



Zoning Resolution

THE CITY OF NEW YORK

Eric Adams, Mayor

CITY PLANNING COMMISSION

Daniel R. Garodnick, Chair

74-961 - Definitions

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LAST AMENDED

7/14/2016

For the purposes of Section 74-96 (Modification of Use, Bulk, Parking and Loading Regulations in Industrial Business Incentive Areas), inclusive, a “required industrial use” and an “incentive use” shall be defined as follows:

Incentive Use

An “incentive use” is a #use# permitted by the applicable zoning district, that is allowed to occupy the additional #floor area# generated by a #required industrial use# with the exception of the following #uses#:

#transient hotels# in Use Group 5, as specified in Section 32-14;

#uses# in Use Groups 6A or 6C, as specified in Section 32-15;

#uses# in Use Group 7A, as specified in Section 32-16;

#uses# in Use Group 8C, as specified in Section 32-17;

#uses# in Use Group 10A, and any retail spaces #accessory# to wholesale offices or showrooms, with storage restricted to samples; in Use Group 10B as specified in Section 32-19;

#uses# in Use Group 12, as specified in Section 32-21;

#uses# in Use Group 13, as specified in Section 32-22; and

moving or storage offices, with no limitation as to storage or #floor area# per establishment, as well as packing or crating establishments, and warehouses, as specified in Section 32-25 (Use Group 16).

Required Industrial Use

A “required industrial use” is a #use# that helps achieve a desirable mix of #commercial# and #manufacturing uses# in an Industrial Business Incentive Area, and that generates additional #floor area# pursuant to provisions set forth in Section 74-962 and is listed in:

Use Group 11A as specified in Section 32-20;

Use Group 16A, as specified in Section 32-25, excluding animal hospitals and kennels; animal pounds or crematoriums; automobile, motorcycle, trailer, or boat sales; crematoriums, human; motorcycle or motor scooter rental establishments; poultry or rabbit killing establishments; riding academies; stables for horses; and trade schools for adults;

Use Group 16B, as specified in Section 32-25;

Use Group 17B, as specified in Section 42-14;

Use Group 17C, as specified in Section 42-14; and

Use Group 18A, as specified in Section 42-15, limited to beverages, alcoholic or breweries; where permitted by the provisions of the applicable zoning district and provided the applicable performance standards pursuant to Section 42-20 are met.

Any diagnostic medical laboratories that receive patients shall not be considered a #required industrial use#.