

ZONING RESOLUTION Web Version

THE CITY OF NEW YORK



THE CITY OF NEW YORK
Bill de Blasio, Mayor

CITY PLANNING COMMISSION
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Article XII: Special Purpose Districts Chapter 1: Special Garment Center District

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(3/26/87)

Article XII - Special Purpose Districts

Chapter 1

Special Garment Center District

(12/20/18)

121-00

GENERAL PURPOSES

The "Special Garment Center 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 and job-producing industries within the Garment Center;
- (b) to provide an opportunity for apparel production and showroom space in designated areas of the Garment Center;
- (c) to preserve a variety of types of space for a diversity of businesses that service the Garment Center and the city;
- (d) to recognize the unique character of the western edge of the Special District as integral to the adjacent Special Hudson Yards District;
- (e) to establish an appropriate urban scale and visual character within the Garment Center; and
- (f) to promote the most desirable use of land within the district, to conserve the value of land and buildings, and thereby protect the City's tax revenues.

(12/20/18)

121-01

General Provisions

The provisions of this Chapter shall apply within the #Special Garment Center District#. The regulations of all other Chapters of this Resolution are applicable, except as superseded, supplemented or modified by the provisions of this Chapter. In

the event of a conflict between the provisions of this Chapter and other regulations of this Resolution, the provisions of this Chapter shall control.

(12/20/18)

121-02
District Plan

The regulations of this Chapter are designed to implement the #Special Garment Center District# Plan. The District Plan includes the following map:

Special Garment Center District and Subdistricts

The map is located in Appendix A of this Chapter and is hereby incorporated and made an integral part of this Resolution. It is incorporated for the purpose of specifying locations where special regulations and requirements set forth in the text of this Chapter apply.

(12/20/18)

121-03
Subdistricts

In order to carry out the purposes and provisions of this Chapter, two Subdistricts, A1 and A are established within the #Special Garment Center District#. The location of the Subdistricts is shown on the map (Special Garment Center District and Subdistricts) in Appendix A of this Chapter.

(12/20/18)

121-10
SPECIAL USE REGULATIONS

The #use# regulations of the applicable underlying district shall apply except as set forth in this Section.

(12/20/18)

121-11

Transient Hotels and Offices

In the #Special Garment Center District#, #transient hotels#, as listed in Section 32-14 (Use Group 5), and #motels#, #tourist cabins# or #boatels#, as listed in Section 32-16 (Use Group 7A), shall be permitted only by special permit of the City Planning Commission pursuant to Section 121-70 (Special Permit for Transient Hotels).

However, a special permit shall not be required for 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.

Furthermore, for a #building# subject to the provisions of Section 121-60 (ANTI-HARASSMENT AND DEMOLITION REGULATIONS IN SUBDISTRICT A-2) and for which #HPD# issued a #certification of no harassment# that was in effect on June 11, 2018, a special permit shall not be required where such #building# is #enlarged# and a portion of which is subsequently converted to #residences# pursuant to Article I, Chapter 5 (Residential Conversions Within Existing Buildings), provided all new #transient hotel# rooms shall be located in the #enlarged# portion of such #building#, and except for #transient hotel# lobbies and #accessory uses# located below the floor level of the second #story#, the non-#enlarged# portion of such #building# shall contain only permanently affordable #residences# pursuant to a #regulatory agreement# enforceable by #HPD#.

Any #transient hotel# existing prior to December 20, 2018, within the #Special Garment Center District#, shall be considered a conforming #use#. Any #enlargement# or #extension# of such existing conforming #use# shall not require a special permit. In the event a casualty damages or destroys a #building# within the #Special Garment Center District# that was used as a #transient hotel# as of December 20, 2018, such #building# may be reconstructed and continue as a #transient hotel# without obtaining a special permit, provided the #floor area# of such reconstructed #building# does not exceed the #floor area# permitted pursuant to the provisions of Section 121-31 (Maximum Permitted Floor Area Within Subdistrict A-1) or Section 121-41 (Maximum Permitted Floor Area Within Subdistrict A-2), as applicable.

In Subdistrict A-2, any #development# or #enlargement# that includes offices, as listed in Section 32-15 (Use Group 6B) #developed# or #enlarged# after January 19, 2005, shall be

permitted only pursuant to Section 93-13 (Special Office Use Regulations).

(12/20/18)

121-12

C6-4M Districts in Subdistrict A-2

In the C6-4M District located within Subdistrict A-2, for #buildings# existing on January 19, 2005, the #use# regulations of the underlying district shall be modified as follows:

- (a) For #buildings# with less than 70,000 square feet of #floor area#, the provisions of Section 15-20 (REGULATIONS GOVERNING RESIDENTIAL CONVERSIONS WITHIN EXISTING BUILDINGS IN C6-2M, C6-4M, M1-5M AND M1-6M DISTRICTS), inclusive, shall not apply to the #conversion# of non-#residential floor area# to #residences#. In lieu thereof, Section 15-10 (REGULATIONS GOVERNING RESIDENTIAL CONVERSIONS WITHIN EXISTING BUILDINGS IN RESIDENCE AND COMMERCIAL DISTRICTS, EXCEPT C6-2M AND C6-4M DISTRICTS), inclusive, shall apply; and
- (b) for #buildings# with 70,000 square feet or more of #floor area#, the #conversion# of non-#residential floor area# to #residences#, or to college or school student dormitories and fraternity or sorority student houses shall not be permitted.
- (c) The following #uses# and #uses accessory# to such #uses# shall be allowed:
 - (1) From Use Group 16A:

Household or office equipment or machinery repair shops, such as refrigerators, washing machines, stoves, deep freezers or air conditioning units

Tool, die or pattern making establishments or similar small machine shops
 - (2) From Use Group 16D:

Packing or crating establishments

Trucking terminals or motor freight stations, limited to 20,000 square feet of #lot area# per establishment

Warehouses

Wholesale establishments, with no limitation on
#accessory# storage

(3) From Use Group 17B:

All #uses#

(12/20/18)

121-13

M1-6 District in Subdistrict A-1

In the M1-6 District located within Subdistrict A-1, #uses#
listed in Use Group 18 shall not be permitted.

(12/20/18)

121-20

SIGN REGULATIONS

In the #Special Garment Center District#, all #signs# shall be
subject to the regulations applicable in C6-4 Districts, as set
forth in Section 32-60 (SIGN REGULATIONS). However, in
Subdistrict A-2, #flashing signs# shall not be permitted.

(12/20/18)

121-30

SPECIAL BULK REGULATIONS WITHIN SUBDISTRICT A-1

The following special #bulk# regulations shall apply within
Subdistrict A-1, as shown in Appendix A of this Chapter.

(12/20/18)

121-31

Maximum Permitted Floor Area Within Subdistrict A-1

The basic maximum #floor area ratio# of a #zoning lot# shall be as

specified for the underlying district in Section 43-12 (Maximum Floor Area Ratio) and may be increased only pursuant to Section 43-13 (Floor Area Bonus for Public Plazas). No #public plaza#, or any part thereof, shall be permitted on or within 100 feet of a #wide street#. The provisions of Section 43-14 (Floor Area Bonus for Arcades) shall not apply.

(12/20/18)

121-32

Height of Street Walls and Maximum Building Height Area Within Subdistrict A-1

In Subdistrict A-1, the underlying height and setback regulations set forth in Sections 43-43 (Maximum Height of Front Wall and Required Front Setbacks) and 43-44 (Alternate Front Setbacks) shall not apply. In lieu thereof, the following provisions shall apply:

(a) #Street wall# location

The #street wall# of any #building# shall be located on the #street line# and extend along the entire #street# frontage of the #zoning lot# up to at least the maximum base height specified in paragraph (b) of this Section. On the ground floor, recesses shall be permitted where required to provide access to the #building#, provided such recesses do not exceed three feet in depth as measured from the #street line#. In addition, the #street wall# location provision of this paragraph shall not apply along such #street line# occupied by a #public plaza# as set forth in Section 37-70 (PUBLIC PLAZAS).

(b) Base height

(1) Along #wide streets#

On #wide streets#, and on #narrow streets# within 50 feet of their intersection with a #wide street#, the #street wall# of a #building# shall rise without setback to a minimum base height of 125 feet and may rise to a maximum base height of 155 feet.

However, where the height of an existing adjacent #street wall# fronting on the same #street line# rises to a height exceeding 155 feet before setback, the maximum base height may be increased to the height of such existing adjacent #street wall# but shall not

exceed a base height of 205 feet. In addition, where existing adjacent #street walls# on both sides of the #building# rise to a height exceeding 155 feet before setback, the maximum base height of such #building# may be increased to the higher of the two existing adjacent #street walls#, except in no instance shall the base height of such #building# exceed 205 feet.

(2) Along #narrow streets#

On #narrow streets#, beyond 50 feet of their intersection with a #wide street#, the #street wall# of a #building# shall rise without setback to a minimum base height of 85 feet and may rise to a maximum base height of 135 feet.

As an alternative, the minimum and maximum base heights applicable to a #wide street# may be applied along a #narrow street# beyond 50 feet of a #wide street#, up to a maximum of 100 feet from such #wide street#.

(c) Required setbacks

(1) Along #wide streets#

For #buildings#, or portions thereof, located on #wide streets# and on #narrow streets# within 100 feet of a #wide street#, the portion of such #building# above the applicable maximum base height set forth in paragraph (b)(1) of this Section, shall be set back from the #street wall# of the #building# at least 10 feet along a #wide street# and at least 15 feet along a #narrow street#, except such dimensions may include the depth of any permitted recesses in the #street wall#. Above such required setback, any portion of a #building# on the #zoning lot# shall be considered a "tower."

(2) Along #narrow streets#

For #buildings#, or portions thereof, located on #narrow streets# beyond 100 feet of a #wide street#, the portion of such #building# above the applicable maximum base height set forth in paragraph (b)(2) of this Section shall be set back from the #street wall# of the #building# at least 15 feet along a #narrow street#, except such dimensions may include the depth of any permitted recesses in the #street wall#. Above such required setback, any portion of a #building# on the

#zoning lot# shall be considered a "tower."

(d) Tower Regulations

Each #story# of a tower above the required setback shall not exceed a maximum #lot coverage# of 40 percent of the #lot area# of a #zoning lot# or, for #zoning lots# of less than 20,000 square feet, the percent set forth in Section 43-451 (Towers on small lots).

(e) Maximum #building# height

No height limit shall apply to towers.

(12/20/18)

121-40

SPECIAL BULK REGULATIONS WITHIN SUBDISTRICT A-2

The following special #bulk# regulations shall apply within Subdistrict A-2, as shown on the map in Appendix A of this Chapter.

(12/20/18)

121-41

Maximum Permitted Floor Area Within Subdistrict A-2

The basic maximum #floor area ratio# of a #zoning lot# containing #non-residential buildings# shall be 10.0 and may be increased to a maximum #floor area ratio# of 12.0 only pursuant to Section 93-31 (District Improvement Fund Bonus). Such #zoning lot# may also contain #residences# within #buildings# existing on January 19, 2005, provided that such #buildings# are not #enlarged# after such date. For #zoning lots# containing #residences# within a #building# that is #developed# or #enlarged# on or after January 19, 2005, the basic maximum #floor area ratio# shall be 6.5. The #floor area ratio# of any such #zoning lot# may be increased from 6.5, pursuant to Section 93-31, and pursuant to Section 23-90 (INCLUSIONARY HOUSING), as modified by Section 93-23 (Modifications of Inclusionary Housing Program), provided that for every five square feet of #floor area# increase pursuant to Section 93-31, there is a #floor area# increase of six square feet pursuant to Section 23-90, as modified by Section 93-23, inclusive. The maximum #residential floor area ratio# shall be 12.0.

For the #conversion# to #dwelling units# of #non-residential buildings#, or portions thereof, where the total #floor area# on the #zoning lot# to be #converted# to #residential use# exceeds a #floor area ratio# of 12.0, such excess #floor area# shall be permitted only pursuant to Section 93-31.

(12/20/18)

121-42

Height of Street Walls and Maximum Building Height Within Subdistrict A-2

(a) Height of #street walls#

The #street wall# of any #building# shall be located on the #street line# and extend along the entire #street# frontage of the #zoning lot# not occupied by existing #buildings# to remain. Such #street wall# shall rise without setback to a minimum base height of 80 feet and a maximum base height of 90 feet before setback. However, if the height of an adjacent #street wall# fronting on the same #street line# is higher than 90 feet before setback, the #street wall# of the new or #enlarged building# may rise without setback to the height of such adjacent #street wall#, up to a maximum height of 120 feet.

For #zoning lots#, or portions thereof, with #street# frontage of 25 feet or less and existing on June 29, 2010, a minimum base height lower than 80 feet shall be permitted along such #street# frontage in accordance with the following provisions:

- (1) where the height of an adjacent #street wall# fronting on the same #street line# is at least 60 feet and less than 80 feet, the #street wall# of the new or #enlarged building# may rise without setback to the height of such adjacent #street wall#; or
- (2) where the height of an adjacent #street wall# fronting on the same #street line# is less than 60 feet, the #street wall# of the new or #enlarged building# may rise without setback to a minimum #street wall# height of 60 feet.

The #street wall# of any #building# may rise to a height less than the minimum base height required pursuant to this paragraph (a), provided that no #building# on the #zoning lot# exceeds such height, except where such #building# is located on a #zoning lot# with multiple #buildings#, one or more of which is #developed#, #enlarged# or altered after February 2,

2011, to a height exceeding the minimum base height required pursuant to this paragraph (a).

(b) Maximum #building# height

Above a height of 90 feet or the height of the adjacent #street wall# if higher than 90 feet, no portion of a #building or other structure# shall penetrate a #sky exposure plane# that begins at a height of 90 feet above the #street line#, or the height of the adjacent #street wall# if higher than 90 feet, and rises over the #zoning lot# at a slope of four feet of vertical distance for each foot of horizontal distance to a maximum height limit of 250 feet, except as provided below:

- (1) any portion of the #building or other structure developed# or #enlarged# pursuant to the tower regulations of Sections 33-45 (Tower Regulations) or 35-64 (Special Tower Regulations for Mixed Buildings), as applicable, may penetrate the #sky exposure plane#, provided no portion of such #building or other structure# exceeds the height limit of 250 feet; and
- (2) permitted obstructions, as listed in Section 33-42, may penetrate the #sky exposure plane# and the height limit of 250 feet. In addition, a dormer, as listed in paragraph (c)(1) of Section 23-621 (Permitted obstructions in certain districts), may penetrate the #sky exposure plane#.

On a #zoning lot# with frontage of at least 200 feet along at least one #street#, up to 20 percent of the #aggregate width of the street wall# facing such #street#, for a maximum width of 50 feet, may be recessed to a maximum depth of 15 feet from the #street line#, provided the recessed area is located a minimum of 20 feet from an adjacent #building# and that a minimum of 60 percent of such area is planted with any combination of grass, ground cover, shrubs, trees or other living plant material in the ground or in planters permanently affixed to the ground.

(12/20/18)

121-50

PARKING PROVISIONS FOR SUBDISTRICT A-2

Within Subdistrict A-2, as shown on the map in Appendix A of this

Chapter, the underlying parking provisions shall not apply. In lieu thereof, the parking regulations of the #Special Hudson Yards District#, as set forth in Section 93-80 (OFF-STREET PARKING REGULATIONS) shall apply.

(12/20/18)

121-60

ANTI-HARASSMENT AND DEMOLITION REGULATIONS IN SUBDISTRICT A-2

In Subdistrict A-2, the provisions of Section 93-90 (HARASSMENT) and Section 93-91 (Demolition), inclusive, shall apply.

(12/20/18)

121-70

SPECIAL PERMIT FOR TRANSIENT HOTELS

In the #Special Garment Center District#, the City Planning Commission may permit a #transient hotel# as listed in Use Group 5, including #motels#, #tourist cabins# or #boatels# as listed in Use Group 7, that is not otherwise permitted pursuant to Section 121-10 (SPECIAL USE REGULATIONS), provided that:

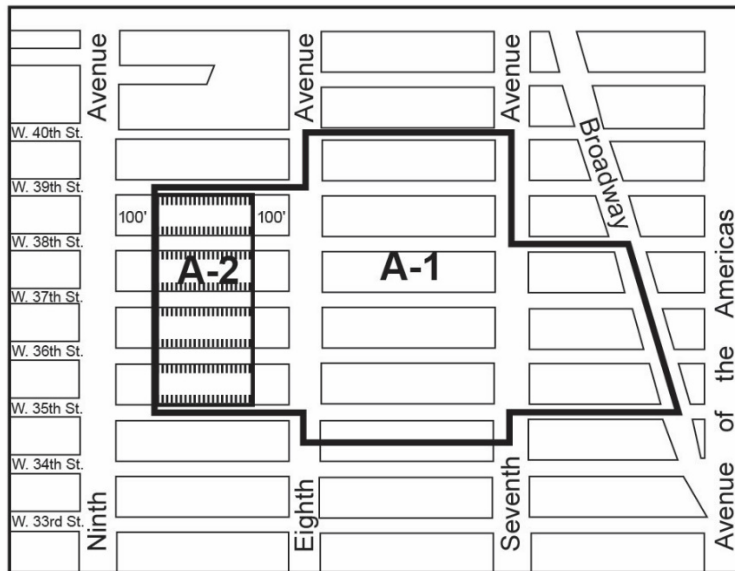
- (a) the location of such proposed #transient hotel# within the Special District will not impair the achievement of a diverse and harmonious mix of #commercial#, #manufacturing# and #community facility uses# within Subdistrict A-1 and of #residential#, #commercial#, #manufacturing# and #community facility uses# in Subdistrict A-2, consistent with the applicable district regulations;
- (b) the site plan for such #transient hotel# demonstrates that the design is appropriate, does not impair the character of the area and incorporates elements that are necessary to address any potential conflicts between the proposed #use# and adjacent #uses#, such as the location of the proposed access to the #building#, the orientation of the #building# and landscaping;
- (c) such #transient hotel use# will not cause undue vehicular or pedestrian congestion on local #streets; and
- (d) such #transient hotel use# is consistent with the planning objectives of the Special District.

The Commission may prescribe additional conditions and safeguards

to minimize adverse effects on the character of the surrounding area.

(12/20/18)

Appendix A
Special Garment Center District and Subdistricts



- #Special Garment Center District#
- A-1** Garment Center Subdistrict A-1
- A-2** Garment Center Subdistrict A-2
- |||||** #Street Wall# required pursuant to 121-42 (a)