Zoning Resolution

THE CITY OF NEW YORK
Bill de Blasio, Mayor

CITY PLANNING COMMISSION
Marisa Lago, Chair

74-01 - General Provisions

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In harmony with the general purpose and intent of this Resolution and in accordance with the provisions set forth in this Chapter, the City Planning Commission may, after public notice and hearing, grant special permits in specific districts for the uses listed in this Chapter, whose location or control requires special consideration or major planning factors, or for specified modifications of the use or bulk regulations of this Resolution, provided that in each specific case the requirement for findings as set forth in this Chapter shall constitute a condition precedent to the grant of such special permit.

In addition to meeting the requirements, conditions, and safeguards prescribed by the Commission as set forth in this Chapter, each such special permit use or building or other structure permitted hereunder shall conform to and comply with all of the applicable regulations on use, bulk, supplementary use regulations, regulations applying along district boundaries, accessory signs, accessory off-street parking and off-street loading, and all other applicable provisions of this Resolution except as otherwise specifically provided in this Chapter.

In addition, the Commission, with the concurrence of the Board of Estimate, shall also have the power to permit the renewal of an exception or permit issued prior to December 15, 1961, in accordance with the provisions of Section 11-41 relating to Exceptions, Variances or Permits Previously Authorized.

In all Special Purpose Districts, the provisions of 23-934 (Special permit approval in Special Purpose Districts), with respect to special permits that modify use or bulk, shall apply. In the Special Midtown District, the powers of the Commission to permit special permit uses are modified by the provisions of Section 81-13 (Special Permit Use Modifications), and the powers of the Commission to permit modification of the bulk regulations or grant bonus floor area for certain amenities are made inapplicable or modified in accordance with the provisions of Section 81-062 (Applicability of Chapter 4 of Article VII).

In the waterfront area, the powers of the Commission to grant special permits are made inapplicable or modified in accordance with the provisions of Section 62-132 (Applicability of Article VII, Chapters 4, 8 and 9).

Except as permitted pursuant to this Chapter, in R3, R4 or R5 Districts, the following uses shall be subject to the height and setback requirements of an R2 District:

- Fire stations
- Police stations
- Public transit, railroad or electric utility substations limited to sites of not less than 40,000 square feet and not more than 10 acres
Sewage disposal plants.