



## Zoning Resolution

THE CITY OF NEW YORK

Eric Adams, Mayor

CITY PLANNING COMMISSION

Daniel R. Garodnick, Chair

# Chapter 2 - Use Regulations

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## Chapter 2 - Use Regulations

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### 22-00 - GENERAL PROVISIONS

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LAST AMENDED

6/6/2024

In order to carry out the purposes and provisions of this Resolution, the #uses# within #buildings or other structures# as well as the open #uses# of #zoning lots#, or portions thereof, have been classified and combined into 10 separate Use Groups with similar characteristics. For the purposes of establishing permitted #uses# in this Resolution, references to permitted #uses# in the Use Groups, or any sub-categories therein, shall include all #accessory# #uses# thereto. Use Groups I, II, III, IV, V, VI, VII and VIII, are permitted in #Residence Districts# subject to the provisions of the following Sections:

- (a) Sections [22-11](#) (Use Group I – Agriculture and Open Uses) through [22-18](#) (Use Group VIII – Recreation, Entertainment and Assembly Spaces), inclusive, which establish general #use# allowances in Use Groups I through VIII, including each #use# listed separately therein, by #Residence District#, and additional provisions for certain #uses# where applicable.
- (b) Section [22-20](#) (SPECIAL PROVISIONS APPLICABLE TO CERTAIN AREAS AND DISTRICTS), which set forth special provisions applicable to:
  - (1) #railroad or transit air space#, as set forth in Section [22-21](#) (Use of Railroad or Transit Air Space); and
  - (2) #detached# and #semi-detached# #two-family residences# in certain districts, as set forth in Section [22-22](#) (Detached and Semi-Detached Two-Family Residences);
- (c) Section [22-30](#) (SIGN REGULATIONS), inclusive, which sets forth regulations for permitted #signs#.

The #use# provisions of this Chapter may be modified or superseded by special rules for certain areas in Article I (General Provisions), Article VI (Special Regulations Applicable to Certain Areas), and through Special Purpose Districts.

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### 22-10 - USE ALLOWANCES

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LAST AMENDED

6/6/2024

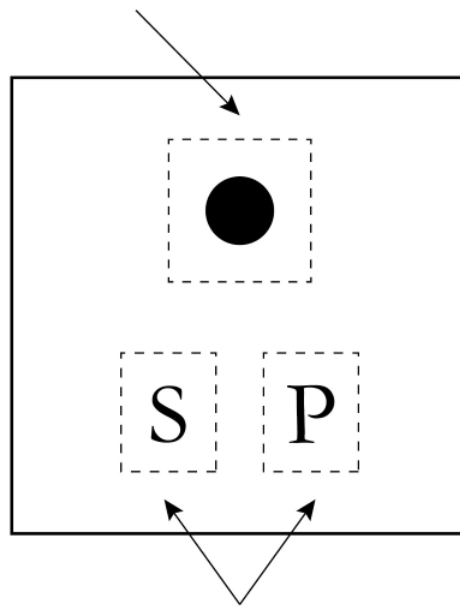
The provisions of Sections [22-11](#) (Use Group I – Agriculture and Open Uses) through [22-18](#) (Use Group VIII – Recreation, Entertainment and Assembly Spaces) establish #use# allowances by Use Group. A brief statement is inserted at the start of each Section to describe and clarify the basic characteristics of that Use Group. For Use Groups I through IV, #use# allowances by zoning district are summarized in Use Group tables. For each #use# and zoning district, the tables contain up to two levels of notation in a particular cell:

- (a) The top level will always contain a symbol and denotes:
  - (1) permitted as-of-right (“●”);
  - (2) permitted as-of-right in some instances, but with broad #use# limitations on as-of-right applicability, either by district or geographic restrictions (“◆”);
  - (3) allowed by special permit (“○”) of the Board of Standards and Appeals or the City Planning Commission; or

- (4) not permitted in the district (“-”).
- (b) The second level may or may not be present, depending on the #use# and the zoning district. Where present, the table denotes one or more allowances or restrictions on the as-of-right #use#. Specifically, they denote where the following apply:
  - (1) size restrictions (“S”), including establishment or #lot area# size limitations or person capacities; or
  - (2) additional conditions (“P”), including environmental standards or other measures other than size restrictions.

Such notations are illustrated in the following diagram:

For a given zoning district, #use# allowances are denoted as permitted as-of-right (“●”), with limited applicability (“◆”), by special permit (“○”) or not permitted in such district (“-”).



Additional conditions and requirements are grouped below #use# allowances. Such provisions include size restrictions (“S”) and additional conditions (“P”).

Where a #use# is permitted and no second level symbology is included, the #use# is permitted without size restrictions, additional conditions, or exemptions from enclosure requirements.

Use Group tables, except in Section 22-12 (Use Group II – Residences), also show the parking requirement category, denoted as “PRC”, for the applicable #use#, where applicable. PRC letters A through G refer to the classification of permitted non-residential #uses# to determine required accessory off-street parking spaces as set forth in the table in Section 25-31 (General Provisions). Subcategories within, denoted by number suffices, indicate variations of the same parking category. Where the PRC for a #use# is denoted as “N/A”, no parking requirement applies except as specified in other provisions of this Resolution.

Subsections following the table for a particular Use Group contain specific provisions applicable to certain #uses#, including size restrictions or additional conditions. Other subsections contain references for #uses# permitted by special permits of the Board of Standards and Appeals or the City Planning Commission, or provisions for #uses# where two PRCs are assigned.

The following diagram provides an illustrative example of how such provisions are notated across zoning districts for a given

#use#:

## ILLUSTRATIVE EXAMPLE

Uses	R1	R2	R3	R4	R5	R6	R7	R8	R9	R10	PRC
Category											
Sample Use	○	○	●	●	●	●	●	●	●	●	G

In R3 through R10 Districts, this use is permitted as-of-right

In R1 and R2 Districts, this use is permitted by special permit by the City Planning Commission or the Board of Standards and Appeals

Parking Requirement Category

### 22-11 - Use Group I – Agriculture and Open Uses

LAST AMENDED  
6/6/2024

R1 R2 R3 R4 R5 R6 R7 R8 R9 R10

Use Group I consists of various primarily open #uses# of land. The provisions regulating #uses# classified in this Use Group are set forth as follows:

- Section [22-111](#) (Use Group I – general use allowances) which includes the compilation of #uses# in the Use Group table;
- Section [22-112](#) (Use Group I – uses subject to additional conditions) for additional conditions that apply to certain #uses#, as denoted with a “P” in the Use Group table;
- Section [22-113](#) (Use Group I – uses permitted by special permit) for #uses# permitted by special permit by the Board of Standards and Appeals, as denoted with “○” in the Use Group Table; and
- Section [22-114](#) (Use Group I – 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 table.

#### 22-111 - Use Group I – general use allowances



Sand, gravel, or clay pits	○	○	○	○	○	○	○	○	○	○	N/A
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## 22-112 - Use Group I – uses subject to additional conditions

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LAST AMENDED

6/6/2024

For #uses# denoted with a “P” in Section [22-111](#) (Use Group I – general use allowances), the following provisions shall apply:

- (a) Agricultural #uses# in all #Residence Districts#, including greenhouses, nurseries, or truck gardens, are permitted provided that no offensive odors or dust are created, and that there is no sale of products not produced on the same #zoning lot#.
- (b) Outdoor racket courts or skating rinks in all #Residence Districts# are permitted provided that all lighting shall be directed away from nearby #residences#.

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## 22-113 - Use Group I – uses permitted by special permit

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LAST AMENDED

6/6/2024

For #uses# denoted with “O” in Section [22-111](#) (Use Group I – general use allowances), the following provisions of this Section shall apply:

- (a) Outdoor racket courts or skating rinks may be permitted in R1 or R2 Districts by special permit of the Board of Standards and Appeals, in accordance with Section [73-111](#) (Outdoor racket courts or skating rinks).
- (b) Sand, gravel or clay pits may be permitted in all #Residence Districts# by special permit of the Board of Standards and Appeals, in accordance with the provisions of Section [73-111](#) (Sand, gravel or clay pits).

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## 22-114 - Use Group I – 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 [22-111](#) (Use Group I – general use allowances), the provisions of this Section shall apply. For golf courses, the portion of such facility used for golf course club houses shall be classified as PRC B3. All other portions of a golf course shall not be subject to any parking requirements.

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## 22-12 - Use Group II – Residences

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LAST AMENDED

6/6/2024

R1 R2 R3 R4 R5 R6 R7 R8 R9 R10

Use Group II consists of #residences# of various types. The provisions regulating #uses# classified in this Use Group are set forth

as follows:

- (a) Section [22-121](#) (Use Group II – general use allowances) which includes the compilation of #uses# in the Use Group table;
- (b) Section [22-122](#) (Use Group II – uses permitted with limited applicability) for additional limitations on applicability for certain #uses#, as denoted with “◆” in the Use Group table; and
- (c) Section [22-123](#) (Use Group II – uses subject to additional conditions) for additional conditions that apply to certain #uses#, as denoted with a “P” in the Use Group table.

## 22-121 - Use Group II – general use allowances

LAST AMENDED

6/6/2024

The following table includes #uses# classified as Use Group II and sets forth their allowances by #Residence District#. Notations found in the table are further described in Section [22-10](#) (USE ALLOWANCES).

USE GROUP II – RESIDENTIAL USES											
<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	
<b>Residential Uses</b>											
#Single-family residence#	#Detached#	●	●	●	●	●	●	●	●	●	●
	#Zero lot line#	–	–	◆	◆	◆	●	●	●	●	●
	#Semi-detached#	–	–	◆	◆	◆	●	●	●	●	●
	Other types	–	–	◆	◆	◆	●	●	●	●	●
#Two-family residence#	#Detached#	–	–	● P	● P	●	●	●	●	●	●
	#Zero lot line#	–	–	◆	◆	◆	●	●	●	●	●

#Semi-detached#	–	–	◆ P	◆ P	◆	●	●	●	●	●
Other types	–	–	◆	◆	◆	●	●	●	●	●
All other types of #residences#, including #apartment hotels# and #affordable independent residences for seniors#	–	–	◆	◆	◆	●	●	●	●	●

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## 22-122 - Use Group II – uses permitted with limited applicability

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LAST AMENDED

6/6/2024

For #uses# denoted with “◆” in Section [22-121](#) (Use Group II – general use allowances), the following limitations shall apply:

- (a) In R3 Districts, all #residential uses# shall be permitted except that:
  - (1) in R3A Districts, #residential uses# shall be limited to #single-# or #two-family# #detached# #residences# and #single-# or #two-family# #zero lot line buildings#;
  - (2) in R3-1 Districts, #residential uses# shall be limited to #single-# or #two-family# #residences#, #detached# or #semi-detached#; and
  - (3) in R3X Districts, #residential uses# shall be limited to #single-# or #two-family# #detached# #residences#.
- (b) In R4 Districts, all #residential uses# shall be permitted except that:
  - (1) in R4-1 Districts, #residential uses# shall be limited to #single-# or #two-family# #residences#, #detached# or #semi-detached#, or #single-# or #two-family# #zero lot line buildings#;
  - (2) in R4B Districts, #residential uses# shall be limited to #single-# or #two-family# #residences# in #detached#, #semi-detached#, #attached#, or #zero lot line buildings#; and
  - (3) in R4A Districts, #residential uses# shall be limited to #single-# or #two-family# #detached# #residences#.
- (c) In R5 Districts, all #residential uses# shall be permitted except that in R5A Districts, #residential uses# shall be limited to #single-# or #two-family# #detached# #residences#.

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## 22-123 - Use Group II – uses subject to additional conditions

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LAST AMENDED

6/6/2024

For #uses# denoted with a “P” in Section [22-121](#) (Use Group II – general use allowances), the following provisions shall apply:

- (a) In R3A, R3X or R4A Districts, #detached# #two-family residence# shall be designed so that at least 75 percent of the



#floor area# of one #dwelling unit# is located directly above or directly below the other.

- (b) In R3-1 or R4-1 Districts, each #semi-detached# #two-family residence# shall be designed so that at least 75 percent of the #floor area# of one #dwelling unit# is located directly above or directly below the other.
- (c) The requirements of paragraph (a) or (b) may be waived pursuant to an authorization by the City Planning Commission, in accordance with Section [22-22](#) (Detached and Semi-detached Two-family Residences).

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

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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.

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### 22-131 - Use Group III – general use allowances

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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

<b>USE GROUP III(A) – COMMUNITY FACILITIES WITH SLEEPING ACCOMMODATIONS</b>
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● = Permitted   ♦ = Permitted with limitations   ○ = Special permit required  
 – = Not permitted  
 S = Size restriction   P = Additional conditions

Uses	R1	R2	R3	R4	R5	R6	R7	R8	R9	R10	PRC
<b>Educational Institutions</b>											
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 without sleeping accommodations, excluding ambulatory diagnostic or treatment health care facilities	● S	● S	● S	● S	● S	● S	● S	● S	● S	● S	B3
Welfare centers	○	○	●	●	●	●	●	●	●	●	B3

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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.

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## 22-14 - Use Group IV – Public Service Facilities and Infrastructure

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LAST AMENDED  
6/6/2024

R1 R2 R3 R4 R5 R6 R7 R8 R9 R10

Use Group IV consists of #uses# that provide public services, including public safety buildings, and infrastructure. The provisions regulating #uses# classified in this Use Group are set forth as follows:

- (a) Section [22-141](#) (Use Group IV – general use allowances) which includes the compilation of #uses# in the Use Group tables;
- (b) Section [22-142](#) (Use Group IV – uses subject to size limitations) for size restrictions that apply to certain #uses#, as denoted with an “S” in the Use Group tables;
- (c) Section [22-143](#) (Use Group IV – uses subject to additional conditions) for additional conditions that apply to certain #uses#, as denoted with a “P” in the Use Group tables; and
- (d) Section [22-144](#) (Use Group IV – 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.

## 22-141 - Use Group IV – general use allowances

LAST AMENDED

6/6/2024

The following tables include #uses# classified as Use Group IV and set forth their allowances by #Residence District#. Such #uses# are categorized as public service facilities, utility infrastructure, or renewable energy and green infrastructure, as provided in paragraphs A, B and C of this Section. Notations found in the tables are further described in Section [22-10 \(USE ALLOWANCES\)](#).

### A. Public Service Facilities

USE GROUP IV(A) – PUBLIC SERVICE FACILITIES											
<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
<b>Public Service Buildings</b>											
Court houses	–	–	–	–	–	–	–	–	–	–	A4
Fire or police stations	○	○	○	○	○	○	○	○	○	○	A4
<b>Other Facilities</b>											
Prisons	–	–	–	–	–	–	–	–	–	–	G

### B. Infrastructure

USE GROUP IV(B) – INFRASTRUCTURE											
<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
<b>Communication Infrastructure</b>											







Public transit yards, including accessory motor fuel pumps	-	-	-	-	-	-	-	-	-	-	-	D2
Railroad or transit rights-of-way	●	●	●	●	●	●	●	●	●	●	●	N/A
Railroad passenger stations	○	○	○	○	○	○	○	○	○	○	○	N/A
Seaplane bases	○	○	○	○	○	○	○	○	○	○	○	N/A
Truck weighing stations	-	-	-	-	-	-	-	-	-	-	-	D2

C. Renewable Energy and Green Infrastructure

USE GROUP IV(C) – RENEWABLE ENERGY AND GREEN INFRASTRUCTURE												
<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	
<b>Renewable Energy and Green Infrastructure</b>												
#Energy infrastructure equipment#	● S P	● S P	● S P	● S P	● S P	● S P	● S P	● S P	● S P	● S P	● S P	N/A
Public bicycle and micromobility parking	-	-	-	-	-	-	-	-	-	-	-	N/A
Recycling, or organic material, receiving	-	-	-	-	-	-	-	-	-	-	-	N/A

**22-142 - Use Group IV – uses subject to size limitations**

LAST AMENDED  
6/6/2024

For #uses# denoted with an “S” in Section [22-141](#) (Use Group IV – general use allowances), the provisions of this Section shall

apply. In all #Residence Districts#, #energy infrastructure equipment# shall be limited to an aggregate #lot area# of not more than 10,000 square feet. Such size limit may be modified by special permit of the Board of Standards and Appeals, in accordance with Section [73-147](#) (Energy infrastructure equipment).

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## **22-143 - Use Group IV – uses subject to additional conditions**

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LAST AMENDED

6/6/2024

For #uses# denoted with a “P” in Section [22-141](#) (Use Group IV – general use allowances), the provisions of this Section shall apply. In all #Residence Districts#, #energy infrastructure equipment# shall comply with the enclosure and screening provisions of Section [26-60](#) (SPECIAL SCREENING AND ENCLOSURE PROVISIONS).

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## **22-144 - Use Group IV – uses permitted by special permit**

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LAST AMENDED

6/6/2024

For #uses# denoted with “O” in Section [22-141](#) (Use Group IV – general use allowances), the provisions of this Section shall apply.

- (a) The following #uses# may be permitted in all #Residence Districts# by special permit of the Board of Standards and Appeals:
- (1) Radio or television towers may be permitted in accordance with Section [73-141](#) (Radio or television towers).
  - (2) Telephone exchanges or other communications equipment structures may be permitted in accordance with Section [73-142](#) (Telephone exchanges or other communications equipment structures).
  - (3) Electric utility substations on a site no greater than 40,000 square feet may be permitted in accordance with Section [73-143](#) (Electric or gas utility substations).
  - (4) Gas utility substations may be permitted in accordance with Section [73-143](#) (Electric or gas utility substations).
  - (5) Public utility stations for oil or gas metering or regulating may be permitted in accordance with Section [73-144](#) (Public utility stations or terminal facilities).
  - (6) Terminal facilities at river crossings for access to electric, gas or steam lines may be permitted in accordance with Section [73-144](#) (Public utility stations or terminal facilities).
  - (7) Water pumping stations may be permitted in accordance with Section [73-145](#) (Water pumping stations).
  - (8) Public transit or railroad electric substations on a site no greater than 40,000 square feet may be permitted in accordance with Section [73-146](#) (Public transit or railroad electric substations);
- (b) The following #uses# may be permitted in all #Residence Districts# by special permit of the City Planning Commission, except as otherwise specified:
- (1) Fire or police stations may be permitted in accordance with Section [74-141](#) (Fire or police stations).
  - (2) Electric utility substations on a site greater than 40,000 square feet may be permitted in accordance with Section

[74-142](#) (Electric utility substations).

- (3) Sewage disposal plants may be permitted in accordance with Section [74-143](#) (Sewage pumping stations and sewage disposal plants).
- (4) Sewage pumping stations may be permitted in accordance with Section [74-143](#) (Sewage pumping stations and sewage disposal plants).
- (5) Docks for ferries or water taxis may be permitted in all #Residence Districts#, except R1 and R2 Districts, in accordance with Section [62-833](#) (Docks for ferries or water taxis in Residence Districts). However, in R6 through R10 districts, when located within Community District 1 in the Borough of Brooklyn, such docks are permitted by certification by the Chairperson of the City Planning Commission, pursuant to Section [62-813](#) (Docking facilities for ferries or water taxis in certain waterfront areas).
- (6) Public transit or railroad electric substations on a site greater than 40,000 square feet may be permitted in accordance with Section [74-147](#) (Public transit or railroad electric substations).
- (7) Railroad passenger stations may be permitted in accordance with Section [74-148](#) (Railroad passenger stations).
- (8) Seaplane bases may be permitted in accordance with Section [74-149](#) (Seaplane Bases).

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## 22-15 - Use Group V – Transient Accommodations

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LAST AMENDED

6/6/2024

R1 R2 R3 R4 R5 R6 R7 R8 R9 R10

Use Group V consists of #uses# for transient occupancy of various types. In #Residence Districts#, such #uses# shall include:

- (a) overnight camps, where allowed by special permit of the Board of Standards and Appeals, in accordance with Section [73-151](#) (Overnight camps); and
- (b) in R10H Districts, #transient hotels#, where allowed by special permit of the City Planning Commission, in accordance with Section [74-151](#) (In R10H Districts).

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## 22-16 - Use Group VI – Retail and Services

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LAST AMENDED

6/6/2024

R1 R2 R3 R4 R5 R6 R7 R8 R9 R10

Use Group VI consists of #uses# where goods or services are conveyed directly to consumers. In R10H Districts, an eating or drinking establishment may be permitted by special permit of the Board of Standards and Appeals, in accordance with Section [72-21](#) (Findings Required for Variances).

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## 22-17 - Use Group VII – Offices and Laboratories

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LAST AMENDED

6/6/2024

R1 R2 R3 R4 R5 R6 R7 R8 R9 R10

Use Group VII consists of #uses# that provide administrative and research workspaces for business, professional or governmental purposes. In #Residence Districts#, such #uses# shall include:

- (a) laboratories, where allowed by special permit of the City Planning Commission, in accordance with Section [74-171](#) (Laboratories); and
- (b) offices, where allowed within the #flood zone#, by special permit of the Board of Standards and Appeals, in accordance with Section [73-171](#) (Ground floor offices in the flood zone).

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## **22-18 - Use Group VIII – Recreation, Entertainment and Assembly Spaces**

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LAST AMENDED

6/6/2024

R1 R2 R3 R4 R5 R6 R7 R8 R9 R10

Use Group VIII consists of #uses# that provide recreation and entertainment opportunities, as well as other places of assembly. In #Residence Districts#, such #uses# shall include:

- (a) outdoor day camps, where allowed by special permit of the Board of Standards and Appeals, in accordance with Section [73-184](#) (Outdoor day camps); and
- (b) riding academies or stables, where allowed by special permit of the Board of Standards and Appeals, in accordance with Section [73-185](#) (Riding Academies or Stables).

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## **22-20 - SPECIAL PROVISIONS APPLICABLE TO CERTAIN AREAS AND DISTRICTS**

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LAST AMENDED

6/6/2024

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## **22-21 - Use of Railroad or Transit Air Space**

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LAST AMENDED

6/6/2024

In all #Residence Districts#, #railroad or transit air space# may be #developed# or used in accordance with the provisions of this Section.

- (a) #Railroad or transit air space# may be #developed# or used only for a permitted #use# #accessory# to the railroad or transit right-of-way or yard, a #use# permitted by the City Planning Commission as set forth in Section [74-61](#) (Development Within or Over a Railroad or Transit Right-of-Way or Yard), or a railroad passenger station permitted by the City Planning Commission as set forth in Section [74-148](#) (Railroad passenger stations) unless the right-of-way or yard or portion thereof is no longer required for railroad or transit #use# as set forth in paragraph (b) of this Section.

If any #building or other structure# constructed in such #railroad or transit air space# in accordance with the provisions of Section [74-148](#) is #enlarged# or replaced by a new #building or other structure#, the provisions of this Section shall apply to such #enlargement# or replacement.

However, any #use# legally established in such #railroad or transit air space# in accordance with the provisions of Section [74-148](#) may be changed to another #use# listed in a permitted Use Group, and no additional special permit from the City Planning Commission shall be required for such change of #use#.

Any #building or other structure# within or over a railroad or transit right-of-way or yard, which #building or other structure# was completed prior to September 27, 1962, or constructed in accordance with the applicable provisions of Sections [11-31](#) through [11-33](#), inclusive, prior to December 5, 1991, may be #enlarged# or replaced in accordance with the applicable district regulations without any requirement for a special permit from the City Planning Commission. Ownership of rights permitting the #enlargement# or replacement of such a #building or other structure# shall be deemed to be equivalent to ownership of a #zoning lot# or portion thereof, provided that such #enlargement# or replacement will be on one #block# and the rights are in single ownership and recorded prior to February 22, 1990. Such ownership of rights shall be deemed to include alternative arrangements specified in the #zoning lot# definition in Section [12-10](#).

#Enlargement# or replacement utilizing these ownership rights shall be deemed to be constructed upon the equivalent of a #zoning lot#.

- (b) When the #use# of a railroad or transit right-of-way or yard or portion thereof has been permanently discontinued or terminated and a #large-scale residential development#, #large-scale community facility development# or #large-scale general development# requiring one or more special permits is proposed, no use or #development# of the property shall be allowed until the City Planning Commission has authorized the size and configuration of all #zoning lots# on such property. As a condition for such authorization, the Commission shall find that:
- (1) the proposed #zoning lots#, indicated by a map describing the boundaries of and the total area of each lot, are not excessively large, elongated or irregular in shape and that no #development# on any #zoning lot# would result in the potential for an excessive concentration of #bulk# that would be incompatible with allowable #development# on adjoining property; and
  - (2) each resulting #zoning lot# has direct access to one or more #streets#.

No subsequent alteration in size or configuration of any #zoning lot# approved by the Commission shall be permitted unless authorized by the Commission. The Commission may prescribe appropriate conditions and safeguards to minimize adverse effects of such #zoning lot# designation on the character of the surrounding area. Such conditions shall be set forth in a written Declaration of Restrictions covering all tracts of land or in separate written Declarations of Restrictions covering parts of such tracts of land and which in the aggregate cover the entire tract of land comprising the #zoning lot# and which is executed and recorded as specified in the definition of #zoning lot# in Section [12-10](#) (DEFINITIONS).

Prior to granting any #zoning lot# authorization relating to the above mentioned right-of-way or yard, the Commission shall request the Metropolitan Transportation Authority and the Departments of Transportation of the State of New York and the City of New York to indicate within 30 days whether said agencies have any plan to use such property or portion thereof for a railroad or transit #use#.

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## **22-22 - Detached and Semi-detached Two-family Residences**

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LAST AMENDED  
6/6/2024

The City Planning Commission may, upon application, authorize the waiver of requirements for #detached# #two-family# #residences# in R3A, R3X or R4A Districts, as set forth in paragraphs (a) of Section [22-123](#) (Use Group II – uses subject to

additional conditions) or #semi-detached# #two-family# #residences# in R3-1 or R4-1 Districts, as set forth in paragraph (b) of Section [22-123](#) provided that:

- (a) the #development# is compatible with the scale and character of the surrounding area; and
- (b) in R3A, R3X or R4A Districts, the design does not give the appearance of a #semi-detached# #building#; or
- (c) in R3-1 or R4-1 Districts, the design does not give the appearance of an #attached# #building#; and each #dwelling unit# has a perimeter wall with windows facing a #side yard#.

Applications for authorizations shall be referred to the affected Community Board for a period of at least 30 days for comment. The City Planning Commission shall grant in whole or in part or deny the application within 60 days of the completion of the Community Board review period.

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## **22-30 - SIGN REGULATIONS**

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LAST AMENDED  
4/8/1998

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## **22-31 - Definitions**

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LAST AMENDED  
11/19/1987

Words in italics are defined in Section [12-10](#) (DEFINITIONS) or, if applicable exclusively to this Section, in this Section.

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## **22-32 - Permitted Non-illuminated Accessory Signs**

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LAST AMENDED  
4/8/1998

R1 R2 R3 R4 R5 R6 R7 R8 R9 R10

In all districts, as indicated, non-#illuminated# #accessory# #signs# are permitted as set forth in this Section, subject to the provisions of Section [22-34](#) (Additional Regulations).

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## **22-321 - Nameplates or identification signs**

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LAST AMENDED  
2/2/2011

R1 R2 R3 R4 R5 R6 R7 R8 R9 R10

- (a) For all #buildings# containing #residences#, one nameplate, with an area not exceeding one square foot and indicating only the name or address of the occupant or a permitted occupation, is permitted for each #dwelling unit# or #rooming unit#.
- (b) For multiple dwellings, including #apartment hotels#, or for permitted #non-residential# #buildings or other structures# exclusive of hospitals and related facilities, one identification #sign#, with an area not exceeding 12 square feet and indicating only the name of the permitted #use#, the name or address of the #building#, or the name of the management thereof, is permitted. For #community facility# #uses#, except hospitals and related facilities, a bulletin board, with an



area not exceeding 16 square feet, is also permitted. For any #sign# on awnings or canopies, the height of letters on any side of such awnings or canopies shall not exceed 12 inches.

- (c) For hospitals and related facilities, any number of identification or directional #signs# are permitted, provided the total #surface area# in square feet of all such #signs# shall not exceed 25 square feet on any one #street# frontage or 15 percent of such #street# frontage in feet, whichever is less. However, for #zoning lots# with more than one #building# that fronts upon the same #street#, each such #building# shall be permitted a #surface area# of 25 square feet. In addition to the aforementioned #signs#, either one directory or bulletin board, or combination thereof, is permitted, not to exceed 50 square feet.

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## **22-322 - "For sale" or "for rent" signs**

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LAST AMENDED  
12/15/1961

R1 R2 R3 R4 R5 R6 R7 R8 R9 R10

"For sale" or "for rent" #signs#, with an area not exceeding 12 square feet, are permitted. If located on vacant land, such a #sign# shall not be within 15 feet of the #street line#, nor within six feet of any other #lot line#.

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## **22-323 - Signs for parking areas**

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LAST AMENDED  
9/29/2010

R1 R2 R3 R4 R5 R6 R7 R8 R9 R10

One #sign#, with an area not exceeding two square feet, designating each entrance to or exit from an off-street parking area, open or enclosed, is permitted. No such #sign# shall be higher than seven feet above #curb level#.

In addition, an off-street parking facility that contains #car sharing vehicles# may provide #signs# that in the aggregate total no more than two square feet in area identifying organizations that have #car sharing vehicles# available at such parking area. No such #sign# shall be located higher than seven feet above #curb level#.

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## **22-33 - Signs on Lots Containing Certain Community Facilities**

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LAST AMENDED  
4/8/1998

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### **22-331 - Permitted illuminated accessory signs for hospitals and related facilities**

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LAST AMENDED  
2/2/2011

R1 R2 R3 R4 R5 R6 R7 R8 R9 R10

In all districts, as indicated, for hospitals and related facilities, #illuminated# non-#flashing# #accessory# #signs# are permitted in all districts, subject to Section [22-34](#) (Additional Regulations). Any number of #illuminated# non-#flashing# identification or directional #signs# are permitted, provided that the total #surface area# in square feet of said #illuminated# #signs# or the combined total #surface area# in square feet of the #illuminated# and non-#illuminated# identification or directional #signs#

does not exceed 25 square feet on any one #street# frontage or 15 percent of such #street# frontage in feet, whichever is less, and provided further that the Commissioner of Buildings determines that such #signs# are so located as to cause a minimum amount of light to be projected onto abutting or adjacent #residences#. However, for #zoning lots# with more than one #building# that front upon the same #street#, each such #building# shall be permitted a #surface area# of 25 square feet.

In addition to #illuminated# or non-#illuminated# #accessory# #signs#, one illuminated non-flashing directory or bulletin board or combination thereof is permitted in lieu of a non-illuminated directory or bulletin board or combination thereof provided that the total #sign# area does not exceed 50 square feet and provided further that the Commissioner of Buildings determines that such #sign# is so located as to minimize the amount of light projected on the abutting or adjacent #residences#.

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## **22-332 - Flags, banners or pennants on lots containing certain community facilities**

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LAST AMENDED

4/8/1998

R1 R2 R3 R4 R5 R6 R7 R8 R9 R10

In all districts, as indicated, flags, banners or pennants other than those that are #advertising signs#, located on any #zoning lot# used primarily for #community facility# #uses# of a civic, philanthropic, educational or religious nature, are permitted without limitation.

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## **22-34 - Additional Regulations**

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LAST AMENDED

8/26/1965

R1 R2 R3 R4 R5 R6 R7 R8 R9 R10

In all districts as indicated, any #sign# permitted under the provisions of Sections [22-32](#) (Permitted Non-illuminated Accessory Signs) and [22-331](#) (Permitted illuminated accessory signs for hospitals and related facilities) shall conform to the regulations set forth in this Section.

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## **22-341 - Projecting signs**

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LAST AMENDED

8/26/1965

R1 R2 R3 R4 R5 R6 R7 R8 R9 R10

No #sign# shall project across a #street line# more than 12 inches.

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## **22-342 - Height of signs**

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LAST AMENDED

8/26/1965

R1 R2 R3 R4 R5 R6 R7 R8 R9 R10

No #sign# shall extend above the ground floor ceiling, or more than 20 feet above #curb level#, whichever is less.

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## 22-343 - Number of signs

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LAST AMENDED

8/26/1965

R1 R2 R3 R4 R5 R6 R7 R8 R9 R10

Except as otherwise provided in Sections [22-32](#) (Permitted Non-illuminated Accessory Signs) or [22-331](#) (Permitted illuminated accessory signs for hospitals and related facilities), not more than one #sign# is permitted for each #use#, #building# or #dwelling unit#, and not more than two #signs# for each professional office. On a #corner lot# or #through lot#, one #sign# (or for professional offices, two #signs#) is permitted on each #street#.

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## 22-35 - Advertising Signs on Waterways

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LAST AMENDED

4/8/1998

No moving or stationary "advertising sign" shall be displayed on a vessel plying waterways adjacent to #Residence Districts# and within view from an arterial highway. For the purposes of this Section, arterial highways shall include all highways that are shown on the Master Plan of Arterial Highways and Major Streets as "principal routes," "parkways" or "toll crossings" and that have been designated by the City Planning Commission as arterial highways to which the provisions of this Section shall apply.

For the purposes of this Section "advertising sign" is a sign that directs attention to a profession, business, commodity, service or entertainment conducted, sold or offered elsewhere than upon the premises of the vessel and is not #accessory# to a #use# on such vessel.