Zoning Resolution

THE CITY OF NEW YORK
Zohran K. Mamdani, Mayor

CITY PLANNING COMMISSION
Sideya Sherman, Chair

143-10 - SPECIAL USE REGULATIONS

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143-10 - SPECIAL USE REGULATIONS

LAST AMENDED
12/15/2021

Within the #Special SoHo-NoHo Mixed Use District#, the #use# provisions of Article XII, Chapter 3 are modified by the provisions of this Section.

143-11 - Modifications for Certain Uses

LAST AMENDED
6/6/2024

Within the #Special SoHo-NoHo Mixed Use District#, the following #use# modifications shall apply:

(a) the following #uses# listed under Use Group III shall not be permitted:

colleges or universities, including professional schools but excluding business colleges or trade schools

college or school student dormitories and fraternity or sorority student houses;

(b) eating or drinking establishments listed under Use Group VI, shall be limited to 8,500 square feet of #floor area# per establishment; and

(c) #uses# listed under Use Group VI with a size limitation, as denoted in the Use Group table with an “S”, are subject to the following modifications:

(1) for establishments with a #primary entrance# along a #wide street#, 25,000 square feet of #floor area# per establishment; and

(2) for all other establishments, 10,000 square feet of #floor area# per establishment.

However, the City Planning Commission may, by special permit, allow #uses# that exceed the size limitations of this paragraph, pursuant to Section 143-31 (Special Permit for Certain Retail Uses).

143-12 - Home Occupation

LAST AMENDED
6/6/2024

For the purposes of this Chapter, the #home occupation# provisions of Section 12-10 shall apply, except that a #home occupation# may occupy more than 1,000 square feet of #floor area# and up to three persons not residing in the #dwelling unit# or #rooming unit# may be employed. In addition to the #uses# listed in Section 12-10, a #home occupation# may include any permitted #commercial use#.

143-13 - Joint Living-Work Quarters for Artists

LAST AMENDED
6/6/2024

#Conversions# to #joint living-work quarters for artists# shall not be permitted after December 15, 2021, within the #Special SoHo-NoHo Mixed Use District#.

For #developments#, #enlargements#or #conversions#, for the purposes of applying Section 123-22 (Additional Conditions for Certain Uses), #joint living-work quarters for artists# shall not be considered an existing #manufacturing# or #commercial use#.

For #joint living-work quarters for artists# existing on December 15, 2021, any #conversion# to a #residence# shall only be permitted upon certification by the Chairperson of the City Planning Commission to the Commissioner of the Department of Building that instruments in a form acceptable to the City are executed and recorded and that, thereafter, a contribution has been deposited in the #SoHo-NoHo Arts Fund#. The execution and recording of such instruments and the payment of such non-refundable contribution shall be a precondition to the filing for or issuing of any building permit allowing the #conversion# a #joint living-work quarters for artists# to a #residence#.

The contribution amount shall be $100.00 per square foot of #floor area# to be #converted# from a #joint living-work quarters for artists# to a #residential use# as of December 15, 2021, and shall be adjusted by the Chairperson annually. Such adjustment shall occur on August 1 of each calendar year, based on the percentage change in the Consumer Price Index for all urban consumers as defined by the U.S. Bureau of Labor Statistics for the 12 months ended on June 30 of that year. The contribution amount shall be determined based upon the rate which is in effect at the time the contribution is received.

143-14 - Non-residential Retention for Qualifying Buildings

LAST AMENDED
12/15/2021

For #developments#, #enlargements#, and #conversions# on #zoning lots# with #qualifying buildings# existing on December 15, 2021, #residential uses# shall only be permitted upon certification by the

Chairperson of the City Planning Commission to the Commissioner of the Department of Buildings that the #zoning lot#, as it existed on December 15, 2021, will contain at least the amount of non-#residential# #floor area# that existed within such #qualifying buildings# on the #zoning lot# on December 15, 2021, or where the #qualifying building# will be #converted# to #residences# that are exclusively #dwelling units# that either comply with the definition of "affordable housing unit" set forth in Section 27-111 (General definitions), or have a legally binding restriction limiting rents to households with incomes at or below 80 percent of the #income index#. For the purposes of this Section, non-#residential floor area# shall not include #residences#, including #dwelling units# that are registered Interim Multiple Dwellings or are covered by the New York City Loft Board pursuant to Article 7-C of the New York State Multiple Dwelling Law or that the Loft Board determines were occupied for #residential use# on September 1, 1980, #joint living-work quarters for artists#, #community facility uses# with sleeping accommodations or #transient hotels#, where permitted.

A restrictive declaration acceptable to the Department of City Planning shall be executed and recorded, binding the owners, successors and assigns to provide the amount of non-#residential floor area# that existed within #qualifying buildings# on December 15, 2021, on the #zoning lot#. Such restrictive declaration shall be recorded in the Office of the City Register.

143-15 - Streetscape Regulations

LAST AMENDED
6/6/2024

The underlying #ground floor level# streetscape provisions set forth in Section 32-30 (STREETSCAPE REGULATIONS), inclusive, shall apply, except that #ground floor level# #street# frontages along #streets#, or portions thereof, designated on Map 1 in the Appendix of this Chapter shall be considered #Tier C street frontages#.