Zoning Resolution

THE CITY OF NEW YORK
Zohran K. Mamdani, Mayor

CITY PLANNING COMMISSION
Sideya Sherman, Chair

81-82 - Special Regulations on Permitted and Required Uses

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LAST AMENDED
6/6/2024

In order to preserve, protect and enhance the character of the Fifth Avenue Subdistrict as the showcase of New York and national retail shopping, and to allow for #uses# that are consistent with the character of the Fifth Avenue Subdistrict as a major shopping and tourist destination, the following special limitations are imposed on the location and kinds of #uses# and #signs# permitted within the Fifth Avenue Subdistrict.

(a) Minimum retail space requirement

Any #zoning lot#, or portion thereof, located within the Fifth Avenue Subdistrict shall contain:

(1) #uses# listed under Use Group VI; and

(2) #uses# listed under Art Galleries and Studios in Use Group VIII;

with a #floor area ratio# of not less than 1.0.

In order to count toward the requirement, retail or service establishments shall be located on levels up to but not exceeding a height of six #stories# or 85 feet, whichever is less, or not more than five feet below #curb level#.

(b) Lobby restriction

The provisions of Section 81-42 (Retail Continuity Along Designated Streets) shall apply, except that where a #building# has #ground floor level# frontage on Fifth Avenue, and frontage on another #street#, no lobby shall be permitted on the Fifth Avenue frontage.

(c) Sign regulations

The following special #sign# regulations apply to existing as well as new establishments or #uses#:

(1) The aggregate area of all #signs# in ground floor store windows are restricted to not more than one-third of the window area. Below a level of 10 feet above #curb level#, #signs# shall not be permitted on the exterior of any #building#.

(2) The display of banners or pennants from the exteriors of #buildings# is prohibited.

For the purposes of this Section, any #signs#, including banners and pennants, which do not comply with the above regulations may be continued for one year after April 28, 1983, provided that after the expiration of that period, such #non-conforming# #sign# shall terminate. A #sign# which the Chairperson of the City Planning Commission certified as an integral part of the #building# shall not be required to terminate.