



Zoning Resolution

THE CITY OF NEW YORK

Eric Adams, Mayor

CITY PLANNING COMMISSION

Daniel R. Garodnick, Chair

Chapter 3 - Special Mixed Use District (MX)

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Chapter 3 - Special Mixed Use District (MX)

123-00 - GENERAL PURPOSES

LAST AMENDED
12/10/1997

The "Special Mixed Use District" regulations established in this Chapter of the Resolution are designed to promote and protect public health, safety and general welfare. These general goals include, among others, the following specific purposes:

- (a) to encourage investment in mixed residential and industrial neighborhoods by permitting expansion and new development of a wide variety of uses in a manner ensuring the health and safety of people using the area;
 - (b) to promote the opportunity for workers to live in the vicinity of their work;
 - (c) to create new opportunities for mixed use neighborhoods;
 - (d) to recognize and enhance the vitality and character of existing and potential mixed use neighborhoods; and
 - (e) to promote the most desirable use of land in accordance with a well-considered plan and thus conserve the value of land and buildings and thereby protect City tax revenues.
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123-10 - GENERAL PROVISIONS

LAST AMENDED
10/7/2021

The provisions of this Chapter shall apply within the #Special Mixed Use District#. The regulations of all other Chapters of this Resolution are applicable, except as superseded, supplemented or modified by the provisions of this Chapter. In the event of a conflict between the provisions of this Chapter and other regulations of this Resolution, the provisions of this Chapter shall control. However, in #flood zones#, or for #transit-adjacent sites# or #qualifying transit improvement sites#, as defined in Section [66-11](#) (Definitions), in the event of a conflict between the provisions of this Chapter and the provisions of Article VI, Chapter 4 (Special Regulations Applying in Flood Hazard Areas), or Article VI, Chapter 6 (Special Regulations Applying Around Mass Transit Stations), the provisions of Article VI shall control.

In #Special Mixed Use Districts#, an M1 District is paired with a #Residence District#, as indicated on the #zoning maps#.

The designated #Residence Districts# in #Special Mixed Use Districts# shall not include either an R1 or an R2 District.

123-11 - Definitions

LAST AMENDED
6/6/2024

Definitions specifically applicable to this Chapter are set forth in this Section. The definitions of other defined terms are set forth in Section [12-10](#) (DEFINITIONS).

Accessory use

In addition to those "accessory uses" listed in Section [12-10](#) (DEFINITIONS), for the purposes of this Chapter, an #accessory

use# shall also include a #dwelling unit# in connection with any #commercial#, #manufacturing# or #community facility# establishment permitted in #Special Mixed Use Districts#, pursuant to Section [123-20](#) (SPECIAL USE REGULATIONS), provided that no more than one such unit shall be permitted in connection with any establishment, and provided further that each such unit shall not exceed a gross area of 1,200 square feet or contain more than one kitchen.

Home occupation

For the purposes of this Chapter, the #home occupation# provisions of Section [12-10](#) shall apply, except that a #home occupation# may occupy more than 1,000 square feet of #floor area# and up to three persons not residing in the #dwelling unit# or #rooming unit# may be employed.

Mixed use building

For the purposes of this Chapter, a "mixed use building" is a #building# in the #Special Mixed Use District# used partly for #manufacturing#, #commercial# or #community facility use# and partly for #residential use#.

123-12 - Special Provisions for Applying Certain Underlying Regulations to MX Districts

LAST AMENDED

6/6/2024

For the purposes of determining the applicability of underlying adjacency regulations to #zoning lots# adjoining or within close proximity to district boundaries, M1 Districts paired with #Residence Districts# shall be considered C6 Districts.

123-20 - SPECIAL USE REGULATIONS

LAST AMENDED

6/6/2024

In #Special Mixed Use Districts#, all #uses# permitted in the designated #Residence District# and all #uses# permitted in the designated M1 District, as set forth in any other provision of this Resolution other than Special Purpose Districts, shall be permitted, except as superseded, modified or supplemented by this Section, inclusive, and Section [123-40](#) (SIGN REGULATIONS).

123-21 - Modifications to M1 Use Regulations

LAST AMENDED

6/6/2024

In #Special Mixed Use Districts#, the regulations for M1 Districts are modified as follows:

(a) Use Group IV

The provisions of M1 Districts set forth in Section [42-14](#) (Use Group IV – Public Service Facilities and Infrastructure), inclusive, shall apply, except that for #uses# listed under Use Group IV(B), the provisions of C7 Districts set forth in Section [32-14](#) (Use Group IV – Public Service Facilities and Infrastructure), inclusive, shall apply.

(b) Use Group VI

The provisions of M1 Districts set forth in Section [42-16](#) (Use Group VI – Retail and Services), inclusive, shall apply, except that for #uses# listed in paragraph (c) of Section [42-163](#) (Use Group VI – uses subject to additional conditions), the provisions of Section [123-22](#) (Additional Conditions for Certain Uses) shall apply.

(c) Use Group IX

The provisions of M1 Districts set forth in Section [42-19](#) (Use Group IX – Storage), inclusive, shall apply, except that all #uses# listed under Use Group IX(B) shall not be permitted. In addition, the storage of substances in quantities required to file a Risk Management Plan for Extremely Hazardous Substances shall be subject to the provisions of Section [123-22](#) (Additional Conditions for Certain Uses).

(d) Use Group X

The provisions of C7 Districts set forth in Section [32-20](#) (Use Group X – Production Uses), inclusive, shall apply, except that:

- (1) the size limitations on the ground floor, as set forth in paragraph (b) of Section [32-202](#) (Use Group X – uses subject to size limitations) shall not apply; and
- (2) the additional conditions of Section [32-203](#) (Use Group X – additional conditions) shall be superseded by the provisions of Section [123-22](#) (Additional Conditions for Certain Uses).

123-22 - Additional Conditions for Certain Uses

LAST AMENDED

6/6/2024

The following shall apply to #commercial# and #manufacturing# #uses# subject to the provisions of this Section pursuant to Section [123-21](#):

(a) Performance standards

All applicable #commercial# and #manufacturing# #uses# shall conform to the performance standards for M1 Districts as set forth in Section [42-40](#) (PERFORMANCE STANDARDS) through [42-48](#) (Performance Standards Regulating Humidity, Heat or Glare), inclusive.

(b) Additional standards for #buildings# containing #residences# or certain community facility #uses#

All applicable #commercial# and #manufacturing# #uses# may only locate in the same #building# as, or share a common wall with a #building# containing a #residence# or a #community facility use# with sleeping accommodations:

- (1) where such #commercial# or #manufacturing# #use#:
 - (i) does not have a New York City or New York State environmental rating of “A”, “B” or “C” under Section 24–153 of the New York City Administrative Code for any process equipment requiring a New York City Department of Environmental Protection operating certificate or New York State Department of Environmental Conservation state facility permit; and
 - (ii) is not required, under the City Right-to-Know Law, to file a Risk Management Plan for Extremely

Hazardous Substances; or

- (2) In MX-19, upon the submission to the Department of Buildings of a copy of a restrictive declaration, in a form acceptable to the Department of Environmental Protection, that has been executed and recorded in the Office of the City Register against all tax lots with such #use#, binding the owners, successors, and assigns to provide any building design requirements consistent with the underlying zoning as may be approved by the Department of Environmental Protection to protect residents of such #building# from air contaminants, odors, vibrations, or noise.

123-23 - Ground Floor Streetscape Regulations

LAST AMENDED

6/6/2024

In #Special-Mixed Use Districts# the #ground floor level# streetscape provisions set forth in Section [32-30](#) (STREETSCAPE REGULATIONS), inclusive, shall apply.

123-24 - Modification of Special Permit Requirements

LAST AMENDED

6/6/2024

In the event that provisions of this Resolution permit a #use# by special permit, authorization or certification in both designated M1 and #Residence Districts#, no more than one special permit, authorization or certification is required to permit any such #use# in the #Special Mixed Use District#.

In the event that a provision of this Resolution permits a #use# by special permit, authorization or certification in either a designated M1 or #Residence District# and another provision permits such #use# without a special permit, authorization or certification in the other designated district, no special permit, certification or authorization shall be required in the #Special Mixed Use District#. In such case, the #bulk# regulations of the district allowing the #use# as-of-right shall control.

123-30 - SUPPLEMENTARY USE REGULATIONS

LAST AMENDED

12/10/1997

123-31 - Provisions Regulating Location of Uses in Mixed Use Buildings

LAST AMENDED

12/5/2024

In #Special Mixed Use Districts#, in any #building# or portion of a #building# occupied by #residential uses#, #commercial# or #manufacturing# #uses# may be located only on a #story# below the lowest #story# occupied by #dwelling units#, except that this limitation shall not preclude the:

- (a) extension of a permitted business #sign#, #accessory# to such non-#residential use#, to a maximum height of two feet above the level of a finished floor of the second #story#, but in no event higher than six inches below the lowest window sill on the second #story#;
- (b) location of #commercial# or #manufacturing# #uses# on the same #story#, or on a #story# higher than that occupied by

#dwelling units#, in #buildings# in existence on or prior to December 10, 1997, that are partially #converted# to #residential use# pursuant to Article I, Chapter 5 (Residential Conversion Within Existing Buildings), as modified in Section [123-67](#) (Residential Conversion); or

- (c) location of #commercial# or #manufacturing# #uses# on the same #story#, or on a #story# higher than that occupied by #dwelling units#, provided that:
- (1) no access exists between such #uses# at any level containing #dwelling units#; and
 - (2) the environmental requirements set forth in Section [32-423](#) shall be met where #commercial# or #manufacturing# #uses# are located above any #story# containing #dwelling units#.

123-32 - Environmental Conditions

LAST AMENDED

12/10/1997

In #Special Mixed Use Districts#, all new #dwelling units# shall be provided with a minimum 35dB(A) of window wall attenuation to maintain an interior noise level of 45dB(A) or less, with windows closed, and shall provide an alternate means of ventilation. However, upon application to the Office of Environmental Remediation (OER) by the owner of the affected #building#, consistent with its authority under the provisions of Section [11-15](#) (Environmental Requirements) with respect to (E) designations, OER may modify the requirements of this Section, based upon new information, additional facts or updated standards, as applicable, provided that such modification is equally protective. In such instances, OER shall provide the Department of Buildings with notice of such modification, stating that it does not object to the issuance of a building permit, or temporary or final certificate of occupancy.

123-33 - Health and Fitness Establishments

LAST AMENDED

6/6/2024

In M1 Districts paired with a #Residence District#, high-intensity #uses#, as listed in the definition of #health and fitness establishments#, shall be subject to the enclosure and environmental conditions for C7 Districts set forth in Section [32-16](#) (Use Group VI – Retail and Services), inclusive.

123-40 - SIGN REGULATIONS

LAST AMENDED

8/16/2006

In #Special Mixed Use Districts#, the provisions regulating #signs# in C6-1 Districts, as set forth in Section [32-60](#) (SIGN REGULATIONS), shall apply for any #sign#. For the purposes of applying such regulations in #Special Mixed Use Districts#, all references to #mixed buildings# shall include #mixed use buildings#.

In MX-9 Districts, the provisions of this Section shall apply, except that the City Planning Commission may permit the modification of the applicable provisions of Sections [32-64](#) (Surface Area and Illumination Provisions) and [32-65](#) (Permitted Projection or Height of Signs), provided the Commission finds that such #signs# are consistent with the character of the surrounding area. However, no modification shall be made to the applicable provisions of Section [32-644](#) (Illuminated or flashing signs in C4, C5-4, C6 or C7 Districts) relating to #flashing signs#.

123-50 - MODIFICATION OF ARTICLE V, CHAPTER 2 (NON-CONFORMING USES)

LAST AMENDED
6/6/2024

In #Special Mixed Use Districts#, a #non-conforming use# may be changed only to a conforming #use#.

The following Sections of Article V, Chapter 2 (Non-conforming Uses), shall not apply: Sections [52-32](#) through [52-37](#), inclusive; Sections [52-43](#) through [52-45](#), inclusive; Sections [52-54](#), [52-56](#), [52-62](#), [52-72](#), [52-731](#), [52-732](#), [52-74](#), and [52-75](#).

123-60 - SPECIAL BULK REGULATIONS

LAST AMENDED
12/10/1997

123-61 - General Provisions

LAST AMENDED
12/5/2024

All #buildings or other structures# on #zoning lots# within the #Special Mixed Use District# shall comply with the #bulk# regulations of this Chapter.

In #Special Mixed Use Districts#, the #bulk# regulations set forth in Article II, Chapter 3, shall apply to all #residential uses# in a #building or other structure. However, the optional #bulk# provisions of Section [23-70](#), inclusive, shall not apply.

The #bulk# regulations set forth in Article IV, Chapter 3, shall apply to all #manufacturing#, #commercial# and other #community facility uses# in a #building or other structure#.

Exceptions to the applicability of such underlying #bulk# regulations are set forth in Section [123-60](#) (SPECIAL BULK REGULATIONS), inclusive.

When two or more #buildings# on a single #zoning lot# are used in any combination for #uses# which, if located in a single #building#, would make it a #mixed use building#, the regulations set forth in this Section shall apply as if such #buildings# were a single #mixed use building#.

123-62 - Special Floor Area Regulations

LAST AMENDED
12/5/2024

123-621 - Maximum floor area ratio for community facilities

LAST AMENDED
12/5/2024

The maximum #floor area ratio# permitted for a #community facility# #use# pursuant to Article IV, Chapter 3, shall not apply. In lieu thereof, the maximum #floor area ratio# permitted for a #community facility use# shall be the maximum #floor area ratio# allowed for a #community facility use# pursuant to the designated #Residence District# regulations set forth in Section [24-10](#) (FLOOR AREA AND LOT COVERAGE REGULATIONS), inclusive.

On #waterfront blocks#, as defined in Section [62-11](#), the applicable provisions of [62-32](#) (Floor Area Regulations on Waterfront Blocks), inclusive, shall apply.

123-622 - Maximum floor area ratio for zoning lots containing only residential buildings

LAST AMENDED

12/5/2024

Where the designated #Residence District# is an R3, R4 or R5 District, the #floor area# regulations of Section [23-21](#) (Floor Area Regulations for R1 Through R5 Districts), inclusive, applicable to such #Residence District# shall apply except that, where located within the #Greater Transit Zone#, the #floor area# regulations for R5 Districts on #qualifying residential sites# shall apply.

Where the designated #Residence District# is an R6 through R12 District, the #floor area# regulations of Section [23-22](#) (Floor Area Regulations for R6 Through R12 Districts), inclusive, applicable to such #Residence District# shall apply.

123-623 - Maximum floor area ratio for zoning lots containing mixed use buildings

LAST AMENDED

12/5/2024

For #zoning lots# containing #mixed use buildings#, the following provisions shall apply.

(a) Maximum #floor area ratio#

(1) #Manufacturing# or #commercial# #uses#

The maximum #floor area ratio# permitted for #manufacturing# or #commercial# #uses# shall be the applicable maximum #floor area ratio# permitted for #manufacturing# or #commercial# #uses# under the provisions of Section [43-12](#), in accordance with the designated M1 District.

(2) #Community facility uses#

The maximum #floor area ratio# permitted for #community facility uses# shall be the applicable maximum #floor area ratio# permitted for #community facility uses# in #Residence Districts# under the provisions of Section [24-10](#) (FLOOR AREA AND LOT COVERAGE REGULATIONS), inclusive, in accordance with the designated #Residence District#.

(3) #Residential uses#

The maximum #floor area ratio# permitted for #residential uses# shall be the maximum #floor area ratio# permitted in Section [123-622](#) (Maximum floor area ratio for zoning lots containing only residential buildings).

(4) Maximum #floor area# in #mixed use buildings#

The maximum total #floor area# in a #mixed use building# shall be the maximum #floor area# permitted for either the #commercial#, #manufacturing#, #community facility# or #residential use#, as set forth in this Section, whichever permits the greatest amount of #floor area#.

However, where the #Residence District# designation is an R3, R4 or R5 District, the maximum total #floor area#

in a #mixed use building# shall be the greater of the maximum #floor area ratio# for non-residential #uses# permitted by the designated M1 District, or the following #floor area ratios#:

- (i) for #qualifying residential sites# within the #Greater Transit Zone#, 2.50;
- (ii) for #qualifying residential sites# outside the #Greater Transit Zone#:
 - (a) 1.50 for R3 Districts;
 - (b) 2.00 for R4 Districts; and
 - (c) 2.50 for R5 Districts.

(b) Floor area bonus for a public plaza or arcade

Any #floor area# bonus for a #public plaza# or #arcade#, permitted under the applicable district regulations, shall apply to a #zoning lot# containing a #mixed use building#, provided that any given #public plaza# or #arcade# shall be counted only once in determining a bonus.

However, on #waterfront blocks#, as defined in Section [62-11](#), #floor area# bonuses for a #public plaza# or #arcade# shall not apply.

123-63 - Special Yard and Lot Coverage Regulations

LAST AMENDED
12/5/2024

123-631 - Special yard regulations

LAST AMENDED
12/5/2024

In #Special Mixed Use Districts#, the following #yard# regulations shall apply:

- (a) For #residential buildings# or #residential# portions of #mixed use buildings#:
 - (1) No #front yards# or #side yards# are required in #Special Mixed Use Districts#. However, for #multiple dwelling residences#, if any open area extending along a #side lot line# is provided at any level, it shall have a minimum width of five feet, measured perpendicular to the #side lot line#; and
 - (2) For a #residential# portion of a #mixed use building#, the required #rear yard# shall be provided at the floor level of the lowest #story# containing #dwelling units# where any window of such #dwelling unit# faces onto such #rear yard#.
- (b) On #waterfront blocks#, as defined in Section [62-11](#), the #rear yard# regulations of Section [62-33](#) (Special Yard and Lot Coverage Regulations on Waterfront Blocks) shall apply. However, for #mixed use buildings#, the special #yard# regulations of paragraph (b) shall apply.

123-632 - Special lot coverage regulations

For #zoning lots# containing only #residential buildings# the underlying #residential# #lot coverage# requirements shall apply. For all other #zoning lots#, no #lot coverage# requirements shall apply.

123-64 - Special Height and Setback Regulations in Special Mixed Use Districts with R3, R4, or R5 District designations

In #Special Mixed Use Districts# where the #Residence District# designation is an R3, R4 or R5 District, the maximum base height and maximum #building# height for #qualifying residential sites# shall be as set forth in the following table. For all #qualifying residential sites# in the #Greater Transit Zone#, the height and setback provisions applicable to an R5 District shall apply.

For #building# #street walls# fronting a #street# where either a #Commercial District# or a #Special Mixed Use District# is mapped along the entire #block# frontage, for the portion of such #street wall# that exceeds the maximum base height, a setback shall be provided in accordance with the provisions of Section 23-423. Such setback shall be provided at a height not lower than a minimum base height of 20 feet and not higher than the maximum base height set forth in the following table.

MAXIMUM BASE HEIGHT AND MAXIMUM #BUILDING# HEIGHTS

District	Maximum Base Height (in feet)	Maximum Height of #Buildings or other Structures# (in feet)
R3	35	45
R4	35	55
R5	45	65

Permitted obstructions shall be permitted pursuant to Sections [23-41](#), [24-51](#) or [43-42](#). In addition, for #all buildings or other structures#, a dormer may be provided in accordance with the provisions of paragraph (b)(1) of Section [23-413](#) (Permitted obstructions in certain districts).

However, for M1 Districts with an A suffix paired with a #Residence District#, the applicable height and setback regulations shall be whichever regulations permit the tallest overall heights between the applicable #Manufacturing District# regulations set forth in Section [43-46](#), or the applicable #Residence District# regulations set forth in this Section, depending on the particular M1 District and #Residence District# pairing.

Additional height and setback provisions are set forth in Section [123-66](#), inclusive.

The height of all #buildings or other structures# shall be measured from the #base plane#. For the purposes of this Section, where #base planes# of different elevations apply to different portions of a #building or other structure#, each such portion of the #building# may be considered to be a separate #building#.

123-65 - Special Height and Setback Regulations in Special Mixed Use Districts with R6 Through R12 District Designations

LAST AMENDED
12/5/2024

In #Special Mixed Use Districts# where the designated #Residence District# is an R6 through R12 District, the #street wall# location of a #building# shall be as set forth in [123-651](#) (Street wall location for all buildings), and the height and setback regulations of a #building or other structure# shall be as set forth in Section [123-652](#) (Special base and building heights). Additional height and setback provisions are set forth in Section [123-653](#) and Section [123-66](#), inclusive.

Permitted obstructions shall be permitted pursuant to Sections [23-41](#), [24-51](#) or [43-42](#). In addition, for all #buildings or other structures#, a dormer may be provided in accordance with the provisions of paragraph (b)(1) of Section [23-413](#) (Permitted obstructions in certain districts).

The height of all #buildings or other structures# shall be measured from the #base plane#. For the purposes of this Section, where #base planes# of different elevations apply to different portions of a #building or other structure#, each such portion of the #building# may be considered to be a separate #building#.

123-651 - Street wall location for all buildings

LAST AMENDED
12/5/2024

Where the designated #Residence District# is an R6 through R12 District, the applicable #street wall# location provisions of this Section shall apply. Such provisions shall apply to the portion of a #street wall# located below the maximum base height and before the required setback as set forth in Section [123-652](#) as applicable.

(a) Percentage-based rules

At least 70 percent of the #aggregate width of street walls# shall be located within eight feet of the #street line# and shall extend to at least the minimum base height specified in Section [123-652](#) or the height of the #building#, whichever is less. Up to 30 percent of the #aggregate width of street walls# may be recessed beyond eight feet of the #street line#, provided that any such recesses deeper than 10 feet along a #wide street# or 15 feet along a #narrow street# are located within an #outer court#.

However, where the #street walls# surrounding the subject #building# are located on a #block# with a #prevailing street wall frontage# that is located further from the #street line# than the applicable provisions of this paragraph, the line-up provisions of paragraph (a) of Section [23-431](#) may be applied.

(b) Modifications for large #zoning lots#

Notwithstanding the provisions of paragraphs (a) of this Section, for #street walls# on #buildings# on a #zoning lot# that has a #lot area# of at least 40,000 square feet or that occupy an entire #block#, at least 70 percent of the #aggregate width of street walls# shall be located within 15 feet of the #street line# and extend to at least the minimum base height specified in Section [123-652](#), or the height of the #building#, whichever is less.

(c) Articulation allowances

In all districts, and along all frontages, #street wall# articulation, including, but not limited to, window recesses and

structural expression on the #building# facade, shall be permitted to project or recess beyond the #street wall# locations established in paragraphs (a) or (b) of this Section, provided that such articulation does not exceed a depth or projection of 12 inches. In addition, to accommodate other forms of #street wall# articulation, such as bay windows, and facade recesses, up to 50 percent of the #aggregate width of street wall#, at any level, may recess or project beyond such #street wall# location provisions of this Section, provided that no such recess or projection exceeds a depth of three feet, as measured perpendicular to the #street wall#, or portion thereof. No projection shall extend beyond the #street line#, except where encroachments into the public right-of-way are permitted by the New York City Administrative Code.

123-652 - Special base and building heights



LAST AMENDED
12/5/2024

Where the designated #Residence District# is an R6 through R12 District, the following shall apply.

(a) Districts with a letter suffix

Where the designated #Residence District# is an R6 through R12 District with a letter suffix, the minimum base height, maximum base height and maximum #building# height shall be as set forth in the table in Section [23-432](#) (Height and setback requirements) for the applicable #Residence District#. Separate maximum base heights and maximum #building# heights are set forth for #zoning lots# containing standard #residences# and #zoning lots# containing #qualifying affordable housing# or #qualifying senior housing#. For portions of a #building# #street wall# that exceed the maximum base height, a setback shall be provided at a height not lower than the minimum base height or higher than the maximum base height, in accordance with Section [23-433](#) (Standard setback regulations).

However, for M1 Districts with an A suffix paired with a #Residence District#, the applicable height and setback regulations for the district shall be whichever regulations permit the tallest overall heights between the height and setback regulations applicable to the particular #Manufacturing District# set forth in the table in Section [43-46](#) (Height and Setback Provisions for Districts With an A Suffix), or the height and setback regulations applicable to the particular #Residence District# set forth in Section [23-432](#). In either case, for #zoning lots# with a #lot area# greater than or equal to 20,000 square feet, a #building# may exceed the maximum #building# heights established in such tables by 25 percent.

(b) Districts without a letter suffix

Where the designated #Residence District# is an R6 through R12 District without a letter suffix, the minimum base height, maximum base height and maximum #building# height shall be as set forth in the following table. For portions of a #building# #street wall# that exceed the maximum base height, at a height not lower than the minimum base height or higher than the maximum base height, a setback shall be provided in accordance with Section [23-433](#).

MAXIMUM BASE HEIGHT AND MAXIMUM #BUILDING# HEIGHTS

District	Minimum Base Height (in feet)	Maximum Base Height (in feet)	Maximum Height of #Buildings or other Structures# (in feet)
R6-2	30	55	95
R6 R6-1	40	65	125
R7-1 R7-2	40	85	155
R7-3	60	105	185
R8	60	105	215
R8 ¹	60	125	255
R9	60	135	285
R9-1	60	155	315
R10	60	155	355
R11	60	155	405
R12	60	155	495

¹ for #UAP developments# or #qualifying senior housing# on #zoning lots#, or portions thereof, within 100 feet of a #wide street#

However, for M1 Districts with an A suffix paired with a #Residence District#, the applicable height and setback regulations for the district shall be whichever regulations permit the tallest overall heights between the height and setback regulations applicable to the particular #Manufacturing District# set forth in the table in Section [43-46](#), or the height and setback regulations applicable to the particular #Residence District# set forth in this Section.

In addition, for all #buildings#, the maximum #building# heights set forth in this paragraph may be increased by 25 percent, provided that the gross area of any such #story# located above the maximum #building# height does not exceed 90 percent of the gross area of that #story# located directly below the maximum #building# height.

123-653 - Additional height and setback provisions

LAST AMENDED
12/5/2024

The additional height and setback regulations set forth in Section [23-436](#) shall apply, except as follows:

- (a) for the purposes of applying such provisions, references to the #street wall# location provisions of Section [23-431](#) shall be superseded by those of Section [123-651](#) and base heights by the provisions of Section [123-652](#); and

- (b) for the purposes of applying the #street wall# modifications on #corner lots#, where a #zoning lot# is bounded by only one #street line# along a #street# frontage where a #Commercial District# or #Special Mixed Use District# is mapped along the entire #block# frontage, the #street wall# shall be applied along such frontage.

123-66 - Special Provisions for Certain Areas

LAST AMENDED

12/5/2024

123-661 - Special rules for certain districts in certain Special Mixed Use Districts

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LAST AMENDED

12/5/2024

For zoning districts in certain #Special Mixed Use Districts# specified by this Section, the height and setback regulations of Sections [123-63](#) or [123-64](#) shall be modified as follows:

- (a) In R7-2 Districts within #Special Mixed Use District# 15 the #street wall# location provisions of Section [123-651](#) shall be modified so that at least 70 percent of the #aggregate width of street walls# shall be located on the #street line# and shall extend to the minimum base height of 60 feet or the height of the #building#, whichever is less. The remaining 30 percent of the #aggregate width of street walls# shall be located within eight feet of the #street line#.
- (b) In R6A Districts within #Special Mixed Use District# 23, where such R6A District is paired with an M1-5 District, the underlying height and setback regulations applicable to an R7A District shall apply.
- (c) On #waterfront blocks#, as defined in Section [62-11](#), the height and setback regulations of Section [62-34](#) (Height and Setback Regulations on Waterfront Blocks) shall apply.

123-662 - Special provisions in other geographies

LAST AMENDED

12/5/2024

- (a) Special provisions for #zoning lots# with #transportation-infrastructure-adjacent frontage#

For #zoning lots# or portions thereof within 100 feet of a #street line# along a #transportation-infrastructure-adjacent frontage#, the following shall apply:

- (1) the #street wall# location provisions of paragraph (a) of Section [123-651](#) shall apply except that such #street wall# need not extend to the minimum base height set forth in Section 123-652. In lieu thereof, the #street wall# shall extend to a minimum base height of one #story# or 15 feet, whichever is lower; and
- (2) for #buildings# containing #multiple dwelling residences# in M1 Districts paired with #Residence Districts# other than R6 through R12 without a letter suffix, the applicable maximum #building# heights may be increased by 10 feet in M1 Districts paired with R1 through R6 Districts, and by 20 feet in M1 Districts paired with R7 through R12 Districts.

123-67 - Residential Conversion

LAST AMENDED
12/5/2024

The provisions of Article I, Chapter 5 (Residential Conversion Within Existing Buildings) shall apply to #conversions# in #buildings# existing on December 10, 1997.

123-70 - PARKING AND LOADING

LAST AMENDED
5/8/2013

For #Special Mixed Use Districts# located within the #Manhattan Core#, the provisions of Article I, Chapter 3 (Comprehensive Off-street Parking and Loading Regulations in the Manhattan Core), inclusive, shall apply, and for #Special Mixed Use Districts# located within the #Long Island City area#, as defined in Section [16-02](#) (Definitions), the provisions of Article I, Chapter 6 (Comprehensive Off-street Parking Regulations in the Long Island City Area), inclusive, shall apply. For all other #Special Mixed Use Districts#, the provisions of this Section, inclusive, shall apply.

123-71 - Manufacturing and Commercial Uses

LAST AMENDED
12/10/1997

For #manufacturing# and #commercial# #uses#, the #accessory# off-street parking and loading regulations of the designated M1 District, as set forth in Article IV, Chapter 4 (Accessory Off-street Parking and Loading Regulations), shall apply.

123-72 - Residential and Community Facility Uses

LAST AMENDED
12/5/2024

For #residences# and #community facility# #uses#, the #accessory# off-street parking and loading regulations of the designated #Residence District#, as set forth in Article II, Chapter 5, shall apply, except that:

- (a) the provisions of Section [25-50](#) (RESTRICTIONS ON ACCESSORY OFF-STREET PARKING SPACES) shall not apply. In lieu thereof, the provisions of Section [44-30](#) (RESTRICTIONS ON LOCATION AND USE OF ACCESSORY OFF-STREET PARKING SPACES) shall apply to such #uses#; and
 - (b) for #buildings# containing #residences# in #Special Mixed Use Districts#, in addition to the applicable #accessory# off-street parking and loading regulations set forth in Article II, Chapter 5, the provisions of Sections [44-46](#) (Accessory Off-street Parking Spaces in Public Parking Garages), [44-47](#) (Parking Lot Maneuverability and Curb Cut Regulations) and [44-48](#) (Parking Lot Landscaping) shall apply.
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123-73 - On Waterfront Blocks

LAST AMENDED
2/2/2011

For #uses# on #waterfront blocks#, as defined in Section [62-11](#), the special #accessory# off-street parking and loading regulations

set forth in Section [62-40](#), inclusive, shall apply. When any #use# is permitted in both the designated #Residence District# and the designated M1 District, the #accessory# off-street parking and loading requirements applicable to the designated M1 District shall apply to such #use#.

123-80 - MODIFICATION OF ARTICLE V, CHAPTER 4 (NON-COMPLYING BUILDINGS)

LAST AMENDED

7/26/2001

In Article V, Chapter 4 (Non-complying Buildings), Section [54-311](#) (Buildings containing rooming units), shall not apply.

123-81 - Modification of Planting Strips

LAST AMENDED

4/30/2008

In #Special Mixed Use Districts#, the provisions of Section [26-42](#) (Planting Strips) shall not apply.

123-90 - SPECIAL MIXED USE DISTRICTS SPECIFIED

LAST AMENDED

11/22/2022

The #Special Mixed Use District# is mapped in the following areas:

#Special Mixed Use District# - 1: (12/10/97)

Port Morris, The Bronx

The #Special Mixed Use District# - 1 is established in Port Morris in The Bronx as indicated on the #zoning maps#.

#Special Mixed Use District# - 2: (7/29/09)

DUMBO, Brooklyn

The #Special Mixed Use District# - 2 is established in DUMBO in Brooklyn as indicated on the #zoning maps#.

#Special Mixed Use District# - 4: (5/9/01)

Flushing/Bedford, Brooklyn

The #Special Mixed Use District# - 4 is established in Flushing/Bedford in Brooklyn as indicated on the #zoning maps#.

#Special Mixed Use District# - 5: (1/30/02)

Red Hook, Brooklyn

The #Special Mixed Use District# - 5 is established in Red Hook in Brooklyn as indicated on the #zoning maps#.

#Special Mixed Use District# - 6: (7/23/08)

Hudson Square, Manhattan

The #Special Mixed Use District# - 6 is established in Hudson Square in Manhattan as indicated on the #zoning maps#.

#Special Mixed Use District# - 7: (8/19/03)

Morrisania, The Bronx

The #Special Mixed Use District# - 7 is established in Morrisania in The Bronx as indicated on the #zoning maps#.

#Special Mixed Use District# - 8: (5/11/05)

Greenpoint-Williamsburg, Brooklyn

The #Special Mixed Use District# - 8 is established in Greenpoint-Williamsburg in Brooklyn as indicated on the #zoning maps#.

#Special Mixed Use District# - 9: (8/16/06)

Northern Hunters Point Waterfront, Queens

The #Special Mixed Use District# - 9 is established in the Northern Hunters Point Waterfront in Queens as indicated on the #zoning maps#.

#Special Mixed Use District# - 10: (10/29/07)

Atlantic and Howard Avenues, Brooklyn

The #Special Mixed Use District# - 10 is established on Atlantic and Howard Avenues in Brooklyn as indicated on the #zoning maps#.

#Special Mixed Use District# - 11: (3/11/09)

Gowanus, Brooklyn

The #Special Mixed Use District# - 11 is established in Gowanus in Brooklyn as indicated on the #zoning maps#.

#Special Mixed Use District# - 12: (10/27/10)

Borough Park, Brooklyn

The #Special Mixed Use District# - 12 is established in Borough Park in Brooklyn as indicated on the #zoning maps#.

#Special Mixed Use District# - 13: (6/30/09)

Lower Concourse, The Bronx

The #Special Mixed Use District# - 13 is established in the Lower Concourse in The Bronx as indicated on the #zoning maps#.

#Special Mixed Use District# - 14: (10/13/10)

Third Avenue/Tremont Avenue, The Bronx

The #Special Mixed Use District# - 14 is established along Third Avenue in The Bronx as indicated on the #zoning maps#.

#Special Mixed Use District# - 15: (11/13/12)

West Harlem, Manhattan

The #Special Mixed Use District# - 15 is established in West Harlem in Manhattan as indicated on the #zoning maps#.

#Special Mixed Use District# - 16: (4/20/16)

Ocean Hill/East New York, Brooklyn

The #Special Mixed Use District# - 16 is established in Ocean Hill and East New York in Brooklyn as indicated on the #zoning maps#.

#Special Mixed Use District# - 17: (3/22/18)

Hunts Point, The Bronx

The #Special Mixed Use District# - 17 is established in Hunts Point in The Bronx as indicated on the #zoning maps#.

#Special Mixed Use District# - 18: (10/17/19)

Mott Haven, The Bronx

The #Special Mixed Use District# - 18 is established in Mott Haven in The Bronx as indicated on the #zoning maps#.

#Special Mixed Use District# - 19: (12/10/20)

Brownsville, Brooklyn

The #Special Mixed Use District# - 19 is established in Brownsville in Brooklyn as indicated on the #zoning maps#.

#Special Mixed Use District# - 20: (5/8/19)

Crown Heights West, Brooklyn

The #Special Mixed Use District# - 20 is established in Crown Heights West in Brooklyn as indicated on the #zoning maps#.

#Special Mixed Use District# - 21: (3/25/21)

Arverne, Queens

The #Special Mixed Use District# - 21 is established in Arverne in Queens as indicated on the #zoning maps#.

#Special Mixed Use District# - 22: (5/27/21)

Bushwick, Brooklyn

The #Special Mixed Use District# - 22 is established in Bushwick in Brooklyn as indicated on the #zoning maps#.

#Special Mixed Use District# - 23: (10/21/21)

Ravenswood, Queens

The #Special Mixed Use District# - 23 is established in Ravenswood in Queens as indicated on the #zoning maps#.

#Special Mixed Use District# - 24: (11/22/22)

Astoria, Queens

The #Special Mixed Use District# - 24 is established in Astoria in Queens as indicated on the #zoning maps#.

#Special Mixed Use District# - 25: (10/27/22)

Gowanus, Brooklyn

The #Special Mixed Use District# - 25 is established in Gowanus in Brooklyn as indicated on the #zoning maps#.