

## Zoning Resolution

THE CITY OF NEW YORK
Eric Adams, Mayor

CITY PLANNING COMMISSION
Daniel R. Garodnick, Chair

# 127-233 - Base heights and setback regulations 

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(a) Along primary \#street\# frontages

Along primary \#street\# frontages, as shown on Map 3 (Requirements Along Street Frontages) in the Appendix to this Chapter, the following shall apply:
(1) The minimum base height shall be 25 feet, or two \#stories\#, whichever is lower, and the maximum base height shall be 105 feet along College Point Boulevard and 75 feet along all other primary \#street\# frontages.

Along Type 1 primary \#street\# frontages, at a height not lower than the minimum base height nor higher than the maximum base height, a setback with a minimum depth of 10 feet, as measured from the \#street wall\#, shall be provided, except that:
(i) the depth of such required setback may be reduced in accordance with the provisions of paragraph (c)(2) of Section 23-662 (Maximum height of buildings and setback regulations). However, where a sidewalk widening is required pursuant to this Section, as indicated on Map 4 (Waterfront Access Plan: Parcel Designation), the minimum depth of the required setback above the maximum base height may be reduced to five feet, as measured from the \#street wall\# ; and
(ii) the depth of such setbacks may include the depth of recesses or \#outer courts\# in the \#street wall\# of the \#building\# base, provided that the aggregate width of any such recessed portion of a \#street wall\# with a setback of less than seven feet, as applicable, does not exceed 40 percent of the \#aggregate width of street wall\# at any level.
(3) Along Type 2 primary \#street\# frontages, a \#building\# may rise without any setback above the maximum base height.
(b) Along secondary \#street\# frontages

Along secondary \#street\# frontages, as shown on Map 3, the following shall apply:
(1) Along the \#shore public walkway\#, the maximum base height shall be 75 feet, and any portion of a \#building\# that exceeds the maximum base height shall be set back at least 10 feet from the \#street line\#. Wherever a \#supplemental public access area\# is provided as a widened \#shore public walkway\#, such widened area shall be included in such setback distance.
(2) Along other secondary \#street\# frontages, the minimum base height shall be 25 feet, or two \#stories\#, whichever is lower, and the maximum base height shall be 75 feet. However, along secondary \#street\# frontages facing an \#upland connection\# with a width of less than 30 feet pursuant to the applicable provisions of paragraph (a) of Section 127-532 (Upland connections), the minimum base height shall be 15 feet. At a height not lower than the minimum base height nor higher than the maximum base height, a setback with a minimum depth of 10 feet, as measured from the \#street wall\#, shall be provided, except that:
(i) the depth of such required setback may be reduced in accordance with the provisions of paragraph (c)(2) of Section 23-662. However, where a sidewalk widening is required pursuant to this Section, as specified on Map 3, the portion of a \#building\# located above the maximum base height need not set back more than 10 feet from the \#street line\#, provided such \#building\# portion meets the requirements of paragraph (d) of Section 127-234 (Tower regulations), as applicable; and
(ii) the depth of such required setback may include the depth of recesses or \#outer courts\# in the \#street wall\# of the \#building\# base, provided that the aggregate width of any such recessed portion of a \#street wall\# with a setback of less than 10 feet, or the reduced setback distance pursuant to the provisions of paragraph (b)(2)(i) of this Section, as applicable, does not exceed 40 percent of the \#aggregate width of street wall\# at any level; and
(c) Additional allowances along all \#street\# frontages
(1) Within a required setback area, dormers and projections shall be considered permitted obstructions, and shall be permitted as follows:
(i) The aggregate \#street wall\# width of all dormers and projections combined shall not exceed 50 percent of the \#aggregate width of street wall\# of the \#story\# below the required setback. Any projection deeper than five feet shall be considered a dormer.
(ii) The aggregate \#street wall\# width of dormers shall not exceed 30 percent of the \#aggregate width of street wall\# of the \#story\# below the required setback. The height of such dormers shall not exceed 135 feet in Subdistrict A and 175 feet in Subdistrict B, as measured above the \#base plane\#. No dormers shall be permitted along \#street walls\# fronting on the \#shore public walkway\#.
(2) Notwithstanding the applicable setback regulations in paragraphs (a) and (b) of this Section, portions of \#buildings or other structures\# located:
(i) within 150 feet of a publicly accessible area, and either
(ii) adjacent to such publicly accessible area, or
(iii) along a \#street\# across from such publicly accessible area located on the same \#zoning lot\#,
may rise without a setback, provided that such publicly accessible area is in compliance with the provisions of Section 127-43 (Publicly Accessible Area). In addition, all \#street walls\# facing such publicly accessible area shall be subject to the articulation requirements of Section 127-235 (Supplemental articulation regulations).

