

Criteria Applicability Chart for Racial Equity Report on Housing and Opportunity submission

This chart identifies what criteria Land Use actions must meet to require that a Racial Equity Report be submitted

Criteria	Actions that might be subject to Legislation if criteria are met				
	HA (ULURP UDAAP with Disposition PC (Site Selection & Acquisition) PQ (Acquisition) HU (Urban Renewal Plan) HD (Disposition of urban renewal site), MM (City Map Amendment), ML (Land Fill)	PP (non-residential disposition)	ZM (zoning map amendment), ZS or RS (Special Permit)	ZR (Zoning Resolution text amendment)	HK (Historic District Designations)
It is an acquisition or disposition of land for non-residential use with at least 50,000 zoning square feet of floor area	Zoning square feet of proposed non-residential	X			
It is an acquisition or disposition of land for new residential building of 50,000 square feet or more (report only applies to any buildings of at least 50,000 sf) (measured in Zoning Square Feet)	X				
It would increase permitted residential floor area by at least 50,000 zoning square feet (not CEQR increment, not applicants project: only change in ZSF permitted)	X		X		
It would increase permitted non-residential floor area by at least 200,000 zoning square feet	X	X	X		
Or it decreases permitted residential floor area or number of housing units** on at least four contiguous city blocks. (If it touches four blocks (need not be complete blocks). Does apply to net-zero rezoning where part of a neighborhood is up-zoned and part down-zoned.)	X	X	X		
It changes permitted floor area for a use or use regulations* in a M1, M2, M3 (including M1-D, -M, -A, -B excluding MX) district and the proposed project includes a building containing at least 100,000 zoning square feet of floor area			X	X Not likely for just a ZR	
5 or more community districts are affected by a zoning text amendment Note: A ZR might affect multiple boroughs, but not 5 or more CDs, so applicant should be asked specifically about number of CDs				X	
The historic district affects 4 or more City Blocks (or portions thereof) Landmarks Preservation Commission submits the report and Geodata through Applicant portal					X

*Changes to use regulations, not just changes to permitted uses, fall into this category. So, for instance, a change to performance standards, enclosure requirements, or amount of permitted floor, could trigger the legislation’s requirements.

** How do we calculate permitted housing units? Only include # of housing units where the zoning map change changes permitted uses to restrict multifamily or two-family homes vis-à-vis what is currently allowed. Still an outstanding question as to whether an increase in parking requirements (for instance) that indirectly limits the number of housing units that can be built would qualify under this category.

Questions to determine applicability

Certain projects are subject to requirements to submit a Racial Equity Report on Housing and Opportunity under [Local Law 78](#) of 2021. The below questions are to help identify whether your project is.

Please check all that apply:

1. I am applying for a ULURP action that entails an acquisition or disposition of land...

- ☐ **to facilitate a non-residential project with at least 50,000 zoning square feet of floor area**
- ☐ **to facilitate a new, enlarged, or converted residential building of 50,000 zoning square feet or more**

Can include City Map Amendments that result in acquisition or disposition of land (MM), ULURP UDAAP with disposition (HA), Site selection and Acquisition (PC), Acquisition (PQ), Urban Renewal Plans (HU), Disposition of urban renewal sites (HD), and Land Fill (ML) actions. Data Points needed:

- a) Zoning square footage of proposed non-residential development or enlargement or conversion
- b) Zoning Square footage of proposed residential development or enlargement or conversion

2. The action(s) I am applying for are ULURP actions and would:

- ☐ **Increase permitted residential floor area by at least 50,000 zoning square feet**

This applies to the change in zoning square feet permitted (not the CEQR increment, and not limited to the proposed project) Data points needed:

- a) Proposed change in permitted zoning square feet (residential) in entire project area (includes development site and any other sites affected). To get permitted zoning square feet, multiply area of all sites affected by applicable Floor Area Ratio. Zoning Handbook or Urban Renewal Plan can help with identifying floor area ratio.

- ☐ **Increase permitted non-residential floor area by at least 200,000 zoning square feet**

This applies to the change in zoning square feet permitted (not the CEQR increment, and not limited to the proposed project) Data points needed:

- a) Change in permitted zoning square feet (non-residential) in entire project area (includes development site and any other sites affected). To get permitted zoning square feet, multiply area of all sites affected by applicable Floor Area Ratio. Zoning Handbook or Urban Renewal Plan can help with identifying floor area ratio.

- ☐ **Decrease permitted residential floor area on at least four contiguous city blocks**

This applies to the change in zoning square feet permitted (not the CEQR increment, and not the proposed project). They need not be complete blocks. Data points needed:

- a) Number of contiguous zoning blocks affected by actions (in part and/or wholly)
- b) Change in permitted zoning square feet (residential) in entire project area (includes development site and any other sites affected). To get permitted zoning square feet, multiply area of all sites affected by applicable Floor Area Ratio. Zoning Handbook or Urban Renewal Plan can help with identifying floor area ratio.

- ☐ **Decrease number of housing units permitted on at least four contiguous city blocks**

They need not be complete blocks. Only include the decrease of housing units where the action (usually a zoning map amendment (ZM)) changes permitted uses to restrict multifamily or two-family homes vis-à-vis what is currently allowed. Data points needed:

- a) Number of contiguous zoning blocks affected by actions (in part and/or wholly)
- b) Proposed change in number of housing units permitted by zoning use regulations or if an Urban Renewal Plan imposes restrictions

3. ☐ I am applying for a Special Permit (ZS, RS), Zoning Map Amendment (ZM) and/or a Zoning Text Amendment (ZR) that would change permitted floor area for any use or change the use regulations in a manufacturing district related to a building in the project area that contains at least 100,000 zoning square feet)

Applies to all M districts except for MX (paired M/R) districts. Changes to the amount of zoning square feet allowed for a use or to the use regulations, not just changes to use of the property, fall into this category.

- a) Change in permitted zoning square feet in portion of project area (includes development site and any other sites affected) that is within a Manufacturing District. To get permitted zoning square feet, multiply area of all sites affected by applicable Floor Area Ratio. Zoning Handbook or Urban Renewal Plan can help with identifying floor area ratio.
- b) Zoning square footage of buildings within the project area

4. ☐ I am applying for a Zoning Text Amendment (ZR) that affects 5 or more community districts

5. ☐ The Landmarks Preservation Commission is requesting a report from the City Planning Commission on a historic district designation that affects four or more City Blocks (or portions thereof)

A project IS subject to the legislation if any check boxes above are marked and the project is certified/referred after June 1, 2022.

The [Map - NYC Equitable Development Data Explorer](#) will allow Applicants to generate the data needed for the creation of the report.

Failure to submit a report will not stop a project from Certification or Referral, but Land Use Participants will be notified of this, and applicants may be asked to answer questions related to the required report.

For reference:

ULURP Actions subject to Legislation:

- HA (UDAAP – only when ULURP and includes disposition – not applicable to non-ULURP HA)
- PC (site selection/acquisition)
- PP (disposition, non-residential)
- ~~PS (Site selection city facility)~~, excluded because no acquisition or disposition
- PQ (Acquisition)
- HU (Urban Renewal)
- HD (Disposition of urban renewal site)
- ZM (zoning map amendment)
- ZS (Special Permit)
- RS (Special Permit)
- MM (City Map Amendment)
- ML (Land Fill)
- ~~MC (Major Concession)~~, not applicable due to occurring on Park land
- ~~Revocable Consent~~, not applicable rare action on streets

Non-ULURP actions subject to Legislation:

- ZR (zoning text amendments)
- HK (Historic Districts)

Regarding floor area assumptions – in general:

- Zoning Square Footage (not gross square feet which is used in CEQR)
- Permitted floor area is considered for legislative actions (e.g. ZM, ZR)
- Proposed development zoning square feet is considered for limited site/project-specific approvals (e.g. ZS)
- The action must trigger the increase/decrease in floor area