**Zoning Resolution**

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

CITY PLANNING COMMISSION
**Sideya Sherman, Chair**

# 23-43 - Height and Setback Requirements in R6 Through R12 Districts

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## 23-43 - Height and Setback Requirements in R6 Through R12 Districts

LAST AMENDED
12/5/2024

R6 R7 R8 R9 R10 R11 R12

In the districts indicated, the #street wall# location of a #building# shall be as set forth in Section 23-431, the height and setback regulations of a #building or other structure# shall be as set forth in Section 23-432, and standard setback provisions shall be as set forth in Section 23-433.

The maximum heights set forth in Section 23-432 may be modified for #zoning lots# meeting certain criteria, in accordance with Section 23-434, or where towers are permitted in accordance with Section 23-435. Additional height and setback provisions are set forth in Section 23-436 and Section 23-44, inclusive.

The height of all #buildings or other structures# shall be measured from the #base plane#. For the purposes of this Section, where #base planes# of different elevations apply to different portions of a #building or other structure#, each such portion of the #building# may be considered to be a separate #building#.

#Lot coverages# for towers, including maximums and minimums, where applicable, shall be applied at every level.

## 23-431 - Street wall location requirements

LAST AMENDED
12/5/2024

R6 R7 R8 R9 R10 R11 R12

In the districts indicated, the applicable #street wall# location provisions of this Section shall apply. Such provisions shall apply to the portion of a #street wall# located below the maximum base height and before the required setback as set forth in Section 23-432 (Height and setback requirements).

(a) Line-up rules

In R6B, R7B, and R8B Districts, the #street wall# of a #building# shall be located no closer to the #street line# than the closest #street wall#, or portion thereof, nor further from the #street line# than the furthest #street wall#, or portion thereof, of an existing adjacent #building# on the same or an adjoining #zoning lot# located on the same #street# frontage. Eligible adjacent #buildings# shall be located within 15 feet of the #street line#, within 25 feet of the subject #building#, and have a height that exceeds 35 feet. Where an existing adjacent #building# has multiple #street walls# located at varying depths from the #street line#, the subject #street wall# shall not be located closer to the #street line# than the furthest portion of such existing adjacent #street wall# that is at least five feet in width and extends to at least half the height of the #building#.

However, where, the #street wall# surrounding the subject #building# do not have a #prevailing street wall frontage#, the applicable #street wall# regulations of paragraph (b) may be applied.

(b) Percentage-based rules

For all #buildings# that are not subject to the provisions of paragraph (a), the following shall apply:

(1) Along #wide streets#, at least 70 percent of the #aggregate width of street walls# shall be located within eight feet of the #street line# and extend to at least the minimum base height specified in Section 23-432, or the height of the #building#, whichever is less. Up to 30 percent of the #aggregate width of street walls# may be recessed beyond eight feet of the #street line#, provided that any such recesses deeper than 10 feet along a #wide street# or 15 feet along a #narrow street# are located within an #outer court#.

(2) Along #narrow streets#, at least 70 percent of the #aggregate width of street wall# shall be located within 10 feet of the #street line# and extend to at least the minimum base height specified in Section 23-432, or the height of the #building#, whichever is less. Up to 30 percent of the #aggregate width of street walls# may be recessed beyond 10 feet of the #street line#, provided that any such recesses deeper than 15 feet are located within an #outer court#.

However, where the #street walls# surrounding the subject #building# are located on a #block# with a #prevailing street wall frontage# that is located further from the #street line# than the applicable provisions of this paragraph, the line-up provisions of paragraph (a) of this Section may be applied.

(c) Modifications for large zoning lots

Notwithstanding the provisions of paragraph (a) or (b) of this Section, for #zoning lots# with a #lot area# of at least 40,000 square feet or for #zoning lots# that occupy an entire #block#, at least 50 percent of the #aggregate width of street walls# shall be located within 15 feet of the #street line# and extend to at least the minimum base height specified in Section 23-432, or the height of the #building#, whichever is less.

(d) Articulation allowances

In all districts, and along all frontages, #street wall# articulation, including, but not limited to, window recesses and structural expression on the #building# facade, shall be permitted to project or recess beyond the #street wall# locations established in paragraphs (a), (b) or (c) of this Section, provided such articulation does not exceed a depth or projection of 12 inches. In addition, to accommodate other forms of #street wall# articulation, such as bay windows, and facade recesses, up to 50 percent of the #aggregate width of street wall#, at any level, may recess or project beyond such #street wall# location provisions of this Section, provided that no such recess or projection exceeds a depth of three feet, as measured perpendicular to the #street wall#, or portion thereof. No projection shall extend beyond the #street line#, except where encroachments into the public right-of-way are permitted by the New York City Administrative Code.

## 23-432 - Height and setback requirements

LAST AMENDED
12/5/2024

R6 R7 R8 R9 R10 R11 R12

In the districts indicated, the minimum base height, maximum base height, and maximum #building# height shall be as set forth in the following table. Separate maximum base heights and maximum #building# heights are set forth for #zoning lots# containing standard #residences# and #zoning lots# containing #qualifying affordable housing# or #qualifying senior housing#.

For portions of a #building# #street wall# that exceed the maximum base height, a setback shall be provided at a height not lower than the minimum base height or higher than the maximum base height in accordance with Section 23-433.

MINIMUM BASE HEIGHT, MAXIMUM BASE HEIGHT,
AND MAXIMUM BUILDING HEIGHTS

| **District** | **Minimum base height (in feet)** | **Standard #residences#** | | **#Qualifying affordable ho #qualifying senior hou** | |
|---|---|---|---|---|---|
| | | **Maximum base height (in feet)** | **Maximum height of #buildings or other structures# (in feet)** | **Maximum base height (in feet)** | **Maxim height #buildi other structu feet)** |
| R6A R6[1] R6-1 | 40 | 65 | 75 | 65 | |
| R6[2] | 30 | 45 | 55 | 65 | |
| R6B | 30 | 45 | 55 | 45 | |
| R6D R6-2 | 30 | 45 | 65 | 55 | |
| R7A R7-1[1] R7-2[1] | 40 | 75 | 85 | 85 | |
| R7-1[2] R7-2[2] | 40 | 65 | 75 | 85 | |
| R7B | 40 | 65 | 75 | 65 | |
| R7D | 60 | 85 | 105 | 95 | |
| R7X R7-3 | 60 | 95 | 125 | 105 | |
| R8A | 60 | 95 | 125 | 105 | |

| | | | | | |
|---|---|---|---|---|---|
| R8B | 55 | 65 | 75 | 85 | |
| R8X | 60 | 95 | 155 | 105 | |
| R8[2] | 60 | 85 | 115 | 105 | |
| R8[1] | 60 | 95 | 135 | 105 | |
| R8[3] | 60 | 95 | 135 | 125 | |
| R9A[1] R9[1] | 60 | 105 | 145 | 135 | |
| R9A[2] R9[2] | 60 | 95 | 135 | 135 | |
| R9D R9-1 | 60 | 125 | 175 | 155 | |
| R9X[1] | 105 | 125 | 175 | 155 | |
| R9X[2] | 60 | 125 | 165 | 155 | |
| R10X[1] R10[1] | 60 | 155 | 215 | 155 | |
| R10A[1] | 125 | 155 | 215 | 155 | |
| R10A[2] R10X[2] R10[2] | 60 | 125 | 185 | 155 | |
| R11A[1] | 125 | 155 | 255 | 155 | |
| R11A[2] R11 | 60 | 155 | 255 | 155 | |
| R12 | 60 | 155 | 325 | 155 | |

| | |
|---|---|
| 1 | For #zoning lots# or portions thereof within 100 feet of a #wide street# |
| 2 | For #zoning lots# or portions thereof on a #narrow street# beyond 100 feet of a #wide street# or, for #zoning lots# with only #wide street# frontage, portions of such #zoning lot# beyond 100 feet of the #street line# |
| 3 | Outside of #Mandatory Inclusionary Housing areas#, for #zoning lots#, or portions thereof, located within 100 feet of a #wide street#, containing #UAP developments# or #qualifying senior housing# |

## 23-433 - Standard setback regulations

LAST AMENDED
12/5/2024

R6 R7 R8 R9 R10 R11 R12

At a height not lower than the minimum base height or higher than the maximum base height specified for the applicable district, a setback with a depth of at least 10 feet shall be provided from any #street wall# fronting on a #wide street#, and a setback with a depth of at least 15 feet shall be provided from any #street wall# fronting on a #narrow street#. Such minimum setbacks may be modified as follows:

(a) The depth of such required setback may be reduced by one foot for every foot that the #street wall# is located beyond the #street line#, but in no event shall a setback of less than seven feet in depth be provided, except as otherwise set forth in this Section. To allow #street wall# articulation, where a #street wall# is divided into different segments and located at varying depths from the #street line#, such permitted setback reduction may be applied to each #street wall# portion separately.

(b) The depth of such setbacks may include the depth of recesses or #outer courts# in the #street wall# of the #building# base, provided that the aggregate width of any such recessed portion of a #street wall# with a setback less than seven feet, as applicable, does not exceed 30 percent of

the #aggregate width of street wall# at any level.

(c) These setback provisions are optional for any #building# wall that either is located beyond 50 feet of a #street line#, or oriented so that lines drawn perpendicular to it, in plan, would intersect a #street line# at an angle of 65 degrees or less. In the case of an irregular #street line#, the line connecting the most extreme points of intersection shall be deemed to be the #street line#.

(d) Dormers provided in accordance with the provisions of Section 23-413 (Permitted obstructions in certain districts) may penetrate a required setback area.

## 23-434 - Height and setback modifications for eligible sites

LAST AMENDED
12/5/2024

R6 R7 R8 R9 R10 R11 R12

In the districts indicated, without a letter suffix, for #zoning lots# that meet the criteria of paragraph (a) of this Section, the height and setback modifications set forth in paragraph (b) may be applied.

The eligible site provisions of this Section may be applied to either a single #zoning lot# that meets the criteria of paragraph (a) or two or more #zoning lots# under single fee ownership or alternate ownership arrangements that are contiguous or would be contiguous but for their separation by a #street#, where the combined #lot area# exceeds 40,000 square feet, and where at least one individual #zoning lot# meets the criteria of paragraph (a).

(a) Eligible sites

The provisions of this Section shall apply to #zoning lots# that meet at least one of the following criteria:

(1) #zoning lots# with a #transportation-infrastructure-adjacent frontage#;

(2) #zoning lots# where one of the following irregularities exists on December 5, 2024, and the date of application for a building permit:

(i) an #interior lot#, or portions thereof, has a depth that is less than 85 feet, or a #through lot#, or portion thereof, has a depth that is less than 170 feet;

(ii) an #interior lot#, or portions thereof, has a depth that is greater than or equal to 115 feet, or a #through lot#, or portion thereof, has a depth that is greater than or equal to 230 feet;

(iii) #corner lots# or other #zoning lots# with multiple #front lot lines# where the angle between two #front lot lines# is more than 15 degrees from being perpendicular;

(iv) #through lots# or other #zoning lots# with multiple #front lot lines# where the angle between two #front lot lines# is more than 15 degrees from being parallel;

(v) #zoning lots# where, over the depth of the lot, as measured perpendicular from the #front lot line#, there is a slope of at least 15 percent to the horizontal; or

(3) #zoning lots# that have a #lot area# of at least 20,000 square feet or occupy an entire #block#.

In addition, for #zoning lots# with a #lot area# of 30,000 square feet or more with existing #buildings#, the following restrictions shall apply. The area of the #zoning lot#

used for #developments# or #enlargements# under the provisions of this Section:

(i) shall not include any portion of open space with amenities used for recreational purposes, such as play equipment, court game facilities, ball fields or fixed tables and chairs, unless such space is replaced in kind and size on the same #zoning lot#; and

(ii) shall be located, partially or entirely, within 100 feet of a #street line#.

(b) Modified height and setback provisions

For eligible #zoning lots#, the maximum permitted #building# height may be modified by the heights in the table below. However, for #zoning lots# with a #lot area# of at least 40,000 square feet, whether singly or in combination, where either the height at roof level of an existing #building#, or ornamental features in an existing non-residential #building or other structure#, meet or exceed the maximum heights set forth in such table, the maximum heights may be increased by 25 percent, or the height of such roof level or ornamental feature, whichever is lower.

MAXIMUM BUILDING HEIGHT FOR ELIGIBLE SITES

| **District** | **Maximum height of #buildings or other structures# (in feet)** |
|---|---|
| R6-2 | 95 |
| R6 R6-1 | 125 |

| | |
|---|---|
| R7-1 R7-2 | 155 |
| R7-3 | 185 |
| R8 | 215 |
| R8[1] | 255 |
| R9 | 285 |
| R9-1 | 315 |
| R10 | 355 |
| R11 | 405 |
| R12 | 495 |

1 for #UAP developments# or #qualifying senior housing# on #zoning lots#, or portions thereof, within 100 feet of a #wide street#

## 23-435 - Tower regulations

LAST AMENDED
12/5/2024

In R9 through R12 Districts, other than R9A, R9X, R10A or R11A Districts, as an alternative to the maximum #building# heights set forth in Section 23-432, towers are permitted pursuant to the provisions of this Section.

Above the maximum base height specified for the particular district, a tower with a maximum #lot coverage# of:

(a) 65 percent shall be permitted up to a height of 300 feet; and

(b) 50 percent shall be permitted above a height of 300 feet.

## 23-436 - Additional height and setback provisions

LAST AMENDED
12/5/2024

R6 R7 R8 R9 R10 R11 R12

In the districts indicated, the following additional regulations shall apply:

(a) Existing buildings may be vertically #enlarged# by up to one story or 15 feet without regard to the #street wall# location requirements of Section 23-431.

(b) On #through lots# which extend less than 190 feet in maximum depth from #street# to #street#, the #street wall# location requirements of Section 23-431 shall be mandatory along only one #street# frontage.

(c) On #corner lots#, or portions thereof, the #street wall# location requirements of Section 23-431 shall be mandatory along only one #street# frontage. Where one of the #street# frontages bounding the #corner lot# is a #wide street# and the other a #narrow street#, the #street wall# location rules shall be applied along the #wide street# frontage;

(d) The #street wall# location and minimum base height provisions of Sections 23-431 and 23-432, respectively, shall not apply along any street frontage of a #zoning lot# occupied by buildings whose #street wall# heights or widths will remain unaltered.

(e) The minimum base height provisions of Section 23-432 shall not apply to #buildings#, or portions thereof, that are #developed# or #enlarged# and do not exceed such minimum base heights.

(f) For any zoning lot located in a Historic District designated by the Landmarks Preservation Commission, the #street wall# location and minimum or maximum base height regulations of Section 23-43, inclusive, or as modified in any applicable Special District, may be modified as follows:

(1) The minimum base height of a #street wall# may vary between the applicable minimum set forth in Section 23-432, and the height of the #street wall# of an adjacent #building# before setback, if such height is lower than the minimum base height; and

(2) The maximum base height of a #street wall# may vary between the applicable maximum set forth in Section 23-432, inclusive, and the height of the #street wall# of adjacent #building# before setback, if such height is higher than the maximum base height.

(g) Where a continuous sidewalk widening is provided on the #zoning lot#, along the entire #block# frontage of a #street#, the boundary of the sidewalk widening shall be considered to be the #street line# for the purposes of applying the provisions of Section 23-431, but such widening may be included in the setback reductions permitted pursuant to paragraph (a) of Section 23-433.