**Zoning Resolution**

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

CITY PLANNING COMMISSION
**Sideya Sherman, Chair**

# 145-23 - Height and Setback Regulations

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## 145-23 - Height and Setback Regulations

LAST AMENDED
12/5/2024

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 of paragraph (b) of Section 35-631 (Street wall location) shall apply except that the #street walls# shall extend to minimum base heights as specified in paragraph (b) of this Section.

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

(b) Base and #building# heights

In R6A and R8X Districts, the underlying height regulations shall apply. For all other districts, the table in this Section sets forth the minimum base height, maximum base height and the maximum height of a #building or other structure#. 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, pursuant to the provisions of Section 23-433 (Standard setback regulations), 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.

BASE HEIGHTS AND MAXIMUM BUILDING HEIGHTS

| **District** | **Minimum base height (in feet)** | **Maximum base height (in feet)** | **Maximum height of #buildings or other structures# (in feet)** |
|---|---|---|---|
| R6-1 | 40 | 65 | 125 |
| R7-2 | 40 | 85 | 155 |
| R7-3 | 60 | 95 | 185 |
| R8 | 60 | 105 | 215 |

(c) 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.

(d) Dormers

For all #buildings or other structures#, dormers shall be a permitted obstruction in a required setback, and may be provided in accordance with the provisions of paragraph (b)(1) of Section 23-413 (Permitted obstructions in certain districts).