

city of **yes**

city of **diversity**

city of **affordability**

city of **neighbors**

city of **housing opportunity**

city of **families**





Image credit: Alfred Twu

Overview

City of Yes for Housing Opportunity

This **citywide text amendment** would make it possible to build **a little bit more housing** in every neighborhood

“A little more housing in every neighborhood” means we can make a big impact on the housing shortage without dramatic change in any one neighborhood

Why do we need more housing in New York City?

New York City faces a severe housing shortage that makes homes scarce and expensive:

- The **apartment vacancy rate is 1.41%** – the lowest since 1968.
- **Over 50% of renters are “rent burdened,”** meaning they spend over 30% of income on rent
- **92,879 homeless New Yorkers**, including **33,399 children**, slept in the shelter system on a given night in December 2023



New York City is not building enough housing to meet New Yorkers' needs

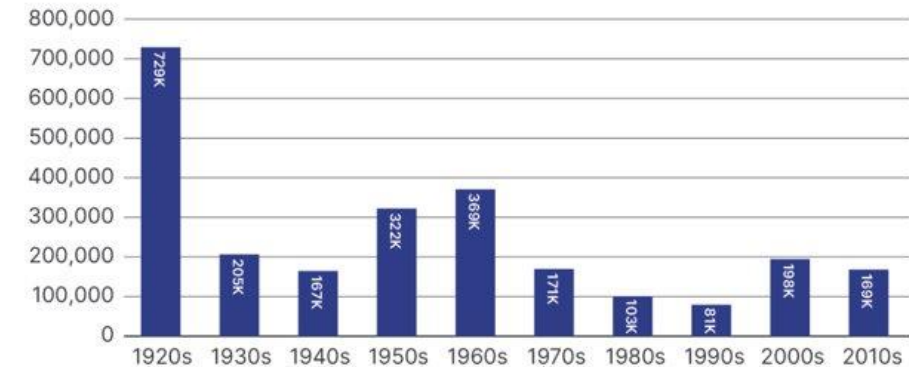
New York City is creating far less housing than it used to, and less than other major metropolitan areas

- At the same time, average household size is declining so we need more homes to house people

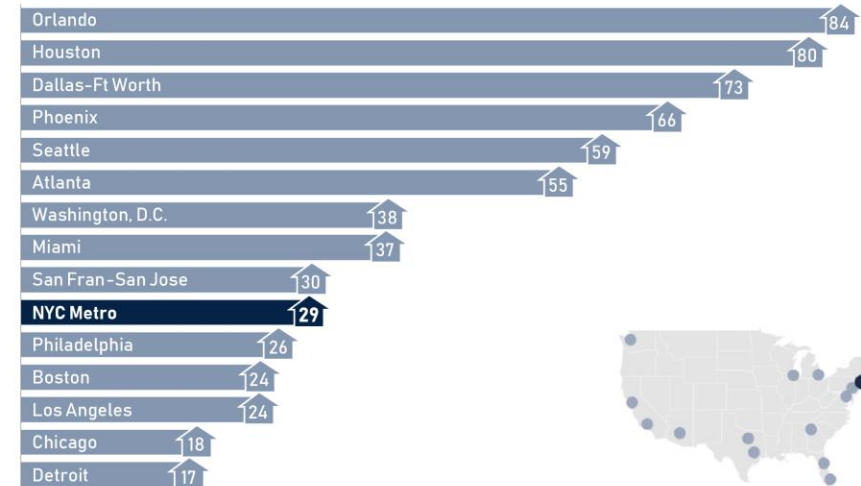
The housing shortage is due in part to restrictive zoning rules that limit the number and types of homes that can be built

New York City is producing less housing than it used to

New Housing Production by Decade



... and less than other major metropolitan areas



Housing Units Permitted per 1,000 Residents (2022), 2013 to 2022

Source: U.S. Census Bureau BPS Annual Files; NYC DCP Housing Database v22Q4; U.S. Census Bureau Population Estimates Program (PEP) 2022 Vintage; U.S. Census Bureau Delineation Files

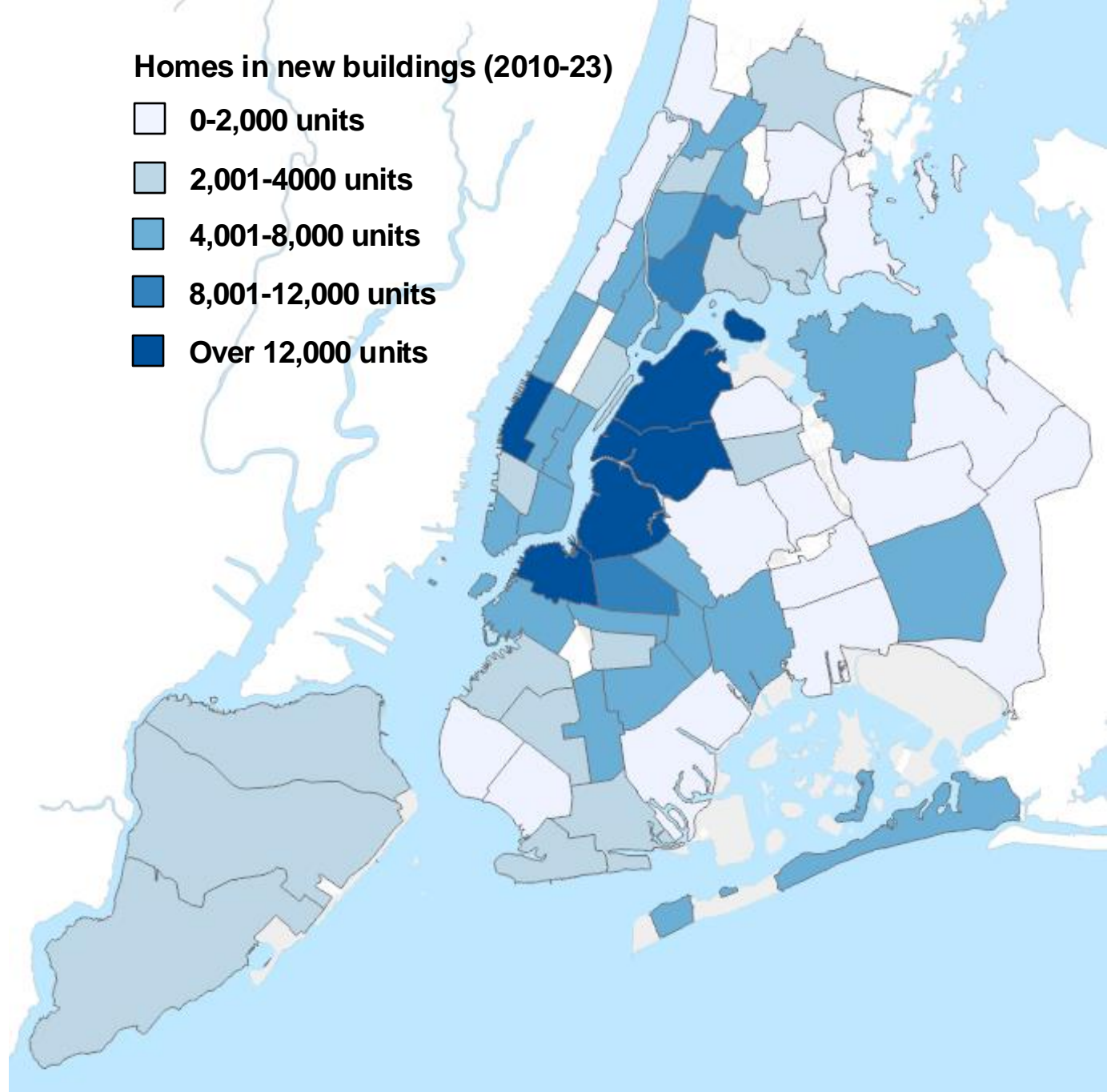
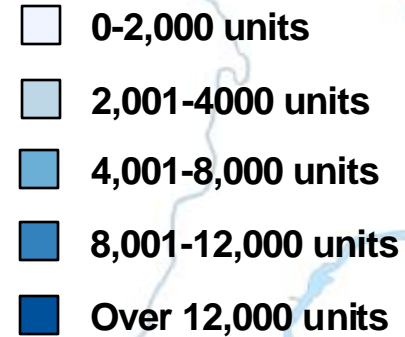
New housing is concentrated in just a few neighborhoods

Almost all of New York City's recent housing production has been concentrated in a few neighborhoods

- Some neighborhoods have created virtually zero new housing

This puts additional pressure on just a few parts of the city to produce almost all new housing

Homes in new buildings (2010-23)



When tenants have few options, landlords gain leverage

This leads to:

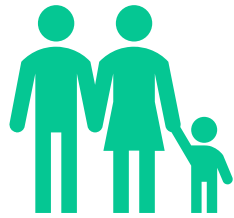
- High rents
- Displacement and gentrification pressure
- Segregation
- Homelessness
- Poor housing quality
- Tenant harassment

Over 50% of New York City renters are “rent burdened,” meaning they spend over 30% of income on rent



An average family of 3 would have to spend almost 50% of their income on rent to afford an average 2-bedroom home:

Income

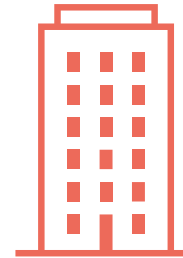


\$5,833/month

A family of 3 with a household income of \$70,000 a year *

*Median household income of NYC renters

Rent



\$2,752/month

Average 2-bedroom apartment available in NYC

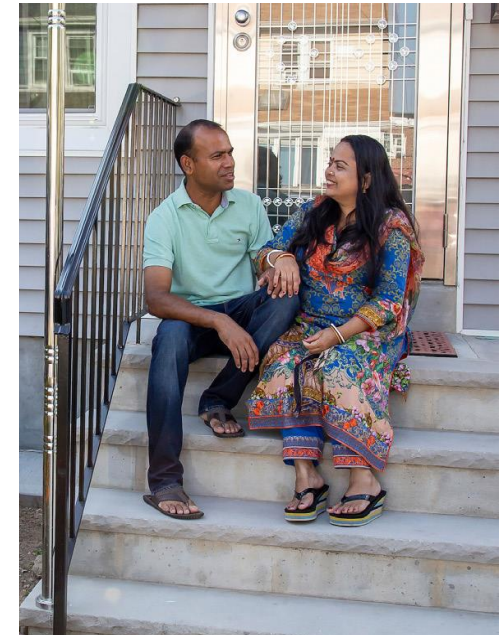
The housing shortage has direct human consequences

A nursing aide might spend **3 hours commuting every day** because she can't find housing close to her job.

A mother and her children fleeing an unsafe home wouldn't be able to find any affordable alternatives and are compelled to **enter a homeless shelter**.

A college graduate may discover that they **can't move back to their childhood neighborhood** because the rents are too expensive.

A retiree could watch their **friends and family move out-of-state** and decides to follow suit because they can no longer afford escalating rents.



Top two images courtesy of Jonathan Patkowski. Bottom two images: © New York City Mayoral Photography Office, 2023

The housing crisis hurts the local economy

When people spend more of their money on rent, they have less to spend on everything else

- This harms the city's economy and slows job growth
- Less new housing also means fewer jobs in construction and residential maintenance

City of Yes for Housing Opportunity would add an estimated **\$58.2 billion** to NYC's economy and create **more than 260,000** jobs in the construction and service sectors alone



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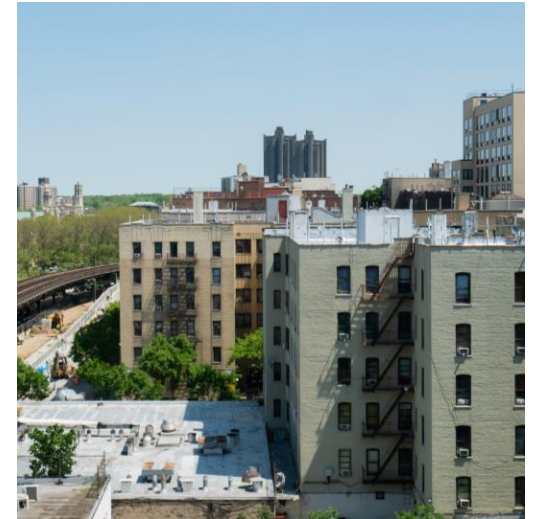
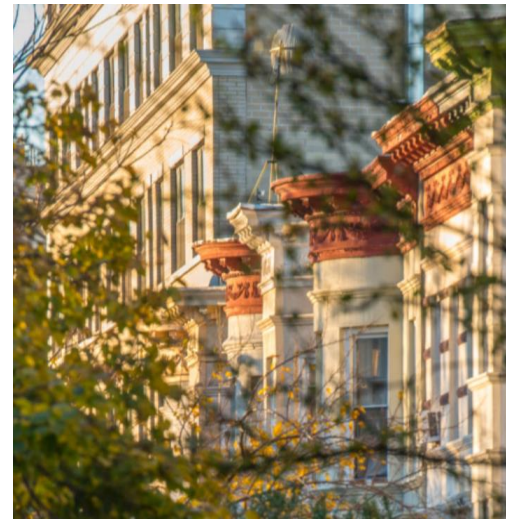
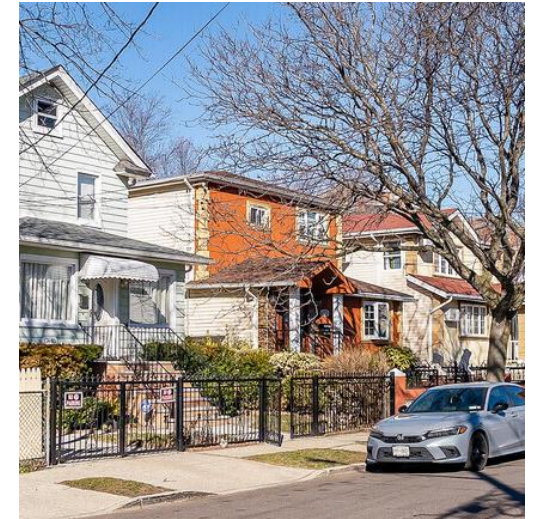
Zoning is one tool to address NYC's housing shortage

Zoning regulates the density and use of what is permitted to be built

- Can include requirements for income-restricted affordable housing
- Does not directly build or fund new housing
- Is within the city's control

Other tools to support housing include:

- Subsidies and tax incentives to create affordable housing
- Support for homeownership models
- Tenant protections



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How can we help address the housing crisis with zoning?

We aim to update zoning rules to create **more housing** and **more types of housing across all NYC neighborhoods**.

A little more housing in every neighborhood means a lot of housing overall without dramatic change or overtaxed infrastructure. This approach can:

- Address the **root causes** of high housing costs
- Support **job growth** and New York City's **economy**
- Make NYC more **environmentally-friendly** by building more housing in built-up areas with great access to jobs and transit



Image credit: Alfred Twu

Proposal overview

Low-density proposals

- Allow for "missing middle" housing, including **town center zoning** and **transit-oriented apartment buildings**
- Help homeowners by providing additional flexibility and allowing **accessory dwelling units**

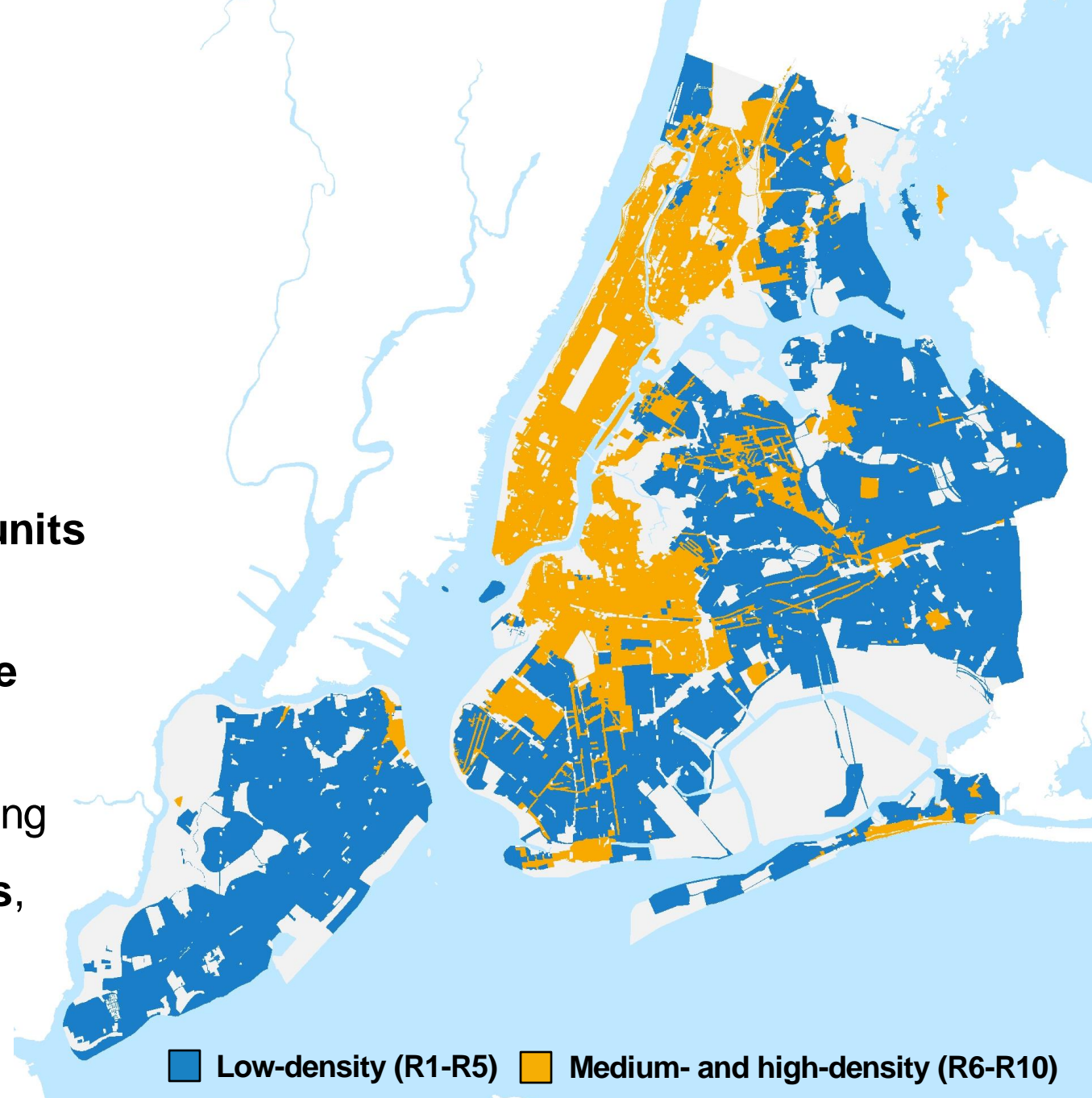
Medium- and high-density proposals

- Create a **Universal Affordability Preference**

Parking proposals

- **Lift costly parking mandates** for new housing

Other citywide actions to enable **conversions**, **small and shared apartments**, and **infill**



An aerial watercolor illustration of a city grid. The buildings are mostly low-rise, with a few taller ones. There are many green trees scattered throughout the blocks. The streets are light blue, and there are small cars and figures of people. The overall style is soft and artistic.

Low-density

Image credit: Alfred Twu

Overview

Due to restrictive zoning, most low-density areas have stopped building new homes, contributing to our city's housing shortage

- We want to allow for the creation of a little more housing across low-density areas, in ways that won't impact neighborhood look and feel



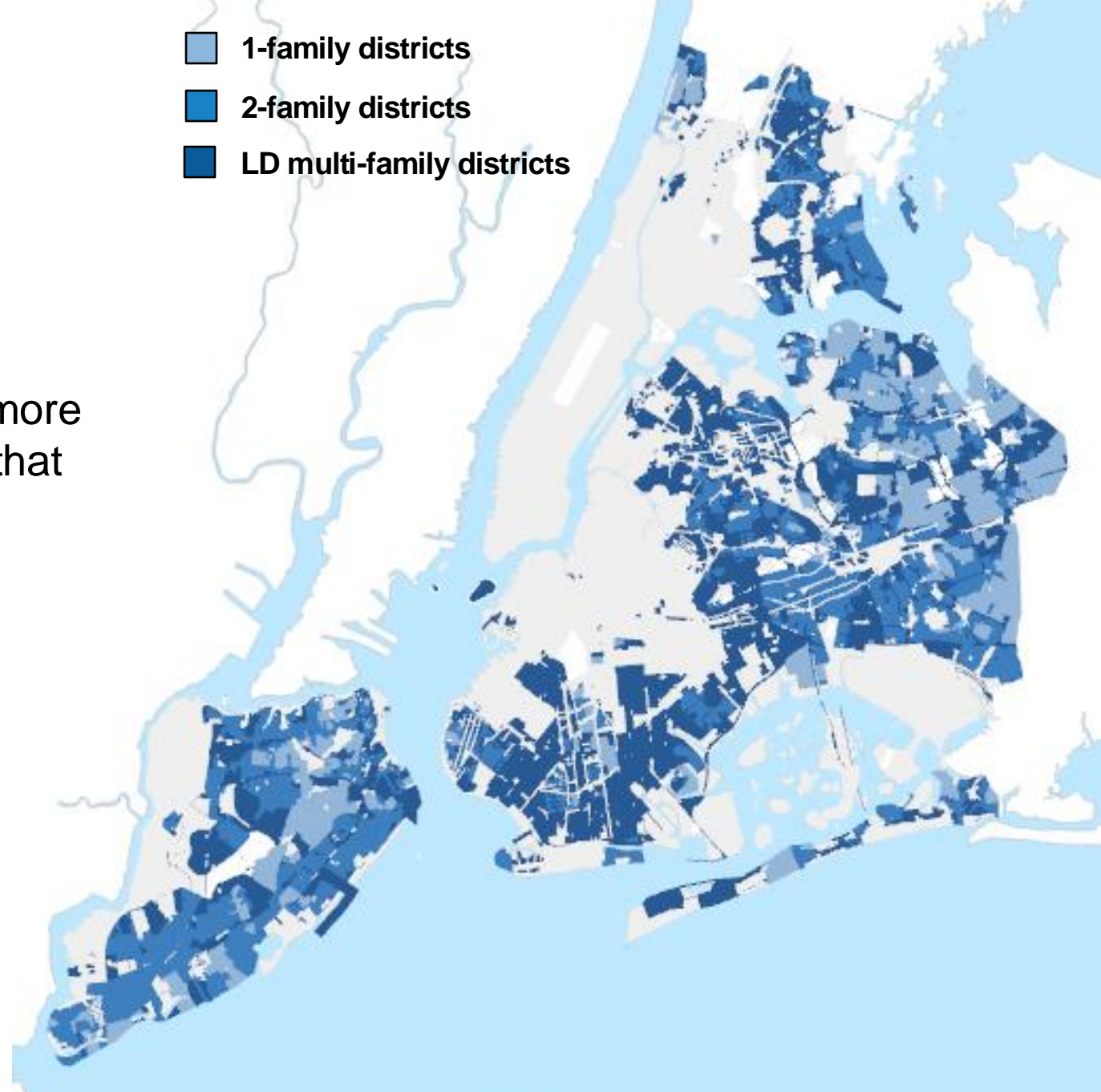
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Modest apartment buildings define low-density neighborhoods but could not be built today

- 1-family districts
- 2-family districts
- LD multi-family districts



Town center zoning

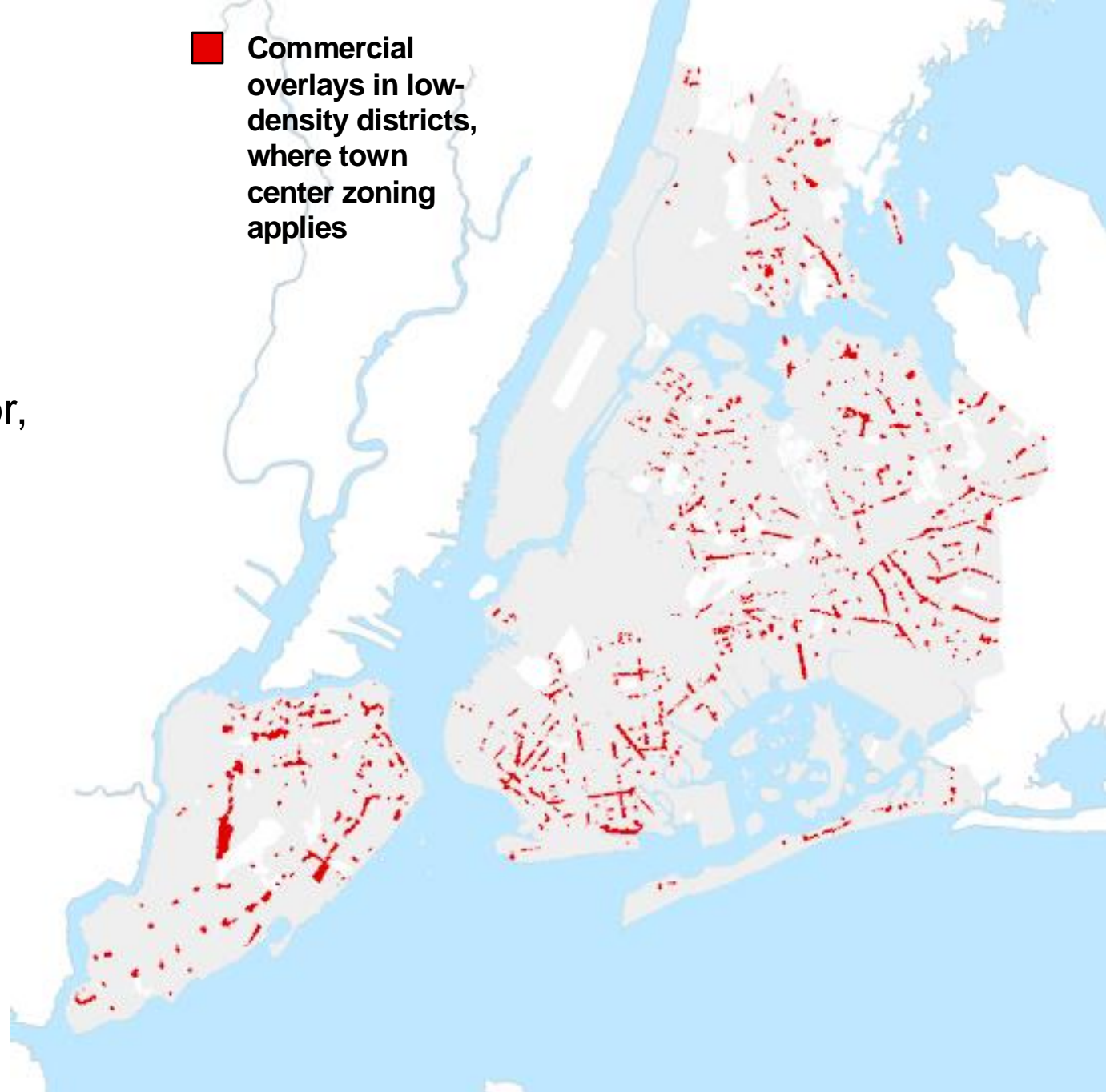
Relegalize housing above businesses on commercial streets in low-density areas

- New buildings would have 2-4 stories of residential above a commercial ground floor, mirroring existing buildings



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Commercial overlays in low-density districts, where town center zoning applies



Transit-oriented development

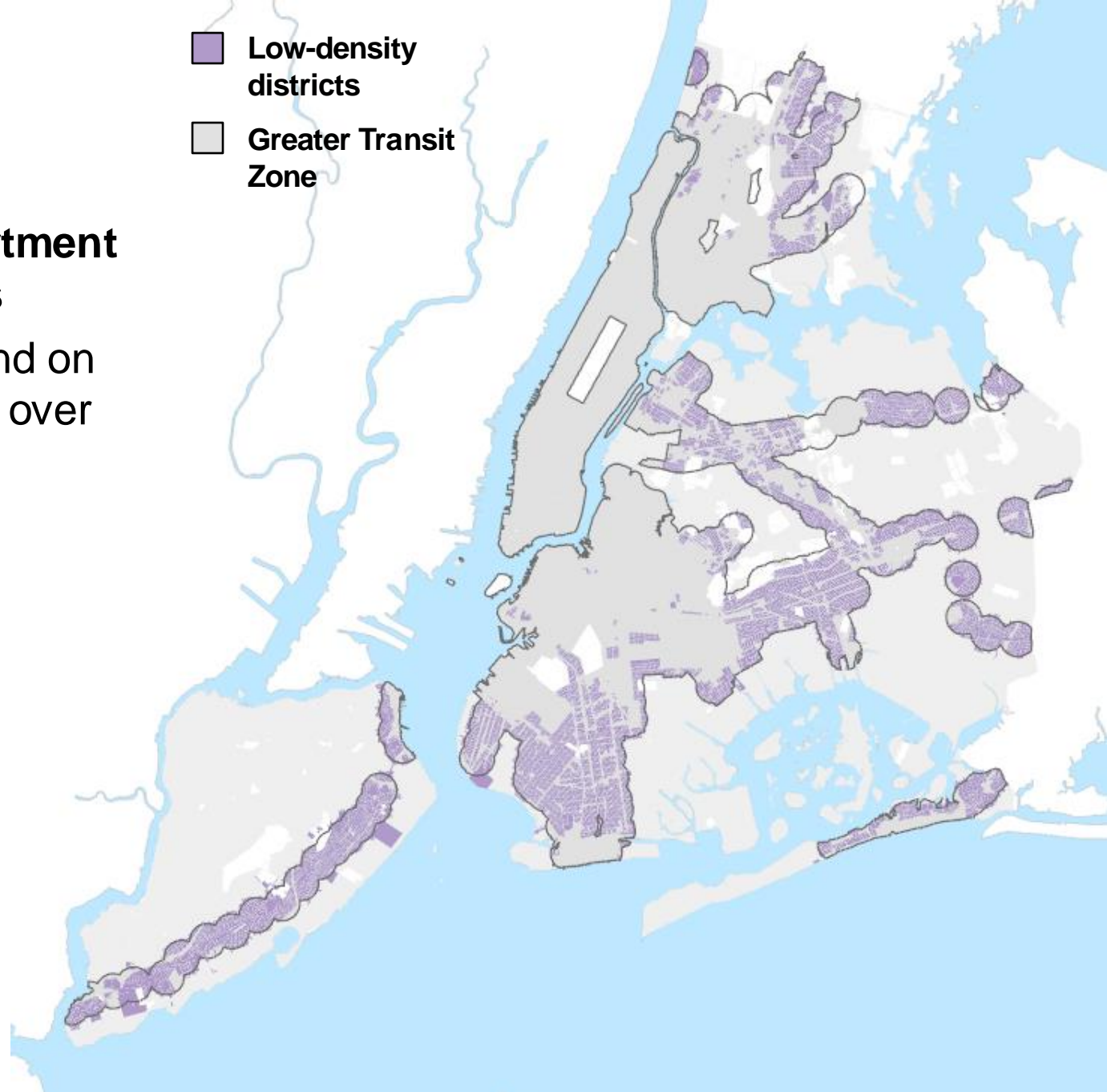
Allow modestly-sized, transit-oriented apartment buildings in low-density residence districts

- Sites must be near transit, over 5,000 sf, and on the short end of the block or facing a street over 75 ft wide
- Buildings will be 3-5 stories



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-  Low-density districts
-  Greater Transit Zone



Accessory Dwelling Units

Allow 1- or 2-family homes to add a small accessory dwelling unit (ADU)

- ADUs provide important housing options for small households in low-density areas
- ADUs give multi-generational families more space and help homeowners pay for household expenses
- Many other cities have already legalized ADUs and experienced these benefits

While zoning changes can enable ADUs, other barriers – including rules in the Building Code – will need to be lifted to make ADUs a reality for most New Yorkers



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District Fixes

Adjust FAR, perimeter heights, yards, and other rules to provide flexibility for homeowners

- Many older homes are out of compliance, blocking homeowners from adapting their homes to meet their family's needs
- These changes will enable 2-family and multi-family buildings in districts that already permit them



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Medium- and High-density

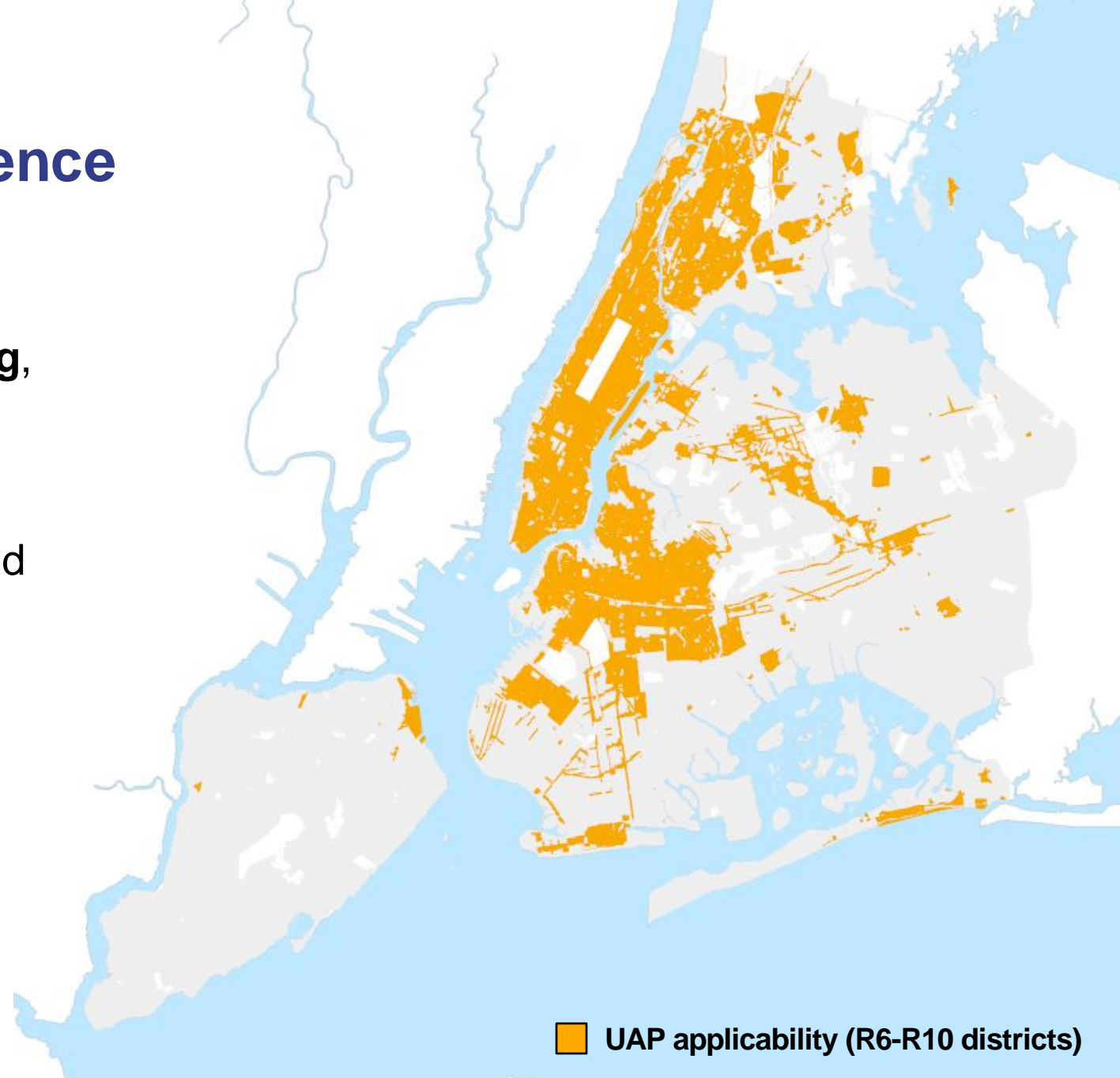
Image credit: Alfred Twu

Universal Affordability Preference

UAP will allow buildings to add at least **20% more housing** if the additional homes are **permanently affordable housing**, including supportive housing

UAP will enable **incremental affordable housing growth** throughout the medium- and high-density parts of the city

This will encourage **affordable housing throughout the city**, rather than concentrating it in a few neighborhoods



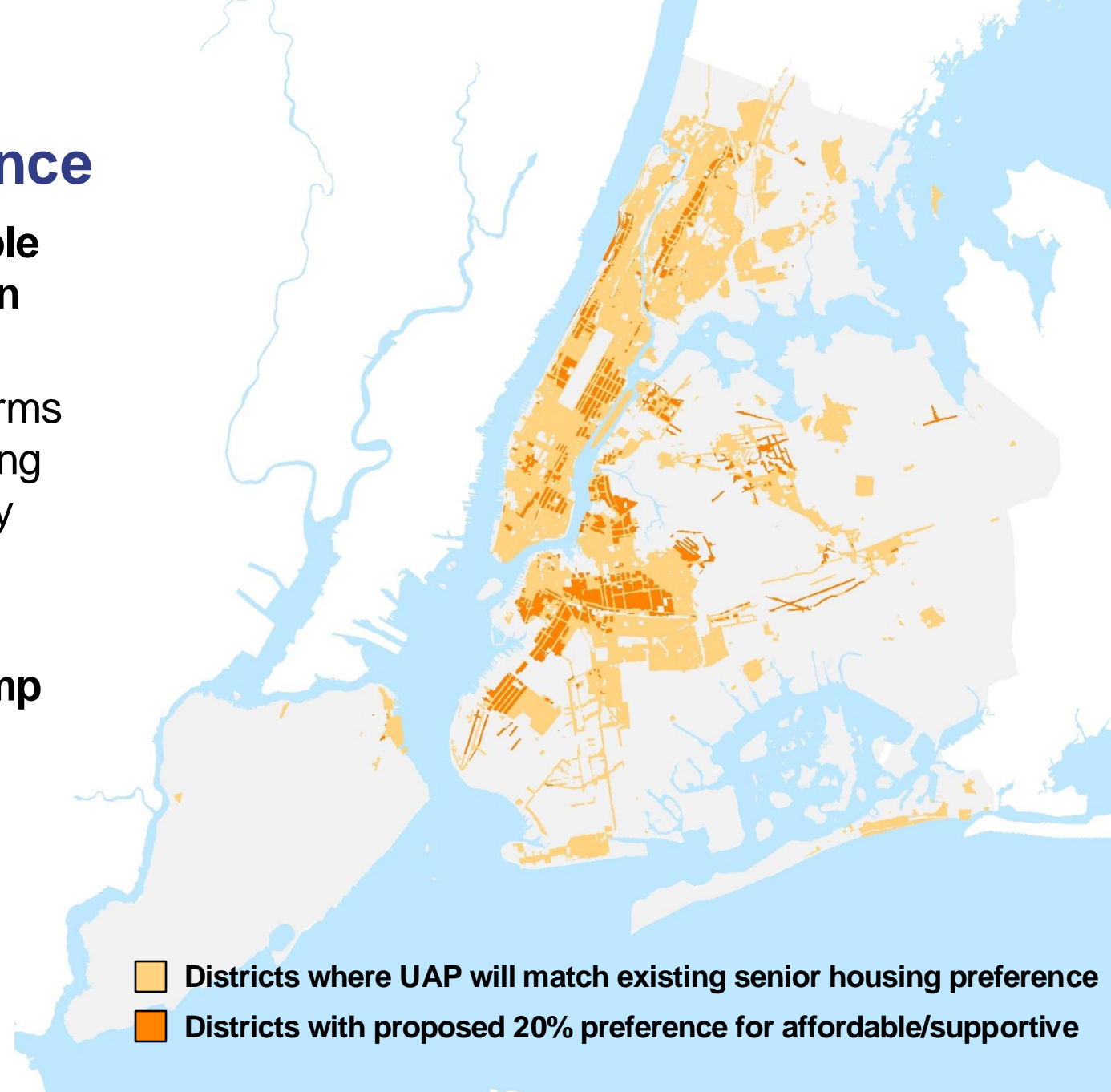
Universal Affordability Preference

Today, most zoning districts allow affordable senior housing to be about 20% bigger than other buildings

- UAP would expand this framework to all forms of affordable and supportive housing, making it easier to build affordable housing in every medium- and high-density district

This proposal would also create a 20% bump for affordable and supportive housing in districts that do not have a senior housing preference today

- Some districts will also receive height increases, so that it's feasible for UAP buildings to fit their allowed square footage



Universal Affordability Preference

UAP will have an affordability requirement of 60% AMI

- Area Median Income (AMI) is a measure of affordability established by the federal government

UAP will also allow income averaging, allowing a wider range and more deeply affordable homes



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Universal Affordability Preference

UAP will replace Voluntary Inclusionary Housing (VIH), achieving deeper affordability and allowing for income averaging. Mandatory Inclusionary Housing will continue to be mapped and existing affordability requirements will remain in place.

Voluntary Inclusionary Housing (VIH)
80% AMI with no income averaging

What this meant for New Yorkers:

All income-restricted units in a VIH building were 80% AMI (\$101,686 for a family of 3 or \$2,796 for rent for a 2-bedroom home)

Universal Affordability Preference (UAP)
60% AMI with income averaging

What this means for New Yorkers:

Homes at a mix of incomes to reach 60% AMI, including more deeply affordable units. For example, a UAP building could include:

	Income for a family of 3	Rent for a 2-bedroom
30% AMI	\$38,130	\$1,084
60% AMI	\$76,260	\$2,097
90% AMI	\$114,390	\$3,142

*Estimates from HUD Guidelines 2024 and NYC HDC.
Rents for specific projects may differ*

Universal Affordability Preference

Example: A church in an R6 district wants to partner with a developer to rebuild the church and put housing on top

Today: The site is limited to **3.0 FAR**, which results in about **35 units**

Proposal: If affordable and supportive housing got **3.9 FAR** like AIRS, the site could get **10-12 more units** as long as anything above 3.0 FAR is permanently affordable



Universal Affordability Preference

Without UAP



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With UAP



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If UAP had been in place since 2014, an **additional 20,000 income-restricted affordable homes** could have been created – enough to house 50,000 New Yorkers

Updates to Mandatory Inclusionary Housing

Allow MIH Option 3 to be a standalone option

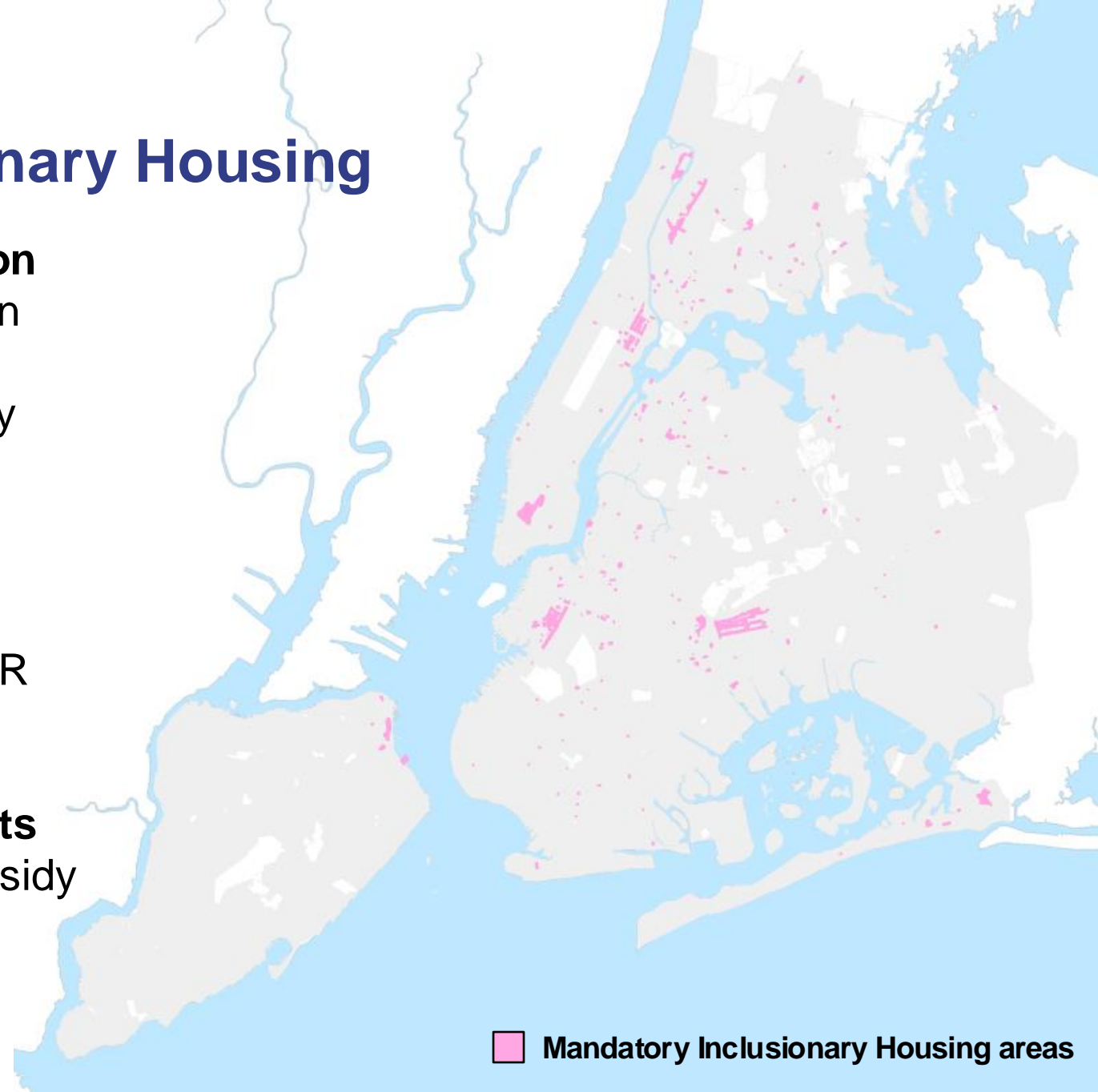
- MIH Option 3 requires a 20% set-aside at an average of 40% AMI
- Requested by the Speaker, members of City Council, and many housing advocates

Equalize MIH FARs for districts where UAP FAR is higher

- Ex: R6A MIH will change from 3.6 to 3.9 FAR
- MIH Options will stay the same

Streamline rules for 100% affordable projects

- Reduces conflicts with term sheets and subsidy programs
- Facilitates affordable homeownership



■ Mandatory Inclusionary Housing areas

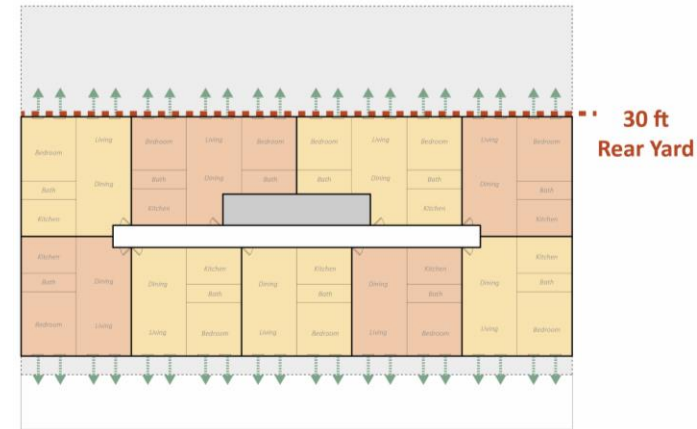
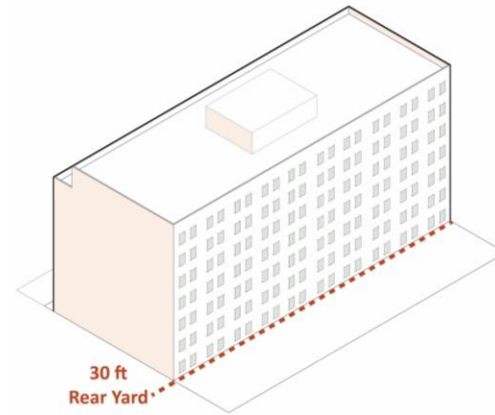
Changes to support better quality housing

Current zoning mandates “bar buildings” in which apartments have one exposure and worse access to light & air than in pre-1961 buildings.

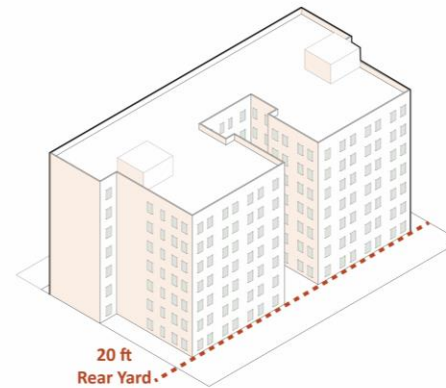
City of Yes would relegalize housing with courts, cross-ventilation, and windows in kitchens and bathrooms to support more family-size units

- Provide flexibility by adjusting rear yard, court dimension, and legal window from 30’ to 20’
- Change maximum lot coverage from 70% to 80% to relegalize interior courts
- Adjust corridor requirements to facilitate more family-size units at the ends of corridors

Current “bar” building



Pre-1961 building



*Arrows indicate window access

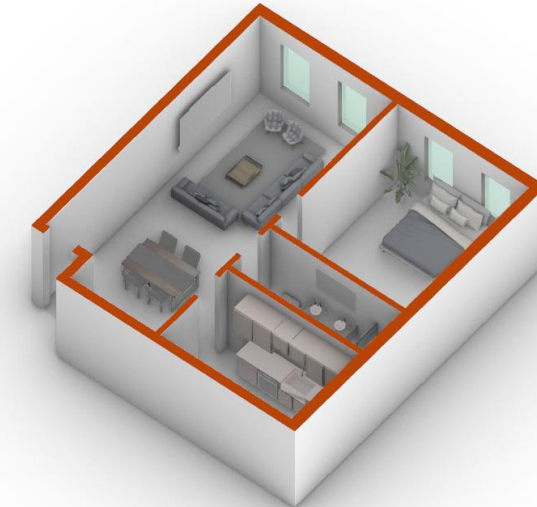
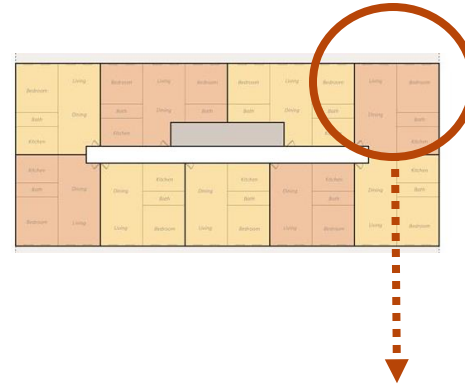
Reducing yards and other regulations allows greater flexibility in site planning and units with more window access

Changes to support better quality housing

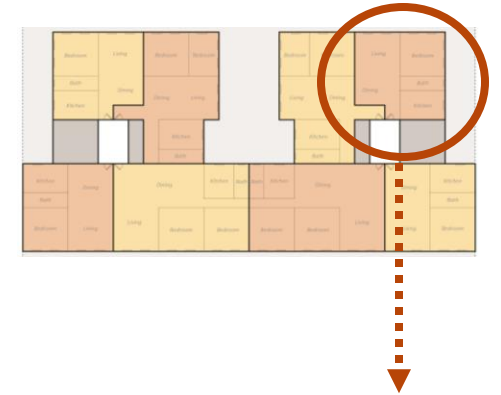
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1- Bedroom Unit In "Bar" Building



1- Bedroom Unit In Pre-1961 Building

Side by side comparison shows that added flexibility would lead to higher quality units with more light and air

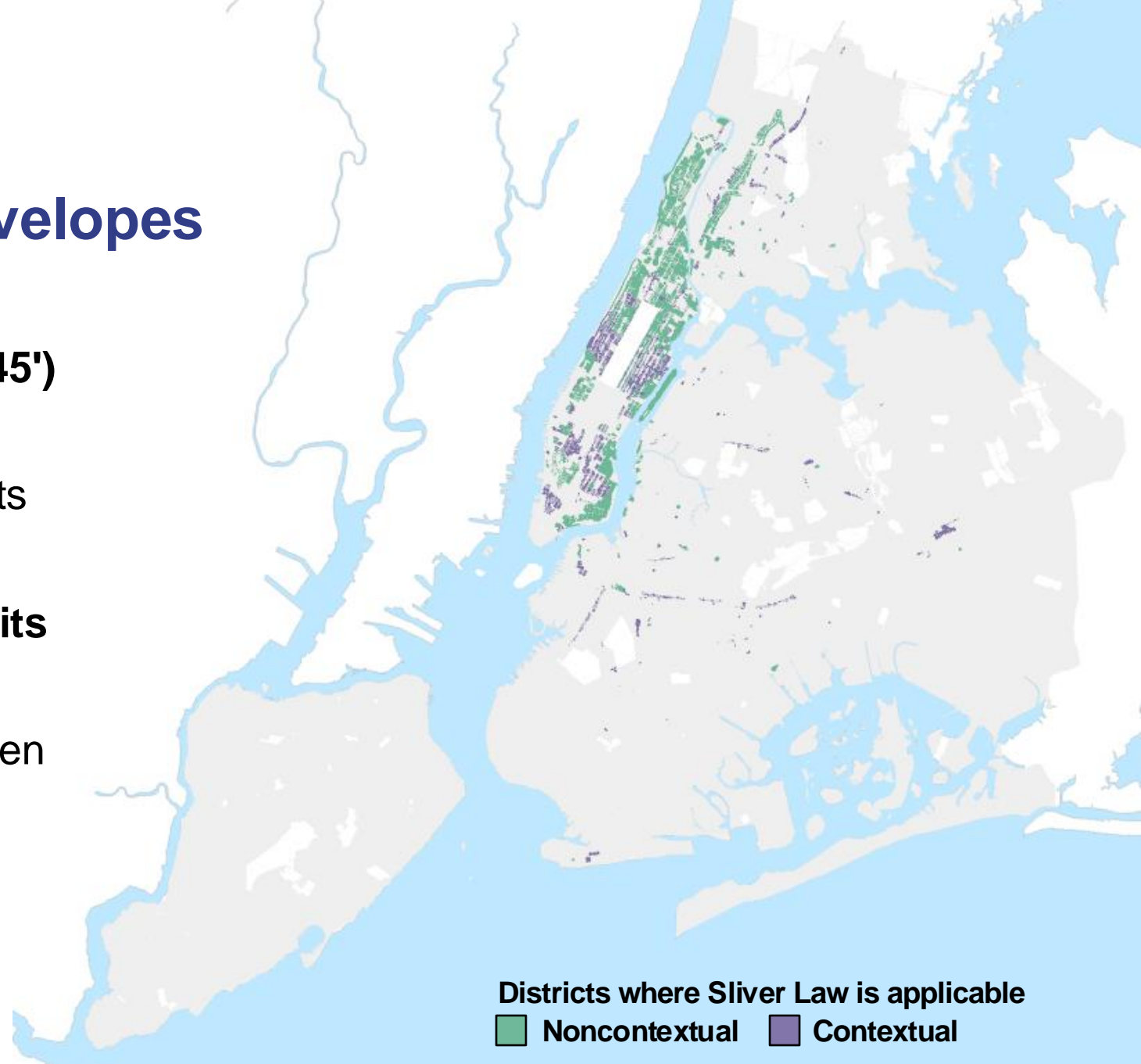
Replace the Sliver Law with height-limited contextual envelopes

The Sliver Law dates to the 1980s and imposed height limits on narrow lots (<45') before height limits existed in zoning

Today, all districts either include height limits or allow a height-limited option.

***City of Yes* would allow these height limits to control the building's max height.**

The Sliver Law would continue to apply when other height limits do not



Districts where Sliver Law is applicable
■ Noncontextual ■ Contextual



Citywide

End parking mandates

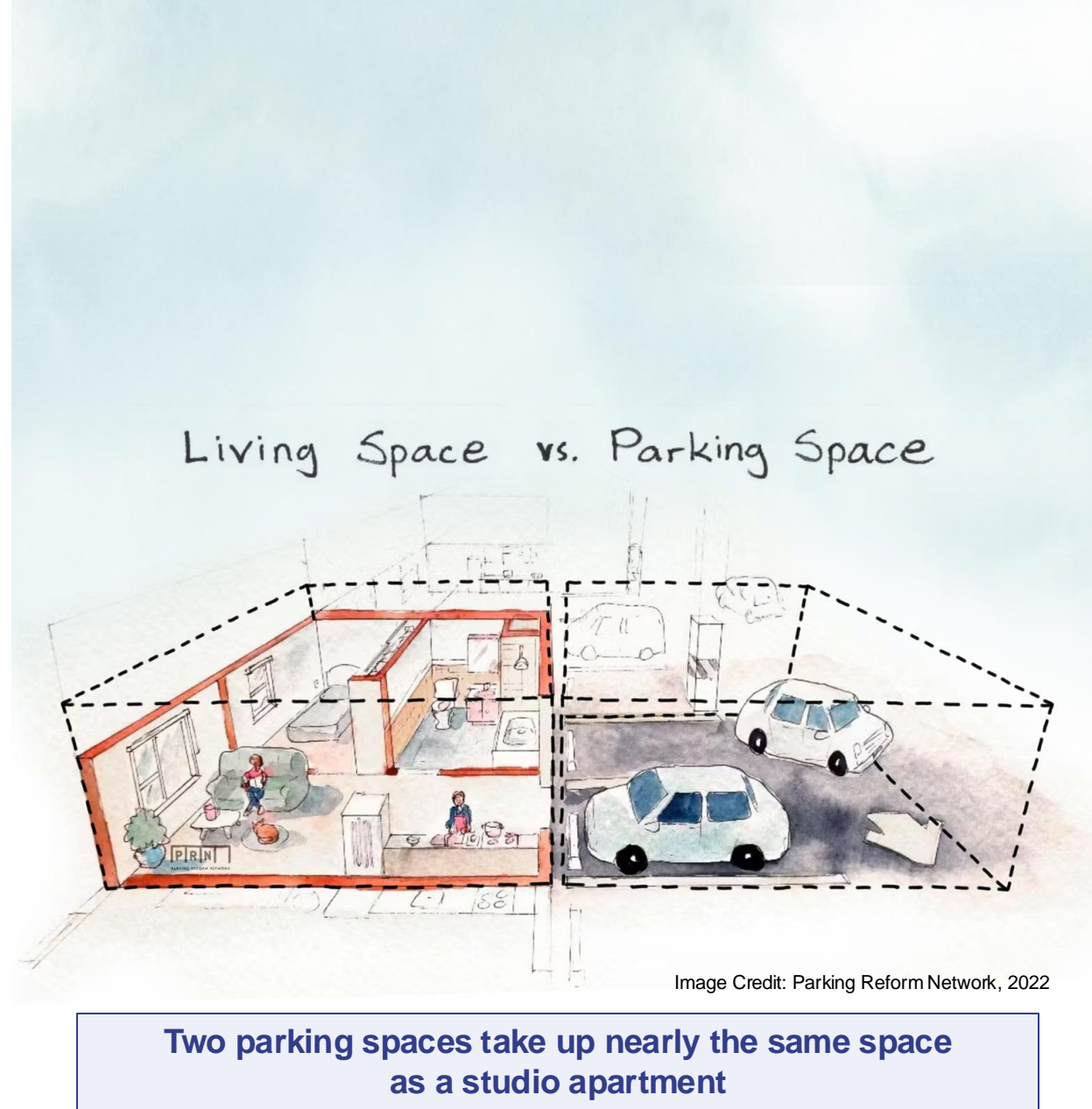
Make parking optional in new buildings,
as many other cities have done

**Mandated parking is extremely
expensive to provide**

- These costly mandates drive up rents and prevent new housing from being built
- This is an obstacle to housing growth, especially affordable housing

Parking will still be allowed, and projects can add what is appropriate at their location

- Outdated zoning rules do not reflect current conditions



End parking mandates

Example: A developer wants to build a **16-unit** apartment building a 4-minute walk from the nearest subway station

Today: The developer would **stop at 10 units**, because the 11th unit would trigger a **6-space parking requirement**

Proposal: Without parking mandates, they can build the **16-unit building**, providing 6 more urgently needed homes near transit

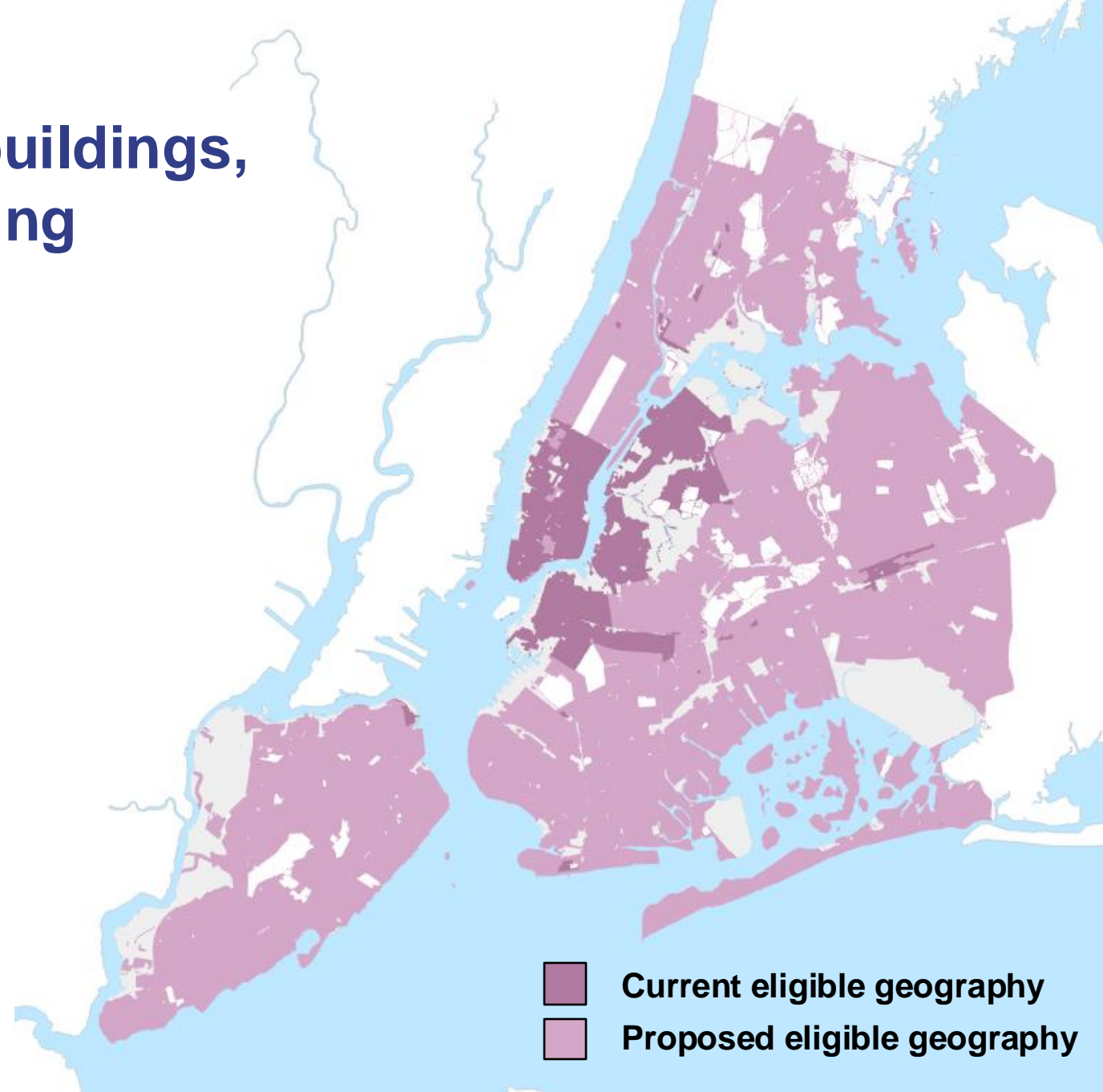


Enable vacant nonresidential buildings, like offices, to convert to housing

Today, outdated rules prevent many underused, non-residential buildings from converting to housing.

City of Yes would facilitate residential conversions by:

- **Expanding eligible geography** citywide, facilitating the conversion of former schools or religious buildings
- **Moving the eligibility date up to 1991**, allowing more recent buildings to convert
- Allowing buildings to convert to **all types of housing**

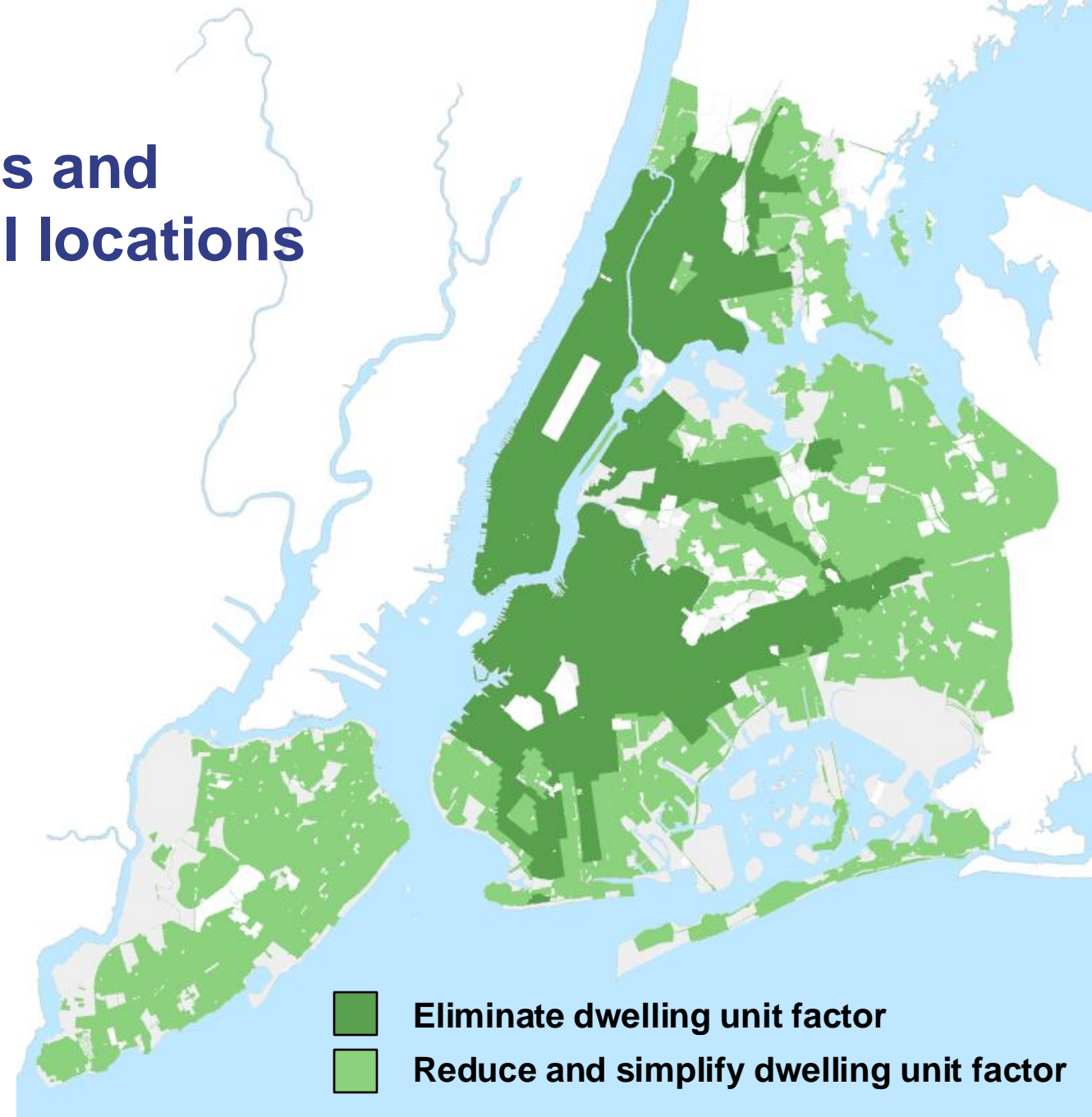


Allow buildings with only studios and 1-bedroom apartments in central locations

Today, a zoning rule known as **dwelling unit factor** prevents buildings from including small units

This proposal would **remove the dwelling unit factor in central locations and reduce it elsewhere**, allowing for buildings with more studio and one-bedroom apartments

This will **re-legalize buildings with only studios and 1-bedrooms**, providing an important entry point to the New York City housing market



Create a clear pathway for developing shared housing

Current zoning does not offer a clear path for building shared housing

Creating clear definitions and rules would:

- Make it possible to build shared housing in any multi-family zoning district
- Enable a range of new shared housing projects, including affordable shared housing
- Help legalize existing, unregulated shared housing

Other cities have re-legalized shared housing, meeting a need for younger and older households in tight housing markets.



Image credit: Alfred Twu

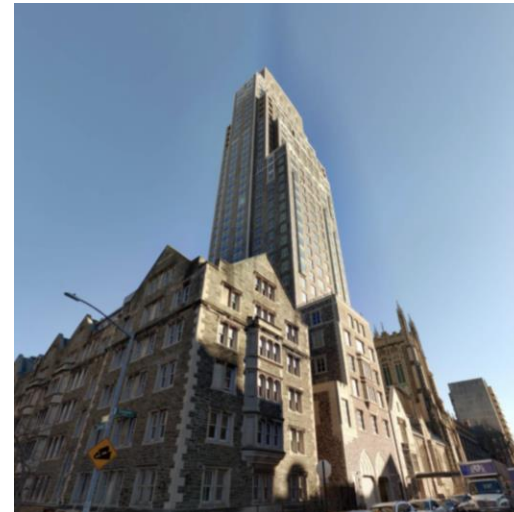
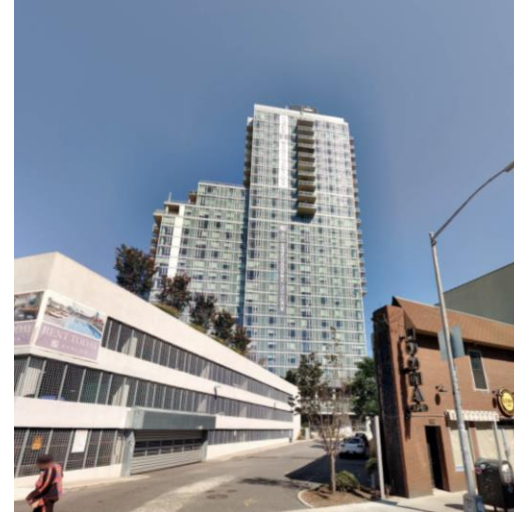
Allow contextual infill on challenged sites

Today, outdated zoning produces out-of-context buildings

- Many irregular lots and lots with existing buildings can only build tall and skinny buildings
- “Height Factor” zoning dating back to the Urban Renewal era bans contextual, height-limited development

Proposed changes:

- Allow development on these sites to be contextual
- Align distance-between-buildings regulations with state law (40’ below a height of 125’ and 80’ above)
- Protect open space with:
 - Flexible envelopes for large sites (>20k sf)
 - New lot coverage maximum for sites above 1.5 acres – 50% instead of underlying 80%



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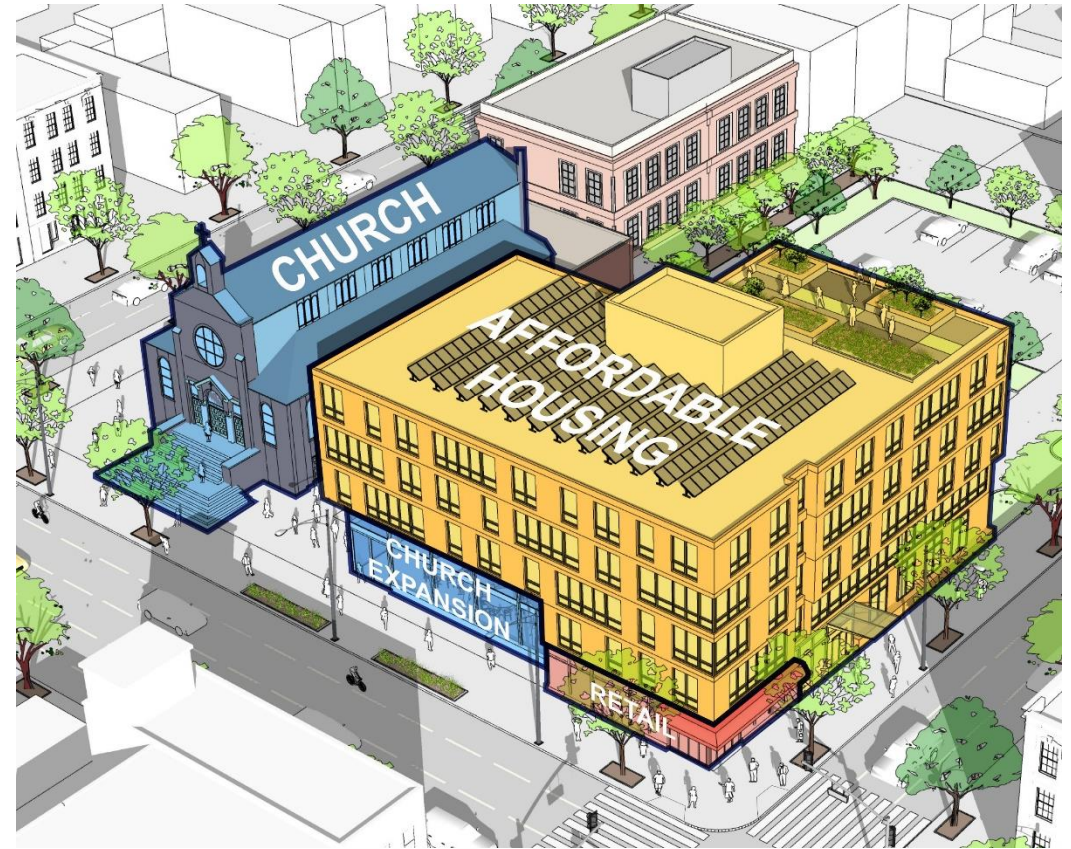
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Create new zoning districts

- **Create new zoning districts with FARs above 12.**
These zoning districts could only be mapped with Mandatory Inclusionary Housing
- **Create new medium-density zoning districts**
to fill gaps in the range of zoning districts

Mapping any of these new high- or medium-density districts would require a future zoning map amendment

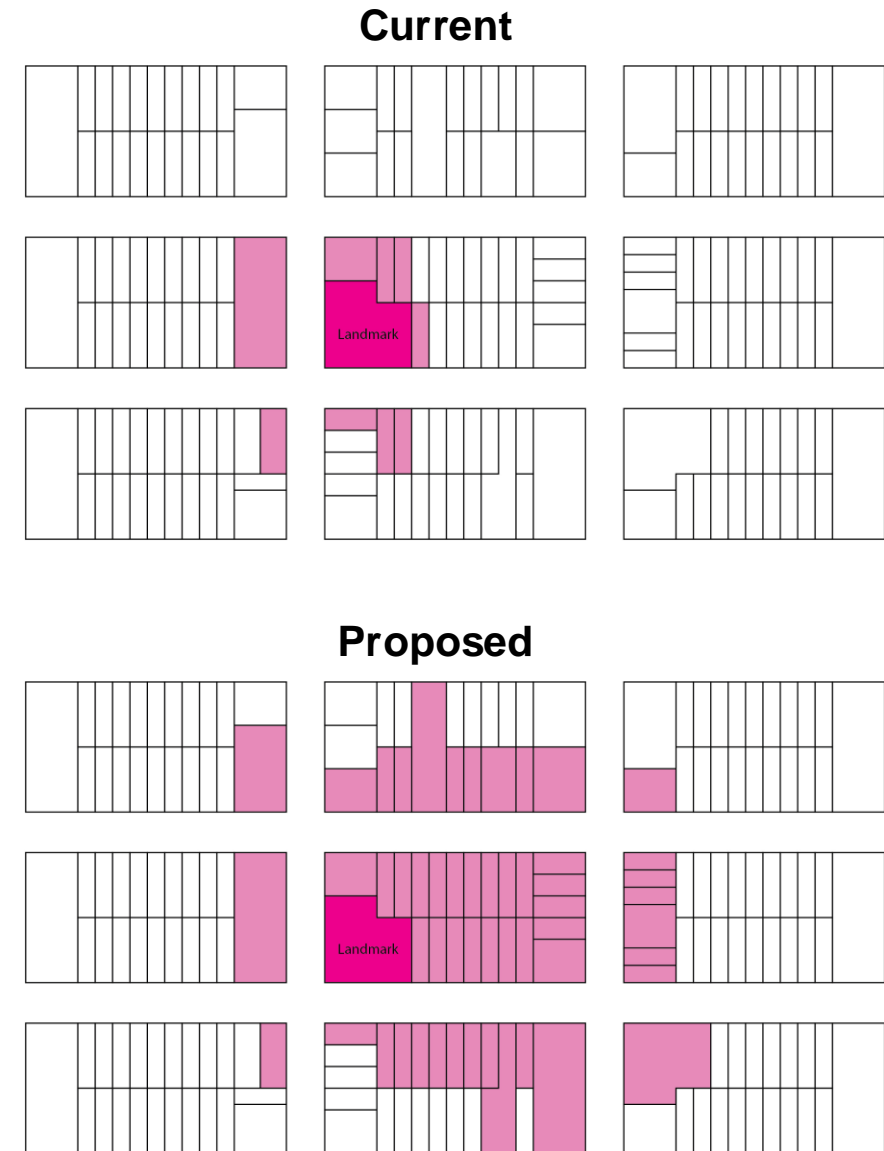
New zoning district	Basic FAR	UAP/MIH FAR
R6-2	2.5	3.0
R6D	2.5	3.0
R11	--	15.0
R11A	--	15.0
R12	--	18.0

Expand the Landmark TDR program

Loosen restrictions on the ability of designated landmarks to transfer development rights to zoning lots in the immediate vicinity

- Extend existing transfer opportunities to zoning lots on the same zoning block as the landmark or across a street or intersection
- Streamline the approval process
- Expand the program to historic districts and lower density areas

This will help landmarks fund necessary maintenance requirements while also generating new housing opportunities



Clarify and simplify the Railroad Right-of-Way Special Permit

The Railroad Right-of-Way Special Permit is confusing and involves extensive cost and process burdens

- This proposal would create clear definitions and reduce approval procedures to streamline process while protecting the original planning goals of the special permit



Create incentives for better quality housing through rules for amenity space

Expand amenity benefits in the “Quality Housing” program

- Extend floor area exemptions to all multi-family buildings
- Update rules to improve incentives for family-sized apartments, trash storage and disposal, indoor recreational space, and shared facilities like laundry, mail rooms, and office space



Revise street wall regulations and other rules for better outcomes

Establish a new system of street wall regulation to provide more flexibility and greater sensitivity to neighborhood context

- Base street wall rules on building type rather than zoning district
- Provide additional flexibility to align with neighboring buildings

Increase flexibility for split lots

- Enable development rights to be shifted to the higher-density of the two portions of the lot



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Expanded street wall allowances will provide more flexibility and better design outcomes, like this site, which maintains a continuous street wall while incorporating architectural articulations.

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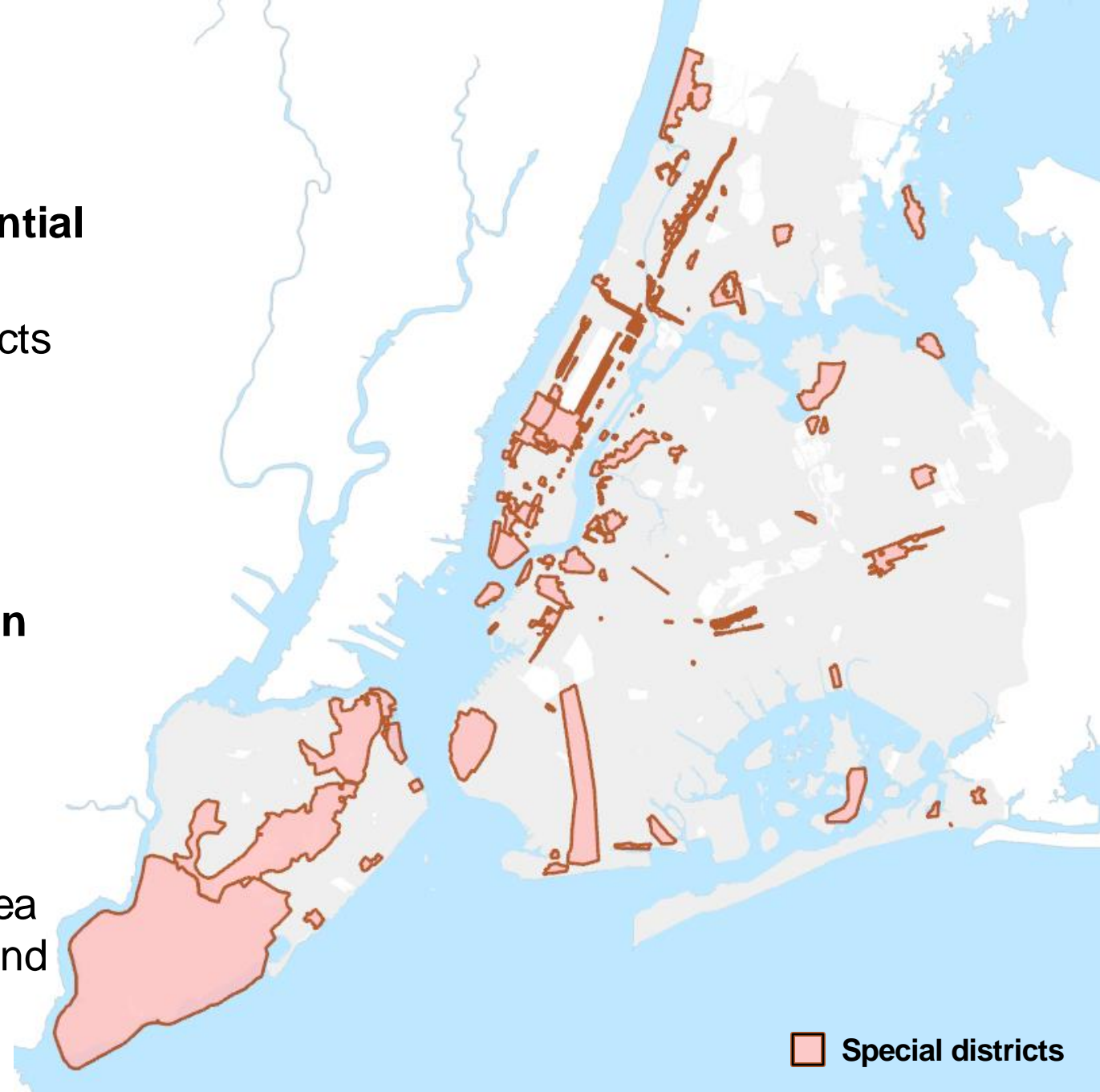
Special districts

Goal: Apply changes while respecting essential planning goals

- The city has a diverse array of special districts enacted over the last five decades
- In general, the proposal will seek to carry changes through to special districts

The proposal will accommodate special districts where this approach would result in conflicts with essential planning goals or drastic change

- **Ex:** In portions of the Special Clinton District, R8 gets a market-rate FAR of 4.2
- Rather than the full UAP FAR of 7.2, this area will get a 20% bump to 5.04 for affordable and supportive housing



Special districts



Conclusion

Environmental Review

An Environmental Impact Statement (EIS) for a generic action must provide an estimate of the **amount, type, approximate location, and overall massing/form** of future development and identify the **range of impacts** that may occur. The environmental review studied the effects of the proposal through 3 different methods:

- **Prototypical Site Assessment:** Show how the proposal may affect individual sites in order to typify conditions and effects of the proposal and demonstrate building form
- **Citywide Estimates:** Modeling of the proposal's potential effects citywide in order to discuss the amount and approximate location of future development
- **Representative Neighborhoods:** Selected as “prototypical” for a neighborhood-scale analysis to analyze collective effects of the proposal for density-related technical areas

This EIS represents our best effort to project a range of possible outcomes based on a variety of factors, including some that are beyond the control of the Department of City Planning and New York City.

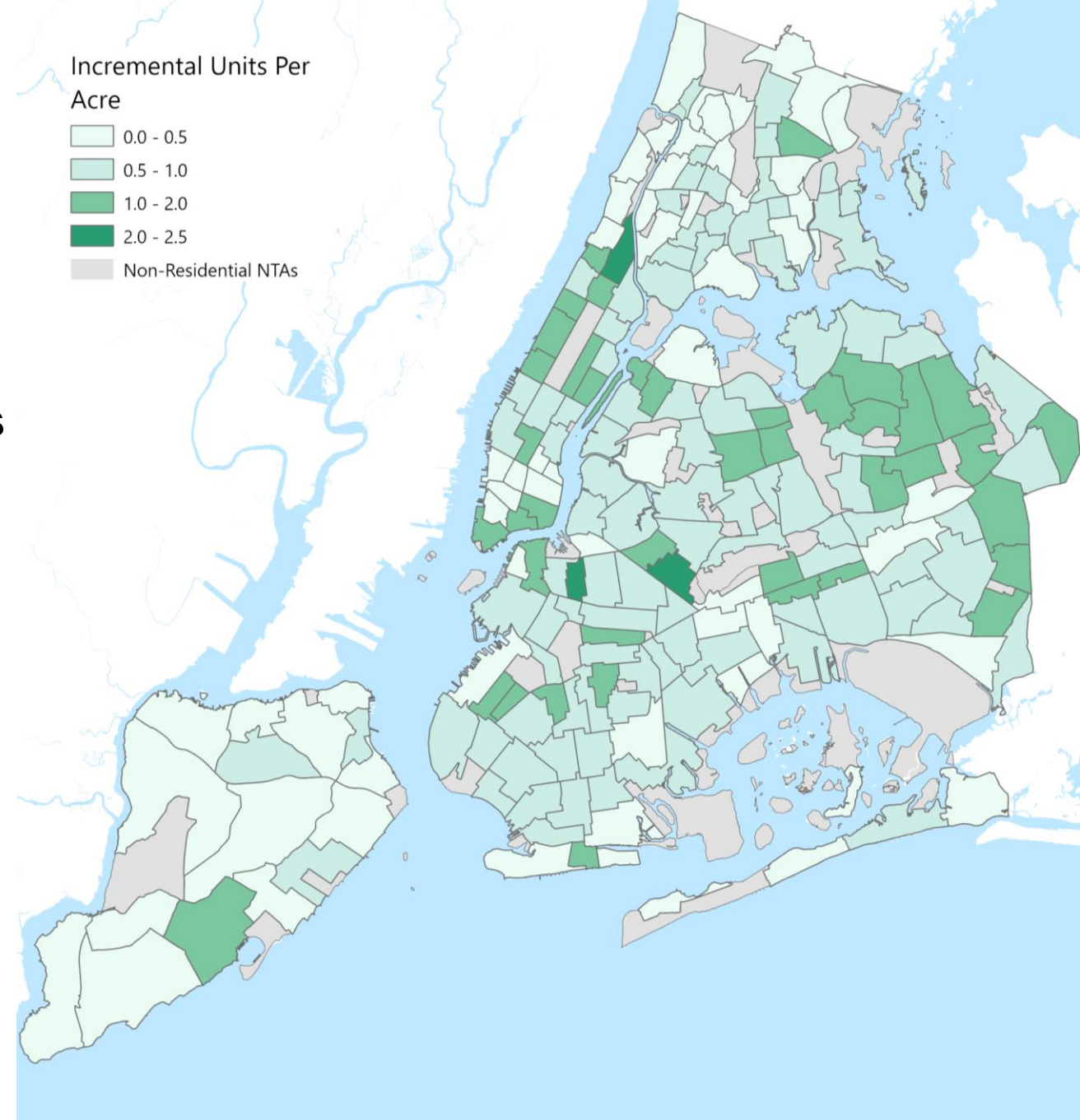
Environmental Review

A little more housing in every neighborhood:

- The EIS estimates on average a **little less than 1 unit per acre over 15 years**

The results:

- The EIS estimates a citywide housing unit increment range of **58,200 to 108,900 units**



Environmental Review

A Notice of Completion of a Draft Environmental Impact Statement (DEIS) was issued on April 26, 2024

The DEIS identifies no impacts in these categories:

- Land Use, Zoning, and Public Policy
- Socioeconomic Conditions
- Water and Sewer Infrastructure
- Solid Waste and Sanitation
- Energy
- Greenhouse Gases and Climate Change
- Air Quality
- Public Health
- Neighborhood Character

The DEIS identifies potential for "significant adverse impacts" in these categories:

- Community Facilities and Services (early childhood programs, schools)
- Open Space
- Transportation (traffic, transit, pedestrian)

The DEIS could not preclude impacts in the following categories because their likelihood depends on specific site characteristics: Shadows; Historical & Cultural Resources; Urban Design and Visual Resources; Natural Resources; Hazardous Materials; Noise; Construction.

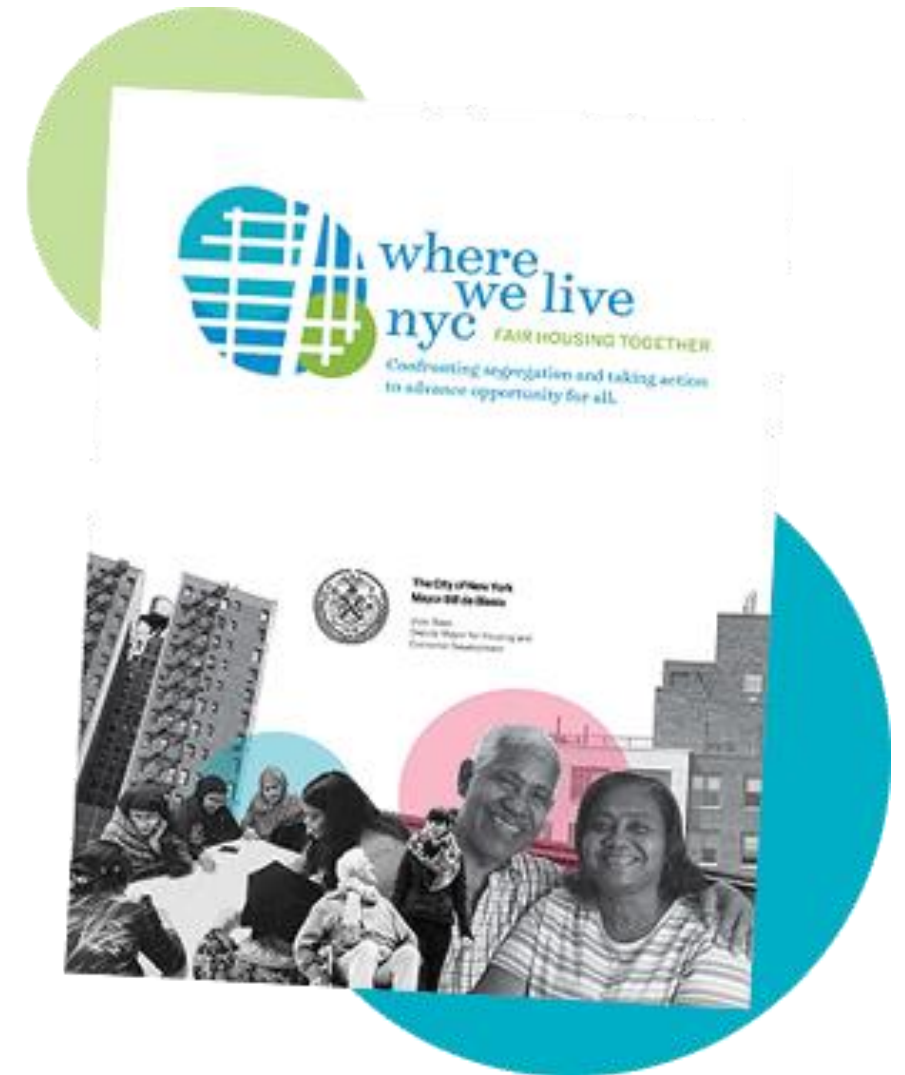
No other significant adverse impacts were identified. Mitigation measures are identified in the DEIS and will be detailed in the Final Environmental Impact Statement (FEIS).

Racial Equity Report

Since this zoning text amendment affects more than 5 community districts, it is subject to the racial equity reporting requirement.

City of Yes for Housing Opportunity emerges directly from the City's fair housing plan, Where We Live NYC, and implements strategies identified in it:

- Increase housing opportunities, particularly for low-income New Yorkers, in amenity-rich neighborhoods
- Improve quality and preserve affordability for existing residents
- Expand the number of homes available to New Yorkers who receive rental assistance benefits



Recent housing research

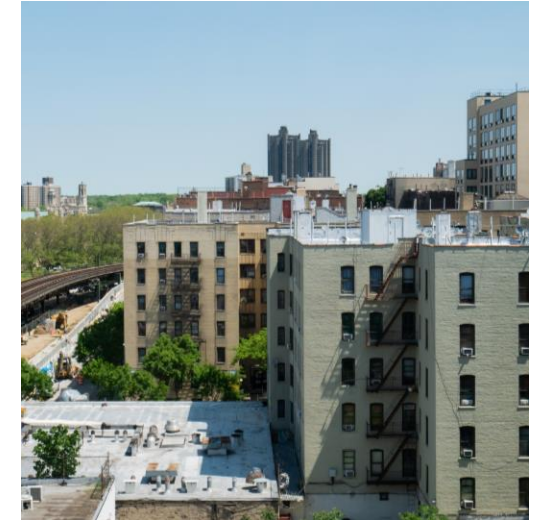
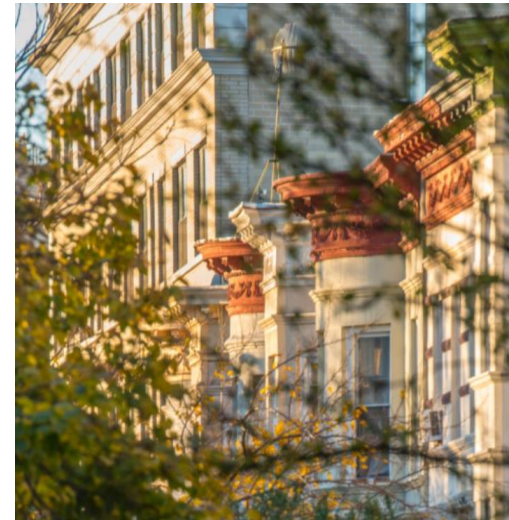
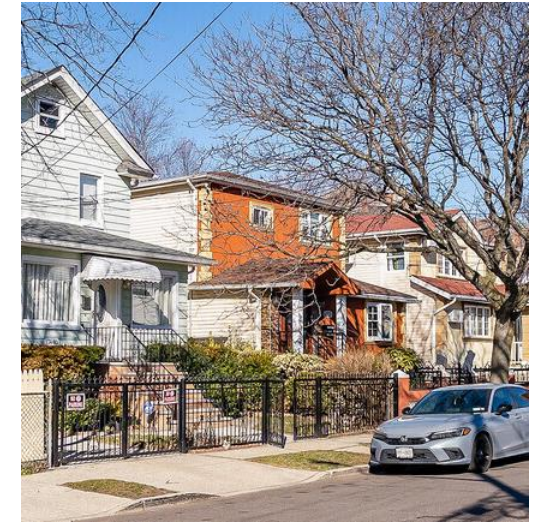
Recent research from independent organizations supports the premises of City of Yes for Housing Opportunity

- **New York City has not produced enough housing** to meet demand, which has negative consequences for New Yorkers and for the local economy
- New housing – especially new affordable housing – has been **limited to only a few neighborhoods**
- Our housing shortage **limits city revenue and holds back our economy**
- Enabling more housing, including in areas that have seen little housing production in recent years, can **distribute housing more equitably and grow NYC's economy**



How will these changes address our housing needs?

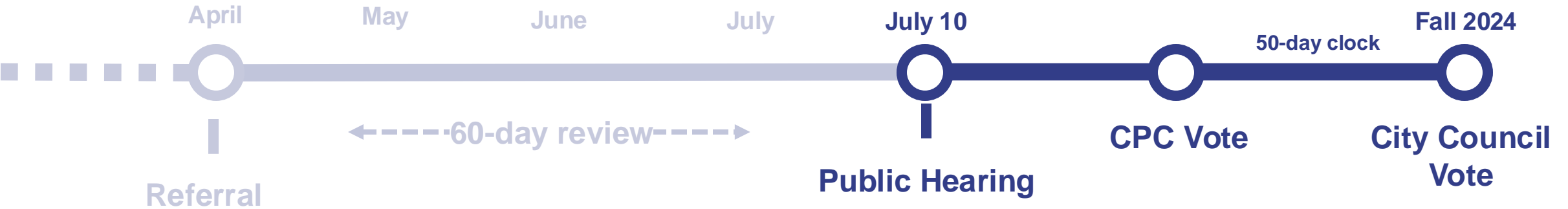
- **A little more housing** in every neighborhood and **more housing types** for the full range of New Yorkers
- Significantly **more affordable housing**
- **Less pressure on gentrifying neighborhoods** and areas hit hardest by the housing shortage and exclusionary zoning
- **Ending exclusionary zoning** in low-density areas
- **Accessory dwelling units** will support homeowners and multigenerational families
- More **sustainable** transit-oriented development and more housing in America's least carbon-intensive city



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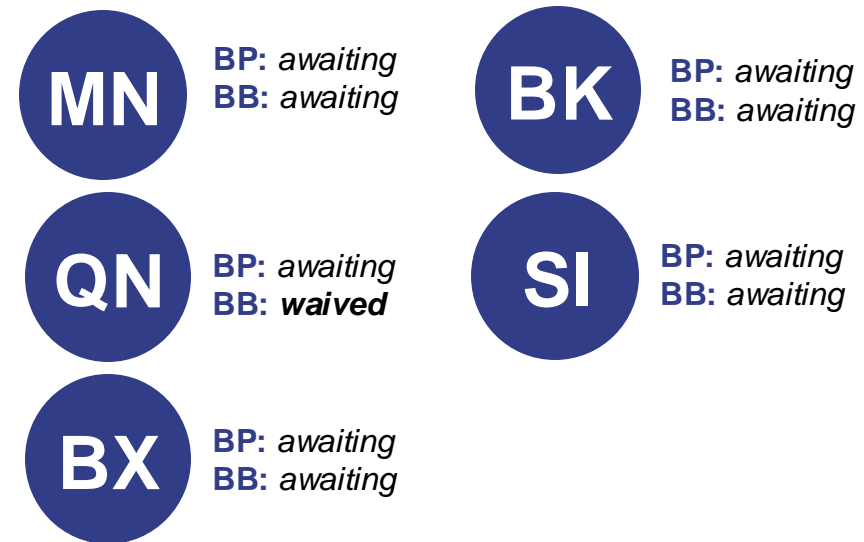
Public review process updates



To date, 26 of 59 Boards have voted on a resolution:



Update on Borough Board + Borough President review:



Feedback from Community Boards

1. An understanding of the need for more housing in New York City
2. A need for more deeply affordable housing options for low-income New Yorkers
3. Appreciation for incremental approach, but concerns this proposal isn't doing enough
4. Concerns around removing oversight from Community Boards
5. Infrastructure needs, particularly transportation, school seats, and sewers
6. Continued need for parking options
7. Concerns about safety and enforcement of non-zoning rules for ADUs
8. Need for more family-sized units and concerns about allowing for diverse housing types
9. Desire to preserve open space on residential campuses
10. Desire to preserve neighborhood character