Zoning Resolution

THE CITY OF NEW YORK
Zohran K. Mamdani, Mayor

CITY PLANNING COMMISSION
Sideya Sherman, Chair

32-163 - Use Group VI – uses subject to additional conditions

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LAST AMENDED
6/6/2024

For #uses# denoted with a "P" in Section 32-161 (Use Group VI – general use allowances), the following conditions shall apply:

(a) Service Limitations

(1) Automobile dealers and all other motor vehicle dealers in C2 Districts, or C4 through C7 Districts, shall not include repair services or preparation of vehicles for delivery.

(2) The following provisions shall apply to boat dealers and recreational boat repair services:

(i) In C2 through C7 Districts, boat dealers shall be restricted to boats less than 100 feet in length. Additionally, in C2 Districts, or C4 through C7 Districts, such establishment shall not include repair services or preparation of vehicles for delivery.

(ii) In all #Commercial Districts#, recreational boat repair services shall be restricted to boats less than 100 feet in length.

(3) Veterinary service or pet care service establishments in C1 or C2 Districts, or C4 through C7 Districts, shall not include overnight boarding or accommodations.

(b) Location and Other Building Requirements

(1) Boat fuel sales establishments in C2 through C7 District shall be restricted to location within 10 feet of a boat dock berth.

(2) For veterinary services in C1 or C2 Districts, or C4 through C7 Districts, where such #building# contains a #residential use#, no access shall be from an entrance serving the #residential# portion.

(3) Eating or drinking establishments in C4 through C6 Districts, where such establishment provides entertainment with a cover charge or specified showtime, or includes a dance floor, and a capacity of more than 200 persons, except those that are located within hotels, shall be subject to the following conditions:

(i) In C4 Districts, such establishment shall be a minimum of 100 feet from a #Residence District# boundary, except that within 100 feet from a #Residence District# boundary, such establishment is permitted only by special permit of the Board of Standards and Appeals, in accordance with Section 73-162 (Eating or drinking establishments);

(ii) In C5-1, C5-2, C6-1, C6-2, C6-3 or C6-4 Districts, the entrance to such establishment shall be a minimum of 100 feet from the nearest #Residence District# boundary;

(iii) In C6-4 Districts mapped within that portion of Community District 5, Manhattan, bounded by West 22nd Street, a line 100 feet west of Fifth Avenue, a line midway between West 16th Street and West 17th Street, and a line 100 feet east of Sixth Avenue, eating or drinking establishments providing entertainment with cover charge or specified showtime and a capacity of more than 200 persons

are permitted only by special permit of the Board of Standards and Appeals, in accordance with Section 73-162; and

(iv) In C4, C5-1, C5-2, C6-1, C6-2, C6-3 or C6-4 Districts, a minimum of four square feet of waiting area within the zoning lot shall be provided for each person permitted under the occupant capacity as determined by the New York City Building Code. The required area shall be in an enclosed lobby and shall not include space occupied by stairs, corridors or restrooms.

(4) For car washes in C8 Districts, reservoir space for not less than 10 automobiles per washing lane shall be provided on the #zoning lot#.

(c) Environmental Conditions

(1) Technical and trade schools in C1 or C2 Districts, or C4 through C7 Districts, shall be limited to establishments not involving any danger of fire or explosion nor of offensive noise, vibration, smoke or particulate matter, dust, odorous matter, heat, humidity, glare or other objectionable effects.

(2) For #health and fitness establishments# in C1 through C7 Districts, high-intensity #uses#, as listed in the definition of #health and fitness establishments#, shall be located within #completely enclosed buildings#. Where such high-intensity #use# is located in a #building# containing any #residential#, #community facility#, or #commercial use#, such #use# shall be required to have an acoustical engineer verify to the Department of Buildings prior to the issuance of a Certificate of Occupancy that such #use# is designed according to International Organization for Standardization (ISO) or American National Standards Institute (ANSI) standards for noise control to meet the New York City Noise Code, administered by the Department of Environmental Protection. Such

high-intensity #uses# shall meet the following standards for noise and vibration:

(i) impact noise measurement shall comply with ISO 16283-2:2020, or subsequent versions; and

(ii) vibration measurement shall comply with ISO 8041:2005 or ANSI/ASA S2.71, or subsequent versions, for on-site vibration measurement and analysis.

(3) Personal dry cleaning services in C1 or C2 Districts, or C4 through C7 Districts, shall be limited to solvents with a flash point of not less than 138.2 degrees Fahrenheit, and total aggregate dry load capacity of machines shall not exceed 60 pounds.

(4) The following #uses# in C8 Districts shall conform to the performance standards for M1 Districts as set forth in Sections 42-40 (PERFORMANCE STANDARDS) through 42-48 (Performance Standards Regulating Humidity, Heat or Glare), inclusive:

#Automotive service stations#

Car wash

Carpet upholstery cleaning services

Commercial and industrial machinery and equipment repair and maintenance

Crematorium

Fuel dealers

#Heavy motor vehicle repair and maintenance shops#

Home and garden equipment and appliance repair and maintenance

Industrial dry cleaning and laundry services

#Light motor vehicle repair and maintenance shops#

Personal dry cleaning services

Technical and trade school

Veterinary services.