Zoning Resolution

THE CITY OF NEW YORK
Zohran K. Mamdani, Mayor

CITY PLANNING COMMISSION
Sideya Sherman, Chair

117-40 - COURT SQUARE SUBDISTRICT

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117-40 - COURT SQUARE SUBDISTRICT

LAST AMENDED
11/12/2025

In the #Special Long Island City Mixed Use District#, the special regulations of Section 117-40, inclusive, shall apply in the Court Square Subdistrict.

117-401 - General provisions

LAST AMENDED
11/12/2025

In the Court Square Subdistrict, the #use#, #bulk, and parking regulations of the underlying districts shall apply, except as modified by the provisions of Section 117-40 (COURT SQUARE SUBDISTRICT), inclusive.

Mandatory subway improvements are elements of the Subdistrict Plan, which shall be built by the developer of the #zoning lot# to which they apply.

117-41 - Court Square Subdistrict Plan

LAST AMENDED
11/12/2025

The Subdistrict Plan for the Court Square Subdistrict specifies the location of Blocks 1, 2 and 3 and identifies the improvements to be provided in the District under the provisions of this Chapter. The elements of the Subdistrict Plan are set forth in Appendix D of this Chapter, which consists of the Subdistrict Plan Map and Description of Improvements, and is incorporated into the provisions of this Chapter.

117-42 - Special Bulk and Use Regulations in the Court Square Subdistrict

LAST AMENDED
11/12/2025

#Zoning lots# of at least 10,000 square feet with #buildings# containing at least 70,000 square feet of #floor area# are subject to the provisions of the underlying C5-3 District, as modified by Sections 117-40 through 117-45, inclusive.

All other #zoning lots# are subject to the #use# provisions of the underlying C5-3 District and the #bulk# provisions of an M1-4/R6B District.

117-421 - Special bulk regulations

LAST AMENDED
12/5/2024

(a) #Developments# or #enlargements# on #zoning lots# that meet the standards of Section 117-44 and provide mandatory subway improvements as required by Section 117-44, may be #developed# or #enlarged# to a #floor area ratio# of 15.0. #Developments# or #enlargements#

on #zoning lots# that do not meet the minimum standards of Section 117-44 shall not exceed the maximum #floor area ratio# of the M1-4/R6B designated district for the applicable #use#.

(b) The following provisions shall not apply within the Court Square Subdistrict:

Section 33-13 (Floor Area Bonus for a Public Plaza)

Section 33-14 (Floor Area Bonus for Arcades)

Section 33-26 (Minimum Required Rear Yards)

Section 34-223 (Floor area bonus for a public plaza)

Section 34-224 (Floor area bonus for an arcade)

Section 34-23 (Modification of Yard and Open Area Regulations).

(c) The height and setback regulations of the underlying C5-3 District shall apply, except that:

(1) no #building or other structure# shall exceed a height of 85 feet above the #base plane# within the area bounded by 23rd Street, 44th Road, a line 60 feet east of and parallel to 23rd Street, and 45th Avenue; and

(2) on Blocks 1 and 3, the #street wall# of a #building or other structure# shall be located on the #street line# or sidewalk widening line, where applicable, and extend along the entire #street# frontage of the #zoning lot# up to at least a height of 60 feet and a maximum height of 85 feet before setback, except any portion of a #building# on Block 3 fronting upon 23rd Street may rise to a maximum height of 125 feet before setback. Recesses, not to exceed three feet in depth from the #street line#, shall be permitted on the ground floor where required to provide access to the #building#. Above the level of the second #story#, up to 30 percent of the #aggregate width of street walls# may be located beyond the #street line#, provided no such recesses are within 15 feet of an adjacent #building#.

Above the highest applicable maximum #street wall# height, the underlying height and setback regulations shall apply. However, the underlying tower regulations shall be modified:

(i) to permit portions of #buildings# that exceed a height of 85 feet to be set back at least five feet from a #wide street line#, provided no portion of such #building# that exceeds a height of 85 feet is located within 15 feet of a #side lot line#; and

(ii) so that the provisions of Section 33-451 (In certain specified Commercial Districts) regulating the aggregate area of a tower within 50 feet of a #narrow street# shall not apply to any #building# or portion of such #building# on Block 3 fronting upon 45th Avenue.

The provisions of this paragraph (c)(2) shall not apply to #enlargements# on #zoning lots# existing on June 30, 2009, where such #zoning lot# includes an existing #building# to remain with at least 300,000 square feet of #floor area#.

117-422 - Sign regulations

LAST AMENDED
5/28/2003

All requirements of Section 32-60 (SIGN REGULATIONS) shall apply, except for Sections 32-642 (Nonilluminated signs), 32-644 (Illuminated or flashing signs in C4, C5-4, C6 or C7 Districts) and 32-655 (Height of signs in all other Commercial Districts).

Non-#illuminated#, #illuminated# or #flashing signs# are permitted with a total #surface area# (in square feet) not exceeding five times the #street# frontage of the #zoning lot#, in feet, but in no event

shall the total #surface area# exceed 500 square feet for #interior# or #through lots# or 500 square feet on each frontage for #corner lots#.

No permitted #sign# shall extend above #curb level# at a height greater than 60 feet.

A #non-conforming# #sign# may be replaced pursuant to Section 52-82 (Non-conforming Signs Other Than Advertising Signs), except that the height, location or position of the replacement #sign# may be changed by up to 10 feet, measured from the perimeter of the original #non-conforming# #sign#.

117-423 - Sidewalk widening

LAST AMENDED
2/2/2011

For any #development# or #enlargement# on Block 3 with a #building# wall facing 45th Road, a sidewalk widening of five feet shall be provided on 45th Road between 23rd Street and Jackson Avenue. Such sidewalk widening shall be a continuous, paved open area along the #front lot line# of the #zoning lot# at the same elevation as the adjoining sidewalk and directly accessible to the public at all times. Such sidewalk widening shall be unobstructed from its lowest level to the sky except for temporary elements of weather protection, such as awnings or canopies, provided that the total area (measured on the plan) of such elements does not exceed 20 percent of the sidewalk widening area, and that such elements and any attachments thereto are at least eight feet above #curb level#, and that any post or other support for such element, or any attachment to the support, has a maximum horizontal dimension of six inches. No #street# trees, vehicle storage, parking or trash storage is permitted on such sidewalk widening.

117-44 - Mandatory Subway Improvements

LAST AMENDED
11/12/2025

For the purposes of mandatory subway improvements, any tract of land consisting of two or more contiguous lots of record under single ownership or control as of March 1, 1986, shall be considered a single #zoning lot#.

Subway improvements are required for qualifying #developments# or #enlargements#, as follows:

(a) #Zoning lots# with at least 5,000 square feet of #lot area#

#Developments# or #enlargements# on #zoning lots# with 5,000 square feet or more of #lot area# located on Block 1 and fronting on a sidewalk containing a sidewalk entrance to the Queens Boulevard Line, Court Sq-23 St Station, shall relocate the stairway or entrance(s) to such subway onto the #zoning lot#, in accordance with the provisions of Section 37-40 (OFF-STREET RELOCATION OR RENOVATION OF A SUBWAY STAIR), with the exception that, in addition to the waivers provided by Section 37-44, the additional standards for location, design and hours of public accessibility contained in Section 37-41 may be waived upon a finding by the Metropolitan Transportation Authority that such standards are undesirable or unnecessary to ensure a good overall design.

(b) #Zoning lots# with at least 10,000 square feet of #lot area#

For the purposes of this paragraph (b), the #floor area# of the #development# or #enlargement# shall be the total amount of #floor area# constructed after August 14, 1986.

#Developments# or #enlargements# on Blocks 1, 2 or 3, identified in Appendix D (Court Square Subdistrict Plan Map and Description of Improvements) of this Chapter, containing at least 70,000 square feet of #floor area# on #zoning lots# of at least 10,000 square feet of #lot

area# shall provide mandatory subway improvements as described, in Appendix D, in paragraph (a) for Block 1, paragraph (b) for Block 2 and paragraph (c)(1) for Block 3.

In addition, on Block 3, any #development# or #enlargement# containing at least 300,000 square feet of #floor area# or any #development# or #enlargement# on a #zoning lot# of at least 30,000 square feet of #lot area# shall provide all the mandatory subway improvements for the Block, as described in paragraphs (c)(1) and (c)(2) for Block 3.

117-441 - Standards and procedures for mandatory subway improvements

LAST AMENDED
6/30/2009

(a) Compliance with Transit Authority design standards

The subway station improvements shall comply with all applicable design standards of the current station planning guidelines of the Transit Authority.

(b) Procedure

(1) Pre-application

The applicant shall submit schematic or concept plans for the proposed improvements to the Metropolitan Transportation Authority, the Transit Authority and the Chairperson of the City Planning Commission.

(2) Application pre-certification

After review and agreement on the concept by the Metropolitan Transportation

Authority, Transit Authority and Chairperson of the City Planning Commission, the applicant shall submit documentation deemed necessary by the reviewing agencies.

(3) Prior to the granting of certification by the Chairperson of the City Planning Commission pursuant to Section 117-45 (Developer's Notice), the Transit Authority shall have submitted a letter to the Chairperson stating the drawings and other documents submitted by the applicant have been determined by the Transit Authority to be of sufficient scope and detail to fix and describe the size and character of the subway improvement as to architectural, structural, mechanical and electrical systems; materials; relationship to existing site conditions; and other such elements as may be appropriate.

(4) The owner shall sign a legally enforceable instrument running with the land containing complete drawings of the improvement and setting forth the obligations of owner and developer, their successors and assigns, to construct and maintain all parts of the improvement, whether on-site or off, and to establish a construction schedule.

Any such instrument shall be recorded against the #zoning lot# in the Office of the Register of the City of New York for Queens County and a certified copy of the instrument shall be submitted to the Chairperson of the City Planning Commission and the Transit Authority.

The owner shall not apply for or accept a temporary certificate of occupancy for the #development# or #enlargement#, and the Department of Buildings shall not issue a temporary certificate of occupancy, until the Transit Authority has determined that the subway improvement is substantially complete, which shall, for this purpose, mean usable by the public.

The owner shall not apply for or accept a permanent certificate of occupancy for the #development# or #enlargement#, nor shall the Department of Buildings issue a

permanent certificate of occupancy until the subway improvement has been completed in accordance with the approved plans and completion has been certified by the Transit Authority.

(5) Where the mandatory subway improvement includes the preparation of drawings for off-site subway improvements, such drawings including, but not limited to, plans, sections, elevations, three-dimensional projections and other drawings deemed necessary or relevant by the Transit Authority or the Chairperson of the City Planning Commission, shall be in conformance with the current guidelines for submission of outside projects of the Transit Authority. Prior to approval by the Chairperson, the Transit Authority shall provide a letter to the Chairperson containing conceptual approval of the improvements as indicated in the drawings.

117-45 - Developer's Notice

LAST AMENDED
2/2/2011

As a condition to the issuance by the Department of Buildings of an excavation or building permit for a #development# or #enlargement# on a #zoning lot# requiring a mandatory subway improvement:

(a) the developer shall have submitted to the Chairperson of the City Planning Commission:

(1) written notice of its intention to #develop# or #enlarge# on a #zoning lot# in the Court Square Subdistrict, the #floor area# of such #development# or #enlargement#, and the mandatory subway improvements which the developer shall construct;

(2) drawings, including, but not limited to, plans, sections, elevations, three-dimensional projections or other drawings deemed necessary or relevant by the Chairperson, for

the mandatory subway improvements within the designated #zoning lot#; and

(3) waivers, consents, agreements or other legal instruments obligating the developer, its heirs and devisees, successors and assigns, to develop its property in accordance with the Subdistrict Plan and the provisions of this Chapter; and

(b) within 90 days of such submission by the developer, the Chairperson of the City Planning Commission shall certify to the Department of Buildings and the developer receipt of the aforesaid documents and the developer's compliance, or non-compliance, with the requirements of the Subdistrict Plan.