



## Zoning Resolution

THE CITY OF NEW YORK

Eric Adams, Mayor

CITY PLANNING COMMISSION

Daniel R. Garodnick, Chair

# 145-23 - Height and Setback Regulations

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# 145-23 - Height and Setback Regulations

LAST AMENDED  
8/15/2024

In all districts, except in C8-2 Districts, all #developments# and #enlargements# shall comply with the height and setback provisions of this Section.

(a) #Street wall# location rules

For #zoning lots#, or portions thereof, along #streets#, or portions thereof, designated on Map 2 (Designated Street Frontages for Ground Floor Level and Street Wall Continuity Requirements) in the Appendix to this Chapter, the #street wall# location provisions applicable to a C2 District mapped within an R7A District, as set forth in Section [35-651](#) (Street wall location), shall apply. For the purposes of applying such regulations, the minimum base height a #street wall# shall rise to, without setback, shall be set forth in paragraph (b) of this Section.

Along other #streets#, no #street wall# location rules shall apply.

(1) Maximum base and building heights

The table in this Section sets forth the maximum base height, the maximum height of a #building or other structure#, and the maximum number of #stories# for #buildings#, or portions thereof. For the purposes of this Section, in a #Commercial District#, the applicable height and setback provisions are the regulations for the #Residence District# within which such #Commercial District# is mapped, the equivalent #Residence District#, or the designated #Residence District# where such district is paired with an M1 District with an A suffix.

A setback is required for all portions of #buildings or other structures# that exceed the maximum base height specified for the district and shall be provided at a height not lower than the minimum base height or higher than the permitted maximum base height. Such setback shall have a depth of at least 10 feet from any #street wall# fronting on a #wide street#, and a depth of at least 15 feet from any #street wall# fronting on a #narrow street#. The underlying provisions of paragraphs (c)(2) through (c)(4) of Section [23-662](#) (Maximum height of buildings and setback regulations) shall apply to such setbacks.

BASE HEIGHTS, MAXIMUM BUILDING HEIGHTS AND MAXIMUM NUMBER OF STORIES

District	Minimum base height (in feet)	Maximum base height (in feet)	Maximum height of #building or other structures# (in feet)	Maximum number of #stories#
R6A40	65	95	9	
R6-40	65	125	12	
R7-20	85	155	15	
R7-30	95	185	18	
R8X60	105	175	17	
R8 60	105	215	21	

(b) Modifications in certain areas

In Subdistrict B and in other areas, the provisions of paragraphs (a) and (b) of this Section shall be modified as follows:

(1) Modifications in Subdistrict B

- (i) In Subdistrict B, the maximum base and #building# height provisions of an R8 District without a letter suffix, as set forth in paragraph (b) of this Section, shall apply.
- (ii) In Subarea B1, portions of #buildings or other structures# located adjacent to an open space, as designated on Map 4 (Subdistrict B, Morris Park Avenue Site Plan) in the Appendix to this Chapter, may rise without setback, provided that such open space has a minimum depth of 30 feet from the point of intersection of two #street lines#. For the purposes of applying the #street wall# location rules of paragraph (a) of this Section, the interior boundary of such publicly accessible area shall be considered a #street line#.

(2) Modifications in other areas

In C2 Districts mapped within R8 Districts without a letter suffix, for #zoning lots# with a #street# frontage of at least 200 feet along East Tremont Avenue, the maximum building height set forth in paragraph (b) of this Section shall be increased by 20 feet, and the maximum number of #stories# shall be increased by two.

(c) Dormers

For all #buildings#, dormers shall be a permitted obstruction in a required setback, and may be provided in accordance with the provisions of paragraph (c) of Section 23-623. However, as an alternative to such provisions, dormers may be a permitted obstruction within a required front setback distance above a maximum base height, provided that the aggregate width of all dormers at the maximum base height does not exceed 40 percent of the width of the street wall of the highest story entirely below the maximum base height. Such dormers need not decrease in width as the height above the maximum base height increases.