



Zoning Resolution

THE CITY OF NEW YORK
Zohran K. Mamdani, Mayor

CITY PLANNING COMMISSION
Sideya Sherman, Chair

Chapter 3 - Special SoHo-NoHo Mixed Use District (SNX)

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Chapter 3 - Special SoHo-NoHo Mixed Use District (SNX)

143-00 - GENERAL PURPOSES

LAST AMENDED

12/15/2021

The “Special SoHo-NoHo Mixed Use District” established in this Resolution is designed to promote and protect public health, safety and general welfare. These general goals include, among others, the following specific purposes:

- (a) to enhance neighborhood economic diversity by broadening the range of housing choices for residents of varied incomes;
- (b) to reinforce the longstanding mixed-use character of the area by allowing a wider range of residential, commercial and community facility uses while retaining significant concentration of commercial and manufacturing space;
- (c) to ensure the development of buildings is compatible with existing neighborhood character;
- (d) to sustain SoHo/NoHo’s cultural legacy and support New York City’s creative economy with provisions that support arts, cultural and creative uses, organizations and their broader public audience;
- (e) to retain jobs within New York City; and
- (f) to promote the most desirable use of land in accordance with a well-considered plan and thus conserve the value of land and buildings, and thereby protect City tax revenues.

143-01 - General Provisions

LAST AMENDED

12/15/2021

The provisions of this Chapter shall apply within the *Special SoHo-NoHo Mixed Use District*. The regulations of all other Chapters of this Resolution are applicable, except as superseded, supplemented or modified by the provisions of this Chapter. In the event of a conflict between the provisions of this Chapter and other regulations of this Resolution, the provisions of this Chapter shall control.

143-02 - Definitions

LAST AMENDED

6/6/2024

Definitions specifically applicable to this Chapter are set forth in this Section. Other defined terms are set forth in Sections [12-10](#) (DEFINITIONS) and [32-301](#) (Definitions).

Qualifying building

For the purposes of this Chapter, a “qualifying building” shall be any #building# where, prior to December 15, 2021:

- (a) such #building# contained at least 60,000 square feet of #floor area#; and

- (b) at least 20 percent of the #floor area# within such #building# was allocated to non-#residential# #floor area#, as such term is utilized in Section [143-14](#).

SoHo-NoHo Arts Fund

For the purposes of this Chapter, the “SoHo-NoHo Arts Fund” (the “Arts Fund”) shall be a separate interest-bearing account established for the deposit of contributions made when converting #joint living-work quarters for artists# to #residences# in accordance with the provisions of Section [143-13](#) (Joint Living-Work Quarters for Artists). Funds within the #SoHo-NoHo Arts Fund# shall be allocated by the New York City Department of Cultural Affairs, or a not-for-profit entity designated by the Department of Cultural Affairs, to support arts programming, projects, organizations, and facilities that promote the public presence of the arts within the Special District and surrounding neighborhoods and extend the cultural legacy of SoHo and NoHo generally. Such allocation should prioritize under-resourced organizations and under-served areas within Lower Manhattan neighborhoods south of 14th Street.

No later than June 30 of each year, the Department of Cultural Affairs shall submit a report to the Speaker detailing the amount of money deposited into the #SoHo-NoHo Arts Fund# and any expenditure of funds.

143-03 - District Plan and Map

LAST AMENDED

12/15/2021

In order to carry out the purposes and provisions of this Chapter, a district map is located in the Appendix to this Chapter and is hereby incorporated and made an integral part of this Resolution. It is incorporated for the purpose of specifying locations where special regulations and requirements, as

set forth in the text of this Chapter, apply:

Appendix A

Map 1. Ground Floor Use Requirements

Such map is hereby incorporated and made part of this Resolution for the purpose of specifying locations where the special regulations and requirements set forth in the text of this Chapter apply.

143-04 - Applicability of the Mandatory Inclusionary Housing Program

LAST AMENDED

12/5/2024

For the purposes of applying the Mandatory Inclusionary Housing Program provisions set forth in Section [27-10](#) (ADMINISTRATION OF AFFORDABLE HOUSING), #Mandatory Inclusionary Housing areas# within the #Special SoHo-NoHo Mixed Use District# are shown on the maps in APPENDIX F of this Resolution. Such provisions are modified as follows:

- (a) #Conversions# from #joint living-work quarters for artists# to #residences#, as set forth in Section [143-12](#) (Joint Living-Work Quarters for Artists), shall not be subject to the provisions of paragraph (a)(1) of Section [27-131](#) (Mandatory Inclusionary Housing).
- (b) The provisions of paragraph (a)(4)(i) of Section [27-131](#) shall apply:
 - (1) in M1 Districts paired with R7D Districts, to #developments# or #enlargements# on #zoning lots# existing on December 15, 2021, on which the maximum permitted #residential floor area#, less #floor area# equivalent to a #floor area ratio# of 0.6, does

not exceed 12,500 square feet; and

- (2) in all other districts, to #developments# or #enlargements# on #zoning lots# existing on December 15, 2021, on which the maximum permitted #residential floor area#, less the #lot area#, does not exceed 12,500 square feet.
- (c) For #conversions# in #buildings# existing prior to December 15, 2021, that are not otherwise subject to paragraph (a)(3)(v) of Section [27-131](#), the Board of Standards and Appeals may permit a contribution to the #affordable housing fund#, pursuant to the provisions of Section [73-624](#) (Modification of Affordable Housing Fund payment options in the SoHo NoHo Mixed Use District).

143-05 - Applicability of Article VI, Chapters 4 and 6

LAST AMENDED

12/15/2021

In #flood zones#, or for #transit-adjacent sites# or #qualifying transit improvement 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 4 (Special Regulations Applying in Flood Zones), or Article VI, Chapter 6 (Special Regulations Applying Around Mass Transit Stations), the provisions of Article VI shall control.

143-06 - Applicability of Article XII, Chapter 3

LAST AMENDED

12/15/2021

In the #Special SoHo-NoHo Mixed Use District#, M1 Districts are paired with a #Residence District#. In paired districts, the special #use#, #bulk#, and parking and loading provisions of Article XII, Chapter 3 (Special Mixed Use District) shall apply, except where modified by the provisions of this Chapter.

Notwithstanding the provisions of Section [123-10](#) (GENERAL PROVISIONS), in the event of a conflict between the provisions of this Chapter and the provisions of Article XII, Chapter 3, the provisions of this Chapter shall control.

143-07 - Applicability of Article I, Chapter 5

LAST AMENDED

12/5/2024

The provisions of Article I, Chapter 5 shall apply to the #conversion# of non-#residential floor area# to #residences# or #community facilities# with sleeping accommodations, except where such regulations are modified by the provisions of this Chapter. Where the regulations in effect prior to the establishment of this Chapter were utilized to provide #floor area# for #joint living-work quarters for artists# in a manner not otherwise permitted by Article I, Chapter 5, such provisions may continue to apply in order to #convert# such #floor area# to #residences#, provided that light and air provisions of Section [15-112](#) (Light and air provisions), and #conversion# provisions of Section [143-13](#) (Joint Living-Work Quarters for Artists) are met.

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#.

143-20 - SPECIAL BULK REGULATIONS

LAST AMENDED

12/15/2021

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

143-21 - Special Floor Area Regulations

LAST AMENDED

12/5/2024

The applicable #floor area# regulations shall be modified as follows:

- (a) the maximum #floor area ratio# for #qualifying affordable housing# or #qualifying senior housing# shall be as set forth in the table below:

District	Maximum #floor area ratio#
M1-5/R7D	5.6
M1-5/R7X	6.0
M1-5/R9A	8.5
M1-5/R9X, south of East Houston Street	9.7
M1-5/R10 and M1-6/R10	12.0

- (b) the #floor area ratio# for #community facility# #uses# shall be 6.5; and

- (c) in M1-6 Districts paired with an R10 District east of Broadway and north of Great Jones Street, the #floor area ratio# for all other non-#residential uses# shall be 7.0.

143-22 - Special Yard Regulations

LAST AMENDED

12/5/2024

The applicable #rear yard# and #rear yard equivalent# regulations shall be modified as follows:

- (a) Permitted obstructions

In any #rear yard# or #rear yard equivalent#, any #building# or portion of a #building# used for #commercial#, #manufacturing#, or #residential uses#, other than dwelling units, shall be a permitted obstruction, provided that the height of such #building# shall not exceed one #story#, excluding #basement#, nor in any event 23 feet above #curb level#.

In addition, in M1-5 Districts paired with an R9X District north of Howard Street, in any #rear yard#, any #building# or portion of a #building# used for any permitted non-#residential use#, shall be a permitted obstruction, provided that the height of such #building#, or portion thereof, shall not exceed two #stories#, excluding #basements#, nor in any event 30 feet above #curb level#.

Any allowance for other permitted obstructions above a #building# in a #rear yard# or #rear yard equivalent# set forth in Section [43-23](#), shall be permitted above such modified height limitations.

(b) Required #rear yards#

For all #uses#, a #rear yard# with a depth of not less than 20 feet shall be provided at every #rear lot line# on any #zoning lot#, except as follows:

- (1) no #rear yard# shall be required within 100 feet of the point of intersection of two #street lines# intersecting at an angle of 135 degrees or less;
- (2) whenever a #front lot line# of a #zoning lot# coincides with the #short dimension# of a block#, no #rear yard# shall be required within 100 feet of such #front lot line#; and
- (3) for shallow #interior lots#, the provisions of paragraph (b) of Section [23-342](#) (Rear yard requirements) may be applied.

(c) Required #rear yard equivalents#

For #buildings#, or portions thereof, containing non-#residential uses#, no #rear yard equivalent# shall be required on any #through lot# or #through lot# portion of a #zoning lot#.

For #buildings#, or portions thereof, containing #residential uses#, on any #through lot# that is 110 feet or more in maximum depth from #street# to #street#, a #rear yard equivalent# consisting of an open area with a minimum depth of 40 feet midway, or within 10 feet of being midway, between the two #street lines# upon which such #through lot# fronts, shall be provided.

For shallow #through lots#, the provisions of paragraph (b)(2) of Section [23-343](#) (Rear yard equivalent requirements) may be applied.

(d) Along district boundaries

The provisions of [43-30](#) (Special Provisions Applying Along District Boundaries), shall not apply along the district boundaries of two M1 Districts paired with #Residence Districts#.

143-23 - Special Height and Setback Regulations

LAST AMENDED

12/5/2024

For the purposes of this Section, Watts Street, West Broadway, Centre Street, and Great Jones Street shall be considered #wide streets#.

The applicable height and setback regulations are modified as follows:

(a) #Street wall# location

The #street wall# location provisions of paragraph (a) of Section [35-631](#) shall apply to all #street# frontages, except that the #street wall# shall extend to at least the minimum base height as set forth in paragraph (b) of this Section, or the height of the #building#, whichever is less. On #through lots#, the additional regulations set forth in paragraph (b) of Section [23-436](#) shall not apply.

(b) Base heights and maximum #building# heights

The table below sets forth the minimum and maximum base height, and maximum #building# height for all #buildings#.

A setback is required for all portions of a #building# that exceed the maximum base height specified for the applicable district and shall be provided in accordance with paragraph (c) of this Section.

MINIMUM BASE HEIGHT, MAXIMUM BASE HEIGHT,
AND MAXIMUM BUILDING HEIGHTS

District	Minimum base height (in feet)	Maximum base height (in feet)	Maximum #building# height (in feet)
M1-5/R7D	60	105	115
M1-5/R7X	60	105	145
M1-5/R9A	60	125	175
M1-5/R9X, north of East Houston Street	60	125	195
M1-5/R9X, south of East Houston Street	85	145	205
M1-5/R10 and M1-6/R10	125	155	275

(c) Setbacks

At a height not lower than the minimum base height or higher than the maximum base height specified for the applicable district in the table in paragraph (b) of this Section, a setback shall be provided in accordance with paragraphs (a) through (c) of Section [23-433](#) (Standard setback regulations).

(d) Dormers

For all #buildings or other structures#, a dormer shall be allowed as a permitted obstruction pursuant to paragraph (b)(1) of Section [23-413](#) (Permitted obstructions in certain districts).

143-24 - Additional Bulk Modifications

LAST AMENDED

12/5/2024

For #buildings# containing #residences#, or portions thereof, the following additional #bulk# modifications shall apply.

(a) #Outer court# modifications

For #outer courts# containing #legally required windows#, if an #outer court# is less than 20 feet wide, the width of such #outer court# shall be at least equal to the depth of such #outer court#. If an #outer court# is 20 feet or more in width, it may extend to any depth.

(b) #Inner court# modifications

For #inner courts# containing #legally required windows#, the area shall not be less than 600 square feet, and the minimum dimension of such #inner court# shall not be less than 20 feet.

The minimum horizontal distance between a #legally required window# opening on an #inner court# and any wall opposite such window on the same #zoning lot# shall not be less than 20 feet.

143-30 - SPECIAL PERMITS

LAST AMENDED

12/15/2021

143-31 - Special Permit for Certain Retail Uses

LAST AMENDED

6/6/2024

Within the #Special SoHo-NoHo Mixed Use District#, the City Planning Commission may, by special permit, allow #uses# that exceed the size limitations of paragraph (c) of Section [143-11](#), provided that the conditions of paragraph (a) and the findings of paragraph (b) are met.

(a) Conditions

For #buildings# that do not contain #accessory# off-street loading berths, the application shall include a delivery plan for the retail #use#. Such loading plans shall be based upon a traffic and curbside management study prepared by a qualified professional, outlining and identifying the operational needs of the tenant as well as adjacent #uses#.

(b) Findings

The Commission shall find that:

- (1) in consultation with the Department of Transportation, where a loading plan is provided, such plan will incorporate sustainable best practices in loading, consolidating, timing of deliveries and other delivery methods and procedures;

- (2) such retail #use# will not create or contribute to serious safety concerns, unduly inhibit pedestrian, cyclist or vehicular movement adjacent to the site; and
- (3) such retail #use# will not impair the character or the future #use# or #development# of the surrounding mixed-use neighborhood.

The Commission may prescribe appropriate conditions and safeguards to minimize adverse effects on the character of the surrounding area.

APPENDIX A - Special SoHo-NoHo Mixed Use District Plan

LAST AMENDED

6/6/2024

Map 1: Ground Floor Use Requirements (6/6/24)