Zoning Resolution

THE CITY OF NEW YORK
Zohran K. Mamdani, Mayor

CITY PLANNING COMMISSION
Sideya Sherman, Chair

Chapter 7 - Special Coastal Risk District (CR)

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137-00 - GENERAL PURPOSES

LAST AMENDED
9/7/2017

The "Special Coastal Risk District" established in this Resolution is designed to promote and protect public health, safety and general welfare in coastal areas that are currently at exceptional risk from flooding and may face greater risk in the future. These general goals include, among others, the following specific purposes:

(a) to limit the population in areas that are vulnerable to frequent flooding, including those areas exceptionally at risk from projected future tidal flooding;

(b) to reduce the potential for property damage and disruption from regular flood events and support the City's capacity to provide infrastructure and services;

(c) to promote consistency with planned improvements, neighborhood plans, and other measures to promote drainage, coastal protection, open space and other public purposes;

(d) provide sound planning in areas that have historically been occupied by wetlands and, where plans exist, for such areas to be maintained as open space; and

(e) to promote the most desirable use of land and thus conserve the value of land and buildings, and thereby protect the City's tax revenue.

137-10 - GENERAL PROVISIONS

LAST AMENDED
10/7/2021

The provisions of this Chapter shall apply in the #Special Coastal Risk District#. The regulations of all other Chapters of this Resolution are applicable, except as superseded, supplemented or modified by the provisions of this Chapter. In the event of a conflict between the provisions of this Chapter and other regulations of this Resolution, the provisions of this Chapter shall control.

For #transit-adjacent sites#, as defined in Section 66-11 (Definitions), in the event of a conflict between the provisions of this Chapter and the provisions of Article VI, Chapter 6 (Special Regulations Applying Around Mass Transit Stations), the provisions of Article VI, Chapter 6 shall control.

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, except as specifically modified in this Chapter.

137-11 - District Plan and Maps

LAST AMENDED
5/12/2021

The District Maps are located in the Appendix to this Chapter and are hereby incorporated and made part of this Resolution. They are incorporated for the purpose of specifying locations where special regulations and requirements set forth in this Chapter apply.

Map 1 #Special Coastal Risk District# 1 (CR-1), in Broad Channel, Community District 14, Borough of Queens

Map 2 #Special Coastal Risk District# 2 (CR-2), in Hamilton Beach, Community District 10, Borough of Queens

Map 3 #Special Coastal Risk District# 3 (CR-3), encompassing New York State Enhanced Buyout Areas in Graham Beach and Ocean Breeze, Community District 2, Borough of Staten Island

Map 4 #Special Coastal Risk District# 3 (CR-3), encompassing New York State Enhanced Buyout Areas in Oakwood Beach, Community District 3, Borough of Staten Island

Map 5 #Special Coastal Risk District# 4 (CR-4), in Gerritsen Beach, Community District 15, Borough of Brooklyn

Map 6 #Special Coastal Risk District# 5 (CR-5), in Edgemere, Community District 14, Borough of Queens.

137-12 - Applicability of Special Regulations

LAST AMENDED
5/12/2021

The special #use# and #bulk# regulations of this Chapter shall apply in the #Special Coastal Risk District# as set forth in the following table:

SPECIAL REGULATIONS

#Special Coastal Risk District#	#Residential Use# (137-21)	#Community Facility Use# (137-22)	Modified #Bulk# Requirements (137-31)	Modifications to Article V (137-40)	Special Requirements (137-50)
CR–1 (Broad Channel, Queens)	x	x			
CR–2 (Hamilton Beach, Queens)	x	x	x		
CR–3 (buyout areas, Staten Island)	x	x		x	x

CR–4 (Gerritsen Beach, Brooklyn)	x	x	x		
CR–5 (Edgemere, Queens)	x	x			

137-20 - SPECIAL USE REGULATIONS

LAST AMENDED
6/21/2017

The special #use# regulations of this Section 137-20, inclusive, shall apply in the #Special Coastal Risk Districts# as set forth in the table in Section 137-12 (Applicability of Special Regulations).

137-21 - Residential Use

LAST AMENDED
12/5/2024

In #Special Coastal Risk Districts#, #residential uses# shall be permitted as follows:

(a) In #Special Coastal Risk Districts# 1 and 3, #residential uses# shall be limited to #single-family# #detached residences#.

(b) In #Special Coastal Risk District# 2, #residential uses# shall be limited to #single-# or #two-family# #detached residences#.

(c) In #Special Coastal Risk District# 4, #residential uses# shall be permitted as follows:

(1) for #zoning lots# with a #lot area# of less than 3,000 square feet, #residential uses# shall be limited to #detached# or #semi-detached# #single-family residences#; and

(2) for #zoning lots# with a #lot area# of 3,000 square feet or more, #residential uses# shall be limited to #detached# or #semi-detached# #single-# or #two-family residences#.

(d) In #Special Coastal Risk District# 5, #residential uses# shall be permitted as follows:

(1) in R3A and C3A Districts, #residential uses# shall be limited to #single-family detached residences#; and

(2) in R4-1 Districts:

(i) for #zoning lots# with a #lot width# of less than 25 feet, #residential uses# shall be limited to #single-family detached residences#; and

(ii) for #zoning lots# with a #lot width# of 25 feet or more, #residential uses# shall be limited to #single-# or #two-family detached residences#.

(e) In all #Special Coastal Risk Districts#, there shall be no #qualifying residential sites#, #qualifying senior housing# or #ancillary dwelling units#.

The inclusion of #accessory# #residential uses# shall not be precluded by the provisions of this Section.

137-22 - Community Facility Use

LAST AMENDED
9/7/2017

In #Special Coastal Risk Districts#, #community facilities# with sleeping accommodations shall not be permitted.

In #lower density growth management areas# in #Special Coastal Risk District# 3, the regulations for #community facility uses# of the underlying districts shall be modified as follows:

(a) ambulatory diagnostic or treatment health care facilities shall be limited on any #zoning lot# to 1,500 square feet of #floor area#, including #cellar# space; and

(b) all #community facility uses# shall be subject to the maximum #floor area ratio#, and special #floor area# limitations, applicable to R3-2 Districts set forth in Section 24-162 (Maximum floor area ratios and special floor area limitations for zoning lots containing residential and community facility uses in certain districts).

137-30 - SPECIAL BULK REGULATIONS

LAST AMENDED
6/21/2017

The special #bulk# regulations of this Section 137-30, inclusive, shall apply to #buildings# in the #Special Coastal Risk Districts# as set forth in the table in Section 137-12 (Applicability of Special Regulations).

137-31 - Minimum Lot Width

LAST AMENDED
12/5/2024

In #Special Coastal Risk District# 2, the regulations of Section 23-11 (Lot Area and Lot Width in R1 Through R5 Districts) are modified such that the minimum #lot width# for a #two-family detached residence# in an R3A District shall be 40 feet.

137-32 - Height and Setback Regulations

LAST AMENDED
12/5/2024

In #Special Coastal Risk District# 4, all #detached# or #semi-detached# #single-# or #two-family residences# shall be subject to the height and setback provisions set forth in Section 64-332 (Height and setback regulations for cottage envelope buildings).

137-40 - SPECIAL APPLICABILITY OF ARTICLE V

LAST AMENDED

5/12/2021

In #Special Coastal Risk District# 3, the provisions of Article V, Chapter 2 (Non-conforming Uses) shall be modified as set forth in this Section. In addition, the provisions of Article VI, Chapter 5 (Special Regulations Applying in Designated Recovery Areas) and Section 64-61 (Special Provisions for Non-conforming Uses) shall not apply.

#Non-conforming# #uses# may not be #enlarged# or #extended#. In addition, should 50 percent or more of the #floor area# of a #building# containing a #non-conforming# #use# be damaged or destroyed after September 7, 2017, the #building# may be repaired, #incidentally altered# or reconstructed only for a #conforming# #use#.

137-50 - SPECIAL REQUIREMENTS FOR DEVELOPMENTS AND ENLARGEMENTS

LAST AMENDED
12/5/2024

In #Special Coastal Risk District# 3, no #development# or horizontal #enlargement# shall occur, except where authorized by the City Planning Commission pursuant to Sections 137-51 (Authorization for Development of Single Buildings and Enlargements) or 137-52 (Authorization for Development of Multiple Buildings), as applicable. In addition, the provisions of Article VI, Chapter 5 (Special Regulations Applying in Designated Recovery Areas) and Section 64-60 (SPECIAL REGULATIONS FOR NON-CONFORMING USES AND NON-COMPLYING BUILDINGS) shall not apply.

For the purposes of determining which authorization shall be applicable, the #zoning lot# upon which the #development# shall occur shall be considered to be a tract of land that existed under separate ownership from all adjoining tracts of land on April 24, 2017.

For the purposes of such authorizations, the alteration of any existing #building# resulting in the removal of more than 75 percent of the #floor area# and more than 25 percent of the perimeter walls of such existing #building#, and the replacement of any amount of #floor area#, shall be considered a #development#.

The provisions of Section 137-50, inclusive, shall not apply to the reconstruction of a garage #accessory# to a #single-family residence# or #two-family residence#.

The provisions of Section 73-81 (Special Permit for Modification of Certain Zoning Regulations) shall be inapplicable to a #building# that is #developed# pursuant to this Section, inclusive.

137-51 - Authorization for Development of Single Buildings and Enlargements

LAST AMENDED
9/7/2017

The City Planning Commission may authorize a horizontal #enlargement#, or a #development# consisting of no more than one #building# containing a non-#accessory# #use#, on one or more #zoning lots#, and may modify the #bulk# regulations of the underlying district, except #floor area ratio# regulations, provided that:

(a) the site plan, to the extent practicable, minimizes the need for new paving and impervious surfaces upon the #zoning lot#;

(b) the site plan provides access to the new or #enlarged building# using #streets# that were improved and open to traffic on the date of application for an authorization, and which serve other occupied #buildings#;

(c) the site plan, to the extent practicable, minimizes adverse effects on wetlands, planned open space, drainage, or other functions in the surrounding area;

(d) the resulting #building# and other site improvements would not impair the essential ecological character of the surrounding area for its future use as open space;

(e) the site plan and resulting #building# incorporate such measures as are reasonable to minimize risks to public safety from natural hazards such as flooding and wildfires; and

(f) where the Commission is modifying #bulk# regulations, such modifications are the minimum necessary to protect, or provide buffering from, wetlands or wetland-adjacent areas.

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

137-52 - Authorization for Development of Multiple Buildings

LAST AMENDED
9/7/2017

The City Planning Commission may authorize a #development# consisting of more than one #building# on one or more #zoning lots#, and may modify the #bulk# regulations of the underlying district, except #floor area ratio# regulations, provided that:

(a) all #zoning lots# comprising such #development# together provide a minimum of 9,500 square feet of #lot area# per #building#, where no portion of such #lot area# shall contain delineated wetland on a wetland survey reviewed by the New York State Department of Environmental Conservation (NYSDEC). Such review by the NYSDEC shall have occurred no more than

two years prior to the date of application for this authorization;

(b) the #development# satisfies the findings of paragraphs (a) through (e) of Section 137-51 (Authorization for Development of Single Buildings and Enlargements);

(c) where the Commission is modifying #bulk# regulations, such modifications shall:

(1) facilitate the configuration of #buildings# in order to protect, or provide buffering from, adjacent wetlands, open space and natural resources;

(2) facilitate, to the extent practicable, the configuration of #buildings# in proximity to the location of existing #buildings# within the area;

(3) limit the need for new paving and impermeable surfaces; and

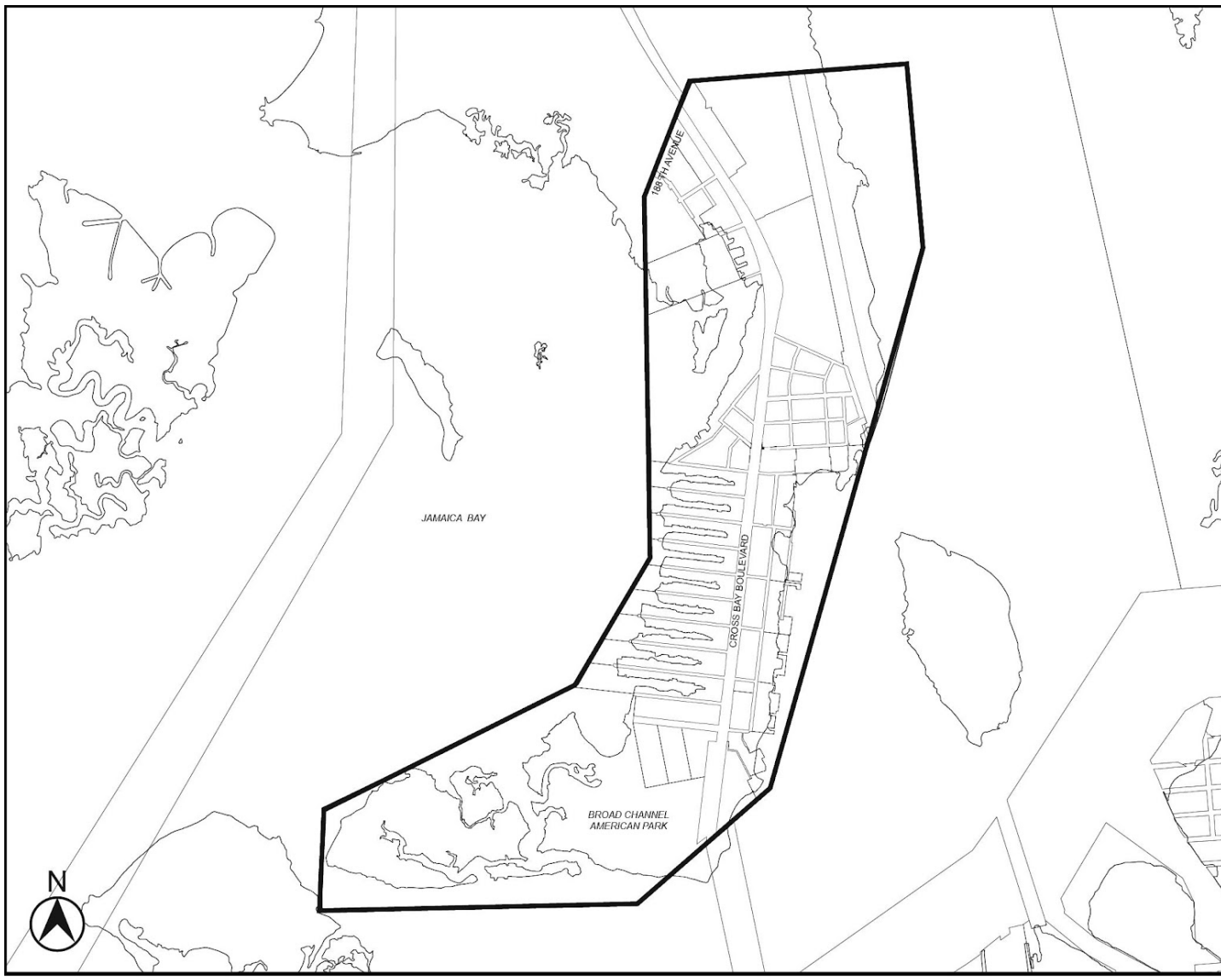
(4) be consistent with the scale and character of the surrounding area.

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

APPENDIX - Special Coastal Risk District Plan

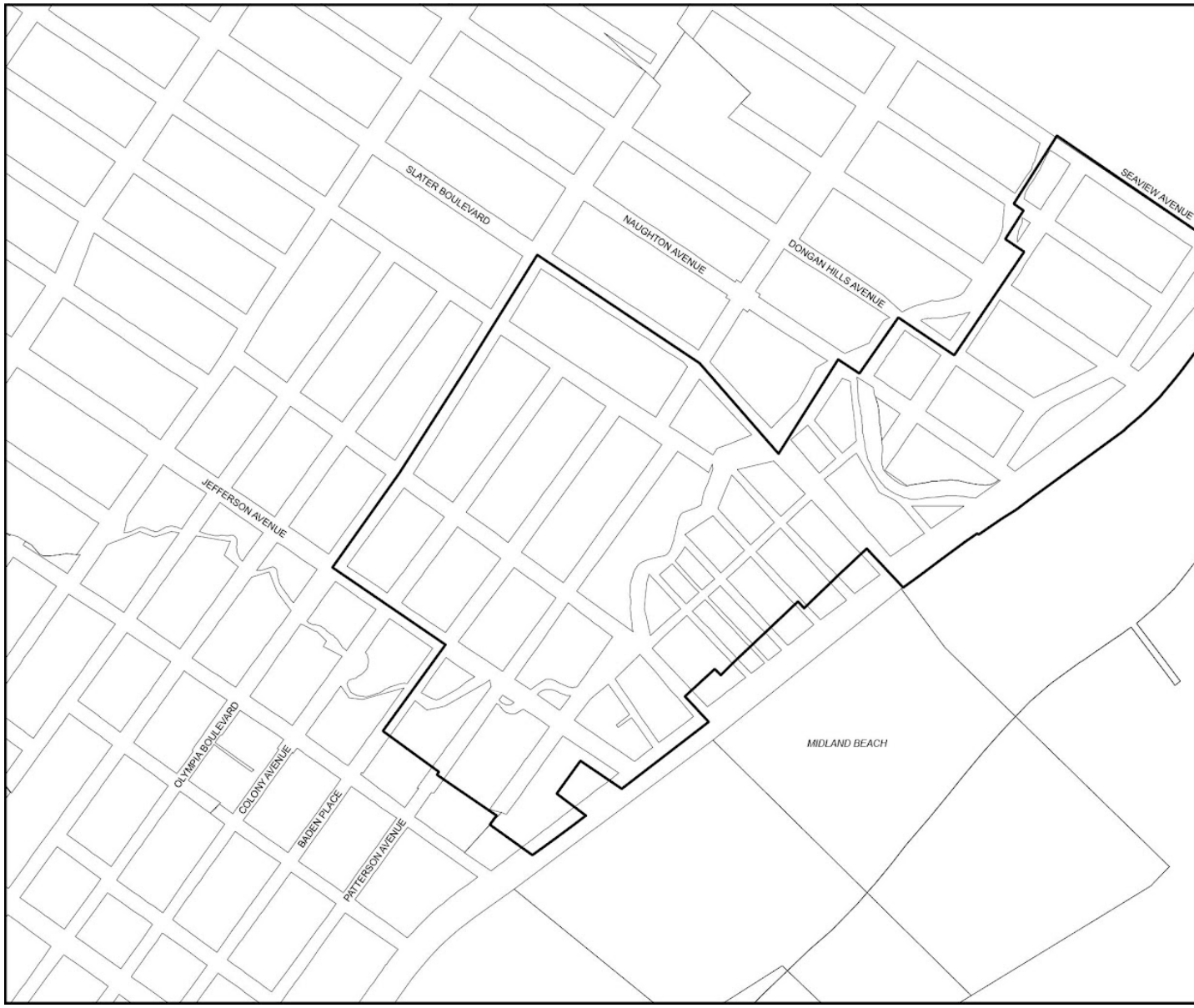
LAST AMENDED3/3/2026

Map 1 - Special Coastal Risk District 1, in Broad Channel, Community District 14, Borough of Queens (6/21/17)

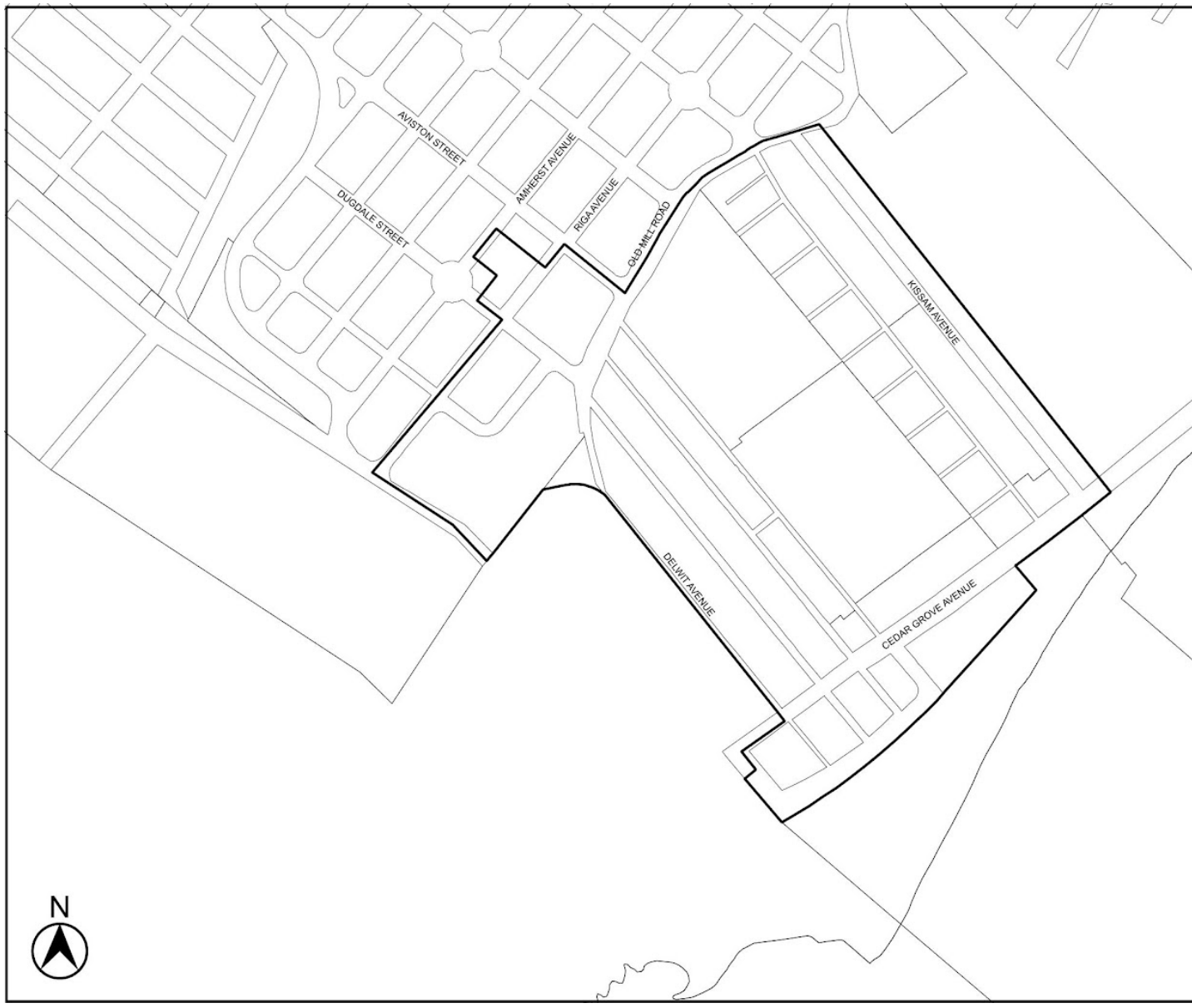


Map 2 - Special Coastal Risk District 2, in Hamilton Beach, Community District 10, Borough of Queens (6/21/17)

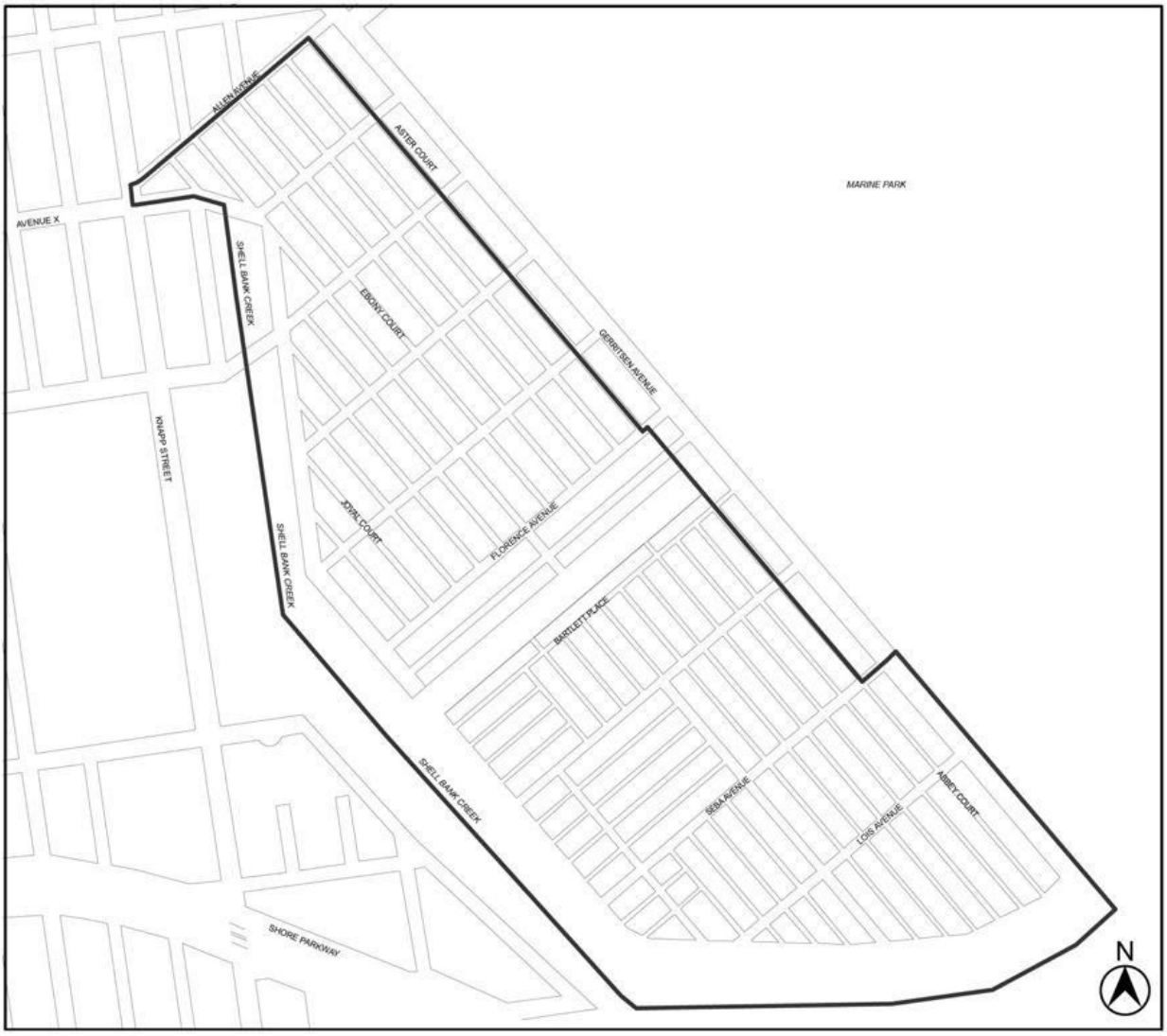
Map 3 - Special Coastal Risk District 3, encompassing New York State Enhanced Buyout Areas in Graham Beach and Ocean Breeze, Community District 2, Borough of Staten Island (9/7/17)



Map 4 - Special Coastal Risk District 3, encompassing New York State Enhanced Buyout Areas in Oakwood Beach, Community District 3, Borough of Staten Island (9/7/17)



Map 5 – Special Coastal Risk District 4, in Gerritsen Beach, Community District 15, Borough of Brooklyn (5/12/21)



District boundary

Map 6 – Special Coastal Risk District 5, in Edgemere, Community District 14, Borough of Queens (7/14/22)