



## **Zoning Resolution**

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

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

# **134-24 - Height and Setback Regulations**

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## 134-24 - Height and Setback Regulations

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LAST AMENDED

12/6/2023

(a) Northern Subdistrict

The underlying district height and setback regulations of Article II (Residence District Regulations) are applicable or modified as follows:

- (1) For #buildings# containing #residences#, the underlying height and setback regulations for #buildings# containing #residences# shall apply, except for in #buildings# in which 75 percent or more of the #floor area# is #community facility# #floor area#.
- (2) For #buildings# in which 75 percent or more of the #floor area# is #community facility# #floor area#, the underlying height and setback regulations shall not apply. In lieu thereof, any portion of a #building# that exceeds a height of 35 feet shall be set back at least 25 feet from a #front yard line# or #street line#, where applicable, and no portion of such #building# shall exceed a height of 60 feet.
- (3) For #buildings# containing #commercial# #uses#, the underlying height and setback regulations for #commercial# #uses# are modified as follows: no #building# containing #commercial# #uses# shall exceed a height of 30 feet, except for #buildings# subject to paragraphs (a)(1) or (a)(2) of this Section.

(4) All structures other than #buildings# shall be limited to a height of 35 feet.

(b) Southern Subdistrict

Within the Southern Subdistrict, the following height and setback regulations shall apply.

Where heights are measured from the #base plane#, the #base plane# shall be established at 12.348 feet above Manhattan Datum.

(1) #Street wall# location

On #building parcel# E-2, where any portion of a #building# is located within 60 feet of #Yankee Pier Plaza#:

- (i) at least 65 percent of the #street wall# facing #Yankee Pier Plaza# shall be located within 15 feet of the #street line# adjoining #Yankee Pier Plaza#, and shall rise to a minimum base height of 30 feet; and

- (ii) where any portion of such #building# exceeds 125 feet in height, at least 50 percent of the #street wall# facing the #esplanade# shall rise to a minimum base height of 30 feet and be located within 30 feet of the #esplanade#.

On all other #building parcels# and for the #street lines# on #building parcel# E-2 other than the #street lines# facing #Yankee Pier Plaza# and the #esplanade#, no #street wall# location requirements shall apply.

(2) Maximum base height and required setback

Within 15 feet of the #street line#, or as otherwise specified in Map 4 of the Appendix to this Chapter, the height of a #building# shall not exceed the maximum base heights set forth in Map 4 for the applicable frontage of a #building parcel#.

(3) Maximum #building# height

The maximum height of a #building or other structure# shall not exceed the height set forth in the following table for the applicable #building parcel#:

MAXIMUM HEIGHT

#Building parcel#	Height above #base plane# (in feet)
E-1	125
E-2	225
E-3	175
E-4	125
W-1	200

In addition, the following shall apply:

- (i) In the Eastern Subarea, no portion of a #building or other structure# may exceed the maximum base height set forth in paragraph (b)(2) of this Section within 150 feet of the boundary of the Northern Subdistrict.
- (ii) In the Eastern Subarea, no portion of a #building or other structure# may be located in the open area required by paragraph (d) of Section [134-44](#) (Other Open Areas).

(iii) In the Western Subarea, no portion of a #building or other structure# may exceed the maximum base height set forth in paragraph (b)(2) of this Section within:

(a) 100 feet of the #esplanade#;

(b) 150 feet of the boundary of the Northern Subdistrict; or

(c) 100 feet of the southern end of #building parcel# W-1.

For the purposes of this Section, the southern end of #building parcel# W-1 shall be measured from a line drawn perpendicular to the #esplanade# and intersecting #building parcel# W-1.

(iv) In the Open Space Subarea, no portion of a #building or other structure# shall be permitted above #base plane#, except as provided in paragraph (b)(5) of this Section.

(4) Permitted obstructions in the Eastern Subarea and Western Subarea

In the Eastern Subarea and Western Subarea, the provisions of Section [33-42](#) (Permitted Obstructions) shall apply to all #buildings#, modified as follows:

- (i) the obstructions permitted by paragraph (b) of Section [33-42](#) may exceed the maximum #building# height by 40 feet with no restriction on area; and
  - (ii) no such obstructions shall be permitted within the setback required by paragraph (b)(2) of this Section.
- (5) Permitted obstructions in the Open Space Subarea

In the Open Space Subarea, permitted obstructions shall include:

- (i) #buildings or other structures# containing permitted #uses#, up to a height of not more than 25 feet;
- (ii) #buildings or other structures# containing permitted theater #uses#, up to a height of not more than 35 feet; and
- (iii) equipment and appurtenances associated with public parks and playgrounds, including, but not limited to, sculptures, works of art and other amenities

referenced in Section [37-726](#) (Permitted obstructions).

The permitted obstructions set forth in paragraphs (b)(5)(i) and (b)(5)(ii) of this Section shall occupy no more than 20 percent of the Open Space Subarea.