



George M. Janes
& Associates
250 E. 87th Street
New York, NY 10128

Tel: 646.652.6498
george@georgejanes.com

2025 Land Use Initiatives

George M. Janes, AICP
5/27/2025

Earlier this year, we summarized six land use initiatives scheduled for 2025

1. The Manhattan Plan
2. City of Yes for Families
3. Fair Housing
4. Int 1107: “AirBnB for NYC”
- 5. Albany’s Faith-Based Affordable Housing Act**
- 6. Charter Revision Commissions**

Even though City of Yes was enormous and exhausting, more is coming!

1) Manhattan Plan

What is it?

- A series of **zoning** and policy changes to add 100,000 housing units to Manhattan (~11%)
- That includes the 10,000 units planned for Midtown South and 100 Gold Street

Why?

- The City repeatedly said they wanted to “upzone” parts of Manhattan, but couldn’t because of the 12 FAR cap
- The 12 FAR cap is mostly gone and we now have 15 and 18 FAR residential districts that can replace R10 districts
- R11 or R12 upzonings will trigger Mandatory Inclusionary Housing in areas where they are uncommon and will require affordable housing in new developments

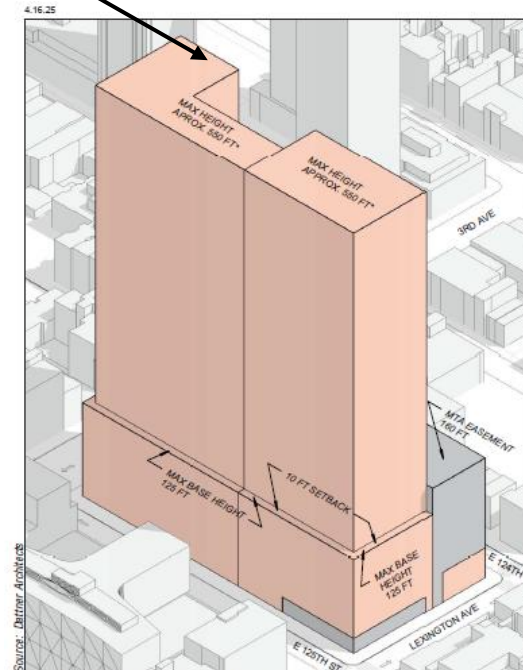
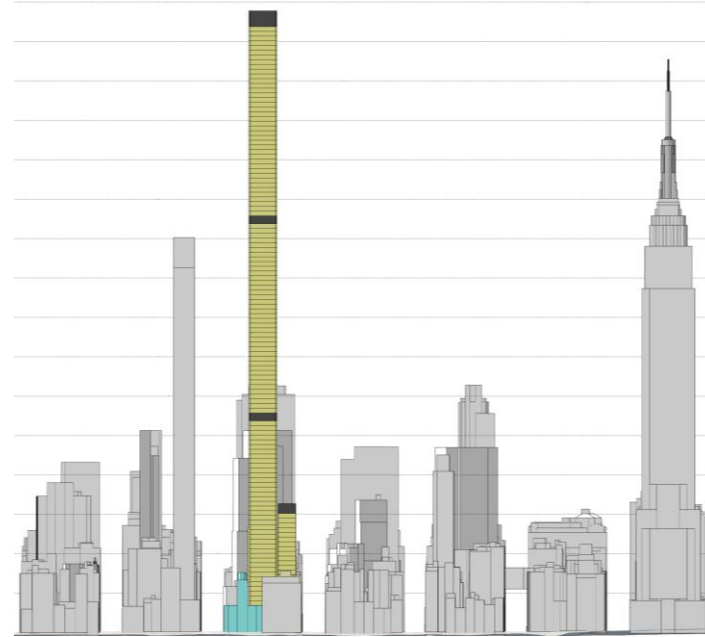
When?

- Details will be rolled out very soon. DCP said public engagement will start in June

Manhattan Plan Context

Actions for 12+ FAR developments are happening right now:

- Midtown South (up to 21.6 FAR) →
- 100 Gold (18 FAR) →
- East 125th Street (15 FAR) →
- 31 West 110th Street (14 FAR) →



View From Northwest (C6-11 Tower Zoning)



2) City of Yes for Families

What is it?

A series of **zoning** changes addressing the needs of families

1. Expand the FRESH program
2. Expand and change Privately-Owned Publicly Accessible open spaces (POPs)
3. Expand the transit bonus

Why?

- More grocery stores (See COYEO)
- More open space (See LIC and MSMX)
- More elevators at subway stops (See Elevate Transit and MSMX)

When?

- “The initiative is being launched in 2025, and more details will be announced soon; stay tuned”

3) Fair Housing

What is it?

- A plan designed to address historical patterns of segregation and housing discrimination in NYC. There are two efforts:
 1. The 2025 update to [Where We Live NYC](#)
 2. [City Council's Fair Housing Framework](#)



Why?

- To “affirmatively further fair housing”
- COYHO was justified, in part, by “Where We Live”
- The Fair Housing Framework will set housing targets by Community District and will likely justify future upzonings

When?

- Planning is done. Draft plans are being developed right now

Fair Housing Framework

Speaker Adams' Fair Housing Framework legislation will:

- Institutionalize Fair Housing in the City Charter.
- Create a citywide Fair Housing Framework—a plan for housing growth guided by equity to ensure all communities fairly contribute to addressing the City's housing crisis and build housing that is accessible to all.
- Increase preservation of affordable housing, anti-displacement resources, and neighborhood investments for underserved communities.

4) Int 1107 or “AirBnB for NYC”

What is it?

- A City bill proposing a local law that would:
 1. Permit short-term rentals in one- and two-family homes when the owner is not present
 2. Also, would permit up to seven unrelated university students to occupy a single- or two-family home
 3. It would do this with a series of changes to the Building Code and the Administrative Code

Why?

- Provide property owners ways to create income from their properties using short-term rentals
- Short-term stays in residential buildings (e.g. AirBnB) is now very limited in NYC multiple dwellings. This would expand that use in single- and two-family homes

When?

- Must pass before end of year, when the current session expires

4) Int 1107 or “AirBnB for NYC”

- There are 4,162 tax lots with single- and two-family buildings in Manhattan
- But 1,055 (25%) of those lots are in CD 8
- There are only 8 sponsors (16%) in the Council. There are none on the UES but they include CM Ayala (East Harlem)



5) Faith-Based Affordable Housing Act

What is it?

- A State bill that would:
 1. Suspend local zoning for development sites controlled by religious corporations developing mixed income or affordable housing
 2. Instead of local zoning, it would permit “qualified sites” to use any zoning district within 800 feet
 3. Would not require any environmental review

Why?

- It would create more development sites for affordable housing
- It would exempt all development from any environmental review and mitigation

When?

- Right now. The legislative session ends June 12

Most of New York City's built form is defined by buildings of different sizes based upon the width of the street

Midblock between First and Second Avenues looking south from the mid-90s



And it is no accident: New York's zoning map has shaped this pattern for over 100 years

The 1916 Zoning Resolution used street widths to determine when a building must setback

Our current Resolution is more specific, but it keeps high density on the avenues and wide streets

Lower density is found on the narrow streets



The FBAHA ignores this form, stating:

“IF THE COVERED SITE IS LOCATED WITHIN EIGHT HUNDRED FEET OF A ZONING DISTRICT THAT PERMITS A HEIGHT OR DENSITY FOR RESIDENTIAL USE GREATER THAN WHAT IS OTHERWISE PROVIDED FOR IN THIS PARAGRAPH, THEN THE CITY SHALL ALLOW RESIDENTIAL BUILDINGS ON THE COVERED SITE UP TO THE MAXIMUM HEIGHT AND DENSITY PERMITTED IN SUCH ZONING DISTRICT”

- In other words, avenue zoning can move 800 feet in any direction
- There are no blocks on the Upper East Side that are more than 800 feet wide
- This change would eliminate the distinction between wide street and narrow street zoning on the Upper East Side and nearly all of the Manhattan Core

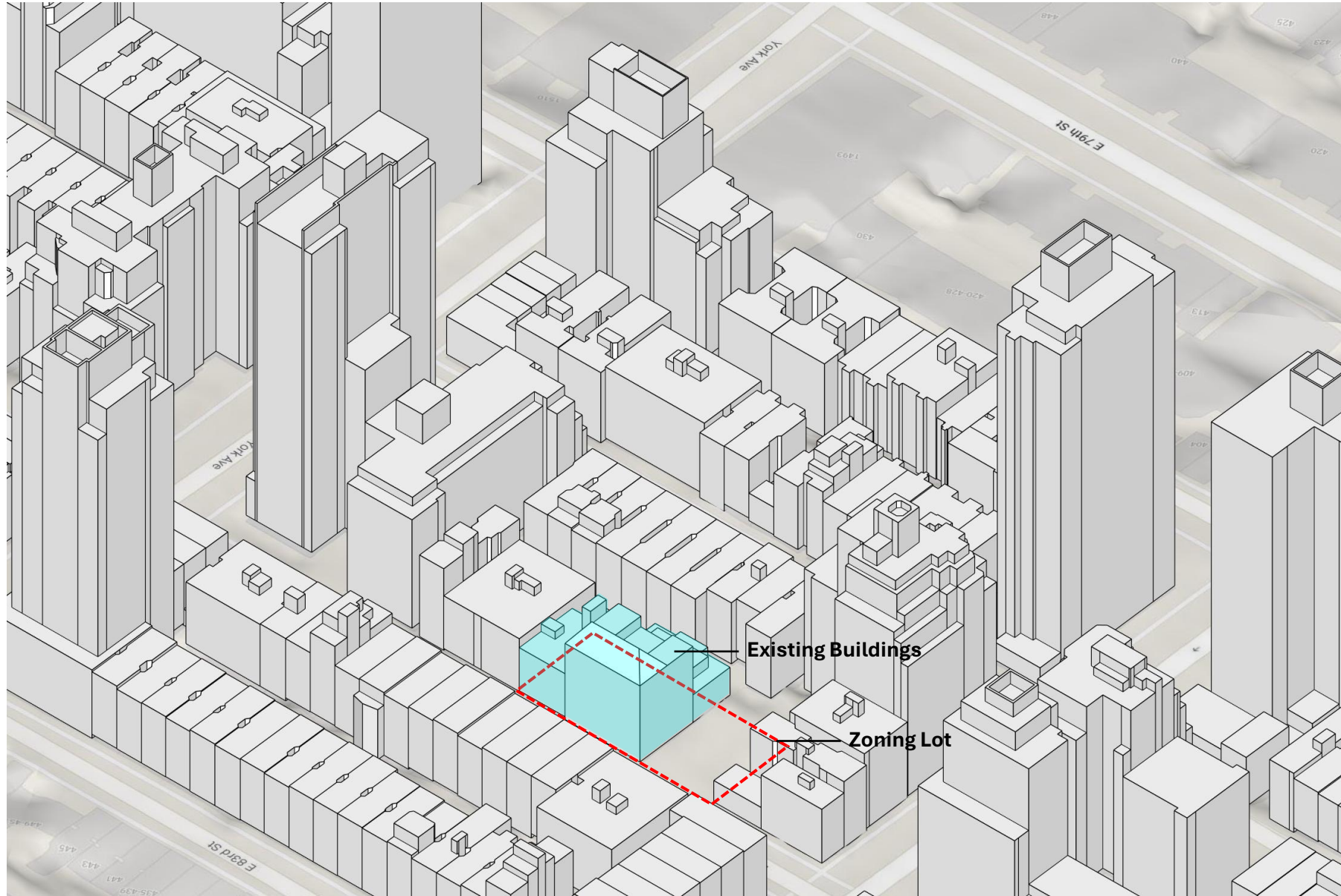
Let's look at St. Stephen of Hungary using FBAHA

- This is a school on the south side of East 82nd Street between First and York Avenues
- The church closed in 2015



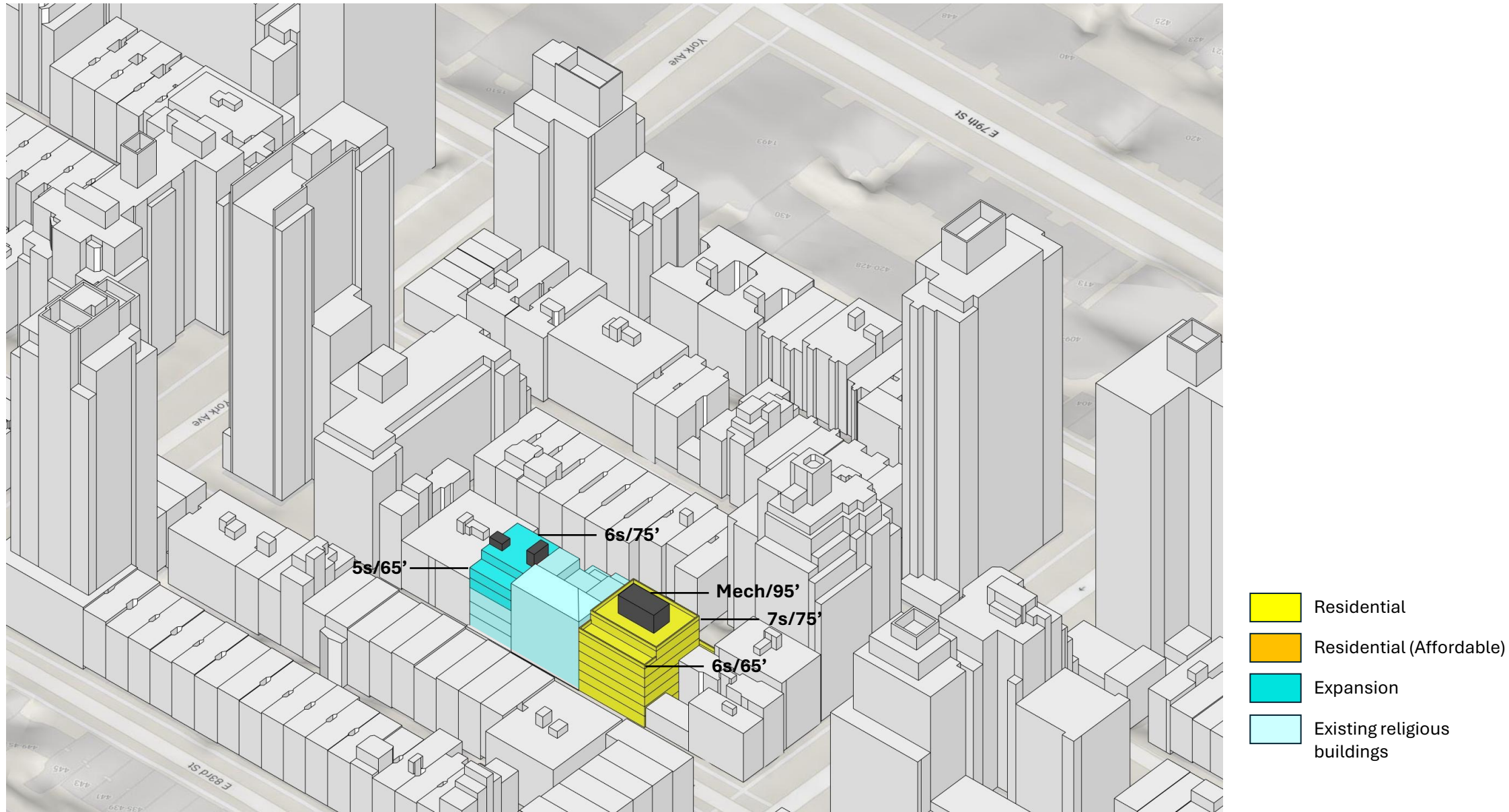
St. Stephen is made up of two buildings and a vacant lot

- The vacant lot is used for parking and a play yard. On Saturdays, it houses the Upper East Side farmers' market



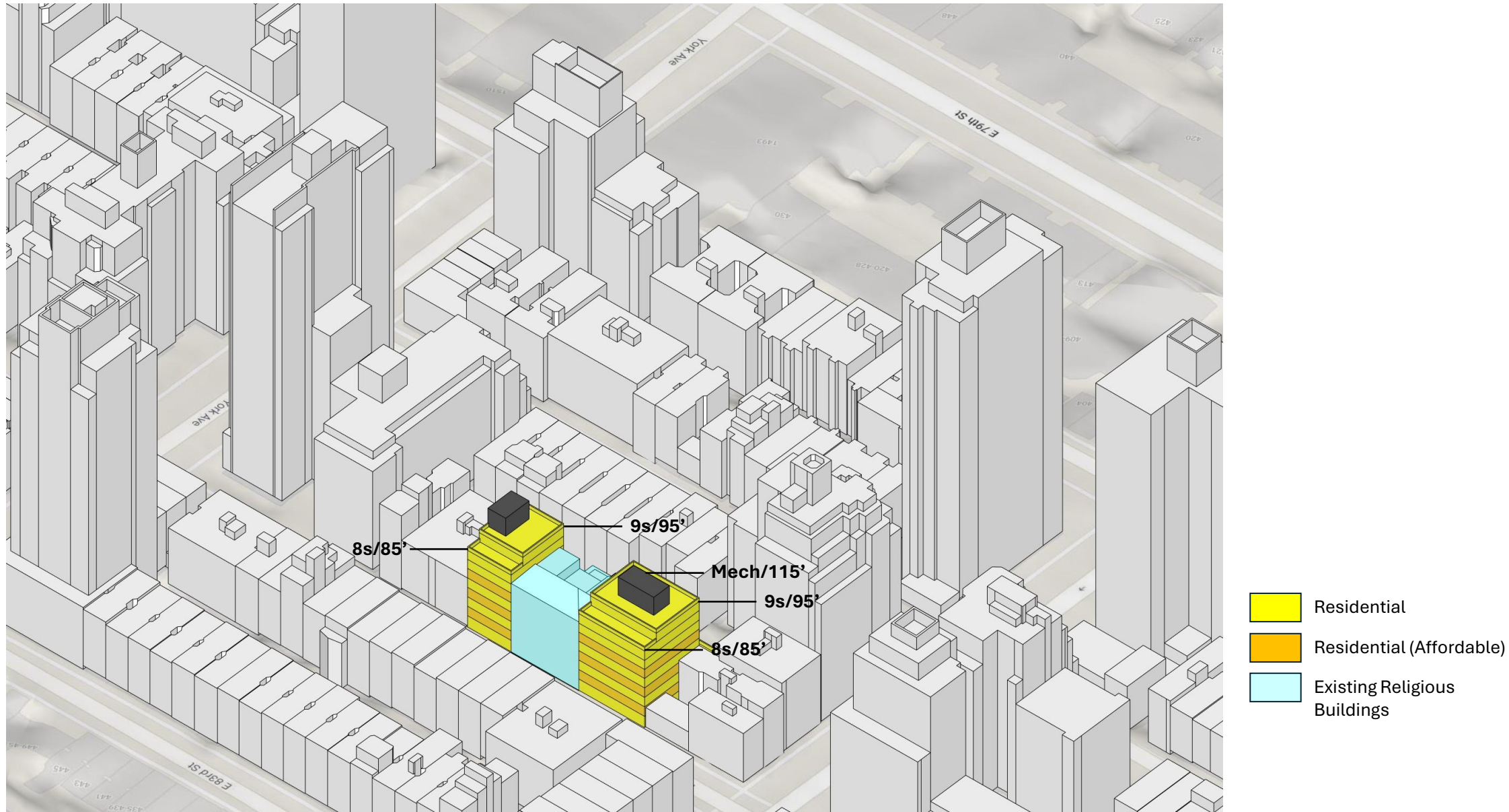
Under current zoning, the site can be developed as follows

- Without any affordable housing, there is a 75-foot height limit for buildings on the mid-block



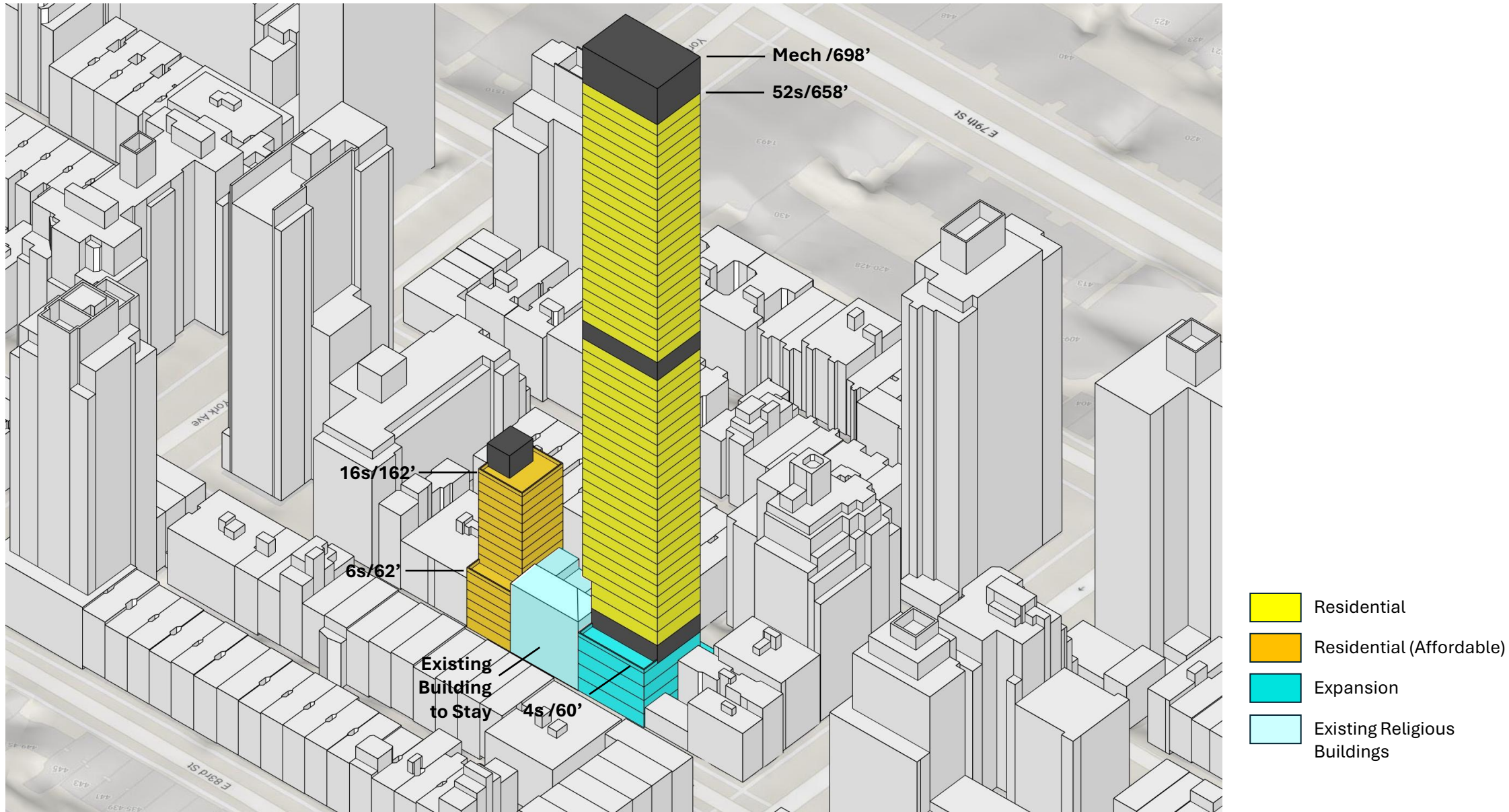
With affordable housing, zoning allows the building to be larger

- With the Universal Affordability Preference, which provides affordable housing, there is a 95-foot height limit and affordable housing would need to be mixed within the building



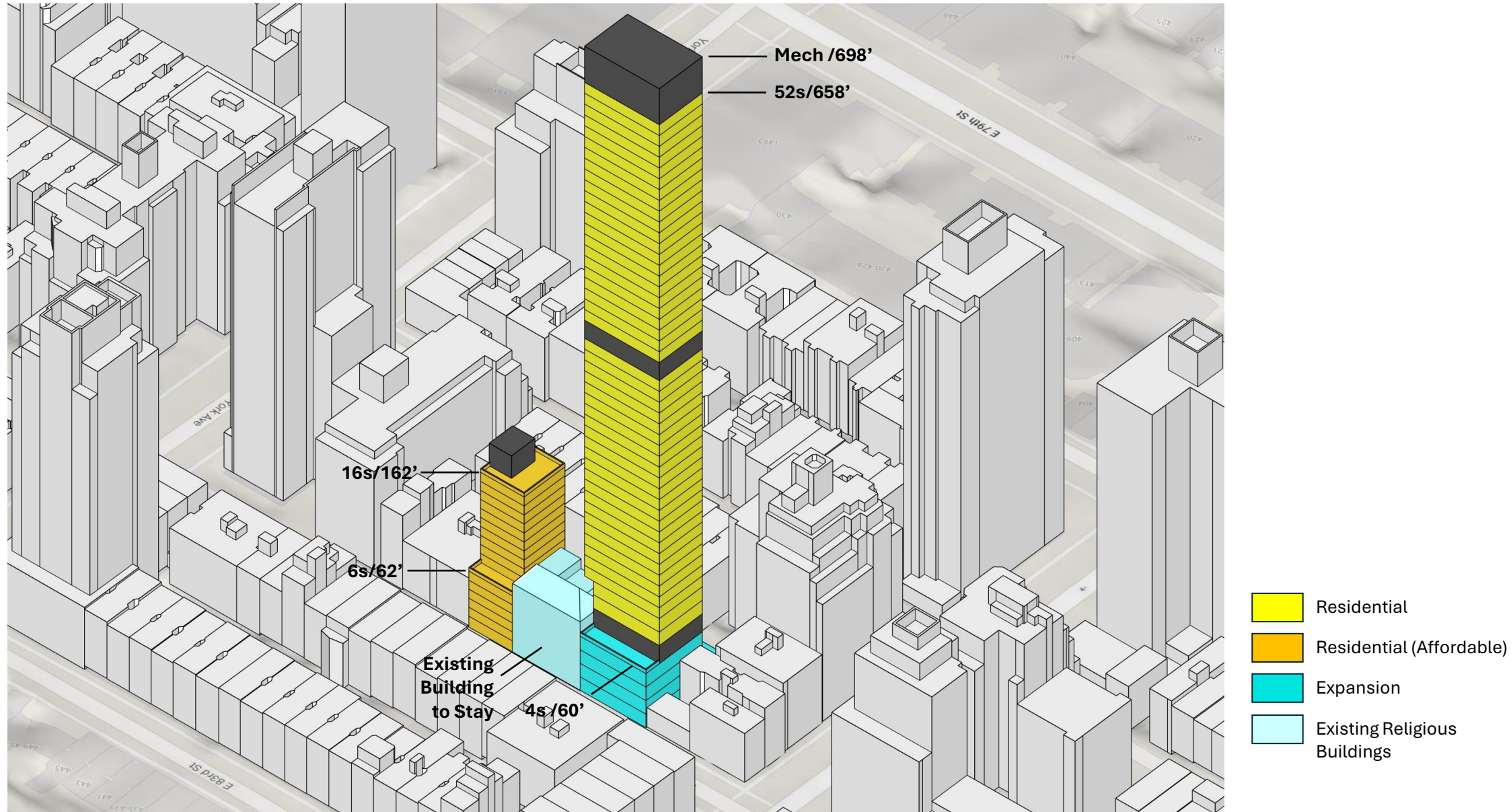
Under the FBAHA, avenue zoning could be moved to this site

- With the new zoning, unlimited height towers would be permitted. A ~700-foot market-rate tower would likely be accompanied by a ~160-foot affordable building



Because it's a midblock site, tower-on-base rules would not apply here

- As a result, FBAHA towers could be much taller than the avenue towers



FBAHA also exempts development from environmental review

- Unlike most other developments, no environmental review would be required:

FBAHA: “NO ENVIRONMENTAL IMPACT STATEMENT FOR A RESIDENTIAL BUILDING SHALL BE REQUIRED IF IT CONFORMS TO THE PROVISIONS OF THIS SECTION”

- This is contrary to the CEQR Technical Manual, which requires environmental review for large zoning changes “because the City’s sewers are sized and designed based on **designated zoning for an area**” [Emphasis added]
- Use of NYC’s water and sewer system is as-of-right. If this new development requires new mains or sewage treatment plants, the City—not the developer — must provide it and pay for it
- Just because a development is exempted from environmental review doesn’t mean there won’t be environmental impacts, it just means they won’t be disclosed or planned for

FBAHA is actively hostile to home rule, local planning and land use control

- Local control of land use plans and zoning is a fundamental part of our system and FBAHA would put that power into the hands of a single class of developers, overwriting local plans and zoning
- NYC has just passed major changes to zoning to encourage more affordable housing and has more such efforts in the works
- Early data suggest that these efforts, combined with State subsidies, are producing more affordable housing
- Other local governments would like to do the same, but most cannot because of the expense of updating their comprehensive plan and zoning

The state could provide subsidies to encourage local jurisdictions to amend their plans and zoning to encourage affordable housing

- But that costs money, the FBAHA is “free” and does not stress the state’s budget
- FBAHA builds upon the concept of “zoning for dollars,” or using increased development rights to pay for things instead of taxes
- Using development regulations this way is usually contrary to their purpose and costs will be borne locally
- FBAHA has 47 sponsors and co-sponsors in the Assembly (31% of total) and if it doesn’t pass this year, it will likely be revived in future sessions

6) Charter Revision Commissions

What is it?

- City and Council Charter Revision Commissions have been formed
 1. The City Charter defines the rules for how the City operates
 2. The Uniform Land Use Review Procedure (ULURP) is detailed in the Charter
 3. To make significant changes, a Commission is formed to develop recommendations, which will be voted on in November 2025

Why?

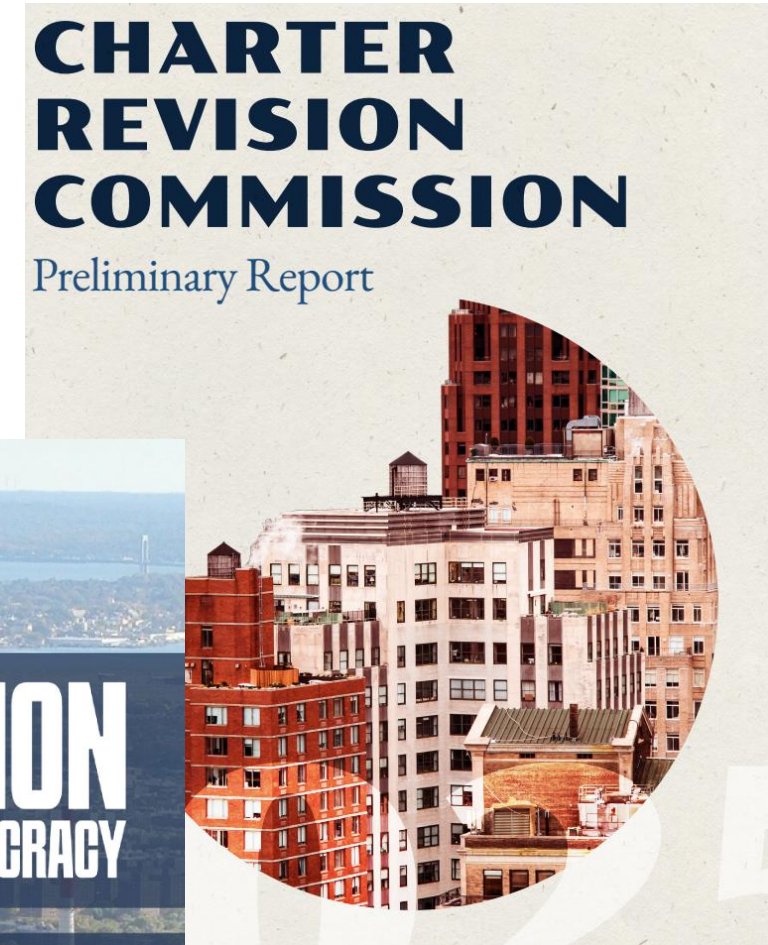
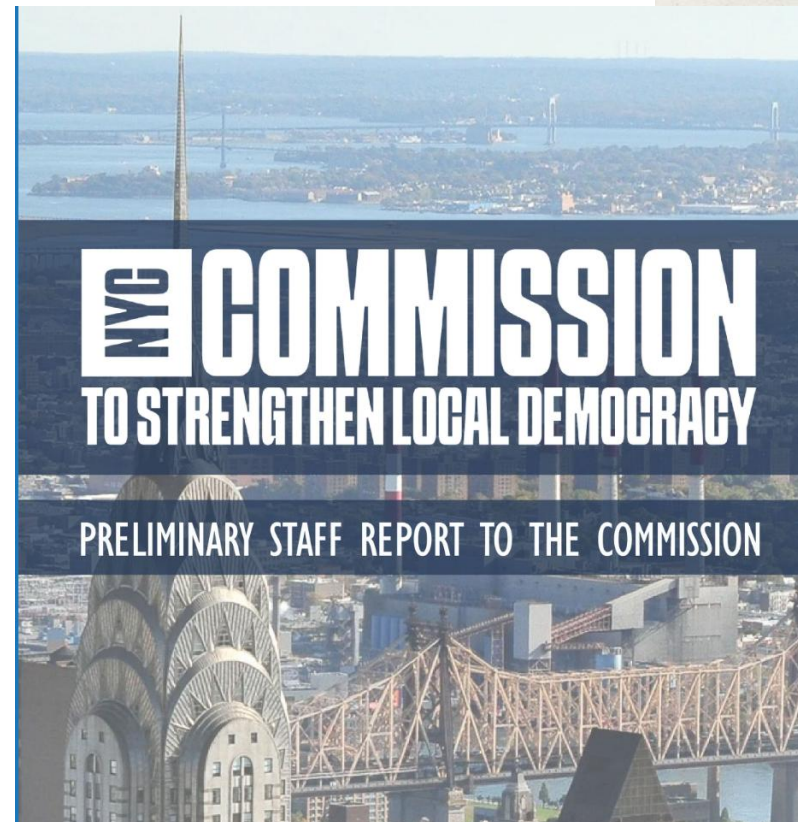
- Real estate and housing interests want to streamline the land use process to make it faster and more predictable
- There is a concern that the current land use process deprioritizes citywide needs over local desires

When?

- Right now. Draft recommendations for land use have been released.

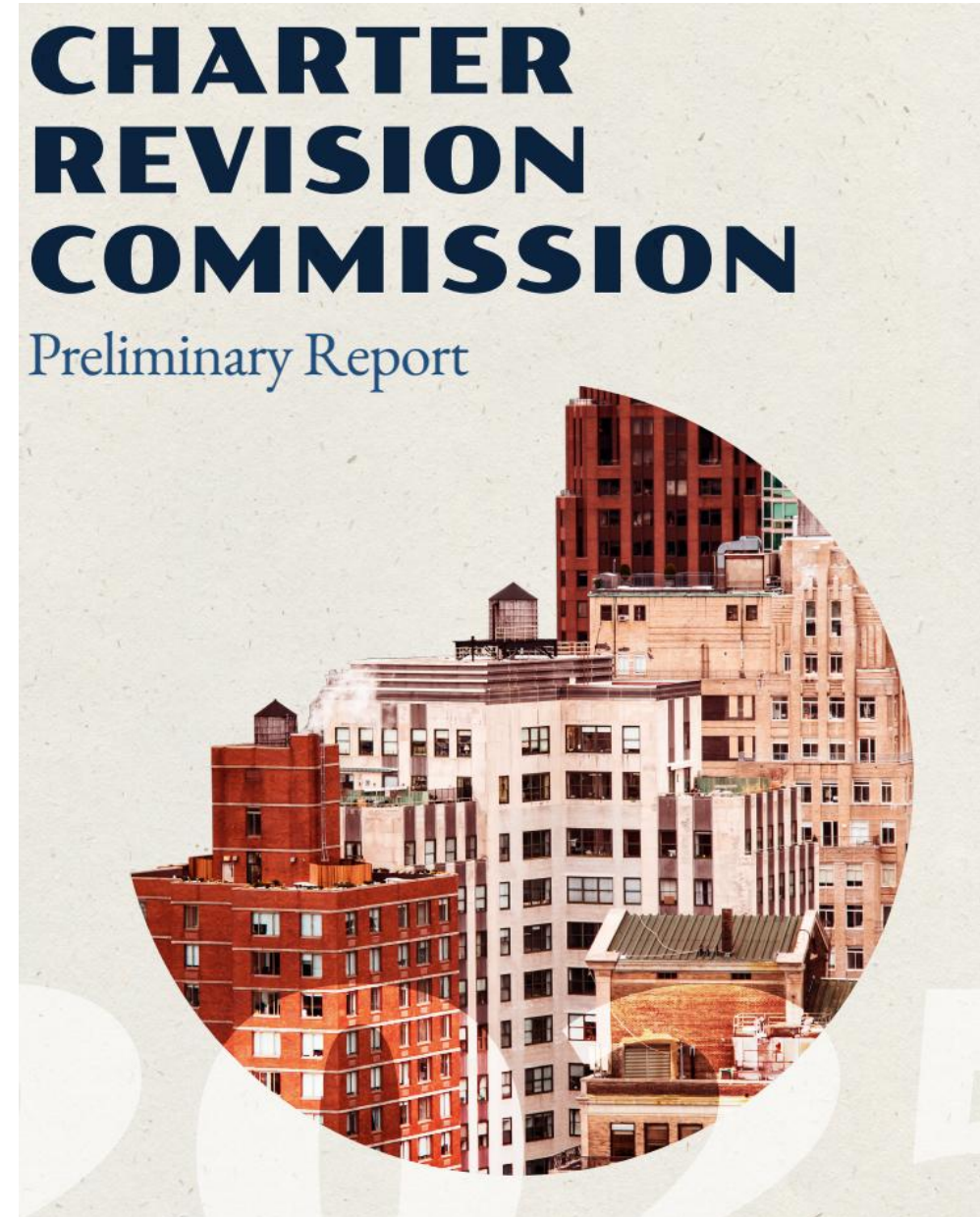
Both Commissions have held public hearings and released preliminary reports: [here](#) and [here](#)

- Recommendations will be finalized this year, and they will be turned into ballot proposals
- We will all vote for those changes in November.
- No proposal would impact:
 - environmental review
 - building and construction standards, or
 - protections for historic districts or landmarks



Hearings for the Mayor's Commission involved invited speakers, as well as the public

- Invited experts sympathetic to recommendations in the preliminary report were invited to testify
- They went first and were given more time
- They included former Deputy Mayor Vicki Been and former DCP Strategic Planning head, Howard Slatkin



Additional hearings have been scheduled

- Land use was the major topic of earlier hearings
- These later hearings will likely focus on elections and other non-land use items
- They will take comments on all topics, however

MONDAY

MAY 19

5-8PM

2025

Medgar Evers College
Founders Auditorium
1650 Bedford Avenue
Brooklyn, NY 11225

WEDNESDAY

MAY 28

5-8PM

2025

Queens Borough Hall
Helen Marshall Cultural Center
120-55 Queens Boulevard
Queens, NY 11415

TUESDAY

JUNE 10

5-8PM

2025

Hostos Community College
Café, Building C/East Academic Complex
450 Grand Concourse, 3rd Floor
Bronx, NY 10451

MONDAY

JUNE 23

5-8PM

2025

Snug Harbor Cultural Center
The Main Hall, Building B
1000 Richmond Terrace
Staten Island, NY 10301

MONDAY

JULY 7

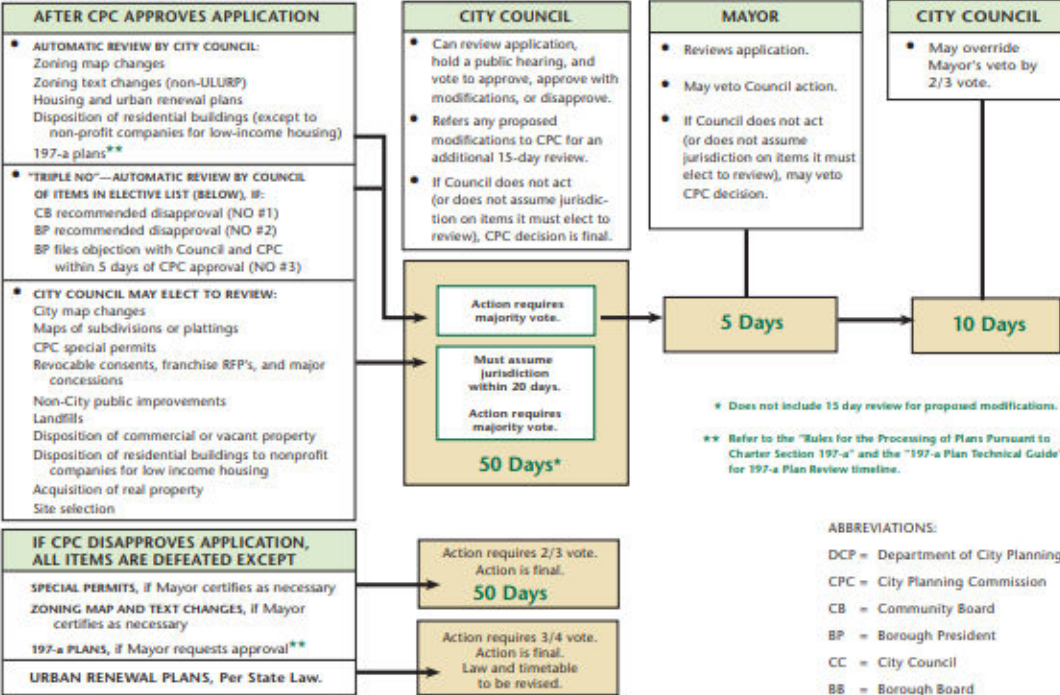
5-8PM

2025

Schomburg Center for Research
in Black Culture
Langston Hughes Auditorium
515 Malcolm X Boulevard
New York, NY 10037

To remind everyone, this is the ULURP process:

	DEPARTMENT OF CITY PLANNING Application and Pre-Certification	COMMUNITY BOARD	BOROUGH PRESIDENT and BOROUGH BOARD	CITY PLANNING COMMISSION	SEE FLOW CHART BELOW FOR THE PROCESS FOR CITY COUNCIL AND MAYORAL REVIEW (Charter Section 197-d)
CITY MAP CHANGES MAPS OF SUBDIVISIONS PLATTINGS ZONING MAP CHANGES CPC SPECIAL PERMITS REVOCABLE CONSENTS FRANCHISE RFP'S MAJOR CONCESSIONS NON-CITY PUBLIC IMPROVEMENTS HOUSING AND URBAN RENEWAL PLANS LANDFILLS DISPOSITION OF REAL PROPERTY ACQUISITION OF REAL PROPERTY SITE SELECTION	<ul style="list-style-type: none">Receives application and related documents.Forwards application and documents within 5 days to CB, BP, and CC (and BB, if project affects more than one CB).Certifies application as complete.	<ul style="list-style-type: none">Notifies public.Holds public hearing.Submits recommendation to CPC, BP (and BB).Can waive rights on franchise RFP's and leases.	<ul style="list-style-type: none">BP submits recommendation to CPC or waives right to do so.BB (if project affects more than one CB) may hold a public hearing and submit recommendation to CPC or waive right to do so.	<ul style="list-style-type: none">Holds public hearing.Approves, modifies or disapproves application.Files approvals and approvals with modifications with City Council.Disapprovals are final, except for zoning map changes, special permits, and urban renewal plans.	
PROCESS TAKES	No Specified Time Limit (after 6 months, applicant or BP in some cases, may appeal to CPC for certification).	60 Days	30 Days	60 Days	
Clock = 1 Year					
TOTAL DAYS		60 Days	90 Days	150 Days	



The preliminary land use and housing recommendations are not very specific, but they can generally be grouped into the following categories

1. Fast-tracking ULURP
2. Roles within ULURP
3. Categories of projects requiring ULURP
4. “A zoning administrator”
5. Comprehensive Planning, Fair Housing and the 10-year Capital Plan
6. Member Deference
7. Modernizing the City Map

1) Fast-tracking ULURP

Mayor's Commission discusses possible changes to ULURP to reduce "process costs" and to facilitate certain types of development

- It introduces the idea of different levels of review: large projects take one path, small projects take another
- Also suggests streamlining the review of "categorically beneficial projects," like 100% affordable housing
- Create a "zoning administrator" office with the power to review certain defined categories of applications
- In conjunction with Fair Housing targets: Create a different review procedure for housing developments in districts that fail to meet Fair Housing targets

2) Roles within ULURP

- Commissions are examining amending the roles played within the ULURP process, including:
 - Enhancing and/or otherwise changing the role of officials like Borough Presidents and the Speaker of the City Council
 - Consolidating the advisory portions of ULURP (from 90 days to 60)
 - Moving City Office Space Acquisition applications from CPC to Comptroller's Office
 - New Zoning Administrator role

3) Categories of projects requiring ULURP

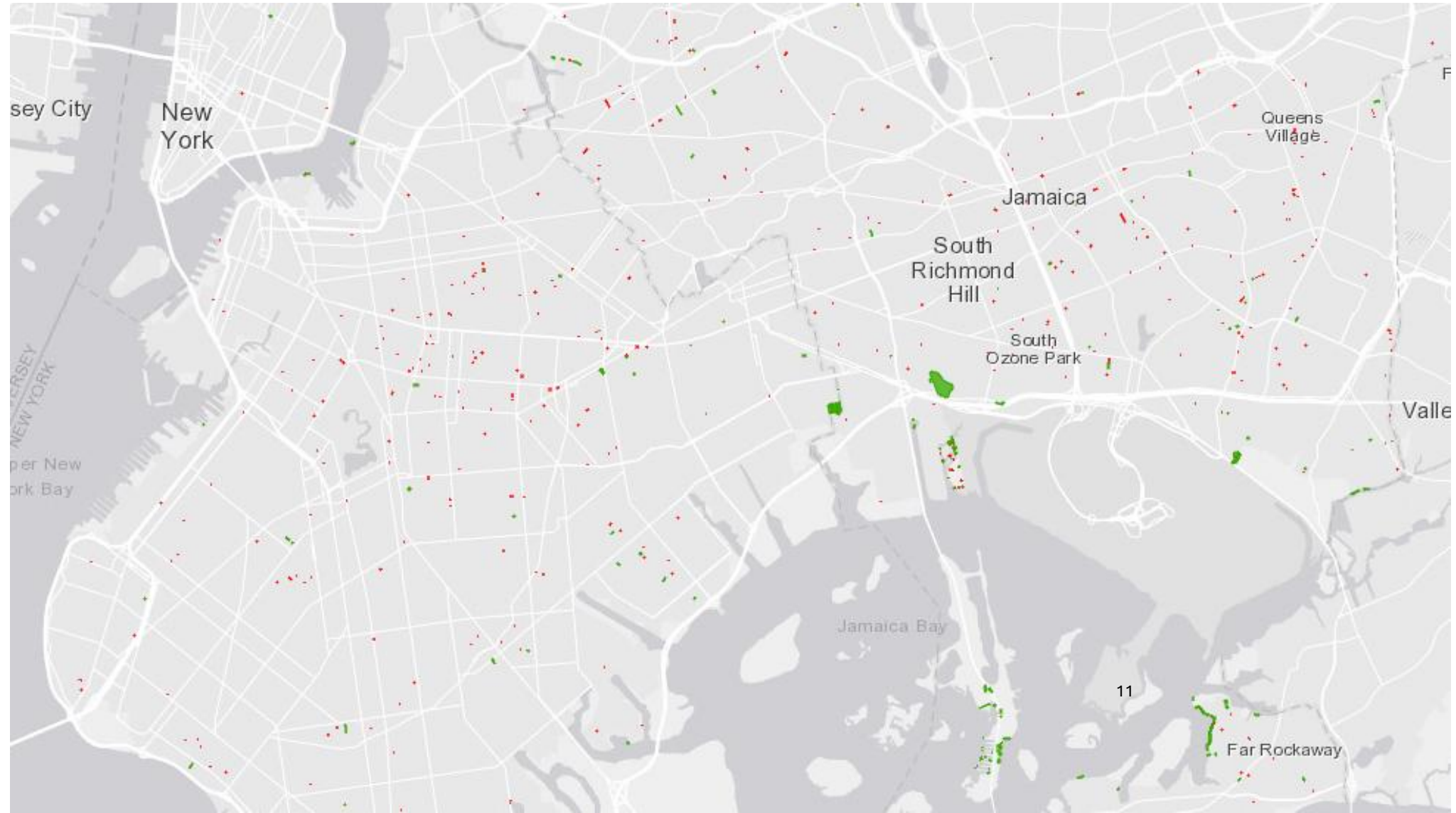
- Suggests a new process for zoning changes related to Climate/Infrastructure and another process for public land

“ULURP’s “one-size-fits-all” procedure forces the City to spend scarce time and resources on exceedingly modest changes”

- Some City properties are tiny, inches wide. To dispose of them, the City needs to go through ULURP
- There is a recommendation to streamline disposition to activate public land for affordable housing and other uses

The City has not taken property for back taxes since 1997, but it still owns hundreds of parcels that were taken previously

The tiny red dots are mostly scraps that would require ULURP to dispose of



4) A Zoning Administrator

- Mayor's Commission explores the idea of a Zoning Administrator office

The office would have the power to review certain defined categories of applications

- Smaller developments (up to six units and 35 feet in height)
- Small changes, like commercial overlays and similarly small actions
- This would be an entirely new mechanism

5) Comprehensive Planning, Fair Housing, & the 10-year Capital Plan

City Council Commission Recommendations build upon the new Fair Housing Framework

- Explore new 197-a community planning rules
- Require DCP to create or assist CBs with 197-a plans
- Require agencies, including the CBs, to incorporate fair housing and housing targets into their planning processes
- Explore Charter amendment to increase the number of votes the CPC needs to approve applications disapproved by the CB and the BP

5) Comprehensive Planning, Fair Housing, & the 10-year Capital Plan

Mayor's Commission Preliminary Report includes some vague suggestions on “elevating citywide needs” in land use processes

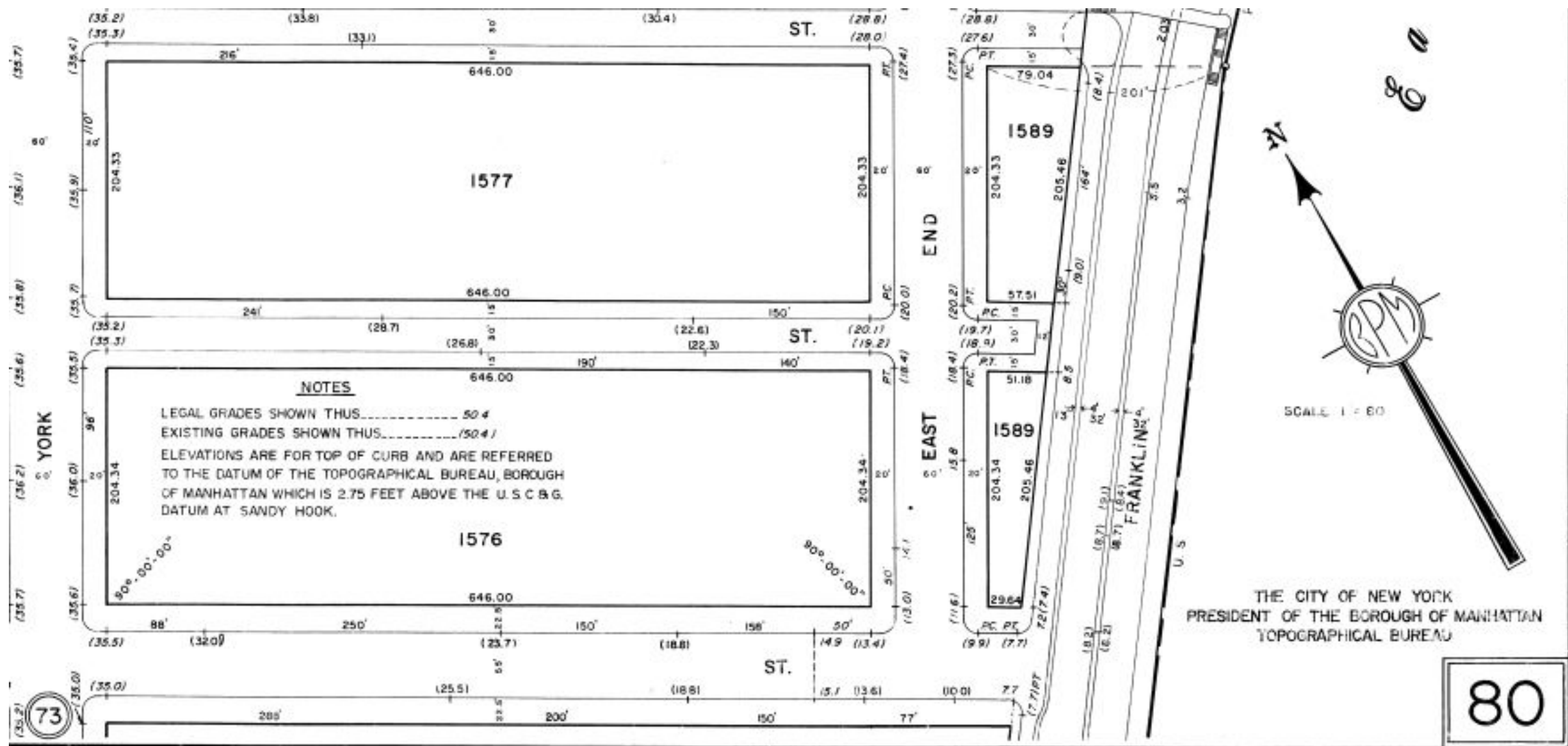
- Discusses the possibility of a comprehensive plan introduced by Lander and Reynoso. Doesn't dismiss it, but couches it in careful language
- Examines imposing “Fair Share” housing requirements using models from other jurisdictions, such as California, Oregon, and New Jersey
- Examines how capital planning processes set out in the Charter may need to change to ensure investments in infrastructure, transportation, and neighborhood amenities are made in concert with new housing

6) Member Deference

- Mayor's Commission identifies "Member Deference" as a barrier to development in certain areas and balancing citywide versus local priorities
- As member deference is a City Council convention and not a Charter-mandated process, there are no specific recommendations for a Charter amendment
- Nevertheless, there are vague suggestions as to changing the role of the City Council Speaker and Borough President, both of which may impact Member Deference

7) Modernizing the City Map

- The City Map is this:



7) Modernizing the City Map

- Recommends centralizing its management from the Borough Presidents to DCP
- Considers citywide digitization of the City Map
- City Map changes, including curb elevations, are ULURP actions. Should they be?

Commentary

- There is a focus on ULURP time, but that’s nothing compared to “pre-ULURP” time
 - ULURP is a set 7.5 months
 - Pre-ULURP often takes years before ULURP starts
 - But pre-ULURP is not dictated by the Charter
 - The Commission acknowledges pre-ULURP, but focuses on ULURP
- Further, some comments are overly general. For instance:

“Today, ULURP frequently requires the same costly multi-year process of environmental and land use review for a new eight-unit apartment building as for an 800-unit apartment building. As such, ULURP applications tend to be for big changes rather than small ones, . . .”

Commentary

- There are *many* tiny land use actions. The text suggests they cost applicants as much as large actions. They don't

1968 Second Avenue

Applicant Team:

1968 2ND AVENUE REALTY LLC (Primary Applicant)

Project Brief:

Extension of a C1-5 commercial overlay.

Special Lincoln Square District Extension

Applicant Team:

Landmark West (Primary Applicant)

 Share Project

Project Brief:

This is an application by Landmark West! and Manhattan Community Board 7 for a zoning map amendment and a zoning text amendment to apply the use and bulk regulations of Special Lincoln Square District Subdistrict C to the ABC campus (Block 1119, Lots 1, 6, 8, p/o 21, p/o 36, 43, 47, and 50) located on the block bounded by West 66th Street, West 67th Street, Columbus Avenue, and Central Park West on the Upper West Side, Manhattan Community District 7.

15-21 West 124th Street

Applicant Team:

Michael Dwyer (Primary Applicant)

 Share Project

Project Brief:

A private application by Harlem LLC for a zoning text amendment to modify ZR Section 97-511 (Required accessory off-street residential parking) such that the parking regulations applicable to R7-2 zoning districts apply to all R6A zoning districts within the Special 125th Street District. The action would facilitate the development of a new as-of-right residential building at 15-21 West 124th Street (Block 1722, Lots 26 and 27) in Harlem, Community District 10, Manhattan.

► Public Documents

Commentary

- There is no discussion of *increasing* review time for very large projects
 - COYHO was 1,386 pages of zoning text changes, but still followed the same land use timeline
 - No mention of different review times depending on the complexity of the project
- The Mayor's Commission report shows little appreciation for how projects can improve because of local input during the process
- The Mayor's Commission report is surprisingly vague with few specific recommendations
- There is a long discussion of Member Deference, even though no specific proposal was made. A final recommendation will likely involve process changes that attempt to remove or weaken Member Deference

What's Next

- Participate in public hearings
- Submit written testimony
- Consider developing Board resolutions and investigating how these changes would impact specific projects/processes
- Consider community education for ballot proposals (once they've been formed)

Discussion



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