CITY PLANNING COMMISSION

Minutes of Special Public Meeting of the City Planning Commission, Held in Room 16, City Hall, Tuesday, October 18, 1960.

Present—James Felt, Chairman; Francis J. Bloustein, Vice-Chairman; Abraham M. Lindenbaum, Goodhue Livingston, Jr., Lawrence M. Orton, Michael A. Provenzano, James G. Sweeney, Commissioners.

The Commission met pursuant to call of the Chair.

(Roll Call at 9.30 A. M.)

No. 1

APPROVAL OF MINUTES of Public Hearing of September 12, 13, and 14, 1960, as printed in THE CITY RECORD of October 14, 1960.

On motion, unanimously approved.

REPORT AND RESOLUTION

ZONING

No. 2 (CP-15820)

IN THE MATTER OF a **Proposed Comprehensive Amendment, pursuant to Section 200 of the New York City Charter, of the Zoning Resolution of The City of New York,** consisting of text and maps which are a part thereof and which are appended thereto.

(On August 17, 1960, Cal. No. 68, the Commission fixed September 12, 1960 and September 13, 1960, for a hearing, which was duly advertised; the hearing was held on said dates and continued to September 14, 1960; on September 14, 1960, the hearing was closed.)

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Vice-Chairman Bloustein moved for favorable consideration of the Report on the Proposed Comprehensive Amendment of the Zoning Resolution of The City of New York. The motion was seconded by Commissioner Lindenbaum.

On the roll call, all voted "Aye" and the following favorable report was unanimously adopted:

City Planning Commission Report on the Comprehensive Amendment of the Zoning Resolution of The City of New York.

(CP-15820)

October 18, 1960

To Secretary, Board of Estimate, from City Planning Commission:

At the request of the City Planning Commission and with the support of Mayor Robert F. Wagner, the Board of Estimate in August, 1956, authorized the City Planning Commission to engage consultants for the preparation of a study and report on the rezoning of New York City. This action was found necessary because for the past two decades evidence was accumulating before the City Planning Commission that the existing Zoning Resolution was inadequate to meet the needs of The City of New York. Accordingly, by contract dated September 4, 1956, the City Planning Commission engaged the services of the architectural firm of Voorhees Walker Smith and Smith for this purpose. The consultants made intensive and thorough studies of existing conditions, trends and future needs, and on the basis of these studies formulated a proposed comprehensive amendment of the Zoning Resolution. Their report was submitted to the City Planning Commission and published on February 16, 1959, under the title *Zoning New York City.*

The City Planning Commission, in an endeavor to acquaint the public with the consultants' suggestions, and at the same time, with a desire to receive as many comments and recommendations as possible, held informal public hearings on April 13, 14 and 27, and May 5, 7, 11 and 19, 1959. The first two informal public hearings, in City Hall, were held on the consultants' proposed comprehensive amendment in general and on the text.

The remaining public hearings were held in each of the five boroughs (when necessary, both day and evening sessions were scheduled) on specific mapping recommendations contained in the consultants' proposal. Two hundred fifty-one persons appeared at these hearings, and their constructive suggestions resulted in a great number of mapping and text changes that are reflected in this final Amendment.

In addition to the hearings, the Planning Commission met with hundreds of individuals, civic groups, professional organizations, commerce, industry and labor representatives to work out specific problems that presented themselves as a result of the original proposal.

On June 24, 1959, the Planning Commission announced unanimous approval of a statement of intent, specifying that any proposed Comprehensive Amendment would not take effect until one year after approval by the Board of Estimate, nor before July 1, 1961, "to insure maximum stability in the building and real estate industries during the important transition period." Such a one-year grace period provision is now incorporated in the Comprehensive Amendment.

Following these informal hearings on the consultants' proposal for a comprehensive amendment, the City Planning Commission prepared its Proposed Comprehensive Amendment of the Zoning Resolution for public hearing and consideration. It was published in THE CITY RECORD on December 21, 1959. While the proposal incorporated then—as it does now—the basic concept of the consultants' report, it contained numerous changes in text and 366 changes in the maps as originally proposed by the consultants. The Planning Commission prepared a guidebook, *Rezoning New York City*, and a list of major changes as a convenience for the public. In addition, a broad public information program was carried out through public information media, and through the distribution of interpretive materials, to explain the new proposal to the public. Also, members of the Planning Commission and the staff of the Department of City Planning addressed numerous meetings of professional societies, civic associations, and business organizations to explain the proposed amendment and answer questions that were posed.

The City Planning Commission on its own initiative on December 23, 1959, Cal. No. 48, pursuant to Section 200 of the New York City Charter, adopted a resolution fixing March 14, 15, 18, 21, 22, 23 and 25, 1960, as the dates for a public hearing on the Proposed Comprehensive Amendment of the Zoning Resolution (CP-15278) as published in THE CITY RECORD of December 21, 1959. The Proposed Comprehensive Amendment was the subject of a public hearing duly held and continued by the Commission on the dates above mentioned, and closed on March 25, 1960.

The hearing was well attended—387 persons spoke. Only 36 of the speakers registered general opposition to the Proposed Comprehensive Amendment of the Zoning Resolution or called for delay. The overwhelming majority of speakers urged adoption of the Resolution and many offered constructive recommendations for improving the document. Following the public hearing, Planning Commission members and the staff of the Department of City Planning continued to confer with interested individuals and groups.

After reviewing briefs submitted by interested parties, studying recommendations made at the hearing and participating in many meetings with professional, civic and business groups, the City Planning Commission revised the Proposed Comprehensive Amendment to include numerous changes reflecting recommendations by the public. Also included were adjustments and modifications initiated by members of the Commission and staff technicians. Because of the number and importance of some of the text modification and 556 map changes, it was determined that a second public hearing should be held on the Proposed Comprehensive Amendment as revised. Accordingly, on August 17, 1960, Cal. No. 68, the City Planning Commission adopted a resolution fixing September 12 and 13, 1960 as dates for a public hearing on the Proposed Comprehensive Amendment of the Zoning Resolution as revised after the March 1960 public hearing and published in THE CITY RECORD of August 18, 1960.

As a public service, the City Planning Commission prepared a comprehensive list of changes to facilitate comparison of the first and second drafts of the Proposed Comprehensive Amendment, and revised its guidebook, *Rezoning New York City*, to include modifications of the December 21, 1959 proposal.

The revised Proposed Comprehensive Amendment was the subject of a public hearing duly held and continued by the Commission on September 12 and 13, and further continued on September 14, 1960, on which date the hearing was closed.

The Commission heard 208 persons during the three-day hearing. The nature of the support and opposition is described in the section of this report titled, The Public Hearing.

The matter was considered further at a meeting of the City Planning Commission held on October 18, 1960, Cal. No. 2. The Commission has reviewed the facts and circum-

stances leading to the publication of the Proposed Comprehensive Amendment of the Zoning Resolution upon which a public hearing was held on September 12, 13 and 14, 1960, and presents in this report a summary of the factors which have been considered in reaching a decision at this meeting to adopt this Comprehensive Amendment.

THE ISSUE

In 1916, on the basis of public need, the nation's first comprehensive zoning law, the Building Zone Resolution, was adopted in this City.

For 44 years New York City has clung close to the letter of its Zoning Resolution, but has long disregarded its pioneering spirit. While we improvised with countless piecemeal amendments—including more general revisions in 1940 and 1944—the goals we sought in 1916 continued to elude us.

Although our failure was blurred to some extent, first by depression and then by war, the City Planning Commission long recognized that the existing Zoning Resolution, despite many amendments, was fundamentally obsolete and incapable of dealing effectively with modern-day urban problems. Ever since the Commission was created in 1938 and given the basic Charter responsibility for amending the Zoning Resolution, it has looked toward a comprehensive revision based on current planning studies and concepts.

It has done so with a mounting sense of urgency, as the evidence has built up year by year that the existing Zoning Resolution is an ineffective tool. Rather than aiding, it is blunting the City's efforts to halt and reverse the spread of blight, to deal with overcrowding and congestion, to facilitate the movement of people and goods, to increase the productive and rational use of land, to provide adequate public facilities and services, and to create a decent and satisfactory environment for its people, its commerce and its industry. In recognition of this, Mayor Wagner, in his 1959 Annual Report, cited modernization of the Zoning Resolution as one of the major goals of his Administration.

Within the democratic process there is, fortunately, a pressure valve which sounds the alarm loudly and clearly when public awareness of problems reaches the action point. The public has become increasingly articulate in expressing its concern about these problems of urban living. There has been a growing climate of dissatisfaction and impatience. New Yorkers want to plant their roots in communities that are uncongested and free of blight, where they can travel comfortably, where there is some open space for recreation and relaxation, where schools and other public facilities are adequate to meet the demands of the population, and where they can work, shop, and live in an automobile age. They have recognized that these goals cannot be achieved without modern zoning that will buttress and implement improved planning.

Based upon a realistic appraisal of the City's present and anticipated needs and the tools we must have to meet them, the City Planning Commission established the following criteria for a modern and effective zoning resolution:

- Adequate and direct controls to insure light, air, open space, less crowding, less congestion, adequate off-street parking, and improved industrial performance.
- Apportionment of land for residential, commercial and industrial use to best meet present and anticipated needs and to insure maximum compatibility and mutual protection.
- A zoning pattern based upon a rational image of the whole City, but which would take into account the unique characteristics and needs of the separate parts of the City and each of the Boroughs.
- A simplified single map system encompassing a sufficient variety of zoning districts tailored to the needs of New York.

These principles are embodied in the Comprehensive Amendment of the City's Zoning Resolution which is the product of the longest, most thorough and most far-reaching study in the history of the City Planning Commission.

The overwhelming ground swell of public support which was evidenced at hearings and meetings gave recognition to the importance of speed in completing the rezoning effort. With the accelerating tempo of renewal and redevelopment, of building in undeveloped and underdeveloped sections of the City, sound zoning will show dividends faster than many anticipate. More important, failure to act will result in the compounding of existing problems. In a city as dynamic as New York, today's inaction can spell tomorrow's chaos.

THE NEED FOR MODERN ZONING

Historical Perspective

Zoning is a legal device to implement city planning. Through the division of available land into appropriate districts in which certain uses are permitted or prohibited, through regulations governing the degree and intensity of development, it should serve as a blueprint for the sound and orderly growth of a community.

The first comprehensive Zoning Resolution in this country was adopted by The City of New York on July 25, 1916. The Commission on Building Districts and Restrictions, which produced the 1916 Resolution, saw the need for zoning regulations with clarity and vision. Its final report (June 2, 1916), stated: "City planning is a prime need of our City. . . . Traffic problems, the congestion of population, the intensive use of land, the magnitude of the property values involved, make the control of building development more and more essential to the health, comfort and welfare of the City and its inhabitants."

Far-seeing as they were, the fathers of New York's Zoning Resolution could not predict the shape of the social and technological revolution that was to follow the first World War. The drafters of the 1916 code were basically rooted in the 19th Century, as was the Resolution itself in its restrictions and in its structure. It did not, nor could it, foresee the impact on land use and development of the transportation revolution brought on first by the auto age, and then by the air age. It could not foresee the sweeping changes in retailing that produced the rise of the chain store, the supermarket and the shopping center. It could not foresee the trend in industrial sites to meet the demand for horizontal, not vertical, layouts, for off-street parking to accommodate workers and for off-street loading to accommodate the movement of goods by trucks. Nor could it foresee an urban explosion that burst through the boundaries of the old city into the surrounding suburbs.

Despite the wise forewarning by the authors of the 1916 zoning ordinance that amendments to the Zoning Resolution should be correlated with comprehensive city planning, it was not until 22 years later that the City Planning Commission was created and designated as the agency officially responsible for comprehensive planning. By that time, the zoning structure was already considered obsolete.

Just prior to the creation of the City Planning Commission, the Mayor's Committee on City Planning, which had urged a comprehensive new Zoning Resolution, reported that half of the inhabitants of the City lived in non-residential districts; ten years later, a report indicated that more than half of the area of all the commercial districts in the City was being used for residential purposes; and, today, we still find, for example, that 60 per cent of the Downtown Manhattan section is zoned unrestricted—permitting the proverbial glue factory to locate next door to some of our most dignified financial buildings.

Shortly after the City Planning Commission was set up, consideration was given to the revision of the zoning code. In deliberating the choice between the adoption of a comprehensive amendment or a piecemeal amendment, the Commission, with stated misgivings, decided upon the latter. As a result, on June 28, 1940, a series of amendments was adopted recognizing new forms of housing development, setting up local retail and manufacturing districts, expanding the lists of nuisance industries and tightening regulation of garages, automotive services and outdoor signs. These were understood to be, and accepted, as interim changes. The hope then existed that a comprehensive amendment would be adopted at some future time. It is now evident that these attempts to reconcile emerging land use and technological changes within the original framework of the ordinance failed to achieve the desired results.

Four years later, on November 1, 1944, the Planning Commission moved to adopt another series of amendments tightening height and area controls before building construction could be resumed when World War II ended. In its report, the Commission said it was "in accord with those who characterize the proposals as 'interim zoning.' The present proposals do not go as far as the Commission would like, and it hopes that New York will continue to raise its zoning standards in the future."

In 1948, Mayor Robert F. Wagner, who was then Chairman of the City Planning Commission, asked the Board of Estimate to appropriate funds to retain consultants for the formulation of a comprehensive rezoning proposal. The resulting report, *The Plan for Rezoning*, was published in 1951 and was the subject of wide discussion. It is interesting to note that elements of this proposal have since been incorporated in many modern zoning codes throughout the United States, but The City of New York remained with its original code, albeit much amended.

The experience of the past several decades has proved that attempts to tack modern zoning concepts onto a basically archaic structure are unworkable. Piecemeal zoning changes under these circumstances may be a palliative, but they cannot be a cure.

A report approved by the Association of the Bar of the City of New York and prepared by its Committee on Real Property Law, January 12, 1960, considered the question of piecemeal amendment. It found:

> ". . . Despite the more than 2,500 amendments to text and maps, the present resolution is still inadequate and obsolete. At this point, it is wholly unrealistic to

expect that the process of piecemeal amendment will produce different results in the future than in the past.

"Lacking a comprehensive concept of rational land use for the City as a whole, the present resolution contains a built-in major failing that must defeat all attempts at piecemeal correction. Extensive remapping on the basis of an outworn text can lead only to distortion and unforeseen and inconsistently onerous results. Extensive amendments of the text in accordance with contemporary zoning conceptions without corresponding integration with the map would be pointless.

"We think there can be no serious question but that the time has come for a complete revision of the Zoning Resolution and an abandonment of the self-defeating process of patchwork amendment which after more than 40 years has left us still with an outmoded, cumbersome and inadequate instrument to guide the development of the City."

The Consequences of Inadequate Zoning

In the past decade, New York City has spent vast sums for urban renewal and slum clearance, for public housing, and for middle-income housing. It is presently increasing its housing and renewal efforts through expansion of old programs and development of new ones. It has already started on a program of industrial park development. It has launched a neighborhood conservation program. Plans have been announced for a ten-fold increase in its limited-profit middle income housing program. It has just received a three-year Federal grant of $1,500,000 for a community renewal program intended to assess City-wide renewal needs and delevop a long-term program. Its current (1960-1965) six-year Capital Budget and Program allocated almost $2.6 billion for schools, hospitals, transit improvements, sewage treatment plants, libraries, parks and other needed public facilities.

But these programs can never wholly succeed: nor can we reap full dividends from them so long as they are built on a foundation of inadequate zoning. New slums spring up as fast as old ones are cleared and redeveloped; City families seeking basic living amenities—open space, light, air—look to the suburbs to satisfy their desires. Schools are overloaded by unpredictable and virtually unlimited growth in some sections, while in others they are far below capacity as a result of the intrusion of incompatible uses which drive out population.

The effects of inadequate zoning can be just as damaging to the interests of the small property owner as to The City of New York with its vast holdings and planning programs.

Following are some of the major flaws in the existing Zoning Resolution; they are by no means all-inclusive, but they are indicative of the scope and seriousness of the problem:

Deficiencies in the Existing Zoning Resolution

***First:* The existing Resolution cannot adequately regulate the development of land because it is not based on any rational, coherent view of New York City's development—as it was, as it is, or as it will be.**

It is based on a narrow concept of the relationship of building to lot, ignoring any considerations of the broader relationships of lot to the surrounding community and to the City as a whole. The overall needs of individual areas, especially those outside the central business district, are neglected or distorted. The permitted degree of development in most districts has no relationship to existing or future land needs. Brooklyn, Queens, The Bronx and Staten Island are currently zoned to allow excessive development. Theoretically, some 50 million persons could reside in these Boroughs under present "restrictions" and more than 250 million people—the entire population of North America—could work in the City as a whole.

While no one expects these maximums to be reached, unfortunately many sections of the City have been developed to comparable proportions. Many additional areas are in the process of approaching this kind of congestion, while others remain blighted and underdeveloped.

Because of this unrealistic zoning, the present Resolution is of no value as a planning tool. Provision of adequate schools, hospitals, libraries, recreational facilities and transit service is frustrated in the face of uncontrolled and unpredictable growth.

Bad land use planning is wasteful and costly. In a recent talk, the Chairman of the City's Housing and Redevelopment Board declared:

". . . It is difficult to overstate the importance to the long-range worth of the work of our Board, of the comprehensive zoning amendment proposed by the Planning Commission. Without a comprehensive land use plan, reflected in a modern zoning ordinance, to prevent the kinds of land misuse that have created the problems our Board is dedicated to solving, we are in the ridiculous position of having, in 10 or

20, or 50 years, to spend hundreds of millions of dollars in renewal, undoing the mistakes that we knowingly court today through inadequate land use controls.

"Prompt adoption of the comprehensive zoning amendment, this year, is vital to prevent future problems just like those we are spending millions to correct today. We have an immense challenge. The accelerating timetable of renewal that faces us dictates the need to establish sound zoning guidelines as soon as possible to insure the public's investment in its city's future."

As another example of bad land use planning, the City is vastly overzoned for retail and business use under the existing Resolution. And again, the most serious abuses exist in The Bronx, Brooklyn, Queens and Richmond. In these four Boroughs 15,911 acres are zoned for commercial use at present and only 4,279 acres are actually being used for that purpose—the remaining 11,632 acres represent some 18 square miles, or about 16 per cent of all zoned land in those Boroughs. The result is miles of strip-zoned retail areas that are either underdeveloped, lined with vacant stores, or with scattered and poorly located stores that barely provide marginal income to storekeepers. We have a responsiblity to insure that sound land allocations are used to greatest advantage to bolster the economic base of New York and to minimize hazards brought about by inappropriate use of land.

***Second:* One of the glaring inadequacies of the present Zoning Resolution is its inability—and unadaptability—to meet pressing requirements for density regulations.**

Until rational levels of density are established, we must continue to expect some areas of the City to be so overdeveloped that provision of transit and other public facilities could never be adequate; and, on the other hand, other sections to remain blighted and underdeveloped because they cannot compete with the already developed congested areas.

The population densities existing in some parts of the City today are among the highest in the world. If, for example, the actual population density on some blocks of Manhattan's upper East Side were permitted to spread throughout the City's residential areas, we could house virtually every man, woman and child now living east of the Mississippi.

The price we have paid through the years for needless overdevelopment is exorbitant. Aside from creating overwhelming problems in providing adequate public facilities and meeting transportation needs, residential congestion has been a contributing factor in the exodus of middle-income families from the central city to the outlying suburbs.

According to preliminary census figures for 1960, the City's three oldest Boroughs in terms of development—Manhattan, The Bronx and Brooklyn—have lost a combined 14 per cent of their peak population. Manhattan's population today, for example, is more than 25 per cent less than it was in 1910. It is estimated that in the past ten years well over half a million middle-income persons have moved from New York.

While it would be folly to attribute a single motive to all those who have moved beyond the City limits, it is obvious that a common denominator in most cases was the search for the kind of living amenities that have eluded many people in the City during the past decade.

The effects of overcrowding, lack of open space, and the encroachment of incompatible commercial and industrial uses into once good residential areas, have been felt in the increasing deterioration of residential areas. Over 4,000 acres of residential development are so badly blighted as to be in need of clearance and redevelopment. Another 8,500 acres are deteriorating and need a broad program of rehabilitation and renewal if they are not to become slums in the future. With the deteriorating and substandard industrial and commercial areas included, about 14 per cent of the City's net area is in need of renewal or rehabilitation. The enormous costs of this effort are only justified if the mistakes of the past are not repeated.

On March 1, 1960, in his final report to the Mayor, the Special Advisor on Housing and Urban Renewal listed as one of the key points in *Building a Better New York* the need for modern zoning. He wrote:

"Replanning the City's housing and renewal effort, in the long run, will depend on modern zoning.

"Every effort should be made to adopt appropriate zoning amendments which will further the City's housing and renewal effort.

"The City's basic problem is congestion. It is currently dealing with one aspect of the problem, congestion of population per room. In the long run, this effort will be self-defeating unless it establishes adequate control of density of population per acre."

There is urgent need for a code which not only provides wholesome living amenities, but also serves as a realistic check on runaway land speculation. Experienced

housing experts, testifying before the Planning Commission, singled out the problem of land speculation as one which most needs correction if we are to successfully carry out middle-income housing.

The president of the Middle Income Housing Corporation declared:

"I am very uneasy about the trends to higher and higher density and particularly to reports of large high density projects built that way to keep per unit land cost down. This trend and this approach seems to me to be largely self-defeating. Land acquisition costs are thereby simply pushed to higher levels to correspond to the established higher densities. The land speculator may benefit, but the costs of City services are multiplied out of proportion as density becomes excessive.

"The present slum clearance program is a necessity because builders were permitted to build to densities and particularly land coverages that made the buildings obsolete almost before they were up. The new zoning resolution can help prevent a repetition of this experience—costly as it is in both public money and human travail."

The chairman of the board of a prominent real estate consultant firm said:

"Those of us whose lives are mainly devoted to maintaining the real value of properties, gracious living, and good working conditions in this wonderful City are dependent upon the continuing stability of their surroundings.

"Speculation in land prices does not provide stability. On the contrary, it encourages unhealthy trading, based on unconscionable densities. Such activity is not good for the City as a whole, nor are the present zoning densities tolerable any longer."

Third: **It is patterned after an old-fashioned "priority" concept that we cannot accept today—a "one-way" protection that seeks to protect homes from industry, but provides little or no assurance that industry can exist and expand in appropriate places unmolested.**

While we all agree our homes must have zoning protection, the present priority zoning has, in effect, served to defeat its own ends. There are, for example, 18,000 acres in the City now zoned as unrestricted—a district which permits all uses, regardless of compatibility. These areas are the only ones where heavy industry can locate. Unfortunately, they also have become poaching grounds for all types of development, with factories, homes, stores, schools, and everything and anything scrambled together to the disadvantage of all. Nearly one-eighth of the City's entire land area is in this category. Such areas of mixed use as Maspeth, Astoria, Long Island City, Williamsburgh, Greenpoint, East Tremont, or Manhattan's Lower East Side are paying the price for a zoning resolution which permitted incompatible land uses to develop without adequate control.

Fourth: **The framework of the present Zoning Resolution has never accommodated the role of the automobile as a major factor in planning and zoning.**

It is totally inadequate in its structure to deal with today's traffic and parking dilemmas—and is, itself, responsible for some of these problems by this very important omission. Attempts have been made to recognize this problem by amending the present Resolution to provide parking regulations in residential development. But the provisions fall short of real needs and the structure of the present zoning prevents similar regulations to meet the equally important off-street parking needs of commerce and industry.

New York has experienced a half-million increase in auto registrations since 1947. There are now some 1.3 million passenger autos in the City—and about 6,000 acres are needed to park them all. The matter of midtown Manhattan traffic congestion needs no amplification here, but the growing problem is the tendency, abetted to a great extent by present zoning inadequacies, to repeat the same mistakes in the other Boroughs. Consider, for example, that 85 per cent of the families living in Forest Hills or Jackson Heights own automobiles, and the question of off-street parking adequacy becomes critical.

While there is little that can be done to make immediate restitution for parking mistakes of the past, the City has a responsibility to insure against repetition of this paralyzing phenomenon—for resident parkers, shoppers, and for the vast number of workers who use their cars each day. It is estimated that more than half the people who work in The Bronx, Brooklyn, Queens, and Richmond drive to work, and there is no provision—nor can there be—to accommodate their need by means of the present zoning code.

Fifth: **Because it attempts to control bulk by rigidly regulating the shape and size of the building shell, the existing Resolution ties the hand of architect and builder, thus forcing uneconomical construction and discouraging good architectural design and variety.**

Buildings designed to achieve the maximum bulk under the present regulations take on the monotonous "wedding cake" shape familiar throughout the City. The elaborate

set-backs and convolutions required not only make construction of the exterior more costly, but also impose more difficult and expensive solutions in properly locating a building's service facilities. Further, the lack of direct controls on bulk requires limiting towers to an extent that makes them uneconomical except on the largest lots.

***Sixth:* The creation of residential imbalances in New York under the existing Zoning Resolution is matched in seriousness by the damage wrought upon our City's industries by the archaic code.**

Placing industry on the bottom of the zoning priority pyramid has, in effect, created a situation in which prime industrial land in the City has been wasted and pre-empted by spotty and inappropriate residential and commercial development.

The amount of vacant land in the City is shrinking each year. When the Voorhees Walker Smith and Smith study was started in 1956, Brooklyn, Queens and The Bronx had a total of 15,000 acres of vacant land. It is estimated that only 11,300 acres remain vacant today—more than 20 per cent has been developed since then—and that it will continue to be used up at a rapid rate. This phenomenal growth continues, despite the fact that almost 25 per cent of all remaining vacant land is under water or marshland and, with the exception of Richmond, 40 per cent is found in parcels of three acres (approximately a city block) or less.

It becomes apparent, therefore, that unless steps are taken to preserve land for industrial growth and expansion, our industrial areas—especially newer ones—will be decimated as in the past by mutually harmful residential and commercial encroachment. And, even if we could hold the line between adjacent residential and industrial areas, there is no way at present to assure that these new industries will be compatible neighbors to nearby residences.

The recognition by industry of the need for modern zoning has been expressed by major groups such as the New York Chamber of Commerce, the New York Board of Trade, and the Commerce and Industry Association. A representative of the New York Employing Printers Association—the second largest industry in New York—told the Commission:

> "Better zoning is everybody's business. We are printers, we do not know whether this zoning resolution is the most perfect that could possibly be offered but we do know that it is the best that has been offered from our point of view.
>
> "On behalf of our industry, of the 4,000 printing firms employing 100,000 New Yorkers, the New York Employing Printers Association urges early adoption of your comprehensive zoning proposal."

Similarly, an attorney representing the Brooklyn Union Gas Company, Todd Shipyards Corporation, several savings banks and commercial banks, and other important civic and business groups in Brooklyn, testified on September 12, 1960, that the Proposed Zoning Amendment had been turned over to staff engineers and architects of these clients, and further stated:

> "We . . . are here today to express our approval of your comprehensive ordinance . . . it's dynamic, far-reaching, forward-looking. Let's get the job done. . . ."

The cost of inadequate zoning, either through commission or omission, has had another harmful effect upon the community in regard to industrial development. At present there is no way adequately to regulate the performance of new industries to insure that they are not nuisances to the rest of the community or to neighboring ndustrial facilities. Failure to establish such performance standards places many industrial properties in jeopardy because there is no assurance as to nuisances which a new plant may inflict upon the neighboring property. It is a matter of record that many industries leaving the City have sought locations in nearby industrial parks to protect their investment where strict standards prevail.

On the other hand, good performing industries have been faced with serious site limitations merely because the product they manufacture has been prohibited in many suitable districts in the current zoning regulations.

***Seventh:* The present Resoluton is full of loopholes.**

While presumably protecting property, it permits—through loosely controlled variance procedure—such incompatible situations as an auto service station located in the midst of a residential area. As a more glaring example of poor protection, the present regulations do not prohibit a wholesale meat market from opening up next door to a fashionable Fifth Avenue shop.

Its failure to offer adequate protection stems from the fact that present zoning tells us what is prohibited in a district. Therefore, when new uses came along—as has been the case with auto laundries, motels, drive-in theaters, and the like—they often located in areas where they were undesirable, before amendments could be added to the

Resolution to recognize their existence and provide the necessary protection to the community involved.

***Eighth:* The present Resolution is cumbersome in format, confusing in language and lacks precision.**

Three separate maps must be consulted today to determine the complete information about any given district—and there are 286 different districts mapped today and more than 1,000 combinations possible. Very often, to add to the confusion, areas with the exact same features are zoned differently in different parts of the City.

The language of the present Resolution is also vague and confusing. As a result, the Department of Buildings has been obliged to compile voluminous data to guide its administration and enforcement. In some cases, definitions in the Zoning Resolution are so vague that they fail to prevent undesirable conditions. As an example, the definition of *family* in the existing Zoning Resolution offers no basis for limiting the number of boarders or lodgers in one- and two-family homes.

Major Features of the Comprehensive Amendment

In designing a Comprehensive Amendment, the City Planning Commission and its consultants took full cognizance of the aforementioned flaws in the existing code and of the major problems awaiting solution in the City. The modern amendment which resulted is based upon the realistic needs of the City—the whole City—while taking into consideration the wide range of problems encountered in each Borough.

The consultants' study carried them to every block of developed and undeveloped land in the City. Field investigations were made by foot, by auto, by boat, and by helicopter. Their analysis of land requirements—How many people will live and work in the City? What are their transportation needs? How much land will be required for residence, for commerce and industry, for shopping and community facilities? — was based on all available data, on studies developed over the years by the Department of City Planning, on original surveys, and on interviews and conferences with recognized specialists.

Following are some major features of the Comprehensive Amendment:

1. **An appropriate place is designated for every use.**

There are Residence, Commercial, and Manufacturing Districts—each important in its own right. Residence Districts are protected from commercial and manufacturing uses, and—equally important—no new residences are permitted in Manufacturing Districts. In mapping these districts, a careful review was made of all vacant land in the City to select appropriate areas for future residential construction and for modern industrial development. Careful attention was paid to achieving maximum compatibility between districts by buffering Residence Districts from heavy manufacturing with high performing light industry or appropriate Commercial Districts.

2. **By specifying uses allowed in a district instead of those prohibited, loopholes are eliminated.**

Every operation that is or may be carried on in this City is listed and assigned to appropriate districts. No new use can be located anywhere until it is reviewed and assigned to a district where it would serve the community and where it would be most compatible with its neighbors.

3. **Performance standards are set for industry which will make for more desirable plants that are not offensive to our residences and to other businesses.**

Regulations limiting noise, smoke, odor, vibration and other annoying or hazardous effects of industry are established and appropriate agencies designated to enforce them. Standards will permit greater freedom of site selection for industries that are now limited by arbitrary and inflexible zoning provisions.

4. **More open space and less overcrowding in residential areas are insured by a carefully worked out set of interrelated controls.**

Density regulations limit the number of rooms that can be built on a given lot and also curtail excessive conversion of existing apartments—a practice that has led to the rise of new congestion and slums as fast as the old ones could be eliminated through renewal and redevelopment efforts. Additional controls (open space ratio and floor area ratio) establish good standards of open space and limit excessive bulk. Factors used in establishing appropriate levels of density for an area include proximity to rapid transit or commuter railroad lines, availability of community facilities and topographical features.

5. **Bulk regulations encourage more light, air and better design, and permit construction economies.**

Because controls are aimed at substance and not form, they offer greater freedom to the architect and give the builder added incentives through bonuses to provide struc-

tures with clean lines, open plazas and attractive arcades. Because there is a basic floor area ratio control in every district, it is now possible to permit a more economical 40 per cent to 50 per cent tower coverage—depending on lot size—compared to the present maximum 25 per cent tower coverage.

6. Requirements for off-street parking of autos and off-street loading of trucks are built into the Amendment.

New factories and commercial buildings are required to provide off-street parking. In addition, the parking requirements for residential buildings are increased. The percentage of parking spaces required is greater in the outlying sections of the City than in the more densely developed and congested areas; in the high density central areas of Manhattan and Brooklyn, no off-street parking is required for commercial and industrial establishments.

7. Commercial districts are zoned to help retail shopping meet modern day needs.

Deeper zoned commercial districts provide for more up-to-date shopping facilities and for off-street parking. Appreciable amounts of sterile commercial strip zones are rezoned for productive use.

8. Provision is made for the increasingly important large-scale residential and community facility developments.

The new zoning does not force them to be treated as if they were simply a collection of buildings on imaginary lots. In residential projects it provides a simple formula for the proper spacing of buildings and permits the incorporation of local convenience shopping. It also gives the City a reasonable period of time to acquire sites for schools or other public facilities which may be required in conjunction with the large-scale project.

9. The format of the Comprehensive Amendment has been designed with the needs of the user in mind.

A single-map system, far simpler and more convenient than the present cumbersome three-map system, is used. The language in the Comprehensive Amendment is precise and carefully spelled out, leaving no room for the degree and variety of interpretation that accompanies the present code. Charts and tables are included in the Amendment to simplify its use. Provisions that apply to various districts or to various types of uses are repeated in all appropriate sections in order to minimize the need for cross-reference.

10. Administration and enforcement of the amended code remains the same, with the Department of Buildings, City Planning Commission, Board of Standards and Appeals and the Board of Estimate sharing the major responsibility in this area.

Enforcement will continue to rest with the Department of Buildings, and the Board of Standards and Appeals will carry out the same functions that it now performs: interpretation of provisions of the Resolution, granting variances and special permits, and setting up rules and regulations for the application of the Resolution. However, specific standards regulating the granting of variances are established, based on criteria set by the courts during recent years. Also, the districts in which special permits may be granted — after required findings have been made — are specified. For example, the Amendment does not permit the granting of special permits for automotive service stations in any Residence District.

THE PUBLIC HEARING

The City Planning Commission held a public hearing on the revised Comprehensive Amendment on September 12, 13 and 14, 1960, Cal. No. 1. During that three-day period 208 speakers were heard: 121 indicated general support of the proposed Amendment, 25 general opposition, and 62 offered miscellaneous requests dealing, for the most part, with the mapping of individual parcels. In addition, 91 communications were submitted for the record, of which 77 indicated support, 3 opposition and 11 requested map changes or offered miscellaneous comment.

The nature of the support registered at the hearing pointed to the growing recognition by leaders of commerce and industry of their important stake in rezoning. Several groups, reacting to changes made by the Planning Commission in the revised proposal, reversed their previous opposition to the Resolution.

Among the groups from commerce and industry indicating support were Associated Builders of Greater New York, Avenue of the Americas Association, Bronx Home Builders Association, Brooklyn Home Builders Association, Building Contractors and Mason Builders Association, Chamber of Commerce of the Rockaways, Commerce and Industry Association, Downtown Brooklyn Association, Downtown-Lower Manhattan Association, East Side Chamber of Commerce, Fifth Avenue Association, Flushing Chamber of Commerce, Fourteenth Street Association, Invest-

ing Builders Association, Midtown Realty Owners Association, New York Board of Trade, New York Employing Printers Association, Real Estate Board of New York, Staten Island Chamber of Commerce, Staten Island Real Estate Board, and Twenty-Third Street Association.

Typifying the attitude of supporting industry was the Investing Builders Association, a group representing an annual investment of some $400,000,000 in construction in this City, whose spokesman pointed out at the September 12, 1960, hearing:

> "This new zoning proposal is an assertion of the paramount interest of the public. We hope it is not too smugly self-serving to suggest that, although we are an industry trade association, we also share the responsibility of all good citizens who are concerned about the broad welfare of the community of which we are all a part. Even an industry association must demonstrate a sense of social and civic accountability. At the risk of sounding a little self-righteous, we hope our endorsement of this Resolution may serve to refute the popular notion that trade associations are merely special interest pressure groups, banded together to promote their own ends."

Even with this large and impressive turnout of commercial and business representatives, the major support for the Resolution still came from local civic groups, homeowner organizations and taxpayer groups in all of the five Boroughs.

In addition, major civic organizations, such as the Citizens Budget Commission, Citizens Union, City Club, Community Service Society, Women's City Club, Citizens Committee for Children, Action, Protestant Council of New York, Automobile Club of New York, Committee for Modern Zoning and Citizens Housing and Planning Council added enthusiastic endorsement. The Commission is particularly indebted to many of these organizations not only for their support, but also for their active assistance and constructive recommendations in improving the proposal. Both the Committee for Modern Zoning—whose membership numbers distinguished leaders from virtually every walk of life—and the Citizens Housing and Planning Council also sponsored publications designed to help inform the public on the issues involved.

The local civic groups and larger parent bodies—such as the Queens Federation of Civic Councils and the Staten Island Civic Congress—generally agreed that the Comprehensive Amendment will provide the needed protection small property owners seek. There was almost unanimous urging among these groups for immediate passage of the Amendment and elimination of the grace period if possible.

Among the City-wide organizations, more emphasis was placed upon the positive effects that the Amendment would have on the City's economy, general welfare and physical appearance. Specialized groups such as the Automobile Club of New York addressed themselves to the aspect of off-street parking and other beneficial effects the Amendment may have on the local traffic situation.

As at previous hearings, a large measure of support came from professional groups and practitioners in planning, architecture and law.

The New York Chapter of the American Institute of Architects, whose 900 members constitute a majority of the practicing architects in the City, warmly endorsed the amendment. Last year this group prepared a detailed report supporting the proposal, as did the Association of the Bar. Other groups such as the Regional Plan Association, the New York Chapter of the American Institute of Planners and the Municipal Art Society joined in endorsement. The Commission is also grateful for the endorsement of the Municipal Engineers of the City of New York, whose membership includes those who daily deal with the practical problems of zoning.

It should be pointed out that even among the individuals and groups who indicated their support, there were qualified criticisms and recommendations. Many of these groups felt that some of the text and mapping changes effected since last March permit excessive bulk and density in some areas of the City. There was strong sentiment, especially from civic groups, for elimination of the one-year grace period and for immediate institution of the new zoning provisions upon adoption.

A request to include esthetic zoning in the code—while receiving sympathetic acknowledgment at this time—should be deferred for more serious study and review at a future date.

The following groups and individuals could generally be classified as registering opposition to the proposals: Joseph Aron, Aron's Bow Ties; Harry Bram; Bronx Board of Trade; Bronx Chamber of Commerce; Bronx Chapter, American Institute of Architects; Bronx Real Estate Board; Brooklyn Chapter, American Institute of Architects; Brooklyn Real Estate Board; Brooklyn Society of Architects; Bushwick Real Estate Board; Chamber of Commerce of the Borough of Queens; Flatbush Chamber of Commerce; Fordham-Concourse Merchants Association; Hunts Point Industrial Association; Assemblyman Thomas V. LaFauci; New York Architects' Council; Park Slope Civic League; Property Owners of Greater New York; Prospect Avenue Merchants and Busi-

nessmen's Association; Queens Chapter, American Institute of Architects; Frank R. Sherkel; Southern Boulevard Chamber of Commerce; United Taxpayers Party; and West Farms Chamber of Commerce.

There were, in addition, a number of spokesmen who registered opposition to specific mapping changes or who addressed themselves to bulk provisions affecting their specific property. There were many instances when the recommendations of some spokesmen conflicted with those of others on the treatment of given areas.

Discussion of Arguments

Reviewing the major points raised in opposition, we find some that have been met already in changes made since last March; others are matters which have been the subject of careful review and are not acceptable as far as this Commission is concerned. It is important, however, to insure that necessary adjustments are made when they are needed. For example, the Planning Commission fully intends to make use of the grace period prior to the effective date of the Comprehensive Amendment, to consider requests for appropriate adjustments.

Amending the Zoning Resolution in the future as times and conditions require will be facilitated by its rational structure. However, there undoubtedly will be a time in the future when physical, social and economic changes call for more comprehensive zoning revisions to meet still unknown needs. We trust that responsible City leadership and the public of the future will recognize these needs promptly and act positively with the assurance that they have the tradition and the sanction to effect changes in the interest of their City.

Arguments that the Proposed Comprehensive Amendment is long and complicated and difficult to work with are purely conjectural and unfounded. It is not and cannot be a simple Resolution, because it must regulate the largest and most complex city in the world. But it is logical and consistent, and has been deliberately drawn to provide maximum simplicity to the user.

A prominent architect testified at the hearing that his firm has had several men working with the proposed Resolution, as though it were in effect, for a period of a year or more. "What looked like a very forbidding and complicated piece of legal writing and so forth, becomes, with experience, a workable tool," the architect observed "Not only is it a feasible and usable piece of legislation," he added, ". . . but there is no doubt in our mind, based on this actual experience, that the new zoning will simplify building and thereby reduce construction costs."

Questions concerning the legal structure of the Comprehensive Amendment were carefully and fully reviewed with the office of the Corporation Counsel. The enthusiastic and unqualified endorsement of the zoning revision by the Bar Association of New York, other lawyers' groups and many of the City's outstanding real estate attorneys is evidence of the legal profession's confidence in the amendment.

During the hearing several questions were raised in regard to the role of the Board of Standards and Appeals. Some speakers suggested that provision of standards in the Comprehensive Amendment will seriously hamper the Board of Standards and Appeals. On the other hand, others strongly urged that the Board be abolished entirely. It should be clear that the Board of Standards and Appeals plays a vital role in zoning administration that insures fair and equitable solutions to possible hardships and individual problems that arise as exceptions to the general law. However, the failure of the existing Resolution to provide clear criteria as a basis for rulings by the Board of Standards and Appeals has permitted many collateral hardships to be inflicted upon the general community. Under Subsection 7(e) of the existing code, the Board of Standards and Appeals may grant approval to variances without recourse to any fixed standards or criteria. This approach is not consonant with modern zoning concepts which recognize the need to consider area-wide and City-wide impact as well as the problems of a specific piece of property and the intensity of its development and the use to which it may be devoted.

The Comprehensive Amendment sets forth administrative provisions which state clearly and definitely what the Board of Standards and Appeals may do on variances, what it may do on special permits; and what the City Planning Commission may do on special permits. For variances, it requires special findings based on criteria that the courts, themselves, have set during the past several years. The functions of the Board of Standards and Appeals remain the same; the Planning Commission receives no new powers—the only difference is the provision of appropriate standards to guide these agencies in their actions and the elimination of solely discretionary provisions, such as 7(e), which do not lend themselves to court review.

Considering the fact that the present resolution was designed almost exclusively for the needs of Manhattan, it was surprising at this stage of the City's development to hear complaints that the Comprehensive Amendment "favors" Manhattan; that is, that regulations

for the other Boroughs are too restrictive in density, bulk and parking requirements. Countless times, the Planning Commission has pointed to comprehensive modern zoning as the one hope in preventing the same mistakes that have been made in the development of some sections of Manhattan from being made in the other Boroughs.

At best, we—like our predecessors in 1916, 1940 and 1944—must recognize "what is" in zoning Manhattan, which is now almost completely developed, and set standards there which are considerably higher than those now in force, but still below ideal planning goals. It should be clear that there was an equal concentration of time and energy in the mapping and district review on the part of the Planning Commission and its consultants in each of the Boroughs. In 1916, when 80 per cent of the entire City population lived in Manhattan and in half-developed Brooklyn, it was understandable that attention was focused in that area. Today our view is broadened to encompass the total needs of a widely dispersed population in a City that is reaching full development at a rapid rate.

A spokesman for a borough Board of Trade, appearing in opposition at the September 12, 1960, hearing, asserted that the Commission has "maintained the status quo" in Manhattan in regard to bulk and intensity of development "to the exclusion of the four peripheral Boroughs." He added that "Bronx, Brooklyn, Queens and Richmond are assured of wide open spaces, beautifully landscaped, all at the expense of the unfortunate investors in these step-child Boroughs."

If the fruits of this zoning modernization can indeed achieve the predicted open space, good landscaping, and a wholesome living and working environment in these Boroughs, we trust it will also be to the good fortune and profit of the investors who are perceptive enough to recognize the wisdom of long-term investment in community betterment.

In earlier hearings, performance standards were the target of criticism when they applied to existing as well as new industries. The decision of the Planning Commission to eliminate the retroactive provisions of the performance standards has limited this criticism to the question of whether such standards are needed in a zoning resolution. We believe they are important elements in assuring the compatibility of industry and its neighbors, and in providing good performing industry with better opportunities to find adequate sites. Performance standards are presently employed in counties and municipalities throughout the country. The Bar Association report stated, "In principle and as a legal matter the proposed performance standards would appear to be as unexceptional as performance standards in a building code."

Similarly, objections in regard to hardships imposed upon non-conforming industries were largely overcome by the Planning Commission's decision to eliminate the regulation requiring termination of non-conforming industrial uses in residential areas after a period of years. Non-conforming industries may continue to operate, just as many have since 1916. While some individual plants may still register dissatisfaction with a non-conforming classification, the Planning Commission would be eroding the foundation of a sound district mapping system if it condoned existing incompatible land use through so-called "spot zoning" or through the extension of district boundaries into areas that are appropriate for other uses.

The most persistent opposition argument has been the quest for "more time for study." While this request may have had some validity a year and a half ago, it hardly merits comment at this point except as a warning that delay is tantamount to defeat in matters affecting a city as vital and dynamic as New York.

New York is growing—zoning notwithstanding—and the question before us is whether we wish this growth to be strong, well-rooted physically and economically, or to be uncontrolled malignant growth that ultimately becomes an overwhelming problem in itself. This is a City that spends more than a billion dollars a year in construction contracts; a City that has committed more money in slum clearance and urban renewal programs than all the other cities in the nation combined; a City that is developing its remaining vacant land at a rapid rate. It is also a City which has been confounded by congestion and crowding; a City which has witnessed the outmigration of middle-income families and of businesses and industries. The rate and magnitude of this City's growth and the size and scope of its problems dictate bold and immediate solutions. We believe that continued procrastination or timid stop-gap measures will not withstand the surging floodtides of time.

CONCLUSION

The City Planning Commission has determined that there is need for a comprehensive revision of the Zoning Resolution. Since World War II, the Board of Estimate has twice seen fit to authorize funds to study this question. In both instances, long and carefully documented studies provided research data, population and land use estimates, and other pertinent information that pointed conclusively to the inadequacy of the existing Zoning Resolution and the need for comprehensive revision. Since 1938,

the Planning Commission and its technical advisers have reiterated the need to adopt a modern comprehensive amendment of the Zoning Resolution and the Mayor of The City of New York has singled out such action as one of the prime goals of his Administration.

In support of these professional and official judgments is the overwhelming weight of public opinion. This zoning proposal has not been an isolated technical matter relegated to discussions in professional or real estate circles. It has received widespread public attention; it has been the subject of countless articles and reports in all media of public communication; it has been praised in some thirty editorials in almost all of the daily newspapers and on local radio stations. There is general recognition that zoning is a matter of vital concern to every present and future resident of the City.

We recognize—and the public indicated similar recognition—that there are serious urban problems confronting The City of New York. Some of these—overcrowding and congestion, inappropriate use of land, lack of off-street parking, and blight and underdevelopment—have been aggravated by omission and commission in existing zoning regulations and district mapping. Other local problems which are emerging as a result of growth and change, affecting transportation, industrial and commercial development, public housing, urban renewal and community renewal programs, the Capital Budget and the development of cultural and recreational facilities, all require comprehensive planning approaches that are handicapped or thwarted by an unrelated zoning structure.

We experienced serious gaps in New York's planning history. In 1938, when the Planning Commission was created as the official agency to carry out comprehensive planning, it had inherited supervision of a Zoning Resolution which was already patched with amendments, unrelated to modern land use needs, and neglected for more than two decades in its relationship to comprehensive planning requirements. Subsequent attempts at revision within the existing framework have proven inadequate. Therefore, we must reject any consideration of retaining the existing Zoning Resolution *per se* or continuing piecemeal amendment as contrary to sound principles of planning and to the best interests of the community.

In considering the steps taken to prepare and review this Comprehensive Amendment of the Zoning Resolution, we believe we have acted with thoroughness, deliberation and fairness. The proposal in its various phases has been the subject of three different sets of public hearings, totalling seventeen days of testimony, and has been exposed to almost two years of public scrutiny and consideration and four years of study and review.

During this period, Planning Commission members and staff have met with any individual or group that sought to offer recommendations or seek information. Each recommendation and suggestion offered to this Commission—and they numbered in the thousands—was carefully reviewed and considered. Almost a thousand of these recommendations were considered of such merit as to be included in whole or in part in the Comprehensive Amendment.

The enthusiastic endorsement of the Planning Commission's action, as evidenced by the strong support of business, industrial, labor, civic and professional leadership, offers further assurance that the adoption of the Comprehensive Amendment is necessary and serves the common interest. We believe the adoption of this Amendment is consistent with a rising public mandate for prompt official action, and we believe that this is the appropriate time and place for such action.

It is the responsibility and charge of this Commission to develop comprehensive planning for the City of New York. We find that the existing Zoning Resolution is inconsistent with and detrimental to such modern planning needs, as evidenced by thorough investigation and studies carried out by this Commission and its consultants. Since it is a further responsibility of this Commission to initiate action, when necessary, to amend, revise or change the Zoning Resolution in conformity with its comprehensive planning approach, we believe it is our obligation to act affirmatively and with no further delays to adopt the Comprehensive Amendment of the Zoning Resolution.

The Comprehensive Amendment, as approved, meets the basic goals and criteria expressed by the Commission. It provides for a simplified one-map system of districts; it provides a rational districting system for compatible land use; it establishes sound and equitable regulations insuring light, air and open space; it meets the modern needs for off-street parking; it provides protection for residential, commercial and industrial development; and it sets appropriate standards for administration and enforcement.

It is the unanimous judgment of this Commission that only a modern Resolution, based on sound zoning principles and a realistic concept of our City, can productively guide the massive building and rebuilding program that lies ahead. We believe this Comprehensive Amendment meets this need, and we believe it has the support and endorsement of the public whose interests it serves.

We respectfully submit that the Comprehensive Zoning Amendment will serve as an historic reminder to generations to come that the City of New York—in the year

1960—had the courage, vision and enterprise to set a course for this great metropolis that will insure its world preeminence during the challenging years that lie ahead.

JAMES FELT, Chairman,
FRANCIS J. BLOUSTEIN, Vice-Chairman.
ABRAHAM M. LINDENBAUM,
GOODHUE LIVINGSTON, JR.,
LAWRENCE M. ORTON,
MICHAEL A. PROVENZANO,
JAMES G. SWEENEY, Commissioners.

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Vice-Chairman Bloustein moved for favorable consideration of the Resolution for the adoption of the Proposed Comprehensive Amendment of the Zoning Resolution of The City of New York, identified as CP-15820. The motion was seconded by Commissioner Lindenbaum.

On the roll call, all voted "Aye" and the following Resolution was unanimously adopted:

Resolution of Adoption

Resolved, By the City Planning Commission that, pursuant to Section 200 of the New York City Charter, the Zoning Resolution of The City of New York, including text and maps, originally adopted by the Board of Estimate and Apportionment on July 25, 1916 as the Building Zone Resolution, as amended from time to time, and as last amended as to text on December 3, 1959, and as last amended as to maps on October 6, 1960, entitled: "A resolution regulating and limiting the height and bulk of buildings hereafter erected and regulating and determining the area of yards, courts and other open spaces and regulating and restricting the location of trades and industries and the location of buildings designed for specified uses and establishing the boundaries of districts for the said purposes," be and the same hereby is superseded and amended in its entirety to read as follows:

NOTE: The Zoning Resolution of The City of New York, as amended in its entirety, which followed at this point, is printed as a special section and attached to this issue of THE CITY RECORD.

(Except for the title the printing in the special section of this issue of THE CITY RECORD *is identical with the document which was published in* THE CITY RECORD *of August* 18, 1960, *under the title of "Proposed Comprehensive Amendment of the Zoning Resolution of The City of New York.")*

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On motion, the Commission adjourned at 10 a. m., to meet Wednesday, October 19, 1960, at 11 a. m., in Room 1600, at 2 Lafayette Street, Manhattan.

PAULINE J. MALTER, Secretary.