



Zoning Resolution

THE CITY OF NEW YORK
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CITY PLANNING COMMISSION
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Chapter 3 - Residential Bulk Regulations in Residence Districts

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Chapter 3 - Residential Bulk Regulations in Residence Districts

23-00 - APPLICABILITY AND GENERAL PURPOSES

LAST AMENDED

12/15/1961

23-01 - Applicability of This Chapter

LAST AMENDED

12/5/2024

The #bulk# regulations of this Chapter apply to any #zoning lot# or portion of a #zoning lot# located in any #Residence District# which contains any #residential# #building or other structure#, or to the #residential# portion of a #building or other structure# used for both #residential# and #community facility# #uses#. The #bulk# regulations of Article II, Chapter 4, shall apply to any #zoning lot# or portion of a #zoning lot# containing a #community facility building# or to the #community facility# portion of a #building# used for both #residential# and #community facility# #uses#, except as set forth in Sections [24-04](#) (Applicability of Article II, Chapter 3 Regulations) and [24-05](#) (Buildings containing certain community facility uses). In addition, the #bulk# regulations of this Chapter, or of specified Sections thereof, also apply in other provisions of this Resolution where they are incorporated by cross reference.

23-02 - Applicability in Special Situations

LAST AMENDED

12/5/2024

The conversion of non-residential floor area to residences shall be subject to the provisions of Article I, Chapter 5 (Residential Conversions Within Existing Buildings), unless such conversions meet the requirements for residential developments of Article II (Residence District Regulations).

Existing buildings or other structures that are non-complying buildings or other structures or existing buildings where an enlargement, conversion, extension, change of use or other alternation would create a non-compliance with the applicable bulk regulations are subject to the regulations set forth in Article V, Chapter 4.

Special regulations applying in certain areas are set forth in Article VI, inclusive.

Special permits that may be granted by the Board of Standards and Appeals are set forth in Article VII, Chapter 3. Special permits and authorizations that may be granted by the City Planning Commission are set forth in Article VII, Chapters 4 and 5, respectively.

Special regulations applying to large-scale residential developments or large-scale community facility developments are set forth in Article VII, Chapters 8 or 9, respectively. Special regulations applying to large-scale general developments are set forth in Section [74-74](#).

Any development or enlargement that occurs on or over a railroad right-of-way, or the inclusion of a railroad right-of-way in the lot area of a zoning lot less than one and a half acres, and that is not accessory to such railroad right-of-way, shall be certified by the Chairperson of the City Planning Commission pursuant to Section [75-41](#). In addition, the development or enlargement of a building on a zoning lot greater than one and a half acres that includes a railroad right-of-way or former railroad right-of-way, where such building is not accessory to a railroad right-of-way, may be permitted by the Commission pursuant to Section [74-61](#).

Special regulations applying only in Special Purpose Districts are set forth in Articles VIII, IX, X, XI, XII, XIII and XIV.

23-03 - General Purposes of Residential Bulk Regulations

LAST AMENDED

12/5/2024

The following bulk regulations are adopted in order to protect residential areas against congestion and to encourage the development of desirable and stable residential neighborhoods. In order to achieve these purposes, a direct control of density as well as of the physical volume of buildings is established.

23-04 - Zoning Lots Divided by District Boundaries

LAST AMENDED

12/5/2024

In all districts, whenever a #zoning lot# is divided by a boundary between districts or is subject to different #bulk# regulations for different portions of the #zoning lot#, the provisions set forth in Article VII, Chapter 7, shall apply.

23-05 - Applicability of Certain Bulk Regulations

LAST AMENDED

12/5/2024

Special rules governing optional #bulk regulations# affecting one or more #bulk# parameters are set forth in Section [23-70](#) (ALTERNATIVE BULK REGULATIONS FOR CERTAIN AREAS), inclusive.

These optional #bulk# provisions include alternative rules for:

- (a) #predominantly built-up areas#, as set forth in Section [23-71](#), inclusive;
- (b) portions of Community District 12 in the Borough of Brooklyn, as set forth in Section [23-72](#), inclusive; and
- (c) #sky exposure plane buildings#, as set forth in Section [23-73](#), inclusive.

Where any of such optional provisions are utilized, all the other associated #bulk# provisions set forth in Section [23-70](#), inclusive, shall apply.

23-06 - Applicability of Bulk Regulations for Certain Sites

LAST AMENDED

12/5/2024

In R6 through R12 Districts without a letter suffix, on #zoning lots# where demolition or disposition is subject to approval from the U.S. Department of Housing and Urban Development (HUD) under section 18 of the Housing Act of 1937, the provisions of this Section shall apply.

For #developments# or #enlargements# of #residences# other than #qualifying senior housing# or #MIH developments# on #MIH sites#:

- (a) on #zoning lots# where the height of any existing #building# containing #residences# exceeds the heights for #zoning lots# containing standard #residences# set forth in Section [23-432](#), the regulations for #sky exposure plane buildings# set forth in Section [23-73](#), inclusive, shall apply, and shall not be optional; and
- (b) on #zoning lots# where the height of all existing #building# containing #residences# are less than or equal to the heights for #zoning lots# containing standard #residences# set forth in Section [23-432](#), the #bulk# regulations for #residential buildings# of this Chapter applicable to non-#sky exposure plane buildings# may be applied, except that:
 - (1) the height and setback modifications for eligible sites set forth in Section [23-434](#) shall not apply; and
 - (2) the minimum distance between #buildings# two of more #buildings# on the same #zoning lot# that are not connected at any level shall be governed by the provisions of paragraph (c) of Section 23-735. Notwithstanding the provisions of Section [23-05](#), the use of this Section shall not necessitate the utilization of all other provisions for #sky exposure plane buildings# unless other provisions of Section [23-73](#), inclusive, are applied.

23-10 - LOT AREA AND LOT WIDTH REGULATIONS

LAST AMENDED

12/5/2024

Minimum #lot area# and #lot width# regulations are set forth in Section [23-11](#) for R1 through R5 Districts and Section [23-12](#) for R6 through R12 Districts.

However, such #lot area# and #lot width# regulations shall not apply to #zoning lots# in existence on December 5, 2024, where the #lot area# or #lot width# was less than the prescribed minimums of such Sections, and after December 5, 2024, such #lot area# or #lot width# has not decreased.

Where two or more #buildings# that are #single-# or #two-family# #detached# or #zero lot line# #residences# are located on a #zoning lot#, the applicable minimum #lot area# requirement set forth in the table in this Section shall be multiplied by the number of such #buildings# on the #zoning lot#. For the purposes of applying such calculation, #detached# #buildings# that are permitted obstructions in a required #rear yard# or #rear yard equivalent# shall not be included.

23-11 - Lot Area and Lot Width Regulations in R1 Through R5 Districts

LAST AMENDED

12/5/2024

R1 R2 R3 R4 R5

In the districts indicated, no #residence# shall be permitted on a #zoning lot# with a total #lot area# or #lot width# less than as set forth in the following table:

REQUIRED MINIMUM LOT AREA AND LOT WIDTH

Type of #Residence#	District	Minimum #Lot Area# (in sq. ft)	Minimum #Lot Width
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#Single-# or #two-family# #detached#, or #zero lot line#, where permitted	R1-1	7,125	75
	R1-2 R1-2A	4,750	50
	R2 R2A R2X R3X R3-1 R3-2 R4 R5	2,850	30
	R3A R4-1 R4A R4B R5A R5B R5D	2,375	25
Other #residences#, where permitted	R1 – R5	1,700	18

23-12 - Lot Area and Lot Width Regulations in R6 through R12 Districts

LAST AMENDED

12/5/2024

R6 R7 R8 R9 R10 R11 R12

In the districts indicated, no #residence# shall be permitted on a #zoning lot# with a total #lot area# or #lot width# less than as set forth in the following table:

REQUIRED MINIMUM LOT AREA AND LOT WIDTH

Type of #Residence#	District	Minimum #Lot Area# (in sq. ft)	Minimum #Lot ft)
#Single-# or #two-family# #detached# or #zero lot line#	R6 - R12	2,375	25
Other #residences#	R6 - R12	1,700	18

23-20 - FLOOR AREA REGULATIONS

LAST AMENDED

12/5/2024

#Floor area# regulations are set forth in Section [23-21](#) for R1 through R5 Districts and Section [23-22](#) for R6 through R12 Districts. Special allowances for #multiple dwelling residences# are set forth in Section [23-23](#). Special rules governing certain areas are set forth in Section [23-24](#).

For #zoning lots# with #buildings# containing multiple #uses# or multiple #buildings# with different #uses#, inclusive of #residences# subject to different #floor area ratios#, the maximum #floor area ratio# for each #use# shall be as set forth in the applicable provisions of this Section, inclusive, or as provided in the respective #floor area# provisions of another Chapter of this Resolution. The total of all such #floor area ratios# shall not exceed the greatest #floor area ratio# permitted for any such #use# on the #zoning lot#.

Where #floor area# in a #building# is shared by multiple #uses#, the #floor area# for such shared portion shall be attributed to each #use# proportionately, based on the percentage each #use# occupies of the total #floor area# of the #zoning lot#, less any shared #floor area#.

Where a #floor area# bonus established through another Section of this Resolution applies to a #zoning lot# containing #residences#, the #residential# #floor area ratio# used to calculate the maximum permitted #floor area# bonus shall be the maximum #floor area ratio# permitted for such #zoning lot# pursuant to this Section, depending on whether the #zoning lot# is a #qualifying residential site# or the #zoning lot# contains #qualifying affordable housing# or #qualifying senior housing#.

23-21 - Floor Area Regulations for R1 Through R5 Districts

LAST AMENDED

12/5/2024

R1 R2 R3 R4 R5

In the districts indicated, 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 standard #zoning lots# and #zoning lots# that are #qualifying residential sites#.

MAXIMUM FLOOR AREA RATIO FOR R1-R5 DISTRICTS

District	Standard #zoning lots#	#Qualifying residential sites#
R1-2A R1-1 R1-2 R2A R2 R3A R3X R3-1 R3-2	0.75 ¹	1.00
R2X	1.00	1.00
R4A R4B R4 R4-1	1.00	1.50
R5A R5B R5	1.50	2.00
R5D	2.00	2.00

1 For standard #zoning lots# with a #lot area# of 4,000 square feet or more, the maximum #residential# #floor area# associated with any single #dwelling unit# shall not exceed an equivalent #floor area ratio# of 0.60.

23-22 - 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 in the following table. Separate maximum #residential# #floor area ratios# are set forth for #zoning lots# containing standard #residences# and #zoning lots# containing #qualifying affordable housing# or #qualifying senior housing#.

MAXIMUM FLOOR AREA RATIO FOR R6-R12 DISTRICTS

District	Standard #residences#	#Qualifying affordable housing# or #qualifying senior housing#
R6A R6 ¹ R6-1 R7B	3.00	3.90
R6	2.20	3.90
R6B	2.00	2.40
R6D R6-2	2.50	3.00

R7A R7-1 ¹ R7-2 ¹	4.00	5.01
R7-1 R7-2	3.44	5.01
R7D	4.66	5.60
R7X R7-3	5.00	6.00
R8A R8X R8	6.02	7.20
R8	7.20 ¹	8.64 ²
R8B	4.00	4.80
R9A R9	7.52	9.02
R9D R9X R9-1	9.00	10.80
R10A R10X R10	10.00	12.00
R11	12.00	15.00
R12	15.00	18.00

1 For #zoning lots#, or portions thereof, located within 100 feet of a #wide street#

2 Outside of #Mandatory Inclusionary Housing areas#, for #zoning lots#, or portions thereof, located within 100 feet of a #wide street#, containing #UAP developments# or #qualifying senior housing#

23-23 - Special Floor Area Provisions for Multiple Dwelling Residences

LAST AMENDED

12/5/2024

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

In the districts indicated, for #buildings# containing #multiple dwelling residences#, floor space allocated to #building# amenities, corridors, refuse storage or disposal, or access to elevated ground floor #dwelling units# may be exempted from the definition of #floor area# pursuant to Section [12-10](#), provided that the provisions of this Section, inclusive, are met. However, exempted floor space shall be considered #floor area# for the purposes of satisfying other #ground floor level# #use# regulations of this Resolution, including, but not limited to, limitations on #floor area# for certain #uses#, parking wrap and screening requirements, and requirements for #floor area# at the #ground floor level#.

Such provisions may be applied to #buildings# #developed# after December 5, 2024, and to existing #buildings# where, after December 5, 2024, an #enlargement#, #extension#, #conversion# or other alteration results in newly created or altered floor space that conforms with such specific provisions of this Section, inclusive.

23-231 - Floor area provisions for amenities

LAST AMENDED

12/5/2024

Floor space in a #building# allocated to #residential# amenities may be exempted from the definition of #floor area#, in an amount not to exceed five percent of the #residential floor area# of the #building#.

Such amenities may include recreation spaces, including those required pursuant to Section [23-63](#), or other amenities, including, but not be limited to, co-working areas, library or reading rooms, or music practice rooms, package or storage rooms, laundry facilities, or pet-related facilities.

However, amenity space shall not include floor space for circulation through the #building#, including, corridors or vertical circulation spaces.

Amenities provided pursuant to this Section shall be accessible to the residents of the #building#.

23-232 - Floor area provisions for corridors

LAST AMENDED

12/5/2024

Floor space in a #building# allocated to corridors may be exempted from #floor area# pursuant to the provisions of paragraphs (a) or (b) of this Section. Such provisions may be applied individually or in combination.

(a) Corridors Termination

Fifty percent of the floor space of a corridor may be exempted from the definition of #floor

area# where one of the following criteria are met:

- (1) the corridor provides direct access to outdoor space on a balcony or terrace on the same #story# that is accessible to residents of the #story#;
- (2) the corridor has daylighting through windows with a glazed area of at least 20 square feet, and such windows are located:
 - (i) directly within the corridor;
 - (ii) in the enclosing walls of a stairwell along such corridor, and access to such stairwell from the corridor is provided through an entry door assembly with a minimum glazed area of at least 16 square feet; or
 - (iii) within common space along such corridor that accessible to residents of the #story#; or
- (3) the corridor terminates with a #dwelling unit# that contains at least three bedrooms.

(b) Length of Corridor

Fifty percent of the floor space of a corridor may be exempted from the definition of #floor area#, where the length of the corridor, as measured from the vertical circulation core to the door of the furthest #dwelling unit# on the #story#, does not exceed 100 linear feet. For the purposes of this Section, a vertical circulation core shall refer to an elevator core (consisting of one or more elevators) or, in a non-elevator #building#, to a central stairwell.

LAST AMENDED

12/5/2024

Floor space in a #building# allocated to refuse storage and disposal may be exempted from the definition of #floor area# in an amount not to exceed a maximum of three square feet per #dwelling unit# in the #building#.

23-234 - Elevated Ground Floor Units

LAST AMENDED

12/5/2024

For #buildings# with entryways at #curb level# that accommodate ramps, stairs or lifts to #dwelling units# that are elevated above #curb level# on the first #story# of the #building#, up to 100 square feet of such entryways may be exempted from the definition of #floor area# for each foot of difference between the floor level of such #dwelling units# and #curb level#. However, no more than a maximum of 500 square feet of floor space may be exempted from the definition of #floor area# for each #building#.

23-24 - Special Provisions for Certain Areas

LAST AMENDED

12/5/2024

23-241 - Special tower provisions

LAST AMENDED

12/5/2024

In R9 and R10 Districts, for #zoning lots# containing a #building# that is #developed# or #enlarged# pursuant to the applicable tower regulations of Section [23-435](#) (Tower regulations), any floor space used for mechanical equipment provided pursuant to paragraph (8) of the definition of #floor area# in Section [12-10](#) (DEFINITIONS), and any floor space that is or becomes unused or inaccessible within a #building#, pursuant to paragraph (k) of the definition of #floor area# in Section [12-10](#), shall be considered #floor area# and calculated in accordance with the provisions of this Section, provided that such floor space:

- (a) occupies the predominant portion of a #story#;
- (b) is located above the #base plane# or #curb level#, as applicable, and below the highest story containing #residential floor area#; and
- (c) exceeds an aggregate height of 25 feet within any given 75 vertical feet of one another within a #building#.

For the purpose of applying this provision, the height of such floor space shall be measured from the top of a structural floor to the bottom of a structural floor directly above such space. In addition, the number of #stories# of #floor area# such space constitutes within the #building# shall be determined by aggregating the total height of such floor spaces, dividing by 25 feet, and rounding to the nearest whole integer.

23-242 - Special provisions for certain community districts

LAST AMENDED

12/5/2024

(a) Borough of Brooklyn

For R1 through R3 Districts south of Avenue H in Community Districts 11, 14 and 15 in the Borough of Brooklyn, the maximum #floor area ratio# for standard #zoning lots# set forth in Section [23-21](#) (Floor Area Regulations for R1 Through R5 Districts) shall be increased to 1.0.

23-243 - Existing public amenities for which floor area bonuses have been received

LAST AMENDED

12/5/2024

- (a) Elimination or reduction in size of non-bonused open area on a #zoning lot# containing a bonused amenity

In all districts, any existing open area for which a #floor area# bonus has not been utilized that occupies the same #zoning lot# as an existing #publicly accessible open area# or other public amenity, open or enclosed, for which a #floor area# bonus has been utilized, may be reduced in size or eliminated only upon certification of the Chairperson of the City Planning Commission that all bonused amenities comply with the standards under which such #floor area# bonus was granted.

- (b) Nighttime closing of existing public open areas

In all #Residence Districts#, the Commission may, upon application, authorize the closing during certain nighttime hours of an existing #publicly accessible open area# for which a #floor area# bonus has been received, pursuant to Section [37-727](#) (Hours of access).

(c) Elimination or reduction in size of existing public amenities

In all districts, no existing #publicly accessible open area#, #arcade# or other public amenity, open or enclosed, for which a #floor area# bonus has been utilized, shall be eliminated or reduced in size except by special permit of the Commission, pursuant to Section [74-761](#) (Elimination or reduction in size of bonused public amenities).

23-30 - YARDS, COURTS AND OTHER OPEN AREA REGULATIONS

LAST AMENDED

12/5/2024

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

In the districts indicated, regulations governing #yards#, #courts#, #lot coverage#, and other open areas shall be set forth in Section [23-30](#), inclusive.

General provisions shall be as set forth in Section [23-31](#), inclusive.

#Front yard# requirements shall be as set forth in Section [23-32](#), inclusive, #side yard# requirements shall be as set forth in Section [23-33](#), inclusive, and #rear yard# and #rear yard equivalent# requirements shall be as set forth in Section [23-34](#), inclusive.

#Court# regulations, including those for #inner courts# and #outer courts#, shall be as set forth in Section [23-35](#), inclusive.

Maximum #lot coverage# requirements shall be as set forth in Section [23-36](#), inclusive.


Other regulations governing open areas, including minimum distances between #buildings# and minimum distances between #legally required windows# and #lot lines#, shall be as set forth in Sections [23-37](#), inclusive.

Special rules for certain areas shall be as set forth in Section [23-38](#), inclusive.

23-31 - General Provisions

LAST AMENDED

12/5/2024



In R6 through R12 Districts, the obstructions permitted within a #front yard# pursuant to Section [23-31](#), inclusive, may also be permitted in the open area between the #street wall# and the #street line#.

23-311 - Permitted obstructions in all yards, courts and open areas

LAST AMENDED

12/5/2024

In all #Residence Districts#, the following obstructions shall be permitted within any required #yard#, #rear yard equivalent#, #court# or other required open area. These allowances are generally common to #Residence#, #Commercial# and #Manufacturing Districts#.

- (a) #Accessory# mechanical equipment, limited in depth to 18 inches from an exterior wall;
- (b) Arbors or trellises;
- (c) Awnings and other sun control devices, provided that when located at a level higher than the first #story#, excluding a #basement#, all such awnings and other sun control devices:
 - (1) shall be limited to a maximum projection from a #building# wall of 2 feet, 6 inches; and
 - (2) shall have solid surfaces that, in aggregate, cover an area no more than 30 percent of the area of the #building# wall (as viewed in elevation) from which they project;
- (d) Bicycle or micromobility parking, including necessary ancillary structures;
- (e) Canopies;
- (f) Chimneys, projecting not more than three feet into, and not exceeding two percent of the area of, the required #yard# or #rear yard equivalent#;
- (g) Eaves, gutters, downspouts, or other similar projections, extending into such #yard# or #rear yard equivalent# not more than 16 inches or 20 percent of the width of such #yard# or #rear yard equivalent#, whichever is the lesser distance;
- (h) Electric vehicle charging equipment;
- (i) Flagpoles;
- (j) #Qualifying exterior wall thickness#;
- (k) Ramps or lifts for people with physical disabilities;
- (l) Solar energy systems, #accessory# or as part of an #energy infrastructure equipment#:

- (1) on walls existing on April 30, 2012, projecting no more than 10 inches and occupying no more than 20 percent of the surface area of the #building# wall (as viewed in elevation) from which it projects; or
 - (2) above other permitted obstructions, as applicable, provided that the additional height shall be limited to 18 inches;
- (m) Terraces or porches, open;
- (n) Window sills, or similar projections extending into such #yard# or #rear yard equivalent# not more than four inches.

23-312 - Additional permitted obstructions generally permitted in all yards

LAST AMENDED

12/5/2024

In all #Residence Districts#, the obstructions set forth in Section [23-311](#) (Permitted obstructions in all yards, courts and open areas), as well as the following obstructions, shall be permitted within any #yard# or #rear yard equivalent#:

- (a) Balconies, unenclosed, of a #building# containing #residences# subject to the applicable provisions of Section [23-62](#). Such balconies are not permitted in #side yards# or within five feet of the #side lot line# or #rear lot line# in a #rear yard# or #rear yard equivalent#;

- (b) Fences, not exceeding four feet in height above adjoining grade in any #front yard#, except that for #corner lots# a fence may be up to six feet in height within that portion of one #front yard# that is between a #side lot line# and the prolongation of the side wall of the #residence# facing such #side lot line#;
- (c) Fire escapes, projecting into a #front yard#, only in such cases where the fire escape is required for the #conversion# of a #building# in existence before December 15, 1961;
- (d) Overhanging portions of a #single-# or #two-family residence# , which are above the first #story# including the #basement# and which project not more than three feet into the #front yard#. In no case shall the lowest level of the projected portion be less than seven feet above the level of the #front yard# at the face of the #building#. Supports for the projected portion of any #building# are permitted obstructions within the required #front yard#, provided that the total area occupied by such supports does not exceed 15 percent of the area underneath the projected portion. No support may extend beyond the three-foot projection;
- (e) Parking spaces for automobiles, off-street, open, #accessory#, within a #side# or #rear yard#;
- (f) Parking spaces, off-street, open, within a #front yard#, that are #accessory# to a #building# containing #residences#, subject to the provisions of Section [25-621](#) (Location of parking spaces in certain districts) and Section [25-622](#) (Location of parking spaces in lower density growth management areas).

However, no parking spaces of any kind shall be permitted in any #front yard# in an R4B, R5B or R5D District, or the #front yard# of a #building# containing #residences# on a #qualifying residential site# in an R1 through R5 District. Furthermore, no parking spaces of any kind shall be permitted in any #front yard# on a #zoning lot# containing an #attached# or #semi-detached# #building# in an R1, R2, R3A, R3X, R4A or R5A District, or in any #front yard# on a #zoning lot# containing an #attached# #building# in an R3-1 or R4-1 District;

- (g) #Energy infrastructure equipment# and #accessory# mechanical equipment, provided that:
- (1) all equipment shall be subject to the applicable provisions of Section [26-50](#) (SPECIAL SCREENING AND ENCLOSURE PROVISIONS);
 - (2) the size of all equipment, including any screening or portions of any #building or other structure# enclosing such equipment, shall not exceed:
 - (i) an area equivalent to 25 percent of a required #yard#, or #rear yard equivalent#, and in addition, in #front yards#, is limited to an area not exceeding 25 square feet. However, for #corner lots#, one #front yard# may be treated as a #side yard# for the purpose of applying such size restrictions;
 - (ii) in R1 through R5 Districts, a height of 10 feet above the adjoining grade in #rear yards#, #rear yard equivalents# and #side yards#, or a height of five feet above the adjoining grade in #front yards#; and
 - (iii) in R6 through R12 Districts, a height of 15 feet above the adjoining grade;
- (h) Steps, provided that such steps access only the lowest #story# or #cellar# of a #building# fronting on a #street#, which may include a #story# located directly above a #basement#;
- (i) Swimming pools, #accessory#, above-grade structures limited to a height not exceeding eight feet above the level of the #rear yard# or #rear yard equivalent#. #Accessory# swimming pools are not permitted obstructions in any #front yard#;
- (j) Walls, not exceeding eight feet in height above adjoining grade and not roofed or part of a #building#, and not exceeding four feet in height in any #front yard#, except that for #corner lots#, a wall may be up to six feet in height within that portion of one #front yard# that is between a #side lot line# and the prolongation of the side wall of the #residence# facing such

#side lot line#.

23-313 - Level and measurement of yards

LAST AMENDED

12/5/2024

In all #Residence Districts#, the level of a #yard# or of a #rear yard equivalent# shall not be higher than #curb level#, except that natural grade level need not be disturbed in order to comply with this requirement. No #building or other structure# shall be erected above ground level in any required #yard# or #rear yard equivalent#, except where permitted as an obstruction pursuant to Section [23-30](#), inclusive.

The width or depth of a #yard# or #rear yard equivalent# shall be measured perpendicular to #lot lines#.

23-32 - Front Yard Requirements

LAST AMENDED

12/5/2024

23-321 - Basic front yard requirements in R1 through R5 Districts

LAST AMENDED

12/5/2024

R1 R2 R3 R4 R5

In the districts indicated, #front yards# shall be provided as set forth in the following table, except as further modified by the provisions of this Section.

District	Front Yard
R1	20 feet
R2 R2A R2X R3-1 R3-2	15 feet
R3A R3X R4 R4-1 R4A R5 R5A	10 feet
R4B R5B R5D	5 feet

For the purpose of this Section, the area between the #street line# and the #street wall line# of adjacent #buildings# containing #residences# on the same or adjoining #zoning lots# fronting on the same #street# shall be considered adjacent #front yards#.

Minimum #front yard# yards shall be modified as follows:

- (a) For #qualifying residential sites# with a #lot width# of at least 150 feet, the applicable #front yard# depth set forth in the table may be reduced by five feet, except that a #front yard# shall be no shallower than five feet;

- (b) For a #corner lot#, one #front yard# may have a depth that is five feet shallower than the applicable depth set forth in the table, except that a #front yard# shall be no shallower than five feet;
- (c) Where an adjacent #front yard# is shallower than the minimum required pursuant to the applicable district regulations, then the #front yard# may be as shallow as the shallowest adjacent #front yard#. However, a #front yard# shall be no shallower than five feet;
- (d) In R4B and R5B Districts, a #front yard# shall be no deeper than the deepest adjacent #front yard# and no shallower than the shallowest adjacent #front yard#. However, a #front yard# shall be no shallower than five feet, and need not exceed 15 feet in depth. Where the #street walls# surrounding the subject #building# do not have a #prevailing street wall frontage#, these #front yard# line-up provisions need not apply; and
- (e) To accommodate #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 encroach into a required #front yard#, provided that no encroachment exceeds a depth of three feet, as measured perpendicular to the #street wall#, or portion thereof.

23-322 - Front yard requirements for R6 through R12 Districts

LAST AMENDED
12/5/2024

R6 R7 R8 R9 R10 R11 R12

In the districts indicated, no #front yard# requirements shall apply.

23-33 - Side Yard Requirements

LAST AMENDED

12/5/2024

23-331 - Permitted obstructions in certain side yards

LAST AMENDED 12/5/2024

In all #Residence Districts#, the obstructions set forth in Section [23-311](#) (Permitted obstructions in all yards, courts and open areas) and [23-312](#) (Additional permitted obstructions generally permitted in all yards) shall be permitted within required #side yards# and required open areas along #side lot lines#. In addition, the following obstructions shall be permitted within certain portions of required #side yards# and required open areas along #side lot lines#:

- (a) on #corner lots#, enclosed #accessory# off-street parking spaces may be located in any portion that is within 30 feet of both #side lot lines#. However, in R1 or R2A Districts on #zoning lots# whose mean width is 45 feet or more, no portion of such structure shall be located less than five feet from any #side lot line#; and
- (b) on #zoning lots# other than #corner lots#, the permitted obstructions listed in Section [23-341](#) (Permitted obstructions in required rear yards or rear yard equivalents) may be located in any portion that is within 30 feet of a #rear lot line# or within 10 feet of a #rear yard equivalent#.

23-332 - Basic side yard requirements in R1 through R5 Districts

R1 R2 R3 R4 R5

(a) #Detached# #buildings#

In the districts indicated, for #zoning lots# containing only #single-# or #two-family# #detached# #residences#, two #side yards#, shall be provided. In R1 Districts the minimum width of each #side yard# shall be eight feet, and in all other districts, the minimum width shall be five feet.

R3 R4 R5

(b) #Semi-detached# #buildings# and #zero lot line buildings#

In the districts indicated, for #zoning lots# containing only #single-# or #two-family# #semi-detached# or #zero lot line# #residences#, a #side yard# with a minimum width of five feet shall be provided.

In addition, where an adjoining #zoning lot# contains a #single-# or #two-family# #detached# #semi-detached#, or #zero lot line# #residence#, an open area with a minimum total width of eight feet shall be required between the #building# on the subject #zoning lot# and the #residence# on the adjacent #zoning lot#.

R3-2 R4 R4B R5 R5B R5D

(c) Other #residences#

In the districts indicated, for #zoning lots# containing #residences# that are not subject to

paragraphs (a) or (b) of this Section, no #side yards# shall be required. However, 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#. Furthermore, where a #zoning lot# adjoins a #zoning lot# containing exclusively #single-# or #two-family# #residences#, and where a #side yard# with a minimum width of three feet or more is provided along the common #side lot line#, an open area with a minimum total width of eight feet shall be required between the #building# on the subject #zoning lot# and the #residence# on the adjacent #zoning lot#.

R1 R2 R3 R4 R5

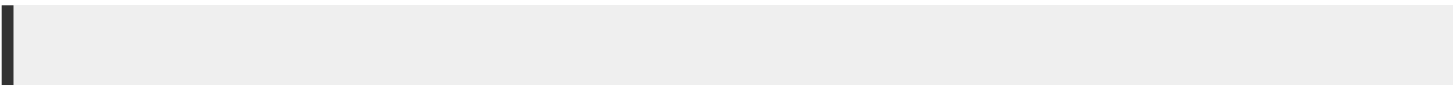
(d) Permitted obstructions in open areas between #buildings#

Only #accessory# mechanical equipment limited in depth to 18 inches from an exterior wall, chimneys, downspouts, eaves, gutters, open #accessory# off-street parking spaces, #qualifying exterior wall thickness#, ramps for access by people with disabilities, and steps as set forth in the applicable provisions of Sections [23-311](#) and [23-312](#) shall be permitted obstructions in open areas between #buildings#, provided that such obstructions, not including #accessory# off-street parking spaces, #qualifying exterior wall thickness# or #accessory# mechanical equipment, may not reduce the minimum width of the open area by more than three feet.

23-333 - Modified side yard requirements for qualifying residential sites

LAST AMENDED

12/5/2024



R1 R2 R3 R4 R5

In the districts indicated, for #residences# on #qualifying residential sites#, no #side yards# shall be required. However, 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#.

Furthermore, except as provided for by paragraph (c) of Section [23-332](#) (Basic side yard requirements in R1 through R5 Districts), where a #building# containing #residences# on an adjacent #zoning lot# has a #side yard# adjoining the subject #zoning lot# an open area with a minimum width of five feet, measured perpendicular to the #side lot line# shall be provided, and shall extend along the entire #side lot line#.

23-334 - Modified side yard requirements for existing narrow zoning lots

LAST AMENDED

12/5/2024

R1 R2 R3 R4 R5

In the districts indicated, where the width of a #zoning lot# is less than that required under the provisions of Section [23-11](#) (Lot Area and Lot Width Regulations in R1 Through R5 Districts), for a #single-# or #two-family residence#, the required total width of #side yards#, or minimum open area provided along a #side lot line#, as applicable, may be reduced by four inches for each foot by which the width of a #zoning lot# is less than that required, and where applicable, the minimum distance required between a #residence# on an adjacent #zoning lot# may be reduced by six inches for each foot by which the width of a #zoning lot# is less than that required, provided that the narrow lot condition was in existence on December 15, 1961, and, subsequently, such narrow lot condition has neither increased nor decreased in width.

However, in no event shall the required width of a #side yard# or open area be less than three feet and, where applicable, the minimum distance between a #residence# on an adjacent #zoning lot# be less than five feet.

23-335 - Side yard requirements for R6 through R12 Districts

LAST AMENDED

12/5/2024

R6 R7 R8 R9 R10 R11 R12

(a) #Detached# #buildings#

In the districts indicated, for #zoning lots# containing only #single-family# or #two-family# #detached# #residences#, two #side yards#, each with a minimum width of five feet, shall be provided.

(b) All other #buildings#

In the districts indicated, for #zoning lots# containing all other types of #residences#, no #side yards# shall be required. However, 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#.

23-34 - Rear Yard and Rear Yard Equivalent Requirements

LAST AMENDED

23-341 - Permitted obstructions in required rear yards or rear yard equivalents

LAST AMENDED

12/5/2024

- (a) In all #Residence Districts#, the obstructions set forth in Sections [23-311](#) and [23-312](#), as well as the following obstructions shall be permitted within any required #rear yard# or #rear yard equivalent#. These allowances are generally common to #Residence#, #Commercial# and #Manufacturing Districts#.
- (1) Breezeways;
 - (2) Fire escapes;
 - (3) Greenhouses, non-commercial, #accessory#, limited to one #story# or 15 feet in height above adjoining grade, whichever is less, and limited to an area not exceeding 25 percent of a required #rear yard#;
 - (4) Recreational or drying yard equipment;
 - (5) Sheds, tool rooms or other similar #accessory# #buildings or other structures# for domestic or agricultural storage, with a height not exceeding 10 feet above the level of the #rear yard# or #rear yard equivalent#;

(6) Solar energy systems, #accessory# or as part of an #energy infrastructure equipment#:

(i) on the roof of a #building# permitted as an obstruction to such #yard#, up to four feet in height as measured perpendicular to the roof surface; however, limited to 18 inches in height as measured perpendicular to the roof surface when located above a #detached# #accessory# #building or other structure#, or on any roof with a slope greater than 20 degrees; or

(ii) affixed to solar canopies and located over any otherwise unenclosed #accessory# off-street parking space, provided that the height shall not exceed 15 feet above the level of the adjoining grade;

(7) Water-conserving devices required in connection with air conditioning or refrigeration systems in #buildings# existing prior to May 20, 1966, if located not less than eight feet from any #lot line#.

(b) In all #Residence Districts#, the obstructions set forth in Sections [23-311](#) and [23-312](#), as well as the following obstructions shall be permitted within any required #rear yard# or #rear yard equivalent#.

(1) Balconies, unenclosed, subject to the provisions of Section [23-62](#);

(2) Parking spaces, off-street, #accessory#, for automobiles or bicycles, provided that:

(i) if #accessory# to a #single-# or #two-family residence#, the height of a #building# containing such parking spaces shall not exceed 10 feet in height above the adjoining grade and such #building# shall be #detached# from such #residence#.

Parking spaces shall also be permitted in #buildings# allowed as permitted obstructions pursuant to paragraph (b)(4) of this Section, provided that the portion allocated to parking spaces does not exceed 10 feet in height;

- (ii) if #accessory# to any other kind of #building# containing #residences#, the height of a #building#, or portion thereof, containing such parking spaces within the #rear yard#, shall not exceed 15 feet above #base plane#. In addition, decks, parapet walls, roof thickness, skylights, vegetated roofs, and weirs, as set forth in Section [23-41](#) (Permitted Obstructions), inclusive, limited to 18 inches in height, as measured perpendicular to the roof surface, shall be permitted upon the roof of such #accessory# #building# within the #rear yard#;
 - (iii) enclosed #accessory# parking spaces for bicycles shall be #accessory# to a #residence# other than a #single-# or #two-family residence#, attached to a #building#, and the area dedicated to such spaces shall not exceed the area of bicycle parking spaces permitted to be excluded from #floor area# pursuant to Section [25-85](#) (Floor Area Exemption);
- (3) any portion of a #building# used for #residential uses# other than #dwelling units# in #buildings# containing #qualifying senior housing#, provided that:
- (i) such #zoning lot# is located in an R6 through R12 Districts other than R6B, R7B or R8B Districts;
 - (ii) such #building# portion is located within 100 feet of a #wide street#;
 - (iii) the height of such #building# portion does not exceed one #story#, or 15 feet above the adjoining grade, whichever is less; and

- (iv) such space shall be accessible to all residents of the #building#.

In addition, decks, parapet walls, roof thickness, skylights, vegetated roofs and weirs, as set forth in Section [23-41](#) (Permitted Obstructions), inclusive, limited to 18 inches in height, as measured perpendicular to the roof surface, shall be permitted upon the roof of such portion of a #building# within the #rear yard#.

- (4) for #single-# or #two- family residences#, any portion of a #building# used for #residential uses#, provided that:
 - (i) for any #ancillary dwelling unit# associated with a #detached#, #zero lot line# or #semi-detached# #building#, the height, at any level, shall be limited to one #story#, not to exceed 15 feet. However, where an #accessory# parking space is provided below a portion of a #building# containing an #ancillary dwelling unit#, the height of such #building#, and an associated #ancillary dwelling unit#, shall not exceed two #stories# or 25 feet in height above adjoining grade, whichever is less, including the apex of a pitched roof;
 - (ii) for #detached# and #zero lot line# #buildings#, the height of all other portions of #buildings# not containing an #ancillary dwelling unit# shall be limited to two #stories# or 25 feet in height above adjoining grade, whichever is less, including the apex of a pitched roof;
 - (iii) the size shall be limited to an area not exceeding one-third of the #rear yard# or #rear yard equivalent#; and

- (iv) where such #building# is free-standing from other existing #buildings# on the #zoning lot#, it shall not be closer than five feet to a #rear lot line# or #side lot line#.

In addition, parapet walls, roof thickness, skylights, vegetated roofs and weirs, as set forth in Section [23-41](#) (Permitted Obstructions), inclusive, limited to 18 inches in height, as measured perpendicular to the roof surface, shall be permitted upon the roof of such portion of a #building# within the #rear yard#.

However, no portion of a #rear yard equivalent# which is also a required #front yard# or required #side yard# may contain any obstructions not permitted in such #front yard# or #side yard#.

23-342 - Rear yard requirements

LAST AMENDED

12/5/2024

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

In all districts, #rear yards# shall be provided on #interior lots# in accordance with this Section., except as otherwise provided pursuant to the provisions of Section [23-34](#), inclusive.

- (a) Standard lots

In the districts indicated, a #rear yard# shall be provided as follows:

- (1) For #detached# and #zero lot line buildings#, for #buildings# or portions thereof at or below a height of 75 feet, as measured from #base plane#, a #rear yard# with a depth of not less than 20 feet shall be provided at every #rear lot line# on any #zoning lot#, and for portions above 75 feet, where permitted, a #rear yard# with a depth of 30 feet shall be provided; and
- (2) For #semi-detached# and #attached# #buildings#:
 - (i) for #zoning lots# with a #lot width# of less than 40 feet, a #rear yard# with a depth of not less than 30 feet shall be provided at every #rear lot line# on any #zoning lot#; and
 - (ii) for #zoning lots# with a #lot width# of 40 feet or greater, for #buildings# or portions thereof at or below a height of 75 feet, as measured from #base plane#, a #rear yard# with a depth of not less than 20 feet shall be provided at every #rear lot line# on any #zoning lot#, and for portions above 75 feet, where permitted, a #rear yard# with a depth of 30 feet shall be provided.

(b) Shallow lots

In the districts indicated, the provisions of this Section may be modified where an #interior lot# is less than 95 feet deep at any point, and the shallow lot condition was in existence on December 15, 1961, and, subsequently, such shallow lot condition has neither increased nor decreased in depth.

For such shallow #interior lots#, or portions thereof, the depth of a required #rear yard# set forth for standard lots may be reduced by six inches for each foot by which the depth of a #zoning lot#, or portion thereof, is less than 95 feet. However, in no event shall the minimum depth of a #required yard#, or portion thereof, be reduced to less than 10 feet.

23-343 - Rear yard equivalent requirements

LAST AMENDED

12/5/2024

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

In all districts, #rear yard equivalents# shall be provided on #through lots# in accordance with this Section, except as otherwise provided pursuant to the provisions of Section [23-34](#), inclusive.

(a) Exceptions

No #rear yard equivalent# regulations shall apply:

- (1) to any #through lots# that extend less than 110 feet in maximum depth from #street# to #street#;
- (2) to #large sites#;
- (3) to any #zoning lot# that includes a #through lot# portion that is contiguous on one side to two #corner lot# portions and such #zoning lot# occupies the entire #block# frontage of a #street#; or
- (4) to any #zoning lot# occupying an entire #block#.

(b) Depth requirement

(1) For standard lots

On any #through lot# that is 190 feet or more in maximum depth from #street# to #street#, for #buildings# or portions thereof at or below a height of 75 feet, a #rear yard equivalent# consisting of an open area with a minimum depth of 40 feet shall be provided, and above a height of 75 feet, where permitted, a #rear yard equivalent# of 60 feet shall be provided.

(2) For shallow lots

The depth of a #rear yard equivalent# may be reduced where a #through lot# is less than 190 feet deep at any point, and the shallow lot condition was in existence on December 15, 1961, and, subsequently, such shallow lot condition has neither increased nor decreased in depth.

For such shallow #through lots#, or portions thereof, the depth of a required #rear yard equivalent# set forth for standard #through lots# in this Section, may be reduced by one foot by which the depth of a #zoning lot#, or portion thereof, is less than 190 feet.

However, in no event shall the minimum depth of a #required yard#, or portion thereof, be reduced to less than 20 feet.

(c) Location requirement

(1) Standard location

A #rear yard equivalent# shall be provided midway, or within 10 feet of being midway, between the two #street lines# upon which such #through lot# fronts.

(2) Alternative location allowances

Alternatively, for #zoning lots# utilizing the height and setback provisions for eligible sites in Section [23-434](#), the tower regulations of Section [23-435](#), or other height and setback provisions of this Resolution that modify or supersede the underlying provisions for R10 Districts without a letter suffix, or for shallow lots eligible for the provisions of paragraph (b)(2) of this Section, the following options may be applied:

- (i) open areas adjoining and extending along the full length of either or both #street lines#, where the combined depth of such open areas is equivalent to the depth of the required #rear yard equivalent#;
- (ii) open areas adjoining and extending along the full length of each #side lot line# with a minimum width equivalent to half of the required #rear yard equivalent#, as measured perpendicular from each #side lot line#. However, the width of such open area along one #side lot line# may be decreased provided that a corresponding increase in width is made along the other #side lot line# and further provided that any open area shall have a minimum width of five feet. The allowances for permitted obstructions in any #yard# or #rear yard equivalent# set forth in Sections [23-311](#) and [23-312](#) shall be permitted in such open areas.

Any such #rear yard equivalent# shall be unobstructed from its lowest level to the sky, except as provided in Section [23-341](#) (Permitted obstructions in required yards or rear yard equivalents).

23-344 - Additional rear yard modifications

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

In all districts, as indicated, the #rear yard# requirements set forth in Section [23-342](#) (Rear yard requirements) and the #rear yard equivalent# requirements of Section [23-343](#) (Rear yard equivalent requirements) shall be modified as set forth in this Section.

(a) Within one hundred feet of corners

In the districts indicated, no #rear yard# shall be required within 100 feet of the point of intersection of two #street lines# intersecting at an angle of 135 degrees or less.

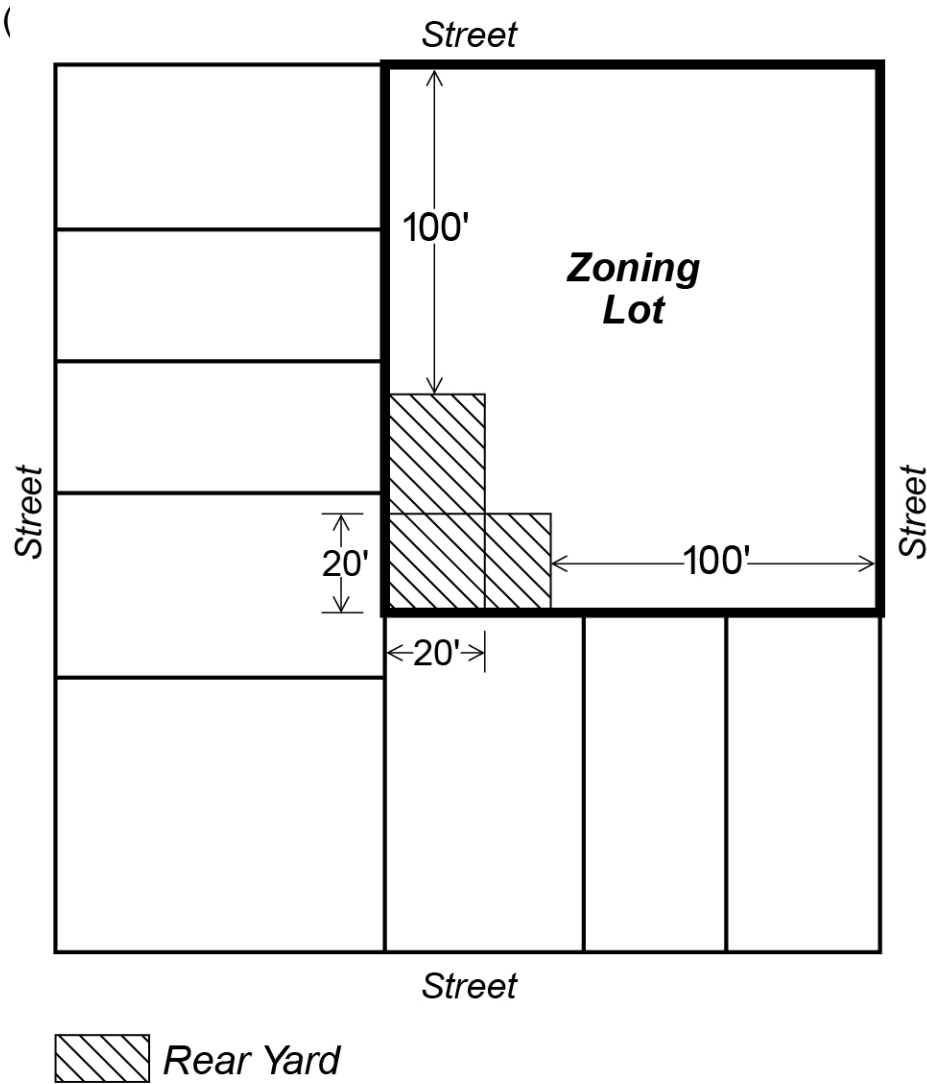
(b) Along #short dimension of a block#

In the districts indicated, whenever a #front lot line# of a #zoning lot# coincides with the #street line# of the #short dimension of a block#, no #rear yard# shall be required within 100 feet of such #street line#

(c) Beyond one hundred feet of a #street line#

In all districts, as indicated, for #interior# or #through lot# portions of #corner lots#, and for #zoning lots# bounded by two or more #streets# that are neither #corner lots# nor #through lots#, the portion of a #side lot line# beyond 100 feet of the #street line# that it intersects shall be considered a #rear lot line# and the following rules shall apply along such #rear lot line#:

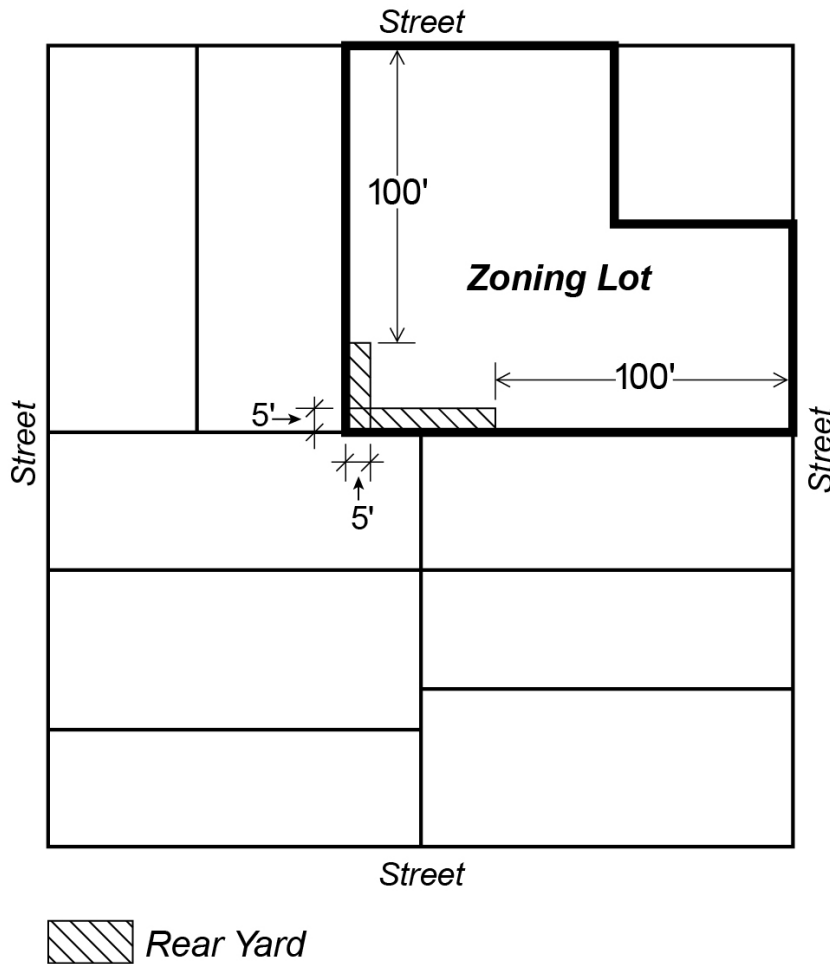
CORNER LOT



with Section [23-342](#) (Rear
th a #rear lot line# of an

- (2) In R1 through R5 Districts, a #rear yard# with a minimum depth of five feet shall be provided where such #rear lot line# coincides with a #side lot line# of an adjoining #zoning lot#.

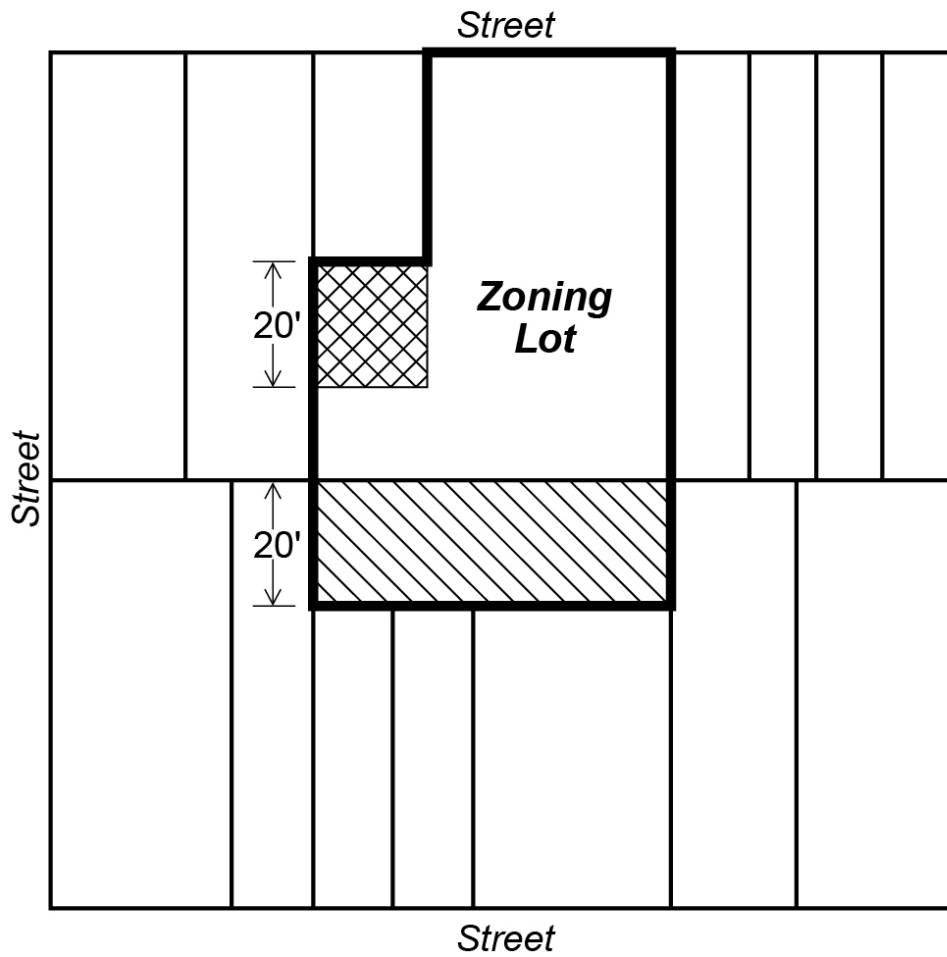
**ZONING LOT BOUNDED BY TWO OR MORE STREETS
(NEITHER A CORNER LOT NOR A THROUGH LOT)**





(3) In R6 through R12 Districts, no #rear yard# shall be required where such #rear lot line# coincides with a #side lot line# of an adjoining #zoning lot#.

(d) For zoning lots with multiple #rear lot lines#

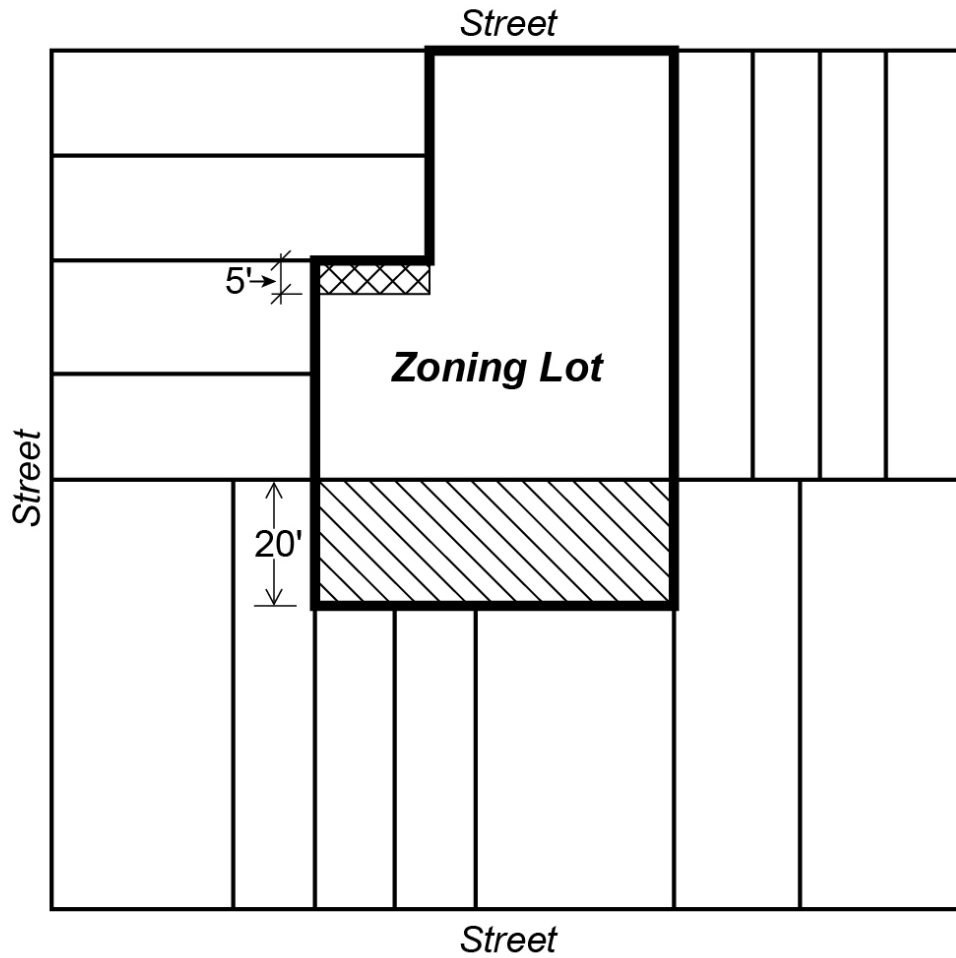
In all districts, as indicated, for #zoning lots# with multiple #rear lot lines#, if a #rear yard# extends from a #rear lot line# away from the #street line# which is used to determine such #rear lot line#, the following rules shall apply along such #rear lot line#:





ot line# of an
 7th Section [23-](#)

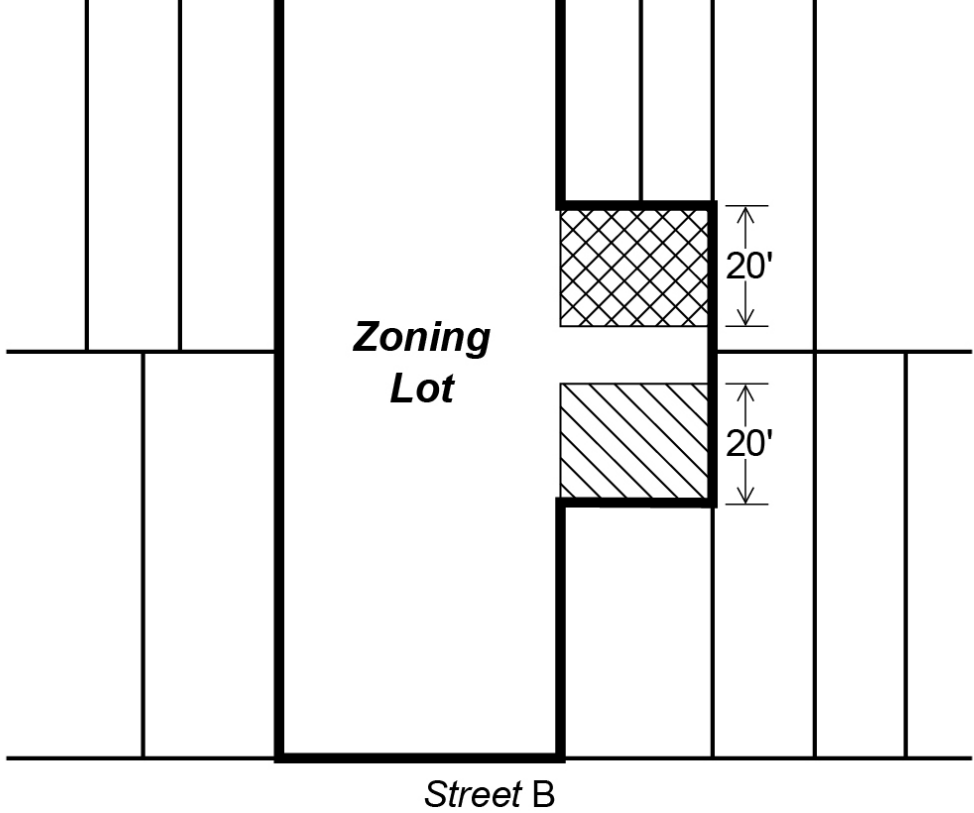
-  *Rear Yard extending away from Street Line*
-  *Rear Yard extending toward Street Line*



- (2) In R1 through R5 Districts, a #rear yard# with a minimum depth of five feet shall be provided where such #rear lot line# coincides with a #side lot line# of an adjoining #zoning lot#.



-  *Rear Yard extending away from Street Line*
-  *Rear Yard extending toward Street Line*

- (3) In R6 through R12 Districts, no #rear yard# shall be required where such #rear lot line# coincides with a #side lot line# of an adjoining #zoning lot#.
- (4) In all districts, for portions of #through lots# that have multiple #rear lot lines# and such portions are not subject to #interior lot# regulations, the #street line# bounding the #zoning lot# closest to such #rear lot line# shall be used to determine compliance with this Section.



-  *Rear Yard extending away from Street A*
-  *Rear Yard extending away from Street B*

23-35 - Court Regulations

LAST AMENDED

12/5/2024

#Inner court# regulations are set forth in Section [23-352](#) and #outer court# regulations are set forth in Section 23-353. Permitted obstructions in such #courts# are set forth in Section 23-351.

These regulations shall not apply to any #single-# or #two-family# #detached# #residence#.

A corner of a #court# may be cut off between walls of the same #building#, provided that the length of the wall of such cut-off does not exceed seven feet.

The Commissioner of Buildings may approve minor recesses, projections and architectural treatment of the outline of #courts# as long as these variations do not substantially change the depth or width of the #court#.

23-351 - Permitted obstructions in courts

LAST AMENDED

12/5/2024

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

In the districts indicated, the obstructions permitted in Section [23-311](#) (Permitted obstructions in all yards, courts and open areas), as well as the following obstructions, shall be permitted within the minimum area and dimensions needed to satisfy the requirements for a #court#. For the purposes of applying such allowances to #courts#, all percentage calculations shall be applied to the area of the #court# instead of the #yard#:

- (a) Fences;
- (b) Fire escapes in #outer courts#;

Fire escapes in #outer court recesses# not more than five feet in depth;

Fire escapes in #inner courts# where such fire escapes are required as a result of alterations in #buildings# existing before December 15, 1961;

Fire escapes in #outer court recesses# more than five feet in depth where such fire escapes are required as a result of alterations in #buildings# existing before December 15, 1961;

- (c) #Energy infrastructure equipment# and #accessory# mechanical equipment, subject to the requirements set forth in paragraph (g) of Section [23-312](#) (Additional permitted obstructions generally permitted in all yards);
- (d) Recreational or drying yard equipment.

In addition, for #courts# at a level higher than the first #story#, decks, skylights, parapet walls, roof thickness, solar energy systems up to four feet high, vegetated roofs, and weirs, as set forth in Section [23-41](#) (Permitted Obstructions), inclusive, shall be permitted.

23-352 - Inner court regulations

LAST AMENDED

12/5/2024

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

In the districts indicated, the following #inner court# regulations shall apply:

- (a) where #legally required windows# face onto an #inner court#, for #buildings# or portions thereof at or below a height of 75 feet, the area of an #inner court# shall not be less than 800

square feet, and the minimum dimension of such #inner court# shall not be less than 20 feet, and above a height of 75 feet, where permitted, the area of an #inner court# shall not be less than 1,200 square feet, and the minimum dimension of such #inner court# shall not be less than 30 feet;

- (b) where no #legally required windows# face onto an #inner court#, for #buildings# or portions thereof at or below a height of 75 feet, the area of such small #inner court# shall not be less than 200 square feet and no dimension shall be less than 10 feet, and above a height of 75 feet, where permitted, the area of such small #inner court# shall not be less than 300 square feet and no dimension shall be less than 15 feet; and
- (c) the width of an #inner court recess# shall be at least equal to the depth of the #inner court recess#, except that such width need not exceed the minimum dimension for an #inner court#, relative to the height.

For the purposes of this Section, that portion of an open area not part of an #inner court# and over which, when viewed directly from above, lines perpendicular to a #lot line# may be drawn into such #inner court#, shall be considered part of such #inner court#.

23-353 - Outer court regulations

LAST AMENDED

12/5/2024

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

In the districts indicated, the following #outer court# regulations shall apply:

- (a) where #legally required windows# face onto an #outer court#, the width of such #outer court# shall be at least equal to the depth of such #outer court#, except that an #outer court# may extend to any depth where the width of the #outer court# is 20 feet or more in #buildings# or portions thereof, at or below a height of 75 feet, or where the width of the #outer court# is 30 feet or more above a height of 75 feet, where permitted;
- (b) where no #legally required windows# face onto an #outer court#, for #buildings# or portions thereof at or below a height of 75 feet, the area of such small #outer court# shall not be less than 200 square feet and no dimension shall be less than 10 feet, and above a height of 75 feet, where permitted, the area of such small #outer court# shall not be less than 300 square feet and no dimension shall be less than 15 feet; and
- (c) the width of an #outer court recess# shall be at least equal to the depth of the #outer court recess#, except where such width permits any depth for an #outer court#, relative to the height.

23-36 - Maximum Lot Coverage

LAST AMENDED

12/5/2024

For #developments# or #enlargements# of #residences#, the maximum #lot coverage# regulations are set forth in Section [23-361](#) for R1 through R5 Districts and Section [23-362](#) for R6 through R12 Districts. Special rules for certain #interior# or #through lots# are set forth in Section 23-363.

23-361 - Maximum lot coverage in R1 through R5 Districts

LAST AMENDED

12/5/2024

R1 R2 R3 R4 R5

(a) For #single-# or #two-family residences#

In the districts indicated, for #zoning lots# with #buildings# containing #single-# or #two-family residences#, the maximum #residential# #lot coverage# shall be as set forth in the following table.

MAXIMUM RESIDENTIAL LOT COVERAGE FOR SINGLE OR TWO-FAMILY RESIDENCES???????

	Lot type	
District	#Interior lots# or #through lots# (percent)	#Corner lots# (percent)
R1 R2	40	80
R3	50	80
R4 R5	60	80

However, in R2X, R3A and R3X Districts, the maximum #residential# #lot coverage# shall be that #lot coverage# remaining after the application of all required #yards# on the #zoning lot#.

(b) For #multiple dwelling residences#

In the districts indicated, for #zoning lots# with #buildings# containing #multiple dwelling

residences#, where permitted, the maximum #residential# #lot coverage# for #interior lots# or #through lots# shall be 80 percent and the maximum #residential# #lot coverage# for #corner lots# shall be 100 percent.

However, for #large sites# with #buildings# utilizing the provisions of Section [23-425](#) (Height and setback modifications for large sites), the maximum #residential# #lot coverage# of the entire site shall be 50 percent. Individual #corner lot#, #interior lot#, or #through lot# portions may exceed such overall maximum, provided they do not exceed the respective maximums that would apply to #zoning lots# that are not #large sites#.

23-362 - Maximum lot coverage in R6 through R12 Districts

LAST AMENDED

12/5/2024

R6 R7 R8 R9 R10 R11 R12

(a) For standard lots

In the districts indicated, the maximum #residential# #lot coverage# for #interior lots# or #through lots# shall be 80 percent and the maximum #residential# #lot coverage# for #corner lots# shall be 100 percent.

(b) For eligible sites

In the districts indicated, for #zoning lots# with #buildings# utilizing the eligible site provisions of Section [23-434](#) (Height and setback modifications for eligible sites), the maximum #residential# #lot coverage# of the entire site shall be:

- (1) 65 percent on #zoning lots# with a #lot area# of 30,000 square feet or more that are not #large sites#; and
- (2) 50 percent on #large sites#.

Individual #corner lot#, #interior lot#, or #through lot# portions may exceed such overall maximum, provided they do not exceed the respective maximums that would apply to #zoning lots# that are not utilizing the eligible site provisions.

23-363 - Special rules for certain interior or through lots

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# set forth in Section [23-361](#) (Maximum lot coverage in R1 through R5 Districts) or [23-362](#) (Maximum lot coverage in R6 through R12 Districts), as applicable, may be increased in accordance with the provisions of this Section.

- (a) Shallow #zoning lots#

For #zoning lots# eligible for the #rear yard# modifications for shallow #interior lots# set forth

in Section [23-342](#) (Rear yard requirements) or the #rear yard equivalent# modifications for shallow #through lots# set forth in Section [23-343](#) (Rear yard equivalent requirements), the maximum #lot coverage# of such #zoning lot#, or portion thereof, may be increased by one percent for every five feet the depth of such #zoning lot#, or portion thereof, is less than 95 feet for #interior lots# or 190 feet for #through lots#. Where the #front lot line# or #rear lot line# of a #zoning lot# intersects a #side lot line# at an angle other than 90 degrees, the depth of such #zoning lot#, or portion thereof, shall be measured at the midpoint of such irregularly angled #lot line#.

In no event shall the maximum #lot coverage# of an #interior lot# or #through lot# exceed 90 percent. Shallow portions of a #zoning lot# may exceed such maximum, so long as the adjusted maximum #lot coverage# complies with such maximum.

(b) Within 100 feet of corners

In the districts indicated, for #interior# or #through lots#, or portions thereof, within 100 feet of the point of intersection of two #street lines# intersecting at an angle of 135 degrees or less, the maximum #lot coverage# shall be 100 percent.

(c) Along the short dimension of the block

In the districts indicated, whenever a #front lot line# of an #interior# or #through lot# coincides with the #street line# of the #short dimension of a block#, the maximum #lot coverage# for such #zoning lot#, or portion thereof, shall be 100 percent within 100 feet of such #street line#.

LAST AMENDED

12/5/2024

23-371 - Standard minimum distance between buildings

LAST AMENDED

12/5/2024

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

In all districts, as indicated, the minimum distance between the portion of a #building# containing #residences# and any other #building# on the same #zoning lot# shall be as provided in this Section.

For the purpose of this Section, #abutting# #buildings# on a single #zoning lot# may be considered a single #building#. However, if two or more portions of a #building# are not connected or not #abutting# at a particular level, such separated portions shall comply with the applicable provisions of this Section. In applying such provisions, the height of such separated portions shall be measured from the roof of the connecting or #abutting# portion of such #building#, as applicable, instead of from the #base plane#.

(a) Exceptions

The provisions of this Section shall not apply to:

- (1) #buildings# that are separated from each other by a #rear yard equivalent#; or
- (2) space between a #single-family#, #two-family#, or three-family #residence# and a garage #accessory# thereto.

(b) For #single-# and #two-family residences#

For #buildings# with two or fewer #dwelling units#, the required minimum distance between any such #residences# and any other #building# with two or fewer #dwelling units# on the same #zoning lot#, or a non-#residential# #building# on the same #zoning lot# shall vary according to the height of such #buildings#. Such minimum distance shall be measured perpendicular to the #building# wall or window, as applicable. However, for #buildings# with two or fewer #dwelling units#, the required minimum distance between any such #residences# and an #ancillary dwelling unit# on the same #zoning lot# shall be 10 feet.

For #buildings# with two or fewer #dwelling units#, the required minimum distance between any such #residences# and a #building# with three or more #dwelling units# on the same #zoning lot# shall be subject to the provisions of paragraph (c) of this Section.

	Maximum #Building# Height above #Base Plane# or #Cur Applicable (in feet)		
	35 or less	Between 35 and 50	Ove
Minimum distance	15	20	30

(c) For #buildings# that contain three or more #dwelling units#

The minimum distance between a #building# containing three or more #dwelling units# and any other #building# on the #zoning lot# shall be applied in accordance with the provisions of this Section. Where two or more portions of a #building# are separated completely from one another at a particular level above grade, such separated portions shall comply with paragraph (c)(1) of this Section. Where there are multiple #buildings# on a single #zoning lot# that do not connect at any level, such #buildings# shall comply with paragraph (c)(2) of this Section.

(1) For separated portions of a #building#

The required minimum distance between any separated portion of a #building# containing #dwelling units# shall be as follows:

- (i) where #legally required windows# face onto a separated portion of a #building# at or below a height of 75 feet, the minimum dimension between such separated portions shall not be less than 20 feet, and above a height of 75 feet, where permitted, the minimum dimension shall not be less than 30 feet; and
- (ii) where no #legally required windows# face onto a separated portion of a #building# at or below a height of 75 feet, the minimum dimension between such separated portions shall not be less than 10 feet, and above a height of 75 feet, where permitted, the minimum dimension shall not be less than 15 feet.

(2) Two or more #buildings# on a single #zoning lot#

The minimum distance between two or more #buildings# on the same #zoning lot# that are not connected at any level shall be 40 feet, as measured between the closest points of such #buildings#, for portions of #buildings# lower than 125 feet, as measured from the #base plane# or #curb level#, as applicable.

Portions of such #buildings# higher than 125 feet shall be at least 80 feet apart, as measured between the closest points of such #buildings#. However, such minimum distance need not exceed 40 feet if such portions of #buildings# above a height of 125 feet do not exceed, in aggregate, a #lot coverage# of 40 percent or, for lots of less than 20,000 square feet, the percentage set forth in the table below:

AGGREGATED LOT COVERAGE OF PORTIONS OF BUILDINGS ON A SMALL
ZONING LOT

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

18,501 to 19,999	41
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(d) In addition, the following rules shall apply to:

- (1) any portion of a #building# that qualifies as a #building segment# may be treated as a separate #building# for the purposes of determining the minimum distance required between such #building segment# and another #building# or #building segment#;
- (2) where #buildings# of different heights face each other, the average of the heights of such #buildings# shall determine the minimum distance required between them;
- (3) projections having a maximum height of 25 feet above adjoining grade, a maximum depth of five feet, and an aggregate width not exceeding 25 percent of the #building# wall from which they project, may penetrate the minimum spacing requirements. However, such projections shall not be permitted in open spaces provided pursuant to paragraph (c)(2) of this Section; and
- (4) the obstructions permitted in Section [23-311](#) shall be permitted in such minimum distance.

23-372 - Distance between legally required windows and lot lines

LAST AMENDED

12/5/2024

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

The minimum distance between #legally required windows# and walls or #lot lines# shall be as set forth in this Section.

For the purposes of this Section, #abutting# #buildings# on the same #zoning lot# shall be considered a single #building#.

(a) Exceptions

This Section shall not apply to #legally required windows# in #buildings# containing #residences# with a maximum height of 35 feet, as measured from #base plane#, and with a maximum of three #dwelling units#.

(b) Basic provisions

The minimum distance between a #legally required window# and:

- (1) any wall;
- (2) a #rear lot line#, or vertical projection thereof; or
- (3) a #side lot line#, or vertical projection thereof;

shall be 20 feet, measured in a horizontal plane at the sill level of, and perpendicular to, such window for the full width of the rough window opening.

The obstructions permitted for any #yard# set forth in Section [23-311](#) shall be permitted in such minimum distance.

(c) For shallow lots

For #interior lots#, where the depth is less than 95 feet deep at any point, the minimum distance between a #legally required window# and a #rear lot line#, or vertical projection thereof, may be modified to equal the #rear yard# depth required for shallow lots pursuant to the provisions of Section [23-342](#) (Rear yard requirements). However, in no event shall such minimum distance between a #legally required window# and a #rear lot line#, or vertical projection thereof, be less than 10 feet.

(d) Special provisions for R3 through R5 Districts

In R3, R4 and R5 Districts, the minimum dimension between a #legally required window# and a #side lot line# shall be 15 feet. Such 15-foot dimension shall be measured in a horizontal plane perpendicular to the #side lot line# or vertical projection thereof. Furthermore, such area with a 15-foot dimension shall be open from its lowest level to the sky for the entire length of the #side lot line#. Only #accessory# mechanical equipment limited in depth to 18 inches from an exterior wall, chimneys, downspouts, eaves, #qualifying exterior wall thickness#, gutters, open #accessory# off-street parking spaces, ramps for access by people with disabilities, and steps shall be permitted obstructions in such open area, subject to the conditions set forth in Sections [23-311](#) or [23-312](#), provided that such obstructions, not including #qualifying exterior wall thickness# and #accessory# mechanical equipment, will not reduce the minimum width of the open area by more than three feet.

23-38 - Special Rules for Certain Areas

LAST AMENDED

12/5/2024

23-381 - Special provisions in other geographies

LAST AMENDED

12/5/2024

In all districts, for #buildings# containing #multiple dwelling residences# on #zoning lots# that adjoin a #public park#, the minimum distance between a #legally required window# and a #lot line# need not apply to portions of #buildings# facing such #public park# where the Commissioner of the Department of Parks and Recreation determines that the #public park# will provide sufficient access to light and air for such #building's# #legally required windows#. Where the Commissioner makes such determination, the #public park# shall be considered a #street# for the purposes of applying other applicable laws or statutes to such #legally required window#.

23-40 - HEIGHT AND SETBACK REGULATIONS

LAST AMENDED

12/5/2024

Height and setback regulations are set forth in Section [23-42](#), inclusive, for R1 through R5 Districts and Section [23-43](#), inclusive, for R6 through R12 Districts. Special rules governing certain areas are set forth in Section [23-44](#). Permitted obstructions to maximum heights are set forth in Section [23-41](#).

For #zoning lots# with #buildings# containing multiple #uses# or multiple #buildings# with different #uses#, inclusive of #residences#, subject to different height and setback regulations for the applicable district, the applicable height and setback regulations shall be whichever regulations permit the tallest overall heights.

23-41 - Permitted Obstructions

LAST AMENDED

12/5/2024

In all #Residence Districts#, the obstructions set forth in this Section, inclusive, shall be permitted to penetrate a maximum height limit set forth in Sections [23-42](#) (Height and Setback Requirements in R1 Through R5 Districts), [23-43](#) (Height and Setback Requirements for R6 Through R12 Districts) or [23-44](#) (Special Provisions for Certain Areas).

23-411 - General permitted obstructions

LAST AMENDED

12/5/2024

In all #Residence Districts#, the following obstructions shall be permitted to penetrate a maximum height limit or #sky exposure plane#. These allowances are generally common to #Residence#, #Commercial# and #Manufacturing Districts#.

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

- (3) may rise above the permitted #building# height, up to the height of a parapet wall or railing permitted in accordance with this Section. When located on the first #story# above a setback, awnings and other sun control devices shall be limited to a projection of 50 percent of the depth of the required setback, and shall be limited, in total, to 50 percent of the width of the #building# wall from which they project;

- (b) #Building# columns, having an aggregate width equal to not more than 20 percent of the #aggregate width of street walls# of a #building#, to a depth not exceeding 12 inches, in an #initial setback distance#, optional front open area, or any other required setback distance or open area set forth in the applicable height and setback regulations;

- (c) Chimneys or flues, with a total width not exceeding 10 percent of the #aggregate width of street walls# of a #building# at any level;

- (d) Decks, and other surfaces for recreational activities, not more than 3 feet, 6 inches in height, as measured from the maximum height limit;

- (e) Flagpoles or aerials;

- (f) Parapets, railings, or safety guards, whether applied singly, or in combination, provided that:
 - (1) parapets shall not exceed four feet in height;
 - (2) railings shall not exceed 4 feet, 6 inches in height, and shall be at least 50 percent open for the portion that exceeds four feet in height; and
 - (3) safety guards shall not exceed 10 feet in height and shall be at least 90 percent transparent for the portion that exceeds four feet in height;

- (g) #Qualifying exterior wall thickness#;

- (h) Roof thickness, up to 12 inches, to accommodate the addition of insulation, for #buildings# or portions of #buildings# constructed prior to December 5, 2024. For a #building# that has added roof thickness pursuant to this paragraph, the height of any other permitted obstruction may be measured from the finished level of the roof instead of the maximum height limit or #sky exposure plane#;
- (i) Skylights, clerestories or other daylighting devices, not more than four feet in height, as measured from the maximum height limit. Such devices shall be limited to a #lot coverage# not greater than 10 percent of the #lot coverage# of the roof and be located at least eight feet from the #street wall# edge. However, such devices shall not be permitted obstructions above a roof with a slope greater than 20 degrees;
- (j) Solar energy systems, #accessory# or as part of an #energy infrastructure equipment#:
 - (1) on the roof, or any portion thereof, of a #building#, with a slope less than 20 degrees: up to a height of 15 feet, or, when located on a bulkhead or other obstruction of this Section, a height of six feet; or
 - (2) on the roof, or any portion thereof, of a #building#, which has a slope of more than 20 degrees: up to a height of 60 inches in height, as measured perpendicular to the roof surface;
- (k) Vegetated roofs, not more than 3 feet, 6 inches in height, excluding vegetation, as measured from the maximum height limit. On roofs with slopes greater than 20 degrees, vegetated roofs shall be limited to a height of 12 inches measured perpendicular to such roof surface;
- (l) Weirs, check dams and other equipment for stormwater management, not more than 3 feet, 6 inches in height, as measured from the maximum height limit;
- (m) Window washing equipment mounted on a roof;

- (n) Wire, chain link or other transparent fences.

23-412 - Additional permitted obstructions

LAST AMENDED

12/5/2024

In all #Residence Districts#, the obstructions set forth in Section [23-411](#) (General permitted obstructions), as well as the following obstructions, shall be permitted to penetrate a maximum height limit or #sky exposure plane#:

- (a) Balconies, unenclosed, subject to the provisions of Section [23-62](#) (Balconies);
- (b) Dormers having an #aggregate width of street walls# equal to not more than 50 percent of the width of the #street wall# of a #detached# or #semi-detached# #single-# or #two-family residence#;
- (c) Elevator or stair bulkheads (including shafts and vestibules), roof water tanks, #energy infrastructure equipment#, and #accessory# mechanical equipment (including enclosures or other screening), other than solar or wind energy systems (whether #accessory# or as part of #energy infrastructure equipment#), provided that:
 - (1) such obstructions shall be located not less than 10 feet from the #street wall# of a #building#, except that such obstructions need not be set back more than 25 feet from a #narrow# #street line# or more than 20 feet from a #wide# #street line#. However, such restrictions on location shall not apply to elevator or stair bulkheads (including shafts or

vestibules), provided the #aggregate width of street walls# of such bulkheads within 10 feet of a #street wall#, facing each #street# frontage, does not exceed 30 percent of the #street wall# width of the #building# facing such frontage;

(2) the aggregate area of such obstructions, including any screening, does not exceed 50 percent of the #lot coverage# of the #building# and the height of such obstructions shall not exceed 15 feet above the maximum permitted height, except where otherwise permitted by paragraph (c)(3) of this Section;

(3) the aggregate area of such obstructions, including any screening, does not exceed 30 percent of the #lot coverage# of the #building#, and the height of such obstructions shall not exceed:

(i) R1 through R5 Districts, for #buildings# on #qualifying residential sites#, or in R3-2, R4, and R5 Districts, except R4-1, R4A, R4B and R5A Districts, for any #building#, a height of 25 feet above the maximum permitted height;

(ii) in R6 through R12 Districts:

(a) where the maximum permitted height of a #building# is 120 feet or lower, a height of 35 feet above the maximum permitted height; and

(b) where the maximum permitted height of a #building# is greater than 120 feet, a height of 55 feet above the maximum permitted height; and

(4) all equipment shall be subject to the applicable provisions of Section [26-50](#) (SPECIAL SCREENING AND ENCLOSURE PROVISIONS);

(d) Wind energy systems, #accessory# or as part of an #energy infrastructure equipment#, on portions of #buildings# with a height of 100 feet or greater, provided:

- (1) the highest point of the wind turbine assembly does not exceed 55 feet;
- (2) no portion of the wind turbine assembly is closer than 10 feet to any #lot line#; and
- (3) the diameter of the swept area of the rotor does not exceed 15 feet.

23-413 - Permitted obstructions in certain districts

LAST AMENDED

12/5/2024

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

- (a) In the districts indicated, for those #buildings# that are subject to Section [23-421](#) (Basic pitched-roof envelopes for certain districts), permitted obstructions are limited to chimneys, dormers, #qualifying exterior wall thickness#, flagpoles or aerials, parapet walls, roof thickness, skylights, solar energy systems and vegetated roofs pursuant to Section [23-411](#) (General permitted obstructions).
- (b) In the districts indicated, for #buildings# other than those subject to the provisions set forth in Section [23-421](#), for those #buildings# subject to any height and setback regulations, the following rules shall apply within a required front setback distance above a maximum base height:
 - (1) Dormers shall be allowed as a permitted obstruction, provided that on any #street# frontage, either one of the following methods is applied:

- (i) the aggregate width of all dormers at the maximum base height does not exceed 60 percent of the width of the #street wall# of the highest #story# entirely below the maximum base height. For each foot above the maximum base height, the aggregate width of all dormers shall be decreased by one percent of the #street wall# width of the highest #story# entirely below the maximum base height; or
- (ii) the aggregate width of all dormers at the maximum base height does not exceed 40 percent of the width of the #street wall# of the highest #story# entirely below the maximum base height. Such dormers need not decrease in width as the height above the maximum base height increases.

Where towers allowances are utilized pursuant to the provisions of Section [23-435](#), dormers may only rise to a height equivalent to 75 percent of the height of the tower portion. Such dormer shall be included in the calculation of tower coverage.

- (2) Solar energy systems on a roof shall be limited to four feet or less in height, as measured from the maximum height limit, or the finished level of the roof, whichever is higher. However, on a roof with a slope greater than 20 degrees, such systems shall be limited to 18 inches in height as measured perpendicular to the roof surface.
- (3) Wind energy systems shall not be allowed as permitted obstructions.
- (4) Window washing equipment shall not be allowed as permitted obstructions.

23-42 - Height and Setback Requirements in R1 Through R5 Districts

12/5/2024

R1 R2 R3 R4 R5

In the districts indicated, the height and setback regulations of a #building or other structure# shall be as set forth in Section [23-421](#) (Basic pitched-roof envelopes for certain districts) and [23-422](#) (Basic flat-roof envelopes for certain districts). Where applicable, standard setback provisions are set forth in Section 23-423.

Such heights may be increased on #qualifying residential sites# or on #zoning lots# containing #qualifying senior housing#, or for certain #large sites#, pursuant to Sections [23-424](#) or [23-425](#), respectively.

Additional provisions are set forth in Section [23-426](#) and Section [23-44](#), 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#. Furthermore, for the purposes of this Section, #building segments# may be considered to be separate #buildings# and #abutting# #semi-detached# #buildings# may be considered to be one #building#.

23-421 - Basic pitched-roof envelopes for certain districts

LAST AMENDED

12/5/2024

R1 R2 R3A R3X R3-1 R3-2 R4 R4-1 R4A R5A

In the districts indicated, the height and setback regulations for #single-# or #two-family# #detached#, #semi-detached#, or #zero lot line# #buildings or other structures#, where permitted, shall be set forth in this Section.

The perimeter walls of a #building or other structure# are those portions of the outermost walls enclosing the #floor area# within a #building or other structure# at any level and height is measured from the #base plane#. Perimeter walls are subject to setback regulations at a maximum height above the #base plane# of 25 feet.

Above these heights, sloping planes control the maximum height of the #building or other structure# requiring either a setback or a pitched roof. These planes start at the maximum permitted height of the perimeter walls and meet at a ridge line of 35 feet above the #base plane#. The exact locations of these planes are flexible and are determined in the following steps set forth in paragraphs (a) through (g):

- (a) At a height of 35 feet above and parallel to the #base plane#, a plane is projected above the area enclosed by and including the perimeter walls of the #building or other structure#. A second plane (the perimeter wall plane) is projected in the same manner at a height of 25 feet above the #base plane#. (See Figure A)

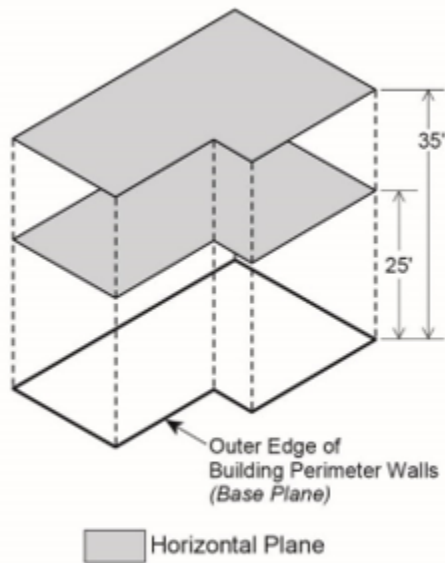


Figure A

- (b) Each perimeter wall of the #building or other structure# with a horizontal dimension of eight feet or more which projects from an adjacent perimeter wall at least 18 inches may have an apex point directly above it on the 35-foot-high plane. (See Figure B). The location of the apex point is flexible provided it is directly above its perimeter wall and provided a line drawn from the intersection of two perimeter walls to such an apex point does not exceed 80 degrees to the horizontal. An apex point is not required for each qualifying perimeter wall; however, the maximum number of apex points above each such wall is one.

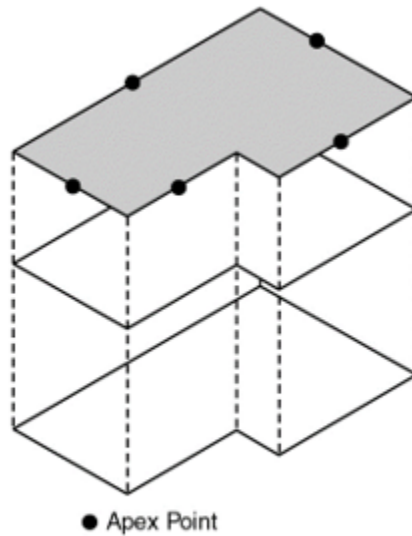


Figure B

- (c) One “ridge line” is extended in a straight line from each apex point along the 35-foot-high plane. Ridge lines which connect two apex points may cross other ridge lines. Otherwise, ridge lines which extend from only one apex point must terminate at a point of intersection with another ridge line. (See Figure C)

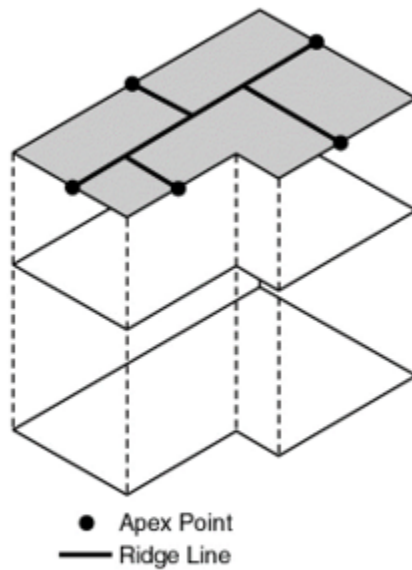


Figure C

- (d) Sloping planes are extended in a straight line outward and downward from each ridge line until they intersect the perimeter wall plane. Every sloping plane generated must intersect the perimeter wall plane for the full width of the ridge line from which it extends. (See Figure D). The maximum angle of pitch for any sloping plane may not exceed 80 degrees to the horizontal. Sloping planes extended from ridge lines perpendicular or within 45 degrees of being perpendicular to each other may intersect, in which case the higher plane defines the limit of the envelope. Sloping planes extended from ridge lines parallel or within 45 degrees of being parallel to each other must intersect the perimeter wall plane without intersecting each other.

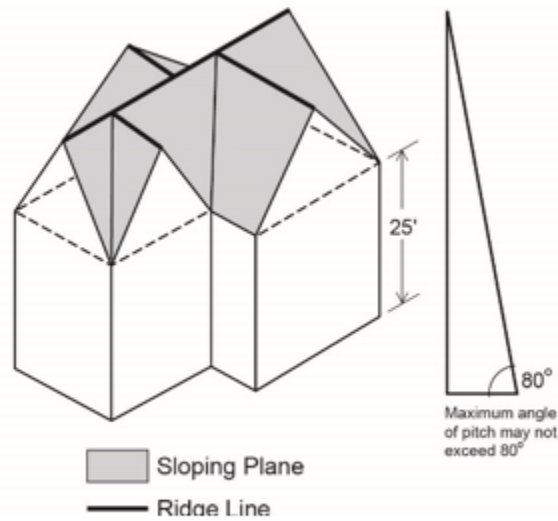


Figure D

- (e) The perimeter walls are then extended vertically beyond the perimeter wall plane, up to the heights defined by the sloping planes generated in paragraph (d). (See Figure E). The perimeter walls of the #building or other structure#, the sloping planes and the perimeter wall extensions define the #building# envelope. (See Figure F).

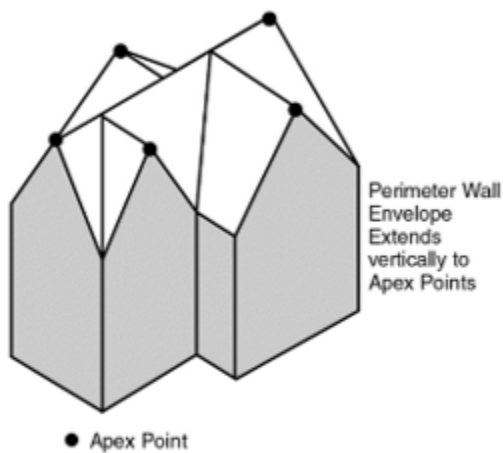


Figure E

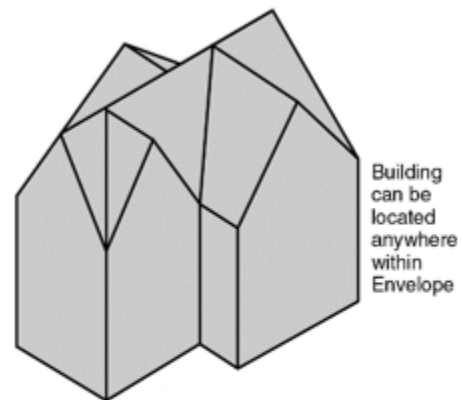


Figure F

(f) Special Situations

For convex curved perimeter walls, the #building or other structure# must be within a plane curve tapering uniformly to a vertex located at a height of 35 feet. For concave curved perimeter walls, the #building or other structure# must lie within a plane curve extending from the maximum perimeter wall height to a ridge line parallel to the prolongation of the perimeter wall at the 35-foot level. Such plane curves may not exceed a pitch of 80 degrees in relation to a plane drawn parallel to the #base plane# at the maximum height of the permitted perimeter wall. (See Figure G).

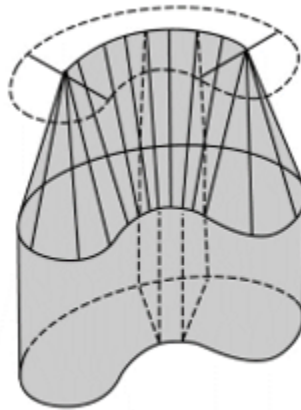


Figure G

- (g) In R1 and R2 Districts without a letter suffix, for #zoning lots# that either:
- (1) have a #lot area# of at least 9,500 square feet and #lot width# of at least 100 feet; or
 - (2) have a slope, as measured from the #street wall line level# to the #rear wall line level#, of at least five percent to the horizontal;

the reference plane for applying the regulations of this Section may be located up to five feet above the #base plane#.

23-422 - Basic flat-roof envelopes for certain districts

LAST AMENDED

12/5/2024

R3-2 R4 R4B R5 R5B R5D

In the districts indicated, the height and setback regulations for #buildings or other structures# shall be set forth in this Section.

R3-2 R4

(a) In the districts indicated, for #residences# not subject to the provisions of Section [23-421](#), the maximum #building# height shall be 35 feet.

R4B

(b) In the district indicated, the maximum #building# height shall be 25 feet.

R5B

(c) In the district indicated, the maximum #building# height shall be 35 feet.

R5

- (d) In the district indicated, except R5 Districts with a letter suffix, the maximum base height shall be 35 feet, and the maximum #building# height shall be 45 feet. At a height not higher than the maximum base height, a setback shall be provided in accordance with Section 23-423.

R5D

- (e) In the district indicated, the maximum #building# height shall be 45 feet.

23-423 - Standard setback regulations

LAST AMENDED

12/5/2024

Where minimum setback regulations are specific for a particular #building# envelope for a particular district, the following shall apply.

At a height not higher than the maximum base height specified for the applicable district, a setback with a depth of at least 10 feet shall be provided from any #street wall# fronting on a #wide street#, and a setback with a depth of at least 15 feet shall be provided from any #street wall# fronting on a #narrow street#. Such minimum setbacks may be modified as follows:

- (a) The depth of such required setback may be reduced by one foot for every foot that the #street wall# is located beyond the minimum required #front yard#, but in no event shall a setback of less than seven feet in depth be provided, except as otherwise set forth in this Section. To allow #street wall# articulation, where a #street wall# is divided into different segments and located at varying depths from the #street line#, such permitted setback reduction may be applied to each #street wall# portion separately.

- (b) The depth of such setbacks may include the depth of recesses or #outer courts# in the #street wall# of the #building# base, provided that the aggregate width of any such recessed portion of a #street wall# with a setback less than seven feet, as applicable, does not exceed 30 percent of the #aggregate width of street wall# at any level.
- (c) These setback provisions are optional for any #building# wall that either is located beyond 50 feet of a #street line#, or oriented so that lines drawn perpendicular to it, in plan, would intersect a #street line# at an angle of 65 degrees or less. In the case of an irregular #street line#, the line connecting the most extreme points of intersection shall be deemed to be the #street line#.
- (d) Dormers provided in accordance with the provisions of Section [23-413](#) (Permitted obstructions in certain districts) may penetrate a required setback area.

23-424 - Height and setback requirements for qualifying residential sites

LAST AMENDED

12/5/2024

R1 R2 R3 R4 R5

In the districts indicated, for #qualifying residential sites#, the height and setback modifications set forth in this Section shall apply.

The maximum base height and maximum #building# height shall be as set forth in the following table. At a height not higher than the maximum base height, a setback shall be provided in accordance with Section 23-423.

MAXIMUM BASE HEIGHT AND MAXIMUM #BUILDING# HEIGHTS FOR #QUALIFYING RESIDENTIAL SITES# AND #QUALIFYING SENIOR HOUSING#

District	Maximum Base Height (in feet)	Maximum Height of #Buildings or other Structures# (in feet)
R1-1 R1-2 R1-2A R2 R2A R2X R3-1 R3-2 R3A R3X	35	3
R4 R4-1 R4A R4B	35	4
R5 R5A R5B R5D	45	5

23-425 - Height and setback modifications for large sites

LAST AMENDED

12/5/2024

R1 R2 R3 R4 R5

In the districts indicated, for #zoning lots# that meet the criteria of paragraph (a) of this Section, the height and setback modifications set forth in paragraph (b) shall apply.

(a) Eligible sites

The provisions of this Section shall apply to #large sites# that are #qualifying residential sites# or #zoning lots# located in R3-2, R4, R5, R5B or R5D Districts.

However, for #large sites# with existing #buildings#, eligible portions of the #zoning lot# for #developments# or #enlargements#:

- (1) shall not include open space with amenities used for recreational purposes, such as play equipment, court game facilities, ball fields or fixed tables and chairs, unless such space is replaced in kind and size on the same #zoning lot#; and
- (2) shall be located, partially or entirely, within 100 feet of a #street line#.

(b) Modified height and setback provisions

For eligible #zoning lots#, the maximum base height and maximum #building# heights set forth in Section [23-424](#) shall apply. However, where either the height at roof level of an existing #building#, or ornamental features in an existing non-#residential# #building or other structure#, meet or exceed the maximum heights set forth in such table, the maximum heights may be increased by 10 feet, or the height of such roof level or ornamental feature, whichever is lower.

23-426 - Additional height and setback provisions

LAST AMENDED

12/5/2024

R1 R2 R3 R4 R5

In the districts indicated, the following additional regulations shall apply:

- (a) For any #zoning lot# located in a Historic District designated by the Landmarks Preservation Commission, any applicable maximum height regulations of Section [23-42](#), inclusive, or as modified in any applicable Special District, may be modified as follows: the maximum base

height may vary between the maximum set forth in Sections [23-422](#), [23-424](#), and [23-425](#), and the height of an adjacent #building# before setback, if such height is higher than the maximum base height.

- (b) For #buildings# containing #multiple dwelling residences# with #street wall# widths exceeding 150 feet, as measured parallel to the #street line#, a minimum of 20 percent of the entire surface area of each #street wall# shall either recess or project a minimum of three feet from the #street wall#. The depth of required recesses or projections of a #building# shall be measured from the #street wall#.

23-43 - Height and Setback Requirements in R6 Through R12 Districts

LAST AMENDED

12/5/2024

R6 R7 R8 R9 R10 R11 R12

In the districts indicated, the #street wall# location of a #building# shall be as set forth in Section [23-431](#), the height and setback regulations of a #building or other structure# shall be as set forth in Section [23-432](#), and standard setback provisions shall be as set forth in Section 23-433.

The maximum heights set forth in Section [23-432](#) may be modified for #zoning lots# meeting certain criteria, in accordance with Section [23-434](#), or where towers are permitted in accordance with Section 23-435. Additional height and setback provisions are set forth in Section [23-436](#) and Section [23-44](#), 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#.

#Lot coverages# for towers, including maximums and minimums, where applicable, shall be applied at every level.

23-431 - Street wall location requirements

LAST AMENDED

12/5/2024

R6 R7 R8 R9 R10 R11 R12

In the districts indicated, 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 [23-432](#) (Height and setback requirements).

(a) Line-up rules

In R6B, R7B, and R8B Districts, the #street wall# of a #building# shall be located no closer to the #street line# than the closest #street wall#, or portion thereof, nor further from the #street line# than the furthest #street wall#, or portion thereof, of an existing adjacent #building# on the same or an adjoining #zoning lot# located on the same #street# frontage. Eligible adjacent #buildings# shall be located within 15 feet of the #street line#, within 25 feet of the subject #building#, and have a height that exceeds 35 feet. Where an existing adjacent #building# has multiple #street walls# located at varying depths from the #street line#, the subject #street wall# shall not be located closer to the #street line# than the furthest portion of such existing adjacent #street wall# that is at least five feet in width and extends to at least half the height of the #building#.

However, where, the #street wall# surrounding the subject #building# do not have a #prevailing street wall frontage#, the applicable #street wall# regulations of paragraph (b) may be applied.

(b) Percentage-based rules

For all #buildings# that are not subject to the provisions of paragraph (a), the following shall apply:

- (1) Along #wide streets#, at least 70 percent of the #aggregate width of street walls# shall be located within eight feet of the #street line# and extend to at least the minimum base height specified in Section [23-432](#), 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#.
- (2) Along #narrow streets#, at least 70 percent of the #aggregate width of street wall# shall be located within 10 feet of the #street line# and extend to at least the minimum base height specified in Section [23-432](#), or the height of the #building#, whichever is less. Up to 30 percent of the #aggregate width of street walls# may be recessed beyond 10 feet of the #street line#, provided that any such recesses deeper than 15 feet 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 this Section may be applied.

(c) Modifications for large zoning lots

Notwithstanding the provisions of paragraph (a) or (b) of this Section, for #zoning lots# with a #lot area# of at least 40,000 square feet or for #zoning lots# that occupy an entire #block#, at least 50 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 [23-432](#), or the height of the #building#, whichever is less.

(d) 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), (b) or (c) of this Section, provided 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.

23-432 - Height and setback requirements

LAST AMENDED

12/5/2024

R6 R7 R8 R9 R10 R11 R12

In the districts indicated, the minimum base height, maximum base height, and maximum #building# height shall be as set forth in the following table. 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.

MINIMUM BASE HEIGHT, MAXIMUM BASE HEIGHT,
AND MAXIMUM BUILDING HEIGHTS

District	Minimum base height (in feet)	Standard #residences#		#Qualifying affordable housing# or #qualifying senior housing#	
		Maximum base height (in feet)	Maximum height of #buildings or other structures# (in feet)	Maximum base height (in feet)	Maximum height of #buildings or other structures# (in feet)
R6A R6 ¹ R6-1	40	65	75	65	
R6 ²	30	45	55	65	
R6B	30	45	55	45	
R6D R6-2	30	45	65	55	

R7A R7-11 R7-21	40	75	85	85
R7-12 R7-22	40	65	75	85
R7B	40	65	75	65
R7D	60	85	105	95
R7X R7-3	60	95	125	105
R8A	60	95	125	105
R8B	55	65	75	85
R8X	60	95	155	105
R8 ²	60	85	115	105
R8 ¹	60	95	135	105
R8 ³	60	95	135	125
R9A ¹ R9 ¹	60	105	145	135
R9A ² R9 ²	60	95	135	135
R9D R9-1	60	125	175	155
R9X ¹	105	125	175	155
R9X ²	60	125	165	155

R10X ¹ R10 ¹	60	155	215	155
R10A ¹	125	155	215	155
R10A ² R10X ² R10 ²	60	125	185	155
R11A ¹	125	155	255	155
R11A ² R11	60	155	255	155
R12	60	155	325	155

- 1 For #zoning lots# or portions thereof within 100 feet of a #wide street#
- 2 For #zoning lots# or portions thereof on a #narrow street# beyond 100 feet of a #wide street# or, for #zoning lots# with only #wide street# frontage, portions of such #zoning lot# beyond 100 feet of the #street line#
- 3 Outside of #Mandatory Inclusionary Housing areas#, for #zoning lots#, or portions thereof, located within 100 feet of a #wide street#, containing #UAP developments# or #qualifying senior housing#

23-433 - Standard setback regulations

LAST AMENDED

12/5/2024

R6 R7 R8 R9 R10 R11 R12


At a height not lower than the minimum base height or higher than the maximum base height specified for the applicable district, a setback with a depth of at least 10 feet shall be provided from any #street wall# fronting on a #wide street#, and a setback with a depth of at least 15 feet shall be provided from any #street wall# fronting on a #narrow street#. Such minimum setbacks may be modified as follows:

- (a) The depth of such required setback may be reduced by one foot for every foot that the #street wall# is located beyond the #street line#, but in no event shall a setback of less than seven feet in depth be provided, except as otherwise set forth in this Section. To allow #street wall# articulation, where a #street wall# is divided into different segments and located at varying depths from the #street line#, such permitted setback reduction may be applied to each #street wall# portion separately.
- (b) The depth of such setbacks may include the depth of recesses or #outer courts# in the #street wall# of the #building# base, provided that the aggregate width of any such recessed portion of a #street wall# with a setback less than seven feet, as applicable, does not exceed 30 percent of the #aggregate width of street wall# at any level.
- (c) These setback provisions are optional for any #building# wall that either is located beyond 50 feet of a #street line#, or oriented so that lines drawn perpendicular to it, in plan, would intersect a #street line# at an angle of 65 degrees or less. In the case of an irregular #street line#, the line connecting the most extreme points of intersection shall be deemed to be the #street line#.
- (d) Dormers provided in accordance with the provisions of Section [23-413](#) (Permitted obstructions in certain districts) may penetrate a required setback area.

23-434 - Height and setback modifications for eligible sites

LAST AMENDED

12/5/2024



R6 R7 R8 R9 R10 R11 R12

In the districts indicated, without a letter suffix, for #zoning lots# that meet the criteria of paragraph (a) of this Section, the height and setback modifications set forth in paragraph (b) may be applied.

The eligible site provisions of this Section may be applied to either a single #zoning lot# that meets the criteria of paragraph (a) or two or more #zoning lots# under single fee ownership or alternate ownership arrangements that are contiguous or would be contiguous but for their separation by a #street#, where the combined #lot area# exceeds 40,000 square feet, and where at least one individual #zoning lot# meets the criteria of paragraph (a).

(a) Eligible sites

The provisions of this Section shall apply to #zoning lots# that meet at least one of the following criteria:

- (1) #zoning lots# with a #transportation-infrastructure-adjacent frontage#;
- (2) #zoning lots# where one of the following irregularities exists on December 5, 2024, and the date of application for a building permit:
 - (i) an #interior lot#, or portions thereof, has a depth that is less than 85 feet, or a #through lot#, or portion thereof, has a depth that is less than 170 feet;
 - (ii) an #interior lot#, or portions thereof, has a depth that is greater than or equal to 115 feet, or a #through lot#, or portion thereof, has a depth that is greater than or equal to 230 feet;

- (iii) #corner lots# or other #zoning lots# with multiple #front lot lines# where the angle between two #front lot lines# is more than 15 degrees from being perpendicular;
 - (iv) #through lots# or other #zoning lots# with multiple #front lot lines# where the angle between two #front lot lines# is more than 15 degrees from being parallel;
 - (v) #zoning lots# where, over the depth of the lot, as measured perpendicular from the #front lot line#, there is a slope of at least 15 percent to the horizontal; or
- (3) #zoning lots# that have a #lot area# of at least 20,000 square feet or occupy an entire #block#.

In addition, for #zoning lots# with a #lot area# of 30,000 square feet or more with existing #buildings#, the following restrictions shall apply. The area of the #zoning lot# used for #developments# or #enlargements# under the provisions of this Section:

- (i) shall not include any portion of open space with amenities used for recreational purposes, such as play equipment, court game facilities, ball fields or fixed tables and chairs, unless such space is replaced in kind and size on the same #zoning lot#; and
- (ii) shall be located, partially or entirely, within 100 feet of a #street line#.

(b) Modified height and setback provisions

For eligible #zoning lots#, the maximum permitted #building# height may be modified by the heights in the table below. However, for #zoning lots# with a #lot area# of at least 40,000

square feet, whether singly or in combination, where either the height at roof level of an existing #building#, or ornamental features in an existing non-residential #building or other structure#, meet or exceed the maximum heights set forth in such table, the maximum heights may be increased by 25 percent, or the height of such roof level or ornamental feature, whichever is lower.

MAXIMUM BUILDING HEIGHT FOR ELIGIBLE SITES

District	Maximum height of #buildings or other structures# (in feet)
R6-2	95
R6 R6-1	125
R7-1 R7-2	155
R7-3	185
R8	215
R8 ¹	255
R9	285
R9-1	315
R10	355
R11	405
R12	495

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

23-435 - Tower regulations

LAST AMENDED

12/5/2024

In R9 through R12 Districts, other than R9A, R9X, R10A or R11A Districts, as an alternative to the maximum #building# heights set forth in Section [23-432](#), towers are permitted pursuant to the provisions of this Section.

Above the maximum base height specified for the particular district, a tower with a maximum #lot coverage# of:

- (a) 65 percent shall be permitted up to a height of 300 feet; and
- (b) 50 percent shall be permitted above a height of 300 feet.

23-436 - Additional height and setback provisions

LAST AMENDED

12/5/2024

R6 R7 R8 R9 R10 R11 R12

In the districts indicated, the following additional regulations shall apply:

- (a) Existing buildings may be vertically #enlarged# by up to one story or 15 feet without regard to the #street wall# location requirements of Section [23-431](#).
- (b) On #through lots# which extend less than 190 feet in maximum depth from #street# to #street#, the #street wall# location requirements of Section [23-431](#) shall be mandatory along only one #street# frontage.
- (c) On #corner lots#, or portions thereof, the #street wall# location requirements of Section [23-431](#) shall be mandatory along only one #street# frontage. Where one of the #street# frontages bounding the #corner lot# is a #wide street# and the other a #narrow street#, the #street wall# location rules shall be applied along the #wide street# frontage;
- (d) The #street wall# location and minimum base height provisions of Sections [23-431](#) and [23-432](#), respectively, shall not apply along any street frontage of a #zoning lot# occupied by buildings whose #street wall# heights or widths will remain unaltered.
- (e) The minimum base height provisions of Section [23-432](#) shall not apply to #buildings#, or portions thereof, that are #developed# or #enlarged# and do not exceed such minimum base heights.
- (f) For any zoning lot located in a Historic District designated by the Landmarks Preservation Commission, the #street wall# location and minimum or maximum base height regulations of Section [23-43](#), inclusive, or as modified in any applicable Special District, may be modified as follows:
 - (1) The minimum base height of a #street wall# may vary between the applicable minimum set forth in Section [23-432](#), and the height of the #street wall# of an adjacent #building# before setback, if such height is lower than the minimum base height; and

- (2) The maximum base height of a #street wall# may vary between the applicable maximum set forth in Section [23-432](#), inclusive, and the height of the #street wall# of adjacent #building# before setback, if such height is higher than the maximum base height.
- (g) Where a continuous sidewalk widening is provided on the #zoning lot#, along the entire #block# frontage of a #street#, the boundary of the sidewalk widening shall be considered to be the #street line# for the purposes of applying the provisions of Section [23-431](#), but such widening may be included in the setback reductions permitted pursuant to paragraph (a) of Section 23-433.

23-44 - Special Provisions for Certain Areas

LAST AMENDED

12/5/2024

23-441 - Special tower provisions

LAST AMENDED

12/5/2024

The tower provisions of Section [23-435](#) shall be modified in certain areas, as follows:

- (a) In R9D and R10X Districts, the minimum #lot coverage# of a tower above the maximum base height shall be 33 percent of the #lot area# of the #zoning lot#. However, any #story# located within the highest 15 percent of the tower may cover less than 33 percent of the #lot area# of a

#zoning lot# provided that the gross area of any such #story# does not exceed 90 percent of the gross area of that #story# located directly below the highest 15 percent of the tower.

(b) In R9 or R10 districts without a letter suffix, the following tower-on-a-base provisions shall apply to #buildings# where:

(1) more than 25 percent of the #floor area# is #residential#; and

(2) such #building# is located on a #zoning lot# that fronts upon a #wide street# and is either within 125 feet from such #wide street# frontage along the #short dimension of a block# or within 100 feet from such #wide street# frontage along the long dimension of the #block#.

The minimum #lot coverage# of a tower above the maximum base height shall be 30 percent of the #lot area# of the #zoning lot#. However, any #story# located within the highest 15 percent of the tower may cover less than 30 percent of the #lot area# of a #zoning lot# provided that the gross area of any such #story# does not exceed 90 percent of the gross area of that #story# located directly below the highest 15 percent of the tower.

At least 55 percent of the total #floor area# permitted on the #zoning lot# shall be located in #stories# located either partially or entirely below a height of 150 feet. When the #lot coverage# of the tower portion is less than 40 percent, the required 55 percent of the total #floor area# distribution, within a height of 150 feet, shall be increased in accordance with the following requirement:

Percent of #lot coverage# of the tower portion	Minimum percent of total #building# #floor area# distribution below the level of 150 feet
40.0 or greater	55.0
39.0 to 39.9	55.5
38.0 to 38.9	56.0
37.0 to 37.9	56.5
36.0 to 36.9	57.0
35.0 to 35.9	57.5
34.0 to 34.9	58.0
33.0 to 33.9	58.5
32.0 to 32.9	59.0
31.0 to 31.9	59.5
30.0 to 30.9	60.0

For the purposes of determining the permitted tower coverage and the required minimum distance between #buildings# or portions thereof, that portion of a #zoning lot# located within

125 feet from the #wide street# frontage along the short dimension of a #block# shall be treated as if it were a separate #zoning lot#.

No tower or portion thereof shall be located on a #narrow street# at a distance that is more than 100 feet from the intersection with a #wide street#.

- (c) No towers shall be permitted on any #building# located wholly or partly in a #Residence District#, that is within 100 feet of a #public park# with an area of one acre or more, or a #street line# opposite such a #public park#.

23-442 - Special provisions for certain community districts

LAST AMENDED

12/5/2024

- (a) Borough of Manhattan

- (1) Community District 9

In R8 Districts without a letter suffix in the portion of Community District 9 in the Borough of Manhattan located north of West 125th Street, the underlying height and setback regulations for the zoning district shall apply, except that the additional height allowances for eligible sites set forth in Section [23-434](#) shall not apply.

- (2) Community District 6

In Community District 6 in the Borough of Manhattan, in R10 Districts located east of First Avenue and north of East 51st Street, for #buildings# where more than 25 percent of the #floor area# is #residential# but are not otherwise subject to the tower-on-a-base provisions of paragraph (b) of this Section, the following shall apply.

The minimum #lot coverage# of a tower above the maximum base height shall be 30 percent of the #lot area# of the #zoning lot#. However, any #story# located within the highest 15 percent of the tower may cover less than 30 percent of the #lot area# of a #zoning lot# if 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 tower.

At least 45 percent of the total #floor area# permitted on the #zoning lot# shall be located in #stories# located either partially or entirely below a height of 150 feet. In addition, when the #lot coverage# of the tower is less than 40 percent, the required 45 percent of the total #floor area# distribution, within a height of 150 feet, shall be increased in accordance with the following requirement:

Percent of #lot coverage# of the tower portion	Minimum percent of total #building# #floor area# distribution below the level of 150 feet
40.0 or greater	45.0
39.0 to 39.9	45.5
38.0 to 38.9	46.0
37.0 to 37.9	46.5

36.0 to 36.9	47.0
35.0 to 35.9	47.5
34.0 to 34.9	48.0
33.0 to 33.9	48.5
32.0 to 32.9	49.0
31.0 to 31.9	49.5
30.0 to 30.9	50.0

(b) Borough of Brooklyn

(1) Street wall modifications in Community Districts 8 and 9

For the purposes of applying the #street wall# location as well as the height and setback provisions of Sections [23-431](#) and [23-432](#), respectively, where the Administrative Code establishes restrictions on the location of #buildings# on lots fronting upon and within 30 feet of Eastern Parkway in Community Districts 8 and 9 in the Borough of Brooklyn, lines drawn 30 feet north of and 30 feet south of, and parallel to, Eastern Parkway shall be considered the northern and southern #street lines# of Eastern Parkway.

(2) Height and setback modifications in Community District 9

For #zoning lots# in #Mandatory Inclusionary Housing areas# within the portion of

Community District 9 in the Borough of Brooklyn, on the #block# bounded by Montgomery Street, Washington Avenue, Sullivan Place, and Franklin Avenue, the following height and setback modifications shall apply. The maximum height of a #building or other structure# shall not exceed an imaginary plane that:

- (i) begins at an elevation of 90 feet above the level of the #base plane#, beginning at the point along the center line of Sullivan Place, distant 120 feet, 4 inches east of the center line of Washington Avenue and parallel to Sullivan Place, and extending to Montgomery Street at an angle of 83 degrees, 17 minutes, 38 seconds; and
- (ii) extends upwards at a slope equivalent of 10 percent to the horizontal, in an easterly direction, as measured perpendicular to the line established by paragraph (b)(2)(i) of this Section.

Obstructions permitted pursuant to Section [23-411](#) may penetrate such imaginary plane provided that they are at least 90 percent transparent. In addition, obstructions specified in Section [23-412\(c\)](#) located within 85 feet of Franklin Avenue may penetrate such imaginary plane up to 12 feet if there is a minimum of 30 feet between such obstructions and the obstruction is no longer than 60 feet in length along the frontage of Franklin Avenue.

(a) Special provisions for #zoning lots# adjoining #public parks#

In all districts, where a #building# adjoining a #public park# utilizes the provisions of Section [23-381](#), such #public park# shall be considered a #wide street# for the purpose of applying the regulations set forth in Sections [23-42](#) and [23-43](#) to any #building or other structure# on a #zoning lot# adjoining such #public park#.

(b) 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 applicable #street wall# location provisions of Section [23-431](#) and the minimum base height provisions of Section [23-432](#) need not apply; and
- (2) for #buildings# containing #multiple dwelling residences# that are not otherwise eligible for additional height pursuant to Section [23-434](#), the applicable maximum #building# heights may be increased by 10 feet in R1 through R6 Districts, and by 20 feet in R7 through R12 Districts.

(c) #Limited Height Districts#

In the #Limited Height Districts#, the underlying height and setback regulations for the zoning district shall apply, except that:

- (1) the additional height allowances for eligible sites set forth in Section [23-434](#) shall not apply; and
- (2) for #zoning lots# that do not contain #qualifying affordable housing# or #qualifying senior housing#, the maximum height of #buildings or other structures# shall be as shown in the following table:

#Limited height district#	Maximum height above #curb level# or #base plane#, as applicable
LH-1	50 feet
LH-1A	60 feet
LH-2	70 feet
LH-3	100 feet

(d) Special provisions along certain district boundaries

Where a #lot line# of a #zoning lot# located in an R6 through R12 District coincides with the district boundary of an R1 through R5 District, the height of a #building# within a ‘transition area’ measured parallel to the district boundary, shall not exceed the heights set forth in the table, depending on the zoning district adjacency, the adjacent #zoning lot# condition, and the width of the #zoning lot#.

TRANSITION AREA DIMENSION AND MAXIMUM HEIGHT

		Maximum permitted height within transition area (in feet, above #base plane#)		
Adjacent zoning district and #zoning lot# condition		For #zoning lots# with a #lot width# less than or equal to 30 feet	For #zoning lots# with a #lot width# greater than 30 feet	
		Within a distance equal to one-third of the #lot width# of the district boundary	Within 15 feet of the district boundary	Beyond 15 feet and within 25 feet of the district boundary
R1 R2 R3	Non-#qualifying residential sites#	45*	45*	65
	#Qualifying residential sites#	65	65	85
R4 R5	Non-#qualifying residential sites#	65	65	85
	#Qualifying residential sites#	85	85	85

* For #zoning lots# in R7, R8, R9 and R10 Districts, the maximum permitted height within the transition area shall be 65 feet.

23-50 - DENSITY REGULATIONS

LAST AMENDED

12/5/2024

23-51 - Applicability

LAST AMENDED

12/5/2024

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

The provisions of Section [23-50](#) (DENSITY REGULATIONS), inclusive, shall apply to #developments#, #enlargements# or to existing #buildings# that increase the number of #dwelling units#. However, the provisions of this Section shall not apply to #rooming units#.

Any given #floor area# shall be counted only once in meeting the #floor area# requirements.

The provisions of this Section shall not apply to #single-# or #two-family residences#.

23-52 - Maximum Number of Dwelling Units

LAST AMENDED

12/5/2024

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

In the districts indicated, for #buildings# containing #multiple dwelling residences#, the maximum number of #dwelling units# permitted shall be determined by dividing the maximum #residential# #floor area# permitted on the #zoning lot# by the applicable #dwelling unit# factor. The applicable #dwelling unit# factor shall be as follows:

- (a) For the following types of # multiple dwelling residences#, there shall be no applicable #dwelling unit# factor:
- (1) #developments# or #enlargements# of #residences# in #special density areas#;
 - (2) #qualifying senior housing#; or
 - (3) #conversions# of any non-#residential# #building#, or portion thereof, to #residences# in the #special density areas#, or outside of #special density areas#, #conversions# of #community facility# #buildings#, or portions of #buildings# containing #community facilities#, to #residences#.
- (b) For all other types of # multiple dwelling residences#, the applicable #dwelling unit# factor shall be 680. Fractions equal to or greater than three-quarters resulting from this calculation shall be considered to be one #dwelling unit#.

In addition, for #zoning lots# with #residential uses# that have different #dwelling unit# factor applicability, for the purposes of calculating the maximum number of #dwelling units# permitted within #buildings#, or portions thereof, that are subject to a #dwelling unit# factor, the calculation shall exclude the #floor area# not subject to a #dwelling unit# factor before dividing by the #dwelling unit# factor. Where #floor area# in a #building# is shared by multiple #residential uses#, the #floor area# for such shared portion shall be attributed to each #residential use# proportionately, based on the percentage each #residential use# occupies of the total #floor area# of the #zoning lot#, less any shared #floor area#.

23-60 - ADDITIONAL DESIGN ELEMENTS

12/5/2024

23-61 - Street Trees and Planting

LAST AMENDED

12/5/2024

23-611 - Street tree planting

LAST AMENDED

12/5/2024

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

In all districts, as indicated, the following shall provide #street# trees in accordance with Section [26-41](#) (Street Tree Planting):

- (a) #developments#, or #enlargements# that increase the #floor area# on a #zoning lot# by 20 percent or more. However, #street# trees shall not be required for #enlargements# of #single-# or #two-family residences#;
- (b) #conversions# of 20 percent or more of the #floor area# of a #building# to a #residential use#;
or
- (c) construction of a #detached# garage that is 400 square feet or greater.

23-612 - Planting strips in residence districts

LAST AMENDED

12/5/2024

R1 R2 R3 R4 R5

In the districts indicated, the following shall provide and maintain a planting strip in accordance with Section [26-42](#):

- (a) #developments#, or #enlargements# that increase the #floor area# on a #zoning lot# by 20 percent or more. However, planting strips shall not be required for #enlargements# of #single-# or #two-family# #residences#;
- (b) #conversions# of 20 percent or more of the #floor area# of a #building# to a #residential use#;
or
- (c) construction of a #detached# garage that is 400 square feet or greater.

23-613 - Front yard planting requirements

LAST AMENDED

12/5/2024

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

In the districts indicated, the area of the #zoning lot# between the #street line# and all #street walls# of the #building# and their prolongations shall be planted at ground level, or in raised planting beds that

are permanently affixed to the ground, except that such plantings shall not be required at the entrances to and exits from the #building#, within driveways accessing off-street parking spaces located within, to the side, or rear of such #building#, or in any area where there is a #permitted obstruction# permitted pursuant to Section [23-31](#), inclusive.

Planted areas shall be comprised of any combination of grass, groundcover, shrubs, trees, or other living plant material, and shall have a minimum dimension of one foot, exclusive of any bounding walls.

No #zoning lot# shall be altered in any way that will either create a new #non-compliance# or increase the degree of #non-compliance# with the provisions of this Section.

23-62 - Balconies

LAST AMENDED

12/5/2024

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

In the districts indicated, balconies may project into or over any open areas not occupied by #buildings# at that particular level, provided that:

(a) within any #yards#, #courts#, or other required open areas, such balcony shall:

- (1) not project by more than one third of the depth of such areas specified above, or a distance greater than seven feet, whichever is less, as measured from the plane surface of the #building# wall from which it projects. However, where such balcony projects into any open area required pursuant to the application of height and setback regulations, the one third projection shall not apply;
- (2) not cover more than 10 percent of any open area required pursuant to Section [23-30](#), inclusive, or any outdoor recreation space provided pursuant to Section [23-63](#); and
- (3) have an aggregate width, at the level of any #story#, not exceeding 50 percent of the width at that level of the plane surface of the #building# wall from which it projects; and

(b) within any open areas, whether required or not, such balcony shall:

- (1) be unenclosed except for #building walls# and parapets, railings, or safety guards, whether applied singly, or in combination, provided that:
 - (i) parapets shall not exceed four feet in height;
 - (ii) railings shall not exceed 4 feet, 6 inches in height and shall be at least 50 percent open for the portion that exceeds four feet in height; and
 - (iii) safety guards shall not exceed 10 feet in height and shall be at least 90 percent transparent materials for the portion that exceeds four feet in height. In addition, where such balcony has a roofed portion above it, there shall be an opening that is not less than 40 percent of the height between the bottom of the roof and the finished floor level of such balcony.

However, such balconies may be recessed into a #building# wall up to a maximum depth of six feet provided that at least 33 percent of the perimeter of such balcony is unenclosed except for a parapet, railing, or safety guard; and

- (2) be located at least 13 feet above #curb level#, except that for #buildings# containing #residences# not more than 35 feet in height, such balcony may be located at or higher than the floor level of the second #story# provided that such balcony is located not lower than seven feet above #curb level# or seven feet above natural grade, whichever is higher.

23-63 - Required Recreation Space in Multiple Dwelling Residences

LAST AMENDED

12/5/2024

All #developments#, #enlargements#, #extensions# or #conversions# in #buildings# that are #multiple dwelling residences# that result in nine or more new #dwelling units# after December 5, 2024 shall provide recreation space in accordance with this Section.

Such recreation space may include, but shall not be limited to, fitness centers, pools, wellness services, sports courts, game rooms, outdoor spaces, or child play spaces.

The amount of recreation space required shall be equivalent to a minimum of three percent of the #residential# #floor area# of the #building#. Such space may be provided indoors or outdoors, singly or in combination. Where provided indoors, floor space may be exempted from the definition of

#floor area# pursuant to Section [12-10](#) (DEFINITIONS), provided that the standards of Section [23-231](#) (Floor area provisions for amenities) are met.

Additionally, such recreation space shall comply with the following standards:

- (a) all recreation space shall be accessible to the residents of the #building#;
- (b) the minimum dimension of any recreation space, in any direction, whether indoor or outdoor, shall be 15 feet;
- (c) any outdoor recreation space shall be open to the sky, except that:
 - (1) #building# projections, not to exceed seven feet in depth, may cover up to 10 percent of the outdoor recreation space, provided that the lowest level of the projection is at least 10 feet above the level of the outdoor recreation space; and
 - (2) the combination of #building# projections, where provided, and any sun shading devices permitted pursuant to [23-311](#), including, but not limited to, arbors or trellises, awnings and other sun control devices, or canopies, may cover up to 50 percent; and
- (d) any indoor recreation room shall have at least one exterior wall with windows, or ceiling with skylights, that measures not less than 9.5 percent of the total floor space of the room.

23-64 - Modification to Existing Recreation Space

LAST AMENDED

12/5/2024

Recreation space provided in #Quality Housing buildings#, in #buildings# #converted# pursuant to Article I, Chapter, or in any other #building# as part of requirements in effect prior to December 5, 2024, or recreation space that is provided pursuant to the requirements of Section [23-63](#) (Required Recreation Space in Multiple Dwelling Residences) after December 5, 2024, may be modified, relocated or otherwise reconfigured, provided that the requirements of Section [23-63](#) are met for all newly created spaces.

23-70 - ALTERNATIVE BULK REGULATIONS FOR CERTAIN AREAS

LAST AMENDED

12/5/2024

23-71 - Predominantly Built-up Areas

LAST AMENDED

12/5/2024

23-711 - Applicability

LAST AMENDED

12/5/2024

The optional #predominantly built-up area# provisions of Section [23-71](#), inclusive, may be applied to #zoning lots#:

- (a) that have a #lot area# of not more than 1.5 acres;
- (b) located on a #block#:
 - (1) that is entirely within R4 or R5 Districts without a letter or number suffix, including a #Commercial District# mapped within such #Residence Districts#;
 - (2) that has a maximum area of four acres;
 - (3) where the #buildings# on #zoning lots# comprise 50 percent or more of the area of the #block#; and
- (c) where, as of October 21, 1987, not more than 75 percent of the aggregate length of the #block# frontages facing each other around the #zoning lot#, on both sides of the #street#, are allocated to #single-# or #two-family# #detached# or #semi-detached# #residences#.

All #buildings# used in calculations shall have certificates of occupancy or other evidence acceptable to the Commissioner of Buildings issued prior to the date of application for a building permit.

23-712 - Floor area modifications

LAST AMENDED
12/5/2024

For #zoning lots# in R4 or R5 Districts, without a letter or number suffix, utilizing the #predominantly built-up area# provisions of Section [23-71](#), inclusive, the maximum #floor area ratio# shall be as set forth in the following table:

District	Maximum #Floor Area Ratio#
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R4	1.35
R5	1.65

23-713 - Height and setback modifications

LAST AMENDED

12/5/2024

For #zoning lots# in R4 or R5 Districts, without a letter or number suffix, utilizing the #predominantly built-up area# provisions of Section [23-71](#), inclusive, the following height and setback modifications shall apply:

- (a) in R4 Districts, the height and setback regulations applicable to an R4A District set forth in Section [23-421](#) (Basic pitched-roof envelopes for certain districts) shall apply; and
- (b) in R5 Districts, the height and setback regulations applicable to an R5B District set forth in Section [23-422](#) (Basic flat-roof envelopes for certain districts) shall apply.

23-72 - Portions of Community District 12 in the Borough of Brooklyn

LAST AMENDED

12/5/2024

23-721 - Applicability

LAST AMENDED

12/5/2024

The optional provisions of Section [23-72](#), inclusive, may be applied to #zoning lots# containing #buildings# used exclusively as #single-#, #two-# or three-#family residences# in R5 and R6 Districts without a letter suffix in the portion of Community District 12, in the Borough of Brooklyn, that is bounded by 39th Street, Dahill Road, Ditmas Avenue, McDonald Avenue, Bay Parkway, 61st Street and Fort Hamilton Parkway.

23-722 - Floor area modifications

LAST AMENDED

12/5/2024

For #zoning lots# in R5 Districts, without a letter suffix, utilizing the provisions of Section [23-72](#), inclusive, the maximum #floor area ratio# shall be as set forth in the following table:

District	Maximum #Floor Area Ratio# for a #corner lot#	Maximum #Floor Area Ratio# for an #interior# or #through lot#
R5	1.65	1.80

23-723 - Yard modifications

LAST AMENDED

12/5/2024

For #zoning lots# utilizing the provisions of Section [23-72](#), inclusive, the #yard# regulations shall be modified as follows:

- (a) in R5 Districts without a letter suffix, the #front yard# regulations shall be modified as follows:
a #front yard# shall be provided with a depth of not less than five feet provided that, for #corner lots#, one #front yard# with a depth of not less than 10 feet is required;
- (b) in R5 Districts and R6 Districts without a letter suffix, the #rear yard# regulations shall be modified to require a #rear yard# with a depth of not less than 20 feet at every #rear lot line# on any #zoning lot#.

23-724 - Height and setback modifications

LAST AMENDED

12/5/2024

For #zoning lots# in R5 Districts, without a letter suffix, utilizing the provisions of Section [23-72](#), inclusive, the following height and setback modifications shall apply: the height and setback regulations applicable to an R5B District set forth in Section [23-422](#) (Basic flat-roof envelopes for certain districts) shall apply.

23-73 - Special Provisions for Sky Exposure Plane Buildings

LAST AMENDED

12/5/2024

23-731 - Applicability

LAST AMENDED

12/5/2024

The optional provisions for #sky exposure plane buildings# set forth in Section [23-73](#), inclusive, may be applied to #zoning lots# in R6 through R10 Districts without a letter suffix, except that such alternative provisions shall not apply to:

- (a) #zoning lots# in R6-1, R6-2, R7-3 and R9-1 Districts;
- (b) #zoning lots# in R8 Districts without a letter suffix in the portion of Community District 9 in the Borough of Manhattan located north of West 125th Street; or
- (c) #zoning lots# located in the #Limited Height Districts#.

23-732 - Floor area ratio and open space ratio in R6 through R9 Districts

LAST AMENDED

12/5/2024

R6 R7 R8 R9

In the districts indicated without a letter suffix, for #sky exposure plane buildings#, the minimum required #open space ratio# and the maximum #floor area ratio# for any #zoning lot# shall be determined by the #height factor# of such #zoning lot# as set forth in this Section. Where elected, such #floor area ratio# shall supersede the #floor area ratio# provisions of Section [23-22](#), and apply to all #residences#, including #qualifying affordable housing# or #qualifying senior housing#.

The minimum #open space# required through the application of a minimum #open space ratio# shall be applied in conjunction with the applicable regulations of Section [23-30](#) (YARDS, COURTS AND OTHER OPEN AREA REGULATIONS). The obstructions set forth in Section [23-311](#) shall be permitted in required #open space#.

MINIMUM REQUIRED OPEN SPACE RATIO AND MAXIMUM FLOOR AREA RATIO

R6 through R9 Districts

For #zoning lots# with a #height factor# of	In R6 Districts		In R7 Districts		In R8 Districts		In R9 Districts	
	Min. Req. #Open Space Ratio#	Max. #Floor Area Ratio#	Min. Req. #Open Space Ratio#	Max. #Floor Area Ratio#	Min. Req. #Open Space Ratio#	Max. #Floor Area Ratio#	Min. Req. #Open Space Ratio#	Max. #Floor Area Ratio#
1	27.5	0.78	15.5	0.87	5.9	0.94	1.0	0.9
2	28.0	1.28	16.0	1.52	6.2	1.78	1.4	1.9
3	28.5	1.62	16.5	2.01	6.5	2.51	1.8	2.8
4	29.0	1.85	17.0	2.38	6.8	3.14	2.2	3.6
5	29.5	2.02	17.5	2.67	7.1	3.69	2.6	4.4
6	30.0	2.14	18.0	2.88	7.4	4.15	3.0	5.0
7	30.5	2.23	18.5	3.05	7.7	4.55	3.4	5.6
8	31.0	2.30	19.0	3.17	8.0	4.88	3.8	6.1

9	31.5	2.35	19.5	3.27	8.3	5.15	4.2	6.5
10	32.0	2.38	20.0	3.33	8.6	5.38	4.6	6.8
11	32.5	2.40	20.5	3.38	8.9	5.56	5.0	7.0
12	33.0	2.42	21.0	3.41	9.2	5.71	5.4	7.3
13	33.5	2.43	21.5	3.42	9.5	5.81	5.8	7.4
14	34.0	2.43	22.0	3.44	9.8	5.92	6.2	7.5
15	34.5	2.43	22.5	3.42	10.1	5.95	6.6	7.5
16	35.0	2.42	23.0	3.41	10.4	5.99	7.0	7.5
17	35.5	2.42	23.5	3.40	10.7	6.02	7.4	7.5
18	36.0	2.40	24.0	3.38	11.0	6.02	7.8	7.4
19	36.5	2.39	24.5	3.36	11.3	6.02	8.2	7.4
20	37.0	2.38	25.0	3.33	11.6	6.02	8.6	7.3
21	37.5	2.36	25.5	3.30	11.9	5.99	9.0	7.2

For #zoning lots# with #height factors# greater than 21, the minimum required #open space ratio# shall be as set forth in the following table:

OPEN SPACE RATIO FOR HIGH BUILDINGS

District	Minimum Required #Open Space Ratio# at #Height Factor# of 21	Additional Required #Open Space Ratio# for each Additional #Height Factor#
R6	37.5	0.5
R7	25.5	0.5
R8	11.9	0.3
R9	9.0	0.4

For these #zoning lots#, the maximum #floor area ratio# shall be such as can be attained at the required #open space ratio# for the #height factor#.*

* The #floor area ratio# attainable at a given #height factor# and a given #open space ratio# may be computed from the following formula:

$$\frac{1}{FAR} = \frac{OSR}{100} + \frac{1}{HF}$$

23-733 - Floor area ratios in R9 and R10 Districts

LAST AMENDED

12/5/2024

(a) #Floor area ratios# in R10 Districts

In R10 Districts, the maximum #floor area ratio# on a #zoning lot# shall be 12.0 for #qualifying affordable housing# or #qualifying senior housing# and 10.0 for other #residences#.

(b) Additional #floor area# regulations in R9 and R10 Districts for #buildings# with towers

In R9 and R10 Districts, for #zoning lots# containing a #building# that is #developed# or #enlarged# pursuant to the applicable tower regulations of Section [23-737](#) (Tower regulations), the #floor area# provisions of Section [23-241](#) (Special tower provisions) shall apply.

23-734 - Permitted obstructions in open space

LAST AMENDED

12/5/2024

In R6 through R10 Districts without a letter suffix, the obstructions permitted for any #yard# set forth in Section [23-311](#) (Permitted obstructions in all yards, courts and open areas), as well as the following obstructions, shall be permitted in any #open space# required on a #zoning lot#. For the purposes of applying such allowances to #open space#, all percentage calculations shall be applied to the area of the #open space# instead of the #yard#:

- (a) balconies, unenclosed, subject to the provisions of Section [23-62](#);
- (b) breezeways;
- (c) driveways, private streets, open #accessory# off-street parking spaces, unenclosed #accessory# bicycle parking spaces or open #accessory# off-street loading berths, provided that the total area occupied by all these items does not exceed 50 percent of the required #open space# on any #zoning lot#;
- (d) #energy infrastructure equipment# and #accessory# mechanical equipment, subject to the requirements set forth in Section [23-312](#) (Additional permitted obstructions generally permitted in all yards);
- (e) greenhouses, non-commercial, #accessory#, limited to one #story# or 15 feet in height above adjoining grade, whichever is less, and limited to an area not exceeding 25 percent of the #open space##;
- (f) parking spaces, off-street, enclosed, #accessory#, provided that the total area occupied by a #building# used for such purposes does not exceed 20 percent of the total required #open space# on the #zoning lot#;
- (g) solar energy systems:
 - (1) on the roof of an #accessory# #building#, limited to 18 inches in height as measured perpendicular to the roof surface; or
 - (2) affixed to solar canopies and located over any #accessory# off-street parking space, provided that the height shall not exceed 15 feet above the level of the adjoining grade;
- (h) steps;

- (i) swimming pools, #accessory#, above-grade structures limited to a height not exceeding eight feet above the level of the #rear yard# or #rear yard equivalent#; or
- (j) fire escapes or planting boxes, provided that no such items project more than six feet into or over such #open space#.

However, any such #open space# that is part of a required #yard#, #rear yard equivalent# or #court# may contain an obstruction listed in this Section only where such obstruction is permitted, pursuant to Sections [23-311](#), [23-312](#), [23-341](#) (Permitted obstructions in required rear yards or rear yard equivalents) or [23-351](#) (Permitted obstructions in courts), as applicable.

23-735 - Special yard, court and other area regulations

LAST AMENDED

12/5/2024

For #sky exposure plane buildings#, the provisions of Section [23-30](#), inclusive, shall apply, except that:

- (a) for #through lots#, the alternate location allowances set forth in paragraph (c)(2) of Section [23-343](#) (Rear yard equivalent requirements) may be applied to #rear yard equivalents#;
- (b) the maximum #lot coverages# set forth in Section [23-36](#), inclusive, need not apply; and
- (c) the minimum distance between #buildings# provisions of paragraph (c)(2) of Section [23-371](#), pertaining to two or more #buildings# on the same #zoning lot# that are not connected at any level, shall be modified as follows.

The required minimum distance between the portion of a #building# containing #dwelling units# and any other #building# on the same #zoning lot# shall vary according to the height of such #building# and the particular wall condition and the presence of #legally required windows# in facing #building# walls.

For the purposes of this Section, wall condition shall be defined as follows:

“wall to wall” is a condition where two walls of #buildings# face each other, and neither wall contains a #legally required window#;

“wall to window” is a condition where two walls of #buildings# face each other, and one wall contains a #legally required window# and the other wall does not contain a #legally required window#;

“window to window” is a condition where two walls of #buildings# face each other, and both walls contain a #legally required window#.

Such minimum distance shall be as indicated in the following table:

Wall Condition	Maximum #building# height above #base plane# or #curb level#, as applicable				
	25 feet	35 feet	40 feet	50 feet	Over 50 feet
Wall to wall	40	40	40	40	40
Wall to window	40	40	40	45	50

Window to window	40	45	50	55	60
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However, for portions of #buildings# higher than 125 feet, the provisions of Section [23-371](#) shall continue to apply.

23-736 - Special height and setback regulations for sky exposure plane buildings

LAST AMENDED

12/5/2024

R6 R7 R8 R9 R10

In the districts indicated without a letter suffix, for #sky exposure plane buildings#, the height and setback regulations shall be as set forth in this Section, inclusive.

#Buildings# may elect to utilize the front setback provisions of paragraph (a) of this Section, or the alternate front setback provisions of paragraph (b) of this Section. Where elected, such provisions shall supersede the provisions of Section [23-43](#), inclusive.

In R9 or R10 Districts, towers may penetrate a #sky exposure plane# pursuant to Section [23-737](#) (Tower regulations).

Notwithstanding the foregoing, for narrow #buildings#, the provisions of Section [23-738](#) shall apply, and within #Limited Height Districts# the provisions for Section [23-739](#) shall apply.

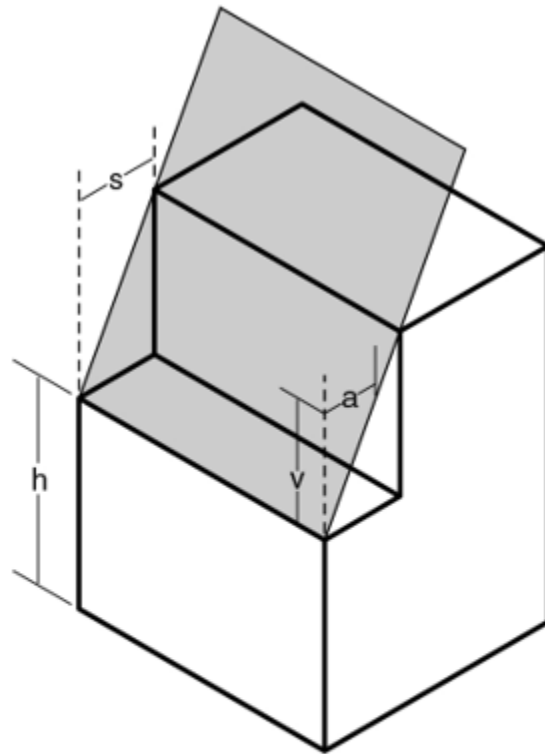
(a) Front setbacks

If the front wall or other portion of a #building or other structure# is located at the #street line# or within the #initial setback distance# set forth in the following table, the height of such front wall or other portion of a #building or other structure# shall not exceed the maximum height above the #street line# set forth in the table. Above such specified maximum height and beyond the #initial setback distance#, the #building or other structure# shall not penetrate the #sky exposure plane# set forth in the table, except as otherwise provided in Sections [23-41](#) (Permitted Obstructions) or [23-737](#) (Tower regulations).

MAXIMUM HEIGHT OF FRONT WALL AND REQUIRED FRONT SETBACKS

#Initial Setback Distance# (in feet)		Maximum Height of a Front Wall or other portion of a #Building or Other Structure# within the #Initial Setback Distance#	Height above #Street Line# (in feet)	#Sky Exposure Plane#			
				Slope over #Zoning Lot# (expressed as a ratio vertical distance to horizontal distance)			
On #Narrow Street#	On #Wide Street#			On #Narrow Street#	On #Wide Street#	On #Narrow Street#	On #Wide Street#
Vertical Distance	Horizontal Distance	Vertical Distance	Horizontal Distance	Vertical Distance	Horizontal Distance		
R6 or R7 Districts							
20	15	60 feet or six #stories#, whichever is less	60	2.7	to 1	5.6	to

R8 R9 or R10 Districts							
20	15	85 feet or nine #stories#, whichever is less	85	2.7	to 1	5.6	to



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

 Sky Exposure Plane

SKY EXPOSURE PLANE
 R6 R7 R8 R9 R10 Districts

(b) Alternate front setbacks

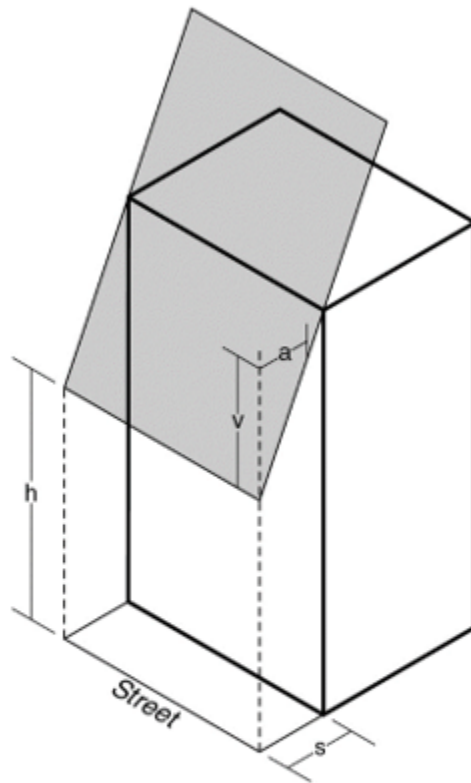
If an open area is provided along the entire length of the #front lot line# with the minimum

depth set forth in the table in this Section, the provisions of this Section may apply in lieu of the provisions of paragraph (a) of this Section. The #building or other structure# shall not penetrate the #sky exposure plane# set forth in the table, except as otherwise provided in Sections [23-41](#) (Permitted Obstructions) or [23-737](#) (Tower regulations).

In R9 or R10 Districts, the provisions of this paragraph shall be inapplicable to any #development# or #enlargement# with more than 25 percent of the total #floor area# of the #building# in #residential use#.

ALTERNATE REQUIRED FRONT SETBACKS

Depth of Optional Front Open Area (in feet, measured perpendicular to #street line#)		Alternate #Sky Exposure Plane#				
		Height above #Street Line# (in feet)	Slope over #Zoning Lot# (expressed as a ratio of vertical distance to horizontal distance)			
On #Narrow Street#	On #Wide Street#		On #Narrow Street#		On #Wide Street#	
		Vertical Distance	Horizontal Distance	Vertical Distance	Horizontal Distance	
R6 or R7 Districts						
15	10	60	3.7	to 1	7.6	to 1
R8 R9 or R10 Districts						
15	10	85	3.7	to 1	7.6	to 1



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

ALTERNATE SKY EXPOSURE PLANE
R6 R7 R8 R9 R10 Districts

23-737 - Tower regulations

LAST AMENDED

12/5/2024

In R9 or R10 Districts, for #buildings# that do not meet the criteria set forth in paragraphs (b)(1) and (b)(2) of Section [23-441](#), a tower may penetrate a #sky exposure plane# provided that such tower:

- (a) does not occupy more than 40 percent of the #lot area# of a #zoning lot# for #zoning lots# with a #lot area# greater than 20,000 square feet, or more than 50 percent of the #lot area# for all other #zoning lots#; and
- (b) is set back at least 10 feet from a #street line# along a #wide street# and at least 15 feet from a #street line# along a #narrow street#.

However, the provisions of this Section shall not apply to any #building# located wholly or partly in a #Residence District#, that is within 100 feet of a #public park# with an area of one acre or more, or a #street line# opposite such a #public park#.

23-738 - Height limitations for narrow buildings or enlargements

LAST AMENDED

12/5/2024

R7-2 R8 R9 R10

In the districts indicated, portions of #buildings# with #street walls# less than 45 feet in width shall not be permitted above the following heights:

- (a) For #interior lots#, and for #through lots#, which shall be treated as two separate #interior lots# of equal depth for the purposes of determining the height limitations of this Section, a height equal to the width of the #street# on which such #street walls# front or 100 feet, whichever is less;

- (b) For #corner lots# bounded by only #narrow streets#, a height equal to the width of the narrowest of such #streets# on which such #street walls# front;
- (c) For #corner lots# bounded by at least one #wide street#, a height equal to the width of the widest #street# on which it fronts, or 100 feet, whichever is less;
- (d) The heights permitted in paragraphs (a), (b) or (c) of this Section may be exceeded if:
 - (1) on a #wide street#, such portion of a #building# with a #street wall# less than 45 feet in width #abuts# an existing #building# with a #street wall# that exceeds such permitted heights. Such new #street walls# may reach the height of such #abutting# #building# or, where there are two #abutting# #buildings# that exceed such heights, such new #street wall# may reach the height of the tallest of such #abutting# #buildings#; or
 - (2) on a #narrow street#, such #street walls# #abut# two existing #buildings# with #street walls# that both exceed the heights permitted. Such new #street walls# may reach the height of the lowest of such #abutting# #buildings#; and
 - (3) such new #street walls# shall be fully contiguous at every level with such #abutting# #street walls#.
- (e) In addition, the following rules shall apply:
 - (1) The front height and setback regulations and any height limitations of the underlying district shall apply, except that the alternate front setback regulations of paragraph (b) of Section [23-736](#) and the tower regulations of Section [23-737](#) shall not apply. In the event of a conflict between the underlying regulations and the regulations of this Section, the more restrictive shall apply.

- (2) The provisions of this Section shall not apply to #street walls# of permitted obstructions or #street walls# located beyond 100 feet of a #street line#.
- (3) For the purposes of determining the width of a #street wall#:
 - (i) the width shall be the sum of the maximum widths of all #street walls# of a #building# at every level. The width of a #street wall# shall be the length of the #street line# from which, when viewed directly from above, lines perpendicular to the #street line# may be drawn to such #street wall#; and
 - (ii) #abutting# #buildings# on a single #zoning lot# may be considered a single #building#.
- (4) For #buildings# with #street walls# less than 45 feet in width that front only on a #narrow street# and #abut# two existing #buildings#, the #street wall# of such #building# shall be no closer to the #street line# than the #street wall# of the #abutting building# that is closest to the #street line#.
- (5) On a #through lot# containing #buildings# with #street walls# less than 45 feet in width, the alternative location provisions for #rear yard equivalents# set forth in Section [23-735](#) (Special yard, court and other area regulations) shall not apply.

23-739 - Limited Height Districts

LAST AMENDED



In the #Limited Height Districts#, for #zoning lots# that do not contain #qualifying affordable housing# or #qualifying senior housing#, the maximum height of #buildings or other structures# shall be as shown in the following table:

#Limited Height District#	Maximum height above #curb level# or #base plane#, as applicable
LH-1	50 feet
LH-1A	60 feet
LH-2	70 feet
LH-3	100 feet