



## Zoning Resolution

THE CITY OF NEW YORK

Eric Adams, Mayor

CITY PLANNING COMMISSION

Daniel R. Garodnick, Chair

# 24-01 - Applicability of This Chapter

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## 24-01 - Applicability of This Chapter

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LAST AMENDED

12/5/2024

The #bulk# regulations of this Chapter apply to any #zoning lot# or portion of a #zoning lot# located in any #Residence District# which contains any #community facility building#, or to the #community facility# portion of any #building# located in any #Residence District# which is used for both #residential# and #community facility# #uses#, except where specifically modified by the provisions of this Chapter.

The #bulk# regulations of Article II, Chapter 3, shall apply to any #zoning lot# or portion of a #zoning lot# in any #Residence District# which contains a #residential building#, or to the #residential# portion of any #building# located in any #Residence District# which is used for both #residential# and #community facility# #uses#, except where specifically modified by the provisions of this Chapter.

In addition, the #bulk# regulations of this Chapter, or of specified sections thereof, also apply in other provisions of this Resolution where they are incorporated by cross reference.

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### 24-011 - Quality Housing Program

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LAST AMENDED

3/22/2016

The applicability of the Quality Housing Program to #community facility buildings# or portions of #buildings# containing #community facility# #uses# is set forth in this Section, except as modified in Section [24-012](#) (Exceptions to the bulk regulations of this Chapter).

In R6A, R6B, R7A, R7B, R7D, R7X, R8A, R8B, R8X, R9A, R9D, R9X, R10A or R10X Districts, any #community facility building# or portion of a #building# containing #community facility# #uses# shall comply with the height and setback regulations for #Quality Housing buildings# set forth in Article II, Chapter 3. In all other R6, R7, R8, R9 or R10 Districts, if the #residential# portion of a #building# containing a #community facility# #use# is #developed# or #enlarged# pursuant to the Quality Housing Program, the entire #building# shall comply with the height and setback regulations for #Quality Housing buildings# set forth in Article II, Chapter 3. However, for houses of worship in R8A, R8X, R9A, R9X, R10A and R10X Districts or, where located in #Quality Housing buildings# in other R8 through R10 Districts without a letter suffix, the #street wall# location provisions of Section [23-661](#) are optional.

For all such #buildings# using the height and setback regulations for #Quality Housing buildings#, any permitted obstruction listed in Section [24-51](#) that is not listed in Section [23-62](#) shall also be considered a permitted obstruction.

Special regulations are set forth for #buildings# containing #long-term care facilities# or philanthropic or non-profit institutions with sleeping accommodations in Section [24-013](#) (Special provisions for certain community facility uses).

#Quality Housing buildings# shall comply with the additional provisions set forth in Article II, Chapter 8 (The Quality Housing Program). In R5D Districts, certain provisions of Article II, Chapter 8, shall apply as set forth in Section [28-01](#) (Applicability of this Chapter).

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### 24-012 - Exceptions to the bulk regulations of this Chapter

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LAST AMENDED

6/6/2024

(a) #Buildings# used partly for #community facility# #uses#

Except as provided in paragraph (b) of this Section, in R3-1, R3A, R3X, R4-1, R4A, R4B or R5B Districts, the #bulk# regulations of this Chapter shall apply only to a #zoning lot# or portion of a #zoning lot# that contains a #community facility building#, and the #bulk# regulations of Article II, Chapter 3 (Bulk Regulations for Residential Buildings in Residence Districts) shall apply to any #zoning lot# or portion of a #zoning lot# that contains any #building# that is used partly for #community facility# #use# and partly for #residential use#. In such districts, the #bulk# regulations of this Chapter may apply to the #community facility# portion of a #building# that is used partly for #community facility# #use# and partly for #residential use# only where:

- (1) such #community facility# #use# has received tax-exempt status from the New York City Department of Finance, or its successor, pursuant to Section 420 of the New York State Real Property Tax Law; or
- (2) such #building# has received an authorization pursuant to Section [24-04](#) (Modification of Bulk Regulations in Certain Districts).

(b) #Buildings# containing certain #community facility# #uses# in #lower density growth management areas#

(1) In R1 through R5 Districts in #lower density growth management areas#, the #bulk# regulations of this Chapter shall not apply to any #zoning lot# containing #buildings# used for:

- (i) ambulatory diagnostic or treatment health care facilities listed under Use Group III(B), except where such #zoning lot# contains #buildings# used for hospitals or nursing homes as defined in the New York State Hospital Code; or
- (ii) child care services as listed under the definition of #school# in Section [12-10](#) (DEFINITIONS), except where such #zoning lot# contains #buildings# used for houses of worship or, for #zoning lots# that do not contain #buildings# used for houses of worship, where the amount of #floor area# used for child care services is equal to 25 percent or less of the amount of #floor area# permitted for #community facility# #use# on the #zoning lot#.

(2) In lieu thereof, the #residential bulk# regulations of Article II, Chapter 3, shall apply, except that:

- (i) the provisions of Section [23-44](#) (Permitted Obstructions in Required Yards or Rear Yard Equivalents) shall be modified to prohibit parking spaces of any kind within a #front yard#;
- (ii) in lieu of Sections [23-46](#) (Minimum Required Side Yards) and [23-66](#) (Required Side and Rear Setbacks), Sections [24-35](#) (Minimum Required Side Yards) and [24-55](#) (Required Side and Rear Setbacks) shall apply; and
- (iii) for child care services in R1 and R2 Districts, the provisions of paragraph (9) in the definition of #floor area# in Section [12-10](#), pertaining to #floor area# exclusions for the lowest story of a #residential building#, shall not apply.

(c) Special provisions for certain #community facility# #uses#

Special provisions for #buildings# containing #long-term care facilities# or philanthropic or non-profit institutions with sleeping accommodations listed under Use Group III(A), are set forth in Section 24-013.

(d) #Quality Housing buildings#

For #Quality Housing buildings#, the provisions of Section [24-011](#) shall apply.

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## 24-013 - Special provisions for certain community facility uses

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LAST AMENDED

6/6/2024

The provisions of this Section shall apply to #buildings# containing #long-term care facilities# or philanthropic or non-profit institutions with sleeping accommodations listed under Use Group III(A).

(a) #Buildings# containing #long-term care facilities#

(1) In R1 and R2 Districts

In R1 and R2 Districts, where a #long-term care facility# is permitted pursuant to Section [74-131](#) (Long-term care facilities), the #bulk# regulations of this Chapter shall apply. The maximum #floor area ratio# for such #long-term care facilities# shall not exceed the applicable #floor area ratio# of paragraph (a) of Section [24-111](#) (Maximum floor area ratio for certain community facility uses), except as permitted by the City Planning Commission pursuant to Section [74-902](#) (Certain community facility uses in R1 and R2 Districts and certain Commercial Districts).

(2) In R3 through R5 Districts

In R3-2 Districts, and R4 or R5 Districts without a letter or number suffix, the #bulk# regulations of Article II, Chapter 3, applicable to #affordable independent residences for seniors#, inclusive, shall apply to #buildings#, or portions thereof, containing #long-term care facilities#, except as follows:

- (i) the #lot coverage# regulations of Section [24-11](#) (Maximum Floor Area Ratio and Percentage of Lot Coverage) shall apply in lieu of the maximum #lot coverage# set forth in Section [23-144](#) (Affordable independent residences for seniors);
- (ii) the minimum size of #dwelling unit# provisions of Section [23-23](#) shall not apply;
- (iii) in R3-2 Districts, the height and setback regulations of Section [24-50](#) shall apply in lieu of Section [23-60](#); and
- (iv) in R5 Districts, the provisions of paragraph (j)(2) of Section [23-631](#) shall be modified so that the height of a #building# containing #long-term care facilities# may be increased to 55 feet beyond 25 feet of the #street line# on any #zoning lot#.

In all such Districts, the Commission may permit the #bulk# regulations of this Chapter to apply pursuant to the special permit in Section [74-903](#) (Certain community facility uses in R3 to R9 Districts and certain Commercial Districts).

In R3-1, R3A, R3X, R4-1, R4A, R4B, R5A, R5B or R5D Districts, the #bulk# regulations of this Chapter shall apply to #community facility buildings#, or the #community facility# portion of a #building# containing #long-term care facilities#, as applicable. The maximum #floor area ratio# for such #long-term care facilities# shall not exceed the applicable #floor area ratio# of paragraph (b) of Section [24-111](#), except as permitted by the Commission pursuant to Section [74-903](#).

(3) In R6 through R10 Districts

In R6 through R10 Districts, the #bulk regulations# of Article II, Chapter 3 applicable to #affordable independent residences for seniors#, inclusive, shall apply to #buildings#, or portions thereof, containing #long-term care facilities#, except as follows:

- (i) in R6A Districts or R6 Districts without a letter suffix, the maximum #floor area ratio# for #long-term care facilities# shall be 3.6;
- (ii) in R7A Districts or R7 Districts without a letter suffix, other than R7-3 Districts, the maximum #floor area ratio# for #long-term care facilities# shall be 4.6; and
- (iii) the minimum size of #dwelling unit# provisions of Section [23-23](#) shall not apply.

In R6 through R10 Districts without letter suffixes, the Commission may permit the #bulk# regulations of this Chapter to apply to such #long-term care facilities# pursuant to the special permit in Section [74-903](#).

(4) Applicability of #affordable independent residences for seniors bulk# provisions

Where #buildings# containing #long-term care facilities# are required to utilize the #bulk# provisions applicable to #affordable independent residences for seniors#, such #uses# shall be considered #residential# for the purpose of applying such provisions, and the term #dwelling unit# shall include #dwelling units# and #rooming units#, as set forth in the Housing Maintenance Code.

(b) #Buildings# containing philanthropic or non-profit institutions with sleeping accommodations

The provisions of this Chapter apply to #buildings#, or portions thereof, containing philanthropic or non-profit institutions with sleeping accommodations. In addition, the following special #bulk# provisions apply:

(1) In R1 and R2 Districts

In R1 and R2 Districts the maximum #floor area ratio# for a #community facility building#, or portion thereof, that contains a philanthropic or non-profit institution with sleeping accommodations, shall not exceed the applicable #floor area ratio# of paragraph (a) of Section [24-111](#), except as permitted by the Commission pursuant to Section [74-902](#).

(2) In R3 through R5 Districts and R6 through R10 Districts without a letter suffix

In R3 through R5 Districts, and in R6 through R9 Districts without a letter suffix, the maximum #floor area ratio# for a #community facility building#, or portion thereof, that contains a philanthropic or non-profit institution with sleeping accommodations, shall not exceed the applicable #floor area ratio# of paragraph (b) of Section [24-111](#), except as permitted by the Commission pursuant to Section [74-903](#).

For #zoning lots# in R3-2, R4, R5, R6 and R7-1 Districts, except for R4-1, R4A, R4B, R5D and R6B Districts, with #buildings# containing both #residential uses# and philanthropic or non-profit institutions with sleeping accommodations, the provisions of Section [24-162](#) shall not apply. In lieu thereof, the provisions of Section [24-161](#) shall apply.

In R10 Districts without a letter suffix, the maximum #floor area ratio# for a #community facility building#, or portion thereof, that contains a philanthropic or non-profit institution with sleeping accommodations shall be as set forth in Section [24-11](#) (Maximum Floor Area Ratio and Percentage of Lot Coverage).

In R6 through R10 Districts without a letter suffix, the height and setback regulations for #Quality Housing buildings# set forth in Article II, Chapter 3, may be applied.

(3) In R6 through R10 Districts with a letter suffix

In R6 through R10 Districts with a letter suffix, the #bulk# regulations for #Quality Housing buildings# set forth in Article II, Chapter 3, inclusive, shall apply.

(c) Applicability of Quality Housing Program elements

For all #buildings# containing #long-term care facilities# that utilize the #bulk# regulations for #affordable independent residences for seniors# in Article II, Chapter 3, and for #buildings# containing philanthropic or non-profit institutions with sleeping accommodations that utilize the #bulk# regulations for #Quality Housing buildings# in Article II, Chapter 3 in R6 through R10 Districts with a letter suffix, and the height and setback regulations for #Quality Housing buildings# in Article II, Chapter 3, in R6 through R10 Districts without a letter suffix, the Quality Housing Program, and the associated mandatory and optional program elements, shall apply to such #uses#, as modified by paragraph (d) of Section [28-01](#) (Applicability of this Chapter).