



## Zoning Resolution

THE CITY OF NEW YORK

Eric Adams, Mayor

CITY PLANNING COMMISSION

Daniel R. Garodnick, Chair

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

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

LAST AMENDED

6/6/2024

R1 R2 R3 R4 R5 R6 R7 R8 R9 R10

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 “O” 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

6/6/2024

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											
<p>● = Permitted   ♦ = Permitted with limitations   ○ = Special permit required                      – = Not permitted                      S = Size restriction   P = Additional conditions</p>											
Uses	R1	R2	R3	R4	R5	R6	R7	R8	R9	R10	PRC
Educational Institutions											

College or school student dormitories and fraternity or sorority student houses	○	○	●	●	●	●	●	●	●	●	E2
<b>Faith-based Institutions and Facilities</b>											
Monasteries, convents or novitiates	●	●	●	●	●	●	●	●	●	●	N/A
Rectories or parish houses with sleeping accommodations	●	●	●	●	●	●	●	●	●	●	N/A
Seminaries with sleeping accommodations	●	●	●	●	●	●	●	●	●	●	*
<b>Health Institutions and Facilities</b>											
#Long-term care facilities#	○	○	● P	● P	● P	● P	● P	● P	● P	● P	E3
#Non-profit hospital staff dwellings#	● P	● P	● P	● P	● P	● P	● P	● P	● P	● P	*
<b>Other Institutions and Facilities</b>											
Philanthropic or non-profit institutions with sleeping accommodations	● S	● S	● S	● S	● S	● S	● S	● S	● S	● S	E3
Settlement houses	●	●	●	●	●	●	●	●	●	●	N/A

B. Community Facilities without Sleeping Accommodations





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

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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, R9 or R10 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#, excluding #lower density growth management areas#, #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).

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

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LAST AMENDED

6/6/2024

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 R3 through R10 Districts are permitted except that in certain areas, the following provisions shall apply:
  - (1) In 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.
  - (2) In Community District 11 in the Borough of the Bronx, Community District 8 in the Borough of Manhattan, and Community District 1 in the Borough of Staten Island, the #development# of nursing homes, as defined in the New York State Public Health Law, or the #enlargement# of an existing nursing home that increases the existing #floor area# by 15,000 square feet or more, are permitted only by special permit of the City Planning Commission pursuant to Section [74-131](#) (Long-term care facilities). However, such special permit may not be applied to #developments# or #enlargements# that are subject to the restrictions set forth in paragraph (a)(1) of this Section.
- (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 R10 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 R10 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).

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

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LAST AMENDED

6/6/2024

For #uses# denoted with “○” in Section [22-131](#) (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:
  - (1) #Long-term care facilities# may be permitted in accordance with Section [74-131](#) (Long-term care facilities).

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

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LAST AMENDED

6/6/2024

For permitted #uses# denoted with “\*” for parking requirement category (PRC) in Section [22-131](#) (Use Group III – general use allowances), the following provisions shall apply:

- (a) #Non-profit hospital staff dwellings# shall be subject to parking requirements applicable to #residences#, in accordance with Section [25-021](#) (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.