

ZONING RESOLUTION Web Version

THE CITY OF NEW YORK



THE CITY OF NEW YORK
Michael R. Bloomberg, Mayor

CITY PLANNING COMMISSION
Amanda M. Burden, Director

Article III: Commercial District Regulations

Chapter 3 - Bulk Regulations for Commercial or Community
Facility Buildings in Commercial Districts

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12/15/61

Chapter 3

Bulk Regulations for Commercial or Community Facility Buildings in Commercial Districts

12/15/61

33-00

APPLICABILITY, DEFINITIONS AND GENERAL PROVISIONS

10/17/07

33-01

Applicability of this Chapter

The #bulk# regulations of this Chapter apply to #commercial buildings#, #community facility buildings# or #buildings# used partly for #commercial use# and partly for #community facility use#, on any #zoning lot# or portion of a #zoning lot# located in any #Commercial District#, including all new #development# or #enlargements#. As used in this Chapter, the term "any #building#" shall therefore not include a #residential building# or a #mixed building#, the #bulk# regulations for which are set forth in Article III, Chapter 4, and Article III, Chapter 5, respectively. 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.

Existing #buildings or other structures# that do not comply with one or more of the applicable #bulk# regulations are #non-complying buildings or other structures# and are subject to the regulations set forth in Article V, Chapter 4.

Special regulations applying to #large-scale residential developments, community facility uses# in #large-scale residential developments# or #large-scale community facility developments# are set forth in Article VII, Chapter 8.

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

All C6-1A Districts shall comply with the regulations of C6-1 Districts except as set forth in Sections 33-12, paragraph (c), 33-13, paragraph (b) and 33-15, paragraph (a).

In Manhattan Community Districts 1, 2, 3, 4, 5 and 6, Brooklyn Community Districts 1, 2, 6 and 8, and Queens Community Districts 1 and 2, the conversion to #dwelling units# of non-#residential buildings#, or portions thereof, erected prior to December 15, 1961, shall be subject to the provisions of Article I, Chapter 5 (Residential Conversion of Existing Non-Residential Buildings), unless such conversions meet the requirements for new #residential development# of Article II (Residence District Regulations).

Special regulations applying in the #waterfront area# are set forth in Article VI, Chapter 2.

11/19/87

33-02

Definitions

Words in italics are defined in Section 12-10 or, if applicable exclusively to this Section, in this Section.

4/30/08

33-03

Street Tree Planting in Commercial Districts

C1 C2 C3 C4 C5 C6 C7 C8

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#, except as provided in paragraphs (b) and (c) of this Section;
- (b) #enlargements# of #single-# or #two-family residences# by 20 percent or more within the following special purpose districts:
 - #Special Bay Ridge District#;
 - #Special Clinton District#;

#Special Downtown Brooklyn District#;
#Special Downtown Jamaica District#;
#Special Grand Concourse District#;
#Special Hillside Preservation District#;
#Special Hudson Yards District#;
#Special Little Italy District#;
#Special Long Island City Mixed Use District#;
#Special Ocean Parkway District#;
#Special South Richmond Development District#;

- (c) #enlargements#, pursuant to the Quality Housing Program, of #single-# or #two-family residences# by 20 percent or more;
- (d) conversions of 20 percent or more of the #floor area# of a non-#residential building# to a #residential use#; or
- (e) construction of a detached garage that is 400 square feet or greater.

The #street# frontage used to calculate the number of required trees may exclude the #street# frontage occupied by curb cuts serving #uses# listed in Use Groups 16B, 16C and 16D.

12/15/61

**33-10
FLOOR AREA REGULATIONS**

11/19/87

**33-11
Definitions**

Words in italics are defined in Section 12-10 or, if applicable exclusively to this Section, in this Section.

9/30/09

33-12

Maximum Floor Area Ratio

C1 C2 C3 C4 C5 C6 C7 C8

In all districts, as indicated, for any #building# on any #zoning lot#, the maximum #floor area ratio# shall not exceed the #floor area ratio# set forth in this Section, except as otherwise provided in the following Sections:

Section 33-13 (Floor Area Bonus for a Public Plaza)

Section 33-14 (Floor Area Bonus for Arcades)

Section 33-15 (Floor Area Bonus for Front Yards)

Section 33-16 (Special Provisions for Zoning Lots Divided by District Boundaries)

Any given #lot area# shall be counted only once in determining the #floor area ratio#.

Except where authorized by express provisions of this Resolution, the maximum #floor area ratio# shall not exceed the amount set forth in this Section by more than 20 percent.

In addition, the following limitations on maximum permitted #floor area# shall apply:

C1-8A C1-8X C1-9A C2-7A C2-7X C2-8A C4-6A C4-7A C5-1A C5-2A C6-2A
C6-3A C6-3D C6-3X C6-4A

(a) In contextual Commercial Districts

In the districts indicated, and in C1 and C2 Districts mapped within R9A, R9D, R9X, R10A or R10X Districts, no #floor area# bonuses are permitted.

(b) In Community Board 7, Borough of Manhattan

Within the boundaries of Community Board 7 in Manhattan, all #developments# or #enlargements# located in R10 equivalent #Commercial Districts# without a letter suffix shall be limited to a maximum #floor area ratio# of 10.0.

(c) In C6-1A Districts

In C6-1A Districts, the maximum #floor area ratio# shall not exceed the amount set forth in this Section by more than 50 percent.

(d) In C6-4X Districts

In C6-4X Districts, a #floor area# bonus shall only be permitted for a #public plaza# pursuant to Section 33-13.

9/30/09

33-121

In districts with bulk governed by Residence District bulk regulations

C1-1 C1-2 C1-3 C1-4 C1-5 C2-1 C2-2 C2-3 C2-4 C2-5

In the districts indicated, the maximum #floor area ratio# for a #commercial# or #community facility building# is determined by the #Residence District# within which such #Commercial District# is mapped and shall not exceed the maximum #floor area ratio# set forth in the following table:

MAXIMUM FLOOR AREA RATIO

District	For #Commercial Buildings#	For #Community Facility Buildings#	For #Buildings# Used for Both #Commercial# and #Community Facility Uses#
R1 R2	1.00	0.50	1.00
R3-1 R3A R3X	1.00	1.00	1.00
R3-2	1.00	1.60	1.60
R4 R5	1.00	2.00	2.00
R5D R6B	2.00	2.00	2.00
R6A R7B	2.00	3.00	3.00
R7A R8B	2.00	4.00*	4.00
R7D	2.00	4.20	4.20
R6 R7-1	2.00	4.80	4.80

R7X	2.00	5.00	5.00
R7-2 R8	2.00	6.50	6.50
R8X	2.00	6.00	6.00
R9	2.00	10.00	10.00
R9A	2.00	7.50	7.50
R9D	2.00	9.00	9.00
R9X	2.00	9.00	9.00
R10	2.00	10.00	10.00

* In R8B Districts, within the boundaries of Community Board 8 in the Borough of Manhattan, the maximum #floor area ratio# on a #zoning lot# containing #community facility uses# exclusively shall not exceed 5.10.

In #buildings# used for both #commercial uses# and #community facility uses#, the total #floor area# used for #commercial uses# shall not exceed the amount permitted for #commercial buildings#.

In C1 and C2 Districts mapped within R1 and R2 Districts, the maximum #floor area ratio# for #community facility uses# in a #building# used for both #commercial uses# and for #community facility uses# is 0.50 unless it is increased pursuant to the special permit provisions of Section 74-901 (Certain community facility uses in R1 and R2 Districts and certain Commercial Districts.)

In C1 and C2 Districts mapped within R3, R4, R5, R6, R7, R8 and R9 Districts, for any #zoning lot# containing nursing homes, health-related facilities, domiciliary care facilities for adults, sanitariums and philanthropic or non-profit institutions with sleeping accommodations, the total #floor area# used for #community facility uses# shall not exceed the amount as set forth in paragraph (b) of Section 24-111 unless modified pursuant to Section 74-902.

The maximum #floor area ratio# for any #building# used partly for #commercial uses# and partly for nursing homes, health-related facilities, domiciliary care facilities for adults, sanitariums and philanthropic or non-profit institutions with sleeping accommodations shall not exceed the amount permitted for a #commercial building# by the applicable district regulations. However, for the districts in which the allowable #floor area#, as set forth in paragraph (b) of Section 24-111, exceeds the

amount permitted for a #commercial building#, the provisions of paragraph (b) of Section 24-111 shall be used to compute the maximum #floor area# permissible for the #building# unless modified pursuant to Section 74-902.

9/30/09

33-122

Commercial buildings in all other Commercial Districts

C1-6 C1-7 C1-8 C1-9 C2-6 C2-7 C2-8 C3 C4 C5 C6 C7 C8

In the districts indicated, the maximum #floor area ratio# for a #commercial building# shall not exceed the #floor area ratio# set forth in the following table:

Districts	Maximum #Floor Area Ratio#
C3	0.50
C4-1 C8-1	1.00
C1-6 C1-7 C1-8 C1-9 C2-6 C2-7 C2-8 C7 C8-2 C8-3	2.00
C4-2A C4-3A	3.00
C4-2 C4-2F C4-3 C4-4 C4-4D C4-5 C4-6	3.40
C4-4A C4-5A C4-5X C5-1	4.00
C4-5D	4.20
C8-4	5.00
C6-1 C6-2 C6-3	6.00
C6-3D	9.00
C4-7 C5-2 C5-4 C6-4 C6-5 C6-8	10.00
C5-3 C5-5 C6-6 C6-7 C6-9	15.00

9/30/09

33-123

Community facility buildings or buildings used for both community facility and commercial uses in all other Commercial Districts

C1-6 C1-7 C1-8 C1-9 C2-6 C2-7 C2-8 C3 C4 C5 C6 C8

In the districts indicated, the maximum #floor area ratio# for a #community facility building#, or for a #building# used for both #commercial# and #community facility uses#, shall not exceed the #floor area ratio# set forth in the following table:

Districts	Maximum #Floor Area Ratio#
C3	1.00
C4-1	2.00
C8-1	2.40
C4-2A C4-3A	3.00
C1-6A C2-6A C4-4A C4-5A	4.00
C4-5D	4.20
C4-2 C4-3 C8-2	4.80
C4-5X	5.00
C6-1A	6.00
C1-6 C1-7 C2-6 C4-2F C4-4 C4-4D C4-5 C6-1 C6-2 C8-3 C8-4	6.50
C1-8A C2-7A C6-3A	7.50
C1-8X C2-7X C6-3D C6-3X	9.00
C1-8 C1-9 C2-7 C2-8 C4-6 C4-7 C5-1 C5-2 C5-4 C6-3 C6-4 C6-5 C6-8	10.00
C5-3 C5-5 C6-6 C6-7 C6-9	15.00

In #buildings# used for both #commercial uses# and #community facility uses#, the total #floor area# used for #commercial uses# shall not exceed the amount permitted for #commercial buildings# in Section 33-122.

In all #Commercial Districts# except C7 and C8 Districts, for any #zoning lot# containing nursing homes, health-related facilities, domiciliary care facilities for adults, sanitariums and

philanthropic or non-profit institutions with sleeping accommodations, the total #floor area# used for the #community facility use# shall not exceed the amount as set forth in paragraph (b) of Section 24-111 (Maximum floor area ratio for certain community facility uses), applying the equivalent #Residential District# (indicated in Section 34-112) for the #Commercial District# in which such #use# is located unless modified pursuant to Section 74-902.

The maximum #floor area ratio# for any #building# used partly for #commercial use# and partly for nursing homes, health-related facilities, domiciliary care facilities for adults, sanitariums and philanthropic or non-profit institutions with sleeping accommodations shall not exceed the amount permitted for a #commercial building# by the applicable district regulations. However, for the districts in which the allowable #floor area#, as set forth in paragraph (b) of Section 24-111, exceeds the amount permitted for a #commercial building#, the provisions of paragraph (b) of Section 24-111 shall be used to compute the maximum #floor area# permissible for the #building# unless modified pursuant to Section 74-902.

10/17/07

33-124

Existing public amenities for which floor area bonuses have been received

- (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) Kiosks and open air cafes

Kiosks and open air cafes may be placed within an existing #publicly accessible open area# for which a #floor area# bonus has been received by certification, pursuant to Section 37-73 (Kiosks and Open Air Cafes).

(c) Nighttime closing of existing public open areas

In all #Commercial Districts#, the City Planning 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).

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

In all #Commercial Districts#, no existing #publicly accessible open area# 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 City Planning Commission, pursuant to Section 74-761 (Elimination or reduction in size of bonused public amenities).

10/17/07

33-13

Floor Area Bonus for a Public Plaza

C1-8 C1-9 C2-7 C2-8

(a) #Community facility buildings#

In the districts indicated, and in other C1 or C2 Districts when mapped within R9 or R10 Districts, for #community facility buildings#, for each square foot of #public plaza developed# in accordance with Section 37-70, inclusive, the total #floor area# permitted on that #zoning lot# under the provisions of Section 33-12 (Maximum Floor Area Ratio) for a #community facility building# or a #building# used for both #commercial# and #community facility uses# may be increased by six square feet.

C4-7 C5-2 C5-3 C5-4 C5-5 C6-1 C6-2 C6-3 C6-4 C6-5 C6-6 C6-7 C6-8
C6-9

(b) #Commercial buildings#

In the districts indicated, for #commercial buildings#, for each square foot of #public plaza developed# in accordance with Section 37-70, inclusive, the total #floor area# permitted on that #zoning lot# under the provisions of Section 33-12 for a #commercial building# may be increased

as set forth in the following table:

Districts	Permitted Additional Square Feet of #Floor Area# per Square Foot of #Public Plaza#
C5-3 C5-5 C6-6 C6-7 C6-9	10 square feet
C4-7 C5-2 C5-4 C6-1A C6-4 C6-5 C6-8	6 square feet
C6-1 C6-2 C6-3	4 square feet

C4-6 C4-7 C5-1 C5-2 C5-3 C5-4 C6-1 C6-2 C6-3 C6-4 C6-5 C6-6 C6-7
C6-8 C6-9

(c) #Community facility buildings# or #buildings# used for both
#commercial# and #community facility uses#

In the districts indicated, for #community facility
buildings# or #buildings# used for both #commercial# and
#community facility uses#, for each square foot of #public
plaza developed# in accordance with Section 37-70,
inclusive, the total #floor area# permitted on that #zoning
lot# under the provisions of Section 33-12 may be increased
as set forth in the following table:

Districts	Permitted Additional Square Feet of #Floor Area# per Square Foot of #Public Plaza#
C5-3 C5-5 C6-6 C6-7 C6-9	10 square feet
C4-6 C4-7 C5-1 C5-2 C5-4 C6-3 C6-4 C6-5 C6-8	6 square feet
C6-1 C6-2	4 square feet

10/17/07

33-14

Floor Area Bonus for Arcades

C4-7 C5-2 C5-3 C5-4 C5-5 C6

- (a) In the districts indicated, for #commercial buildings#, for each square foot of #arcade# provided on a #zoning lot# in accordance with the provisions of Section 37-80 (ARCADES), the total #floor area# permitted on that #zoning lot# under the provisions of Section 33-12 (Maximum Floor Area Ratio) for a #commercial building# may be increased as set forth in the following table:

FLOOR AREA BONUS

Districts	Permitted Additional Square Feet of #Floor Area# per Square Foot of #Arcade#
C4-7 C5-2 C5-3 C5-4 C5-5 C6-1A C6-4 C6-5 C6-6 C6-7 C6-8 C6-9	3 square feet
C6-1 C6-2 C6-3	2 square feet

C1-8 C1-9 C2-7 C2-8 C4-6 C4-7 C5 C6

- (b) In the districts indicated, and in C1 or C2 Districts when mapped within an R9 or R10 District, for #community facility buildings#, for each square foot of #arcade# provided on a #zoning lot# in accordance with the provisions of Section 37-80, the total #floor area# permitted on that #zoning lot# under the provisions of Section 33-12 for a #community facility building# or a #building# used for both #commercial# and #community facility uses# may be increased as set forth in the following table:

FLOOR AREA BONUS

Districts	Permitted Additional Square Feet of #Floor Area# per Square Foot of #Arcade#
C1 or C2 when mapped within R9 or R10	3 square feet
C1-8 C1-9 C2-7 C2-8 C4-6 C4-7 C5 C6-3 C6-4 C6-5 C6-6 C6-7 C6-8 C6-9	
C6-1 C6-2	2 square feet

10/17/07

33-15

Floor Area Bonus for Front Yards

10/17/07

33-151

In districts with bulk governed by Residence District bulk regulations

C1-1 C1-2 C1-3 C1-4 C1-5 C2-1 C2-2 C2-3 C2-4 C2-5

In the districts indicated, when mapped within an R1, R2, R3, R4 or R5 District, except R5D Districts, on any #zoning lot# on which there are provided #yards# as set forth in this Section, the maximum #floor area ratio# set forth in Section 33-12 (Maximum Floor Area Ratio) for a #community facility building# or a #building# used partly for #commercial use# and partly for #community facility use#, may be increased to the #floor area ratio# set forth in the following table provided that:

- (a) on #interior lots#, a #front yard# not less than 30 feet in depth is provided;
- (b) on #corner lots#, two #front yards#, each not less than 20 feet in depth, are provided; or
- (c) on #through lots#, a #front yard# not less than 30 feet in depth is provided along each #front lot line#.

MAXIMUM FLOOR AREA RATIO

Districts	Maximum #Floor Area Ratio#
When mapped within R1, R2, R3-1, R3A or R3X Districts	1.60
When mapped within R4 or R5 Districts	2.40

10/17/07

33-152

In certain other Commercial Districts

C3 C4-1

In the districts indicated, the provisions set forth in Section 33-151 shall also apply as set forth in the following table:

Districts	Maximum #Floor Area Ratio#
C3	1.60
C4-1	2.40

Regulations Applying to Special Situations

10/17/07

33-16

Special Provisions for Zoning Lots Divided by District Boundaries

C1 C2 C3 C4 C5 C6 C7 C8

In all districts, as indicated, whenever a #zoning lot# is divided by a boundary between districts or is subject to other regulations resulting in different maximum #floor area ratios# on portions of the #zoning lot#, the provisions set forth in Article VII, Chapter 7, shall apply.

12/15/61

33-20

YARD REGULATIONS

Definitions and General Provisions

11/19/87

33-21

Definitions

Words in italics are defined in Section 12-10 or, if applicable exclusively to this Section, in this Section.

12/15/61

33-22

Level of Yards

In all #Commercial Districts#, the level of a #yard# or of a #rear yard equivalent# shall not be higher than #curb level#. However, this Section shall not be construed to require that natural grade level 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 as otherwise provided in Section 33-23 (Permitted Obstructions in Required Yards or Rear Yard Equivalents).

4/22/09

33-23

Permitted Obstructions in Required Yards or Rear Yard Equivalents

In all #Commercial Districts#, the following shall not be considered obstructions when located within a required #yard# or #rear yard equivalent#:

(a) In any #yard# or #rear yard equivalent#:

Arbors or trellises;

Awnings or canopies;

Chimneys, projecting not more than three feet into, and not exceeding two percent of the area of, the required #yard# or #rear yard equivalent#;

Eaves, gutters or downspouts, projecting 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;

Fences;

Flagpoles;

Parking spaces for automobiles or bicycles, off-street, open, #accessory#;

Steps;

Terraces or porches, open;

Walls, not exceeding eight feet in height and not roofed or part of a #building#;

(b) In any #rear yard# or #rear yard equivalent#:

Balconies, unenclosed, subject to the provisions of Section 24-165;

Breezeways;

Any #building# or portion of a #building# used for any permitted #use# other than #residences#, except that any portion of a #building# containing rooms used for living or sleeping purposes (other than a room in a hospital used for the care or treatment of patients) shall not be a permitted obstruction, and provided that the height of such #building# shall not exceed one #story#, excluding #basement#, nor in any event 23 feet above #curb level#;

Fire escapes;

Parking spaces for automobiles or bicycles, off-street, #accessory# provided that the height of an #accessory building# used for such purposes and located in a required #rear yard# or #rear yard equivalent# shall not exceed 23 feet above #curb level#;

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 8 feet from any #lot line#.

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

12/15/61

33-24

Measurement of Yard Width or Depth

In all #Commercial Districts#, the width or depth of a #yard# or #rear yard equivalent# shall be measured perpendicular to #lot lines#.

8/14/87

33-25

Minimum Required Side Yards

C1 C2 C3 C4 C5 C6 C7 C8

In all districts, as indicated, no #side yards# are required. However, if an open area extending along a #side lot line# is provided at any level, it shall be either:

- (a) at least eight feet wide at every point; or
- (b) at least five feet wide at every point, with an average width of eight feet, such average being the mean of the width of the open area at its narrowest point and its width at its widest point, provided that:
 - (1) such widest point shall be on a #street line#;
 - (2) no portion of a #building# shall project beyond a straight line connecting such two points; and
 - (3) in the case of a #zoning lot# bounded by a #side lot line# extending from #street# to #street#, such average shall be computed and such open area shall be provided as though each half of such #side lot line# bounded a separate #zoning lot#.

4/30/08

33-26

Minimum Required Rear Yards

C1 C2 C3 C4 C5 C6 C7 C8

In all districts, as indicated, a #rear yard# with a depth of not less than 20 feet shall be provided at every #rear lot line# on any #zoning lot# except as otherwise provided in Sections 33-27 (Special Provisions for Shallow Interior Lots), 33-28 (Special Provisions for Through Lots) or 33-30 (OTHER SPECIAL PROVISIONS

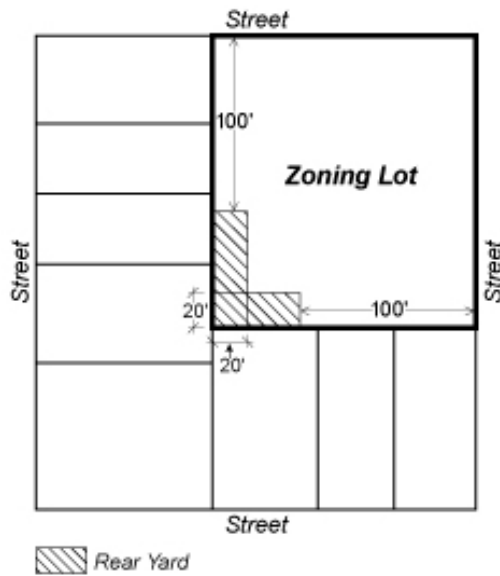
FOR REAR YARDS). #Rear yards# shall also be provided along portions of #side lot lines# as set forth in Section 33-261 (Beyond one hundred feet of a street line).

4/30/08

**33-261
Beyond one hundred feet of a street line**

C1 C2 C3 C4 C5 C6 C7 C8

In all districts, as indicated, for #corner lots#, and for #zoning lots# that are bounded by two or more #streets# that are neither #corner lots# or #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 a #rear yard# with a minimum depth of 20 feet shall be provided where such #rear lot line# coincides with a #rear lot line# of an adjoining #zoning lot#.



CORNER LOT



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

Regulations Applying to Special Situations

12/15/61

33-27

Special Provisions for Shallow Interior Lots

C1 C2 C3 C4 C5 C6 C7 C8

In all districts, as indicated, if an #interior lot# consists entirely of a tract of land:

- (a) which was owned separately and individually from all other adjoining tracts of land, both on December 15, 1961, and on the date of application for a building permit; and
- (b) which is less than 70 feet deep;

the depth of a required #rear yard# for such #interior lot# may be reduced by one foot for each two feet by which the maximum depth of such #interior lot# is less than 70 feet. No #rear yard# is required on any #interior lot# with a maximum depth of 50 feet or less.

4/30/08

33-28

Special Provisions for Through Lots

C1 C2 C3 C4 C5 C6 C7 C8

In all districts, as indicated, the regulations of this Section shall apply to all #through lots#. In the case of a #zoning lot# occupying an entire #block#, no #rear yard# or #rear yard equivalent# shall be required.

4/30/08

33-281

Excepted districts

C4-2 C4-3 C4-4 C4-5 C4-6 C4-7 C5 C6 C8-4

In the districts indicated, no #rear yard# regulations shall apply to any #through lot#, except as otherwise provided in Section 33-303 (For zoning lots with multiple rear lot lines).

12/15/61

33-282

Excepted through lots

C1 C2 C3 C4-1 C7 C8-1 C8-2 C8-3

In the districts indicated, no #rear yard# regulations shall apply to any #through lots# which extend less than 110 feet in maximum depth from #street# to #street#.

9/30/09

33-283

Required rear yard equivalents

C1 C2 C3 C4-1 C7 C8-1 C8-2 C8-3

In the districts indicated, on any #through lot# 110 feet or more in maximum depth from #street# to #street#, one of the following #rear yard equivalents# shall be provided:

- (a) an open area with a minimum depth of 40 feet midway (or within five feet of being midway) between the two #street lines# upon which such #through lot# fronts. In C1-6A, C1-7A, C1-8X, C1-9A, C2-6A, C2-7X, C2-8A and in C1 and C2 Districts mapped within R5D, R6A, R6B, R7A, R7B, R7D, R7X, R8A, R8B, R8X, R9A, R9D, R9X or R10 Districts, a #rear yard equivalent# shall be provided only as set forth in this paragraph; or
- (b) two open areas, each adjoining and extending along the full length of the #street line#, and each with a minimum depth of 20 feet measured from such #street line#; except that in C1 or C2 Districts the depth of such required open area along one #street line# may be decreased provided that a corresponding increase of the depth of the open area along the other #street line# is made; or
- (c) an open area adjoining and extending along the full length of each #side lot line#, with a minimum width of 20 feet measured from each such #side lot line#.

Any such #rear yard equivalent# shall be unobstructed from its lowest level to the sky, except as provided in Section 33-23 (Permitted Obstructions in Required Yards or Rear Yard Equivalents).

2/8/62

33-29

Special Provisions Applying along District Boundaries

C1 C2 C3 C4 C5 C6 C7 C8

In all districts, as indicated, open areas shall be provided in accordance with the provisions of this Section along the boundaries of #Residence Districts# except where such district boundaries are also the boundaries of railroad rights-of-way or cemeteries.

12/15/61

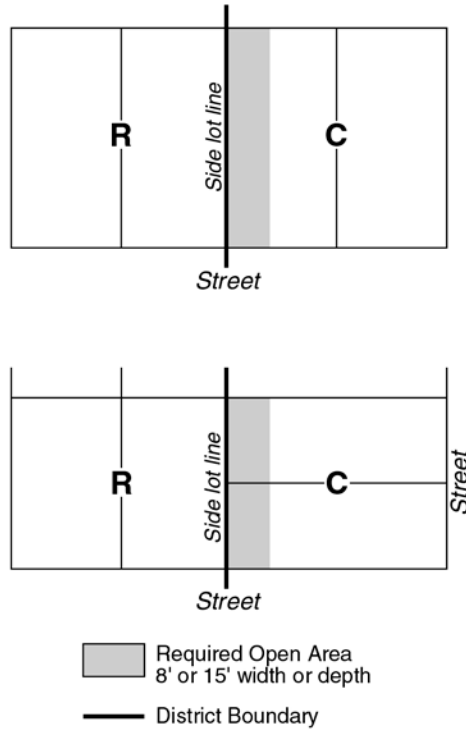
33-291

Required yards along district boundary coincident with side lot line of zoning lot in an R1, R2, R3, R4 or R5 District

C1 C2 C3 C4 C5 C6 C7 C8

In all districts, as indicated, along such portion of the boundary of a #Commercial District# that coincides with a #side lot line# of a #zoning lot# in an R1, R2, R3, R4 or R5 District an open area not higher than #curb level# shall be provided within the #Commercial District# with at least the width or depth set forth in the following table. Such an open area shall not be used for #accessory# off-street loading, or for storage or processing of any kind.

Districts	Required Width or Depth of #Yard# (in feet)
C1 C2 C3 C4 C5 C6 C7	8
C8	15



REQUIRED YARD ALONG DISTRICT BOUNDARY
COINCIDENT WITH SIDE LOT LINES

12/15/61

33-292

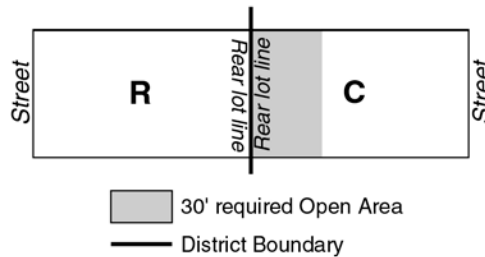
Required yards along district boundary coincident with rear lot lines of two adjoining zoning lots

C1 C2 C3 C4 C5 C6 C7 C8

In all districts, as indicated, along such portion of the #rear lot line# of a #zoning lot# in a #Commercial District# which coincides with a #rear lot line# of a #zoning lot# in an adjoining #Residence District#, an open area at a level not higher than indicated in the following table, shall be provided along such boundary and within the #Commercial District#. Such an open area shall not be used for storage or processing of any kind.

REQUIRED DEPTH OF YARD

Districts	Maximum Level of #Yard#	Depth (in feet)
C1 C2 C3 C4 C5 C6 C7	23 feet above #curb level#	30
C8	#Curb level#	30



REQUIRED YARD ALONG DISTRICT BOUNDARIES
COINCIDENT WITH REAR LOT LINES

12/15/61

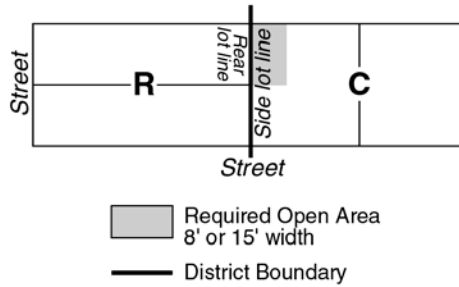
33-293

Required yards along district boundary coincident with side lot line of zoning lot in a Commercial District

C1 C2 C3 C4 C5 C6 C7 C8

In all districts, as indicated, along such portion of a #side lot line# of a #zoning lot# in a #Commercial District# that coincides with a #rear lot line# of a #zoning lot# in an adjoining #Residence District#, an open area at #curb level# of at least the width set forth in the following table shall be provided along such boundary within the #Commercial District#. Such an open area shall not be used for #accessory# off-street loading, or for storage or processing of any kind.

Districts	Required Width of #Yard# (in feet)
C1 C2 C3 C4 C5 C6 C7	8
C8	15



REQUIRED YARD ALONG DISTRICT BOUNDARIES

9/30/09

33-294

Other special provisions along certain district boundaries

C1-6A C1-7A C1-8A C1-9A C2-6A C2-7A C2-7X C2-8A C4-2A C4-3A C4-4A
 C4-4D C4-5A C4-5D C4-5X C4-6A C4-7A C5-1A C5-2A C6-2A C6-3A C6-3D
 C6-3X C6-4A C6-4X

In the districts indicated, and in C1 and C2 Districts mapped within R6A, R7A, R7B, R7D, R7X, R8A, R8B, R8X, R9A, R9D, R9X, R10A or R10X Districts, the #development# or #enlargement# of a #building#, or portions thereof, within 25 feet of an R1, R2, R3, R4, R5 or R6B District shall comply with the requirements for R6B Districts in Section 23-633 (Street wall location and height and setback regulations in certain districts).

12/15/61

33-30

OTHER SPECIAL PROVISIONS FOR REAR YARDS

C1 C2 C3 C4 C5 C6 C7 C8

In all districts, as indicated, the #rear yard# requirements set forth in Section 33-26 (Minimum Required Rear Yards) shall be modified as set forth in this Section.

12/15/61

33-301

Within one hundred feet of corners

C1 C2 C3 C4 C5 C6 C7 C8

In all districts, as 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.

5/20/65

33-302

Along short dimension of block

C1 C2 C3 C4 C5 C6 C7 C8

In all districts, as indicated, whenever a #front lot line# of a #zoning lot# coincides with all or part of a #street line# measuring less than 230 feet in length between two intersecting #streets#, no #rear yard# shall be required within 100 feet of such #front lot line#.

4/30/08

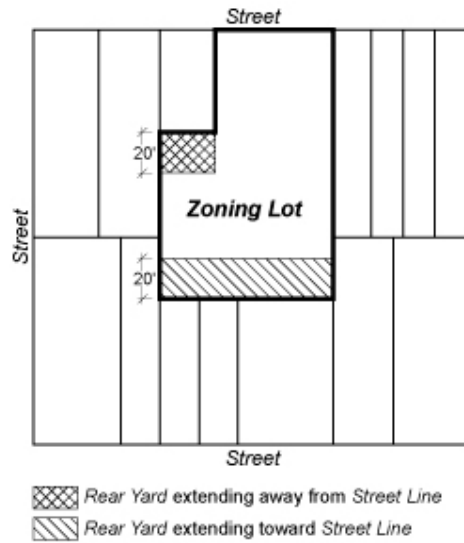
33-303

For zoning lots with multiple rear lot lines

C1 C2 C3 C4 C5 C6 C7 C8

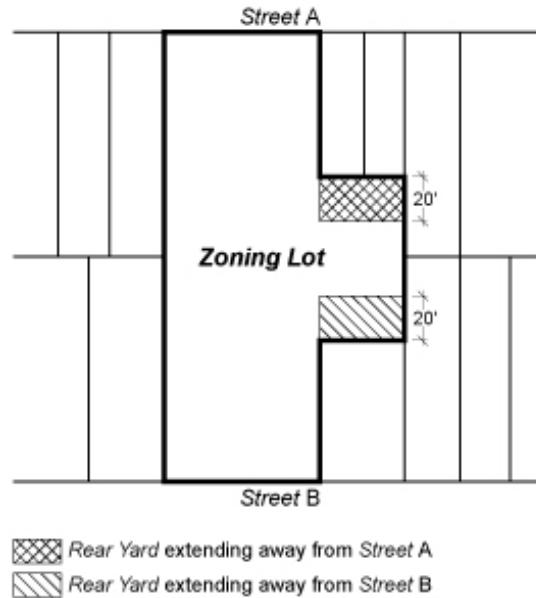
In all districts, as indicated, for #zoning lots# with multiple #rear lot lines#, if a #rear yard# extends from a #rear lot line# away from the #street line# which is used to determine such #rear lot line#, the following rules shall apply:

- (a) A #rear yard# with a minimum depth of 20 feet shall be provided where such #rear lot line# coincides with a #rear lot line# of an adjoining #zoning lot#.



- (b) No #rear yard# shall be required where such #rear lot line# coincides with a #side lot line# of an adjoining #zoning lot#.

(c) 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.



12/15/61

33-31

Special Provisions for Zoning Lots Divided by District Boundaries

C1 C2 C3 C4 C5 C6 C7 C8

In all districts, as indicated, whenever a #zoning lot# is divided by a boundary between districts with different #yard# regulations, the provisions set forth in Article VII, Chapter 7 shall apply.

4/30/08

33-32

Modifications of Yard Regulations

C5-5 C6-8 C6-9

(a) In the districts indicated, the regulations set forth in

Sections 33-26 to 33-30, inclusive, relating to #rear yard# regulations, may be modified in accordance with the provisions of Section 73-68 (Height and Setback and Yard Modifications).

C1 C2 C3 C4 C5 C6 C7 C8

- (b) In all districts, the regulations set forth in Section 33-303 (For zoning lots with multiple rear lot lines) may be modified in accordance with the provisions of Section 73-69 (Rear Yard Modifications).

12/15/61

33-40
HEIGHT AND SETBACK REGULATIONS

Definitions and General Provisions

11/19/87

33-41
Definitions

Words in italics are defined in Section 12-10 or, if applicable exclusively to this Section, in this Section.

9/9/04

33-42
Permitted Obstructions

In all #Commercial Districts#, the following shall not be considered obstructions and may thus penetrate a maximum height limit or #front# or #rear sky exposure planes# as set forth in Sections 33-43 (Maximum Height of Walls and Required Setbacks), 33-44 (Alternate Front Setbacks) or 33-491 (Limited Height Districts):

- (a) Balconies, unenclosed, subject to the provisions of Section 24-165;
- (b) Chimneys or flues, with a total width not exceeding 10 percent of the #aggregate width of street walls# of a

#building# at any given level;

- (c) Elevator or stair bulkheads, roof water tanks or cooling towers (including enclosures), each having an #aggregate width of street walls# equal to not more than 30 feet. However, the product, in square feet, of the #aggregate width of street walls# of such obstructions facing each #street# frontage, times their average height, in feet, shall not exceed a figure equal to four times the width, in feet, of the #street wall# of the #building# facing such frontage;
- (d) Flagpoles or aerials;
- (e) House of worship towers, ornamental, having no #floor area# in portion of tower penetrating such height limit or #sky exposure plane#;
- (f) Parapet walls, not more than four feet high;
- (g) Spires or belfries;
- (h) Wire, chain link or other transparent fences.

Building columns having an aggregate width equal to not more than 20 percent of the #aggregate width of street walls# of a #building# are a permitted obstruction, 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 Sections 33-43, 33-44 or 33-45 (Tower Regulations).

6/29/94

33-43

Maximum Height of Walls and Required Setbacks

C1 C2 C3 C4 C5 C6 C7 C8

In all districts, as indicated, 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 this Section, the height of such front wall or other portion of a #building or other structure# shall not exceed the maximum height above #curb level# set forth in this Section. 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 this Section. The regulations of this Section shall apply except as otherwise

provided in Sections 33-42 (Permitted Obstructions), 33-44 (Alternate Front Setbacks), 33-45 (Tower Regulations), 74-85 (Height and Setback Regulations for Residential Buildings), 85-04 (Modifications of Bulk Regulations) or 23-692 (Height limitations for narrow buildings or enlargements).

9/30/09

33-431

In C1 or C2 Districts with bulk governed by surrounding Residence District

C1-1 C1-2 C1-3 C1-4 C1-5 C2-1 C2-2 C2-3 C2-4 C2-5

- (a) In the districts indicated, the maximum height of a front wall and the required front setback of a #building or other structure# shall be determined by the #Residence District# within which such #Commercial District# is mapped and, except as otherwise set forth in this Section, shall be as set forth in the following table:

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# within the #Initial Setback Distance#	Height above the #Street Line# (in feet)	#Sky Exposure Plane#			
				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	Hori-zontal Distance	Vertical Distance	Hori-zontal Distance
When mapped within R1, R2, R3, R4, R5, R5A or R5B Districts							
20	15	30 feet or two #stories#, whichever is less	30	1	to 1	1	to 1
When mapped within R6 or R7 Districts							
20	15	60 feet or four #stories#,	60	2.7	to 1	5.6	to 1

whichever
is less

When mapped within R8, R9 or R10 Districts

20	15	85 feet or six #stories#, whichever is less	85	2.7 to 1	5.6	to 1
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However, in accordance with the provisions of Section 32-42 (Location within Buildings), no #commercial building# or portion thereof occupied by non-#residential uses# listed in Use Groups 6A, 6B, 6C, 6F, 7, 8, 9 or 14 shall exceed in height 30 feet or two #stories#, whichever is less.

For #community facility buildings# or #buildings# used for both #community facility use# and #commercial use#, when mapped within R4, R5, R5A or R5B Districts, the maximum height of a front wall shall be 35 feet or three #stories#, whichever is less, and the height above #street line# shall be 35 feet and, when mapped within R7-2 Districts, the maximum height of a front wall shall be 60 feet or six #stories#, whichever is less.

C1-1 C1-2 C1-3 C1-4 C1-5 C2-1 C2-2 C2-3 C2-4 C2-5

(b) In the districts indicated, when mapped within R6A, R6B, R7A, R7B, R7D, R7X, R8A, R8B, R8X, R9A, R9D, R10A or R10X Districts, the height and setback regulations of Sections 33-43 through 33-457, inclusive, shall not apply. In lieu thereof, the provisions of Section 35-24 (Special Street Wall Location and Height and Setback Regulations in Certain Districts) shall apply.

9/30/09

33-432

In other Commercial Districts

C1-6 C1-7 C1-8 C1-9 C2-6 C2-7 C2-8 C3 C4 C5 C6 C7 C8

(a) In the districts indicated, the maximum height of a front wall and the required front setback of a #building or other structure#, except as otherwise set forth in this Section, shall be as set forth in the following table:

MAXIMUM HEIGHT OF
FRONT WALL AND REQUIRED FRONT SETBACKS

#Initial Setback Distance# (in feet)	On #Narrow Street#	On #Wide Street#	#Building# within the #Initial Setback Distance#	Maximum Height of a Front Wall or other portion of a	Height above the #Street Line# (in feet)	#Sky Exposure Plane#			
						Slope over #Zoning Lot# (Expressed as a Ratio of Vertical Distance to Horizontal Distance)			
				On #Narrow Street#		On #Wide Street#			
				Vertical Distance	Hori-zontal Distance	Vertical Distance	Hori-zontal Distance		

Districts: C3 C4-1 C8-1

20	15	30 feet or two #stories#, whichever is less	30	1	to 1	1	to 1
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Districts: C1-6 C2-6 C4-2 C4-3 C4-4 C4-5 C7 C8-2 C8-3

20	15	60 feet or four #stories#, whichever is less	60	2.7	to 1	5.6	to 1
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Districts: C1-7 C1-8 C1-9 C2-7 C2-8 C4-2F C4-6 C4-7 C5 C6 C8-4

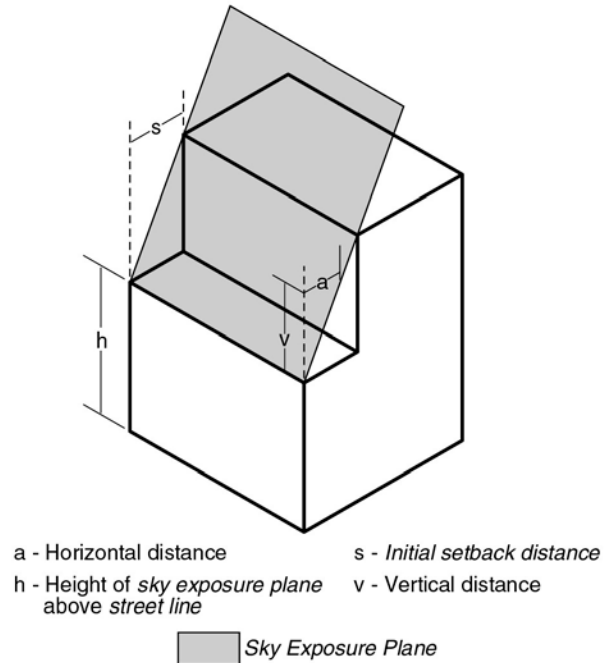
20	15	85 feet or six #stories#, whichever is less	85	2.7	to 1	5.6	to 1
----	----	---	----	-----	------	-----	------

However, in accordance with the provisions of Section 32-42 (Location within Buildings), in C1, C2 or C3 Districts, no #commercial building#, or portion thereof, occupied by non-#residential uses# listed in Use Group 6A, 6B, 6C, 6F, 7, 8, 9 or 14 shall exceed in height 30 feet or two #stories#, whichever is less.

In C4-1 or C8-1 Districts, for #community facility buildings# or #buildings# used for both #community facility# and #commercial use#, the maximum height of a front wall shall be 35 feet or three #stories#, whichever is less, and the height above #street line# shall be 35 feet.

In C1-6, C2-6, C4-4 or C4-5 Districts, for #community facility buildings# or #buildings# used for both #community

facility# and #commercial use#, the maximum height of a front wall shall be 60 feet or six #stories#, whichever is less.



SKY EXPOSURE PLANE
IN OTHER COMMERCIAL DISTRICTS

C1-6A C1-7A C1-8A C1-8X C1-9A C2-6A C2-7A C2-7X C2-8A C4-2A C4-3A
C4-4A C4-4D C4-5A C4-5D C4-5X C4-6A C4-7A C5-1A C5-2A C6-2A C6-3A
C6-3D C6-3X C6-4A C6-4X

(b) In the districts indicated, the height and setback regulations of Sections 33-43 through 33-457, inclusive, shall not apply. In lieu thereof, the provisions of Section 35-24 (Special Street Wall Location and Height and Setback Regulations in Certain Districts) shall apply.

6/29/06

33-433
Special height and setback regulations

(a) Within the boundaries of Community District 7 in the Borough

of Manhattan, all #developments# or #enlargements# located in R10 equivalent #Commercial Districts# without a letter suffix shall comply with the requirements of Section 23-634 (Special height and setback regulations in R10 Districts within Community District 7, Borough of Manhattan).

- (b) In C1 or C2 Districts mapped within R5D Districts, all #developments# or #enlargements# shall comply with the height and setback requirements of Section 23-60.

10/17/07

33-44

Alternate Front Setbacks

C1 C2 C3 C4 C5 C6 C7 C8

In all districts as indicated, if an open area is provided along the full length of the #front lot line# with the minimum depth set forth in this Section, the provisions of Section 33-43 (Maximum Height of Walls and Required Setbacks) shall not apply.

The minimum depth of such open area shall be measured perpendicular to the #front lot line#. However, in such instances, except as otherwise provided in Sections 33-42 (Permitted Obstructions), 33-45 (Tower Regulations) or 85-04 (Modifications of Bulk Regulations), no #building or other structure# shall penetrate the alternate #sky exposure plane# set forth in this Section, and the #sky exposure plane# shall be measured from a point above the #street line#.

If the open area provided under the terms of this Section is a #public plaza#, such open area may be counted for the bonus provided for a #public plaza# in the districts indicated in Section 33-13 (Floor Area Bonus for a Public Plaza).

In C1-8, C1-9, C2-7 or C2-8 Districts, or in C1 or C2 Districts mapped within R9 or R10 Districts, the provisions of this Section shall be inapplicable to any #development# or #enlargement# with more than 25 percent of its total #floor area# in #residential use#.

6/29/06

33-441

In C1 or C2 Districts with bulk governed by surrounding Residence District

C1-1 C1-2 C1-3 C1-4 C1-5 C2-1 C2-2 C2-3 C2-4 C2-5

In the districts indicated, the alternate front setback regulations applicable to a #building or other structure# shall be determined by the #Residence District# in which such #Commercial District# is mapped and, except as otherwise set forth in this Section, shall be as set forth in the following table:

ALTERNATE REQUIRED FRONT SETBACKS

Depth of Optional Front Open Area (in feet)			Alternate #Sky Exposure Plane#			
			Slope over #Zoning Lot# (expressed as a ratio of vertical distance to horizontal distance)			
On #Narrow Street#	On #Wide Street#	Height above #Street Line# (in feet)	On #Narrow Street#		On #Wide Street#	
			Vertical Distance	Horizontal Distance	Vertical Distance	Horizontal Distance
When mapped within R1, R2, R3, R4, R5, R5A or R5B Districts						
15	10	30	1.4	to 1	1.4	to 1
When mapped within R6 or R7 Districts						
15	10	60	3.7	to 1	7.6	to 1
When mapped within R8, R9 or R10 Districts						
15	10	85	3.7	to 1	7.6	to 1

However, in accordance with the provisions of Section 32-42 (Location Within Buildings), no #commercial building#, or portion thereof, occupied by non-#residential uses# listed in Use Group 6A, 6B, 6C, 6F, 7, 8, 9 or 14 shall exceed in height 30 feet or two #stories#, whichever is less.

For #community facility buildings# or #buildings# used for both #community facility use# and #commercial use#, when mapped within R4, R5, R5A or R5B Districts, the height above #street line# shall be 35 feet.

33-442

In other Commercial Districts

C1-6 C1-7 C1-8 C1-9 C2-6 C2-7 C2-8 C3 C4 C5 C6 C7 C8

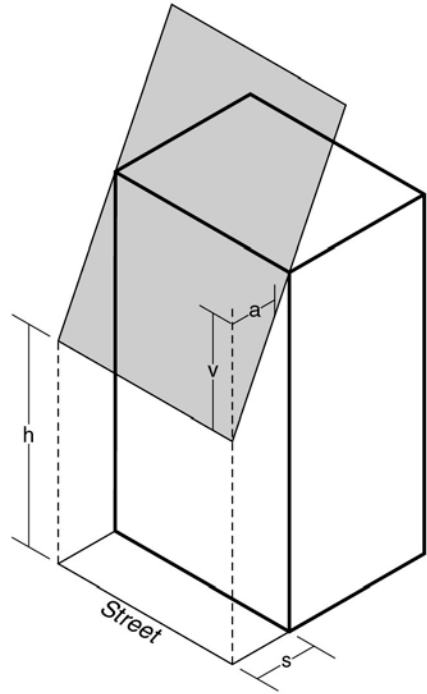
In the districts indicated, the alternate front setback regulations applicable to a #building or other structure# shall be as set forth in the following table:

ALTERNATE REQUIRED FRONT SETBACKS


Depth of Optional Front Open Area (in feet)			Alternate #Sky Exposure Plane#			
			Slope over #Zoning Lot# (Expressed as a Ratio of Vertical Distance to Horizontal Distance)			
On #Narrow Street#	On #Wide Street#	Height above #Street Line# (in feet)	On #Narrow Street#		On #Wide Street#	
			Vertical Distance	Horizontal Distance	Vertical Distance	Horizontal Distance
Districts: C3 C4-1 C8-1			1.4	to 1	1.4	to 1
15	10	30				
Districts: C1-6 C2-6 C4-2 C4-3 C4-4 C4-5 C7 C8-2 C8-3			3.7	to 1	7.6	to 1
15	10	60				
Districts: C1-7 C1-8 C1-9 C2-7 C2-8 C4-2F C4-6 C4-7 C5 C6 C8-4			3.7	to 1	7.6	to 1
15	10	85				

However, in accordance with the provisions of Section 32-42 (Location within Buildings), in C1, C2 or C3 Districts, no #commercial building# or portion thereof occupied by non-#residential uses# listed in Use Group 6A, 6B, 6C, 6F, 7, 8, 9 or 14 shall exceed in height 30 feet or two #stories#, whichever is less.

In C4-1 or C8-1 Districts, for #community facility buildings# or #buildings# used for both #community facility use# and #commercial use#, the maximum height above #street line# shall be 35 feet or three #stories#, whichever is less.



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

12/15/61

**33-45
 Tower Regulations**

6/12/96

**33-451
 In certain specified Commercial Districts**

C4-7 C5-2 C5-3 C5-4 C5-5 C6-4 C6-5 C6-6 C6-7 C6-8 C6-9

In the districts indicated, any #buildings# or portions thereof which in the aggregate occupy not more than 40 percent of the #lot area# of a #zoning lot# or, for #zoning lots# of less than 20,000 square feet, the percent set forth in Section 33-454 (Towers on small lots), may penetrate an established #sky exposure plane#. (Such #building# or portion thereof is

hereinafter referred to as a tower.) At any given level, except where the provisions set forth in Section 33-455 (Alternate regulations for towers on lots bounded by two or more streets), or Section 33-456 (Alternate setback regulations on lots bounded by two or more streets), or Section 33-457 (Tower setbacks on narrow blocks), are applicable and where the option is taken to be governed by such provisions, such tower may occupy any portion of the #zoning lot# not located less than 15 feet from the #street line# of a #narrow street#, or less than 10 feet from the #street line# of a #wide street#, provided that the aggregate area so occupied within 50 feet of a #narrow street# shall not exceed 1,875 square feet and the aggregate area so occupied within 40 feet of a #wide street# shall not exceed 1,600 square feet.

If the #building# of which such tower is a portion does not occupy at any level more than the maximum percent of the #lot area# set forth in this Section or Section 33-454 for towers, the tower may occupy any portion of the #zoning lot# not located less than 20 feet from the #street line# of a #narrow street# or less than 15 feet from the #street line# of a #wide street#, provided that the aggregate area so occupied within 50 feet of a #narrow street# shall not exceed 2,250 square feet and the aggregate area so occupied within 40 feet of a #wide street# shall not exceed 2,000 square feet.

Unenclosed balconies, subject to the provisions of Section 24-165 (Balconies in R3 through R10 Districts), are permitted to project into or over open areas not occupied by towers.

6/29/94

33-452

Community facility buildings in C1 or C2 Districts when mapped within R7-2, R8, R9 or R10 Districts

C1-1 C1-2 C1-3 C1-4 C1-5 C2-1 C2-2 C2-3 C2-4 C2-5

In the districts indicated, when mapped within an R7-2, R8, R9, or R10 Districts, the provisions set forth in Section 33-451 (In certain specified Commercial Districts) shall apply to any #community facility building#. If a #building# is used for both #community facility# and #commercial uses#, no portion of such #building# occupied by #commercial use# shall penetrate the #sky exposure plane# as set forth in Sections 33-43 (Maximum Height of Walls and Required Setbacks) or 33-44 (Alternate Front Setbacks).

6/29/94

33-453

Community facility buildings in certain specified Commercial Districts

C1-6 C1-7 C1-8 C1-9 C2-6 C2-7 C2-8 C4-4 C4-5 C4-6 C5-1 C6-1 C6-2
C6-3 C8-3 C8-4

In the districts indicated, the provisions set forth in Section 33-451 (In certain specified Commercial Districts) shall apply to any #community facility building#. If a #building# is used for both #community facility# and #commercial uses#, no portion of such #building# occupied by #commercial use# shall penetrate the #sky exposure plane# as set forth in Section 33-43 (Maximum Height of Walls and Required Setbacks) or 33-44 (Alternate Front Setbacks).

12/15/61

33-454

Towers on small lots

C1 C2 C4-4 C4-5 C4-6 C4-7 C5 C6 C8-3 C8-4

In the districts indicated, a tower permitted under the provisions of Sections 33-451, 33-452 or 33-453 may occupy the percent of the #lot area# of a #zoning lot# set forth in the following table:

LOT COVERAGE OF
TOWERS ON SMALL ZONING LOTS

Area of #Zoning Lot# (in square feet)	Maximum Percent of #Lot 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

10/17/07

33-455

Alternate regulations for towers on lots bounded by two or more streets

C5-3 C5-5 C6-6 C6-7 C6-9

In the districts indicated, if a #zoning lot# is bounded by at least two #street lines#, a tower may occupy the percent of the #lot area# of a #zoning lot# set forth in this Section, provided that, except as otherwise set forth in Section 33-457 (Tower setbacks on narrow blocks), all portions of any #building# or #buildings# on such #zoning lot#, including such tower, are set back from #street lines# as required in this Section.

- (a) The maximum percent of #lot area# that may be occupied by such tower, shall be the sum of 40 percent plus one-half of one percent for every .10 by which the #floor area ratio# of such #building# is less than the #floor area ratio# permitted under the provisions of Sections 33-12 (Maximum Floor Area Ratio), 33-13 (Floor Area Bonus for a Public Plaza) or 33-14 (Floor Area Bonus for Arcades). The maximum #lot coverage# for any tower built under the provisions of this Section or for any #building# or #buildings# on any #zoning lot# occupied by such tower shall be 55 percent of the #lot area# of such #zoning lot#.
- (b) At all levels, including ground level, such #building# shall be set back from the #street line# as follows:
 - (1) On #narrow streets#, by a distance equal to at least the fraction of the #aggregate width of street walls# of the tower, the numerator of which fraction is one and the denominator of which fraction is the sum of 3.0 plus .0667 for every .10 by which the #floor area ratio# of such #building# is less than the #floor area ratio# permitted under the provisions of Sections 33-12, 33-13 or 33-14, provided that such fraction shall be no less than one-fifth, and provided further that

such setback need not exceed 45 feet.

- (2) On #wide streets#, by a distance equal to at least the fraction of the #aggregate width of street walls# of the tower, the numerator of which fraction is one and the denominator of which fraction is the sum of 4.0 plus .10 for every .10 by which the #floor area ratio# of such #building# is less than the #floor area ratio# permitted under the provisions of Sections 33-12, 33-13 or 33-14, provided that such fraction shall be no less than one-seventh, and provided further that such setback need not exceed 35 feet.
- (c) If a #zoning lot# occupies an entire #block#, the maximum setback, set forth in paragraph (b) of this Section, of 45 feet on each #narrow street# bounding the #zoning lot# may be reduced by one foot for every six feet of setback provided on a #wide street# bounding the #zoning lot# in addition to the setbacks otherwise required for #wide streets# as set forth in such paragraph, provided that no setback on a #narrow street# resulting from such reduction shall be less than 35 feet or one-tenth the #aggregate width of street walls# of the tower, whichever shall require the greater setback.
- (d) The additional setbacks on #wide streets# set forth in paragraph (c) of this Section may be provided entirely on one #wide street# or divided in any proportion among any two #wide streets# bounding the #zoning lot#.
- (e) Notwithstanding any other provision set forth in this Section, no #building# or portion of a #building# built under the provisions of this Section shall be set back less than 25 feet from the #street line# on #narrow streets# or less than 15 feet from the #street line# on #wide streets#.

10/17/07

33-456

Alternate setback regulations on lots bounded by two or more streets

C5-3 C5-5 C6-6 C6-7 C6-9

In the districts indicated, except as otherwise set forth in Section 33-457 (Tower setbacks on narrow blocks), if a #zoning lot# is bounded by at least two #street lines#, a tower occupying not more than the percent of #lot area# set forth in Section 33-

451 (In certain specified Commercial Districts) or 33-454 (Towers on small lots), may be set back from a #street line# as follows:

- (a) On #narrow streets#, by a distance equal to at least the fraction of the #aggregate width of street walls# of the tower, the numerator of which fraction is one and the denominator of which fraction is the sum of 3.0 plus .0333 for each .10 by which the #floor area ratio# of the #building# is less than the #floor area ratio# permitted under the provisions of Sections 33-12, 33-13 or 33-14, provided that such fraction shall be no less than one-fifth, and provided further that such setback need not exceed 45 feet.
- (b) On #wide streets#, by a distance equal to at least the fraction of the #aggregate width of street walls# of the tower, the numerator of which fraction is one and the denominator of which fraction is the sum of 4.0 plus .05 for each .10 by which the #floor area ratio# of the #building# is less than the #floor area ratio# permitted under the provisions of Sections 33-12, 33-13 or 33-14, provided that such fraction shall be no less than one-seventh, and provided further that such setback need not exceed 35 feet.
- (c) Notwithstanding any other provisions set forth in this Section, no tower built under the provisions of this Section shall be set back less than 25 feet from the #street line# on #narrow streets# or less than 15 feet from the #street line# on #wide streets#.

4/22/65

33-457

Tower setbacks on narrow blocks

C5-3 C5-5 C6-6 C6-7 C6-9

In the districts indicated, if a #zoning lot# is bounded by at least three #street lines#, and any two of the #street lines# are opposite to each other and parallel or within 45 degrees of being parallel to each other, and their average distance apart is 150 feet or less, the minimum distance a tower is required to be set back from such opposite #street lines# under the provisions of Section 33-455 (Alternate regulations for towers on lots bounded by two or more streets), or Section 33-456 (Alternate setback regulations on lots bounded by two or more streets), is reduced in accordance with the following table:

TOWER SETBACKS ON NARROW BLOCKS

	Reduction of Required Tower Setback	Minimum Setback for Tower Built under Provisions of this Section
On #narrow street#	30 percent or ten feet, whichever is less	15 feet
On #wide street#	40 percent or ten feet, whichever is less	10 feet

Regulations Applying in Special Districts

6/29/94

33-46

Special Provisions for Zoning Lots Directly Adjoining Public Parks

C1 C2 C3 C4 C5 C6 C7 C8

In all districts, as indicated, a #public park# with an area between one and fifteen acres shall be considered a #wide street# for the purpose of applying the front height and setback regulations specified in Section 33-43 (Maximum Height of Walls and Required Setbacks) to any #building or other structure# on a #zoning lot# adjoining such #public park#. However, this Section shall not apply to a #public park# more than 75 percent of which is paved.

7/6/72

33-47

Modification of Height and Setback Regulations

1/14/65

33-471

Commercial and community facility uses

C5-5 C6-8 C6-9

In the districts indicated, for #commercial# or #community facility uses# in specified situations, the Board of Standards and Appeals may modify the regulations set forth in Sections 33-41 to 33-45, inclusive, relating to Height and Setback Regulations, in accordance with the provisions of Section 73-68 (Height and Setback and Yard Modifications).

7/6/72

33-472

Community facility uses

C1 C2 C3 C4 C5 C6 C8

In all districts, as indicated, for certain #community facility uses# in specified situations, the Board of Standards and Appeals may modify the regulations set forth in Sections 33-41 to 33-45, inclusive, relating to Height and Setback Regulations in accordance with the provisions of Section 73-64 (Modifications for Community Facility Uses).

8/14/87

33-48

Special Provisions for Zoning Lots Divided by District Boundaries

C1 C2 C3 C4 C5 C6 C7 C8

In all districts, as indicated, whenever a #zoning lot# is divided by a boundary between districts, or is subject to other regulations resulting in different height and setback regulations, or whenever a #zoning lot# is divided by a boundary between a district to which the provisions of Section 33-45 (Tower Regulations) apply and a district to which such provisions do not apply, the provisions set forth in Article VII, Chapter 7, shall apply.

6/29/94

33-49
Special Height Limitations

6/29/94

33-491
Limited Height Districts

C1 C2 C3 C4 C5 C6 C7 C8

In all districts, as indicated, wherever such districts are located within a #Limited Height District#, the maximum height of a #building or other structure#, or portion thereof, 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

9/30/09

33-492
Height limitations for narrow buildings or enlargements

C1-6 C1-7 C1-8 C1-9 C2-6 C2-7 C2-8 C4-4D C4-5D C4-5X C4-6A C4-7A
C5-1A C5-2A C6-2A C6-3A C6-3D C6-3X C6-4A C6-4X

In the districts indicated, and in C1 and C2 Districts mapped within R7-2, R7D, R7X, R8, R9 and R10 Districts, if the width of the #street wall# of a new #building# or the #enlarged# portion of an existing #building# is 45 feet or less, the provisions of Section 23-692 (Height limitations for narrow buildings or enlargements) shall apply to such new or #enlarged building#.

12/15/61

33-50

**COURT REGULATIONS AND MINIMUM DISTANCE BETWEEN WINDOWS AND WALLS
OR LOT LINES**

Basic Regulations

7/6/72

33-51

Minimum Dimensions of Courts for Community Facility Buildings

C1 C2 C3 C4 C5 C6 C8

In all districts, as indicated, the regulations set forth in the following Sections shall apply to all #buildings# containing #community facility uses#:

- Section 24-61 (General Provisions and Applicability)
- Section 24-62 (Minimum Dimensions of Courts)
- Section 24-63 (Outer Court Regulations)
- Section 24-64 (Inner Court Regulations)
- Section 24-65 (Minimum Distance between Required Windows and Walls or Lot Lines)
- Section 24-66 (Modifications of Court Regulations or Distance Requirements)
- Section 24-67 (Special Provisions for Buildings Used Partly for Residential Uses)
- Section 24-68 (Permitted Obstructions in Courts).