

**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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## **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

**CITY PLANNING COMMISSION**

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## 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

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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]



§ 32-15 Use Group 6

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

## § 32-15 Use Group 6

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

## §32-18 Use Group 9 Banquet halls

#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

## §32-22 Use Group 13 Banquet Halls

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]

## §32-31 Special Permits By the Board of Standards and Appeals

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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CITY PLANNING COMMISSION  
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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)



**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 photostatting 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**

## §42-14 Use Group 17 Manufacturing District

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

§42-14 Use Group 17 Manufacturing District

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

§42-14 Use Group 17 Manufacturing District

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)

## **42-32**

### **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.

M1 M2 M3  
Airports

M1  
Amusement parks, children's, with sites of not less than 75,000 square feet nor more than 10 acres per establishment [PRC-E]

M1 M2 M3  
Arenas, auditoriums, or stadiums with a capacity in excess of 2,500 seats [PRC-D]

M1 M2 M3  
Bus stations, with less than 10 berths

M1 M2 M3  
Bus stations, with 10 or more berths

M1  
Carpet, rug, linoleum or other floor covering stores, with no limitation on #floor area# per establishment [PRC-B1]

M1  
Clothing or clothing accessory stores, with no limitation on #floor area# per establishment [PRC-B]

M1  
Department stores [PRC-B]

M1 M2 M3  
Docks for #gambling vessels#, pursuant to Section 62-838

M1 M2 M3  
Drive-in theaters, with a maximum capacity of 500 automobiles

M1  
Dry goods or fabrics stores, with no limitation on #floor area# per establishment [PRC-B]

M1  
Food stores, with no limitation on #floor area# per establishment [PRC-B]

M1

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

M1 M2 M3

Heliports

M1

Indoor interactive entertainment facilities with eating and drinking\* [PRC-D]

M1-5

Museums and non-commercial art galleries

M1-1 M1-2 M1-3 M2-1 M2-2 M3-1

#Public parking garages#\*\* with capacity of more than 150 spaces

M1-4 M1-5 M1-6 M2-3 M2-4 M3-2

#Public parking garages#\*\* with any capacity

M1 M2 M3

#Public parking lots# with capacity of more than 150 spaces\*\*

M1 M2 M3

Railroad passenger stations

M1 M2 M3

Seaplane bases

M1 M2 M3

#Self-service storage facilities# in designated areas within #Manufacturing Districts# in Subarea 2, as shown on the maps in APPENDIX J (Designated Areas Within Manufacturing Districts) of this Resolution.

M1 M2

Sewage disposal plants

M1

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

M1 M2 M3

Trade expositions, with rated capacity of more than 2,500 persons [PRC-D]

M1 M2 M3

#Uses# listed in a permitted Use Group for which #railroad or transit air space# is #developed#

M1

#Uses# listed in Use Group 4A Community Facilities, except ambulatory diagnostic or treatment health care facilities and houses of worship

M1

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

\* In M1-1, M1-5A, M1-5B Districts and M1 Districts with a suffix "D," indoor interactive entertainment facilities with eating and drinking are not permitted

\*\* 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

(12/15/61)

#### **42-40**

#### **SUPPLEMENTARY USE REGULATIONS AND SPECIAL PROVISIONS APPLYING ALONG DISTRICT BOUNDARIES**

(2/2/11)

#### **42-41**

#### **Enclosure of Commercial or Manufacturing Activities**

M1 M2 M3

In all districts, as indicated, all commercial or manufacturing activities established by #development#, #enlargement#, #extension# or change of #use#, except storage of materials or products, shall be subject to the provisions of this Section with respect to enclosure, except as otherwise specifically provided in the Use Groups permitted in the district, and in Sections 44-11 (General Provisions) and 44-51 (Permitted Accessory Off-street Loading Berths). With respect to the #enlargement# or #extension# of an existing #use#, such provisions shall apply to the #enlarged# or #extended# portion of such #use#.

(12/15/61)

**42-411**

**In M1 Districts**

M1

In the district indicated, all such activities shall be located within #completely enclosed buildings#, provided, however, that #commercial uses# may be located within #buildings# which are #completely enclosed# except for store fronts or store windows which may be opened to serve customers outside the #building#.

(12/15/61)

**42-412**

**In M2 or M3 Districts**

M2 M3

In the districts indicated, all such activities within 300 feet of a #Residence District# boundary shall be located within #completely enclosed buildings#, provided, however, that #commercial uses# may be located within #buildings# which are #completely enclosed# except for store fronts or store windows which may be opened to serve customers outside the #building#.

(2/2/11)

**42-42**

**Enclosure or Screening of Storage**

M1 M2 M3

In all districts, as indicated, all storage of materials or products established by #development#, #enlargement#, #extension#, change of #use#, or any new open storage or any increase in the portion of a #zoning lot# used for open storage, shall conform to the provisions of this Section. In addition, new #accessory# open storage or any increase in the portion of a #zoning lot# used for #accessory# open storage shall conform to the provisions of this Section.

With respect to the #enlargement# or #extension# of existing storage of materials or products, such provisions shall apply to the #enlarged# or #extended# portion of such storage.



(12/15/61)

**42-421**

**In M1 Districts**

M1

In the district indicated, storage of materials or products within 200 feet of a #Residence District# boundary shall be located within #completely enclosed buildings#.

(12/15/61)

**42-422**

**In M2 or M3 Districts**

M2 M3

In the districts indicated, and within 200 feet of a #Residence District# boundary, open storage of materials or products shall be permitted only if effectively screened by a solid wall or fence (including solid entrance and exit gates) at least eight feet in height.

(12/15/61)

**42-44**

**Limitations on Business Entrances, Show Windows or Signs**

M1 M2 M3

In all districts, as indicated, the location of primary business entrances, #show windows#, or #signs# shall be subject to the provisions of this Section. For the purposes of this Section, a lot of record or a group of contiguous lots of record held in single ownership or control at December 15, 1961, or any applicable amendment thereto, shall be considered a single #zoning lot#, regardless of any subsequent subdivision.

For the purposes of this Section, a #corner lot# shall include the entire #zoning lot#, notwithstanding the 100 foot limitation in the definition of #corner lots# in Section 12-10 (DEFINITIONS). All other #zoning lots# shall be considered

#zoning lots# with single frontage.

The provisions of this Section shall not apply to:

- (a) vehicular entrances or exits for permitted drive-in #uses# or automotive service establishments or for permitted or required #accessory# off-street parking spaces or loading berths;
- (b) service entrances, or other entrances less than 3 feet, 6 inches in width;
- (c) windows other than #show windows#; or
- (d) ventilators, fire escapes or other appurtenances required by law.

(12/15/61)

#### **42-441**

##### **For zoning lots with single frontage**

M1 M2 M3

In all districts, as indicated, for #zoning lots# with single frontage, no primary business entrance, #show window# or #sign# shall be located on that portion of the #street# frontage within 20 feet of frontage on the same side of the #street# in a #Residence District#.

However, where the #street# frontage of such #zoning lot# or portion thereof located within the #Manufacturing District# is less than 30 feet in length, such minimum distance shall be reduced to 10 feet.

For #zoning lots# with a frontage of more than 30 feet, an application may be made to the Board of Standards and Appeals to reduce such minimum distance to 10 feet, as provided in Section 73-50 (SPECIAL PROVISIONS APPLYING ALONG DISTRICT BOUNDARIES).

(12/15/61)

#### **42-442**

##### **For corner lots**

M1 M2 M3

In all districts, as indicated, no primary business entrance, #show window# or #sign# shall be located on that portion of the #street# frontage of a #corner lot# within 75 feet of frontage on the same side of the #street# in a #Residence District#.

However, primary business entrances, #show windows#, or #signs# may be located on frontage less than 75 feet, but not less than 20 feet, from a #Residence District# boundary:

- (a) if the total length of the #block# face containing such frontage is less than 220 feet; or
- (b) if such frontage adjoins frontage on a #corner lot# in a #Residence District#; or
- (c) if such frontage is separated from frontage in the #Residence District# by one or more #zoning lots# with single frontage.

(12/15/61)

#### **42-45**

#### **Exceptions for Integrated Developments Divided by District Boundaries**

M1 M2 M3

In all districts, as indicated, primary business entrances, #show windows# or #signs# may be located on any frontage within a #Manufacturing District#, if the Commissioner of Buildings finds that the #zoning lot# on which the business entrance, #show window# or #sign# is to be located:

- (a) is divided by a boundary between the #Manufacturing District# and a #Residence District#; or
- (b) is presently in the same ownership as adjoining property located in a #Residence District#, and no #building# in the #Residence District# exists, or will in the future be erected, within a distance of 75 feet from the #Manufacturing District#, as evidenced by deed restrictions filed in an office of record binding the owner and his heirs and assigns.

(2/22/90)

## **42-46**

### **Air Space Over a Railroad or Transit Right-of-way or Yard**

(11/19/87)

## **42-461**

### **Definitions**

Words in italics are defined in Section 12-10 or, if applicable exclusively to this Chapter, in this Section.

(3/22/16)

## **42-462**

### **Use of railroad or transit air space**

M1 M2 M3

- (a) In all districts, as indicated, #railroad or transit air space# may be #developed# or used only for a permitted #use accessory# to the railroad or transit right-of-way or yard, a #use# permitted by the City Planning Commission as set forth in Section 74-681 (Development within or over a railroad or transit right-of-way or yard), a railroad passenger station permitted by the City Planning Commission as set forth in Section 74-62 (Railroad Passenger Stations) or an open vehicle storage establishment authorized pursuant to this Section unless the right-of-way or yard or portion thereof is no longer required for railroad or transit #use# as set forth in paragraph (b) of this Section.

If any #building or other structure# constructed in such #railroad or transit air space# in accordance with the provisions of Section 74-681 is #enlarged# or replaced by a new #building or other structure#, the provisions of this Section shall apply to such #enlargement# or replacement.

However, any #use# legally established in such #railroad or transit air space# in accordance with the provisions of Section 74-681 may be changed to another #use# listed in a permitted Use Group, and no special permit from the Commission shall be required for such change of #use#.

Any #building or other structure# within or over a railroad or transit right-of-way or yard, which #building or other

structure# was completed prior to September 27, 1962, or constructed in accordance with the applicable provisions of Sections 11-31 to 11-34, inclusive, prior to December 5, 1991, may be #enlarged# or replaced in accordance with the applicable district regulations without any requirement for a special permit from the Commission. Ownership of rights permitting the #enlargement# or replacement of such a #building or other structure# shall be deemed to be equivalent to ownership of a #zoning lot# or portion thereof, provided that such #enlargement# or replacement will be on one #block# and the rights are in single ownership and recorded prior to February 22, 1990. Such ownership of rights shall be deemed to include alternative ownership arrangements specified in the #zoning lot# definition of Section 12-10 (DEFINITIONS).

#Enlargement# or replacement utilizing these ownership rights shall be deemed to be constructed upon the equivalent of a #zoning lot#.

- (b) When the #use# of a railroad or transit right-of-way or yard, or portion thereof, has been permanently discontinued or terminated and a #large-scale development# requiring one or more special permits is proposed, no #use# or #development# of the property shall be allowed until the Commission has authorized the size and configuration of all #zoning lots# created on such property. As a condition for such authorization, the Commission shall find that:
- (1) the proposed #zoning lots#, indicated by a map describing the boundaries of, and the total area of, each lot, are not excessively large, elongated or irregular in shape and that no #development# on any #zoning lot# would result in the potential for an excessive concentration of #bulk# that would be incompatible with allowable #developments# on adjoining property; and
  - (2) each resulting #zoning lot# has direct access to one or more #streets#.

No subsequent alteration in size or configuration of any #zoning lot# approved by the Commission shall be permitted unless authorized by the Commission. The Commission may prescribe appropriate conditions and safeguards to minimize adverse effects of such #zoning lot# designation on the character of the surrounding area. Such conditions shall be set forth in a written Declaration of Restrictions covering all tracts of land or in separate written Declarations of Restrictions covering parts of such tracts of land and which

in the aggregate cover the entire tract of land comprising the #zoning lot# and which is executed and recorded as specified in the definition of #zoning lot# in Section 12-10.

Prior to granting any #zoning lot# authorization relating to such right-of-way or yard, the Commission shall request the Metropolitan Transportation Authority and the Departments of Transportation of the State of New York and the City of New York to indicate within 30 days whether said agencies have any plan to use such property or portion thereof for a railroad or transit #use#.

- (c) In an M1-1 District, on the #block# bounded by Vanderbilt Avenue, Atlantic Avenue, Carlton Avenue and Pacific Street in the Borough of Brooklyn, the Commission may authorize the #use# of #railroad or transit air space# for an open vehicle storage establishment provided the Commission makes the following findings:

- (1) that adequate access to one or more #streets# is provided;
- (2) that access to such #use# is located on a #street# not less than 60 feet in width;
- (3) that the proposed open vehicle storage establishment will result in reducing the number of vehicles standing on nearby #streets#; and
- (4) that such establishment is located not less than 20 feet below #curb level# except for access ramps to the #street# or #streets#.

For the purpose of this authorization a secondary access ramp may be permitted provided that the intersection of such ramp and the #street# shall be no more than two #blocks# from the intersection of the primary access ramp and a #street#.

The Commission may prescribe appropriate conditions and safeguards to minimize any adverse effects on the character of the surrounding area, including requirements for the shielding of flood lights, screening, and surfacing of all access ramps or driveways.

- (d) Notwithstanding the above, the #High Line#, as defined in Section 98-01, shall be governed by the provisions of Section 98-16 (Air Space Over a Railroad or Transit Right-of-way or Yard).

(9/21/11)

#### **42-47**

#### **Residential Uses in M1-1D Through M1-5D Districts**

In M1-1D, M1-2D, M1-3D, M1-4D and M1-5D Districts, new #residences# or #enlargements# of existing #residences# may be permitted by authorization of the City Planning Commission provided the #zoning lot# existing on June 20, 1988, meets the criteria of paragraphs (a), (b) or (c) of this Section.

- (a) On #zoning lots# containing #residential# or #community facility uses#, new #residences# or #enlargements# of existing #residences# may be authorized, provided:
  - (1) the #zoning lot# contains a #building# that has one or more #stories# of lawful #residential# or #community facility uses# and no more than one #story# of #commercial# or #manufacturing uses# therein;
  - (2) the #zoning lot# contains no other #commercial# or #manufacturing uses#; and
  - (3) 25 percent or more of the aggregate length of the #block# fronts on both sides of the #street# facing each other is occupied by #zoning lots# containing #residential# or #community facility uses#.
- (b) On vacant #zoning lots#, new #residences# may be authorized, provided:
  - (1) the #zoning lot# has been vacant continuously since June 20, 1988, or has been vacant continuously for five years prior to the date of application for such authorization;
  - (2) a #zoning lot abutting# on one #side lot line# and fronting on the same #street# is occupied by a #community facility building# or a #building# containing #residences#; and
  - (3) either of the following conditions exist:
    - (i) such vacant #zoning lot# and any contiguous vacant #zoning lots# and #land with minor improvements# fronting on the same #street# aggregate no more than 10,000 square feet of #lot area#, and 50

percent or more of the aggregate length of the #block# fronts on both sides of the #street# facing each other is occupied by #zoning lots# containing #residential# or #community facility uses#; or

(ii) such vacant #zoning lot# and any contiguous vacant #zoning lots# and #land with minor improvements# fronting on the same #street# aggregate no more than 5,000 square feet of #lot area#, and 25 percent or more of the aggregate length of the #block# fronts on both sides of the #street# facing each other is occupied by #zoning lots# containing #residential# or #community facility uses#.

(c) On #land with minor improvements#, new #residences# may be authorized provided such #land with minor improvements# otherwise meets all the criteria for vacant #zoning lots# listed in paragraph (b) of this Section, except that new #residential use# shall not be authorized on #land with minor improvements# that:

(1) is used for parking, storage or processing in connection with a conforming, enclosed #commercial# or #manufacturing use# within the district; or

(2) has been so used within five years prior to the date of application, unless such land has not been so used since June 20, 1988.

(d) In determining eligibility for #residential use#, pursuant to paragraphs (a), (b) or (c) of this Section, the following regulations shall be applicable:

(1) In order to determine whether a #corner lot# meets the criteria of paragraph (a), (b) or (c) above, the aggregate length of the #block# fronts occupied by #zoning lots# that contain #residential# or #community facility uses# may be measured along any #block# front upon which such #corner lot# has frontage.

(2) In determining the percent of the aggregate length of the #block# fronts occupied by #zoning lots# that contain #residential# or #community facility uses#, the length along the #block# front of every #zoning lot#, whether occupied or not, shall be measured and aggregated, and this total shall be divided by the aggregate length of the #block# fronts occupied by #zoning lots# containing lawful #residential# or



#community facility uses#. Vacant #zoning lots# and #land with minor improvements# shall not be counted as #residential# or community facility frontage.

For the purpose of this Section, the length along the #block# front of any #zoning lot# occupied by a #building# that contains one or more #stories# of #residential# or #community facility use# and no more than one #story# of #commercial# or #manufacturing use# shall be considered as a frontage of #residential# or #community facility uses#, and the length along the #block# front of any #zoning lot# occupied by a #building# that contains one or more #stories# of #residential# or #community facility use# and more than one #story# of #commercial# or #manufacturing uses# shall be considered as a frontage of #commercial# or #manufacturing uses#.

- (3) New #residential use# shall not be authorized on any #floor area# that is vacant or that is occupied by a #commercial# or #manufacturing use#, except that in a #building designed for residential use# where at least 50 percent of the #floor area# is occupied by #residential use#, the #residential use# may be #extended#.
- (4) In any #building#, no #residential use# may be located on or below a #story# occupied by a #commercial# or #manufacturing use#.
- (5) For the purposes of this Section, a #through lot# fronting on no more than two #streets# shall be treated as if it consisted of two separate #zoning lots# with #abutting rear lot lines# at a line midway between the two #street lines# upon which such #through lot# fronts. In the case of a #through lot# that fronts on more than two #streets#, the #through lot# portion shall first be considered as if it were so divided, and then any remaining portion shall be considered as if it were a separate #zoning lot#. Notwithstanding, in no event shall contiguous portions of a #through lot# that front on the same #street# be treated as if they were separate #zoning lots#.

Each resulting portion of such #through lot# on each #street# frontage shall be considered separately to determine whether it meets the criteria for new #residences# set forth in paragraphs (a), (b) or (c) of this Section, and only on such portion may new #residences# or #enlargements# of existing #residences#

be authorized. Only the #lot area# of such portion shall be calculated in determining the permitted amount of #floor area# to be authorized pursuant to this Section.

- (6) A #zoning lot# or contiguous #zoning lots# existing on June 20, 1988, that have been vacant continuously since June 20, 1988, or have been vacant continuously for five years prior to the date of application for such authorization, that are contiguous to and front on the same #street# as a vacant #zoning lot# or #land with minor improvements# that meets all the requirements of paragraph (b) or (c) of this Section, may be combined with such eligible #zoning lot# in its application to authorize #residential use#. The aggregate #lot area# of all such contiguous vacant #zoning lots# or #land with minor improvements# shall be limited by the requirements of paragraph (b) (3).
- (e) In authorizing such #residential uses#, the Commission shall find that:
  - (1) the #residential uses# will not be exposed to excessive noise, smoke, dust, noxious odor, toxic materials, safety hazards or other adverse impacts from current or previous #commercial# or #manufacturing uses#;
  - (2) there are no open #uses# listed in Use Group 18 within 400 feet of the #zoning lot#;
  - (3) the #residential uses# will not adversely affect #commercial# or #manufacturing uses# in the district; and
  - (4) the authorization will not alter the essential character of the neighborhood or district in which the #use# is located, nor impair the future #use# or #development# of #commercial# and #manufacturing zoning lots#.

In granting such authorization, the Commission may prescribe additional conditions and safeguards as the Commission deems necessary.

#Residential uses# authorized pursuant to this Section shall be subject to the regulations of Sections 43-61 (Bulk Regulations for Residential Uses in M1-1D Through M1-5D Districts) and 44-28 (Parking Regulations for Residential Uses in M1-1D through M1-5D Districts).

Regulations governing other #residential uses# in M1-D Districts are set forth in Article V, Chapter 2 (Non-conforming Uses).

#Residential uses# in M1-D Districts may #enlarge# pursuant to the regulations of Section 52-46 (Conforming and Non-conforming Residential Uses in M1-1D through M1-5D Districts) or of this Section.

(9/21/11)

#### **42-48**

##### **Supplemental Use Regulations in M1-6D Districts**

All permitted #uses# in M1-6D Districts, as set forth in Section 42-10 (USES PERMITTED AS-OF-RIGHT), shall comply with the provisions set forth in this Section, inclusive.

(9/21/11)

#### **42-481**

##### **Residential use**

#Residential use# shall be permitted in M1-6D Districts only in accordance with the provisions of this Section. For the purposes of this Section, a "qualifying #building#" shall be any #building# that existed on April 25, 2011, and which contained at least 40,000 square feet of #floor area# on such date.

##### **(a) #Residential use# as-of-right**

#Residential use# shall be permitted as-of-right on any #zoning lot# that, on April 25, 2011, was not occupied by a qualifying #building#. Such absence of a qualifying #building# on the #zoning lot# shall be demonstrated to the satisfaction of the Department of Buildings.

##### **(b) #Residential use# by certification**

#Residential use# shall be permitted on a #zoning lot# that, on April 25, 2011, was occupied by one or more qualifying #buildings#, only upon certification by the Chairperson of the City Planning Commission that the #zoning lot# will contain at least the amount of non-#residential floor area# that existed within qualifying #buildings# on the #zoning lot# on April 25, 2011, provided that:

- (1) preservation of non-#residential floor area# within existing non-qualifying #buildings# on the #zoning lot# shall not be counted toward meeting the requirements of this certification; and
- (2) #floor area# from #community facility uses# with sleeping accommodations shall not be counted toward meeting the requirements of this certification.

However, non-#residential floor area converted# to #residential# vertical circulation and lobby space need not be replaced as non-#residential floor area#.

A restrictive declaration acceptable to the Department of City Planning shall be executed and recorded, binding the owners, successors and assigns to provide the amount of non-#residential floor area# that existed within qualifying #buildings# on April 25, 2011, on the #zoning lot#. 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 non-#residential# to #residential#, or for a new #building# containing #residences#.

(9/21/11)

#### **42-482**

##### **Community facility use**

The #community facility use# regulations applicable in M1 Districts shall not apply in M1-6D Districts. In lieu thereof, all #community facility uses# listed in Use Groups 3 and 4 shall be permitted, except that #community facilities# with sleeping accommodations shall only be permitted in accordance with paragraphs (a) or (b) of this Section, as applicable.

For the purposes of this Section, a "qualifying #building#" shall be any #building# that existed on April 25, 2011, and which contained at least 40,000 square feet of #floor area# on such date.

- (a) #Community facilities# with sleeping accommodations shall be permitted as-of-right on any #zoning lot# that, on April 25, 2011, was not occupied by a qualifying #building#. Such absence of a qualifying #building# on the #zoning lot# shall be demonstrated to the satisfaction of the Department of Buildings.

(b) #Community facilities# with sleeping accommodations shall be permitted on a #zoning lot# that, on April 25, 2011, was occupied by one or more qualifying #buildings#, only upon certification by the Chairperson of the City Planning Commission that the #zoning lot# will contain at least the amount of non-#residential floor area# that existed within qualifying #buildings# on the zoning lot on April 25, 2011, provided that:

- (1) preservation of non-#residential floor area# within existing non-qualifying #buildings# on the #zoning lot# shall not be counted toward meeting the requirements of this certification; and
- (2) #floor area# from #community facility uses# with sleeping accommodations shall not be counted toward meeting the requirements of this certification.

However, non-#residential floor area# converted to vertical circulation and lobby space associated with a #community facility# with sleeping accommodations need not be replaced as non-#residential floor area#.

A restrictive declaration acceptable to the Department of City Planning shall be executed and recorded, binding the owners, successors and assigns to provide the amount of non-#residential floor area# that existed within qualifying #buildings# on April 25, 2011, on the #zoning lot#. 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 non-#residential# to #community facility# with sleeping accommodations, or for a new #building# containing a #community facility# with sleeping accommodations.

(c) On #narrow streets#, ground floor #community facility uses# shall be subject to the streetscape provisions set forth in Section 42-485 (Streetscape provisions).

(9/21/11)

#### **42-483**

##### **Commercial uses**

The #commercial use# regulations applicable in M1 Districts shall apply in M1-6D Districts, except that:

- (a) #Transient hotels# shall be allowed, except that #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 42-481 (Residential use), 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 area in which such #transient hotel# is located, as set forth in this paragraph, (a), or where such residential development goal has not been met, by special permit pursuant to Section 74-802 (In M1-6D Districts).

The residential development goal shall be met when at least 865 #dwelling units#, permitted pursuant to the provisions of Section 42-481, on #zoning lots# located within an area bounded by West 28th Street, West 30th Street, a line 100 feet west of Seventh Avenue, and a line 100 feet east of Eighth Avenue, have received temporary or final certificates of occupancy subsequent to September 21, 2011.

- (b) Food stores, including supermarkets, grocery stores and delicatessen stores, shall not be limited as to size of establishment.
- (c) On #narrow streets#, ground floor #commercial uses# shall be subject to special streetscape provisions, as set forth in Section 42-485.
- (d) All #uses# listed in Use Group 10 shall be permitted without limitation, except as provided for in paragraph (c) of this Section.

(9/21/11)

#### **42-484**

##### **Manufacturing uses**

In M1-6D Districts, the #manufacturing use# regulations applicable in #Special Mixed Use Districts#, as set forth in Section 123-22 (Modification of Use Groups 16, 17 and 18), inclusive, shall apply.

(3/22/16)

#### **42-485**

## **Streetscape provisions**

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

On #narrow streets#, for #zoning lots# with #street# frontage of 50 feet or more, ground floor #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#. Such #uses# shall extend to a depth in accordance with the provisions of Section 37-32 (Ground Floor Depth Requirements for Certain Uses). The remainder of the #street# frontage of the #zoning lot# may be occupied by any permitted #uses#, lobbies or entrances to parking spaces, provided that lobbies shall comply with the provisions for Type 2 lobbies set forth in Section 37-33 (Maximum Width of Certain Uses).

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 that such spaces are wrapped by #floor area# or screened in accordance with the provisions of Section 37-35 (Parking Wrap and Screening Requirements), as applicable.

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

(10/13/16)

## **42-486**

### **Authorization for modification of streetscape provisions**

For #zoning lots# that have a #street# frontage of less than 75 feet, where entrances to off-street parking or loading facilities are located along such #street# frontage, the City Planning Commission may modify the dimensions of the frontage and depth requirements for ground floor #commercial uses# set forth in Section 42-485 (Streetscape provisions), provided that the Commission finds that such modifications:

- (a) are the minimum necessary to provide sufficient space for access to off-street parking or loading facilities;

- (b) will not adversely affect the streetscape experiences or impact the viability of such #uses#, and the resulting ground floor frontages will effectively contribute to a vibrant mixed-use district; and
- (c) to the greatest extent feasible will result in a ground floor that meets the height requirements for #qualifying ground floors#.

(4/8/98)

## **42-50**

### **SIGN REGULATIONS**

(11/19/87)

## **42-51**

### **Definitions**

Words in italics are defined in Section 12-10 or, if applicable exclusively to this Chapter, in this Section.

(2/27/01)

## **42-52**

### **Permitted Signs**

M1 M2 M3

In all districts, as indicated, #signs# are permitted subject to the provisions of the following Sections:

Section 42-53 (Surface Area and Illumination Provisions)

Section 42-54 (Permitted Projection or Height of Signs)

Section 42-55 (Additional Regulations for Signs Near Certain Parks and Designated Arterial Highways)

Section 42-56 (Special Provisions Applying Along District Boundaries)

Section 42-57 (Additional Sign Regulations for Adult



Establishments)

Section 42-58 (Signs Erected Prior to December 13, 2000).

However, notwithstanding any provision of this Section, flags, banners or pennants other than those that are #advertising signs#, located on any #zoning lot# used primarily for #community facility uses# of a civic, philanthropic, educational or religious nature, are permitted in all districts, as indicated, without limitation.

(10/13/10)

## **42-53**

### **Surface Area and Illumination Provisions**

M1 M2 M3

In all districts, as indicated, all permitted #signs# shall be subject to the restrictions on #surface area# and illumination as set forth in this Section, provided that the following #signs# shall be exempted from such restrictions on #surface area#:

#Illuminated# non-#flashing signs#, other than #advertising signs#, located in a window within a #building#, with a total #surface area# not exceeding eight square feet on any #zoning lot# and limited to not more than three such #signs# in any window.

For the purpose of determining permitted #surface area# of #signs# for #zoning lots# occupied by more than one establishment, any portion of such #zoning lot# occupied by a #building# or part of a #building# accommodating one or more establishments on the ground floor may be considered as a separate #zoning lot#.

No #illuminated sign# shall have a degree or method of illumination that exceeds standards established by the Department of Buildings by rule pursuant to the City Administrative Procedure Act. Such standards shall ensure that illumination on any #illuminated sign# does not project or reflect on #residences# or #joint living-work quarters for artists# so as to interfere with the reasonable use and enjoyment thereof. Nothing herein shall be construed to authorize a #sign with indirect illumination# to arrange an external artificial source of illumination so that direct rays of light are projected from such artificial source into #residences# or #joint living-work quarters for artists#.

(2/27/01)

#### **42-531**

##### **Total surface area of signs**

M1 M2 M3

In all districts, as indicated, the total #surface area# of all permitted #signs#, including non-#illuminated# or #illuminated signs#, shall not exceed the limitation established for non-#illuminated signs#, as set forth in Section 42-532.

(10/13/10)

#### **42-532**

##### **Non-illuminated signs**

M1 M2 M3

In all districts, as indicated, non-#illuminated signs# with total #surface areas# not exceeding six times the #street# frontage of the #zoning lot#, in feet, but in no event more than 1,200 square feet for each #sign#, are permitted.

However, in any #Manufacturing District# in which #residences# or #joint living-work quarters for artists# are, under the provisions of the Zoning Resolution, allowed as-of-right or by special permit or authorization, the total #surface area# of all such permitted #signs# shall not exceed six times the #street# frontage of the #zoning lot#, in feet, and that the #surface area# of each #sign# shall not exceed 750 square feet.

(10/13/10)

#### **42-533**

##### **Illuminated or flashing signs**

M1 M2 M3

In all districts, as indicated, #illuminated# or #flashing advertising signs# are not permitted.

#Illuminated# or #flashing signs#, other than #advertising

signs#, and #accessory# or #advertising signs with indirect illumination# are permitted, provided that the total #surface area# of all such #signs#, in square feet, shall not exceed:

- (a) for #illuminated# or #flashing signs# other than #advertising signs#, five times the #street# frontage of the #zoning lot#, in feet, and that the #surface area# of each #sign# shall not exceed 500 square feet; and
- (b) for #accessory# or #advertising signs with indirect illumination#, five times the #street# frontage of the #zoning lot#, in feet, and that the #surface area# of each #sign# shall not exceed 750 square feet.

However, in any #Manufacturing District# in which #residences# or #joint living-work quarters for artists# are, under the provisions of the Zoning Resolution, allowed as-of-right or by special permit or authorization, the total #surface area# of all such permitted #signs# shall not exceed five times the #street# frontage of the #zoning lot#, in feet, and that the #surface area# of each #sign# shall not exceed 500 square feet.

(2/27/01)

#### **42-54**

##### **Permitted Projection or Height of Signs**

M1 M2 M3

In all districts, as indicated, all permitted #signs# are subject to the applicable regulations of this Section, inclusive.

(10/13/10)

#### **42-541**

##### **Permitted projection**

M1 M2 M3

In all districts, as indicated, except as otherwise provided in Section 42-542 (Additional regulations for projecting signs), no permitted #sign# shall project across a #street line# more than 18 inches for double- or multi-faceted #signs# or 12 inches for all other #signs#, except that:

- (a) in M1-5A, M1-5B, M1-5M and M1-6M Districts, for each

establishment located on the ground floor, non-#illuminated signs# other than #advertising signs# may project no more than 40 inches across a #street line#, provided that along each #street# on which such establishment fronts, the number of such #signs# for each establishment shall not exceed two two-sided #signs# separated at least 25 feet apart, and further provided that any such #sign# shall not exceed a #surface area# of 24 by 36 inches and shall not be located above the level of the first #story# ceiling.

- (b) for #zoning lots# occupied by more than two theaters designed, arranged and used for live performances of drama, music or dance and located within the area bounded by West 34th Street, Eighth Avenue, West 42nd Street and Tenth Avenue, permitted #signs# may project across a #street line# no more than 4 feet, 6 inches, provided the height of any such #signs# shall not exceed 55 feet above #curb level#.

(2/27/01)

#### **42-542**

##### **Additional regulations for projecting signs**

M1 M2 M3

In all districts, as indicated, permitted #signs# other than #advertising signs# may be displayed as follows:

- (a) Non-#illuminated signs# may be displayed on awnings or canopies permitted by the Administrative Code, with a #surface area# not exceeding 12 square feet and with the height of letters not exceeding 12 inches. Any commercial copy on such #signs# shall be limited to identification of the name or address of the #building# or an establishment contained therein.
- (b) #Signs# may be displayed on marquees permitted by the Administrative Code, provided that no such #sign# shall project more than 48 inches above nor more than 12 inches below such marquee.

(2/27/01)

#### **42-543**

##### **Height of signs**

M1 M2 M3

In all districts, as indicated, permitted #signs# shall not extend to a height greater than 40 feet above #curb level#, provided that non-#illuminated signs# or #signs with indirect illumination# may extend to a maximum height of 75 feet.

(2/27/01)

#### **42-55**

#### **Additional Regulations for Signs Near Certain Parks and Designated Arterial Highways**

M1 M2 M3

In all districts, as indicated, the provisions of paragraphs (a), (b) and (c), or paragraph (d), of this Section, shall apply for #signs# near designated arterial highways or certain #public parks#.

- (a) Within 200 feet of an arterial highway or a #public park# with an area of one-half acre or more, #signs# that are within view of such arterial highway or #public park# shall be subject to the following provisions:
  - (1) no permitted #sign# shall exceed 500 square feet of #surface area#; and
  - (2) no #advertising sign# shall be allowed; nor shall an existing #advertising sign# be structurally altered, relocated or reconstructed.
- (b) Beyond 200 feet from such arterial highway or #public park#, the #surface area# of such #signs# may be increased one square foot for each linear foot such sign is located from the arterial highway or #public park#.
- (c) The more restrictive of the following shall apply:
  - (1) any #advertising sign# erected, structurally altered, relocated or reconstructed prior to June 1, 1968, within 660 feet of the nearest edge of the right-of-way of an arterial highway, whose message is visible from such arterial highway, shall have legal #non-conforming use# status pursuant to Section 52-83 (Non-conforming Advertising Signs), to the extent of its size existing on May 31, 1968; or

- (2) any #advertising sign# erected, structurally altered, relocated or reconstructed between June 1, 1968, and November 1, 1979, within 660 feet of the nearest edge of the right-of-way of an arterial highway, whose message is visible from such arterial highway, and whose size does not exceed 1,200 square feet in #surface area# on its face, 30 feet in height and 60 feet in length, shall have legal #non-conforming use# status pursuant to Section 52-83, to the extent of its size existing on November 1, 1979. All #advertising signs# not in conformance with the standards set forth herein shall terminate.
- (d) Within one-half mile of any boundary of the City of New York, permitted #signs# and #advertising signs# may be located along any designated arterial highway that is also:
  - (1) a "principal route" or "toll crossing" that prohibits direct vehicular access to abutting land and provides complete separation of conflicting traffic flows; and
  - (2) a through truck route designated by the New York City Department of Transportation; and
  - (3) that crosses a boundary of the City of New York, without regard to the provisions of paragraphs (a), (b) and (c) of this Section, provided any such permitted or #advertising sign# otherwise conforms to the regulations of this Chapter including, with respect to an #advertising sign#, a location not less than 500 feet from any other #advertising sign#, except that, in the case of any such permitted or #advertising sign# erected prior to August 7, 2000, such #sign# shall have #non-conforming use# status pursuant to Sections 52-82 (Non-conforming Signs Other Than Advertising Signs) and 52-83 with respect to all other regulations of this Chapter to the extent of the degree of #non-conformity# of such #sign# as of August 7, 2000, including, with respect to an #advertising sign#, its location within 500 feet of any other such #advertising sign#.

Upon application, the requirements of paragraphs (a), (b) and (c) of this Section shall be waived, provided that the Chairperson of the City Planning Commission certifies that such waiver is limited to a single non-#flashing sign# other than an #advertising sign#, located on a #zoning lot# not less than one and one-half acres and, all other permitted #signs#, other than #advertising signs# located on such #zoning lot#, that are subject to the provisions of this Section, conform with all the #sign# regulations applicable in C1 Districts.

For the purposes of this Section, arterial highways shall include all highways that are shown on the Master Plan of Arterial Highways and Major Streets as "principal routes," "parkways" or "toll crossings," and that have been designated by the City Planning Commission as arterial highways to which the provisions of this Section shall apply.

(2/27/01)

#### **42-551**

##### **Advertising signs on waterways**

No moving or stationary #advertising sign# shall be displayed on a vessel plying waterways adjacent to #Manufacturing Districts# and within view from an arterial highway.

For the purposes of this Section, arterial highways shall include all highways that are shown on the Master Plan of Arterial Highways and Major Streets as "principal routes," "parkways" or "toll crossings" and that have been designated by the City Planning Commission as arterial highways to which the provisions of this Section shall apply.

For the purposes of this Section, an #advertising sign# is a #sign# that directs attention to a profession, business, commodity, service or entertainment conducted, sold or offered elsewhere than upon the premises of the vessel and is not #accessory# to a #use# on such vessel.

(2/27/01)

#### **42-56**

##### **Special Provisions Applying Along District Boundaries**

(2/27/01)

#### **42-561**

##### **Restrictions along district boundary located in a street**

M1 M2 M3

In all districts, as indicated, and within 100 feet of the #street line# of any #street# or portion thereof in which the

boundary of an adjoining #Residence District# is located, or which adjoins a #public park# of one-half acre or more, #advertising signs# that face at an angle of less than 165 degrees away from such #Residence District# or park boundary shall not be permitted and all other #signs# facing at less than such an angle shall conform with all the #sign# regulations applicable in C1 Districts as set forth in Sections 32-61 to 32-68, inclusive, relating to Sign Regulations.

(2/27/01)

#### **42-562**

##### **Restriction on angle and height above curb level**

M1 M2 M3

In all districts, as indicated, and within 500 feet of the boundary of a #Residence District# or #Commercial District#, except C7 or C8 Districts, any illuminated portion of any #sign# shall face at an angle of more than 90 degrees away from such boundary line and a #sign with indirect illumination# may extend only to a height of 58 feet above #curb level#.

(2/27/01)

#### **42-57**

##### **Additional Sign Regulations for Adult Establishments**

M1 M2 M3

In all districts, as indicated, all permitted #signs#, other than #advertising signs#, for #adult establishments# shall conform with the provisions of this Chapter, except that the maximum #surface area# of all #signs#, other than #advertising signs#, for #adult establishments# shall not exceed, in the aggregate, three times the #street# frontage of the #zoning lot#, but in no event more than 150 square feet per establishment, of which no more than 50 square feet may be #illuminated# and no portion thereof may be #flashing#.

No #signs# for #adult establishments# shall be permitted on the roof of any #building#, nor shall such #signs# extend above #curb level# at a height greater than 25 feet.



(2/27/01)

#### **42-58**

##### **Signs Erected Prior to December 13, 2000**

M1 M2 M3

In all districts, as indicated, a #sign# erected prior to December 13, 2000, shall have #non-conforming use# status pursuant to Sections 52-82 (Non-conforming Signs Other Than Advertising Signs) or 52-83 (Non-conforming Advertising Signs) with respect to the extent of the degree of #non-conformity# of such #sign# as of such date with the provisions of Sections 42-52, 42-53 and 42-54, where such #sign# shall have been issued a permit by the Department of Buildings on or before such date. In all such districts, as indicated, a #sign# other than an #advertising sign# erected prior to December 13, 2000, shall also have #non-conforming use# status pursuant to Section 52-82 with respect to the degree of #non-conformity# of such #sign# as of such date with the provisions of Section 42-55, paragraphs (a)(1) and (b), where such #sign# shall have been issued a permit by the Department of Buildings on or before such date. Nothing herein shall be construed to confer #non-conforming use# status upon any #advertising sign# located within 200 feet of an arterial highway or of a #public park# with an area of one-half acre or more, and within view of such arterial highway or #public park#, or where such #advertising sign# is located at a distance from an arterial highway or #public park# with an area of one-half acre or more which is greater in linear feet than there are square feet of #surface area# on the face of such #sign#, contrary to the requirements of Section 42-55, paragraph (b). The #non-conforming use# status of signs subject to Section 42-55, paragraphs (c)(1), (c)(2) and (d), shall remain unaffected by this provision.

For the purposes of this Section, arterial highways shall include all highways that are shown on the Master Plan of Arterial Highways and Major Streets as "principal routes," "parkways" or "toll crossings," and that have been designated by the City Planning Commission as arterial highways to which the provisions of this Section shall apply.

(9/21/11)

#### **42-59**

##### **Sign Regulations in M1-6D Districts**

In M1-6D Districts, #signs# are permitted subject to the #sign# regulations applicable in C6-4 Districts, as set forth in Section

32-60, inclusive.

# 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 3 - Bulk Regulations

Effective date of most recently amended section of Article IV Chapter 3: 3/22/18

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(12/15/61)

### **Chapter 3**

#### **Bulk Regulations**

(12/15/61)

### **43-00**

#### **APPLICABILITY AND GENERAL PROVISIONS**

(3/22/18)

### **43-01**

#### **Applicability of This Chapter**

The #bulk# regulations of this Chapter apply to any #building or other structure# on any #zoning lot# or portion of a #zoning lot# located in any #Manufacturing District#. The #bulk# regulations of this Chapter shall also apply to any portion of a #zoning lot# in a #Manufacturing District# that is #developed# or #enlarged# with an open #use#. In addition, the #bulk# regulations of this Chapter or of specified Sections thereof also apply in other provisions of this Resolution where they are incorporated by cross reference.

Existing #buildings or other structures# which do not comply with one or more of the applicable #bulk# regulations are #non-complying buildings or other structures# and are subject to the regulations set forth in Article V, Chapter 4.

Special regulations applying to #large-scale community facility developments# are set forth in Article VII, Chapter 8.

Special regulations applying only in Special Purpose Districts are set forth in Article VIII, IX, X, XI, XII, XIII and XIV.

In Manhattan Community Districts 1, 2, 3, 4, 5 and 6, Brooklyn Community Districts 1, 2, 6 and 8, and Queens Community Districts 1 and 2, the #conversion# of non-#residential floor area# to #residences# in #buildings# erected prior to December 15, 1961, or January 1, 1977, as applicable, shall be subject to the provisions of Article I, Chapter 5 (Residential Conversion within Existing Buildings), unless such #conversions# meet the requirements for #residential developments# of Article II (Residence District Regulations).

In M1-1D, M1-2D, M1-3D, M1-4D and M1-5D Districts, the #bulk# regulations governing M1 Districts shall apply to #community facility#, #commercial# and #manufacturing uses#, and the regulations of Section 43-61 (Bulk Regulations for Residential Uses in M1-1D Through M1-5D Districts) shall apply to #residential uses# authorized pursuant to Section 42-47 (Residential Uses in M1-1D Through M1-5D Districts). M1-6D Districts shall be subject to the #bulk# regulations set forth in Section 43-62.

In the M1-1 District bounded by 95th Avenue, 148th Street, 97th Avenue and 147th Place in Community District 12 in the Borough of Queens, the #bulk# regulations of an M1 District shall apply to #manufacturing#, #commercial# and #community facility uses#, and the #bulk# regulations for an R5 District set forth in Article II, Chapter 3, shall apply to #residential uses#.

Special regulations applying in the #waterfront area# are set forth in Article VI, Chapter 2.

Special regulations applying in the #flood zone# are set forth in Article VI, Chapter 4.

(2/2/11)

#### **43-02**

#### **Street Tree Planting in Manufacturing Districts**

M1 M2 M3

In all districts, as indicated, all #developments#, or #enlargements# of 20 percent or more in #floor area#, excluding #developments# or #enlargements# in Use Groups 17 or 18, shall provide #street# trees in accordance with Section 26-41 (Street Tree Planting). In addition, any #building# where 20 percent or more of the #floor area# is #converted# from a #manufacturing use# to a #commercial# or #community facility use# shall provide #street# trees in accordance with Section 26-41. The #street# frontage used to calculate the number of required trees may exclude the #street# frontage occupied by curb cuts serving #uses# listed in Use Groups 16B, 16C and 16D.

(12/15/61)

#### **43-10**

#### **FLOOR AREA REGULATIONS**

(8/18/77)

#### **43-11** **Definitions**

Words in italics are defined in Section 12-10 (DEFINITIONS) or, if applicable exclusively to this Section, in this Section.

(9/21/11)

#### **43-12** **Maximum Floor Area Ratio**

M1 M2 M3

In all districts, as indicated, for any #zoning lot#, the maximum #floor area ratio# shall not exceed the #floor area ratio# set forth in the following table, except as otherwise provided in the following Sections:

Section 43-121 (Expansion of existing manufacturing buildings)

Section 43-122 (Maximum floor area ratio for community facilities)

Section 43-13 (Floor Area Bonus for Public Plazas)

Section 43-14 (Floor Area Bonus for Arcades)

Section 43-15 (Existing Public Amenities for which Floor Area Bonuses Have Been Received)

Section 43-16 (Special Provisions for Zoning Lots Divided by District Boundaries)

Section 43-61 (Bulk Regulations for Residential Uses in M1-1D Through M1-5D Districts)

Section 43-62 (Bulk Regulations in M1-6D Districts)

Any given #lot area# shall be counted only once in determining the #floor area ratio#.

Districts	Maximum Permitted #Floor Area Ratio#
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M1-1	1.00
M1-2* M1-4 M2-1 M2-3 M3	2.00
M1-3 M1-5 M2-2 M2-4	5.00
M1-6	10.00

- \* In Community District 1, in the Borough of Queens, in the M1-2 District bounded by a line 100 feet southwesterly of 37th Avenue, a line 100 feet southeasterly of 24th Street, a line 100 feet southwesterly of 39th Avenue, 24th Street, and a line 100 feet northeasterly of 40th Avenue, 23rd Street, 39th Avenue and 24th Street, the maximum #floor area ratio# shall be increased to 4.0 provided that such additional #floor area# is limited to the following #uses#: photographic or motion picture production studios and radio or television studios listed in Use Group 10A; and #uses# listed in Use Groups 16A, 16D, 17A and 17B as set forth in Section 123-22 (Modification of Use Groups 16, 17 and 18), except for automobile, motorcycle, trailer or boat sales, motorcycle or motor scooter rental establishments, poultry or rabbit killing establishments, riding academies, stables for horses and trade schools for adults

For #zoning lots# containing both #community facility use# and #manufacturing# or #commercial use#, the total #floor area# used for #manufacturing# or #commercial use# shall not exceed the amount permitted in the table in this Section or by the bonus provisions in Sections 43-13 or 43-14.

Notwithstanding any other provisions of this Resolution, the maximum #floor area ratio# in an M1-6 District shall not exceed 12.0.

(2/2/11)

#### **43-121**

#### **Expansion of existing manufacturing buildings**

M1 M2 M3

In all districts, as indicated, where a #building or other structure# used for a conforming #manufacturing use# was in existence prior to December 15, 1961, such #building or other structure# may be expanded for a #manufacturing use#. Such

expansion may consist of an #enlargement#, or additional #development#, on the same #zoning lot#, provided that:

- (a) the resulting total #floor area# shall not be greater than:
  - (1) 150 percent of the #floor area# existing on December 15, 1961; or
  - (2) 110 percent of the maximum #floor area# otherwise permitted under the provisions of Section 43-12 (Maximum Floor Area Ratio).
- (b) the resulting #floor area ratio# shall not exceed the highest of:
  - (1) 150 percent of the maximum #floor area ratio# otherwise permitted under the provisions of Section 43-12;
  - (2) 110 percent of the #floor area ratio# existing on December 15, 1961; or
  - (3) a #floor area ratio# of 2.4, provided that in the event this paragraph, (b) (3), is utilized, the City Planning Commission shall administratively certify and the City Council approve, that such expansion will not adversely affect the surrounding area.

The parking reduction provisions of Section 44-27 (Special Provisions for Expansion of Existing Manufacturing Buildings) shall apply to such expansion.

(9/21/11)

#### **43-122**

##### **Maximum floor area ratio for community facilities**

M1

In the districts indicated, for any #community facility use# on a #zoning lot#, the maximum #floor area ratio# shall not exceed the #floor area ratio# set forth in the following table:

Districts	Maximum Permitted #Floor Area Ratio#
M1-1	2.40



M1-2	4.80
M1-3 M1-4 M1-5	6.50
M1-6	10.00

In M1-1D, M1-2D, M1-3D, M1-4D and M1-5D Districts, for any #zoning lot# containing both #residential use# and #community facility use#, the total #floor area# used for #residential use# shall not exceed the amount permitted in Section 43-61 (Bulk Regulations for Residential Uses in M1-1D Through M1-5D Districts).

(12/19/17)

### **43-123**

#### **Floor area increase for an industrial space within a self-service storage facility**

In M1-1 Districts in designated areas in Subarea 1, as shown on the maps in APPENDIX J (Designated Areas Within Manufacturing Districts) of this Resolution, for any #zoning lot# containing a #self-service storage facility# that meets the requirements of paragraphs (a) or (b) (1) of Section 42-121 (Use Group 16D self-service storage facilities), the maximum permitted #floor area# for #commercial# or #manufacturing uses# on the #zoning lot# pursuant to the provisions of Section 43-12 (Maximum floor area ratio), inclusive, may be increased by a maximum of 25 percent of the #lot area# or up to 20,000 square feet, whichever is less.

(9/21/11)

### **43-13**

#### **Floor Area Bonus for Public Plazas**

M1-6

In the district indicated, except for M1-6D Districts, for each square foot of #public plaza# provided on a #zoning lot#, in accordance with the provisions of Section 37-70, inclusive, the total #floor area# permitted on that #zoning lot# under the provisions of Section 43-12 (Maximum Floor Area Ratio) may be increased by six square feet.

(9/21/11)

#### **43-14**

##### **Floor Area Bonus for Arcades**

M1-6

In the district indicated, except for M1-6D Districts, for each square foot of #arcade# provided on a #zoning lot#, the total #floor area# permitted on the #zoning lot# under the provisions of Section 43-12 (Maximum Floor Area Ratio) may be increased by three square feet. However, the provisions of this Section shall not apply to #zoning lots# that are both within 100 feet of the western #street line# of Seventh Avenue and between West 28th and West 30th Streets in the Borough of Manhattan.

(10/17/07)

#### **43-15**

##### **Existing Public Amenities for which Floor Area Bonuses Have Been Received**

- (a) Elimination or reduction in size of non-bonused open area on a #zoning lot# containing a bonused amenity

In all districts, any existing open area for which a #floor area# bonus has not been utilized that occupies the same #zoning lot# as an existing #publicly accessible open area# or other public amenity, open or enclosed, for which a #floor area# bonus has been utilized, may be reduced in size or eliminated only upon certification of the Chairperson of the City Planning Commission that all bonused amenities comply with the standards under which such #floor area# bonus was granted.

- (b) Kiosks and open air cafes

Kiosks and open air cafes may be placed within an existing #publicly accessible open area# for which a #floor area# bonus has been received, by certification, pursuant to Section 37-73 (Kiosks and Open Air Cafes).

- (c) Nighttime closing of existing #publicly accessible open areas#

The Commission may, upon application, authorize the closing of an existing #publicly accessible open area# for which a #floor area# bonus has been received, during certain

nighttime hours pursuant to Section 37-727 (Hours of access).

(d) Elimination or reduction of existing public amenities

No existing #arcade#, #publicly accessible open area# or other public amenity, open or enclosed, for which a #floor area# bonus has been utilized, shall be eliminated or reduced in size except by special permit, pursuant to Section 74-761 (Elimination or reduction in size of bonused public amenities).

## **Regulations Applying in Special Situations**

(12/15/61)

### **43-16**

#### **Special Provisions for Zoning Lots Divided by District Boundaries**

M1 M2 M3

In all districts, as indicated, whenever a #zoning lot# is divided by a boundary between districts with different maximum #floor area ratios#, the provisions set forth in Article VII, Chapter 7 shall apply.

(3/22/16)

### **43-17**

#### **Special Provisions for Joint Living-Work Quarters for Artists in M1-5A and M1-5B Districts**

M1-5A M1-5B

In the districts indicated, no #building# containing #joint living-work quarters for artists# shall be #enlarged#.

Mezzanines are allowed within individual quarters, in #buildings# with an existing #floor area ratio# of 12.0 or less, and only between floors, or between a floor and a roof, existing on January 22, 1998, that are to remain, provided that such mezzanines do not exceed 33 and 1/3 percent of the gross #floor area# of such individual quarters. Such mezzanines shall not be included as #floor area# for the purpose of calculating minimum required size of a #joint living-work quarters for artists#.

In the districts indicated no #building# containing #joint living-work quarters for artists# shall be subdivided into quarters of less than 1,200 square feet except where no #story# contains more than one #joint living-work quarters for artists# unless modified pursuant to Section 43-171.

However, the minimum size requirement may be replaced by the requirements of Section 15-024 for #joint living-work quarters for artists#:

- (a) for which a determination of #residential# or #joint living-work quarters for artists# occupancy on September 1, 1980, has been made pursuant to Sections 42-14, paragraph D.(1)(f), 42-141 paragraph (b) or 74-782; or
- (b) that are registered Interim Multiple Dwellings or are found covered by the New York City Loft Board pursuant to Article 7C of the New York State Multiple Dwelling Law; or
- (c) that the Loft Board determines were occupied for #residential use# or as #joint living-work quarters for artists# on September 1, 1980.

#Joint living-work quarters for artists# existing on September 1, 1980, may not be divided subsequently into quarters of less than 1,200 square feet, unless required by the Loft Board for the legalization of Interim Multiple Dwelling Units in the implementation of Article 7C of the New York State Multiple Dwelling Law.

In the districts indicated, two or more #buildings# which are separated by individual load-bearing walls and contain #joint living-work quarters for artists#, each of which #building# conforms to the regulations set forth in Section 42-14 may be combined to produce a #lot area# covered by #buildings# in excess of 3,600 square feet.

(2/2/11)

#### **43-171**

##### **Minor modifications**

On application, the Chairperson of the City Planning Commission may grant minor modifications to the requirements of Section 43-17 relating to #joint living-work quarters for artists# size, provided that the Chairperson of the City Planning Commission had administratively certified to the Department of Buildings that

the division of one or more #stories# into #joint living-work quarters for artists# with an area of at least 1,200 square feet cannot be accomplished without practical difficulties because the #floor area# of such #story#, exclusive of exterior walls and common areas, is within five percent of a multiple of 1,200 square feet.

The applicant must send a copy of any request for a modification pursuant to this Section to the applicable Community Board at least 20 days prior to the next regularly scheduled Community Board meeting.

(1/28/71)

#### **43-20**

##### **YARD REGULATIONS**

##### **Definitions and General Provisions**

(11/19/87)

#### **43-21**

##### **Definitions**

Words in italics are defined in Section 12-10 or, if applicable exclusively to this Section, in this Section.

(12/15/61)

#### **43-22**

##### **Level of Yards**

In all #Manufacturing Districts#, the level of a #yard# or of a #rear yard equivalent# shall not be higher than #curb level#. However, this Section shall not be construed to require that natural grade level be disturbed in order to comply with this requirement.

No #building or other structure# shall be erected above ground level in any required #yard# or #rear yard equivalent# except as otherwise provided in Section 43-23 (Permitted Obstructions in Required Yards or Rear Yard Equivalents).

(4/30/12)

#### **43-23**

##### **Permitted Obstructions in Required Yards or Rear Yard Equivalents**

In all #Manufacturing Districts#, the following obstructions shall be permitted within a required #yard# or #rear yard equivalent#:

- (a) In any #yard# or #rear yard equivalent#:
  - (1) Arbors or trellises;
  - (2) Awnings and other sun control devices, provided that when located at a level higher than the first #story#, excluding a #basement#, all such awnings and other sun control devices:
    - (i) shall be limited to a maximum projection from a #building# wall of 2 feet, 6 inches; and
    - (ii) shall have solid surfaces that, in aggregate, cover an area no more than 30 percent of the area of the #building# wall (as viewed in elevation) from which they project;
  - (3) Canopies;
  - (4) Chimneys, projecting not more than three feet into, and not exceeding two percent of the area of, the required #yard# or #rear yard equivalent#;
  - (5) Eaves, gutters or downspouts, projecting into such #yard# or #rear yard equivalent# not more than 16 inches or 20 percent of the width of such #yard# or #rear yard equivalent#, whichever is the lesser distance;
  - (6) Exterior wall thickness, where such wall thickness is added to the exterior face of a #building# wall existing on April 30, 2012, provided the added wall thickness has a thermal resistance (R-value) of at least 1.5 per inch, and is limited to one inch of thickness for every foot of existing #yard# width, up to a maximum thickness of eight inches. When an open area is provided along a common #lot line#, then such exterior wall thickness is limited to one inch for every foot of existing open area on the #zoning lot#;

Where #buildings# that have added exterior wall thickness pursuant to this Section are #enlarged#, such #enlarged# portion may similarly encroach upon required #yards# in order to align with the exterior walls of the existing #building#, provided such #enlargement# contains less #floor area# than the existing #building#, and there is no encroachment of #floor area# into a required #yard#;

- (7) Fences;
  - (8) Flagpoles;
  - (9) Parking spaces for automobiles or bicycles, off-street, open, #accessory#;
  - (10) Solar energy systems on walls existing on April 30, 2012, projecting no more than 10 inches and occupying no more than 20 percent of the surface area of the #building# wall (as viewed in elevation) from which it projects;
  - (11) Steps, and ramps for persons with physical disabilities;
  - (12) Terraces or porches, open;
  - (13) Walls, not exceeding eight feet in height and not roofed or part of a #building#.
- (b) In any #rear yard# or #rear yard equivalent#:
- (1) Any #building# or portion of a #building# used for any permitted #use#, except that any portion of a #building# containing rooms used for living or sleeping purposes (other than a room in a hospital used for the care and treatment of patients, or #joint living-work quarters for artists#) shall not be a permitted obstruction, and provided that the height of such #building# shall not exceed one #story#, excluding #basement#, nor in any event 23 feet above #curb level#. In addition, decks, parapet walls, roof thickness, skylights, vegetated roofs, and weirs, shall be permitted upon such #building#, or portion thereof, pursuant to Section 43-42 (Permitted Obstructions);
  - (2) Breezeways;
  - (3) Fire escapes;

- (4) Parking spaces for automobiles or bicycles, off-street, #accessory#, provided that the height of an #accessory building# used for such purposes and located in a required #rear yard# or #rear yard equivalent# shall not exceed 23 feet above #curb level#;
- (5) Solar energy systems on the roof of a #building# permitted as an obstruction to such #yard#:
  - (i) up to four feet in height as measured perpendicular to the roof surface when located above a permitted #commercial# or #community facility use# or attached parking structure; or
  - (ii) shall be limited to 18 inches in height as measured perpendicular to the roof surface when located above a shed or detached parking structure, or on any roof with a slope greater than 20 degrees;
- (6) Water-conserving devices, required in connection with air conditioning or refrigeration systems in #buildings# existing prior to May 20, 1966, if located not less than eight feet from any #lot line#.

However, no portion of a #rear yard equivalent# which is also a required #front yard# or required #side yard# may contain any obstructions not permitted in such #front yard# or #side yard#.

(12/15/61)

#### **43-24**

##### **Measurement of Yard Width or Depth**

In all #Manufacturing Districts#, the width or depth of a #yard# or #rear yard equivalent# shall be measured perpendicular to #lot lines#.

##### **Basic Regulations**

(12/15/61)

#### **43-25**

##### **Minimum Required Side Yards**

M1 M2 M3



In all districts, as indicated, no #side yards# are required. However, if an open area extending along a #side lot line# is provided, it shall be at least eight feet wide.

(4/30/08)

#### **43-26**

##### **Minimum Required Rear Yards**

M1 M2 M3

In all districts, as indicated, a #rear yard# with a depth of not less than 20 feet shall be provided at every #rear lot line# on any #zoning lot# except as otherwise provided in Sections 43-27 (Special Provisions for Shallow Interior Lots), 43-28 (Special Provisions for Through Lots) or 43-31 (Other Special Provisions for Rear Yards). #Rear yards# shall also be provided along portions of #side lot lines# as set forth in Section 43-261 (Beyond one hundred feet of a street line).

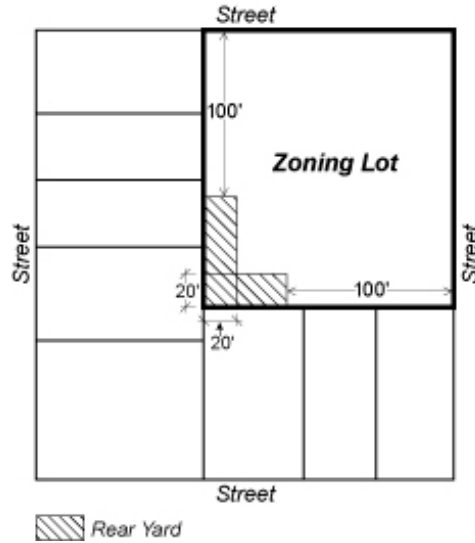
(4/30/08)

#### **43-261**

##### **Beyond one hundred feet of a street line**

M1 M2 M3

In all districts, as indicated, for #corner lots#, and for #zoning lots# that are bounded by two or more #streets# that are neither #corner lots# or #through lots#, the portion of a #side lot line# beyond 100 feet of the #street line# that it intersects shall be considered a #rear lot line# and a #rear yard# with a minimum depth of 20 feet shall be provided where such #rear lot line# coincides with a #rear lot line# of an adjoining #zoning lot#.



CORNER LOT  
(33-261.1, 43-261.1)



ZONING LOT BOUNDED BY TWO OR MORE STREETS  
(NEITHER A CORNER LOT NOR A THROUGH LOT)  
(33-261.2, 43-261.2)

(2/2/11)

## 43-27 Special Provisions for Shallow Interior Lots

M1 M2 M3

In all districts, as indicated, if an #interior lot#:

(a) was owned separately and individually from all other adjoining tracts of land, both on December 15, 1961, and on the date of application for a building permit; and

(b) is less than 70 feet deep;

the depth of a required #rear yard# for such #interior lot# may be reduced by one foot for each two feet by which the maximum depth of a #zoning lot# is less than 70 feet. No #rear yard# is required on any #interior lot# with a maximum depth of less than 50 feet.

(2/2/11)

### **43-28**

#### **Special Provisions for Through Lots**

M1 M2 M3

In all districts, as indicated, no #rear yard# regulations shall apply on any #through lot# which extends less than 110 feet in maximum #lot depth# from #street# to #street#. However, on any #through lot# 110 feet or more in maximum depth from #street# to #street#, one of the following #rear yard equivalents# shall be provided, except that in the case of a #zoning lot# occupying an entire #block#, no #rear yard# or #rear yard equivalent# shall be required:

- (a) an open area with a minimum #lot depth# of 40 feet midway (or within five feet of being midway) between the two #street lines# upon which such #through lot# fronts;
- (b) two open areas, each adjoining and extending along the full length of the #street line#, and each with a minimum depth of 20 feet measured from such #street line#; or
- (c) an open area adjoining and extending along the full length of each #side lot line#, with a minimum width of 20 feet measured from each such #side lot line#.

Any such #rear yard equivalent# shall be unobstructed from its lowest level to the sky, except as provided in Section 43-23 (Permitted Obstructions in Required Yards or Rear Yard Equivalents).

(12/15/61)

#### **43-29**

##### **Special Provisions Applying Along Railroad Rights-of-way**

M1 M2 M3

In all districts, as indicated, along such portion of a #rear lot line# which coincides with a boundary of a railroad right-of-way, no #rear yard# shall be required.

(12/15/61)

#### **43-30**

##### **SPECIAL PROVISIONS APPLYING ALONG DISTRICT BOUNDARIES**

M1 M2 M3

In all districts, as indicated, open areas shall be provided in accordance with the provisions of this Section along the boundaries of #Residence Districts#, except where such district boundaries are also the boundaries of railroad rights-of-way or cemeteries.

(12/15/61)

#### **43-301**

##### **Required yards along district boundary coincident with side lot line of zoning lot in an R1, R2, R3, R4 or R5 District**

M1 M2 M3

In all districts, as indicated, along such portion of the boundary of a #Manufacturing District# which coincides with a #side lot line# of a #zoning lot# in an R1, R2, R3, R4 or R5 District, an open area not higher than #curb level# and at least 15 feet wide shall be provided within the #Manufacturing District#. Such an open area shall not be used for #accessory# off-street parking, #accessory# off-street loading, or for storage or processing of any kind.

(12/15/61)

#### **43-302**

**Required yards along district boundary coincident with rear lot lines of two adjoining zoning lots**

M1 M2 M3

In all districts, as indicated, along such portion of the #rear lot line# of a #zoning lot# in a #Manufacturing District# which coincides with a #rear lot line# of a #zoning lot# in an adjoining #Residence District#, an open area not higher than #curb level# and at least 30 feet in depth shall be provided within the #Manufacturing District#. Such an open area shall not be used for storage or processing of any kind.

(12/15/61)

#### **43-303**

**Required yards along district boundary coincident with side lot line of zoning lot in a Manufacturing District**

M1 M2 M3

In all districts, as indicated, along such portion of a #side lot line# of a #zoning lot# in a #Manufacturing District# which coincides with a #rear lot line# of a #zoning lot# in an adjoining #Residence District#, an open area not higher than #curb level# and at least 15 feet wide shall be provided within the #Manufacturing District#. Such open area shall not be used for #accessory# off-street loading or for storage or processing of any kind.

(10/25/67)

#### **43-304**

**Required front yards along district boundary located in a street**

M1-1 M1-2 M1-3 M1-4 M2 M3

In the districts indicated, if the boundary of an adjoining #Residence District# is located at the center line of a #street# less than 60 feet wide, a #front yard# not higher than #curb level# and at least 20 feet in depth shall be provided along any #front lot line# forming the boundary between a #zoning lot# located within the #Manufacturing District# and that portion of the #street# in which the district boundary is located.

(12/15/61)

#### **43-31**

##### **Other Special Provisions for Rear Yards**

M1 M2 M3

In all districts, as indicated, the #rear yard# requirements set forth in Section 43-26 (Minimum Required Rear Yards) shall be modified as set forth in this Section.

(12/15/61)

#### **43-311**

##### **Within 100 feet of corners**

M1 M2 M3

In all districts, as indicated, no #rear yard# shall be required within 100 feet of the point of intersection of two #street lines# intersecting at an angle of 135 degrees or less.

(5/20/65)

#### **43-312**

##### **Along short dimension of block**

M1 M2 M3

In all districts, as indicated, whenever a #front lot line# of a #zoning lot# coincides with all or part of a #street line# measuring less than 230 feet in length between two intersecting #streets#, no #rear yard# shall be required within 100 feet of such #front lot line#.

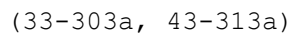
(4/30/08)

#### **43-313**

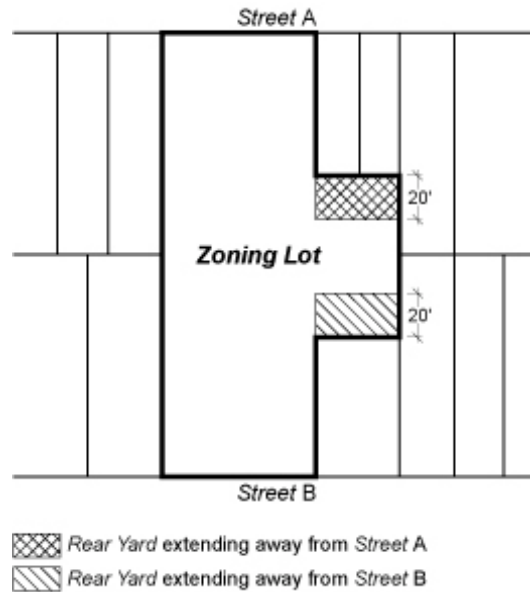
##### **For zoning lots with multiple rear lot lines**

In all districts, as indicated, for #zoning lots# with multiple #rear lot lines#, if a #rear yard# extends from a #rear lot line# away from the #street line# which is used to determine such #rear lot line#, the following rules shall apply:

- (a) A #rear yard# with a minimum depth of 20 feet shall be provided where such #rear lot line# coincides with a #rear lot line# of an adjoining #zoning lot#.



- (b) No #rear yard# shall be required where such #rear lot line# coincides with a #side lot line# of an adjoining #zoning lot#.
- (c) For portions of #through lots# that have multiple #rear lot lines# and such portions are not subject to #interior lot# regulations, the #street line# bounding the #zoning lot# closest to such #rear lot line# shall be used to determine compliance with this Section.



(33-303c, 43-313c)

## **All Yards**

(12/15/61)

## **43-32**

### **Special Provisions for Zoning Lots Divided by District Boundaries**

M1 M2 M3

In all districts, as indicated, whenever a #zoning lot# is divided by a boundary between districts with different #yard# regulations, the provisions set forth in Article VII, Chapter 7, shall apply.

(4/30/08)

## **43-33**

### **Modifications of Rear Yard Regulations**

M1 M2 M3

In all districts, as indicated, the regulations set forth in Section 43-313 (For zoning lots with multiple rear lot lines) may be modified in accordance with the provisions of Section 73-69 (Rear Yard Modifications).



(12/15/61)

#### **43-40**

### **HEIGHT AND SETBACK REGULATIONS**

#### **Definitions and General Provisions**

(11/19/87)

#### **43-41**

### **Definitions**

Words in italics are defined in Section 12-10 (DEFINITIONS) or, if applicable exclusively to this Section, in this Section.

(4/30/12)

#### **43-42**

### **Permitted Obstructions**

In all #Manufacturing Districts#, the following obstructions shall be permitted to penetrate a maximum height limit or a #sky exposure plane# set forth in Sections 43-43 (Maximum Height of Front Wall and Required Front Setbacks), 43-44 (Alternate Front Setbacks) or 43-49 (Limited Height Districts).

- (a) Awnings and other sun control devices, provided that when located at a level higher than the first #story#, excluding a #basement#, all such awnings and other sun control devices:
  - (1) shall be limited to a maximum projection from a #building# wall of 2 feet, 6 inches, except when located on the first #story# above a setback;
  - (2) shall have solid surfaces that, in aggregate, cover an area no more than 30 percent of the area of the #building# wall (as viewed in elevation) from which they project; and
  - (3) may rise above the permitted #building# height, up to the height of a parapet wall or guardrail permitted in accordance with this Section.

When located on the first #story# above a setback, awnings and other sun control devices shall be limited

to a projection of 50 percent of the depth of the required setback, and shall be limited, in total, to 50 percent of the width of the #building# wall from which they project;

- (b) #Building# columns, having an aggregate width equal to not more than 20 percent of the #aggregate width of street walls# of a #building#, to a depth not exceeding 12 inches, in an #initial setback distance#, optional front open area, or any other required setback distance or open area set forth in Sections 43-43, 43-44 or 43-45 (Tower Regulations);
- (c) Chimneys or flues, with a total width not exceeding 10 percent of the #aggregate width of street walls# of a #building# at any given level;
- (d) Decks, and other surfaces for recreational activities, not more than 3 feet, 6 inches in height, as measured from the maximum height limit, or the finished level of the roof as it existed on April 30, 2012, whichever is higher;
- (e) Elevator or stair bulkheads (including shafts; and vestibules not larger than 60 square feet in area providing access to a roof), roof water tanks and #accessory# mechanical equipment (including enclosures), other than solar or wind energy systems, provided that:
  - (1) such obstructions shall be located not less than 10 feet from the #street wall# of a #building#, except that such obstructions need not be set back more than 25 feet from a #narrow street line# or more than 20 feet from a #wide street line#. However, such restrictions on location shall not apply to elevator or stair bulkheads (including shafts or vestibules), provided the #aggregate width of street walls# of such bulkheads within 10 feet of a #street wall#, facing each #street# frontage, times their average height, in feet, does not exceed an area equal to four times the width, in feet, of the #street wall# of the #building# facing such frontage;
  - (2) all mechanical equipment shall be screened on all sides;
  - (3) such obstructions and screening are contained within a volume that complies with one of the following:
    - (i) the product, in square feet, of the #aggregate width of street walls# of such obstructions facing each #street# frontage, times their average

height, shall not exceed an area equal to eight times the width, in feet, of the #street wall# of the #building# facing such frontage; or

- (ii) the #lot coverage# of all such obstructions does not exceed 20 percent of the #lot coverage# of the #building#, and where the maximum permitted height of a #building# is less than 120 feet, such obstructions are limited to a maximum height of 25 feet, and where the maximum permitted height of a #building# is 120 feet or greater, such obstructions are limited to a maximum height of 40 feet.

For the purposes of this paragraph, (e), #abutting buildings# on a single #zoning lot# may be considered to be a single #building#;

- (f) Exterior wall thickness, up to eight inches, where such wall thickness is added to the exterior face of a #building# wall existing on April 30, 2012, provided the added wall thickness has a thermal resistance (R-value) of at least 1.5 per inch. Where #buildings# that have added exterior wall thickness pursuant to this Section are #enlarged#, such #enlarged# portion may similarly penetrate a maximum height limit in order to align with the exterior walls of the existing #building#, provided such #enlargement# contains less #floor area# than the existing #building#, and there is no penetration of #floor area# above a maximum height limit;
- (g) Flagpoles or aerials;
- (h) House of worship towers, ornamental, having no #floor area# in portion of tower penetrating such height limit or #sky exposure plane#;
- (i) Parapet walls, not more than four feet in height, as measured from the maximum height limit, or the finished level of the roof as it existed on April 30, 2012, whichever is higher. A guardrail with a surface at least 70 percent open or with an opacity of not more than 30 percent (as viewed in elevation), shall be permitted above a parapet wall or within two feet of a parapet wall, provided such guardrail is not more than four feet above the accessible level of a roof. Such restriction on guardrail height shall not apply when located beyond two feet from a parapet wall;
- (j) Roof thickness, up to eight inches, to accommodate the addition of insulation, for #buildings# or portions of #buildings# constructed prior to April 30, 2012. For a

#building# that has added roof thickness pursuant to this paragraph, (j), an #enlargement# may align with the finished roof surface of such #building#, provided the #enlarged# portion does not exceed the maximum height limit by more than eight inches;

- (k) Rooftop greenhouses, permitted pursuant to Section 75-01 (Certification for Rooftop Greenhouses);
- (l) Skylights, clerestories or other daylighting devices, not more than four feet in height, as measured from the maximum height limit, or the finished level of the roof as it existed on April 30, 2012, whichever is higher. Such devices shall be limited to a #lot coverage# not greater than 10 percent of the #lot coverage# of the roof and be located at least eight feet from the #street wall# edge. However, such devices shall not be permitted obstructions above a roof with a slope greater than 20 degrees;
- (m) Solar energy systems:
  - (1) on the roof of a #building#, up to four feet in height, as measured from the maximum height limit, or the finished level of the roof, whichever is higher;
  - (2) on the roof of a #building#, greater than four feet in height, as measured from the maximum height limit, or the finished level of the roof, whichever is higher, provided that all such portions above four feet are set back at least six feet from a #street wall#, limited to a #lot coverage# not greater than 25 percent of the #lot coverage# of the roof and do not exceed:
    - (i) a height of 15 feet;
    - (ii) a height of six feet when located on a bulkhead or other obstruction, pursuant to paragraph (e) of this Section;
  - (3) on walls existing on April 30, 2012, projecting no more than 10 inches and occupying no more than 20 percent of the surface area of the #building# wall (as viewed in elevation) from which it projects.

However, any installation on a roof with a slope greater than 20 degrees shall be limited to 18 inches in height, as measured perpendicular to the roof surface;

- (n) Spires or belfries;

- (o) Vegetated roofs, not more than 3 feet, 6 inches in height, excluding vegetation, as measured from the maximum height limit, or the finished level of the roof as it existed on April 30, 2012, whichever is higher. On roofs with slopes greater than 20 degrees, vegetated roofs shall be limited to a height of 12 inches measured perpendicular to such roof surface;
- (p) Weirs, check dams and other equipment for stormwater management, not more than 3 feet, 6 inches in height, as measured from the maximum height limit, or the finished level of the roof as it existed on April 30, 2012, whichever is higher;
- (q) Wind energy systems on portions of #buildings# with a height of 100 feet or greater, provided:
  - (1) the highest point of the wind turbine assembly does not exceed 55 feet;
  - (2) no portion of the wind turbine assembly is closer than 10 feet to any #lot line#; and
  - (3) in districts where #residences# or #joint living work quarters for artists# are permitted as-of-right, by special permit or by authorization, or within 100 feet of such districts, the diameter of the swept area of the rotor does not exceed 15 feet;
- (r) Window washing equipment mounted on a roof;
- (s) Wire, chain link or other transparent fences.

(9/21/11)

#### **43-43**

##### **Maximum Height of Front Wall and Required Front Setbacks**

M1 M2 M3

In all districts, as indicated, if the front wall or any other portion of a #building or other structure# is located at the #street line# or within the #initial setback distance# as set forth in the table in this Section, the height of such front wall or other portion of a #building or other structure#, except as otherwise set forth in this Section, shall not exceed the maximum height above #curb level# set forth in the table. Above such maximum height and beyond the #initial setback distance#, the

#building or other structure# shall not penetrate the #sky exposure plane# set forth in the table.

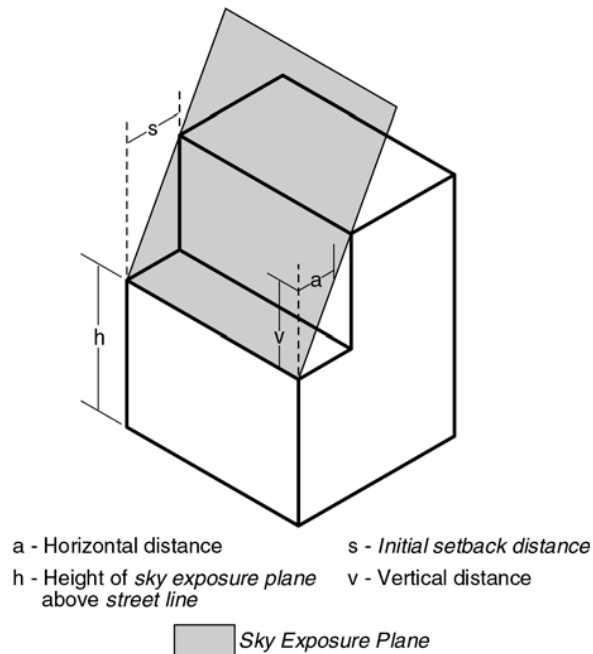
The regulations of this Section shall apply, except as otherwise provided in Sections 43-42 (Permitted Obstructions), 43-44 (Alternate Front Setbacks) or 43-45 (Tower Regulations). In M1-1 Districts, for #community facility buildings#, the maximum height of a front wall shall be 35 feet or three #stories#, whichever is less, and the height above the #street line# shall be 35 feet, and in M1-4 Districts, for #community facility buildings#, the maximum height of a front wall shall be 60 feet or six #stories#, whichever is less.

For #zoning lots# in M1-6 Districts that are both within 100 feet of the western #street line# of Seventh Avenue and between West 28th and West 30th Streets in the Borough of Manhattan, the following #street wall# regulations shall apply to #street# frontages not occupied by a #public plaza#. The #street wall# of a #building# shall be located on the #street line# and extend along the entire #street# frontage of the #zoning lot# up to a minimum height of 125 feet or the height of the #building#, whichever is less, and a maximum height of 150 feet. Above a height of 150 feet, no portion of a #building# may penetrate a #sky exposure plane# except for towers, pursuant to Section 43-45. The #sky exposure plane# shall begin at a height of 150 feet above the #street line# and rise over the #zoning lot# at a slope of 5.6 feet of vertical distance for each foot of horizontal distance on a #wide street#, and at a slope of 2.7 feet of vertical distance for each foot of horizontal distance on a #narrow street#. The provisions of Section 43-44 shall not apply. On the ground floor, recesses shall be permitted where required to provide access to the #building#, provided such recesses do not exceed three feet in depth as measured from the #street line#. Above the level of the second #story#, up to 30 percent of the #aggregate width of street walls# may be recessed beyond the #street line#. However, no recesses shall be permitted within 20 feet of an adjacent #building# and within 30 feet of the intersection of two #street lines#.

#### MAXIMUM HEIGHT OF FRONT WALL AND REQUIRED FRONT SETBACKS

	#Sky Exposure Plane#
	Slope over #Zoning Lot# (expressed as a ratio of vertical distance to horizontal distance)
Maximum	

#Initial Setback Distance# (in feet)		Height of a Front Wall, or other Portion of a #Building or other structure# within the #Initial Setback Distance#	Height above #Street Line# (in feet)	On #Narrow Street#	On #Wide street#		
On #Narrow Street#	On #Wide Street#			Vertical Distance	Horizontal Distance	Vertical Distance	Horizontal Distance
Within M1-1 Districts							
20	15	30 feet or 2 #stories#, whichever is less	30	1 to	1	1 to	1
Within M1-2, M1-4, M2-1, M2-3 or M3 Districts							
20	15	60 feet or 4 #stories#, whichever is less	60	2.7 to	1	5.6 to	1
Within M1-3, M1-5, M1-6, M2-2 or M2-4 Districts							
20	15	85 feet or 6 #stories#, whichever is less	85	2.7 to	1	5.6 to	1



SKY EXPOSURE PLANE  
(23 - 641, 24 - 522, 33 - 432, 43 - 43)

(10/17/07)

**43-44**

**Alternate Front Setbacks**

M1 M2 M3

In all districts, as indicated, if an open area is provided along the full length of the #front lot line# with the minimum depth set forth in the following table, the provisions of Section 43-43 (Maximum Height of Front Wall and Required Front Setbacks) shall not apply. The minimum depth of such open area shall be measured perpendicular to the #front lot line#. However, in such instances, except as otherwise provided in this Section or in Sections 43-42 (Permitted Obstructions) or 43-45 (Tower Regulations), no #building or other structure# shall penetrate the alternate #sky exposure plane# set forth in the table in this Section. The #sky exposure plane# shall be measured from a point above the #street line#.

In an M1-6 District, if the open area provided under the terms of this Section is a #public plaza#, such open area may be counted toward the bonus provided for a #public plaza#, pursuant to Section 43-13 (Floor Area Bonus for Public Plazas).

In M1-1 Districts, for #community facility buildings# the height above the #street line# shall be 35 feet.

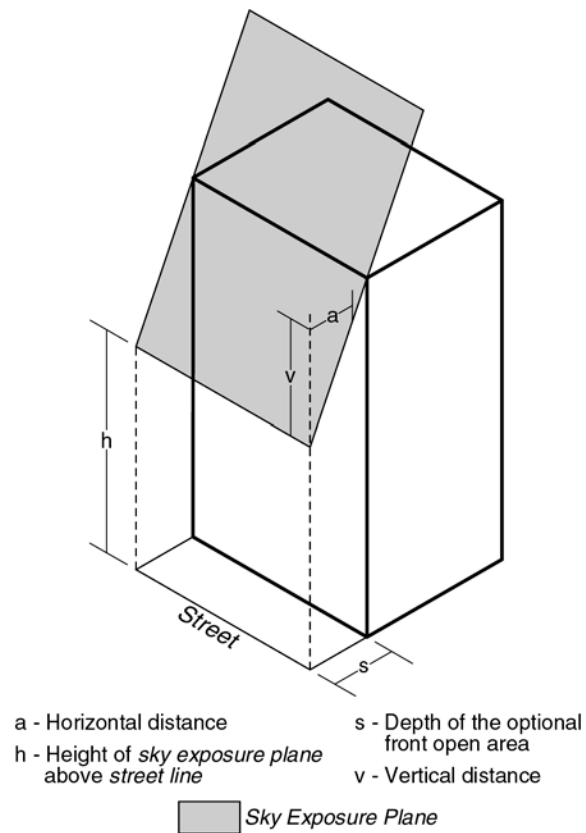
ALTERNATE REQUIRED FRONT SETBACKS

			Alternative #Sky Exposure Plane#			
			Slope over #Zoning Lot# (expressed as a ratio of vertical distance to horizontal distance)			
Depth of Optional Front Open Area (in feet)			On #Narrow Street#		On #Wide Street#	
On #Narrow Street#	On #Wide Street#	Height above #Street Line# (in feet)	Vertical Distance	Horizontal Distance	Vertical Distance	Horizontal Distance

Within M1-1 Districts



15	10	30	1.4 to	1	1.4 to	1
Within M1-2, M1-4, M2-1, M2-3 or M3 Districts						
15	10	60	3.7 to	1	7.6 to	1
Within M1-3, M1-5, M1-6, M2-2 or M2-4 Districts						
15	10	85	3.7 to	1	7.6 to	1



ALTERNATE SKY EXPOSURE PLANE  
(23 - 64, 24 - 53, 33 - 442, 43 - 44)

## Supplementary Regulations

(2/2/11)

### 43-45

#### Tower Regulations

M1-3 M1-4 M1-5 M1-6

In the districts indicated, any #building# or #buildings#, or portion thereof, which in the aggregate occupy not more than 40 percent of the #lot area# of a #zoning lot# or, for #zoning lots# of less than 20,000 square feet, the percent set forth in Section 43-451 (Towers on small lots), may penetrate an established #sky exposure plane#. (Such #building# or portion thereof is hereinafter referred to as a tower.) At any given level, such tower may occupy any portion of the #zoning lot# not located less than 15 feet from the #street line# of a #narrow street#, or less than 10 feet from the #street line# of a #wide street#, provided that the aggregate area so occupied within 50 feet of a #narrow street# shall not exceed 1,875 square feet and the aggregate area so occupied within 40 feet of a #wide street# shall not exceed 1,600 square feet.

If all of the #buildings# on a #zoning lot# containing such tower do not occupy at any level more than the maximum percent of the #lot area# set forth in this Section or Section 43-451 for towers, the tower may occupy any portion of the #zoning lot# located 20 feet or more from the #street line# of a #narrow street# or 15 feet or more from the #street line# of a #wide street#, provided that the aggregate area so occupied within 50 feet of a #narrow street# shall not exceed 2,250 square feet and the aggregate area so occupied within 40 feet of a #wide street# shall not exceed 2,000 square feet.

(12/15/61)

#### **43-451**

##### **Towers on small lots**

M1-3 M1-4 M1-5 M1-6

In the districts indicated, a tower may occupy the percent of the #lot area# of a #zoning lot# set forth in the following table:

##### LOT COVERAGE OF TOWERS ON SMALL ZONING LOTS

Area of #Zoning Lot# (in square feet)	Maximum Percent of #Lot Coverage#
10,500 or less	50
10,501 to 11,500	49
11,501 to 12,500	48
12,501 to 13,500	47

13,501 to 14,500	46
14,501 to 15,500	45
15,501 to 16,500	44
16,501 to 17,500	43
17,501 to 18,500	42
18,501 to 19,999	41

## **Regulations Applying in Special Situations**

(12/15/61)

### **43-46**

#### **Special Provisions for Zoning Lots Directly Adjoining Public Parks**

M1 M2 M3

In all districts, as indicated, a #public park# with an area of between one and 15 acres shall be considered a #wide street# for the purpose of applying the height and setback regulations as set forth in Section 43-43 (Maximum Height of Front Wall and Required Front Setbacks) to any #building or other structure# on a #zoning lot# adjoining such #public park#. However, the provisions of this Section shall not apply to a #public park# more than 75 percent of which is paved.

(12/15/61)

### **43-47**

#### **Modification of Height and Setback Regulations**

M1

In the district indicated, for certain #community facility uses# in specified situations, the Board of Standards and Appeals may modify the regulations set forth in Sections 43-41 to 43-45, inclusive, relating to Height and Setback Regulations, in accordance with the provisions of Section 73-64 (Modifications for Community Facility Uses).

(12/15/61)

#### **43-48**

##### **Special Provisions for Zoning Lots Divided by District Boundaries**

M1 M2 M3

In all districts, as indicated, whenever a #zoning lot# is divided by a boundary between districts with different height and setback regulations, or whenever a #zoning lot# is divided by a boundary between a district to which the provisions of Section 43-45 (Tower Regulations) apply and a district to which such provisions do not apply, the provisions set forth in Article VII, Chapter 7 shall apply.

(4/4/82)

#### **43-49**

##### **Limited Height Districts**

M1 M2 M3

In all districts, as indicated, wherever such districts are located within a #Limited Height District#, the maximum height of a #building or other structure#, or portion thereof, shall be as shown in the following table:

#Limited Height District#	Maximum Height above #Curb Level#
LH-1	50 feet
LH-1A	60 feet
LH-2	70 feet
LH-3	100 feet

(12/15/61)

#### **43-50**

##### **COURT REGULATIONS AND MINIMUM DISTANCE BETWEEN WINDOWS AND WALLS OR LOT LINES**

##### **Basic Regulations**

(2/2/11)

**43-51**

**Minimum Dimensions of Courts for Buildings Containing Community Facility Uses**

M1

In the district indicated, the regulations set forth in the following Sections shall apply to all #buildings# containing #community facility uses#:

Section 24-61 (General Provisions and Applicability)

Section 24-62 (Minimum Dimensions of Courts)

Section 24-63 (Outer Court Regulations)

Section 24-64 (Inner Court Regulations)

Section 24-65 (Minimum Distance Between Required Windows and Walls or Lot Lines)

Section 24-66 (Modifications of Court Regulations or Distance Requirements)

Section 24-68 (Permitted Obstructions in Courts).

(12/21/89)

**43-60**

**SUPPLEMENTARY REGULATIONS**

(9/21/11)

**43-61**

**Bulk Regulations for Residential Uses in M1-1D Through M1-5D Districts**

The following regulations shall apply to any #development# or #enlargement# authorized pursuant to Section 42-47 (Residential Uses in M1-1D Through M1-5D Districts):

- (a) The total amount of #residential floor area# permitted on any #zoning lot# shall not exceed a #floor area ratio# of 1.65.

On #zoning lots# containing both #residential use# and #community facility#, #manufacturing# or #commercial use#, the maximum #floor area# shall be the maximum #floor area# permitted for either the #commercial# or #manufacturing use# as set forth in Sections 43-12 (Maximum Floor Area Ratio) through 43-14 (Floor Area Bonus for Arcades), or the #community facility use# as set forth in Section 43-122 (Maximum floor area ratio for community facilities), or the #residential use# as set forth in this Section, whichever permits the greatest amount of #floor area#.

On #zoning lots# containing both #residential use# and #manufacturing# or #commercial use#, the total #floor area# used for #manufacturing# or #commercial use# shall not exceed the amount permitted by Sections 43-12 through 43-14.

- (b) The maximum number of #dwelling units# shall equal the total #residential floor area# provided on the #zoning lot# divided by 675. Fractions equal to or greater than three quarters resulting from this calculation shall be considered to be one #dwelling unit#.
- (c) The maximum #building# height above #curb level# shall be 32 feet.
- (d) No such #development# or #enlargement# shall be permitted within 30 feet of the #rear lot line#.
- (e) The maximum distance from the #street line# to the #street wall# of such #development# shall be ten feet, unless modified by the City Planning Commission pursuant to Section 44-28 (Parking Regulations for Residential Uses in M1-1D Through M1-5D Districts).
- (f) No #side yards# shall be required. However, if any open area extending along a #side lot line# is provided at any level it shall have a width of not less than eight feet. However, #enlargements# of #single-family# or #two-family residences# existing as of June 20, 1988, shall be exempt from this requirement, provided such #enlarged building# does not exceed a height of two #stories#.

(9/21/11)

## **43-62**

### **Bulk Regulations in M1-6D Districts**

(3/22/16)

## **43-621**

### **Floor area regulations in M1-6D Districts**

(a) The maximum #floor area ratio# for #zoning lots# shall be 10.0, and no #floor area# bonuses shall apply, except as modified for #Inclusionary Housing designated areas#, as set forth in paragraph (b) of this Section.

(b) In #Inclusionary Housing designated areas#

For M1-6D Districts mapped within an #Inclusionary Housing designated area#, the provisions of Sections 23-154 and 23-90 (INCLUSIONARY HOUSING) applicable to R10 Districts without a letter suffix shall apply, as modified in this Section:

- (1) for #zoning lots# that do not contain #residences#, the maximum #floor area ratio# shall be 10.0; and
- (2) the maximum base #floor area ratio# for #zoning lots# containing #residences# shall be 9.0 plus an amount equal to 0.25 times the non-#residential floor area ratio# provided on the #zoning lot#, up to 10.0. Such #floor area ratio# may be increased to a maximum of 12.0 only through the provision of #affordable housing#, pursuant to Section 23-90, inclusive.

(9/21/11)

## **43-622**

### **Maximum lot coverage in M1-6D Districts**

Any #story# of a #building# containing #dwelling units# shall not exceed a maximum #lot coverage# of 70 percent for #interior# or #through lots# and 100 percent for #corner lots#. However, where any such level contains parking spaces or non-#residential uses#, such level shall be exempt from #lot coverage# regulations.

(3/22/16)

#### **43-623**

##### **Density in M1-6D Districts**

The provisions of 35-40 (APPLICABILITY OF DENSITY REGULATIONS TO MIXED BUILDINGS) shall apply. The applicable factor shall be 680.

(3/22/16)

#### **43-624**

##### **Height and setback in M1-6D Districts**

In M1-6D Districts, the height and setback provisions of this Section shall apply to all #buildings#.

##### **(a) Rooftop regulations**

##### **(1) Permitted obstructions**

The provisions of Section 33-42 shall apply to all #buildings#, except that elevator or stair bulkheads, roof water tanks, cooling towers or other mechanical equipment (including enclosures) may penetrate a maximum height limit or #sky exposure plane#, provided that either the product, in square feet, of the #aggregate width of street walls# of such obstructions facing each #street# frontage, times their average height, in feet, shall not exceed a figure equal to eight times the width, in feet, of the #street wall# of the #building# facing such frontage; or provided that the #lot coverage# of all such obstructions does not exceed 20 percent of the #lot coverage# of the #building#, and the height of all such obstructions does not exceed 40 feet.

In addition, a maximum base height or #sky exposure plane# may be penetrated, as follows:

##### **(i) Structural columns**

Structural columns may penetrate a maximum height limit or #sky exposure plane#, provided that such columns are one story or less in height, have a #street wall# no greater than 30 inches in width, and are spaced not less than 15 feet on center.

##### **(ii) Dormers**



On any #street# frontage, dormers may be provided in accordance with the provisions of paragraph (c) of Section 23-621 (Permitted obstructions in certain districts).

(2) Screening requirements for mechanical equipment

For all #developments# and #enlargements#, and #conversions# of #non-residential buildings# to #residences#, all mechanical equipment located on any roof of a #building or other structure# shall be fully screened on all sides. However, no such screening requirements shall apply to water tanks.

(b) Height and setback

(1) #Street wall# location

The #street wall# shall be located on the #street line# and extend along the entire #street# frontage of the #zoning lot# up to at least the minimum base height specified in paragraph (b)(2) of this Section. On the ground floor, recesses shall be permitted where required to provide access to the #building#, provided such recesses do not exceed three feet in depth as measured from the #street line#.

Above the level of the second #story#, up to 30 percent of the #aggregate width of street walls# may be recessed beyond the #street line#. However, no recesses shall be permitted within 20 feet of an adjacent #building# and within 30 feet of the intersection of two #street lines#.

(2) Base height

(i) Along #wide streets#

On #wide streets#, and on #narrow streets# within 50 feet of their intersection with a #wide street#, the #street wall# of a #building# shall rise without setback to a minimum base height of 125 feet and may rise to a maximum base height of 155 feet.

(ii) Along #narrow streets#

On #narrow streets#, beyond 50 feet of their intersection with a #wide street#, the #street

wall# of a #building# shall rise without setback to a minimum base height of 85 feet and may rise to a maximum base height of 135 feet. However, for #buildings# on #zoning lots# meeting the criteria set forth in paragraph (a) of Section 23-664 (Modified height and setback regulations for certain Inclusionary Housing buildings or affordable independent residences for seniors), the maximum base height may be increased to 155 feet.

As an alternative, the minimum and maximum base heights applicable to a #wide street# may apply along a #narrow street# to a distance of 100 feet from a #wide street#.

(3) Required setbacks and maximum #building# heights

(i) Along #wide streets#

For #buildings#, or portions thereof, located on #wide streets# and on #narrow streets# within 100 feet of a #wide street#, the portion of such #building# above the maximum base height set forth in paragraph (b)(2)(i) of this Section shall be set back from the #street wall# of the #building# at least 10 feet along a #wide street# and at least 15 feet along a #narrow street#, except such dimensions may include the depth of any permitted recesses in the #street wall#. The maximum height of such #buildings# shall be 290 feet. In addition, the gross area of each of the highest two #stories# of such #building# shall not exceed 80 percent of the gross area of the #story# directly below such highest two #stories#.

(ii) Along #narrow streets#

For all #buildings#, or portions thereof, located on #narrow streets# beyond 100 feet of a #wide street#, no portion of such #building or other structure# shall penetrate a #sky exposure plane# which begins at the maximum base height set forth in paragraph (b)(2)(ii) of this Section and rises over the #zoning lot# with a slope of four feet of vertical distance for every foot of horizontal distance.

Any portion of such #building or other structure# that is located beyond 15 feet of the #street

line# may penetrate such #sky exposure plane#, provided such portion does not exceed a height of 210 feet. However, for #buildings# on #zoning lots# meeting the criteria set forth in paragraph (a) of Section 23-664, such maximum height may be increased, provided that the maximum number of #stories# does not exceed 23, the maximum height of a #building# with a #non-qualifying ground floor# does not exceed a height of 230 feet, and the maximum height of a #building# with a #qualifying ground floor# does not exceed a height of 235 feet.

In addition, the gross area of each of the top two #stories# of a #building# may not be greater than 80 percent of the gross area of the #story# directly below such top two #stories#.

(4) Maximum length of #building# wall

The maximum length of any #story# located entirely above a height of 150 feet shall not exceed 150 feet. Such length shall be measured in plan view by inscribing within a rectangle the outermost walls at the level of each #story# entirely above a level of 150 feet.

(3/22/16)

### **43-625**

#### **Yard regulations in M1-6D Districts**

In M1-6D Districts, the provisions of Section 43-20 (YARD REGULATIONS) shall apply, except that #residential# portions of a #building# shall provide a #rear yard# with a minimum depth of 30 feet at any level not higher than the floor level of the lowest #story# containing #dwelling units# with a #window# opening upon such #rear yard#. On any #through lot# that is 110 feet or more in depth from #street# to #street#, a #rear yard equivalent# shall be provided within 15 feet of the centerline of the #through lot# or #through lot# portion. In the case of a #through lot# on which a #rear yard equivalent# is provided, the requirements of this Section shall apply as if such #rear yard equivalent# were two adjoining #rear yards#. For shallow #zoning lots#, a reduction in the required #rear yard# or #rear yard equivalent# may be applied pursuant to the provisions applicable for an R10 District set forth in Sections 23-52 (Special Provisions for Shallow Interior Lots) or 23-534 (Special

provisions for shallow through lots), as applicable.

(9/21/11)

#### **43-626**

##### **Courts in M1-6D Districts**

#Residential# portions of #buildings# shall be subject to the court provisions applicable in R10 Districts as set forth in Section 23-80 (COURT REGULATIONS, MINIMUM DISTANCE BETWEEN WINDOWS AND WALLS OR LOT LINES AND OPEN AREA REQUIREMENTS), inclusive.

# 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 4 - Accessory Off-Street Parking and Loading Regulations

Effective date of most recently amended section of Article IV Chapter 4: 12/19/17

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CITY PLANNING COMMISSION  
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(12/15/61)

## **Chapter 4**

### **Accessory Off-Street Parking and Loading Regulations**

(12/15/61)

#### **44-00**

##### **GENERAL PURPOSES AND DEFINITIONS**

Off-street Parking Regulations

(12/15/61)

#### **44-01**

##### **General Purposes**

The following regulations on permitted and required accessory off-street parking spaces are adopted in order to provide parking spaces off the streets for the increasing number of people driving to work in areas outside the high density central areas, to relieve congestion on streets in industrial districts, to help prevent all-day parking in residential and commercial areas adjacent to manufacturing areas, and to provide for better and more efficient access to and from industrial establishments within the City, and thus to promote and protect public health, safety, and general welfare.

(10/9/13)

#### **44-02**

##### **Applicability**

Except as otherwise provided in this Section, the regulations of this Chapter on permitted or required #accessory# off-street parking spaces apply to #manufacturing#, #commercial# or #community facility uses#, as set forth in the provisions of the various Sections.

Special regulations applying in the #waterfront area# are set forth in Article VI, Chapter 2.

Special regulations applying in the #flood zone# are set forth in Article VI, Chapter 4.

(6/27/63)

#### **44-021**

##### **Applicability of regulations to non-profit hospital staff dwellings**

Except as modified in Section 44-211 (Parking requirements applicable to non-profit hospital staff dwellings), the regulations of Article III, Chapter 6, applicable to #residences# in C4-2 Districts shall apply to #non-profit hospital staff dwellings# in M1 Districts, and the regulations of this Chapter applicable to #community facility uses# shall not apply to such #use#.

(5/8/13)

#### **44-022**

##### **Applicability of regulations in the Manhattan Core and the Long Island City area**

Special regulations governing #accessory# off-street parking and loading in the #Manhattan Core# are set forth in Article I, Chapter 3, and special regulations governing #accessory# off-street parking in the #Long Island City area#, as defined in Section 16-02 (Definitions), are set forth in Article I, Chapter 6.

(9/21/11)

#### **44-023**

##### **Applicability of regulations in M1-1D through M1-5D Districts**

In M1-1D, M1-2D, M1-3D, M1-4D and M1-5D Districts, the parking regulations governing M1 Districts shall apply to #manufacturing#, #commercial# or #community facility uses#, and the regulations of Section 44-28 (Parking Regulations for Residential Uses in M1-1D Through M1-5D Districts) shall apply to #residential uses# authorized pursuant to Section 42-47 (Residential Uses in M1-1D Through M1-5D Districts).

(9/21/11)

**44-024**

**Applicability of regulations in M1-6D Districts**

In M1-6D Districts, the parking regulations governing M1 Districts shall apply to #commercial# and #manufacturing uses#. For #residential# and #community facility uses#, the parking regulations applicable in C6-4 Districts, as set forth in Article III, Chapter 6, shall apply.

In addition, parking regulations shall be modified by Article I, Chapter 3 (Comprehensive Off-street Parking and Loading Regulations in the Manhattan Core), as applicable.

(9/21/11)

**44-025**

**Applicability of regulations in an M1-1 District in Community District 12 in the Borough of Queens**

In the M1-1 District bounded by 95th Avenue, 148th Street, 97th Avenue and 147th Place in Community District 12 in the Borough of Queens, the #accessory# off-street parking regulations of an M1 District shall apply, except that the #accessory# off-street parking regulations for an R5 District set forth in Article II, Chapter 5, shall apply to #residential uses#.

(6/27/63)

**44-03**

**Definitions**

Words in italics are defined in Section 12-10 (DEFINITIONS) or, if applicable exclusively to this Chapter, in this Section.

(12/15/61)

**44-10**

**PERMITTED ACCESSORY OFF-STREET PARKING SPACES**



(6/23/66)

#### **44-11**

##### **General Provisions**

M1 M2 M3

In all districts, as indicated, #accessory# off-street parking spaces may be provided for all permitted #uses# subject to the applicable provisions set forth in Section 44-12 (Maximum Size of Accessory Group Parking Facilities).

Such #accessory# off-street parking spaces may be open or enclosed. However, except as otherwise provided in Section 73-49 (Roof Parking), no spaces shall be located on any roof which is immediately above a #story# other than a #basement#.

(6/23/66)

#### **44-12**

##### **Maximum Size of Accessory Group Parking Facilities**

M1 M2 M3

In all districts, as indicated, no #accessory group parking facility# shall contain more than 150 off-street parking spaces, except as provided in Section 44-13 (Modification of Maximum Size of Accessory Group Parking Facilities).

The provisions of this Section shall not apply to #accessory# off-street parking spaces provided in #public parking garages# in accordance with the provisions of Section 44-46 (Accessory Off-street Parking Spaces in Public Parking Garages).

(6/23/66)

#### **44-13**

##### **Modification of Maximum Size of Accessory Group Parking Facilities**

M1 M2 M3

In all districts, as indicated, a #group parking facility# may contain additional spaces not to exceed 50 percent of the maximum number otherwise permitted under the provisions of Section 44-12

(Maximum Size of Accessory Group Parking Facilities), if the Commissioner of Buildings determines that such facility:

- (a) has separate vehicular entrances and exits thereto, located not less than 25 feet apart;
- (b) is located on a street not less than 60 feet in width; and
- (c) if #accessory# to a #commercial# or #manufacturing use#, has adequate reservoir space at the entrances to accommodate a minimum of 10 automobiles.

The Commissioner of Buildings shall establish appropriate additional regulations with respect to the design of such facility to minimize adverse effects on the character of the surrounding area, such as requirements for shielding of floodlights.

The provisions of this Section shall not apply to #accessory# off-street parking spaces provided in #public parking garages# in accordance with the provisions of Section 44-46 (Accessory Off-street Parking Spaces in Public Parking Garages).

(6/23/66)

#### **44-14**

##### **Exceptions to Maximum Size of Accessory Group Parking Facilities**

M1 M2 M3

In all districts, as indicated, the Board of Standards and Appeals may permit #accessory group parking facilities# with more than 150 spaces, in accordance with the provisions of Section 73-48 (Exceptions to Maximum Size of Accessory Group Parking Facilities).

The provisions of this Section shall not apply to #accessory# off-street parking spaces provided in #public parking garages# in accordance with the provisions of Section 44-46 (Accessory Off-street Parking Spaces in Public Parking Garages).

(12/15/61)

#### **44-20**

##### **REQUIRED ACCESSORY OFF-STREET PARKING SPACES FOR MANUFACTURING, COMMERCIAL OR COMMUNITY FACILITY USES**

(2/2/11)

#### **44-21**

#### **General Provisions**

M1 M2 M3

In all districts, as indicated, #accessory# off-street parking spaces, open or enclosed, shall be provided in conformity with the requirements set forth in the table in this Section for all #development# after December 15, 1961, for the #manufacturing#, #commercial# or #community facility uses# listed in the table. In addition, all other applicable requirements of this Chapter shall apply as a condition precedent to the #use# of such #development#.

After December 15, 1961, if an #enlargement# results in a net increase in the #floor area# or other applicable unit of measurement specified in the table in this Section, the same requirements set forth in the table shall apply to such net increase in the #floor area# or other specified unit of measurement.

A parking space is required for a portion of a unit of measurement one-half or more of the amount set forth in the table.

For the purposes of this Section, a tract of land on which a group of such #uses# is #developed# under single ownership or control shall be considered a single #zoning lot#.

For those #uses# for which rated capacity is specified as the unit of measurement, the Commissioner of Buildings shall determine the rated capacity as the number of persons which may be accommodated by such #uses#.

The requirements of this Section shall be waived in the following situations:

- (a) when, as the result of the application of such requirements, a smaller number of spaces would be required than is specified by the provisions of Section 44-23 (Waiver of Requirements for Spaces Below Minimum Number);
- (b) when the Commissioner of Buildings has certified, in accordance with the provisions of Section 44-24 (Waiver of Requirements for All Zoning Lots Where Access Would Be

Forbidden), that there is no way to arrange the spaces with access to the #street# to conform to the provisions of Section 44-43 (Location of Access to the Street);

- (c) for houses of worship, in accordance with the provisions of Section 44-25 (Waiver for Locally Oriented Houses of Worship).

REQUIRED OFF-STREET PARKING SPACES FOR MANUFACTURING, COMMERCIAL OR COMMUNITY FACILITY USES

Type of #Use#	Parking Spaces Required, in Relation to Specified Unit of Measurement	Districts
FOR MANUFACTURING OR COMMERCIAL USES		
#Manufacturing# or semi-industrial #uses#. #Uses# in Use Group 17B, 17D, 18A or 18C, or in PRC-F in Use Group 11 or 16, and with a minimum of either 7,500 square feet of #floor area# or 15 employees.	None required  1 per 1,000 square feet of #floor area# <sup>1</sup> , or 1 per 3 employees, whichever will require a larger number of spaces	M1-4 M1-5 M1-6 M2-3 M2-4 M3-2  M1-1 M1-2 M1-3 M2-1 M2-2 M3-1
Storage or miscellaneous #uses#. #Uses# in:	None required	M1-4 M1-5 M1-6 M2-3 M2-4 M3-2
(a) PRC-G in Use Group 10 or 16;	1 per 2,000 square feet of #floor area# <sup>2</sup> , or 1 per 3 employees, whichever will require a lesser number of spaces	M1-1 M1-2 M1-3 M2-1 M2-2 M3-1
(b) Use Group 17A, 17D, 18B, or 18C; or		
(c) Use Group 17C, except for agricultural #uses#, such exception including greenhouses, nurseries, or truck gardens;		
with a minimum of either 10,000 square feet of #floor area# or 15 employees.		

General retail or service #uses#. Food stores with less than 2,000 square feet of #floor area#; #uses# in PRC-B in Use Group 6, 8, 9 or 10; or #uses# in PRC-B1 in Use Group 6, 7, 8, 9, 10, 11, 13, 14, or 16, or when permitted by special permit	None required  1 per 300 square feet of #floor area#	M1-4 M2-4	M1-5 M3-2	M1-6	M2-3  M2-1
Low traffic-generating #uses#. #Uses# in PRC-C in Use Group 6, 7, 9, 13, 14 or 16	None required  1 per 600 square feet of #floor area#	M1-4 M2-4	M1-5 M3-2	M1-6	M2-3  M2-1
Places of Assembly. #Uses# in PRC-D in Use Group 6, 8, 9, 10 or 12, or when permitted by special permit	None required  1 per 8 persons	M1-4 M2-4	M1-5 M3-2	M1-6	M2-3  M2-1
Open commercial amusements. #Uses# in PRC-E in Use Group 13, or when permitted by special permit <sup>5</sup>	None required  1 per 500 square feet of #lot area# <sup>4</sup>	M1-4 M2-4	M1-5 M3-2	M1-6	M2-3  M2-1
Other #commercial uses#. #Uses# in PRC-H in Use Group 5, 6, 7, 12, 13 or 14, or when permitted by special permit:	None required  1 per 500 square feet of #lot area# <sup>4</sup>	M1-4 M2-4	M1-5 M3-2	M1-6	M2-3  M2-1
#Boatels#	1 per 2 guest rooms or suites - M1	M1			
Camps, overnight or day, with a minimum of either 10,000 square feet of #lot area# or 10 employees	1 per 2,000 square feet of #lot area# or 1 per 3 employees, whichever will require a lesser number of spaces	M1	M2	M3	
Docks for non-commercial pleasure boats; rental boats; ferries; sightseeing, excursion or sport fishing vessels; passenger ocean vessels; or vessels not otherwise listed	See Section 62-43 for parking requirement				

Hotels	None required	M1-4	M1-5	M1-6
(a) For the #floor area# used for sleeping accommodations	1 per 8 guest rooms or suites	M1-1	M1-2	M1-3
(b) For that #floor area# used for meeting halls, auditoriums, eating or drinking places, wedding chapels or banquet halls, or radio or television studios	None required	M1-4	M1-5	M1-6
	1 per 8 person rated capacity	M1-1	M1-2	M1-3
#Motels# or #tourist cabins#	1 per 8 persons-rated capacity	M1		
Post offices	1 per guest room or suite	M1		
Prisons	None required	M1-4	M1-5	M1-6
		M2-4	M3-2	M2-3
	1 per 1,200 square feet of #floor area#	M1-1	M1-2	M1-3
		M2-2	M3-1	M2-1
Refreshment stands, drive-ins	1 per 50 square feet of #floor area#	M1-4	M1-5	M1-6
		M2-4	M3-2	M2-3
	1 per 100 square feet of floor area	M1-1	M1-2	M1-3
		M2-2	M3-1	M2-1
Funeral establishments	None required	M1-1	M1-2	M1-3
		M2-2	M3-1	M2-1
	1 per 400 square feet of #floor area#	M1-4	M1-5	M1-6
		M2-4	M3-2	M2-3
FOR COMMUNITY FACILITY USES				
Agricultural #uses#, including greenhouses, nurseries, or truck gardens	None required	M1-4	M1-5	M1-6
		M2-4	M3-2	M2-3
	1 per 1,000 square feet of #lot area#	M1-1	M1-2	M1-3
		M2-2	M3-1	M2-1
Ambulatory diagnostic or treatment health care facilities listed in Use Group 4	1 per 300 sq. ft. of #floor area# and #cellar# space <sup>3</sup> , except #cellar# space used for storage	M1-4	M1-5	M1-6
		M1-1	M1-2	M1-3
Clubs, community centers or settlement houses; philanthropic or non-profit institutions without sleeping accommodations, except ambulatory	None required	M1-4	M1-5	M1-6
	1 per 10 persons-rated capacity	M1-1	M1-2	M1-3

diagnostic or treatment health care facilities listed in Use Group 4; golf course club houses; non-commercial recreation centers; or welfare centers		
Hospitals and related facilities <sup>6</sup>	1 per 5 beds 1 per 10 beds	M1-1 M1-2 M1-3 M1-4 M1-5 M1-6
Houses of worship, applicable only to the facility's largest room of assembly; however, rooms separated by movable partitions shall be considered a single room	None required 1 per 15 persons-rated capacity	M1-4 M1-5 M1-6 M1-1 M1-2 M1-3
Seminaries		
(a) For that #floor area# used for classrooms, laboratories, student centers or offices	None required 1 per 1,000 sq. ft. of #floor area#	M1-4 M1-5 M1-6 M1-1 M1-2 M1-3
(b) For that #floor area# used for theaters, auditoriums, gymnasiums or stadiums	None required 1 per 8 persons-rated capacity	M1-4 M1-5 M1-6 M1-1 M1-2 M1-3
Outdoor skating rinks	None required 1 per 800 square feet of #lot area#	M1-4 M1-5 M1-6 M1-1 M1-2 M1-3
Outdoor tennis courts	None required 1 per 2 courts	M1-4 M1-5 M1-6 M1-1 M1-2 M1-3

NOTE: PRC = Parking Requirement Category

<sup>1</sup> For predominantly open #manufacturing uses#, the #lot area# used for such #uses# shall be considered as #floor area# for the purposes of these requirements

<sup>2</sup> For predominantly open storage or miscellaneous #uses#, the #lot area# used for such #uses# shall be considered as #floor area# for the purposes of these requirements

<sup>3</sup> The parking requirements for ambulatory diagnostic or treatment health care facilities listed in Use Group 4 and

#uses# in PRC-B1, may be reduced by permit of the Board of Standards and Appeals in accordance with the provisions of Section 73-44 (Reduction of Spaces for Ambulatory Diagnostic or Treatment Health Care Facilities listed in Use Group 4 and Uses in Parking Requirement Category B1)

- 4 In the case of golf driving ranges, requirements in this table apply only to that portion of the range used for tees
- 5 In the case of outdoor skateboard parks, in M3-1 Districts, the requirements of this table apply only to that portion used as skating runs and #accessory buildings#. The #floor area# of #accessory buildings# shall be considered #lot area# for the purpose of these requirements
- 6 Requirements are in addition to area utilized for ambulance parking

(6/27/63)

#### **44-211**

#### **Parking requirements applicable to non-profit hospital staff dwellings**

M1

In the district indicated, the provisions of Sections 36-31 to 36-39, inclusive, relating to Required Accessory Off-street Parking Spaces for Residences When Permitted in Commercial Districts, shall apply as set forth in this Section to #non-profit hospital staff dwellings#. The district regulations of Sections 36-31 to 36-39, inclusive, applicable to #non-profit hospital staff dwellings# are determined in accordance with the following table, and are the same as the regulations applicable to #residences# in the districts indicated in the table.

District	#Commercial District# whose Regulations are Applicable
M1-1 M1-2 M1-3	C4-2
M1-4 M1-5 M1-6	C4-7

(9/9/04)



#### **44-22**

##### **Special Provisions for a Single Zoning Lot With Uses Subject to Different Parking Requirements**

M1 M2 M3

In all districts, as indicated, where any #building# or #zoning lot# contains two or more #uses# having different parking requirements as set forth in Section 44-21 (General Provisions), the parking requirements for each type of #use# shall apply to the extent of that #use#.

However, the number of spaces required for houses of worship or for #uses# in parking requirement category D (Places of Assembly), when in the same #building# or on the same #zoning lot# as any other #use#, may be reduced by the Board of Standards and Appeals in accordance with the provisions of Section 73-431 (Reduction of parking spaces for houses of worship) or 73-432 (Reduction of parking spaces for places of assembly).

(12/15/61)

#### **44-23**

##### **Waiver of Requirements for Spaces Below Minimum Number**

M1 M2 M3

In all districts, as indicated, subject to the provisions of Section 44-231 (Exceptions to application of waiver provisions), the parking requirements set forth in Sections 44-21 (General Provisions) or 44-22 (Special Provisions for a Single Zoning Lot With Uses Subject to Different Parking Requirements) shall not apply to #commercial uses# in parking requirement category A, B, B1, C, D, E or H, or to permitted #community facility uses#, if the total number of #accessory# off-street parking spaces required for all such #uses# on the #zoning lot# is less than the number of spaces set forth in the following table:

District	Number of Spaces
M1-1 M1-2 M1-3 M2-1 M2-2 M3-1	15
M1-4 M1-5 M1-6 M2-3 M2-4 M3-2	40

(12/15/61)

#### **44-231**

##### **Exceptions to application of waiver provisions**

M1 M2 M3

In all districts, as indicated, the waiver provisions of Section 44-23 shall not apply to the following types of #uses#:

- (a) #Manufacturing# or semi-industrial #uses# in Use Group 17B, 17D, 18A or 18C, or in parking requirement category F in Use Group 11 or 16.
- (b) Storage or miscellaneous #uses# in Use Group 17A, 17C, 17D, 18B or 18C, or in parking requirement category G in Use Group 16.
- (c) The following #commercial uses# in parking requirement category H in Use Group 7 or 13:

#Boatels#

Camps, overnight or day

#Motels# or #tourist cabins#

Refreshment stands, drive-in.

(12/15/61)

#### **44-24**

##### **Waiver of Requirements for All Zoning Lots Where Access Would be Forbidden**

M1 M2 M3

In all districts, as indicated, the requirements set forth in Sections 44-21 (General Provisions) or 44-22 (Special Provisions for a Single Zoning Lot With Uses Subject to Different Parking Requirements) shall not apply to any #building# or #zoning lot# as to which the Commissioner of Buildings has certified that there is no way to arrange the required spaces with access to the #street# to conform to the provisions of Section 44-43 (Location of Access to the Street).

The Commissioner of Buildings may refer such matter to the

Department of Transportation for a report, and may base a determination on such report.

(9/9/04)

#### **44-25**

#### **Waiver for Locally-Oriented Houses of Worship**

M1

In the district indicated, the requirements set forth in Sections 44-21 (General Provisions) and 44-22 (Special Provisions for a Single Zoning Lot With Uses Subject to Different Parking Requirements) shall not apply to a house of worship, provided the Chairperson of the City Planning Commission certifies that:

- (a) seventy-five percent or more of the congregants of such house of worship reside within a three-quarter mile radius of the house of worship;
- (b) the number of spaces required pursuant to this Section is less than the number of spaces listed in the table in Section 44-23 (Waiver of Requirements for Spaces Below Minimum Number); and
- (c) such house of worship shall not include, as an #accessory use#, the leasing, licensing or any other grant of permission to utilize a room or other space in such house of worship for the operation of a business engaged in serving food or beverages for functions, occasions or events.

For the purposes of determining the number of spaces required pursuant to this Section, the product of the actual percentage of congregants living within a three-quarter mile radius of the house of worship, computed for the purposes of paragraph (a) of this Section, multiplied by the persons-rated capacity of the largest room of assembly, shall be subtracted from the persons-rated capacity of the largest room of assembly.

The provisions of paragraph (c) of this Section are not intended to restrict the lease, license or other permission to use a room or other space in a house of worship, when given by the house of worship to a person in order to hold a function, occasion or event, where such person hires or retains a business engaged in serving food or beverages for purposes of such function, occasion or event, and provided that such business is not located on the same #zoning lot# as the house of worship, makes its services available to non-congregants, and does not operate its business

substantially for the benefit or convenience of congregants or visitors to the house of worship.

A certification pursuant to this Section shall be granted on condition that the Certificate of Occupancy for such house of worship be marked or amended to provide that #accessory uses# shall not include the utilization of a room or other space in such house of worship for the operation of a business engaged in serving food or beverages for functions, occasions or events. The Chairperson may impose additional conditions and safeguards to ensure compliance with the provisions of this Section, in the form of a signed declaration of restrictions. The filing of any such declaration in the Borough Office of the Register of the City of New York shall be precondition for the issuance of a building permit.

Within 45 days of receipt of a complete application, including documentation of the residences of congregants in a form acceptable to the Department of City Planning, the Chairperson shall either certify that the proposed #development# or #enlargement# complies with the requirements of this Section or disapprove such application, citing the nature of any failure to comply.

(9/9/04)

#### **44-26**

##### **Special Provisions for Zoning Lots Divided by District Boundaries**

M1 M2 M3

In all districts, as indicated, whenever a #zoning lot# is divided by a boundary between districts having different requirements for #accessory# off-street parking spaces, the provisions set forth in Article VII, Chapter 7, shall apply.

(2/2/11)

#### **44-27**

##### **Special Provisions for Expansion of Existing Manufacturing Buildings**

M1 M2 M3

In all districts, as indicated, whenever an existing #manufacturing building# is expanded pursuant to the provisions of Section 43-121 (Expansion of existing manufacturing

buildings), the City Planning Commission may reduce, up to a maximum of 40 spaces, the parking requirements of Sections 44-21 (General Provisions) or 44-22 (Special Provisions for a Single Zoning Lot With Uses Subject to Different Parking Regulations), provided the Commission certifies:

- (a) that because of site limitations such a reduction is necessary for the proper design and operation of the #manufacturing building#; and
- (b) that off-site parking and mass transit facilities are adequate to satisfy the additional parking demand generated by the expansion.

(9/21/11)

#### **44-28**

#### **Parking Regulations for Residential Uses in M1-1D Through M1-5D Districts**

In M1-1D, M1-2D, M1-3D, M1-4D and M1-5D Districts, the regulations of this Section shall apply to #residential uses# authorized pursuant to Section 42-47 (Residential Uses in M1-1D Through M1-5D Districts).

- (a) In M1-1D Districts, for any new #residence# authorized pursuant to Section 42-47, one #accessory# parking space shall be provided for each #dwelling unit#. The Commission may reduce this requirement if the Commission determines that there is sufficient on-street parking space available to meet the needs of the new #residence#.

Access to such required #accessory# parking shall be designed so as to minimize any adverse effect upon the availability of on-street parking and loading for conforming #manufacturing# and #commercial uses#. If necessary, in order to implement this requirement, the Commission may modify the 10 foot maximum setback requirement of paragraph (e) of Section 43-61 (Bulk Regulations for Residential Uses in M1-1D Through M1-5D Districts).

- (b) In M1-2D, M1-3D, M1-4D and M1-5D Districts, #accessory# parking shall not be permitted, except when authorized by the City Planning Commission.

The Commission may authorize #accessory# parking provided:

- (1) the #zoning lot# extends 40 feet or more along the

#street line#;

- (2) the curb cut extends no more than 15 feet along the #street line# and provides access to a #group parking facility# of five or more #accessory# off-street parking spaces; and
- (3) the Commission determines that such curb cut will not adversely affect the availability of on-street parking and loading for conforming #manufacturing# and #commercial uses#.

(12/19/17)

#### **44-29**

##### **Parking Regulations for Zoning Lots Containing Self-Service Storage Facilities in Designated Areas**

M1-1 M1-2 M1-3 M2-1 M2-2 M3-1

In the Districts indicated, in designated areas within #Manufacturing Districts# in Subarea 1, as shown on the maps in APPENDIX J (Designated Areas Within Manufacturing Districts) of this Resolution, the provisions of Section 44-21 (General Provisions) are modified as set forth in this Section for all #uses# within the #industrial floor space#.

For any #zoning lot# containing a #self-service storage facility# that meets the requirements of paragraphs (a) or (b)(1) of Section 42-121 (Use Group 16D self-service storage facilities), #accessory# off-street parking spaces, open or enclosed, shall not be required for #uses# within #industrial floor space#, where all such #uses# occupy less than 10,000 square feet of #floor area# or have fewer than 15 employees. For #industrial floor space# on such #zoning lots# where such #uses#, in total, occupy at least 10,000 square feet of #floor area# or have 15 or more employees, #accessory# off-street parking spaces, open or enclosed, shall be required for all #uses# within the #industrial floor space# at the rate of one space per 2,000 square feet of #floor area#, or one space per three employees, whichever will require fewer spaces.

(12/15/61)

#### **44-30**

##### **RESTRICTIONS ON LOCATION AND USE OF ACCESSORY OFF-STREET PARKING**

## **SPACES**

(9/9/04)

### **44-31**

#### **General Provisions**

M1 M2 M3

In all districts, as indicated, all permitted or required off-street parking spaces, open or enclosed, #accessory# to any permitted #use# shall be provided on the same #zoning lot# as the #building# or #use# to which such spaces are #accessory#, except as provided in the following Sections:

Section 44-32 (Off-site Spaces for All Permitted Uses)

Section 44-33 (Joint and Shared Facilities)

Section 44-34 (Additional Regulations for Required Spaces When Provided Off-site)

Section 73-45 (Modification of Off-site Parking Provisions)

Such exceptions to the requirement that the spaces be provided on the same #zoning lot# as the #building# or #use# to which they are #accessory# shall not apply in the case of spaces provided in a permitted #public parking garage# in accordance with the provisions of Section 44-46 (Accessory Off-street Parking Spaces in Public Parking Garages).

(12/15/61)

### **44-32**

#### **Off-site Spaces for All Permitted Uses**

M1 M2 M3

In all districts, as indicated, all permitted or required off-street parking spaces #accessory# to any permitted #use# may be provided on a #zoning lot# other than the same #zoning lot# as such #use# but within the same district or an adjoining C8 or #Manufacturing District#. However, all required spaces shall be not more than 600 feet from the nearest boundary of the #zoning lot# on which such #use# is located.

(9/9/04)

**44-33**

**Joint and Shared Facilities**

(9/9/04)

**44-331**

**Joint facilities**

M1 M2 M3

In all districts, as indicated, required #accessory# off-street parking spaces may be provided in facilities designed to serve jointly two or more #buildings# or #zoning lots#, provided that:

- (a) the number of spaces in such joint facilities shall be not less than that required in the following Sections for the combined #floor area#, #lot area#, rated capacity, or other such unit of measurement in such #buildings# or #zoning lots#:

Section 44-21 (General Provisions)

Section 44-22 (Special Provisions for a Single Zoning Lot With Uses Subject to Different Parking Requirements).

- (b) all such spaces conform to the provisions of Section 44-32 (Off-site Spaces for All Permitted Uses); and
- (c) the design and layout of such joint facilities meet standards of adequacy set forth in regulations promulgated by the Commissioner of Buildings.

(9/9/04)

**44-332**

**Shared facilities for houses of worship**

M1-1 M1-2 M1-3

In the districts indicated, required #accessory# off-street parking spaces may be provided for houses of worship in facilities designed to be shared with other permitted non-



#residential uses#, in any district, provided that:

- (a) no more than 25 percent of the spaces in such facilities may be used to satisfy the parking requirement for both the house of worship and other permitted non-#residential uses#, except that such percentage may be increased by the Commissioner of Buildings if it can be demonstrated that such additional parking spaces would not be used by the house of worship and other permitted non-#residential uses# at the same times;
- (b) all such spaces are no further than 600 feet from the nearest boundary of the #zoning lot# containing the house of worship; and
- (c) all such spaces conform to all applicable regulations of the district in which they are located.

(9/9/04)

#### **44-34**

#### **Additional Regulations for Required Spaces When Provided Off-Site**

M1 M2 M3

In all districts, as indicated, when required #accessory# off-street parking spaces are provided off the site in accordance with the provisions of Sections 44-32 (Off-site Spaces for All Permitted Uses) or 44-33 (Joint and Shared Facilities), the following additional regulations shall apply:

- (a) Such spaces shall be in the same ownership (single fee ownership or alternative ownership arrangements of the #zoning lot# definition in Section 12-10) as the #use# to which they are #accessory#, and shall be subject to deed restrictions filed in an office of record, binding the owner and his heirs and assigns to maintain the required number of spaces available throughout the life of such #use#.
- (b) Such spaces shall conform to all applicable regulations of the district in which they are located.

(9/29/10)

#### **44-35**

#### **Restriction on Use of Accessory Off-street Parking Spaces**

M1 M2 M3

In all districts, as indicated, #accessory# off-street parking spaces, whether permitted or required and whether open or enclosed, shall be used primarily for the owners, occupants, employees, customers, or visitors of the #use# or #uses# to which such spaces are #accessory#.

#Car sharing vehicles# may occupy #accessory# off-street parking spaces in #group parking facilities# containing 20 spaces or more; however, the number of spaces so occupied shall not exceed 10 percent of all parking spaces in such #group parking facilities#.

(6/23/66)

#### **44-36**

##### **Restrictions on Automotive Repairs and Sale of Motor Fuel**

M1 M2 M3

In all districts, as indicated, automotive repairs or the sale of motor fuel, motor oil, or automotive accessories are not permitted in connection with the operation of #accessory# off-street parking spaces.

However where such parking spaces are provided in a #building or other structure#, minor automotive repairs (not including body work) are permitted, and not more than three motor fuel pumps may be provided. However, no motor fuel shall be sold to persons who are not using the parking spaces. The provisions of this Section are not applicable to #accessory# off-street parking spaces provided in #public parking garages#.

(12/15/61)

#### **44-40**

##### **ADDITIONAL REGULATIONS FOR PERMITTED OR REQUIRED OFF-STREET PARKING SPACES**

(9/29/10)

#### **44-41**

## **General Provisions**

M1 M2 M3

In all districts, as indicated, all permitted or required off-street parking spaces shall conform to the provisions of Section 44-40, inclusive.

Special regulations applying to #large-scale community facility developments# are set forth in Article VII, Chapter 8.

(4/30/12)

### **44-42**

#### **Size and Identification of Spaces**

M1 M2 M3

##### **(a) Size of spaces**

In all districts, as indicated, for all #accessory# off-street parking spaces, open or enclosed, each 300 square feet of unobstructed standing or maneuvering area shall be considered one parking space. However, an area of less than 300 square feet, but in no event less than 200 square feet, may be considered as one space, where the layout and design of the parking area are adequate to permit convenient access and maneuvering in accordance with regulations promulgated by the Commissioner of the Department of Buildings, or where the applicant for a building permit or certificate of occupancy certifies that such spaces will be fully attended.

Driveways used to access required parking spaces must be unobstructed for a width of at least eight feet and a height of eight feet above grade and if connecting to a #street#, such driveway may only be accessed by a curb cut.

In any case where a reduction of the required area per parking space is permitted on the basis of the applicant's certification that such spaces will be fully attended, it shall be set forth in the certificate of occupancy that paid attendants employed by the owners or operators of such spaces shall be available to handle the parking and moving of automobiles at all times when such spaces are in use.

In no event shall the dimensions of any parking stall be less than 18 feet long and 8 feet, 6 inches wide.

(b) Identification of #car sharing vehicles#

Within an off-street parking facility that contains #car sharing vehicles#, an information plaque shall be placed at a location accessible to and visible to users of such facility. The plaque shall be fully opaque, non-reflective and constructed of permanent, highly durable materials and shall contain the following statements in lettering no less than one inch high:

- (1) "Total parking spaces in facility:" which shall specify the total number of parking spaces permitted within such parking facility; and
- (2) "Maximum number of car sharing vehicles:" which shall specify the total number of #car sharing vehicles# permitted within such parking facility.

6/21/73

**44-43**

**Location of Access to the Street**

M1 M2 M3

In all districts, as indicated, the entrances and exits of all permitted or required #accessory group parking facilities# and all permitted #public parking lots# or #public parking garages# with 10 or more spaces, shall be located not less than 50 feet from the intersection of any two #street lines#. However, access located within 50 feet of such intersection may be permitted if the Commissioner of Buildings or, in the case of #public parking lots# or #public parking garages# permitted in accordance with the provisions of Article VII, Chapter 4, the City Planning Commission certifies that such a location is not hazardous to traffic safety and not likely to create traffic congestion. The Commissioner of Buildings or the City Planning Commission may refer such matter to the Department of Transportation for a report and may base its determination on such report.

The waiver provisions of Section 44-24 (Waiver of Requirements for All Zoning Lots Where Access Would Be Forbidden) shall apply when the Commissioner of Buildings has certified that there is no way to arrange the spaces with access to the #street# to conform to the provisions of this Section.

(11/28/07)

**44-44**  
**Surfacing**

M1 M2 M3

In all districts, as indicated, all open #accessory# off-street parking spaces or permitted #public parking lots# shall be graded, constructed, surfaced, and maintained so as to provide adequate drainage and to prevent the release of dust, in accordance with rules and regulations promulgated by the Commissioner of Buildings.

Any area intended to be used permanently for an open #accessory group parking facility# shall be surfaced with asphaltic or Portland cement concrete, or other hard-surfaced dustless material, at least four inches thick. However, permeable paving materials may be used in open parking areas where the Commissioner of Buildings determines that such materials are appropriate.

(11/28/07)

**44-45**  
**Screening**

M1 M2 M3

In all districts, as indicated, all open off-street parking areas with 10 spaces or more, which are located on #zoning lots# adjacent to the boundary of a #Residence District#, either at natural grade or on a roof:

- (a) shall be screened from all adjoining #zoning lots# in #Residence Districts# (including such #zoning lots# situated across a #street#) by either:
  - (1) a strip at least four feet wide, densely planted with shrubs or trees at least four feet high at the time of planting and which are of a type which may be expected to form a year-round dense screen at least six feet high within three years; or
  - (2) a wall or barrier or uniformly painted fence of fire-resistant material at least six feet high, but not more

than eight feet above finished grade (or above the roof level, if on a roof). Such wall, barrier or fence may be opaque or perforated provided that not more than 50 percent of the face is open;

- (b) shall be maintained in good condition at all times;
- (c) may be interrupted by normal entrances or exits; and
- (d) shall have no #signs# hung or attached thereto other than those permitted in Section 42-52 (Permitted Signs).

Paragraph (a) shall not apply at the #street line# of #zoning lots# where the planting requirements of Section 37-921 (Perimeter landscaping) apply.

(6/23/66)

#### **44-46**

#### **Accessory Off-street Parking Spaces in Public Parking Garages**

M1 M2 M3

In all districts, as indicated, permitted or required #accessory# off-street parking spaces may be provided in a permitted #public parking garage#, but only on the same #zoning lot# as the #building# or #use# to which such spaces are #accessory# and subject to all the other applicable regulations of this Chapter.

Such #accessory# off-street parking spaces shall be included with all other spaces in such #public parking garage# for the purpose of applying any regulations in this Resolution relating to the number of spaces in such #public parking garage#.

The computation of #floor area# for such #public parking garage# shall be in accordance with the definition of #floor area# as set forth in Section 12-10 (DEFINITIONS), except as otherwise specifically authorized in accordance with the provisions of Sections 73-67 (Additional Floor Space for Public Parking Garages), 74-511 (In C1 Districts), 74-512 (In other Districts) or 74-52 (Parking Garages or Public Parking Lots in High Density Central Areas).

(2/2/11)

#### **44-47**

## **Parking Lot Maneuverability and Curb Cut Regulations**

M1 M2 M3

In all districts, as indicated, the provisions of this Section shall apply to:

- (a) #developments# with #accessory# open parking areas in which 70 percent or more of the #floor area# on the #zoning lot# is occupied by a #commercial# or #community facility use#;
- (b) #enlargements# of a #building# with #accessory# open parking areas or the #enlargement# of an open parking area that result in:
  - (1) an increase in the total number of parking spaces #accessory# to #commercial# or #community facility use# on the #zoning lot# that is at least 20 percent greater than the number of such spaces existing on November 28, 2007; or
  - (2) an increase in the total amount of #floor area# on the #zoning lot# that is at least 20 percent greater than the amount of #floor area# existing on November 28, 2007, and where at least 70 percent of the #floor area# on the #zoning lot# is occupied by #commercial# or #community facility uses#; and
- (c) existing #buildings# with new #accessory# open parking areas in which 70 percent or more of the #floor area# on the #zoning lot# is occupied by a #commercial# or #community facility use#.

The provisions of this Section shall not apply to surface parking located on the roof of a #building#, indoor parking garages, #public parking garages#, structured parking facilities, or #developments# or #enlargements# in which at least 70 percent of the #floor area# or #lot area# on a #zoning lot# is used for automotive #uses# listed in Use Groups 9 or 16.

For the purposes of this Section, an "open parking area" shall mean that portion of a #zoning lot# used for the parking or maneuvering of vehicles, including service vehicles, which is not covered by a #building#. Open parking areas shall also include all required landscaped areas within and adjacent to the open parking area.

For all such new or #enlarged# open parking areas, a site plan shall be submitted to the Department of Buildings showing the location of all parking spaces, curb cuts and compliance with the

maneuverability standards set forth in paragraphs (b) and (c) of Section 36-58.

(2/2/11)

#### **44-48**

##### **Parking Lot Landscaping**

M1 M2 M3

In all districts, as indicated, all #developments# and #enlargements# containing #commercial# or #community facility uses# and new open parking areas #accessory# to #commercial# or #community facility uses# shall comply with the provisions of Section 37-90 (PARKING LOTS), inclusive.

(6/10/09)

#### **44-49**

##### **Cross Access Connections in Manufacturing Districts in the Borough of Staten Island**

M1 M2 M3

In the Borough of Staten Island, in the districts indicated, existing or new open parking lots adjacent to one another on the same or separate #zoning lots# shall be required to provide vehicular passageways between such open parking lots in accordance with the provisions of Section 36-59 (Cross Access Connections in the Borough of Staten Island), inclusive.

##### **Off-street Loading Regulations**

(12/15/61)

#### **44-50**

##### **GENERAL PURPOSES**

The following regulations on permitted and required accessory off-street loading berths are adopted in order to provide needed space off public streets for loading and unloading activities, to restrict the use of the streets for such activities, to help relieve traffic congestion in manufacturing and industrial areas



within the City, and thus to promote and protect public health, safety, and general welfare.

(12/15/61)

#### **44-51**

##### **Permitted Accessory Off-street Loading Berths**

M1 M2 M3

In all districts, as indicated, #accessory# off-street loading berths, open or enclosed, may be provided for all permitted #uses#, under rules and regulations promulgated by the Commissioner of Buildings, and subject to the provisions of Sections 44-582 (Location of access to the street), 44-583 (Restrictions on location of berths near Residence Districts), 44-584 (Surfacing) and 44-585 (Screening).

(2/2/11)

#### **44-52**

##### **Required Accessory Off-street Loading Berths**

M1 M2 M3

In all districts, as indicated, #accessory# off-street loading berths, open or enclosed, shall be provided in conformity with the requirements set forth in the table in this Section and under rules and regulations promulgated by the Commissioner of Buildings, for all #development# after December 15, 1961, for the #community facility#, #commercial# or #manufacturing uses# listed in the table, except as otherwise provided in Sections 44-53 (Special Provisions for a Single Zoning Lot With Uses Subject to Different Loading Requirements) or 44-54 (Wholesale, Manufacturing or Storage Uses Combined With Other Uses), as a condition precedent to the #use# of such #development#.

After December 15, 1961, if the #use# of any #building or other structure# or #zoning lot# is changed or #enlarged#, the requirements set forth in the table shall apply to the #floor area# of the changed or #enlarged# portion of such #building# or of the #lot area# used for such #use#.

For the purposes of this Section, a tract of land on which a group of such #uses# is #developed# under single ownership or control shall be considered a single #zoning lot#.

Whenever any #use# specified in the table is located on an open lot, the requirements set forth in the table for #floor area# shall apply to the #lot area# used for such #use#.

REQUIRED OFF-STREET LOADING BERTHS FOR DEVELOPMENTS, ENLARGEMENTS  
OR CHANGES OF USE

Type of Use	#Floor Area# (in square feet)	Required Berths
M1 M2 M3  Hospitals and related facilities* or prisons	First 10,000 square feet of floor area  Next 290,000 square feet of floor area  Each additional 300,000 square feet of floor area or fraction thereof	1  None  1
M1 M2 M3  Funeral establishments	First 10,000 square feet of floor area  Next 20,000 square feet of floor area  Any additional amount	1  1  1
M1-1 M1-2 M1-4 M2-1 M2-3 M3-1 M3-2  Hotels, offices, or court houses	First 25,000 square feet of floor area  Next 75,000 square feet of floor area  Next 200,000 square feet of floor area  Each additional 300,000 square feet of floor area or fraction thereof	None  1  1  1
M1-3 M1-5 M1-6 M2-2 M2-4  Hotels, offices, or court houses	First 100,000 square feet of floor area  Next 200,000 square feet of floor area  Each additional 300,000 square feet of floor area or fraction thereof	None  1  1
M1-1 M1-2 M1-4 M2-1 M2-3 M3-1 M3-2	First 8,000 square feet of floor area	None

#Commercial uses#. All retail or service #uses# listed in Use Group 6A, 6C, 7B, 8B, 9A, 9B, 10A, 14A or 16A. All amusement #uses# listed in Use Group 8A or 12A. All automotive service #uses# listed in Use Group 7D.	Next 17,000 square feet of floor area	1
	Next 15,000 square feet of floor area	1
	Next 20,000 square feet of floor area	1
	Next 40,000 square feet of floor area	1
	Each additional 150,000 square feet of floor area or fraction thereof	1
M1-3 M1-5 M1-6 M2-2 M2-4	First 25,000 square feet of floor area	None
#Commercial uses#. All retail or service #uses# listed in Use Group 6A, 6C, 7B, 8B, 9A, 9B, 10A, 14A or 16A. All amusement #uses# listed in Use Group 8A or 12A. All automotive service #uses# listed in Use Group 7D.	Next 15,000 square feet of floor area	1
	Next 60,000 square feet of floor area	1
	Each additional 150,000 square feet of floor area or fraction thereof	1
M1-1 M1-2 M1-4 M2-1 M2-3 M3-1 M3-2	First 8,000 square feet of floor area	None
Services, wholesale, #manufacturing# or storage #uses#. All service, wholesale or storage #uses# listed in Use Group 7C, 10B, 11B, 16D, 17A or 18B. All #manufacturing uses# listed in Use Group 11A, 17B or 18A.	Next 17,000 square feet of floor area	1
	Next 15,000 square feet of floor area	1
	Next 20,000 square feet of floor area	1
	Each additional 80,000 square feet of floor area or fraction thereof	1
M1-3 M1-5 M1-6 M2-2 M2-4	First 15,000 square feet of floor area	None
Services, wholesale, #manufacturing# or storage #uses#. All service, wholesale or storage #uses# listed	Next 25,000 square feet of floor area	1
	Next 40,000 square feet of floor area	1

in Use Group 7C, 10B, 11B, 16D, 17A or 18B. All #manufacturing uses# listed in Use Group 11A, 17B or 18A.	Each additional 80,000 square feet of floor area or fraction thereof	1
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\* Requirements in this table are in addition to area utilized for ambulance parking.

(12/15/61)

#### **44-53**

#### **Special Provisions for a Single Zoning Lot With Uses Subject to Different Loading Requirements**

M1 M2 M3

In all districts, as indicated, if any #building# or #zoning lot# contains two or more #uses# having different requirements for loading berths as set forth in Section 44-52 (Required Accessory Off-street Loading Berths), and if:

- (a) the #floor area# of each separate #use# is less than the minimum #floor area# for which berths are required; and
- (b) the total #floor area# of all the #uses# for which berths are required is greater than the smallest amount of #floor area# for which berths are required for any of the #uses# individually; then

off-street loading berths shall be provided as if the total #floor area# of the #uses# for which berths are required were used for that #use# for which the most berths are required.

(12/15/61)

#### **44-54**

#### **Wholesale, Manufacturing or Storage Uses Combined With Other Uses**

M1 M2 M3

In all districts, as indicated, except as provided in Section 44-53 (Special Provisions for a Single Zoning Lot With Uses Subject to Different Loading Requirements), if any #building# or #zoning lot# is used partly for wholesale, #manufacturing# or storage

#uses# or any combination of such #uses#, and partly for any other #uses# set forth in the table in Section 44-52 (Required Accessory Off-street Loading Berths), at least 50 percent of the #floor area# in the #building# shall be subject to the requirements set forth for wholesale, #manufacturing# or storage #uses#, and the remainder shall be subject to the other applicable requirements.

(12/15/61)

#### **44-55**

##### **Waiver of Requirements for All Zoning Lots Where Access Would Be Forbidden**

M1 M2 M3

In all districts, as indicated, the requirements set forth in the following Sections shall not apply to any #building# or #zoning lot# as to which the Commissioner of Buildings has certified that there is no way to arrange the required berths with access to the #street# to conform to the provisions of Section 44-582 (Location of access to the street):

Section 44-52 (Required Accessory Off-street Loading Berths)

Section 44-53 (Special Provisions for a Single Zoning Lot With Uses Subject to Different Loading Requirements)

Section 44-54 (Wholesale, Manufacturing or Storage Uses Combined With Other Uses).

The Commissioner of Buildings may refer such matter to the Department of Transportation for a report and may base a determination on such report.

(12/15/61)

#### **44-56**

##### **Special Provisions for Zoning Lots Divided by District Boundaries**

M1 M2 M3

In all districts, as indicated, whenever a #zoning lot# is divided by a boundary between districts having different requirements for #accessory# off-street loading berths, the provisions set forth in Article VII, Chapter 7, shall apply.

(12/15/61)

#### **44-57**

##### **Joint Loading Berths Serving Two or More Buildings**

M1 M2 M3

In all districts, as indicated, required loading berths may be provided in facilities designed to serve jointly two or more adjoining #buildings# or #zoning lots# within a single #block#, provided that:

- (a) the number of berths in such joint facilities shall be not less than that required for the total combined #floor area# of such #buildings# or #zoning lots# as set forth in Sections 44-52 (Required Accessory Off-street Loading Berths), 44-53 (Special Provisions for a Single Zoning Lot With Uses Subject to Different Loading Requirements) and 44-54 (Wholesale, Manufacturing or Storage Uses Combined With Other Uses);
- (b) direct access is provided from such joint facilities to all such #buildings# or #zoning lots#; and
- (c) the design and layout of such joint facilities meet standards of adequacy set forth in regulations promulgated by the Commissioner of Buildings.

(12/15/61)

#### **44-58**

##### **Additional Regulations for Permitted or Required Berths**

M1 M2 M3

In all districts, as indicated, all permitted or required #accessory# off-street loading berths shall conform to the provisions set forth in this Section.

(12/15/61)

#### **44-581**

##### **Size of required loading berths**

M1 M2 M3

In all districts, as indicated, all required off-street loading berths, open or enclosed, shall conform to the regulations on minimum dimensions set forth in the following table. The dimensions of off-street berths shall not include driveways, or entrances to or exits from such off-street berths.

MINIMUM DIMENSIONS FOR REQUIRED ACCESSORY OFF-STREET LOADING  
BERTHS  
(in feet)

	Length	Width	Vertical Clearance
Hospitals and related facilities or prisons	33	12	12
Funeral establishments	25	10	8
Hotels, offices or court houses	33	12	12
#Commercial uses#*	33	12	14
Wholesale, #manu- facturing# or storage #uses#:	with less than 10,000 square feet of #floor area# with 10,000 square feet of #floor area# or more	33  50	12  12
			14

\* As set forth in the table in Section 44-52 (Required Accessory Off-street Loading Berths)

(12/15/61)

**44-582**

**Location of access to the street**

M1 M2 M3

In all districts, as indicated, no permitted or required #accessory# off-street loading berth, and no entrance or exit

thereto, shall be located less than 50 feet from the intersection of any two #street lines#. However, a location closer to such intersection may be permitted if the Commissioner of Buildings certifies that such a location is not hazardous to traffic safety and not likely to create traffic congestion. The Commissioner of Buildings may refer such matter to the Department of Transportation for report and may base a determination on such report.

The waiver provisions of Section 44-55 (Waiver of Requirements for All Zoning Lots Where Access Would Be Forbidden) shall apply when the Commissioner of Buildings has certified that there is no way to arrange the berths with access to the #street# to conform to the provisions of this Section.

(12/15/61)

#### **44-583**

##### **Restrictions on location of berths near Residence Districts**

M1 M2 M3

In all districts, as indicated, where #accessory# off-street loading berths are located within 60 feet of a #Residence District# boundary, such berths shall be enclosed within a #building#, and no entrance to or exit from the berths on to the #street# shall be less than 30 feet from the district boundary.

(12/15/61)

#### **44-584**

##### **Surfacing**

M1 M2 M3

In all districts, as indicated, all permitted or required open off-street loading berths shall be surfaced with asphaltic or Portland cement concrete, or other hard-surfaced dustless material, at least six inches thick.

(4/8/98)

#### **44-585**

##### **Screening**



M1 M2 M3

In all districts, as indicated, all permitted or required open off-street loading berths which are located on #zoning lots# adjacent to the boundary of a #Residence District# shall be screened from all adjoining #zoning lots# in #Residence Districts#, including #zoning lots# situated across a #street#, by either:

- (a) a strip at least four feet wide, densely planted with shrubs or trees which are at least four feet high at the time of planting and which are of a type which may be expected to form a year-round dense screen at least six feet high within three years; or
- (b) a wall or barrier or uniformly painted fence of fire-resistant material, at least six feet but not more than eight feet above finished grade. Such wall, barrier, or fence may be opaque or perforated, provided that not more than 50 percent of the face is open.

In addition, such screening:

- (1) shall be maintained in good condition at all times;
- (2) may be interrupted by normal entrances or exits; and
- (3) shall have no #signs# hung or attached thereto other than those permitted in Section 42-52 (Permitted Signs).

(12/19/17)

#### **44-586**

#### **Regulations for permitted or required loading berths for zoning lots containing self-service storage facilities in designated areas**

M1-1 M1-2 M1-3 M2-1 M2-2 M3-1

In the Districts indicated, in designated areas within #Manufacturing Districts# in Subarea 1, as shown on the maps in APPENDIX J (Designated Areas Within Manufacturing Districts) of this Resolution, the provisions of Sections 44-52 (Required Accessory Off-street Loading Berths) and 44-581 (Size of required loading berths) are modified as set forth in this Section.

For any #zoning lot# containing a #self-service storage facility# that meets the requirements of paragraphs (a) or (b)(1) of Section 42-121 (Use Group 16D self-service storage facilities), all

required #accessory# off-street loading berths for a #self-service storage facility# shall have a minimum length of 37 feet. The dimensions of off-street loading berths shall not include driveways, or entrances to or exits from such off-street loading berths.

The number of #accessory# off-street loading berths required for #uses# occupying #industrial floor space# shall be as set forth in the following table:

#Floor Area# (in square feet) Required Loading Berths	
First 15,000	None
Next 25,000	1
Next 40,000	1
Each additional 80,000 or fraction thereof	1

Additional loading berths shall not be required for a change of #use# within an existing #building# from Use Group 16D to a #self-service storage facility#.

(4/22/09)

#### **44-60**

##### **BICYCLE PARKING**

M1 M2 M3

In all districts, as indicated, the provisions of Section 36-70 (BICYCLE PARKING), inclusive, shall apply to all permitted #commercial# and #residential uses#. In addition, for #manufacturing uses#, #accessory# bicycle parking spaces shall be excluded from the definition of #floor area#, provided that:

- (a) the space excluded from #floor area# does not exceed an amount equal to 15 square feet multiplied by one bicycle parking space per 10,000 square feet of #floor area#; and
- (b) the #accessory# bicycle parking spaces provided meet the standards for #accessory# bicycle parking of Section 36-73 (Restrictions on Operation, Size and Location of Bicycle Parking Spaces);

However, in no event shall #accessory# bicycle parking spaces be excluded from the calculation of #floor area# in the case of #single-# or #two-family residences# or in the case of

#accessory# bicycle parking spaces provided off-site pursuant to Section 36-74 (Certification for Off-site Bicycle Parking Spaces).

Space provided for #accessory# bicycle parking spaces within an #accessory group parking facility# shall not be counted as #floor area# provided that such portion of the #accessory group parking facility# does not count as #floor area#.

The number of #accessory# bicycle parking spaces provided pursuant to this Section, the total area, in square feet, of bicycle parking spaces and the total area, in square feet, excluded from the calculation of #floor area# for such spaces shall be noted on the certificate of occupancy.

# 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 V: Non-conforming uses and non-complying buildings

#### Chapter 1 - Statement of Legislative Intent

Effective date of most recently amended section of Article V Chapter 1: 10/25/95

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Date of file creation: Web version of Article V Chapter 1: 9/27/17

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(12/15/61)

## **Article V**

### **Non-conforming Uses and Non-complying Buildings**

#### **Chapter 1**

##### **Statement of Legislative Intent**

(10/25/95)

#### **51-00**

##### **PURPOSE OF REGULATIONS GOVERNING NON-CONFORMING USES AND NON-COMPLYING BUILDINGS**

The zoning districts established in this Resolution (as set forth in the district regulations in Articles II, III and IV and on the zoning maps) are designed to guide the future use of the City's land by encouraging the development of desirable residential, commercial and manufacturing areas with appropriate groupings of compatible and related uses and thus to promote and to protect public health, safety and general welfare.

As a necessary corollary, in order to carry out such purposes, non-conforming uses which adversely affect the development of such areas must be subject to certain limitations. The regulations governing non-conforming uses set forth in this Chapter are therefore adopted in order to provide a gradual remedy for existing undesirable conditions resulting from such incompatible non-conforming uses, which are detrimental to the achievement of such purposes. While such uses are generally permitted to continue, these regulations are designed to restrict further investment in such uses, which would make them more permanent establishments in inappropriate locations.

In the case of a few objectionable non-conforming uses which are detrimental to the character of the districts in which such uses are located, a reasonable statutory period of life is established for such uses, in order to permit the owner gradually to make his plans for the future during the period when he is allowed to continue the non-conforming uses of his property, thereby minimizing any loss, while at the same time assuring the public that the district in which such non-conformity exists will eventually benefit from a more nearly uniform character.

In the case of buildings not complying with the bulk regulations of this Resolution, the regulations governing non-complying buildings set forth in this Chapter are adopted in order to permit the appropriate use of such buildings but to prevent the

creation of additional non-compliances or increases in the degree of existing non-compliances.

These regulations are thus designed to preserve the character of the districts established in this Resolution in the light of their peculiar suitability to particular uses, and thus to promote and protect public health, safety and general welfare.

# 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 V: Non-conforming uses and non-complying buildings Chapter 2 - Non-Conforming Uses

Effective date of most recently amended section of Article V Chapter 2: 10/09/13

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Administrative correction: 52-31

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(12/15/61)

## **Chapter 2**

### **Non-Conforming Uses**

(12/15/61)

## **52-00**

### **DEFINITIONS AND GENERAL PROVISIONS**

(11/19/87)

## **52-01**

### **Definitions**

Words in italics are defined in Section 12-10 (DEFINITIONS) or, if applicable exclusively to this Chapter, in this Section.

(10/9/13)

## **52-02**

### **Applicability of Article V, Chapter 2**

In the #flood zone#, the provisions of this Chapter are modified by the provisions of Article VI, Chapter 4.

(12/15/61)

## **52-10**

### **CONTINUATION OF NON-CONFORMING USE**

(12/15/61)

## **52-11**

### **General Provisions**

A #non-conforming use# may be continued, except as otherwise provided in this Chapter.



(12/15/61)

## **52-20**

### **REPAIRS OR ALTERATIONS**

(12/15/61)

## **52-21**

### **Repairs and Incidental Alterations**

Repairs to both structural and non-structural parts or #incidental alterations# may be made in a #building or other structure# substantially occupied by a #non-conforming use#, or in connection with a permitted change or #extension# of a #non-conforming use#.

(12/21/89)

## **52-22**

### **Structural Alterations**

No structural alterations shall be made in a #building or other structure# substantially occupied by a #non-conforming use#, except when made:

- (a) in order to comply with requirements of law; or
- (b) in order to accommodate a conforming #use#; or
- (c) in order to conform to the applicable district regulations on performance standards; or
- (d) in the course of an #enlargement# permitted under the provisions of Sections 52-41 to 52-46, inclusive, relating to Enlargements or Extensions,

or except as set forth in Sections 52-81 to 52-83, inclusive, relating to Regulations Applying to Non-Conforming Signs.

(12/15/61)

## **52-30**

### **CHANGE OF NON-CONFORMING USE**

(5/8/13)

## **52-31**

### **General Provisions**

For the purposes of this Chapter, a change of #use# is a change to another #use# listed in the same or any other Use Group. However, a change in ownership or occupancy shall not, by itself, constitute a change of #use#.

Except as provided in this Section, a #non-conforming use# may be changed to any conforming #use#, and the applicable district #bulk# regulations and #accessory# off-street parking requirements shall not apply to such change of #use# or to alterations made in order to accommodate such conforming #use#, but shall apply to any #enlargement#.

In all zoning districts which mandate compliance with the Quality Housing Program, the provisions of Article II, Chapter 8, shall apply to such change of #use#.

In #Mandatory Inclusionary Housing areas# and where made applicable pursuant to the provisions of Section 74-32 (Additional considerations for special permit use and bulk modifications), the #affordable housing# requirements of paragraph (d) of Section 23-154 (Inclusionary Housing), except maximum #floor area ratio#, shall apply to such change of #use#.

In Manhattan Community Districts 1, 2, 3, 4, 5 and 6, Brooklyn Community Districts 1, 2, 6 and 8, and Queens Community Districts 1 and 2, the #conversion# of non-#residential floor area# to #residences# shall be subject to the provisions of Article I, Chapter 5 (Residential Conversion within Existing Buildings), unless such #conversions# meet the requirements for #residences# of Article II (Residence District Regulations).

A #non-conforming use# may be changed to another #non-conforming use# only in accordance with the provisions of this Chapter.

Any such change of #use# permitted by this Chapter shall conform to the applicable district regulations on #accessory# off-street loading berths as set forth in Section 52-41 (General Provisions) and on #accessory signs#, except that in #Residence Districts# such change shall conform to the regulations on #accessory signs# applicable in a C1 District.

In the #Manhattan Core#, a #non-conforming use# may be changed to an automobile rental establishment, #public parking garage# or #public parking lot# in Use Groups 8 and 12D only pursuant to the provisions of Article I, Chapter 3, and in the #Long Island City area#, as defined in Section 16-02 (Definitions), a #non-conforming use# may be changed to a #public parking garage# or #public parking lot# in Use Groups 8 and 12D only pursuant to the provisions of Article I, Chapter 6.

In the case of a conflict between these provisions and retail continuity provisions that apply to the ground floor of #buildings#, a #non-conforming use# on the ground floor in such #building# may be changed only to a #conforming use#.

(12/15/61)

#### **52-32**

##### **Land with Minor Improvements**

In all #Residence# and #Commercial Districts#, a #non-conforming use# of #land with minor improvements# may be changed only to a conforming #use#.

(12/15/61)

#### **52-33**

##### **Manufacturing or Related Uses in Residence Districts**

(12/15/61)

#### **52-331**

##### **Buildings designed for residential use**

In all #Residence Districts#, a #non-conforming use# listed in Use Group 11A, 16, 17 or 18 which is located in a #building designed for residential use# may be changed only to a #use# permitted in #Residence Districts#.

(8/17/90)

#### **52-332**

**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 photostatting 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:

## §62-212 Waterfront-Enhancing (WE) uses

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

§62-212 Waterfront-Enhancing (WE) uses

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

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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)

# 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 1: Special Midtown District

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

(8/9/17)

### **Table of Contents - Special Midtown District**

GENERAL PURPOSES .....	81-00
Definitions .....	81-01
General Provisions .....	81-02
District Plan .....	81-03
Subdistricts .....	81-04
Applicability of Certain Amendments. ....	81-05
Applicability of Article VII Provisions .....	81-06
USE REGULATIONS .....	81-10
Modifications of Use Regulations in Subdistricts .....	81-11
Special Retail Continuity Requirements .....	81-12
Special Permit Use Modifications .....	81-13
Modification of Sign and Frontage Regulations in the Fifth Avenue Subdistrict .....	81-14
BULK REGULATIONS .....	81-20
Floor Area Ratio Regulations .....	81-21
As-of-right Floor Area Bonuses. ....	81-22
Floor Area Bonus for Public Plazas .....	81-23
Floor Area, Lot Coverage and Building Spacing Regulations for Residential Uses .....	81-24
General Provisions Relating to Height and Setback of Buildings .....	81-25
Height and Setback Regulations - Daylight Compensation .....	81-26
Alternate Height and Setback Regulations - Daylight Evaluation .....	81-27
Minimum Distance Between Buildings .....	81-28
Incentives by Special Permit for Provisions of Public Amenities .....	81-29
OFF-STREET PARKING AND OFF-STREET LOADING REGULATIONS .....	81-30
General Provisions .....	81-31
MANDATORY DISTRICT PLAN ELEMENTS .....	81-40

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

§81-82 Special Regulations on Permitted and Required Uses  
Fifth Avenue Subdistrict

\*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

§81-82 Special Regulations on Permitted and Required Uses  
Fifth Avenue Subdistrict

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



**§81-82 Special Regulations on Permitted and Required Uses  
Fifth Avenue Subdistrict**

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**

## §81-722 Use Group T Special Midtown District

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#

§81-722 Use Group T Special Midtown District

\* 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

§81-722 Use Group T Special Midtown District

\* 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

§81-722 Use Group T Special Midtown District

\* 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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(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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(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)

## §88-13 Commercial Use Special Hudson Square District

#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).

## §88-13 Commercial Use Special Hudson Square District

- (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

## §99-03 Special Use Regulations

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

§99-03 Special Use Regulations Madison Avenue Preservation District

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;



## §104-16 Use Group MMU Manhattanville Mixed Use District

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

§104-16 Use Group MMU Manhattanville Mixed Use District

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

§104-16 Use Group MMU Manhattanville Mixed Use District

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

## §104-16 Use Group MMU Manhattanville Mixed Use District

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

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\* 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:

	#Floor Area Ratio#	
#Use#	#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).

## §118-11 Ground Floor Uses Special Union Square District

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

## §118-11 Ground Floor Uses Special Union Square District

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

## §118-11 Ground Floor Uses Special Union Square District

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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(9/9/04)

**APPENDIX A**  
**Index of Uses**

The following is a listing in alphabetical order of #uses# allowed in this Resolution either as #uses# permitted as-of-right, or as #uses# permitted by special permit, together with the Use Group in which each is listed, the parking requirement category of #commercial uses#, if applicable, and the district or districts in which it is permitted.

When a district associated with a given #use# is designated in the Index with an asterisk (\*), the #use# is permitted in such district only by special permit of the Board of Standards and Appeals, as set forth in the applicable portions of this Resolution.

When a district associated with a given #use# is designated in the Index with a double asterisk (\*\*), the #use# is permitted in such district only by special permit of the City Planning Commission, as set forth in the applicable portions of this Resolution.

#Uses# listed in Use Group 11A, 16, 17, or 18 as permitted #uses# in C8 or #Manufacturing Districts# must also meet the applicable performance standards for these districts.

#Uses# listed in Use Group 18 are permitted in M1 or M2 Districts if they can comply with the applicable performance standards for those districts.

This Index is established as a reference guide to this Resolution but is not an integral part thereof. Whenever there is any difference in meaning or implication between the provisions of this Resolution as set forth in Articles I through VII and the text of this Index, the text of the Resolution shall prevail.

#Use# regulations governing the several classes of districts are set forth in the following Chapters of this Resolution:

Residence Districts - Article II, Chapter 2  
Commercial Districts - Article III, Chapter 2  
Manufacturing Districts - Article IV, Chapter 2

Use	Use Group	Districts in Which
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## Appendix A: Index of Uses

		Permitted
Adhesives manufacture, excluding manufacture of basic components	17	M1 M2 M3
#Adult establishments# <sup>28</sup> (See Sections 32-01 and 42-01)		C6 <sup>29</sup> C7 C8 M1 M2 M3
Advertising displays manufacture	17	M1 M2 M3
Agricultural machinery manufacture, including repairs	18	M3
Agriculture:		
With nuisance or sales limitations	4	R1-R2 R3-R10 C1 C2 C3 C4 C5 C6 C7 C8 M1
Without nuisance or sales limitations	17	M1 M2 M3
Aircraft manufacture (including parts)	17	M1 M2 M3
Airports		M1** M2** M3**
Ambulatory diagnostic and treatment health care facilities:		
Limited to location within building	4	R3-R10 <sup>18</sup> C1 C2 C3 C4 C5 C6 C8
Unlimited [PRC-B1]	6	C1 C2 C4 C5 C6 C8 M1 M2 M3
Amusement arcades [PRC-E]	15	C4 <sup>2*</sup> C6** C7 M2* M3*
Amusement parks, children's (See Children's amusement parks)		
Amusement park activities [PRC-E]	15	C7
Animal exhibits [PRC-E]	15	C7
Animal hospitals [PRC-B1]	16	C8 M1 M2 M3
Animal pounds or crematoriums [PRC-C]	16	C8 M1 M2 M3
Antique stores [PRC-B]	6	C1 C2 C4 C5



## Appendix A: Index of Uses

		C6 C8 M1 M2 M3
	12	C4 C6 C7 C8 M1 M2 M3
#Apartment hotels#	2	R3-R10 <sup>1</sup> C1 C2 C3 C4 C5 C6
Apparel (See Clothing)		
Appliances:		
Electrical appliance manufacturing	17	M1 M2 M3
Household appliance repair shops [PRC-B]	8	C2 C4 C6 C8 M1 M2 M3
Television, radio, phonograph or household appliance stores [PRC-B]:		
Limited as to #floor area#	6	C1 C2 C4 C5 C6 C8 M1
Unlimited	10	C4 C5 C6 C8 M1**
Arenas, auditoriums or stadiums:		
Limited as to capacity [PRC-D]	12	C4 C6 C7 C8 M1 <sup>3</sup> M2 M3
Unlimited		C4** C6** C7** C8** M1** M2** M3**
Art galleries:		
Commercial [PRC-B]	6	C1 C2 C4 C5 C6 C8 M1 M2 M3
Non-commercial	3	R1-R2 R3-R10 C1 C2 C3 C4 C5 C6 M1 <sup>5</sup>
Art goods manufacture, religious or church, excluding foundry operations	17	M1 M2 M3

## Appendix A: Index of Uses

Art metal craft shops [PRC-B]	6	C1 C2 C4 C5 C6 C8 M1 M2 M3
	12	C4 C6 C7 C8 M1 M2 M3
Art needlework [PRC-F]	11	C5 C6 <sup>4</sup> C8 M1 M2 M3
Artists' centers		C6 <sup>25**</sup>
Artists' supply stores [PRC-B]	6	C1 C2 C4 C5 C6 C8 M1 M2 M3
Asphalt, asphalt products, manufacture	18	M3
Athletic equipment, manufacture	17	M1 M2 M3
Athletic goods stores [PRC-B]	6	C1 C2 C4 C5 C6 C8 M1
Auction rooms, public [PRC-D]	9	C2 C4 C5 C6 C8 M1 M2 M3
	12	C4 C6 C7 C8 M1 <sup>3</sup> M2 M3
Auditoriums [PRC-D]:		
Limited as to capacity	12	C4 C6 C7 C8 M1 <sup>3</sup> M2 M3
Unlimited		C4 <sup>**</sup> C6 <sup>**</sup> C7 <sup>**</sup> C8 <sup>**</sup> M1 <sup>**</sup> M2 <sup>**</sup> M3 <sup>**</sup>
Automobiles:		
Dead storage	16	C8 M1 M2 M3
Driving schools [PRC-B]	8	C2 C4 C6 C8 M1 M2 M3
Glass or mirror shops [PRC-B1]	7	C2 C6 <sup>4</sup> C8 M1 M2 M3

## Appendix A: Index of Uses

Laundries	16	C8 M1 M2 M3
Manufacture, including parts, or engine rebuilding	17	M1 M2 M3
Open automobile rental establishments		C2**
Rental establishments	8	C2 C4 C6 C8 M1 M2 M3
Repairs [PRC-C]	16	C8 M1 M2 M3
Sales, with no repair services or preparation for delivery [PRC-C]	9	C2 C4 C5 C6 C8 M1
Sales, open or enclosed [PRC-C]	16	C8 M1 M2 M3
Seat cover or convertible top establishments, selling or installation [PRC-B1]	7	C2 C6 <sup>4</sup> C8 M1 M2 M3
Showrooms, with no repair services or preparation for delivery [PRC-C]	9	C2 C4 C5 C6 C8 M1
Supply stores, with no repair services [PRC-B]	6	C1 C2 C4 C5 C6 C8 M1 M2 M3
Tire sales establishments [PRC-B1]	7	C2 C6 <sup>4</sup> C8 M1 M2 M3
Wrecking establishments	18	M3
#Automotive service stations#:		
Limited as to total area		C2* C4* C6* C7*
Unlimited	16	C8 M1 M2 M3
Awnings:		
Custom shops, limited as to #floor area# [PRC-B1]	7	C2 C6 <sup>4</sup> C8 M1 M2 M3
Manufacture, with no limitation on production or on #floor area#	17	M1 M2 M3
Bakeries:		

## Appendix A: Index of Uses

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

## Appendix A: Index of Uses

		M1 M2 M3
	14	C2 C3 C7 C8 M1 M2 M3
Billiard parlors [PRC-D]	8	C2 C4 C6 C8 M1 <sup>3</sup> M2 M3
	12	C4 C6 C7 C8 M1 <sup>3</sup> M2 M3
Blacksmith shops [PRC-C]	16	C8 M1 M2 M3
Blueprinting establishments [PRC-B1]	9	C2 C4 C5 C6 C8 M1 M2 M3
Boarding houses	2	R6-R10 C1 C2 C3 C4 C5 C6
#Boatels# [PRC-H]	7	C2 C3* C6 <sup>4</sup> C8 M1
Boats or ships:		
Building or repair, for boats less than 200 feet in length	17	M1 M2 M3
Building or repair, for boats 200 feet or more in length	18	M3
Docks for:		
Ferries [PRC-H]:		
With operational passenger load limitation	6	R3-R10** C1 C2 C4 C5 C6 C8 M1 M2 M3
	14	C2 C3 C7 C8 M1 M2 M3
With no limitations	10	C4 C5 C6 C8 M1 M2 M3
#Gambling vessels#		C2** C3** C4** C5** C6** C7** C8**

## Appendix A: Index of Uses

		M1** M2** M3**
Non-commercial pleasure boats [PRC-H]	6	C1 C2 C4 C5 C6 C8 M1 M2 M3
	14	C2 C3 C7 C8 M1 M2 M3
Passenger ocean vessels	17	C6** M1 M2 M3
Sightseeing, excursion or sport- fishing vessels [PRC-H]:		
With dock capacity limitations	9	C2 C4 C5 C6 C8 M1 M2 M3
	14	C2 C3 C7 C8 M1 M2 M3
With no limitations	17	M1 M2 M3
Vessels not otherwise listed	17	M1 M2 M3
Water taxis, with vessel capacity limitations	6	R3-R10* C1 C2 C4 C5 C6 C8 M1 M2 M3
	14	C2 C3 C7 C8 M1 M2 M3
Fuel sales, open or enclosed [PRC- C]:		
Unrestricted as to location	13	C7 C8 M1 <sup>3</sup> M2 M3
Restricted as to location	14	C2 C3 C7 C8 M1 M2 M3
Launching facilities for non-commercial pleasure boats	14	C2 C3 C7 C8 M1 M2 M3
Rentals, open or enclosed [PRC-H]	14	C2 C3 C7 C8 M1 M2 M3
Sales, open or enclosed [PRC-C]	16	C8 M1 M2 M3

## Appendix A: Index of Uses

Showroom or sales, with no repair services or preparation for delivery [PRC-C]	9	C2 C4 C5 C6 C8 M1
Showrooms or sales, <sup>6</sup> restricted to boats less than 100 feet in length [PRC-C]	14	C2 C3 C7 C8 M1 M2 M3
Storage, repair, or painting, including the incidental sale of boats, boat parts, or accessories, with restrictions on boat size and setbacks [PRC-C]	14	C2 C3 C7 C8 M1 M2 M3
Bone distillation	18	M3
Books:		
Binding (See Printing)		
Hand binding or tooling [PRC-F]	11	C5 C6 <sup>4</sup> C8 M1 M2 M3
Stores [PRC-B]	6	C1 C2 C4 C5 C6 C8 M1
	12	C4 C6 C7 C8 M1
Bottling works, for all beverages	17	M1 M2 M3
Bowling alleys [PRC-D]:		
Limited as to number of lanes	8	C2 C4 C6 C8 M1 <sup>3</sup> M2 M3
Unlimited	12	C4 C6 C7 C8 M1 <sup>3</sup> M2 M3
Breweries	18	M3
Brick manufacture	18	M3
Brush or broom manufacture	17	M1 M2 M3
Building materials:		
Sales, open or enclosed, limited as to #lot area# [PRC-B1]	16	C8 M1 M2 M3
Yards, for sales, storage, or handling, open or enclosed, unlimited as to #lot area# except in the case of lumber yards	17	M1 M2 M3
Bus stations:		

## Appendix A: Index of Uses

With less than 10 berths		C1** C2** C4** C6** C7** C8**  M1** M2** M3**
With 10 or more berths		C4** C6**  M1** M2** M3**
Business machines:		
Manufacture	17	M1 M2 M3
Small shops, rentals, repairs, sales [PRC-B1]	9	C2 C4 C5 C6 C8  M1 M2 M3
Stores, sales, or rentals [PRC-B1]	10	C4 C5 C6 C8  M1 M2 M3
Business schools or colleges [PRC-B1]	9	C2 C4 C5 C6 C8  M1 M2 M3
Camera manufacture	17	M1 M2 M3
Camps, overnight or outdoor day [PRC-H]	13	R1-R2* R3- R10*  C1* C2* C3* C7 C8  M1 <sup>3</sup> M2 M3
Candy 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
Canvas or canvas products manufacture	17	M1 M2 M3
Carnivals, temporary [PRC-E]	13	C7 C8  M1 <sup>3</sup> M2 M3
Carpentry shops [PRC-B1]	16	C8  M1 M2 M3



## Appendix A: Index of Uses

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**

## Appendix A: Index of Uses

		M1**
Unlimited as to size	15	C7
Cigar stores [PRC-B]	6	C1 C2 C4 C5 C6 C8 M1 M2 M3
	12	C4 C6 C7 C8 M1 M2 M3
Circuses, temporary [PRC-E]	13	C7 C8 M1 <sup>3</sup> M2 M3
Clay manufacture	18	M3
Clay pits		R1-R2* R3- R10*  C1* C2* C3* C4* C5* C6* C7* C8*  M1* M2* M3*
Cleaning or cleaning and dyeing establishments (See Dry cleaning)		
Clocks:		
Manufacture	17	M1 M2 M3
Stores or repair shops	6	C1 C2 C4 C5 C6 C8 M1 M2 M3
Clothing:		
Accessory stores (See Clothing stores)		
Custom manufacture or altering for retail [PRC-F]	11	C5 C6 <sup>4</sup> C8 M1 M2 M3
Manufacture	17	M1 M2 M3
Rental establishments [PRC-B]:		
Limited as to #floor area#	6	C1 C2 C4 C5 C6 C8 M1
Unlimited	9	C2 C4 C5 C6 C8 M1
Stores [PRC-B]:		

## Appendix A: Index of Uses

Limited as to #floor area#	6	C1 C2 C4 C5 C6 C8 M1
Unlimited	10	C4 C5 C6 C8 M1**
Clubs:		
Nightclubs (See Eating or drinking places)		
Non-commercial:		
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
Coal:		
Products manufacture	18	M3
Sales, open or enclosed:		
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

## Appendix A: Index of Uses

trade schools		C5 C6
Commercial parking garages or lots (See #Parking garages, public#; or #parking lots, public#)		
Community centers	4	R1-R2 R3-R10 C1 C2 C3 C4 C5 C6 C8 M1**
Concrete batching (See Building materials-yards)		
Concrete products manufacture (See Stone processing or stone products)		
Construction machinery manufacture, including repairs	18	M3
Contractors' establishments-electrical, glazing, heating, painting, paper hanging, plumbing, roofing or ventilating:		
Limited as to #floor area# [PRC-B1]	7	C2 C6 <sup>4</sup> C8 M1 M2 M3
Limited as to open storage [PRC-B1]	16	C8 M1-M3
Unlimited (See Contractors' yards)		
Contractors' yards	17	M1 M2 M3
Convalescent homes (See Nursing homes)		
Convents:		
Unlimited	3	R1-R2 R3-R10 C1 C2 C3 C4 C5 C6
Limited use and location	4	R1-R2 R3-R10 C1 C2 C3 C4 C5 C6 C8 M1**
Cork products manufacture	17	M1 M2 M3
Cosmetics or toiletries manufacture	17	M1 M2 M3
Costume rental establishments [PRC-B]	9	C2 C4 C5 C6 C8 M1

## Appendix A: Index of Uses

Cotton ginning or cotton wadding or linter manufacture	17	M1 M2 M3
Court houses [PRC-C]	6	C1 C2 C4 C5 C6 <sup>4</sup> C8 M1 M2 M3
Crating establishments [PRC-G]	16	C8 M1 M2 M3
Crematoriums [PRC-C]:		
Animal	16	C8 M1 M2 M3
Human	16	C8 M1 M2 M3
Dance studios (See Studios)		
Day camps, outdoor [PRC-H]	13	R1-R2* R3- R10* C1* C2* C3* C7 C8 M1 <sup>3</sup> M2 M3
Delicatessen stores (See also Food) [PRC-B]	12	C4 C6 C7 C8 M1 M2 M3
Dental:		
Instruments manufacture[PRC-F]	11	C5 C6 <sup>4</sup> C8 M1 M2 M3
Laboratories (See Laboratories-Medical or dental)		
Offices (See Medical offices)		
Department stores [PRC-B]	10	C4 C5 C6 C8 M1**
Depositories for storage of office records, microfilm, or computer tapes, or for data processing [PRC-G]	10	C4 C5 C6 C8 M1 M2 M3
Diaper supply establishments [PRC-F]	16	C8 M1 M2 M3
Disinfectants manufacture	18	M3
Domiciliary care facilities for adults	3	R1-R2 <sup>7</sup> ** R3- R10** C1** C2**

## Appendix A: Index of Uses

		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
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 [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

## Appendix A: Index of Uses

		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**

## Appendix A: Index of Uses

		C1-C8** M1 M2 M3
Electrical:		
Appliance:		
Manufacture	17	M1 M2 M3
Stores (See Appliances-Television, radio, phonograph or household appliance stores)		
Contractors (See Contractors' establishments)		
Equipment assembly, not including electrical	17	M1 M2 M3
Supplies manufacturing	17	M1 M2 M3
Electrolysis studios [PRC-B]	6	C1 C2 C4 C5 C6 C8 M1
Electrotyping or stereotyping (See printing)		
Embalmers (See Trade embalmers)		
Engraving or photo-engraving (See Printing)		
Excelsior manufacture	18	M3
Excursion boats, docks for (See Boats or ships)		
Explosives, storage, when not prohibited by other ordinances	18	M3
Exterminators [PRC-B1]	7	C2 C6 <sup>4</sup> C8 M1 M2 M3
Fabric stores (See Dry goods stores)		
Fairs, temporary [PRC-E]	13	C7 C8 M1 <sup>3</sup> M2 M3
Feathers:		
Bulk processing, washing, curing or dyeing	18	M3
Products manufacture, except washing, curing or dyeing	17	M1 M2 M3
Felt:		
Bulk processing, washing, curing or dyeing	18	M3
Products manufacture, except washing, curing or dyeing	17	M1 M2 M3



## Appendix A: Index of Uses

Ferries, docks for (See Boats or ships)		
Fertilizer manufacture	18	M3
Filling stations (See #Automotive service stations#)		
Film, photographic, manufacture	17	M1 M2 M3
Fire stations [PRC-C]	6	R1-R2** R3-R10** C1 C2 C4 C5 C6 <sup>4</sup> C8 M1 M2 M3
Fish products, packing or processing	18	M3
Fishing tackle or equipment, rental or sales [PRC-B1]	6	C1 C2 C4 C5 C6 C8 M1 M2 M3
	14	C2 C3 C7 C8 M1 M2 M3
Florist shops [PRC-B]	6	C1 C2 C4 C5 C6 C8 M1
Food:		
Products processing, except meat slaughtering or preparation of fish for packing	17	M1 M2 M3
Stores, <sup>14</sup> including supermarkets, grocery stores, meat markets, or delicatessen stores [PRC-A/B] <sup>15</sup>	6	C1 C2 C4 C5 C6 C8 M1** M2 M3
Foundries, ferrous or non-ferrous	18	M3
Fraternity houses (See Colleges or universities)		
Frozen food lockers [PRC-B]	6	C1 C2 C4 C5 C6 C8 M1 M2 M3
Fuel briquettes manufacture	18	M3
Fuel sales, open or enclosed:		
Limited as to #lot area# [PRC-B1]	16	C8 M1 M2 M3
Unlimited (See Coal storage; Petroleum storage; or Lumber yards)		

## Appendix A: Index of Uses

Funeral establishments [PRC-H]	7	C1* C2 C4* C6 <sup>4</sup> C8 M1 M2 M3
Fungicides manufacture	18	M3
Fur:		
Goods manufacture, not including tanning or dyeing	17	M1 M2 M3
Tanning, curing, finishing or dyeing	18	M3
Furniture:		
Custom shops [PRC-B1]	16	C8 M1 M2 M3
Manufacture	17	M1 M2 M3
Stores [PRC-B1]:		
Limited as to #floor area#	6	C1 C2 C4 C5 C6 C8 M1
Unlimited	10	C4 C5 C6 C8 M1**
Furrier shops, custom [PRC-B]	6	C1 C2 C4 C5 C6 C8 M1 M2 M3
#Gambling vessels#		C2-C8** M1** M2** M3**
Garages (See #Parking garages, public#)		
Garbage incineration or reduction	18	M3
Garden supply stores [PRC-B]	6	C1 C2 C4 C5 C6 C8 M1
Gardens, truck (See Agriculture)		
Gas:		
Manufacture	18	M3
Public utility stations for metering or regulation	6	R1-R2* R3- R10* C1 C2 C4 C5 C6 <sup>4</sup> C8

## Appendix A: Index of Uses

		M1 M2 M3
Storage	18	M3
Substations	6	R1-R2* R3-R10* C1 C2 C4 C5 C6 <sup>4</sup> C8 M1 M2 M3
Gasoline service stations (See #Automotive service stations#)		
Gelatin manufacture	18	M3
Generating plants, electric or steam	18	M3
Gift shops [PRC-B]	6	C1 C2 C4 C5 C6 C8 M1
	12	C4 C6 C7 C8 M1
Glass:		
Cutting shops [PRC-B1]	16	C8 M1 M2 M3
Manufacture	18	M3
Products manufactured from previously manufactured glass		M1 M2 M3
Glazing contractors (See Contractors' establishments)		
Glue manufacture	18	M3
Golf:		
Courses	4	R1-R2 R3-R10 C1 C2 C3 C4 C5 C6 C8 M1
Courses, miniature [PRC-E]	13	C7 C8 M1 <sup>3</sup> M2 M3
Driving ranges [PRC-E]	13	C7 C8 M1 <sup>3</sup> M2 M3
Indoor recreation centers [PRC-D]	12	C4 C6 C7 C8 M1 <sup>3</sup> M2 M3

## Appendix A: Index of Uses

Grain:		
Milling or processing	18	M3
Storage	18	M3
Graphite or graphite products:		
Manufacture	18	M3
Gravel pits		R1-R2* R3-R10* C1-C8* M1* M2* M3*
Greenhouses (See Agriculture)		
Grocery stores (See Food stores)		
Gun repairs [PRC-B1]	7	C2 C6 <sup>4</sup> C8 M1 M2 M3
Gymnasiums [PRC-B]:		
Limited	9	C2 C4 C5 C6 C8 M1
Unlimited (See #Physical culture or health establishments#)		
Gypsum manufacture	18	M3
Hair:		
Bulk processing, washing, curing or dyeing	18	M3
Products for headwear, wholesaling, including styling [PRC-B1]	9	C2 C4 C5 C6 C8 M1 M2 M3
Products manufacture (except washing, curing or dyeing)	17	M1 M2 M3
Products manufacture, custom [PRC-F]	11	C5 C6 <sup>4</sup> C8 M1 M2 M3
Hardware:		
Manufacture	17	M1 M2 M3
Stores [PRC-B]	6	C1 C2 C4 C5 C6 C8 M1 M2 M3
Hat:		

## Appendix A: Index of Uses

Bodies manufacture	17	M1 M2 M3
Repair shops [PRC-B]	6	C1 C2 C4 C5 C6 C8 M1 M2 M3
Health centers	4	R1-R2 R3-R10 C1 C2 C3 C4 C5 C6 C8 M1**
Health services (See #Physical culture or health establishments#)		
Heating contractors (See Contractors' establishments)		
Heating equipment showrooms, without repair facilities [PRC-B1]	9	C2 C4 C5 C6 C8 M1
Heliports		C3-C8** M1** M2** M3**
Hemp products manufacture	17	M1 M2 M3
Historical exhibits [PRC-D]	12	C4 C6 C7 C8 M1 <sup>3</sup> M2 M3
#Home occupations#		R1-R2 R3-R10 C1-C6
Hosiery manufacture	17	M1 M2 M3
Hospitals, except animal hospitals:		
Non-profit or voluntary, and related facilities	4	R1-R2 R3-R10 C1 C2 C3 C4 C5 C6 C8 M1**
Proprietary, and related facilities	4	R3-R10 C1 C2 C3 C4 C5 C6 C8 M1**
#Hospital staff dwellings, Non-profit#:		
Limited as to location	3	R1-R2 R3-R10 C1 C2 C3 C4

## Appendix A: Index of Uses

		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:		

## Appendix A: Index of Uses

Limited as to #lot area# [PRC-B1]	16	C8 M1 M2 M3
Unlimited (See Refrigerating plants)		
Vending machines, coin-operated	8	C2 C4 C6 C8 M1 M2 M3
	14	C2 C3 C7 C8 M1 M2 M3
Ice skating rinks:		
Outdoor	4	R1-R2* R3-R10  C1 C2 C3 C4 C5 C6 C8  M1
Indoor (See Skating rinks, enclosed)		
Incineration or reduction of garbage, offal or dead animals	18	M3
Indoor interactive entertainment facilities with eating and drinking [PRC-D]		C4** C6** C7** C8**  M1 <sup>17**</sup>
Ink or inked ribbon manufacture	17	M1 M2 M3
Insecticides manufacture	18	M3
Institutions, philanthropic or non-profit:		
With sleeping accommodations	3	R1-R2 R3-R10 C1-C6
Without sleeping accommodations	4	R1-R2 R3-R10 C1 C2 C3 C4 C5 C6 C8  M1**
Interior decorating establishments:		
Limited as to #floor area# for processing, servicing or repairs [PRC-B]	6	C1 C2 C4 C5 C6 C8  M1
Unlimited (See Furniture, textiles or upholstering)		
Jewelry:		

## Appendix A: Index of Uses

Manufacture:		
Costume	17	M1 M2 M3
From precious metals [PRC-F]	11	C5 C6 <sup>4</sup> C8 M1 M2 M3
Shops [PRC-B]	6	C1 C2 C4 C5 C6 C8 M1 M2 M3
	12	C4 C6 C7 C8 M1 M2 M3
Junk yards	18	M3
Jute products manufacture	17	M1 M2 M3
Kennels [PRC-B1]	16	C8 M1 M2 M3
Laboratories:		
Medical or dental, for research or testing or custom manufacturing of artificial teeth, dentures, or plates, with limitations on objectionable effects [PRC-B1]	9	C2 C4 C5 C6 C8 M1 M2 M3
Research, experimental or testing	17	M1 M2 M3
Lampblack manufacture	18	M3
Laundry:		
Hand or automatic self-service establishments [PRC-B]	6	C1 C2 C4 C5 C6 C8 M1 M2 M3
With no limitation on type of operation [PRC-F]	16	C8 M1 M2 M3
Leather:		
Tanning, curing, finishing or dyeing	18	M3
Goods stores [PRC-B]	6	C1 C2 C4 C5 C6 C8 M1
Products manufacture	17	M1 M2 M3
Libraries	3	R1-R2 R3-R10 C1-C6
Linen supply establishments [PRC-F]	16	C8



## Appendix A: Index of Uses

		M1 M2 M3
Linoleum:		
Manufacture	18	M3
Stores (See Carpet stores)		
Liquor stores, package [PRC-B]	6	C1 C2 C4 C5 C6 C8 M1 M2 M3
Loan offices [PRC-B1]	6	C1 C2 C4 C5 C6 C8 M1
Locksmith shops [PRC-B]	6	C1 C2 C4 C5 C6 C8 M1 M2 M3
Lots (See #Parking lots, public#)		
Luggage:		
Manufacture	17	M1 M2 M3
Stores [PRC-B]	6	C1 C2 C4 C5 C6 C8 M1
Lumber:		
Processing or woodwork, bulk	18	M3
Sales:		
Limited as to #lot area# (See Building materials-Sales)		
Stores [PRC-B1]	8	C2 C4 C6 C8 M1 M2 M3
Yards:		
Limited as to #lot area#	17	M1 M2 M3
Unlimited as to #lot area#	18	M3
Machine:		
Shops including tool, die, or pattern making [PRC-B1]	16	C8 M1 M2 M3
Tools manufacture	17	M1 M2 M3
Machinery:		
Manufacture or repair:		

## Appendix A: Index of Uses

Heavy	18	M3
Miscellaneous or electrical equipment	17	M1 M2 M3
Rental or sales establishments [PRC-B1]	16	C8 M1 M2 M3
Repair shops [PRC-B1]	16	C8 M1 M2 M3
Machines, business (See Business machines)		
Manure storage	18	M3
Markets:		
Retail, including meat (See Food stores)		
Wholesale, produce or meat	17	M1 M2 M3
Masseurs [PRC-B]		C2* C4* C5* C6* C8* M1* <sup>3</sup> M2* M3*
Matches manufacture	18	M3
Mattress manufacture, rebuilding or renovating	17	M1 M2 M3
Meat:		
Markets:		
Retail (See Food stores)		
Wholesale	17	M1 M2 M3
Slaughtering or preparation for packing	18	M3
Medical:		
Appliances:		
Custom manufacture [PRC-F]	11	C5 C6 <sup>4</sup> C8 M1 M2 M3
Manufacture	17	M1 M2 M3
Stores [PRC-B]	6	C1 C2 C4 C5 C6 C8 M1
Instruments, manufacture [PRC-F]	11	C5 C6 <sup>4</sup> C8 M1 M2 M3
Laboratories (See Laboratories-Medical)		

## Appendix A: Index of Uses

Offices or group medical centers (See Ambulatory diagnostic and treatment health care facilities)		
Meeting halls [PRC-D]	6	C1 C2 C4 C5 C6 C8 M1 M2 M3
Metals manufacture:		
Alloys or foil, miscellaneous	18	M3
Casting or foundry products, heavy	18	M3
Finishing, plating, grinding, sharpening, polishing, cleaning, rust-proofing, heat treatment or similar processes	17	M1 M2 M3
Ores reduction or refining	18	M3
Products treatment or processing	18	M3
Reduction, refining, smelting or alloying	18	M3
Stamping or extrusion	17	M1 M2 M3
Treatment or processing	18	M3
Millinery shop [PRC-B]	6	C1 C2 C4 C5 C6 C8 M1 M2 M3
Mining machinery manufacture, including repairs	18	M3
Mirror silvering shops	16	C8 M1 M2 M3
Model car hobby center [PRC-D]:		
Limited as to #floor area#	8	C2 C4 C6 C8 M1 <sup>3</sup> M2 M3
Unlimited	12	C4 C6 C5 C8 M1 <sup>3</sup> M2 M3
Monasteries:		
Limited	4	R1-R2 R3-R10 C1 C2 C3 C4 C5 C6 C8 M1**
Unlimited	3	R1-R2 R3-R10

## Appendix A: Index of Uses

		C1 C2 C3 C4 C5 C6
Monument:		
Sales establishment, with incidental processing to order [PRC-C]	7	C2 C6 <sup>4</sup> C8 M1 M2 M3
Works, with no limitations on processing	18	M3
#Motels# [PRC-H]	7	C2 <sup>28</sup> C6 <sup>4</sup> C8 M1
Motion picture production studios [PRC-D]	10	C4 C5 C6 C8 M1 M2 M3
Motorcycles:		
Manufacture	17	M1 M2 M3
Rentals [PRC-C]	16	C8 M1 M2 M3
Repairs [PRC-C]	16	C8 M1 M2 M3
Sales or showrooms, with no repair services or preparation for delivery [PRC-C]	9	C2 C4 C5 C6 C8 M1
Sales, open or enclosed [PRC-C]	16	C8 M1 M2 M3
Motor freight stations (See Trucking terminals)		
Motor scooter rentals [PRC-C]	16	C8 M1 M2 M3
Motor vehicles, dead storage	16	C8 M1 M2 M3
Moving or storage offices:		
Limited as to storage [PRC-B1]	7	C2 C6 <sup>4</sup> C8 M1 M2 M3
Unlimited [PRC-G]	16	C8 M1 M2 M3
Museums <sup>19</sup>	3	R1-R2 R3-R10 C1-C6

## Appendix A: Index of Uses

		M1 M2 M3
Music stores [PRC-B]	6	C1 C2 C4 C5 C6 C8 M1 M2 M3
	12	C4 C6 C7 C8 M1 M2 M3
Music studios (See Studios)		
Musical instruments:		
Manufacture:		
Excluding pianos and organs [PRC-F]	11	C5 C6 <sup>4</sup> C8 M1 M2 M3
Including pianos or organs	17	M1 M2 M3
Repair shops [PRC-B1]	9	C2 C4 C5 C6 C8 M1 M2 M3
Newspaper publishing	17	C6* M1 M2 M3
Newsstands, open or enclosed [PRC-B]	6	C1 C2 C4 C5 C6 C8 M1 M2 M3
	12	C4 C6 C7 C8 M1 M2 M3
Novelty products manufacture	17	M1 M2 M3
Novitiates:		
Limited	4	R1-R2 R3-R1 C1 C2 C3 C4 C5 C6 C8 M1**
Unlimited	3	R1-R2 R3-R10 C1-C6
Nurseries (See Agriculture)		
Nursing homes <sup>20</sup> :		
Philanthropic or non-profit	3	R1-R2 R3-R10 C1-C6
Proprietary	3	R3-R10

## Appendix A: Index of Uses

		C1-C6
Oakum products manufacture	17	M1 M2 M3
Ocean vessels, passenger, docks for (See Boats or ships)		
Ocean vessels, cargo, docks for (See Boats or ships)	a	
Office equipment or machinery repair shops [PRC-B1]	16	C8 M1 M2 M3
Office or business machine stores, sales or rental [PRC-B1]	10	C4 C5 C6 C8 M1 M2 M3
Offices:		
Business, professional or governmental [PRC-B1]	6	C1 C2 C4 C5 C6 C8 M1 M2 M3
Dental, medical, or osteopathic (See Medical-Offices)		
Wholesale, with storage restricted to samples [PRC-B1]	10	C4 C5 C6 C8 M1 M2 M3
Oil cloth manufacture	18	M3
Oil, public utility stations for metering or regulating	6	R1-R2* R3-R10*  C1 C2 C4 C5 C6 <sup>4</sup> C8 M1 M2 M3
Oil sales, open or enclosed:		
Limited as to #lot area# [PRC-B1]	16	C8 M1 M2 M3
Unlimited (See Petroleum or petroleum products-Storage)		
Optical:		
Equipment manufacture	17	M1 M2 M3
Goods manufacture [PRC-F]	11	C5 C6 <sup>4</sup> C8 M1 M2 M3
Optician or optometrist establishments [PRC-B]	6	C1 C2 C4 C5 C6 C8 M1
Orthopedic:		

## Appendix A: Index of Uses

Appliances:		
Custom manufacture [PRC-F]	11	C5 C6 <sup>4</sup> C8 M1 M2 M3
Manufacture	17	M1 M2 M3
Stores	6	C1 C2 C4 C5 C6 C8 M1
Instruments, manufacture (See Medical instruments manufacture)		
Osteopathic offices (See Medical offices)		
Packing or crating establishments [PRC-G]	16	C8 M1 M2 M3
Packing materials manufacture	18	M3
Paint:		
Manufacture	18	M3
Stores [PRC-B]	6	C1 C2 C4 C5 C6 C8 M1 M2 M3
Painting contractors (See Contractors' establishments)		
Paper:		
Mills (See Wood pulp or fiber) Products manufacture	17	M1 M2 M3
Stock companies (storage)	18	M3
Paper-hanging contractors (See Contractors' establishments)		
Parish houses	4	R1-R2 R3-R10 C1 C2 C3 C4 C5 C6 C8 M1**
#Parks, public# or private	4	R1-R2 R3-R10 C1 C2 C3 C4 C5 C6 C8 M1
#Parking garages, public# <sup>21</sup> :		
Capacity of 100 spaces or less	8	C1** C2 <sup>22</sup> C4 <sup>22</sup> C5** C6** C7**

## Appendix A: Index of Uses

		C8 <sup>22</sup> M1 <sup>22</sup> M2 <sup>22</sup> M3 <sup>22</sup>
	12	C1 <sup>**</sup> C4 <sup>23</sup> C5 <sup>**</sup> C6 <sup>**</sup> C7 <sup>**</sup> C8 <sup>23</sup> M1 <sup>23</sup> M2 <sup>23</sup> M3 <sup>23</sup>
Capacity of 101 to 150 spaces	8	C2 <sup>22</sup> C4 <sup>22</sup> C5 <sup>**</sup> C6 <sup>**</sup> C7 <sup>**</sup> C8 <sup>22</sup> M1 <sup>22</sup> M2 <sup>22</sup> M3 <sup>22</sup>
	12	C4 <sup>23</sup> C5 <sup>**</sup> C6 <sup>**</sup> C7 <sup>**</sup> C8 <sup>238</sup> M1 <sup>23</sup> M2 <sup>23</sup> M3 <sup>23</sup>
Capacity of more than 150 spaces		C2 <sup>**</sup> C4 <sup>**</sup> C5 <sup>**</sup> C6 <sup>**</sup> C7 <sup>**</sup> C8 <sup>**</sup> M1 <sup>**</sup> M2 <sup>**</sup> M3 <sup>**</sup>
#Parking lots, public# <sup>21</sup> :		
Capacity of 100 spaces or less	8	C1 <sup>**</sup> C2 C4 C5 <sup>**</sup> C6 <sup>4</sup> C7 <sup>**</sup> C8 M1 M2 M3
	12	C1 <sup>**</sup> C4 C5 <sup>**</sup> C6 <sup>4</sup> C7 <sup>**</sup> C8 M1 M2 M3
Capacity of 101 to 150 spaces	8	C2 C4 C5 <sup>**</sup> C6 <sup>4</sup> C7 <sup>**</sup> C8 M1 M2 M3
	12	C4 C5 <sup>**</sup> C6 <sup>4</sup> C7 <sup>**</sup> C8 M1 M2 M3
Capacity of more than 150 spaces		C2 <sup>**</sup> C4 <sup>**</sup> C5 <sup>**</sup> C7 <sup>**</sup> C8 <sup>**</sup> M1 <sup>**</sup> M2 <sup>**</sup> M3 <sup>**</sup>
Pawn shops [PRC-B1]	8	C2 C4 C6 C8



## Appendix A: Index of Uses

		M1 M2 M3
Peat storage	18	M3
Perfume or perfumed soaps, compounding only, not including soap manufacture	17	M1 M2 M3
Pet shops [PRC-B]	6	C1 C2 C4 C5 C6 C8 M1
Petroleum or petroleum products:		
Refining	18	M3
Storage or handling	18	M3
Pharmaceutical products manufacture	17	M1 M2 M3
Phonograph:		
Repair shops [PRC-B]	8	C2 C4 C6 C8 M1 M2 M3
Stores (See Appliances)		
Photographic:		
Developing or printing establishments:		
Limited as to #floor area# [PRC-B1]	9	C2 C4 C5 C6 C8 M1 M2 M3
Unlimited [PRC-C]	16	C8 M1 M2 M3
Equipment:		
Manufacture (except film)	17	M1 M2 M3
Stores [PRC-B]	6	C1 C2 C4 C5 C6 C8 M1
	12	C4 C6 C7 C8 M1
Studios [PRC-B]	6	C1 C2 C4 C5 C6 C8 M1
[PRC-D]	10	C4 C5 C6 C8 M1 M2 M3
Supply stores [PRC-B]	6	C1 C2 C4 C5

## Appendix A: Index of Uses

		C6 C8 M1
Photostatting establishments [PRC-B1]	9	C2 C4 C5 C6 C8 M1 M2 M3
#Physical culture or health establishments#[PRC-B]		C1 <sup>30*</sup> C2* C4* C5* C6* C8* M1 <sup>3*</sup> M2* M3*
Picture framing stores [PRC-B]	6	C1 C2 C4 C5 C6 C8 M1 M2 M3
Plastics:		
Products, manufacture	17	M1 M2 M3
Raw, manufacture	18	M3
Platemaking (See Printing)		
Playgrounds	4	R1-R2 R3-R10 C1 C2 C3 C4 C5 C6 C8 M1
Plumbing:		
Contractors (See Contractors' establishments)		
Equipment manufacture (See Tool or hardware manufacture)		
Showrooms, without repair facilities [PRC-B1]	9	C2 C4 C5 C6 C8 M1
Police stations [PRC-C]	6	R1-R2** R3-R10** C1 C2 C4 C5 C6 <sup>4</sup> C8 M1 M2 M3
	12	C4 C6 C7 C8 M1 M2 M3
Pool halls [PRC-D]	8	C2 C4 C6 C8 M1 <sup>3</sup> M2 M3
	12	C4 C6 C7 C8

## Appendix A: Index of Uses

		M1 <sup>3</sup> M2 M3
Porcelain products manufacture	18	M3
Post offices [PRC-H]	6	C1 C2 C4 C5 C6 C8 M1 M2 M3
Poultry:		
Killing establishments, for retail sales on the same #zoning lot# only [PRC-B1]	16	C8 M1 M2 M3
Packing or slaughtering	18	M3
Precision instruments manufacture:		
Optical equipment, clocks, or similar products	17	M1 M2 M3
Medical, dental, or drafting instruments, optical goods, or similar products [PRC-F]	11	C5 C6 <sup>4</sup> C8 M1 M2 M3
Printing:		
Custom [PRC-F]	11	C5 C6 <sup>4</sup> C8 M1 M2 M3
Limited as to #floor area# [PRC-B1]	9	C2 C4 C5 C6 C8 M1 M2 M3
Unlimited	17	M1 M2 M3
Prisons [PRC-H]	8	C2 C4 C6 C8 M1 M2 M3
Produce or meat markets, wholesale	17	M1 M2 M3
Public auction rooms [PRC-D]	9	C2 C4 C5 C6 C8 M1 M2 M3
	12	C4 C6 C7 C8 M1 <sup>3</sup> M2 M3
Public transit yards [PRC-G]	16	C8 M1 M2 M3
Publishing	17	M1 M2 M3
Pumping stations:		
Water	6	R1-R2* R3-R10*

## Appendix A: Index of Uses

		C1 C2 C4 C5 C6 <sup>4</sup> C8 M1 M2 M3
	12	C4 C6 C7 C8 M1 M2 M3
Sewage	6	R1-R2** R3- 10**C1 C2 C4 C5 C6 <sup>4</sup> C8M1 M2 M3
	12	C4 C6 C7 C8 M1 M2 M3
Rabbit:		
Killing establishments, for retail sales on the same #zoning lot# only [PRC-B1]	16	C8 M1 M2 M3
Packing or slaughtering	18	M3
Racetracks		C8** M1** M2** M3**
Radio:		
Appliance repair shops [PRC-B]	8	C2 C4 C6 C8 M1 M2 M3
Stores (See Appliances)		
Studios [PRC-D]	10	C4 C5 C6 C8 M1 M2 M3
Towers, non-#accessory#		R1-R2* R3- R10* C1-C8* M1* M2* M3*
Radioactive waste disposal services	18	M3
Railroad:		
Equipment manufacture, including railroad cars or locomotives	18	M3
Passenger stations		R1-R2** R3- R10** C1-C8** M1** M2** M3**

## Appendix A: Index of Uses

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

Refrigerating plants	18	M3
Religious or church art goods manufacture	17	M1 M2 M3
#Residences#:		
#Single-family detached#	1	R1-R2 R3-R10 C1-C6
Boarding or rooming houses	2	R6-R10 C1-C6
All other <sup>26</sup>	2	R3-R10 C1-C6
Rest homes (See Nursing homes)		
Riding academies, open or enclosed [PRC-C]	16	R1-R2* R3-R10* C2* C6* C7* C8 M1 M2 M3
Roofing contractors (See Contractors' establishments)		
Rooming houses (See Boarding houses)		
Rubber:		
Processing or manufacture, natural or synthetic	18	M3
Products manufacture (excluding all natural or synthetic rubber processing)	17	M1 M2 M3
Rug stores (See Carpet stores)		
Sail making establishments [PRC-C]	7	C2 C6 <sup>4</sup> C8 M1 M2 M3
	14	C2 C3 C7 C8 M1 M2 M3
Salvage storage	18	M3
Sand pits		R1-R2* R3-R10* C1-C8* M1 M2 M3
Sanitariums:		
Philanthropic or non-profit	3	R1-R2 R3-R10 C1-C6

## Appendix A: Index of Uses

Proprietary	3	R3-R10 C1-C6
Sawmills	18	M3
Scenery construction	17	M1 M2 M3
#Schools#:		
Dormitories (See Colleges or universities)		
Nursery, kindergarten, elementary or secondary #schools#	3	R1-R2 R3-R10 C1-C6
With no living or sleeping accommodations	3	R1-R2 R3-R10 C1 C2 C3 C4 C5 C6 C8* M1*
Trade or other schools for adults, limited as to objectionable effects [PRC-B1]	9	C2 C4 C5 C6 C8 M1 M2 M3
Trade schools for adults, unlimited [PRC-B1]	16	C8 M1 M2 M3
Scientific research and development facility		C6**
Scrap metal, paper or rag storage	18	M3
Seaplane bases		R1-R2** R3-R10** C1** C2** C3** C4** C5** C8** M1** M2** M3**
Seed stores [PRC-B]	6	C1 C2 C4 C5 C6 C8 M1
Seminaries	4	R1-R2 R3-R10 C1 C2 C3 C4 C5 C6 C8 M1**
Settlement houses	4	R1-R2 R3-R10 C1 C2 C3 C4 C5 C6 C8

## Appendix A: Index of Uses

		M1**
Sewage:		
Disposal plants	18	R1-R2** R3-R10** C1-C8** M1** M2** M3
Pumping stations	6	R1-R2** R3-R10** C1 C2 C4 C5 C6 <sup>4</sup> C8 M1 M2 M3
	12	C4 C6 C7 C8 M1 M2 M3
Sewing machine stores, selling household machines only	6	C1 C2 C4 C5 C6 C8 M1
Ship chandlers [PRC-F]	11	C5 C6 <sup>4</sup> C8 M1 M2 M3
Ships, docks for (See Boats or ships)		
Ship or boat building or repair yards, for ships 200 feet in length or over	18	M3
Shipping, waterfront (See Boats or ships)		
Shoddy manufacture	17	M1 M2 M3
Shoes:		
Manufacture	17	M1 M2 M3
Repair shops [PRC-B]	6	C1 C2 C4 C5 C6 C8 M1 M2 M3
Stores [PRC-B]	6	C1 C2 C4 C5 C6 C8 M1
Sign painting shops [PRC-B]:		
Limited as to #floor area#	7	C2 C6 <sup>4</sup> C8 M1 M2 M3
Unlimited	16	C8 M1 M2 M3



## Appendix A: Index of Uses

#Signs, advertising# (See Sections 32-63 and 42-52)		C6 <sup>31</sup> C7 C8 M1 M2 M3
Silver plating shops, custom [PRC-B1]	16	C8 M1 M2 M3
Silverware manufacture, plate or sterling	17	M1 M2 M3
Sisal products manufacture	17	M1 M2 M3
Size manufacture	18	M3
Skating rinks:		
Indoor [PRC-D]	12	C4 C6 C7 C8 M1 <sup>3</sup> M2 M3
Outdoor ice [PRC-E]	4	R1-R2* R3-R10  C1 C2 C3 C4 C5 C6 C8  M1
	13	C7 C8 M1 <sup>3</sup> M2 M3
Outdoor roller [PRC-E]	13	C7 C8 M1 <sup>3</sup> M2 M3
Outdoor skateboard parks [PRC-E]	13	C7 C8 M1 <sup>3</sup> M2 M3
Slag piles	18	M3
Slaughtering of animals or poultry	18	M3
Soap or detergents:		
Manufacture, including fat rendering	18	M3
Packaging only	17	M1 M2 M3
Soldering shops [PRC-B1]	16	C8 M1 M2 M3
Solvent extracting	18	M3
Sorority houses (See Colleges or universities)		
Sporting equipment manufacture	17	M1 M2 M3
Sporting goods stores [PRC-B]	6	C1 C2 C4 C5 C6 C8  M1

## Appendix A: Index of Uses

	14	C2 C3 C7 C8 M1 M2 M3
Stables for horses [PRC-C]	16	R1-R2* R3-R10*  C2* C6* C7* C8  M1 M2 M3
Stadiums [PRC-D]:		
Limited as to capacity	12	C4 C6 C7 C8 M1 <sup>3</sup> M2 M3
Unlimited		C4** C6** C7** C8**  M1** M2** M3**
Stamp stores [PRC-B]		C1 C2 C4 C5 C6 C8  M1
Stationery stores [PRC-B]	6	C1 C2 C4 C5 C6 C8  M1 M2 M3
	12	C4 C6 C7 C8 M1
Statuary mannequins, figurines, religious or church art goods manufacture, excluding foundry operations	17	M1 M2 M3
Steel products:		
Miscellaneous fabrication or assembly	17	M1 M2 M3
Structural products manufacture	18	M3
Stock yards or slaughtering of animals or poultry	18	M3
Stone processing or stone products	18	M3
Storage:		
Wholesale [PRC-C]	16	C8  M1 M2 M3
Office records (See Depositories)		
Offices (See Moving or storage offices)		

## 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)		

## Appendix A: Index of Uses

Towers, non-#accessory#		R1-R2* R3-R10* C1-C8* M1* M2* M3*
Tennis courts, outdoor	4	R1-R2* R3-R10 C1 C2 C3 C4 C5 C6 C8 M1
Terminal facilities at river crossings for access to electric, gas or steam lines	6	R1-R2* R3-R10* C1 C2 C4 C5 C6 <sup>4</sup> C8 M1 M2 M3
Textiles:		
Bleaching	18	M3
Products manufacture	17	M1 M2 M3
Spinning, weaving, manufacturing, dyeing, printing, knit goods, yarn, thread or cordage	17	M1 M2 M3
Theaters [PRC-D]:		
Limited capacity	8	C1*
Unlimited capacity	8	C2 C4 C6 C8 M1 <sup>9</sup> M2 M3
	13	C7 C8 M1 <sup>9</sup> M2 M3
Theaters, drive-in		C7** C8** M1** M2** M3**
Theatrical studios (See Studios)		
Tile manufacture	18	M3
Tire sales establishments including installation services [PRC-B1]	7	C2 C6 <sup>4</sup> C8 M1 M2 M3
Tobacco:		
Curing or manufacture or tobacco products manufacture	17	M1 M2 M3
Stores [PRC-B]	6	C1 C2 C4 C5

## Appendix A: Index of Uses

		C6 C8 M1 M2 M3
	12	C4 C6 C7 C8 M1 M2 M3
Toiletries manufacture, not including soap manufacture	17	M1 M2 M3
Tool or hardware manufacture	17	M1 M2 M3
Topsoil storage	18	M3
#Tourist cabins# [PRC-H]	7	C2 <sup>28</sup> C6 <sup>4</sup> C8 M1
Towel supply establishments [PRC-F]	16	C8 M1 M2 M3
Toys:		
Manufacture	17	M1 M2 M3
Stores [PRC-B]	6	C1 C2 C4 C5 C6 C8 M1
	12	C4 C6 C7 C8 M1
Trade or other schools for adults [PRC-B1]:		
Limited as to objectionable effects	9	C2 C4 C5 C6 C8 M1 M2 M3
Unlimited	16	C8 M1 M2 M3
Trade embalmers [PRC-B1]	7	C2 C6 <sup>4</sup> C8 M1 M2 M3
Trade expositions [PRC-D]:		
Limited as to rated capacity	12	C4 C6 C7 C8 M1 <sup>3</sup> M2 M3
Unlimited		C4** C6** C7** C8** M1** M2** M3**
#Trailer#:		

## Appendix A: Index of Uses

Manufacture, including parts	17	M1 M2 M3
Repairs [PRC-C]	16	C8 M1 M2 M3
Sales, with no repair services or preparation for delivery [PRC-C]	9	C2 C4 C5 C6 C8 M1
Sales, open or enclosed [PRC-C]	16	C8 M1 M2 M3
Showrooms, with no repair services or preparation for delivery [PRC-C]	9	C2 C4 C5 C6 C8 M1
Transit 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
Travel bureaus [PRC-B]	6	C1 C2 C4 C5 C6 C8 M1
Truck gardens (See Agriculture)		
Truck:		
Manufacture (including parts) or engine rebuilding	17	M1 M2 M3
Repairs [PRC-C]	16	C8 M1 M2 M3
Trucking terminals or motor freight stations [PRC-G]:		
Limited as to #lot area#	16	C8 M1 M2 M3
Unlimited	17	C8** M1 M2 M3
Truck weighing scales, open or enclosed	17	M1 M2 M3

## Appendix A: Index of Uses

Turpentine manufacture	18	M3
Typewriter stores [PRC-B]	6	C1 C2 C4 C5 C6 C8 M1
Typewriter or other small business machine repair shops [PRC-B1]	9	C2 C4 C5 C6 C8 M1 M2 M3
Typography (See Printing)		
Umbrellas:		
Manufacture	17	M1 M2 M3
Repair shops [PRC-B]	9	C2 C4 C5 C6 C8 M1 M2 M3
Undertakers (See Funeral establishments)		
Upholstering:		
Bulk, excluding shops dealing directly with consumers	17	M1 M2 M3
Shops dealing directly with consumers [PRC-B1]	8	C2 C4 C6 C8 M1 M2 M3
Variety stores [PRC-B]:		
Limited as to #floor area#	6	C1 C2 C4 C5 C6 C8 M1 M2 M3
Unlimited	10	C4 C5 C6 C8 M1**
Varnish manufacture	18	M3
Vehicles:		
Dead storage, motor	16	C8 M1 M2 M3
Manufacture, children's	17	M1 M2 M3
Storage, commercial or public utility, open or enclosed [PRC-G]	16	C8 M1 M2 M3
Venetian blind, window shade or awning:		
Custom shops, limited as to #floor area# [PRC-B1]	7	C2 C6 <sup>4</sup> C8 M1 M2 M3

## Appendix A: Index of Uses

Manufacture, with no limitation on production or on #floor area#	17	M1 M2 M3
Ventilating contractors (See contractors' establishments)		
Ventilating equipment showrooms, without repair facilities [PRC-B1]	9	C2 C4 C5 C6 C8 M1
Vessels not otherwise listed (See Boats or ships)		
Veterinary medicine, limited to small animals [PRC-B1]	6	C1 C2 C4 C5 C6 C8 M1 M2 M3
Wallpaper stores [PRC-B]	6	C1 C2 C4 C5 C6 C8 M1
Warehouses [PRC-G]	16	C8 M1 M2 M3
Watch or clock stores or repair shops [PRC-B]	6	C1 C2 C4 C5 C6 C8 M1 M2 M3
Watch making [PRC-F]	11	C5 C6 <sup>4</sup> C8 M1 M2 M3
Water taxis, (See Boats or ships)		
Waterfront shipping (See Boats or ships)		
Water pumping stations	6	R1-R2* R3-R10* C1 C2 C4 C5 C6 <sup>4</sup> C8 M1 M2 M3
	12	C4 C6 C7 C8 M1 M2 M3
Wax products manufacture	17	M1 M2 M3
Weaving, hand [PRC-F]	11	C5 C6 <sup>4</sup> C8 M1 M2 M3
Wedding chapels [PRC-D]	9	C2 C4 C5 C6 C8 M1 <sup>3</sup>



## Appendix A: Index of Uses

Welding shops [PRC-B1]	16	C8 M1 M2 M3
Welfare centers	4	R1-R2* R3-R10  C1 C2 C3 C4 C5 C6 C8  M1**
Wholesale establishments:		
#Accessory# storage limited to 1,500 sq. ft. [PRC-B1]	7	C2 C6 <sup>4</sup> C8 M1 M2 M3
#Accessory# storage limited to 2,500 sq. ft. [PRC-B1]	11	C5 C6 <sup>4</sup> C8 M1 M2 M3
Unlimited accessory storage [PRC-C]	16	C8 M1 M2 M3
Wholesale offices or showrooms, with storage restricted to samples [PRC-B1]	10	C4 C5 C6 C8 M1 M2 M3
Window cleaning contractors' establishments, including floor waxing and other similar building maintenance services [PRC-B1]	7	C2 C6 <sup>4</sup> C8 M1 M2 M3
Window shades:		
Custom shops, limited as to #floor area# [PRC-B1]	7	C2 C6 <sup>4</sup> C8 M1 M2 M3
Manufacture, without limitation on production or on #floor area#	17	M1 M2 M3
Wood:		
Bulk processing or woodworking	18	M3
Distillation	18	M3
Products manufacture	17	M1 M2 M3
Pulp or fiber, reduction or processing, including paper mill operations	18	M3
Sales, open or enclosed:		
Limited as to #lot area# [PRC-B1]	16	C8 M1 M2 M3
Unlimited (See Lumber yards)		
Woodworking shops, custom [PRC-B1]	16	C8 M1 M2 M3

## Appendix A: Index of Uses

Wool scouring or pulling	18	M3
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#.		

## Appendix A: Index of Uses

- 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.

## 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 B: Index of Special Purpose Districts

Effective date of most recently amended section of Appendix B: 8/8/18

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Date of file creation: Web version of Appendix B: 10/25/18

CITY PLANNING COMMISSION

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DEPARTMENT OF CITY PLANNING

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## Appendix B: Index of Special Purpose Districts

(8/8/18)

SPECIAL DISTRICT (SYMBOL)	SECTION NUMBER	ZONING MAP (S)	CP/ULURP NUMBER*	CPC ADOPTION	BOE/COUNCIL ADOPTION
125th Street District (125)	97-00	5c 6a 6b	080100 (A) ZRM	3/10/08	4/30/08
Battery Park City District (BPC) Substantially modified	84-00	12a 12b	22479 810412 (A) ZRM	11/14/73 10/19/81	12/28/73 11/13/81
Bay Ridge District (BR) Substantially modified	114-00	22a 22b	780285 ZRK 050133 ZRK	9/25/78 3/2/05	11/2/78 3/23/05
City Island District (CD)	112-00	4c 4d	23258	12/13/76	1/20/77
Clinton District (CL)	96-00	8a 8c 8d	22758	10/21/74	11/21/74
Coastal Risk District (CR)	137-00	24b 24d 30a 30c 18b	170257 ZRQ 170267 ZRQ	6/7/17	6/21/17
College Point District (CP)	126-00	7b 10a	090318 ZRQ	6/3/09	7/29/09
Coney Island District (CI)	131-00	28d	090273 (A) ZRK	6/17/09	7/29/09
Coney Island Mixed Use District (CO)	106-00	28d	22785	12/23/74	1/9/75
Downtown Brooklyn District (DB)	101-00	12d 16c	000244 (B1) ZRY	6/13/01	7/26/01
Downtown Far Rockaway District (DFR)	136-00	31a, 25b	170244 (A) ZRQ	7/10/17	9/9/17
Downtown Jamaica District (DJ)	115-00	14d	070315 (A) ZRQ	7/11/07	9/10/07
East Harlem Corridors District (EHC)	138-00	6a, 6b	170359 ZRM	10/2/17	11/30/17
Enhanced Commercial District-1 (EC-1)	132-00	16c 16d	110387 ZRK	10/19/11	11/29/11
Enhanced Commercial District-2 and 3 (EC-2 and EC-3)	132-00	5d 8c	120144 ZRM	5/9/12	6/28/12
Enhanced Commercial District-4 (EC-4)	132-00	12d 13b 16c 17a	120295 ZRK	9/5/12	10/11/12
Enhanced Commercial District-5 and 6 (EC-5 and EC-6)	132-00	17c	160050 ZRK	2/24/16	4/20/16
Forest Hills District (FH)	86-00	14a	090103 ZRQ	1/21/09	3/24/09
Garment Center District (GC)	121-00	8d	870241 (A) ZRM	2/23/87	3/26/87
Governors Island District (GI)	134-00	16a	130189 (A) ZRM	6/5/13	7/24/13
Grand Concourse District (C)	122-00	1d 3b 3c 3d 6a	890229 ZRX	9/6/89	9/28/89
Harlem River Waterfront District (HRW)	87-00	6a	090302 ZRX	5/20/09	6/30/09
Hillsides Preservation District (HS)	119-00	21a 21b 21c 21d	870002 ZRR	6/3/87 Zort v.1 2/11/19	6/30/87
Hudson River Park (HRP)	99-00	12a	160308 ZRM	10/17/16	12/15/16

## Appendix B: Index of Special Purpose Districts

SPECIAL DISTRICT (SYMBOL)	SECTION NUMBER	ZONING MAP (S)	CP/ULURP NUMBER*	CPC ADOPTION	BOE/COUNCIL ADOPTION
Hudson Square District (HSQ)	88-00	12a	120381 (A) ZRM	1/23/13	3/20/13
Hudson Yards District (HY)	93-00	8b 8d	040500 (A) ZRM	11/22/04	1/19/05
Hunts Point Special District (HP)	108-00	6c	080248 ZRX	5/21/08	7/23/08
Inwood Special District (IN)	142-00	1b 1d 3a 3c	180205 (A) ZRM	6/25/18	8/8/18
Jerome Corridor District (J)	141-00	3b, 3c	180050 (A) ZRX	1/17/18	3/22/18
Limited Commercial District (LC)	83-00	12c	20779	8/14/69	10/9/69
Lincoln Square District (L)	82-00	8c	20365 (A)	3/19/69	4/24/69
Little Italy District (LI)	109-00	12c	760061 ZRM	1/3/77	2/3/77
Long Island City Mixed Use District (LIC)	117-00	8d 9b	000407 (A) ZRQ	5/23/01	7/26/01
Lower Manhattan District (LM)	91-00	12a 12b 12d	980314 ZRM	7/20/98	8/27/98
Madison Avenue Preservation District (MP)	99-00	5d 6b 8c	22350	11/7/73	12/20/73
Manhattanville Mixed Use District (MMU)	104-00	5c 6a	070496 ZRM	11/26/07	12/19/07
Midtown District (MID)	81-00	8c 8d	820253 ZRM	3/16/82	5/13/82
Mixed Use District-1 (MX-1) Port Morris, the Bronx	123-00	6a 6b	970751 ZRX	11/5/97	12/10/97
Mixed Use District-2 (MX-2) DUMBO, Brooklyn	123-00	12d	090310 ZRK	7/1/09	7/29/09
Mixed Use District-4 (MX-4) Flushing/Bedford, Brooklyn	123-00	12d 13b	000110 ZRK	3/26/01	5/9/01
Mixed Use District-5 (MX-5) Red Hook, Brooklyn	123-00	16a	020046 ZRK	12/19/01	1/30/02
Mixed Use District-6 (MX-6) Hudson Square, Manhattan	123-00	12a	030236 ZRM 070575 ZMM	6/18/03 6/4/08	8/19/03 7/23/08
Mixed Use District-7 (MX-7) Morrisania, the Bronx	123-00	3d 6c	030334 ZRX	7/23/03	8/19/03
Mixed Use District-8 (MX-8) Greenpoint-Williamsburg, Brooklyn	123-00	12c 12d 13a 13b	040137 ZRK	8/25/04	9/28/04
Mixed Use District-9 (MX-9) Northern Hunters Point Waterfront, Queens	123-00	9b	060324 ZRQ	7/12/06	8/16/06
Mixed Use District-10 (MX-10) Atlantic and Howard Avenues, Brooklyn	123-00	17a	070448 ZRY	9/5/07	10/29/07
Mixed Use District-11 (MX-11) Gowanus, Brooklyn	123-00	16a	090049 ZRK	2/17/09	3/11/09
Mixed Use District-12 (MX-12) Borough Park, Brooklyn	123-00	22c	100346 ZRK	8/25/2010	10/27/10

## Appendix B: Index of Special Purpose Districts

SPECIAL DISTRICT (SYMBOL)	SECTION NUMBER	ZONING MAP (S)	CP/ULURP NUMBER*	CPC ADOPTION	BOE/COUNCIL ADOPTION
Mixed Use District-13 (MX-13) Lower Concourse, the Bronx	123-00	6a	090302 ZRX	5/20/09	6/30/09
Mixed Use District-14 (MX-14) Third Avenue /Tremont Avenue, the Bronx	123-00	3c 3d	100408 ZRX	9/15/10	10/13/10
Mixed Use District-15 (MX-15) West Harlem, Manhattan	123-00	6a	120310 ZRM	9/5/12	11/13/12
Mixed Use District-16 (MX-16) Ocean Hill/East New York, Brooklyn	123-00	17c	160050 ZRK	2/14/16	4/20/16
Mixed Use District-17 (MX-17) Hunts Point, the Bronx	123-00	6c	180122 ZRX	2/14/18	3/22/18
Natural Area District-1 (NA-1)	105-00	21b 26a 26b 26c 26d 27a 27b	22748 (A)	11/18/74	12/19/74
Natural Area District-2 (NA-2)	105-00	1a 1b 1c 1d	22890 (A)	5/14/75	5/21/75
Natural Area District-3 (NA-3)	105-00	21d	770272 ZRY	11/9/77	12/1/77
Natural Area District-4 (NA-4)	105-00	7d 11c	821255 ZRQ	3/23/83	4/28/83
Ocean Parkway District (OP)	113-00	16d 22c 22d 28c 28d	23284	12/22/76	1/20/77
Park Improvement District (PI)	92-00	5d 6b 8c 9a	22240	2/28/73	4/23/73
Planned Community Preservation District (PC)	103-00	3b 4b 6a 9b 9d 10d 11b 14c 15a	22501	6/12/74	7/18/74
Scenic View District (SV- 1)	102-00	12b 12d	22750	9/23/74	10/24/74
Sheepshead Bay District (SB)	94-00	29a	22171	9/5/73	10/4/73
South Richmond Devel- opment District (SRD)	107-00	26b 26d 27b 32c 32d 33a 33b 33c 33d 34a 35a 35c	22972	7/23/75	9/11/75
Southern Hunters Point District (SHP)	125-00	8d	080363 ZRQ	9/24/08	11/13/08
Southern Roosevelt Island District (SRI)	133-00	8d 9b	130077 ZRM	3/20/13	5/8/13
St. George District (SG)	128-00	21c	080425 ZRR	9/10/08	10/23/08
Stapleton Waterfront District (SW)	116-00	21c 21d	060468 ZRR	9/27/06	10/25/06
Transit Land Use District (TA)	95-00	6b 8c 8d 9a 12c 12d	22441	11/7/73	12/28/73
Tribeca Mixed Use District (TMU) Was Lower Manhattan Mixed Use District; renamed 8/27/98, 980314ZRM	111-00	12a 12b	23198	6/1/76  Zort V.1 2/11/19	6/11/76



## Appendix B: Index of Special Purpose Districts

SPECIAL DISTRICT (SYMBOL)	SECTION NUMBER	ZONING MAP (S)	CP/ULURP NUMBER*	CPC ADOPTION	BOE/COUNCIL ADOPTION
Union Square District (US)	118-00	12c	841006 ZRM	11/26/84	1/10/85
United Nations Development District (U)	85-00	8d	21014	1/21/70	3/20/70
West Chelsea District (WCh)	98-00	8b	050161 (A) ZRM	5/25/05	6/23/05
Willets Point District (WP)	124-00	10a 10b	080382 ZRQ	9/24/08	11/13/08

### Index of Special Purpose Districts - Eliminated or Replaced

SPECIAL DISTRICT (SYMBOL)	SECTION NUMBER	ZONING MAP (S)	CP/ULURP NUMBER*	CPC ADOPTION	BOE/COUNCIL ADOPTION
Atlantic Avenue District (AA) Eliminated & replaced by Downtown Brooklyn District	104-00	16c	22670	7/10/74	8/15/74
Brooklyn Center Development District (BC) Eliminated 10/9/86, 860210 ZRK	89-00	16c	22008	5/31/72	7/20/72
Fifth Avenue District (F) Eliminated & replaced by Midtown District	87-00	8c 8d	21498	3/3/71	3/25/71
Franklin Street Mixed Use District (FR) Eliminated 5/11/05, 050110 (A) ZRK	108-00	12c	23028	9/3/75	9/11/75
Fulton Mall District (FM) Eliminated & replaced by Downtown Brooklyn District	115-00	16c	770236 ZRK	2/8/78	3/16/78
Greenwich Street Development District (G) Eliminated & replaced by Lower Manhattan District	86-00	12b	21418	1/6/71	1/14/71
Hunters Point Mixed Use District (HP) Eliminated & replaced by Long Island City Mixed Use District	117-00	8d 9b	810538 ZRQ	10/26/81	12/3/81
Jacob K. Javits Convention Center District (CC) Eliminated & replaced by Hudson Yards District	93-00	8b 8d	900053 ZRM	12/27/89	2/22/90
Lower Manhattan Mixed Use District (LMM) Renamed Tribeca Mixed Use District 8/27/98	111-00	12a 12b	23198	6/1/76	6/11/76

## Appendix B: Index of Special Purpose Districts

<b>SPECIAL DISTRICT (SYMBOL)</b>	<b>SECTION NUMBER</b>	<b>ZONING MAP (S)</b>	<b>CP/ULURP NUMBER*</b>	<b>CPC ADOPTION</b>	<b>BOE/COUNCIL ADOPTION</b>
Manhattan Bridge District (MB) Terminated 9/1/91	116-00	12d	801024 ZRM	6/22/81	8/20/81
Manhattan Landing District (MLD) Eliminated & replaced by Lower Manhattan District	98-00	12b 12d	22498	11/7/73	12/28/73
Mixed Use District-2 Fulton Ferry (MX-2) Eliminated & replaced by DUMBO (MX-2)	123-00	8b 8d 12c	990452 ZRK	7/21/99	9/9/99
Mixed Use District-3 (MX-3) Eliminated & replaced by West Chelsea District	123-00	12c	990001 ZRK	2/17/99	3/30/99
New York City Convention and Exhibition Center Development District (CC) Eliminated 2/22/90, 900053 ZRM	93-00	8a 8c	22264	3/29/73	5/24/73
Northside Mixed Use District (N) Eliminated 5/11/05, 050110(A) ZRK	97-00	12c 12d 13a 13b	22424 23158	9/5/73 3/10/76	9/13/73 3/18/76
Park District (P) Deleted by court order, 4/24/78	91-00	8d	22128 (A)	11/8/72	12/7/72
South Street Seaport District (S) Eliminated & replaced by Lower Manhattan District	88-00	12b	21975	5/31/72	7/20/72
Theater District (T) Eliminated & replaced by Midtown District	81-00	8c 8d	20000	11/1/67	12/7/67
Yorkville - East 86th Street District (Y) Eliminated 6/29/89, 880799 ZRM	101-00	9a	22529	4/3/74	5/29/74

\* CPC reports may be obtained at <http://a030-cpc.nyc.gov/html/cpc/index.aspx>