

The Housing Quality Program

QUESTIONS & ANSWERS

The following questions have been raised during periodic briefings that have been held with various groups throughout the City over the past two months. It is intended that this booklet, while not comprehensive, will aid the discussions to be held as part of the workshop to be conducted by the City Planning Commission in September, 1973.

A. GENERAL

Q. WHAT IS THE "HOUSING QUALITY PROGRAM" (HQP)?

A. A proposal to revise the residential portion of the New York City Zoning Resolution. The proposal sets out thirty-seven specific elements of quality, grouped into four broad categories: Neighborhood Impact; Recreation Space; Security and Safety; and the Apartment. Each of the thirty-seven elements is expressed as a numerical goal. A priority system is established by weighting the various elements differently. The full point value for each element is achieved by full compliance with the stated objective. Partial scores for less than full compliance is permitted as well. A total score for a project then determines the allowable density of a given site, up to the limits of densities as presently mapped throughout the City.

Q. DO THESE FOUR CATEGORIES COVER ALL ASPECTS OF HOUSING QUALITY?

A. No. Certain commonly accepted aspects of quality have not been included: namely, availability of municipal services; management performance and materials specifications. These were deleted for one or more of the following reasons: 1. absence of an objective measure; 2. lack of sufficient data to predetermine with a supportable degree of accuracy; 3. inability to properly certify in advance of construction; or, 4. properly the province of other legal controls, such as the Building Code.

Q. ISN'T NEIGHBORHOOD QUALITY MORE IMPORTANT THAN HOUSING QUALITY?

A. The HQP does not neglect neighborhood consideration. In fact the intention is, for the first time, to physically relate new residential

developments to the surrounding area through zoning.

Q. THE HQP IS A SINGLE SET OF RULES YET NO TWO NEIGHBORHOODS ARE ALIKE. AREN'T YOU SIMPLY REPEATING THE PROBLEMS BUILT INTO THE EXISTING ORDINANCE?

A. The existing Ordinance does not account for conditions of the surrounding neighborhood. The HQP does. The numerical goals of many program elements are established as a response to surrounding conditions (i.e. - height, use, site size and street patterns). For instance if an area surrounding a site is composed of six story buildings, the program element governing height will give full value to six story buildings and permit a range from three to nine stories.

Q. DOES THIS SYSTEM PROVIDE MORE OR LESS FLEXIBILITY FOR THE ARCHITECT?

A. More. Each program element is expressed as a goal. The architect is not required to comply fully with each goal. The choices governing full, partial or even no compliance are the architect's to make. He is required to develop compliance percentages in each of the 37 program elements so that the project achieves the desired total score, and hence density. Within this framework, he chooses to emphasize the elements which most satisfy economic, marketing and aesthetic considerations.

Q. IS THIS BASICALLY A TRADE-OFF SYSTEM?

A. Yes. Trade-offs take place between the program elements which, within legal and practical constraints, best define housing quality.



Q. THE EXISTING ZONING ORDINANCE IS CAREFUL TO DEFINE MINIMUM STANDARDS DESIGNED TO PROTECT SURROUNDING PROPERTY AND RESIDENTS. WON'T TRADING-OFF ALLOW A BUILDING TO IGNORE KEY PROGRAM ELEMENTS AND THEREFORE CREATE A SUB-STANDARD BUILDING?

A. No. Of the 37 program elements, 22 have minimum compliance percentages which must be achieved before a building may be built. These requirements prevent substandard design by regulating items such as the required amount of open space, building spacing, shadows on nearby windows, on and off site open space, height of key elements of the building, minimum trees and others.

Q. HOW CAN ITEMS SUCH AS TREES AND RECREATION SPACE BE TREATED EQUALLY?

A. They are not. The four main categories, or programs, are of equal value, but within each program is a series of elements each worth a different number of maximum points.

Q. COULD THESE VALUES BE CHANGED?

A. Yes, they are intended to change but only within an acceptable range. Prior to public discussion, judgements were made based on market, cost and planning analyses, concerning the relative values of different program elements. Final priorities will be established following open review by professionals and communities.

Q. IS THE HQP DESIGNED TO BE A LAW?

A. Yes. It is designed to fully replace the residential section of the existing Zoning Ordinance. It is consistent with the Multiple Dwelling Law and other statutory regulations.

Q. ISN'T THIS FORMAT UNLIKE ANY OTHER ZONING ORDINANCES?

A. Yes, (however, a recent ordinance in Ramapo, N.Y. is similar to the HQP in that it relates a score based on growth impact to the timing of construction). Most zoning ordinances are more concerned with what is minimally acceptable than what is maximally achievable. They are also concerned with a more abstract form of regulation than one based on actual site conditions. Finally, they permit only a limited flexibility and have made many sites unworkable.

Q. HOW CAN THESE 37 OBJECTIVES OR PROGRAM ELEMENTS REPLACE THE PROCEDURES NOW USED TO DETERMINE DENSITY AND CONTROL LAND USE?

A. They cannot. The existing mapping procedures for zoning districts in the City will remain unchanged with the existing zoning maps remaining in force.

Q. THEN WHAT IS CHANGED?

A. The rules governing residential design which vary slightly for each zoning district. The HQP substitutes for these rules.

Q. BUT WHAT HAPPENS TO THE SECTION OF THE ZONING ORDINANCE WHICH CONTROLS BUILDING SIZE AND DENSITY? ISN'T IT A PART OF BOTH THE MAPS AND THE REGULATIONS?

A. Yes. The maps establish different districts (R-1 through R-10) and the regulations set forth a range of densities within each district. The HQP will not alter the maximum permitted densities. At present, it is the building height and amount of open space which determine size (total square feet) and density of a building. This has resulted in



tall buildings surrounded by unused spaces. Under the HQP the quality rating will determine building size and density.

Q. WON'T ZONING CALCULATIONS BE MORE COMPLEX THAN NOW?

A. They will be more detailed, but numerically measurable nonetheless. Standard forms will be printed to make submissions uniform. The testing program indicates that most buildings can be checked in less than a day.

Q. WHO WILL CERTIFY COMPLIANCE WITH THE PROGRAM?

A. Zoning review will be, as now, conducted by the Buildings Department as part of the procedure carried out before issuance of a building certificate.

Q. WILL THE BUILDINGS DEPARTMENTS BE RESPONSIBLE FOR INTERPRETATION?

A. Yes. However, every effort has been made to limit the amount of interpretation necessary. Procedures and definitions are carefully defined to limit variation and make enforcement easier. We anticipate few instances where interpretations would be required.

Q. THE ENFORCEMENT PROCESS MAY TURN UP 'BUGS'. HOW CAN THESE BE ELIMINATED?

A. By amendment, just as they are now, both City Planning and Board of Estimate approval being required.

Q. HOW WILL MAJOR CHANGES BE EFFECTED?

A. Again, the same process will be in effect. In fact amendment will be easier because of the categorization of 37 different program elements. The HQP can be constantly re-evaluated and modernized with community groups playing a larger, more knowledgeable role in the process.

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- Q. HOW ARE RENOVATIONS HANDLED? BUILDINGS CONSTRUCTED PRIOR TO 1961 OFTEN DO NOT COMPLY WITH THE ZONING RULES INSTITUTED AT THAT TIME.
- A. The principle currently used to evaluate renovations for such buildings is that their degree of non-compliance may not be increased. This is often a subjective decision. Under the HQP the applicant would simply prove that renovation will improve his building by showing that the number of quality points is greater in the 'after' version than the 'before'.
- Q. ARE THE 37 PROGRAM ELEMENTS EQUALLY ADOPTABLE TO BOTH NEW BUILDINGS AND RENOVATIONS?
- A. Not completely. It is conceivable that a different set of elements with a different priority scale could be written which would be used only for renovations.
- Q. DOES THE EXISTING ORDINANCE DEAL WITH 'QUALITY'? DOES IT HAVE AN OPTIMUM BUILDING IN MIND?
- A. In a sense it does. It is organized to encourage the construction of tall buildings placed on large lots. It attempts to open up large areas of ground space and to maximize 'light and air' on the ground.
- Q. WHAT'S WRONG WITH THAT?
- A. It's too little and too abstract. Ground space can be of negative value when it is unsafe or used for parking. Light and air can be of dubious distinction when playground, parks and private backyards are thrown into shadow all day. Highrise buildings can unwittingly contribute to the destruction of a surrounding area by drastic changes in scale and



neighborhood identification. Finally, the present Ordinance makes no demands upon the inside of a building. It trusts other codes and regulations and the market to create decent apartments.

Q. CAN WE 'GET INSIDE' A RESIDENTIAL BUILDING THIS WAY? AREN'T SUCH AREAS TRADITIONALLY CONSIDERED TO BE PRIVATE NEEDS?

A. The quality of the housing stock is considered to be a legitimate expansion of City's mandate to protect the "public welfare."

B. NEIGHBORHOOD IMPACT

Q. WHAT IS THE GOAL OF THE NEIGHBORHOOD IMPACT PROGRAM?

A. New housing should be regarded as beneficial by the adjacent community. The program assures that the height of a project relates to the height of the surrounding neighborhood. Further it minimizes the negative effects of shadows cast by a new development. The type of design which promotes continuous street facades and activities are favored over those which tend to break continuity or leave empty space on the street. Finally, greenery is mandated on city sidewalks.

Q. HOW IS THE SURROUNDING NEIGHBORHOOD DEFINED? WHAT ARE ITS BOUNDARIES?

A. The surrounding neighborhood is a limited area which visually effects and is effected by a proposed development. The HQP has an exacting procedure to determine this area. In brief, it is based upon the streets which surround a development and the long-established New York attitude that people live in sub-neighborhoods called 'blocks', defined by these streets. The HQP refers to these blocks as street districts.

Q. WHY NOT SIMPLY DESCRIBE A RADIUS AROUND A SITE?

A. The street district idea is based on defining an area with which people feel they associate. It is the 'block' that is so prevalent in New York. This area is generally smaller than what is usually called a neighborhood: it is always visually apparent, always close, always similar in physical characteristics. The HQP takes this idea and gives it a legal substance.

Q. WHAT IS AN EXAMPLE OF A STREET DISTRICT?

A. A brownstone located on a sidestreet between two wider avenues would have a single street district. This would be an area 100 feet back from either side of the street and stopping at the center-line of the two avenues. If the site in question expanded so that it had frontage on the sidestreet and the avenue, it would then have an additional street district. This street district would have a width equal to 100 feet back from the property lines on either side of the avenue. The length of the street district would extend away from either side of the street and terminate when the avenue intersects a street wider than or equal to its own width. However it could not extend further than 1,000 feet from the site on a single side. There is an additional street district for each additional street which the property would front on.

Q. HOW IS THE STREET DISTRICT CONCEPT USED?

A. The average height of the portion of a building within a street district must bear a relationship to the median height of the existing buildings within that street district.



Q. THE CONCEPT OF SCALE SEEMS TO BE VERY IMPORTANT

A. On total points, scale accounts for 20% of the value of the neighborhood impact program. However, minimums are set which prevent projects from varying more than 50% from existing scale.

Q. IS SCALE A MATTER OF HEIGHT ONLY?

A. No. There are many other factors which relate to scale. An additional measure is the continuity provided by matching setbacks from the sidewalk of new buildings to that of existing buildings. This element in the Neighborhood Impact program is worth 18% of the total points. When combined with an additional element which regulates the length of the portion of the building facing the street, the value is 33% of the total program. The effect of these two program elements is to create a building near the street conforming to all the other nearby buildings in terms of height and width and not leaving any excess and useless space over at its sides.

Q. IN TOTAL, THEN, SCALE IS REGULATED BY FOUR PROGRAM ELEMENTS WHICH ARE WORTH OVER 50% OF THE ENTIRE NEIGHBORHOOD IMPACT PROGRAM?

A. Yes. And these four all have minimum requirements within which a building must fall.

Q. WHY IS SCALE SO IMPORTANT?

A. Maintaining neighborhood scale is commonly accepted as one of the most successful methods for creating new housing in conformance with older neighborhoods. It insures against the imposition of high rise buildings in essentially low rise communities and moderates the rate of change, thereby preventing too rapid transitions.



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- Q. ISN'T IT POSSIBLE THAT BECAUSE A SURROUNDING NEIGHBORHOOD IS OF LOW SCALE AND DENSITY AND A SITE HAS BEEN MAPPED BY THE PLANNING COMMISSION TO PERMIT A NEW BUILDING AT A MUCH HIGHER DENSITY, THAT THE SITE COULD NOT BE CONSTRUCTED UP TO THE PERMITTED DENSITY?
- A. Yes, it is possible but there are two reasons why it would not typically happen. First, the program does not require absolute conformance with existing scale but permits a range of 50%. Second, the coverage limitations existing in the present Zoning Ordinance have been lifted. A building may now cover a great deal more of its site making it lower but no less dense than a taller building. Still such instances might occur and would simply indicate a case of improper or 'spot' zoning where the difference in existing scale and permitted scale would simply be too large.
- Q. LIFTING THE COVERAGE REQUIREMENTS IS A RADICAL APPROACH. HOW CAN THE NEED FOR OPEN SPACE BE IGNORED?
- A. The Recreation Space Program makes specific quality demands for common space available to the tenants. Many times, this space must be outdoors. For the most part, however, the builder has the option of putting it indoors, on roofs or under the building, providing certain standards are complied with. The usefulness of such space will more than make up for the reduced coverage--when such a reduction occurs.
- Q. THE COMBINATION OF CONTINUOUS FACADES OF UNIFORM HEIGHT AND RECREATION SPACE, INDOORS OR OUT, AVAILABLE TO TENANTS SEEMS TO RECALL AN IMAGE OF THE GRAND CONCOURSE, PARK AVENUE OR WEST END AVENUE.
- A. These buildings have proved their usefulness, attractiveness and value as indicated by their marketability. High coverage and privacy are

directly attributable to the finest buildings in New York.

Q. WON'T SUCH UNIFORM BULK BLOCK OUT SUNLIGHT?

A. There are explicit sunlight regulations in the HQP which establish requirements for sunlight both on and off site. Unlike the existing Ordinance, these regulations are based on actual sunlight measurements rather than abstract formulas covering building location. Therefore, the sunlight controls vary with a site's relationship to the sun.

Q. WON'T IT BE COMPLEX TO MEASURE SHADOWS?

A. No. The HQP has a simple procedure for measurement. Tests have shown it to be quickly accomplished. In any case, it is an important procedure which many architectural offices already undertake during analysis.

Q. ISN'T ALL OF THIS CONCERN FOR CONFORMANCE TO EXISTING NEIGHBORHOODS LIMITED IN APPLICATION? AREN'T THERE MANY DETERIORATED NEIGHBORHOODS NOT WORTH PRESERVING? WON'T THE HQP SIMPLY PERPETUATE BAD CONDITIONS?

A. This is true and it is accounted for in the program. Street districts may be classified as 'non built-up' due to vacancy, manufacturing or commercial uses or designation for clearance or redevelopment. When this occurs all program elements dealing with scale are eliminated from the total score. In such instances new buildings need not conform to present negative conditions.

Q. HOW IS GREENERY MANDATED?

A. The new building is required to plant street trees in substantial numbers in the sidewalk in front of it. This planting must conform to standards designed to insure long life for the trees.



### C. RECREATION SPACE

Q. WHAT ARE THE GOALS OF THE RECREATION SPACE PROGRAM?

A. The prime goal is to relate the nature and extent of facilities provided to the intended occupancy of the project. The required recreation space is based on a reasonable need established for adults, children and the total population. This need must be met through the provision of specific facilities. Many times these facilities may be inside, under or over a building. There are also standards assuring winter sunlight, landscaping, and on-site trees and benches. Finally, there are standards governing the placement of on-site parking and roadways to minimize visibility and increase pedestrian safety.

Q. HOW CAN THE AGES OF INTENDED RESIDENTS BE KNOWN IN ADVANCE?

A. Assumptions have been made regarding the apartment distribution: two bedroom apartments will have two adults and one child, a three bedroom apartment, two children and two adults, etc.

Q. HOW IS THIS TRANSFORMED INTO A RECREATION SPACE GOAL?

A. There are additional requirements to meet specific needs of children and adults. Twenty-five square feet is required for each of the total number of residents. Facilities such as swimming pools, handball, tennis, volleyball or basketball courts, meeting rooms or shops may be used to conform to this requirement. In addition, twenty square feet of recreational facilities per child is required. These facilities may be a tot lot, playground or nursery. Further, one hundred square feet is required for each adult. Facilities such as passive space, terraces, health clubs or laundry rooms may be used to conform with this requirement.



- Q. HOW CAN PROPER FACILITIES BE ENSURED?
- A. Each facility has a specific set of standards governing minimum size, location, accessibility and environmental quality.
- Q. SUPPOSE THERE ARE ONLY A FEW CHILDREN IN A PROJECT OR THE DEVELOPMENT ITSELF IS VERY SMALL?
- A. If the amount of square feet required is less than the minimum size of a facility, that facility, obviously, need not be used. If all the facilities are too large the requirement is cancelled. Thirty children would be necessary for a nursery. A minimum of seventy-five children would be necessary for a tot lot.
- Q. WON'T THIS PERMIT AN ABSENCE OF RECREATIONAL OR OUTDOOR FACILITIES IN SMALL PROJECTS?
- A. No, because no such minimums exist for certain categories of recreation space. Passive type space is an example because it has no minimum size requirement. A small development with as little as two units (an estimated four adults) would still require 400 square feet of such space.
- Q. ARE THE RECREATION SPACE STANDARDS DESIGNED FOR TENANTS' USE ONLY?
- A. Public access to such space is permitted but only after tenant needs have been satisfied.
- Q. IS PRIVATE RECREATION SPACE FAVORED OVER DONATED PUBLIC SPACE?
- A. Yes. Experience in many older developments have showed that recreation spaces once planned for public use have often been converted to private space in response to vandalism and poor maintenance. The HQP resolves this conflict by giving first priority to private recreation space,

thereby immediately responding to tenant needs and giving them the responsibility to prevent vandalism.

Q. WILL SUCH SPACE BE MAINTAINED?

A. Surveys have shown that recreation space, accessible to a controlled group, is often better maintained than public space.

Q. ISN'T THE HQP MAKING TOO MUCH OF MERE WALL SCRIBBLINGS WHEN IT PLACES SO MUCH EMPHASIS ON AVOIDING VANDALISM?

A. We are talking about much more than wall scribblings. Vandalism destroys facilities and leads to problems of safety. The result is that recreation spaces are rendered useless and the money and effort spent on them wasted.

Q. DOES THE PRESENT ORDINANCE ADDRESS THE QUALITY OF OPEN SPACE PROVIDED?

A. No. It requires only that a certain percentage of a site not be built upon and permits one half of this open space to be used for parking.

Q. HOW DOES THE HQP INSURE LIGHT AND AIR?

A. By relying on specific, technical measurement to determine sunlight received by surrounding property and buildings. The HQP will result in more light and air than buildings constructed under the existing Ordinance. Further, a greater freedom in building location and bulk is permitted.

Q. WILL THE RESULT BE LESS GROUND LEVEL OPEN SPACE THAN UNDER THE EXISTING ORDINANCE?

A. Possibly. The HQP does not have coverage requirements and it is conceivable that all recreational requirements could be met with facilities which are indoors or on rooftops. In general, however, ground level open



space will be no less than the amount of non-vehicular open space generally provided.

Q. PARKING IS ALWAYS A PROBLEM UNLESS IT IS INDOORS. THE MOST BEAUTIFULLY LANDSCAPED GROUNDS CAN BE RUINED BY POORLY LOCATED PARKING. HOW DOES THE HQP HANDLE PARKING?

A. Two program elements in the Recreation Space program deal with parking. The first element encourages the location of parking within enclosed structures. These structures are to be underground or attached to the residential structure. Another program element reduces the visual impact of any parking on grade lots.

Q. ARE THERE ANY OTHER PROGRAM ELEMENTS IN THE RECREATION SPACE PROGRAM?

A. Yes, three more. One encourages the planting of trees, another the use of landscaping and a third the use and proper location of benches.

#### D. SECURITY AND SAFETY

Q. SUMMARIZE THE SECURITY AND SAFETY PROGRAM.

A. The program utilizes visual surveillance as a deterrent to personal or property damage. The areas of known high crime activity such as elevator lobbies, circulation stairs, parking lots and outdoor recreation spaces are identified and programmed for visual exposure. Recognition of neighbors and outsiders is made easy through the organization of spaces. The resulting sense of intimacy and identification tends to inhibit crime and vandalism.



Q. IS THE CONCERN FOR SECURITY MERELY A FASHIONABLE ONE?

A. The need for recognition and identification has been heeded in the past. Many of the most prominent buildings in the City have scored very high in this regard.

Q. WHAT ABOUT MECHANICAL DEVICES?

A. The HQP disregards them.

Q. WHY? HAVEN'T THEY PROVEN EFFECTIVE?

A. Yes they have. However, they are also subject to breakage, vandalism, and poor maintenance. The HQP is concerned with the basic building organization rather than specific mechanical devices. Both can be very effective together.

Q. CAN THE PRINCIPLES BEHIND THE SECURITY AND SAFETY PROGRAM BE DOCUMENTED?

A. Yes. Although it is a growing science, there has been a good deal of recent literature in this area. In addition, tenant groups have expressed growing interests in design solutions providing proper surveillance.

Q. WOULDN'T A DOORMAN SUBSTITUTE FOR MANY OF THESE CONCERNS?

A. Yes, but doormen often are not at their post or make errors. Also many buildings once had the security of a doorman but no longer can afford one. The HQP is concerned with the long term usability of a building.

E. APARIMENTS

Q. WHAT ARE THE INTENTIONS OF THE APARTMENT PROGRAM?

A. The program is based on common, elemental qualities. Large apartment size, sunlight, window size, visual privacy, storage, and garbage removal are basic needs. In addition, there are guidelines encouraging quality balconies and daylight in hallways.

Q. AREN'T THERE ELEMENTS WHICH WOULD BE IN CONFLICT WITH GOVERNMENT REQUIREMENTS SUCH AS ROOM SIZES FOR SUBSIDIZED APARTMENTS?

A. Yes, but testing has indicated that there is more than sufficient flexibility to make up for such limitations. Many buildings designed under such limitations have scored well.

F. OTHER AREAS

Q. WILL THE HQP ADD TO BUILDING COST?

A. No. Our studies indicate that buildings scoring well are no more expensive than buildings not scoring well. In fact, we anticipate that there will be frequent costs savings due to the ability to build lower buildings with larger floors covering a greater percentage of the site. This speeds construction and may in certain instances permit the use of less expensive materials and reduce elevator costs. The extra foundation and roof areas which result from a building with greater coverage will be at least offset by these savings.

Q. WHAT TYPE OF MATERIALS ARE YOU TALKING ABOUT?

A. Wood and steel joists.



Q. ARE WOOD BUILDINGS QUALITY? AREN'T ALL THE OTHER GAINS COUNTERACTED BY PERMITTING SUBSTANDARD CONSTRUCTION?

A. Not at all. The Building Code has been carefully written to insure an equal high level of structural and incendiary safety for all buildings in a given use category. Many of the finest multi-family buildings in New York are Masonry structures with wood beams and joists.

Q. WHAT WILL HAPPEN TO THE DENSITY PERMITTED ON A SITE?

A. It will be the same as now. The HQP contemplates no increases in density.

Q. HOW WILL THE FLOOR AREA BE COMPUTED?

A. The existing Zoning Resolution is a bonus system which permits within a given district greater buildable area for increasingly higher buildings. The HQP substitutes the accumulation of quality points as the determinant of floor area to be built.

Q. IF THE PRESENT ZONING ORDINANCE HAS A PROTOTYPE IN MIND (TOWERS IN PARKS), WHAT IS THE PROTOTYPE ENVISIONED IN THE HQP?

A. Undoubtedly new prototype will develop, but no single vision is built into the proposal. The abstract and rigid controls in the existing system have restricted residential building to unreasonably tall towers surrounded by open space. The HQP height requirements are based instead on site conditions, building orientation, occupancy characteristics, and the scale characteristics of the surrounding neighborhood. In general, buildings will face the street with structures of a similar height to the nearby residential properties facing the street. Tall buildings may be constructed behind these buildings. The entire development will enclose and limit access to outdoor recreation space. Because of the