



Zoning Resolution

THE CITY OF NEW YORK

Bill de Blasio, Mayor

CITY PLANNING COMMISSION

Marisa Lago, Chair

104-26 - Change of Use

File generated by <https://zr.planning.nyc.gov> on 9/20/2021

104-26 - Change of Use

LAST AMENDED

2/2/2011

(a) Change to residential use

Notwithstanding the provisions set forth in Section 34-222 (Change of use) and in the last paragraph of Section 35-31 (Maximum Floor Area Ratio) regarding the applicability of floor area ratio and open space ratio regulations to a change from a non-residential use to a residential use in a building in existence on December 15, 1961, such conversions of non-residential buildings shall be permitted only if such buildings comply with all of the bulk regulations for residential or mixed buildings.

(b) Change to non-residential use

In Subdistrict A, the provisions of Section 54-31 (General Provisions) shall not apply. In lieu thereof, a use listed in Use Groups 16, 17 or 18 located in a non-complying building or other structure may be changed to:

- (1) a use listed in Section 104-132 (Use Groups 16, 17 and 18), subject to the performance standards for an M1 District set forth in Section 42-20, and subject to Section 104-14 (Certification Requirements), if applicable; or
- (2) a community facility use, or an office use listed in Use Group 6B.

The bulk regulations of the underlying C6 District as modified by the Special Manhattanville Mixed Use District and the regulations set forth in Section 104-40 (SPECIAL URBAN DESIGN REGULATIONS) shall not apply to the changes of use set forth in paragraph (b) of this Section.

The provisions of paragraph (b) of this Section shall apply to Blocks A and C, as shown on Map 2 (Subdistrict A Block Plan) in Appendix A of this Chapter, and to Parcel D4, as shown on Map 5 (Parcel Designation and Maximum Building Heights) in Appendix A of this Chapter, through December 31, 2015, and to all other Parcels and Blocks in Subdistrict A through December 31, 2030. Beginning on January 1, 2016, with respect to Blocks A and C and Parcel D4, and beginning on January 1, 2031, with respect to Parcels D1, D2, and D3, as shown on Map 5, and Blocks E, F, G, and H, as shown on Map 2, the provisions of paragraph (b) of this Section shall lapse, and the bulk regulations of the underlying C6 District as modified by the Special Manhattanville Mixed Use District and the requirements set forth in Section 104-40, shall apply to the changes of use set forth in paragraph (b) of this Section.