Zoning Resolution

THE CITY OF NEW YORK
Zohran K. Mamdani, Mayor

CITY PLANNING COMMISSION
Sideya Sherman, Chair

33-45 - Tower Regulations

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33-45 - Tower Regulations

LAST AMENDED
12/15/1961

33-451 - In certain specified Commercial Districts

LAST AMENDED
12/5/2024

C4-7 C5-2 C5-3 C5-4 C5-5 C6-4 C6-5 C6-6 C6-7 C6-8 C6-9 C6-11 C6-12

In the districts indicated, any #buildings# or portions thereof which in the aggregate occupy not more than 40 percent of the #lot area# of a #zoning lot# or, for #zoning lots# of less than 20,000 square feet, the percent set forth in Section 33-454 (Towers on small lots), may penetrate an established #sky exposure plane#. (Such #building# or portion thereof is hereinafter referred to as a tower.) At any given level, except where the provisions set forth in Section 33-455 (Alternate regulations for towers on lots bounded by two or more streets) or 33-456 (Alternate setback regulations on lots bounded by two or more streets) or 33-457 (Tower setbacks on narrow blocks) are applicable and where the option is taken to be governed by such provisions, such tower may occupy any portion of the #zoning lot# not located less than 15 feet from the #street line# of a #narrow street#, or less than 10 feet from the #street line# of a #wide street#, provided that the aggregate area so occupied within 50 feet of a #narrow street# shall not exceed 1,875 square feet and the aggregate area so occupied within 40 feet of a #wide street# shall not exceed 1,600 square feet.

If all of the #buildings# on a #zoning lot# containing such tower do not occupy at any level more than the maximum percent of the #lot area# set forth in this Section or Section 33-454 for towers, the

tower may occupy any portion of the #zoning lot# located 20 feet or more from the #street line# of a #narrow street# or 15 feet or more from the #street line# of a #wide street#, provided that the aggregate area so occupied within 50 feet of a #narrow street# shall not exceed 2,250 square feet and the aggregate area so occupied within 40 feet of a #wide street# shall not exceed 2,000 square feet.

Unenclosed balconies, subject to the provisions of Section 24-164 (Balconies), are permitted to project into or over open areas not occupied by towers.

33-452 - Community facility buildings in C1 or C2 Districts when mapped within R7-2 through R12 Districts

LAST AMENDED
12/5/2024

C1-1 C1-2 C1-3 C1-4 C1-5 C2-1 C2-2 C2-3 C2-4 C2-5

In the districts indicated, when mapped within an R7-2, R7-3, R8, R9, R10, R11 or R12 District, the provisions set forth in Section 33-451 (In certain specified Commercial Districts) shall apply to any #community facility building#. If a #building# is used for both #community facility# and #commercial# #uses#, no portion of such #building# occupied by #commercial# #use# shall penetrate the #sky exposure plane# as set forth in Sections 33-43 (Maximum Height of Walls and Required Setbacks) or 33-44 (Alternate Front Setbacks).

33-453 - Community facility buildings in certain specified Commercial Districts

LAST AMENDED
12/5/2024

C1-6 C1-7 C1-8 C1-9 C2-6 C2-7 C2-8 C4-4 C4-5 C4-6 C4-8 C4-9 C4-11 C4-12 C5-1 C6-1 C6-2 C6-3 C8-3 C8-4

In the districts indicated, the provisions set forth in Section 33-451 (In certain specified Commercial Districts) shall apply to any #community facility building#. If a #building# is used for both #community facility# and #commercial# #uses#, no portion of such #building# occupied by #commercial# #use# shall penetrate the #sky exposure plane# as set forth in Section 33-43 (Maximum Height of Walls and Required Setbacks) or 33-44 (Alternate Front Setbacks).

33-454 - Towers on small lots

LAST AMENDED
12/5/2024

C1 C2 C4-4 C4-5 C4-6 C4-7 C4-8 C4-9 C4-11 C-4-12 C5 C6 C8-3 C8-4

In the districts indicated, a tower permitted under the provisions of Sections 33-451 (In certain specified Commercial Districts), 33-452 (Community facility buildings in C1 or C2 Districts when mapped within R7-2 through R12 Districts) or 33-453 (Community facility buildings in certain specified Commercial Districts) may occupy the percent of the #lot area# of a #zoning lot# set forth in the following table:

LOT COVERAGE OF TOWERS ON SMALL ZONING LOTS

Area of #Zoning Lot# (in square feet)	Maximum Percent of #Lot Coverage#
10,500 or less	50

10,501 to 11,500	49
11,501 to 12,500	48
12,501 to 13,500	47
13,501 to 14,500	46
14,501 to 15,500	45
15,501 to 16,500	44
16,501 to 17,500	43
17,501 to 18,500	42
18,501 to 19,999	41

33-455 - Alternate regulations for towers on lots bounded by two or more streets

LAST AMENDED
12/5/2024

C5-3 C5-5 C6-6 C6-7 C6-9 C6-11 C6-12

In the districts indicated, if a #zoning lot# is bounded by at least two #street lines#, a tower may occupy the percent of the #lot area# of a #zoning lot# set forth in this Section, provided that, except as otherwise set forth in Section 33-457 (Tower setbacks on narrow blocks), all portions of any #building# or #buildings# on such #zoning lot#, including such tower, are set back from #street lines# as required in this Section.

(a) The maximum percent of #lot area# that may be occupied by such tower, shall be the sum of 40 percent plus one-half of one percent for every .10 by which the #floor area ratio# of such #zoning lot# is less than the #floor area ratio# permitted under the provisions of Sections 33-12 (Maximum Floor Area Ratio), 33-13 (Floor Area Bonus for a Public Plaza) or 33-14 (Floor Area Bonus for Arcades). The maximum #lot coverage# for any tower built under the provisions of this Section or for any #building# or #buildings# on any #zoning lot# occupied by such tower shall be 55 percent of the #lot area# of such #zoning lot#.

(b) At all levels, including ground level, such #building# shall be set back from the #street line# as follows:

(1) On #narrow streets#, by a distance equal to at least the fraction of the #aggregate width of street walls# of the tower, the numerator of which fraction is one and the denominator of which fraction is the sum of 3.0 plus .0667 for every .10 by which the #floor area ratio# of such #building# is less than the #floor area ratio# permitted under the provisions of Sections 33-12, 33-13 or 33-14, provided that such fraction shall be no less than one-fifth, and provided further that such setback need not exceed 45 feet.

(2) On #wide streets#, by a distance equal to at least the fraction of the #aggregate width of street walls# of the tower, the numerator of which fraction is one and the denominator of which fraction is the sum of 4.0 plus .10 for every .10 by which the #floor area ratio# of such #building# is less than the #floor area ratio# permitted under the provisions of Sections 33-12, 33-13 or 33-14, provided that such fraction shall be no less than one-seventh, and provided further that such setback need not

exceed 35 feet.

(c) If a #zoning lot# occupies an entire #block#, the maximum setback, set forth in paragraph (b) of this Section, of 45 feet on each #narrow street# bounding the #zoning lot# may be reduced by one foot for every six feet of setback provided on a #wide street# bounding the #zoning lot# in addition to the setbacks otherwise required for #wide streets# as set forth in such paragraph, provided that no setback on a #narrow street# resulting from such reduction shall be less than 35 feet or one-tenth the #aggregate width of street walls# of the tower, whichever shall require the greater setback.

(d) The additional setbacks on #wide streets# set forth in paragraph (c) of this Section may be provided entirely on one #wide street# or divided in any proportion among any two #wide streets# bounding the #zoning lot#.

(e) Notwithstanding any other provision set forth in this Section, no #building# or portion of a #building# built under the provisions of this Section shall be set back less than 25 feet from the #street line# on #narrow streets# or less than 15 feet from the #street line# on #wide streets#.

33-456 - Alternate setback regulations on lots bounded by two or more streets

LAST AMENDED
12/5/2024

C5-3 C5-5 C6-6 C6-7 C6-9 C6-11 C6-12

In the districts indicated, except as otherwise set forth in Section 33-457 (Tower setbacks on narrow blocks), if a #zoning lot# is bounded by at least two #street lines#, a tower occupying not more than the percent of #lot area# set forth in Section 33-451 (In certain specified Commercial Districts) or 33-

454 (Towers on small lots), may be set back from a #street line# as follows:

(a) On #narrow streets#, by a distance equal to at least the fraction of the #aggregate width of street walls# of the tower, the numerator of which fraction is one and the denominator of which fraction is the sum of 3.0 plus .0333 for each .10 by which the #floor area ratio# of the #zoning lot# is less than the #floor area ratio# permitted under the provisions of Section 33-12 , 33-13 or 33-14, provided that such fraction shall be no less than one-fifth, and provided further that such setback need not exceed 45 feet.

(b) On #wide streets#, by a distance equal to at least the fraction of the #aggregate width of street walls# of the tower, the numerator of which fraction is one and the denominator of which fraction is the sum of 4.0 plus .05 for each .10 by which the #floor area ratio# of the #zoning lot# is less than the #floor area ratio# permitted under the provisions of Sections 33-12 (Maximum Floor Area Ratio), 33-13 (Floor Area Bonus for a Public Plaza) or 33-14 (Floor Area Bonus for Arcades), provided that such fraction shall be no less than one-seventh, and provided further that such setback need not exceed 35 feet.

(c) Notwithstanding any other provisions set forth in this Section, no tower built under the provisions of this Section shall be set back less than 25 feet from the #street line# on #narrow streets# or less than 15 feet from the #street line# on #wide streets#.

33-457 - Tower setbacks on narrow blocks

LAST AMENDED
12/5/2024

C5-3 C5-5 C6-6 C6-7 C6-9 C6-11 C6-12

In the districts indicated, if a #zoning lot# is bounded by at least three #street lines#, and any two of the #street lines# are opposite to each other and parallel or within 45 degrees of being parallel to each

other, and their average distance apart is 150 feet or less, the minimum distance a tower is required to be set back from such opposite #street lines# under the provisions of Section 33-455 (Alternate regulations for towers on lots bounded by two or more streets) or Section 33-456 (Alternate setback regulations on lots bounded by two or more streets), is reduced in accordance with the following table:

TOWER SETBACKS ON NARROW BLOCKS

	Reduction of Required Tower Setback	Minimum Setback for Tower Built under Provisions of this Section
On #narrow street#	30 percent or 10 feet, whichever is less	15 feet
On #wide street#	40 percent or 10 feet, whichever is less	10 feet