Zoning Resolution

THE CITY OF NEW YORK
Zohran K. Mamdani, Mayor

CITY PLANNING COMMISSION
Sideya Sherman, Chair

124-00 - GENERAL PURPOSES

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LAST AMENDED
11/13/2008

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

(a) to transform Willets Point into a diverse and sustainable community that enhances connections to its surroundings through a unique combination of uses;

(b) to create a retail and entertainment destination that catalyzes future growth and strengthens Flushing's role as a nexus of economic, social and cultural activity;

(c) to encourage a mix of uses that complement sporting venues within Flushing Meadows-Corona Park;

(d) to maximize utilization of mass transit, reducing the automobile dependency of the redevelopment;

(e) to create a livable community combining housing, retail and other uses throughout the district;

(f) to create a walkable, urban streetscape environment with publicly accessible open spaces;

(g) to encourage the pedestrian orientation of ground floor uses;

(h) to build upon the diversity of the Borough of Queens as well as the proximity of regional transportation facilities, including the Van Wyck and Whitestone Expressways, LaGuardia and JFK Airports and the Long Island Railroad;

(i) to provide flexibility of architectural design within limits established to assure adequate access of light and air to the street, and thus to encourage more attractive and economic building forms; and

(j) to promote the most desirable use of land and building development in accordance with the District Plan and Urban Renewal Plan for Willets Point and thus improve the value of land and buildings and thereby improve the City's tax revenues.

124-01 - General Provisions

LAST AMENDED
5/12/2021

The provisions of this Chapter shall apply within the #Special Willets 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 The regulations of all other Chapters of this Resolution are applicable, except as superseded, supplemented or modified by the provisions of this Chapter.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 Zones), the provisions of Article VI, Chapter 4, shall control.

124-02 - Definitions

LAST AMENDED
6/6/2024

For purposes of this Chapter, matter in italics is defined in Sections 12-10, 32-301, or within this Section.

For the purposes of establishing #blocks# and applying the #use#, #signage#, #street# tree, height and setback, #court#, publicly accessible open space and curb cut regulations of this Chapter, #connector streets#, the #eastern perimeter street#, the #primary retail street#, #residential streets#, #retail streets# and #service streets# shall be considered #streets#, and their boundaries shall be treated as #street lines#.

Connector street

A "connector street" shall be a way intended for general public use located and designed in accordance with requirements set forth in Section 124-31 (Standards for Streets and Blocks), inclusive.

Eastern perimeter street

The "eastern perimeter street" shall be a way intended for general public use located and designed in accordance with requirements set forth in Section 124-31, inclusive.

Primary retail street

The "primary retail street" shall be a way intended for general public use located and designed in accordance with requirements set forth in Section 124-31, inclusive.

Residential street

A “residential street” shall be a way intended for general public use located and designed in accordance with requirements set forth in Section 124-31, inclusive.

Retail street

A “retail street” shall be a way intended for general public use located and designed in accordance with requirements set forth in Section 124-31, inclusive.

Service street

A “service street” shall be a way intended for general public use located and designed in accordance with requirements set forth in Section 124-31, inclusive.

124-03 - District Plan and Maps

LAST AMENDED
11/13/2008

District Plan Maps are located within the Appendix to this Chapter and are hereby incorporated and made part of this Resolution. They are incorporated for the purpose of specifying locations where special regulations and requirements set forth in the text of this Chapter apply.

The District Plan includes the following five maps:

Map 1 – Special Willets Point District Plan

Map 2 - Location Requirements for Convention Center, Cinema and Office Tower

Map 3 - Height Limits

Map 4 - Locations of Tower Walls without Setbacks

Map 5 - Mandatory Intersections

124-04 - Applicability of District Regulations

LAST AMENDED
11/13/2008

124-041 - Applicability of Article III, Chapter 6

LAST AMENDED
3/28/2012

The provisions of Section 36-76 (Waiver or Reduction of Spaces for Subsidized Housing) shall not apply in the #Special Willets Point District#.

124-042 - Applicability of Article VII, Chapter 3

LAST AMENDED
6/6/2024

The following special permit by the Board of Standards and Appeals shall not be applicable:

Section 73-143 (Electric or gas utility substation) shall not apply to electrical utility substations. In lieu thereof, such #use# shall be allowed within the #Special Willets Point District# upon authorization of the City Planning Commission, pursuant to Section 124-16.

124-043 - Applicability of Article VII, Chapter 4

LAST AMENDED
6/6/2024

The following special permit by the City Planning Commission shall not be applicable:

Section 74-142 (Electric utility substations). In lieu thereof, such #use# shall be allowed within the #Special Willets Point District# upon authorization of the City Planning Commission, pursuant to Section 124-16.

124-05 - Certification for Large Developments

LAST AMENDED
4/11/2024

The requirements of this Section shall apply to #zoning lots# of at least 200,000 square feet of #lot area#, containing #developments# or #enlargements# resulting in at least 100,000 square feet of #floor area# on such #zoning lots#, or multiple #zoning lots# of at least 200,000 square feet of #lot area#, in aggregate, that are subject to the provisions of Section 124-60 (SPECIAL PERMIT TO MODIFY

USE OR BULK REGULATIONS).

No building permit shall be issued until the Chairperson of the City Planning Commission certifies to the Department of Buildings that such #developments# or #enlargements# comply with the provisions of this Section.

A set of drawings of sufficient scope and detail shall be submitted, showing that:

(a) all #streets# and private streets within or abutting the proposed #development# or #enlargement# comply with the provisions of Section 124-31 (Standards for Streets and Blocks), inclusive;

(b) all #streets# and private streets within or abutting the proposed #development# or #enlargement# are constructed to grades acceptable to the Commissioner of Buildings and the Commissioner of Transportation;

(c) all publicly accessible open spaces within or abutting the proposed #development# or #enlargement# comply with the provisions of Section 124-40 (PUBLICLY ACCESSIBLE OPEN SPACE REQUIREMENTS), inclusive; and

(d) for any portion of the #Special Willets Point District# not within the area proposed for #development# or #enlargement# and for which a certification pursuant to this Section has not been obtained, plans shall be submitted showing that the #development# or #enlargement# that is the subject of this certification shall not preclude such portions of the #Special Willets Point District# from complying with the provisions of Sections 124-31 and 124-40 under future certifications pursuant to this Section, except where such compliance is directly prevented by modifications granted by the Commission pursuant to Section 124-60.

The Chairperson may allow for phased development upon certification to the Commissioner of Buildings that a plan has been submitted that provides for the completion of any private streets and publicly accessible open spaces that are integral to the #development# or #enlargement# of a #building# or #buildings# within each phase.

The Chairperson shall modify the provisions of Section 124-31, inclusive, to the minimum extent necessary, in the event that the Fire Department determines in writing that such modifications are required under law or regulation governing adequate fire access.

All required private streets and publicly accessible open spaces, once certified in accordance with the provisions of this Section, shall be duly recorded in the form of a signed declaration of restrictions, including a maintenance and operation agreement, indexed against the property, binding the owners, successors and assigns to provide such private streets and publicly accessible open spaces and public access thereto in accordance with the plans certified by the Chairperson of the City Planning Commission. Such declaration or maintenance and operation agreement shall require that a bond be posted that would ensure that the private streets and public access areas are maintained in accordance with the declaration or maintenance and operation agreement and are closed only at authorized times. The filing of such declaration in the Borough Office of the Register of the City of New York shall be a precondition for the issuance of a building permit.

In addition, the private streets and publicly accessible open spaces integral to the #development# or #enlargement# of a #building# or #buildings# shall be recorded on the certificate of occupancy for such #building# or #buildings# by the Department of Buildings and shall be a condition of issuance of such certificate of occupancy.