



## Zoning Resolution

THE CITY OF NEW YORK

Eric Adams, Mayor

CITY PLANNING COMMISSION

Daniel R. Garodnick, Chair

# 93-20 - FLOOR AREA REGULATIONS

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## 93-20 - FLOOR AREA REGULATIONS

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LAST AMENDED  
2/2/2011

The #floor area# regulations of this Section, inclusive, shall apply to #zoning lots#.

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## 93-21 - Floor Area Regulations in the Large-Scale Plan Subdistrict A

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LAST AMENDED  
7/24/2013

In the Large-Scale Plan Subdistrict A, the #floor area# provisions of this Section shall apply.

(a) Subareas A2 through A5

In Subareas A2 through A5, the basic maximum permitted #floor area ratio# shall be as specified in Row A in the table in this Section. Such #floor area ratio# may be increased to the maximum amount specified in Row B in the table, pursuant to Section [93-31](#) (District Improvement Fund Bonus) or the transfer of #floor area# or increase in the amount of #floor area# from the #Phase 2 Hudson Boulevard and Park# pursuant to Sections [93-32](#) or [93-33](#). For #zoning lots# that have maximized their permitted #floor area# through such #floor area# bonus or transfer provisions, the permitted #floor area# may be further increased to the maximum amount specified in Row C in the table through the distribution of #floor area# from the Eastern Rail Yard Subarea A1, pursuant to Section [93-34](#). #Residential use# shall only be permitted on a #zoning lot# with a non-#residential# #floor area ratio#, as follows, or as provided for phased developments pursuant to Section [93-122](#) (Certification for residential use in Subdistricts A, B and E):

- (1) 18.0 or more in Subareas A2 and A3
- (2) 15.6 or more in Subarea A4
- (3) 14.0 or more in Subarea A5.

### MAXIMUM PERMITTED FLOOR AREA RATIO WITHIN SUBAREAS A2 THROUGH A5

	Subarea A2	Subarea A3	Subarea A4	Subarea A5
ROW A	10.0 total	10.0 total	10.0 total	10.0 total
Basic maximum #floor area ratio# (FAR)	10.0 C 2.0 CF	10.0 C 2.0 CF	10.0 C 2.0 CF	10.0 C 2.0 CF

ROW B	18.0 total	18.0 total	18.0 total	18.0 total
Maximum FAR through bonus pursuant to Section <a href="#">93-31</a> or transfer or increase pursuant to Sections <a href="#">93-32</a> or <a href="#">93-33</a>	18.0 C 2.0 CF	18.0 C 2.0 CF	18.0 C 2.4 R 2.0 CF	18.0 C 4.0 R 2.0 CF
ROW C	33.0 total	24.0 total	21.6 total	20.0 total
Maximum FAR through distribution pursuant to Section <a href="#">93-34</a>	33.0 C 6.0 R 2.0 CF	24.0 C 6.0 R 2.0 CF	21.6 C 6.0 R 2.0 CF	20.0 C 6.0 R 2.0 CF

C = Commercial FAR

CF = Community Facility FAR

R = Residential FAR

(b) Eastern Rail Yard Subarea A1

The Eastern Rail Yard Subarea A1 shall generate a maximum #floor area ratio# of 19.0. The maximum #floor area ratio# for #commercial# #use# shall be 19.0, the maximum #floor area ratio# for #residential use# shall be 3.0, and the maximum #floor area ratio# for #community facility use# shall be 2.0. In order to promote a superior site plan, the amount of #floor area# permitted in the subarea shall be limited, and unused #floor area# may be distributed as follows:

- (1) The maximum #floor area ratio# for any #zoning lot# in the subarea shall be 11.0. The maximum #floor area ratio# for #commercial# #use# shall be 9.0, the maximum #floor area ratio# for #community facility use# shall be 2.0, and the maximum #floor area ratio# for #residential use# shall be 3.0. #Residential use# shall only be permitted on a #zoning lot# with a non-#residential# #floor area ratio# of 8.0 or more, or as provided for phased developments pursuant to Section [93-122](#) (Certification for residential use in Subdistricts A, B and E).

Any floor space occupied by an #ERY Culture, Festival and Exhibit Facility#, including any floor space #accessory# thereto, that is located below the elevation of the Culture Shed Plaza described in Section [93-71](#), paragraph (j), within the moveable portion that may be extended and retracted to cover and enclose all or any portion of the Culture Facility Plaza, or within a portion of a #building# that contains #residential use# and is not designed to house such moveable portion, shall be exempt from the definition of #floor area# for the purposes of calculating the permitted #floor area ratio# for #community facility uses# and the total maximum #floor area ratio# of the #zoning lot#. In addition, in a #building# containing both #residential use# and an #ERY Culture, Festival and Exhibit Facility#, any floor space occupied by elevator shafts, structural systems or stairwells serving the #residential use# that is either located on any #story# occupied entirely by the #ERY Culture, Festival and Exhibit Facility#, except for such elevator shafts, structural systems, and stairwells, or is located on a #story# occupied in part by the #ERY Culture, Festival and Exhibit Facility# where such elevator shaft or stairwell is not accessible for #residential use# on such #story# except for emergency egress, shall be exempt from the definition of #floor area# for the purposes of calculating the permitted #floor area ratio# for

#residential uses# and the total maximum #floor area ratio# of the #zoning lot#.

For a #building#, or portion of a #building#, containing #residential use# that is located adjacent to the #ERY High Line#, any floor space used for storage, restrooms, maintenance facilities or other support space for the #ERY High Line# shall be exempt from the definition of #floor area# for the purposes of calculating the permitted #floor area ratio# for #residential# or #community facility uses# and the total maximum #floor area ratio# of the #zoning lot#.

- (2) Unused #floor area# may be distributed to #zoning lots# in Subareas A2 through A5 pursuant to Section [93-34](#), provided the total amount of distributed #floor area# does not exceed an amount equal to the #lot area# of the Eastern Rail Yard Subarea A1 multiplied by 10.0. Furthermore, the total #floor area# distributed to Subarea A2 shall not exceed 3,238,000 square feet.

- (c) #Phase 2 Hudson Boulevard and Park#

For #zoning lots# or portions of #zoning lots# in the #Phase 2 Hudson Boulevard and Park#, the provisions of Section [93-32](#) (Floor Area Regulations in the Phase 2 Hudson Boulevard and Park) and [93-33](#) (Special Regulations for Residual Portions of Zoning Lots Partially Within the Phase 2 Hudson Boulevard and Park) shall apply.

Notwithstanding the provisions of this Section, the basic maximum permitted #floor area ratio# may be increased on an “adjacent lot” pursuant to Section [74-79](#) (Transfer of Development Rights From Landmark Sites), provided that the maximum #floor area# transferred from the landmark lot does not exceed the basic maximum permitted #floor area ratio# less the total #floor area# of all #buildings# on the landmark lot.

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## **93-22 - Floor Area Regulations in Subdistricts B, C, D, E, F and G**

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LAST AMENDED  
2/2/2011

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

In Subdistricts B, C, D and E, the basic maximum #floor area ratio# is determined by the subdistrict and, where applicable, subarea, as specified in the table in this Section. The basic maximum #floor area ratios# for non-#residential buildings# are set forth in Row A, and the basic maximum #floor area ratios# for #buildings# containing #residences# are set forth in Row B. Such basic maximum #floor area ratios# may be increased to the amount specified in Row C only pursuant to Section [93-31](#) (District Improvement Fund Bonus) or as otherwise specified in Sections [93-221](#) through [93-224](#).

For a #zoning lot# with more than one #building#, the basic maximum #floor area ratios# set forth in Row A shall apply, provided that any #building# that is #developed# or #enlarged# after January 19, 2005, is wholly non-#residential#. If a #building# containing #residences# is #developed# or #enlarged# on such a #zoning lot# after January 19, 2005, the basic maximum #floor area ratios# set forth in Row B shall apply.

Notwithstanding the provisions of this Section, the basic maximum permitted #floor area ratio# may be increased on an “adjacent lot” pursuant to Section [74-79](#) (Transfer of Development Rights From Landmark Sites), provided that the maximum #floor area# transferred from the landmark lot does not exceed the basic maximum permitted #floor area ratio# less the total #floor area# of all #buildings# on the landmark lot.

Maximum Permitted Floor Area Ratio within Subdistricts B through E

	Farley Corridor Subdistrict B				34th St Corridor Sub district C	Hell's Kitchen Subdistrict D			South of Port Auth. Sub district E
Subarea	Western Blocks	Central Blocks	Farley Post Office	Penn. Stn.		Subarea D1	Subarea D2	Subarea D3	
ROW A  Basic maximum FAR for non- #residential buildings#	10.0 total  10.0 C  2.0 CF	12.0 total  12.0 C  2.0 CF	10.0 total  10.0 C  2.0 CF	10.0 total  10.0 C  2.0 CF	10.0 total  10.0 C  10.0 CF	7.5 total  2.0 C  7.5 CF	7.5 total  2.0 C  7.5 CF	7.5 total  6.0 C  7.5 CF	10.0 total  10.0 C  2.0 CF
ROW B  Basic maximum FAR for  #buildings# containing #residences#	NA	NA	10.0 total  10.0 C  6.0 R  2.0 CF	NA	6.5 total  6.5 C  6.5 R  6.5 CF	6.5 total  2.0 C  6.5 R  6.5 CF	6.5 total  2.0 C  6.5 R  6.5 CF	7.5 total  6.0 C  7.5 R  7.5 CF	NA

ROW C	21.6 total	19.0 total	NA	19.5 total	13.0 total	15.0 total	13.0 total	12.0 total	18.0 total
Maximum FAR through special #floor area# increases pursuant to Section <a href="#">93-30</a> , inclusive, Inclusionary Housing Section <a href="#">93-23</a> , inclusive, or Section <a href="#">74-79</a> , inclusive, as applicable.	21.6 C	19.0 C		19.5 C	13.0 C	3.0 C	3.0 C	7.5 R	18.0 C
	6.0 R	4.0 R		2.0 CF	12.0 R	12.0 R	12.0 R	7.2 C	3.0 R
	2.0 CF	2.0 CF			12.0 CF	12.0CF	12.0CF	12.0CF	2.0 CF

C = Commercial FAR

CF = Community Facility FAR

R = Residential FAR

(b) Subdistrict F

In Subdistrict F, the #floor area ratio# provisions of Section [93-225](#) (Floor area regulations in Subdistrict F) shall apply.

(c) Subdistrict G

In Subdistrict G, the #floor area ratio# provisions of Section [93-226](#) (Floor area regulations in Subdistrict G) shall apply.

**93-221 - Maximum floor area ratio in the Farley Corridor Subdistrict B**

LAST AMENDED

4/29/2014

(a) Western Blocks Subarea B1

In the Western Blocks Subarea B1 of Farley Corridor Subdistrict B, #residential use# shall only be permitted on a #zoning lot# with a #commercial# #floor area ratio# of 12.0 or more, or as provided for phased developments in Section [93-122](#) (Certification for residential use in Subdistricts A, B and E).

(b) Central Blocks Subarea B2

In the Central Blocks Subarea B2 of Farley Corridor Subdistrict B, #residential use# shall only be permitted on a #zoning lot# with a #commercial# #floor area ratio# of 15.0 or more, or as provided for phased developments in Section [93-122](#).

(c) Farley Post Office Subarea B3

In the Farley Post Office Subarea B3 of Farley Corridor Subdistrict B, no #floor area# increases shall be permitted.

(d) Pennsylvania Station Subarea B4

In the Pennsylvania Station Subarea B4 of Farley Corridor Subdistrict B, any increase in the #floor area ratio# specified in Row A in the table in Section [93-22](#) shall be permitted only pursuant to Section [93-35](#) (Special Permit for Transit Bonus in Pennsylvania Station Subarea B4) and Section [74-79](#) (Transfer of Development Rights From Landmark Sites), as modified by paragraph (b) of Section [93-054](#) (Applicability of Article VII, Chapter 4).

(e) Transfer of #floor area#

Notwithstanding any other provision of this Resolution, #floor area# may not be transferred between a #zoning lot# located north of West 31st Street in the Western Blocks Subarea B1 and a #zoning lot# located north of West 31st Street in the Central Blocks Subarea B2.

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### **93-222 - Maximum floor area ratio in the 34th Street Corridor Subdistrict C**

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LAST AMENDED

10/7/2021

In the 34th Street Corridor Subdistrict C, the basic maximum #floor area ratios# of non-#residential buildings# are set forth in Row A in the table in Section [93-22](#) and may be increased to the amount specified in Row C pursuant to Section [93-31](#) (District Improvement Fund Bonus). The basic maximum #floor area ratios# of any #building# containing #residences# are set forth in Row B.

The #floor area ratio# of any #building# containing #residences# may be increased from 6.5, pursuant to Sections [93-31](#) (District Improvement Fund Bonus) and [23-154](#) (Inclusionary Housing), as modified by Section [93-23](#) (Modifications of Inclusionary Housing Program), as follows:

- (a) the #residential# #floor area ratio# may be increased from 6.5 to a maximum of 12.0 only if for every five square feet of #floor area# increase, pursuant to Section [93-31](#), there is a #floor area# increase of six square feet, pursuant to Section [23-154](#), as modified by Section [93-23](#); and
- (b) any #floor area# increase above a #floor area ratio# of 12.0 shall be only pursuant to Section [93-31](#).

For #developments# or #enlargements# on #qualifying transit improvement sites#, a #floor area# bonus for #mass transit station# improvements may be granted by the City Planning Commission pursuant to the provisions of Section [66-51](#) (Additional Floor Area for Mass Transit Station Improvements). As a pre-condition to applying for such #floor area# bonus, the applicant shall demonstrate that a #floor area ratio# of no less than 0.1 of the maximum #floor area ratio# set forth in Row C of Section [93-22](#) (Floor Area Regulations in Subdistricts B, C, D, E, and F), has been achieved prior to, or in conjunction with, the application. For the purposes of this paragraph, defined terms additionally include those in Section [66-11](#) (Definitions).

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### **93-223 - Maximum floor area ratio in Hell's Kitchen Subdistrict D**

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LAST AMENDED

2/2/2011

(a) Subareas D1 and D2

In Subareas D1 and D2 of Hell's Kitchen Subdistrict D, the basic maximum #floor area ratios# of non-#residential

buildings# are set forth in Row A in the table in Section [93-22](#) and may be increased to the amount specified in Row C pursuant to Section [93-31](#) (District Improvement Fund Bonus) or through the transfer of #floor area# from the #Phase 2 Hudson Boulevard and Park# as set forth in Section [93-32](#). The basic maximum #floor area ratios# of any #building# containing #residences# are set forth in Row B.

The #floor area ratio# of any #building# containing #residences# may be increased from 6.5 pursuant to Section [93-31](#) (District Improvement Fund Bonus) or through the transfer of #floor area# from the #Phase 2 Hudson Boulevard and Park# as set forth in Section [93-32](#), and pursuant to Section [23-154](#) (Inclusionary Housing), as modified by Section [93-23](#), as follows:

The #residential# #floor area ratio# may be increased from 6.5 to a maximum of 12.0 only if for every five square feet of #floor area# increase pursuant to Sections [93-31](#) or [93-32](#) there is a #floor area# increase of six square feet, pursuant to Section [23-154](#), as modified by Section [93-23](#). Any #floor area# increase above a #floor area ratio# of 12.0 shall be only pursuant to Sections [93-31](#) or [93-32](#).

Furthermore, in Subarea D1, the #floor area ratio# on a #zoning lot# may exceed 13.0 only where the #community facility# #floor area ratio# is not less than the excess of such #floor area ratio# above 13.0.

(b) Subarea D3

In Subarea D3, the basic maximum #floor area ratio# may be increased only pursuant to Section [93-31](#).

(c) Subareas D4 and D5

In Subareas D4 and D5, the underlying #floor area ratio# regulations shall apply.

(d) Authorization for transfer of #floor area# for public facilities

For any #zoning lot# located partially in Subarea D2 and partially in Subarea D4, where such #zoning lot# is occupied by a #development# or #enlargement# that includes a public facility, the City Planning Commission may authorize modifications to the #street wall# requirements of Subarea D4 and authorize modifications to the provisions of Section [77-22](#) (Floor Area Ratio) in order to allow the transfer of #floor area# from that portion of the #zoning lot# located in Subarea D4 to that portion located in Subarea D2, provided the #floor area ratio# for the #zoning lot# does not exceed the adjusted maximum #floor area ratio# for the #zoning lot# as specified in Section [77-22](#). In order to authorize such modifications, the Commission shall find that:

- (1) such public facility provides a necessary service to the surrounding area;
- (2) such transfer of #floor area# is necessary in order for the #development# or #enlargement# to achieve an adequate separation of #uses# on the #zoning lot#; and
- (3) such transfer of #floor area# will not unduly increase the #bulk# of any #development# or #enlargement#, density of population or intensity of #use# to the detriment of occupants of #buildings# on the #block# or surrounding #blocks#, and that any disadvantages to the surrounding area caused by reduced access of light and air will be more than offset by the advantages of the public facility to the local community and the City as a whole.

(e) Authorization for transfer of floor area for public open areas

For #developments# or #enlargements# on #zoning lots# divided by district boundaries that are wholly or partially within Hell's Kitchen Subdistrict D and provide publicly accessible open areas contiguous to or over the Lincoln Tunnel Approaches or Dyer Avenue, the Commission may authorize the distribution of #floor area# across such district



boundaries pursuant to Section [93-543](#) (Authorization for the provision of public open areas).

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## **93-224 - Maximum floor area ratio in the South of Port Authority Subdistrict E**

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LAST AMENDED

10/7/2021

In the South of Port Authority Subdistrict E, #residential use# shall only be permitted as part of a #development# or #enlargement# on a #zoning lot# with a #commercial# #floor area ratio# of 15.0 or more, or as provided for phased #developments# in Section [93-122](#) (Certification for residential use in Subdistricts A, B and E).

For #developments# or #enlargements# on #qualifying transit improvement sites#, a #floor area# bonus for #mass transit station# improvements may be granted by the City Planning Commission pursuant to the provisions of Section [66-51](#) (Additional Floor Area for Mass Transit Station Improvements). As a pre-condition to applying for such #floor area# bonus, the applicant shall demonstrate that a #floor area ratio# of no less than 0.1 of the maximum #floor area ratio# set forth in Row C of Section [93-22](#) (Floor Area Regulations in Subdistricts B, C, D, E, and F), has been achieved, prior to, or in conjunction with, the application. For the purposes of this paragraph, defined terms additionally include those in Section [66-11](#) (Definitions).

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## **93-225 - Floor area regulations in Subdistrict F**

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LAST AMENDED

2/2/2011

In Subdistrict F, the maximum #floor area ratio# for #residential#, #community facility# and #commercial uses# on a #zoning lot# shall be as follows:

- (a) the maximum #floor area ratio# for #residential uses# shall be 8.0;
  - (b) the maximum #floor area ratio# for #community facility uses# shall be 2.0. However, any floor space occupied by a public #school#, constructed in whole or in part pursuant to agreement with the New York City School Construction Authority and subject to the jurisdiction of the New York City Department of Education, shall be exempted from the definition of #floor area# for the purposes of calculating the permitted #floor area ratio# for #community facility uses# and the total maximum #floor area ratio# of the #zoning lot#;
  - (c) the maximum #floor area ratio# for #commercial# #uses# shall be 8.0; and
  - (d) the total maximum #floor area ratio# in the subdistrict shall be 10.0, except as modified pursuant to Section [93-23](#) (Modifications of Inclusionary Housing Program).
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## **93-226 - Floor area regulations in Subdistrict G**

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LAST AMENDED10/21/2021

In Subdistrict G, the basic maximum permitted #floor area ratio# for #residential#, #community facility#, and #commercial# #uses# on a #zoning lot# shall be as follows:

- (a) the maximum #floor area ratio# for #residential uses# shall be 12.0, pursuant to Section [23-154](#) (Inclusionary Housing);
- (b) the maximum #floor area ratio# for #community facility uses# shall be 12.0;
- (c) the maximum #floor area ratio# for #commercial# #uses# shall be 12.0; and

- (d) the total maximum #floor area ratio# shall be 24.0.

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## 93-23 - Modifications of Inclusionary Housing Program

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LAST AMENDED

12/20/2018

Subdistrict C (34th Street Corridor) and Subareas D1 and D2 of Subdistrict D (Hell's Kitchen) of the #Special Hudson Yards District# and Subdistrict A-2 of the #Special Garment Center District#, shall be #Inclusionary Housing designated areas#, pursuant to Section [12-10](#) (DEFINITIONS) for the purpose of making the Inclusionary Housing Program regulations of Sections [23-154](#) (Inclusionary Housing) and [23-90](#) (INCLUSIONARY HOUSING), inclusive, applicable as modified within the Special Districts. The underlying provisions of Sections [23-154](#) and [23-90](#) shall only be applicable in Subdistrict F as modified by Section [93-233](#) (Floor area increase for affordable housing in Subdistrict F).

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### 93-231 - Definitions

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LAST AMENDED

7/29/2009

For the purposes of this Chapter, matter in italics is defined in Section [12-10](#) or [23-911](#) (General definitions), inclusive.

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### 93-232 - Floor area increase in Subdistricts B, C, D and E, and Special Garment Center District Subdistrict A-2

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LAST AMENDED

12/20/2018

Within Subdistricts B, C, D and E, and Subdistrict A-2 of the #Special Garment Center District#, the provisions of Section [23-154](#) (Inclusionary Housing) shall not apply. In lieu thereof, the #floor area# compensation provisions of this Section shall apply. In accordance with the provisions set forth in Section [93-22](#) (Floor Area Regulations in Subdistricts B, C, D, E and F) or [121-41](#) (Maximum Permitted Floor Area Within Subdistrict A-2), the maximum permitted #residential# #floor area ratio# on a #zoning lot# with #developments# or #enlargements# that provide #affordable housing# pursuant to the Inclusionary Housing Program may be increased, as follows:

- (a) The permitted #floor area ratio# may be increased from 6.5, or as otherwise specified in Section [93-22](#), to a maximum of 9.0, provided that:
- (1) the amount of #low income floor area# is equal to at least 10 percent of the total #residential# #floor area# on the #zoning lot#; or
  - (2) the amount of #low income floor area# is equal to at least five percent of the total #residential# #floor area# on the #zoning lot#, and the amount of #moderate income floor area# is equal to at least 7.5 percent of the total #residential# #floor area# on the #zoning lot#; or
  - (3) the amount of #low income floor area# is equal to at least five percent of the total #residential# #floor area# on the #zoning lot# and the amount of #middle income floor area# is equal to at least 10 percent of the total #residential# #floor area# on the #zoning lot#.
- (b) The permitted #floor area ratio# may be increased from 9.0 to a maximum of 12.0, provided that:
- (1) the amount of #low income floor area# is equal to at least 20 percent of the total #residential# #floor area# on the

#zoning lot#; or

- (2) the amount of #low income floor area# is equal to at least 10 percent of the total #residential# #floor area# on the #zoning lot#, and the amount of #moderate income floor area# is equal to at least 15 percent of the total #residential# #floor area# on the #zoning lot#; or
- (3) the amount of #low income floor area# is equal to at least 10 percent of the total #residential# #floor area# on the #zoning lot# and the amount of #middle income floor area# is equal to at least 20 percent of the total #residential# #floor area# on the #zoning lot#.

For the purposes of this Section, #low income floor area# may be considered #moderate income floor area# or #middle income floor area#, and #moderate income floor area# may be considered #middle income floor area#.

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### **93-233 - Floor area increase for affordable housing in Subdistrict F**

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LAST AMENDED

10/9/2013

The #floor area# of any #building# containing #residences# in Subdistrict F may be increased by up to five percent, and such increase may be in excess of the maximum #floor area ratio# of 8.0 for #residential use#, and the total maximum #floor area ratio# of 10.0, provided that:

- (a) at least 20 percent of the #residential# units in such #building#, inclusive of any #floor area# increase permitted by this Section, shall be occupied by #low income households#, as defined in Section [23-911](#) (General definitions);
- (b) such #building# shall comply with the provisions of:
  - (1) Section [23-953](#) (Additional requirements for compensated developments and MIH developments);
  - (2) Section [23-96](#) (Requirements for Generating Sites or MIH Sites), paragraphs (b) through (i); and;
  - (3) Section [23-961](#) (Additional requirements for rental affordable housing), paragraphs (a) through (d); and
- (c) the sum of all #floor area# increases permitted pursuant to this Section does not exceed 0.4 times the total #lot area# of Subdistrict F.