**Zoning Resolution**

THE CITY OF NEW YORK
**Zohran K. Mamdani, Mayor**

CITY PLANNING COMMISSION
**Sideya Sherman, Chair**

# 104-10 - SPECIAL USE REGULATIONS

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## 104-10 - SPECIAL USE REGULATIONS

LAST AMENDED
12/19/2007

The #use# regulations of the underlying C6 Districts are modified in Sections 104-11 through 104-18, inclusive.

## 104-11 - Residential Use Modifications

LAST AMENDED
6/6/2024

The #residential use# regulations of the underlying C6-1 District are modified, as follows.

In Subdistrict A, a #residential use# may locate in the same #building#, or #abut# a #building# containing a #use# listed in Section 104-13 (Commercial and Manufacturing Use Modifications), inclusive, only in accordance with the certification provisions of Section 104-14.

## 104-12 - Community Facility Use Modifications

LAST AMENDED
6/6/2024

The #community facility use# regulations of the underlying C6-1 and M1-2 Districts are modified, as follows:

(a) in Subdistrict A, #uses# listed under Use Group III(A) may locate in the same #building#, or #abut# a #building# containing a #use# listed in Section 104-13 (Commercial and Manufacturing Use Modifications), inclusive, only in accordance with the certification provisions of Section 104-14.

(b) in Subdistrict B, #uses# listed under Use Group III permitted in the underlying M1-2 District, pursuant to Sections 42-10 (USE ALLOWANCES), inclusive, and 74-133 (Other community facility uses in M1 Districts), inclusive, shall be limited to 5,000 square feet of #floor area# per establishment

## 104-13 - Commercial and Manufacturing Use Modifications

LAST AMENDED
6/6/2024

(a) In Subdistricts A and C, the #use# regulations of a C6 District shall apply except that additional #uses# allowed in M1 Districts within a #Special Mixed Use District#, as set forth in Section 123-21 (Modification to M1 use regulations), inclusive, shall be permitted. All such #uses# shall be subject to the performance standards for an M1 District set forth in Section 42-20.

Such #uses# may locate in the same #building#, or in an #abutting# #building# containing a #residential use# or a #community facility# #use# with sleeping accommodations listed in Section 104-12 (Community Facility Use Modifications), only in accordance with the certification provisions of Section 104-14.

(b) In Subdistrict B, the #commercial# #use# regulations of the underlying M1 District are modified to permit #uses# listed under Food and Beverage Retailers in Use Group VI without

limitation as to #floor area# per establishment.

## 104-14 - Certification Requirements

LAST AMENDED
6/6/2024

In Subdistrict A, a #use# listed in Section 104-13 (Commercial and Manufacturing Use Modifications) and a #residential use# or a #community facility# #use# with sleeping accommodations listed in Section 104-12 (Community Facility Use Modifications) may locate in the same #building#, or in an #abutting# #building#, only upon certification by a licensed architect or a professional engineer to the Department of Buildings stating that the #commercial# or #manufacturing use#:

(a) does not have a New York City or New York State environmental rating of "A," "B" or "C" under Section 24-153 of the New York City Administrative Code for any process equipment requiring a New York City Department of Environmental Protection operating certificate or New York State Department of Environmental Conservation state facility permit; and

(b) is not required, under the City Right-to-Know Law, to file a Risk Management Plan for Extremely Hazardous Substances.

## 104-15 - Ground Floor Use and Frontage Regulations

LAST AMENDED
6/6/2024

The underlying #ground floor level# streetscape provisions shall apply except that #ground floor level# #street# frontages along #streets#, or portions thereof, designated on Map 6 (Ground Floor Use and Frontage) in Appendix A of this Chapter shall be considered #Tier C street frontages#. In addition, for #buildings# along such #Tier C street frontages#, the underlying streetscape requirements shall be modified such that:

(a) within the portion of the #ground floor level# #street frontage that is required to be allocated to non-#residential uses# to the #minimum qualifying depth#, #uses# may only include colleges or universities listed under Use Group III(B) where the #use# is #accessory# and open to the public;

(b) #uses# listed under Use Group VI with a size limitation in M1 Districts, as denoted with an "S" in the Use Group tables set forth in Section 42-16 (Use Group VI – Retail and Services), inclusive, shall be subject to a size limit of 10,000 square feet per establishment; and

(c) in lieu of the transparency requirements, the provisions of Section 104-41 shall apply.

## 104-16 - Modification of Article VII, Chapter 4 (Special Permits by the City Planning Commission)

LAST AMENDED
6/6/2024

The provisions of Section 74-171 (Laboratories) shall not apply in the #Special Manhattanville Mixed Use District#.