Zoning Resolution

THE CITY OF NEW YORK
Zohran K. Mamdani, Mayor

CITY PLANNING COMMISSION
Sideya Sherman, Chair

124-10 - SPECIAL USE REGULATIONS

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124-10 - SPECIAL USE REGULATIONS

LAST AMENDED
11/13/2008

The #use# regulations of the underlying district are modified as set forth in this Section, inclusive.

124-11 - Regulation of Residential Uses

LAST AMENDED
11/13/2008

124-111 - Location of residential use within buildings

LAST AMENDED
6/6/2024

The provisions of Section 32-422 (Location of floors occupied by commercial uses) shall be modified such that the limitations set forth in paragraph (a) of such Section need not apply, and the requirements in paragraph (b) of such Section shall apply only where #commercial uses# are located above any #story# containing #dwelling units#.

124-112 - Residential entrances on residential streets

LAST AMENDED

11/13/2008

Each ground floor #dwelling unit# on a #residential street# shall be directly accessible from such #residential street#. No more than one entrance to a #residential street# shall be required for any one ground floor #dwelling unit#.

124-12 - Regulation of Commercial Uses in Area B

LAST AMENDED
11/13/2008

(a) Within Area B, as shown on Map 1 in the Appendix to this Chapter, #commercial# and special permit #uses# shall be limited to those #uses# permitted in a C1-4 District, provided that #commercial# #uses# shall be located no more than 100 feet from a #connector street#, the present or former 34th Avenue or Willets Point Boulevard, or Area A, as shown on Map 1 in the Appendix to this Chapter.

(b) Within Area B, #uses# permitted in the underlying district shall be permitted within an area east and south of the present or former Willets Point Boulevard and contiguous with Area A, provided that such area shall be limited to 115,000 square feet in land area.

124-13 - Uses Permitted As-of-Right

LAST AMENDED
6/6/2024

The following special permits shall not apply. In lieu thereof, such #uses# shall be permitted as-of-right:

Section 74-182 (Arenas, Auditoriums, Stadiums or Trade Expositions) shall not apply for trade expositions with a capacity in excess of 2,500 persons, provided that the facility has a #floor area# of no more than 400,000 square feet;

Section 73-462 (In Commercial or Manufacturing Districts) shall not apply for group parking facilities exceeding 225 spaces, provided such facilities comply with the regulations set forth in Section 124-50 (OFF-STREET PARKING REGULATIONS), inclusive.

In #buildings# with frontage on 126th Street, the following special permits shall not apply. In lieu thereof, such uses shall be permitted as-of-right:

Section 73-162 (Eating or drinking establishments) and 74-161 (Retail and service uses) shall not apply for eating and drinking establishments with a capacity of more than 200 persons, which shall be permitted as-of-right within 100 feet of a #Residence District# boundary

124-14 - Streetscape Regulations

LAST AMENDED
6/6/2024

The underlying #ground floor level# streetscape provisions set forth in Section 32-30 (STREETSCAPE REGULATIONS), inclusive, shall apply, except that #ground floor level# #street#

frontages along #streets#, or portions thereof, on #primary retail streets#, #retail streets# and #connector streets# in Area A, as shown on Map 1 in the Appendix to this Chapter shall be considered #Tier C street frontages#. All remaining #street# frontages shall be considered #Tier B street frontages#.

In addition to the underlying provisions for #Tier C street frontages#, the following shall apply:

(a) the length of #ground floor level# #street# frontage occupied by any establishment shall not exceed 110 feet along 126th Street and 65 feet along the #primary retail street#. However, such limitations shall not apply within 300 feet of Northern Boulevard; and

(b) access to each #ground floor level# establishment shall be provided directly from a #street#.

124-15 - Modification of Sign Regulations

LAST AMENDED
5/12/2021

The underlying #sign# regulations shall apply, except as set forth in this Section.

(a) Within Area A, as shown on Map 1 in the Appendix to this Chapter, the #sign# regulations of a C4 District shall apply, except for #street walls# facing Roosevelt Avenue, Northern Boulevard and 126th Street.

(b) Within Area B, as shown on Map 1, the #sign# regulations of a C1 District shall apply, except that within the area described in paragraph (b) of Section 124-12, the sign regulations of a C4 District shall apply.

(c) Within Area A, for #street walls# facing Roosevelt Avenue or Northern Boulevard, the #sign# regulations of a C4 District shall apply, except that #signs# shall be limited to 85 feet in height.

(d) For #street walls# facing 126th Street to a height of 35 feet, the #sign# regulations of a C4 District shall apply, provided that the maximum projection of any #sign# from the exterior wall of a #building# shall be four feet, and the transparency requirements of paragraph (d) of Section 124-14 are met.

(e) For #street walls# facing 126th Street above 35 feet in height, the #sign# regulations of a C4 District shall apply except that all permitted #signs#, including #illuminated signs# and #flashing signs#, shall be permitted without limitation on #surface area#, provided that:

(1) no such #signs# are higher than 85 feet;

(2) the maximum projection of any #sign# from the exterior wall of a #building# shall be four feet, except that projections not exceeding six feet are permitted, provided that such projections beyond four feet shall comprise not more than 20 percent of the #surface area# of all such #signs# on the establishment; and

(3) no #sign# attached to a #building or other structure# shall extend above any parapet wall or roof of such #building or other structure#.

(f) Within 150 feet of the neighborhood park required pursuant to Section 124-42 (Types and Standards of Publicly Accessible Open Space), paragraph (a), #flashing signs# whose message is visible from such park shall not be permitted.

(g) The provisions of Section 32-67 (Special Provisions Applying Along District Boundaries) shall not apply in the #Special Willets Point District#.

124-16 - Authorization for Electrical Utility Substations

LAST AMENDED
11/13/2008

The City Planning Commission may authorize electrical utility substations in the #Special Willets Point District# in order to serve the needs of the Special District, and the regulations thereof shall be modified as necessary to accommodate the operational needs of the substation, upon authorization of the City Planning Commission, provided the Commission finds that:

(a) the architectural and landscaping treatment of such #use# shall blend harmoniously with the abutting area to the extent reasonably permitted by the operational needs of the substation; and

(b) if the site proposed for such #use# is within Area A, as shown on Map 1 in the Appendix to this Chapter, that there are difficulties in locating such #use# within Area B, as shown on Map 1.

The Commission may, consistent with cost-effective operations and capital planning, and the operational needs of the substation, prescribe appropriate conditions and safeguards on matters necessary to effectuate the provisions of paragraph (a) of this Section that are not regulated by other applicable codes, laws, rules or regulations. The applicant shall provide the Department of City Planning with a general description of such codes, laws, rules or regulations and a certification that the proposed substation shall comply therewith.

124-17 - Special Permit for Cogeneration Power Plant

LAST AMENDED
2/2/2011

The Board of Standards and Appeals may permit a combined heat and power cogeneration plant not to exceed 100,000 square feet in #floor area#, provided that:

(a) the power plant is designed to maximize both electric and thermal cogeneration system efficiency to the greatest extent feasible;

(b) a detailed energy analysis is submitted to the Board demonstrating that the system as designed shall operate with maximum efficiency and perform more effectively than a traditional, power-purchased-from-grid system; and

(c) the power plant is designed primarily to serve the #Special Willets Point District#.

In addition, the Board shall refer such application to the Department of Environmental Protection for a report to ensure that the power plant is designed to maximize cogeneration efficiency to the greatest extent feasible and that the system as designed shall operate with maximum efficiency and perform more effectively than a traditional, power-purchased-from-grid system.

The Board may prescribe appropriate conditions or safeguards to minimize adverse effects on the character of the surrounding area including safety devices, emissions limits and the concealment of such #use# with #building# enclosures, landscaping, buffer zones or other methods.

124-18 - Special Permit for Wastewater Treatment Plant

The Board of Standards and Appeals may permit an enclosed membrane bio-reactor wastewater treatment plant not to exceed 100,000 square feet in #floor area# on a site not to exceed 40,000 square feet in area, provided that the following findings are made:

(a) that in all cases the proposed plant promotes and protects the public health, safety and general welfare;

(b) the proposed plant shall be adequate for anticipated #development# in the area to be served;

(c) the proposed plant is designed primarily to serve the #Special Willets Point District#;

(d) the site for such #use# is so located as to minimize the adverse effects on the integrity of existing and future development, and to minimize the interruption of the continuity of retail frontage;

(e) the architectural and landscaping treatment of such #use# shall blend harmoniously with the rest of the area; and

(f) that such #use# shall conform to the performance standards applicable to M1 Districts.

In addition, the Board shall refer such application to the Department of Health and the Department of Environmental Protection for a report to ensure that the site-specific design of the enclosed membrane bio-reactor waste water treatment plant meets all City and State health and effluent standards.

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

concealment of such #use# with #building# enclosures, landscaping, buffer zones or other methods.

124-19 - Location and Other Requirements for Specific Uses

LAST AMENDED
11/13/2008

124-191 - Convention center

LAST AMENDED
6/6/2024

A trade exposition listed under Use Group VIII, hereinafter referred to as a convention center, is permitted in the #Special Willets Point District# only in accordance with this Section and shall be located on a #connector street#. A convention center may only be located in the area as depicted on Map 2 (Location Requirements for Convention Center, Cinema and Office Tower) in the Appendix to this Chapter, being entirely within 650 feet of Northern Boulevard.

Furthermore, a convention center may not be located within 200 feet of 126th Street, and any portion of a convention center located between 200 feet and 450 feet of 126th Street shall be limited to no more than 50,000 square feet of #floor area#.

The main entrance of such convention center shall be on a #connector street#.

124-192 - Location of theaters

LAST AMENDED
11/13/2008

Theaters comprising over 10,000 square feet in #floor area# shall be located entirely within 600 feet of the intersection of Roosevelt Avenue and 126th Street, as depicted on Map 2 (Location Requirements for Convention Center, Cinema and Office Tower) in the Appendix to this Chapter.

124-193 - Location of office uses in towers

LAST AMENDED
6/6/2024

#Uses# listed under Offices in Use Group VII located on any #story# entirely above 120 feet in height shall be located entirely within 600 feet of the intersection of Roosevelt Avenue and 126th Street, as depicted on Map 2 (Location Requirements for Convention Center, Cinema and Office Tower) in the Appendix to this Chapter.