

DOB NOW: Build

FALL 2022

Zoning Challenges & Appeals

Updated 11/2022



BEST PRACTICES FOR THE VIRTUAL CLASSROOM





Chat Feature



Mute Microphones



Ask Questions



Parking Lot



Feedback



Participate

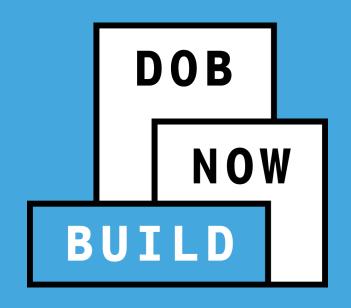


AGENDA



- Zoning Challenges and Appeals for BIS jobs
- Zoning Challenges and Appeals for DOB NOW jobs
- Zoning Documents within the DOB NOW job filing
- Audit Response
- Questions and Answers





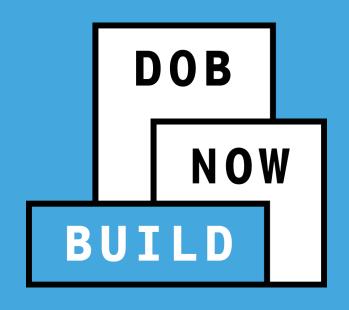
ZONING CHALLENGES & ZONING APPEALS FOR BIS JOB FILINGS

ZONING CHALLENGES AND APPEALS END STATE



- Users will continue to file Zoning Challenges and Zoning Appeals for BIS Jobs using the Zoning Appeals Form and email it per directions published on the Building's website: https://www1.nyc.gov/site/buildings/industry/challenges.page
- The Zoning Challenge and Appeal Form then goes through the standard DOB review process.
- Effective November 7, 2022, users can file Zoning
 Challenges and Zoning Appeals for DOB NOW jobs using
 Building on my Block on the DOB NOW portal.

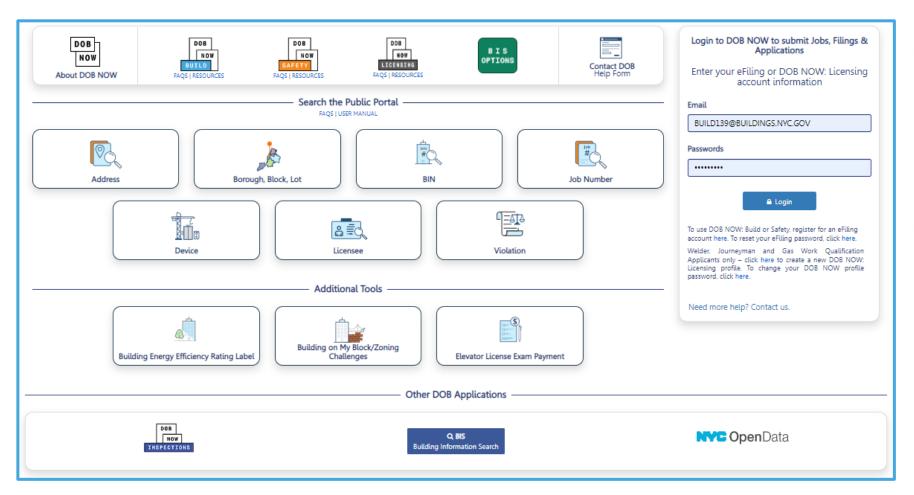
•	TYG	Zoning Challe	nge		
uil	ildings	and Appeal Fo			
		(for approved applica			
		Must be typewritter	7		
1	Property Information Required	for all challenges.			
	BIS Job Number		BIS Document Number		
	Borough	House No(s)	Street Name		
2		****			
	Note to all challengers: This form				
	Last Name Affiliated Organization	First Name	Middle	Initial	
	E-Mail		Contact Number		
3	Description of Challenge Requ	ized for all challenger			
3	Note: Use this form only for challe		tion		
	Select one: Initial challe		usly denied challenge (denied challenge	must be attached)	
	Indicate total number of pages subm				
		section(s) below. Improper citation of	the Zoning Resolution may affect the pr	ocessing and review of this	
	challenge.				
	Describe the challenge in detail below	w: (continue on page 2 if additional s	pace is required)		
	Describe the challenge in detail below	w: (continue on page 2 € additional s	pace is required)		
	Note to challengers; An officia	i decision to the challenge will gins. For more information on	l be made available no earlier that the status of the Development Cl		
	Note to challengers: An official opment Challenge process be	i decision to the challenge will gins. For more information on	l be made available no earlier that the status of the Development Cl		



ZONING CHALLENGES & ZONING APPEALSFOR DOB NOW JOB FILINGS

UPDATED DOB NOW PUBLIC PORTAL



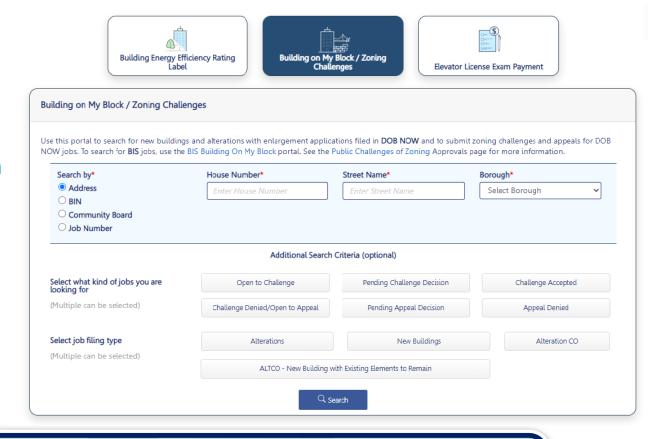


- On November 7th, 2022
 DOB NOW will launch a new landing page.
- Users will be able to access previous features and new tools on via the new page.





- In order to submit a Zoning Challenge, users will need to start by finding the relevant Job
 Filing that they will Challenge using Building on My Block.
- Users can search by Address, BIN,
 Community Board, or Job Number.
- The additional filters will narrow search results to the specific needs of the public user.



Zoning Challenges can only be submitted through Building on My Block for DOB NOW Job Filings with a ZD1 approved on or after September 20th, 2022.



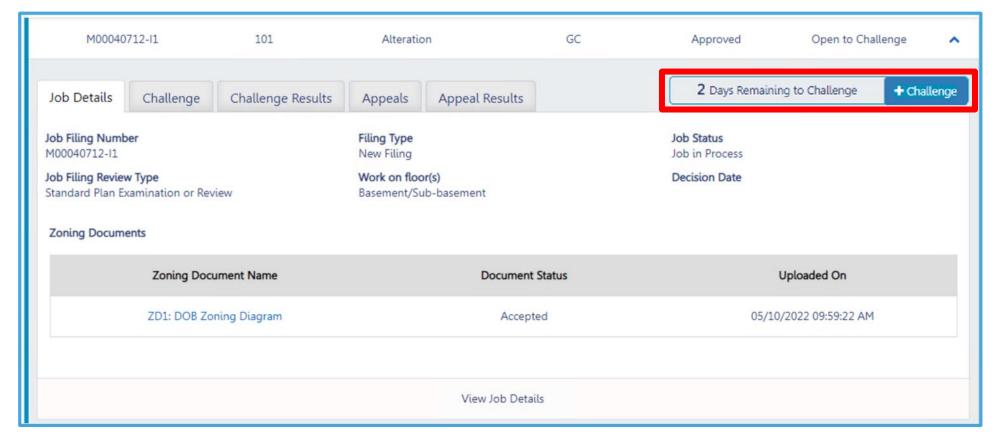


Job Filing# ^	Address ~	Job Type	Work Type ✓	Job Filing Status 🗸	Zoning Status 🗸	
M00042051-I1	280 BROADWAY	Alteration	GC	Approved	Open to Challenge	~

- The system then displays all the Job Filings associated to the information entered.
- Job Filings that are Open to Challenge will be displayed in the Zoning Status Column.
- Click on the down arrow to see the details of the Job Filing.





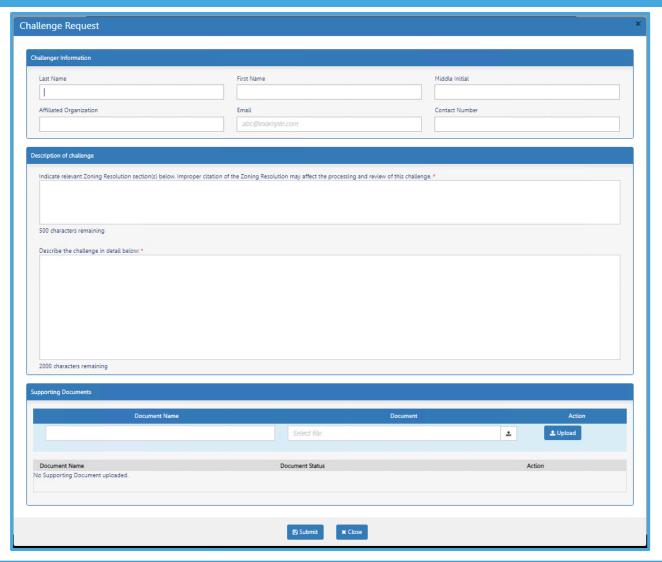


- The number of Days Remining to Challenge can be seen next to the Add Challenge button.
- Click on +Challenge to initiate a Challenge.



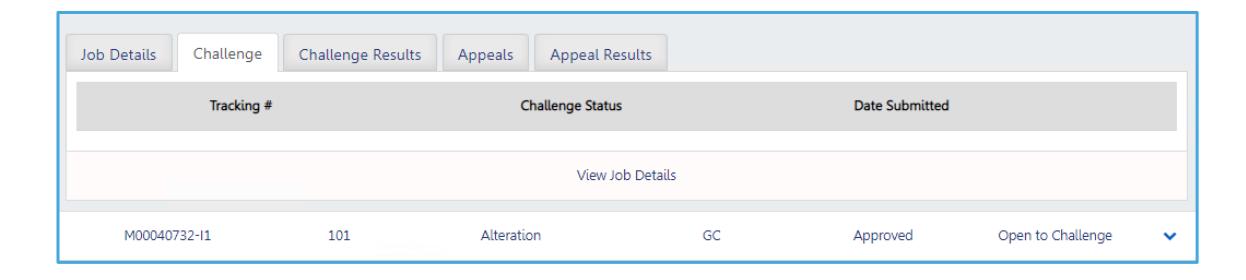


- On initiating a new Challenge, only the Description of Challenge is required to be entered.
- Challengers will receive email
 notifications when there is a response
 published by DOB if a valid email
 address is included within Challenger
 Information.
- Other fields include:
 - Challenger Information
 - Supporting Documents





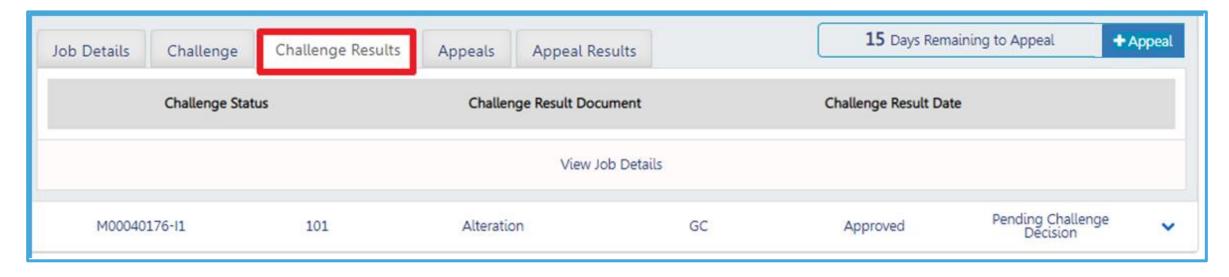




- All Zoning Challenges submitted will be displayed to the public only after the challenge period ends and a decision has been made by DOB.
- A single response to all challenges will also be visible under the Challenge Results tab.
- The Tracking Number and Status will be displayed for each challenge associated with the Job Filing.



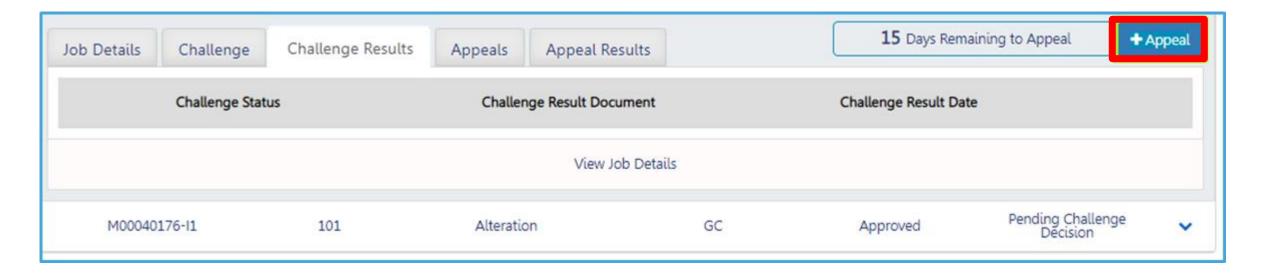




- Within the <u>Challenge Results</u> tab, no information will be shown until DOB issues a response to all Zoning Challenges.
- When the response is issued, the following items will appear:
 - Challenge Status
 - Challenge Result Document
 - Challenge Result Date



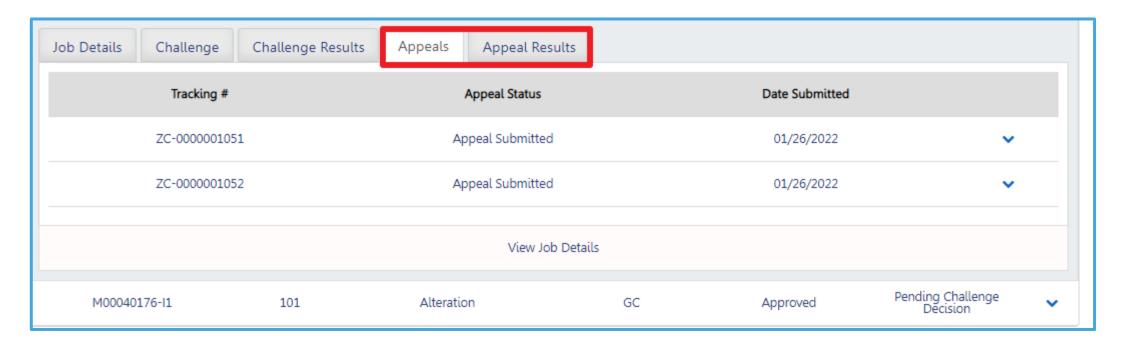




- The +Appeal button can be used to initiate an Appeal if:
 - The Zoning Challenge is denied
 - The Borough Commissioner has chosen to allow Zoning Appeals regarding an Audit Response to an Approved Zoning Challenge.







- The Appeals and Appeals Results tabs are similar to the Challenge and Challenge Results tabs:
 - Data will not display before a decision is made after the Appeals period has ended
 - The submitted Appeals will all be displayed within the Appeals tab
 - The Appeal results can be viewed within the Appeal Results tab



DOB NOW: PUBLIC PORTAL ZONING CHALLENGE/APPEAL STATUSES



The following displays the statuses for tracking Challenges/Appeals:

ZONING CHALLENGE/APPEAL STATUS	CHALLENGE/APPEAL RECORD STATUS	JOB FILING PORTAL STATUS
 Open to Challenge/Appeal 	Challenge/Appeal Submitted	 Challenge/Appeal Accepted - Intent to revoke Full SWO
Pending Challenge/Appeal Decision	Review Complete	 Challenge/Appeal Accepted - Intent to revoke Partial SWO
Challenge Denied/Open to Appeal		 Intent to Revoke – Challenge/Appeal Accepted
 Challenge/Appeal Accepted – No Intent to Revoke 		Intent to Revoke - Audit Review in Progress
 Intent to Revoke – Challenge/Appeal Accepted 		Revoked
Revoked		



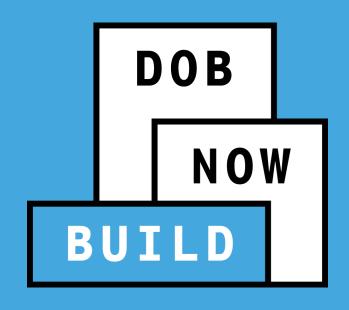
DOB NOW: Build - ZONING CHALLENGE: APPEALS



STILL NOT SATISIFED?

- If the Appeal Response does not satisfy the public user, they can go further beyond DOB NOW.
- Subsequent appeals may be made to the Board of Standards and Appeals.





ZONING DOCUMENTS
WITHIN THE JOB FILING

DOB NOW: Build - JOB FILINGS WITH ZD1



- General Construction Job Filings for New Building (NB) or Alteration (ALT-CO and Alt) with enlargement are required to upload the ZD1 document.
- The ZD1 document must be uploaded for:
 - 1) Initial Job Filings for NB GC filings
 - 2) Initial Job Filings for Alt-CO enlargement GC filings
 - 3) Initial OR Subsequent Alt Enlargement Job Filings



DOB NOW: Build – JOB FILINGS WITH ZD1



Any Job Filing that requires a ZD1 is eligible for a Zoning Challenge in DOB NOW:

JOB TYPE	FILING TYPE	WORK TYPE
 New Building 	Initial	General Construction
 Alt CO with Enlargement 	Initial	General Construction
 Alt with Enlargement 	 Initial or Subsequent 	General Construction



DOB NOW: Build - JOB FILINGS WITH ZD1



- All ZD1s will undergo a technical review from one of the DOB's various review teams.
- For Standard Plan Review Job Filings, the ZD1 will be reviewed by the Chief Plan Examiner/Assistant Chief Plan Examiner (CPE/ACPE) and a Plan Examiner (PE).
- For Professional Certification Job Filings, Job Filings are reviewed by the Prof Cert Supervisor and Administrator, and then by the Zoning CPE/ACPE and Zoning PE.





DOB NOW: Build – ZD1 TRACKING AND REVIEW



New Features in the Zoning Documents Section

 Apart from the latest version of accepted ZD1, older versions of ZD1 are also visible on the Job Filing under ZD1 History.

The ZD1 review and approval is tracked distinctly.

There is a consolidated view of all challenges, appeals and related results for a given Job Filing.

The ZD1 challenge/appeal timeline is transparent and tracked automatically.





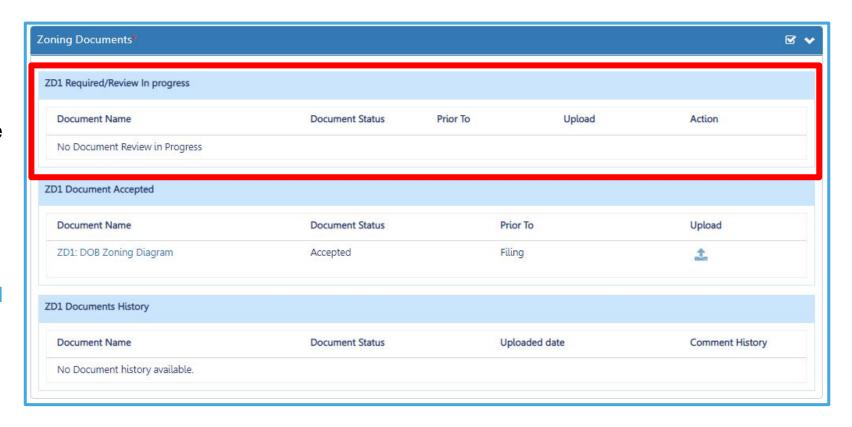
- The New Zoning Documents section is exclusively for handling the ZD1.
- Note The Zoning Documents section will only appear for DOB NOW jobs submitted on or after November 7, 2022.







- Clicking on the Zoning Documents section opens three panes representing different stages in the ZD1 lifecycle:
 - ZD1 Required/Review in Progress
 - ZD1 Document Accepted
 - ZD1 Document History









- The ZD1 Required/Review In progress section will allow users to upload the required ZD1 document and view it after submission or while being reviewed by DOB.
- Stakeholders will now be able to withdraw an uploaded ZD1 before it is submitted.
- The withdrawn ZD1 will appear in the ZD1 Documents History.







- There can be <u>only one</u> ZD1 in the ZD1 Required/Review section.
- If the ZD1 is already reviewed and accepted/approved by DOB, then this section will be blank.





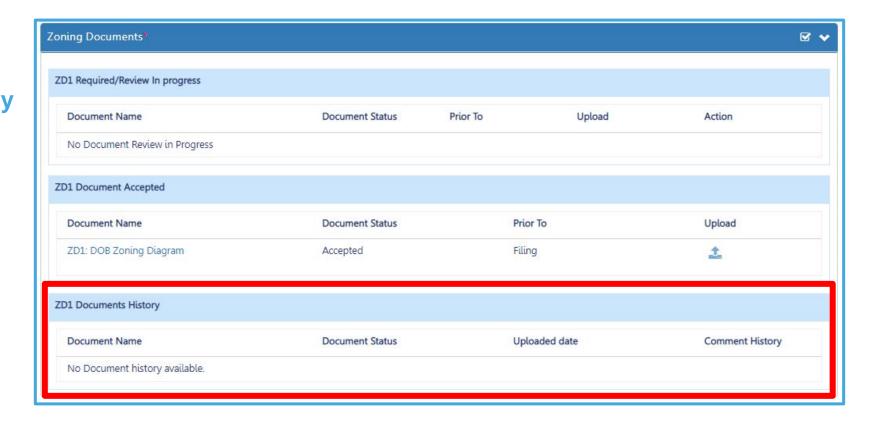
- Once the ZD1 has been accepted by DOB, it will move to the ZD1
 Document Accepted section.
 There will only be one ZD1 in the Accepted section at any time.
- Click on the upload button within the ZD1 Document Accepted section to upload a new ZD1
 Document.
- This newly-uploaded document will be displayed in the ZD1 Required/Review in Progress section.







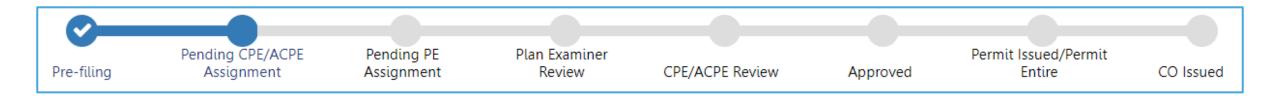
The ZD1 Documents History
 section will display
 previously accepted or
 deleted by user/withdrawn
 versions of the ZD1



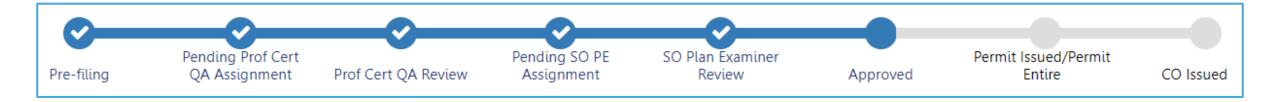


DOB NOW: Build - ZD1 APPROVAL PROCESS





The review process for Standard Plan Exam Job Filings is not changing.



The review process for Professional Certification Job Filings is also not changing.



DOB NOW: Build - ZONING CHALLENGES/APPEALS AND NEW ZD1s



- The 45-day challenge period begins when the <u>ZD1 is Accepted</u> by DOB. The ZD1 can be accepted by DOB <u>before the Job Filing is Approved</u>.
- Users may submit a new version of the ZD1, such as in response to an Objection.
- When the new version of ZD1 is Approved:
 - The old version will still be visible on both the public portal and the industry portal in ZD1
 Documents History.
 - A new 45-day challenge period will begin.
 - The public will only be able to submit Zoning Challenges against the most recently approved
 ZD1.
 - Previously filed Zoning Challenges on prior accepted ZD1 will still be reviewed by DOB and be visible after review. However, challenges/appeals against the older version cannot be submitted.

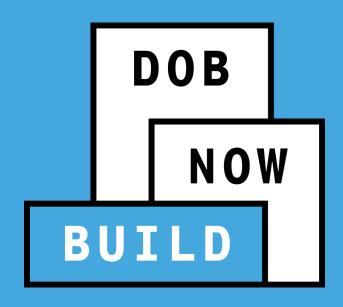


DOB NOW: Build – ZONING CHALLENGES/APPEALS AND NEW ZD1s



- Once the Job Filing is Accepted, all Zoning Challenges filed against the Job Filing will be held for review until the last 45-day period is over.
- DOB will review all the Challenges/Appeals submitted against all versions of ZD1 and publish one
 Challenge Result/Appeal Result.
 - If the Zoning Challenge is Accepted, the Job Filing will be put into Intent to Revoke status.
 - This will pause any existing actions being taken on the Job Filing, such as Permit requests.
 - The Applicant of Record will be notified of the changes required to the Job Filing by Objections visible on the respective Job Filing.
 - The Objections will also be sent via an email notification.
 - The Applicant of Record will need to file an Audit Response by initiating it from the actions drop-down of the respective Job Filing.





AUDIT RESPONSE

Submitting New ZD1
Viewing Zoning Challenge Objection(s)
Responding to Zoning Objection(s)

DOB NOW: Build – ZONING CHALLENGE: AUDIT RESPONSE REMINDERS



- If a Zoning Challenge is Accepted, all stakeholders associated to the Job Filing receive <u>an email</u>
 <u>notification</u> informing them of any Job Filing status change and of <u>Objections raised as a result of the accepted Challenge/Appeal</u>.
- The applicant has up to 15 calendar days to submit an Audit Response with:
 - An updated ZD1
 - Resolution of all Objections
- During this 15-day period, all actions in progress related to the Job Filing, such as Permit requests, will be put on hold.



DOB NOW: Build – ZONING CHALLENGE: AUDIT RESPONSE REMINDERS



- If the Audit Response is not submitted within 15 days of when the Job Filing is set to Intent to Revoke, then DOB will take appropriate enforcement actions such as Revoking the Approval/Permits.
- During review of Audit Responses, the Job Filing will remain on hold. The Intent to Revoke disposition will not be removed until the Audit Response has been Approved.
- For Audit Responses, the Filing Number will have an "AR**" suffix.



DOB NOW: Build - ZONING CHALLENGE: INITIATE AUDIT RESPONSE



View	Filing Action	Job#	Filing#	Job Type	Filing Type	Filing Status	Modified Date
						×	
Ø	Select Action: 🗸	Q00040713	I1	Alteration CO	New Job Filing	Intent to Revoke - Audit Review in Progress	05/10/2022
Ø	Select Action: 🗸	S00040665	I1	Alteration	New Job Filing	Intent to Revoke - Audit Review in Progress	05/10/2022
Ø	Select Action: 🗸	X00040665	S3	Alteration	Subsequent Filing	Intent to Revoke - Challenge Accepted	05/06/2022
Ø	Select Action: 🗸	S00040675	I1	Alteration	New Job Filing	Intent to Revoke - Audit Review in Progress	04/29/2022
Ø	Select Action: 🗸	X00040653	l1	Alteration	New Job Filing	Intent to Revoke - Appeal Accepted	/27/2022
Ø	Select Action:		11	Alteration	New Job Filing	Intent to Revoke - Challenge Accepted	22/2022
Œ	Initiate Audit Respo		I1	Alteration	New Job Filing	Intent to Revoke - Audit Review in Progress	04/13/2022
Œ	L2 (Civil Penalty Rev		11	Alteration	New Job Filing	Intent to Revoke - Audit Review in Progress	04/11/2022
		C00040476	C1	Alkamakiana	Cultura Ellina	Intent to Develop Applie Deview in December	04/00/2022

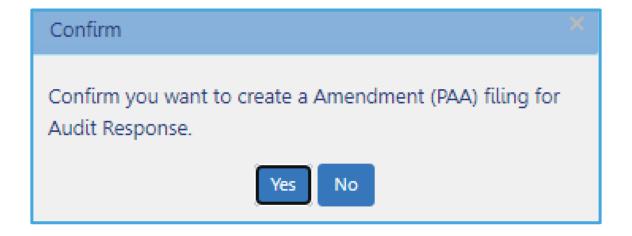
- 1. To initiate an Audit Response, find the Job Filing with the status Intent to Revoke Challenge Accepted,
- 2. From the Select Action drop-down list, select Initiate Audit Response.



DOB NOW: Build - ZONING CHALLENGE: INITIATE AUDIT RESPONSE



The system displays a Confirm notification; click Yes to proceed.





DOB NOW: Build – ZONING CHALLENGE: INITIATE AUDIT RESPONSE



 The page refreshes and displays the title Plans/Work (PW1) – Audit Response.

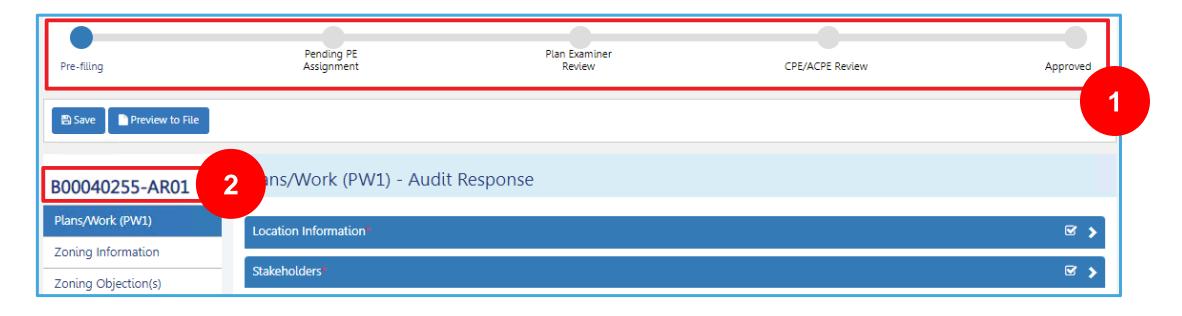
2. In order to continue the process, click Save.





DOB NOW: Build - ZONING CHALLENGE: AUDIT RESPONSE

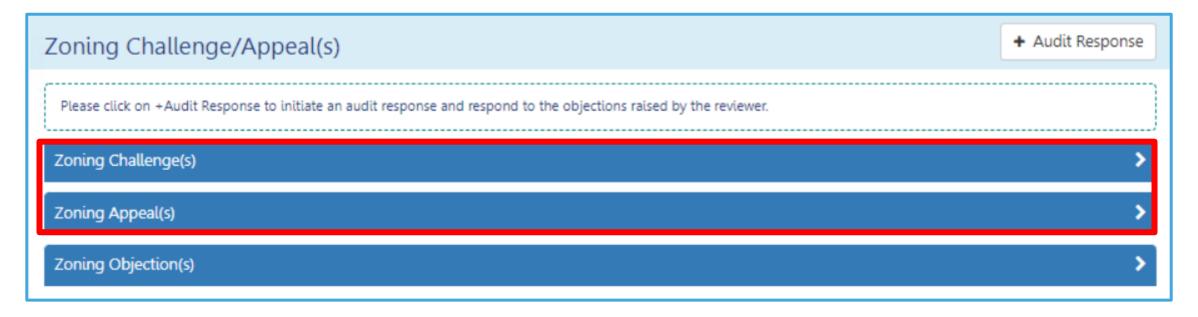




- The page refreshes:
 - The Status Bar displays
 - The Job Filing number updates to include AR and the file number (e.g., AR01)





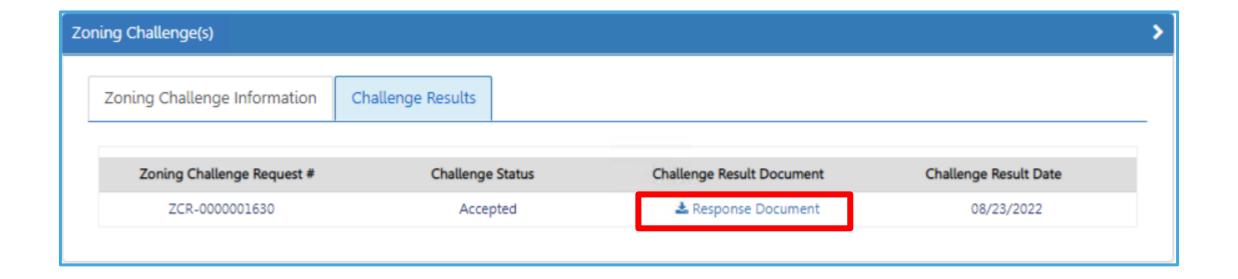


- From the tabs, select the Zoning Challenge/Appeal(s) tab.
- The page refreshes to display the Zoning Challenge/Appeal(s) details.
- The Zoning Challenge(s) and Zoning Appeal(s) sections will display all the submitted Challenges/Appeals
 and the corresponding Response(s).



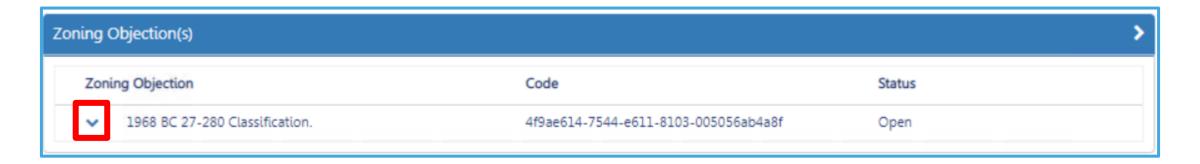


- The Response Document can be viewed from the Challenge Results or Appeals Results tab.
- This document will explain why DOB chose to accept the Challenge or Appeal.

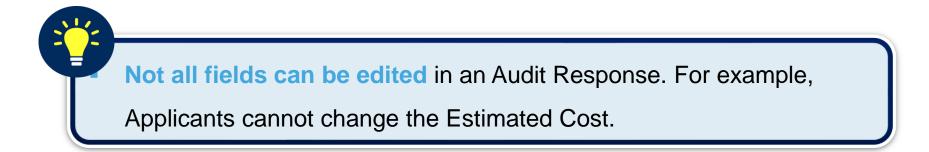








- The Zoning Objection(s) section will explain what needs to be changed in the Job Filing based on the Response to the Challenge or Appeal.
- Click on the down arrow to see more details.





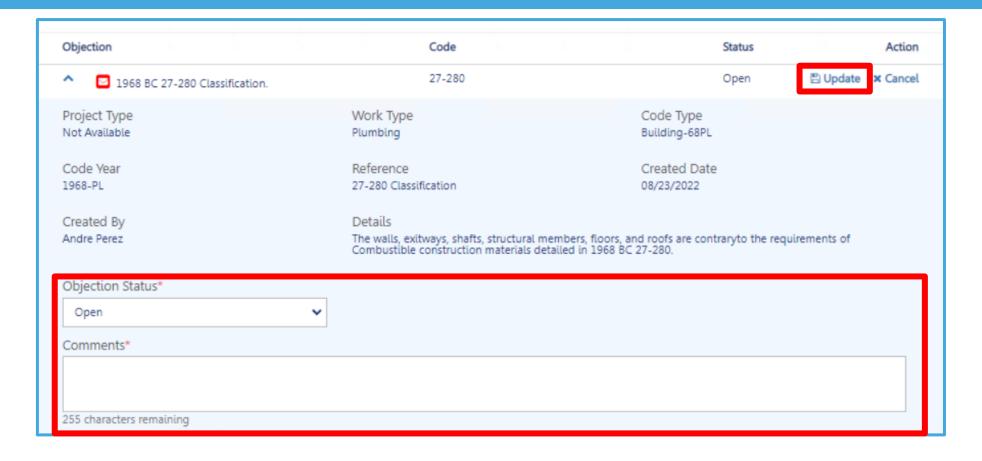




- Make the required changes, including uploading a new ZD1 document.
- Click on the Incomplete/Objections/Appointments tab to update the Objection to Resolved and enter Comments.







- Change the status in the Zoning Objection Status drop down list to Resolved. And enter Comments.
- Click Update to save the changes.



DOB NOW: Build - AUDIT RESPONSE ADDITIONAL INFORMATION



- The cost to file an Audit Response is \$100. This fee must be paid before the Audit Response is submitted.
- If the initial Job Filing was fee exempt, no fee is required for the Audit Response.
- Once the fee is paid, Applicants can click Preview to File in order to submit the changes to DOB.



DOB NOW: Build – AUDIT RESPONSE ADDITIONAL INFORMATION

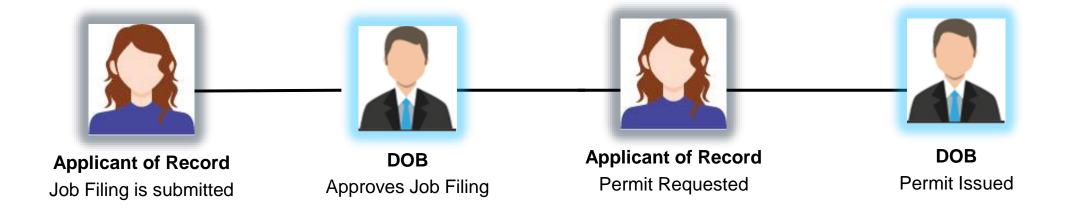


- Audit Responses are reviewed by the Zoning Audit Response Team.
- The review process is similar to any other Standard Plan Job Filing review. The Plan Examiner may raise Objections to the Audit Response and either require or allow Appointments to discuss the Objections.
- The Borough Commissioner/Deputy Borough Commissioner will conduct the final review of the decision on the Audit Response. At this point, they will withdraw the Intent to Revoke status and decide whether to open a new 45-day Challenge period, a 15-day Appeal period, or deny both.



DOB NOW: *Build* – ZONING CHALLENGE: JOB FILING PROCESS NO CHALLENGES OR APPEALS

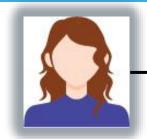






DOB NOW: *Build* – ZONING CHALLENGE: JOB FILING PROCESS WITH CHALLENGE PROCESS





Applicant of RecordJob Filing is Submitted



DOBZD1 is accepted



John Q Public
Files a Zoning Challenge



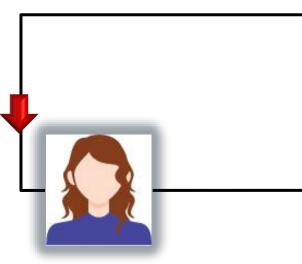
DOBJob Filing is Approved



DOBChallenge is Accepted



DOB
Intent to revoke



Applicant of RecordSubmits Audit Response



DOB
Approval & Rescind Intent
To Revoke



Applicant of Record
Permit Process Continues



DOB NOW: Build - ZONING CHALLENGE: JOB FILING PROCESS WITH APPEAL PROCESS

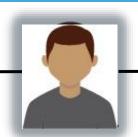




Applicant of Record Job Filing is filed



DOB ZD1 is accepted



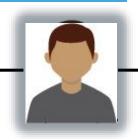
John Q Public Files a Zoning Challenge



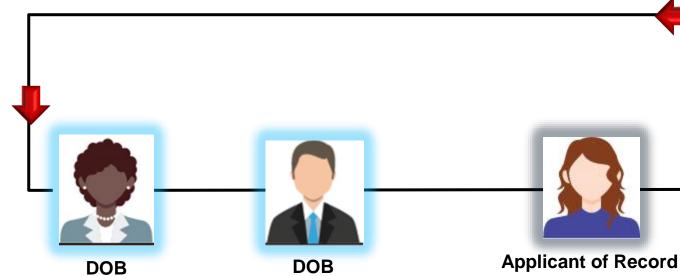
DOB Job Filing is accepted



DOB Challenge is rejected



John Q Public **Appeal Filed**



Intent to Revoke



Files Audit Response



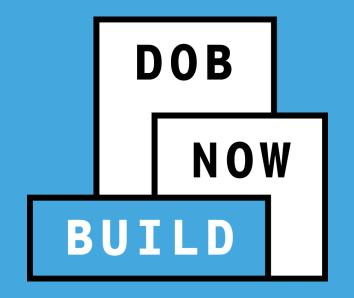
DOB Approves Audit Response



Applicant of Record Permit Process Continues



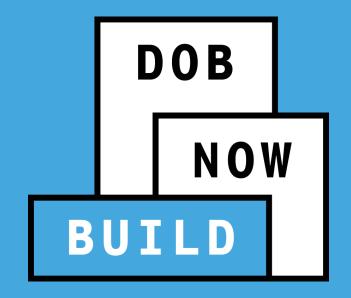
Approves Appeal



THANK YOU!

NO PAPER. NO LINES.





QUESTIONS?

NO PAPER. NO LINES.