



## Zoning Resolution

THE CITY OF NEW YORK

Eric Adams, Mayor

CITY PLANNING COMMISSION

Daniel R. Garodnick, Chair

# **23-67 - Special Height and Setback Provisions for Certain Areas**

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## 23-67 - Special Height and Setback Provisions for Certain Areas

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LAST AMENDED

3/22/2016

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## 23-671 - Special provisions for zoning lots directly adjoining public parks

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LAST AMENDED

3/22/2016

R1 R2 R3 R4 R5 R6 R7 R8 R9 R10

In all districts, as indicated, a #public park# with an area of between one and 15 acres shall be considered a #wide street# for the purpose of applying the regulations set forth in Sections [23-63](#) (Height and Setback in R1 Through R5 Districts), [23-64](#) (Basic Height and Setback Requirements) and [23-66](#) (Height and Setback Requirements for Quality Housing Buildings) to any #building or other structure# on a #zoning lot# adjoining such #public park#. However, the provisions of this Section shall not apply to a #public park# more than 75 percent of which is paved.

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## 23-672 - Special height and setback regulations in R10 Districts within Community District 7, Borough of Manhattan

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LAST AMENDED

3/22/2016

Within the boundaries of Community District 7 in the Borough of Manhattan, all #buildings or other structures# located in R10 Districts, except R10A or R10X Districts, utilizing the basic height and setback requirements of Section [23-64](#) (Basic Height and Setback Requirements), shall also comply with the provisions of this Section.

The front #building# wall of all #buildings# on a #zoning lot# with any frontage on a #wide street#, shall extend along the entire #wide street# frontage of the #zoning lot# without a setback for a height of 125 feet above the #curb level# or the full height of the #building#, whichever is less. Above a height of 125 feet, the front #building# wall may be set back at least 10 feet on a #wide street# or 15 feet on a #narrow street#. Above a height of 150 feet, the front #building# wall shall be set back at least 10 feet. These mandatory front #building# wall requirements also apply to all #buildings# along all #street lines# of #narrow streets# within 50 feet of their intersection with the #street lines# of #wide streets#. For the next 20 feet along the #street line# of a #narrow street#, the mandatory front #building# wall requirements are optional. The height and setback regulations of the underlying district shall apply along #street lines#, or portions thereof, not subject to the front #building# wall requirements.

Front wall recesses are permitted above the level of the second #story# ceiling or 23 feet above #curb level#, whichever is less, provided that the aggregate width of all recesses at the level of any #story# does not exceed 50 percent of the width of the front wall. The depth of such recess shall not exceed 10 feet. No front wall recesses are permitted within 20 feet of the intersection of two #street lines#.

Front wall openings are permitted below the level of the second #story# ceiling, for entrances only.

The preceding #street wall# location provisions shall not apply along any #street# frontage of a #zoning lot# occupied by existing #buildings# whose #street walls# remain unaffected by alterations or #enlargements# to such existing #buildings#.

However, the provisions of this Section shall not apply to any #building# for which the City Planning Commission has granted a special permit pursuant to Section [74-95](#) (Modifications of Housing Quality Special Permits) nor shall it apply to any #building# located within the #Special Lincoln Square District# or within the former West Side Urban Renewal Area, excluding frontages

along Central Park West or to the #block# bounded by Frederick Douglass Circle, Cathedral Parkway, Manhattan Avenue, West 109th Street and Central Park West. On application, the Commission may grant special authorization for minor modifications of the mandatory front wall provisions of this Section involving an #enlargement#, upon a showing of compelling necessity. Such authorization, however, may in no event include modification of permitted #floor area# regulations.

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## **23-673 - Special bulk regulations for certain sites in Community District 4, Borough of Manhattan**

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LAST AMENDED  
3/22/2016

Within the boundaries of Community District 4 in the Borough of Manhattan, excluding the #Special Clinton District#, for #developments# or #enlargements# in R8 Districts without a letter suffix, on #zoning lots# larger than 1.5 acres that include #residences# for which #public funding#, as defined in Section [23-911](#) (General definitions) is committed to be provided, the City Planning Commission may authorize modifications of height and setback regulations, provided the Commission finds that such modifications will facilitate the provision of such #residences#, and such modifications will not unduly obstruct access of light and air to the detriment of the occupants or users of #buildings# on the #zoning lot# or nearby properties, #open space# or #streets#. Prior to issuing a building permit for any #development# or #enlargement# utilizing modifications granted by this authorization, the Department of Buildings shall be furnished with written notice of a commitment from the appropriate funding agency for the provision of such #public funding#.

The Commission may prescribe appropriate conditions and safeguards to minimize adverse effects on the character of the surrounding area.

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## **23-674 - Special height and setback regulations for certain sites in Community District 9, Borough of Manhattan**

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LAST AMENDED  
3/22/2016

Within the boundaries of Community District 9 in the Borough of Manhattan, all #buildings# located in R8 Districts north of West 125th Street shall be #developed# or #enlarged# pursuant to the Quality Housing Program. The underlying #bulk# regulations for #Quality Housing buildings# shall apply, except as follows:

- (a) the maximum height of a #building or other structure# set forth in Section [23-662](#) shall be modified so that the maximum height of a #building or other structure#, or portion thereof, within 100 feet of a #wide street# shall be 120 feet, and the maximum height of a #building or other structure#, or portion thereof, on a #narrow street# beyond 100 feet of a #wide street# shall be 105 feet; and
- (b) the alternate height and setback regulations for certain #Quality Housing buildings# in non-contextual districts, as set forth in paragraph (c) of Section [23-664](#) (Modified height and setback regulations for certain Inclusionary Housing buildings or affordable independent residences for seniors) shall not apply to #buildings# on #zoning lots# meeting the criteria set forth in paragraph (a) of Section [23-664](#).

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## **23-675 - Provisions for certain R10 Districts within Community District 6 in the Borough of Manhattan**

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LAST AMENDED  
11/30/2017

1. Community District 6, R10 Districts, shall be subject to the following provisions:

in Community District 6 in the Borough of Manhattan, for #buildings developed# or #enlarged# with towers in K10 Districts located east of First Avenue and north of East 51st Street, the tower provisions of paragraph (a) of Section [23-65](#) (Tower Regulations) shall be modified to require that the tower-on-a-base provisions of Section [23-651](#) apply to all #buildings# where more than 25 percent of the total #floor area# of the #building# is allocated to #residential uses#. However, for #zoning lots# with #narrow street# frontages, such provisions shall be modified in accordance with the provisions of this Section.

(a) Tower modifications

The tower regulations of paragraph (a) of Section [23-651](#) shall be modified as follows:

- (1) For #buildings# that do not meet the location criteria of paragraph (a)(2) of Section [23-65](#), the provisions of paragraph (a)(3) of Section [23-651](#) shall be modified to require at least 45 percent of the total #floor area# permitted on the #zoning lot# to be located in #stories# located either partially or entirely below a height of 150 feet. In addition, when the #lot coverage# of the tower is less than 40 percent, the required 45 percent of the total #floor area# distribution, within a height of 150 feet, shall be increased in accordance with the following requirement:

Percent of #lot coverage# of the tower portion	Minimum percent of total #building floor area# distribution below the level of 150 feet
40.0 or greater	45.0
39.0 to 39.9	45.5
38.0 to 38.9	46.0
37.0 to 37.9	46.5
36.0 to 36.9	47.0
35.0 to 35.9	47.5
34.0 to 34.9	48.0
33.0 to 33.9	48.5
32.0 to 32.9	49.0
31.0 to 31.9	49.5
30.0 to 30.9	50.0

- (2) For #buildings# that do not meet the location criteria of paragraph (a)(2) of Section [23-65](#), the tower setback

provisions of paragraph (a)(4) of Section [23-651](#) shall be modified to permit such required setback along a #narrow street# to be reduced by one foot for every foot that the #street wall# is located beyond the #street line#. However, in no event shall a setback of less than seven feet in depth be provided.

- (3) The tower location restrictions of paragraph (a)(5) of Section [23-651](#) shall not apply. In lieu thereof, towers shall be permitted on a #narrow street# beyond 100 feet of its intersection with a #wide street#.
- (4) For the purposes of determining the permitted tower coverage and the required minimum distance between #buildings# or portions thereof on #zoning lots# with both #narrow street# and #wide street# frontage, that portion of a #zoning lot# located either within 125 feet from the #wide street# frontage along the short dimension of a #block# or within 100 feet from the #wide street# frontage along the long dimension of a #block#, shall be treated as a separate #zoning lot# from that portion beyond, with frontage along a #narrow street#.

(b) #Building# base modifications

The #building# base regulations of paragraph (b) of Section [23-651](#) shall be modified as follows:

- (1) For #buildings#, or portions thereof, fronting on a #narrow street# beyond 125 feet of its intersection with a #wide street#, the #street wall# location provisions of paragraph (b)(1)(ii) of Section [23-651](#) shall be modified to require that at least 70 percent of the #aggregate width of street walls# in the #building# base be located within eight feet of the #street line#.
- (2) For #buildings#, or portions thereof, fronting on a #narrow street# beyond 100 feet of its intersection with a #wide street#, the height of #street wall# provisions of paragraph (b)(2)(ii) of Section [23-651](#) shall be modified so that where the height of an adjacent #building# is between 60 feet and 85 feet, one of the three matching alternatives set forth in paragraphs (b)(2)(i)(a) through (b)(2)(i)(c) shall be applied.
- (3) The dormer provisions of paragraph (b)(3) of Section [23-651](#) shall be modified to permit dormers on #narrow streets# beyond 70 feet of its intersection with a #wide street#.