



## Zoning Resolution

THE CITY OF NEW YORK

Eric Adams, Mayor

CITY PLANNING COMMISSION

Daniel R. Garodnick, Chair

# 115-23 - Height and Setback Regulations

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## 115-23 - Height and Setback Regulations

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LAST AMENDED  
10/29/2007

In M1-4 Districts, the underlying height and setback regulations shall apply except as modified in Section [115-231](#) (Permitted obstructions).

In C4 and C6 Districts, the underlying height and setback regulations are modified as set forth in Sections [115-231](#) through [115-235](#), inclusive.

For #zoning lots# subject to the sidewalk widening requirements of Section [115-31](#), the boundary of the sidewalk widening furthest from the #street line# shall be considered the #street line# for the purposes of applying all height and setback regulations.

All heights shall be measured from the #base plane#.

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### 115-231 - Permitted obstructions

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LAST AMENDED  
12/6/2023

The provisions of Section [33-42](#) (Permitted Obstructions) shall apply to all #buildings# within the #Special Downtown Jamaica District#, except that dormers may penetrate a maximum base height in accordance with the provisions of paragraph (c)(1) of Section [23-623](#) (Permitted obstructions in certain districts).

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### 115-232 - Street wall location

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LAST AMENDED  
2/2/2011

C4 C6

In the districts indicated, #street walls# shall be provided in accordance with the provisions of this Section.

- (a) For all locations, except as specified on Map 3 (Street Wall Location) in Appendix A of this Chapter, the #street wall# of a #building# shall be located on the #street line# and extend along at least 70 percent of the #street# frontage of the #zoning lot#. No #street wall# location rules shall apply to the remaining portion of the #street frontage# of the #zoning lot#; however, any #street walls# provided in such portion shall be located on the #street line# or recessed within an #outer court#. All required #street walls# shall rise without setback to at least the minimum base height specified in Section [115-233](#) (Street wall height), or the height of the #building#, whichever is less. For #zoning lots# bounded by more than one #street line#, these #street wall# location requirements shall apply on all such #street lines#.
- (b) Map 3 (Street Wall Location) in Appendix A of this Chapter, specifies the #street# frontages where the regulations set

forth in this paragraph (b) apply.

- (1) The #street wall# shall be located on the #street line# and extend along the entire #street# frontage as specified on Map 3, and shall rise without setback to at least the minimum base height specified in Section [115-233](#), or the height of the #building#, whichever is less. This requirement shall also apply along that portion of any #street line# that intersects such #street# frontage, specified on Map 3, within 50 feet of such intersection.
  - (2) To allow articulation of #street walls# at the intersection of two #street lines# with mandatory #street wall# requirements, up to 50 percent of the area bounded by the two #street lines# and lines parallel to and 20 feet from such #street lines# may be unoccupied by a #building#.
  - (3) Where corner articulation is specified on Map 3, the following regulations shall apply:
    - (i) Where base corner articulation is specified, the #building# shall occupy, at every level up to the level of the setback provided pursuant to Section [115-233](#), not less than 50 percent and not more than 75 percent of the area bounded by the two #street lines# and lines parallel to and 20 feet from such #street lines#.
    - (ii) Where tower corner articulation is specified, no articulation is required where all portions of the #building# that exceed a height of 60 feet are located at least 10 feet from a #wide# #street line# and at least 15 feet from a #narrow# #street line#. Where a #building# rises without setback along those #street lines# where no setback is required, as specified on Map 4 (Street Wall Height), in Appendix A of this Chapter, the #building# shall cover, at every level above the setback provided pursuant to Section [115-233](#), not less than 50 percent and not more than 75 percent of the area bounded by:
      - (a) the #street line# of the #street# where no setback is required;
      - (b) a line 10 feet from and parallel to a #wide street# with a setback requirement or 15 feet from and parallel to a #narrow street# with a setback requirement; and
      - (c) lines parallel to and 20 feet from such lines.
  - (4) No #street wall# location requirements shall apply to any open space fronting on Sutphin Boulevard between 94th and 95th Avenues provided pursuant to the Jamaica Gateway Urban Renewal Plan, as shown on Map 3.
  - (5) For #building# walls facing Archer Avenue on Blocks 9988 and 9994, the #street walls# required pursuant to this paragraph (b) shall not be located along the Archer Avenue #street line#, but shall instead be located along the northern boundary of the Public Place mapped on each such block. However, if the Public Place is not mapped on Block 9994, then the #street wall# shall be located on a line perpendicular to 147th Place and passing through a point 51.77 feet distant (as measured along the southwesterly #street line# of 147th Place) from the corner of the northeasterly #street line# of Archer Avenue and the southwesterly #street line# of 147th Place. To accommodate the #development# of a one #story# #building# which may be located within each Public Place, such #street walls# shall have no #building# entrances or windows up to a height of 30 feet within 100 feet of 147th Place on Block 9994 and within 100 feet of 146th Street on Block 9988.
- (c) In all locations where #street walls# are required, recesses, not to exceed three feet in depth from the #street line#, shall be permitted on the ground floor where required to provide access to the #building#.

Above a height of 12 feet, up to 30 percent of the aggregate width of required #street walls# may be recessed beyond the #street line#, provided any such recesses deeper than 10 feet along a #wide street#, or 15 feet along a #narrow street#, are located within an #outer court#. Furthermore, no recesses shall be permitted within 30 feet of the intersection of two #street lines# except to articulate the #street walls# as set forth in this Section.

Existing #buildings# may be vertically #enlarged# by up to one #story# or 15 feet, without regard to the #street wall# location requirements of this Section.

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## 115-233 - Street wall height

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LAST AMENDED

2/2/2011

C4 C6

Except in the locations indicated on Map 4 (Street Wall Height) in Appendix A of this Chapter, the minimum and maximum heights before setback of a #street wall# required pursuant to Section [115-232](#) (Street wall location), shall be as set forth in the following table:

| District | Minimum #Street Wall# Height | Maximum #Street Wall# Height |
|----------|------------------------------|------------------------------|
| C4-4A    | 40 feet                      | 65 feet                      |
| C4-5X    | 40 feet                      | 85 feet                      |
| C6       | 40 feet                      | 60 feet                      |

However, in C4-4A and C4-5X Districts, the maximum #street wall# height may be modified for #Quality Housing buildings# with #qualifying ground floors# in accordance with Section [23-662](#) (Maximum height of buildings and setback regulations) for 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). In addition, 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), such maximum #street wall# heights may be modified in accordance with the provisions of paragraph (b) of Section [23-664](#) for the applicable residential equivalent of such districts.

Any portion of a #building# that exceeds the maximum height of a #street wall# shall be set back at least 10 feet from a #wide# #street line# and at least 15 feet from a #narrow# #street line#.

In the locations indicated on Map 4, required #street walls# shall rise without setback to the minimum height specified for that location on Map 4 or the height of the #building#, whichever is less. Any portion of a #building# that exceeds the maximum #street wall# height specified for that location shall be set back at least 10 feet from a #wide# #street line# and at least 15 feet from a #narrow# #street line#.

However, in the locations indicated on Map 4 where no maximum #street wall# height or setback is required, #street walls# required pursuant to Section [115-232](#) shall rise without setback to a minimum height of 40 feet or the height of the #building#, whichever is less. Above a height of 40 feet, no setbacks are required for any portion of such #street wall#.

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## 115-234 - Maximum building height

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LAST AMENDED

2/2/2011

## C4 C6

In C4-4A and C4-5X Districts, the maximum height of a #building or other structure# and the maximum number of #stories# shall be as set forth in Section [23-662](#) (Maximum height of buildings and setback regulations) for 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). 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), such maximum heights and number of #stories# may be modified in accordance with the provisions of paragraph (b) of Section [23-664](#) for the applicable residential equivalent of such districts. Separate maximum #building# heights are set forth within such Sections for #Quality Housing buildings# with #qualifying ground floors# and for those with #non-qualifying ground floors#.

In C6-2 and C6-3 Districts, no #building or other structure# shall exceed a height of 250 feet. In C6-4 Districts, no #building or other structure# shall exceed a height of 290 feet. However, no maximum #building# height limitation shall apply on Block 9993, shown on Map 5 (Maximum Building Height) in Appendix A of this Chapter, if such #block# is #developed# or if a #building# on such #block# is #enlarged#, pursuant to the Jamaica Gateway Urban Renewal Plan.

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## 115-235 - Transition area

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LAST AMENDED

2/2/2011

## R6 R7 R8 R9 R10

In the districts indicated, and in #Commercial Districts# where such #Residence District# #bulk# regulations are applicable, that portion of a #building# located within 25 feet of an adjacent #zoning lot# in an R1, R2, R3, R4 or R5 District shall not exceed a maximum height of 35 feet. In addition, an open area not higher than #curb level# shall be provided within eight feet of such adjacent #zoning lot#. Such open area may be used for #accessory# parking.