



## **Zoning Resolution**

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

**CITY PLANNING COMMISSION**  
**Daniel R. Garodnick, Chair**

# **104-10 - SPECIAL USE REGULATIONS**

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## 104-10 - SPECIAL USE REGULATIONS

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LAST AMENDED

12/19/2007

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

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## 104-11 - Residential Use Modifications

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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](#).

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## 104-12 - Community Facility Use Modifications

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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

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## 104-13 - Commercial and Manufacturing Use Modifications

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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.

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## 104-14 - Certification Requirements

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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.

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

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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.

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

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LAST AMENDED

6/6/2024

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