Zoning Resolution

THE CITY OF NEW YORK
Zohran K. Mamdani, Mayor

CITY PLANNING COMMISSION
Sideya Sherman, Chair

93-10 - USE REGULATIONS

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93-10 - USE REGULATIONS

LAST AMENDED
5/31/2012

The #use# regulations of the underlying districts are modified as set forth in this Section, inclusive.

The only permitted change of #use# for the #High Line# shall be to provide publicly accessible open space in accordance with the provisions of Sections 93-71 (Public Access Areas in the Eastern Rail Yard Subarea A1) and 93-75 (Publicly Accessible Open Spaces in Subdistrict F).

93-11 - ERY Culture, Festival and Exhibit Facility

LAST AMENDED
12/5/2024

For purposes of this Chapter, all references to #community facility#, #community facility use# or #uses# listed under Use Group III, in connection with Eastern Rail Yard Subarea A1 shall be deemed to include an #ERY Culture, Festival and Exhibit Facility#.

93-12 - Special Residential Use Regulations

LAST AMENDED
1/19/2005

93-121 - Restrictions on residential use

LAST AMENDED
1/19/2005

No #residential use# shall be permitted within the Pennsylvania Station Subarea B4 of the Farley Corridor Subdistrict B.

93-122 - Certification for residential use in Subdistricts A, B and E

LAST AMENDED
7/20/2017

Within the Large-Scale Plan Subdistrict A, Subareas B1 and B2 of the Farley Corridor Subdistrict B, and the South of Port Authority Subdistrict E, #residential use# shall be permitted only upon certification of the Chairperson of the City Planning Commission that the #zoning lot# on which such #residential use# is located contains the minimum amount of #commercial# #floor area# required before #residential use# is allowed, as specified in Section 93-21 (Floor Area Regulations in the Large-Scale Plan Subdistrict A) or 93-22 (Floor Area Regulations in Subdistricts B, C, D, E and F), as applicable, and that for #zoning lots# in Subareas A2 through A5 of the Large-Scale Plan Subdistrict A, a certification pursuant to Section 93-34 (Distribution of Floor Area in the Large-Scale Plan Subdistrict A) has been made.

However, special regulations shall apply to #zoning lots# with phased development, as follows:

(a) except as provided in paragraph (c) of this Section, for #zoning lots# with less than 69,000 square feet of #lot area#, the Chairperson shall allow for phased development, upon certification that a plan has been submitted whereby the ratio of #commercial# #floor area# to #residential# #floor area#, in #buildings# in each phase, is no smaller than the ratio of the

minimum amount of #commercial# #floor area# required on the #zoning lot# before #residential use# is allowed, to the maximum #residential# #floor area# permitted on the #zoning lot# as specified in Section 93-21 or 93-22, as applicable;

(b) for #zoning lots# with at least 69,000 square feet of #lot area#, the Chairperson shall allow for one or more #buildings# containing #residences# to be #developed# or #enlarged# without the minimum amount of #commercial# #floor area# required before #residential use# is allowed, as specified in Section 93-21 or 93-22, as applicable, upon certification that a plan has been submitted whereby one or more regularly shaped portions of the #zoning lot# with a minimum area of 50,000 square feet are reserved for future development of not more than two million square feet of #commercial# #floor area# on each such portion, and that, upon full development of such #zoning lot#, the ratio of #commercial# #floor area# to #residential# #floor area# shall be no smaller than the ratio of the minimum amount of #commercial floor# #area# required on the #zoning lot# before #residential use# is allowed, to the maximum #residential# #floor area# permitted on the #zoning lot#, as specified in Section 93-21 or 93-22 , as applicable; and

(c) for #zoning lots# with at least 55,000 square feet but less than 69,000 square feet of #lot area# within Subarea A3 of the Large-Scale Plan Subdistrict A, the Chairperson shall allow for one or more #buildings# containing #residences# to be #developed# or #enlarged# without the minimum amount of #commercial# #floor area# required before #residential use# is allowed, as specified in paragraph (a) of Section 93-21, upon certification that a plan has been submitted whereby one or more regularly shaped portions of the #zoning lot# with a minimum area of 35,000 square feet are reserved for future development, and that, upon full development of such #zoning lot#, the ratio of #commercial# #floor area# to #residential# #floor area# shall be no smaller than the ratio of the minimum amount of #commercial# #floor area# required on the #zoning lot# before #residential use# is allowed, to the maximum #residential# #floor area# permitted on the #zoning lot#, as specified in Section 93-21.

All #developments# or #enlargements# so certified shall be permitted only in accordance with the provisions of this Chapter.

93-123 - Location of residential use within buildings

LAST AMENDED
2/2/2011

The provisions of Section 32-422 (Location of floors occupied by commercial uses) are modified to permit #residential uses# on the same #story# as a #commercial# #use# provided no access exists between such #uses# at any level containing #dwelling units# and provided any #commercial# #uses# are not located directly over any #story# occupied in whole or in part by #dwelling units#. However, such #commercial# #uses# may be located over such a #story# occupied by #dwelling units# by authorization of the City Planning Commission upon a finding that sufficient separation of #residential uses# from #commercial# #uses# exists within the #building#.

93-124 - Restrictions on conversions of residential use

LAST AMENDED
2/2/2011

In #Commercial Districts# mapped within R8A Districts, a #residential use# existing on December 21, 2005, within a #story# that has a floor level within five feet of #curb level#, may not be #converted# to a #commercial use#.

93-13 - Special Commercial Use Regulations

LAST AMENDED
1/19/2005

93-131 - Certification for office use

LAST AMENDED
8/14/2025

The provisions of this Section shall apply to all #developments# or #enlargements# in the #Hudson Yards Redevelopment Area#, with the exception of Subdistricts F and G.

(a) No temporary certificate of occupancy from the Department of Buildings may be issued for any portion of a #development# or #enlargement# in the #Hudson Yards Redevelopment Area# that includes #uses# listed under Office in Use Group VII #developed# or #enlarged# after January 19, 2005, until the Chairperson of the Department of City Planning certifies to the Commissioner of Buildings that:

(1) such #development# or #enlargement# does not utilize any #floor area# increases pursuant to Section 96-25 (Floor Area Bonus for New Theater Use); or

(2) such #development# or #enlargement# utilizes #floor area# increases pursuant to the special provisions for #qualifying affordable housing# or #qualifying senior housing# in Sections 93-222 (Maximum floor area ratio in the 34th Street Corridor Subdistrict C) or 93-223 (Maximum floor area ratio in Hell's Kitchen Subdistrict D), or the provisions of Sections 93-30 (SPECIAL FLOOR AREA REGULATIONS), inclusive, or 96-25, and

will not result in a total amount of office #floor area# #developed# or #enlarged# after January 19, 2005, within the #Hudson Yards Redevelopment Area# of over 20 million square feet.

All #developments# or #enlargements# so certified shall be permitted in accordance with the provisions of this Chapter, or the provisions of the #Special Clinton District#, as applicable.

(b) Where the Chairperson of the Department of City Planning determines that the amount of #floor area# for #uses# listed under Offices in Use Group VII in any #development# or #enlargement# will result in a total amount of #floor area# #developed# or #enlarged# with such #use# after January 19, 2005, within the #Hudson Yards Redevelopment Area# of over 20 million square feet, no building permit from the Department of Buildings shall be issued for any #development# or #enlargement# that includes offices constructed after January 19, 2005, until the Chairperson certifies to the Commissioner of Buildings that:

(1) such #development# or #enlargement# does not utilize any #floor area# increases pursuant to the special provisions for #qualifying affordable housing# or #qualifying senior housing# in Sections 93-222 or 93-223, or the provisions of Sections 93-30, inclusive, or 96-25; or

(2) such #development# or #enlargement# utilizes #floor area# increases pursuant to the special provisions for #qualifying affordable housing# or #qualifying senior housing# in Sections 93-222 or 93-223, or the provisions of Sections 93-30, inclusive, or 96-25, and will not result in a total amount of office #floor area# #developed# or #enlarged# after January 19, 2005, within the #Hudson Yards Redevelopment Area# of over 25 million square feet.

All #developments# or #enlargements# so certified shall be permitted in accordance with the provisions of this Chapter, or the provisions of the #Special Clinton District#, as applicable.

However, if such #developments# or #enlargements# fail to comply with the provisions of Section 11-331 with respect to completion of foundations within one year of the date of certification pursuant to this Section, such building permit shall lapse, and any new building permit will require a new Chairperson's certification pursuant to this Section.

(c) Where the Chairperson of the Department of City Planning determines that the amount of #floor area# for #uses# listed under Offices in Use Group VII in any #development# or #enlargement# will result in a total amount of #floor area# #developed# or #enlarged# with such #use# after January 19, 2005, within the #Hudson Yards Redevelopment Area# of over 25 million square feet, and where such #development# or #enlargement# utilizes #floor area# increases pursuant to the special provisions for #qualifying affordable housing# or #qualifying senior housing# in Sections 93-222 or 93-223, or the provisions of Sections 93-30, inclusive, or 96-25, such #development# or #enlargement# shall be permitted only upon authorization of the City Planning Commission pursuant to Section 93-132.

However, no such authorization shall be required for #developments# or #enlargements# utilizing the Inclusionary Housing Program within the area bounded by West 35th Street, Eighth Avenue, West 33rd Street, and a line 100 feet east of and parallel to Ninth Avenue, or in the 42nd Street Perimeter Area of the #Special Clinton District#, where the total #floor area ratio# for such #developments# or #enlargements# does not exceed 12.0.

93-132 - Authorization for office use

LAST AMENDED
12/5/2024

The provisions of this Section shall apply to all #developments# or #enlargements# in the #Hudson Yards Redevelopment Area#, with the exception of Subdistricts F and G.

Where the amount of #floor area# for #uses# listed under Offices in Use Group VII in a #development# or #enlargement# will result in over 25 million square feet of such #use# #developed# or #enlarged# after January 19, 2005, within the #Hudson Yards Redevelopment Area#, and such #development# or #enlargement# utilizes increased #floor area# pursuant to the special provisions for #qualifying affordable housing# or #qualifying senior housing# in Sections 93-222 (Maximum floor area ratio in the 34th Street Corridor Subdistrict C) or 93-223 (Maximum floor area ratio in Hell's Kitchen Subdistrict D), or the provisions of Sections 93-30 (SPECIAL FLOOR AREA REGULATIONS), inclusive, or 96-25 (Floor Area Bonus for New Theater Use), such #development# or #enlargement# shall be permitted only upon authorization of the City Planning Commission that:

(a) such #development# or #enlargement# will not require any significant additions to the supporting services of the neighborhood or that provisions for adequate supporting services have been made;

(b) the #streets# providing access to the #development# or #enlargement# are adequate to handle the traffic generated thereby or provisions have been made to handle such traffic; and

(c) such #development# or #enlargement# is consistent with the goals of the applicable special district.

93-133 - Transient hotels and offices in Subdistrict H

LAST AMENDED
8/14/2025

For a #building# subject to the provisions of Sections 93-90 (HARASSMENT) and 93-91 (Demolition) and for which #HPD# issued a #certification of no harassment# that was in effect on June 11, 2018, a special permit pursuant to Section 74-152 (In Commercial Districts) shall not be required where such #building# is #enlarged# and a portion of which is subsequently converted to #residences# pursuant to Article I, Chapter 5 (Residential Conversions Within Existing Buildings), provided that all new #transient hotel# rooms shall be located in the #enlarged# portion of such #building#, and except for #transient hotel# lobbies and #accessory# #uses# located below the floor level of the second #story#, the non-#enlarged# portion of such #building# shall contain only permanently affordable #residences# pursuant to a #regulatory agreement# enforceable by #HPD#.

In Subdistrict H, any #development# or #enlargement# that includes #uses# listed under Offices in Use Group VII, #developed# or #enlarged# after January 19, 2005, shall be permitted only pursuant to Section 93-13 (Special Office Use Regulations).

93-134 - C6-4M Districts in Subdistrict H

LAST AMENDED
8/14/2025

In the C6-4M District located within Subdistrict H, for #buildings# existing on January 19, 2005, the #use# regulations of the underlying district shall be modified as follows:

The following #uses# shall be allowed:

From Use Group IX

All #uses# listed under Use Group IX(A) that are permitted in a C8 District

From Use Group X

All #uses# listed under Use Group X that are permitted in a C8 District.

93-135 - Vehicle storage establishments

LAST AMENDED
8/14/2025

Within Subdistrict G, commercial or public vehicle storage, including #accessory# motor fuel pumps listed under Use Group IX(C) shall be permitted as-of-right, applicable to a C8 District. The #floor area# of a #building# shall not include floor space used for public utility vehicle storage provided in any #story# located not more than 56 feet above #curb level#.

93-14 - Ground Floor Level Requirements

LAST AMENDED
6/6/2024

The following provisions relating to retail continuity and transparency requirements shall apply to all subdistricts in the #Special Hudson Yards District#, except that the provisions of this Section shall not apply in Subdistrict G and along the northern #street# frontage of West 35th through West 39th Streets within 100 feet of Eleventh Avenue, as shown on Map 2 (Mandatory Ground Floor Retail) in Appendix A of this Chapter. However, any #zoning lot# fronting on such #streets# and partially within 100 feet of Eleventh Avenue may, as an alternative, apply the provisions of this Section to the

entire West 35th, West 36th, West 37th, West 38th or West 39th Street frontage of the #zoning lot#.

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 (Mandatory Ground Floor Retail) in Appendix A of this Chapter, shall be considered #Tier C street frontages#.

However, the lobby limitations for #Tier C street frontages# shall be modified as follows: within the Four Corners Subarea A2 of the Large-Scale Plan Subdistrict A, for a #development# occupying a full #block# with frontage on Hudson Boulevard East and Tenth Avenue and having two million or more square feet of #floor area#, the width of lobbies located on the Hudson Boulevard East #street# frontage or the Tenth Avenue #street# frontage may occupy up to 70 feet of the #building# wall width of the #building# located on each such frontage.

In addition, for the purposes of applying such provisions to Sites 1, 2 and 6 in the Western Rail Yard Subdistrict F, West 31st and West 32nd Street Extension, as shown on Map 3 (Subdistrict F: Public Access Area Plan) in Appendix B of this Chapter, shall be considered #streets#.

93-141 - Certification to modify ground floor level requirements in Subdistrict F

LAST AMENDED
6/6/2024

Within Subdistrict F, the Chairperson of the City Planning Commission may modify the ground floor level requirements of Section 93-14 (Ground Floor Level Requirements), provided that the Chairperson certifies to the Commissioner of Buildings that such a change is the minimum necessary to accommodate the ventilation requirements of the below-grade rail operations. Any application for such change shall include a mechanical plan that conveys the extent of the needs and required modifications, as well as a letter from the Metropolitan Transportation Authority describing the

needs for such modifications.

93-15 - Public Parking Facilities

LAST AMENDED
6/6/2024

In C2-5, C2-8 and C6 Districts, the provisions of Section 32-19 (Use Group IX - Storage), inclusive, with respect to #public parking garages# and #public parking lots# are inapplicable and are superseded by the provisions of Section 93-80 (OFF-STREET PARKING REGULATIONS).

93-16 - Modification of Sign Regulations

LAST AMENDED
8/14/2025

(a) Subdistricts A, B, C, D and E

Within Subdistricts A, B, C, D and E, the underlying #sign# regulations shall apply, except that #flashing signs# shall not be allowed within 100 feet of Hudson Boulevard, its northerly prolongation to West 39th Street and its southerly prolongation to West 33rd Street. Within the Pennsylvania Station Subarea B4, the provisions of Section 93-161 (Special permit for signs within the Pennsylvania Station Subarea) shall apply. The following modifications to the underlying #sign# regulations shall apply in the Eastern Rail Yard Subarea A1:

(1) #Flashing signs# shall not be allowed on any portion of a #building# fronting upon the outdoor plaza required pursuant to Section 93-71.

(2) For #signs# facing Tenth Avenue, or on a portion of a #building# within 100 feet of Tenth Avenue, in addition to #signs# permitted under the underlying #sign# regulations:

(i) up to four #signs# may exceed the maximum height limitations of the underlying #sign# regulations, provided that no such #sign# exceeds 95 feet in height; and

(ii) up to five #signs# may be located without regard to the maximum #surface area# limitations of the underlying #sign# regulations, provided that:

(a) the aggregate #surface area# of such #signs# does not exceed 4,400 square feet; and

(b) each such #sign# shall have a maximum #surface area# of 650 square feet, except for one #sign# that may have a maximum #surface area# of 1,800 square feet.

Any #sign# which exceeds the maximum height permitted by the underlying sign regulations shall direct attention to no more than one business conducted on the #zoning lot# and no such #signs# shall be #flashing signs#. Additionally, no more than two of the additional #signs# permitted under this paragraph (a)(2), if located below the maximum height permitted by the underlying #sign# regulations, shall be #flashing signs#.

Erection of one or both of the additional #flashing signs# permitted under this paragraph (a)(2) shall be conditioned upon and subject to additional limitations upon flashing effects for all #flashing signs# located on a #building# wall facing Tenth Avenue or on a #building# wall within 100 feet of Tenth Avenue, as prescribed by the City Planning Commission pursuant to a restrictive declaration. Recordation of such restrictive declaration in the Office of the Register and compliance with the terms thereof with respect to any previously erected #flashing signs# permitted under the underlying #sign# regulations shall be a precondition to the issuance of permits by the Commissioner of Buildings for an additional #flashing sign# permitted under this paragraph.

(3) Along the #ERY High Line#, the #sign# regulations as set forth in Section 93-16, paragraph (b)(1), shall apply. In addition, no #flashing signs# above the level of the #High Line bed# shall be located within 150 feet of and facing the #ERY High Line#.

(4) For an #ERY Culture, Festival and Exhibit Facility#, the total #surface area# of all permitted #signs# and banners shall be as set forth in this paragraph, (a)(4). The maximum aggregate #surface area# of all #signs# shall not exceed 2,700 square feet. #Signs#, other than banners, facing the outdoor plaza, as described in Section 93-71, paragraph (b), shall not exceed a maximum aggregate #surface area# of 200 square feet; #signs# facing the connection to the High Line, as described in Section 93-71, paragraph (f), shall not exceed a maximum aggregate #surface area# of 200 square feet; and #signs# facing West 30th Street shall not exceed a maximum aggregate #surface area# of 1,700 square feet. A maximum of 600 square feet of #signs# in the form of banners are permitted facing or within the outdoor plaza. No #sign# shall exceed a height of 30 feet above the level of the Culture Facility Plaza, as described in Section 93-71, paragraph (j)

and no #signs# facing West 30th Street shall be located at a height above the #High Line#. Banners located within the outdoor plaza may be installed on one or two poles located not less than 13 feet from an #ERY Culture, Festival and Exhibit Facility#. The bottom of any such banner shall be located at least 10 feet above the bottom of the pole. Any #sign# that exceeds 300 square feet of #surface area# shall be non-#illuminated# or a #sign with indirect illumination#.

(b) Subdistrict F

For the purposes of calculating the permitted #surface area# of a #sign#, each site set forth on Map 2 (Subdistrict F: Site Plan) in Appendix B shall be considered a separate #zoning lot#.

(1) Along the #High Line#

The #sign# regulations of the underlying districts shall not apply to #signs# located within 50 feet of the #High Line#, except for #signs# located entirely below the level of the #High Line bed#. In lieu thereof, the #sign# regulations of a C1 District shall apply, except that #accessory# #signs# located within the #High Line# frontage may have a maximum height of 20 feet above the level of the #High Line bed#.

No #signs# affixed to or resting upon the #High Line# shall be permitted, except as pursuant to a signage plan for the #High Line#, as authorized by the City Planning Commission, provided the Commission finds that such signage plan will:

(i) enhance the use of the #High Line# by providing signage that is consistent with the use of the #High Line# as a public open space;

(ii) provide, at a minimum, directional, informational and interpretive signage consistent with the use of the #High Line# as a public open space;

(iii) be integrated with the design of the #High Line# open space; and

(iv) not adversely affect development adjacent to the #High Line# and in the surrounding neighborhood.

(2) Other locations

Within Subdistrict F, the underlying #sign# regulations shall apply for #signs# located beyond 50 feet of the #High Line#, and for portions of #signs# located entirely below the level of the #High Line bed# along West 30th Street. However, #flashing signs# shall not be permitted in Subdistrict F, except along frontages within 200 feet of the intersection of the West 33rd Street and Eleventh Avenue #street lines#.

(c) Subdistrict H

In Subdistrict H, #flashing signs# shall not be permitted.

93-161 - Special permit for signs within the Pennsylvania Station Subarea

LAST AMENDED3/22/2016

For an arena permitted pursuant to Section 74-41 within Pennsylvania Station Subarea B4, the City Planning Commission may, by special permit, modify the applicable provisions of Sections 32-63 (Permitted Advertising Signs) to allow advertising #signs#, 32-64 (Surface Area and Illumination

Provisions) to allow increased #surface area# along specified #streets# and 32-65 (Permitted Projection or Height of Signs), provided such #signs# comply with the conditions of paragraph (a) and the findings of paragraph (b) of this Section, as follows:

(a) Conditions

(1) no #sign# shall extend to a height greater than 85 feet above #curb level# ;

(2) all #signs# located below a height of 12 feet above #curb level# shall be limited in location and aggregate #surface area# to 550 square feet on the West 31st Street frontage of Subarea B4, 250 square feet on the West 33rd Street frontage of Subarea B4 and 850 square feet on the Eighth Avenue frontage of Subarea B4; and

(3) all #signs# located above a height of 12 feet above #curb level# shall be limited in location and aggregate #surface area# to 5,500 square feet within the #through lot# fronting on Eighth Avenue, 3,000 square feet within each #corner lot# fronting on Eighth Avenue, 3,000 square feet within the #through lot# portion of the West 31st Street frontage of Subarea B4 and 3,000 square feet within the #through lot# portion of the West 33rd Street frontage of Subarea B4.

(b) The Commission shall find that the location and placement of such #signs# is appropriate in the relationship to #buildings# and #uses# on the #zoning lot# and to adjacent open areas, and would be compatible with the character of the arena site, including its use as an entryway to Pennsylvania Station, and of the surrounding area.

For purposes of calculating the height of any #sign# permitted pursuant to this Section, #curb level# shall be defined as 30.755 feet above Manhattan datum.

The Commission may prescribe additional conditions and safeguards to minimize adverse effects on the character of the surrounding area, including limitations on the number, size and location of arena #signs# permitted pursuant to the district regulations.