Zoning Resolution

THE CITY OF NEW YORK
Zohran K. Mamdani, Mayor

CITY PLANNING COMMISSION
Sideya Sherman, Chair

131-42 - Coney East Subdistrict

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131-42 - Coney East Subdistrict

LAST AMENDED
2/2/2011

The regulations of this Section, inclusive, shall apply to all #buildings or other structures# in the Coney East Subdistrict. #Street wall# location rules and maximum base height rules shall apply only to #buildings#. Maximum heights shall apply to all #buildings or other structures#.

For the purposes of applying the height and setback regulations of this Section, Jones Walk shall not be considered a #street#. Maps 4 (Street Wall Location) and 5 (Minimum and Maximum Base Heights) in the Appendix to this Chapter, illustrate the #street wall# location provisions and minimum and maximum base height provisions of this Section.

A #building or other structure# that exceeds a height limit shall be permitted where the Chairperson of the Department of City Planning certifies to the Department of Buildings that such additional height is necessary to accommodate an amusement #use# listed in Use Group A1.

131-421 - Coney East Subdistrict, south side of Surf Avenue

LAST AMENDED
5/12/2021

The following regulations shall apply along the south side of Surf Avenue and along those portions of #streets# intersecting Surf Avenue located north of a line drawn 50 feet north of and parallel to the northern #street line# of Bowery and its westerly prolongation.

(a) #Street wall# location

The #street wall# of a #building# shall be located within five feet of the #street line# and extend along the entire frontage of the #zoning lot#, except that:

(1) a sidewalk widening shall be required at the intersection of Surf Avenue and West 10th Street, extending from a point on the Surf Avenue #street line# 125 feet west of West 10th Street to a point on the West 10th Street #street line# 20 feet south of Surf Avenue. Such area shall be improved as a sidewalk to Department of Transportation standards, be at the same level as the adjoining sidewalks, and be accessible to the public at all times. Such sidewalk widening line shall be considered a #street line# for the purposes of applying the #use# and height and setback regulations of this Chapter;

(2) to allow for corner articulation, the #street wall# may be located anywhere within an area bounded by intersecting #street lines# and lines 15 feet from and parallel to such #street lines# ; and

(3) 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 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, and provided such setback area complies with the provisions of Section 131-47 (Design Requirements for Ground Level Setbacks).

(b) #Building# base

(1) Surf Avenue, west of West 12th Street

West of West 12th Street, the #street wall# of a #building# shall rise without setback to a minimum base height of 35 feet or the height of the #building#, whichever is less, and a maximum base height of 45 feet. If a tower is provided, in accordance with the

requirements of paragraph (d) of this Section, the maximum base height shall be 65 feet. At a height no lower than the minimum base height and no higher than the maximum base height, a setback shall be required, pursuant to the provisions set forth in paragraph (c) of this Section.

Any portion of a #street wall# which exceeds a height of 60 feet shall be located within 150 feet of the intersection of two #street lines# and shall coincide with the location of a tower. Towers shall comply with the location requirements of paragraph (d) of this Section.

(2) Surf Avenue, east of West 12th Street

East of West 12th Street, the #street wall# of a #building# shall rise without setback to a minimum base height of 35 feet or the height of the #building#, whichever is less, and a maximum base height of 45 feet. At a height no lower than the minimum base height and no higher than the maximum base height, a setback is required that shall comply with the provisions set forth in paragraph (d) of this Section.

For the base of any #building# located on the south side of Surf Avenue, above the level of the second #story#, up to 30 percent of the #aggregate width of street walls# may be recessed, provided no recesses are located within 15 feet of an adjacent #building# or within 30 feet of the intersection of two #street lines#, except where corner articulation is provided as set forth in paragraph (a)(3) of this Section.

(c) Transition height

All portions of a #building# that exceed the applicable maximum base height specified in paragraph (b) of this Section shall be set back from the #street line# at least 20 feet except that, where towers are provided, the minimum setback depth from the #street line# shall be 10 feet.

(1) West of West 12th Street

All portions of a #building# that exceed the maximum base height set forth in paragraph (b)(1) of this Section shall comply with the tower provisions of paragraph (d) of this Section.

(2) East of West 12th Street

The maximum transition height shall be 65 feet, and all portions of #buildings# that exceed such height shall comply with the tower provisions of paragraph (d) of this Section, except that within 100 feet of Jones Walk on the easterly side, the maximum #building# height after the required setbacks shall be 85 feet.

(3) Special Regulations for Use Group A

The transition height regulations of paragraphs (c)(1) and (c)(2) of this Section shall not apply to #buildings# that rise to a maximum height of 85 feet to accommodate a Use Group A #use# or to #buildings# where the Chairperson of the Department of City Planning certifies to the Department of Buildings that additional height is necessary to accommodate an amusement #use# listed in Use Group A1.

(d) Towers

All #stories# of a #building# located partially or wholly above a height of 65 feet shall be considered a "tower" and shall comply with the provisions of this paragraph (d).

(1) Maximum floorplate

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

(2) Maximum length and height

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.

The maximum height of a #building# located between West 12th Street and Jones Walk shall be 150 feet between West 12th Street and Jones Walk. The maximum height of a #building# located between West 12th Street and West 16th Street on #zoning lots# with less than 50,000 square feet of #lot area# shall be 220 feet; on #zoning lots# with 50,000 square feet or more of #lot area#, the maximum height of a #building# shall be 270 feet. All towers that exceed a height of 150 feet shall provide articulation in accordance with Section 131-46.

(3) Tower location

All towers shall be located within 25 feet of Surf Avenue and entirely within 100 feet of an intersecting #street#.

131-422 - Coney East Subdistrict, north side of Surf Avenue

LAST AMENDED
7/29/2009

Any #building or other structure# fronting upon the north side of Surf Avenue shall not exceed a height of 85 feet. Furthermore, in order to protect the view from the elevated subway to the Coney East Subdistrict, no portion of such #building or other structure#, including permitted obstructions

or #signs#, shall be located between a height of five feet below the upper level of the elevated subway tracks and a level 25 feet above such level, except for a vertical circulation core, supporting structural elements and related appurtenances. In no event shall more than 30 percent of the Surf Avenue frontage of the #zoning lot# be obstructed with such elements.

131-423 - Along all other streets

LAST AMENDED
5/12/2021

The following regulations shall apply along Wonder Wheel Way, Bowery, and all other #streets#, and portions thereof, located south of a line drawn 50 feet north of and parallel to the northern #street# line of Bowery and its westerly prolongation.

(a) #Street wall# location

The #street wall# of the #building#, or portion thereof, shall be located within five feet of the #street line#;

(b) Maximum height

The #street wall# of a #building#, or portion thereof, shall rise to a minimum height of 20 feet and a maximum height of 40 feet before setback. The maximum height of a #building or other structure# shall be 60 feet, provided any portion of a #building# that exceeds a height of 40 feet shall be set back from the #street wall# of the #building# at least 20 feet.

West of West 12th Street, along the northern #street line# of Bowery, the maximum #building# height shall be 40 feet. If a tower is provided along the Surf Avenue portion of the

#block#, 40 percent of the #aggregate width of street walls# may rise above the maximum #street wall# height of 40 feet, provided that such portion is located within 150 feet of the intersection of two #street lines#. However, where the portion of the #block# that fronts on Surf Avenue is #developed# or #enlarged# pursuant to the special regulations for Use Group A in paragraph (c)(3) of Section 131-421 (Coney East Subdistrict, south side of Surf Avenue), the #street wall# may rise after a setback of 20 feet to a maximum height of 60 feet for the entire length of the Bowery #street line#, or may extend beyond the 40 percent of the #aggregate width of street wall# for the length of the #street wall# of such Use Group A #development# or #enlargement# which fronts along Surf Avenue, whichever is less.