

## **Zoning Guide\***

**\*The following explanations are provided for CITI users who want basic information about the types of land uses allowed by the city in a given zoning district. If you require more complete information about zoning for the purposes of building specifications, you must consult the Department of Buildings or the city's Zoning Resolution and Zoning Maps, which show the location of zoning districts. The full text of the Resolution, including amendments made to the Resolution, is available on the website of the Department of City Planning (nyc.gov).**

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## **Section I**

### **Introduction**

*What are the three basic zoning districts?*

New York City is roughly divided into three types of zoning districts: Residential (R), Commercial (C), and Manufacturing (M). Each of these three types of district is divided into subdistricts on the basis of the density allowed.

*What do zoning districts regulate?*

Zoning districts regulate permitted uses; the size (bulk) of the building permitted in relation to the size of the lot (floor area ratio, or FAR); the required open space (OSR) for residential uses on the lot, or the maximum amount of building coverage allowed on the lot; the number of dwelling units or zoning rooms permitted on the lot (DU); the distance between the building and the street; the distance between the building and the lot line; the amount of parking required; and other requirements applicable to specific residential, commercial or manufacturing activities.

This zoning guide provides a brief introduction to each of the three basic types of zoning district. If you are unsure of the meanings of the terms used in the descriptions, consult the glossary at the end of the guide.

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## **Section II**

### **Residence Districts**

There are ten basic residence districts in New York City -- R1 through R10. The numbers indicate permitted density (R1 having the lowest density; R10 the highest) and certain other controls such as required parking. There may be a second letter or number which indicates additional controls in certain districts.

There are a number of new and revised residential districts, generally identified with the suffix A, B, X or 1 (except R7), which are called contextual because they maintain the familiar built form and character of the existing community.

#### **R1**

A few R1 districts exist in New York City (Douglaston, Riverdale, Midwood). They permit only single-family detached houses on relatively large lots.

#### **R2**

R2 districts are similar to R1 districts in that they permit only single-family homes. The homes are generally smaller, though, because of the smaller lot width permitted, thereby increasing the density of the area. Neighborhood example: Beechhurst, Queens.

#### **R3**

In R3 districts, relatively small, single-family or two-family, attached or detached homes are allowed. Neighborhood examples: Jamaica Estates, Queens; Grasmere, Staten Island; Manhattan Beach, Brooklyn.

#### **R4**

R4 districts allow housing types similar to those found in R3-2 districts, but at a higher density. The higher density is due to a higher floor area ratio (FAR) and typically results in bulkier structures. Building height is generally no higher than three stories. Neighborhood examples: Throgs Neck, Bronx; Canarsie, Brooklyn.

#### **R5**

R5 districts allow a variety of housing districts at a higher density than R4; typically, three-story row houses and small apartment buildings. Maximum street wall height is 30 feet; any height above that must be set back 15 feet. Neighborhood examples: Astoria, Queens; East New York, Brooklyn.

## **R6**

R6 districts are generally for medium density housing, usually between three and five stories, commonly found in all built up areas of all boroughs. Neighborhood examples: Ridgewood, Queens, Bedford Stuyvesant, Brooklyn.

## **R7**

R7 is a medium density residential district that is generally characterized by 14-story buildings with low lot coverage that are set back from the street. Neighborhood examples: Jackson Heights, Queens.

## **R8**

R8 is a high density housing district, with a maximum FAR of 6.02, two-thirds greater than that allowed in R7. The higher FAR typically produces taller buildings with lower lot coverage that are set back from the street. Neighborhood example: Grand Army Plaza area, in Brooklyn.

## **R9**

R9 districts are found only in Manhattan, and have a maximum FAR of 7.52. Typical buildings are 17-story apartment buildings which are set back from the street and have low lot coverage.

## **R10**

R10 is the highest density\* residential district. This density is found on major avenues and crosstown streets south of 96th Street in Manhattan and in the Manhattan and Brooklyn central business districts. The permitted FAR of 10.0 can be increased to 12.0 if a large plaza, arcade or lower-income housing is provided. (12.0 FAR is the maximum residential density permitted by the State Multiple Dwelling Law.) The intent of the plaza bonus is to encourage open space. Where a plaza, arcade or lower-income housing is provided, density can reach 700 dwelling units per acre.



## Section III

### Commercial Districts

These districts accommodate the range of commercial activity in the city, from local retail and service establishments, to medium density regional shopping and office centers, to high density shopping, entertainment and office uses. There are eight basic commercial districts: two (C1 and C2 districts) are designed to serve local needs, one (C4) is for shopping centers outside the central business district, two (C5 and C6 districts) are for the central business districts that include the office, retail and commercial functions that serve the city and region, and three (C3, C7 and C8 districts) are designed for special purposes (waterfront activity, large commercial amusement parks and heavy repair services).

Residential and community facility uses are allowed anywhere in C1 to C6 commercial areas, but not in C7 districts. The Zoning Resolution contains a set of commercial contextual zones which have been designed for mapping in commercial districts that are substantially residential in character. With one exception (C6-1A) all commercial zones identified on the zoning maps with the suffix A, E, or X are contextual. In addition to the contextual districts themselves, C1 and C2 commercial districts that are mapped as overlays in contextual residential districts also fall under the contextual regulations.

The eight basic commercial districts are further subdivided to reflect variations in bulk and parking and loading requirements. These variations are indicated by a hyphen and second digit. For example, a C4-1 district permits a commercial FAR of 1, whereas a C4-7 district permits a commercial FAR of 10. Additional regulations are indicated by a letter suffix after the second digit (for example, C4-7A indicates a contextual C4-7 district).



## **C1**

C1 districts are generally mapped in proximity to residential neighborhoods and typically contain uses such as grocery stores, small dry cleaners and restaurants. Commercial use is limited to one or two floors.

## **C2**

C2 districts are intended to serve both the neighborhood and wider neighborhood. As in C1 districts, commercial uses are limited to one or two floors. C2-1 to C2-5 districts are mapped as overlays in residential districts.

## **C3**

C3 districts are applied to the city's waterfront areas and permit water-related recreation and uses related to boating and fishing, typically resulting in the development of marinas, boat repair shops and public and private beaches.

## **C4**

C4 districts are major commercial centers located outside of the central business districts. They allow department stores, theaters and other commercial uses that serve a larger area. They are not mapped as an overlay. C4 districts are not permitted to include home maintenance and repair services which would interrupt the desired continuous retail frontage. C4 districts are usually found in regional centers like Rego Park or Fordham Road.

## **C5**

C5 is a restricted central commercial district intended primarily for retail uses that serve the metropolitan region and for areas where continuous retail frontage is desired. The retail area of Fifth Avenue in Manhattan is zoned C5. C5 districts are generally developed with department stores, large office buildings, and mixed buildings with residential space above office or commercial floors. Certain commercial uses such as auto rental establishments and bowling alleys are not permitted because they are not in character with the district.

C5 districts are mapped in Mid- and Lower Manhattan, Downtown Brooklyn and in Long Island City in Queens.



## **C6**

C6 districts are designed to accommodate uses such as corporate headquarters, retail stores, large hotels and entertainment complexes. Most C6 districts are mapped in Manhattan and carry an FAR of 6.0.

## **C7**

C7 districts are mapped for commercial amusement parks. The Coney Island amusement park is mapped C7.

## **C8**

C8 districts are designed to provide a transition between commercial and manufacturing uses. Typical uses in a C8 district are automotive and other heavy commercial services and warehouses. These districts are generally mapped along major traffic arterials.

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## **Section IV**

### **Manufacturing Districts**

Manufacturing districts are generally designed and mapped to provide space for industry and industrial expansion. Manufacturing uses are relegated to specific districts on the basis of the characteristics of their operations, the most incompatible uses generally located the farthest away from residential districts. While most retail and commercial uses are allowed in manufacturing districts, residential and community facility uses are generally not allowed, to protect both residents from emissions and industry from nuisance-generated complaints.

#### **M1**

M1 districts typically generate light industrial uses and often serve as a buffer zone between commercial or residential and heavier manufacturing zones. Strict performance standards apply in M1 districts. Retail and office uses are permitted.

#### **M2**

M2 districts allow uses that produce more noise and vibration, and have lower performance standards. In most cases, industrial uses do not need to be entirely enclosed in M2 districts.

#### **M3**

M3 districts allow heavy industry that generates traffic, noise, odor and pollutants, although there are certain performance standards that apply. Typical uses are power plants and foundries. These districts are generally located on the waterfront and are buffered from residential areas by distance or by another manufacturing district.

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## **Section V**

### **GLOSSARY OF ZONING TERMS**

#### **Arcade**

An arcade is a continuous covered area which opens onto a street or a plaza. It is unobstructed to a height of not less than 12 feet, and must be accessible to the public at all times.

#### **Attached Building**

An attached building is a building on a zoning lot that abuts two lot lines other than a street line.

#### **Block**

A block is a tract of land bounded by streets or by a combination of streets, public parks, railroad rights-of-way, pierhead lines and airport boundaries.

#### **Building**

A building is a structure which has one or more floors and a roof and which is permanently affixed to the land.

#### **Bulk**

Bulk is the term used to describe the size (including height and floor area) of buildings.

#### **Certification**

Certification is a determination made by the Department of City Planning that an application is complete, complies with specific sections of the Zoning Resolution, and is ready for the formal public review process (ULURP).

It is also a ministerial action taken by the City Planning Commission or its chairperson in accordance with certain provisions of the Zoning Resolution to achieve specific planning objectives.

#### **Commercial Building**

Any building occupied only by commercial uses is a commercial building.



## **Commercial District**

A Commercial District is designated by the letter C (C1-2, C3, C4-7, for example).

## **Commercial Overlay**

A commercial overlay is a small portion of a residential district -- usually the first and second floors of buildings fronting on major avenues or wide streets -- which is zoned for retail and service stores. A commercial overlay is shown on the zoning maps as a pattern superimposed on a residential district.

## **Commercial Use**

A commercial use is any use listed in Use Groups 5 through 16.

## **Community Facility Building**

A community facility building is any building occupied only by a community facility use.

## **Community Facility Use**

Any use listed in Use Groups 3 or 4, except open uses, is a community facility use.

## **Contextual Zoning**

Contextual zoning is zoning that regulates the height and bulk of new buildings, their setback from the street line, and their width along the street frontage, to conform with the character of the neighborhood.

## **Density**

Density refers to the maximum number of dwelling units or zoning rooms permitted on a site. It is regulated by the minimum number of square feet of lot area required for each dwelling unit or zoning room.

## **Detached Building**

A detached building is a freestanding building on a zoning lot that does not abut any other building on an adjoining zoning lot and where all sides of the building are surrounded by open areas within the zoning lot or street lines.

## **Development**



A development includes: a) the construction of a new building or other structure on a zoning lot; b) the relocation of an existing building to another lot; or c) the use of a tract of land for a new use.

### **Dwelling Unit**

A dwelling unit consists of one or more rooms which contain lawful cooking and sanitary facilities in a residential building or residential portion of a building.

### **Floor Area**

The floor area of a building is the sum of the gross area of each floor of the building, excluding cellar space, floor space in open balconies, elevator or stair-bulkheads and, in most zoning districts, floor space used for accessory parking that is located less than 23 feet above curb level.

### **Floor Area Ratio**

Floor area ratio (FAR) is the total floor area on a zoning lot divided by the area of that zoning lot. Each zoning district classification contains an FAR control which, when multiplied by the lot area of the zoning lot, produces the maximum floor area allowable on such lot.

### **Height Factor**

The height factor of a building is equal to the total floor area of the building divided by its lot coverage.

### **Joint Living-Work Quarters For Artists**

Joint living-work quarters for artists is a space for an artist and the artist's family in a non-residential building used for living quarters and a studio workshop.

### **Large-Scale Community Facility Development**

A large-scale community facility development is a development or enlargement predominantly for community facility uses in residential districts and in C1, C2, C3 and C4-1 districts. The development must be on a tract of land in single ownership that is at least three acres and may include existing buildings.

### **Large-Scale Development, General**

A general large-scale development is a development or enlargement for any uses permitted by the underlying district regulations in commercial districts (except C1, C2, C3 and C4-1 districts) and in all manufacturing districts. The development must be on a

tract of land in single ownership that is at least 1.5 acres and may include existing buildings.

### **Large-Scale Residential Development**

A large-scale residential development is a development predominantly for residential uses in residential districts and in C1, C2, C3 and C4-1 districts. The development must be on a tract of land in single ownership that is either at least three acres with a minimum of 500 dwelling units or at least 1.5 acres with a minimum of three principal residential buildings. Existing buildings may not form any part of a large-scale residential development.

### **Lot Area**

The lot area is the area of a tract of land (zoning lot) in single ownership located within a block.

### **Manufacturing District**

A Manufacturing District is designated by the letter M (M1-1, M2-2, for example).

### **Manufacturing Use**

A manufacturing use is any use listed in Use Group 17 or 18.

### **Non-Complying, Or Non-Compliance**

A legal non-complying building is any building that was legal when it was built which no longer complies with one or more of the present district bulk regulations.

Non-compliance results when a building does not comply with any one of such applicable bulk regulations.

### **Non-Conforming, or Non-Conformity**

A legal non-conforming use is any use legal at its inception (whether of a building or tract of land) which no longer conforms to any one or more of the present use regulations of the district

Non-conformity results when a use does not conform to any one of such applicable use regulations.

### **Open Space**



Open space is the part of a zoning lot including courts or yards, which is open and unobstructed from its lowest level to the sky, except for specifically enumerated obstructions, and is accessible to and usable by all persons occupying dwelling units on the zoning lot.

## **Plaza**

A plaza is an open area accessible to the public at all times.

## **Public Parking Garage**

A public parking garage is a building or part of a building in which:

- (a) Parking space is provided, except for commercial or public utility vehicles or dead storage; and
- (b) Some or all of the parking spaces are non-accessory. A public parking garage may include accessory off-street parking spaces limited to such spaces which are accessory to other uses on the same zoning lot.

## **Public Parking Lot**

A public parking lot is any tract of land which:

- (a) Is used for parking, except for commercial or public utility vehicles or dead storage; and
- (b) Is not accessory to a use on the same or another zoning lot.

## **Residence or Residential**

A residence is a building or part of a building containing dwelling units or rooming units, including one-family or two-family houses, multiple dwellings, boarding or rooming houses or apartment hotels.

## **Residence District**

A Residence District is a district identified by the letter R (R5, R3-2, R10H, for example).

## **Residence, Single-Family**

A single-family residence is a building containing one dwelling unit occupied by one family.



## **Residence, Two-Family**

A two-family residence is a building containing two dwelling units occupied by two families.

## **Residential Use**

A residential use is any use listed in Use Group 1 or 2.

## **Rooms**

For zoning computations, a room is a space such as a living room or bedroom. The basic living space in a dwelling unit (a living room, dining area, and kitchen and bath) counts as 2 1/2 zoning rooms. Each additional room in a dwelling unit, as defined in Section 4 of the Multiple Dwelling Law, counts as another zoning room.

## **Semi-Detached Building**

A semi-detached building is a building on a zoning lot that abuts or shares one side lot wall with another building on an adjoining zoning lot and where the remaining sides of the building are surrounded by open areas or street lines.

## **Sky Exposure Plane**

A sky exposure plane is a theoretical inclined plane, through which the height of a building may not penetrate, that is designed to provide light and air at street level in medium and higher density districts. It rises over the zoning lot at a ratio of vertical distance to horizontal distance set forth in district regulations.

A front sky exposure plane begins above the street line (or where so indicated, above the front yard line) at a specified height.

## **Story**

A story is that part of a building between the surface of one floor and the ceiling immediately above. However, a cellar does not count as a story.

## **Street**

Any road, street, highway, expressway, boulevard, parkway, avenue, alley or other public way, as shown on the City Map, or a way which is intended for public use and provides a principal means of approach for vehicles or pedestrians from a way shown on the City Map to a building or structure. Street refers to the entire public right-of-way (including public sidewalks).

## **Street Line**

A street line is a lot line separating the street from a lot.

## **Street, Narrow**

A narrow street is a street that is less than 75 feet wide.

## **Street Wall**

A street wall is a wall or portion of a wall of a building facing a street.

## **Street, Wide**

A wide street is a street that is 75 feet or more in width.

## **Use**

A use is any activity, occupation, business or operation carried on, or intended to be carried on, in a building or on a tract of land.

## **Use Groups**

Uses that have similar functional characteristics and/or nuisance impacts are listed in one or more of 18 use groups that are ranked from residential to industrial uses.

## **Yard**

A yard is the required open area on a zoning lot along the lot lines. A yard must be unobstructed from the lowest level to the sky, except for certain permitted obstructions.

## **Zoning Lot**

A zoning lot is a tract of land, either unsubdivided or consisting of two or more contiguous lots of record, located within a block, which, at the time of filing for a building permit, is designated as a tract to be used, developed or built upon under single ownership. The ownership of a zoning lot may be either single fee ownership or alternative ownership arrangements as set forth in the definition of a zoning lot in Section 12-10 of the Zoning Resolution.

A zoning lot may be subdivided into two or more zoning lots, provided that all resulting zoning lots and all buildings thereon shall comply with all of the applicable provisions of the Zoning Resolution.

## **Zoning Maps**

Zoning maps are maps that are included in the provisions of the Zoning Resolution to indicate the location and boundaries of zoning districts.

