



Zoning Resolution

THE CITY OF NEW YORK

Eric Adams, Mayor

CITY PLANNING COMMISSION

Daniel R. Garodnick, Chair

141-23 - Special Height and Setback Regulations Along the Elevated Rail Structure Outside Subdistrict A

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141-23 - Special Height and Setback Regulations Along the Elevated Rail Structure Outside Subdistrict A

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LAST AMENDED
12/6/2023

For #zoning lots#, or portions thereof, within 100 feet of #street lines# along the elevated rail structure on Jerome or River Avenues, and located outside Subdistrict A, the underlying height and setback provisions are modified by the provisions of this Section.

(a) #Street wall# location

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 a minimum base height of 15 feet, or the height of the #building#, whichever is lower. The remaining #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#.

The underlying allowances for #street wall# articulation, set forth in paragraph (e) of Section [35-651](#) (Street wall location) shall be permitted to project or recess, where applicable, beyond the #street wall# locations established in this paragraph.

Any open space between a #street wall# and a #street line# along the elevated rail structure on Jerome or River Avenues shall comply with the special open space provisions of paragraph (a) of Section [141-33](#).

(b) Base heights, maximum #building# heights and maximum number of #stories#

The table in this Section sets forth, by zoning district, the minimum and maximum base height, the maximum height of a #building or other structure#, and the maximum number of #stories# for #buildings#, or portions thereof. For #zoning lots# in a #Commercial District# the applicable district shall be the #Residence District# within which such #Commercial District# is mapped, or the applicable residential equivalent set forth in the tables in Section [35-23](#) (Residential Bulk Regulations in Other C1 or C2 Districts or in C3, C4, C5 or C6 Districts).

Separate maximum base heights are established in the table in this Section for #street walls# of #buildings# facing #streets# intersecting Jerome or River Avenues, and for #street walls# facing the elevated rail structure. The maximum base heights along intersecting #streets# shall also apply to #street walls# facing the elevated rail structure on Jerome or River Avenues within 75 feet of the corner.

A setback is required for all portions of #buildings or other structures# that exceed the maximum base height specified for the district, and shall be provided at a height not lower than the minimum base height or higher than the permitted maximum base height. Such setback shall have a depth of at least 10 feet from any #street wall# fronting on a #wide street#, and a depth of at least 15 feet from any #street wall# fronting on a #narrow street#. The underlying provisions of paragraphs (c)(2) through (c)(4) of Section [23-662](#) (Maximum height of buildings and setback regulations) shall apply to such setbacks.

BASE HEIGHTS, MAXIMUM BUILDING HEIGHTS AND MAXIMUM NUMBER OF STORIES

District	Maximum Base Height Along Elevated Rail Structure, beyond 75 feet of the corner (in feet)	Maximum Base Height on Intersecting Streets, and within 75 feet of the corner (in feet)	Maximum Height of #Buildings or Other Structures# (in feet)	Maximum Number of #Stories#
R7A	30	75	115	11
R7D	30	95	135	13
R8A	30	105	165	16
R9A	30	125	195	19

(c) Required and permitted articulation

For #street walls# fronting the elevated rail structure on Jerome or River Avenues with widths exceeding 100 feet, a minimum of 20 percent of the surface area of such #street walls# above the level of the second #story#, or a height of 30 feet, whichever is lower, shall either recess or project a minimum of three feet from the remaining surface of the #street wall#. Any such projections shall be considered a permitted obstruction into a required setback, and the depth of such projections along the elevated rail structure shall not exceed three feet.

In addition, the underlying dormer provisions of paragraph (c) of Section [23-623](#) shall be modified for portions of #buildings# facing the elevated rail structure, so that above the maximum base height set forth in paragraph (b) of this Section, dormers shall be permitted only within 75 feet of a corner.