

City takes steps to make the Zoning Resolution more accessible

The Department of City Planning has recently undertaken three measures to make the Zoning Resolution more accessible and comprehensible. These measures, summarized below, include the addition of historical zoning maps on Planning’s website, simplification of the official zoning maps, and publication of an updated Zoning Handbook.

Historical Zoning Maps

Planning recently updated its website to include historical zoning maps dating back to the adoption of the current Zoning Resolution in 1961. As a result, it is now possible to readily determine the zoning designation of a particular area at any time over the past 50 years.

Prior to this update, there were only two ways to obtain this information: by carefully saving the pages removed from the loose-leaf binder containing the zoning maps each time it was updated; or by calling or visiting Planning’s offices.

Access to the historical zoning maps is important in a number of ways. For example, the maps can be used to trace the zoning history of a site or area over time, information that is relevant to zoning changes and variances. In addition, in order to utilize the “split lot” rules of the Zoning Resolution, which govern the development of zoning lots that are divided into two or more zoning districts, it is necessary to know the date on which the lot was so divided. Furthermore, the historical zoning maps can be used to determine whether a building is legally non-conforming or non-complying; non-conforming uses may be continued and non-complying buildings may be reconstructed after a casualty, provided the subject building was built in compliance with the zoning in effect at the time of construction.

Removal of Map Symbols

Planning has implemented changes to the form

of all 126 zoning maps to make them more readable. The existing symbols for City Environmental Quality Review Declarations (“E”), Restrictive Declarations (“D”), and Inclusionary Housing eligible areas (“IH”), have been removed from the maps. In their place, a note refers the reader to the appendices of the Zoning Resolution that identify the tax lots and geographic areas subject to these controls. This results in less visual clutter and more comprehensible maps.

Zoning Handbook Update

The Zoning Handbook was first published in 1973. Its purpose was “to make zoning more accessible — to help New Yorkers understand basic concepts and how to apply them.”

In 2006, under City Planning Commission Chair Amanda M. Burden, the Handbook was revised to reflect amendments to the Resolution and incorporate color illustrations and photographs, including a bright orange cover. The preface observes that “zoning should be intelligible to all New Yorkers, not just land use specialists and zoning experts.”

A new revised edition of the Handbook was released in early 2011. According to the Department of City Planning’s website, this version “has been designed to be readable, entertaining and informative. Annotated diagrams, photographs and easily understandable charts help demystify the Zoning Resolution.”

The Department of City Planning should be applauded for its continuing efforts to “demystify” zoning and make it more understandable. This fall, Planning intends to hold a conference to explore how the 50-year old Zoning Resolution can be amended to better address current issues of concern to the City.

— Howard Goldman

Howard Goldman is a land use lawyer. He formerly served as the deputy counsel to the City Planning Commission.

proval. The Historic Districts Council’s Simeon Bankoff stated that his group was “unalterably opposed” to fee increases because it placed an unfair burden on property owners for advancing a public good.

Landmarks unanimously approved the increase. Commissioner Michael Goldblum called the fees reasonable and conservative, and Commissioner Margery Perlmutter suggested possibly imposing higher fees on developers that repeatedly appeared before Landmarks.

LPC: Agency Rule Making, Citywide (March 8, 2011).

LANDMARKS PRESERVATION COMMISSION

Designation Hearing

Upper West Side, Manhattan

District extension in Upper West Side considered

First of three proposed historic district extensions in area met with

mix of support and opposition. On March 22, 2011, Landmarks heard testimony on the proposed Riverside-West End Historic District Extension I in Manhattan’s Upper West Side. The extension would encompass 190 properties to the south of the original Riverside-West End Historic District designated in 1989. The proposed district would extend from West 87th to West 79th Streets and include Broadway, West End Avenue, and Riverside Drive. In November 2010 Landmarks calen-