

# ZONING RESOLUTION Web Version

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## THE CITY OF NEW YORK



THE CITY OF NEW YORK  
Bill de Blasio, Mayor

CITY PLANNING COMMISSION  
Carl Weisbrod, Chairman

## Article X: Special Purpose Districts

### Chapter 6: Special Coney Island Mixed Use District

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(1/9/75)

**Article X - Special Purpose Districts**

**Chapter 6**

**Special Coney Island Mixed Use District**

(2/2/11)

**106-00**

**GENERAL PURPOSES**

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.

(10/9/13)

**106-01**

**General Provisions**

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 Hazard Areas), the provisions of Article VI, Chapter 4, shall control.

All #residences#, #community facilities#, and Use Group 4B open #uses# shall be subject to all the provisions applicable in R5 Districts, except as otherwise specifically provided in this Chapter. The special regulations relating to #predominantly built-up areas#, as defined in Section 12-10 (DEFINITIONS), shall apply to all #buildings# containing #residences#, except that #front yards# shall not be required.

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 #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 Use) or 106-33 (Changes of Manufacturing or Commercial Use).

In the case of a #zoning lot# occupied partly by #residential uses# and partly by other #uses#, the maximum #floor area ratio# on the #zoning lot# shall not exceed 2.00. In no event shall the total #floor area# of #residential uses# on a #zoning lot# exceed 1.65.

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, 106-33 and 106-34 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.

(1/9/75)

**106-10  
SPECIAL REGULATIONS FOR RESIDENTIAL USES**

(2/2/11)

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

#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) no #manufacturing uses# or #uses# listed in Use Group 16 occupy the #zoning lot#.

(2/2/11)

## 106-12

### Special Permit Provisions for Residential Uses

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

(1/9/75)

## 106-20

### SPECIAL REGULATIONS FOR COMMUNITY FACILITY USES

(2/2/11)

## 106-21

### Special Permit Provisions for Community Facility Uses

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 findings 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#.

(1/9/75)

### **106-30**

#### **SPECIAL REGULATIONS FOR MANUFACTURING OR COMMERCIAL USES**

(1/9/75)

### **106-31**

#### **Special Provisions for As-of-Right New Buildings for Use Group M or Commercial Use**

New #buildings# for #manufacturing uses# listed in Use Group M (Section 106-311) or #commercial uses# are 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 7800 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#.

(9/9/04)

**106-311**

**Use Group M**

Apparel or other textile products from textiles or other materials, including hat bodies or similar products

Bottling work, for non-alcoholic beverages

Brushes or brooms

Cameras or other photographic equipment, except film

Canvas or canvas products

Cork products

Cosmetics or toiletries

Electrical appliances (small), including lighting fixtures, irons, fans, toasters, toys, or similar appliances

Electrical equipment assembly (small), including home radio or television receivers, home movie equipment, or similar products, but not including electrical machinery

Electrical supplies, including wire or cable assembly, switches, lamps, insulation, dry cell batteries or similar supplies

Fur goods, not including tanning or dyeing

Glass products from previously manufactured glass

Hair, felt or leather products, except washing, curing or dyeing

Hosiery

Ice, dry or natural

Laboratories, research, experimental or testing except those that involve dangerous or potentially explosive activities or animals

Leather products, including shoes, machine belting, or similar products

Luggage

Machine tools - small parts only

Machines, business, including typewriters, accounting machines, calculators, card-counting equipment, or similar products

Mattresses, including rebuilding or renovating

Musical instruments

Novelty products

Optical or precision instruments

Orthopedic or medical appliances, including artificial limbs, braces, supports, stretchers, or similar appliances

Printing or publishing

Sporting or athletic equipment, including balls, baskets, cues, gloves, bats, rods, or similar products

Statuary, mannequins, figurines, or religious art, excluding foundry operations

Textiles, spinning, weaving, manufacturing, printing, knit goods, yarn, thread or cordage, but not dyeing

Tobacco, including curing or tobacco products

Tools or hardware, including bolts, nuts, screws, doorknobs, drills or similar products

Toys

Umbrellas

Vehicles, children's (bicycles, etc.)

Venetian blinds, window shades or awnings

Wood products, cabinet making, pencils, baskets and other small products

(2/2/11)

## **106-32**

### **Special Permit Provisions for Manufacturing and Commercial Uses**

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

- (a) #uses# listed in Section 106-311 (Use Group M) or #commercial uses# in #developments# not permitted by the provisions of Section 106-31 (Special Provisions for As-of-Right New Buildings for Use Group M or Commercial Use);
- (b) change of #use# from a #residential use# to Use Group M or #commercial use#; and
- (c) modifications in #yard# regulations for Use Group M 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 Use Group M 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.

(1/9/75)

**106-33**

**Changes of Manufacturing or Commercial Use**

Within the #Special Coney Island Mixed Use District#, the #use# of any #building# may be changed to another #use# listed within the same Use Group, or as follows:

From Use Group	To Use Group
5,6,7,8,9,10,11,12,13,15	6,7,8,9,11,14
16,17 or Use Group M	6,7,8,9,11,14,16,17 or Use Group M
18	6,7,8,9,11,14,16,17,18 or Use Group M

(2/2/11)

**106-34**  
**Special Yard Regulations**

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.

(1/9/75)

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

(2/2/11)

**106-41**  
**Use Regulations**

#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 #uses# listed in Use Group 16.

(1/9/75)

#### **106-42**

##### **Modification of Yard Regulations**

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#.

(1/9/75)

#### **106-50**

##### **ADMINISTRATION**

(2/2/11)

#### **106-52**

##### **Requirements for Applications**

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 City Planning 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).

(1/9/75)

#### **106-53**

##### **Relationship to Public Improvement**

In all cases, the 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.