**Zoning Resolution**

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

CITY PLANNING COMMISSION
**Sideya Sherman, Chair**

# 34-20 - EXCEPTIONS TO APPLICABILITY OF RESIDENCE DISTRICT CONTROLS

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## 34-20 - EXCEPTIONS TO APPLICABILITY OF RESIDENCE DISTRICT CONTROLS

LAST AMENDED
12/15/1961

## 34-21 - General Provisions

LAST AMENDED
12/5/2024

C1 C2 C3 C4 C5 C6

In the districts indicated, the #bulk# regulations applicable to #residential buildings# as set forth in Section 34-11 (General Provisions) are modified by the provisions of Sections 34-22 (Modification of Floor Area Regulations), 34-23 (Modification of Yard Regulations) and 34-24 (Modification of Height and Setback Regulations). The purpose of these modifications is to make the regulations set forth in Article II, Chapter 3, applicable to #Commercial Districts#.

## 34-22 - Modification of Floor Area Regulations

LAST AMENDED
12/5/2024

C1 C2 C3 C4 C5 C6

In the districts indicated, the #floor area# and #open space# regulations as set forth in Section 23-20 (FLOOR AREA REGULATIONS), inclusive, and made applicable to such districts in Section 34-11

(General Provisions), are modified as set forth in this Section.

## 34-221 - Maximum floor area ratio

LAST AMENDED
12/5/2024

C1 C2 C3 C4 C5 C6

In the districts indicated, the maximum #floor area ratio# on a #zoning lot# shall be the applicable maximum #floor area ratio# permitted pursuant to the provisions of Article II, Chapter 3, except as provided for in the following Sections:

Section 34-223 (Floor area bonus for a public plaza)

Section 34-224 (Floor area bonus for an arcade)

However, for #Commercial Districts# with a #residential equivalent# of an R10 or R11 District with a letter suffix, no #floor area# bonuses for #public plazas# or #arcades# shall be permitted.

## 34-222 - Change of use

LAST AMENDED
12/5/2024

C1 C2 C3 C4 C5 C6

A non-#residential use# occupying a #building#, or portion thereof, that was in existence on December 15, 1961, may be changed to a #residential use# and the regulations pertaining to maximum #floor area ratio# shall not apply to such change of #use#.

## 34-223 - Floor area bonus for a public plaza

LAST AMENDED
12/5/2024

C4-6 C4-7 C4-11 C4-12 C5 C6-4 C6-5 C6-6 C6-7 C6-8 C6-9 C6-11 C6-12

In the districts indicated, for each square foot of #public plaza# provided in accordance with the provisions of Section 37-70, inclusive, the total #floor area# permitted on that #zoning lot# under the provisions of Section 23-22 (Floor Area Regulations for R6 Through R12 Districts) may be increased by six square feet.

## 34-224 - Floor area bonus for an arcade

LAST AMENDED
12/5/2024

C4-6 C4-7 C4-11 C4-12 C5-1 C5-2 C5-4 C6-4 C6-5 C6-8 C6-11 C6-12

In the districts indicated, for each square foot of #arcade# provided in accordance with the provisions of Section 37-80 (ARCADES), the total #floor area# permitted on that #zoning lot# under the provisions of Section 23-22 (Floor Area Regulations for R6 Through R12 Districts) may be increased by three square feet.

## 34-23 - Modification of Yard and Open Area Regulations

LAST AMENDED
12/5/2024

## 34-231 - Modification of front yard requirements

LAST AMENDED
12/5/2024

C1 C2 C3 C4 C5 C6

In the districts indicated, no #front yard# shall be required for any #residential building#.

## 34-232 - Modification of side yard requirements

LAST AMENDED
12/5/2024

C1 C2 C3 C4 C5 C6

In the districts indicated, no #side yard# shall be required for any #residential building#. However, if any open area extending along a #side lot line# is provided at any level, it shall have a minimum width of five feet, measured perpendicular to the #side lot line#. The allowances for permitted obstructions in any #yard# or #rear yard equivalent# set forth in Sections 23-311 and 23-312 shall be permitted in such open areas.

## 34-233 - Change of use

LAST AMENDED
12/5/2024

C1 C2 C3 C4 C5 C6

A non-#residential use# occupying a #building#, or portion thereof, that was in existence on December 15, 1961, may be changed to a #residential use# and the regulations pertaining to minimum required #open space ratio# shall not apply to such change of #use#.

## 34-24 - Modification of Height and Setback Regulations

LAST AMENDED
12/5/2024

C1 C2 C3 C4 C5 C6

In the districts indicated, the height and setback regulations set forth in Article II, Chapter 3, and made applicable to such districts in Section 34-11 (General Provisions), are modified as set forth in this Section.

(a) In Commercial Districts with R1 through R5 equivalency

In #Commercial Districts# mapped within, or with a #residential equivalent# of an R1 through R5 District, the modifications to #residential# height and setback regulations set forth in Section 35-62 shall be applied.

(b) In Commercial Districts with R6 through R12 equivalency

In #Commercial Districts# mapped within, or with a #residential equivalent# of R6 through R12 Districts:

(1) the modifications to #residential# height and setback regulations set forth in Section 35-63, inclusive, shall be applied;

(2) the special height and setback provisions for certain areas set forth in Section 36-64 shall be applied; and

(3) where the optional #bulk# regulations for #sky exposure plane buildings# are utilized, the provisions set forth in Section 35-71, inclusive, shall be applied. Where any of such optional provisions are utilized, all the other associated #bulk# provisions shall apply.