Zoning Resolution

THE CITY OF NEW YORK
Zohran K. Mamdani, Mayor

CITY PLANNING COMMISSION
Sideya Sherman, Chair

24-05 - Buildings Containing Certain Community Facility Uses

File generated by https://zr.planning.nyc.gov on 10/7/2026

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LAST AMENDED
12/5/2024

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

(a) In R1 through R5 Districts in #lower density growth management areas#, the #bulk# regulations of this Chapter shall not apply to any #zoning lot# containing #buildings# used for:

(1) ambulatory diagnostic or treatment health care facilities listed under Use Group III(B), except where such #zoning lot# contains #buildings# used for hospitals or nursing homes as defined in the New York State Hospital Code; or

(2) child care services as listed under the definition of #school# in Section 12-10 (DEFINITIONS), except where such #zoning lot# contains #buildings# used for houses of worship or, for #zoning lots# that do not contain #buildings# used for houses of worship, where the amount of #floor area# used for child care services is equal to 25 percent or less of the amount of #floor area# permitted for #community facility# #use# on the #zoning lot#.

(b) In lieu thereof, the #residential bulk# regulations of Article II, Chapter 3, shall apply, except that:

(1) the minimum #lot area# for such #zoning lots# containing ambulatory diagnostic or treatment health care facilities shall be 5,700 square feet, and the minimum #lot area# for such #zoning lots# containing child care services shall be 10,000 square feet. In addition, each such #zoning lot# shall have a minimum #lot width# of 60 feet. Such #lot

width# shall be applied as set forth in the definition of #lot width# in Section 12-10, provided that such #lot width# shall also be met along at least one #street line# of the #zoning lot#. No #building#, or portion thereof, shall be permitted between opposing #side lot lines# where such #lot lines# would be nearer to one another at any point than 60 feet;

(2) the provisions of Section 23-341 (Permitted obstructions in required yards or rear yard equivalents), inclusive, shall be modified to prohibit parking spaces of any kind within a #front yard#;

(3) in lieu of Section 23-332 (Basic side yard requirements in R1 through R5 Districts), Sections 24-35 (Minimum Required Side Yards) and 24-55 (Required Side and Rear Setbacks) shall apply; and

(4) for child care services in R1 and R2 Districts, the provisions of paragraph (9) in the definition of #floor area# in Section 12-10, pertaining to #floor area# exclusions for the lowest story of a #residential building#, shall not apply.

For such #buildings#, the authorization provisions of Section 24-06 (Modification of Bulk Regulations in Certain Districts) shall be inapplicable.