Zoning Resolution

THE CITY OF NEW YORK
Zohran K. Mamdani, Mayor

CITY PLANNING COMMISSION
Sideya Sherman, Chair

81-662 - Daylight compensation modifications for qualifying sites

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LAST AMENDED
8/9/2017

For #buildings# on #qualifying sites# in the East Midtown Subdistrict using the daylight compensation method of height and setback regulations, the provisions of Section 81-26 (Height and Setback Regulations – Daylight Compensation) are modified as follows:

(a) for the purposes of determining permitted #encroachments# and #compensating recesses# pursuant to Section 81-264 (Encroachments and compensating recesses):

(1) no #compensating recess# shall be required for the #encroachment# of that portion of the #building# below a height of 150 feet, as measured from #curb level#;

(2) #compensating recesses# provided for #encroachments#, or portions thereof, above a height of 400 feet, as measured from #curb level#, need not comply with the provisions of paragraph (c)(1) of Section 81-264. In lieu thereof, for any portion of the #building# located above a height of 400 feet, the amount of #compensating recess# required for any particular level of the #building# shall be equal to the amount of #encroachment# provided at such level. The remaining provisions of paragraph (c) of Section 81-264 shall continue to apply to such #compensating recess#; and

(3) for #buildings# on #qualifying sites# with frontage along the easterly side of Vanderbilt Avenue, the full width of Vanderbilt Avenue may be considered part of the #zoning lot# for the purposes of determining permitted #encroachments# and #compensating recesses#. Such modified #zoning lot# shall be constructed by shifting

the westerly boundary of the #zoning lot# to the westerly #street line# of Vanderbilt Avenue, and by prolonging the #street lines# of #narrow streets# to such new westerly boundary. The Vanderbilt Avenue portion of such modified #zoning lot# may be considered a #compensating recess# for encroachments along such #building's# #narrow street# #street frontage zone#, provided that any portion of the #building# fronting along Vanderbilt Avenue above a height of 100 feet, as measured from #curb level#, is set back a minimum 15 feet from the Vanderbilt Avenue #street line#, and further provided that the #street frontage zone# calculation along Park Avenue shall not include Vanderbilt Avenue;

(b) for the purposes of determining the permitted length of #encroachments# pursuant to Section 81-265 (Encroachment limitations by length and height rules) the minimum length of recess required by Formula 2 in paragraph (c) of Section 81-265 shall be modified to 20 percent of the length of the #front lot line#; and

(c) for #buildings# on #qualifying sites# with frontage along Park Avenue, as an alternative to the setback requirements of Table A, B or C in paragraph (b) of Section 81-263 (Standard setback requirements), the Park Avenue wall of such #building# shall be set back behind the applicable #setback line# to the depth of the #setback line# required at that particular height, in accordance with the applicable requirements of the table in this Section.

SETBACK REQUIREMENTS ON STREETS AT LEAST 140 FEET WIDE

Depth of #Setback Line# from #Street Line# at Stated Heights above #Curb Level#.

Height (ft)	Depth of #Setback Line# (ft)

210	0.00
220	1.00
230	2.50
240	4.25
250	5.50
260	7.0
270	8.75
280	10.00
290	11.25
300	12.75

310	14.25
320	15.25
330	16.25
340	17.50
350	18.75
360	19.75
370	21.00
380	21.75
390	23.00
400	23.75

410	25.00
420	25.75
430	26.75
440	27.50
450	28.50
460	29.25
470	29.75
480	30.50
490	31.50
500	32.00

510	33.00
520	33.50
530	34.50
540	35.00
550	35.50
560	36.00
570	37.00
580	37.50
590	38.00
600	38.50

610	39.00
620	39.75
630	40.25
640	41.00
650	41.50
660	41.75
670	42.25
680	43.00
690	43.50
700	43.75

710	44.25
Above 710	For every 10 feet of height above 710 feet, the depth shall increase by one foot