

Zoning for Quality and Affordability

The crisis of affordable housing

In May 2014, Mayor De Blasio released “*Housing New York*,” a comprehensive plan to build and preserve high-quality affordable housing throughout the city over the next decade.

The Plan will create housing opportunities for New Yorkers with a range of incomes, from the very lowest to those in the middle class, and will foster vibrant and diverse neighborhoods.

The Plan identifies ways that the Zoning Resolution can be updated to better promote the creation of affordable housing and foster diverse, livable neighborhoods.

Housing New York

A Five-Borough, Ten-Year Plan



The City of New York
Mayor Bill de Blasio

Alicia Glen, Deputy Mayor for
Housing & Economic Development

NYC

Ongoing Housing New York Initiatives

NYC Department of City Planning

Addressing the affordable housing crisis and fostering diverse, livable neighborhoods

Neighborhood Planning Studies

Collaborative neighborhood planning for mixed-income, livable and diverse communities

Where / when / how:

Coordinated local planning processes in specific neighborhoods – seven studies announced to date

Mandatory Inclusionary Housing

Zoning requirements to promote **economically diverse neighborhoods** where rezoning encourages substantial new housing

Where / when / how:

These requirements would be applied to future area-specific rezoning actions

Zoning for Quality & Affordability

Changes to make existing zoning work better for **affordable and senior housing** and encourage **better building design**

Where / when / how:

Changes to the zoning text would apply to existing zoning districts – primarily medium- and high-density districts

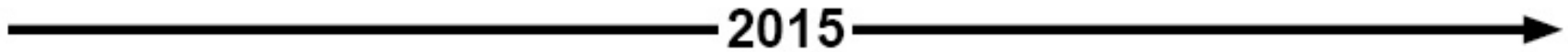
Key Goals

- **Remove barriers**
that constrain housing production and raise costs
- **Encourage better quality buildings**
that contribute to the fabric of neighborhoods
- **Promote affordable senior housing**
to address the affordable housing needs of an aging population
- **Reduce unnecessary parking requirements for affordable housing**
to avoid excessive costs that hamper the creation of affordable and senior housing

Zoning for Quality and Affordability

A nighttime photograph of a dense urban skyline, likely New York City, with numerous skyscrapers and buildings illuminated by city lights against a dark blue twilight sky. The buildings are packed closely together, and the lights create a warm, glowing effect.

Public Process



2015

Winter - Initial outreach and beginning of environmental review

Borough-level information sessions

May /June - Pre-Referral informational meetings with Community Boards

Formal public review will allow for the full customary 60 days for Community Board review, after their summer recesses

Part 1:

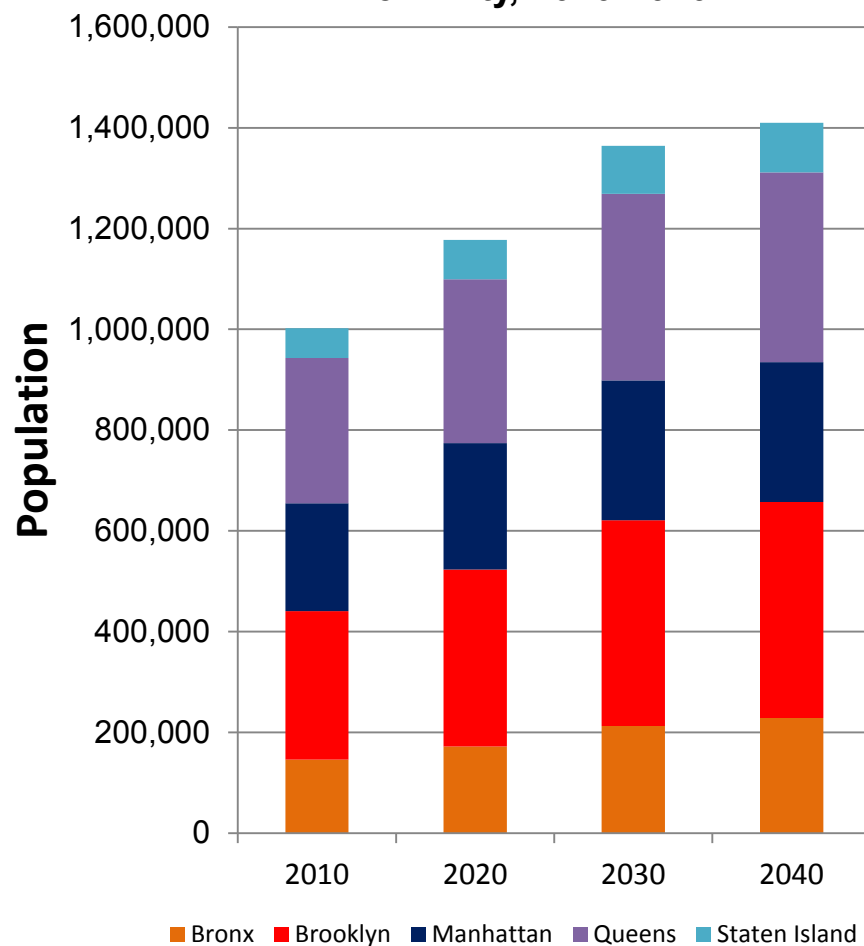
Promote Affordable Senior Housing and Care Facilities

Older New Yorkers are a diverse and rapidly growing segment of the city's population. There is an increasing need for a range of housing and long-term care options for our seniors. Zoning has failed to keep pace with evolving models for affordable senior housing and long-term care facilities.

The City's population is aging, and the need for affordable senior housing and care facilities is growing

- Population 65 years and older is projected to increase 40% by 2040 – **over 400,000 additional seniors.**
- Increasing life expectancy and the aging of the baby boomer generation will create a wider range of ages in the elderly population, with a variety of specialized housing and care needs.

Projected Population 65 and over in New York City, 2010-2040



What is Affordable Senior Housing?

Description: Housing designed specifically for seniors with smaller units but more common areas and amenities. Eligibility is limited by age and by income.

Funding: Requires public subsidies, but increasingly difficult to build because of reductions in federal funding streams.

Supply: Approximately 3,500 units constructed since 2003. Mayor de Blasio has set a target of 5,000 new units in the next decade.

Zoning Issues: Since 1969, a higher floor area has been allowed for this use in many zoning districts, but regulations have failed to keep pace with evolving models.

Mount Pleasant Apartments, Manhattan



Castleton Manor Senior Housing, Staten Island



What are Long-term Care Facilities?

Description: Includes nursing homes, assisted living facilities, and certain continuing care retirement communities licensed by NYS Dept of Health. Can include single or shared apartments or rooms with support spaces.

Supply: The State Dept. of Health estimates an unmet need of 8,300 long-term care facility beds in NYC. City has half as many assisted living units per capita as other counties.

Zoning Issues: Regulations discourage these facilities by referring to outdated State programs, and limiting as-of-right FAR to less than what is allowed for affordable senior housing or other community facilities.

Moffat Gardens, Brooklyn (67 units)



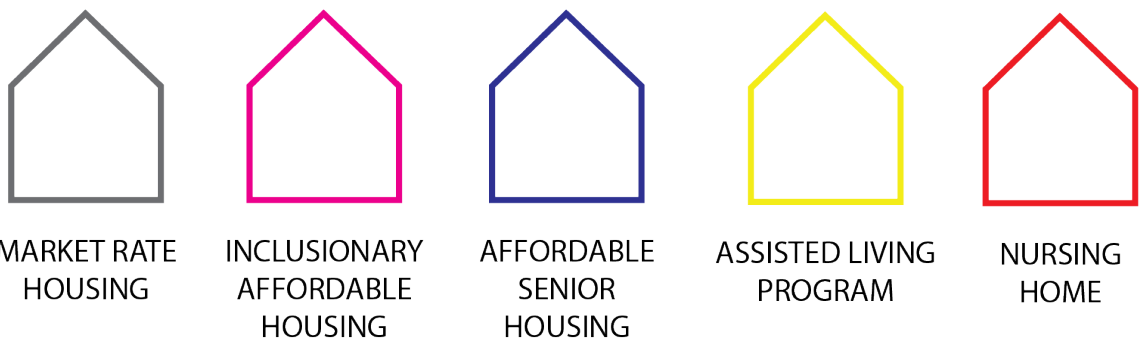
Jamaica Hospital Nursing Home, Queens (127 rooms)



By updating categories and allowing for mixed housing types, zoning can help the City to better address the diverse needs of seniors

TYPES

SPECTRUM OF HOUSING TYPES



CONFIGURATIONS

OPTIONS FOR MIXED HOUSING WITH AN AFFORDABLE COMPONENT

OPTIONS FOR MIXING VARIOUS REGULATED, INCOME-RESTRICTED AND MARKET-RATE HOUSING TYPES



OPTIONS MIXED SENIOR LONG TERM CARE

OPTIONS FOR MIXING VARIOUS STATE LICENSED CARE FACILITY TYPES



CONTINUING CARE RETIREMENT COMMUNITY

Promote affordable senior housing and care facilities

- **Modernize zoning definitions:** Accommodate today's housing models and recognize regulated housing and care facilities.
- **Rationalize Floor Area Ratios:** Apply higher floor area ratios consistently across zoning districts, based on existing floor area ratios for affordable senior housing and affordable housing.
- **Increase flexibility for unit sizes in senior housing:** Relax density restrictions that could prevent the creation of compact units where providers consider suitable.
- **Reduce administrative obstacles:** Eliminate redundant special permits that burden nursing home development.



Village Center for Care, Manhattan
 Licensed Nursing Home
 Photo courtesy of Perkins Eastman

Part 2:

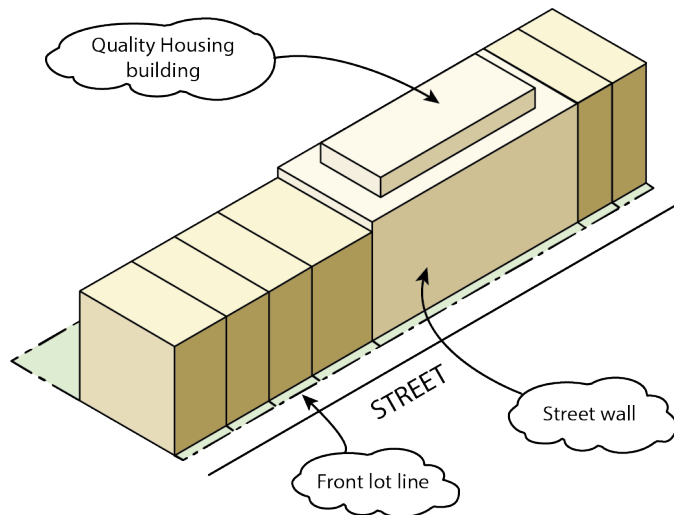
Modernize rules that shape buildings

Because of changing regulations, the rise of green technologies, and other best practices for construction, it can be costly or impossible to fit the permitted floor area within the existing building limitations – particularly for affordable housing. These same zoning controls also limit design flexibility and too often result in buildings that are flat or dull, fail to enliven the pedestrian environment, and lack the variation and texture typical of older apartment buildings.

What are “Contextual” building envelopes?

Current “Contextual Zoning” was established in 1987 to promote housing that fit better within neighborhoods than the previous “tower-in-the-park” model.

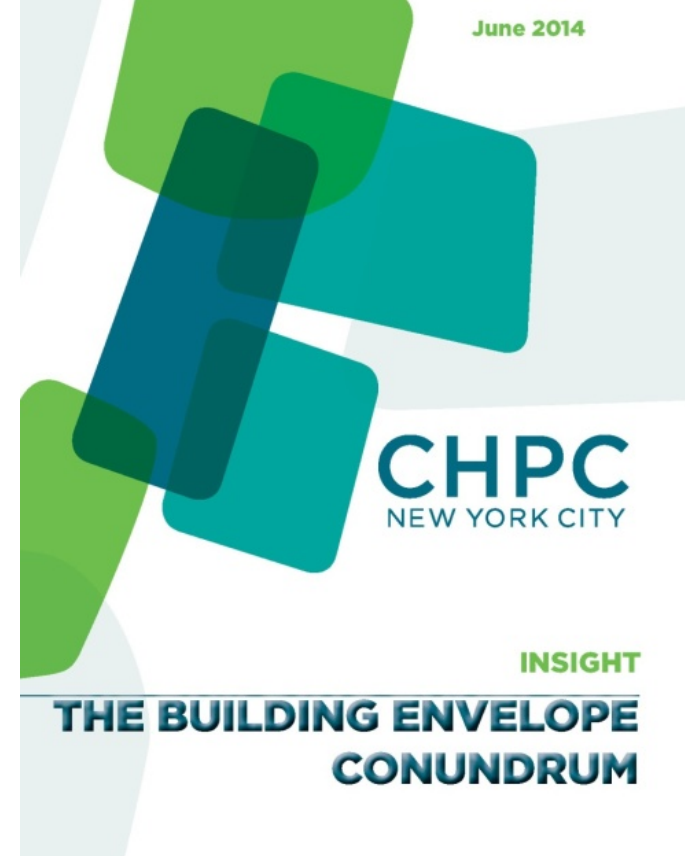
These envelopes are required in contextual zoning districts and optional in non-contextual districts.



Existing “contextual” building envelope controls make new housing difficult and expensive to build

Since the 1980s, housing regulations and building practices have changed. These changes include:

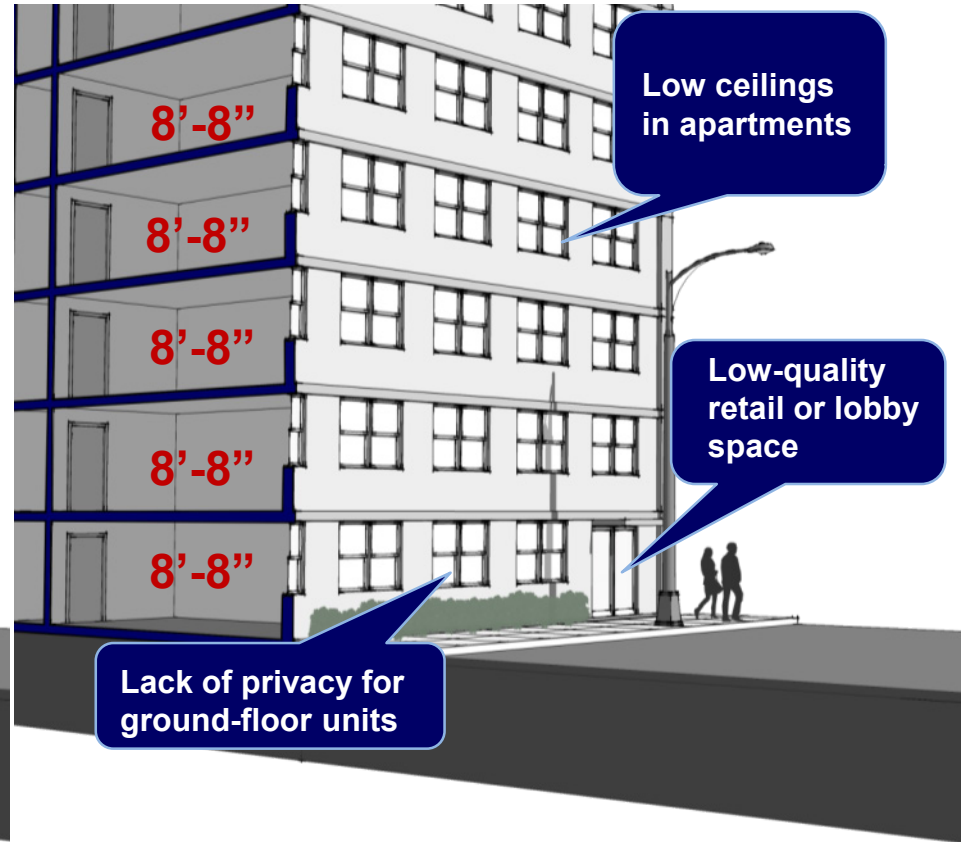
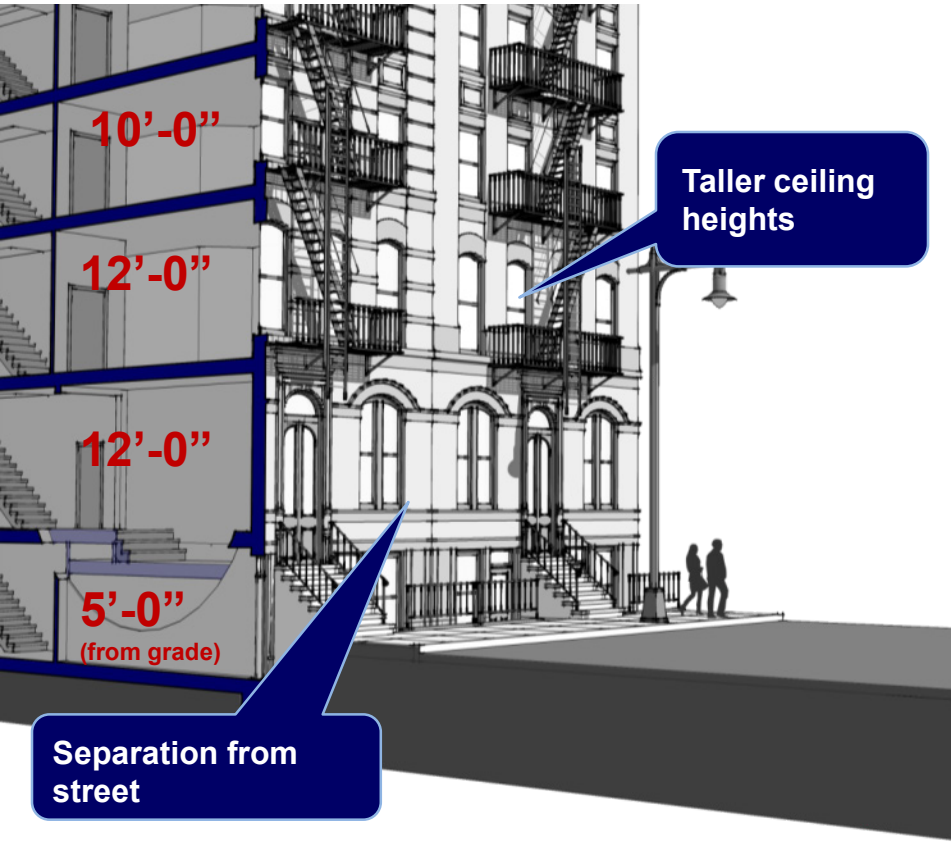
- Increased requirements for fire prevention, building codes, and other regulations
- Increase in typical floor-to-floor heights, closer to historic norms
- New construction practices, such as “block and plank” and modular construction
- More irregularly shaped sites being developed



‘Block and Plank’ construction

Some key 1987 assumptions do not match historic or contemporary housing standards

The assumptions utilized in 1987 were relevant at the time, but are sub-optimal by today's standards, and when compared to older buildings.



1910 ~ Typical Historic Building

1987 Prototypical 'Contextual Zoning' Building

Regulations are forcing undesirable trade-offs between good design and affordability

By not keeping pace with changes to best practices, contextual rules in many instances now:

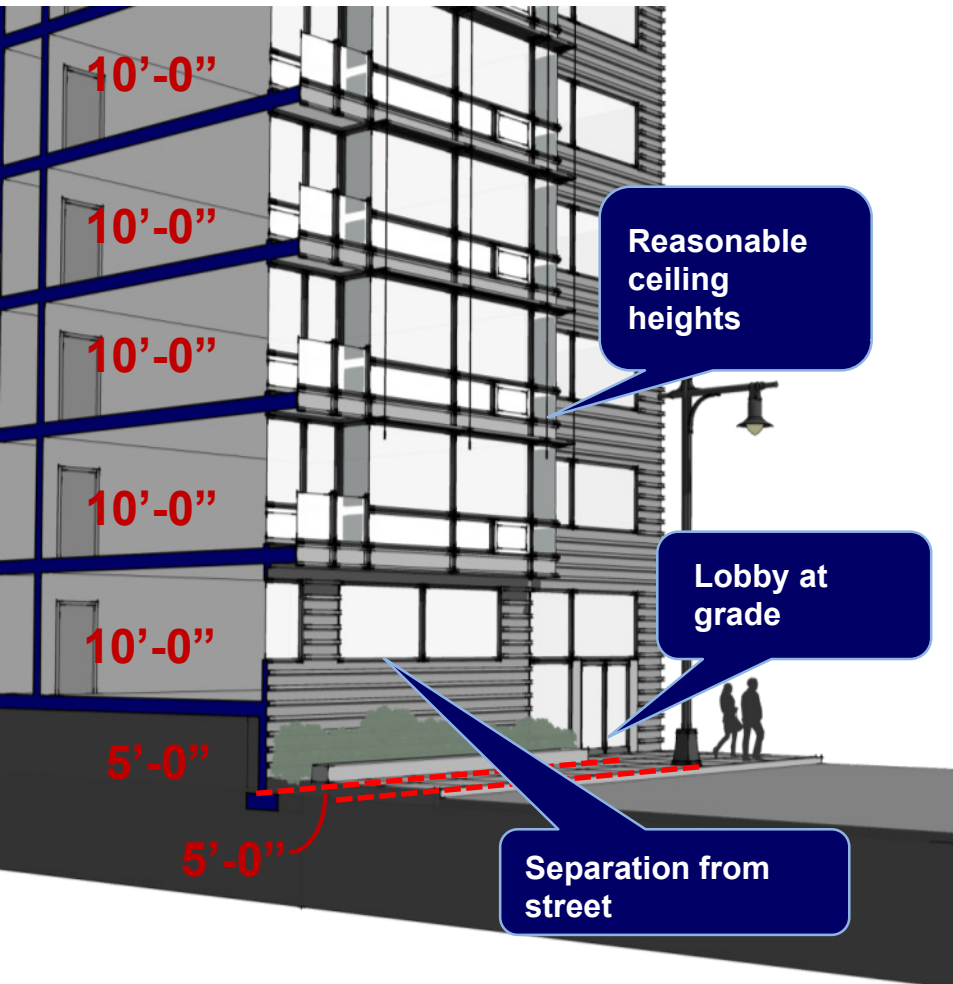
- Discourage quality ground floor retail or residential spaces
- Encourage flat, “boxy” buildings
- Limit the effectiveness of Inclusionary Housing program and affordable senior housing regulations
- Make housing more expensive to construct



Recent Construction - Brooklyn

Accommodate improved exterior and interior building design – Residential Districts

Update zoning to allow today's best practices for design and construction of housing

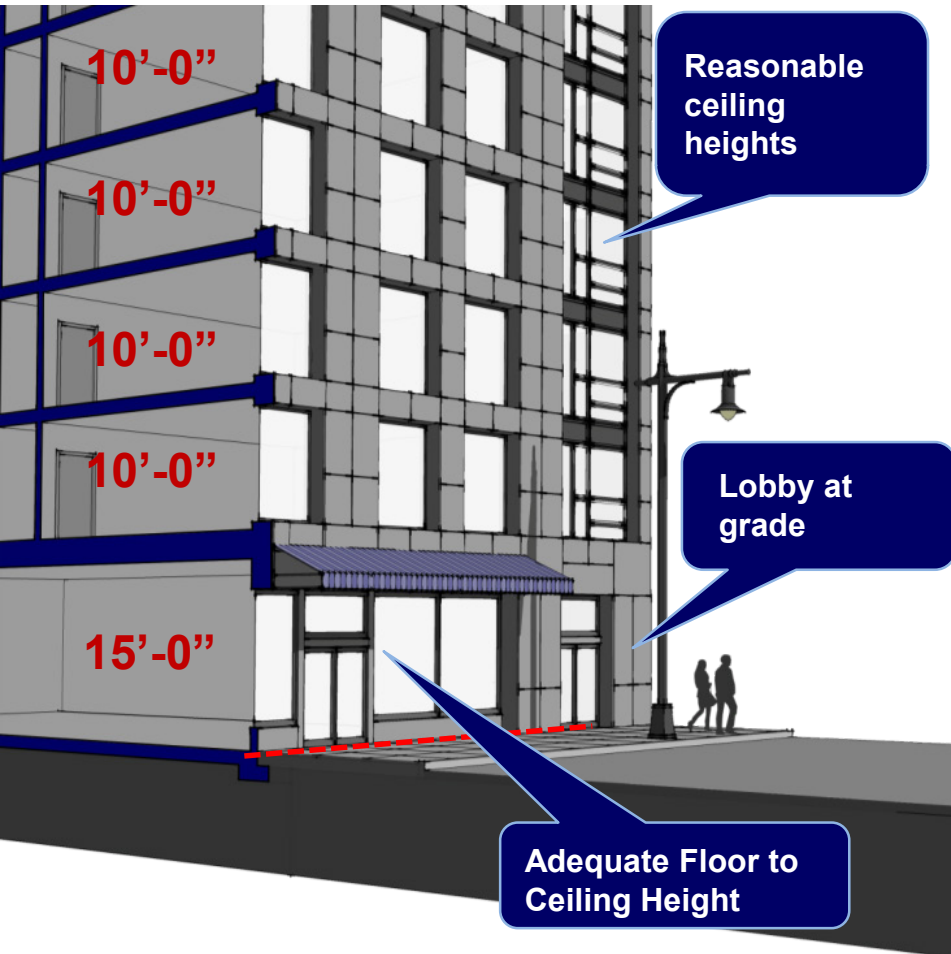


Prototypical Best Practice Building

Recent Construction - Brooklyn

Accommodate improved exterior and interior building design – Commercial Districts

Update zoning to allow today's best practices for design and construction of housing.



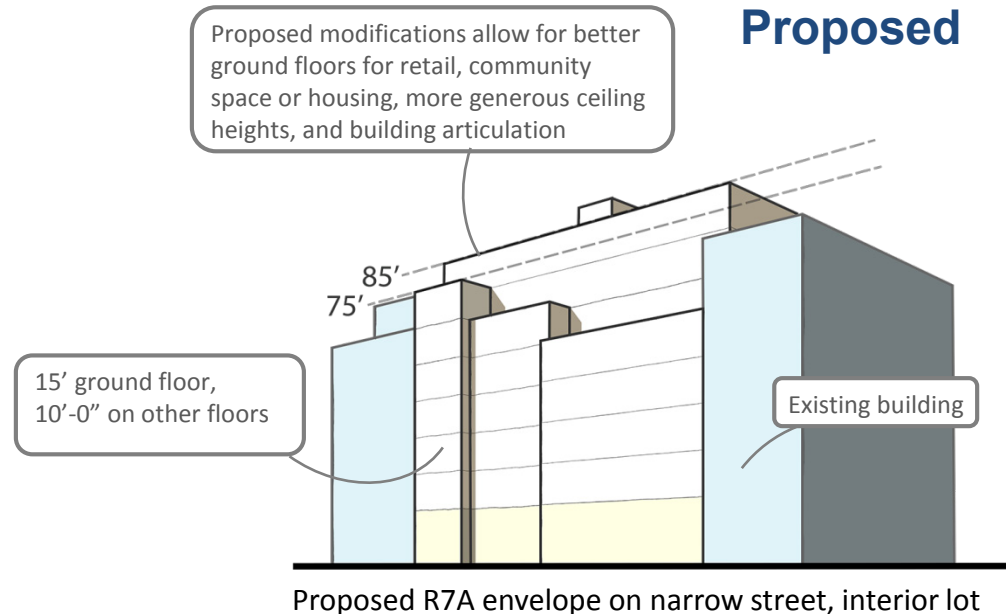
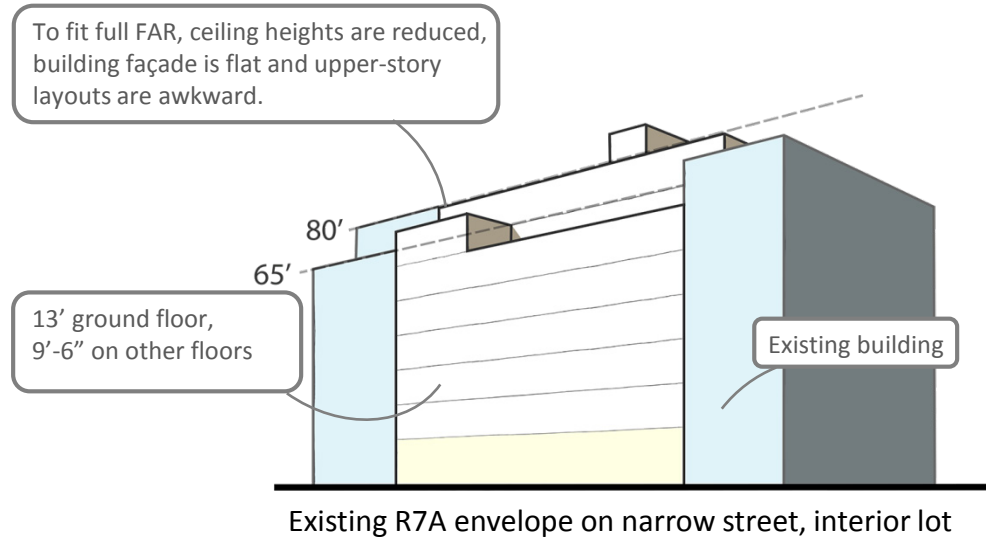
Prototypical Best Practice Building

Typical Neighborhood Retail

Modify Building Envelope

In medium- and higher-density districts, allow sufficient flexibility to accommodate best practices for affordable construction and good design, while maintaining current floor area maximums.

- **Height:** Increase maximums by 5' (5' to 15' in R9 and R10) to ensure all permitted floor area can fit and allow better design.
- **Setbacks:** Measure upper floor setback from street line, removing penalty for buildings that set back at the street level, allowing better interior layouts and reducing construction cost.
- **Corner Lots:** Loosen lot coverage and other requirements that make housing construction unnecessarily difficult, especially on irregularly shaped lots.



Basic Height Limit Changes

		Basic Modifications	
Zoning District	Existing Maximum Building Height	Proposed Height (stories)	Height Difference
R5D	40'	45' (4)	5'
R6B	50'	55' (5)	5'
R6A	70'	75' (7)	5'
R7B	75'	75' (7)	0'
R7A	80'	85' (8)	5'
R7D	100'	105' (10)	5'
R7X	125'	125' (12)	0'
R8B	75'	75' (7)	0'
R8A	120'	125' (12)	5'
R8X	150'	155' (15)	5'
R9A (narrow street)	135'	145' (14)	10'
R9A (wide street)	145'	155' (15)	10'
R9X	160'	175' (17)	15'
R10A (narrow street)	185'	195' (19)	10'
R10A (wide)	210'	215' (21)	5'

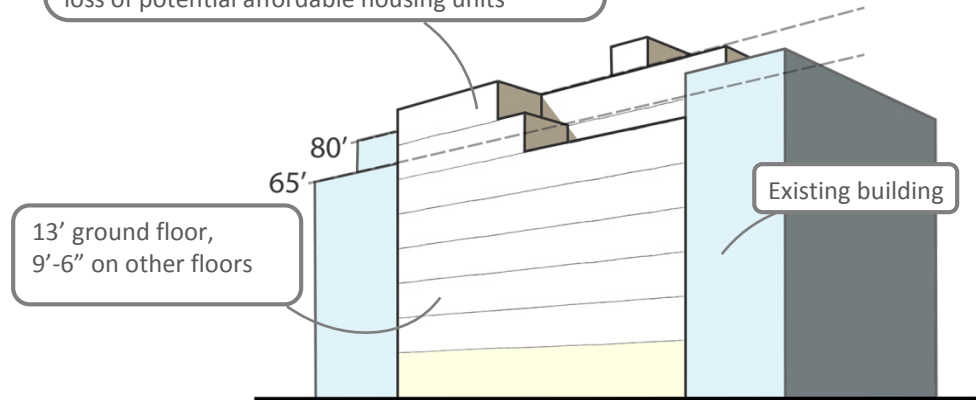
Additional Flexibility for Senior and Inclusionary Housing

Where zoning allows additional floor area for affordable housing for seniors or Inclusionary Housing, provide enough room to fit all permitted floor area with good design.

- **Height:** Increase maximum height (by 1 to 2 stories in R6-R8 districts, 2 to 4 stories in R9-10) to fit all floor area without sacrificing quality of housing.
- **Amenity Spaces:** Allow ground-floor accessory residential amenity spaces to be located in the rear yard, where parking garages or community facilities are allowed today.
- **Non-contextual Districts:** Permit affordable senior housing developments to use optional enhanced contextual envelope.

Despite reduced ceiling heights and flat facade, the additional permitted floor area cannot be accommodated. This results in a loss of potential affordable housing units

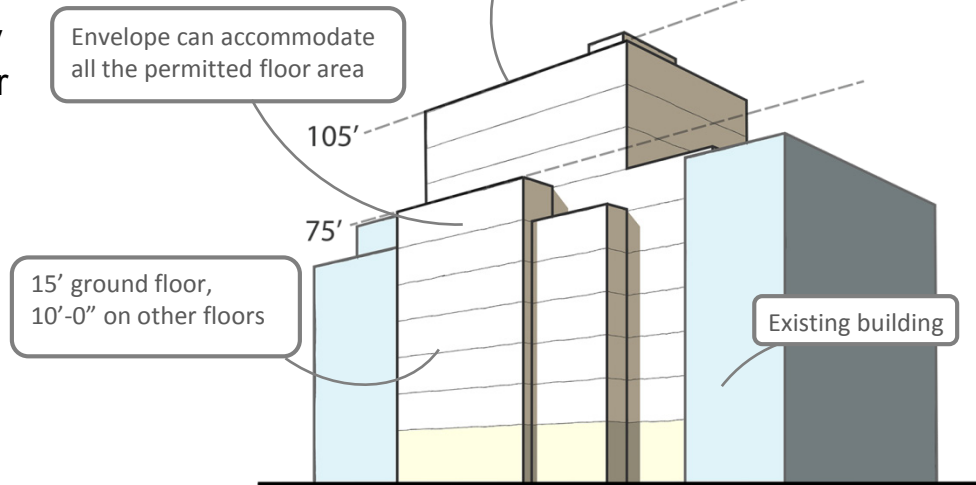
Existing



Existing R7A envelope on narrow street, interior lot

Proposed modifications allow for better ground floors for retail, community space or housing, more generous ceiling heights, and building articulation

Proposed



Proposed R7A envelope on narrow street, interior lot

Height Limit Changes for Affordable Housing

Zoning District	Basic Modifications (stories)	Inclusionary and Affordable Senior Housing Modifications	
		Proposed Height (stories)	Height Difference (stories)
R6B	55' (5)	55' (5)	0' (0)
R6A	75' (7)	85' (8)	10' (1)
R7B	75' (7)	75' (7)	0' (0)
R7A	85' (8)	105' (10)	20' (2)
R7D	105' (10)	125' (12)	20' (2)
R7X	125' (12)	145' (14)	20' (2)
R8B	75' (7)	75' (7)	0' (0)
R8A	125' (12)	145' (14)	20' (2)
R8X	155' (15)	175' (17)	20' (2)
R9A (narrow street)	145' (14)	175' (17)	30' (3)
R9A (wide street)	155' (15)	175' (17)	20' (2)
R9X	175' (17)	205' (20)	30' (3)
R10A (narrow street)	195' (19)	235' (23)	40' (4)
R10A (wide)	215' (21)	235' (23)	20' (2)

Encourage variety and better design

Allow flexibility for the variation and texture that typify older buildings in many neighborhoods.

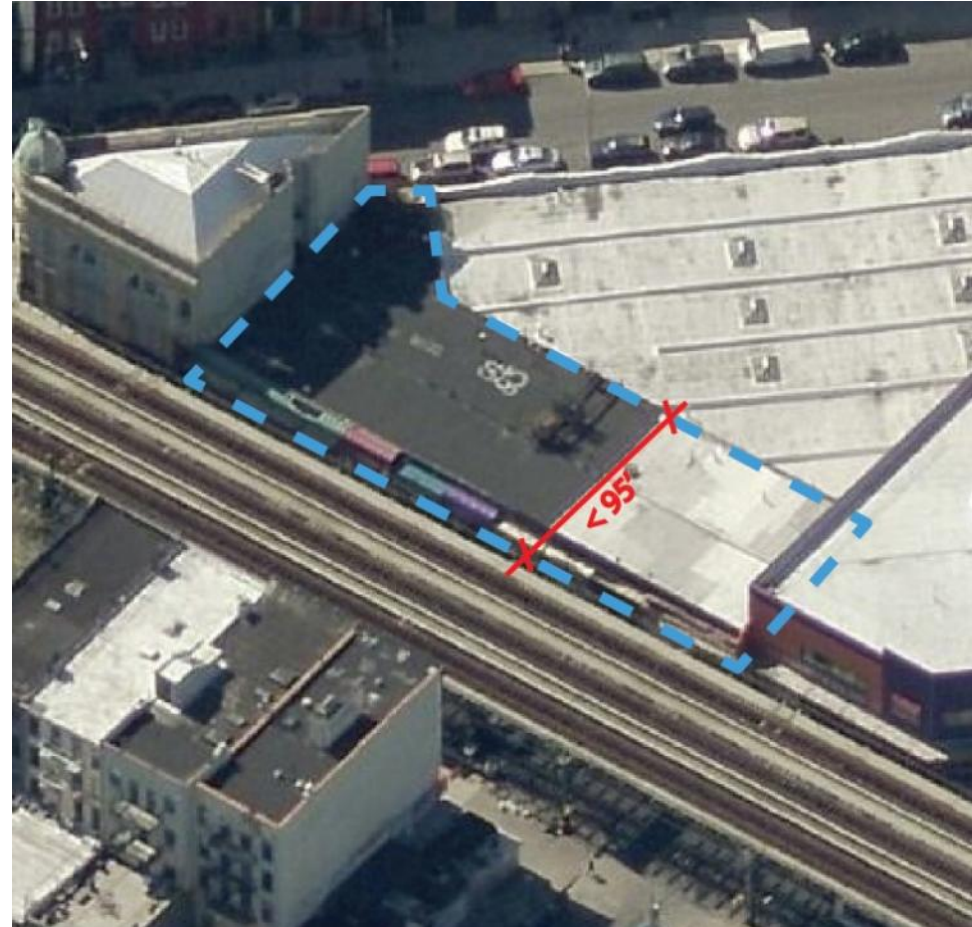
- **Street Wall:** Update and clarify regulations to support traditional types of building variation.
- **Court Yards:** Allow greater flexibility to enable visual interest and a range of building configurations.
- **Ground Floors:** Make transparency and design requirements consistent .
- **Mix of Unit Sizes:** Make consistent the unit density standards for all medium- and high-density districts, allowing smaller units to be mixed in with larger ones.



Accommodate constrained lots

Most existing controls are designed to work with flat, rectangular lots, and do not work well on irregularly-shaped or sloped sites.

- **Yards and Lot Coverage:** Allow proportionate reductions in requirements where lots are shallow, acutely-angled, or sloped
- **Distance Between Buildings:** Reduce “tower-in-the-park”-era requirements to be consistent with the State’s Multiple Dwelling Law requirements
- **Relief for Unusual Conditions:** Create a discretionary action to address unforeseen site conditions



Part 3:

Reduce parking requirements for affordable housing

The cost of providing off-street parking can hamper the production of affordable housing. In transit-accessible neighborhoods, low-income households own many fewer cars, and frequently don't use the parking that has been provided.

It is financially difficult for affordable housing developments to provide parking

- It can cost **\$20,000-\$50,000 per space** to build structured off-street parking. The few households that do own cars cannot pay monthly parking fees that would cover these costs.
- Surface parking costs less to build, but takes up considerable space that might otherwise be used for housing, open space, or other uses.
- Requirements for parking make the funding of affordable housing more difficult and they reduce the amount of affordable housing that can be built with available funding.



Via Verde, Bronx – Affordable housing constructed without parking

Current Parking Requirements

Existing Requirements

- Zoning currently requires about half as many parking spaces for affordable housing as for market-rate housing.
- Parking requirements for affordable senior housing are even lower.
- No parking is required for affordable housing in the Manhattan Core, Downtown Brooklyn or Long Island City.

Zoning District	Market-rate units	Affordable housing	Affordable senior housing
R3, R4	100%	50%	35%
R5	70 - 85%	35 - 42.5%	22.5 - 31.5%
R6	50 - 70%	25 - 35%	16 - 22.5%
R7	50 - 60%	15 - 30%	12.5 - 20%
R8	40 - 50%	12 - 15%	10 - 12.5%
R9, R10	40%	12%	10%

Existing Waivers

- Zoning waives parking requirements where the development requires a small number of spaces.
- However, no waiver is allowed for affordable senior housing.
- About 22 percent of recent affordable housing developments qualified for waivers through zoning.

Residents of low-income housing own fewer cars, especially near transit

- Low-income households own fewer cars – particularly in dense, transit accessible neighborhoods.
- Low-income senior households have especially low rates of car ownership, regardless of where in the city they live.
- High monthly cost of parking make it less likely that low-income residents are willing or able to rent spaces.

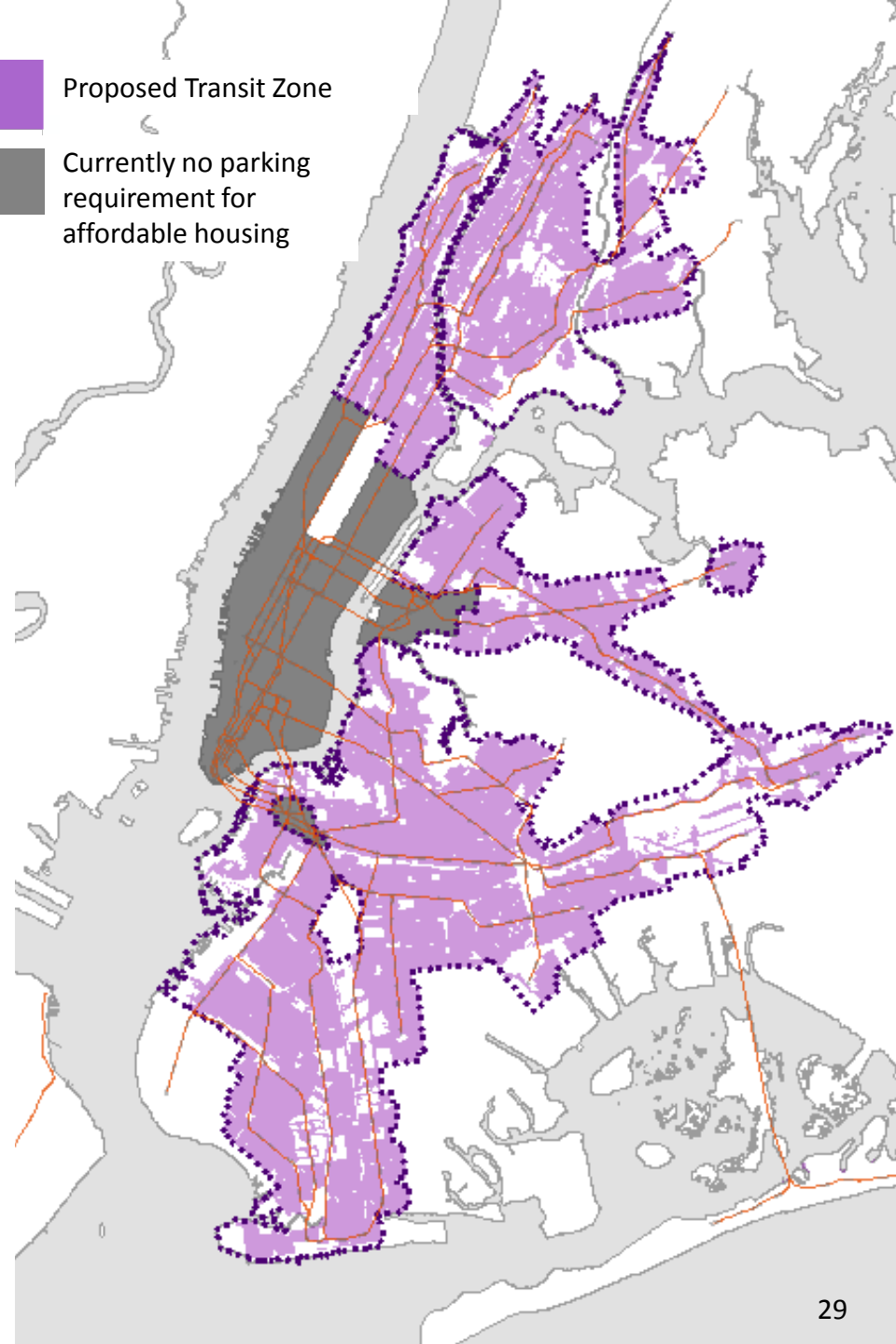
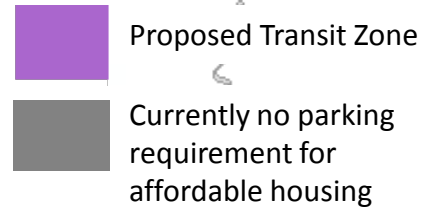


Cars per 100 Households
(>3 dwelling units, all tenure)

	All Housing (since 2000)	100% Low Income Units (since 1990)	HUD 202 Senior Housing	State-licensed Senior Long Term Care
Near Transit	32	18	5	1
Far from Transit	54	39	11	1

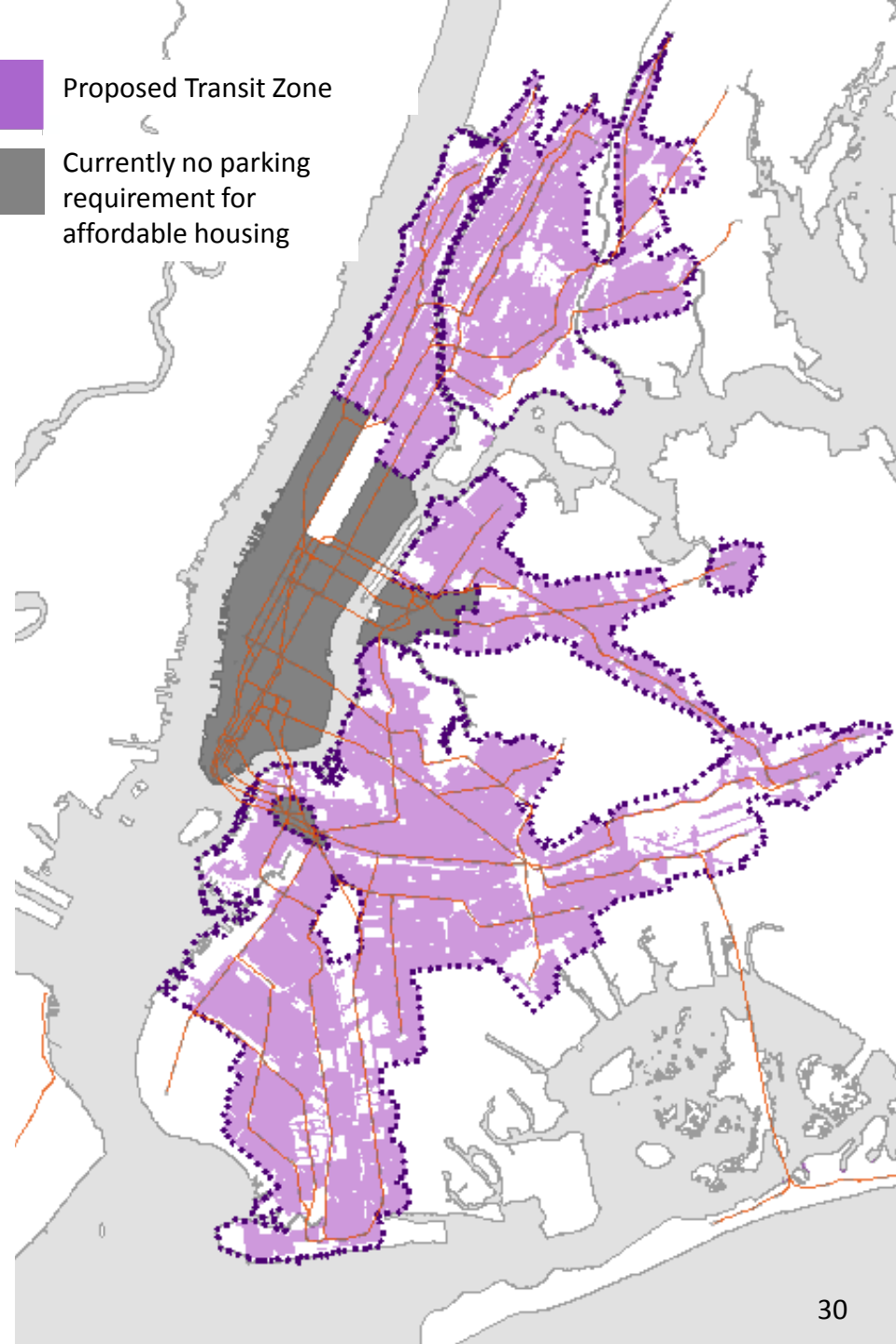
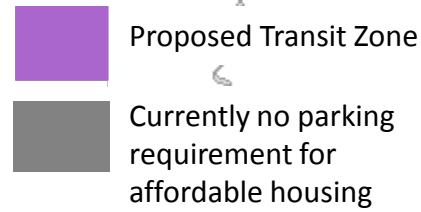
What is the “Transit Zone?”

- The Transit Zone encompasses some of the city’s **densest residential neighborhoods**.
- These are neighborhoods with a **variety of public transportation options**, and are generally within one half mile of a subway station.
- **Car ownership rates within the Transit Zone are among the lowest in the city.**



Eliminate parking requirements for affordable housing in Transit Zone

- **Affordable Housing:** Eliminate parking requirements for new affordable or Inclusionary Housing units
- **Affordable Senior Housing:** Eliminate parking requirement for new affordable senior housing units, and allow existing affordable senior housing developments to reduce or eliminate their parking
- **Reductions Allowed on a Case-by-Case Basis:** Through discretionary review, allow new buildings to reduce required parking to enable mixed-income development, or underutilized parking facilities for existing affordable housing to be redeveloped.



Simplify or reduce parking requirements in other areas

- **Affordable Housing:** Simplify existing reduced parking requirements, applying most common category to all new developments, except in single-family districts, where there is no affordable housing development.
- **Affordable Senior Housing:** Reduce parking requirement for new low-income senior housing in medium-density districts to 10% and eliminate requirement in high-density districts.
- Allow existing affordable senior housing to reduce parking by discretionary action



How can I get more information?

For more information about this proposal or to submit comments and questions, visit:

NYC Department of City Planning Website

Online: www.nyc.gov/DCP/AHOUSING

Or contact DCP at

Email: AHOUSING@planning.nyc.gov