**Zoning Resolution**

THE CITY OF NEW YORK
**Zohran K. Mamdani, Mayor**

CITY PLANNING COMMISSION
**Sideya Sherman, Chair**

# 52-70 - TERMINATION OF CERTAIN NON-CONFORMING USES AFTER AMORTIZATION

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## 52-70 - TERMINATION OF CERTAIN NON-CONFORMING USES AFTER AMORTIZATION

LAST AMENDED
12/15/1961

## 52-71 - General Provisions

LAST AMENDED
10/25/1995

In specified districts, specified #non-conforming# #signs#, specific #non-conforming# #uses# of #land with minor improvements#, specified #non-conforming# objectionable #uses#, certain specific types of #uses# involving open storage or salvage, #non-conforming# #adult establishments#, or certain #non-conforming# #public parking lots# may be continued for a reasonable period of useful life as set forth in this Chapter, provided that after the expiration of that period such #non-conforming# #uses# shall terminate in accordance with the provisions of this Chapter.

## 52-72 - Land with Minor Improvements

LAST AMENDED
6/6/2024

In all #Residence Districts#, a #non-conforming# #use# of #land with minor improvements# that is listed in Use Groups IV, VI, VII, VIII, IX or X and not permitted as-of-right within C7 Districts, may be continued for three years after December 15, 1961, or such later date that the #use# becomes #non-

conforming#, provided that after the expiration of that period such #non-conforming# #use# shall terminate, and thereafter such land shall be used only for a conforming #use#.

## 52-73 - Non-Conforming Signs

LAST AMENDED
12/15/1961

## 52-731 - Advertising signs

LAST AMENDED
5/22/1963

In all #Residence Districts#, a #non-conforming# #advertising sign# may be continued for 10 years after December 15, 1961, or such later date that such #sign# becomes #non-conforming#, providing that after the expiration of that period such #non-conforming# #advertising sign# shall terminate.

## 52-732 - Signs on awnings or canopies

LAST AMENDED
12/15/1961

In all #Residence# or #Commercial Districts#, a #non-conforming# #sign# on an awning or canopy may be continued for one year after December 15, 1961, or such later date that such #sign# becomes #non-conforming#, provided that after the expiration of that period such #non-conforming# #sign# shall terminate.

## 52-733 - Advertising signs on waterways

LAST AMENDED
4/8/1998

On all waterways adjacent to #Residence#, #Commercial# or #Manufacturing Districts# and within view from an arterial highway, a #non-conforming# #advertising sign# may be continued for one year after July 23, 1964, if already in operation on April 15, 1964; provided that after the expiration of this period such #non-conforming# #advertising sign# shall terminate.

For the purposes of this Section, an #advertising sign# is a #sign# that directs attention to a profession, business, commodity, service or entertainment conducted, sold or offered elsewhere than upon the premises of the vessel and is not #accessory# to a #use# on such vessel.

## 52-734 - Non-conforming signs for adult establishments

LAST AMENDED
4/8/1998

In all districts, a #non-conforming# #sign# for an #adult establishment# shall terminate within one year from October 25, 1995, or from such later date that such #sign# becomes #non-conforming#, except that such #sign# may be continued for a limited period of time by the Board of Standards and Appeals, pursuant to Section 72-40 (AMORTIZATION OF CERTAIN ADULT ESTABLISHMENTS AND SIGNS FOR ADULT ESTABLISHMENTS).

## 52-74 - Uses Objectionable in Residence Districts

LAST AMENDED
6/6/2024

In all #Residence Districts#, any open #use# involving waste or high-hazard material storage in Use Groups IV(B) or IX, other than a #use# of #land with minor improvements# that:

(a) involves activities not located within a #completely enclosed building#; and

(b) involves the #use# of #buildings or other structures# or other improvements with a total assessed valuation, excluding land, of less than $20,000 as determined from the assessment rolls effective on the date established for termination;

may be continued for 10 years after December 15, 1961, or such later date that the #use# becomes #non-conforming#, provided that after the expiration of that period such #non-conforming# #use# shall terminate, and thereafter such land or #building or other structure# shall be used only for a conforming #use#.

## 52-75 - Certain Types of Uses Involving Open Storage or Salvage

LAST AMENDED
6/6/2024

In all districts, #non-conforming# building materials or contractors' yards, or #non-conforming# junk or salvage yards, including auto wrecking or similar establishments, or #non-conforming# scrap metal, junk, paper or rags storage, sorting or baling may be continued subject to the applicable provisions set forth herein, whichever impose the greater restriction.

(a) In #Residence Districts#, where such #use# constitutes a #non-conforming# #use# of #land with minor improvements#, the provisions of Section 52-72 (Land With Minor

Improvements) apply.

(b) In #Residence Districts#, where such #use# constitutes a #use# other than a #use# of #land with minor improvements#, and meets the criteria set forth in Section 52-74 (Uses Objectionable in Residence Districts), the provisions of Section 52-74 apply.

(c) In all districts where such #use# is #non-conforming# with respect to the required enclosure as set forth in the listing of such #use# in Section 42-19 (Use Group IX – Storage) and is either conforming or #non-conforming# in other respects, it may be continued without such enclosure until a date three years from February 8, 1968, or from such later date that the #use# becomes #non-conforming#. Thereafter, any such #use# which does not conform with the enclosure requirements shall be terminated, and the land shall be used only for a conforming #use#.

## 52-77 - Termination of Adult Establishments

LAST AMENDED
10/25/1995

In all districts, a #non-conforming# #adult establishment# shall terminate within one year from October 25, 1995, or from such later date that the #adult establishment# becomes #non-conforming#, except that such establishment may be continued for a limited period of time by the Board of Standards and Appeals pursuant to Section 72-40 (AMORTIZATION OF CERTAIN ADULT ESTABLISHMENTS AND SIGNS FOR ADULT ESTABLISHMENTS). However, the provisions of this Section shall not apply to an #adult establishment# subject to the provisions of paragraph (f) of Section 32-01 or 42-01 (Special Provisions for Adult Establishments).