



Zoning Resolution

THE CITY OF NEW YORK

Eric Adams, Mayor

CITY PLANNING COMMISSION

Daniel R. Garodnick, Chair

81-742 - Listed theaters

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LAST AMENDED

6/6/2024

(a) Designation of listed theaters

“Listed theaters” are theaters to which special provisions of this and other Sections as set forth in [81-741](#) (General provisions) apply, and are predominantly free-standing theaters with full stage and wings. The theaters as identified on August 6, 1998, in the table in this Section, are designated as “listed theaters.”

LISTED THEATERS

| Theater Name | Address | Block Number | Lot Number |
|-----------------|-------------------|--------------|------------|
| Ambassador | 215 West 49th St. | 1021 | 15 |
| Barrymore | 243 West 47th St. | 1019 | 12 |
| Belasco | 111 West 44th St. | 997 | 23 |
| Biltmore | 261 West 47th St. | 1019 | 5 |
| Booth | 222 West 45th St. | 1016 | 15 |
| Broadhurst | 235 West 44th St. | 1016 | 11 |
| Broadway | 1681 Broadway | 1024 | 46 |
| Brooks Atkinson | 256 West 47th St. | 1018 | 57 |
| City Center | 131 West 55th St. | 1008 | 15 |
| Cort | 138 West 48th St. | 1000 | 49 |
| Ed Sullivan | 1697 Broadway | 1025 | 43 |
| *Empire | 236 West 42nd St. | 1013 | 50 |
| Eugene O'Neill | 230 West 49th St. | 1020 | 53 |

| | | | |
|-----------------|-------------------------------|------|----|
| Forty-Sixth St. | 226 West 46th St. | 1017 | 48 |
| Golden | 252 West 45th St. | 1016 | 58 |
| *Harris | 226 West 42nd St. | 1013 | 45 |
| Helen Hayes | 240 West 44th St. | 1015 | 51 |
| Henry W. Miller | 124 West 43rd St. | 995 | 45 |
| Hudson | 139 West 44th St. | 997 | 15 |
| Imperial | 249 West 45th St. | 1017 | 10 |
| *Liberty | 234 West 42nd St. | 1013 | 49 |
| Longacre | 220 West 48th St. | 1019 | 50 |
| Lunt-Fontanne | 205 West 46th St. | 1018 | 20 |
| Lyceum | 149 West 45th St. | 998 | 8 |
| *Lyric | 213 West 42nd St. | 1014 | 39 |
| Majestic | 245 West 44th St. | 1016 | 5 |
| Mark Hellinger | 237 West 51st St. | 1023 | 11 |
| Martin Beck | 302 West 45 th St. | 1035 | 37 |
| Music Box | 239 West 45th St. | 1017 | 11 |
| Nederlander | 208 West 41st St. | 1012 | 30 |
| Neil Simon | 250 West 52nd St. | 1023 | 54 |
| *New Amsterdam | 214 West 42nd St. | 1013 | 39 |

| | | | |
|----------------------------|-------------------|------|----|
| *New Amsterdam-Roof Garden | 214 West 42nd St. | 1013 | 39 |
| *New Apollo | 234 West 43rd St. | 1014 | 20 |
| Palace | 1564 Broadway | 999 | 63 |
| Plymouth | 236 West 45th St. | 1016 | 51 |
| Ritz | 225 West 48th St. | 1020 | 14 |
| Royale | 242 West 45th St. | 1016 | 55 |
| St. James | 246 West 44th St. | 1015 | 54 |
| *Selwyn | 229 West 42nd St. | 1014 | 17 |
| Shubert | 225 West 44th St. | 1016 | 15 |
| Studio 54 | 254 West 54th St. | 1025 | 58 |
| *Times Square | 219 West 42nd St. | 1014 | 20 |
| *Victory | 209 West 42nd St. | 1014 | 25 |
| Virginia | 245 West 52nd St. | 1024 | 7 |
| Winter Garden | 1634 Broadway | 1022 | 2 |

* Indicates theaters which do not qualify as a "granting site" pursuant to Section [81-744](#)

In the case of an existing legitimate theater that received a #floor area# bonus pursuant to regulations in effect prior to May 13, 1982, no provisions of this amendment shall be construed as changing any previously existing responsibility of the owner or lessee of such theater for continuance of its #use# as a legitimate theater.

(b) Restrictions on demolition of listed theaters

No demolition permit shall be issued by the Department of Buildings for any theater listed in this Section as a “listed theater,” unless:

- (1) it is an unsafe #building# and demolition is required pursuant to the provisions of Title 28, Article 216 of the New York City Administrative Code;
- (2) it has been designated a landmark by the Landmarks Preservation Commission and a notice to proceed has been issued to the owner pursuant to Section [25-309](#) of Title 25, Chapter 3, of the New York City Administrative Code permitting demolition that contemplates removal of the theater from theater #use#; or
- (3) the City Planning Commission, by special permit, allows its demolition in accordance with the provisions of paragraph (c) of this Section.

(c) Special permit for demolition of listed theaters

The City Planning Commission may allow, by special permit, the demolition of a theater designated as a “listed theater” pursuant to this Section, provided the Commission finds that the demolition of the theater structure will not unduly diminish the character of the Theater Subdistrict as a cultural, entertainment and theatrical showcase. In making this determination, the Commission may consider any or all of the following:

- (1) the current physical characteristics of the theater that affect its suitability as a legitimate theater, including but not limited to seating capacity, configuration and location;
- (2) the history of the theater’s #use# as a legitimate theater, presenting legitimate attractions to the general public;
- (3) the likelihood of its future #use# for legitimate theater production under reasonable terms and conditions prevailing in the theater industry; and/or
- (4) that the applicant’s plans, if any, for replacement of the theater structure with a #development# or #enlargement# contain replacement #uses# supportive of the character of the Theater Subdistrict.

As a condition of the special permit, there shall exist a legal commitment binding upon all parties in interest of the #zoning lot# containing the theater that any #development# or #enlargement# on a #zoning lot# containing a portion or all of the former site of the “listed theater”, that floor space at least equivalent in amount to the total #floor area# of the theater shall be reserved or devoted exclusively to #uses# described in Section [81-723](#) (Entertainment-related uses) and meeting the requirements of paragraphs (b) and (c) of Section [81-722](#) (Requirements for entertainment-related uses) for the life of such #development# or #enlargement#. Notwithstanding the foregoing, if the area of the #zoning lot# containing the theater is less than 20,000 square feet and the Commission finds that the allocation of floor space at least equivalent in amount to the total #floor area# of the theater to #uses# described in Section [81-723](#) is impractical or unreasonable, the Commission may permit a reduction in the amount of area allocated to such #uses#.

Any #development# or #enlargement# on a #zoning lot# containing a portion or all of the former site of a “listed theater” must, however, meet the requirements of paragraphs (b) and (c) of Section [81-722](#) whether or not the #zoning lot# is located within the area described in that Section.