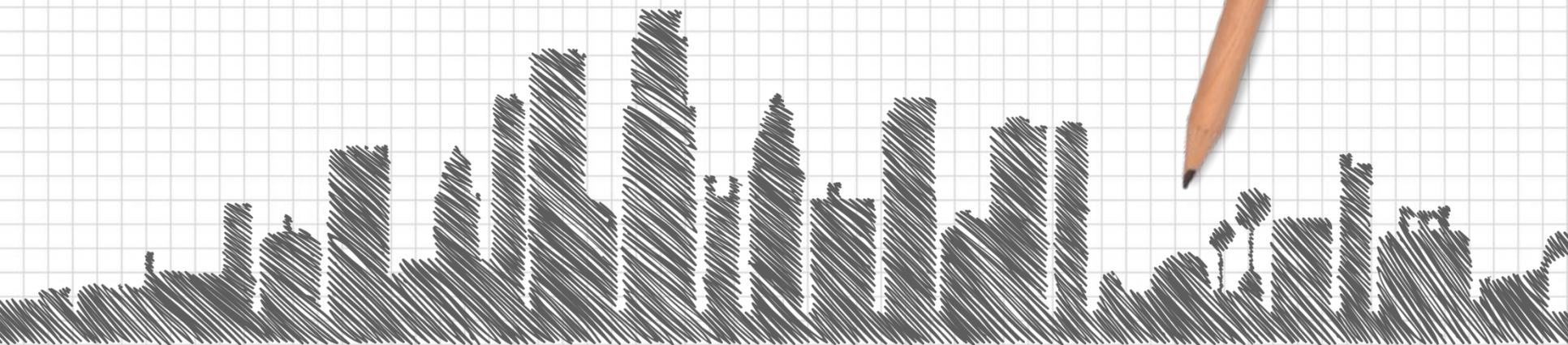


Land Use & Zoning 101 Training

Manhattan Community Board 12

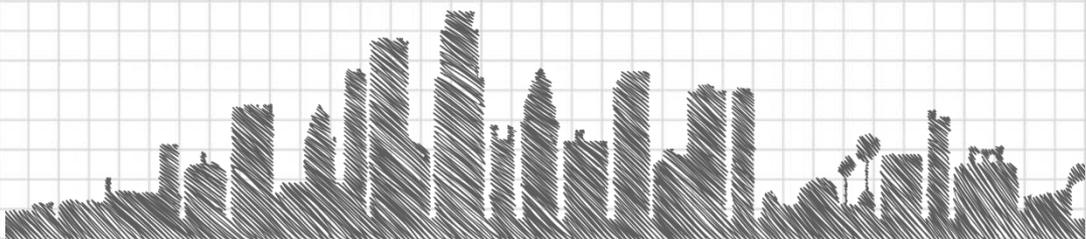
July 6th, 2022



Objectives

Today's session will cover the following topics:

- What is zoning and why is it important?
- Zoning administration: who does what?
- History of zoning in NYC
- What is the Zoning Resolution?
- What tools can help me better understand zoning?





What is Zoning?

- Regulates what, how much and where buildings and uses can be constructed
- Provides certainty for new development and surrounding neighbors
- Shapes a framework for appropriate growth

What is Zoning?



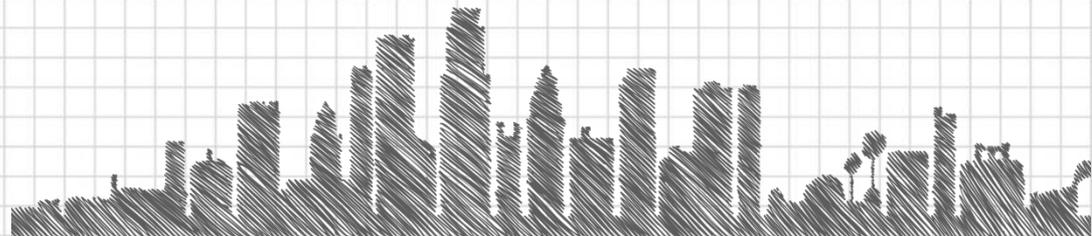
The NYC Zoning Resolution states which uses can be conducted on a given piece of property and places limits on how a building can be shaped, or its bulk.

What Zoning Does:

- Determine what is permitted to be built
- Establish long term development patterns
- Influence the size and shape of buildings and permitted uses

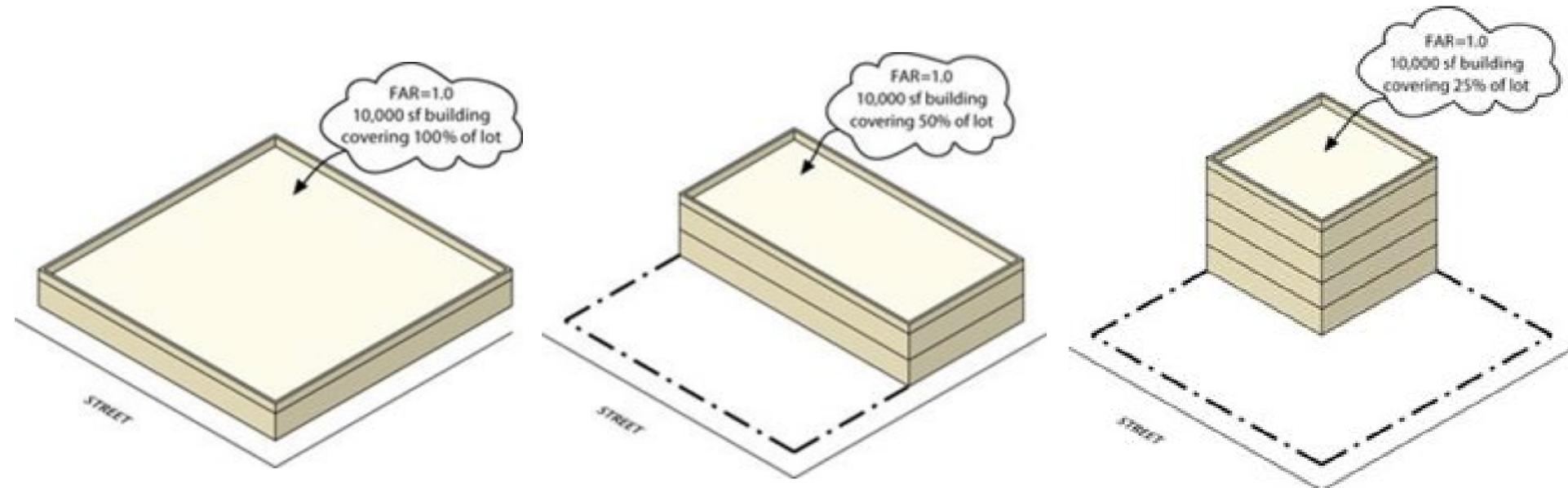
What Zoning Doesn't Do:

- Generate development if local conditions don't favor development
- Require demolition/changes to existing buildings
- Dictate construction techniques, architectural style, or design materials



Zoning Terminology: Floor Area Ratio (FAR)

- Zoning permits a variety of building densities based on a ratio of the lot area square footage
- Each zoning district specifies a maximum FAR for certain uses, which when multiplied by the lot area, produces the maximum amount of floor area permitted



Zoning Terminology: Uses and Use Groups (UGs)

Permitted Use Groups

	Residential		Community Facility		Retail and Commercial										General Service	Manufacturing		
	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18
Residence Districts																		
R1 R2	•		•	•														
R3 – R10	•	•	•	•														
Commercial Districts																		
C1	•	•	•	•	•	•												
C2	•	•	•	•	•	•	•	•	•					•				
C3	•	•	•	•										•				
C4	•	•	•	•	•	•		•	•	•		•						
C5	•	•	•	•	•	•		•	•	•	•							
C6	•	•	•	•	•	•	•	•	•	•	•	•						
C7												•	•	•	•			
C8				•	•	•	•	•	•	•	•	•	•	•		•		
Manufacturing Districts																		
M1				•	•	•	•	•	•	•	•	•	•	•		•	•	
M2						•	•	•	•	•	•	•	•	•		•	•	
M3						•	•	•	•	•	•	•	•	•		•	•	•

- Zoning permits four basic uses: Residential, Community Facility, Commercial and Manufacturing
- There are 18 Use Groups that are permitted in various Residential (R), Commercial (C), or Manufacturing (M) zoning districts

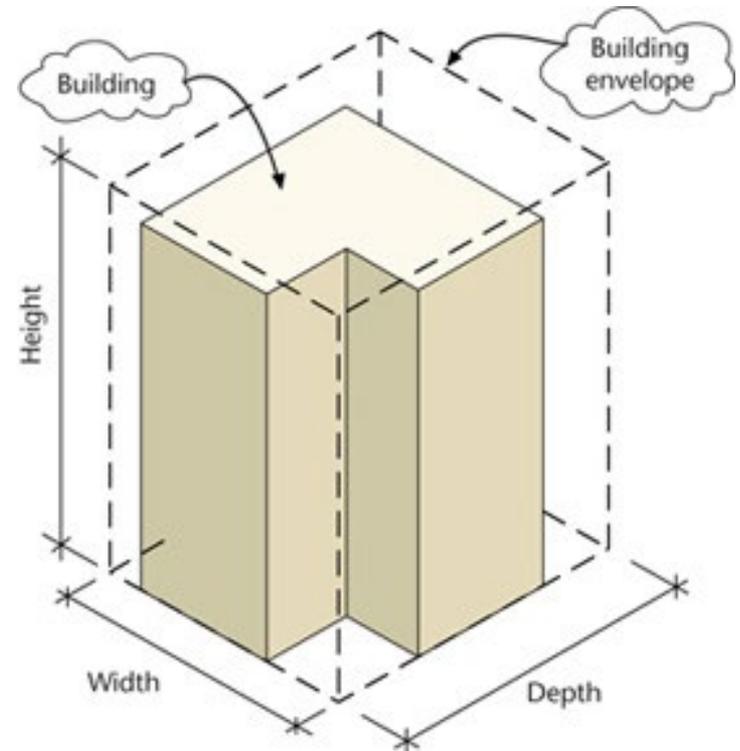
Zoning Terminology: As-of-Right (AOR) Development

- Developments that can occur pursuant to the current zoning. No City Planning actions or environmental review required
- Unique development framework to NYC
- Most development in NYC is “as-of-right”
- DOB reviews AOR building permits for compliance using the Zoning Resolution and other building codes



Zoning Terminology: Building Envelope

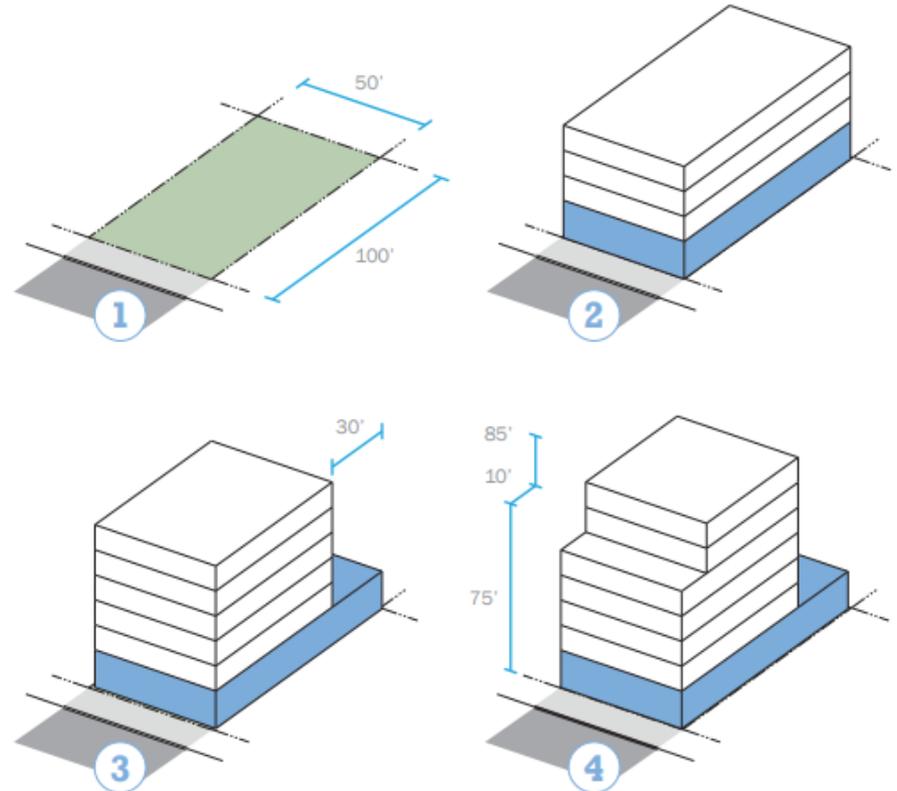
- A 3D space that defines the maximum volume within which a structure can be built on a zoning lot.
- This is shaped by applicable height, setback, lot coverage and yard controls.



Zoning Terminology: Bulk

- Combination of controls including lot size, FAR, lot coverage, open space, yards, height and setback that determines the overall size and placement of a building on a zoning lot
- **Building Height:** overall vertical dimension (85' in image to the right)
- **Base Height:** vertical dimension of front wall before any required setback (75' in image to the right)

Applying the Bulk Regulations



1. The development site is on an interior lot located on a wide street. The 50 foot width and 5,000 square feet area exceed the minimum lot width and area for the R7A District.
2. The developers will provide 1.0 FAR of commercial uses (shown in blue), and 3.0 FAR of residential (shown in white), for a total of 4.0 FAR.
3. A 30 foot rear yard is required for the residential portion, but no yard is required for the commercial portion if limited to the ground floor.
4. The minimum base height is 40 feet and the maximum base height is 75 feet, if providing a qualifying ground floor. A setback of 10 feet is required on wide streets, and must be applied between the minimum and maximum base height. The overall height is limited to 85 feet, and 8 stories.

NYCTM

Landmarks Preservation
Commission

NYC[®]

Board of Standards
and Appeals

NYCTM

Buildings

NYC[®]
PLANNING

Who Does What?



Who Does What?

Department of City Planning (DCP): Provides technical assistance to the public and develops changes to zoning and land use policies

City Planning Commission (CPC): Elected body that enacts zoning map and text changes

Board of Standards and Appeals (BSA): Grants variances when zoning regulations create hardships due to unique site conditions

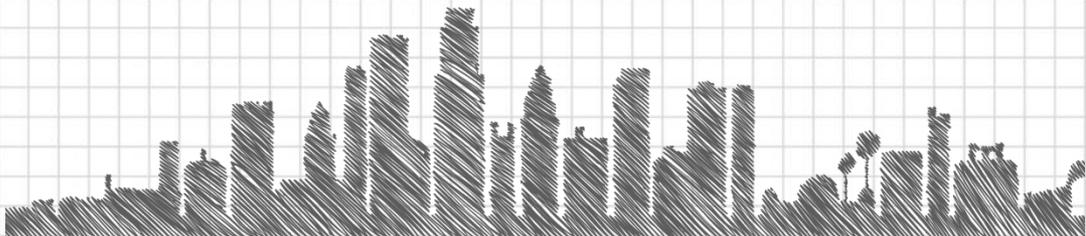
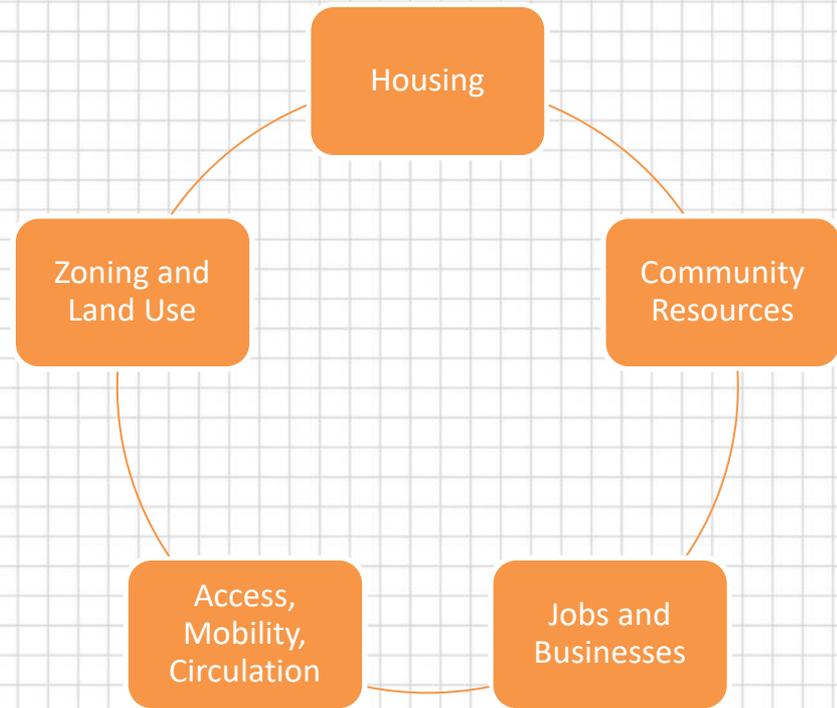
Department of Buildings (DOB): Interprets and enforces zoning regulations to process building permits

Landmarks Preservation Commission (LPC): Designates landmarks and historic districts to protect architecturally, historically, and culturally significant buildings

Other agencies: Housing Preservation and Development (HPD), Department of Transportation (DOT), Department of Parks and Recreation (DPR), Economic Development Corporation (EDC), and more

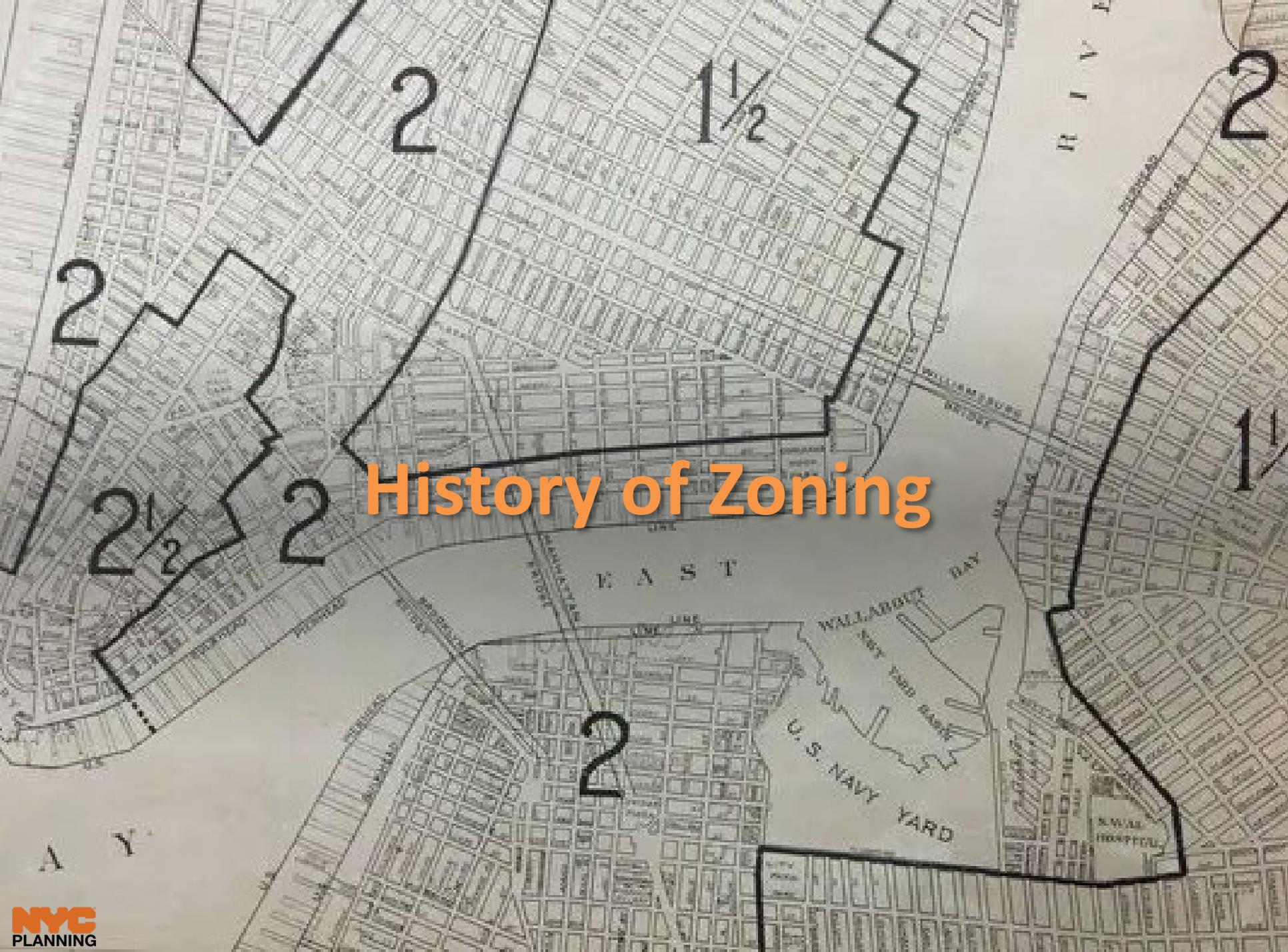
The Role of Zoning in Planning

Zoning is one of many tools and strategies used to implement planning.



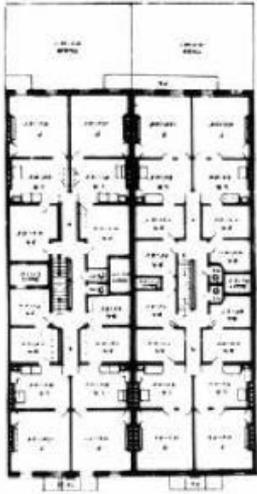
ULURP Process





History of Zoning

History of Zoning



An icon of the City's building stock are 'tenant houses', aka **"the tenement"**



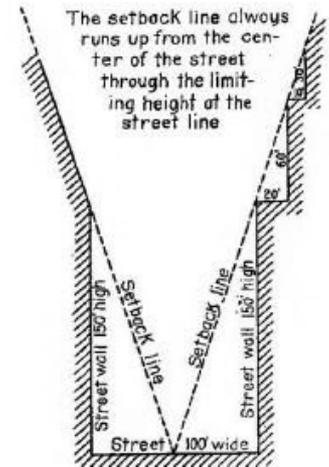
Pre-regulation
(1830's - 1879)
(1867: fire escapes)



"Old Law"
(1879 - 1901)
Light shafts, windows



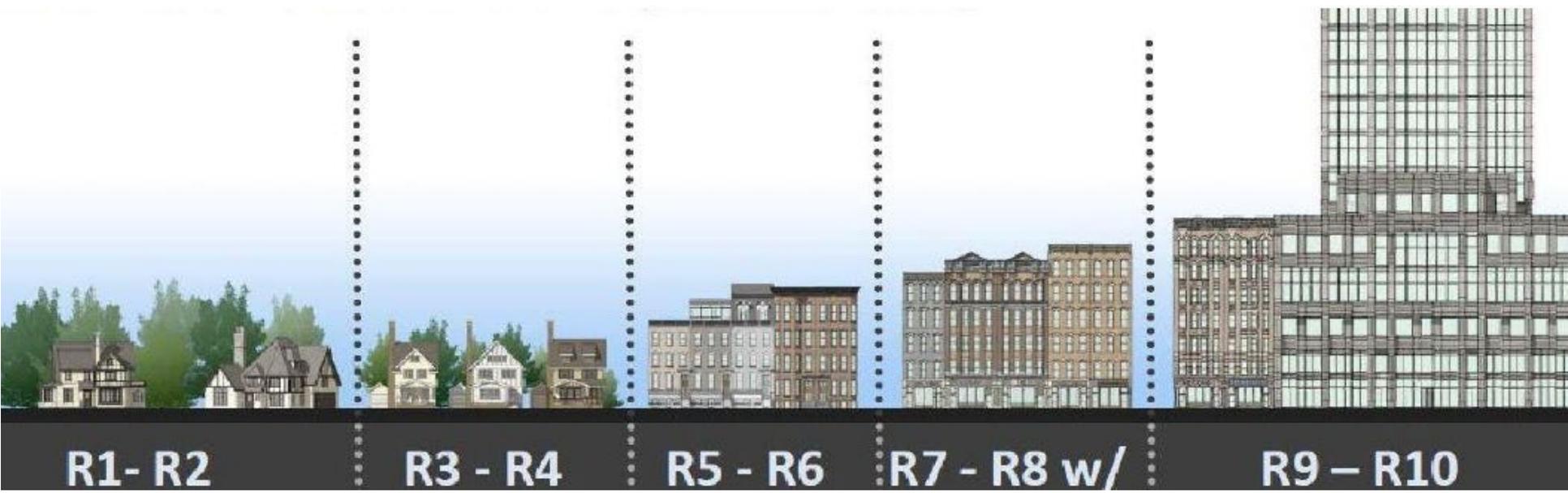
"New Law"
(1901 - 1929)
Stronger enforcement,
larger courts



Comprehensive Zoning Resolution
(1916)

History of Zoning

In 1961, the NYC Zoning Resolution is rewritten to address new planning challenges and ideas.



R1- R2

R3 - R4

R5 - R6

R7 - R8 w/

R9 - R10

Post-1961 Zoning

Zoning continues to change with the influx of new planning and development challenges.



**Contextual
Zoning**



**Mixed-Use (MX)
Districts**



Public Realm



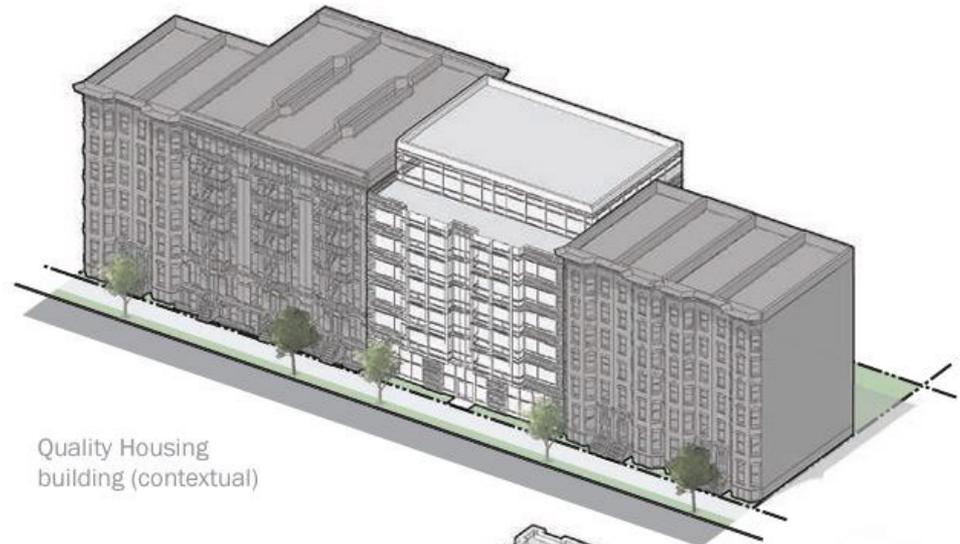
**Affordable
Housing**



**Resiliency &
Sustainability**

Zoning Terminology: Height Factor vs. Quality Housing/Contextual Zoning

- In 1987, Quality Housing rules were implemented to allow for more contextual building envelopes.
- In R6-R9 non-contextual districts, building size is determined by a complex relationship between the height factor number, the FAR and the open space ratio.
- Contextual Districts have a letter suffix, such as R7A, R8B, R9X, etc.





Mixed Use (MX) Districts





Proposed Waterfront Public Access Area at North Cove Park in Inwood

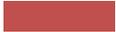
Public Realm



Affordable Housing

A 207th Street 100% Affordable Housing development in Inwood facilitated through the Inwood Rezoning

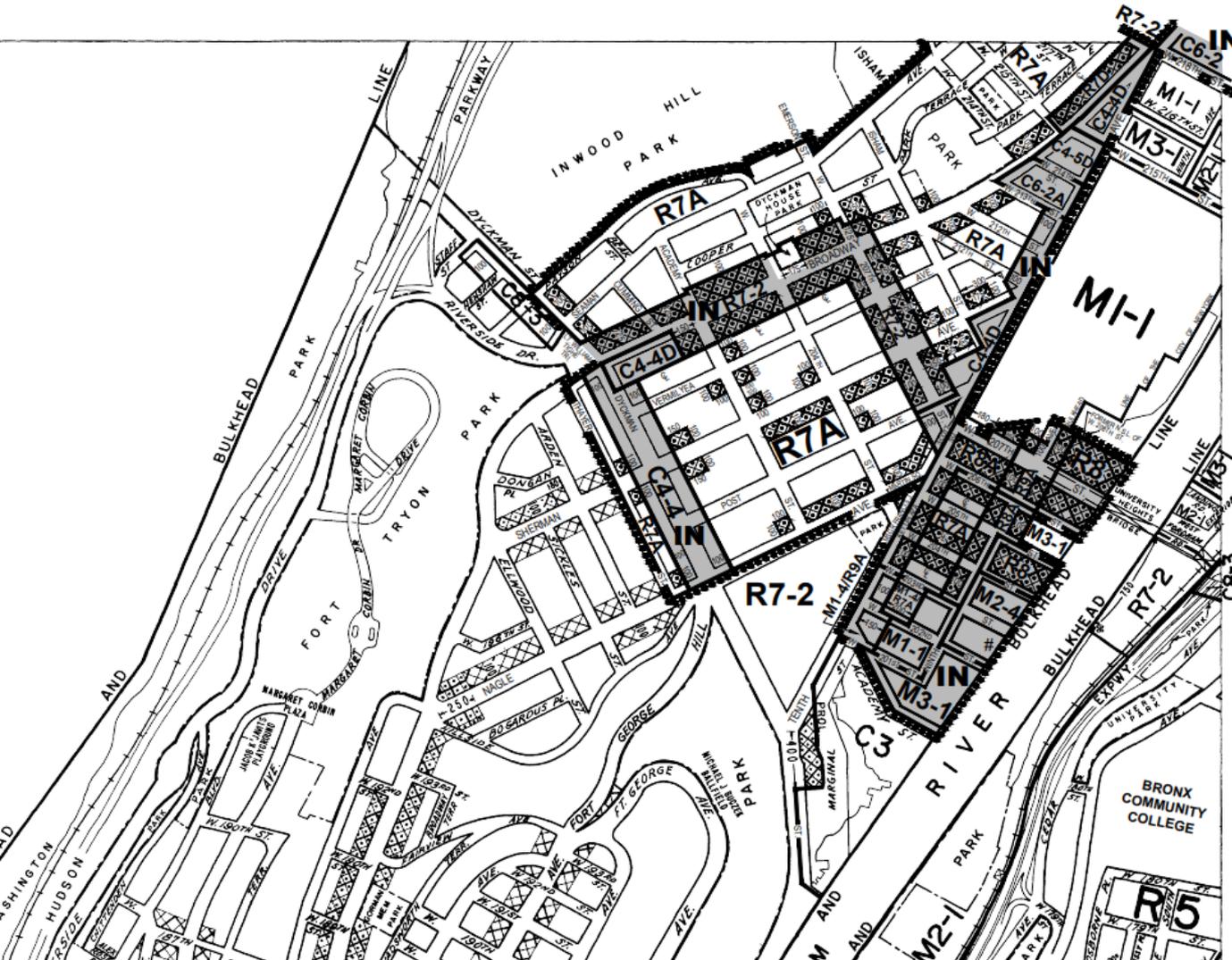




Incentives for Community Benefits



How to Read Zoning Maps



ZONING MAP

THE NEW YORK CITY PLANNING COMMISSION

Major Zoning Classifications:

The number(s) and/or letter(s) that follows an R, C or M District designation indicates use, bulk and other controls as described in the text of the Zoning Resolution.

- R – RESIDENTIAL DISTRICT
- C – COMMERCIAL DISTRICT
- M – MANUFACTURING DISTRICT

 SPECIAL PURPOSE DISTRICT
The letter(s) within the shaded area designates the special purpose district as described in the text of the Zoning Resolution.

 AREA(S) REZONED

Effective Date(s) of Rezoning:

08-08-2018 C 180204(A) ZMM

Special Requirements:

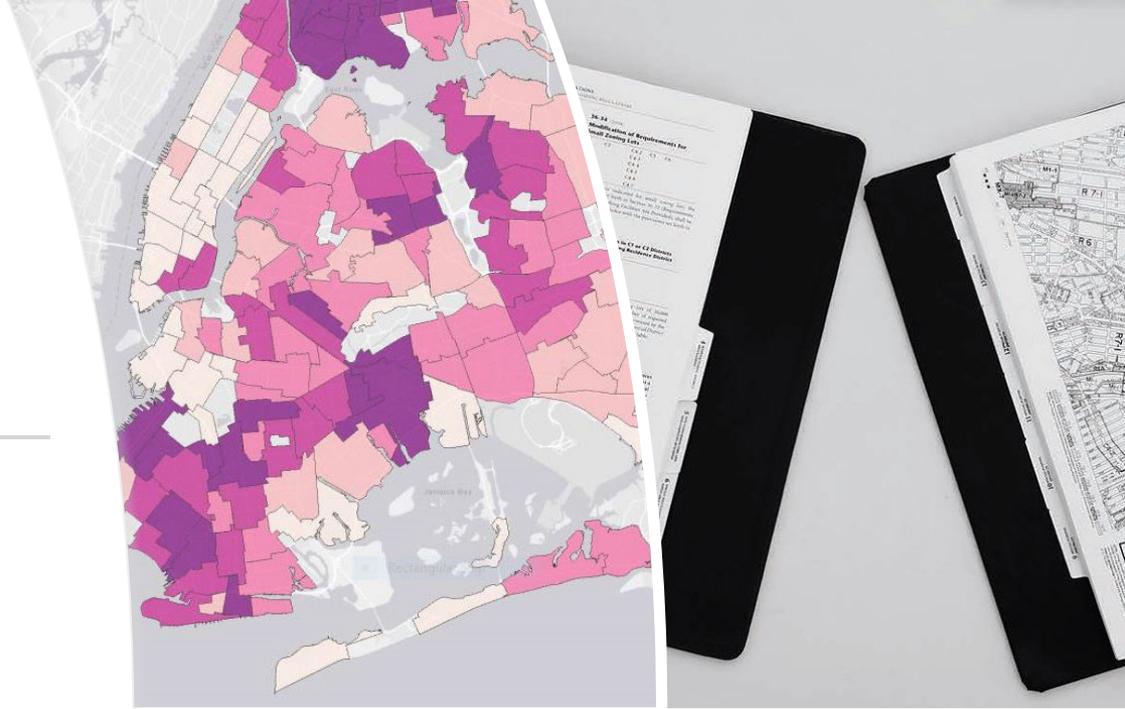
For a list of lots subject to CEQR environmental requirements, see APPENDIX C.

For a list of lots subject to "D" restrictive declarations, see APPENDIX D.

For Inclusionary Housing designated areas and Mandatory Inclusionary Housing areas on this map, see APPENDIX F.

Tools to Understand Zoning

- NYC's Online [Zoning Resolution](#) and [Zoning Handbook](#)
- [NYC's Zoning & Land Use Map \(ZoLa\)](#)
- [Equitable Development Data Explorer](#)
- [DOB Permit Status](#)



Zoning Handbook
2018 Edition

Questions?

