Zoning Resolution

THE CITY OF NEW YORK
Zohran K. Mamdani, Mayor

CITY PLANNING COMMISSION
Sideya Sherman, Chair

16-30 - AUTHORIZATIONS AND SPECIAL PERMITS

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16-30 - AUTHORIZATIONS AND SPECIAL PERMITS

LAST AMENDED
5/8/2013

16-31 - General Provisions

LAST AMENDED
5/8/2013

The City Planning Commission may grant authorizations and special permits, pursuant to Sections 16-34, inclusive, and 16-35, inclusive.

All such special permits and authorizations, in addition to meeting the requirements, conditions and safeguards prescribed by the Commission, shall conform to and comply with all of the applicable zoning district regulations of the Zoning Resolution, except as otherwise specified herein.

16-32 - Requirements for Applications

LAST AMENDED
5/8/2013

An application to the City Planning Commission for the grant of a special permit or authorization under the provisions of this Section shall include a site plan showing the location of all #buildings or other structures# on the site, the location of all vehicular entrances and exits and off-street parking spaces, and such other information as may be required by the Commission.

16-33 - Relationship to Public Improvement Projects

LAST AMENDED
5/8/2013

In all cases, the City Planning Commission shall deny a special permit application or authorization whenever the #use# will interfere with a public improvement project (including housing, highways, public #buildings# or facilities, redevelopment or renewal projects, or rights-of-way for sewers, transit or other public facilities) which is approved by or pending before the City Council or the Commission, as determined from the calendar of each agency issued prior to the date of the public meeting on the application for a special permit or authorization.

16-34 - Authorizations

LAST AMENDED
5/8/2013

16-341 - Limited increase in parking spaces for existing buildings

LAST AMENDED
12/5/2024

The City Planning Commission may, by authorization, allow an increase in the number of parking spaces in an existing parking facility or the creation of a new parking facility associated with an existing #building# #developed# without parking, provided that the limitations of paragraph (a) and

the findings of paragraph (b) of this Section are met.

(a) Limitations

The total number of parking spaces in a parking facility, inclusive of any existing spaces, where applicable, shall not exceed what would be permitted if such facility were #developed# in accordance with the provisions of Section 16-10 (PERMITTED OFF-STREET PARKING IN THE LONG ISLAND CITY AREA). However, in no event shall the number of additional spaces authorized pursuant to this Section exceed 15 spaces.

(b) Findings

The Commission shall find that:

(1) the location of the vehicular entrances and exits to the parking facility will not unduly interrupt the flow of pedestrian traffic associated with #uses# or public facilities, including access points to mass transit facilities in close proximity thereto, or result in any undue conflict between pedestrian and vehicular movements, due to the entering and leaving movement of vehicles;

(2) the location of the vehicular entrances and exits to such parking facility will not interfere with the efficient functioning of #streets#, including any lanes designated for specific types of users or vehicles, due to the entering and leaving movement of vehicles;

(3) such #use# will not create or contribute to serious traffic congestion and will not unduly inhibit surface traffic and pedestrian flow; and

(4) such parking facility will not be inconsistent with the character of the existing streetscape.

16-342 - Reduction in the number of required existing parking spaces

LAST AMENDED
12/5/2024

For off-street parking facilities built prior to October 25, 1995, the City Planning Commission may authorize a reduction in the number of required #accessory# off-street parking spaces where the Commission finds that such reduction will not have undue adverse effects on residents, businesses or community facilities in the surrounding area, as applicable.

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

16-343 - Public parking lots

LAST AMENDED
12/5/2024

The City Planning Commission may authorize #public parking lots# with a capacity of not more than 150 spaces in the #Long Island City area#, provided that the otherwise applicable regulations set forth in Sections 36-54 or 44-44 (Surfacing), and Sections 36-55 or 44-45 (Screening) are met.

As a condition for authorizing any such #public parking lots#, the Commission shall make the following findings:

(a) such #use# will not be incompatible with, or adversely affect, the growth and development of #uses# comprising vital and essential functions in the general area within which such #use# is to

be located;

(b) such #use# will not create or contribute to serious traffic congestion and will not unduly inhibit vehicular and pedestrian movement;

(c) such #use# is so located as to draw a minimum of vehicular traffic to and through local #residential# #streets#; and

(d) the #streets# providing access to such #use# will be adequate to handle the traffic generated thereby.

The City Planning Commission may prescribe appropriate conditions and safeguards to minimize adverse effects on the character of the surrounding area, including limitations on #signs#, or requirements for shielding of floodlights and for locations of entrances and exits.

16-344 - Curb cuts

LAST AMENDED
12/5/2024

The City Planning Commission may authorize curb cuts located on a #street# designated in Section 16-23 (Curb Cut Restrictions), provided the Commission finds that a curb cut at such location:

(a) is not hazardous to traffic safety;

(b) will not create or contribute to serious traffic congestion or unduly inhibit vehicular movement;

(c) will not adversely affect pedestrian movement;

(d) will not interfere with the efficient functioning of bus lanes, specially designated #streets# and public transit facilities; and

(e) will not be inconsistent with the character of the existing streetscape.

16-35 - Special Permits

LAST AMENDED
5/8/2013

16-351 - Accessory off-street parking spaces

LAST AMENDED
12/5/2024

The City Planning Commission may, by special permit, allow the off-street parking facilities listed in paragraph (a) of this Section, provided that such parking facilities comply with the findings of paragraph (b).

(a) Eligible parking facilities

The Commission may permit, on-site or off-site, open or enclosed, #accessory# off-street parking facilities:

(1) associated with #developments# or #enlargements#, with any capacity not otherwise allowed under Section 16-10 (PERMITTED OFF-STREET PARKING IN THE LONG ISLAND CITY AREA); or

(2) associated with an existing parking facility or an existing #building# #developed# without parking, beyond the capacity authorized pursuant to Section 16-341 (Limited increase in parking spaces for existing buildings).

(b) Findings

The Commission shall find that:

(1) within the vicinity of the site, there are insufficient parking spaces available;

(2) the location of the vehicular entrances and exits to such parking facility will not interfere with the efficient functioning of #streets#, including any lanes designated for specific types of users or vehicles, due to the entering and leaving movement of vehicles;

(3) such #use# will not create or contribute to serious traffic congestion and will not unduly inhibit surface traffic and pedestrian flow;

(4) such parking facility will not be inconsistent with the character of the existing streetscape; and

(5) adequate reservoir space is provided at the vehicular entrance to accommodate vehicles equivalent in number to 20 percent of the total number of parking spaces, up to 50 parking spaces, and five percent of any spaces in excess of 200 parking spaces, but in no event shall such reservoir spaces be required for more than 50 vehicles. However, in the case of a facility with a capacity of 10 vehicles or less, the Commission may waive this finding.

The Commission may prescribe appropriate conditions and safeguards to minimize adverse effects on the character of the surrounding area, including traffic improvements, if necessary, and limitations on #signs# or requirements for shielding or floodlights or for locations of entrances and exits.

16-352 - Public parking garages and public parking lots

LAST AMENDED
6/6/2024

The City Planning Commission may, by special permit, allow #public parking garages# and #public parking lots# not otherwise permitted, pursuant to the applicable provisions of Section 74-195 (Public parking garages or public parking lots in high density central areas).