

# Subdivision

## Improved Property Zoning & Tax Lots



Photo: Samantha Modell

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# Subdivision – Zoning Lot

Application Type: SI

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**Parcels of land may be subdivided, merged or reapportioned to reflect ownership changes, new developments and enlargements.**

**There are two types of subdivision applications: zoning lot subdivisions and tax lot subdivisions. The former have direct implications for zoning use and bulk regulations; the latter allow multiple owners and tax lots within one zoning lot.**

## **NYC Zoning Resolution**

Lot size and lot area are fundamental to the calculation of floor area, open space, yards, density and other bulk regulations. When the metes and bounds of a zoning lot are altered, extra caution must be taken that new non-compliances are not created in any existing buildings or improvements.

## **NYC Building Code**

If a new zoning or tax lot line is placed over an existing building to create two attached buildings, be sure to provide Code-required, fire-rated construction of the new shared party wall and confirm fire separation distances between the two proposed buildings.

## **Other City Agencies**

Before a subdivision application is submitted to the Department of Buildings, applicants must first obtain preliminary approval for tentative tax lots from Department of Finance (DOF). Also, an approval from the City Planning Commission and/or the Board of Standards and Approvals may be required for the subdivision and variances from certain zoning regulations. Various zoning lot exhibits must also be filed at the Office of the County Clerk to record ownership information with the case numbers indicated on new Certificates of Occupancy before they are issued.

***This publication is an overview of the requirements for this type of work. There may be additional, applicable Zoning Resolution, Construction Code, Multiple Dwelling Law or Energy Code requirements.***

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## FIRST STEPS – ZONING LOT

- PW1 review
- Verify zoning district, site designations (*special purpose districts, waterfront area or block, flood hazard area, fire district, landmark district, little 'e' DEP designated block, wetlands, 200' within MTA infrastructure*)
- Provide lot diagram, scope and area of work indicated, location of all existing buildings on lot and adjoining lots must be shown.
- Verify legality of existing lot area and lot width

## ADMINISTRATIVE

### DOB Forms

- PW1
- PD1 – with topographical stamp required from borough president's office

### Technical Documents

- Zoning lot exhibits (I, II, III, IV, V, as applicable)
- Application for mergers or apportionments RP 602 – DOF
- Tax Map – DOF
- Survey

### Related Applications

- NB, Alt 1 or Alt 2 enlargements
- Alt 1 may need to be filed in conjunction to update metes and bounds for each building and lot affected.

### BIS Required Items

- Related Alt 1 application approval prior to approval of subdivision

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## ZONING

### New Non-compliances

- Lot subdivision or zoning lot merger may not create a new non-compliance or increase the degree of existing noncompliance of existing non-complying building – ZR 12-10
- Note existing non-compliant lot width, lot area, yards, courts, distance between buildings, distance between legally required windows and lot lines, floor area and density

### Bulk Regulations

- Floor area, open space (for existing building, verify FAR is okay with new lot size)
- Density (for existing building, verify okay with new lot size)
- Yards and courts
- Height and setback (certain district regulations are applicable)

## MULTIPLE DWELLING LAW

- N/A

## FIRE CODE

- N/A

## BUILDING CODE

- Compliance requirements for fire-rated exterior walls (may apply for existing walls coincident with new lot lines)

## ENERGY CODE

- N/A

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## APPLICABLE BULLETINS, DIRECTIVES, PPNS, MEMOS

- Department Memo [2/9/81](#)
- [OPPN 30/92](#)

## OTHER AGENCY APPROVALS

- City Planning Commission: Certification required in Special Districts
- Department of Finance: Final Tax Lot verification for newly created tax lots

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# Subdivision – Tax Lot

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## FIRST STEPS – TAX LOT

- PW1 review
- Verify zoning district, site designations (*special purpose districts, waterfront area or block, flood hazard area, fire district, landmark district, little 'e' DEP designated block, wetlands, 200' within MTA infrastructure*)
- Provide lot diagram, scope and area of work indicated, location of all existing buildings on lot and adjoining lots must be shown.
- Verify legality of existing lot area and lot width

## ADMINISTRATIVE

### DOB Forms

- [PW1](#) (Section 17: indication of number of tax lots)
- [PD1](#) – with topographical stamp required from borough president's office

### Technical Documents

- Zoning Lot Exhibits (I, II, III, IV, V, as applicable)
- Application for mergers or apportionments (RP 602) or for condominium apportionment (RP 602C) – DOF
- Tax Map – DOF
- Survey

### Related Applications

- Alt 1 or Alt 2 must be filed in conjunction to record tax lot subdivision for each building and lot affected

### BIS Required Items

- N/A

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# Subdivision – Tax Lot

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## ZONING

- N/A

## MULTIPLE DWELLING LAW

- N/A

## FIRE CODE

- N/A

## BUILDING CODE

- Requirements for fire-rated exterior walls (may apply for existing walls coincident with new lot lines)

## ENERGY CODE

- N/A

## APPLICABLE BULLETINS, DIRECTIVES, PPNS, MEMOS

- Department Memo 5/18/78, [2/9/81](#)
- [OPPN 30/92](#)

## OTHER AGENCY APPROVALS

- Department of Finance: Final tax lot verification for newly created tax lots