



Zoning Resolution

THE CITY OF NEW YORK

Bill de Blasio, Mayor

CITY PLANNING COMMISSION

Marisa Lago, Chair

104-10 - SPECIAL USE REGULATIONS

File generated by <https://zr.planning.nyc.gov> on 9/23/2021

104-10 - SPECIAL USE REGULATIONS

LAST AMENDED
12/19/2007

The #use# regulations of the underlying C6 Districts are modified in Sections 104-11 through 104-18, inclusive.

104-11 - Residential Use Modifications

LAST AMENDED
2/2/2011

The #residential use# regulations of the underlying C6-1 District are modified, as follows.

In Subdistrict A, a #residential use# may locate in the same #building#, or #abut# a #building# containing a #use# listed in Section 104-132 (Use Groups 16, 17 and 18), only in accordance with the certification provisions of Section 104-14.

104-12 - Community Facility Use Modifications

LAST AMENDED
2/2/2011

The #community facility use# regulations of the underlying C6-1 and M1-2 Districts are modified, as follows:

- (a) in Subdistrict A, a #community facility use# with sleeping accommodations, as listed in this Section, may locate in the same #building#, or #abut# a #building# containing a #use# listed in Section 104-132 (Use Groups 16, 17 and 18), only in accordance with the certification provisions of Section 104-14:

College or school student dormitories or fraternity or sorority student houses

#Long-term care facilities#

Monasteries, convents or novitiates

Non-profit hospital staff dwellings without restriction as to location on the same #zoning lot#

Non-profit or voluntary hospitals and related facilities

Philanthropic or non-profit institutions with sleeping accommodations;

- (b) in Subdistrict B, #uses# listed in Use Groups 3 and 4 permitted in the underlying M1-2 District, pursuant to Sections 42-10 (USES PERMITTED AS-OF-RIGHT) and 74-921 (Use Groups 3A and 4A community facilities), shall be limited to 5,000 square feet of #floor area# per establishment.
-

104-13 - Commercial and Manufacturing Use Modifications

LAST AMENDED
12/19/2007

In Subdistricts A and C, the #commercial# and #manufacturing use# regulations of the underlying C6 Districts are modified as

set forth in Section 104-132 (Use Groups 16, 17 and 18).

In Subdistrict B, the #commercial# #use# regulations of the underlying M1 District are modified as set forth in Section 104-131 (Use Group 6A).

104-131 - Use Group 6A

LAST AMENDED

12/19/2007

In Subdistrict B, the provisions of Section 42-12 (Use Groups 3A, 6A, 6B, 6D, 6F, 7B, 7C, 7D, 7E, 8, 9B, 9C, 10A, 10B, 10C, 11, 12A, 12C, 12D, 12E, 13, 14 and 16), shall be modified to permit food stores, including supermarkets, grocery stores or delicatessen stores, without limitation as to #floor area# per establishment.

104-132 - Use Groups 16, 17 and 18

LAST AMENDED

2/2/2011

In Subdistricts A and C, the following #uses# in Use Groups 16, 17 and 18 are permitted, subject to the performance standards for an M1 District set forth in Section 42-20.

Such #uses# may locate in the same #building#, or in an #abutting# #building# containing a #residential use# or a #community facility use# with sleeping accommodations listed in Section 104-12 (Community Facility Use Modifications), only in accordance with the certification provisions of Section 104-14.

From Use Group 16A:

Animal hospitals or kennels

Automobile, motorcycle, trailer or boat sales, enclosed only

Carpentry, custom woodworking or custom furniture making shops

Motorcycle or motor scooter rental establishments, enclosed only

Trade schools for adults

From Use Group 16B:

Automobile, truck, motorcycle or #trailer# repairs

Automobile laundries, provided that the #zoning lot# contains reservoir space for not less than 10 automobiles per washing lane

#Automotive service stations#, open or enclosed, provided that facilities for lubrication, minor repairs or washing are permitted only if located within a #completely enclosed building#

From Use Group 16C:

Commercial or public utility vehicle storage, open or enclosed, including #accessory# motor fuel pumps

Public transit yards, open or enclosed, including #accessory# motor fuel pumps

From Use Group 16D:

Moving or storage offices, with no limitation as to storage or #floor area# per establishment

Warehouses

Wholesale establishments, with no limitation on #accessory# storage

From Use Group 17A:

Produce or meat markets

From Use Group 17B:

Advertising displays

Apparel or other textile products, from textiles or other materials, including hat bodies or similar products

Ceramic products, including pottery, small glazed tile or similar products

Food products, except slaughtering of meat or preparation of fish for packing

Leather products, including shoes, machine belting or similar products

Luggage

Musical instruments, including pianos or organs

Optical equipment, clocks or similar precision instruments

Perfumes or perfumed soaps, compounding only

Printing or publishing, with no limitation on #floor area# per establishment

Scenery construction

Textiles, spinning, weaving, manufacturing, dyeing, printing, knit goods, yarn, thread or cordage

Toys

Wood products, including furniture, boxes, crates, baskets, cooperage works or similar products

From Use Group 17C:

Public transit, railroad or electric utility substations, open or enclosed, with no limitation as to size

From Use Group 18A:

Manufacturing of beverages, alcoholic or breweries

104-14 - Certification Requirements

LAST AMENDED

2/2/2011

In Subdistrict A, a #use# listed in Section 104-132 (Use Groups 16, 17 and 18) and a #residential use# or a #community facility

use# with sleeping accommodations listed in Section 104-12 (Community Facility Use Modifications) may locate in the same #building#, or in an #abutting# #building#, only upon certification by a licensed architect or a professional engineer to the Department of Buildings stating that the #commercial# or #manufacturing use#:

- (a) does not have a New York City or New York State environmental rating of “A,” “B” or “C” under Section 24-153 of the New York City Administrative Code for any process equipment requiring a New York City Department of Environmental Protection operating certificate or New York State Department of Environmental Conservation state facility permit; and
- (b) is not required, under the City Right-to-Know Law, to file a Risk Management Plan for Extremely Hazardous Substances.

104-15 - Ground Floor Use and Frontage Regulations

LAST AMENDED

12/19/2007

For the purposes of this Section, ground floor level shall mean the floor of a #building#, the level of which is located at, or within five feet of, the finished level of the adjacent sidewalk, or the adjacent #mandatory widened sidewalk#, as applicable. In the locations specified on Map 6 (Ground Floor Use and Frontage) in Appendix A of this Chapter, the ground floor #use# and frontage regulations of this Section shall apply to any #development# or change of #use# located on the ground floor level of a #building# or other structure#, or any #enlargement# that increases the #floor area# of the ground floor level of a #building# by more than 25 percent.

A minimum of 75 percent of the length of a #street wall# on the ground floor level shall be limited to #uses# listed in Section 104-16 (Use Group MMU) and shall comply with the minimum depth provisions of Section 37-32 (Ground Floor Depth Requirements for Certain Uses). Such #uses# shall be located at the #street wall#. In no event shall the length of #street# frontage occupied solely by lobby space or entryways exceed, in total, 40 feet.

All such #developments#, #enlargements# and changes of #use# on the ground floor of a #building# or other structure# (other than a change of #use# on the ground floor of a #building# located on Parcels E2 or G2, as shown on Map 5 (Parcel Designation and Maximum Building Heights) in Appendix A) shall comply with the transparency requirements of Section 104-41.

104-16 - Use Group MMU

LAST AMENDED

12/19/2007

Use Group MMU comprises a group of #uses# selected from Use Groups 3, 4, 6, 7, 8, 9, 10, 12 and 17, as modified, including any of such #uses# that are #accessory# to a college or university and open to the public.

From Use Group 3:

Libraries, museums or non-commercial art galleries

From Use Group 4A:

Ambulatory diagnostic or treatment health care facilities

Community centers or settlement houses

Non-commercial recreation centers

From Use Group 6A:

Bakeries, provided that #floor area# used for production shall be limited to 750 square feet per establishment

Barber shops

Beauty parlors

Drug stores

Dry cleaning or clothes pressing establishments or receiving stations dealing directly with ultimate consumers, limited to 2,000 square feet of #floor area# per establishment, and provided that only solvents with a flash point of not less than 138.2 degrees Fahrenheit shall be used, and total aggregate dry load capacity of machines shall not exceed 60 pounds

Eating or drinking establishments, including those which provide outdoor table service or have music for which there is no cover charge and no specified show time

Food stores, including supermarkets, grocery stores, meat markets or delicatessen stores

Hardware stores

Laundry establishments, hand or automatic self-service

Liquor stores, package

Post offices

Shoe or hat repair shops

Stationery stores

Tailor or dressmaking shops, custom

Variety stores, limited to 10,000 square feet of #floor area# per establishment

From Use Group 6B:

Veterinary medicine for small animals, provided all activities are conducted within a #completely enclosed building#

From Use Group 6C:

Antique stores

Art galleries, commercial

Artists' supply stores

Automobile supply stores, with no installation or repair services

Banks

Bicycle sales

Book stores

Candy or ice cream stores

Carpet, rug, linoleum or other floor covering stores, limited to 10,000 square feet of #floor area# per establishment

Cigar or tobacco stores

Clothing or clothing accessory stores, limited to 10,000 square feet of #floor area# per establishment

Clothing rental establishments, limited to 10,000 square feet of #floor area# per establishment

Dry goods or fabrics stores, limited to 10,000 square feet of #floor area# per establishment

Eating or drinking establishments with entertainment, but not dancing, with a capacity of 200 persons or fewer

Eating or drinking establishments with musical entertainment, but not dancing, with a capacity of 200 persons or fewer

Electrolysis studios

Fishing tackle or equipment, rental or sales

Florist shops

Furniture stores, limited to 10,000 square feet of #floor area# per establishment

Furrier shops, custom

Gift shops

Interior decorating establishments, provided that #floor area# used for processing, servicing or repairs shall be limited to 750 square feet per establishment

Jewelry or art metal craft shops

Leather goods or luggage stores

Loan offices

Locksmith shops

Medical or orthopedic appliance stores

Millinery shops

Music stores

Newsstands, open or enclosed

Optician or optometrist establishments

Paint stores

Pet shops

Photographic equipment or supply stores

Photographic studios

Picture framing shops

Record stores

Seed or garden supply stores

Sewing machine stores, selling household machines only

Shoe stores

Sporting or athletic stores

Stamp or coin stores

Telegraph offices

Television, radio, phonograph or household appliance

stores, limited to 10,000 square feet of #floor area# per establishment

Toy stores

Travel bureaus

Typewriter stores

Wallpaper stores

Watch or clock stores or repair shops

From Use Group 7B:

Bicycle rental or repair shops

Moving or storage offices, with storage limited to items for retail sale and to 1,500 square feet of #floor area# per establishment

Refreshment stands

Sign painting shops, limited to 2,500 square feet of #floor area# per establishment

Venetian blind, window shade or awning shops, custom, limited to 2,500 square feet of #floor area# per establishment

From Use Group 8A:

All #uses#

From Use Group 8B:

Lumber stores, limited to 5,000 square feet of #floor area# per establishment, exclusive of that #floor area# used for office and display areas, and provided that not more than 400 square feet of #floor area# shall be used for cutting of lumber to size

Television, radio, phonograph or household appliance repair shops

Upholstering shops dealing directly with consumers

From Use Group 9A:

Automobile, motorcycle, #trailer# or boat showrooms or sales, with no repair services and with no preparation of vehicles or boats for delivery

Clothing or costume rental establishments

Musical instrument repair shops

Plumbing, heating or ventilating equipment showrooms, without repair facilities

Printing establishments, limited to 2,500 square feet of #floor area# per establishment for production

Public auction rooms

Studios, art, music, dancing or theatrical

Typewriter or other small business machine sales, rental or repairs

Umbrella repair shops

From Use Group 10A:

Clothing or clothing accessory stores, limited to 20,000 square feet of #floor area# per establishment

Office or business machine stores, sales or rental

Variety stores, limited to 20,000 square feet of #floor area# per establishment

From Use Group 12B:

Antique stores

Art gallery, commercial

Book stores

Candy or ice cream stores

Cigar and tobacco stores

Delicatessen stores

Drug stores

Gift shops

Jewelry or art metal craft shops

Music stores

Newsstands

Photographic equipment stores

Record stores

Stationery stores

Toy stores

From Use Group 17A:

Produce or meat markets, wholesale

From Use Group 17B:

Ceramic products, including pottery, small glazed tile, or similar products

#Accessory# #uses# to all the above #uses# are permitted.

#Physical culture or health establishments# are subject to a special permit, pursuant to Section 73-36.

104-17 - Modification of Article VII, Chapter 4 (Special Permits by the City Planning Commission)

LAST AMENDED
12/19/2007

The provisions of Section ~~74-48~~ (Scientific Research and Development Facility) shall not apply in the #Special Manhattanville Mixed Use District#.