

# ZONING FOR ACCESSIBILITY

## JULY 2021

New York City Department of City  
Planning  
Metropolitan Transportation  
Authority, New York City Transit  
Mayor's Office for People with  
Disabilities



**NYC**

PLANNING

Mayor's Office for  
People with Disabilities

# Overview of Post-hearing Discussion

**TODAY**

**MTA Special Presentation**

**Expanded Transit Bonus and Additional Discretionary Actions**

**Easement Provision (July 26, 2021)**



## **PART I: Expanded Transit Bonus Program**

- 1) Subject any bonus to Special Permit
- 2) Applicability
  - Distance from station
  - Mid-density districts
  - Hudson Yards Station
- 3) Floor area bonus
  - Limit bonus amount on large sites
  - Assessment of density
  - Inclusionary Housing
  - Usage with other density bonuses
  - Improvements and determination of floor area bonus

## **PART II: Additional Discretionary Actions**

- 4) Review process for Authorization
- 5) Findings for Special Permit



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# Item 2: Applicability

## Hudson Yards Station

*Removal of the Hudson Yards subway station as an eligible station since it is fully accessible and is within an existing transit bonus area*

The proposed bonus mechanism is intended to accelerate accessibility improvements at stations. The zoning text amendment that was referred would allow transit improvements at any mass transit station (including Hudson Yards) that are within 500' or 1,500' from an eligible site.

### **Proposed Modification**

Restrict access to bonus at and around Hudson Yards Station



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# Item 3: Floor area bonus

## Inclusionary Housing

- *Proposed transit bonus should be invoked only after, not instead of, the inclusionary housing bonus*
- *Subject transit floor area bonus to inclusionary housing requirements*

ZFA is intended to preserve the purpose of the existing IH bonus and maximize uptake of both bonuses

1. In areas with **R10 Program** or **IHDAs** the following options would be available:
  - Inclusionary Housing bonus;
  - Transit bonus; or
  - Both Inclusionary Housing bonus and transit bonus.
2. In **MIHAs**, inclusionary housing would continue to be required for current maximum FAR

**R10 Program** and **IHDA Bonus** likely primary choice to increase FAR:

- As-of-right vs. discretionary review (referral to CBs, BPs and CPC approval; CEQR)
- Pre-determined requirements vs. negotiated improvements (subject preparatory planning with transit adjacency)
- Cost affordable housing vs. transit improvements

# Item 3: Floor area bonus

## Usage with other density bonuses

- *No combination of bonus program (including IH) should be permitted that yields more than a combined 20% increase in FAR, bulk or height.*
- *Allow transit improvement bonus to be combined only with Voluntary Inclusionary Housing bonus and no floor area bonuses specific to special purpose zoning districts*
- *Maintain agreed upon precedent and hierarchy of bonuses in Hudson Yards and Garment Center District*

The Department reviewed all affected **Special Purpose Districts** and adopted the following approach to preserve established planning goals in these areas:

- In applicable **Special Districts with no subway bonus today**, make the proposed bonus applicable
- In **Special Districts with the subway bonus**, replace with the proposed bonus and maintain existing interaction with other bonuses
- In **Special Districts with complex floor area mechanisms for transit**, make the bonus inapplicable in these areas



# Item 3: Floor area bonus

## Usage with other density bonuses

### Exceptions

Transit bonus may only be stacked in the following instances to avoid direct conflict with the goals of Special Districts:

#### **Visual or Performing Arts Bonus** in the 125<sup>th</sup> Street District

- VPA Bonus treated similarly as Inclusionary Housing Bonus in Special District

#### **District Improvement Bonus** in certain Subdistricts within Garment Center and Hudson Yards

- District Improvement Bonus central to Hudson Yards and Garment Center planning effort

# Item 3: Floor area bonus

## Improvements and determination of floor area bonus

- *Clarification on level of investment in a transit improvement and resulting bonus, and eligibility and prioritization of improvements*
- *Only accessibility improvements should qualify to receive a floor area bonus*
- *Non-accessibility improvements should be characterized as incidental*
- *Promote station beautification through site-specific art as improvements*

	REFERRED TEXT	PROPOSED MODIFICATION
<b>General</b>	Allows for accessibility, capacity-enhancing and environmental design improvements	Same as referred text
<b>Hierarchy of Improvements</b>	Not specified in current proposal	<b>Clarifies in text that</b> accessibility or capacity-enhancing improvements <b>are required</b> (environmental design improvements provided additionally)
<b>Prioritization of Accessibility Improvements</b>	<b>Relies on ADA</b> to mandate accessibility improvements if station is not accessible	<b>Clarifies in text that</b> accessibility improvements are prioritized if station is not accessible



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# Item 5: Findings for Special Permit

The Special Permit should require that the City Planning Commission find that the proposed modifications only allow modifications to the minimum extent necessary that will enable the development of the transit improvement

## Special Permit for additional modifications

- Intended to provide additional relief beyond authorization to facilitate easement, transit access or bonus floor area

	REFERRED TEXT	PROPOSED MODIFICATION
<b>General Finding for any Modification</b>	Modifications must result in a better site plan for easement volume, improvement or building that is superior in design	Clarifies that modifications must be <b>necessary</b> to facilitate easement, transit access plan or additional floor area generated from bonus

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# APPENDIX

# Item 3: Floor area bonus Inclusionary Housing

## Example: R10A in an Inclusionary Housing Designated Area

