Zoning Resolution

THE CITY OF NEW YORK
Zohran K. Mamdani, Mayor

CITY PLANNING COMMISSION
Sideya Sherman, Chair

125-30 - HEIGHT AND SETBACK REGULATIONS

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125-30 - HEIGHT AND SETBACK REGULATIONS

LAST AMENDED
12/5/2024

The underlying height and setback regulations shall be modified by the provisions of this Section, inclusive. All heights shall be measured from the #base plane#.

125-31 - Permitted Obstructions

LAST AMENDED
12/5/2024

The provisions of Section 33-42 (Permitted Obstructions) shall apply to all #buildings# within the #Special Southern Hunters Point District#, except that dormers provided in accordance with paragraph (b) of Section 23-413 (Permitted obstructions in certain districts) shall be a permitted obstruction in a required setback.

125-32 - Balconies

LAST AMENDED
12/5/2024

Balconies shall not be permitted below a height of 70 feet. Above a height of 70 feet, balconies are permitted in accordance with the provisions of Section 23-62 (Balconies).

125-33 - Required Street Walls

LAST AMENDED
12/5/2024

(a) #Street wall# location

The #street wall# location provisions of paragraph (a) of Section 35-631 shall apply to all designated #street# frontages shown on Map 3 (Street Wall Locations) in Appendix A of this Chapter, except that at the intersection of certain #street lines#, such map designates areas where the #street wall# shall be chamfered, and where the #street wall# shall be located within 25 feet of the #street line#. The #street walls# shall extend up to the minimum base height specified in paragraph (b), as applicable, or the height of the #building#, whichever is less. For the purposes of applying the height and setback provisions, all #streets# shall be considered #wide streets#.

Additionally, wherever a #building# fronts upon any #public park#, or any sidewalk widening, #publicly accessible open area# or private street provided in accordance with the design requirements of Sections 125-41 through 125-46, inclusive, the boundary of such #public park#, sidewalk widening, #publicly accessible open area# or private street shall be considered a #wide# #street line#.

(b) Minimum base heights

All #street walls# shall extend up to at least a minimum base height of 50 feet or the height of the #building#, whichever is less, except that a minimum base height of 40 feet shall be permitted in the locations specified on Map 4 (Minimum Base Heights of 40 Feet) in Appendix

A of this Chapter.

(c) Maximum base heights

The maximum height of a #street wall# before setback shall be 70 feet, except in the locations specified on Map 5 (Maximum Base Heights Other Than 70 Feet) in Appendix A of this Chapter.

(d) Required setbacks and maximum #building# heights

Setbacks are required for all portions of #buildings# that exceed the applicable maximum base height, except #schools#. All required setbacks shall be provided at a height not lower than the applicable minimum base height. A setback with a depth of at least 10 feet shall be provided from any #street wall# fronting on a #wide street#, and a setback with a depth of at least 15 feet shall be provided from any #street wall# fronting on a #narrow street#, except that the depth of such setbacks may include the depth of any permitted recesses in the #street wall#. For the purposes of this paragraph (c), the following shall be considered #wide streets#:

(1) Second Street between 54th Avenue and Borden Avenue

(2) 55th Avenue between Center Boulevard and Second Street

(3) Center Boulevard between 50th Avenue and 57th Avenue.

Above the applicable maximum base height, the maximum height of a #building or other structure# shall be 125 feet, except where towers are permitted, pursuant to Section 125-34.

125-34 - Towers

LAST AMENDED
12/5/2024

Any portion of a #building# that exceeds a height of 125 feet shall comply with the following provisions:

(a) Tower location and maximum tower height

All towers shall be located entirely within a Tower Area as designated on Map 6 (Tower Areas), in Appendix A of this Chapter. The maximum height of such towers shall be as indicated for the specified location on Map 6. For #buildings# higher than 165 feet, the gross area of all #stories# entirely within 40 feet of the highest roof level of the #building# shall be at least 50 percent and shall not exceed 90 percent of the gross area of that #story# located directly below the #stories# within 40 feet of the highest roof level.

(b) Orientation and maximum tower size

The outermost walls of each #story# located entirely above a height of 125 feet shall be inscribed within a rectangle. The maximum length of any side of such rectangle that is parallel or within 45 degrees of being parallel to Second Street or Center Boulevard, whichever is closest, shall be 100 feet. The maximum length of any other side of such rectangle shall be 170 feet. Each #story# of a tower located entirely above a height of 125 feet shall not exceed a gross area of 11,000 square feet.

However, on Parcel G in the East River Subdistrict, the maximum length of the side of such rectangle that is parallel or within 45 degrees of being parallel to Second Street shall not exceed 170 feet.

(c) Tower and base integration

Notwithstanding the setback provisions of paragraph (c) of Section 125-33 (Required Street Walls), up to 50 percent of the #street wall# width of a tower may rise sheer from grade without setback. The underlying dormer provisions of paragraph (b)(1) of Section 23-413 (Permitted obstructions in certain districts) shall be superseded by this Section for tower portions of #buildings#.

125-35 - Authorization for Height and Setback Modifications

LAST AMENDED
2/2/2011

Within the #Special Southern Hunters Point District#, for any #development# or #enlargement#, the City Planning Commission may modify the regulations set forth in Section 125-30, inclusive, provided the Commission finds that such modifications:

(a) will result in a better distribution of #bulk# on the #zoning lot# and will not adversely affect access to light and air for surrounding public access areas, #streets# and properties;

(b) are consistent with the goals of the Special District to provide flexibility of architectural design and encourage more attractive #building# forms; and

(c) will result in a #development# or #enlargement# that enhances the streetscape and is compatible with development in the surrounding area.

The Commission may prescribe additional conditions and safeguards to minimize adverse effects of the #development# or #enlargement# on the character of the surrounding area.