

Undermining Zoning

Desperate for answers to the New York housing crisis, the city is coming up with some very dubious "solutions." Among the more ill-advised is a currently proposed zoning amendment that would give special dispensation to owners of "split lots" in Manhattan now zoned for both high and medium density. The purpose is to permit the developers to raise the density of these sites, to construct luxury housing. Without this help to combat high costs, the builders claim that they cannot add to the city's inadequate housing stock.

The proposition is debatable in more ways than one. Chiefly, however, this is both a wrong use of zoning and a dangerous procedure. Zoning is the most inappropriate place to seek relief from the high cost of housing. Cost breakdowns show that more than half the cause is in interest rates, with construction prices next. But zoning is the most vulnerable of all the factors affecting the problem because it is the most politically responsive to pressure, and a great deal of pressure has been brought.

The city's argument for its extraordinary consideration of a handful of builders is that it is faced with a "choice between housing and parking lots." It points out that the owners of these "split lots" have either already leveled them, evicting tenants and demolishing moderate-priced housing in the process, or are continuing to do so. Encouraging this standard speculative destruction by rewarding it, the proposal now is that the city opt for "development" by bending the zoning law. To forestall future speculation aimed at further zoning-bending, the proposal is hedged with "safeguards" and avowals of "no precedent."

The proposal is not only bad zoning policy but bad municipal thinking. No one has been able to determine the actual number of sites affected, or their ownership, or the degree to which they have been "assembled and cleared" as specified. Unlike other special zoning, it provides no compensatory public amenities, as has been done so skillfully in commercial areas. No convincing studies have been made of density impact or the market for overpriced apartments. Such housing meets no mass needs since "trickle down" has become a myth.

Although the amendment is complex, the results would be simple and disastrous. With this kind of bonus as trend-setter, "hardship" would be pleaded repeatedly by developers on other sites as costs continue to rise. The letter and spirit of the zoning law would be vitiated. This is hardly justified by the kind of high-priced housing—even brought down to ludicrous "lower luxury" levels by current tax abatement—that is going begging now, boycotted through choice or desperation by New Yorkers.

Zoning is the guardian of the city's livability and amenity. It is not a tool for false, temporary relief of a problem that should be tackled at its roots, nor an instrument for political adjustment or private gain.