**Zoning Resolution**

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

CITY PLANNING COMMISSION
**Sideya Sherman, Chair**

# 142-40 - SPECIAL HEIGHT AND SETBACK REGULATIONS

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## 142-40 - SPECIAL HEIGHT AND SETBACK REGULATIONS

LAST AMENDED8/8/2018

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.

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

LAST AMENDED
12/5/2024

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, a dormer shall be allowed as a permitted obstruction pursuant to paragraph (b) of Section 23-413 (Permitted obstructions in certain districts), and balconies shall be permitted in conjunction with #residential uses# as set forth in Section 23-62 (Balconies).

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

LAST AMENDED
12/5/2024

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 the applicable provisions of Section 23-43, inclusive, shall apply.

The #street wall# location provisions of paragraph (a) of Section 35-631 shall apply to #street# frontages along and within 50 feet of Ninth Avenue, and the #street wall# requirements of paragraph (b) of Section 35-631 shall apply along all other #street# frontages of the #zoning lot#.

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

LAST AMENDED
12/5/2024

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 provisions of paragraph (a) of Section 35-631 shall apply to #street#

frontages along and within 50 feet of Ninth Avenue, and the #street wall# requirements of paragraph (b) of Section 35-651 shall apply along all other #street# frontages of the #zoning lot#. However, the #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.

(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. Such setbacks may be modified in accordance with the provisions of Section 23-433.

(c) Within 50 feet of the #shoreline#

Within 50 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 transition height

After the required setback, #buildings# may rise to a maximum transition height of 155 feet. However, for portions of #buildings# exceeding the maximum base height with a gross area of a

#story# of 10,000 square feet, or more, exclusive of any permitted dormers, setbacks shall be taken at any point above 125 feet to achieve a footprint reduction of 10 percent from #stories# below 125 feet. Any portion of a #building# that exceeds the maximum transition height shall be considered a tower and subject to the provisions of paragraph (e) of this Section.

(e) Tower regulations

Any portion of a #building# that exceeds the maximum transition height shall be subject to the following tower provisions:

(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# located above 205 feet shall not exceed 90 percent of the gross area of that #story# located directly 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.

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

LAST AMENDED
12/5/2024

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, the #street wall# location provisions of paragraph (b) of Section 35-631 shall apply except that the #street wall# shall extend up to 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 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. Such setbacks may be modified in accordance with the provisions of Section 23-433.

(b) Within 50 feet of the #shoreline#

Within 50 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 transition height

Within the portion of the #zoning lot# that is beyond 100 feet of West 207th Street, after the required setback, #buildings# may rise to a maximum transition height of 145 feet. No towers shall be permitted above such maximum transition height.

Within the portion of the #zoning lot# that is within 100 feet of West 207th Street, after the required setback, #buildings# may rise to a maximum transition height of 175 feet. Any portion of a #building# that exceeds such maximum transition height shall be considered a tower and subject to the provisions of paragraph (e) of this Section.

(e) Tower regulations

Any portion of a #building# that exceeds the maximum transition height shall be subject to the following tower provisions:

(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# located above 255 feet shall not exceed 90 percent of the gross area of that #story# located directly below a height of 255 feet; and

(3) the maximum height of such tower shall not exceed 295 feet.

## 142-45 - Height and Setback for Shoreline Adjacent Lots in Subarea B1

LAST AMENDED
12/5/2024

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 a tower to rise to a height of 265 feet, provided that the gross area of any #story# above 225 feet does not exceed 90 percent of the gross area of that #story# located directly 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.

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

LAST AMENDED
8/8/2018

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.

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

LAST AMENDED
8/8/2018

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.

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

LAST AMENDED
12/5/2024

In Subdistrict C, as shown on Map 1 (Special Inwood District – Subdistricts and Subareas) in the Appendix to this Chapter, and in Subdistrict F, 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 (a)(1) of Section 35-631 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 (a)(2) of Section 35-631.

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 applicable maximum #building# height set forth in Section 35-63, inclusive, 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.

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

LAST AMENDED
12/5/2024

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 for #qualifying affordable housing# or #qualifying senior housing# as set forth in Section 23-432 (Height and setback requirements) 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 for #qualifying affordable housing# or #qualifying senior housing# as set forth in Section 23-432, 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 #street walls# with a #transportation infrastructure adjacent frontage#, the underlying height and setback regulations, or those set forth in Section 142-491, shall be modified pursuant to the provisions of paragraph (a) of Section 35-643 (Special provisions in other geographies).

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

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.