Zoning Resolution

THE CITY OF NEW YORK
Zohran K. Mamdani, Mayor

CITY PLANNING COMMISSION
Sideya Sherman, Chair

117-34 - Special Height and Setback Regulations

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117-34 - Special Height and Setback Regulations

LAST AMENDED
11/12/2025

In #Manufacturing Districts#, the underlying height and setback regulations shall apply.

In M1 Districts paired with a #Residence District# with a letter suffix, the provisions of Section 123-65 (Special Height and Setback Regulations in Special Mixed Use Districts With R6 Through R12 District Designations), inclusive, shall apply, except as modified by the provisions of this Section, inclusive.

In other districts, the underlying height and setback regulations shall apply, except as modified by the provisions of this Section, inclusive.

117-341 - Street wall location

LAST AMENDED
11/12/2025

In #Residence Districts#, and M1 Districts paired with #Residence Districts#, the #street wall# location provisions of paragraph (a) of Section 123-651 (Street wall location for all buildings) shall apply, except that:

(a) along the portion of Vernon Boulevard south of 44th Drive, the #street line# shall be considered a line, parallel to the Vernon Boulevard #street line#, located at a depth of five feet within the #zoning lot#;

(b) along the southerly #street line# of 45th Avenue, beyond 100 feet of Vernon Boulevard, a sidewalk widening, with a depth of five feet, as measured perpendicular to the #street line#, shall be provided in accordance with Department of Transportation standards, and shall be accessible to the public. The southerly edge of such sidewalk widening shall be considered the #street line# for the purposes of applying the #street wall# location provisions;

(c) no minimum percentage of #street wall# need be located within a set distance of the #street line#:

(1) along #shore public walkways#;

(2) along the portion of Vernon Boulevard north of 44th Avenue and south of 43rd Road; and

(3) along the portion of 5th Street that is within 150 feet of its intersection with 44th Drive, as measured from both the northerly and southerly #street lines# of 44th Drive;

(4) along the northerly portion of 44th Drive that is within 250 feet of its intersection with 5th Street;

(5) along the southerly portion of 44th Drive that is east of 5th Street and west of Vernon Boulevard; and

(6) along the northerly portion of 45th Avenue that is within 250 feet of its intersection with Vernon Boulevard; and

(d) such #street walls# shall extend to a minimum base of at least 40 feet, or the height of the #building#, whichever is less.

117-342 - Base heights, minimum setbacks and articulation

LAST AMENDED
11/12/2025

In #Residence Districts# and in M1 Districts paired with #Residence Districts#, the maximum base heights, required minimum setback and required #street wall# articulation shall be as follows:

(a) The maximum base height before a required setback shall be:

(1) 85 feet in the following locations:

(i) along the #shore public walkways# located along Anable Basin; and

(ii) along the portion of 44th Avenue that is beyond 100 feet of both Vernon Boulevard and 5th Street;

(2) 125 feet in the following locations:

(i) within 100 feet of the #street line# along the portion of Vernon Boulevard that is located north of 45th Avenue;

(ii) within 100 feet of the #street line# along the portion of 44th Drive that is beyond 100 feet from the easterly #street line# of 5th Street; and

(iii) along the remaining northerly portion of 44th Avenue; and

(3) 105 feet along all other #streets#, or portions thereof.

(b) 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 (Standard setback regulations), except that:

(1) along a #shore public walkway#, a setback of 30 feet shall be required, as measured from the upland boundary of the #shore public walkway#;

(2) no setback need be provided along the #visual corridor# located at the prolongation of 45th Avenue;

(3) for the purposes of applying such setback regulations, the following may be considered #wide streets#:

(i) portions of #streets# adjoining #public parks#;

(ii) #upland connections# or #visual corridors# at the prolongation of #streets# on #blocks# surrounding Anable Basin;

(iii) other #upland connections# or #visual corridors# along the northerly side of Anable Basin; and

(iv) along the portion of 5th Street south of Anable Basin that adjoins a #waterfront block#.

Dormers provided in accordance with paragraph (b) of Section 23-413 (Permitted obstructions in certain districts) 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.

(c) #Street wall# articulation shall be provided as follows:

(1) For #developments# where the #street wall# width facing #shore public walkways# along Anable Basin exceeds 150 feet, a minimum of 20 percent of the surface area of such #street walls#, as measured above the level of adjoining grade, shall either recess or project a minimum of three feet from the remaining surface of the #street wall#.

(2) Along the following frontages, for #developments# where the #street wall# width exceeds 150 feet, a minimum of 20 percent of the surface area of such #street walls# above the level of the #second story#, or a height of 30 feet, whichever is lower, shall either recess or project a minimum of three feet from the remaining surface of the #street wall#:

(i) 46th Avenue;

(ii) the southerly side of 45th Avenue;

(iii) 44th Drive and the #upland connection# or #visual corridor# at the prolongation of 44th Drive; and

(iv) the portion of 44th Avenue located east of 5th Street.

(d) After the required setback, the following shall apply:

(1) in M1 Districts paired with a #Residence District# with a letter suffix, after the required setback, the maximum height limits set forth in paragraph (a) of Section 123-652 (Special base and building heights) shall apply; and

(2) in #Residence Districts# without a letter suffix, and in M1 Districts paired with #Residence Districts# without a letter suffix, after the required setback, a #building# may rise to the maximum transition height, in accordance with Section 117-343 (Transition heights), and may provide towers in accordance with Section 117-344

(Towers).

117-343 - Transition heights

LAST AMENDED
11/12/2025

In #Residence Districts# without a letter suffix, and in M1 Districts paired with #Residence Districts# without a letter suffix, after the required setback provided in accordance with paragraph (b) of Section 117-342 (Base heights, minimum setbacks and articulation), a #building# may rise to a maximum transition height of 350 feet, provided that:

(a) within 100 feet of the easterly #street line# of 5th Street, north of Anable Basin, the footprint of a #building#, or portion thereof, within the transition heights shall be limited to that of a tower provided above such transition height in accordance with Section 117-344 (Towers);

(b) along any single #street# frontage, the #aggregate width of street walls# above the required setback and below the maximum transition height shall not exceed 300 feet, and the maximum #street wall# width of any individual, contiguous #street wall#, shall not exceed 200 feet; and

(c) south of Anable Basin, portions of #buildings# utilizing transition heights shall only be permitted in the following locations:

(1) within 150 feet of 5th Street; and

(2) east of an #upland connection# or #visual corridor#, where applicable.

117-344 - Towers

LAST AMENDED
11/12/2025

In #Residence Districts# without a letter suffix, and in M1 Districts paired with #Residence Districts# without a letter suffix, any portion of a #building# that exceeds the maximum transition height shall be subject to the following tower regulations:

(a) For #residential# #stories#, each tower footprint shall not exceed a gross area of 10,000 square feet, exclusive of the square footage contained in any permitted dormers.

(b) The provisions for maximum width of towers facing a #shoreline# set forth in paragraph (d)(1) of Section 62-343 (Height and setback regulations in other medium- and high-density districts) shall apply, except that:

(1) beyond 200 feet east of 5th Street, north of Anable Basin, such maximum widths need not apply;

(2) for towers that face a single #shoreline#, the following modifications shall apply:

(i) where such #shoreline# is the northerly portion of Anable Basin, the maximum width of such tower face may be increased to 115 feet;

(ii) where no setbacks are required pursuant to Section 117-342 (Base heights, minimum setbacks and articulation), the maximum width of such tower may be increased to 130 feet; and

(iii) where such #shoreline# extends between the prolongation of 44th Road and 44th Drive, the maximum width of such tower may be increased to 130 feet.

For the purposes of this Section, wherever a tower faces a #shoreline# but there is a separate #building# located between such tower face and the #shoreline#, such tower face shall not be considered to be facing the #shoreline# along that frontage.

(c) The minimum distance between any two towers on the same or an adjoining #zoning lot# shall be as follows:

(1) for towers facing the northerly or southerly #shoreline# of Anable Basin east of 5th Street, or the prolongation thereof, there shall be a minimum of 100 feet between any two towers; and

(2) in other locations, the regulations governing underlying distance between #buildings# shall apply, except that the maximum length of overlap between any two tower faces that are located within 100 feet of another tower face on the same or an adjacent #zoning lot#, as measured perpendicular to each tower face, shall not exceed:

(i) 100 feet, at or below a height of 500 feet; or

(ii) 75 feet, for portions of towers that exceed a height of 500 feet.

(d) Tower heights shall be subject to the following limitations:

(1) in M1 Districts paired with R8 Districts, tower heights and locations shall be limited in the following locations:

(i) where located north of Anable Basin, the maximum tower height south of 44th Drive shall not exceed 500 feet; and

(ii) where located south of Anable Basin, towers shall only be permitted within 100 feet of 5th Street, and the maximum tower height shall not exceed 500 feet;

(2) in all other locations, no maximum height limits shall apply to towers. However, for towers that exceed a height of 500 feet, the gross area of any #story# within the highest 15 percent of the #building# shall not exceed 90 percent of the gross area of that #story# located directly below the highest 15 percent of the #building#;

(3) there shall be at least 50 feet in height difference between any two immediately adjacent towers on the same or an adjacent #zoning lot#. For #zoning lots# separated by Anable Basin, this provision shall apply only to immediately adjacent towers on the same upland portion of the Basin; and

(4) the penthouse allowances set forth in paragraph (c)(1) of Section 62-34 (Height and Setback Regulations on Waterfront Blocks) shall not apply.