

# ZONING RESOLUTION Web Version

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## THE CITY OF NEW YORK



THE CITY OF NEW YORK  
Bill de Blasio, Mayor

CITY PLANNING COMMISSION  
Carl Weisbrod, Chairman

## Article XII: Special Purpose Districts Chapter 6: Special College Point District

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(7/29/09)

## **Article XII - Special Purpose Districts**

### **Chapter 6**

#### **Special College Point District**

(7/29/09)

#### **126-00**

##### **GENERAL PURPOSES**

The "Special College Point District" established in this Resolution is designed to promote and protect the public health, safety and general welfare. These general goals include, among others, the following specific purposes:

- (a) encourage and retain high performance manufacturing establishments in New York City;
- (b) maintain the high quality business campus environment with landscaped yards within the area known as the College Point Corporate Park; and
- (c) promote the most desirable use of land and thus conserve and enhance the value of land and buildings, and thereby protect the City's tax revenues.

(10/9/13)

#### **126-01**

##### **General Provisions**

The provisions of this Chapter shall apply within the #Special College Point District#. The regulations of all other Chapters of this Resolution are applicable, except as superseded, supplemented or modified by the provisions of this Chapter. In the event of a conflict between the provisions of this Chapter and other regulations of this Resolution, the provisions of this Chapter shall control. However, in #flood zones#, in the event of a conflict between the provisions of this Chapter and the provisions of Article VI, Chapter 4 (Special Regulations Applying in Flood Hazard Areas), the provisions of Article VI, Chapter 4, shall control.

(7/29/09)

**126-02**  
**District Plan and Map**

The District Map is located within the Appendix to this Chapter and is hereby incorporated and made part of this Resolution. It is incorporated for the purpose of specifying locations where special regulations and requirements set forth in this Chapter apply.

(7/29/09)

**126-10**  
**SPECIAL USE REGULATIONS**

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

(2/2/11)

**126-11**  
**Recreational Uses**

The regulations of Section 42-10 (USES PERMITTED AS-OF-RIGHT), shall be modified to allow the following #uses# as-of-right within the #Special College Point District#:

From Use Group 4A:

Non-commercial recreation centers

From Use Group 4B:

Golf courses

Outdoor tennis courts or ice skating rinks, provided that all lighting shall be directed away from nearby #residences#

#Public parks#, playgrounds or private parks

From Use Group 4C:

#Accessory uses#

(7/29/09)

### **126-12**

#### **Performance Standards**

Section 42-20 (PERFORMANCE STANDARDS) shall be modified so that the performance standards of an M1 District apply throughout the #Special College Point District#.

(2/2/11)

### **126-13**

#### **Enclosure Regulations**

The following provisions supersede Sections 42-41 (Enclosure of Commercial or Manufacturing Activities) and 42-42 (Enclosure or Screening of Storage).

All #commercial# or #manufacturing uses# established by a #development#, #enlargement#, #extension#, or change of #use#, including storage of materials or products, shall be subject to the provisions of this Section, inclusive. With respect to the #enlargement# or #extension# of an existing #use# or storage of materials or products, such provisions shall apply to the #enlarged# or #extended# portion of such #use# or storage. In addition, new #accessory# open storage or any increase in the portion of a #zoning lot# used for #accessory# open storage shall conform to the provisions of this Section.

However, these provisions shall not apply to open parking and loading areas as specifically provided in Sections 44-11 (General Provisions) and 44-51 (Permitted Accessory Off-Street Loading Berths).

(7/29/09)

### **126-131**

#### **Special enclosure regulations for specific uses previously prohibited under the former College Point Urban Renewal Plan**

The following #uses#, including all storage of materials or products, shall be located within a #completely enclosed

building#:

From Use Group 17 A:

Produce or meat markets, wholesale.

From Use Group 18A:

Incineration or reduction of garbage, offal or dead animals

Radioactive waste disposal services involving the handling or storage of radioactive waste

Sewage disposal plants

Stock yards or slaughtering of animals or poultry.

From Use Group 18B:

Dumps, marine transfer stations for garbage or slag piles

Electric power or steam generating plants

Explosives storage, when not prohibited by other ordinances

Junk or salvage establishments, including auto wrecking or similar establishments

Scrap metal, junk, paper or rags storage, sorting, or baling.

All #commercial# or #manufacturing uses# specified in this Section shall be permitted, provided the City Planning Commission certifies that such #uses# comply with the provisions of this Chapter. A site plan indicating the distribution of #bulk#, #uses#, planting areas and planting types shall be submitted to the Commission. Such submission shall be referred to the applicable Community Board and Borough President for review and comment for a period of no less than 45 days prior to such certification.

(7/29/09)

**126-132**

**Enclosure regulations in M1-1 Districts**

All #uses#, except storage of materials or products, shall be located within #completely enclosed buildings#; however, #commercial uses# may be located within #buildings# which are #completely enclosed# except for store fronts or store windows which may be opened to serve customers outside the #building#. Recreational uses permitted pursuant to Section 126-11 (Recreational Uses) shall be permitted as open or enclosed #uses#.

(7/29/09)

### **126-133**

#### **Enclosure regulations in M2-1 Districts near Residence Districts**

Within 300 feet of a #Residence District# boundary, all #uses#, except storage of materials or products, shall be located within #completely enclosed buildings#. However, #commercial uses# may be located within #buildings# which are #completely enclosed# except for store fronts or store windows which may be opened to serve customers outside the #building#. Recreational uses permitted pursuant to Section 126-11 (Recreational Uses) shall be permitted as open or enclosed #uses#.

(7/29/09)

### **126-134**

#### **Enclosure of storage in M1-1 Districts near Residence Districts**

All storage of materials or products within 200 feet of a #Residence District# boundary shall be located within #completely enclosed buildings#.

(7/29/09)

### **126-135**

#### **Screening of storage in M2-1 Districts near Residence Districts**

Within 200 feet of a #Residence District# boundary, open storage of materials or products shall be permitted only if effectively screened by a solid wall or fence (including solid entrance and exit gates) at least eight feet in height.

In addition, such solid wall or fence:

- (a) shall not be located within a #front yard#;
- (b) shall be maintained in good condition at all times; and
- (c) shall have no #signs# hung or attached thereto other than those permitted in Sections 42-52 (Permitted Signs), and 126-14 (Sign Regulations), inclusive.

(7/29/09)

### **126-136**

#### **Screening of storage**

- (a) At a distance greater than 200 feet from a #Residence District# boundary, the open storage of materials or products, where permitted, shall be screened from all adjoining #zoning lots#, including #zoning lots# situated across a #street#, by either:
  - (1) a strip at least four feet wide, densely planted with shrubs or trees which are at least four feet high at the time of planting and which are of a type which may be expected to form a year-round dense screen at least six feet high within three years; or
  - (2) a wall or barrier or uniformly painted fence of fire-resistant material, at least six feet but not more than eight feet above finished grade. Such wall, barrier, or fence may be opaque or perforated, provided that not more than 50 percent of the face is open.
- (b) In addition, such screening provided pursuant to paragraphs (a)(1) or (a)(2) of this Section:
  - (1) shall not be located within a #front yard#;
  - (2) shall be maintained in good condition at all times;
  - (3) may be interrupted by normal entrances or exits; and
  - (4) shall have no #signs# hung or attached thereto other than those permitted in Sections 42-52 (Permitted Signs) and 126-14 (Sign Regulations).

(7/29/09)

## 126-14

### Sign Regulations

Within the #Special College Point District#, no #advertising signs# shall be permitted. #Signs# may be #illuminated# but not #flashing#. The provisions of Section 32-67 (Special Provisions Applying along District Boundaries) shall not apply for #zoning lots# with frontage on the Whitestone Expressway.

No #sign# displayed from the wall of a #building or other structure# shall extend above the parapet wall or roof of such #building or other structure#, and no #signs# shall be permitted on the roof of any #building#.

(7/29/09)

## 126-141

### Special sign regulations in M2-1 Districts

In M2-1 Districts, only non-#illuminated signs# and #signs with indirect illumination# are permitted. The surface area of all #signs# on a #zoning lot# shall be limited to:

- (a) one #sign# displayed from the wall of a #building# limited to 1.5 square feet of #surface area# for each linear foot of #street wall# or 150 square feet, whichever is less, and further provided that such #signs# shall not exceed a height of eight feet, and shall not extend to a height greater than 20 feet above #curb level#; and
- (b) one #sign# not affixed to a #building# limited to one square foot of #surface area# for each 200 square feet of #street wall# or 30 square feet, whichever is less, and further provided that such #signs# shall not exceed a height of five feet above #curb level#.

(7/29/09)

## 126-20

### SPECIAL BULK REGULATIONS

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

(2/2/11)

**126-21**

**Street Tree Planting**

Within the #Special College Point District#, all #developments#, or #enlargements# of 20 percent or more in #floor area#, shall provide #street# trees in accordance with Section 26-41 (Street Tree Planting). In addition, any #building# where 20 percent or more of the #floor area# is #converted# shall provide #street# trees in accordance with Section 26-41. The #street# frontage used to calculate the number of required trees may exclude the #street# frontage occupied by curb cuts serving #uses# listed in Use Groups 16B, 16C, 16D, 17 and 18.

(7/29/09)

**126-22**

**Floor Area Ratio**

Within the #Special College Point District#, the #floor area ratio# permitted for #commercial#, #community facility# or #manufacturing uses#, separately or in combination, shall be 1.0. However, within the M2-1 District south of 30th Avenue and its prolongation, the maximum #floor area ratio# for #commercial#, #community facility# or #manufacturing uses#, separately or in combination, shall be as permitted in the underlying district, for:

- (a) portions of #zoning lots# within 600 feet of College Point Boulevard, where such #zoning lot# has frontage on College Point Boulevard; or
- (b) #zoning lots# with frontage on the Whitestone Expressway.

(7/29/09)

**126-23**

**Modification of Yard Regulations**

(7/29/09)

**126-231**

### **Minimum required front yards**

#Front yards# shall be provided with a depth of 15 feet, except for:

- (a) #zoning lots# with frontage along the Whitestone Expressway, where #front yards# shall be provided with a depth of 20 feet; and
- (b) #corner lots#, where one #front yard# may have a depth of 10 feet.

(7/29/09)

### **126-232**

#### **Minimum required side yards**

#Side yards# shall be provided with a width of 10 feet.

(4/14/10)

### **126-233**

#### **Special provisions along district boundaries**

The following regulations shall modify the provisions of Section 43-30 (SPECIAL PROVISIONS APPLYING ALONG DISTRICT BOUNDARIES).

- (a) Sections 43-301 (Required yards along district boundary coincident with side lot line of zoning lot in an R1, R2, R3, R4 or R5 District) and 43-303 (Required yards along district boundary coincident with side lot line of zoning lot in a Manufacturing District) shall be modified so that an open area not higher than #curb level# and at least 20 feet wide shall be provided within the #Manufacturing District# on any #zoning lot# which is within 25 feet of a #Residence District#.
- (b) Within the areas depicted on the #Special College Point District# Map as 60-foot buffer areas, an open area not higher than #curb level# shall be provided within the #Manufacturing District#, as follows:
  - (1) where such buffer area is adjacent to a #street#, a #front yard# at least 60 feet in depth shall be provided; or

- (2) where such buffer area is not adjacent to a #street#, an open area at least 60 feet wide shall be provided along the boundary of the #Manufacturing District#. Such open area may be reduced to a width of not less than 25 feet where there is an open area in an adjacent #Residence District# so that, in combination with the open area within the #Manufacturing District#, there is an open area totaling at least 60 feet in width. The open area in the #Residence District# shall be subject to a restrictive declaration requiring that such area be maintained pursuant to the standards of this Section, in a form approved by the New York City Department of Buildings, and subsequently recorded in the Office of the City Register of the City of New York against all tax lots comprising such restricted open area. Proof of recordation of the restrictive declaration in a form acceptable to the New York City Department of Buildings shall be submitted.

All such open areas shall not be used for #accessory# off-street parking, #accessory# off-street loading, or for storage or processing of any kind.

- (c) All open areas required pursuant to this Section and Section 43-30 shall be planted, except at entrances to and exits from the #building# and except for access driveways to #accessory# parking and loading areas. In addition, except within #front yards#, there shall be a planting strip at least four feet wide, along the portion of the #lot line# adjoining the #Residence District#, complying with the provisions applicable to Section 126-136 (Screening of storage), provided that the option described in paragraph (a)(2) of Section 126-136 shall not be a permitted form of screening.

(7/29/09)

#### **126-234**

##### **Planting requirement in front yards**

#Front yards# shall be planted, except at entrances to and exits from the #building# and except for access driveways to #accessory# parking and loading areas. #Front yards# shall not be used for #accessory# off-street parking, #accessory# off-street loading, or for storage or processing of any kind.

(7/29/09)

**126-235**

**Storage of materials within yards**

Within #side# and #rear yards#, the maximum height of the open storage of materials, where permitted, shall be 12 feet.

(7/29/09)

**126-24**

**Height and Setback Regulations**

Within the #Special College Point District#, the height and setback regulations of an M1-1 District shall apply.

However, within the M2-1 District south of 30th Avenue and its prolongation, the height and setback regulations shall be as permitted in the underlying district, for:

- (a) portions of #zoning lots# within 600 feet of College Point Boulevard, where such #zoning lot# has frontage on College Point Boulevard; or
- (b) #zoning lots# with frontage on the Whitestone Expressway.

(7/29/09)

**126-30**

**SPECIAL OFF-STREET PARKING AND LOADING REGULATIONS**

The off-street parking and loading regulations of the underlying district are modified as set forth in this Section, inclusive.

(2/2/11)

**126-31**

**Parking Regulations**

- (a) #Accessory# off-street parking shall not be permitted within a required #front yard#.
- (b) The provisions of Section 44-21 (General Provisions)

pertaining to #accessory# off-street parking spaces for #commercial uses# shall be modified as follows:

Hotels, for the #floor area# used for sleeping accommodations, shall be required to provide one parking space per two guest rooms or suites and, for the #floor area# used for meeting halls, auditoriums, eating or drinking places, wedding chapels or banquet halls, or radio or television studios, shall be required to provide one parking space per four persons-rated capacity

Places of Assembly, for #uses# in parking requirement category D in Use Group 6, 8, 9, 10 or 12, or when permitted by special permit, shall be required to provide one parking space per four persons-rated capacity

- (c) For #commercial uses# within the commercial areas identified on the #Special College Point District# Map, the parking requirements of a C4-1 District shall apply.
- (d) Section 37-90 (PARKING LOTS), inclusive, shall apply to all open parking areas #accessory# to #manufacturing uses# listed in Use Group 17. Perimeter landscaping, required pursuant to Section 37-921, may overlap with required #yards#, pursuant to Section 126-231.
- (e) The provisions of Section 44-23 (Waiver of Requirements for Spaces Below Minimum Number) shall only apply to #zoning lots# existing both on July 29, 2009, and on the date of application for a building permit.

(7/29/09)

## **126-32**

### **Loading Regulations**

- (a) Off-street loading berths shall not be permitted between a #street wall# and a #street line#. However, the City Planning Commission may authorize off-street loading berths located between a #street wall# and a #street line#, provided that the Commission finds that such loading berths can not be located elsewhere on the #zoning lot# and that such loading berths shall be enclosed or screened to the greatest extent practicable.
- (b) All open off-street loading berths shall be screened from

all adjoining #zoning lots# pursuant to the standards of Section 44-585 (Screening).

(7/29/09)

**126-33**

**Curb Cut Restrictions on 15th Avenue**

Within the #Special College Point District#, curb cuts shall be prohibited on 15th Avenue.

However, where permitted or required #accessory# off-street parking and loading requirements apply in a location where such curb cuts are prohibited, a curb cut may be allowed, provided that the City Planning Commission certifies to the Commissioner of Buildings that such #zoning lot# has access to the #street# only through such prohibited location and that such curb cut shall be no greater than 20 feet in width.

An application to the City Planning Commission for certification respecting such curb cut shall be accompanied by a site plan drawn to a scale of at least one-sixteenth inch to a foot, showing the size and location of the proposed curb cut.

(7/29/09)

**126-40**

**SPECIAL APPROVALS**

(7/29/09)

**126-41**

**Modification of Planting Requirements**

The requirements of Section 126-234 (Planting requirement) and paragraph (c) of Section 126-233 (Special provisions along district boundaries) may be waived in whole or in part if the Commissioner of Buildings certifies that such requirements are infeasible due to unique geological conditions such as excessive subsurface rock conditions, underground municipal infrastructure, or a City, State or Federal mandated brownfield remediation that requires the site to be capped.

Such waiver shall be based on a report prepared by a licensed

engineer that such conditions exist.

(7/29/09)

#### **126-42**

##### **Authorization for Reduction of Required Parking**

Within the commercial areas identified on the #Special College Point District# Map, the City Planning Commission may authorize a reduction of the parking requirement of Section 44-21 (General Provisions) and paragraphs (b) and (c) of Section 126-31 (Parking Regulations) by an amount not to exceed 50 percent, provided that the Commission finds that the proposed parking is sufficient for the #use# proposed.

(2/2/11)

#### **126-43**

##### **Special Permit to Modify Use or Bulk Regulations**

For any #zoning lot# within the #Special College Point District#, the City Planning Commission may permit modification of the #use# or #bulk# regulations, except #floor area ratio# provisions, provided the Commission finds that such:

- (a) #use# or #bulk# modification will aid in achieving the general purposes and intent of the Special District;
- (b) #use# modification is necessary for, and the only practicable way to achieve, the programmatic requirements of the development;
- (c) #bulk# modifications will enhance the distribution of #bulk# on the #zoning lot#;
- (d) #bulk# modifications will permit adequate access of light and air to surrounding #streets# and properties; and
- (e) #use# or #bulk# modification will relate harmoniously to the character of the surrounding area.

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

(7/29/09)

### Appendix Special College Point District Map

