



Zoning Resolution

THE CITY OF NEW YORK

Eric Adams, Mayor

CITY PLANNING COMMISSION

Daniel R. Garodnick, Chair

119-212 - Height and setback regulations

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LAST AMENDED

2/2/2011

The height and setback regulations set forth in Sections [23-63](#) (Height and Setback Requirements in R1 Through R5 Districts), [23-64](#) (Basic Height and Setback Requirements), [34-24](#) (Modification of Height and Setback Regulations), [35-62](#) (Commercial Districts With an R1 Through R5 Residential Equivalent) and [35-63](#) (Basic Height and Setback Modifications) shall not apply to #buildings or other structures# on #Tier II sites# within the #Special Hillside Preservation District#. In lieu thereof, the height and setback regulations set forth in this Section shall apply.

No portion of a #building or other structure# shall penetrate a plane drawn parallel to the #base plane# at a height that is shown in Table III of this Section. For #buildings# with pitched roofs, height shall be measured to the midpoint of such pitched roof. For the purposes of this Section, the #base plane#, which is a plane from which the height of a #building or other structure# is measured in R2X, R3, R4 and R5 Districts, shall also be established in accordance with the provisions of Section [12-10](#) (DEFINITIONS) for #buildings or other structures# in R1, R2 and R6 Districts.

TABLE III

MAXIMUM HEIGHT OF A BUILDING OR OTHER STRUCTURE

#Residence District# *	Maximum Height above #Base Plane#
R1 R2 R3 R4**	36 feet
R5**	60 feet
R6	70 feet

* or #Residence District# equivalent when the #zoning lot# is located within a #Commercial District#

** #buildings# that utilize the regulations of Section [23-143](#), applying to a #predominantly built-up area#, shall not exceed a maximum height of 32 feet above the #base plane#.