



Zoning Resolution

THE CITY OF NEW YORK

Eric Adams, Mayor

CITY PLANNING COMMISSION

Daniel R. Garodnick, Chair

23-412 - Additional permitted obstructions

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LAST AMENDED

12/5/2024

In all #Residence Districts#, the obstructions set forth in Section [23-411](#) (General permitted obstructions), as well as the following obstructions, shall be permitted to penetrate a maximum height limit or #sky exposure plane#:

- (a) Balconies, unenclosed, subject to the provisions of Section [23-62](#) (Balconies);
- (b) Dormers having an #aggregate width of street walls# equal to not more than 50 percent of the width of the #street wall# of a #detached# or #semi-detached# #single-# or #two-family residence#;
- (c) Elevator or stair bulkheads (including shafts and vestibules), roof water tanks, #energy infrastructure equipment#, and #accessory# mechanical equipment (including enclosures or other screening), other than solar or wind energy systems (whether #accessory# or as part of #energy infrastructure equipment#), provided that:
 - (1) such obstructions shall be located not less than 10 feet from the #street wall# of a #building#, except that such obstructions need not be set back more than 25 feet from a #narrow# #street line# or more than 20 feet from a #wide# #street line#. However, such restrictions on location shall not apply to elevator or stair bulkheads (including shafts or vestibules), provided the #aggregate width of street walls# of such bulkheads within 10 feet of a #street wall#, facing each #street# frontage, does not exceed 30 percent of the #street wall# width of the #building# facing such frontage;
 - (2) the aggregate area of such obstructions, including any screening, does not exceed 50 percent of the #lot coverage# of the #building# and the height of such obstructions shall not exceed 15 feet above the maximum permitted height, except where otherwise permitted by paragraph (c)(3) of this Section;
 - (3) the aggregate area of such obstructions, including any screening, does not exceed 30 percent of the #lot coverage# of the #building#, and the height of such obstructions shall not exceed:
 - (i) R1 through R5 Districts, for #buildings# on #qualifying residential sites#, or in R3-2, R4, and R5 Districts, except R4-1, R4A, R4B and R5A Districts, for any #building#, a height of 25 feet above the maximum permitted height;
 - (ii) in R6 through R12 Districts:
 - (a) where the maximum permitted height of a #building# is 120 feet or lower, a height of 35 feet above the maximum permitted height; and
 - (b) where the maximum permitted height of a #building# is greater than 120 feet, a height of 55 feet above the maximum permitted height; and
 - (4) all equipment shall be subject to the applicable provisions of Section [26-50](#) (SPECIAL SCREENING AND ENCLOSURE PROVISIONS);
- (d) Wind energy systems, #accessory# or as part of an #energy infrastructure equipment#, on portions of #buildings# with a height of 100 feet or greater, provided:
 - (1) the highest point of the wind turbine assembly does not exceed 55 feet;

- (2) no portion of the wind turbine assembly is closer than 10 feet to any #lot line#; and
- (3) the diameter of the swept area of the rotor does not exceed 15 feet.