #enlargement# is in compliance with the provisions of this Section only after the transfer instrument and notice of restrictions required by this paragraph have been executed and recorded with proof of recordation provided to the Chairperson. Such certification shall be a precondition to the filing for or issuing of any building permit allowing more than the basic maximum #floor area ratio# for such #development#.

No temporary certificate of occupancy shall be granted by the Department of Buildings for the portion of the #building# utilizing #floor area# associated with the transfer on the receiving site until the granting site has been conveyed to the City for improvement, as a #street#, as provided on the City Map.

A separate application shall be filed for each transfer of #floor area# to any receiving site pursuant to this Section.

---

## **145-422 - Authorization for qualifying public realm improvement sites**

---

LAST AMENDED

12/5/2024

For #qualifying public realm improvement sites# in Subarea B1, the City Planning Commission may authorize an increase in the maximum permitted #floor area ratio#, up to a maximum of 20 percent, where transit and public realm improvements are provided to enhance access, circulation and complementary open spaces between a future #mass transit station# and its surrounding area. All applications pursuant to this Section shall be subject to the rules and limitations set forth in paragraph (a), conditions set forth in paragraph (b), application requirements set forth in paragraph (c), findings set forth in paragraph (d), and additional requirements set forth in paragraph (e) of this Section.

(a) Rules and limitations

The following rules and limitations on bonus #floor area# and other bulk modifications shall apply:

- (1) where a #zoning lot# contains multiple #uses# with different #floor area ratios#, the bonus may be applied to any individual #use#, and the total of all #floor area ratios# shall not exceed 20 percent of the greatest #floor area ratio# permitted on the #zoning lot#; and
- (2) for #MIH developments#, the requirements of Article II, Chapter 7 (Additional Regulations and Administration in Residence Districts) shall not apply to the bonus #floor area# granted under the provisions of this Section.

(b) Conditions

All applications shall include on-site or off-site improvements that will enhance access to and circulation between such #mass transit station# and its surrounding areas. Such improvements may consist of:

- (1) accessibility or capacity-enhancing improvements to the #mass transit station#, including, but not limited to, the provision of elevators and escalators, widening, straightening, expanding or otherwise enhancing the existing pedestrian circulation network, or reconfiguring circulation routes to provide more direct pedestrian connections to #the #mass transit station#; or
- (2) publicly accessible open spaces, of ample size, for public use and enjoyment, at or around the #mass transit station#. Such improvements may include pedestrian plazas and other types of active or passive open spaces and shall be characteristic of best practices in plaza design, as set forth by the Department of Transportation.

(c) Application requirements

All applications shall include a site plan indicating the area and dimensions of the proposed improvements to the #mass transit station# or proposed publicly accessible open spaces. In addition, for applications involving accessibility or capacity-enhancing improvements to the #mass transit station#, the following shall be provided:

- (1) Prior to submitting an application, the applicant shall submit a schematic or concept plan for the proposed improvement to the Metropolitan Transportation Authority and the Chairperson of the City Planning Commission. Such schematic or concept plan shall include such materials and information sufficient to provide the basis for the Metropolitan Transportation Authority to evaluate and determine the constructability of such proposed improvement.
- (2) At the time of application referral, the Commission shall be provided with the following application materials:
  - (i) a letter from the Metropolitan Transportation Authority containing a conceptual approval of the improvement, including a statement of any considerations regarding the construction and operation of the improvement;
  - (ii) all information and justification sufficient to provide the Commission with the basis for evaluating the benefits of such improvements to the general public; and
  - (iii) initial plans for the maintenance of the proposed improvements.

(d) Findings

In order to grant such #floor area# bonus, the Commission shall find that:

- (1) the public benefit derived from such improvements merits the amount of additional #floor area# being granted to the proposed #development# pursuant to the authorization;
- (2) for accessibility or capacity-enhancing improvements for the #mass transit station#, newly created or expanded accessible routes for persons with physical disabilities, or measures to improve station ingress and egress routes or platform capacity, such improvements will constitute significant enhancements to connectivity from the pedestrian circulation network to and through the #mass transit station#; and
- (3) for publicly accessible open spaces, the proposed improvements will, to the extent practicable:
  - (i) consist of a prominent space of generous proportions and quality design that is inviting to the public, resulting in high-quality public space;
  - (ii) provide comfortable places for resting, suitable amenities for occupants and opportunities for planting; and
  - (iii) be designed in a manner that is cohesive and harmonious with the pedestrian circulation network.

(e) Additional requirements

For all applications, additional requirements set forth in this paragraph shall apply.

- (1) For applications involving accessibility or capacity-enhancing improvements to the #mass transit station# the following requirements shall be met prior to the granting of such #floor area# bonus:
  - (i) To the extent required by the Metropolitan Transportation Authority, the applicant shall execute an

agreement, setting forth the obligations of the owner, its successors and assigns, to establish a process for design development and a preliminary construction schedule for the proposed improvement; construct the proposed improvement; establish a program for maintenance and capital maintenance; and establish that such improvements shall be accessible to the public during the hours of operation of the station or as otherwise approved by the #transit agency#. Where the Metropolitan Transportation Authority deems necessary, such executed agreement shall set forth obligations of the applicant to provide a performance bond or other security for completion of the improvement in a form acceptable to the #transit agency#; and

- (ii) The City Planning Commission shall be provided with a final letter of approval from the Metropolitan Transportation Authority stating that the drawings and other documents submitted by the applicant have been determined by such #transit agency# to be of sufficient scope and detail to describe the size and character of the improvement as to architectural, structural, mechanical and electrical systems, materials, relationship to existing site conditions and such other conditions as may be appropriate, and that the construction of the improvement in accordance with such submission is feasible.
- (2) Prior to obtaining a foundation permit or building permit from the Department of Buildings, a written declaration of restrictions, in a form acceptable to the Chairperson of the City Planning Commission, containing complete drawings of the improvements and setting forth the obligations of the owner, its successors and assigns, shall be recorded against such property in the Borough Office of the City Register of the City of New York. Proof of recordation of the declaration of restrictions shall be submitted in a form acceptable to the Department of City Planning.
- (3) No temporary certificate of occupancy shall be granted by the Department of Buildings for the portion of the #building# utilizing bonus #floor area# granted pursuant to the provisions of this Section until the required improvements have been substantially completed, as determined by the Chairperson, where applicable, and such improvements are usable by the public. Such portion of the building utilizing bonus #floor area# shall be designated by the Commission in drawings included in the declaration of restrictions filed pursuant to this paragraph.

No permanent certificate of occupancy shall be granted by the Department of Buildings for the portion of the #building# utilizing bonus #floor area# until all improvements have been completed in accordance with the approved plans, as determined by the Chairperson.

The Commission may prescribe appropriate conditions and safeguards to minimize adverse effects on the character of the surrounding area.

---

## **145-423 - Authorization for additional modifications for qualifying public realm improvement sites**

---

LAST AMENDED  
8/15/2024

In conjunction with an application pursuant to Section [145-422](#) (Authorization for qualifying public realm improvement sites), the City Planning Commission may, by authorization, modify bulk regulations, other than #floor area ratio# and maximum #building height#, provided that the Commission determines that the application requirements of paragraph (a) and the findings set forth in paragraph (b) of this Section are met.

- (a) Application requirements

Applications for an authorization for modifications pursuant to this Section shall contain materials, of sufficient scope

and detail, to enable the Commission to determine the extent of the proposed modifications.

(b) Findings

The Commission shall find that:

- (1) such proposed modifications are necessary to accommodate the additional #floor area# granted pursuant to Section [145-422](#); and
- (2) any modifications to #bulk# regulations will not unduly obstruct the access of light and air to surrounding #streets# and properties nor adversely affect the character of the surrounding area, and will result in an improved distribution of #bulk# that is harmonious with the surrounding area.

The City Planning Commission may prescribe appropriate conditions and safeguards to minimize adverse effects on the character of the surrounding area.

## **Appendix - Special Eastchester – East Tremont Corridor District Plan**

LAST AMENDED

8/15/2024

Map 1. Special Eastchester – East Tremont Corridor District, Subdistricts and Subareas

Map 2. Designated Street Frontages for Ground Floor Level and Street Wall Continuity Requirements

Map 3. Subdistrict A Site Plan

Map 4. Subdistrict B, Subarea B1, Morris Park Avenue Site Plan



## Zoning Resolution

THE CITY OF NEW YORK

Eric Adams, Mayor

CITY PLANNING COMMISSION

Daniel R. Garodnick, Chair

# **Chapter 6 - Special Atlantic Avenue Mixed Use District (AAM)**

File generated by <https://zr.planning.nyc.gov> on 7/1/2025

# Chapter 6 - Special Atlantic Avenue Mixed Use District (AAM)

---

## 146-00 - GENERAL PURPOSES

---

LAST AMENDED

5/28/2025

The “Special Atlantic Avenue Mixed Use District” established in this Resolution is designed to promote and protect public health, safety and general welfare. These general goals include, among others, the following specific purposes:

- (a) to expand local employment opportunities and to promote the opportunity for workers to live in the vicinity of their work;
  - (b) to create a lively and attractive built environment that will provide amenities and services for the use and enjoyment of area residents, workers and visitors;
  - (c) to enhance neighborhood economic diversity by broadening the range of housing choices for residents at varied incomes;
  - (d) to encourage stability and growth in the neighborhood by permitting compatible light manufacturing and residential uses to coexist;
  - (e) to ensure that the form and use of new buildings relates to and enhances neighborhood character and responds to unique corridors such as Atlantic Avenue; and
  - (f) to promote the most desirable use of land in the area and thus preserve, protect and enhance the value of land and buildings and thereby protect City tax revenues.
- 

## 146-01 - General Provisions

---

LAST AMENDED

5/28/2025

The provisions of this Chapter shall apply within the #Special Atlantic Avenue Mixed Use District#. The regulations of all other Chapters of this Resolution are applicable, except as superseded, supplemented or modified by the provisions of this Chapter. In the event of a conflict between the provisions of this Chapter and other regulations of this Resolution, the provisions of this Chapter shall control, except where explicitly stated otherwise in this Chapter.

---

## 146-02 - District Plan and Map

---

LAST AMENDED

5/28/2025

The regulations of this Chapter are designed to implement the #Special Atlantic Avenue Mixed Use District# Plan. The district plan includes the following map in the Appendix to this Chapter:

Map 1 Designated Streetscape Frontages

Such map is hereby incorporated and made part of this Resolution for the purpose of specifying locations where the special regulations and requirements set forth in the text of this Chapter apply.

---

## 146-03 - Definitions

---

LAST AMENDED

5/28/2025

For the purposes of this Chapter, matter in *italics* is defined in Sections [12-10](#) (DEFINITIONS), [32-301](#) (Definitions) or [123-11](#) (Definitions).

---

## **146-04 - Applicability of the Mandatory Inclusionary Housing Program**

---

LAST AMENDED

5/28/2025

For the purposes of applying the Mandatory Inclusionary Housing Program provisions set forth in Section [27-10](#) (ADMINISTRATION OF AFFORDABLE HOUSING), #Mandatory Inclusionary Housing areas# within the #Special Atlantic Avenue Mixed Use District# are shown in APPENDIX F of this Resolution.

---

## **146-041 - Applicability of Article VI, Chapter 6**

---

LAST AMENDED

5/28/2025

For #transit-adjacent sites#, as defined in Section [66-11](#) (Definitions), in the event of a conflict between the provisions of this Chapter and the provisions of Article VI, Chapter 6 (Special Regulations Applying Around Mass Transit Stations), the provisions of Article VI, Chapter 6 shall control.

---

## **146-042 - Applicability of Article XII, Chapter 3**

---

LAST AMENDED

5/28/2025

In M1 Districts paired with a #Residence District#, the special #use#, #bulk# and parking and loading provisions of Article XII, Chapter 3 (Special Mixed Use District) shall apply, except where modified by the provisions of this Chapter.

---

## **146-10 - SPECIAL USE REGULATIONS**

---

LAST AMENDED

5/28/2025

The #use# regulations of the underlying districts, or of Article XII, Chapter 3 (Special Mixed Use Districts), shall apply, except as modified by the provisions this Section, inclusive.

---

## **146-11 - Additional Conditions for Certain Uses**

---

LAST AMENDED

5/28/2025

In M1 Districts paired with a #Residence District#, all applicable #commercial# and #manufacturing# #uses# may only locate in the same #building# as, or may only share a common wall with, a #building# containing a #residence# or a #community facility# #use# with sleeping accommodations:

- (a) where the provisions of paragraph (b)(1) of Section [123-22](#) (Additional Conditions for Certain Uses) are met; or
- (b) where the Chairperson of the City Planning Commission certifies an alternative means of compliance pursuant to Section [146-12](#), and an (E) designation listed in APPENDIX C of this Resolution applies to all tax lots with such #uses# in accordance with Section [11-15](#) (Environmental Requirements), establishing specific building design or other environmental requirements in order to protect occupants of the #building# and surrounding properties from any hazardous materials, noise or air quality associated with such #commercial# or #manufacturing# #uses#.

---

## **146-12 - Certification for an Alternate Means of Compliance for Mixed Buildings**

---

LAST AMENDED

5/28/2025

In M1 Districts paired with a #Residence District#, the Chairperson of the City Planning Commission shall allow, by certification, an alternative to the provisions of paragraph (b) of Section [123-22](#) (Additional Conditions for Certain Uses) where applicable #commercial# and #manufacturing# #uses# are proposed to locate in the same #building# as, or share a common wall with, a #building# containing a #residence# or a #community facility# #use# with sleeping accommodations.

In order for the Chairperson to make such certification, the applicant shall submit a report, from a licensed architect or engineer, demonstrating that specific physical design standards to be implemented in the #building# design, or other environmental requirements, will protect occupants of such #residences# or #community facility# #uses# with sleeping accommodations from any potential hazardous materials, noise or air quality associated with such #commercial# or #manufacturing# #uses#.

An (E) designation shall be listed in APPENDIX C of this Resolution and bind the owners, successors, and assigns to comply with Section [11-15](#) (Environmental Requirements) and the specific building design or other environmental requirements listed in the report.

---

## **146-13 - Streetscape Regulations**

---

LAST AMENDED

5/28/2025

The underlying #ground floor level# streetscape provisions set forth in Section [32-30](#) (STREETSCAPE REGULATIONS), inclusive, shall apply, except where Map 1, in the Appendix to this Chapter, designates:

- (a) #ground floor level# #street frontages# that shall be considered #Tier C street frontages#; and
- (b) #ground floor level# #street frontages# where the alternative provisions for #Tier B street frontages# set forth in Section [32-322](#) shall not apply.

---

## **146-20 - SPECIAL BULK REGULATIONS**

---

LAST AMENDED

5/28/2025

The #bulk# regulations of the underlying districts or of Article XII, Chapter 3 (Special Mixed Use District) shall apply, except as modified by the provisions of this Section, inclusive.

---

## **146-21 - Floor Area Regulations**

---

---

**146-211 - Floor area modifications for certain paired districts**

---

LAST AMENDED  
5/28/2025

In M1A Districts paired with #Residence Districts#, for #zoning lots# with #buildings# containing #residential# and non-#residential uses#, notwithstanding the maximum #floor area ratio# for individual #uses# on the #zoning lot#, the total #floor area ratio# shall be as follows:

TOTAL FLOOR AREA RATIO

District	Total #floor area ratio#
M1-1A/R6B	3.0
M1-2A/R6A	5.0

---

**146-22 - Special Yard Regulations**

---

LAST AMENDED  
5/28/2025

The #yard# regulations of the underlying districts shall apply, except that for #zoning lots# where the #side lot line# is located within 30 feet of an elevated rail line, the #rear yard# and #rear yard equivalent# provisions of Section [23-34](#) (Rear Yard and Rear Yard Equivalent Requirements), inclusive, need not apply.

---

**146-23 - Special Height and Setback Regulations**

---

LAST AMENDED  
5/28/2025

---

**146-231 - Street wall modifications**

---

LAST AMENDED  
5/28/2025

For #zoning lots#, or portions thereof, fronting on Atlantic Avenue or Bedford Avenue, the applicable #street wall# location regulations shall be modified as follows:

- (a) the #street wall# shall be located at least 20 feet beyond the curb of the sidewalk, except that such depth need not exceed five feet from the #street line#;
- (b) for #developments# with #building# widths exceeding 100 feet, a minimum of 20 percent of the surface area of such #street walls# above the level of the second #story#, or a height of 30 feet, whichever is lower, shall either recess or project a minimum of three feet from the remaining surface of the #street wall#; and
- (c) for the purposes of applying the provisions of Section [35-633](#) (Additional height and setback provisions) on shallow #through lots# with a frontage along Atlantic Avenue, the #street wall# location requirements of this Section shall be required along Atlantic Avenue.

---

## 146-232 - Other height and setback modifications

---

LAST AMENDED  
5/28/2025

The height and setback regulations of the applicable underlying districts shall be modified as follows:

- (a) for #zoning lots#, or portions thereof, within 100 feet of a #side lot line# that is located within 30 feet of an elevated rail line, the applicable maximum #building# heights may be increased by 10 feet in M1-2A/R6A Districts, and by 20 feet in C6-3A and M1-4A/R9A Districts; and
- (b) in M1A Districts paired with #Residence Districts#, for #zoning lots# with #buildings# containing both #residential# and non-#residential uses#, the following height and setback modifications may be applied:

District	Maximum base height (in feet)	Maximum height of #buildings or other structures# (in feet)
M1-1A/R6B	95	
M1-2A/R9A	125	

In addition, for #zoning lots# with a #lot area# greater than or equal to 20,000 square feet, a #building# may exceed the maximum #building# heights established in such table by 25 percent.

---

## 146-30 - SPECIAL OFF-STREET PARKING REGULATIONS

---

LAST AMENDED  
5/28/2025

The #accessory# off-street parking regulations of the underlying districts are modified by the provisions of this Section, inclusive.

---

## 146-31 - Accessory Off-street Parking Spaces for Non-residential Uses

---

LAST AMENDED  
5/28/2025

In all districts, no #accessory# off-street parking spaces shall be required for #manufacturing#, #commercial#, or #community facility# #uses#.

---

## 146-40 - SPECIAL APPROVALS

---

LAST AMENDED  
5/28/2025

---

## 146-41 - Authorization for a Public Plaza

---

LAST AMENDED  
5/28/2025

In C6-3A, C6-3X and M1-4A/R9A Districts, for #zoning lots# with a #lot area# of at least 30,000 square feet, the City Planning Commission may authorize an increase in the maximum #floor area ratio# where a #public plaza# is provided on the #zoning lot# in accordance with the provisions of Section [37-70](#) (PUBLIC PLAZAS), inclusive.

In conjunction with such #floor area# bonus, the Commission may authorize modifications to the applicable #bulk# regulations of this Resolution, or to the regulations governing #public plazas# in Section [37-70](#), inclusive.

In order to grant such authorization, the Commission shall determine that the conditions and limitations of paragraph (a) and the findings of paragraph (b) are met.

(a) Conditions and limitations

The following conditions and limitations shall apply:

- (1) For the purposes of determining the bonus ratio in #Commercial Districts# with a #residential equivalent# of an R9 District, or in M1 Districts paired with an R9 District, the underlying bonus ratio for a C6-3 District shall apply. The #floor area# bonus resulting from applying such ratio shall not exceed 20 percent of the maximum #floor area ratio# otherwise permitted by the district.
- (2) Modifications to the maximum permitted #building# height shall not result in an increase that exceeds 25 percent of the maximum #building# height otherwise permitted by the applicable district regulations; and
- (3) Modifications to the regulations governing #public plazas# shall be limited to:
  - (i) the basic design criteria set forth in Section [37-71](#), inclusive, other than the area dimensions of Section [37-712](#);
  - (ii) the access and circulation provisions set forth in Section [37-72](#), inclusive, other than hours of access set forth in Section [37-727](#); and
  - (iii) the types and standards for amenities, set forth in Section [37-74](#), inclusive.

(b) Findings

The Commission shall find that:

- (1) the public benefit derived from the #public plaza# merits the amount of additional #floor area# being granted pursuant to this Section;
- (2) the #public plaza# will be well-integrated with the overall pedestrian circulation network and contribute to an enhanced streetscape;
- (3) any modifications to #bulk# are the minimum extent necessary to reasonably accommodate the #public plaza# and the additional #floor area# granted pursuant to this Section and will not unduly obstruct access to light and air to surrounding #streets# and properties; and
- (4) any modifications to #public plaza# regulations are the minimum extent necessary, and will better align such #public plaza# regulations with unique site configurations or with the mixed-use character of the neighborhood.

The City Planning Commission may prescribe additional appropriate conditions and safeguards to minimize adverse effects on the character of the surrounding area.

**Appendix - Special Atlantic Avenue Mixed Use Plan - Map 1 – Designated Streetscape Frontages**

LAST AMENDED  
5/28/2025