

Zoning Resolution

THE CITY OF NEW YORK

CITY PLANNING COMMISSION

Eric Adams, Mayor

Daniel R. Garodnick, Chair

117-53 - Height and Setback and Street Wall Location Regulations

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117-53 - Height and Setback and Street Wall Location Regulations

LAST AMENDED 12/5/2024

The height and setback regulations of the designated #Residence# and M1 Districts shall not apply, except for permitted obstructions pursuant to Sections 23-41 or 43-42, as applicable. In lieu thereof, all #buildings or other structures# shall comply with the regulations set forth in Sections 117-531 (Street wall location) and 117-532 (Setback regulations for buildings that exceed the maximum base height). Such regulations, however, shall not apply along the #street frontage# of that portion of a #zoning lot# occupied by existing #buildings#, unless the #street walls# of such existing #buildings# are vertically extended by more than 15 feet. The height of all #buildings or other structures# shall be measured from the #base plane#.

117-531 - Street wall location

LAST AMENDED 12/5/2024

- (a) On a #wide street#, and on a #narrow street# within 50 feet of its intersection with a #wide street#, the #street wall# provisions of paragraph (a) of Section 35-631 (Street wall location) shall apply, except that the #street wall# shall extend to at least the applicable minimum base height specified in the table in Section 117-532 (Setback regulations for buildings that exceed the maximum base height), or the height of the #building#, whichever is less.
- (b) On a #narrow street# between 50 and 100 feet of its intersection with a #wide street#, the #street wall# location provisions of paragraph (b) of Section 35-631 shall apply, except that the #street wall# shall extend along the entire width of the #narrow street# frontage
 - Beyond 100 feet of the intersection of a #wide street#, the #street wall# location provisions of paragraph (b) of Section 35-631 shall apply.
- (c) In the locations specified on Map 3 (Sidewalk Widening and Street Wall Location) in Appendix C of this Chapter, a #building# shall comply with the provisions of paragraphs (a) and (b) of this Section, as applicable, except that #street walls# shall be located as specified on Map 3. The #street wall# of a #building# may be set back only in the areas indicated on Map 3 as "Permitted #Street Wall# Setback Locations," provided that the additional sidewalk widening resulting from such setback is accessible to the public, in accordance with the provisions of Section 117-553 (Mandatory sidewalk widening design requirements), and located adjacent to a public sidewalk or mandatory sidewalk widening.
- (d) For any #building# fronting on Queens Plaza South in Area A-1, Area B or Area D, as shown on Map 1 (Designated Districts within the Queens Plaza Subdistrict) of Appendix C, any #street wall# along Queens Plaza South shall be set back five feet from the #street line#, except as otherwise specified on Map 3.
- (e) For any #building# on a #zoning lot# located on Jackson Avenue between 42nd Road and Queens Plaza South, the #street wall# fronting on Jackson Avenue may be set back five feet from the #street line# only upon certification of the Chairperson of the City Planning Commission to the Department of Buildings that the Jackson Avenue sidewalk adjacent to the #zoning lot# will be landscaped in accordance with a plan acceptable to the Department of Transportation and the Chairperson. Such plan shall include five planting beds that shall contain a mixture of deciduous and evergreen shrubs, ground covers and flowers. Such planting beds shall be installed and maintained by the owner of the #building#. The #street wall# of any subsequent #development# or #enlargement# shall be located no closer to nor further from the #street line# than the #street wall# of an adjacent existing #building#.

LAST AMENDED 12/5/2024

All portions of #buildings or other structures# that exceed the maximum base height specified in the table in this Section shall comply with the following provisions:

(a) At a height not lower than the minimum base height or higher than the maximum base height specified in the table for the applicable area, 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 setback may be modified in accordance with the provisions of Section 23-433 (Standard setback regulations).

Area	Minimum Base Height	Maximum Base Height
A-1	60	
A-2	60	150
B and D	100	150
C*	60	100

(b) In Area A-1, no setbacks are required above the applicable minimum base height specified in the table in paragraph (a) of this Section. However, if a setback is provided, it shall comply with the provisions of paragraph (a).

117-533 - Special permit to modify use or bulk regulations

LAST AMENDED 2/2/2011

For any #zoning lot# within the Queens Plaza Subdistrict of the #Special Long Island City Mixed Use District#, the City Planning Commission may permit modification of the #use# or #bulk# regulations, except #floor area ratio# requirements, provided the Commission shall find that:

- (a) such #use# or #bulk# modification will aid in achieving the general purposes and intent of the Special District;
- (b) such #use# modification will encourage a lively pedestrian environment along the #street# or mandatory sidewalk widening, or is necessary for the programmatic requirements of the development;
- (c) such #bulk# modifications will enhance the distribution of #bulk# on the #zoning lot#;
- (d) such #bulk# modifications will permit adequate access of light and air to surrounding #streets# and properties; and

^{*} for #buildings or other structures# on Davis Street located 75 feet or more from Jackson Avenue, the minimum base height shall be 40 feet

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

such #use# or #bulk# modification will relate harmoniously to the character of the surrounding area.

(e)