**Zoning Resolution**

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

CITY PLANNING COMMISSION
**Sideya Sherman, Chair**

# 33-10 - FLOOR AREA REGULATIONS

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## 33-10 - FLOOR AREA REGULATIONS

LAST AMENDED
12/15/1961

## 33-11 - Definitions

LAST AMENDED
11/19/1987

Words in italics are defined in Section 12-10 or, if applicable exclusively to this Section, in this Section.

## 33-12 - Maximum Floor Area Ratio

LAST AMENDED
12/5/2024

C1 C2 C3 C4 C5 C6 C7 C8

In all districts, as indicated, for any #zoning lot#, the maximum #floor area ratio# shall not exceed the #floor area ratio# set forth in this Section, except as otherwise provided in the following Sections:

Section 33-13 (Floor Area Bonus for a Public Plaza)

Section 33-14 (Floor Area Bonus for Arcades)

Section 33-15 (Floor Area Bonus for Front Yards)

Section 33-16 (Special Provisions for Zoning Lots Divided by District Boundaries)

Any given #lot area# shall be counted only once in determining the #floor area ratio#.

Where #floor area# in a #building# is shared by multiple #uses#, the #floor area# for such shared portion shall be attributed to each #use# proportionately, based on the percentage each #use# occupies of the total #floor area# of the #zoning lot# less any shared #floor area#.

Except where authorized by express provisions of this Resolution, the maximum #floor area ratio# shall not exceed the amount set forth in this Section by more than 20 percent.

In addition, the following limitations on maximum permitted #floor area# shall apply:

C1-8A C1-8X C1-9A C2-7A C2-7X C2-8A C4-6A C4-7A C4-11A C5-1A C5-2A C6-2A C6-3A C6-3D C6-3X C6-4A

(a) In contextual Commercial Districts

In the districts indicated, and in C1 and C2 Districts mapped within R9A, R9D, R9X, R10A, R10X or R11A Districts, no #floor area# bonuses are permitted.

(b) In Community Board 7, Borough of Manhattan

Within the boundaries of Community Board 7 in Manhattan, in R10 equivalent #Commercial Districts# without a letter suffix, the maximum #floor area ratio# shall not exceed 10.0.

(c) In C6-1A Districts

In C6-1A Districts, the maximum #floor area ratio# shall not exceed the amount set forth in this Section by more than 50 percent.

(d) In C6-4X Districts

In C6-4X Districts, a #floor area# bonus shall only be permitted for a #public plaza# pursuant to Section 33-13.

## 33-121 - In districts with bulk governed by Residence District bulk regulations

LAST AMENDED
12/5/2024

C1-1 C1-2 C1-3 C1-4 C1-5 C2-1 C2-2 C2-3 C2-4 C2-5

In the districts indicated, for a #zoning lot# containing a #commercial# or #community facility# #use#, the maximum #floor area ratio# is determined by the #Residence District# within which such #Commercial District# is mapped and shall not exceed the maximum #floor area ratio# set forth in the following table:

MAXIMUM FLOOR AREA RATIO

| District | Column A | Column B | Column C |
|---|---|---|---|
| | For #Zoning Lots# Containing only #Commercial# #use# | For #Zoning Lots# Containing only #Community facility# #use# | For #Zoning Lots# Containing both #Commercial# and #Community facility# #uses# |

| | | | |
|---|---|---|---|
| R1 R2 | 1.00 | 0.50 | 1.00 |
| R3-1 R3A R3X | 1.00 | 1.00 | 1.00 |
| R3-2 | 1.60 | 1.60 | 1.60 |
| R4 R5 | 2.00 | 2.00 | 2.00 |
| R5D R6B | 2.00 | 2.00 | 2.00 |
| R6D R6-2 | 2.00 | 2.50 | 2.50 |
| R6A R7B | 2.00 | 3.00 | 3.00 |
| R7A R8B | 2.00 | 4.00* | 4.00 |
| R7D | 2.00 | 4.66 | 4.66 |
| R6 R6-1 R7-1 | 2.00 | 4.80 | 4.80 |
| R7X | 2.00 | 5.00 | 5.00 |
| R7-2 R7-3 R8 R8A | 2.00 | 6.50 | 6.50 |

| | | | |
|---|---|---|---|
| R8X | 2.00 | 6.00 | 6.00 |
| R9 R9-1 | 2.00 | 10.00 | 10.00 |
| R9A | 2.00 | 7.50 | 7.50 |
| R9D | 2.00 | 9.00 | 9.00 |
| R9X | 2.00 | 9.00 | 9.00 |
| R10 | 2.00 | 10.00 | 10.00 |
| R11 | 2.00 | 12.00 | 12.00 |
| R12 | 2.00 | 15.00 | 15.00 |

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* In R8B Districts, within the boundaries of Community District 8 in the Borough of Manhattan, the maximum #floor area ratio# on a #zoning lot# containing #community facility# #use# exclusively shall not exceed 5.10

In addition, the following provisions shall apply:

(a) For #zoning lots# containing both #commercial# #uses# and #community facility# #uses#, the total #floor area# used for #commercial# #uses# shall not exceed the amount permitted for #zoning lots# containing only #commercial# #uses# set forth in Column A.

(b) In C1 and C2 Districts mapped within R1 and R2 Districts, the maximum #floor area ratio# for #community facility# #uses# on a #zoning lot# containing both #commercial# #uses# and #community facility# #uses# is 0.50 unless it is increased pursuant to the special permit provisions of Section 74-902 (Certain community facility uses in R1 and R2 Districts and certain Commercial Districts.)

(c) In C1 and C2 Districts mapped within R1, R2, R3-1, R3A and R3X Districts in the Borough of Staten Island and in Community District 10 in the Borough of the Bronx, the maximum #floor area ratio# for any #zoning lot# containing a #building# used for ambulatory diagnostic or treatment health care facilities listed under Use Group III(B), or child care services listed under the definition of #school# in Section 12-10 (DEFINITIONS) shall be 1.2.

(d) In C1 and C2 Districts mapped within R3, R4, R5, R6, R7, R8 and R9 Districts, for any #zoning lot# containing philanthropic or non-profit institutions with sleeping accommodations, or in C1 and C2 Districts mapped within R3-1, R3A, R3X, R4-1, R4A, R4B, R5A, R5B and R5D Districts, for any #zoning lot# containing #long-term care facilities#, the total #floor area# for all such #community facility# #uses# shall not exceed the amount as set forth in paragraphs (b) or (c) of Section 24-111 (Maximum floor area ratio for certain community facility uses) unless modified pursuant to Section 74-903 (Certain community facility uses in R3 to R9 Districts and certain Commercial Districts.

(e) The maximum #floor area ratio# for any #zoning lot# used partly for #commercial# #uses# and partly for #long-term care facilities# in C1 and C2 Districts mapped within R3-1, R3A, R3X, R4-1, R4A, R4B, R5A, R5B and R5D Districts, or philanthropic or non-profit institutions

with sleeping accommodations in C1 or C2 Districts mapped within R3 through R9 Districts, shall not exceed the amount permitted for a #zoning lot# containing #commercial# #uses# as set forth for the applicable #Residence District# within which such #Commercial District# is mapped in Column A. However, for the districts in which the allowable #floor area ratio#, as set forth in paragraphs (b) or (c) of Section 24-111 exceeds the amount permitted for a #zoning lot# containing #commercial# #uses#, as set forth in Column A, the provisions of paragraphs (b) or (c) of Section 24-111, as applicable, shall be used to compute the maximum #floor area# permissible for the #zoning lot# unless modified pursuant to Section 74-903.

## 33-122 - Commercial buildings in all other Commercial Districts

LAST AMENDED
12/5/2024

C1-6 C1-7 C1-8 C1-9 C2-6 C2-7 C2-8 C3 C4 C5 C6 C7 C8

In the districts indicated, the maximum #floor area ratio# for a #zoning lot# containing only #commercial# #uses# shall not exceed the #floor area ratio# set forth in the following table:

| Districts | Maximum #Floor Area Ratio# |
|---|---|
| C3 | 0.50 |
| C4-1 C8-1 | 1.00 |

| | |
|---|---|
| C1-6 C1-7 C1-8 C1-9 C2-6 C2-7 C2-8 C7-1 C8-2 C8-3 | 2.00 |
| C4-2A C4-3A C7-2 | 3.00 |
| C4-2 C4-2F C4-3 C4-4 C4-4D C4-5 C4-6 C4-8 C4-9 C4-11 C4-12 | 3.40 |
| C4-4A C4-4L C4-5A C4-5X C5-1 C7-3 | 4.00 |
| C4-5D | 4.20 |
| C7-4 C8-4 | 5.00 |
| C6-1 C6-2 C6-3 | 6.00 |
| C7-5 | 6.50 |
| C7-6 | 8.00 |
| C6-3D | 9.00 |
| C4-7 C5-2 C5-4 C6-4 C6-5 C6-8 C7-7 | 10.00 |
| C6-11 C7-8 | 12.00 |
| C5-3 C5-5 C6-6 C6-7 C6-9 C6-12 C7-9 | 15.00 |

## 33-123 - Community facility buildings or buildings used for both community facility and commercial uses in all other Commercial Districts

LAST AMENDED
12/5/2024

C1-6 C1-7 C1-8 C1-9 C2-6 C2-7 C2-8 C3 C4 C5 C6 C7 C8

In the districts indicated, the maximum #floor area ratio# for a #zoning lot# containing #community facility# #uses#, or for a #zoning lot# containing both #commercial# and #community facility# #uses#, shall not exceed the #floor area ratio# set forth in the following table:

| Districts | Maximum #Floor Area Ratio# |
|---|---|
| C3 | 1.00 |
| C4-1 C7-1 | 2.00 |
| C8-1 | 2.40 |
| C4-2A C4-3A C7-2 | 3.00 |
| C1-6A C2-6A C4-4A C4-4L C4-5A C7-3 | 4.00 |
| C4-5D | 4.20 |

| | |
|---|---|
| C4-2 C4-3 C8-2 | 4.80 |
| C4-5X C7-4 | 5.00 |
| C6-1A | 6.00 |
| C1-6 C1-7 C2-6 C4-2F C4-4 C4-4D C4-5 C4-8 C6-1 C6-2 C7-5 C8-3 C8-4 | 6.50 |
| C1-8A C2-7A C6-3A | 7.50 |
| C7-6 | 8.00 |
| C1-8X C2-7X C6-3D C6-3X | 9.00 |
| C1-8 C1-9 C2-7 C2-8 C4-6 C4-7 C4-9 C5-1 C5-2 C5-4 C6-3 C6-4 C6-5 C6-8 C7-7 | 10.00 |
| C4-11 C6-11 C7-8 | 12.00 |
| C4-12 C5-3 C5-5 C6-6 C6-7 C6-9 C6-12 C7-9 | 15.00 |

For #zoning lots# containing both #commercial# #uses# and #community facility# #uses#, the total #floor area# used for #commercial# #uses# shall not exceed the amount permitted for #zoning lots# containing only #commercial# #uses# in Section 33-122.

In addition, the following provisions shall apply:

(a) In C1 through C6 Districts, except districts with a #residential equivalent# of R10, R11 or R12 Districts, for any #zoning lot# containing philanthropic or non-profit institutions with sleeping accommodations, the total #floor area# used for such #community facility# #use# shall not exceed the amount as set forth in paragraphs (b) or (c) of Section 24-111 (Maximum floor area ratio for certain community facility uses) applying the equivalent #Residence District# as specified in Section 34-112 (Residential bulk regulations in other C1 or C2 Districts or in C3, C4, C5 or C6 Districts) for the #Commercial District# in which such #use# is located, unless modified pursuant to Section 74-903 (Certain community facility uses in R3 to R9 Districts and certain Commercial Districts).

(b) The maximum #floor area ratio# for any #zoning lot# used partly for #commercial# #use# and partly for philanthropic or non-profit institutions with sleeping accommodations in C1 through C6 Districts, except districts with a #residential equivalent# of R10, R11 or R12 Districts, shall not exceed the amount permitted for a #zoning lot# containing #commercial# #uses# by the applicable district regulations. However, for the districts in which the allowable #floor area ratio#, as set forth in paragraphs (b) or (c) of Section 24-111 exceeds the amount permitted for a #zoning lot# containing #commercial# #uses#, the provisions of paragraph (b) or (c) of Section 24-111, as applicable, shall be used to compute the maximum #floor area# permissible for the #zoning lot# unless modified pursuant to Section 74-903.

## 33-124 - Existing public amenities for which floor area bonuses have been received

LAST AMENDED
10/17/2007

(a) Elimination or reduction in size of non-bonused open area on a #zoning lot# containing a bonused amenity

In all districts, any existing open area for which a #floor area# bonus has not been utilized that occupies the same #zoning lot# as an existing #publicly accessible open area# or other public amenity, open or enclosed, for which a #floor area# bonus has been utilized, may be reduced in size or eliminated only upon certification of the Chairperson of the City Planning Commission that all bonused amenities comply with the standards under which such #floor area# bonus was granted.

(b) Kiosks and open air cafes

Kiosks and open air cafes may be placed within an existing #publicly accessible open area# for which a #floor area# bonus has been received by certification, pursuant to Section 37-73 (Kiosks and Open Air Cafes).

(c) Nighttime closing of existing public open areas

In all #Commercial Districts#, the City Planning Commission may, upon application, authorize the closing during certain nighttime hours of an existing #publicly accessible open area# for which a #floor area# bonus has been received, pursuant to Section 37-727 (Hours of access).

(d) Elimination or reduction in size of existing public amenities

In all #Commercial Districts#, no existing #publicly accessible open area# or other public amenity, open or enclosed, for which a #floor area# bonus has been utilized, shall be eliminated or reduced in size, except by special permit of the City Planning Commission, pursuant to Section 74-761 (Elimination or reduction in size of bonused public amenities).

## 33-13 - Floor Area Bonus for a Public Plaza

LAST AMENDED
12/5/2024

C1-8 C1-9 C2-7 C2-8

(a) #Zoning lots# containing #community facility# #uses#

In the districts indicated, and in other C1 or C2 Districts when mapped within R9 through R12 Districts, for #zoning lots# containing #community facility# #uses#, for each square foot of #public plaza# provided in accordance with Section 37-70 (PUBLIC PLAZAS), inclusive, the total #floor area# permitted on that #zoning lot# under the provisions of Section 33-12 (Maximum Floor Area Ratio) for a #zoning lot# containing only #community facility# #uses# or both #commercial# and #community facility# #uses#, may be increased by six square feet.

C4-7 C5-2 C5-3 C5-4 C5-5 C6-1 C6-2 C6-3 C6-4 C6-5 C6-6 C6-7 C6-8 C6-9 C6-11 C6-12 C7-5 C7-6 C7-7 C7-8 C7-9

(b) #Zoning lots# containing only #commercial# #uses#

In the districts indicated, for #zoning lots# containing only #commercial# #uses#, for each square foot of #public plaza# provided in accordance with Section 37-70, inclusive, the total #floor area# permitted on that #zoning lot# under the provisions of Section 33-12 for a #commercial# #use# may be increased as set forth in the following table:

| Districts | Permitted Additional Square Feet of #Floor Area# per Square Foot of #Public Plaza# |
|---|---|
| C5-3 C5-5<br>C6-6 C6-7 C6-9 C6-12<br>C7-9 | 10 square feet |
| C4-7 C5-2 C5-4<br>C6-1A C6-4 C6-5 C6-8 C6-11<br>C7-7 C7-8 | 6 square feet |
| C6-1 C6-2 C6-3<br>C7-5 C7-6 | 4 square feet |

C4-6 C4-7 C4-8 C4-9 C4-11 C4-12 C5-1 C5-2 C5-3 C5-4 C5-5 C6-1 C6-2 C6-3 C6-4 C6-5 C6-6 C6-7 C6-8 C6-9 C6-11 C6-12 C7-5 C7-6 C7-7 C7-8 C7-9

(c) #Zoning lots# containing #community facility# #uses# or both #commercial# and #community facility# #uses#

In the districts indicated, for #zoning lots# containing only #community facility# #uses# or both #commercial# and #community facility# #uses#, for each square foot of #public plaza#

provided in accordance with Section 37-70, inclusive, the total #floor area# permitted on that #zoning lot# under the provisions of Section 33-12 may be increased as set forth in the following table:

| Districts | Permitted Additional Square Feet of #Floor Area# per Square Foot of #Public Plaza# |
|---|---|
| C4-12<br>C5-3 C5-5<br>C6-6 C6-7 C6-9 C6-12<br>C7-9 | 10 square feet |
| C4-6 C4-7 C4-9 C4-11<br>C5-1 C5-2 C5-4 C6-3<br>C6-4 C6-5 C6-8 C6-11<br>C7-7 C7-8 | 6 square feet |
| C4-8<br>C6-1 C6-2<br>C7-5 C7-6 | 4 square feet |

## 33-14 - Floor Area Bonus for Arcades

LAST AMENDED
12/5/2024

C4-7 C5-2 C5-3 C5-4 C5-5 C6 C7-5 C7-6 C7-7 C7-8 C7-9

(a) In the districts indicated, for #zoning lots# containing #commercial# #uses#, for each square foot of #arcade# provided on a #zoning lot# in accordance with the provisions of Section 37-80 (ARCADES), the total #floor area# permitted on that #zoning lot# under the provisions of Section 33-12 (Maximum Floor Area Ratio) for a #zoning lot# containing only #commercial# #uses# may be increased as set forth in the following table:

FLOOR AREA BONUS

| Districts | Permitted Additional Square Feet of #Floor Area# per Square Foot of #Arcade# |
|---|---|
| C4-7 C5-2 C5-3 C5-4 C5-5 C6-1A C6-4 C6-5 C6-6<br>C6-7 C6-8 C6-9 C6-11 C6-12<br>C7-7 C7-8 C7-9 | 3 square feet |
| C6-1 C6-2 C6-3<br>C7-5 C7-6 | 2 square feet |

C1-8 C1-9 C2-7 C2-8 C4-6 C4-7 C4-8 C4-9 C4-11 C4-12 C5 C6 C7-5 C7-6 C7-7 C7-8 C7-9

(b) In the districts indicated, and in C1 or C2 Districts when mapped within R9 through R12 Districts, for #zoning lots# containing #community facility# #uses#, for each square foot of #arcade# provided on a #zoning lot# in accordance with the provisions of Section 37-80, the total #floor area# permitted on that #zoning lot# under the provisions of Section 33-12 for a #zoning lot# containing only #community facility# #uses# or both #commercial# and #community facility# #uses# may be increased as set forth in the following table:

FLOOR AREA BONUS

| Districts | Permitted Additional Square Feet of #Floor Area# per Square Foot of #Arcade# |
|---|---|
| C1 or C2 when mapped within R9 through R12 | 3 square feet |
| C1-8 C1-9 C2-7 C2-8 C4-6 C4-7 C4-9 C4-11 C4-12 C5 C6-3 C6-4 C6-5 C6-6 C6-7 C6-8 C6-9 C6-11 C6-12 | |
| C7-7 C7-8 C7-9 | |

| | |
|---|---|
| C4-8 | 2 square feet |
| C6-1 C6-2 | |
| C7-5 C7-6 | |

## 33-15 - Floor Area Bonus for Front Yards

LAST AMENDED
10/17/2007

## 33-151 - In districts with bulk governed by Residence District bulk regulations

LAST AMENDED
2/2/2011

C1-1 C1-2 C1-3 C1-4 C1-5 C2-1 C2-2 C2-3 C2-4 C2-5

In the districts indicated, when mapped within an R1, R2, R3, R4 or R5 District, except R5D Districts, on any #zoning lot# on which there are provided #yards# as set forth in this Section, the maximum #floor area ratio# set forth in Section 33-12 (Maximum Floor Area Ratio) for a #zoning lot# containing only #community facility# #uses# or both #commercial# and #community facility# #uses#, may be increased to the #floor area ratio# set forth in the following table provided that:

(a) on #interior lots#, a #front yard# not less than 30 feet in depth is provided;

(b) on #corner lots#, two #front yards#, each not less than 20 feet in depth, are provided; or

(c) on #through lots#, a #front yard# not less than 30 feet in depth is provided along each #front lot line#.

MAXIMUM FLOOR AREA RATIO

| Districts | Maximum #Floor Area Ratio# |
|---|---|
| Within R1, R2, R3-1, R3A or R3X Districts | 1.60 |
| Within R4 or R5 Districts | 2.40 |

## 33-152 - In certain other Commercial Districts

LAST AMENDED
10/17/2007

C3 C4-1

In the districts indicated, the provisions set forth in Section 33-151 shall also apply as set forth in the following table:

| Districts | Maximum #Floor Area Ratio# |
|---|---|

| | |
|---|---|
| C3 | 1.60 |
| C4-1 | 2.40 |

## 33-16 - Special Provisions for Zoning Lots Divided by District Boundaries

LAST AMENDED
10/17/2007

C1 C2 C3 C4 C5 C6 C7 C8

In all districts, as indicated, whenever a #zoning lot# is divided by a boundary between districts or is subject to other regulations resulting in different maximum #floor area ratios# on portions of the #zoning lot#, the provisions set forth in Article VII, Chapter 7, shall apply.