

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. 2.33% of Manhattan rental apartments are vacant
- **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

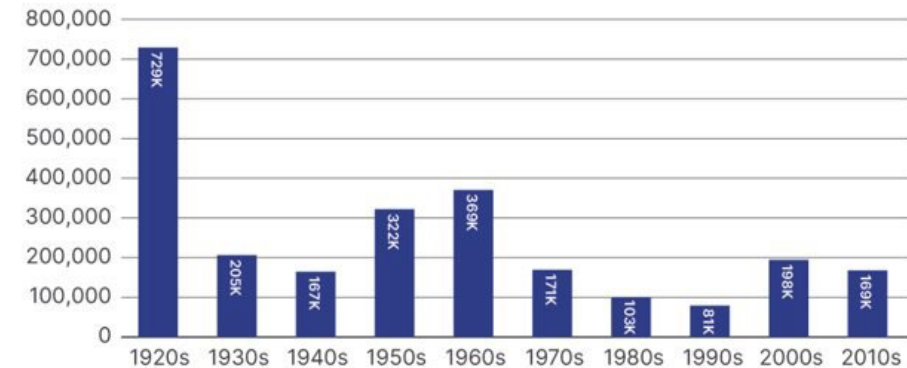
New York City is creating far less housing than it used to, and less than other major metropolitan areas

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

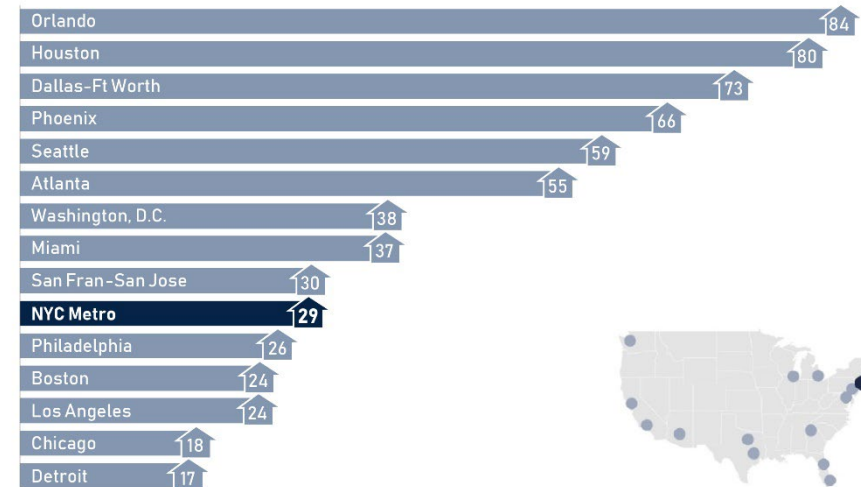
The housing shortage is due in part to restrictive zoning rules that limit the number and types of homes that can be built

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

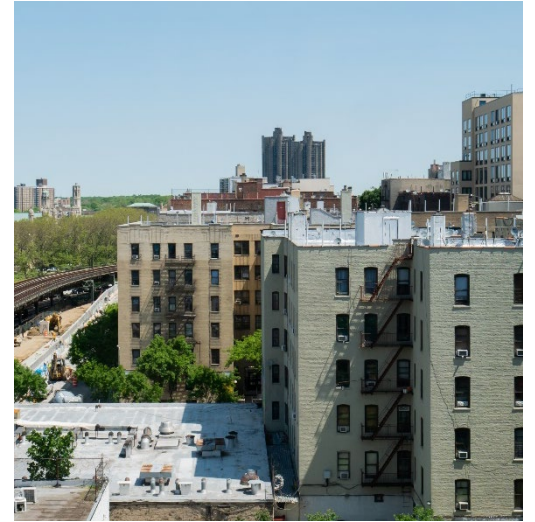
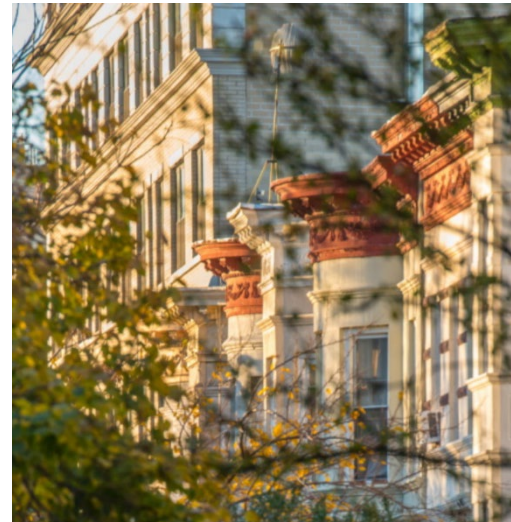
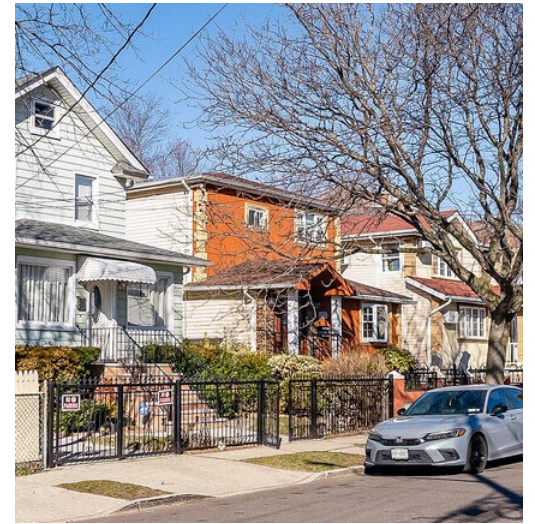
Zoning is one tool to address NYC's housing shortage

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

- Zoning can include requirements for income-restricted affordable housing
- Zoning does not directly build or fund new housing
- Zoning is within the city's control

Other tools to support housing include:

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



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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**

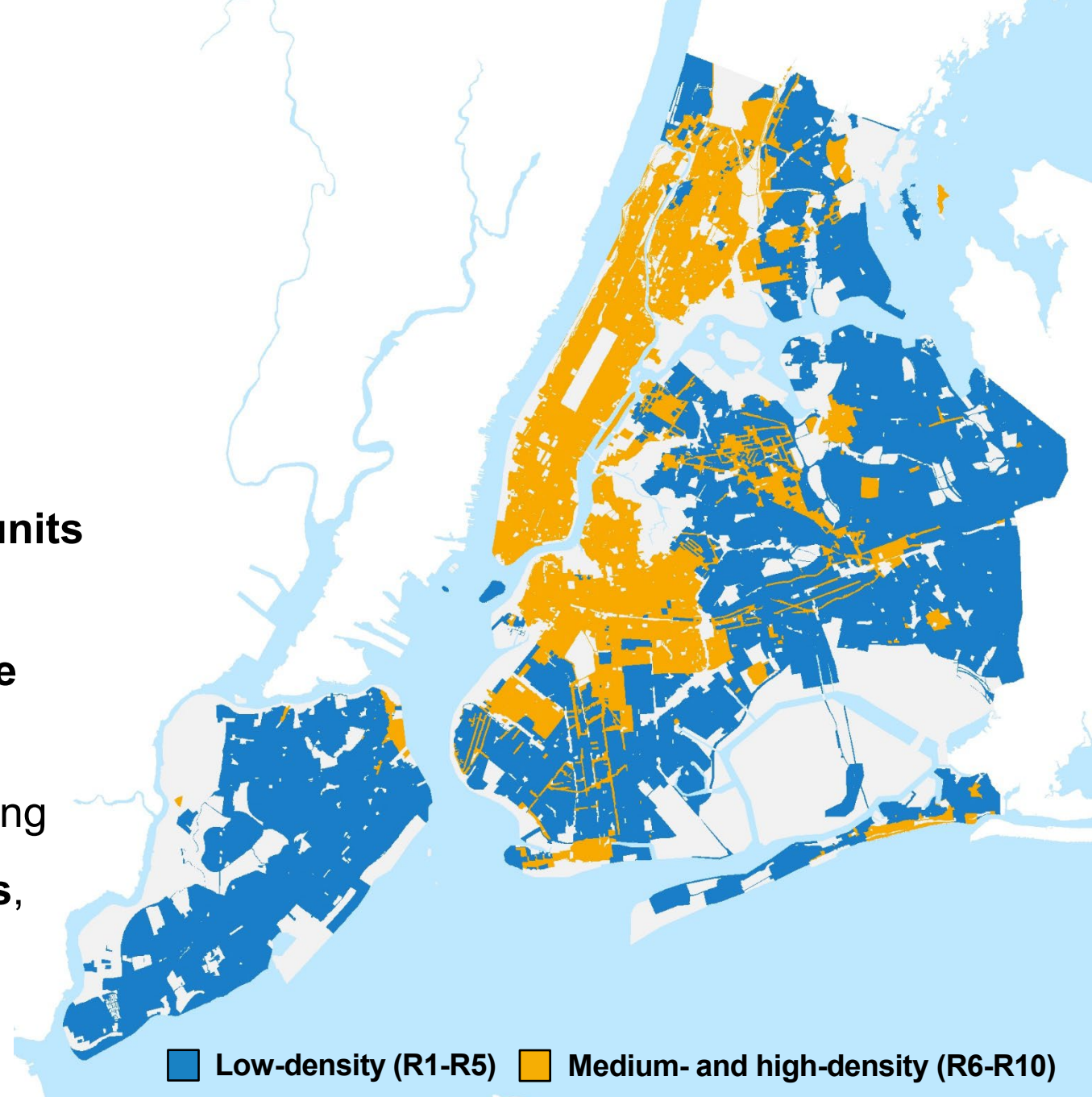
Medium- and high-density proposals

- 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 figures of people and cars. 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



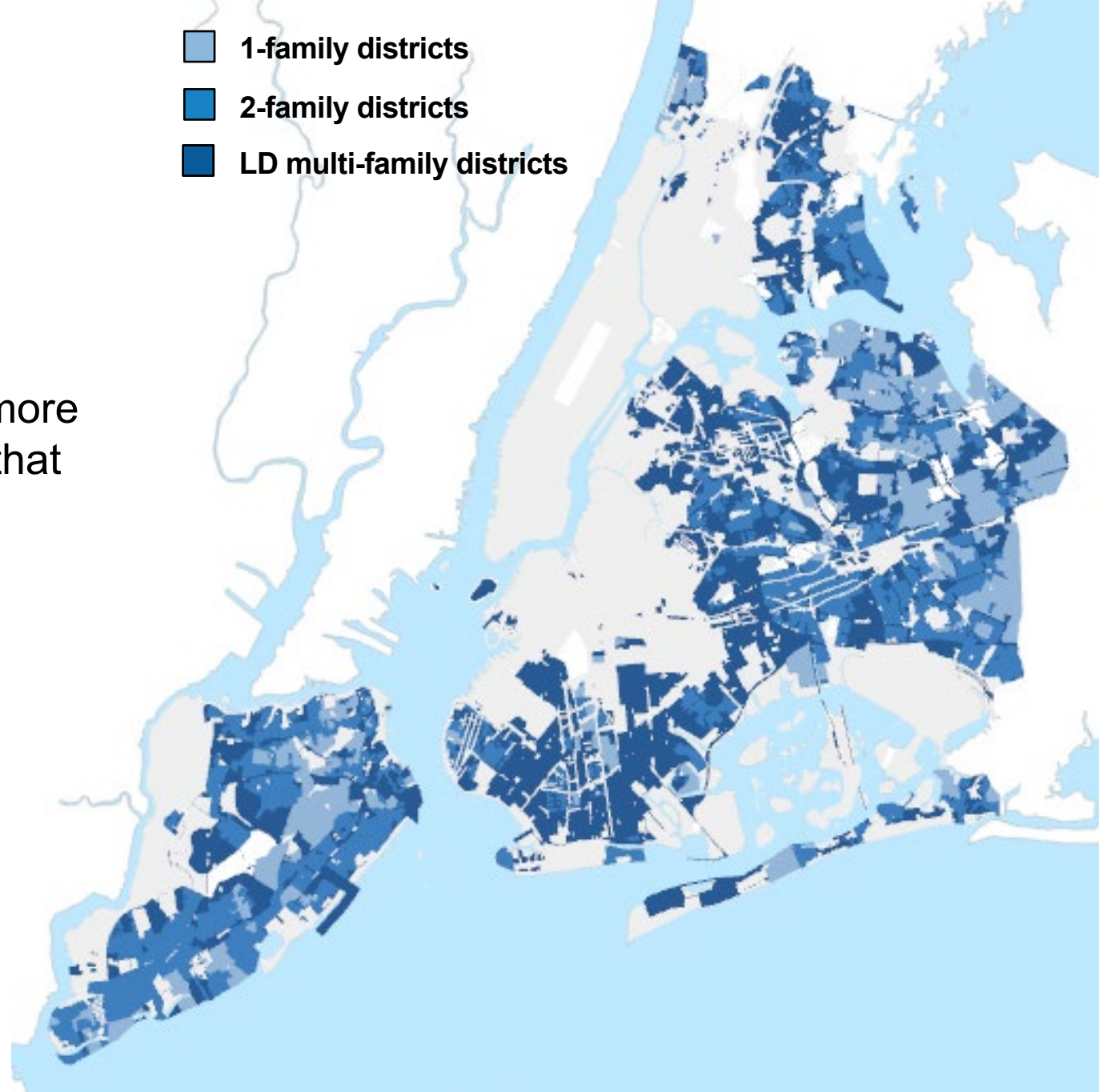
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Modest apartment buildings exist across low-density neighborhoods but could not be built today

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



Town center zoning

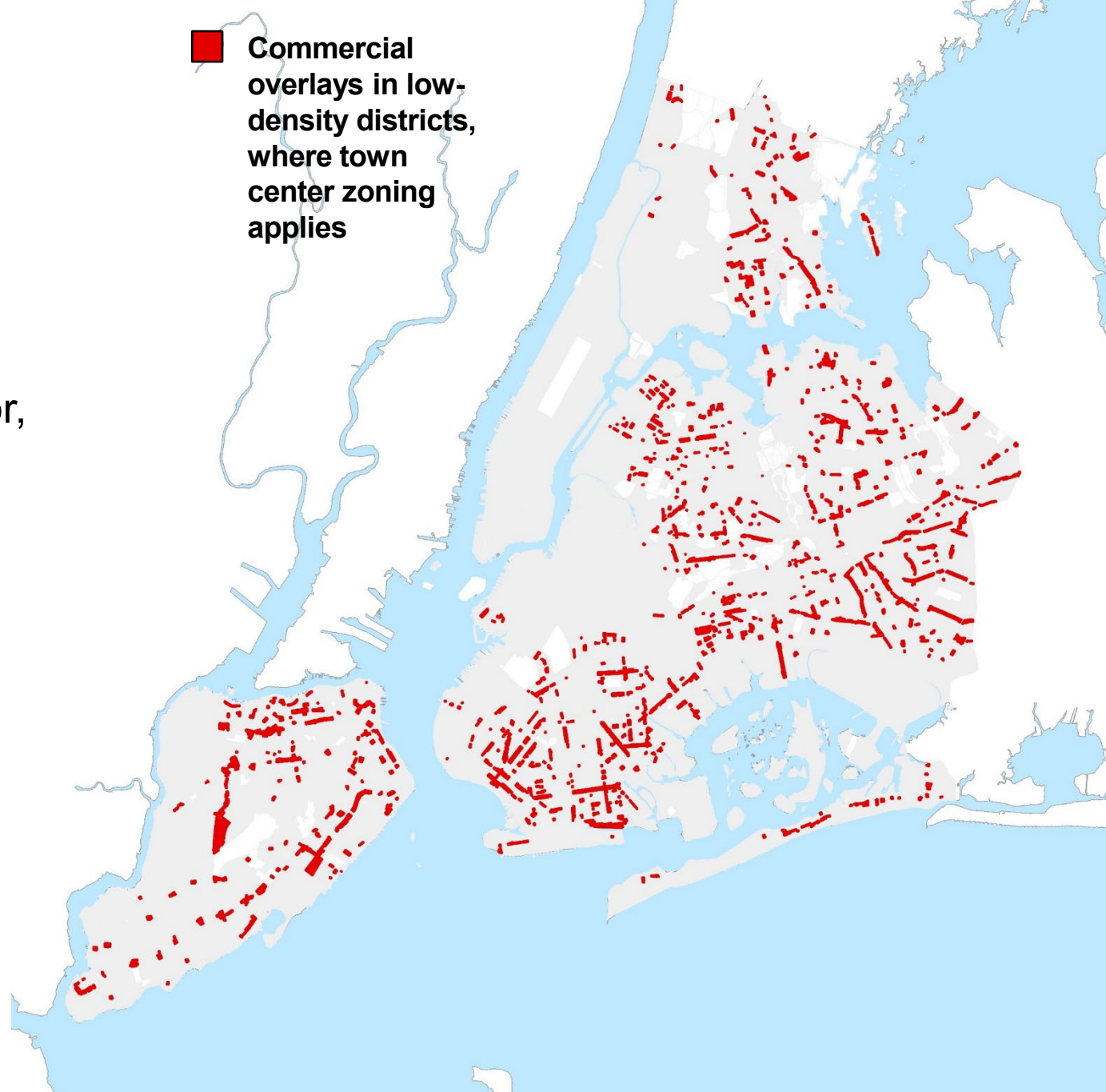
Relegalize housing above businesses on commercial streets in low-density areas

- 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

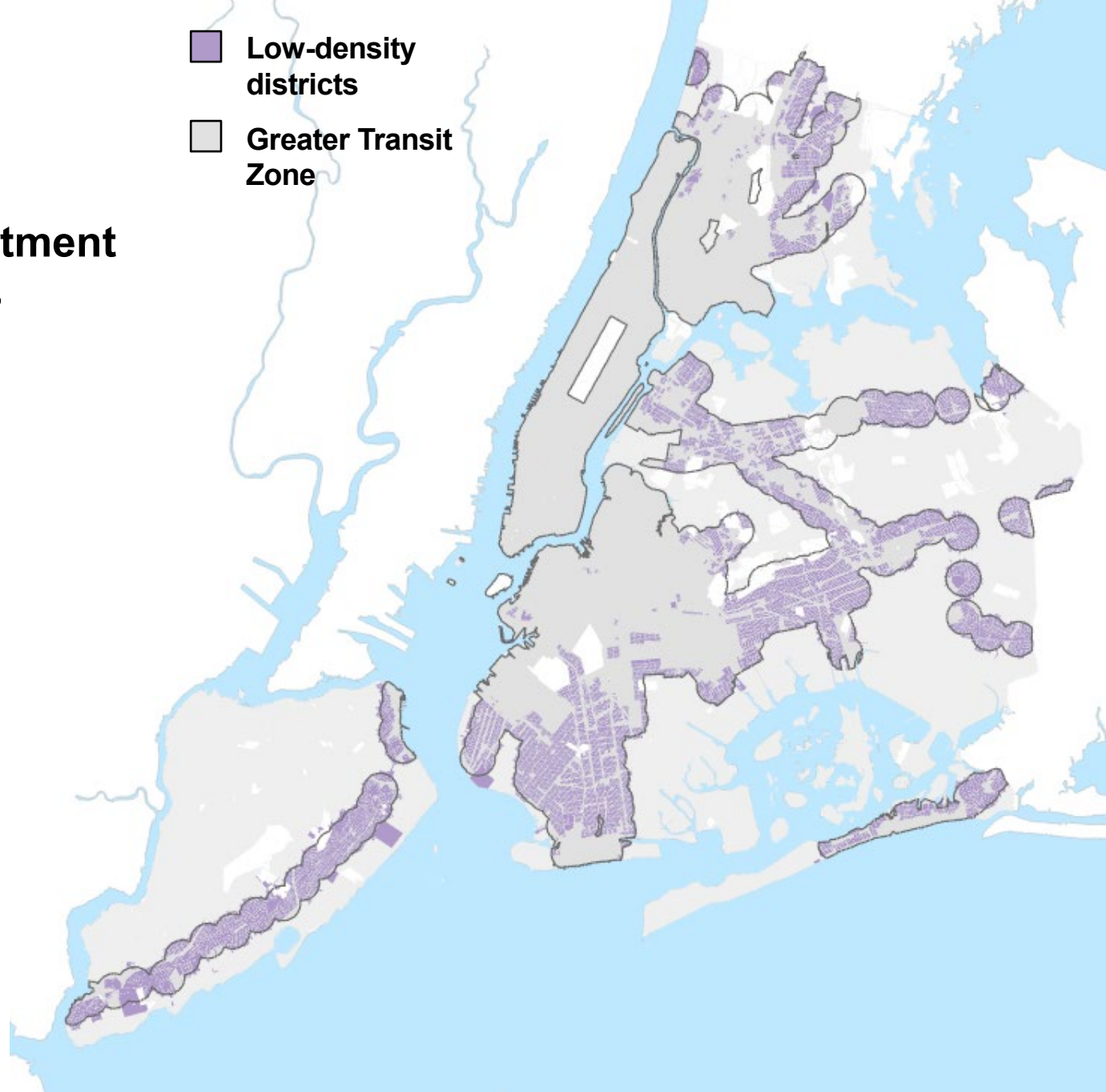
Allow modestly-sized, transit-oriented apartment buildings in low-density residence districts

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



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-  Low-density districts
-  Greater Transit Zone



Help homeowners

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

Legalizing existing basement ADUs is not only a matter of zoning and would require changes to other state and local laws



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Help homeowners

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

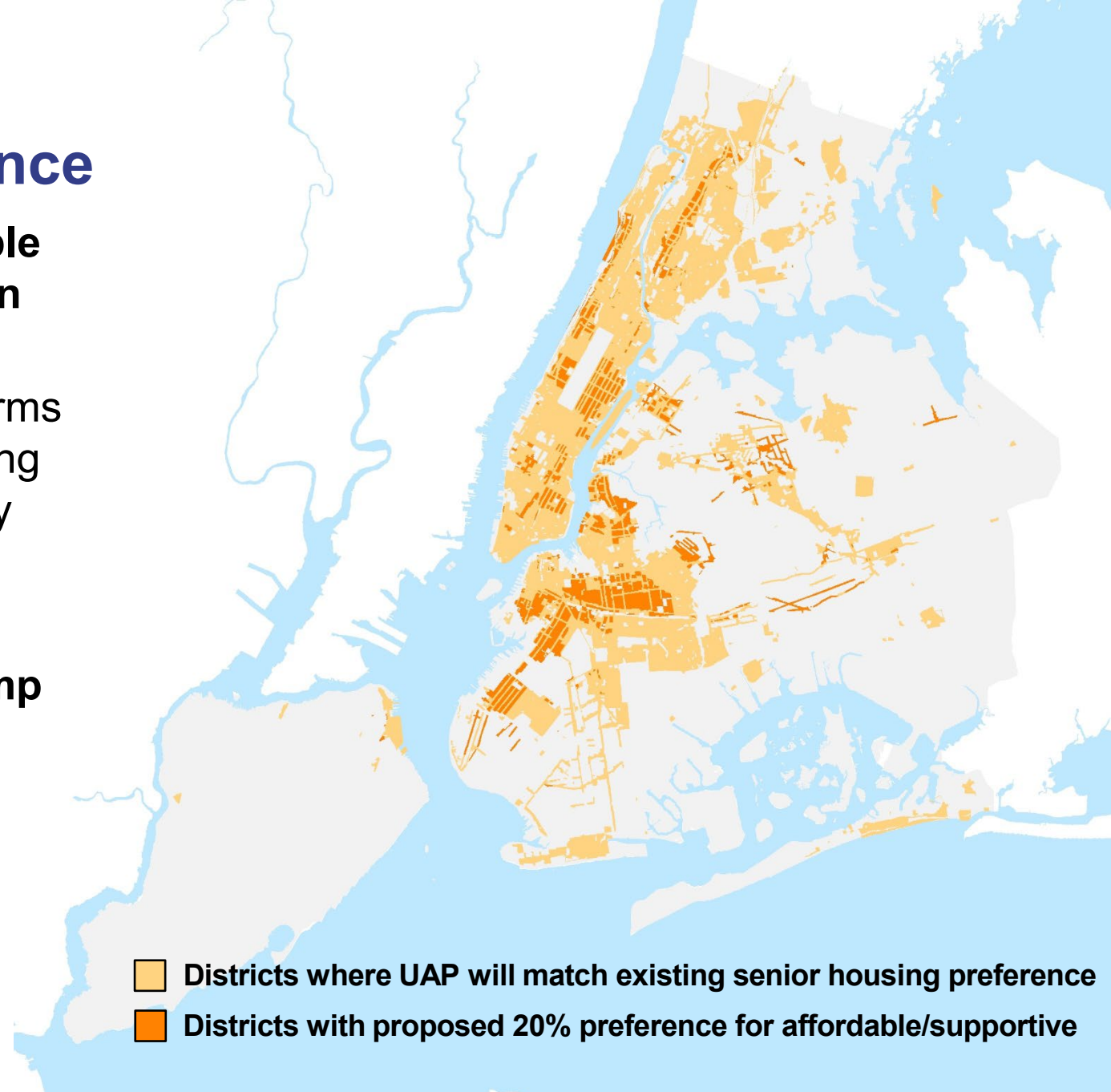
Universal Affordability Preference

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 don't 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



Medium- and high-density areas

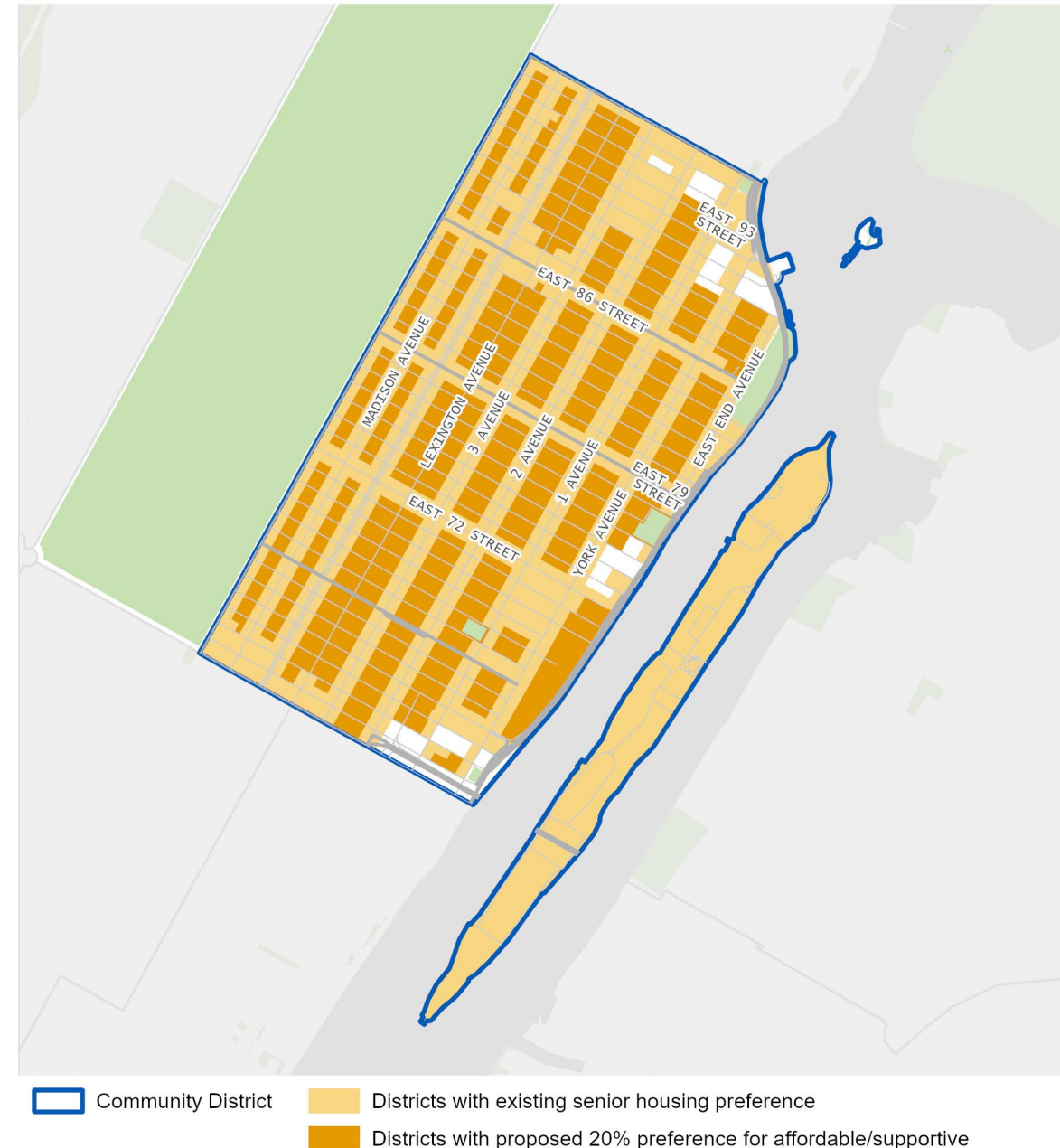
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Universal Affordability Preference

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

Without UAP



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With UAP



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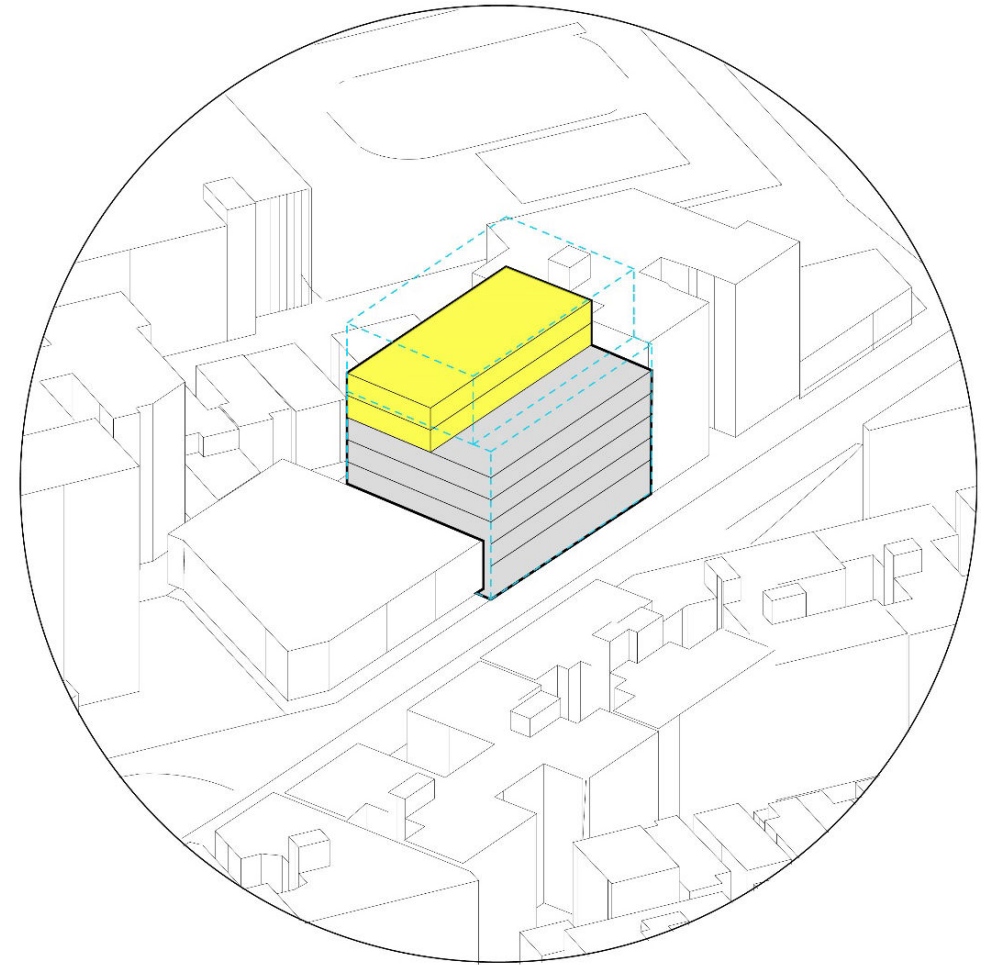
UAP in new construction mixed-income housing

Example: A developer has a vacant site in an R6 district and wants to build a mixed-income building.

Today: The site is limited to **3.0 FAR**, which results in about **35 units**, regardless of how many units in the building are affordable.

Proposal:

- **3.9 FAR** for affordable and supportive housing
- **10-12 more affordable homes** only if anything above 3.0 FAR is **permanently affordable**
- The building would be allowed to be 10 feet taller



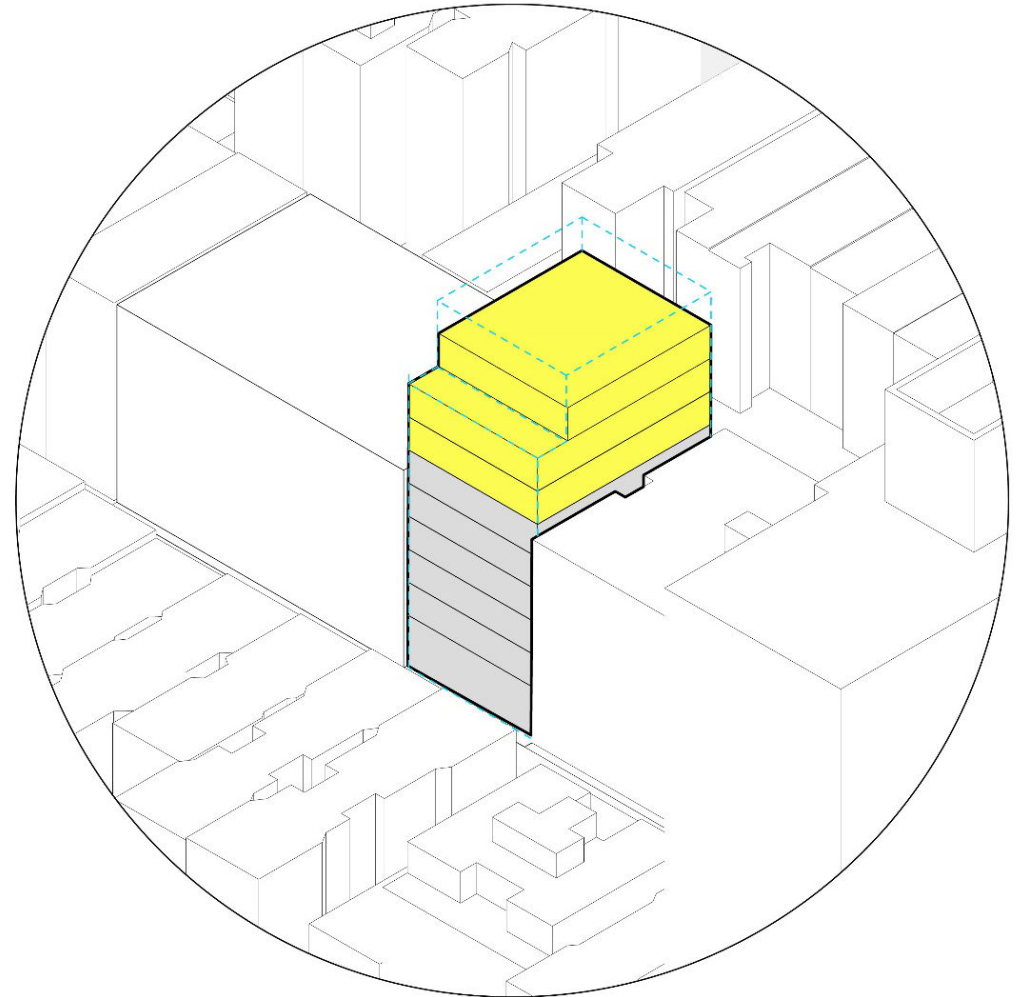
UAP in new construction 100% affordable housing

Example: A city-owned site in an R8B district is going to be used for affordable housing.

Today: The site is limited to **4.0 FAR**, which results in about **47 units**. R8B districts don't have a senior housing FAR preference.

Proposal:

- **4.8 FAR** for affordable and supportive housing (**20% bump**)
- The site could get **9-10 more permanently affordable homes**
- The building would also be allowed to be **30 feet taller** than it would be today.



Medium- and high-density areas

UAP (R6-R8)

		FAR		Base Height		Max Height	
		Basic*	Proposed	Current	Proposed	Current	Proposed
	R6B	2.00	2.40	40	45	50	65
	R6 Narrow	2.20	3.90	45	65	55	95
	R6 Wide Outside MN Core	3.00	3.90	65	65	70	95
	R6A	3.00	3.90	60	65	70	95
	R6D	**n/a	3.00	**n/a	55	**n/a	75
	R7 Narrow or in MN Core	3.44	5.00	65	85	75	115
	R7 Wide Outside MN Core	4.00	5.00	75	85	80	115
	R7-3	5.00	6.00	**n/a	105	**n/a	145
	R7A	4.00	5.00	65	85	80	115
	R7B	3.00	3.90	65	65	75	95
	R7D	4.66	5.60	85	95	100	125
	R7X	5.00	6.00	85	105	120	145
	R8B	4.00	4.80	65	85	75	105
	R8 Wide Outside MN Core	7.20	8.64	95	125	130	175
	R8 Narrow or in MN Core	6.00	7.20	85	105	115	145
	R8A	6.00	7.20	85	105	120	145
	R8X	6.00	7.20	85	105	150	175

*Basic FAR and heights represent existing Quality Housing building envelopes.

** District does not have current FAR base or maximum building height due to it being a newly added district.

UAP (R9-R12)

	FAR		Base Height		Max Height	
	Basic*	Proposed	Current	Proposed	Current	Proposed
R9 Narrow	7.50	9.00	95	135	135	185
R9 Wide	7.50	9.00	105	135	145	185
R9A Narrow	7.50	9.00	95	135	135	185
R9A Wide	7.50	9.00	105	135	145	185
R9X Narrow	9.00	10.80	120	155	160	215
R9X Wide	9.00	10.80	120	155	170	215
R9D	9.00	10.80	85	155	--	215
R10 Narrow	10.00	12.00	125	155	185	235
R10 Wide	10.00	12.00	155	155	210	235
R10A Narrow	10.00	12.00	125	155	185	235
R10A Wide	10.00	12.00	150	155	210	235
R10X	10.00	12.00	85	155	--	235
R11A, R11	**n/a	12.50	**n/a	155	**n/a	325
R12	**n/a	15.00	**n/a	155	**n/a	395

*Basic FAR and heights represent existing Quality Housing building envelopes.

** District does not have current FAR base or maximum building height due to it being a newly added district.

UAP and Inclusionary Housing

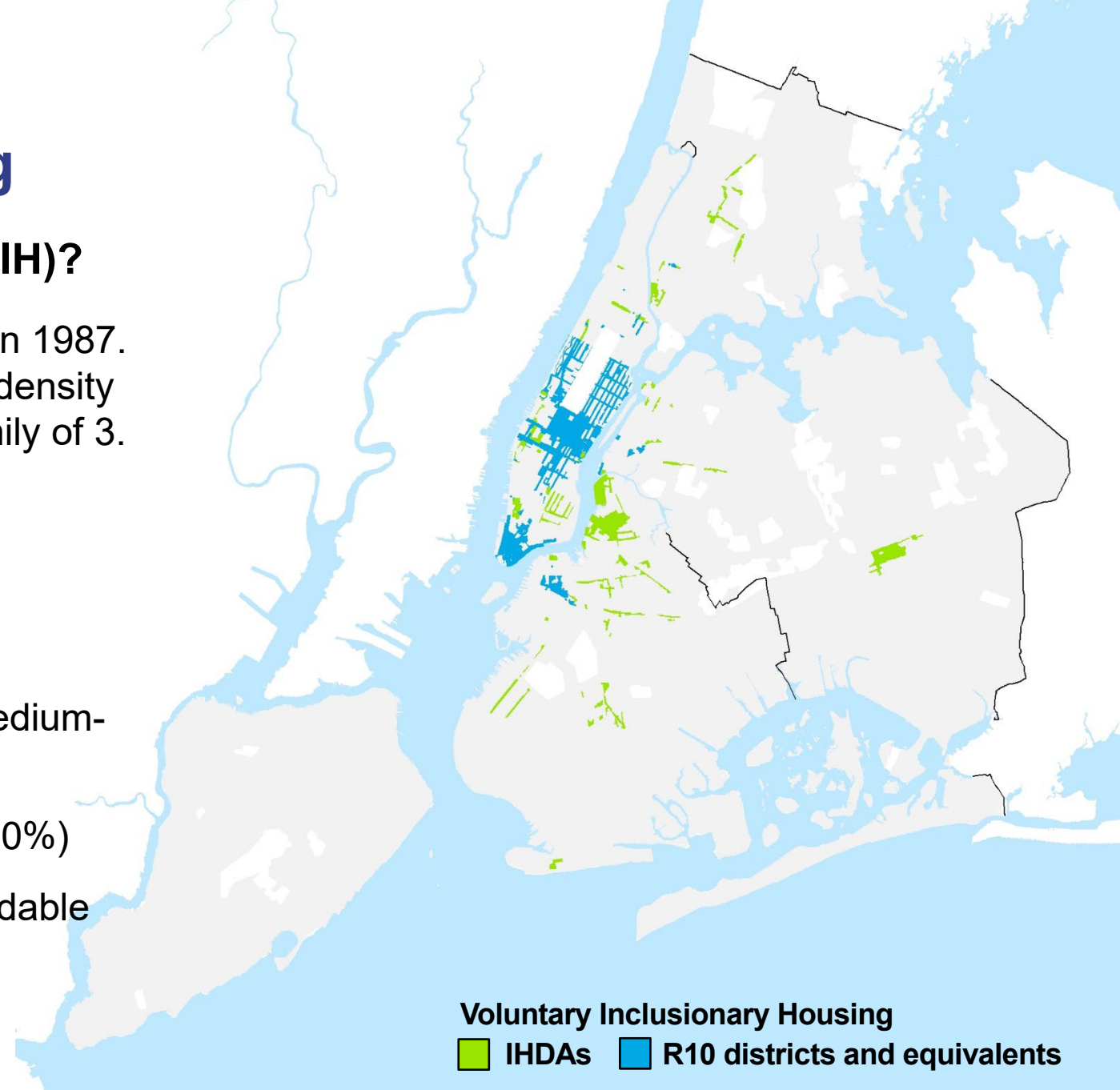
What is Voluntary Inclusionary Housing (VIH)?

VIH is an optional affordable housing tool created in 1987. Today, VIH covers only 13% of medium- and high-density areas. VIH AMIs are at 80%, or \$101,686 for a family of 3.

What will happen to VIH?

UAP will replace VIH. Some advantages are:

- Expands inclusionary framework to 100% of medium- and high-density areas
- Has an average AMI lower than VIH (60% vs. 80%)
- Allows income-averaging to create deeply affordable housing and to serve a wider range of families



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*

Updates to Mandatory Inclusionary Housing

Allow MIH Option 3 to be a standalone option

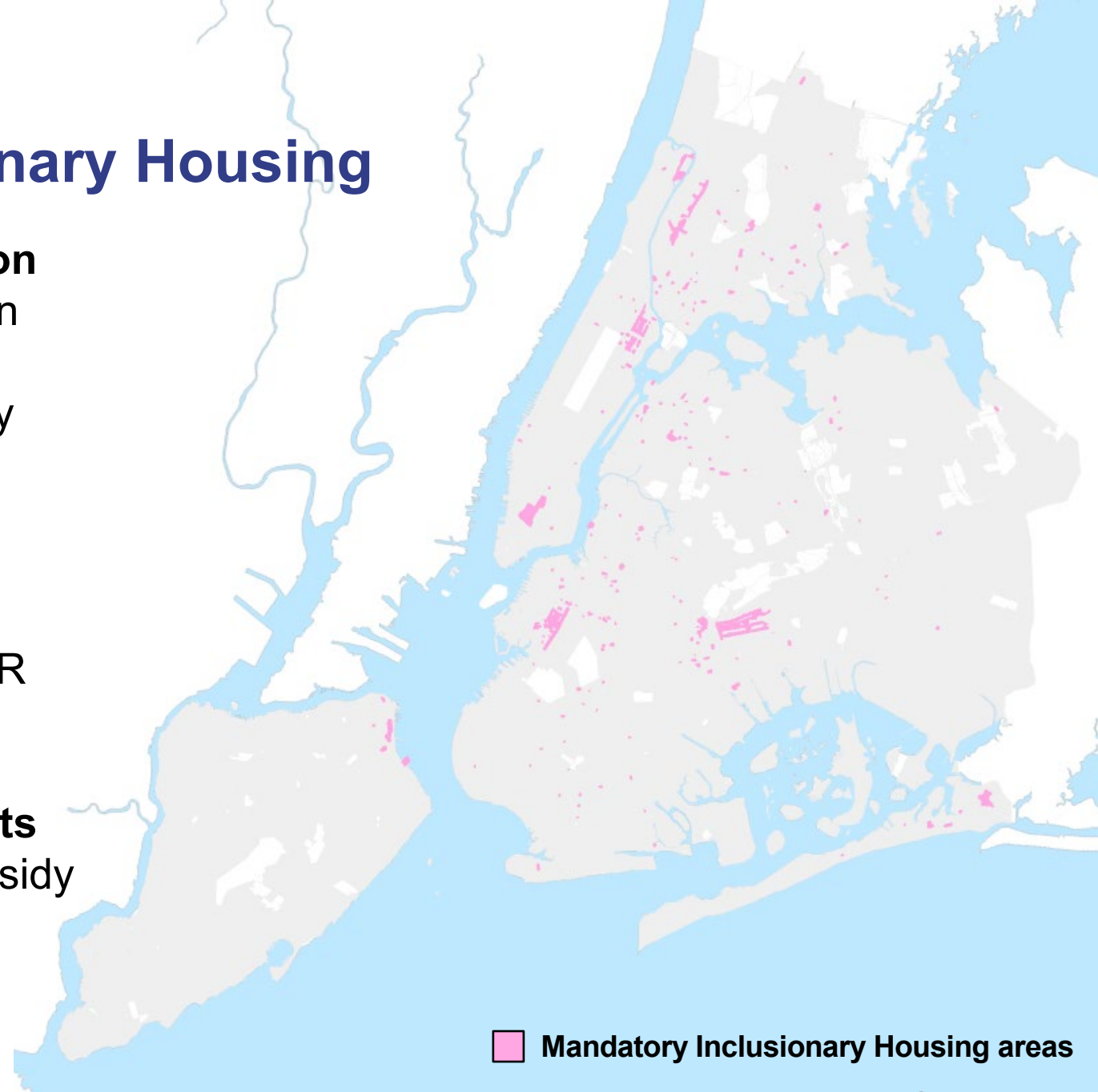
- MIH Option 3 requires a 20% set-aside at an average of 40% AMI
- Requested by the Speaker, members of City Council, and many housing advocates

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

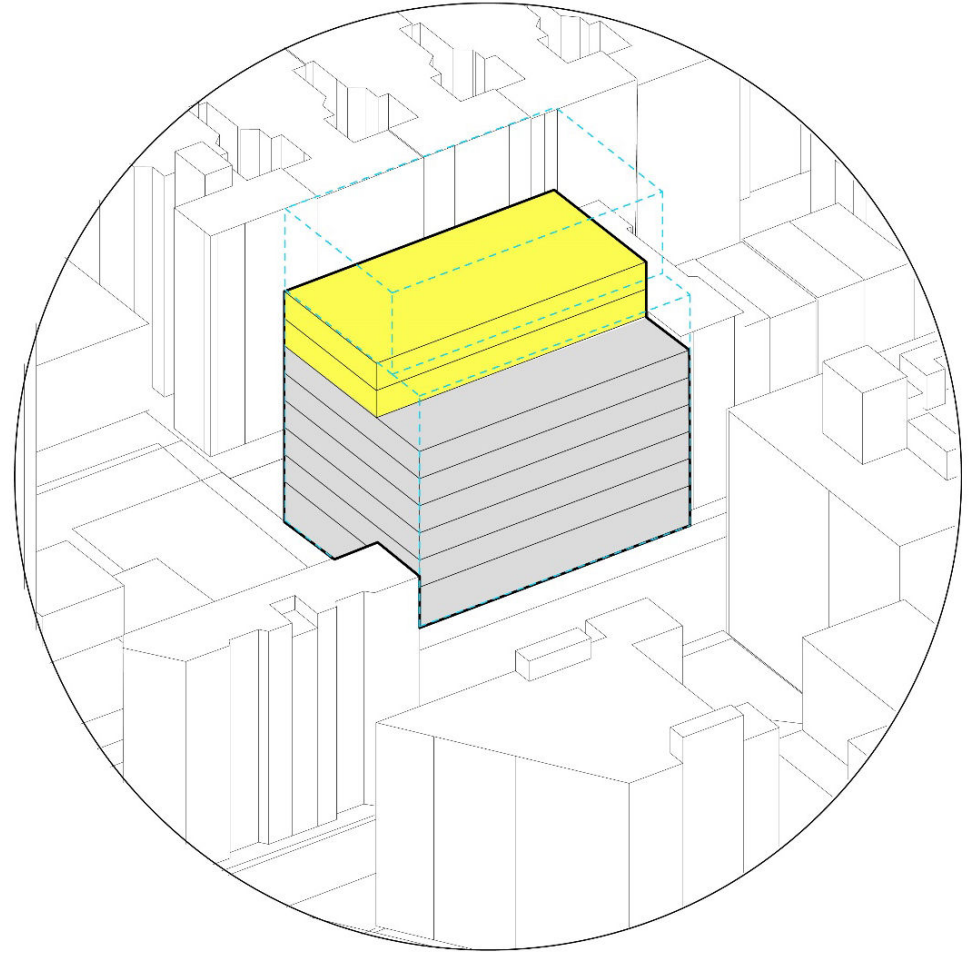
Mixed-income building in an MIH area

Example: A developer wants to build a new building in an **R7A district**. This site was recently rezoned and is subject to **Mandatory Inclusionary Housing (MIH)**

Today: The site is limited to **4.6 FAR**, This results in about **54 units**, **25-30%** of which MIH requires to be affordable

Proposal:

- **Increase overall FAR to 5.0** and keep MIH affordability requirement in place
- **59 total units, 25-30% of which are permanently affordable**





Citywide

Create new zoning districts

Create new zoning districts with FARs above 12 FAR

- 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 districts would require a future action

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

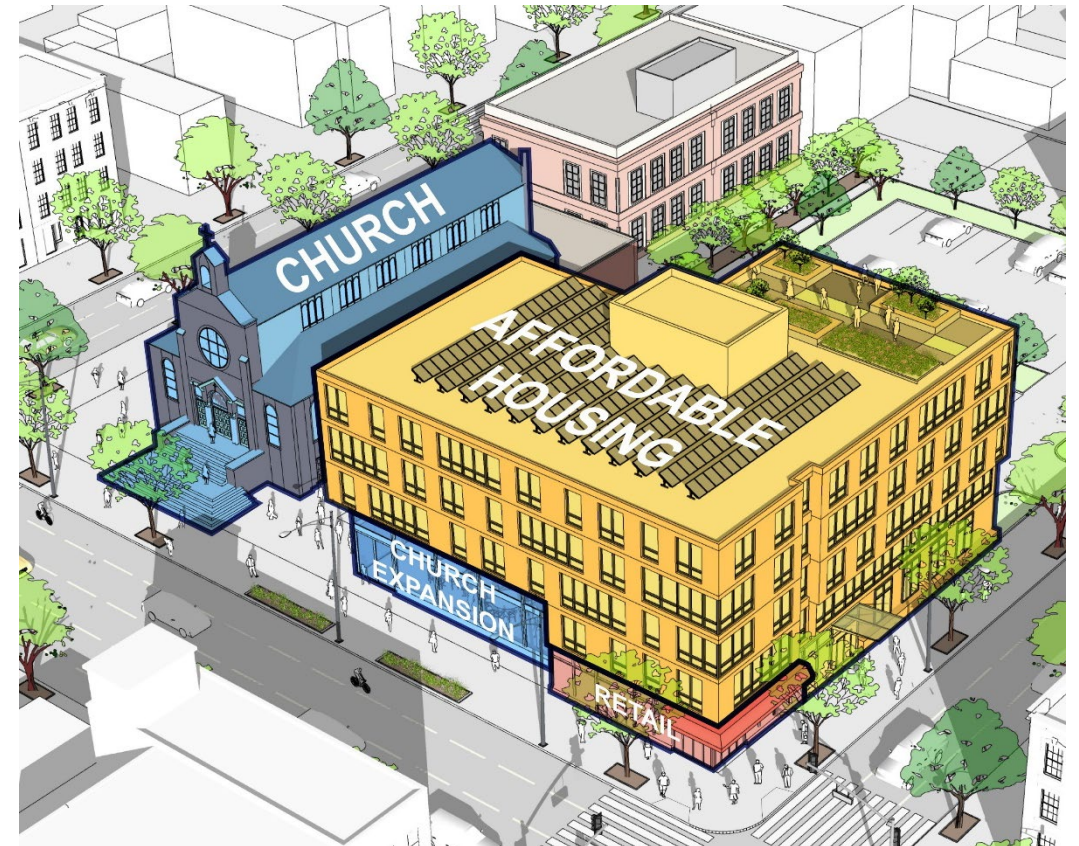
Allow contextual infill on campuses and irregular sites

Allow new contextual housing on campuses

- Streamline complex rules so that campuses can use existing development rights to add height-limited buildings

Other changes to enable contextual infill on irregular or challenged sites

- Expand the applicability of flexible contextual envelopes



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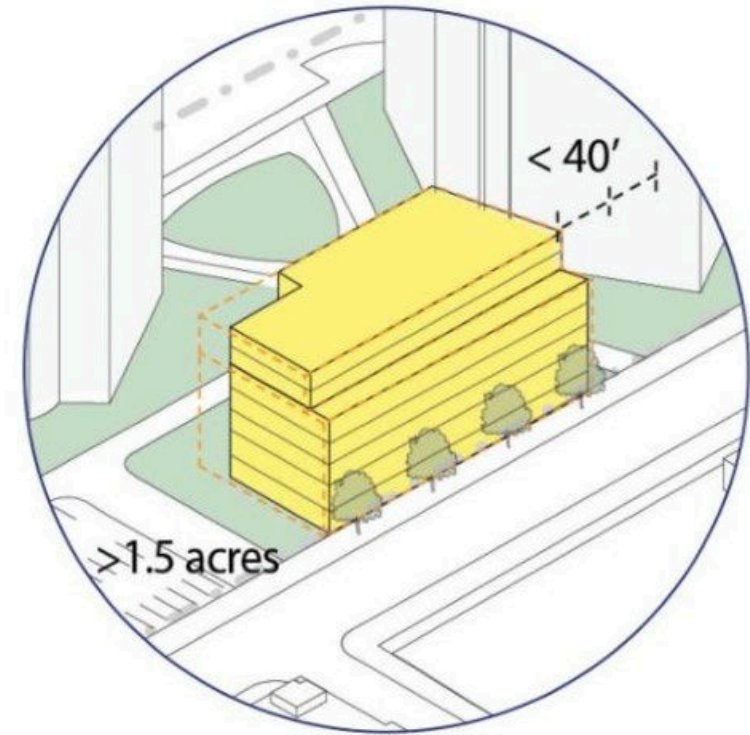
Campus infill rules

Campuses are defined as sites 1.5 acres or larger or having full block control

In medium- and high-density (R6-R10) areas, the proposal would:

- Replace “mixing rules” that prevent Height Factor zoning lots from adding height-limited buildings
- Align distance-between-buildings with MDL
 - 40-foot distance between buildings or an 80-foot distance if the buildings are over 125'

High-Density Campuses (R6-R10)



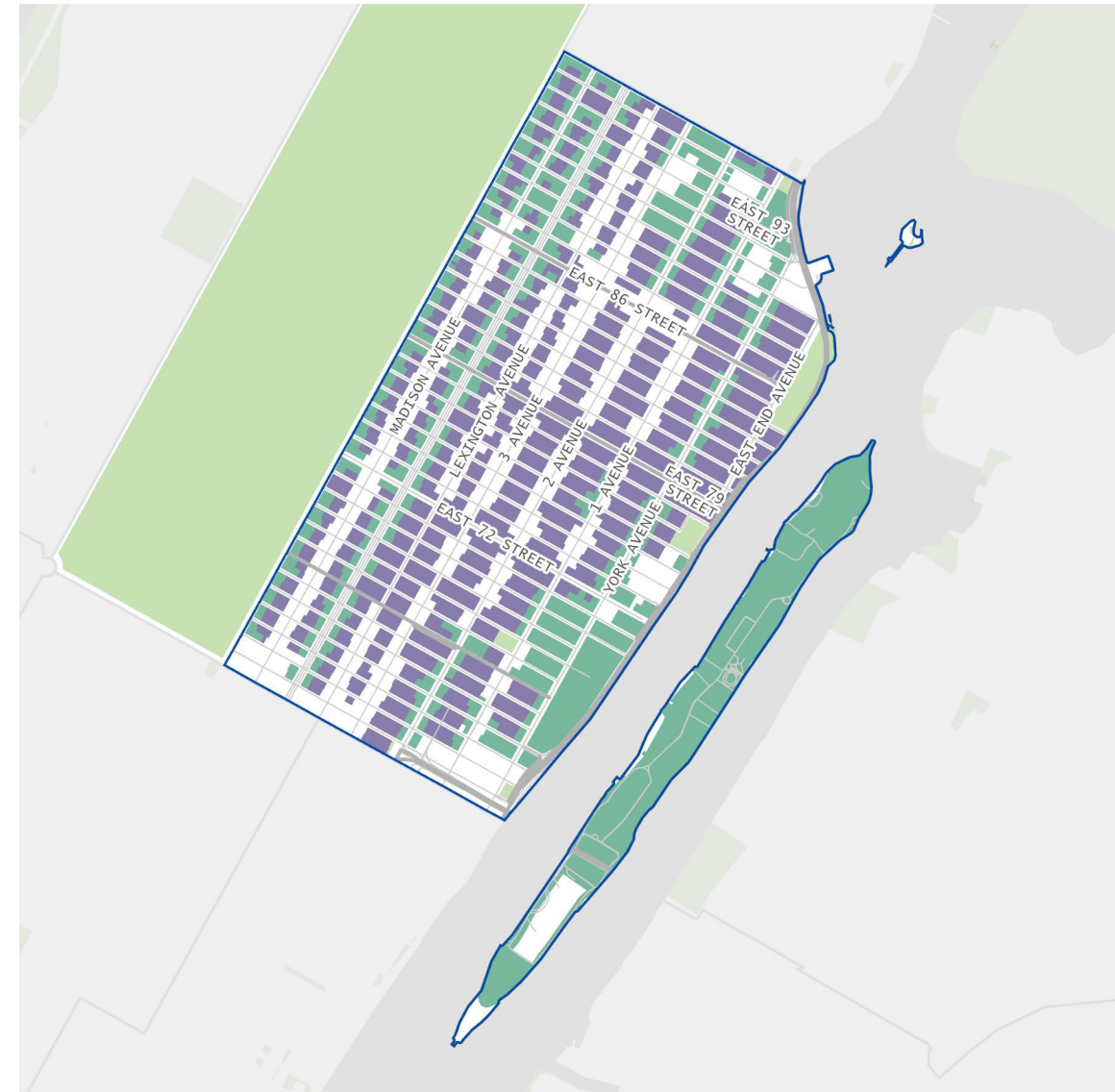
Replace the Sliver Law with height-limited contextual envelopes

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

The proposal 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



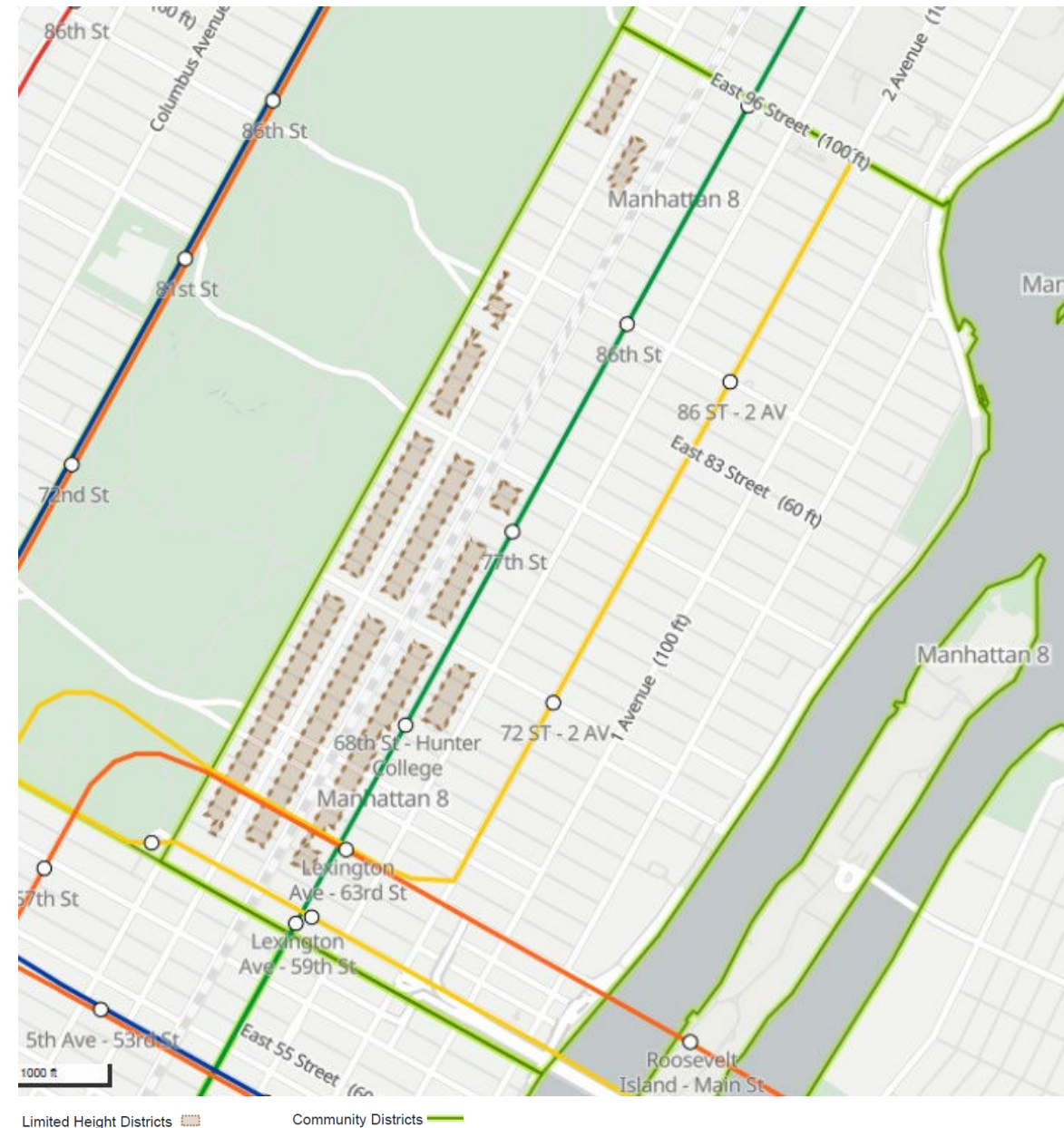
Eliminate Limited Height districts

Limited Height Districts date back to the late 1960s, prior to the advent of special districts and contextual zoning

The proposal would remove Limited Height districts from the zoning text.

- In CD8, the underlying R8B zoning will continue to control bulk.

Manhattan CD 08



Small and shared apartments

Proposal: Remove outdated rules preventing studio apartments and homes with private bedrooms but shared kitchens or common facilities

- These kinds of homes have historically filled an important role in the housing market but have been made illegal in part due to prejudice and exclusion

Small and shared homes provide important housing options for young people and others who struggle to find low-cost housing options or wish to live alone

Enabling them in central locations can also help ease pressure on family-size homes elsewhere



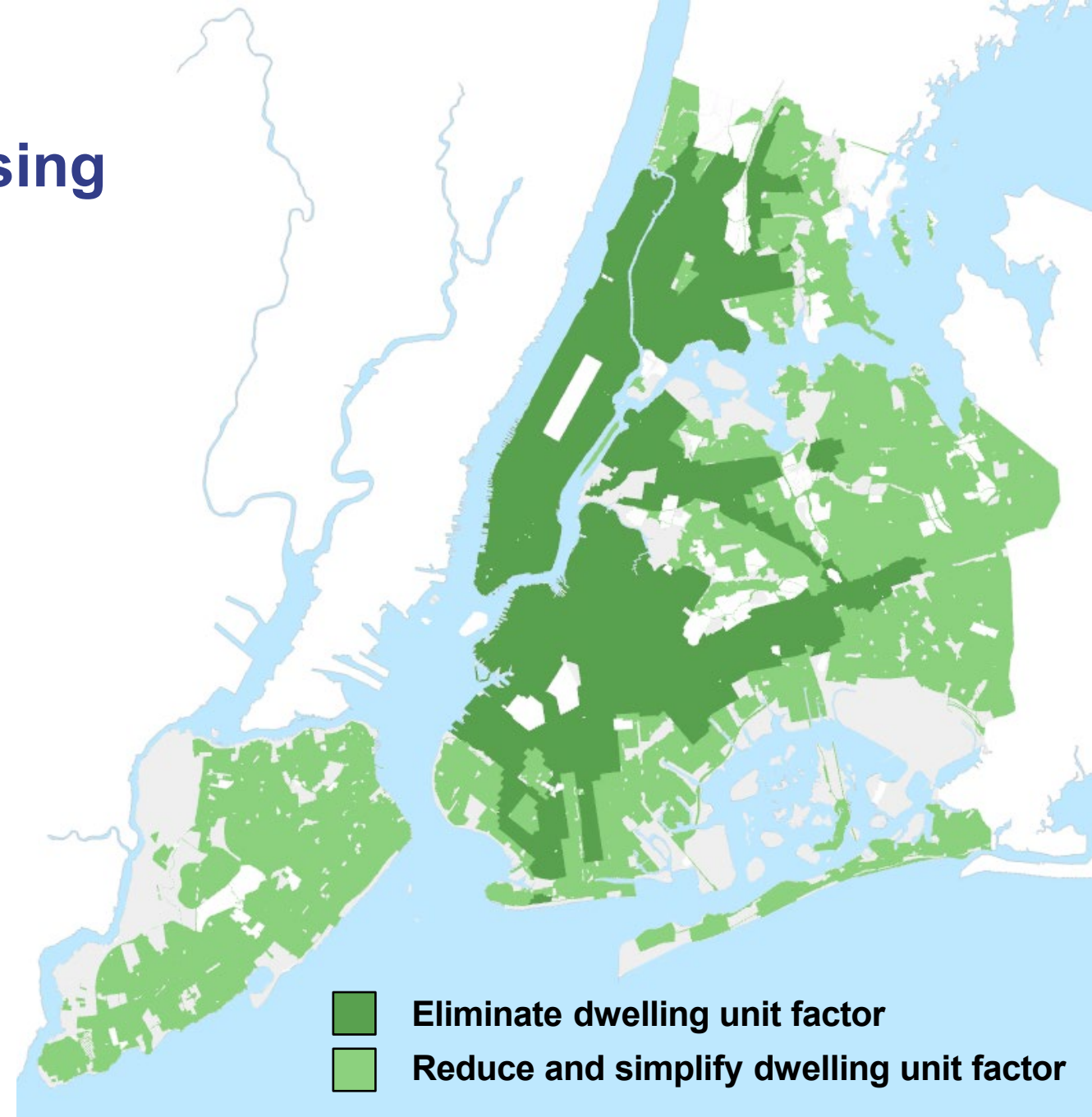
Zoning changes for shared housing

Zoning currently does not have 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

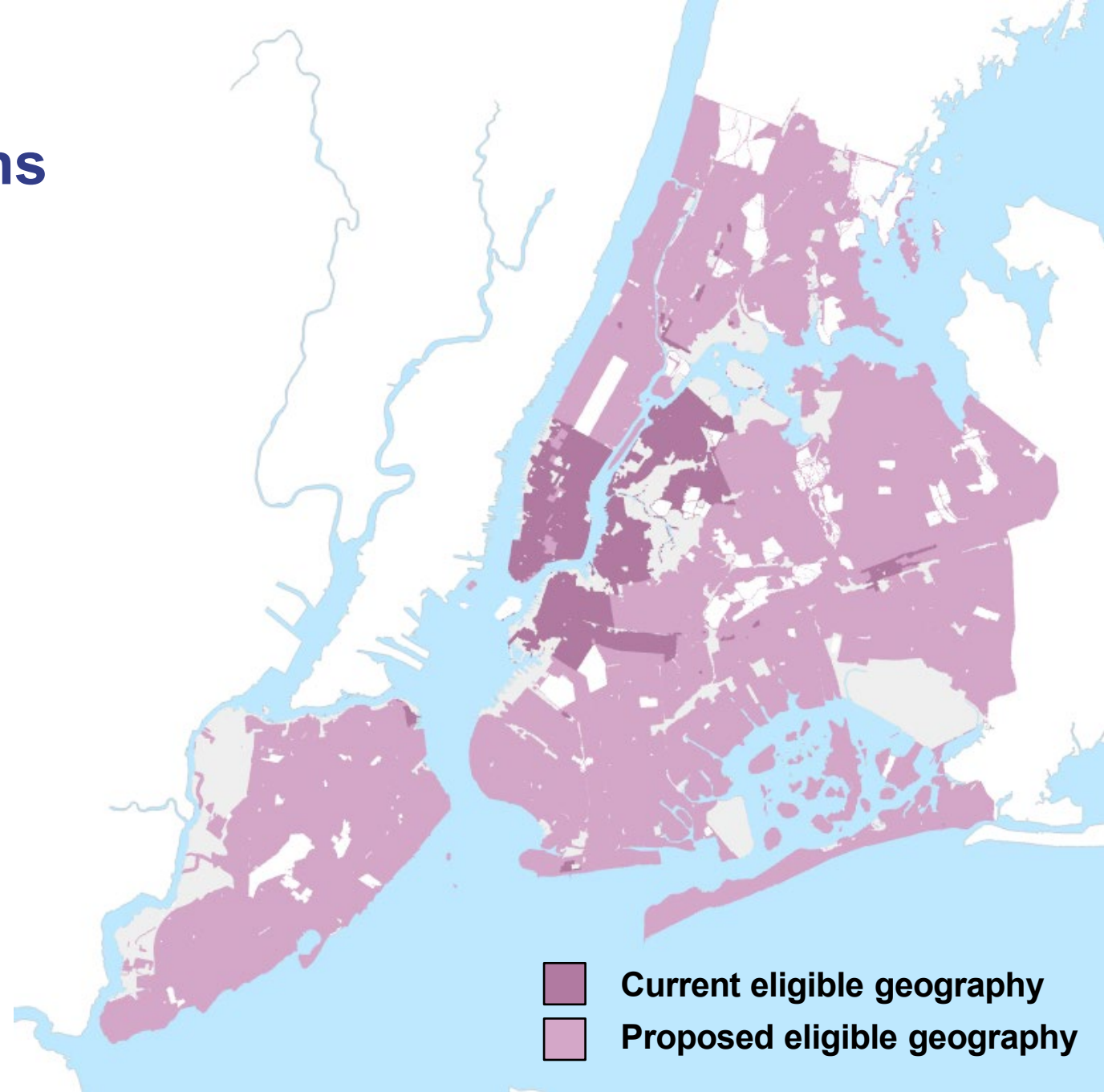
This proposal would **remove the dwelling unit factor in central locations and reduce it elsewhere**, allowing for buildings with more studio and one-bedroom apartments



Zoning changes for conversions

Enabling the conversion of non-residential buildings involves a few key changes to adaptive reuse regulations:

- Expanding the **eligible geography** from central office districts to the entire city, facilitating the conversion of former schools or religious buildings
- Moving the **eligibility date** up from 1961 or 1977 to **1990**, allowing for more recent buildings to convert
- Allowing the conversion to **all types of housing**, including supportive housing, shared housing, and dorms

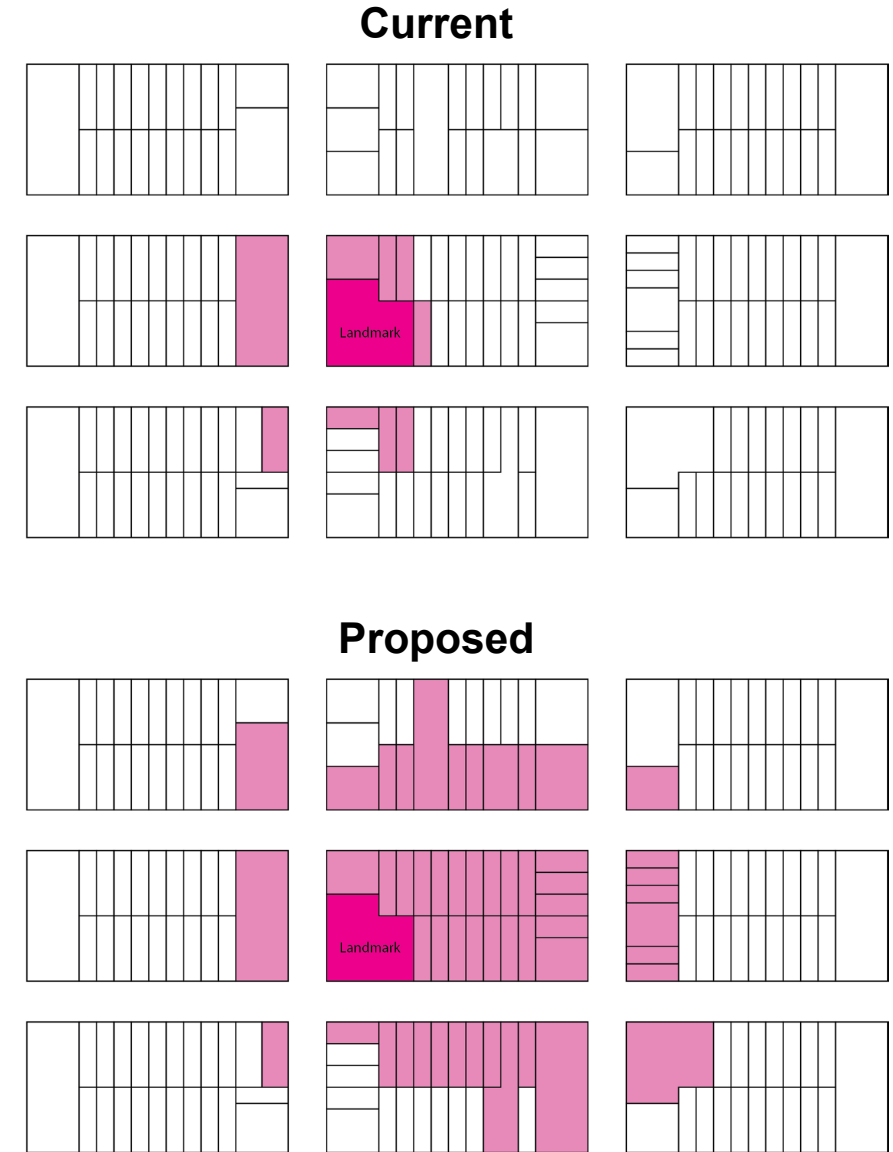


Expand the Landmark TDR program

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



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



An aerial watercolor illustration of a city skyline, likely New York City, featuring various skyscrapers and residential buildings. The title 'Special Districts' is overlaid in a large, bold, blue font. The style is artistic and painterly, with soft colors and visible brushstrokes.

Special Districts

Image credit: Alfred Twu

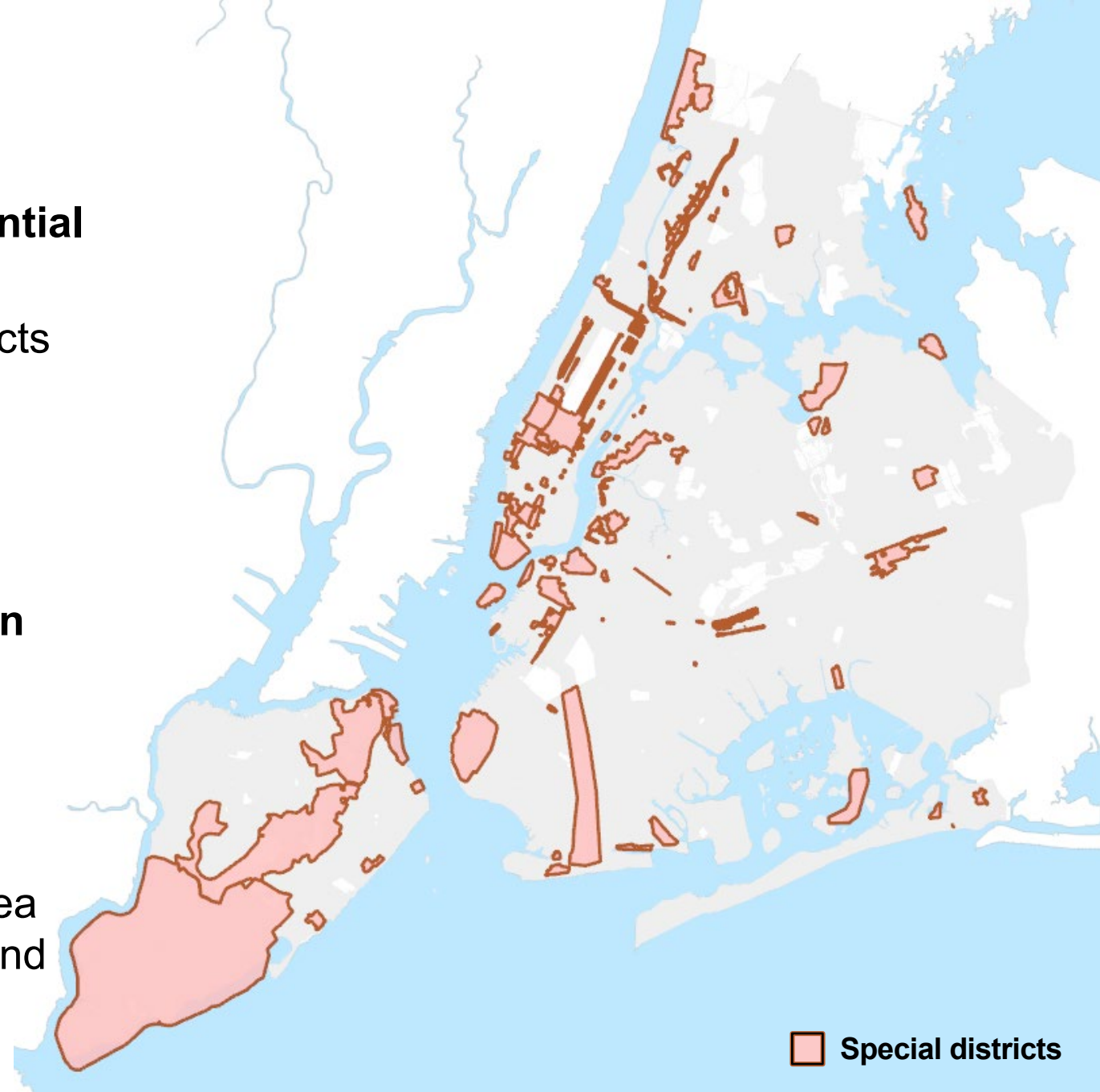
Special districts

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

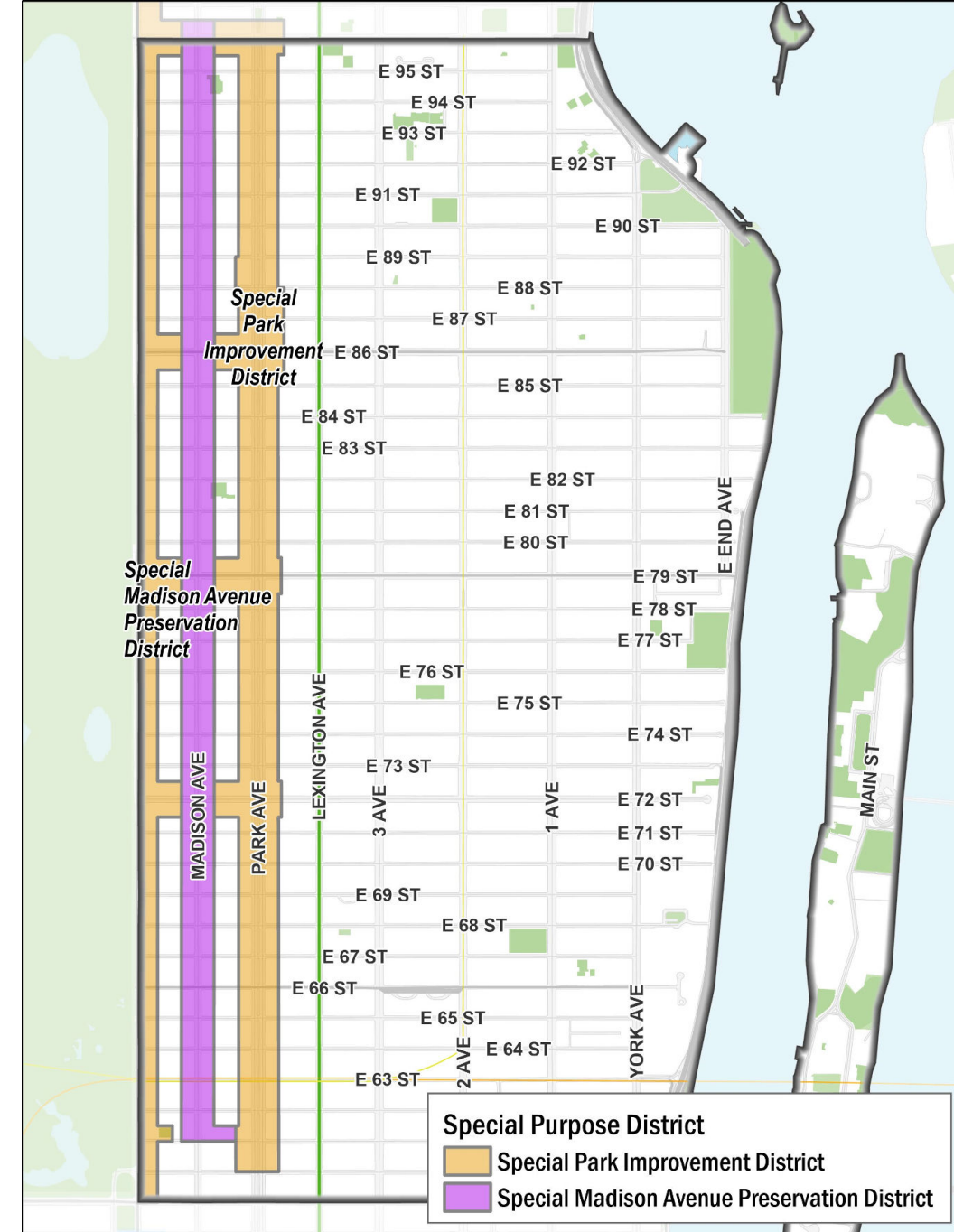
CD8 Special Districts

Align with UAP

- Allow sites to participate in Universal Affordability Preference (UAP) program
- With UAP, allow FAR increase of 20% and have higher maximum building height of the contextual R10A

Update regulations to underlying zoning districts

- Update base height limits to align with contextual R10A districts
- Eliminate redundant bulk regulations to reference underlying, i.e., street wall, balconies, dormers etc.

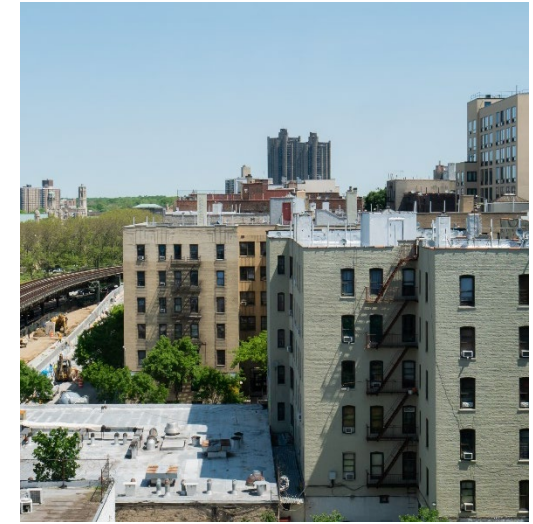
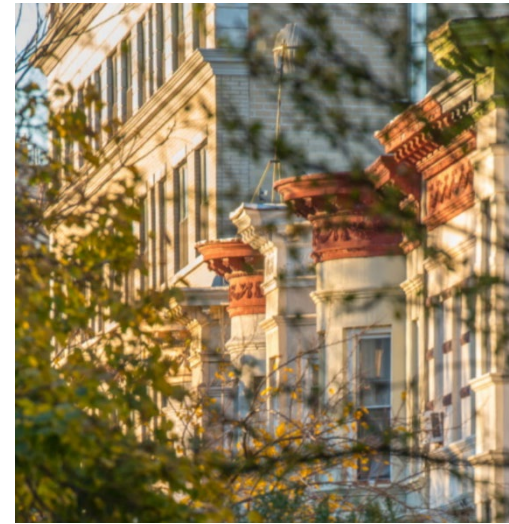
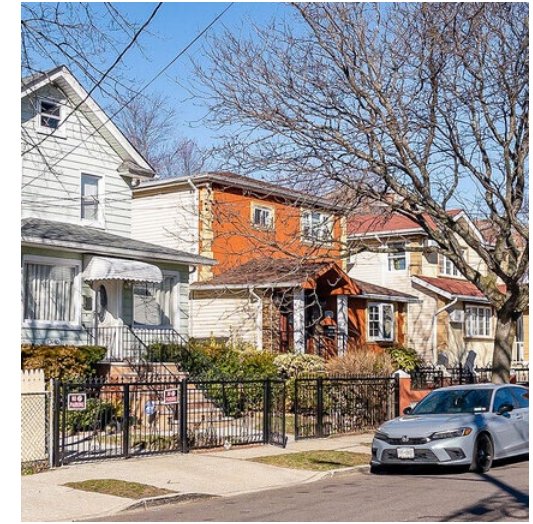




Conclusion

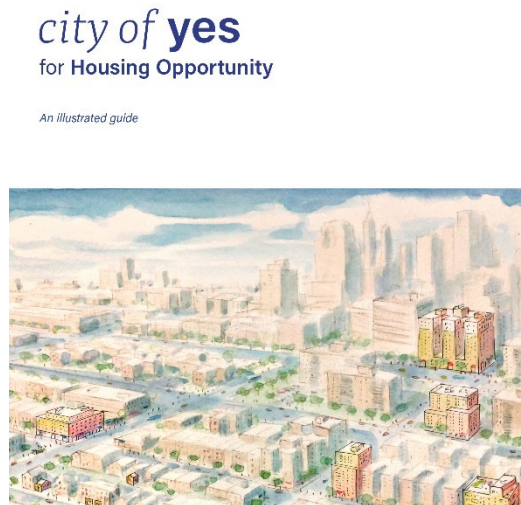
How will these changes address our housing needs?

- **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



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Materials to understand the proposal



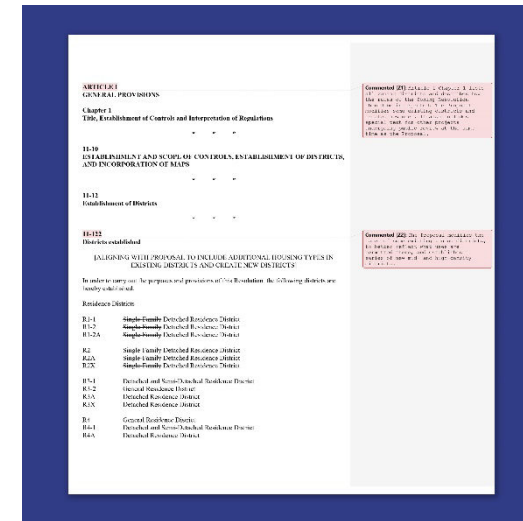
Illustrated guide

Provides detailed information about the proposals with technical illustrations



One-pagers

Succinct overviews of different proposals elements



Annotated zoning text

Explanatory notes and descriptions of proposed text

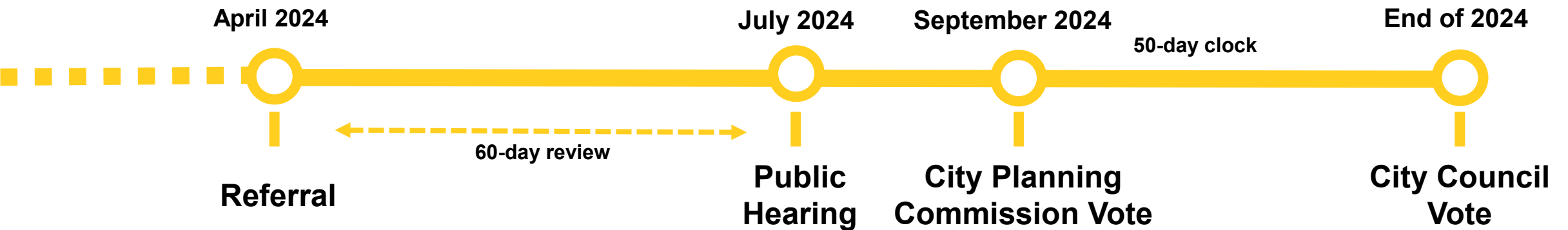


City of Yes for Housing Opportunity

Image credit: Alfred Twu

Stay in touch!

Email the project team at
HousingOpportunity@planning.nyc.gov
with questions, concerns, and to be signed
up for email alerts on this project.



Approximate schedule of public review, for illustrative purposes only

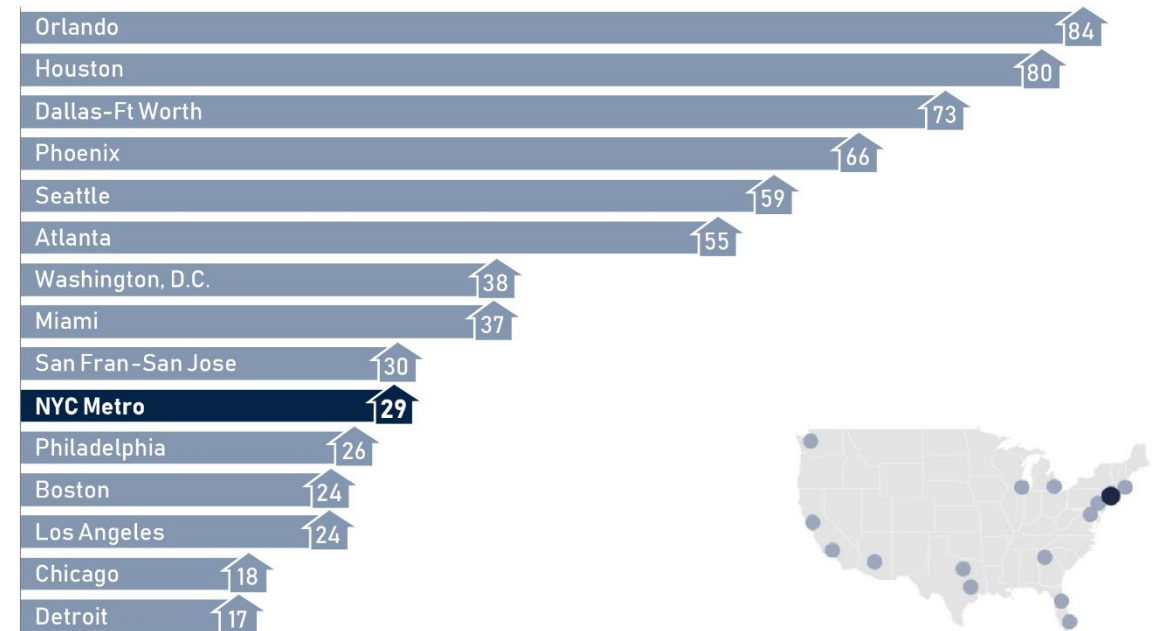


Appendix

A lack of housing supply is the root cause of high housing costs

Adding additional housing supply can help combat high housing costs

- UCLA [round-up of recent research](#) found five studies supporting that "market-rate housing makes nearby housing more affordable"
- [Supply Skepticism \(2017\)](#) and [Supply Skepticism Revisited \(2023\)](#), found "increases in housing supply moderate housing prices and rents overall"
- These findings have also been written about by the [popular press](#) and [think tanks researching housing](#)



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

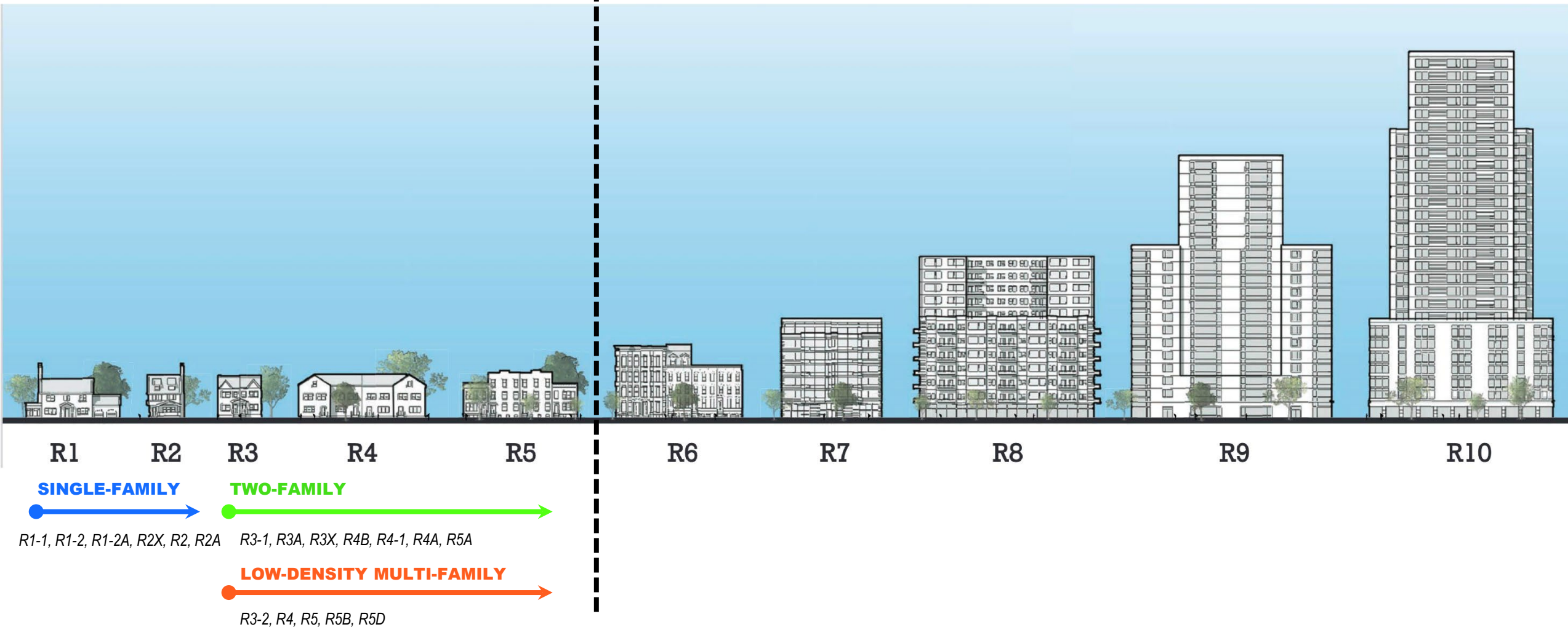
Source: U.S. Census Bureau BPS Annual Files; NYC DCP Housing Database v22Q4; U.S. Census Bureau Population Estimates Program (PEP) 2022 Vintage; U.S. Census Bureau Delineation Files

Cities that are adding more housing have seen slower rises in housing costs. This is part of the reason New Yorkers move to these lower-cost places.

New York City's existing residence districts

Low-density areas

High-density areas



Waterfront zoning – changes to height and setback regulations

The proposals for waterfront zoning rules would rationalize what DCP has learned from Special Districts and underpin with best practices in urban design.

Address the needs of 100% affordable housing buildings

- Increase maximum base heights
- Introduce a transition zone
- Modernize dormer allowance
- Protect the pedestrian experience along waterfront open spaces

Create an as-of-right path for waterfront developments to use UAP

- Increase maximum tower height caps
- Increase tower footprint allowance, but require broad towers to taper
- Add a minimum base height requirement
- Require tower height variety for lots with multiple towers

Address the needs of constrained sites on the waterfront

- Reduce tower setback distance on shallow lots
- Allow extra length for towers on shallow lots or those with multiple shorelines

Waterfront zoning – changes to height and setback regulations

The proposals for waterfront zoning rules would rationalize what DCP has learned from Special Districts and underpin with best practices in urban design.

**Address the needs of
100% affordable
housing buildings**



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Examples: Bronx Point,
North Cove (Inwood)

**Create an as-of-right
path for waterfront
developments to use UAP**



© Marvel

Examples: 1 Java St (BK),
Hallett's Point (QNS)

**Address the needs
of constrained sites on
the waterfront**



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Examples: 125 Edgewater
(SI), 2401 Third Ave (BX)

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



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

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

- Define “railroad right-of-way” and “former railroad right-of-way”
- Create authorization for lots over four acres with a railroad right-of-way or former railroad right-of-way
- Create Chairperson certification for development on or over railroad right-of-way



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

Clarify adjacency rules for MX districts



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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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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.

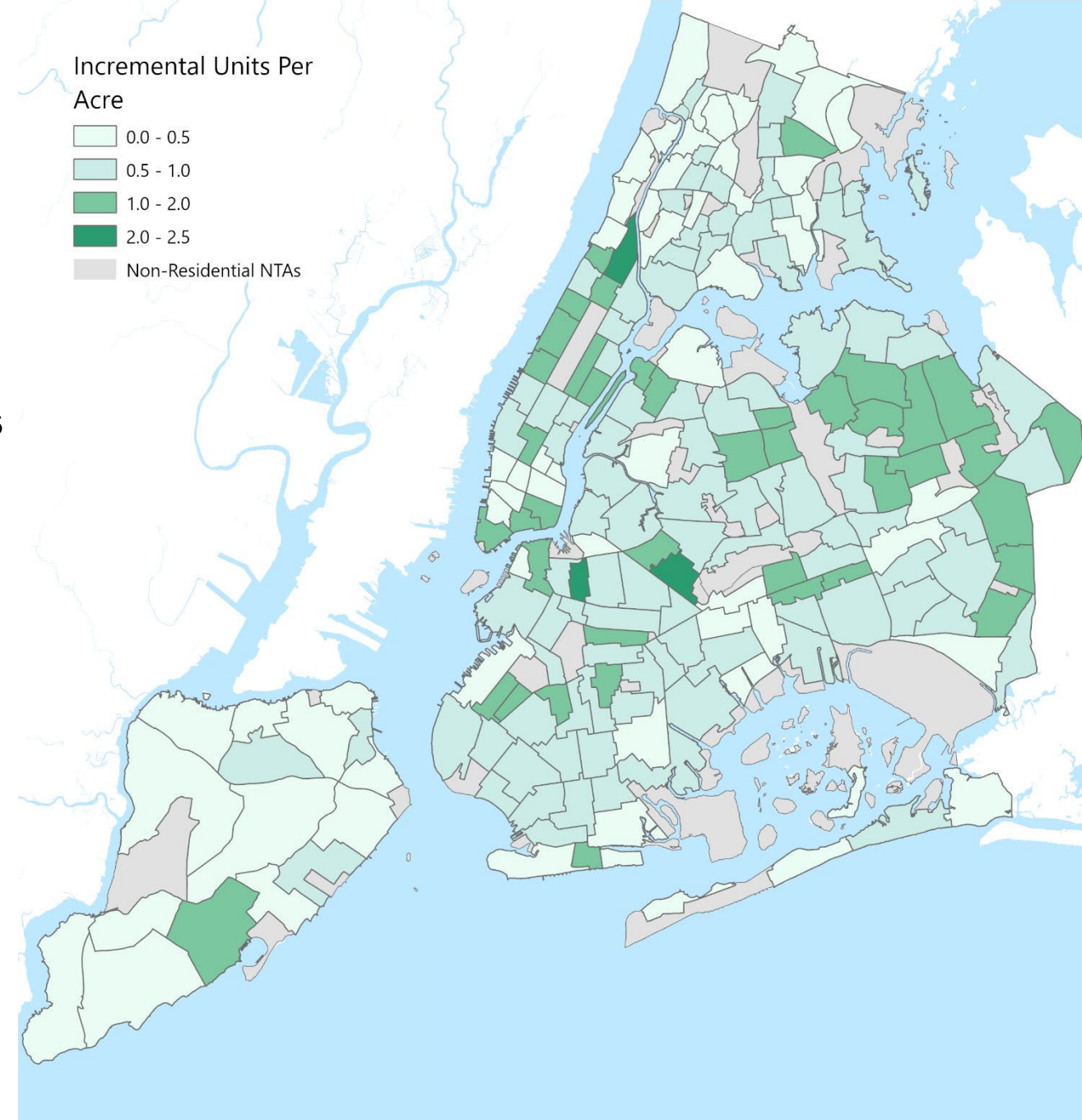
Environmental Review

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

