



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

Tel: 646.652.6498  
[george@georgejanes.com](mailto:george@georgejanes.com)

# City of Yes in CD8 One year later

George M. Janes, AICP  
1/27/2026

# It's been a year since we passed City of Yes for Housing Opportunity (COYHO)

- COYHO was a massive zoning text amendment with the goal to:

*“help tackle our housing crisis by allowing for a little more housing in every neighborhood”*

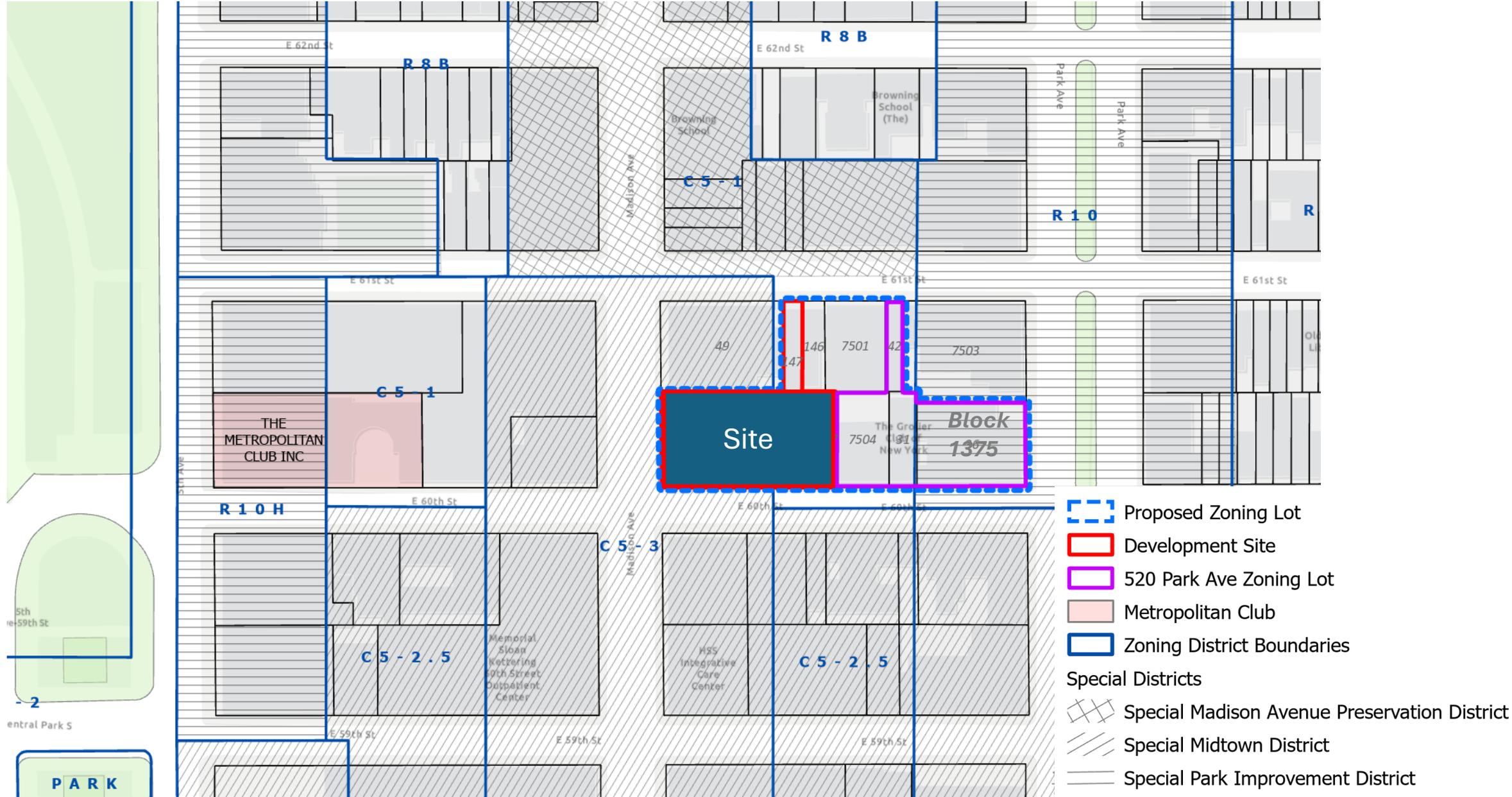
- DCP told us that COYHO would:

*“work differently in different areas, allowing for a lot more housing overall, without dramatic changes in any one neighborhood”*

- Today, we're going to look at changes we're seeing in Community District 8 that have been shaped by COYHO

**655 Madison Avenue**

# 655 Madison is planned at the northeast corner of 60<sup>th</sup> Street and Madison Avenue



- Proposed Zoning Lot
- Development Site
- 520 Park Ave Zoning Lot
- Metropolitan Club
- Zoning District Boundaries
- Special Districts**
- Special Madison Avenue Preservation District
- Special Midtown District
- Special Park Improvement District

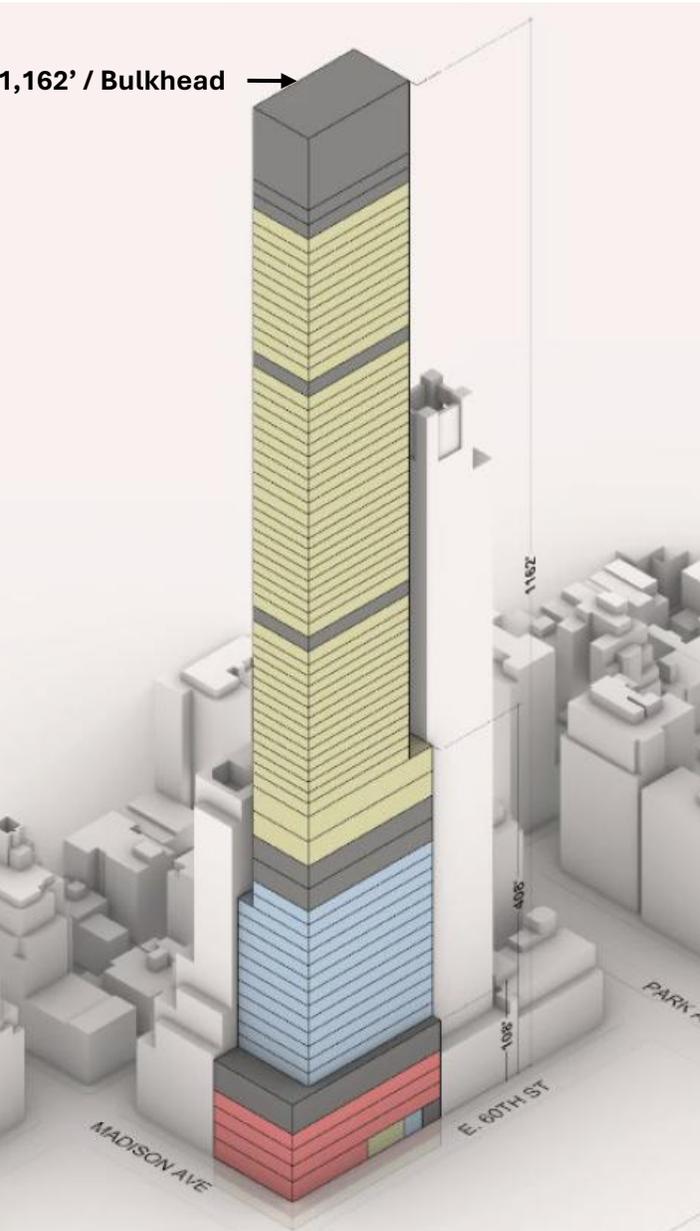
# Partially within the Special Midtown District, the lot is split between C5-3 and C5-1 zoning districts

- The site, which has been cleared, was occupied by this 200,000 SF office building and a few tenements →
- With or without COYHO, there could be a large tower on this site, but **COYHO** **makes it much bigger**



# The proposed 1,162' building is made possible by COYHO

Proposed building



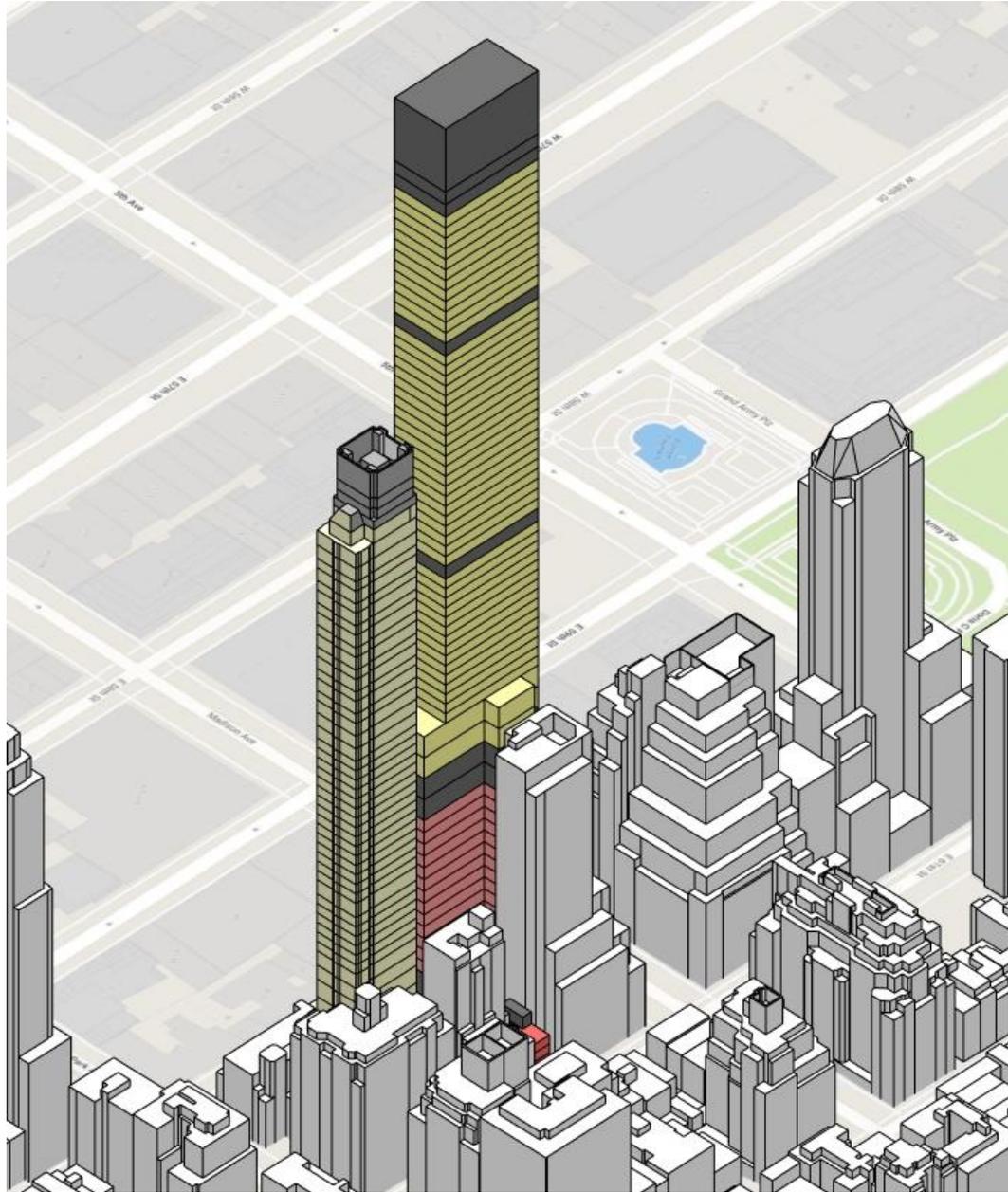
← The new building uses the **new Landmarks transfer** in COYHO

- It moves 135,000 SF from the Metropolitan Club, a process made legal by COYHO
- There are two types of Landmarks transfers in COYHO: a CPC Certification and a CPC Special Permit, depending on their size
- This one just needs a Certification. They avoided the Special Permit by merging their lot with the neighboring 520 Park Avenue →
- 655 Madison doesn't use floor area from 520 Park. Instead, it makes the zoning lot larger to avoid the Special Permit and ULURP

520 Park: not your typical air rights parcel



# It also gets 130,000 SF from a subway improvement bonus



- This subway improvement bonus was made legal in **2021** with the “Elevate Transit” zoning text amendment
- While not a COYHO change, this transit improvement bonus is on top of COHYO changes, which allows for a very large building
- How large?

# 573,000 SF! But the residential FAR stays at 12.0 FAR, why?

ZR Section		C5-3 (MiD)	C5-1	R10 (PID)	Total	Compliance	
81-211 81-241 33-122 34-112 23-222 23-20 66-51 77-22	<b>Permitted FAR</b>						
	Base + Landmark TDR*	Total	25.77	12.00	10.00		
		Commercial	25.77	4.00	-		
		Community Facility	25.77	10.00	10.00		
		Residential	12.00	12.00	10.00		
	Subway Bonus (20%)		3.00	2.40	2.00		
	Total with Subway Bonus	Total	28.77	14.40	12.00		
		Commercial	28.77	4.80	-		
		Community Facility	28.77		12.00		
		Residential			12.00		
	*135,146.90 ZSF transferred to C5-3 (MiD) portion of Development Site per Project ID 2025M0376						
	<b>Permitted Floor Area</b>						
	Lot Area		12,552.50	28,519.28	11,302.10	52,373.88	
	Floor Area	Total	361,091.91	410,677.63	135,625.20	907,394.74	
		Commercial	361,091.91	136,892.54	-	497,984.45	
Community Facility		361,091.91		477,856.56	838,948.47		
Residential				628,486.56	628,486.56		
<b>Proposed Floor Area</b>						Complies	
Existing Floor Area	Total	-	300,350.07	33,556.00	333,906.07		
	Commercial	-	40,926.00	-	40,926.00		
	Community Facility	-	14,648.00	33,556.00	48,204.00		
	Residential	-	244,776.07	-	244,776.07		
New Floor Area	Total**	393,369.00	180,119.66	-	573,488.66		
	Commercial	125,603.00	64,175.33	-	189,778.33		
	Community Facility	-	-	-	-		
	Residential	267,766.00	115,944.33	-	383,710.33		
Total Existing + New	Total**	393,369.00	480,469.73	33,556.00	907,394.73		
	Commercial	125,603.00	105,101.33	-	230,704.33		
	Community Facility	-	14,648.00	33,556.00	48,204.00		
	Residential	267,766.00	360,720.40		628,486.40		

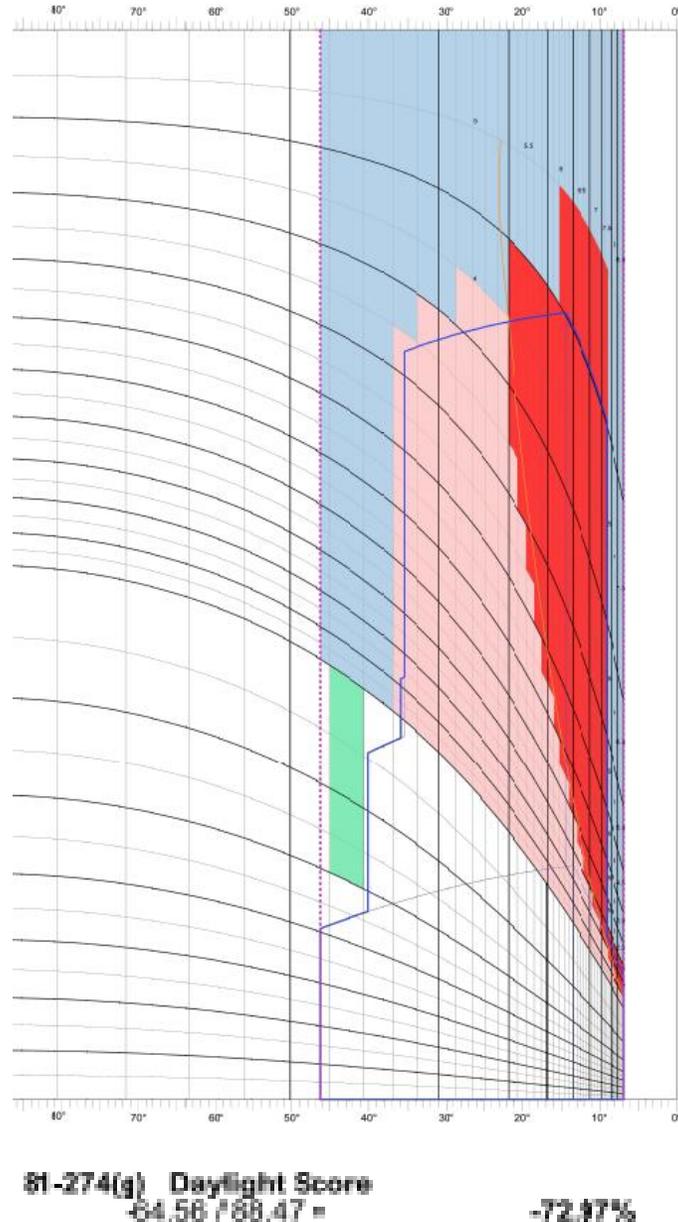
- The Multiple Dwelling Law still limits residential to 12 FAR if there is no affordable housing
- And this development has no affordable housing
- It does not buy certificates; it produces no affordable housing
- That's because it gets all its floor area without using any zoning affordability programs

\*\*Total by district reflects as-of-right allocation of residential floor area at 12.0 FAR across Development Site

# **Before COHYO (and ELEVATE), the only way this building could have achieved 12 FAR residential was to produce affordable housing**

- It could have been on-site, in the same building
- It could have been on-site, in a different building
- It could have been off-site in CD8, or even nearby in CDs 5 or 6, using certificates to support existing affordable housing units in expiring programs
- By giving developers many options to obtain floor area, COYHO means that they no longer routinely produce affordable housing
- You were told during the COYHO process that developers will max out their site by using all tools and would use all the bonuses available. This one did not

# COYHO also allows this building to waive bulk regulations



- This building needs three bulk waivers: it's not as-of-right
- It miserably fails Midtown's daylighting regulations, and it also needs rear yard and setback waivers
- COYHO and ELEVATE gives the CPC the power to grant these waivers through an Authorization
- So, not only does the new zoning facilitate the concentration of floor area, but it also creates a pathway for bulk waivers without the BSA or ULURP!
- AND it produces zero affordable housing
- It's like the zoning was written to give this developer everything he wanted without contributing to CD8's affordability

# Without COYHO, the office building would have likely not been demolished

- The midblock tenements were zoned C5-1 (a 12 FAR commercial district with affordable housing) and they probably would have been redeveloped at some point
- They likely would have produced an 80/20 building with ~20 affordable units (on-site or off-site)
- Those potential affordable units are permanently lost with this plan for 655 Madison

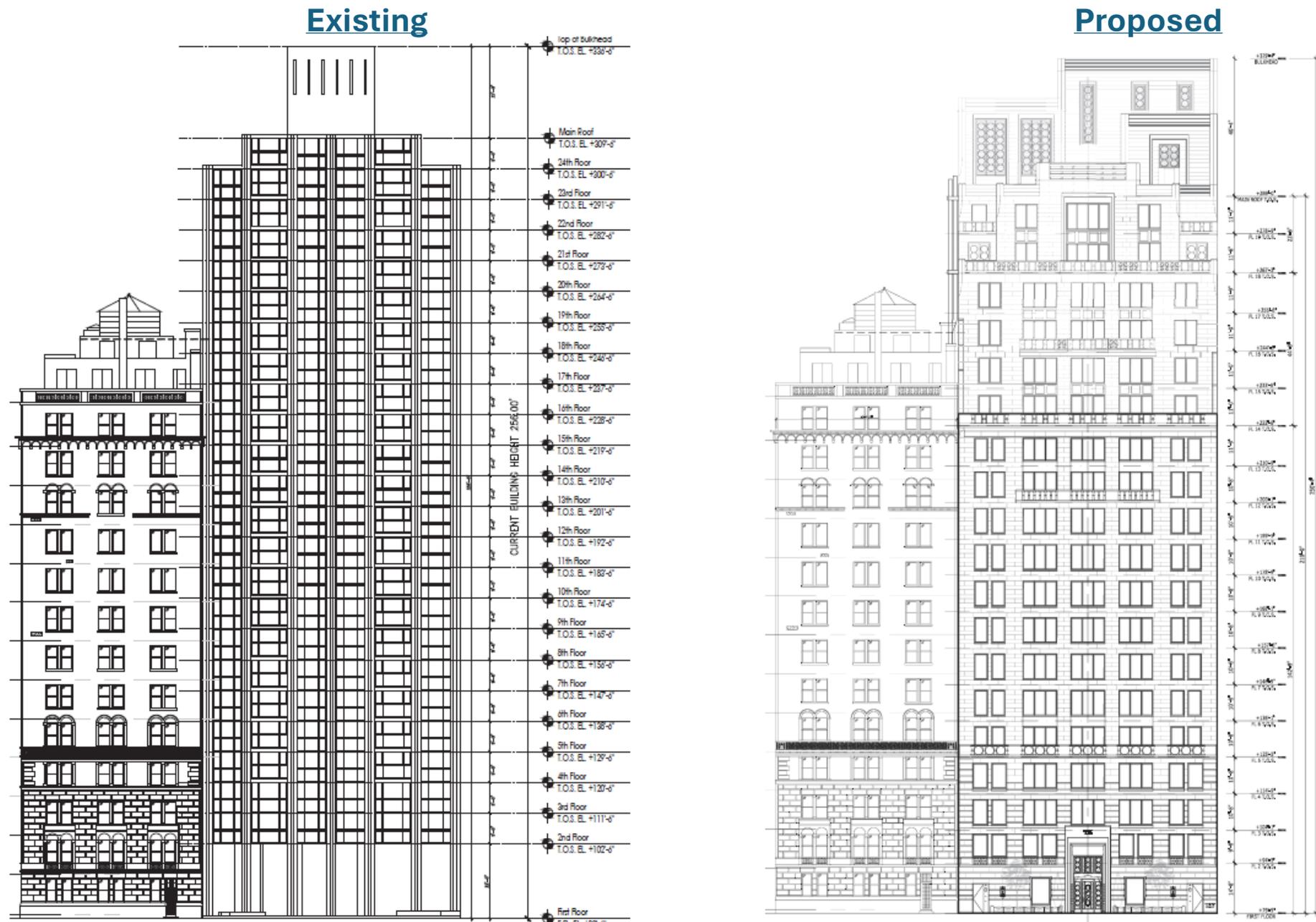


**985 and 800 Fifth Avenue**

# 985 and 800 Fifth Avenue both recently received Landmarks approval to demolish and rebuild

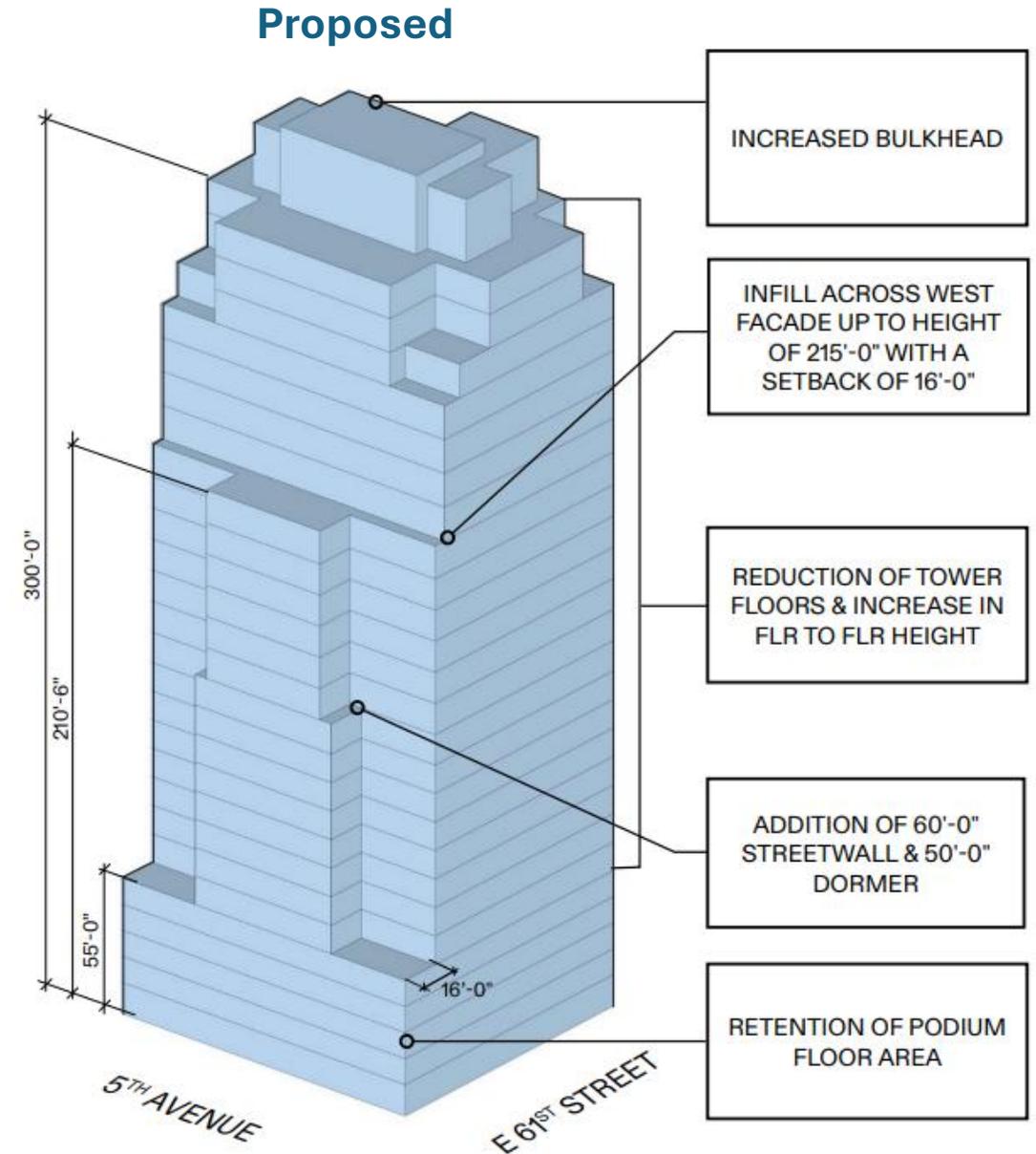
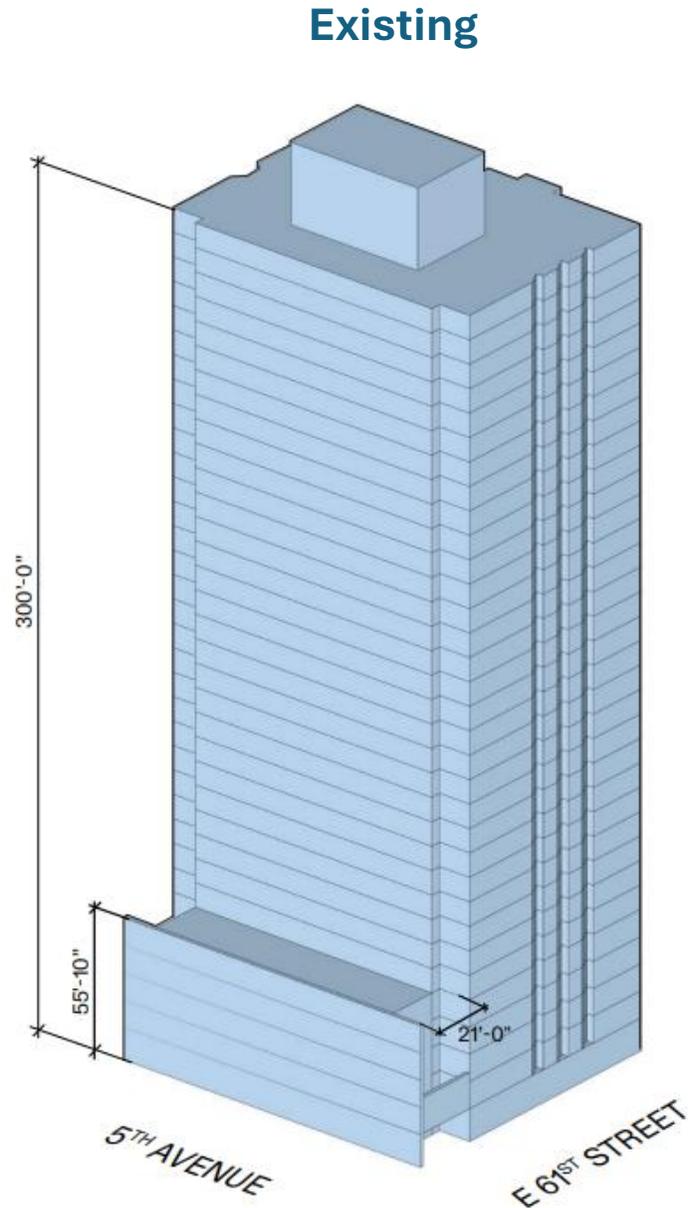


# The building envelopes aren't radically changed. This is 985 Fifth



# This is 800 Fifth

- Both buildings become a little wider, but with fewer floors as floor-to-floor heights increase



# The planning issue with both proposals is what they do to housing units

- 800 Fifth currently has 208 residential units, while 985 Fifth has 46 residential units, for a total of 254 rental units between them, with a handful still rent stabilized
- The new building at 800 Fifth is planned to have 55 dwelling units, while 985 Fifth is planned for 21 dwelling units
- That's a total decline of **70% of the dwelling units** on these two lots
- Part of the rationale for COYHO was that more development would help address the housing crisis by making more housing units
- These developments do the exact opposite: they destroy housing units in an attractive, high resourced area
- In CD8, COYHO is doing nothing to discourage the destruction of normal sized rental units in favor of the creation of enormous units that can only house very few

## **Not only does 800 Fifth destroy a net of 153 housing units, it will not produce any affordable units, on or off-site**

- The replacement building is planned to be *smaller* than the building that's there: It stays at 300 feet while losing six stories by increasing floor-to-floor heights
- The probable reason for this design decision is 800 Fifth's existing Special Permit
- If 800 Fifth increased any of the zoning waivers the Special Permit grants, that would be a ULURP action, and as a ULURP action, the Council Member could have asked for affordable housing as a condition of the approval
- By not increasing zoning waivers and staying within the existing building envelope, the action is a minor modification, which just requires a CPC approval of the new site plan
- Will the CPC question the destruction of so many housing units and the provision of no affordable housing? Historically, no, but they will be getting new leadership . . .

# 985 Fifth Avenue will produce off-site affordable housing

- 985 Fifth is in the Special Park Improvement District. Before COYHO, the Park Improvement District did not permit the use of the voluntary inclusionary bonus
- With COYHO, zoning was modified so that the Universal Affordability Preference (UAP) applies to the Park Improvement District and 12 FAR can be achieved with the provision of affordable housing
- DCP told you during the ULURP process that UAP would only apply **on-site**, while the off-site option would be preserved for a period of 10 years, for sites that currently had that option. This is what DCP wrote:

*“UAP is a simple zoning framework that does not include an option to achieve higher FARs by providing affordable housing offsite. However, this provision **maintains an offsite compliance option for UAP zoning lots that have an offsite compliance option today** — that is, zoning lots within existing IHDA or R10 IH areas. This limited offsite option will sunset 10 years after the date of enactment.” [Emphasis added]*

- The 10-year sunset provision was removed by the CPC during the process, but UAP remains on-site only with the limited exception above
- No site in the Special Park Improvement District had the option of using Inclusionary Housing. If we believe DCP’s description of UAP, then it is an error to permit 985 Fifth to use the off-site IH option
- And there are MANY, MANY errors in City of Yes, which we will discuss later

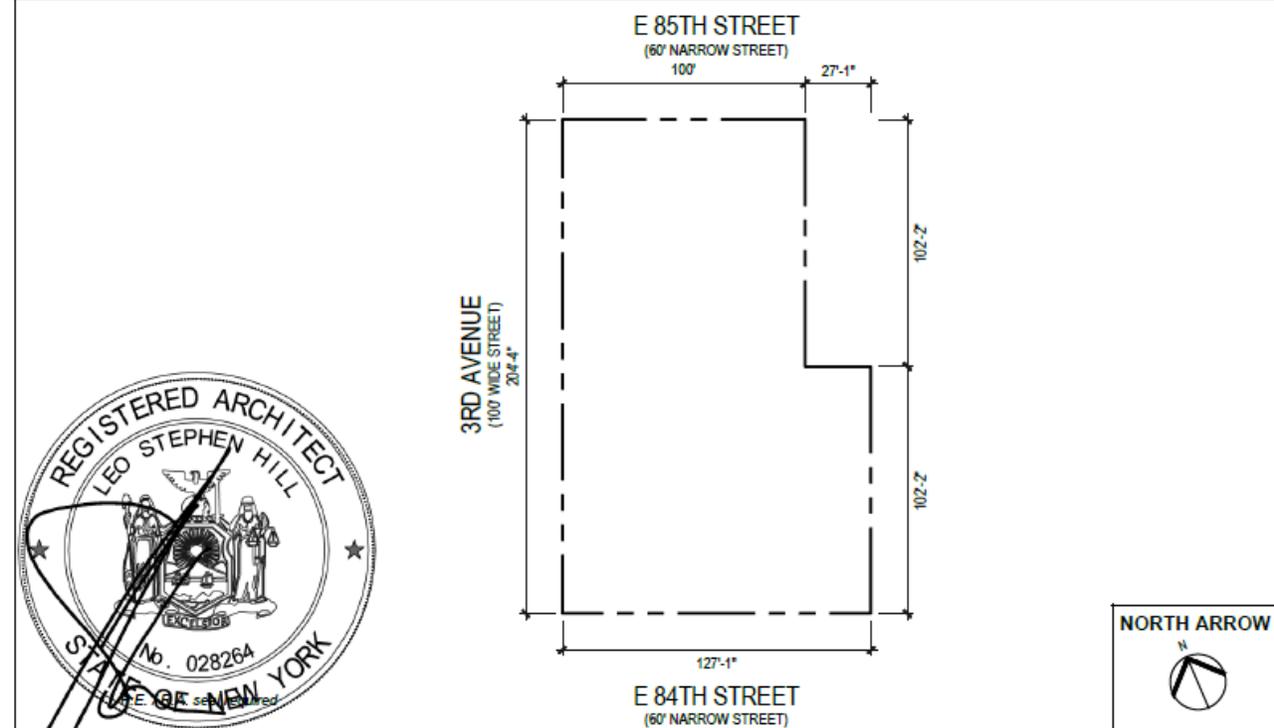
**1491 Third Avenue**

# 1491 Third Avenue just filed at DOB, but we do not yet have plans

- The tower will be located on Third Avenue and 84<sup>th</sup> Street and the zoning lot includes the entire block front

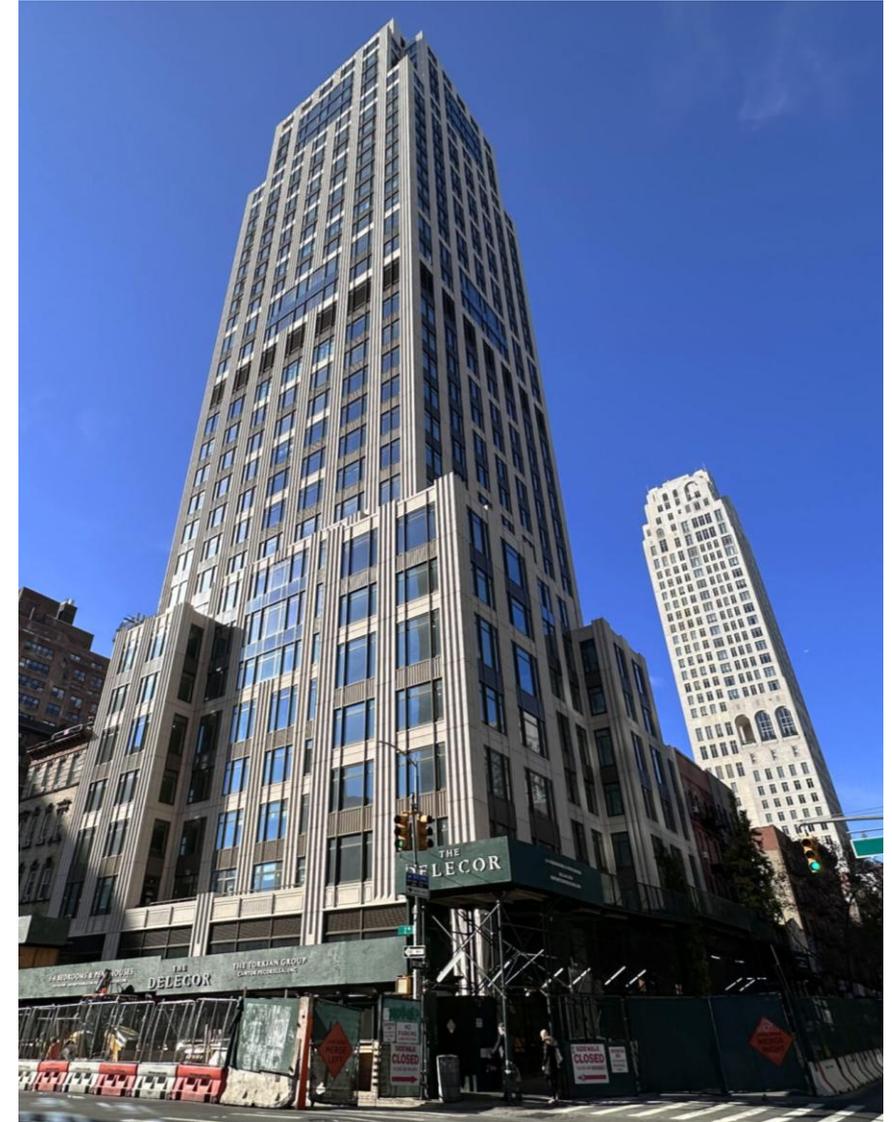


<b>1 Location Information</b>				
House No(s)	207	Street Name	East 84th Street	
Borough	Manhattan	Block	1530	Lot 1
			BIN 1048724	C.B. No. 108
<b>2 Plot Diagram of Zoning Lot</b>				
<p><i>Plot Diagram must show the correct street lines from the City Plan; the plot to be built upon in relation to the street lines and the portion of the lot to be occupied by the building; the legal grades and the existing grades, properly identified, of streets at nearest point from the proposed buildings in each direction; the House Numbers and the Block and Lot Numbers. Indicate dimensions of total tax lots.</i></p>				



# While we have limited information, the design is likely a tower-on-base (TOB)

- Since 1993, nearly all towers on the UES have been TOB

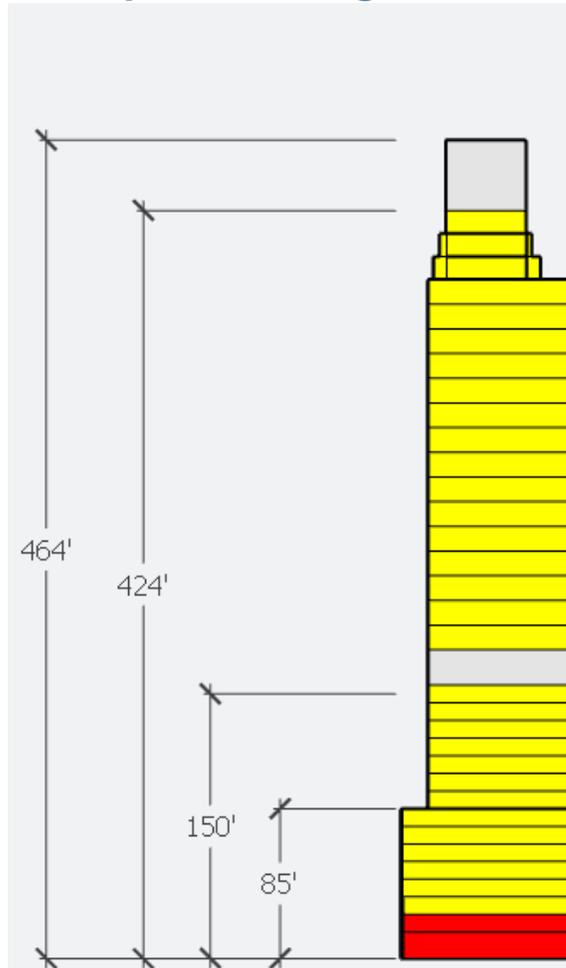


- Older TOB designs are typically 300'-350', while the newer ones are often 400-450'+

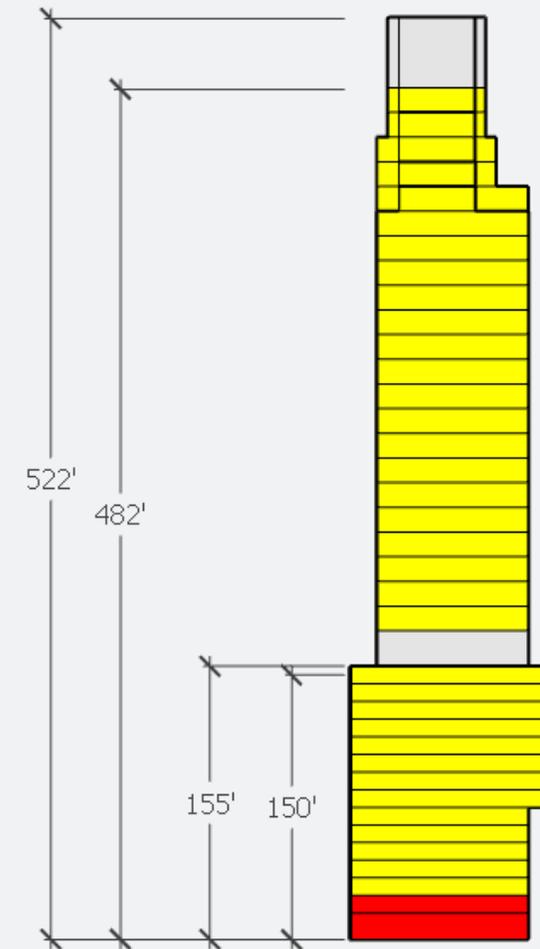
# 1491 Third Avenue is planned to be 37 stories at 510 feet

- COYHO kept TOB, but modified the zoning to permit the use of more floor area
- All TOB designs can now use what we used to call Quality Housing deductions. They can also deduct 5% for being a green building
- These deductions allow for a larger building by exempting some floor area, so the TOB rules needed change to adjust the building envelope
- Before COYHO, the maximum base height was 85 feet. It can now extend to 155 feet
- 1491 Third has been proposed with 120 units, for an average 2,001 SF per unit. That likely means a condo is planned using the off-site option
- Most towers will do off-site affordable or provide no affordable at all
- But information is limited and more details will be forthcoming

**Tower-on-Base  
prior zoning**



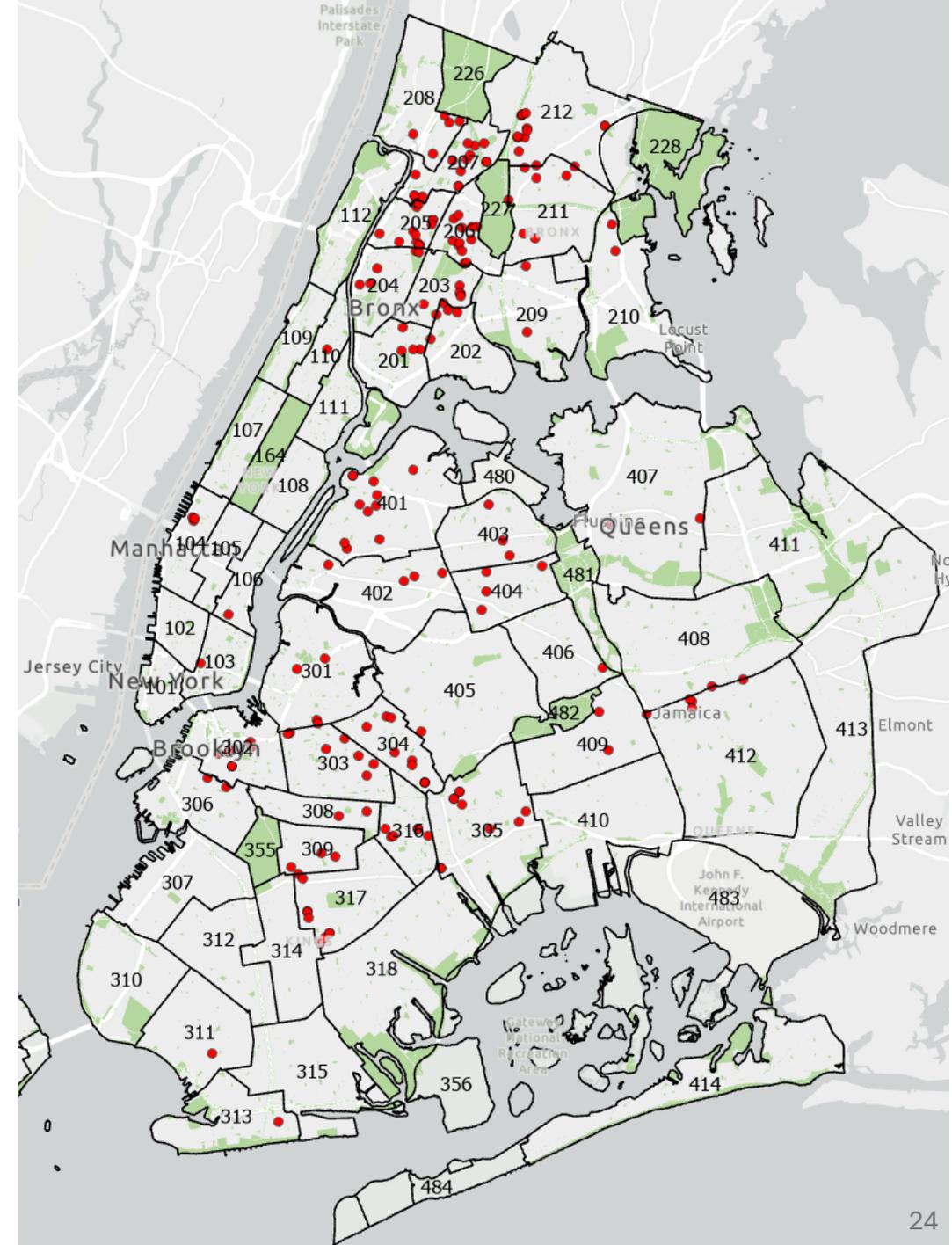
**Tower-on-Base  
COYHO**



**Where does COYHO work for affordability  
and  
Why it matters**

# HPD data shows that CD8 has had zero affordable units developed over the past year

- HPD also publishes a list of projects that intend to use 485-x in the future. Projects that use 485-x in Manhattan are likely also using COYHO's UAP
- This map shows the nearly 200 projects intending to use 485-x as of November 2025. There have been six projects in all of Manhattan, none in CD8
- Condos are not permitted to use 485-x in Manhattan, yet demand favors them, which has resulted in no 485-x\* and limited affordability in CD8
- The City is producing a substantial affordable units, just not in Manhattan. Is that OK?



\* 1653 First Ave appears to be a 485-x project, but they have not yet filed the paperwork to be included in HPD's data

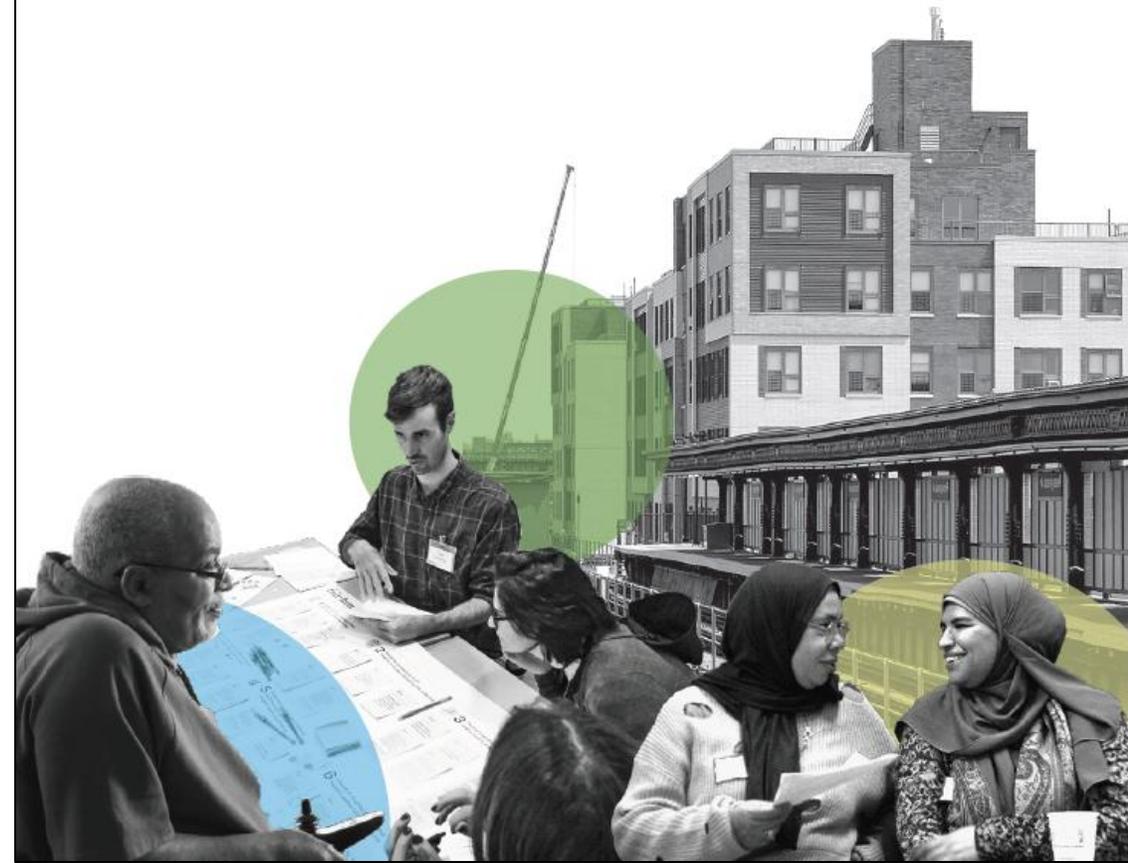
# If we use the City's own metrics, no, that's not OK

- In 2025, the City adopted Where We Live NYC 2025, a fair housing plan
- The pattern we're seeing so far is at odds with:

**Goal 2: Build more housing in all neighborhoods across New York City and the region**

And

**Strategy 2.1: Increase housing opportunities, particularly for low-income New Yorkers, in amenity-rich neighborhoods**



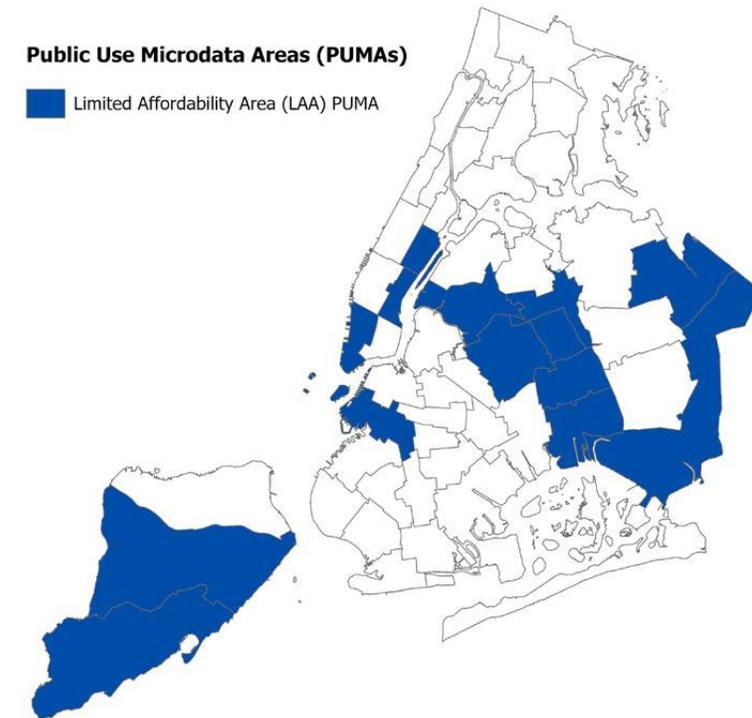
# Later this year, the City will be setting housing targets. Future land use policies will need to be consistent with those housing targets

- The 2023 Fair Housing Framework law requires the City to develop 5-year Citywide Housing Production Targets, including:
  - Total Housing Units
  - Affordable Housing at 60% AMI or below
  - Supportive Housing
  - Units that can accommodate aging households
  - Low-income (60% of AMI) Affordable Housing Preservation
- Every Community District will be assigned their share of these targets and local land use policies must work toward meeting those goals
- The City will also be identifying the 12 Community Districts with the lowest rates of affordable housing production,\* and they will be subject to CPC Fast Track
- Land use actions in CPC Fast Track districts bypass the City Council

\* Affordable units that have their affordability preserved with off-site certificates will likely not count as being produced

# COYHO has been billed as a major tool to help with affordability, but in CD8 it does not appear to be working

- Where We Live states: “*City of Yes for Housing Opportunity zoning reforms will create opportunity in places that have seen the least amount of new housing.*” But it hasn’t in CD8, at least not yet
- It matters because your district is a “Limited Affordability Area,” but the tools DCP developed to address limited affordability are not working in your district
- What could the City do? Many things, including:
  1. Consider new regulations to restrict demolitions and conversions that result in net unit losses
  2. Reject the CPC special permit modification for 800 Fifth if it produces no affordable housing
  3. Withhold the CPC authorization for 655 Madison if it produces no affordable housing
  4. Require 985 Fifth’s affordable housing to be on-site and treat its use of certificates as an error. Apply to all Park Improvement sites
  5. Something else



# **COYHO Errors**

# As I said earlier, COYHO has MANY errors

- Administrative Corrections (ACs) are changes to the Zoning Resolution made by DCP
- ACs have been around for years and most are trivial or obvious errors
- But DCP has corrected about 200 sections of the Zoning Resolution related to COYHO over the past year
- DCP decides when there is an error in the zoning text and then amends the zoning

Date	Corrected Provisions
Dec. 2025	24-33, 25-022, 25-025, 25-222, 32-135, 33-01, 33-431, 36-024, 36-027, 44-561, 62-322, 73-451, 81-21, Article IX Chapter 3 (Appendix A – Map 2), 113-11, 123-21, Article XII Chapter 7 (Appendix – Map 2), 134-212
Oct. 2025	22-132, 36-21, 36-532, 44-21, 101-21, 101-82  Zoning Maps 18b, 19b
Sept. 2025	21-14
July 2025	12-10 (#backyard ancillary dwelling unit#; #detached#; #semi-detached#; #zero lot line building#), 23-443, 23-736, 23-739, 24-04, 25-211, 25-221, 25-631, 27-15, 32-323, 32-33, 32-331, 32-332, 36-231, 36-232, 36-532, 44-232, 62-811, 73-432, 73-44, 81-212, 81-213, 81-613, 81-63, 81-632, 81-642, 81-65, 81-653, 81-741, 81-747, 82-322, 92-22, 96-21, 97-434, 98-423, 99-22, 101-41, 107-40, 107-42, 107-461, 115-232, 116-232, 121-42, 125-33, 127-232, 127 Appendix Map 3, 128-03, 128-11, 128-32, 128 Appendix Map 2, 131-431, 131-443, 131-45, 135-23, 136-52, 139-233, 139-237, 141-23, 143-14, 143-23, 145 Appendix Map 2
June 2025	12-10 (#Transit Zone, Greater#; #Transit Zone, Inner#; #Transit Zone, Outer#), 13-232, 22-132, 22-133, 22-141, 22-144, 23-06, 23-23, 23-312, 23-331, 23-332, 23-333, 23-334, 23-335, 23-341, 23-434, 23-435, 24-05, 24-35, 24-435, 24-54, 25-211, 25-221, 25-231, 25-32, 25-622, 32-121, 32-132, 32-351, 32-672, 34-24, 34-54, 35-04, 35-70, 35-71, 35-80, 35-81, 35-811, 35-812, 35-813, 35-814, 35-815, 36-027, 36-12, 36-461, 36-462, 36-62, 42-131, 44-52, 52-61, 62-323, 62-333, 62-57, 63-24, 66-11, 73-10, 73-53, 74-751, 74-86, 74-903, 78-31, 78-312, 78-42, 79-21, 98-03, 98-51, 98 Appendix C, 139-522
May 2025	12-10 (#floor area#; #waterfront area#), 22-131, 23-232, 23-331, 23-332, 25-212, 25-222, 25-232, 32-131, 32-192, 34-111, 35-22, 35-62, 42-131, 42-316, 43-12, 52-61, 62-11, 62-43, 73-135, 73-47, 74-194, 74-195, 114-02, 123-652, 139-021
April 2025	12-10 (#court#; #court, inner#), 15-12, 22-16, 23-353, 23-52, 23-733, 23-734, 24-20, 27-111, 33-121, 33-123, 35-40, 54-52, 54-53, 62-343, 62-345, 64-313, 81-213, 81-741, 81-743, 81-747, 81-90
Mar. 2025	12-10 (#qualifying residential site#; #select mass transit stations#; #Transit Zone, Outer#), 23-31, 23-343, 23-344, 23-363, 23-613, 23-735, 73-69, 84-13, 85-04, 96-102, 98-41, 143-22

# To be clear, most of these errors are tiny. But I found an error and want to share that experience

- As a part of my review of the Charter Revision ballot proposals, I wanted to know if it could be possible for rezonings that go through ELURP to happen without mapping Mandatory Inclusionary Housing areas
- I remembered that the City of Yes included a requirement that R11 and R12 districts must only be mapped in MIH areas
- But I could not find that text anywhere in the online Zoning Resolution
- Had I misremembered?
- So I went back to the text that was referred out to Community Boards to see if it was there

# Yes, the text I remembered was in the zoning referred to Community Boards . . .

21-15

## **R3-2, R4, R4B, R5, R6, R7, R8, R9 and, R10, R11 and R12 — General Residence Districts**

These districts are designed to provide for all types of residential buildings, in order to permit a broad range of housing types, with appropriate standards for each district on density, open space, and spacing of buildings. However, R4B Districts are limited to single- or two-family dwellings, ~~and~~ as well as all types of residences in appropriate locations. In addition, zero lot line buildings are not permitted in R3-2, R4 (except R4-1 and R4B), and R5 (except R5B) Districts. The various districts are mapped in relation to a desirable future residential density pattern, with emphasis on accessibility to transportation facilities and to various community facilities, and upon the character of existing development. These districts also include community facilities and open uses which serve the residents of these districts or benefit from a residential environment.

~~R7-3 and R9-1 Districts may be mapped only as specified in this paragraph. Such districts may be mapped within the waterfront area and in the Special Mixed Use Districts and Mandatory Inclusionary Housing Areas. In addition, R7-3 Districts may be mapped in the Special Long Island City Mixed Use District.~~ R11, R11A and R12 Districts may only be mapped in Mandatory Inclusionary Housing areas.

**Commented [Z4]:** The Proposal updates the section to reflect the creation of new high-density districts (R11 and R12). These districts would only be able to be mapped in Mandatory Inclusionary Housing Area through public review.

The Proposal also removes geographic limitations on where R7-3 and R9-1 districts can be mapped today to allow their future use through public review in a broader range of geographies.

# The missing text was also in the version approved by the City Council. The CPC added the sentence after it

~~21-15~~

21-14

~~R3-2, R4, R4B, R5, R6, R7, R8, R9 and, R10, R11 and R12~~ — General Residence Districts

~~These districts are designed to provide for all types of residential buildings, in order to permit a broad range of housing types, with appropriate standards for each district on density, open space, and spacing of buildings. However, R4B Districts are limited to single- or two-family dwellings, and as well as all types of residences in appropriate locations. zero lot line buildings are not permitted in R3-2, R4 (except R4-1 and R4B), and R5 (except R5B) Districts. The various districts are mapped in relation to a desirable future residential density pattern, with emphasis on accessibility to transportation facilities and to various community facilities, and upon the character of existing development. These districts also include community facilities and open uses which serve the residents of these districts or benefit from a residential environment.~~

~~R7-3 and R9-1 Districts may be mapped only as specified in this paragraph. Such districts may be mapped within the waterfront area and in the Special Mixed Use Districts and Mandatory Inclusionary Housing Areas. In addition, R7-3 Districts may be mapped in the Special Long Island City Mixed Use District. R11, R11A and R12 Districts may only be mapped in Mandatory Inclusionary Housing areas.~~

Unless otherwise specified, the regulations applicable to R10 Districts shall apply to R10H Districts.



The text was approved by the City Council

# But the sentence was missing from the version of the zoning text found online in September 2025

## 21-14 R3-2, R4, R4B, R5, R6, R7, R8, R9, R10, R11 and R12 – General Residence Districts

LAST AMENDED 12/5/2024

HISTORY



These districts are designed to provide for all types of residential buildings, in order to permit a broad range of housing types, with appropriate standards for each district on density, open space, and spacing of buildings. However, R4B Districts are limited to single- or two-family dwellings, , as well as all types of residences in appropriate locations. The various districts are mapped in relation to a desirable future residential density pattern, with emphasis on accessibility to transportation facilities and to various community facilities, and upon the character of existing development. These districts also include community facilities and open uses which serve the residents of these districts or benefit from a residential environment.

Unless otherwise specified, the regulations applicable to R10 Districts shall apply to R10H Districts.

- The sentence was deleted from the middle of the section. It should have been here
- Did they just fail to update the text online when it was adopted back in December 2024?

# To see if it was a technical error, I went back to the Zoning Resolution I downloaded right after the new zoning was adopted

- The change was in the version DCP distributed after City of Yes was adopted

(12/5/24)

**21-15**

**R3-2, R4, R4B, R5, R6, R7, R8, R9, R10, R11 and R12 — General Residence Districts**

These districts are designed to provide for all types of residential buildings, in order to permit a broad range of housing types, with appropriate standards for each district on density, open space, and spacing of buildings. However, R4B Districts are limited to single- or two-family dwellings, as well as all types of residences in appropriate locations. The various districts are mapped in relation to a desirable future residential density pattern, with emphasis on accessibility to transportation facilities and to various community facilities, and upon the character of existing development. These districts also include community facilities and open uses which serve the residents of these districts or benefit from a residential environment.

R11, R11A and R12 Districts may only be mapped in Mandatory Inclusionary Housing areas.

Unless otherwise specified, the regulations applicable to R10 Districts shall apply to R10H Districts.

- The sentence was deleted from the zoning text after it was adopted and posted

## To be clear, this isn't some random sentence

- Before this sentence, the mapping of MIH areas was entirely internal DCP policy
  - Requirements for when MIH areas are mapped are not in the Zoning Resolution
  - They are not described in a DCP rule
  - It is a DCP policy -- which they have applied consistently -- but policies can change without a public process
- This sentence is the only place in the Zoning Resolution I'm aware of that declaratively states that certain zoning districts must be in MIH areas
- And it suddenly went missing

# **I reached out to the City Council; they responded immediately**

- They independently verified the missing text and contacted DCP
- DCP said there was an error and the missing text was put back. It can be found online today
- It is possible the text was deleted in error since this change was never marked as an administrative correction. It just disappeared. But at minimum, it's a concerning error
- What safeguards has DCP put in place to prevent such errors from reoccurring?

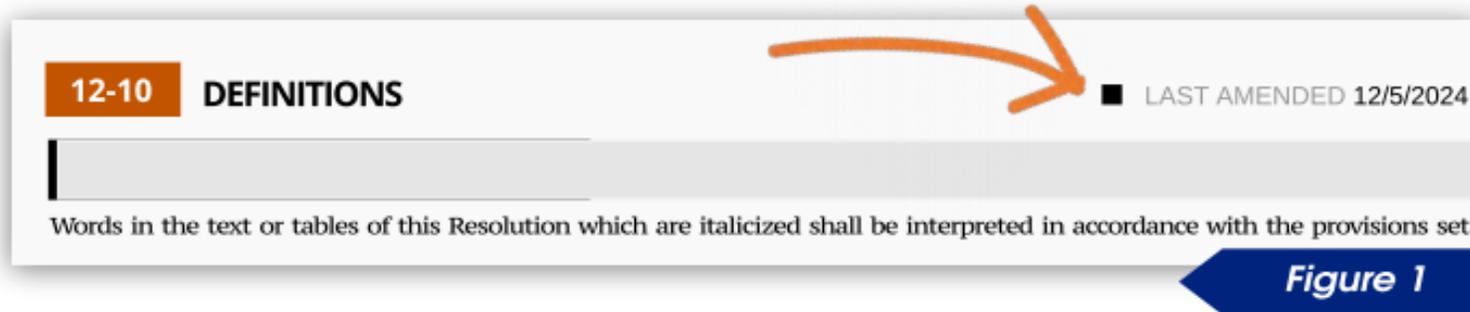
# Because DCP can't just delete whole sentences from the Zoning Resolution. Or can they?

- Turns out, had the sentence been marked as an administrative correction, DCP could have just deleted the sentence
- Such a change would not have been in the spirit of administrative corrections, but I think it would have been possible
- That's because there is *no oversight*. There is no one looking over their shoulders, asking questions or approving the changes; DCP has sole discretion over administrative corrections
- And while most are tiny changes, there have been consequential changes

# We know there have been consequential changes because DOB had to issue an advisory

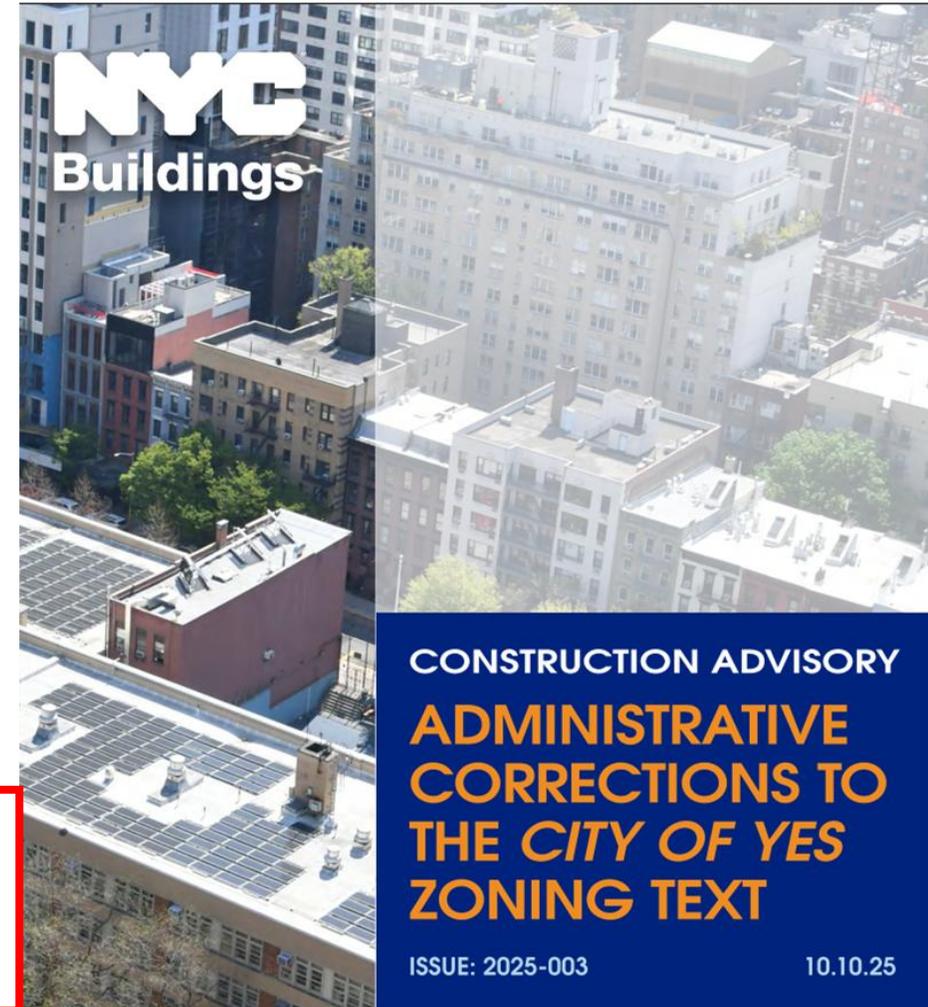
- DOB issued this [construction advisory](#) in October. It's worthwhile to quote:

Due to the **high volume of changes**, applicants are strongly advised to **review zoning text carefully and to check for the black squares even after permit is issued**, to ensure compliance with the most recent, corrected version.



## WHY THIS MATTERS...

- Unlike zoning text amendments that provide vesting opportunities of the old zoning text, filings subject to ACs **may receive new zoning objections at any point, even after DOB permit issuance** and prior to issuance of Final Certificate of Occupancy.



# How does all of this relate to CD8?

- DCP was clear: the off-site option should only apply to sites with that option pre-COYHO
- 985 Fifth never had such an option, and yet it is using off-site certificates, contrary to DCP's written guidance
- DCP could not have been clearer on the zoning's intent, so if they need to correct a loophole found by this developer, they should correct the zoning as they have done 200 times over the past year
- If they do, this developer will have to provide the affordable units on-site, just as all other developers will need to do on sites that could not use the off-site option
- An administrative correction would be evidence that DCP meant what they wrote and did not misrepresent how the zoning would work during the process

## Finally, and unrelated to CD8, shouldn't there be some oversight?

- It seems like a mistake to let DCP identify errors and then change the Zoning Resolution without oversight
- During the process to amend the Zoning Resolution, we argue over words and their meaning--important words that shape the future of the City, words that become law
- And after that process, DCP gets to decide that some of those words are a mistake? And they can change them without anyone else's approval?
- That just seems wrong, especially if it's being done at scale. Just last month, DCP corrected another 19 sections, a full year after City of Yes passed
- We know the sections, but we don't know the substance or the reason for the corrections
- Mistakes and corrections are normal, but should corrections to zoning be made without oversight or explanation?

# **Final Thoughts**

# It is true that large portions of CD8 have been losing housing units on a net basis in recent years

- This is not the fault of COYHO; it is the continuation of a long-standing trend
- But COYHO has done NOTHING to stop the trend and likely exacerbated it

Net Housing Unit Change by block 2010-2025



# It's frustrating because we told DCP that COYHO wouldn't address affordability and housing unit loss on the UES

- But those discussions happened AFTER COYHO certified. DCP couldn't include new proposals after certification even if they wanted
- A year after COYHO, NYC continues to praise itself for passing new zoning that does not help, and likely exacerbates, this district's issues with affordability and fair housing
- One year later, we are still nowhere near solutions for net housing unit loss and fair housing on the UES (and other parts of the Manhattan Core)

# But past is not necessarily prologue

- We have new leadership in the City. We will soon have new leadership at DCP
- If your Board thinks the issues that have been outlined are a problem, you should have an informational meeting with DCP to review those problems
- You should be prepared to discuss potential solutions to those problems. They might include:
  1. New regulations that would restrict demolitions and conversions that result in net unit losses
  2. Reject the CPC special permit modification for 800 Fifth if it produces no affordable housing
  3. Withhold the CPC authorization for 655 Madison Ave if it produces no affordable housing
  4. Require 985 Fifth's affordable housing to be on-site and treat its use of certificates as one of the many COYHO errors
  5. Something else
- See leadership change as an opportunity to be proactive. There will never be a better time

## Discussion



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

Tel: 646.652.6498  
[george@georgejanes.com](mailto:george@georgejanes.com)

# City of Yes in CD8 One year later

George M. Janes, AICP  
1/27/2026