



## Zoning Resolution

THE CITY OF NEW YORK

Eric Adams, Mayor

CITY PLANNING COMMISSION

Daniel R. Garodnick, Chair

# **Chapter 9 - Special Little Italy District (LI)**

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## Chapter 9 - Special Little Italy District (LI)

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### 109-00 - GENERAL PURPOSES

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LAST AMENDED

2/3/1977

The "Special Little Italy District" established in this Resolution is designed to promote and protect public health, general welfare and amenity. These general goals include, among others, the following specific purposes:

- (a) to preserve and strengthen the historical and cultural character of the community;
- (b) to protect the scale of storefronts and character of the existing retail uses along Mulberry Street and other major shopping streets so that Little Italy will remain a unique regional shopping area, and thereby strengthen the economic base of the City;
- (c) to preserve the vitality of street life by reducing conflict between pedestrian and vehicular traffic;
- (d) to permit rehabilitation and new development consistent with the residential character and scale of the existing buildings in the area;
- (e) to provide amenities, such as public open space, and street trees, to improve the physical environment;
- (f) to discourage the demolition of noteworthy buildings which are significant to the character of the area; and
- (g) to promote the more desirable use of land in the area and thus to preserve the value of land and buildings, and thereby protect and strengthen the City's tax revenues, consistent with the foregoing purposes.

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### 109-01 - General Provisions

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LAST AMENDED

12/5/2024

In harmony with the general purposes and intent of this Resolution and the general purposes of the #Special Little Italy District# and in accordance with the provisions of this Chapter, certain specified regulations of the districts on which the #Special Little Italy District# are superimposed are made inapplicable, and special regulations are substituted therefore in this Chapter.

Except as modified by the express provisions of this Special District, the regulations of the underlying zoning district remain in effect. For the purposes of this Chapter, the provisions of Sections [33-13](#) (Floor Area Bonus for a Public Plaza) and [33-14](#) (Floor Area Bonus for Arcades) are made inapplicable.

For #transit-adjacent sites# or #qualifying transit improvement sites#, as defined in Section [66-11](#) (Definitions), in the event of a conflict between the provisions of this Chapter and the provisions of Article VI, Chapter 6 (Special Regulations Applying Around Mass Transit Stations), the provisions of Article VI, Chapter 6 shall control.

Within the Special District, in accordance with a comprehensive survey of its structures, #buildings# of special significance to the community and City as a whole, have been identified and are listed in Appendix B. Such #buildings# are unique either because they are socially or traditionally significant or because they are important physical influences in the life and image of the community. Such #buildings# shall not be demolished or have their external architectural features altered except as set forth in Section [109-52](#) (Special Permit Provisions). No demolition permit or alteration permit for alterations which may affect the exterior of such #buildings# shall be issued by the Department of Buildings for any such #building# except as permitted by the

City Planning Commission pursuant to Section [109-52](#) (Special Permit Provisions) unless it is an unsafe #building# and demolition is required pursuant to the provisions of Title 28, Chapter 2, Article 216 of the New York City Administrative Code.

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## 109-02 - District Map

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LAST AMENDED  
12/5/2024

The District Map for the #Special Little Italy District# (Appendix A) identifies specific areas comprising the Special District in which special zoning regulations carry out the general purposes of the #Special Little Italy District#. These areas and the sections of this Chapter which contain regulations pertaining thereto are as follows:

- Area A     PRESERVATION AREA (Section [109-10](#))
- Area A1    MULBERRY STREET REGIONAL SPINE (Section [109-20](#))
- Area B     HOUSTON STREET CORRIDOR (Section [109-30](#))
- Area C     BOWERY, CANAL, KENMARE STREET CORRIDOR (Section [109-40](#))

The District Map in Appendix A of this Chapter is hereby incorporated as an integral part of the #Special Little Italy District#.

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## 109-03 - Zoning Lots Located in More Than One Area

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LAST AMENDED  
12/5/2024

Whenever a #zoning lot# is divided by the boundaries of an area as created by Section [109-02](#) (District Map) and as indicated on the District Map in Appendix A, the #zoning lot# shall be subject to the regulations of the area in which the greater portion of its frontage lies except that, in the case of any #zoning lot# having 15 feet or more frontage within Area A1 (Mulberry Street Regional Spine), the regulations of Area A1 shall apply to such #zoning lot#.

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## 109-10 - PRESERVATION AREA (Area A)

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LAST AMENDED  
2/2/2011

The provisions of this Section [109-10](#), inclusive, shall apply within Area A (Preservation Area) as shown on the District Map in Appendix A.

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## 109-11 - Special Use Regulations

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LAST AMENDED  
2/3/1977

## 109-111 - Special regulations for existing commercial or manufacturing uses

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LAST AMENDED  
2/3/1977

The continuation, #extension# or change of #use# of existing #commercial# or #manufacturing uses# within Area A shall be governed by the underlying district #use# regulations.

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## 109-112 - Special use regulations for developments

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LAST AMENDED

6/6/2024

For any #building# or portion of a #building# #developed# or #enlarged# within Area A, #uses# listed in the underlying district regulations are permitted except for the following #uses#:

From Use Group IV

All #uses# listed under Use Group IV(B)

From Use Group VI

#Uses# under Use Group VI that are subject to a size limitation of 10,000 square feet of #floor area# per establishment in C2 Districts, as set forth in Section [32-16](#) (Use Group VI – Retail and Services), inclusive, shall not be permitted a size beyond such threshold

From Use Group IX

All #uses# listed under Use Group IX(C).

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## 109-113 - Streetscape Provisions

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LAST AMENDED

6/6/2024

The underlying #ground floor level# streetscape provisions shall apply. However, along #Tier B street frontages# where the alternate #ground floor level# provisions are able to be applied, in accordance with Section [32-322](#), the following transparency requirements shall be applied in addition to the provisions of such Section:

#Ground floor level# #street walls# shall be glazed with transparent materials, which may include #show windows#, transom windows, or glazed portions of doors. Such transparent materials shall occupy at least 25 percent of the surface area of such #ground floor level# #street wall#, up to a height of 12 feet above #curb level#, or the height of the ground floor ceiling, whichever is higher. Transparent areas may include storefronts subject to Section [109-50](#) (SPECIAL REVIEW PROVISIONS), inclusive. Door or window openings within such surface areas shall be considered transparent. Such opening shall have a minimum width of two feet.

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## 109-12 - Bulk Regulations

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LAST AMENDED

2/3/1977

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## 109-121 - Floor area regulations

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LAST AMENDED

Within Area A, the maximum #floor area ratio# for a #zoning lot# shall not exceed the following:

Lot Type	Maximum Permitted #Floor Area Ratio#	Maximum #Floor Area Ratio# for #qualifying affordable housing# or #qualifying senior housing#
#Corner lots#	4.8	5.76
#Interior# or #through lots#	4.1	4.92

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### 109-122 - Height and setback regulations

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LAST AMENDED  
12/5/2024

The underlying height and setback provisions applicable to an R8B District shall apply to any #building or other structure# on an #interior lot# or #through lot#, and the underlying height and setback provisions applicable to an R7A District shall apply to #corner lots#.

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### 109-13 - Special Front Wall Regulations

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LAST AMENDED  
12/5/2024

The #street wall# location provisions of paragraph (a) of Section [35-631](#) shall apply. For the purposes of applying #street wall# location provisions, all #streets# shall be considered as #wide streets#. In the event that a #development# occupies an entire #block# frontage, additional recesses are permitted provided that there are no front wall recesses within 10 feet of the intersection of two #street lines#. The exterior #building# materials of the front wall shall be predominantly of masonry.

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### 109-14 - Parking Regulations

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LAST AMENDED  
12/5/2024

No #accessory# off-street parking is permitted for any #development# or #enlargement# in Area A, except as set forth herein.

The City Planning Commission may allow #accessory# off-street parking facilities for any #development# or #enlargement# on a #zoning lot# pursuant to the applicable authorization or special permit in Article I, Chapter 3 (Comprehensive Off-street Parking and Loading Regulations in the Manhattan Core).

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### 109-20 - MULBERRY STREET REGIONAL SPINE (AREA A1)

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LAST AMENDED

The provisions set forth in Section [109-10](#) (Preservation Area--Area A), inclusive, are applicable within Area A1 (Mulberry Street Regional Spine) as shown on the District Plan (Appendix A), except as modified herein.

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## 109-21 - Use Regulations

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LAST AMENDED

6/6/2024

The provisions of Section [109-11](#) (Special Use Regulations) shall apply, except that all #uses# under Use Group VI that are subject to a size limitation of 10,000 square feet of #floor area# per establishment, shall be further limited to a maximum size of 5,000 square feet of #floor area# per establishment.

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## 109-211 - Streetscape Regulations

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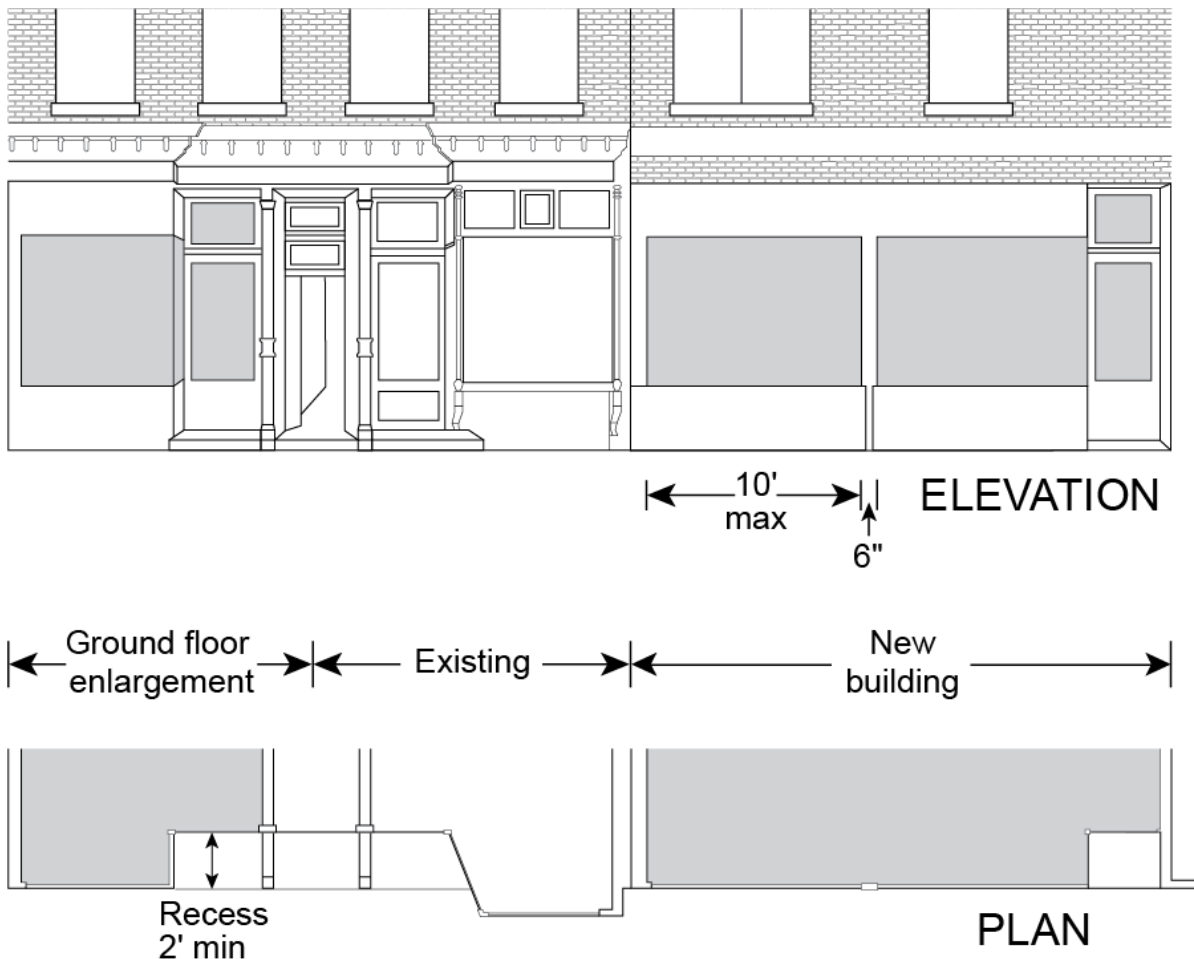
LAST AMENDED

6/6/2024

The underlying #ground floor level# streetscape provisions set forth in Section [32-30](#) (STREETSCAPE REGULATIONS), inclusive, shall apply, except that #ground floor level# #street frontages# along #streets#, or portions thereof, designated in Area A1 (Mulberry Street Regional Spine) as shown on the District Map in Appendix A of this Chapter shall be considered #Tier C street frontages#.

In addition to the glazing requirements for #Tier C street frontages#, the following shall apply:

- (a) the maximum horizontal width of a transparent area shall not exceed 10 feet in width, and shall be separated by a mullion of no less than six inches in width; and
- (b) storefront entrance doors shall be set back a minimum of two feet behind the vertical surface of the #show windows#.



Storefront Illustration

## 109-212 - Sign Regulations

LAST AMENDED  
6/6/2024

In addition to the underlying district #sign# regulations, the following regulations shall apply to all #signs#:

- (a) #signs# may not occupy more than 25 percent of the total area of the storefront measured from #curb level# to 10 feet above #curb level#;
- (b) all permitted #signs# which project from the front #building# wall shall be located not less than 10 feet above #curb level#; and
- (c) #signs# may not cover columns, cornices or sills.

## 109-22 - Bulk Regulations

LAST AMENDED  
2/3/1977

## 109-221 - Floor area regulations

Within Area A1, the maximum #floor area ratio# on a #zoning lot# shall not exceed the following:

	#Floor Area Ratio#	
#Use#	#Corner Lot#	#Through Lot# or #Interior Lot#
#Commercial#	5.1	4.5
#Community facility# or #residential# other than #qualifying affordable housing# or #qualifying senior housing#	4.1	3.5
#Qualifying affordable housing# or #qualifying senior housing#	4.92	4.2

The maximum #floor area# in a #mixed building# shall be the maximum #floor area# permitted for either the #commercial# portion of such #building#, or the #community facility# portion of such #building# or the #residential# portion of such #building#, as set forth in this Section, whichever permits the greatest amount of #floor area#.

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**109-30 - HOUSTON STREET CORRIDOR (Area B)**

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The provisions of this Section are applicable within Area B, as shown on the District Plan (Appendix A).

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**109-31 - Special Use Regulations**

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**109-311 - Special regulations for existing commercial or manufacturing uses**

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The continuation, #enlargement#, #extension# or change of #use# of existing #commercial# or #manufacturing uses# within Area B, shall be governed by the underlying district regulations.

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**109-312 - Special use regulations for new development**

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For any #building# or portion of a #building# #developed# or #enlarged# within Area B, #uses# listed in the underlying district



regulations are permitted, except for the following #uses#:

From Use Group IV(B)

All #uses#

From Use Group IX

Vehicle storage #uses#.

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## 109-313 - Streetscape provisions

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LAST AMENDED

6/6/2024

The underlying #ground floor level# streetscape provisions shall apply. However, along #Tier B street frontages# where the alternate #ground floor level# provisions are able to be applied, in accordance with Section [32-322](#), the following transparency requirements shall be applied in addition to the provisions of such Section:

#Ground floor level# #street walls# shall be glazed with transparent materials, which may include #show windows#, transom windows, or glazed portions of doors. Such transparent materials shall occupy at least 25 percent of the surface area of such #ground floor level# #street wall#, up to a height of 12 feet above #curb level#, or the height of the ground floor ceiling, whichever is higher. Transparent areas may include storefronts subject to Section [109-50](#). Door or window openings within such surface areas shall be considered transparent. Such opening shall have a minimum width of two feet.

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## 109-32 - Bulk Regulations

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LAST AMENDED

12/5/2024

The #bulk# regulations applicable to a C6-3A District shall apply to the Houston Street Corridor (Area B).

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## 109-33 - Special Front Wall Regulations

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LAST AMENDED

12/5/2024

The #street wall# location provisions of paragraph (a) of Section [35-631](#) (Street wall location) shall apply. For the purposes of applying #street wall# location provisions, all streets shall be considered #wide streets#. For all #buildings# within Area B, the exterior materials of the front wall shall be predominantly of masonry.

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## 109-34 - Curb Cuts

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LAST AMENDED

12/5/2024

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## 109-341 - Curb cut regulations

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LAST AMENDED

12/5/2024

There shall be not more than one curb cut on each #street line# frontage of a #zoning lot#.

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## 109-35 - Noise Attenuation

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LAST AMENDED

12/5/2024

For any #residential# or #commercial# #use# in a #development# within Area B:

- (a) window wall attenuation of 35 dB(A) for #residential uses# or 30 dB(A) for #commercial# #uses#, shall be provided. However, upon application to the Office of Environmental Remediation (OER) by the owner of the affected #building#, consistent with its 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; and
- (b) alternative means of ventilation shall be provided, such as, but not limited to, central air conditioning or the provision of air conditioning sleeves, with such alternative means to conform to the provisions of Sections [27-752](#) to [27-756](#) of the Building Code of the City of New York.

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## 109-40 - BOWERY, CANAL, KENMARE STREET CORRIDOR (AREA C)

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LAST AMENDED

2/2/2011

The provisions of this Section are applicable within Area C, as shown on the District Plan in Appendix A of this Chapter.

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## 109-41 - Bulk Regulations

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LAST AMENDED

2/3/1977

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## 109-411 - Height and setback regulations

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LAST AMENDED

12/5/2024

Within Area C, the height and setback provisions of a C4-4A District within 100 feet of a #wide street# shall apply.

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## 109-42 - Additional Requirements

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LAST AMENDED

12/5/2024

Any #zoning lots# partially located within 100 feet of the #street line# of Mulberry Street (Area A1) shall comply with the requirements set forth in Section [109-21](#) (Use Regulations), inclusive.

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## 109-50 - SPECIAL REVIEW PROVISIONS

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LAST AMENDED  
2/3/1977

The City Planning Commission may allow certain modifications of the provisions of this Chapter as set forth below.

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## 109-51 - Modification of the Provisions of the Special Little Italy District

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LAST AMENDED  
11/16/1989

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### 109-511 - Modifications by authorization

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LAST AMENDED  
12/5/2024

Modifications of the provisions of this Chapter may be authorized by the City Planning Commission based upon receipt of an application, except that there shall be no modifications of any provision of Section [109-12](#), [109-22](#), [109-32](#) or [109-41](#) unless specifically allowed therein, provided that the Commission, after notification to the affected Community Board, certifies to the Commissioner of Buildings that there exists a compelling need for such modification and that such modifications are consonant with the objectives of the #Special Little Italy District#. The Commission may prescribe other appropriate conditions and safeguards to minimize adverse effects on the surrounding area.

Notwithstanding any other provisions of the Resolution, the Commission may, after notification to the affected Community Board, authorize a #non-complying# #inner court# within an existing #building# to be eliminated, and may modify the applicable provisions of this Chapter relating to an #enlargement#, provided that:

- (a) the #building# is an existing old law or new law tenement, not higher than seven #stories#;
- (b) any additional #floor area# created through such elimination of a #non-complying# #inner court# is not more than 10 percent of the existing #floor area# of the #building#, and the width of such #inner court# is not more than 20 feet;
- (c) the renovation of such #building# will result in improved arrangements for adequate access of light and air, and for privacy between #dwelling units#, to the newly created #dwelling units# and to the surrounding developments;
- (d) such #enlargement# will not increase the density of population or intensity of #use# to the detriment of the occupants of the #buildings# in the #block# or nearby #blocks#;
- (e) the #enlargement# as proposed shall comply with the applicable provisions of Section [23-63](#), except as otherwise modified by the Commission; and
- (f) the Commission is in receipt of a report from the Department of Buildings and the Fire Department concerning said #building#.

The City Planning Commission may prescribe other additional conditions and safeguards to enhance the character of the surrounding area.

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## 109-52 - Special Permit Provisions

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LAST AMENDED

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## 109-521 - Modification of accessory off-street parking facilities

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LAST AMENDED

12/5/2024

The City Planning Commission may, by special permit, modify #accessory# off-street parking facilities for the #residential# portion of any #development# on a #zoning lot# as set forth in Section [109-14](#) or Section 109-341.

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## 109-522 - Special provisions for the preservation of certain existing buildings

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LAST AMENDED

2/2/2011

#Buildings# listed in Appendix B of this Chapter, shall not be demolished or have their external architectural features altered, except as set forth in this Section.

The City Planning Commission, by special permit, may allow:

- (a) in such #buildings#, for a change of a conforming #use# to another conforming #use#, the applicable underlying district, or #Special Little Italy District#, #bulk# regulations shall not apply to such change of #use#; or
- (b) the alteration of such #buildings#, provided that such alteration and treatment of the facade relates harmoniously to the character and materials of the original facade and of adjoining #buildings#; and
- (c) the demolition of such #buildings#, other than unsafe #buildings#, provided that the Commission finds that the existing #building# is not suitable for rehabilitation.

For the purposes of this Section, a change of #use# is a change to another #use# listed in the same or any other conforming Use Group; however, a change in ownership or occupancy shall not, by itself, constitute a change of #use#. #Enlargements# of such #buildings# shall be subject to all applicable district regulations. The Commission may prescribe appropriate conditions and safeguards to ensure that any interim #uses# proposed on the site prior to any construction are in conformance with the purposes of the Special District.

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## 109-523 - Applications for special permit

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LAST AMENDED

12/5/2024

An application to the City Planning Commission for the grant of a special permit respecting provisions of Sections [109-14](#) and [109-341](#) of this Chapter, shall include: a site plan showing the location and proposed #use# of all #buildings or other structures# on the site; the location of all vehicular entrances and exits and off-street parking and loading spaces; the amount and nature of traffic to be generated by such #development# or #enlargement# and an indication of the routes that will provide vehicular access to a #manufacturing#, #commercial# or #community facility# establishment; and such other information as may be required by the Commission.

An application to the Commission for the grant of a special permit respecting provisions of Section [109-522](#), shall include floor plans of all major floors; all major elevations; a site plan depicting all structures on the site, and all structures and major features within 100 feet of the site; and such other information as may be required by the Commission.

## 109-525 - Relationship to public improvement projects

LAST AMENDED

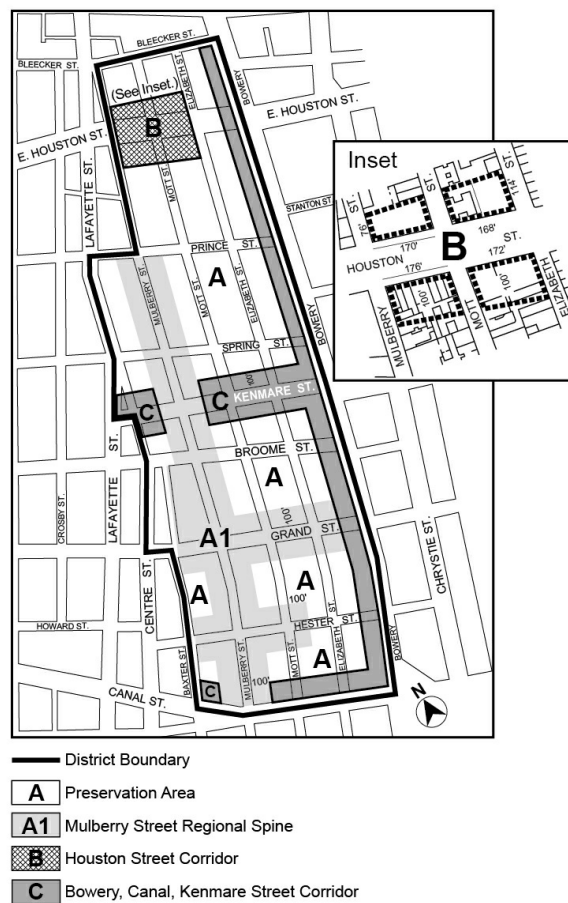
2/3/1977

In all cases, the City Planning Commission shall deny an application for a special permit whenever the #development# or #enlargement# will interfere with a public improvement project (including housing, highways, public #buildings# or facilities) which is approved by the Board of Estimate or City Planning Commission, or Site Selection Board, as determined from the calendar of each such agency issued prior to the date of the public hearing on the application for a special permit.

## Appendix A - Special Little Italy District Map

LAST AMENDED

11/16/1989



## APPENDIX B - Buildings of Special Significance

LAST AMENDED

2/3/1977

#Buildings# of special significance to be preserved in accordance with the provisions of Section 109-522 are as follows:

Block Number	Lot Number	Address
206	1	113 Baxter Street
470	12	363 Broome Street
471	41	375 Broome Street
470	64	124—126 Bowery
472	31	240 Centre Street
492	21	209 Elizabeth Street
507	17-21	260—268 Elizabeth Street
471	28	174 Grand Street
471	58	190 Grand Street
471	57	192 Grand Street
238	6	128—130 Mott Street
508	6	256—258 Mott Street
508	9	262—272 Mott Street
509	34	277 Mott Street

481	23	201—205 Mulberry Street
509	1	266 Mulberry Street
492	44	11 Spring Street
480	21	34—36 Spring Street