



Zoning Resolution

THE CITY OF NEW YORK

Eric Adams, Mayor

CITY PLANNING COMMISSION

Daniel R. Garodnick, Chair

Chapter 2 - Use Regulations

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Chapter 2 - Use Regulations

32-00 - GENERAL PROVISIONS

†

LAST AMENDED
12/6/2023

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 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15 and 16, including each #use# listed separately therein, are permitted in #Commercial Districts# as indicated in Sections [32-11](#) through [32-25](#), except that any such #use# which is also an #adult establishment# shall, in addition, be subject to the provisions of Section [32-01](#) (Special Provisions for Adult Establishments). For the purposes of establishing permitted #uses# in this Resolution, references to permitted #uses# in the Use Groups, or any sub-categories therein, shall include all #accessory# #uses# thereto.

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).

All districts indicated in Column A shall comply with the regulations for districts indicated in Column B except as set forth in the sections indicated in Column C.

Column A	Column B	Column C
C1 and C2 in R9A	R9	32-43
C1 and C2 in R10A	R10	32-43
C1-8A	C1-8	32-43
C1-9A	C1-9	32-43
C2-7A	C2-7	32-43
C2-8A	C2-8	32-43
C4-6A	C4-6	32-43
C4-7A	C4-7	32-43

Local Service C2	X	X	X	X	X	X	X	X	X	X					X		
Waterfront Recreation C3	X	X	X	X											X		
General Commercial C4	X	X	X	X	X	X			X	X	X		X				
Restricted Central Commercial C5	X	X	X	X	X	X				X	X	X					
General Central Commercial C6	X	X	X	X	X	X	X	X	X	X	X	X	X				
Commercial Amusement C7													X	X	X	X	
General Service C8				X	X	X	X	X	X	X	X	X	X	X	X		X

32-01 - Special Provisions for Adult Establishments

LAST AMENDED

9/9/2004

In addition to the applicable regulations for the #uses# listed in a permitted Use Group, #adult establishments# shall be subject to the following provisions:

- (a) #Adult establishments# are not permitted in C1, C2, C3, C4, C5, C6-1, C6-2 or C6-3 Districts.
- (b) In C6-4, C6-5, C6-6, C6-7, C6-8, C6-9, C7 or C8 Districts, no #adult establishment# shall be established less than 500 feet from a house of worship, a #school#, a #Residence District#, a C1, C2, C3, C4, C5-1, C6-1, C6-2 or C6-3 District, or a #Manufacturing District#, other than an M1-6M District, in which new #residences# or new #joint living-work quarters for artists# are allowed as-of-right or by special permit or authorization. No provisions or findings of such special permit or authorization which require an assessment of the impact of new #residences# or new #joint living-work quarters for artists# on #commercial# or #manufacturing# #uses# within a #Manufacturing District# shall be construed as a limitation on the scope of this provision. However, on or after October 25, 1995, an #adult establishment# that

otherwise complies with the provisions of this paragraph shall not be rendered #non-conforming# if a house of worship or a #school# is established on or after April 10, 1995, within 500 feet of such #adult establishment#.

- (c) In C6-4, C6-5, C6-6, C6-7, C6-8, C6-9, C7 or C8 Districts, no #adult establishment# shall be established less than 500 feet from a previously established #adult establishment#.
- (d) In C6-4, C6-5, C6-6, C6-7, C6-8, C6-9, C7 or C8 Districts, no more than one #adult establishment# permitted under this Section shall be established on a #zoning lot#.
- (e) In C6-4, C6-5, C6-6, C6-7, C6-8, C6-9, C7 or C8 Districts, #adult establishments# shall not exceed, in total, 10,000 square feet of #floor area# and #cellar# space not used for enclosed storage or mechanical equipment.
- (f) #Adult establishments# which were established on October 25, 1995, and conform to all provisions of the Zoning Resolution relating to #adult establishments# other than the provisions of all or any combination of paragraphs (c), (d), and (e) of this Section, shall not be subject to the provisions of Section [52-77](#) (Termination of Adult Establishments).

For purposes of this Section, an #adult establishment# shall be established upon the date of a permit issued by the Department of Buildings therefor, or, in the case of an #adult establishment# in existence prior to August 8, 2001, as determined by the Department of Buildings, subject to rules as the Department of Buildings may prescribe regarding the failure to perform work authorized under a permit or to commence operation pursuant to a permit and the discontinuance of an #adult establishment#.

32-02 - Special Provisions for Hotels

LAST AMENDED
12/9/2021

#Transient hotels#, as listed in Section [32-14](#) (Use Group 5), and #motels#, #tourist cabins# or #boatels#, as listed in Section [32-16](#) (Use Group 7A), shall be subject to the special provisions of this Section. For the purposes of this Section, #transient hotels# shall include #motels#, #tourist cabins# and #boatels#.

In all Districts, #transient hotels# shall be permitted only as set forth in this Section.

- (a) Applicability

A special permit for #transient hotels#, by the City Planning Commission, pursuant to Section [74-802](#) (Transient hotels within Commercial Districts) shall be applicable to:

- (1) the #development# of a #transient hotel#;
- (2) a change of #use# or #conversion# to a #transient hotel#, or an #enlargement#, containing a #transient hotel#, of a #building# that, as of December 9, 2021, did not contain such #use#; or
- (3) an #enlargement# or #extension# of a #transient hotel# that existed prior to December 9, 2021, that increases the #floor area# of such #use# by 20 percent or more.

(b) Exclusions

Notwithstanding the above, the provisions of this Section shall not apply to the following:

- (1) a #transient hotel# operated exclusively for the public purpose of temporary housing assistance by the City or State of New York, or operated by a non-governmental entity pursuant to an active contract or other written agreement with an agency of the City or State specifying such public purpose;
- (2) where an application for a project containing a #transient hotel#, including an application for an extension of time to complete construction, has been filed at the Board of Standards and Appeals before December 9, 2021 and such application has been approved after January 1, 2018, provided that:
 - (i) such #transient hotel# was considered in such application, as evidenced by its description or assessment at a specified location in an application or in environmental review documents; and
 - (ii) in the event that a temporary or final certificate of occupancy has not been issued by December 9, 2027, the building permit shall automatically lapse and the right to continue construction shall terminate. An application to renew the building permit may be made to the Board of Standards and Appeals not more than 30 days after the lapse of such building permit pursuant to the applicable provisions of Section [11-332](#) (Extension of period to complete construction); or
- (3) where an application for a project containing a #transient hotel# has been certified by the City Planning Commission before December 9, 2021, and has been approved by the Commission after January 1, 2018, provided that:
 - (i) such #transient hotel# was considered in such application, as evidenced by its description or assessment at a specified location in a land use application or in environmental review documents; and
 - (ii) in the event that a temporary or final certificate of occupancy has not been issued by December 9, 2027, the building permit shall automatically lapse and the right to continue construction shall terminate. An application to renew the building permit may be made to the Board of Standards and Appeals not more than 30 days after the lapse of such building permit pursuant to the applicable provisions of Section [11-332](#). For such applications where a special permit for a #transient hotel# has been certified by the Commission pursuant to a #Special Purpose District#, such application may continue pursuant to the regulations and term of years proposed or in effect at the time such special permit was certified by the

Commission.

(c) Existing hotels

- (1) Any #transient hotel# existing on December 9, 2021, shall be considered a conforming #use# and may be continued, structurally altered, #extended# or #enlarged# subject to the limitations set forth in this Section and subject to the applicable #bulk# regulations. However, if for a continuous period of two years such #transient hotel# is discontinued, the space allocated to such #transient hotel# shall thereafter be used only for a conforming #use# other than a #transient hotel#, or may be utilized for a #transient hotel# only if the Commission grants a special permit for such #use# in accordance with the provisions of Section [74-802](#) or other applicable section of this Resolution.
- (2) The provisions of paragraph (c)(1) of this Section shall be modified up to December 9, 2027, to allow a #transient hotel# existing on December 9, 2021, to be restored to such #use# regardless of more than two years of discontinuance of the #use#, and regardless of any change of #use# between December 9, 2021, and December 9, 2027.
- (3) In the event a casualty damages or destroys a #transient hotel# that was in such #use# as of December 9, 2021, such #building# may be reconstructed and used as a #transient hotel# without obtaining a special permit. A #non-complying building# may be reconstructed pursuant to Section [54-40](#) (DAMAGE OR DESTRUCTION IN NON-COMPLYING BUILDINGS).

(d) Vesting regulations

The provisions of Section [11-30](#) (BUILDING PERMITS ISSUED BEFORE EFFECTIVE DATE OF AMENDMENT) regarding the right to continue construction shall apply. As an alternative, the following provisions shall apply.

- (1) If, on or before May 12, 2021, an application for a #development#, #enlargement# or #conversion# to a #transient hotel# has been filed with the Department of Buildings, and if, on or before December 9, 2022, the Department of Buildings has approved an application for a foundation, a new #building# or an alteration based on a complete zoning analysis showing zoning compliance for such #transient hotel#, such application may be continued, and construction may be started or continued.
- (2) However, in the case of an application for a #development#, #enlargement# or #conversion# to a #transient hotel# that has been filed with the Department of Buildings prior to January 1, 2018, and has not received a permit contingent on zoning approval on or before December 9, 2022, the provisions of paragraph (d)(1) of this Section shall not apply. In lieu thereof, the provisions of this paragraph shall apply. For such applications, if, on

or before December 9, 2022 a permit contingent on zoning approval was lawfully issued by the Department of Buildings, such construction may be started or continued.

- (3) In the case of an application filed after December 9, 2021, for a #development# containing a #transient hotel# on a #zoning lot# located in the Theater Subdistrict of the #Special Midtown District# that as of December 9, 2021, has a #lot area# of 20,000 square feet or more; and for which at least 10,000 square feet of such #lot area# is clear of #buildings# or is occupied by #buildings# which are substantially vacant, or any combination thereof, the provisions of paragraph (d)(1) of this Section shall not apply. In lieu thereof, if on or before December 9, 2023, the Department of Buildings has approved an application for a foundation or a new #building#, based on a complete zoning analysis showing zoning compliance for such #transient hotel#, such application may be continued, and construction may be started or continued. For the purposes of this paragraph, “substantially vacant” shall mean that at least 90 percent of the #floor area# of a #building# is unoccupied.

All such applications may be revised and retain vested status, provided that the #floor area# for the #transient hotel# is not increased by more than 20 percent of the final approved application, or for a proposed #enlargement#, by more than 20 percent of the proposed new #floor area# of the final approved application.

In the event that a temporary or final certificate of occupancy has not been issued by December 9, 2027, the building permit shall automatically lapse and the right to continue construction shall terminate, provided that in the case of a #development# containing a #transient hotel# on a #zoning lot# that has a #lot area# of 20,000 square feet or more and is located in the Theater Subdistrict of the #Special Midtown District#, having vested status under the provisions of paragraph (d)(1) or (d)(3) of this Section, such period for issuance of a temporary or final certificate of occupancy shall be until December 9, 2031. An application to renew the building permit may be made to the Board of Standards and Appeals not more than 30 days after the lapse of such building permit pursuant to the applicable provisions of Section [11-332](#) (Extension of period to complete construction).

32-10 - USES PERMITTED AS-OF-RIGHT

LAST AMENDED
12/15/1961

32-11 - Use Groups 1 and 2

LAST AMENDED
1/18/2011

C1 C2 C3 C4 C5 C6

Use Groups 1 and 2, as set forth in Sections [22-11](#) and [22-12](#). However, in C3A Districts, Use Group 2 shall be limited to #single#- or #two-family# #detached# or #zero lot line residences#.

In #lower density growth management areas# in the Borough of Staten Island, except C3A Districts, Use Groups 1 and 2 shall be permitted only within #mixed buildings#. However, no #residences# shall be allowed on the following #zoning lots#, except by special permit pursuant to Section [74-49](#) (Residential Use in C4-1 Districts in Staten Island):

- (a) any #zoning lot# in a C4-1 District, where such district occupies at least four acres within a #block#; or
- (b) any other #zoning lot# in a C4-1 District, where such #zoning lot# had a #lot area# greater than 20,000 square feet on December 21, 2005, or on any subsequent date.

32-12 - Use Group 3

LAST AMENDED

7/6/1972

C1 C2 C3 C4 C5 C6

Use Group 3, as set forth in Section [22-13](#).

32-13 - Use Group 4

LAST AMENDED

7/6/1972

C1 C2 C3 C4 C5 C6 C8

Use Group 4, as set forth in Section [22-14](#).

32-14 - Use Group 5

LAST AMENDED

12/9/2021

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#

*** Subject to the provisions of Section [32-02](#) (Special Provisions for Hotels)

32-15 - Use Group 6

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LAST AMENDED

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 facilities² [PRC-B]

Food stores, including supermarkets, grocery stores, meat markets, or delicatessen stores [PRC-Either A or B³]

Hardware stores [PRC-B]

Laundry establishments, hand or automatic self-service [PRC-B¹]

Liquor stores, package [PRC-B]

Post offices [PRC-H]

Shoe or hat repair shops [PRC-B]

Stationery stores [PRC-B]

Tailor or dressmaking shops, custom [PRC-B]

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

B. Offices

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

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

C. Retail or Service Establishments

Antique stores [PRC-B]

Art galleries, commercial [PRC-B]

Artists' supply stores [PRC-B]

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

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

Bicycle sales [PRC-B]

Book stores [PRC-B]

Candy or ice cream stores [PRC-B]

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

Cigar or tobacco stores [PRC-B]

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

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

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

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

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

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

Eating or drinking establishments with entertainment, but not dancing, with a capacity of 200 persons or fewer⁴ [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 lockers¹ [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]

#Health and fitness establishments#, open or enclosed, limited to 10,000 square feet of #floor area# per establishment [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 offices¹ [PRC-B1]

Locksmith shops¹ [PRC-B]

Medical or orthopedic appliance stores [PRC-B]

Meeting halls¹ [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 Establishments⁵

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 feet¹

Fire or police stations [PRC-C]

Public utility stations for oil or gas metering or regulating¹

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

Terminal facilities at river crossings for access to electric, gas, or steam lines¹

Water or sewage pumping stations¹

E. Clubs

Non-commercial clubs, without restrictions on activities or facilities [PRC-D]

F. Special infrastructure

Electric vehicle charging and battery swapping, open or enclosed

#Energy infrastructure equipment#, open or enclosed, with no size limitations, and subject to the provisions of Section [37-20](#) (SPECIAL SCREENING AND ENCLOSURE PROVISIONS)

Public bicycle and micromobility parking, open or enclosed

Recycling, or organic material, receiving, limited to 5,000 square feet per establishment

G. #Accessory# #uses#

- 1 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)
- 2 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
- 3 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)
- 4 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](#)
- 5 In a C6-1A District, #uses# in Use Group 6D are not permitted

32-16 - Use Group 7

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LAST AMENDED
12/6/2023

C2 C6* C8

Use Group 7 consists primarily of home maintenance or repair services which:

- (1) fulfill recurrent needs of residents in nearby areas;
- (2) have a relatively small service area and are, therefore, widely distributed throughout the City; and
- (3) are incompatible in primary retail districts since they break the continuity of retail frontage.

A. Transient Accommodations

#Motels#, #tourist cabins# or #boatels##** [PRC-H]

In C2 Districts, each #motel# or #tourist cabin# 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#

B. Retail or Service Establishments

Bicycle rental or repair shops [PRC-B1]

Electrical, glazing, heating, painting, paper hanging, plumbing, roofing or ventilating contractors' establishments, limited to 2,500 square feet of #floor area# per establishment [PRC-B1]

Exterminators [PRC-B1]

Funeral establishments [PRC-H]

Gun repairs [PRC-B1]

Monument sales establishments, with incidental processing to order, but not including the shaping of headstones [PRC-C]

Moving or storage offices, with storage limited to items for retail sale and to 1,500 square feet of #floor area# per establishment [PRC-B1]

Refreshment stands, drive-in [PRC-H]

Sailmaking establishments [PRC-C]

Sign painting shops, limited to 2,500 square feet of #floor area# per establishment [PRC-B1]

Taxidermist shops [PRC-B1]

Trade embalmers [PRC-B1]

Venetian blind, window shade or awning shops, custom, limited to 2,500 square feet of #floor area# per establishment [PRC-B1]

Window cleaning contractors' establishments, including floor waxing and other similar building maintenance services [PRC-B1]

C. Wholesale Establishments

Wholesale establishments, with not more than 1,500 square feet of #accessory# storage per establishment [PRC-B1]

D. Auto Service Establishments

Automobile glass and mirror shops [PRC-B1]

Automobile seat cover or convertible top establishments, selling or installation [PRC-B1]

Tire sales establishments, including installation services [PRC-B1]

E. #Accessory# #uses#

* In a C6-1A District, #uses# in Use Group 7 are not permitted

** Subject to the provisions of Section [32-02](#) (Special Provisions for Hotels)

C2 C4 C6 C8

Use Group 8 consists primarily of amusement or service establishments which:

- (1) are appropriate in local service districts to serve nearby residential areas; or
- (2) depend on a wide service radius and may appropriately be located in secondary or major commercial centers.

Since these establishments are generally patronized by customers for special purposes not associated with retail shopping, they are appropriate neither in local shopping areas nor in the restricted central commercial areas.

A. Amusements

*Billiard parlors or pool halls [PRC-D]

*Bowling alleys, limited to not more than 16 lanes per establishment [PRC-D]

Model car hobby center, including racing, limited to not more than 8,000 square feet of #floor area# per establishment [PRC-D]

Theaters [PRC-D]

In C2-5, C2-6, C2-7, C2-8, C4-5, C4-6, C4-7, C6 and C8-4 Districts, in order to prevent obstruction of #street# areas, 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 of an entrance to a public toilet. Such requirements shall not apply to any additional motion picture theater created by the subdivision of an existing motion picture theater.

B. Retail or Service Establishments

*Automobile driving schools [PRC-B]

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

Lumber stores, limited to 5,000 square feet of #floor area# per establishment exclusive of that #floor area# used for office and display area, and provided that not more than 400 square feet of #floor area# shall be used for cutting of lumber to size [PRC-B1]

*Pawn shops [PRC-B1]

Television, radio, phonograph or household appliance repair shops [PRC-B]

*Upholstering shops dealing directly with consumers [PRC-B1]

C. Automotive Service Establishments

Automobile rental establishments, except that in the #Long Island City area#, as defined in Section [16-02](#) (Definitions), the number of automobiles that may be stored in such establishments in C2, C4 or C6 Districts shall not exceed 100 spaces and the maximum size in square feet of such storage area shall not exceed 200 times the number of parking spaces provided, exclusive of entrance/exit ramps

#Public parking garages# or #public parking lots# with a capacity of 150 spaces or less, provided that such #public parking lots# are not permitted as of right in C6-1A Districts and such #public parking garages# are not permitted as of right in C2-5, C2-6, C2-7, C2-8, C4-5, C4-5A, C4-5X, 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#.

#Public parking garages# or #public parking lots# shall be subject to select provisions set forth in Article III, Chapter 6. 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.

D. Public Service Establishments

Prisons [PRC-H]

E. #Accessory# #uses#

- * In a C4 District, a #use# in Use Group 8, 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)

32-18 - Use Group 9

LAST AMENDED

2/26/1998

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 photostating 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]

**#Health and fitness establishments#, open or enclosed, with no limitation on #floor area# per establishment [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)

** In C1-8 and C1-9 Districts, and in C1 Districts mapped within an R9 or an R10 District, #uses# marked with two asterisks shall be allowed as-of-right

32-19 - Use Group 10

LAST AMENDED

3/26/2014

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#

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.

A. Manufacturing Establishments

*Art needlework, hand weaving or tapestries [PRC-F]

*Books, handbinding or tooling [PRC-F]

*Ceramic products, custom manufacturing [PRC-F]

*Clothing, custom manufacturing or altering for retail [PRC-F]

*Hair products, custom manufacturing [PRC-F]

*Jewelry manufacturing from precious metals [PRC-F]

*Medical, dental, drafting instruments, optical goods, or similar precision instruments [PRC-F]

*Musical instruments, except pianos and organs [PRC-F]

*Orthopedic or medical appliances, custom manufacturing [PRC-F]

*Printing, custom, limited to 2,500 square feet of #floor area# per establishment for production, provided that such #floor area# limitation shall not apply in C6 Districts [PRC-F]

*Watchmaking [PRC-F]

B. Wholesale or Similar Establishments

*Ship chandlers [PRC-F]

*Wholesale establishments, with #accessory# storage limited to 2,500 square feet of #floor area# per establishment [PRC-B1]

C. #Accessory# #uses#

* In a C5 District, a #use# in Use Group 11, 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 a C6-1A District, #uses# in Use Group 11 are not permitted

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 16th Street and West 17th 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](#)

32-22 - Use Group 13

LAST AMENDED

4/6/1978

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#

32-23 - Use Group 14

†

LAST AMENDED
12/6/2023

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# 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]

#Health and fitness establishments#, open or enclosed, limited to 10,000 square feet of #floor area# per establishment [PRC-B]

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 [PRC-D]

C. Special infrastructure

Electric vehicle charging and battery swapping, open or enclosed

#Energy infrastructure equipment#, open or enclosed, with no size limitations, and subject to the provisions of Section [37-20](#) (SPECIAL SCREENING AND ENCLOSURE PROVISIONS)

Public bicycle and micromobility parking, open or enclosed

Recycling, or organic material, receiving, limited to 5,000 square feet per establishment

D. #Accessory# #uses#

32-24 - Use Group 15

LAST AMENDED

7/23/2008

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]

Open booths with games of skill or chance, including shooting galleries [PRC-E]

32-25 - Use Group 16

LAST AMENDED

12/19/2017

C8

Use Group 16 consists of automotive and other necessary semi-industrial #uses# which:

- (1) are required widely throughout the city; and
- (2) involve offensive noise, vibration, smoke, dust, or other particulate matter, odorous matter, heat, humidity, glare or other objectionable influences, making such #uses# incompatible with #residential# #uses# and other #commercial# #uses#.

A. Retail or Service Establishments

Animal hospitals or kennels [PRC-B1]

Animal pounds or crematoriums [PRC-C]

Automobile, motorcycle, trailer or boat sales, open or enclosed [PRC-C]

Blacksmith shops [PRC-C]

Building materials sales, open or enclosed, limited to 10,000 square feet of #lot area# per establishment, provided that not more than 5,000 square feet of such #lot area# is used for open storage [PRC-B1]

Carpentry, custom woodworking or custom furniture making shops [PRC-B1]

Crematoriums, human [PRC-C]

Electrical, glazing, heating, painting, paper hanging, plumbing, roofing or ventilating contractors' establishments, open or enclosed, with open storage limited to 5,000 square feet of #lot area# per establishment [PRC-B1]

Fuel, ice, oil, coal or wood sales, open or enclosed, limited to 5,000 square feet of #lot area# per establishment [PRC-B1]

Household or office equipment or machinery repair shops, such as refrigerators, washing machines, stoves, deep freezers or air conditioning units [PRC-B1]

Machinery rental or sales establishments [PRC-B1]

Mirror silvering or glass cutting shops [PRC-B1]

Motorcycle or motor scooter rental establishments [PRC-C]

Poultry or rabbit killing establishments, for retail sale on the same #zoning lot# only [PRC-B1]

Riding academies, open or enclosed [PRC-C]

Sign painting shops, with no limitation on #floor area# per establishment [PRC-B1]

Silver plating shops, custom [PRC-B1]

Soldering or welding shops [PRC-B1]

Stables for horses [PRC-C]

Tool, die or pattern making establishments, or similar small machine shops [PRC-B1]

Trade schools for adults [PRC-B1]

B. Automotive Service Establishments

Automobile, truck, motorcycle or #trailer# repairs [PRC-C]

Automobile laundries, provided that the #zoning lot# contains reservoir space for not less than 10 automobiles per washing lane

#Automotive service stations#, open or enclosed, provided that facilities for lubrication, minor repairs or washing are permitted only if located within a #completely enclosed# #building#

C. Vehicle Storage Establishments

Commercial or public utility vehicle storage, open or 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).

32-30 - USES PERMITTED BY SPECIAL PERMIT

LAST AMENDED
12/15/1961

32-31 - By the Board of Standards and Appeals

LAST AMENDED
12/9/2021

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#

C1 C2 C3

Camps, overnight or outdoor day [PRC-H]

C8

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

C3

Commercial beaches [PRC-E]

C3

Commercial swimming pools [PRC-E]

C1-1 C1-2 C1-3 C3

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

C1-1 C1-2 C1-3 C3

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

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

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

C3

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

C2 C3 C4* C6-4**

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

C1 C2 C3 C4 C5 C6 C7 C8

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

C1 C4

Funeral establishments [PRC-H]

C6

Newspaper publishing establishments

C1 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](#)

32-32 - By the City Planning Commission

LAST AMENDED

5/12/2021

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

Heliports

C4 C6 C7 C8

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

C1 C2

#Long-term care facilities#, in C1 and C2 Districts mapped within R1 and R2 Districts.

C1 C2 C3 C4 C5 C6 C7

#Long-term care facilities# in Community District 11 in the Borough of the Bronx, Community District 8 in the Borough of Manhattan, and Community District 1 in the Borough of Staten Island, #developments# of nursing homes, as defined in the New York State Public Health Law, or #enlargements# of existing nursing homes that increase the existing #floor area# by 15,000 square feet or more

However, such special permit may not be applied to #developments# or #enlargements# that are subject to the restrictions set forth in Section [22-16](#) (Special Regulations for Nursing Homes)

C1 C2 C3 C4 C5 C6 C7

#Non-profit hospital staff dwellings#, located not more than 1,500 feet from the non-profit or voluntary hospital

#Public parking garages#*:

C1

Limited in capacity to 100 spaces

C2-1 C2-2 C2-3 C2-4 C4-1 C4-2 C4-3 C4-4 C7 C8-1 C8-2 C8-3

With capacity of more than 150 spaces

C2-5 C2-6 C2-7 C2-8 C4-5 C4-6 C4-7 C5 C6 C7 C8-4

With any capacity

#Public parking lots#*:

C1

Limited in capacity to 100 spaces

C2 C4 C6 C7 C8

With capacity of more than 150 spaces

C5 C7

With any capacity

C1 C2 C3 C4 C5 C6 C7 C8

Public transit, railroad or electric utility substations, limited in each case to a site of not less than 40,000 square feet nor more than 10 acres

C8

Racetracks

C1 C2 C3 C4 C5 C6 C7 C8

Railroad passenger stations

C2-7 C6

Research and development facility, scientific, in C2-7 Districts within Community District 8 in the Borough of Manhattan, and in C6 Districts

C1 C2 C3 C4 C5 C6 C7 C8

Seaplane bases

C1 C2 C3 C4 C5 C6 C7 C8

Sewage disposal plants

C4 C6 C7 C8

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

C8

Trucking terminals or motor freight stations with sites in excess of 20,000 square feet per establishment [PRC-G]

C1 C2 C3 C4 C5 C6 C7 C8

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

* 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.

32-40 - SUPPLEMENTARY USE REGULATIONS

LAST AMENDED

12/15/1961

32-41 - Enclosure Within Buildings

†

LAST AMENDED

12/6/2023

C1 C2 C3 C4 C5 C6 C8

In the districts indicated, except as otherwise specifically provided in the Use Groups permitted in such districts and in Sections [36-11](#) (General Provisions) and [36-61](#) (Permitted Accessory Off-street Loading Berths), all permitted #uses# which are created by #development#, or which are #enlarged# or #extended#, or which result from a change of #use# shall be subject to the provisions of this Section with respect to enclosure within #buildings#. With respect to the #enlargement# or #extension# of an existing #use#, such provisions shall apply to the #enlarged# or #extended# portion of such #use#.

#Accessory# #uses# may be open or enclosed, notwithstanding any limitations on the principal #use#, provided that any open #accessory# #uses# are customarily found in connection with such principal #use#.

32-411 - In C1, C5, C6-5 or C6-7 Districts

LAST AMENDED
2/24/2022

C1 C5 C6-5 C6-7

In the districts indicated, all such #uses# shall be located within #completely enclosed# #buildings# except for store fronts or store windows, associated with eating and drinking establishments, which may be opened to serve customers outside the #building# upon the adoption of initial rules governing the Permanent Open Restaurants program by an authorized agency following authorizing legislation by the City Council.

32-412 - In other Commercial Districts

LAST AMENDED
1/20/1965

C2 C3 C4 C6-1 C6-2 C6-3 C6-4 C6-6 C6-8 C6-9 C8

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

32-413 - Health and fitness establishments

LAST AMENDED

C1 C2 C3 C4 C5 C6

In the districts indicated, high-intensity #uses#, as listed in the definition of #health and fitness establishments#, shall be subject to the following additional enclosure and environmental conditions:

- (a) such high-intensity #uses# shall be located within #completely enclosed buildings#; and
- (b) where such high-intensity #use# is located in a #building# containing any #residential#, #community facility#, or #commercial use#, an acoustical engineer shall verify to the Department of Buildings prior to the issuance of a Certificate of Occupancy that such #use# is designed according to International Organization for Standardization (ISO) or American National Standards Institute (ANSI) standards for noise control to meet the New York City Noise Code, administered by the Department of Environmental Protection.

Such high-intensity #uses# shall meet the following standards for noise and vibration:

- (1) impact noise measurement shall comply with ISO 16283-2:2020, or subsequent versions; and
- (2) vibration measurement shall comply with ISO 8041:2005 or ANSI/ASA S2.71, or subsequent versions, for on-site vibration measurement and analysis.

32-42 - Location Within Buildings

LAST AMENDED
12/15/1961

32-421 - Limitation on floors occupied by commercial uses

†

LAST AMENDED
12/6/2023

C1 C2 C3

In the districts indicated, in any #building#, or portion of a #building# occupied on one or more of its upper #stories# by #residential# #uses# or by #community facility# #uses#, no #commercial# #uses# listed in Use Group 6A through 6E, 7, 8, 9, 14A or 14B shall be located above the level of the first #story# ceiling, provided, however, that permitted #signs#, other than #advertising signs#, #accessory# to such #commercial# #uses# may extend to a maximum height of two feet above the level of the finished floor of the second #story#, but in no event higher than six inches below the lowest window sill of the second #story#. In any other #building#, or portion thereof, not more than two #stories# may be occupied by #commercial# #uses# listed in Use Group 6A, 6B, 6C, 7, 8, 9, 14A or 14B.

However, in C1 or C2 Districts mapped within R9 or R10 Districts or in C1-8, C1-9, C2-7 or C2-8 Districts, non-#residential# #uses# listed in Use Group 6A through 6E, 7, 8, 9 or 14, where permitted by the applicable district regulations, may occupy the lowest two #stories# in any #building# constructed after September 17, 1970. For #buildings# constructed in such districts prior to September 17, 1970, located in Community District 6 in the Borough of Manhattan, such non-#residential# #uses# may occupy the lowest two #stories# in such #building#, provided that:

- (a) the Chairperson of the City Planning Commission certifies to the Commissioner of Buildings that the second #story# has not been occupied by a #community facility# #use#, a #dwelling unit# or a #rooming unit#, notwithstanding the certificate of occupancy, if any, for a continuous period from May 1, 2013, until a certification has been issued pursuant to this Section; and
- (b) the second #story# of at least one other #building# on the same #block# frontage is occupied by a #use# listed in such use groups.

#Accessory# mechanical equipment serving #commercial# #uses# listed in such use groups shall not be subject to the location restrictions of this Section.

32-422 - Location of floors occupied by commercial uses

†

C4 C5 C6

In the districts indicated, in any #building#, or portion of a #building# occupied by #residential# #uses#, #commercial# #uses# listed in Use Group 5, 6A through 6E, 7, 8, 9, 10, 11, 12, 13, 14, 15 or 16 may be located only on a #story# below the lowest #story# occupied in whole or in part by such #dwelling units# or #rooming units#, except that this limitation shall not preclude the location of any such #commercial# #use# below the level of the first #story# ceiling, or the extension of a permitted #sign#, other than an #advertising sign#, #accessory# to such #commercial# #use#, to a maximum height of two feet above the level of the finished floor of the second #story#, but in no event higher than six inches below the lowest window sill on the second #story#.

#Accessory# mechanical equipment serving #commercial# #uses# listed in such use groups shall not be subject to the location restrictions of this Section.

32-423 - Limitation on ground floor location

C4 C5

In the districts indicated, #uses# in the Use Groups listed in the following table and marked with asterisks in the Use Group listing shall be located only as follows and as set forth in the following table:

- (a) on a floor above or below the ground floor; or
- (b) on the ground floor, but not within 50 feet of any #street wall# of the #building# and with no #show window# facing on the #street#.

District	Use Group in Which Limitation Applies
C4	8, 9 or 12
C5	6, 9 or 11

32-43 - Ground Floor Use in Certain Locations

32-431 - Ground floor use in C1-8A, C1-9A, C2-7A, C2-8A, C4-6A and C4-7A Districts

C1-8A C1-9A C2-7A C2-8A C4-6A C4-7A

In the districts indicated, and in C1 and C2 Districts mapped within R9A and R10A Districts, #uses# within #stories# that have a floor level within five feet of #curb level# fronting on a #wide street# shall be limited to non-#residential# #uses# except for Type 1 lobbies, and entryways to subway stations provided in accordance with the applicable provisions of Section [37-33](#) (Maximum Width of Certain Uses).

Non-#residential# #use# shall have a depth of at least 15 feet from the #street wall#. Such minimum depth requirement may be reduced, however, to the minimum extent necessary, to accommodate a vertical circulation core, or structural columns associated with upper #stories# of the #building#. No more than 8,000 square feet shall be devoted to Use Group 6B within #stories# that have a floor level within five feet of #curb level#.

The provisions of Section [32-512](#) (For corner lots) shall not apply.

The provisions of this Section shall not apply within Community Board 7, Borough of Manhattan.

32-432 - Ground floor use in Community Board 7, Borough of Manhattan

LAST AMENDED
3/22/2016

Within the boundaries of Community Board 7 in the Borough of Manhattan, when a #development#, #enlargement# or change of #use# is located in an R10 equivalent #Commercial District#, #uses# within #stories# that have a floor level within five feet of #curb level# fronting on a #wide street# shall be limited to non-#residential# #uses#, except for Type 1 lobbies, and entryways to subway stations provided in accordance with the applicable provisions of Section [37-33](#) (Maximum Width of Certain Uses).

32-433 - Ground floor use in C1, C2 and C4 Districts in the Borough of Staten Island

LAST AMENDED
3/22/2016

C1 C2 C4

In all C1, C2 and C4 Districts in the Borough of Staten Island, ground floor #uses# shall conform with the provisions of this Section.

(a) Ground floor level #use# requirements

(1) Along #primary street frontages#

For #buildings#, or portions thereof, with #primary street frontage#, as defined in Section [37-311](#), #uses# on the ground floor level, to the minimum depth set forth in Section [37-32](#) (Ground Floor Depth Requirements for Certain Uses), shall be limited to non-#residential# #uses# except for Type 1 lobbies, and entrances and exits to #accessory# parking spaces provided in accordance with the applicable provisions of Section [37-33](#) (Maximum Width of Certain Uses). Any #accessory# off-street parking spaces located on the ground floor level shall be wrapped by #floor area# in accordance with the provisions of paragraph (a) of Section [37-35](#) (Parking Wrap and Screening Requirements).

(2) Along #secondary street frontages#

For #buildings#, or portions thereof, with #secondary street frontage#, as defined in Section [37-311](#), all #uses#

permitted by the underlying district shall be permitted on the ground floor level, provided that any #accessory# off-street parking spaces located on the ground floor level shall be wrapped or screened in accordance with the provisions of Section [37-35](#).

The level of the finished floor of such ground floor shall be located not higher than two feet above nor lower than two feet below the as-built level of the adjoining #street#.

(b) #Non-conforming buildings#

#Buildings# containing #non-conforming# #residential uses# on the ground floor shall be permitted to #enlarge# without regard to the #use# regulations of this Section, provided that such #enlargement# complies with the provisions of the #residential yard# regulations set forth in Section [23-40](#).

32-434 - Ground floor use in C4-5D and C6-3D Districts and in certain C2 Districts

LAST AMENDED

3/22/2016

C4-5D C6-3D

In the districts indicated and in C2 Districts mapped within R7D or R9D Districts, #uses# within #stories# that have a floor level within five feet of #curb level# shall be limited to non-#residential# #uses# which shall extend along the entire width of the #building#, except for Type 1 lobbies, entrances and exits to #accessory# off-street parking facilities, and entryways to subway stations provided in accordance with the provisions of Section [37-33](#) (Maximum Width of Certain Uses). Such non-#residential# #uses# comply with the minimum depth provisions of Section [37-32](#) (Ground Floor Depth Requirements for Certain Uses).

Enclosed parking spaces, or parking spaces within a #building#, including such spaces #accessory# to #residences#, shall be permitted to occupy #stories# that have a floor level within five feet of #curb level# provided they comply with the provisions of Section [37-35](#) (Parking Wrap and Screening Requirements). Loading berths serving any permitted #use# in the #building# may occupy up to 40 feet of such #street# frontage and, if such #building# fronts on both a #wide street# and a #narrow street#, such loading berth shall be located only on a #narrow street#.

In C4-5D and C6-3D Districts, and in C2 Districts mapped within R7D or R9D Districts, each ground floor level #street wall# in a #building# #developed# or #enlarged# on the ground floor level shall comply with the glazing provisions set forth in Section [37-34](#) (Minimum Transparency Requirements).

32-435 - Ground floor use in high density Commercial Districts

†

LAST AMENDED

12/6/2023

The regulations of this Section shall apply to any #development# occupied by #predominantly# #residential use#, constructed after April 21, 1977, located on any #zoning lot# within C1-8, C1-9, C2-7, C2-8, C4-6, C4-7, C5-1, C5-2, C5-4, C6-3, C6-4, C6-5 or C6-8 Districts, or C1 or C2 Districts mapped within R9 or R10 Districts. However, this Section shall not apply within any Special Purpose District nor shall it apply to any #Quality Housing building#, except as otherwise set forth herein.

An application to the Department of Buildings for a permit respecting any #development# shall include a plan and an elevation drawn to a scale of at least one-sixteenth inch to a foot of the new #building# and #buildings# on #contiguous lots# or #contiguous blocks# showing #signs#, other than #advertising signs#, #arcades#, #street wall# articulation, curb cuts, #street# trees, sidewalk paving, central refuse storage area and such other necessary information as may be required by the Commissioner of Buildings.

(a) Definitions

For the purposes of this Section, the following definitions shall be applicable.

Contiguous block

For the purposes of this Section, inclusive, a “contiguous block” is a #block# containing one or more #zoning lots# separated by a #narrow street# from the #block# containing the #development#.

Contiguous lot

For the purposes of this Section, inclusive, a “contiguous lot” is a #zoning lot# which shares a common #side lot line# with the #zoning lot# of the #development#.

Development

For the purposes of this Section, inclusive, in addition to the definition of #development# in Section [12-10](#) (DEFINITIONS), “development” shall also include an #enlargement# involving an increase in #lot coverage#.

Predominantly residential use

For the purposes of this Section, inclusive, a “predominantly residential use” means a #building# having a #residential# #floor area# in excess of 50 percent of the total #building# #floor area#.

(b) Applicability of Article II, Chapter 6

In C1-8, C1-9, C2-7, C2-8, C4-6, C4-7, C5-1, C5-2, C5-4, C6-3, C6-4, C6-5 or C6-8 Districts, or C1 or C2 Districts mapped within R9 or R10 Districts, the regulations of Article II, Chapter 6 (Special Urban Design Guidelines), shall apply to any #development# occupied by #predominantly residential use#, except as modified by the provisions of this Section. The purpose of these modifications is to make the regulations of Article II, Chapter 6, applicable to #Commercial Districts#.

(c) Retail Continuity

For #buildings# with front #building# walls that are at least 50 feet in width and front upon a #wide street#, a minimum of 50 percent of the width of such front #building# wall shall be occupied at the ground floor level by #commercial# #uses#, as permitted by district regulations.

In C1-8, C1-9, C2-7, C2-8 and C4-6 Districts and C1 or C2 Districts mapped within R9 or R10 Districts, #uses# which occupy such 50 percent of the front #building# wall shall be limited to those listed in Use Groups 6A and 6C, excluding banks and loan offices, except that in C4-6 Districts only, such #uses# may additionally include those listed in Use Groups 8A, 8B and 10A. All #uses# permitted by the underlying district regulations are permitted in the remaining 50 percent of the front #building# wall.

Such requirement of #commercial# #uses# for a minimum of 50 percent of the front #building# wall may be waived, or

additional #uses# permitted, upon certification by the City Planning Commission to the Commissioner of Buildings that an adequate supply of such #uses# already exists at the ground floor level in the surrounding area.

The Commission may require that an application for such certification of additional #uses# for a completed #building#, where #floor area# has been designated for occupancy for such #commercial# #uses#, establish that a good faith effort has been made to secure tenancy by such #uses#.

(d) Ground floor transparency and articulation

When any #building# wall which is five feet or more in height adjoins a sidewalk, a #public plaza# or an #arcade#, ground floor level transparency shall be provided in accordance with the provisions of Section [37-34](#) (Minimum Transparency Requirements).

In addition, any portion of such #building# wall, 50 feet or more in width, which contains no transparent element between #curb level# and 12 feet above #curb level# or the ceiling of the ground floor, whichever is higher, or to its full height if such wall is less than 12 feet in height, shall be covered with ivy or similar planting or contain artwork or be treated so as to provide visual relief. Plants shall be planted in soil having a depth of not less than 2 feet, 6 inches, and a minimum width of 24 inches. If artwork is being used, approval by the New York City Design Commission shall be obtained prior to the certificate of occupancy being issued for the #development#.

(e) Sign regulations

In addition to the applicable district regulations in C1-8, C1-9, C2-7, C2-8 and C4-6 Districts and C1 or C2 Districts mapped within R9 or R10 Districts, all #signs#, other than #advertising signs# and window #signs#, shall be located in a horizontal band not higher than three feet, the base of which is located not higher than 17 feet above #curb level#.

Where there is a grade change of at least 1.5 feet in 100 along the portion of the #street# upon which the #development# fronts, such signage band may be staggered along such #street#.

When a #building# on a #contiguous lot# or #contiguous block# contains #accessory# business #signs# within a coordinated horizontal band along its #street# frontage, the signage strip along the #development# shall be located at the same elevation as the adjacent band, but in no event higher than 17 feet above #curb level#. Where coordinated horizontal bands exist on two #contiguous lots# or #contiguous blocks# on both sides of the #development#, the signage strip shall be located at the same elevation as one adjacent band, or between the elevations of the two. For the purpose of this Section, the elevation is measured from the #curb level# to the base of the signage strip.

The City Planning Commission may, by certification to the Commissioner of Buildings, allow modifications of the requirements of this Section. Such modifications will be permitted when the Commission finds that such modifications will enhance the design quality of the #street wall#.

32-44 - Air Space Over a Railroad or Transit Right-of-way or Yard

LAST AMENDED

2/22/1990

32-441 - Definitions

Words in italics are defined in Section [12-10](#) or, if applicable exclusively to this Section, in this Section or in Section [98-01](#).

32-442 - Use of railroad or transit air space

LAST AMENDED
3/22/2016

C1 C2 C3 C4 C5 C6 C7 C8

- (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), or a railroad passenger station permitted by the Commission as set forth in Section [74-62](#) (Railroad Passenger Stations) 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 additional 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 arrangements specified in the #zoning lot# definition in 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 residential# or #community facility development# or a #large-scale general 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# 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 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#, which is executed and recorded as specified in the definition of #zoning lot# in Section [12-10](#) (DEFINITIONS).

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) 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).

32-50 - SPECIAL PROVISIONS APPLYING ALONG DISTRICT BOUNDARIES

LAST AMENDED
12/15/1961

32-51 - Limitations on Business Entrances, Show Windows or Signs

LAST AMENDED
12/15/1961

C1 C2 C3 C4 C5 C6 C7 C8

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.

32-511 - For zoning lots with single frontage

LAST AMENDED
12/15/1961

C1 C2 C3 C4 C5 C6 C7 C8

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 a distance of 20 feet from frontage on the same side of the #street# in a #Residence District#.

However, where the #street# frontage of such #zoning lot# or portion thereof within the #Commercial District# is less than 30 feet in length, the 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).

32-512 - For corner lots

LAST AMENDED
12/15/1961

C1 C2 C3 C4 C5 C6 C7 C8

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;
- (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.

32-52 - Exceptions for Integrated Developments Divided by District Boundaries

LAST AMENDED
2/2/2011

C1 C2 C3 C4 C5 C6 C7 C8

In all districts, as indicated, primary business entrances, #show windows# or #signs# may be located on any frontage within a #Commercial 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 #Commercial District# and a #Residence District#; or
- (b) is currently 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 #Commercial District#, as evidenced by deed restrictions filed in an office of record binding the owner and the owner's heirs and assigns.

32-60 - SIGN REGULATIONS

32-61 - Definitions

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

32-62 - Permitted Signs

C1 C2 C3 C4 C5 C6 C7 C8

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

Section [32-64](#) (Surface Area and Illumination Provisions)

Section [32-65](#) (Permitted Projection or Height of Signs)

Section [32-66](#) (Additional Regulations for Signs Near Certain Parks and Designated Arterial Highways)

Section [32-67](#) (Special Provisions Applying along District Boundaries)

Section [32-68](#) (Permitted Signs on Residential or Mixed Buildings)

Section [32-69](#) (Additional Sign Regulations for Adult Establishments)

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.

32-63 - Permitted Advertising Signs

C6-5 C6-7 C7 C8

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

Section [32-64](#) (Surface Area and Illumination Provisions)

Section [32-65](#) (Permitted Projection or Height of Signs)

Section [32-66](#) (Additional Regulations for Signs Near Certain Parks and Designated Arterial Highways)

Section [32-67](#) (Special Provisions Applying along District Boundaries)

32-64 - Surface Area and Illumination Provisions

LAST AMENDED

2/27/2001

C1 C2 C3 C4 C5 C6 C7 C8

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 which 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#, #loft dwellings# 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#, #loft dwellings# or #joint living-work quarters for artists#.

32-641 - Total surface area of signs

LAST AMENDED

12/15/1961

C1 C2 C3 C4 C5 C6 C7 C8

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 32-642.

32-642 - Non-illuminated signs

LAST AMENDED

1/20/1965

C1 C2 C3 C4 C5 C6 C7 C8

In all districts, as indicated, non-#illuminated signs# with total #surface areas# not exceeding those shown in the following table are permitted:

District	Maximum Surface Area
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C3		50 square feet
C1 C2		Three times the #street# frontage of the #zoning lot# (in feet), but in no event more than 150 sq. ft. for #interior# or #through lots# or 150 sq. ft. on each frontage for #corner lots#.
C5-1 C5-2 C5-3 C5-5		Three times the #street# frontage of the #zoning lot# (in feet), but in no event more than 200 sq. ft. for #interior# or #through lots# or 200 sq. ft. on each frontage for #corner lots#.
C4 C5-4 C6-1 C6-2 C6-3 C6-4 C6-6 C6-8 C6-9		Five times the #street# frontage of the #zoning lot# (in feet), but in no event more than 500 sq. ft. for #interior# or #through lots# or 500 sq. ft. on each frontage for #corner lots#.
C8		Six times the #street# frontage of the #zoning lot# (in feet), but in no event more than 750 sq. ft. for each #sign#.
C6-5 C6-7 C7		No restrictions as to size

32-643 - Illuminated non-flashing signs

LAST AMENDED
12/15/1961

C1 C2

In the districts indicated, #illuminated# non-#flashing signs# are permitted with a total #surface area# (in square feet) not exceeding three times the #street# frontage of the #zoning lot# in feet, but in no event shall the total #surface area# exceed 50 square feet for #interior# or #through lots# or 50 square feet on each frontage for #corner lots#.

32-644 - Illuminated or flashing signs in C4, C5-4, C6 or C7 Districts

LAST AMENDED
6/21/1973

C4 C5-4 C6 C7

In the districts indicated, #illuminated# or #flashing signs# with total #surface areas# not exceeding those shown in the

following table are permitted:

District	Maximum Surface Area (in square feet)
C4 C5-4 C6-1 C6-2 C6-3 C6-4 C6-6 C6-8 C6-9	Five times the #street# frontage of the #zoning lot# (in feet), but in no event more than 500 square feet for #interior# or #through lots# or 500 square feet on each frontage for #corner lots#.
C6-5 C6-7 C7	No restrictions as to size

However, in a C6-1A District, #flashing signs# are not permitted.

32-645 - Illuminated or flashing signs in C8 Districts

LAST AMENDED
4/8/1998

C8

In the district indicated, #illuminated# or #flashing signs#, other than #advertising signs#, and #advertising signs# with indirect illumination, are permitted, provided that the total #surface area# of all such #signs# (in square feet) 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.

32-65 - Permitted Projection or Height of Signs

LAST AMENDED
12/15/1961

C1 C2 C3 C4 C5 C6 C7 C8

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

32-651 - Permitted projection in C6-5, C6-7 or C7 Districts

LAST AMENDED
4/8/1998

C6-5 C6-7 C7

In the districts indicated, except as otherwise provided in Section [32-653](#) (Additional regulations for projecting signs), no permitted #sign# shall project across a #street line# more than eight feet.

32-652 - Permitted projection in all other Commercial Districts

LAST AMENDED
4/8/1998

C1 C2 C3 C4 C5 C6-1 C6-2 C6-3 C6-4 C6-6 C6-8 C6-9 C8

In the districts indicated, except as otherwise provided in Section [32-653](#) (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#.

32-653 - Additional regulations for projecting signs

LAST AMENDED
2/27/2001

C1 C2 C3 C4 C5 C6 C7 C8

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# in a district other than a C6-5, C6-7 or C7 District shall project more than 48 inches above nor more than 12 inches below such marquee.

32-654 - Height of signs in C8 Districts

LAST AMENDED
12/15/1961

C8

In the district 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 58 feet.

32-655 - Height of signs in all other Commercial Districts

LAST AMENDED
1/20/1965

C1 C2 C3 C4 C5 C6 C7

In the districts indicated, no permitted #sign# shall extend above #curb level# at a height greater than the following:

Districts	Maximum Height (in feet)
C1 C2 C3 C5-1 C5-2 C5-3 C5-5	25

C4 C5-4 C6-1 C6-2 C6-3 C6-4 C6-6 C6-8 C6-9		40
C6-5 C6-7 C7		No restriction as to height

32-656 - Height of signs above roof

LAST AMENDED
1/20/1965

C1 C2 C3 C4 C5 C6-1 C6-2 C6-3 C6-4 C6-6 C6-8 C6-9

In the districts indicated, no #sign# displayed from the wall of a #building or other structure# shall extend above the parapet wall or roof of such #building or other structure#, except that a vertical #sign#, the horizontal width of which, parallel to the wall, does not exceed 28 inches, may extend no higher than 15 feet above the roof level.

32-657 - Roof signs

LAST AMENDED
4/8/1965

C1 C2 C3 C4 C5 C6-1 C6-2 C6-3 C6-4 C6-6 C6-8 C6-9

In the districts indicated, no #signs# shall be permitted on the roof of any #building#.

32-66 - Additional Regulations for Signs Near Certain Parks and Designated Arterial Highways

LAST AMENDED
2/27/2001

C1 C2 C3 C4 C5 C6 C7 C8

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

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.

32-661 - Additional regulations for signs other than advertising signs

LAST AMENDED
2/27/2001

C6-5 C6-7 C7 C8

In the districts indicated, and within 200 feet of an arterial highway or a #public park# with an area of one-half acre or more, no permitted #sign# that is within view of such arterial highway or #public park# shall exceed 500 square feet of #surface area#.

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#.

Upon application, these requirements shall be waived, provided that the Chairperson of the City Planning Commission certifies that:

- (a) such waiver is limited to a single, non-#flashing sign# that is located on a #zoning lot# not less than one and one-half acres; and
- (b) all other permitted #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.

32-662 - Additional regulations for advertising signs

LAST AMENDED
2/27/2001

C6-5 C6-7 C7 C8

In all districts, as indicated, no #advertising sign# shall be located, nor shall an existing #advertising sign# be structurally altered, relocated or reconstructed within 200 feet of an arterial highway or of a #public park# with an area of one half acre or more, if such #advertising sign# is within view of such arterial highway or #public park#. For the purposes of this Section, arterial highways shall include all highways which 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. Beyond 200 feet from such arterial highway or #public park#, an #advertising sign# shall be located at a distance of at least as many linear feet therefrom as there are square feet of #surface area# on the face of such #sign#. However, in all districts as indicated, 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](#), to the extent of its size existing on May 31, 1968.
- (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.

32-663 - Advertising signs on waterways

LAST AMENDED
2/27/2001

No moving or stationary #advertising sign# shall be displayed on a vessel plying waterways adjacent to #Commercial 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, #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.

32-67 - Special Provisions Applying Along District Boundaries

LAST AMENDED

4/8/1998

C2 C3 C4 C5 C6 C7 C8

In the districts 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, no #advertising sign# that faces at an angle of less than 165 degrees away from such #Residence District# or park boundary shall 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 [32-62](#) through [32-68](#), inclusive, relating to Sign Regulations.

32-68 - Permitted Signs on Residential or Mixed Buildings

LAST AMENDED

2/2/2011

C1 C2 C3 C4 C5 C6

In the districts indicated, any #use# listed in Use Group 1 or 2 shall conform to the #sign# regulations for #Residence Districts# set forth in Sections [22-32](#) through [22-34](#). In #residential# or #mixed buildings#, #residential sign# regulations shall apply to the #residential# portion.

Where non-#residential# #uses# are permitted to occupy two floors of the #building#, all #signs# #accessory# to non-#residential# #uses# located on the second floor shall be non-#illuminated signs#, and shall be located below the level of the finished floor of the third #story#.

32-69 - Additional Sign Regulations for Adult Establishments

LAST AMENDED

4/8/1998

C6-4 C6-5 C6-6 C6-7 C6-8 C6-9 C7 C8

#Signs#, other than #advertising signs#, for #adult establishments# are permitted only as set forth in this Section and are limited to locations in the districts indicated.

All permitted #signs#, other than #advertising signs#, for #adult establishments# shall conform with all the #sign# regulations applicable in C1 Districts as set forth in this Chapter, except that the provisions of Section [32-64](#) (Surface Area and Illumination Provisions) shall not apply. In lieu thereof, 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# non-#flashing signs#.