**Zoning Resolution**

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

CITY PLANNING COMMISSION
**Sideya Sherman, Chair**

# 22-13 - Use Group III – Community Facilities

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## 22-13 - Use Group III – Community Facilities

LAST AMENDED
12/5/2024

R1 R2 R3 R4 R5 R6 R7 R8 R9 R10 R11 R12

Use Group III consists of #uses# that provide educational, religious, health and other essential services. The provisions regulating #uses# classified in this Use Group are set forth as follows:

(a) Section 22-131 (Use Group III – general use allowances) which includes the compilation of #uses# in the Use Group tables;

(b) Section 22-132 (Use Group III – uses subject to size restrictions) for certain #uses#, as denoted with an "S" in the Use Group tables;

(c) Section 22-133 (Use Group III – uses subject to additional conditions) for additional conditions that apply to certain #uses#, as denoted with a "P" in the Use Group tables;

(d) Section 22-134 (Use Group III – uses permitted by special permit) for #uses# permitted by special permit of the Board of Standards and Appeals or the City Planning Commission, as denoted with "  " in the Use Group tables; and

(e) Section 22-135 (Use Group III – additional provisions for parking requirement category) for #uses# with more than one parking requirement category or other applicable parking provisions, as denoted with "*" in the Use Group tables.

## 22-131 - Use Group III – general use allowances

LAST AMENDED

12/5/2024

The following tables include #uses# classified as Use Group III and set forth their allowances by #Residence District#. Such #uses# are categorized as #community facilities# with and without sleeping accommodations, as provided in paragraphs A and B of this Section. Notations found in the tables are further described in Section 22-10 (USE ALLOWANCES).

## A. Community Facilities with Sleeping Accommodations

| **USE GROUP III(A) – COMMUNITY FACILITIES WITH SLEEPING ACCOMMODATIONS**<br>**? = Permitted ? = Permitted with limitations ? = Special permit required**<br>**– = Not permitted**<br>**S = Size restriction P = Additional conditions** | | | | | | | | | | | | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|
| **Uses** | **R1** | **R2** | **R3** | **R4** | **R5** | **R6** | **R7** | **R8** | **R9** | **R10** | **R11** | **R12** |
| **Educational Institutions** | | | | | | | | | | | | |
| College or school student dormitories and fraternity or sorority student houses | ? | ? | ? | ? | ? | ? | ? | ? | ? | ? | ? | ? |
| **Faith-based Institutions and Facilities** | | | | | | | | | | | | |
| Monasteries, convents or novitiates | ? | ? | ? | ? | ? | ? | ? | ? | ? | ? | ? | ? |

| | | | | | | | | | | | | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|
| Rectories or parish houses with sleeping accommodations | ? | ? | ? | ? | ? | ? | ? | ? | ? | ? | ? | ? |
| Seminaries with sleeping accommodations | ? | ? | ? | ? | ? | ? | ? | ? | ? | ? | ? | ? |
| **Health Institutions and Facilities** | | | | | | | | | | | | |
| #Long-term care facilities# | ?<br>P | ?<br>P | ?<br>P | ?<br>P | ?<br>P | ?<br>P | ?<br>P | ?<br>P | ?<br>P | ?<br>P | ?<br>P | ?<br>P |
| #Non-profit hospital staff dwellings# | ?<br>P | ?<br>P | ?<br>P | ?<br>P | ?<br>P | ?<br>P | ?<br>P | ?<br>P | ?<br>P | ?<br>P | ?<br>P | ?<br>P |
| **Other Institutions and Facilities** | | | | | | | | | | | | |
| Community centers or settlement houses with sleeping accommodations | ? | ? | ? | ? | ? | ? | ? | ? | ? | ? | ? | ? |
| Non-commercial clubs with sleeping accommodations | ? | ? | ?<br>P | ?<br>P | ?<br>P | ?<br>P | ?<br>P | ?<br>P | ?<br>P | ?<br>P | ?<br>P | ?<br>P |
| Philanthropic or non-profit institutions with sleeping accommodations | ?<br>S | ?<br>S | ?<br>S | ?<br>S | ?<br>S | ?<br>S | ?<br>S | ?<br>S | ?<br>S | ?<br>S | ?<br>S | ?<br>S |

## B. Community Facilities without Sleeping Accommodations

## USE GROUP III(B) – COMMUNITY FACILITIES WITHOUT SLEEPING ACCOMMODATIONS

**? = Permitted** ? **= Permitted with limitations** **? = Special permit required**
**– = Not permitted**
**S = Size restriction** **P = Additional conditions**

| Uses | R1 | R2 | R3 | R4 | R5 | R6 | R7 | R8 | R9 | R10 | R11 | R12 |
|---|---|---|---|---|---|---|---|---|---|---|---|---|
| **Educational Institutions** | | | | | | | | | | | | |
| Colleges or universities, including professional schools but excluding business colleges or trade schools | ? | ? | ? | ? | ? | ? | ? | ? | ? | ? | ? | ? |
| #Schools# | ? | ? | ? | ? | ? | ? | ? | ? | ? | ? | ? | ? |
| **Faith-based Institutions and Facilities** | | | | | | | | | | | | |
| Houses of worship | ? | ? | ? | ? | ? | ? | ? | ? | ? | ? | ? | ? |
| Parish houses without sleeping accommodations | ? | ? | ? | ? | ? | ? | ? | ? | ? | ? | ? | ? |
| Seminaries without sleeping accommodations | ? | ? | ? | ? | ? | ? | ? | ? | ? | ? | ? | ? |
| **Health Institutions and Facilities** | | | | | | | | | | | | |
| Ambulatory diagnostic or treatment health care facilities | – | – | ? S P | ? S P | ? P | ? P | ? P | ? P | ? P | ? P | ? P | ? P |

| | | | | | | | | | | | | | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| Non-profit or voluntary hospitals and related facilities, except animal hospitals | ? | ? | ? | ? | ? | ? | ? | ? | ? | ? | ? | ? | |
| Proprietary hospitals and related facilities, except animal hospitals | – | – | ? | ? | ? | ? | ? | ? | ? | ? | ? | ? | |
| **Other Institutions and Facilities** | | | | | | | | | | | | | |
| Community centers or settlement houses without sleeping accommodations | ? | ? | ? | ? | ? | ? | ? | ? | ? | ? | ? | ? | |
| Libraries | ? | ? | ? | ? | ? | ? | ? | ? | ? | ? | ? | ? | |
| Museums | ? | ? | ? | ? | ? | ? | ? | ? | ? | ? | ? | ? | |
| Non-commercial art galleries | ? | ? | ? | ? | ? | ? | ? | ? | ? | ? | ? | ? | |
| Non-commercial clubs without sleeping accommodations | ? | ? | ? P | ? P | ? P | ? P | ? P | ? P | ? P | ? P | ? P | ? P | |
| Non-commercial recreation centers | ? | ? | ? | ? | ? | ? | ? | ? | ? | ? | ? | ? | |
| Philanthropic or non-profit institutions without sleeping accommodations excluding ambulatory diagnostic or treatment health care facilities | ? S | ? S | ? S | ? S | ? S | ? S | ? S | ? S | ? S | ? S | ? S | ? S | |

| | | | | | | | | | | | | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|
| Welfare centers | ? | ? | ? | ? | ? | ? | ? | ? | ? | ? | ? | ? |

## 22-132 - Use Group III – uses subject to size limitations

LAST AMENDED
6/6/2024

For #uses# denoted with a "S" in Section 22-131 (Use Group III – general use allowances), the following provisions shall apply:

(a) For any philanthropic or non-profit institutions, with or without sleeping accommodations, in all #Residence Districts#, the number of persons employed in central office functions shall not exceed 50, and the amount of #floor area# used for such purposes shall not exceed 25 percent of the total #floor area#, or, in R8 through R12 Districts, 25,000 square feet, whichever is greater.

(b) Ambulatory diagnostic or treatment health care facilities in R3-1, R3A, R3X, R4-1, R4A or R4B Districts shall be limited to a maximum of 1,500 square feet of #floor area#. However, in R3-1, R3A, R3X, R4-1 or R4A Districts in #lower density growth management areas#, ambulatory diagnostic or treatment health care facilities shall be limited, on any #zoning lot#, to 1,500 square feet of #floor area#, including #cellar# space, except that where a #zoning lot# contains a hospital, as defined in the New York State Hospital Code, or a #long-term care facility#, such 1,500 square feet restriction shall not include #cellar# space.

In such #Residence Districts#, #ambulatory diagnostic or treatment health care facilities# may be permitted up to 10,000 square feet of #floor area# by special permit of the Board of Standards and Appeals, in accordance with Section 73-134 (Ambulatory diagnostic or treatment health care facilities).

## 22-133 - Use Group III – uses subject to additional conditions

LAST AMENDED
12/5/2024

For #uses# denoted with a "P" in Section 22-131 (Use Group III – general use allowances), the following provisions shall apply:

(a) #Long-term care facilities# in R1 and R2 Districts shall only be permitted as-of-right on #qualifying residential sites#. In all #Residence Districts# the #high-risk flood zone#, as defined in Section 64-11 (Definitions), or within the areas set forth in APPENDIX K (Areas With Nursing Home Restrictions), the #development# of nursing homes and nursing home portions of continuing care retirement communities, as defined in the New York State Public Health Law, or the #enlargement# of an existing nursing home that increases such #floor area# by more than 15,000 square feet, shall not be permitted on any portion of a #zoning lot# that is located within such areas.

(b) #Non-profit hospital staff dwellings# in all #Residence Districts# shall be located on the same #zoning lot# as the non-profit or voluntary hospital and related facilities or on a separate #zoning lot# that is immediately contiguous thereto, or would be contiguous but for its separation by a #street# or a #street# intersection. However, such conditions may be modified by special permit of the City Planning Commission, as set forth in Section 74-132 (Non-profit hospital staff dwelling).

(c) Ambulatory diagnostic or treatment health care facilities in R3 through R12 Districts shall be limited to public, private, for-profit or not-for-profit medical, health and mental health care facilities licensed by the State of New York, or a facility in which patients are diagnosed or treated by health care professionals, licensed by the State of New York or by persons under the supervision of such licensee for medical, health or mental health conditions, and where such

patients are ambulatory rather than admitted. Such facilities shall not include the practice of veterinary medicine or ophthalmic dispensing.

(d) Non-commercial clubs in R3 through R12 Districts shall not include:

(1) clubs, the chief activity of which is a service predominantly carried on as a business;

(2) non-commercial outdoor swimming pool clubs; or

(3) any other non-commercial clubs with outdoor swimming pools located less than 500 feet from any #lot line#.

However, non-commercial outdoor swimming pool clubs or any non-commercial club with an outdoor swimming pool located less than 500 feet from any #lot line# may be permitted by special permit by the City Planning Commission, in accordance with Section 74-133 (Swimming pool clubs or certain non-commercial clubs).

## 22-134 - Use Group III – uses permitted by special permit

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For #uses# denoted with " " in Section22-131 (Use Group III – general use allowances), the provisions of this Section shall apply.

(a) The following #uses# may be permitted in R1 or R2 Districts by special permit of the Board of Standards and Appeals:

(1) College or school student dormitories and fraternity or sorority student houses may be permitted in accordance with Section 73-131 (College or school student dormitories or fraternity or sorority student houses).

(2) Colleges or universities, including professional schools but excluding business colleges or trade schools may be permitted in accordance with Section 73-132 (Colleges or universities).

(3) Non-commercial clubs may be permitted in accordance with Section 73-135 (Non-commercial clubs).

(4) Welfare centers may be permitted in accordance with Section 73-136 (Welfare centers).

(b) The following #uses# may be permitted in R1 or R2 Districts by special permit of the City Planning Commission: #long-term care facilities# in accordance with Section 74-131 (Long-term care facilities). However, #long-term care facilities# shall be permitted as-of-right on #qualifying residential sites#.

## 22-135 - Use Group III – additional provisions for parking requirement category

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12/5/2024

For permitted #uses# denoted with "*" for parking requirement category (PRC) in Section 22-131 (Use Group III – general use allowances), the provisions of this Section shall apply.

(a) #Non-profit hospital staff dwellings# shall be subject to parking requirements applicable to #residences#, in accordance with Section 25-022 (Applicability of regulations to non-profit hospital staff dwellings).

(b) For colleges, universities or seminaries, the portion of such facility that is used for classrooms, laboratories, student centers or offices shall be classified as PRC G. The portion of such facility that is used for theaters, auditoriums, gymnasiums or stadiums shall be classified as PRC B2.