Zoning Resolution

THE CITY OF NEW YORK
Zohran K. Mamdani, Mayor

CITY PLANNING COMMISSION
Sideya Sherman, Chair

101-60 - FULTON MALL SUBDISTRICT

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101-60 - FULTON MALL SUBDISTRICT

LAST AMENDED
6/28/2004

101-601 - General purposes of the Fulton Mall Subdistrict

LAST AMENDED
6/28/2004

The general goals of the Fulton Mall Subdistrict include, among others, the following purposes:

(a) to foster and promote the orderly expansion of retail development so that Downtown Brooklyn will enhance its position as a major regional shopping center, provide an increasing number of employment opportunities and encourage the development of a desirable shopping and working environment;

(b) to complement public improvements in the area implemented either directly or indirectly by the City of New York by encouraging private investment in signs, facades and new development that will enhance the visual appearance and character of structures in the vicinity of Fulton Mall;

(c) to create an attractive shopping environment in the vicinity of the Fulton Mall, the construction of which will implement a plan for improved pedestrian and vehicular circulation; and

(d) to encourage a desirable urban design relationship between each building and the Fulton Mall.

101-602 - General provisions for the Fulton Mall Subdistrict

LAST AMENDED
6/6/2024

Within the Fulton Mall Subdistrict, any change of #use# to another #use# listed in the same or another Use Group shall be subject to the special #use# regulations of Section 101-10 and the special #sign# regulations of Section 101-61, inclusive.

On application, the City Planning Commission may authorize minor modifications of the regulations of Sections 101-61, inclusive, and 101-62, inclusive, governing #signs# and facades within the Fulton Mall Subdistrict, upon the Commission's finding that the proposed modifications are in conformity with the principles of good design and are not inconsistent with the purposes of this Chapter.

101-61 - Special Sign Regulations for the Fulton Mall Subdistrict

LAST AMENDED
6/28/2004

Any erection of a new #sign#, or alteration (including a change in graphic representation on an existing #sign#), reconstruction or replacement of an existing #sign#, shall be subject to the special #sign# regulations of this Section, inclusive.

101-611 - Area of permitted signs

LAST AMENDED
6/28/2004

Except for projecting #signs# that comply with the provisions of Section 101-131 (Permitted projection), all permitted #signs# in the Fulton Mall Subdistrict shall be subject to the applicable provisions of Section 32-64 (Surface Area and Illumination Provisions), Section 101-612 (Sign band) and this Section.

101-612 - Sign band

LAST AMENDED
2/2/2011

(a) #Sign# located within the #sign# band

A #commercial# establishment located on the ground floor of a #building# may have one #sign# located on each #street# frontage within a #sign# band as defined in this Section.

The #sign# band shall have a lower limit of 10 feet above #curb level# and an upper limit coincident with the bottom of the lowest window sill on the second floor of a #building#, but in no event more than 15 feet above #curb level#. A #sign# located within the #sign# band may be applied directly to the surface of a #building# or to a #sign# board affixed to the surface of a #building#. If a #sign# board is employed, such #sign# board shall be entirely within the #sign# band, shall be mounted horizontally, shall have a uniform color over its entire surface excluding perimeter frame or trim and shall extend the full length of the #street wall# of the establishment to which it is #accessory#, except that such #sign# board may be interrupted by vertical architectural elements such as columns, pilasters or other integral architectural elements. Any background material shall be considered as a #sign# board, unless it extends the full length of the #street wall# of a #building# (or that portion of a #building# occupied by the establishment) and the full height of the #building# up to the topmost

cornice. On #corner lots#, a #sign# or #sign# boards shall be the same vertical dimension and shall be mounted at the same height above the #curb level# on both #street# frontages.

If more than one #commercial# establishment is located on the ground floor of a #building#, the #signs# located within the #sign# band #accessory# to each such establishment shall consist of letters and symbols of approximately the same size for each establishment, either applied directly to the surface of the #building# or to a common #sign# board affixed to the surface of a #building#.

As of March 16, 1978, the owner or lessee of a #building# with more than one ground floor establishment shall be responsible (unless the #sign# is applied directly to the surface of the #building#) for specifying the requirements of a common #sign# board, which shall include, but are not limited to, vertical dimension, mounting height, background color, material, whether illuminated and method of illumination (if applicable) which shall be the same for each establishment and shall be adhered to by each establishment employing a #sign# board.

A #sign# #accessory# to #uses# on the upper floors of a #building# may be located within the #sign# band when it directs attention to a ground floor entrance of an establishment located on the upper floors of a #building#.

(b) #Signs# located below the #sign# band

#Signs# #accessory# to #commercial# establishments located on the ground floor of a #building# may be located between #curb level# and 10 feet above #curb level#. #Signs# in #show windows#, on doors, or on transoms above doors, shall not occupy more than 20 percent of the total area of such #show windows#, doors or transoms above doors in which they are displayed, and are limited to writing (including letter, word or numeral) not more than eight inches high. Such #sign# shall be applied directly to #show windows#, doors or transoms above doors, without background, or to a transparent panel hung behind the plane

of the #show window# surface, door or transom above a door. Non-flashing #illuminated signs# (such as neon, etc.) shall be permitted providing that such #signs# are essentially transparent, i.e., without background or enclosure.

Incidental #signs#, identifying store name, address and hours of operation shall not exceed 10 square feet (including background) for an individual #sign# and shall not exceed, in aggregate (square feet), one-fifth the #street# frontage of the establishment but in no event more than 50 square feet for #interior# or #through lots# or 50 square feet on each frontage for #corner lots#.

An establishment located above the ground floor of a #building# that has an entrance on the ground floor may have one #sign# directing attention to the entrance.

(c) #Signs# located above the #sign# band

#Signs# #accessory# to #commercial# establishments which occupy space above the ground floor of a #building# may be located between 20 feet and 40 feet above #curb level#. Such establishments may have #signs# in windows provided that such #sign# does not occupy more than 30 percent of the window to which it is applied, that the remainder of the window is transparent, and that all such #signs# for an establishment have similar size and style of writing, pictorial representation, emblem or any other figure of similar character. #Commercial# establishments which occupy space above the ground floor may have one #sign# located above the #sign# band which is applied directly to the surface of a #building# or to a #sign# board affixed to the surface of a #building#. If a #sign# board is employed, such #sign# board shall be mounted horizontally, shall have a uniform color over its entire surface, excluding perimeter frame and trim, and shall not be located between windows. The total #surface area# of all #signs# located above the #sign# band shall not exceed three times the #street# frontage of the #zoning lot# (in feet) but in no event more than 200 square feet on each frontage.

No #sign# or #sign# board shall extend above the parapet wall or shall obscure any cornice or window.

101-613 - Special sign content regulations

LAST AMENDED
6/28/2004

Except as further defined by the regulations of the #Special Downtown Brooklyn District#, permitted #signs# are limited to the following message:

store name;

symbol or logo;

address;

date of establishment; and

description of product or service offered.

101-614 - Sign illuminations

LAST AMENDED
6/28/2004

#Signs# may be illuminated by either:

(a) internal illumination; or

(b) an external source that shall be so arranged that it projects no more than 12 inches from the #sign# it illuminates, and so that no direct rays of light are projected into adjoining #buildings# or the #street#. No #flashing signs# are permitted nor are flashing or rotating light sources except #illuminated signs# that indicate the time, temperature, weather or other similar information, pursuant to the definition of #flashing sign# in Section 12-10.

101-615 - Temporary signs

LAST AMENDED
6/28/2004

Temporary #signs# relating to sales or events of limited duration not to exceed 45 days may be displayed in a #show window# of a #building#. Such #signs# must be removed after the last day of the sale or event to which they pertain. Temporary #signs# shall not occupy more than 20 percent of the surface area of the window in which they are displayed.

101-616 - Removal of existing signs with change of use

LAST AMENDED
6/28/2004

When a change of #use# or occupancy occurs within the Fulton Mall Subdistrict, all #signs# pertaining to the previous #use# or occupancy shall be removed within 45 days of the date such change takes place.

101-617 - "For sale" or "for rent" signs

LAST AMENDED
6/28/2004

"For sale" or "for rent" #signs#, with an area not exceeding 12 square feet, are permitted.

101-618 - Termination of certain non-conforming signs

LAST AMENDED
6/28/2004

In the Fulton Mall Subdistrict, Section 52-80 (REGULATIONS APPLYING TO NON-CONFORMING SIGNS) shall not apply. In lieu thereof, certain #non-conforming# #signs# may be continued until June 30, 1980, providing that after that date such #non-conforming# #signs# shall terminate and shall be removed in their entirety, including any supporting structure, frame or device. Such #signs# shall include:

#advertising signs#;

#flashing signs#;

#signs# located more than 40 feet above #curb level#;

roof #signs#;

#signs# extending above a parapet;

#signs# obscuring cornices and windows;

double or multi-faced #signs#; and

#signs# that project across a #street line# more than 12 inches.

Any #sign#, as of January 1, 1978, that forms an integral part of the surface of a #building or other structure# (such as a #sign# carved in stone, cast in metal or molded in terra cotta on a #building# whose facade is of such material) shall not be subject to the provisions of this Section.

101-62 - Special Bulk Regulations

LAST AMENDED
6/28/2004

101-621 - Special regulations concerning building facades

LAST AMENDED
6/28/2004

Any alteration to, or reconstruction of, the facade of an existing #building# shall be subject to the regulations of this Section, inclusive, but only to the extent of such work.

101-622 - Special provisions for building facades above the ground floor

LAST AMENDED
6/28/2004

Any alteration, #incidental alteration# or minor work done to the #street wall# of any #building# or portion of any #building# shall be accomplished in such matter that:

(a) such #street wall# is treated with consistent materials, color and texture from the top of any ground floor windows or #sign# board to the top or the parapet, or to the bottom of a cornice if a cornice exists (access doors or panels, grilles or similar features shall be as inconspicuous as possible); and

(b) where such #street wall# treatment covers any window opening, it shall completely cover all window openings in the #street wall#; or

(c) where window openings remain uncovered, all windows shall be treated in a similar manner or, if sealed, all windows shall be covered by a panel set at least two inches behind the plane of the wall. Except where the material used to seal window openings is the same as the wall of the #building#, the window panel shall have a single color over its entire surface. All such window panels shall have the same color.

101-63 - Modification of Accessory Off-street Parking and Loading Requirements

LAST AMENDED
12/10/2012

The parking regulations of Section 101-50 (OFF-STREET PARKING AND OFF-STREET LOADING REGULATIONS) shall apply, except as set forth in this Section, inclusive.

101-631 - Restricted access and prohibition on curb cuts

LAST AMENDED
6/28/2004

In no case shall vehicular access and egress for #accessory# off-street parking, public parking facilities, permitted or required #accessory# off-street loading berths or the service entrance to a #building#, be located within 50 feet of Fulton Street or DeKalb Avenue within the Fulton Mall Subdistrict. No curb cuts are permitted within the Fulton Mall Subdistrict within 50 feet of Fulton Street or DeKalb Avenue.

101-632 - Waiver of off-street parking and loading requirements

LAST AMENDED
6/28/2004

The Commissioner of Buildings may waive any requirement in this Chapter that #accessory# off-street parking or loading berths be provided where the Commissioner finds that the required parking or loading cannot be provided consistent with Section 101-631 (Restricted access and prohibition on curb cuts).