



Zoning Resolution

THE CITY OF NEW YORK

Bill de Blasio, Mayor

CITY PLANNING COMMISSION

Anita Laremont, Chair

101-11 - Special Ground Floor Use Regulations

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LAST AMENDED
5/12/2021

Map 2 (Ground Floor Retail Frontage), in Appendix E of this Chapter, specifies locations where the special ground floor #use# regulations of this Section apply.

#Uses# within #stories# that have a floor level within five feet of #curb level#, and within 50 feet of the #street line#, shall be limited to #commercial# #uses# listed in Use Groups 5, 6A, 6C, 6D, 7A, 7B, 8A, 8B, 8D, 9, 10, 11, 12A, 12B and 12C, where such #uses# are permitted by the underlying district. Libraries, museums and non-commercial art galleries shall be permitted. In addition, all non-residential #uses# permitted by the underlying district shall be permitted for buildings fronting on Myrtle Avenue between Ashland Place and the continuation of Prince Street. However, this minimum depth requirement may be reduced, to the minimum extent necessary, to accommodate a vertical circulation core, or structural columns associated with upper #stories# of the #building#.

A #building's# #street# frontage shall be allocated exclusively to such #uses#, except for Type 2 lobby space, entryways or entrances to subway stations provided in accordance with the provisions of Section 37-33 (Maximum Width of Certain Uses). However, loading berths serving any permitted #use# in the #building# may occupy up to 40 feet of such #street# frontage provided such #street# frontage is not subject to curb cut restrictions as shown on Map 5 (Curb Cut Restrictions) in Appendix E of this Chapter.

The regulations of this Section are modified as follows:

(a) Fulton Mall Subdistrict

For #buildings# in the Fulton Mall Subdistrict, Use Group 6A shall not include post offices, dry cleaning, laundry, or shoe and hat repair establishments. Use Group 6C shall not include automobile supply establishments, electrolysis studios, frozen food lockers, loan offices or locksmiths. Use Group 8A shall not include billiard parlors, pool halls, bowling alleys or model car hobby centers. Use Group 9 shall be prohibited except for typewriter stores. Use Group 10 shall not include depositories for office records, microfilm or computer tapes. Use Groups 6D, 7A, 7B, 8B, 8D, 11, 12A and 12C shall be prohibited. Furthermore, no bank or off-track betting establishment shall occupy more than 30 feet of frontage at the ground floor of any #building# along the #street line# of Fulton Street. Any establishment that fronts on the #street line# of Fulton Street for a distance greater than 15 feet shall provide an entrance on Fulton Street.

(b) Atlantic Avenue Subdistrict

Automotive service stations are not permitted. No bank, loan office, business or professional office or individual #use# in Use Group 9 shall occupy more than 50 feet of linear frontage on Atlantic Avenue. Moving and storage uses in Use Group 7 are permitted on the ground floor of a #building# only if such #use# is located at least 50 feet from the front wall of the #building# in which the #use# is located. Any #buildings# #developed# after June 28, 2004, or portions of #buildings# #enlarged# on the ground floor level after June 28, 2004, on a #zoning lot# of 3,500 square feet or more shall have a minimum of 50 percent of the ground #floor area# of the #building# devoted to permitted #commercial# #uses# in Use Groups 6, 7 or 9, except that this requirement shall not apply to any #development# occupied entirely by #community facility use#.

In any #building# within the Atlantic Avenue Subdistrict, the provisions of Section 32-421 (Limitation on floors occupied by commercial uses) restricting the location of non-#residential uses# listed in Use Groups 6, 7, 8, 9 or 14 to below the level of the first #story# ceiling in any #building# occupied on one of its upper #stories# by #residential# or #community facility uses#, shall not apply. In lieu thereof, such non-#residential uses# shall not be located above the

level of the second #story# ceiling.