



## Zoning Resolution

THE CITY OF NEW YORK

Eric Adams, Mayor

CITY PLANNING COMMISSION

Daniel R. Garodnick, Chair

# Chapter 2 - Use Regulations

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## Chapter 2 - Use Regulations

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### 32-00 - GENERAL PROVISIONS

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LAST AMENDED

6/6/2024

In order to carry out the purposes and provisions of this Resolution, the #uses# within #buildings or other structures# as well as the open #uses# of #zoning lots#, or portions thereof, have been classified and combined into 10 separate Use Groups with similar characteristics. For the purpose of establishing permitted #uses# in this Resolution, references to permitted #uses# in the Use Groups, or any sub-categories therein, shall include all #accessory# #uses# thereto. Use Groups I, II, III, IV, V, VI, VII, VIII, IX and X, are permitted in #Commercial Districts# subject to the provisions of the following Sections:

- (a) Sections [32-11](#) (Use Group I – Agriculture and Open Uses) through [32-20](#) (Use Group X – Production Uses), inclusive, establish general #use# allowances in Use Groups I through X, including each #use# listed separately therein, by #Commercial District#, and additional provisions for certain #uses# where applicable.
- (b) Section [32-30](#) (STREETSCAPE REGULATIONS), inclusive, sets forth streetscape regulations on designated street frontages.
- (c) Section [32-40](#) (SUPPLEMENTARY USE REGULATIONS), inclusive, sets forth supplementary #use# regulations and special provisions applying along district boundaries, including:
  - (1) enclosure within #buildings#, as set forth in Section [32-41](#), inclusive;
  - (2) location within #buildings#, as set forth in Section [32-42](#), inclusive; and
  - (3) limitations on business entrances, show windows or #signs#, as set forth in Section [32-43](#), inclusive.
- (d) Section [32-50](#) (SPECIAL PROVISIONS APPLICABLE TO CERTAIN AREAS), inclusive, sets forth special provisions applicable to certain areas.
- (e) Section [32-60](#) (SIGN REGULATIONS), inclusive, sets forth regulations for permitted #signs#.

The #use# provisions of this Chapter may be modified or superseded by special rules for certain areas in Article I (GENERAL PROVISIONS), Article VI (Special Regulations Applicable to Certain Areas), and through Special Purpose Districts.

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### 32-01 - Special Provisions for Adult Establishments

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LAST AMENDED

9/9/2004

In addition to the applicable regulations for the #uses# listed in a permitted Use Group, #adult establishments# shall be subject to the following provisions:

- (a) #Adult establishments# are not permitted in C1, C2, C3, C4, C5, C6-1, C6-2 or C6-3 Districts.
- (b) In C6-4, C6-5, C6-6, C6-7, C6-8, C6-9, C7 or C8 Districts, no #adult establishment# shall be established less than 500

feet from a house of worship, a #school#, a #Residence District#, a C1, C2, C3, C4, C5-1, C6-1, C6-2 or C6-3 District, or a #Manufacturing District#, other than an M1-6M District, in which new #residences# or new #joint living-work quarters for artists# are allowed as-of-right or by special permit or authorization. No provisions or findings of such special permit or authorization which require an assessment of the impact of new #residences# or new #joint living-work quarters for artists# on #commercial# or #manufacturing# #uses# within a #Manufacturing District# shall be construed as a limitation on the scope of this provision. However, on or after October 25, 1995, an #adult establishment# that otherwise complies with the provisions of this paragraph shall not be rendered #non-conforming# if a house of worship or a #school# is established on or after April 10, 1995, within 500 feet of such #adult establishment#.

- (c) In C6-4, C6-5, C6-6, C6-7, C6-8, C6-9, C7 or C8 Districts, no #adult establishment# shall be established less than 500 feet from a previously established #adult establishment#.
- (d) In C6-4, C6-5, C6-6, C6-7, C6-8, C6-9, C7 or C8 Districts, no more than one #adult establishment# permitted under this Section shall be established on a #zoning lot#.
- (e) In C6-4, C6-5, C6-6, C6-7, C6-8, C6-9, C7 or C8 Districts, #adult establishments# shall not exceed, in total, 10,000 square feet of #floor area# and #cellar# space not used for enclosed storage or mechanical equipment.
- (f) #Adult establishments# which were established on October 25, 1995, and conform to all provisions of the Zoning Resolution relating to #adult establishments# other than the provisions of all or any combination of paragraphs (c), (d), and (e) of this Section, shall not be subject to the provisions of Section [52-77](#) (Termination of Adult Establishments).

For purposes of this Section, an #adult establishment# shall be established upon the date of a permit issued by the Department of Buildings therefor, or, in the case of an #adult establishment# in existence prior to August 8, 2001, as determined by the Department of Buildings, subject to rules as the Department of Buildings may prescribe regarding the failure to perform work authorized under a permit or to commence operation pursuant to a permit and the discontinuance of an #adult establishment#.

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## 32-10 - USE ALLOWANCES

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LAST AMENDED  
6/6/2024

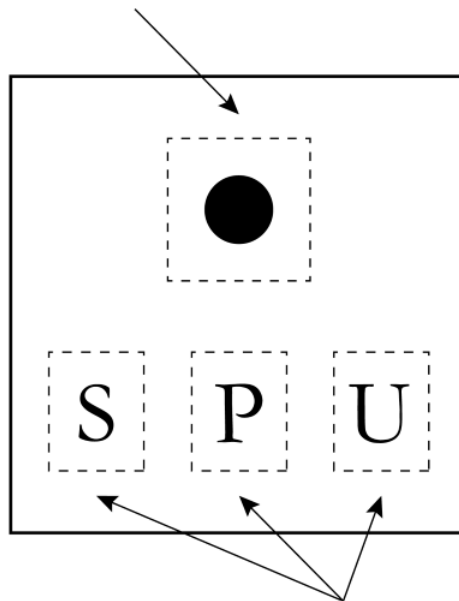
The provisions of Sections [32-11](#) (Use Group I – Agriculture and Open Uses) through [32-20](#) (Use Group X – Production Uses), inclusive, establish #use# allowances by Use Group. A brief statement is inserted at the start of each Section to describe and clarify the basic characteristics of that Use Group, followed by Use Group tables showing #use# allowances by zoning district. For each #use# and zoning district, the tables contain up to two levels of symbology in a particular cell:

- (a) The top level will always contain a symbol and denotes where #uses# are:
  - (1) permitted as-of-right (“●”);
  - (2) permitted as-of-right in some instances, but with broad #use# limitations on as-of-right applicability, either by district or geographic restrictions (“◆”);
  - (3) allowed by special permit (“○”) of the Board of Standards and Appeals or the City Planning Commission; or
  - (4) not permitted in the district (“-”).
- (b) The second level may or may not be present, depending on the #use# and the zoning district. Where present, the table denotes one or more allowances or restrictions on the as-of-right #use#. Specifically, they denote where the following apply:

- (1) size restrictions (“S”), including establishment or #lot area# size limitations or person capacities;
- (2) additional conditions (“P”), including environmental standards or other measures other than size restrictions or open #use# regulations; or
- (3) open #use# allowances (“U”), including exemptions from enclosure rules and additional open #use# regulations. Such allowances may be supplemented or superseded by the provisions of Section [32-40](#) (SUPPLEMENTARY USE REGULATIONS), inclusive.

Such notations are illustrated in the following diagram:

For a given zoning district, #use# allowances are denoted as permitted as-of-right (“●”), with limited applicability (“◆”), by special permit (“○”) or not permitted in such district (“-”)



Additional conditions and requirements are grouped below #use# allowances. Such provisions include size restrictions (“S”), additional conditions (“P”) or open #use# allowances (“U”)

Where a #use# is permitted and no second level symbology is included, the #use# is permitted without size restrictions, additional conditions or open #use# allowances. However, all #uses#, where applicable, are subject to the provisions of Section [32-40](#), inclusive.

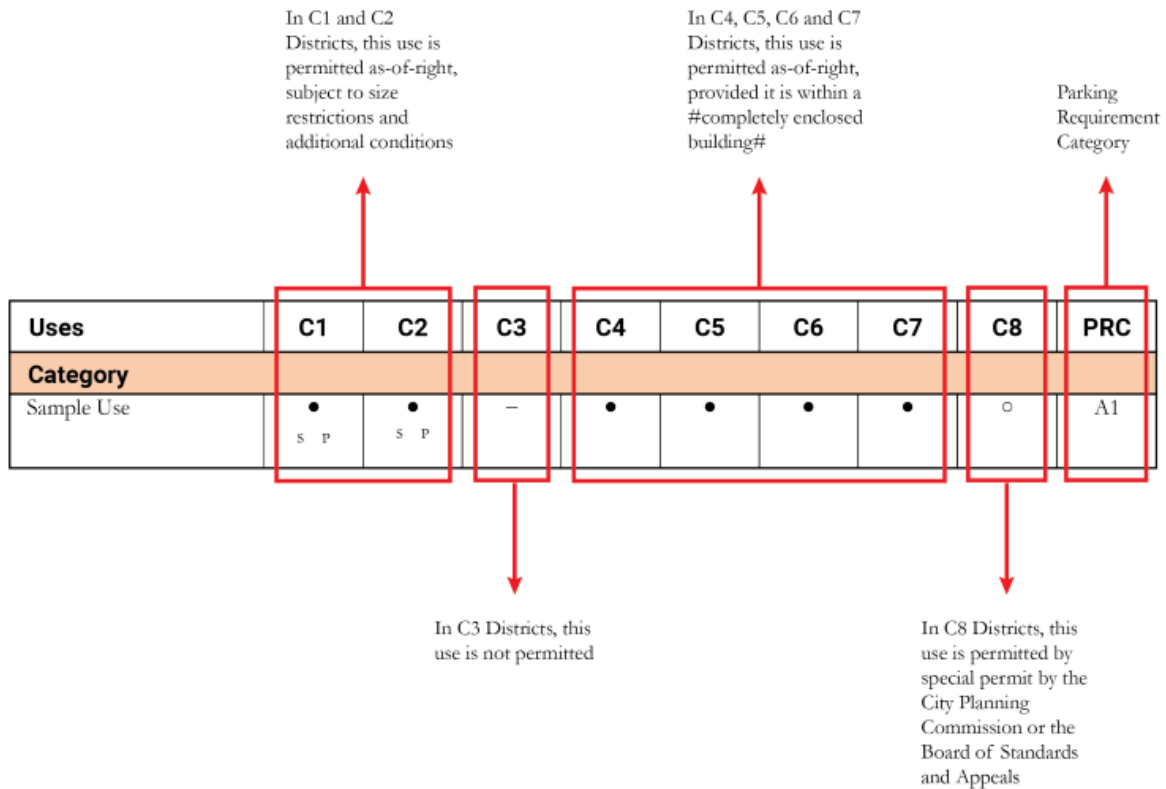
Use Group tables, except in Section [32-12](#) (Use Group II – Residences), also show the parking requirement category, denoted as “PRC”, for the applicable #use#, where applicable. PRC letters A through G refer to the classification of #commercial uses# to determine required accessory off-street parking spaces as set forth in the table in Section [36-21](#) (General Provisions). Subcategories within, denoted by number suffices, indicate variations of the same parking category. Where the PRC for a #use# is denoted as “N/A”, no parking requirement applies except as specified in other provisions of this Resolution.

Subsections following the table for a particular Use Group contain specific provisions applicable to certain #uses#, including size restrictions, additional conditions, or permission for unenclosed #uses#. Other subsections contain references for #uses#

permitted by special permits of the Board of Standards and Appeals or the City Planning Commission, or provisions for #uses# where two PRCs are assigned.

The following diagram provides an illustrative example of how such provisions are notated across zoning districts for a given #use#:

**ILLUSTRATIVE EXAMPLE**



**32-11 - Use Group I – Agriculture and Open Uses**

LAST AMENDED  
6/6/2024

C1 C2 C3 C4 C5 C6 C7 C8

Use Group I consists of various primarily open #uses# of land. The provisions regulating #uses# classified in this Use Group are set forth as follows:

- (a) Section [32-111](#) (Use Group I – general use allowances) which includes the compilation of #uses# in the Use Group table;
- (b) Section [32-112](#) (Use Group I – uses subject to size limitations) for size restrictions that apply to certain #uses#, as denoted with an “S” in the Use Group table;
- (c) Section [32-113](#) (Use Group I – uses subject to additional conditions) for additional conditions that apply to certain



Outdoor racket courts	● P	● P	● P	● P	● P	● P	● P	● P	G
Outdoor skating rinks	● P	● P	● P	● P	● P	● P	● P	● P	G
#Public parks# or playgrounds or private parks	●	●	●	●	●	●	●	●	N/A
Sand, gravel, or clay pits	○	○	○	○	○	○	○	○	N/A

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### 32-112 - Use Group I – uses subject to size limitations

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LAST AMENDED

6/6/2024

For #uses# denoted with an “S” in Section [32-111](#) (Use Group I – general use allowances), the following provisions shall apply:

Agricultural #uses# located in #buildings# other than greenhouses shall be limited to 3,000 square feet of #floor area# per establishment in C1 Districts that are #select commercial overlays# and 10,000 square feet of #floor area# per establishment in C2 Districts that are #select commercial overlays#.

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### 32-113 - Use Group I – uses subject to additional conditions

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LAST AMENDED

6/6/2024

For #uses# denoted with a “P” in Section [32-111](#) (Use Group I – general use allowances), the following limitations shall apply:

- (a) Agricultural #uses#, including greenhouses, nurseries, or truck gardens, are permitted in all #Commercial Districts# provided that:
  - (1) no offensive odors or dust are created, and that there is no sale of products which are not produced on the same #zoning lot#; and
  - (2) in C1 or C2 Districts, enclosed agricultural #uses# not located in greenhouses shall be limited to those that do not require a New York State Adult-Use Cultivator or Adult-Use Conditional Cultivator license, or their successors, as applicable.
- (b) Outdoor racket courts or skating rinks are permitted in all #Commercial Districts# provided that all lighting shall be directed away from nearby #residences#.

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### 32-114 - Use Group I – uses subject to open use allowances

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LAST AMENDED

6/6/2024

For #uses# denoted with a “U” in Section [32-111](#) (Use Group I – general use allowances), a #use# may be open or enclosed without restriction.

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## **32-115 - Use Group I – uses permitted by special permit**

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LAST AMENDED

6/6/2024

For #uses# denoted with “O” in Section [32-111](#) (Use Group I – general use allowances), the provisions of this Section shall apply. Sand, gravel or clay pits may only be permitted in all #Commercial Districts#, by special permit of the Board of Standards and Appeals, in accordance with Section [73-112](#) (Sand, gravel or clay pits).

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## **32-116 - Use Group I – additional provisions for parking requirement category**

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LAST AMENDED

6/6/2024

For permitted #uses# denoted with “\*” for parking requirement category (PRC) in Section [32-111](#) (Use Group I – general use allowances), the provisions of this Section shall apply. For golf courses, the portion of such facility used for golf course club houses shall be classified as PRC B3. All other portions of a golf course shall not be subject to any parking requirements.

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## **32-12 - Use Group II – Residences**

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LAST AMENDED

6/6/2024

C1 C2 C3 C4 C5 C6 C7 C8

Use Group II consists of #residences# of various types. The provisions regulating #uses# classified in this Use Group are set forth as follows:

- (a) Section [32-121](#) (Use Group II – general use allowances) which includes the compilation of #uses# in the Use Group table;
- (b) Section [32-122](#) (Use Group II – uses permitted with limited applicability) for additional limitations on applicability for certain #uses#, as denoted with “♦” in the Use Group table; and
- (c) Section [32-123](#) (Use Group II – uses subject to additional conditions) for additional conditions that apply to certain #uses#, as denoted with a “P” in the Use Group table.

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## **32-121 - Use Group II – general use allowances**

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LAST AMENDED

6/6/2024

The following table includes #uses# classified as Use Group II and sets forth their allowances by #Commercial District#. Notations found in the table are further described in Section [32-10](#) (USE ALLOWANCES).



**USE GROUP II – RESIDENTIAL USES**

● = Permitted   ♦ = Permitted with limitations   ○ = Special permit required  
 – = Not permitted  
 S = Size restriction   P = Additional conditions   U = Open use allowances

Uses		C1	C2	C3	C4	C5	C6	C7	C8
<b>Residential Uses</b>									
#Single-family residence#	#Detached#	●	●	●	● P	●	●	–	–
	#Zero lot line#	●	●	●	● P	●	●	–	–
	#Semi-detached#	●	●	♦	● P	●	●	–	–
	Other Types	●	●	♦	● P	●	●	–	–
#Two-family residence#	#Detached#	●	●	●	● P	●	●	–	–
	#Zero lot line#	●	●	●	● P	●	●	–	–
	#Semi-detached#	●	●	♦	● P	●	●	–	–
	Other Types	●	●	♦	● P	●	●	–	–
All other types of #residences#, including #apartment hotels# and #affordable independent residences for seniors#		●	●	♦	● P	●	●	–	–

LAST AMENDED  
6/6/2024

For #uses# denoted with “◆” in Section [32-121](#) (Use Group II – general use allowances), the provisions of this Section shall apply. In C3A Districts, only #single-# or #two-family detached# or #zero lot line residences# shall be permitted.

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### **32-123 - Use Group II – uses subject to additional conditions**

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LAST AMENDED  
6/6/2024

For #uses# denoted with a “P” in Section [32-121](#) (Use Group II – general use allowances), the provisions of this Section shall apply. In C4 Districts, all #residential uses# shall be permitted except that in #lower density growth management areas# within the Borough of Staten Island, no #residences# shall be allowed on the following #zoning lots# in C4-1 Districts, except by special permit of the City Planning Commission in accordance with Section [74-121](#) (Residential use in C4-1 Districts in Staten Island):

- (a) any #zoning lot# where such zoning district occupies at least four acres within a block; or
- (b) any other #zoning lot# with a #lot area# greater than 20,000 square feet on December 21, 2005, or on any subsequent date.

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### **32-13 - Use Group III – Community Facilities**

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LAST AMENDED  
6/6/2024

C1 C2 C3 C4 C5 C6 C7 C8

Use Group III consists of #uses# that provide educational, religious, health and other essential services. The provisions regulating #uses# classified in this Use Group are set forth as follows:

- (a) Section [32-131](#) (Use Group III – general use allowances) which includes the compilation of #uses# in the Use Group tables;
- (b) Section [32-132](#) (Use Group III – uses subject to size restrictions) for size restrictions that apply to certain #uses#, as denoted with a “S” in the Use Group tables;
- (c) Section [32-133](#) (Use Group III – uses subject to additional conditions) for additional conditions that apply to certain #uses#, as denoted with a “P” in the Use Group tables;
- (d) Section [32-134](#) (Use Group III – uses permitted by special permit) for #uses# permitted by special permit of the Board of Standards and Appeals or the City Planning Commission, as denoted with “O” in the Use Group tables; and
- (e) Section [32-135](#) (Use Group III – additional provisions for parking requirement category) for #uses# with more than one parking requirement category or other applicable parking provisions, as denoted with “\*” in the Use Group tables.

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### **32-131 - Use Group III – general use allowances**

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LAST AMENDED







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## 32-132 - Use Group III – uses subject to size limitations

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LAST AMENDED

6/6/2024

For #uses# denoted with an “S” in Section [32-131](#) (Use Group III – general use allowances), the provisions of this Section shall apply. For any philanthropic or non-profit institutions, with or without sleeping accommodations, in all #Commercial Districts#, the number of persons employed in central office functions shall not exceed 50, and the amount of #floor area# used for such purposes shall not exceed 25 percent of the total #floor area#, except that in #Commercial Districts# mapped within, or with an equivalent of an R8, R9 or R10 District, 25,000 square feet, whichever is greater.

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## 32-133 - Use Group III – uses subject to additional conditions

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LAST AMENDED

6/6/2024

For #uses# denoted with a “P” in Section [32-131](#) (Use Group III – general use allowances), the following provisions shall apply:

- (a) Monasteries, convents or novitiates in C8 Districts, used only for living purposes, are permitted provided that such #use# is to be part of a group of #buildings# accommodating house of worship activities, #schools# or other house of worship facilities that existed on December 15, 1961, or any applicable subsequent amendment thereto, and that such #use# is to be located on the same #zoning lot# with one or more #buildings# in such group of #buildings# or on a #zoning lot# that is contiguous thereto or directly across the #street# on which such #buildings# face.
- (b) #Long-term care facilities# in C1 through C7 Districts are permitted except that in certain areas, the following provisions shall apply:
  - (1) In the #high-risk flood zone#, as defined in Section [64-11](#) (Definitions), or within the areas set forth in APPENDIX K (Areas With Nursing Home Restrictions), the #development# of nursing homes and nursing home portions of continuing care retirement communities, as defined in the New York State Public Health Law, or the #enlargement# of an existing nursing home that increases such #floor area# by more than 15,000 square feet, shall not be permitted on any portion of a #zoning lot# that is located within such areas.
  - (2) In Community District 11 in the Borough of the Bronx, Community District 8 in the Borough of Manhattan, and Community District 1 in the Borough of Staten Island, developments of nursing homes, as defined in the New York State Public Health Law, or #enlargements# of existing nursing homes that increase the existing #floor area# by 15,000 square feet or more, are permitted only by special permit of the City Planning Commission pursuant to Section [74-131](#) (Long-term care facilities). However, such special permit may not be applied to #developments# or #enlargements# that are subject to the restrictions set forth in paragraph (a) of this Section.
- (c) #Non-profit hospital staff dwellings# in all #Commercial Districts# shall be located on the same #zoning lot# as the non-profit or voluntary hospital and related facilities or on a separate #zoning lot# that is immediately contiguous thereto. However, in C1 through C7 Districts, such separate #zoning lot# may also include those that would be contiguous but for its separation by a #street# or a #street# intersection. Such conditions may be further modified by special permit of the City Planning Commission, in accordance with Section [74-132](#) (Non-profit hospital staff dwelling).
- (d) Ambulatory diagnostic or treatment health care facilities in all #Commercial Districts# shall be limited to public, private, for-profit or not-for-profit medical, health and mental health care facilities licensed by the State of New York, or a facility in which patients are diagnosed or treated by health care professionals, licensed by the State of New York or by persons under the supervision of such licensee for medical, health or mental health conditions, and where such patients are

ambulatory rather than admitted. Such facilities shall not include the practice of veterinary medicine or ophthalmic dispensing.

- (e) Non-commercial clubs as classified in this Use Group, in all #Commercial Districts#, shall not include:
- (1) clubs, the chief activity of which is a service predominantly carried on as a business;
  - (2) non-commercial outdoor swimming pool clubs; or
  - (3) any other non-commercial clubs with outdoor swimming pools located less than 500 feet from any #lot line#.

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### **32-134 - Use Group III – uses permitted by special permit**

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LAST AMENDED  
6/6/2024

For #uses# denoted with “○” in Section [32-131](#) (Use Group III – general use allowances), the provisions of this Section shall apply. #Schools# may be permitted in C8 Districts by special permit of the Board of Standards and Appeals, in accordance with Section [73-133](#) (Schools).

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### **32-135 - Use Group III – additional provisions for parking requirement category**

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LAST AMENDED  
6/6/2024

For permitted #uses# denoted with “\*” for parking requirement category (PRC) in Section [32-131](#) (Use Group III – general use allowances), the following provisions shall apply:

- (a) #Non-profit hospital staff dwellings# shall be subject to parking requirements applicable to #residences#, in accordance with Section [36-021](#) (Applicability of regulations to non-profit hospital staff dwellings).
- (b) For colleges, universities or seminaries, the portion of such facility that is used for classrooms, laboratories, student centers or offices shall be classified as PRC G. The portion of such facility that is used for theaters, auditoriums, gymnasiums or stadiums shall be classified as PRC B2.

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### **32-14 - Use Group IV – Public Service Facilities and Infrastructure**

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LAST AMENDED  
6/6/2024

C1 C2 C3 C4 C5 C6 C7 C8

Use Group IV consists of #uses# that provide public services, including public safety buildings, and infrastructure. The provisions regulating #uses# classified in this Use Group are set forth as follows:

- (a) Section [32-141](#) (Use Group IV – general use allowances) which includes the compilation of #uses# in the Use Group tables;
- (b) Section [32-142](#) (Use Group IV – uses subject to size restrictions) for size restrictions that apply to certain #uses#, as denoted with an “S” in the Use Group tables;

- (c) Section [32-143](#) (Use Group IV – uses subject to additional conditions) for additional conditions that apply to certain #uses#, as denoted with a “P” in the Use Group tables;
- (d) Section [32-144](#) (Use Group IV – uses subject to open use allowances) for open #use# allowances that apply to certain #uses#, as denoted with a “U” in the Use Group tables; and
- (e) Section [32-145](#) (Use Group IV – uses permitted by special permit) for #uses# permitted by special permit of the Board of Standards and Appeals or the City Planning Commission, as denoted with “O” in the Use Group tables.

## 32-141 - Use Group IV – general use allowances

LAST AMENDED  
6/6/2024

The following tables include #uses# classified as Use Group IV and set forth their allowances by #Commercial District#. Such #uses# are categorized as public service facilities, utility infrastructure, or renewable energy and green infrastructure, as provided in paragraphs A, B and C of this Section. Notations found in the tables are further described in Section [32-10](#) (USE ALLOWANCES).

### A. Public Service Facilities

USE GROUP IV(A) – PUBLIC SERVICE FACILITIES									
<p>● = Permitted   ♦ = Permitted with limitations   ○ = Special permit required            – = Not permitted            S = Size restriction   P = Additional conditions   U = Open use allowances</p>									
Uses	C1	C2	C3	C4	C5	C6	C7	C8	PRC
<b>Public Service Buildings</b>									
Court houses	●	●	–	●	●	●	●	●	A4
Fire or police stations	●	●	–	●	●	●	●	●	A4
<b>Other Facilities</b>									
Prisons	–	–	–	●	●	●	●	●	G

### B. Infrastructure









Railroad passenger stations	○	○	○	○	○	○	○	○	N/A
Seaplane bases	○	○	○	○	○	○	○	○	N/A
Truck weighing stations	–	–	–	–	–	–	–	–	D2

### C. Renewable Energy and Green Infrastructure

<b>USE GROUP IV(C) – RENEWABLE ENERGY AND GREEN INFRASTRUCTURE</b>									
<p>● = Permitted   ♦ = Permitted with limitations   ○ = Special permit required  – = Not permitted  S = Size restriction   P = Additional conditions   U = Open use allowances</p>									
<b>Uses</b>	<b>C1</b>	<b>C2</b>	<b>C3</b>	<b>C4</b>	<b>C5</b>	<b>C6</b>	<b>C7</b>	<b>C8</b>	<b>PRC</b>
<b>Renewable Energy and Green Infrastructure</b>									
#Energy infrastructure equipment#	● P U	● P U	● P U	● P U	● P U	● P U	● P U	● U	N/A
Public bicycle and micromobility parking	● U	● U	● U	● U	● U	● U	● U	● U	N/A
Recycling, or organic material, receiving	● S	● S	● S	● S	● S	● S	● S	● S	N/A

### 32-142 - Use Group IV – uses subject to size limitations

LAST AMENDED  
6/6/2024

For #uses# denoted with an “S” in Section [32-141](#) (Use Group IV – general use allowances), the following provisions shall apply:

- (a) Electric or gas utility substations in C1 or C2 Districts, or C4 through C8 Districts, are limited to a site of not more than 10,000 square feet. However, electric utility substations on a site in excess of 10,000 square feet may be permitted by

special permit of the Board of Standards and Appeals, in accordance with Section [73-143](#) (Electric or gas utility substations) or by special permit of the City Planning Commission, in accordance with Section [74-142](#) (Electric utility substations).

- (b) The following capacity limitations shall apply to docks:
- (1) In C1 through C3 Districts, docks for ferries shall be limited to an aggregate operational passenger load, per #zoning lot#, of 150 passengers per half hour except that such limitation on operational passenger load may be modified by authorization by the City Planning Commission in accordance with Section [62-821](#) (Modification of requirements for ferries and sightseeing, excursion or sport fishing vessels). In C4 through C8 Districts, docks for ferries shall be permitted without restriction on passenger load.
  - (2) Docks for water taxis shall be limited to a vessel capacity up to 99 passengers.
  - (3) Docks for sightseeing, excursion or sport fishing vessels shall be limited to the following aggregate dock capacities per #zoning lot#, whereby “dock capacity” is the U.S. Coast Guard-certified capacity of the largest vessel using a dock and “aggregate dock capacity” is the sum of the dock capacities of all docks on the #zoning lot#:
    - (i) 200 in C1, C2 and C3 Districts;
    - (ii) 500 in C4-1, C4-2, C4-3, C4-4, C8-1, C8-2 and C8-3 Districts; and
    - (iii) 2,500 in C4-4A, C4-5, C4-6, C4-7, C5, C6, C7 and C8-4 Districts.
- (c) In all #Commercial Districts#, recycling, or organic material, receiving, shall be limited to 5,000 square feet per establishment.

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## **32-143 - Use Group IV – uses subject to additional conditions**

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LAST AMENDED  
6/6/2024

For #uses# denoted with a “P” in Section [32-141](#) (Use Group IV – general use allowances), the following provisions shall apply:

- (a) For telephone exchanges or other communications equipment structures in C1 or C2 Districts, or C4 through C8 Districts, and not existing on December 15, 1961, the height above #curb level# shall not exceed that attributable to #commercial buildings# of equivalent #lot coverage#, having an average floor to floor height of 14 feet above the lobby floor which may be as much as 25 feet in height. For the purpose of making this height computation, the gross area of all floors of the #building# including accessory mechanical equipment space except the #cellar# shall be included as #floor area#. Such height computation for the structure shall not preclude the ability to utilize unused #floor area# anywhere on the #zoning lot# or by special permit, subject to the normal provisions of the Resolution.
- (b) Docks in all #Commercial Districts# shall be limited to ferries, water taxis, sightseeing, excursion or sport fishing vessels, and non-commercial pleasure boats, except that:
  - (1) In C6 Districts, docks for passenger ocean vessels may be permitted by special permit by the City Planning Commission, in accordance with Section [62-833](#) (Docks for passenger ocean vessels in C6 Districts).
  - (2) In all #Commercial Districts#, docks for #gambling vessels# may be permitted by special permit by the City Planning Commission, in accordance with Section [62-838](#) (Docks for gambling vessels).

- (3) In Community District 1 in the Borough of Brooklyn, docks for ferries and water taxis shall be allowed provided that such docks are certified by the Chairperson of the City Planning Commission pursuant to Section [62-813](#) (Docking facilities for ferries or water taxis in certain waterfront areas).
- (c) Public transit yards 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.
- (d) #Energy infrastructure equipment# in all #Commercial Districts#, except in C8 Districts, are subject to the screening and enclosure provisions of Section [37-20](#) (SCREENING AND ENCLOSURE PROVISIONS).

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## **32-144 - Use Group IV – uses subject to open use allowances**

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LAST AMENDED  
6/6/2024

For #uses# denoted with a “U” in Section [32-141](#) (Use Group IV – general use allowances), a #use# may be open or enclosed without restriction.

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## **32-145 - Use Group IV – uses only permitted by special permit**

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LAST AMENDED  
6/6/2024

For #uses# denoted with “O” in Section [32-141](#) (Use Group IV – general use allowances), the provisions of this Section shall apply.

- (a) The following #uses# may be permitted by special permit of the Board of Standards and Appeals:
  - (1) Radio or television towers may be permitted in all #Commercial Districts#, in accordance with Section [73-141](#) (Radio or television towers).
  - (2) Electric utility substations on a site no greater than 40,000 square feet may be permitted in C3 Districts, in accordance with Section [73-143](#) (Electric or gas utility substations).
  - (3) Public transit or railroad electric substations on a site no greater than 40,000 square feet may be permitted in all #Commercial Districts#, in accordance with Section [73-146](#) (Public transit or railroad electric substations).
- (b) The following #uses# may be permitted by special permit of the City Planning Commission:
  - (1) Electric utility substations on a site greater than 40,000 square feet may be permitted in C3 Districts, in accordance with Section [74-142](#) (Electric utility substations).
  - (2) Sewage disposal plants may be permitted in all #Commercial Districts#, in accordance with Section [74-143](#) (Sewage pumping stations and sewage disposal plants).
  - (3) Bus stations may be permitted in C1 or C2 Districts, or C4 through C8 Districts, in accordance with Section [74-145](#) (Bus stations).
  - (4) Heliports may be permitted in C3 through C8 Districts, in accordance with Section [74-146](#) (Heliports).

- (5) Public transit or railroad electric substations on a site greater than 40,000 square feet may be permitted in all #Commercial Districts#, in accordance with Section [74-147](#) (Public transit or railroad electric substations).
- (6) Railroad passenger stations may be permitted in all #Commercial Districts#, in accordance with Section [74-148](#) (Railroad passenger stations).
- (7) Seaplane bases may be permitted in all #Commercial Districts#, in accordance with Section [74-149](#) (Seaplane bases).

## 32-15 - Use Group V – Transient Accommodations

†

LAST AMENDED

6/6/2024

Use Group V consists of #uses# for transient occupancy of various types. The provisions regulating #uses# classified in this Use Group are set forth as follows:

- (a) Section [32-151](#) (Use Group V – general use allowances) which includes the compilation of #uses# in the Use Group table;
- (b) Section [32-152](#) (Use Group V – uses permitted with limited applicability) for additional limitations on applicability for certain #uses#, as denoted with a “◆” in the Use Group table;
- (c) Section [32-153](#) (Use Group V – uses subject to additional conditions) for additional conditions that apply to certain #uses#, as denoted with a “P” in the Use Group table;
- (d) Section [32-154](#) (Use Group V – uses subject to open use allowances) for open #use# allowances that apply to certain #uses#, as denoted with a “U” in the Use Group table;
- (e) Section [32-155](#) (Use Group V – uses permitted by special permit) for #uses# permitted by special permit of the Board of Standards and Appeals, as denoted with a “O” in the Use Group table; and
- (f) Section [32-156](#) (Use Group V – additional provisions for parking requirement category) for #uses# with more than one parking requirement category or other applicable parking provisions, as denoted with an “\*” in the Use Group table.

### 32-151 - Use Group V – general use allowances

LAST AMENDED

6/6/2024

The following table includes #uses# classified as Use Group V and sets forth their allowances by #Commercial District#. Notations found in the table are further described in Section [32-10](#) (USE ALLOWANCES).

<b>USE GROUP V – TRANSIENT ACCOMMODATIONS</b>
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● = Permitted    ◆ = Permitted with limitations    ○ = Special permit required – = Not permitted S = Size restriction    P = Additional conditions    U = Open use allowances									
Uses	C1	C2	C3	C4	C5	C6	C7	C8	PRC
<b>Transient Accommodations</b>									
#Motels#	◆ P	◆ P	–	● P	● P	● P	● P	● P	F1
Overnight camps	○	○	○	○	○	○	○	● U	G
#Tourist cabins#	◆ P	◆ P	–	● P	● P	● P	● P	● P	F1
#Transient hotels#	◆ P	◆ P	–	● P	● P	● P	● P	● P	*

### 32-152 - Use Group V – uses permitted with limited applicability

LAST AMENDED  
6/6/2024

For #uses# denoted with a “◆” in Section [32-151](#) (Use Group V – general use allowances), the provisions of this Section shall apply. In C1 or C2 Districts that are #select commercial overlays#, #motels#, #tourist cabins# or #transient hotels#, as permitted pursuant to the provisions of Section [32-153](#) (Use Group V – uses subject to additional conditions), shall be located on a #zoning lot# in whole or in part within a 1,000-foot radius of the entrance or exit of a limited-access expressway, freeway, parkway, or highway, all of which prohibit direct vehicular access to abutting land and provide complete separation of conflicting traffic flows, measured from the centerline of the entrance or exit ramp at its intersection with the nearest adjacent #street#.

### 32-153 - Use Group V – uses subject to additional conditions

LAST AMENDED  
6/6/2024

For #uses# denoted with a “P” in Section [32-151](#) (Use Group V – general use allowances), the provisions of this Section shall apply. For the purposes of this Section, #transient hotels# shall also include #motels#, and #tourist cabins#.



In all #Commercial Districts#, #transient hotels# shall be permitted only as set forth in this Section.

(a) Applicability

A special permit for #transient hotels#, by the City Planning Commission, pursuant to Section [74-152](#) (In Commercial Districts) shall be applicable to:

- (1) the #development# of a #transient hotel#;
- (2) a change of #use# or #conversion# to a #transient hotel#, or an #enlargement#, containing a #transient hotel#, of a #building# that, as of December 9, 2021, did not contain such #use#; or
- (3) an #enlargement# or #extension# of a #transient hotel# that existed prior to December 9, 2021, that increases the #floor area# of such #use# by 20 percent or more.

(b) Exclusions

Notwithstanding the above, the provisions of this Section shall not apply to the following:

- (1) a #transient hotel# operated exclusively for the public purpose of temporary housing assistance by the City or State of New York, or operated by a non-governmental entity pursuant to an active contract or other written agreement with an agency of the City or State specifying such public purpose;
- (2) where an application for a project containing a #transient hotel#, including an application for an extension of time to complete construction, has been filed at the Board of Standards and Appeals before December 9, 2021 and such application has been approved after January 1, 2018, provided that:
  - (i) such #transient hotel# was considered in such application, as evidenced by its description or assessment at a specified location in an application or in environmental review documents; and
  - (ii) in the event that a temporary or final certificate of occupancy has not been issued by December 9, 2027, the building permit shall automatically lapse and the right to continue construction shall terminate. An application to renew the building permit may be made to the Board of Standards and Appeals not more than 30 days after the lapse of such building permit pursuant to the applicable provisions of Section [11-332](#) (Extension of period to complete construction); or
- (3) where an application for a project containing a #transient hotel# has been certified by the City Planning Commission before December 9, 2021, and has been approved by the Commission after January 1, 2018, provided that:
  - (i) such #transient hotel# was considered in such application, as evidenced by its description or assessment at a specified location in a land use application or in environmental review documents; and
  - (ii) in the event that a temporary or final certificate of occupancy has not been issued by December 9, 2027, the building permit shall automatically lapse and the right to continue construction shall terminate. An application to renew the building permit may be made to the Board of Standards and Appeals not more than 30 days after the lapse of such building permit pursuant to the applicable provisions of Section [11-332](#). For such applications where a special permit for a #transient hotel# has been certified by the Commission pursuant to a #Special Purpose District#, such application may continue pursuant to the regulations and term of years proposed or in effect at the time such special permit was certified by the Commission.

(c) Existing hotels

- (1) Any #transient hotel# existing on December 9, 2021, shall be considered a conforming #use# and may be continued, structurally altered, #extended# or #enlarged# subject to the limitations set forth in this Section and subject to the applicable #bulk# regulations. However, if for a continuous period of two years such #transient hotel# is discontinued, the space allocated to such #transient hotel# shall thereafter be used only for a conforming #use# other than a #transient hotel#, or may be utilized for a #transient hotel# only if the Commission grants a special permit for such #use# in accordance with the provisions of Section [74-152](#) or other applicable section of this Resolution.
- (2) The provisions of paragraph (c)(1) of this Section shall be modified up to December 9, 2027, to allow a #transient hotel# existing on December 9, 2021, to be restored to such #use# regardless of more than two years of discontinuance of the #use#, and regardless of any change of #use# between December 9, 2021, and December 9, 2027.
- (3) In the event a casualty damages or destroys a #transient hotel# that was in such #use# as of December 9, 2021, such #building# may be reconstructed and used as a #transient hotel# without obtaining a special permit. A #non-complying building# may be reconstructed pursuant to Section [54-40](#) (DAMAGE OR DESTRUCTION IN NON-COMPLYING BUILDINGS).

(d) Vesting regulations

The provisions of Section [11-30](#) (BUILDING PERMITS ISSUED BEFORE EFFECTIVE DATE OF AMENDMENT) regarding the right to continue construction shall apply. As an alternative, the following provisions shall apply.

- (1) If, on or before May 12, 2021, an application for a #development#, #enlargement# or #conversion# to a #transient hotel# has been filed with the Department of Buildings, and if, on or before December 9, 2022, the Department of Buildings has approved an application for a foundation, a new #building# or an alteration based on a complete zoning analysis showing zoning compliance for such #transient hotel#, such application may be continued, and construction may be started or continued.
- (2) However, in the case of an application for a #development#, #enlargement# or #conversion# to a #transient hotel# that has been filed with the Department of Buildings prior to January 1, 2018, and has not received a permit contingent on zoning approval on or before December 9, 2022, the provisions of paragraph (d)(1) of this Section shall not apply. In lieu thereof, the provisions of this paragraph shall apply. For such applications, if, on or before December 9, 2022 a permit contingent on zoning approval was lawfully issued by the Department of Buildings, such construction may be started or continued.
- (3) In the case of an application filed after December 9, 2021, for a #development# containing a #transient hotel# on a #zoning lot# located in the Theater Subdistrict of the #Special Midtown District# that as of December 9, 2021, has a #lot area# of 20,000 square feet or more; and for which at least 10,000 square feet of such #lot area# is clear of #buildings# or is occupied by #buildings# which are substantially vacant, or any combination thereof, the provisions of paragraph (d)(1) of this Section shall not apply. In lieu thereof, if on or before December 9, 2023, the Department of Buildings has approved an application for a foundation or a new #building#, based on a complete zoning analysis showing zoning compliance for such #transient hotel#, such application may be continued, and construction may be started or continued. For the purposes of this paragraph, “substantially vacant” shall mean that at least 90 percent of the #floor area# of a #building# is unoccupied.

All such applications may be revised and retain vested status, provided that the #floor area# for the #transient hotel# is not increased by more than 20 percent of the final approved application, or for a proposed #enlargement#, by more than 20

percent of the proposed new #floor area# of the final approved application.

In the event that a temporary or final certificate of occupancy has not been issued by December 9, 2027, the building permit shall automatically lapse and the right to continue construction shall terminate, provided that in the case of a #development# containing a #transient hotel# on a #zoning lot# that has a #lot area# of 20,000 square feet or more and is located in the Theater Subdistrict of the #Special Midtown District#, having vested status under the provisions of paragraph (d)(1) or (d)(3) of this Section, such period for issuance of a temporary or final certificate of occupancy shall be until December 9, 2031. An application to renew the building permit may be made to the Board of Standards and Appeals not more than 30 days after the lapse of such building permit pursuant to the applicable provisions of Section [11-332](#).

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## **32-154 - Use Group V – uses subject to open use allowances**

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LAST AMENDED

6/6/2024

For #uses# denoted with a “U” in Section [32-151](#) (Use Group V – general use allowances), a #use# may be open or enclosed without restriction.

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## **32-155 - Use Group V – uses permitted by special permit**

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LAST AMENDED

6/6/2024

For #uses# denoted with a “O” in Section [32-151](#) (Use Group V – general use allowances), the provisions of this Section shall apply. In C1 through C7 Districts, overnight camps may only be permitted by special permit of the Board of Standards and Appeals, in accordance with Section [73-151](#) (Overnight camps).

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## **32-156 - Use Group V – additional provisions for parking requirement category**

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LAST AMENDED

6/6/2024

For permitted #uses# denoted with “\*” for parking requirement category (PRC) in Section [32-151](#) (Use Group V – general use allowances), the provisions of this Section shall apply. For #transient hotels#, #floor area# used for sleeping accommodations shall be classified as PRC F2. #Floor area# used for meeting halls, auditoriums, eating or drinking places, wedding chapels or banquet halls or radio or television studios shall be classified as PRC B1.

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## **32-16 - Use Group VI – Retail and Services**

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LAST AMENDED

6/6/2024

C1 C2 C3 C4 C5 C6 C7 C8

Use Group VI consists of #uses# where goods or services are conveyed directly to consumers. The provisions regulating #uses# classified in this Use Group are set forth as follows:

- (a) Section [32-161](#) (Use Group VI – general use allowances) which includes the compilation of #uses# in the Use Group tables;
- (b) Section [32-162](#) (Use Group VI – uses subject to size limitations) for size limitations that apply to certain #uses#, as denoted with an “S” in the Use Group tables;
- (c) Section [32-163](#) (Use Group VI – uses subject to additional conditions) for additional conditions that apply to certain #uses#, as denoted with a “P” in the Use Group tables;
- (d) Section [32-164](#) (Use Group VI – uses subject to open use allowances) for open #use# allowances that apply to certain #uses#, as denoted with a “U” in the Use Group tables;
- (e) Section [32-165](#) (Use Group VI – uses permitted by special permit) for #uses# permitted by special permit of the Board of Standards and Appeals, as denoted with “O” in the Use Group tables; and
- (f) Section [32-166](#) (Use Group VI – additional provisions for parking requirement category) for #uses# with more than one parking requirement category or other applicable parking provisions, as denoted with an “\*” in the Use Group tables.

The provisions of Sections [32-162](#), [32-163](#) and [32-164](#), except as otherwise specified, may be modified by special permit of the Board of Standards and Appeals, in accordance with Section [73-161](#) (Retail and service uses), or by special permit of the City Planning Commission, in accordance with Section [74-161](#) (Retail and service uses).

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## **32-161 - Use Group VI – general use allowances**

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LAST AMENDED  
6/6/2024

The following tables include #uses# classified as Use Group VI and sets forth their allowances by #Commercial District#. Notations found in the tables are further described in Section [32-10](#) (USE ALLOWANCES).

The following tables are organized by retail trade establishments and general service establishments. Included in the retail trade establishment table, for reference purposes only, are the three-digit subsector categories from the retail trade sector (sectors [44-45](#)) of the 2022 North American Industry Classification System (NAICS). Included in the general service establishments table, for reference purposes only, are the three-digit subsector categories from the relevant transportation and warehousing sector ([48-49](#)), information sector (51), finance and insurance sector (52), real estate and rental and leasing sector (53), professional, scientific, and technical services (54), management of companies and enterprises (55), administrative and support and waste management and remediation services sector (56), educational services (61), accommodation and food services sector (72) and other services sector (81) of the 2022 NAICS.

For each #use# under the three-digit subsector categories in retail and general service establishments, the four-digit industry groups, five-digit NAICS industry or six-digit U.S. detail code is referenced. However, where such four-digit, five-digit or six-digit categories are not referenced after a #use#, the specified #use# is not a specific NAICS industry sector category or includes a group of existing categories.

<b>USE GROUP VI – RETAIL TRADE ESTABLISHMENTS</b>
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● = Permitted   ♦ = Permitted with limitations   ○ = Special permit required  
 – = Not permitted  
 S = Size restriction   P = Additional conditions   U = Open use allowances

Uses (NAICS Code)	C1	C2	C3	C4	C5	C6	C7	C8	PRC
<b>Motor Vehicle and Parts Dealer (441)</b>									
Automobile dealers (4411)	–	● P	–	● P	● P	● P	● P	● U	A4
Other motor vehicle dealers (4412)	Boat dealers (441222)	–	● P	● P U	● P	● P	● P	● U	A4
	All other motor vehicle dealers (in 4412)	–	● P	–	● P	● P	● P	● U	A4
Automotive parts, accessories and tire retailers (4413)	●	●	–	●	●	●	●	●	A2
<b>Building Material and Garden Equipment and Supplies Dealer (444)</b>									
Building material and supplies dealers (4441)	Lumber yards, retail (in 444180)	–	● S	–	●	●	●	● U	A3
	All other building material and supplies dealers (in 4441)	● S	● S	–	●	●	●	● U	A3
Lawn and garden equipment and supplies retailers (4442)	● U	● U	–	● U	● U	● U	● U	● U	A2
<b>Food and Beverage Retailers (445)</b>									
Grocery and convenience retailers (4451)	●	●	–	●	●	●	●	●	*



	Boat fuel sales	–	● P U	● P U	● P U	● P U	● P U	● P U	● U	A4
Fuel dealers (4572)		–	–	–	–	–	–	–	● S P U	A3
<b>Clothing, Clothing Accessories, Shoe and Jewelry Retailers (458)</b>										
Clothing and clothing accessories retailers (4581)		● S	● S	–	●	●	●	●	●	A2
Shoe retailers (4582)		●	●	–	●	●	●	●	●	A2
Jewelry, luggage, and leather goods retailers (4583)		●	●	–	●	●	●	●	●	A2
<b>Sporting Goods, Hobby, Musical Instrument, Book and Miscellaneous Retailers (459)</b>										
Sporting goods, hobby, and musical instrument retailers (4591)	Sporting goods retailers (45911)	●	●	●	●	●	●	●	●	A2
	All other hobby and musical instrument retailers (in 4591)	●	●	–	●	●	●	●	●	A2
Book retailers and news dealers (4592)	Book retailers	●	●	–	●	●	●	●	●	A2
	News dealers	● U	● U	–	● U	● U	● U	● U	● U	A2
Florists (4593)		● U	● U	–	● U	● U	● U	● U	● U	A2
Office supplies, stationery, and gift retailers (4594)		●	●	–	●	●	●	●	●	A2

Used merchandise retailers (4595)	●	●	–	●	●	●	●	●	A2
Miscellaneous retailers (4599)	●	●	–	●	●	●	●	●	A2

### USE GROUP VI – SERVICE ESTABLISHMENTS

● = Permitted   ♦ = Permitted with limitations   ○ = Special permit required  
– = Not permitted  
S = Size restriction   P = Additional conditions   U = Open use allowances

Uses (NAICS Code)	C1	C2	C3	C4	C5	C6	C7	C8	PRC
<b>Postal Service (491) / Couriers and Messengers (492)</b>									
Postal service (4911)	●	●	–	●	●	●	●	●	G
Couriers and express delivery services (4921)	●	●	–	●	●	●	●	●	A2
Local messengers and local delivery (4922)	●	●	–	●	●	●	●	●	A2
<b>Telecommunications (517)</b>									
Wired and wireless telecommunications (5171)	●	●	–	●	●	●	●	●	A2
<b>Computing Infrastructure Providers, Data Processing, Web Hosting, and Related Services (518)</b>									
Computing infrastructure providers, data processing, web hosting, and related services (5182)	● s	●	–	●	●	●	●	●	A3
<b>Credit Intermediation and Related Activities (522)</b>									



Savings, loan and other financial services (5221, 5222 and 5223)		•	•	–	•	•	•	•	•	A3
<b>Securities, Commodity Contracts, and Other Financial Investments and Related Activities (523)</b>										
Securities, commodity contracts, and other financial investments and related activities (5231, 5232 and 5239)		•	•	–	•	•	•	•	•	A3
<b>Insurance Carriers and Related Activities (524)</b>										
Insurance carriers and related activities (5241 and 5242)		•	•	–	•	•	•	•	•	A3
<b>Funds, Trusts and Other Financial Vehicles (525)</b>										
Funds, trusts and other financial vehicles (5251 and 5259)		•	•	–	•	•	•	•	•	A3
<b>Real Estate (531)</b>										
Real estate (5311, 5312, and 5313)		•	•	–	•	•	•	•	•	A3
<b>Rental and Leasing Services (532)</b>										
Automotive equipment rental and leasing (5321)		• S	•	–	•	•	•	•	• U	N/A
Consumer goods rental (5322)	Consumer electronics and appliances rental (53221)	• S	• S	–	•	•	•	•	•	A3
	Recreational goods rental (532284)	• S	• S	• U	•	•	•	•	• U	A3

	All other consumer goods rental (in 5322)	● S	● S	—	●	●	●	●	●	A3
General rental centers (5323)		● S	● S	—	●	●	●	●	●	A3
Commercial and industrial machinery and equipment rental and leasing (5324)		● S	● S	—	●	●	●	●	● U	A3
<b>Professional, Scientific, and Technical Services (541)</b>										
Veterinary services (54194)		● P	● P	—	● P	● P	● P	● P	● P	A3
All other professional, scientific, and technical services (in 541)		●	●	—	●	●	●	●	●	A3
<b>Management of Companies and Enterprises (551)</b>										
Management of companies and enterprises (5511)		●	●	—	●	●	●	●	●	A3
<b>Administrative and Support Services (561)</b>										
Travel and reservation services (5615)		●	●	—	●	●	●	●	●	A3
Services to buildings and dwellings (5617)	Carpet and upholstery cleaning services (56174)	—	—	—	—	—	—	—	● P	D1
	All other services to buildings and dwellings (in 5617)	●	●	—	●	●	●	●	●	A3

All other administrative and support services (in 561)		•	•	–	•	•	•	•	•	A3
<b>Educational Services (611)</b>										
Business schools and computer and management training (6114)		•	•	–	•	•	•	•	•	A3
Technical and trade schools (6115)		• P	• P	–	• P	• P	• P	• P	• P	A3
All other schools and instruction (6116 and 6117)		•	•	–	•	•	•	•	•	A3
<b>Food Services and Drinking Places (722)</b>										
Special food services (7223)		• S	•	•	•	•	•	•	•	A3
Eating or drinking establishments (7224 and 7225)		• S U	• S U	• S U	• P U	• P U	• P U	• U	• U	*
<b>Repair and Maintenance (811)</b>										
Automotive repair and maintenance (8111)	#Heavy motor vehicle repair and maintenance shops#	–	–	–	–	–	–	–	• P	A4
	#Light motor vehicle repair and maintenance shops#	–	○	–	○	○	○	○	• P	A3
	Car washes (811192)	–	–	–	–	–	–	–	• P	N/A
Electronic and precision equipment repair and maintenance (8112)		• S	•	–	•	•	•	•	•	A3



Dry cleaning and laundry services (8123)	Personal laundry services	●	●	–	●	●	●	●	●	A2
	Personal dry cleaning services	● S P	● S P	–	● S P	● S P	● S P	● S P	● P	A2
	Industrial dry cleaning and laundry services	–	–	–	–	–	–	–	● P	D1
Other personal services (8129)	Pet care services (81291)	● P	● P	–	● P	● P	● P	● P	●	A2
	All other personal services (in 8129)	●	●	–	●	●	●	●	●	A3

### 32-162 - Use Group VI - uses subject to size limitations

LAST AMENDED

6/6/2024

For #uses# denoted with an “S” in Section [32-161](#) (Use Group VI – general use allowances), a limit of 10,000 square feet of #floor area# per establishment shall apply except that:

- (a) fuel dealers in C8 Districts shall be limited to 5,000 square feet of #floor area# per establishment;
- (b) eating or drinking establishments in C1 through C3 Districts, where such establishment provides entertainment with a cover charge or specified showtime, or includes a dance floor, shall be limited to a capacity of 200 persons or fewer. However, an establishment with a capacity of more than 200 persons may be permitted by special permit of the Board of Standards and Appeals, in accordance with Section [73-162](#) (Eating or drinking establishments);
- (c) computing infrastructure providers, data processing, web hosting, and related services in C1 Districts that are #select commercial overlays#, shall be limited to 3,000 square feet of #floor area# per establishment;
- (d) automotive equipment rental and leasing, general rental centers or commercial and industrial machinery and equipment rental and leasing in C1 Districts that are #select commercial overlays#, shall be limited to 3,000 square feet of #floor area# per establishment and in C1 Districts that are not #select commercial overlays#, shall be limited to 10,000 square feet per establishment;
- (e) special food services in C1 Districts that are #select commercial overlays#, shall be limited to 3,000 square feet of #floor area# per establishment;
- (f) electronic and precision equipment repair and maintenance in C1 Districts that are #select commercial overlays#, shall be limited to 3,000 square feet of #floor area# per establishment; and
- (g) personal dry cleaning services in C1 or C2 Districts, or C4 through C7 Districts, shall be limited to 2,500 square feet of

#floor area# per establishment.

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## 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.

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## **32-164 - Use Group VI – uses subject to open use allowances**

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LAST AMENDED

6/6/2024

For #uses# denoted with a “U” in Section [32-161](#) (Use Group VI – general use allowances), a #use# may be open or enclosed without restriction except that:

- (a) for the following #uses# in C8 Districts, the maximum open area on a #zoning lot# allocated to such #use# shall not exceed 5,000 square feet:
  - Automotive equipment rental and leasing;
  - Building material and supplies dealers;
  - Commercial and industrial machinery and equipment rental and leasing; and
  - Recreational goods rental;
- (b) boat dealers in C3 Districts may be conducted outside a #completely enclosed building# only if located at a distance greater than 100 feet from a #Residence District# boundary;
- (c) for lawn and garden equipment and supplies retailers or florists in C1 or C2 Districts, or C4 through C6 Districts, the maximum open area on a #zoning lot# allocated to such #use# shall not exceed 5,000 square feet. In C7 or C8 Districts, such #use# may be open or enclosed without restriction;
- (d) for eating or drinking establishments, such open #use# shall be limited to outdoor table service;
- (e) recreational boat repair in all #Commercial Districts# may be conducted outside a #completely enclosed building# only if located at a distance greater than 100 feet from a #Residence District# boundary; and
- (f) #health and fitness establishments# in all #Commercial Districts# may be unenclosed except 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#.

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## **32-165 - Use Group VI - uses permitted by special permit**

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LAST AMENDED



6/6/2024

For #uses# denoted with “○” in Section [32-161](#) (Use Group VI – general use allowances), the following provisions shall apply:

- (a) #Automotive service stations# may be permitted in C2 Districts, and C4 through C7 Districts by special permit of the Board of Standards and Appeals, in accordance with Section [73-163](#) (Automotive service stations).
- (b) #Light motor vehicle repair and maintenance shops# may be permitted in C2 Districts, and C4 through C7 Districts by special permit of the Board of Standards and Appeals, in accordance with Section [73-164](#) (Light motor vehicle repair and maintenance shops).

However, notwithstanding the above, #light motor vehicle repair and maintenance shops# existing prior to June 6, 2024, shall be considered a conforming #use# and thereafter may be continued, structurally altered, #extended# or #enlarged# subject to the applicable #bulk# regulations for the district. However, in no event shall the additional #floor area# associated with an #enlarged# or #extended# portion exceed 50 percent of the #floor area# of such #light motor vehicle repair and maintenance shop# as it existed on June 6, 2024.

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### **32-166 - Use Group VI – additional provisions for parking requirement category**

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LAST AMENDED

6/6/2024

For permitted #uses# denoted with “\*” for parking requirement category (PRC) in Section [32-161](#) (Use Group VI – general use allowances), the following provisions shall apply:

- (a) Grocery and convenience retailers or specialty food retailers with 2,500 square feet or more of #floor area# per establishment shall be classified as PRC A1. Such retailers with less than 2,500 square feet of #floor area# shall be classified as PRC A2.
- (b) Eating or drinking establishments, where such establishment provides entertainment with a cover charge or specified showtime, or includes a dance floor, and has a capacity of 200 persons or fewer, shall be classified as PRC A2. Such establishments with a capacity of more than 200 persons shall be classified as PRC B1.

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### **32-17 - Use Group VII – Offices and Laboratories**

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LAST AMENDED

6/6/2024

C1 C2 C3 C4 C5 C6 C7 C8

Use Group VII consists of #uses# that provide administrative and research workspaces for business, professional or governmental purposes. The provisions regulating #uses# classified in this Use Group, are set forth as follows:

- (a) Section [32-171](#) (Use Group VII – general use allowances) which includes the compilation of #uses# in the Use Group table;
- (b) Section [32-172](#) (Use Group VII – use permitted with limited applicability) for additional limitations on applicability for certain #uses#, as denoted with a “◆” in the Use Group table; and

- (c) Section [32-173](#) (Use Group VII – uses subject to additional conditions) for additional conditions that apply to certain #uses#, as denoted with a “P” in the Use Group table.

### 32-171 - Use Group VII – general use allowances

LAST AMENDED

6/6/2024

The following table includes #uses# classified as Use Group VII and sets forth their allowances by #Commercial District#. Notations found in the table are further described in Section [32-10](#) (USE ALLOWANCES).

USE GROUP VII – OFFICES AND LABORATORIES									
<p>● = Permitted   ♦ = Permitted with limitations   ○ = Special permit required            – = Not permitted            S = Size restriction   P = Additional conditions   U = Open use allowances</p>									
Uses	C1	C2	C3	C4	C5	C6	C7	C8	PRC
<b>Laboratories</b>									
Laboratories	♦ P	● P	–	● P	● P	● P	● P	● P	A3
<b>Offices</b>									
Offices, business, professional including ambulatory diagnostic or treatment health care, or governmental	●	●	–	●	●	●	●	●	A3

### 32-172 - Use Group VII – uses permitted with limited applicability

LAST AMENDED

6/6/2024

For #uses# denoted with a “♦” in Section [32-171](#) (Use Group VII – general use allowances), the provisions of this Section shall apply.

In C1 Districts outside of the Borough of Manhattan that are #select commercial overlays#, laboratories shall not be permitted.

### 32-173 - Use Group VII – uses subject to additional conditions

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LAST AMENDED

6/6/2024

For #uses# denoted with a “P” in Section [32-171](#) (Use Group VII – general use allowances), the provisions of this Section shall apply. In C1 or C2 Districts, as well as in C4 through C8 District, laboratories shall be limited to those that comply with the standards set forth in Section 427 of the New York City Building Code, or its successor. However, other laboratories may be permitted by special permit of the City Planning Commission, as set forth in Section [74-171](#) (Laboratories).

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## **32-18 - Use Group VIII – Recreation, Entertainment and Assembly Spaces**

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LAST AMENDED

6/6/2024

C1 C2 C3 C4 C5 C6 C7 C8

Use Group VIII consists of #uses# that provide recreation and entertainment opportunities, as well as other places of assembly. The provisions regulating #uses# classified in this Use Group are set forth as follows:

- (a) Section [32-181](#) (Use Group VIII – general use allowances) which includes the compilation of #uses# in the Use Group table;
- (b) Section [32-182](#) (Use Group VIII – uses subject to size restrictions) for size restrictions that apply to certain #uses#, as denoted with an “S” in the Use Group table;
- (c) Section [32-183](#) (Use Group VIII – uses subject to additional conditions) for additional conditions that apply to certain #uses#, as denoted with a “P” in the Use Group table;
- (d) Section [32-184](#) (Use Group VIII – uses subject to open use allowances) for open #use# allowances that apply to certain #uses#, as denoted with a “U” in the Use Group table;
- (e) Section [32-185](#) (Use Group VIII – uses permitted by special permit) for #uses# permitted by special permit of the Board of Standards and Appeals or the City Planning Commission, as denoted with “O” in the Use Group table; and
- (f) Section [32-186](#) (Use Group VIII – additional provisions for parking requirement category) for #uses# with more than one parking requirement category or other applicable parking provisions, as denoted with “\*” in the Use Group table.

The provisions of Sections [32-182](#), [32-183](#) and [32-184](#), except as otherwise specified, may be modified by special permit of the Board of Standards and Appeals, in accordance with Section [73-181](#) (Recreation, entertainment and assembly space uses), or by special permit of the City Planning Commission, in accordance with Section [74-181](#) (Recreation, entertainment and assembly space uses).

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## **32-181 - Use Group VIII – general use allowances**

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LAST AMENDED

6/6/2024

The following table includes #uses# classified as Use Group VIII and sets forth their allowances by #Commercial District#. Notations found in the table are further described in Section [32-10](#) (USE ALLOWANCES).



Stadiums	–	–	–	● S U	● S U	● S U	● S U	● S U	B1
Theaters	● P	● P	–	● P	● P	● P	●	● P	B1
<b>Other Assembly Spaces</b>									
Banquet, function or reception halls	●	●	–	●	●	●	●	●	B1
Gaming facilities	–	–	–	● P	● P	● P	● P	● P	B1
Historical exhibits	●	●	–	●	●	●	●	●	B1
Meeting halls	●	●	–	●	●	●	●	●	B1
Non-commercial clubs	●	●	●	●	●	●	●	●	B1
Observation decks	● U	● U	–	● U	● U	● U	● U	● U	B1
Outdoor day camps	○	○	○	○	○	○	○	● U	G
Publicly accessible spaces	● U	● U	–	● U	● U	● U	● U	● U	N/A
Riding academies or stables	○	○	○	○	○	○	○	● P U	A4
Trade expositions	–	–	–	● S	● S	● S	● S	● S	B1

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### 32-182 - Use Group VIII – uses subject to size limitations

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LAST AMENDED  
6/6/2024

For #uses# denoted with an “S” in Section [32-181](#) (Use Group VIII – general use allowances), the specific size limitations shall

be as follows:

- (a) #Amusement or recreation facilities# in C1 Districts that are #select commercial overlays# shall be limited to 3,000 square feet of #floor area# per establishment, in C1-5, C2-1, C2-2 and C2-3 Districts shall be limited to 5,000 square feet per establishment, and in other C1 or C2 Districts shall be limited to 10,000 square feet of #floor area# per establishment;
- (b) #Select entertainment facilities# in C1 Districts that are #select commercial overlays# shall be limited to 3,000 square feet of #floor area# per establishment and in other C1 Districts and in C2 Districts shall be limited to 10,000 square feet of #floor area# per establishment;
- (c) Production or entertainment studios in C1 or C2 Districts are limited to 10,000 square feet of #floor area# per establishment.
- (d) #Outdoor amusement parks# in C7 or C8 Districts are limited to 10,000 square feet of #lot area#, except as permitted by special permit by the Board of Standards and Appeals, in accordance with Section [73-183](#) (Outdoor Amusement Parks).
- (e) Arenas, auditoriums or stadiums in C4 through C8 Districts are limited to a maximum capacity of 2,500 seats and trade expositions are limited to a rated capacity for not more than 2,500 persons, as determined by the Commissioner of Buildings. Such facilities may exceed a capacity of 2,500 seats or 2,500 persons by special permit of the City Planning Commission, in accordance with Section [74-182](#) (Arenas, auditoriums, stadiums or trade expositions).

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## **32-183 - Use Group VIII – uses subject to additional conditions**

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LAST AMENDED

6/6/2024

For #uses# denoted with a “P” in Section [32-181](#) (Use Group VIII – general use allowances), the following provisions shall apply:

- (a) #Amusement or recreation facilities# located in #mixed buildings# in C1 or C2 Districts that are #select commercial overlays# shall be subject to the provisions of Section [42-41](#) (Performance Standards Regulations), inclusive, for an M1 District adjoining a #Residence District#;
- (b) Gaming facilities shall be limited to those for which an application was submitted to the New York State Gaming Commission to develop and operate a gaming facility before June 30, 2025 pursuant to Section 1306 of the Racing, Pari-Mutuel Wagering and Breeding Law, as such law existed on December 5, 2023, and operating under a gaming license issued by the Gaming Commission. No other gaming facilities shall be permitted.

Gaming facilities may include gaming area and any other non-gaming #uses# related to the gaming areas including, but not limited to, #transient hotels#, eating or drinking establishments, as well as other amenities.

Gaming facilities, as approved by the Gaming Commission at the time of their initial licensure, shall be deemed to have satisfied all other applicable regulations of this Resolution.

- (c) Motion picture theaters, in a new or existing #building# in C1 or C2 Districts that are not #select commercial overlays#, C4-5, C4-6, C4-7, C5, C6 and C8-4 Districts, shall provide a minimum of four square feet of waiting area within the #zoning lot# for each seat in such theater in order to prevent obstruction of #street# areas. The required waiting space shall be either in an enclosed lobby or open area that is covered or protected during inclement weather and shall not include space occupied by stairs or space within 10 feet of a refreshment stand or of an entrance to a public toilet. Such

requirements shall not apply to any additional motion picture theater created by the subdivision of an existing motion picture theater.

- (d) Riding academies or stables in C8 Districts shall conform to the performance standards for M1 Districts as set forth in Section [42-40](#) (PERFORMANCE STANDARDS) through [42-48](#) (Performance Standards Regulating Humidity, Heat or Glare), inclusive.

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### **32-184 - Use Group VIII – uses subject to open use allowances**

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LAST AMENDED

6/6/2024

For #uses# denoted with a “U” in Section [32-181](#) (Use Group VIII – general use allowances), a #use# may be open or enclosed without restriction except that stables in C8 Districts shall be enclosed.

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### **32-185 - Use Group VIII – uses permitted by special permit**

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LAST AMENDED

6/6/2024

For #uses# denoted with “O” in Section [32-181](#) (Use Group VIII – general use allowances), the provisions of this Section shall apply.

- (a) The following #uses# may be permitted by special permit of the Board of Standards and Appeals:
- (1) Waterfront-oriented #amusement or recreation facilities# may be permitted in C3 Districts by special permit of the Board of Standards and Appeals, in accordance with Section 73- 182 (Outdoor Recreation and Amusement Facilities).
  - (2) Outdoor day camps may be permitted in C1 through C7 Districts by special permit of the Board of Standards and Appeals, in accordance with Section [73-184](#) (Outdoor day camps).
  - (3) Riding academies or stables may be permitted in C1 through C7 Districts, by special permit of the Board of Standards and Appeals in accordance with Section [73-185](#) (Riding academies or stables).
- (b) The following #uses# may be permitted by special permit of the City Planning Commission:
- (1) Drive-in theaters may be permitted in C7 or C8 Districts by special permit of the City Planning Commission, in accordance with Section [74-183](#) (Drive-in theaters).
  - (2) Racetracks may be permitted in C8 Districts by special permit of the City Planning Commission, in accordance with Section [74-184](#) (Racetracks).

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### **32-186 - Use Group VIII – additional provisions for parking requirement category**

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LAST AMENDED

6/6/2024

For permitted #uses# denoted with “\*” for parking requirement category (PRC) in Section [32-181](#) (Use Group VIII – general use allowances), the following provisions shall apply. #Amusement or recreation facilities# or #select entertainment facilities# that are enclosed shall be classified as PRC B1. Such #uses# that are unenclosed shall be classified as PRC C.

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## 32-19 - Use Group IX – Storage

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LAST AMENDED

6/6/2024

C1 C2 C3 C4 C5 C6 C7 C8

Use Group IX consists of #uses# that provide storage for materials, goods, and vehicles. The provisions regulating #uses# classified in this Use Group are set forth as follows:

- (a) Section [32-191](#) (Use Group IX – general use allowances) which includes the compilation of #uses# in the Use Group tables;
- (b) Section [32-192](#) (Use Group IX – uses permitted with limited applicability) for additional limitations on applicability for certain #uses#, as denoted with “◆” in the Use Group tables;
- (c) Section [32-193](#) (Use Group IX – uses subject to size limitations) for size restrictions that apply to certain #uses#, as denoted with an “S” in the Use Group tables;
- (d) Section [32-194](#) (Use Group IX – uses subject to additional conditions) for additional conditions that apply to certain #uses#, as denoted with a “P” in the Use Group tables;
- (e) Section [32-195](#) (Use Group IX – uses subject to open use allowances) for open #use# allowances that apply to certain #uses#, as denoted with a “U” in the Use Group tables;
- (f) Section [32-196](#) (Use Group IX – uses permitted by special permit) for #uses# permitted by special permit of the City Planning Commission, as denoted with “O” in the Use Group tables; and
- (g) Section [32-197](#) (Use Group IX – additional provisions for parking requirement category) for #uses# with more than one parking requirement category or other applicable parking provisions, as denoted with “\*” in the Use Group tables.

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### 32-191 - Use Group IX – general use allowances

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LAST AMENDED

6/6/2024

The following table includes #uses# classified as Use Group IX and sets forth their allowances by #Commercial District#. Such #uses# are categorized as general storage, specialized storage, or vehicle storage, as provided in paragraphs A, B and C of this Section. Notations found in the table are further described in Section [32-10](#) (USE ALLOWANCES).

#### A. General Storage

USE GROUP IX(A) – GENERAL STORAGE		
● = Permitted	◆ = Permitted with limitations	○ = Special permit required
– = Not permitted		
S = Size restriction	P = Additional conditions	U = Open use allowances



Uses	C1	C2	C3	C4	C5	C6	C7	C8	PRC
<b>General Storage</b>									
Building materials or contractors' yard	–	–	–	–	–	–	–	● S U	D2
Depositories for storage of office records, microfilm or computer tapes, or for data processing	–	–	–	● S	● S	● S	● S	●	D2
Micro-distribution facility	◆ S	◆ S	–	● S	● S	● S	● S	–	D2
Moving or storage offices	–	–	–	–	–	–	–	●	D2
#Self-service storage facility#	–	–	–	–	–	–	–	●	D2
Trucking terminals or motor freight stations	–	–	–	–	–	–	–	● S U	D2
Warehouses	–	–	–	–	–	–	–	●	D2
Wholesale establishments	● S P	● S P	–	● S P	● S P	● S P	● S P	● P	*

**B. Specialized Storage**

<b>USE GROUP IX(B) – SPECIALIZED STORAGE</b>
<p>● = Permitted   ◆ = Permitted with limitations   ○ = Special permit required</p> <p>– = Not permitted</p> <p>S = Size restriction   P = Additional conditions   U = Open use allowances</p>

Uses	C1	C2	C3	C4	C5	C6	C7	C8	PRC
<b>Specialized Storage</b>									
Coal or gas storage	-	-	-	-	-	-	-	-	D2
Explosives storage, when not prohibited by other ordinances	-	-	-	-	-	-	-	-	D2
Grain storage	-	-	-	-	-	-	-	-	D2
Junk or salvage yards, including auto wrecking or similar establishments	-	-	-	-	-	-	-	-	D2
Lumber yard	-	-	-	-	-	-	-	-	D2
Manure, peat or topsoil storage	-	-	-	-	-	-	-	-	D2
Petroleum or petroleum products, storage or handling	-	-	-	-	-	-	-	-	D2
Refrigerating plants	-	-	-	-	-	-	-	-	D2
Scrap metal, junk, paper or rags storage, sorting, or baling	-	-	-	-	-	-	-	-	D2

### C. Vehicle Storage

<b>USE GROUP IX(C) – VEHICLE STORAGE</b>									
<p>● = Permitted   ♦ = Permitted with limitations   ○ = Special permit required            – = Not permitted            S = Size restriction   P = Additional conditions   U = Open use allowances</p>									
Uses	C1	C2	C3	C4	C5	C6	C7	C8	PRC
<b>Vehicle Storage</b>									

Boat storage	● P U	● P U	● P U	● P U	● P U	● P U	● P U	● P U	A4
Commercial or public vehicle storage, including #accessory# motor fuel pumps	–	–	–	–	–	–	–	● U	D2
Dead storage of motor vehicles	–	–	–	–	–	–	–	● U	N/A
#Public parking garages# or #public parking lots#	◆ P U	◆ P U	–	◆ P U	◆ P U	◆ P U	◆ P U	◆ P U	N/A

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### 32-192 - Use Group IX – uses permitted with limited applicability

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LAST AMENDED  
6/6/2024

For #uses# denoted with “◆” in Section [32-191](#) (Use Group IX – general use allowances), the provisions of this Section shall apply.

- (a) In C1 or C2 Districts located outside of the Borough of Manhattan that are #select commercial overlays#, micro-distribution facilities shall not be permitted as-of-right. The Board of Standards and Appeals may permit micro-distribution facilities with a size limit of 5,000 square feet of #floor area# per establishment pursuant to Section [73-191](#) (Micro-distribution facilities).
- (b) For #public parking garages# and #public parking lots# the following provisions shall apply:
  - (1) In the #Manhattan Core#, such #uses are subject to the provisions of Article I, Chapter 3, and in the #Long Island City area#, as defined in Section [16-02](#) (Definitions), such #uses# are subject to the provisions of Article I, Chapter 6;
  - (2) In C1 or C2 Districts that are #select commercial overlays#, C4-1, C4-2, C4-3, C4-4, C4-5D, C7 outside the #Expanded Transit Zone#, C8-1, C8-2, C8-3, M1-1, M1-2, M1-3, M2-1, M2-2 or M3-1 Districts, #public parking garages# and #public parking lots# with a capacity of up to 150 spaces are permitted. The City Planning Commission may permit #public parking garages# or #public parking lots# with more than 150 spaces pursuant to Section [74-194](#) (Public parking garages or public parking lots outside high density areas); and
  - (3) In C1 or C2 Districts that are not #select commercial overlays#, C4-5, C4-5A, C4-5X, C4-6, C4-7, C5, C6, C7 inside the #Expanded Transit Zone#, C8-4, M1-4, M1-5, M1-6, M2-3, M2-4 or M3-2 Districts, #public parking garages# are not permitted as-of-right, and #public parking lots# with a capacity of up to 150 spaces are permitted. The City Planning Commission may permit #public parking garages# with any capacity or #public parking lots# with more than 150 spaces pursuant to Section [74-195](#) (Public parking garages or public parking lots in high density central areas).

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### 32-193 - Use Group IX – uses subject to size limitations

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For #uses# denoted with an “S” in Section [32-191](#) (Use Group IX – general use allowances), the following provisions shall apply:

- (a) Building materials or contractors’ yards in C8 Districts shall be limited to 10,000 square feet of #lot area# per establishment.
- (b) Depositories for storage of office records, microfilm or computer tapes, or for data processing, in C4 through C7 Districts, shall be limited to 5,000 square feet of #floor area# per establishment on the ground floor, and without limitation above the ground floor.
- (c) For micro-distribution facilities, the following size limitations shall apply:
  - (1) In C1 or C2 Districts, such #use# shall be limited to 2,500 square feet of #floor area# per establishment.
  - (2) In C4 through C7 Districts, such #use# shall be limited to 5,000 square feet of #floor area# per establishment on the ground floor and 10,000 square feet above the ground floor.

However, such size limit shall not apply to #floor area# allocated to the parking of commercial vehicles associated with such micro-distribution facilities in an #accessory# off-street parking facility or #public parking garage# on the same #zoning lot# utilizing the provisions of Section [36-46](#) (Restrictions on Use of Accessory Parking Spaces and Spaces in Public Parking Garages), provided that such parking areas are not used for storage.

Such size limit may be modified by special permit of the Board of Standards and Appeals, in accordance with Section [73-191](#) (Micro-distribution facilities), or by special permit of the City Planning Commission, in accordance with Section [74-191](#) (Micro-distribution facilities).

- (d) Trucking terminals or motor freight stations in C8 Districts are limited to 20,000 square feet of #lot area# per establishment, except that establishments with a #lot area# in excess of 20,000 square feet may be permitted by special permit by the City Planning Commission pursuant to Section [74-193](#) (Trucking terminals or motor freight stations).
- (e) For wholesale establishments, the following size limitations shall apply:
  - (1) In C1 or C2 Districts, such #use# shall be limited to 2,500 square feet of #floor area# per establishment.
  - (2) In C4 through C7 Districts, such #use# shall be limited to 5,000 square feet of #floor area# per establishment except that such limitation shall not apply to establishments above the ground floor where storage is restricted to samples.

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## **32-194 - Use Group IX – uses subject to additional conditions**

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For #uses# denoted with a “P” in Section [32-191](#) (Use Group IX – general use allowances), the following provisions shall apply:

- (a) Wholesale establishment in C1 or C2 Districts, or C4 through C8 Districts, shall not include produce or meat markets.
- (b) Boat storage in all #Commercial Districts# shall be restricted to boats less than 100 feet in length.
- (c) #Public parking garages# and #public parking lots# in all applicable districts, shall be subject to the provisions set forth in Section [36-029](#) (Applicability of regulations to public parking garages and public parking lots).

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## 32-195 - Use Group IX – uses subject to open use allowances

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LAST AMENDED

6/6/2024

For #uses# denoted with a “U” in Section [32-191](#) (Use Group IX – general use allowances), a #use# may be open or enclosed without restriction except that:

- (a) boat storage in all #Commercial Districts# may be conducted outside a #completely enclosed building# only if located at a distance greater than 100 feet from a #Residence District# boundary;
- (b) building materials or contractors’ yards in C8 Districts may be open or enclosed provided that not more than 5,000 square feet of such #lot area# is used for open storage; and
- (c) #public parking garages#, in all applicable districts, may be open or enclosed, provided that no portion of such #use# shall be located on a roof other than a roof which is immediately above a #cellar# or #basement#.

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## 32-196 - Use Group IX – uses permitted by special permit

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LAST AMENDED

6/6/2024

For #uses# denoted with “O” in Section [32-191](#) (Use Group IX – general use allowances), the provisions of this Section shall apply. #Public parking garages# may be permitted in C5 or C6 Districts by special permit by the City Planning Commission in accordance with Section [74-195](#) (Public parking garages or public parking lots in high density central areas). In the #Manhattan Core#, these #uses# are subject to the provisions of Article I, Chapter 3, and in the #Long Island City area#, as defined in Section [16-02](#) (Definitions), such #uses# are subject to the provisions of Article I, Chapter 6.

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## 32-197 - Use Group IX – additional provisions for parking requirement category

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LAST AMENDED

6/6/2024

For permitted #uses# denoted with “\*” for parking requirement category (PRC) in Section [32-191](#) (Use Group IX – general use allowances), the provisions of this Section shall apply. Wholesale establishments in C1 or C2 Districts, or C4 through C7 Districts, shall be classified as PRC A3. In C8 Districts, such #use# shall be classified as PRC A4.

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## 32-20 - Use Group X – Production Uses

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LAST AMENDED

6/6/2024

C1 C2 C3 C4 C5 C6 C7 C8

Use Group X consists of #uses# engaged in the mechanical, physical, or chemical transformation of materials into new goods. The provisions regulating #uses# classified in this Use Group are set forth as follows:

- (a) Section [32-201](#) (Use Group X – general use allowances) which includes the compilation of #uses# in the Use Group table;
- (b) Section [32-202](#) (Use Group X – uses subject to size limitations) for size restrictions that apply to certain #uses#, as denoted with an “S” in the Use Group table;



	All other sugar and confectionary product manufacturing (in 3113)	● S P	● S P	–	● S P	● S P	● S P	● S P	● P	D1
	Animal slaughtering and processing (3116)	–	–	–	–	–	–	–	–	D1
	Seafood product preparation and packaging (3117)	–	–	–	–	–	–	–	–	D1
	All other food manufacturing (in 311)	● S P	● S P	–	● S P	● S P	● S P	● S P	● P	D1
<b>Beverage and Tobacco Product Manufacturing (312)</b>										
Beverage manufacturing (3121)	Distilleries (31214)	–	–	–	–	–	–	–	–	D1
	All other beverage manufacturing (in 3121)	● S P	● S P	–	● S P	● S P	● S P	● S P	● P	D1
	Tobacco manufacturing (3122)	● S P	● S P	–	● S P	● S P	● S P	● S P	● P	D1
<b>Textile &amp; Textile Product Mills (313 - 314)</b>										
	Textile mills (313)	● S P	● S P	–	● S P	● S P	● S P	● S P	● P	D1
	Textile product mills (314)	● S P	● S P	–	● S P	● S P	● S P	● S P	● P	D1
<b>Apparel Manufacturing (315)</b>										

Apparel manufacturing (315)		● S P	● S P	–	● S P	● S P	● S P	● S P	● P	D1
<b>Leather and Allied Product Manufacturing (316)</b>										
Leather and hide tanning and finishing (3161)		–	–	–	–	–	–	–	–	D1
Footwear manufacturing (3162)		● S P	● S P	–	● S P	● S P	● S P	● S P	● P	D1
Other leather and allied product manufacturing (3169)		● S P	● S P	–	● S P	● S P	● S P	● S P	● P	D1
<b>Wood Product Manufacturing (321)</b>										
Sawmills and wood preservation (3211)		–	–	–	–	–	–	–	–	D1
Veneer, plywood, and engineered wood product manufacturing (3212)		–	–	–	–	–	–	–	–	D1
Other wood product manufacturing (3219)		● S P	● S P	–	● S P	● S P	● S P	● S P	● P	D1
<b>Paper Manufacturing (322)</b>										
Pulp, paper, and paperboard mills (3221)		–	–	–	–	–	–	–	–	D1
Converted paper product manufacturing (3222)	Stationery product manufacturing (32223)	● S P	● S P	–	● S P	● S P	● S P	● S P	● P	D1
	All other converted paper product manufacturing (in 3222)	–	● S P	–	● S P	● S P	● S P	● S P	● P	D1



**Printing and Related Support Activities (323)**

Printing and related support activities (3231)	● S P	● S P	–	● S P	● S P	● S P	● S P	● P	D1
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**Petroleum and Coal Products Manufacturing (324)**

Petroleum and coal products manufacturing (3241)	–	–	–	–	–	–	–	–	D1
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**Chemical Manufacturing (325)**

Pharmaceutical and medicine manufacturing (3254)	–	● S P	–	● S P	● S P	● S P	● S P	● P	D1
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Soap, cleaning compound, and toilet preparation manufacturing (3256)	Soap and other detergent manufacturing (325611)	● S P	● S P	–	● S P	● S P	● S P	● S P	● P	D1
	All other soap, cleaning compound and toilet preparation manufacturing (in 3256)	–	● S P	–	● S P	● S P	● S P	● S P	● P	D1

All other chemical manufacturing (in 325)	–	–	–	–	–	–	–	–	D1
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**Plastics and Rubber Products Manufacturing (326)**

Plastics and rubber products manufacturing (326)	–	–	–	–	–	–	–	–	D1
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**Nonmetallic Mineral Product Manufacturing (327)**



	All other fabricated metal product manufacturing (in 332)	–	● S P	–	● S P	● S P	● S P	● S P	● P	D1
<b>Machinery Manufacturing (333)</b>										
	Agriculture, construction, and mining machinery manufacturing (3331)	–	–	–	–	–	–	–	–	D1
	All other machinery manufacturing (in 333)	–	● S P	–	● S P	● S P	● S P	● S P	● P	D1
<b>Computer and Electronic Product Manufacturing (334)</b>										
	Computer and peripheral equipment manufacturing (334)	● S P	● S P	–	● S P	● S P	● S P	● S P	● P	D1
<b>Electrical Equipment, Appliance, and Component Manufacturing (335)</b>										
	Electric lighting equipment manufacturing (3351)	● S P	● S P	–	● S P	● S P	● S P	● S P	● P	D1
Household appliance manufacturing (3352)	Small electrical appliance manufacturing (33521)	● S P	● S P	–	● S P	● S P	● S P	● S P	● P	D1
	Major household appliance manufacturing (33522)	–	–	–	–	–	–	–	–	D1
	All other electrical equipment and component manufacturing (in 335)	–	–	–	–	–	–	–	–	D1
<b>Transportation Equipment Manufacturing (336)</b>										

Transportation equipment manufacturing (336)	-	-	-	-	-	-	-	-	D1
<b>Furniture and Related Product Manufacturing (337)</b>									
Furniture and related product manufacturing (337)	● S P	● S P	-	● S P	● S P	● S P	● S P	● P	D1
<b>Miscellaneous Manufacturing (339)</b>									
Medical equipment and supplies manufacturing (3391)	● S P	● S P	-	● S P	● S P	● S P	● S P	● P	D1
Other miscellaneous manufacturing (3399)	● S P	● S P	-	● S P	● S P	● S P	● S P	● P	D1

### 32-202 - Use Group X - uses subject to size limitations

LAST AMENDED  
6/6/2024

For #uses# denoted with a “S” in Section [32-201](#) (Use Group X – general use allowances), the specific size limitations shall be as follows:

- (a) All permitted #uses# in C1 Districts that are #select commercial overlays# shall not exceed 3,000 square feet of #floor area# per establishment.
- (b) All permitted #uses# in C1 Districts that are not #select commercial overlays# or C2 Districts shall not exceed 5,000 square feet of #floor area# per establishment.
- (c) All permitted #uses# in C4 through C7 Districts shall not exceed 10,000 square feet of #floor area# per establishment on the ground floor and without limitation on overall #floor area# above the ground floor.

### 32-203 - Use Group X - additional conditions

LAST AMENDED  
6/6/2024

For #uses# denoted with a “P” in Section [32-201](#) (Use Group X – general use allowances), the limitations in this Section shall apply.

- (a) Permitted #uses# in all #Commercial Districts# shall conform to the performance standards for M1 Districts as set forth in Section [42-40](#) (PERFORMANCE STANDARDS) through [42-48](#) (Performance Standards Regulating Humidity, Heat or Glare), inclusive. However, beverage manufacturing establishments shall not be subject to the provisions of Section [42-47](#) (Performance Standards Regulating Fire and Explosive Hazards).

- (b) In addition to the requirements of paragraph (a) of this Section, in C1 or C2 Districts, or C4 through C7 Districts, all permitted #uses# shall meet the following requirements:
- (1) Such #use# 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
  - (2) Such #use# is not required, under the City Right-to-Know Law, to file a Risk Management Plan for Extremely Hazardous Substances.

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## **32-204 - Use Group X – additional provisions for parking requirement category**

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LAST AMENDED  
6/6/2024

In C1 or C2 Districts, or C4 through C8 Districts, all permitted #uses# are classified in parking requirement category B except that #uses# located above the ground floor shall be classified in parking requirement category C.

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## **32-30 - STREETSCAPE REGULATIONS**

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LAST AMENDED  
6/6/2024

The provisions of Section [32-30](#), inclusive, set forth streetscape regulations on designated #street# frontages. Such provisions shall apply as follows:

- (a) The provisions of Sections [32-31](#), [32-32](#) and [32-33](#), inclusive, apply to #developments# or #ground floor level# #enlargements# of #buildings# along #Tier A#, #Tier B# and #Tier C street frontages#, respectively.
- (b) The provisions of Section [32-34](#) apply to changes of #use# to existing #buildings# along #Tier A#, #Tier B# and #Tier C street frontages#.
- (c) The provisions of Section [32-35](#) set forth special streetscape rules for certain areas.

For #zoning lots# with multiple #street# frontages, each frontage shall be considered separately as a #Tier A#, #Tier B# or #Tier C# frontage, as applicable.

Special Purpose Districts or other provisions of this Resolution may modify or supplement the provisions of this Section, inclusive.

The Board of Standards and Appeals may permit modifications to the provisions of this Section, inclusive, pursuant to Section [73-32](#).

For #ground floor levels# of #buildings# that are designated as a landmark or considered a contributing #building# in an Historic District designated by the Landmarks Preservation Commission the Chairperson of the City Planning Commission shall modify the provisions of this Section, by certification, to the extent necessary to facilitate the #ground floor level# design of a #building# that has received a Certificate of Appropriateness from the Landmarks Preservation Commission.

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## **32-301 - Definitions**

Definitions specifically applicable to this Chapter are set forth in this Section. The definitions of other defined terms are set forth in Section [12-10](#) (DEFINITIONS), except where explicitly stated otherwise in individual provisions in this Chapter.

#### Blank wall

A “blank wall” shall be a #street wall#, or portions thereof, 50 feet or more in width, which contains no transparent element between #curb level# and 12 feet above #curb level#.

#### Ground floor level

The “ground floor level” shall refer to a #building’s# lowest #story# where the level of the finished floor is located within five feet of the adjoining sidewalk.

#### Minimum qualifying depth

The “minimum qualifying depth” shall refer to the minimum depth to which #ground floor level# #use# or parking wrap regulations apply. Such restrictions shall apply to a minimum depth of 30 feet, as measured perpendicular to the #ground floor level# #street wall# facing the applicable #street# frontage. However, within such depth, vertical circulation cores and associated egress paths, as well as structural or other building infrastructure elements associated with upper #stories# of the #building#, shall be permitted obstructions.

#### Tier A street frontage

A “Tier A street frontage” shall be any portion of the #ground floor level# #street# frontage of a #zoning lot# in C1 or C2 Districts, C4 through C7 Districts, or M1 Districts paired with a #Residence District#, that is not a #Tier B# or #Tier C street frontage#.

#### Tier B street frontage

A “Tier B street frontage” shall be any portion of the #ground floor level# #street# frontage of a #zoning lot# in the #Expanded Transit Zone# that is located within C1 or C2 Districts, C4 through C7 Districts, or M1 Districts paired with a #Residence District#.

#### Tier C street frontage

A “Tier C street frontage” shall be that portion of the #ground floor level# #street# frontage of a #zoning lot# along a #street# specifically designated as such in a Special Purpose District or other streetscape provision of this Resolution.

#### Impeded access frontage

An “impeded access frontage” shall refer to #zoning lot# frontages facing transportation infrastructure where direct vehicular or pedestrian access to areas beyond such infrastructure is inaccessible from all #streets# bounding the #block# containing the

subject #zoning lot#. Transportation infrastructure shall include:

- (a) embankments under an elevated rail line;
- (b) an open railroad right of way;
- (c) a limited-access expressway, freeway, parkway or highway; or
- (d) an elevated #street# located on a bridge.

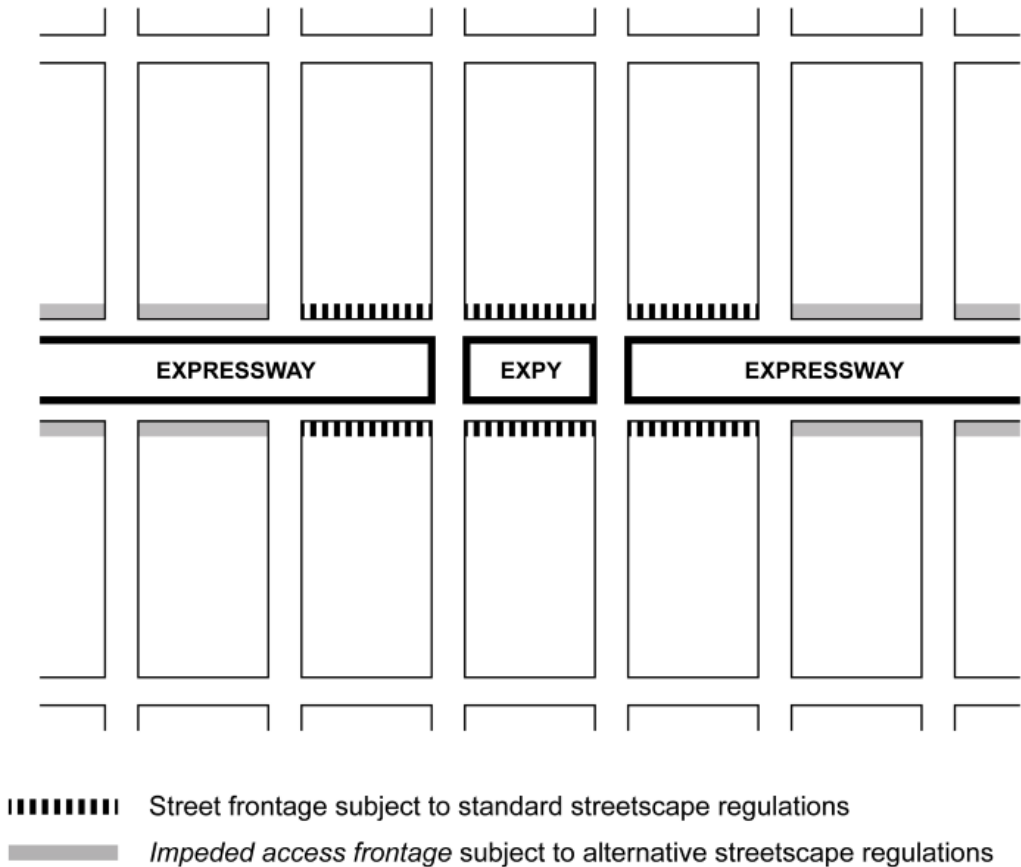


DIAGRAM ILLUSTRATING IMPEDED ACCESS FRONTAGE

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## 32-302 - Exceptions

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LAST AMENDED  
6/6/2024

The provisions of Section [32-30](#), inclusive, shall not apply to:

- (a) #zoning lot# frontages along the same #street# frontage as a ramp accessing a limited-access expressway, freeway, parkway or highway, all of which prohibit direct vehicular access to adjoining land, provided that:
  - (1) a portion of such #zoning lot# frontage is within 1,000 feet of such ramp, as measured along the #street#; and

- (2) there are no entrances to a #mass transit station#, as defined in Section [66-11](#), within such 1,000-foot measurement; or
- (b) #zoning lots# with a #lot area# greater than five acres and located entirely outside the #Expanded Transit Zone#.

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### **32-303 - Applicability for zoning lots with multiple buildings**

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LAST AMENDED  
6/6/2024

For #zoning lots# with existing #buildings# to remain:

- (a) only the portion of the #zoning lot# containing a #development# or #ground floor level# #enlargement# shall be considered for the purposes of applying the regulations of Sections [32-31](#), [32-32](#) and [32-33](#), inclusive; and
- (b) only the portion of the #zoning lot# frontage associated with the #building# containing the alteration or change of #use# shall be considered for the purposes of determining the applicable regulations of Section [32-34](#).

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### **32-31 - Regulations for Tier A Street Frontages**

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LAST AMENDED  
6/6/2024

The provisions of this Section, inclusive, shall apply to the #ground floor level# #street# frontage of a #building# along a #Tier A street frontage#. Such provisions include #ground floor level#:

- (a) #blank wall# restrictions, as set forth in Section [32-311](#); and
- (b) parking restrictions, as set forth in Section [32-312](#).

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### **32-311 - Blank wall provisions**

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LAST AMENDED  
6/6/2024

Along the #Tier A street frontage# of a #ground floor level#, for any #blank walls#, at least 70 percent of the surface area of such #blank wall# shall be mitigated with wall treatment, in the form of permitted #signs#, subject to the provisions of Section [32-60](#), murals or other visual artwork, or living plant material. Any portion of a mural or other artwork that incorporates addresses, text or logos related to the #building# or tenants therein, shall be considered a #sign#.

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### **32-312 - Ground floor level parking restrictions**

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LAST AMENDED  
6/6/2024

Along the #Tier A street frontage# of a #ground floor level#, the following shall apply:

- (a) Parking wrap or screening provisions

Portions of a #ground floor level# allocated to #accessory# off-street parking facilities or #public parking garages#, except for permitted entrances and exits, shall be either wrapped by #floor area# that is allocated to non-parking #uses#, to the



#minimum qualifying depth#, or shall be screened such that:

- (1) any non-horizontal parking deck structures shall not be visible from the exterior of the #building# in elevation view;
- (2) opaque materials shall be located on the exterior #building# wall between the bottom of the floor of each parking deck and no less than three feet above such deck; and
- (3) a total of at least 50 percent of such exterior #building# wall, or portion thereof, with adjacent parking spaces shall consist of opaque materials which may include permitted #signs#, subject to the provisions of Section [32-60](#), murals or other visual artwork, decorative screening or latticework, or living plant material. Any portion of a murals or other artwork that incorporates addresses, text or logos related to the #building# or tenants therein, shall be considered a #sign#.

(b) Limitations on open parking

No open parking associated with #accessory# off-street parking facilities or #public parking lots# shall be permitted between the #street line# and the #street wall# of the #building# or its prolongations.

Open parking beyond the prolongation of a #street wall# shall be screened from any #Tier A street frontage# by a strip at least four feet wide, densely planted with vegetation which may be expected to form a year-round screen at least three feet high within three years. For #zoning lots# with multiple #Tier A street frontages#, these provisions need only apply along one frontage.

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## 32-32 - Regulations for Tier B Street Frontages

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LAST AMENDED

6/6/2024

The provisions of this Section, inclusive, shall apply to the #ground floor level# #street# frontage of a #building# along a #Tier B street frontage#. Such provisions include #ground floor level#:

- (a) #use# and transparency requirements, as set forth in Section [32-321](#);
- (b) alternative regulations, for certain #block# frontages, as set forth in Section [32-322](#); and
- (c) curb cut restrictions for all frontages, as set forth in Section [32-323](#).

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## 32-321 - Ground floor level use and transparency requirements

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LAST AMENDED

6/6/2024

Along the #Tier B street frontage# of a #ground floor level#, #use# modifications are set forth in paragraph (a) of this Section and transparency requirements are set forth in paragraph (b).

- (a) #Ground floor level# #uses#

On the portion of a #ground floor level# facing a #Tier B street frontage#, within the #minimum qualifying depth#, the underlying #use# regulations are modified as follows:

- (1) #dwelling units# shall not be permitted;
- (2) #uses# listed under Use Group III(A) shall not be permitted;
- (3) #uses# listed under Use Group IV shall be limited to those listed under Public Service Buildings, and Renewable Energy and Green Infrastructure;
- (4) guest rooms or suites associated with Transient Accommodations listed under Use Group V shall not be permitted;
- (5) #uses# listed under Use Group VII shall be limited in size to 5,000 square feet per establishment;
- (6) the maximum #street wall# width of ancillary #residential uses# or lobbies accessing #uses# not permitted on the #ground floor level# shall be limited to 50 percent of the #ground floor level# #street# frontages, or 50 feet, whichever is greater;
- (7) off-street parking spaces or loading berths, shall not be permitted, except that:
  - (i) entrances and exits to parking and loading facilities located beyond the #minimum qualifying depth# shall be permitted, subject to any applicable curb cut regulations of this Section, inclusive, or this Resolution;
  - (ii) for #buildings# along a #Tier B street frontage#, and no frontage along another #street# where a loading berth is permitted, loading berths with a maximum #street wall# width of 50 feet shall be permitted; and
  - (iii) for #buildings# with a #street wall# width in excess of 100 feet and with no frontage along another #street# where parking spaces are permitted within a #minimum qualifying depth#, parking spaces shall be permitted in the #street wall# portion in excess of 100 feet, provided that:
    - (a) the maximum #street wall# width of such parking spaces does not exceed 50 feet;
    - (b) the frontage allocated to such parking spaces shall be included in the maximum percentage permitted for ancillary #residential uses# or lobbies; and
    - (c) such parking spaces shall be screened in accordance with the provisions for #Tier A street frontages# set forth in paragraph (a) of Section 32-312.
- (8) entrances and exits to #mass transit stations#, as defined in Section [66-11](#), shall be permitted without restriction.

(b) Transparency requirements

Along the #Tier B street frontage# of a #ground floor level#, #street walls# shall be glazed with transparent materials, which may include #show windows#, transom windows, or glazed portions of doors.

Such transparent materials shall occupy at least 50 percent of the surface area of such #ground floor level# #street wall# between a height of two feet and 12 feet, or the height of the ground floor ceiling, whichever is higher, as measured from the adjoining sidewalk. Transparent materials provided to satisfy such 50 percent requirement shall not begin higher than 2 feet, 6 inches, above the level of the adjoining sidewalk, with the exception of transom windows, or portions of windows separated by mullions or other structural dividers, and shall have a minimum width of two feet.

However, such transparency requirements shall not apply to portions of the #ground floor level# occupied by entrances or exits to parking or loading facilities, to doors accessing emergency egress stairwells and passageways, or to #community

facility buildings#.

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## 32-322 - Alternate ground floor level regulations for certain frontages

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LAST AMENDED

6/6/2024

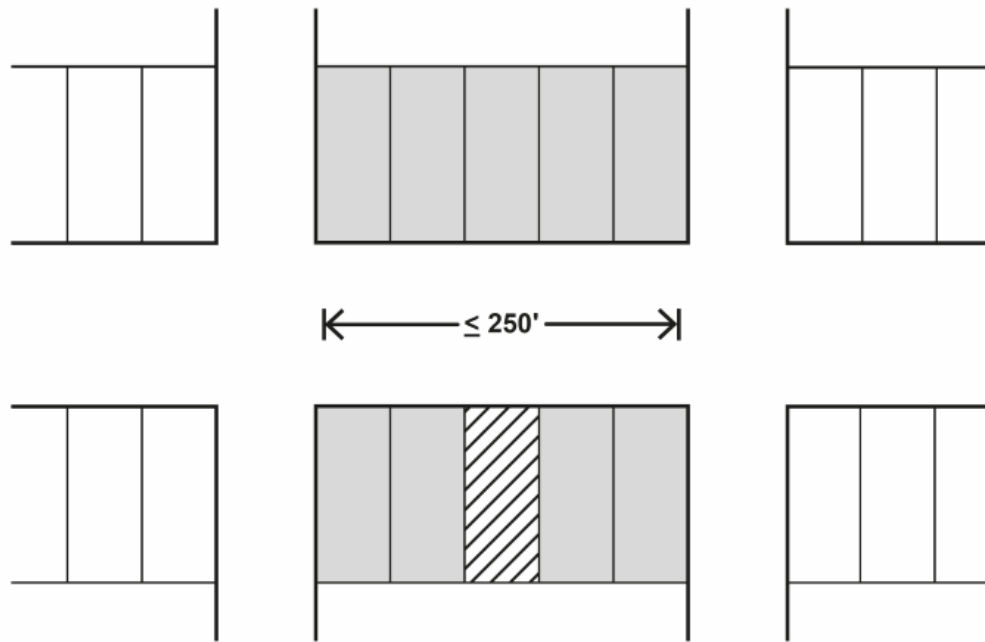
Along the #Tier B street frontage# of a #ground floor level#, as an alternative to the provisions of Section [32-321](#), the provisions of paragraph (b) of this Section may be applied where the qualifying criteria set forth in paragraph (a) is met.

(a) Qualifying criteria

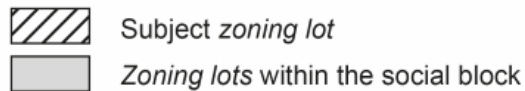
The provisions of this Section may be applied along a #Tier B street frontage# where one of the following criteria are met:

- (1) the #zoning lot# frontage is an #impeded access frontage#;
- (2) there is a #Residence District#, #Manufacturing District# or C3 or C8 District mapped along the same #street# frontage as the #zoning lot# frontage either on the same #block#, or along a portion of the #block# across the #street# from the #zoning lot#;
- (3) the #zoning lot# has multiple #street# frontages, and at least two #street# frontages will meet either the standard requirements for #Tier B street frontages# in Section [32-321](#) or the applicable regulations for #Tier C street frontages#; or
- (4) where, at the time of application for a permit for a #development# or #ground floor level# #enlargement#, less than 75 percent of the #street line# width of #zoning lots# on the 'social block' surrounding the subject #zoning lot# are allocated to #zoning lots# with #commercial buildings# or #mixed buildings#.

For the purposes of this Section, the 'social block' shall be the portion of the #block# containing the subject #zoning lot# that abuts the #Tier B street frontage#, as well as the portion of the #blocks# immediately across the #Tier B street frontage# from such #block#. Such calculation shall contain all the #zoning lots# along such #block# frontage except that where the width of any such #block# frontage exceeds 250 feet, the calculation need only extend 100 feet from the outermost extents of the subject #zoning lot#, as measured along the #street line#.



Applies if a *block* is less than 250 feet wide



#### EXAMPLE OF 'SOCIAL BLOCK'

#### (b) Alternative provisions

Where the qualifying criteria is met, along the #Tier B street frontage# of the #ground floor level#, the following shall apply:

##### (1) Parking wrap and location

##### (i) Along #wide streets#

For #ground floor level# frontages along #wide streets#, portions of a #ground floor level# allocated to #accessory# off-street parking facilities or #public parking garages#, except for permitted entrances and exits, shall be located behind #floor area# that is allocated to non-parking #uses#, to a #minimum qualifying depth#, so that no portion of such facility is visible from adjacent public sidewalks. However, for #buildings# with a #street wall# width in excess of 100 feet and with no frontage along another #street# where parking spaces are permitted within a #minimum qualifying depth#, the provisions of paragraph (a)(7)(iii) of Section [32-321](#) may be applied.

##### (ii) Along other #street# frontages

For #ground floor level# frontages along other frontages, portions of a #ground floor level# allocated to #accessory# off-street parking facilities or #public parking garages#, may be wrapped by #floor area#, or

screened, in accordance with the provisions for #Tier A street frontages# set forth in paragraph (a) of Section 32-312. No open parking shall be visible from adjacent public sidewalks.

(2) Blank walls

Along the #Tier B street frontage# of a #ground floor level#, for any #blank walls#, at least 70 percent of the surface area of such #blank wall# shall be mitigated with wall treatment, in the form of permitted #signs#, subject to the provisions of Section [32-60](#), murals or other visual artwork, or living plant material. Any portion of a murals or other artwork that incorporates addresses, text or logos related to the #building# or tenants therein, shall be considered a #sign#.

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## 32-323 - Ground floor level curb cut restrictions

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LAST AMENDED

6/6/2024

Along the #Tier B street frontage# of a #ground floor level#, the following curb cut restrictions shall apply:

For #zoning lots# with frontage along a #Tier B street frontage# and frontage along another #street# that is neither a #Tier B# nor a #Tier C street frontage#, no curb cut accessing off-street parking spaces or loading spaces shall be permitted along such #Tier B street frontage#. Furthermore, for #zoning lots# with frontage along a #Tier B street frontage# subject to the standard provisions of Section [32-321](#) and frontage along a #Tier B street frontage# subject to the alternative provisions of Section [32-322](#), no curb cut accessing off-street parking spaces or loading spaces shall be permitted along the frontage subject to the standard provisions of Section [32-321](#).

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## 32-33 - Regulations for Tier C Street Frontages

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LAST AMENDED

6/6/2024

The provisions of this Section, inclusive, shall apply to the #ground floor level# #street# frontage of a #building# along a #Tier C street frontage#.

The provisions for #Tier B street frontages#, as set forth in Section [32-32](#), inclusive, shall apply, except that the regulations of Section [32-322](#) shall not be permitted as an alternative to those of Section [32-321](#), and the #ground floor level# #use# limitations set forth in paragraph (a) of Section [32-321](#) shall be modified as follows:

- (a) in addition to #dwelling units#, ancillary #residential uses#, other than lobbies and associated amenities, shall not be permitted on the #ground floor level# within the #minimum qualifying depth#;
- (b) the maximum length of lobbies accessing #uses# not permitted on the #ground floor level#, shall be limited to a maximum #street wall# length, in total, of 25 percent of the #street wall# width of the #building# along the #Tier C street frontage#, or 25 linear feet of #street wall# along such #street# frontage, whichever is less. The minimum width of such lobbies need not be less than 10 feet.

However, C4 through C7 Districts where the #floor area ratio# for #commercial uses# is greater than or equal to 10.0, the maximum lobby length shall be modified such that the maximum #street wall# length, in total, shall not exceed 25

percent of the #street wall# width of the #building# along the #Tier C street frontage#, or 50 linear feet of #street wall# along such #street# frontage, whichever is less. The minimum width of such lobbies need not be less than 20 feet;

- (c) no parking spaces or loading berths shall be permitted within the #minimum qualifying depth#; and
- (d) in C4 through C7 Districts where the #floor area ratio# for #commercial uses# is greater than or equal to 10.0, for #buildings# with a #street wall# width greater than 50 feet, 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#, at least 50 percent of such frontage shall be allocated to #uses# in Use Groups VI or VIII.

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## 32-34 - Regulations for Existing Buildings

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LAST AMENDED  
6/6/2024

The provisions of this Section shall apply to the #ground floor level# of existing #buildings# along #Tier A#, #Tier B#, or #Tier C street frontages#.

- (a) Along #Tier A# frontages#

Along the #Tier A street frontage# of a #ground floor level#, as applicable, no alteration associated with the continuation of an existing #use# or change of #use# shall increase the extent of a pre-existing #blank wall#, modify the location of parking spaces, or add curb cuts along a #street# frontage in a manner that would create a new #non-conformity# or increase an existing #non-conformity# by more than 10 percent with regards to the applicable regulations for a #development# or #ground floor level# #enlargement#.

- (b) Along #Tier B# or #Tier C street frontages#

Along the #Tier B# or #Tier C street frontage# of a #ground floor level#, as applicable, no alteration associated with the continuation of an existing #use# or change of #use# shall introduce a #use#, reduce a #minimum qualifying depth#, increase the #street wall# width of restricted #uses#, reduce transparency, increase the extent of a pre-existing #blank wall#, modify the location of parking spaces, or add curb cuts along a #street# frontage in a manner that would create a new #non-conformity# or increase an existing #non-conformity# by more than 10 percent with regards to the applicable regulations for a #development# or #ground floor level# #enlargement#.

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## 32-35 - Special Rules for Certain Areas

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LAST AMENDED  
6/6/2024

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### 32-351 - Ground floor use requirements in high-density areas

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LAST AMENDED  
6/6/2024

For all #Commercial Districts# mapped within, or with a residential equivalent of, an R9 or R10 District, or #Commercial Districts# where the #floor area ratio# for #commercial uses# is greater than 10.0, the applicable #ground floor level# streetscape provisions of this Chapter shall apply, except that for #ground floor level# #street# frontages on #wide streets#, the alternative provisions for #Tier B street frontages# set forth in Section [32-322](#) shall not apply. However, the provisions of this Section shall not apply within any Special Purpose District.

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## 32-352 - Ground floor use requirements in the Borough of Staten Island

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LAST AMENDED

6/6/2024

For all C1, C2 or C4 Districts in the Borough of Staten Island, the applicable #ground floor level# streetscape provisions of this Chapter shall apply, except that #ground floor level# #street# frontages on #wide streets#, or along #narrow streets# where such a C1, C2 or C4 District is mapped along the entire #block# frontage, shall be considered #Tier C street frontages#.

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## 32-40 - SUPPLEMENTARY USE REGULATIONS

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LAST AMENDED

12/15/1961

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## 32-41 - Enclosure Within Buildings

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LAST AMENDED

6/6/2024

C1 C2 C3 C4 C5 C6 C7 C8

In the districts indicated, except as otherwise specifically provided in the Use Groups permitted in such districts and in Sections [36-11](#) (General Provisions) and [36-61](#) (Permitted Accessory Off-street Loading Berths), all permitted #uses# which are created by #development#, or which are #enlarged# or #extended#, or which result from a change of #use# shall be subject to the provisions of this Section with respect to enclosure within #buildings#. With respect to the #enlargement# or #extension# of an existing #use#, such provisions shall apply to the #enlarged# or #extended# portion of such #use#.

#Accessory# #uses# may be open or enclosed, notwithstanding any limitations on the principal #use#, provided that any open #accessory# #uses# are customarily found in connection with such principal #use#.

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## 32-411 - In C1, C5, C6-5 or C6-7 Districts

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LAST AMENDED

2/24/2022

C1 C5 C6-5 C6-7

In the districts indicated, all such #uses# shall be located within #completely enclosed# #buildings# except for store fronts or store windows, associated with eating and drinking establishments, which may be opened to serve customers outside the #building# upon the adoption of initial rules governing the Permanent Open Restaurants program by an authorized agency following authorizing legislation by the City Council.

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## 32-412 - In other Commercial Districts

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LAST AMENDED

6/6/2024

C2 C3 C4 C6-1 C6-2 C6-3 C6-4 C6-6 C6-8 C6-9 C7 C8

In the districts indicated, all such #uses# shall be located within #completely enclosed# #buildings# or within #buildings# which are #completely enclosed# except for store fronts or store windows which may be opened to serve customers outside the #building#.

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### **32-413 - Drive-through facilities**

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LAST AMENDED

6/6/2024

In C1 through C7 Districts, #accessory# drive-through facilities for any #use# listed in Use Group VI, as set forth in Section [32-16](#) (Use Group VI – Retail and Services), may be permitted by special permit of the Board of Standards and Appeals, in accordance with Section [73-311](#) (Drive-through facilities).

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### **32-42 - Location Within Buildings**

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LAST AMENDED

12/15/1961

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### **32-421 - Limitation on floors occupied by commercial uses**

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LAST AMENDED

6/6/2024

C1 C2 C3

In the districts indicated, in any #building#, or portion of a #building#, not more than two #stories# may be occupied by #commercial# #uses# listed in Use Groups VI through X.

However, for #buildings# containing #residences#:

- (a) no #conversion# shall be permitted from #dwelling units# to such #commercial uses# on a second #story#:
  - (1) in a #building# constructed before September 17, 1970 and located in C1 or C2 Districts mapped within, or with an equivalent of, an R9 or R10 District; or
  - (2) in a #building# constructed before June 6, 2024, in all other districts;
- (b) the environmental requirements set forth in Section [32-423](#) shall be met, where applicable;
- (c) such #commercial uses# may be permitted on the same #story# as #residences#, provided that no access exists between such #uses# at any level containing #dwelling units#;
- (d) no #commercial uses# shall be located above any #story# containing #dwelling units#; and
- (e) in C1 or C2 Districts that are #select commercial overlays# the following #commercial uses# shall not be permitted on the



second #story# where such #story# also contains #dwelling units#:

From Use Group VIII

All #uses# listed under Amusement and Recreation Facilities

#Accessory# mechanical equipment serving #commercial# #uses# listed in such use groups shall not be subject to the location restrictions of this Section.

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## 32-422 - Location of floors occupied by commercial uses

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LAST AMENDED

6/6/2024

C4 C5 C6

In the districts indicated, in any #building# containing #residences#, #commercial# #uses# may be permitted on the same #story# as a #residential use#, or on a #story# higher than that occupied by #residential uses#, provided that:

- (a) no #conversion# shall be permitted from #dwelling units# to such #commercial# #uses# in a #building# constructed before June 6, 2024;
- (b) the environmental requirements set forth in Section [32-423](#) shall be met, where applicable;
- (c) no access exists between such #uses# at any level containing #dwelling units#; and
- (d) the following #commercial# #uses# shall not be permitted on a #story# above #dwelling units#:

From Use Group VI:

Eating or drinking establishments, in locations outside of the Borough of Manhattan;

From Use Group VIII

All #uses# listed under Amusement and Recreation Facilities.

#Accessory# mechanical equipment serving #commercial uses# listed in such Use Groups shall not be subject to the location restrictions of this Section.

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## 32-423 - Additional environmental standards for certain uses

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LAST AMENDED

6/6/2024

where #commercial uses# are located either on the same #story# as #dwelling units#, or on a higher #story#, pursuant to the applicable provisions of Section [32-421](#) and [32-422](#), the provisions of this Section shall apply to #uses# listed in Use Group VI, as set forth in Section [32-16](#) (Use Group VI – Retail and Services), inclusive, #uses# listed in Use Group VIII, as set forth in Section [32-18](#) (Use Group VIII – Recreation, Entertainment and Assembly Spaces), inclusive, #uses# listed in Use Group IX, as set forth in Section [32-19](#) (Use Group IX - Storage) and #uses# listed in Use Group X, as set forth in Section [32-20](#) (Use Group X – Production Uses).

(a) Air quality

Where a #use# listed in Use Group X is required to install an emission stack by Federal, State or Local law, such stack shall exhaust above the height of #building# containing such #use#, or above the height of the immediately adjacent #buildings#, whichever is higher.

(b) Noise

Above the level of the first #story#, where the applicable #commercial# #uses# are located on the same #story# as a #dwelling unit# or a #story# higher than a #dwelling unit#, such #uses# shall either:

- (1) be separated from #dwelling units# by a horizontal or vertical distance of at least 15 feet and includes at least two wall or ceiling partitions, as applicable; or
- (2) provide attenuation that will result in a sound level below 42 dBA for daytime and 35 dBA for nighttime, as measured from the interior of the closest #dwelling units#. Such measurement shall be verified by an acoustical engineer prior to the issuance of a certificate of occupancy by the Department of Buildings.

(c) Vibration

Above the level of the first #story#, where the applicable #commercial# #uses# are located on the same #story# as a #dwelling unit# or a #story# higher than a #dwelling unit#, such #uses# shall be subject to the provisions of Section [42-22](#) (Performance Standards Regulating Vibration) for an M1 District, except that the measurements for maximum vibration displacements shall be measured within the #building# instead of at the #lot line#. Such measurement shall be verified by a vibration or acoustical engineer prior to the issuance of a certificate of occupancy by the Department of Buildings.

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## **32-43 - Limitations on Business Entrances, Show Windows or Signs**

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LAST AMENDED

6/6/2024

C1 C2 C3 C4 C5 C6 C7 C8

In all districts, as indicated, the location of primary business entrances, #show windows# or #signs# shall be subject to the provisions of this Section.

For the purposes of this Section, a lot of record or a group of contiguous lots of record held in single ownership or control at December 15, 1961, or any applicable amendment thereto shall be considered a single #zoning lot#, regardless of any subsequent subdivision.

For the purposes of this Section, a #corner lot# shall include the entire #zoning lot# notwithstanding the 100-foot limitation in the definition of #corner lots# in Section [12-10](#) (DEFINITIONS). All other #zoning lots# shall be considered #zoning lots# with single frontage.

The provisions of this Section shall not apply to:

- (a) vehicular entrances or exits for permitted drive-in #uses# or automotive service establishments or for permitted or required #accessory# off-street parking spaces or loading berths;
- (b) service entrances, or other entrances less than 3 feet, 6 inches in width;
- (c) windows other than #show windows#; or
- (d) ventilators, fire escapes or other appurtenances required by law.

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### **32-431 - For zoning lots with single frontage**

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LAST AMENDED

6/6/2024

C1 C2 C3 C4 C5 C6 C7 C8

In all districts, as indicated, for #zoning lots# with single frontage, no primary business entrance, #show window# or #sign# shall be located on that portion of the #street# frontage within a distance of 20 feet from frontage on the same side of the #street# in a #Residence District#.

However, where the #street# frontage of such #zoning lot# or portion thereof within the #Commercial District# is less than 30 feet in length, the minimum distance shall be reduced to 10 feet. For #zoning lots# with a frontage of more than 30 feet, an application may be made to the Board of Standards and Appeals to reduce such minimum distance to 10 feet, as provided in Section [73-50](#) (Special Provisions Applying Along District Boundaries).

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### **32-432 - For corner lots**

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LAST AMENDED

6/6/2024

C1 C2 C3 C4 C5 C6 C7 C8

In all districts, as indicated, no primary business entrance, #show window#, or #sign# shall be located on that portion of the #street# frontage of a #corner lot# within 75 feet of frontage on the same side of the #street# in a #Residence District#.

However, primary business entrances, #show windows# or #signs# may be located on frontage less than 75 feet, but not less than 20 feet, from a #Residence District# boundary:

- (a) if the total length of the #block# face containing such frontage is less than 220 feet;
- (b) if such frontage adjoins frontage on a #corner lot# in a #Residence District#; or
- (c) if such frontage is separated from frontage in the #Residence District# by one or more #zoning lots# with single frontage.

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### **32-433 - Exceptions for integrated developments divided by district boundaries**

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LAST AMENDED

6/6/2024

C1 C2 C3 C4 C5 C6 C7 C8

In all districts, as indicated, primary business entrances, #show windows# or #signs# may be located on any frontage within a #Commercial District#, if the Commissioner of Buildings finds that the #zoning lot# on which the business entrance, #show window# or #sign# is to be located:

- (a) is divided by a boundary between the #Commercial District# and a #Residence District#; or
- (b) is currently in the same ownership as adjoining property located in a #Residence District# and no #building# in the #Residence District# exists, or will in the future be erected, within a distance of 75 feet from the #Commercial District#, as evidenced by deed restrictions filed in an office of record binding the owner and the owner's heirs and assigns.

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## 32-50 - SPECIAL PROVISIONS APPLICABLE TO CERTAIN AREAS

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LAST AMENDED

6/6/2024

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## 32-51 - Use of Railroad or Transit Air Space

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LAST AMENDED

6/6/2024

In all #Commercial Districts#, #railroad or transit air space# may be #developed# or used in accordance with the provisions of this Section.

- (a) #Railroad or transit air space# may be #developed# or used only for a permitted #use# #accessory# to the railroad or transit right-of-way or yard, a #use# permitted by the City Planning Commission as set forth in Section [74-61](#) (Development within or over a railroad or transit right-of-way or yard), or a railroad passenger station permitted by the Commission as set forth in Section [74-148](#) (Railroad Passenger Stations) unless the right-of-way or yard or portion thereof is no longer required for railroad or transit #use# as set forth in paragraph (b) of this Section.

If any #building or other structure# constructed in such #railroad or transit air space# in accordance with the provisions of Section [74-61](#) is #enlarged# or replaced by a new #building or other structure#, the provisions of this Section shall apply to such #enlargement# or replacement.

However, any #use# legally established in such #railroad or transit air space# in accordance with the provisions of Section [74-61](#) may be changed to another #use# listed in a permitted Use Group and no additional special permit from the Commission shall be required for such change of #use#.

Any #building or other structure# within or over a railroad or transit right-of-way or yard, which #building or other structure# was completed prior to September 27, 1962, or constructed in accordance with the applicable provisions of Sections [11-31](#) to [11-34](#), inclusive, prior to December 5, 1991, may be #enlarged# or replaced in accordance with the applicable district regulations without any requirement for a special permit from the Commission. Ownership of rights permitting the #enlargement# or replacement of such a #building or other structure# shall be deemed to be equivalent to ownership of a #zoning lot# or portion thereof, provided that such #enlargement# or replacement will be on one #block# and the rights are in single ownership and recorded prior to February 22, 1990. Such ownership of rights shall be deemed to include alternative arrangements specified in the #zoning lot# definition in Section [12-10](#) (DEFINITIONS).

#Enlargement# or replacement utilizing these ownership rights shall be deemed to be constructed upon the equivalent of a #zoning lot#.

- (b) When the *use* of a railroad or transit right-of-way or yard or portion thereof has been permanently discontinued or terminated and a *large-scale residential* or *community facility development* or a *large-scale general development* requiring one or more special permits is proposed, no *use* or *development* of the property shall be allowed until the Commission has authorized the size and configuration of all *zoning lots* on such property. As a condition for such authorization, the Commission shall find that:
- (1) the proposed *zoning lots*, indicated by a map describing the boundaries of the total area of each lot, are not excessively large, elongated or irregular in shape and that no *development* on any *zoning lot* would result in the potential for an excessive concentration of *bulk* that would be incompatible with allowable *developments* on adjoining property; and
  - (2) each resulting *zoning lot* has direct access to one or more *streets*.

No subsequent alteration in size or configuration of any *zoning lot* approved by the Commission shall be permitted unless authorized by the Commission. The Commission may prescribe appropriate conditions and safeguards to minimize adverse effects of such *zoning lot* designation on the character of the surrounding area. Such conditions shall be set forth in a written Declaration of Restrictions covering all tracts of land, or in separate written Declarations of Restrictions covering parts of such tracts of land and which in the aggregate cover the entire tract of land comprising the *zoning lot*, which is executed and recorded as specified in the definition of *zoning lot* in Section [12-10](#) (DEFINITIONS).

Prior to granting any *zoning lot* authorization relating to such right-of-way or yard, the Commission shall request the Metropolitan Transportation Authority and the Departments of Transportation of the State of New York and the City of New York to indicate within 30 days whether said agencies have any plan to use such property or portion thereof for a railroad or transit *use*.

- (c) Notwithstanding the above, the *High Line*, as defined in Section [98-01](#), shall be governed by the provisions of Section [98-16](#) (Air Space Over a Railroad or Transit Right-of-way or Yard).

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## **32-60 - SIGN REGULATIONS**

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LAST AMENDED  
12/15/1961

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## **32-61 - Definitions**

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LAST AMENDED  
11/19/1987

Words in *italics* are defined in Section [12-10](#) or, if applicable exclusively to this Chapter, in this Section.

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## **32-62 - Permitted Signs**

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LAST AMENDED  
2/2/2011

C1 C2 C3 C4 C5 C6 C7 C8

In all districts, as indicated, *signs* other than *advertising signs* are permitted subject to the provisions of the following Sections:

- Section [32-64](#) (Surface Area and Illumination Provisions)
- Section [32-65](#) (Permitted Projection or Height of Signs)
- Section [32-66](#) (Additional Regulations for Signs Near Certain Parks and Designated Arterial Highways)
- Section [32-67](#) (Special Provisions Applying along District Boundaries)
- Section [32-68](#) (Permitted Signs on Residential or Mixed Buildings)
- Section [32-69](#) (Additional Sign Regulations for Adult Establishments)

However, notwithstanding any provision of this Section, flags, banners or pennants other than those that are #advertising signs#, located on any #zoning lot# used primarily for #community facility# #uses# of a civic, philanthropic, educational or religious nature, are permitted in all districts, as indicated, without limitation.

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## 32-63 - Permitted Advertising Signs

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LAST AMENDED  
6/6/2024

C6-5 C6-7 C8

In the districts indicated, #advertising signs# are permitted subject to the applicable provisions of the following Sections:

- Section [32-64](#) (Surface Area and Illumination Provisions)
- Section [32-65](#) (Permitted Projection or Height of Signs)
- Section [32-66](#) (Additional Regulations for Signs Near Certain Parks and Designated Arterial Highways)
- Section [32-67](#) (Special Provisions Applying along District Boundaries)
- Section [32-68](#) (Permitted Signs on Residential or Mixed Buildings).

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## 32-64 - Surface Area and Illumination Provisions

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LAST AMENDED  
2/27/2001

C1 C2 C3 C4 C5 C6 C7 C8

In all districts, as indicated, all permitted #signs# shall be subject to the restrictions on #surface area# and illumination as set forth in this Section, provided that the following #signs# shall be exempted from such restrictions on #surface area#:

#Illuminated# non-#flashing signs# other than #advertising signs# located in a window within a #building#, with a total #surface area# not exceeding eight square feet on any #zoning lot# and limited to not more than three such #signs# in any window.

For the purpose of determining permitted #surface area# of #signs# for #zoning lots# occupied by more than one establishment, any portion of such #zoning lot# occupied by a #building# or part of a #building# accommodating one or more establishments on the ground floor may be considered as a separate #zoning lot#.

No #illuminated sign# shall have a degree or method of illumination which exceeds standards established by the Department of Buildings by rule pursuant to the City Administrative Procedure Act. Such standards shall ensure that illumination on any #illuminated sign# does not project or reflect on #residences#, #loft dwellings# or #joint living-work quarters for artists# so as to interfere with the reasonable use and enjoyment thereof. Nothing herein shall be construed to authorize a #sign with indirect illumination# to arrange an external artificial source of illumination so that direct rays of light are projected from such artificial source into #residences#, #loft dwellings# or #joint living-work quarters for artists#.

### 32-641 - Total surface area of signs

LAST AMENDED  
12/15/1961

C1 C2 C3 C4 C5 C6 C7 C8

In all districts, as indicated, the total #surface area# of all permitted #signs#, including non-#illuminated# or #illuminated signs#, shall not exceed the limitation established for non-#illuminated signs#, as set forth in Section 32-642.

### 32-642 - Non-illuminated signs

LAST AMENDED  
6/6/2024

C1 C2 C3 C4 C5 C6 C7 C8

In all districts, as indicated, non-#illuminated signs# with total #surface areas# not exceeding those shown in the following table are permitted:

District	Maximum Surface Area
C3	50 square feet
C1 C2	Three times the #street# frontage of the #zoning lot# (in feet), but in no event more than 150 sq. ft. for #interior# or #through lots# or 150 sq. ft. on each frontage for #corner lots#.
C5-1 C5-2 C5-3 C5-5	Three times the #street# frontage of the #zoning lot# (in feet), but in no event more than 200 sq. ft. for #interior# or #through lots# or 200 sq. ft. on each frontage for #corner lots#.

C4 C5-4 C6-1 C6-2 C6-3 C6-4 C6-6 C6-8 C6-9 C7	Five times the #street# frontage of the #zoning lot# (in feet), but in no event more than 500 sq. ft. for #interior# or #through lots# or 500 sq. ft. on each frontage for #corner lots#.
C8	Six times the #street# frontage of the #zoning lot# (in feet), but in no event more than 750 sq. ft. for each #sign#.
C6-5 C6-7	No restrictions as to size

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### 32-643 - Illuminated non-flashing signs

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LAST AMENDED  
12/15/1961

C1 C2

In the districts indicated, #illuminated# non-#flashing signs# are permitted with a total #surface area# (in square feet) not exceeding three times the #street# frontage of the #zoning lot# in feet, but in no event shall the total #surface area# exceed 50 square feet for #interior# or #through lots# or 50 square feet on each frontage for #corner lots#.

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### 32-644 - Illuminated or flashing signs in C4, C5-4, C6 or C7 Districts

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LAST AMENDED  
6/6/2024

C4 C5-4 C6 C7

In the districts indicated, #illuminated# or #flashing signs# with total #surface areas# not exceeding those shown in the following table are permitted:

District	Maximum Surface Area (in square feet)
C4 C5-4 C6-1 C6-2 C6-3 C6-4 C6-6 C6-8 C6-9 C7	Five times the #street# frontage of the #zoning lot# (in feet), but in no event more than 500 square feet for #interior# or #through lots# or 500 square feet on each frontage for #corner lots#.
C6-5 C6-7	No restrictions as to size

However, in a C6-1A District, #flashing signs# are not permitted.

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## **32-645 - Illuminated or flashing signs in C8 Districts**

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LAST AMENDED  
4/8/1998

C8

In the district indicated, #illuminated# or #flashing signs#, other than #advertising signs#, and #advertising signs# with indirect illumination, are permitted, provided that the total #surface area# of all such #signs# (in square feet) shall not exceed five times the #street# frontage of the #zoning lot# (in feet) and that the #surface area# of each #sign# shall not exceed 500 square feet.

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## **32-65 - Permitted Projection or Height of Signs**

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LAST AMENDED  
12/15/1961

C1 C2 C3 C4 C5 C6 C7 C8

In all districts, as indicated, all permitted #signs# are subject to the applicable regulations of this Section.

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## **32-651 - Permitted projection in C6-5 or C6-7 Districts**

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LAST AMENDED  
6/6/2024

C6-5 C6-7

In the districts indicated, except as otherwise provided in Section [32-653](#) (Additional regulations for projecting signs), no permitted #sign# shall project across a #street line# more than eight feet.

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## **32-652 - Permitted projection in all other Commercial Districts**

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LAST AMENDED  
6/6/2024

C1 C2 C3 C4 C5 C6-1 C6-2 C6-3 C6-4 C6-6 C6-8 C6-9 C7 C8

In the districts indicated, except as otherwise provided in Section [32-653](#) (Additional regulations for projecting signs), no permitted #sign# shall project across a #street line# more than 18 inches for double- or multi-faceted #signs# or 12 inches for all other #signs#.

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## **32-653 - Additional regulations for projecting signs**

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LAST AMENDED  
6/6/2024

C1 C2 C3 C4 C5 C6 C7 C8

In all districts, as indicated, permitted #signs# other than #advertising signs# may be displayed as follows:

- (a) Non-#illuminated signs# may be displayed on awnings or canopies permitted by the Administrative Code, with a #surface

area# not exceeding 12 square feet and with the height of letters not exceeding 12 inches. Any commercial copy on such #signs# shall be limited to identification of the name or address of the #building# or an establishment contained therein.

- (b) #Signs# may be displayed on marquees permitted by the Administrative Code, provided that no such #sign# in a district other than a C6-5 or C6-7 District shall project more than 48 inches above nor more than 12 inches below such marquee.

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### 32-654 - Height of signs in C8 Districts

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LAST AMENDED  
12/15/1961

C8

In the district indicated, permitted #signs# shall not extend to a height greater than 40 feet above #curb level#, provided that non-#illuminated signs# or #signs with indirect illumination# may extend to a maximum height of 58 feet.

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### 32-655 - Height of signs in all other Commercial Districts

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LAST AMENDED  
6/6/2024

C1 C2 C3 C4 C5 C6 C7

In the districts indicated, no permitted #sign# shall extend above #curb level# at a height greater than the following:

Districts	Maximum Height (in feet)
C1 C2 C3 C5-1 C5-2 C5-3 C5-5	25
C4 C5-4 C6-1 C6-2 C6-3 C6-4 C6-6 C6-8 C6-9 C7	40
C6-5 C6-7	No restriction as to height

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### 32-656 - Height of signs above roof

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LAST AMENDED  
6/6/2024

C1 C2 C3 C4 C5 C6-1 C6-2 C6-3 C6-4 C6-6 C6-8 C6-9 C7

In the districts indicated, no #sign# displayed from the wall of a #building or other structure# shall extend above the parapet wall or roof of such #building or other structure#, except that a vertical #sign#, the horizontal width of which, parallel to the wall, does not exceed 28 inches, may extend no higher than 15 feet above the roof level.

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## **32-657 - Roof signs**

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LAST AMENDED

6/6/2024

C1 C2 C3 C4 C5 C6-1 C6-2 C6-3 C6-4 C6-6 C6-8 C6-9 C7

In the districts indicated, no #signs# shall be permitted on the roof of any #building#.

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## **32-66 - Additional Regulations for Signs Near Certain Parks and Designated Arterial Highways**

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LAST AMENDED

2/27/2001

C1 C2 C3 C4 C5 C6 C7 C8

In all districts, as indicated, all permitted #signs# are subject to the applicable regulations of this Section.

For the purposes of this Section, arterial highways shall include all highways that are shown on the Master Plan of Arterial Highways and Major Streets as "principal routes," "parkways" or "toll crossings," and that have been designated by the City Planning Commission as arterial highways to which the provisions of this Section shall apply.

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## **32-661 - Additional regulations for signs other than advertising signs**

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LAST AMENDED

6/6/2024

C6-5 C6-7 C8

In the districts indicated, and within 200 feet of an arterial highway or a #public park# with an area of one-half acre or more, no permitted #sign# that is within view of such arterial highway or #public park# shall exceed 500 square feet of #surface area#.

Beyond 200 feet from such arterial highway or #public park#, the surface area of such #signs# may be increased one square foot for each linear foot such #sign# is located from the arterial highway or #public park#.

Upon application, these requirements shall be waived, provided that the Chairperson of the City Planning Commission certifies that:

- (a) such waiver is limited to a single, non-#flashing sign# that is located on a #zoning lot# not less than one and one-half acres; and
  - (b) all other permitted #signs# located on such #zoning lot# that are subject to the provisions of this Section conform with all the #sign# regulations applicable in C1 Districts.
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## **32-662 - Additional regulations for advertising signs**

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LAST AMENDED

6/6/2024

C6-5 C6-7 C8

In all districts, as indicated, no #advertising sign# shall be located, nor shall an existing #advertising sign# be structurally altered, relocated or reconstructed within 200 feet of an arterial highway or of a #public park# with an area of one half acre or more, if such #advertising sign# is within view of such arterial highway or #public park#. For the purposes of this Section, arterial highways shall include all highways which are shown on the Master Plan of Arterial Highways and Major Streets, as "principal routes," "parkways" or "toll crossings," and that have been designated by the City Planning Commission as arterial highways to which the provisions of this Section shall apply. Beyond 200 feet from such arterial highway or #public park#, an #advertising sign# shall be located at a distance of at least as many linear feet therefrom as there are square feet of #surface area# on the face of such #sign#. However, in all districts as indicated, the more restrictive of the following shall apply:

- (1) Any #advertising sign# erected, structurally altered, relocated or reconstructed prior to June 1, 1968, within 660 feet of the nearest edge of the right-of-way of an arterial highway, whose message is visible from such arterial highway, shall have legal #non-conforming use# status pursuant to Section [52-83](#), to the extent of its size existing on May 31, 1968.
- (2) Any #advertising sign# erected, structurally altered, relocated or reconstructed between June 1, 1968 and November 1, 1979, within 660 feet of the nearest edge of the right-of-way of an arterial highway, whose message is visible from such arterial highway, and whose size does not exceed 1,200 square feet in #surface area# on its face, 30 feet in height, and 60 feet in length, shall have legal #non-conforming use# status pursuant to Section [52-83](#), to the extent of its size existing on November 1, 1979. All #advertising signs# not in conformance with the standards set forth herein shall terminate.

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## **32-663 - Advertising signs on waterways**

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LAST AMENDED  
2/27/2001

No moving or stationary #advertising sign# shall be displayed on a vessel plying waterways adjacent to #Commercial Districts# and within view from an arterial highway. For the purposes of this Section, arterial highways shall include all highways that are shown on the Master Plan of Arterial Highways and Major Streets as "principal routes," "parkways" or "toll crossings" and that have been designated by the City Planning Commission as arterial highways to which the provisions of this Section shall apply.

For the purposes of this Section, #advertising sign# is a #sign# that directs attention to a profession, business, commodity, service or entertainment conducted, sold or offered elsewhere than upon the premises of the vessel and is not #accessory# to a #use# on such vessel.

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## **32-67 - Special Provisions for Certain Areas**

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LAST AMENDED  
6/6/2024

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## **32-671 - Special provisions applying along district boundaries**

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LAST AMENDED  
6/6/2024

C2 C3 C4 C5 C6 C7 C8

In the districts indicated, and within 100 feet of the #street line# of any #street# or portion thereof in which the boundary of an adjoining #Residence District# is located, or which adjoins a #public park# of one-half acre or more, no #advertising sign# that faces at an angle of less than 165 degrees away from such #Residence District# or park boundary shall be permitted and all other #signs# facing at less than such an angle shall conform with all the #sign# regulations applicable in C1 Districts as set forth in Sections [32-62](#) through [32-68](#), inclusive, relating to Sign Regulations.

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## 32-672 - Special provisions for high density areas

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LAST AMENDED

6/6/2024

In addition to the applicable district regulations in C1-8, C1-9, C2-7, C2-8 and C4-6 Districts and C1 or C2 Districts mapped within R9 or R10 Districts, all #signs#, other than #advertising signs# and window #signs#, shall be located in a horizontal band not higher than three feet, the base of which is located not higher than 17 feet above #curb level#. Where there is a grade change of at least 1.5 feet in 100 along the portion of the #street# upon which the #development# fronts, such signage band may be staggered along such #street#.

When a #building# on a #contiguous lot# or #contiguous block# contains #accessory# business #signs# within a coordinated horizontal band along its #street# frontage, the signage strip along the #development# shall be located at the same elevation as the adjacent band, but in no event higher than 17 feet above #curb level#. Where coordinated horizontal bands exist on two #contiguous lots# or #contiguous blocks# on both sides of the #development#, the signage strip shall be located at the same elevation as one adjacent band, or between the elevations of the two. For the purpose of this Section, the elevation is measured from the #curb level# to the base of the signage strip.

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## 32-68 - Permitted Signs on Residential or Mixed Buildings

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LAST AMENDED

6/6/2024

C1 C2 C3 C4 C5 C6

In the districts indicated, any #use# listed in Use Group II shall conform to the #sign# regulations for #Residence Districts# set forth in Sections [22-52](#) through [22-54](#). In #residential# or #mixed buildings#, #residential sign# regulations shall apply to the #residential# portion.

Where non-#residential# #uses# are permitted to occupy two floors of the #building#, all #signs# #accessory# to non-#residential# #uses# located on the second floor shall be non-#illuminated signs#, and shall be located below the level of the finished floor of the third #story#.

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## 32-69 - Additional Sign Regulations for Adult Establishments

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LAST AMENDED

4/8/1998

C6-4 C6-5 C6-6 C6-7 C6-8 C6-9 C7 C8

#Signs#, other than #advertising signs#, for #adult establishments# are permitted only as set forth in this Section and are limited to locations in the districts indicated.

All permitted #signs#, other than #advertising signs#, for #adult establishments# shall conform with all the #sign# regulations applicable in C1 Districts as set forth in this Chapter, except that the provisions of Section [32-64](#) (Surface Area and Illumination Provisions) shall not apply. In lieu thereof, the maximum #surface area# of all #signs#, other than #advertising signs#, for #adult establishments# shall not exceed, in the aggregate, three times the #street# frontage of the #zoning lot#, but in no event more than 150 square feet per establishment, of which no more than 50 square feet may be #illuminated# non-#flashing signs#.