Zoning Resolution

THE CITY OF NEW YORK
Zohran K. Mamdani, Mayor

CITY PLANNING COMMISSION
Sideya Sherman, Chair

138-21 - Floor Area Regulations

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138-21 - Floor Area Regulations

LAST AMENDED
11/30/2017

Within the #Special East Harlem Corridors District#, the underlying #floor area# regulations shall apply as modified in this Section, inclusive.

138-211 - Special floor area regulations

LAST AMENDED
12/5/2024

(a) In certain #Commercial Districts# and in #Manufacturing Districts# paired with a #Residence District#, as shown on Map 2 of the Appendix to this Chapter, for any #zoning lot# containing #residential# #floor area#, the maximum #residential# #floor area ratio# shall be modified as follows:

(1) for #zoning lots# providing #qualifiying affordable housing# or #qualifying senior housing#, the maximum #residential# #floor area ratio# set forth on Map 2 shall apply;

(2) for other #zoning lots#, the maximum #residential# #floor area ratio# shall apply as modified in the table below:

Maximum #residential# #floor area ratio# shown on Map 2	Modified maximum #residential# #floor area ratio#
8.5	7.52
9.0	7.52
10.0	9.0

(3) except in C2 Districts subject to the provisions of paragraph (b) of this Section, the maximum #floor area ratio# for any combination of #uses# shall be the maximum #floor area ratio# specified in paragraphs (a)(1) or (a)(2) of this Section, whichever is applicable; and

(4) in C4-6 Districts and in C2 Districts mapped within an R9 or R10 District, the #floor area# provisions of Sections 33-13 (Floor Area Bonus for a Public Plaza) or 33-14 (Floor Area Bonus for Arcades) shall not apply.

(b) In C2 Districts mapped within an R7D District that is also located within 100 feet of Park Avenue, the maximum #community facility# #floor area ratio# shall be 6.5, except that the applicable provisions of paragraph (d) of Section 33-121 (In districts with bulk governed by Residence District bulk regulations) shall apply to #zoning lots# containing philanthropic or non-profit institutions with sleeping accommodations or #long-term care facilities#.

(c) In the C4-6 District that is located on the west side of Third Avenue between East 121st Street and East 122nd Street, the maximum #commercial# #floor area ratio# shall be 7.2.

(d) For #transit-adjacent sites# or #qualifying transit improvement sites#, in the event of a conflict between the provisions of this Chapter and the provisions of Article VI, Chapter 6 (Special Regulations Applying Around Mass Transit Stations), the provisions of Article VI, Chapter 6

shall control. For the purposes of this paragraph, defined terms additionally include those in Section 66-11 (Definitions).

138-212 - Additional floor area regulations in the Park Avenue Subdistrict

LAST AMENDED
10/7/2021

Within the Park Avenue Subdistrict, as shown on Map 1 of the Appendix to this Chapter, the #floor area ratio# regulations of paragraphs (a) and (b) of Section 138-211 are further modified in this Section.

(a) Required non-#residential# #floor area ratio#

Where a #development# or #enlargement# of a #building# on a #zoning lot#, or portion thereof, located within the Park Avenue Subdistrict contains #residentia# #floor area#, such #zoning lot# shall provide a minimum non-#residential# #floor area ratio# as set forth below:

(1) in M1-6 Districts paired with an R9 District, a minimum non-#residential# #floor area ratio# of 1.0 shall be provided;

(2) in C6-4 Districts, and in M1-6 Districts paired with an R10 District whose maximum #residential# #floor area ratio# is 10.0, a minimum non-#residential# #floor area ratio# of 1.5 shall be provided; and

(3) in M1-6 Districts paired with an R10 District whose maximum #residential# #floor area ratio# is 12.0, a minimum non-#residential# #floor area ratio# of 1.5 shall be provided.

(b) Maximum #floor area ratio# for #zoning lots# within M1-6 Districts paired with an R9 District

In M1-6 Districts paired with an R9 District, the maximum #floor area ratio# for any #use#, or any combination of #uses#, shall not exceed 8.5.

(c) Modified maximum #floor area ratio# for certain #zoning lots#

The #floor area ratios# set forth in paragraphs (a) and (b) of this Section, and in Section 138-211, shall be modified, as follows:

(1) the minimum non-#residential# #floor area# requirements set forth in paragraph (a) of this Section shall be optional for #zoning lots# existing on or before November 30, 2017, with a #lot area# of less than 5,000 square feet;

(2) for #zoning lots# subject to paragraph (c)(1) of this Section, the maximum #floor area ratio# for all #uses# shall be set forth as follows:

Maximum #floor area ratio# shown on Map 2	Modified maximum #floor area ratio#
8.5	7.52
10.0	9.0