Zoning Resolution

THE CITY OF NEW YORK
Zohran K. Mamdani, Mayor

CITY PLANNING COMMISSION
Sideya Sherman, Chair

126-13 - Enclosure Regulations

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126-13 - Enclosure Regulations

LAST AMENDED
6/6/2024

The following provisions supersede Sections 42-51 (Enclosure of Commercial or Manufacturing Activities) and 42-52 (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).

126-131 - Special enclosure regulations for specific uses previously prohibited under the former College Point Urban Renewal Plan

LAST AMENDED
6/6/2024

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

From Use Group IV

Electric power or steam generating plants

Incineration or reduction of garbage, offal or dead animals

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

Sewage disposal plants

Dumps, marine transfer stations for garbage or slag piles

From Use Group IX

Explosives storage, when not prohibited by other ordinances

Junk or salvage establishments, including auto wrecking or similar establishments

Wholesale establishments that include produce or meat markets

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

From Use Group X

Animal slaughtering and processing.

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.

126-132 - Enclosure regulations in M1-1 Districts

LAST AMENDED
7/29/2009

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#.

126-133 - Enclosure regulations in M2-1 Districts near Residence Districts

LAST AMENDED
7/29/2009

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#.

126-134 - Enclosure of storage in M1-1 Districts near Residence Districts

LAST AMENDED
7/29/2009

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

126-135 - Screening of storage in M2-1 Districts near Residence Districts

LAST AMENDED
7/29/2009

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.

126-136 - Screening of storage

LAST AMENDED
6/6/2024

(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 42-62 (Permitted Signs) and 126-14 (Sign Regulations).