



## **Zoning Resolution**

**THE CITY OF NEW YORK**  
**Zohran K. Mamdani, Mayor**

**CITY PLANNING COMMISSION**  
**Daniel R. Garodnick, Chair**

# **35-63 - Height and Setback Requirements in Commercial Districts with R6 Through R12 Equivalency**

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## 35-63 - Height and Setback Requirements in Commercial Districts with R6 Through R12 Equivalency

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LAST AMENDED

12/5/2024

C1 C2 C4 C5 C6

In #Commercial Districts# mapped within, or with a #residential equivalent# of R6 through R12 Districts, the #street wall# location of a #building# shall be as set forth in Section [35-631](#), and the height and setback provisions shall be as set forth in Section 35-632. Additional height and setback provisions are set forth in Section [35-633](#) and Section [35-64](#), inclusive.

The height of all #buildings or other structures# shall be measured from the #base plane#. For the purposes of this Section, where #base planes# of different elevations apply to different portions of a #building or other structure#, each such portion of the #building# may be considered to be a separate #building#.

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### 35-631 - Street wall location

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LAST AMENDED

12/5/2024

C1 C2 C4 C5 C6

In the districts indicated, the applicable #street wall# location provisions of this Section shall apply. Such provisions shall apply to the portion of a #street wall# located below the maximum base height and before the required setback as set forth in Section [23-432](#) (Height and setback requirements).

(a) Line-up rules

For #Commercial Districts# mapped within, or with a #residential equivalent# of, R8 through R12 Districts, when located within the #Manhattan Core#, the following #street wall# location provisions shall apply along #wide streets#:

- (1) The #street wall# shall be located on the #street line# and extend along the entire #street# frontage of the #zoning lot# up to at least the minimum base height specified in Section [23-432](#), or the height of the #building#, whichever is less. To allow articulation of #street walls# at the intersection of two #street lines#, the #street wall# may be located anywhere within an area bounded by the two #street lines# and a line connecting such #street lines# at points 15 feet from their intersection or, for #corner lots# with an angle of 75 degrees or less, at points 30 feet from their intersection.
- (2) Above a height of 15 feet above the #base plane#, or the height of the first #story#, whichever is lower, up to 30 percent of the #aggregate width of street walls# may be recessed beyond the #street line#, provided any such recesses deeper than 10 feet along a #wide street#, or 15 feet along a #narrow street#, are located within an #outer court#. Furthermore, no recesses shall be permitted within 30 feet of the intersection of two #street lines# except to articulate the #street walls# as set forth in paragraph (a)(1) of this Section.

However, where the #street walls# surrounding the subject #building# are located on a #block# with a #prevailing street wall frontage# that is located further from the #street line# than the applicable provisions of this paragraph, the line-up provisions of paragraph (a) of Section [23-431](#) may be applied.

(b) Percentage-based rules

For all #buildings# that are not subject to the provisions of paragraph (a) of this Section the following shall apply:

At least 70 percent of the #aggregate width of street walls# shall be located within eight feet of the #street line# and shall extend to at least the minimum base height specified in Sections [23-432](#), or the height of the #building#, whichever is less. Up to 30 percent of the #aggregate width of street walls# may be recessed beyond eight feet of the #street line#, provided that any such recesses deeper than 10 feet along a #wide street# or 15 feet along a #narrow street# are located within an #outer court#.

However, where the #street walls# surrounding the subject #building# are located on a #block# with a #prevailing street wall frontage# that is located further from the #street line# than the applicable provisions of this paragraph, the line-up provisions of paragraph (a) of Section [23-431](#) may be applied.

(c) Modifications for large #zoning lots#

Notwithstanding the provisions of paragraphs (a) or (b) of this Section, for #street walls# on #buildings# on a #zoning lot# that has a #lot area# of at least 40,000 square feet or occupies an entire #block#, at least 70 percent of the #aggregate width of street walls# shall be located within 15 feet of the #street line# and extend to at least the minimum base height specified in Section [23-432](#), or the height of the #building#, whichever is less.

(d) Articulation allowances

In all districts, and along all frontages, #street wall# articulation, including, but not limited to, window recesses and structural expression on the #building# facade, shall be permitted to project or recess beyond the #street wall# locations established in paragraphs (a), (b) or (c) of this Section, provided such articulation does not exceed a depth or projection of 12 inches. In

addition, to accommodate other forms of #street wall# articulation, such as bay windows, and facade recesses, up to 50 percent of the #aggregate width of street wall#, at any level, may recess or project beyond such #street wall# location provisions of this Section, provided that no such recess or projection exceeds a depth of three feet, as measured perpendicular to the #street wall#, or portion thereof. No projection shall extend beyond the #street line#, except where encroachments into the public right-of-way are permitted by the New York City Administrative Code.

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## **35-632 - Maximum height of buildings and setback regulations**

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LAST AMENDED

12/5/2024

C1 C2 C4 C5 C6

In the districts indicated, where mapped within, or with a #residential equivalent# of an R6 through R12 district, the height and setback regulations of Section [23-43](#) (Height and Setback Requirements in R6 Through R12 Districts), inclusive, shall be applied in accordance with the provisions set forth in this Section.

**(a) Height and setback requirements**

The minimum base height, maximum base height and maximum #building# height shall be as set forth in the table in Section [23-432](#) for the applicable #Residence District#. Separate maximum base heights and maximum #building# heights are set forth for #zoning lots# containing standard #residences# and #zoning lots# containing #qualifying affordable housing# or #qualifying senior housing#. For portions of a #building# #street wall# that exceed

the maximum base height, a setback shall be provided at a height not lower than the minimum base height or higher than the maximum base height, in accordance with Section 23-433.

(b) Height and setback modifications on eligible sites

In #Commercial Districts# mapped within, or with a #residential equivalent# of R6 through R12 without a letter suffix, for #zoning lots# meeting the criteria of paragraph (a) of Section 23-434, the maximum #building# heights may be increased in accordance with the table in Section 23-434 for the applicable #Residence District#.

(c) Tower regulations

In #Commercial Districts# mapped within, or with a #residential equivalent# of R9 through R12 Districts, other than R9A, R9X, R10A or R11A Districts, as an alternative to the maximum #building# heights set forth in Sections 23-432, towers shall be permitted pursuant to the provisions of Section 23-435.

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## **35-633 - Additional height and setback provisions**

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LAST AMENDED

12/5/2024

The additional height and setback regulations set forth in Section 23-436 shall apply, except as follows:

(a) for the purposes of applying such provisions, references to the #street wall# location provisions of Section 23-431 shall be superseded by those of Section 35-631; and

- (b) for the purposes of applying the #street wall# modifications on #corner lots#, where a #zoning lot# is bounded by only one #street line# along a #street# frontage where a #Commercial District# is mapped along the entire #block# frontage, the #street wall# shall be applied along such frontage.