Floor Area Regulations in Subdistricts B, C, D, E and F

(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

<table>
<thead>
<tr>
<th>Subarea</th>
<th>Western Blocks</th>
<th>Central Blocks</th>
<th>Farley Post Office</th>
<th>Penn. Stn.</th>
<th>Subarea D1</th>
<th>Subarea D2</th>
<th>Subarea D3</th>
<th>South of Port Auth. Subdistrict E</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>ROW A</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Basic maximum FAR for #non-residential buildings#</td>
<td>10.0 total</td>
<td>12.0 total</td>
<td>10.0 total</td>
<td>10.0 total</td>
<td>10.0 total</td>
<td>10.0 total</td>
<td>7.5 total</td>
<td>7.5 total</td>
</tr>
<tr>
<td></td>
<td>10.0 C</td>
<td>12.0 C</td>
<td>10.0 C</td>
<td>10.0 C</td>
<td>10.0 C</td>
<td>10.0 C</td>
<td>2.0 C</td>
<td>2.0 C</td>
</tr>
<tr>
<td></td>
<td>2.0 CF</td>
<td>2.0 CF</td>
<td>2.0 CF</td>
<td>2.0 CF</td>
<td>10.0 CF</td>
<td>10.0 CF</td>
<td>6.0 R</td>
<td>6.0 R</td>
</tr>
<tr>
<td><strong>ROW B</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Basic maximum FAR for #buildings# containing #residences#</td>
<td>NA</td>
<td>NA</td>
<td>10.0 total</td>
<td>10.0 C</td>
<td>6.5 total</td>
<td>6.5 total</td>
<td>6.5 total</td>
<td>6.5 total</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td>10.0 C</td>
<td>6.5 C</td>
<td>6.5 R</td>
<td>6.5 R</td>
<td>6.5 R</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td>2.0 CF</td>
<td>6.5 CF</td>
<td>6.5 CF</td>
<td>6.5 CF</td>
<td>6.5 CF</td>
</tr>
<tr>
<td><strong>ROW C</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Maximum FAR through special #floor area# increases pursuant to Section 93-30, inclusive, Inclusionary Housing Section 93-23, inclusive, or Section 74-79, inclusive, as applicable.</td>
<td>21.6 total</td>
<td>19.0 total</td>
<td>NA</td>
<td>19.5 total</td>
<td>13.0 total</td>
<td>15.0 total</td>
<td>13.0 total</td>
<td>12.0 total</td>
</tr>
<tr>
<td></td>
<td>21.6 C</td>
<td>19.0 C</td>
<td>19.0 C</td>
<td>19.5 C</td>
<td>13.0 C</td>
<td>15.0 C</td>
<td>13.0 C</td>
<td>12.0 C</td>
</tr>
<tr>
<td></td>
<td>6.0 R</td>
<td>4.0 R</td>
<td>2.0 CF</td>
<td>12.0 R</td>
<td>12.0 R</td>
<td>12.0 R</td>
<td>12.0 CF</td>
<td>12.0 CF</td>
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<tr>
<td></td>
<td>2.0 CF</td>
<td>2.0 CF</td>
<td>2.0 CF</td>
<td>12.0 CF</td>
<td>12.0 CF</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

C = Commercial FAR
CF = Community Facility FAR
R = Residential FAR
93-223
Maximum floor area ratio in Hell’s Kitchen Subdistrict D

(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:

(1) 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.

(2) 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.
93-23
Modifications of Inclusionary Housing Program

Subdistrict C (34th Street Corridor) and Subareas D1 and D2 of Subdistrict D (Hell’s Kitchen) of the #Special Hudson Yards District# and Area P-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).

(7/29/09)

93-231
Definitions
For the purposes of this Chapter, matter in italics is defined in Section 12-10 or 23-911 (General definitions), inclusive.

(3/22/16)

93-232
Floor area increase in Subdistricts B, C, D and E, and Preservation Area P-2

Within Subdistricts B, C, D and E, and Preservation Area P-2, 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 121-31 (Maximum Permitted Floor Area), 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#. 