Zoning Resolution

THE CITY OF NEW YORK
Zohran K. Mamdani, Mayor

CITY PLANNING COMMISSION
Sideya Sherman, Chair

81-50 - SPECIAL REGULATIONS FOR THE PENN CENTER SUBDISTRICT

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81-50 - SPECIAL REGULATIONS FOR THE PENN CENTER SUBDISTRICT

LAST AMENDED
10/31/2001

81-51 - General Provisions

LAST AMENDED
8/26/2010

In order to establish the Penn Center Subdistrict as a destination and enhance its retail, entertainment and commercial character and expand accessibility to its transportation network, special regulations are set forth governing the location and type of #signs#, urban design and streetscape relationships, and the improvement of pedestrian circulation to and from public transit facilities.

The regulations of Section 81-50 are applicable only in the Penn Center Subdistrict, the boundaries of which are shown on Map 1 (Special Midtown District and Subdistricts) in Appendix A of this Chapter, except as set forth for rail mass transit facility improvements, pursuant to Section 81-541. These regulations supplement or modify the provisions of this Chapter applying generally to the #Special Midtown District#, of which this Subdistrict is a part.

81-52 - Sign Regulations

LAST AMENDED
10/31/2001

The provisions of this Section shall apply to all #zoning lots# with frontage along Seventh Avenue. The height of all #signs# shall be measured from the #curb level#.

(a) #Signs#, including #advertising signs#, #flashing signs# and #illuminated signs#, unlimited in area, shall be permitted to a height of 40 feet. Below a height of 14 feet, such #signs# shall not occupy more than 50 percent of the glazed #street wall# surface required, pursuant to Section 81-42, nor shall such #signs# be located within 10 feet of an entrance to a rail mass transit facility or subway station.

(b) #Signs#, including #advertising signs#, #flashing signs# and #illuminated signs#, except as otherwise provided in Section 81-52, paragraph (c), may be permitted above a height of 40 feet by the City Planning Commission, upon certification that:

(1) such #signs# and #sign# structures to which #signs# are attached shall not exceed a height of 60 feet; except that #signs# and #sign# structures onto which #signs# are attached, within 40 feet of the intersection of two #streets# or within 30 feet of the centerline of the westerly prolongation of West 32nd Street along the west #block# front of Seventh Avenue between West 31st and West 33rd Streets, shall not exceed a height of 100 feet;

(2) such #signs# above a height of 60 feet are located on #zoning lots# that contain an entrance to, or are adjacent to, an entrance to a rail mass transit facility and/or subway station;

(3) such #signs# shall not project across a #street line# more than 18 inches for double or multifaceted #signs# or 12 inches for other signs, except that #signs# within 40 feet of the intersection of two #streets# may project up to three feet across a #street line# above a height of 25 feet;

(4) such #signs# that exceed a height of 60 feet, shall be no wider than 40 feet each;

(5) such #signs# or #sign# structures that exceed a height of 60 feet, may include lighting effects at the top of such #sign# structure and such lighting effects shall not exceed a height of 10 feet above such #sign# or #sign# structure.

(6) such #signs# and #sign# structures onto which #signs# are attached within 30 feet of the centerline of the westerly prolongation of West 32nd Street shall have a minimum clearance of 10 feet from the adjacent #building#, and such #sign# structure shall have a minimum clearance of 20 feet from the #street line# in order not to obstruct visibility of the transit entrance from the #street#;

(7) on #zoning lots# that contain an entrance to, or are adjacent to, an entrance to a rail mass transit facility and/or subway station, the requirements for rail mass transit or subway entrance informational #signs# of Section 81-521 are met; and

(8) monies will be deposited into an escrow account or similar fund established by the City, to be used at the direction of the Chairperson of the City Planning Commission and the Commissioner of the Department of Transportation, acting in consultation with the Metropolitan Transit Authority, as necessary, for streetscape and for abovegrade and belowgrade pedestrian circulation improvements within the Penn Center Subdistrict. For the period through January 1, 2003, and thereafter, until adjusted by rule of the City Planning Commission pursuant to the City Administrative Procedure Act, such #sign# contribution shall be equal to $30 per square foot of #sign# permitted above a height of 40 feet. Any net increase in the surface area of a previously approved #sign# shall require a new certification and the deposit of a supplemental #sign# contribution in an amount reflective of such increase.

Alternatively, an applicant may, at the time of the first certification for a #sign# at a location under its control, deposit a #sign# contribution in an amount equal to $20 per square foot of #sign# above a height of 40 feet for the total amount of square footage of all #signs# eligible for certification at locations under the applicant's control. The deposit of monies under this

alternative procedure shall not relieve the applicant of the requirement to seek and obtain a certification for each such #sign#, pursuant to this paragraph (b), prior to installation.

For purposes of this paragraph (b), the square footage of the #sign# shall mean the #surface area# of a #sign#, except that it shall also include the area of any structural frame or similar enclosure in which the #sign# is located or to which it is attached. No #sign# for which a certification has been received shall be installed prior to deposit of the #sign# contribution in accordance with this paragraph (b).

(c) #Signs# above a height of 40 feet on any #building# listed on the State and/or National Register of Historic Places, or any #building# formally determined eligible for inclusion on the Register, may be permitted upon authorization by the City Planning Commission, that:

(1) the proposed method of attachment of such #signs# shall be reversible;

(2) such #signs# shall not be disruptive to the historic fabric of the #building#;

(3) such #signs# shall comply with all other requirements of paragraph (b) of this Section;

(4) the requirements for rail mass transit or subway entrance informational #signs# of Section 81-521 are met; and

(5) monies shall be deposited into an escrow account or similar fund established by the City, to be used at the direction of the Chairperson of the City Planning Commission and the Commissioner of the Department of Transportation, acting in consultation with the Metropolitan Transit Authority, as necessary, for streetscape and for above-grade and belowgrade pedestrian circulation improvements within the Penn Center Subdistrict. For the period through January 1, 2003, and thereafter, until adjusted by rule of the City Planning Commission pursuant to the City Administrative Procedure Act, such #sign# contribution shall be equal to $30 per square foot of #sign# permitted above a height of 40 feet. For purposes of this paragraph (c), the square footage of the #sign# shall mean the #surface area# of a #sign#, except that it shall also

include the area of any structural frame or similar enclosure in which the #sign# is located or to which it is attached. No #sign# for which an authorization has been approved shall be installed prior to deposit of the #sign# contribution in accordance with this paragraph (c), or the alternative #sign# contribution provided in paragraph (b)(8) of this Section.

Any net increase in the #surface area# of a previously approved #sign# shall require a new authorization and the deposit of a supplemental #sign# contribution in an amount reflective of such increase.

81-521 - Rail mass transit and subway entrance informational signs

LAST AMENDED
10/31/2001

For a #zoning lot# that contains or is adjacent to an entrance or entrances to a rail mass transit facility or subway station, no permit shall be issued for any #signs# that extend or are located above a height of 40 feet, unless the City Planning Commission certifies that each such entrance is clearly identified with rail mass transit or subway entrance informational #signs# and marquees in accordance with paragraphs (a) and (b) of this Section. Such rail mass transit or subway entrance informational #sign# or marquee shall remain, or be upgraded or replaced by a similar #sign# or marquee, for the life of the related development.

(a) Rail mass transit or subway entrance informational #signs# shall prominently identify the entrance on both #streets# of a #corner lot#. Where rail mass transit or subway entrance informational #signs# are provided at the western #block# front of Seventh Avenue between West 31st and West 33rd Streets, such #signs# shall prominently identify the entrance to

Pennsylvania Station to pedestrians on both Seventh Avenue and West 32nd Street. All such informational #signs# shall comply with the following requirements:

(1) such #signs# shall contain only transit information;

(2) such #signs# shall be illuminated and located no less than 12 feet above and no more than 25 feet above #curb level#;

(3) such #signs# shall contain the word "Subway" and/or appropriate other rail mass transit identification and transit line symbols. The graphic standards shall adhere to New York City Transit or other pertinent transit agency standards with all letters no less than three feet and transit symbols no less than two feet in dimension;

(4) such #signs# shall be no less than 30 feet in length on each #street# and shall extend farther than 30 feet in order to include the actual entrance; and

(5) such #signs# may project up to five feet beyond the #street line#.

(b) At the rail mass transit or subway entrance, a marquee shall be provided to further identify the entrance and shall:

(1) contain only transit sign information;

(2) be illuminated and located no less than 12 feet above and no more than 25 feet above #curb level#;

(3) have a minimum length of 20 feet or the full width of the entrance, whichever is less;

(4) project no less than five feet beyond the transit or subway informational #sign#; and

(5) include illuminated mass transit identification and transit line symbols that meet the New York City Transit or other pertinent transit agency standards.

81-53 - Special Bulk and Urban Design Requirements

LAST AMENDED
2/2/2011

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 this Section shall apply to a #zoning lot# having 50 percent or more of its #lot area# within the Penn Center Subdistrict. For the purposes of this Section, 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 81-53 are in conflict, the regulations of this Section shall govern.

81-531 - Special retail frontage requirements

LAST AMENDED
6/6/2024

The provisions of Section 81-42 (Retail Continuity Along Designated Streets) shall apply within the Penn Center Subdistrict, except that any underlying transparency requirement shall not apply to any informational #signs# or marquees provided to identify rail mass transit or subway entrances in accordance with Section 81-52 (Sign Regulations).

81-532 - Special street wall requirements

LAST AMENDED
2/2/2011

The provisions of Section 81-43 (Street Wall Continuity Along Designated Streets) shall apply, except that the #street wall# of all #buildings# along the Seventh Avenue frontage of #zoning lots# shall be a minimum of 85 feet above #curb level# or the full height of the #building#, whichever is less. All other provisions of Section 81-43 shall apply without modification.

In addition, the restrictions on permitted recesses contained in Section 81-43 shall not apply to pedestrian circulation spaces provided in accordance with Sections 81-46 (Off-street Relocation or Renovation of a Subway Stair) or 81-48 (Off-street Improvement of Access to Rail Mass Transit Facility) nor to interstitial spaces between #signs# or between #building# walls and #signs#.

81-54 - Floor Area Bonus in the Penn Center Subdistrict

LAST AMENDED
10/31/2001

81-541 - Mass transit station improvements

LAST AMENDED
10/7/2021

For #developments# or #enlargements# on #qualifying transit improvement sites#, a #floor area# bonus for #mass transit station# improvements may be granted by the City Planning Commission pursuant to the provisions of Section 66-51 (Additional Floor Area for Mass Transit Station Improvements). For the purposes of this paragraph, defined terms additionally include those in Section 66-11 (Definitions).

For the purposes of this Section, improvements to any #mass transit station# on a #qualifying transit improvement site# located wholly or partially within the Subdistrict qualifies for bonus #floor area# in accordance with the provisions of Section 66-51, as modified herein. For a #qualifying transit improvement site# located partially within the Subdistrict, such bonus #floor area# may be located anywhere on such #qualifying transit improvement site#. In addition, if a #mass transit station# improvement has been constructed in accordance with an approved authorization or special permit and has received a Notice of Substantial Completion in accordance with the provisions of Section 66-51, the bonus #floor area# may be retained at the full amount granted by the authorization or special permit and may be utilized elsewhere on the #qualifying transit improvement site# subject to any applicable review and approval process for such #development# or #enlargement#.

81-542 - Retention of floor area bonus for plazas or other public spaces

LAST AMENDED10/17/2007

For the #zoning lot# bounded by West 34th Street, Seventh Avenue, West 33rd Street and Eighth Avenue, which contains at least 7,000 square feet of existing #publicly accessible open areas# or other bonused public amenity in the Penn Center Subdistrict, the maximum allowed #floor area# bonus for all existing #publicly accessible open areas# or other public amenities on the #zoning lot# may be retained at the amount allowed prior to October 31, 2001, subject to all other provisions of this Resolution, notwithstanding inclusion of such #zoning lot# within the #Special Midtown District#.