



Zoning Resolution

THE CITY OF NEW YORK

Eric Adams, Mayor

CITY PLANNING COMMISSION

Daniel R. Garodnick, Chair

123-10 - GENERAL PROVISIONS

File generated by <https://zr.planning.nyc.gov> on 12/5/2023

123-10 - GENERAL PROVISIONS

LAST AMENDED

10/7/2021

The provisions of this Chapter shall apply within the #Special Mixed Use District#. The regulations of all other Chapters of this Resolution are applicable, except as superseded, supplemented or modified by the provisions of this Chapter. In the event of a conflict between the provisions of this Chapter and other regulations of this Resolution, the provisions of this Chapter shall control. However, in #flood zones#, or for #transit-adjacent sites# or #qualifying transit improvement sites#, as defined in Section [66-11](#) (Definitions), in the event of a conflict between the provisions of this Chapter and the provisions of Article VI, Chapter 4 (Special Regulations Applying in Flood Hazard Areas), or Article VI, Chapter 6 (Special Regulations Applying Around Mass Transit Stations), the provisions of Article VI shall control.

In #Special Mixed Use Districts#, an M1 District is paired with a #Residence District#, as indicated on the #zoning maps#.

The designated #Residence Districts# in #Special Mixed Use Districts# shall not include either an R1 or an R2 District.

123-11 - Definitions

LAST AMENDED

2/2/2011

Definitions specifically applicable to this Chapter are set forth in this Section. The definitions of other defined terms are set forth in Section [12-10](#) (DEFINITIONS).

Accessory use

In addition to those "accessory uses" listed in Section [12-10](#) (DEFINITIONS), for the purposes of this Chapter, an #accessory use# shall also include a #dwelling unit# in connection with any #commercial#, #manufacturing# or #community facility# establishment permitted in #Special Mixed Use Districts#, pursuant to Section [123-20](#) (SPECIAL USE REGULATIONS), provided that no more than one such unit shall be permitted in connection with any establishment, and provided further that each such unit shall not exceed a gross area of 1,200 square feet or contain more than one kitchen.

Home occupation

For the purposes of this Chapter, the #home occupation# provisions of Section [12-10](#) shall apply, except that:

- (a) up to 49 percent of the total #floor area# of a #dwelling unit# may be used for a #home occupation#;
- (b) such #home occupation# may occupy more than 500 square feet of #floor area#; and
- (c) businesses operated as #home occupations# may have up to three employees not residing in the #dwelling unit#.

Mixed use building

For the purposes of this Chapter, a "mixed use building" is a #building# in the #Special Mixed Use District# used partly for #manufacturing#, #commercial# or #community facility use# and partly for #residential use#.