Zoning Resolution

THE CITY OF NEW YORK
Zohran K. Mamdani, Mayor

CITY PLANNING COMMISSION
Sideya Sherman, Chair

136-31 - Special Height and Setback Regulations Within Subdistrict A

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136-31 - Special Height and Setback Regulations Within Subdistrict A

LAST AMENDED
9/7/2017

136-311 - Street wall location

LAST AMENDED
12/5/2024

The provisions of Section 136-21 (Street Wall Location) shall apply within Subdistrict A, except as provided in this Section.

(a) For portions of #buildings# or #building segments# with frontage on Redfern Avenue located between the prolongation of the northerly #street line# of Dix Avenue and a line 150 feet south of and parallel to Nameoke Street, the #street wall# location rules of paragraph (a) of Section 23-431 shall apply.

(b) For Street Wall A and Street Wall B, as shown on Map 7 (Mandatory Street Walls and Flexible Public Open Space Locations) in the Appendix to this Chapter, the provisions of Section 136-21 shall not apply. In lieu thereof, the provisions of this Section shall apply.

(1) Street Wall A

#Buildings# on the west side of #Open Space A# shall have a #street wall# located along the required sidewalk widening on Mott Avenue, shown as a line designated A1 on Map

7, except that #street wall# articulation set forth in paragraph (e) of Section 35-651 (Street wall location) shall be permitted. Beyond 112 feet of Redfern Avenue, the #street wall# shall be located no closer to Central Avenue than the line designated A2 as shown on Map 7.

(2) Street Wall B

#Street walls# fronting #Open Space A# shall be located no closer to Redfern Avenue than as shown as a line designated B1 on Map 7. The #street walls# of #buildings# on the east side of #Open Space A# with frontage on Mott Avenue shall be located no closer to Mott Avenue than as shown as lines designated B2 and B3 on Map 7. Portions of #street walls# with frontage on Mott Avenue, located so that a line drawn perpendicular to the line designated B3 intersects such #street walls#, shall be located no further than 30 feet from B3. #Street walls# fronting Central Avenue shall be located no closer to Central Avenue than as shown for the line designated B4 on Map 7, and shall be located no further than 30 feet from B4.

(c) For #blocks# with a dimension of less than 100 feet between #streets# or private streets that are parallel or do not intersect, the provisions of Section 136-221 shall be modified to require a minimum of 40 percent of the #aggregate width of street walls# to be located within eight feet of the #street line# and to extend to at least the minimum base height specified in Section 136-22 (Minimum and Maximum Base Height), or the height of the #building#, whichever is less.

All #street walls# governed by this Section shall extend to the minimum base height specified in Section 136-313 (Minimum and maximum base height), or the height of the #building#, whichever is less.

136-312 - Street wall recesses

LAST AMENDED
9/7/2017

For each #building# within Subdistrict A, where the #aggregate width of street walls# is greater than 90 feet, a minimum of 20 percent of the surface area of #street walls# below the maximum base height and above the level of the first #story# shall be recessed beyond three feet of the #street line#. Portions of #street lines# with no #street walls# may be counted towards the recess requirements of this Section. No portion of such minimum recessed area shall be located within 30 feet of the intersection of two #street lines#. However, such minimum recessed area shall be permitted within 30 feet of Redfern Avenue, except at the intersection of Redfern Avenue and Mott Avenue.

136-313 - Minimum and maximum base height

LAST AMENDED
12/5/2024

Within Subdistrict A, the provisions of Section 136-22 (Minimum and Maximum Base Height) shall not apply. In lieu thereof, for #residential buildings#, #mixed buildings# and #commercial buildings#, the provisions of this Section shall apply. The #street wall# height and setback regulations of the underlying district shall apply except as modified in this Section.

(a) The minimum and maximum heights before setback of a #street wall# required pursuant to Section 136-21 (Street Wall Location), shall be as set forth in the following table:

Condition	Minimum Base Height (feet)	Maximum Base Height (feet)	Minimum Setback Depth (feet)

Fronting on, or within 100 feet of, a #street#, other than a private street or publicly accessible open space	40[1]	65	10
Fronting on a private street or a publicly accessible open space and beyond 100 feet of a #street# that is not a private street or publicly accessible open space	40[1]	85	7
Fronting on Redfern Avenue	30[1]	45[2]	10

[1] Within 300 feet of Mott Avenue, the minimum base height shall be 20 feet

[2] The maximum base height for the portion of a #building# subject to the 65 foot or six story maximum height provisions of Section 136-314 shall be 65 feet

(b) Dormers

A dormer shall be allowed as a permitted obstruction pursuant to paragraph (b)(1) of Section 23-413 (Permitted obstructions in certain districts), except as follows:

(1) Within 75 feet of intersecting #streets#, dormers shall be permitted without limitation on width.

(2) Where dormers are provided pursuant to paragraph (b)(1) of this Section, and such dormers exceed the maximum width permitted pursuant to paragraph (b)(1)(i) of Section 23-413, for any portion of a #building# with an #aggregate width of street walls# greater than 75 feet, a setback shall be provided above the maximum base height between such dormer and any other dormer for a width of at least 20 feet, or the remaining width of such #street wall#, as applicable.

(3) Beyond 75 feet of intersecting #streets#, the provisions of paragraph (b)(1) of Section 23-413 shall apply. The width of any dormers provided pursuant to the provisions of paragraph (b)(1) of this Section shall be included in the aggregate width of all dormers.

However, the provisions of this paragraph (b) shall not apply to portions of #buildings# with frontage on Redfern Avenue, except that these provisions shall apply to portions of #buildings# with frontage on both Redfern Avenue and Mott Avenue.

136-314 - Maximum building height

LAST AMENDED
9/7/2017

The height of a #building or other structure# shall not exceed the maximum #building# height or the maximum number of #stories#, whichever is less, as shown on Map 5 (Maximum Building Height Within Subdistrict A) in the Appendix to this Chapter. However, within 75 feet of the intersection of the southerly cross street with Redfern Avenue, and within 75 feet of the intersection of the northerly cross street with Redfern Avenue, the maximum height for #buildings or other structures# shall be six

#stories# or 65 feet, whichever is less. Any such 65 foot or six story maximum #building# height limit falling within 300 feet of Mott Avenue shall only extend to a depth of 25 feet from Redfern Avenue, after which the maximum #building# height and maximum number of #stories# shown on Map 5 shall apply.

136-315 - Maximum building height and horizontal dimension for tall buildings

LAST AMENDED
12/5/2024

Within the Tower Location Area shown on Map 5 (Maximum Building Height Within Subdistrict A) in the Appendix to this Chapter, the height of a #building# may exceed the height limits specified in Section 136-314 (Maximum building height) only as set forth in this Section. Any portion of a #building# above a height of 125 feet shall hereinafter be referred to as a "tower."

(a) Towers shall be located within portions of #zoning lots# bounded by intersecting #street lines# and lines parallel to and 200 feet from each intersecting #street line#.

(b) Towers shall be separated from one another by a minimum distance of 60 feet, measured in all horizontal directions.

(c) The outermost walls of each #story# of a #building# located entirely above a height of 125 feet shall be measured in plan view and inscribed within a rectangle. The maximum length of such rectangle shall be 170 feet. The maximum length of any other side of such rectangle shall be 100 feet. For the purposes of this Section, #abutting# portions of #buildings# above a height of 125 feet shall be considered a single tower.

(d) To permit portions of a #building# to rise from grade to a tower portion without setback, the setback provisions of Section 136-313 (Minimum and maximum base height) shall not apply

to any portion of a #building# located within 100 feet of intersecting #street lines#.

(e) The maximum height of a tower shall be 155 feet.

(f) No more than two towers shall be permitted within Subdistrict A.

136-316 - Maximum length of buildings

LAST AMENDED
9/7/2017

The outermost walls of each #story# of a #building# located entirely above a height of 95 feet shall be measured in plan view and inscribed within a rectangle. The maximum length of any side of such rectangle shall be 170 feet. For the purposes of this Section, #abutting# portions of #buildings# above a height of 95 feet shall be considered a single #building#.