

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

Article XIII - Special Purpose Districts

Chapter 2 Special Enhanced Commercial District

132-00 GENERAL PURPOSES

The “Special Enhanced Commercial District,” established in this Resolution, is designed to promote and protect public health, safety and general welfare. These general goals include, among others, the promotion and maintenance of a lively and engaging pedestrian experience along commercial avenues and the following specific purposes:

- (a) in “Special Enhanced Commercial District” 1, to enhance the vitality of emerging commercial districts ensuring that a majority of the ground floor space within buildings is occupied by commercial establishments that enliven the pedestrian experience along the street;
- (b) in “Special Enhanced Commercial District” 2, to enhance the vitality of well-established commercial districts by ensuring that ground floor frontages continue to reflect the multi-store character that defines such commercial blocks;
- (c) in “Special Enhanced Commercial District” 3, to enhance the vitality of well-established commercial districts by limiting the ground floor presence of inactive street wall frontages;
- (d) in “Special Enhanced Commercial District” 4, to enhance the vitality of commercial districts by limiting the ground floor presence of inactive street wall frontages; and
- (e) to promote the most desirable use of land in the area and thus preserve, protect and enhance the value of land and buildings and thereby protect City tax revenues.

* * *

132-20 SPECIAL USE REGULATIONS

* * *

132-21

Applicability of Use Regulations

* * *

In addition, in all ~~#Special Enhanced Commercial Districts#~~, the applicable special ~~#use#~~ provisions indicated in the table in Section 132-13 shall not apply to any ~~#community facility building#~~ used exclusively for either a ~~#school#~~, as listed in Use Group 3, or a house of worship, as listed in Use Group 4.

* * *

132-22

Mandatory Ground Floor Uses

In the applicable ~~#Special Enhanced Commercial Districts#~~ indicated in the table in Section 132-13 (Applicability of Special Use, Transparency and Parking Regulations), the following provisions shall apply to the ~~#ground floor level street walls#~~ of ~~#buildings#~~ fronting along a ~~#designated commercial street#~~. For ~~#buildings#~~ fronting along multiple ~~#streets#~~, the required percentage of ~~#ground floor level street wall#~~ allocated to certain ~~#uses#~~, as set forth in this Section, shall apply only to the portion of the ~~#building's ground floor level#~~ fronting upon a ~~#designated commercial street#~~.

- (a) Minimum percentage of ~~#commercial uses#~~

Mandatory ~~#commercial use#~~ regulations shall apply to an area of a ~~#building's ground floor level#~~ defined by an aggregate width equal to at least 50 percent of a ~~#building's street wall#~~ along a ~~#designated commercial street#~~ and a depth equal to at least 30 feet, as measured from the ~~#street wall#~~ along the ~~#designated commercial street#~~. Such an area on the ~~#ground floor level#~~ shall be occupied by ~~#commercial uses#~~ listed in Use Groups 5, 6A, 6C excluding banks and loan offices, 7B, 8A, 8B or 9A.

* * *

- (c) Other permitted ~~#uses#~~

In the applicable ~~#Special Enhanced Commercial Districts#~~, ~~the following #uses#~~ Type 1 lobbies, entrances and exits to #accessory# parking facilities and entryways to subway stations, where applicable, shall be permitted on the ~~#ground floor level#~~ of a ~~#building#~~ along a ~~#designated commercial street#~~, in accordance with the provisions of Section 37-33 (Maximum Width of Certain Uses). ~~only as follows:~~

- (1) ~~#residential# lobbies, and an associated vertical circulation core, shall be permitted on the~~

~~#ground floor level#, provided that such lobbies comply with the maximum width provisions of paragraph (c) of Section 132-24 (Maximum Width Restrictions). In addition, the 30-foot depth requirement for #commercial uses# set forth in paragraph (a) of this Section, where applicable, may be encroached upon where necessary to accommodate a vertical circulation core associated with such #residential# lobby; and~~

- ~~(2) — #accessory# off-street parking spaces and entrances and exits shall be permitted on the #ground floor level#, provided that such off-street parking spaces and associated entrances and exits comply with the provisions of Section 132-40 (SPECIAL PARKING REGULATIONS).~~

132-23

Minimum Number of Establishments

In the applicable #Special Enhanced Commercial Districts# indicated in the table in Section 132-13 (Applicability of Special Use, Transparency and Parking Regulations), the following provisions shall apply to the #ground floor level# of all #buildings# with #street# frontage along a #designated commercial street#.

For #zoning lots# with a #lot width# of 50 feet or more, as measured along the #street line# of the #designated commercial street#, a minimum of two non-#residential# establishments shall be required for every 50 feet of #street# frontage. In addition, each such #ground floor level# establishment shall comply with the minimum depth requirements of Section 37-32 (Ground Floor Depth Requirements for Certain Uses). ~~have an average depth equal to at least 30 feet, as measured from the #street wall# along the #designated commercial street#. However, such depth requirement may be reduced where necessary in order to accommodate a vertical circulation core associated with a #residential# lobby.~~

132-24

Maximum Street Wall Width

In the applicable #Special Enhanced Commercial Districts# indicated in the table in Section 132-13 (Applicability of Special Use, Transparency and Parking Regulations), the following provisions shall apply to the #ground floor level# of all #buildings# with #street# frontage along a #designated commercial street#.

- (a) Banks and loan offices

In the applicable #Special Enhanced Commercial Districts#, within 30 feet of a #building's street wall# along a #designated street#, the maximum #street wall# width of a bank or loan office, as listed in Use Group 6C, on a #ground floor level# shall not exceed 25 feet.

- (b) Other non-#residential# establishments

In the applicable #Special Enhanced Commercial Districts#, the maximum #street wall# width of any

non-residential ground floor level establishment, other than a bank or loan office, shall not exceed 40 feet, as measured along the street line of a designated commercial street.

~~(e) Residential lobbies~~

~~In the applicable Special Enhanced Commercial Districts, the maximum street wall width of any ground floor level residential lobby shall not exceed 25 feet, as measured along the street line of a designated commercial street.~~

132-30 SPECIAL TRANSPARENCY REGULATIONS

The special transparency regulations of this Section, inclusive, shall apply to buildings in the Special Enhanced Commercial Districts indicated in the table in Section 132-13 (Applicability of Special Use, Transparency and Parking Regulations), except as otherwise provided in Section 132-31.

132-31 Applicability of Transparency Regulations

In Special Enhanced Commercial Districts, the special transparency provisions indicated in the table in Section 132-13 shall apply to developments and to buildings enlarged on the ground floor level, where such ground floor level fronts on a designated commercial street, except that such provisions shall not apply:

- (a) to zoning lots in Commercial Districts with a width of less than 20 feet, as measured along the street line of a designated commercial street, provided such zoning lots existed on:
 - (1) November 29, 2011, for Special Enhanced Commercial District# 1;
 - (2) June 28, 2012, for Special Enhanced Commercial Districts# 2 and 3; and
 - (3) October 11, 2012, for Special Enhanced Commercial District# 4;
- ~~(b) to any community facility building used exclusively for either a school, as listed in Use Group 3, or a house of worship, as listed in Use Group 4; and~~
- ~~(e)(b) in Special Enhanced Commercial Districts# 1 and 4, to buildings in Residence Districts# where the ground floor level contains dwelling units or rooming units.~~

132-32 Ground Floor Level Transparency Requirements

In the applicable #Special Enhanced Commercial Districts#, as indicated in the table in Section 132-13 (Applicability of Special Use, Transparency and Parking Regulations), the special transparency regulations of ~~this Section 37-34 (Minimum Transparency Requirements)~~ shall apply to the #ground floor level street walls# of #buildings# fronting along a #designated commercial street#. ~~For #buildings# fronting along multiple #streets#, the required percentage of #ground floor level street wall# allocated to transparent materials, as set forth in this Section, shall apply only to the portion of the #building's ground floor level# fronting upon a #designated commercial street#.~~

~~The #ground floor level street wall# shall be glazed with transparent materials which may include #show windows#, transom windows or glazed portions of doors. Such transparent materials may be provided anywhere on such #ground floor level street wall#, except that:~~

- ~~(a) — 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:
 - ~~(1) — 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~~
 - ~~(2) — have a minimum width of two feet; and~~~~
- ~~(b) — the maximum width of a portion of the #ground floor level street wall# without transparency shall not exceed ten feet.~~

~~However, where an entrance to an off street parking facility is permitted on a #designated commercial street# in accordance with the provisions of Section 132-43 (Curb Cut Requirements), the transparency requirements of this Section shall not apply to the portion of the #ground floor level street wall# occupied by such entrance.~~

132-40 SPECIAL PARKING REGULATIONS

* * *

132-42 Locations of Parking Spaces

In the applicable #Special Enhanced Commercial Districts#, as indicated in the table in Section 132-13 (Applicability of Special Use, Transparency and Parking Regulations), the following provisions shall apply to the ground floor of all #buildings# with #street# frontage along a #designated commercial street#.

All off-street parking spaces shall be located within a #completely enclosed building#, and shall be wrapped by #floor area# or screened in accordance with the provisions of Section 37-35 (Parking Wrap and Screening Requirements), as applicable.

~~Enclosed, off-street parking spaces shall be permitted on the ground floor of a #building# only where they are located beyond 30 feet of such #building's street wall# along a #designated commercial street#. Entrances to such spaces along a #designated commercial street# shall be permitted only where a curb cut is allowed in accordance with the provisions of Section 132-43.~~

* * *

END