



Zoning Resolution

THE CITY OF NEW YORK
Zohran K. Mamdani, Mayor

CITY PLANNING COMMISSION
Daniel R. Garodnick, Chair

23-241 - Special tower provisions

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LAST AMENDED

12/5/2024

In R9 and R10 Districts, for #zoning lots# containing a #building# that is #developed# or #enlarged# pursuant to the applicable tower regulations of Section [23-435](#) (Tower regulations), any floor space used for mechanical equipment provided pursuant to paragraph (8) of the definition of #floor area# in Section [12-10](#) (DEFINITIONS), and any floor space that is or becomes unused or inaccessible within a #building#, pursuant to paragraph (k) of the definition of #floor area# in Section [12-10](#), shall be considered #floor area# and calculated in accordance with the provisions of this Section, provided that such floor space:

- (a) occupies the predominant portion of a #story#;
- (b) is located above the #base plane# or #curb level#, as applicable, and below the highest story containing #residential floor area#; and
- (c) exceeds an aggregate height of 25 feet within any given 75 vertical feet of one another within a #building#.

For the purpose of applying this provision, the height of such floor space shall be measured from the top of a structural floor to the bottom of a structural floor directly above such space. In addition, the number of #stories# of #floor area# such space constitutes within the #building# shall be determined by aggregating the total height of such floor spaces, dividing by 25 feet, and rounding to the nearest whole integer.