



Zoning Resolution

THE CITY OF NEW YORK

Eric Adams, Mayor

CITY PLANNING COMMISSION

Daniel R. Garodnick, Chair

81-612 - Applicability along district boundaries

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LAST AMENDED

8/9/2017

For #zoning lots# divided by district boundaries, the underlying provisions shall apply, except as follows:

- (a) For #qualifying sites# divided by district boundaries where both districts have the same maximum #floor area ratio# set forth in Rows E and H of the table in Section [81-64](#) (Special Floor Area Provisions for Qualifying Sites), the provisions of Section [33-16](#) (Special Provisions for Zoning Lots Divided by District Boundaries) shall not apply to a #building# #developed# or, where permitted, #enlarged#, to exceed the basic maximum #floor area# in Row A of the table in Section [81-64](#). In lieu thereof, the #floor area# of such #building# on a #qualifying site# may be located anywhere on the #zoning lot#, regardless of the district boundary.
- (b) In addition to the requirements set forth in Sections [81-25](#) (General Provisions Relating to Height and Setback of Buildings) and [81-40](#) (MANDATORY DISTRICT PLAN ELEMENTS), the provisions of Section [81-60](#), inclusive, shall apply to a #zoning lot# having 50 percent or more of its #lot area# within the East Midtown Subdistrict. For the purposes of Section [81-60](#), inclusive, all such #zoning lots# shall be deemed to be entirely within the Subdistrict. If any of the provisions of Sections [81-25](#), [81-40](#) and [81-60](#), inclusive, are in conflict, the regulations of Section [81-60](#), inclusive, shall govern. However, for #zoning lots# located partly within the East Midtown Subdistrict and partly within the Fifth Avenue Subdistrict, the provisions of Article VII, Chapter 7 shall apply.
- (c) For #zoning lots# divided by subarea boundaries, the provisions of Article VII, Chapter 7 shall apply.
- (d) For #zoning lots# with #landmark buildings or other structures# where more than 50 percent of the #lot area# is located within the #Special Midtown District#, and which #abut# the East Midtown Subdistrict boundary, such #zoning lot# may be considered as part of the Subdistrict for the purposes of transferring development rights pursuant to the applicable provisions of Sections [81-642](#) (Transfer of development rights from landmarks to qualifying sites) or [81-653](#) (Special permit for transfer of development rights from landmarks to non-qualifying sites). However, the maximum amount of #floor area# that may be transferred from a #granting lot#, or portion thereof, located outside the Special Midtown District shall be the maximum #floor area ratio# permitted under the applicable underlying zoning district.