Zoning Resolution

THE CITY OF NEW YORK
Zohran K. Mamdani, Mayor

CITY PLANNING COMMISSION
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37-30 - SPECIAL GROUND FLOOR LEVEL URBAN DESIGN PROVISIONS FOR CERTAIN AREAS

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37-30 - SPECIAL GROUND FLOOR LEVEL URBAN DESIGN PROVISIONS FOR CERTAIN AREAS

LAST AMENDED
6/6/2024

37-31 - Applicability

LAST AMENDED
6/6/2024

The provisions of Section 37-30, inclusive, specify #ground floor level# requirements for #building# frontages in certain areas that are not otherwise governed by the provisions of Section 32-30 (STREETSCAPE REGULATIONS). Such provisions apply reference standards for certain streetscape elements that apply in conjunction with specific requirements in certain areas by underlying district regulations, special geographies, or in accordance with a Special Purpose District.

However, the ground floor depth requirements for certain #uses# and minimum transparency requirements of Sections 37-32 and 37-34, respectively, shall not apply to:

(a) #zoning lots# in #Commercial Districts# with a #lot width# of less than 20 feet, as measured along the #street line#, provided such #zoning lots# existed on March 22, 2016, and on the date of application for a building permit; or

(b) any #community facility building# used exclusively for either a #school#, or a house of worship, listed under Use Group III(B).

37-311 - Definitions

LAST AMENDED
6/6/2024

The following definitions shall apply throughout Section 37-30 (SPECIAL GROUND FLOOR LEVEL STREETSCAPE PROVISIONS FOR CERTAIN AREAS), inclusive. Additional defined terms in this Section include those in Section 12-10 and Section 32-301.

Designated frontage

For the purposes of Section 37-30, inclusive, a "designated frontage" shall be the portion of the #ground floor level# #street# frontage along a #street#, public access area, or other frontage specifically designated by a Special Purpose District or other provision of this Resolution. Where a #designated frontage# is not a #street#, references to #street walls# shall apply to the #building# wall facing the #designated frontage#.

#Designated frontages# include #primary frontages# or #secondary frontages#.

Primary frontage

For the purposes of Section 37-30, inclusive, a "primary frontage" shall be the portion of the #ground floor level# #designated frontage# along any of the following:

(a) a #wide street#;

(b) a #narrow #street# where a #Commercial District# is mapped along an entire #block# frontage; or

(c) another frontage specifically designated as a #primary frontage# in a Special Purpose District or other streetscape provision of this Resolution.

Secondary frontage

For the purposes of Section 37-30, inclusive, a “secondary frontage” shall be the portion of a #ground floor level# #designated frontage#, subject to the provisions of Section 37-30, inclusive, that is not a #primary frontage#.

37-32 - Ground Floor Depth Requirements for Certain Uses

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The minimum depth for required ground floor non-#residential uses#, as applicable, shall be as set forth in this Section, except as set forth in Section 37-31 (Applicability).

Required #ground floor level# non-#residential uses# along a #designated frontage# shall extend to the #minimum qualifying depth#.

37-33 - Maximum Width of Certain Uses

LAST AMENDED
6/6/2024

The maximum width of lobbies, entrances and exits to off-street parking facilities, and entryways to #mass transit stations#, are set forth in this Section.

(a) Ground floor lobbies

The maximum length of lobbies accessing #uses# not permitted on the #ground floor level#, shall be limited to a maximum #street wall# length, in total, of 25 percent of the #street wall# width of the #building# along the #designated frontage#, or 25 linear feet of #street wall# along such #street# frontage, whichever is less. The minimum width of such lobbies need not be less than 10 feet.

However, C4 through C7 Districts where the #floor area ratio# for #commercial uses# is greater than or equal to 10.0, the maximum lobby length shall be modified such that the maximum #street wall# length, in total, shall not exceed 25 percent of the #street wall# width of the #building# along the #designated frontage#, or 50 linear feet of #street wall# along such #street# frontage, whichever is less. The minimum width of such lobbies need not be less than 20 feet.

(b) Entrances and exits to parking facilities

Entrances and exits to off-street parking facilities, where permitted on the #ground floor level#, or portion thereof, shall be permitted subject to any applicable curb cut regulations of this Resolution.

(c) Entryways to #mass transit stations#

Entrances and exits to #mass transit stations#, as defined in Section 66-11, may be provided on the #ground floor level# of a #building# without restriction in #street wall# width.

37-34 - Minimum Transparency Requirements

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The #ground floor level# #street wall# along a #primary frontage# shall be glazed with transparent materials which may include #show windows#, transom windows or glazed portions of doors, except as set forth in Section 37-31 (Applicability).

Such transparent materials shall occupy at least 50 percent of the surface area of such #ground floor level# #street wall# between a height of two feet and 12 feet, or the height of the ground floor ceiling, whichever is higher, as measured from the adjoining sidewalk. Transparent materials provided to satisfy such 50 percent requirement shall not begin higher than 2 feet, 6 inches, above the level of the adjoining sidewalk, with the exception of transom windows, or portions of windows separated by mullions or other structural dividers, and shall have a minimum width of two feet. The maximum width of a portion of the #ground floor level# #street wall# without transparency shall not exceed 10 feet.

However, such transparency requirements shall not apply to portions of the #ground floor level# occupied by entrances or exits to #accessory# off-street parking facilities and #public parking garages#, where permitted, entryways to required loading berths, where permitted, entryways to subway stations, as applicable, or doors accessing emergency egress stairwells and passageways.

37-35 - Parking Wrap and Screening Requirements

LAST AMENDED
6/6/2024

All #accessory# off-street parking spaces on the #ground floor level# of a #building# shall be wrapped by #floor area# in accordance with paragraph (a) or, where applicable, screened in accordance with applicable provisions of paragraph (b) of this Section.

(a) Along #primary frontages#

For #ground floor levels#, or portions thereof, fronting along a #primary frontage#, any portion of an #accessory# off-street parking facility that is located above #curb level#, except for permitted entrances and exits, shall be located behind permitted #commercial#, #community facility# or #residential# #floor area# so that no portion of such facility is visible from adjacent public sidewalks or publicly accessible areas. Such #floor area# shall extend to the #minimum qualifying depth#.

(b) Along #secondary frontages#

For #ground floor levels#, or portions thereof, fronting along a #secondary frontage#, off-street parking facilities, or portions thereof, may either be wrapped by #floor area# in accordance with paragraph (a) of this Section, or shall be subject to the following design requirements:

(1) any non-horizontal parking deck structures shall not be visible from the exterior of the #building# in elevation view;

(2) opaque materials shall be located on the exterior #building# wall between the bottom of the floor of each parking deck and no less than three feet above such deck; and

(3) a total of at least 50 percent of such exterior #building# wall, or portion thereof, with adjacent parking spaces shall consist of opaque materials which may include permitted #signs#, subject to the provisions of Section 32-60 (SIGN REGULATIONS), murals or other visual artwork, decorative screening or latticework, or living plant material.

37-36 - Special Requirements for Blank Walls

LAST AMENDED
5/12/2021

Where visual mitigation elements are required on a blank wall along the #ground floor level# #street wall# in accordance with other streetscape provisions in this Resolution, such blank wall shall be covered by one or more of the following mitigation elements set forth in this Section.

37-361 - Blank wall thresholds

LAST AMENDED
5/12/2021

The height and width of blank walls and the applicable percent coverage of mitigation elements are set forth in this Section. Blank wall surfaces shall be calculated on the #ground floor level# #street wall# except in the #flood zone#, blank wall surfaces shall be calculated between the level of the adjoining sidewalk and the level of the #first story above the flood elevation# as defined in Section 64-11 (Definitions).

The different types of blank walls are established below and the type of blank wall that applies is determined by the provisions of each applicable Section.

(a) Type 1

Where Type 1 blank wall provisions apply, a “blank wall” shall be a #street wall#, or portions thereof, where no transparent materials or entrances or exits are provided below a height of four feet above the level of the adjoining sidewalk, or grade, as applicable, for a continuous

width of at least 50 feet.

For such blank walls, at least 70 percent of the surface or linear footage of the blank wall, as applicable, shall be covered by one or more of the options described in Section 37-362 (Mitigation elements).

The maximum width of a portion of such blank wall without visual mitigation elements shall not exceed 10 feet. In addition, where such blank wall exceeds a #street wall# width of 50 feet, such rules shall be applied separately for each 50-foot interval.

(b) Type 2

Where Type 2 blank wall provisions apply, a "blank wall" shall be a #street wall#, or portions thereof, where no transparent materials or entrances or exits are provided below a height of four feet above the level of the adjoining sidewalk, or grade, as applicable, for a continuous width of at least 25 feet.

For such blank walls, at least 70 percent of the surface or linear footage of the blank wall, as applicable, shall be covered by one or more of the options described in Section 37-362. In addition, where such blank wall exceeds a #street wall# width of 50 feet, such rules shall be applied separately for each 50-foot interval.

(c) Type 3 or Type 4

Where Type 3 or Type 4 blank wall provisions apply, a "blank wall" shall be a #street wall#, or portions thereof, where no transparent materials or entrances or exits are provided below a height of four feet above the level of the adjoining sidewalk, or grade, as applicable, for a continuous width of at least 15 feet for Type 3 or for a continuous width of at least five feet for Type 4.

For such blank walls, at least 70 percent of the surface or linear footage of the blank wall, as applicable, shall be covered by one or more of the options described in Section 37-362. In addition, where such blank wall exceeds a #street wall# width of 25 feet, such rules shall be applied separately for each 25-foot interval.

37-362 - Mitigation elements

LAST AMENDED
5/12/2021

The following mitigation elements shall be provided on the #zoning lot#, except where such elements are permitted within the #street# under other applicable laws or regulations.

(a) Surface treatment

Where utilized as a visual mitigation element the following shall apply:

(1) Wall treatment

Wall treatment, in the form of permitted #signs#, graphic or sculptural art, decorative screening or latticework, or living plant material shall be provided along the #street wall#. Each linear foot of wall treatment shall constitute one linear foot of the mitigation requirement.

(2) Surface texture

Surface texture that recesses or projects a minimum of one inch from the remaining surface of the #street wall# shall be provided. The height or width of any individual area that recesses or projects shall not be greater than 18 inches. Each linear foot of wall treatment shall constitute one linear foot of the mitigation requirement.

(b) Linear treatment

Where utilized as a visual mitigation element the following shall apply:

(1) Planting

Planting, in the form of any combination of perennials, annual flowers, decorative grasses or shrubs, shall be provided in planting beds, raised planting beds or planter boxes in front of the #street wall#. Each foot in width of a planting bed, raised planting bed or planter box, as measured parallel to the #street wall#, shall satisfy one linear foot of the mitigation requirement. Such planting bed, or planter boxes shall extend to a depth of at least three feet, inclusive of any structure containing the planted material. Any individual planted area, including planters spaced not more than one foot apart, shall have a width of at least five feet.

(2) Benches

Fixed benches, with or without backs, shall be provided in front of the #street wall#. Unobstructed access shall be provided between such benches and an adjoining sidewalk or required circulation paths. Each linear foot of bench, as measured parallel to the #street wall#, shall satisfy one linear foot of the mitigation requirement. Any individual bench shall have a width of at least five feet and no more than 20 feet of benches may be used to fulfill such requirement per 50 feet of frontage.

(3) Bicycle racks

Bicycle racks, sufficient to accommodate at least two bicycles, shall be provided in front of the #street wall# as follows. No more than three bicycle racks may be used to fulfill such requirement per 50 feet of frontage.

(i) Where bicycle racks are oriented so that the bicycles are placed parallel to the #street wall#, each bicycle rack so provided shall satisfy five linear feet of the mitigation requirement.

(ii) Where bicycle racks are oriented so that bicycles are placed perpendicular or diagonal to the #street wall#, each bicycle rack so provided shall satisfy the width of such rack, as measured parallel to the #street wall#, of the mitigation requirement.

(4) Tables and chairs

In #Commercial Districts# and M1 Districts, fixed tables and chairs shall be provided in front of the #street wall#. Each table shall have a minimum diameter of two feet and have a minimum of two chairs associated with it. Each table and chair set so provided shall satisfy five linear feet of the mitigation requirement.