



## Zoning Resolution

THE CITY OF NEW YORK

Eric Adams, Mayor

CITY PLANNING COMMISSION

Daniel R. Garodnick, Chair

# **138-31 - Ground Floor Use Regulations**

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## 138-31 - Ground Floor Use Regulations

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LAST AMENDED

5/12/2021

The special #ground floor level# streetscape provisions set forth in Section [37-30](#), shall apply to Second Avenue, Third Avenue, Lexington Avenue, Park Avenue and East 116th Street, within the #Special East Harlem Corridors District# which, for the purposes of applying such provisions, shall be considered designated retail streets, and any portion of a #ground floor level# #street# frontage along the designated retail streets, as well as any #narrow street# frontage within 50 feet of such #streets#, shall be considered #primary street frontages#. A #ground floor level# #street# frontage along any other #street# shall be considered a #secondary street frontage#. For the purposes of this Section, defined terms shall also include those defined in Section [37-311](#) (Definitions).

(a) Along #primary street frontages#

For #buildings#, or portions thereof, with #primary street frontage#, #uses# on the #ground floor level#, to the minimum depth set forth in Section [37-32](#) (Ground Floor Depth Requirements for Certain Uses), shall be limited to non-#residential uses#, except for Type 2 lobbies and entrances and exits to #accessory# parking spaces provided in accordance with the applicable provisions of Section [37-33](#) (Maximum Width of Certain Uses). #Group parking facilities# located on the #ground floor level# shall be wrapped by #floor area# in accordance with the provisions of paragraph (a) of Section [37-35](#) (Parking Wrap and Screening Requirements). #Ground floor level# #street walls# shall be glazed in accordance with the provisions set forth in Section [37-34](#) (Minimum Transparency Requirements), except that:

- (1) in M1-6 Districts paired with an R9 or R10 District, where the #ground floor level# is occupied by #uses# in Use Groups 16, 17 and 18, up to 50 percent of the #ground floor level# #street wall# width may be exempt from such regulations, provided that planting or screening in accordance with the provisions of paragraphs (a)(1) or (b)(1) of Section [37-362](#) (Mitigation elements) is provided pursuant to the provisions for Type 1 blank walls set forth in Section [37-361](#) (Blank wall thresholds); and
- (2) in #flood zones#, visual mitigation elements shall be provided in accordance with the provisions for Type 3 blank walls set forth in Section [37-361](#).

(b) Along #secondary street frontages#

For #buildings#, or portions thereof, with #secondary street frontage#, all #uses# permitted by the underlying district shall be permitted on the #ground floor level#, provided that any #group parking facilities# on the #ground floor level# shall be wrapped or screened in accordance with Section [37-35](#).

The level of the finished floor of such ground floor shall be located not higher than five feet above nor lower than five feet below the as-built level of the adjoining #street#.