

GROWTH STRATEGIES

Charter Zoning Districts

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Assuming the components of growth include culture, education, health, retail, as well as office space, one of the objectives of the growth strategies is to accommodate the City's future space needs. It is also fair to assume that those needs will change over time as the nature of work, the workplace, its location, and the workplace environment evolves. It is also highly likely that today's responses will have a short shelf life. What will not have a short shelf life is the need to create places that people can identify with.

This condition of uncertainty and complexity suggests we consider alternatives to the traditional practices of either trying to figure it all out in advance through pre-regulation, or the use of discretionary review to respond to opportunities and unique conditions. The alternative would be to embrace uncertainty and complexity and experiment with new, more responsive approaches that harness the individual initiative and creativity that New Yorkers are famous for.

The concept of the charter zoning district is a potential vehicle. The term derives from charter schools, where schools are created to experiment with new ways of teaching by approaching the subject matter differently (e.g. thematically rather than categorically). Similarly, a charter zoning district would be thematic (e.g. place-based) and be integrated with other district activities (e.g. infrastructure improvements, funding, planning, implementation, etc.). It would be experimental, and encourage creativity and innovation, rather than the current one-size-fits-all zoning.

A charter district would manage change rather than prescriptively pre-regulate change. The regulatory structure would be based on managing a place (of which zoning would be a component), employing performance, thresholds, and benchmarking techniques. It would be "just-in-time" rather than "not-in-time" planning and zoning. The charter district would meet substantive and procedural due process standards by reaching public consensus on the values, principles, and performance evaluation criteria that would provide the framework for managerial discretion.

The management approach is designed to provide a degree of district's flexibility to respond to changing needs and innovative thinking, but remain consonant with the district's principles and objectives. In other words, the approach confers a method to contextualize incremental decision (e.g. ability to modify public spaces/ infrastructure, etc. based on the evolving needs of a 24/7 community.). Decisions would be accountable to the public by measuring their performance against a performance dimension (e.g. building massing and shadows on public spaces), thresholds (e.g. capacity of public transportation to accommodate users, the populations needed to support a full range of retail and services, etc.), and benchmarks (e.g. the preferred mix of residential, live-work and workplace populations, quality of public services, etc.).

An annual “state of the district” report would address accountability. It would also summarize the incremental adjustments made during the year as well as identify the need to reconsider the general principles that provide the framework that guides the development. Reconsideration would require a full public discussion.

The 3D/GIS tools and techniques used to plan, design, and manage the district would also provide the transparency and accessibility of the information to the public.

Other thoughts on place-based planning and design

The City, at it’s best, is a self organizing system of individuals acting creatively in their own interest. Kevin Lynch captured this concept in the “Images of the City” (1960) when he wrote that “(the city) is the product of many builders who are constantly modifying the structure for reasons of their own. While it may be stable in general outlines for some time, it is ever changing in detail. There is no final result, only a continuous succession of phases.”

The sheer diversity of the City’s neighborhoods (people and places) is something we should consider building upon. At one time most neighborhoods were “complete” places in their own right. While the “City” always loomed in the distance, these neighborhoods (I am thinking of Brooklyn where I grew up) were characterized by “Main Streets” that developed around a subway stop. Each “Main Street” was complete, a whole place with offices, shopping, services, eating, community facilities, entertainment, and housing. In California this arrangement is called Transit Oriented Development.

Most of the City’s population and labor force live in these neighborhoods and increasingly more so as New Yorkers and prospective New Yorkers see value in them (not just rent, but place as well). The City’s neighborhood “Main Streets” are a resource, particularly as it becomes increasingly possible to decentralize work or rather multi-center work (e.g. home, telecommuting center, office, etc.). The irony is that information technology increases the desire for place and social contact. The possibility/probability that neighborhoods will once again be complete places is predicated on people living and working there.

If place matters (e.g. identity), then a number of things should happen. Among them are an environment in which creativity and innovation is encouraged, the removal of impediments to individual initiative that can’t be demonstrated to protect the public welfare (note: this may vary from place to place), and a reconsideration of the role of neighborhoods in the economic future of the City, and the fact that mixed-use, home-occupations, etc. is a fact notwithstanding the NYC Zoning Resolution.

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