



Zoning Resolution

THE CITY OF NEW YORK

Eric Adams, Mayor

CITY PLANNING COMMISSION

Daniel R. Garodnick, Chair

123-662 - All buildings in Special Mixed Use Districts with R6, R7, R8, R9 and R10 District designations

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LAST AMENDED
7/14/2022

In #Special Mixed Use Districts# where the designated #Residence District# is an R6, R7, R8, R9 or R10 District, the height and setback regulations of Sections [23-60](#) and [43-40](#) shall not apply. In lieu thereof, all #buildings or other structures# shall comply with the height and setback regulations of this Section.

(a) Medium and high density non-contextual districts

In #Special Mixed Use Districts# where the designated #Residence District# is an R6, R7, R8, R9 or R10 District without a letter suffix, the height of a #building or other structure#, or portion thereof, located within 10 feet of a #wide street# or 15 feet of a #narrow street#, may not exceed the maximum base height specified in Table A of this Section, except for dormers permitted in accordance with paragraph (c) of this Section. Beyond 10 feet of a #wide street# and 15 feet of a #narrow street#, the height of a #building or other structure# shall not exceed the maximum #building# height specified in Table A. However, a #building or other structure# may exceed such maximum #building# height by four #stories# or 40 feet, whichever is less, provided that the gross area of each #story# located above the maximum #building# height does not exceed 80 percent of the gross area of that #story# directly below it.

TABLE A

HEIGHT AND SETBACK FOR ALL BUILDINGS IN MEDIUM AND HIGH DENSITY NON-CONTEXTUAL DISTRICTS

| District | Maximum Base Height (in feet) | Maximum #Building# Height (in feet) |
|-----------|-------------------------------|-------------------------------------|
| R6 | 60 | 110 |
| R7-1 R7-2 | 60 | 135 |
| R7-3 | 85 | 185 |
| R8 | 85 | 210 |
| R9 | 85 | 225 |
| R9-1 | 90 | 280 |
| R10 | 110 | 350 |

(b) Medium and high density contextual districts

In #Special Mixed Use Districts# where the #Residence District# designation is an R6A, R6B, R7A, R7B, R7D, R7X, R8A, R8B, R8X, R9A, R9X, R10A or R10X District, the height and setback provisions of Section [23-662](#) shall apply. However, where the #Residence District# designation is an R6A, R6B, R7A, R7D, R8A or R8X District located outside the #Manhattan Core#, for #buildings# with #qualifying ground floors# utilizing the additional heights set forth in paragraph (b) of Section [23-662](#), the supplemental ground floor provisions set forth in paragraph (b)(2) of such Section shall be modified so that any permitted non-#residential use# in the #Manufacturing District# that is paired with such #Residence District# may be utilized to satisfy the ground floor #use# and depth requirements of Section [26-52](#) (Ground Floor Use and Depth Requirements). Where the #Residence District# designation is an R10X District, a tower may be provided in accordance with the provisions of Section 23-663. In addition, in all applicable districts, for #buildings# meeting the criteria set forth in paragraph (a) of Section [23-664](#) (Modified height and setback regulations for certain Inclusionary Housing buildings or affordable independent residences for seniors), the height and setback provisions of paragraph (b) of Section [23-664](#) shall apply. Separate maximum #building# heights are set forth within Sections [23-662](#) and [23-664](#) for #Quality Housing buildings# with #qualifying ground floors# as well as for those with #non-qualifying ground floors#.

(c) Permitted obstructions and dormer provisions

Obstructions shall be permitted pursuant to Sections [23-62](#), [24-51](#) or [43-42](#). In addition, in all Districts, within a required setback area, a dormer may be provided in accordance with the provisions of paragraph (c)(1) of Section 23-621.

However, all #buildings or other structures# on #waterfront blocks#, as defined in Section [62-11](#), shall comply with the height and setback regulations set forth for the designated #Residence District# as set forth in Section [62-34](#) (Height and Setback Regulations on Waterfront Blocks), inclusive.