



Zoning Resolution

THE CITY OF NEW YORK

Bill de Blasio, Mayor

CITY PLANNING COMMISSION

Marisa Lago, Chair

111-10 - SPECIAL USE REGULATIONS

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111-10 - SPECIAL USE REGULATIONS

LAST AMENDED
4/9/1981

111-11 - Residential Use Modification

LAST AMENDED
10/13/2010

(a) Loft dwellings

#Loft dwellings# created prior to October 13, 2010, shall be governed by the provisions for #loft dwellings# in Section 111-40 (REQUIREMENTS FOR LOFT DWELLINGS CONSTRUCTED PRIOR TO OCTOBER 13, 2010). Such #loft dwellings# may be #extended#, #enlarged#, or subdivided into two or more #loft dwellings# only in accordance with such provisions. No #loft dwellings# may be created after October 13, 2010, except as the result of a subdivision of a #loft dwelling# existing prior to October 13, 2010.

(b) Home occupations

A #home occupation# may occupy a #loft dwelling#, or a #dwelling unit# converted pursuant to Article I, Chapter 5 (Residential Conversion of Existing Non-Residential Buildings), as an #accessory use# pursuant to Section 15-13 (Special Home Occupation Provision), except that:

- (1) businesses operated as #home occupations# may have up to three non-#residential# employees; and
- (2) notwithstanding the limitation on #uses# listed in the definition of #home occupation# in Section 12-10, a #home occupation# may include a permitted #commercial# or permitted #manufacturing use#.

111-12 - Ground Floor Use Restrictions

LAST AMENDED
10/13/2010

In all areas except Area A2, ground floor spaces in separate #buildings# may not be combined for #uses# in Use Groups 3, 4, 5 and 6, except in those #buildings# having frontage on Broadway, Chambers Street, Church Street, Greenwich Street, Hudson Street, Sixth Avenue, Varick Street, West Broadway or West Street.

111-13 - Additional Use Regulations

LAST AMENDED
10/13/2010

(a) Areas A1 and A3

- (1) #Uses# in Use Groups 16 and 17 shall be permitted, except the following #uses# are prohibited:

within Use Group 16A: crematoriums, poultry or rabbit killing establishments, unenclosed automobile, boat, motorcycle or trailer sales, motorcycle rentals;

all Use Group 16B #uses#, except #automotive service stations# by special permit pursuant to Section 73-21;

all Use Group 16C #uses#;

within Use Group 16D: dry cleaning or cleaning or dyeing establishments, with no limitation on type of operation, solvents, #floor area# or capacity per establishment;

within Use Group 17B: manufacture of aircraft, automobiles, trucks, trailers, boats, motorcycles or chemicals;
and

all Use Group 17C #uses#, except agriculture.

- (2) The following #uses# are prohibited in #buildings# that do not front on Chambers Street, Church Street, Greenwich Street, Hudson Street or West Broadway:

all Use Group 8A #uses#;

all Use Group 8D #uses#;

all Use Group 10A #uses#, except depositories, photographic or motion picture studios, radio or television studios; and

all Use Group 12A #uses#.

- (3) In #buildings# fronting on Chambers Street, Church Street, Greenwich Street, Hudson Street or West Broadway, the following #uses# shall be limited to 20,000 square feet of #floor area# on a #zoning lot#, including retail #cellar# space allotted to such #uses#, except as otherwise provided in Section 111-32 (Special Permit for Certain Large Commercial Establishments):

all #uses# in Use Groups 6A and 6C;

all #uses# in Use Group 10 with parking categories B or B1; and

the above #uses# when listed in other use groups.

Separate #buildings# on separate #zoning lots# may not be combined for #uses# in Use Groups 6A, 6C or all #uses# with parking categories B or B1 in Use Group 10.

In addition, in #buildings# not fronting on the #streets#, listed in paragraph (a)(3) of this Section, #uses# listed in Use Groups 6A and 6C shall be limited to 10,000 square feet of #floor area# on a #zoning lot#, including retail #cellar# space allocated to such #uses#, except as otherwise provided in Section 111-32.

- (b) Areas A4, A5, A6 and A7

- (1) All #uses# listed in Use Groups 16B, 16C or 16D shall be permitted;

- (2) The following #uses# listed in Use Group 16 shall be permitted:

Carpentry, custom woodworking or custom furniture making shops

Electrical, glazing, heating, painting, paper hanging, plumbing, roofing or ventilating contractors' establishments, open or enclosed, with open storage limited to 5,000 sq. ft.

Household or office equipment or machinery repair shops

Machinery rental or sales establishments.

- (3) All #uses# in Use Group 17 shall be permitted, except that the following #uses# shall be prohibited:

Building materials or contractors' yards, open or enclosed

Produce or meat markets, wholesale

Adhesives, including manufacture of basic components

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

Laboratories, research, experimental or testing

Leather products, including shoes, machine belting, or similar products

Metal stamping or extrusion, including costume jewelry, pins and needles, razor blades, bottle caps, buttons, kitchen utensils, or similar products

Pharmaceutical products

Plastic products, including tableware, phonograph records, buttons, or similar products

Rubber products, such as washers, gloves, footwear, bathing caps, atomizers, or similar products, including manufacture of natural or synthetic rubber

Shoddy

Soap or detergents.

- (4) For establishments with frontage on #wide streets#, #uses# listed in Use Groups 6A, 6C and 10 shall be limited to 10,000 square feet of #floor area#. For establishments that front only upon a #narrow street#, such #uses# shall be limited to 5,000 square feet of #floor area#. For the purposes of this Section, #floor area# shall include retail #cellar# space allocated to such #uses#.

The #floor area# requirements of this paragraph, (b)(4), may be modified only pursuant to Section 111-32.

- (c) Eating or drinking establishments with entertainment and a capacity of more than 200 persons, or establishments of any capacity with dancing, as listed in Use Group 12A, in any location within a #building#, shall be permitted only by special permit of the Board of Standards and Appeals as provided in Section 73-244. The Board of Standards and Appeals shall additionally find for establishments of any capacity with dancing, as listed in Use Group 12A, that primary ingress and egress for such #uses# may only be located on Broadway, Chambers Street, Church Street, Greenwich Street, Hudson Street, Sixth Avenue, Varick Street, West Broadway or West Street, with only fire or emergency egress on other #streets#, and that no portion of such #use# may be located more than 100 feet, measured perpendicularly, from the #streets# listed in this paragraph (c). Furthermore, such #uses# are restricted as provided in paragraph (a)(2) of this Section.
- (d) Areas A4, A5, A6 and A7

#Transient hotels# shall be allowed, except that #developments#, #enlargements#, #extensions# or changes of #use# that

result in a #transient hotel# with greater than 100 sleeping units shall only be allowed pursuant to Section 111-31 (Special Permit for Large Transient Hotels).

However, any #transient hotel# that received a special permit pursuant to Section 74-711, granted prior to October 13, 2010, may continue under the terms of such approval.

(e) Environmental conditions for Area A2

- (1) All #developments# or #enlargements# shall be subject to Ambient Noise Quality Zone Regulations*. #Uses# listed in Use Group 11A shall be subject to the performance standards of an M1 District.
- (2) All new #dwelling units# shall be provided with a minimum 35dB(A) of window wall attenuation in order to maintain an interior noise level of 45dB(A), or less, with windows closed. Therefore, an alternate means of ventilation is required. However, upon application to the Office of Environmental Remediation (OER) by the owner of the affected #building#, consistent with OER's authority under the provisions of Section 11-15 (Environmental Requirements) with respect to (E) designations, OER may modify the requirements of this Section, based upon new information, additional facts or updated standards, as applicable, provided that such modification is equally protective. In such instances, OER shall provide the Department of Buildings with notice of such modification, stating that it does not object to the issuance of a building permit, or temporary or final certificate of occupancy.

* Ambient Noise Quality Regulations for an M2 District as set forth in the Noise Control Code for the City of New York, Article VI(B)