



## **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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## 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<br><br>(ft) | Depth of #Setback Line#<br><br>(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 |