



Zoning Resolution

THE CITY OF NEW YORK

Eric Adams, Mayor

CITY PLANNING COMMISSION

Daniel R. Garodnick, Chair

33-44 - Alternate Front Setbacks

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LAST AMENDED
3/22/2016

In all districts as indicated, for #buildings# other than #Quality Housing buildings#, if an open area is provided along the full length of the #front lot line# with the minimum depth set forth in this Section, the provisions of Section [33-43](#) (Maximum Height of Walls and Required Setbacks) shall not apply. The minimum depth of such open area shall be measured perpendicular to the #front lot line#. However, in such instances, except as otherwise provided in Sections [33-42](#) (Permitted Obstructions), [33-45](#) (Tower Regulations) or [85-04](#) (Modifications of Bulk Regulations), no #building or other structure# shall penetrate the alternate #sky exposure plane# set forth in this Section, and the #sky exposure plane# shall be measured from a point above the #street line#.

33-441 - In C1 or C2 Districts with bulk governed by surrounding Residence District

LAST AMENDED
12/6/2023

In the districts indicated, the alternate front setback regulations applicable to a #building or other structure# shall be determined by the #Residence District# in which such #Commercial District# is mapped and, except as otherwise set forth in this Section, shall be as set forth in the following table:

Depth of Optional Front Open Area (in feet)		Alternate #Sky Exposure Plane#					
		Height above #Street Line# (in feet)	Slope over #Zoning Lot# (expressed as a ratio of vertical distance to horizontal distance)				
			On #Narrow Street#		On #Wide Street#		
On #Narrow Street#	On #Wide Street#		Vertical Distance	Horizontal Distance	Vertical Distance	Horizontal Distance	
Within R1, R2, R3, R4, R5, R5A or R5B Districts							

15	10	30	1.4	to 1	1.4	to 1
Within R6 or R7 Districts						
15	10	60	3.7	to 1	7.6	to 1
Within R8, R9 or R10 Districts						
15	10	85	3.7	to 1	7.6	to 1

However, in accordance with the provisions of Section [32-42](#) (Location within Buildings), no commercial building, or portion thereof, occupied by non-residential uses listed in Use Group 6A, 6B, 6C, 7, 8, 9, 14A or 14B shall exceed in height 30 feet or two stories, whichever is less.

For community facility buildings or buildings used for both community facility use and commercial use, when mapped within R4, R5, R5A or R5B Districts, the height above street line shall be 35 feet.

33-442 - In other Commercial Districts

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LAST AMENDED
12/6/2023

C1-6 C1-7 C1-8 C1-9 C2-6 C2-7 C2-8 C3 C4 C5 C6 C7 C8

In the districts indicated, the alternate front setback regulations applicable to a building or other structure shall be as set forth in the following table:

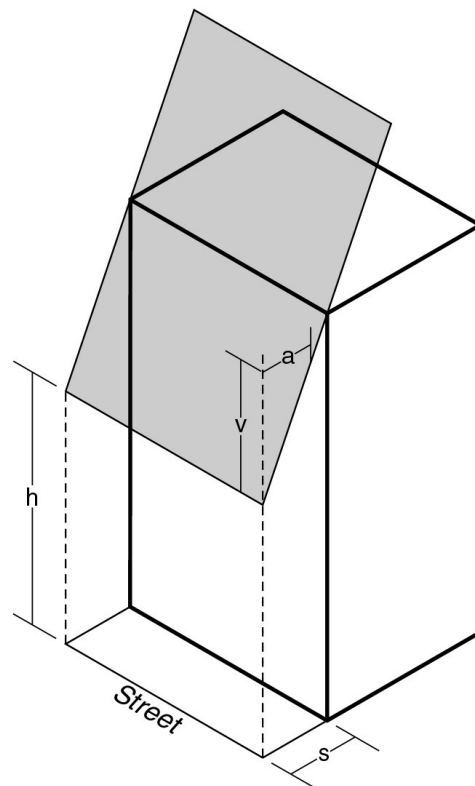
ALTERNATE REQUIRED FRONT SETBACKS

Depth of Optional Front Open Area (in feet)		Alternate #Sky Exposure Plane#				
		Height above #Street Line# (in feet)	Slope over #Zoning Lot# (Expressed as a Ratio of Vertical Distance to Horizontal Distance)			
			On #Narrow Street#		On #Wide Street#	
On #Narrow Street#	On #Wide Street#		Vertical Distance	Horizontal Distance	Vertical Distance	Horizontal Distance

Within C3 C4-1 C8-1 Districts						
15	10	30	1.4	to 1	1.4	to 1
Within C1-6 C2-6 C4-2 C4-3 C4-4 C4-5 C7 C8-2 C8-3 Districts						
15	10	60	3.7	to 1	7.6	to 1
Within C1-7 C1-8 C1-9 C2-7 C2-8 C4-2F C4-6 C4-7 C5 C6 C8-4 Districts						
15	10	85	3.7	to 1	7.6	to 1

However, in accordance with the provisions of Section [32-42](#) (Location Within Buildings), in C1, C2 or C3 Districts, no #commercial building# or portion thereof occupied by #uses# listed in Use Group 6A, 6B, 6C, 7, 8, 9, 14A or 14B shall exceed in height 30 feet or two #stories#, whichever is less.

In C4-1 or C8-1 Districts, for #community facility buildings# or #buildings# used for both #community facility# #use# and #commercial# #use#, the maximum height above #street line# shall be 35 feet or three #stories#, whichever is less.



a - Horizontal distance

h - Height of sky exposure plane above street line

s - Depth of the optional front open area

v - Vertical distance

 Sky Exposure Plane

ALTERNATE SKY EXPOSURE PLANE

([23-64](#), [24-53](#), [33-442](#), [43-44](#))