



Zoning Resolution

THE CITY OF NEW YORK

Eric Adams, Mayor

CITY PLANNING COMMISSION

Daniel R. Garodnick, Chair

Chapter 8 - Special Hudson Square District (HSQ)

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Chapter 8 - Special Hudson Square District (HSQ)

88-00 - GENERAL PURPOSES

LAST AMENDED

3/20/2013

The “Special Hudson Square District” established in this Resolution is designed to promote and protect public health, safety and general welfare. These general goals include, among others, the following specific purposes:

- (a) to support the growth of a mixed residential, commercial and industrial neighborhood by permitting expansion and new development of residential, commercial and community facility uses while promoting the retention of commercial uses and light manufacturing uses;
 - (b) to recognize and enhance the vitality and character of the neighborhood for workers and residents;
 - (c) to encourage the development of buildings compatible with existing development;
 - (d) to regulate conversion of buildings while preserving continued manufacturing or commercial use;
 - (e) to encourage the development of affordable housing;
 - (f) to promote the opportunity for workers to live in the vicinity of their work;
 - (g) to retain jobs within New York City; and
 - (h) to promote the most desirable use of land in accordance with a well-considered plan and thus conserve the value of land and buildings, and thereby protect City tax revenues.
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88-01 - Definitions

LAST AMENDED

6/6/2024

For the purposes of this Chapter, matter in italics is defined in Sections [12-10](#), [32-301](#) or within this Section.

Qualifying building

For the purposes of this Chapter, a “qualifying building” shall be any *#building#* that contained at least 70,000 square feet of *#floor area#* on March 20, 2013.

88-02 - General Provisions

LAST AMENDED

10/7/2021

In harmony with the general purposes and intent of this Resolution and the general purposes of the *#Special Hudson Square District#*, the provisions of this Chapter shall apply within the *#Special Hudson Square District#*. The regulations of all other Chapters of this Resolution are applicable, except as superseded, supplemented or modified by the provisions of this Chapter. In the event of a conflict between the provisions of this Chapter and other regulations of this Resolution, the provisions of this

Chapter shall control. However, in #flood zones#, or for #transit-adjacent sites# or #qualifying transit improvement sites#, as defined in Section [66-11](#) (Definitions), in the event of a conflict between the provisions of this Chapter and the provisions of Article VI, Chapter 4 (Special Regulations Applying in Flood Hazard Areas), or Article VI, Chapter 6 (Special Regulations Applying Around Mass Transit Stations), the provisions of Article VI shall control.

88-03 - District Plan and Maps

LAST AMENDED
3/20/2013

The regulations of this Chapter are designed to implement the #Special Hudson Square District# Plan. The District Plan includes the map, "Special Hudson Square District and Subdistrict," in the Appendix to this Chapter which is hereby incorporated and made part of this Resolution for the purpose of specifying locations where the special regulations and requirements set forth in this Chapter apply.

88-04 - Subdistricts

LAST AMENDED
3/20/2013

In order to carry out the purposes and provisions of this Chapter, Subdistrict A is established. The Subdistrict is specified on the map in the Appendix to this Chapter.

88-05 - Applicability of District Regulations

LAST AMENDED
3/20/2013

88-051 - Applicability of Article I, Chapter 5

LAST AMENDED
3/20/2013

The conversion to #dwelling units# of non-#residential buildings# erected prior to January 1, 1977, or portions thereof, shall be permitted subject to Sections [15-11](#) (Bulk Regulations), [15-12](#) (Open Space Equivalent) and [15-30](#) (MINOR MODIFICATIONS), paragraph (b), except as superseded or modified by the provisions of this Chapter.

88-052 - Applicability of district bulk regulations to certain enlargements

LAST AMENDED
3/20/2013

Notwithstanding any of the provisions of Section [11-33](#) (Building Permits for Minor or Major Development or Other Construction Issued Before Effective Date of Amendment), for the #enlargement# of a #building# which is the subject of Department of Buildings application number 121326742 filed on December 3, 2012, to create a single commercial development, such #enlarged building# shall not be subject to the height and setback regulations of Section [88-33](#), paragraph (b), and may continue, provided that a building permit has been issued for such commercial development within two years of March 20, 2013. In addition, should the #zoning lot# which is the subject of the above-referenced Department of Buildings application merge with an adjacent #zoning lot# containing #wide street# frontage on Sixth Avenue, such a #zoning lot# merger

and the subsequent combining of adjacent #buildings# shall not be deemed to create a new #non-compliance#, nor an increase in the degree of #non-compliance# in regards to Section [88-33](#), paragraph (b)(4), (Maximum length of #street wall#).

88-10 - SUPPLEMENTAL USE REGULATIONS

LAST AMENDED

6/6/2024

All permitted #uses# in the underlying districts, as set forth in Section [42-10](#) (USE ALLOWANCES), inclusive, shall comply with the provisions set forth in this Section, inclusive.

88-11 - Residential Use

LAST AMENDED

3/20/2013

#Residential use# shall be permitted in accordance with the provisions of this Section.

(a) #Residential use# as-of-right

#Residential use# shall be permitted as-of-right on any #zoning lot# that, on March 20, 2013, was not occupied by a #qualifying building#. As a condition to receiving a building permit, such absence of a #qualifying building# on the #zoning lot# must be demonstrated to the satisfaction of the Department of Buildings.

(b) #Residential use# by certification

#Residential use# shall be permitted on a #zoning lot# that, on March 20, 2013, was occupied by one or more #qualifying buildings#, only upon certification by the Chairperson of the City Planning Commission that the #zoning lot#, as it existed on March 20, 2013, will contain at least the amount of #commercial# or #manufacturing floor area# that existed within such #qualifying buildings# on the #zoning lot# on March 20, 2013, subject to the following:

- (1) #commercial# or #manufacturing# #floor area# that is preserved within existing non-#qualifying buildings# on the #zoning lot# through restrictive declaration may count towards meeting the requirements of this certification; and
- (2) #floor area# from #community facility uses# with sleeping accommodations shall not count towards meeting the requirements of this certification.

However, #commercial# or #manufacturing# #floor area# converted to #residential# vertical circulation space and lobby space need not be replaced as #commercial# or #manufacturing# #floor area#.

A restrictive declaration acceptable to the Department of City Planning shall be executed and recorded, binding the owners, successors and assigns to maintain the amount of #commercial# or #manufacturing# #floor area# that existed within such #qualifying buildings# on March 20, 2013, on the #zoning lot#. Such restrictive declaration shall be recorded in the Office of the City Register. A copy of such declaration shall be provided to the Department of Buildings upon application for any building permit related to a change of #use# from #commercial# or #manufacturing# to #residential#, or for any #development# containing #residences#.

88-12 - Community Facility Use

The #community facility use# regulations for Use Group III that are applicable in M1 Districts shall not apply in the #Special Hudson Square District#. In lieu thereof, all #uses# listed under Use Group III shall be permitted, except that those listed under Use Group III(A) shall only be permitted in accordance with paragraphs (a) or (b) of this Section, as applicable.

- (a) #Community facilities# with sleeping accommodations shall be permitted as-of-right on any #zoning lot# that, on March 20, 2013, was not occupied by a #qualifying building#. As a condition to receiving a building permit, such absence of a #qualifying building# on the #zoning lot# shall be demonstrated to the satisfaction of the Department of Buildings.
- (b) #Community facilities# with sleeping accommodations shall be permitted on a #zoning lot# that, on March 20, 2013, was occupied by one or more #qualifying buildings#, only upon certification by the Chairperson of the City Planning Commission that the #zoning lot# will contain at least the amount of #commercial# or #manufacturing# #floor area# that existed within #qualifying buildings# on the #zoning lot# on March 20, 2013, subject to the following:
 - (1) #commercial# or #manufacturing# #floor area# that is preserved within existing non-#qualifying buildings# on the #zoning lot# through restrictive declaration may count towards meeting the requirements of this certification; and
 - (2) #floor area# from #community facility uses# with sleeping accommodations shall not count towards meeting the requirements of this certification.

However, #commercial# or #manufacturing# #floor area# converted to vertical circulation and lobby space associated with a #community facility# with sleeping accommodations need not be replaced as #commercial# or #manufacturing# #floor area#.

A restrictive declaration acceptable to the Department of City Planning shall be executed and recorded, binding the owners, successors and assigns to maintain the amount of #commercial# or #manufacturing# #floor area# that existed within such #qualifying buildings# on March 20, 2013, on the #zoning lot#. Such restrictive declaration shall be recorded in the Office of the City Register. A copy of such declaration shall be provided to the Department of Buildings upon application for any building permit related to a change of #use# from #commercial# or #manufacturing# to #community facility uses# with sleeping accommodations, or for any #development# containing #community facility uses# with sleeping accommodations.

88-13 - Commercial Use

The #commercial# #use# regulations applicable in M1 Districts shall apply in the #Special Hudson Square District#, except that:

- (a) #uses# listed under Food and Beverage Retailers in Use Group VI shall not be limited as to the size of the establishment;
- (b) other #uses# listed under Use Group VI, as well as #uses# listed under Use Group VIII shall be limited to a size of 10,000 square feet on the #ground floor level# of #floor area# per establishment;
- (c) #commercial# #uses# permitted in M1 Districts shall be subject to the modifications set forth in Section [123-22](#) (Additional Conditions for Certain Uses), inclusive;
- (d) #transient hotels# listed under Use Group V shall be subject to the provisions of Section [32-153](#) (Use Group V – uses subject to additional conditions) applicable to a C7 District; and

- (e) eating or drinking establishments listed under Use Group VI, where such establishment provides entertainment with a cover charge or specified showtime, or includes a dance floor, shall be limited to a capacity of 200 persons or fewer. A capacity of more than 200 persons may be permitted by the Board of Standards and Appeals pursuant to Section [73-162](#) (Eating or drinking establishments).
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88-131 - Streetscape provisions

LAST AMENDED

6/6/2024

For the purposes of applying the underlying provisions set forth in Section [32-30](#) (STREETSCAPE REGULATIONS), inclusive, to the #Special Hudson Square District#, the streetscape regulations for C7 Districts shall apply to all M1 Districts.

The underlying #ground floor level# streetscape provisions set forth in Section [32-30](#), inclusive, shall apply, except that #ground floor level# #street# frontages along #wide streets# shall be considered #Tier C street frontages#.

88-14 - Manufacturing Use

LAST AMENDED

6/6/2024

In the #Special Hudson Square District#, #manufacturing uses# permitted in M1 Districts shall be subject to the modifications set forth in Section [123-22](#) (Additional conditions for certain uses), inclusive.

88-20 - SIGN REGULATIONS

LAST AMENDED

3/20/2013

In the #Special Hudson Square District#, #signs# are subject to the regulations applicable in C6-4 Districts, as set forth in Section [32-60](#), inclusive.

88-30 - SPECIAL BULK REGULATIONS

LAST AMENDED

3/20/2013

Except as modified in this Chapter, the following bulk regulations shall apply:

- (a) For #developments#, #enlargements#, or changes of #use# containing #residences#, the #bulk# regulations of an R10 District, as set forth in Article II, Chapter 3 (Residential Bulk Regulations in Residence Districts), shall apply;
- (b) For #developments#, #enlargements#, or changes of #use# containing #manufacturing#, #commercial# or #community facility uses#, the #bulk# regulations set forth in Article IV, Chapter 3 (Bulk Regulations), shall apply.

For the purposes of applying the regulations of this Section, Greenwich Street shall be a #wide street#.

88-31 - Floor Area Regulations

LAST AMENDED

10/7/2021

Except in Subdistrict A of this Chapter, the maximum #floor area# ratio for #zoning lots# that do not contain #residences# shall be 10.0.

The maximum base #floor area ratio# for #zoning lots# that contain #residences# shall be 9.0 plus an amount equal to 0.25 times the non-#residential# #floor area ratio# provided on the #zoning lot#, provided that such base #floor area ratio# does not exceed 10.0. Such #floor area ratio# may be increased to a maximum of 12.0 only as set forth in Section [88-32](#) (Inclusionary Housing).

For any #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). For #zoning lots# that contain #residences#, such bonus may be applied separately or in combination with the #floor area# provisions of Section [88-32](#). No other #floor area# bonuses shall apply. For the purposes of this paragraph, defined terms additionally include those in Section [66-11](#) (Definitions).

88-311 - Special floor area regulations in Subdistrict A

LAST AMENDED

10/7/2021

For #zoning lots# in Subdistrict A of this Chapter that do not contain #residences#, the maximum #floor area ratio# shall be 10.0.

For #zoning lots# in Subdistrict A containing #residences#, the maximum #floor area ratio# shall be 9.0 plus an amount equal to 0.25 times the non-#residential# #floor area ratio# provided on the #zoning lot#, provided that such base #floor area ratio# does not exceed 10.0.

For any #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). No other #floor area# bonuses shall apply. For the purposes of this paragraph, defined terms additionally include those in Section [66-11](#) (Definitions).

Additionally, any floor space designated for #use# as a #school# 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#, provided that such school is either:

- (a) a public school, subject to the jurisdiction of the New York City Department of Education, pursuant to an agreement accepted by the School Construction Authority; or
- (b) a charter school, subject to the New York State Education Law, pursuant to an agreement with a charter school organization.

88-32 - Inclusionary Housing

LAST AMENDED

3/20/2013

The #Special Hudson Square District#, except Subdistrict A, shall be an #Inclusionary Housing designated area#, and the provisions of Section [23-90](#) (INCLUSIONARY HOUSING) applicable to R10 Districts shall apply.

88-33 - Height and Setback

In the #Special Hudson Square District#, the height and setback regulations of the underlying districts shall not apply. In lieu thereof, the provisions of this Section shall apply to all #buildings#.

(a) Permitted obstructions

The provisions of Section [33-42](#) shall apply to all #buildings#. In addition, dormers may penetrate a maximum base height provided that such dormers comply with the provisions of paragraph (c) of Section [23-632](#) (Permitted obstructions in certain districts).

(b) Height and setback

(1) #Street wall# location

On #wide streets#, and on #narrow streets# within 50 feet of their intersection with a #wide street#, the #street wall# shall be located on the #street line# and extend along the entire #street# frontage of the #zoning lot# up to the minimum base height or the height of the #building#, whichever is less. On #narrow streets# beyond 50 feet of their intersection with a #wide street#, the #street wall# shall be located on the #street line#. For the purposes of this paragraph (b), portions of #street walls# located up to 18 inches from a #street line# shall be considered to be located on the #street line# where a vertical element of such #street wall# is located on the #street line# and rises without setback from ground level to the top of the second #story# at intervals of at least once every 15 feet in plan and, above the level of the second #story#, where a vertical element rises without setback to the applicable minimum base height at an interval of at least once every 30 feet in plan.

On the ground floor, recesses shall be permitted where required to provide access to the #building#, provided such recesses do not exceed three feet in depth as measured from the #street line#.

Above the level of the ground floor, recesses shall be permitted beyond 20 feet of an adjacent #building# and beyond 30 feet of the intersection of two #street lines#, as follows:

(i) Along #wide streets#

Recesses shall be provided at the level of each #story# entirely above a height of 60 feet, up to the maximum base height of the #building#. Such recesses shall have a minimum depth of five feet and a width between 10 and 40 percent of the #aggregate width of street wall# of the #building# at the level of any #story#.

(ii) Along #narrow streets#

Above the level of the second #story#, recesses in #street walls# deeper than 18 inches shall be permitted. Such recesses may not exceed 30 percent of the #aggregate width of street wall# of the #building# at the level of any #story#.

(2) Base height

(i) Along #wide streets#

On #wide streets#, and on #narrow streets# within 50 feet of their intersection with a #wide street#, the #street wall# of a #building# shall rise without setback to a minimum base height of 125 feet and a maximum base height of 155 feet.

(ii) Along #narrow streets#

On #narrow streets#, beyond 50 feet of their intersection with a #wide street#, the #street wall# of a #building# shall rise without setback to a minimum base height of 60 feet, or the height of the #building#, whichever is less, up to a maximum base height of 135 feet. However, for #buildings# on #zoning lots# meeting the criteria set forth in paragraph (a) of Section [23-664](#) (Modified height and setback regulations for certain Inclusionary Housing buildings or affordable independent residences for seniors), the maximum base height may be increased to 155 feet.

As an alternative, the minimum and maximum base heights applicable to a #wide street# may apply along a #narrow street# to a distance of 100 feet from its intersection with a #wide street#.

(3) Required setbacks and maximum #building# heights

(i) Along #wide streets#

For #buildings#, or portions thereof, located on #wide streets#, and on #narrow streets# within 100 feet from their intersection with a #wide street#, the portion of such #building# above the maximum base height set forth in paragraph (b)(2)(i) of this Section shall be set back from the #street wall# of the #building# at least 10 feet along a #wide street# and at least 15 feet along a #narrow street#, except such dimensions may include the depth of any permitted recesses in the #street wall#. The maximum height of such #buildings# shall be 290 feet. In addition, the gross area of each of either the highest two or three #stories# of such #building# located entirely above a height of 230 feet, shall not exceed 80 percent of the gross area of the #story# directly below such highest two or three #stories#.

(ii) Along #narrow streets#

For #buildings#, or portions thereof, located on #narrow streets# beyond 100 feet from their intersection with a #wide street#, the portion of such #building# above the maximum base height set forth in paragraph (b)(2)(i) of this Section shall be set back from the #street wall# of the #building# at least 15 feet, except such dimensions may include the depth of any permitted recesses in the #street wall#.

The maximum height of a #building# and the maximum number of #stories# shall be as set forth in Section [23-662](#) (Maximum height of buildings and setback regulations) for an R10A District on a #narrow street#. However, for #buildings# meeting the criteria set forth in paragraph (a) of Section [23-664](#) (Modified height and setback regulations for certain Inclusionary Housing buildings or affordable independent residences for seniors), such maximum heights and number of #stories# may be increased, provided that the maximum number of #stories# does not exceed 23, the maximum height of a #building# with a #non-qualifying ground floor# does not exceed a height of 230 feet and the maximum height of a #building# with a #qualifying ground floor# does not exceed a height of 235 feet.

(4) Maximum length of #street wall#

The maximum length of any #street wall# located entirely above a height of 150 feet shall not exceed 150 feet. Such length shall be measured in plan view by inscribing within a rectangle the outermost walls at the level of each

#story# entirely above a level of 150 feet. As an alternative, for #street walls# facing #wide streets# that provide vertical articulation, such maximum length may be increased to 175 feet, provided that between 30 and 40 percent of the width of the #street wall# is recessed at least five feet from all adjacent #street walls# above a height of 150 feet.

(5) Vertical #enlargements#

- (i) Existing #buildings# may be vertically #enlarged# by up to one #story# or 15 feet without regard to the #street wall# location requirements of paragraphs (b)(1) and (b)(2) of this Section.
- (ii) Existing #buildings# with #street walls# that rise without setback to a height of at least 80 feet may be vertically #enlarged# in excess of one #story# or 15 feet without regard to the #street wall# location requirements of paragraphs (b)(1) and (b)(2) of this Section, provided such #enlarged# portion is located at least 10 feet from a #wide street# and at least 15 feet from a #narrow street#.

88-331 - Special height and setback regulations in Subdistrict A

LAST AMENDED
3/20/2013

For #zoning lots# in Subdistrict A of this Chapter, the regulations in paragraph (b) of Section [88-33](#) applicable to #wide streets# shall apply, except where modified or superseded by the regulations of this Section.

(a) Maximum #building# height

The maximum height of #buildings# shall be 430 feet.

(b) #Lot coverage#

Below a height of 290 feet, #buildings# shall have a minimum #floor area# coverage of at least 30 percent of the #lot area# of the #zoning lot#. Above a height of 290 feet, #buildings# shall have a minimum #floor area# coverage of at least 20 percent of the #lot area# of the #zoning lot#.

(c) Modification of #bulk# regulations for #zoning lots# bounding a #public park#

In the case of a #zoning# #lot line# #abutting# the boundary of a #public park#, such #zoning# #lot line# shall be considered to be a #wide# #street line# for the purposes of applying all #bulk# regulations of this Resolution, except for #street wall# regulations. For the purposes of applying #street wall# regulations in the case of a #zoning# #lot line# #abutting# the boundary of a #public park#, a line no more than 45 feet west of and parallel to the nearest boundary line of the #public park# shall be considered a #wide# #street line#.

(d) #Street wall# location

The #street wall# provisions of this Chapter shall apply, except that, for the portion of a #building# bounding a #public park#, the #street wall# shall be located at the #street line# for at least 50 percent of the frontage bounding the #public park# and shall rise to the minimum base height, but not higher than the maximum base height.

88-332 - Courts

LAST AMENDED

3/20/2013

Those portions of #buildings# that contain #residences# shall be subject to the court provisions applicable in R10 Districts as set forth in Section [23-80](#) (COURT REGULATIONS, MINIMUM DISTANCE BETWEEN WINDOWS AND WALLS OR LOT LINES AND OPEN AREA REQUIREMENTS), inclusive.

88-40 - YARD REGULATIONS

LAST AMENDED

3/20/2013

In the #Special Hudson Square District#, except as provided in Section [88-41](#) (Rear Yard Regulations for Shallow Through Lots), the #yard# provisions applicable in R10 Districts shall apply to the #residential# portion of a #building#, and the #yard# provisions applicable in C6 Districts shall apply to non-#residential buildings#, or the non-#residential# portion of a #building#.

88-41 - Rear Yard Regulations for Shallow Through Lots

LAST AMENDED

3/20/2013

For #through lots# or #through lot# portions of #zoning lots# located beyond 100 feet of a #wide street#, where the maximum depth of such #through lot# between #narrow streets# is 180 feet or less, any required #rear yard equivalent# shall be provided in accordance with the provisions set forth in Section [23-533](#) (Required rear yard equivalents for Quality Housing buildings).

88-50 - PARKING AND LOADING REGULATIONS AND CURB CUT LOCATIONS

LAST AMENDED

3/20/2013

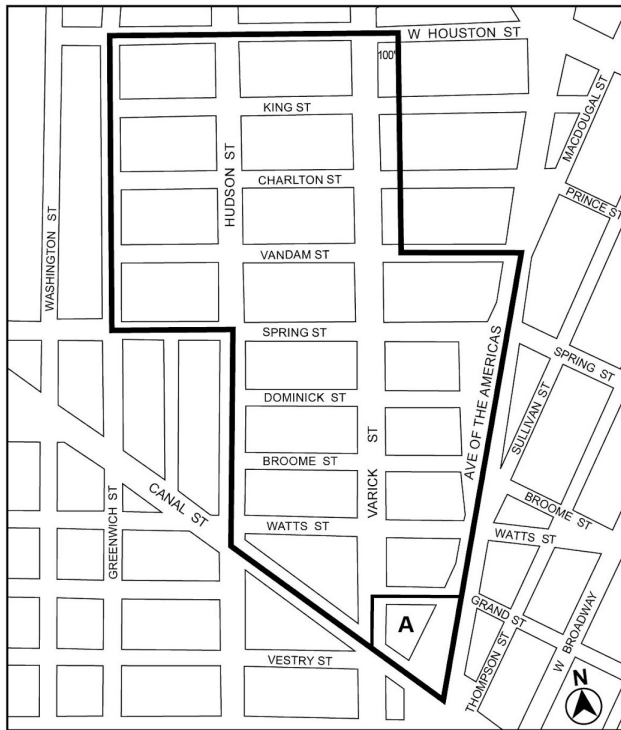
In the #Special Hudson Square District#, the parking regulations applicable in C6-4 Districts, as set forth in Article III, Chapter 6, and as modified, pursuant to Article I, Chapter 3 (Comprehensive Off-street Parking and Loading Regulations in the Manhattan Core) shall apply.

Appendix A - Special Hudson Square District Plan

LAST AMENDED

3/20/2013

Special Hudson Square District and Subdistrict



- Special Hudson Square District**
- Special Hudson Square District Subdistrict A**

