Zoning Resolution

THE CITY OF NEW YORK
Zohran K. Mamdani, Mayor

CITY PLANNING COMMISSION
Sideya Sherman, Chair

73-13 - Community Facilities

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73-13 - Community Facilities

LAST AMENDED
6/6/2024

73-131 - College or school student dormitories or fraternity or sorority student houses

LAST AMENDED
6/6/2024

The Board of Standards and Appeals may permit college or school student dormitories or fraternity or sorority student houses listed under Use Group III(A) in R1 or R2 Districts, provided that the following findings are made:

(a) that such #use# does not exceed the maximum #floor area ratio# for #residential use# as set forth in Section 23-21 (Floor Area Regulations for R1 Through R5 Districts);

(b) that the amount of #open space# and its distribution on the #zoning lot# conform to standards appropriate to the character of the neighborhood;

(c) that, notwithstanding the provisions of Section 25-33 (Waiver of Requirements for Spaces Below Minimum Number), at least one #accessory# off-street parking space is provided for each six beds; and

(d) that such #use# conforms to all the other applicable Off-street Parking Regulations as set forth in Article II, Chapter 5.

The Board may prescribe appropriate conditions and safeguards to minimize adverse effects on the character of the surrounding area.

73-132 - Colleges or universities

LAST AMENDED
6/6/2024

The Board of Standards and Appeals may permit colleges or universities including professional schools, but excluding business colleges or trade schools, as listed under Use Group III(B), in R1 or R2 Districts, provided that the following findings are made:

(a) that such #use# is so located as not to impair the character of the surrounding area or its future development as a neighborhood of #single-family residences#; and

(b) that such #use# is so located as to draw a minimum of vehicular traffic to and through local #streets#.

The Board may prescribe appropriate conditions and safeguards to minimize adverse effects on the character of the surrounding area.

73-133 - Schools

LAST AMENDED
6/6/2024

In C8 or M1 Districts, the Board of Standards and Appeals may permit #schools# which have no #residential# accommodations except #accessory# accommodations for a caretaker, as listed under Use Group III(B), provided that the following findings are made:

(a) that within the neighborhood to be served by the proposed #school# there is no practical possibility of obtaining a site of adequate size located in a district wherein it is permitted as of right, because appropriate sites in such districts are occupied by substantial improvements;

(b) that such #school# is located not more than 400 feet from the boundary of a district wherein such #school# is permitted as-of-right;

(c) that an adequate separation from noise, traffic and other adverse effects of the surrounding non-#Residential Districts# is achieved through the use of sound-attenuating exterior wall and window construction or by the provision of adequate open areas along #lot lines# of the #zoning lot#; and

(d) that the movement of traffic through the #street# on which the #school# is located can be controlled so as to protect children going to and from the #school#. The Board shall refer the application to the Department of Traffic for its report with respect to vehicular hazards to the safety of children within the block and in the immediate vicinity of the proposed site.

The Board may prescribe additional appropriate conditions and safeguards to minimize adverse effects on the character of the surrounding area.

73-134 - Ambulatory diagnostic or treatment health care facilities

LAST AMENDED
6/6/2024

In R3-1, R3A, R3X, R4-1, R4A or R4B Districts, the Board of Standards and Appeals may permit ambulatory diagnostic or treatment health care facilities listed under Use Group III(B), limited in each case to a maximum of 10,000 square feet of #floor area#, provided that the Board finds that:

(a) outside of #lower density growth management areas#, the amount of open area and its distribution on the #zoning lot# conform to standards appropriate to the character of the neighborhood; or

(b) in #lower density growth management areas#, such facilities are located on #zoning lots# that comply with the minimum #lot area# and #lot width# regulations of paragraph (b)(1) of Section 24-05 (Buildings containing certain community facility uses).

The Board may prescribe appropriate conditions and safeguards to minimize adverse effects on the character of the surrounding area.

73-135 - Non-commercial clubs

LAST AMENDED
6/6/2024

The Board of Standards and Appeals may permit non-commercial clubs, except swimming pool clubs or clubs with swimming pools located less than 500 feet from any #lot line#, as listed under Use Groups III(A) or III(B), in R1 or R2 Districts, provided that the following findings are made:

(a) that such #use# is so located as not to impair the character of the surrounding area or its future development as a neighborhood of #single-family residences#;

(b) that such #use# is so located as to draw a minimum of vehicular traffic to and through local #streets#;

(c) that such #use# complies with the maximum #floor area ratio# for #residential use# as set forth in Section 23-21 (Floor Area Regulations for R1 Through R5 Districts);

(d) that not more than half the #open space# provided is occupied by driveways, private streets, open #accessory# off-street parking spaces or active outdoor recreation facilities; and

(e) that the amount of #open space# provided and its distribution on the #zoning lot# conform to standards appropriate to the character of the neighborhood.

The Board may prescribe appropriate conditions and safeguards to minimize adverse effects on the character of the surrounding area, including requirements for shielding of floodlights, screening or landscaping.

73-136 - Welfare centers

LAST AMENDED
6/6/2024

The Board of Standards and Appeals may permit welfare centers listed under Use Group III(B) in R1 or R2 Districts, provided that the following findings are made:

(a) that such #use# is so located as not to impair the character of the surrounding area or its future development as a neighborhood of #single-family residences#; and

(b) that such #use# is conveniently accessible to the people it serves.

The Board may prescribe appropriate conditions and safeguards to minimize adverse effects on the character of the surrounding area.