

# Enhanced Business Areas & 25 Kent

## NYC's Commercial / Industrial Zoning Proposal

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## INTRODUCTION

In November 2015 the de Blasio Administration announced the Mayor's Industrial Action Plan, a crucial step towards preserving and expanding the City's industrial sector which is a key source of good jobs throughout the five boroughs. Industrial advocates, industrial businesses and community groups that have long advocated for a targeted industrial plan to foster and protect the sector, applauded the Mayor's proposal as a crucial step forward.

In spite of these promising developments in the political landscape, the remaining industrial and manufacturing businesses in New York City still face significant challenges. This white paper details the **Department of City Planning's new Enhanced Business Areas proposal.**

The importance the Enhanced Business Area rezoning proposal is enormous. It is the first proposal after the Mayor's 2015 Industrial announcement that is intended to incorporate and reflect the City's Industrial Plan. **The proposal creates new a zoning tool for creating mixed-use commercial – industrial developments in exchange for added density.**

Because the Enhanced Business Area will be a new tool industrial land use reform across the city, it is crucial that the City carefully consider its merits, impact on the immediate neighborhood, and implications for the broader industrial and manufacturing sector.

The industrial sector has long been an avenue leading to equitable economic opportunity for immigrant populations, people of color, and low income communities. **Any Enhanced Business Area proposal must ensure the future protection and growth of these critical business and quality jobs.**

## BACKGROUND

The role of the industrial and manufacturing sector in New York City has increasingly been a topic of interest for advocates, policy experts, and government officials committed to promoting an equitable economy. Over generations, the industrial and manufacturing sector has provided an open avenue for immigrants, low-skill workers, and those without higher education to achieve a middle class living. New York City's industrial and manufacturing sector continues to play a vital role in the city's economy. The industrial sector provides quality jobs, with average wages in Brooklyn and Queens of \$50,934. The industrial sector is also a vital source of employment for the city's racial and ethnic minority populations; over 80% of industrial workers are from populations of color

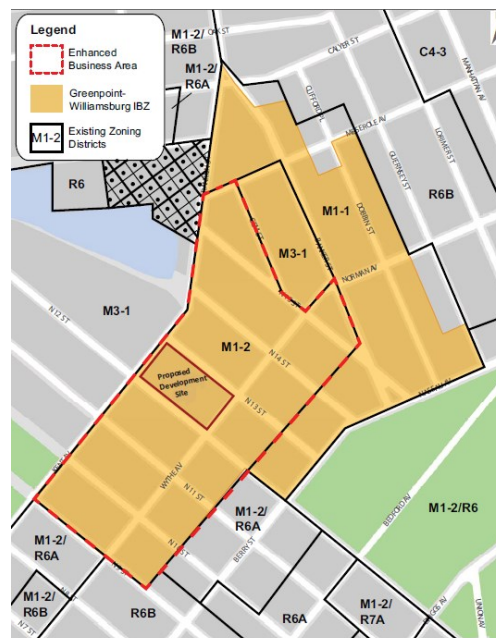
The City has come to recognize the importance of the industrial and manufacturing sector as an engine for economic growth and quality jobs. The 2014 report by the New York City Council, *Engines of Opportunity: Reinvigorating New York City's Manufacturing Zones for the 21<sup>st</sup> Century*, rightfully highlighted the importance of supporting the industrial and manufacturing sector in the new millennium. The report highlights the **economic opportunities the industrial sector creates for immigrants, low-skill workers, and those without higher education**. It also focuses on land use reform as a necessary component to any successful industrial policy. In support of industrial jobs, the Council made recommendations to address underlying land use challenges that threaten the existence and growth of the industrial sector and jobs. The efforts of industrial advocates and the Council helped to drive the Mayor's 2015 Industrial Action Plan, a 10-point proposal that combined city funding, land use changes, programmatic initiatives, and political investment.

In spite of these promising developments in the political landscape, the remaining industrial and manufacturing businesses in New York City still face significant challenges. Insufficient land use protections to hinder growth and threaten sustainability. Since 2005, the amount of industrial and manufacturing land in the city has declined by 8%. A wide variety of as-of-right uses in land zoned for industrial and manufacturing uses (M-zoned) forces manufacturers to struggle to compete with more lucrative and less job intensive uses, such as hotels, big box storage, or even luxury residential development. While these concerns have been raised in previous City documents or announcements, no land use protections have been implemented to prevent the proliferation of such uses.

## THE ENHANCED BUSINESS AREA PROPOSAL

The Enhanced Business Area proposal is a rezoning application with three specific levels of application.

1. Part 1 is a **zoning text amendment** (Section 74-96) to the city's zoning code. It creates a new zoning tool, the Enhanced Business Area, which creates a new mechanism for mixing manufacturing and commercial uses within one building.
2. Part 2 is the first **geographic placement** of an Enhanced Business Area. It is mapped on 14 blocks in the Greenpoint-Williamsburg Industrial Business Zone. Within the 14 blocks mapped as an Enhanced Business Area, developers are eligible to apply for two newly created special permits.
3. Part 3 is the development at 25 Kent Avenue's application for these two **Special Permits**. These special permits make noted alterations to developments within the Enhanced Business Area: the first allows for a change of uses, the second special permit pertains to parking and loading berth requirements.



Source: [http://www.nyc.gov/html/dcp/pdf/env\\_review/eas/16dcp065k\\_eas.pdf](http://www.nyc.gov/html/dcp/pdf/env_review/eas/16dcp065k_eas.pdf)

While the development at 25 Kent Avenue itself has a role to play in the larger discussion of the nature of the Greenpoint-Williamsburg Industrial Business Zone, the most striking portion of the proposal, and that with the broadest implications for the industrial and manufacturing sector citywide is in Part 1, the zoning text amendment that creates the Enhanced Business Area.

Because the new section of Enhanced Business Area zoning text is only mapped in the 14-block area encompassing 25 Kent Avenue, the application is technically a local community specific rezoning. **However, the proposal has been drafted “so that other Enhanced Business Areas may be mapped throughout the city pursuant to future zoning text amendments”, indicating the possibility and likelihood for this Enhanced Business Area to set the precedent for future developments and neighborhoods.**

It is worth noting that the Enhanced Business Area mapped in the zoning proposal is the large majority of the Greenpoint-Williamsburg Industrial Business Zone. The Enhanced Business Area leaves out the smaller M1-1 and M3-1 areas. However, it is not a replacement to the existing Greenpoint-Williamsburg Industrial Business Zone. The underlying as-of-right zoning in the M1-2 district will not be changed.

## ENHANCED BUSINESS AREA TEXT AMENDMENT

The zoning text amendment allows for developments within the Enhanced Business Area to apply for one or two special permits: a density increase and new use designations permit and/or a loading berths and parking spaces modification permit. For the development taking place at 25 Kent Avenue, the developer is applying for both permits.

## SPECIAL PERMIT: DENSITY INCREASE AND NEW USE DESIGNATIONS

The first special permit created by the proposed zoning text amendment introduces a mix of two different uses, “Business Enhancing Uses” and “Incentive Uses”, as incentive to increase floor area ratio (FAR) for developments. A detailed breakdown of each of the qualifying and disqualifying uses is included in Appendix I and II.

To incentivize development in M1-2 districts, the base maximum Floor Area Ratio (FAR) of 2.0 may be increased up to an additional 2.8 FAR, resulting in a total FAR of 4.8 for the building. The additional bonus FAR has to maintain a 1-to-2.5 square foot ratio of Business Enhancing Uses to Incentive Uses. In other words, a developer can add up to 0.8 FAR for Business Enhancing Uses paired with an up to additional 2.0 FAR in Incentive Uses.

The table below explains the EBA uses as described in the proposed Zoning Text Amendment<sup>5</sup>. The site at 25 Kent Avenue is applying for a Density Increase and New Use Designations Special Permit. While this is the only property currently applying for this special permit, any development or project within the 14-block Enhanced Business Area would be eligible to apply for this kind of special permit through the ULURP process. As a result, **the ratio illustrated in the table creates the possibility for Greenpoint-Williamsburg Enhanced Business Area to over time become a de facto mixed-use district, with little manufacturing zoned land.**

Zoning District	Base Maximum Floor Area Ratio	Maximum Additional Floor Area Ratio for Business Enhancing Uses	Maximum Additional Floor Area Ratio for Incentive Uses	Maximum Floor Area Ratio for All Uses
M1-2	2.0	0.8	2.0	4.8

## SPECIAL PERMIT: MODIFY NUMBER OF LOADING BERTHS AND PARKING SPACES

The second special permit created by the proposed zoning text amendment is an application to modify loading berth and parking space requirements. As the language is written in the zoning text amendment, future developments with this special permit could apply for either a reduction or waiver of their own loading berth and parking requirements.

The 25 Kent Avenue site is also applying for a Special Permit to Modify the Number of Loading Berths and Parking Spaces. At the 25 Kent development, there would be three loading docks and a 275-space below-grade parking garage to meet anticipated demands on-site.

## ANALYSIS: CAN IT WORK?

The Enhanced Business Area, introduced in the proposed zoning text amendment, ties light industrial and manufacturing (Business Enhancing Uses) to commercial (Incentive Uses), and is being presented as a way to “reinforce the light industrial and manufacturing character of the area”. However, it also seeks to do this “while allowing a mix of other uses that are permitted on an as-of-right basis within the existing M1-2 zoning district”<sup>6</sup>. Unfortunately, these two goals do not entirely overlap.

### NEED FOR REAL ZONING REFORMS

The root cause of many of the challenges facing the industrial and manufacturing sector has been a lack of meaningful land use reforms. The influx of competing uses mentioned in the proposal has not been simply the result of an industry that happened to expand into a new area. Rather, the competing uses were permitted to build as a result of the broad allowances granted under the City's current zoning code.

Particular uses that are currently permitted within M1-2 districts, such as hotels and big box storage, are disallowed from being used within the 2.0 Incentive Use space. However, these same inconsistent uses are still permitted within the base 2.0 FAR. While the City itself has acknowledged that competing uses like the ones prohibited in the Incentive Use definition make it harder for industrial and manufacturing businesses to compete, **the proposed mechanism does not meaningfully correct this problem and fails to apply the Incentive Use definition throughout a single building, let alone across the proposed Enhanced Business Area.**

### RATIO OF INDUSTRIAL TO COMMERCIAL

The consequence of this lack of zoning reform has been **the unfortunate decision to not use manufacturing-zoned land for manufacturing uses.** Because of the broad allowances within the M1-2 districts, areas like the Greenpoint-Williamsburg Industrial Business Zone have increasingly been shifting toward commercial and hotel uses. Because the zoning has the capability of dictating uses and in many respects, influencing the market, **the allocation of 0.8 FAR for light industrial and manufacturing uses does not create a sufficient bulwark against the alarming loss of industrial small businesses and quality jobs.**

While the base 2.0 FAR is open to any of the as-of-right uses, which includes industrial and manufacturing, the most profitable uses are most likely to be pursued as opposed to those that create the most number of good paying jobs. Requiring just under 17% of building to be geared towards this type of use in an Industrial Business Zone does very little to reinforce the character of the neighborhood.

**Though this application is limited to Williamsburg, the Enhanced Business Area may be applied to different parts of the city.** It remains to be seen whether the industrial to bonus incentive ratio proposed by the 25 Kent model can be applied similarly to M1-2 districts outside the IBZ. The zoning text amendment reiterates the lack of zoning protections for industrial and manufacturing land citywide.

#### ENFORCEABILITY AND AFFORDABILITY

The financial principle driving the Enhanced Business-Incentive Use mix is that industrial and manufacturing uses are not as profitable for developers as commercial uses. The set aside of 0.8 FAR for Business Enhancing Uses would essentially be subsidized by the rest of the building in a way similar to affordable housing units being subsidized by market-rate units. **However, it is unclear how the proposal came to the current 0.8 ratio, how the division of uses will be enforced, and how the affordability of these spaces will be ensured.**

Additionally, there is no indication as to the rent levels industrial and manufacturing tenants should be expecting in the Business Enhancing space. Without designated affordable rents, it is unlikely that the space will ultimately be used for actual industrial or manufacturing uses. With so many competing uses already proliferating within the Industrial Business Zone as a result of speculation, it is unlikely industrial and manufacturing businesses that have historically been in this area will continue to do so if affordability measures are not added.

## RECOMMENDATIONS FOR EBA

The proposed zoning text amendment is limited in its capacity to ensuring the preservation of industrial and manufacturing areas. As this zoning text amendment and its special permit process will set the standard for Enhanced Business Areas in the future, it is crucial for the proposal that comes out of this process to have a commitment to space for production centered industrial businesses, to be accountable to the character of the neighborhood, and to address present and future industrial area needs.

### RESTRICT NON-INDUSTRIAL USES IN INDUSTRIAL AREAS

The Enhanced Business Area model provides a ripe opportunity for the Administration to make good on the promise of not allowing hotels, big box storage, or residential use in Industrial Business Zones. The loophole continues to allow hotels and big box storage in the base FAR needs to be closed in order for this portion of the Mayor's Industrial Plan to be realized. **Rather than allow these uses as-of-right, hotels and big box storage should be part of a special permit process, ensuring communities have greater control over the development happening in their neighborhoods.**

### EQUITABLE RATIOS TO SUPPORT AND FORTIFY INDUSTRIAL AND MANUFACTURING

The mapping of Enhanced Business Areas should not be primarily for the development of office space at the expense of industrial and manufacturing businesses. **To reinforce the character of industrial and manufacturing neighborhoods and provide significant opportunities for quality jobs, the ratio of Business Enhancing Uses to Incentive Uses must be increased.**

### INTEGRATE NON-PROFIT, MISSION-DRIVEN DEVELOPERS

As researched in a recent policy brief by the Pratt Center, The City of San Francisco is pursuing a mixed-used model that incorporates non-profit, mission driven developers on the industrial component of a mixed-used development<sup>7</sup>. This approach combines affordable rents for qualified businesses, a commitment to finding tenants that fit the Business Enhancing Use definition, and a local jobs strategy to produce a comprehensive strategy that prioritizes affordability of space and enforceability of uses. **The Enhanced Business Area tool requires new mechanisms that lock in affordable rents and ensure that Business Enhancing space is utilized for the purposes defined. The San Francisco model provides a means of doing both.**

### COMMIT TO A PILOT PROCESS WITH REVIEW

The Enhanced Business Area application is running concurrent to various studies on industrial area, IBZs, and mixed-use industrial development. Therefore the mapping of the first Enhanced Business Area should explicitly be a pilot program. We do not know how EBAs adhere to and maintain the City's stated overall industrial land use goals. **No other EBAs should be mapped until it is made clear whether or not this tool, or a modified version, benefits or is detrimental to the industrial character and business strength citywide.**

## CONCLUSION

The de Blasio Administration's 2015 Industrial Action Plan rightfully focused on expanding opportunities for industrial and manufacturing businesses and jobs in New York City. The Enhanced Business Area proposal has the possibility of creating a model that will provide relief for industrial and manufacturing businesses across the city, but in its current form falls short of creating meaningful zoning reforms. Without broader zoning reforms, the industrial and manufacturing sector has an uncertain future. While the Enhanced Business Area as a tool can not fix the entirety of this problem, it can provide relief in the immediate term to a sector that has historically created economic opportunity for all New Yorkers. With the recommended changes, the proposal can give way to an ecosystem of equitable economic development that engages communities and achieves a balanced mixture of uses.

## ENDNOTES

<sup>1</sup> NYC City Council, *Engines of Opportunity: Reinvigorating New York City's Manufacturing Zones for the 21<sup>st</sup> Century*, Page 22

<sup>2</sup> Ibid.

<sup>3</sup> NYC City Council, *Engines of Opportunity*, Page 15

<sup>4</sup> Philip Habib & Associates, *25 Kent Avenue: Environmental Assessment Statement*, Page A-10

<sup>5</sup> Philip Habib & Associates, *25 Kent Avenue*, Appendix I, Page 3

<sup>6</sup> Ibid., Page A-10

<sup>7</sup> Pratt Center, *Creating an Innovative Mix: What We Can Learn from San Francisco*



## Appendix I: List of Qualifying Business Enhancing Uses

Business Enhancing Uses (Light Industrial & Manufacturing)						
Use Group 11A Manufacturing Establishments	Use Group 16A Retail or Service Establishments	Use Group 16B Automotive Service Establishments	Use Group 17B Manufacturing Establishments		Use Group 17C Miscellaneous Uses	Use Group 18A
Art Needlework, hand weaving or tapestries	Automobile, motorcycle, trailer or boat sales, open or enclosed	Automobile, truck, motorcycle or trailer repairs	Adhesives, excluding manufacture of basic components	Machinery, miscellaneous, including washing machines, firearms, refrigerators, air-conditioning, commercial motion picture equipment, or similar products	Agriculture, including greenhouses, nurseries or truck gardens	Beverages, alcoholic or breweries
Books, handbinding or tools	Blacksmith shops	Automobile laundries, provided that the zoning lot contains reservoir space for not less than 10 automobiles per washing lanes	Advertising displays	Machine tools, including metal lathes, metal presses, metal stamping machines, woodworking machines, or similar products	Docks for passenger ocean vessels, other than gambling vessels	
Ceramic products, custom manufacturing	Building materials sales, open or enclosed, limited to 10,000 square feet or lot area per establishment, provided that not more than 5,000 sq ft of such lot area is used for open storage	Automotive service stations, open or enclosed, provided that facilities for lubrication, minor repairs, or washing are permitted only if located within a completely enclosed building	Aircraft, including parts	Mattresses, including rebuilding or renovating	Docks for sightseeing, excursion or sport fishing vessels, other than gambling vessels, with no limitation on vessel or dock capacity	
Clothing, custom manufacturing or altering for retail	Carpentry, custom woodworking or custom furniture making shops		Apparel or other textile products from textiles or other materials, including hat bodies, or similar products	Metal finishing, plating, grinding, sharpening, polishing, cleaning, rust-proofing, heat treatment, or similar processes	Docks for vessels not otherwise listed other than docks for gambling vessels	
Hair products, custom manufacturing	Crematoriums, human		Automobiles, trucks, or trailers, including parts or rebuilding of engines	Metal stamping or extrusion, including costume jewelry, pins and needles, razor blades, bottle caps, buttons, kitchen utensils, or similar products	Public transit, railroad or electric utility substations, open or enclosed, with no limitation as to size	
Jewelry manufacturing from precious metals	Electrical, glazing, heating, painting, paper hanging, plumbing, roofing, or ventilating contractors' establishments, open or enclosed, with limited to 5,000 sq ft of lot area per establishment		Beverages, non-alcoholic	Motorcycles, including parts	Railroads, including rights-of-way, freight terminals, yards or appurtenances, or facilities or services used or required in railroad operations, but not including passenger stations	
Medical, dental, drafting instruments, optical goods, or similar precision instruments	Fuel, ice, oil, coal or wood sales, open or enclosed, limited to 5,000 sq ft of lot area per establishment		Boats less than 200 feet in length, building or repair, open or enclosed, provided that such use or portion thereof may be conducted outside a completely enclosed building only if located at a distance greater than 200 feet from a residence district boundary, or if effectively screened by a wall or fence at least eight feet in height with no boat building located less than 30 feet from a residence district boundary	Musical instruments, including pianos or organs	Truck weighing stations, open or enclosed	

Use Group 11A	Use Group 16A	Use Group 16B	Use Group 17B		Use Group 17C	Use Group 18A
Musical instruments, except pianos and organs	Household or office equipment or machinery repair shops, such as refrigerators, washing machines, stoves, deep freezers or air conditioning units		Bottling work, for all beverages	Novelty products	Trucking terminals or motor freight stations with no limitation on lot area per establishment	
Orthopedic or medical appliances, custom manufacturing	Machinery rental or sales establishments		Brushes or brooms	Optical equipment, clocks or similar precision instruments		
Printing, custom, limited to 2,500 sq ft of floor area per establishment for production, provided such floor area limitation shall not apply in C6 districts	Mirror silvering or glass cutting shops		Cameras or other photographic equipment, except film	Orthopedic or medical appliances, including artificial limbs, braces, supports, stretchers, or similar appliances		
Watchmaking	Motorcycle or motor scooter rental establishments		Canvas or canvas products	Paper products, including envelopes, stationery, bags, boxes, shipping containers, bulk goods, tubes, wallpaper printing, or similar products		
	Poultry or rabbit killing establishments, for retail sale on the same zoning lot.		Carpets	Perfumes or perfumed soaps, compounding only		
	Riding academies, open or enclosed		Ceramic products, including pottery, small glazed tile, or similar products	Pharmaceutical products		
	Sign painting shops, with no limitation on floor area per establishment		Chemicals, compounding or packaging	Plastic products, including tableware, phonograph records, buttons, or similar products		
	Silver plating shops, custom		Cork products	Printing or publishing, with no limitation on floor area per establishment		
	Soldering or welding shops		Cosmetics or toiletries	Rubber products, such as washers, gloves, footwear, bathing caps, atomizers, or similar products, excluding manufacture or natural or synthetic rubber		
	Stables for horses		Cotton ginning, or cotton wadding or linters	Scenery construction		
	Tool, die or pattern marking establishments, or similar small machine shops		Electrical appliances, including lighting fixtures, irons, fans, toasters, electric toys, or similar appliances	Shoddy		
	Trade schools for adults		Electrical equipment assembly, including home radio or television receivers, home movie equipment, or similar products, but not including electrical machinery	Silverware, plate or sterling		

Use Group 11A	Use Group 16A	Use Group 16B	Use Group 17B		Use Group 17C	Use Group 18A
			Electrical supplies, including wire or cable assembly, switches, lamps, insulation, dry cell batteries, or similar supplies	Soap or detergents, packaging only		
			Film, photographic	Sporting or athletic equipment, including balls, baskets, cues, gloves, bats, racquets, rods, or similar products		
			Food products, except slaughtering of meat or preparation of fish for packing	Statuary, mannequins, figurines, or religious art goods, excluding foundry operations		
			Fur goods, not including tanning or dyeing	Steel products, miscellaneous fabrication or assembly, including steel cabinets, doors, fencing, metal furniture, or similar products		
			Glass products from previously manufactured glass	Textiles, spinning, weaving, manufacturing, dyeing, printing, knit goods, yarn, thread or cordage		
			Hair, felt, or feather products, except washing, curing or dyeing	Tobacco, including curing or tobacco products		
			Hosiery	Tools or hardware, including bolts, nuts, screws, doorknobs, drills, hand tools or cutlery, hinges, house hardware, locks, non-ferrous metal castings, plumbing appliances, or similar products		
			Ice, dry or natural	Toys		
			Ink or inked ribbon	Umbrellas		
			Jute, hemp, sisal or oakum products	Upholstering, bulk, excluding upholstering shops dealing directly with consumers		
			Laboratories, research, experimental or testing	Vehicles, children's, including bicycles, scooters, wagons, baby carriages, or similar vehicles		
			Leather products, including shoes, machine belting, or similar products	Venetian blinds, window shades, or awnings, with no limitation on production or on floor area per establishment		
			Luggage	Wax products		
			Machines, business, including typewriters, accounting machines, calculators, card-counting equipment, or similar products	Wood products, including furniture, boxes, crates, baskets, pencils, cooperage works, or similar products		

**Appendix II: List of Disqualified Uses for Incentive Use Space**

Uses Prohibited from Incentive Use Space									
Use Group 5 Transient Accommodations	Use Group 6A Convenience Retail or Service Establishments	Use Group 6C Retail or Service Establishments		Use Group 7A Transient Accommodations	Use Group 8C Automotive Service Establishments	Use Group 10A Retail or Service Establishments	Use Group 12 Amusements, Retail Establishments, Public Service Establishments, Automotive Service Establishments, and Accessory Uses	Use Group 13 Amusement, Open or Enclosed; Retail Establishments; Service Establishments	Use Group 16
Hotels, transient	Bakeries, provided that floor area used for production shall be limited to 750 sq ft per establishment	Antique stores	Meeting halls	Motels, tourist cabins, or boatels	Automobile rental establishments, except that in the Long Island City area, as defined in Section 16-02 (Definitions), the number of automobiles that may be stored in such establishments in C2, C4, or C6 districts shall not exceed 100 spaces and the maximum size in sq ft for such storage area shall not exceed 200 times the number of parking spaces provided, exclusive of entrance/exit ramps	Carpet, rug, linoleum or other floor covering stores, with no limitation on floor area per establishment	Arenas or auditoriums, with capacity limited to 2,500 seats	Camps, overnight or outdoor day	Moving or storage office with no limitation as to storage or floor area per establishment
	Barber shops	Art galleries, commercial	Millinery shops		Public parking garages or public parking lots with a capacity of 150 spaces or less, subject to the provisions set forth for accessory off-street parking spaces in Sections 36-53 (Width of Curb Cuts and Location of Access to the Street), 36-55 (Surfacing) and 36-56 (Screening), and provided that such public parking lots are not permitted as of right in C6-1A Districts and such public parking garages are not permitted as of right in C2-5, C2-6, C2-7, C2-8, C4-5, C4-5A, C4-5X, C4-6, C4-7, C6, C8-4, M1-4, M1-5, M1-6, M2-3, M2-4, or M3-2 districts. Public parking garages may be open or enclosed, provided that no portion of such use shall be located on a roof other than a roof which is immediately above a cellar or basement.	Clothing or clothing accessory stores, with no limitation on floor area per establishment	Billiard parlor or pool halls	Children's amusement parks, provided that the total area of the zoning lot shall not exceed 10,000 sq ft, and that no amusement attractions shall be located within 20 ft of a residence district boundary.	Packing or crating establishments

Use Group 5	Use Group 6A	Use Group 6C		Use Group 7A	Use Group 8C	Use Group 10A	Use Group 12	Use Group 13	Use Group 16
	Beauty parlors	Artists' supply stores	Music stores			Department stores	Bowling alleys or table tennis halls, with no limitation on number of bowling lanes per establishment	Circuses, carnivals or fairs of a temporary nature	Warehouses
	Drug stores	Automobile supply stores, with no installation or repair services	Newsstands, open or enclosed			Depositories for storage of office records, microfilm, or computer tapes, or for data processing	Eating or drinking establishments with entertainment and a capacity of more than 200 persons, or establishments of any capacity with dancing	Commercial beaches or swimming pools	
	Dry cleaning or clothes pressing establishments or receiving stations dealing directly with ultimate consumers, limited to 2000 sq ft of floor area per establishment, and provided that only solvents with a flash point of not less than 138.2 degrees Fahrenheit shall be used, and total aggregate dry load capacity of machines shall not exceed 60 pounds	Banks, including drive-in banks	Optician or optometrist establishments			Docks for ferries, other than gambling vessels, with no restriction on passenger load. In Community District 1 in the Borough of Brooklyn such docks shall be certified by the Chairperson of the City Planning Commission, pursuant to Section 62-813 (Docking facilities for ferries or water taxis in certain waterfront areas)	Historical exhibits, provided such use is contained within a completely enclosed building	Golf driving ranges	
	Eating or drinking establishments, including those which provide outdoor table service or have music for which there is no cover charge and no specified showtime, and those which have accessory drive-through facilities	Bicycle sales	Paint stores			Dry goods or fabric stores, with no limitation on floor area per establishment	Indoor golf recreation centers	Miniature golf courses	

Use Group 5	Use Group 6A	Use Group 6C	Use Group 7A	Use Group 8C	Use Group 10A	Use Group 12	Use Group 13	Use Group 16	Use Group 5
	Food stores, including supermarkets, grocery stores, meat markets, or delicatessen stores	Book stores	Pet shops			Eating or drinking places, without restrictions on entertainment or dancing, but limited to location in hotels	Model car hobby center, including racing, with no limitation on floor area per establishment	Outdoor roller skating rinks	
	Hardware stores	Candy or ice cream stores	Photographic equipment or supply stores			Furniture stores, with no limitation on floor area per establishment	Public auction rooms	Outdoor skate parks, provided that the total area of the zoning lot, excluding the area used for accessory off-street parking spaces, shall not exceed two acres, and provided further that temporary enclosure of the skating runs, such as air supported structures, shall not be permitted	
	Laundry establishments, hand or automatic self-service	Carpet, rug, linoleum or other floor covering stores, limited to 10,000 sq ft of floor area per establishment	Photographic studios			Office or business machine stores, sales or rental	Skating rinks, enclosed	Outdoor skating rinks	
	Liquor stores, package	Cigar or tobacco stores	Picture framing shops			Photographic or motion picture production studios	Stadiums, with capacity limited to 2,500 seats	Theaters	
	Post offices	Clothing or clothing accessory stores, limited to 10,000 sq ft of floor area per establishment	Record stores			Radio or television studios	Trade expositions, with rated capacity for not more than 2,500 persons, as determined by the Commissioner of Buildings	Banquet halls	

Use Group 5	Use Group 6A	Use Group 6C	Use Group 7A	Use Group 8C	Use Group 10A	Use Group 12	Use Group 13	Use Group 16	Use Group 5
	Shoe or hat repair shops	Clothing rental establishments, limited to 10,000 sq ft of floor area per establishment	Seed or garden supply stores			Television, radio, phonograph or household appliance stores, with no limitation on floor area per establishment	Antique stores	Catering establishments	
	Stationary stores	Docks for ferries, other than gambling vessels, limited to an aggregate operational passenger load, per zoning lot, of 150 passengers per half hour. In Community District 1 in the Borough of Brooklyn, docks for ferries with a vessel capacity of up to 399 passengers shall be allowed, provided that such docks are certified by the Chairperson of the City Planning Commission pursuant to Section 62-813 (Docking facilities for ferries or water taxis in certain waterfront areas). The maximum dock capacity is the US Coast Guard-certified capacity of the largest vessel using the dock.	Sewing machine stores, selling household machines only			Variety stores, with no limitation on floor area per establishment	Art gallery, commercial	Refreshment stands, drive in	

Use Group 5	Use Group 6A	Use Group 6C	Use Group 7A	Use Group 8C	Use Group 10A	Use Group 12	Use Group 13	Use Group 16	Use Group 5
	Tailor or dressmaking shops, custom	Docks for water taxis, with a vessel capacity of up to 99 passengers. In Community District 1 in the Borough of Brooklyn, such docks shall be certified by the Chairperson of the City Planning Commission pursuant to Section 62-813 (Docking facilities for ferries or water taxis in certain waterfront areas). The maximum dock capacity is the US Coast-Guard certified capacity of the largest vessel using the dock	Shoe stores				Book stores	Boat fuel sales, open or enclosed, without restriction as to location	
	Variety stores, limited to 10,000 sq ft of floor area per establishment	Docks or mooring facilities for non-commercial pleasure	Sporting or athletic stores				Candy or ice cream stores		
		Dry goods or fabrics stores, limited to 10,000 sq ft of floor area per establishment	Stamp or coin stores				Cigar or tobacco stores		
		Eating or drinking establishments with entertainment, but not dancing, with a capacity of 200 persons or fewer	Telegraph offices				Delicatessen stores		



Use Group 5	Use Group 6A	Use Group 6C	Use Group 7A	Use Group 8C	Use Group 10A	Use Group 12	Use Group 13	Use Group 16	Use Group 5
		Electrolysis studios	Television, radio, phonograph or household appliance stores, limited to 10,000 square feet of floor area per establishment				Drug stores		
		Fishing tackle or equipment, rental or sales	Toy stores				Gift shops		
		Florist shops	Travel bureaus				Jewelry or art metal craft shops		
		Frozen food lockers	Typewriter stores				Music stores		
		Furniture stores, limited to 10,000 sq ft of floor area per establishment	Wallpaper stores				Newsstands		
		Furrier shops, custom	Watch or clock stores or repair shops				Photographic equipment stores		
		Gift shops					Record stores		
		Interior decorating establishments, provided that floor area used for processing, servicing or repairs shall be limited to 750 sq ft per establishment					Stationery stores		
		Jewelry or art metal craft shops					Toy stores		
		Leather goods or luggage stores					Police stations		
		Loan offices					Water or sewage pumping stations		

Use Group 5	Use Group 6A	Use Group 6C	Use Group 7A	Use Group 8C	Use Group 10A	Use Group 12	Use Group 13	Use Group 16	Use Group 5
		Locksmith shops					<p>Public parking garages or public parking lots with a capacity of 150 spaces or less, subject to the provisions set forth for accessory off-street parking spaces in Sections 36-53 (Width of Curb Cuts and Location of Access to the Street), 36-55 (Surfacing) and 36-56 (Screening), and provided that such public parking lots are not permitted as-of-right in C7 districts and such public parking garages are not permitted as-of-right in C4-5, C4-6, C4-7, C6, C8-4, M1-4, M1-5, M1-6, M2-3, M2-4 or M3-2 districts. Public parking garages may be open or enclosed, provided that no portion of such use shall be located on a roof other than a roof which is immediately above a cellar or basement.</p>		