Northern Tribeca Zoning Text	**(N 100370(A) ZRM)**
Enacted by the City Council: October 13, 2010	

The following is the final text as incorporated into the New York City Zoning Resolution:

Matter in underline is new, to be added;
Matter in ~~strikeout~~ is to be deleted;
Matter with # # is defined in Section 12-10;
* * * indicates where unchanged text appears in the Zoning Resolution

Article I
GENERAL PROVISIONS

* * *

Chapter 2
Construction of Language and Definitions

* * *

12-10
DEFINITIONS

* * *

Accessory use, or accessory

* * *

An #accessory use# includes:

* * *

(iv) in C6-2M, C6-4M, M1-5M, M1-6M, M1-5A~~,~~ and M1-5B Districts ~~and the #Special Tribeca Mixed Use District#~~, no living or sleeping accommodation for caretakers is permitted in any #building# which contains a #residential use# or a #joint living-work quarters for artists#.

* * *

Joint living-work quarters for artists

A "joint living-work quarters for artists" consists of one or more #rooms# in a non-#residential building#, on one or more floors, with lawful cooking space and

sanitary facilities meeting the requirements of the Housing Maintenance Code, occupied:

(a) and arranged and designed for use by, and is used by, not more than four non-related #artists#, or an #artist# and his household, and including adequate working space reserved for the #artist#, or #artists# residing therein;

(b) by any household residing therein on September 15, 1986, whose members are all unable to meet the #artist# certification qualifications of the Department of Cultural Affairs that registers with the Department of Cultural Affairs prior to nine months from January 8, 1987; or

(c) by any person who is entitled to occupancy by any other provision of law.

An #artist# is a person so certified by the New York City Department of Cultural Affairs.

Regulations governing #joint living-work quarters for artists# are set forth in Article I, Chapter 5, Sections 42-14, paragraph (D) (Use Group 17 - Special Uses), 42-141 (Modification by certification of the City Planning Commission of uses in M1-5A and M1-5B Districts), 43-17 (Special Provisions for Joint Living-Work Quarters for Artists)~~,~~ and 74-78 (Conversions of Non-Residential Buildings) ~~and Article XI, Chapter 1 (Special Tribeca Mixed Use District)~~.

* * *

Loft dwelling

A "loft dwelling" is a #dwelling unit# in the #Special Tribeca Mixed Use District#, in a #building# designed for non-#residential use# erected prior to December 15, 1961. Regulations governing #loft dwellings# are set forth in Sections 111-11 (Residential use modification) and 111-40 (REQUIREMENTS FOR LOFT DWELLINGS CONSTRUCTED PRIOR TO OCTOBER 13, 2010. ~~Article XI, Chapter 1 (Special Tribeca Mixed Use District).~~

* * *

Chapter 5
Residential Conversion of Existing Non-Residential Buildings

* * *

15-011
Applicability within Special Districts

The provisions of this Chapter shall apply in any #Special Mixed Use District# as modified by Article XII, Chapter 3 (Special Mixed Use District).

The provisions of this Chapter shall apply in the #Special Downtown Jamaica District# as modified by Article XI, Chapter 5 (Special Downtown Jamaica District).

The provisions of this Chapter shall apply in the #Special St. George District# as modified by Article XII, Chapter 8 (Special St. George District).

The provisions of this Chapter shall apply in the #Special Coney Island District# as modified by Article XIII, Chapter 1 (Special Coney Island District).

The Preservation Area of the #Special Clinton District# is excluded from the applicability of the provisions of this Chapter.

The provisions of this Chapter shall apply in the #Special Tribeca Mixed Use District# as modified by Article XI, Chapter 1 (Special Tribeca Mixed Use District).

~~Except as specifically set forth in Sections 15-013 and 15-026, the provisions of this Chapter are not applicable in the #Special Tribeca Mixed Use District#.~~

* * *

15-013
Building permits and variances issued before the effective date of amendment

(a) Building permits in Manhattan Community Districts 1, 2, 3, 4, 5 and 6

* * *

(2) for all #floor area# for which the Board has made a finding that, as of the date said building permit lapsed, there was substantial construction in compliance with the approved plans pursuant to which said lapsed permit has been granted. A finding of substantial construction shall not be made unless, as of the date said permit lapsed, the #floor area# was either vacant or occupied by #residential# or #joint living-work quarters for artists use#, and unless the expenditures prior to the date said permit lapsed were significant in proportion to the costs of construction of the entire project, not including the costs of acquisition, demolition, professional fees or financing. Notwithstanding anything to the contrary above, the building permit shall only be reinstated pursuant to the provisions of

this Section, provided that for any portion of the #building# for which said permit is reinstated:

(i) the conversion shall comply with the provisions of Sections 15-12, 15-24~~,~~ or 42-14, paragraph (D)(1)(e), ~~or 111-112,~~ as appropriate in the zoning district in which the #building# being converted is located, except that the Board may modify the requirements of Sections 15-12, 15-24~~,~~ or 42-14, paragraph (D)(1)(e), ~~or 111-112,~~ provided that the rooftop open space was not permitted under said building permit and the Board determines that the roof either is unsuited for open space #use# or cannot be made suitable for open space #use# at a reasonable cost;

* * *

15-026
Special bulk regulations for certain pre-existing dwelling units, joint living-work quarters for artists and loft dwellings

(a) The minimum size, #yard#, and density requirements of Sections 15-111, 15-22, 43-17 and ~~111-111~~ Section 111-40 (REQUIREMENTS FOR LOFT DWELLINGS CONSTRUCTED PRIOR TO OCTOBER 13, 2010, may be replaced by the requirements of this Section for #dwelling units#, #joint living-work quarters for artists# or #loft dwellings#:

(1) existing on September 1, 1980 for which a determination of #residential# or #joint living-work quarters for artists# occupancy has been made pursuant to Sections 15-021, paragraph (c), 15-215, 42-133, paragraph (a), 42-141, paragraph (b)~~,~~ or 74-782~~, or 111-201 paragraph (a)~~; or

(2) that are registered Interim Multiple Dwellings or are found covered by the New York City Loft Board pursuant to Article 7C of the New York State Multiple Dwelling Law; or

(3) that the Loft Board determines were occupied for #residential use# or as #joint living-work quarters for artists# on September 1, 1980.

(b) Unless required by the Loft Board for the legalization of Interim Multiple Dwelling Units in the implementation of Article 7C of the New York State Multiple Dwelling Law, #dwelling units# or #joint living-work quarters for artists# described in paragraph (a) and existing on such dates may not be divided subsequently into units or quarters of less than 1,200 square feet, and #loft dwellings# may not be divided subsequently into dwellings that do

not meet the requirements of ~~Section 111-111 paragraphs (a), (b)(1) and (c)~~ Section 111-40.

No #building# that meets the density requirements of Section~~s~~ 15-111 or paragraph (c) of Section 111-40 ~~111-111 paragraph (c),~~ may subsequently add additional units or quarters except in accordance thereof. No #building# to which the regulations of this Section have been applied may subsequently add additional units or quarters except in accordance with the requirements of Section~~s~~ 15-111 ~~or 111-111 paragraph (c)~~.

(c) In lieu of the stated minimum size, #yard#, and density requirements of Sections 15-111, 15-22, 43-17 and Section 111-40 ~~111-111~~, the following regulations shall apply:

(1) The minimum size of a #dwelling unit#, #joint living work quarters for artists#, or #loft dwelling# may be no less than 415 square feet of #floor area#, provided that all of the following requirements are met:

(i) the unit or quarters shall contain one or more windows that open onto a #street# or thirty foot #yard#;

(ii) the area of such required window shall be not less than eight percent of the #floor area# of the unit or quarters and 50 percent of the area of such required window shall be openable; and

(iii) the interior dimension of the wall in which such required window is located shall be no less than 12 feet in width; or

(2) The minimum size of a #dwelling unit#, #joint living-work quarters for artists#, or #loft dwelling# may be no less than 600 square feet of #floor area#, provided that all of the following requirements are met:

(i) the unit or quarters shall contain one or more windows that open onto either:

(a) a ten foot #yard#, where the window sill of such required window is at least 23 feet above #curb level#; ~~or~~

(b) a 15 foot #yard#, where the window sill of such required window is less than 23 feet above #curb level#; ~~or~~

(c) a #court# with a minimum dimension of 15 feet perpendicular to such required window and 375 square feet or more in area; or

(d) a #street#;

(ii) the minimum horizontal distance between such required window opening onto a #yard# and any wall opposite such window on the same or another #zoning lot# shall be at least 15 feet;

(iii) the area of such required window shall be no less than five percent of the #floor area# of the unit or quarters, and 50 percent of the area of such required window shall be openable;

(iv) the interior dimension of the wall in which such required window is located shall be no less than 12 feet in width;

(v) the average width of such unit or quarters shall be no less than 14 feet; and

(vi) not less than two-thirds of the #floor area# of the unit or quarters shall have a floor-to-ceiling height of nine feet or more.

* * *

32-01
Special Provisions for Adult Establishments

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#~~,~~ <u>or</u> new #joint living-work quarters for artists# ~~or new #loft dwellings#~~ are allowed~~, under the provisions of the Zoning Resolution,~~ 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#~~,~~ <u>or</u> new #joint living-work quarters for artists# ~~or new #loft dwellings#~~ 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#.

* * *

42-01
Special Provisions for Adult Establishments

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 a #Manufacturing District# in which #residences#~~,~~ <u>or</u> #joint living-work quarters for artists# ~~or #loft dwellings#~~ are~~, under the provisions of the Zoning Resolution~~, 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#~~,~~ <u>or</u> new #joint living-work quarters for artists# ~~or new #loft dwellings#~~ on #commercial# or #manufacturing uses# within a #Manufacturing District# shall be construed as a limitation on the scope of this provision.

(b) In all other #Manufacturing 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#~~,~~ <u>or</u> new #joint living-work quarters for artists# ~~or new #loft dwellings#~~ are allowed, under the provisions of the Zoning Resolution, 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#~~,~~ <u>or</u> new #joint living-work quarters for artists# ~~or new #loft dwellings#~~ 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 #nonconforming# if a house of worship or a #school# is established on or after April 10, 1995, within 500 feet of such #adult establishment#.

* * *

42-53
Surface Area and Illumination Provisions

M1 M2 M3

* * *

No #illuminated sign# shall have a degree or method of illumination that 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#.

* * *

42-532
Non-illuminated signs

M1 M2 M3

In all districts, as indicated, non-#illuminated signs# with total #surface areas# not exceeding six times the #street# frontage of the #zoning lot#, in feet, but in no event more than 1,200 square feet for each #sign#, are permitted.

However, in any #Manufacturing District# in which #residences#~~, #loft dwellings#~~ or #joint living-work quarters for artists# are, under the provisions of the Zoning Resolution, allowed as-of-right or by special permit or authorization, the total #surface area# of all such permitted #signs# shall not exceed six times the #street# frontage of the #zoning lot#, in feet, and that the #surface area# of each #sign# shall not exceed 750 square feet.

* * *

42-533
Illuminated or flashing signs

M1 M2 M3

* * *

However, in any #Manufacturing District# in which #residences#~~, #loft dwellings#~~ or #joint living-work quarters for artists# are, under the provisions of the Zoning Resolution, allowed as-of-right or by special permit or authorization, the total #surface area# of all such permitted #signs# 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.

* * *

42-541
Permitted projection

M1 M2 M3

In all districts, as indicated, except as otherwise provided in Section 42-542 (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#, except that:

(a) ~~I~~in M1-5A, M1-5B, M1-5M and M1-6M Districts ~~and in #Manufacturing Districts# mapped within the #Special Tribeca Mixed Use District#~~, for each establishment located on the ground floor, non-#illuminated signs# other than #advertising signs# may project no more than 40 inches across a #street line#, provided that along each #street# on which such establishment fronts, the number of such #signs# for each establishment shall not exceed two two-sided #signs# separated at least 25 feet apart, and further provided that any such #sign# shall not exceed a #surface area# of 24 by 36 inches and shall not be located above the level of the first #story# ceiling.

* * *

(b) ~~F~~for #zoning lots# occupies . . .

Article VII
ADMINISTRATION

* * *

Chapter 4
Special Permits by the City Planning Commission

* * *

74-92
Use Groups 3A and 4A Community Facilities and Certain Large Retail Establishments in Manufacturing Districts

74-921
Use Groups 3A and 4A community facilities

(a) Use modifications for Use Groups 3A and 4A in M1 Districts

In M1 Districts, except for houses of worship, the City Planning Commission may permit #uses# listed in Use Group 4A - Community Facilities and, in M1-5 Districts, except in M1-5A, M1-5B and M1-5M Districts, the Commission

may permit museums and non-commercial art galleries as listed in Use Group 3A, provided that such community facility is located not more than 400 feet from the boundary of a district where such facility is permitted as-of-right and the Commission finds that:

* * *

(6) such facility will not impair the essential character of the surrounding area.

~~The provisions of this special permit relating to Use Group 3A museums and non-commercial art galleries shall be inapplicable to the #Special Tribeca Mixed Use District#.~~

* * *

Article XI - Special Purpose Districts

Chapter 1
Special Tribeca Mixed Use District

111-00
GENERAL PURPOSES

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

(a) to retain adequate wage, job producing, stable industries within the Tribeca neighborhood;

(b) to protect light manufacturing and to encourage stability and growth in the Tribeca neighborhood by permitting light manufacturing and controlled residential uses to coexist where such uses are deemed compatible;

(c) to provide ~~a limited new~~ housing opportunity of a type and at a density appropriate to this mixed use zone;

(d) to insure the provision of safe and sanitary housing units in converted buildings; and

(e) to promote the most desirable use of land and building development in accordance with the Plan for Lower Manhattan as adopted by the City Planning Commission.

* * *

111-02
General Provisions

The provisions of this Chapter shall apply to all #developments, enlargements, extensions#, alterations, #accessory uses#, open and enclosed, and changes in #uses# within the Special District.

~~#Loft dwellings# and #joint living-work quarters for artists# are permitted #uses# within the Special District and #loft dwellings# are the only permitted #residential use# in #buildings# designed for non-#residential use# and erected prior to December 15, 1961. #Loft dwellings# and #joint living-work quarters for artists# converted under the provisions of this Chapter, are not subject to the provisions of Section 32-42 (Location within Buildings).~~

~~#Buildings# designed for non-#residential use#, and erected prior to December 15, 1961, that have not since been #enlarged# may be converted to #loft dwellings#, subject to the #bulk# regulations of Section 111-11 (Bulk Regulations for Buildings Containing Loft Dwellings or Joint Living-Work Quarters for Artists).~~

~~#Buildings# designed for non-#residential use#, and erected prior to December 15, 1961, that have since been #enlarged# may be converted to #loft dwellings#, and #buildings# designed for non-#residential use# and erected prior to December 15, 1961, may be #enlarged# for #loft dwellings#, provided that such conversion or #enlargement# shall be made only by special permit of the City Planning Commission pursuant to Section 111-51 (Special Permit for Enlargements of Buildings Containing Loft Dwellings).~~

~~A #home occupation# may occupy a #loft dwelling# as an #accessory use# in excess of the #floor area# limitations of Section 12-10 (DEFINITIONS - Home occupation), and subject to the following:~~

~~(a) Businesses operated as #home occupations# may have up to three non-#residential# employees.~~ and

~~(b) Notwithstanding the limitation on #uses# listed in Section 12-10, a #home occupation# may include a permitted #commercial# or permitted #manufacturing use#. It shall not include the sale of merchandise produced elsewhere.~~

~~(c) The Commissioner of Buildings may issue rules and regulations setting forth appropriate standards to implement the intent of this Section.~~

~~Museums or non-commercial art galleries are permitted #uses# within Areas B1 and B2 of the Special District in accordance with the provisions of Section 111-105 (Museums or non-commercial art galleries), and are subject to the #bulk#~~

~~regulations applicable to #manufacturing uses# in Areas B1 and B2.~~

Except as modified by the express provisions of the District, the regulations of the underlying districts remain in effect.

111-03
District Map

The District Map for the #Special Tribeca Mixed Use District#, in Appendix A, identifies special areas comprising the Special District in which special zoning regulations carry out the general purposes of the #Special Tribeca Mixed Use District#. These areas are as follows:

Area A1 - General Mixed Use Area

Area A2 - Limited Mixed Use Area
~~(Commercial and Residential Uses)~~

Area A3 - General Mixed Use Area

Area A4 - General Mixed Use Area

~~Area B1 - Limited Mixed Use Area~~

~~Area B2 - Limited Mixed Use Area~~

Area A5 - General Mixed Use Area

Area A6 - General Mixed Use Area

Area A7 - General Mixed Use Area

111-10
SPECIAL USE REGULATIONS

~~**111-101**~~
~~**Location of permitted uses in buildings containing loft dwellings or joint living-work quarters for artists**~~

~~Within Areas B1 and B2, #loft dwellings# and #joint living-work quarters for artists# are not permitted below the floor level of the third #story#, unless modified by the Chairperson of the City Planning Commission pursuant to Section 111-20 (MINOR MODIFICATIONS), paragraph (a), by authorization of the City Planning Commission pursuant to Section 111-23 (Modification of Location and~~

~~Additional Use Regulations by Authorization of the City Planning Commission) or by special permit of the City Planning Commission pursuant to Section 111-50 (SPECIAL PERMIT FOR CONVERSION TO LOFT DWELLINGS OR JOINT LIVING-WORK QUARTERS FOR ARTISTS).~~

111-11
Residential use modification

(a) Loft dwellings

#Loft dwellings# created prior to (effective date) shall be governed by the provisions for #loft dwellings# in Section 111-40 (REQUIREMENTS FOR LOFT DWELLINGS CONSTRUCTED PRIOR TO OCTOBER 13, 2010). Such #loft dwellings# may be #extended#, #enlarged#, or subdivided into two or more #loft dwellings# only in accordance with such provisions. No #loft dwellings# may be created after October 13, 2010, except as the result of a subdivision of a #loft dwelling# existing prior to October 13, 2010.

(b) Home occupations

A #home occupation# may occupy a #loft dwelling#, or a #dwelling unit# converted pursuant to Article I, Chapter 5 (Residential Conversion of Existing Non-Residential Buildings), as an #accessory use# pursuant to Section 15-13 (Special Home Occupation Provision), except that:

(1) businesses operated as #home occupations# may have up to three non-#residential# employees; and

(2) notwithstanding the limitation on #uses# listed in the definition of #home occupation# in Section 12-10, a #home occupation# may include a permitted #commercial# or permitted #manufacturing use#.

111-~~102~~ 12
Ground floor use restrictions

~~(a)~~In all areas except Area~~s~~ A2,~~s A1, A3 and A4 G~~ground floor spaces in separate #buildings# may not be combined for #uses# in Use Groups 3, 4, 5 and 6, except in those #buildings# having frontage on Broadway, Chambers Street, Church Street, Greenwich Street, Hudson Street, Sixth Avenue, Varick Street, West Broadway or West Street.

~~(b) Areas B1 and B2~~

~~(1) Use of the ground floor in #buildings# constructed prior to March 10, 1976, shall be restricted to #uses# in Use Groups 7, 9, 11, 16, 17a,~~

~~17b, 17c or 17e, except that where a #use# other than these occupied the ground floor of a #building# prior to March 10, 1976, it shall be permitted in conformance with the underlying district regulations.~~

~~(2) In #buildings# having frontage on Greenwich Street, West Street, Hudson Street, West Broadway or Canal Street, ground floor #uses# shall be permitted in conformance with the underlying districts except as provided in Section 111-103, paragraph (c).~~

111-~~103~~ 13
Additional use regulations

(a) Areas A1~~,~~ and A3 ~~and A4~~

(1) #Uses# in Use Groups 16 and 17 shall be permitted, except the following #uses# are prohibited ~~in all #buildings#~~:

~~(i)~~ within Use Group 16A: crematoriums, poultry or rabbit killing establishments, unenclosed automobile, boat, motorcycle or trailer sales, motorcycle rentals;

~~(ii)~~ all Use Group 16B #uses#, except #automotive service stations# by special permit pursuant to Section 73-21;

~~(iii)~~ all Use Group 16C #uses#;

~~(iv)~~ within Use Group 16D: dry cleaning or cleaning or dyeing establishments, with no limitation on type of operation, solvents, #floor area# or capacity per establishment;

~~(v)~~ within Use Group 17B: manufacture of aircraft, automobiles, trucks, trailers, boats, motorcycles or chemicals; and

~~(vi)~~ all Use Group 17C #uses#, except agriculture.

(2) The following #uses# are prohibited in #buildings# that do not front on Chambers Street, Church Street, Greenwich Street, Hudson Street~~,~~ or West Broadway ~~or West Street~~:

~~(i)~~ all Use Group 8A #uses#;

~~(ii)~~ all Use Group 8D #uses#;

~~(iii)~~ all Use Group 10A #uses#, except depositories, photographic or motion picture studios, radio or television studios; and

~~(iv)~~ all Use Group 12A #uses#.

(3) In #buildings# fronting on Chambers Street, Church Street, Greenwich Street, Hudson Street~~,~~ or West Broadway ~~or West Street~~, the following ~~retail facilities~~ #uses# shall be limited to 20,000 square feet of #floor area# on a #zoning lot#, including retail #cellar# space allotted to such #uses#, except as otherwise provided in Section ~~111-40~~ 111-32 (Special Permit For Certain Large Commercial Establishments):

~~(i)~~ all #uses# in Use Groups 6A and 6C;

~~(ii)~~ all #uses# in Use Group 10 with parking categories B or B1; and

~~(iii)~~ the above #uses# when listed in other use groups.

Separate #buildings# on separate #zoning lots# may not be combined for #uses# in Use Groups 6A. ~~and~~ 6C ~~and~~ or all #uses# with parking categories B or B1 in Use Group 10 ~~with parking categories B or B1~~.

In addition, in #buildings# not fronting on the ~~above-listed~~ #streets# listed in paragraph (a)(3) of this Section, #uses# listed ~~retail facilities~~ in Use Groups 6A and 6C shall be limited to 10,000 square feet of #floor area# on a #zoning lot#, including retail #cellar# space ~~allotted~~ allocated to such #uses#, except as otherwise provided in Section 111-~~40~~ 32.

(b) Areas ~~B1 and B2~~ A4, A5, A6 and A7

~~#Loft dwellings# and #joint living-work quarters for artists# shall be permitted in #buildings# where the #lot coverage# is less than 5,000 square feet. #Loft dwellings# and #joint living-work quarters for artists# shall be permitted in other #buildings or other structures# only by special permit of the City Planning Commission, pursuant to Section 111-50 (SPECIAL PERMIT FOR CONVERSION TO LOFT DWELLINGS OR JOINT LIVING-WORK QUARTERS FOR ARTISTS), or by minor modification of the Chairperson of the City Planning Commission, pursuant to Section 111-20, paragraph (d), or by authorization of the City Planning Commission, pursuant to Section 111-23 (Modification of Location and Additional Use Regulations by Authorization of the City Planning Commission).~~

(1) All #uses# listed in Use Groups 16B, 16C or 16D shall be permitted;

(2) The following #uses# listed in Use Group 16 shall be permitted:

Carpentry, custom woodworking or custom furniture making shops

Electrical, glazing, heating, painting, paper hanging, plumbing, roofing or ventilating contractors' establishments, open or enclosed, with open storage limited to 5,000 sq. ft.

Household or office equipment or machinery repair shops

Machinery rental or sales establishments.

(3) All #uses# in Use Group 17 shall be permitted, except that the following #uses# shall be prohibited:

Building materials or contractors' yards, open or enclosed

Produce or meat markets, wholesale

Adhesives, including manufacture of basic components

Food products, including slaughtering of meat or preparation of fish for packing

Laboratories, research, experimental or testing

Leather products, including shoes, machine belting, or similar products

Metal stamping or extrusion, including costume jewelry, pins and needles, razor blades, bottle caps, buttons, kitchen utensils, or similar products

Pharmaceutical products

Plastic products, including tableware, phonograph records, buttons, or similar products

Rubber products, such as washers, gloves, footwear, bathing caps, atomizers, or similar products, including manufacture of natural or synthetic rubber

Shoddy

Soap or detergents.

(4) For establishments with frontage on #wide streets#, #uses# listed in Use Groups 6A, 6C and 10 shall be limited to 10,000 square feet of #floor area#. For establishments that front only upon a #narrow street#, such #uses# shall be limited to 5,000 square feet of #floor

area#. For the purposes of this Section, #floor area# shall include retail #cellar# space allocated to such #uses#.

The #floor area# requirements of this paragraph, (b)(4), may be modified only pursuant to Section 111-32 (Special Permit For Certain Large Commercial Establishments).

(c) Eating or drinking establishments with entertainment and a capacity of more than 200 persons, or establishments of any capacity with dancing, as listed in Use Group 12A, in any location within a #building#, shall be permitted only by special permit of the Board of Standards and Appeals as provided in Section 73-244. ~~In Areas A1, A2, A3 and A4, t~~The Board of Standards and Appeals shall additionally find for establishments of any capacity with dancing, as listed in Use Group 12A, that primary ingress and egress for such #uses# may only be located on Broadway, Chambers Street, Church Street, Greenwich Street, Hudson Street, Sixth Avenue, Varick Street, West Broadway or West Street, with only fire or emergency egress on other #streets#, and that no portion of such #use# may be located more than 100 feet, measured perpendicularly, from the above-listed streets. Furthermore, such #uses# are restricted as provided in paragraph (a)(2) of this Section.

(d) Areas A4, A5, A6 and A7

#Transient hotels# shall be allowed, except that #developments#, #enlargements#, #extensions# or changes of #use# that result in a #transient hotel# with greater than 100 sleeping units shall only be allowed pursuant to Section 111-31 (Special Permit For Large Transient Hotels).

However, any #transient hotel# that received a special permit pursuant to Section 74-711, granted prior to October 13, 2010, may continue under the terms of such approval.

(e) Environmental conditions for Area A2

(1) All #developments# or #enlargements# shall be subject to Ambient Noise Quality Zone Regulations.* #Uses# listed in Use Group 11A shall be subject to the performance standards of an M1 District.

(2) All new #dwelling units# shall be provided with a minimum 35dB(A) of window wall attenuation in order to maintain an interior noise level of 45dB(A), or less, with windows closed. Therefore, an alternate means of ventilation is required.

_____

* Ambient Noise Quality Regulations for an M2 District as set forth in the Noise Control Code for the City of New York, Article VI(B).

~~**111-104**~~
~~**Special provisions for Areas A1, A2, A3, A4 and B2**~~
111-20
SPECIAL BULK PROVISIONS FOR AREAS A1 THROUGH A7

(a) Area A1

The regulations applicable to a C6-2A District shall apply to ~~all new~~ #developments# and #enlargements#, except as set forth herein.

(1) Maximum #floor area ratio#

The maximum #floor area ratio# permitted on a #zoning lot# shall be 5.0.

(2) Special regulations for narrow #buildings#

A #building# or portion of a #building# may be constructed above the maximum height of a #street wall# permitted pursuant to Section 23-692 (Height limitations for narrow buildings or enlargements), provided the portion of a #building# exceeding such height limitation does not exceed a height of one #story# or 15 feet, whichever is less, and provided such portion is set back at least 10 feet from the #street wall# of the #building# facing a #wide street#, and 15 feet from the #street wall# of the #building# facing a #narrow street#.

(b) Area A2

The regulations applicable to a C6-3 District shall apply to ~~all new~~ #developments# and #enlargements#, except as set forth herein.

(1) Maximum #floor area ratio#

No #floor area# bonuses shall be permitted in Area A2.

The maximum #floor area ratio# permitted shall be 7.52. In no case shall the #floor area ratio# of the #commercial# or #community facility# portion of the #building# be more than 6.0.

(2) #Open space# and #lot coverage# regulations

The #open space# and #lot coverage# regulations of Article II,

Chapters 3 and 4, and Article III, Chapter 5, for a #residential building#, or the #residential# portion of a #mixed building#, are not applicable. In lieu thereof, the maximum permitted #lot coverage# on a #zoning lot# shall not exceed 80 percent of the #lot area#. However, any permitted obstruction on a #zoning lot# pursuant to Sections 23-44, 24-12 or 33-23 shall not count as #lot coverage#.

(3) #Yard#, #court# and minimum distance between #buildings# regulations

The #yard# and #court# regulations of a C6-3 District shall apply, except that on a #through lot# the provisions of paragraphs (b) and (c) of Sections 23-533 and 24-382 (Required rear yard equivalents) and 23-71 (Minimum Distance between Buildings on a Single Zoning Lot) shall not apply. On any single #zoning lot# within Area A2, if a #development# or #enlargement# results in two or more #buildings# or portions of #buildings# detached from one another at any level, such #buildings# or portions of #buildings# shall at no point be less than eight feet apart.

(4) #Height factor#, front height and setback regulations

The #height factor#, front height and setback, alternate front setback and tower regulations of a C6-3 District shall not apply. In lieu thereof, for the first two #stories# of any #development# or #enlargement#, the #street wall# shall be located on the #street line# and shall extend the entire width of the #zoning lot# <u>not occupied by existing #buildings# to remain</u>, except that at the intersection of two #street lines# the #street wall# may be located within five feet of the #street line#. Above the ceiling of the second #story# for any #development# or #enlargement#, there shall be mandatory #street walls# extending the entire width of the #zoning lot# <u>not occupied by existing #buildings# to remain</u>, as set forth ~~below~~ <u>in this paragraph, (b)(4)</u>. Along #wide streets# and along #narrow streets#, within 75 feet of the intersection with #wide streets#, the #street wall# shall rise for a minimum of 60 feet above #curb level# but shall not exceed a height of 100 feet above #curb level#. Along a #narrow street#, beyond a distance of 75 feet from the intersection of a #wide street# and a #narrow street#, the #street wall# shall rise for a minimum of 60 feet above #curb level# but shall not exceed a height of 85 feet above #curb level#. Notwithstanding the above requirements, for the 25 feet of a #zoning lot# furthest from the intersection of a #wide street# and a #narrow street#, the height of the #street wall# shall be 60 feet or the height of the adjacent #building# fronting on the same #street line#, whichever is greater. Above the ceiling of the second #story#, 75 percent of the aggregate area of the mandatory

#street walls# at each #story# shall be within five feet of the #street line#; the mandatory #street wall# shall abut the #street line# at least once every 25 feet; and at the intersection of two #street lines# the mandatory #street wall# shall be located within five feet of the #street line#, measured perpendicular to the #street line#. For #residential# and community facility #developments# or #enlargements#, recesses shall comply with the applicable #outer court# provisions of Sections 23-84 and 24-63.

For any #zoning lot# located in a Historic District designated by the Landmarks Preservation Commission, the minimum base height of a #street wall# may vary between the height of the #street wall# of an adjacent #building# before setback, if such height is lower than the minimum base height required, up to the minimum base height requirements of this Chapter.

For any #zoning lot# located in a Historic District designated by the Landmarks Preservation Commission, the location of the #street wall# of any #building# may vary between the #street wall# location requirements of this Chapter and the location of the #street wall# of an adjacent #building# fronting on the same #street line#.

(5) Curb cuts

Curb cuts shall not be permitted on Greenwich Street, Murray Street and Chambers Street.

(c) Area ~~B2~~ A3

The regulations applicable to a C6-3A District shall apply to ~~all new~~ #developments# and #enlargements#, except as set forth herein.

(1) Height and setback regulations

The height and setback regulations of Section 35-24 (Special Street Wall Location and Height and Setback Regulations in Certain Districts) shall not apply. In lieu thereof, the following height and setback regulations shall apply:

(i) Permitted obstructions

Permitted obstructions for all #buildings or other structures# shall be as set forth in Section 33-42.

(ii) Measurement of height

Heights of all #buildings or other structures# shall be measured from the #base plane#.

(iii) #Street wall# location

The #street wall# of any #development# or #enlargement# shall be located on the #street line# and extend along the entire #street# frontage of the #zoning lot# not occupied by existing #buildings#, and shall rise to at least a height of 60 feet or the height of the #building#, whichever is less. However, to allow articulation of #street walls# at the intersection of two #street lines#, the #street wall# may be located anywhere within an area bounded by the two #street lines# and a line connecting such #street lines# at points 15 feet from their intersection. Recesses, not to exceed three feet in depth from the #street line#, shall be permitted on the ground floor where required to provide access to the #building#. At any level above the ground floor, but at least 12 feet above the level of the #base plane#, recesses shall be permitted in the #street wall# for #outer courts# or articulation of #street walls# at the intersection of two #street lines# as set forth in this Section. The aggregate width of such recesses shall not exceed 30 percent of the width of the #street wall# at any level.

(iv) Maximum height of #street walls# and required setbacks

The maximum height of a #street wall# before setback shall be 85 feet or the height of an adjoining #building# fronting on the same #street line# with a height of at least 60 feet, whichever is less. Setbacks are required for all portions of #buildings# that exceed these maximum #street wall# heights. At a height not lower than 60 feet nor higher than 85 feet, or the height of an adjoining #building# fronting on the same #street line# which is less than 85 feet, a setback with a depth of at least 10 feet shall be provided from any #street wall# fronting on a #wide street#, and a setback with a depth of at least 15 feet shall be provided from any #street wall# fronting on a #narrow street#, except that such dimensions may include the depth of any permitted recesses in the #street wall#.

(v) Maximum building height

No #building or other structure# shall exceed a height of 135 feet.

(vi) Vertical #enlargements# of low #buildings#

Existing #buildings# with #street walls# less than 60 feet in height may be vertically #enlarged# by up to one #story# or 15 feet, whichever is less, without regard to the #street wall# location provisions of paragraph (c)(1)(iii) of this Section.

(2) Special regulations for narrow #buildings#

A #building# or portion of a #building# may be constructed above the maximum height of #street wall# permitted pursuant to Section 23-692 (Height limitations for narrow buildings or enlargements), provided such portion of a #building# exceeding such height limitation does not exceed a height of one #story# or 15 feet, whichever is less, and provided such portion of a #building# is set back at least 10 feet from the #street wall# of the #building# facing a #wide street#, and 15 feet from the #street wall# of a #building# facing a #narrow street#.

(d) Areas A4, A5, A6 and A7

Except as set forth herein, the #bulk# regulations of the underlying district shall apply.

(1) ~~In C6-2A and C6-3A Districts, the h~~Height and setback regulations, as set forth in ~~Table A of~~ Section 35-24, shall be modified, as follows:

~~District~~ Area	Minimum base height (in ft.)	Maximum base height (in ft.)	Maximum building height (in ft.)
~~C6-2A~~	~~60~~	~~70~~	~~110~~
~~C6-3A~~ A4	60	70	140
A5	60	70	110
A6	60	85	120
A7	60	85	120

In ~~a C6-3A District,~~ Area A4, a penthouse portion of a #building#, not exceeding ten feet in height, may be constructed above the maximum building height, provided that such penthouse portion is set back at least 25 feet from any #narrow street#.

In Area A4, ~~However,~~ the provisions of this paragraph, (d) (1), shall not apply to any #building# located in Historic Districts designated by the Landmarks Preservation Commission.

(2) The provisions of Section 33-42 (Permitted Obstructions) shall apply to all #buildings# ~~within Area A4~~, except that elevator or stair bulkheads, roof water tanks, cooling towers or other mechanical equipment (including enclosures), may penetrate a maximum height limit provided that either the product, in square feet, of the #aggregate width of street walls# of such obstructions facing each #street# frontage, times their average height, in feet, shall not exceed a figure equal to eight times the width, in feet, of the #street wall# of the #building# facing such frontage or, the #lot coverage# of all such obstructions does not exceed 20 percent of the #lot coverage# of the #building#, and the height of all such obstructions does not exceed 40 feet. In addition, dormers may penetrate a maximum base height in accordance with the provisions of paragraph (c) of Section 23-621 (Permitted obstructions in certain districts).

(3) ~~In a C6-3A District, t~~The maximum #floor area ratio# permitted on a #zoning lot# shall be ~~6.5~~ as follows:

Area	Maximum #floor area ratio#
A4	6.5
A5	5.5
A6	5.4
A7	5.0

(4) ~~In a C6-2A District, the maximum #floor area ratio# permitted on a #zoning lot# shall be 5.5.~~
Applicability of Inclusionary Housing Program

R8A Districts within Area A6 shall be #Inclusionary Housing designated areas#, pursuant to Section 12-10 (DEFINITIONS), for the purpose of making the Inclusionary Housing Program regulations of Section 23-90, inclusive, applicable as modified within the Special District. The base #floor area ratio# for any #zoning lot# containing #residences# shall be 5.4. Such base #floor area ratio# may be increased to a maximum of 7.2 through the provision of #affordable housing# pursuant to the provisions for #Inclusionary Housing designated areas# in Section 23-90 (INCLUSIONARY HOUSING), except that the height and setback regulations of paragraph (a) of Section 23-954 (Additional requirements for compensated developments) shall not apply. In lieu thereof, the height and setback regulations of this Chapter shall apply.

(5) #Buildings# that have received a certification from the Chairperson of the City Planning Commission pursuant to paragraph (c) of the former Section 111-20 (MINOR MODIFICATIONS), prior to October 13, 2010, to modify the rooftop open space requirements of the former Section 111-112 (Open space equivalent), shall be exempt from the rooftop open space requirements of Section 15-24 (Open Space Equivalent).

(6) Notwithstanding any of the provisions of Section 11-33 (Building Permits for Minor or Major Development or Other Construction Issued Before Effective Date of Amendment), the #development# of a #building# pursuant to variance granted by the Board of Standards and Appeals under calendar #231-09-BZ to modify #bulk# regulations, may be continued provided that a building permit has been issued, in accordance with the terms of said variance, within two years of the grant of said variance.

~~(e)~~ ~~Area B2~~

~~In Area B2, except as modified by the express provisions of this Chapter, the underlying district regulations are superseded and replaced by the regulations applicable in M2-4 Districts.~~

~~111-105~~
~~Museums or non-commercial art galleries~~

~~Areas B1 and B2~~

~~In any #building#, a museum or non-commercial art gallery is permitted on the ground floor where a #use# in Use Group 6 is permitted pursuant to the provisions of Sections 111-102 and above the ground floor where #joint living-work quarters for artists# or #loft dwellings# are permitted pursuant to the provisions of Sections 111-101 or 111-103.~~

~~111-11~~
~~Bulk Regulations for Buildings Containing Loft Dwellings or Joint Living-Work Quarters for Artists~~

~~#Joint living-work quarters for artists# located within the District shall comply with all the #bulk# regulations of this Section applicable to #loft dwellings#.~~

~~111-111~~
~~Loft dwelling requirements~~

~~(a) All #loft dwellings# shall have one or more windows which open into a #street# or a #yard# of 30 feet minimum depth.~~

~~(b) (1) The minimum #floor area# contained within a #loft dwelling# shall be not less than 2,000 square feet, except that:~~

~~(i) where a #loft dwelling# occupies the entire usable area of a floor, there shall be no minimum #floor area#;~~

~~(ii) where a #loft dwelling# has a minimum clear width of 14 feet throughout and has windows opening onto both a #street# and a #yard# which has a depth of 10 percent of the depth of the #loft dwelling#, there shall be no minimum #floor area#;~~

~~(iii) where the ratio in a #loft dwelling# of the window area opening onto a #street# or a #yard# of 30 feet minimum depth to the #floor area# contained within the #loft dwelling# exceeds 5 percent, the minimum #floor area# contained within the #loft dwelling# may be reduced by 200 square feet for each additional percent, to a ratio of 10 percent; or~~

~~(iv) where the ratio in a #loft dwelling# of the window area opening onto a #street# or a #yard# of 30 feet minimum depth to the #floor area# contained within the #loft dwelling# equals or exceeds 10 percent, there shall be no minimum #floor area#.~~

~~(2) The minimum #loft dwelling# size and #yard# requirement, however, may be replaced by the requirements of Section 15-026 (Special bulk regulations for certain pre-existing dwelling units, joint living-work quarters for artists and loft dwellings) for #loft dwellings#:~~

~~(i) for which a determination of #residential# occupancy on September 1, 1980 has been made; or~~

~~(ii) that are registered Interim Multiple Dwellings or are found covered by the New York City Loft Board pursuant to Article 7C of the New York State Multiple Dwelling Law; or~~

~~(iii) that the Loft Board determines were occupied for #residential use# on September 1, 1980.~~

~~#Loft dwellings# existing on September 1, 1980, may not be subsequently divided into dwellings that do not meet the requirements of paragraphs (a), (b)(1) and (c) of this Section, unless required by the Loft Board for the legalization of Interim Multiple Dwelling units in the implementation of Article 7C of the New York State Multiple Dwelling Law.~~

~~No #building# that meets the density requirements of paragraph (c) of this Section may subsequently add additional units or quarters except in accordance thereof. No #building# to which the regulations of Section 15-026 have been applied may subsequently add additional units or quarters except in accordance with the requirements of paragraph (c).~~

~~(c) The number of #loft dwellings# shall not exceed one per 1,000 square feet of #floor area# devoted to #loft dwellings#, except as a result of the application of paragraph (b)(2) of this Section.~~

~~(d) Mezzanines constructed pursuant to Chapter 26 of the Administrative Code shall be allowed within individual #loft dwellings#, provided that the gross #floor area# of each mezzanine does not exceed 33 and 1/3 percent of the #floor area# contained within such #loft dwelling#. Such mezzanines are permitted only in #buildings# with an existing #floor area ratio# of 12 or less and only between floors, or between a floor and a roof, existing on January 22, 1998, that are to remain. Such mezzanines shall not be included as #floor area# for the purpose of calculating the minimum required size of a #loft dwelling# or for calculating #floor area# devoted to #loft dwellings#.~~

~~(e) No #building# in Areas B1 and B2 containing #loft dwellings# or #joint living-work quarters for artists# shall be #enlarged#, except that such #buildings# containing #loft dwellings# may be #enlarged# by special permit of the City Planning Commission, pursuant to Section 111-51 (Special Permit for Enlargements of Buildings Containing Loft Dwellings). Mezzanines shall be permitted as provided in paragraph (d) of this Section.~~

~~111-112~~
~~Open space equivalent~~

~~At least 30 percent of the gross roof area of a #building# containing 15 or more #loft dwellings# shall be #developed# for recreational #use#.~~

~~For each additional #loft dwelling#, 100 square feet of additional roof area shall be #developed# for recreational #use# up to a maximum of 50 percent of the gross roof area. This recreational area shall be accessible to all the occupants of said #loft dwellings# and their guests for whom no fees are charged.~~

~~111-20~~
~~MINOR MODIFICATIONS~~

~~On application, the Chairperson of the City Planning Commission may grant minor modifications to the following provisions of this Chapter:~~

~~(a) The requirements of Section 111-101 relating to location of #loft dwellings# or #joint living-work quarters for artists# below the floor level of the third #story# of a #building# in Areas B1 and B2, and Section 111-102, paragraph (b), relating to #use# restrictions in #floor area# on the ground floor may be modified provided that the Chairperson finds that the owner of the space has made a good faith effort to rent such space to a mandated #use# at fair market rentals.~~

~~Such efforts shall include but not be limited to:~~

~~advertising in local and city-wide press;~~

~~listing the space with brokers;~~

~~notifying the New York City Office of Economic Development; and~~

~~informing local and city-wide industry groups.~~

~~Such efforts shall have been actively pursued for a period of no less than six months for #buildings# under 3,600 square feet and one year for #buildings# over 3,600 square feet prior to the date of the application.~~

~~(b) The requirements of Section 111-111 relating to #loft dwellings# may be modified provided that the Chairperson has administratively certified to the Department of Buildings that the design of the #loft dwellings# or #joint living-work quarters for artists# provides sufficient light and air to allow minor modifications of these provisions.~~

~~(c) The requirements of Section 111-112 relating to roof top #open space# may be modified provided that the Chairperson has administratively certified to the Department of Buildings that the roof either is unsuited for #open space use# or cannot be made suitable for #open space use# at reasonable cost.~~

~~(d) The requirements of Section 111-103 (Additional use restrictions), paragraph (b), relating to #loft dwellings# and #joint living-work quarters for artists# in #buildings# within Area B1 and B2, where the #lot coverage# is 5,000 square feet or more, may be modified provided that:~~

~~(1) such #floor area# was occupied on September 1, 1980, as #loft dwellings# or #joint living-work quarters for artists#, or consists of registered Interim Multiple Dwellings, or is found covered by the New York City Loft Board pursuant to Article 7C of the New York State Multiple Dwelling Law;~~

~~(2) such #building# consisted, on June 21, 1983, of two or more~~

~~contiguous sections separated structurally by load-bearing walls, with independent entrances, independent addresses, and other evidence of the independent functional use of each section of the #building#, which evidence may include but is not limited to separate deeds, separate tax lots, separate certificates of occupancy, or separate utilities or systems for the entirety of each section of the #building#; and~~

~~(3) the section within which such #floor area# is located has a #lot coverage# of less than 5,000 square feet of #lot area#.~~

~~A developer must send a copy of any request for modification pursuant to this Section to the applicable Community Board at least ten days prior to the next regularly scheduled Community Board meeting. If the Community Board elects to comment on such requests, it must do so within 30 days of such notification.~~

~~111-21~~
~~Notice of Filing to Create Loft Dwellings or Joint Living-Work Quarters for Artists~~

~~A duplicate copy of the application for an alteration permit shall be sent to the City Planning Commission by the applicant for information purposes only. No building permit shall be issued by the Department of Buildings for such #loft dwellings# or #joint living-work quarters for artists# without the acknowledged receipt of such notice by the City Planning Commission.~~

~~111-23~~
~~Modification of Location and Additional Use Regulations by Authorization of the City Planning Commission~~

~~The provisions of Section 111-101 (Location of permitted uses in buildings containing loft dwellings or joint living-work quarters for artists), relating to the prohibition of #loft dwellings# or #joint living-work quarters for artists# below the level of the third #story# of a #building# in areas B1 and B2, and Section 111-103 (Additional use regulations), paragraph (b), relating to #loft dwellings# and #joint living-work quarters for artists# in #buildings# within Areas B1 and B2 where the #lot coverage# is 5,000 square feet or more, may be modified by authorization of the City Planning Commission, provided that:~~

~~(a) such #building# is either a landmark or lies within a Historic District designated by the Landmarks Preservation Commission;~~

~~(b) any alterations to the subject #building# required in connection with such conversion to #loft dwellings# or #joint living-work quarters for artists#~~

~~have received a Certificate of Appropriateness or other permit from the Landmarks Preservation Commission; and~~

~~(c) a program has been established for continuing maintenance that will result in the preservation of the subject #building# or #buildings# as evidenced by a report from the Landmarks Preservation Commission.~~

~~In order to grant an authorization, the City Planning Commission shall find that such modification shall have minimal adverse effects on the conforming #uses# located within the #building# and in the surrounding area.~~

~~The City Planning Commission may prescribe appropriate additional conditions and safeguards in order to enhance the character of the #development# and to minimize adverse effects on the character of the surrounding area.~~

~~**111-30**~~
~~**ENVIRONMENTAL CONDITIONS FOR AREA A2**~~

~~(a) All #developments# or #enlargements# shall be subject to Ambient Noise Quality Zone Regulations*. #Uses# listed in Use Group 11A shall be subject to the performance standards of an M1 District.~~

~~(b) All new #dwelling units# shall be provided with a minimum 35dB(A) of window wall attenuation in order to maintain an interior noise level of 45dB(A), or less, with windows closed. Therefore, an alternate means of ventilation is required.~~

~~_____~~

~~* Ambient Noise Quality Regulations for an M2 District as set forth in the Noise Control Code for the City of New York, Article VI(B).~~

111-30
SPECIAL PERMITS

111-31
Special Permit for Large Transient Hotels

In Areas A4 through A7, the City Planning Commission may permit #transient hotels# that are comprised of more than 100 sleeping units, provided the Commission shall find that such #transient hotel#, resulting from a #development#, #enlargement#, #extension# or change of #use#, is so located as not to impair the essential residential character of, or the future use or development, of the surrounding area. The Commission may prescribe additional conditions and safeguards to minimize adverse effects on the character of the

surrounding area.

111-~~40~~32
Special Permit for Certain Large Commercial Establishments ~~SPECIAL PERMIT FOR CERTAIN LARGE RETAIL FACILITIES~~

The City Planning Commission may permit the total #floor area# of large commercial establishments ~~retail facilities subject to Section 111- 103, paragraph (a)(3)~~ to exceed the underlying ~~limitations~~ #floor area# requirements set forth in Section 111-13, paragraphs (a)(3) and (b)(4) ~~on square feet to exceed 20,000 square feet of #floor area#~~, including the #floor area# requirements for ~~retail~~ #cellar# space ~~allotted to such #uses#, in #buildings# fronting on Chambers Street, Church Street, Greenwich Street, Hudson Street or West Broadway, and 10,000 square feet of #floor area#, including retail #cellar# space allotted to such #uses#, in #buildings# fronting on other #streets#.~~ , provided

~~As a condition of granting a special permit for such large #commercial# establishments,~~ the Commission ~~shall~~ finds that:

(a) such #development#, #enlargement#, #extension# or change of #use# is so located as not to impair the essential character or the future use of, or development of, the surrounding area; and

(b) the #streets# providing access to the facility will be adequate to handle the vehicular and pedestrian traffic generated by such #use#.

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

111-40
REQUIREMENTS FOR LOFT DWELLINGS CONSTRUCTED PRIOR TO OCTOBER13, 2010

The following is applicable to all existing #loft dwellings#, created prior to October 13, 2010, within the #Special Tribeca Mixed Use District#.

(a) All #loft dwellings# shall have one or more windows which open into a #street# or a #yard# with a minimum depth of 30 feet.

(b) (1) The minimum #floor area# contained within a #loft dwelling# shall be not less than 2,000 square feet, except that:

(i) where a #loft dwelling# occupies the entire usable area of a floor, there shall be no minimum #floor area#;

(ii) where a #loft dwelling# has a minimum clear width of 14 feet throughout and has windows opening onto both a #street# and a #yard# which has a depth of 10 percent of the depth of the #loft dwelling#, there shall be no minimum #floor area#;

(iii) where the ratio in a #loft dwelling# of the window area opening onto a #street# or a #yard# of 30 feet minimum depth to the #floor area# contained within the #loft dwelling# exceeds five percent, the minimum #floor area# contained within the #loft dwelling# may be reduced by 200 square feet for each additional percent, to a ratio of 10 percent; or

(iv) where the ratio in a #loft dwelling# of the window area opening onto a #street# or a #yard# of 30 feet minimum depth to the #floor area# contained within the #loft dwelling# equals or exceeds 10 percent, there shall be no minimum #floor area#.

(2) The minimum #loft dwelling# size and #yard# requirement may be replaced by the requirements of Section 15-026 (Special bulk regulations for certain pre-existing dwelling units, joint living-work quarters for artists and loft dwellings) for #loft dwellings#:

(i) for which a determination of #residential# occupancy on September 1, 1980 has been made;

(ii) that are registered Interim Multiple Dwellings or are found covered by the New York City Loft Board pursuant to Article 7C of the New York State Multiple Dwelling Law; or

(iii) that the Loft Board determines were occupied for #residential use# on September 1, 1980.

#Loft dwellings# existing on September 1, 1980, may not be subsequently divided into multiple #loft dwellings# that do not meet the requirements of paragraphs (a), (b)(1) and (c) of this Section, unless required by the Loft Board for the legalization of Interim Multiple Dwelling units in the implementation of Article 7C of the New York State Multiple Dwelling Law.

No #building# that meets the density requirements of paragraph (c) of theis Section may subsequently add additional units or quarters except in accordance thereof. No #building# to which the regulations of Section 15-026 have been applied may subsequently add additional units or quarters except in accordance with the requirements of paragraph (c).

(c) The number of #loft dwellings# shall not exceed one per 1,000 square feet of #floor area# devoted to #loft dwellings#, except as a result of the application of paragraph (b)(2) of this Section.

(d) Mezzanines constructed pursuant to Chapter 26 of the Administrative Code shall be allowed within individual #loft dwellings#, provided that the gross #floor area# of each mezzanine does not exceed 33 and 1/3 percent of the #floor area# contained within such #loft dwelling#. Such mezzanines are permitted only in #buildings# with an existing #floor area ratio# of 12 or less and only between floors, or between a floor and a roof, existing on January 22, 1998, that are to remain. Such mezzanines shall not be included as #floor area# for the purpose of calculating the minimum required size of a #loft dwelling# or for calculating #floor area# devoted to #loft dwellings#.

(e) At least 30 percent of the gross roof area of a #building# containing 15 or more #loft dwellings# shall be provided for recreational #use#. For each additional #loft dwelling#, 100 square feet of additional roof area shall be #developed# for recreational #use# up to a maximum of 50 percent of the gross roof area. This recreational area shall be accessible to all the occupants of said #loft dwellings# and their guests for whom no fees are charged.

(f) Existing #loft dwellings# may be #extended#, #enlarged#, or subdivided into two or more #loft dwellings# only in accordance with the provisions of this Section. In addition, #floor area# added to an existing #loft dwelling# shall not be subject to the provisions of Section 32-42 (Location within Buildings).

~~**111-50**~~
~~**SPECIAL PERMIT FOR CONVERSION TO LOFT DWELLINGS OR JOINT LIVING-WORK QUARTERS FOR ARTISTS**~~

~~The City Planning Commission may permit, in Areas B1 and B2, the modification of the #use# provisions of Sections 111-101 (Location of permitted uses in buildings containing loft dwellings or joint living-work quarters for artists), Section 111-102 (Ground floor use restrictions), paragraph (b), or 111-103 (Additional use regulations), paragraph (b), to allow #loft dwellings# or #joint living-work quarters for artists# on any #story# in any #building#, provided the Commission finds that:~~

~~(a) the conversion will not harm the commercial and manufacturing sectors of the City's economy;~~

~~(b) the conversion will not harm the commercial and manufacturing character of the surrounding area;~~

~~(c) the process of conversion will not unduly burden #commercial# and~~

~~#manufacturing uses# in the #building#; and~~

~~(d) the neighborhood in which the conversion is taking place will not be excessively burdened by increased #residential# activity.~~

~~All #loft dwellings# or #joint living-work quarters for artists# permitted by this special permit shall meet the standards of the applicable district for such units or quarters. The City Planning Commission may prescribe appropriate conditions and safeguards to minimize adverse effects on the character of the surrounding area, including requiring the preservation of #floor area# for #commercial# or #manufacturing uses#.~~

~~111-51~~
~~Special Permit for Enlargements of Buildings Containing Loft Dwellings~~

~~In Area B1, outside of historic districts designated by the Landmarks Preservation Commission, the City Planning Commission may permit:~~

~~(a) #loft dwellings# in #buildings# designed for non-#residential use# and erected prior to December 15, 1961, that have since been #enlarged#; or~~

~~(b) the #enlargement# of #buildings# designed for non-#residential use# and erected prior to December 15, 1961, for #loft dwellings#, provided that:~~

~~(1) all #loft dwellings# comply with the requirements of Section 111-111 or have received a certification pursuant to Section 111-20, paragraph (b);~~

~~(2) the #bulk# regulations of an M1-5 District shall apply, except that the #enlarged# portion of the #building# shall comply with the requirements of Sections 23-47 (Minimum Required Rear Yards) and 23-86 (Minimum Distance Between Legally Required Windows and Walls or Lot Lines) applicable to R8 Districts; and~~

~~(3) the maximum #floor area ratio# for all #loft dwellings# shall not exceed 5.0.~~

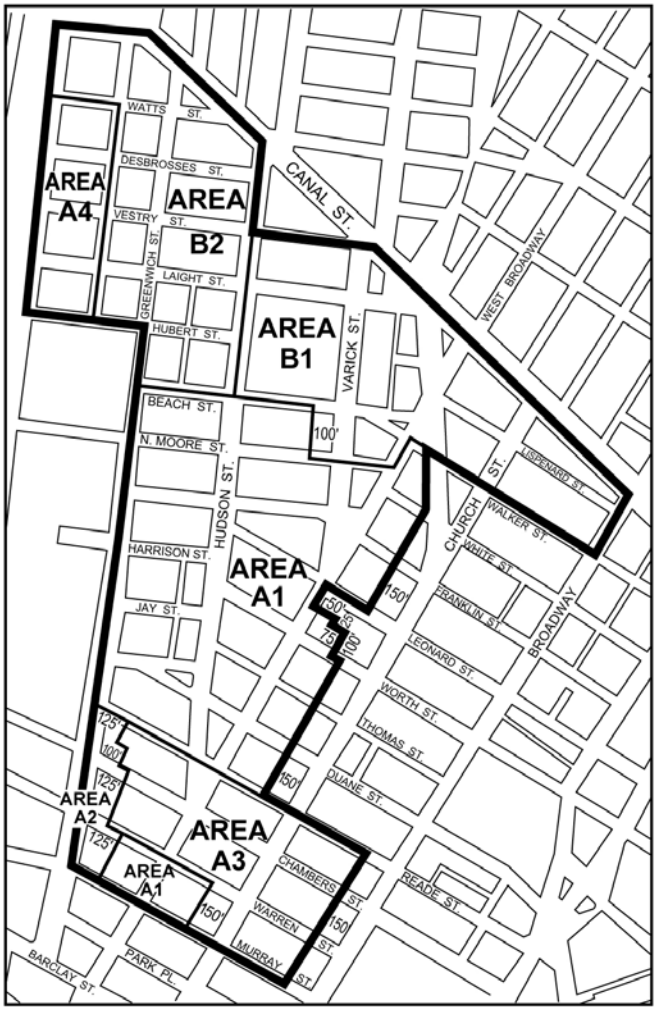
~~In order to grant a special permit, the City Planning Commission shall find that the process of #enlargement# will not unduly burden #commercial# and #manufacturing uses# in the #building# and the neighborhood in which the #enlargement# is taking place will not be excessively burdened by increased #residential# activity.~~

~~The City Planning Commission may prescribe appropriate conditions and safeguards to minimize adverse effects on the character of the surrounding area, including requiring the preservation of #floor area# for #commercial# or #manufacturing~~

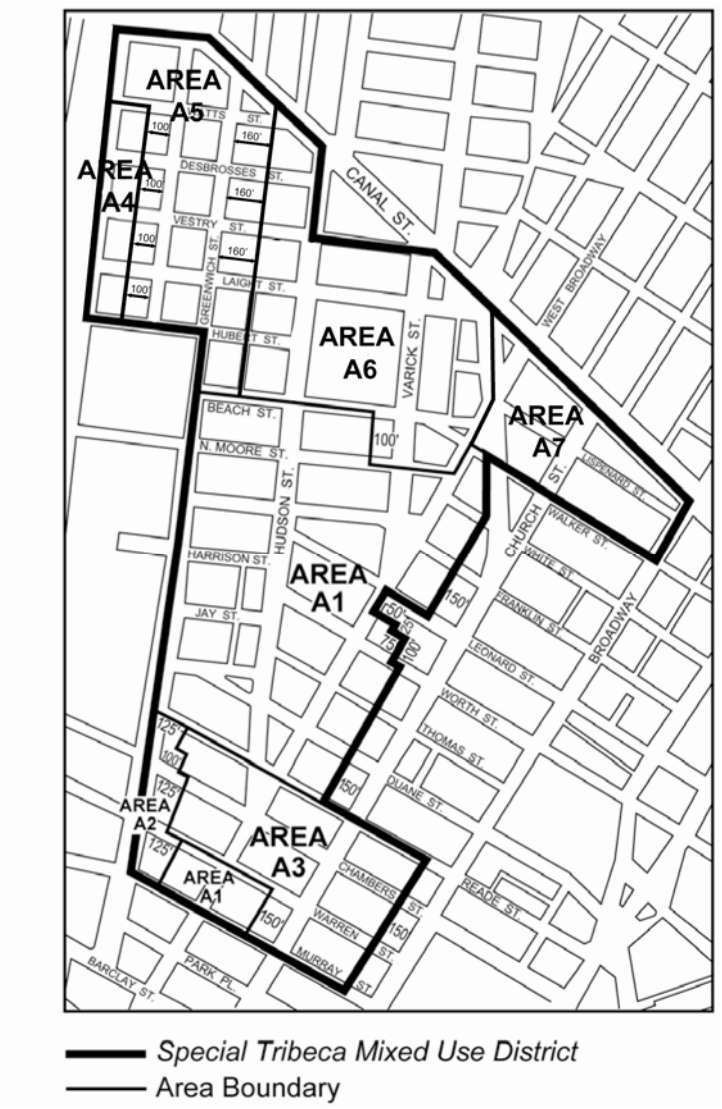
~~uses# .~~

Appendix A
Special Tribeca Mixed Use District Map

To be deleted



To be added



Area A1: General Mixed Use Area
Area A2: Limited Mixed Use Area
Area A3: General Mixed Use Area
Area A4: General Mixed Use Area
~~Area B1: Limited Mixed Use Area~~
~~Area B2: Limited Mixed Use Area~~
Area A5: General Mixed Use Area
Area A6: General Mixed Use Area
Area A7: General Mixed Use Area

* * *

APPENDIX F
Inclusionary Housing Designated Areas

The boundaries of #Inclusionary Housing designated areas# are shown on the maps listed in this Appendix F. The #Residence Districts# listed for such areas shall include #Commercial Districts# where #residential buildings# or the #residential# portion of #mixed buildings# are governed by the #bulk# regulations of such #Residence Districts#.

* * *

In addition, the following special purpose districts contain #Inclusionary Housing designated areas#, as set forth within such special districts:

#Special 125th Street District# – see Section 97-421 (Inclusionary Housing)

#Special Clinton District# – see Section 96-81 (C6-3X Designated District)

#Special Coney Island District# – see Section 131-321 (Special floor area regulations for residential uses)

#Special Downtown Jamaica District# – see Section 115-211 (Special Inclusionary Housing regulations)

#Special Garment Center District# – see Sections 121-31 (Maximum Permitted Floor Area) and 93-23 (Modifications of Inclusionary Housing Program)

#Special Harlem River Waterfront District# – see Section 87-20 (SPECIAL FLOOR AREA REGULATIONS)

#Special Hudson Yards District# – see Section 93-23 (Modifications of Inclusionary Housing Program)

#Special Long Island City Mixed Use District# – see Section 117-631 (Floor area ratio and lot coverage modifications)

#Special Southern Hunters Point District# – see Section 125-22 (Newtown Creek Subdistrict)

<u>#Special Tribeca Mixed-Use District# – see paragraph (d)(4) of Section 111-20 (SPECIAL BULK PROVISIONS FOR AREAS A1 THROUGH A7)</u>

#Special West Chelsea District# – see Section 98-26 (Modifications of Inclusionary Housing Program)

* * *