Zoning Resolution

THE CITY OF NEW YORK
Zohran K. Mamdani, Mayor

CITY PLANNING COMMISSION
Daniel R. Garodnick, Chair

Chapter 6 - Special Coney Island Mixed Use District (CO)

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106-00 - GENERAL PURPOSES

LAST AMENDED
2/2/2011

The "Special Coney Island Mixed Use 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) to stabilize the residential future of this mixed residential and industrial area by permitting expansion and development of residential and light manufacturing uses where adequate environmental standards are assured;

(b) to promote the opportunity for people to work in the vicinity of their residences;

(c) to provide a safe circulation system in this area of mixed residential and manufacturing use;

(d) to retain adequate wage, job-intensive, seasonally stable industries within New York City;

(e) to provide an opportunity for the improvement of Coney Island in a manner consistent with the objectives of the Comprehensive Plan of the City of New York; and

(f) to promote the most desirable use of land and thus to conserve the value of land and buildings and thereby protect the City tax revenues.

106-01 - General Provisions

LAST AMENDED
12/5/2024

In harmony with the general purpose and intent of this Resolution and the general purpose of the #Special Coney Island Mixed Use District# and in accordance with the provisions of this Chapter, regulations of the #Special Coney Island Mixed Use District# shall replace and supersede the existing district regulations. 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.

All #residences# and #community facilities# shall be subject to all the provisions applicable in R5 Districts, except as otherwise specifically provided in this Chapter.

All #commercial# and #manufacturing uses# shall be subject to all the provisions applicable in M1-2 Districts, except as otherwise specifically provided in this Chapter.

The maximum #floor area ratio# for #mixed buildings# shall be that permitted for C2 Districts mapped over an R5 District.

The #use# of any #building# may be changed to another #use# listed within the same Use Group or as provided in Sections 106-12 (Special Permit Provisions for Residential Uses), 106-32 (Special Permit Provisions for Manufacturing and Commercial Uses) or 106-33 (Changes of Manufacturing or Commercial Use).

In any #building# above the level of the first #story# ceiling, #residential uses# shall not be located on the same #story# as or below #manufacturing# or #commercial# #uses#, and #manufacturing uses# shall not be located on the same #story# as or above #residential uses#.

#Zoning lots# adjacent to the #Special Coney Island Mixed Use District# shall not be subject to the provisions of Sections 42-214 (Special provisions applying along district boundaries), 42-412 (In M2 or M3 Districts), 42-42 (Enclosure or Screening of Storage), 42-44 (Limitations on Business Entrances, Show Windows or Signs), 42-56 (Special Provisions Applying Along District Boundaries), 43-30

(SPECIAL PROVISIONS APPLYING ALONG DISTRICT BOUNDARIES) or 44-583 (Restrictions on location of berths near Residence Districts).

Special regulations for #residential uses# are listed in Sections 106-11 and 106-12 of this Chapter.

Special regulations for #community facility uses# are listed in Section 106-21 of this Chapter.

Special regulations for #manufacturing# and #commercial# #uses# are listed in Sections 106-31, 106-32 and 106-33 of this Chapter.

Special regulations for #buildings# containing both #residential# and #commercial# #uses# are listed in Sections 106-41 and 106-42 of this Chapter.

106-10 - SPECIAL REGULATIONS FOR RESIDENTIAL USES

LAST AMENDED
1/9/1975

106-11 - Special Provisions for As-of-Right Residences

LAST AMENDED
6/6/2024

#Developments# or #enlargements# containing #residences# are allowed as-of-right, provided that:

(a) the #zoning lot# shares a common #side lot line# on at least one side with a #residential# or #community facility use#;

(b) the frontage along the #street line# of the #zoning lot# shall not exceed 60 feet, but in no event shall the total area of such #zoning lot# exceed 7,800 square feet;

(c) the #zoning lot# is not located within a continuous frontage of vacant #zoning lots# or #land with minor improvements# whose aggregate length exceeds 60 feet;

(d) the #zoning lot# is not located on Cropsey Avenue or on the east side of Stillwell Avenue; and

(e) on the same #zoning lot#, there are no #manufacturing uses# or #commercial uses# that would not be permitted as-of-right within C7 Districts.

106-12 - Special Permit Provisions for Residential Uses

LAST AMENDED
2/2/2011

The City Planning Commission may permit within the #Special Coney Island Mixed Use District#:

(a) change of #commercial# or #manufacturing use# to #residential use#; and

(b) modification in #yard# and off-street parking regulations for #residential uses# in #developments# or #enlargements#;

provided that the following findings are made:

(1) that a change of #use# from #manufacturing# or #commercial# to #residential use# shall not displace any #building# or #use#, or preempt any #zoning lot# which is essential to the normal functioning and growth of existing #manufacturing# or #commercial# #uses# within the district; and

(2) that such #residential uses# shall not be exposed to inordinate noise, smoke, dust, noxious odor or other adverse influences from #manufacturing uses# and traffic.

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

106-20 - SPECIAL REGULATIONS FOR COMMUNITY FACILITY USES

LAST AMENDED
1/9/1975

106-21 - Special Permit Provisions for Community Facility Uses

LAST AMENDED
2/2/2011

The City Planning Commission may permit within the #Special Coney Island Mixed Use District#:

(a) #development# of #community facility buildings#; and

(b) change of #use# of a #residential#, #manufacturing# or #commercial building# to a #community facility use#;

provided that the following finding are made:

(1) that such #community facility# is necessary to the growth and functioning of #residential# or #manufacturing uses# in the #Special Coney Island Mixed Use District#; and

(2) that a more suitable location for such #use# cannot be found outside the #Special Coney Island Mixed Use District#.

106-30 - SPECIAL REGULATIONS FOR MANUFACTURING OR COMMERCIAL USES

LAST AMENDED
1/9/1975

106-31 - Special Provisions for As-of-Right New Buildings With Manufacturing and Commercial Uses

LAST AMENDED
6/6/2024

New #buildings# containing #manufacturing uses# or #commercial# #uses# shall be allowed as-of-right, provided that:

(a) the #zoning lot# shares a common #side lot line# with a #manufacturing# or #commercial# #use#;

(b) the frontage along the #street line# of the #zoning lot# shall not exceed 60 feet, but in no event shall the total area of such #zoning lot# exceed 7,800 square feet;

(c) the #zoning lot# is not located within a continuous frontage of vacant #zoning lots# whose aggregate length exceeds 60 feet;

(d) such #manufacturing use# is listed in Use Group M;

(e) such #commercial# #use# is listed in Use Groups 6, 7, 8, 9, 11 or 16 and is located on Neptune, Stillwell or Cropsey Avenues; and

(f) no #residential uses# occupy the #zoning lot#.

106-32 - Special Permit Provisions for Manufacturing and Commercial Uses

LAST AMENDED
6/6/2024

The City Planning Commission may permit within the #Special Coney Island Mixed Use District#:

(a) #uses# not permitted by the provisions of Section 106-31 (Special Provisions for As-of-Right New Buildings With Manufacturing and Commercial Uses);

(b) change of #use# from a #residential use# to a #manufacturing# #use# permitted by Section 106-31 or #commercial# #use#; and

(c) modifications in #yard# regulations for #manufacturing# #uses# permitted by Section 106-31 or #commercial# #uses# in #developments# or #enlargements#;

provided that the following findings are made:

(1) that such #use# will comply with the regulations on performance standards of M1 Districts;

(2) that additional truck traffic generated by such #use# or the modification of #yard# regulations will not create harmful, congested or dangerous conditions; and

(3) that a change of #use# from #residential# to a #manufacturing# #use# permitted by Section 106-31 or #commercial# #use# shall not displace or preempt any #building# which is essential to the functioning and growth of existing residences within the district.

The City Planning Commission may prescribe additional appropriate conditions and safeguards to minimize adverse effect on the character of the surrounding area.

106-33 - Special Yard Regulations

LAST AMENDED
6/6/2024

Where a #side lot line# of a #zoning lot# containing #manufacturing# or #commercial# #uses# coincides with the #side# or #rear lot line# of a #zoning lot# containing #residential uses#, #enlargements# or #developments# shall provide an open area not at any point more than five feet above nor five feet below #curb level#, and at least 15 feet wide.

Where the #rear lot line# of a #zoning lot# containing #manufacturing# or #commercial# #uses# coincides with a #side lot line# of a #zoning lot# containing #residential uses#, #enlargements# or #developments# shall provide an open area not at any point more than five feet above nor five feet below #curb level#, and at least 20 feet in depth.

Where a #zoning lot# containing #manufacturing# or #commercial# #uses# shares a common #rear lot line# with a #zoning lot# containing #residential uses#, #enlargements# or #developments# shall provide an open area not at any point more than five feet above nor five feet below #curb level#, and at least 30 feet in depth. Such open areas shall not be used for #accessory# off-street parking, #accessory# off-street loading, or for storage or processing of any kind.

106-40 - SPECIAL REGULATIONS FOR BUILDINGS CONTAINING BOTH RESIDENTIAL AND COMMERCIAL USE

LAST AMENDED
1/9/1975

106-41 - Use Regulations

LAST AMENDED
6/6/2024

#Developments# containing both #residential# and #commercial# #uses# are allowed in the #Special Coney Island Mixed Use District#, provided that the regulations of this Chapter are met. No #buildings#, however, shall contain both #residential uses# and #commercial# #uses# that would not be permitted as-of-right within C7 Districts.

106-42 - Modification of Yard Regulations

LAST AMENDED
1/9/1975

No #front# or #side yards# are required for #buildings# containing both #residential# and #commercial# #uses#. For the #residential# portion of such #buildings#, the #rear yard# may be provided at any level not higher than the floor level of the lowest #story# used for #residential use#.

106-50 - ADMINISTRATION

LAST AMENDED
1/9/1975

106-52 - Requirements for Applications

LAST AMENDED
2/2/2011

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

Special permit applications for #development# pursuant to Section 106-32 (Special Permit Provisions for Manufacturing and Commercial Uses) shall be referred to the Department of Transportation for its report, pursuant to Section 74-31, paragraph (d).

106-53 - Relationship to Public Improvement

LAST AMENDED
1/9/1975

In all cases, the City Planning Commission shall deny any application whenever the #development# will interfere with a public improvement which has been approved by the Board of Estimate, the City Planning Commission, or the Site Selection Board.