Exploratory Impact Analysis of the New York City Zoning Amendment for Quality and Affordability

JESSE M. KEENAN, LUC WILSON & MONDRIAN HSIEH
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ABSTRACT

This paper represents a critical methodological and technological advancement in engaging the broader public discourse as to the precise impacts of urban development and associated zoning calibrations. The “Zoning for Quality and Affordability” amendment to the New York City (NYC) zoning code is the first city-wide zoning effort since 1961 (ZQA). The legislative intent of the ZQA is to provide greater flexibility for accommodating economically viable housing production within the context of promoting a wider range of design alternatives that advances both housing and contextual urban quality. The research design is centered on evaluating the spatial distribution and geometric characteristics of lots subject to the ZQA rules across NYC (Macro Analysis), as well to evaluate the daylight access and visibility impacts associated with lots within each of the applicable zoning districts (Micro Analysis). The Macro Analysis evaluates the extent to which the ZQA is addressing larger development constraints within existing rules relative to underbuilt lots. The Micro Analysis tests the hypothesis that environmental impacts from the ZQA are marginal and are not consistent with a broader public critique of the overwhelming negative impacts of the ZQA. The results of the Macro Analysis support the legislative intent of the ZQA and the results of the Micro Analysis support an affirmation of the hypothesis. To the contrary, a majority of districts are projected to experience positive measured impacts.
INTRODUCTION

This paper explores the application of a technological advancement in measuring the precise impact of urban development and associated zoning calibrations. The zoning amendment known as the “Zoning for Quality and Affordability” (ZQA) is the first city-wide zoning effort in New York City (NYC) since 1961. The legislative intent of the ZQA amendment is to allow for higher quality housing development within use districts zoned with contextual and quality housing bulk regulations. The bulk regulations of the districts revised by the ZQA were largely established in 1980's and were calibrated to very specific building standards prevalent at the time. Since then, construction and design standards have significantly evolved, as has the public’s desire for advancing higher quality architecture and urban space. The result is that in order for new buildings to maximize economic efficiencies as dictated by increasing land costs, buildings must be built to the street line; the building entry must be at grade; and, the floor-to-floor heights must be approximately 8 feet. As a result of these spatial limitations, new buildings are sacrificing quality for economy (DCP, 2015). While the ZQA amendment does not create additional buildable square footage (FAR), an additional policy goal is to accommodate irregular lots that have remained underutilized or unbuilt due to technical restrictions on the bulk and massing of any proposed future building (Been, Madar & McDonnell, 2009; Keenan & Chakrabarti, 2013). However, while the exact economic constraints and strategies of owners of underutilized lots that may benefit from the ZQA amendment are unknown, the planning authorities anticipate that additional housing development—at a higher level of quality—would manifest from adoption of the ZQA.

For recent buildings that were constructed subject to then-existing contextual and quality housing constraints, the form of the buildings were deemed to be inferior on several fronts. First, the floor-to-floor height restraints resulted in ground floors without retail space. Retail is beneficial not just in terms of cross-subsidizing the operation of residential buildings, but it also provides for a more socially dynamic streetscape (Zukin, 1998; Lowe & Wrigley, 2000; Argo, Dahl, & Manchanda, 2005). In addition, low income neighborhoods are often subject to an undersupply of retail space, which often leads to additional cost burdens for accessing basic items such as food and medicine (Kwate, et al., 2013). The second negative attribute of these buildings are that their forms tend to be flat and without articulation that would otherwise be desirable for matters relating to contextual urban design (Stamps, 1999, 2001, 2013). At the ground plane, these building are generally not able to incorporate setbacks and courtyards that would otherwise be consistent with an historical urban context or would otherwise be desirable to break a continuous, monotonous plane (Kasprisin, 2011).
In order to remediate these unnecessary spatial constraints within the zoning envelope, the ZQA proposed to: (i) expand the height limit of building by approximately 5 feet, (ii) expand the floor-to-floor heights; (iii) limit the number of floors in order to maintain reasonable ceiling heights; and, (iv) allow set-backs from the property line in situations where rear-yard requirements restrict requisite massing allocations (DCP, 2015). While these modifications may appear to be benign calibrations, the public response at the community level to the ZQA amendments has been consistently negative (Grynbaum & Navarro, 2015). The bulk of the critiques have been grounded in an underlying fear of density—irrational or otherwise.

This paper seeks to explore the spatial and environmental impacts of the ZQA on NYC. The relevance of this work is to provide a methodology and set of empirical outputs that may advance a more well-informed public dialogue concerning the impact of zoning modifications. This paper seeks to explore the impacts of the proposed elements of the ZQA proposal at three-scales: the lot, the block and the city. At the city scale, the analysis focuses on the nature and distribution of the types of lots that are potentially impacted by the ZQA (Macro Analysis). The block and lot scale, the analysis seeks to measure the impact of post-ZQA development on daylight access and visibility (Micro Analysis). The Macro Analysis evaluates the extent to which the ZQA is addressing larger development constraints within existing rules relative to underbuilt lots. The Micro Analysis tests the hypothesis that the measured environmental impacts from the ZQA are marginal and are not consistent with a broader public critique of the overwhelming negative impacts of the ZQA. This hypothesis is critically relevant for addressing, through objective scientific processes, the subjective underlying popular fear of density that accompanies zoning and land uses changes.

RESEARCH DESIGN & METHODOLOGY

The research design of this paper is centered on evaluating the spatial distribution and geometric characteristics of lots subject to the ZQA rules across NYC (Macro Analysis), as well to evaluate the daylight access and visibility impacts associated with interior and corner lots within each of the applicable districts (Micro Analysis). The design was predicated a comprehensive review of zoning texts relating to those provisions being amended by the ZQA. These baseline conditions and rules (i.e., pre- and post-ZQA) were then modeled into Grasshopper/Rhino models to simulate the basic spatial parameters of zoning envelopes and massings for new construction (Ferreira, et al. 2015). Subsequent to the random sampling and validation of these model outputs, the models were calibrated to reflect the changes proposed under the ZQA. The models and samples from the models were reviewed by various municipal
zoning and planning staff for further calibration—particularly for nuances in overlay districts. Modules were then coded to take any given massing from the aforementioned models and measure floor heights, stories, and gross floor area approximations based on known ranges for net square footage by program—in this case, housing and retail. R9D and R10X districts were included in the data because they are contextual districts, but they were removed from the analysis as they were not ultimately subject to the revised textual amendments under ZQA.

For the Macro Analysis, the research team extracted geometric measurements for all of the registered building lots in NYC using the Department of City Planning’s (DCP) 2015 PLUTO data sets. These lots were filtered to identify those lots whose geometry (e.g., rear yard setback limitations) would result: (i) in precluding any economically viable development; (ii) in developments that would be underbuilt relative to the context as measured in total allowable zoned square feet (i.e., as-of-right); or, (iii) in developments that would otherwise be constrained by those parameters previously identified. These lots were then filtered and mapped in Grasshopper/Rhino and patterns of concentration were identified so as to create boundaries for further sampling at the block and lot level. The filtering of lots impacted by the ZQA were derived by the following methodology, subject to those limitations identified in Appendix 1:

1. Lots were then subject to an ‘underbuilt’ calculation which is expressed as a percentage measured by the total residential gross floor area over the total lot area;
2. Lots were culled if they were over 50% built;
3. Lots were culled if they had fewer than 6 residential units;
4. Lots were culled if they had landmarked buildings; and
5. Lots were culled if they had frontage of less than 45 feet; or
6. Lots were included if they had lot depths between 70 and 95 feet.

Geographic boundaries of patterned concentrations of filtered lots were identified and drawn. Each lot and building volume within the boundaries were measured. Thereafter, blocks based on random simulations of representative building distributions relative to their positioning within blocks were generated. The intent was to create a unit of analysis that could be removed from the on-the-ground politics that biased external interpretation. However, ultimately, actual blocks, lots and buildings were identified for further evaluation. This decision was reinforced by the argument that the validity of the results would have broader recognition if based on actual physical parameters.

The methodology for the Micro Analysis at the scale of the block and lot is based on measuring the spatial differential of heights and building massing before and after the incorporation of the ZQA rule set within the aforementioned parametric models. These differentials examine: (i) façade visibility; (ii) contextual elevations; (iii) sky exposure; and, (iv) sky mask. For each zoning district a corner lot and an interior lot were simulated and evaluated relative to pre- and post-ZQA rules. Width

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1. This filtration step accounts for the ‘Silver Rule,’ under Sections 23-692 and 33-492 of the Zoning Resolution of the City of New York, which, in part, imposes height restrictions on narrow lots.
Figure 1: All Lots (n=98, 950) Subject to Contextual or Mandatory Housing Bulk Regulations
Figure 2: Lots Subject to Step 1 through 4 of the Filtering Process (n=26,445)
and narrow street regulations were applied as appropriate. Façade visibility tests for the building’s visible presence at the street level. An analysis grid is populated over a 700 feet by 700 feet square centers on the tested lot at 10 foot intervals clipped to public space ending at building lot lines at a 5 foot elevation representing eye level. Each analysis panel is tested for exposure to either the building’s street wall or setback, as represented in Figure 3. Any visibility, no matter how minor, registers as a positive. Areas that can view only the street wall or setback are shown in light blue, areas that are exposed to both are shown in dark blue. Numeric values displayed represent the percentage of public space tested where either the setback or street wall is visible. An examination of the elevations also evaluated the contextual areas adjacent to the subject lot for average street wall height in order to compare this against existing regulation for max street wall height. Buildings with street facing surfaces within 250 feet of the test building’s street face were considered in the calculation.

Sky exposure measures the direct occlusion of the sky. The same 700 feet by 700 feet analysis area clipped to public space from the façade visibility analysis is used, except taken at ground level rather than eye level. For each analysis point, exposure to the sky is measured every 24 degrees in altitude and azimuth, resulting in a 61 point sky sampling. The score per panel is the percentage of these rays that are not occluded by a structure. The overall score is the average of all per panel scores. An alternative method utilized to validate to a final score is to apply an acceptable exposure percentage and measure the area that successfully achieves that standard. Sky mask, also known as a spherical projection, can be thought of as the in-graphic equivalent of sky exposure. A vantage point is placed at the street centerline, at the center of each street wall. The circumference of the graphic represents direction (azimuth, 360 degrees around) and the distance from edge to center represents altitude (0 at the edge, 90 degrees or directly above, at the center). By drawing this projection one is able to view the instantaneous sky exposure for a single point, as well as the encroachment of urban bulk over a single location. By taking these projections at the center of each street wall, one can see and compare the worst case impact of the tested building. In addition, additional allowable retail space is measured in terms of net rentable square footage based on generalizable loss calculations by program for gross floor area estimations.
Figure 4: Percentage of Underbuilt Lots Per Zoning District By Lot Width and Lot Depth
RESULTS AND DISCUSSION

MACRO ANALYSIS

The Macro Analysis takes into account applicable residential district equivalencies throughout NYC, as represented in Figures 1 and 2. Of all filtered ZQA lots, 26.73% are underbuilt. Among the majority of underdeveloped lots across all five boroughs, there’s a discernable concentration of underdeveloped lots at approximately 20 feet in lot width or 100 feet of lot depth, as represented in the histograms contained in Figure 4. The comparatively disproportionate distribution of lots with 100 foot lot depth may not necessarily indicate that there is a deterministic or causal barrier to development related to that dimension range. But, this finding reflects that a great majority of applicable filtered NYC lots are 100 feet and that distribution carries into this analysis, as well as the relevance of the intent of the ZQA. The exception to this pattern is within the R9D zoning district, exclusive to 17 lots in the Bronx, whose small number renders them statistically insignificant. The high concentration of lots at approximately 15 to 20 feet in lot width likely indicates a specific threshold that warrants further investigation.

<table>
<thead>
<tr>
<th>ZQA Lots Percentage Underbuilt</th>
<th>MN</th>
<th>BX</th>
<th>BK</th>
<th>QN</th>
<th>SI</th>
<th>NYC</th>
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<tbody>
<tr>
<td>R6A</td>
<td>9.51%</td>
<td>67.01%</td>
<td>33.80%</td>
<td>51.52%</td>
<td>100.00%</td>
<td>40.02%</td>
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<tr>
<td>R6B</td>
<td>45.24%</td>
<td>13.41%</td>
<td>24.73%</td>
<td>24.73%</td>
<td>16.03%</td>
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<tr>
<td>R7A</td>
<td>23.44%</td>
<td>69.82%</td>
<td>51.37%</td>
<td>68.28%</td>
<td>46.09%</td>
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<tr>
<td>R7B</td>
<td>10.05%</td>
<td>41.73%</td>
<td>11.87%</td>
<td>30.98%</td>
<td>18.62%</td>
<td></td>
</tr>
<tr>
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<td>25.00%</td>
<td>75.00%</td>
<td>75.70%</td>
<td>74.04%</td>
<td></td>
<td></td>
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<tr>
<td>R7X</td>
<td>39.32%</td>
<td>75.98%</td>
<td>90.48%</td>
<td>80.99%</td>
<td>75.42%</td>
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<tr>
<td>R8A</td>
<td>34.90%</td>
<td>86.41%</td>
<td>74.03%</td>
<td>87.50%</td>
<td>42.66%</td>
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<tr>
<td>R8B</td>
<td>11.09%</td>
<td>31.82%</td>
<td>58.33%</td>
<td>11.23%</td>
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<td></td>
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<td>95.00%</td>
<td></td>
<td>37.45%</td>
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<tr>
<td>R9D</td>
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<td></td>
<td></td>
<td>100.00%</td>
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<tr>
<td>R10A</td>
<td>53.60%</td>
<td>54.10%</td>
<td></td>
<td></td>
<td>53.62%</td>
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<td>R10X</td>
<td>71.76%</td>
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<tr>
<td>R9X</td>
<td>76.39%</td>
<td></td>
<td></td>
<td></td>
<td>76.39%</td>
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</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>23.31%</strong></td>
<td><strong>63.59%</strong></td>
<td><strong>22.36%</strong></td>
<td><strong>37.32%</strong></td>
<td><strong>26.73%</strong></td>
<td></td>
</tr>
</tbody>
</table>

Table 1: Percentage of Underbuilt Lots Per Zoning District
The macro evaluation of underbuilt lots within ZQA districts identified two sets of lot types with geometric characteristics not typical to NYC that represent significant percentages of the total number of underbuilt lots: (i) lots with widths 45 feet or less; and, (ii) lots with depths between 70 and 95 feet. Additionally, as represented in Table 2, regardless of physical lot characteristics, there are four districts that with total underbuilt lots 50% or greater: R7D, R7X, R9D, R9X and R10A.

**Lots with Widths 45 feet or Less**

Lots with widths of 45 feet or less represent 79.4% of all underbuilt lots within ZQA districts. This is consistent with the finding that they represent 84% of all ZQA lots. This finding should be contextualized to the fact that the typical width for a row home is 20 to 25 feet. However, certain districts show a significant increase in the percent underbuilt over the average for all ZQA lots: R9A (+8.10%); R9X (+15.82%); and, R10A (+30.85%). Zoning Resolution section 23-692, commonly referred to as the 'Sliver Law,' dictates height limitations for narrow buildings or enlargements and applies to all of the filtered lots in these cited districts. This sets the maximum building height at 100 feet or the width of widest street the building fronts, whichever is less. These districts have FARs ranging from 6 to 12 and maximum heights from 135 feet to 210 feet. The maximum heights were calibrated to these FARs, and would be increased through the ZQA because they have been shown to no longer accommodate the FAR. Reducing the maximum height to 100 feet or less—or by 35 feet to 150 feet—dramatically reduces the FAR possible on the site and would otherwise deter housing development.

The stated intent of the Sliver Law is, “to prevent narrow buildings that are taller than adjacent buildings” (DCP, 2011). However, in a situation where a 45 feet wide building would be taller than adjacent buildings (given the same FAR) a 50 foot wide building would be just about as tall. One way to revise the Sliver Law is to accommodate the unbuilt lots identified in this filtering as exempt lots with widths of 45 feet or less. Given the same FAR, a development on a lot with widths of 45 feet or less would not be taller than adjacent buildings. In any case, the logic of the original legislative intent would suggest that the height limit of the Sliver Law should be proportional to the FAR and not the street width. A revision to the Sliver Law would ease housing development constraints on 1,218 lots and could be easily constructed to meet the original intent.

In the micro analysis the Sliver Law was not applied allowing for the evaluation of the impact of removing or revising the regulation. This is notable in higher density districts where the FAR would not be achievable due to the sliver law. In the micro analysis the following districts and lots, all inside, illustrate buildings that exceed the height limit set by the sliver law: R7D, R7X Inside, R8, R8a, R9, R9a, R9x, and R10a.
| Table 2b: Percentage of Underbuilt Lots (< 13.71 meters) Per Zoning District |
|-----------------------------|----------------|----------------|----------------|----------------|----------------|----------------|
|                             | MN             | BX             | BK             | QN             | SI             | NYC            |
| R6A                         | 79             | 684            | 2,930          | 2,016          | 4              | 5,713          |
| R6B                         | 0              | 72             | 4,731          | 2,043          | 0              | 6,846          |
| R7A                         | 640            | 278            | 2,662          | 653            | 0              | 4,233          |
| R7B                         | 93             | 156            | 102            | 119            | 0              | 470            |
| R7D                         | 4              | 57             | 371            | 0              | 0              | 432            |
| R7X                         | 35             | 66             | 43             | 239            | 0              | 383            |
| R8A                         | 690            | 35             | 331            | 5              | 0              | 1,061          |
| R8B                         | 631            | 0              | 6              | 3              | 0              | 640            |
| R9A                         | 203            | 0              | 17             | 0              | 0              | 220            |
| R9D                         | 0              | 1              | 0              | 0              | 0              | 1              |
| R10A                        | 643            | 0              | 15             | 0              | 0              | 658            |
| R10X                        | 56             | 0              | 0              | 0              | 0              | 56             |
| R9X                         | 284            | 0              | 0              | 0              | 0              | 284            |
| **Total**                   | **3,358**      | **1,349**      | **11,208**     | **5,078**      | **4**          | **20,997**     |

Table 2a: All Lots (< 13.71 meters) with Mandatory Contextual Zoning or Quality Housing Bulk Regulations Amended by ZQA

| Table 2b: Percentage of Underbuilt Lots (< 13.71 meters) Per Zoning District |
|-----------------------------|----------------|----------------|----------------|----------------|----------------|----------------|
|                             | MN             | BX             | BK             | QN             | SI             | NYC            |
| R6A                         | 8.52%          | 73.71%         | 33.30%         | 51.12%         | 100.00%        | 39.12%         |
| R6B                         | 35.82%         | 12.52%         | 21.62%         | 51.12%         | 100.00%        | 14.37%         |
| R7A                         | 24.11%         | 76.58%         | 60.06%         | 80.52%         | 100.00%        | 51.25%         |
| R7B                         | 9.65%          | 61.90%         | 81.40%         | 51.25%         | 100.00%        | 18.60%         |
| R7D                         | 25.00%         | 81.43%         | 75.71%         | 61.90%         | 100.00%        | 75.00%         |
| R7X                         | 39.77%         | 95.00%         | 95.60%         | 75.00%         | 100.00%        | 79.63%         |
| R8A                         | 38.57%         | 87.50%         | 84.01%         | 75.71%         | 100.00%        | 75.00%         |
| R8B                         | 10.69%         | 40.00%         | 50.00%         | 61.90%         | 100.00%        | 47.62%         |
| R9A                         | 43.56%         | 100.00%        | 50.00%         | 84.01%         | 100.00%        | 45.55%         |
| R9D                         | 100.00%        | 100.00%        | 100.00%        | 100.00%        | 100.00%        | 100.00%        |
| R10A                        | 84.38%         | 88.24%         | 84.01%         | 81.43%         | 100.00%        | 84.47%         |
| R10X                        | 94.92%         | 94.92%         | 88.24%         | 88.24%         | 100.00%        | 94.92%         |
| R9X                         | 92.21%         | 92.21%         | 94.92%         | 92.21%         | 100.00%        | 92.21%         |
| **Total**                   | **24.10%**     | **69.43%**     | **21.13%**     | **33.96%**     | **25.03%**     | **25.03%**     |

Tables 2b: Percentage of Underbuilt Lots (< 13.71 meters) Per Zoning District
A consistent popular criticism of the ZQA has been that the increase in building height will result in a set of wide ranging negative impacts. While the increase in height is only 5 to 15 feet, it has been argued that this increase will negatively impact the daylight at the street, results in non-contextual development, and have a far greater visual presence to the detriment of the streetscape. This micro analysis tests the hypothesis that such concerns are limited in their validity given the marginal anticipated impact of future development under the ZQA.

MICRO ANALYSIS

A consistent popular criticism of the ZQA has been that the increase in building height will result in a set of wide ranging negative impacts. While the increase in height is only 5 to 15 feet, it has been argued that this increase will negatively impact the daylight at the street, results in non-contextual development, and have a far greater visual presence to the detriment of the streetscape. This micro analysis tests the hypothesis that such concerns are limited in their validity given the marginal anticipated impact of future development under the ZQA.

Lots with Depths between 70 feet and 95 feet

Lots with depths between 70 and 95 feet represent 13.5% all underbuilt lots within ZQA districts. Of these lots, 25.32% are underbuilt. Lots with these depths are of interest because the 30 foot rear yard requirement (Zoning Resolution 23-44) is calibrated to 100 foot deep lots, and lots with depths less than 70 feet get relief from the rear yard. Optimal residential floor depths for adequate daylight are between 60 feet and 65 feet. A 30 foot rear yard applied to lots between 70 and 95 feet results in: less than optimal residential floor depths for some if not all of the floors; podium floors between 50 and 65 feet; and, setback floors between 40 and 55 feet. The massing inefficiency associated within these constraints is a strong detriment to development and is especially restrictive in higher density districts where at least two elevators are required which magnifies the inefficiency across multiple floors. This outcome likely supports the comparatively large increase in percentage of underbuilt lot in the higher density districts of: R8A (+6.41%), R8B (+5.57%), R9X (+5.16%) and R10A (+18.48%). During the course of this research this increase in underbuilt lots between 70 and 95 feet was brought to the attention of the DCP and as a result a revision to the rear yard requirements were included in ZQA textual amendments.

R7D, R7X, R9D and R9X Districts

In districts R7D, R7X, R9D and R9X, 50% or more of the lots (n=2,500) are underbuilt. This finding suggests significant impediments to economically viable utilization of the zoned FAR. With comparatively higher zoned FARs between 4 and 12, these lots, while a relatively small percentage of the total number of underbuilt lots (9.5%), represent a potentially significant housing capacity. As previously referenced, R9D is only zoned for 17 lots in the city and can be eliminated as statistically insignificant. The other districts are constrained by height limits, which ZQA would increase. However, the increases in height for these districts pursuant to the ZQA are relatively small. When compared with the aggregate numbers of lots which they are underbuilt, it is uncertain if the ZQA will sufficiently stimulate additional housing development.
tested (i) façade visibility; (ii) contextual elevations; (iii) sky exposure; and, (iv) sky mask. For each zoning district a corner lot and an interior lot were evaluated.

In order to economically maximize FAR under the current bulk regulations in contextual and quality housing districts, new developments must be built right up to the sidewalk. One of the goals of ZQA is to provide flexibility in the design, including the ability to setback up to 10 feet from the sidewalk to better correspond with the context. For example, row homes in New York are often setback 5 to 10 feet from the sidewalk and are the most common building type in contextual districts. Of historical note, it is not possible to develop a row home (and not lose FAR) under the current contextual bulk regulations. In the subject analysis, a typical street level setback of 10 feet was applied to ZQA modified massings.

In 26 out of the 32 districts, lot types tested for daylight at the street were improved under the ZQA. The districts that saw a decrease in daylight are R8, R9A, and R10A, as represented in Figure 5. This finding is consistent with the fact that these higher density districts allow greater increases in maximum height. However, when examined in the spherical projections, any increase or decrease in visible sky appears negligible. This is consistent with an affirmation of the hypothesis. Generally, corner lots have more visibility for both the base and the setback. This finding is due primarily to the removal of a side yard requirement for corner lots and can be seen in the high visibility scores in R9X districts. Of the districts analyzed, R8 and R9A had aggregate negative impacts for both daylight and visibility.

Consistent with the hypothesis, relative changes in scores between existing and modified (i.e., ZQA) conditions are quantitatively minimal and are most evident in elevations and select perspectives. As represented in Table 3 and in the Appendix, massing simulations for corner and interior lots for each of the districts support an affirmation of the hypothesis as to marginal nature of the impacts. As previously referenced with higher density districts, modified corner lots experience the greatest impact primarily due to the removal of
a side yard requirement for corner lots. With regards to façade visibility, there are general improvements due to the setback provided by the modified regulations. Improvements to such an outcome are defined by less visibility of the façade. Of particular note is the finding that the majority of simulations perform better with regards to a daylight score due to the freedom to set back at the ground level. But, this does not necessarily translate to a decrease in visibility which reflects more of the particular contextual conditions that have been selected and tested.

**CONCLUSIONS**

The ZQA represent a set of modifications to the NYC zoning code that are seeking to keep up with the architectural design standards and technologies, as well as shifting demands and preferences in the residential housing market. The public process for advancing the ZQA has underscored the necessity to clearly communicate the trade-offs between urban housing quality and the externalities associated with greater housing density. Paradoxically, while the public has demanded a greater supply in housing units, individual neighborhoods and districts are reluctant to bear the incremental burden of greater physical density. This paper represents an attempt to articulate several aspects of measuring potentially negative externalities and impacts. The results of this paper suggest the potential for positive externalities which is contrary to the perception of many critics.
<table>
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<tr>
<th>Lot Type</th>
<th>Daylight</th>
<th>Setback Visibility</th>
<th>Base Visibility</th>
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<tbody>
<tr>
<td>R6 InsideLot</td>
<td>0.11%</td>
<td>0.00%</td>
<td>-53.42%</td>
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<tr>
<td>R6 CornerLot</td>
<td>1.21%</td>
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Table 3: Daylight and Visibility Comparison Averages Across All Zoning Districts. Beneficial Impact is Highlighted in Blue and Detrimental Impact is Highlighted in Red.
Consistent with the hypothesis, this paper demonstrates that this incremental burden represents, in most cases, a marginal environmental impact in terms of urban experience defined by daylight access and visibility. While 3 higher density districts demonstrated negative results, the results—with the exception of the R9X district—were marginal and likely not perceptible to even the most observable resident. To the contrary, the Micro Analysis results demonstrated that a majority of the districts would have a superior environmental outcome.

While the findings of the Macro Analysis support the legislative intent of the ZQA, the Macro Analysis also supports the breadth of the intended objects of the textual amendments. The analysis demonstrated the logical correlation between underbuilt lots and the geometric restrictions of lots who would otherwise be restricted by pre-ZQA rules. While the exact distribution and explanations for why any given lot is underbuilt is not entirely explained by pre-ZQA rules due to a variety of economic and legal exogenities, the logical alignment between future capacity and existing geometry is likely to support future economic utilization of under-utilized land and FAR. The relevance of this research is reinforced by its impact on the text of the ZQA by virtue of the researchers’ identification of additional lot parameters for inclusion into the amendment.

As NYC’s built environment continues to grow and evolve, so too must its zoning code. Moving forward, it is incumbent upon public and private actors to more clearly communicate the range of impacts and externalities associated with increased housing development. A failure to do so will result in the local preferencing of a few at the cost of the collective. As a matter of necessity, NYC is shifting its focus from greenfield development to infill development. As such, contextual analysis and sensitivity in the zoning code is necessary not only as a matter of political necessity but also to advance environmental and urban quality. This paper represents a critical methodological advancement in engaging the broader public discourse as to the precise nature of contextual infill development and associated zoning calibrations. A failure to communicate will only result in protracted accommodations of zoning legislation that undermine the broader policy objectives of promoting the development of housing.
BIBLIOGRAPHY


APPENDIX

Methodological Qualifications 20
Mandatory Quality Housing Lots by Zoning District and Borough Tables 21-26
Underbuilt Properties Lot Width and Lot Depth Distributions 27-30
Residential Zoning District Equivalencies 31
Micro Analysis Impact Summaries 32-34
Micro Analysis Diagrams 36-100
1. Data does not distinguish between narrow and wide streets, although simulations of particulars lots utilized in the micro analysis do make such distinctions.

2. Data does not account for floor area bonuses or the transferal of development rights. For instance, if a building is underbuilt but sells air rights to an adjacent property, or sells Inclusionary Housing certificates to another lot within the same community district, the blended FAR may achieve the maximum allowable, though the model used in this analysis would otherwise indicate a result of underbuilt. There are several other factors that contribute to allowable FAR that are defy deduction from data in the PLUTO data.

3. The built floor area data is inclusive of basements and other spaces that may not contribute to FAR as defined in the zoning resolution.

4. The methodology utilized has not given recognition to historic zoning changes. A building constructed under more restrictive zoning regulations than those in place today will show as underbuilt, but may in fact not be limited by either physical conditions or today’s regulations. In this case, a straight-forward as-of-right redevelopment would be likely achieve FAR maximization, unless it is subject to the aforementioned transfer of development rights.
### All Mandatory Quality Housing Lots (n=98,950)

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<th>SI</th>
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**Appendix Table 1**
## All Underbuilt Mandatory Quality Housing Lots

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## Percentage Underbuilt

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Appendix Table 2

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Appendix Table 4
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### <45ft Lot Width Percentage Underbuilt

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Appendix Table 5

Appendix Table 6
### Mandatory Quality Housing Lots Between 75 and 90ft Deep (n=14,102)

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Appendix Table 7
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**Appendix Table 8**

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**Appendix Table 9**
UNDERBUILT PROPERTIES
LOT WIDTH DISTRIBUTIONS

Appendix Figure 1: Underbuilt Properties Lot Width Distributions
UNDERBUILT PROPERTIES
LOT DEPTH DISTRIBUTIONS

Appendix Figure 1: Underbuilt Properties Lot Depth
### RESIDENTIAL ZONING DISTRICT EQUIVALENCIES

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<td>M1-2/R6B,M1-4/R6B</td>
</tr>
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<tr>
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<td>C1-7A,C4-4D,C6-2A,M1-4/R8A</td>
</tr>
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<td>R8B</td>
<td>M1-2/R8A,M1-5/R8A</td>
</tr>
<tr>
<td>R9A</td>
<td>C1-8A,C2-7A,C6-3A</td>
</tr>
<tr>
<td>R9D</td>
<td>C6-3D</td>
</tr>
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Appendix Table 10: Residential Zoning District Equivalencies
## MICRO ANALYSIS IMPACT SUMMARIES

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<th>Base Visibility</th>
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<td>0.61%</td>
</tr>
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<td>1.44%</td>
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<tr>
<td>R10A InsideLot</td>
<td>-0.35%</td>
<td>7.63%</td>
<td>7.64%</td>
</tr>
<tr>
<td>R10A CornerLot</td>
<td>-0.02%</td>
<td>8.71%</td>
<td>-1.79%</td>
</tr>
</tbody>
</table>

Appendix Table 11: Daylight and Visibility Comparison Averages Across All Zoning Districts. Beneficial Impact is Highlighted in Blue and Detrimental Impact is Highlighted in Red.
### Appendix Figure 3: Micro Analysis Impact Charts

Beneficial Impact is Highlighted in Blue and Detrimental Impact is Highlighted in Red.
Appendix Figure 3: Micro Analysis Impact Charts Cont.
MICRO ANALYSIS
DIAGRAMS
R6 INSIDE LOT
EXISTING REGULATIONS

Facade Visibility
- Only Street Wall Visible
- Setback Visible

Street Facing Elevation, V1

Spherical Projection, V1

Perspective View, V1
ZQA MODIFIED REGULATIONS

Daylight Impact Comparison

Potential Ground Floor Retail

Facade Visibility
- Only Street Wall Visible
- Setback Visible

Street Facing Elevation, V1

Spherical Projection, V1
- Potential Ground Floor Retail

Perspective View, V1

Impact Comparison

- Daylight
- Setback Visibility
- Base Visibility

Existing Modified
42.92% 42.97% +0.11%
0.64% 0.64%
22.11% 20.32% -1.79%
R6 CORNER LOT
EXISTING REGULATIONS

Facade Visibility

Street Facing Elevations, Top: V1, Bottom: V2

Spherical Projection, V1

Perspective View, V1

Spherical Projection, V2

Perspective View, V2
DAYLIGHT IMPACT COMPARISON

<table>
<thead>
<tr>
<th>Existing</th>
<th>Modified</th>
<th>Difference</th>
</tr>
</thead>
<tbody>
<tr>
<td>42.53%</td>
<td>43.04%</td>
<td>+0.51%</td>
</tr>
<tr>
<td>12.27%</td>
<td>17.06%</td>
<td>+4.79%</td>
</tr>
<tr>
<td>39.56%</td>
<td>39.26%</td>
<td>-0.30%</td>
</tr>
</tbody>
</table>

SETBACK VISIBILITY

<table>
<thead>
<tr>
<th>Existing</th>
<th>Modified</th>
<th>Difference</th>
</tr>
</thead>
<tbody>
<tr>
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<td>17.06%</td>
<td>+4.79%</td>
</tr>
<tr>
<td>39.56%</td>
<td>39.26%</td>
<td>-0.30%</td>
</tr>
</tbody>
</table>

BASE VISIBILITY

<table>
<thead>
<tr>
<th>Existing</th>
<th>Modified</th>
<th>Difference</th>
</tr>
</thead>
<tbody>
<tr>
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<td>43.04%</td>
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<td>+4.79%</td>
</tr>
<tr>
<td>39.56%</td>
<td>39.26%</td>
<td>-0.30%</td>
</tr>
</tbody>
</table>

Facade Visibility

- Only Street Wall Visible
- Setback Visible

Street Facing Elevations, Top: V1, Bottom: V2

Spherical Projection, V1

Perspective View, V1

Spherical Projection, V2

Perspective View, V2

Potential Ground Floor Retail
R6A INSIDE LOT
EXISTING REGULATIONS
IMPACT COMPARISON

DAYLIGHT

Existing Modified

77.02% 77.05%
+0.03%

SETBACK VISIBILITY

Existing Modified

70.49% 73.21%
+3.86%

BASE VISIBILITY

Existing Modified

69.11% 70.1%
+1.44%

Facade Visibility

- Only Street Wall Visible
- Setback Visible

Street Facing Elevation, V1

Perspective View, V1

Potential Ground Floor Retail

Spherical Projection, V1

North
West
South
East

Corner
Center

Regulation
Contact

Mass BASE 277% Average Street Wall

CURE
R6B CORNER LOT
EXISTING REGULATIONS

Facade Visibility
- Only Street Wall Visible
- Setback Visible

Street Facing Elevations, Top: V1, Bottom: V2

Perspective View, V1

Spherical Projection, V1

Perspective View, V2

Spherical Projection, V2
R7-2 INSIDE LOT
EXISTING REGULATIONS
IMPACT COMPARISON

DAYLIGHT

SETBACK VISIBILITY

BASE VISIBILITY

Facade Visibility

Street Facing Elevation, V1

Spherical Projection, V1

Perspective View, V1

Potential Ground Floor Retail
R7-2 CORNER LOT
EXISTING REGULATIONS

Facade Visibility
- Only Street Wall Visible
- Setback Visible

Street Facing Elevations, Top: V1, Bottom: V2

Spherical Projection, V1

Perspective View, V1

Max Base Height: 230 ft

Regulation: 60 ft
Contact: 50 ft
Average Street Wall
R7A INSIDE LOT
EXISTING REGULATIONS

Facade Visibility
- Only Street Wall Visible
- Setback Visible

Street Facing Elevation, V1

Perspective View, V1

Max Base 80ft
Regulation 64ft
Contact 64ft

Average Street Wall

Spherical Projection, V1
IMPACT COMPARISON

DAYLIGHT

SETBACK VISIBILITY

BASE VISIBILITY

Facade Visibility

Street Facing Elevation, V1

Spherical Projection, V1

Perspective View, V1
R7A CORNER LOT
EXISTING REGULATIONS

Facade Visibility
- Only Street Wall Visible
- Setback Visible

Street Facing Elevations, Top: V1, Bottom: V2

Spherical Projection, V1
Perspective View, V1

Spherical Projection, V2
Perspective View, V2
DAYLIGHT IMPACT COMPARISON

- Existing: 61.93%
- Modified: 62.02%
  - +0.08%

- Existing: 63.21%
- Modified: 58.72%
  - -7.49%

- Existing: 75.57%
- Modified: 75.69%
  - +0.12%

Facade Visibility:
- Only Street Wall Visible
- Setback Visible

Street Facing Elevations, Top: V1, Bottom: V2

Spherical Projection, V1
- N
- NE
- E
- SE
- S
- SW
- W
- NW

Perspective View, V1

Spherical Projection, V2
- N
- NE
- E
- SE
- S
- SW
- W
- NW

Perspective View, V2

Potential Ground Floor Retail

Regulation Length
- 44.9% Average Street Wall Length

Contact
- 44.9% Average Street Wall Length
R7B INSIDE LOT
EXISTING REGULATIONS
IMPACT COMPARISON

- **DAYLIGHT**
  - Existing: 32.02%
  - Modified: 32.3%
  - Change: +0.27%

- **SETBACK VISIBILITY**
  - Existing: 50.8%
  - Modified: 41.69%
  - Change: -17.93%

- **BASE VISIBILITY**
  - Existing: 62.51%
  - Modified: 62.56%
  - Change: +0.09%

**Facade Visibility**
- Only Street Wall Visible
- Setback Visible

- **Street Facing Elevations, Top: V1, Bottom: V2**

- **Spherical Projection, V1**

- **Perspective View, V1**

- **Spherical Projection, V2**
  - Potential Ground Floor Retail

- **Perspective View, V2**
R7D INSIDE LOT
EXISTING REGULATIONS

Facade Visibility
- Only Street Wall Visible
- Setback Visible

Street Facing Elevation, V1

Perspective View, V1

Max Base: 7000ft
Min Height: 50ft
IMPACT COMPARISON

- **DAYLIGHT**:
  - Existing: 52.09%
  - Modified: 52.18%
  - Change: +0.18%

- **SETBACK VISIBILITY**:
  - Existing: 42.13%
  - Modified: 43.11%
  - Change: +2.33%

- **BASE VISIBILITY**:
  - Existing: 45.02%
  - Modified: 44.79%
  - Change: -0.51%

**Facade Visibility**:
- Only Street Wall Visible
- Setback Visible

**Street Facing Elevation, V1**

**Spherical Projection, V1**
- Potential Ground Floor Retail

**Perspective View, V1**
R7D CORNER LOT
EXISTING REGULATIONS

Facade Visibility
- Only Street Wall Visible
- Setback Visible

Street Facing Elevations, Top: V1, Bottom: V2

Spherical Projection, V1

Perspective View, V1

Spherical Projection, V2

Perspective View, V2
DAYLIGHT IMPACT COMPARISON

SETBACK VISIBILITY

BASE VISIBILITY

Facade Visibility

Street Facing Elevations, Top: V1, Bottom: V2

Spherical Projection, V1

Perspective View, V1

Spherical Projection, V2

Perspective View, V2

Potential Ground Floor Retail
R7X INSIDE LOT
EXISTING REGULATIONS

Facade Visibility
- Only Street Wall Visible
- Setback Visible

Street Facing Elevation, V1

Spherical Projection, V1

Perspective View, V1
DAYLIGHT IMPACT COMPARISON

Existing Modified

SETBACK VISIBILITY

Existing Modified

BASE VISIBILITY

Facade Visibility

- Only Street Wall Visible
- Setback Visible

Street Facing Elevation, V1

Spherical Projection, V1

Potential Ground Floor Retail
R7X CORNER LOT
EXISTING REGULATIONS

Facade Visibility
- Only Street Wall Visible
- Setback Visible

Street Facing Elevations, Top: V1, Bottom: V2

Perspective View, V1

Perspective View, V2

Max 125ft
Base 96ft
Average Street Wall
Regulation Contact

Spherical Projection, V1

Spherical Projection, V2
DAYLIGHT IMPACT COMPARISON

- Existing Modified
- Existing Modified
- Existing Modified

- 55.45% 56.14%
- 73.45% 73.83%
- 74.92% 77.36%

- +1.25%
- +0.25%
- +3.25%

Facade Visibility
- Only Street Wall Visible
- Setback Visible

Street Facing Elevations, Top: V1, Bottom: V2

Spherical Projection, V1

Perspective View, V1

Spherical Projection, V2

Perspective View, V2

Potential Ground Floor Retail
R8 INSIDE LOT
EXISTING REGULATIONS
IMPACT COMPARISON

Daylight Impact Comparison

- Existing: 45.4%
- Modified: 45.38%
- Change: -0.06%

Setback Visibility

- Existing: 36.67%
- Modified: 40.18%
- Change: +9.57%

Base Visibility

- Existing: 39.52%
- Modified: 44.11%
- Change: +11.63%

Facade Visibility

- Only Street Wall Visible
- Setback Visible

Street Facing Elevation, V1

Perspective View, V1

Potential Ground Floor Retail

Spherical Projection, V1

Max 750ft
Base 95ft
540° Average Street Wall

Regulation
Contact
R8 CORNER LOT
EXISTING REGULATIONS

Facade Visibility
- Only Street Wall Visible
- Setback Visible

Street Facing Elevations, Top: V1, Bottom: V2

Spherical Projection, V1
Perspective View, V1

Spherical Projection, V2
Perspective View, V2
IMPACT COMPARISON

Existing Modified
DAYLIGHT
53.35% 53.26%
-0.16%

Existing Modified
SETBACK VISIBILITY
56.71% 59.96%
+5.73%

Existing Modified
BASE VISIBILITY
68.4% 68.01%
+0.32%

Facade Visibility
- Only Street Wall Visible
- Setback Visible

Street Facing Elevations, Top: V1, Bottom: V2

R8
Modified Regulations
Narrow Street
Corner Lot

Perspective View, V1

Spherical Projection, V1

Max 125ft
Regulation Base 95ft
Contact 77%
Average Street Wall

Perspective View, V2

Spherical Projection, V2

Potential Ground Floor Retail
R8A INSIDE LOT
EXISTING REGULATIONS
DAYLIGHT IMPACT COMPARISON

SETBACK VISIBILITY

BASE VISIBILITY

Facade Visibility

Only Street Wall Visible
Setback Visible

Street Facing Elevation, V1

Perspective View, V1

Potential Ground Floor Retail

Spherical Projection, V1
R8A CORNER LOT
EXISTING REGULATIONS

Facade Visibility
- Only Street Wall Visible
- Setback Visible

Street Facing Elevations, Top: V1, Bottom: V2

Spherical Projection, V1

Perspective View, V1

Spherical Projection, V2

Perspective View, V2
IMPACT COMPARISON

DAYLIGHT

SETBACK VISIBILITY

BASE VISIBILITY

Facade Visibility
- Only Street Wall Visible
- Setback Visible

Street Facing Elevations, Top: V1, Bottom: V2

Sphorical Projection, V1

Perspective View, V1

Sphorical Projection, V2
- Potential Ground Floor Retail

Perspective View, V2
R8B INSIDE LOT
EXISTING REGULATIONS
DAYLIGHT IMPACT COMPARISON

Potential Ground Floor Retail

Facade Visibility
- Only Street Wall Visible
- Setback Visible

Street Facing Elevation, V1

Perspective View, V1

MAX BASE

Regulation

Average Street Wall

Spherical Projection, V1
R8B CORNER LOT
EXISTING REGULATIONS

Facade Visibility
- Only Street Wall Visible
- Setback Visible

Street Facing Elevations, Top: V1, Bottom: V2

Spherical Projection, V1

Perspective View, V1

Spherical Projection, V2

Perspective View, V2
Impact Comparison

Daylight Impact Comparison

- Existing: 46.64% 46.75%
- Modified: +0.67%

Setback Visibility Impact Comparison

- Existing: 30.73%
- Modified: 21.7% -29.39%

Base Visibility Impact Comparison

- Existing: 59.53%
- Modified: 59.14% -0.65%

Facade Visibility

- Only Street Wall Visible
- Setback Visible

Street Facing Elevations, Top: V1, Bottom: V2

Spherical Projection, V1

Perspective View, V1

Spherical Projection, V2

Perspective View, V2

R8B
Modified Regulations
Narrow Street
Corner Lot
R8X INSIDE LOT
EXISTING REGULATIONS

Facade Visibility
- Only Street Wall Visible
- Setback Visible

Street Facing Elevation, V1

Perspective View, V1

Spherical Projection, V1

Max 150ft
Base 95ft
52ft Average Street Wall

Regulation
Contact
IMPACT COMPARISON

Daylight Impact Comparison:
- Existing: 56.42%
- Modified: 56.42%
- Difference: 0%

Setback Visibility Impact:
- Existing: 72.97%
- Modified: 73.55%
- Difference: 0.79%

Base Visibility Impact:
- Existing: 68.79%
- Modified: 69.5%
- Difference: 1.03%

Facade Visibility:
- Only Street Wall Visible
- Setback Visible

Street Facing Elevation, V1

Spherical Projection, V1
- Potential Ground Floor Retail

Perspective View, V1
R8X CORNER LOT
EXISTING REGULATIONS
R9 INSIDE LOT
EXISTING REGULATIONS

Facade Visibility
- Only Street Wall Visible
- Setback Visible

Street Facing Elevation, V1

Spherical Projection, V1

Perspective View, V1
DAYLIGHT IMPACT COMPARISON

Existing  Modified
DAYLIGHT
46.76%  46.84%  +0.08%

Existing  Modified
SETBACK VISIBILITY
49.94%  50.87%  +0.93%

Existing  Modified
BASE VISIBILITY
49.13%  51.55%  +2.42%

Facade Visibility
- Only Street Wall Visible
- Setback Visible

Street Facing Elevation, V1

Perspective View, V1

Potential Ground Floor Retail

Spherical Projection, V1

Max 145ft
Base 105ft
Average Street Wall 43ft

CURE.
R9 CORNER LOT

EXISTING REGULATIONS
IMPACT COMPARISON

Potential Ground Floor Retail
R9A INSIDE LOT
EXISTING REGULATIONS

Facade Visibility
- Only Street Wall Visible
- Setback Visible

Street Facing Elevation, V1

Spherical Projection, V1

Perspective View, V1
DAYLIGHT IMPACT COMPARISON

-0.22%  43.55%  43.43%
Existing Modified  Existing Modified  Existing Modified
DAYLIGHT  SETBACK VISIBILITY  BASE VISIBILITY

Facade Visibility

- Only Street Wall Visible  - Setback Visible

Street Facing Elevation, V1

Perspective View, V1

Potential Ground Floor Retail

CURE.
R9A CORNER LOT
EXISTING REGULATIONS
DAYLIGHT IMPACT COMPARISON

-0.51%  
49.33% 49.07%
Existing Modified DAYLIGHT

+3.25%  
67% 69.17%
Existing Modified SETBACK VISIBILITY

+1.18%  
72.78% 73.65%
Existing Modified BASE VISIBILITY

Facade Visibility
- Only Street Wall Visible
- Setback Visible

Street Facing Elevations, Top: V1, Bottom: V2

Perspective View, V1

Spherical Projection, V1

Perspective View, V2

Spherical Projection, V2
- Potential Ground Floor Retail
DAYLIGHT IMPACT COMPARISON

 Existing Modified
 SETBACK VISIBILITY

 Existing Modified
 BASE VISIBILITY

 Facade Visibility
 Only Street Wall Visible
 Setback Visible

 Street Facing Elevation, V1

 Spherical Projection, V1
 Potential Ground Floor Retail
R9X CORNER LOT
EXISTING REGULATIONS
DAYLIGHT IMPACT COMPARISON

- Existing Daylight: 24.12% (24.2%) 
- Modified Daylight: 24.12% (+0.34%)

- Existing Setback Visibility: 37.09% 
- Modified Setback Visibility: 42.73% (+15.2%)

- Existing Base Visibility: 49.68% 
- Modified Base Visibility: 69.41% (-0.14%)

Facade Visibility:
- Only Street Wall Visible
- Setback Visible

Street Facing Elevations, Top: V1, Bottom: V2

Spherical Projection, V1

Perspective View, V1

Spherical Projection, V2

Perspective View, V2

Potential Ground Floor Retail
R10A INSIDE LOT
EXISTING REGULATIONS
DAYLIGHT IMPACT COMPARISON

Facade Visibility
- Only Street Wall Visible
- Setback Visible

Potential Ground Floor Retail
R10A CORNER LOT
EXISTING REGULATIONS
IMPACT COMPARISON

- Existing Modified
  DAYLIGHT: 36.42% - 0.02%
  SETBACK VISIBILITY: 56% +8.71%
  BASE VISIBILITY: 69.56% -1.79%

Facade Visibility
- Only Street Wall Visible
- Setback Visible

Street Facing Elevations, Top: V1, Bottom: V2

Spherical Projection, V1

Perspective View, V1

Spherical Projection, V2
- Potential Ground Floor Retail

Perspective View, V2
Jesse M. Keenan Ph.D., J.D., LL.M
jesse.keenan@columbia.edu

Jesse Keenan is the Research Director for the Center of Urban Real Estate at Columbia University.

Luc Wilson
lwilson@kpf.com

Luc Wilson is an Associate Principal at Kohn Pedersen Fox and the Director of KPF Urban Interface.

Mondrian Hsieh
mhsieh@kpf.com

Mondrian Hsieh is a Computational Designer at Kohn Pedersen Fox and Researcher for KPF Urban Interface.