



## Zoning Resolution

THE CITY OF NEW YORK

Eric Adams, Mayor

CITY PLANNING COMMISSION

Daniel R. Garodnick, Chair

# **43-624 - Height and setback in M1-6D Districts**

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## 43-624 - Height and setback in M1-6D Districts

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LAST AMENDED  
9/21/2011

In M1-6D Districts, the height and setback provisions of this Section shall apply to all #buildings#.

(a) Rooftop regulations

(1) Permitted obstructions

The provisions of Section 33-42 shall apply to all #buildings#, except that elevator or stair bulkheads, roof water tanks, cooling towers or other mechanical equipment (including enclosures) may penetrate a maximum height limit or #sky exposure plane#, provided that either 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 eight times the width, in feet, of the #street wall# of the #building# facing such frontage; or provided that the #lot coverage# of all such obstructions does not exceed 20 percent of the #lot coverage# of the #building#, and the height of all such obstructions does not exceed 40 feet.

In addition, a maximum base height or #sky exposure plane# may be penetrated, as follows:

(i) Structural columns

Structural columns may penetrate a maximum height limit or #sky exposure plane#, provided that such columns are one story or less in height, have a #street wall# no greater than 30 inches in width, and are spaced not less than 15 feet on center.

(ii) Dormers

On any #street# frontage, dormers may be provided in accordance with the provisions of paragraph (c) of Section 23-621 (Permitted obstructions in certain districts).

(2) Screening requirements for mechanical equipment

For all #developments# and #enlargements#, and #conversions# of #non-residential buildings# to #residences#, all mechanical equipment located on any roof of a #building or other structure# shall be fully screened on all sides. However, no such screening requirements shall apply to water tanks.

(b) Height and setback

(1) #Street wall# location

The #street wall# shall be located on the #street line# and extend along the entire #street# frontage of the #zoning lot# up to at least the minimum base height specified in paragraph (b)(2) of this Section. On the ground floor, recesses shall be permitted where required to provide access to the #building#, provided such recesses do not exceed three feet in depth as measured from the #street line#.

Above the level of the second #story#, up to 30 percent of the #aggregate width of street walls# may be recessed beyond the #street line#. However, no recesses shall be permitted within 20 feet of an adjacent #building# and within 30 feet of the intersection of two #street lines#.

(2) Base height

(i) Along #wide streets#

On #wide streets#, and on #narrow streets# within 50 feet of their intersection with a #wide street#, the #street wall# of a #building# shall rise without setback to a minimum base height of 125 feet and may rise to a maximum base height of 155 feet.

(ii) Along #narrow streets#

On #narrow streets#, beyond 50 feet of their intersection with a #wide street#, the #street wall# of a #building# shall rise without setback to a minimum base height of 85 feet and may rise to a maximum base height of 135 feet. However, for #buildings# on #zoning lots# meeting the criteria set forth in paragraph (a) of Section 23-664 (Modified height and setback regulations for certain Inclusionary Housing buildings or affordable independent residences for seniors), the maximum base height may be increased to 155 feet.

As an alternative, the minimum and maximum base heights applicable to a #wide street# may apply along a #narrow street# to a distance of 100 feet from a #wide street#.

(3) Required setbacks and maximum #building# heights

(i) Along #wide streets#

For #buildings#, or portions thereof, located on #wide streets# and on #narrow streets# within 100 feet of a #wide street#, the portion of such #building# above the maximum base height set forth in paragraph (b)(2)(i) of this Section shall be set back from the #street wall# of the #building# at least 10 feet along a #wide street# and at least 15 feet along a #narrow street#, except such dimensions may include the depth of any permitted recesses in the #street wall#. The maximum height of such #buildings# shall be 290 feet. In addition, the gross area of each of the highest two #stories# of such #building# shall not exceed 80 percent of the gross area of the #story# directly below such highest two #stories#.

(ii) Along #narrow streets#

For all #buildings#, or portions thereof, located on #narrow streets# beyond 100 feet of a #wide street#, no portion of such #building# or other structure# shall penetrate a #sky exposure plane# which begins at the maximum base height set forth in paragraph (b)(2)(ii) of this Section and rises over the #zoning lot# with a slope of four feet of vertical distance for every foot of horizontal distance.

Any portion of such #building# or other structure# that is located beyond 15 feet of the #street line# may penetrate such #sky exposure plane#, provided such portion does not exceed a height of 210 feet. However, for #buildings# on #zoning lots# meeting the criteria set forth in paragraph (a) of Section 23-664, such maximum height may be increased, provided that the maximum number of #stories# does not exceed 23, the maximum height of a #building# with a #non-qualifying ground floor# does not exceed a height of 230 feet, and the maximum height of a #building# with a #qualifying ground floor# does not exceed a height of 235 feet.

In addition, the gross area of each of the top two #stories# of a #building# may not be greater than 80 percent of the gross area of the #story# directly below such top two #stories#.

(4) Maximum length of #building# wall

The maximum length of any #story# located entirely above a height of 150 feet shall not exceed 150 feet. Such length shall be measured in plan view by inscribing within a rectangle the outermost walls at the level of each #story# entirely above a level of 150 feet.