



## **Zoning Resolution**

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

**CITY PLANNING COMMISSION**  
**Sideya Sherman, Chair**

# **116-623 - Height and setback regulations**

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## 116-623 - Height and setback regulations

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LAST AMENDED

12/5/2024

The provisions of Section [62-34](#) (Height and Setback Regulations on Waterfront Blocks) shall apply, except as modified in this Section.

(a) Required setback along a #shore public walkway#

The provisions of paragraph (b)(2) or (c)(1) of Section [62-343](#) (Height and setback regulations in other medium- and high-density districts) shall be modified for #buildings# located on portions of a #zoning lot# where the distance between the edge of the stabilized shore and a landward #zoning# #lot line# is less than 150 feet. The depth of a required setback from the boundary of a #shore public walkway# may be reduced to five feet, provided that at least 40 percent of the width of each #story# required to be set back above the minimum base height is set back no less than 10 feet from the boundary of the #shore public walkway#.

(b) Measurement of height

The provisions of paragraph (b) of Section [62-34](#) shall apply, except for the purpose of this Section, #base plane# shall refer to an elevation of 16.8 feet above Richmond Datum.

(c) Permitted obstructions

The provisions of paragraph (c) of Section [62-34](#) shall apply, except that the penthouse provisions shall be superseded by paragraph (e) of this Section.

(d) Maximum base height

The maximum base height provisions of paragraph (a) of Section [62-343](#) shall apply, except a #building or other structure#, or a portion thereof, located within an #initial setback distance#, shall rise to a height of at least 25 feet or two #stories#, whichever is less, and may not exceed a maximum base height of 55 feet or five #stories#, whichever is less.

(e) Maximum #building# height and tower size

The maximum #residential# tower size provisions of paragraph (d) of Section [62-343](#) shall not apply. For the purposes of this paragraph (e), any portion of a #building# that exceeds a height of 55 feet or five #stories#, whichever is less, shall be considered a tower. #Buildings# with tower portions fronting on Edgewater Street shall not exceed a height of 120 feet above the #base plane#, and the height of any other #building# with tower portions shall not exceed a height of 110 feet above the #base plane. Each #story# within a tower portion of a #building# shall not exceed a gross area of 10,000 square feet up to a height of 90 feet or nine #stories#, whichever is less, and each #story# above a height of 90 feet, shall not exceed 90 percent of the gross area of that #story# directly below 90 feet. All #stories# within the tower portions of #buildings# shall be bounded on all sides by open areas on the #zoning lot#. For #zoning lots# with three or more #buildings#, no more than two #buildings# shall contain towers.

(f) #Street wall# articulation facing #shore public walkways#

The provisions of paragraph (d)(1) of Section [62-343](#) shall apply. In addition, for portions of #buildings# fronting on a #shore public walkway# with an #aggregate width of street wall# greater than 200 feet, such #street walls# shall provide a recess at least five feet deep and 55 feet wide, unobstructed from the lowest level of the #building# to the sky. In no event shall a #street wall# extend along a #shore public walkway# for a distance greater than 130 feet without providing such a recess. Furthermore, above the height of the second #story#, such #street walls# shall provide at least one additional recess with a minimum depth of five feet and a minimum width or, where applicable, an aggregate width, of at least 40 feet.