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Project Description

This chapter provides descriptive information about the requested discretionary land use action and the development project that could be facilitated by the requested actions. The purpose of this chapter is to convey project information relevant to environmental review.

Introduction

The Housing Blueprint, released in June 2022, is the City's plan to enable greater production of housing and affordable housing in neighborhoods throughout New York City. The plan addresses the city's crippling housing crisis and its real and direct human consequences—high rents, displacement pressure, segregation, gentrification, poor housing quality, tenant harassment, homelessness, and more. The Housing Blueprint also lays out a range of initiatives and tools necessary to make progress on these issues. The Proposed Action described below represents the initiatives and tools relating to zoning, land use regulation, and related laws. The Housing Blueprint makes clear that many of the obstacles to more housing and more affordable housing are rooted in outdated or overly restrictive zoning regulations that have stifled housing production in recent decades even as the housing crisis and its consequences have worsened.

The pervasive nature of the housing crisis calls for a citywide approach, with every neighborhood—from the lowest-density areas to the highest—doing its part to provide a broader range of housing opportunities for the people who call New York City home. Incremental changes across a wide geography can create a significant amount of housing and affordable housing without resulting in dramatic change that can tax infrastructure and that neighborhoods sometimes fear and resist. This is what the Proposed Action aims to accomplish.

While all neighborhoods must do their part, different neighborhoods call for different approaches. Densities, building forms, and other regulations appropriate for central locations with the best access to jobs and transit may not work in neighborhoods farther from the core. With that in mind, the Proposed Action comprises a range of proposals designed to encourage more housing and

affordable housing in the range of New York City neighborhoods. Among others, the Proposed Action includes proposals to provide more space for affordable and supportive housing in medium- and high-density districts; to bring back modest, contextual three- to five-story apartment buildings in transitional areas; and to allow homeowners in New York City's lowest-density areas to add a small ancillary dwelling unit (also known as "ADU" or "accessory dwelling unit"), if they choose.

To create more housing and more types of housing, the Proposed Action includes components that fall into four major proposal areas—1: Medium- and High-Density Districts, 2: Low-Density Districts, 3: Parking, and 4: Other Initiatives that are miscellaneous, citywide in nature, and align with overall project goals.

1: Medium- and High-Density Proposals

Medium- and high-density districts (R6 through R10) are typically mapped in areas where transit access, job access, infrastructure, and other factors make such densities appropriate. Housing in these areas generally consists of multifamily housing that includes income-restricted affordable housing, rent-regulated housing, and market-rate housing that ranges from modest and relatively inexpensive to some of the most expensive housing in the world. The Proposed Action would increase housing opportunities in these areas by increasing affordable and supportive floor area ratios (FARs) in all medium- and high-density districts, expanding eligibility for the City's adaptive reuse regulations to a broader range of buildings such as struggling office districts, enabling small and shared apartment models to take pressure off family-sized units, and simplifying infill regulations for campuses and other zoning lots with existing buildings. These initiatives are described more fully below.

2: Low-Density Proposals

Low-density districts are usually mapped in areas with less access to transit, jobs, and infrastructure than medium- and high-density areas. In some areas, they have also served as unduly restrictive ways to "protect" neighborhoods from unwanted change and development, a condition that is certainly not unique to New York City. Housing in these areas may consist of one- and two-family homes but also multifamily housing constructed under current regulations, where still permitted and feasible, or prior to the advent of contemporary low-density zoning in 1961. The Proposed Action would increase housing opportunities in these areas by adjusting zoning regulations to ensure that two- and multi-family districts genuinely allow two- and multi-family housing nominally permitted, by reintroducing modest 3- to 5-story apartment buildings in low-density commercial districts and on large sites near transit, and by newly enabling owners of one- and two-family houses to add an ADU if they choose. Aspects of the conversions and small and shared apartments proposal will apply in low-density areas as well. These initiatives are described more fully below.

3: Parking Proposals

Residential parking regulations set minimum numbers of required parking spaces based on zoning district and number of dwelling units, as modified by relevant geographies (like the "Transit Zone" which is to be renamed the Inner Transit Zone), housing type (such as "income-restricted housing unit" (IRHU) or "affordable independent residences for seniors" (AIRS)), and other factors such as lot size. In general, these regulations date to the 1960s when the automobile was ascendant, and housing was relatively inexpensive and abundant. The Proposed Action would increase housing

opportunities by eliminating costly parking mandates citywide for new residential development and simplifying the suite of exemptions and discretionary actions for existing residential developments.

4: Other Initiatives

The Proposed Action will also include a range of other proposals intended to facilitate more housing and a broader range of housing types by removing obstacles, simplifying overcomplicated zoning, and updating regulations conceived in the last century to address a very different set of circumstances. These include relief for challenged sites and from unnecessarily onerous procedures; adjustment or elimination of outdated or exclusionary limits on development; and creation of residential zoning districts to ensure a full range of densities appropriate for New York City neighborhoods, among other initiatives.

The City Planning Commission (CPC) has determined that an Environmental Impact Statement (EIS) for the Proposed Action will be prepared in conformance with City Environmental Quality Review (CEQR) guidelines, with DCP acting on behalf of the CPC as the lead agency. The environmental analyses in the EIS will assume a development period of 15 years for the reasonable worst-case development scenario (RWCDS) for the Proposed Action, as defined herein, (i.e., analysis year of 2039). DCP will conduct a coordinated review of the Proposed Action with involved and interested agencies.

Required Approvals and Review Procedures

The proposed Zoning Text Amendment encompasses a discretionary action that is subject to review under Section 200 of the City Charter, and the City Environmental Quality review (CEQR) process.

City Environmental Quality Review (CEQR) and Scoping

The Proposed Action is classified as Type I, as defined under 6 NYCRR 617.4 and 43 RCNY 6-15, subject to environmental review in accordance with CEQR guidelines. An Environmental Assessment Statement (EAS) was completed on September 26, 2023. A Positive Declaration, issued on September 26, 2023, established that the Proposed Action may have a significant adverse impact on the environment, thus warranting the preparation of an EIS.

The CEQR scoping process is intended to focus the EIS on those Issues that are most pertinent to the Proposed Action. The process allows other agencies and the public a voice in framing the scope of the EIS. The scoping document sets forth the analyses and methodologies that will be utilized to prepare the EIS. During the period for scoping, those interested in reviewing the Draft Scope may do so and give their comments to the lead agency.

In accordance with SEQRA and CEQR, a Draft Scope was distributed for public review. The issuance of the Draft Scope marks the beginning of the public comment period. The scoping process allows the public a voice in framing the scope of the EIS. The public, interested agencies, Community Boards, and elected officials were invited to comment on the Draft Scope of Work, either in writing or orally, at a public scoping meeting that was held on October 26, 2023, starting at 2:00 PM. To allow for broad public participation options, DCP held the public scoping meeting remotely. Instructions on how to view and participate, as well as materials relating to the meeting, were made available at the DCP Scoping Documents webpage (https://www.nyc.gov/site/planning/applicants/

scoping-documents.page) and NYC Engage website https://www.nyc.gov/site/nycengage/index.page in advance of the meeting.

Comments received during the Draft Scope's public hearing and written comments received up to ten days after the hearing (through 5:00 PM on Monday, November 6, 2023) were considered and incorporated as appropriate into the Final Scope of Work (Final Scope). The Final Scope incorporates all relevant comments made on the Draft Scope and revise the extent or methodologies of the studies, as appropriate, in response to comments made during scoping. This Draft EIS (DEIS) has been prepared in accordance with the Final Scope.

This DEIS will be made available for public review and comment. A public hearing will be held on the DEIS in conjunction with the CPC hearing on the land use application to afford all interested parties the opportunity to submit oral and written comments. The record will remain open for ten days after the public hearing to allow additional written comments on the DEIS. At the close of the public review period, a Final EIS (FEIS) will be prepared that will incorporate all substantive comments made on the DEIS, along with any revisions to the technical analysis necessary to respond to those comments. The FEIS will then be used by the decision makers to evaluate CEQR findings, which address project impacts and proposed mitigation measures, in deciding whether to approve the requested discretionary actions, with or without modifications.

Purpose and Need

The continued housing shortage has tremendous human consequences—high housing costs, displacement and gentrification pressure, segregation, increased homelessness, tenant harassment, low housing quality, and other effects of a market where residents have very limited options because of housing scarcity. Almost every hardship of the New York City housing market can be traced back to an acute shortage of housing.

The housing shortage drives up prices for everyone. According to federal housing guidelines, an apartment must cost 30 percent or less of a household's gross income to be considered affordable. Today, the share of renters in the city who pay more than this (and are thus "rent-burdened") remains the highest on record. According to the most recent data, 53 percent of renter households in New York City are rent-burdened, including 32 percent of renter households who are severely burdened and pay more than 50 percent of their income toward housing costs. The median New York City renter paid 34 percent of their income toward housing costs—that is, half of renters had a higher burden and half had less. The lowest-income households are the most severely affected. Housing with rents that are affordable to the average New Yorker is even harder to find: vacancy rates for apartments renting for less than $1,500 per month, for instance, are less than one percent. For example, a household of three people earning 60 percent of Area Median Income (AMI) in 2019 would have needed to find a 2-bedroom apartment renting for $1,290 or less. Especially for households with lower incomes overall, this high level of rent burden means that residents have less money to spend on food, childcare, education, healthcare, and other necessary expenses.

The lack of housing also raises the cost of owner-occupied housing, depriving homeownership to a broad segment of New York City's population. Indeed, despite its wealth, New York City has one of the lowest homeownership rates of any city nationwide. This narrows housing choice for New Yorkers and excludes too many from the control and wealth-building opportunities that homeownership affords. More housing can benefit renters, homeowners, and potential homeowners alike.

Despite the City's unparalleled investments in creating and preserving affordable rental housing over the past 40 years, the continued shortage of housing options contributes to the City's ongoing affordability and homelessness crisis. This crisis impacts millions of New Yorkers in detrimental ways, from struggling to keep up with high housing costs, to spending months or years in shelter, to dealing with pests, mold, lead paint, and heat outages in older homes that landlords in a tight market have little incentive to maintain.

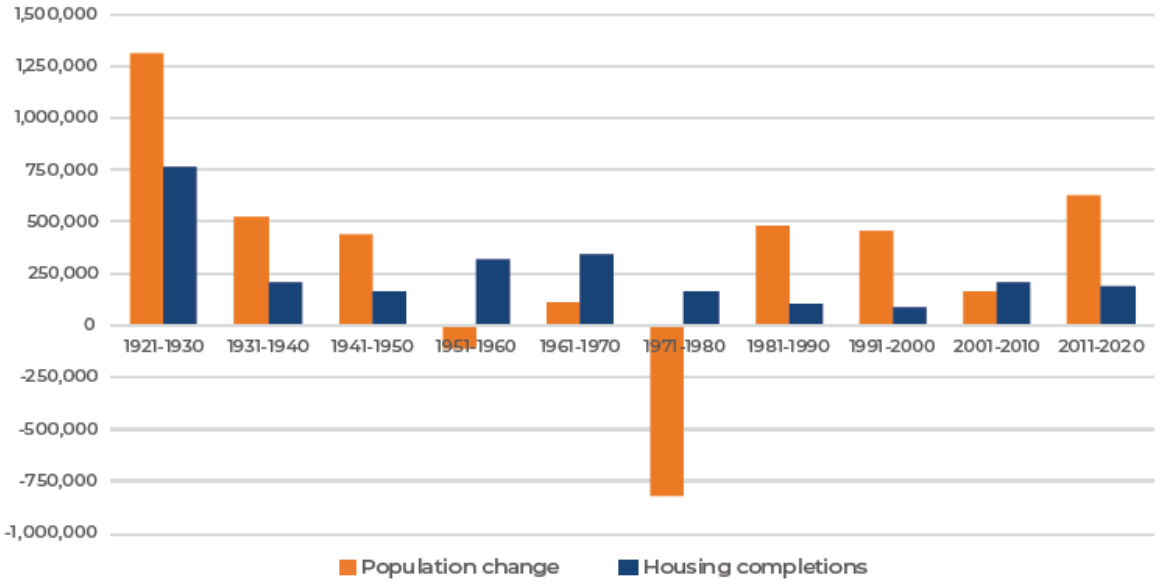
The housing shortage exacerbates disparities in access to transit, amenities, and economic opportunity, forcing many households to make trade-offs between the location, quality, and affordability of housing. High home prices put homeownership and its wealth-generating benefits out of reach for the vast majority of New Yorkers, especially communities of color. A large and growing body of research by Harvard Professor Raj Chetty and others documents the consequences: Drastically divergent life outcomes for families and children depending on where they can afford to live. The housing shortage is a primary driver of this fair housing disaster.[1]

The City cannot solve its affordability and homelessness crisis without changing the trajectory of housing growth in New York City. In recent decades, New York City has experienced rapid population growth. More recently, housing demand has spiked as people seek more space in the aftermath of the pandemic. Rental housing is under particular pressure as high mortgage rates prevent people from accessing or even attempting to access homeownership opportunities. Housing production has not kept pace. This accumulated housing shortage has led to significant increases in housing costs and placed enormous pressure on low-income New Yorkers (see **Figure 1-1**). To reverse this crisis and meet the housing needs of all residents, the pace of housing production must be increased today and into the future.

New York City's housing stock has not kept up with the rapid population growth, job growth, and new household formation that our city has experienced in recent decades. Even as the population surged throughout the 1980s and 1990s, housing was built at a much slower pace than was necessary to meet the demand. These trends have created a cumulative housing shortage from which the city has yet to recover. Although housing construction picked up in the 2000s, much less housing is being built today than during the first three-quarters of the 20th century, adding too few units to keep up with job and population increases. New York City produces significantly fewer new units per capita than many other major cities across the country (see **Figure 1-2**). This worsening shortage is the leading driver of increased housing costs as a burgeoning population competes for limited housing stock.

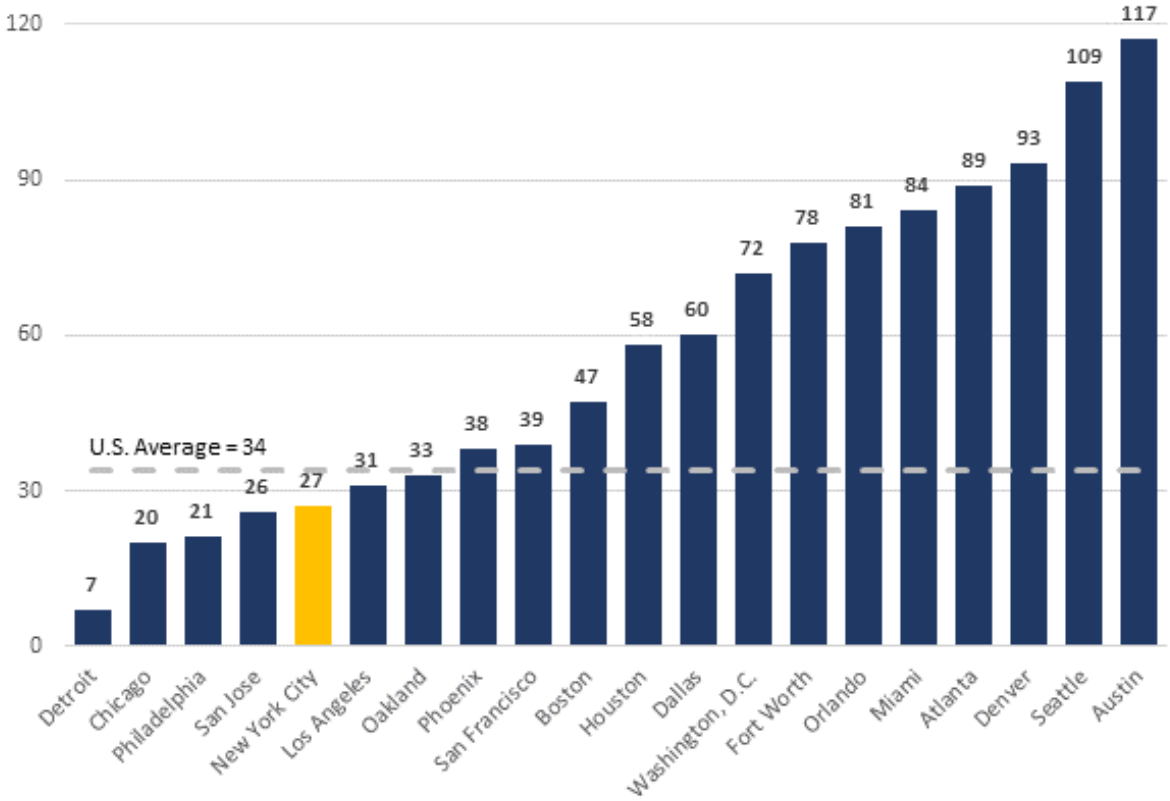
[1] https://opportunityinsights.org/

Figure 1-1 Population Change vs. Housing Completions in NYC by Decade, 1921-2020



Source: Department of City Planning

Figure 1-2 New Housing Units per 1,000 Residents in Major U.S. Cities, 2011-2020



Sources: U.S. Census Bureau Building Permit Survey (BPS) County Annual Files (imputed); U.S. Census Bureau Delineation Files March 2020; NYC DCP Housing Database Q4 2020; U.S. Census Bureau Redistricting Data Files 2021. New housing units measured as authorizations for new units by building permits.

The lack of housing and affordable housing puts New Yorkers at greater risk of housing instability and makes it more difficult for residents experiencing homelessness to regain stable housing. Even though the City has expanded the availability and purchasing power of housing vouchers for tens of thousands of homeless New Yorkers, there are simply not enough available homes, making it difficult for households with vouchers to find an apartment to move into. The impacts of COVID-19 exacerbated these challenges, contributing to longer stays in shelter for New Yorkers in need. While the average length of stay in shelter for families with children was already 446 days in Fiscal Year 2019, it grew to 520 days in Fiscal Year 2021. This means that the average homeless family now stays in shelter for the better part of two years.

High prices and prolonged shelter stays in a tight housing market with few options are not the only ways that the housing crisis manifests. The housing options of many New Yorkers are constrained not only by the lack of affordable housing overall but the dearth of affordable options that meet individual household needs. Growing numbers of seniors and young adults are forced into difficult rooming situations because of the lack of studio and one-bedroom apartments. Intergenerational families and other household types may be forced to compromise their privacy, space, and other housing preferences because they cannot find affordable units that meet their needs.

The harms of the housing crisis also exacerbate long-standing racial inequities in our housing stock and neighborhoods. New Yorkers of color and particularly Black and Hispanic residents are disproportionately impacted by the housing and homelessness crisis. Although Black and Hispanic New Yorkers make up approximately 49 percent of the City's population, 94 percent of families with children in shelter are Black or Hispanic.

The stress, insecurity, and often crowded conditions that come with homelessness and unstable housing have a profound impact on the ability of students to learn and perform in school. In 2018, fewer than two in three students who had experienced temporary housing graduated on time.

Black and Hispanic/Latino New Yorkers are also significantly more likely to experience unsafe and unhealthy housing conditions, such as lack of heat, the presence of rodents, mold, asbestos, and peeling paint that may expose children to lead. In 2021, one in five Black and Hispanic New Yorkers reported experiencing three or more maintenance problems in their homes, compared to only 7 percent of White non-Hispanic households.

It is no coincidence that many components of the Proposed Action have their origins in the *Where We Live NYC Plan*, New York City's federally mandated fair housing report that identifies the goals, strategies, and actions the City will take to "affirmatively further fair housing" to address long-standing racial inequities in the years ahead.

The Role of Zoning

While development decisions are driven by a variety of factors, a growing body of research shows that restrictive zoning is by far the leading cause of the dire housing shortages facing high-cost housing markets along the coasts and in an increasing number of cities throughout the country. The inability to build enough housing means that housing need, fueled by growing populations, increased household formation, and national and regional economic growth, translates into higher and higher housing costs rather than more housing.

The role of zoning is apparent in New York City, where years-long planning efforts to increase housing capacity and introduce inclusionary housing one neighborhood at a time in medium- and

high-density neighborhoods have yielded insufficient results. At the same time, housing production in New York City's lower density areas has plummeted. Prior to the mid-2000s, low-density areas accounted for a significant percentage of housing production citywide, but changes to zoning and other applicable laws have brought that to a near standstill. The introduction of low-density contextual districts in the 1980s and 1990s, and the creation of "Lower Density Growth Management Areas" in the early 2000s, have halted housing production across a wide swath of the city.

As a result, the vast majority of housing production in New York City comes in the form of more expensive multifamily typologies, such as high-rises that require steel and reinforced concrete construction, with lower density areas contributing relatively small numbers of one- or two-family homes. Construction of smaller apartment buildings, common prior to 1961 when the current zoning resolution was implemented, is largely a thing of the past. This is the "missing middle" housing that is relatively inexpensive to build and filled an important market niche in times past. The dearth of missing middle housing hits many New York City neighborhoods harder with each passing year, contributing to overcrowding and the spread of informal housing in lower density areas that can present very real health and safety issues.

Missing middle housing was not the only type to dwindle for reasons of prejudice and exclusion. For instance, New York City effectively banned rooming units in the 1950s and actively worked to phase out Single Room Occupancy (SRO) housing in the decades that followed, largely because it was seen as attracting an unsavory population. The City realized that SROs provided crucial housing of last resort during the burgeoning homelessness crisis in the 1980s and completely reversed course, mandating that any existing SROs continue operating—a policy that was struck down in the landmark Seawall Associates v. New York City in 1984. By that time, much of the SRO stock was gone. This was an important demonstration of the principle that banning housing or certain types of housing does not make the people who need that housing disappear.

In the face of these spreading shortages, research shows that new housing can have a moderating effect on housing costs on a regional, citywide, and even neighborhood scale by giving tenants and others more options. With this context in mind, the Proposed Action aims to address the housing shortage and its human consequences by facilitating new housing and a wider range of housing types in every neighborhood in New York City—from the lowest density areas to the highest.

In medium- and high-density districts, the Proposed Action would create a universal inclusionary housing framework that maintains existing FARs for market-rate housing while providing a preferential FAR for all affordable and supportive housing, matching the existing higher FAR available today for Affordable Independent Residences for Seniors (AIRS)—that is, senior affordable housing. In districts that do not have a higher FAR for AIRS, the Proposed Action would create a new preference for affordable and supportive housing that is 20 percent higher than FAR for market-rate housing. Where necessary, the Proposed Action would also adjust building envelopes to ensure that typical sites can accommodate the additional floor area provided for affordable and supportive housing. This incremental increase in capacity, available only for affordable and supportive housing, has the potential to create significant amounts of new affordable housing over time to address both the fundamental housing shortage and the lack of low-cost housing.

In medium- and high density non-contextual districts, the Proposed Action would eliminate barriers to contextual, height-limited infill development on "tower-in-a-park" residential campuses and other zoning lots with existing buildings developed pursuant to outdated zoning regulations originally

intended for Urban Renewal projects on cleared "superblocks".[2] The Proposed Action would also extend or create flexible Quality Housing envelopes for irregular or obstructed sites in medium- and high-density non-contextual districts, enabling Quality Housing on sites that may be forced to develop pursuant to Height Factor regulations under today's zoning—an outcome that neither developers nor neighborhood residents tend to like. The Proposed Action would also create a discretionary action for sites that need more relief to develop pursuant to Quality Housing regulations. These actions would create incremental opportunities for new housing in medium- and high-density non-contextual districts throughout the City in building forms that fit in better with existing context.

The Proposed Action would extend the City's powerful adaptive reuse regulations citywide and to buildings constructed in 1990 or earlier and would enable conversion to a wider range of housing types, such as supportive housing, dormitories, and rooming units. This action has the potential to create significant amounts of new housing from vacant office buildings and other underutilized non-residential space, with adjustments to the overall framework that make it easier for conversions to reach lower market tiers and especially underserved niches in the housing market.

Within the Inner Transit Zone, the Proposed Action would allow developments consisting of smaller apartments, such a studios and one-bedrooms, by eliminating the "dwelling unit factor" (DUF), a zoning regulation that sets a minimum average unit size for multifamily developments. This prohibits building types that in times past filled an important market niche for smaller households, including young people, old people, marginally housed populations, and the many New Yorkers who want to live alone but are forced into sometimes difficult rooming situations. The Proposed Action would reduce and simplify DUF outside the Inner Transit Zone. While the primary obstacles to rooming units exist outside of zoning regulations, the Proposed Action would remove or adjust zoning provisions that stand in the way of rooming units when otherwise allowed under applicable laws. These actions are not expected to induce development so much as enable a broader range of typologies than would otherwise be permitted.

In low-density districts, the Proposed Action would adjust FAR, height, and yard regulations, among other provisions, to save existing housing from non-compliance and enable new development consistent with what low-density districts ostensibly allow today. The layering of restrictions over time has resulted in many existing buildings no longer complying with zoning, making it difficult or impossible to adapt these buildings to changing needs. These restrictions also mean that it can be difficult or impossible to develop anything other than a single-family home, even in districts that nominally allow two-family houses or small apartment buildings. These actions will help to reduce barriers for existing homeowners in these areas while enabling marginally more housing in low-density districts.

In low-density districts, the Proposed Action would greatly expand opportunities for new "missing middle" housing—that is, small apartment buildings that are relatively inexpensive to build and hearken back to forms prevalent in these areas prior to the advent of low-density zoning in 1961. The Proposed Action would address decades of restrictions and enable small apartment buildings with non-residential ground floors in all low-density commercial districts, bringing back a beloved typology illegal in low-density areas today. The Proposed Action would also enable transit-oriented missing middle housing on large sites within the Greater Transit Zone—that is, the Manhattan Core

[2] Superblocks are formed by eliminating sections of streets from the overall street grid to assemble large parcels; many superblocks were created in the mid-20th century for the development of tower-in-the-park housing projects; other superblocks were formed for civic and institutional uses, such as Grand Central Terminal, the New York Public Library, Rockefeller Center, Lincoln Center, among others.

and Long Island City, the Inner Transit Zone, and a newly created Outer Transit Zone that will generally encompass all areas within a half-mile of a transit stop. These initiatives add housing in parts of the city that have produced very little in recent decades, but also encourage housing options for older, smaller, or lower-income households that face particular challenges finding appropriate housing in low-density areas. The Proposed Action would also remove obstacles to construction of new infill development in low-density districts on campuses above 1.5 acres and full-block sites, based on FAR, maximum lot coverage, relaxed distance-between-buildings regulations, and new height limits.

Also in low-density areas, the Proposed Action would enable "accessory dwelling units" or ADUs on lots with one- or two-family housing. ADUs would be size-limited and exempt from parking requirements and regulations that limit the number of units, such as restrictions in one- or two-family zoning districts. This includes homeowners who may need space for a family member or for whom the extra income generated by a small rental unit is essential. ADUs are a form of housing that is common in other parts of the country, provides a housing type sorely lacking in low-density areas, and supports flexibility and opportunity for a range of household types, including multigenerational families, smaller households, those looking to age in place, and many others. On a macro level, ADUs also provide an important avenue for "gentle density" while maintaining the character of one- and two-family areas.

In all districts, the Proposed Action would eliminate parking requirements for all new residential development citywide. This would reduce the conflict between parking and housing, providing opportunities for additional housing on development sites across the City. Today, parking requirements reduce the amount of housing that can be produced on certain sites while rendering development entirely infeasible on others. While the Proposed Action would not eliminate existing parking required by existing housing, it would create a discretionary action to remove existing parking requirements when appropriate.

Finally, the Proposed Action will include other project components that do not fit neatly into the categories above but have citywide effect and are consistent with the overall project goals of facilitating more housing and more types of housing in neighborhoods across the city. These include allowances for irregular and hard-to-develop sites; elimination or reduction of unnecessarily onerous approval procedures; elimination of exclusionary geographies from prior eras; and adjustments to regulations that have had unintended outcomes for development and design.

Description of the Proposed Action

In order to address the housing shortage and high cost of housing in New York City, the Housing Opportunity text amendment seeks to enable more housing and wider variety of housing types in all neighborhoods citywide, from the lowest-density districts to the highest. To that end, the Proposed Action comprises project components in four broad categories: Medium- and High-Density proposals in R6-R10 districts and equivalents; Low-Density proposals in R1-R5 districts and equivalents; Parking proposals, which span the full range of districts and densities; and assorted other changes in line with project goals. In general, these changes will apply in underlying zoning districts, Special Districts, and other geographies that modify underlying zoning, with limited adjustments to reflect planning goals in specific areas. Project components in each of these categories are described in more detail below.

To create more housing and more types of housing, the Proposed Action includes components that fall into four major proposal areas—1: Medium- and High-Density Districts, 2: Low-Density Districts, 3: Parking, and 4: Other Initiatives that are miscellaneous, citywide in nature, and align with overall project goals.

1: Medium- and High-Density Proposals

The Medium- and High-Density proposals consist of project components that primarily affect housing capacity and housing types in R6 through R10 districts and their Commercial District equivalents.

1.1: More Floor Area for Affordable and Supportive Housing

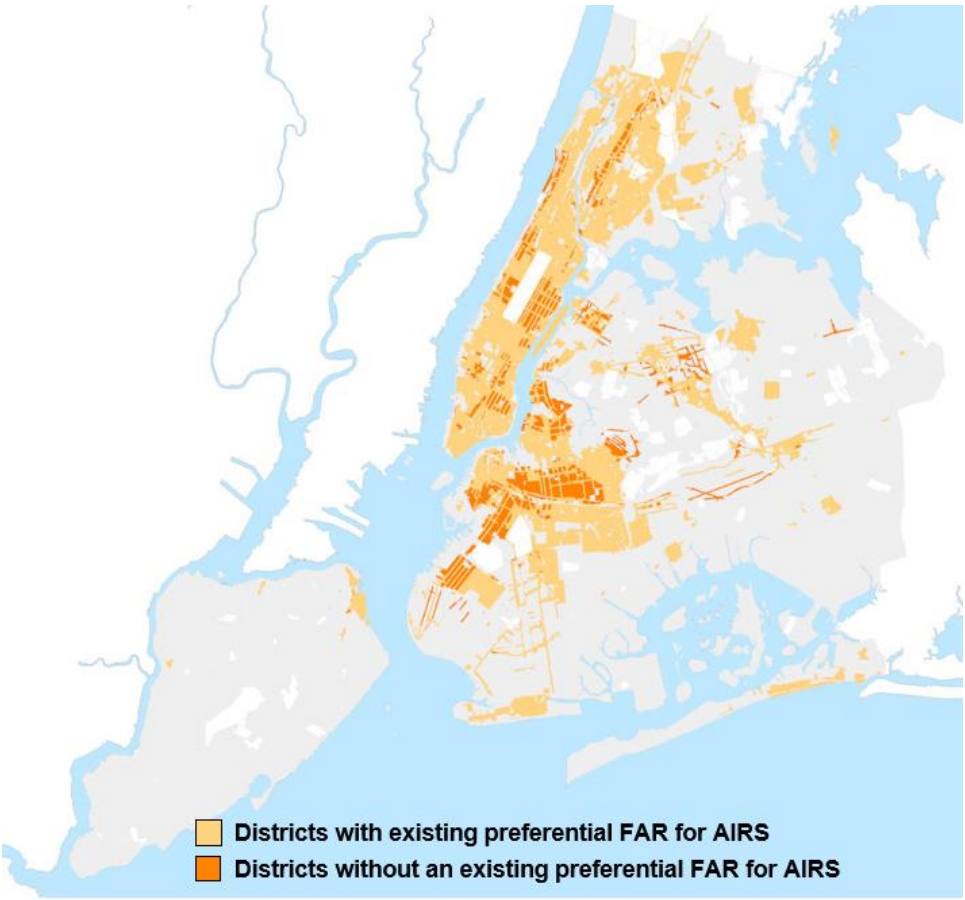
Building off the existing preferential FARs for AIRS in most medium- and high-density districts, the Proposed Action would increase FAR for all forms of affordable and supportive housing in all medium- and high-density districts. This would be achieved through the following components:

- 1.1a: For districts with an existing preferential FAR for AIRS, hold market-rate FAR constant while increasing FARs for all forms of affordable and supportive housing to the higher AIRS FAR—this is referred to as the "Universal Affordability Preference" (UAP) framework;
- 1.1b: For districts without an existing preferential FAR for AIRS or where the AIRS preference is small, provide a new preferential FAR for AIRS and other affordable and supportive housing types that is 20 percent above the FAR for market-rate residential;
- 1.1c: Replace IHDA and R10 IH with the preferential FAR framework
- 1.1d: Equalize FARs for MIH districts where FARs proposed for UAP are higher
- 1.1e: Where necessary, adjust building envelopes to accommodate permitted FAR;
- 1.1f: Allow supportive housing to be classified as either Use Group (UG) 2 or UG 3; and
- 1.1g: Modify the ZR 74-903 Special Permit to an Authorization for supportive housing.

Overall, this component of the Proposed Action seeks to simplify and rationalize the approach to FARs for AIRS and other forms of affordable and supportive housing and provide a consistent preference for these critical uses for each zoning district across the current patchwork of zoning geographies.

Together, these aspects of the Proposed Action would facilitate more housing and affordable or supportive housing on development sites throughout medium- and high-density districts, helping to address the housing shortage and creating additional affordable housing in neighborhoods throughout New York City.

Figure 1-3 Existing Medium- and High-Density Districts



Source: New York City Department of City Planning

1.1a: Increase the FARs for all forms of affordable and supportive Housing to the higher AIRS FARs

In most medium- and high-density districts throughout New York City, shown in **Figure 1-3**, affordable independent residents for seniors (AIRS) get a higher FAR than other residential uses and supportive housing, which is classified as a community facility use. At its core, this proposal seeks to increase FARs for affordable and supportive housing to the higher FAR allocated to AIRS while holding maximum FARs for market-rate housing constant.

1.1b: Provide new preferential FAR for AIRS and other affordable and supportive housing types that is 20 percent above the FAR for market-rate residential

In medium- and high-density districts that that do not allocate a higher FAR to AIRS (such as R8B) or that allocate only a small preference (such as R6B), the proposal will provide a new preferential FAR for AIRS and other forms of affordable and supportive housing of 20 percent above the FAR for market-rate residential uses (see **Table 1-1**). This 20 percent preference is consistent with the preference that inclusionary housing and various other zoning bonuses provide above standard residential FARs in medium- and high-density districts under the existing zoning framework.

Table 1-1 Existing and Proposed Maximum FAR

	Current		Proposed		
	Basic FAR	AIRS FAR	UAP FAR	Change from AIRS FAR	Affordable increment
R6B	2.00	2.20	2.40	+0.20	0.40
R6 narrow	2.20	3.90	3.90	0.00	1.70
R6 wide outside of MN Core I	3.00	3.90	3.90	0.00	0.90
R6A	3.00	3.90	3.90	0.00	0.90
R7 narrow or in MN Core	3.44	5.00	5.00	0.00	1.56
R7 wide outside MN Core	4.00	5.00	5.00	0.00	1.00
R7A	4.00	5.00	5.00	0.00	1.00
R7B	3.00	3.90	3.90	0.00	0.90
R7D	4.20	5.60	5.60	0.00	1.40
R7X	5.00	6.00	6.00	0.00	1.00
R8B	4.00	4.00	4.80	+0.80	0.80
R8 wide outside MN Core	7.20	7.20	8.70	+1.50	1.50
R8 narrow or in MN Core	6.00	7.20	7.20	0.00	1.20
R8A	6.00	7.20	7.20	0.00	1.20
R8X	6.00	7.20	7.20	0.00	1.20
R9	7.50	7.50	9.00	+1.50	1.50
R9A	7.50	8.50	9.00	+0.50	1.50
R9X	9.00	9.70	10.80	+1.10	1.80
R9D	9.00	10.00	10.80	+0.80	1.80
R10	10.00	12.00	12.00	0.00	2.00
R10A	10.00	12.00	12.00	0.00	2.00
R10X	10.00	12.00	12.00	0.00	2.00

1.1c: Replace IHDAs and R10 IH with the preferential FAR framework

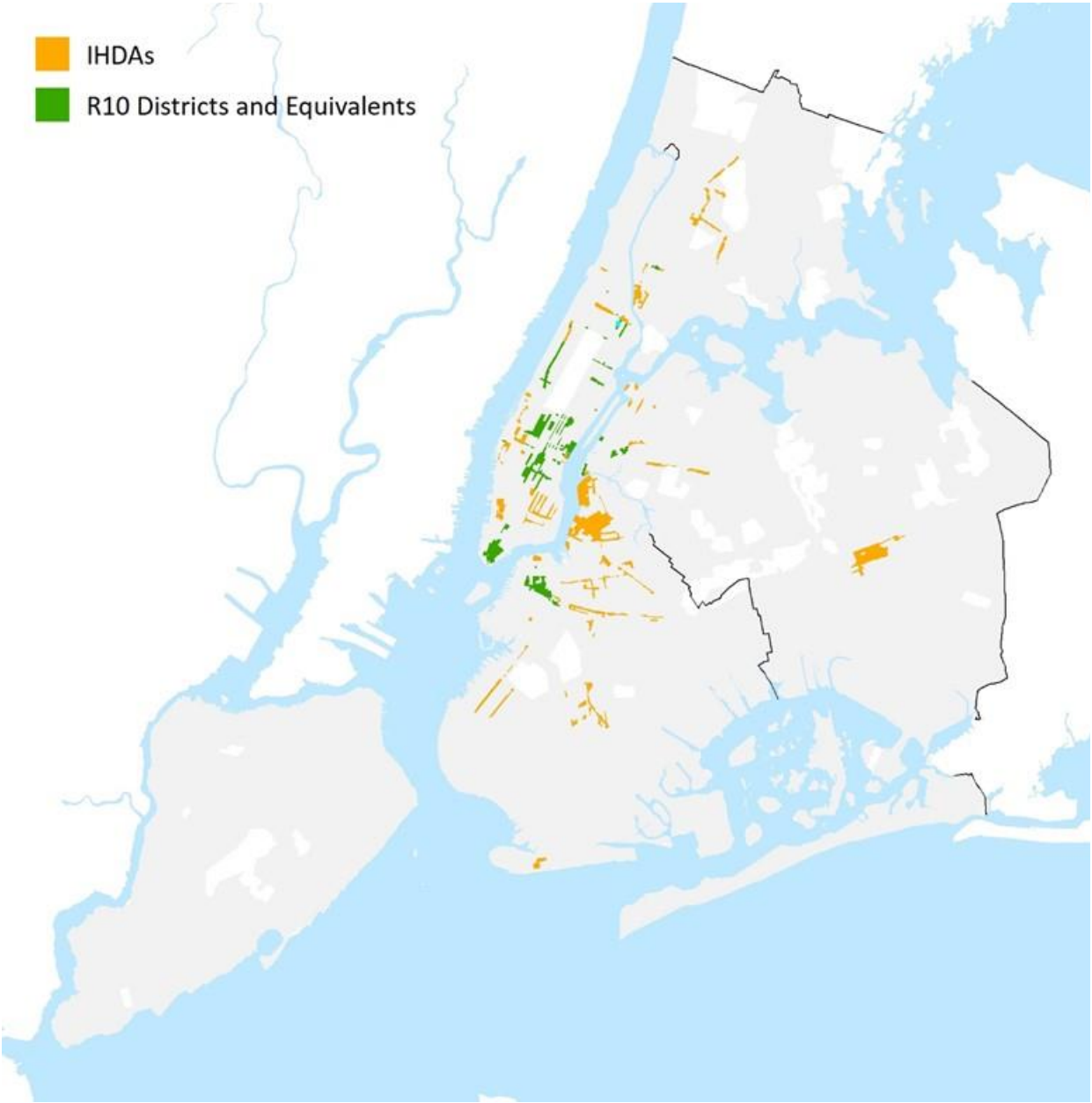
To streamline New York City's residential zoning and significantly expand opportunities for affordable housing at a wider variety of lower incomes, the Proposed Action would replace the Inclusionary Housing Designated Areas (IHDA) and R10 Inclusionary Housing (R10 IH) programs with the preferential zoning framework described above. See **Figure 1-4** for the existing IHDA and R10 District Equivalents. The current IHDA and R10 programs require affordable housing at 80% AMI and do not permit income-averaging, meaning that all affordable units must be at 80% AMI. Replacing IHDA and R10 IH with this framework will increase FARs for affordable and supportive housing while lowering required AMIs to 60% and enabling income averaging that will enable UAP projects to reach far lower AMIs than current voluntary programs.

1.1d Equalize FARs for MIH districts where FARs proposed for UAP are higher

Some MIH districts have maximum residential FARs that are lower than those proposed for affordable and supportive housing under UAP. For example, R6A MIH districts today have a maximum FAR of 3.6 whereas AIRS gets 3.9, and R7A MIH districts get 4.6 while AIRS gets 5.

Under the Proposed Action, zoning districts within MIH areas would receive the higher maximum FARs proposed for UAP while retaining the mandatory set-aside and AMI requirements of the MIH options mapped within that MIH area (see **Table 1-2**).

Figure 1-4 Existing IHDA and R10 District Equivalents



Source: New York City Department of City Planning

Table 1-2 Existing IHDA FAR and Proposed UAP FAR

	Current		Proposed	
	IHDA Basic FAR	IHDA Max FAR	UAP FAR	Change from IHDA Max FAR
R6B	2.00	2.20	2.40	+0.20
R6 narrow	2.20	2.42	3.90	+1.48
R6 wide outside of MN Core	2.70	3.60	3.90	+0.30
R6A	2.70	3.60	3.90	+0.30
R7 narrow or in MN Core	2.70	3.60	5.00	+1.40
R7 wide outside MN Core	3.45	4.60	5.00	+0.40
R7A	3.45	4.60	5.00	+0.40
R7D	4.20	5.60	5.60	+0.00
R7X	3.75	5.00	6.00	+1.00
R8 wide outside MN Core	5.40	7.20	8.70	+1.50
R8 narrow or in MN Core	5.40	7.20	7.20	+0.00
R8A	5.40	7.20	7.20	+0.00
R8X	5.40	7.20	7.20	+0.00
R9	6.00	8.00	9.00	+1.00
R9A	6.50	8.50	9.00	+0.50
R9X	7.30	9.70	10.80	+1.10
R9D	7.50	10.00	10.80	+0.80
R10	9.00	12.00	12.00	+0.00
R10A	9.00	12.00	12.00	+0.00
R10X	9.00	12.00	12.00	+0.00

The Proposed Action would also extend this preferential FAR framework to Special Districts and other geographies with medium- and high-density residential zoning, where existing FARs and outdated inclusionary housing programs may reflect inconsistent approaches to various residential and community facility uses over time. Where necessary, the Proposed Action would adjust this framework to accommodate essential planning goals embedded in those Special Districts.

1.1e: Adjust Building Envelopes to Accommodate FARs

Continuing the work of the 2016 Zoning for Quality and Affordability (ZQA) text amendment, the Proposed Action would provide building envelopes sufficient to accommodate the FAR permitted for developments with AIRS and other forms of affordable and supportive housing in all zoning districts (see **Table 1-3**). Developments would need to provide a minimum amount of UAP affordability to qualify for the larger building envelopes. The proposed envelopes include a measure of flexibility to ensure that they remain sufficient for a range of non-standard sites and to allow for architectural expression and avoid the flat buildings that result from overly restrictive envelopes. In many instances, these envelopes must also account for existing deficiencies in building envelopes that resulted from inconsistent approaches in the past.

Table 1-3 Current and Proposed Building Envelopes

	Current		Proposed			
	Base Height	Max Height	Base Height	Additional Height	Max Height	Additional Height
R6B	45	55	45	0	65	+10
R6 narrow	65	85	65	0	95	+10
R6 wide outside of MN Core	65	85	65	0	95	+10
R6A	65	85	65	0	95	+10
R7 narrow or in MN Core	75	95	85	+10	115	+20
R7 wide outside MN Core	75	105	85	+10	115	+10
R7A	75	95	85	+10	115	+20
R7B	65	75	65	0	95	+20
R7D	95	115	95	0	125	+10
R7X	105	145	105	0	145	0
R8B	65	75	85	+20	105	+30
R8 wide outside MN Core	105	145	125	+20	175	+30
R8 narrow or in MN Core	105	145	105	0	145	0
R8A	105	145	105	0	145	0
R8X	105	175	105	0	175	0
R9 narrow	125	165	135	+10	185	+20
R9 wide	125	175	135	+10	185	+10
R9A narrow	125	165	135	+10	185	+20
R9A wide	125	175	135	+10	185	+10
R9X narrow	145	195	155	+10	215	+20
R9X wide	145	205	155	+10	215	+10
R10 narrow	155	215	155	0	235	+20
R10 wide	155	235	155	0	235	0
R10A narrow	155	215	155	0	235	+20
R10A wide	155	235	155	0	235	0

1.1f: Allow supportive housing to be classified as either UG 2 or UG 3

Today, AIRS and other forms of affordable housing are classified as Use Group 2 Residential while supportive housing is typically classified as a Use Group 3 Community Facility use known as philanthropic or non-profit institutions with sleeping accommodations (NPISA). To provide additional flexibility to supportive housing, the Proposed Action would enable this critical use to be classified as either Use Group 2 Residential or NPISA. This would ensure that supportive housing can retain the

advantages provided to NPISAs in some districts today while also accessing the advantages afforded to residential uses in other districts.

1.1g: Modify the ZR 74-903 Special Permit to a new Authorization for supportive housing

Today in certain non-contextual districts—specifically, R6, R7-2, and R9— supportive housing, also known as NPISAs, can achieve a higher FAR than AIRS via a ZR 74-903 special permit. The Proposed Action would retain the ability for supportive housing to seek higher FARs in these districts while reducing the required action from a special permit, which requires the full, seven-month Uniform Land Use Review Procedure (ULURP), to an authorization, which gets referred to the affected Community Board and then voted on by the CPC, typically within three months. This change would make it easier for supportive housing projects to access a higher FAR where available while retaining the discretionary review that ensures a higher FAR and the resulting bulk are appropriate (see **Table 1-4**).

Table 1-4 Supportive Housing FAR Proposed to be Available Through Authorization for supportive housing

	Basic FAR	UAP FAR	Community Facility FAR	Additional FAR Available Through Authorization
R6 narrow	2.20	3.90	4.80	0.90
R6 wide	3.00	3.90	4.80	0.90
R7-2 narrow or in MN Core	3.44	5.00	6.50	1.50
R7-2 wide outside MN core	4.00	5.00	6.50	1.50
R9	7.50	9.00	10.00	1.00

1.2: Small and Shared Apartments

The Small and Shared Housing proposals seek to bring back and increase access to housing types that serve the young, the old, and the marginally housed. These are developments with small basic units for the increasing number of New Yorkers who wish to live alone but currently cannot because of lack of availability, or shared housing models with private bedrooms and common kitchens or other facilities.

In the 1950s and 1960s, zoning and regulatory changes in New York City made it difficult or impossible to create developments of small dwelling units or rooming units and other shared housing like single-room occupancy units, or SROs, that had provided an important source of housing in generations past. At the time, City policy not only blocked new SROs but actively sought to shut down SROs that already existed. SROs were seen to attract an undesirable population of un- or underemployed single men, and this prejudice was reflected in public policy implemented at the time. It was not until the 1980s that the City realized that eliminating this form of housing did not make its former residents disappear, and the City sought to preserve those SROs that remained in order to stem the burgeoning homelessness crisis that remains today.

During the same period, the 1961 Zoning Resolution evolved to contain Dwelling Unit Factor (DUF), which limits the number of dwelling units on a zoning lot. For developments that use all available floor area, DUF functions as a minimum average unit size that effectively mandates the addition of

two-, three-, or more bedroom apartments in new developments. If a development provides smaller units, such as studios, it must also provide larger units, such as two- or three-bedroom units, to meet the minimum average unit size. This remains the case even after decades of decreasing household sizes nationally and within New York City. Today, there are many City residents who would prefer to live alone, but who must find roommates and compete with families with children for two-, three-, and more bedroom apartments in many neighborhoods around the City.

The Proposed Action would:

- 1.2a: Eliminate DUF within the Inner Transit Zone (including the Manhattan core);
- 1.2b: Reduce and simplify DUF outside the Inner Transit Zone;
- 1.2c: Eliminate DUF within one- and two-family buildings; and
- 1.2d: Remove zoning obstacles to small and shared housing models for affordable, supportive, and privately financed projects.

These initiatives can help to fill gaps in the current housing market by returning to housing types that have served New Yorkers well in the past.

Dwelling Unit Factor Area of Applicability

The area of applicability for DUF changes is shown in **Figure 1-5**.

Figure 1-5 Proposed Changes to Dwelling Unit Factor – Area of Applicability

1.2a: Eliminate Dwelling Unit Factor Within the Inner Transit Zone (Including the Manhattan Core)

Within the Inner Transit Zone, the Proposed Action would eliminate DUF, thereby removing from the Zoning Resolution controls on the maximum number of dwelling units. Unit size would be determined by the combination of other relevant regulations, such as room size limits, in the Building Code, Housing Maintenance Code, and Multiple Dwelling Law, as well as market demand. In these areas with excellent access to transit, developers who wish to may develop projects consisting entirely of smaller units that accommodate the pronounced trend in New York City toward smaller household sizes.

1.2b: Reduce and Simplify Dwelling Unit Factor Outside the Inner Transit Zone

Outside the Inner Transit Zone, the Proposed Action would reduce and simplify DUF, equalizing the DUF in all districts to 500 (see **Table 1-5**). Developments would remain subject to use regulations that limit developments to one and two dwelling units, respectively, in one- and two-family districts.

In low-density districts, DUF is a main obstacle to development of two-family houses in two-family districts and small apartment buildings in districts that allow multiple dwellings. Reducing these obstacles is key to enabling these districts to produce the building types nominally allowed today.

Table 1-5 Proposed Dwelling Unit Factor for Multi-Family Buildings Outside the Inner Transit Zone

	Current DUF	Proposed DUF	Change
R1, R2, R3-1, R3A, R3X, R4-1, R4B, R4A, R5A	--	500	--
R3-2, R4	870	500	-370
R4[1], R5[1], R5B	900	500	-400
R5, R5D	760	500	-260
R5B[2]	1,350	500	-850
R6, R7, R8, R9, R10	680	500	-180

[1] For residences in a predominantly built-up area

[2] For zoning lots with less than 40 feet of street frontage and existing on the effective date of establishing such districts on the zoning maps

1.2c: [Low Density] Eliminate Dwelling Unit Factor within One- and Two-Family Buildings

In one- or two- family buildings, DUF is redundant with other controls on density, including maximum number of units in one- or two-family districts. The Proposed Action would eliminate the applicability of DUF for these building types.

1.2d: Remove Zoning Obstacles to Rooming Units and Shared Housing Models

In conjunction with adjustments to the regulation of rooming units in the Building Code and Housing Maintenance Code, among other provisions, the Proposed Action would remove obstacles to rooming units and shared housing models in the zoning resolution. The Proposed Action would remove the ban on rooming units in low-density districts and in the adaptive reuse regulations in Article I, Chapter 5.

1.3: Eliminate Obstacles to Quality Housing Development

The Proposed Action would make changes to height and setback regulations to encourage greater predictability in non-contextual districts and reduce the unnecessary complexity produced by outdated Height Factor regulations.

Height factor regulations are a complicated legacy of the 1961 Zoning Resolution that have been largely but not entirely supplanted by the introduction of Quality Housing and contextual zoning districts beginning in the 1980s. Practitioners and government entities find height factor regulations difficult to use and administer and members of the public often decry the resulting development, which not infrequently clashes with existing built context. Height factor regulations employ a sliding-scale FAR intended to balance open space and building height in line with “tower in a park” thinking

of the day, and sky exposure plane envelopes, which slant away from the street line, tend to push buildings back from the street. Incompatibility between height factor regulations and contextual districts can render sites with significant remaining floor area and open space undevelopable.

Height factor regulations were created to facilitate superblock-scale redevelopment projects like Stuyvesant Town, an "Urban Renewal" approach that fell out of favor not long after height factor regulations were introduced. Height factor was not designed for the more standard infill development model that has predominated in recent decades, and it is a poor tool for infill developments on such sites.

Since 2000, almost all housing development in non-contextual districts has followed the Quality Housing regulations, which are an option within all non-contextual districts. Developers often prefer the Quality Housing option because it is generally incentivized with a higher FAR than Height Factor regulations, and it allows a more efficient and less expensive building form. Neighborhood residents most often prefer Quality Housing as well, since it is a more predictable form that tends not to "stick out like a sore thumb" from other buildings in an area.

Nonetheless, existing zoning poses ongoing challenges to Quality Housing development in certain circumstances that the Proposed Action would address.

The Proposed Action would:

- 1.3a: Remove obstacles to Quality Housing development on sites with existing buildings;
- 1.3b: Remove obstacles to Quality Housing development on irregular lots and lots where development is challenged by nearby infrastructure and other obstructions;
- 1.3c: Provide more flexible envelopes in Waterfront Areas to enable a broader range of development, including affordable housing;
- 1.3d: Eliminate the "sliver law" for developments that utilize Quality Housing regulations, regardless of district; and

1.3a: Remove Obstacles to Quality Housing Development on Sites with Existing Buildings – Infill Proposals

The Proposed Action seeks to eliminate zoning obstacles that make infill housing development difficult or impossible on campuses and other zoning lots with existing buildings but significant amounts of unused floor area and un- or underutilized open space. To provide more opportunities for infill development, the Proposed Action would (1) replace complex infill "mixing rules" (described further below) and restrictive open space and height regulations with a simpler regime based on FAR, infill height limits, and lot coverage maximums and (2) reduce distance-between-buildings requirements to harmonize zoning regulations with the state standards in the Multiple Dwelling Law.

The Proposed Action seeks to facilitate appropriate infill development to provide additional opportunities for housing and where possible enhance the connectivity of campuses and other Height Factor zoning lots into surrounding context. Many such sites with significant amounts of un- or underutilized open space represent examples of the "tower in a park" typology commonly built in New York City from the 1930s to the 1960s. A significant majority of these campuses were developed pursuant to federal, state, and city housing programs such as Mitchell-Lama, Public Housing (NYCHA), Urban Renewal, Urban Development Action Area, Limited Dividend, Large-Scale zoning, and other programs and mechanisms.

The 1961 Zoning Resolution drew from examples of tower-in-a-park developments like Stuyvesant Town (1947) and encouraged tall buildings surrounded by open space, a form that often clashed with existing built context. While zoning regulations evolved away from such forms in subsequent decades, most tower-in-a-park developments remain subject to older "non-contextual" zoning, so named in contrast to "contextual" zoning, created in the 1980s to encourage lower-height, higher-lot-coverage development that echoes older New York City building forms.

Contextual zoning now covers most of the land zoned for residential uses across the city and comprises an overwhelming majority of new residential rezonings. Unlike non-contextual zoning, contextual zoning includes explicit height limits and lot coverage rules that create a predictable building form in each contextual zoning district. Quality Housing is mandatory in contextual districts and optional in non-contextual districts.

Replace "Mixing Rules" with a Simpler Set of Bulk Regulations in R6 Through R10 Districts

In R6 through R10 districts, lots with existing buildings that were developed pursuant to Height Factor zoning may not use Quality Housing regulations for infill development. Under current "mixing rules" in section 23-011, Quality Housing Program, of the Zoning Resolution, it is difficult or impossible to add Quality Housing developments on such zoning lots, because lower-height, higher-lot-coverage developments do not comply with height factor regulations and existing tower-in-a-park buildings do not comply with Quality Housing regulations—specifically height limits. A given zoning lot must comply with either height factor zoning or the Quality Housing program, and any new Quality Housing development creates a new non-compliance, which is generally prohibited. As a result of these "mixing rules", many campuses have unused development rights and significant amounts of un- or underutilized open space, such as surface parking, but no feasible path to appropriate infill development.

The Proposed Action would replace prohibitive mixing rules in R6 through R10 districts with a simpler regime that allows Quality Housing infill development on zoning lots with existing Height Factor buildings in non-contextual zoning districts as long as:

- The affected zoning lot complies with the Quality Housing FAR limit in the applicable zoning district; and
- The new development complies with the Quality Housing height limit in the applicable zoning district, as set forth in sections 23-664(b) and (c) in the Zoning Resolution, as applicable, regardless of existing building heights.

This approach extends the general approach to AIRS infill by the ZQA text amendment in 2016 to the full range of Quality Housing developments.

Reduce Distance-Between-Buildings Requirements to Match the Multiple Dwelling Law

In addition to the problems identified above, distance-between-buildings regulations make it difficult or impossible to add new developments on campus zoning lots with existing buildings. These regulations are found in section 23-711 (Standard minimum distance between buildings) of the Zoning Resolution and vary by "wall condition" and building height. These regulations can preclude development on un- or underutilized open space that would otherwise provide an appropriate location for infill development.

In many instances, the requirements in the Zoning Resolution are significantly more demanding than those in the state Multiple Dwelling Law, which simply mandates a 40-foot distance between buildings on the same lot, regardless of wall condition, and a minimum distance of 80 feet between buildings above a height of 125 feet. These standards protect light and air and safeguard open spaces for existing buildings and new developments while providing additional flexibility on campus developments with significant amounts of un- and underutilized open space. The Proposed Action would align zoning with the Multiple Dwelling Law, reducing any distance between buildings requirements for buildings below 125 feet in height to 40 feet and requiring 80 feet of distance between buildings for buildings above 125 feet in height.

Other Changes to Facilitate Infill

For development on zoning lots with existing height factor buildings, the Proposed Action would also replace open space ratio, an unnecessarily complicated formula that determines the amount of required open space on a height factor zoning lot, with simpler yard regulations and lot coverage maximums that are more predictable and easier for practitioners and government administrators.

The Proposed Action would relax the regulations that require street tree planting on all frontages of full-block campus zoning lots when infill happens on only a small portion. These requirements have been cost-prohibitive for infill proposals on the superblocks that characterize campus development in many parts of the city.

The Proposed Action would also relax curb cut restrictions for campuses that require curb cuts to centralize or containerize waste collection in line with evolving standards from the Department of Sanitation. Today, zoning regulations interfere with the ability of campuses to modernize collection processes.

1.3b: Remove Obstacles to Quality Housing Development on Irregular Lots and Lots Where Development is Challenged by Nearby Infrastructure and Other Obstructions – Flexible Quality Housing Envelopes for Difficult Sites

Zoning lots without existing buildings in non-contextual districts may also face challenges developing under Quality Housing regulations. These tend to be irregularly shaped or sized lots, such as very deep lots or flag lots, or sites where proximity to elevated infrastructure or other physical obstructions render the existing Quality Housing envelopes unworkable. The resulting Height Factor buildings on these sites generally contain less housing than a Quality Housing development would have, since they have lower FARs, and they also tend to be much taller and drastically different in form than other buildings in the neighborhood. In recent years, many of New York City's most controversial developments are in this category—irregular zoning lots in non-contextual districts where constraints push development into non-contextual forms.

To address this problem, the Proposed Action would expand applicability of flexible Quality Housing envelopes to a range of sites in height factor districts that may require that flexibility, including sites above 1.5 acres or with full-block control, sites next to elevated infrastructure, and sites that are shallow, deep, angled, or otherwise irregular. The Proposed Action would start with the flexible envelopes in section 23-664(c) (Alternative regulations for certain Quality Housing buildings in non-contextual districts) of the Zoning Resolution, creating new envelopes for R7-3, R8 (wide street applicability), R9, and R10 districts and providing additional height for the existing R6, R7-1, and R7-2 districts (see **Table 1-6**). The proposal would also provide a 25% bump in height for eligible sites about 40,000 square feet in lot area.

Table 1-6 Proposed Additional Height for Eligible Sites

	Proposed for Standard Sites			Proposed for Eligible Sites	
	UAP/ MIH FAR	Base Height	Max Height	Max Height	Additional Height for Eligible Sites
R6	3.9	65	95	125	+30
R7-1, R7-2	5.0	85	115	155	+40
R7-3	6.0	95	145	185	+40
R8 Narrow	7.2	105	145	215	+70
R8 Wide	8.6	125	175	255	+80
R9	9.0	135	185	285	+100
R10	12.0	155	235	355	+120

This range of envelopes would implement predictability that comes with height limits while also providing sufficient flexibility for irregular and challenging sites to use their allotted floor area for new housing and affordable housing.

1.3c: Provide More Flexible Envelopes in Waterfront Areas to Enable a Broader Range of Development, Including Affordable Housing – Provide Flexible Envelopes for Developments in Waterfront Areas

Height and setback regulations in Waterfront Areas have proven to be constraining and unsuited for certain types of development, such as affordable housing, that the City has increasingly tried to encourage throughout the past few decades. In particular, the existing height and setback regulations for Waterfront Areas encourage low bases and tall and narrow forms that limit opportunities for 100 percent affordable housing or mixed-income housing in these areas.

Without disallowing taller and narrower forms that can be appropriate in Waterfront Areas, the Proposed Action would relax height and setback regulations to shape buildings, support creation of affordable housing, and address common site-specific challenges on waterfront sites.

1.3d: Eliminate the "Sliver Law" for Quality Housing Developments, Regardless of District

The 'sliver law' was established in 1983 to limit tall, narrow buildings in neighborhoods with strong street wall continuity. For zoning lots in R7-2, R7D, R7X, R8, R9, and R10 Residence Districts and equivalents with a width of less than 45 feet, this provision limits the height of the building to the width of the street or 100 feet, whichever is less. These provisions, which are set forth in Section 23-692, Height limitations for narrow buildings or enlargements, represented attempts to ensure predictable development in areas with strong neighborhood character in the era prior to contextual zoning.

The establishment of Quality Housing and contextual zoning districts in 1987, and their widespread mapping since, have largely rendered sliver law provisions outdated, redundant, and irrelevant in many areas. Historically, it has prevented sites from participating in the city's Inclusionary Housing programs; going forward, it would prevent sites from participating in the UAP framework, resulting in entirely market-rate developments on sites that could otherwise provide affordable housing.

The Proposed Action would eliminate the sliver law in contextual districts and for developments utilizing the Quality Housing option in non-contextual districts to enable these sites to accommodate the amount of housing and affordable housing allowed by allotted FARs. Eliminating the sliver law would give zoning lots access to the underlying contextual regulations.

1.4: Conversions

The Adaptive Reuse proposals seek to extend and improve the existing framework in Article I, Chapter 5 of the Zoning Resolution, which provides relaxed bulk regulations for conversions of non-residential buildings built before 1977 or 1961 to residential use within defined geographies.

The basic framework for adaptive reuse in New York City dates to the early 1980s, when Article I, Chapter 5, of the zoning resolution was enacted to apply the more flexible set of residential bulk regulations for residential conversions set forth in Article 7-B of the state Multiple Dwelling Law. In the absence of these special rules, most non-residential buildings are unable to comply with the underlying residential bulk regulations, including FAR, height and setback, and light and air provisions, making conversion to residential difficult or impossible. This framework originally applied in Manhattan below 59th Street and has since been extended to designated higher-intensity commercial and mixed-use (MX) districts in all other boroughs as well.

In most of the applicable geography, non-residential buildings constructed prior to December 15, 1961 may use these adaptive reuse regulations to convert to dwelling units. In portions of Lower Manhattan, the cutoff date is 1977. In MX districts, the cutoff date is 1997. In all geographies, conversion to rooming units or community facilities with sleeping accommodations, such as supportive housing or dormitories, is prohibited.

The Proposed Action would:

- 1.4a: Change the cutoff date for conversion from 1961 or 1977 to 1990;
- 1.4b: Expand the geographic applicability of the adaptive reuse regulations citywide;
- 1.4c: Enable conversion to a wider variety of housing types, including rooming units, supportive housing, and dormitories; and
- 1.4d: Eliminate outdated restrictions on conversions to residential uses in C6-1G, C6-2G, C6-2M and C6-4M commercial districts

1.4a: Change the Cutoff Date for Conversions from 1961 or 1977 to 1990

The 1961 and 1977 cutoff dates were established in 1981 and 1997, respectively, which applied the adaptive reuse regulations to buildings as young as twenty years old. The dates have not been updated in over 25 years. Since that time, some non-residential buildings have aged into obsolescence or been left behind in New York City's dynamic and ever-changing economy. The pandemic and its aftermath have also changed patterns of occupancy in neighborhoods across the City, leaving some non-residential buildings to struggle.

For these reasons, the Proposed Action would modify the zoning resolution to implement a uniform cutoff date of December 31,1990 for all geographies where the cutoff date is currently 1961 or 1977. The 1997 date for MX districts will remain unchanged. This would extend New York City's adaptive reuse regulations to a new generation of buildings, supporting the ability of neighborhoods to grow and change over time with the City's changing economy.

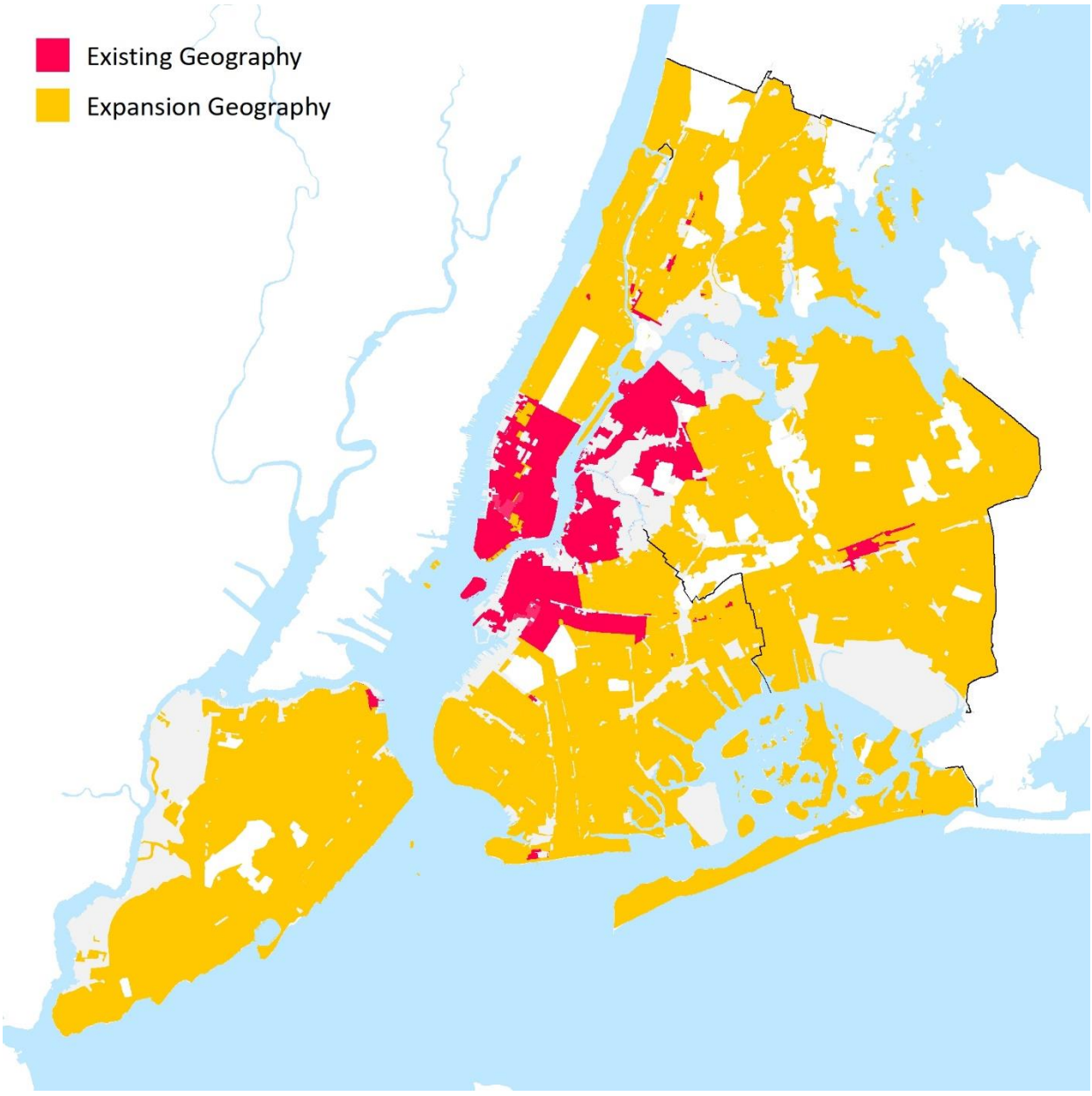
Because of remaining obstacles in the state Multiple Dwelling Law, the Proposed Action could not enable conversions above 12 FAR. Most newly eligible buildings could use the Article 7-B provisions for zoning compliance but not building code compliance. Nonetheless, the Proposed Action would significantly expand conversion opportunities.

1.4b: Expand Geographic Applicability of the Adaptive Reuse Regulations Citywide

Currently, the City's adaptive reuse regulations apply primarily in the city's largest and most central business districts. The Proposed Action would expand the applicability of these regulations citywide (see **Figure 1-6**).

Beyond commercial districts, this would enable Community Facility buildings, such as former schools, churches, convents or monasteries, and the like, to convert to residential use.

Figure 1-6 Existing and Proposed Conversion Geographies



Source: Department of City Planning

1.4c: Enable Conversions to a Wider Variety of Housing Types

The existing adaptive reuse framework allows conversion to "dwelling units" only—that is, units that are classified as Use Group 2 and have full cooking and sanitary facilities. Conversion to Use Group 2 "rooming units," which lack full cooking and/or sanitary facilities, or to Community Facility uses with sleeping accommodations, such as supportive housing and dormitories, is explicitly prohibited.

As part of an effort to encourage a wider variety of housing types to serve the diverse needs of families and households, the Proposed Action would enable conversion to rooming units and Community Facilities with sleeping accommodations for the first time, as permitted by other relevant bodies of law such as the Housing Maintenance Code.

1.4d: Eliminate Outdated Restrictions on Conversions in C6-1G, C6-2G, C6-2M and C6-4M Districts

Currently, a small subset of commercial districts prohibits residential uses not because of any inherent use conflicts, as in C8 districts, but rather as an attempt in the 1980s to preserve certain commercial and light industrial uses in the face of a changing economy. Today, the preservation requirements and limitations on residential conversion may be lifted only by Special Permit ZR 15-50 or Special Permit ZR 74-782, however, the uses the Special Permit is designed to protect are largely gone. The effort to restrict conversions in these areas is outdated and has led to the rise of informal and unlawful residential uses that should be legalized and formally regulated.

The Proposed Action would remove the Special Permit requirement to modify restrictions in C6-1G, C6-2G, C6-2M and C6-4M districts. The Department of City Planning will work with the Department of Housing Preservation and Development and other sister agencies to minimize disruption to existing residents of informal housing in these areas.

2: Low-Density Proposals

Beginning in the 1960s and accelerating in recent decades, layers of restrictions in low-density districts have seriously compromised the ability of these areas, which cover more than half of the city, to accommodate changes to existing buildings or support incremental housing development.

Many buildings are stuck in "noncompliance traps" due to increasingly restrictive regulations that do not account for building forms common in New York City in prior eras that shape built context to this day. The overbuilt conditions, height and setback problems, and other issues that arise from restrictive zoning can make it all but impossible to update and change buildings over time to accommodate growing families or take advantage of advances in building systems in an era of accelerating climate change.

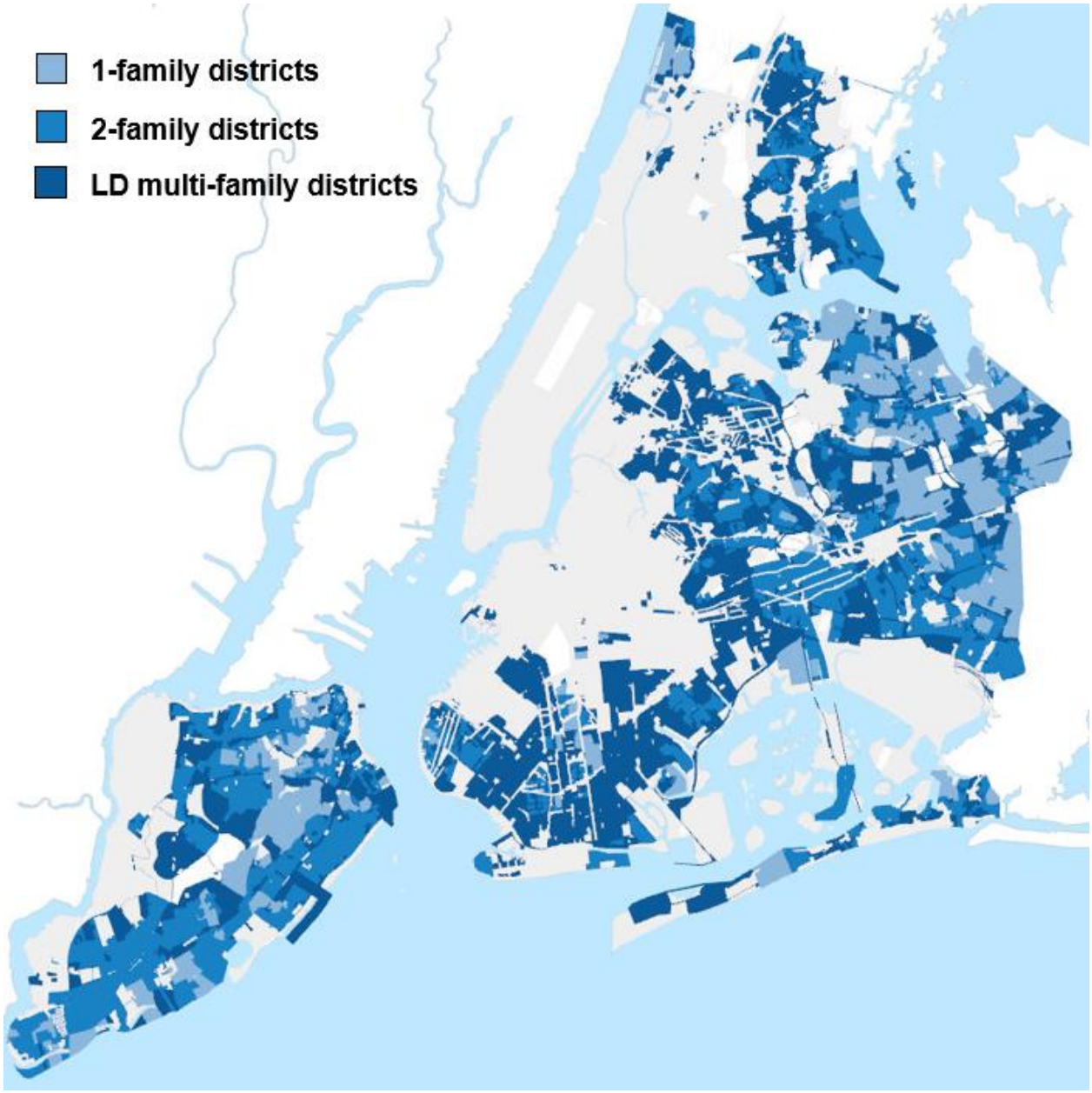
Over the same period, housing production in low-density areas, where housing is relatively cheap to build, has decreased dramatically. Where new development does occur, overlapping zoning rules often prevent anything other than single-family homes, even in two-family and multifamily districts. This is a cause for concern at a time when housing demand and housing costs are increasing citywide.

The proposals that follow would apply generally in underlying Low-Density Districts, as well as Lower Density Growth Management Areas (LDGMAs), Predominantly Built-Up Areas, and Special Districts within low-density areas, as adjusted to reflect specific planning goals (see **Figure 7**).

2.1 Low-Density Basic

The Low-Density Basic proposals seek to adjust zoning regulations in R1 through R5 districts to provide additional flexibility for existing buildings (and homeowners) and ensure that each district can support new development nominally allowed today—such as two-family residences in two-family districts and small multifamily developments in districts that allow multifamily.

Figure 1-7 Existing Low-Density Districts



Source: Department of City Planning

To provide additional flexibility for existing buildings and support incremental housing production across lower-density areas, the Proposed Action would make generally minor adjustments to:

- 2.1a: Provide additional FAR and adjust floor area rules;
- 2.1b: Adjust perimeter height limits and building envelopes;
- 2.1c: Adjust yard, open space, and court requirements;
- 2.1d: Increase flexibility to provide off-street parking where required or voluntarily provided; and
- 2.1e: Relax minimum lot size and width restrictions.

In making these minor adjustments, the Proposed Action would eliminate the need for BSA Special Permit 73-621, which allows the BSA to permit an enlargement, change of use, or extension to existing non-compliant buildings, so long as the degree of non-compliance is increased only up to a certain amount. It would also remove the need for CPC Authorization 23-631(k), which authorizes height and setback modifications for R3-2, R4 and R5 districts, because the new as of right rules would allow this relief.

2.1a: Provide Additional FAR and Adjust Floor Area Rules

One of the most basic obstacles in low-density districts is FAR set too low to accommodate existing buildings or development of anything other than a single-family home. The Proposed Action would increase FARs across low-density districts to provide flexibility for existing buildings and new development alike. These increases in FAR are also intended to accommodate accessory dwelling units enabled by another component of the Proposed Action described below.

Informed by an analysis of existing buildings and of FARs necessary to achieve nominally permitted housing types, such as two- and multifamily, the Proposed Action would increase FARs as shown in **Table 1-7**.

The Proposed Action would further extend R5 provisions as of right to zoning lots with existing residential uses in M1-1D through M1-5D districts, outside of IBZ areas. CPC authorization 42-47 is currently required to allow housing in M1-D districts. CHO would remove authorization applicability for lots with existing housing outside of IBZ areas and make housing as of right subject to proposed R5 regulations.

Table 1-7 Proposed FAR for Low-Density Districts

		Current FAR	Proposed FAR	Change from Current FAR
Single-Family Districts	R1-1	0.50	0.75	+0.25
	R1-2	0.50	0.75	+0.25
	R1-2A	0.50	0.75	+0.25
	R2X	1.00	1.00	+0.00
	R2	0.50	0.75	+0.25
	R2A	0.50	0.75	+0.25
Two-Family Districts	R3-1	0.60	0.75	+0.15
	R3A	0.60	0.75	+0.15
	R3X	0.60	0.75	+0.15
	R4-1	0.90	1.00	+0.10
	R4A	0.90	1.00	+0.10
	R4B	0.90	1.00	+0.10
	R5A	1.10	1.50	+0.40
Multi-Family Districts	R3-2	0.60	0.75	+0.15
	R4	0.90	1.00	+0.10
	R5	1.25	1.50	+0.25
	R5B	1.35	1.50	+0.15
	R5D	2.00	2.00	+0.00

The Proposed Action would eliminate the conditions necessary to achieve the maximum FAR in a range of low-density districts, enabling a greater number of homes to access the full FAR permitted by the district.[3] It would also extend the floor area exemption for enclosed parking spaces to all low-density districts to reduce conflict between required parking spaces and the ability to develop the housing forms nominally allowed in these districts, such as two- or multifamily housing. Together, these initiatives would enable a greater range of sites to use their allotted FAR for functional living spaces.

2.1b: Adjust Perimeter Height Limits and Building Envelopes

Heights in many low-density districts are governed by a maximum perimeter height ranging from 21 to 25 feet, above which pitched roofs or setbacks are required, and an overall maximum height. Today, many existing buildings do not comply with perimeter heights on the lower end of that range, and new developments have difficulties fitting two full stories within it. The Proposed Action would increase all maximum perimeter heights to 25 feet to provide additional flexibility to existing buildings and new development (see **Table 1-8**).

[3] These conditions are known as the "attic allowance" – see ZR 23-142, Open space and floor area regulations in R1 and R2 Districts with a letter suffix and R3 through R5 Districts.

Table 1-8 Proposed Perimeter Heights for Low-Density Districts

	Current	Proposed		
	Current Perimeter Height/ Sky Exposure	Perimeter Height	Additional Perimeter Height	Max Height
R2A	21	25	+4	35
R2X	21	25	+4	35
R3-1	21	25	+4	35
R3A	21	25	+4	35
R3X	21	25	+4	35
R3-2	21	25	+4	35
R4A	21	25	+4	35

Eliminate Side and Rear Setbacks

The Proposed Action would eliminate side and rear upper-story setbacks in low-density areas. In 2016, ZQA eliminated rear setbacks for medium- and high-density districts because such setbacks can mandate building forms that are difficult and expensive to construct without providing any light and air benefit to public space, such as the street or sidewalk. This logic also applies in low-density districts, where access to light and air is particularly abundant owing to more basic bulk provisions.

The Proposed Action would eliminate the side and rear setback required for certain developments in R1 through R5 districts, and equivalents, in Section 23-632 (Required side and rear setbacks) of the zoning resolution.

2.1c: Adjust Yard, Open Space, and Court Requirements

Adjust Yard Requirements and Lot Coverage Maximums

On many lots of typical width and depth in low-density areas, one or more of the required 8-foot minimum side yards, 30-foot rear yards, and wraparound 10-foot front yards for corner lots create non-compliances for existing buildings and severely constrain opportunities for new development. New development cannot be located in required yards, and there often is not enough space left over on these lots for a viable building footprint.

To address these issues, the Proposed Action would reduce side yard requirements from 8 feet to 5 feet in districts where side yards are required, reduce rear yard requirements from 30 feet to 20 feet up to two stories in all low-density districts, and reduce front yard requirements from 10 feet to 5 feet for one frontage on corner lots in districts with wraparound front yard requirements. Low-density districts would also include a standard 70 percent lot coverage maximum. These changes would provide more flexibility and meaningful opportunities for development on a wider range of lots in low-density districts.

Shallow Lot Relief

Recent zoning reforms provided rear yard and rear yard equivalent relief for shallow zoning lots in medium- and high-density districts. Under these provisions, the depth of the required rear yard for

an interior lot is reduced by six inches for each foot less than 90 feet in lot depth up to a minimum rear yard of 10 feet and the required rear yard equivalent for a through lot is reduced by one foot for each foot less than 180 feet in lot depth to a minimum rear yard equivalent of 40 feet. These reforms also added certain types of accessory and amenity spaces that can serve as permitted obstructions in a required rear yard up to a height of 15 feet.

In conjunction with the proposed yard requirements described above, the Proposed Action would extend rear yard relief for shallow zoning lots to low-density districts.

Eliminate Open Space Ratio

"Open space ratio" is another overly complex legacy of the 1961 zoning resolution, where the amount of open space required on a zoning lot is determined by a formula that practitioners and government administrators can have difficulties using. These regulations have no advantages over much simpler open space regulations introduced in the years since—easy-to-understand front, side, and rear yard requirements and maximum lot coverage rules.

The Proposed Action would replace open space ratio with yard regulations in the low-density areas where open space ratios remain, namely R1 and R2 districts other than R1-2A, R2A, and R2X. In its place, developments in these districts would be required to provide yards as modified by the Proposed Action, described above.

Simplify Front Yard Planting Requirement

Under Section 23-451, Planting Requirement, of the zoning resolution, low-density districts have a variable planting requirement based on lot width, street frontage of individual building segments on a zoning lot, or other factors, and planting requirements range from 20 to 50 percent of the required front yard.

The Proposed Action would implement a flat percentage planting requirement. This change would simplify the regulation and increase pervious surface without imposing significant new burdens on homeowners or developers.

Allow Small Courts

Recent zoning reforms have enabled small inner and outer courts in medium- and high-density districts. These are courts that are too small to provide for legally required windows, but that nonetheless provide opportunities for windows that are not legally required, such as windows in kitchens and bathrooms that contextual zoning regulations have inadvertently discouraged.

The Proposed Action would extend small inner and outer court provisions to low-density districts to provide additional opportunities for light and air for multifamily buildings in low-density districts.

2.1d: Increase Flexibility to Provide Off-Street Parking Where Required or Voluntarily Provided

Today, the combination of parking requirements and rigid parking location, size, and other regulations in low-density areas can render sites of typical width and depth undevelopable at reasonable expense. In conjunction with reductions in parking requirements described elsewhere, the Proposed Action would provide additional flexibility in low-density districts for sites where parking is required or voluntarily provided.

To that end, the Proposed Action would:

- Exempt parking spaces for one- or two-family homes from maneuverability requirements that mandate at least 300 square feet per space;
- Create consistent floor area exemptions for parking in low-density districts regardless of whether parking is in a detached garage, attached garage, or other enclosed parking structure;
- Relax restrictions on percentage of required open space that can be used for driveways or required parking;
- Ease restrictions on curb cuts for required parking on narrow lots.

To the extent possible, the limited parking requirements that remain under the Proposed Action should not render a site undevelopable.

2.1e: Relax Minimum Lot Area and Width Restrictions

The Proposed Action would reduce minimum lot area requirements in low-density districts to better reflect prevalent lot widths and sizes in these districts and to remove obstacles to developing the types of housing these districts nominally allow (see **Table 1-9** and **Table 1-10**). Existing lot widths and sizes are much smaller, in most cases, than the minimums required by the Zoning Resolution. Revising the minimums will lead to building frontages that better reflect the existing context.

Table 1-9 Proposed Minimum Lot Sizes for Low-Density Districts

		Allowed Housing Typology	Current Minimum Lot Size	Proposed Minimum Lot Size	Change
Single-Family Districts	R1-1	1-family detached	9,500	4,750	-4,750
	R1-2	1-family detached	5,700	4,750	-950
	R1-2A	1-family detached	5,700	4,750	-950
	R2X	1-family detached	2,850	2,850	0
	R2	1-family detached	3,800	2,850	-950
	R2A	1-family detached	3,800	2,850	-950
Two-Family Districts	R3-1	1 & 2-family detached or zero lot-line	3,800	2,375	-1,425
		Any other permitted	1,700	1,700	0
	R3A	1 & 2-family detached or zero lot-line	2,375	2,375	0
	R3X	1 & 2-family detached	3,325	2,850	-475
	R4-1	1 & 2-family detached or zero lot-line	2,375	2,375	0
		Any other permitted	1,700	1,700	0
	R4A	1 & 2-family detached	2,850	2,375	-475
	R4B	1 & 2-family detached or zero lot-line	2,375	2,375	0
		Any other permitted	1,700	1,700	0
	R5A	1 & 2-family detached	2,850	2,375	-475
Multi-Family Districts	R3-2	1 & 2-family detached or zero lot-line	3,800	2,375	-1,425
		Any other permitted	1,700	1,700	0
	R4	1 & 2-family detached or zero lot-line	3,800	2,375	-1,425
		Any other permitted	1,700	1,700	0
	R5	1 & 2-family detached or zero lot-line	3,800	2,375	-1,425
		Any other permitted	1,700	1,700	0
	R5B	1 & 2-family detached or zero lot-line	2,375	2,375	0
		Any other permitted	1,700	1,700	0
	R5D	1 & 2-family detached	2,375	2,375	0
		Any other permitted	1,700	1,700	0

Table 1-10 Proposed Minimum Lot Widths for Low-Density Districts

		Allowed Housing Typology	Current Minimum Lot Width	Proposed Minimum Lot Width	Change
Single-Family Districts	R1-1	1-family detached	100	50	-50
	R1-2	1-family detached	60	50	-10
	R1-2A	1-family detached	60	50	-10
	R2X	1-family detached	30	30	0
	R2	1-family detached	40	30	-10
	R2A	1-family detached	40	30	-10
Two-Family Districts	R3-1	1 & 2-family detached or zero lot-line	40	25	-15
		Any other permitted	18	18	0
	R3A	1 & 2-family detached or zero lot-line	25	25	0
	R3X	1 & 2-family detached	35	30	-5
	R4-1	1 & 2-family detached or zero lot-line	25	25	0
		Any other permitted	18	18	0
	R4A	1 & 2-family detached	30	25	-5
	R4B	1 & 2-family detached or zero lot-line	25	25	0
		Any other permitted	18	18	0
	R5A	1 & 2-family detached	30	25	-5
Multi-Family Districts	R3-2	1 & 2-family detached or zero lot-line	40	25	-15
		Any other permitted	18	18	0
	R4	1 & 2-family detached or zero lot-line	40	25	-15
		Any other permitted	18	18	0
	R5	1 & 2-family detached or zero lot-line	40	25	-15
		Any other permitted	18	18	0
	R5B	1 & 2-family detached or zero lot-line	25	25	0
		Any other permitted	18	18	0
	R5D	1 & 2-family detached	25	25	0
		Any other permitted	18	18	0

2.2: Low-Density Plus: "Missing Middle" Housing

The "Low Density Plus" proposals seek to allow "missing middle" housing—that is, not one-family homes or high rises, but modest apartment buildings of three to six stories—within commercial districts in R1 through R5 districts, on large sites within the Greater Transit Zone in R1 through R5 districts, and on existing campuses above 1.5 acres or with full-block control in R1 through R5 districts. These changes would enable multifamily housing on opportune sites within the full range of low-density districts, bringing back building forms that were commonly built in many of these areas prior to passage of the city's current zoning resolution in 1961 and that continue to define built context to this day.

Apartment buildings define the context or are otherwise common in many parts of New York City where today's low-density zoning makes multifamily development difficult or impossible. This is particularly apparent along commercial strips, which typically have two or three stories of housing above a commercial ground floor, and on larger sites within walking distance of subway stops—building forms that are outlawed under the current zoning. The contrast between these older apartment buildings and newer stock is especially stark in light of the City's worsening housing shortage and dearth of options for smaller and lower-income household where limited housing production in recent decades has been characterized almost exclusively by one- or two-family buildings. In these areas, new construction must often be smaller than neighboring buildings constructed generations ago.

To reintroduce these building forms, add housing, and support a diversity of housing types in low-density areas, the Proposed Action will seek the following changes in low-density commercial districts and on "qualifying sites" and campuses in low density areas.

- 2.2a: For low-density commercial districts, the Proposed Action would:
  - Provide additional residential FAR and height and
  - Provide a preferential FAR for mixed developments.
- 2.2b: For Qualifying Sites, the Proposed Action would:
  - Define Qualifying Site criteria, including location within the Greater Transit Zone, a minimum lot size of 5,000 sf, and frontage on a wide street or short dimension of a block
  - Define alternate criteria for sites with community facilities, including location within the Greater Transit Zone or, outside the Greater Transit Zone, a minimum lot size of 5000sf and an existing community facility use.
  - Modify use regulations to allow multifamily housing on Qualifying Sites within one- and two-family districts; and
  - Provide additional FAR and adjustments to height and setback regulations.
- 2.2c: For low-density campuses, the Proposed Action would:
  - Define campus as a 1.5-acre or full block site;
  - Replace restrictive yard and open space requirements with a 50-percent lot coverage maximum; and
  - Provide new height limits for infill developments in R3-2, R4, and R5 districts.

2.2a: Low-Density Commercial Districts (a/k/a Town Center)

The proposed changes in low-density commercial districts seek to provide new housing while supporting local retail and business districts and, in many areas, reinforcing built context.

Provide Additional FAR and Height

The Proposed Action would provide additional FAR and building height within low-density commercial districts to accommodate mixed-use developments with two to four stories of residential use above a commercial ground floor. This additional FAR and height would go beyond the adjustments to FAR and height in all low-density districts as part of the Proposed Action's "Low-Density Basic" initiatives described above.

Provide a Preferential FAR for Mixed Developments

To incentivize maintenance of the commercial character in these areas, the Proposed Action would provide a preferential FAR for mixed developments. Under these regulations, the only way to maximize a zoning lot's permitted FAR would be to provide non-residential use on the ground floor, echoing the built form used as a model for this initiative and strengthening existing commercial corridors.

The proposed FARs and heights by zoning district are found in **Table 1-11** and **Table 1-12**.

Table 1-11 Proposed FARs for Low-Density Districts with Commercial Overlays

		Residential FAR			Total FAR		
		Current	Proposed	Increase	Current	Proposed	Increase
Single-Family Districts	R1-1	0.50	1.00	+0.50	1.00	1.50	+0.50
	R1-2	0.50	1.00	+0.50	1.00	1.50	+0.50
	R1-2A	0.50	1.00	+0.50	1.00	1.50	+0.50
	R2X	1.00	1.00	+0.00	1.00	1.50	+0.50
	R2	0.50	1.00	+0.50	1.00	1.50	+0.50
	R2A	0.50	1.00	+0.50	1.00	1.50	+0.50
Two-Family Districts	R3-1	0.60	1.00	+0.40	1.00	1.50	+0.50
	R3A	0.60	1.00	+0.40	1.00	1.50	+0.50
	R3X	0.60	1.00	+0.40	1.00	1.50	+0.50
	R4-1	0.90	1.50	+0.60	1.00	2.00	+1.00
	R4A	0.90	1.50	+0.60	1.00	2.00	+1.00
	R4B	0.90	1.50	+0.60	1.00	2.00	+1.00
	R5A	1.10	2.00	+0.90	1.00	2.50	+1.50
Multi-Family Districts	R3-2	0.60	1.00	+0.40	1.00	1.50	+0.50
	R4	0.90	1.50	+0.60	1.00	2.00	+1.00
	R5	1.25	2.00	+0.75	1.00	2.50	+1.50
	R5B	1.35	2.00	+0.65	1.00	2.50	+1.50
	R5D	2.00	2.00	+0.00	2.00	2.50	+0.50

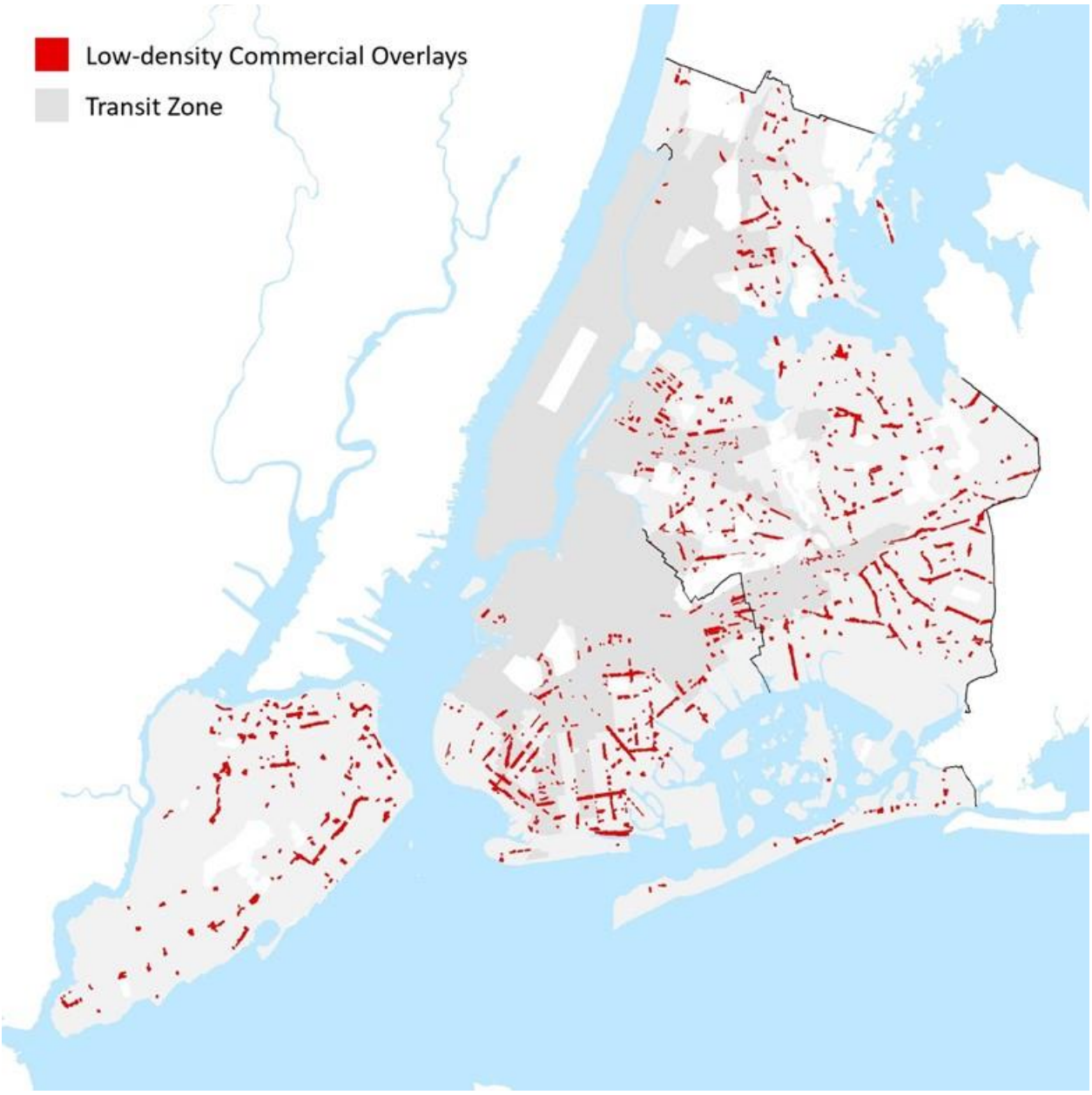
Table 1-12 Proposed Heights for Low-Density Districts with Commercial Overlays

		Current Base Height	Current Max Height	Proposed Max Height	Increase
Single-Family Districts	R1-1	21	35	35	+0
	R1-2	21	35	35	+0
	R1-2A	21	35	35	+0
	R2X	21	35	35	+0
	R2	21	35	35	+0
	R2A	21	35	35	+0
Two-Family Districts	R3-1	25	35	35	+0
	R3A	25	35	35	+0
	R3X	25	35	35	+0
	R4-1	30	33	45	+12
	R4A	25	35	45	+10
	R4B	30	33	45	+12
	R5A	25	35	55	+20
Multi-Family Districts	R3-2	25	35	35	+0
	R4	30	33	45	+12
	R5	30	40	55	+15
	R5B	30	33	55	+22
	R5D	--	40	55	+15

Additionally, the Proposed Action would reduce the applicability of ZR Special Permit 74-49, a CPC Special Permit to allow residences on lots greater than 20,000 square feet in C4-1 districts on Staten Island, to apply only to lots greater than 4 acres.

The Proposed Action would also provide the R5 regulations above to all low-density commercial districts within the Inner Transit Zone. A map of existing low-density commercial districts is shown in **Figure 1-8**.

Figure 1-8 Existing Low-Density Commercial Districts



Source: Department of City Planning

2.2b: Qualifying Sites

The proposed changes for Qualifying Sites would enable transit-oriented housing development within low-density districts.

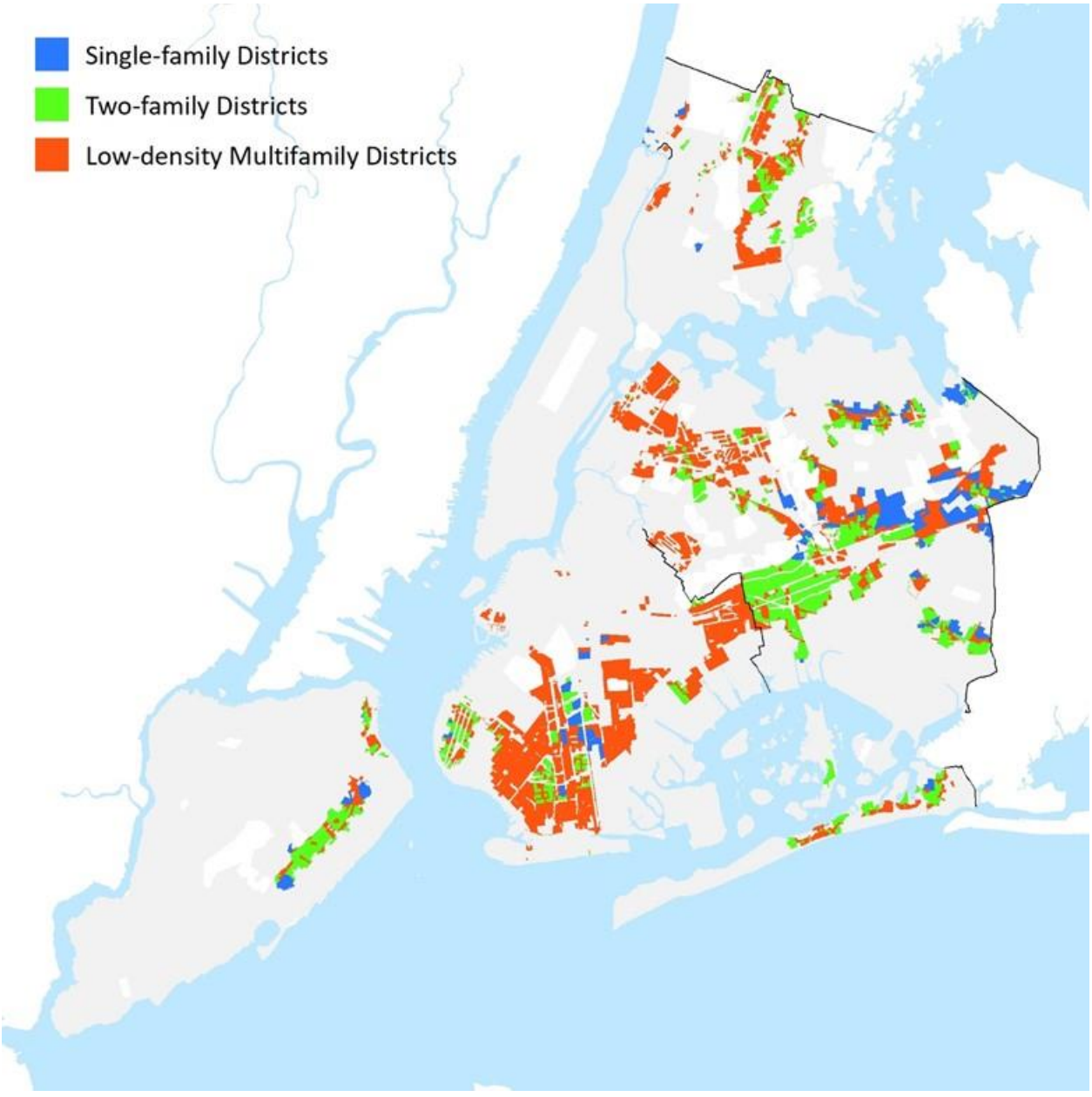
Define Qualifying Sites Criteria

The Proposed Action would define criteria necessary for sites to take advantage of the relaxed bulk regulations provided to Qualifying Sites. These requirements would include location within the Greater Transit Zone—that is, the Inner Transit Zone and Outer Transit Zone—and a zoning lot area

of at least 5,000 square feet. To qualify, these sites would have to front on a wide street or along the short dimension of a block.

Figure 1-9 shows a map of areas in low-density districts that are within the Greater Transit Zone.

Figure 1-9 Existing Low-Density Residence Districts Within the Greater Transit Zone



Source: Department of City Planning

Define alternate criteria for community facility sites

Community facilities (such as faith-based organizations and libraries) already receive higher FARs than residential uses and often define their own context, even when located on mid-blocks or narrow streets in lower-density areas. The Proposed Action would provide higher residential FARs for sites

with community facilities within the Greater Transit Zone to facilitate mixed and infill developments on such sites.

Outside the Greater Transit Zone, the Proposed Action would give a similar bump to sites above 5000sf with existing community facilities uses as of the date of enactment.

Modify Use Regulations for Qualifying Sites

One- and two-family districts limit development to one- and two-family homes respectively. The Proposed Action would modify use regulations for Qualifying Sites within one- and two-family districts to allow multifamily development only on those sites and would not effect changes elsewhere. This change would apply to Qualifying Sites in R1, R2, R3-1, R3A, R3X, R4-1, R4A, R4B, and R5A districts.

Provide Additional FAR and Adjustments to Height and Setback Regulations

The Proposed Action would provide additional FAR and height for Qualifying Sites to accommodate multifamily housing (see **Table 1-13** and **Table 1-14**). This additional FAR and height would go beyond the adjustments to FAR and height in all low-density districts as part of the Proposed Action's "Low-Density Basic" initiatives.

Table 1-13 Proposed FAR for Qualifying Sites in Low-Density Districts

		Current FAR	Proposed FAR	Change from Current FAR
Single-Family Districts	R1-1	0.50	1.00	+0.50
	R1-2	0.50	1.00	+0.50
	R1-2A	0.50	1.00	+0.50
	R2X	1.00	1.00	+0.00
	R2	0.50	1.00	+0.50
	R2A	0.50	1.00	+0.50
Two-Family Districts	R3-1	0.60	1.00	+0.40
	R3A	0.60	1.00	+0.40
	R3X	0.60	1.00	+0.40
	R4-1	0.90	1.50	+0.60
	R4A	0.90	1.50	+0.60
	R4B	0.90	1.50	+0.60
	R5A	1.10	2.00	+0.90
Multi-Family Districts	R3-2	0.60	1.00	+0.40
	R4	0.90	1.50	+0.60
	R5	1.25	2.00	+0.75
	R5B	1.35	2.00	+0.65
	R5D	2.00	2.00	+0.00

Table 1-14 Proposed Heights for Qualifying Sites in Low-Density Districts

		Current Height		Proposed		Change	
		Base (Perimeter)	Max	Base	Max	Base	Max
Single-Family Districts	R1-1	--	--	25	35	--	--
	R1-2	--	--	25	35	--	--
	R1-2A	25	35	25	35	+0	+0
	R2X	21	35	25	35	+4	+0
	R2	--	--	25	35	--	--
	R2A	21	35	25	35	+4	+0
Two-Family Districts	R3-1	21	35	25	35	+4	+0
	R3A	21	35	25	35	+4	+0
	R3X	21	35	25	35	+4	+0
	R4-1	25	35	35	45	+10	+10
	R4A	21	35	35	45	+14	+10
	R4B	--	24	35	45	--	+21
	R5A	25	35	45	55	+20	+20
Multi-Family Districts	R3-2	21	35	25	35	+4	+0
	R4	25	35	35	45	+10	+10
	R5	30	40	45	55	+15	+15
	R5B	30	33	45	55	+15	+22
	R5D	--	40	45	55	+5	+15

The Proposed Action would also make minor additional adjustments to height and setback regulations to facilitate multifamily on Qualifying Sites. These adjustments would include permitting flat roofs on Qualifying Sites in districts that typically require a pitched roof and exempting Qualifying Sites from provisions that require front yards to line up with those of adjacent properties. Without modifications, these regulations would make it difficult to build multifamily housing even where nominally allowed.

2.2c: Allow Infill on Low-Density Campuses

In low-density districts, infill development is difficult or impossible even on campuses with unused development rights and significant un- or underutilized open space because of restrictive yard and height regulations. Many tower-in-a-park campuses do not comply with existing height limits and yard requirements in lower density districts, and these existing non-compliances make infill on affected zoning lots difficult or impossible. In other instances, restrictive yard regulations simply preclude development on what would otherwise represent a viable footprint for infill.

In low-density districts, the Proposed Action would replace restrictive yard requirements and height limits that apply to existing buildings with a simpler regime that allows infill development on campuses of at least 1.5 acres or with full-block control as long as:

- The affected zoning lot complies with the FAR limit for the applicable district;
- The affected zoning lot complies with a new overall 50-percent lot coverage maximum;

› The new development complies with new campus height limits of 45 feet in R3-2 districts, 55 feet in R4 districts, and 65 feet in R5 districts.

These criteria would enable additional campus infill opportunities in context with the built environment in low-density areas while preserving significant amounts of open space for residents.

2.3: Accessory Dwelling Units

The ADU proposal seeks to enable an "accessory dwelling unit" on zoning lots with one- or two-family residences.

Many areas zoned for lower densities in New York City have a severe shortage of housing typologies appropriate for smaller, younger, older, and lower-income households. This shortage is especially apparent when looking at new construction in these areas, where layers of restrictions since the 1980s have typically prevented development of multifamily and other small-unit typologies more common in earlier eras. While many lower-density areas have seen a proliferation of unlawful subdivisions, basement apartments, and the like, the typologies typically encompassed by the term "ADU" have not been prevalent—at least not in licit form—because zoning and other regulations are not in place to support them.

To support the creation of ADUs in lower density areas, the Proposed Action would:

› 2.3a: Define a new type of residence called an "accessory dwelling unit" or "ADU" with a size limit of 800 square feet;

› 2.3b: Provide ADU-specific relief from various provisions that limit the number of dwelling units on a zoning lot and parking requirements, and in conjunction with other low-density initiatives, provide generally applicable allowances for FAR, height and setback, yard requirements, distance-between-building requirements, and new non-compliances in R1 through R5 districts to accommodate an ADU on typical zoning lots with one- and two-family residences.

The ADU proposals depend on the proposed increases in FAR described in the Low-Density Basic section above to provide opportunities for a broad range of sites with one- and two-family homes.

In combination, the provisions specific to ADUs would create opportunities for ADUs in conjunction with existing buildings or through redevelopment on a broad range of zoning lots.

2.3a: Define "Accessory Dwelling Unit"

The Proposed Action would define a new type of residence called an "accessory dwelling unit", or "ADU", that will qualify for certain allowances and relief that will not be available to "dwelling units" or other residences that do not satisfy the new definition. To qualify for allowances, ADUs would have to meet a size limit of 800 sf and be located on a zoning lot with a one- or two-family residence, among other potential requirements. ADUs will be limited to one per associated one- or two-family building on a zoning lot.

2.3b: Provide Relief from Various Zoning Regulations that Apply to Dwelling Units

The Proposed Action would grant relief to various bulk, use, and parking regulations that would otherwise present significant obstacles to a broadly applicable ADU program.

Number of Dwelling Units

Various zoning provisions directly limit the number of dwelling units permitted on a given zoning lot. This includes use regulations that limit certain districts to single- or two-family residences and bulk regulations, specifically dwelling unit factor, that set forth a maximum number of dwelling units based on the size of a zoning lot and permitted residential FAR. The Proposed Action would exempt ADUs from both types of regulations.

In conjunction with the Proposed Action, the City will request a small modification to state law to ensure that the addition of an ADU to a two-family home does not trigger applicability of the state Multiple Dwelling Law, which typically applies to buildings with three or more units and can impose prohibitively expensive requirements that would likely preclude ADUs for two-family residences.

Parking

The parking component of the Proposed Action would eliminate residential parking requirements for new housing citywide. The ADU component of the Proposed Action will further ensure that ADUs never have or count toward a parking requirement, even when ADUs are added to existing 1- and 2-family homes that retain a parking requirement.

Yard and Minimum Distance Regulations

The Proposed Action would provide allowances for ADUs with respect to yards and minimum distance regulations, which would otherwise significantly hinder the ability to add ADUs to a zoning lot.

The Proposed Action would list ADUs as a permitted obstruction in required rear yards, limited to 50 percent of the yard area and to a height that would accommodate a two-story ADU. ADUs would not be a permitted obstruction in required front or side yards.

The Proposed Action would permit ADUs in various typologies that are attached to or within buildings containing the other dwelling unit or units on the zoning lot. When detached, the Proposed Action would set a minimum distance of ten feet between the ADU and other buildings on a zoning lot. The Proposed Action would also set a minimum distance of five feet between an ADU and any lot lines, except where ADUs are permitted to be attached with a building on an adjacent lot.

New Non-Compliances

In a limited set of circumstances, the Proposed Action would enable the addition of an ADU to create what would otherwise represent new non-compliances. For instance, the Proposed Action would enable portions of an existing structure to be converted to an ADU even if it would result in a floor area non-compliance so long as the degree of non-compliance is not increased volumetrically. In other instances, the Proposed Action would enable a new ADU to be created within the footprint of other structures on the zoning lot, such as a detached garage, that would not otherwise comply with relevant regulations.

Health and Safety

The Proposed Action will also limit the applicability of ADU regulations for certain typologies within geographies where they may present health and safety concerns, such as basement ADUs in areas prone to flooding.

3: Parking Proposals

The Parking proposals seek to eliminate parking requirements citywide for new residential development. While it is expected that developers in most parts of the city would continue to provide some parking as part of new housing development, the Proposed Action would reduce existing conflicts between housing and parking on development sites across the city.

Parking requirements for existing housing will remain, but the Proposed Action would create discretionary actions to eliminate or reduce those requirements where deemed appropriate by a public review process.

3.1: Maintain and Extend a Comprehensive Set of Transit Geographies

The Proposed Action would build upon existing geographies established in the Zoning Resolution, such as the Manhattan Core and the inner Transit Zone, to extend a comprehensive set of geographies that would serve as the basis for discretionary actions to remove parking requirements for existing housing, as well as other aspects of the Proposed Action where access to transit is relevant—such as the proposal to eliminate or reduce Dwelling Unit Factors and the Low-Density "Qualifying Sites" proposal (See **Figure 1-10**).

Under the Proposed Action, the relevant geographies are:

3.1a: Manhattan Core and Long Island City

This geography comprises Manhattan Community Districts 1 through 8 and portions of Long Island City. In this geography, there is currently no required parking for any new housing and there are limits on how much parking may be provided voluntarily. Under the Proposed Action, the basic regulations within this geography would remain the same, with limited adjustments described below.

3.1b: Inner Transit Zone

This geography was established by the ZQA zoning text amendment as the Transit Zone in 2016 and generally encompasses blocks within multifamily zoning districts (R3-2, R4, R5, R5B, R5D, R6-R10) that are approximately one-half mile walking distance or less from a subway station. Within this geography, existing zoning regulations do not require parking for "income-restricted housing units" (IRHUs) regardless of zoning district, while other dwelling units require parking specified by the underlying district regulations.

Previously required parking for existing residential and mixed-use buildings could remain, but the Proposed Action would create a discretionary action to remove these requirements thereby freeing land or floor space currently used for parking for other purposes. These proposed changes would ensure that in areas with high transit accessibility and usage, parking is provided as a response to market demand and that parking requirements are not a disincentive for housing production. Under the Low-Density Commercial proposal described above, low-density commercial districts within the Inner Transit Zone would be afforded more flexible bulk regulations than the same districts outside the Inner Transit Zone.

Within the Inner Transit Zone, the Proposed Action would waive nonresidential parking requirements for mixed-use developments.

3.1c: Outer Transit Zone

The Proposed Action would create a new geography provisionally called the Outer Transit Zone. This geography generally encompasses blocks adjacent to the Inner Transit Zone in all zoning districts that allow residential uses and that are served by bus, commuter rail, and subway, making them less automobile-dependent than neighborhoods farther from transit. The Outer Transit Zone has denser development, lower car ownership rates, and higher rates of commuting by public transportation than areas beyond this geography.

Parking requirements for existing residential and mixed-use buildings would remain, but the Proposed Action would create discretionary actions to enable land or floor space currently used for parking to be repurposed for other uses.

Within the Outer Transit Zone, the Proposed Action would waive nonresidential parking requirements for mixed-use developments on lots of 10,000 sf or less.

3.1d: Greater Transit Zone

Collectively, the Manhattan Core and Long Island City Area, Inner Transit Zone, and the Outer Transit Zone will be known as the Greater Transit Zone.

Under the Qualifying Sites proposal, large sites in low-density districts within the Greater Transit Zone would be afforded more flexible bulk and use regulations to enable multifamily housing regardless of zoning district.

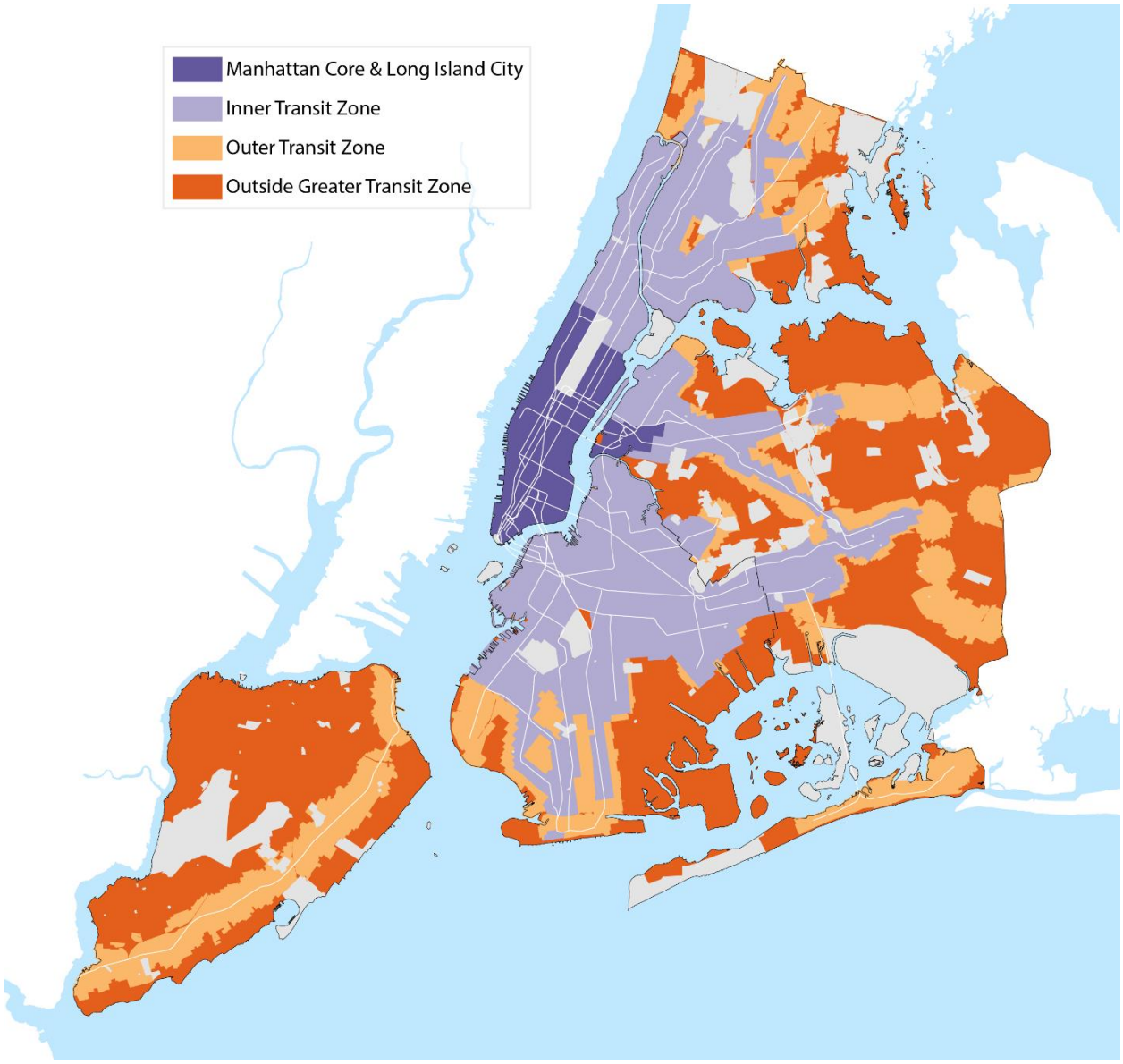
3.1e: Outside the Greater Transit Zone

The Proposed Action would create a new geography comprising all areas of the city outside of the Greater Transit Zone. As in the geographies described above, parking would be optional for new residential development, though developers would be expected to voluntarily provide parking at a higher rate than in more central locations.

Parking requirements for existing residential and mixed-use buildings would remain, but the Proposed Action would create a discretionary action to enable land or floor space currently used for parking to be repurposed for other uses.

Outside the Greater Transit Zone, the Proposed Action would waive nonresidential parking requirements for mixed-use developments on lots of 5,000 sf or less.

Figure 1-10 Proposed Transit Geographies



Source: New York City Department of City Planning

3.2: Reduce, Simplify, and Streamline Parking Requirements

In addition to establishing the parking geographies, the Proposed Action would adjust other aspects of parking regulation to reduce, simplify, and streamline existing parking requirements and administration.

3.2a: Eliminate Parking Requirements for New Residential Development

The Proposed Action would stipulate that no parking requirements apply to new developments, while clarifying that the parking requirements of the regulations as they exist today would continue

to apply to previously-constructed buildings. Spaces that were required by the existing regulations would generally require a CPC authorization to be removed. (see proposal 3.2c)

In order to aid in determining which existing spaces are permitted as opposed to required – and thus unable to be removed as-of-right – the Proposed Action would create a new "simplified reference table" that summarizes the requirements of the regulations in effect today. As an alternative, the Proposed Action would allow for the amount of required parking to be determined based on documentation of historical approvals.

Existing spaces which are not required will be considered permitted spaces, while all new residential spaces going forward will be considered permitted spaces. The Proposed Action would simplify and modernize existing maximum allowances on the number of permitted spaces, aligning them with regulations set forth in the New York State Multiple Dwelling Law, as well as with existing practices of the Department of Buildings.

3.2b: Eliminate Parking for Non-Residential Uses in Mixed Buildings

In buildings with a mix of residential and non-residential uses, today's zoning framework requires the provision of off-street parking pursuant to each distinct use's parking rate. To complement the elimination of parking requirements for new residential development (see proposal 3.2a), the Proposed Action would specify that no parking requirements apply to non-residential uses in mixed buildings in certain new developments in all zoning districts, based on lot size and location within one of the defined transit geographies as outlined in proposal 3.1.

Within the Manhattan Core and Long Island City geography and Inner Transit Zone (see proposals 3.1a and 3.2b), no parking requirements would apply to non-residential uses in all mixed buildings. In the Outer Transit Zone (see proposal 3.1c), no parking requirements would apply to non-residential uses in mixed buildings on lots of 10,000 square feet or less. Outside the Greater Transit Zone (see proposal 3.1e), no parking requirements would apply to non-residential uses in mixed buildings on lots of 5,000 square feet or less. This proposal aims to facilitate the continuance of small, locally-oriented businesses and community-serving enterprises by extending to these spaces the same parking rules governing the residential spaces they are designed to serve. The Proposed Action would also stipulate that the parking requirements for non-residential uses as they exist today would continue to apply to previously-constructed buildings, as laid out in a simplified reference table based on parking requirement categories. Spaces that were required by the existing zoning regulations would generally require a CPC authorization to be removed (see proposal 3.2c).

3.2c: Create Discretionary Action to Remove Parking Requirements for Existing Buildings and Clarify other Discretionary Actions

While parking requirements as they exist today would continue to apply to previously-constructed buildings, the Proposed Action introduces a pathway to reduce or remove existing parking built to the previous parking requirements through an Authorization by the City Planning Commission. This new discretionary action would apply to parking spaces accessory to all buildings containing residences, except for single- and two-family homes, in all zoning districts. As laid out in a new chapter within the Zoning Resolution, such an authorization would necessitate findings that the removal of parking does not impede access to parking on adjoining lots nor have undue adverse effects on the surrounding area. Parking accessory to single- and two-family homes would be able to be removed as-of-right. This new action enables both existing and new residential buildings to

consider all parking optional and aims to facilitate the creation of a little bit of new housing everywhere.

The Proposed Action would also clarify or remove existing discretionary actions that would operate differently or no longer be relevant in the absence of parking requirements for residential buildings. **Table 1-15** below summarizes these changes.

Table 1-15 Proposed Parking-Related Discretionary Action Adjustments

Section	Title	Issue	Proposed Solution
New Discretionary Actions			
75-31	**Authorization to Remove Required Parking**	Housing built prior to the adoption of CHO required the provision of parking, creating two different sets of rules depending on when a building was built.	Introduce new CPC authorization for the reduction or removal of previously-required accessory off-street parking.
Existing Discretionary Actions to Adjust			
73-451	**For residences**	BSA permit to locate accessory off-street parking refers to "required on-street parking spaces."	Remove "required" from (a) and (b) and change "on-street" to "off-street" in paragraph (a).
Existing Discretionary Actions to Remove			
25-35	**Waiver for Locally Oriented Houses of Worship**	CPC Chair Certification is no longer necessary with CHO removing parking requirements for houses of worship.	Remove section entirely.
36-25	**Waiver for Locally Oriented Houses of Worship**	CPC Chair Certification is no longer necessary with CHO removing parking requirements for houses of worship.	Remove section entirely.
44-25	**Waiver for Locally Oriented Houses of Worship**	CPC Chair Certification is no longer necessary with CHO removing parking requirements for houses of worship.	Remove section entirely.
44-28	**Parking Regulations for Residential Uses in M1-1D Through M1-5D Districts**	CPC Authorization to reduce parking requirements is no longer necessary with CHO removing parking requirements for residential uses. CPC Authorization to permit parking conflicts with CHO policy.	Remove section entirely.
73-431	**Reduction of parking spaces for houses of worship**	BSA permit is no longer necessary with CHO removing parking requirements for houses of worship.	Remove section entirely.
73-433	**Reduction of existing parking spaces for income-restricted housing units**	BSA permit is no longer necessary with CHO removing parking requirements for residential uses.	Remove section entirely.

Table 1-15 Proposed Parking-Related Discretionary Action Adjustments

Section	Title	Issue	Proposed Solution
73-434	Reduction of existing parking spaces for affordable independent residences for seniors	BSA permit is no longer necessary with CHO removing parking requirements for residential uses.	Remove section entirely.
73-435	Reduction of parking spaces for other government-assisted dwelling units	BSA permit is no longer necessary with CHO removing parking requirements for residential uses.	Remove section entirely.
73-46	Waiver of Requirements for Conversions	BSA permit is no longer necessary with CHO removing parking requirements for residential uses.	Remove section entirely.
74-532	Reduction or waiver of parking requirements for accessory group parking facilities	CPC permit is no longer necessary with CHO removing parking requirements for residential uses.	Remove section entirely.
74-533	Reduction of parking spaces to facilitate affordable housing	CPC permit is no longer necessary with CHO removing parking requirements for residential uses.	Remove section entirely.

3.2d: Streamline Existing Floor Area Exemptions for Certain Required Parking Spaces

Existing regulations include a patchwork of nine different floor area exemptions for parking spaces when provided in particular ways, to promote a variety of historical planning objectives such as the location of parking in enclosed garages in the "side lot ribbon". The Proposed Action would streamline this complex historical patchwork into a series of three modernized exemptions that reflect the Proposed Action's elimination of parking requirements.

In the case of individual parking facilities serving single- and two-family homes, up to – and no more than – one parking space (measured as 300 square feet) would be exempted from the calculation of floor area. An existing exemption generally applicable to medium- and high-density development, which exempts all space dedicated to parking when located below a height of 23 feet above the curb level, would be applicable to group parking facilities serving multifamily dwellings. A third exemption, currently applicable only in the Manhattan Core, would exempt all space located within an automated parking facility that is located below a height of 40 feet above the curb level, in order to promote greater usage of these space-efficient systems outside the Manhattan Core.

3.2e: Allow Public Use of Residential Accessory Parking Facilities

Today's zoning regulations place restrictions on who is able to use parking accessory to residential buildings as well as the duration for which this use can occur. The Proposed Action would allow all parking accessory to residential buildings, regardless of zoning district or geographic location, to be made available for use by non-residents of the associated building, thereby newly enabling accessory parking in R1 and R2 districts to be rented and removing arbitrary rental time frames. Parking can operate as a shared resource adjusting to changing community needs over time, broadening access to this typology of parking and allowing unused spaces to be more efficiently used.

3.2f Adjustments to the Manhattan Core Regulations

The Proposed Action would make minor adjustments and updates to parking regulations in the Manhattan Core. These changes would fix errors, harmonize provisions with the underlying district regulations, and update the Manhattan Core to accommodate evolving technologies, among other incremental adjustments. Where appropriate, some of these provisions would be extended to parking facilities outside the Manhattan Core. See **Table 1-16** below for more detail.

Table 1-16 Proposed Manhattan Core Regulation Adjustments

Section	Title	Issue	Proposed Solution
11-411, 13-00	**Renewals, Comprehensive Off-street Parking and Loading Regulations in the Manhattan Core**	Public parking garages with a pre-1961 special permit can only renew for ten years at a time, so they need to keep coming back to the CPC.	Add language to Article I, Chapter 3 indicating that pre-1961 parking special permits remain effective indefinitely and do not need to be renewed.
Appendix I	**Inner Transit Zone**	Roosevelt Island was left out of the Manhattan Core geography when it was originally mapped because there was no subway station there, but it is now close to transit and not auto-oriented.	Add Roosevelt Island to the Inner Transit Zone.
13-02	**Definitions**	The definition of "access zone" does not include all items that should be in this space of a garage, causing confusion when applications are reviewed.	Add to definition: "attendant booth," "waiting areas" and "pedestrian circulation areas."
13-07	**Existing Buildings and Off-street Parking Facilities**	Sub-section (b) refers to Section 13-442 as it currently exists, so any changes to that section would throw off this one. Also, currently (a)(2) requires buildings that already have parking to get a special permit for any increase, meaning they cannot get up to their permitted or 15 spaces with an authorization.	(1) Change subsection (b) to reflect proposed changes to Section 13-442. (2) Change (a)(2) to allow for what 13-442 will allow when changed.
13-242	**Maximum width of curb cuts**	This section requires a 22-foot maximum width for curb cuts in certain districts, but it does not say, "including splays." The underlying zoning regulations do include splays.	Add "including splays" to this section wherever the curb cut maximum width is provided.

Table 1-16 Proposed Manhattan Core Regulation Adjustments

Section	Title	Issue	Proposed Solution
13-242	Maximum width of curb cuts	For R1-R8 districts, this section refers to the underlying zoning district regulations on curb cuts. Since there are none for R9 and R10, it indicates the regulations for those districts here. This is convoluted and could cause confusion.	Make underlying zoning district regulations on curb cuts consistent.
13-25	Reservoir Spaces	The current reservoir-space requirement for automated facilities in paragraph (b) allows for vehicle elevators to function as reservoir spaces. This creates a safety issue.	Update the definition of reservoir spaces for automated facilities to ensure they do not apply to the vehicle elevator.
13-26	Pedestrian Safety and Access	There is no maximum distance that speed bumps must be located from the street line.	Add another sub-section to paragraph (b) with the maximum distance at eight feet.
13-431	Reduction of minimum facility size	Section 13-27 says minimum or maximum parking zone requirements may be modified by a chair certification in Section 13-431, but 13-431 says the Chair can only reduce the minimum size.	Change Section 13-431 to allow for a reduction in minimum size and an increase in maximum size.
13-432	Floor area exemption for automated parking facilities	This chair certification is limited to the MN Core.	Extend it citywide. Make this as-of-right and increase permitted obstruction to 40 feet.
13-442	Limited increase in parking spaces for existing buildings without parking	Recently built buildings can get this authorization as long as they exist as of filing because they technically "exist." This allows developers of new buildings to obtain 15 spaces through this authorization and avoid having to get a special permit and go through ULURP.	Change Section 13-442 to allow an authorization only up to the number of spaces that would have been permitted as of right based on the Manhattan Core regulations. An increase past the as-of-right amount would require the appropriate special permit under Section 13-45.
13-45	Special Permits for Additional Parking Spaces	Sub-section (b) Conditions indicates applicants need to comply with Section 13-20, but this is redundant because they need to comply with it anyway.	Take out the reference to Section 13-20, but keep exceptions.
13-451	Additional parking spaces for residential growth	Sub-section (b) re-states the MN Core maximums even though the only reason why someone would apply for this special permit is to exceed those maximums.	Rephrase to clarify.
none		The ZR does not address motorcycle parking. Motorcycles do not fit in car spaces or bike spaces.	Allow a reduction in size of spaces/maneuverability as part of another project.

4: Other Zoning Changes

The components of the Proposed Action in this section represent zoning changes that are consistent with overall project goals—to enable more housing and more types of housing in every neighborhood across the city—but that do not fit naturally within any of the categories described above.

4.1: Create New Zoning Districts to Fill in FAR Gaps

As zoning districts have evolved in recent decades, and as preferences for affordable housing have taken a more central role in residential zoning, residential FARs have shifted and left significant gaps in the hierarchy of zoning districts. When the gap is large enough, it can be difficult to find an appropriately sized zoning district for certain neighborhood contexts, forcing a choice between zoning that may be too tight and zoning that may be too loose in relation to existing or proposed context. It may also mean that zoning districts created to mimic certain widespread building forms—like the six-story semi-fireproof buildings that dominate many neighborhoods—no longer serve their original purpose as their FARs and height regulations have been modified over time.

Figure 1-11 and **Figure 1-12** below show existing FAR allowances for each residential zoning district in yellow, as well as the proposed UAP FARs that are described above under **1.1: More Floor Area for Affordable and Supportive Housing**. Additional contextual districts would fill in gaps in the existing distribution where the difference between districts is especially large, generally greater than 1 FAR. New non-contextual districts would replace existing districts that have different FAR and envelope regulations depending on whether they front on wide or narrow streets.

Figure 1-11 Existing Contextual Zoning Districts with Proposed Universal Affordability Preference (UAP) FAR

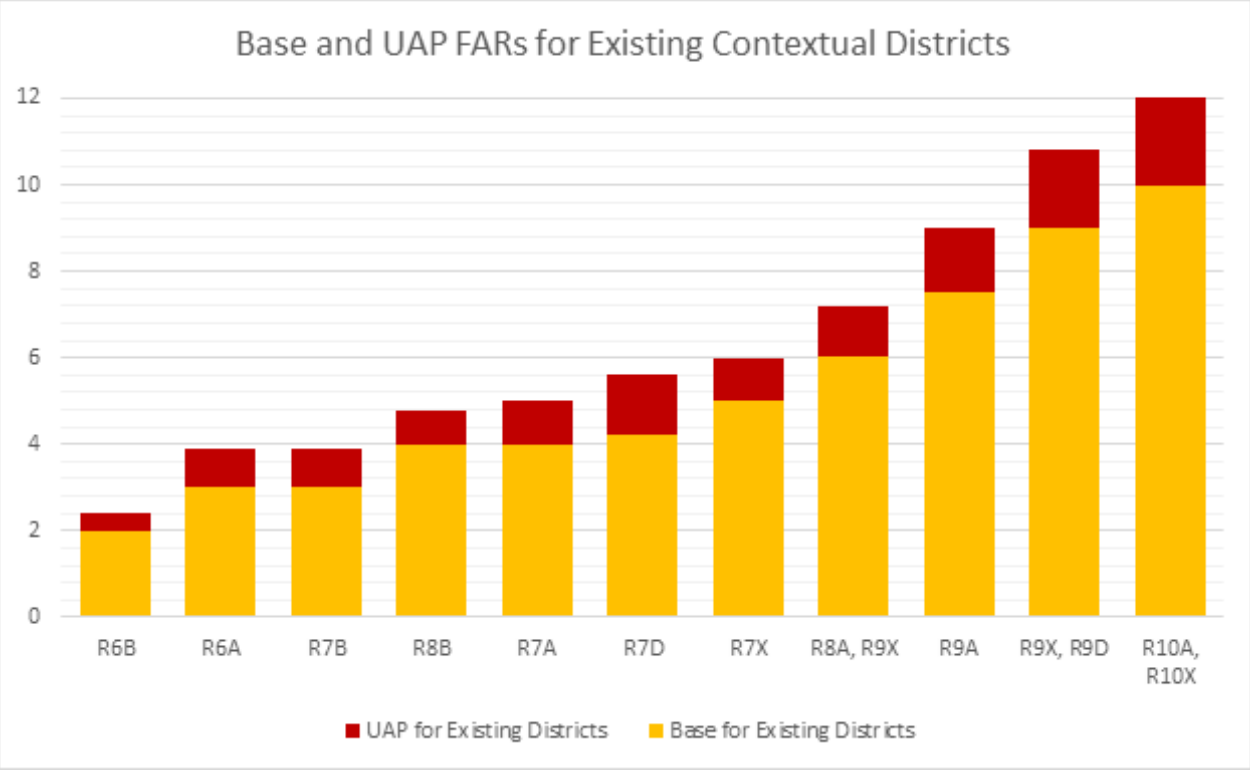
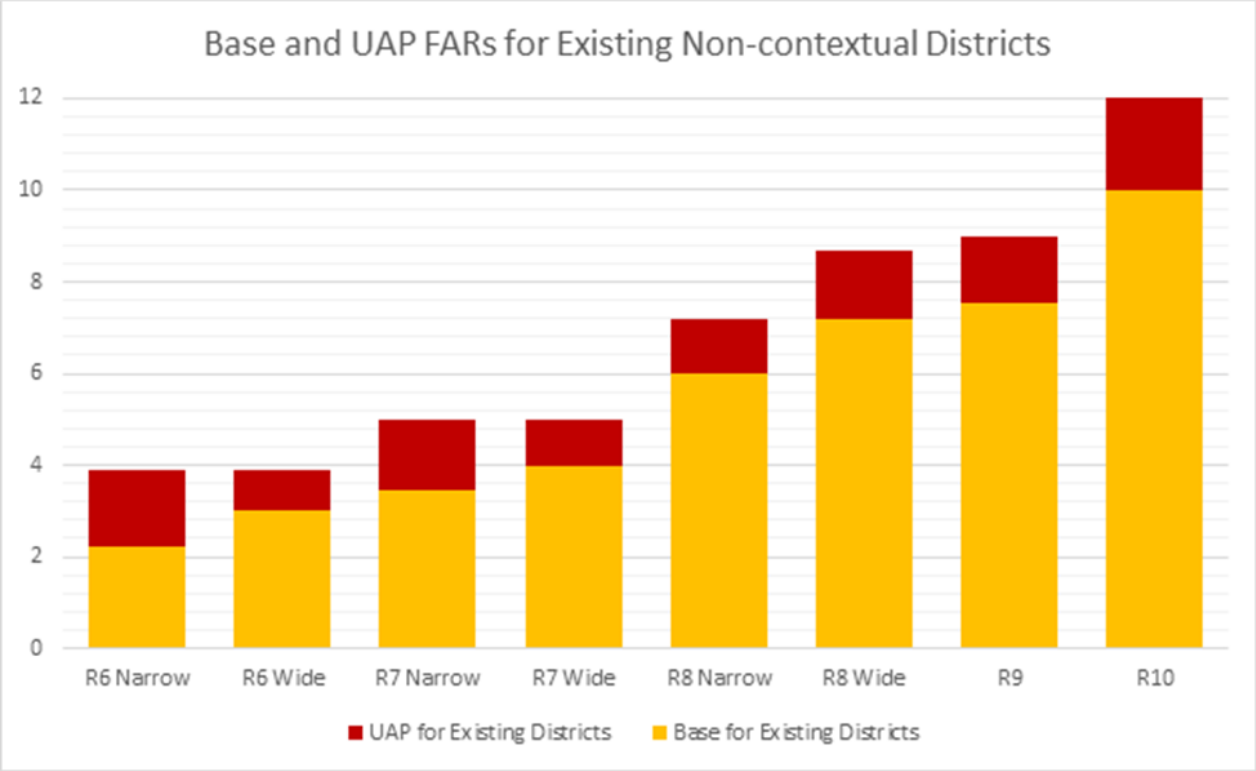


Figure 1-12 Existing Non-Contextual Zoning Districts with Proposed Universal Affordability Preference (UAP) FAR



The Proposed Action would create several new zoning districts to fill in the largest gaps and replace existing zoning district structures that rely on wide and narrow street determinations to define the bulk and envelope, which the city would not map in the future.

The Proposal includes a new family of R6 districts (R6-2 and R6D) with maximum FARs between R6A and R6B districts. This could be a useful tool in areas with a mix of low and medium density building types.

The Proposal creates new higher-density Residence Districts (R11 and R12) with higher maximum FARs than the current R10 districts (see **Table 1-17**). These districts could only be mapped with MIH. They could be mapped through future zoning changes.

The new districts will receive building envelopes commensurate with their FARs to accommodate the proposed densities. These new districts would have no immediate applicability but can be mapped subsequently via zoning map actions.

Table 1-17 Proposed Regulations for New Zoning Districts

	Basic FAR	UAP/MIH FAR	Max Base Height	UAP/MIIH Max Base Height	Max Height[1]	UAP/MIH Max Height[1]
R6-2	2.5	3.0	45	55	65	75
R6D	2.5	3.0	45	55	65	75
R11	N/A	15.0	155	155	255*	325*
R11A	N/A	15.0	155	155	255	325
R12	N/A	18.0	155	155	325*	395*

Notes:

[1] An asterisk indicates option for flexibility with towers as long as lot coverage regulations are met. If tower rules are used there would be no maximum height restriction

4.2: Street Wall Regulations

The Proposed Action would establish a new system of street wall regulation to provide more flexibility and greater sensitivity to neighborhood context. Today's regulations often prevent new development from fitting in with neighborhood context or aligning horizontally or vertically with neighboring buildings. In particular, the Proposed Action would

- 4.2a: Establish a new system of street wall regulations based on street typologies rather than zoning district;
- 4.2b: Provide base height allowances to enable new developments to align with the base heights of neighboring buildings; and
- 4.2c: Simplify dormer provisions under one flexible dormer rule.

4.2a: Establish a New System of Street Wall Regulation

Street walls are regulated via zoning district regulations, but street wall context varies by neighborhood in ways that do not necessarily correlate with FAR, heights, or other primary characteristics of zoning districts. For example, the street wall requirements of an R9A district may mesh well with the built context in Manhattan where those districts were originally mapped; when R9A is mapped in Brooklyn, however, the street wall regulations may not be a good match. Similarly, "line-up" provisions in districts with a B suffix were created for homogeneous rowhouse blocks on side streets; as these districts have proliferated, they can have awkward consequences—like forcing multifamily housing to "line up" with detached single-family homes on adjacent zoning lots.

The Proposed Action would decouple street wall regulations from zoning districts and establish a new system based on street wall typologies. This would be a simpler form of street wall regulation that is more attuned to neighborhood context. Under this form of street wall regulation, line-up provisions would be stricter on blocks with a strongly established context and more flexible on blocks with more variation.

The Proposed Action would provide strong line-up provisions in preservation districts (R6B, R7B, R8B) that are typically mapped in areas with a prevailing street wall frontage. In other districts, and for developments in areas that do not have a prevailing street wall frontage, more flexible percentage-based rules would apply. On wide streets and within 5- feet, at least 70% of the street wall would have to be located within 8 feet of the tree line; in other areas that percentage would be reduced to

50%. Finally, special, more flexible rules would apply to large sites (above 40,000sf) and sites that are adjacent to certain types of infrastructure.

In rationalizing street wall regulations to better match street wall typologies, the Proposed Action would remove the utility for CPC Authorization in 23-463 that allows for larger aggregate street wall widths in R4 and R5 districts. The Proposal replaces this rule with an articulation requirement meant to better reflect existing apartment building designs in lower density districts.

The Proposed Action would also remove the utility for CPC Authorization 23-672, which allows for street wall location modifications in Manhattan CB7. The proposal would subject buildings in this geography to the underlying street wall framework. The current rules predate quality housing regulations and generally mimic them, but the Proposed Action would update the regulations to match them completely.

4.2b: Provide More Flexible Base Heights

Similar to street wall regulations, base height provisions are generally intended to align new development with neighboring buildings but can prevent alignment when they are not flexible enough.

The Proposed Action would retain existing minimum and maximum base heights while adding an allowance that enables new developments to go lower or higher than those limits to match the base heights of neighboring buildings.

4.2c: Simplify Dormer Provisions

As new zoning districts and new special districts have been created over the years, slight variations on provisions that allow dormers—that is, portions of a building permitted within the required setback above the maximum base height—have proliferated. Dormers allow for design flexibility and can enable building envelopes at a given maximum height to accommodate more floor area. Typically, they consist of an allowance expressed as a percentage of street wall width, which narrows as height increases.

The Proposed Action would create a unified dormer provision that enables dormers with a width of up to 40 percent to rise above maximum street wall height.

4.3: Allowances for Irregular and Challenged Sites

The Proposed Action would extend relief to irregular and challenged sites for which compliance with underlying zoning regulations may be difficult, in many cases frustrating the planning goals and the provision of public benefits. More specifically, the Proposed Action would

- 4.3a: Provide setback and height relief for sites near elevated infrastructure such as above-ground trains, bridges, and elevated streets;
- 4.3b: Increase tower coverage maximums for small lots in districts subject to tower regulations; and
- 4.3c: Provide noncompliance allowances for buildings seeking to comply with the Americans with Disabilities Act (ADA), provide rooftop recreation space, and other beneficial alterations that existing noncompliance regulations do not permit.
- 4.3d: Create new discretionary actions to provide bulk relief for challenged sites.

4.3a: Provide Relief for Sites Near Elevated Infrastructure

Elevated infrastructure—elevated subway line, streets, bridges, ramps and so forth—can pose serious challenges to residential development on nearby sites. Most underlying zoning districts do not contemplate such infrastructure and do not provide enough flexibility for residential development to address noise, light and air, and other challenges such infrastructure can pose. In recent decades, new zoning districts or special district text have introduced flexibility for some sites along elevated infrastructure as they are rezoned, but that provides no relief for the far greater number of sites that have not been rezoned.

The Proposed Action would provide street wall, setback, base height, and maximum height flexibility for developments with a transportation-infrastructure-adjacent frontages within 100 feet of elevated infrastructure, regardless of zoning district. Such sites would be relieved from street wall location requirements (in commercial districts this relief would apply above the ground floor) and receive one or more floors of additional height, depending on district.

This would allow all sites near elevated infrastructure to move residential units away from elevated infrastructure to ameliorate noise, light and air, and other issues. This would render development sites more feasible and result in better housing.

4.3b: Increase Tower Coverage Maximums for Small Lots

In tower districts, the tower portion of a development is generally subject to a lot coverage maximum of 40 percent of the zoning lot. This ensures adequate light and air in districts where developments are permitted to be very tall. Smaller sites get a mere 1 percent additional lot coverage for every 1,000 sf of lot area below 20,000 sf, up to a 50 percent lot coverage. While this tower coverage maximum works well for most sites, inadequate allowances for small sites lead to less efficient, costlier, and taller towers that struggle to achieve a workable floor plate or to use their allotted floor area.

The Proposed Action would increase permitted tower coverage up to 65% below a height of 300 feet and up to 50% above that. This would allow for lower developments with more efficient elevatoring and building floorplates. The proposal would look to emulate models that already exist in the Lower Manhattan and Downtown Brooklyn Special Districts.

4.3c: Provide Noncompliance Allowances for Beneficial Alterations

In most instances, noncomplying buildings—that is, buildings that do not comply with one or bulk regulations, such as FAR, maximum height, and the like—are not permitted to make alterations that would create a new noncompliance or increase the degree on an existing noncompliance. This makes sense in most instances, but it can also inadvertently prevent alterations that serve important policy and planning goals or that are otherwise beneficial.

The Proposed Action would provide limited allowances for a new noncompliance or an increase in the degree of an existing noncompliance for alterations that achieve enumerated goals, such as compliance with ADA policies, provision of rooftop recreation space in multifamily buildings, and other aims.

4.3d: Create New Discretionary Actions to Provide Bulk Relief for Challenged Sites

The Proposed Action would create a new framework for bulk relief on sites facing unique challenges, allowing for the removal of the following existing discretionary actions by consolidating the relief into two new discretionary actions, a CPC Authorization, and a CPC Special Permit. The actions that would be removed include:

- 23-673 – CPC authorization for bulk modifications in CB4 Manhattan;
- 23-665 (e) – CPC authorization for Quality Housing street wall location modification;
- 73-623 - BSA permit to modify Quality Housing bulk for predominantly IRHU on irregular sites;
- 74-81 – CPC permit to modify AIRS welfare space requirement;
- 74-851 – CPC permit to allow bulk modifications for residences in R8+ districts;
- 74-852 – CPC permit to allow bulk modifications at a specified district boundary condition;
- 74-88 – CPC permit to allow bulk modifications to tower on a base regulations and;
- 74-94 – CPC permit to allow bulk modifications for AIRS for people with disabilities.

The Proposed Action would create a new CPC Authorization to modify bulk, not including FAR, subject to maximum height caps. The authorization to modify bulk regulations other than FAR would be available for sites with irregular site conditions or proximate transportation infrastructure. Any proposed height modification could not exceed 25% over the district height. The findings require that the relief needed would be the least amount needed to relieve practical difficulties in laying out the residences because of the irregularity or the transportation infrastructure. The Proposed Action would create a new CPC Special Permit, to facilitate greater relief than what would be facilitated through the Authorization. The special permit would allow modifications beyond these thresholds.

4.4: Replace Qualifying Ground Floor Regulations

Qualifying ground floor criteria set forth what individual developments must do to qualify for an additional 5 feet in height intended to allow new developments to provide a ground floor that meets contemporary standards.

The current qualifying ground floor regulations are less than ten years old but have proven difficult to administer and have prevented many developments from providing adequate ground floors due to overly restrictive criteria. Because the regulations depend on the characteristics of individual developments, such as ground-floor use program or the type of housing provided on the floors above, they can also work against streetscape-level planning objectives and result in new developments that clash with their neighbors.

The Proposed Action would replace the qualifying ground floor criteria with a simple requirement that the second story begin no lower than 13 feet above the adjoining sidewalk. This ensures that the additional five feet in height is used as intended—to provide a ground floor that meets contemporary standards. Ground floor uses would be regulated in accordance with other citywide zoning changes that seek to implement a standard set of ground floor use regulations based on geographies that apply to entire street frontages rather than individual developments.

4.5: Increase Flexibility for Zoning Lots Split by a District Boundary

Developments on zoning lots split by a district boundary often face significant obstacles to efficient development if they do not qualify for the limited use and bulk allowances in Article VII Chapter 7 of

the zoning resolution. Apportioning floor area across a boundary between districts with widely divergent FARs is among these challenges. Under the existing regulations, the basic rule is that each portion of the zoning lot must comply with either the maximum FAR of the zoning district for that portion or the adjusted maximum FAR—that is, total floor area divided by lot area—whichever is greater. In a limited universe of zoning districts, a further allowance enables the portion of a zoning lot in the higher density district to exceed the district maximum FAR by up to 20 percent, which enables shifts of floor area away from the lower density district and into the higher density district.

The Proposed Action would expand this allowance to shift from the lower district to the higher, up to 20 percent, to all districts to encourage greater flexibility and enable greater concentration of density along avenues and other wide streets.

4.6: Simplify and Standardize Tower-on-a-Base Regulations

Tower-on-a-base regulations were introduced in the 1990s to reinforce contextual street walls in tower districts and to indirectly limit height via bulk-packing requirements and tower lot-coverage minimums. Since their introduction, variations on these regulations have been introduced in special districts and adapted for use in contextual districts like R9D and R10X. The conjunction of bulk-packing and tower lot-coverage regulations can work well on many sites but has resulted in unnecessary complexity and unintended results in certain situations, such as zoning lot mergers or split lot conditions.

The Proposed Action would replace the various forms of tower-on-a-base regulation with a uniform system based on the contextual regulations for R10X, which include a contextual base and tower lot-coverage minimums and maximums.

4.7: Eliminate Limits on Side-by-Side Residences in Two-Family Districts

Section 22-42, Detached and Semi-Detached Two-Family Residences, of the Zoning Resolution requires an authorization by the CPC for a two-family residence with dwelling units side-by-side rather than one atop the other. This requires owners and builders to engage in costly and time-intensive public and environmental review to build a two-family home in a two-family district.

The Proposed Action would eliminate the authorization in Section 22-42 of the Zoning Resolution and allow side-by-side two-family homes as-of-right in two-family districts.

4.8: Eliminate Exclusionary Geographies

The zoning resolution includes several outdated provisions that reflect attempts from previous decades to limit development in particular areas in ways that are difficult to justify in light of today's housing needs and planning goals. In many cases, these provisions have been rendered obsolete by zoning tools developed since or included in the Proposed Action.

The Proposed Action would eliminate:

- 4.8a: Reductions in FAR and heights in the Manhattan Core;
- 4.8b: The limits on FAR and affordable housing production in R10 districts and equivalents in Manhattan Community District 7 (the Upper West Side);
- 4.8c: The limits on heights in R8 districts in Manhattan Community District 9;
- 4.8d: Limited Height Districts in Cobble Hill, the Upper East Side, and Gramercy Park; and

› 4.8e: Restrictions on development and enlargement of nursing homes in the Bronx Community District 11, Manhattan Community District 8, and Staten Island Community District 1.

4.8a: Manhattan Core

Dating back to the 1980s, some zoning districts (R6, R7, R8) provide lower FARs and heights within the Manhattan Core than the same districts provide in less central parts of the city, inverting typical planning principles that put greater densities in areas with the best access to jobs and transit. The Proposed Action would eliminate these reductions in FARs and heights in the Manhattan Core, providing the same FARs and heights as the underlying zoning in other parts of the city.

4.8b: Manhattan Community District 7

Special regulations in Section 23-16, Special Floor Area and Lot Coverage Provisions for Certain Areas, of the zoning resolution cap FAR for R10 districts and equivalents at 10 FAR in Manhattan Community District 7, preventing these districts from accommodating affordable housing, among other bonuses, in one of the wealthiest and highest-housing-cost areas in the city. The Proposed Action would eliminate this exclusionary provision and enable developments in R10 and R10-equivalents to achieve 12 FAR as they can elsewhere in the City.

4.8c: Manhattan Community District 9

Special regulations in Section 23-16 Special Floor Area and Lot Coverage Provisions for Certain Areas of the Zoning Resolution require Quality Housing and limit heights below Quality Housing regulations in R8 districts in portions of Manhattan Community District 9. The Proposed Action would eliminate special R8 height regulations for this geography to the extent they differ from the proposed underlying heights for R8 districts elsewhere in the city.

4.8d: Limited Height Districts

Limited Height Districts date back to the late 1960s, prior to the advent of special districts and contextual zoning, and represent a particularly archaic way of limiting heights in some of the city's wealthier areas, including Cobble Hill, the Upper East Side, and Gramercy Park. More recent zoning tools have rendered portions of these districts largely moot, and other aspects of the Proposed Action will render the remaining areas of these districts largely moot. As such, the Proposed Action will remove Limited Height districts from the zoning text.

4.8e: Bronx Community District 11, Manhattan Community District 8, and Staten Island Community District 1

In 2016, Zoning for Quality and Affordability eliminated the special permit requirement for development or enlargement of nursing homes in Community Districts with a nursing home bed to population ratio higher than the city median (ZR section 74-901). Modifications to the proposal retained restrictions in three community districts: Bronx Community District 11, Manhattan Community District 8, and Staten Island Community District 1. The Proposed Action would eliminate these remaining restrictions and enable as-of-right nursing home development throughout the city.

4.9: Clarify and Simplify Railroad Right-of-Way Regulations

The Railroad Right-of-Way Special Permit in Zoning Resolution Section 74-681, Development Within or Over a Right-of-Way or Yards, dates to the early 1960s and had two purposes: First, to ensure that development on zoning lots that include railroad rights-of-way does not interfere with current or future railroad operations and, second, to ensure that development resulting from often large and irregular zoning lots containing railroad rights-of-way is appropriate in terms of the distribution of bulk. Attempts to clarify and streamline the text over the decades—most recently in the 1990s—have added additional layers of confusion and did not reduce burdens for development that would not implicate the policy concerns that animated the creation of the special permit. More broadly, reforms to the City Charter since the 1960s have significantly increased the cost and process burden of special permits beyond what is necessary or appropriate.

First, the Proposed Action would create definitions for "railroad right-of-way" and "former railroad right-of-way" that would provide clarity to government agencies, property owners, and others about when such a right-of-way exists and when zoning actions are required to develop a zoning lot. These terms are not defined today. A railroad right-of-way would be defined as a tract of land where a railroad company has a right to occupy or use such land for rail transportation uses. A former railroad right-of-way would include railroad rights-of-way where the right to occupy or use such right-of-way has been abandoned or extinguished after the effective date of this text. The Proposed Action would also remove the definition of "railroad or transit air space" that has proven to be confusing and difficult to interpret ,as the existing definition requires examination of whether a right-of-way that was discontinued as of 1962 and is abandoned today was reactivated at any point on or after 1962.

Second, on certain zoning lots that include a railroad right-of-way, the Proposed Action would reduce or eliminate approval procedures for developments that construct over a railroad right-of-way and/or use floor area generated by the railroad right-of-way or former railroad right-of-way. The Proposed Action would eliminate the 74-681 special permit and replace it with a Commission authorization and Chairperson certification. The newly created authorization would be required for developments or enlargements on zoning lots where the lot area includes an existing or former railroad right-of-way, and where the lot area is four acres or greater. Such developments involving former rights-of-way will be referred to the MTA and DOT for 30 days so that they can indicate whether they plan to use the property for railroad or transit use. This authorization would preserve the Commission's review of bulk over developments on larger lots, while allowing development on smaller lots that do not implicate the bulk concerns that animated the existing special permit to proceed as of right. The certification would be required for developments or enlargements on or over an existing railroad right-of-way, including developments that would platform over the right-of-way in order for the Department of City Planning to ensure that the applicant has consulted with the transportation agency that owns the right-of-way.

Together, these aspects of the Proposed Action would streamline process while protecting the planning goals that animated the creation of the special permit process and its subsequent amendments.

4.10: Simplify and Expand the Landmark TDR Program

The Proposed Action would loosen restrictions on the ability of designated landmarks to transfer unused development rights to zoning lots in the immediate vicinity. This is popularly known as the "Landmark TDR" program.

The Landmark TDR program was created in the 1960s to relieve the financial burden on designated landmarks, which are subject to maintenance requirements and are generally limited in their ability to redevelop, enlarge, or provide infill development elsewhere on a landmark zoning lot. Today, the program is not available for landmarks in historic districts and in R1 through R5 districts, and equivalents, and can only send TDRs to adjacent zoning lots—that is, lots that abut the landmark zoning lot or would abut if not for an intervening street. The program also allows for limited bulk waivers to enable receiving sites to accommodate TDRs. Despite these tight restrictions, the program requires a special permit, a process that has become significantly more onerous since the 1960s. Fewer than 15 transfers have happened in the 50-plus years of the program's existence, and even then, only in the densest, highest-value parts of the city, such as Midtown and the Financial District.

The Proposed Action would expand the program to historic districts and lower density areas and extend existing transfer opportunities to other zoning lots on the same zoning block as the landmark zoning lot or across the street or an intersection from that block. Furthermore, transfers would be permitted by authorization for transfers that require limited bulk modifications on receiving sites, or certifications for transfers that do not require bulk modifications.

This would unlock additional opportunities for housing and other development and realize the purpose of the original Landmark TDR program.

4.11: Special Permit Renewal

Under Section 11-42, Lapse of Authorization or Special Permit Granted by the City Planning Commission Pursuant to the 1961 Zoning Resolution, of the Zoning Resolution, special permits and authorizations vest upon substantial construction of one building. When multiple buildings abut, however, a special permit or authorization does not vest until all abutting buildings are substantially constructed. This puts special permits with abutting buildings at a significant disadvantage with respect to vesting and can cause serious problems for large developments intended to be constructed in multiple phases extending ten years beyond initial approval.

The Proposed Action would eliminate this condition for abutting buildings, putting special permits and authorizations with abutting buildings on the same footing as other special permits and authorizations.

4.12: Clarify Adjacency Rules for MX Districts

The adjacency requirements of Section 43-30, Special Provisions Applying Along District Boundaries, of the zoning resolution were never intended to apply to Special Mixed Use Districts (MX) mapped adjacent to residence districts. MX districts contain residence districts themselves. A recent New York State court decision found to the contrary, creating significant uncertainty.

The Proposed Action would clarify that the adjacency requirements of Section 43-30 do not apply to MX districts.

4.13: Reduce Procedure for Enlargements Under 73-622, Enlargements of Single- and Two-Family Detached and Semi-Detached Residences

For over 25 years, homeowners within certain zoning districts in defined geographies in Brooklyn have been able to seek a special permit from the Board of Standards and Appeals to enlarge one- and two-family homes beyond what the underlying district regulations would allow. Over time, approval of these applications has become routine and the ability to enlarge is capitalized into homes in the applicable geographies.

The Proposed Action would reduce the procedure involved in approval of such enlargements, reducing as many enlargements as possible to a ministerial approval by the Department of Buildings for proposed enlargements that meet enumerated criteria.

4.14: Minor Changes to Enable Improved Building Design and Function

The Proposed Action would address zoning issues that can make it difficult to design high quality buildings for their residents. This would include issues that limit outdoor area on roofs or balconies, as well as other building services.

Minor changes include the removal of two existing discretionary actions: CPC Special Permit 74-86, which requires that accessory outdoor swimming pools for residences be located at least 50 feet from the lot line, and CPC Authorization 74-95, which modifies previous housing quality special permits. 74-86 represents a procedural hurdle for residences with no impact potential; 74-95 is anachronistic as its most recent applicability was 1987.