Zoning Resolution

THE CITY OF NEW YORK
Zohran K. Mamdani, Mayor

CITY PLANNING COMMISSION
Sideya Sherman, Chair

136-313 - Minimum and maximum base height

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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.