

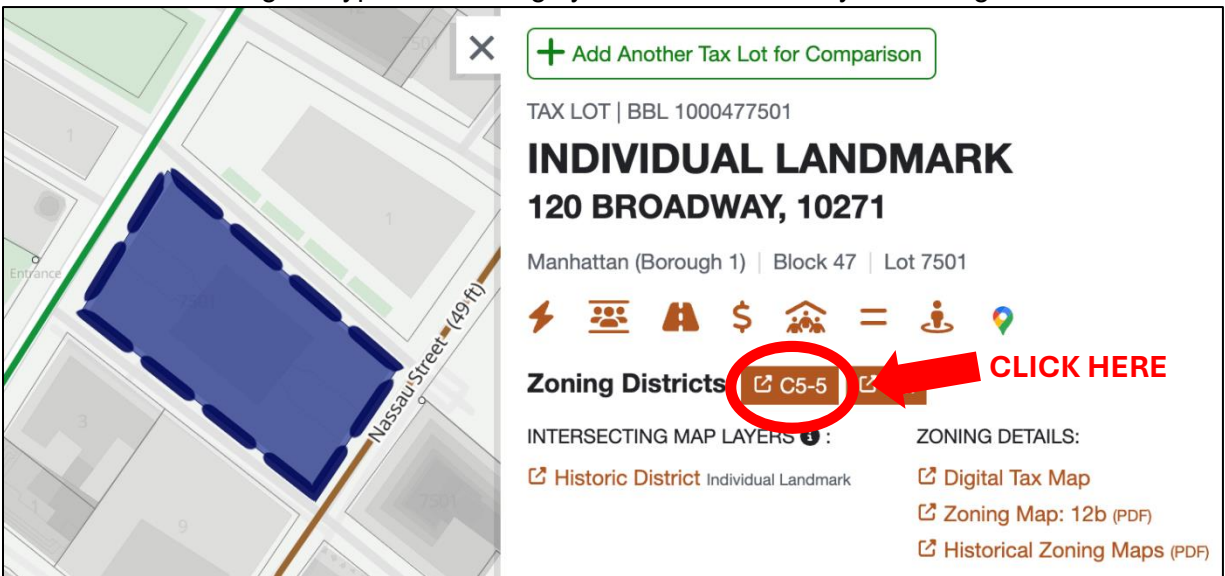
# Zoning: Frequently Asked Questions

## What is my zoning?

You can determine the zoning designation of your property quickly and easily by using our online tool, [ZoLa](#) (Zoning and Land Use Application). You can look up all relevant zoning information by providing the address or block and lot number of the property in question.

## What can I build under my zoning? How high can I build on my property?

Once you've found your property using ZoLa, click on the hyperlink for your zoning designation. This will take you to an overview describing the types of buildings you can construct in your zoning district.



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TAX LOT | BBL 1000477501

**INDIVIDUAL LANDMARK**

**120 BROADWAY, 10271**

Manhattan (Borough 1) | Block 47 | Lot 7501

**Zoning Districts** [C5-5](#) [CLICK HERE](#)

INTERSECTING MAP LAYERS: [Historic District Individual Landmark](#)

ZONING DETAILS: [Digital Tax Map](#), [Zoning Map: 12b \(PDF\)](#), [Historical Zoning Maps \(PDF\)](#)

## My property has multiple zoning designations. What do I do?

If your property has both an R designation and a C1 or C2 designation, then your property is in what is known as a “commercial overlay.” This means you can build a residential building with ground-floor commercial (or in some cases two floors of commercial). Other types of combinations are often caused when a property crosses a zoning district boundary. Special regulations in [Article VII, Chapter 7](#) explain how to determine what height, setback, floor area, and use regulations apply to your property.

## My property used to have a different zoning designation than it does now. Can I build under the old zoning rules?

Generally, no. Any new building permit filed after a zoning change must comply with the zoning regulations that are in place at the time. However, after a zoning change, any legally built existing building is considered “grandfathered” and is afforded special rights to repair and rebuild in the event of damage or destruction. Please see [Article V of the Zoning Resolution](#) for more information on damage and destruction of existing grandfathered (called “non-complying” and “non-conforming”) buildings.

## What does “as-of-right” mean?

Variations from the existing zoning are possible. Applications for a variance are considered by the City’s Board of Standards & Appeals (BSA). Property owners seeking a variance must demonstrate that there are “practical difficulties or unnecessary hardships” they face in meeting the zoning regulations. See [Article VII, Chapter 2 of the Zoning Resolution](#) for regulations applying to variances or [contact the BSA](#) to learn more.

# Zoning: Frequently Asked Questions

## How can I find out about property violations?

Consult the [Department of Buildings webpage](#).

## Is there any way to get a variance from zoning regulations? How?

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## What is Floor Area Ratio (FAR)?

The FAR determines how much floor area you can have in your building relative to the size of your lot. Please note that this is not always equivalent to the number of stories you can build. FAR can be utilized on a site in several different ways.

## How many apartments can I have on my property?

The number of dwelling units allowed on any given lot is controlled by zoning. (Other regulations, such as the NYC Construction Code and NYS Multiple Dwelling Law, also control the size and shape of dwelling units.) The method of calculating the maximum number of units is explained in [Section 23-22 of the Zoning Resolution](#).

## I have a corner lot. Are there special rules I must follow?

Yes. If building a residential building in an R1 through R5 district, you will have to provide two front yards, one on each street. (In an R1-2 district, one front yard must be 20 feet; the other 15. In an R3 district, one front yard must be at least 10 feet.) For a rectangular lot, the other two yards will be considered side yards (not rear yards), one of which must be at least 20 feet deep. Go to our website's contact page to consult with City Planning's Zoning Help Desk for more information.

## Can I put a garage or shed on my property?

Yes. If located in a required side or rear yard, then the structure must not exceed 10 feet in height. Garages and sheds are not permitted in front yards. If located anywhere else on your property, then it must comply with the underlying height, setback, and floor area requirements of your district.

## How high can my fence be? Where can it be located?

The Building Code regulates the height of fences. Generally, in residence districts, the maximum height of a fence constructed along a front lot line is four feet above ground level. The maximum height of a fence along the side or rear lot line is six feet. In most instances, fences are considered permitted obstructions.

## My neighbor put a fence up with the unfinished side face me. Is this legal?

There are no zoning requirements about the material or orientation of a fence.

## How do I get a certified copy of a zoning map or zoning text?

Please contact the City Planning FOIL officer, Jennifer Bartholomew, at (212) 720-3213.

## How do I get a certified copy of a proposed zoning or zoning text amendment?

Please contact City Planning's front desk at (212) 720-3300. Application materials are also available through the [Zoning Application Portal](#).

# Zoning: Frequently Asked Questions

## What can I have on the ground floor of my residential building?

If you are in a Residence district, you may be able to convert the ground floor of your building to a “community facility” – this could include a wide range of non-profit uses such as schools or houses of worship, as well as medical-related tenants such as doctor’s or dentist’s offices. (See [Section 22-00 of the Zoning Resolution](#).) However, retail or other commercial tenants are only permitted in Commercial Districts.

## Can I build a building (or have a use) that one or more of my neighbors have, even though the zoning doesn’t allow it?

No. All new buildings and changes to existing buildings must abide by the zoning regulations that are currently in place, even if many nearby buildings predate the zoning change, and even if the zoning change was only made recently.

## Can I run a business out of my home?

Yes, but limitations apply. [Section 12-10 of the Zoning Resolution](#) defines “home occupations” and limits them to 25% of the size of home, or 500 square feet, whichever is less. Home-based businesses may only sell goods produced on site and must not impact the character of the residential area. Additionally, the following business are not permitted as home occupations: advertising or public relations agencies, barber shops, beauty parlors, animal stables or kennels, electrolysis offices, interior decorators’ offices or workshops, ophthalmic dispensing, pharmacies, real estate or insurance offices, stockbrokers’ offices, or veterinarian’s offices.

## When was my neighborhood last rezoned?

Find your property using our online database, [ZoLa](#). Under “Zoning and Land Use” turn on “Zoning Map Amendments”. Areas which have been rezoned since 2002 will be highlighted. Click on the highlighted area for more specific information.

## How can someone change the zoning on a property?

Zoning district changes can be proposed by private citizens, city agencies, or elected officials. The proposed changes need to make land use sense in the context of surrounding uses and existing zoning designations. Zoning changes go through the Uniform Land Use Review Process (ULURP). This process includes review by and recommendations from the affected community board(s) and the Borough President. The City Planning Commission and ultimately the City Council decide whether to approve the zoning change. The community boards and the City Planning Commission are required to hold public hearings, and the Borough President and the City Council have the option to do so.

Some land use actions are not permitted as-of-right and require review by the City Planning Commission. These actions are categorized as Special Permits or Authorizations. Some more limited special permits are reviewed by another agency, the [Board of Standards and Appeals](#).

## I have an “E-designation” on my property. What does this mean?

An E-designation on a property means that the property was the subject of a zoning action or zoning change and that environmental requirements related to possible impacts from air, noise or hazardous materials are associated with the property. These potential environmental conditions would need to be addressed before the property could be redeveloped under the new zoning.

## What kinds of signs are allowed on my property?

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Check [ZoLa](#) to see if your property is in a residence, commercial or manufacturing district. To determine what signs are allowed in your zoning district, and the proper location and size of signs and if they can be illuminated or flashing, refer to the following sections of the Zoning Resolution in:

- Residence Districts: [22-30](#)
- Commercial Districts: [32-60](#)
- Manufacturing Districts: [42-50](#)

## How can I see what land use actions were approved in the past by the City Planning Commission?

For information on special permits issued by the City Planning Commission since 1977, visit our online [Zoning Application Portal \(ZAP\)](#). If a building was constructed prior to 1977 and may have received a special permit prior to this date, contact the Zoning Division at (212) 720-3325.

A list of City Planning Commission reports from 1938 to the present is also available in a [database](#), searchable by fields including community district, vote date, and ULURP number.

## My bank (or licensing agency) says I need a letter verifying my property's zoning. How do I get one?

A formal Zoning Verification Letter (ZVL) can be provided by our Zoning Division for a fee of \$110 for each letter. To request a ZVL, please fill out [this online form here](#).

In addition to filling out the online form, **a check for \$110**, made out to the "NYC Department of City Planning" must be submitted for each request. Please include the borough, block and lot for the request on the check's memo line. The check must be mailed to:

NYC Department of City Planning  
ATTN: ZONING VERIFICATION LETTER  
120 Broadway, 31st Floor  
New York, NY 10271

*Please allow 10 business days from payment being received for the issuance of the zoning verification letter.*

## How can I find out if I have air rights?

This is a simple calculation requiring you to deduct the amount of floor area your existing building contains from the maximum allowable floor area permitted in your district. (As an example, on a 10,000 square foot property, in a district allowing 4.0 FAR, the maximum floor area permitted would be 40,000 square feet. If an existing building on this property contained 15,000 square feet, then 25,000 square feet would be able to be transferred.) Please note that square footages of existing buildings listed in [ZoLa](#) are approximations. An architect can assist you with calculating the exact amount of floor area contained in your building.

## How can I find out if my air rights have been sold?

The transfer of development rights (commonly known as selling "air rights") is recorded through the filing of a declaration with the City Register. You can look up the property records, including such declarations, for a property by visiting the Department of Finance's online database, [ACRIS](#).

## I want to make a noise complaint about my neighbor.

All complaints, including noise complaints, should be directed to [311](#).

# Zoning: Frequently Asked Questions

## I think a business may be operating illegally or my neighbor is doing illegal work on their home. Who should I call?

The Department of City Planning does not enforce zoning. Contact the [Department of Buildings](#).

## How can someone open a doctor's office or other community facility on my block?

Community facilities are allowed in most Residence and Commercial districts as-of-right, and by special permit in others. Determine the specific zoning district of your block by visiting [ZoLa](#). Once you know your specific zoning district, you can find the use regulations through the following sections in the Zoning Resolution:

- Residence Districts: [22-10](#)
- Commercial Districts: [32-10](#)
- Manufacturing Districts: [42-10](#)

## What are the rules about parking on the sidewalk?

Cars are not permitted to park on the sidewalk at any time. Contact the [Department of Transportation](#) if you'd like to make a complaint.

## I'd like to get an answer to my question in writing.

In general, the Zoning Division does not provide written explanations or interpretations of zoning provisions, and does not review, nor offer recommendations on, specific development proposals. In instances where the text is vague or deficient, questions can be resolved through a determination by the Department's Zoning Interpretations Group. Go to our website's contact page to consult with City Planning's Zoning Help Desk for more information.

## How do I know if I am in a historic district?

This information is available on [ZoLa](#) under the "Historic Districts" option in "Supporting Zoning Layers". Any further information regarding landmarks and historic districts can be found at the [Landmarks Preservation Commission](#).

## How can I get a sidewalk café permit for my restaurant?

To determine if you are able to apply for a sidewalk café permit, visit [ZoLa](#) and click on "Sidewalk Cafes" under "Supporting Zoning Layers". If you need further assistance, call the Zoning Help Desk at (212) 720-3291. To obtain an actual permit, you will need to contact the Department of Consumer Affairs at (212) 504-4115.

## Where can I put a curb cut on my property? What kinds of permits do I need?

The installation of new curb cuts will require that the locations comply with zoning regulations. Curb cut regulations in Residence districts can vary, while generally curb cuts are permitted in Commercial and Manufacturing Districts provided, they are not located within 50 feet of an intersection. Contact the Zoning Help Desk for assistance with zoning requirements for new curb cuts. For more information on how to obtain the necessary permits, please go to [311](#).

## My neighbor put a fence in my driveway. Is that allowed?

Frequently, this is not a zoning issue. The common situation is that two neighbors entered into an informal agreement to share a driveway between their two properties. Unless this agreement was recorded in the deed to your property by designating an easement, your neighbor has a right to erect a fence on their property line.

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You can contact an attorney to review the deed, or, if you still suspect the fence is illegal, you can contact the [Department of Buildings](#) to request an inspector's visit.

### My question isn't answered here. Who can I ask?

If your question is not answered in the FAQ, go to our website's contact page to consult with City Planning's Zoning Help Desk for more information.