



Zoning Resolution

THE CITY OF NEW YORK

Eric Adams, Mayor

CITY PLANNING COMMISSION

Daniel R. Garodnick, Chair

116-23 - Special Height and Setback Regulations

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116-23 - Special Height and Setback Regulations

LAST AMENDED
10/25/2006

The special height and setback regulations set forth in this Section shall apply.

116-231 - Special rooftop regulations

LAST AMENDED
12/6/2023

The provisions of Section [33-42](#) (Permitted Obstructions) shall apply to all #buildings or other structures# in Subareas A, B and C, except that dormers may penetrate a maximum base height in accordance with the provisions of paragraph (c)(1) of Section [23-623](#) (Permitted obstructions in certain districts).

116-232 - Street wall location

LAST AMENDED
2/2/2011

Within the #Special Stapleton Waterfront District#, the #street wall# location regulations shall be modified as follows:

(a) Subareas A and B1

In Subareas A and B1, the underlying #street wall# location regulations shall apply, except that the provisions of paragraph (a)(1) of Section [35-651](#) (Street wall location) shall be modified to require that at least 70 percent of the #aggregate width of street wall# be located within 15 feet of the #street line# and extend to the minimum base heights specified in Section [116-233](#) (Height and setback), or the height of the #building#, whichever is less.

(b) Subareas B2 through B5 and C

In Subareas B2 through B5 and C, the underlying #street wall# location regulations of a C4-2A District or an R6B District, as applicable, shall be modified as set forth in this Section. Map 3 (Mandatory Front Building Wall Lines) in Appendix A of this Chapter, specifies locations in Subareas B2 through B5 and C where #mandatory front building wall# requirements apply as follows:

- (1) Type 1: Front #building# walls shall be coincident with and extend along the entire length of the #mandatory front building wall line#, except, to allow articulation at the intersection of two such lines, the front #building# wall may be located anywhere within 15 feet of their point of intersection.
- (2) Type 2: Front #building# walls shall be located within eight feet of and extend along at least 70 percent of the length of the #mandatory front building wall line#. For phased #development#, this requirement may be satisfied by more than one #building#, provided that upon completion 70 percent of the length of the #mandatory front building wall line# is occupied by such front #building# walls.
- (3) Wherever Map 3 does not indicate a #mandatory front building wall line#, the underlying #street wall# location rules shall apply.

If more than one #building# is #developed# in Subareas B2, B3 or B4, the first #building# shall be located along a Type 1 #mandatory front building wall line#. Subsequent #buildings# shall locate along a Type 2 #mandatory front building

wall line# until 70 percent of the length of the #mandatory front building wall line# is occupied.

All #mandatory front building walls# shall rise without setback to the minimum base height specified in Section [116-233](#), or the height of the #building#, whichever is less. Recesses shall be permitted on the ground floor where required to provide access to the #building#. Above the ground floor, up to 30 percent of the aggregate width of the front #building# wall may be recessed.

116-233 - Height and setback

LAST AMENDED

12/6/2023

Within the #Special Stapleton Waterfront District#, the underlying height and setback regulations shall be modified as follows:

(a) Subareas A and B1

(1) Base heights and maximum #building# heights

The table below sets forth the minimum and maximum base height, the maximum transition height, the maximum height of a #building or other structure#, and the maximum number of #stories# for #buildings# in Subareas A and B1. The maximum #building# height set forth in the table shall only be permitted in locations where the maximum #street wall# width of a #building# above the transition height, or, where applicable, the maximum base height, does not exceed 100 feet. At least 60 feet of separation shall exist between any portions of #buildings# located above such maximum transition height, or maximum base height, as applicable.

A setback is required for all portions of #buildings or other structures# that exceed the maximum base height specified for the Subarea, and shall be provided in accordance with paragraph (a)(2) of this Section.

Maximum Base Heights and Maximum #Building# Heights for Subareas A and B1

Minimum Base Height (in feet)	Maximum Base Height (in feet)	Maximum Transition Height (in feet)	Maximum Height of #Buildings or Other Structures# in Certain Locations (in feet)	Maximum Number of #Stories#
40	65	85	125	12

(2) Required setbacks

At a height not lower than the minimum base height, or higher than the maximum base height specified for the Subarea in the table in paragraph (a)(1) of this Section, a setback with a depth of at least 10 feet shall be provided from the front #building# wall.

In addition, 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.

(3) Dormer provisions

The underlying dormer provisions of paragraph (c) of Section [23-623](#) (Permitted obstructions in certain districts) shall apply, except that no dormer shall be permitted above a height of 85 feet, or above the maximum height of the #building or other structure# permitted in paragraph (a) of this Section, whichever is lower.

(b) Subarea B2

Within Subarea B2, the maximum height of a #building or other structure# shall not exceed 60 feet.

(c) Subareas B3 through B5 and Subarea C

In Subareas B3 through B5 and Subarea C the minimum base height shall be 35 feet and the maximum base height shall be 40 feet. At a height not lower than the minimum base height or higher than the maximum base height, a setback with a depth of at least 10 feet shall be provided, as measured from the front #building# wall.

The maximum height of a #building or other structure# shall not exceed 50 feet. However, where the ground floor level of a #building# provides a #qualifying ground floor# in accordance with the supplemental provisions set forth in paragraph (b)(2) of Section [35-652](#) (Maximum height of buildings and setback regulations), the maximum height of a #building or other structure# may be increased to 55 feet.