SITE PLANNING

NYC Zoning

Historical Overview
Historical timeline


1916
* 1st zoning ordinance
* establish regulations:
  - district
  - story
  - conforming vs. non-conforming use
  - zoning envelope
  - sky exposure plane
  - street wall height
* yard + bldg coverage
  - lot coverage
  - lot area
  - setback

1961
* Incentive zoning
* establish regulations:
  - FAR
  - density
  - dwelling unit
  - air rights
  - variance
* aesthetics
  - Landmarks Preservation 1965
  - Midtown zoning 1982
* Quality housing
* Contextual Zoning

Today
* establish regulations:
  - Buildable Area
  - conditional use
  - single versus “multiple dwelling “unit
* Environmental impact statement
* Planned Unit Development (PUD)
Historical Background

- **NYC Zoning Ordinance of 1916** – first in US

- **Zoning ordinance** a law or regulation by which a government exercises its police power in regulating and controlling the character and use of property.

- for the sake of public welfare, order, and security.
Zoning Purposes

• Exclusivity of Fifth Avenue
  – no garment industries/lofts
  – to protect property values
Zoning Purposes

• prevent large skyscrapers, 120 Broadway Equitable Life Building 537ft tall (40 story)

• healthy, well-planned city
1. system of mapped districts of height, area and use

- District any section of a city in which the zoning regulations are uniform

- 3 basic types of districts—residential, commercial, manufacturing (R,C,M)

- Story the vertical portion of a building between the surface of any floor and the surface of the floor above.
Zoning Provisions

• **Conforming use**
  the lawful use of a building or lot that complies with the applicable zoning ordinance.

• **Non-conforming use**
  use does not conform or meet the current applicable zoning.

• **Grandfathered use**
  acceptable use has changed since a building was built and no longer confirms to current zoning. Such non-conforming uses may be grandfathered in and are therefore acceptable.
Zoning Resolution of 1999

• Non-conforming use

A particular use of land or a structure which is in violation of the current applicable zoning ordinance.

If the use was established prior to the ordinance, it may be “Grandfathered” and continue to exist.
Zoning Provisions

New buildings were to fit an imaginary envelope based on size of lots and location on a block in order to provide adequate light and air to the street.

Zoning envelope
the established volume in which a building may be legally be placed.

Length x Width x Height
**Glossary of Terms : NYC Zoning**


**Zoning GLOSSARY**

**Glossary of Planning Terms**
This glossary provides brief explanations of planning and zoning terminology highlighted in the Zoning Handbook. Words and phrases followed by an asterisk indicate terms that are found primarily in **Section 12-10** of the Zoning Handbook.

**Accessory Use**
An accessory use is a use that is in principal use. An accessory use must be directly related to which it is related, unless the district permits other accessory uses (off-site accessory parking facilities, for example).

**Air Rights** (see Development Rights)

**Arts Bonus** (see Incentive Zoning)

**As-of-right Development**
An as-of-right development complies with any discretionary action by the City and does not require any appeal. Most developments and enlargements in NYC are considered as-of-right developments.

**Floor Area**
The floor area of a building is the sum of the gross area of each floor of the building, excluding mechanical space, cellar space, floor space in open balconies, elevators or stair bulkheads and, in most zoning districts, floor space used for accessory parking that is located less than 25 feet above curb level.

**Floor Area Ratio (FAR)**
The floor area ratio is the principal bulk regulation controlling the size of buildings. FAR is the ratio of total building floor area to the area of its zoning lot. Each zoning district has an FAR which, when multiplied by the lot area of the zoning lot, produces the maximum amount of floor area allowed on that zoning lot. For example, a 10,000 square foot lot in a district with a maximum FAR of 2.0 has a maximum of 20,000 square feet of floor area on the zoning lot.
Zoning Resolution of 1999
New Zoning Envelope

• **Zoning envelope**
  the volume within which a building may be legally be placed.

• The updated zoning envelope after 1916 created “Wedding Cake” building setbacks.
Zoning Provisions

Each district had a maximum **street wall height**.

- **street wall height** is the height of building at the street lot line
Zoning Provisions

Building **setbacks** and the **sky exposure plane**, were designed to provide light and air at street level in medium and higher density districts.

- **Setback** the minimum legal distance between a **property line** and a **structure**

- **Sky exposure plane** a theoretical inclined plane, through which the volume of a building may not penetrate

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setback: the minimum legal distance between a property line and a structure

sky exposure plane: a theoretical inclined plane, through which the volume of a building may not penetrate
Zoning Provisions

Sky exposure plane

The Grace building on 42\textsuperscript{nd} street between 5\textsuperscript{th} and 6\textsuperscript{th} avenues in Manhattan across from Bryant Park slopes gracefully back in a smooth curve to remain within the Sky Exposure Plane.
Zoning Provisions

Skyscrapers were allowed to be any height if they occupied less than 25% of the lot.