Zoning Resolution

THE CITY OF NEW YORK
Zohran K. Mamdani, Mayor

CITY PLANNING COMMISSION
Sideya Sherman, Chair

134-10 - SPECIAL USE REGULATIONS

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134-10 - SPECIAL USE REGULATIONS

LAST AMENDED
5/27/2021

The #use# regulations of the underlying districts are hereby superseded, modified or supplemented as set forth in this Section, inclusive

134-11 - Permitted Uses

LAST AMENDED
5/27/2021

134-111 - Permitted uses in subdistricts

LAST AMENDED
6/6/2024

In the Northern Subdistrict and the Southern Subdistrict, the following #uses# shall be permitted, except as otherwise specified in Section 134-112 (Permitted uses in the Open Space Subarea). In addition, in the Northern Subdistrict, the provisions of Section 134-14 (Certification for Large Commercial Establishments) shall apply to any #commercial# #use# exceeding 7,500 square feet of #floor area#.

In the Northern Subdistrict, #commercial# #uses# applicable in a C2-5 District shall be permitted, except that:

From Use Group IV

Docks for ferries shall be permitted without restriction on passenger load

From Use Group VIII

All #uses# shall be permitted within the applicability of a C8 District.

In the Southern Subdistrict, #commercial# #uses# applicable in a C4 District shall be permitted, except that the following #uses# shall also be permitted as of right:

From Use Group IV

Electric utility substations, enclosed, without size limitations, sewage disposal plants, marine transfer stations for garbage or slag piles and docks for ferries without restrictions on passenger load shall be permitted

From Use Group VII

All #uses# shall be permitted within the applicability of an M1 District

From Use Group VIII

All #uses# shall be permitted within the applicability of a C8 District

From Use Group IX

Warehouses shall be permitted

From Use Group X

Ship and boat building, under transportation equipment manufacturing, shall be permitted, for vessels up to a length of 200 feet; and

Distilleries shall be permitted.

134-112 - Permitted uses in the Open Space Subarea

LAST AMENDED
6/6/2024

In the Open Space Subarea of the Southern Subdistrict, the following #uses# shall be permitted.

(a) In locations of the Open Space Subarea other than piers, #uses# shall be limited to:

From Use Group I

#Public parks# or playgrounds or private parks #uses#

Outdoor skating rinks

From Use Group V

Overnight camps

From Use Group VI

Eating or drinking establishments, within the applicability of a C2 District, except that all such establishments shall be subject to 200 persons capacity

From Use Group VIII

Open #amusement or recreation facilities#, without size limitations

Outdoor day camps

Outdoor theaters.

#Uses# otherwise permitted in the Southern Subdistrict pursuant to Section 134-111 (Permitted uses in subdistricts) may be located in #cellars# within the Open Space Subarea.

(b) On any pier in the Open Space Subarea, #uses# shall be limited to #water dependent uses#, as listed in Section 62-211, and sewage disposal plants listed under Use Group IV, subject to the applicability of a M1 District.

134-12 - Applicability of Performance Standards

LAST AMENDED
6/6/2024

In all districts, any #use# listed under Use Groups IV, VI, VII, VIII, IX or X that is not permitted as-of-right within C4 Districts, pursuant to the underlying regulations, shall conform to the performance standards for M1 Districts, as set forth in Section 42-40 (PERFORMANCE STANDARDS), inclusive, except that the provisions of Section 42-47 (Performance Standards Regulating Fire and Explosive Hazards) shall not apply to the manufacture of alcoholic beverages and breweries.

134-14 - Certification for Large Commercial Establishments

LAST AMENDED
5/27/2021

In the Northern Subdistrict, any #commercial# #use# larger than 7,500 square feet in #floor area# shall be permitted provided that, prior to the establishment of such #use#, the applicant shall submit a

written description of such #use# to the local community board, together with information to demonstrate that such #use# will promote the goals of the #Special Governors Island District#, complement existing #uses# within the special district, and be compatible with the nature, scale and character of other #uses# within the special district.

The local community board shall have the opportunity to respond to such submission with written comments within forty-five (45) days of receipt and the applicant shall thereafter provide the local community board with a written response to such comments, including a description of any modifications to the proposal or, if a recommendation of the local community board has not been adopted, the reasons such modification has not been made.

In the Northern Subdistrict, no building permit shall be issued with respect to a #commercial# #use# larger than 7,500 square feet of #floor area# unless the Chairperson of the City Planning Commission shall have certified to the Department of Buildings that the applicant has complied with the provisions of this Section.

The provisions of this Section shall not apply to #commercial# #uses# permitted pursuant to Section 134-15 (Authorization for Certain Commercial Uses).

134-15 - Authorization for Certain Commercial Uses

LAST AMENDED
5/27/2021

The City Planning Commission may authorize any #commercial# #use# not allowed pursuant to Section 134-11, inclusive, to locate within the Northern Subdistrict, Eastern Subarea or the Western Subarea of the #Special Governors Island District#, provided that such #commercial# #use#:

(a) will promote the goals of the #Special Governors Island District#;

(b) will complement existing #uses# within the special district; and

(c) is compatible with the nature, scale and character of other #uses# within its subdistrict.

Any application to authorize a #commercial# #use# in the Eastern Subarea or Western Subarea pursuant to this Section shall be referred to the local community board. The City Planning Commission shall not grant such authorization prior to forty-five (45) days after the referral.

134-16 - Special Supplemental Use Regulations

LAST AMENDED
5/27/2021

In the Southern Subdistrict, special supplemental #use# regulations shall apply to all #buildings# as set forth in this Section, inclusive.

134-161 - Location of uses

LAST AMENDED
6/6/2024

In any #mixed building#, the provisions of Section 32-422 (Location of floors occupied by commercial uses) shall be modified such that the limitations set forth in paragraph (a) of such Section need not apply, and the requirements in paragraph (b) of such Section shall apply only where #commercial

uses# are located above any #story# containing #dwelling units#.

In any #building# containing #residential uses#, no direct access shall be provided from the exterior of the #building# to an individual #dwelling unit#. However, access to #dwelling units# shall be permitted through shared entrances, lobbies or #courts#.

134-17 - Special Signage Regulations

LAST AMENDED
5/27/2021

In the #Special Governors Island District#, the #sign# regulations shall apply as follows:

(a) In the Northern Subdistrict, the #sign# regulations of a C1 District mapped within an R3-2 District shall apply.

(b) In the Southern Subdistrict, the #sign# regulations of a C4 District shall apply, except that no #flashing signs# shall be permitted.

(c) No #signs# shall be permitted on any pier within the Southern Subdistrict. However, such restriction shall not apply to informational or wayfinding signs not exceeding 25 square feet each, or to signage identifying “Governors Island” or a pier from the waterway.