Zoning Resolution

THE CITY OF NEW YORK
Zohran K. Mamdani, Mayor

CITY PLANNING COMMISSION
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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.