



Zoning Resolution

THE CITY OF NEW YORK

Eric Adams, Mayor

CITY PLANNING COMMISSION

Daniel R. Garodnick, Chair

134-10 - SPECIAL USE REGULATIONS

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134-10 - SPECIAL USE REGULATIONS

LAST AMENDED

5/27/2021

The #use# regulations of the underlying districts are hereby superseded, modified or supplemented as set forth in this Section, inclusive

134-11 - Permitted Uses

LAST AMENDED

5/27/2021

134-111 - Permitted uses in subdistricts

LAST AMENDED

5/27/2021

In the Northern Subdistrict and the Southern Subdistrict, the following #uses# shall be permitted, except as otherwise specified in Section [134-112](#) (Permitted uses in the Open Space Subarea). In addition, in the Northern Subdistrict, the provisions of Section [134-14](#) (Certification for Large Commercial Establishments) shall apply to any #commercial# #use# exceeding 7,500 square feet of #floor area#.

From Use Groups 1 through 4, as set forth in Sections [22-11](#) through [22-14](#):

All #uses#.

From Use Group 5, as set forth in Section [32-14](#):

All #uses#, where permitted pursuant to Section [32-02](#) (Special Provisions for Hotels).

From Use Group 6, as set forth in Section [32-15](#):

All #uses#, except automobile supply stores, drive-in banks, carpet, rug, linoleum or other floor covering stores, furniture stores, loan offices, medical or orthopedic appliance stores, paint stores, sewing machine stores or typewriter stores.

From Use Group 7, as set forth in Section [32-16](#):

All #uses# in Use Group 7A, where permitted pursuant to Section [32-02](#) (Special Provisions for Hotels).

From Use Group 7B: bicycle rental or repair shops, sailmaking establishments, and sign painting shops, limited to 2,500 square feet of #floor area# per establishment.

From Use Group 8A, as set forth in Section [32-17](#):

All #uses#.

From Use Group 9A, as set forth in Section [32-18](#):

All #uses#, except automobile, motorcycle, #trailer# or boat showrooms or sales, with no repair services and with no preparation of vehicles or boats for delivery, blueprinting or photostating establishments, musical instrument repair

shops, plumbing, heating or ventilating equipment showrooms, without repair facilities, typewriter or other small business machine sales, rental or repairs, or umbrella repair shops.

From Use Group 10A, as set forth in Section [32-19](#):

Docks for ferries, other than #gambling vessels#, with no restriction on passenger load; eating or drinking places, without restrictions on entertainment or dancing, but limited to location in hotels; photographic or motion picture production studios; and radio or television studios.

Additionally, in the Southern Subdistrict only, carpet, rug, linoleum or other floor covering stores, with no limitation on #floor area# per establishment; and furniture stores, with no limitation on #floor area# per establishment.

From Use Group 11A, as set forth in Section [32-20](#):

In the Northern Subdistrict: all #uses#, except for medical, dental, drafting instruments, optical goods, or similar precision instruments; or orthopedic or medical appliances custom manufacturing.

In the Southern Subdistrict: all #uses#.

From Use Group 12, as set forth in Section [32-21](#):

In the Northern Subdistrict, from Use Group 12A: all #uses#, except for eating or drinking establishments with entertainment and a capacity of more than 200 persons, or of any capacity with dancing; stadiums or trade expositions.

In the Southern Subdistrict, from Use Group 12A: all #uses#, except stadiums

In the Northern and Southern Subdistricts, from Use Groups 12B and 12C: all #uses#.

From Use Groups 13 and 14, as set forth in Sections [32-22](#) and [32-23](#):

All #uses#.

From Use Group 15, as set forth in Section [32-24](#):

Merry-go-rounds.

From Use Group 16, as set forth in Section [32-25](#):

In the Southern Subdistrict, from Use Group 16A: carpentry, custom woodworking or custom furniture making shops.

In the Southern Subdistrict, from Use Group 16C: warehouses.

From Use Group 17, as set forth in Section [42-14](#):

In the Southern Subdistrict, from Use Group 17B: research, experimental or testing laboratories; furniture manufacture; manufacture of pharmaceutical products, chemical compounding or packaging; manufacture of non-alcoholic beverages; food product manufacture (except slaughtering of meat or preparation of fish for packing); building and repair of boats of less than 200 feet in length.

In the Southern Subdistrict, from Use Group 17C: electric utility substations, enclosed, with no limitation as to size; and docks for vessels, other than passenger ocean vessels or gambling vessels.

From Use Group 18, as set forth in Section [42-15](#):

In the Southern Subdistrict, from Use Group 18A: the manufacture of alcoholic beverages and breweries, without

limitation on size; sewage disposal plants.

In the Southern Subdistrict, from Use Group 18B: marine transfer stations.

Transit facilities, open or enclosed.

#Accessory uses#, open or enclosed.

134-112 - Permitted uses in the Open Space Subarea

LAST AMENDED

5/27/2021

In the Open Space Subarea of the Southern Subdistrict, the following #uses# shall be permitted.

(a) In locations of the Open Space Subarea other than piers, #uses# shall be limited to:

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

#Public parks# or playgrounds or private parks.

From Use Group 6A, as set forth in Section [32-15](#):

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

From Use Group 13, as set forth in Section [32-22](#):

All open #uses# in Use Group 13A.

Transit facilities, open or enclosed.

#Accessory# #uses#, open or enclosed.

#Uses# otherwise permitted in the Southern Subdistrict pursuant to Section [134-111](#) (Permitted uses in subdistricts) may be located in #cellars# within the Open Space Subarea.

(b) On any pier in the Open Space Subarea, #uses# shall be limited to the following:

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

Clubs, limited to non-profit private beach clubs and non-profit private boat clubs.

From Use Group 6, as set forth in Section [32-15](#):

Docks for water taxis, with a vessel capacity of up to 99 passengers.

From Use Group 7, as set forth in Section [32-16](#):

#Boatels#, where permitted pursuant to Section [32-02](#) (Special Provisions for Hotels).

From Use Group 9, as set forth in Section [32-18](#):

Docks for sightseeing, excursion or sport fishing vessels, other than gambling vessels.

From Use Group 10, as set forth in Section [32-19](#):

Docks for ferries, other than #gambling vessels#, with no restriction on passenger load.

From Use Group 14, as set forth in Section [32-23](#):

Boat launching facilities for non-commercial pleasure boats; boat rental establishments, open or enclosed; boat storage, repair, or painting establishments.

From Use Group 16, as set forth in Section [32-25](#):

Warehouses.

From Use Group 18, as set forth in Section [42-15](#):

Sewage disposal plants; marine transfer stations.

#Accessory# #uses#, open or enclosed.

134-12 - Applicability of Performance Standards

LAST AMENDED

5/27/2021

In all districts, any #use# listed in Use Group 16, 17, or 18 shall conform to the performance standards for M1 Districts as set forth in Sections [42-20](#) and [42-28](#), inclusive, except that the provisions of Section [42-27](#) (Performance Standards Regulating Fire and Explosive Hazards) shall not apply to the manufacture of alcoholic beverages and breweries.

134-14 - Certification for Large Commercial Establishments

LAST AMENDED

5/27/2021

In the Northern Subdistrict, any #commercial# #use# larger than 7,500 square feet in #floor area# shall be permitted provided that, prior to the establishment of such #use#, the applicant shall submit a written description of such #use# to the local community board, together with information to demonstrate that such #use# will promote the goals of the #Special Governors Island District#, complement existing #uses# within the special district, and be compatible with the nature, scale and character of other #uses# within the special district.

The local community board shall have the opportunity to respond to such submission with written comments within forty-five (45) days of receipt and the applicant shall thereafter provide the local community board with a written response to such comments, including a description of any modifications to the proposal or, if a recommendation of the local community board has not been adopted, the reasons such modification has not been made.

In the Northern Subdistrict, no building permit shall be issued with respect to a #commercial# #use# larger than 7,500 square feet of #floor area# unless the Chairperson of the City Planning Commission shall have certified to the Department of Buildings that the applicant has complied with the provisions of this Section.

The provisions of this Section shall not apply to #commercial# #uses# permitted pursuant to Section [134-15](#) (Authorization for Certain Commercial Uses).

134-15 - Authorization for Certain Commercial Uses

LAST AMENDED

5/27/2021

The City Planning Commission may authorize any #commercial# #use# not allowed pursuant to Section [134-11](#), inclusive, to locate within the Northern Subdistrict, Eastern Subarea or the Western Subarea of the #Special Governors Island District#, provided that such #commercial# #use#:

- (a) will promote the goals of the #Special Governors Island District#;
- (b) will complement existing #uses# within the special district; and
- (c) is compatible with the nature, scale and character of other #uses# within its subdistrict.

Any application to authorize a #commercial# #use# in the Eastern Subarea or Western Subarea pursuant to this Section shall be referred to the local community board. The City Planning Commission shall not grant such authorization prior to forty-five (45) days after the referral.

134-16 - Special Supplemental Use Regulations

LAST AMENDED

5/27/2021

In the Southern Subdistrict, special supplemental #use# regulations shall apply to all #buildings# as set forth in this Section, inclusive.

134-161 - Location of uses

LAST AMENDED

5/27/2021

- (a) Buildings containing #commercial# and #residential uses#

In any #mixed building#, the provisions of Section [32-422](#) (Location of floors occupied by commercial uses) shall apply, except that #dwelling units# shall be permitted on the same #story# as a #commercial# #use# provided no access exists between such #uses# at any level containing #dwelling units# and provided no #commercial# #uses# are located directly over any #dwelling units#.

However, #commercial# #uses# may be located on a higher #story# than any #dwelling units#, including over #dwelling units# by authorization of the City Planning Commission upon a finding that sufficient separation of #residential uses# from #commercial# #uses# exists within the #building#. Any application to authorize such a modification shall be referred to the local community board. The Commission shall not grant such authorization prior to forty-five (45) days following the referral.

- (b) Buildings containing certain #commercial# or industrial #uses#

No #dwelling units# shall be permitted within any #building# which also contains a #use# listed in Use Groups 16, 17, or 18.

- (c) Limitation on access to #dwelling units#

In any #building# containing #residential uses#, no direct access shall be provided from the exterior of the #building# to

an individual #dwelling unit#. However, access to #dwelling units# shall be permitted through shared entrances, lobbies or #courts#.

134-162 - Enclosure of uses

LAST AMENDED

5/27/2021

In the #Special Governors Island District#, the underlying supplemental #use# regulations of Section [32-412](#) (In other Commercial Districts) shall be modified to also apply to any permitted #manufacturing uses#.

134-17 - Special Signage Regulations

LAST AMENDED

5/27/2021

In the #Special Governors Island District#, the #sign# regulations shall apply as follows:

- (a) In the Northern Subdistrict, the #sign# regulations of a C1 District mapped within an R3-2 District shall apply.
- (b) In the Southern Subdistrict, the #sign# regulations of a C4 District shall apply, except that no #flashing signs# shall be permitted.
- (c) No #signs# shall be permitted on any pier within the Southern Subdistrict. However, such restriction shall not apply to informational or wayfinding signs not exceeding 25 square feet each, or to signage identifying “Governors Island” or a pier from the waterway.