Zoning Resolution

THE CITY OF NEW YORK
Zohran K. Mamdani, Mayor

CITY PLANNING COMMISSION
Sideya Sherman, Chair

52-41 - General Provisions

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LAST AMENDED
12/5/2024

A #non-conforming# #use# may be #enlarged# or #extended# within the district in which such #non-conforming# #use# is located only in accordance with the provisions of this Chapter. However, a #non-conforming# #single-# or #two-family residence# in an R3, R4 or R5 District may be #enlarged# or #extended# in accordance with the #bulk# regulations specified for the district in which it is located. Furthermore, #enlargements# or #extensions# designed exclusively to permit conformity with the regulations on performance standards, designed in order to improve energy performance, or designed in order to provide required #accessory# off-street parking spaces or off-street loading berths on the same #zoning lot# as the #use# to which such spaces or berths are #accessory# are not subject to the restrictions set forth herein.

For the purposes of this Section and Sections 52-31 (General Provisions) and 52-42 (C6, C8 or Manufacturing Districts), the applicable district regulations on #accessory# off-street parking spaces or loading berths shall be determined in accordance with the following tables. The term "required" as used in this Section shall mean some or all of, but not more than, the number of spaces or berths which would be required or permitted by such applicable district regulations for #development# for such #use#.

APPLICABLE OFF-STREET PARKING REGULATIONS FOR NON-CONFORMING COMMERCIAL OR MANUFACTURING USES

District in Which #Non-conforming# #Use# is Located	District Whose Regulations Are Applicable
R1 R2 R3 R4 R5 R6 R7-1	M3-1
C1-1 C1-2 C1-3 C1-4	M3-1
C2-1 C2-2 C2-3 C2-4	M3-1
C3	M3-1
C4-1 C4-2 C4-3 C4-4	M3-1
C7	M3-1
C8-1 C8-2 C8-3	M3-1
M1-1 M1-2 M1-3	M3-1
M2-1 M2-2	M3-1
R7-2 R7-3 R7A R7B R7D R7X R8 R9 R10 R11 R1	M3-2
C1-5 C1-6 C1-7 C1-8 C1-9	M3-2

C2-5 C2-6 C2-7 C2-8	M3-2
C4-5 C4-6 C4-7 C4-8 C4-9 C4-11 C4-12	M3-2
C5	M3-2
C6	M3-2
C8-4	M3-2
M1-4 M1-5 M1-6	M3-2
M2-3 M2-4	M3-2

APPLICABLE OFF-STREET PARKING REGULATIONS FOR NON-CONFORMING RESIDENTIAL OR COMMUNITY FACILITY USES

District in Which #Non-conforming# #Use# is Located	District Whose Regulations Are Applicable
C8-1 C8-2 C8-3	R5
M1-1 M1-2 M1-3	R5

M2-1 M2-2	R5
M3-1	R5
C8-4	R10
M1-4 M1-5 M1-6	R10
M2-3 M2-4	R10
M3-2	R10

APPLICABLE OFF-STREET LOADING REGULATIONS

District in Which #Non-conforming# #Use# is Located	District Whose Regulations Are Applicable
R1 R2 R3 R4 R5 R6	M2-1
C1 mapped within R1 R2 R3 R4 R5 R6	M2-1
C2 mapped within R1 R2 R3 R4 R5 R6	M2-1
C3	M2-1

C4-1 C4-2 C4-3	M2-1
C7	M2-1
C8-1 C8-2	M2-1
M1-1 M1-2 M1-4	M2-1
R7 R8 R9 R10	M2-2
C1 mapped within R7 R8 R9 R10	M2-2
C2 mapped within R7 R8 R9 R10	M2-2
C1-6 C1-7 C1-8 C1-9	M2-2
C2-6 C2-7 C2-8	M2-2
C4-4 C4-5 C4-6 C4-7	M2-2
C5	M2-2
C6	M2-2
C8-3 C8-4	M2-2

M1-3 M1-5 M1-6 M2-2

For #non-conforming# #use# in #Residence Districts#, #accessory# off-street parking spaces or loading berths shall be subject to the provisions of Sections 25-65 or 25-77 (Screening).

In the #Manhattan Core#, #enlargements# or #extensions# of #non-conforming# #uses# which involve the provision of off-street parking are subject to the regulations set forth in Article I, Chapter 3, and in the #Long Island City area#, as defined in Section 16-02 (Definitions), such #enlargements# or #extensions# are subject to the regulations set forth in Article I, Chapter 6.

In the case of a conflict between these provisions and retail continuity provisions that apply to the ground floor of #buildings#, a #non-conforming# #use# on the ground floor in such #building# may be changed only to a conforming #use#.