



## Zoning Resolution

THE CITY OF NEW YORK

Eric Adams, Mayor

CITY PLANNING COMMISSION

Daniel R. Garodnick, Chair

# **142-40 - SPECIAL HEIGHT AND SETBACK REGULATIONS**

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## 142-40 - SPECIAL HEIGHT AND SETBACK REGULATIONS

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LAST AMENDED 8/8/2018

In Subareas A1 and B2, and in Subdistrict E, as shown on Map 1 (Special Inwood District – Subdistricts and Subareas) in the Appendix to this Chapter, the height and setback regulations of the underlying districts shall apply.

In Subareas A2, A3, B1, B3 and B4, the height and setback regulations of the underlying district regulations are modified by Sections [142-41](#) through [142-47](#) shall apply, and all heights shall be measured from the #base plane#.

In Subdistricts C, D and F, the height and setback regulations of the underlying district regulations are modified by Sections [142-48](#) (Special Regulations for Certain Sites in Subdistricts C and F) and [142-49](#) (Height and Setback for Certain Zoning Lots in Subdistricts C and D), as applicable.

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## 142-41 - Permitted Obstructions in Subareas A2, A3, B1, B3 and B4

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LAST AMENDED

12/6/2023

In Subareas A2, A3, B1, B3 and B4, as shown on Map 1 (Special Inwood District – Subdistricts and Subareas) in the Appendix to this Chapter, the provisions of Section [33-42](#) (Permitted Obstructions) shall apply to all #buildings#. In addition, along all #street# frontages, dormers may penetrate a maximum base height in accordance with the provisions of paragraph (c) of Section [23-623](#) (Permitted obstructions in certain districts), and balconies shall be permitted in conjunction with #residential uses# as set forth in Section [23-132](#) (Balconies in R6 through R10 Districts).

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## 142-42 - Height and Setback for Non-Shoreline Adjacent Lots in Subareas A2, A3 and B1

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LAST AMENDED 8/8/2018

In Subareas A2, A3 and B1, as shown on Map 1 (Special Inwood District – Subdistricts and Subareas) in the Appendix to this Chapter, for #zoning lots# other than #shoreline adjacent lots#, the height and setback regulations for R7A Districts set forth in Sections [23-662](#) (Maximum height of buildings and setback regulations) and [23-664](#) (Modified height and setback regulations for certain Inclusionary Housing buildings or affordable independent residences for seniors), as applicable, shall apply.

The #street wall# location requirements of paragraph (b) of Section [35-651](#) shall apply to #street# frontages along and within 50 feet of Ninth Avenue, and the #street wall# requirements of paragraphs (a)(1) and (2) of Section [35-651](#) shall apply along all other #street# frontages of the #zoning lot#. The #street wall# articulation provisions of paragraph (e) of Section [35-651](#) shall apply along all #street# frontages.

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## 142-43 - Height and Setback for Shoreline Adjacent Lots in Subarea A2

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LAST AMENDED 8/8/2018

In Subarea A2, as shown on Map 1 (Special Inwood District – Subdistricts and Subareas) in the Appendix to this Chapter, for #shoreline adjacent lots#, the following height and setback regulations shall apply:

(a) #Street wall# location

The #street wall# location requirements of paragraph (b) of Section [35-651](#) shall apply to #street# frontages along and within 50 feet of Ninth Avenue, and the #street wall# requirements of paragraphs (a)(1) and (2) of Section [35-651](#) shall

apply along all other #street# frontages of the #zoning lot#. For the purposes of applying such regulations, all #street walls# shall extend to at least the minimum base height set forth in paragraph (b) of this Section, or the height of the #building#, whichever is less. The #street wall# articulation provisions of paragraph (e) of Section [35-651](#) shall apply along all #street# frontages.

(b) Base height and setbacks

The minimum base height shall be 60 feet on all #street# frontages. Within R9A Districts, or C1 or C2 Districts mapped within R9A Districts, the maximum base height shall be 105 feet. Within R8 Districts, or C1 or C2 Districts mapped within R8 Districts, the maximum base height before setback shall be 105 feet if the #building's# maximum overall height does not exceed 155 feet, or 85 feet if a #building# is developed with a tower in accordance with the regulations of paragraph (e) of this Section.

At a height not lower than the minimum base height nor higher than the maximum base height specified for the applicable district, a setback with a minimum depth of 10 feet shall be provided from the #street wall# of the base. The provisions of paragraphs (c)(2) through (c)(4) of Section [23-662](#) (Maximum height of buildings and setback regulations) shall apply to such setbacks.

(c) Within 70 feet of the #shoreline#

Within 70 feet of the #shoreline#, the height of a #building# along 30 percent of the length of a #zoning lot#, as measured parallel to Ninth Avenue, shall be limited to a maximum height of 30 feet, and the height along the remaining 70 percent may rise to a maximum height of 85 feet.

(d) Maximum #building# height

The maximum #building# height shall be 155 feet, except where towers are provided in accordance with paragraph (e) of this Section.

(e) Optional tower regulations

For #zoning lots# that have a #lot area# of more than one acre, a "tower" shall be permitted above a height of 125 feet, provided that:

- (1) the gross area of any #story# shall not exceed 9,000 square feet, except that any dormers provided within the setback area shall not be included in such gross area;
- (2) the gross area of any #story# above 205 feet shall not exceed 90 percent of the gross area of the highest #story# that is located entirely below a height of 205 feet;
- (3) no portion of such tower shall be located within 80 feet of the #shoreline#;
- (4) the width of such tower shall not exceed 100 feet, as measured parallel to Ninth Avenue. Such width shall be measured in plan and shall include the total width of the combined #lot coverage# of all #stories# above 125 feet; and
- (5) The maximum height of such tower shall not exceed 245 feet.

#Zoning lots# with a #lot area# in excess of 1.5 acres may contain a second tower, provided that the heights of the two towers differ by at least 50 feet from each other, and provided that the combined width of the towers does not exceed 140 feet, as measured parallel to Ninth Avenue. Such width shall be measured in plan and shall include the total width of

the combined #lot coverage# of all #stories# above 125 feet.

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## 142-44 - Height and Setback for Shoreline Adjacent Lots in Subarea A3

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LAST AMENDED 8/8/2018

In Subarea A3, as shown on Map 1 (Special Inwood District – Subdistricts and Subareas) in the Appendix to this Chapter, for #shoreline adjacent lots#, the height and setback regulations of this Section shall apply:

(a) Base along West 207th Street and Ninth Avenue

Along the West 207th Street and Ninth Avenue frontages, all #buildings# shall have a minimum base height of 60 feet, or the height of the #building#, whichever is less, and a maximum base height of 105 feet. The #street wall# location requirements of paragraph (a)(1) and (2) of Section [35-651](#) shall apply along both #streets#. The boundary of any easement required for a #street# or sidewalk widening pursuant to Section [142-64](#) shall be considered the #street line# for the purpose of this Section.

At a height not lower than the minimum base height nor higher than the maximum base height, a setback with a minimum depth of 10 feet shall be provided from the #street wall# of the base. The provisions of paragraphs (c)(2) through (c)(4) of Section [23-662](#) (Maximum height of buildings and setback regulations) shall apply to such setbacks.

(b) Within 70 feet of the #shoreline#

Within 70 feet of the #shoreline#, the maximum #building# height shall be 85 feet.

(c) Within 30 feet of former West 208th Street

Within 30 feet of Former West 208th Street, as shown on Map 1 in the Appendix to this Chapter, the height of a #building# along 30 percent of the length of a #zoning lot#, as measured along the former extent of West 208th Street, shall not exceed 30 feet, and the height of the remaining 70 percent may rise to a maximum height of 85 feet.

(d) Maximum #building# height

Within the portion of the #zoning lot# that is beyond 100 feet of West 207th Street, the maximum #building# height shall be limited to 145 feet. Within the portion of the #zoning lot# that is within 100 feet of West 207th Street, the maximum #building# height shall be 175 feet, except where towers are provided in accordance with paragraph (e) of this Section.

(e) Optional tower regulations

For #zoning lots# that have a #lot area# of more than one acre, a “tower” shall be permitted above a height of 175 feet within the portion of the #zoning lot# that is within 100 feet of West 207th Street, provided that:

- (1) the gross area of any #story# shall not exceed 10,000 square feet, except that any dormers provided within the setback area shall not be included in such gross area;
  - (2) the gross area of any #story# above 255 feet shall not exceed 90 percent of the gross area of the highest #story# that is located entirely below a height of 255 feet; and
  - (3) The maximum height of such tower shall not exceed 295 feet.
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## **142-45 - Height and Setback for Shoreline Adjacent Lots in Subarea B1**

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LAST AMENDED8/8/2018

In Subarea B1, as shown on Map 1 (Special Inwood District – Subdistricts and Subareas) in the Appendix to this Chapter, for #shoreline adjacent lots#, the height and setback regulations of Section [142-43](#) (Height and Setback for Sites in Subarea A2 With More Than 100 Feet of Shoreline) shall apply, except that paragraph (e) of such Section shall be modified to allow the gross area of any #story# in a tower to be up to 10,000 square feet and to rise to a height of 265 feet, provided that the gross area of any #story# above 225 feet shall not exceed 90 percent of the gross area of the highest #story# that is located entirely below 225 feet. The #visual corridor# located between a line parallel to and 20 feet south of the prolongation of the centerline of West 218th Street and a line parallel to and 30 feet north of such centerline established by Section [142-60](#) (INWOOD WATERFRONT ACCESS PLAN) shall be treated as a narrow #street line# for the purposes of applying all height and setback regulations.

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## **142-46 - Height and Setback in Subarea B3**

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LAST AMENDED8/8/2018

In Subarea B3, as shown on Map 1 (Special Inwood District – Subdistricts and Subareas) in the Appendix to this Chapter, the maximum #building# height shall be 125 feet within 10 feet of a #street line#. Beyond 10 feet of a #street line#, the maximum #building# height shall be 265 feet.

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## **142-47 - Height and Setback in Subarea B4**

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LAST AMENDED8/8/2018

In Subarea B4, as shown on Map 1 (Special Inwood District – Subdistricts and Subareas) in the Appendix to this Chapter, the height of a #building# within 10 feet of a #street line# shall not exceed 125 feet. Portions of #buildings# located beyond 10 feet of a #street line# may rise to a maximum height of 210 feet. Any #development# or #enlargement# with frontage on West 218th Street must provide a sidewalk widening with a minimum depth of five feet along such frontage. Any #development# or #enlargement# with frontage on Ninth Avenue must provide a sidewalk widening with a minimum depth of five feet along such frontage.

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## **142-48 - Special Regulations for Certain Sites in Subdistricts C and F**

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LAST AMENDED8/8/2018

In Subdistrict C, as shown on Map 1 (Special Inwood District – Subdistricts and Subareas) in the Appendix to this Chapter, and in Subdistrict F, for #buildings# #developed# pursuant to the #bulk# regulations for #Quality Housing buildings#, the underlying height and setback provisions shall be modified for #zoning lots# that share a #side lot line# with an adjacent #zoning lot# that is #developed# with a #building# constructed prior to December 15, 1961 that contain #residences# with #legally required windows# facing and located within 15 feet of the shared #side lot line#.

The #street wall# location provisions of paragraph (b)(1) of Section [35-651](#) shall apply except that where an adjoining #zoning lot# contains #residences# with #legally required windows# facing and within 15 feet of a shared #side lot line#, the #street wall# of a #building# need not extend along the entire #street# frontage of such a #zoning lot# if an open area is provided above the level of the first #story# or a height of 15 feet, whichever is lower, along the entire shared #side lot line#. Where such an open area is provided, the #street# frontage of such open area may be excluded for the purpose of applying the #street wall# location provisions of paragraph (b)(2) of Section [35-651](#).

In addition, where an open area with a depth of at least 15 feet, as measured perpendicular from the shared #side lot line#, and is provided in the form of a recess, #court# or other open area is provided along shared #side lot line#, and such open area is provided adjacent to all portions of a #building# on an adjoining #zoning lot# that contain #legally required windows# facing and located within 15 feet of the shared #side lot line#, the maximum height for the #building# set forth in Section [23-662](#), [23-664](#), [35-652](#) or [35-654](#), as applicable, may be increased by 10 feet; and the maximum number of #stories#, if applicable, may be increased by one.

#Zoning lots# may apply the regulations of this Section along multiple #side lot lines# where applicable, but in no case shall the permitted #building# height be increased by more than one #story# or 10 feet, whichever is lower.

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## **142-49 - Height and Setback for Certain Zoning Lots in Subdistricts C and D**

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LAST AMENDED8/8/2018

In Subdistricts C and D, as shown on Map 1 (Special Inwood District – Subdistricts and Subareas) in the Appendix to this Chapter, all non-#residential# #buildings# in C4 and C6 Districts shall follow the height and setback regulations of paragraph (b) of Section [23-664](#) (Modified height and setback regulations for certain Inclusionary Housing buildings or affordable independent residences for seniors) for the applicable residential equivalent.

In Subdistrict D, all #developments# or #enlargements# on #zoning lots# within M1-4/R7A and M1-4/R9A Districts shall follow the height and setback regulations of paragraph (b) of Section [23-664](#), for the applicable #Residence District#, except portions of #zoning lots# that are located within 30 feet of West 201st Street shall be limited to a maximum #building# height to 85 feet.

In Subdistrict D, for portions of #zoning lots# located within 100 feet of a #street# that contains an elevated rail line, the underlying height and setback regulations shall be modified as follows, and as set forth in Section [142-491](#):

- (a) the minimum required base height shall be 25 feet;
- (b) the maximum permitted #building# height shall be 165 feet and the maximum number of #stories# shall be 16 in C6-2A, C4-4D, and in C2 Districts mapped within R8A Districts;
- (c) the maximum permitted #building# height shall be 135 feet and the maximum number of stories shall be 13 in C4-5D Districts; and
- (d) along the frontage of a #street# that contains an elevated rail line, the #street wall# location regulations of paragraph (a) (1) of Section [35-651](#) shall apply.

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## **142-491 - Special base height regulations for certain zoning lots within Subdistrict D**

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LAST AMENDED8/8/2018

The underlying height and setback regulations shall be further modified for the following areas within Subdistrict D:

- (a) for portions of #zoning lots# located in Subarea D2, the maximum permitted base height shall be 75 feet;
- (b) for portions of #zoning lots# located in Subarea D3, the maximum permitted base height shall be 65 feet; and
- (c) for portions of #zoning lots# located in Subarea D4, the maximum permitted base height shall be 85 feet, and for portions of a #development# or #enlargement# containing #residences#, the maximum permitted base height shall be 65 feet.