

New York City now Controls the Development of Private Property

By GEORGE B. FORD.

The city government of New York has just put into effect by a virtually unanimous vote of the Board of Estimate and Apportionment the radical and much talked of Zoning Law. All future buildings will be restricted as to their height, size and use, and the restrictions will be different in different parts of the 327 square miles of the city.

Mr. George McAneny, the father of the law, said: "It is the greatest thing the city has ever done even excepting the building of the great rapid transit system." Mayor Mitchel said that he believed that it would prevent in the future the enormous decline in property values such as had occurred below 34th Street in Manhattan. He believed that residence sections throughout the city would be protected against the sporadic store, factory or garage.

In general, the law will limit the height of buildings in proportion to the widths of the streets on which they face all the way from two and a half times the width of the street in the financial district, through two times the width of the street in central Manhattan, with one and one-half times in the balance of Manhattan and in small portions of the other boroughs, down to once the width of the street throughout all the rest of the city. A future Equitable building could only be a third as high because it faces on narrow streets, but a tower in the centre of it, half as large again as the Woolworth tower, might rise to any height. The Woolworth building on the other hand, if facing on a park, might be very nearly duplicated. The shopping district on Fifth Avenue will consist of buildings not much higher than Tiffany's, but along 42nd Street buildings may rise about as high as the Hotel Manhattan or Knickerbocker. Twelve and fourteen-story apartments will continue to go up on the main avenues and eight and nine-story apartments on the side streets, but no building of any kind can go any higher except by setting back from the street. Throughout most of the city, however, four or five stories will be the limit. Towers may be built to any height, but they cannot cover more than a quarter of the lot. Mansards, dormers and terraces are encouraged; anything that will open up the streets and bring light down into them by making the upper part of the buildings set back from the street above a reasonable height.

The size of buildings will be controlled by the fact that the law requires just so much open space on each lot. This again ranges all the way from the warehouse districts along the commercial waterfront and along the freight railways where a building may cover the whole of its lot, through the B, C and D districts so called, in each of which in succession a building has to provide for larger and larger yards and courts, down to the villa districts where a house can cover only 30 per cent of its lot and must be widely separated from its neighbor on at least one side. Throughout Manhattan and the densely built-up portions of the other boroughs, yards and courts in office buildings, factories, lofts, hotels, apartments, in fact all buildings, would have to be as large as those that have been required for the last fourteen years in tenement and apartment houses. Everywhere the yards and courts have to be increasingly larger at the top as a building goes up in height, so much so that these requirements tend to limit the practicable economic height of buildings even more effectively than do those directly affecting heights. This is particularly true in the outlying boroughs. One important feature of the law is the encouragement it gives to playgrounds for material concessions are allowed to anyone who will provide adequate recreational space in connection with his buildings.

Special Restrictions.

As to the use of buildings there are only two general classes of restrictions; first, the districts which are restricted against business and industry of all sorts, the so-called "business" districts. In the former almost any kind of building that people live in is allowed, also churches, schools, hospitals and various institutional buildings. In the business districts any residence use is allowed and even a certain small proportion of the unobjectionable types of manufacturing. The use districts have been laid down street by street, and in fact block by block, depending on existing conditions and tendencies. The result

has been that about two-fifths of Manhattan and about two-thirds of the whole city has been set aside for all time for strictly residential use, while the main thoroughfares, the transit streets and all other streets that are or might be appropriately used for stores or show rooms are set aside as business streets. Many streets which are now seriously invaded by factories or garages are restricted against them from now on because it was felt that they were a distinct harm to the street. On this ground all of the central part of Manhattan above 23rd Street was made a business district despite the fact that there were already hundreds of factories employing in all upwards of 30,000 operatives within the district. This law will not touch the existing factory lofts as it is in no sense retroactive, but the "Saving New York" movement, in which most of the merchants along Fifth Avenue combined to oust the factories in the neighborhood, has already succeeded in persuading almost all of the manufacturers to move away. It was a remarkable and timely vindication of the economic need of this law.

All of the balance of the city which is not in one or the other of these two kinds of districts is left unrestricted. It includes all of the land appropriate for industry along the navigable waterfront and along the freight railways, as well as most of the territory which is now given over to manufacturing. It includes also scattered throughout the city a number of blocks which are already invaded by public garages or which are appropriate for that use. Certain other areas, especially around Jamaica Bay and along the shores of Staten Island are left entirely undetermined in their use pending the working out of the plans for the port and terminal facilities of New York.

Administration.

The law will be administered by the city superintendents of buildings in each of the five boroughs and insofar as it affects tenement houses the law will be administered by the tenement house commissioner, while the following up of buildings after they are completed will be under the jurisdiction of the fire commissioner. In any case, wherever there is any question about the application of the law in a specific case, the matter can be taken to the newly constituted Board of Appeals, which is the board of review for all matters that relate to the construction or use of buildings. In addition, the law has in it a number of specific clauses giving the Board of Appeals discretion in allowing exceptions to the law.

The law itself can be changed only by the Board of Estimate and Apportionment which created it, and they can, after due notice and hearing, make amendments at any time, but if in any case 20 per cent of the property owners affected by a change object, the Board of Estimate can make the change only by a unanimous vote. There is also a clause which says that if on any street or district 50 per cent of the property owners sign a petition for a change in the map as affecting that district, then the Board of Estimate must act on it in one way or another within ninety days. It is realized that the law and maps are not perfect and they must be changed from time to time. The provision for change is made difficult as the whole law would be of no value at all unless property owners knew what to count on and conditions were stable.

DON'T.

DON'T dance every night during your holidays and expect to come back rested and refreshed for your next year's work.

DON'T scratch mosquito bites or the bites of other insects. The scratching irritates the skin and causes considerable swelling and soreness. The same advice applies to the little blisters caused by poison ivy. Scratching may produce infection, and in the case of poison ivy may spread the oil which is causing the trouble.—Toronto Health Bulletin.