Article IV: Manufacturing District Regulations
Chapter 3 - Bulk Regulations

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Chapter 3
Bulk Regulations

43-00
APPLICABILITY AND GENERAL PROVISIONS

43-01
Applicability of This Chapter

The bulk regulations of this Chapter apply to any building or other structure on any zoning lot or portion of a zoning lot located in any Manufacturing District. The bulk regulations of this Chapter shall also apply to any portion of a zoning lot in a Manufacturing District that is developed or enlarged with an open use. 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 which 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 community facility developments are set forth in Article VII, Chapter 8.

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

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 of non-residential floor area to residences in buildings erected prior to December 15, 1961, or January 1, 1977, as applicable, shall be subject to the provisions of Article I, Chapter 5 (Residential Conversion within Existing Buildings), unless such conversions meet the requirements for residential developments of Article II (Residence District Regulations).
In M1-1D, M1-2D, M1-3D, M1-4D and M1-5D Districts, the bulk regulations governing M1 Districts shall apply to community facility, commercial and manufacturing uses, and the regulations of Section 43-61 (Bulk Regulations for Residential Uses in M1-1D Through M1-5D Districts) shall apply to residential uses authorized pursuant to Section 42-47 (Residential Uses in M1-1D Through M1-5D Districts). M1-6D Districts shall be subject to the bulk regulations set forth in Section 43-62.

In the M1-1 District bounded by 95th Avenue, 148th Street, 97th Avenue and 147th Place in Community District 12 in the Borough of Queens, the bulk regulations of an M1 District shall apply to manufacturing, commercial and community facility uses, and the bulk regulations for an R5 District set forth in Article II, Chapter 3, shall apply to residential uses.

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

Special regulations applying in the flood zone are set forth in Article VI, Chapter 4.

(2/2/11)

43-02
Street Tree Planting in Manufacturing Districts

M1 M2 M3

In all districts, as indicated, all developments, or enlargements of 20 percent or more in floor area, excluding developments or enlargements in Use Groups 17 or 18, shall provide street trees in accordance with Section 26-41 (Street Tree Planting). In addition, any building where 20 percent or more of the floor area is converted from a manufacturing use to a commercial or community facility use shall provide street trees in accordance with Section 26-41. 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)

43-10
FLOOR AREA REGULATIONS
43-11 Definitions

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

43-12 Maximum Floor Area Ratio

M1 M2 M3

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

Section 43-121 (Expansion of existing manufacturing buildings)
Section 43-122 (Maximum floor area ratio for community facilities)
Section 43-13 (Floor Area Bonus for Public Plazas)
Section 43-14 (Floor Area Bonus for Arcades)
Section 43-15 (Existing Public Amenities for which Floor Area Bonuses Have Been Received)
Section 43-16 (Special Provisions for Zoning Lots Divided by District Boundaries)

Section 43-61 (Bulk Regulations for Residential Uses in M1-1D Through M1-5D Districts)
Section 43-62 (Bulk Regulations in M1-6D Districts)

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

<table>
<thead>
<tr>
<th>Districts</th>
<th>Maximum Permitted Floor Area Ratio</th>
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In Community District 1, in the Borough of Queens, in the M1-2 District bounded by a line 100 feet southwesterly of 37th Avenue, a line 100 feet southeasterly of 24th Street, a line 100 feet southwesterly of 39th Avenue, 24th Street, and a line 100 feet northeasterly of 40th Avenue, 23rd Street, 39th Avenue and 24th Street, the maximum #floor area ratio# shall be increased to 4.0 provided that such additional #floor area# is limited to the following #uses#: photographic or motion picture production studios and radio or television studios listed in Use Group 10A; and #uses# listed in Use Groups 16A, 16D, 17A and 17B as set forth in Section 123-22 (Modification of Use Groups 16, 17 and 18), except for automobile, motorcycle, trailer or boat sales, motorcycle or motor scooter rental establishments, poultry or rabbit killing establishments, riding academies, stables for horses and trade schools for adults.

For #zoning lots# containing both #community facility use# and #manufacturing# or #commercial use#, the total #floor area# used for #manufacturing# or #commercial use# shall not exceed the amount permitted in the table in this Section or by the bonus provisions in Sections 43-13 or 43-14.

Notwithstanding any other provisions of this Resolution, the maximum #floor area ratio# in an M1-6 District shall not exceed 12.0.

(2/2/11)

43-121
Expansion of existing manufacturing buildings

M1 M2 M3

In all districts, as indicated, where a #building or other structure# used for a conforming #manufacturing use# was in existence prior to December 15, 1961, such #building or other structure# may be expanded for a #manufacturing use#. Such
expansion may consist of an #enlargement#, or additional #development#, on the same #zoning lot#, provided that:

(a) the resulting total #floor area# shall not be greater than:

(1) 150 percent of the #floor area# existing on December 15, 1961; or

(2) 110 percent of the maximum #floor area# otherwise permitted under the provisions of Section 43-12 (Maximum Floor Area Ratio).

(b) the resulting #floor area ratio# shall not exceed the highest of:

(1) 150 percent of the maximum #floor area ratio# otherwise permitted under the provisions of Section 43-12;

(2) 110 percent of the #floor area ratio# existing on December 15, 1961; or

(3) a #floor area ratio# of 2.4, provided that in the event this paragraph, (b)(3), is utilized, the City Planning Commission shall administratively certify and the City Council approve, that such expansion will not adversely affect the surrounding area.

The parking reduction provisions of Section 44-27 (Special Provisions for Expansion of Existing Manufacturing Buildings) shall apply to such expansion.

(9/21/11)

43-122
Maximum floor area ratio for community facilities

In the districts indicated, for any #community facility use# on a #zoning lot#, the maximum #floor area ratio# shall not exceed the #floor area ratio# set forth in the following table:

<table>
<thead>
<tr>
<th>Districts</th>
<th>Maximum Permitted #Floor Area Ratio#</th>
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<tr>
<td>M1-1</td>
<td>2.40</td>
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</tbody>
</table>
In M1-1D, M1-2D, M1-3D, M1-4D, M1-5D and M1-5D Districts, for any zoning lot containing both residential use and community facility use, the total floor area used for residential use shall not exceed the amount permitted in Section 43-61 (Bulk Regulations for Residential Uses in M1-1D Through M1-5D Districts).

(12/19/17)

43-123
Floor area increase for an industrial space within a self-service storage facility

In M1-1 Districts in designated areas in Subarea 1, as shown on the maps in APPENDIX J (Designated Areas Within Manufacturing Districts) of this Resolution, for any zoning lot containing a self-service storage facility that meets the requirements of paragraphs (a) or (b)(1) of Section 42-121 (Use Group 16D self-service storage facilities), the maximum permitted floor area for commercial or manufacturing uses on the zoning lot pursuant to the provisions of Section 43-12 (Maximum floor area ratio), inclusive, may be increased by a maximum of 25 percent of the lot area or up to 20,000 square feet, whichever is less.

(9/21/11)

43-13
Floor Area Bonus for Public Plazas

M1-6

In the district indicated, except for M1-6D Districts, for each square foot of public plaza provided on a zoning lot, in accordance with the provisions of Section 37-70, inclusive, the total floor area permitted on that zoning lot under the provisions of Section 43-12 (Maximum Floor Area Ratio) may be increased by six square feet.
43-14  
**Floor Area Bonus for Arcades**

M1-6

In the district indicated, except for M1-6D Districts, for each square foot of #arcade#, provided on a #zoning lot#, the total #floor area# permitted on the #zoning lot# under the provisions of Section 43-12 (Maximum Floor Area Ratio) may be increased by three square feet. However, the provisions of this Section shall not apply to #zoning lots# that are both within 100 feet of the western #street line# of Seventh Avenue and between West 28th and West 30th Streets in the Borough of Manhattan.

43-15  
**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 #publicly accessible open areas#

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

(d) Elimination or reduction of existing public amenities

No existing arcade, 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, pursuant to Section 74-761 (Elimination or reduction in size of bonused public amenities).

Regulations Applying in Special Situations

(12/15/61)

43-16
Special Provisions for Zoning Lots Divided by District Boundaries

M1 M2 M3

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

(3/22/16)

43-17
Special Provisions for Joint Living-Work Quarters for Artists in M1-5A and M1-5B Districts

M1-5A M1-5B

In the districts indicated, no building containing joint living-work quarters for artists shall be enlarged.

Mezzanines are allowed within individual quarters, in buildings with an existing floor area ratio of 12.0 or less, and only between floors, or between a floor and a roof, existing on January 22, 1998, that are to remain, provided that such mezzanines do not exceed 33 and 1/3 percent of the gross floor area of such individual quarters. Such mezzanines shall not be included as floor area for the purpose of calculating minimum required size of a joint living-work quarters for artists.
In the districts indicated no #building# containing #joint living-work quarters for artists# shall be subdivided into quarters of less than 1,200 square feet except where no #story# contains more than one #joint living-work quarters for artists# unless modified pursuant to Section 43-171.

However, the minimum size requirement may be replaced by the requirements of Section 15-024 for #joint living-work quarters for artists#:

(a) for which a determination of #residential# or #joint living-work quarters for artists# occupancy on September 1, 1980, has been made pursuant to Sections 42-14, paragraph D.(1)(f), 42-141 paragraph (b) or 74-782; or

(b) that are registered Interim Multiple Dwellings or are found covered by the New York City Loft Board pursuant to Article 7C of the New York State Multiple Dwelling Law; or

(c) that the Loft Board determines were occupied for #residential use# or as #joint living-work quarters for artists# on September 1, 1980.

#Joint living-work quarters for artists# existing on September 1, 1980, may not be divided subsequently into quarters of less than 1,200 square feet, unless required by the Loft Board for the legalization of Interim Multiple Dwelling Units in the implementation of Article 7C of the New York State Multiple Dwelling Law.

In the districts indicated, two or more #buildings# which are separated by individual load-bearing walls and contain #joint living-work quarters for artists#, each of which #building# conforms to the regulations set forth in Section 42-14 may be combined to produce a #lot area# covered by #buildings# in excess of 3,600 square feet.

(2/2/11)

**43-171**

**Minor modifications**

On application, the Chairperson of the City Planning Commission may grant minor modifications to the requirements of Section 43-17 relating to #joint living-work quarters for artists# size, provided that the Chairperson of the City Planning Commission had administratively certified to the Department of Buildings that
the division of one or more #stories# into #joint living-work quarters for artists# with an area of at least 1,200 square feet cannot be accomplished without practical difficulties because the #floor area# of such #story#, exclusive of exterior walls and common areas, is within five percent of a multiple of 1,200 square feet.

The applicant must send a copy of any request for a modification pursuant to this Section to the applicable Community Board at least 20 days prior to the next regularly scheduled Community Board meeting.

(1/28/71)

43-20
YARD REGULATIONS

Definitions and General Provisions

(11/19/87)

43-21
Definitions

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

(12/15/61)

43-22
Level of Yards

In all #Manufacturing 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 43-23 (Permitted Obstructions in Required Yards or Rear Yard Equivalents).
43-23
Permitted Obstructions in Required Yards or Rear Yard Equivalents

In all #Manufacturing Districts#, the following obstructions shall be permitted within a required #yard# or #rear yard equivalent#:

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

   (1) Arbors or trellises;

   (2) 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:

      (i) shall be limited to a maximum projection from a #building# wall of 2 feet, 6 inches; and

      (ii) 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;

   (3) Canopies;

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

   (5) 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;

   (6) Exterior wall thickness, where such wall thickness is added to the exterior face of a #building# wall existing on April 30, 2012, provided the added wall thickness has a thermal resistance (R-value) of at least 1.5 per inch, and is limited to one inch of thickness for every foot of existing #yard# width, up to a maximum thickness of eight inches. When an open area is provided along a common #lot line#, then such exterior wall thickness is limited to one inch for every foot of existing open area on the #zoning lot#;
Where #buildings# that have added exterior wall thickness pursuant to this Section are #enlarged#, such #enlarged# portion may similarly encroach upon required #yards# in order to align with the exterior walls of the existing #building#, provided such #enlargement# contains less #floor area# than the existing #building#, and there is no encroachment of #floor area# into a required #yard#;

(7) Fences;

(8) Flagpoles;

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

(10) Solar energy systems 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;

(11) Steps, and ramps for persons with physical disabilities;

(12) Terraces or porches, open;

(13) Walls, not exceeding eight feet in height and not roofed or part of a #building#.

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

(1) Any #building# or portion of a #building# used for any permitted #use#, 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 and treatment of patients, or #joint living-work quarters for artists#) 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#. In addition, decks, parapet walls, roof thickness, skylights, vegetated roofs, and weirs, shall be permitted upon such #building#, or portion thereof, pursuant to Section 43-42 (Permitted Obstructions);

(2) Breezeways;

(3) 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;

Solar energy systems on the roof of a building permitted as an obstruction to such yard:

(i) up to four feet in height as measured perpendicular to the roof surface when located above a permitted commercial or community facility use or attached parking structure; or

(ii) shall be limited to 18 inches in height as measured perpendicular to the roof surface when located above a shed or detached parking structure, or on any roof with a slope greater than 20 degrees;

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.

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.

(12/15/61)

43-24
Measurement of Yard Width or Depth

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

Basic Regulations

(12/15/61)

43-25
Minimum Required Side Yards

M1 M2 M3
In all districts, as indicated, no side yards are required. However, if an open area extending along a side lot line is provided, it shall be at least eight feet wide.

(4/30/08)

43-26
Minimum Required Rear Yards

M1 M2 M3

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 43-27 (Special Provisions for Shallow Interior Lots), 43-28 (Special Provisions for Through Lots) or 43-31 (Other Special Provisions for Rear Yards). Rear yards shall also be provided along portions of side lot lines as set forth in Section 43-261 (Beyond one hundred feet of a street line).

(4/30/08)

43-261
Beyond one hundred feet of a street line

M1 M2 M3

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.
43-27
Special Provisions for Shallow Interior Lots

M1 M2 M3

In all districts, as indicated, if an #interior lot#:
(a) 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) 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 a #zoning lot# is less than 70 feet. No #rear yard# is required on any #interior lot# with a maximum depth of less than 50 feet.

(2/2/11)

43-28
Special Provisions for Through Lots

M1 M2 M3

In all districts, as indicated, no #rear yard# regulations shall apply on any #through lot# which extends less than 110 feet in maximum #lot depth# from #street# to #street#. However, 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, except that in the case of a #zoning lot# occupying an entire #block#, no #rear yard# or #rear yard equivalent# shall be required:

(a) an open area with a minimum #lot depth# of 40 feet midway (or within five feet of being midway) between the two #street lines# upon which such #through lot# fronts;

(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#; 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 43-23 (Permitted Obstructions in Required Yards or Rear Yard Equivalents).
43-29
Special Provisions Applying Along Railroad Rights-of-way

M1 M2 M3

In all districts, as indicated, along such portion of a rear lot line which coincides with a boundary of a railroad right-of-way, no rear yard shall be required.

43-30
SPECIAL PROVISIONS APPLYING ALONG DISTRICT BOUNDARIES

M1 M2 M3

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.

43-301
Required yards along district boundary coincident with side lot line of zoning lot in an R1, R2, R3, R4 or R5 District

M1 M2 M3

In all districts, as indicated, along such portion of the boundary of a Manufacturing District which 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 and at least 15 feet wide shall be provided within the Manufacturing District. Such an open area shall not be used for accessory off-street parking, accessory off-street loading, or for storage or processing of any kind.
43-302
Required yards along district boundary coincident with rear lot lines of two adjoining zoning lots

M1 M2 M3

In all districts, as indicated, along such portion of the #rear lot line# of a #zoning lot# in a #Manufacturing District# which coincides with a #rear lot line# of a #zoning lot# in an adjoining #Residence District#, an open area not higher than #curb level# and at least 30 feet in depth shall be provided within the #Manufacturing District#. Such an open area shall not be used for storage or processing of any kind.

(12/15/61)

43-303
Required yards along district boundary coincident with side lot line of zoning lot in a Manufacturing District

M1 M2 M3

In all districts, as indicated, along such portion of a #side lot line# of a #zoning lot# in a #Manufacturing District# which coincides with a #rear lot line# of a #zoning lot# in an adjoining #Residence District#, an open area not higher than #curb level# and at least 15 feet wide shall be provided within the #Manufacturing District#. Such open area shall not be used for #accessory# off-street loading or for storage or processing of any kind.

(10/25/67)

43-304
Required front yards along district boundary located in a street

M1-1 M1-2 M1-3 M1-4 M2 M3

In the districts indicated, if the boundary of an adjoining #Residence District# is located at the center line of a #street# less than 60 feet wide, a #front yard# not higher than #curb level# and at least 20 feet in depth shall be provided along any #front lot line# forming the boundary between a #zoning lot# located within the #Manufacturing District# and that portion of the #street# in which the district boundary is located.
43-31  
Other Special Provisions for Rear Yards

M1 M2 M3

In all districts, as indicated, the #rear yard# requirements set forth in Section 43-26 (Minimum Required Rear Yards) shall be modified as set forth in this Section.

43-311  
Within 100 feet of corners

M1 M2 M3

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.

43-312  
Along short dimension of block

M1 M2 M3

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#.

43-313  
For zoning lots with multiple rear lot lines

(4/30/08)
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.
All Yards

(12/15/61)

43-32
Special Provisions for Zoning Lots Divided by District Boundaries

M1 M2 M3

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)

43-33
Modifications of Rear Yard Regulations

M1 M2 M3

In all districts, as indicated, the regulations set forth in Section 43-313 (For zoning lots with multiple rear lot lines) may be modified in accordance with the provisions of Section 73-69 (Rear Yard Modifications).
43-40
HEIGHT AND SETBACK REGULATIONS

Definitions and General Provisions

43-41
Definitions

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

43-42
Permitted Obstructions

In all Manufacturing Districts, the following obstructions shall be permitted to penetrate a maximum height limit or a sky exposure plane set forth in Sections 43-43 (Maximum Height of Front Wall and Required Front Setbacks), 43-44 (Alternate Front Setbacks) or 43-49 (Limited Height 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 guardrail 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 Sections 43-43, 43-44 or 43-45 (Tower 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 given 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, or the finished level of the roof as it existed on April 30, 2012, whichever is higher;

(e) Elevator or stair bulkheads (including shafts; and vestibules not larger than 60 square feet in area providing access to a roof), roof water tanks and accessory mechanical equipment (including enclosures), other than solar or wind energy systems, 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, times their average height, in feet, does not exceed an area equal to four times the width, in feet, of the street wall of the building facing such frontage;

2. all mechanical equipment shall be screened on all sides;

3. such obstructions and screening are contained within a volume that complies with one of the following:

   (i) the product, in square feet, of the aggregate width of street walls of such obstructions facing each street frontage, times their average
height, shall not exceed an area equal to eight times the width, in feet, of the #street wall# of the #building# facing such frontage; or

(ii) the #lot coverage# of all such obstructions does not exceed 20 percent of the #lot coverage# of the #building#, and where the maximum permitted height of a #building# is less than 120 feet, such obstructions are limited to a maximum height of 25 feet, and where the maximum permitted height of a #building# is 120 feet or greater, such obstructions are limited to a maximum height of 40 feet.

For the purposes of this paragraph, (e), #abutting buildings# on a single #zoning lot# may be considered to be a single #building#;

(f) Exterior wall thickness, up to eight inches, where such wall thickness is added to the exterior face of a #building# wall existing on April 30, 2012, provided the added wall thickness has a thermal resistance (R-value) of at least 1.5 per inch. Where #buildings# that have added exterior wall thickness pursuant to this Section are #enlarged#, such #enlarged# portion may similarly penetrate a maximum height limit in order to align with the exterior walls of the existing #building#, provided such #enlargement# contains less #floor area# than the existing #building#, and there is no penetration of #floor area# above a maximum height limit;

(g) Flagpoles or aerials;

(h) House of worship towers, ornamental, having no #floor area# in portion of tower penetrating such height limit or #sky exposure plane#;

(i) Parapet walls, not more than four feet in height, as measured from the maximum height limit, or the finished level of the roof as it existed on April 30, 2012, whichever is higher. A guardrail with a surface at least 70 percent open or with an opacity of not more than 30 percent (as viewed in elevation), shall be permitted above a parapet wall or within two feet of a parapet wall, provided such guardrail is not more than four feet above the accessible level of a roof. Such restriction on guardrail height shall not apply when located beyond two feet from a parapet wall;

(j) Roof thickness, up to eight inches, to accommodate the addition of insulation, for #buildings# or portions of #buildings# constructed prior to April 30, 2012. For a
that has added roof thickness pursuant to this paragraph, (j), an enlargement may align with the finished roof surface of such building, provided the enlarged portion does not exceed the maximum height limit by more than eight inches;

(k) Rooftop greenhouses, permitted pursuant to Section 75-01 (Certification for Rooftop Greenhouses);

(l) Skylights, clerestories or other daylighting devices, not more than four feet in height, as measured from the maximum height limit, or the finished level of the roof as it existed on April 30, 2012, whichever is higher. 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;

(m) Solar energy systems:

(1) on the roof of a building, up to four feet in height, as measured from the maximum height limit, or the finished level of the roof, whichever is higher;

(2) on the roof of a building, greater than four feet in height, as measured from the maximum height limit, or the finished level of the roof, whichever is higher, provided that all such portions above four feet are set back at least six feet from a street wall, limited to a lot coverage not greater than 25 percent of the lot coverage of the roof and do not exceed:

   (i) a height of 15 feet;

   (ii) a height of six feet when located on a bulkhead or other obstruction, pursuant to paragraph (e) of this Section;

(3) 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.

However, any installation on a roof with a slope greater than 20 degrees shall be limited to 18 inches in height, as measured perpendicular to the roof surface;

(n) Spires or belfries;
(o) Vegetated roofs, not more than 3 feet, 6 inches in height, excluding vegetation, as measured from the maximum height limit, or the finished level of the roof as it existed on April 30, 2012, whichever is higher. 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;

(p) 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, or the finished level of the roof as it existed on April 30, 2012, whichever is higher;

(q) Wind energy systems 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) in districts where #residences# or #joint living-work quarters for artists# are permitted as-of-right, by special permit or by authorization, or within 100 feet of such districts, the diameter of the swept area of the rotor does not exceed 15 feet;

(r) Window washing equipment mounted on a roof;

(s) Wire, chain link or other transparent fences.

(9/21/11)

43-43

Maximum Height of Front Wall and Required Front Setbacks

M1 M2 M3

In all districts, as indicated, if the front wall or any other portion of a #building or other structure# is located at the #street line# or within the #initial setback distance# as set forth in the table in this Section, the height of such front wall or other portion of a #building or other structure#, except as otherwise set forth in this Section, shall not exceed the maximum height above #curb level# set forth in the table. Above such 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.

The regulations of this Section shall apply, except as otherwise provided in Sections 43-42 (Permitted Obstructions), 43-44 (Alternate Front Setbacks) or 43-45 (Tower Regulations). In M1-1 Districts, for #community facility buildings#, the maximum height of a front wall shall be 35 feet or three #stories#, whichever is less, and the height above the #street line# shall be 35 feet, and in M1-4 Districts, for #community facility buildings#, the maximum height of a front wall shall be 60 feet or six #stories#, whichever is less.

For #zoning lots# in M1-6 Districts that are both within 100 feet of the western #street line# of Seventh Avenue and between West 28th and West 30th Streets in the Borough of Manhattan, the following #street wall# regulations shall apply to #street# frontages not occupied by a #public plaza#. The #street wall# of a #building# shall be located on the #street line# and extend along the entire #street# frontage of the #zoning lot# up to a minimum height of 125 feet or the height of the #building#, whichever is less, and a maximum height of 150 feet. Above a height of 150 feet, no portion of a #building# may penetrate a #sky exposure plane# except for towers, pursuant to Section 43-45. The #sky exposure plane# shall begin at a height of 150 feet above the #street line# and rise over the #zoning lot# at a slope of 5.6 feet of vertical distance for each foot of horizontal distance on a #wide street#, and at a slope of 2.7 feet of vertical distance for each foot of horizontal distance on a #narrow street#. The provisions of Section 43-44 shall not apply. 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#.

**MAXIMUM HEIGHT OF FRONT WALL AND REQUIRED FRONT SETBACKS**

<table>
<thead>
<tr>
<th>#Sky Exposure Plane#</th>
</tr>
</thead>
<tbody>
<tr>
<td>Slope over #Zoning Lot#</td>
</tr>
<tr>
<td>(expressed as a ratio of vertical distance to horizontal distance)</td>
</tr>
</tbody>
</table>

| Maximum |
### Initial Setback

<table>
<thead>
<tr>
<th>#Initial Setback Distance# (in feet)</th>
<th>Height of a Front Wall, or other Portion of a Building or other structure within the #Initial Setback Distance#</th>
<th>On #Narrow Street#</th>
<th>On #Wide street#</th>
</tr>
</thead>
<tbody>
<tr>
<td>On #Narrow Street#</td>
<td></td>
<td>Height above #Street Line# (in feet)</td>
<td>Vertical Distance</td>
</tr>
<tr>
<td><strong>Within M1-1 Districts</strong></td>
<td></td>
<td>30</td>
<td>1 to</td>
</tr>
<tr>
<td>20</td>
<td>15</td>
<td>30 feet or 2 #stories#, whichever is less</td>
<td></td>
</tr>
<tr>
<td><strong>Within M1-2, M1-4, M2-1, M2-3 or M3 Districts</strong></td>
<td></td>
<td>60</td>
<td>2.7 to</td>
</tr>
<tr>
<td>20</td>
<td>15</td>
<td>60 feet or 4 #stories#, whichever is less</td>
<td></td>
</tr>
<tr>
<td><strong>Within M1-3, M1-5, M1-6, M2-2 or M2-4 Districts</strong></td>
<td></td>
<td>85</td>
<td>2.7 to</td>
</tr>
<tr>
<td>20</td>
<td>15</td>
<td>85 feet or 6 #stories#, whichever is less</td>
<td></td>
</tr>
</tbody>
</table>

![Sky Exposure Plane Diagram](https://via.placeholder.com/150)

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

Sky Exposure Plane
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 the following table, the provisions of Section 43-43 (Maximum Height of Front Wall and Required Front 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 this Section or in Sections 43-42 (Permitted Obstructions) or 43-45 (Tower Regulations), no building or other structure shall penetrate the alternate sky exposure plane set forth in the table in this Section. The sky exposure plane shall be measured from a point above the street line.

In an M1-6 District, if the open area provided under the terms of this Section is a public plaza, such open area may be counted toward the bonus provided for a public plaza, pursuant to Section 43-13 (Floor Area Bonus for Public Plazas).

In M1-1 Districts, for community facility buildings the height above the street line shall be 35 feet.

### ALTERNATE REQUIRED FRONT SETBACKS

<table>
<thead>
<tr>
<th>Depth of Optional Front Open Area (in feet)</th>
<th>Alternative Sky Exposure Plane#</th>
</tr>
</thead>
<tbody>
<tr>
<td>On #Narrow Street#</td>
<td>On #Wide Street#</td>
</tr>
</tbody>
</table>

Within M1-1 Districts
Within M1-2, M1-4, M2-1, M2-3 or M3 Districts

15 10 30 1.4 to 1 1.4 to 1

Within M1-3, M1-5, M1-6, M2-2 or M2-4 Districts

15 10 60 3.7 to 1 7.6 to 1

Supplementary Regulations

(2/2/11)

43-45

Tower Regulations

M1-3 M1-4 M1-5 M1-6
In the districts indicated, any #building# or #buildings#, or portion 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 43-451 (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, 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 all of the #buildings# on a #zoning lot# containing such tower do not occupy at any level more than the maximum percent of the #lot area# set forth in this Section or Section 43-451 for towers, the tower may occupy any portion of the #zoning lot# located 20 feet or more from the #street line# of a #narrow street# or 15 feet or more 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.

(12/15/61)

43-451
Towers on small lots

M1-3 M1-4 M1-5 M1-6

In the districts indicated, a tower may occupy the percent of the #lot area# of a #zoning lot# set forth in the following table:

<table>
<thead>
<tr>
<th>Area of #Zoning Lot# (in square feet)</th>
<th>Maximum Percent of #Lot Coverage#</th>
</tr>
</thead>
<tbody>
<tr>
<td>10,500 or less</td>
<td>50</td>
</tr>
<tr>
<td>10,501 to 11,500</td>
<td>49</td>
</tr>
<tr>
<td>11,501 to 12,500</td>
<td>48</td>
</tr>
<tr>
<td>12,501 to 13,500</td>
<td>47</td>
</tr>
</tbody>
</table>
Regulations Applying in Special Situations

(12/15/61)

43-46
Special Provisions for Zoning Lots Directly Adjoining Public Parks

M1 M2 M3

In all districts, as indicated, a #public park# with an area of between one and 15 acres shall be considered a #wide street# for the purpose of applying the height and setback regulations as set forth in Section 43-43 (Maximum Height of Front Wall and Required Front Setbacks) to any #building or other structure# on a #zoning lot# adjoining such #public park#. However, the provisions of this Section shall not apply to a #public park# more than 75 percent of which is paved.

(12/15/61)

43-47
Modification of Height and Setback Regulations

M1

In the district indicated, for certain #community facility uses# in specified situations, the Board of Standards and Appeals may modify the regulations set forth in Sections 43-41 to 43-45, inclusive, relating to Height and Setback Regulations, in accordance with the provisions of Section 73-64 (Modifications for Community Facility Uses).
43-48
Special Provisions for Zoning Lots Divided by District Boundaries

M1 M2 M3

In all districts, as indicated, whenever a #zoning lot# is divided by a boundary between districts with different height and setback regulations, or whenever a #zoning lot# is divided by a boundary between a district to which the provisions of Section 43-45 (Tower Regulations) apply and a district to which such provisions do not apply, the provisions set forth in Article VII, Chapter 7 shall apply.

(4/4/82)

43-49
Limited Height Districts

M1 M2 M3

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:

<table>
<thead>
<tr>
<th>#Limited Height District#</th>
<th>Maximum Height above #Curb Level#</th>
</tr>
</thead>
<tbody>
<tr>
<td>LH-1</td>
<td>50 feet</td>
</tr>
<tr>
<td>LH-1A</td>
<td>60 feet</td>
</tr>
<tr>
<td>LH-2</td>
<td>70 feet</td>
</tr>
<tr>
<td>LH-3</td>
<td>100 feet</td>
</tr>
</tbody>
</table>

(12/15/61)

43-50
COURT REGULATIONS AND MINIMUM DISTANCE BETWEEN WINDOWS AND WALLS OR LOT LINES

Basic Regulations
43-51
Minimum Dimensions of Courts for Buildings Containing Community Facility Uses

M1

In the district 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 24-68 (Permitted Obstructions in Courts).

(12/21/89)

43-60
SUPPLEMENTARY REGULATIONS

(9/21/11)

43-61
Bulk Regulations for Residential Uses in M1-1D Through M1-5D Districts

The following regulations shall apply to any development or enlargement authorized pursuant to Section 42-47 (Residential Uses in M1-1D Through M1-5D Districts):
(a) The total amount of #residential floor area# permitted on any #zoning lot# shall not exceed a #floor area ratio# of 1.65.

On #zoning lots# containing both #residential use# and #community facility#, #manufacturing# or #commercial use#, the maximum #floor area# shall be the maximum #floor area# permitted for either the #commercial# or #manufacturing use# as set forth in Sections 43-12 (Maximum Floor Area Ratio) through 43-14 (Floor Area Bonus for Arcades), or the #community facility use# as set forth in Section 43-122 (Maximum floor area ratio for community facilities), or the #residential use# as set forth in this Section, whichever permits the greatest amount of #floor area#.

On #zoning lots# containing both #residential use# and #manufacturing# or #commercial use#, the total #floor area# used for #manufacturing# or #commercial use# shall not exceed the amount permitted by Sections 43-12 through 43-14.

(b) The maximum number of #dwelling units# shall equal the total #residential floor area# provided on the #zoning lot# divided by 675. Fractions equal to or greater than three quarters resulting from this calculation shall be considered to be one #dwelling unit#.

c) The maximum #building# height above #curb level# shall be 32 feet.

(d) No such #development# or #enlargement# shall be permitted within 30 feet of the #rear lot line#.

(e) The maximum distance from the #street line# to the #street wall# of such #development# shall be ten feet, unless modified by the City Planning Commission pursuant to Section 44-28 (Parking Regulations for Residential Uses in M1-1D Through M1-5D Districts).

(f) 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 width of not less than eight feet. However, #enlargements# of #single-family# or #two-family residences# existing as of June 20, 1988, shall be exempt from this requirement, provided such #enlarged building# does not exceed a height of two #stories#.

(9/21/11)
43-62
Bulk Regulations in M1-6D Districts

(3/22/16)

43-621
Floor area regulations in M1-6D Districts

(a) The maximum floor area ratio for zoning lots shall be 10.0, and no floor area bonuses shall apply, except as modified for Inclusionary Housing designated areas, as set forth in paragraph (b) of this Section.

(b) In Inclusionary Housing designated areas

For M1-6D Districts mapped within an Inclusionary Housing designated area, the provisions of Sections 23-154 and 23-90 (INCLUSIONARY HOUSING) applicable to R10 Districts without a letter suffix shall apply, as modified in this Section:

(1) for zoning lots that do not contain residences, the maximum floor area ratio shall be 10.0; and

(2) the maximum base floor area ratio for zoning lots containing residences shall be 9.0 plus an amount equal to 0.25 times the non-residential floor area ratio provided on the zoning lot, up to 10.0. Such floor area ratio may be increased to a maximum of 12.0 only through the provision of affordable housing, pursuant to Section 23-90, inclusive.

(9/21/11)

43-622
Maximum lot coverage in M1-6D Districts

Any story of a building containing dwelling units shall not exceed a maximum lot coverage of 70 percent for interior or through lots and 100 percent for corner lots. However, where any such level contains parking spaces or non-residential uses, such level shall be exempt from lot coverage regulations.
43-623
Density in M1-6D Districts

The provisions of 35-40 (APPLICABILITY OF DENSITY REGULATIONS TO MIXED BUILDINGS) shall apply. The applicable factor shall be 680.

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

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.

(3/22/16)

43-625
Yard regulations in M1-6D Districts

In M1-6D Districts, the provisions of Section 43-20 (YARD REGULATIONS) shall apply, except that residential portions of a building shall provide a rear yard with a minimum depth of 30 feet at any level not higher than the floor level of the lowest story containing dwelling units with a window opening upon such rear yard. On any through lot that is 110 feet or more in depth from street to street, a rear yard equivalent shall be provided within 15 feet of the centerline of the through lot or through lot portion. In the case of a through lot on which a rear yard equivalent is provided, the requirements of this Section shall apply as if such rear yard equivalent were two adjoining rear yards. For shallow zoning lots, a reduction in the required rear yard or rear yard equivalent may be applied pursuant to the provisions applicable for an R10 District set forth in Sections 23-52 (Special Provisions for Shallow Interior Lots) or 23-534 (Special
provisions for shallow through lots), as applicable.

(9/21/11)

43-626
Courts in M1-6D Districts

#Residential# portions of #buildings# shall be subject to the court provisions applicable in R10 Districts as set forth in Section 23-80 (COURT REGULATIONS, MINIMUM DISTANCE BETWEEN WINDOWS AND WALLS OR LOT LINES AND OPEN AREA REQUIREMENTS), inclusive.