Zoning Resolution

THE CITY OF NEW YORK
Zohran K. Mamdani, Mayor

CITY PLANNING COMMISSION
Sideya Sherman, Chair

23-434 - Height and setback modifications for eligible sites

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LAST AMENDED
12/5/2024

R6 R7 R8 R9 R10 R11 R12

In the districts indicated, without a letter suffix, for #zoning lots# that meet the criteria of paragraph (a) of this Section, the height and setback modifications set forth in paragraph (b) may be applied.

The eligible site provisions of this Section may be applied to either a single #zoning lot# that meets the criteria of paragraph (a) or two or more #zoning lots# under single fee ownership or alternate ownership arrangements that are contiguous or would be contiguous but for their separation by a #street#, where the combined #lot area# exceeds 40,000 square feet, and where at least one individual #zoning lot# meets the criteria of paragraph (a).

(a) Eligible sites

The provisions of this Section shall apply to #zoning lots# that meet at least one of the following criteria:

(1) #zoning lots# with a #transportation-infrastructure-adjacent frontage#;

(2) #zoning lots# where one of the following irregularities exists on December 5, 2024, and the date of application for a building permit:

(i) an #interior lot#, or portions thereof, has a depth that is less than 85 feet, or a #through lot#, or portion thereof, has a depth that is less than 170 feet;

(ii) an #interior lot#, or portions thereof, has a depth that is greater than or equal to 115 feet, or a #through lot#, or portion thereof, has a depth that is greater than or equal to 230 feet;

(iii) #corner lots# or other #zoning lots# with multiple #front lot lines# where the angle between two #front lot lines# is more than 15 degrees from being perpendicular;

(iv) #through lots# or other #zoning lots# with multiple #front lot lines# where the angle between two #front lot lines# is more than 15 degrees from being parallel;

(v) #zoning lots# where, over the depth of the lot, as measured perpendicular from the #front lot line#, there is a slope of at least 15 percent to the horizontal; or

(3) #zoning lots# that have a #lot area# of at least 20,000 square feet or occupy an entire #block#.

In addition, for #zoning lots# with a #lot area# of 30,000 square feet or more with existing #buildings#, the following restrictions shall apply. The area of the #zoning lot# used for #developments# or #enlargements# under the provisions of this Section:

(i) shall not include any portion of open space with amenities used for recreational purposes, such as play equipment, court game facilities, ball fields or fixed tables and chairs, unless such space is replaced in kind and size on the same #zoning lot#; and

(ii) shall be located, partially or entirely, within 100 feet of a #street line#.

(b) Modified height and setback provisions

For eligible #zoning lots#, the maximum permitted #building# height may be modified by the heights in the table below. However, for #zoning lots# with a #lot area# of at least 40,000 square feet, whether singly or in combination, where either the height at roof level of an existing #building#, or ornamental features in an existing non-residential #building or other structure#, meet or exceed the maximum heights set forth in such table, the maximum heights may be increased by 25 percent, or the height of such roof level or ornamental feature, whichever is lower.

MAXIMUM BUILDING HEIGHT FOR ELIGIBLE SITES

District	**Maximum height of #buildings or other structures# (in feet)**
R6-2	95
R6 R6-1	125
R7-1 R7-2	155
R7-3	185
R8	215
R8[1]	255
R9	285

R9-1	315
R10	355
R11	405
R12	495

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