

# 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  
Marisa Lago, Chair

## Article XI: Special Purpose Districts Chapter 2: Special City Island District

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(1/20/77)

## **Article XI - Special Purpose Districts**

### **Chapter 2**

#### **Special City Island District**

(2/2/11)

#### **112-00**

##### **GENERAL PURPOSES**

The "Special City Island District" established in this Resolution is designed to promote and protect public health, safety, general welfare and amenity. These general goals include, among others, the following specific purposes:

- (a) to promote and strengthen the unique character of the Special City Island District for nautical and waterfront activities by limiting permitted uses to those which complement and enhance the existing character of the Special District;
- (b) to maintain the existing low-rise residential and commercial character of the district by regulating the height of buildings;
- (c) to maintain and protect the environmental quality and "village" character of City Island Avenue by imposing special controls on building setbacks and signs; and
- (d) to promote the most desirable use of land in this area and thus to conserve the value of land and thereby protect the City's tax revenue.

(2/2/11)

#### **112-01**

##### **Definitions**

Development

For purposes of this Chapter, a "development" includes both #development# and #enlargement#, as defined in Section 12-10 (DEFINITIONS).

(1/20/77)

#### **112-02**

##### **General Provisions**

In harmony with the general purposes of the #Special City Island District# and in accordance with the provisions of this Chapter, certain specified regulations of the districts on which the #Special City Island District# is superimposed are made inapplicable and special regulations are substituted therefor. Except as modified by the express provisions of the Special District, the regulations of the underlying zoning districts remain in force.

(1/20/77)

#### **112-04**

##### **Requirements for Application**

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 #use# of all #buildings# on the #zoning lot# and such other information as may be required by the Commission.

(1/20/77)

#### **112-05**

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

In all cases, the City Planning Commission shall deny a special permit application whenever the #development# will interfere with a public improvement project (including housing, highways, public #building# or facilities redevelopment or renewal projects, or rights-of-way for sewers, transit or other public facilities) which has been approved by the Board of Estimate, City Planning Commission or Site Selection Board as determined from the calendar of each agency issued prior to the date of the public hearing on the application for a special permit.

(2/2/11)

**112-06**  
**District Plan**

The District Plan for the #Special City Island District# identifies those areas within the Special District in which there are special height restrictions. The District Plan is set forth in Appendix A and is made an integral part hereof.

(2/2/11)

**112-07**  
**Special Use Regulations**

Within the Special District, and notwithstanding the provisions of Article V, Chapter 2, where #commercial# or #manufacturing uses# are permitted by the underlying district regulations, such #commercial# or #manufacturing uses# shall be limited to those #uses# set forth in this Section. This Section shall apply to a new #use# in a #development# and to a change of #use# in an existing #building# to another #use# listed in the same or another Use Group.

(2/2/11)

**112-071**  
**Uses permitted in C1 Districts**

Within a C1 District, all #uses# permitted in Use Groups 1, 2, 3, 4, 5 and 6, as listed in Sections 32-11 to 32-15, are permitted, except:

Court houses

Electric and gas substations

Public utility stations

Telephone exchanges.

Additional permitted #uses# are:

Custom manufacturing and sale of jewelry, ceramics, art and needlework, limited to 10,000 square feet per establishment.

(2/2/11)

**112-072**

**Uses permitted in C2 Districts**

Within a C2 District, all #commercial uses# listed in Section 112-071 (Uses permitted in C1 Districts) are permitted as well as all #uses# permitted as-of-right in C2 Districts, as set forth in Section 32-10, except:

Automobile sales, including motorcycle and #trailer#

Prisons

Refreshment stands, drive-in

Wholesale establishments.

(2/2/11)

**112-073**

**Uses permitted in C3 Districts**

Within a C3 District, Use Groups 1, 2, 3 and 4 in Sections 32-11 to 32-13, and all #commercial uses# listed in Use Group 14 in Section 32-23, are permitted, as well as:

#Boatels#

Eating or drinking places, including those that provide outdoor table service or incidental musical entertainment.

(3/22/16)

**112-074**

**Ground floor use restrictions on certain blocks**

For all #buildings# fronting on City Island Avenue between Bay Street and Carroll Street, only non-#residential uses# shall be permitted on the ground floor level or within #stories# that have a floor level within five feet of #curb level#, except for Type 1 lobbies provided in accordance with Section 37-33 (Maximum Width of Certain Uses).

(2/2/11)

**112-075**

**Uses permitted in M1 Districts**

Within an M1 District, all #uses# listed in Use Groups 4B, 5, 6, 7, 9, 10, 11, 12, 13, 14, 15, 16A and 17 are permitted, except:

Automobile sales, including motorcycle and #trailer#

Bottle works

Cotton ginning or cotton wadding or linters

Fuel, ice, coal or wood establishments with open storage

Manufacturing of autos, trucks or #trailers#, including parts

Motorcycle manufacturing, including parts

Motorcycle or motor scooter rental

Poultry or rabbit killing establishments

Prisons

Public transit or railroad substations

Public utility stations

Railroads, including rights-of-way

Refreshment stands, drive-in

Telephone exchanges

Truck weighing scales

Trucking terminals and motor freight stations.

(2/2/11)

**112-08**

**Uses Permitted by Special Permit**

In C1, C2 or C3 Districts, the City Planning Commission may permit #automotive service stations#, auto repair establishments,

#public parking garages# or #public parking lots#. As a condition for permitting such #use#, the Commission shall make the following findings:

- (a) that such #use# is so located as to draw a minimum of vehicular traffic to and through local #streets# in nearby residential areas;
- (b) that such #use# has adequate reservoir space at the vehicular entrance to accommodate a minimum of 10 cars or 20 percent of the spaces so provided, whichever amount is less; and
- (c) that, where roof parking is permitted, such roof parking is so located as not to impair the essential character or future use or development of adjacent areas.

The Commission may prescribe appropriate conditions and safeguards to minimize adverse effects on the character of the surrounding area, including limitations on #signs# or requirements for the shielding of floodlights or for setback of any roof parking areas from #lot lines#.

(1/20/77)

#### **112-09**

##### **Sign Regulations**

In addition to meeting the #sign# regulations of the applicable underlying zoning district, all #signs# within the Special District shall meet the following restrictions:

- (a) #signs# attached to the #street wall# of a #building# shall have a vertical dimension of not more than three feet and shall have a horizontal dimension of not more than 75 percent of the #street# frontage; and
- (b) outdoor #signs# may be illuminated by indirect means only.

(9/30/03)

#### **112-10**

##### **SPECIAL BULK REGULATIONS**

(9/28/04)

**112-101**

**Special open space and lot coverage regulations**

In C3 Districts, for a #residential use#, the maximum #lot coverage# shall be 65 percent and the minimum required #open space# shall be 35 percent.

(9/30/03)

**112-102**

**Special floor area regulations for mixed buildings**

In C1, C2 and C3 Districts, for #buildings# containing #residences# with frontage on City Island Avenue, not more than one #story# of #commercial use# may be provided in such #buildings# and such #story# shall be excluded from the definition of #floor area#.

(2/2/11)

**112-103**

**Special height and setback regulations**

The underlying height and setback regulations shall apply, except that no #building or other structure# shall exceed a height limit of 35 feet, and the height shall be measured from the #base plane#. Such height and setback regulations may be modified only by authorization or special permit of the City Planning Commission, as applicable, pursuant to Sections 112-106 or 112-107.

(3/22/16)

**112-104**

**Special transparency requirements along City Island Avenue**

For #buildings# with ground floor #commercial# or #community facility uses# fronting upon City Island Avenue, the provisions of Section 37-34 (Minimum Transparency Requirements) shall apply to any #street wall# of such #building# facing City Island Avenue.



(2/2/11)

**112-106**

**Authorization for modification of height and setback regulations**

The City Planning Commission may authorize, within Area B, as shown on the District Plan Map in Appendix A, modifications of the underlying height and setback regulations, provided the Commission finds that:

- (a) the distribution of the #bulk# of the #building# on the #zoning lot# permits adequate access of light and air to the surrounding #streets# and properties and does not impair the views of and to the water;
- (b) the modification of the height of the #building# permits better site planning and distribution of #open space#; and
- (c) the height of the #building# does not exceed 35 feet.

The Commission may prescribe appropriate conditions and safeguards to protect the views of and to the water and to minimize adverse effects on the surrounding area. That portion of any #zoning lot# used for boat sales, manufacture, storage or repair shall be exempt from the provisions of this Section.

(2/2/11)

**112-107**

**Special permit for modification of height and setback regulations**

The City Planning Commission may permit, within Area A, as shown on the District Plan Map in Appendix A, modifications of the underlying height and setback regulations, provided the Commission finds that:

- (a) the distribution of the #bulk# of the #building# on the #zoning lot# permits adequate access of light and air to the surrounding #streets# and properties and does not impair the views of and to the water;
- (b) the modification of the height of the #building# permits better site planning and distribution of #open space#; and
- (c) the height of the #building# does not exceed 50 feet.

The Commission may prescribe appropriate conditions and safeguards to protect the views of and to the water and to minimize adverse effects on the surrounding area. That portion of any #zoning lot# used for boat sales, manufacture, storage or repair shall be exempt from the provisions of this Section.

(4/30/08)

**112-11**  
**Special Parking Regulations**

(2/2/11)

**112-111**  
**Accessory parking for commercial uses**

For any #commercial# or mixed use #development# except for eating or drinking establishments, one off-street #accessory# parking space shall be provided for every 300 square feet of #commercial floor area#. The provisions of Section 73-45 (Modification of Off-site Parking Provisions) are hereby made inapplicable.

(3/22/16)

**112-112**  
**Accessory parking and floor area requirements for eating or drinking establishments**

After July 10, 1985, for any #development#, #extension# or change of #use# involving an eating or drinking establishment that, in the aggregate, results in an increase of more than 150 square feet of #floor area#, one off-street #accessory# parking space shall be provided for each 150 square feet of the total of the existing and new #floor area#.

After July 10, 1985, any reduction in the number of existing off-street #accessory# parking spaces, either on-site or off-site that lowers the ratio of off-street #accessory# parking space per #floor area# to less than one space per 150 square feet of #floor area# is prohibited.

New off-site #accessory# parking for eating or drinking establishments in C1 or C2 Districts may be located only in C1 or

C2 Districts.

For the purposes of this Section, #floor area# shall also include #cellar# space, except for a room or rooms in the #cellar# used exclusively for storage, and outdoor table service areas used for eating or drinking establishments. The outdoor table service area shall be delineated and shown on the plans filed with the application for a building or work permit and used to determine the minimum requirement for #accessory# off-street parking. Such outdoor table service area shall be separated from the #accessory# off-street parking by a fence, wall, railing or planted screening.

For eating or drinking establishments, the provisions of Sections 36-23 or 44-23 (Waiver of Requirements for Spaces Below Minimum Number) or Sections 52-41 (General Provisions), with respect only to #enlargements# or #extensions# to provide off-street parking spaces, 73-43 (Reduction of Parking Spaces) and 73-45 (Modification of Off-site Parking Provisions) are hereby made inapplicable. For eating or drinking establishments with frontage on City Island Avenue, if less than 15 #accessory# off-street parking spaces are required, all such parking spaces shall be waived.

(2/2/11)

### **112-113**

#### **Reservoir space requirements for eating and drinking establishments**

All #developments#, #extensions# or changes of #use# involving an eating or drinking establishment with attendant-operated parking services shall provide adequate on-site reservoir space at the vehicular entrances to accommodate automobiles equivalent in number to 10 percent of the total number of spaces, but in no event shall such reservoir space be required for more than 10 automobiles. Reservoir space shall be delineated by painted stripes or lines pursuant to the standards of the Department of Buildings.

Within one year of March 6, 1986, all existing eating or drinking establishments with attendant-operated parking services shall provide adequate reservoir space pursuant to this Section and shall file a site plan and documented evidence of compliance with the appropriate enforcement agency, either the Department of Buildings or Department of Ports and Terminals.

(4/30/08)

**112-114**

**Screening and tree planting requirements for all parking lots with 10 or more spaces**

All new or #enlarged# parking lots with 10 or more spaces shall comply with the screening requirement provisions of this Section.

#Accessory# parking spaces that adjoin #zoning lots# with #residential uses# shall be screened by an opaque wall or fence extending not less than six feet but not higher than eight feet above finished grade, or alternatively, by a planting strip at least five feet wide and densely planted with evergreen shrubs at least four feet high at time of planting, and of a variety expected to reach a height of six feet within three years, or by both. No chain link fences shall be permitted.

#Accessory# parking spaces that adjoin #zoning lots# with non-#residential uses# shall be screened by an opaque wall or fence extending at least four feet high but not higher than six feet above finished grade, or alternatively by a planting strip at least five feet wide and densely planted with evergreen shrubs at least two and one-half feet high at time of planting. Open chain link fences shall be permitted only within such planting strip, and such fences shall extend at least four feet but not more than six feet above finished grade.

#Accessory# parking spaces that front upon a #street# shall be screened in accordance with the provisions of paragraphs (a), (b) and (c) of Section 37-921 (Perimeter landscaping).

In addition, such screening shall be maintained in good condition at all times, may be interrupted by normal entrances or exits and shall have no #signs# hung or attached thereto other than those permitted in Sections 32-62 (Permitted Signs), 32-63 (Permitted Advertising Signs) or 42-52 (Permitted Signs).

(4/30/08)

**112-115**

**Location of parking spaces along City Island Avenue**

No parking shall be permitted between the #street line# of City Island Avenue and the #street wall# of any #building# or its prolongation facing City Island Avenue. However, this provision shall not apply to #waterfront zoning lots#.

(2/2/11)

**112-13**

**Zoning Applicability at the Shoreline**

(2/2/11)

**112-131**

**Location of zoning district boundary lines**

Zoning district boundary lines shall coincide with the #shoreline# lawfully existing on November 13, 1981, or any natural or lawful alteration thereof.

(2/2/11)

**112-132**

**Naturally or lawfully altered shorelines and development rights on piers**

A zoning district boundary line which intersects the #shoreline# lawfully existing on November 13, 1981, shall be prolonged, in a straight line, to such naturally or lawfully altered #shoreline#. Lawfully approved piers or other lawfully approved structural extensions of the #shoreline#, as may be so altered, shall not generate development rights; however, #uses accessory# to the principal upland permitted #use#, except for off-street parking, shall be permitted.

(2/2/11)

**112-14**

**Special Requirements for Waterfront Access**

Except in R1 and R2 Districts, for #developments# containing #residences# on #waterfront zoning lots# of 65,000 square feet or more, a publicly accessible waterfront sitting area shall be provided. Such sitting area shall abut the #shoreline#, have a minimum area of 2,500 square feet, a minimum depth of 50 feet measured from the #shoreline# and contain at least one linear

foot of seating for every 100 square feet of public access area. Entrances of #buildings# may not front upon such sitting area.

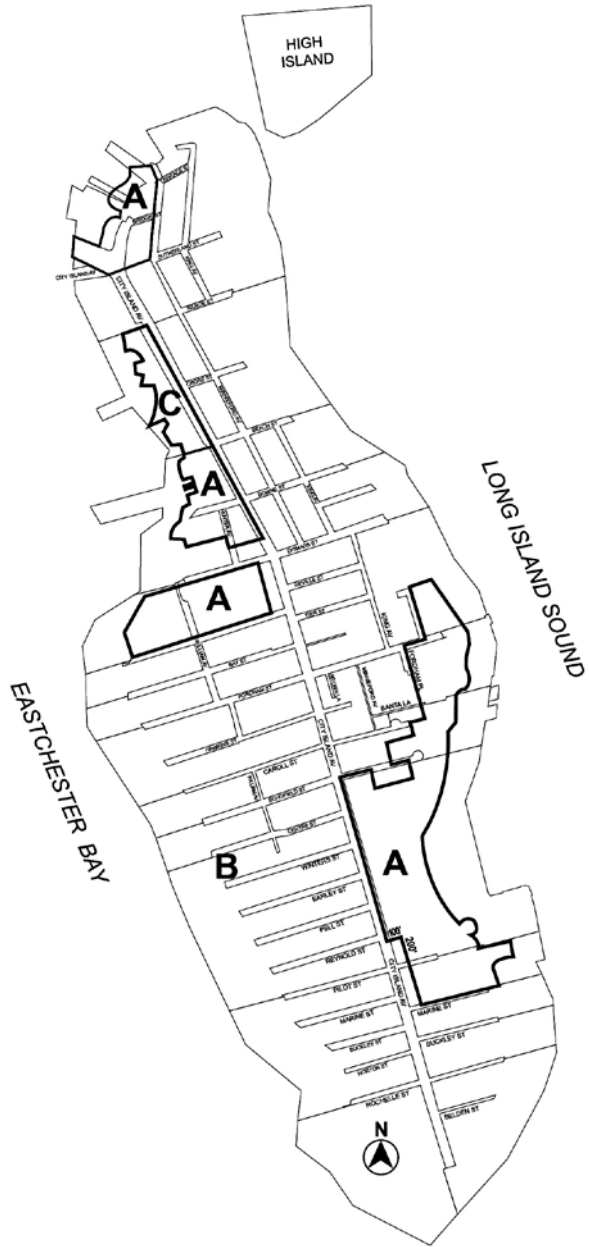
Such sitting area shall be accessible by means of either a direct connection to a public sidewalk or a public way through the #zoning lot# directly connecting the sitting area with a public sidewalk. Such public way shall be comprised of a planting strip of at least four feet in width containing one tree of at least three-inch caliper for every 25 linear feet of length of such way, and a paved sidewalk of at least six feet in width or, for #developments# with #private roads#, sidewalks provided in accordance with the requirements for #private roads#, as set forth in Article II, Chapter 6.

Such public access areas shall comply with the provisions of Sections 62-74 (Requirements for Recordation), 62-70 (MAINTENANCE AND OPERATION REQUIREMENTS FOR WATERFRONT PUBLIC ACCESS AREAS), 62-651 (Guardrails, gates and other protective barriers), 62-652 (Seating) and 62-654 (Signage).

The Chairperson of the City Planning Commission shall certify to the Department of Buildings or Department of Business Services, as applicable, that a site plan has been submitted showing compliance with the provisions of this Section.

(4/6/11)

**Appendix A**  
**Special City Island District - Height Areas**



**Height Areas**

**A** 35 ft./3 Story Limit or 50 ft./5 Story Limit by Special Permit

**B** 35 ft./3 Story Limit

**C** Existing Regulations