

**TECHNICAL MEMORANDUM 002**  
**POTENTIAL CITY COUNCIL MODIFICATIONS**  
**SELF-STORAGE TEXT AMENDMENT**  
**CEQR No. 17DCP119Y**  
ULURP Nos. N 170425ZRY and N 170425(A)ZRY  
December 8, 2017

## **A. INTRODUCTION**

The purpose of this memorandum is to assess whether proposed modifications by the City Council to the Self-storage Text Amendment as approved by the City Planning Commission (CPC) would result in new or different impacts not disclosed in the Final Environmental Impact Statement (FEIS) for the proposal. As described below, the modifications would not result in such effects.

The Department of City Planning proposes a citywide zoning text amendment to establish a Special Permit under the jurisdiction of the City Planning Commission (CPC) for new self-storage development in the proposed “Designated Areas.” The proposed Designated Areas, all located in Manufacturing (M) districts, would largely coincide with Industrial Business Zones and would be established as text maps. A Special Permit is a discretionary action by the CPC that may modify use regulations if certain conditions specified in the Zoning Resolution are met. The primary intent of this proposal is to establish a framework to conduct a case-by-case, site-specific review to ensure that the development of self-storage facilities does not occur on sites that should remain available to more job-intensive industrial uses. Additionally, a case-by-case framework would allow self-storage facilities to locate in Designated Areas in M districts on sites where self-storage facilities are found to be appropriate.

The Draft Environmental Impact Statement (DEIS) for the Proposed Actions was accepted as complete on May 19, 2017, by DCP, acting on behalf of the CPC as lead agency. A public hearing on the DEIS was held on August 23rd, 2017, in conjunction with the CPC's citywide public hearing pursuant to ULURP. The public hearing also considered a modification to the Proposed Action (ULURP No. N 170425(A) ZRY), which was analyzed in a Technical Memorandum issued on August 4, 2017. Written comments on the DEIS were requested and were received and considered by the Lead Agency until September 5th, 2017. The Notice of Completion for the FEIS was issued on October 20, 2017. The FEIS incorporated responses to the public comments received on the DEIS and analysis of the Modified Application (the “A-text Alternative”) considered in Technical Memorandum 001, and a Modified A-text Alternative which assessed modifications anticipated by the CPC.

Following the publication of the FEIS, modifications to the Modified Application were made by the CPC. These changes were comprised of editorial and formatting changes for clarity from what was considered in the Modified A-text Alternative in the FEIS. It was determined that these changes would not result in any new or different significant adverse impacts not already identified in the FEIS. The CPC adopted the Modified Application with modifications on November 1, 2017 (the “Approved Actions”) and referred the application to the City Council.

Since the CPC’s adoption of the Approved Actions, potential modifications have been identified as under consideration by the City Council. The potential City Council modifications (the “Potential Modifications”) are summarized below. This technical memorandum examines whether the Potential Modifications would result in any new or different significant adverse environmental impacts not already identified in the FEIS as pertains to the Approved Actions. As set forth below, this technical memorandum concludes that the

Potential Modifications by the City Council would not result in any new or different significant adverse impacts not already identified in the FEIS.

## **B. DESCRIPTION OF THE POTENTIAL MODIFICATIONS**

The Potential Modifications consist of substantive and/or procedural changes to the Approved Actions in the following three areas: (1) definition of two subareas within the Designated Areas in M districts; (2) modifications to the proposed regulatory mechanism as adopted by the CPC in Subareas 1; and (3) modifications to reinstate a CPC Special Permit in Subareas 2. The modifications are described in detail below. The zoning text associated with the Potential Modifications is contained in **Appendix 1**.

### **DEFINITION OF TWO SUBAREAS WITHIN THE DESIGNATED AREAS IN M DISTRICTS**

The Potential Modifications would divide the proposed Designated Areas in M districts into two subareas: Subareas 1 and Subareas 2. Subareas 1 involve the Designated Areas of Bathgate in the Bronx, Steinway and Richmond Hill in Queens, and the West Shore and South Shore in Staten Island, as shown by the zoning text in Appendix 1. Subareas 2 are all other Designated Areas in M districts, as shown by the zoning text in Appendix 1.

### **MODIFICATIONS TO THE PROPOSED REGULATORY MECHANISM AS ADOPTED BY THE CPC IN SUBAREAS 1**

In Subareas 1, the Potential Modifications would change the uses permitted in the required industrial space. The following uses would be excluded by the Potential Modifications: Use Group 9A art studios, photographic or motion picture production studios and radio or television studios under Use Group 10A, all uses in Use Group 16D except for wholesale establishments, and Use Group 18B. Furthermore, any diagnostic medical laboratories that receive patients would not be permitted in the required industrial space. Furthermore, the Potential Modifications would increase the lot size threshold, at which the industrial space requirement would apply, to lots greater than or equal to 50,000 square feet in area. The amount of required industrial space would be reduced to 25 percent of the lot area. On lots smaller than 50,000 square feet, where there is an alternative requirement to provide business-sized storage spaces, such requirement would be lowered to 25 percent of the lot area. Accordingly, the Potential Modifications would lower the permitted floor area increase for an industrial space within a self-storage facility in M1-1 districts to 25 percent of the lot area or up to 20,000 square feet, whichever is less.

The Potential Modifications would add requirements for self-service storage facilities with required industrial spaces, which involve the mounting of a public-facing informational sign to the self-service storage facility, indicating that the building is subject to Industrial Floor Space regulations, and would require the owner of the facility to prepare a report on the existing conditions and the businesses established in the required industrial space, which would need to be submitted to the Department of City Planning, and shared with the applicable Community Board, Borough President and local Council Member.

Lastly, the Potential Modifications would eliminate the BSA Special Permit established in the Approved Actions.

### **MODIFICATIONS TO REINSTATE A CPC SPECIAL PERMIT IN SUBAREAS 2**

In Subareas 2, the Potential Modifications would eliminate the conditional as-of-right framework and the proposed BSA Special Permit, and would instead reinstate the CPC Special Permit analyzed as the Proposed Action, which was removed in the Approved Actions.

The Potential Modifications would change the CPC Special Permit of the Proposed Action, by modifying its findings to be based on the appropriateness of a self-service storage facility, considering the land use characteristics of the proposed lot and the surrounding area. The Commission's considerations to make such a determination would be changed to include any of the following:

1. The consistency of the proposed self-storage facility with the economic development objectives of the City;
2. The recent trends for and levels of investment by industrial uses;
3. The size and configuration of the lot;
4. The design and layout of loading docks, interior column spacing, floor-to-ceiling height and other relevant physical characteristics of an existing building proposed for conversion;
5. The distance of the lot from an arterial highway or a designated truck route, or the frontage;
6. The distance of the lot from mass transit to serve employees;
7. The need for environmental remediation work;
8. The concentration of existing self-storage facilities in the surrounding area.

### **C. ENVIRONMENTAL ASSESSMENT OF THE POTENTIAL MODIFICATIONS**

The Potential Modifications are not expected to result in new or different significant adverse environmental impacts not identified in the FEIS. As discussed above, the Potential Modifications would change the industrial space requirement applicable to the proposed Subareas 1 to alter uses permitted in the industrial space, the size threshold at which the regulations are applicable, and reduce the amount of required industrial space. The as-of-right self-storage and industrial development that may be expected as a result of these Potential Modifications would not substantively differ from what was analyzed as the A-text Alternative in the FEIS. As noted in the A-text Alternative analysis, this would partially mitigate the significant adverse impacts of the Proposed Action on the self-storage industry in certain locations by providing additional siting opportunities for self-storage.

The Potential Modifications would establish the CPC Special Permit for self-storage uses in Subareas 2, which was assessed as the Proposed Action in the FEIS. While the findings have been modified, the results of the Potential Modification would not substantively differ from what was analyzed as the Proposed Action in the FEIS. As described in the Conceptual Analysis of the FEIS, approval of such a special permit would be subject to discretionary approval and any environmental impacts associated with such action would be assessed and disclosed pursuant to a separate project-specific, environmental review.

As described above, the Potential Modifications would not alter the conclusions of the FEIS. The Potential Modifications may partially mitigate the significant adverse impact on the self-storage industry in certain locations by providing an as-of-right framework for self-storage uses in Subareas 1. Since some additional development may still shift to more optimal development sites outside Subareas 2 Designated Areas, the Potential Modifications would not mitigate the potential for significant adverse impacts related to archaeology and hazardous materials.

## **APPENDIX 1**

### **Zoning Text Potential Modifications**

Matter underlined is new, to be added;  
Matter ~~struck out~~ is to be deleted;  
Matter within # # is defined in Section 12-10;  
Matter in ~~double strikeout~~ is old, deleted by the City Council;  
Matter in double underline is new, added by the City Council.  
\* \* \* indicates where unchanged text appears in the Zoning Resolution.

## **ARTICLE I GENERAL PROVISIONS**

### **Chapter 2 Construction of Language and Definitions**

\* \* \*

#### **12-10 DEFINITIONS**

\* \* \*

##### **Industrial floor space**

“Industrial floor space” is #floor area# or #cellar# space, excluding mechanical space and common space such as hallways, lobbies or stairways, with a minimum clear height from floor to ceiling of 15 feet, and allocated to one or more of the #manufacturing#, semi-industrial or industrial #uses# listed in Use Groups ~~9A (limited to art studios), 10A (limited to photographic or motion picture production studios and radio or television studios),~~ Use Groups 11A, 16A (excluding animal hospitals and kennels; animal pounds or crematoriums; automobile, motorcycle, trailer, or boat sales; crematoriums, human; motorcycle or motor scooter rental establishments; poultry or rabbit killing establishments; riding academies; stables for horses; and trade schools for adults), 16B, 16D (limited to wholesale establishments) ~~(other than a #self-service storage facility#),~~ 17 or 18A. #Industrial floor space# shall not include any diagnostic medical laboratories that receive patients.

\* \* \*

##### **Self-service storage facility**

A “self-service storage facility” is a moving or storage office, or a warehouse establishment, as listed in Use Group 16D, for the purpose of storing personal property, where:

- (a) such facility is partitioned into individual, securely subdivided space for lease; or
- (b) such facility consists of enclosed or unenclosed floor space which is subdivided by secured bins, boxes, containers, pods or other mobile or stationary storage devices; and
- (c) such floor space or storage devices are less than 300 square feet in area and are to be leased or rented to persons or businesses to access, store or remove property on a self-service basis.

\* \* \*

**ARTICLE III  
COMMERCIAL DISTRICT REGULATIONS**

**Chapter 2  
Use Regulations**

\* \* \*

**32-10  
USES PERMITTED AS-OF-RIGHT**

\* \* \*

**32-25  
Use Group 16**

C8

Use Group 16 consists of automotive and other necessary semi-industrial #uses# which:

- (1) are required widely throughout the city; and
- (2) involve offensive noise, vibration, smoke, dust, or other particulate matter, odorous matter, heat, humidity, glare, or other objectionable influences, making such #uses# incompatible with #residential uses# and other #commercial uses#.

\* \* \*

**D. Heavy Service, Wholesale, or Storage Establishments**

Carpet cleaning establishments [PRC-F]

Dry cleaning or cleaning and dyeing establishments, with no limitation on type of operation, solvents, #floor area# or capacity per establishment [PRC-F]

Laundries, with no limitation on type of operation [PRC-F]

Linen, towel or diaper supply establishments [PRC-F]

Moving or storage offices, with no limitation as to storage or #floor area# per establishment [PRC-G]\*

Packing or crating establishments [PRC-G]

Photographic developing or printing with no limitation on #floor area# per establishment [PRC-C]

Trucking terminals or motor freight stations, limited to 20,000 square feet of #lot area# per establishment [PRC-G]

Warehouses [PRC-G]\*

Wholesale establishments, with no limitation on #accessory# storage [PRC-C]

E. #Accessory Uses#

\* In designated areas within #Manufacturing Districts#, as shown on the maps in APPENDIX J (Designated Areas Within Manufacturing Districts) of this Resolution, a #self-service storage facility# is subject to the provisions of Section 42-121 (Use Group 16D self-service storage facilities).

\* \* \*

**ARTICLE IV  
MANUFACTURING DISTRICT REGULATIONS**

**Chapter 2  
Use Regulations**

\* \* \*

**42-10  
USES PERMITTED AS-OF-RIGHT**

\* \* \*

**42-12  
Use Groups 3A, 6A, 6B, 6D, 6F, 7B, 7C, 7D, 7E, 8, 9B, 9C, 10A, 10B, 10C, 11, 12A, 12C, 12D, 12E, 13, 14 and 16**

M1 M2 M3

Use Group 3A shall be limited to Museums that are ancillary to existing Motion Picture Production

Studios or Radio or Television Studios, provided they are located within 500 feet of such studios and do not exceed 75,000 square feet of #floor area#.

Use Groups 6A except that food stores, including supermarkets, grocery stores or delicatessen stores, shall be limited to 10,000 square feet of #floor area# per establishment, 6B, 6D, 6F, 7B, 7C, 7D, 7E, 8, 9B, 9C, 10A, 10B, 10C, 11, 12A, 12C, 12D, 12E, 13, 14 and 16 as set forth in Sections 32-15 to 32-23, inclusive, and Section 32-25. However, in Community District 1, in the Borough of the Bronx, in M1-4 Districts, food stores, including supermarkets, grocery stores or delicatessen stores, shall be limited to 30,000 square feet of #floor area# per establishment.

Use Group 10A shall be limited to depositories for storage of office records, microfilm or computer tapes, or for data processing; docks for ferries; office or business machine stores, sales or rental; photographic or motion picture production studios; and radio or television studios.

In the #Manhattan Core#, automobile rental establishments, #public parking garages# and #public parking lots# in Use Groups 8C and 12D are subject to the provisions of Article I, Chapter 3, and in the #Long Island City area#, as defined in Section 16-02 (Definitions), #public parking garages# and #public parking lots# in Use Groups 8C and 12D are subject to the provisions of Article I, Chapter 6.

In designated areas within #Manufacturing Districts#, as shown on the maps in APPENDIX J (Designated Areas Within Manufacturing Districts) of this Resolution, a #self-service storage facility# is subject to the provisions of Section 42-121 (Use Group 16D self-service storage facilities).

#### **42-121**

#### **Use Group 16D self-service storage facilities**

In designated areas within #Manufacturing Districts#, as shown on the maps in APPENDIX J (Designated Areas Within Manufacturing Districts) of this Resolution, a #self-service storage facility# is subject to the provisions of this Section. Designated areas in which #self-service storage facilities# are subject to the as-of-right provisions of Section 42-121 (Use Group 16D self-service storage facilities) are shown on the maps in Subarea 1, and those in which such #uses# are subject to special permit of the City Planning Commission pursuant to Section 74-932 (Self-service storage facility in designated area within Manufacturing Districts) are shown on the maps in Subarea 2.

A ~~Use Group 16D~~ #self-service storage facility# shall, in ~~designated areas within #Manufacturing Districts# as shown on the maps in~~ Subarea 1 of APPENDIX J (~~Designated Areas Within Manufacturing Districts~~) of this Resolution, be limited to establishments that provide an #industrial floor space# as defined in Section 12-10 (DEFINITIONS) or “business-sized” storage space as specified in paragraph (b)(2) of this Section.

- a) On a #zoning lot# greater than or equal to ~~25~~50,000 square feet in area, a #self-service storage facility# shall provide #industrial floor space# that is:
- (1) equal in #floor area# or #cellar# space to ~~50~~25 percent of the #lot area#;
  - (2) located below the level of the third #story#, with at least 50 percent of such #industrial floor space# located on the ground floor, ~~where~~ such ground floor #story# is located within five feet of #curb level#, or #base plane#, as applicable and the remaining #industrial floor space# located on a level that is immediately above or below such #story#; and
  - (3) provided with access to freight elevators and the #accessory# off-street loading berth required for such #industrial floor space# in accordance with the provisions of Section 44-586 (Regulations for permitted or required loading berths for zoning lots containing self-service storage facilities in designated areas).
- b) On a #zoning lot# that on [date of adoption] is less than ~~25~~50,000 square feet in area, a #self-service storage facility# shall provide:
- (1) #industrial floor space# as specified in paragraph (a) of this Section; or
  - (2) #floor area# or #cellar# space containing securely subdivided space for lease within such #self-service storage facility#, where each subdivided space is not less than 100 square feet in area, and with a minimum clear height of 8 feet. Such spaces shall be categorized as “business-sized” for the purposes of this Section and the number and sizes of such spaces shall be shown on plans filed with the Department of Buildings. The total area of such business-sized storage space shall be equal in #floor area# or #cellar# space to ~~50~~ 25 percent of the #lot area#.
- c) On a #zoning lot# on which #industrial floor space# is provided in accordance with paragraph (a) or (b)(1) of this Section, an information #sign# shall be provided. Such required #sign# shall be mounted on an exterior #building# wall adjacent to and no more than five feet from all primary entrances of the #building# containing the #industrial floor space#. The #sign# shall be placed so that it is directly visible, without any obstruction, to persons entering the #building#, and at a height no less than four feet and no more than five and a half feet above the adjoining grade. Such #sign# shall be legible, no less than 12 inches by 12 inches in size and shall be fully opaque, non-reflective and constructed of permanent, highly durable materials. The information #sign# shall contain the name and address of the building in lettering no less than three-quarters of an inch in height; and the following statement in lettering no less than one-half inch in height, “This building is subject to Industrial Floor Space regulations which require a minimum amount of space to be

provided for specific industrial uses.” The information #sign# shall include an Internet URL, or other widely accessible means of electronically transmitting and displaying information to the public, where the information required in paragraph (d) of this Section is available to the public.

d) On a #zoning lot# on which #industrial floor space# is provided in accordance with paragraph (a) or (b)(1) of this Section, no later than June 30 of each year, beginning in the first calendar year in which a temporary or final certificate of occupancy was issued for the #industrial floor space#, the owner of the #building# subject to the #use# restrictions of this Section shall prepare a report on the existing conditions of the #building#. Such report shall be in a form provided by the Director of the Department of City Planning, and shall provide the following information at the designated Internet URL, or other widely accessible means of electronically transmitting and displaying information to the public:

(1) the total #floor area# of the #industrial floor space# in the #building# required by this Section;

(2) the name of each business establishment occupying #floor area# reserved for the #industrial floor space#. Such business establishment name shall include that name by which the establishment does business and is known to the public. For each business establishment, the amount of #floor area# the Use Group, subgroup and specific #use# as listed in this Resolution shall also be included;

(3) a description of each establishment using the North American Industry Classification System (NAICS) code and number of employees;

(4) the total amount of #industrial floor space# that is vacant, as applicable;

(5) the average annual rent for the portions of the #building#, in the aggregate, required to be #industrial floor space#.

(6) the number of new leases executed during the calendar year, categorized by lease duration, in five year increments from zero to five years, five to 10 years, 10 to 15 years, 15 to 20 years, and 20 years or greater.

The report shall be submitted to the Director of the Department of City Planning, by any method, including e-mail or other electronic means, acceptable to the Director. The applicable Community Board, Borough President and local Council Member shall be included in such transmission.

~~The Board of Standards and Appeals may permit a #self-storage service facility# that does not meet the requirements of paragraphs (a) and (b) of this Section pursuant to Section 73-37 (Self-Service Storage Facilities in Designated Areas Within Manufacturing Districts).~~

A #self-service storage facility# shall, in Subarea 2 of APPENDIX J of this Resolution, be permitted by special permit of the City Planning Commission pursuant to Section 74-932 (Self-service storage facility in designated area within Manufacturing Districts).

Any #self-service storage facility# existing on [date of adoption] located in a designated area within #Manufacturing Districts#, as shown on the maps in APPENDIX J, shall be considered a conforming #use#, provided that the owner of such #self-service storage facility# has filed documentation satisfactory to the Department of Buildings that it existed on such date [date of adoption] and met the definition of #self-service storage facility# set forth in Section 12-10 (DEFINITIONS). Any #enlargement# or #extension# to an existing conforming facility ~~and~~ need not provide #industrial floor space#, ~~or~~ business-sized storage, or apply for special permit of the City Planning Commission pursuant to Section 74-932 (Self-storage service facility in designated areas within Manufacturing Districts), as applicable, provided there is no increase in #lot area# of the #zoning lot# as it existed on [date of adoption]. In the event that a #building# for which satisfactory documentation has been filed with the Department of Buildings is damaged or destroyed by any means, such #building# may be reconstructed on the same #zoning lot# and continue as a #self-service storage facility# without providing #industrial floor space# or business-sized storage, as applicable, provided that the #floor area# of such reconstructed #self-service storage facility# does not exceed the #floor area# permitted pursuant to the provisions of Section 43-10 (FLOOR AREA REGULATIONS), inclusive.

Any #self-service storage facility# existing on [date of adoption] that does not file such documentation satisfactory to the Department of Buildings pursuant to the provisions of this Section shall be considered #non-conforming# and subject to the provisions of Article V (NON-CONFORMING USES AND NON-COMPLYING BUILDINGS) of this Resolution.

\* \* \*

**42-30  
USES PERMITTED BY SPECIAL PERMIT**

\* \* \*

**42-31  
By the Board of Standards and Appeals**

In the districts indicated, the following #uses# are permitted by special permit of the Board of Standards and Appeals, in accordance with standards set forth in Article VII, Chapter 3.

\* \* \*

M1 M2 M3  
Sand, gravel or clay pits

~~M1 M2 M3  
#Self-service storage facilities# in designated areas within #Manufacturing Districts#, as shown on the maps in APPENDIX J (Designated Areas Within Manufacturing Districts) of this Resolution, that do not meet the requirements of paragraphs (a) and (b) of Section 42-121 (Use Group 16D self-service storage facilities)~~

M1  
#Schools#, provided they have no living or sleeping accommodations

\* \* \*

**42-32**  
**By the City Planning Commission**

In the districts indicated, the following #uses# are permitted by special permit of the City Planning Commission, in accordance with standards set forth in Article VII, Chapter 4.

\* \* \*

M1 M2 M3  
Trade expositions, with rated capacity of more than 2,500 persons [PRC-D]

M1 M2 M3  
#Self-service storage facilities# in designated areas within #Manufacturing Districts# in Subarea 2 as shown on the maps in APPENDIX J (Designated Areas Within Manufacturing Districts) of this Resolution.

M1 M2 M3  
#Uses# listed in a permitted Use Group for which #railroad or transit air space# is #developed#

M1  
#Uses# listed in Use Group 4A Community Facilities, except ambulatory diagnostic or treatment health care facilities and houses of worship

M1  
Variety stores, with no limitation on #floor area# per establishment [PRC-B]

**Chapter 3**  
**Bulk Regulations**

\* \* \*

**43-10**  
**FLOOR AREA REGULATIONS**

\* \* \*

**43-123**

**Floor area increase for an industrial space within a self-service storage facility**

In M1-1 Districts in designated areas in Subarea 1, as shown on the maps of APPENDIX J (Designated Areas Within Manufacturing Districts) of this Resolution, for any #zoning lot# containing a #self-service storage facility# that meets the requirements of paragraphs (a) or (b)(1) of Section 42-121 (Use Group 16D self-service storage facilities), the maximum permitted #floor area# for #commercial# or #manufacturing uses# on the #zoning lot# pursuant to the provisions of Section 43-12 (Maximum floor area ratio), inclusive, may be increased by a maximum of ~~50~~ 25 percent of the #lot area# or up to 20,000 square feet, whichever is less.

\* \* \*

**Chapter 4**

**Accessory Off-street Parking and Loading Regulations**

\* \* \*

**44-20**

**REQUIRED ACCESSORY OFF-STREET PARKING SPACES FOR MANUFACTURING, COMMERCIAL OR COMMUNITY FACILITY USES**

\* \* \*

**44-28**

**Parking Regulations for Residential Uses in M1-1D through M1-5D Districts**

\* \* \*

**44-29**

**Parking Regulations for Zoning Lots Containing Self-Service Storage Facilities in Designated Areas**

M1-1 M1-2 M1-3 M2-1 M2-2 M3-1

In the Districts indicated, in designated areas within #Manufacturing Districts# in Subarea 1, as shown on the maps ~~in~~ of APPENDIX J (Designated Areas Within Manufacturing Districts) of this Resolution, the provisions of Section 44-21 (General Provisions) are modified as set forth in this Section for all #uses# within the #industrial floor space#.

For any #zoning lot# containing a #self-service storage facility# that meets the requirements of paragraphs (a) or (b)(1) of Section 42-121 (Use Group 16D self-service storage facilities), #accessory# off-street parking spaces, open or enclosed, shall not be required for #uses# within

#industrial floor space#, where all such #uses# occupy less than 10,000 square feet of #floor area# or have fewer than 15 employees. For #industrial floor space# on such #zoning lots# where such #uses#, in total, occupy at least 10,000 square feet of #floor area# or have 15 or more employees, #accessory# off-street parking spaces, open or enclosed, shall be required for all #uses# within the #industrial floor space# at the rate of one space per 2,000 square feet of #floor area#, or one space per three employees, whichever will require a lesser number of spaces.

\* \* \*

**44-50  
GENERAL PURPOSES**

\* \* \*

**44-58  
Additional Regulations for Permitted or Required Berths**

\* \* \*

**44-586  
Regulations for permitted or required loading berths for zoning lots containing self-service storage facilities in designated areas**

M1-1 M1-2 M1-3 M2-1 M2-2 M3-1

In the Districts indicated, in designated areas within #Manufacturing Districts# in Subarea 1, as shown on the maps ~~in~~ of APPENDIX J (Designated Areas Within Manufacturing Districts) of this Resolution, the provisions of Sections 44-52 (Required Accessory Off-street Loading Berths) and 44-581 (Size of required loading berths) are modified as set forth in this Section.

For any #zoning lot# containing a #self-service storage facility# that meets the requirements of paragraphs (a) or (b)(1) of Section 42-121 (Use Group 16D self-service storage facilities), all required #accessory# off-street loading berths for a #self-service storage facility# shall have a minimum length of 37 feet. The dimensions of off-street loading berths shall not include driveways, or entrances to or exits from such off-street loading berths.

The number of #accessory# off-street loading berths required for #uses# occupying #industrial floor space# shall be as set forth in the following table:

<u>#Floor Area# (in square feet)</u>	<u>Required Loading Berths</u>
<u>First 15,000</u>	<u>None</u>
<u>Next 25,000</u>	<u>1</u>
<u>Next 40,000</u>	<u>1</u>
<u>Each additional 80,000 or fraction thereof</u>	<u>1</u>

Additional loading berths shall not be required for a change of #use# within an existing #building# from Use Group 16D to a #self-service storage facility#.

\* \* \*

**~~ARTICLE VII  
ADMINISTRATION~~**

**~~Chapter 3  
Special Permits by the Board of Standards and Appeals~~**

~~\* \* \*~~

**~~73-00  
SPECIAL PERMIT USES AND MODIFICATIONS~~**

~~\* \* \*~~

**~~73-11  
General Provisions~~**

~~Subject to the general findings required by Section 73-03 and in accordance with the provisions contained in Sections 73-12 to 72-36 73-37, inclusive, the Board of Standards and Appeals shall have the power to permit special permit #uses#, and shall have the power to impose appropriate conditions and safeguards thereon.~~

~~\* \* \*~~

**~~73-36  
Physical Culture or Health Establishments~~**

~~\* \* \*~~

**~~73-37  
Self-service Storage Facilities in Designated Areas Within Manufacturing Districts~~**

~~On #zoning lots# in designated areas within #Manufacturing Districts#, as shown on the maps in APPENDIX J (Designated Areas Within Manufacturing Districts) of this Resolution, the Board of Standards and Appeals may modify the requirements of paragraphs (a) or (b) of Section 42-121 (Use Group 16D self-service storage facilities), permitting #self-service storage facilities# provided the Board finds that:~~

- ~~(a) such requirements create practical difficulties, with no reasonable possibility that a #development#, #enlargement#, or #conversion# on the #zoning lot# in strict compliance with the provisions of Section 42-121 (Use Group 16D self-service storage facilities) will~~

~~bring a reasonable return, and that a reduction or modification of these requirements is therefore necessary to enable the owner to realize a reasonable return from such #development#, #enlargement#, or #conversion# on the #zoning lot#; and~~

~~(b) the reduction or modification of such requirements is the minimum necessary to afford relief.~~

~~The Board may prescribe additional appropriate conditions and safeguards to minimize adverse effects on the character of the surrounding area.~~

\* \* \*

## Chapter 4: Special Permits by the City Planning Commission

\* \* \*

### **74-90**

#### **USE AND BULK MODIFICATIONS FOR CERTAIN COMMUNITY FACILITY USES**

\* \* \*

### **74-93**

#### **Special Commercial and Manufacturing Developments**

\* \* \*

### **74-931**

#### **Special commercial or mixed-use developments in commercial districts**

\* \* \*

### **74-932**

#### **Self-service storage facility in designated areas within Manufacturing Districts**

On #zoning lots# in designated areas within #Manufacturing Districts# in Subarea 2, as shown on the maps of Appendix J (Designated Areas Within Manufacturing Districts) of this Resolution, the City Planning Commission may permit the #development#, #enlargement# not permitted pursuant to the provisions of Section 42-121, or change of #use# of a #building# for #self-service storage facility use#.

In order to grant such permit, the Commission shall find that the #zoning lot# is appropriate for such #self-service storage facility use#, based on the land use characteristics of the proposed #zoning lot# and the surrounding area. In making this determination, the Commission may consider the following:

- (1) whether such #use# is consistent with the economic development objectives of the City for the designated area in which the #self-service storage facility# seeks to be located, and may, in making this determination, consult with the Department of Small Business Services;
- (2) whether recent trends for and levels of investment by #uses# listed in Use Groups 16D (other than a #self-service storage facility#), 17 or 18 demonstrate that there is minimal demand for space for such #uses# in the surrounding area;
- (3) whether the size and configuration of the #zoning lot# make it better suited for #self-service storage facility use# than for other #uses# listed in Use Groups 16D, 17 or 18;
- (4) for changes of #use# to existing #buildings#, whether the design and layout of loading docks, interior column spacing, floor-to-ceiling height and other relevant physical characteristics of the existing #building# make the #building# better suited for #self-service storage facility use# than for other #uses# listed in Use Groups 16D, 17 or 18;
- (5) whether the distance of the #zoning lot# from an arterial highway or a designated truck route, or lack of frontage on a #wide street#, makes the #zoning lot# better suited for #self-service storage facility use# than for other #uses# listed in Use Groups 16D, 17 or 18;
- (6) whether the distance of the #zoning lot# from mass transit to serve employees makes the #zoning lot# better suited for #self-service storage facility use# than for other #uses# listed in Use Groups 16D, 17 or 18;
- (7) whether the establishment of a #self-service storage facility# will cause environmental remediation work to be undertaken on the #zoning lot#; or
- (8) whether there is a concentration of existing #self-service storage facilities# in the surrounding area.

The Commission may impose appropriate conditions and safeguards to minimize any adverse effects upon the existing #uses# in the surrounding area.

\* \* \*

## **APPENDIX J – Designated Areas Within Manufacturing Districts**

The boundaries of certain designated areas within #Manufacturing Districts# are shown on the maps in this APPENDIX. ~~and include areas in the following Community Districts:~~ Designated areas in which #self-service storage facilities# are subject to the as-of-right provisions of Section 42-121 (Use Group 16D self- service storage facilities) are shown on the maps in Subarea 1, and those in which such #uses# are subject to special permit of the City Planning Commission pursuant to Section 74-932 (Self-service storage facility in designated area within Manufacturing Districts) are shown on the maps in Subarea 2.

<u>Borough</u>	<u>Community Districts</u>	<u>Name of Designated Area in M-District</u>	<u>Map No</u>
<u>The Bronx</u>	<u>1, 2</u>	<u>Port Morris</u>	<u>Maps 1-3</u>
<u>The Bronx</u>	<u>2</u>	<u>Hunts Point</u>	<u>Maps 1-3</u>
<u>The Bronx</u>	<u>9, 10</u>	<u>Zerega</u>	<u>Maps 1, 2</u>
<u>The Bronx</u>	<u>3, 4, 6</u>	<u>Bathgate</u>	<u>Map 1</u>
<u>The Bronx</u>	<u>10, 12</u>	<u>Eastchester</u>	<u>Map 1</u>
<u>Brooklyn</u>	<u>2</u>	<u>Brooklyn Navy Yard</u>	<u>Map 1</u>
<u>Brooklyn</u>	<u>6, 7</u>	<u>Southwest Brooklyn</u>	<u>Maps 1-5</u>
<u>Brooklyn</u>	<u>5, 16, 17, 18</u>	<u>Flatlands/Fairfield</u>	<u>Maps 1-4</u>
<u>Brooklyn</u>	<u>5, 16</u>	<u>East New York</u>	<u>Maps 1, 2</u>
<u>Brooklyn/Queens</u>	<u>BK 4/QN 5</u>	<u>Ridgewood</u>	<u>Map 1</u>
<u>Brooklyn</u>	<u>1</u>	<u>Williamsburg/Greenpoint</u>	<u>Map 1</u>
<u>Brooklyn/Queens</u>	<u>BK 1, 4/QN 2</u>	<u>North Brooklyn/Long Island City/Maspeth</u>	<u>Maps 1-3</u>
<u>Queens/Brooklyn</u>	<u>QN 2, 5/BK 1</u>	<u>Maspeth/North Brooklyn</u>	<u>Maps 1-4</u>
<u>Queens</u>	<u>1, 2</u>	<u>Long Island City</u>	<u>Maps 1-4</u>
<u>Queens</u>	<u>2</u>	<u>Woodside</u>	<u>Map 1</u>
<u>Queens</u>	<u>1</u>	<u>Steinway</u>	<u>Maps 1, 2</u>
<u>Queens</u>	<u>9, 12</u>	<u>Jamaica</u>	<u>Maps 1-4</u>
<u>Queens</u>	<u>10, 12, 13</u>	<u>JFK</u>	<u>Maps 1-3</u>
<u>Staten Island</u>	<u>1</u>	<u>North Shore</u>	<u>Maps 1-5</u>
<u>Staten Island</u>	<u>1, 2</u>	<u>West Shore</u>	<u>Maps 1-3</u>
<u>Staten Island</u>	<u>3</u>	<u>Rossville</u>	<u>Map 1</u>



**SUBAREA 1**

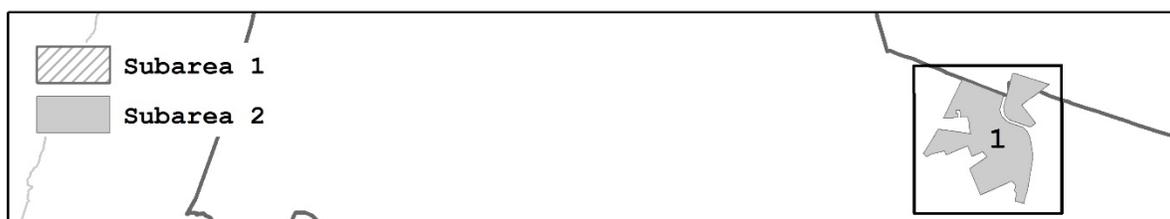
**SUBAREA 2**

<b><u>Borough</u></b>	<b><u>Community Districts</u></b>	<b><u>Name of Designated Area in M District</u></b>	<b><u>Map No</u></b>
<u>The Bronx</u>	<u>3, 4, 6</u>	<u>Bathgate</u>	<u>Map 1</u>
<u>Queens</u>	<u>1</u>	<u>Steinway</u>	<u>Maps 1, 2</u>
<u>Queens</u>	<u>9</u>	<u>Richmond Hill</u>	<u>Map 1</u>
<u>Staten Island</u>	<u>1, 2</u>	<u>West Shore</u>	<u>Maps 1-3</u>
<u>Staten Island</u>	<u>3</u>	<u>Rossville</u>	<u>Map 1</u>

<b><u>Borough</u></b>	<b><u>Community Districts</u></b>	<b><u>Name of Designated Area in M District</u></b>	<b><u>Map No</u></b>
<u>The Bronx</u>	<u>1, 2</u>	<u>Port Morris</u>	<u>Maps 1-3</u>
<u>The Bronx</u>	<u>2</u>	<u>Hunts Point</u>	<u>Maps 1-3</u>
<u>The Bronx</u>	<u>9, 10</u>	<u>Zerega</u>	<u>Maps 1, 2</u>
<u>The Bronx</u>	<u>10, 12</u>	<u>Eastchester</u>	<u>Map 1</u>
<u>Brooklyn</u>	<u>2</u>	<u>Brooklyn Navy Yard</u>	<u>Map 1</u>
<u>Brooklyn</u>	<u>6, 7</u>	<u>Southwest Brooklyn</u>	<u>Maps 1-5</u>
<u>Brooklyn</u>	<u>5, 16, 17, 18</u>	<u>Flatlands/Fairfield</u>	<u>Maps 1-4</u>
<u>Brooklyn</u>	<u>5, 16</u>	<u>East New York</u>	<u>Maps 1, 2</u>
<u>Brooklyn/Queens</u>	<u>BK 4/QN 5</u>	<u>Ridgewood</u>	<u>Map 1</u>
<u>Brooklyn</u>	<u>1</u>	<u>Williamsburg/Greenpoint</u>	<u>Map 1</u>
<u>Brooklyn/Queens</u>	<u>BK 1, 4/QN 2</u>	<u>North Brooklyn/Long Island City/Maspeth</u>	<u>Maps 1-3</u>
<u>Queens/Brooklyn</u>	<u>QN 2, 5/BK 1</u>	<u>Maspeth/North Brooklyn</u>	<u>Maps 1-4</u>
<u>Queens</u>	<u>1, 2</u>	<u>Long Island City</u>	<u>Maps 1-4</u>
<u>Queens</u>	<u>2</u>	<u>Woodside</u>	<u>Map 1</u>
<u>Queens</u>	<u>12</u>	<u>Jamaica</u>	<u>Maps 1-3</u>
<u>Queens</u>	<u>10, 12, 13</u>	<u>JFK</u>	<u>Maps 1-3</u>
<u>Staten Island</u>	<u>1</u>	<u>North Shore</u>	<u>Maps 1-5</u>

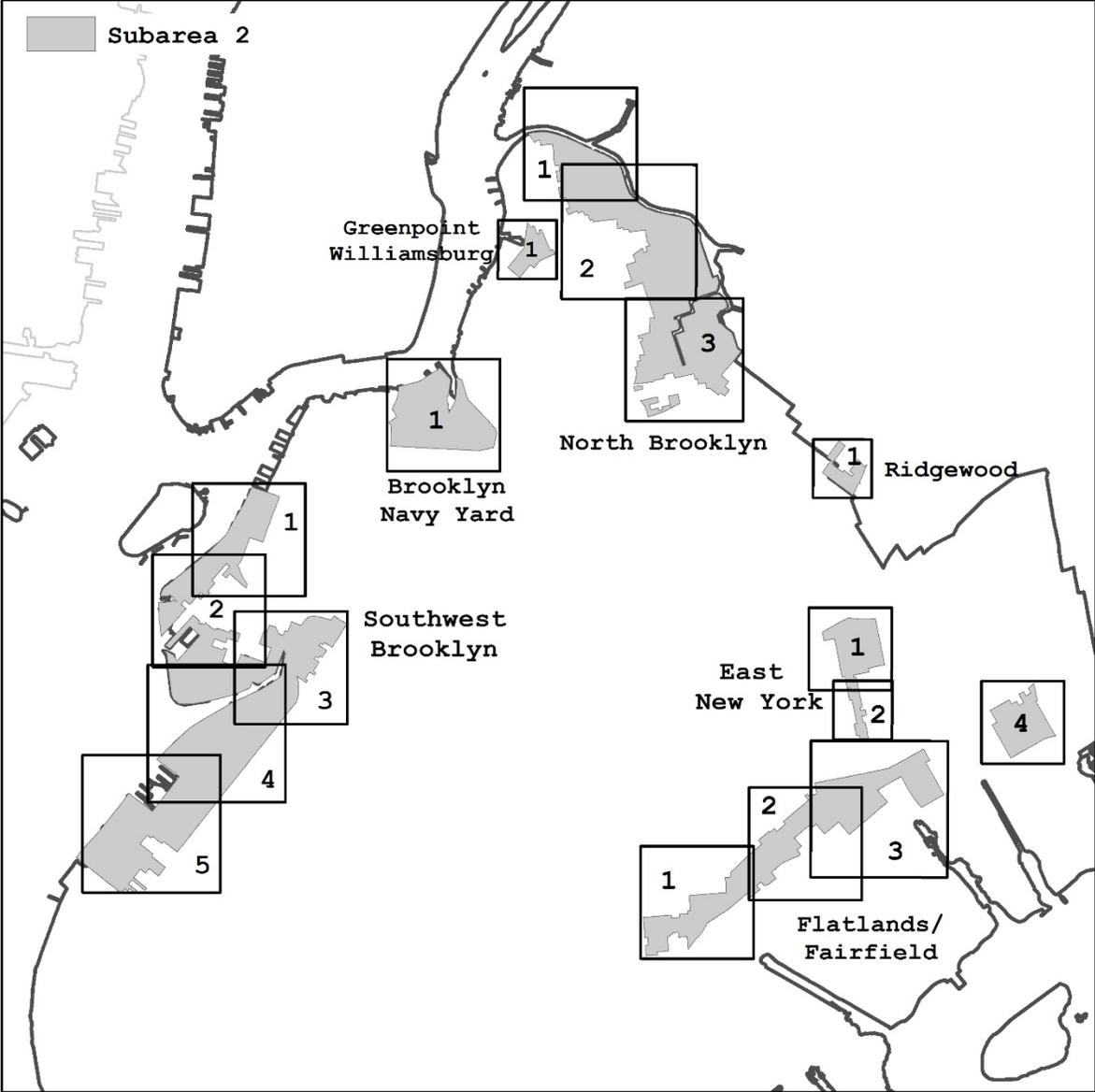
**INDEX MAPS OF DESIGNATED AREAS**

**The Bronx**



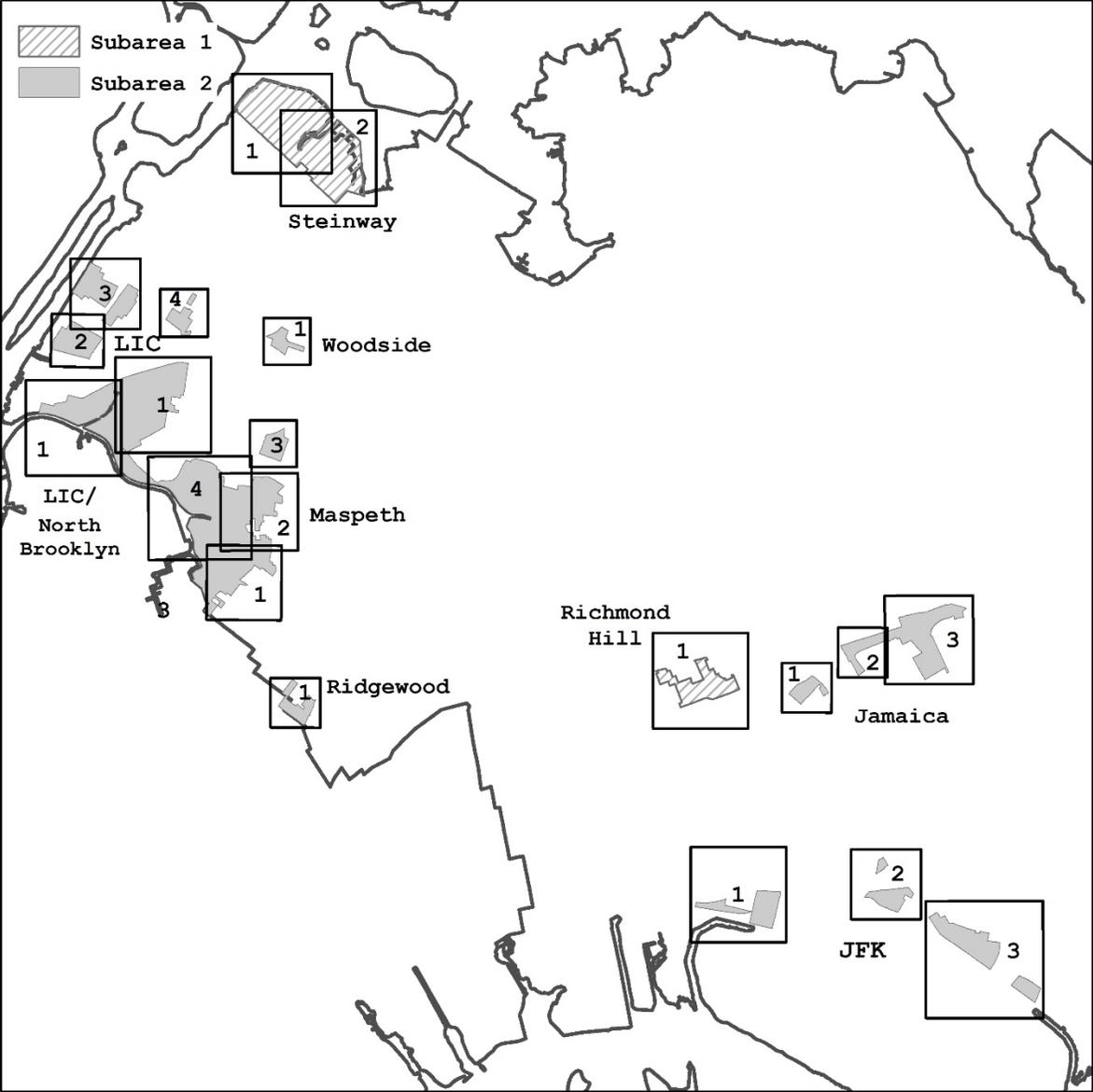
The numbers on this Index Map correspond with the map numbers for this borough.

**Brooklyn**



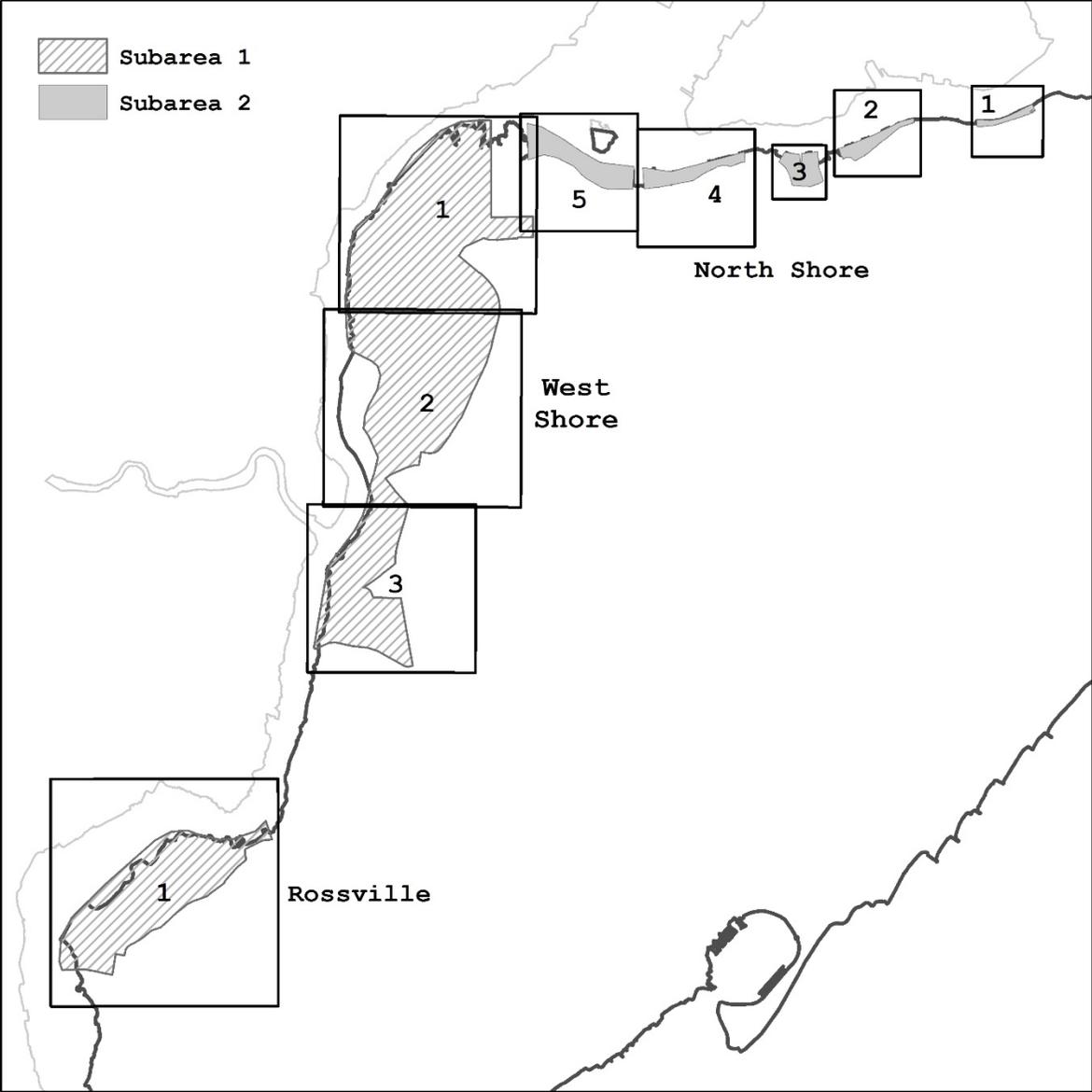
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**Queens**



The numbers on this Index Map correspond with the map numbers for this borough.

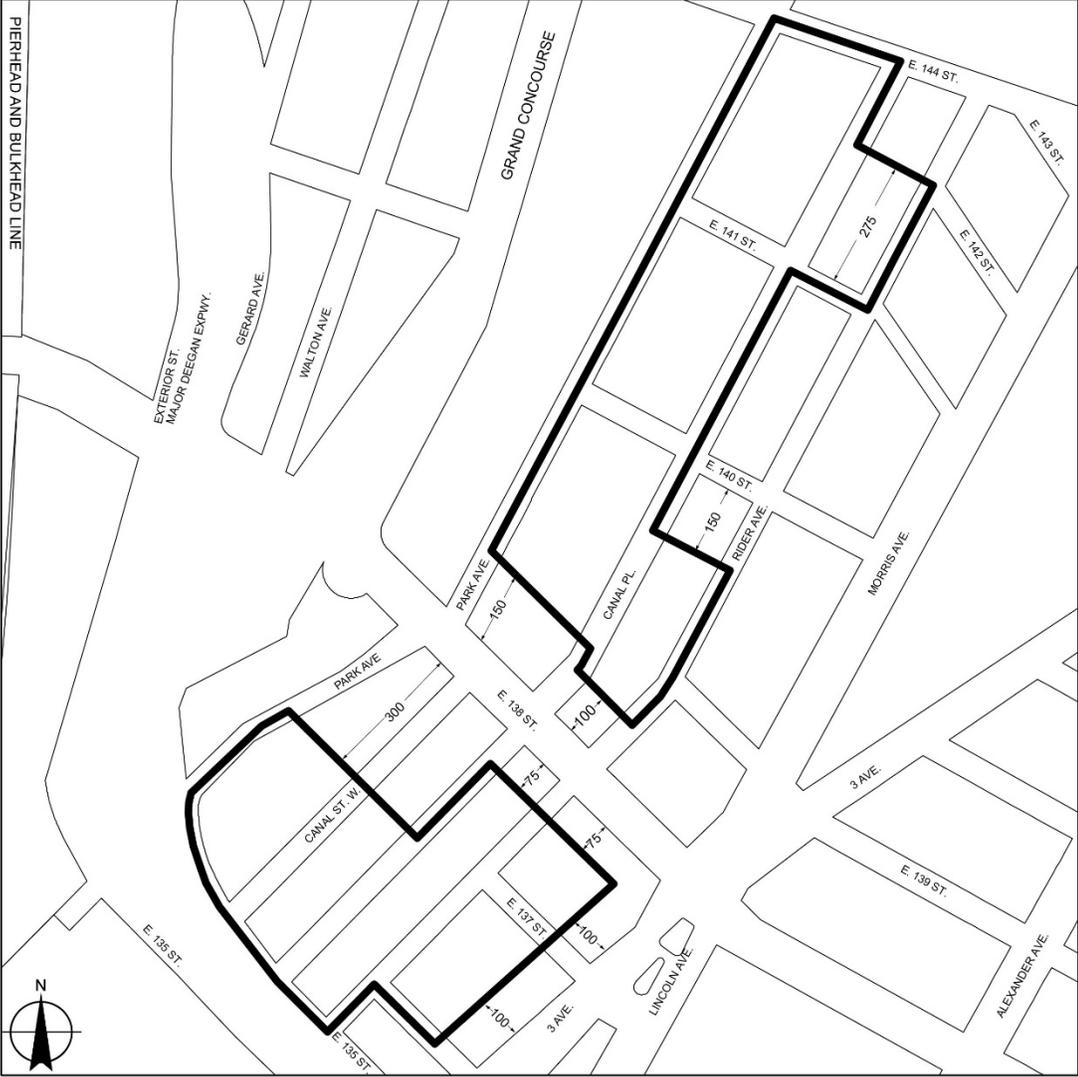
**Staten Island**



The numbers on this Index Map correspond with the map numbers for this borough.

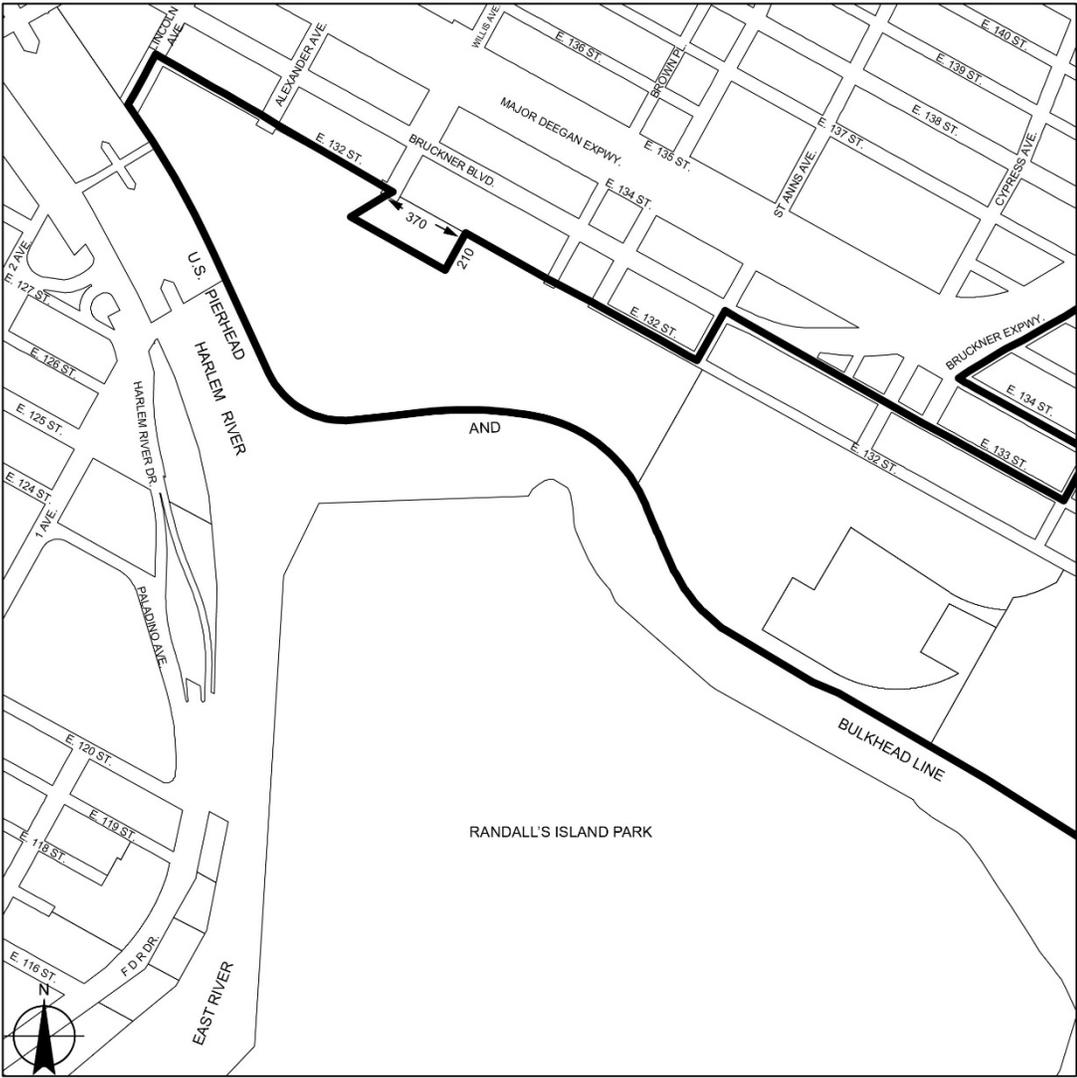
**Port Morris**

Map 1, Subarea 2



Portion of Community District 1, The Bronx

**Port Morris**  
Map 2, Subarea 2



Portion of Community District 1, The Bronx

# Port Morris/Hunts Point

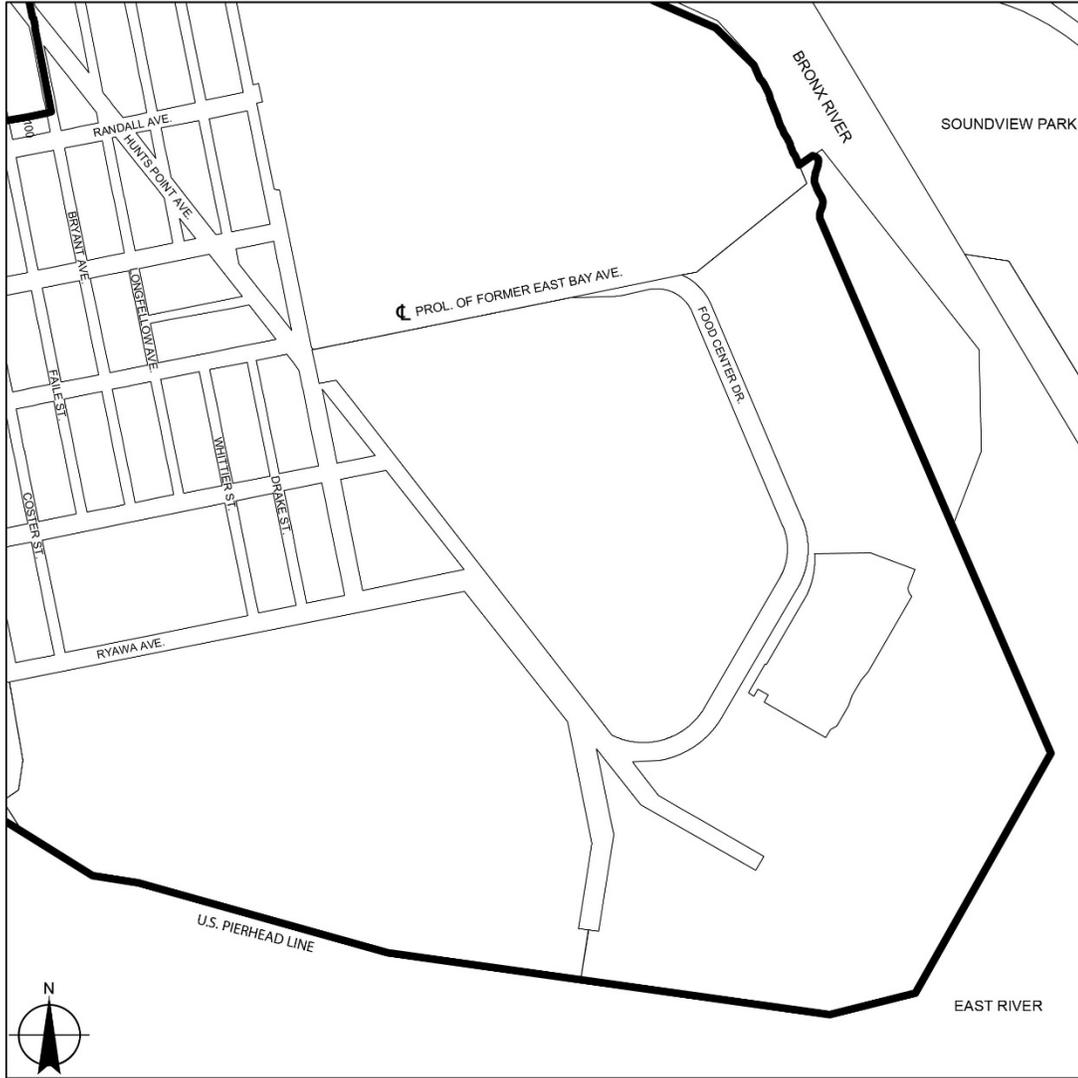
Map 3, Subarea 2



Portions of Community Districts 1 and 2, The Bronx



**Hunts Point**  
Map 2, Subarea 2



Portion of Community District 2, The Bronx

**Hunts Point**  
Map 3, Subarea 2



Portion of Community District 2, The Bronx

# Zerega

## Map 1, Subarea 2

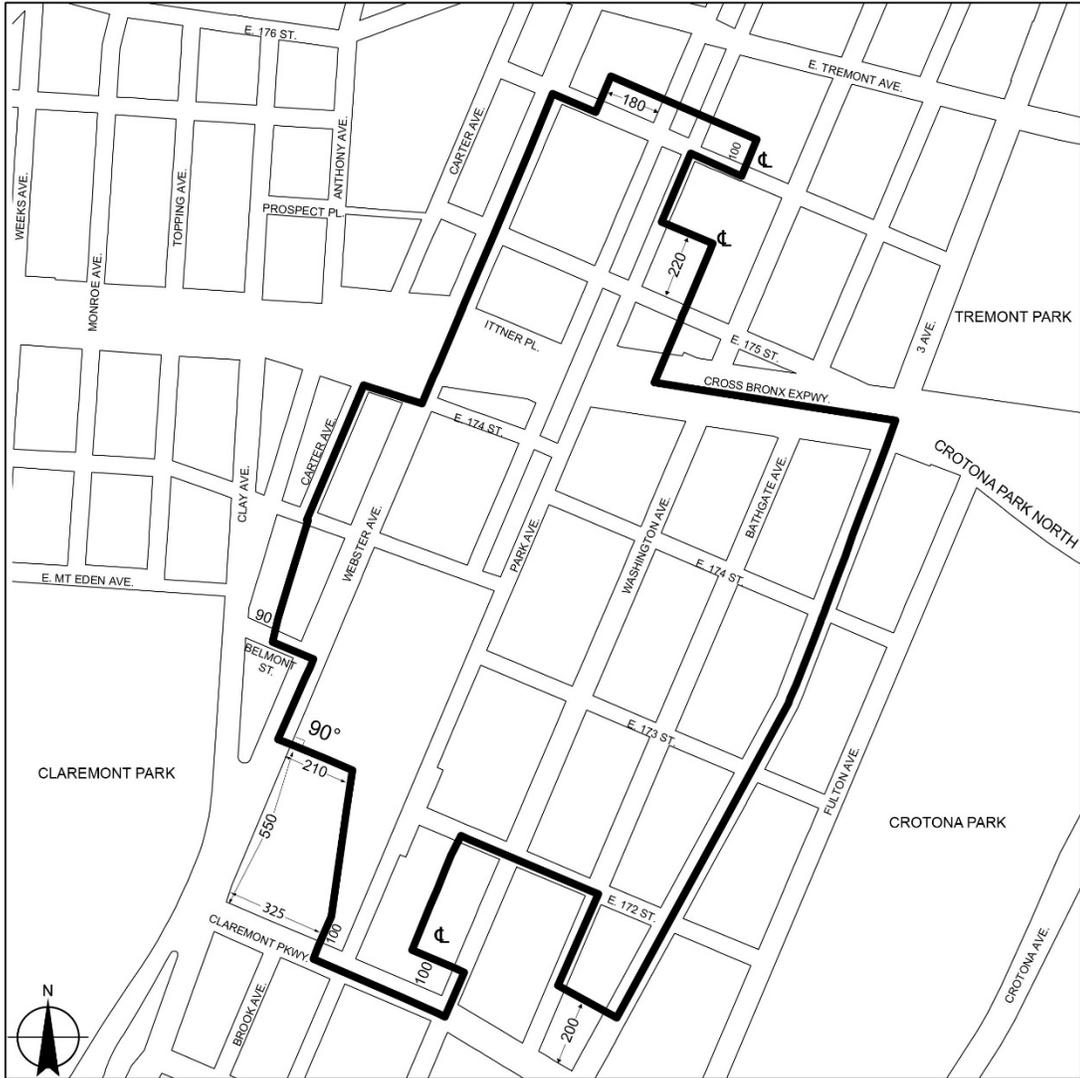


Portion of Community District 9, The Bronx



# Bathgate

## Map 1, Subarea 1



Portion of Community Districts 3, 4, and 6, The Bronx



# Brooklyn Navy Yard

Map 1, Subarea 2



Portion of Community District 2, Brooklyn

# Southwest Brooklyn

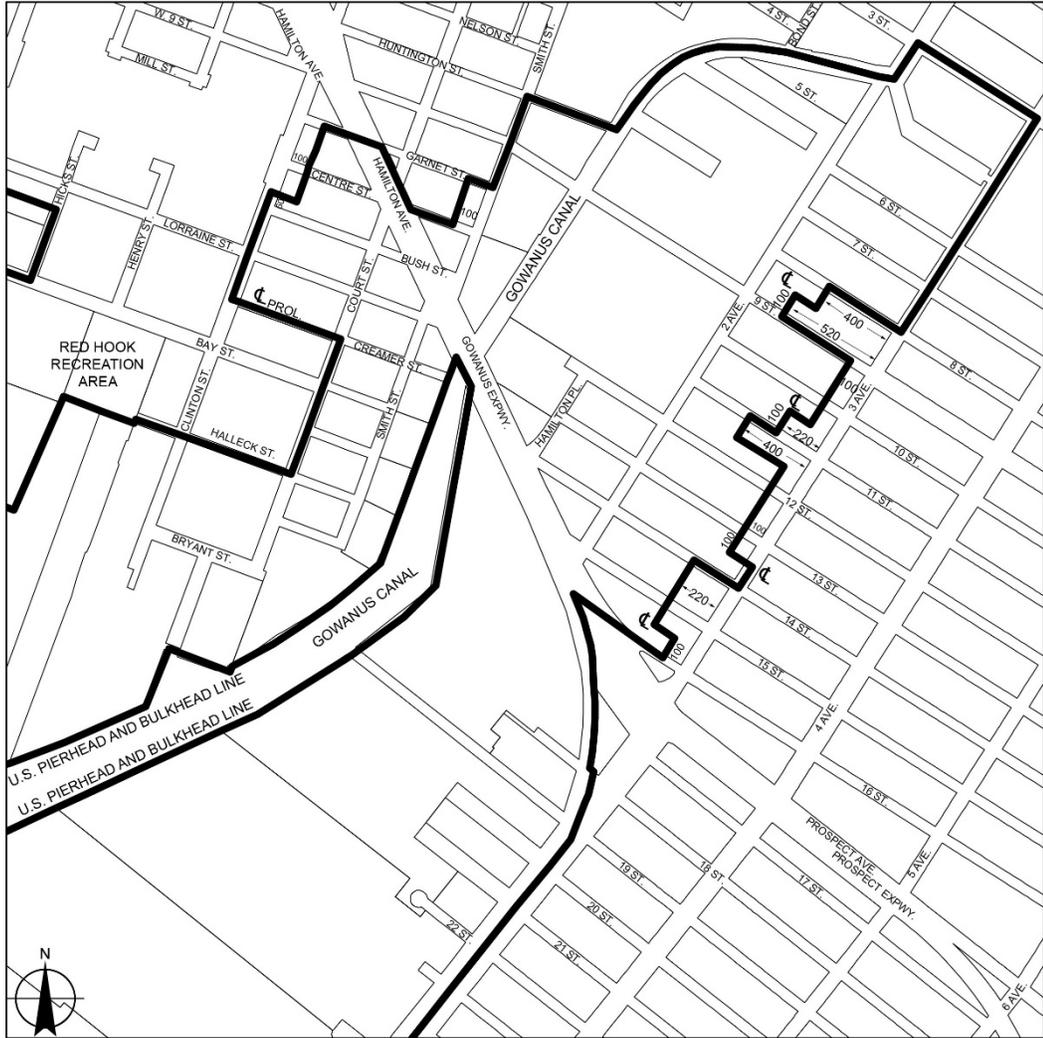
Map 1, Subarea 2



Portion of Community District 6, Brooklyn



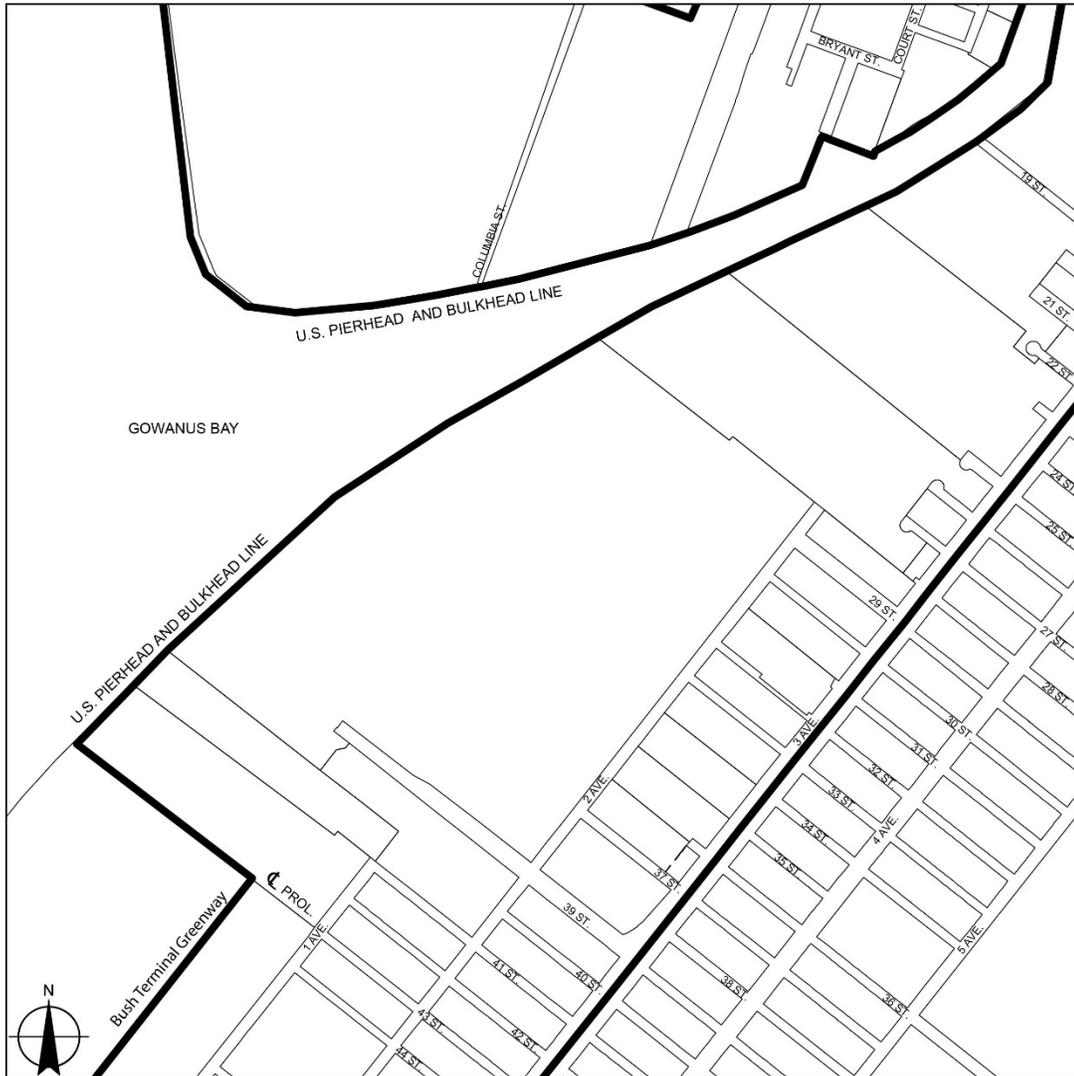
**Southwest Brooklyn**  
Map 3, Subarea 2



Portions of Community Districts 6 and 7, Brooklyn

# Southwest Brooklyn

Map 4, Subarea 2



Portions of Community Districts 6 and 7, Brooklyn

# Southwest Brooklyn

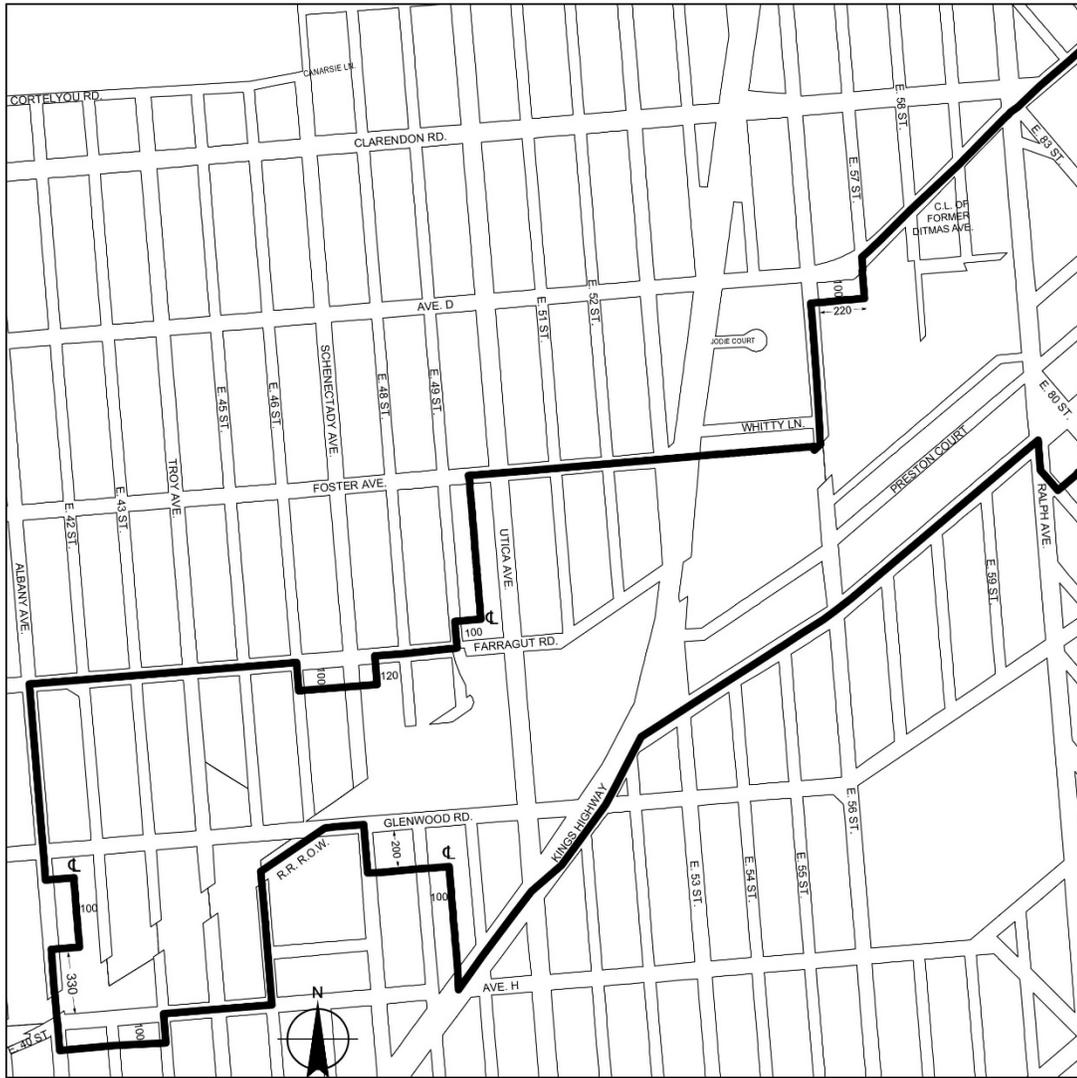
Map 5, Subarea 2



Portion of Community District 7, Brooklyn

# Flatlands/Fairfield

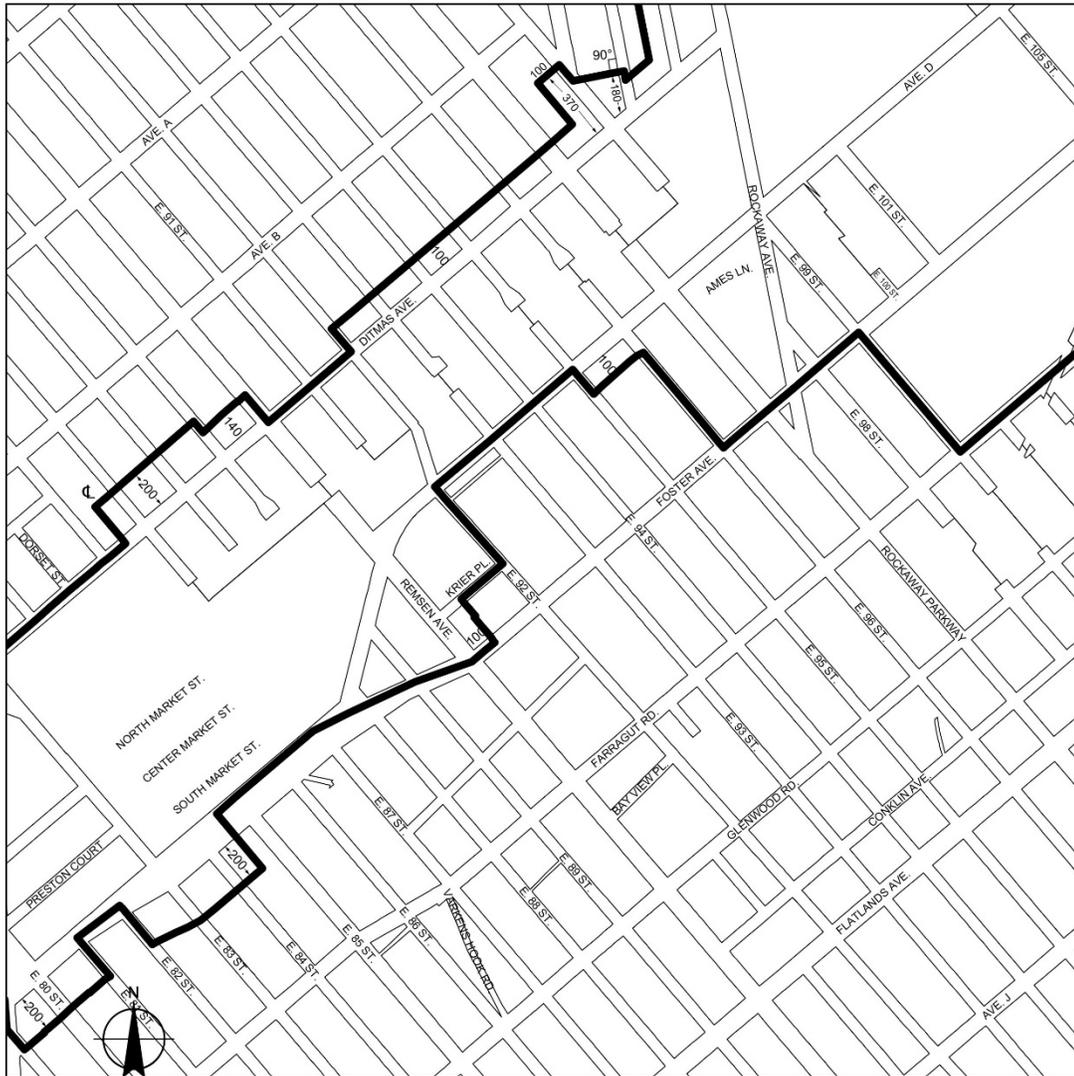
## Map 1, Subarea 2



Portions of Community Districts 17 and 18, Brooklyn

# Flatlands/Fairfield

## Map 2, Subarea 2



Portions of Community Districts 17 and 18, Brooklyn

# Flatlands/Fairfield

## Map 3, Subarea 2



Portions of Community Districts 5, 16, and 18, Brooklyn

# Flatlands/Fairfield

Map 4, Subarea 2



Portion of Community District 5, Brooklyn

**East New York**  
Map 1, Subarea 2



Portion of Community District 5, Brooklyn

**East New York**  
Map 2, Subarea 2



Portions of Community Districts 5 and 16, Brooklyn

# Ridgewood

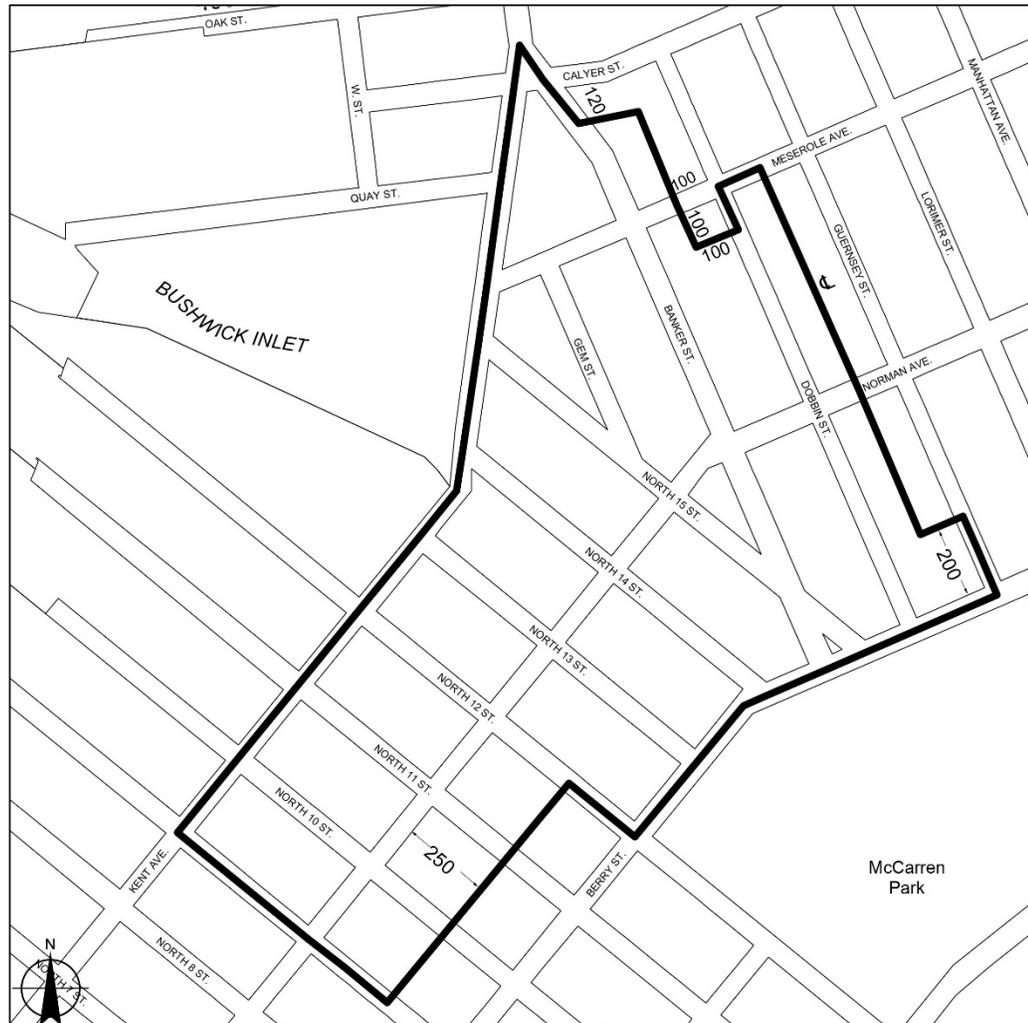
## Map 1, Subarea 2



Portions of Community District 4, Brooklyn and Community District 5, Queens

# Williamsburg/Greenpoint

## Map 1, Subarea 2



Portion of Community District 1, Brooklyn

# North Brooklyn/Long Island City

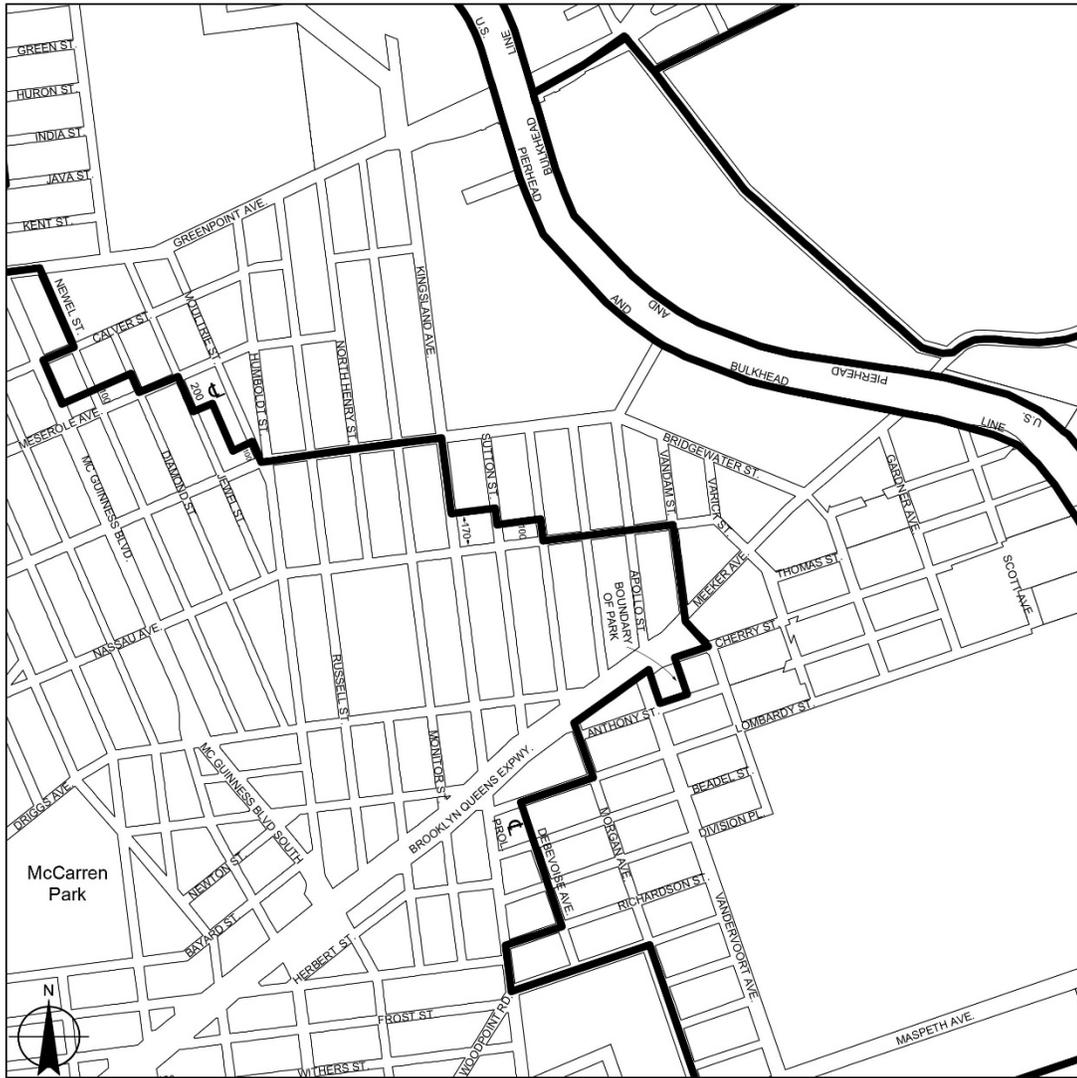
## Map 1, Subarea 2



Portions of Community District 1, Brooklyn and Community District 2, Queens

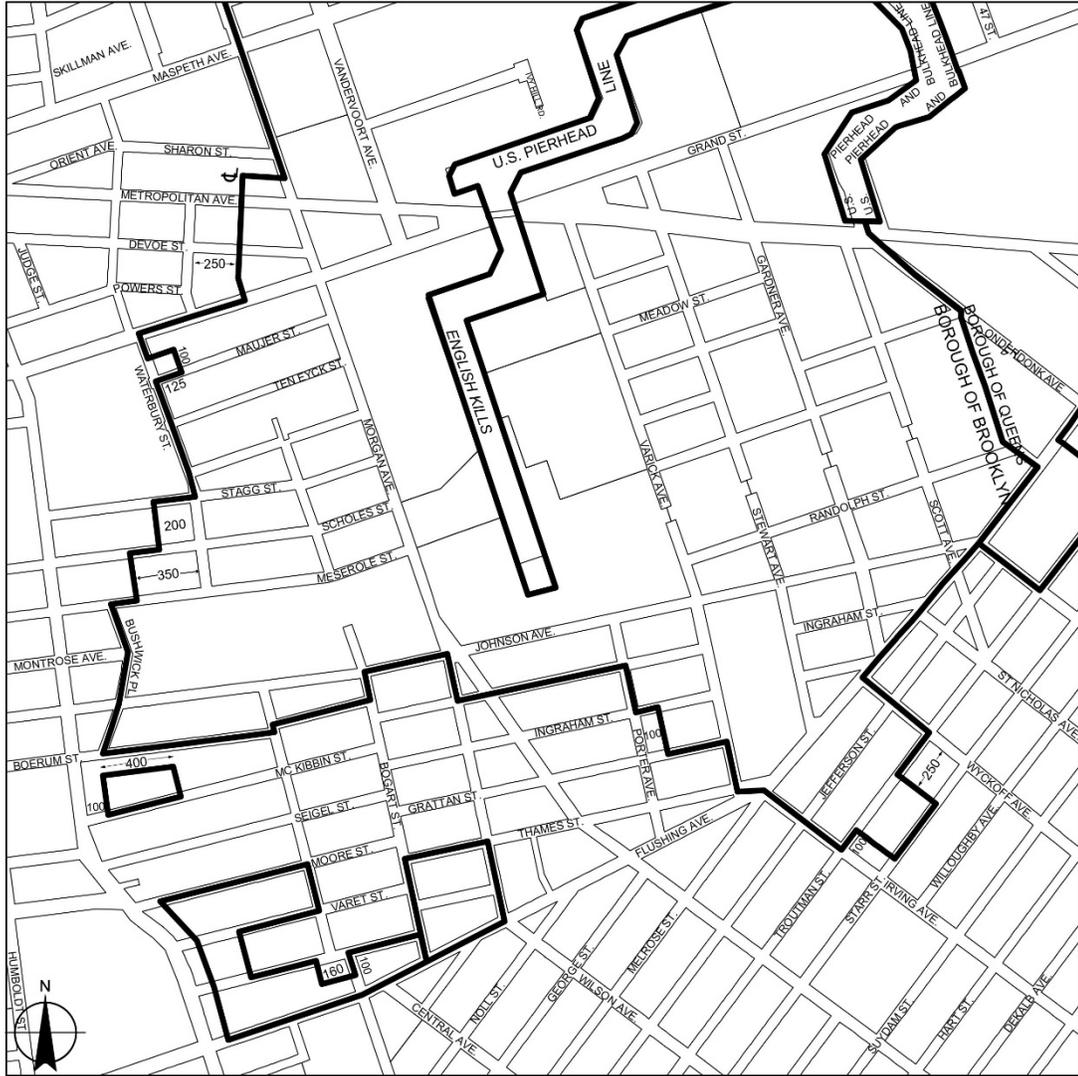
# North Brooklyn/Maspeth

Map 2, Subarea 2



Portions of Community District 1, Brooklyn and Community District 2, Queens

**North Brooklyn**  
Map 3, Subarea 2

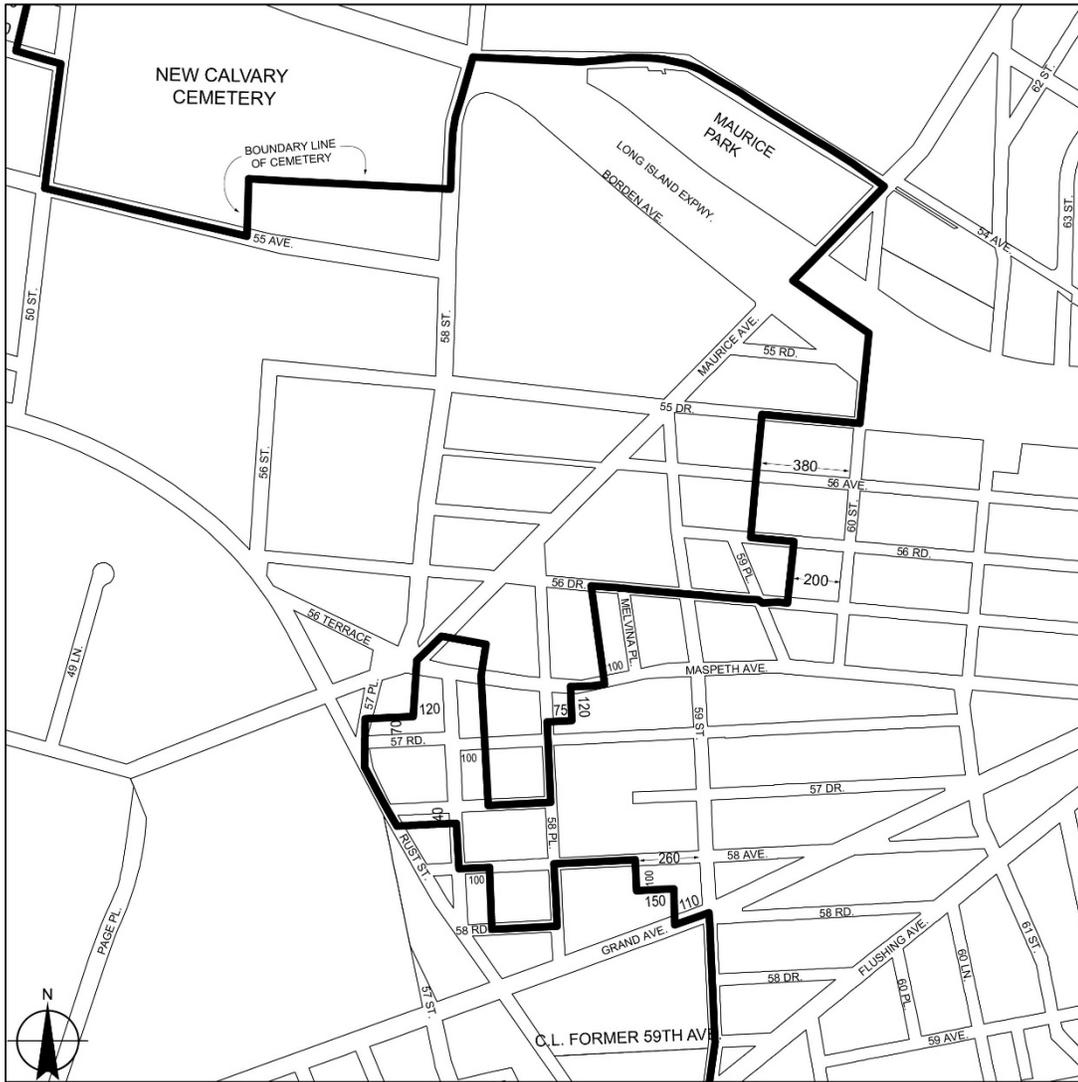


Portions of Community District 1, Brooklyn and Community District 4, Queens



# Maspeth

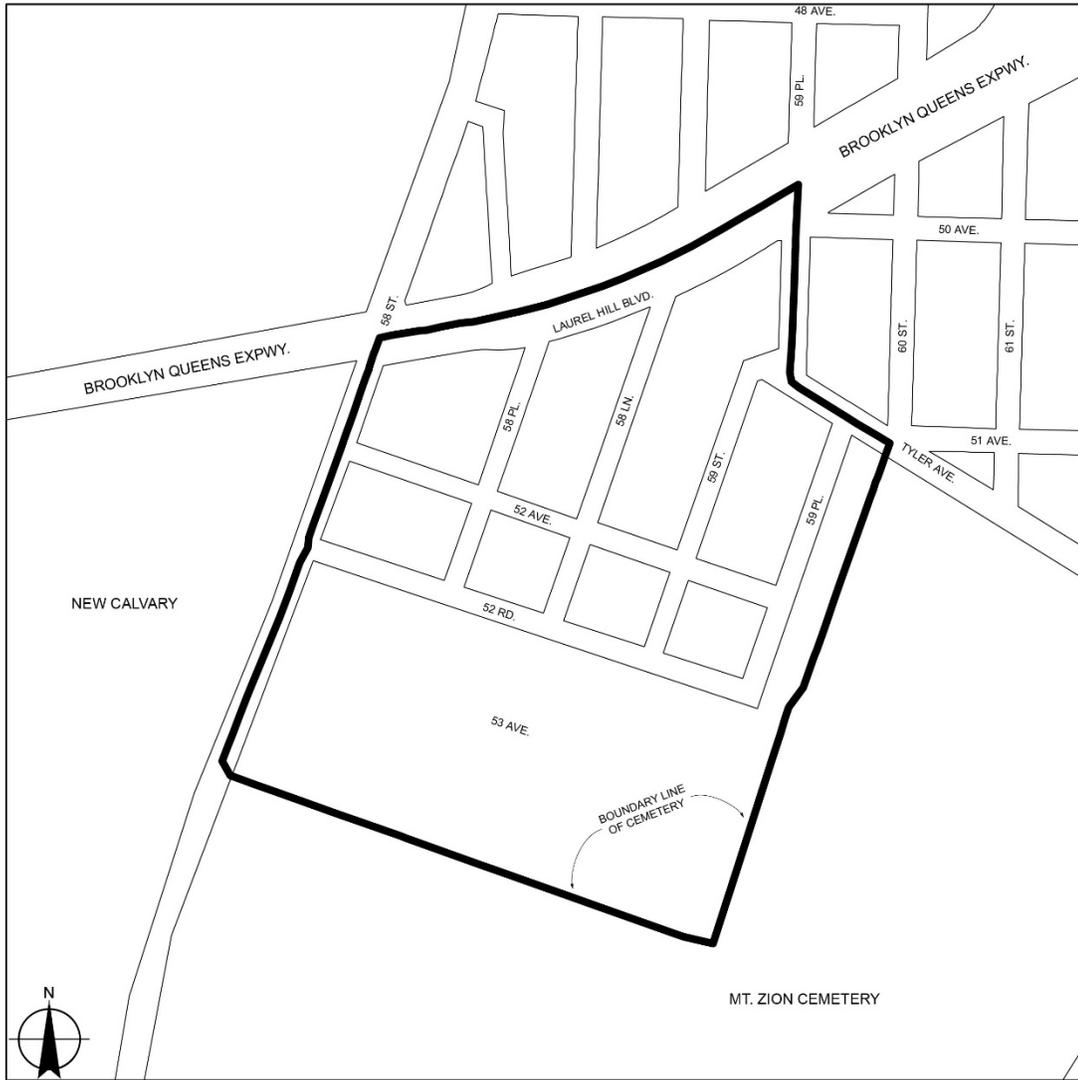
## Map 2, Subarea 2



Portions of Community Districts 2 and 5, Queens

# Maspeth

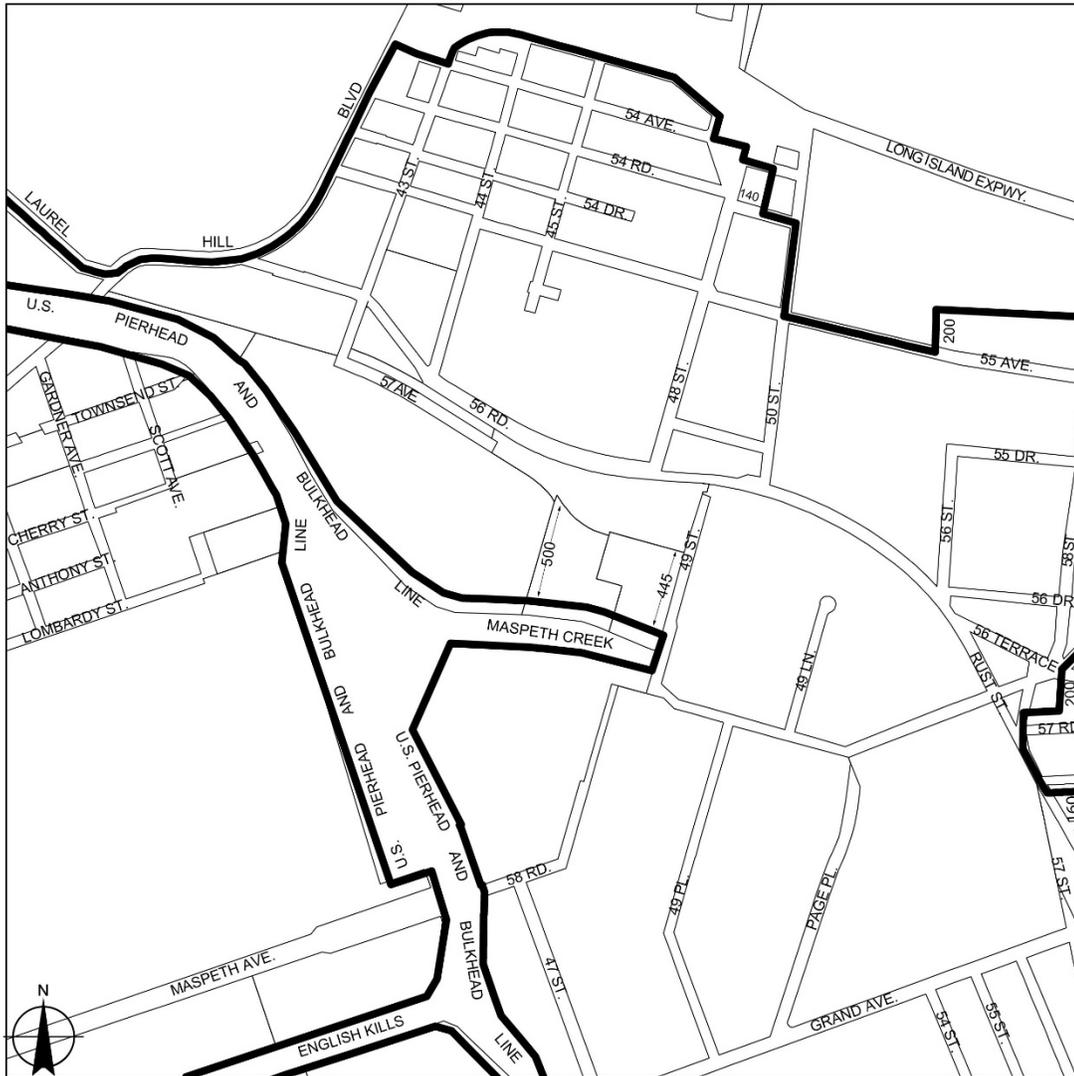
Map 3, Subarea 2



Portion of Community District 2, Queens

# Maspeth/North Brooklyn

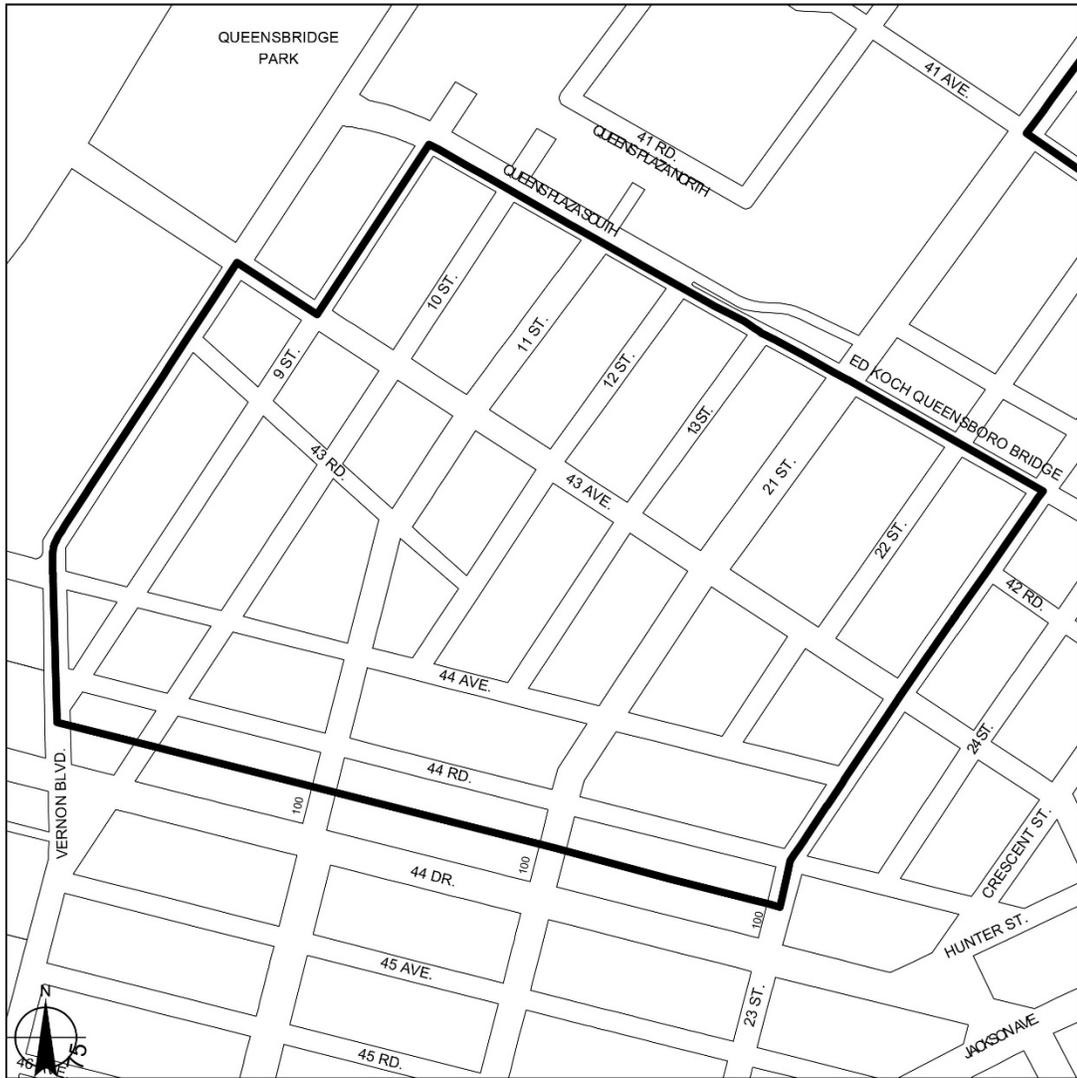
Map 4, Subarea 2



Portions of Community Districts 2 and 5, Queens and Community District 1, Brooklyn



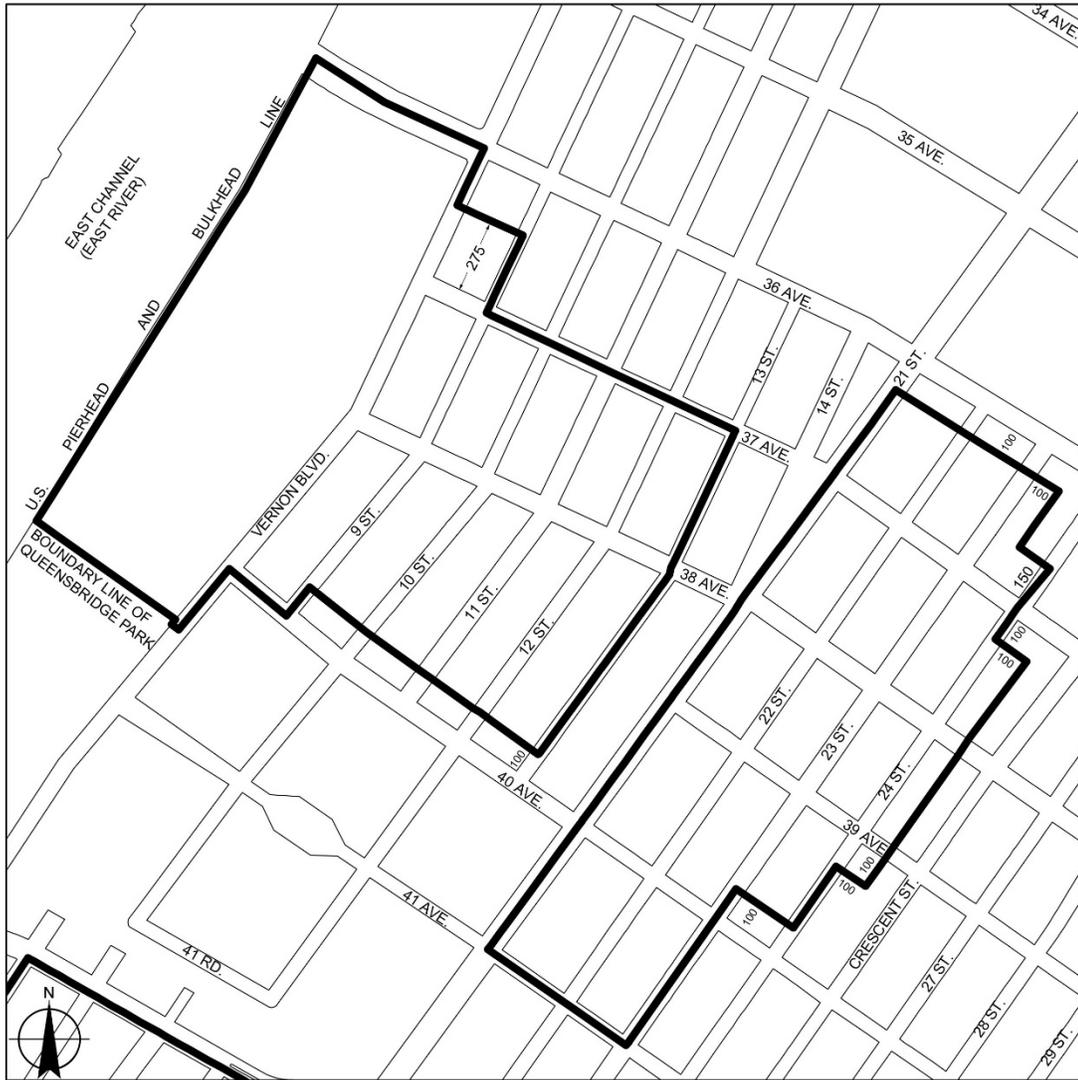
Long Island City  
Map 2, Subarea 2



Portion of Community District 2, Queens

# Long Island City

## Map 3, Subarea 2



Portion of Community District 1, Queens

**Long Island City**

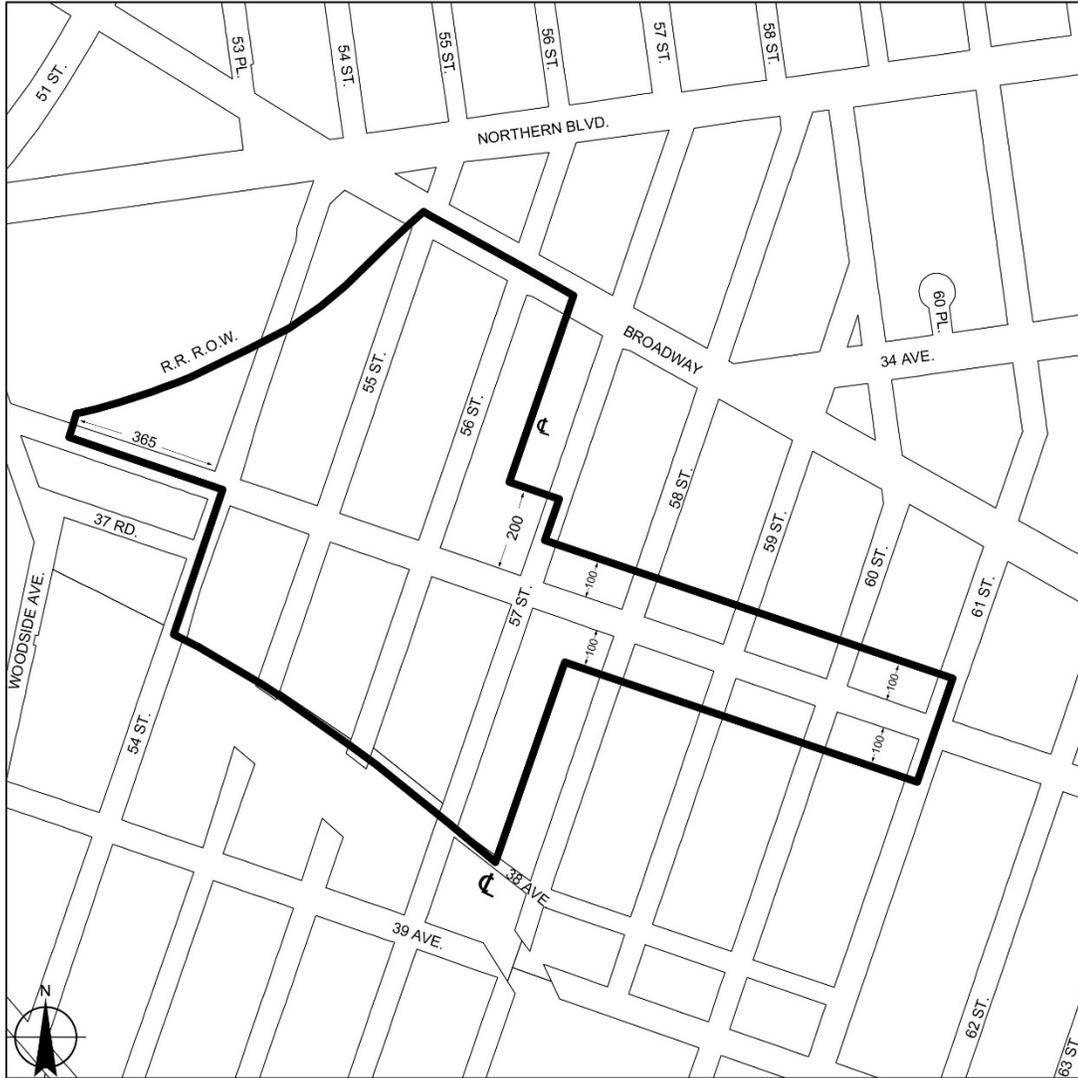
Map 4, Subarea 2



Portion of Community District 1, Queens

# Woodside

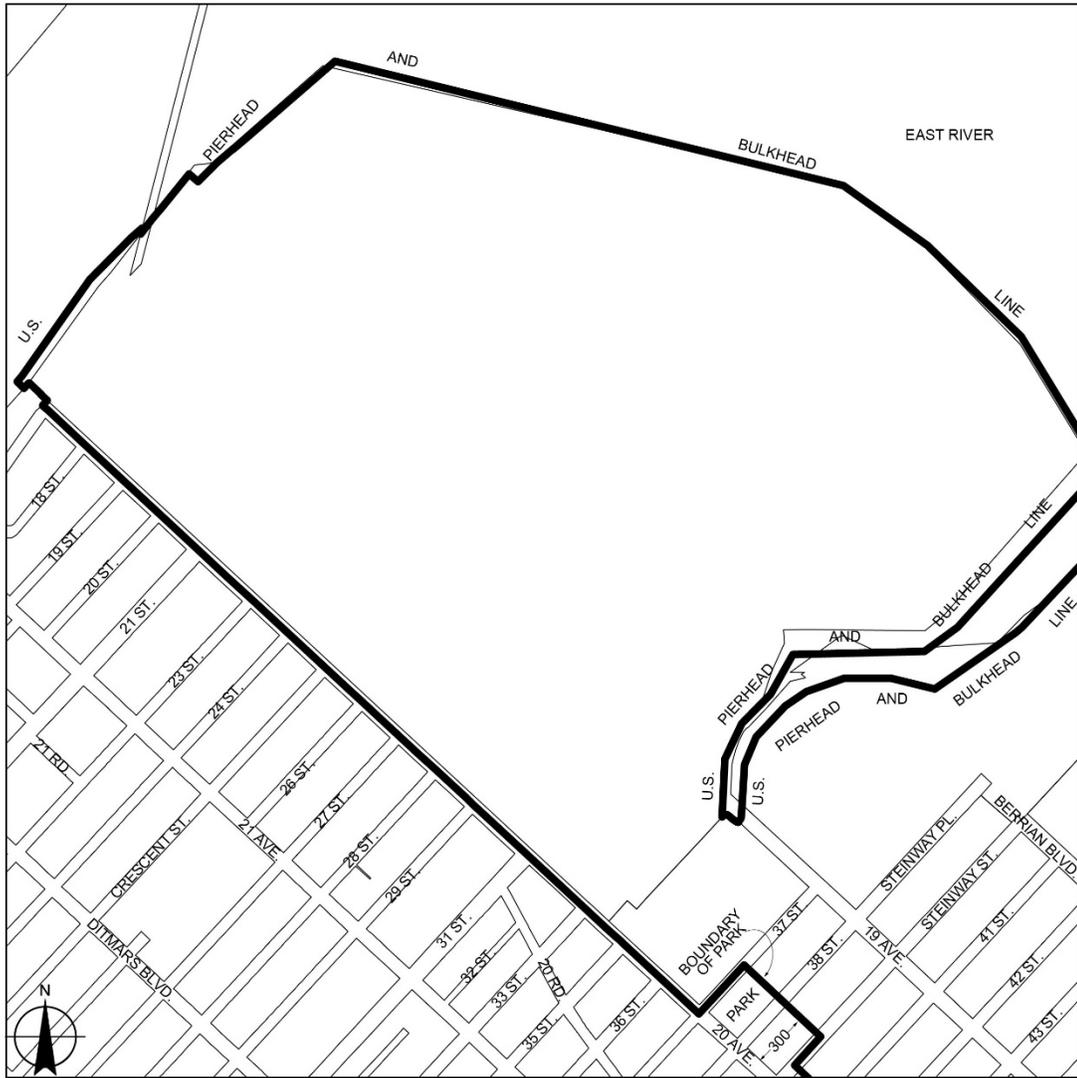
## Map 1, Subarea 2



Portion of Community District 2, Queens

# Steinway

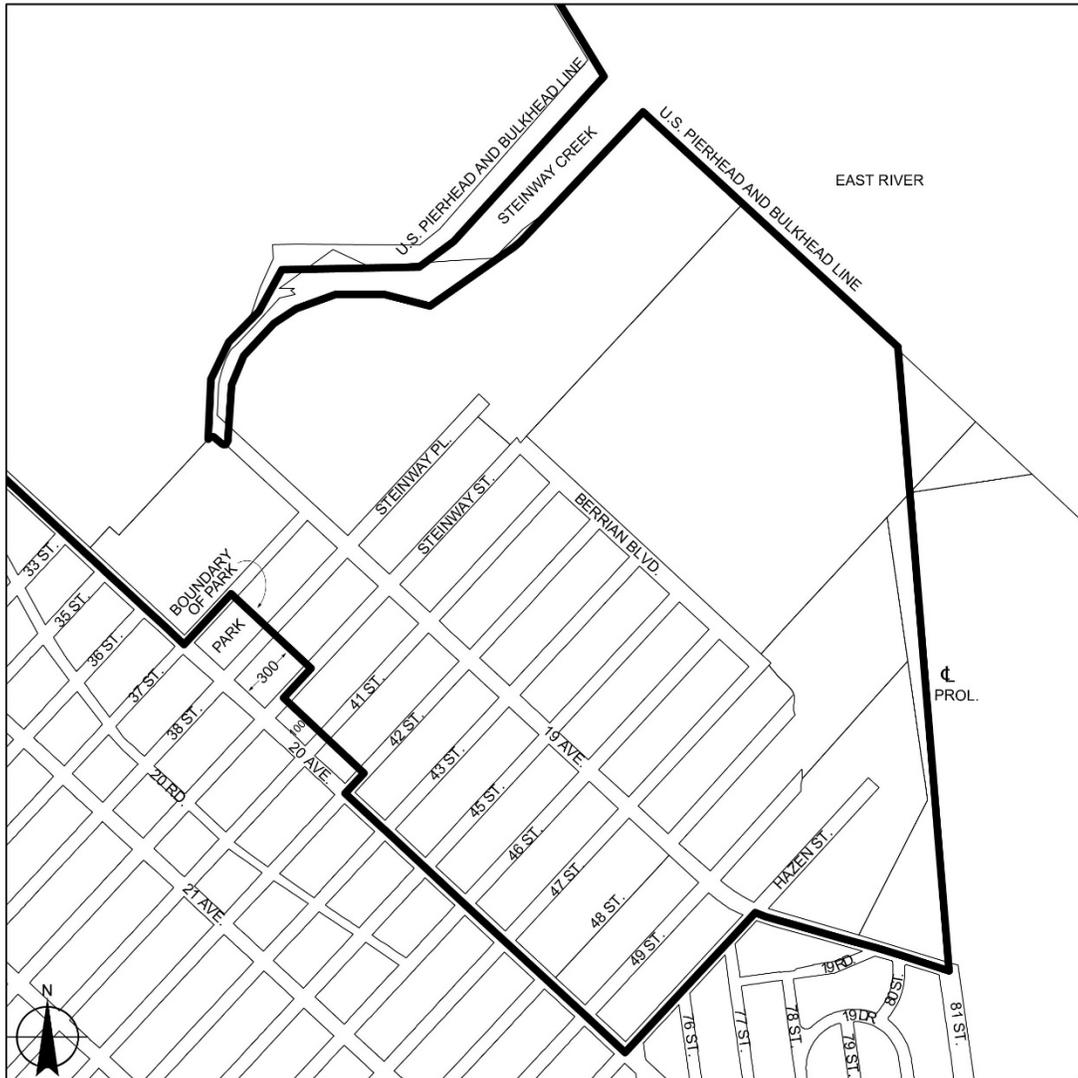
Map 1, Subarea 1



Portion of Community District 1, Queens

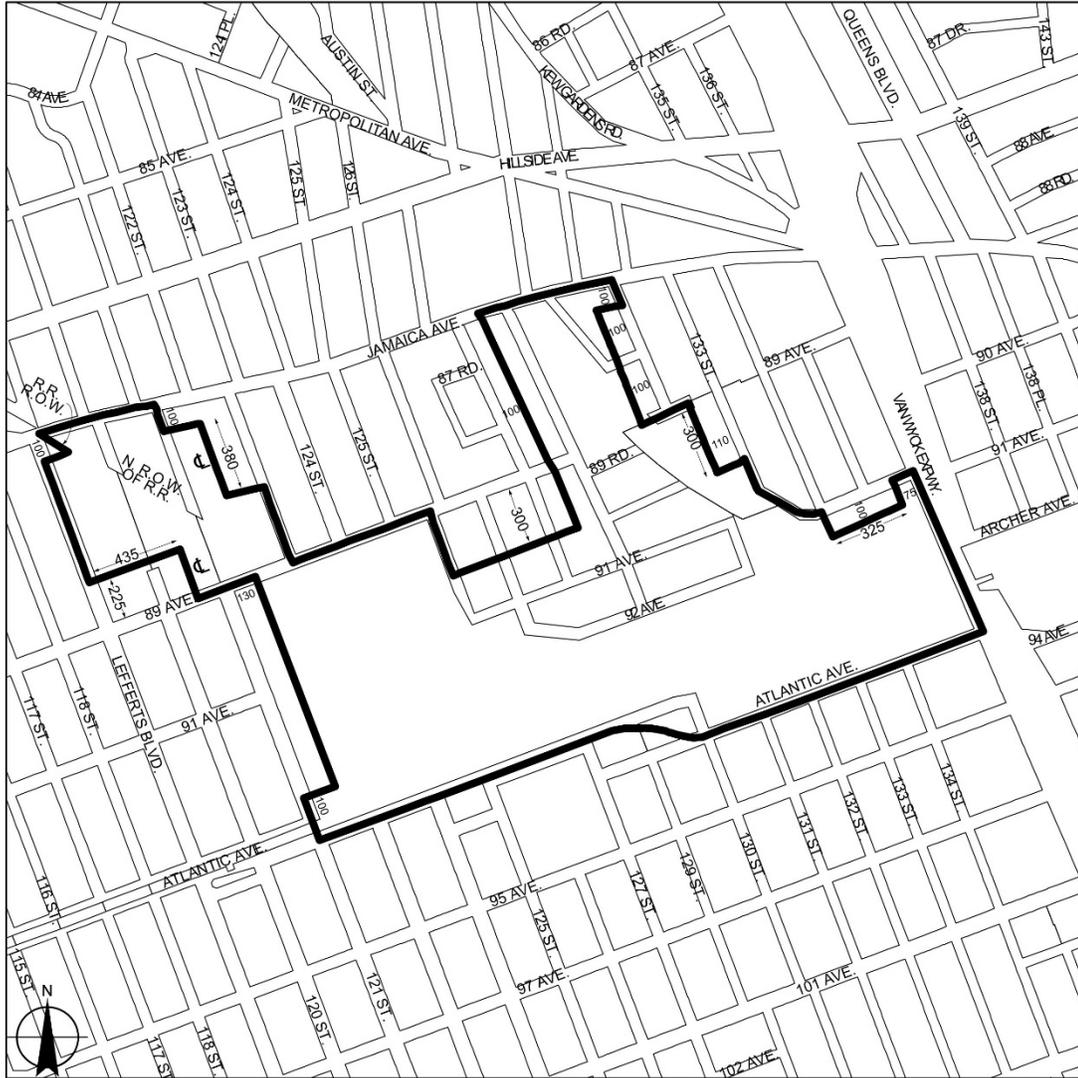
# Steinway

Map 2, Subarea 1



Portion of Community District 1, Queens

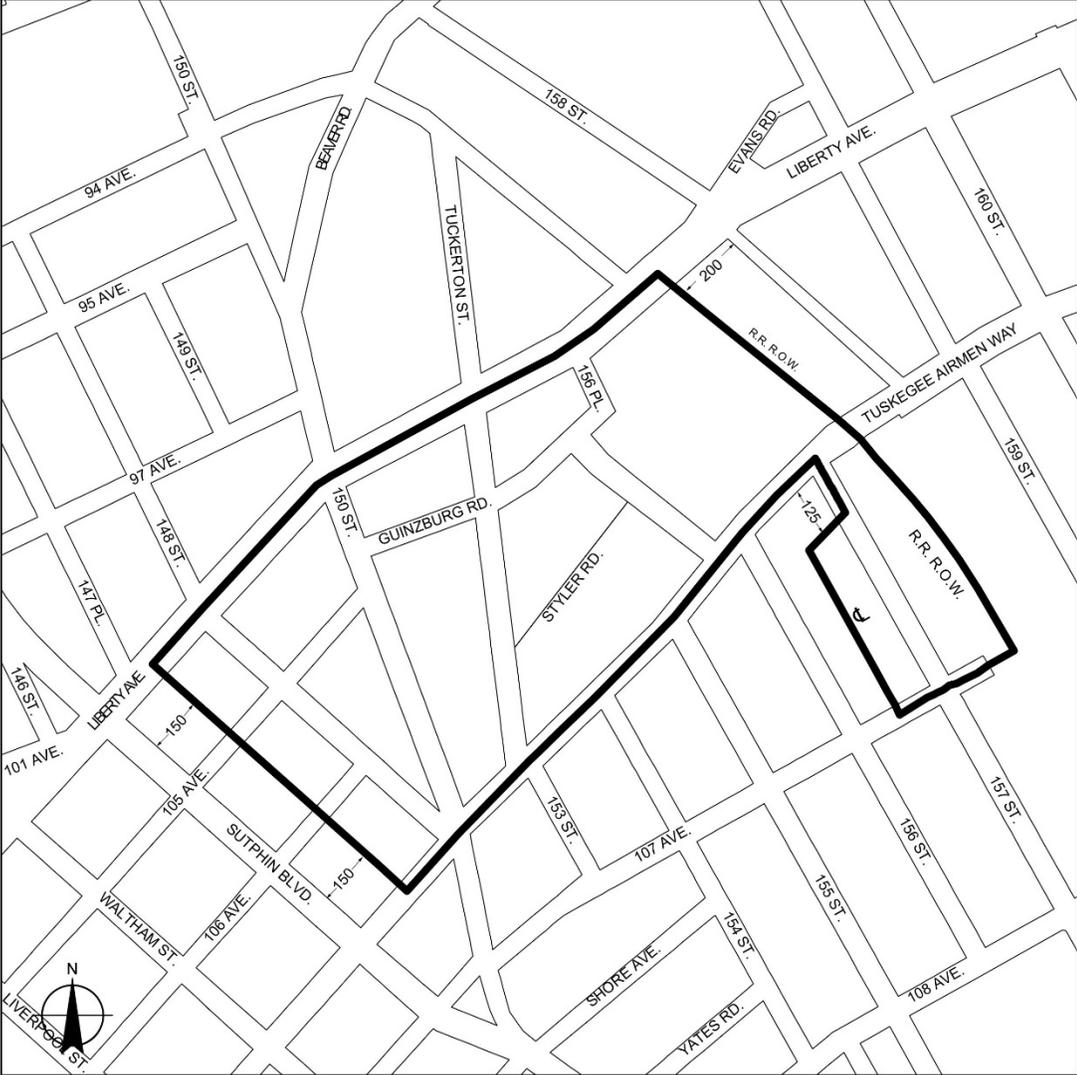
**Richmond Hill**  
Map 1, Subarea 1



Portion of Community District 9, Queens

**Jamaica**

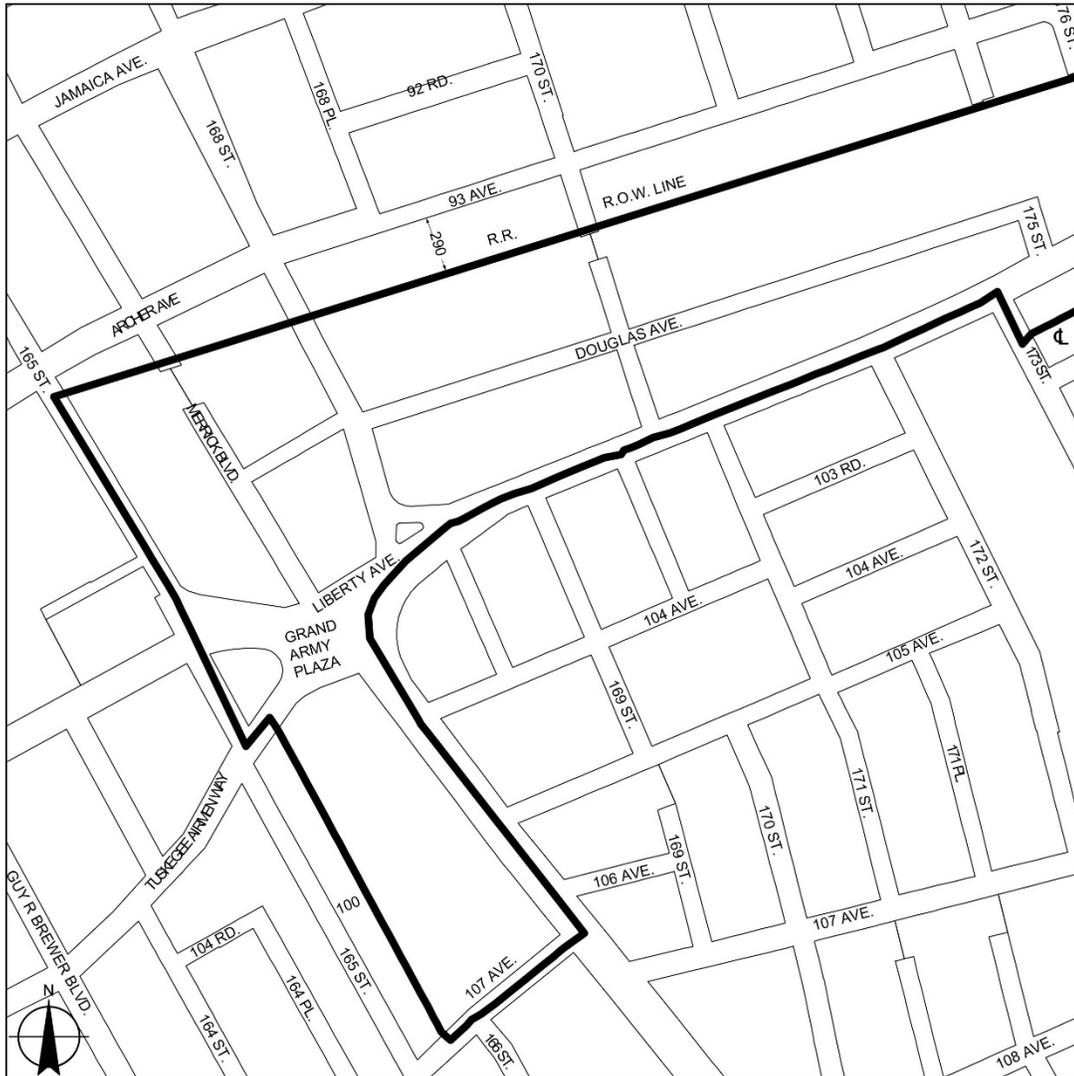
Map 1, Subarea 2



Portion of Community District 12, Queens

# Jamaica

## Map 2, Subarea 2

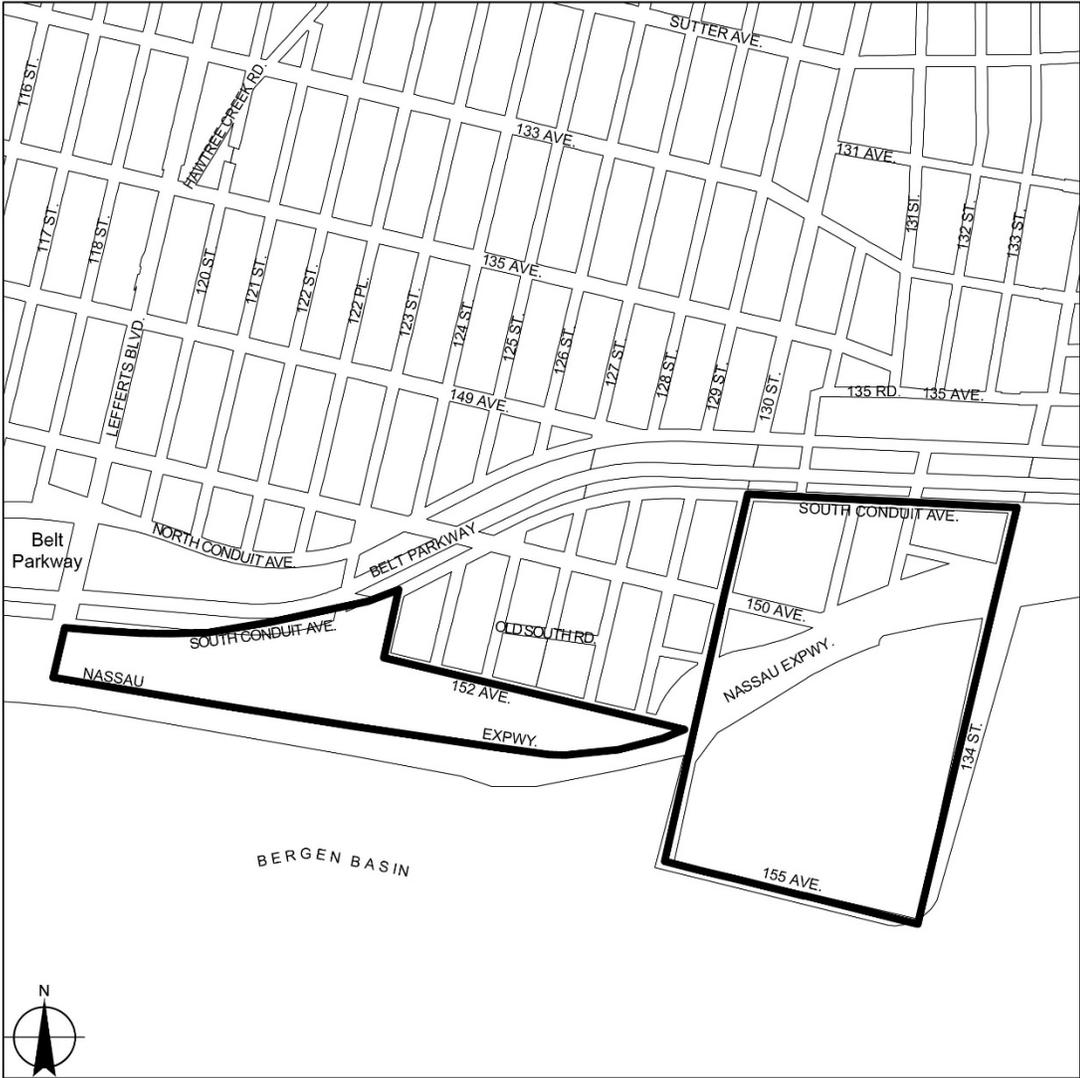


Portion of Community District 12, Queens



**JFK**

Map 1, Subarea 2

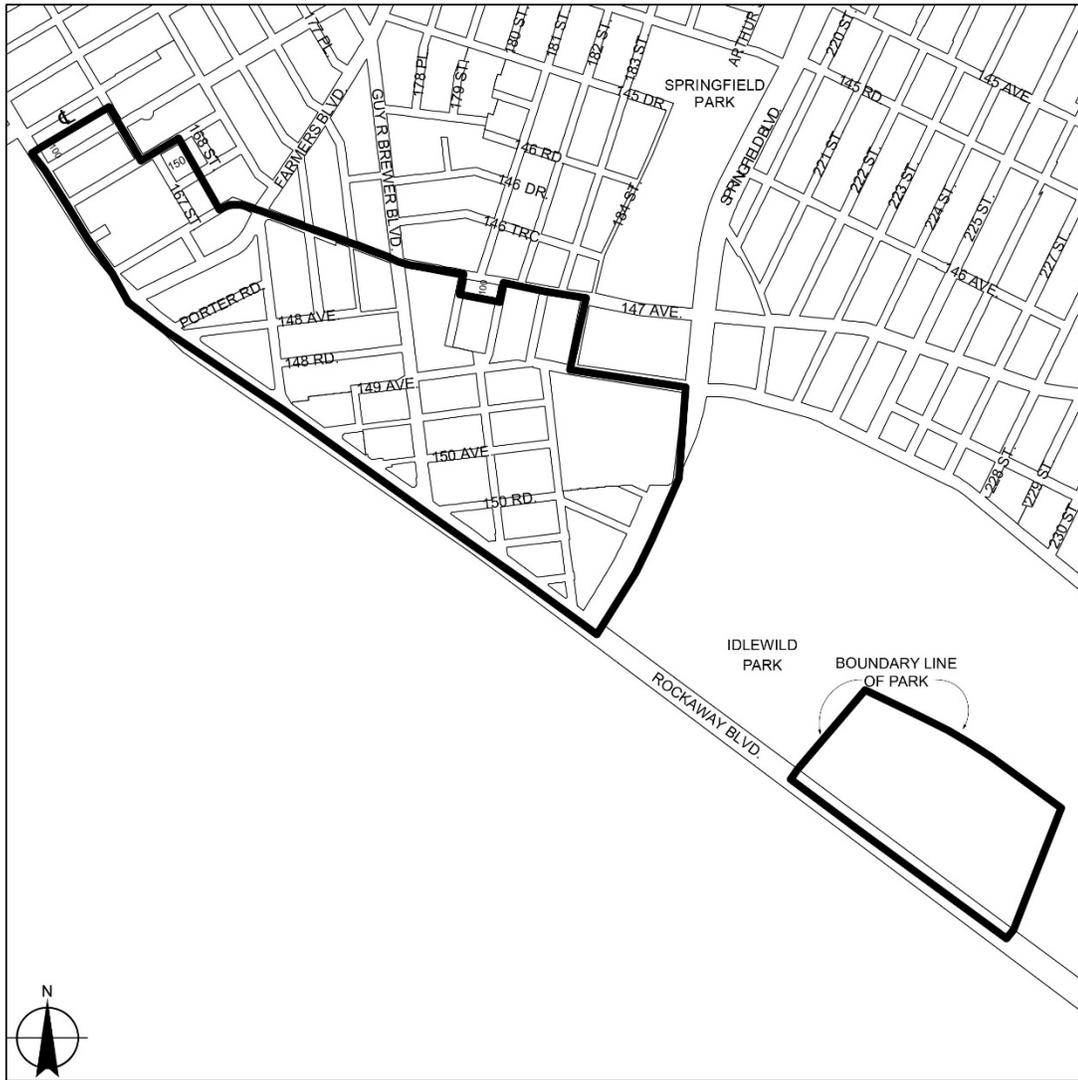


Portion of Community District 10, Queens



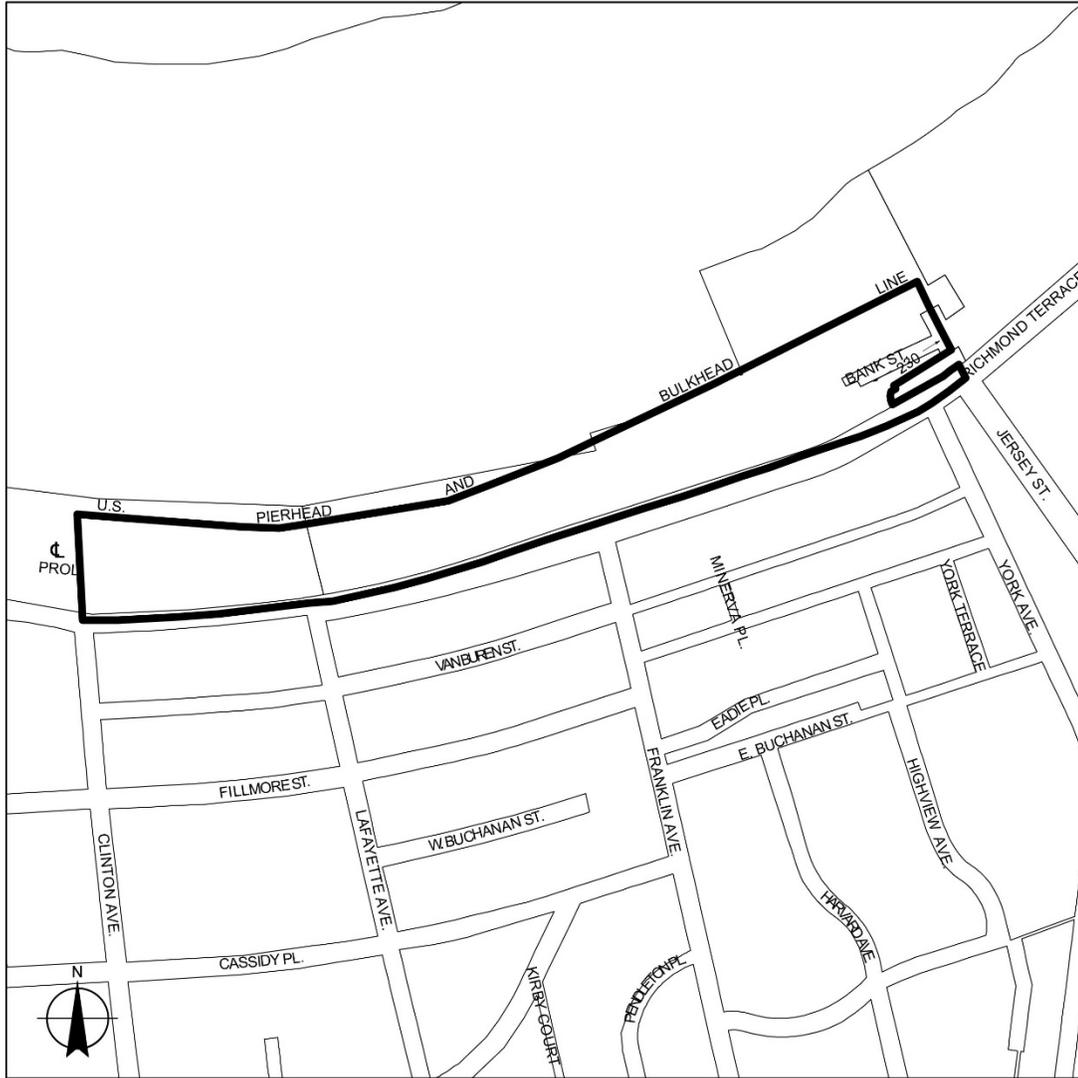
**JFK**

Map 3, Subarea 2



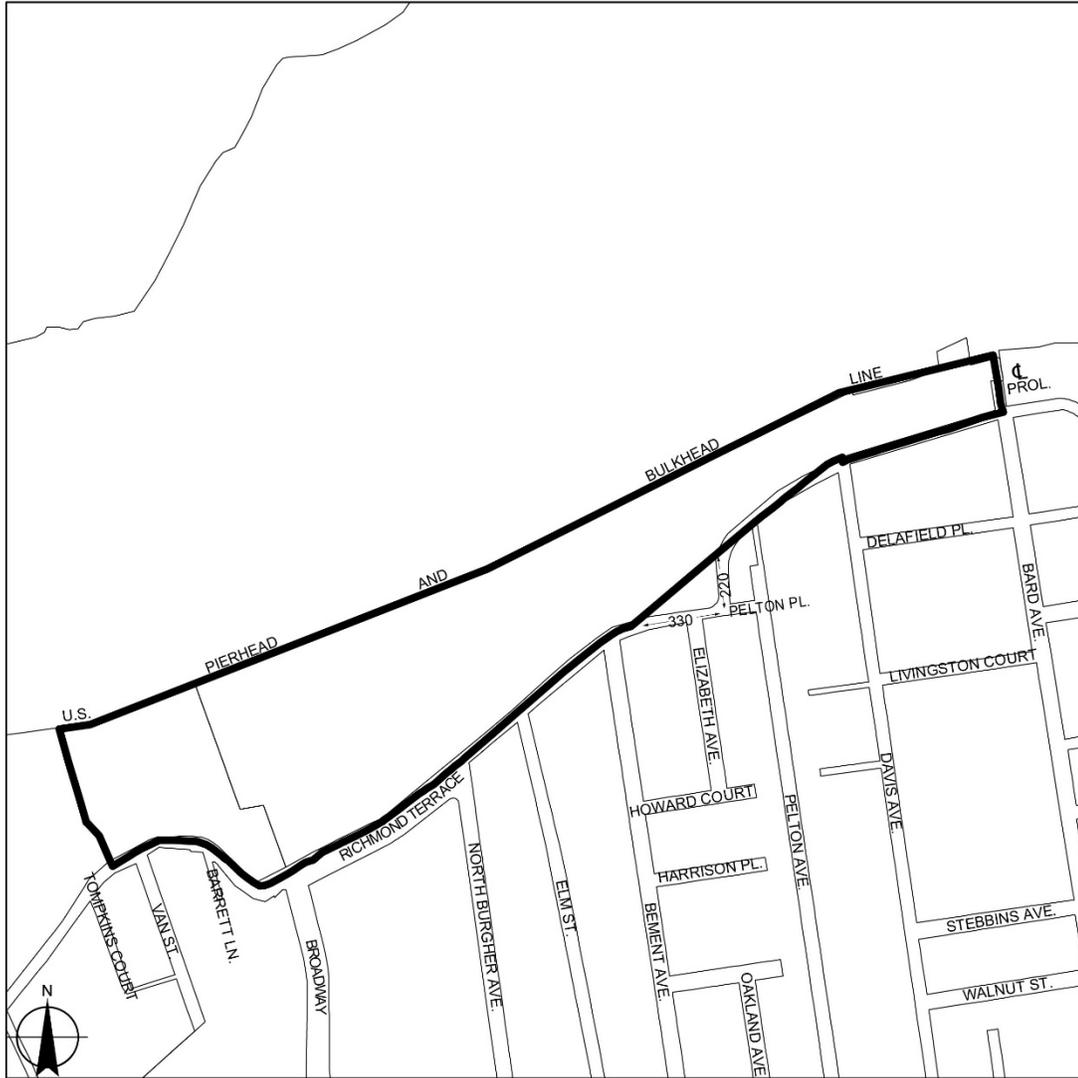
Portion of Community District 13, Queens

**North Shore**  
Map 1, Subarea 2



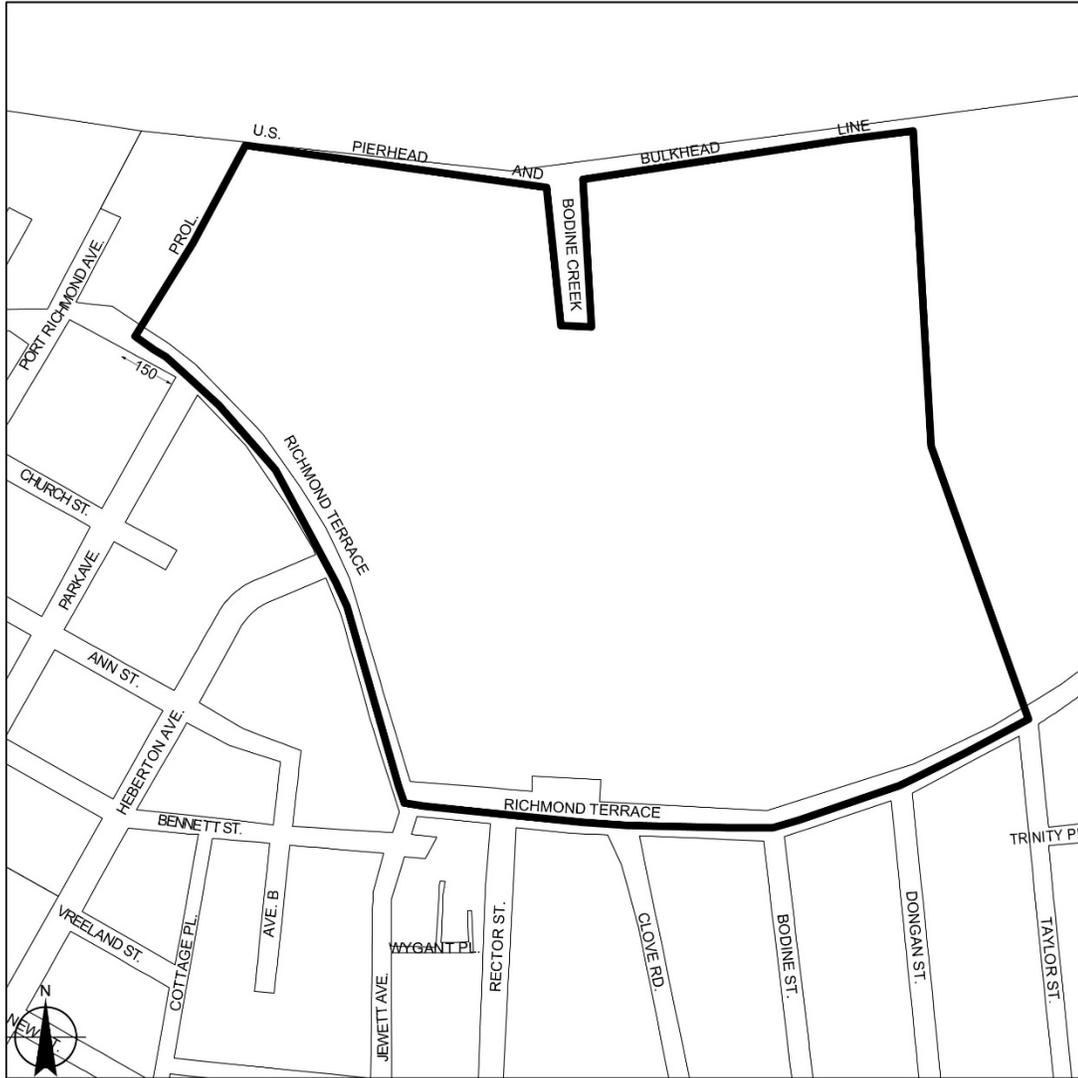
Portion of Community District 1, Staten Island

**North Shore**  
Map 2, Subarea 2



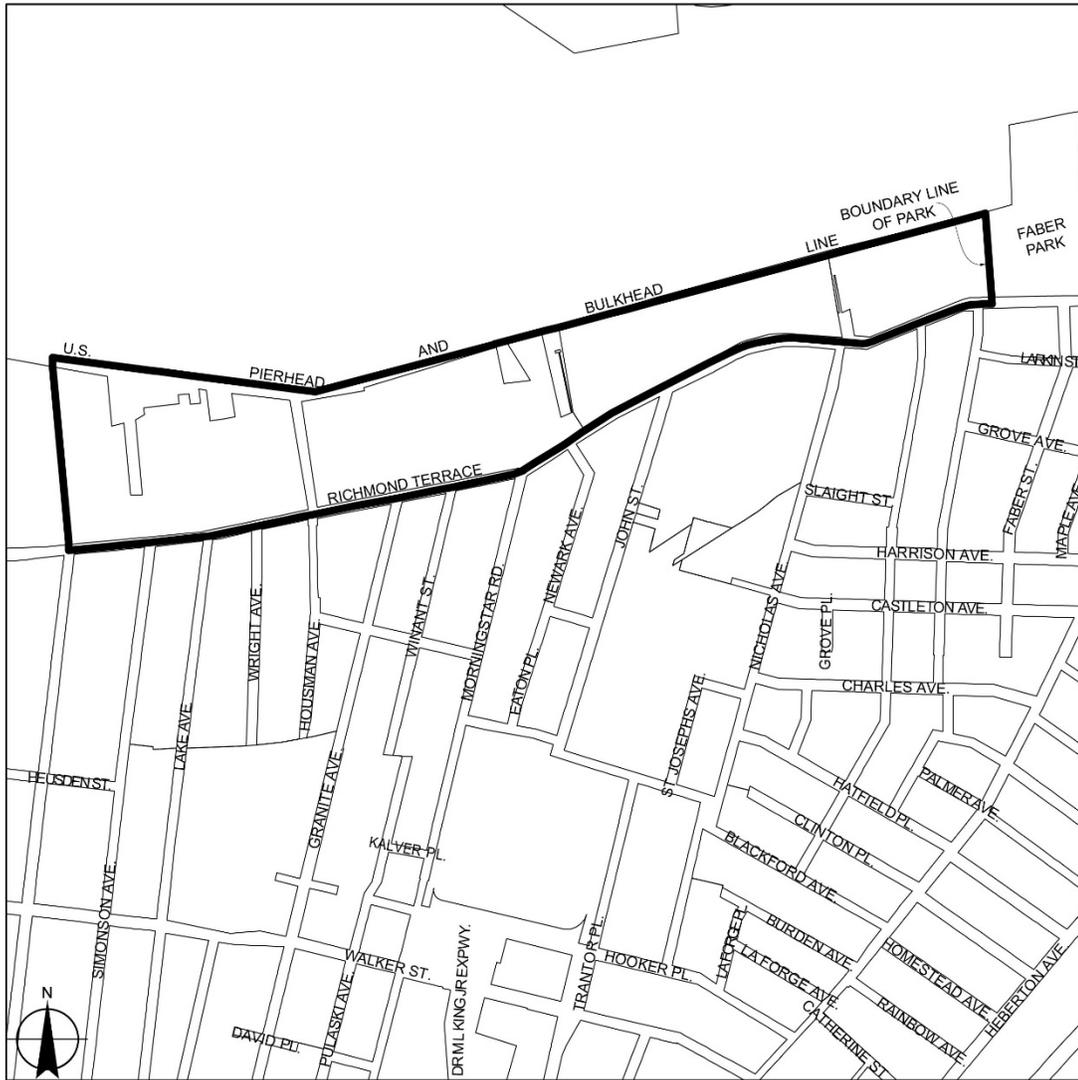
Portion of Community District 1, Staten Island

**North Shore**  
Map 3, Subarea 2



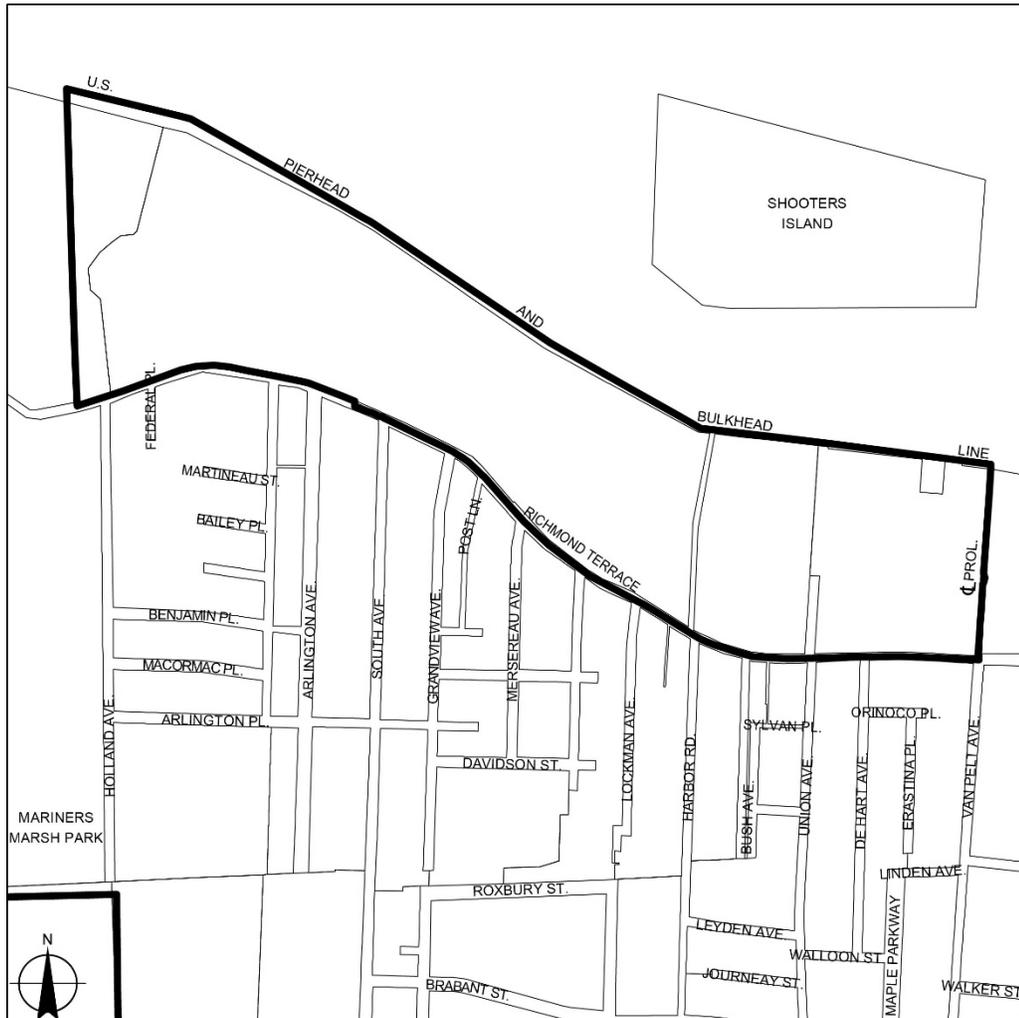
Portion of Community District 1, Staten Island

**North Shore**  
Map 4, Subarea 2



Portion of Community District 1, Staten Island

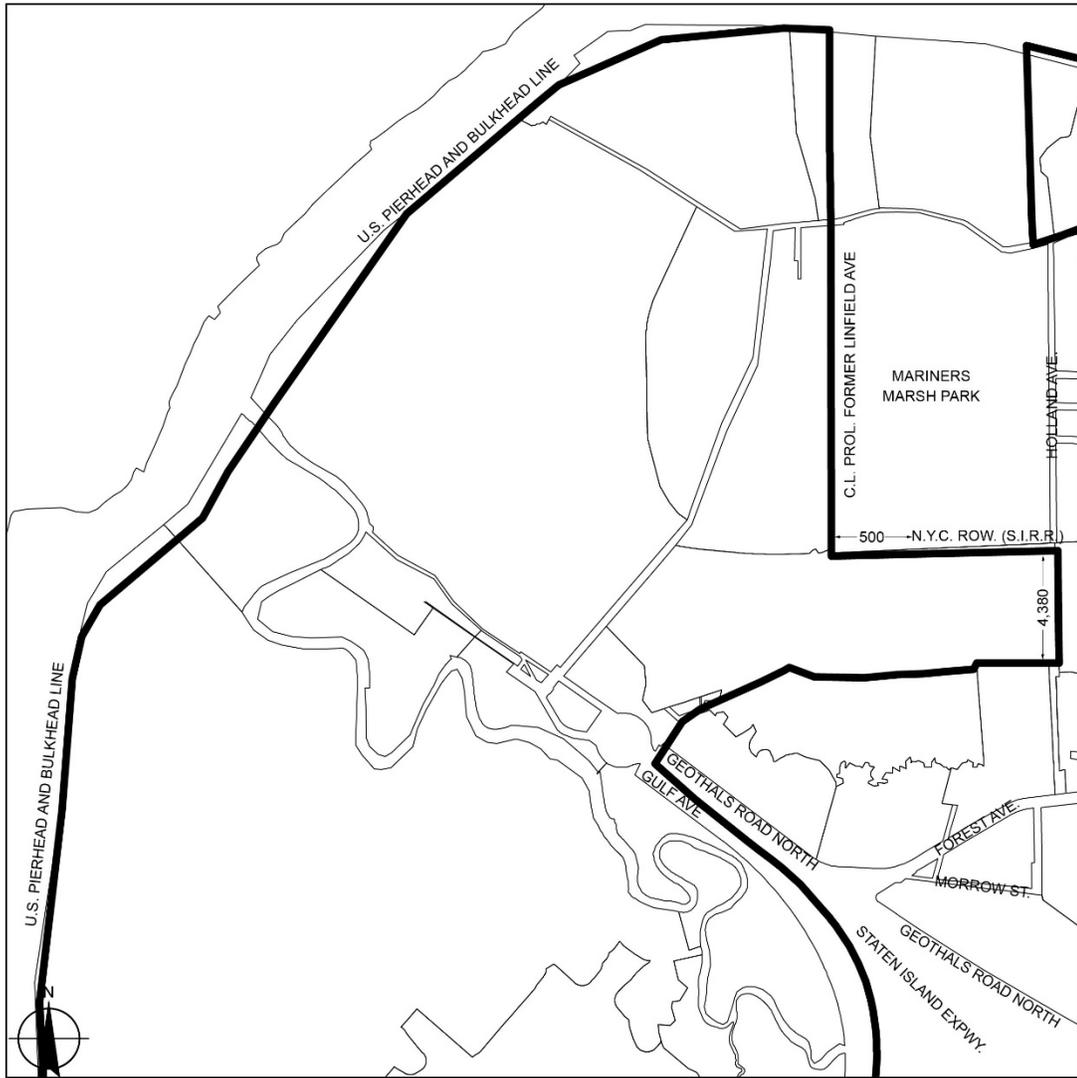
**North Shore**  
Map 5, Subarea 2



Portion of Community District 1, Staten Island

**West Shore**

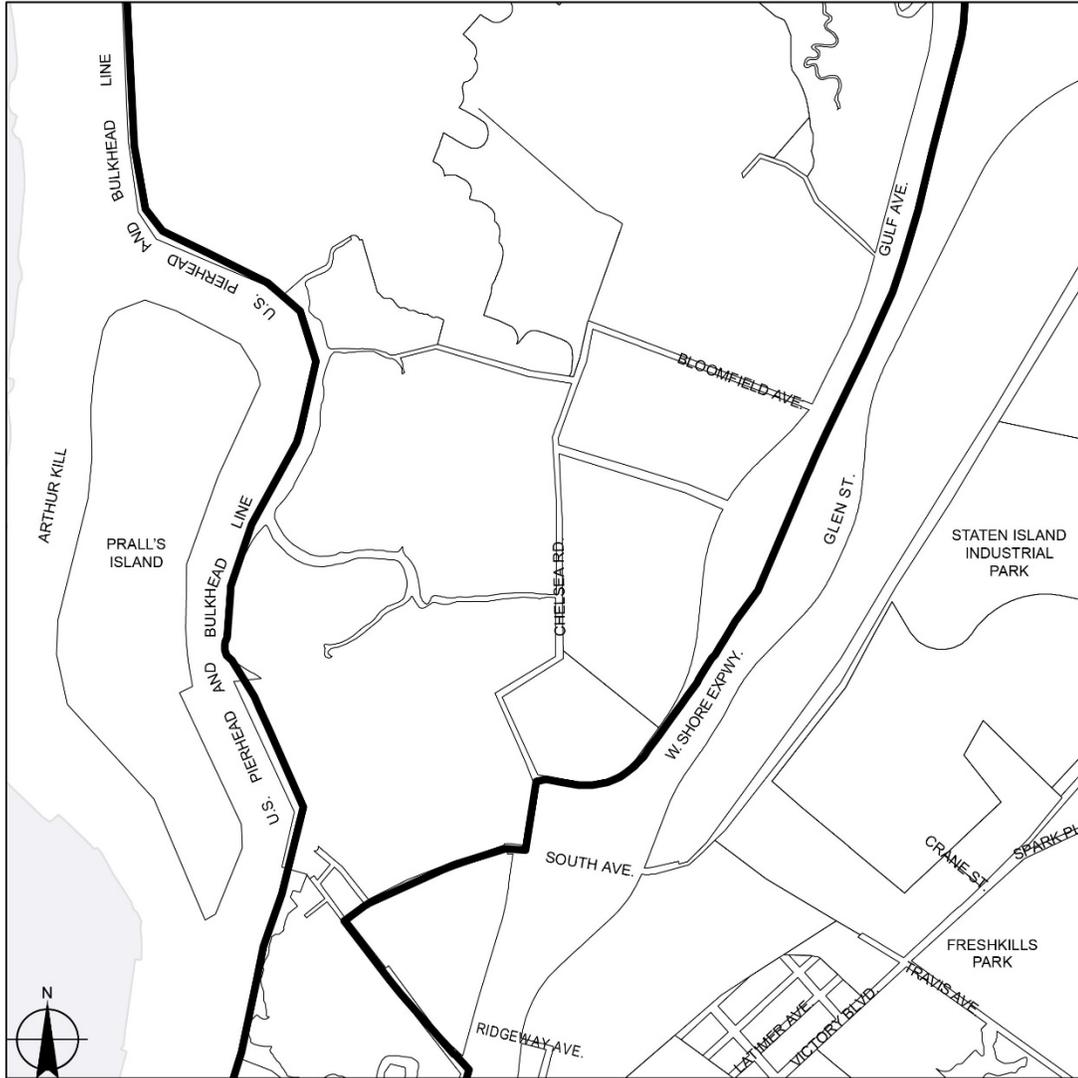
Map 1, Subarea 1



Portion of Community District 1, Staten Island

**West Shore**

Map 2, Subarea 1

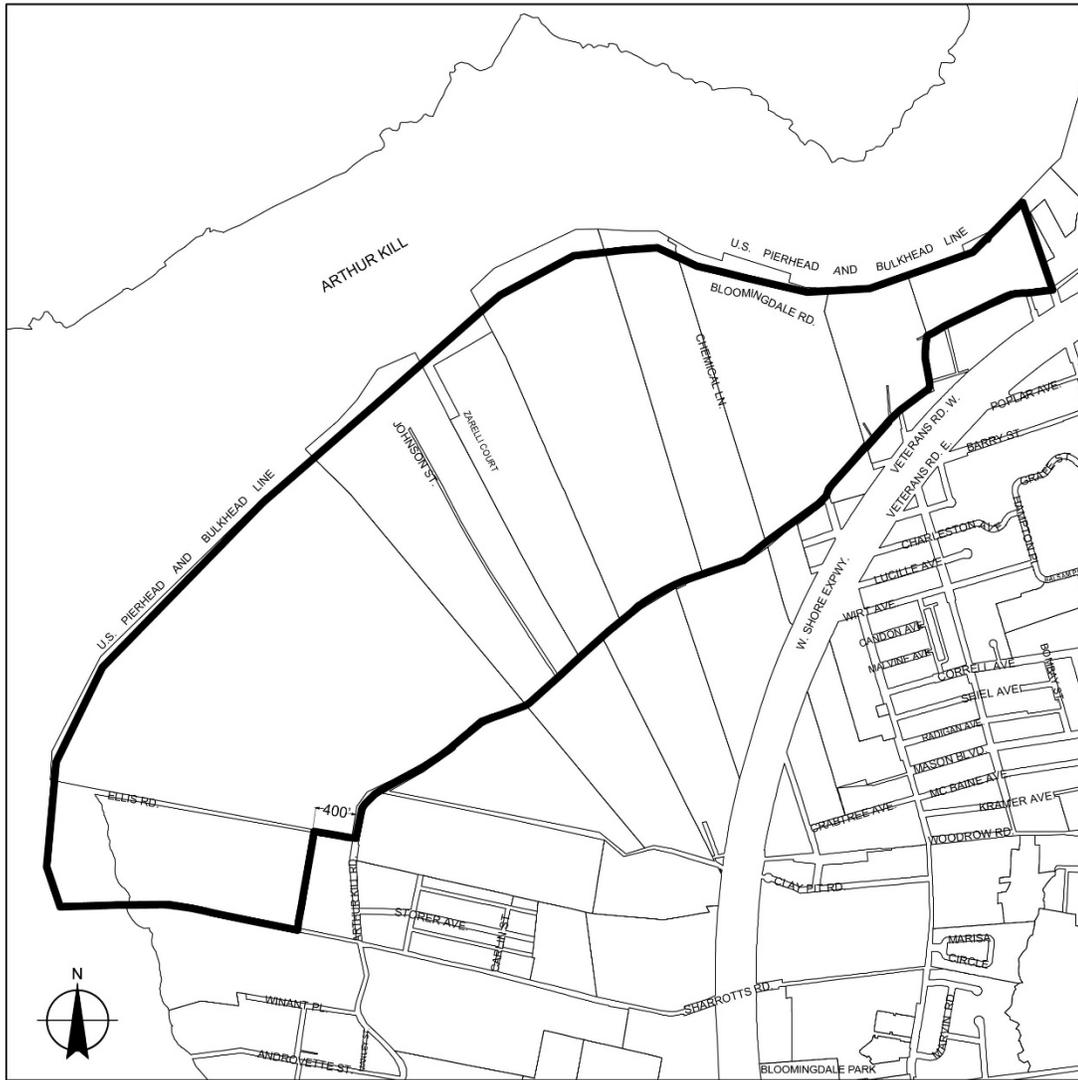


Portion of Community District 2, Staten Island



# Rossville

Map 1, Subarea 1



Portion of Community District 3, Staten Island