



## **Zoning Resolution**

**THE CITY OF NEW YORK**  
**Zohran K. Mamdani, Mayor**

**CITY PLANNING COMMISSION**  
**Sideya Sherman, Chair**

# **23-00 - APPLICABILITY AND GENERAL PURPOSES**

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## 23-00 - APPLICABILITY AND GENERAL PURPOSES

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LAST AMENDED

12/15/1961

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### 23-01 - Applicability of This Chapter

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LAST AMENDED

12/5/2024

The #bulk# regulations of this Chapter apply to any #zoning lot# or portion of a #zoning lot# located in any #Residence District# which contains any #residential# #building or other structure#, or to the #residential# portion of a #building or other structure# used for both #residential# and #community facility# #uses#. The #bulk# regulations of Article II, Chapter 4, shall apply to any #zoning lot# or portion of a #zoning lot# containing a #community facility building# or to the #community facility# portion of a #building# used for both #residential# and #community facility# #uses#, except as set forth in Sections [24-04](#) (Applicability of Article II, Chapter 3 Regulations) and [24-05](#) (Buildings containing certain community facility uses). In addition, the #bulk# regulations of this Chapter, or of specified Sections thereof, also apply in other provisions of this Resolution where they are incorporated by cross reference.

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### 23-02 - Applicability in Special Situations

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LAST AMENDED

12/5/2024

The conversion of non-residential floor area to residences shall be subject to the provisions of Article I, Chapter 5 (Residential Conversions Within Existing Buildings), unless such conversions meet the requirements for residential developments of Article II (Residence District Regulations).

Existing buildings or other structures that are non-complying buildings or other structures or existing buildings where an enlargement, conversion, extension, change of use or other alternation would create a non-compliance with the applicable bulk regulations are subject to the regulations set forth in Article V, Chapter 4.

Special regulations applying in certain areas are set forth in Article VI, inclusive.

Special permits that may be granted by the Board of Standards and Appeals are set forth in Article VII, Chapter 3. Special permits and authorizations that may be granted by the City Planning Commission are set forth in Article VII, Chapters 4 and 5, respectively.

Special regulations applying to large-scale residential developments or large-scale community facility developments are set forth in Article VII, Chapters 8 or 9, respectively. Special regulations applying to large-scale general developments are set forth in Section [74-74](#).

Any development or enlargement that occurs on or over a railroad right-of-way, or the inclusion of a railroad right-of-way in the lot area of a zoning lot less than one and a half acres, and that is not accessory to such railroad right-of-way, shall be certified by the Chairperson of the City Planning Commission pursuant to Section [75-41](#). In addition, the development or enlargement of a building on a zoning lot greater than one and a half acres that includes a railroad right-of-way or former railroad right-of-way, where such building is not accessory to a railroad right-of-way, may be permitted by the Commission pursuant to Section [74-61](#).

Special regulations applying only in Special Purpose Districts are set forth in Articles VIII, IX, X, XI, XII, XIII and XIV.

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## **23-03 - General Purposes of Residential Bulk Regulations**

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LAST AMENDED

12/5/2024

The following bulk regulations are adopted in order to protect residential areas against congestion and to encourage the development of desirable and stable residential neighborhoods. In order to achieve these purposes, a direct control of density as well as of the physical volume of buildings is established.

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## **23-04 - Zoning Lots Divided by District Boundaries**

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LAST AMENDED

12/5/2024

In all districts, whenever a #zoning lot# is divided by a boundary between districts or is subject to different #bulk# regulations for different portions of the #zoning lot#, the provisions set forth in Article VII, Chapter 7, shall apply.

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## **23-05 - Applicability of Certain Bulk Regulations**

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LAST AMENDED

12/5/2024

Special rules governing optional #bulk regulations# affecting one or more #bulk# parameters are set forth in Section [23-70](#) (ALTERNATIVE BULK REGULATIONS FOR CERTAIN AREAS), inclusive.

These optional #bulk# provisions include alternative rules for:

- (a) #predominantly built-up areas#, as set forth in Section [23-71](#), inclusive;
- (b) portions of Community District 12 in the Borough of Brooklyn, as set forth in Section [23-72](#), inclusive; and
- (c) #sky exposure plane buildings#, as set forth in Section [23-73](#), inclusive.

Where any of such optional provisions are utilized, all the other associated #bulk# provisions set forth in Section [23-70](#), inclusive, shall apply.

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## 23-06 - Applicability of Bulk Regulations for Certain Sites

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LAST AMENDED

12/5/2024

In R6 through R12 Districts without a letter suffix, on #zoning lots# where demolition or disposition is subject to approval from the U.S. Department of Housing and Urban Development (HUD) under section 18 of the Housing Act of 1937, the provisions of this Section shall apply.

For #developments# or #enlargements# of #residences# other than #qualifying senior housing# or #MIH developments# on #MIH sites#:

- (a) on #zoning lots# where the height of any existing #building# containing #residences# exceeds the heights for #zoning lots# containing standard #residences# set forth in Section [23-432](#), the regulations for #sky exposure plane buildings# set forth in Section [23-73](#), inclusive, shall apply, and shall not be optional; and
- (b) on #zoning lots# where the height of all existing #building# containing #residences# are less than or equal to the heights for #zoning lots# containing standard #residences# set forth in Section [23-432](#), the #bulk# regulations for #residential buildings# of this Chapter applicable to non-#sky exposure plane buildings# may be applied, except that:
  - (1) the height and setback modifications for eligible sites set forth in Section [23-434](#) shall not apply; and
  - (2) the minimum distance between #buildings# two of more #buildings# on the same #zoning lot# that are not connected at any level shall be governed by the provisions of paragraph (c) of Section 23-735. Notwithstanding the provisions of Section [23-05](#), the use of this Section shall not necessitate the utilization of all other provisions for #sky exposure plane buildings# unless other provisions of Section [23-73](#), inclusive, are applied.