



Zoning Resolution

THE CITY OF NEW YORK

Eric Adams, Mayor

CITY PLANNING COMMISSION

Daniel R. Garodnick, Chair

33-40 - HEIGHT AND SETBACK REGULATIONS

File generated by <https://zr.planning.nyc.gov> on 6/27/2022

33-40 - HEIGHT AND SETBACK REGULATIONS

LAST AMENDED

3/22/2016

All #buildings# in #Commercial Districts# shall comply with the height and setback regulations set forth in this Section, inclusive. However, the height and setback regulations of this Section, inclusive, shall not apply in C1 and C2 Districts mapped within R6 through R10 Districts with a letter suffix, and in C1-6A, C1-7A, C1-8A, C1-8X, C1-9A, C2-6A, C2-7A, C2-7X, C2-8A, C4-2A, C4-3A, C4-4A, C4-4D, C4-4L, C4-5A, C4-5D, C4-5X, C4-6A, C4-7A, C5-1A, C5-2A, C6-2A, C6-3A, C6-3D, C6-3X, C6-4A or C6-4X Districts. In lieu thereof, all #buildings# in such districts shall comply with the applicable #residential# height and setback regulations for #Quality Housing buildings# set forth in Article II, Chapter 3, as modified by Article III, Chapter 5.

33-41 - Definitions

LAST AMENDED

11/19/1987

Words in italics are defined in Section 12-10 or, if applicable exclusively to this Section, in this Section.

33-42 - Permitted Obstructions

LAST AMENDED

4/30/2012

In all #Commercial Districts#, the following obstructions shall be permitted and may thus penetrate a maximum height limit or #sky exposure planes#, as set forth in Sections 33-43 (Maximum Height of Walls and Required Setbacks), 33-44 (Alternate Front Setbacks) or 33-491 (Limited Height Districts):

- (a) Awnings and other sun control devices, provided that when located at a level higher than the first #story#, excluding a #basement#, all such awnings and other sun control devices:
 - (1) shall be limited to a maximum projection from a #building# wall of 2 feet, 6 inches, except when located on the first #story# above a setback;
 - (2) shall have solid surfaces that, in aggregate, cover an area no more than 30 percent of the area of the #building# wall (as viewed in elevation) from which they project; and
 - (3) may rise above the permitted #building# height, up to the height of a parapet wall or guardrail permitted in accordance with paragraph (j) of this Section.

When located on the first #story# above a setback, awnings and other sun control devices shall be limited to a projection of 50 percent of the depth of the required setback, and shall be limited, in total, to 50 percent of the width of the #building# wall from which they project;

- (b) Balconies, unenclosed, subject to the provisions of Section 24-166;
- (c) #Building# columns, having an aggregate width equal to not more than 20 percent of the #aggregate width of street walls# of a #building#, to a depth not exceeding 12 inches, in an #initial setback distance#, optional front open area, or any other required setback distance or open area set forth in Sections 33-43, 33-44 or 33-45 (Tower Regulations);

- (d) Chimneys or flues, with a total width not exceeding 10 percent of the #aggregate width of street walls# of a #building# at any given level;
- (e) Decks, and other surfaces for recreational activities, not more than 3 feet, 6 inches in height, as measured from the maximum height limit, or the finished level of the roof as it existed on April 30, 2012, whichever is higher;
- (f) Elevator or stair bulkheads (including shafts; and vestibules not larger than 60 square feet in area providing access to a roof), roof water tanks and #accessory# mechanical equipment (including enclosures), other than solar or wind energy systems, 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, times their average height, in feet, does not exceed an area equal to four times the width, in feet, of the #street wall# of the #building# facing such frontage;
 - (2) all mechanical equipment shall be screened on all sides;
 - (3) such obstructions and screening are contained within a volume that complies with one of the following:
 - (i) the product, in square feet, of the #aggregate width of street walls# of such obstructions facing each #street# frontage, times their average height, shall not exceed an area equal to eight times the width, in feet, of the #street wall# of the #building# facing such frontage; or
 - (ii) the #lot coverage# of all such obstructions does not exceed 20 percent of the #lot coverage# of the #building#, and where the maximum permitted height of a #building# is less than 120 feet, such obstructions are limited to a maximum height of 25 feet, and where the maximum permitted height of a #building# is 120 feet or greater, such obstructions are limited to a maximum height of 40 feet.

For the purposes of this paragraph, (f), #abutting# #buildings# on a single #zoning lot# may be considered to be a single #building#;

- (g) Exterior wall thickness, up to eight inches, where such wall thickness is added to the exterior face of a #building# wall existing on April 30, 2012, provided the added wall thickness has a thermal resistance (R-value) of at least 1.5 per inch. Where #buildings# that have added exterior wall thickness pursuant to this Section are #enlarged#, such #enlarged# portion may similarly penetrate a maximum height limit in order to align with the exterior walls of the existing #building#, provided such #enlargement# contains less #floor area# than the existing #building#, and there is no penetration of #floor area# above a maximum height limit;
- (h) Flagpoles or aerals;
- (i) House of worship towers, ornamental, having no #floor area# in portion of tower penetrating such height limit or #sky exposure plane#;
- (j) Parapet walls, not more than four feet in height, as measured from the maximum height limit, or the finished level of the roof as it existed on April 30, 2012, whichever is higher. A guardrail with a surface at least 70 percent open or with an opacity of not more than 30 percent (as viewed in elevation), shall be permitted above a parapet wall or within two feet of a parapet wall, provided such guardrail is not more than four feet above the accessible level of a roof. Such restriction on guardrail height shall not apply when located beyond two feet from a parapet wall;
- (k) Roof thickness, up to eight inches, to accommodate the addition of insulation, for #buildings# or portions of #buildings#

constructed prior to April 30, 2012. For a #building# that has added roof thickness pursuant to this paragraph, an #enlargement# may align with the finished roof surface of such #building#, provided the #enlarged# portion does not exceed the maximum height limit by more than eight inches;

- (l) Rooftop greenhouses, permitted pursuant to Section 75-01 (Certification for Rooftop Greenhouses);
- (m) Skylights, clerestories or other daylighting devices, not more than four feet in height, as measured from the maximum height limit, or the finished level of the roof as it existed on April 30, 2012, whichever is higher. Such devices shall be limited to a #lot coverage# not greater than 10 percent of the #lot coverage# of the roof and be located at least eight feet from the #street wall# edge. However, such devices shall not be permitted obstructions above a roof with a slope greater than 20 degrees;
- (n) Solar energy systems:
 - (1) on the roof of a #building#, up to four feet in height, as measured from the maximum height limit, or the finished level of the roof, whichever is higher;
 - (2) on the roof of a #building#, greater than four feet in height, as measured from the maximum height limit, or the finished level of the roof, whichever is higher, provided that all such portions above four feet are set back at least six feet from a #street wall#, limited to a #lot coverage# not greater than 25 percent of the #lot coverage# of the roof and do not exceed:
 - (i) in #Commercial Districts# mapped within R1 through R5 Districts and in C3 and C4-1 Districts, a height of six feet;
 - (ii) in all other #Commercial Districts# and #Commercial Districts# mapped within R6 through R10 Districts, a height of 15 feet; and
 - (iii) when located on a bulkhead or other obstruction pursuant to paragraph (f) of this Section, a height of six feet;
 - (3) on walls existing on April 30, 2012, projecting no more than 10 inches and occupying no more than 20 percent of the surface area of the #building# wall (as viewed in elevation) from which it projects.

However, any installation on a roof with a slope greater than 20 degrees shall be limited to 18 inches in height, as measured perpendicular to the roof surface;

- (o) Spires or belfries;
- (p) Vegetated roofs, not more than 3 feet, 6 inches in height, excluding vegetation, as measured from the maximum height limit, or the finished level of the roof as it existed on April 30, 2012, whichever is higher. On roofs with slopes greater than 20 degrees, vegetated roofs shall be limited to a height of 12 inches measured perpendicular to such roof surface;
- (q) Weirs, check dams and other equipment for stormwater management, not more than 3 feet, 6 inches in height, as measured from the maximum height limit, or the finished level of the roof as it existed on April 30, 2012, whichever is higher;
- (r) Wind energy systems on portions of #buildings# with a height of 100 feet or greater, provided that:
 - (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

Within R1, R2, R3, R4, R5, R5A or R5B Districts							
20	15	30 feet or two #stories#, whichever is less	30	1	to 1	1	to 1
Within R6 or R7 Districts							
20	15	60 feet or four #stories#, whichever is less	60	2.7	to 1	5.6	to 1
Within R8, R9 or R10 Districts							
20	15	85 feet or six #stories#, whichever is less	85	2.7	to 1	5.6	to 1

However, in accordance with the provisions of Section 32-42 (Location Within Buildings), no #commercial building# or portion thereof occupied by non-#residential uses# listed in Use Groups 6A, 6B, 6C, 6F, 7, 8, 9 or 14 shall exceed in height 30 feet or two #stories#, whichever is less.

For #community facility buildings# or #buildings# used for both #community facility# #use# and #commercial# #use#, when mapped within R4, R5, R5A or R5B Districts, the maximum height of a front wall shall be 35 feet or three #stories#, whichever is less, and the height above #street line# shall be 35 feet and, when mapped within R7-2 Districts, the maximum height of a front wall shall be 60 feet or six #stories#, whichever is less.

In C1 or C2 Districts mapped within R1, R2 or R3 Districts in the Borough of Staten Island or in Community District 10 in the Bronx, for #buildings# containing ambulatory diagnostic or treatment health care facilities, as listed in Section 22-14 (Use Group 4), or child care services, as listed under the definition of #school# in Section 12-10 (DEFINITIONS), the maximum height of a front wall or other portion of a #building# within the #initial setback distance# shall be 35 feet, or three #stories#, whichever is less. However, such increased height shall only be permitted beyond 20 feet of a #Residence District# boundary or beyond 20 feet of any portion of a #building# containing a #residential use# located in a #Commercial District#.

33-432 - In other Commercial Districts

LAST AMENDED
3/22/2016

C1-6 C1-7 C1-8 C1-9 C2-6 C2-7 C2-8 C3 C4 C5 C6 C7 C8

In the districts indicated, for #buildings# other than #Quality Housing buildings#, the maximum height of a front wall and the required front setback of a #building or other structure#, except as otherwise set forth in this Section, shall be as set forth in the following table:

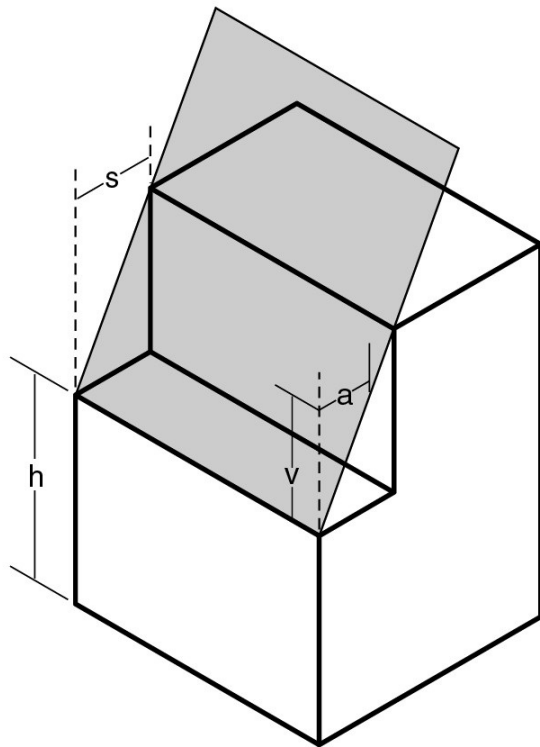
MAXIMUM HEIGHT OF FRONT WALL AND REQUIRED FRONT SETBACKS

#Initial Setback Distance# (in feet)		Maximum Height of a Front Wall or other portion of a #Building or Other Structure# within the #Initial Setback Distance#	#Sky Exposure Plane#				
			Height above the #Street Line# (in feet)	Slope over #Zoning Lot# (Expressed as a Ratio of Vertical Distance to Horizontal Distance)			
				On #Narrow Street#		On #Wide Street#	
On #Narrow Street#	On #Wide Street#		Vertical Distance	Horizontal Distance	Vertical Distance	Horizontal Distance	
Within C3 C4-1 C8-1 Districts							
20	15	30 feet or two #stories#, whichever is less	30	1	to 1	1	to 1
Within C1-6 C2-6 C4-2 C4-3 C4-4 C4-5 C7 C8-2 C8-3 Districts							
20	15	60 feet or four #stories#, whichever is less	60	2.7	to 1	5.6	to 1
Within C1-7 C1-8 C1-9 C2-7 C2-8 C4-2F C4-6 C4-7 C5 C6 C8-4 Districts							
20	15	85 feet or six #stories#, whichever is less	85	2.7	to 1	5.6	to 1

However, in accordance with the provisions of Section 32-42 (Location within Buildings), in C1, C2 or C3 Districts, no #commercial building#, or portion thereof, occupied by non-#residential uses# listed in Use Group 6A, 6B, 6C, 6F, 7, 8, 9 or 14 shall exceed in height 30 feet or two #stories#, whichever is less.

In C4-1 or C8-1 Districts, for #community facility buildings# or #buildings# used for both #community facility# and #commercial# #use#, the maximum height of a front wall shall be 35 feet or three #stories#, whichever is less, and the height above #street line# shall be 35 feet.

In C1-6, C2-6, C4-4 or C4-5 Districts, for #community facility buildings# or #buildings# used for both #community facility# and #commercial# #use#, the maximum height of a front wall shall be 60 feet or six #stories#, whichever is less.



a - Horizontal distance
 h - Height of *sky exposure plane* above *street line*
 s - *Initial setback distance*
 v - Vertical distance

 *Sky Exposure Plane*

SKY EXPOSURE PLANE IN OTHER COMMERCIAL DISTRICTS
 (23 - 632, 24 - 522, 33 - 432, 43 - 43)

33-433 - Special height and setback regulations

LAST AMENDED
 3/22/2016

- (a) Within the boundaries of Community District 7 in the Borough of Manhattan, all #buildings or other structures# located in an R10 equivalent #Commercial Districts# without a letter suffix shall comply with the requirements of Section 23-672 (Special height and setback regulations in R10 Districts within Community District7, Borough of Manhattan).
- (b) Within the boundaries of Community District 9 in the Borough of Manhattan, all #buildings# located in R8 Districts north of West 125th Street shall be #developed# or #enlarged# pursuant to Section 23-674 (Special height and setback regulations for certain sites in Community District 9, Borough of Manhattan).
- (c) In C1 or C2 Districts mapped within R5D Districts, all #buildings or other structures# shall comply with the applicable

height and setback requirements of Section 23-60.

33-44 - Alternate Front Setbacks

LAST AMENDED

3/22/2016

C1 C2 C3 C4 C5 C6 C7 C8

In all districts as indicated, for #buildings# other than #Quality Housing buildings#, if an open area is provided along the full length of the #front lot line# with the minimum depth set forth in this Section, the provisions of Section 33-43 (Maximum Height of Walls and Required Setbacks) shall not apply. The minimum depth of such open area shall be measured perpendicular to the #front lot line#. However, in such instances, except as otherwise provided in Sections 33-42 (Permitted Obstructions), 33-45 (Tower Regulations) or 85-04 (Modifications of Bulk Regulations), no #building or other structure# shall penetrate the alternate #sky exposure plane# set forth in this Section, and the #sky exposure plane# shall be measured from a point above the #street line#.

If the open area provided under the terms of this Section is a #public plaza#, such open area may be counted for the bonus provided for a #public plaza# in the districts indicated in Section 33-13 (Floor Area Bonus for a Public Plaza).

33-441 - In C1 or C2 Districts with bulk governed by surrounding Residence District

LAST AMENDED

6/29/2006

C1-1 C1-2 C1-3 C1-4 C1-5 C2-1 C2-2 C2-3 C2-4 C2-5

In the districts indicated, the alternate front setback regulations applicable to a #building or other structure# shall be determined by the #Residence District# in which such #Commercial District# is mapped and, except as otherwise set forth in this Section, shall be as set forth in the following table:

ALTERNATE REQUIRED FRONT SETBACKS

Depth of Optional Front Open Area (in feet)		Alternate #Sky Exposure Plane#				
		Height above #Street Line# (in feet)	Slope over #Zoning Lot# (expressed as a ratio of vertical distance to horizontal distance)			
On #Narrow Street#	On #Wide Street#		On #Narrow Street#		On #Wide Street#	
		Vertical Distance	Horizontal Distance	Vertical Distance	Horizontal Distance	
Within R1, R2, R3, R4, R5, R5A or R5B Districts						
15	10	30	1.4	to 1	1.4	to 1

Within R6 or R7 Districts						
15	10	60	3.7	to 1	7.6	to 1
Within R8, R9 or R10 Districts						
15	10	85	3.7	to 1	7.6	to 1

However, in accordance with the provisions of Section 32-42 (Location within Buildings), no #commercial building#, or portion thereof, occupied by non-#residential uses# listed in Use Group 6A, 6B, 6C, 6F, 7, 8, 9 or 14 shall exceed in height 30 feet or two #stories#, whichever is less.

For #community facility buildings# or #buildings# used for both #community facility# #use# and #commercial# #use#, when mapped within R4, R5, R5A or R5B Districts, the height above #street line# shall be 35 feet.

33-442 - In other Commercial Districts

LAST AMENDED
2/2/2011

C1-6 C1-7 C1-8 C1-9 C2-6 C2-7 C2-8 C3 C4 C5 C6 C7 C8

In the districts indicated, the alternate front setback regulations applicable to a #building or other structure# shall be as set forth in the following table:

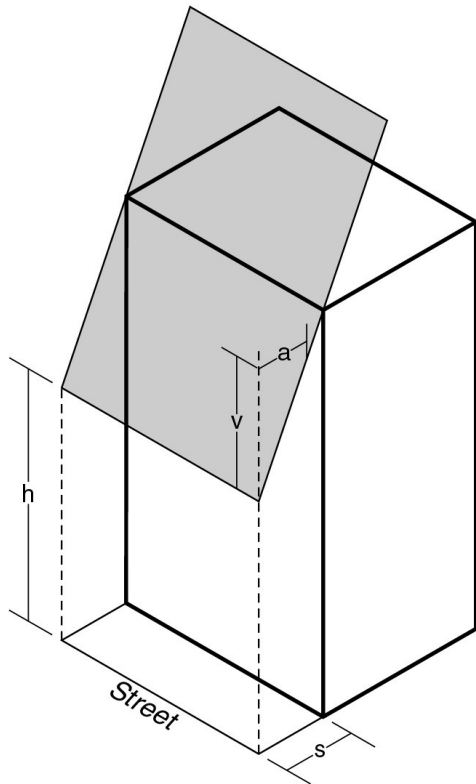
ALTERNATE REQUIRED FRONT SETBACKS

Depth of Optional Front Open Area (in feet)	Alternate #Sky Exposure Plane#	
	Slope over #Zoning Lot# (Expressed as a Ratio of Vertical Distance to Horizontal Distance)	
	On #Narrow Street#	On #Wide Street#
Height above		

On #Narrow Street#	On #Wide Street#	#Street Line# (in feet)	Vertical Distance	Horizontal Distance	Vertical Distance	Horizontal Distance
Within C3 C4-1 C8-1 Districts						
15	10	30	1.4	to 1	1.4	to 1
Within C1-6 C2-6 C4-2 C4-3 C4-4 C4-5 C7 C8-2 C8-3 Districts						
15	10	60	3.7	to 1	7.6	to 1
Within C1-7 C1-8 C1-9 C2-7 C2-8 C4-2F C4-6 C4-7 C5 C6 C8-4 Districts						
15	10	85	3.7	to 1	7.6	to 1

However, in accordance with the provisions of Section 32-42 (Location Within Buildings), in C1, C2 or C3 Districts, no #commercial building# or portion thereof occupied by #uses# listed in Use Group 6A, 6B, 6C, 6F, 7, 8, 9 or 14 shall exceed in height 30 feet or two #stories#, whichever is less.

In C4-1 or C8-1 Districts, for #community facility buildings# or #buildings# used for both #community facility# #use# and #commercial# #use#, the maximum height above #street line# shall be 35 feet or three #stories#, whichever is less.



- a - Horizontal distance
 - h - Height of sky exposure plane above street line
 - s - Depth of the optional front open area
 - v - Vertical distance
- Sky Exposure Plane

ALTERNATE SKY EXPOSURE PLANE

(23-64, 24-53, 33-442, 43-44)

33-45 - Tower Regulations

LAST AMENDED
12/15/1961

33-451 - In certain specified Commercial Districts

LAST AMENDED
3/22/2016

C4-7 C5-2 C5-3 C5-4 C5-5 C6-4 C6-5 C6-6 C6-7 C6-8 C6-9

In the districts indicated, any #buildings# or portions thereof which in the aggregate occupy not more than 40 percent of the #lot area# of a #zoning lot# or, for #zoning lots# of less than 20,000 square feet, the percent set forth in Section 33-454 (Towers on small lots), may penetrate an established #sky exposure plane#. (Such #building# or portion thereof is hereinafter referred to as a tower.) At any given level, except where the provisions set forth in Section 33-455 (Alternate regulations for towers on lots bounded by two or more streets) or 33-456 (Alternate setback regulations on lots bounded by two or more streets) or 33-457 (Tower setbacks on narrow blocks) are applicable and where the option is taken to be governed by such provisions, such tower may occupy any portion of the #zoning lot# not located less than 15 feet from the #street line# of a #narrow street#, or less than 10 feet from the #street line# of a #wide street#, provided that the aggregate area so occupied within 50 feet of a #narrow street#

shall not exceed 1,875 square feet and the aggregate area so occupied within 40 feet of a #wide street# shall not exceed 1,600 square feet.

If all of the #buildings# on a #zoning lot# containing such tower do not occupy at any level more than the maximum percent of the #lot area# set forth in this Section or Section 33-454 for towers, the tower may occupy any portion of the #zoning lot# located 20 feet or more from the #street line# of a #narrow street# or 15 feet or more from the #street line# of a #wide street#, provided that the aggregate area so occupied within 50 feet of a #narrow street# shall not exceed 2,250 square feet and the aggregate area so occupied within 40 feet of a #wide street# shall not exceed 2,000 square feet.

Unenclosed balconies, subject to the provisions of Section 24-166 (Balconies), are permitted to project into or over open areas not occupied by towers.

33-452 - Community facility buildings in C1 or C2 Districts when mapped within R7-2, R8, R9 or R10 Districts

LAST AMENDED
6/29/1994

C1-1 C1-2 C1-3 C1-4 C1-5 C2-1 C2-2 C2-3 C2-4 C2-5

In the districts indicated, when mapped within an R7-2, R8, R9 or R10 District, the provisions set forth in Section 33-451 (In certain specified Commercial Districts) shall apply to any #community facility building#. If a #building# is used for both #community facility# and #commercial# #uses#, no portion of such #building# occupied by #commercial# #use# shall penetrate the #sky exposure plane# as set forth in Sections 33-43 (Maximum Height of Walls and Required Setbacks) or 33-44 (Alternate Front Setbacks).

33-453 - Community facility buildings in certain specified Commercial Districts

LAST AMENDED
6/29/1994

C1-6 C1-7 C1-8 C1-9 C2-6 C2-7 C2-8 C4-4 C4-5 C4-6 C5-1 C6-1 C6-2 C6-3 C8-3 C8-4

In the districts indicated, the provisions set forth in Section 33-451 (In certain specified Commercial Districts) shall apply to any #community facility building#. If a #building# is used for both #community facility# and #commercial# #uses#, no portion of such #building# occupied by #commercial# #use# shall penetrate the #sky exposure plane# as set forth in Section 33-43 (Maximum Height of Walls and Required Setbacks) or 33-44 (Alternate Front Setbacks).

33-454 - Towers on small lots

LAST AMENDED
12/15/1961

C1 C2 C4-4 C4-5 C4-6 C4-7 C5 C6 C8-3 C8-4

In the districts indicated, a tower permitted under the provisions of Sections 33-451, 33-452 or 33-453 may occupy the percent of the #lot area# of a #zoning lot# set forth in the following table:

LOT COVERAGE OF TOWERS ON SMALL ZONING LOTS

Area of #Zoning Lot# (in square feet)	Maximum Percent of #Lot Coverage#
10,500 or less	50
10,501 to 11,500	49
11,501 to 12,500	48
12,501 to 13,500	47
13,501 to 14,500	46
14,501 to 15,500	45
15,501 to 16,500	44
16,501 to 17,500	43
17,501 to 18,500	42
18,501 to 19,999	41

33-455 - Alternate regulations for towers on lots bounded by two or more streets

LAST AMENDED

2/2/2011

C5-3 C5-5 C6-6 C6-7 C6-9

In the districts indicated, if a #zoning lot# is bounded by at least two #street lines#, a tower may occupy the percent of the #lot area# of a #zoning lot# set forth in this Section, provided that, except as otherwise set forth in Section 33-457 (Tower setbacks on narrow blocks), all portions of any #building# or #buildings# on such #zoning lot#, including such tower, are set back from #street lines# as required in this Section.

(a) The maximum percent of #lot area# that may be occupied by such tower, shall be the sum of 40 percent plus one-half of one percent for every .10 by which the #floor area ratio# of such #zoning lot# is less than the #floor area ratio# permitted under the provisions of Sections 33-12 (Maximum Floor Area Ratio), 33-13 (Floor Area Bonus for a Public Plaza) or 33-14 (Floor Area Bonus for Arcades). The maximum #lot coverage# for any tower built under the provisions of this Section or for any #building# or #buildings# on any #zoning lot# occupied by such tower shall be 55 percent of the #lot area# of such #zoning lot#.

(b) At all levels, including ground level, such #building# shall be set back from the #street line# as follows:

- (1) On #narrow streets#, by a distance equal to at least the fraction of the #aggregate width of street walls# of the tower, the numerator of which fraction is one and the denominator of which fraction is the sum of 3.0 plus .0667 for every .10 by which the #floor area ratio# of such #building# is less than the #floor area ratio# permitted under the provisions of Sections 33-12, 33-13 or 33-14, provided that such fraction shall be no less than one-fifth, and provided further that such setback need not exceed 45 feet.
 - (2) On #wide streets#, by a distance equal to at least the fraction of the #aggregate width of street walls# of the tower, the numerator of which fraction is one and the denominator of which fraction is the sum of 4.0 plus .10 for every .10 by which the #floor area ratio# of such #building# is less than the #floor area ratio# permitted under the provisions of Sections 33-12, 33-13 or 33-14, provided that such fraction shall be no less than one-seventh, and provided further that such setback need not exceed 35 feet.
- (c) If a #zoning lot# occupies an entire #block#, the maximum setback, set forth in paragraph (b) of this Section, of 45 feet on each #narrow street# bounding the #zoning lot# may be reduced by one foot for every six feet of setback provided on a #wide street# bounding the #zoning lot# in addition to the setbacks otherwise required for #wide streets# as set forth in such paragraph, provided that no setback on a #narrow street# resulting from such reduction shall be less than 35 feet or one-tenth the #aggregate width of street walls# of the tower, whichever shall require the greater setback.
 - (d) The additional setbacks on #wide streets# set forth in paragraph (c) of this Section may be provided entirely on one #wide street# or divided in any proportion among any two #wide streets# bounding the #zoning lot#.
 - (e) Notwithstanding any other provision set forth in this Section, no #building# or portion of a #building# built under the provisions of this Section shall be set back less than 25 feet from the #street line# on #narrow streets# or less than 15 feet from the #street line# on #wide streets#.

33-456 - Alternate setback regulations on lots bounded by two or more streets

LAST AMENDED
2/2/2011

C5-3 C5-5 C6-6 C6-7 C6-9

In the districts indicated, except as otherwise set forth in Section 33-457 (Tower setbacks on narrow blocks), if a #zoning lot# is bounded by at least two #street lines#, a tower occupying not more than the percent of #lot area# set forth in Section 33-451 (In certain specified Commercial Districts) or 33-454 (Towers on small lots), may be set back from a #street line# as follows:

- (a) On #narrow streets#, by a distance equal to at least the fraction of the #aggregate width of street walls# of the tower, the numerator of which fraction is one and the denominator of which fraction is the sum of 3.0 plus .0333 for each .10 by which the #floor area ratio# of the #zoning lot# is less than the #floor area ratio# permitted under the provisions of Section 33-12, 33-13 or 33-14, provided that such fraction shall be no less than one-fifth, and provided further that such setback need not exceed 45 feet.
- (b) On #wide streets#, by a distance equal to at least the fraction of the #aggregate width of street walls# of the tower, the numerator of which fraction is one and the denominator of which fraction is the sum of 4.0 plus .05 for each .10 by which the #floor area ratio# of the #zoning lot# is less than the #floor area ratio# permitted under the provisions of Sections 33-12 (Maximum Floor Area Ratio), 33-13 (Floor Area Bonus for a Public Plaza) or 33-14 (Floor Area Bonus for Arcades), provided that such fraction shall be no less than one-seventh, and provided further that such setback need not exceed 35 feet.
- (c) Notwithstanding any other provisions set forth in this Section, no tower built under the provisions of this Section shall be set back less than 25 feet from the #street line# on #narrow streets# or less than 15 feet from the #street line# on

#wide streets#.

33-457 - Tower setbacks on narrow blocks

LAST AMENDED

4/22/1965

C5-3 C5-5 C6-6 C6-7 C6-9

In the districts indicated, if a #zoning lot# is bounded by at least three #street lines#, and any two of the #street lines# are opposite to each other and parallel or within 45 degrees of being parallel to each other, and their average distance apart is 150 feet or less, the minimum distance a tower is required to be set back from such opposite #street lines# under the provisions of Section 33-455 (Alternate regulations for towers on lots bounded by two or more streets) or Section 33-456 (Alternate setback regulations on lots bounded by two or more streets), is reduced in accordance with the following table:

TOWER SETBACKS ON NARROW BLOCKS

	Reduction of Required Tower Setback	Minimum Setback for Tower Built under Provisions of this Section
On #narrow street#	30 percent or 10 feet, whichever is less	15 feet
On #wide street#	40 percent or 10 feet, whichever is less	10 feet

33-46 - Special Provisions for Zoning Lots Directly Adjoining Public Parks

LAST AMENDED

6/29/1994

C1 C2 C3 C4 C5 C6 C7 C8

In all districts, as indicated, a #public park# with an area of between one and 15 acres shall be considered a #wide street# for the purpose of applying the front height and setback regulations specified in Section 33-43 (Maximum Height of Walls and Required Setbacks) to any #building or other structure# on a #zoning lot# adjoining such #public park#. However, this Section shall not apply to a #public park# more than 75 percent of which is paved.

33-47 - Modification of Height and Setback Regulations

LAST AMENDED

12/15/1961

33-471 - Commercial and community facility uses

LAST AMENDED

1/20/1965

C5-5 C6-8 C6-9 C8

In the districts indicated, for #commercial# or #community facility# #uses# in specified situations, the Board of Standards and Appeals may modify the regulations set forth in Sections 33-41 to 33-45, inclusive, relating to Height and Setback Regulations, in accordance with the provisions of Section 73-68 (Height and Setback and Yard Modifications).

33-472 - Community facility uses

LAST AMENDED
7/6/1972

C1 C2 C3 C4 C5 C6 C7 C8

In all districts, as indicated, for certain #community facility# #uses# in specified situations, the Board of Standards and Appeals may modify the regulations set forth in Sections 33-40 through 33-45, inclusive, relating to Height and Setback Regulations in accordance with the provisions of Section 73-64 (Modifications for community facility uses). However, for #Quality Housing buildings# utilizing the height and setback regulations of Article II, Chapter 3, as required by Section 33-40, the Board shall not permit modification to the provisions of Sections 23-67 through 23-69, inclusive.

33-48 - Special Provisions for Zoning Lots Divided by District Boundaries

LAST AMENDED
8/14/1987

C1 C2 C3 C4 C5 C6 C7 C8

In all districts, as indicated, whenever a #zoning lot# is divided by a boundary between districts, or is subject to other regulations resulting in different height and setback regulations, or whenever a #zoning lot# is divided by a boundary between a district to which the provisions of Section 33-45 (Tower Regulations) apply and a district to which such provisions do not apply, the provisions set forth in Article VII, Chapter 7, shall apply.

33-49 - Special Height and Setback Limitations

LAST AMENDED
2/2/2011

33-491 - Limited Height Districts

LAST AMENDED
6/29/1994

C1 C2 C3 C4 C5 C6 C7 C8

In all districts, as indicated, wherever such districts are located within a #Limited Height District#, the maximum height of a #building or other structure#, or portion thereof, shall be as shown in the following table:

#Limited Height District#	Maximum Height Above #Curb Level# or #Base Plane#, as Applicable
---------------------------	---

LH-1	50 feet
LH-1A	60 feet
LH-2	70 feet
LH-3	100 feet

33-492 - Height limitations for narrow buildings or enlargements

LAST AMENDED
2/2/2011

C1-6 C1-7 C1-8 C1-9 C2-6 C2-7 C2-8 C4-4D C4-5D C4-5X C4-6A C4-7A C5-1A C5-2A C6-2A C6-3A C6-3D C6-3X C6-4A C6-4X

In the districts indicated, and in C1 and C2 Districts mapped within R7-2, R7D, R7X, R8, R9 and R10 Districts, the provisions of Section 23-692 (Height limitations for narrow buildings or enlargements) shall apply to portions of #buildings# with #street walls# less than 45 feet in width.