Zoning Resolution

THE CITY OF NEW YORK
Zohran K. Mamdani, Mayor

CITY PLANNING COMMISSION
Sideya Sherman, Chair

123-65 - Special Height and Setback Regulations in Special Mixed Use Districts with R6 Through R12 District Designations

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LAST AMENDED
12/5/2024

In #Special Mixed Use Districts# where the designated #Residence District# is an R6 through R12 District, the #street wall# location of a #building# shall be as set forth in 123-651 (Street wall location for all buildings), and the height and setback regulations of a #building or other structure# shall be as set forth in Section 123-652 (Special base and building heights). Additional height and setback provisions are set forth in Section 123-653 and Section 123-66, inclusive.

Permitted obstructions shall be permitted pursuant to Sections 23-41, 24-51 or 43-42. In addition, for all #buildings or other structures#, a dormer may be provided in accordance with the provisions of paragraph (b)(1) of Section 23-413 (Permitted obstructions in certain districts).

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#.

123-651 - Street wall location for all buildings

LAST AMENDED
12/5/2024

Where the designated #Residence District# is an R6 through R12 District, 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 123-652 as applicable.

(a) Percentage-based rules

At least 70 percent of the #aggregate width of street walls# shall be located within eight feet of the #street line# and shall extend to at least the minimum base height specified in Section 123-652 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#.

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 Section 23-431 may be applied.

(b) Modifications for large #zoning lots#

Notwithstanding the provisions of paragraphs (a) of this Section, for #street walls# on #buildings# on a #zoning lot# that has a #lot area# of at least 40,000 square feet or that occupy an entire #block#, at least 70 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 123-652, or the height of the #building#, whichever is less.

(c) 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) or (b) of this

Section, provided that 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.

123-652 - Special base and building heights

LAST AMENDED
12/5/2024

Where the designated #Residence District# is an R6 through R12 District, the following shall apply.

(a) Districts with a letter suffix

Where the designated #Residence District# is an R6 through R12 District with a letter suffix, the minimum base height, maximum base height and maximum #building# height shall be as set forth in the table in Section 23-432 (Height and setback requirements) for the applicable #Residence District#. 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 (Standard setback regulations).

However, for M1 Districts with an A suffix paired with a #Residence District#, the applicable height and setback regulations for the district shall be whichever regulations permit the tallest overall heights between the height and setback regulations applicable to the particular #Manufacturing District# set forth in the table in Section 43-46 (Height and Setback Provisions for Districts With an A Suffix), or the height and setback regulations applicable to the particular #Residence District# set forth in Section 23-432. In either case, for #zoning lots# with a #lot area# greater than or equal to 20,000 square feet, a #building# may exceed the maximum #building# heights established in such tables by 25 percent.

(b) Districts without a letter suffix

Where the designated #Residence District# is an R6 through R12 District without a letter suffix, the minimum base height, maximum base height and maximum #building# height shall be as set forth in the following table. For portions of a #building# #street wall# that exceed the maximum base height, at a height not lower than the minimum base height or higher than the maximum base height, a setback shall be provided in accordance with Section 23-433.

MAXIMUM BASE HEIGHT AND MAXIMUM #BUILDING# HEIGHTS

District	**Minimum Base Height (in feet)**	**Maximum Base Height (in feet)**	**Maximum Height o #Buildings or othe Structures# (in feet**
R6-2	30	55	9
R6 R6-1	40	65	12
R7-1 R7-2	40	85	15
R7-3	60	105	18
R8	60	105	21

R8[1]	60	125	25
R9	60	135	28
R9-1	60	155	31
R10	60	155	35
R11	60	155	40
R12	60	155	49

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

However, for M1 Districts with an A suffix paired with a #Residence District#, the applicable height and setback regulations for the district shall be whichever regulations permit the tallest overall heights between the height and setback regulations applicable to the particular #Manufacturing District# set forth in the table in Section 43-46, or the height and setback regulations applicable to the particular #Residence District# set forth in this Section.

In addition, for all #buildings#, the maximum #building# heights set forth in this paragraph may be increased by 25 percent, provided that the gross area of any such #story# located above the maximum #building# height does not exceed 90 percent of the gross area of that #story# located directly below the maximum #building# height.

123-653 - Additional height and setback provisions

LAST AMENDED
12/5/2024

The additional height and setback regulations set forth in Section 23-436 shall apply, except as follows:

(a) for the purposes of applying such provisions, references to the #street wall# location provisions of Section 23-431 shall be superseded by those of Section 123-651 and base heights by the provisions of Section 123-652; and

(b) for the purposes of applying the #street wall# modifications on #corner lots#, where a #zoning lot# is bounded by only one #street line# along a #street# frontage where a #Commercial District# or #Special Mixed Use District# is mapped along the entire #block# frontage, the #street wall# shall be applied along such frontage.