



## Zoning Resolution

THE CITY OF NEW YORK

Eric Adams, Mayor

CITY PLANNING COMMISSION

Daniel R. Garodnick, Chair

# 78-20 - USE REGULATIONS

File generated by <https://zr.planning.nyc.gov> on 5/20/2024

---

## 78-20 - USE REGULATIONS

---

LAST AMENDED  
8/24/1967

---

## 78-21 - Permitted Uses

---

LAST AMENDED  
1/22/1970

A #large-scale residential development# may include within its area any #residential uses#, #commercial # #uses# or #community facility# #uses# permitted in the district or districts in which it is located. The #commercial # #uses# in these #Commercial Districts# shall be restricted to #uses# permitted in C1, C2 or C4 Districts.

---

## 78-22 - Accessory Uses in Large-Scale Residential Developments

---

†

LAST AMENDED  
12/6/2023

A #large-scale residential development# in a #Residence District# may contain as #accessory # #uses#, any #commercial# #uses# listed in Use Group 6A which in the aggregate occupy not more than two percent of the total #floor area# in the #large-scale residential development#, and of which no single establishment occupies more than 15,000 square feet of #floor area#, provided that upon a review of the site plan, the City Planning Commission finds that such #commercial# #uses#:

- (a) will be primarily for the use of the residents of the #large-scale residential development# and will provide more convenient shopping for such residents;
- (b) are so located as to minimize interference with #residential# or recreational areas within the #large-scale residential development# and to avoid creation of traffic congestion or other objectionable influences affecting #residences# outside the #large-scale residential development#;
- (c) comply with all the applicable #bulk# and off-street parking and loading regulations for such #accessory # #commercial# #uses#, as set forth in Article II, Chapters 3 and 5; and
- (d) conform to those provisions of the following Sections which are applicable to #commercial # #uses# in C1 Districts:

Section [32-41](#) (Enclosure Within Buildings)

Section [32-42](#) (Location Within Buildings)

Sections [32-61](#) to [32-68](#), inclusive, relating to Sign Regulations.

---

## 78-23 - Other Accessory Uses

---

LAST AMENDED  
4/30/1981

---

## 78-231 - Accessory swimming pools

---

LAST AMENDED  
2/2/2011

Swimming pools may be authorized by the City Planning Commission as #accessory # #uses# even though not located on the same #zoning lots# as the principal #uses# to which they are related, provided that:

- (a) any such swimming pool is located in a common #open space# area and as a part of such area meets all the requirements set forth in Section [78-52](#) (Common Open Space);
- (b) the use of such swimming pool is restricted to the residents of the #large-scale residential development# or portion thereof served by such common #open space#, and their guests;
- (c) the edge of such swimming pool is located not less than 50 feet from any #lot line# on the periphery of the #large-scale residential development#, and is suitably screened from other areas on the same or adjacent #zoning lots#; and
- (d) such swimming pool complies in all other respects with the definition of #accessory # #use# as set forth in Section [12-10](#) (DEFINITIONS).

---

## 78-232 - Accessory sewage disposal plants

---

LAST AMENDED  
4/30/1981

In Staten Island, sewage disposal plants to serve not more than 50 #dwelling units# may be authorized by the City Planning Commission as #accessory# #uses# to be located anywhere within a #large-scale residential development# without regard for #zoning lot lines#, provided the Commission finds that:

- (a) the sewage disposal plant is located not closer than 100 feet from any #residential use#;
- (b) the #large-scale residential development# is arranged so as to best serve the active and passive recreation needs of the #residential development#, protect and serve scenic assets and natural features and provide suitable variations in the siting of #buildings#;
- (c) the sewage disposal plant is adequately landscaped and buffered from all #residential uses# on the same or adjacent #zoning lots#; and
- (d) the proposal promotes and protects the public health, safety and general welfare.

---

## 78-24 - Special Permits

---

LAST AMENDED  
2/2/2011

---

### 78-241 - Waterfront and related commercial uses

---

LAST AMENDED  
2/2/2011

For any #large-scale residential development# in a C4 District, the City Planning Commission may, by special permit, modify

applicable district regulations to allow #uses# listed in Use Group 14A, not otherwise allowed in such district, provided that:

- (a) the #uses# are appropriate for the location and blend harmoniously with the rest of the #large-scale residential development#; and
- (b) the #streets# providing access to such #uses# will be adequate to handle the traffic generated thereby.

The Commission may prescribe appropriate conditions and safeguards to minimize adverse effects on the character of the #large-scale residential development#.

---

## **78-242 - Location of commercial uses**

---

LAST AMENDED

2/2/2011

For any #large-scale residential development#, the City Planning Commission, by special permit, may allow #residential# and non-#residential uses# to be arranged within a #building# without regard for the regulations set forth in Section [32-42](#) (Location Within Buildings) when terracing is required because of unusual topographic conditions in a #large-scale residential development# having a minimum area of 20 acres.