



Zoning Resolution

THE CITY OF NEW YORK

Eric Adams, Mayor

CITY PLANNING COMMISSION

Daniel R. Garodnick, Chair

135-10 - SPECIAL USE REGULATIONS

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135-10 - SPECIAL USE REGULATIONS

LAST AMENDED

The underlying #use# regulations are modified by the provisions of this Section, inclusive.

135-11 - Ground Floor Use Regulations

LAST AMENDED

5/12/2021

For the purposes of applying to this Chapter the special #ground floor level# streetscape provisions set forth in Section 37-30, any portion of a #ground floor level# #street# frontage along Bay Street, as well as any #street# frontage within 50 feet of Bay Street, shall be considered a #primary street frontage#. A #ground floor level# #street# frontage along any other #street# shall be considered a #secondary street frontage#. For the purposes of this Section, inclusive, defined terms shall include those in Sections 12-10 and 37-311.

The provisions of this Section shall apply to #developments# or #ground floor level# #enlargements#.

(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 1 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).

For #zoning lots# with a #lot area# of less than 5,000 square feet existing both on June 26, 2019 and on the date of application for a building permit, the provisions of this paragraph (a) shall not apply. In lieu thereof, the provisions of paragraph (b) of this Section shall apply.

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 (Blank wall thresholds).

(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 #accessory# off-street parking spaces 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#.

135-13 - Breweries

LAST AMENDED

5/12/2021

Within the #Special Bay Street Corridor District#, breweries, as listed in Use Group 18A, shall be permitted in Commercial Districts provided that:

- (a) the size of such brewery does not exceed 30,000 square feet; and
- (b) any brewery #developed# or #enlarged# after June 26, 2019, shall contain an #accessory# eating or drinking establishment.

For the purposes of applying the underlying regulations, such brewery shall be considered a Use Group 11A #use# and shall be within parking requirement category PRC-F. The performance standards for an M1 District set forth in Section 42-20, inclusive, shall apply to such breweries.

135-14 - Modification of Supplemental Use Provisions

LAST AMENDED

5/12/2021

In Subdistricts A, B and C, the underlying provisions of Section 32-421 (Limitation on floors occupied by commercial uses) shall be modified as follows:

- (a) For #mixed buildings#, offices, as listed in Use Group 6B, shall be permitted on the lowest two #stories# of a #building#, provided that no access exists between such offices and any #residential uses#;
- (b) For #commercial buildings#, the provisions restricting the location of #uses# listed in Use Group 6A, 6B, 6C, 6F, 7, 8, 9 or 14 to two #stories#, shall not apply; and
- (c) Any brewery #developed# or #enlarged# in accordance with the provisions of Section 135-14, shall be subject to the provisions of Section 32-421.