Zoning Resolution

THE CITY OF NEW YORK
Zohran K. Mamdani, Mayor

CITY PLANNING COMMISSION
Sideya Sherman, Chair

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

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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.