



Zoning Resolution

THE CITY OF NEW YORK

Eric Adams, Mayor

CITY PLANNING COMMISSION

Daniel R. Garodnick, Chair

93-14 - Ground Floor Level Requirements

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93-14 - Ground Floor Level Requirements

LAST AMENDED

5/29/2019

The following provisions relating to retail continuity and transparency requirements shall apply to all subdistricts in the #Special Hudson Yards District#, except that the provisions of this Section shall not apply in Subdistrict G and along the northern #street# frontage of West 35th through West 39th Streets within 100 feet of Eleventh Avenue, as shown on Map 2 (Mandatory Ground Floor Retail) in Appendix A of this Chapter. However, any #zoning lot# fronting on such #streets# and partially within 100 feet of Eleventh Avenue may, as an alternative, apply the provisions of this Section to the entire West 35th, West 36th, West 37th, West 38th or West 39th Street frontage of the #zoning lot#.

- (a) Retail continuity along designated streets in Subdistricts A, B, C, D and E

Map 2 in Appendix A of this Chapter specifies locations where the special ground floor #use# and transparency requirements of this Section apply. Such regulations shall apply along either 100 percent or 50 percent of the #building's# #street# frontage, as indicated on Map 2.

#Uses# within #stories# that have a floor level within five feet of #curb level# shall be limited to #commercial# #uses# permitted by the underlying district, not including #uses# listed in Use Groups 6B, 6E, 7C, 7D, 8C, 8D, 9B, 10B, 11 or 12D. Such #uses# shall comply with the minimum depth provisions of Section [37-32](#) (Ground Floor Depth Requirements for Certain Uses).

A #building's# #street# frontage shall be allocated exclusively to such #uses#, except for lobby space, entryways, entrances to subway stations, other subway-related #uses# as described in Section [93-65](#) (Transit Facilities), or within the Eastern Rail Yard Subarea A1 where such retail continuity requirements are applicable to #building# walls facing certain public access areas, pursuant to Section [93-71](#), as follows:

- (1) for #building# walls facing the outdoor plaza described in Section [93-71](#), paragraph (b): the through block connection described in Section [93-71](#), paragraph (d), and the connection to the public plaza described in Section [93-71](#), paragraph (e);
- (2) for #building# walls facing the through block connection described in Section [93-71](#), paragraph (d): the outdoor plaza described in Section [93-71](#), paragraph (b);
- (3) for #building# walls facing the connection to the #public plaza# described in Section [93-71](#), paragraph (e): the outdoor plaza described in Section [93-71](#), paragraph (b) and the public plaza described in Section [93-71](#), paragraph (c); or
- (4) a combination of retail #uses# and public access areas so as to satisfy such depth requirement for retail continuity.

The length of #street# frontage (exclusive of any portion of such #street# frontage allocated to entrances to subway stations and other subway-related #uses#) occupied by lobby space or entryways shall comply with the applicable provisions for Type 2 lobbies in Section [37-33](#) (Maximum Width of Certain Uses), except within the Eastern Rail Yard Subarea A1, where the width of a lobby located on a #building# wall facing the eastern boundary of the outdoor plaza may occupy 120 feet or 25 percent of such #building# wall, whichever is less, and within the Four Corners Subarea A2 of the Large-Scale Plan Subdistrict A, for a #development# occupying a full #block# with frontage on Hudson Boulevard East and Tenth Avenue and having two million or more square feet of #floor area#, the width of lobbies located on the Hudson Boulevard East #street# frontage or the Tenth Avenue #street# frontage may occupy up to 70 feet of the #building# wall width of the #building# located on each such frontage.

(b) Retail continuity along designated streets in Subdistrict F

Map 4 (Subdistrict F: Mandatory Ground Floor Requirements) in Appendix B specifies locations where the special ground floor use and transparency requirements of this Section apply. Such regulations shall apply along either 100 percent or 70 percent of the building's street frontage, as indicated for each location on Map 4.

(1) Along Eleventh Avenue

The ground floor retail provisions established in paragraph (a) of this Section shall apply to the ground floor street frontage of buildings along Eleventh Avenue. In addition, if a street frontage is occupied by a bank, as listed in Use Group 6, such a street frontage shall not exceed a street wall width, in total, of 25 feet.

(2) Along designated streets other than Eleventh Avenue

In addition to the uses listed in paragraph (a) of this Section, the following community facility uses from Use Groups 3 and 4 as well as the following commercial use from Use Group 6B shall be permitted within a story that has a floor level within five feet of curb level for frontages along designated streets, as shown on Map 4, other than Eleventh Avenue.

From Use Group 3:

Art galleries, non-commercial

Libraries

Museums

Nursery, kindergarten, elementary or secondary schools (with no living or sleeping accommodations)

From Use Group 4:

Ambulatory diagnostic and treatment health care facilities

Community centers

Houses of worship

Recreation centers, non-commercial

From Use Group 6B:

Veterinary medicine, limited to small animals.

A minimum of 70 percent of the aggregate width of street wall shall be occupied by uses permitted in this Section. A minimum of 50 percent of the street frontage of a building shall be allocated exclusively to uses listed in paragraph (a) and Use Group 3 uses listed in this paragraph, (b)(2). In addition, a maximum of 20 percent of the street frontage of a building shall be permitted to provide the Use Group 4 and 6B uses listed in this paragraph, (b)(2). However, if a street frontage is occupied by a bank, as listed in Use Group 6, such street frontage shall not exceed a street wall width, in total, of 25 feet.

The remaining portion of the street wall may be occupied by uses listed in this Section, or by lobby space, mechanical space or entrances to accessory parking garages, provided that:

- (i) the maximum width of a single lobby frontage shall comply with the provisions for Type 2 lobbies set forth in Section [37-33](#). A maximum of two such lobbies shall be permitted along a single #street wall# frontage, provided that the minimum distance between such lobbies shall not be less than 120 feet; and
 - (ii) the maximum width of a #street wall# occupied by an entrance to #accessory# parking spaces shall not exceed 35 feet.
- (c) Transparency requirements along designated streets in Subdistricts A, B, C, D, E and F

For any #development# or ground floor #enlargement# fronting on #streets# designated on Map 2 in Appendix A of this Chapter, glazing shall be provided in accordance with the provisions set forth in paragraph (c) of this Section.

Each ground floor level #street wall# of a #commercial# or #community facility use#, as set forth in this Section, shall be glazed in accordance with Section [37-34](#) (Minimum Transparency Requirements).

For #developments# or #enlargements# fronting upon Hudson Boulevard that are adjacent to existing #buildings# located within the Hudson Boulevard #street# bed or #public park#, the Hudson Boulevard #street wall# of such #development# or #enlargement# shall be designed in a manner that will enable the glazing requirements of this Section to be met upon demolition of the #buildings# within such #street# bed or #public park# and, within six months of such demolition, such glazing requirements shall be complied with.

- (d) Non-transparent walls within Subdistrict F

Within Subdistrict F, any non-transparent area of a new or existing wall with a width in excess of 40 feet and a height in excess of five feet fronting upon a public sidewalk or publicly accessible open space shall be treated with a decorative element or material or shall be screened with planting so as to provide visual relief. Such screening or decorative treatment shall be required to a height of 15 feet above the level of the public sidewalk or publicly accessible open space, or the height of the wall, whichever is less.

93-141 - Certification to modify ground floor level requirements in Subdistrict F

LAST AMENDED
12/21/2009

Within Subdistrict F, the Chairperson of the City Planning Commission may modify the ground floor level requirements of paragraphs (b), (c) and (d) of Section [93-14](#) (Ground Floor Level Requirements), provided that the Chairperson certifies to the Commissioner of Buildings that such a change is the minimum necessary to accommodate the ventilation requirements of the below-grade rail operations. Any application for such change shall include a mechanical plan that conveys the extent of the needs and required modifications, as well as a letter from the Metropolitan Transportation Authority describing the needs for such modifications.