



Zoning Resolution

THE CITY OF NEW YORK

Eric Adams, Mayor

CITY PLANNING COMMISSION

Daniel R. Garodnick, Chair

139-10 - SPECIAL USE REGULATIONS

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139-10 - SPECIAL USE REGULATIONS

LAST AMENDED
11/23/2021

In Subdistricts A, B, C, and D the underlying #use# regulations shall be modified by the provisions of this Section, inclusive. In Subdistrict E, the underlying district regulations shall apply.

139-11 - Permitted Uses

LAST AMENDED
11/23/2021

139-111 - Permitted uses in Manufacturing Districts

LAST AMENDED
11/23/2021

In all #Manufacturing Districts#, in addition to the #uses# specified in Article IV, Chapter 2, the following #uses# shall also be permitted:

- (a) colleges or universities, including professional schools but excluding business colleges or trade schools, libraries, museums, or non-commercial art galleries, and #schools# listed in Use Group 3, as set forth in Section [22-13](#);
 - (b) community centers or settlement houses, non-commercial recreation centers, philanthropic or non-profit institutions without sleeping accommodations, hospitals, and agricultural #uses# listed in Use Group 4, as set forth in Section [22-14](#);
 - (c) food stores, including supermarkets, grocery stores or delicatessen stores, as set forth in Section [32-15](#) (Use Group 6), without limitation as to #floor area# per establishment; and
 - (d) the manufacture of alcoholic beverages and breweries, as set forth in Section [42-15](#) (Use Group 18), without limitation as to #floor area# per establishment. The provisions of Section [42-27](#) (Performance Standards Regulating Fire and Explosive Hazards) shall not apply to such #use#.
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139-112 - Permitted uses in Mixed Use Districts

LAST AMENDED
11/23/2021

In all #Mixed Use Districts#, in addition to the #uses# specified in Article XII, Chapter 3, the following #uses# shall also be permitted:

- (a) food stores, including supermarkets, grocery stores or delicatessen stores, as set forth in Section [32-15](#) (Use Group 6), without limitation as to #floor area# per establishment;
- (b) all uses in Use Group 10A, as specified in Section [32-19](#), limited to 25,000 square feet of #lot area# per establishment; and
- (c) the manufacture of alcoholic beverages and breweries, as set forth in Section [42-15](#) (Use Group 18), without limitation as to #floor area# per establishment. The provisions of Section [42-27](#) (Performance Standards Regulating Fire and

Explosive Hazards) shall not apply to such #use#.

139-12 - Gowanus Mix Uses

LAST AMENDED

11/23/2021

For the purposes of applying the special #bulk# regulations of Section [139-212](#) (Gowanus mix), the following #community facility#, #commercial#, and #manufacturing uses# shall also be considered #Gowanus mix uses#:

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

libraries, museums, and non-commercial art galleries, as listed in Use Group 3A;

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

community centers or settlement houses and non-profit institutions without sleeping accommodations as listed in Use Group 4A;

agriculture, including greenhouses, nurseries, and truck gardens as listed in use Group 4B;

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

custom tailoring, as listed in Use Group 6A;

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

bike rental or repair, sailmaking stores, sign painting shops, and taxidermy shops as listed in Use Group 7B;

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

lumber stores and home appliance repair shops as listed in Use Group 8B;

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

blueprinting; costume rental; instrument repair; printing establishments; studios, art, music, dancing or theatrical; trade schools for adults; and umbrella repair shops as listed in Use Group 9A;

photographic printing or developing as listed in Use Group 9B;

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

photographic or motion picture production studios; radio or television studios;

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

all #uses# listed in Use Groups 11A;

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

bicycle rental or repair, and boat storage, repair, and painting, as listed in Use Group 14A;

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

blacksmith shops; carpentry or custom woodworking; custom furniture making; building contractor supply stores; fuel,

ice, oil, coal, wood sales; household and office equipment or machinery repair shops; machinery rental or sales establishments; mirror silvering or glass cutting shops; and tool, die, and pattern making shops as listed in Use Group 16A;

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

all #uses# listed in Use Group 17B;

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

breweries and alcoholic beverage manufacturing.

139-13 - Gowanus Retail and Entertainment Uses

LAST AMENDED

11/23/2021

For the purposes of applying the basic #floor area ratio# regulations of Section [139-21](#), the following #community facility# and #commercial uses# shall also be considered #Gowanus retail and entertainment uses#:

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

non-commercial art galleries;

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

all #uses# listed in Use Group 6A, 6C, and 6E;

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

all #uses# listed in Use Group 8A;

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

automobile, motorcycle, trailer, or boat showrooms or sales, banquet halls, catering establishments, gymnasiums, #health and fitness establishments#;

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

all #uses# listed in Use Group 10A;

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

all #uses# listed in Use Groups 12A and 12B;

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

all #uses# in Use Group 13A and 13B;

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

bicycle sales; candy or ice cream stores; and non-commercial clubs without restrictions on activities or facilities.

139-14 - Supplementary Use Regulations

139-141 - Location of commercial uses in mixed buildings

(a) Commercial Districts

In #Commercial Districts#, the underlying provisions of Section [32-422](#) (Location of floors occupied by commercial uses) shall be modified, for #mixed buildings# that are #developed# or #enlarged# after November 23, 2021, to permit #dwelling units# 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, such #commercial uses# may be located 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#.

(b) Mixed Use Districts

In #Mixed Use Districts#, the provisions of paragraph (c)(2) of Section [123-31](#) (Provisions Regulating Location of Uses in Mixed Use Buildings) shall be modified to allow #commercial# and #manufacturing uses# to be located over #dwelling units# by authorization of the City Planning Commission upon a finding that sufficient separation of #residential uses# from such #uses# exists within the #building#.

139-142 - Enclosure of uses

In #Manufacturing Districts#, the underlying regulations of Section [42-40](#) (SUPPLEMENTARY USE REGULATIONS AND SPECIAL PROVISIONS APPLYING ALONG DISTRICT BOUNDARIES) shall apply, except that all storage of materials or products shall be located within #completely enclosed buildings# regardless of distance from a #Residence District#.

139-15 - Special Sign Regulations

In the #Special Gowanus Mixed Use District#, the underlying #sign# regulations shall apply, except that:

- (a) in #Manufacturing Districts#, the #sign# regulations of a C6-1 District, as set forth in Section [32-60](#), shall apply; and
- (b) any #accessory signs# that are provided adjacent to a #shore public walkway# shall be governed by the provisions of Section [139-55](#) (Special Signage Regulations).