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Rule Category

Motivation

- Ⓐ Aesthetic Regimes: public beauty, visual appearance
- Ⓗ Hygiene: separation of incompatible uses, programme, land use
- Ⓒ Contextual Regimes: issues depending on the immediate context and its preservation, economic and social regimes, traditions, etc.
- Ⓓ Rights of Light: enough light and air for everybody
- Ⓥ View Management: preservation of important views of the city
- Ⓜ Managing Bulk: basic stipulations regarding the object's form and bulk

The Kind of Rule

Absolute: fixed limit Ⓐ Ⓓ Relative: reference, ratio, dependency
 Zone related Not zone related
 Min Max

Domain

- Ⓛ Density and Distribution Regulator
- Ⓛ Programmatic Regulation
- Ⓛ Form Regulator
- Ⓛ Height
- Ⓛ Style

Provenience

The individual rules are supplemented by a set of plans which, if need be, specify the areas of effectiveness of individual rules geographically within the territory of the city.

Provenience



Abbreviation
§ Paragraph

Title Rule

Descriptive explanation. [reference(s)]



General

CLN
§ 1.01

Common Law of Nuisance

The individual shall comport himself in such a way that his actions do not represent a nuisance to others. [p.78]

no nuisance



Adam Smith

IH
§ 1.02

Invisible Hand

In pursuing his own objectives, each individual shall in some way contribute automatically to the common welfare. [p.78]

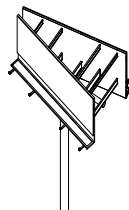


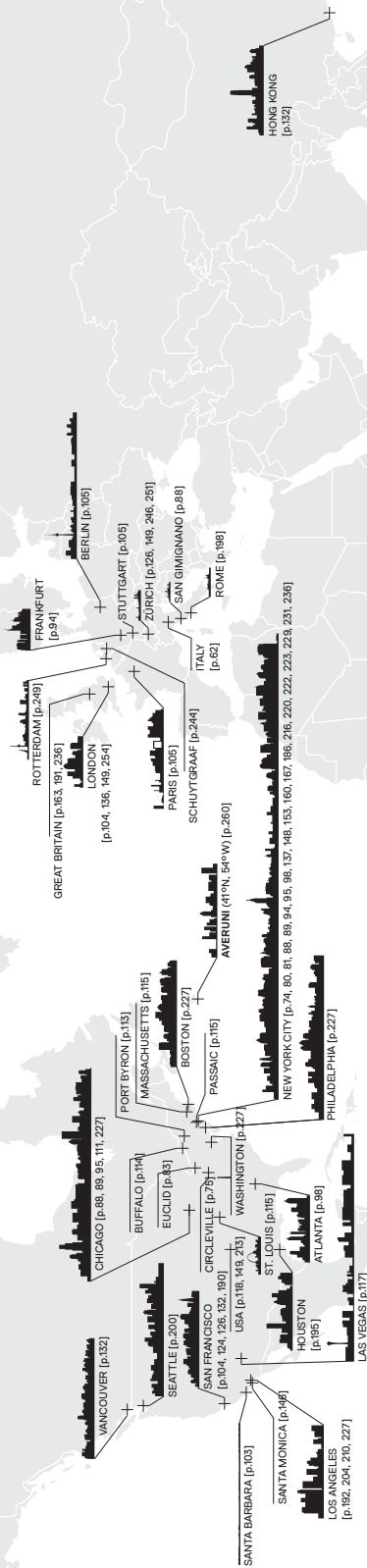
Supreme Court Decision, USA

RTB
§ 1.03

Rights to Beauty

In cases wherein § 1.01 and § 1.02 do not apply, the city (administration) has the right to define the public interest and subject it to police powers. This interest includes aesthetic desiderata. [p.112]





1

Rules as Tools—A Token of Affection

There are books about great cities, books about spectacular streets... and there are books about great architects. You have in your hands a book about *great rules*.

This volume deals with 115 different rules. All of the authors, designers, and inventors of these rules are celebrated personalities. Their names are known throughout the world: Hong Kong, Chicago, Berlin, New York, London ...

Each merits an individual monograph—and in fact, there exist numerous studies devoted to each. All of them share a drive to develop mechanisms in the form of rules—rules designed to influence, to safeguard, even to ward off their own destinies. In this regard, they are united by a certain collegiality: sets of rules are regularly exchanged between them in order to address similar problematics and to learn from one another. But our various cities can also be distinguished from one another by their varying degrees of delight in experimentation. Some are bold inventors that never shy away from self-exploration—even to the point of causing considerable damage to themselves, only to be called upon by the authorities to moderate themselves through the establishment of rules that are only dissipated, finally, in hundreds of revisions. Others will adopt a rule only once it has brought about the desired results elsewhere. Also shared among our cities is a certain optimism, one that regards it as necessary and positive to subject private desires to a certain degree of steering and canalization in order to formulate and to propagate overarching public interests.

This optimism also characterizes the architect and urban designer for whom this book is written. The enterprise of urban design—that is to say, the linking together of various design visions via the negotiation of a diversity of private and public interests—consists more of the conscious positing of rules than the drawing up of plans.

To express a vision in the form of precise plans has always been the core occupation of the designer. And that is what architects are trained to do. The plan is among our most powerful tools. We are less trained to cope with urban rules. We adhere to them more-or-less consciously, and in the rarest of instances, we draft them ourselves. As a rule, we leave this work to municipal building authorities, to their administrators, to lawyers, and to economists.

Still, as professional amateurs with regard to the city, its evolution, and its form, we can hardly avoid acknowledging the significant role played by rules and regulations in shaping our built environment. At the same time, our dealings with rules represents a decisive expansion of our design methods. As integrated, operational tools in planning and design, rules possess special qualities. Their implementation enables the precise formulation of degrees of freedom for specified areas and for the protagonists of the planning process. These freedoms are decisive for the generation of ephemeral qualities such as urban diversity, difference and vitality. Consciously deployed freedoms, moreover, endow planning with a certain sustainability and permanence in confronting an unpredictable future. And finally, rules are helpful instruments in structuring the work of design itself. They simultaneously constitute guidelines for producing a design as well as criteria for evaluating it.

Rules are precise and unambiguous formulations, yet they produce a multiplicity of alternative realities. There exists no special discipline or special location for them, only a context, which takes the form of—once

again—still more rules. In this case, it is the city—the city as a totality of rules which circumscribe it and the building code constitutes an abstract chronicle, or notes for one, one that knows no past tense, and one that can be periodically updated almost unproblematically.

The story they narrate constitutes an authentic portrait of a given city. At the same time, they furnish the impulses that culminate in its monumental action. The universality of such portraits is astonishing. It is a question of negative episodes, of controversies, of private interests masked as public ones and vice versa.

The impact of rules always occurs in the present tense, its effects are always temporary, yet they rework and transform continuing events whose origins lie in the past into guidelines for future action. This reprocessing is determinative (as is always the case with the writing of history), and its inertia provides the city with continuity and reliability. Regulations construct permanent realities within rapid processes of change.

Rules are everywhere—they are infrastructural. They hang like a fog above our built and non-built environments. They remain in force in locations that no street will ever reach. They dominate the air, just as they do the ground and that which lies beneath it. As an abstract and immaterial urban infrastructure, they constitute a connection between built structures, land, and its use. They link the physical with the social city, connecting quality with quantity and latent characteristics to manifest ones. Rules are universal and discrete guiding instruments, and they create an almost poetic, standardized irrationality.

Rules do not act, but they do remain in force. It is not rules themselves that are productive, but instead those who adhere to them. Because of this inherent passivity, regulations initially lead a shadow existence within discussions of the urban will-to-form and the will-to-change.

Still: cities are neurotic. Their self-imposed constraints, whether factual or normative (whether alterable or not), are pervasive, and are at least as responsible for determining the form of our built environment as its individual and primary elements: streets, buildings, and architects.

Legal fiction: the specialized discussion taking place between lawyers, politicians, administrators, sociologists, etc., about regulative administrative mechanisms is not in itself the goal.

This work is instead written for architects who, as urbanists, voluntarily assume the status of subversive civil servants.

It is a question of research into the behavior of buildings and of our built environment: how do buildings react to external and internal pressures, how do they interact with one another to form (compulsory) communities?

Here too, it is a question of a rehabilitation: of the detachment of rules from their bureaucratic torpor and from the deterministic context of building ordinances and laws, of the possibility of converting them into the active and powerful design and steering instruments of an operational, project-based urban design.

Rules supply design principles that represent alternatives and expansions of the conventional plan. They render design control adjustable—ranging from a determinism that resembles automatism to an existential aura of personal responsibility.

This adjustability is one of the most important preconditions for urban

3.1 The Difficult Act of Setting Thresholds

“The popular mind apparently is intrigued by height, as such. A 60-story tower in New York evokes a 70-story tower in Chicago. What is more serious, a 60-story tower in New York evokes a 70-story tower directly across the street.”¹

Demotivation

[A] San Gimignano’s Nobility

In the year 1255, the Italian town of San Gimignano resolved that any new tower erected within the city limits should be no taller than the existing tower of the town hall.

[L] Chicago, New York City,
San Gimignano

This decision put an end at a single stroke to the town’s development boom, and its spectacle of prestige in the form of more than 70 slender towers that were visible from afar on the Tuscan hillside.

Standing there today are only 15.

What happened?

In previous years, competitiveness between ambitious noble families had spurred the construction of ever taller towers. Each additional meter of height was a manifestation of the owner’s superior social status—and the only limit was the sky itself.

Under the still popular pretext of protecting the public health, the right of the individual to storm the heavens was curtailed. The intention was to prevent the stones belonging to these bold homeowners from falling onto the heads of citizens walking below. Which did indeed occur regularly, since given the then current state of building technology, maximum safe building heights did not yet extend quite so far into the heavens.

Still, to select the height of the *town hall* as the uppermost allowable threshold was both arbitrary and careless: mainly because this standard was far too low! Any halfway affluent aristocrat was in a position to erect a tower easily surpassing it. All at once, the decision disqualified a common aristocratic motivation, namely to outdo their neighbors in the art of tower construction.

And so, the building craze was brought to a halt.

In subsequent years, building budgets were devoured by the plague anyway. Meanwhile, the town was for the most part deprived of its political relevance by Florence.²

The context of the height limit set was the maximum engineering height possible at the time, one certainly higher than that permitted, if in all likelihood not by much. *Engineering Height* [EEH] is the maximum height attainable for a structure given the current state of building technology. Remaining a matter of speculation (albeit of considerable interest) is the question of whether it might have been wiser to set penalties for allowing construction material to fall from one’s house rather than setting an absolute height limit. Such a regulation may even have provided impulses for innovations in the field of building technology—the steel frame could have been an Italian discovery, not an American one.

Engineering Height
[EEH] §7.01–5

¹ Ferriss (1929).

² From Alexander Lehnerer (2007), *Tit for Tat and Urban Rules*, 376–79.

Engineering Height [EEH]



14 Speculative San Gimignano and its relevant heights.

It is extremely unlikely that the clinical sounding term “engineering height” was used back then in San Gimignano. In fact, it was a product of the American high-rise debate taking place in early 20th-century New York and Chicago. Soon coming to play a role alongside issues of constructive possibility and feasibility were economic perspectives. After the invention of the steel frame and its code approval (beginning in 1889 in New York), the maximum height was no longer limited by the load-bearing capacities and thickness of the supporting masonry. Now, high-rises transgressed new and unprecedented thresholds in the airy heights: coming into force at a certain point was the “law of diminishing returns” (*Economic Height* [EH], i.e., the point at which the addition of further stories could no longer cover costs, and instead would substantially lower profits).³ Critically important above all are the efficiency and costs of vertical accesses. In 1915, even before the authorities began regulating the height of New York’s buildings in explicit and comprehensive form, the height of the elevators would in the end determine the height of New York’s *Equitable Building*, which had 38 stories.

Economic Height
[EH] §7.01-6

Laggards in Boom & Height Cycles

At that time, Chicago could only dream of the possibility of more-or-less freely choosing building heights. It was in 1893 that the city underwent the explosive irruption of the issue of high-rise building. The real estate development crisis prevailing at the time was the unavoidable response to the fanatical building activity of the preceding years, which had far exceeded demand. The municipal administration responded immediately:

[A]
Real Estate Developers

[L]
Chicago, New York City

³ Carol Willis (1995), *Form Follows Finance: Skyscrapers and Skylines in New York and Chicago*, 46.