Zoning Resolution

THE CITY OF NEW YORK
Bill de Blasio, Mayor

CITY PLANNING COMMISSION
Marisa Lago, Chair

74-85 - Special Height and Setback Regulations

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74-85 - Special Height and Setback Regulations

LAST AMENDED
8/14/1987

74-851 - Height and setback regulations for certain buildings containing residences

LAST AMENDED
2/2/2011

In R8, R9 and R10 Districts, and in C1-7, C1-8, C1-9, C2-7 and C2-8 Districts, the City Planning Commission may permit modifications of height and setback regulations for developments or enlargements containing residences, provided the following findings are made:

(a) that the resulting site plan affords better placement of the buildings on the zoning lot with improved arrangement of open space and improved access of light and air for the dwelling units; and

(b) that the site is adjacent to or opposite a permanent space comprising an area of at least three acres such as a park, public place, waterfront, wharf property, wharves or docks, and that the resulting placement of the buildings will not unduly obstruct access of light and air in the street or on adjacent zoning lots.

The Commission may prescribe appropriate conditions or safeguards to minimize adverse effects on the character of the surrounding area.

However, the provisions of this Section shall not apply to Quality Housing buildings.

74-852 - Height and setback regulations for zoning lots divided by district boundaries

LAST AMENDED
2/2/2011

For a zoning lot divided by a boundary between an R8 District, or a Commercial District permitting an equivalent residential floor area ratio, and an R10 District, or a Commercial District permitting an equivalent residential floor area ratio, the City Planning Commission may permit modifications of the height and setback regulations for that portion of a development which fronts on a wide street and is located in the R8 or equivalent District, provided it finds that such modification will not unduly obstruct access of light and air to surrounding streets and properties.

The Commission may prescribe additional conditions and safeguards to minimize adverse effects on the character of the surrounding area.