

How much housing is built as-of-right?

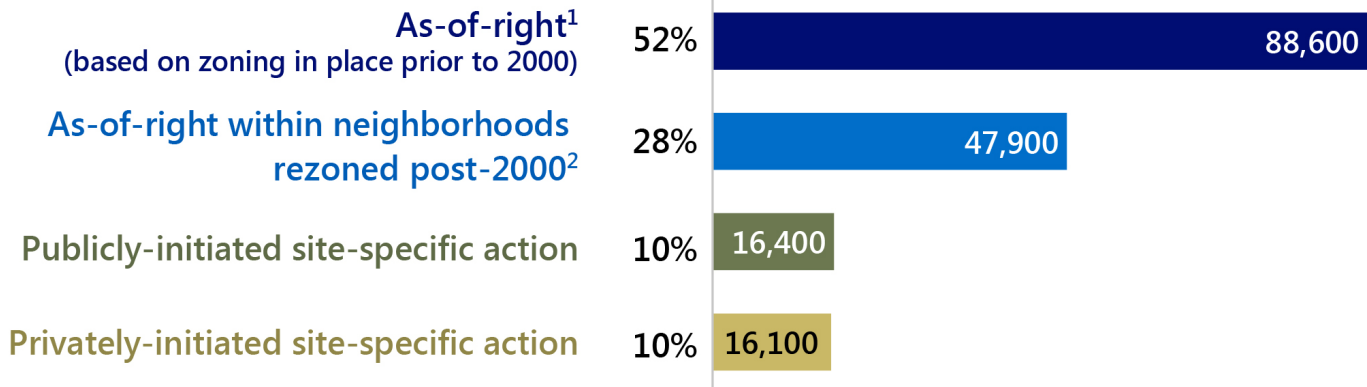
- Since 2010, 80% of all new housing production, and nearly 90% of construction on privately-owned land, was as-of-right.
- Half of units requiring actions from the City Planning Commission were City-sponsored.
- About 28% of all new units were built in neighborhoods rezoned after 2000 to allow for more housing.

To better understand the role of land use review in facilitating new housing, the Department of City Planning analyzed the share of new housing completed from 2010 to 2018 that was built following site-specific discretionary approvals by the City Planning Commission (CPC). The analysis also considered how much new housing was built as-of-right – requiring no action from the CPC – including in areas where neighborhood rezonings adopted since 2000 increased housing capacity. The findings include:

As-of-right development is critical to new housing production in New York City. About 20% of new housing units completed since 2010 required CPC site-specific discretionary approvals. The other 80% of new housing units were built as-of-right, amounting to 136,500 units.¹

Neighborhood planning is important to sustaining as-of-right housing production. Neighborhood rezonings² of the past two decades have contributed significantly more new housing (28%) than all site-specific approvals (20%).

Housing Units Completed 2010 - 2018



As-of-right development¹

New housing that complies with existing zoning regulations can be built as-of-right – requiring no action from the CPC – by filing for building permits with the Department of Buildings (DOB).

As-of-right within neighborhoods rezoned post-2000²

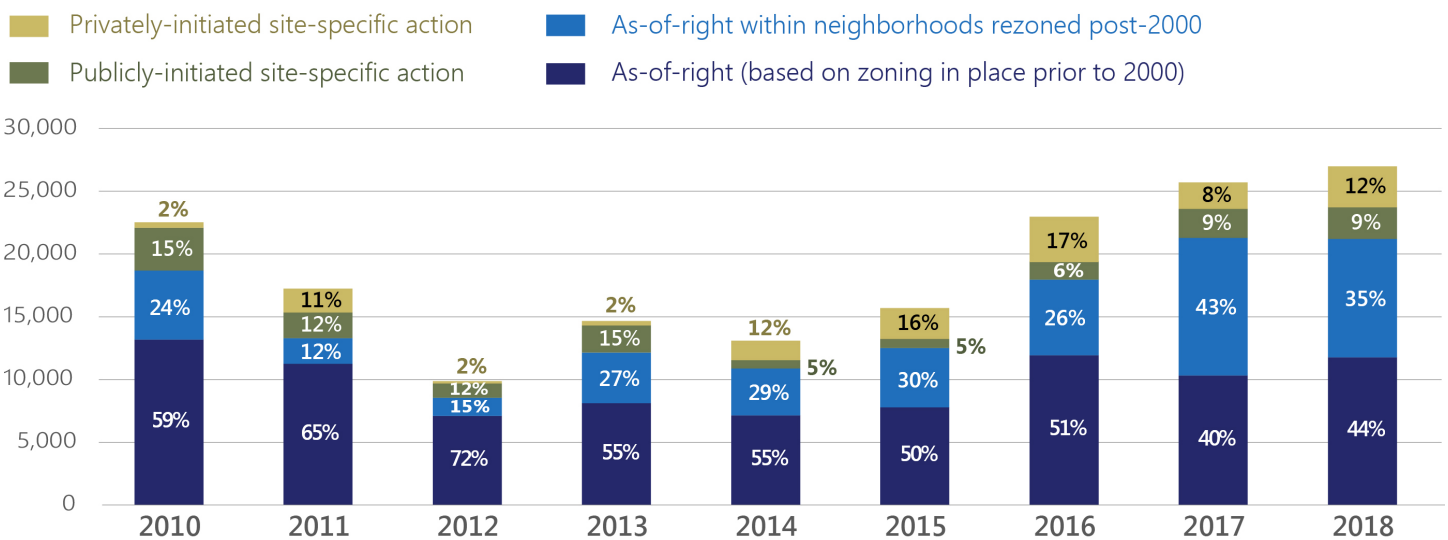
To plan for NYC’s growing population, the City conducts neighborhood planning initiatives, which include rezoning appropriate areas to increase opportunities for new housing. Where a neighborhood rezoning since 2000 increased the permitted density of housing, it allowed for more new housing construction to proceed as-of-right.

Site-specific actions

Some land use actions enable the construction of a specific project. In such a case, an application to the CPC modifies zoning regulations for a limited area or grants certain special permissions. Site-specific CPC applications are typically also required for the sale or lease of City-owned land, for instance to allow for development of affordable housing. Thus, the applicant for a site-specific action may be a public entity, such as the Department of Housing Preservation and Development (HPD), or a private property owner.

1. All units that did not require CPC site-specific discretionary approvals are labeled “as-of-right,” though they may have required other ministerial or discretionary approvals by the Board of Standards and Appeals, the Landmarks Preservation Commission or another City or State entity.
 2. Analysis includes only those specific areas within rezoned neighborhoods where the residential density was increased.

Completed Housing Units, by Year and Type of Land Use Action



Other Findings

- Housing development on City-owned land, which typically consists of affordable housing, is subject to CPC approval through publicly-initiated site-specific actions.
- Considering only housing construction on privately-owned property³ (which excludes units completed as a result of publicly-initiated site-specific actions), 89% of new housing units completed between 2010 and 2018 were built as-of-right.
- Neighborhood rezonings have played a significant role in supporting new housing creation: 28% of all new housing completed since 2010, about 48,000 new units, has been built as-of-right in areas where housing capacity was increased through a neighborhood rezoning post-2000.
- Neighborhood rezonings that have resulted in the most new housing units were in Long Island City, Greenpoint/Williamsburg, Downtown Brooklyn, Hudson Yards and West Chelsea.
- In recent years, the number of units built as-of-right in recently rezoned neighborhoods has increased, while other as-of-right production has not exceeded its 2010 level.
- While all housing production is related to economic cycles, the production of units from privately-initiated site-specific actions varies more widely during market cycles than other categories of housing development.

3. Privately-owned property encompasses all property that is not City-owned, including property owned by non-profit institutions.

Methods and Sources

The Department of City Planning created a spatial join between three databases:

- A housing database (version January 2019) of DOB Applications and Certificates of Occupancy data from 2010 to 2018, compiled by DCP. Units completed are based on the year of issuance of the first Certificate of Occupancy (Temporary or Final). The analysis is limited to New Buildings; Alterations or Demolitions are not included. The time period covered by this database defined the time frame of the analysis.
- A database of select site-specific discretionary actions approved by the CPC between 2000 and 2015 (900 records), including Urban Development Action Area Projects and other dispositions, zoning map changes, certain Special Permits and Authorizations, and certain Modifications of Special Permits or Restrictive Declarations.
- A database of City-led area-wide rezonings approved between 2000 and 2015 (130 records for area-wide actions), where the change in permitted residential density was evaluated on a lot by lot basis, based on permitted residential density before and after the zoning change, per MapPLUTO.

The analysis only considered housing completions with permits issued after approval of the site-specific or area-wide land use action.

About the Department of City Planning

The Department of City Planning (DCP) plans for the strategic growth and development of the City through ground-up planning with communities, the development of land use policies and zoning regulations, and its contribution to the preparation of the City's 10-year Capital Strategy. For more information, go to: nyc.gov/data-insights