**Zoning Resolution**

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

CITY PLANNING COMMISSION
**Sideya Sherman, Chair**

# 62-30 - SPECIAL BULK REGULATIONS

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## 62-30 - SPECIAL BULK REGULATIONS

LAST AMENDED
12/5/2024

All #zoning lots# within #waterfront blocks# shall comply with the #bulk# regulations of this Section. For the purposes of this Section, non-#waterfront blocks# included in Waterfront Access Plan BK-1 shall be considered to be #waterfront blocks#. Existing #non-complying# #buildings or other structures# shall be subject to the provisions of Article V (Non-conforming Uses and Non-complying Buildings).

A change of #use# involving a #building or other structure# lawfully existing on October 25, 1993, shall be permitted in accordance with the applicable district #use# regulations, as modified by the provisions of this Chapter. Any #non-compliances# created with respect to the provisions of this Section due solely to the change of #use# shall be deemed to be existing #non-compliances#. However, no #enlargement# or other alteration of such #buildings or other structures# may be made which would either create a new #non-compliance# or increase the degree of #non-compliance# with respect to the provisions of this Section.

Modification of the #bulk# regulations of Sections 62-31, 62-32, 62-33, 62-341, 62-342, 62-343 or 62-35 shall only be allowed by authorization or special permit of the City Planning Commission pursuant to Sections 62-837, 74-711, 74-74, 74-79, 75-24, 78-00 or 79-00, as applicable.

Provisions for modification of the #bulk# regulations on #piers# and #floating structures# are set forth in Sections 62-344 and 62-345.

In no event shall any #bulk# modification include modification of the provisions of paragraph (a) of Section 62-31 or the maximum #floor area ratio# for the applicable district set forth in Sections 62-321 and 62-322.

## 62-31 - Bulk Computations on Waterfront Zoning Lots

LAST AMENDED
4/22/2009

On #waterfront zoning lots#, the areas of the #upland lot# and the #seaward lot# shall be computed separately.

(a) #Upland lot#

All #bulk# regulations pertaining to the #upland lot# shall be satisfied entirely on such portion of the #zoning lot#. All #floor area#, #dwelling units# or #rooming units# generated by such portion shall be located within the #upland lot# and all #lot coverage# computations shall be based solely on the area of the #upland lot#.

(b) #Seaward lot#

Within the #seaward lot#, only the #water coverage# of #piers# or #platforms# that are structurally sound and physically accessible directly from the shore, with a surface that is capable of lawful occupancy, shall be deemed to be #lot area# for the purposes of determining allowable #floor area#, #dwelling units# or #rooming units#, or to satisfy any other #bulk# regulations, unless expressly stated otherwise. In no event shall the #water coverage# of a #building or other structure# projecting over the water from a #pier# or #platform# be included in #lot area#. #Lot coverage# provisions shall not apply to the #seaward lot#.

Except where all #piers#, #platforms# or #floating structures# are occupied #predominantly# by WD #uses#, the maximum #water coverage# permitted on a #zoning lot# shall not exceed 50 percent and the #water coverage# of an #existing pier# or #platform# may not be increased by more than 10 percent.

(c) Special provisions for #bulk# distribution

#Floor area#, #dwelling units# or #rooming units# generated by #existing piers# or #platforms# within the #seaward lot# may be located anywhere on the #zoning lot# provided the amount on the #upland lot# does not exceed the maximum for the district on such portion of the #zoning lot# by more than 20 percent. No #bulk# distribution from the #seaward lot# shall be permitted for #new piers# or #platforms#, except within Waterfront Access Plan BK-1. Such #bulk# distribution shall be permitted for new portions of #piers# located within Waterfront Access Plan BK-1, provided that such new portion of the #pier# is accessed from a portion of an #existing pier# containing not less than 25 percent of the #water coverage# of such #existing pier# and that the #water coverage# of the new and existing portions of the #pier# does not exceed the #water coverage# of the #existing pier#.

## 62-32 - Floor Area Regulations on Waterfront Blocks

LAST AMENDED
12/5/2024

#Floor area# regulations for #zoning lots# within #waterfront blocks# are set forth in:

Section 62-321 for R1 through R5 Districts

Section 62-322 for R6 through R12 Districts

Section 62-323 for Community Facility and Commercial uses in Residence Districts

Section 62-324 for Commercial Districts

Section 62-325 for Manufacturing Districts

Section 62-326 for #mixed use buildings# in a #Special Mixed Use District#

## 62-321 - Floor area regulations for R1 through R5 Districts

LAST AMENDED
12/5/2024

R1 R2 R3 R4 R5

In the districts indicated, the maximum #floor area ratio# for #residential buildings# or #residential# portions of #buildings# shall be as set forth for the applicable district regulations provided in Section 23-21 (Floor Area Regulations for R1 through R5 Districts), inclusive.

## 62-322 - Floor area regulations for R6 through R12 Districts

LAST AMENDED
12/5/2024

R6 R7 R8 R9 R10 R11 R12

In the districts indicated, the maximum #residential# #floor area ratio# shall be as set forth for the applicable district regulations provided in Section 23-22 (Floor Area Regulations for R6 through R12 Districts), inclusive.

However, for districts without a letter suffix, the regulations applicable to portions of a #zoning lot# within 100 feet of a #wide street# shall not apply. Furthermore, in R6 Districts the maximum #floor area ratio# for standard #residences# shall be 2.43.

## 62-323 - Community facility and commercial uses in Residence Districts

LAST AMENDED
12/5/2024

In #Residence Districts#, for any #community facility building# or #community facility# portion of a #building# on a #zoning lot#, the following shall apply:

(a) The maximum #floor area ratio# shall be in accordance with the applicable district regulations. For #developments# or #enlargements# on #qualifying transit improvement sites#, a #floor area# bonus for #mass transit station# improvements may be granted by the City Planning Commission pursuant to the provisions of Section 66-51 (Additional Floor Area for Mass Transit Station Improvements). No other #floor area# bonuses shall apply. For the purposes of this paragraph, defined terms additionally include those in Section 66-11 (Definitions).

(b) In #Residence Districts#, when permitted, #commercial buildings# or #buildings# used partly for #commercial# #use#, shall comply with the regulations for #residential buildings# as set forth in Sections 62-321 and 62-322.

## 62-324 - Buildings in Commercial Districts

LAST AMENDED
12/5/2024

In #Commercial Districts#, for any #commercial# or #community facility# #uses# on a #zoning lot#, the maximum #floor area ratio# shall be in accordance with the applicable district regulations, except:

(a) no #floor area# bonuses shall be permitted except as permitted pursuant to the provisions of paragraph (c) of this Section;

(b) the #floor area ratio# on a #zoning lot# shall not exceed 10.0; and

(c) for #developments# or #enlargements# on #qualifying transit improvement sites#, a #floor area# bonus for #mass transit station# improvements may be granted by the City Planning Commission pursuant to the provisions of Section 66-51 (Additional Floor Area for Mass Transit Station Improvements). For the purposes of this paragraph, defined terms additionally include those in Section 66-11 (Definitions).

For #residential buildings# and #residential# portions of #mixed buildings#, the maximum #floor area ratio# and #lot coverage# applicable to #residential buildings# set forth in Sections 62-321, 62-322, 62-333, and 62-334 shall apply as set forth for the applicable #Residence District# and its corresponding #Commercial District# in Section 35-23 (Residential Bulk Regulations in Other C1 or C2 Districts or in C3, C4, C5 or C6 Districts).

## 62-325 - Buildings in Manufacturing Districts

LAST AMENDED
12/5/2024

In #Manufacturing Districts#, for any #zoning lot#, the maximum #floor area ratio# shall be in accordance with the applicable district regulations. However, for #developments# or #enlargements# on #qualifying transit improvement sites#, a #floor area# bonus for #mass transit station# improvements may be granted by the City Planning Commission pursuant to the provisions of Section 66-51 (Additional Floor Area for Mass Transit Station Improvements). For the purposes of this paragraph, defined terms additionally include those in Section 66-11 (Definitions).

## 62-326 - Maximum floor area ratio for a mixed use building in a Special Mixed Use District

LAST AMENDED
12/5/2024

The maximum #floor area ratio# for #zoning lots# containing a #mixed use building# in a #Special Mixed Use District# shall be in accordance with the provisions of Section 123-62 (Special Floor Area Regulations).

## 62-33 - Special Yard and Lot Coverage Regulations on Waterfront Blocks

LAST AMENDED
12/5/2024

#Yard# and #lot coverage# regulations for #zoning lots# within #waterfront blocks# shall be governed by the provisions of this Section, inclusive.

For #developments# containing WD #uses# or, in C8 or #Manufacturing Districts# without an A suffix, #developments# comprised predominantly of #uses# listed under Use Groups IV(B), IX or X, or for #developments# on #zoning lots# that are not #waterfront zoning lots#, #yards# shall be provided in accordance with the applicable district regulations. For all other #developments#, #yards# shall be provided in accordance with the provisions of Sections 62-331 (Front yards and side yards) and 62-332 (Rear yards and waterfront yards), except that no #yard# regulations shall be applicable on #piers# or #floating structures# nor may #piers# or #floating structures# be used to satisfy any #yard# requirements.

The maximum #lot coverage# in #Residence Districts# shall be as set forth in Section 62-333 and the maximum #lot coverage# in #Commercial Districts# shall be as set forth in Section 62-334.

## 62-331 - Front yards and side yards

LAST AMENDED7/26/2001

#Front yards# and #side yards# shall be provided on #zoning lots# within #waterfront blocks# in accordance with applicable district regulations, except that:

(a) any #rear lot line# of a #waterfront zoning lot# that intersects the #shoreline# shall be deemed to be a #side lot line# and be subject to #side yard# regulations; and

(b) #side yard# regulations shall be inapplicable along #side lot lines# that are coincident with or seaward of the #shoreline#. In lieu thereof, a #waterfront yard# shall be provided in accordance with the provisions of Section 62-332.

## 62-332 - Rear yards and waterfront yards

LAST AMENDED
12/5/2024

#Rear yard# regulations shall be inapplicable on #waterfront zoning lots#. In lieu thereof, a #waterfront yard# shall be provided along the entire length of the #shoreline#, bulkhead or stabilized natural shore, whichever is furthest landward. In addition, the following rules shall apply to the #waterfront yard#:

(a) Depth of the #waterfront yard#

The required minimum depth of a #waterfront yard# is set forth in the following table. Column A sets forth districts where the minimum depth is 30 feet, and Column B sets forth districts where the minimum depth is 40 feet. Such minimum depths shall be measured from the landward edge of the bulkhead, landward edge of stabilized natural shore, or, in the case of natural #shorelines#, the mean high water line.

Where a #platform# projects from the #shoreline#, stabilized natural shore, or bulkhead (see illustration below of Waterfront Yard), such #waterfront yard# shall, in lieu of following the shore at that portion, continue along the water edge of such #platform# until it again intersects the #shoreline#, stabilized natural shore, or bulkhead, at which point it shall resume following the #shoreline#, stabilized natural shore, or bulkhead.

WATERFRONT YARD DEPTH FOR ALL DISTRICTS

| Column A | Column B |
|---|---|
| Districts with 30 Foot Requirement | Districts with 40 Foot Requirement |
| R1 R2 R3 R4 R5 | R6 R7 R8 R9 R10 R11 R12 |
| C1 C2 mapped in R1 R2 R3 R4 R5 | C1 C2 mapped in R6 R7 R8 R9 R10 R11 R12 |

| | |
|---|---|
| C3 | C1-6 C1-7 C1-8 C1-9<br>C2-6 C2-7 C2-8<br>C4 C5 C6 C7 C8<br>M1 M2 M3 |

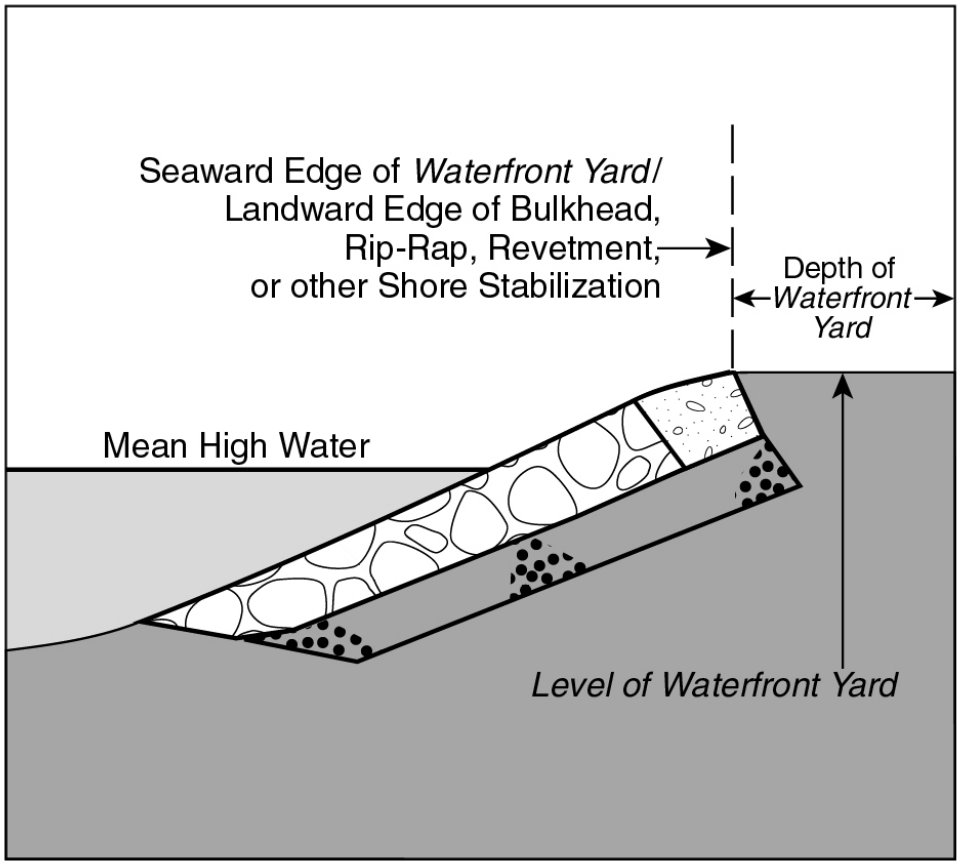
The minimum depth set forth in the preceding table may be reduced at the following locations provided no #waterfront yard# is reduced to less than 10 feet:

(1) Along those portions of the landward edge of stabilized shore, bulkhead, natural #shoreline# or along those portions of the water edge of a #platform#, having a lot dimension, measured perpendicular to and landward from such edge, that is less than 70 feet in the case of districts in Column A or 80 feet in the case of districts in Column B. For such shallow portions of lots, the minimum depth may be reduced by one foot for each foot that the lot dimension measured from such edge is less than 70 or 80 feet, as applicable.

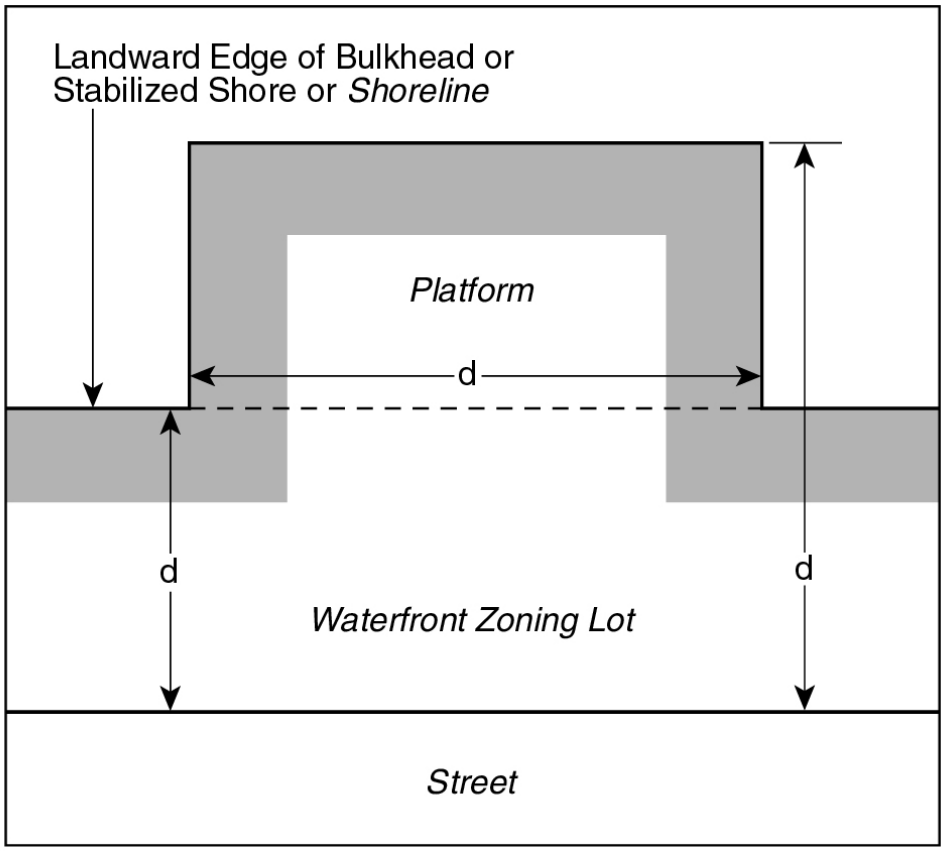
(2) Along those portions of the water edge of a #platform# having a dimension, measured perpendicular from such water edge to an opposite water edge that is less than 100 feet in the case of districts in Column A or 120 feet in the case of districts in Column B. For such narrow portions of #platforms#, the minimum depth along each opposite edge may be reduced by one-half foot for each foot that the #platform# dimension is less than 100 or 120 feet, as applicable.

(3) Where a #tidal wetland area# is provided, the depth of the #waterfront yard# may be reduced by a foot for every foot of stabilized natural shore or intertidal planting area

beyond the landward edge of the bulkhead, stabilized natural shore or #shoreline# up to seven feet. Such reduction in depth shall not extend along more than 30 percent of the #shoreline# of the #waterfront zoning lot#.




WATERFRONT YARD AT STABILIZED SHORELINE (62-332a.1)




d Dimension for Determining Minimum Depth or Width of *Waterfront Yard* on Narrow/Shallow Lots and *Platforms*

*Waterfront Yard*

WATERFRONT YARD (62-332a.2)

(b) The level of the #waterfront yard#

The level of required #waterfront yards# shall not be higher than the elevation of the top of the adjoining existing bulkhead, existing stabilized natural shore or mean high water line, as applicable, except that natural grade level need not be disturbed in order to comply with this requirement.

The level of the portion of a #waterfront yard# on a #platform# shall not be more than three

feet higher than the abutting level of the non-platformed portion of the #waterfront yard#, of which it is the continuation, except that the level of a #platform# existing on October 25, 1993 need not be altered in order to comply with this requirement.

However, the level of the #waterfront yard# may be modified as follows:

(1) For #zoning lots# not required to provide #waterfront public access areas# pursuant to Section 62-52 (Applicability of Waterfront Public Access Area Requirements), the level of #waterfront yards# may be raised either to:

(i) the #flood-resistant construction elevation# or six feet above #shoreline#, whichever is higher; or

(ii) a higher elevation, provided that the #waterfront yard# complies with the applicable provisions of paragraph (b)(2) of this Section, depending on the condition of the shared #lot line#.

(2) For #zoning lots# with required #waterfront public access areas# pursuant to Section 62-52, the level of #waterfront yards# may be raised to a higher elevation, provided that such elevated #waterfront yard# complies with the following provisions, depending on the condition of the adjacent #zoning lot# :

(i) where a #waterfront yard# adjoins a #street#, #public park#, or #waterfront public access area# on an adjacent #zoning lot#, the level of the #waterfront yard# within 15 feet of the shared #lot line# shall not exceed three feet above the level of the adjoining #street#, #public park# or #waterfront public access area#, and the width of the circulation path at the #lot line# is greater than that required by paragraph (a) of Section 62-62 (Design Requirements for Shore

Public Walkways and Supplemental Public Access Areas). However, the elevation of the required circulation path shall be no higher than the grade of the adjacent #street#, #public park#, or #zoning lot# at the #lot line#.

(ii) where a #waterfront yard# does not adjoin a #street#, #public park#, or #waterfront public access area# on an adjacent #zoning lot#, the level of the #waterfront yard# at the shared #lot line#, may exceed the level of the adjacent #zoning lot#:

(a) up to a maximum of six feet above the #shoreline#; or

(b) to a level higher than six feet above the #shoreline#, where the Chairperson of the City Planning Commission certifies, pursuant to Section 62-811 (Waterfront public access and visual corridors) that:

(1) the applicant has submitted a plan indicating the proposed level of the #waterfront yard# at the #lot line# of adjacent #zoning lots# and the level of such adjacent #zoning lots# adjacent to the #waterfront yard#; and

(2) submitted proof of a legal instrument, executed by the fee owner of any #zoning lot# that is adjacent to the subject #waterfront yard#, and binding upon all necessary parties in interest, that the owner will develop a #waterfront public access area# with a grade that meets that of the adjacent #zoning lots# based on the proposed level of the subject #waterfront yard# as reflected in the submitted plan. Such legal instrument shall run with the land and shall be recorded against all affected parcels of land.

(c) Permitted obstructions

No #building or other structure# shall be erected above the lowest level of a #waterfront yard#. Permitted obstructions in #waterfront yards# in all districts shall include permitted obstructions as listed in Sections 23-311 (Permitted obstructions in all yards, courts and open areas), 23-312 (Additional permitted obstructions generally permitted in all yards), and 62-611, except that enclosed #accessory# off-street parking spaces and walls exceeding four feet in height shall not be permitted. Where any power systems, including, but not limited to, generators, solar energy systems, fuel cells, batteries and other energy storage systems, are located in a #front yard#, the entire width of the portion of such equipment facing a #street#, whether open or enclosed, shall be fully screened by vegetation.

In addition, the following #rear yard# obstructions shall not be permitted except when #accessory# to #single-# or #two-family residences# in #detached#, #semi-detached# or #zero lot line buildings#:

Balconies, unenclosed;

Greenhouses, non-commercial, #accessory#;

Parking spaces, off-street, open or enclosed, #accessory#;

Swimming pools, #accessory#;

Terraces or porches, open.

## 62-333 - Maximum lot coverage in Residence Districts

LAST AMENDED
12/5/2024

R1 R2 R3 R4 R5 R6 R7 R8 R9 R10 R11 R12

In the districts indicated, the maximum #lot coverage# for #residential# #buildings#, #community facility# #buildings# or the portions of #buildings# containing #residential# or #community facility# #uses# shall be the applicable #residential# #lot coverage# set forth in Section 23-36 (Maximum Lot Coverage), inclusive. For the purpose of applying such regulations, the regulations for #interior lots# or #through lots# shall apply, and additional limitations for #large sites# need not apply.

Any portion of a #building# at any height up to but not exceeding 23 feet above the #base plane# may be excluded in determining the percent of #lot coverage# set forth in this Section.

Additionally, for #buildings# in R6 through R12 Districts that exceed the maximum base height listed in Section 62-343 (Height and setback regulations in other medium- and high-density districts), the minimum #lot coverage# shall be 30 percent of the #lot area# at a height of 20 feet. For the purposes of determining this requirement, the #lot area# of #waterfront zoning lots# shall be deemed to be the area of the #zoning lot# landward of the #shoreline#. In the event the site plan involves construction on only a portion of the #zoning lot#, sufficient calculations shall be provided to show that such partial construction does not preclude compliance with the minimum #lot coverage# requirements of this Section at the time the site is fully developed.

In #Special Mixed Use Districts#, #lot coverage# requirements shall not apply to #community facility# #uses#.

## 62-334 - Maximum lot coverage for residences in Commercial Districts

LAST AMENDED
12/5/2024

In #Commercial Districts#, for #residential# #buildings#, or the #residential# portion of #mixed buildings#, the maximum #lot coverage# regulations of Section 62-333 (Maximum lot coverage in Residence Districts) shall apply.

## 62-34 - Height and Setback Regulations on Waterfront Blocks

LAST AMENDED
12/5/2024

Height and setback regulations for #zoning lots# within #waterfront blocks# are set forth in the following Sections:

Section 62-341 (Height and setback regulations in lower density districts)

Section 62-342 (Height and setback regulations in medium- and high-density districts with a letter suffix)

Section 62-343 (Height and setback regulations in other medium- and high-density districts)

Section 62-344 (Developments on piers)

Section 62-345 (Developments on floating structures)

However, airports, heliports, seaplane bases and, in C8 or #Manufacturing Districts#, #developments# comprised #predominantly# of WD #uses# or #uses# listed under Use Groups IV(B), IX or X shall be exempt from the requirements of this Section.

All #developments# on portions of a #zoning lot# landward of the #shoreline# or on #platforms# shall be subject to the height and setback provisions of this Section. However, when the seaward view from all points along the #shoreline# of a #zoning lot# is entirely obstructed by existing elevated roads,

bridges or similar structures which are less than 50 feet above the mean high water line and within 200 feet of the #shoreline#, #developments# shall be exempt from the requirements of this Section. Height and setback regulations for #developments# on #piers# and #floating structures# are set forth in Sections 62-344 and 62-345.

For the purposes of applying the regulations of this Section, the following provisions shall apply:

(a) #Street lines#

For the purposes of Sections 62-342 and 62-343, a #shore public walkway#, #visual corridor#, #upland connection# or #supplemental public access area# shall be considered a #street# and its boundary shall be treated as a #street line#. Any #visual corridor# or #upland connection# that measures at least 75 feet in width, or any #shore public walkway# or #supplemental public access area#, shall be considered a #wide street#. Any other #visual corridor# or #upland connection# shall be considered a #narrow street#.

(b) Measurement of height

The height of all #buildings or other structures# on #waterfront blocks# shall be measured from the #base plane#, except where modified by the provisions of Article VI, Chapter 4.

(c) Permitted obstructions

The obstructions permitted pursuant to Sections 23-411, inclusive, 24-51, 33-42 or 43-42 and, where applicable, Sections 64-312, 64-313 or 64-323, shall apply. In addition, the following regulations regarding permitted obstructions shall apply:

(1) A penthouse portion of a #building# shall be permitted to exceed the applicable maximum #building# height in Section 62-343 by 15 percent, provided that the gross

area of any such #story# does not exceed 90 percent of the gross area of that #story# directly below the highest 15 percent of the #building#.

(2) Wind energy systems

Regulations governing wind energy systems are modified as follows:

(i) in R6 through R12 Districts, #Commercial Districts# mapped within, or with a #residential equivalent# of, R6 through R12 Districts, C7 Districts, C8 Districts other than C8-1 Districts, or #Manufacturing Districts# other than M1-1 Districts, wind energy systems located on a roof of a #building# shall not exceed a height equivalent to 50 percent of the height of such portion of the #building# or 55 feet, whichever is less, as measured from the roof to the highest point of the wind turbine assembly;

(ii) in C4-1, C8-1 and M1-1 Districts, for #buildings# containing #commercial# or #community facility# #uses#, wind energy systems shall not exceed a height of 55 feet when located above a roof of the #building# as measured to the highest point of the wind turbine assembly; and

(iii) in all districts, no portion of a wind energy system may be closer than 10 feet to a #waterfront public access area# boundary or a #zoning# #lot line#.

## 62-341 - Height and setback regulations in lower density districts

LAST AMENDED
12/5/2024

R1 R2 R3 R4 R5 C3 C4-1 C8-1 M1-1

In the districts indicated, and for C1 or C2 Districts mapped within an R1 through an R5 District, all #developments# on portions of a #zoning lot# landward of the #shoreline# or on #platforms# shall be subject to the underlying height and setback regulations, except as modified by the provisions of this Section.

(a) Modified base height and #building# heights in certain districts

The maximum base height and maximum #building# height for #buildings# on #waterfront blocks# for certain districts shall be as set forth in the following table:

MAXIMUM BASE HEIGHT AND MAXIMUM #BUILDING# HEIGHT FOR #RESIDENTIAL BUILDINGS# ON #WATERFRONT BLOCKS#

| **District** | **Maximum Base Height (in feet)** | **Maximum Height of #Buildi other Structures# (in fee** |
|---|---|---|
| R1 R2<br><br>C1 or C2 mapped within R1 or R2<br><br>C8-1 M1-1 | 35 | 35 |
| R3<br><br>C1 or C2 mapped within R3<br><br>C3 | 35 | 45 |

| | | |
|---|---|---|
| R4<br>C1 or C2 mapped within R4 | 45 | 55 |
| R5<br>C1 or C2 mapped within R5<br>C4-1 | 55 | 65 |

(b) Additional regulations

(1) Above the maximum base height, a #building# shall be set back at least:

(i) 15 feet from a #narrow# #street line#;

(ii) 10 feet from a #wide# #street line#; or

(iii) 30 feet from the boundary of a #shore public walkway#. Wherever a #supplemental public access area# is provided as a widened #shore public walkway#, such widened area shall be included in the #initial setback distance#.

Dormers provided in accordance with Section 23-413 shall be permitted within any setback area, provided that the depth of encroachment of a dormer facing the #shore public walkway# shall not exceed 15 feet;

(2) Any portion of a #predominantly# #community facility# #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. However, within a #large-scale community facility development#, for portions of a

#building# that are located at least 100 feet from a #street line# and, on a #waterfront zoning lot#, 100 feet from a #waterfront yard#, the maximum height shall not exceed 100 feet.

(3) All structures other than #buildings# shall be limited to a height of 35 feet, except that in C4-1, C8-1 and M1-1 Districts, freestanding wind energy systems shall be permitted to a height of 85 feet, as measured from the base plane to the highest point of the wind turbine assembly.

## 62-342 - Height and setback regulations in medium- and high-density districts with a letter suffix

LAST AMENDED
12/5/2024

For all #developments# on portions of a #zoning lot# landward of the #shoreline# or on #platforms# within R6 through R12 Districts with a letter suffix or #Commercial Districts# mapped within or with a #residential equivalence# of an R6 through R12 District with a letter suffix, the applicable underlying height and setback regulations of Section 23-43, inclusive, shall apply.

## 62-343 - Height and setback regulations in other medium- and high-density districts

LAST AMENDED
12/5/2024

For those districts not otherwise governed by the provisions of Sections 62-341 (Height and setback regulations in lower density districts) or 62-342 (Height and setback regulations in medium- and high-density districts with a letter suffix), the underlying height and setback regulations are applicable for all #developments# on portions of a #zoning lot# landward of the #shoreline# or on #platforms#, except as modified by the provisions of this Section.

(a) Modified base height and #building# heights

For all #buildings#, the base heights, transition heights, and #building# heights for #buildings# on #waterfront blocks# shall be as set forth in the following table. Additional regulations are set forth in paragraph (b) for #buildings# containing #residences# and in paragraph (c) for all other #buildings#. For all #buildings#, tower regulations are set forth in paragraph (d).

MAXIMUM BASE HEIGHT, TRANSITION HEIGHTS, AND MAXIMUM BUILDING HEIGHT - FOR OTHER DISTRICTS

| **District** | **Maximum Base Height (in feet)** | **Transition Zone** | | **M o** |
|---|---|---|---|---|
| | | **Maximum Transition Height Tier 1 (in feet)** | **Maximum Transition Height Tier 2 (in feet)** | |
| R6-2<br>C1 or C2 mapped within R6-2 | 55 | 75 | 95 | |

| | | | | |
|---|---|---|---|---|
| R6 R6-1<br><br>C1 or C2 mapped within R6 or R6-1<br><br>C7-1<br><br>C8-2 C8-3<br><br>M1-2 M1-4 M1-1A<br><br>M2-1 M2-3 M2-1A<br><br>M3-1 M3-2 M3-1A | 65 | 95 | 125 | |
| R7-1 R7-2<br><br>C1 or C2 mapped within R7-1 or R7-2<br><br>C7-2<br><br>M1-2A<br><br>M2-2A<br><br>M3-2A | 85 | 115 | 155 | |
| R7-3<br><br>C1 or C2 mapped within R7-3<br><br>C7-3<br><br>C8-4<br><br>M1-3 M1-5 M1-3A<br><br>M2-2 M2-4 M2-3A | 95 | 145 | 185 | |

| | | | | |
|---|---|---|---|---|
| R8<br><br>C1 or C2 mapped within R8<br><br>C4-8<br><br>C6-1 C6-2<br><br>C7-4<br><br>M1-4A<br><br>M2-4A | 105 | 145 | 215 | |
| R9<br><br>C1 or C2 mapped within, or with a #residential equivalent# of an R9<br><br>C4-9 C6-3<br><br>C7-5 C7-6<br><br>M1-5A M1-6A | 135 | 185 | 285 | |
| R9-1<br><br>C1 or C2 mapped within an R9-1 | 155 | 215 | 315 | |

| | | | | |
|---|---|---|---|---|
| R10<br><br>C1 or C2 mapped within, or with a #residential equivalent# of an R10<br><br>C4-6 C4-7<br><br>C5<br><br>C6-4 C6-5 C6-6 C6-7 C6-8 C6-9<br><br>C7-7<br><br>M1-6 M1-7A | 155 | 235 | 355 | |
| R11<br><br>C1 or C2 mapped within R11<br><br>C4-11<br><br>C6-11<br><br>C7-8<br><br>M1-8A | 155 | 325 | 405 | |
| R12<br><br>C1 or C2 mapped within R12<br><br>C4-12<br><br>C6-12<br><br>C7-9<br><br>M1-9A | 155 | 395 | 495 | |

(b) Additional regulations for #buildings# containing #residences#

For #buildings# containing #residences#, the following shall apply:

(1) for #street walls# not facing the #shore public walkway# or #supplemental public access areas#:

(i) the #street wall# location provisions of paragraph (b) of Section 23-431 shall apply, and such #street walls# shall extend to a minimum base of at least 35 feet, or the height of the #building#, whichever is less; and

(ii) at a height not lower than the minimum base height or higher than the maximum base height, setbacks shall be provided in accordance with the provisions of Section 23-433.

(2) for portions of #buildings# facing the #shore public walkway# or #supplemental public access areas#:

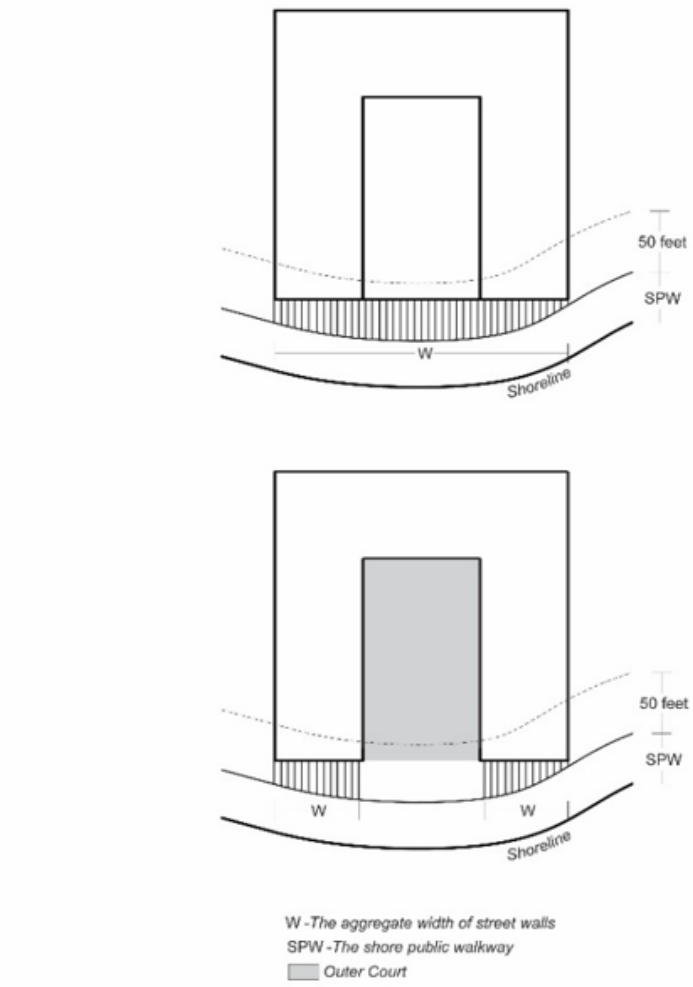
(i) no #street wall# location provisions shall apply;

(ii) at a height not higher than the maximum base height, a setback, with a minimum depth of 30 feet shall be provided from the boundary of the #shore public walkway#. Wherever a #supplemental public access area# is provided as a widened #shore public walkway#, such widened area shall be included in the setback distance;

(iii) dormers shall be permitted in such setback, in accordance with Section 23-413, except that the depth of such dormer shall not exceed 15 feet;

(iv) where a #street wall# is located within 50 feet of the #shoreline#, the maximum base height shall not exceed a height of 85 feet; and

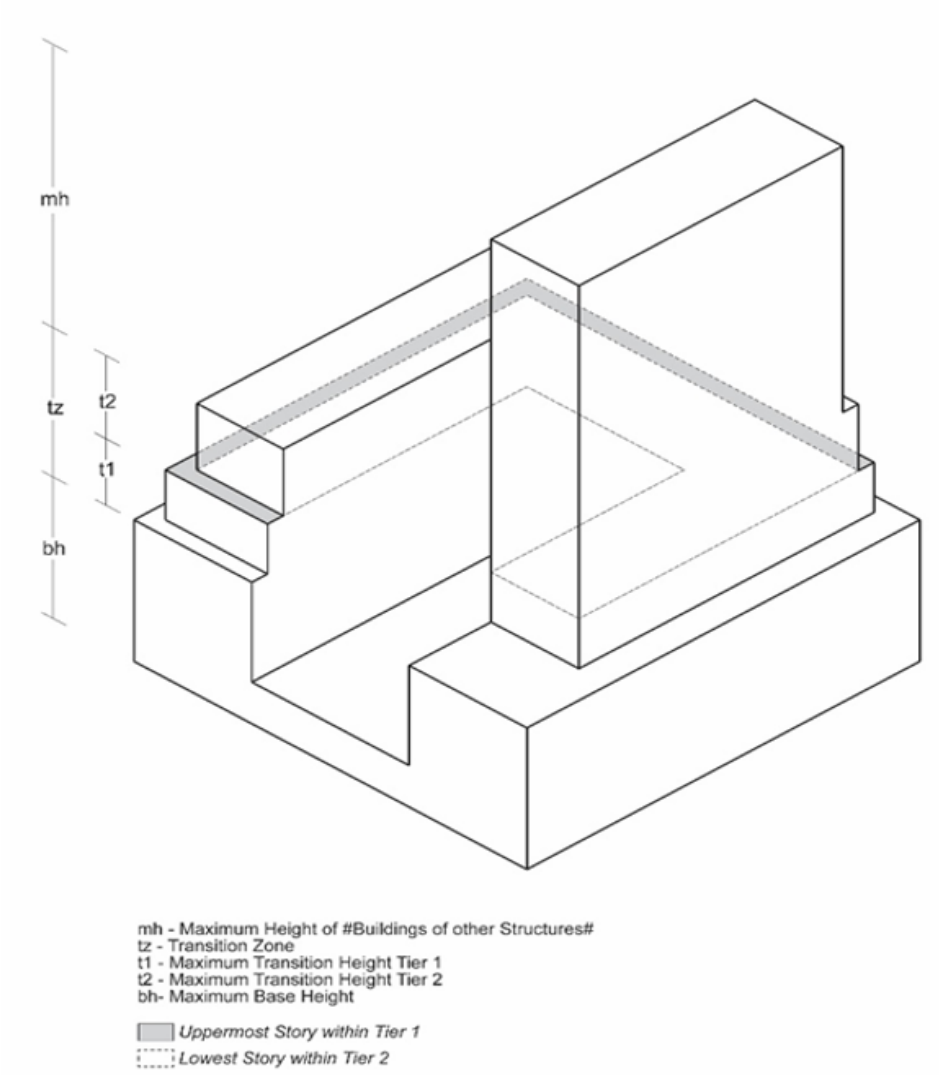
(v) an amount of #building# frontage equivalent to at least 25 percent of the #aggregate width of street walls# facing the #shore public walkway# shall either be provided as open area in an #outer court# or shall have a reduced base height that does not exceed two-thirds of the height of the permitted maximum base height;




AGGREGATE WIDTH OF STREET WALLS
FACING THE SHORE PUBLIC WALKWAY (62-343b2)

(3) along all frontages, after the required setback, #buildings# may rise to the maximum transition zone height set forth in the table, which consists of maximum Tier 1 and Tier 2 transition heights. Where the gross area of any #story# within the transition zone exceeds 10,000 square feet, exclusive of the square footage contained in any permitted dormers, one or more setbacks shall be provided at a height not higher than the maximum Tier 1 transition height. Such setbacks may be of any depth, but shall reduce

the gross area of #stories# such that the highest gross area of any #story# in the Tier 2 transition zone is at least 10 percent less than that of the highest gross area of any #story# in the Tier 1 transition zone; and




TRANSITION HEIGHTS SETBACK AREA (62-343b3)

(4) any portion of a #building# that exceeds the maximum transition height shall be considered a tower and shall be subject to the provisions of paragraph (d) of this Section.

(c) Additional regulations for other #buildings#

For #buildings# that do not contain #residences#, the following shall apply:

(1) Above the maximum base height, a #building# shall be set back at least:

(i) 15 feet from a #narrow# #street line#;

(ii) 10 feet from a #wide# #street line#; or

(iii) 30 feet from the boundary of a #shore public walkway#. Wherever a #supplemental public access area# is provided as a widened #shore public walkway#, such widened area shall be included in the setback distance.

Dormers provided in accordance with paragraph (b) of Section 23-413 shall be permitted within any setback area, provided that the depth of encroachment of a dormer facing the #shore public walkway# shall not exceed 15 feet;

(2) after the required setback, #buildings# may rise to the maximum transition height;

(3) any portion of a #building# that exceeds the maximum transition height shall be considered a tower and subject to the provisions of paragraph (d) of this Section.

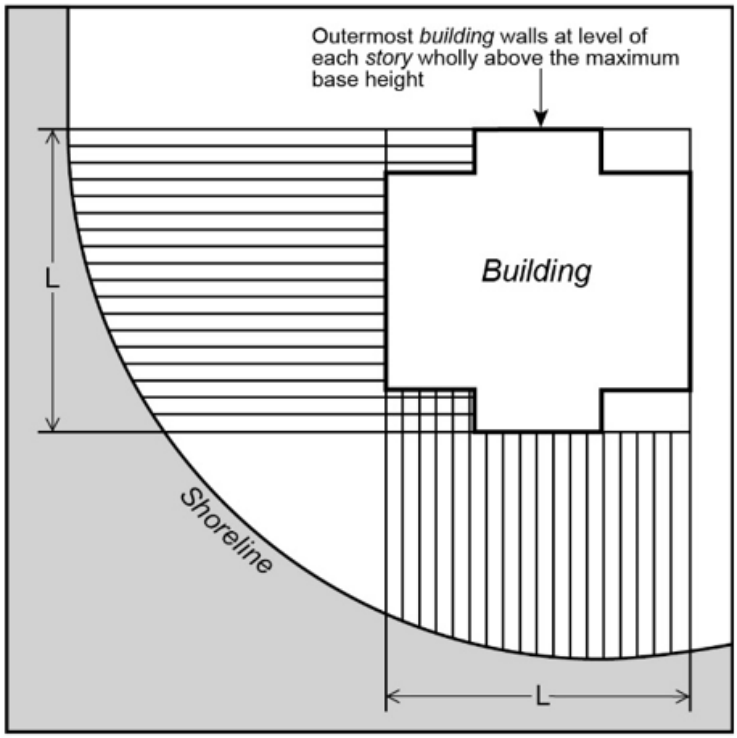
(d) Tower regulations

Any portion of a #building# that exceeds the maximum transition height shall be subject to the following tower provisions:

(1) The maximum width of any #story# of a tower that faces a #shoreline# shall not exceed 100 feet. Such width shall be measured by inscribing within a rectangle the outermost walls at the level of each tower #story#. Any side of such rectangle from which perpendicular lines may be drawn to a #shoreline#, regardless of any intervening structures, properties or #streets#, shall not exceed 100 feet. However, such limitation may be modified as follows:

(i) where a tower faces two or more #shorelines#, such restriction shall apply only to one face, and the maximum length along other frontages shall not exceed 130 feet frontage (See illustration);

(ii) where the average depth of a #zoning lot# is less than 200 feet, the maximum width of a #story# shall not exceed 130 feet.



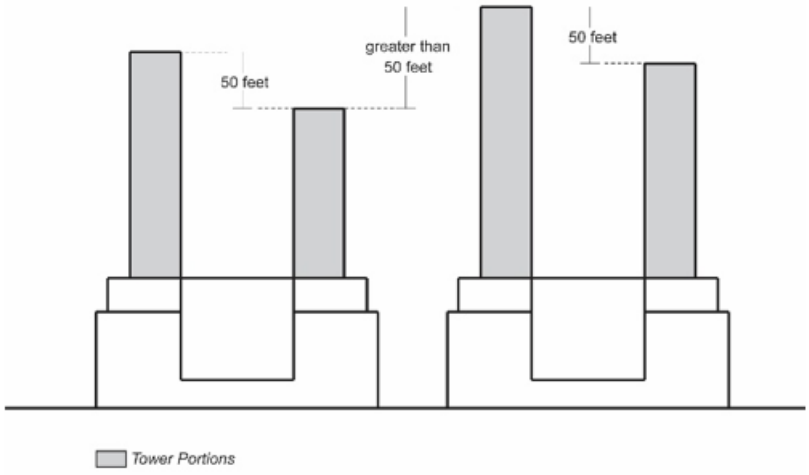

L - Maximum width of *building* wall (100 feet)

MAXIMUM WIDTH OF BUILDING WALL FACING SHORELINE (62-343b3)

(2) for #residential# #stories# within a tower, the following shall apply:

(i) the tower footprint shall not exceed a gross area of 10,000 square feet, except that where the overall height of a tower exceeds two-thirds of the overall maximum permitted height set forth in the table, a portion of tower #stories# equivalent to at least one-third of the height of the #building#, excluding any penthouse provided as a permitted obstruction, shall have a footprint that does not exceed 8,500 square feet. Dormers need not be included in the calculation of such maximum gross area; and

(ii) where two or more towers are provided on a #zoning lot#, there shall be at least 50 feet in difference in height between any two immediately adjacent towers.




ADJACENT TOWER HEIGHT VARIATION (62-343d2)

## 62-344 - Developments on piers

LAST AMENDED
12/5/2024

In all districts, the underlying height and setback regulations shall be inapplicable to #developments# on #piers#. In lieu thereof, the provisions of this Section shall apply.

The #base plane# of a #pier# shall be the elevation of the finished surface of the #pier#, below which no portion of a #building or other structure# penetrates, except for the supporting structure, plumbing or utility lines. In the event portions of a #pier# have different surface elevations, the surface elevation of at least 50 percent of the #pier# shall be used to establish the #base plane#.

The height of all #buildings or other structures# on #piers# shall be measured from the #base plane#. For #buildings# with pitched roofs, maximum #building# height shall be measured to the midpoint of such pitched roof.

The obstructions permitted pursuant to Sections 23-41, 24-51, 33-42 or 43-42 shall apply. In addition, a dormer may penetrate a required setback area above a height of 30 feet provided the aggregate width of dormers on any given #building# wall does not exceed 50 percent of the width of such #building# wall.

(a) Height and setback regulations on #piers#

The height of a #building or other structure# on a #pier# shall not exceed 30 feet. However, where a setback at least 15 feet deep is provided, the maximum height of a #building or other structure# shall be 40 feet. Such required setback shall be provided at a minimum height of 25 feet and a maximum height of 30 feet, and may be reduced to 10 feet in depth along any portion of the #building or other structure# fronting on an open area of the #pier# having a dimension of at least 40 feet measured perpendicular to such fronting portion. In addition, wind energy systems shall be allowed, provided such a system does not exceed a height of 85 feet, as measured from the base plane to the highest point of the wind turbine assembly or, when located above a roof of the #building#, a height of 55 feet, as measured to the highest point of the wind turbine assembly, whichever is higher.

(b) #Building# width and spacing regulations on #piers#

The maximum length or width of any #building or other structure# on a #pier# shall be 200

feet. The provisions of Section 23-371 (Distance between buildings) shall be inapplicable on #piers#. In lieu thereof, the minimum distance on a #pier# between any two #buildings or other structures# that do not #abut# shall be 100 feet. However, such limitations shall not apply to any #building or other structure#, no portion of which exceeds 30 feet in height.

Permitted obstructions above the #base plane# within such required open areas between #buildings or other structures# shall be limited to those allowed above the lowest level of a #visual corridor# pursuant to Section 62-513 (Permitted obstructions in visual corridors), except that freestanding #accessory# #buildings or other structures# shall also be permitted provided they do not exceed a height of 30 feet and a total area, in aggregate, of 900 square feet. A minimum spacing of 15 feet shall be provided between such #accessory# #buildings or other structures# and any other #building or other structure# on the #pier#.

(c) Modification of #pier# #bulk# regulations

Modification of the regulations of this Section involving the height and setback or width and spacing of #buildings or other structures# on #piers# shall only be allowed by special permit or authorization of the City Planning Commission pursuant to Sections 62-835 (Developments on piers or platforms), 74-711 (Landmark preservation in all districts), 74-79 (Transfer of Development Rights From Landmark Sites) or 75-24 (Bulk Modifications Associated With a Transfer of Development Rights From Landmark Sites), as applicable.

## 62-345 - Developments on floating structures

LAST AMENDED
12/5/2024

In all districts, the underlying height and setback regulations shall be inapplicable to #developments# on #floating structures#, except for WD #uses# in C8 and #Manufacturing Districts#. In lieu thereof, the provisions of this Section shall apply.

#Base plane# shall be inapplicable for #floating structures#. Height shall be measured from the water line of the #floating structure# to the highest point of the roof or uppermost open deck. However, the following obstructions are permitted to penetrate a height limit:

Chimneys, flues or stacks;

Flagpoles, aerials or masts;

Parapet walls or safety enclosures, not more than four feet high; and

Wire, chain link or other transparent fences.

#Developments# permitted as-of-right pursuant to Section 62-25 shall not exceed a height of 23 feet. #Developments# on #floating structures# pursuant to the special permit provisions of Section 62-834 shall not exceed the height limits set forth in Column A of the table in this Section, except for navigational vessels being repurposed as #floating structures# in accordance with such special permit provisions. Such repurposed vessels shall be subject to the height limits set forth in Column B of the table.

HEIGHT LIMITS FOR FLOATING STRUCTURES

| | | | Column A | Column B |
|---|---|---|---|---|
| #Residence District# | #Commercial District# | #Manufacturing District# | Maximum Structure Height (in feet) | Maximum Height of Repurposed Vessels (in feet) |

| | | | | |
|---|---|---|---|---|
| R1 thru R5 | C1 or C2 mapped in R1 thru R5<br>C3 | - | 23 | 40 |
| R6 | C1 or C2 mapped in R6<br>C4-1<br>C7-1 C7-2<br>C8-1 C8-2 C8-3 | M1-1 M1-2<br>M1-4<br>M1-1A M1-2A<br>M2-1 M2-3<br>M2-1A M2-2A<br>M3-1 M3-2 | 40 | 60 |
| R7 R8 | C1 or C2 mapped in R7 or R8<br>C1-6 C1-7<br>C2-6<br>C4-2 C4-3 C4-4<br>C4-5<br>C6-1 C6-2<br>C7-3 C7-4<br>C8-4 | M1-3 M1-5<br>M1-3A M1-4A<br>M2-2 M2-4<br>M2-3A M2-4A | 50 | 70 |

| | | | | |
|---|---|---|---|---|
| R9 R10 R11 R12 | C1 or C2 mapped in R9 thru R12<br><br>C1-8 C1-9<br><br>C2-7 C2-8<br><br>C4-6 C4-7 C4-8 C4-9<br><br>C4-11 C4-12<br><br>C5<br><br>C6-3 C6-4 C6-5 C6-6 C6-7 C6-8 C6-9<br><br>C6-11 C6-12<br><br>C7-5 C7-6 C7-7 C7-8 C7-9 | M1-6<br><br>M1-5A M1-6A<br><br>M1-7A M1-8A M1-9A | 60 | 150 |

## 62-35 - Special Ground Floor Regulations on Waterfront Blocks

LAST AMENDED

12/5/2024

## 62-351 - Ground floor streetscape

LAST AMENDED

12/5/2024

For the purposes of this Section, “ground floor level” shall mean the floor of a #building#, the level of which is located within five feet of the finished level of the adjacent sidewalk.

For #street walls# that are more than 50 feet in width and within 50 feet of a #waterfront public access area# or #street#, the following rules shall apply:

(a) at least 50 percent of the width of such #street walls# shall be occupied by #floor area# at the ground floor level; and

(b) where such #street walls# do not contain windows with sill levels lower than four feet above the adjacent sidewalk for a continuous distance of at least 30 feet, such #street walls# shall be articulated with rustication or decorative grills, or screened with plant material, to a minimum height of four feet.

Parking garages that occupy the ground floor frontage along any #street# or private drive which is also an #upland connection# shall be screened in accordance with the planting requirements of paragraph (a)(7)(iii) of Section 62-655.

## 62-36 - Special Bulk Regulations in Certain Areas Within Community District 1, Brooklyn

LAST AMENDED
12/5/2024

On #waterfront blocks# in Waterfront Access Plan BK-1 in Community District 1, Borough of Brooklyn, the special #bulk# regulations of this Chapter are further modified as set forth in this Section, inclusive.

## 62-361 - Special floor area regulations

(a) R6 R7 R8

In the districts indicated, the maximum #residential# #floor area ratio# shall be as follows:

(1) For #zoning lots# located in #Mandatory Inclusionary Housing areas#, the maximum #residential# #floor area ratio# shall be as set forth in Section 23-22 (Floor Area Regulations for R6 Through R12 Districts); or

(2) For #zoning lots# located outside of #Mandatory Inclusionary Housing areas#, the maximum #residential# #floor area ratio# shall be as set forth in the following table. Separate maximum #residential# #floor area ratios# are set forth for #zoning lots# containing standard #residences# and #zoning lots# containing #UAP developments# or #qualifying senior housing#.

MAXIMUM FLOOR AREA RATIO FOR R6-R8 DISTRICTS

| **District** | **Standard #residences#** | **#UAP development# or #qualifying senior housing#** |
|---|---|---|
| R6 | 2.54 | 3.05 |
| R7-3 | 4.17 | 5.00 |
| R8 | 5.42 | 6.50 |

(b) #Buildings# used for #accessory# off-street parking spaces

Within Waterfront Access Plan BK-1, the #floor area# of a #building# shall not include floor space used for #accessory# off-street parking spaces provided in any #story# located not more than 33 feet above the height of the #base plane#.

(c) Special regulations for Parcels 4 and 5e within Waterfront Access Plan BK-1

On Parcels 4 and 5e within Waterfront Access Plan BK-1, in the event that a property is #developed# as a #public park#, such property shall continue to be considered part of a #zoning lot# for the purposes of generating #residential# #floor area# based on the #residential# #floor area ratio# applicable to the property prior to its #development# as a #public park#. In no event shall the #floor area# generated by the property #developed# as a #public park# be utilized within the #public park#, but may be utilized pursuant to Section 62-362 (Special floor area, lot coverage and residential density distribution regulations). Floor space within any structure constructed pursuant to an agreement with the Department of Parks and Recreation within such #public park# shall be exempt from the definition of #floor area#.

(d) Special regulations for Parcel 5d within Waterfront Access Plan BK-1

On Parcel 5d within Waterfront Access Plan BK-1, up to 120,000 square feet of floor space within a public #school#, constructed in whole or in part pursuant to agreement with the New York City School Construction Authority and subject to the jurisdiction of the New York City Department of Education, shall be exempt from the definition of #floor area# and from #lot coverage# requirements for the purposes of calculating the permitted #floor area ratio# and #lot coverage# for #community facility# #uses# and the maximum #floor area ratio# and total permitted #lot coverage# of the #zoning lot#.

## 62-362 - Special floor area, lot coverage and residential density distribution regulations

LAST AMENDED
12/5/2024

Within any parcel identified in Section 62-931 (Waterfront Access Plan BK1: Greenpoint-Williamsburg), and with respect to any such parcels that are adjacent to each other and that are under single-fee ownership and with respect to which each party having any interest therein is a party in interest (as defined in paragraph (e) of the definition of a #zoning lot# in Section 12-10) or with respect to which each party in interest (as defined in paragraph (f)(4) of the definition of a #zoning lot# in Section 12-10) has executed a declaration declaring that the properties are to be developed as a single parcel or has waived its right to execute such declaration, the total #lot coverage# permitted pursuant to Section 62-333, the total #floor area# permitted pursuant to Sections 62-361 or 62-362 and the #residential# density permitted pursuant to Section 23-50, may be located anywhere within such parcel or between such parcels without regard to #zoning lot# #lines# or district boundaries provided that such location of #floor area#, #lot coverage# or #residential# density complies with Sections 62-31 (Bulk Computations on Waterfront Lots) and 62-34 (Height and Setback Regulations on Waterfront Blocks), as modified by Sections 62-363 and 32-364 (Special height and setback regulations)

## 62-363 - Special height and setback regulations

LAST AMENDED
7/16/2026

Within Waterfront Access Plan BK-1, the provisions of Section 62-30 (SPECIAL BULK REGULATIONS) are modified, as follows:

(a) The maximum base heights of paragraph (a) of Section 62-343 (Height and setback regulations in other medium- and high-density districts) shall be modified in R6 Districts to permit a maximum base height of 65 feet or six #stories#, whichever is less.

(b) The maximum #building# heights of Section 62-343 shall not apply. In lieu thereof, the provisions of this paragraph, (b), shall apply:

(1) The maximum #building# height in an R6 District shall be 65 feet or six #stories#, whichever is less, within 100 feet of Commercial Street, West Street, Dupont Street, Franklin Street and Kent Avenue. However, for #buildings or other structures# with #qualifying affordable housing# or #qualifying senior housing# the maximum #building# height shall be 75 feet.

Beyond 100 feet of such #streets# and any other portions of an R6 District, the maximum #building# height shall be 110 feet. In R8 Districts, the maximum #building# height shall be 190 feet, except that for #zoning lots# #developed# with multiple #buildings# or portions of #buildings# that exceed a height of 180 feet, not more than half of such #buildings# or portions of #buildings# may exceed a height of 190 feet, to a maximum #building# height of 290 feet.

(2) For #zoning lots# containing #qualifying affordable housing# or #qualifying senior housing#, the height limits of an R8 District set forth in paragraph (b)(1) of this Section may be exceeded, provided that:

(i) outside of #Mandatory Inclusionary Housing areas#, the maximum #building# height shall be 260 feet. However, for #zoning lots# #developed# with multiple #buildings# or portions of #buildings# that exceed a height of 200 feet, not more than half of such #buildings# or portions of #buildings# may exceed a height of 260 feet to a maximum #building# height of 360 feet; or

(ii) in #Mandatory Inclusionary Housing areas#, the maximum #building# height shall be 500 feet. However, for #zoning lots# #developed# with multiple #buildings# or portions of #buildings# that exceed a height of 440 feet, not more than half of such #buildings# or portions of #buildings# may exceed a height of 500 feet to a maximum #building# height of 600 feet.

(3) The maximum #building# height may be exceeded by a penthouse portion of a #building# with a height of not more than 40 feet, only if the gross area of any #story# within such portion has a #lot coverage# of at least 50 percent and not more than 85 percent of the highest #story# that is located entirely below the applicable maximum #building# height. Such reduced #lot coverage# shall be achieved by one or more setbacks on each face of the penthouse portion, where at least one setback on each face has a depth of at least four feet and a width that, individually or in the aggregate, is equal to at least 10 percent of the width of such respective face. For the purposes of paragraphs (b)(1) and (b)(2) of this Section, the penthouse portion shall have four faces, with each face being the side of the rectangle within which the outermost walls of the highest #story# located entirely below the maximum #building# height have been inscribed. The required setbacks shall be measured from the outermost walls of the #building# facing each penthouse portion face. Required setback areas may overlap.

(c) The provisions of paragraph (a) of Section 62-322 shall not apply.

(d) The provisions of paragraph (d)(2)(i) of Section 62-343 shall not apply. In lieu thereof, each #residential# #story# of a #building# located entirely above a height of 85 feet shall not exceed a gross area of 8,100 square feet in an R6 District and 11,000 square feet in an R8 District. However, in R8 Districts, for #developments# that provide #qualifying affordable housing# or #qualifying senior housing# pursuant to Section 62-361, each #residential# #story# of such #building# located entirely above a height of 100 feet shall not exceed a gross area of 11,000 square feet. If such #residential# #story# of a #building# is located partially in an R6 District and partially in an R8 District, it shall not exceed a gross area of 11,000 square feet and any portion located in an R6 District shall not exceed a gross area of 8,100 square feet.

(e) The provisions of paragraph (d)(1) of Section 62-343 shall not apply. In lieu thereof, the outermost walls of each #story# located entirely above a height of 85 feet shall be inscribed within a rectangle. The maximum length of any side of such rectangle that is parallel or within 45 degrees of being parallel to Kent Avenue, West Street or Commercial Street, whichever is closest, shall not exceed 110 feet. The maximum length of any other side of such rectangle shall not exceed 170 feet, except that for #buildings# where #qualifying affordable housing# or #qualifying senior housing# is provided pursuant to Section 62-361, such maximum length of 170 feet shall apply above a height of 100 feet.

(f) The provisions of Section 62-351 shall not apply. In lieu thereof, all off-street parking spaces located within 50 feet of a #street#, a #visual corridor# containing a #private road# and a #shore public walkway#, #upland connection# or #supplemental public access area# and which are located on a #story# that is above the #base plane#, shall be within facilities that are located behind #commercial#, #community facility# or #residential# floor space so that no portion of such parking facility, other than entrances and exits, is visible from such #streets#, #visual corridors# or publicly accessible open spaces. Such floor space shall have a minimum depth of 25 feet. Up to five percent of such floor space may be used for mechanical equipment provided that no floor space used for mechanical equipment is located within 15 feet of the #street wall# of the #building# below a height of 15 feet above the #base plane#, and that no exhaust vents

are located on the #street wall# of the #building# below a height of 15 feet above the #base plane#. The remainder of such floor space shall be used for #commercial#, #community facility# or #residential# #floor area#. Seventy percent of the surface area of the facade of a facility containing parking spaces, which are not otherwise required to be behind such #floor area#, shall be composed of the same materials as the facade of the #building# in which it is located.

(g) Any roof of a facility containing off-street parking spaces, not otherwise covered by a #building#, which is larger than 400 square feet, shall be landscaped. Up to five percent of such roof area may be used for mechanical equipment, provided that such mechanical equipment is screened from view by a fence which is at least 75 percent opaque or by at least three feet of dense planting. Up to 25 percent of such roof area may be accessible solely from an adjacent #dwelling unit# and the remaining roof area shall be accessible for the recreational use of the occupants of the #building# in which it is located. Hard surfaced areas shall not cover more than 60 percent of such roof area.

(h) At least 70 percent of the width of the #street wall# of a #building# or #buildings# fronting on a portion of a #street#, #upland connection# or #visual corridor# that is not adjacent to a #shore public walkway# or #supplemental public access area# shall be located within eight feet of such #street line# and extend to a minimum height of 30 feet.

(i) In addition to the applicable underlying #street# tree planting requirements, all #extensions# which increase the existing #floor area# by more than 10 percent, shall provide #street# trees in accordance with Section 26-41.

(j) On Parcel 5d, the maximum base height and maximum #building# height provisions of paragraph (a) of Section 62-343 shall be modified for public #schools# constructed in whole or in part pursuant to an agreement with the New York City School Construction Authority and subject to the jurisdiction of the New York City Department of Education, as follows:

(1) the maximum base height provisions shall not apply; and

(2) the maximum #building# height provisions shall be modified to permit a maximum #building# height of 100 feet or six #stories#, whichever is less.

## 62-364 - Special yard regulations

LAST AMENDED
12/5/2024

On Parcel 5d within Waterfront Access Plan BK-1, the #yard# provisions of Section 24-36 (Minimum Required Rear Yards) shall not apply to public #schools# constructed in whole or in part pursuant to an agreement with the New York City School Construction Authority and subject to the jurisdiction of the New York City Department of Education.

## 62-365 - Special bulk regulations for zoning lots adjacent to public parks

LAST AMENDED
12/5/2024

On Parcel 12b within Waterfront Access Plan BK-1 in Section 62-931, any #lot line# that coincides with the boundary of a #public park# shall be considered to be a #street line# of a #wide street# for the purposes of applying all #bulk# regulations of this Resolution, except that the provisions of paragraphs (g) and (h) of Section 62-363 (Special height and setback regulations) shall not apply.

In lieu thereof, the #street wall# of any #building# fronting on a #lot line# that coincides with the boundary of a #public park# shall be located at least eight feet from such #lot line#, except that any portion of a #building# containing a #legally required window# shall be located at least 28 feet from such lot line. No balconies shall be permitted on any #street wall# of such #building# facing a #public park#.

In addition, a wall, or if a wall is prohibited by the New York City Building Code, a fence, shall be provided along the #lot line# that coincides with the boundary of a #public park#. Such wall or fence shall be a minimum of six feet in height, except that any portion of such wall or fence facing a ground floor level #commercial# #use# in a #building# shall be a minimum of 10 feet in height. However, if the Commissioner of Buildings determines that such wall or fence located in a #Residence District# is subject to the provisions of Building Code Section 3112.1, exceptions (2) or (3), such wall or fence shall be a minimum of eight feet in height along the boundary of a #public park#.

At least 90 percent of the width of the #street wall# of a #building# or #buildings# fronting on Kent Street shall be located within eight feet of the #street line# and extend to a minimum height of 30 feet.