**Zoning Resolution**

THE CITY OF NEW YORK
**Zohran K. Mamdani, Mayor**

CITY PLANNING COMMISSION
**Sideya Sherman, Chair**

# 131-43 - Coney West Subdistrict

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## 131-43 - Coney West Subdistrict

LAST AMENDED
7/29/2009

The regulations of this Section shall apply to all #buildings or other structures# in the Coney West Subdistrict. Map 4 (Street Wall Location), Map 5 (Minimum and Maximum Base Heights) and Map 6 (Coney West Subdistrict Transition Heights), in the Appendix to this Chapter, illustrate the #street wall# location provisions, minimum and maximum base height provisions and transition height provisions of this Section, inclusive. For the purposes of this Section, the "building line" shown on Parcel F shall be considered a #street line# of Ocean Way or Parachute Way, as indicated on such maps.

## 131-431 - Coney West District, Surf Avenue

LAST AMENDED
12/5/2024

(a) #Street wall# location

The #street wall# location provisions of paragraph (a) Section 35-631 shall apply along Surf Avenue and along all #street# frontages within 50 feet of their intersection with Surf Avenue. To allow for portions of towers to rise without setback from grade, a portion of a #building# base below a tower may be set back 10 feet from a #street line#, provided the width of such setback area is not greater than 40 percent of the width of the #street wall# of the tower and provided such setback area complies with the provisions of Section 131-47 (Design

Requirements for Ground Level Setbacks).

(b) #Building# base

A #street wall# fronting on Surf Avenue shall rise without setback to a minimum height of six #stories# or 65 feet, or the height of the #building#, whichever is less, and a maximum height of eight #stories# or 85 feet, whichever is less, before a setback is required. However, on the #block# front bounded by West 21st Street and West 22nd Street, the minimum height of a #street wall# shall be 40 feet and the maximum height of a #street wall# shall be six #stories# or 65 feet, whichever is less, before a setback is required.

All portions of a #building or other structure# that exceed the maximum heights set forth in this paragraph, (b), shall be set back from the #street line# at least 10 feet. Such setback may be modified in accordance with the provisions of Section 23-433 (Standard setback regulations).

(c) Transition height

Above the maximum base height, a #street wall# may rise to a maximum transition height of nine #stories# or 95 feet, whichever is less, provided that such #street walls# are set back a minimum distance of 10 feet from the Surf Avenue #street line#. All portions of #buildings or other structures# that exceed a transition height of 95 feet shall comply with the tower provisions of Section 131-434 (Coney West Subdistrict towers).

## 131-432 - Along all other streets, other than Riegelmann Boardwalk

LAST AMENDED
12/5/2024

The following regulations shall apply along all other #streets# in the Coney West Subdistrict, except within 70 feet of Riegelmann Boardwalk.

(a) #Street wall# location

The #street wall# location provisions of paragraph (b) Section 35-631 shall apply and extend up to base heights as defined in this Section. To allow portions of towers to rise without setback from grade, a portion of a #building# base below a tower may be set back 10 feet from the #street line#, provided the width of such setback area is not greater than 40 percent of the width of the #street wall# of the tower.

The entire area of the #zoning lot# between the #street line# and all #street walls# of the #building# and their prolongations shall be planted at ground level, or in raised planting beds that are permanently affixed to the ground, except that such plantings shall not be required at the entrances to and exits from the #building#, within driveways accessing off-street parking spaces located within, to the side, or rear of such #building#, or between #commercial# #uses# and the #street line#. No #zoning lot# shall be altered in any way that will either create a new non-compliance or increase the degree of non-compliance with the provisions of this Section.

(b) #Building# base

The #street wall# of a #building# base, or portion thereof, located beyond 100 feet of Surf Avenue, shall rise without setback to a minimum height of 40 feet or the height of the #building#, whichever is less, and a maximum height of six #stories# or 65 feet, whichever is less. All portions of a #building or other structure# that exceed a height of 65 feet shall be set back from the #street wall# at least 10 feet. Such setback may be modified in accordance with the provisions of Section 23-433 (Standard setback regulations).

(c) Transition heights

Beyond 100 feet of Surf Avenue, a #street wall# may rise to a maximum transition height of nine #stories# or 95 feet, whichever is less, provided that:

(1) above the maximum base height, #street walls# are set back a minimum distance of 10 feet from the #street line#, except that for #blocks# north of the Ocean Way #street line#, along a minimum of one #street line# bounding the #block# (except for Surf Avenue), at least 40 percent of the #aggregate width of street walls# shall remain open to the sky for a minimum depth of 100 feet from the #street line#;

(2) for #blocks# bounding the southern #street line# of Ocean Way, any portion of a #building or other structure# that exceeds a height of six #stories# or 65 feet, whichever is less, shall be located within 80 or 100 feet of a #street line#, as indicated on Map 6 in the Appendix to this Chapter;

(3) for portions of #buildings# higher than six #stories# or 65 feet that are within 100 feet of Riegelmann Boardwalk, each #story# within such portion shall provide a setback with a depth of at least 10 feet, measured from the south-facing wall of the #story# directly below.

A #building or other structure# may exceed such transition heights only in accordance with the tower provisions of Section 131-434.

## 131-433 - Riegelmann Boardwalk and building line of Parcel F

LAST AMENDED
2/2/2011

A #street wall# shall be located on Riegelmann Boardwalk #street line# and extend along the entire Riegelmann Boardwalk frontage of the #zoning lot# to a minimum height of 20 feet, as shown on Map 5 (Minimum and Maximum Base Heights). Any #building or other structure# within 70 feet of Riegelmann Boardwalk shall not exceed a height of 40 feet above the level of Riegelmann Boardwalk.

In addition, on Parcel F, a #street wall# shall be located on the Parachute Way building line and the portion of the Ocean Way building line that is within 100 feet of the Parachute Way building line, as shown on Map 4 (Street Wall Location). Such #street walls# shall extend along such entire frontages of Parcel F to a minimum height of 20 feet.

## 131-434 - Coney West Subdistrict towers

LAST AMENDED
2/2/2011

All #stories# of a #building# or portions of other structures located partially or wholly above an applicable transition height shall be considered a “tower” and shall comply with the provisions of this Section.

(a) Maximum floorplate

Each #story# of a tower shall not exceed a gross area of 8,500 square feet.

(b) Maximum length and height

On #blocks# bounding Surf Avenue, the maximum height of a #building or other structure# shall be 220 feet, and on #blocks# bounding the southerly #street line# of Ocean Way, the maximum height of a #building or other structure# shall be 170 feet. Furthermore, the

outermost walls of all tower #stories# shall be inscribed within a rectangle, and no side of such rectangle shall exceed a length of 165 feet.

Where #qualifying affordable housing# or #qualifying senior housing# is provided pursuant to Section 131-321 (Special floor area regulations for residential uses), the maximum height of a #building# shall be increased to 270 feet, provided either:

(1) the outermost wall of all tower #stories# are inscribed within a rectangle where no side of such rectangle exceeds a length of 100 feet; or

(2) the outermost wall of all tower #stories# below a height of 120 feet are inscribed within a rectangle where no side of such rectangle exceeds a length of 130 feet and, above such height, no side of such rectangle shall exceed a length of 100 feet. In addition, above a height of 120 feet, the maximum floor plate shall be 80 percent of the #story# immediately below such height, or 6,800 square feet, whichever is greater. Such reduced #lot coverage# shall be achieved by one or more setbacks on each face of the tower, where at least one setback on each tower face has a depth of at least five feet and a width that, individually or in the aggregate, is equal to at least 10 percent of the width of each respective tower face.

All #buildings# that exceed a height of 170 feet shall provide articulation in accordance with Section 131-46 (Tower Top Articulation).

(c) Tower location

All towers shall be located entirely within 100 feet of Parachute Way, West 20th Street, West 21st Street or West 22nd Street and within 25 feet of the intersection of two #street lines#. When a #zoning lot# fronting upon Surf Avenue contains a tower, such tower shall be located within 25 feet of Surf Avenue. No more than one tower shall be permitted on any #zoning lot#, except that where #qualifying affordable housing# or #qualifying senior housing# is provided pursuant to Sections 27-10 and 131-321, no more than two towers shall be

permitted on any #zoning lot#, and the second tower shall be located within 25 feet of Ocean Way. However, Parcel E may include two towers and, where #qualifying affordable housing# or #qualifying senior housing# is provided pursuant to Section 131-321, a third tower shall be permitted to be located anywhere on such parcel along Parachute Way.