Zoning Resolution

THE CITY OF NEW YORK
Eric Adams, Mayor

CITY PLANNING COMMISSION
Daniel R. Garodnick, Chair

Chapter 2 - Special Grand Concourse Preservation District (C)

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122-00 - GENERAL PURPOSES

LAST AMENDED
9/28/1989

The "Special Grand Concourse Preservation District" established in this Resolution is designed to promote and protect public health, safety, general welfare and amenity. These general goals include, among others, the following purposes:

(a) to protect the existing scale and form of development and the traditional residential character of the Grand Concourse including desirable design features of certain buildings through the establishment of design guidelines for renovation or alteration;

(b) to encourage new development which is in keeping with the scale and character of the area by providing for street wall continuity and bulk regulations consistent with existing development along the Grand Concourse;

(c) to preserve and enhance the residential character of the Grand Concourse by limiting ground floor retail and commercial uses to certain specified locations;

(d) to regulate the location of retail and commercial signage; and

(e) to promote the most desirable use of land in the area and thus to conserve the value of land and buildings, and thereby to protect the City's tax revenues.

122-01 - Definitions

LAST AMENDED
2/2/2011

Display window

A "display window" is a window or opening in the exterior wall of any portion of a #building# which is glazed with tinted or transparent material and which is used to display merchandise, services or business.

Sign band

A "sign band" is a horizontal band which extends the full length of the #street wall# of a #building#, and is located between 8 feet and 14 feet above #curb level#.

122-02 - General Provisions

LAST AMENDED
10/7/2021

Except as modified by the express provisions of the #Special Grand Concourse Preservation District#, the regulations of the underlying zoning districts shall remain in effect.

For #transit-adjacent sites#, as defined in Section 66-11 (Definitions), in the event of a conflict between the provisions of this Chapter and the provisions of Article VI, Chapter 6 (Special Regulations Applying Around Mass Transit Stations), the provisions of Article VI, Chapter 6 shall control.

122-03 - District Plan

LAST AMENDED
3/26/1992

(a) In the District Plan as shown in Appendix A, the following areas have been designated as the Residential Preservation Area:

(1) all areas in R8 Districts including areas mapped C1 within these R8 Districts which are:

(i) within 100 feet of the westerly #street line# of the Grand Concourse between East 153rd Street and Mosholu Parkway; and

(ii) within 100 feet of the easterly #street line# of the Grand Concourse between East 153rd Street and a point parallel to and 150 feet north of East 166th Street, and between McClellan Street and Mosholu Parkway;

(2) an area partly in R8 and C1 Districts with a depth of 100 feet from the west side of the #street line# of Walton Avenue between East 161st and East 164th Streets; and

(3) an area in R8 Districts with a depth of 100 feet from the east side of the #street line# of Anthony Avenue between East 181st Street and East 182nd Street.

Within the Residential Preservation Area in R8 Districts, the following three commercial sub-areas have special #use# and #bulk# regulations:

(i) Limited Commercial Areas

(ii) Commercial Extension Areas

(iii) Commercial Infill Sites

(b) The location of these sub-areas is described below:

(1) Limited Commercial Areas

The following areas with a depth of 50 feet from the #street line# of the Grand Concourse are designated on the District Plan (Appendix A) as Limited Commercial Areas:

(i) on the west side of the Grand Concourse from the south side of East 176th Street to a point 25 feet north of Henwood Place;

(ii) on the west side of the Grand Concourse from a point 40 feet north of Bush Street to the south side of Burnside Avenue;

(iii) on the west side of the Grand Concourse from 100 feet north of East 180th Street to a point 180 feet south of East 183rd Street; and

(iv) on the east side of the Grand Concourse from the north side of East 182nd Street to a point 180 feet south of East 183rd Street.

(2) Commercial Extension Areas

Along certain cross-streets within the Residential Preservation Area, extensions of existing #Commercial Districts# up to the Grand Concourse to a depth of 100 feet measured perpendicularly from the #street line# of such cross-streets, are designated as Commercial Extension Areas on the District Plan (Appendix A). These extension areas are located along the following #streets#:

(i) the north and south sides of East 165th Street, west of the Grand Concourse;

(ii) the north and south sides of East 167th Street, east of the Grand Concourse;

(iii) the north and south sides of East 170th Street, east and west of the Grand Concourse; and

(iv) the north and south sides of Mount Eden Avenue, west of the Grand Concourse.

(3) Commercial Infill Sites

All tax lots listed in Table A in Section 122-10 which contain #buildings# designed for non-#residential uses# in Use Groups 6 or 7 or where such #buildings# existed as of July 1, 1981 are designated as Commercial Infill Sites on the District Plan (Appendix A).

122-10 - SPECIAL USE REGULATIONS

LAST AMENDED
2/2/2011

In order to preserve the residential character of the Special District, the applicable #use# regulations of the underlying districts are modified, as follows:

(a) Within the Limited Commercial Areas, #commercial# #uses# listed in Section 32-15 (Use Group 6) are permitted, provided they are located only on the ground floor of an existing or new #building# containing #residential# or #community facility uses#. All existing or new #commercial# #uses# shall be directly accessible only from the #street#. Any existing #commercial# #use# which fails to provide direct access from a #street# shall be terminated one year after September 28, 1989.

(b) On a cross-street within the Commercial Extension Areas, #commercial# #uses# listed in Section 32-15 are permitted to occupy the ground floor of an existing or new #building# containing #residential# or #community facility uses#. Such ground floor #commercial# #uses# may be permitted to #extend# up to the Grand Concourse on the #basement# level of a #building#, provided that such #commercial# #uses# are accessible only from a cross-street which intersects the Grand Concourse. No direct or indirect access to such #commercial# #uses# is permitted from the Grand Concourse.

(c) Any #commercial# #use# which lawfully existed on or before July 1, 1981, on any Commercial Infill Site listed in Table A, shall be considered conforming and may be changed to a Use Group 6 #use# or to a #use# which previously occupied the space lawfully on or before July 1, 1981, except that expansion or re-occupancy of #floor area# to a retail #use# in Use Group 6A or 6C is restricted to the ground floor of the #building#.

However, if a #building# on a Commercial Infill Site contains an entrance from the Grand Concourse as well as from the cross-street running underneath the Concourse, such entrance floors at both #street# levels may be occupied by retail #uses# listed in Use Group 6 if they were in existence prior to July 1, 1981, as a lawful #use#. In those cases, the #use# of the remaining #stories# of such #building# shall be limited to business, professional or governmental offices or to ambulatory diagnostic or treatment health care facilities as set forth in Use Group 4A or Use Group 6B, regardless of the locational restrictions in Use Group 4.

TABLE A

COMMERCIAL INFILL SITES

Tax Block Number	Tax Lot Number	Address	Type of #Building#
2468	1	851 Grand Concourse	Courthouse
2821	11	1526 Grand Concourse	1 #story# #commercial#
2821	13	1540 Grand Concourse	Vacant lot
2822	27	1775 Grand Concourse	Telephone Co. #building#
2795	14	1780 Grand Concourse	Office #building#/garage
2805	23	1845 Grand Concourse	1 #story# #commercial#
2801	7	1850 Grand Concourse	2 #story# #commercial#
2808	44	1963 Grand Concourse	Funeral home
2808	82	2029-2043 Grand Concourse	1 #story# #commercial#
3161	25	2101 Grand Concourse	1 #story# #commercial#
3157	32	2202-2206 Grand Concourse	1 #story# #commercial#
3163	40	2231-2233 Grand Concourse	1 #story# #commercial#
3158	16	2262-2268 Grand Concourse	1 #story# #commercial#
3163	38	2235-2239 Grand Concourse	1 #story# #commercial#
3307	68	3000 Grand Concourse	Funeral home
3315	51	2833-2843 Grand Concourse	1 #story# #commercial#

2808	82	148 E. Burnside Avenue	1 #story# #commercial#

(d) For the purposes of this Chapter, any non-#residential uses# permitted pursuant to paragraphs (a) through (c) of this Section shall be located only on a #story# below the lowest #story# occupied by a #residential use#, except that this limitation shall not preclude the location of any such non-#residential use# below the level of the first #story# ceiling.

122-20 - SPECIAL SIGN REGULATIONS

LAST AMENDED
9/14/2016

In order to enhance the visual quality of the Special District, the applicable #sign# regulations of the underlying districts are modified, as follows:

(a) Within the Limited Commercial Areas, only one #sign#, other than an #advertising sign#, with a surface area not exceeding 12 square feet, shall be permitted per #commercial# #use#. Such #signs# shall be located in a #sign band#, on the flap of a canopy, or as allowed under paragraph (d) of this Section. The height of such #signs# shall be not more than 24 inches and the letter sizes shall be restricted to a height of 12 inches. Except as provided in paragraph (d), all such #signs# may not project from the vertical surface of a #building# more than 18 inches.

(b) Within the Commercial Extension Areas, no #signs# and no #display windows# shall be permitted on a #building or other structure# within 50 feet of the Grand Concourse. #Commercial# #uses# which are located on a cross-street beyond a distance of 50 feet from the Grand Concourse #street line#, shall comply with the #sign# regulations applicable to the underlying #Commercial District#.

(c) On Commercial Infill Sites, the maximum surface area to be occupied by a #sign#, other than an #advertising sign#, shall be three square feet for every five feet of store frontage or 12 square feet, whichever is greater. Such #signs# shall be located in a #sign band# or on the flap of a canopy, or as allowed under paragraph (d). On portions of Commercial Infill Sites more than 50 feet from the Grand Concourse, the signage regulations of a C1 District shall apply.

(d) Except in C1 Districts, no #sign# may be located so as to obscure any decorative lintel, cornice or other architectural detail. In the event that compliance with this requirement does not provide adequate surface area for the allowable #sign#, as defined in paragraph (a) of this Section, a projecting #sign# may be permitted by the Commissioner of Buildings provided that no such #sign# shall project from the vertical surface of a #building# more than 18 inches.

(e) Except in C1 Districts, no banners, pennants, #flashing# or #illuminated signs# shall be permitted anywhere within the Special District. In addition, within Commercial Infill Sites north of the Cross Bronx Expressway, as shown on the map in Appendix A of this Chapter, #signs with indirect illumination# shall be permitted on the Grand Concourse #street# frontage of a #building#.

(f) Within the Limited Commercial Areas, Commercial Infill Sites, and Commercial Extension Areas within 50 feet of the Grand Concourse, window graphics shall occupy not more than 20 percent of a window. Display lettering more than three inches high shall be considered as a #sign#.

(g) All lawfully existing #non-conforming# #signs# located within the Special District shall be terminated one year after September 28, 1989.

122-30 - SPECIAL BULK REGULATIONS

LAST AMENDED
2/2/2011

In order to preserve the scale and character of the Grand Concourse, the #bulk# regulations of the underlying R8 District and the C1 or C2 Districts mapped within such R8 District shall be inapplicable to any #residential# or #community facility# #developments# or #enlargements# located within the Special District.

In lieu thereof, such #developments# or #enlargements# shall comply with the regulations of an R8X District, including Article II, Chapter 8.

If a #commercial# #development# is constructed on a vacant Commercial Infill Site previously occupied by a #commercial building# on or before July 1, 1981, or an existing #commercial building# located on a Commercial Infill Site is replaced by a #commercial# #development#, the height, #lot coverage# and #floor area# of the #commercial# #development# shall not exceed the height, #lot coverage# and #floor area# of the #building# it replaced. However, if a #residential# or #community facility building# is constructed on any Commercial Infill Site or when such sites become a part of the adjoining #zoning lot#, it shall be subject to the R8X District regulations. No #mixed buildings# or #enlargement# of existing #buildings# shall be permitted on any Commercial Infill Sites.

122-40 - SPECIAL REGULATIONS FOR LOCATION OF NEW DOORS AND WINDOWS

LAST AMENDED
9/28/1989

If any new doors or windows are installed on the exterior walls of a #building#, they shall be uniform in width and shall be aligned with existing doors and windows.

122-50 - SPECIAL PROVISIONS FOR PLANTING STRIPS

LAST AMENDED
2/2/2011

For #developments# or #enlargements#, there shall be a strip of continuous planting at grade of not less than three feet in width along the entire front wall of such #development# or such #building# that is #enlarged#. In the event a #building# is constructed within three feet of the #street line#, the owner of the #building# shall apply to the Bureau of Highway Operations for permission to locate a portion of such planting strips on a public sidewalk within the #street line#. A copy of such application shall be submitted with the new building application when filed at the Department of Buildings. Such sidewalk planting requirement may be waived by the Department of Buildings only upon receipt of written disapproval by the Department of Transportation.

122-60 - SPECIAL ACCESSORY OFF-STREET PARKING REGULATIONS

LAST AMENDED
2/2/2011

In the Residential Preservation Area, the parking requirements of the underlying districts shall be inapplicable. In lieu thereof, the #accessory# off-street parking regulations of R8X Districts shall apply to #developments# or #enlargements#.

If a #commercial# #development# is constructed on a vacant Commercial Infill Site previously occupied by a #commercial building# on or before July 1, 1981, or an existing #commercial building# located on a Commercial Infill Site is replaced by a #commercial# #development#, the number of #accessory# off-street parking spaces provided by the #commercial# #development# shall be equal to or greater than the number of #accessory# off-street parking spaces provided by the #building#

it replaced.

122-70 - SPECIAL PROVISIONS FOR ZONING LOTS DIVIDED BY DISTRICT BOUNDARIES

LAST AMENDED
9/28/1989

Notwithstanding any other provisions of this Resolution, whenever a #zoning lot# existing on September 28, 1989, is divided by a boundary between a district to which R8X District regulations apply and one to which R8 District regulations apply, the provisions of an R8X District shall apply to the entire #zoning lot#.

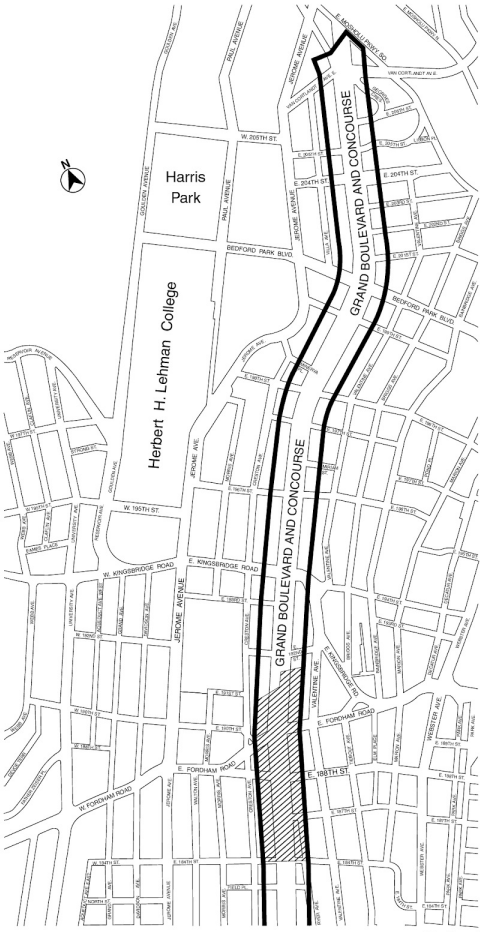
122-80 - EXCLUDED AREAS

LAST AMENDED
2/2/2011

The regulations set forth in this Chapter shall not apply to C4 Districts and C8 Districts located within the #Special Grand Concourse Preservation District#.

Appendix A - Special Grand Concourse Preservation District

LAST AMENDED
3/26/1992



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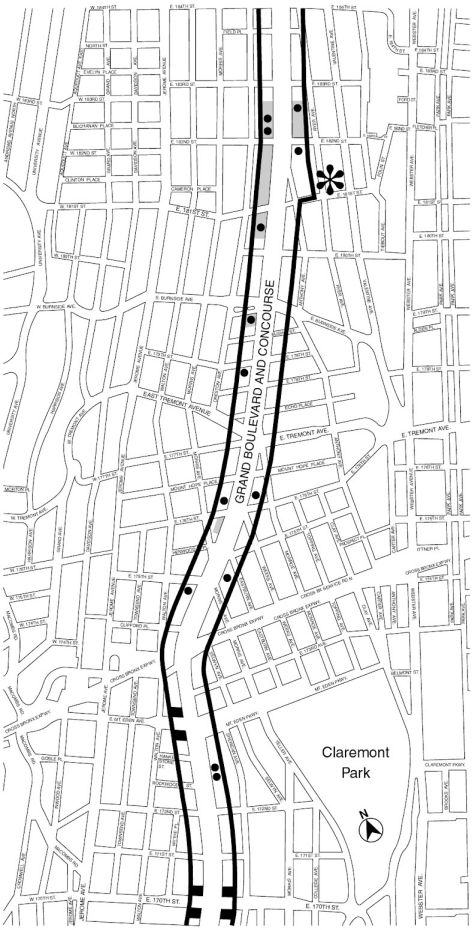
Appendix A (continued)



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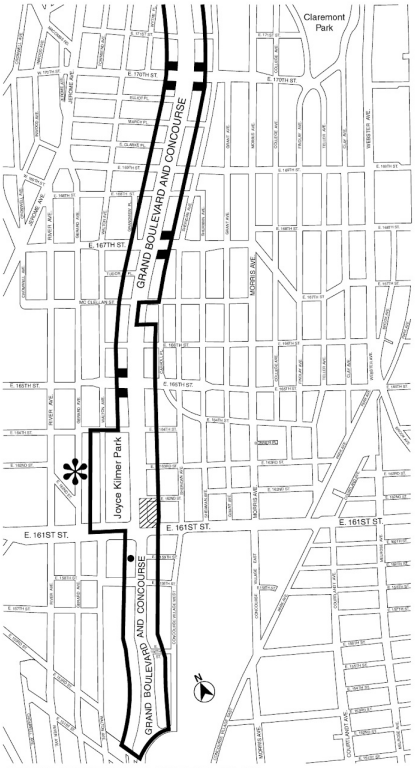
Appendix A (continued)



GRAND CONCOURSE DISTRICT PLAN

Special Grand Concourse District Boundary (100 feet from *Street Line* of Grand Concourse except as indicated by ✻)

Area Excluded From *Special Grand Concourse District* Boundary (All C4 Districts)

Residential Preservation Areas – Section 122-03 (a)

Limited Commercial Areas – Section 122-03 (b)(1)

Commercial Extension Areas – Section 122-03 (b)(2)

Commercial Infill Sites (See Table A) – Section 122-03 (b)(3)