Zoning Resolution

THE CITY OF NEW YORK
Zohran K. Mamdani, Mayor

CITY PLANNING COMMISSION
Sideya Sherman, Chair

73-18 - Recreation, Entertainment and Assembly Spaces

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73-18 - Recreation, Entertainment and Assembly Spaces

LAST AMENDED
6/6/2024

73-181 - Recreation, entertainment and assembly space uses

LAST AMENDED
6/6/2024

In C1 or C2 Districts that are not #select commercial overlays#, in all other #Commercial Districts# and in #Manufacturing Districts#, the Board of Standards and Appeals may permit modifications to #uses# listed under Use Group VIII, as set forth in Sections 32-18 and 42-18 (Use Group VIII – Recreation, Entertainment and Assembly Spaces), pursuant to paragraph (a) of this Section, provided that the findings in paragraph (b) are met.

(a) For #uses# listed under Use Group VIII, other than those #uses# for which another permit exists pursuant to Section 73-18, inclusive, the Board may permit:

(1) modifications to a size limitation, denoted in the Use Group table with an "S", provided that the increase does not exceed 200 percent of the amount set forth in Use Group VIII;

(2) modifications to supplementary #use# regulations, including enclosure and location within #buildings# provisions; or

(3) modifications to additional conditions, denoted in the Use Group table with a “P”, including environmental standards, geographic limitations, or other measures.

(b) In order to grant such permit, the Board shall find that:

(1) such #use# will not impair the character or the future use or development of the surrounding area;

(2) such #use# will not create or contribute to serious traffic congestion and will not unduly inhibit surface traffic and pedestrian flow; and

(3) the modifications are necessary to support the operation of such #use#.

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

73-182 - Outdoor recreation and amusement facilities

LAST AMENDED
6/6/2024

In C3 Districts, the Board of Standards and Appeals may permit water-oriented outdoor #amusement and recreation facilities# listed under Use Group VIII, provided that the following findings are met:

(a) such #use# will not impair the character or the future use or development of the surrounding area and will cause minimal interruption to the continuity of surrounding residential or retail frontages, as applicable;

(b) such #use# and any #accessory# facilities affixed to the land is adequately separated from any #lot line#; and

(c) that, along any #rear lot line# or #side lot line# adjoining a #Residence District#, the #zoning lot# is screened as the Board may prescribe, by either of the following methods:

(1) a strip at least four feet wide, densely planted with shrubs or trees at least four feet high at the time of planting and which are of a type which may be expected to form a year-round dense screen at least six feet high within three years; or

(2) a wall or barrier or uniformly painted fence of fire-resistant material at least six feet high, but not more than eight feet above finished grade. Such wall, barrier, or fence may be opaque or perforated, provided that not more than 50 percent of its face is open.

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

73-183 - Outdoor amusement parks

LAST AMENDED
6/6/2024

In C7, C8 or M1 Districts, the Board of Standards and Appeals may permit #outdoor amusement parks# listed in Use Group VIII that exceed a #lot area# of 10,000 square feet, provided that the following findings are met:

(a) such #use# will not impair the character or the future use or development of the surrounding area;

(b) such #use# will not create or contribute to serious traffic congestion and will not unduly inhibit surface traffic and pedestrian flow; and

(c) such #use# is adequately separated from surrounding residential areas.

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

73-184 - Outdoor day camps

LAST AMENDED
6/6/2024

In all #Residence Districts#, and in C1, C2 or C3 Districts, the Board of Standards and Appeals may permit outdoor day camps, whether commercial or philanthropic, as listed under Use Group VIII, provided that the Board finds that such #use# will not cause excessive traffic congestion.

The Board shall prescribe the following conditions:

(a) that a minimum of 150 square feet of #lot area# is provided for each child enrolled in the camp;

(b) that along any #rear# or #side lot lines#, #yards# are provided, each with a minimum depth (or width) of 40 feet, within which no camp equipment is affixed to the land;

(c) that in #Residence Districts# or C3 Districts the #zoning lot# is screened along the #rear# and #side lot lines#, and in C1 or C2 Districts along any #rear# or #side lot line# adjoining a #Residence District#, by a strip at least four feet wide, densely planted with shrubs or trees which are at least four feet high at the time of planting and which are of a type which may be expected to form a year-round dense screen at least six feet high within three years; and

(d) that for each 6,000 square feet of #lot area#, one #accessory# off-street parking space of 500 square feet is provided to accommodate buses used in the transportation of campers, in addition to the #accessory# off-street parking requirement established for such #uses# under the applicable provisions of Sections 25-31 or 36-21 (General Provisions).

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

73-185 - Riding academies or stables

LAST AMENDED
6/6/2024

In all #Residence Districts#, and in C1 through C7 Districts, the Board of Standards and Appeals may permit riding academies or stables operated as a recreation service, as listed under Use Group VIII, provided that the following findings are met:

(a) that such #use# is so located as not to impair the essential character of the surrounding area;

(b) that adequate horseback riding facilities are available on the same #zoning lot# or within 600 feet of such #zoning lot#;

(c) that the location and operation of such #use# will not be such as to result in any serious traffic hazards or conflicts on nearby #streets#; and

(d) that in #Residence Districts#, no stables or riding areas are located within 40 feet of any #side# or #rear lot line#.

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

landscaping.