

**Extract of Provisions of New York City Zoning Resolution Relating to Regulation of Music and Dancing and Establishments Ordinarily Allowing Dancing (11/19/18 Version) for Consideration by the New York City Nightlife Commission to Effectuate the Intent of the City Council to Eliminate Arbitrary Regulation of Dancing and Music as Indicated by Repeal of the Cabaret Law.**

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**Release 2.0 March 12, 2019**

**ZONING RESOLUTION** Web Version

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**THE CITY OF NEW YORK**



THE CITY OF NEW YORK

Bill de Blasio, Mayor

CITY PLANNING COMMISSION

Marisa Lago, Chair

**Articles I–XIV and Appendices**

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Date of file creation: Web version: 11/19/18

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# ZONING RESOLUTION Web Version

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## THE CITY OF NEW YORK



THE CITY OF NEW YORK  
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## Article I: General Provisions

Chapter 1 - Title, Establishment of Controls and Interpretation of  
Regulations

Effective date of most recently amended section of Article I Chapter 1: 8/8/18

Date of file creation: Web version of Article I Chapter 1: 8/27/18

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veterinary medicine.

Hotel, apartment (2/2/11)

An "apartment hotel" is a #building# or part of a #building# that is a Class A multiple dwelling as defined in the Multiple Dwelling Law, which:

- (a) has three or more #dwelling units# or #rooming units#;
- (b) has one or more common entrances serving all such units; and
- (c) provides one or more of the following services:  
housekeeping, telephone, desk, or bellhop service, or the furnishing or laundering of linens.

Restaurants, cocktail lounges, or indoor swimming pools are permitted #accessory uses#, provided that in #Residence Districts#, such facilities shall be accessible only through the lobby and there shall be no #signs# except as permitted by the applicable district regulations. Public banquet halls, ballrooms, or meeting rooms are not permitted #accessory uses#.

Hotel, transient (8/17/90)

A "transient hotel" is a #building# or part of a #building# in which:

- (a) living or sleeping accommodations are used primarily for transient occupancy, and may be rented on a daily basis;
- (b) one or more common entrances serve all such living or sleeping units; and
- (c) twenty-four hour desk service is provided, in addition to one or more of the following services: housekeeping, telephone, or bellhop service, or the furnishing or laundering of linens.

Permitted #accessory uses# include restaurants, cocktail lounges, public banquet halls, ballrooms, or meeting rooms.

Illuminated sign - see Sign, illuminated

Incidental alteration - see Alteration, incidental

(5/5/04)

#### **14-123**

##### **Signage**

No #signs# are permitted on an #enclosed sidewalk cafe#, except that the name and type of establishment may be placed upon the glass wall but shall not obscure the required transparency.

(5/5/04)

#### **14-124**

##### **Music and noise amplification**

Musical instruments or sound reproduction devices shall not be operated or used within an #enclosed sidewalk cafe# for any purpose.

(5/5/04)

#### **14-13**

##### **Special Permit Modifications of Locational or Physical Criteria for Enclosed Sidewalk Cafes**

In all #Commercial# or #Manufacturing Districts#, where #enclosed sidewalk cafes# are permitted in accordance with the provisions of this Chapter, the City Planning Commission may permit, upon application, modifications to the locational or physical criteria regulations for #enclosed sidewalk cafes#, except that there shall be no modification of Sections 14-41 (Locations Where Certain Sidewalk Cafes Are Not Permitted), 14-42 (Locations Where Enclosed Sidewalk Cafes Are Not Permitted), 14-44 (Special Zoning Districts Where Certain Sidewalk Cafes Are Permitted) and 14-45 (Street Malls Where Certain Sidewalk Cafes Are Permitted), provided the Commission finds that:

- (a) the #enclosed sidewalk cafe# is developed consistent with the general purposes and objectives of this Chapter;
- (b) any proposed modification to the requirements of this Chapter will result in good overall design and enhance the general character of the #street# and the neighborhood;

(7/6/72)

**32-13**

**Use Group 4**

C1 C2 C3 C4 C5 C6 C8

Use Group 4, as set forth in Section 22-14.

(8/17/90)

**32-14**

**Use Group 5**

C1\* C2\*\* C4 C5 C6 C8

Use Group 5 consists of hotels used primarily for transient occupancy.

A. Transient Accommodations

#Hotels, transient# [PRC-H]

B. #Accessory Uses#

\* In a C1-1, C1-2, C1-3 or C1-4 District, a #transient hotel# shall not be permitted

\*\* In a C2-1, C2-2, C2-3 or C2-4 District, each #transient hotel# shall be located on a #zoning lot# in whole or in part within a 1,000-foot radius of the entrance or exit of a limited-access expressway, freeway, parkway, or highway, all of which prohibit direct vehicular access to abutting land and provide complete separation of conflicting traffic flows, measured from the centerline of the entrance or exit ramp at its intersection with the nearest adjacent #street#.

(3/26/14)

**32-15**

**Use Group 6**

C1 C2 C4 C5 C6 C8

Use Group 6 consists primarily of retail stores and personal service establishments which:

- (1) provide for a wide variety of local consumer needs; and
- (2) have a small service area and are, therefore, distributed widely throughout the City.

Public service establishments serving small areas are also included. Retail and service establishments are listed in two subgroups, both of which are permitted in all C1 Districts.

The #uses# listed in subgroup A are also permitted within a #large-scale residential development# to provide daily convenience shopping for its residents.

#### A. Convenience Retail or Service Establishments

Bakeries, provided that #floor area# used for production shall be limited to 750 square feet per establishment [PRC-B]

Barber shops [PRC-B]

Beauty parlors [PRC-B]

Drug stores [PRC-B]

Dry cleaning or clothes pressing establishments or receiving stations dealing directly with ultimate consumers, limited to 2,000 square feet of #floor area# per establishment, and provided that only solvents with a flash point of not less than 138.2 degrees Fahrenheit shall be used, and total aggregate dry load capacity of machines shall not exceed 60 pounds [PRC-B]

Eating or drinking establishments, including those which provide outdoor table service or have music for which there is no cover charge and no specified showtime, and those which have #accessory# drive-through facilities<sup>2</sup> [PRC-B]

Food stores, including supermarkets, grocery stores, meat markets, or delicatessen stores [PRC-Either A or B<sup>3</sup>]

Hardware stores [PRC-B]

Laundry establishments, hand or automatic self-service [PRC-B<sup>1</sup>]

Liquor stores, package [PRC-B]

Post offices [PRC-H]

Shoe or hat repair shops [PRC-B]

Stationery stores [PRC-B]

Tailor or dressmaking shops, custom [PRC-B]

Variety stores, limited to 10,000 square feet of #floor area# per establishment [PRC-B]

#### B. Offices

Offices, business, professional including ambulatory diagnostic or treatment health care, or governmental [PRC-B1]

Veterinary medicine for small animals, provided all activities are conducted within a #completely enclosed building#; where such #building# contains a #residential use#, no access shall be from an entrance serving the #residential# portion [PRC-B1]

#### C. Retail or Service Establishments

Antique stores [PRC-B]

Art galleries, commercial [PRC-B]

Artists' supply stores [PRC-B]

Automobile supply stores, with no installation or repair services [PRC-B]

Banks, including drive-in banks [PRC-B]

Bicycle sales [PRC-B]

Book stores [PRC-B]

Candy or ice cream stores [PRC-B]

Carpet, rug, linoleum or other floor covering stores, limited to 10,000 square feet of #floor area# per establishment [PRC-B1]

Cigar or tobacco stores [PRC-B]



Clothing or clothing accessory stores, limited to 10,000 square feet of #floor area# per establishment [PRC-B]

Clothing rental establishments, limited to 10,000 square feet of #floor area# per establishment [PRC-B]

Docks for ferries, other than #gambling vessels#, limited to an aggregate operational passenger load, per #zoning lot#, of 150 passengers per half hour. In Community District 1 in the Borough of Brooklyn, docks for ferries with a vessel capacity of up to 399 passengers shall be allowed, provided that such docks are certified by the Chairperson of the City Planning Commission pursuant to Section 62-813 (Docking facilities for ferries or water taxis in certain waterfront areas). The maximum dock capacity is the U. S. Coast Guard-certified capacity of the largest vessel using the dock [PRC-H]

Docks for water taxis, with a vessel capacity of up to 99 passengers. In Community District 1 in the Borough of Brooklyn, such docks shall be certified by the Chairperson of the City Planning Commission pursuant to Section 62-813 (Docking facilities for ferries or water taxis in certain waterfront areas). The maximum dock capacity is the U. S. Coast Guard-certified capacity of the largest vessel using the dock

Docks or mooring facilities for non-commercial pleasure boats [PRC-H]

Dry goods or fabrics stores, limited to 10,000 square feet of #floor area# per establishment [PRC-B]

Eating or drinking establishments with entertainment, but not dancing, with a capacity of 200 persons or fewer<sup>4</sup> [PRC-B]

Eating or drinking establishments with musical entertainment but not dancing, with a capacity of 200 persons or fewer [PRC-B]

Electrolysis studios [PRC-B]

Fishing tackle or equipment, rental or sales [PRC-B1]

Florist shops [PRC-B]

Frozen food lockers<sup>1</sup> [PRC-B]

Furniture stores, limited to 10,000 square feet of #floor

area# per establishment [PRC-B1]

Furrier shops, custom [PRC-B]

Gift shops [PRC-B]

Interior decorating establishments, provided that #floor area# used for processing, servicing or repairs shall be limited to 750 square feet per establishment [PRC-B]

Jewelry or art metal craft shops [PRC-B]

Leather goods or luggage stores [PRC-B]

Loan offices<sup>1</sup> [PRC-B1]

Locksmith shops<sup>1</sup> [PRC-B]

Medical or orthopedic appliance stores [PRC-B]

Meeting halls<sup>1</sup> [PRC-D]

Millinery shops [PRC-B]

Music stores [PRC-B]

Newsstands, open or enclosed [PRC-B]

Optician or optometrist establishments [PRC-B]

Paint stores [PRC-B]

Pet shops [PRC-B]

Photographic equipment or supply stores [PRC-B]

Photographic studios [PRC-B]

Picture framing shops [PRC-B]

Record stores [PRC-B]

Seed or garden supply stores [PRC-B]

Sewing machine stores, selling household machines only [PRC-B]

Shoe stores [PRC-B]

Sporting or athletic stores [PRC-B]

Stamp or coin stores [PRC-B]

Telegraph offices [PRC-B]

Television, radio, phonograph or household appliance stores, limited to 10,000 square feet of #floor area# per establishment [PRC-B]

Toy stores [PRC-B]

Travel bureaus [PRC-B]

Typewriter stores [PRC-B]

Wallpaper stores [PRC-B]

Watch or clock stores or repair shops [PRC-B]

#### D. Public Service Establishments<sup>5</sup>

Court houses [PRC-C]

Electric or gas utility substations, open or enclosed, limited in each case to a site of not more than 10,000 square feet<sup>1</sup>

Fire or police stations [PRC-C]

Public utility stations for oil or gas metering or regulating<sup>1</sup>

Solar energy systems

Telephone exchanges or other communications equipment structures. In all districts the height above #curb level# of such structures not existing on December 15, 1961, shall not exceed that attributable to #commercial buildings# of equivalent #lot coverage#, having an average floor to floor height of 14 feet above the lobby floor which may be as much as 25 feet in height. For the purpose of making this height computation, the gross area of all floors of the #building# including accessory mechanical equipment space except the #cellar# shall be included as #floor area#. Such height computation for the structure shall not preclude the ability to utilize unused #floor area# anywhere on the #zoning lot# or by special permit, subject to the normal provisions of the Resolution.

Terminal facilities at river crossings for access to

electric, gas, or steam lines<sup>1</sup>

Water or sewage pumping stations<sup>1</sup>

#### E. Clubs

Non-commercial clubs, without restrictions on activities or facilities except for any activity or #use# listed within the definitions of either #adult physical culture establishments# or #physical culture or health establishments# in Section 12-10 [PRC-D]

#### F. #Accessory Uses#

<sup>1</sup> In C5 Districts, a #use# in Use Group 6, marked with an asterisk, shall not be located on the ground floor of a #building# unless such #use# is at least 50 feet from the #street wall# of the #building# in which it is located, as provided in Section 32-423 (Limitation on ground floor location)

<sup>2</sup> Eating or drinking places with #accessory# drive-through facilities shall be permitted in C1 Districts only as provided in Section 73-243, and shall not be permitted in C5 Districts

<sup>3</sup> Food stores with 2,000 square feet or more of #floor area# per establishment are classified in parking requirement category A and food stores with less than 2,000 square feet of #floor area# are classified in parking requirement category B, pursuant to Section 36-21 (General Provisions)

<sup>4</sup> Permitted in C1-1, C1-2, C1-3, C1-4, C2-1, C2-2, C2-3, C2-4, C3 and C5 Districts, only as provided in Section 73-241

<sup>5</sup> In a C6-1A District, #uses# in Use Group 6D are not permitted

(4/30/12)

**32-16**

**Use Group 7**

C2 C6\* C8

#building# unless such #use# is at least 50 feet from the #street wall# of the #building# in which it is located, as provided in Section 32-423 (Limitation on ground floor location)

(2/26/98)

## **32-18**

### **Use Group 9**

C2 C4 C5 C6 C8

Use Group 9 consists primarily of business and other services which:

- (1) serve a large area and are, therefore, appropriate in secondary, major or central commercial shopping areas, and
- (2) are also appropriate in local service districts, since these are typically located on the periphery of major or secondary centers.

#### A. Retail or Service Establishments

Automobile, motorcycle, #trailer# or boat showrooms or sales, with no repair services and with no preparation of vehicles or boats for delivery [PRC-C]

\*Banquet halls [PRC-D]

\*Blueprinting or photostatting establishments [PRC-B1]

\*Business schools or colleges [PRC-B1]

\*Catering establishments [PRC-B1]

\*Clothing or costume rental establishments [PRC-B]

Docks for sightseeing, excursion or sport fishing vessels, other than #gambling vessels#, limited to the following aggregate dock capacities per #zoning lot#:

200 in C2 Districts; 500 in C4-1, C4-2, C4-3, C4-4, C8-1, C8-2, C8-3 Districts; 2,500 in C4-4A, C4-5, C4-6, C4-7, C5, C6, C8-4 Districts.

"Dock capacity" is the U.S. Coast Guard-certified capacity of the largest vessel using a dock. "Aggregate

dock capacity" is the sum of the dock capacities of all docks on the #zoning lot# [PRC-H]

\*Gymnasiums, used exclusively for basketball, handball, paddleball, racketball, squash and tennis. [PRC-B]

\*Medical or dental laboratories for research or testing, or the custom manufacture of artificial teeth, dentures or plates, not involving any danger of fire or explosion nor offensive noise, vibration, smoke or other particulate matter, odorous matter, heat, humidity, glare or other objectionable effects [PRC-B1]

\*Musical instrument repair shops [PRC-B1]

Plumbing, heating or ventilating equipment showrooms, without repair facilities [PRC-B1]

\*Printing establishments, limited to 2,500 square feet of #floor area# per establishment for production [PRC-B1]

Public auction rooms [PRC-D]

\*Studios, art, music, dancing or theatrical [PRC-B]

\*Trade, or other schools for adults, not involving any danger of fire or explosion nor of offensive noise, vibration, smoke or particulate matter, dust, odorous matter, heat, humidity, glare or other objectionable effects [PRC-B1]

\*Typewriter or other small business machine sales, rental or repairs [PRC-B1]

\*Umbrella repair shops [PRC-B]

\*Wedding chapels [PRC-D]

## B. Wholesale Establishments

Hair products for headwear, wholesaling including styling [PRC-B1]

Photographic developing or photographic printing establishments, limited to 2,500 square feet of #floor area# per establishment except that such #floor area# limitation shall not apply in C6 Districts provided such #use# conforms to the performance standards for M1 Districts and to the applicable regulations of Chapter 19 (Fire Prevention Code) of the Administrative Code [PRC-B1]

## C. #Accessory Uses#

- \* In C4 or C5 Districts, a #use# in Use Group 9, marked with an asterisk, shall not be located on the ground floor of a #building# unless such #use# is at least 50 feet from the #street wall# of the #building# in which it is located, as provided in Section 32-423 (Limitation on ground floor location)

(3/26/14)

### **32-19**

#### **Use Group 10**

C4 C5 C6 C8

Use Group 10 consists primarily of large retail establishments (such as department stores) that:

- (1) serve a wide area, ranging from a community to the whole metropolitan area, and are, therefore, appropriate in secondary, major or central shopping areas; and
- (2) are not appropriate in local shopping or local service areas because of the generation of considerable pedestrian, automobile or truck traffic.

#### A. Retail or Service Establishments

Carpet, rug, linoleum or other floor covering stores, with no limitation on #floor area# per establishment [PRC-B1]

Clothing or clothing accessory stores, with no limitation on #floor area# per establishment [PRC-B]

Department stores [PRC-B]

Depositories for storage of office records, microfilm or computer tapes, or for data processing [PRC-G]

Docks for ferries, other than #gambling vessels#, with no restriction on passenger load. In Community District 1 in the Borough of Brooklyn, such docks shall be certified by the Chairperson of the City Planning Commission, pursuant to Section 62-813 (Docking facilities for ferries or water taxis in certain waterfront areas) [PRC-H]

Dry goods or fabric stores, with no limitation on #floor area# per establishment [PRC-B]

Eating or drinking places, without restrictions on entertainment or dancing, but limited to location in hotels [PRC-D]

Furniture stores, with no limitation on #floor area# per establishment [PRC-B1]

Office or business machine stores, sales or rental [PRC-B1]

Photographic or motion picture production studios [PRC-D]

Radio or television studios [PRC-D]

Television, radio, phonograph or household appliance stores, with no limitation on #floor area# per establishment [PRC-B]

Variety stores, with no limitation on #floor area# per establishment [PRC-B]

#### B. Wholesale Establishments

Wholesale offices or showrooms, with storage restricted to samples [PRC-B1]

#### C. #Accessory Uses#

(12/15/61)

### **32-20**

#### **Use Group 11**

C5 C6\*\* C8

Use Group 11 consists of a few types of essentially custom manufacturing activities that:

- (1) benefit from a central location and are appropriate in the central business district;
- (2) generally do not create any significant objectionable influences; and
- (3) involve products characterized by a high ratio of value to bulk, so that truck traffic is kept to a minimum.



permitted

(5/8/13)

**32-21**

**Use Group 12**

**C4 C6 C7 C8**

Use Group 12 consists primarily of fairly large entertainment facilities that:

- (1) have a wide service area and generate considerable pedestrian, automotive or truck traffic; and
- (2) are, therefore, appropriate only in secondary, major or central commercial areas.

Certain public service establishments are also included.

#### A. Amusements

Arenas or auditoriums, with capacity limited to 2,500 seats [PRC-D]

\*Billiard parlor or pool halls [PRC-D]

\*Bowling alleys or table tennis halls, with no limitation on number of bowling lanes per establishment [PRC-D]

\*\*Eating or drinking establishments with entertainment and a capacity of more than 200 persons, or establishments of any capacity with dancing [PRC-D]

In C4 Districts, a minimum of four square feet of waiting area within the #zoning lot# shall be provided for each person permitted under the occupant capacity as determined by the New York City Building Code. The required waiting area shall be in an enclosed lobby and shall not include space occupied by stairs, corridors or restrooms. In C4 Districts, such establishment shall be a minimum of 100 feet from a #Residence District# boundary, except that within 100 feet from a #Residence District# boundary, such establishment is permitted only by special permit pursuant to Section 73-244.

In C6-1, C6-2, C6-3 and C6-4 Districts, a minimum of four square feet of waiting area within the #zoning

lot# shall be provided for each person permitted under the occupant capacity as determined by the New York City Building Code. The required waiting area shall be in an enclosed lobby and shall not include space occupied by stairs, corridors or restrooms. In these districts, the entrance to such #use# shall be a minimum of 100 feet from the nearest #Residential District# boundary.

Historical exhibits, provided such #use# is contained within a #completely enclosed building# [PRC-D]

Indoor golf recreation centers [PRC-D]

Model car hobby center, including racing, with no limitation on #floor area# per establishment [PRC-D]

Public auction rooms [PRC-D]

Skating rinks, enclosed [PRC-D]

Stadiums, with capacity limited to 2,500 seats [PRC-D]

Trade expositions, with rated capacity for not more than 2,500 persons, as determined by the Commissioner of Buildings [PRC-D]

## B. Retail Establishments

Antique stores [PRC-B]

Art gallery, commercial [PRC-B]

Book stores [PRC-B]

Candy or ice cream stores [PRC-B]

Cigar and tobacco stores [PRC-B]

Delicatessen stores [PRC-B]

Drug stores [PRC-B]

Gift shops [PRC-B]

Jewelry or art metal craft shops [PRC-B]

Music stores [PRC-B]

Newsstands [PRC-B]

Photographic equipment stores [PRC-B]

Record stores [PRC-B]

Stationery stores [PRC-B]

Toy stores [PRC-B]

C. Public Service Establishments

Police stations [PRC-C]

Water or sewage pumping stations

D. Automotive Service Establishments

#Public parking garages# or #public parking lots# with capacity of 150 spaces or less, subject to the provisions set forth for #accessory# off-street parking spaces in Sections 36-53 (Width of Curb Cuts and Location of Access to the Street), 36-55 (Surfacing) and 36-56 (Screening), and provided that such #public parking lots# are not permitted as-of-right in C7 Districts and such #public parking garages# are not permitted as-of-right in C4-5, C4-6, C4-7, C6, C8-4, M1-4, M1-5, M1-6, M2-3, M2-4 or M3-2 Districts. #Public parking garages# may be open or enclosed, provided that no portion of such #use# shall be located on a roof other than a roof which is immediately above a #cellar# or #basement#.

In the #Manhattan Core#, these #uses# are subject to the provisions of Article I, Chapter 3, and in the #Long Island City area#, as defined in Section 16-02 (Definitions), such #uses# are subject to the provisions of Article I, Chapter 6.

E. #Accessory Uses#

\* In a C4 District, a #use# in Use Group 12, marked with an asterisk, shall not be located on the ground floor of a #building# unless such #use# is at least 50 feet from the #street wall# of the #building# in which it is located, as provided in Section 32-423 (Limitation on ground floor location)

\*\* In C6-4 Districts mapped within that portion of Community District 5, Manhattan, bounded by West 22nd Street, a line 100 feet west of Fifth Avenue, a line midway between West

16<sup>th</sup> Street and West 17<sup>th</sup> Street, and a line 100 feet east of Sixth Avenue, eating or drinking establishments with entertainment and a capacity of more than 200 persons, or establishments of any capacity with dancing, are permitted only by special permit of the Board of Standards and Appeals in accordance with Section 73-244

(4/6/78)

## **32-22**

### **Use Group 13**

C7 C8

Use Group 13 consists of open or low coverage #uses#, mostly open amusement establishments, which either:

- (1) generate noise and traffic, particularly at night, and are therefore not appropriate in local retail or local service areas; or
- (2) attract customers for special purposes not associated with retail shopping, and are therefore not appropriate in local, secondary, major or central shopping areas.

#### **A. Amusements, Open or Enclosed**

Camps, overnight or outdoor day [PRC-H]

Children's amusement parks, provided that the total area of the #zoning lot# shall not exceed 10,000 square feet, and that no amusement attractions shall be located within 20 feet of a #Residence District# boundary [PRC-E]

Circuses, carnivals or fairs of a temporary nature [PRC-E]

Commercial beaches or swimming pools [PRC-E]

Golf driving ranges [PRC-E]

Miniature golf courses [PRC-E]

Outdoor roller skating rinks [PRC-E]

Outdoor skateboard parks, provided that the total area of the #zoning lot#, excluding the area used for #accessory# off-street parking spaces, shall not exceed two acres, and provided further that temporary enclosure of the skating

16<sup>th</sup> Street and West 17<sup>th</sup> Street, and a line 100 feet east of Sixth Avenue, eating or drinking establishments with entertainment and a capacity of more than 200 persons, or establishments of any capacity with dancing, are permitted only by special permit of the Board of Standards and Appeals in accordance with Section 73-244

(4/6/78)

**32-22**

**Use Group 13**

C7 C8

Use Group 13 consists of open or low coverage #uses#, mostly open amusement establishments, which either:

- (1) generate noise and traffic, particularly at night, and are therefore not appropriate in local retail or local service areas; or
- (2) attract customers for special purposes not associated with retail shopping, and are therefore not appropriate in local, secondary, major or central shopping areas.

A. Amusements, Open or Enclosed

Camps, overnight or outdoor day [PRC-H]

Children's amusement parks, provided that the total area of the #zoning lot# shall not exceed 10,000 square feet, and that no amusement attractions shall be located within 20 feet of a #Residence District# boundary [PRC-E]

Circuses, carnivals or fairs of a temporary nature [PRC-E]

Commercial beaches or swimming pools [PRC-E]

Golf driving ranges [PRC-E]

Miniature golf courses [PRC-E]

Outdoor roller skating rinks [PRC-E]

Outdoor skateboard parks, provided that the total area of the #zoning lot#, excluding the area used for #accessory# off-street parking spaces, shall not exceed two acres, and provided further that temporary enclosure of the skating

runs, such as air supported structures, shall not be permitted [PRC-E]

Outdoor skating rinks [PRC-E]

Theaters [PRC-D]

#### B. Retail Establishments

Banquet halls [PRC-D]

Catering establishments [PRC-B1]

Refreshment stands, drive-in [PRC-H]

#### C. Service Establishments

Boat fuel sales, open or enclosed, without restriction as to location [PRC-C]

#### D. #Accessory Uses#

(3/26/14)

### **32-23**

#### **Use Group 14**

C2 C3 C7 C8

Use Group 14 consists of the special services and facilities required for boating and related activities.

#### A. Retail or Service

Bicycle rental or repair shops [PRC-B1]

Bicycle sales [PRC-B]

Boat fuel sales, open or enclosed, restricted to location within 10 feet of a boat dock berth [PRC-C]

Boat launching facilities for non-commercial pleasure boats

Boat rentals, open or enclosed [PRC-H]

Boat showrooms or sales, restricted to boats less than 100 feet in length, provided that such #use# or portion thereof may be conducted outside a #completely enclosed building#

ultimate consumer. Such self-contained machines shall be limited to 1,600 pounds capacity solely for the use of such self-contained machines

Sailmaking establishments [PRC-C]

Sale or rental of sporting goods or equipment, including instruction in skiing, sailing or skin diving [PRC-B]

## B. Clubs

Non-commercial clubs, without restrictions on activities or facilities except for any activity or #use# listed within the definitions of either #adult physical culture establishments# or #physical culture or health establishments# in Section 12-10 [PRC-D]

## C. #Accessory Uses#

(3/4/76)

### **32-24**

#### **Use Group 15**

C7

Use Group 15 consists of large open commercial amusement establishments which:

- (1) generate considerable noise or traffic; and
- (2) are appropriate only in a few areas designated for open amusement parks.

#### A. Amusements

Amusement arcades [PRC-E]

Amusement parks, children's, with no limitation on #floor area# per establishment [PRC-E]

Animal exhibits [PRC-E]

Ferris wheels, roller coasters, whips, parachute jumps, merry-go-rounds or similar open midway attractions [PRC-E]

Freak shows, wax museums, dodgem scooters or similar open or enclosed midway attractions [PRC-E]

only if located at a distance greater than 100 feet from a #Residence District# boundary [PRC-C]

Boat storage, repair, or painting, including the incidental sale of boats, boat parts, or accessories, restricted to boats less than 100 feet in length, provided that such #use# or portion thereof may be conducted outside a #completely enclosed building# only if located at a distance greater than 100 feet from a #Residence District# boundary [PRC-C]

Candy or ice cream stores [PRC-B]

Docks for ferries, other than #gambling vessels#, limited to an aggregate operational passenger load, per #zoning lot#, of 150 passengers per half hour. In Community District 1 in the Borough of Brooklyn, docks for ferries with a vessel capacity of up to 399 passengers shall be allowed, provided that such docks are certified by the Chairperson of the City Planning Commission pursuant to Section 62-813 (Docking facilities for ferries or water taxis in certain waterfront areas) [PRC-H]

Docks for sightseeing, excursion or sport fishing vessels, other than #gambling vessels#, limited to the following aggregate dock capacities per #zoning lot#:

200 in C2, C3 Districts; 500 in C7, C8-1, C8-2, C8-3 Districts; 2,500 in C8-4 Districts.

"Dock capacity" is the U.S. Coast Guard-certified capacity of the largest vessel using a dock. "Aggregate dock capacity" is the sum of the dock capacities of all docks on the #zoning lot#.

Docks for water taxis, with a vessel capacity up to 99 passengers. In Community District 1 in the Borough of Brooklyn, such docks shall be certified by the Chairperson of the City Planning Commission pursuant to Section 62-813 (Docking facilities for ferries or water taxis in certain waterfront areas). The maximum dock capacity is the U.S. Coast Guard-certified capacity of the largest vessel using the dock

Docks or mooring facilities for non-commercial pleasure boats [PRC-H]

Fishing tackle or equipment, rental or sales [PRC-B1]

Ice vending machines, coin-operated, including those machines that are self-contained, dealing directly with the



ultimate consumer. Such self-contained machines shall be limited to 1,600 pounds capacity solely for the use of such self-contained machines

Sailmaking establishments [PRC-C]

Sale or rental of sporting goods or equipment, including instruction in skiing, sailing or skin diving [PRC-B]

## B. Clubs

Non-commercial clubs, without restrictions on activities or facilities except for any activity or #use# listed within the definitions of either #adult physical culture establishments# or #physical culture or health establishments# in Section 12-10 [PRC-D]

## C. #Accessory Uses#

(3/4/76)

### 32-24

#### Use Group 15

C7

Use Group 15 consists of large open commercial amusement establishments which:

- (1) generate considerable noise or traffic; and
- (2) are appropriate only in a few areas designated for open amusement parks.

#### A. Amusements

Amusement arcades [PRC-E]

Amusement parks, children's, with no limitation on #floor area# per establishment [PRC-E]

Animal exhibits [PRC-E]

Ferris wheels, roller coasters, whips, parachute jumps, merry-go-rounds or similar open midway attractions [PRC-E]

Freak shows, wax museums, dodgem scooters or similar open or enclosed midway attractions [PRC-E]

enclosed, including #accessory# motor fuel pumps [PRC-G]

Dead storage of motor vehicles

Public transit yards, open or enclosed, including  
#accessory# motor fuel pumps [PRC-G]

D. Heavy Service, Wholesale, or Storage Establishments

Carpet cleaning establishments [PRC-F]

Dry cleaning or cleaning and dyeing establishments, with no  
limitation on type of operation, solvents, #floor area# or  
capacity per establishment [PRC-F]

Laundries, with no limitation on type of operation [PRC-F]

Linen, towel or diaper supply establishments [PRC-F]

Moving or storage offices, with no limitation as to storage  
or #floor area# per establishment\* [PRC-G]

Packing or crating establishments [PRC-G]

Photographic developing or printing with no limitation on  
#floor area# per establishment [PRC-C]

Trucking terminals or motor freight stations, limited to  
20,000 square feet of #lot area# per establishment [PRC-G]

Warehouses\* [PRC-G]

Wholesale establishments, with no limitation on #accessory#  
storage [PRC-C]

E. #Accessory Uses#

- \* In designated areas within #Manufacturing Districts#, as  
shown on the maps in APPENDIX J (Designated Areas Within  
Manufacturing Districts) of this Resolution, a #self-service  
storage facility# is subject to the provisions of Section  
42-121 (Use Group 16D self-service storage facilities).

(12/15/61)

32-30

**USES PERMITTED BY SPECIAL PERMIT**

(3/22/06)

**32-31**

**By the Board of Standards and Appeals**

In the districts indicated, the following #uses# are permitted by special permit of the Board of Standards and Appeals, in accordance with standards set forth in Article VII, Chapter 3.

C4-1

Amusement arcades [PRC-E]

C2 C4 C6 C7

#Automotive service stations#, open or enclosed, with sites of not less than 7,500 square feet per establishment, and provided that facilities for lubrication, minor repairs, or washing are permitted only if located within a #completely enclosed building#

C3

#Boatels# [PRC-H]

C1 C2 C3

Camps, overnight or outdoor day [PRC-H]

C8

Children's amusement parks, with sites of not less than 10,000 square feet nor more than 75,000 square feet per establishment [PRC-E]

C3

Commercial beaches [PRC-E]

C3

Commercial swimming pools [PRC-E]

C1-1 C1-2 C1-3 C3

Eating or drinking establishments, including those which provide outdoor table service or have music for which there is no cover charge and no specified showtime, which have #accessory# drive-through facilities [PRC-B]

C1-1 C1-2 C1-3 C3

Eating or drinking establishments, including those which provide musical entertainment but not dancing, with a capacity of 200 persons or less, or outdoor table service, which have #accessory# drive-through facilities [PRC-B]

C1-1 C1-2 C1-3 C1-4 C2-1 C2-2 C2-3 C2-4 C3 C5

Eating or drinking establishments with entertainment but not dancing, with a capacity of 200 persons or less [PRC-B]

C3

Eating or drinking establishments with musical entertainment but not dancing, with a capacity of 200 persons or less [PRC-B]

C2 C3 C4\* C6-4\*\*

Eating or drinking establishments with entertainment and a capacity of more than 200 persons or establishments of any capacity with dancing [PRC-D]

C1 C2 C3 C4 C5 C6 C7 C8

Electric utility substations, limited to a site of not less than 10,000 square feet nor more than 40,000 square feet

C1 C4

Funeral establishments [PRC-H]

C6

Newspaper publishing establishments

C1-8X C1-9 C2 C4 C5 C6 C8

#Physical culture or health establishments#, including gymnasiums (not permitted under Use Group 9), massage establishments [PRC-B]

C1 C2 C3 C4 C5 C6 C7 C8

Public transit or railroad electric substations, limited in each case to a site of not more than 40,000 square feet

C1 C2 C3 C4 C5 C6 C7 C8

Radio or television towers, non-#accessory#

C2 C6 C7

Riding academies or stables [PRC-C]

C1 C2 C3 C4 C5 C6 C7 C8

Sand, gravel or clay pits

C8

#Schools#, provided they have no living or sleeping accommodations

C1

Theaters, limited to a maximum capacity of 500 persons [PRC-D]

\* In C4 Districts, such #use# is permitted within 100 feet of a #Residence District# boundary, only as provided in Section

73-244

\*\* In C6-4 Districts mapped within that portion of Community District 5, Manhattan, bounded by West 22nd Street, a line 100 feet west of Fifth Avenue, a line midway between West 16th Street and West 17th Street, and a line 100 feet east of Sixth Avenue, such #use# is permitted only as provided in Section 73-244

(3/22/16)

### **32-32**

#### **By the City Planning Commission**

In the districts indicated, the following #uses# are permitted by special permit of the City Planning Commission, in accordance with standards set forth in Article VII, Chapter 4, or as otherwise indicated in this Section.

C8

Amusement parks, children's, with sites of not less than 75,000 square feet nor more than 10 acres per establishment [PRC-E]

C4 C6 C7 C8

Arenas, auditoriums or stadiums with a capacity in excess of 2,500 seats [PRC-D]

C2

Automobile rental establishments, open

Bus stations:

C1 C2 C4 C6 C7 C8

With less than 10 berths

C4 C6

With 10 or more berths

C2 C3 C4 C5 C6 C7 C8

Docks for #gambling vessels#, pursuant to Section 62-838

C6

Docks for passenger ocean vessels, pursuant to Section 62-832

C7 C8

Drive-in theaters, with a maximum capacity of 500 automobiles

C3 C4 C5 C6 C7 C8

# ZONING RESOLUTION Web Version

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## THE CITY OF NEW YORK



THE CITY OF NEW YORK  
Bill de Blasio, Mayor

CITY PLANNING COMMISSION  
Marisa Lago, Chair

## Article IV: Manufacturing District Regulations Chapter 2 - Use Regulations

Effective date of most recently amended section of Article IV Chapter 2: 12/19/17

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Date of file creation: Web version of Article IV Chapter 2: 10/3/18

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(12/15/61)

## **Chapter 2**

### **Use Regulations**

(10/9/13)

#### **42-00**

##### **GENERAL PROVISIONS**

In order to carry out the purposes and provisions of this Resolution, the #uses# of #buildings or other structures# and the open #uses# of #zoning lots#, or portions thereof, have been classified and combined into Use Groups. A brief statement is inserted at the start of each Use Group to describe and clarify the basic characteristics of that Use Group.

Use Groups 4B, 4C, 5, 6A, 6B, 7, 8, 9B, 9C, 10B, 10C, 11, 12A, 12C, 12D, 12E, 13, 14, 16, 17 or 18, including each #use# listed separately therein, and certain #uses# listed in Use Groups 3A, 4A, 6C, 9A, 10A or 12B are permitted in #Manufacturing Districts# as indicated in Sections 42-11 to 42-15, inclusive, except that any such #use# which is also an #adult establishment# shall, in addition, be subject to the provisions of Section 42-01 (Special Provisions for Adult Establishments).

#Uses# listed in Use Groups 11A, 16, 17 or 18 must also comply with the applicable performance standards set forth in Sections 42-21 to 42-28, inclusive. In case of any conflict between the Use Group and the performance standards, the latter shall control.

#Uses# listed in Use Group 18 are permitted in M1 or M2 Districts (as well as M3 Districts) if such #uses# comply with all of the applicable performance standards for such districts.

Whenever a #use# is specifically listed in a Use Group and also could be construed to be incorporated within a more inclusive #use# listing, either in the same or another Use Group, the more specific listing shall control.

The letters A, B, B1, C, D, E, F, G or H in the column entitled Parking Requirement Category [PRC] following a #use# listed in Sections 32-14 to 32-25, inclusive, refer to the classification of #commercial uses# to determine required #accessory# off-street parking spaces as set forth in the table in Section 44-21 (General Provisions).

The #uses# listed in the various Use Groups set forth in Sections

increments from zero to five years, five to 10 years, 10 to 15 years, 15 to 20 years and 20 years or greater.

The report shall be submitted to the Director of the Department of City Planning, by any method, including e-mail or other electronic means, acceptable to the Director. The applicable Community Board, Borough President and local Council Member shall be included in such transmission.

A #self-service storage facility# shall, in Subarea 2 of APPENDIX J of this Resolution, be permitted by special permit of the City Planning Commission pursuant to Section 74-932 (Self-service storage facility in designated areas within Manufacturing Districts).

Any #self-service storage facility# existing on December 19, 2017, located in a designated area within #Manufacturing Districts#, as shown on the maps in APPENDIX J, shall be considered a conforming #use#, provided that the owner of such #self-service storage facility# has filed documentation satisfactory to the Department of Buildings that it existed on such date and met the definition of #self-service storage facility# set forth in Section 12-10. Any #enlargement# or #extension# to an existing conforming facility need not provide #industrial floor space#, business-sized storage, or apply for special permit of the City Planning Commission pursuant to Section 74-932, as applicable, provided there is no increase in #lot area# of the #zoning lot# as it existed on December 19, 2017. In the event that a #building# for which satisfactory documentation has been filed with the Department of Buildings is damaged or destroyed by any means, such #building# may be reconstructed on the same #zoning lot# and continue as a #self-service storage facility# without providing #industrial floor space# or business-sized storage, as applicable, provided that the #floor area# of such reconstructed #self-service storage facility# does not exceed the #floor area# permitted pursuant to the provisions of Section 43-10 (FLOOR AREA REGULATIONS), inclusive.

Any #self-service storage facility# existing on December 19, 2017, that does not file such documentation satisfactory to the Department of Buildings pursuant to the provisions of this Section shall be considered #non-conforming# and subject to the provisions of Article V (NON-CONFORMING USES AND NON-COMPLYING BUILDINGS) of this Resolution.

(10/25/93)

**42-13**



## **Use Groups 6C, 9A and 12B**

M2 M3

Use Groups 6C, 9A and 12B as set forth in Sections 32-15, 32-18, and 32-21. Use Group 6C shall be limited to antique stores; art galleries, commercial; artists' supply stores; automobile supply stores; banks; bicycle sales; candy or ice cream stores; cigar or tobacco stores; custom furrier shops; docks for ferries or water taxis; eating or drinking establishments with entertainment but not dancing, with a capacity of 200 persons or less; eating or drinking establishments with musical entertainment but not dancing, with a capacity of 200 persons or less; frozen food lockers; fishing tackle or equipment, rental or sales; jewelry or art metal craft shops; locksmith shops; meeting halls; millinery shops; music stores; newsstands, open or closed; paint stores; picture framing shops; and watch or clock repair shops.

Use Group 9A shall be limited to blueprinting or photostating establishments; business schools or colleges; medical or dental laboratories; musical instrument repairs; printing establishments; public auction rooms; studios - art, music, dancing, or theatrical; trade or other schools for adults; typewriter or other small business machine sales, rental or repairs; and umbrella repairs.

Use Group 12B shall be limited to antique stores; art galleries, commercial; candy or ice cream stores; cigar or tobacco stores; delicatessen stores; jewelry or art metal craft shops; music stores; and newsstands.

(8/20/81)

### **42-131**

#### **M1-5A and M1-5B Districts**

M1-5A M1-5B

The regulations governing M1 Districts shall apply in M1-5A and M1-5B Districts except where the special #use# regulations set forth in Section 42-14, paragraph D. (Special Uses in M1-5A and M1-5B Districts) provide otherwise.

(2/2/11)

### **42-132**

Dwelling Law, such a determination of #residential# occupancy shall be deemed to permit #residential use# as-of-right for such #dwelling unit#;

- (2) in any #building# for which an alteration application for #conversion# of #floor area# used for non-#residential use# to #dwelling units# or for an #extension# or minor #enlargement# of existing #residential use#, was filed prior to May 18, 1981, #dwelling units# shall be permitted, provided that such alterations shall comply with the regulations in effect on the date of such filing. The right to #convert# to #dwelling units# or #extend# or #enlarge# existing #residential use# pursuant to the provisions of this Section shall expire one year from July 23, 1981, unless a temporary or permanent certificate of occupancy has been issued; and
- (3) in M1-6D Districts, #residential use# shall be permitted as-of-right subject to the supplemental #use# regulations set forth in Section 42-48 (Supplemental Use Regulations in M1-6D Districts).

(2/2/11)

**42-14**

**Use Group 17**

M1 M2 M3

Use Group 17 consists primarily of #manufacturing uses# that:

- (1) can conform to high performance standards by controlling objectionable influences; and
- (2) in so doing, can limit their impact on adjacent residential areas; and
- (3) normally generate a great deal of traffic, both pedestrian and freight.

A. Service or wholesale establishments

Building materials or contractors' yards, open or enclosed, including sales, storage, or handling of building materials, with no limitation on #lot area# per establishment, except that lumber yards shall be limited to 20,000 square feet of #lot area# per establishment, and provided that any yard in

which such #use# is conducted is completely enclosed on all sides by a solid opaque fence or wall (including opaque solid entrance and exit gates) of suitable uniform material and color, at least eight feet in height and constructed in accordance with rules and regulations to be promulgated by the Commissioner of Buildings

Produce or meat markets, wholesale

B. Manufacturing establishments

Adhesives, excluding manufacture of basic components

Advertising displays

Aircraft, including parts

Apparel or other textile products from textiles or other materials, including hat bodies, or similar products

Automobiles, trucks, or #trailers#, including parts or rebuilding of engines

Beverages, non-alcoholic

Boats less than 200 feet in length, building or repair, open or enclosed, provided that such #use# or portion thereof may be conducted outside a #completely enclosed building# only if located at a distance greater than 200 feet from a #Residence District# boundary, or if effectively screened by a wall or fence at least eight feet in height with no boat building located less than 30 feet from a #Residence District# boundary

Bottling work, for all beverages

Brushes or brooms

Cameras or other photographic equipment, except film

Canvas or canvas products

Carpets

Ceramic products, including pottery, small glazed tile, or similar products

Chemicals, compounding or packaging

Cork products

Cosmetics or toiletries

Cotton ginning, or cotton wadding or linters

Electrical appliances, including lighting fixtures, irons, fans, toasters, electric toys, or similar appliances

Electrical equipment assembly, including home radio or television receivers, home movie equipment, or similar products, but not including electrical machinery

Electrical supplies, including wire or cable assembly, switches, lamps, insulation, dry cell batteries, or similar supplies

Film, photographic

Food products, except slaughtering of meat or preparation of fish for packing

Fur goods, not including tanning or dyeing

Glass products from previously manufactured glass

Hair, felt, or feather products, except washing, curing or dyeing

Hosiery

Ice, dry or natural

Ink or inked ribbon

Jute, hemp, sisal or oakum products

Laboratories, research, experimental or testing

Leather products, including shoes, machine belting, or similar products

Luggage

Machines, business, including typewriters, accounting machines, calculators, card-counting equipment, or similar products

Machinery, miscellaneous, including washing machines, firearms, refrigerators, air-conditioning, commercial motion picture equipment, or similar products

Machine tools, including metal lathes, metal presses, metal stamping machines, woodworking machines, or similar products

Mattresses, including rebuilding or renovating

Metal finishing, plating, grinding, sharpening, polishing, cleaning, rust-proofing, heat treatment, or similar processes

Metal stamping or extrusion, including costume jewelry, pins and needles, razor blades, bottle caps, buttons, kitchen utensils, or similar products

Motorcycles, including parts

Musical instruments, including pianos or organs

Novelty products

Optical equipment, clocks or similar precision instruments

Orthopedic or medical appliances, including artificial limbs, braces, supports, stretchers, or similar appliances

Paper products, including envelopes, stationery, bags, boxes, shipping containers, bulk goods, tubes, wallpaper printing, or similar products

Perfumes or perfumed soaps, compounding only

Pharmaceutical products

Plastic products, including tableware, phonograph records, buttons, or similar products

Printing or publishing, with no limitation on #floor area# per establishment

Rubber products, such as washers, gloves, footwear, bathing caps, atomizers, or similar products, excluding manufacture of natural or synthetic rubber

Scenery construction

Shoddy

Silverware, plate or sterling

Soap or detergents, packaging only

Sporting or athletic equipment, including balls, baskets, cues, gloves, bats, racquets, rods, or similar products

Statuary, mannequins, figurines, or religious art goods, excluding foundry operations

Steel products, miscellaneous fabrication or assembly, including steel cabinets, doors, fencing, metal furniture, or similar products

Textiles, spinning, weaving, manufacturing, dyeing, printing, knit goods, yarn, thread or cordage

Tobacco, including curing or tobacco products

Tools or hardware, including bolts, nuts, screws, doorknobs, drills, hand tools or cutlery, hinges, house hardware, locks, non-ferrous metal castings, plumbing appliances, or similar products

Toys

Umbrellas

Upholstering, bulk, excluding upholstering shops dealing directly with consumers

Vehicles, children's, including bicycles, scooters, wagons, baby carriages, or similar vehicles

Venetian blinds, window shades, or awnings, with no limitation on production or on #floor area# per establishment

Wax products

Wood products, including furniture, boxes, crates, baskets, pencils, cooperage works, or similar products

C. Miscellaneous #uses#

Agriculture, including greenhouses, nurseries or truck gardens

Docks for passenger ocean vessels, other than #gambling vessels#

Docks for sightseeing, excursion or sport fishing vessels, other than #gambling vessels#, with no limitation on vessel

or dock capacity

Docks for vessels not otherwise listed other than docks for #gambling vessels#

Public transit, railroad or electric utility substations, open or enclosed, with no limitation as to size

Railroads, including rights-of-way, freight terminals, yards or appurtenances, or facilities or services used or required in railroad operations, but not including passenger stations

Truck weighing stations, open or enclosed

Trucking terminals or motor freight stations with no limitation on #lot area# per establishment

D. Special #uses# in M1-5A and M1-5B Districts

M1-5A M1-5B

- (1) #Joint living-work quarters for artists# in #buildings# in M1-5A and M1-5B Districts, provided:
  - (a) Such #building# was erected prior to December 15, 1961.
  - (b) The #lot coverage# of such #building# does not exceed 5,000 square feet except that in #buildings# with frontage along Broadway the #lot coverage# shall not exceed 3,600 square feet. However, such quarters may also be located in a #building# occupying more than 5,000 square feet of #lot area# if the entire #building# was held in cooperative ownership by #artists# on September 15, 1970. #Joint living-work quarters for artists# are permitted in other #buildings or other structures# only by special permit of the City Planning Commission pursuant to Section 74-782, by minor modification of the Chairperson of the City Planning Commission pursuant to Section 42-141 (Modification by certification of the Chairperson of the City Planning Commission of uses in M1-5A and M1-5B Districts), paragraph (e), or by authorization of the City Planning Commission pursuant to Section 42-142 (Modification by authorization of the City Planning Commission of use regulations in M1-5A and M1-5B Districts).
  - (c) In M1-5B Districts in #buildings# occupying less

than 3,600 square feet of #lot area#, #joint living-work quarters for artists# may not be located below the floor level of the second #story# unless modified by the Chairperson of the City Planning Commission pursuant to Section 42-141, Section 74-781 (Modification by special permit of the City Planning Commission of uses in M1-5A and M1-5B Districts), or by authorization of the City Planning Commission pursuant to Section 42-142.

- (d) In #buildings# occupying more than 3,600 square feet of #lot area#, #joint living-work quarters for artists# may not be located below the floor level of the second #story# unless modified by the Chairperson of the City Planning Commission pursuant to Sections 42-141, 74-781 or by authorization of the City Planning Commission pursuant to Section 42-142.
- (e) At least 30 percent of the gross roof area of a #building# containing 15 #joint living-work quarters for artists# shall be provided for recreational use. For each additional #joint living-work quarters for artists#, 100 square feet of additional roof area shall be provided for recreational use up to a maximum of 50 percent of the gross roof area. This recreational area shall be accessible to all the occupants of said #building# and their guests. No fees shall be charged to the occupants or their guests. The provisions of this Section may be modified pursuant to Section 42-141.
- (f) In any #building# which, as a result of #zoning map# change CP-23167 is zoned M1-5B, any existing occupant of a #joint living-work quarters for artists# which cannot meet the qualifications of the Department of Cultural Affairs may remain as a lawful #use#. This lawful #use# is non-transferable and ceases immediately upon the vacating of such space. Such occupants must register with the Department of Cultural Affairs not later than August 31, 1983, in order to preserve their lawful status in their existing space.
- (g) In a #building# for which an alteration permit for #joint living-work quarters for artists# was requested prior to April 27, 1976, such



alterations may comply with the regulations effective prior to such date.

- (2) #Commercial# and #manufacturing uses# below the floor level of the second #story# provided:
  - (a) In M1-5A Districts, in #buildings# occupying more than 3,600 square feet of #lot area#, only #uses# listed in Use Groups 7, 9, 11, 16, 17A, 17B, 17C or 17E shall be allowed below the floor level of the second #story# of such #buildings#, unless modified by the Chairperson of the City Planning Commission, pursuant to Sections 42-141 or 74-781;
  - (b) In M1-5B Districts, in any #buildings#, only #uses# listed in Use Groups 7, 9, 11, 16, 17A, 17B, 17C or 17E shall be allowed below the floor level of the second #story# of such #buildings# unless modified by the Chairperson of the City Planning Commission, pursuant to Sections 42-141 or 74-781;
- (3) In addition to the above restrictions, the following #uses# are not permitted as of right in any #building or other structure# or on any tract of land in M1-5A or M1-5B Districts:
  - (a) All eating or drinking places as listed in Use Groups 6A, 6C, 10A or 12A of more than 5,000 square feet of floor space, except that any eating or drinking place which is listed in Use Group 6A, which had obtained an alteration permit prior to July 14, 1976, is permitted.
  - (b) Eating or drinking places of less than 5,000 square feet with entertainment other than musical entertainment but not dancing, with a capacity of 200 persons or less as listed in Use Group 6C, and with entertainment or dancing as listed in Use Groups 10A or 12A. However, such #uses# are permitted:
    - (i) provided that there is entertainment but not dancing, with a capacity of 200 persons or less as listed in Use Group 6C, only by special permit of the Board of Standards and Appeals in accordance with Section 73-241; or
    - (ii) with entertainment and a capacity of more than 200 persons or establishments of any

capacity with dancing as listed in Use Group 12A only by special permit of the Board of Standards and Appeals in accordance with Section 73-244.

- (c) Non-commercial clubs as listed in Use Groups 6E and 14B.
  - (d) All #uses# listed in Use Group 8A except that theaters are permitted only by special permit of the Board of Standards and Appeals in accordance with standards set forth in Section 73-202. However, this provision shall not apply to theaters with a capacity of less than 100 seats.
  - (e) Banquet halls, wedding chapels, catering establishments, #physical culture or health establishments#, including gymnasiums, reducing salons, massage establishments or steam baths. However, this provision shall not apply to gymnasiums occupying not more than 10,000 square feet and used exclusively for the following sports facilities: basketball, handball, squash and tennis.
  - (f) All other #uses# listed in Use Group 12A.
  - (g) All #uses# listed in Use Group 13 except that theaters are permitted only by special permit of the Board of Standards and Appeals in accordance with standards set forth in Section 73-202. However, this provision shall not apply to theaters with a capacity of less than 100 seats.
- (4) (a) Any #use# which became #non-conforming# after April 27, 1976, shall be governed by Article V (Non-Conforming Uses and Non-Complying Buildings), except that in M1-5A and M1-5B Districts, Section 52-37 is hereby suspended and replaced by paragraph D.(4)(b) of this Section.
- (b) In M1-5A and M1-5B Districts, any #non-conforming use# listed in Use Groups 5, 6, 8, 10, 12, 13, 14 or 15 may be changed, initially or in any subsequent change, only to a conforming #use# or a #use# listed in Use Group 6.
- (5) Museums or non-commercial art galleries, subject to the #bulk# regulations applicable for #manufacturing uses#, and subject to the provisions of this Section.

(a) As of right

In any #building#, a museum or non-commercial art gallery is permitted on the ground floor where a #use# in Use Group 6 is permitted pursuant to the provisions of paragraphs D.(2) or D.(4) of this Section and, above the ground floor where #joint living-work quarters for artists# are permitted, pursuant to paragraph D.(1) of this Section.

(b) By authorization of the City Planning Commission

In an M1-5A District, the City Planning Commission may authorize a museum or non-commercial art gallery where it is not permitted as-of-right, provided that the Commission finds that:

- (i) the #use# of such space as a museum or non-commercial art gallery will not harm #manufacturing uses# in the M1-5A District or the industrial sector of the City's economy;
- (ii) any commercial or manufacturing tenants in such space were given the opportunity by the owner or predecessors in title to remain in the space at fair market rentals, and the property owners or predecessors in title did not cause the vacating of the space through harassment, non-renewal of leases, or the charging of rents in excess of the then fair market value; and
- (iii) any such museum or non-commercial art gallery will be supportive of the local art industry.

The Commission may set such conditions on the grant of an authorization to allow such #uses# as it deems necessary to protect #manufacturing uses# or the industrial sector of the City's economy. In no case shall such museum or non-commercial art gallery occupy more than 65,000 square feet of #floor area#.

E. #Accessory uses#

(7/19/90)

(12/15/61)

**42-30**

**USES PERMITTED BY SPECIAL PERMIT**

(2/8/90)

**42-31**

**By the Board of Standards and Appeals**

In the districts indicated, the following #uses# are permitted by special permit of the Board of Standards and Appeals, in accordance with standards set forth in Article VII, Chapter 3.

M2 M3

Amusement arcades [PRC-E]

M1

Amusement parks, children's, with sites of not less than 10,000 square feet nor more than 75,000 square feet per establishment [PRC-E]

M1-5A M1-5B

Eating and drinking establishments, with entertainment but not dancing, with a capacity of 200 persons or less [PRC-D]

M1-5A M1-5B M1-5M M1-6M

Eating or drinking establishments, with entertainment and a capacity of more than 200 persons or establishments of any capacity with dancing [PRC-D]

M1 M2 M3

#Physical culture or health establishments#, including gymnasiums (not permitted under Use Group 9), and massage establishments

M1 M2 M3

Radio or television towers, non-#accessory#

M1 M2 M3

Sand, gravel or clay pits

M1

#Schools#, provided they have no living or sleeping accommodations

(12/19/17)

## **Use Groups 6C, 9A and 12B**

M2 M3

Use Groups 6C, 9A and 12B as set forth in Sections 32-15, 32-18, and 32-21. Use Group 6C shall be limited to antique stores; art galleries, commercial; artists' supply stores; automobile supply stores; banks; bicycle sales; candy or ice cream stores; cigar or tobacco stores; custom furrier shops; docks for ferries or water taxis; eating or drinking establishments with entertainment but not dancing, with a capacity of 200 persons or less; eating or drinking establishments with musical entertainment but not dancing, with a capacity of 200 persons or less; frozen food lockers; fishing tackle or equipment, rental or sales; jewelry or art metal craft shops; locksmith shops; meeting halls; millinery shops; music stores; newsstands, open or closed; paint stores; picture framing shops; and watch or clock repair shops.

Use Group 9A shall be limited to blueprinting or photostating establishments; business schools or colleges; medical or dental laboratories; musical instrument repairs; printing establishments; public auction rooms; studios - art, music, dancing, or theatrical; trade or other schools for adults; typewriter or other small business machine sales, rental or repairs; and umbrella repairs.

Use Group 12B shall be limited to antique stores; art galleries, commercial; candy or ice cream stores; cigar or tobacco stores; delicatessen stores; jewelry or art metal craft shops; music stores; and newsstands.

(8/20/81)

### **42-131**

#### **M1-5A and M1-5B Districts**

M1-5A M1-5B

The regulations governing M1 Districts shall apply in M1-5A and M1-5B Districts except where the special #use# regulations set forth in Section 42-14, paragraph D. (Special Uses in M1-5A and M1-5B Districts) provide otherwise.

(2/2/11)

### **42-132**

## **M1-5M and M1-6M Districts**

In M1-5M and M1-6M Districts in Manhattan Community Districts 1, 2, 3, 4, 5 and 6, the #conversion# to #dwelling units# of #non-residential buildings#, or portions thereof, erected prior to December 15, 1961, shall be subject to the provisions of Article I, Chapter 5 (Residential Conversion Within Existing Buildings).

In M1-5M and M1-6M Districts, eating or drinking establishments with entertainment and a capacity of more than 200 persons or establishments of any capacity with dancing are permitted only by special permit of the Board of Standards and Appeals in accordance with Section 73-244.

(3/22/16)

## **42-133**

### **Provisions for dwelling units in certain M1-5 or M1-6 Districts**

- (a) In M1-5 and M1-6 Districts, except for M1-6D Districts, located within the rectangle formed by West 23rd Street, Fifth Avenue, West 31st Street, and Eighth Avenue, no new #dwelling units# shall be permitted. However, #dwelling units# which the Chairperson of the City Planning Commission determines were occupied on September 1, 1980, shall be a permitted #use# provided that a complete application to permit such #use# is filed by the owner of the #building# or the occupant of a #dwelling unit# in such #building# not later than June 21, 1983.

Such #dwelling units# shall comply with the requirements of Sections 15-024 or 15-22, where applicable and with Section 15-23. For the purposes of Article 7C of the New York State Multiple Dwelling Law, such a determination of #residential# occupancy on September 1, 1980, shall be deemed to permit #residential use# as-of-right for such #dwelling units#.

- (b) In M1-6 Districts located within the rectangle formed by West 35th Street, Fifth Avenue, West 40th Street and Sixth Avenue, no #dwelling units# shall be permitted, except that:
- (1) #dwelling units# which the Chairperson of the City Planning Commission determines were occupied on May 18, 1981, shall be a permitted #use# provided that a complete application to permit such #use# is filed by the owner of the #building# or the occupant of the #dwelling unit# not later than June 21, 1983. For the purposes of Article 7C of the New York State Multiple

**Other buildings or structures in Residence Districts**

In all #Residence Districts#, a #non-conforming use# listed in Use Group 11A, 16, 17 or 18 which is not subject to the provisions of Sections 52-32 (Land with Minor Improvements) or 52-331 (Buildings designed for residential use), may be changed either to a conforming #use# or:

- (a) to any #use# listed in Use Group 6, 7B, 7C, 7D, 8, 9, 10, 11B or 14, in which case any subsequent change of #use# shall conform to the provisions of Section 52-34 (Commercial Uses in Residence Districts); or
- (b) in accordance with the provisions of the following table:

From Use Group	To Use Group
11A	11A
16 or 17	11A 16 or 17
18	11A 16 17 or 18

provided that such changed #use# shall conform to all regulations on performance standards applicable in M1 Districts, and that any such changed #use#, or the storage of materials or products #accessory# to any changed #use#, which is not located within a #completely enclosed building#, shall be screened by a solid wall or fence (including solid entrance or exit gates) at least eight feet in height. Whenever a #use# located within a #completely enclosed building# is changed to another #use#, no activity related to such changed #use#, including the storage of materials or products, shall be located outside of such #building#.

In no event shall any change of #use# permitted in paragraph (b) of this Section extend the statutory period of useful life applicable under the provisions of Section 52-74 (Uses Objectionable in Residence Districts).

(2/2/11)

**52-34  
Commercial Uses in Residence Districts**

In all #Residence Districts#, a #non-conforming use# listed in Use Group 6, 7, 8, 9, 10, 11B, 12, 13, 14 or 15 may be changed,

initially or in any subsequent change, only to a conforming #use# or to a #use# listed in Use Group 6. In the case of any such change, the limitation on #floor area# set forth in Section 32-15 (Use Group 6) shall not apply. Eating or drinking places, with musical entertainment, but not dancing, thus permitted as a change of #use#, shall be limited exclusively to the sale of food or drink for on-premises consumption by seated patrons within a #completely enclosed building#.

(8/17/90)

## 52-35

### Manufacturing or Related Uses in Commercial Districts

In all #Commercial Districts#, a #non-conforming use# listed in Use Group 11A, 16, 17 or 18 which is not subject to the provisions of Section 52-32 (Land with Minor Improvements), may be changed either to a conforming #use# or:

- (a) to a #use# listed in Use Group 6, 7, 8, 9, 10, 11B or 14, in which case any subsequent change of #use# shall conform to the provisions of Section 52-36 (Non-Conforming Commercial Uses in Commercial Districts); or
- (b) in accordance with the provisions of the following table:

From Use Group	To Use Group
11A	11A
16 or 17	11A 16 or 17
18	11A 16 17 or 18

provided that such changed #use# shall conform to all regulations on performance standards applicable in M1 Districts, and that any such changed #use# or any storage of materials or products #accessory# to any changed #use# shall be located within a #completely enclosed building#. Whenever a #use# located within a #completely enclosed building# is changed to another #use#, no activity related to such changed #use#, including the storage of materials or products, shall be located outside of such #building#.

However, in C1, C3, C4 or C5 Districts, a #non-conforming use# listed in Use Group 11A, 16, 17 or 18, which is not subject to the provisions of Section 52-32, may not be changed to a #motel# or #tourist cabin#.



# ZONING RESOLUTION Web Version

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## THE CITY OF NEW YORK



THE CITY OF NEW YORK  
Bill de Blasio, Mayor

CITY PLANNING COMMISSION  
Marisa Lago, Chair

### Article VI: Special Regulations Applicable to Certain Areas Chapter 2 - Special Regulations Applying in the Waterfront Area

Effective date of most recently amended section of Article VI Chapter 2: 8/8/18

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Date of file creation: Web version of Article VI Chapter 2: 10/3/18

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(4/22/09)

**Chapter 2  
Special Regulations Applying in the Waterfront Area**

(10/25/93)

**Chapter 2  
Special Regulations Applying in the Waterfront Area**

(10/25/93)

**62-00  
GENERAL PURPOSES**

The provisions of this Chapter establish special regulations which are designed to guide development along the City's waterfront and in so doing to promote and protect public health, safety and general welfare. These general goals include, among others, the following purposes:

- (a) to maintain and reestablish physical and visual public access to and along the waterfront;
- (b) to promote a greater mix of uses in waterfront developments in order to attract the public and enliven the waterfront;
- (c) to encourage water-dependent (WD) uses along the City's waterfront;
- (d) to create a desirable relationship between waterfront development and the water's edge, public access areas and adjoining upland communities;
- (e) to preserve historic resources along the City's waterfront;  
and
- (f) to protect natural resources in environmentally sensitive areas along the shore.

(10/25/93)

**62-10**

(4/22/09)

**62-212**

**Waterfront-Enhancing (WE) uses**

WE #uses# comprise a group of primarily recreational, cultural, entertainment or retail shopping #uses# that, when located at the water's edge, add to the public use and enjoyment of the waterfront. WE #uses# shall be limited to the following:

From Use Group 3:

Art galleries, non-commercial

\*Colleges or universities

Libraries

Museums

#Schools#

From Use Group 4:

Community centers

Houses of worship

\*Ice skating rinks, outdoor

\*Non-commercial clubs, with restrictions

\*\*Playgrounds or private parks

Recreation centers, non-commercial

\*Philanthropic or non-profit institutions without sleeping accommodations, excluding ambulatory diagnostic or treatment health care facilities listed in Use Group 4

Golf courses

\*Tennis courts, outdoor

From Use Group 5:

#Transient hotels#

From Use Group 6:

All #uses# in Use Groups 6A and 6C, not otherwise listed as WD #uses# (some #uses# also listed in Use Groups 12 and 14)

\*Non-commercial clubs, without restrictions (also listed in Use Group 14)

From Use Group 7:

Bicycle rental or repair shops (also listed in Use Group 14)

\*#Motels# or #tourist cabins#

Refreshment stands, drive-in (also listed in Use Group 13)

Sailmaking establishments

From Use Group 8:

\*Ice vending machines, coin-operated (also listed in Use Group 14)

\*Theaters

From Use Group 9:

\*Boat showrooms or sales establishments

Catering establishments (also listed in Use Group 13)

Gymnasiums used exclusively for basketball, handball, paddleball, racketball, squash and tennis

Wedding chapels or banquet halls (also listed in Use Group 13)

From Use Group 10:

Eating or drinking places, without restrictions on entertainment or dancing but limited to location in hotels

From Use Group 12:

Arenas, auditoriums or stadiums, with capacity limited to 2,500 seats

\*Eating or drinking establishments, with entertainment or dancing

\*Historical exhibits

Indoor golf recreation centers

Skating rinks, enclosed

From Use Group 13:

Camps, overnight or outdoor day

\*Children's amusement parks, limited to a 10,000 square foot  
#zoning lot#

Circuses, carnivals or fairs of a temporary nature

Commercial swimming pools

Golf driving ranges

Miniature golf courses

Outdoor ice or roller skating rinks

\*Outdoor skateboard parks

From Use Group 14:

\*Boat showrooms or sales establishments, restricted to boats  
less than 100 feet in length

Fishing tackle or equipment, rental or sales

\*Sporting goods sales or rental establishments

From Use Group 15:

All #uses# listed

From Use Group 16:

Riding academies, open or enclosed

Stables for horses

#Uses accessory# to the preceding listed #uses#

\* Refer to Use Group for detailed description of this #use#

\*\* Open to the sky except for seasonal enclosures not more than  
30 feet high or greater than 200 feet in any other dimension

# ZONING RESOLUTION Web Version

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## THE CITY OF NEW YORK



THE CITY OF NEW YORK  
Bill de Blasio, Mayor

CITY PLANNING COMMISSION  
Marisa Lago, Chair

## Article VII: Administration

### Chapter 3 - Special Permits by the Board of Standards and Appeals

Effective date of most recently amended section of Article VII Chapter 3: 11/30/17

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Date of file creation: Web version of Article VII Chapter 3: 1/12/18

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character or the future use or development of the nearby residential neighborhood; and

- (b) that such pool is not located within 200 feet of the shore line.

The Board may prescribe appropriate conditions and safeguards to minimize adverse effects on the character of the surrounding area, including requirements for shielding of floodlights or adequate screening.

(12/18/80)

**73-24**  
**Eating or Drinking Places**

(2/2/11)

**73-241**  
**In C1-1, C1-2, C1-3, C1-4, C2-1, C2-2, C2-3, C2-4, C3, C5, M1-5A or M1-5B Districts**

In C1-1, C1-2, C1-3, C1-4, C2-1, C2-2, C2-3, C2-4, C3, C5, M1-5A or M1-5B Districts, the Board of Standards and Appeals may permit eating or drinking establishments with entertainment but not dancing, with a capacity of 200 persons or less, for a term not to exceed five years, provided that the following findings are made:

- (a) that such #use# will not impair the character or the future use or development of the surrounding residential or mixed use neighborhood;
- (b) that such #use# will not cause undue congestion in local #streets#;
- (c) that in M1-5A and M1-5B Districts, eating and drinking places shall be limited to not more than 5,000 square feet of floor space;
- (d) that in C1-1, C1-2, C1-3, C1-4, C2-1, C2-2, C2-3, C2-4, C5, M1-5A and M1-5B Districts, such #use# shall take place in a #completely enclosed building#; and
- (e) that the application is made jointly by the owner of such #building# and the operators of such eating or drinking

establishment.

The Board may modify the regulations relating to #signs# in C3 Districts to permit a maximum total #surface area# of 50 square feet of non-#illuminated# or #illuminated# non-#flashing signs#, provided that any #illuminated sign# shall not be less than 150 feet from the boundary of any #Residence District#.

The Board shall prescribe appropriate controls to minimize adverse effects on the character of the surrounding area, including, but not limited to, location of entrances and operable windows, provision of sound-lock vestibules, specification of acoustical insulation, maximum size of establishment, kinds of amplification of musical instruments or voices, shielding of floodlights, adequate screening, curb cuts or parking.

(2/2/11)

### **73-242**

#### **In C3 Districts**

In C3 Districts, the Board of Standards and Appeals may permit eating or drinking establishments (including those which provide outdoor table service or musical entertainment but not dancing, with a capacity of 200 persons or less, and including those which provide music for which there is no cover charge and no specified showtime) for a term not to exceed five years, provided that the following findings are made:

- (a) that such #use# is so located as not to impair the essential character or the future use or development of the nearby residential neighborhood; and
- (b) that such #use# will generate a minimum of vehicular traffic to and through local #streets# in residential areas.

The Board may modify the regulations relating to #signs# in C3 Districts to permit a maximum total #surface area# of 50 square feet of non-#illuminated# or #illuminated# non-#flashing signs#, provided that any #illuminated sign# shall not be less than 150 feet from the boundary of any #Residence District#.

The Board may prescribe appropriate conditions and safeguards to minimize adverse effects on the character of the surrounding area, including requirements for shielding of floodlights or adequate screening.



establishment.

The Board may modify the regulations relating to #signs# in C3 Districts to permit a maximum total #surface area# of 50 square feet of non-#illuminated# or #illuminated# non-#flashing signs#, provided that any #illuminated sign# shall not be less than 150 feet from the boundary of any #Residence District#.

The Board shall prescribe appropriate controls to minimize adverse effects on the character of the surrounding area, including, but not limited to, location of entrances and operable windows, provision of sound-lock vestibules, specification of acoustical insulation, maximum size of establishment, kinds of amplification of musical instruments or voices, shielding of floodlights, adequate screening, curb cuts or parking.

(2/2/11)

**73-242**

**In C3 Districts**

In C3 Districts, the Board of Standards and Appeals may permit eating or drinking establishments (including those which provide outdoor table service or musical entertainment but not dancing, with a capacity of 200 persons or less, and including those which provide music for which there is no cover charge and no specified showtime) for a term not to exceed five years, provided that the following findings are made:

- (a) that such #use# is so located as not to impair the essential character or the future use or development of the nearby residential neighborhood; and
- (b) that such #use# will generate a minimum of vehicular traffic to and through local #streets# in residential areas.

The Board may modify the regulations relating to #signs# in C3 Districts to permit a maximum total #surface area# of 50 square feet of non-#illuminated# or #illuminated# non-#flashing signs#, provided that any #illuminated sign# shall not be less than 150 feet from the boundary of any #Residence District#.

The Board may prescribe appropriate conditions and safeguards to minimize adverse effects on the character of the surrounding area, including requirements for shielding of floodlights or adequate screening.

(2/8/90)

**73-243**

**In C1-1, C1-2 and C1-3 Districts**

In C1-1, C1-2 and C1-3 Districts, (except in Special Purpose Districts) the Board of Standards and Appeals may permit eating or drinking places (including those which provide musical entertainment but not dancing, with a capacity of 200 persons or less, and those which provide outdoor table service) with #accessory# drive-through facilities for a term not to exceed five years, provided that the following findings are made:

- (a) the drive-through facility contains reservoir space for not less than 10 automobiles;
- (b) the drive-through facility will cause minimal interference with traffic flow in the immediate vicinity;
- (c) the eating or drinking place with #accessory# drive-through facility fully complies with the #accessory# off-street parking regulations for the indicated zoning district, including provision of the required number of #accessory# off-street parking spaces for the indicated zoning district (for the purpose of this finding, the waiver provisions of Sections 36-231 and 36-232 shall be inapplicable);
- (d) the character of the commercially zoned #street# frontage within 500 feet of the subject premises reflects substantial orientation toward the motor vehicle, based upon the level of motor vehicle generation attributable to the existing #commercial uses# contained within such area and to the subject eating or drinking place (excluding the #accessory# drive-through facility portion);
- (e) the drive-through facility shall not have an undue adverse impact on #residences# within the immediate vicinity of the subject premises; and
- (f) there will be adequate buffering between the drive-through facility and adjacent #residential uses#.

In connection therewith, the Board may modify the requirement of Section 32-411 (In C1, C5, C6-5 or C6-7 Districts) insofar as it relates to the #accessory# drive-through facility. The Board may prescribe additional appropriate conditions and safeguards to minimize adverse effects on the character of the surrounding area.

(3/20/13)

**73-244**

**In C2, C3, C4\*, C6-4\*\*, M1-5A, M1-5B, M1-5M and M1-6M Districts, the Special Hudson Square District and the Special Tribeca Mixed Use District**

In C2, C3, C4\*, C6-4\*\*, M1-5A, M1-5B, M1-5M and M1-6M Districts, the Special Hudson Square District and the #Special Tribeca Mixed Use District#, the Board of Standards and Appeals may permit eating or drinking establishments with entertainment and a capacity of more than 200 persons or establishments of any capacity with dancing, for a term not to exceed three years, provided that the following findings are made:

- (a) that a minimum of four square feet of waiting area within the #zoning lot# shall be provided for each person permitted under the occupant capacity as determined by the New York City Building Code. The required waiting area shall be in an enclosed lobby and shall not include space occupied by stairs, corridors or restrooms. A plan shall be provided to the Board to ensure that the operation of the establishment will not result in the gathering of crowds or the formation of lines on the #street#;
- (b) that the entrance to such #use# shall be a minimum of 100 feet from the nearest #Residence District# boundary;
- (c) that such #use# will not cause undue vehicular or pedestrian congestion in local #streets#;
- (d) that such #use# will not impair the character or the future use or development of the surrounding residential or mixed use neighborhoods;
- (e) that such #use# will not cause the sound level in any affected conforming #residential use#, #joint living-work quarters for artists# or #loft dwelling# to exceed the limits set forth in any applicable provision of the New York City Noise Control Code; and
- (f) that the application is made jointly by the owner of the #building# and the operators of such eating or drinking establishment.

The Board shall prescribe appropriate controls to minimize adverse effects on the character of the surrounding area, including, but not limited to, location of entrances and operable

windows, provision of sound-lock vestibules, specification of acoustical insulation, maximum size of establishment, kinds of amplification of musical instruments or voices, shielding of flood lights, adequate screening, curb cuts or parking.

Any violation of the terms of a special permit may be grounds for its revocation.

\* In C4 Districts where such #use# is within 100 feet from a #Residence District# boundary

\*\* In C6-4 Districts mapped within that portion of Community District 5, Manhattan, bounded by West 22nd Street, a line 100 feet west of Fifth Avenue, a line midway between West 16th Street and West 17th Street, and a line 100 feet east of Sixth Avenue

(2/2/11)

### **73-25**

#### **Boatels**

In C3 Districts, the Board of Standards and Appeals may permit #boatels# provided that the following findings are made:

- (a) that such #use# is so located as not to impair the essential character or the future use or development of the nearby residential neighborhood; and
- (b) that any restaurant permitted in connection with such #use# satisfies the conditions for issuance of special permits to eating or drinking places, as set forth in Section 73-24.

The Board may modify the regulations relating to #signs# in C3 Districts to permit a maximum total #surface area# of 50 square feet of non-#illuminated# or #illuminated# non-#flashing signs# on each of not more than three #street# or water frontages.

The Board may prescribe appropriate conditions or safeguards to minimize adverse effects on the character of the surrounding area, including requirements with respect to the location of #illuminated signs#, the shielding of floodlights or adequate screening.

(2/2/11)

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## THE CITY OF NEW YORK



THE CITY OF NEW YORK  
Bill de Blasio, Mayor

CITY PLANNING COMMISSION  
Marisa Lago, Chair

### Article VIII: Special Purpose Districts Chapter 1: Special Midtown District

Effective date of most recently amended section of Article VIII Chapter 1: 6/28/18

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Correction: 81-662

Date of file creation: Web version of Article VIII Chapter 1: 10/9/18

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**Article VIII - Special Purpose Districts**

(8/9/17)

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part.

(2/2/11)

**81-82**

**Special Regulations on Permitted and Required Uses**

In order to preserve, protect and enhance the character of the Fifth Avenue Subdistrict as the showcase of New York and national retail shopping, and to allow for #uses# that are consistent with the character of the Fifth Avenue Subdistrict as a major shopping and tourist destination, the following special limitations are imposed on the location and kinds of #uses# and #signs# permitted within the Fifth Avenue Subdistrict. These requirements and limitations shall apply to #developments#, #enlargements#, #extensions# or changes of #use#.

(a) Restriction on ground floor #uses#

#Uses# within #stories# located on the ground floor level or on a floor within five feet of #curb level#, except for lobby space, shall be limited to #uses# listed in Use Group F.

(b) Minimum retail space requirement

Any #zoning lot#, or portion thereof, located within the Fifth Avenue Subdistrict shall contain #uses# listed in Use Group F with a #floor area ratio# of not less than 1.0. When existing #uses# listed in Use Group F are retained, their #floor area# may be counted toward such requirement. In order to count toward the requirement, retail or service establishments shall be located on levels up to but not exceeding a height of six #stories# or 85 feet, whichever is less, or not more than five feet below #curb level#.

(c) Use Group F

Use Group F comprises a group of establishments selected to promote and strengthen retail business in the Fifth Avenue Subdistrict.

Antique stores

Art galleries, commercial

Artists' supply stores

\*Banks

Beauty parlors

Book or card stores

Candy stores

Clothing or clothing accessory stores, with no limitation on #floor area# per establishment

Department stores

Eating or drinking establishments including those which provide outdoor table service or have music for which there is no cover charge and no specified showtime

Eating or drinking establishments with musical entertainment but not dancing, with a capacity of 200 persons or less

Florist shops

Food stores, including supermarkets, grocery stores, meat markets or delicatessen stores

Furrier shops, custom

Gift shops

Jewelry shops

Leather goods or luggage stores

Millinery shops

Music shops

Newsstands, open or enclosed

Optician or optometrist establishments

Package liquor stores

Photographic equipment or supply stores

Record shops

Shoe stores



Sporting or athletic stores

Stamp or coin stores

Stationery stores

\*\*Studios, television or radio

Tailor or dressmaking shops, custom

Television, radio, phonograph or household appliance stores

Toy stores

\*Travel bureaus

Variety stores

Watch or clock stores or repair shops

Any #use# or #uses# marked with an asterisk (\*) shall occupy, in the aggregate at the ground floor level, no more than 15 percent of the linear #street# frontage of the #zoning lot# on or within 50 feet of Fifth Avenue and no more than 10 percent of the total #lot area# of the #zoning lot# within 50 feet of Fifth Avenue.

Any #use# or #uses# marked with two asterisks (\*\*) shall be permitted on the ground floor level only if:

- (1) the #building# has frontage on Fifth Avenue; and
  - (2) all portions of the #street wall# of the #building# are set back from the #street line# of Fifth Avenue by a minimum of 40 feet.
- (d) Modification of #use# regulations on a #zoning lot# with no frontage on Fifth Avenue

For a #zoning lot# which has no frontage on Fifth Avenue, the mandatory retail #use# regulations of this Section may be modified for that portion of the #zoning lot# located more than 100 feet from the #street line# of Fifth Avenue, provided that the City Planning Commission certifies that the ground floor space is occupied by a #community facility use# which maintains front wall transparency up to a height of one #story# above the abutting sidewalk level generating pedestrian interest and activity, and is compatible with the character and objectives of the Fifth Avenue Subdistrict. In

no event shall the #street line# frontage occupied by such #use# exceed 30 feet.

(e) The following special #sign# regulations apply to existing as well as new establishments or #uses#:

(1) The aggregate area of all #signs# in ground floor store windows are restricted to not more than one-third of the window area. Below a level of 10 feet above #curb level, signs# shall not be permitted on the exterior of any #building#.

(2) The display of banners or pennants from the exteriors of #buildings# is prohibited.

For the purposes of this Section, any #signs#, including banners and pennants, which do not comply with the above regulations may be continued for one year after April 28, 1983, provided that after the expiration of that period, such #non-conforming sign# shall terminate. A #sign# which the Chairperson of the City Planning Commission certified as an integral part of the #building# shall not be required to terminate.

(2/2/11)

## **81-83**

### **Special Street Wall Requirements**

The #street wall# of any #building# with frontage on Fifth Avenue shall extend without setback from the Fifth Avenue #street line# for at least 90 percent of the entire length of the #front lot line#. The #street wall# shall reach a minimum required height of 85 feet and shall not exceed a height of 125 feet at or within 10 feet of the #street line#.

Where a #building# occupies less than an entire #block# front of Fifth Avenue frontage, the height of the #street wall# at the #street line# shall be not more than 10 feet above or below the height of an adjacent existing #building# at the #street line#. If the #building# is on an #interior lot# between two adjacent existing #buildings# of different heights, the height of such #building's street wall# at the #street line# shall be not more than 10 feet above or below the #street wall# height of one of the adjacent existing #buildings# at the #street line#. However, this shall not be construed to permit a #street wall# height of less than 85 feet or more than 125 feet at the #street line#. At the required height of the #building's street wall# at the #street line#, the #street wall# must extend continuously without

The #use# regulations of this Section, inclusive, shall apply within that portion of the Theater Subdistrict bounded by West 40th Street, a line 100 feet east of Eighth Avenue, West 51st Street and a line 200 feet west of Avenue of the Americas, to #buildings developed# after May 13, 1982, to portions of #buildings enlarged# on the ground floor level after May 13, 1982, and to #extensions#.

(8/6/98)

### **81-721**

#### **Required use allocations on street frontages**

#Uses# located on the ground floor or entered by stairs from a sidewalk entry, except for #uses# with no #street# frontage and accessible only through a lobby, shall be limited as follows:

- (a) On any #wide street#, at least 80 percent of any #wide street front lot line# ground level frontage shall be allocated to #uses# indicated in Section 81-722 (Use Group T).
- (b) On any #narrow street#, at least 50 percent of any #narrow street front lot line# ground level frontage shall be allocated to #uses# indicated in Section 81-722.
- (c) For #zoning lots# between 43rd and 50th Streets with #street# frontage on Broadway and/or Seventh Avenue, at least 50 percent of any length of #narrow street front lot line# ground level frontage within 100 feet of Broadway or Seventh Avenue shall be allocated to #uses# permitted only on #wide street# frontages in Section 81-722.

Where a stairway entrance into a subway is relocated onto a #zoning lot# pursuant to Section 81-46 (Off-street Relocation or Renovation of a Subway Stair), up to, but not more than, 40 feet of the #narrow street front lot line# ground level frontage occupied by that stairway may be excluded from the length of #narrow street# frontage to which the requirements of this Section apply.

(9/9/04)

### **81-722**

#### **Use Group T**

The following #uses# are subject to the limitations on location and #floor area# of the underlying zoning district:

#Uses# marked with an asterisk (\*) are allowed only on #narrow street# frontages.

#Uses# marked with double asterisks (\*\*) are allowed only on floors other than the ground floor.

#Uses# marked thus (\*\*\*) qualify as #uses# satisfying the requirements of Section 81-724 (Requirements for entertainment-related uses).

#Use#

Ambulatory diagnostic or treatment health care facilities listed in Use Group 4

Antique stores

#Apartment hotels# - lobby space is limited to 20 percent of total #zoning lot# frontage on #wide streets#

Appliance, repair shops - not permitted in C5 Districts

Appliances, sales

Art galleries, commercial

\* Art galleries, non-commercial

Art metalcraft shops

Art needlework

Artists' supply stores

Athletic goods stores

\*\*\* Auditoriums

\* Automobile rental establishments - not permitted in C5 Districts

Bakeries

Banks - limited to 15 percent of total #zoning lot# frontage on #wide streets#

\* Banquet halls

\*\* Barber shops

\*\* Beauty parlors

Bicycle stores, rental or repair - not permitted in C5 Districts

Bicycle stores, sales

\* Blueprinting establishments

\* Boarding houses

Book stores or card stores

\* Bowling alleys - not permitted in C5 Districts

\*\* Business machines, small shops, rental, repairs, sales

\*\* Business schools or colleges

Candy stores

Carpet, rug, linoleum or other floor covering stores

\* Catering establishments

Cigar stores

Clock or watch stores or repair shops

Clothing rental establishments

Clothing stores

\* Clubs, non-commercial

Coin stores

\* Colleges or universities

\* Community centers

\* Convents

\*\*\* Costume rental establishment

\*\* Dance halls, public - not permitted in C5 Districts

Delicatessen stores

Dressmaking shops, custom

Drug stores

\* Dry cleaning establishments

Dry goods or fabric stores

Eating or drinking establishments with entertainment but not dancing, with a capacity of 200 persons or less in C5 Districts, without restrictions in C6 or M1 Districts

\*\*\* Eating or drinking places - where there is entertainment or dancing in C6 Districts.

\* Fire stations

Fishing tackle or equipment, stores or rental establishments  
Florist shops

Food stores, including supermarkets, grocery stores, markets or delicatessen stores

Furniture stores

Furrier shops, custom

Gift shops

\* Gymnasiums

Hair products for headwear

Hardware stores

Historical exhibits - not permitted in C5 Districts

Hotels - lobby space limited to 20 percent of total #zoning lot# frontage on #wide streets#

\* Household appliance repair shops - not permitted in C5 Districts

\* Houses of worship

Ice cream stores

\* Institutions, philanthropic or non-profit

Interior decorating establishments

Jewelry shops

Leather goods or luggage stores

\* Libraries

Locksmith shops

Luggage stores

\* Meeting halls

Millinery shops

\*\*\* Motion picture production studios

\* Museums

\*\*\* Music stores

\*\*\* Musical instruments, repair

Newsstands, enclosed

Office or business machine stores, sales or rental

Offices - only lobby space is permitted at grade on #wide street# frontages; lobby is limited to 20 percent of total #zoning lot# frontage on #wide streets#

Optician or optometrist establishments

Orthopedic stores

Paint stores

\* Parish houses

\* Parks, public or private

#Parking lots, public# and #parking garages, public#, subject to the provisions of Section 81-30 (OFF-STREET PARKING AND OFF-STREET LOADING REGULATIONS)

Pet shops

\* Phonographic repair shops - not permitted in C5 Districts

Photographic developing or printing establishments

Photographic equipment stores

Photographic studios

Photographic supply stores

\* Photostatting establishments

Picture framing stores

\* Police stations

\* Post offices

\* Printing establishments

\* Radio appliance repair - not permitted in C5 Districts

\*\*\* Record stores

\* Recreation centers, non-commercial

\* Rectories

#Residences# - only lobby space is permitted at grade on #wide streets#; lobby space is limited to 20 percent of total #zoning lot# frontage on #wide streets#

\* Rooming houses

\* #Schools#

\* Settlement houses

Sewing machine stores, selling household machines

\* Shoe repair shops

Shoe stores

\* Sign painting shops - not permitted in C5 Districts

\* Skating rinks, indoor - not permitted in C5 Districts

\* Skating rinks, outdoor ice



Sporting goods stores

Stamp stores

Stationery stores

\* \*\*\*Studios, music, dancing or theatrical

\* \*\*\*Studios, radio or television

\* Table tennis halls - not permitted in C5 Districts

Tailor shops, custom

Telegraph offices

\* Television repair shops - not permitted in C5 Districts

\*\*\* Theater - a new motion picture theater in a new or existing #building# shall provide a minimum of four square feet of waiting area within the #zoning lot# for each seat in such theater. The required waiting space shall be either in an enclosed lobby or open area that is covered or protected during inclement weather and shall not include space occupied by stairs or space within 10 feet of a refreshment stand or entrance to a public toilet - not permitted in C5 Districts

\*\*\* Ticket sales

Tobacco stores

Tour operators

Toy stores

\* Trade or other schools for adults

Travel expositions - not permitted in C5 Districts

Travel bureau - limited to 15 percent of total #zoning lot# frontage on #wide streets#

Typewriter stores

\* Typewriter or other small business machine repair stores

Variety stores

Wallpaper stores

- \* Wholesale establishments
- \* Wholesale offices or showrooms

(8/6/98)

### **81-723**

#### **Special ground floor street frontage restrictions**

No single establishment shall have a #wide street front lot line# ground level frontage of less than 10 feet.

The following requirements apply to #wide street front lot line# ground level frontages and, for #zoning lots# between 43rd and 50th Streets with #street# frontage on Broadway and/or Seventh Avenue, #narrow street front lot line# ground level frontages within 100 feet of Broadway or Seventh Avenue:

- (a) Any length of #front lot line# ground level #street# frontage of a #zoning lot# devoted to banks and travel bureaus shall not constitute in total more than 15 percent of any such #front lot line# ground level #street# frontage.
- (b) Each establishment shall be located within 10 feet of the #lot line# on which it is required to front for the full length of the frontage of that establishment, except that, where a #street wall# recess at #curb level# permitted under Section 81-43 (Street Wall Continuity Along Designated Streets) extends a greater distance from the #lot line#, the length of frontage of any establishment adjoining that recess may be located at an equal, but not greater, distance from the #lot line#.
- (c) Lobby space shall not comprise more than 20 percent of any such #front lot line# ground level #street# frontage. In addition, a lobby frontage on any such #front lot line# ground level #street# frontage need not be less than 15 feet.
- (d) #Uses# with no #street# frontage and which are accessible only through a lobby shall not be restricted to Use Group T #uses#.

(2/2/11)

Subdistrict.

- (i) All #uses# satisfying the requirements of this Section shall be subject to the locational requirements of Section 81-72 (Use Regulations Modified).

(4/28/88)

### **81-725**

#### **Entertainment-related uses**

Auditoriums, with capacity limited to 2,500 seats

Dance halls, public

Eating or drinking places, where there is entertainment or dancing

Museums, upon authorization by the City Planning Commission that the contents are predominantly theater and/or entertainment-related and are publicly exhibited on a continuing basis

Studios, motion picture production

Studios, music, dancing or theatrical

Studios, radio or television

Theaters

(5/13/82)

### **81-73**

#### **Special Sign and Frontage Regulations**

(5/8/13)

### **81-731**

#### **Special regulations for signs, transparency, banners and canopies**

Within that area of the Theater Subdistrict whose boundaries are described in Section 81-72 (Use Regulations Modified), the following provisions apply along #wide street# frontages. Within

# ZONING RESOLUTION Web Version

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## THE CITY OF NEW YORK



THE CITY OF NEW YORK  
Bill de Blasio, Mayor

CITY PLANNING COMMISSION  
Marisa Lago, Chair

### Article VIII: Special Purpose Districts Chapter 2: Special Lincoln Square District

Effective date of most recently amended section of Article VIII Chapter 2: 3/22/16

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Date of file creation: Web version of Article VIII Chapter 2: 10/10/17

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(4/24/69)

## **Article VIII - Special Purpose Districts**

### **Chapter 2**

#### **Special Lincoln Square District**

(4/24/69)

#### **82-00**

##### **GENERAL PURPOSES**

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

- (a) to preserve, protect and promote the character of the Special Lincoln Square District area as the location of a unique cultural and architectural complex - an attraction which helps the City of New York to achieve preeminent status as a center for the performing arts, and thus conserve its status as an office headquarters center and a cosmopolitan residential community;
- (b) to improve circulation patterns in the area in order to avoid congestion arising from the movements of large numbers of people; improvement of subway stations and public access thereto; including convenient transportation to, from and within the district; and provision of arcades, open spaces, and subsurface concourses;
- (c) to help attract a useful cluster of shops, restaurants and related amusement activities which will complement and enhance the area as presently existing;
- (d) to provide an incentive for possible development of the area in a manner consistent with the foregoing objectives which are an integral element of the Comprehensive Plan of the City of New York;
- (e) to encourage a desirable urban design relationship of each building to its neighbors and to Broadway as the principal street; and
- (f) to promote the most desirable use of land in this area and thus to conserve the value of land and buildings, and thereby protect the City's tax revenues.

Subway Stair Relocation or Renovation).

(2/9/94)

### **82-13**

#### **Special Provisions for a Transit Easement**

Any #development# located on the east side of Broadway between West 66th Street and West 67th Street shall provide an easement on the #zoning lot# for public access to the subway mezzanine or station when required by the New York City Transit Authority (TA) in accordance with the procedure set forth in Section 95-04 (Certification of Transit Easement Volume) and hereby made applicable.

(2/9/94)

### **82-20**

#### **SPECIAL USE AND SIGN REGULATIONS**

In order to provide for the special cultural needs, convenience, enjoyment, education and recreation of the residents of the area and of the many visitors who are attracted to the Lincoln Center for the Performing Arts, a limitation is imposed on the ground floor #uses# within the Special District.

The provisions of this Section shall apply to a #development# or change of #use# within the Special District.

(2/2/11)

### **82-21**

#### **Restrictions on Street Level Uses**

Within 30 feet of Broadway, Columbus Avenue or Amsterdam Avenue #street lines#, #uses# within #stories# on the ground floor or with a floor level within five feet of #curb level#, shall be limited to those listed in Use Groups 3A, 3B, 6A, 6C, 8A, 10A and eating or drinking establishments listed in 12A or 12B. Within Use Groups 3A or 3B, #uses# shall be limited to colleges, universities including professional schools, museums, libraries or non-commercial art galleries. Within such area, lobby space, required accessory loading berths, or access to subway stations are permitted.

# ZONING RESOLUTION Web Version

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## THE CITY OF NEW YORK



THE CITY OF NEW YORK  
Bill de Blasio, Mayor

CITY PLANNING COMMISSION  
Marisa Lago, Chair

## Article VIII: Special Purpose Districts

### Chapter 5: Special United Nations Development District

Effective date of most recently amended section of Article VIII Chapter 5: 3/22/16

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Date of file creation: Web version of Article VIII Chapter 5: 10/10/18

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(3/20/70)

## **Article VIII - Special Purpose Districts**

### **Chapter 5**

#### **Special United Nations Development District**

(3/22/16)

### **85-00**

#### **GENERAL PURPOSES**

The "Special United Nations Development District" established in this Resolution is designed to promote and protect public health, safety, general welfare and amenity. These general goals include, among others, the following specific purposes:

- (a) to preserve, protect and promote the character of the Special United Nations Development District adjacent to the headquarters of the United Nations, an attraction which helps the City of New York to maintain its preeminent status as a center for international organizations, as an office headquarters center and a cosmopolitan residential community;
- (b) to facilitate the continued growth of the programs and activities of the United Nations and to help assure the retention of the United Nations headquarters in the City of New York;
- (c) to encourage the provision of suitable office facilities for the United Nations, missions of member nations of the United Nations, and for non-governmental organizations related to the United Nations, in an attractive environment within a reasonable distance of the United Nations;
- (d) to encourage the provision of housing suitable for personnel of delegations and members of the United Nations staff within a reasonable distance of the United Nations;
- (e) to encourage the provision of hotel accommodations in the immediate vicinity of the United Nations suitable for visiting heads of state and other dignitaries attending the United Nations;
- (f) to encourage the provision of community facilities, meeting rooms, and other facilities suitable for United Nations-related uses and purposes;



#development# is undertaken by or with the consent of the party proposing such plan, and further provided that the Chairperson of the City Planning Commission certifies:

- (a) for #development# commencing before January 1, 1980, that the final plans generally comply with the design concept dated January 6, 1970, on file with the Commission; or
- (b) for #development# commencing after January 1, 1980, that the final plans generally comply with the amended design concept dated April 30, 1980, on file with the Commission.

(2/8/90)

### **85-03**

#### **Modifications of Use Regulations**

In addition to the #uses# permitted in a C5-3 District, the #uses# and #accessory uses# set forth in this Section are hereby permitted in any #development# to be constructed in accordance with the general purposes and provisions of this Chapter, notwithstanding any other provision of this Resolution. All such #commercial uses# may be located in any #mixed building# and anywhere within such #building# without regard to Section 32-42 (Location Within Buildings).

- (a) Auditoriums, with unlimited capacity;
- (b) Automobile rental establishments;
- (c) Eating or drinking establishments, with entertainment and a capacity of more than 200 persons or establishments of any capacity with dancing; or  
Eating or drinking establishments, with musical entertainment but not dancing, with a capacity of 200 persons or less;
- (d) #Parking facilities, accessory, group#, with a capacity of 380 parking spaces for automobiles solely for #residences#, hotels, foreign missions and United Nations related #uses# ;
- (e) Photographic developing or printing, without limitation on #floor area# per establishment;
- (f) Printing or publishing, without limitation on #floor area# per establishment;

- (g) #Public parking lots#, temporary, of no more than five years' duration or until such time as the #development# is completed, whichever is sooner;
- (h) Recreational #uses#, other;
- (i) Skating rinks, indoor;
- (j) Swimming pools, commercial;
- (k) Tennis courts, indoor;
- (l) Theaters, with unlimited capacity.

(3/22/16)

#### **85-04**

#### **Modifications of Bulk Regulations**

Notwithstanding any other provisions of this Resolution the following modifications of #bulk# regulations are hereby granted for any #development# which the Chairperson of the City Planning Commission certifies will generally comply with the concept on file with the City Planning Commission dated January 6, 1970, for #development# commencing before January 1, 1980, or the amended design concept on file with the Commission dated April 30, 1980, for #development# commencing after January 1, 1980.

In no event shall the maximum #floor area ratio# for the #Special United Nations Development District#, taken as a whole, exceed 15.0. The #floor area ratio# of a #residential building# or the #residential# portion of a #mixed building# shall not exceed the maximum #floor area ratio# set forth in Sections 34-112, 23-152 and 35-31.

The #development# may include land in more than one #block# and the total permitted #floor area# of all #zoning lots# within such #development# may be distributed without regard for #zoning lot lines# or any #streets# separating the #zoning lots# and the #buildings# comprising such #development# may be located without regard for the applicable height and setback regulations.

In no event shall any #development# on the south side of 44th Street within the #Special United Nations Development District# contain more than 200,000 square feet of #floor area#, and no more than 61,000 square feet of #floor area# may be transferred for any such #development#.

(6/30/09)

## **Article VIII - Special Purpose Districts**

### **Chapter 7**

#### **Special Harlem River Waterfront District**

(12/11/17)

#### **87-00**

##### **GENERAL PURPOSES**

The "Special Harlem River Waterfront 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 maintain and reestablish physical and visual public access to and along the waterfront;
- (b) to create a lively and attractive built environment that will provide amenities and services for the use and enjoyment of area residents, workers and visitors;
- (c) to promote the pedestrian orientation of ground floor uses in appropriate locations, and thus safeguard a traditional quality of higher density areas of the City;
- (d) to encourage well-designed development that complements the built character of the neighborhood;
- (e) to take advantage of the Harlem River waterfront and provide an open space network comprised of parks, public open space and public access areas;
- (f) to provide flexibility of architectural design within limits established to assure adequate access of light and air to streets and public access areas, and thus encourage more attractive and economic building forms;
- (g) to enhance neighborhood economic diversity by broadening the range of housing choices for residents at varied incomes;

**87-20**

**SPECIAL FLOOR AREA REGULATIONS**

The applicable #floor area# regulations of the underlying districts and of Article VI, Chapter 2 (Special Regulations Applying in the Waterfront Area), or of Article XII, Chapter 3 (Special Mixed Use District), are modified by the provisions of this Section, inclusive.

(12/11/17)

**87-21**

**Floor Area Regulations in the Core Subdistrict**

The provisions of this Section, inclusive, shall apply to #developments# and #enlargements# within the Core Subdistrict, as shown on Map 1 in the Appendix to this Chapter.

(12/11/17)

**87-211**

**Special floor area regulations**

The maximum #floor area ratio# for #zoning lots# containing only #residential uses#, or #residential uses# and #community facility# or #commercial uses# shall be 3.0. Such maximum #floor area ratio# may be increased to 4.0 through the provision of #affordable housing# pursuant to paragraph (b) of Section 23-154 (Inclusionary Housing). The maximum #floor area ratio# for #affordable independent residences for seniors# shall be 4.0.

(12/11/17)

**87-212**

**Special floor area requirement for certain commercial uses**

- (a) For each square foot of #commercial floor area# in a #building# occupied by the #uses# listed in paragraph

(a) (1) of this Section, an equal or greater amount of #residential#, #community facility# or #commercial floor area# shall be provided from #uses# listed in paragraph (a) (2) of this Section.

(1) Use Groups 6A and 6C, except for:

Docks for ferries, other than #gambling vessels#, limited to an aggregate operational passenger load, per #zoning lot#, of 150 passengers per half hour

Docks for water taxis with vessel capacity limited to 99 passengers

Docks or mooring facilities for non-commercial pleasure boats;

Use Group 10:

Carpet, rug, linoleum or other floor covering stores, with no limitation on #floor area# per establishment

Clothing or clothing accessory stores, with no limitation on #floor area# per establishment

Department stores

Dry goods or fabric stores, with no limitation on #floor area# per establishment;

Use Group 12:

Antique stores

Art gallery, commercial

Billiard parlor or pool halls

Book stores

Bowling alleys or table tennis halls, with no limitation on number of bowling lanes per establishment

Candy or ice cream stores

Cigar and tobacco stores

Delicatessen stores

Drug stores

Eating or drinking establishments with entertainment and a capacity of more than 200 persons, or establishments of any capacity with dancing

Gift shops

Jewelry or art metal craft shops

Music stores

Photographic equipment stores

Record stores

Stationery stores

Toy stores

(2) Use Groups 1 and 2

Use Groups 3, 4A, and 4B, except

cemeteries Use Groups 5A, 6B and 8A

(b) However, the City Planning Commission may authorize a modification or waiver of this provision upon finding that such #building# includes:

- (1) a superior site plan that enables safe and efficient pedestrian connectivity to and between establishments and publicly accessible areas;
- (2) a superior parking and circulation plan that reduces conflicts between pedestrian and vehicular traffic, minimizes open parking lots and limits conflicts between curb cuts;

- (3) a design that enhances and is integrated with publicly accessible areas including provision of a public entrance fronting on a #waterfront public access area#;
- (4) a variety of retail establishments; and
- (5) #uses# that do not unduly affect the #residential uses# in the nearby area or conflict with future land use and development of adjacent areas.

The Commission may prescribe appropriate conditions and safeguards to minimize adverse effects of any such #uses# on publicly accessible areas.

(10/17/17)

#### **87-213**

##### **Maximum width of establishments**

On Parcels 5 and 6, as shown on Map 1 in the Appendix to this Chapter, the width of any ground floor level #commercial# or #community facility# establishments facing a #shore public walkway# or #upland connection#, shall be limited to 60 feet for each #street wall# facing such #shore public walkway# or #upland connection#.

(12/11/17)

#### **87-214**

##### **Location of building entrances**

On Parcels 2, 3 and 4, as shown on Map 1 in the Appendix to this Chapter, a main front entrance for at least one #building#, as the term "main front entrance" is used in the New York City Fire Code, Section 502.1 (FRONTAGE SPACE), or its successor, shall be located facing the #shore public walkway#. Such main front entrance of a #building# shall be:

- (a) on Parcel 2, located no less than 95 feet from a mapped parkland; and

(3/20/13)

**Article VIII - Special Purpose Districts**

**Chapter 8**

**Special Hudson Square District**

(3/20/13)

**88-00**

**GENERAL PURPOSES**

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.

(3/20/13)



#development# containing #community facility uses# with sleeping accommodations.

- (c) Ground floor #community facility uses# shall be subject to the streetscape provisions set forth in Section 88-131.

(3/20/13)

### **88-13**

#### **Commercial Use**

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

- (a) food stores, including supermarkets, grocery stores or delicatessen stores, shall not be limited as to the size of the establishment;
- (b) #uses# listed in Use Group 6A, other than food stores, and Use Groups 6C, pursuant to Section 42-13, 6E, 10 and 12B, shall be limited to 10,000 square feet of #floor area# at the ground floor level, per establishment. Portions of such establishments located above or below ground floor level shall not be limited in size;
- (c) ground floor #commercial uses# shall be subject to special streetscape provisions set forth in Section 88-131;
- (d) #commercial uses# permitted in M1 Districts shall be subject to the modifications set forth in Section 123-22 (Modification of Use Groups 16, 17 and 18), inclusive;
- (e) #transient hotels# shall be allowed, except that:
  - (1) #development# or #enlargement# of #transient hotels# with greater than 100 sleeping units on #zoning lots# where #residential use# is permitted as-of-right, in accordance with paragraph (a) of Section 88-11, shall only be allowed upon certification by the Chairperson of the City Planning Commission to the Commissioner of Buildings that the residential development goal has been met for the #Special Hudson Square District# as set forth in this paragraph (e) (1), or, where such residential development goal has not been met, by special permit pursuant to Section 88-132 (Special

permit for large transient hotels).

The residential development goal shall be met when at least 2,255 #dwelling units#, permitted pursuant to the provisions of Section 88-11, within the #Special Hudson Square District#, have received temporary or final certificates of occupancy subsequent to March 20, 2013; and

(2) a change of #use# within a #qualifying building# to a #transient hotel# with greater than 100 sleeping units shall only be allowed by special permit, pursuant to Section 88-132; and

(f) eating or drinking establishments with entertainment and a capacity of more than 200 persons, or establishments of any capacity with dancing, are permitted only by special permit of the Board of Standards and Appeals, pursuant to Section 73-244.

(3/22/16)

## **88-131**

### **Streetscape provisions**

For #zoning lots# with #street# frontage of 50 feet or more, the location of certain #uses# shall be subject to the following #use# requirements.

For the purposes of applying the special ground floor level streetscape provisions set forth in Section 37-30 to this Section, all #zoning lots# with a #street# frontage of 50 feet or more shall be considered #primary street frontages#, as defined in Section 37-311.

(a) For #uses# located on the ground floor or within five feet of #curb level#, #uses# limited to Use Groups 6A, 6C, 7B, 8A, 8B, 9A, 10A, 12A and 12B, shall extend along a minimum of 50 percent of the width of the #street# frontage of the #zoning lot#, and shall comply with the minimum depth provisions of Section 37-32 (Ground Floor Depth Requirements for Certain Uses).

- (b) The remainder of the #street# frontage of the #zoning lot# may be occupied by any permitted #uses#, lobbies or entrances to parking spaces, except that lobbies shall comply with the standards for Type 2 lobbies set forth in Section 37-33 (Maximum Width of Certain Uses).
- (c) In Subdistrict A of this Chapter, for portions of a #building# bounding a #public park#, the ground floor #use# requirements of paragraph (a) of this Section shall apply to 100 percent of the width of the #street# frontage of the #zoning lot#, and #residential# lobbies and #schools# shall be permitted #uses# on the ground floor for purposes of compliance with paragraph (a).

For #zoning lots# with #street# frontage of less than 50 feet, no special ground floor #use# requirements shall apply.

Enclosed parking spaces, or parking spaces covered by a #building#, including such spaces #accessory# to #residences#, shall be permitted to occupy the ground floor, provided they are wrapped by #floor area# or screened in accordance with the provisions set forth in Section 37-35 (Parking Wrap and Screening Requirements).

Any ground floor #street wall# of a #development# or #enlargement# that contains #uses# listed in Use Groups 1 through 15, not including #dwelling units#, shall be glazed in accordance with the provisions set forth in Section 37-34 (Minimum Transparency Requirements).

(3/20/13)

## **88-132**

### **Special permit for large transient hotels**

- (a) #Developments# or #enlargements#

In the #Special Hudson Square District#, prior to the residential development goal set forth in paragraph (e) of Section 88-13 (Commercial Use) having been achieved, the City Planning Commission may permit #developments# or #enlargements# of #transient hotels# with greater than 100 sleeping units on #zoning lots# where #residential use# is permitted as-of-right, in accordance with paragraph (a) of Section 88-11, provided the Commission finds that:

- (1) sufficient development sites are available in the area to meet the residential development goal; or
- (2) a harmonious mix of #residential# and non-#residential uses# has been established in the surrounding area, and such #transient hotel# resulting from a #development# or #enlargement# is consistent with the character of such surrounding area.

(b) Changes of #use#

In the #Special Hudson Square District#, the City Planning Commission may permit the change of #use# of #floor area# within #qualifying buildings# to a Use Group 5 #transient hotel# with greater than 100 sleeping units provided that, at minimum, the amount of #floor area# changed to such #transient hotel# is:

- (1) preserved for Use Group 6B office #use# within a #qualifying building# located within the #Special Hudson Square District#; or
- (2) created for Use Group 6B office #use# within a #building developed# after March 20, 2013, or within the #enlarged# portion of a #building#, where such #enlargement# was constructed within one year of the date an application pursuant to this Section is filed with the Department of City Planning (DCP). Such #developed# or #enlarged buildings# may be located anywhere within the #Special Hudson Square District#, and shall have either temporary or final certificates of occupancy for Use Group 6B office #use#.

In order to permit such change of #use#, the Commission shall find that the proposed #transient hotel# is so located as not to impair the essential character, or the future use or development, of the surrounding area.

A restrictive declaration acceptable to the DCP shall be executed and recorded, binding the owners, successors and assigns to preserve an amount of Use Group 6B office #use# within a #qualifying building#, or created within a #development# or #enlargement#, as applicable. 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 in #use# from Use Group 6B office #use# to any other #use#.

The Commission may prescribe additional conditions and safeguards to minimize adverse effects on the character of the surrounding area.

(3/20/13)

**88-14**  
**Manufacturing Use**

In the #Special Hudson Square District#, #manufacturing uses# permitted in M1 Districts shall be subject to the modifications set forth in Section 123-22 (Modification of Use Groups 16, 17 and 18), inclusive.

(3/20/13)

**88-20**  
**SIGN REGULATIONS**

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.

(3/22/16)

**88-30**  
**SPECIAL BULK REGULATIONS**

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

(3/20/13)

## **Article IX - Special Purpose Districts**

### **Chapter 1**

#### **Special Lower Manhattan District**

(6/21/16)

#### **91-00**

##### **GENERAL PURPOSES**

The "Special Lower Manhattan District" established in this Resolution is designed to promote and protect public health, safety, general welfare and amenity. These general goals include, among others, the following specific purposes:

- (a) encourage development of a 24-hour community through the conversion of older commercial buildings to residential use;
- (b) facilitate maximum design flexibility of buildings and enhance the distinctive skyline and streetscape of Lower Manhattan;
- (c) improve public use and enjoyment of the East River waterfront by creating a better physical and visual relationship between development along the East River and the waterfront area, public access areas and the adjoining upland community;
- (d) enhance the pedestrian environment by relieving sidewalk congestion and providing pedestrian amenities;
- (e) restore, preserve and assure the use of the South Street Seaport Subdistrict as an area of small historic and restored buildings, open to the waterfront and having a high proportion of public spaces and amenities, including a South Street Seaport Environmental Museum, with associated cultural, recreational and retail activities;
- (f) establish the Historic and Commercial Core to protect the existing character of this landmarked area by promoting development that is harmonious with the existing scale and street configuration;
- (g) establish the Water Street Subdistrict to improve the urban design relationship between existing buildings and open areas by promoting retail activities and the enhancement of existing public spaces with new amenities in this area; and

- (h) promote the most desirable use of land and thus conserve and enhance the value of land and buildings, and thereby protect the City's tax revenues.

(10/9/13)

## 91-01

### General Provisions

Except as modified by the express provisions of the #Special Lower Manhattan District#, the regulations of the underlying zoning districts shall remain in effect.

Requirements that apply generally throughout the District are set forth in the provisions for this Chapter. The provisions of Section 91-40 (MANDATORY DISTRICT PLAN ELEMENTS) specify planning and urban design features that are primarily oriented toward the accommodation and well-being of pedestrians.

For requirements that are not generally applicable but are tied to specific locations within the Special District, the locations where these requirements apply are shown on District Map 2 (Street Wall Continuity Types 1, 2A, 2B & 3), Map 3 (Street Wall Continuity Types 4 & 5), Map 4 (Designated Retail Streets) and Map 5 (Curb Cut Prohibitions) in Appendix A. Certain #sign# regulations that apply to landmark #buildings# with #street walls# fronting Broadway are set forth in Section 91-134.

The provisions of Article VI, Chapter 2 (Special Regulations in the Waterfront Area), shall apply to all areas of the #waterfront area# within the #Special Lower Manhattan District#, except as otherwise provided in Section 91-60 (REGULATIONS FOR THE SOUTH STREET SEAPORT SUBDISTRICT) for Piers 9, 11, 13 and 14. Piers 9, 11, 13 and 14 are shown on Maps 1 and 6 in Appendix A.

In #flood zones#, 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), the provisions of Article VI, Chapter 4, shall control.

An existing public amenity, open or enclosed, that was a mandatory requirement or received a #floor area# bonus pursuant to the provisions of the former Special Greenwich Street Development District, eliminated on August 27, 1998, shall not be removed, reduced in size or in any way altered, other than pursuant to the provisions of Section 91-71 (Authorization for the Modification of Required Public Amenities).

Special regulations governing the development of three specific

enhancement of existing public spaces with new amenities in this area.

The Subdistrict is shown on Map 8 (Water Street Subdistrict) and Map 9 (Water Street Subdistrict Arcades) in Appendix A of this Chapter.

(3/22/16)

#### **91-05**

##### **Applicability of the Quality Housing Program**

Within the #Special Lower Manhattan District#, #buildings# containing #residences# may be #developed# or #enlarged# in accordance with the provisions of Article II, Chapter 8 (The Quality Housing Program), except that the #bulk# regulations for #Quality Housing buildings# set forth in Article II, Chapter 3 (Residential Bulk Regulations in Residence Districts) and modified by Article III, Chapter 5 (Bulk Regulations for Mixed Buildings in Commercial Districts), shall be superseded by the #bulk# regulations of this Chapter. Recreation space required pursuant to Section 28-20 (RECREATION SPACE AND PLANTING AREAS) shall be in addition to any recreation space required pursuant to this Chapter.

(8/27/98)

#### **91-06**

##### **Applicability of Article VII Provisions**

(3/20/13)

#### **91-061**

##### **Applicability of special permits by the Board of Standards and Appeals**

Within the #Special Lower Manhattan District#, the following Board of Standards and Appeals special permits shall not be applicable or shall be applicable only as modified.

The following special permit by the Board of Standards and Appeals shall not be applicable:

Section 73-68 (Modifications of Height, Setback and Rear Yard Regulations)



The following special permits by the Board of Standards and Appeals shall be applicable as modified:

Section 73-21 (Automotive Service Stations) shall not apply on #zoning lots# with frontage on any #street# listed on Map 2 or Map 4 in Appendix A

Section 73-244 (In C2, C3, C4\*, C6-4\*\*, M1-5A, M1-5B, M1-5M and M1-6M Districts, the Special Hudson Square District and the Special Tribeca Mixed Use District) shall also apply in C5 Districts to eating or drinking establishments with entertainment, including musical entertainment or dancing, and a capacity of more than 200 persons.

(8/27/98)

#### **91-062**

#### **Applicability of special permits by the City Planning Commission**

Within the #Special Lower Manhattan District#, the following special permits by the City Planning Commission shall not be applicable or shall be applicable within C5 Districts.

The following special permits by the City Planning Commission shall not be applicable:

Section 74-721 (Modification of Height, Setback and Yard Regulations)

Section 74-82 (Through Block Arcades)

The following special permits by the City Planning Commission shall be applicable also within C5 Districts:

Section 74-41 (Arenas, Auditoriums, Stadiums or Trade Expositions)

Section 74-46 (Indoor Interactive Entertainment Facilities).

(12/21/09)

#### **91-07**

Use Group 12A

(3/20/13)

**91-112**

**Eating and drinking establishments with dancing in C5 Districts**

In all C5 Districts within the #Special Lower Manhattan District#, in addition to eating and drinking establishments permitted pursuant to Section 32-15 (Use Group 6), the following types of eating and drinking establishments shall be permitted:

eating or drinking establishments with entertainment, including musical entertainment or dancing, with a total capacity of 200 persons or fewer, provided that the dance floor or area, if any, does not exceed 400 square feet. The locational and waiting area requirements for eating or drinking establishments of Section 73-244 (In C2, C3, C4\*, C6-4\*\*, M1-5A, M1-5B, M1-5M and M1-6M Districts, the Special Hudson Square District and the Special Tribeca Mixed Use District) shall apply;

eating or drinking establishments with entertainment, including musical entertainment or dancing, with a capacity of more than 200 persons, pursuant to the provisions of Section 73-244, as modified in Section 91-061 (Applicability of special permits by the Board of Standards and Appeals).

(8/27/98)

**91-113**

**Location of certain commercial uses**

In C5 Districts within the #Special Lower Manhattan District#, the provisions of Section 32-423 (Limitation on ground floor location) shall not apply.

(2/2/11)

**91-12**

**Uses on Designated Retail Streets**

On designated retail #streets#, as shown on Map 4 in Appendix A, for #buildings developed# or #enlarged# after August 27, 1998, where the ground floor level of such #development# or #enlarged#

(10/4/73)

## **Article IX - Special Purpose Districts**

### **Chapter 4**

#### **Special Sheepshead Bay District**

(10/4/73)

#### **94-00**

##### **GENERAL PURPOSES**

The "Special Sheepshead Bay District," established in this Resolution, is designed to promote and protect public health, safety, general welfare and amenity. These general goals include, among others, the following specific purposes:

- (a) to promote and strengthen the unique character of the "Special Sheepshead Bay District" area as a prime location for waterfront-related commercial and recreational development and to help attract a useful cluster of shops, restaurants and related activities, which will complement and enhance the area as presently existing;
- (b) to encourage the provision of housing with appropriate amenities in areas suitable for residential development;
- (c) to improve vehicular and pedestrian circulation patterns by requiring limited curb cuts and uniform sidewalk widening, and encouraging the provision of public open space and other amenities as a related part of new development;
- (d) to provide an incentive for redevelopment of the area in a manner consistent with the foregoing objectives which are integral elements of the Comprehensive Plan of the City of New York; and
- (e) to promote the most desirable use of land in this area and thus to conserve the value of land and thereby protect the City's tax revenues.

(2/2/11)

#### **94-01**

##### **Definitions**

Studios, art, music, dance or theatrical

Taxidermist shops

C. #Accessory uses#

(2/2/11)

**94-062**

**Use Group SB**

In Areas A, B, C, D and E, except as stated in this Section, all #commercial uses# permitted by Use Group SB shall be limited to a maximum #floor area# of 3,500 square feet per establishment and to a maximum frontage per establishment at ground floor level of 35 feet when facing any plaza, Emmons Avenue, Sheepshead Bay Road, Ocean Avenue and Bedford Avenue. Any #use# marked with a single asterisk (\*) shall not be located on the ground floor of a #building#.

A. Convenience retail or service establishments

Bakeries, limited to 750 square feet of #floor area# for production

Eating or drinking places, with no restriction on #floor area# or frontage per establishment, including those which provide outdoor table service or incidental musical entertainment

Hardware stores, limited to marine

supplies Stationery stores

Tailor or dressmaking shops, custom

B. Offices

\* Offices, business, professional or governmental

C. Retail or service establishments

Antique stores

Art galleries

Artists' supply stores

Bicycle, rental or sales

Boat showrooms, with no repair or preparation or boats for delivery, #floor area# limited to 5,000 square feet

Book stores

Candy or ice cream stores

Cigar or tobacco stores

Clothing stores or clothing accessory stores

Dry goods stores (fabrics)

Fishing tackle and equipment

Florists

Gift shop

\* Gymnasiums, used exclusively for basketball, handball, squash and tennis

Jewelry or art metal shops

Leather goods stores

\* Meeting halls, having a rated capacity of not more than 75 people

Millinery shops

Music stores or repair shops

Newsstands, open or enclosed

Off-track betting establishments

Pet shops

Photographic equipment or supply stores

\*\* #Physical culture or health establishments#, other than #adult physical culture establishments#, including gymnasiums, having a rated capacity of not more than 50 people

Picture framing shops

Record stores

Shoe stores

Sporting or athletic goods stores

Stamp or coin stores

\* Studios, music, dance or theatrical, with no restriction on #floor area#

Taxidermist shops

Toy stores

Travel bureaus

Watch or clock stores or repair shops

D. Clubs

\* Clubs, non-commercial, without restrictions on activities or facilities

E. #Accessory uses#

---

\*\* #Uses# listed in Use Group SB, marked with a double asterisk, are permitted only by special permit of the Board of Standards and Appeals, pursuant to the provisions of Section 73-36

(2/2/11)

**94-063**

**Uses permitted by special permit**

The City Planning Commission, by special permit, may allow the #uses# listed in Tables 1 and 2 in Areas A, B, C, D and E and the #uses# listed in Table 2 only in Area H, provided that the following findings are made:

- (a) the #use# is so located as not to impair the character of the surrounding area or its future development or cause any environmental hazards;

Picture framing shops

Record stores

Shoe stores

Sporting or athletic goods stores

Stamp or coin stores

\* Studios, music, dance or theatrical, with no restriction on #floor area#

Taxidermist shops

Toy stores

Travel bureaus

Watch or clock stores or repair shops

D. Clubs

\* Clubs, non-commercial, without restrictions on activities or facilities

E. #Accessory uses#

---

\*\* #Uses# listed in Use Group SB, marked with a double asterisk, are permitted only by special permit of the Board of Standards and Appeals, pursuant to the provisions of Section 73-36

(2/2/11)

**94-063**

**Uses permitted by special permit**

The City Planning Commission, by special permit, may allow the #uses# listed in Tables 1 and 2 in Areas A, B, C, D and E and the #uses# listed in Table 2 only in Area H, provided that the following findings are made:

- (a) the #use# is so located as not to impair the character of the surrounding area or its future development or cause any environmental hazards;

- (b) the principal vehicular access for such #use# is not located on Emmons Avenue, Sheepshead Bay Road, Ocean Avenue or Bedford Avenue, except where no access is available from another #street#, and that such #use# will not cause undue congestion in local #streets#;
- (c) the #uses# listed under #manufacturing# establishments in Table 1 are #accessory# to the retail sales on the same #zoning lot# and such #uses# occupy not more than 50 percent of the #floor area# of the establishment and that such #uses# do not create objectionable noise, vibration, smoke, dust or odor; and
- (d) any public parking facilities provide adequate reservoir space at vehicular entrances, and that sufficient vehicular entrances and exits are provided to prevent traffic congestion.

The Commission may prescribe appropriate conditions or safeguards to minimize the adverse effect of any #use# permitted under this Section on the character of the surrounding area.

Table 1

A. #Manufacturing# Establishments

Art needlework, hand weaving, tapestries

Books, hand binding, tooling

Ceramics, custom

Jewelry manufacture, custom

Musical instruments (except pianos)

Printing, custom

Watchmaking

B. Amusements

Billiard parlors or pool halls, limited to 10 tables

Golf recreation centers, indoor, limited to 5,000 square feet

Skating rinks or ice skating rinks, outdoor or indoor, limited to one rink



Theaters, having a rated capacity of 500 people or less

Table 2

A. Automotive Service Establishments

#Parking garages#, #public#, or #parking lots#, #public#, with any capacity

B. Amusements

Historical exhibits, provided such #use# is contained mainly within a structure

Skating rinks or ice skating rinks, outdoor, may be enclosed in winter, limited to one rink

Tennis courts, outdoor, may be enclosed in winter, limited to four courts in Areas A, B, C, D and E and to eight courts in Area H

Swimming pools, commercial, limited to Area H

C. Service Establishments

Eating or drinking places, without restrictions on entertainment or dancing

(3/22/16)

**94-064**

**Supplementary use regulations**

The provisions of Article VII, Chapter 3 (Special Permits by the Board of Standards and Appeals), Sections 73-10 through 73-52, relating to modifications of #use#, shall not apply in the Special District, except that Section 73-36 (Physical Culture or Health Establishments) shall be applicable.

(10/4/73)

**94-065**

**Restriction on ground-floor use**

In Areas A, B, C and D, the ground floor of a #building# shall

(11/7/74)

## **Article IX - Special Purpose Districts**

### **Chapter 5**

#### **Special Transit Land Use District**

(11/7/74)

#### **95-00**

##### **GENERAL PURPOSES**

The "Special Transit Land Use District" established in this Resolution is designed to promote and protect public health, safety, general welfare and amenity. These general goals include the following specific purposes:

- (a) to minimize the conflict between normal pedestrian movements on public sidewalks and access to underground transit systems, by requiring developments within the Special District to provide access to underground transit or other subway amenities;
- (b) to reduce congestion on city streets in the vicinity of transportation nodes, by encouraging the provision of adequate underground pedestrian circulation systems;
- (c) to require adequate access of light and air to the subway mezzanines or station areas of the underground transit system and other related facilities in order to provide greater visibility and safety to below ground spaces;
- (d) to encourage development that reinforces and preserves the character of the existing communities within the area, by promoting needed pedestrian amenities;
- (e) to coordinate the present and future relationship of land uses within the Special District including weather protected public access to the underground transit system; and
- (f) to promote the most desirable use of land in the area and thus to conserve the value of land and buildings, and thereby protect the City's tax revenues.

(2/2/11)

In all underlying districts within the Special District, below the lowest #story# occupied by #residential uses#, Use Group T #uses# are permitted to occupy no more than two #stories# above #curb level#. However, #uses# listed in paragraphs A, C or E of Section 95-081 are permitted within the Special District only where allowed by the underlying district regulations. Location of #commercial uses# within a #building# shall be governed by the provisions of Section 32-42.

In the subway mezzanine, at ground #story# and along the bounding walls of the transit easement volume, the frontage occupied by any #uses# shall not exceed 25 linear feet per establishment within a distance of 75 feet from the edge of the easement volume at any level.

(2/8/90)

#### **95-081**

#### **Use Group T**

Use Group T comprises a group of retail establishments selected to promote and strengthen retail business in the Special District. #Uses# marked with an asterisk (\*) shall not be located at the subway mezzanine level or along the bounding walls of a transit easement volume.

##### A. Amusements

Billiard parlors or pool halls

Model car hobby centers, including racing

Theaters

##### B. Convenience Retail or Service Establishments

Bakeries, provided that no floor space is used for production

Barber shops

Beauty parlors

Drug stores

\*Dry cleaning or clothes pressing establishments or receiving stations dealing directly with ultimate consumers,

limited to 2,000 square feet of #floor area# per establishment, and provided that only solvents with a flash point of not less than 138.2 degrees Fahrenheit shall be used, and total aggregate dry load capacity of machines shall not exceed 60 pounds

Eating or drinking establishments, including those which provide outdoor table service or have music for which there is no cover charge and no specified showtime

Eating or drinking establishments, with musical entertainment, but not dancing, with a capacity of 200 persons or fewer

\*Food stores, including grocery stores or delicatessen stores

\*Fruit stands, including supermarkets or meat markets

Hardware stores

\*Laundry establishments, hand or automatic self-service

\*Package liquor stores

Post offices

Shoe or hat repair shops

Stationery stores

Tailor or dressmaking shops, custom

Variety stores, limited to 10,000 square feet of #floor area# per establishment

C. Offices

\*Offices, business, professional or governmental

D. Retail or Service Establishments

Antique stores

Art galleries, commercial

Artists' supply stores

Banks

Bicycle sales

\*Blueprinting or photostatting establishments

Book stores

\*Business schools or colleges

Candy stores or nut stores

\*Carpet, rug, linoleum or other floor covering stores

Cigar or tobacco stores

Clothing or accessory stores

Clothing or costume rental establishments

Dry goods or fabric stores

Electrolysis studios

Fishing tackle or equipment, rental or sales

Florist shops

Furniture stores

Furrier shops, custom

Gift shops

\*\*Gymnasiums, used exclusively for basketball, handball, squash and tennis

\*Ice cream stores

Interior decorating establishments, provided that #floor area# used for processing, servicing or repairs shall be limited to 750 square feet per establishment

Jewelry or art metal craft shops

Leather goods or luggage stores

Loan offices

Locksmith shops

\*Medical or orthopedic appliance stores

\*Meeting halls

Millinery shops

Music stores

Musical instrument repair shops

Newsstands, open or enclosed

Optician or optometrist establishments

\*Paint stores

\*Pet shops

Photographic equipment or supply stores

Photographic studios

\*\*#Physical culture or health establishments#, including  
gymnasiums (not listed under Use Group 9), reducing salons,  
massage establishments or steambaths, but other than #adult  
physical culture establishments#

Picture framing shops

Record stores

Seed or garden supply stores

Sewing machine stores, selling household machines only

Shoe stores

Sporting or athletic stores

Stamp or coin stores

Studios, art, music, dancing or theatrical

Telegraph offices

Television, radio, phonograph or household appliance repair  
stores

Television, radio, phonograph or household appliance shops

Toy stores

Travel bureaus

Typewriter or other small business machine repair shops

Typewriter stores

Umbrella repair shops

Wallpaper stores

Watch or clock stores or repair shops

E. Other Retail or Wholesale Establishments

Department stores

\*Hair products for headwear, wholesaling, including styling

\*Medical or dental laboratories for research or testing, or the custom manufacture of artificial teeth, dentures or plates, not involving any danger of fire or explosion nor offensive noise, vibration, smoke or other particulate matter, odorous matter, heat, humidity, glare or other objectionable effects

\*Photographic developing or printing establishments, limited to 2,500 square feet of #floor area# per establishment

Plumbing, heating or ventilating equipment showrooms, without repair facilities

F. Clubs

All types of clubs, without restrictions on activities or facilities

G. #Accessory uses#

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\*\* #Uses# in Use Group T marked with a double asterisk are permitted only by special permit of the Board of Standards and Appeals, pursuant to the provisions of Section 73-36

(5/8/13)

95-09

(12/20/73)

**Article IX - Special Purpose Districts**

**Chapter 9**

**Special Madison Avenue Preservation District**

(12/20/73)

**99-00**

**GENERAL PURPOSES**

The "Special Madison Avenue Preservation District" as established in this Resolution is designed to promote and protect public health, safety, general welfare and amenity. These general goals include among others, the following specific purposes:

- (a) to preserve and protect the unique character and architectural quality of Madison Avenue and its surrounding area;
- (b) to preserve and enhance street life by promoting specialty shops at street level;
- (c) to introduce amenities relating to the residential character of the area; and
- (d) to promote the most desirable use of land in this area and thus to conserve the value of land and buildings and thereby protect the City's tax revenues.

(2/2/11)

**99-01**

**Definitions**

Development

For purposes of this Chapter, a "development" includes the construction of a new #building or other structure# on a #zoning lot#, the relocation of an existing #building# on another #zoning lot#, and an #enlargement#.

Landmark building



A "landmark building" is any #building# designated as a landmark by the Landmarks Preservation Commission, pursuant to procedures set forth in Section 3020 of the New York City Charter and other applicable laws.

Style building

A "style building" is a #building# possessing an architectural style, as described in the Upper East Side Historic District Designation Report prepared by the New York City Landmarks Preservation Commission in 1981.

(12/20/73)

#### **99-02**

##### **General Provisions**

Except as modified by the express provisions of this Chapter, the regulations of the underlying district remain in effect.

(2/2/11)

#### **99-03**

##### **Special Use Regulations**

In order to retain the existing #residential# and retail character of the area, #commercial uses# shall occupy at least the first #story# that has a floor level within five feet of #curb level#. Such #commercial uses# shall be limited to #uses# listed in Section 99-031 (Use Group MP). Notwithstanding the provisions of Article V, Chapter 2, #non-conforming uses# may only be changed to #uses# listed in Section 99-031. Such #commercial uses# shall occupy a minimum linear frontage of 75 percent of the frontage of a #zoning lot# on Madison Avenue, except that lots with a frontage of 100 feet or less on Madison Avenue may have a #commercial# frontage of less than 75 percent in order to provide a maximum 25 foot wide entrance to the #residential# portion of the #building#.

The mandatory #use# regulations of this Section may be modified for a #community facility#, pursuant to the certification provisions of Section 99-032 (Modifications of use regulations for a community facility).

(2/2/11)

**99-031**

**Use Group MP**

Use Group MP comprises a group of #commercial# establishments selected to promote and strengthen the existing #commercial# character of the Special District. The #commercial uses# listed in Table A of this Section are permitted in any portion of the Special District located within a C1 District. The #commercial uses# listed in Tables A and B of this Section are permitted in any portion of the Special District located within a C5 District.

Table A

A. Transient Accommodations

#Hotels, transient#

B. Retail or Service Establishments

Antique stores

Art galleries, commercial

Artist's supply stores

Bakeries, provided that #floor area# used for production shall be limited to 750 square feet per establishment

Banks (limited to 40 linear feet of #street# frontage)

Barber shops

Beauty shops

Bicycle sales

Book stores

Candy or ice cream stores

Carpet, rug, linoleum or other floor covering stores, limited to 10,000 square feet of #floor area# per establishment

Cigar and tobacco stores

Clothing or clothing accessory stores

Clothing rental establishments

Drug stores

Dry cleaning or clothes pressing establishments or receiving stations dealing directly with ultimate consumers, limited to 2,000 square feet of #floor area# per establishment, and provided that only solvents with a flash point of not less than 138.2 degrees Fahrenheit shall be used, and total aggregate dry load capacity of machines shall not exceed 60 pounds

Dry goods or fabrics stores, limited to 10,000 square feet of #floor area# per establishment

Eating or drinking establishments, including those which provide outdoor table service or have music for which there is no charge and no specified showtime

Eating or drinking establishments with musical entertainment, but not dancing, with a capacity of 200 persons or fewer

Electrolysis studios

Fishing tackle or equipment, rental or sales

Florist shops

Food stores, including supermarkets, grocery stores, meat markets, or delicatessen stores

Furniture stores, limited to 10,000 square feet of #floor area# per establishment

Furrier shops, custom

Gift shops

Hardware stores

Interior decorating establishments, provided that #floor area# used for processing, servicing, or repairs shall be limited to 750 square feet per establishment

Jewelry or art metal craft shops

Laundry establishments, hand or automatic self-service

Leather goods or luggage stores

Loan offices (limited to 40 linear feet of #street# frontage)

Locksmith shops

Medical or orthopedic appliance stores

Meeting halls

Millinery shops

Music stores

Newsstands, open or enclosed

Optician or optometrist establishments

Package liquor stores

Paint stores

Pet shops

Photographic equipment or supply stores

Photographic studios

Picture framing shops

Post offices

Record stores

Seed or garden supply stores

Sewing machine stores, selling household machines only

Shoe or hat repair shops

Shoe stores

Sporting or athletic stores

Stamp or coin stores

Stationery stores

Tailor or dressmaking shops, custom

Telegraph offices

Television, radio, phonograph or household appliance stores, limited to 10,000 square feet of #floor area# per establishment

Toy stores

Travel bureaus

Typewriter stores

Variety stores, limited to 10,000 square feet of #floor area# per establishment

Wallpaper stores

Watch or clock stores or repair shops

C. Offices

\*Offices, businesses, professional or governmental

D. Public Service Establishments|

\*Court houses

\*Clubs, non-commercial, without restrictions on activities or facilities

Table B

A. Retail or Service Establishments

\*Blueprinting or photostatting establishments

\*Business schools or colleges

Carpet, rug, linoleum or other floor covering stores, with no limitation on #floor area# per establishment

\*Catering

\*Clothing or costume rental establishments

Department stores

\*Depositories for storage of office records, microfilm, or

computer tapes, or for data processing

Dry goods or fabric stores, with no limitation on #floor area# per establishment

Eating or drinking places, without restrictions on entertainment or dancing but limited to location in hotels

Furniture stores, with no limitation on #floor area# per establishment

\*Gymnasiums, used exclusively for basketball, handball, squash and tennis

\*Medical or dental laboratories for research or testing, or the custom manufacture of artificial teeth, dentures, or plates, not involving any danger of fire or explosion nor offensive noise, vibration, smoke or other particulate matter, odorous matter, heat, humidity, glare or other objectionable effects

\*Motion picture production studios

Musical instrument repair shops

Office or business machine stores, sales or rental (limited to 40 linear feet of #street# frontage)

\*\*#Physical culture or health establishments#, including gymnasiums (not listed under Use Group 9), reducing salons, massage establishments or steambaths, but other than #adult physical culture establishments#

Plumbing, heating, or ventilating equipment showrooms, without repair facilities (limited to 40 linear feet of #street# frontage)

\*Printing establishments, limited to 2,500 square feet of #floor area# per establishment for production

Public auction rooms

\*Radio or television studios

Studios, art, music, dancing or theatrical

Television, radio, phonograph, or household appliance stores, with no limitation on #floor area# per establishment

\*Trade, or other schools for adults, not involving any

danger of fire or explosion nor of offensive noise, vibration, smoke or particulate matter, dust, odorous matter, heat, humidity, glare, or other objectionable effects

Typewriter or other small business machine sales, rental or repairs

Umbrella repair shops

Variety stores, with no limitation on #floor area# per establishment

\*Wedding chapels or banquet halls

B. Wholesale Establishments

\*Hair products for headwear, wholesaling including styling

\*Photographic developing or printing establishments, limited to 2,500 square feet of #floor area# per establishment

\*Ship chandlers

\*Wholesale establishments, with #accessory# storage limited to 2,500 square feet of #floor area# per establishment

\*Wholesale offices or showrooms, with storage restricted to samples

C. Manufacturing Establishments

\*Art needle work, hand weaving, or tapestries

\*Books, hand binding or tooling

\*Ceramic products, custom manufacturing

\*Clothing, custom manufacturing or altering for retail

\*Hair products, custom manufacturing

\*Jewelry manufacturing from precious metals

\*Medical, dental, drafting instruments, optical goods, or similar precision instruments

\*Musical instruments, except pianos and organs

\*Orthopedic or medical appliances, custom manufacturing

\*Printing, custom, limited to 2,500 square feet of #floor area# per establishment for production

\*Watch making

D. #Accessory uses#

#Uses# marked with an asterisk (\*) shall not be located within #stories# that have a floor level within five feet of #curb level# unless such #use# is at least 50 feet from the #street wall# of the #building# in which it is located, and with no #show window# facing on the #street#

#Uses# in Use Group MP marked with a double asterisk (\*\*) are permitted only by special permit of the Board of Standards and Appeals, pursuant to the provisions of Section 73-36

(2/2/11)

**99-032**

**Modifications of use regulations for a community facility**

The mandatory #use# regulations of Section 99-03 (Special Use Regulations) may be modified for a #community facility# provided the City Planning Commission certifies that the treatment of the facade preserves and enhances street life on Madison Avenue compatible with the character of the surrounding area.

(5/12/94)

**99-04**

**Special Bulk Provisions**

For the purposes of this Chapter, the maximum #floor area ratio# on a #zoning lot# shall not exceed 10.0.

(5/12/94)

**99-05**

**Special Height and Setback Regulations**

The height and setback regulations of Sections 23-63, 23-64, 23-



(12/19/07)

**Article X - Special Purpose Districts**

**Chapter 4**

**Special Manhattanville Mixed Use District**

(12/19/07)

**104-00**

**GENERAL PURPOSES**

The "Special Manhattanville Mixed Use 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 encourage the development of a mixed use neighborhood that complements a revitalized community-oriented waterfront;
- (b) to support a variety of community facility, commercial and manufacturing uses;
- (c) to provide opportunities for the expansion of large academic, scientific and mixed use facilities in a manner that benefits the surrounding community;
- (d) to strengthen the retail and service character and economic vitality of the neighborhood by encouraging active ground floor uses along Broadway, West 125th Street and 12th Avenue;
- (e) to facilitate the maximum amount of design flexibility while fulfilling the goals of the mixed use district;
- (f) to improve the physical appearance of the streetscape by providing and coordinating harmonious open space, sidewalk amenities and landscaping within a consistent urban design;
- (g) to strengthen the visual corridors along West 125th Street and other east-west corridors that connect the community to the waterfront;
- (h) to expand local employment opportunities;

16 (Use Group MMU) and shall comply with the minimum depth provisions of Section 37-32 (Ground Floor Depth Requirements for Certain Uses). Such #uses# shall be located at the #street wall#. In no event shall the length of #street# frontage occupied solely by lobby space or entryways exceed, in total, 40 feet.

All such #developments#, #enlargements# and changes of #use# on the ground floor of a #building or other structure# (other than a change of #use# on the ground floor of a #building# located on Parcels E2 or G2, as shown on Map 5 (Parcel Designation and Maximum Building Heights) in Appendix A) shall comply with the transparency requirements of Section 104-41.

(12/19/07)

#### **104-16**

#### **Use Group MMU**

Use Group MMU comprises a group of #uses# selected from Use Groups 3, 4, 6, 7, 8, 9, 10, 12 and 17, as modified, including any of such #uses# that are #accessory# to a college or university and open to the public.

From Use Group 3:

Libraries, museums or non-commercial art galleries

From Use Group 4A:

Ambulatory diagnostic or treatment health care facilities

Community centers or settlement houses

Non-commercial recreation centers

From Use Group 6A:

Bakeries, provided that #floor area# used for production shall be limited to 750 square feet per establishment

Barber shops

Beauty parlors

Drug stores

Dry cleaning or clothes pressing establishments or receiving stations dealing directly with ultimate consumers, limited to 2,000 square feet of #floor area# per establishment, and provided that only solvents with a flash point of not less than 138.2 degrees Fahrenheit shall be used, and total aggregate dry load capacity of machines shall not exceed 60 pounds

Eating or drinking establishments, including those which provide outdoor table service or have music for which there is no cover charge and no specified show time

Food stores, including supermarkets, grocery stores, meat markets or delicatessen stores

Hardware stores

Laundry establishments, hand or automatic self-service

Liquor stores, package

Post offices

Shoe or hat repair shops

Stationery stores

Tailor or dressmaking shops, custom

Variety stores, limited to 10,000 square feet of #floor area# per establishment

From Use Group 6B:

Veterinary medicine for small animals, provided all activities are conducted within a #completely enclosed building#

From Use Group 6C:

Antique stores

Art galleries, commercial

Artists' supply stores

Automobile supply stores, with no installation or repair services

Banks

Bicycle sales

Book stores

Candy or ice cream stores

Carpet, rug, linoleum or other floor covering stores, limited to 10,000 square feet of #floor area# per establishment

Cigar or tobacco stores

Clothing or clothing accessory stores, limited to 10,000 square feet of #floor area# per establishment

Clothing rental establishments, limited to 10,000 square feet of #floor area# per establishment

Dry goods or fabrics stores, limited to 10,000 square feet of #floor area# per establishment

Eating or drinking establishments with entertainment, but not dancing, with a capacity of 200 persons or fewer

Eating or drinking establishments with musical entertainment, but not dancing, with a capacity of 200 persons or fewer

Electrolysis studios

Fishing tackle or equipment, rental or sales

Florist shops

Furniture stores, limited to 10,000 square feet of #floor area# per establishment

Furrier shops, custom

Gift shops

Interior decorating establishments, provided that #floor area# used for processing, servicing or repairs shall be limited to 750 square feet per establishment

Jewelry or art metal craft shops

Leather goods or luggage stores

Loan offices

Locksmith shops

Medical or orthopedic appliance stores

Millinery shops

Music stores

Newsstands, open or enclosed

Optician or optometrist establishments

Paint stores

Pet shops

Photographic equipment or supply stores

Photographic studios

Picture framing shops

Record stores

Seed or garden supply stores

Sewing machine stores, selling household machines only

Shoe stores

Sporting or athletic stores

Stamp or coin stores

Telegraph offices

Television, radio, phonograph or household appliance  
stores, limited to 10,000 square feet of #floor area# per  
establishment

Toy stores

Travel bureaus

Typewriter stores

Wallpaper stores

Watch or clock stores or repair shops

From Use Group 7B:

Bicycle rental or repair shops

Moving or storage offices, with storage limited to items for retail sale and to 1,500 square feet of #floor area# per establishment

Refreshment stands

Sign painting shops, limited to 2,500 square feet of #floor area# per establishment

Venetian blind, window shade or awning shops, custom, limited to 2,500 square feet of #floor area# per establishment

From Use Group 8A:

All #uses#

From Use Group 8B:

Lumber stores, limited to 5,000 square feet of #floor area# per establishment, exclusive of that #floor area# used for office and display areas, and provided that not more than 400 square feet of #floor area# shall be used for cutting of lumber to size

Television, radio, phonograph or household appliance repair shops

Upholstering shops dealing directly with consumers

From Use Group 9A:

Automobile, motorcycle, #trailer# or boat showrooms or sales, with no repair services and with no preparation of vehicles or boats for delivery

Clothing or costume rental establishments

Musical instrument repair shops

Plumbing, heating or ventilating equipment showrooms, without repair facilities

Printing establishments, limited to 2,500 square feet of #floor area# per establishment for production

Public auction rooms

Studios, art, music, dancing or theatrical

Typewriter or other small business machine sales, rental or repairs

Umbrella repair shops

From Use Group 10A:

Clothing or clothing accessory stores, limited to 20,000 square feet of #floor area# per establishment

Office or business machine stores, sales or rental

Variety stores, limited to 20,000 square feet of #floor area# per establishment

From Use Group 12B:

Antique stores

Art gallery, commercial

Book stores

Candy or ice cream stores

Cigar and tobacco stores

Delicatessen stores

Drug stores

Gift shops

Jewelry or art metal craft shops

Music stores

Newsstands

Photographic equipment stores

Record stores

Stationery stores

Toy stores

From Use Group 17A:

Produce or meat markets, wholesale

From Use Group 17B:

Ceramic products, including pottery, small glazed tile, or similar products

#Accessory uses# to all the above #uses# are permitted.

#Physical culture or health establishments# are subject to a special permit, pursuant to Section 73-36.

(12/19/07)

#### **104-17**

#### **Modification of Article VII, Chapter 4 (Special Permits by the City Planning Commission)**

The provisions of Section 74-48 (Scientific Research and Development Facility) shall not apply in the #Special Manhattanville Mixed Use District#.

(2/2/11)

#### **104-20**

#### **SPECIAL BULK REGULATIONS**



community facilities), shall be limited to 5,000 square feet of #floor area# per establishment.

(12/19/07)

### **104-13**

#### **Commercial and Manufacturing Use Modifications**

In Subdistricts A and C, the #commercial# and #manufacturing use# regulations of the underlying C6 Districts are modified as set forth in Section 104-132 (Use Groups 16, 17 and 18).

In Subdistrict B, the #commercial use# regulations of the underlying M1 District are modified as set forth in Section 104-131 (Use Group 6A).

(12/19/07)

### **104-131**

#### **Use Group 6A**

In Subdistrict B, the provisions of Section 42-12 (Use Groups 3A, 6A, 6B, 6D, 6F, 7B, 7C, 7D, 7E, 8, 9B, 9C, 10A, 10B, 10C, 11, 12A, 12C, 12D, 12E, 13, 14 and 16), shall be modified to permit food stores, including supermarkets, grocery stores or delicatessen stores, without limitation as to #floor area# per establishment.

(2/2/11)

### **104-132**

#### **Use Groups 16, 17 and 18**

In Subdistricts A and C, the following #uses# in Use Groups 16, 17 and 18 are permitted, subject to the performance standards for an M1 District set forth in Section 42-20.

Such #uses# may locate in the same #building#, or in an #abutting building# containing a #residential use# or a #community facility use# with sleeping accommodations listed in Section 104-12 (Community Facility Use Modifications), only in accordance with the certification provisions of Section 104-14.

(2/3/77)

## **Article X - Special Purpose Districts**

### **Chapter 9**

#### **Special Little Italy District**

(2/3/77)

#### **109-00**

##### **GENERAL PURPOSES**

The "Special Little Italy District" established in this Resolution is designed to promote and protect public health, general welfare and amenity. These general goals include, among others, the following specific purposes:

- (a) to preserve and strengthen the historical and cultural character of the community;
- (b) to protect the scale of storefronts and character of the existing retail uses along Mulberry Street and other major shopping streets so that Little Italy will remain a unique regional shopping area, and thereby strengthen the economic base of the City;
- (c) to preserve the vitality of street life by reducing conflict between pedestrian and vehicular traffic;
- (d) to permit rehabilitation and new development consistent with the residential character and scale of the existing buildings in the area;
- (e) to provide amenities, such as public open space, and street trees, to improve the physical environment;
- (f) to discourage the demolition of noteworthy buildings which are significant to the character of the area; and
- (g) to promote the more desirable use of land in the area and thus to preserve the value of land and buildings, and thereby protect and strengthen the City's tax revenues, consistent with the foregoing purposes.

(2/2/11)

(Mulberry Street Regional Spine) as shown on the District Plan (Appendix A), except as modified herein.

(2/2/11)

## **109-21**

### **Use Regulations**

The provisions of Section 109-11 (Special Use Regulations) shall apply, except that in order to retain the existing retail character of the area, the ground floor of any #building# shall be limited to #uses# listed in Section 109-211 (Use Group LI). Any #street# frontage occupied by entrances to other #uses# such as #residential# lobbies shall be no wider than 25 feet. A change of #use# on the ground floor of a #building# shall be subject to the provisions of this Section.

(2/2/11)

## **109-211**

### **Use Group LI**

Use Group LI comprises a group of specially selected #uses# to strengthen the existing #commercial# character of the area.

#### A. Convenience Retail Establishments

Bakeries

Barber shops

Beauty parlors

Drug stores

Dry cleaning or clothes pressing establishments, limited to 2,500 square feet of #floor area# per establishment on the ground floor

Eating or drinking establishments, including those which provide outdoor table service or have music for which there is no cover charge and no specified showtime

Eating or drinking establishments, with entertainment but not dancing, with a capacity of 200 persons or less

Eating or drinking establishments, with musical entertainment but not dancing, with a capacity of 200 persons or less

Food stores, including supermarkets, grocery stores, meat markets, delicatessen stores, limited to 5,000 square feet of #floor area# per establishment on the ground floor

Hardware stores

Package liquor stores

Post offices

Stationery stores

Tailor or dressmaking shops, custom

Variety stores, limited to 5,000 square feet of #floor area# per establishment on the ground floor

B. Retail or Service Establishments

Antique stores

Appliance stores, limited to 5,000 square feet of #floor area# per establishment on the ground floor

Art galleries

Artist supply stores

Bicycle sales and rental establishments

Book stores

Candy or ice cream stores

Carpet or rug stores, limited to 5,000 square feet of #floor area# per establishment on the ground floor

Cigar or tobacco stores

Clothing or clothing accessory stores, limited to 5,000 square feet of #floor area# per establishment

Clothing rental

Clubs, non-commercial, without restrictions on activities or facilities, limited to 2,500 square feet of #floor area# per

establishment on the ground floor

Dry goods or fabric stores, limited to 5,000 square feet on the ground floor

Florist shops

Furniture stores, limited to 5,000 square feet of #floor area# per establishment on the ground floor

Furrier shops, custom

Gift shops

Interior decorating establishments, limited to 750 square feet of #floor area# per establishment on the ground floor

Jewelry or art metal craft shops

Leather goods, crafts or luggage stores

Locksmiths shops

\*Meeting halls, limited to 25-foot

frontage Millinery shops

Music stores

Newsstands, open or enclosed

Optician or optometrist

Paint stores

Pet shops

Photographic equipment or supply stores

Photographic studios

Picture framing shops

Record stores

Shoe stores

Stamp or coin stores

Telegraph offices

\*Theaters, limited to 25-foot frontage

Toy stores

Travel bureaus

Watch or clock stores or repair shops

-----  
\* A change of #use# in a #building# constructed prior to February 3, 1977, which does not comply with the frontage requirements, is permitted provided the degree of #non-compliance# of the frontage is not increased

(2/3/77)

**109-22  
Bulk Regulations**

(2/2/11)

**109-221  
Floor area regulations**

Within Area A1, the maximum #floor area ratio# on a #zoning lot# shall not exceed the following:

#Use#	#Floor Area Ratio#	
	#Corner Lot#	#Through Lot# or #Interior Lot#
#Commercial#	5.1	4.5
#Community facility# or #residential#	4.1	3.5

(1/20/77)

## **Article XI - Special Purpose Districts**

### **Chapter 2**

#### **Special City Island District**

(2/2/11)

#### **112-00**

##### **GENERAL PURPOSES**

The "Special City Island District" established in this Resolution is designed to promote and protect public health, safety, general welfare and amenity. These general goals include, among others, the following specific purposes:

- (a) to promote and strengthen the unique character of the Special City Island District for nautical and waterfront activities by limiting permitted uses to those which complement and enhance the existing character of the Special District;
- (b) to maintain the existing low-rise residential and commercial character of the district by regulating the height of buildings;
- (c) to maintain and protect the environmental quality and "village" character of City Island Avenue by imposing special controls on building setbacks and signs; and
- (d) to promote the most desirable use of land in this area and thus to conserve the value of land and thereby protect the City's tax revenue.

(2/2/11)

#### **112-01**

##### **Definitions**

Development

For purposes of this Chapter, a "development" includes both #development# and #enlargement#, as defined in Section 12-10 (DEFINITIONS).

(2/2/11)

**112-072**

**Uses permitted in C2 Districts**

Within a C2 District, all #commercial uses# listed in Section 112-71 (Uses permitted in C1 Districts) are permitted as well as all #uses# permitted as-of-right in C2 Districts, as set forth in Section 32-10, except:

Automobile sales, including motorcycle and #trailer#

Prisons

Refreshment stands, drive-in

Wholesale establishments.

(2/2/11)

**112-073**

**Uses permitted in C3 Districts**

Within a C3 District, Use Groups 1, 2, 3 and 4 in Sections 32-11 to 32-13, and all #commercial uses# listed in Use Group 14 in Section 32-23, are permitted, as well as:

#Boatels#

Eating or drinking places, including those that provide outdoor table service or incidental musical entertainment.

(3/22/16)

**112-074**

**Ground floor use restrictions on certain blocks**

For all #buildings# fronting on City Island Avenue between Bay Street and Carroll Street, only non-#residential uses# shall be permitted on the ground floor level or within #stories# that have a floor level within five feet of #curb level#, except for Type 1 lobbies provided in accordance with Section 37-33 (Maximum Width of Certain Uses).



(1/10/85)

## **Article XI - Special Purpose Districts**

### **Chapter 8**

#### **Special Union Square District**

(1/10/85)

#### **118-00**

##### **GENERAL PURPOSES**

The "Special Union Square District" established in this Resolution is designated to promote and protect public health, safety, general welfare and amenity. These general goals include, among others, the following specific purposes:

- (a) to promote a revitalized mixed-use area around Union Square by encouraging controlled development on vacant and under-utilized sites within the District;
- (b) to stimulate such growth while providing guidelines which will ensure urban design compatibility between new development, existing buildings and Union Square and which will preserve and enhance the special character of the Square;
- (c) to stabilize the area through residential development and thereby encourage active utilization of Union Square Park;
- (d) to enhance the retail and service nature and economic vitality of 14th Street by mandating appropriate retail and service activities;
- (e) to improve the physical appearance and amenity of the streets within the District by establishing streetscape and signage controls which are compatible to Union Square Park;
- (f) to improve access, visibility, security and pedestrian circulation in and around the 14th Street/Union Square Station; and
- (g) to promote the most desirable use of land in this area and thus conserve the value of land and buildings and thereby protect the City's tax revenues.

(2/2/11)

### **118-01**

#### **General Provisions**

In harmony with the general purpose and intent of this Resolution and the general purposes of the #Special Union Square District# and in accordance with the provisions of this Chapter, certain specified #use#, #bulk# and #sign# regulations of the underlying district are made inapplicable and are superseded by the #use#, #bulk# and #sign# regulations of the #Special Union Square District# as set forth in this Chapter. In addition, special #street wall# transparency and location of entrance requirements are set forth in this Chapter. Except as modified by the express provisions of this Chapter, the underlying district regulations remain in effect.

(2/2/11)

### **118-02**

#### **Incorporation of Appendix A**

The District Plan of the #Special Union Square District# is set forth in Appendix A and is incorporated as an integral part of the provisions of this Chapter.

(1/10/85)

### **118-10**

#### **USE REGULATIONS**

(2/2/11)

### **118-11**

#### **Ground Floor Uses**

#Uses# within #stories# that have a floor level within five feet of #curb level# along 14th Street shall be limited to the #uses# listed in this Section, except that entrances to above-grade or below-grade #uses# are permitted, subject to the regulations set forth in Section 118-41 (Entrances on 14th Street).

These regulations shall apply to #developments#, #enlargements#, #extensions# and changes of #use#.

Antique stores

Art galleries, commercial

Artists' supply stores

Automobile rental offices

Bakeries, provided that #floor area# used for production shall be limited to 750 square feet per establishment

Banks

Barber shops

Beauty parlors

Bicycle sales, rental or repair shops

Book stores

Candy or ice cream stores

Carpet, rug, linoleum, or other floor covering stores, with no limitation on #floor area# per establishment

Cigar or tobacco stores

Clothing or clothing accessory stores, with no limitation on #floor area# per establishment

Clothing rental establishments, limited to 10,000 square feet on #floor area# per establishment

Department stores

Drug stores

Dry cleaning or clothes pressing establishments or receiving stations dealing directly with ultimate consumers, limited to 2,000 square feet of #floor area# per establishment, and provided that only solvents with a flash point of not less than 138.2 degrees Fahrenheit shall be used, and a total aggregate load capacity of machines shall not exceed 60 pounds

Dry goods or fabric stores, with no limitation of #floor

area# per establishment

Eating or drinking establishments including those which provide outdoor table service, or have music for which there is no cover charge and no specified showtime

Eating or drinking establishments, with entertainment but not dancing, with a capacity of 200 persons or fewer

Eating or drinking establishments, with musical entertainment but not dancing, with a capacity of 200 persons or fewer

Eating or drinking places without restrictions on entertainment or dancing, but limited to locations in hotels

Fishing tackle or equipment, rental or sales

Florist shops

Food stores, including supermarkets, grocery stores, meat markets or delicatessen stores

Furniture stores, with no limitation on #floor area# per establishment

Furrier shops, custom

Gift shops

Hardware stores

Interior decorating establishments, provided that #floor area# used for processing, servicing or repairs shall be limited to 750 square feet per establishment

Jewelry or art metal craft shops

Laundry establishments, hand or automatic self-service

Leather goods or luggage stores

Medical or orthopedic appliance stores

Millinery shops

Music stores

Newsstands, open or enclosed

Office or business machine stores with no limitations on #floor area# per establishment

Optician or optometrist establishments

Package liquor stores

Paint stores

Pet shops

Photographic developing or photographic printing establishments limited to 2,500 square feet per establishment

Photographic equipment or supply stores

Photographic studios

Picture framing shops

Record stores

Seed or garden supply stores

Sewing machine stores, selling household machines only

Shoe or hat repair shops

Shoe stores

Sporting or athletic stores

Stamp or coin stores

Telegraph offices

Television, radio, phonograph or household appliance stores with no limitation on #floor area# per establishment

Toy stores

Travel bureaus

Typewriter stores

Variety stores, with no limitation on #floor area# per establishment

Wallpaper stores

Watch or clock stores or repair shops

(3/22/16)

### **118-12**

#### **Sign Regulations**

On #street walls# fronting on 14th Street, no #sign# may be located more than 25 feet above #curb level#.

#Signs# on #street walls# fronting on all other #streets# within the Special District shall be subject to the provisions of paragraph (e) of Section 32-435 (Ground floor use in high density Commercial Districts).

#Flashing signs# are not permitted within the Special District.

(1/10/85)

### **118-20**

#### **BULK REGULATIONS**

(3/22/16)

### **118-21**

#### **Floor Area Regulations**

The maximum #floor area ratio# permitted on property bounded by:

- (a) Broadway, a line midway between East 14th Street and East 13th Street, a line 100 feet west of University Place, Union Square West and Broadway, a line midway between East 17th Street and East 18th Street, a line 100 feet east of Park Avenue South and Union Square East, East 15th Street, Union Square East, East 17th Street, Union Square West and East 14th Street is 8.0; and
- (b) Broadway, a line midway between East 13th Street and East 14th Street, south prolongation of the center line of Irving Place and Irving Place, East 15th Street, Union Square East, Fourth Avenue, and East 14th Street is 10.0, except as provided in Section 118-60 (SUBWAY STATION IMPROVEMENTS WITHIN THE SPECIAL UNION SQUARE DISTRICT).

# ZONING RESOLUTION Web Version

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## THE CITY OF NEW YORK



THE CITY OF NEW YORK  
Bill de Blasio, Mayor

CITY PLANNING COMMISSION  
Marisa Lago, Chair

## Appendix A: Index of Uses

Effective date of most recently amended section of Appendix A: 09/09/04

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Date of file creation: Web version of Appendix A: 10/26/18

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CITY PLANNING COMMISSION  
[nyc.gov/planning](http://nyc.gov/planning)

DEPARTMENT OF CITY PLANNING  
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Use	Use Group	Districts in Which
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Limited as to #floor area# used for production [PRC-B]	6	C1 C2 C4 C5 C6 C8 M1 M2 M3
Unlimited (See Food-Products processing)		
Banks, including drive-in banks [PRC-B]	6	C1 C2 C4 C5 C6 C8 M1 M2 M3
Banquet halls [PRC-D]	9	C2 C4 C5 C6 C8 M1 <sup>3</sup>
	13	C7 C8 M1 <sup>3</sup> M2 M3
Barber shops [PRC-B]	6	C1 C2 C4 C5 C6 C8 M1 M2 M3
Baths, steam (See #Physical culture or health establishments#)		
Beaches, commercial [PRC-E]	13	C3* C7 C8 M1 <sup>3</sup> M2 M3
Beauty parlor	6	C1 C2 C4 C5 C6 C8 M1 M2 M3
Beverages:		
Bottling works	17	M1 M2 M3
Manufacture:		
Alcoholic	18	M3
Non-alcoholic	17	M1 M2 M3
Bicycle:		
Manufacture	17	M1 M2 M3
Rental or repair shops [PRC-B1]	7	C2 C6 <sup>4</sup> C8 M1 M2 M3
	14	C2 C3 C7 C8 M1 M2 M3
Sales [PRC-B]	6	C1 C2 C4 C5 C6 C8

Carpet:		
Cleaning establishments [PRC-F]	16	C8 M1 M2 M3
Manufacture	17	M1 M2 M3
Carpet, rug, linoleum or other floor covering stores [PRC-B1]:		
Limited as to #floor area#	6	C1 C2 C4 C5 C6 C8 M1
Unlimited	10	C4 C5 C6 C8 M1**
Catering establishments [PRC-B1]	9	C2 C4 C5 C6 C8 M1 <sup>3</sup>
	13	C7 C8 M1 <sup>3</sup> M2 M3
Cement manufacture	18	M3
Cemeteries	4	R3-R10 C1 C2 C3 C4 C5 C6 C8 M1
Ceramic products:		
Manufacture, custom [PRC-F]	11	C5 C6 <sup>4</sup> C8 M1 M2 M3
Manufacture	17	M1 M2 M3
Charcoal manufacture	18	M3
Chemicals:		
Compounding or packaging	17	M1 M2 M3
Manufacture	18	M3
Children's amusement parks [PRC-E]:		
Small	13	C7 C8 M1 <sup>3</sup> M2 M3
Medium	15	C7 C8* M1*
Large	15	C7 C8**

Limited as to #floor area#	6	C1 C2 C4 C5 C6 C8 M1
Unlimited	10	C4 C5 C6 C8 M1**
<b>Clubs:</b>		
Nightclubs (See Eating or drinking places)		
<b>Non-commercial:</b>		
All types with limitations	4	R1-R2* R3- R10 C1 C2 C3 C4 C5 C6 C8 M1**
All types, including outdoor swimming pool clubs or clubs with outdoor swimming pools [PRC-D]	6	R1-R2** R3- 10** C1 C2 C4 C5 C6 C8 M1 <sup>3</sup>
	14	R1-R2** R3- 10** C2 C3 C7 C8 M1 <sup>3</sup> M2 M3
<b>Coal:</b>		
Products manufacture	18	M3
<b>Sales, open or enclosed:</b>		
Limited as to lot area [PRC-B1]	16	C8 M1 M2 M3
Unlimited (See Coal storage)		
Storage, open or enclosed	18	M3
Coin stores [PRC-B]	6	C1 C2 C4 C5 C6 C8 M1
Coke products, manufacture	18	M3
Colleges or universities, including professional schools, or college or school dormitories or fraternity or sorority houses, but excluding business colleges or	3	R1-R2* R3- R10 C1 C2 C3 C4

		C3** C4** C5** C6**
Dormitories, college or school (See Colleges or universities)		
Drafting instruments manufacture [PRC-F]	11	C5 C6 <sup>4</sup> C8 M1 M2 M3
Dressmaking shops, custom [PRC-B]	6	C1 C2 C4 C5 C6 C8 M1 M2 M3
Drinking places (See Eating or drinking establishments)		
Drive-in theaters		C7** C8** M1** M2** M3**
Drug stores [PRC-B]	6	C1 C2 C4 C5 C6 C8 M1 M2 M3
	12	C4 C6 C7 C8 M1
Dry cleaning or clothes pressing establishments, limited as to #floor area#, solvents, and machine capacity [PRC-B]	6	C1 C2 C4 C5 C6 C8 M1 M2 M3
Dry cleaning or cleaning and dyeing establishments, without restrictions [PRC-F]	16	C8 M1 M2 M3
Dry goods stores [PRC-B]:		
Limited as to #floor area#	6	C1 C2 C4 C5 C6 C8 M1
Unlimited	10	C4 C5 C6 C8 M1**
Dumps	18	M3
<b>Eating or drinking establishments:</b>		
Including those which provide outdoor table service or have music for which there is no cover charge and no specified showtime [PRC-B]	6	C1 C2 C3* C4 C5 C6 C8 M1 <sup>9</sup> M2 M3
With #accessory# drive-through facilities [PRC-B]	6	C1 <sup>8</sup> C2 C4 C6 C8

		M1 <sup>9</sup> M2 M3
With musical entertainment but not dancing, with a capacity of 200 persons or less [PRC-B]	6	C1 C2 C3* C4 C5 C6 C8 M1 M2 M3
With entertainment but not dancing, with a capacity of 200 persons or less [PRC-B]	6	C1 <sup>10</sup> C2 <sup>10</sup> C3* C4 C5* C6 C8 M1 <sup>9</sup> M2 M3
With entertainment and a capacity of more than 200 persons or establishments of any capacity with dancing [PRC-D]	12	C2* C3* C4 <sup>11*</sup> C6 <sup>12</sup> C7 C8 M1 <sup>13</sup> M2 M3
Without restrictions on entertainment or dancing but limited to location in hotels [PRC-D]	10	C4 C5 C6 C8
Electric:		
Power or steam generating plants	18	M3
Substations:		
Public transit or railroad:		
Small or medium	17	R1-R2* R3-R10* C1-C8* M1 M2 M3
Large	17	R1-R2** R3-R10** C1-C8** M1 M2 M3
Utility:		
Small	6	R1-R2* R3-R10* C1 C2 C4 C5 C6 <sup>4</sup> C8 M1 M2 M3
Medium	17	R1-R2* R3-R10* C1-C8* M1 M2 M3
Large	17	R1-R2** R3-R10**

		C5 C6
Limited as to location	4	R1-R2 R3-R10 C1 C2 C3 C4 C5 C6 C8 M1**
Hospital staff dwellings, proprietary (See #Residences#)		
#Hotels#:		
#Transient# [PRC-H]	5	R10 <sup>27**</sup> C1 <sup>16</sup> C2 C4 C5 C6 C8 M1
#Apartment#	2	R3 <sup>1</sup> -R10 C1-C6
Household:		
Appliance repair shops [PRC-B]	8	C2 C4 C6 C8 M1 M2 M3
Appliance stores (See Appliances- Television, radio, phonograph, or household appliance stores)		
Equipment or machinery repair shops [PRC-B1]	16	C8 M1 M2 M3
Houses of worship	4	R1-R2 R3-R10 C1 C2 C3 C4 C5 C6 C8 M1
Ice cream stores [PRC-B]	6	C1 C2 C4 C5 C6 C8 M1 M2 M3
	12	C4 C6 C7 C8 M1 M2 M3
	14	C2 C3 C7 C8 M1 M2 M3
Ice:		
Manufacture, dry or natural	17	M1 M2 M3
Sales, open or enclosed:		

Rights-of-way	4	R1-R2 R3-R10 C1 C2 C3 C4 C5 C6 C8 M1
Substations:		
Small or medium	17	R1-R2* R3-R10* C1-C8* M1 M2 M3
Large	17	R1-R2** R3-R10** C1-C8** M1 M2 M3
Railroads, including rights-of-way, freight terminals, yards or appurtenances, or facilities or services used or required in railroad operations, but not including passenger stations	17	M1 M2 M3
Record stores [PRC-B]	6	C1 C2 C4 C5 C6 C8 M1
	12	C4 C6 C7 C8 M1
Recreation centers, non-commercial	4	R1-R2 R3-R10 C1 C2 C3 C4 C5 C6 C8 M1**
Rectories	4	R1-R2 R3-R10 C1 C2 C3 C4 C5 C6 C8 M1**
Reducing salons (See #Physical culture or health establishments#)		
Refreshment stands, drive-in [PRC-H]	7	C2 C6 <sup>4</sup> C8 M1 M2 M3
	13	C7 C8 M1 <sup>3</sup> M2 M3

Appendix A: Index of Uses

Studios:		
Art, music, dancing or theatrical [PRC-B]	9	C2 C4 C5 C6 C8 M1 M2 M3
Radio or television [PRC-D]	10	C4 C5 C6 C8 M1 M2 M3
Sugar refining	18	M3
Swimming pools:		
Commercial [PRC-E]	13	C3* C7 C8 M1 <sup>3</sup> M2 M3
Non-commercial (See Clubs)		
Table tennis halls [PRC-D]	12	C4 C6 C5 C8 M1 <sup>3</sup> M2 M3
Tailor shops, custom [PRC-B]	6	C1 C2 C4 C5 C6 C8 M1 M2 M3
Tanning (See Leather or fur)		
Tapestries manufacture [PRC-F]	11	C5 C6 <sup>4</sup> C8 M1 M2 M3
Tar products manufacture	18	M3
Taxidermist shops [PRC-B1]	7	C2 C6 <sup>4</sup> C8 M1 M2 M3
Telegraph offices [PRC-B]	6	C1 C2 C4 C5 C6 C8 M1
Telephone exchanges or other communications equipment structures	6	R1-R2* R3- R10* C1 C2 C4 C5 C6 <sup>4</sup> C8 M1 M2 M3
Television:		
Repair shops	8	C2 C4 C6 C8 M1 M2 M3
Stores (See Appliances)		
Studios (See Studios)		



Wool scouring or pulling	18	M3
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- 1 Not permitted in R3-1, R3A, R3X, R4-1, R4A or R4B Districts.
- 2 Permitted only in C4-1 Districts.
- 3 Not permitted in M1-5A or M1-5B Districts.
- 4 Not permitted in C6-1A Districts.
- 5 Permitted in M1-5A and M1-5B Districts only as provided by Section 42-14 paragraph D.(5), and in M1-5 by special permit (Section 74-921).
- 6 Outdoor use subject to locational conditions.
- 7 Proprietary facilities not permitted in R1 and R2 Districts.
- 8 #Accessory# drive-through facilities permitted in C1-1, C1-2 and C1-3 Districts only as provided by special permit (Section 73-243).
- 9 Permitted in M1-5A and M1-5B Districts only as provided by Section 42-14 paragraph D.(3).
- 10 Permitted in C1-1, C1-2, C1-3, C1-4, C2-1, C2-2, C2-3 and C2-4 Districts only as provided by special permit (Section 73-241).
- 11 Permitted as-of-right or by special permit in C4 Districts, depending upon location.
- 12 Permitted as-of-right in C6 Districts with conditions.
- 13 Permitted in M1-5A, M1-5B, M1-5M and M1-6M Districts only as provided by special permit (Section 73-244).
- 14 Limited to 10,000 square feet of #floor area# per establishment in M1, M2 and M3 Districts. Unlimited #floor area# permitted in M1 Districts as provided by special permit (Section 74-922).
- 15 Parking requirement category A applies to food stores with 2,000 sq. ft. or more of #floor area#; category B applies to food stores with less than 2,000 sq. ft. of #floor area#.

- 16 Not permitted in C1-1, C1-2, C1-3 or C1-4 Districts.
- 17 Not permitted in M1-1, M1-5A, M1-5B Districts and M1 Districts with a suffix "D."
- 18 Permitted with limitations in R3-1, R3A, R3X, R4-1, R4A and R4B Districts as provided by special permit (Section 73-125).
- 19 In #Manufacturing Districts#, limited to museums that are ancillary to existing motion picture production, radio or television studios; permitted in M1-5A and M1-5B Districts as provided by Section 42-14 paragraph D.(5).
- 20 Not permitted in Community Districts designated in Section 74-903 except by special permit.
- 21 Subject to the provisions of Article I, Chapter 3 in Manhattan Community Districts 1, 2, 3, 4, 5, 6, 7 and 8.
- 22 Not permitted in C2-5, C2-6, C2-7, C2-8, C4-5, C4-6, C4-7, C6, C8-4, M1-4, M1-5, M1-6, M2-3, M2-4 or M3-2 Districts except as provided by special permit.
- 23 Not permitted in C4-5, C4-6, C4-7, C6, C8-4, M1-4, M1-5, M1-6, M2-3, M2-4 or M3-2 Districts except by special permit.
- 24 Permitted in C4-1 District only by special permit.
- 25 Permitted in C6-1, C6-2, C6-3 and C6-4 Districts only.
- 26 #Residential uses# in R3A, R3X and R4A Districts are limited to #single-# or #two-family detached residences# and, in R3-1 and R4-1 Districts, are limited to #single-# or #two-family detached# or #semi-detached residences#, except that in R3A or R4-1 Districts, single- or two-family #zero lot line buildings# are also permitted.
- 27 Permitted only on R10-H Districts by special permit.
- 28 Permitted with locational conditions.
- 29 Not permitted in C6-1, C6-2 and C6-3 Districts.
- 30 Permitted only in C1-9 Districts.

<sup>31</sup> Permitted only in C6-5 and C6-7 Districts.