City of Yes for Housing Opportunity

Draft Scope of Work in Preparation of a Draft Environmental Impact Statement

LEAD AGENCY

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on behalf of the City Planning Commission

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Table of Contents

List of Tables

List of Figures

Figure No.	Description	Page

1 Draft Scope of Work

This Draft Scope of Work (Draft Scope) outlines the technical areas to be analyzed in the preparation of the Environmental Impact Statement (EIS) for the Housing Opportunity text amendment proposal, which would implement many of the key policy goals established in Mayor Eric Adams's *Housing Our Neighbors: A Blueprint for Housing and Homelessness* (Housing Blueprint). The Applicant, the New York City Department of City Planning (DCP), is proposing a package of zoning text amendments (the Proposed Action) to provide a broader range of housing opportunities citywide.

1.1 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The Housing Blueprint makes clear that many of the obstacles to more housing and more affordable housing are rooted in outdated or overly restrictive zoning regulations that have stifled housing production in recent decades even as the housing crisis and its consequences have worsened.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 NYC's lowest density areas to add a small accessory dwelling unit (ADU), 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 the two- and multi-family housing that are nominally permitted, reintroducing modest 3- to 5-story apartment buildings in low-density commercial districts and on large sites near transit, and 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-Oriented Development Area), 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.

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.

1.2 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, this Draft Scope has been 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 are invited to comment on the Draft Scope of Work, either in writing or orally, at a public scoping meeting to be held on October 26, 2023, starting at 2:00 PM. To continue to allow for broad public participation options, DCP will hold the public scoping meeting remotely. Instructions on how to view and participate, as well as materials relating to the meeting, will be 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) will be considered and incorporated as appropriate into the Final Scope of Work (Final Scope). The lead agency will oversee preparation of the Final Scope, which will incorporate 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. The Draft EIS (DEIS) will be prepared in accordance with the Final Scope.

Once the lead agency is satisfied that the DEIS is complete, the document 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.

1.3 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.

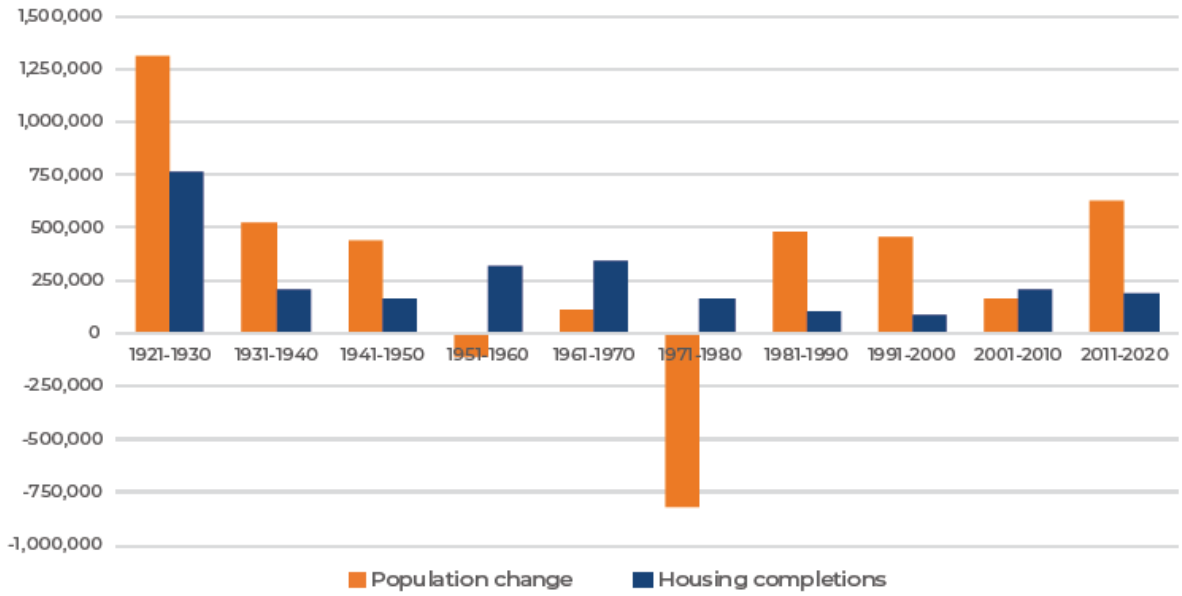
The housing shortage exacerbates disparities in access to transit, amenities, and economic opportunity, forcing many households to make trade-offs between the location, quality, and affordability of housing. High home prices put homeownership and its wealth-generating benefits out of reach for the vast 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**). 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 2**). This worsening shortage is the leading driver of increased housing costs as a burgeoning population competes for limited housing stock.

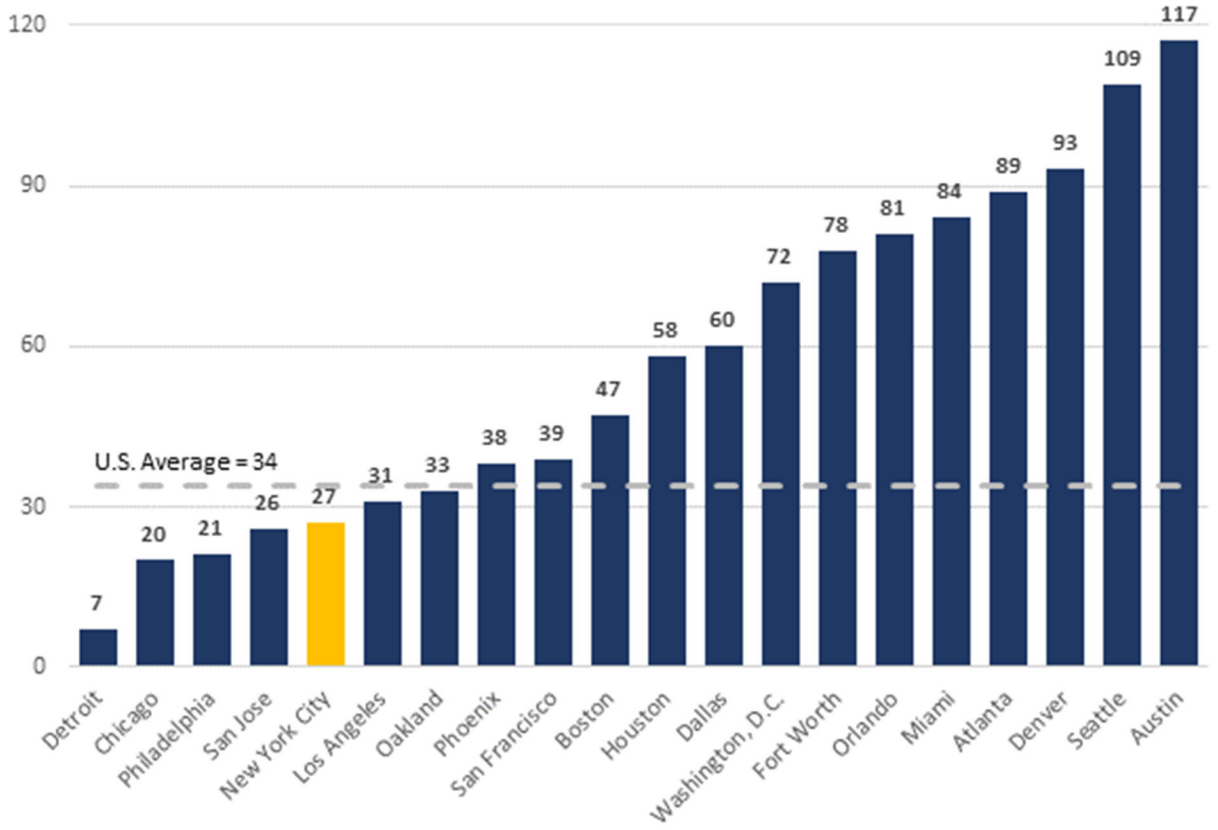
Figure 1 Population Change vs. Housing Completions in NYC by Decade, 1921-2020



Source: Department of City Planning

[1] https://opportunityinsights.org/

Figure 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 shelter stays 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 or where the existing AIRS FAR preference is small, 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." 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-Oriented Development Area, 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-Oriented Development Area. 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 would not 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-Oriented Development Area—that is, the Manhattan Core and Long Island City, the Inner Transit-Oriented Development Area, and a newly created Outer Transit-Oriented Development Area 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 provides an option for 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.

1.4 Description of the Proposed Action

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 address the housing shortage and high cost of housing in New York City. 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:

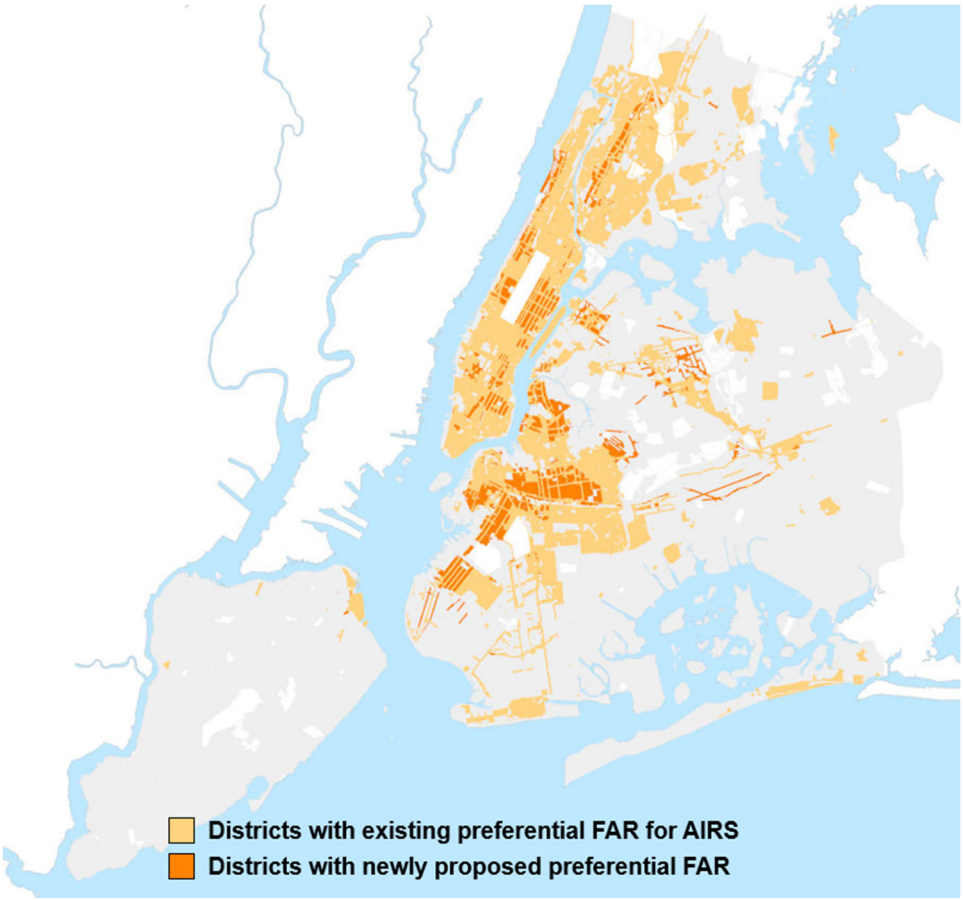
- 1.1a: For districts with an existing preferential FAR for AIRS, hold market-rate FAR constant while increasing FARs for all forms of affordable and supportive housing to the higher AIRS FAR—this is referred to as the "Universal Affordability Preference" (UAP) framework;
- 1.1b: For districts without 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 and harmonize with MIH;

- 1.1d: Where necessary, adjust building envelopes to accommodate permitted FAR;
- 1.1e: Allow supportive housing to be classified as either Use Group (UG) 2 or UG 3; and
- 1.1f: 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 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 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**). 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 Existing and Proposed Maximum FAR

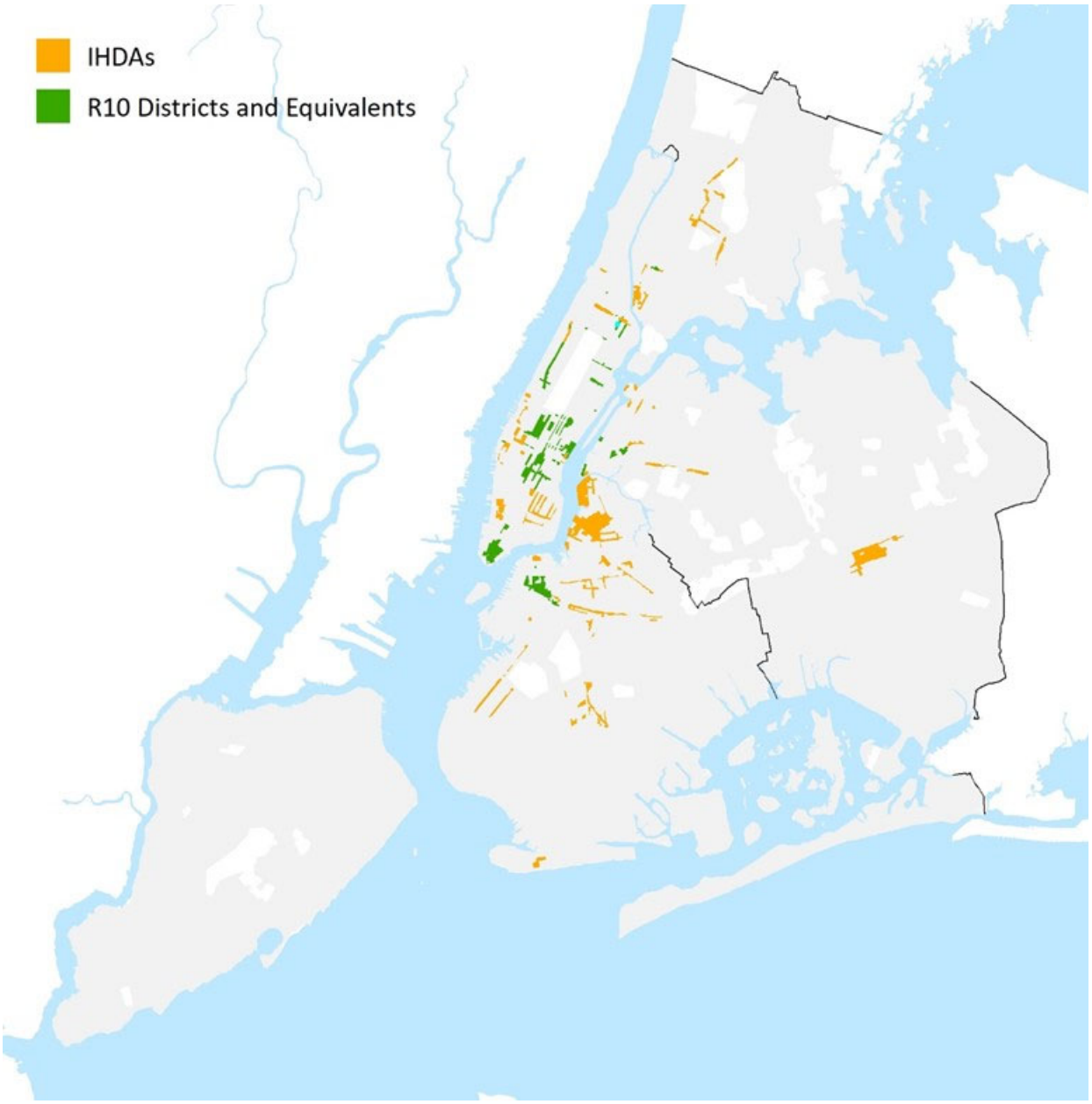
	Current		Proposed		
	Basic FAR	AIRS FAR	UAP FAR	Change from AIRS FAR	Affordable increment
R6B	2.00	2.20	2.40	+0.20	0.40
R6 narrow	2.20	3.90	3.90	0.00	1.70
R6 wide outside of MN Core	3.00	3.90	3.90	0.00	0.90
R6A	3.00	3.90	3.90	0.00	0.90
R7 narrow or in MN Core	3.44	5.00	5.00	0.00	1.56
R7 wide outside 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	7.50	9.00	+1.50	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 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 enabling income averaging and lower AMIs than the current IHDA and R10 IH programs.

Zoning districts within MIH areas would receive the higher UAP FARs while retaining the set-aside and AMI requirements of the MIH options mapped within that MIH area (see **Table 2**).

Figure 4 Existing IHDA and R10 District Equivalents



Source: New York City Department of City Planning

Table 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	3.45	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.

1.1d: 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 3**). Developments would need to provide a minimum percentage 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 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

1.1e: 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.

1.1f: Modify the ZR 74-903 Special Permit to an Authorization for supportive housing

Today in certain non-contextual districts—specifically, R6, R7-2, and R9—NPISAs can achieve a higher FAR than AIRS via a ZR 74-903 special permit. The Proposed Action would retain the 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 4**).

Table 4 NPISA 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 as attracting 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:

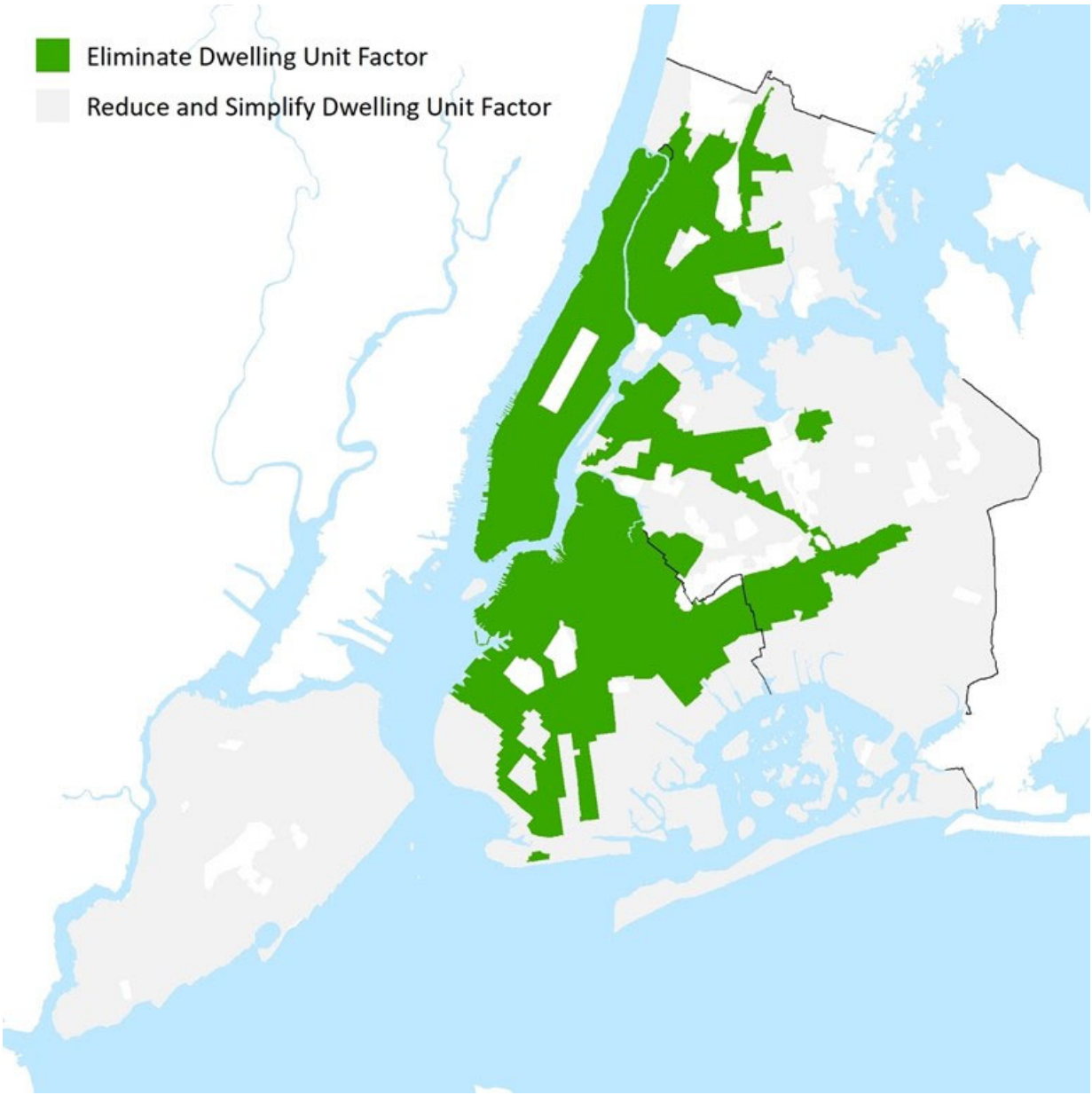
- 1.2a: Eliminate DUF within the Inner Transit-Oriented Development Area (including the Manhattan core);
- 1.2b: Reduce and simplify DUF outside the Inner Transit-Oriented Development Area;
- 1.2c: Eliminate DUF within one- and two-family buildings; and
- 1.2d: Remove zoning obstacles to small and shared 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 5**.

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



1.2a: Eliminate Dwelling Unit Factor Within the Inner Transit-Oriented Development Area (Including the Manhattan Core)

Within the Inner Transit-Oriented Development Area, 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-Oriented Development Area

Outside the Inner Transit-Oriented Development Area, the Proposed Action would reduce and simplify DUF, equalizing the DUF in all districts to 500 (see **Table 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 5 Proposed Dwelling Unit Factor for Multi-Family Buildings Outside the Inner Transit-Oriented Development Area

	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 and even leads to litigation. 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
- 1.3e: Create a discretionary action for sites in non-contextual districts where obstacles to Quality Housing development remain.

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 also provide additional flexibility with respect to street tree regulations, curb cuts, and other streetscape regulations that have interfered with appropriate infill development in the past.

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 6**).

Table 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 unnecessarily complex and unsuited for certain types of development, such as affordable housing, that the City has increasingly tried to encourage since the last major revision of the waterfront regulations in 2009. In particular, the existing height and setback regulations for Waterfront Areas encourage taller and narrower 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 provide additional design flexibility and to support creation of affordable housing.

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 Quality Housing regulations.

1.3e: Create a Discretionary Action for Sites in Non-Contextual Districts Where Obstacles to Quality Housing Development Remain – Discretionary Action for Bulk Relief

The Proposed Action would create a discretionary action to provide limited relief to sites in non-contextual districts that cannot meet the relaxed criteria for the Quality Housing option outlined above.

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 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.

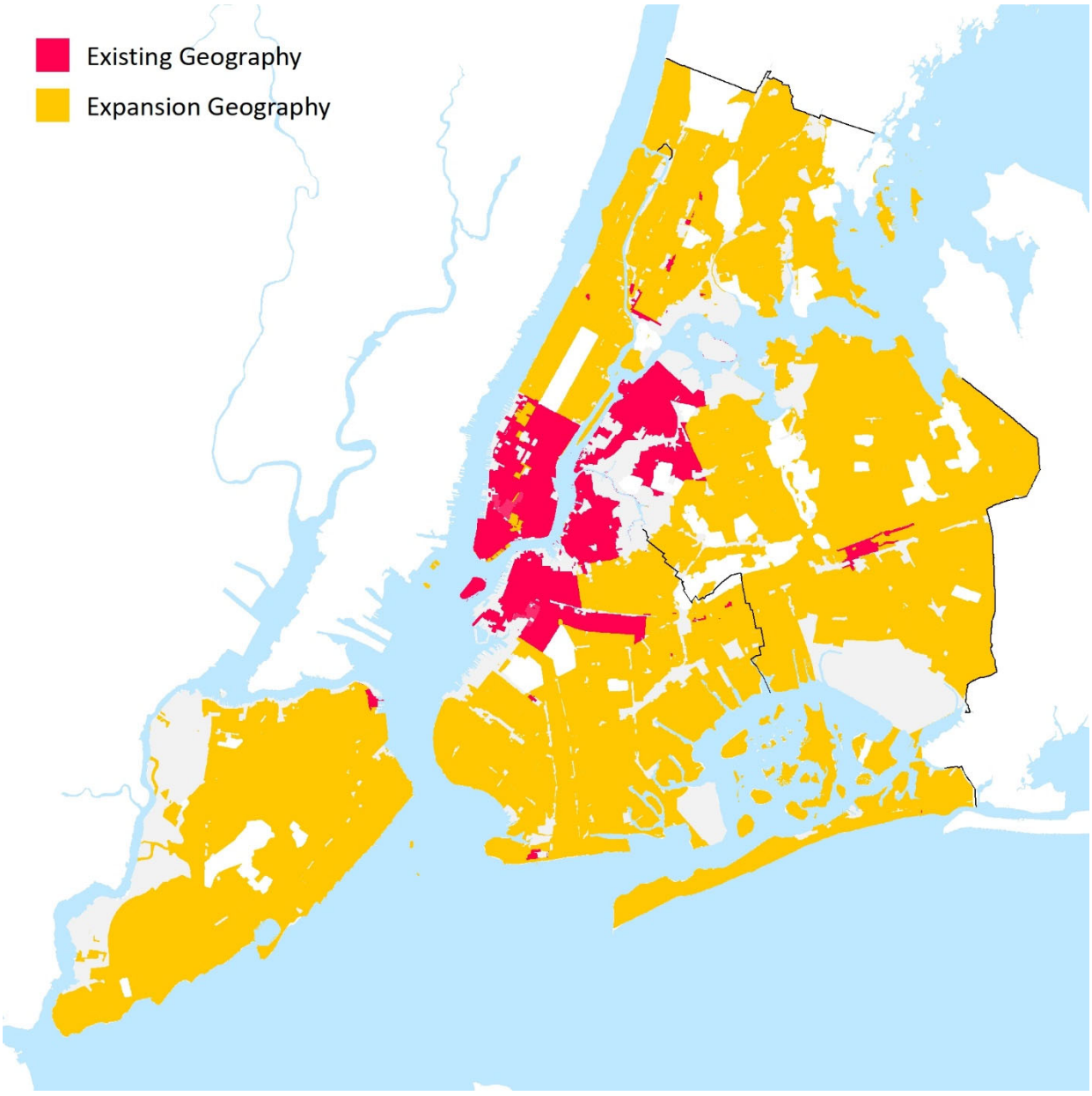
Because of remaining obstacles in the state Multiple Dwelling Law, the Proposed Action could not enable conversions above 12 FAR. Most newly eligible buildings could use the Article 7-B provisions for zoning compliance but not building code compliance. Nonetheless, the Proposed Action would significantly 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 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 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 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. These uses 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 these 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 1980s 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 increasingly 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.

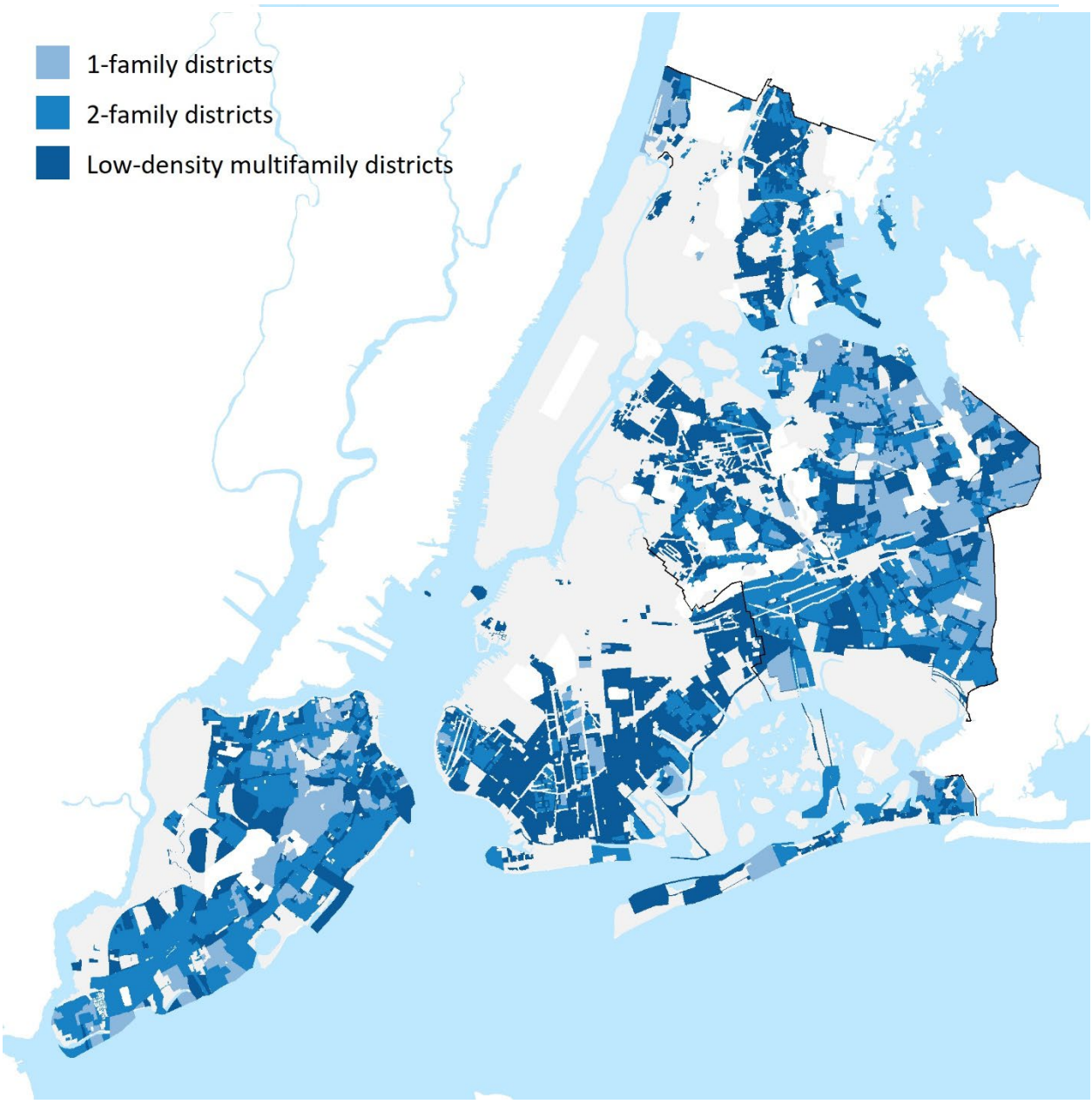
Over the same period, housing production in low-density areas, where housing is relatively cheap to build, has decreased dramatically. Where new development does occur, overlapping zoning rules often prevent anything other than single-family homes, even in two-family and multifamily districts. This is 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 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.

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 7**.

Table 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.

[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.

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 8**).

Table 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 9** and **Table 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 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 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-Oriented Development Area 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-Oriented Development Area and a minimum lot size of 5,000 square feet;
  - 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

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 11** and **Table 12**.

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

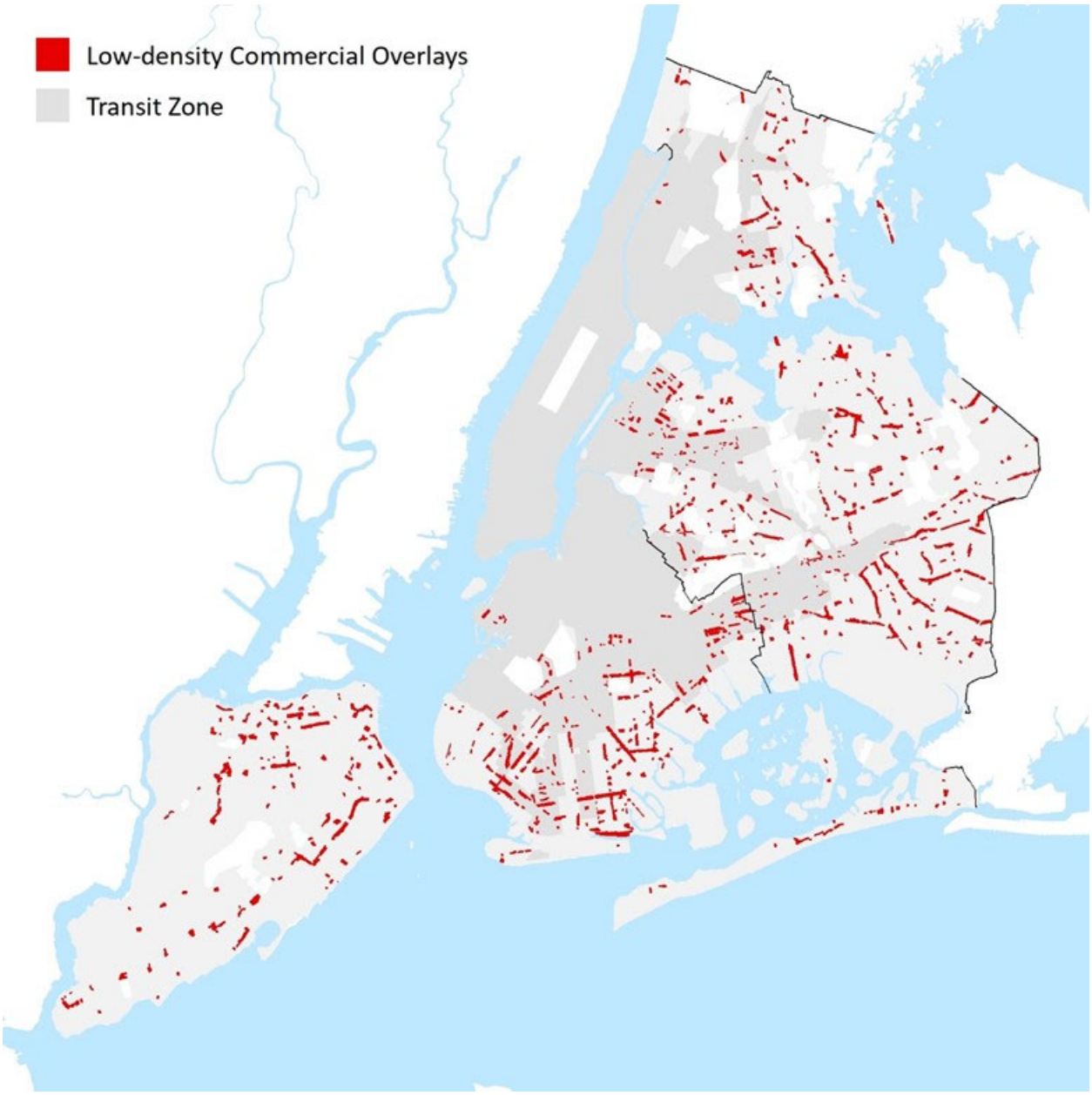
		Residential FAR			Total FAR		
		Current	Proposed	Increase	Current	Proposed	Increase
Single-Family Districts	R1-1	0.50	1.00	+0.50	1.00	1.50	+0.50
	R1-2	0.50	1.00	+0.50	1.00	1.50	+0.50
	R1-2A	0.50	1.00	+0.50	1.00	1.50	+0.50
	R2X	1.00	1.00	+0.00	1.00	1.50	+0.50
	R2	0.50	1.00	+0.50	1.00	1.50	+0.50
	R2A	0.50	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 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 provide the R5 regulations above to all low-density commercial districts within the Inner Transit-Oriented Development Area. A map of existing low-density commercial districts is shown in **Figure 8**.

Figure 8 Existing Low-Density Commercial Districts



Source: Department of City Planning

2.2b: Qualifying Sites

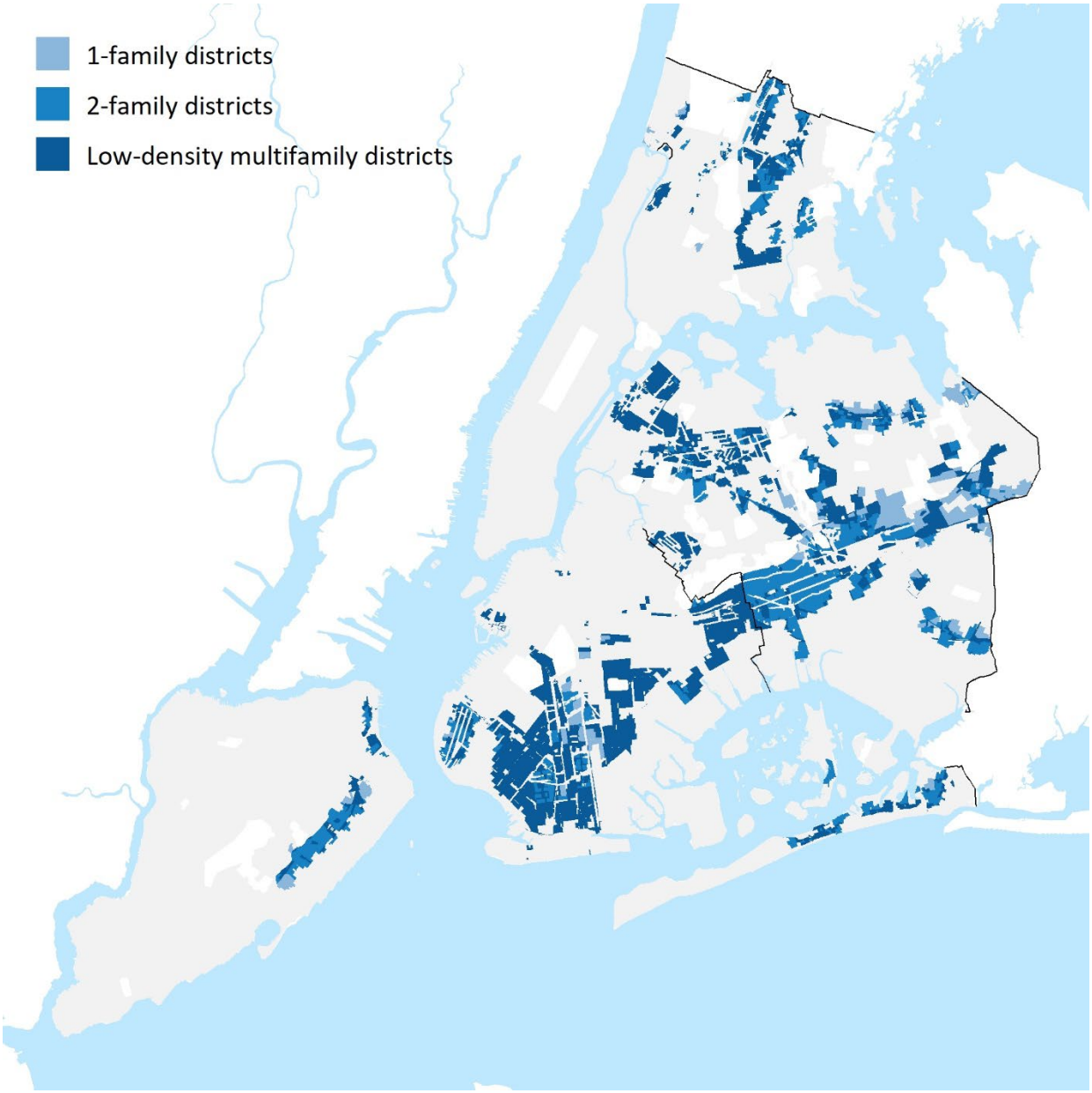
The proposed changes for Qualifying Sites would enable transit-oriented housing development within low-density districts.

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-Oriented Development Area—that is, the Inner Transit-Oriented Development Area and Outer Transit-Oriented Development Area—and a zoning lot area of at least 5,000 square feet.

Figure 9 shows a map of areas in low-density districts that are within the Greater Transit-Oriented Development Area.

Figure 9 Existing Low-Density Residence Districts Within the Greater Transit-Oriented Development Area



Source: Department of City Planning

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 13** and **Table 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 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 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 square feet 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-oriented development area, 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 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-Oriented Development Area

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-Oriented Development Area would be afforded more flexible bulk regulations than the same districts outside the Inner Transit-Oriented Development Area.

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

3.1c: Outer Transit-Oriented Development Area

The Proposed Action would create a new geography provisionally called the Outer Transit-Oriented Development Area. This geography generally encompasses blocks adjacent to the Inner Transit-Oriented Development Area 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-Oriented Development Area 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-Oriented Development Area, the Proposed Action would waive nonresidential parking requirements for mixed-use developments on lots of 10,000 square feet or less.

3.1d: Greater Transit-Oriented Development Area

Collectively, the Manhattan Core, Inner Transit-Oriented Development Area, and the Outer Transit-Oriented Development Area will be known as the Greater Transit-Oriented Development Area.

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

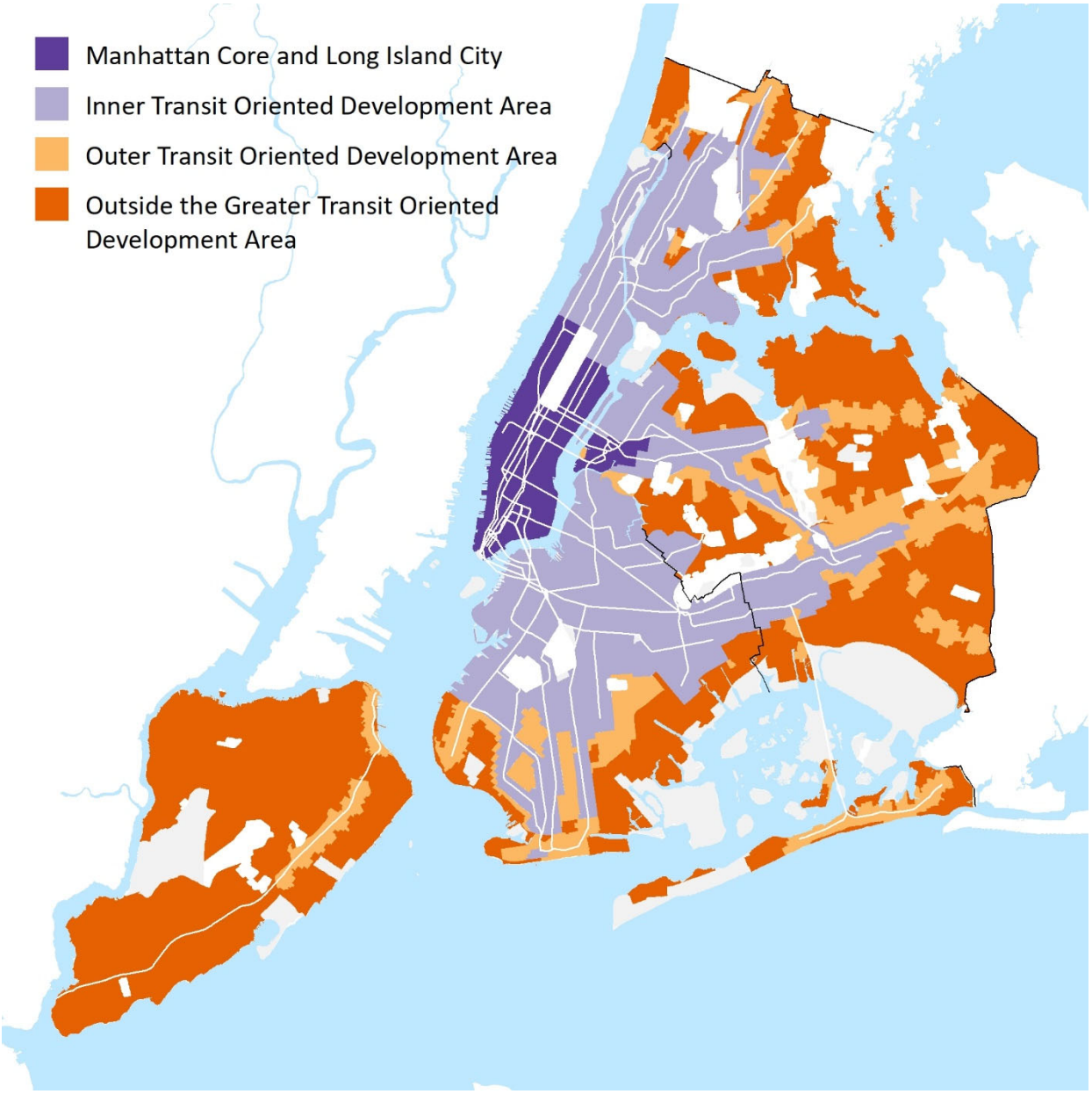
3.1e: Outside the Greater Transit-Oriented Development Area

The Proposed Action would create a new geography comprising all areas of the city outside of the Greater Transit-Oriented Development Area. 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-Oriented Development Area, the Proposed Action would waive nonresidential parking requirements for mixed-use developments on lots of 5,000 square feet or less.

Figure 10 Proposed Parking Regulation 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: 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 15** below for more detail.

Table 15 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-Oriented Development Area**	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-Oriented Development Area.
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.
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.

Table 15 Proposed Manhattan Core Regulation Adjustments

Section	Title	Issue	Proposed Solution
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.

The Proposed Action will 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 will not map in the future. They 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.

Figure 11 and **Figure 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 **More Floor Area for Affordable and Supportive Housing** in red. Additional contextual districts will be proposed to fill in gaps in the existing distribution where the difference between districts is especially large, generally greater than 1 FAR. New non-contextual districts will be proposed to replace existing districts that have different FAR and envelope regulations depending on whether they front on wide or narrow streets.

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

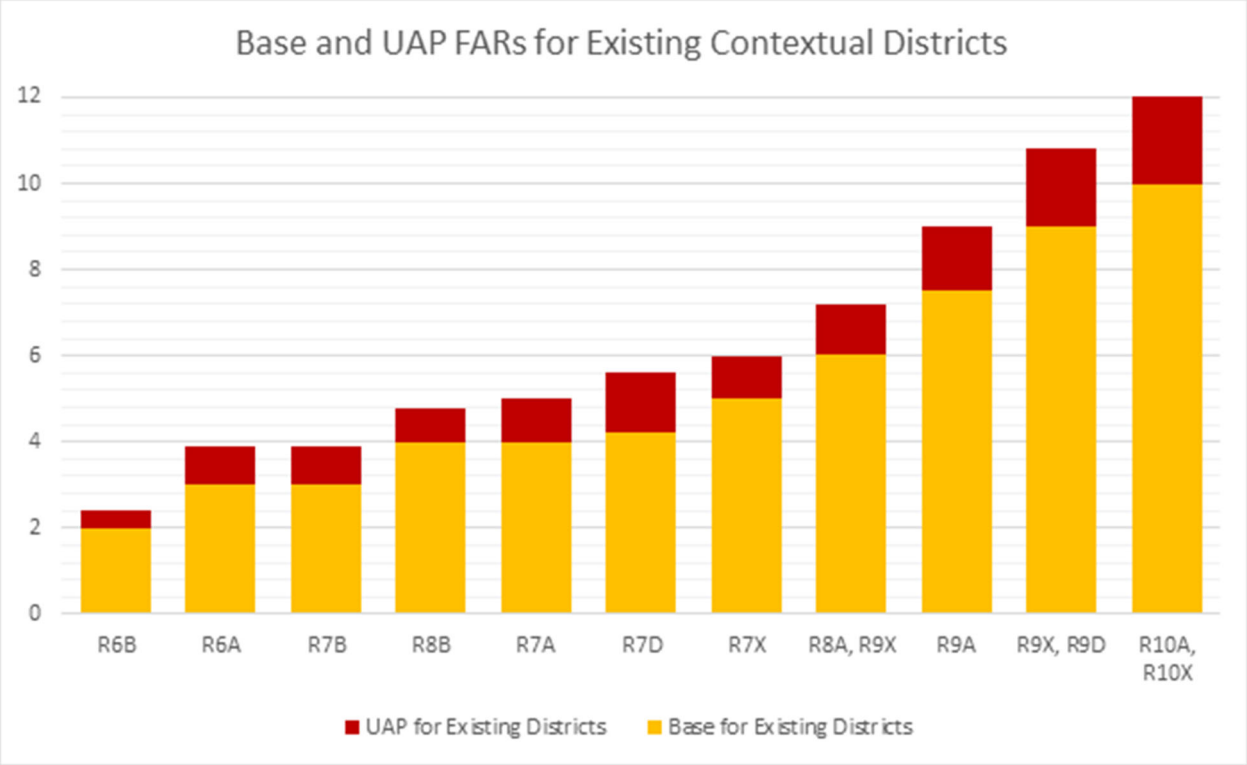
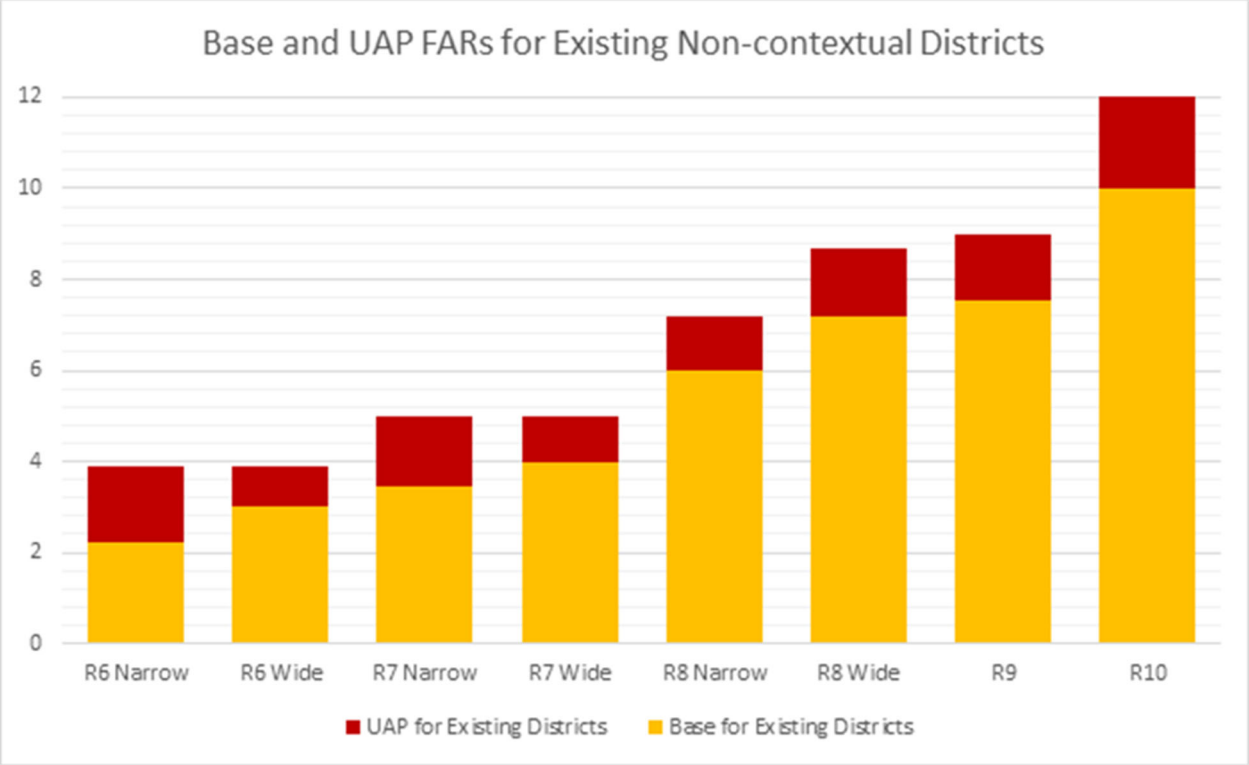


Figure 12 Existing Non-Contextual Zoning Districts with Proposed Universal Affordability Preference (UAP) FAR



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 (Type I) and more flexible on blocks with more variation (Type II).

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.

4.3a: 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 general street wall, setback, base height, and maximum height flexibility for sites within 100 feet of elevated infrastructure, regardless of zoning 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 square feet of lot area below 20,000 square feet, 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, particularly at mid-range heights, to allow for elevatoring and more efficient 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.

4.4: 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 limit arbitrarily and unreasonably 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; and
- 4.8d: Limited Height Districts in Cobble Hill, the Upper East Side, and Gramercy Park.

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.

4.9: Clarify and Simplify the Railroad Right-of-Way Special Permit

The Railroad Right-of-Way Special Permit in Section 74-681, Development Within or Over a Right-of-Way or Yards, of the Zoning Resolution dates to the early 1960s and has 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 consisting of former railroad rights-of-way is appropriate from a planning perspective. Attempts to clarify and streamline the text over the decades—most recently in the 1990s—have added additional layers of confusion. 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 a definition of "railroad right-of-way or yard" 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. The term is not defined today. The Proposed Action would also remove the definition of "railroad or transit air space" that has proven to be confusing and difficult to apply for practitioners and government administrators alike.

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 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 in the 1960s.

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.

The Proposed Action may also expand or adjust geographic applicability.

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. This would include issues that limit outdoor area on roofs or balconies, as well as other building services.

1.5 Possible Development and Likely Effects of the Proposed Action

General Effects of the Proposed Action

No-Action Scenario

Absent the Proposed Action, development throughout the city would continue pursuant to existing zoning regulations, with limited existing development potential for housing and affordable housing. Housing demand would continue to outpace housing supply, which raises prices and increases displacement, gentrification, segregation, and other ills.

With-Action Scenario

It is expected that the Proposed Action would result in new housing being built throughout the city in a range of housing typologies that will meet the needs of current and future New Yorkers. The Proposed Action would increase housing options throughout all neighborhoods of New York City, from the lowest-density areas to the highest. Specifically, the Proposed Action would provide opportunities to address housing constraints across the City in the following areas:

- Increase housing opportunities in Medium- and High-density districts by:
  - Lifting affordable and supportive FARs in all medium- and high-density districts,
  - Expanding eligibility for the City's adaptive reuse regulations to a broader range of non-residential buildings citywide,
  - Enabling small and shared apartment models to provide more housing types and take pressure off family-sized units, and
  - Enabling Quality Housing infill on zoning lots with existing buildings and other lots in non-contextual districts.
- Increase housing opportunities in Low-density districts by:
  - Adjusting zoning regulations to reflect existing bulk conditions that may be non-compliant today and ensure that two- and multi-family districts allow the housing types nominally permitted,
  - Reintroducing modest 3- to 6-story apartment buildings in low-density commercial districts, on large sites near transit, and on residential campuses in low-density areas,
  - Enabling owners of one- and two-family houses to add an ADU if they so choose, and
  - Facilitating adaptive reuse, small and shared apartments, and campus infill, similar to proposals is the medium- and high-density districts above.
- Increase housing opportunities by eliminating or reducing and simplifying parking regulations citywide.
  - Eliminate parking requirements for new residential development citywide,
  - Eliminate or reduce parking requirements for non-residential uses in mixed developments.
- Further other zoning 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 that exist today.

Under the With-Action condition, it is expected that more housing in a wider variety of typologies would be constructed citywide than in the No-Action condition. The With-Action condition is expected to introduce more design flexibility for housing on unique lots, as well as opening up adaptive reuse of buildings for residential purposes.

Table 16 provides a summary of the likely effects of the Proposed Action.

Table 16 Likely Effects of the Proposed Action

Item	Proposal	Applicability by Zoning District (including Commercial Equivalents)	Likely Effects
1: Medium- and High-Density Proposals			
1.1 More Floor Area for Affordable and Supportive Housing			
1.1a	Increase the FARs for all forms of affordable and supportive housing to the higher AIRS FAR	R6-R10 districts	Construction of more mixed-income and affordable and supportive housing within bigger building envelopes as-of-right in medium and high-density districts citywide.
1.1b	In districts without an existing AIRS preference, provide new preferential FAR for AIRS and other affordable and supportive housing types that is 20 percent above the FAR for market-rate residential	R6-R10 districts	Construction of more mixed-income and affordable and supportive housing within bigger building envelopes as-of-right in medium and high-density districts citywide.
1.1c	Replace IHDAs and R10 IH with the preferential FAR framework	R6-R10 districts	Increased FARs for affordable and supportive housing in some districts while enabling income averaging and lower AMIs than the current IHDA and R10 IH programs in all districts
1.1d	Where necessary, adjust building envelopes to accommodate FARs	R6-R10 districts	Construction of more mixed-income and affordable and supportive housing within bigger building envelopes as-of-right in medium and high-density districts citywide
1.1e	Allow supportive housing to be classified as either UG 2 or UG 3	All Residence Districts	More supportive housing by enabling supportive housing to access the advantages of community facility or residential use regardless of district
1.1f	Modify the ZR 74-903 Special Permit to an Authorization for supportive housing	R3-R9 districts	More supportive housing by making 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
1.2 Small and Shared Apartments			
1.2a	Eliminate DUF within the Inner Transit-Oriented Development Area (including the Manhattan core)	All Residence districts within Inner Transit-Oriented Development Area	Modest increase to the overall housing supply and creation of smaller units that are responsive to a particular type of residential demand.

Table 16 Likely Effects of the Proposed Action

Item	Proposal	Applicability by Zoning District (including Commercial Equivalents)	Likely Effects
1.2b	Reduce and simplify DUF outside the Inner Transit-Oriented Development Area	All Residence Districts outside the Inner Transit-Oriented Development Area	Smaller units allowable overall and more multifamily housing in low-density districts.
1.2c	Eliminate DUF within One- and Two-Family Buildings	All Residence Districts	Removal of redundancy.
1.2d	Remove zoning obstacles to small and shared housing models	All Residence Districts	More construction of housing with shared models or rooming units.
1.3 Eliminate Obstacles to Quality Housing Development			
1.3a	Remove obstacles to Quality Housing development on sites with existing buildings	R6-R10 non-contextual districts	Increased infill development within FAR limits on zoning lots 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	R6-R10 non-contextual districts	Construction of more housing on lots with irregular or difficult site conditions
1.3c	Provide more flexible envelopes in Waterfront Areas to enable a broader range of development, including affordable housing	Waterfront Areas	Construction of more housing and affordable housing in waterfront areas
1.3d	Eliminate the "sliver law" for developments that utilize Quality Housing regulations, regardless of district	R7-R10 districts	Construction of more housing and affordable housing within FAR limits within these districts
1.3e	Create a discretionary action for sites in non-contextual districts where obstacles to Quality Housing development remain	R6-R10 non-contextual districts	Construction of more housing and affordable housing within FAR limits
1.4 Conversions			
1.4a	Change the cutoff date for conversion from 1961 or 1977 to 1990	All Districts that allow residential	Increased housing through adaptive reuse and conversion of a broader universe of non-residential buildings

Table 16 Likely Effects of the Proposed Action

Item	Proposal	Applicability by Zoning District (including Commercial Equivalents)	Likely Effects
1.4b	Expand the geographic applicability of the adaptive reuse regulations citywide	All Districts that allow residential	Increased housing through adaptive reuse and conversion of a broader universe of non-residential buildings outside of central business districts
1.4c	Enable conversion to a wider variety of housing types	All Districts that allow residential	Increased supply of rooming units and community facilities with sleeping accommodations through adaptive reuse and conversion of a broader universe of non-residential buildings
1.4d	Eliminate outdated restrictions on conversions to residential uses in C6-1G, C6-2G, C6-2M and C6-4M commercial districts	C6-1G, C6-2G, C6-2M and C6-4M districts	More conversions in districts within central Manhattan
2: Low-Density Proposals			
2.1 Low Density Basic			
2.1a	Provide additional FAR and adjust floor area rules	R1-R5 districts	Increased production of housing through the creation of accessory dwelling units; increased amount of living space that is functional within homes
2.1b	Adjust perimeter height limits and building envelopes	R2A, R2X, R3-1, R3A, R3X, R3-2, R4A districts	Taller perimeter heights within existing maximum heights and FAR limits
	Eliminate side and rear setbacks	R1-R5	Changes to building form within FAR limits
2.1c	Adjust yard, open space, and court requirements	R1-R5 districts	More flexibility on building location on zoning lots in low-density districts resulting in some additional housing
	Adjust yard requirements and lot coverage maximums	R1-R5 districts	More flexibility on building location on zoning lots in low-density districts resulting in some additional housing
	Shallow lot relief	R1-R5 districts	More flexibility on building location on zoning lots in low-density districts resulting in some additional housing
	Eliminate open space ratio	non-contextual R1 and R2 Districts	Changes to design and appearance of yards
	Simplify front yard planting requirement	R1-R5 districts	Changes to design and appearance of yards
	Allow small courts	R1-R5 districts	Changes to design to allow for more flexibility and windows

Table 16 Likely Effects of the Proposed Action

Item	Proposal	Applicability by Zoning District (including Commercial Equivalents)	Likely Effects
2.1d	Increase Flexibility for Off-Street Parking Where Required or Voluntarily Provided	R1-R5 districts	Parking is better able to fit on a variety of sites resulting in a modest increase in supply at some locations. Less conflict between parking and housing, enabling more of both.
2.1e	Relax minimum lot size and width restrictions	R1-R5 districts	More development of allowed housing typology on small lots
2.2 Low-Density Plus: "Missing Middle" Housing			
2.2a	Low-Density Commercial Districts: Provide additional FAR and height and preferential FAR for mixed developments	Low-density commercial districts and R1-R5 districts with commercial	More mixed-use development and more housing on commercial corridors within larger building envelopes
2.2b	Qualifying Sites: Define qualifying site criteria, modify use regulations, and provide additional FAR and adjustments to height and setback regulations	R1-R5 districts	More multifamily development within the Greater Transit-Oriented Development Area within larger building envelopes
2.2c	Allow Infill on Low Density Campuses: Define campus as a 1.5-acre or full block site, replace yard and open space requirements with a 50-percent coverage maximum, provide new height limits for infill developments in certain districts	R1-R5 districts	Increased infill on residential campuses within FAR limits
2.3 Accessory Dwelling Units			
2.3a	Define "Accessory Dwelling Unit"	All Residence Districts	
2.3b	Provide relief for ADUs from various zoning regulations that would otherwise apply		Construction of ADUs located on zoning lots with a one- or two-family buildings
3: Parking Proposals			
3.1	Maintain and extend a comprehensive set of transit geographies	Citywide	Provides a basis for aspects of the Proposed Action by maintaining or defining the Manhattan Core & Long Island City; Inner Transit-Oriented Development Area; Outer Transit-Oriented Development Area; and outside Greater Transit-Oriented Development Area geographies.

Table 16 Likely Effects of the Proposed Action

Item	Proposal	Applicability by Zoning District (including Commercial Equivalents)	Likely Effects
3.2	Eliminate Parking Requirements for New Residential Development	All Residence Districts	Increased housing production on sites that have been constrained by parking requirements.
	Create Discretionary Action to Remove Parking Requirements for Existing Buildings	All Residence Districts	No effect until discretionary action is sought and analyzed at a future date.
	Eliminate or Reduce Parking for Non-Residential Uses in Mixed Buildings	All Residence Districts	Increased housing production on sites that have been constrained by parking requirements for residential and non-residential uses; increased supply of mixed-use buildings.
4: Other Zoning Proposals			
4.1 Create New Zoning Districts to Fill FAR Gaps			
	Create new zoning districts that can be mapped subsequently via zoning map actions	Mapped in Future	No effects until mapped at a future date
4.2 Street Wall Regulations			
4.2a	Establish a new system of street wall regulation	R6-R10 districts	Improved building design
4.2b	Provide more flexible base heights	R6-R10 districts	Increased housing supply with greater flexibility in building design
4.2c	Simplify dormer provisions	R6-R10 districts	Greater flexibility in building design
4.3 Allowances for Irregular and Challenged Sites			
4.3a	Provide setback and height relief for sites near elevated infrastructure	R6-R10 districts	Increased housing supply within 100 feet of elevated infrastructure
4.3b	Increase tower coverage maximums for small lots in districts subject to tower regulations	R9-R10 districts	Increased housing supply through greater flexibility in tower regulations
4.3c	Provide noncompliance allowances for beneficial alterations	All Residence Districts	Increased likelihood of existing buildings with non-compliances making alterations

Table 16 Likely Effects of the Proposed Action

Item	Proposal	Applicability by Zoning District (including Commercial Equivalents)	Likely Effects
4.4 Replace Qualifying Ground Floor Regulations			
	Require that a second story begin no lower than 13 feet above the adjoining sidewalk	R6-R10 districts	Simplify regulations
4.5 Increase Flexibility for Zoning Lots Split by a District Boundary			
	Allow greater flexibility for the development of split zoning lots to enable greater concentration of density along avenues and other wide streets	All Residence Districts	Increased housing supply on higher density portion of split lots
4.6 Simplify and Standardize Tower-on-a-Base Regulations			
	Replace the various forms of tower-on-a-base regulation with a uniform system	R9-R10 districts	Streamline regulations
4.7 Eliminate Limits on Side-by-Side Residences in Two-Family Districts			
	Eliminate the authorization in ZR Section 22-42 to allow side-by-side 2-family homes as-of-right	R3-1 R3A R3X R4-1 R4A districts	Increased development of side-by-side homes
4.8 Eliminate Exclusionary Geographies			
4.8a	Eliminate reductions to FAR and heights in certain zoning districts in the Manhattan Core	R6, R7, R8 districts within MN Core	Increased housing production in areas where development has been unnecessarily stifled
4.8b	Remove limits on FAR and affordable housing production in R10 districts and equivalents in Manhattan Community District 7	R10 within Manhattan CD 7	Increased housing production in areas where development has been unnecessarily stifled
4.8c	Remove limits on heights in R8 districts in Manhattan Community District 9	R8 within Manhattan CD 9	Increased housing production in areas where development has been unnecessarily stifled
4.8d	Remove Limited Height Districts in Cobble Hill, the Upper East Side, and Gramercy Park	All zoning districts within LH geographies	Increased housing production in areas where development has been unnecessarily stifled

Table 16 Likely Effects of the Proposed Action

Item	Proposal	Applicability by Zoning District (including Commercial Equivalents)	Likely Effects
4.9 Clarify and Simplify the Railroad Right-of-Way Special Permit			
	Modify certain definitions and reduce or eliminate approval procedures	All Districts	Increased housing production near railroad rights of way
4.10 Simplify and expand the Landmark TDR Program			
	Loosen restrictions on ability of designated landmarks to transfer unused development rights	All Districts	Increase housing production near landmarked sites and better maintenance of participating landmarks
4.11 Special Permit Renewal			
	Eliminate certain requirements for vesting for abutting buildings	All Districts	Streamline regulations for multi-phased developments
4.12 Clarify Adjacency Rules for MX Districts			
	Clarify that the adjacency requirements of section 43-30 do not apply to MX districts	MX Districts	Streamline regulations
4.13 Reduce Procedure for Enlargements Under 73-622, Enlargements of Single- and Two-Family Detached and Semi-Detached Residences			
	Reduce procedural requirements associated with section 73-622 and possibly extend the geographic applicability	Portions of Brooklyn	1- and 2-family homes in defined geographies in Brooklyn, and elsewhere, if geographic applicability is extended, are better able to enlarge and meet evolving needs of residents

1.6 Analytic Framework

Consistent with *2021 CEQR Technical Manual* guidelines, the Proposed Action will be analyzed as a "generic action" because its wide applicability throughout the City makes it difficult to predict the specific sites where development would be facilitated by the Proposed Action. According to the *CEQR Technical Manual*, generic actions are programs and plans that have wide application or affect the range of future alternative policies. Usually, these actions affect the entire city or an area so large that site-specific description or analysis is not appropriate.

As described in the *CEQR Technical Manual*, analyses of generic actions are conducted using the following methodology to provide an estimate of the amount, type, approximate location, and overall massing/form of future development:

- Identify Typical Cases: Provide several descriptions similar to those in a localized action for cases that can reasonably typify the conditions and impacts of the entire proposal.
- Identify a Range of Conditions: Provide a discussion of the range of conditions or situations under which the action(s) may take place, so that the full range of impacts can be identified.

Specific criteria are often used to define the location and density of development that is projected as a result of a generic action. As stated in the manual, the type of development that is projected depends on the nature of the project that is being proposed, taking into account observed market trends and reasonable forecasting.

Because of the broad applicability of the Proposed Action, the EIS will evaluate the potential effects of the Proposed Action, citywide, in two main assessments:

- Prototypical Site Assessment. This assessment aligns with the CEQR methodology in which typical cases are identified.
- Representative Neighborhood Assessment. This assessment aligns with the CEQR methodology in which a range of conditions is identified.

In addition, since the Proposed Action would create certain authorizations and in some cases, new zoning districts, the EIS will include a Conceptual Analysis to assess the potential future use of these authorizations.

The analysis year for the Proposed Action is 2039. The *CEQR Technical Manual* notes that for some actions where the build-out depends on market conditions and other variables, the build year cannot be determined with precision. Although an analysis year 10 years in the future is generally considered reasonable for generic projects because it captures a typical cycle of market conditions and generally represents the outer timeframe within which predictions of future development may be made without speculation, actions that would facilitate development over a significant geographic area may sometimes warrant build years beyond the 10-year horizon. Therefore, the Proposed Action will have an analysis year of 2039, 15 years after implementation of the Proposed Action, was chosen.

The following sections discuss the overall general effects of the Proposed Action, then provide more information on the assumptions and methodology for the Prototypical Site and Representative Neighborhood Assessments as well as for the Conceptual Analysis.

Prototypical Site Assessment

Prototypical Site Identification

To identify hypothetical sites where the effects of the Proposed Action could be assessed in a Prototypical Site Assessment, certain characteristics were considered (i.e., Prototypical Analysis Sites). These sites are not necessarily representative of a specific lot, but rather reflect prevalent conditions as a basis for analysis. These Prototypical Analysis Sites were then analyzed for their respective recent development trends to determine the development scenario to be assessed.

To assess the effect of the Proposed Action, the characteristics considered in identifying the Prototypical Analysis Sites are described below.

- Range of Zoning Districts: The zoning districts which permit a reasonable range of building typologies and development scenarios were selected to evenly distribute the actions across different densities and district types.
- Lot Characteristics - These were based on the median lot area, width, and depth of all lots within a selected prototype zoning district. Although there is a prevalence of small lots across all building types, some lot sizes for future developments reflect current trends of aggregate development.

The Prototypical Analysis Sites are identified in **Section 1.5 Possible Development and Likely Effects of the Proposed Action** above.

To produce a reasonable analysis of likely effect of the text amendment, 20 representative development prototypes have been identified that reflect various combinations of residential zoning categories, development densities, and building typologies throughout NYC. Reasonable Worst Case Development Scenarios (RWCDS) were identified for each prototype to identify the future conditions of each site under both the No-Action and With-Action conditions. The incremental difference between the No-Action and With-Action conditions serves as the basis for the analyses by which the potential environmental effects of the Proposed Action are evaluated.

Overall, the Prototypical Analysis Sites were developed to demonstrate a range of densities and lot sizes. The selected prototypes are summarized in **Table 17**. Detailed descriptions and illustrative renderings of the No-Action and With-Action conditions for each of the prototypical sites are provided in **Appendix A**.

Table 17 Prototypical Analysis Sites

ID	Prototype Character	Example Zoning District	Building Typology	Construction Type	Proposals Represented
Category 1: Medium- and High-Density Proposals					
1-1	10,000 s.f. vacant lot within Inner Transit-Oriented Development Area	R6	Multi-family	New construction	1.1, 3
1-2-A	10,000 s.f. vacant lot within Inner Transit-Oriented Development Area (Manhattan Core)	R8B	Multi-family	New construction	1.1, 3
1-2-B	4,500 s.f. vacant lot within Inner Transit-Oriented Development Area (Manhattan Core)	R8B	Multi-family	New construction	1.1, 1.3d, 3
1-3-A	10,000 s.f. vacant lot within Inner Transit-Oriented Development Area	R8/C1-4	Multi-family	New construction	1.1, 3
1-3-B	2,500 s.f. vacant lot within Inner Transit-Oriented Development Area	R8	Multi-family	New construction	1.1, 1.3d, 3
Category 2: Low Density Basic					
2-1	4,000 s.f. vacant lot outside Inner Transit-Oriented Development Area	R2A	Single-family, detached	New construction	2.1a, 2.1b, 2.1c, 2.1d, 3
2-2-A	2,500 s.f. vacant lot outside Inner Transit-Oriented Development Area	R4-1	Two-family, semi-detached	New construction	2.1a, 2.1b, 2.1d, 2.3, 3
2-2-B	2,500 s.f. vacant lot outside Inner Transit-Oriented Development Area	R4-1	Two-family, semi-detached	New construction	2.1a, 2.1b, 2.1c, 2.3, 3
2-3-A	2,500 s.f. vacant lot within Outer Transit-Oriented Development Area	R4	Two-family, attached	New construction	2.1a, 2.1b, 2.1c, 2.1d, 3
2-3-B	2,500 s.f. vacant lot within Outer Transit-Oriented Development Area	R4	Two-family, attached	New construction	2.1, 2.1a, 2.1b, 2.1c, 2.1d, 3
Category 3: Qualifying Sites/Transit Oriented Development					
3-1-A	5,000 s.f. vacant lot within Outer Transit-Oriented Development Area	R3X	Multi-family	New construction	2.2b, 3
3-1-B	5,000 s.f. vacant lot within Lower Density Growth Management Area (LDGMA) and Outer Transit-Oriented Development Area	R3X	Multi-family	New construction	2.2b, 3

Table 17 Prototypical Analysis Sites

ID	Prototype Character	Example Zoning District	Building Typology	Construction Type	Proposals Represented
3-2-A	10,000 s.f. vacant lot within Outer Transit-Oriented Development Area	R5	Multi-family	New construction	2.2b, 3
3-2-B	10,000 s.f. vacant lot within Outer Transit-Oriented Development Area	R5	Multi-family	New construction	2.2b, 3
Category 4: Commercial Overlays					
4-1	2,500 s.f. lot vacant lot outside Inner Transit-Oriented Development Area	R3-2/ C1-	Multi-family, mixed use building	New-construction	2.2a, 3
Category 5: Accessory Dwelling Units (ADUs)					
5-1	6,000 s.f. lot with single-family, detached building	R1-2	Single-family, detached; detached ADU	New construction (ADU)	2.1a, 2.1c, 2.3
5-2	3,000 s.f. lot with two-family, semi-detached building and detached garage	R4-1	Two-family, semi-detached; detached ADU	Conversion and expansion of detached garage to ADU	2.1c, 2.3, 3
5-3	2,500 s.f. lot with two-family, attached building	R4	Two-family, attached; attached ADU	Conversion of recreational space to attached ADU	2.1a, 2.3, 3
Category 6: Campus					
6-1	~1.4 million s.f. lot (residential campus) outside Inner Transit-Oriented Development Area, with multiple multi-family buildings	R5	Multi-family building	New construction (infill)	2.1a, 2.2c, 3
Category 7: Conversions					
7-1	24,670 s.f. lot in midtown Manhattan with high rise non-residential building	C5-3	Converted non-residential to residential building	Conversion (non-residential to residential)	1.4

No-Action Scenario

The Future No-Action scenario identifies development projections for 2039 absent the Proposed Action. For this analysis, it is assumed that each Prototypical Analysis Site would maximize its development under the permitted building envelope. In many cases, lot coverage, building envelope, parking restrictions, and other factors do not allow the maximum development potential to be reached. In these cases, a reasonable, as-of-right development that complies with existing zoning is illustrated in the No-Action scenario. This provides a baseline for analysis of the effect of the Proposed Action.

With-Action Scenario

The Future With-Action scenario assumes that the Prototypical Analysis Sites would maximize their development under the Proposed Action. By removing zoning constraints and modernizing parking regulations, many sites previously constrained by zoning would be able to meet their maximum allowable development potential. Where additional height, envelope, FAR and uses are introduced by the Proposed Action, this new development potential will be illustrated in the Prototypical Analysis Sites. The incremental difference between the No-Action and With-Action scenarios serves as the basis for the impact analyses.

Representative Neighborhood Assessment

Uncertainty about future market conditions and trends makes it difficult to quantify the additional number of housing units, population, and housing types that would be created as a result of the Proposed Action with a high degree of geographic specificity. However, to provide an assessment of the effects of the Proposed Action, the EIS will attempt to quantify potential future development in example neighborhoods given current and future projected market conditions.

With the scale of this generic action, it is difficult to predict specific details about the kind of development that would occur on each particular potentially affected site across the city. However, to provide an estimate of the range of conditions that could occur across different neighborhoods in the city, the EIS will include a Representative Neighborhood Assessment to estimate development that might reasonably be expected to occur. To support this assessment, a Housing Market study will be conducted.

Housing Market Study

A high-level, citywide Housing Market Study will be prepared to provide a baseline understanding of housing market strength by Neighborhood Tabulation Area within New York City. This neighborhood-level market analysis will provide a static snapshot of the market forces at play in the housing market in New York City and insights into which neighborhoods may be most affected by the Proposed Action, based on market considerations.

The Housing Market Study will consist of two main components: Housing Demand and Housing Supply.

Housing Demand

The housing demand component of the market analysis will examine current and historical indicators of housing demand in New York City with the objective of offering a snapshot of where housing demand currently stands. Specifically, this analysis will focus on understanding the change in sales pricing and market rents (pricing signals) as the key driver of demand by NTA. In addition to the pricing signals, the analysis will collect data on population growth and other indicators related to demand to provide additional context.

Step 1: Establish Geographic Unit

The geographic unit for the housing demand analysis will be aggregations of census tracts known as Neighborhood Tabulation Areas (NTAs), for the following reasons:

- NTAs are medium-sized statistical geographies that roughly correspond to the city's neighborhoods.
- NTAs are built by aggregating census tracts and therefore correspond to the statistical areas most commonly used by the federal government to track population and other metrics used to assess demand.
- With an average population of 45,000, NTAs typically have enough population to avoid sampling variability issues that exist for individual census tracts.

There are currently 262 NTAs in the city, including 65 that consist of parks, airports, cemeteries, prisons, and other special areas. The remaining 197 NTAs contain residential uses and will be the basis of the housing demand analysis.

Step 2: Create a Housing Demand Database

As part of the housing demand analysis, a housing demand database will be created with current and historical information (10 to 15 years, depending on the variable) for the entire city at the NTA level. This database will include information on price signals (including sales pricing and market rent of vacant land, condo, and single-family homes), as well as other ancillary and descriptive metrics such as population, median household income, and average and median household size.

Price signal information will be obtained primarily from the New York City Department of Finance (NYCDOF) Rolling Sales data and complemented with additional sources, including market and assessed valuation data from NYCDOF and supplementary data from the Rent Guidelines Board of NYC, the Furman Center, REBNY, Moody's REIS, CoStar, Loopnet, Zillow, and StreetEasy. All indicators will be placed into a large flat file and all observations geocoded, enabling the ability to sort at city, borough, and NTA levels. Price information, presented in terms of per square foot, will be aggregated into average and median price points within NTAs, as well as grouped by standard deviation. In the case of price signals, buildings with rent controlled and stabilized units will be omitted to ensure that rent regulation do not skew market statistics. Data on population and other contextual indicators will be obtained from the U.S. Census Bureau American Community Survey (ACS) and other publicly available sources, as needed.

Step 3: Rank by Key Demand Indicators

The NTAs will be categorized and ranked by quintiles based on price signals, the key indicator of demand in this analysis, using the last 10 available years as the relevant period of analysis. This

categorization and ranking will be presented both in matrix form and in a series of maps. Ancillary data on population and other indicators will also be provided to facilitate contextual analyses.

Housing Supply

The housing supply component of the market analysis will consist of studying current and historical indicators of housing supply, as well as evaluating key factors of supply in New York City with the objective of understanding where supply trends currently stand in the city. Specifically, this analysis will focus on understanding the following indicators and qualitative factors: (1) housing supply, (2) residential market maturity, (3) zoning limitations and other regulatory factors (including tax policy), (4) financial factors, and (5) other construction market factors that impact future development (i.e., producer characteristics and development capacity, barriers to entry, production costs, and construction labor market).

Step 1: Expand the Housing Demand Database with Supply Metrics

The housing demand database will be expanded to include key supply metrics, including information regarding the existing housing inventory (e.g., unit counts, lot area, built area, permit data, and demolitions), local zoning characteristics (e.g., permitted zoning and allowed floor area ratio (FAR)), and other ancillary metrics (e.g., unit distribution, and tenure (rent/own and single family/condo/coop)). Data on housing inventory, information on local zoning characteristics, and ancillary metrics will be obtained from the ACS, PLUTO, and NYC Department of Buildings.

Step 2: Develop a Housing Maturity Index

A housing maturity index (HMI)—an indicator of the extent to which residential supply has reached its maximum allowable level—will be developed for all NTAs; the NTAs will then be ranked based on that index, and categorized by quintiles, as a proxy for current market supply slack. This categorization will be presented both in matrix form and in a map.

The HMI is a ratio of the built residential floor area ratio (BuiltResFAR) and the maximum allowable residential floor area ratio (MaxResFAR) in a given lot. The BuiltResFar is, in turn, a ratio of the residential building floor area (ResArea) divided by total lot area (LotArea):

$$Housing\ Maturity\ Index\ (HMI)\ = \frac{BuiltResFAR}{MaxResFAR}$$

Where:

$$BuiltResFAR\ = \frac{ResArea}{LotArea}$$

The HMI will first be calculated at the lot level for all lots within a given NTA. Subsequently, an HMI will be estimated for each NTA by calculating a weighted average of all lot-level HMIs, using lot area as the weight. A historical HMI will also be constructed by NTA to obtain a sense, within a limited period, of production velocity—the rate at which maturity is being reached—by a given NTA.

Step 3: Consider Other Aspects that Affect Supply

Other supply considerations will be assessed at a qualitative level, including zoning, regulatory and tax policy; financial considerations, such as interest rate and capital markets conditions; development capacity and sectoral characteristics; and construction market factors. The assessment will also consider housing typologies from PLUTO and current and historical data from the ACS, PLUTO, NYC Department of Buildings, the Federal Reserve, RS Means, Turner Construction Cost Index, interviews, and other sources.

Housing Market Insights

To provide a baseline understanding of the dynamics of how housing demand and supply may be influenced by the Proposed Action and to determine at a qualitative and quantitative level which markets in New York City (at the NTA level) may be most sensitive to these policy changes, NTAs will be categorized and ranked by quintiles based on the two key indicators of demand (price signals) and supply (housing maturity index, HMI). Both of these indicators will then be used, separately, as proxies for market strength or dynamism. This categorization and ranking will be presented both in matrix form and in a series of maps. Alternative scenarios that combine these two indicators as a single index, or that include additional indicators, may be created for comparative purposes.

The outputs from the housing demand component of this analysis—(1) a matrix of NTA rankings across the key indicators (price signals and HMI) and (2) a series of NTA-level, city-wide maps emphasizing market strength and development opportunity based on market indicators—may together be considered as a snapshot of current market conditions at the NTA level and an indication of potential for future development.

Identification of Representative Neighborhoods

To understand the range of conditions of the Proposed Action, a set of neighborhoods represented by NTAs will be selected as Representative Neighborhood Markets (RNM) to be studied in the EIS. These neighborhoods will represent both a range of housing market types as identified in the Housing Market Study and a range of geographic locations.

For these RNMs, the EIS will project future housing supply for the No-Action and With-Action conditions using a methodology similar to that used in the Socioeconomic and Demographic Forecasts developed by the New York Metropolitan Transportation Council (NYMTC) in response to federal planning regulations that require the preparation of long-range population forecasts for use in transportation planning. The model incorporates data from several sources, including:

- PLUTO;
- NYC DOB open data on new building completions, new building permits, and demolitions and alterations;
- Inputs from various City agencies on known development plans, including those from potential future rezonings; and
- Data on development sites citywide and the likelihood for residential development to occur given assumptions on zoned capacity, commonly redeveloped sites, construction trends, and factors of probability.

The model produces a census-tract level projection for housing change in terms of housing units. For the purposes of this EIS, the model will be adjusted to account for new information on market

strength provided by the Housing Market Study, as well as the zoned capacity under the Proposed Action to achieve an NTA-level estimated increment of housing units for the selected RNMs under the No-Action and With-Action condition. The purpose of this assessment is to provide a high-level estimate of the magnitude of housing development that may result from the Proposed Action given different neighborhood characteristics as opposed to business-as-usual development. This will allow for the potential impacts of density-based technical analyses to be characterized, but will not apply to site-specific, highly localized analysis areas.

Tax Incentives for Multifamily Housing

The 421-a Tax Incentive under the "Affordable New York" program is administered by the New York City Department of Housing Preservation and Development (HPD) and was in place in some form from 1971 to 2022. It is a partial property tax exemption in New York State for constructing new multi-family housing in New York City. From 2017 until its expiration in 2022, the program required affordable housing in every development utilizing the tax benefit regardless of location within New York City.

If a replacement tax benefit is not approved at the state level, the City would expect to see little or no mixed-income multifamily housing development for the foreseeable future with or without the Proposed Action. This is because mixed-income multifamily housing development is generally not feasible in the absence of a tax benefit and zoning reforms such as the Proposed Action are limited in their ability to affect baseline feasibility.

Under this scenario, the elements of the Proposed Action intended to produce mixed-income multifamily housing—including UAP, Small/Share Housing, Quality Housing Infill, Low Density Commercial, Qualifying Sites, and Parking Reductions—would have limited or no effect. Regulatory agreement projects, which are 100% affordable, would still be able to take advantage of the Proposed Action, but these are limited by available government subsidy and would represent a small fraction of overall housing produced in a market with a renewed benefit.

To ensure a conservative estimate, environmental review for the Proposed Action will assume a renewed tax benefit.

Conceptual Analysis

As noted above, the Proposed Action would create new authorizations under the jurisdiction of the CPC.

Since future development pursuant to these authorizations would be subject to review by the New York CPC, any future proposal for these authorizations would be assessed and disclosed to the public under and pursuant to a separate environmental review. Because it is not possible to predict whether an authorization would be pursued on any one site in the future, the RWCDS for the Proposed Action does not include consideration of specific development that would utilize these new authorizations. Therefore, a conceptual analysis will be provided to generically assess the potential environmental impacts that could result from development pursuant to the following authorizations:

- Authorization for zoning lots in non-contextual districts unable to develop pursuant to Quality Housing regulations despite as of right relief provided by Proposed Action
- Authorization for low-density campuses unable to do infill development despite as of right relief provided by Proposed Action

- Authorization to remove existing parking in Inner Transit-Oriented Development Area or Outer Transit-Oriented Development Area
- Authorization to remove existing parking outside the Greater Transit-Oriented Development Area
- New zoning districts

1.7 Proposed Scope of Work for the DEIS

The New York City Department of City Planning (DCP), as lead agency for the environmental review, determined that the Proposed Action has the potential to result in significant environmental impacts and, therefore, pursuant to CEQR procedures, issued a Positive Declaration requiring that a Draft EIS be prepared for the Proposed Action that analyzes all technical areas of concern. The Draft EIS will be prepared in conformance with all applicable laws and regulations, including SEQRA (Article 8 of the New York State Environmental Conservation Law) and its implementing regulations found at 6 NYCRR Part 617, New York City Executive Order No. 91 of 1977, as amended, and the Rules and Procedure for CEQR, found at Title 62, Chapter 5 of the Rules of the City of New York.

As described previously, the environmental review provides a means for decision-makers to systematically consider environmental effects along with other aspects of project planning and design, to evaluate reasonable alternatives, and to identify, and mitigate where practicable, any significant adverse environmental impacts.

The EIS, following the guidance of the *2021 CEQR Technical Manual*, will contain:

- A description of the Proposed Action and its environmental setting;
- A description of the representative development prototypes representing the likely RWCDS and a description of the representative neighborhoods for analysis;
- A statement of the potential significant adverse environmental impacts of the Proposed Action, including potential short- and long-term effects, typical associated environmental effects, and cumulative effects when considered with other planned developments in the area;
- A description of mitigation measures proposed to eliminate or minimize adverse environmental impacts;
- An identification of any adverse environmental effects that cannot be avoided if the Proposed Action is implemented;
- A discussion of reasonable alternatives to the Proposed Action; and
- A discussion of any irreversible and irretrievable commitments of resources.

As noted above, the EIS will analyze the Proposed Action for all technical areas of concern in a Prototypical Site Assessment, a Representative Neighborhoods Assessment, and a Conceptual Analysis. The specific technical areas to be included in the EIS, as well as their respective tasks and methodologies, are described below.

The first step in preparing the EIS is the public scoping process. Scoping is the process of focusing the environmental impact analysis on the key issues that are to be studied in the EIS. The proposed scope of work for each technical area to be analyzed in the EIS follows. The scope of work and the proposed impact assessment criteria below are based on the methodologies and guidance set forth in the *2021 CEQR Technical Manual*.

Task 1. Project Description

As the first chapter of the EIS, the Project Description introduces the reader to the Proposed Action and sets the context in which to assess impacts. This chapter will contain a description of the Proposed Action: its area of applicability; a statement of the purpose and need for the Proposed Action; key planning considerations that have shaped the current proposal; and a discussion of the approvals required, procedures to be followed, and the role of the EIS in the process. This chapter is the key to understanding the Proposed Action and gives the public and decision makers a base from which to evaluate the Proposed Action.

In addition, the project description chapter will present the planning background and rationale for the Proposed Action and summarize the RWCDS for analysis. The section on approval procedure will explain the public review process, its timing, and hearings before the Community Boards, the Borough Presidents' Offices, the Borough Boards, the CPC, and the New York City Council. The role of the EIS as a full disclosure document to aid in decision-making will be identified and its relationship to the discretionary approvals and the public hearings described.

Task 2. Land Use, Zoning, and Public Policy

A land use analysis characterizes the uses and development trends in the area that may be affected by the Proposed Action, describes the public policies that guide development, and determines whether a Proposed Action is either compatible with those conditions and policies or whether it may affect them. Similarly, the analysis considers compliance of the Proposed Action with, and its effect on, the area's zoning and other applicable public policies, including the City's coastal zone policies. This chapter will analyze the potential impacts of the Proposed Action on land use, zoning, and public policy, following guidance presented in the *2021 CEQR Technical Manual*. Consistent with Analytical Framework, the EIS will take a generic approach to this analysis since the Proposed Action has applicability citywide.

Task 3. Socioeconomic Conditions

The socioeconomic character of an area includes its population, housing, and economic activity. Socioeconomic changes may occur when a project directly or indirectly changes any of these elements. Although socioeconomic changes may not result in impacts under CEQR, they are disclosed if they would affect land use patterns, low-income populations, the availability of goods and services, or economic investment in a way that changes the socioeconomic character of the area. The proposed action has the potential to result in an increased number of residential units citywide, and therefore would have the potential to create socioeconomic changes.

According to the *2021 CEQR Technical Manual*, the six principal issues of concern with respect to socioeconomic conditions are whether a proposed project would result in significant impacts due to: (1) direct residential displacement; (2) direct business displacement; (3) indirect residential displacement; (4) indirect business displacement due to increased rents; (5) indirect business displacement due to retail market saturation; and (6) adverse effects on a specific industry.

The EIS will provide a preliminary screening consistent with the *2021 CEQR Technical Manual* to determine whether the Proposed Action warrants an assessment of socioeconomic conditions with respect to each of the principal issues of concern to determine if a detailed analysis is necessary. Detailed analyses will be conducted only if the preliminary assessment cannot definitively rule out

the potential for significant adverse impacts. The detailed assessments will be framed in the context of existing conditions and evaluations of the Future No-Action and With-Action conditions in 2034, including any population changes anticipated to take place by the analysis year of the Proposed Action.

Task 4. Community Facilities and Service

The demand for community facilities and services is directly related to the type and size of the new population generated by development resulting from the Proposed Action. In accordance with *CEQR Technical Manual* guidance, the EIS will provide screening analyses to determine whether the Proposed Action warrants a detailed assessment of public schools, early childhood programs, and libraries.

According to the *CEQR Technical Manual*, a detailed analysis of police and fire protection services and health care facilities is required if a proposed action would (a) introduce a sizeable new neighborhood where one has not previously existed, or (b) would displace or alter a hospital or public health clinic, fire protection services facility, or police station. As the Proposed Action would not result in any of the above, no significant adverse impacts would be expected to occur, and a detailed analysis of police/fire services and health care facilities is not warranted.

In terms of direct effects on community facilities, the Proposed Action would not physically alter a community facility, whether by displacement of the facility or other physical change; therefore, the potential for direct effects has been screened, and no further analysis is warranted.

Task 5. Open Space

Open space is defined as publicly- or privately-owned land that is publicly accessible and operates, functions, or is available for leisure, play, or sport, or set aside for the protection and/or enhancement of the natural environment. An analysis of open space is conducted to determine whether a proposed action would have direct effects resulting from the elimination or alteration of open space, and/or an indirect effect resulting from overtaxing available open space. Based on the *CEQR Technical Manual*, an open space assessment is typically warranted if an action would directly affect an open space or if it would increase the population by more than 200 residents or 500 workers. The proposal is a citywide action that would result in development that may have direct or indirect effects on open space. Therefore, an open space assessment consistent with the *CEQR Technical Manual* will be provided in the EIS.

Task 6. Shadows

A shadows analysis assesses whether new building mass resulting from a proposed action would cast shadows on sunlight-sensitive resources of concern, and the significance of these shadows. Generally, the potential for shadow impacts exists if a project would result in new structures or additions to buildings resulting in structures over 50 feet in height that could cast shadows on important natural features, publicly accessible open space, or on historic features that are dependent on sunlight. New construction or building additions resulting in incremental height changes of less than 50 feet can also potentially result in shadow impacts if they are located adjacent to, or across the street from, a sunlight-sensitive resource.

The Proposed Action, compared to what is allowed under current zoning regulations, has the potential to result in taller buildings, in some cases over 50 feet, that may cast shadows over publicly accessible sunlight-sensitive open spaces, historic and cultural resources, and natural areas. Therefore, consistent with the *CEQR Technical Manual,* the EIS will provide a screening to determine whether further assessment is needed to evaluate how the Proposed Action would affect sunlight-sensitive resources.

Task 7. Historic and Cultural Resources

This chapter will assess the potential for the Proposed Action to result in significant adverse impacts on historic and cultural resources, including both archaeological and architectural resources. Archaeological resources are physical remains, usually subsurface, of the prehistoric, Native American, and historic periods—such as burials, foundations, artifacts, wells, and privies. Architectural resources generally include historically important buildings, structures, objects, sites, and districts. Historic and cultural resources include designated New York City Landmarks (NYCLs) and Historic Districts; properties calendared for consideration as NYCLs by the New York City Landmarks Preservation Commission (LPC) or determined eligible for NYCL designation (NYCL-eligible); properties listed on the State and/or National Register of Historic Places (S/NR) or formally determined eligible for S/NR listing (S/NR-eligible), or properties contained within a S/NR listed or eligible district; properties recommended by the New York State Board for listing on the S/NR; National Historic Landmarks (NHLs); and potential historic resources (i.e., properties not identified by one of the programs listed above, but that appear to meet their eligibility requirements).

According to the *CEQR Technical Manual*, a historic and cultural resources assessment is warranted if there is the potential to affect either archaeological or architectural resources. The analysis will consider the potential of the Proposed Action to affect historic and cultural resources from increased ground disturbance, direct effects to historic resources, and contextual impacts. The historic and cultural resources assessment will analyze the potential for significant adverse impacts to result from the Proposed Action, consistent with the *CEQR Technical Manual*.

Task 8. Urban Design and Visual Resources

Urban design is the totality of components that may affect a pedestrian's experience of public space. The urban design characteristics of a neighborhood encompass the various components of buildings and streets in the area. These include building bulk, use and type; building arrangement; block form and street pattern; streetscape elements; street hierarchy; and natural features. An area's visual resources are its unique or important public view corridors, vistas, or natural or built features. An assessment of urban design and visual resources is appropriate when there is the potential for a pedestrian to observe, from the street level, a physical alteration beyond that allowed by existing zoning. For CEQR analysis purposes, this includes only views from public and publicly accessible locations and does not include views from private residences or places of business.

An analysis of urban design and visual resources is appropriate if a proposed action would a) result in buildings that have substantially different height, bulk, form, setbacks, size, scale, use or arrangement than exists in an area; b) change block form, demap an active street or map a new street, or affect the street hierarchy, street wall, curb cuts, pedestrian activity or streetscape elements; or c) would result in above-ground development in an area that includes significant visual resources.

The Proposed Action has the potential to result in a physical change to the streetscape that would change the pedestrian experience, and therefore an assessment of urban design and visual resources will be provided in the EIS, consistent with the *CEQR Technical Manual*.

Task 9. Natural Resources

According to the *CEQR Technical Manual*, a natural resource is defined as a plant or animal species and any area capable of providing habitat for plant and animal species or capable of functioning to support environmental systems and maintain the city's environmental balance. Such resources include surface and groundwater, wetlands, dunes and beaches, grasslands, woodlands, landscaped areas, gardens, and build structures used by wildlife. According to the *CEQR Technical Manual*, an assessment of natural resources is appropriate if a natural resource exists on or near the site of a proposed action, or if an action involves disturbance of that resource.

The Proposed Action has the potential to result in additional development which may be located near natural resources. Consequently, the EIS will include a screening assessment to evaluate the potential for the Proposed Action to affect natural resources, consistent with the *CEQR Technical Manual*. Also, since the Proposed Action may affect development near the Jamaica Bay Watershed, a "Jamaica Bay Watershed Form" will be prepared and submitted to the New York City Department of Environmental Protection (DEP) and the Mayor's Office of Environmental Coordination (OEC).

Task 10. Hazardous Materials

A hazardous materials assessment determines whether a proposed action may increase the exposure of people or the environment to hazardous materials, and, if so, whether this increased exposure would result in potential significant public health or environmental impacts. The potential for significant impacts related to hazardous materials can occur when: (a) elevated levels of hazardous materials exist on a site and the project would increase pathways to human or environmental exposures; (b) a project would introduce new activities or processes using hazardous materials and the risk of human or environmental exposure is increased; or (c) the project would introduce a population to potential human or environmental exposure from off-site sources.

The Proposed Action has the potential to result in increased ground disturbance in areas where hazardous materials may be present. Accordingly, the chapter will include a discussion of the Proposed Action's potential to result in significant adverse hazardous materials impacts, consistent with the *CEQR Technical Manual*.

Task 11. Water and Sewer Infrastructure

A water and sewer infrastructure assessment determines whether a proposed action may adversely affect the city's water distribution or sewer system and, if so, assess the effects of such actions to determine whether their impact is significant. The *CEQR Technical Manual* outlines thresholds for analysis of an action's water demand and its generation of wastewater and storm water.

The EIS will provide an assessment of the Proposed Action's potential to affect the water supply, and wastewater and storm water infrastructure, consistent with the *CEQR Technical Manual*.

Task 12. Solid Waste and Sanitation Services

A solid waste assessment determines whether an action has the potential to cause a substantial increase in solid waste production that may overburden available waste management capacity or otherwise be inconsistent with the City's Solid Waste Management Plan or with state policy related to the City's integrated solid waste management system. The Proposed Action would induce new development that would require sanitation services. According to the *CEQR Technical Manual*, if a project's generation of solid waste in the With-Action condition would not exceed 50 tons per week, it may be assumed that there would be sufficient public or private carting and transfer station capacity in the metropolitan area to absorb the increment, and further analysis generally would not be required. Because it could result in an increased number of residential units, the Proposed Action could also increase the demands on solid waste and sanitation transport and disposal services; therefore, consistent with the *CEQR Technical Manual*, an assessment of solid waste and sanitation services will be provided in the EIS.

Task 13. Energy

According to the *CEQR Technical Manual*, an EIS must include a discussion of the effects of the proposed action on the use and conservation of energy, if applicable and significant. In most cases, an action does not need a detailed energy assessment, but its operational energy is projected. A detailed energy assessment is limited to actions that may significantly affect the transmission or generation of energy. For other actions, in lieu of a detailed assessment, the estimated amount of energy that would be consumed annually as a result of the day-to-day operation of the buildings and uses resulting from an action is disclosed.

Although significant adverse energy impacts are not anticipated, due to the distributed nature of the development anticipated in the With-Action condition, the EIS will consider projected operational energy consumption, consistent with the *CEQR Technical Manual*.

Task 14. Transportation

The objective of a transportation analysis is to determine whether a proposed action may have a potential significant impact on traffic operations and mobility, public transportation facilities and services, pedestrian elements and flow, the safety of all roadway users (pedestrians, bicyclists and motorists), on-and off-street parking, or goods movement.

The Proposed Action could result in additional residential units which would generate additional vehicular travel and demand for parking, as well as additional subway, bus and ferry riders and pedestrian trips. The Proposed Action would introduce new zoning regulations as it relates to residential developments' proximity to transit and would eliminate parking requirements for new residential developments. These modifications would have the potential to affect the area's transportation systems, and therefore, a screening analysis will be provided in the EIS in accordance with the *CEQR Technical Manual*. Based on the results of the screening assessment, a detailed assessment will be provided if warranted.

Task 15. Air Quality

Under CEQR, an air quality analysis determines whether a proposed action would result in stationary or mobile sources of pollutant emissions that could have a significant adverse impact on ambient air

quality, and also considers the potential of existing sources of air pollution to impact the proposed uses.

Based on the projected likely effects of the Proposed Action, an air quality analysis that considers mobile and stationary sources and potential for new sensitive receptors to be located near existing sources will be provided in accordance with the *CEQR Technical Manual*.

Task 16. Greenhouse Gas Emissions and Climate Change

Increased greenhouse gas (GHG) emissions are changing the global climate and predicted to lead to wide-ranging effects on the environment—including rising sea levels, increases in temperature, and changes in precipitation levels. Although this is occurring on a global scale, the environmental effects of climate change are also likely to be felt at the local level. The *CEQR Technical Manual* notes that while the need for a GHG emissions assessment is highly dependent on the nature of the project and its potential impacts, the GHG assessment currently focuses on the City's GHG reductions and consistency with the current City and State programs and local laws. The 2021 CEQR assessments are generally required for City capital projects, projects proposing power generation or a fundamental change to the City's solid waste management system, and projects being reviewed in an EIS that would result in development of 350,000 square feet or more (or smaller projects that would result in the construction of a building that is particularly energy-intense, such as a data processing center or health care facility). The Greenhouse Gas Emissions and Climate Change chapter will note that the Proposed Action is not anticipated to result in any specific development that exceeds the 350,000 square feet development threshold and will focus on the evaluation of the Proposed Action consistency with the City and State GHG reduction goals, consistent with the *CEQR Technical Manual*.

Task 17. Noise

Per the *CEQR Technical Manual*, a noise analysis is required if an action would generate substantial mobile or stationary sources of noise that could affect existing receptors or would introduce new noise-sensitive receptors that would be located in an area with high ambient noise levels. Mobile sources of noise include vehicular traffic, train or subway service, and aircraft traffic; stationary sources include rooftop equipment, such as emergency generators, cooling towers, and other mechanical equipment. Based on the projected likely effects of the Proposed Action, a noise assessment will be prepared in accordance with the *CEQR Technical Manual*.

Task 18. Public Health

According to the *CEQR Technical Manual*, public health is the organized effort of society to protect and improve the health and well-being of the population through monitoring; assessment and surveillance; health promotion; prevention of disease, injury, disorder, disability, and premature death; and reducing inequalities in health status. The goal of CEQR with respect to public health is to determine whether adverse impacts on public health may occur as a result of a proposed project, and if so, to identify measures to mitigate such effects. According to the guidelines of the *CEQR Technical Manual*, a public health assessment may be warranted if an unmitigated significant adverse impact is identified in other CEQR analysis areas, such as air quality, water quality, hazardous materials, or noise. If unmitigated significant adverse impacts are identified in any of these technical areas and the lead agency determines that a public health assessment is warranted, an analysis will be provided for the specific technical area or areas consistent with the *CEQR Technical Manual*.

Task 19. Neighborhood Character

The character of a neighborhood is the result of a combination of various contributing elements, including land use patterns, the scale of its development, the design of its buildings, the presence of notable landmarks, and a variety of other physical features that include traffic and pedestrian patterns and noise. This chapter of the EIS will use information from other EIS chapters to assess whether any identified significant adverse impacts or combination of moderate effects in the areas of land use, zoning, and public policy; socioeconomic conditions; community facilities; open space; historic and cultural resources; urban design and visual resources; shadows; transportation; or noise would have the potential to affect neighborhood character. If warranted, based on an evaluation of the Proposed Action's effects, an assessment of neighborhood character will be prepared consistent with the *CEQR Technical Manual*.

Task 20. Construction

Construction impacts, though temporary, can have a disruptive and noticeable effect on the adjacent community and people passing through the area. Construction impacts are usually important when construction activity could affect traffic conditions, community noise patterns, air quality conditions, and mitigation of hazardous materials.

The EIS will provide an assessment following the guidelines in the *CEQR Technical Manual* and will consider potential construction-related effects of the Proposed Action in terms of potential duration and severity of the disruption to nearby sensitive receptors. Where the duration of construction is expected to last for a period of less than 24 months, any impacts resulting from such short-term construction generally do not require detailed assessment.

Task 21. Mitigation

Where significant adverse impacts have been identified, feasible measures to mitigate those impacts will be identified. These measures will be developed and coordinated with the responsible City/State agencies as necessary. Where impacts cannot be mitigated, they will be described as unavoidable adverse impacts consistent with the *CEQR Technical Manual*.

Task 22. Alternatives

CEQR requires that alternatives to the Proposed Action be identified and evaluated in an EIS so that the decision-maker may consider whether alternatives exist that would minimize or avoid adverse environmental effects. The selection of alternatives to a proposed action is determined by taking into account the nature of the specific project, its stated purpose and need, potential impacts, and the feasibility of potential alternatives. Consistent with CEQR, a No-Action Alternative will be considered. In addition, if any significant adverse impacts are identified, a No Unmitigated Significant Adverse Impact Alternative will be considered, which includes an assessment of an action that would result in no unmitigated impacts. Additional alternatives to the Proposed Action will also be considered once the full extent of the Proposed Action's impacts have been identified. The alternatives analysis will be qualitative, except where significant adverse impacts of the Proposed Action have been identified.

Task 23. Conceptual Analysis

Because the Proposed Action would create new, discretionary actions to be considered by the CPC, an assessment of the potential environmental impacts that could result from these actions is needed. However, because it is not possible to predict whether a discretionary action would be pursued on any one site in the future, the RWCDS for the Proposed Action does not consider specific developments. Instead, a conceptual analysis will evaluate the new, discretionary actions that could be used to generically assess the potential environmental impacts from use of the various authorizations.

Task 24. EIS Summary Chapters

In accordance with CEQR guidelines, the EIS will include the following summary chapters, where appropriate:

- **Unavoidable Adverse Impacts:** This chapter will summarize any significant adverse impacts that are unavoidable if the Proposed Action is implemented regardless of the mitigation employed (or if mitigation is not feasible).
- **Growth-Inducing Aspects of the Proposed Action:** This chapter will summarize the "secondary" impacts of Proposed Action that trigger further development.
- **Irreversible and Irretrievable Commitments of Resources:** This chapter will summarize the Proposed Action and its impacts in terms of the loss of environmental resources (use of fossil fuels and materials for construction, etc.), both in the immediate future and in the long term.

Executive Summary: The executive summary will use relevant material from the body of the EIS to describe the Proposed Action, its environmental impacts, measures to mitigate those impacts, and alternatives to the Proposed Action.

Appendix A: Prototypical Assessment in Preparation of a Draft Environmental Impact Statement

Table of Contents

List of Tables

List of Figures

Prototypical Assessment

To produce a reasonable analysis of likely effect of the text amendment, 20 representative development prototypes have been identified that reflect various combinations of residential zoning categories, development densities, and building typologies throughout NYC. Reasonable Worst Case Development Scenarios (RWCDS) were identified for each prototype to identify the future conditions of each site under both the No-Action and With-Action Conditions. The incremental difference between the No-Action and With-Action Conditions serves as the basis for the analyses by which the potential environmental effects of the Proposed Action are evaluated.

Overall, the COYHO prototype sites were developed to demonstrate a range of densities and lot sizes. The selected prototypes are summarized in **Table 1**. Detailed descriptions and illustrative renderings of the No-Action and With-Action Conditions for each of the prototypical sites are provided below.

Table 1 Prototypical Analysis Sites

ID	Prototype Character	Example Zoning District	Building Typology	Construction Type	Proposals Represented
Category 1: Medium- and High-Density Proposals					
1-1	10,000 s.f. vacant lot within Inner Transit-Oriented Development Area	R6	Multi-family	New construction	1.1, 3
1-2-A	10,000 s.f. vacant lot within Inner Transit-Oriented Development Area (Manhattan Core)	R8B	Multi-family	New construction	1.1, 3
1-2-B	4,500 s.f. vacant lot within Inner Transit-Oriented Development Area (Manhattan Core)	R8B	Multi-family	New construction	1.1, 1.3d, 3
1-3-A	10,000 s.f. vacant lot within Inner Transit-Oriented Development Area	R8/C1-4	Multi-family	New construction	1.1, 3
1-3-B	2,500 s.f. vacant lot within Inner Transit-Oriented Development Area	R8	Multi-family	New construction	1.1, 1.3d, 3
Category 2: Low Density Basic					
2-1	4,000 s.f. vacant lot outside Inner Transit-Oriented Development Area	R2A	Single-family, detached	New construction	2.1a, 2.1b, 2.1c, 2.1d, 3
2-2-A	2,500 s.f. vacant lot outside Inner Transit-Oriented Development Area	R4-1	Two-family, semi-detached	New construction	2.1a, 2.1b, 2.1d, 2.3, 3
2-2-B	2,500 s.f. vacant lot outside Inner Transit-Oriented Development Area	R4-1	Two-family, semi-detached	New construction	2.1a, 2.1b, 2.1c, 2.3, 3
2-3-A	2,500 s.f. vacant lot within Outer Transit-Oriented Development Area	R4	Two-family, attached	New construction	2.1a, 2.1b, 2.1c, 2.1d, 3
2-3-B	2,500 s.f. vacant lot within Outer Transit-Oriented Development Area	R4	Two-family, attached	New construction	2.1, 2.1a, 2.1b, 2.1c, 2.1d, 3
Category 3: Qualifying Sites/Transit Oriented Development					
3-1-A	5,000 s.f. vacant lot within Outer Transit-Oriented Development Area	R3X	Multi-family	New construction	2.2b, 3
3-1-B	5,000 s.f. vacant lot within Lower Density Growth Management Area (LDGMA) and Outer Transit-Oriented Development Area	R3X	Multi-family	New construction	2.2b, 3

Table 1 Prototypical Analysis Sites

ID	Prototype Character	Example Zoning District	Building Typology	Construction Type	Proposals Represented
3-2-A	10,000 s.f. vacant lot within Outer Transit-Oriented Development Area	R5	Multi-family	New construction	2.2b, 3
3-2-B	10,000 s.f. vacant lot within Outer Transit-Oriented Development Area	R5	Multi-family	New construction	2.2b, 3
Category 4: Commercial Overlays					
4-1	2,500 s.f. lot vacant lot outside Inner Transit-Oriented Development Area	R3-2/ C1-	Multi-family, mixed use building	New-construction	2.2a, 3
Category 5: Accessory Dwelling Units (ADUs)					
5-1	6,000 s.f. lot with single-family, detached building	R1-2	Single-family, detached; detached ADU	New construction (ADU)	2.1a, 2.1c, 2.3
5-2	3,000 s.f. lot with two-family, semi-detached building and detached garage	R4-1	Two-family, semi-detached; detached ADU	Conversion and expansion of detached garage to ADU	2.1c, 2.3, 3
5-3	2,500 s.f. lot with two-family, attached building	R4	Two-family, attached; attached ADU	Conversion of recreational space to attached ADU	2.1a, 2.3, 3
Category 6: Campus					
6-1	~1.4 million s.f. lot (residential campus) outside Inner Transit-Oriented Development Area, with multiple multi-family buildings	R5	Multi-family building	New construction (infill)	2.1a, 2.2c, 3
Category 7: Conversions					
7-1	24,670 s.f. lot in midtown Manhattan with high rise non-residential building	C5-3	Converted non-residential to residential building	Conversion (non-residential to residential)	1.4

Category 1: Medium- and High-Density Proposals

Prototypical Analysis Site 1-1 (Based on Bushwick, Brooklyn)

As illustrated in **Table 2** and **Figure 1**, this prototypical analysis site demonstrates the effects of the Proposed Action on a 10,000 s.f. lot along a narrow street in an R6 zoning district within the Inner Transit-Oriented Development Area. Prototypical Analysis Site 1-1 represents a new construction apartment building on a vacant lot.

The Proposed Action would:

- Allow a preferential FAR of 3.90 for providing affordable and supportive housing units. (Proposal 1.1: More Floor Area for Affordable and Supporting Housing)
- Allow for a taller base height of 65 ft. and a taller overall height of 95 ft. (Proposal 1.1: More Floor Area for Affordable and Supporting Housing)
- Eliminate parking requirements citywide for new residential development. (Proposal 3: Parking Proposals)

Existing: Prototypical Analysis Site 1-1 is a 10,000 s.f. vacant lot in an R6 district located on a narrow street and within the Inner Transit-Oriented Development Area. The adjacent buildings are multifamily residences with varying heights from 2 to 6 stories. The prototypical analysis site is similar to the conditions found in Bushwick, Brooklyn or other medium density R6 districts.

No-Action Condition: Under the No-Action Condition, the site offers an example of a new-build residential building constructed within the constraints of the existing building envelope and its permitted floor area. The development is providing 22 dwelling units, including 4 affordable units.

With-Action Condition: The prototypical development is a 100% affordable unit building that takes advantage of the increased building envelope to allow for the additional Universal Affordability Preference floor area. There are no parking requirements for new housing development, so no parking is provided on-site, allowing the building to reach the maximum allowed FAR.

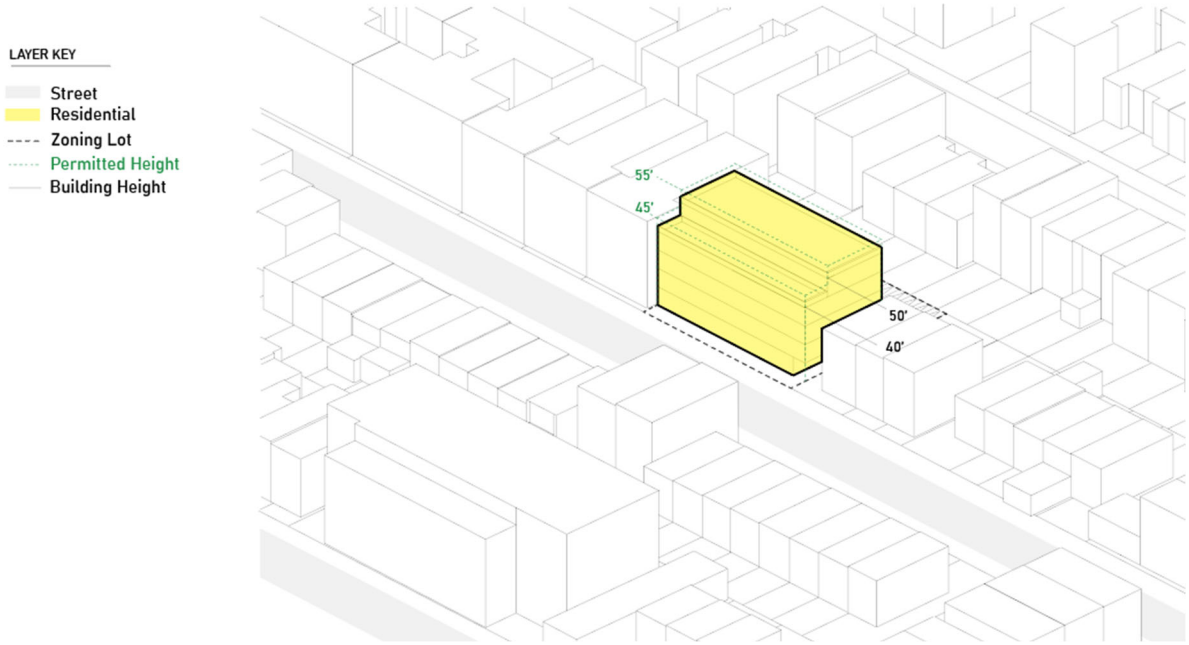
Increment: The Proposed Action would allow for the addition of affordable and supportive units through a preferential FAR and heights. This would result in an increase of 17,000 s.f. of zoning floor area, an increase of 20 ft. of base height, an increase 40 ft. of overall height, the addition of 24 total dwelling units, 42 affordable units, and a decrease of 11 parking spaces.

Table 2 Prototypical Analysis Site 1-1 RWCDS

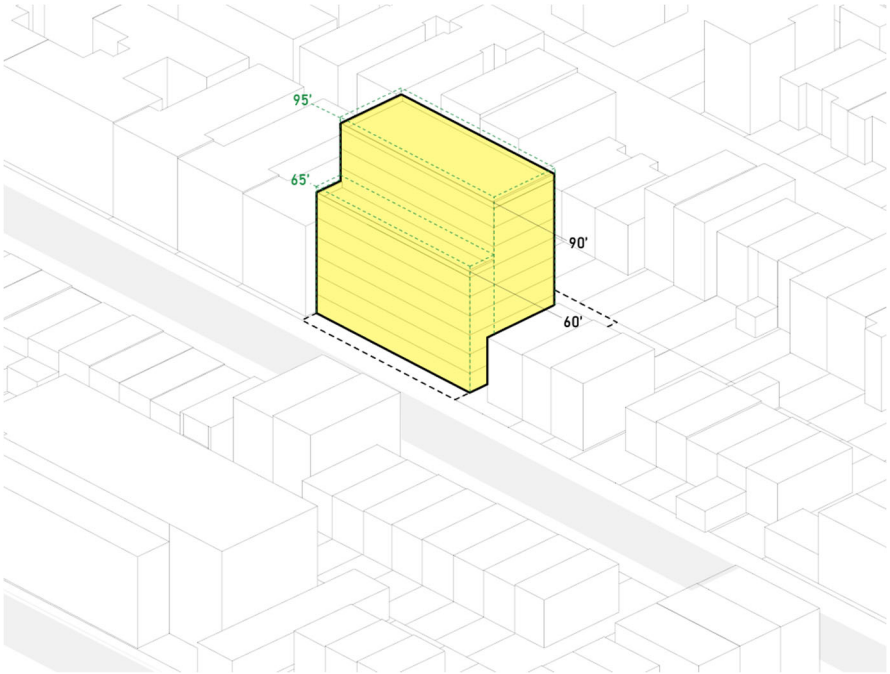
	No-Action	With-Action	Increment
Lot Area	10,000 s.f.	10,000 s.f.	0
FAR	2.2	3.9	1.7
Zoning Floor Area	22,000 s.f.	39,000 s.f.	+17,000 s.f.
Gross Floor Area	24,400 s.f.	43,400 s.f.	+19,000 s.f.
Exempted Floor Area	2,400 s.f.	4,400 s.f.	+2,000 s.f.
Perimeter Wall/ Base Height	40 ft.	50 ft.	+20 ft.
Overall Height	60 ft.	90 ft.	+40 ft.
Number of Stories	5	9	+4
Number of Dwelling Units	22	46	+24
Number of Affordable Dwelling Units	4	46	+42
Number of Accessory Dwelling Units	N/A	N/A	N/A
Lot Coverage	60%	60%	0
Front Yard	N/A	N/A	N/A
Side Yard	N/A	N/A	N/A
Rear Yard	30 ft.	30 ft.	0
Parking Spaces	11	0	-11

Figure 1 Illustrative Representation of RWCDS for Prototypical Analysis Site 1-1

No-Action Condition



With-Action Condition



Prototypical Analysis Site 1-2-A (Based on Upper East Side, Manhattan)

As illustrated in **Table 3** and **Figure 2**, this prototypical analysis site demonstrates the effects of the Proposed Action on a 10,000 s.f. lot along a narrow street in an R8B zoning district. Prototypical Analysis Site 1-2-A represents a new construction apartment building on a vacant lot.

The Proposed Action would:

- Allow a preferential FAR of 4.80 for providing affordable and supportive housing units. (Proposal 1.1: More Floor Area for Affordable and Supporting Housing)
- Allow for a taller base height of 85 ft. and a taller overall height of 105 ft (Proposal 1.1: More Floor Area for Affordable and Supporting Housing)
- Eliminate parking requirements citywide for new residential development. (Proposal 3: Parking Proposals)

Existing: Prototypical Analysis Site 1-2-A is a 10,000 sf vacant lot in a R8B district located on a narrow street and within the Manhattan Core. The adjacent buildings are multifamily residences. The prototypical analysis site is similar to the conditions found in the Upper East Side, Manhattan, or other high density R8B districts.

No-Action Condition: Under the No-Action Condition, the site offers an example of a residential building constructed within the constraints of the existing building envelope and its permitted floor area. The development is providing 47 dwelling units, including 9 affordable units. Because the 10,000 sf lot is developed with 40,000 sf of zoning floor area, the building has reached its maximum FAR. No parking is required due to the development's location in the Manhattan Core.

With-Action Condition: The Proposed Action would allow for the site to add 2 additional affordable, and supportive housing units by expanding the allowable floor area as well as creating an increased building envelope to allow for this additional floor area. No parking is required.

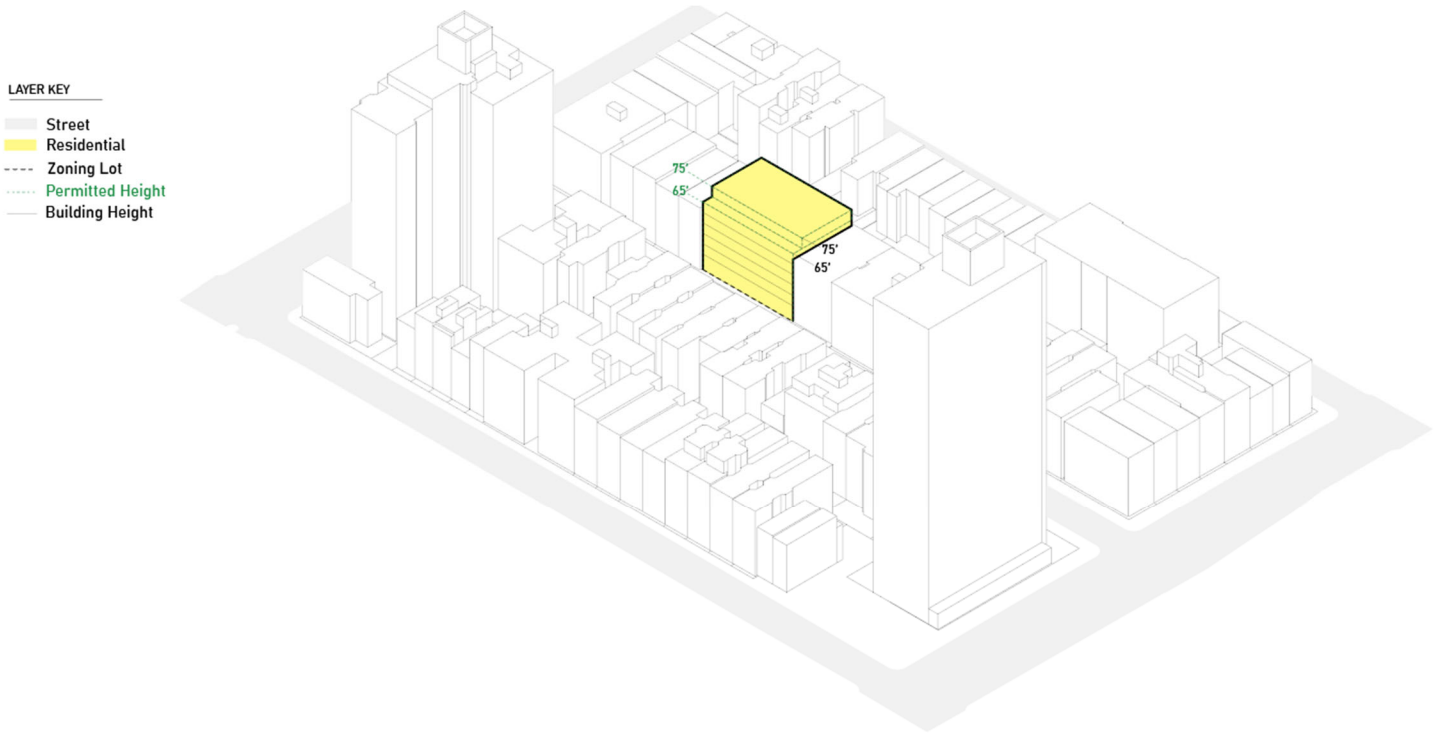
Increment: The Proposed Action would allow for the addition of affordable and supportive units through a preferential FAR and heights. This would result in an increase of 8,000 sf of zoning floor area. It would result in an increase of 20 ft. of base height, an increase 30 feet of overall height. It would add 9 dwelling units, 2 of which would be affordable and/or supportive.

Table 3 Prototypical Analysis Site 1-2-A RWCDS

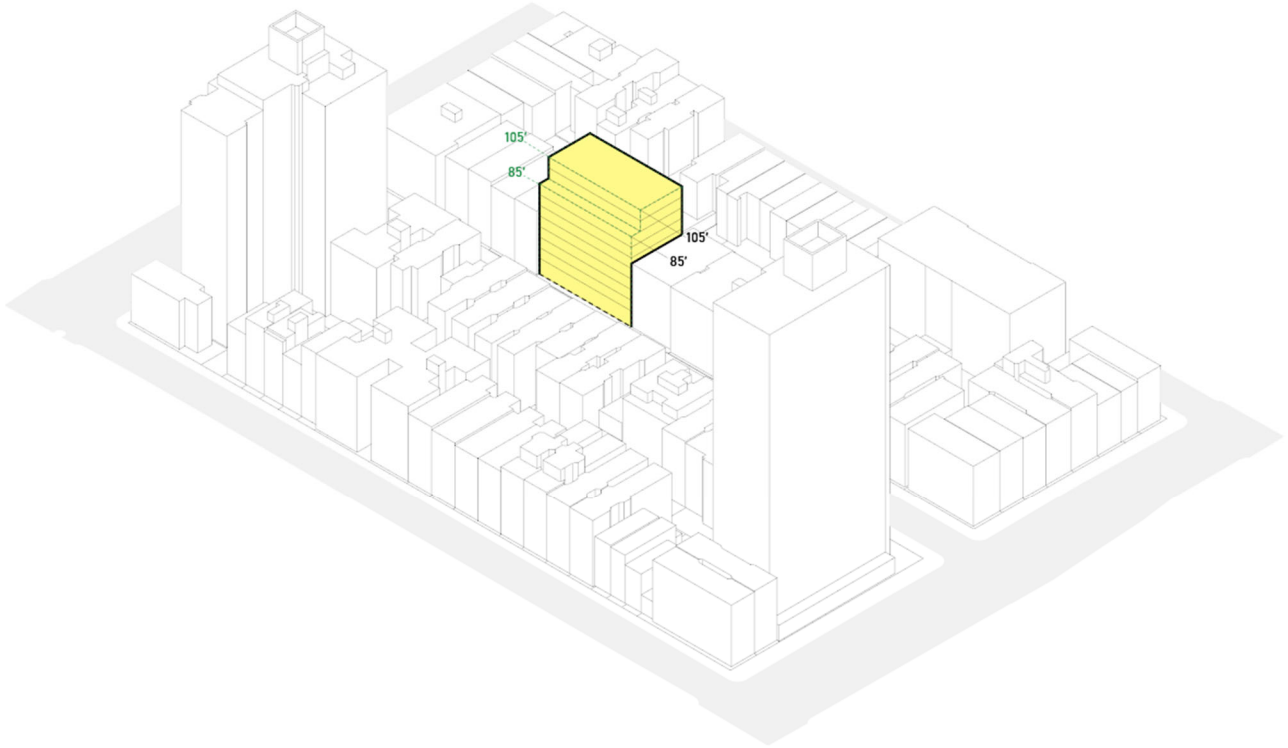
	No-Action	With-Action	Increment
Lot Area	10,000 s.f.	10,000 s.f.	0
FAR	4.0	4.8	0.8
Zoning Floor Area	40,000 s.f.	48,000 s.f.	+8,000 s.f.
Gross Floor Area	44,500 s.f.	53,000 s.f.	+8,500 s.f.
Exempted Floor Area	4,450 s.f.	5,300 s.f.	+850 s.f.
Perimeter Wall/ Base Height	65 ft.	85 ft.	+20 ft.
Overall Height	75 ft.	105 ft.	+30 ft.
Number of Stories	7	10	+3
Number of Dwelling Units	47	56	+9
Number of Affordable Dwelling Units	9	11	+ 2
Number of Accessory Dwelling Units	N/A	N/A	N/A
Lot Coverage/Open Space	60%	60%	0
Front Yard	N/A	N/A	N/A
Side Yard	N/A	N/A	N/A
Rear Yard	30 ft.	30 ft.	0
Parking Spaces	0	0	0

Figure 2 Illustrative Representation of RWCDS for Prototypical Analysis Site 1-2-A

No-Action Condition



With-Action Condition



Prototypical Analysis Site 1-2-B (Based on Upper East Side, Manhattan)

As illustrated in **Table 4** and **Figure 3**, this prototypical analysis site demonstrates the effects of the Proposed Action on a 4,500 s.f. lot along a narrow street in an R8B zoning district. Prototypical Analysis Site 1-2-B represents a new construction apartment building on a vacant lot.

The Proposed Action would:

- Allow a preferential FAR of 4.80 for providing affordable and supportive housing units. (Proposal 1.1: More Floor Area for Affordable and Supporting Housing)
- Allow for a taller base height of 85 ft. and a taller overall height of 105 ft (Proposal 1.1: More Floor Area for Affordable and Supporting Housing)
- Eliminate "Sliver Law" (ZR 23-692) applicability and allow the underlying height and setback regulations to control. (Proposal 1.3: Eliminate Obstacles to Quality Housing Development – 1.3d)
- Eliminate parking requirements citywide for new residential development. (Proposal 3: Parking Proposals)

Existing: Prototypical Analysis Site 1-2-B is a 4,500 s.f. vacant lot in a R8B district located on a narrow street and within the Manhattan Core. The adjacent buildings are multifamily residences. The prototypical analysis site is similar to the conditions found in the Upper East Side, Manhattan, or other high density R8B districts.

No-Action Condition: Under the No-Action Condition, the building cannot reach the underlying height of R8B, which causes the building to not reach the allowable FAR of R8B. The development is providing 15 dwelling units, including 3 affordable units. No parking is required due to its location in the Manhattan Core.

With-Action Condition: The Proposed Action would allow for the site to add 2 additional affordable, and supportive housing units by expanding the allowable floor area as well as creating an increased building envelope to allow for this additional floor area. No parking is required.

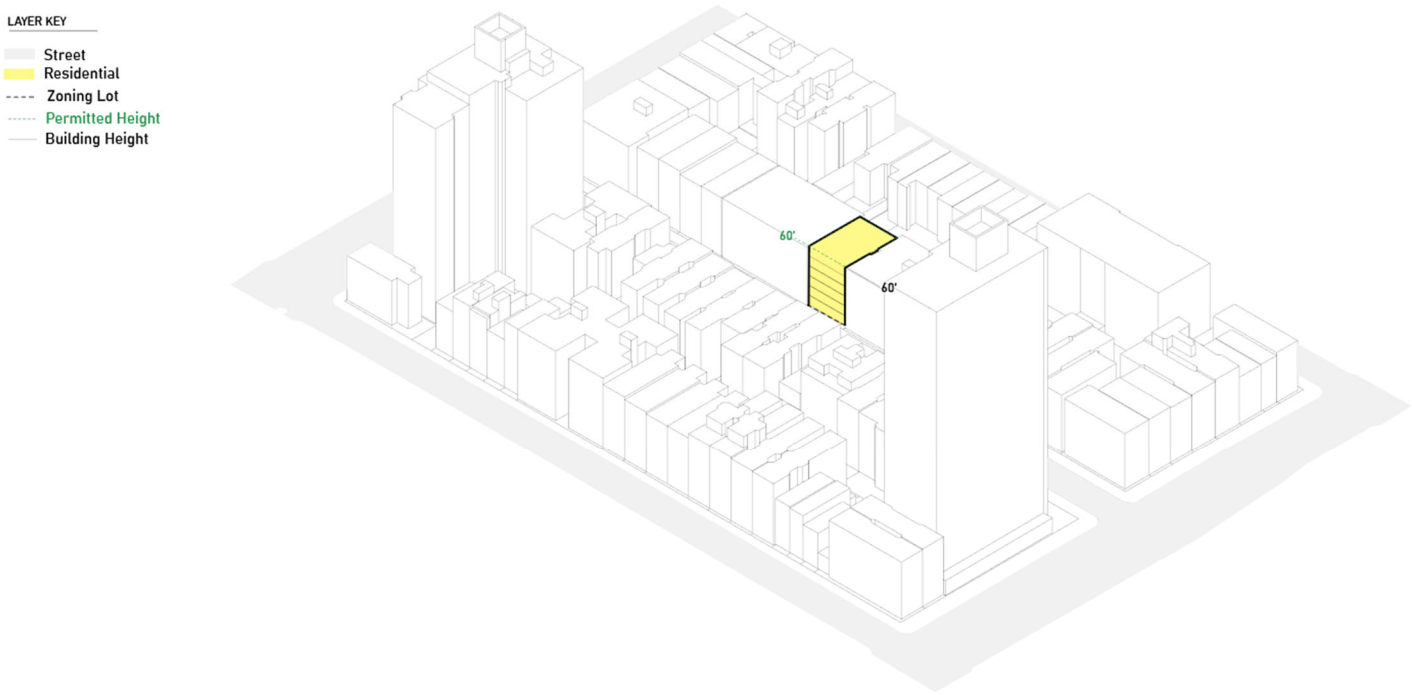
Increment: The Proposed Action would allow for the addition of affordable and supportive units through a preferential FAR and heights. This would result in an increase of 7,020 s.f. of zoning floor area. It would add an increase of 25 ft of base height and 35 ft. of overall height. It would add 10 dwelling units including two affordable units.

Table 4 Prototypical Analysis Site 1-2-B RWCDS

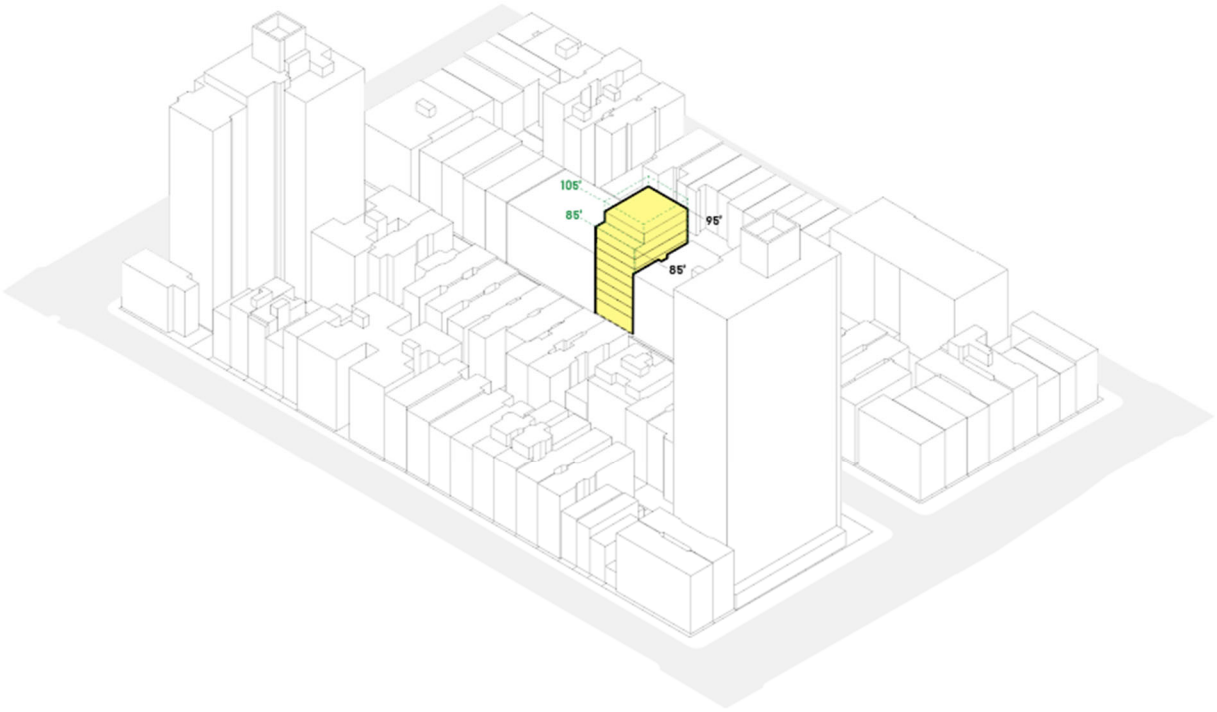
	No-Action	With-Action	Increment
Lot Area	4,500 s.f.	4,500 s.f.	0
	4.0	4.8	0.8
Zoning Floor Area	14,580 s.f.	21,600 s.f.	+7,020 s.f.
Gross Floor Area	16,200 s.f.	24,000 s.f.	+7,800 s.f.
Exempted Floor Area	1,620 s.f.	2,400 s.f.	+780 s.f.
Perimeter Wall/ Base Height	60 ft.	85 ft.	+25 ft.
Overall Height	60 ft.	95 ft.	+35 ft
Number of Stories	6	9	+3
Number of Dwelling Units	15	25	+10
Number of Affordable Dwelling Units	3	5	+ 2
Number of Accessory Dwelling Units	N/A	N/A	N/A
Lot Coverage	65%	65%	0
Front Yard	N/A	N/A	N/A
Side Yard	N/A	N/A	N/A
Rear Yard	30 ft.	30 ft.	0
Parking Spaces	0	0	0

Figure 3 Illustrative Representation of RWCDS for Prototypical Analysis Site 1-2-B

No-Action Condition



With-Action Condition



Prototypical Analysis Site 1-3-A (Based on Washington Heights, Manhattan)

As illustrated in **Table 5** and **Figure 4**, this prototypical analysis site demonstrates the effects of the Proposed Action on a 10,000 s.f. lot along a wide street in an R8/C1-4 zoning district outside of the Manhattan Core. Prototypical Analysis Site 1-3-A represents a new construction apartment building on a vacant lot.

The Proposed Action would:

- Allow a preferential FAR of 8.7 for providing affordable and supportive housing units. (Proposal 1.1: More Floor Area for Affordable and Supporting Housing)
- Allow for a taller base height of 125 ft. and a taller overall height of 175 ft (Proposal 1.1: More Floor Area for Affordable and Supporting Housing)
- Eliminate parking requirements citywide for new residential development. (Proposal 3: Parking Proposals)

Existing: Prototypical Analysis Site 1-3-A is a 10,000 s.f. vacant lot in a R8/C1-4 district located on a wide street, within the Inner Transit-Oriented Development Area and outside of the Manhattan Core. The adjacent buildings are multifamily residences. The prototypical analysis site is similar to the conditions found in Washington Heights, Manhattan, or other high density R8 districts.

No-Action Condition: Under the No-Action Condition, the site offers an example of a residential building constructed within the constraints of the existing building envelope and its permitted floor area. The whole ground floor is commercial with a small residential lobby. The development provides 83 dwelling units, inducing 17 affordable units. Because the 10,000 s.f. lot is developed with 72,000 s.f. of zoning floor area, the building has reached its maximum FAR. The existing building waives out of parking using ZR 25-242 "Waiver of requirements for small zoning lots in high bulk districts."

With-Action Condition: The Proposed Action would allow for the site to add 3 additional affordable or supportive housing units by expanding the allowable floor area as well as creating an increased building envelope to allow for this additional floor area. The whole ground floor is commercial with a small residential lobby. There are no parking minimums for residential uses, so no parking is provided on-site.

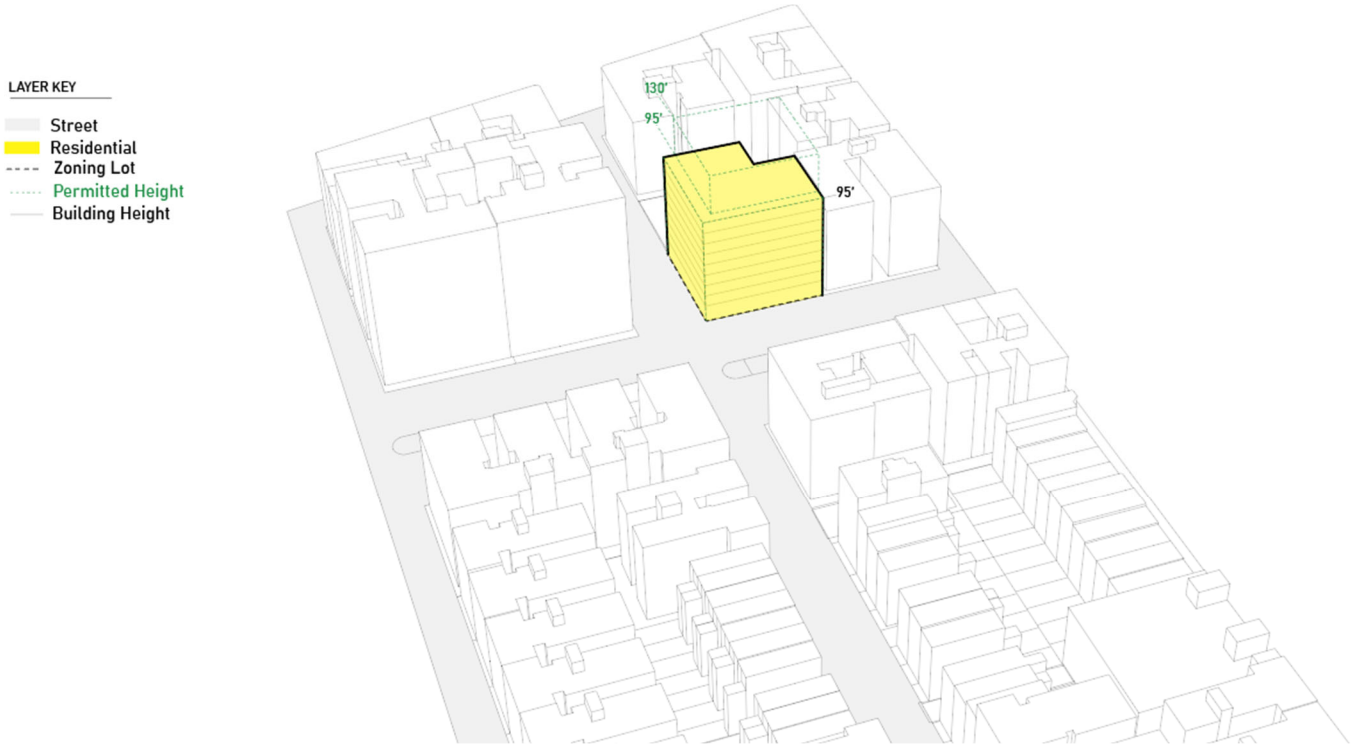
Increment: The Proposed Action would allow for the addition of affordable and supportive units through a preferential FAR and heights. This would result in an increase of 15,000 s.f. of zoning floor area. It would result in an increase of 20 ft. of base height, an increase of 20 ft. of overall height. It would add 19 dwelling units, 3 of which would be affordable.

Table 5 Prototypical Analysis Site 1-3-A RWCDS

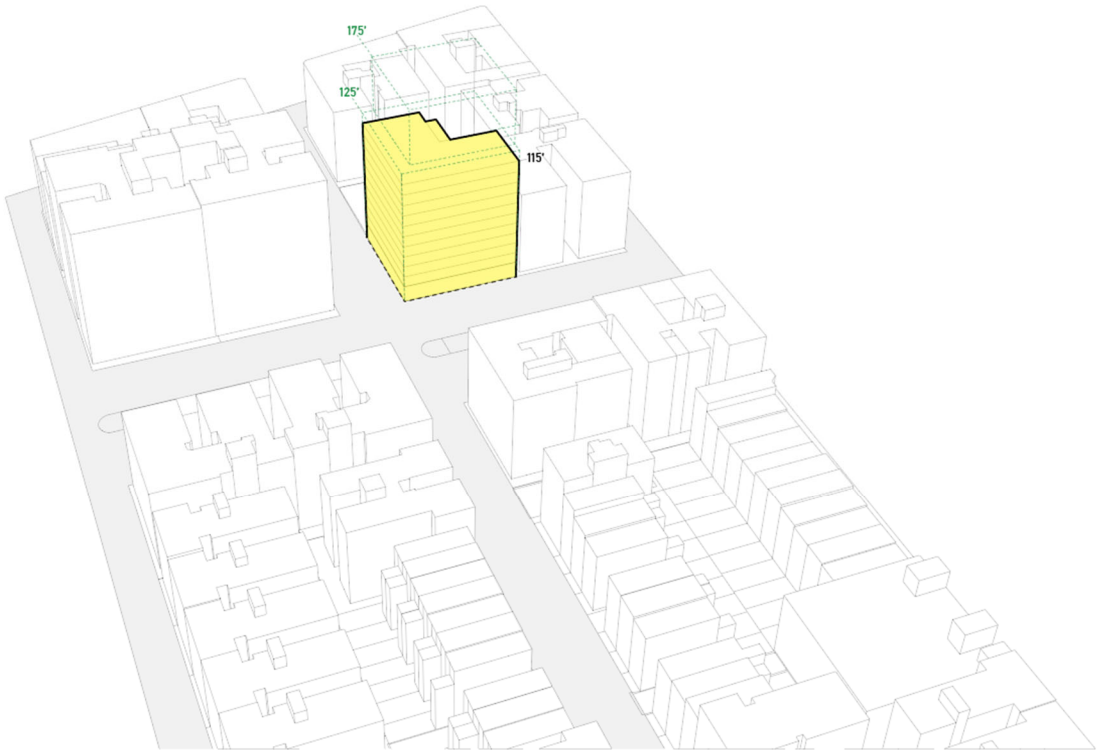
	No-Action	With-Action	Increment
Lot Area	10,000 s.f.	10,000 s.f.	0
	7.2	8.7	1.5
Zoning Floor Area	72,000 s.f.	87,000 s.f.	+15,000 s.f.
Gross Floor Area	80,200 s.f.	96,775 s.f.	+16,575 s.f.
Exempted Floor Area	8,200 s.f.	9,775 s.f.	+1,575 s.f.
Perimeter Wall/ Base Height	95 ft	115 ft	+20 ft.
Overall Height	95 ft	115 ft	+20 ft.
Number of Stories	9	11	+2
Number of Dwelling Units	83	102	+19
Number of Affordable Dwelling Units	17	20	+ 3
Number of Accessory Dwelling Units	N/A	N/A	N/A
Lot Coverage	100%	100%	0
Front Yard	N/A	N/A	N/A
Side Yard	N/A	N/A	N/A
Rear Yard	35 ft.	35 ft.	0
Parking Spaces	0	0	0

Figure 4 Illustrative Representation of RWCDS for Prototypical Analysis Site 1-3-A

No-Action Condition



With-Action Condition



Prototypical Analysis Site 1-3-B (Based on Washington Heights, Manhattan)

As illustrated in **Table 6** and **Figure 5**, this prototypical analysis site demonstrates the effects of the Proposed Action on a 2,500 s.f. lot along a 75-foot wide street in an R8 zoning district outside of the Manhattan Core. Prototypical Analysis Site 1-3-B represents a new construction apartment building on a vacant lot.

The Proposed Action would:

- Allow a preferential FAR of 8.7 for providing affordable and supportive housing units. (Proposal 1.1: More Floor Area for Affordable and Supporting Housing)
- Allow for a taller base height of 125 ft. and a taller overall height of 175 ft (Proposal 1.1: More Floor Area for Affordable and Supporting Housing)
- Eliminate the "Sliver Law" (23-692) applicability and allow the underlying height and setback regulations to control. (Proposal 3: Eliminate Obstacles to Quality Housing Development – 1.3d)
- Eliminate parking requirements citywide for new residential development. (Proposal 3: Parking Proposals)

Existing: Prototypical Analysis Site 1-3-B is a 2,500 s.f. vacant lot in a R8 district located on a 75' wide street, within the Inner Transit-Oriented Development Area and outside of the Manhattan Core. The adjacent buildings are multifamily residences. The prototypical analysis site is similar to the conditions found in Washington Heights, Manhattan, or other high density R8 districts.

No-Action Condition: Under the No-Action Condition, the building cannot reach the underlying height of R8 which causes the building to not reach the allowable FAR of R8. The development is providing 16 dwelling units, including 3 affordable units. The existing building waives out of parking using ZR 25-242 "Waiver of requirements for small zoning lots in high bulk districts."

With-Action Condition: The Proposed Action would allow for the site to add 3 additional affordable or supportive housing units by expanding the allowable floor area as well as creating an increased building envelope to allow for this additional floor area. There are no parking minimums for residential uses, so no parking is provided on-site.

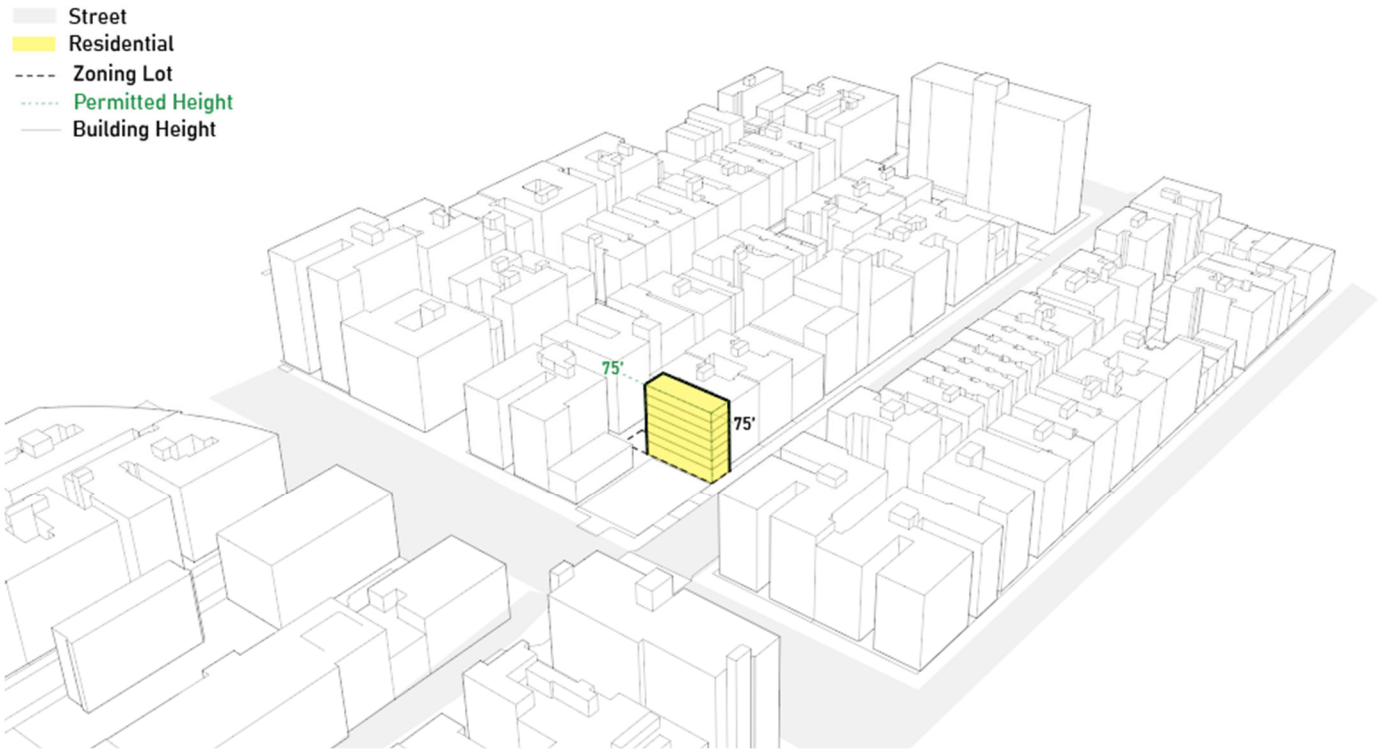
Increment: The Proposed Action would allow for the addition of affordable and supportive units through a preferential FAR and heights. This would result in an increase of 10,750 s.f. of zoning floor area. It would result in an increase of 50 ft. of base height, an increase of 50 ft. of overall height. It would add 12 dwelling units, 3 of which would be affordable.

Table 6 Prototypical Analysis Site 1-3-B RWCDS

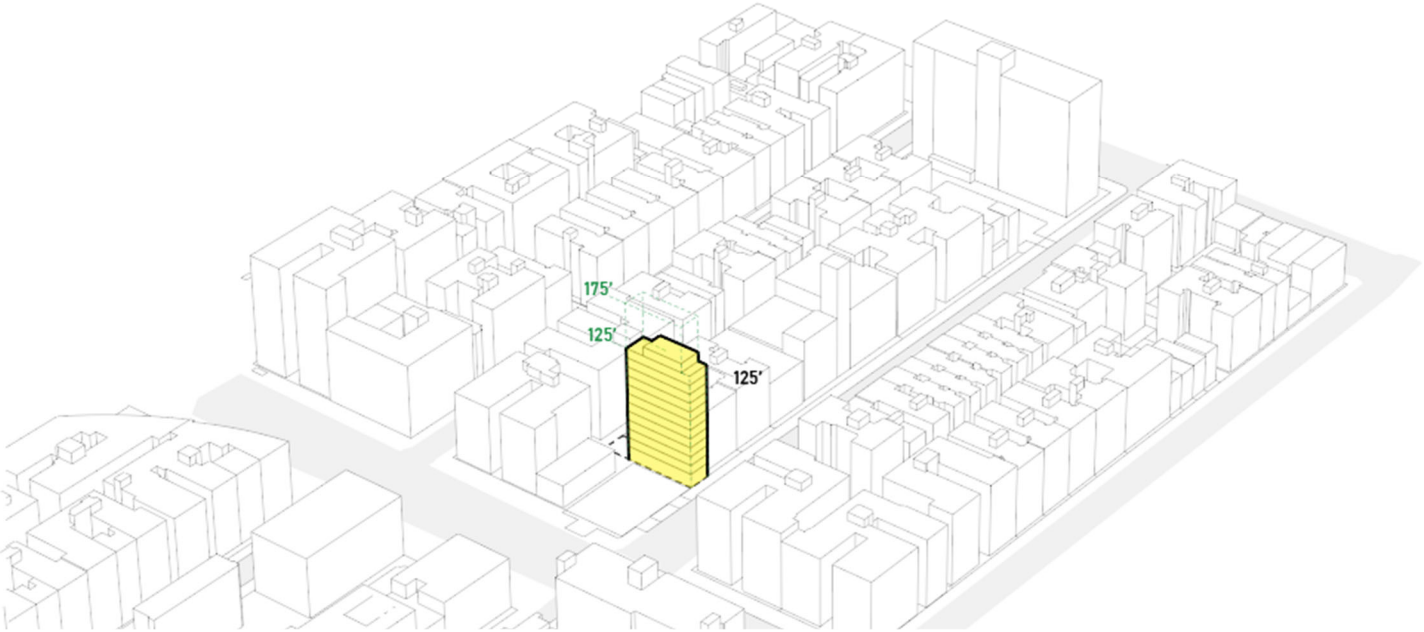
	No-Action	With-Action	Increment
Lot Area	2,500 s.f.	2,500 s.f.	0
FAR	7.2	8.7	1.5
Zoning Floor Area	13,430 s.f.	24,180 s.f.	+10,750 s.f.
Gross Floor Area	14,780 s.f.	26,600 s.f.	+11,820 s.f.
Exempted Floor Area	1,340 s.f.	2,420 s.f.	+1,080 s.f.
Perimeter Wall/ Base Height	75 ft.	125 ft.	+50 ft.
Overall Height	75 ft.	125 ft.	+50 ft.
Number of Stories	7	13	+6
Number of Dwelling Units	16	28	+12
Number of Affordable Dwelling Units	3	6	+ 3
Number of Accessory Dwelling Units	N/A	N/A	N/A
Lot Coverage	77%	77%	0
Front Yard	N/A	N/A	N/A
Side Yard	N/A	N/A	N/A
Rear Yard	30 ft.	30 ft.	0
Parking Spaces	0	0	0

Figure 5 Illustrative Representation of RWCDS for Prototypical Analysis Site 1-3-B

No-Action Condition



With-Action Condition



Category 2: Low Density Basic

Prototypical Analysis Site 2-1 (Based on Floral Park, Queens)

As illustrated in **Table 7** and **Figure 6**, this prototypical analysis site demonstrates the effects of the Proposed Action on a 4,000 s.f. lot along a narrow street in an R2A zoning district outside the Greater Transit-Oriented Development Area. Prototypical Analysis Site 2-1 represents a new construction single-family residential building on a midblock lot.

The Proposed Action would:

- Allow an increased FAR of 0.75 to facilitate a larger dwelling unit. (Proposal 2.1: Low-Density Basic– 2.1a)
- Allow for a taller perimeter height of 25 ft. to enable taller floor-to-floor heights. (Proposal 2.1: Low-Density Basic – 2.1b)
- Reduce side and rear yard requirements to make larger building footprints feasible. (Proposal 2.1: Low-Density Basic – 2.1b)
- Eliminate Lot Coverage rules to make larger building footprints feasible. (Proposal 2.1: Low-Density Basic –2.1c)
- Exempt parking garage floor area from overall FAR to facilitate a larger building. (Proposal 2.1: Low-Density Basic – 2.1d)
- Eliminate parking requirements citywide for new residential development. (Proposal 3: Parking Proposals)

Existing: Prototypical Analysis Site 2-1 is a 4,000 s.f. vacant midblock lot located within an R2A zoning district outside the Greater Transit-Oriented Development Area, as found in Floral Park, Queens. Adjacent buildings are largely older, detached, single-family homes of one to two stories and are typical of smaller homes in low-density single-family districts.

No-Action Condition: Under the No-Action Condition, the site could be redeveloped with up to 0.5 FAR of residential use, which would produce a 2-story structure of up to 2,000 s.f. with a single dwelling unit occupying no more than 30% of the lot. One parking space would be required; if provided in a detached garage in the rear yard, the floor area could be increased by 300 s.f. Due to a perimeter height restriction of 21 feet, each floor would likely be less than 10 feet tall.

With-Action Condition: The Proposed Action would facilitate a larger dwelling unit with higher floor-to-floor heights. An interior garage with one parking space of up to 300 s.f. would be exempted from overall FAR, allowing for smaller side yards and a larger building footprint, though no parking spaces would be required by zoning. No additional dwelling units would be added by this action.

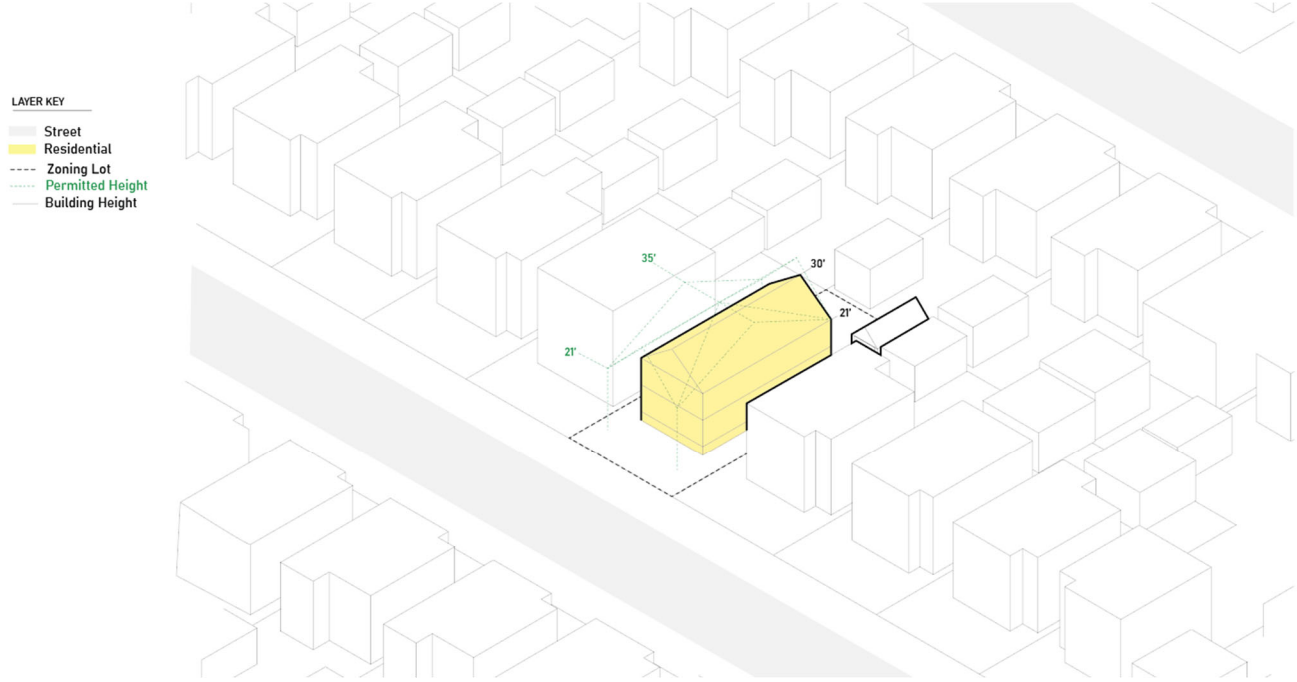
Increment: The Proposed Action would allow for the construction of a larger dwelling unit through increased FAR, relaxed perimeter height restrictions, reduced yard requirements, and garage floor area exemptions. This would result in an increase of 1,000 s.f. of zoning floor area, an increase of 4 ft. of perimeter height and an increase of 5 ft. of overall height. The number of dwelling units and parking spaces provided would remain the same.

Table 7 Prototypical Analysis Site 2-1 RWCDS

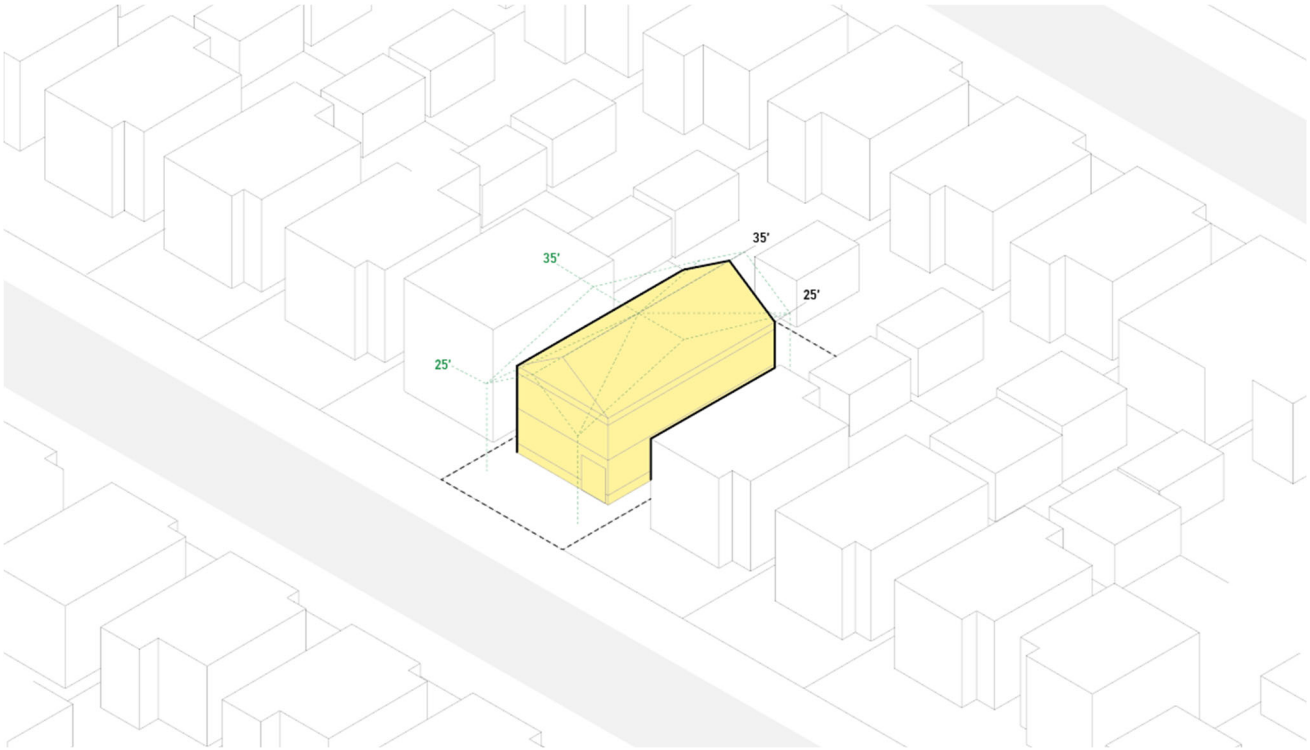
	No-Action	With-Action	Increment
Lot Area	4,000 s.f.	4,000 s.f.	0
FAR	0.5	0.75	0.25
Zoning Floor Area	2,000 s.f.	3,000 s.f.	+1,000 s.f.
Gross Floor Area	2,405 s.f.	3,460 s.f.	+1,055 s.f.
Exempted Floor Area	405 s.f.	460 s.f.	+55 s.f.
Perimeter Wall/ Base Height	21 ft.	25 ft.	+4 ft.
Overall Height	30 ft.	35 ft.	+5 ft.
Number of Stories	2	2	0
Number of Dwelling Units	1	1	0
Number of Accessory Dwelling Units	N/A	0	0
Lot Coverage	30%	43%	+13%
Front Yard	20 ft.	20 ft.	0
Side Yard	8 ft. / 8 ft.	5 ft. / 5 ft.	(3 ft.) / (3 ft.)
Rear Yard	30 ft.	25 ft.	(5 ft.)
Parking Spaces	1	1	0

Figure 6 Illustrative Representation of RWCDS for Prototypical Analysis Site 2-1

No-Action Condition



With-Action Condition



Prototypical Analysis Site 2-2-A (Based on Ozone Park, Queens)

As illustrated in **Table 8** and **Figure 7**, this prototypical analysis site demonstrates the effects of the Proposed Action on a 2,500 s.f. lot along a narrow street in an R4-1 zoning district outside the Greater Transit-Oriented Development Area. Prototypical Analysis Site 2-2-A represents a new construction two-family residential building on a vacant midblock lot.

The Proposed Action would:

- Allow an increased FAR of 1.0 to facilitate a feasible two-family building. (Proposal 2.1: Low-Density Basic- – 2.1a – and Proposal 2.3 Accessory Dwelling Units)
- Reduce side and rear yard requirements to make larger building footprints feasible. (Proposal 2.1: Low-Density Basic – 2.1b)
- Exempt parking garage floor area from overall FAR to facilitate a larger building. (Proposal 2.1: Low-Density Basic – 2.1d)
- Eliminate parking requirements citywide for new residential development. (Proposal 3: Parking Proposals)

Existing: Prototypical Analysis Site 2-2-A is a 2,500 s.f. midblock lot in an R4-1 zoning district located outside the Greater Transit-Oriented Development Area, as may be found in Ozone Park, Queens. Adjacent and nearby buildings are a mix of low-density detached, semi-detached, and attached houses, many with detached rear yard garages, as are typically found in R4-1 districts around the city.

No-Action Condition: Under the No-Action Condition, the site could be redeveloped with a two-unit building of up to 0.9 FAR, which includes a base FAR of 0.75 and a bonus for residential space located underneath a pitched roof. The semi-detached structure would maintain one 8 ft. side yard to provide the required two parking spaces, one of which could be provided in a detached garage in the side lot ribbon, giving a floor area increase of 300 s.f. The building would reach its maximum base height of 25 feet along its perimeter and overall height of 35 feet at its ridgeline.

With-Action Condition: The Proposed Action would allow for larger dwelling units. The overall building envelope would increase while perimeter and ridgeline heights would remain the same and there would be no change in the number of dwelling units. Though no parking spaces would be required, an interior garage of up to 300 s.f. would be exempted from overall FAR to allow for smaller side yards and a larger living space, accommodating one space.

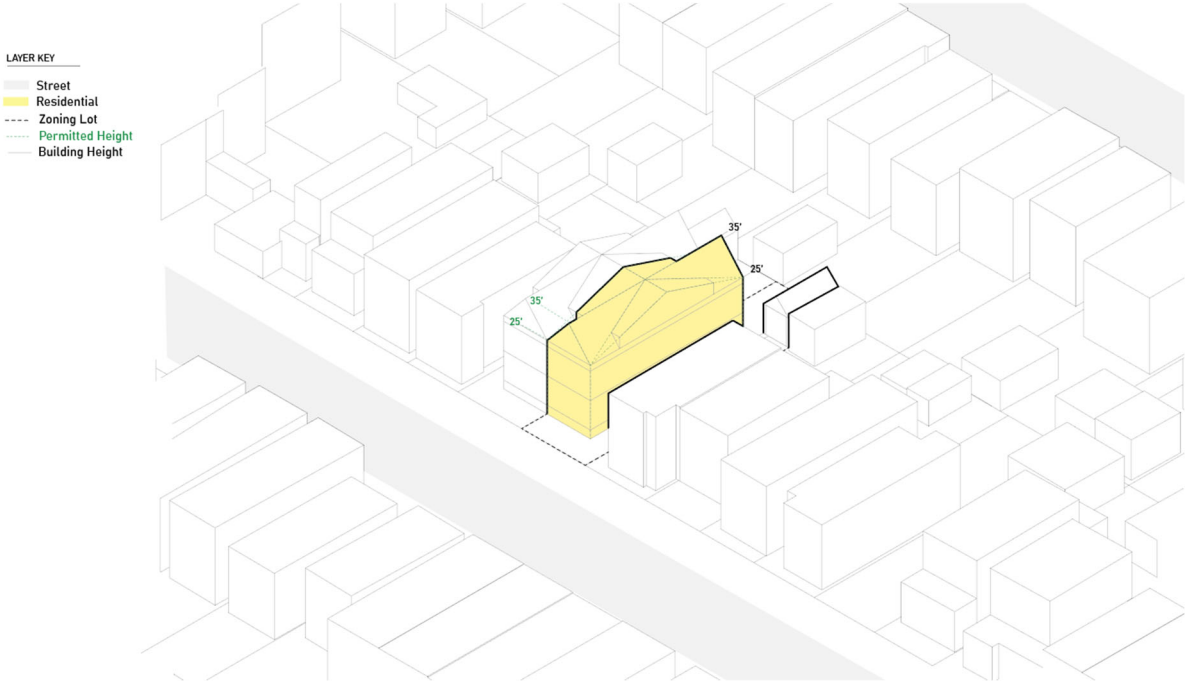
Increment: The Proposed Action would allow for the construction of a larger dwelling unit through increased FAR, reduced yard requirements, garage floor area exemptions, and lower parking requirements. This would result in an increase of 250 s.f. of zoning floor area, while the perimeter and base heights and the number of dwelling units would remain the same. The number of parking spaces would be reduced by one, and would be provided voluntarily.

Table 8 Prototypical Analysis Site 2-2-A RWCDS

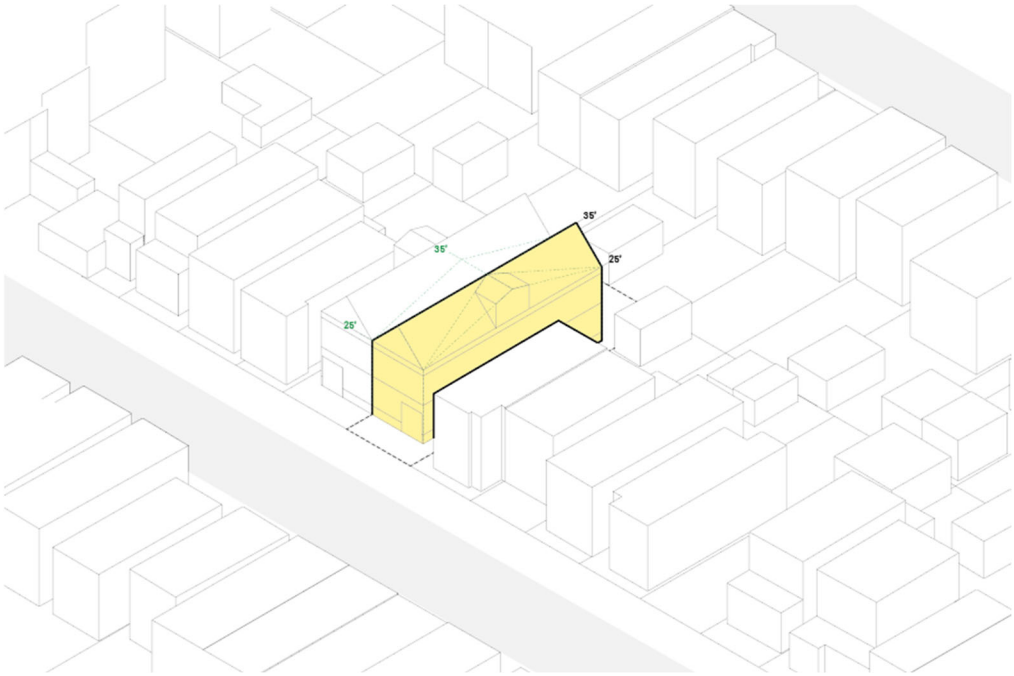
	No-Action	With-Action	Increment
Lot Area	2,500 s.f.	2,500 s.f.	0
FAR	0.9	1.0	0.1
Zoning Floor Area	2,250 s.f.	2,500 s.f.s	+250 s.f.
Gross Floor Area	2,670 s.f.	2,930 s.f.	+260 s.f.
Exempted Floor Area	420 s.f.	430 s.f.	+10 s.f.
Perimeter Wall/ Base Height	25 ft.	25 ft.	0
Overall Height	35 ft.	35 ft	0
Number of Stories	2	2	0
Number of Dwelling Units	2	2	0
Number of Accessory Dwelling Units	N/A	0	0
Lot Coverage	N/A	N/A	N/A
Front Yard	10 ft.	10 ft.	0
Side Yard	8 ft.	5 ft.	-3 ft.
Rear Yard	30 ft.	20 ft.	-10 ft.
Parking Spaces	2	1	(1)

Figure 7 Illustrative Representation of RWCDS for Prototypical Analysis Site 2-2-A

No-Action Condition



With-Action Condition



Prototypical Analysis Site 2-2-B (Based on Ozone Park, Queens)

As illustrated in **Table 9** and **Figure 8**, this prototypical analysis site demonstrates the effects of the Proposed Action on a 2,500 s.f. lot along a narrow street in an R4-1 zoning district outside the Greater Transit-Oriented Development Area. Prototypical Analysis Site 2-2-B represents a new construction two-family residential building on a vacant corner lot and is an alternative of Prototypical Analysis Site 2-2-A.

The Proposed Action would:

- Allow an increased FAR of 1.0 to facilitate a feasible two-family building. (Proposal 2.1: Low-Density Basic – 2.1a – and Proposal 2.3 Accessory Dwelling Units)
- Reduce front and rear yard requirements to make larger building footprints feasible. (Proposal 2.1: Low-Density Basic – 2.1b and 2.1c)
- Eliminate parking requirements citywide for new residential development. (Proposal 3: Parking)

Existing: Prototypical Analysis Site 2-2-B is a 2,500 s.f. corner lot in an R4-1 zoning district located outside the Greater Transit-Oriented Development Area, as may be found in Ozone Park, Queens. It is a corner lot alterative of Prototypical Analysis Site 2-2-A. Adjacent and nearby buildings are a mix of low-density detached, semi-detached, and attached houses, many with detached rear yard garages, as are typically found in R4-1 districts around the city.

No-Action Condition: Under the No-Action Condition, the site could be redeveloped with a two-unit semi-detached building with a 10 ft. wraparound front yard on both street frontages and two required parking spaces in the rear of the building. While the total allowable FAR is 0.9 under a pitched roof, the site would likely be developed with closer to 0.75 FAR due to the constraints of the narrow building envelope and space dedicated to the required parking. The building would reach its maximum base height of 25 feet along its perimeter and overall height of 35 feet at its ridgeline.

With-Action Condition: The Proposed Action would allow for larger dwelling units. The overall building envelope would increase while perimeter and ridgeline heights would remain the same and there would be no change in the number of dwelling units. Though no parking spaces would be required, an interior garage of up to 300 s.f. would be exempted from overall FAR to allow for smaller side yards and a larger living space, accommodating one space.

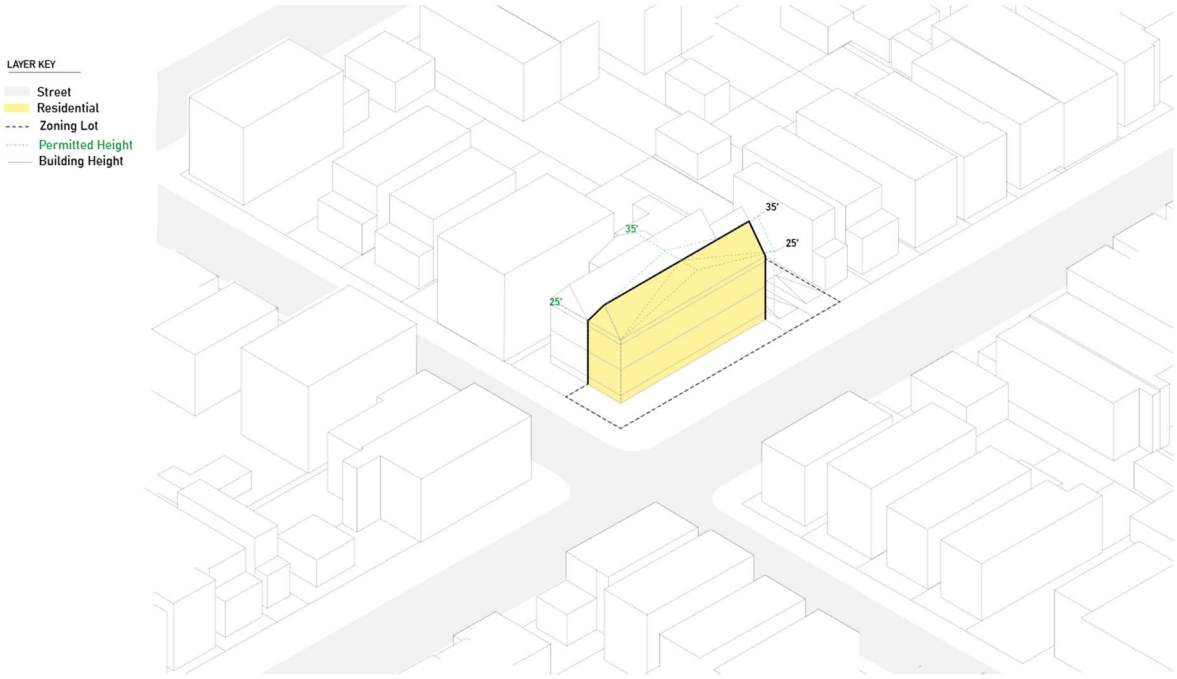
Increment: The Proposed Action would allow for the construction of a larger dwelling unit through increased FAR, reduced yard requirements, garage floor area exemptions, and lower parking requirements. This would result in an increase of 250 s.f. of zoning floor area, while the perimeter and base heights and the number of dwelling units would remain the same. The number of parking spaces would be reduced by one and would be provided voluntarily.

Table 9 Prototypical Analysis Site 2-2-B RWCDS

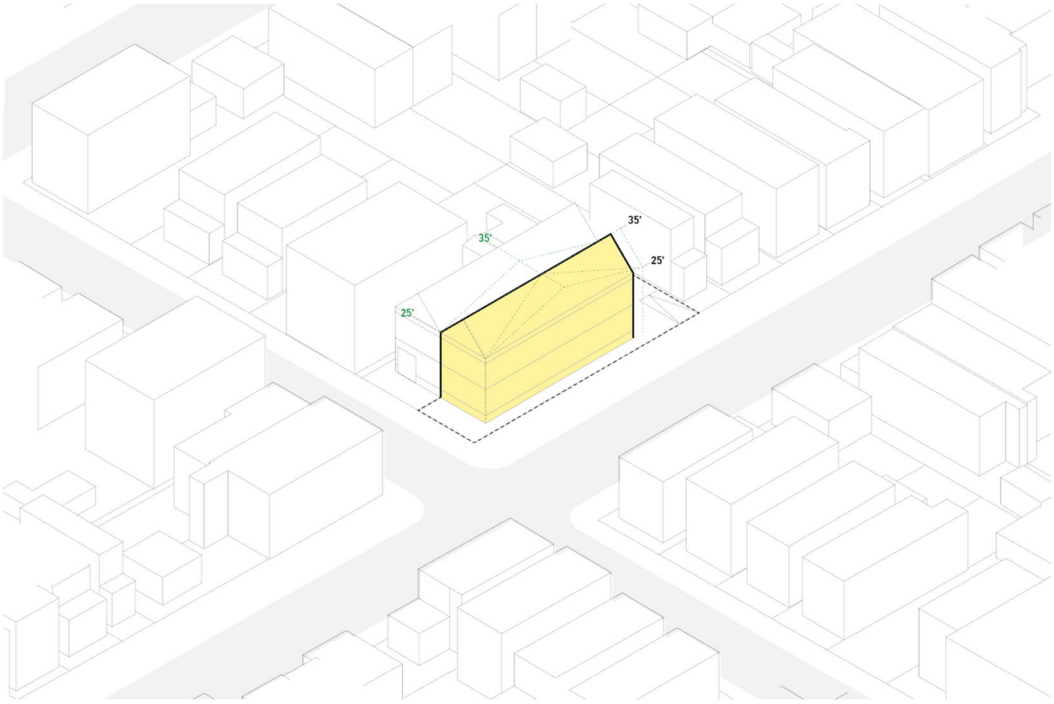
	No-Action	With-Action	Increment
Lot Area	2,500 s.f.	2,500 s.f.	0
FAR	0.9	1.0	0.1
Zoning Floor Area	2,250 s.f.	2,500 s.f.	+250 s.f.
Gross Floor Area	1,880 s.f.	2,630 s.f.	+750 s.f.
Exempted Floor Area	100 s.f.	130 s.f.	+30 s.f.
Perimeter Wall/ Base Height	25 ft.	25 ft.	0
Overall Height	35 ft.	35 ft.	0
Number of Stories	2	2	0
Number of Dwelling Units	2	2	0
Number of Accessory Dwelling Units	N/A	0	0
Lot Coverage/ Open Space	N/A	N/A	N/A
Front Yard	10 ft. / 10 ft.	10 ft. / 5 ft.	0 / (5 ft.)
Side Yard	N/A	N/A	N/A
Rear Yard	20 ft.	20 ft.	0
Parking Spaces	2	1	(1)

Figure 8 Illustrative Representation of RWCDS for Prototypical Analysis Site 2-2-B

No-Action Condition



With-Action Condition



Prototypical Analysis Site 2-3-A (Based on Sheepshead Bay, Brooklyn)

As illustrated in **Table 10** and **Figure 9**, this prototypical analysis site demonstrates the effects of the Proposed Action on a 2,500 s.f. lot along a narrow street in an R4 zoning district within the Outer Transit-Oriented Development Area. Prototypical Analysis Site 2-3-A represents a new construction two-family residential building on a vacant midblock lot.

The Proposed Action would:

- Allow an increased FAR of 1.0 to facilitate a feasible two- or multi-family building. (Proposal 2.1: Low-Density Basic – 2.1a)
- Remove lot coverage restrictions and apply yard requirements. (Proposal 2.1: Low-Density Basic – 2.1b and 2.1-c)
- Reduce rear yard requirements to make larger building footprints feasible. (Proposal 2.1: Low-Density Basic – 2.1c)
- Eliminate Lot Coverage rules to make larger building footprints feasible. (Proposal 2.1: Low-Density Basic – 2.1c)
- Exempt parking garage floor area from overall FAR to facilitate a larger building. (Proposal 2.1: Low-Density Basic – 2.1d)
- Eliminate parking requirements citywide for new residential development. (Proposal 3: Parking)

Existing: Prototypical Analysis Site 2-3-A is a 2,500 s.f. midblock lot in an R4 zoning district in the Outer Transit-Oriented Development Area, as may be found in Sheepshead Bay, Brooklyn. Most adjacent buildings are one- or two-story homes over a basement garage, which is fairly typical of R4 citywide.

No-Action Condition: Under the No-Action Condition, the site could be redeveloped with a two-story, two-unit, attached home taking advantage of the attic floor area bonus (ZR 23-142(a)). The building would cover no more than 45% of the lot area and would have a perimeter height of 25 feet and a ridgeline height of 35 feet. The required two parking spaces would be accommodated in one internal garage as well as the driveway space in front of the garage, which would take up 300 s.f. of otherwise inhabitable space on the first floor. Due to lot coverage restrictions and required parking, the building cannot reach its maximum allowable FAR.

With-Action Condition: The Proposed Action would facilitate a larger building reaching 1.0 FAR with a reduced rear yard while maintaining existing perimeter and ridgeline height restrictions. No new dwelling units are expected to be introduced by this action. Though no parking spaces would be required, an interior garage of up to 300 s.f. would be exempted from overall FAR to allow for a larger living space, accommodating one space.

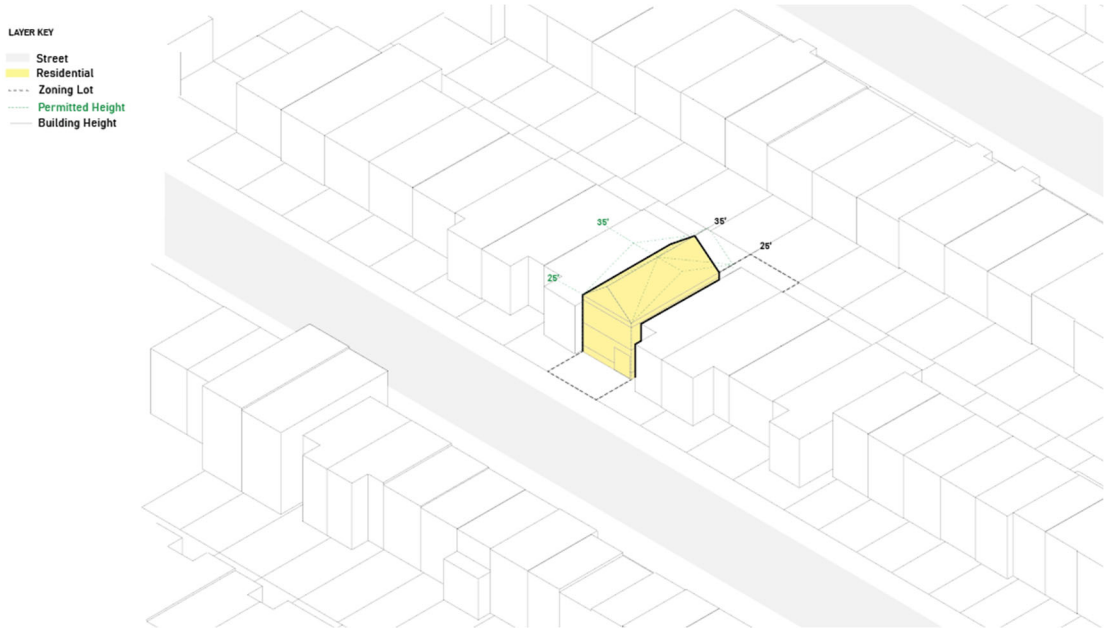
Increment: The Proposed Action would allow for the construction of a larger dwelling unit through increased FAR, the replacement of lot coverage restrictions reduced yard requirements, garage floor area exemptions, and lower parking requirements. This would result in an increase of 250 s.f. of zoning floor area, while the perimeter and base heights and the number of dwelling units would remain the same. The number of parking spaces would be reduced and would be provided voluntarily.

Table 10 Prototypical Analysis Site 2-3-A RWCDS

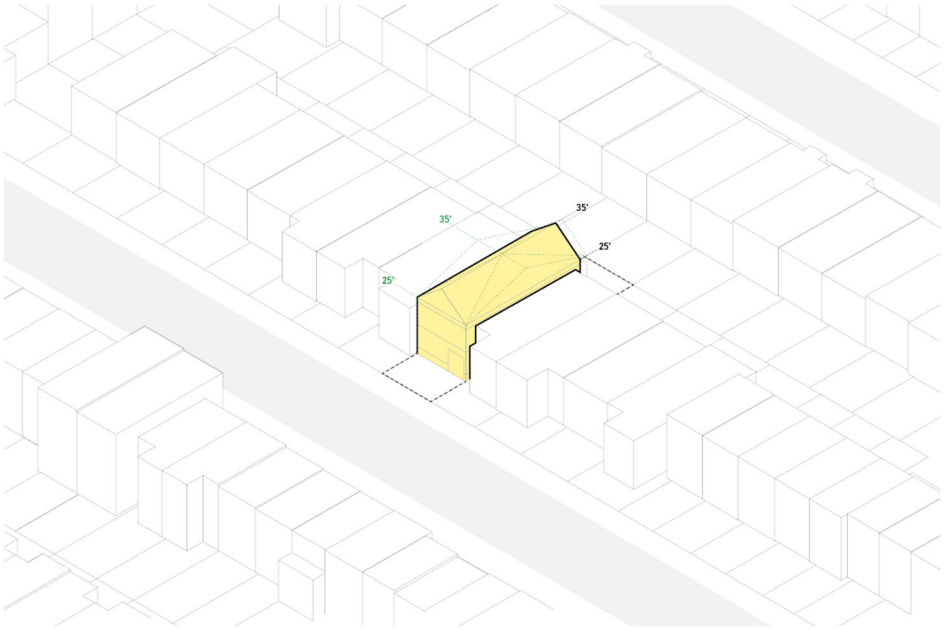
	No-Action	With-Action	Increment
Lot Area	2,500 s.f.	2,500 s.f.	0
FAR	0.9	1.0	0.1
Zoning Floor Area	2,250 s.f.	2,500 s.f.	+250 s.f.
Gross Floor Area	2,140 s.f.	2,930 s.f.	+790 s.f.
Exempted Floor Area	110 s.f.	430 s.f.	+320 s.f.
Perimeter Wall/ Base Height	25 ft.	25 ft.	0
Overall Height	35 ft.	35 ft.	0
Number of Stories	2	2	0
Number of Dwelling Units	2	2	0
Number of Accessory Dwelling Units	N/A	0	0
Lot Coverage/ Open Space	45%	59%	+14%
Front Yard	18 ft.	18 ft.	0
Side Yard	N/A	N/A	N/A
Rear Yard	30 ft.	23 ft.	(7 ft.)
Parking Spaces	2	1	(1)

Figure 9 Illustrative Representation of RWCDS for Prototypical Analysis Site 2-3-A

No-Action Condition



With-Action Condition



Prototypical Analysis Site 2-3-B (Based on Sheepshead Bay, Brooklyn)

As illustrated in **Table 11** and **Figure 10**, this prototypical analysis site demonstrates the effects of the Proposed Action on a 2,500 s.f. lot along a narrow street in an R4 zoning district within the Outer Transit-Oriented Development Area, using optional predominantly built-up area (PBUA) guidelines. Prototypical Analysis Site 2-3-B represents a new construction two-family residential building on a vacant midblock lot and is an alternative of Prototypical Analysis Site 2-3-A.

The Proposed Action would:

- Remove PBUA allowances and apply standard R4 guidelines. (Proposal 2.1: Low-Density Basic – 2.1a)
- Allow an FAR of 1.0 to ensure greater predictability in the form of future R4 typologies. (Proposal 2.1: Low-Density Basic)
- Remove lot coverage restrictions and apply yard requirements. (Proposal 2.1: Low-Density Basic – 2.1c)
- Reduce rear yard requirements to make larger building footprints feasible. (Proposal 2.1: Low-Density Basic – 2.1b)
- Eliminate Lot Coverage rules to make larger building footprints feasible. (Proposal 2.1: Low-Density Basic – 2.1c)
- Exempt parking garage floor area from overall FAR to facilitate a larger building. (Proposal 2.1d: Low-Density Basic)
- Eliminate parking requirements citywide for new residential development. (Proposal 3: Parking)

Existing: Prototypical Analysis Site 2-3-B is a 2,500 s.f. midblock lot in an R4 zoning district in the Outer Transit-Oriented Development Area, as may be found in Sheepshead Bay, Brooklyn. It is an alternative to Prototypical Analysis Site 2-3-A using the optional regulations for a Primary Built-Up Area. Most adjacent buildings are one- or two-story homes over a basement garage, which is fairly typical of R4 citywide.

No-Action Condition: Under the No-Action Condition, the site could be redeveloped with a two-story, two-unit building unable to reach its maximum allowable FAR of 1.35 nor its maximum lot coverage of 55% due to yard requirements. The new building reaches a maximum perimeter height of 25 feet and a maximum ridgeline height of 35 feet. The single required parking space is accommodated in an interior garage that takes up 300 s.f. of floor area.

With-Action Condition: The Proposed Action would bring this site in line with typical R4 developments so that there is a consistent R4 standard applied throughout the city. This action would facilitate a building reaching 1.0 FAR with a reduced rear yard while maintaining existing perimeter and ridgeline height restrictions. Though no parking spaces would be required, an interior garage of up to 300 s.f. would be exempted from overall FAR to allow for a larger living space, accommodating one space. This action would neither introduce nor take away any dwelling units.

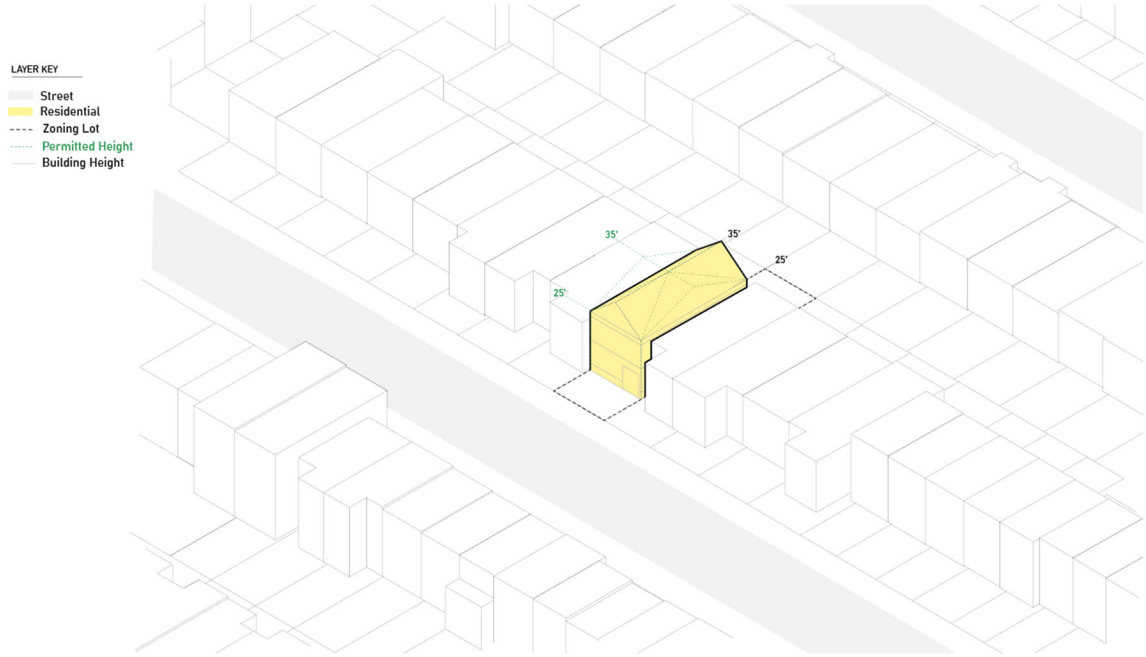
Increment: The Proposed Action would ensure greater predictability in the form of future developments of R4 districts through the removal of special PBUA regulations, the replacement of lot coverage restrictions with reduced yard requirements, garage floor area exemptions, and lower parking requirements. While this would result in a decrease of 875 s.f. of zoning floor area, the perimeter and base heights and the number of dwelling units would remain the same. The number of parking spaces would remain the same and would be provided voluntarily.

Table 11 Prototypical Analysis Site 2-3-B RWCDS

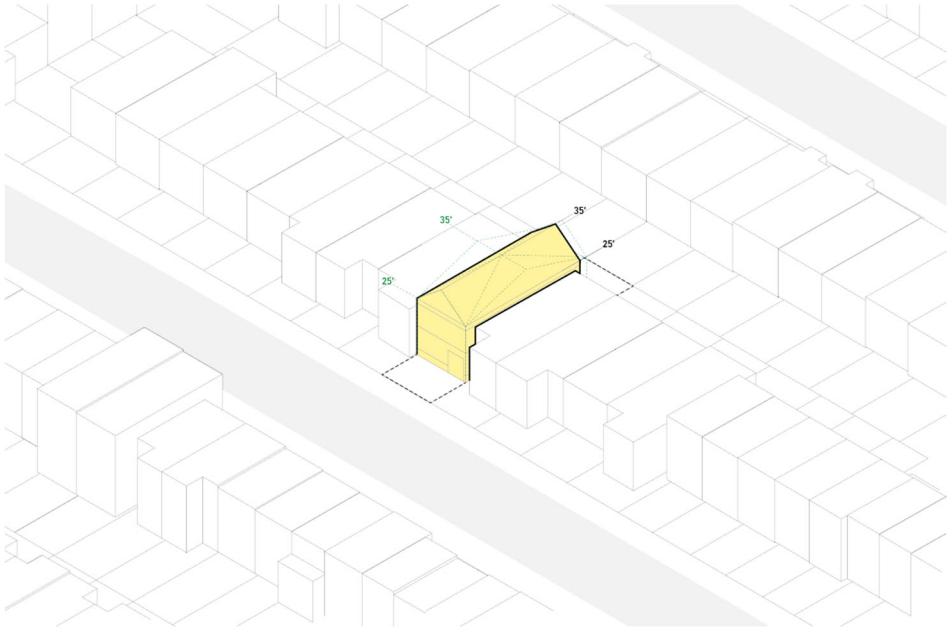
	No-Action	With-Action	Increment
Lot Area	2,500 s.f.	2,500 s.f.	0
FAR	1.35	1.0	(0.35)
Zoning Floor Area	3,375 s.f.	2,500 s.f.	(875 s.f.)
Gross Floor Area	2,600 s.f.	2,930 s.f.	+330 s.f.
Exempted Floor Area	130 s.f.	430 s.f.	+300 s.f.
Perimeter Wall/ Base Height	25 ft.	25 ft.	0
Overall Height	35 ft.	35 ft.	0
Number of Stories	2	2	0
Number of Dwelling Units	2	2	0
Number of Accessory Dwelling Units	N/A	0	0
Lot Coverage	52%	59%	+7%
Front Yard	18 ft.	18 ft.	0
Side Yard	N/A	N/A	N/A
Rear Yard	30 ft.	23 ft.	(7 ft.)
Parking Spaces	1	1	0

Figure 10 Illustrative Representation of RWCDS for Prototypical Analysis Site 2-3-B

No-Action Condition



With-Action Condition



Category 3: Qualifying Sites/Transit Oriented Development

Prototypical Analysis Site 3-1-A (Based on East Flushing, Queens)

As illustrated in **Table 12** and **Figure 11**, this prototypical analysis site demonstrates the effects of the Proposed Action on a 5,000 s.f. lot in an R3X zoning district within the Outer Transit-Oriented Development Area. Prototypical Analysis Site 3-1-A represents a new construction building on a vacant lot.

The Proposed Action would:

- Enable transit-oriented housing development within low-density districts on lots at least 5,000 s.f. within the Inner Transit-Oriented Development Area and Outer Transit-Oriented Development Area. (Proposal 2.2: Low-Density Plus: "Missing Middle" Housing – 2.2b)
- Modify use regulations for qualifying sites within one- and two-family districts to allow multifamily development on those sites. (Proposal 2.2: Low-Density Plus: "Missing Middle" Housing – 2.2b)
- Provide additional FAR and height for Qualifying Sites to accommodate multifamily housing. (Proposal 2.2: Low-Density Plus: "Missing Middle" Housing – 2.2b)
- Permit flat roofs on Qualifying sites in districts that typically require a pitched roof. (Proposal 2.2: Low-Density Plus: "Missing Middle" Housing– 2.2b)
- Exempt Qualifying Sites from provisions that require front yards to line up with those of adjacent properties. (Proposal 2.2: Low-Density Plus: "Missing Middle" Housing– 2.2b)
- Eliminate parking requirements citywide for new residential development. (Proposal 3: Parking)

Existing: Prototypical Analysis Site 3-1-A is a 5,000 s.f. vacant lot in an R3X district located within the Outer Transit-Oriented Development Area geography. The adjacent buildings are a mix of one and two-family residences and non-complying low-rise apartment buildings on the short end of the block. The prototypical analysis site is similar to the conditions found in East Flushing, Queens or other low-density R3X districts within the Outer Transit-Oriented Development Area geography.

No-Action Condition: Under the No-Action Condition, the site offers an example of a two-family detached residence in an R3X residential context within the proposed Outer Transit-Oriented Development Area geography. The building is required to line up to the adjacent building frontages, therefore the front yard is 20 ft, instead of the 10 ft minimum typical for R3X districts.

With-Action Condition: The Proposed Action would allow for multi-family housing to be built within the Outer Transit-Oriented Development Area geography. The increase in base height, FAR, and reduction in parking requirements facilitate the construction of a 6 unit apartment building. There is 1 affordable unit provided. The line up provision is modified to require only up to 15 ft line up instead of 20 ft, which makes the site planning much more flexible for the development.

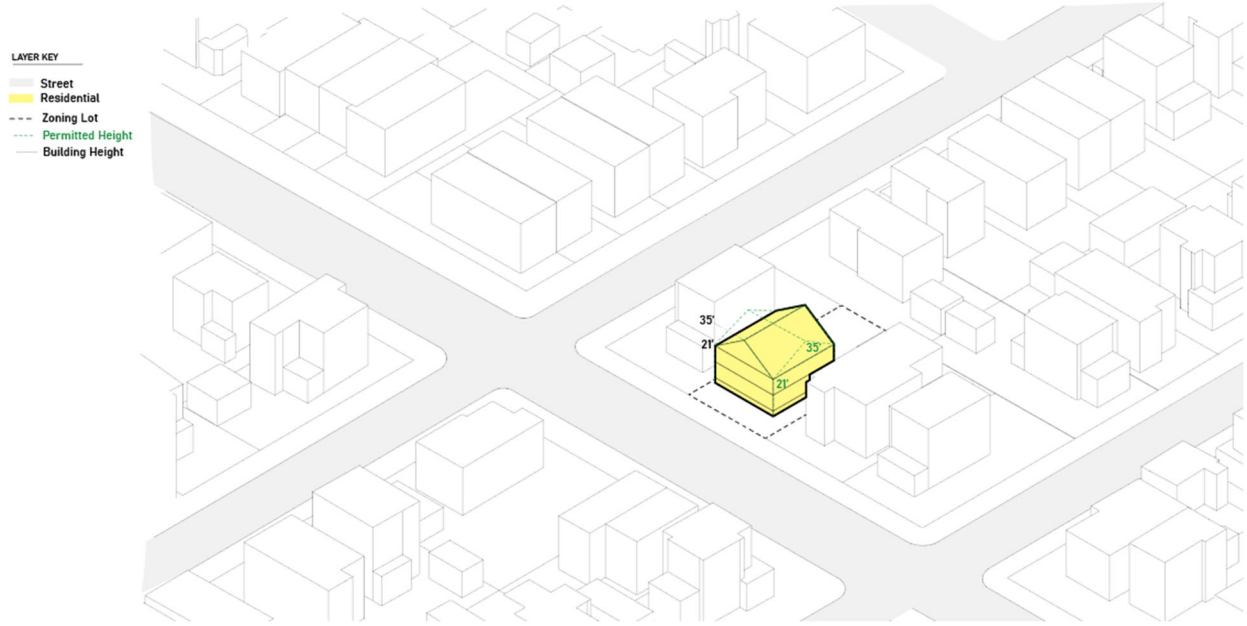
Increment: The Proposed Action would facilitate additional residential units through additional FAR and heights for Qualifying Sites. This would result in an increase of 2,000 s.f. of zoning floor area, an increase of 4 ft. of base height, no increase in overall height, the addition of 4 dwelling units including 1 affordable unit, and a decrease of 1 parking space.

Table 12 Prototypical Analysis Site 3-1-A RWCDS

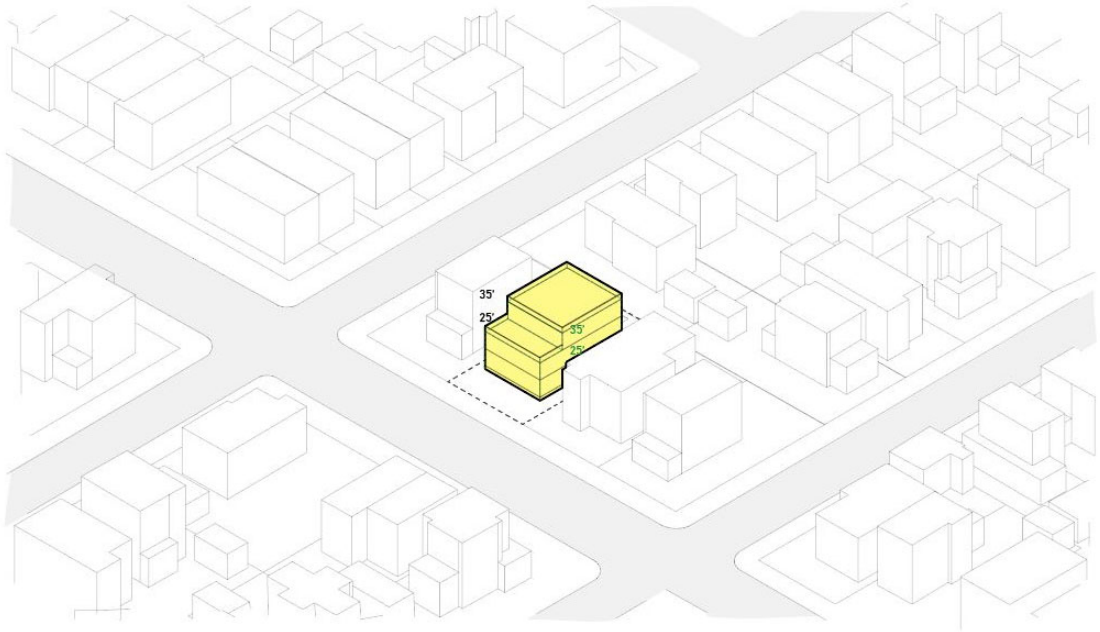
	No-Action	With-Action	Increment
Lot Area	5,000 s.f.	5,000 s.f.	0
FAR	0.6	1.0	0.4
Zoning Floor Area	3,000 s.f.	5,000 s.f.	+2,000 s.f.
Gross Floor Area	3,170 s.f.	5,550 s.f.	+2,380 s.f.
Exempted Floor Area	170 s.f.	550 s.f.	+380 s.f.
Perimeter Wall/ Base Height	21 ft.	25 ft.	+4 ft.
Overall Height	35 ft.	35 ft.	0
Number of Stories	2.5	3	+0.5
Number of Dwelling Units	2	6	+4
Number of Affordable Dwelling Units	0	1	+1
Number of Accessory Dwelling Units	N/A	N/A	N/A
Lot Coverage	N/A	N/A	N/A
Front Yard	20 ft.	15 ft.	(5 ft.)
Side Yard	10 ft. / 2 ft.	8 ft. / 5 ft.	(2 ft.) / +3 ft.
Rear Yard	30 ft.	20 ft.	(10 ft.)
Parking Spaces	2	1	(1)

Figure 11 Illustrative Representation of RWCDS for Prototypical Analysis Site 3-1-A

No-Action Condition



With-Action Condition



Prototypical Analysis Site 3-1-B (Based on New Dorp, Staten Island)

As illustrated in **Table 13** and **Figure 12**, demonstrates the effects of the Proposed Action on a 5,000 s.f. lot in an R3X zoning district in LDGMA within the Outer Transit-Oriented Development Area. Prototypical Analysis Site 3-1-B represents a new construction building on a vacant lot.

The Proposed Action would:

- Enable transit-oriented housing development within low-density districts on lots at least 5,000 s.f. within the Inner Transit-Oriented Development Area and Outer Transit-Oriented Development Area. (Proposal 2.2: Low-Density Plus: "Missing Middle" Housing – 2.2b)
- Modify use regulations for qualifying sites within one- and two-family districts to allow multifamily development on those sites. (Proposal 2.2: Low-Density Plus: "Missing Middle" Housing – 2.2b)
- Provide additional FAR and height for Qualifying Sites to accommodate multifamily housing. (Proposal 2.2: Low-Density Plus: "Missing Middle" Housing – 2.2b)
- Permit flat roofs on Qualifying sites in districts that typically require a pitched roof. (Proposal 2.2: Low-Density Plus: "Missing Middle" Housing – 2.2b)
- Exempt Qualifying Sites from provisions that require front yards to line up with those of adjacent properties. (Proposal 2.2: Low-Density Plus: "Missing Middle" Housing – 2.2b)
- Eliminate parking requirements citywide for new residential development. (Proposal 3: Parking)

Existing: Prototypical Analysis Site 3-1-B is a 5,000 s.f. vacant lot in an R3X district located within LDGMA and the Outer Transit-Oriented Development Area geography. The adjacent buildings are a mix of one and two-family residences. The prototypical analysis site is similar to the conditions found in New Dorp, Staten Island or other low-density R3X districts within LDGMA and the Outer Transit-Oriented Development Area geography.

No-Action Condition: Under the No-Action Condition, the site offers an example of a two-family detached residence in an R3X residential context within the proposed Outer Transit-Oriented Development Area geography. The development includes a detached garage to take advantage of the additional floor area available under ZR 23-142 (d).

With-Action Condition: The Proposed Action would allow for multi-family housing to be built within the Outer Transit-Oriented Development Area geography. The increase in base height, FAR, and reduction in parking requirements facilitate the construction of a 6 unit apartment building. There is 1 affordable unit provided. While no parking spaces are required, one is provided voluntarily.

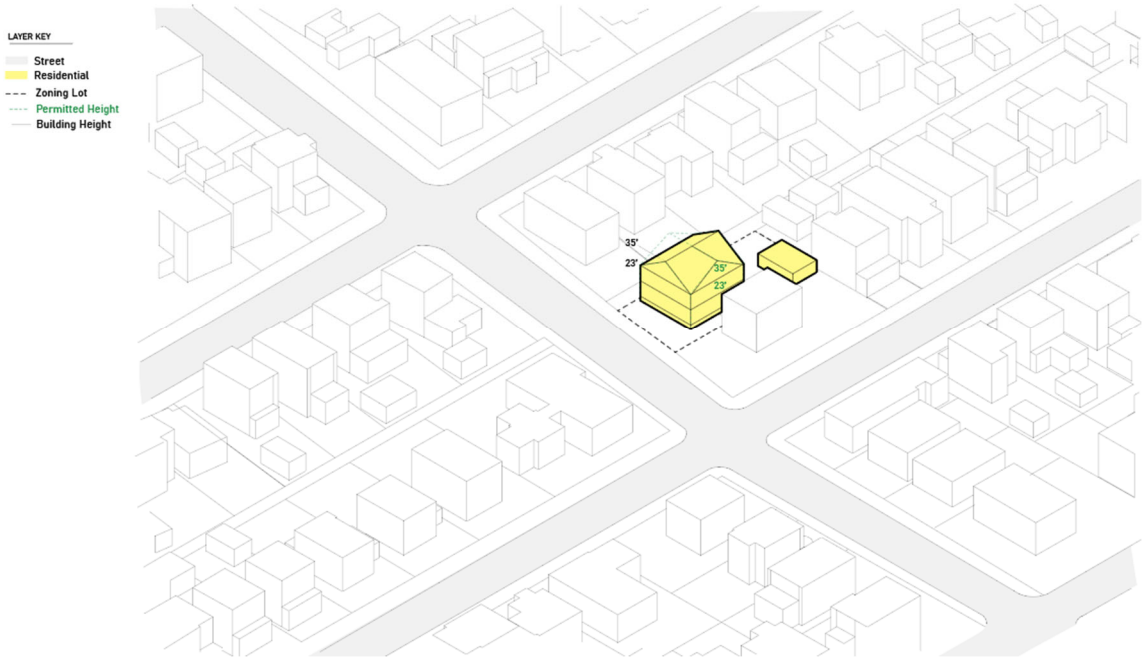
Increment: The Proposed Action would allow for the addition of residential units through additional FAR and heights for Qualifying Sites. This would result in an increase of 1,550 s.f. of zoning floor area, an increase of 2 ft. of base height, no increase in overall height, the addition of 4 dwelling units including 1 affordable unit, and a decrease of 2 parking spaces.

Table 13 Prototypical Analysis Site 3-1-B RWCDS

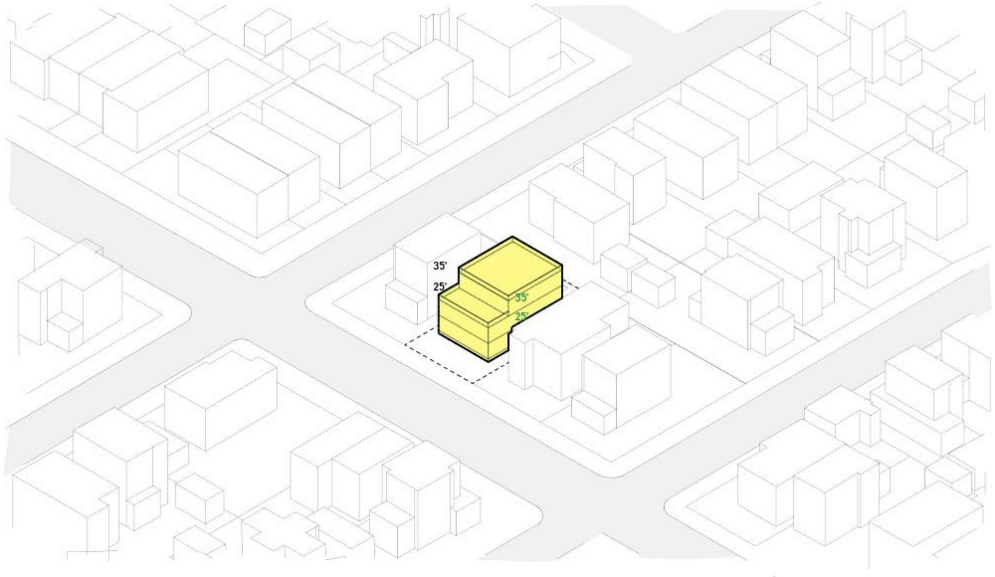
	No-Action	With-Action	Increment
Lot Area	5,000 s.f.	5,000 s.f.	0
FAR	0.6	1.0	0.4
Zoning Floor Area	3,450 s.f.	5,000 s.f.	+1,550 s.f.
Gross Floor Area	3,640 s.f.	5,550 s.f.	+1,910 s.f.
Exempted Floor Area	190 s.f.	550 s.f.	+360 s.f.
Perimeter Wall/ Base Height	23 ft.	25 ft.	+2 ft.
Overall Height	35 ft.	35 ft.	0
Number of Stories	2.5	3	+0.5
Number of Dwelling Units	2	6	+4
Number of Affordable Dwelling Units	0	1	+1
Number of Accessory Dwelling Units	N/A	N/A	N/A
Lot Coverage	N/A	N/A	N/A
Front Yard	10 ft.	10 ft.	0
Side Yard	10 ft. / 2 ft.	8 ft. / 5 ft.	(2 ft.) / +3 ft.
Rear Yard	30 ft.	20 ft.	(10 ft.)
Parking Spaces	3	1	(2)

Figure 12 Illustrative Representation of RWCDS for Prototypical Analysis Site 3-1-B

No-Action Condition



With-Action Condition



Prototypical Analysis Site 3-2-A (Based on New Utrecht, Brooklyn)

As illustrated in **Table 14** and **Figure 13**, this prototypical analysis site demonstrates the effects of the Proposed Action on a 10,000 s.f. lot in an R5 zoning district within the Outer Transit-Oriented Development Area. Prototypical Analysis Site 3-2-A represents a new construction building on a vacant lot.

The Proposed Action would:

- Enable transit-oriented housing development within low-density districts on lots at least 5,000 s.f. within the Inner Transit-Oriented Development Area and Outer Transit-Oriented Development Area. (Proposal 2.2: Low-Density Plus: "Missing Middle" Housing – 2.2b)
- Provide additional FAR and height for Qualifying Sites to accommodate multifamily housing. (Proposal 2.2: Low-Density Plus: "Missing Middle" Housing – 2.2b)
- Eliminate parking requirements citywide for new residential development. (Proposal 3: Parking)

Existing: Prototypical Analysis Site 3-2-A is a 10,000 s.f. vacant lot in an R5 district located within the Outer Transit-Oriented Development Area geography. The adjacent buildings are a mix of two-family and multi-family residences and non-complying low-rise apartment buildings on the short end of the block. The prototypical analysis site is similar to the conditions found in New Utrecht, Brooklyn or other low-density R5 districts within the Outer Transit-Oriented Development Area geography.

No-Action Condition: Under the No-Action Condition, the site offers an example of a multi-family development in an R5 residential context within the proposed Outer Transit-Oriented Development Area geography. The development cannot build to the maximum allowed FAR for the district because of a combination of the onerous parking requirements – 11 spaces mandated – and the front yard requirement. There are 13 dwelling units, including 3affordable units.

With-Action Condition: The Proposed Action would allow for multi-family housing to be built within the Outer Transit-Oriented Development Area geography. The increase in base height, FAR, and reduction in parking and yard requirements facilitate the construction of a 24 unit apartment building. There are 5 affordable units provided. While no parking would be required, parking is provided for 25% of units.

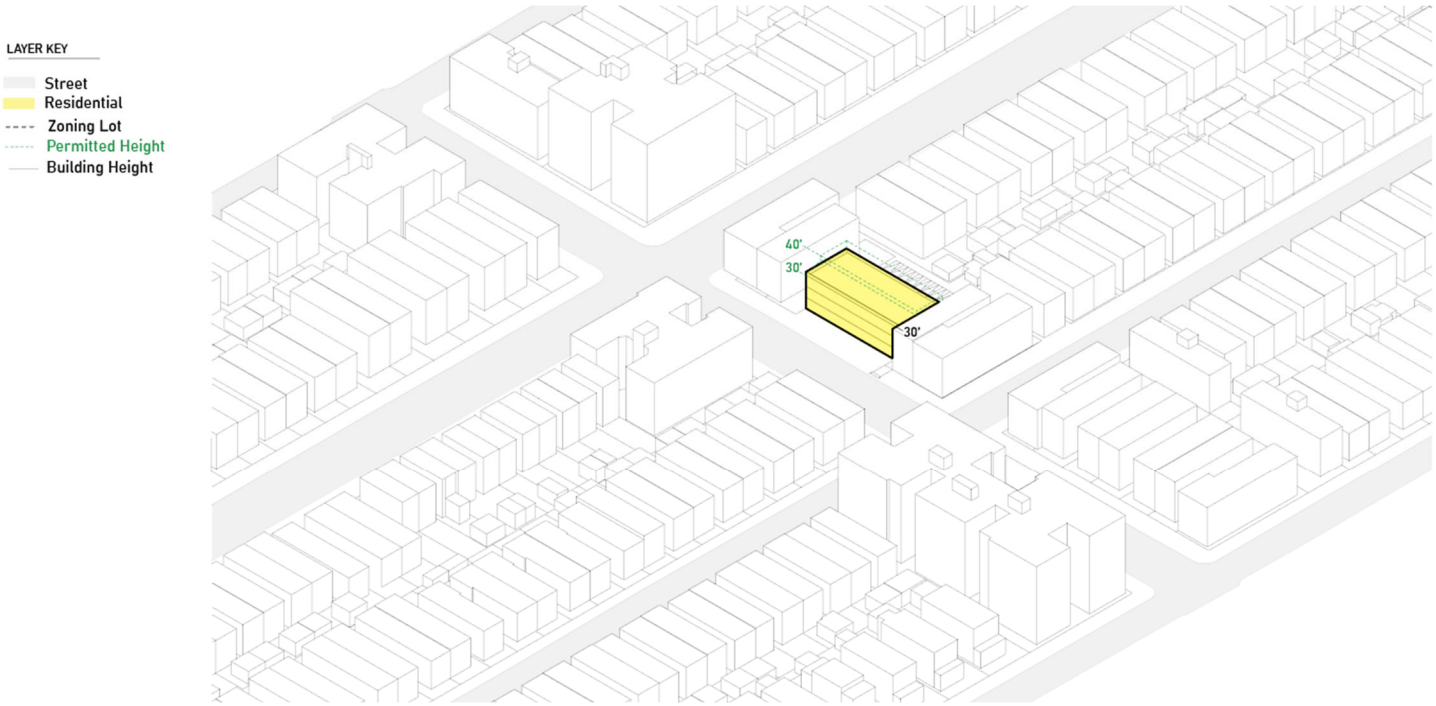
Increment: The Proposed Action would allow for the addition of residential units through additional FAR and heights for Qualifying Sites. This would result in an increase of 9,000 s.f. of zoning floor area, an increase of 10 ft. of base height, an increase of 20 ft. of overall height, the addition of 11 dwelling units, 2 of which would be affordable, and a decrease of 5 parking spaces.

Table 14 Prototypical Analysis Site 3-2-A RWCDS

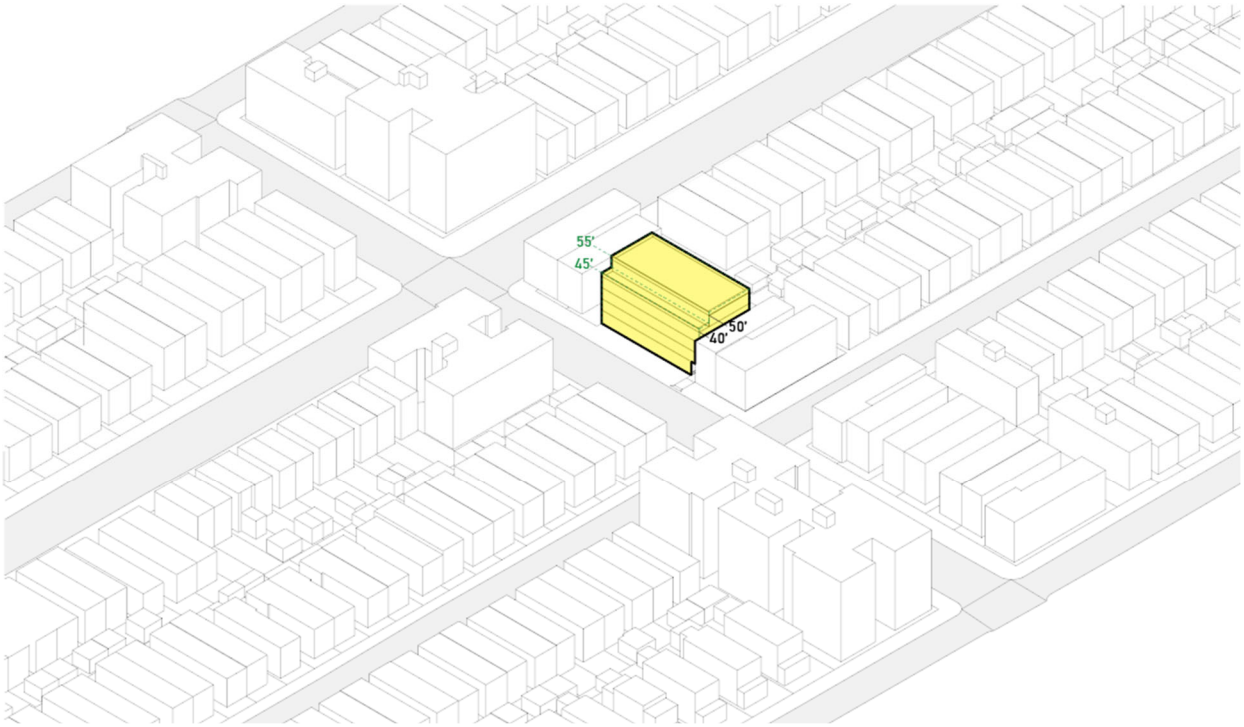
	No-Action	With-Action	Increment
Lot Area	10,000 s.f.	10,000 s.f.	0
FAR	1.25	2.0	0.75
Zoning Floor Area	11,000 s.f.	20,000 s.f.	+9,000 s.f.
Gross Floor Area	12,260 s.f.	24,340 s.f.	+12,080 s.f.
Exempted Floor Area	1,260 s.f.	4,340 s.f.	+3,080 s.f.
Perimeter Wall/ Base Height	30 ft.	40 ft.	+10 ft.
Overall Height	30 ft.	50 ft.	+20 ft.
Number of Stories	3	5	+2
Number of Dwelling Units	13	24	+11
Number of Affordable Dwelling Units	3	5	+2
Number of Accessory Dwelling Units	N/A	N/A	N/A
Lot Coverage	55%	55%	0
Front Yard	10 ft.	5 ft.	(5 ft.)
Side Yard	N/A	N/A	N/A
Rear Yard	30 ft.	20 ft.	(10 ft.)
Parking Spaces	11	6	(5)

Figure 13 Illustrative Representation of RWCDS for Prototypical Analysis Site 3-2-A

No-Action Condition



With-Action Condition



Prototypical Analysis Site 3-2-B (Based on Bensonhurst, Brooklyn)

As illustrated in **Table 15** and **Figure 14**, this prototypical analysis site demonstrates the effects of the Proposed Action on a 10,000 s.f. lot in an R5 zoning district subject to the predominately built-up area rules, within the Outer Transit-Oriented Development Area. Prototypical Analysis Site 3-2-B represents a new construction building on a vacant lot.

The Proposed Action would:

- Enable transit-oriented housing development within low-density districts on lots at least 5,000 s.f. within the Inner Transit-Oriented Development Area and Outer Transit-Oriented Development Area. (Proposal 2.2: Low-Density Plus: "Missing Middle" Housing – 2.2b)
- Provide additional FAR and height for Qualifying Sites to accommodate multifamily housing. (Proposal 2.2: Low-Density Plus: "Missing Middle" Housing – 2.2b)
- Eliminate parking requirements citywide for new residential development. (Proposal 3: Parking)

Existing: Prototypical Analysis Site 3-2-B is a 10,000 s.f. vacant lot in an R5 district subject to the predominately built-up area rules, located within the Outer Transit-Oriented Development Area geography. The adjacent buildings are a mix of two-family and multi-family residences and non-complying low-rise apartment buildings on the short end of the block. The prototypical analysis site is similar to the conditions found in Bensonhurst, Brooklyn or other low-density R5 districts subject to the predominately built-up area rules within the Outer Transit-Oriented Development Area geography.

No-Action Condition: Under the No-Action Condition, the site offers an example of a multi-family development in an R5 residential context using the predominately built-up area rules within the proposed Outer Transit-Oriented Development Area geography. There are 12 dwelling units, including 2 affordable units. The development cannot be built to the maximum allowed FAR for the district because of a combination of the onerous parking requirements - 8 spaces mandated – as well as the restrictive building envelope and the front yard requirement.

With-Action Condition: The Proposed Action would remove the predominately built-up area rules and allow for multi-family housing to be built within the Outer Transit-Oriented Development Area geography. The increase in height, FAR, and reduction in parking and yard requirements facilitate the construction of a 24-unit apartment building with 5 affordable units provided. While no parking would be required, parking is provided for 25% of units.

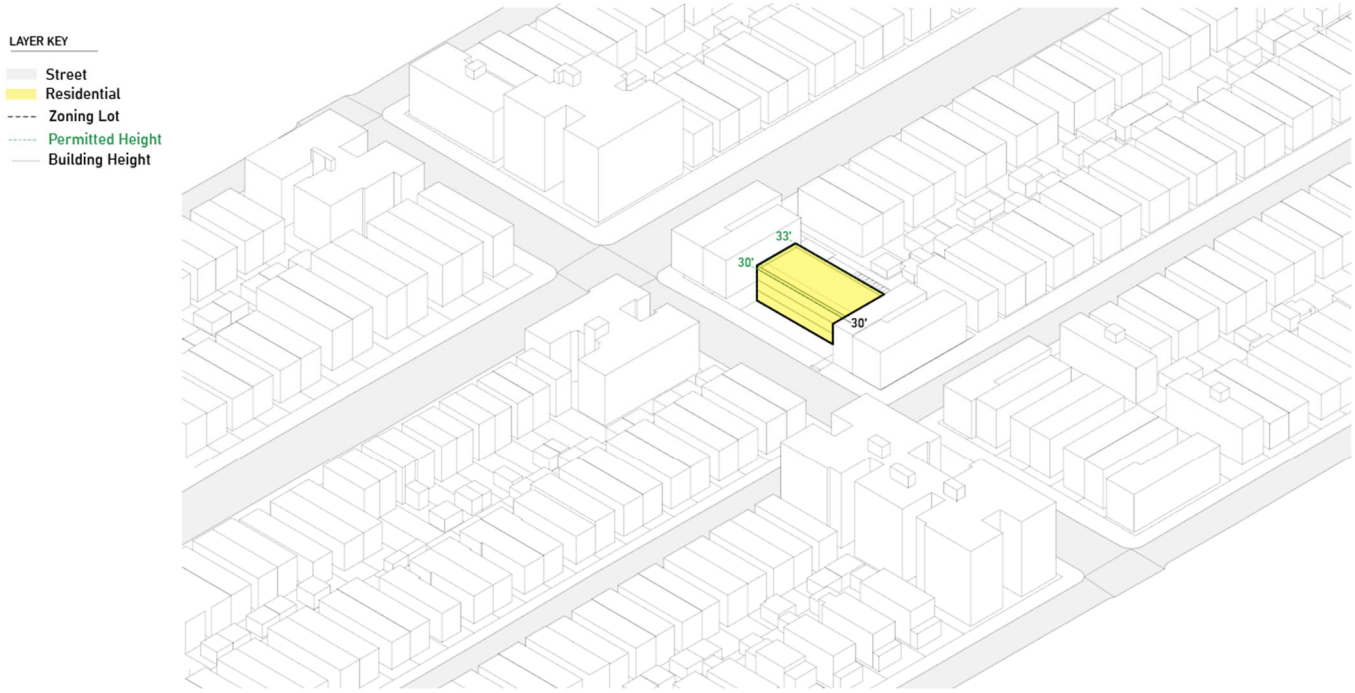
Increment: The Proposed Action would allow for the addition of residential units through additional FAR and heights for Qualifying Sites. This would result in an increase of 9,000 s.f. of zoning floor area, an increase of 10 ft. of base height, an increase of 20 ft. of overall height, the addition of 12 dwelling units including 3 affordable units, and a decrease of 2 parking spaces.

Table 15 Prototypical Analysis Site 3-2-B RWCDS

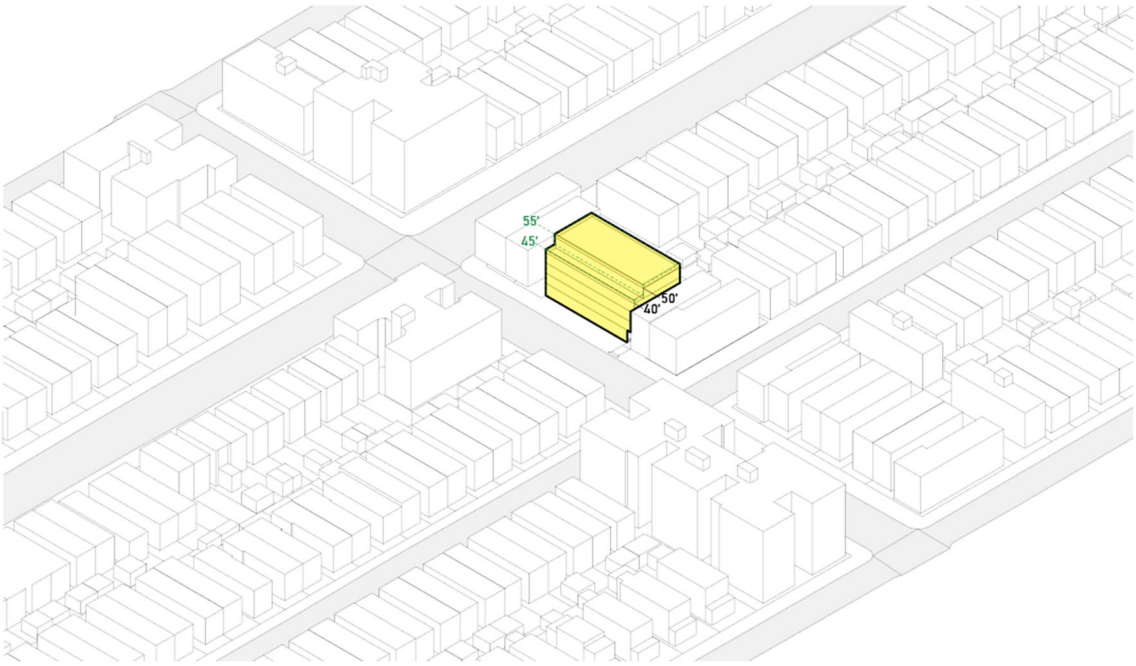
	No-Action	With-Action	Increment
Lot Area	10,000 s.f.	10,000 s.f.	0
FAR	1.65	2.0	0.35
Zoning Floor Area	11,000 s.f.	20,000 s.f.	+9,000 s.f.
Gross Floor Area	12,260 s.f.	24,340 s.f.	+12,080 s.f.
Exempted Floor Area	1,260 s.f.	4,340 s.f.	+3,080 s.f.
Perimeter Wall/ Base Height	30 ft.	40 ft.	+10 ft.
Overall Height	30 ft.	50 ft.	+20 ft.
Number of Stories	3	5	+2
Number of Dwelling Units	12	24	+12
Number of Affordable Dwelling Units	2	5	+3
Number of Accessory Dwelling Units	N/A	N/A	N/A
Lot Coverage	55%	55%	0
Front Yard	18 ft.	5 ft.	(13 ft.)
Side Yard	N/A	N/A	N/A
Rear Yard	30 ft.	20 ft.	(10 ft.)
Parking Spaces	8	6	(2)

Figure 14 Illustrative Representation of RWCDS for Prototypical Analysis Site 3-2-B

No-Action Condition



With-Action Condition



Category 4: Commercial Overlays

Prototypical Analysis Site 4-1 (Based on Rosebank, Staten Island)

As illustrated in **Table 16** and **Figure 15**, this prototypical analysis site demonstrates the effects of the Proposed Action on a 2,500 s.f. lot in an R3-2 / C1-1 zoning district outside of the Inner Transit-Oriented Development Area. Prototypical Analysis Site 5-1 represents a new construction building on a vacant lot.

The Proposed Action would:

- Provide additional FAR and building height within low-density commercial districts to accommodate mixed-use developments with 2 to 4 stories of residential above a commercial ground floor. (Proposal 2.2: Low-Density Plus: "Missing Middle" Housing – 2.2a)
- 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. (Proposal 2.2: Low-Density Plus: "Missing Middle" Housing – 2.2a)
- Eliminate parking requirements citywide for new residential development. (Proposal 3: Parking)

Existing: Prototypical Analysis Site 6-1 is a 2,500 s.f. vacant lot in an R3-2 / C1-1 district located outside of the Inner Transit-Oriented Development Area. The adjacent buildings are a mix of one and two-family residences and low-rise commercial businesses. The prototypical analysis site is similar to the conditions found in Rosebank, Staten Island or other low-density R3-2 / C1-1 districts located outside of the Inner Transit-Oriented Development Area.

No-Action Condition: Under the No-Action Condition, the site offers an example of a one-story commercial development in an R3-2 / C1-1 context. There is no residential floor area built because it is not impossible to provide the required parking for the residential use on-site. The development cannot build to the maximum allowed FAR for the district because the stringent parking requirements only allow about half of the available FA to be built while still being able to waive out of parking.

With-Action Condition: The Proposed Action would increase the floor area, increase heights, and provide more inclusive waivers to facilitate a mixed use residential / commercial building. The proposed parking waivers will be based on lot size, instead of by number of required spaces. This will make waivers much more relevant and responsive to the conditions that make parking difficult to provide on-site. The increased FAR, heights, and revisions to parking waivers facilitate the construction of a 3-story mixed use building with 2 dwelling units and a commercial ground floor, with no off-street accessory parking spaces.

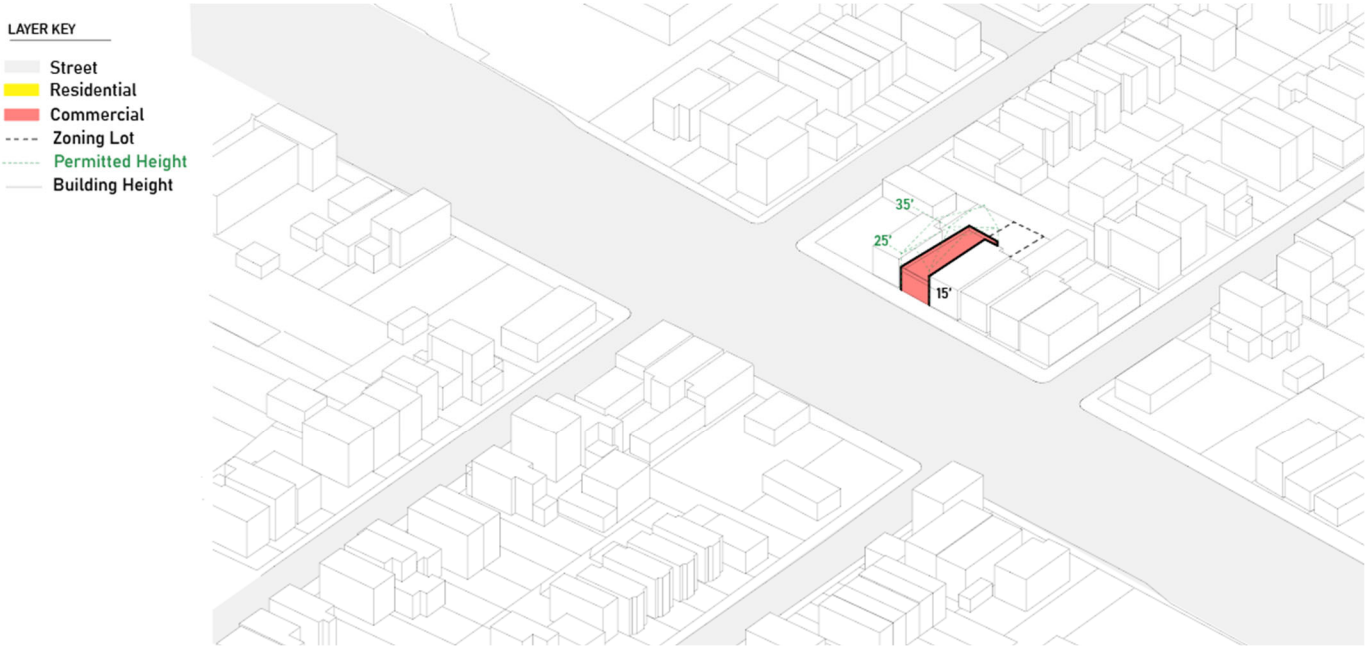
Increment: The Proposed Action would allow for the addition of residential units through additional FAR, heights, and parking waivers for Commercial Districts. This would result in an increase of 2,350 s.f. of zoning floor area, an increase of 20 ft. of base height, an increase of 20 ft. of overall height, the addition of 2 dwelling units, and no change to parking spaces.

Table 16 Prototypical Analysis Site 4-1 RWCDS

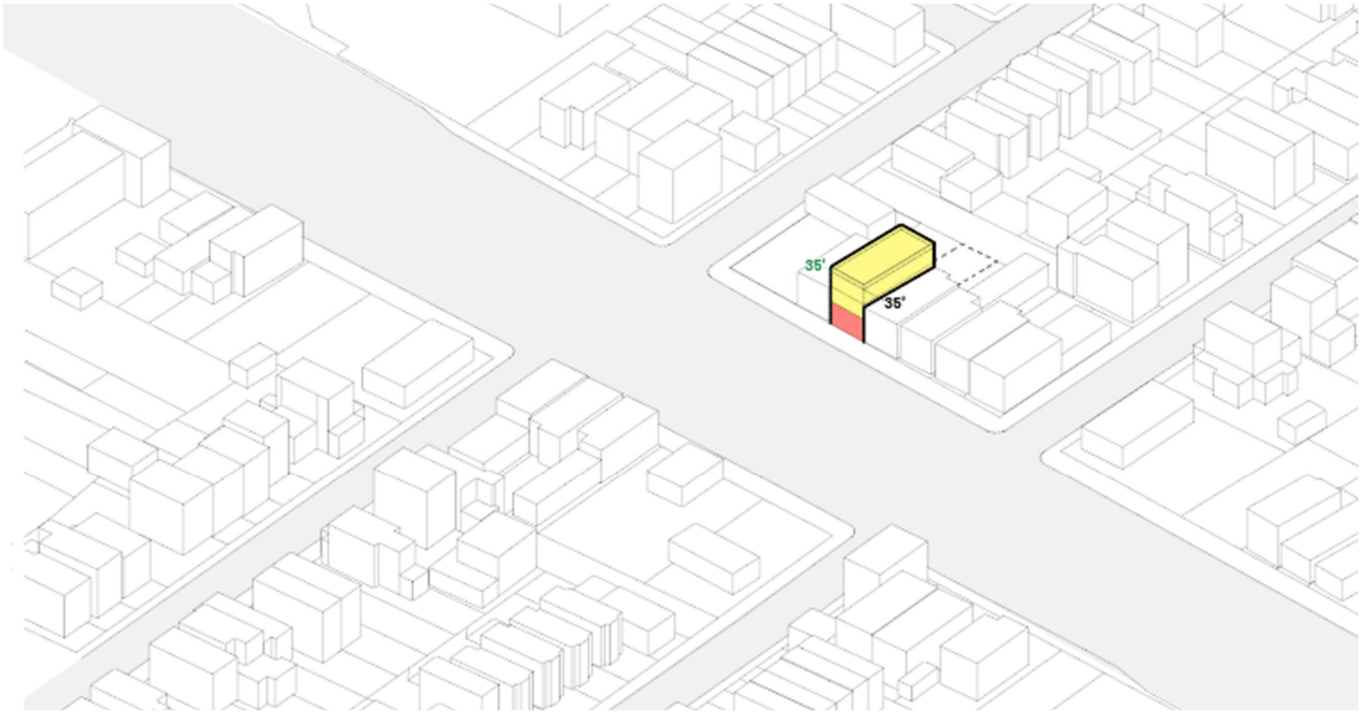
	No-Action	With-Action	Increment
Lot Area	2,500 s.f.	2,500 s.f.	0
FAR	1.0	1.5	0.5
Zoning Floor Area	1,400 s.f.	3,750 s.f.	+2,350 s.f.
Gross Floor Area	1,575 s.f.	4,165 s.f.	+2,590 s.f.
Exempted Floor Area	175 s.f.	415 s.f.	+240 s.f.
Base Height	15 ft.	35 ft.	+20 ft.
Overall Height	15 ft.	35 ft.	+20 ft.
Number of Stories	1	3	+2
Number of Dwelling Units	0	2	+2
Number of Accessory Dwelling Units	N/A	0	0
Lot Coverage	N/A	N/A	N/A
Front Yard	N/A	N/A	N/A
Side Yard	N/A	N/A	N/A
Rear Yard	20 ft.	20 ft.	0
Parking Spaces	0	0	0

Figure 15 Illustrative Representation of RWCDS for Prototypical Analysis Site 4-1

No-Action Condition



With-Action Condition



Category 5: Accessory Dwelling Units (ADUs)

Prototypical Analysis Site 5-1 (Based on Riverdale, Bronx)

As illustrated in **Table 17** and **Figure 16**, this prototypical analysis site demonstrates the effects of the Proposed Action on a 6,000 sf lot in a single-family detached building in an R1-2 zoning district. Prototypical Analysis Site 4-1 represents a detached rear yard ADU added to a detached building on an interior lot.

The Proposed Action would:

- Allow one accessory dwelling unit of up to 800 s.f. on any zoning lot with a single- or two- family homes, regardless of the maximum number of units in the zoning district. (Proposal 2.3: Accessory Dwelling Units)
- Allow ADUs as permitted obstruction in required rear yards, limited to 50 percent of the yard area. (Proposal 2.3: Accessory Dwelling Units)
- Allow an ADU to be two stories. (Proposal 2.3: Accessory Dwelling Units)
- Set a minimum distance of 10 feet between a detached ADU and other buildings on the zoning lot. (Proposal 2.3: Accessory Dwelling Units)
- Set a minimum distance of 5 feet between an ADU and any lot lines, except where ADUs are permitted to be attached with a building on an adjacent lot. (Proposal 2.3: Accessory Dwelling Units)
- Provide additional FAR and adjust floor area rules for low-density districts (Proposal 2.1: Low-Density Basic – 2.1a)
- Adjust side yard requirements to 5 feet and reduce rear yard requirements to 20 feet up to two stories in low-density districts. Remove lot coverage rules and replace with yard requirements in non-contextual districts. (Proposal 2.1: Low-Density Basic – 2.1c)
- Eliminate parking requirements citywide for new residential development. (Proposal 3: Parking)

Existing: Prototypical Analysis Site 4-1 is located in an R1-2 zoning district and is developed with an approximately 3,000 s.f. single-family residence.

No-Action Condition: Under the No-Action Condition, the site can only be developed with a single-family home. The building cannot add any additional units, and because the 6,000 s.f. lot is developed with 3,000 s.f. of zoning floor area, the building cannot expand.

With-Action Condition: The Proposed Action would allow for the site to add an accessory dwelling unit of up to 800 s.f.. Parking would not be required for the ADU, and it would be a permitted obstruction in required rear yard, limited to 50 percent of the yard area. The ADU could be up to two stories. A minimum distance of 10 feet would be required between a detached ADU and other buildings on the zoning lot. A minimum distance of 5 feet would be required between the ADU and lot lines. R1-2 districts would also receive additional FAR (an increase from 0.5 to 0.75) to be used for either an ADU or an enlargement. Side and rear yard requirements would be reduced to 5 feet and 20 feet, respectively. No parking is required for ADUs.

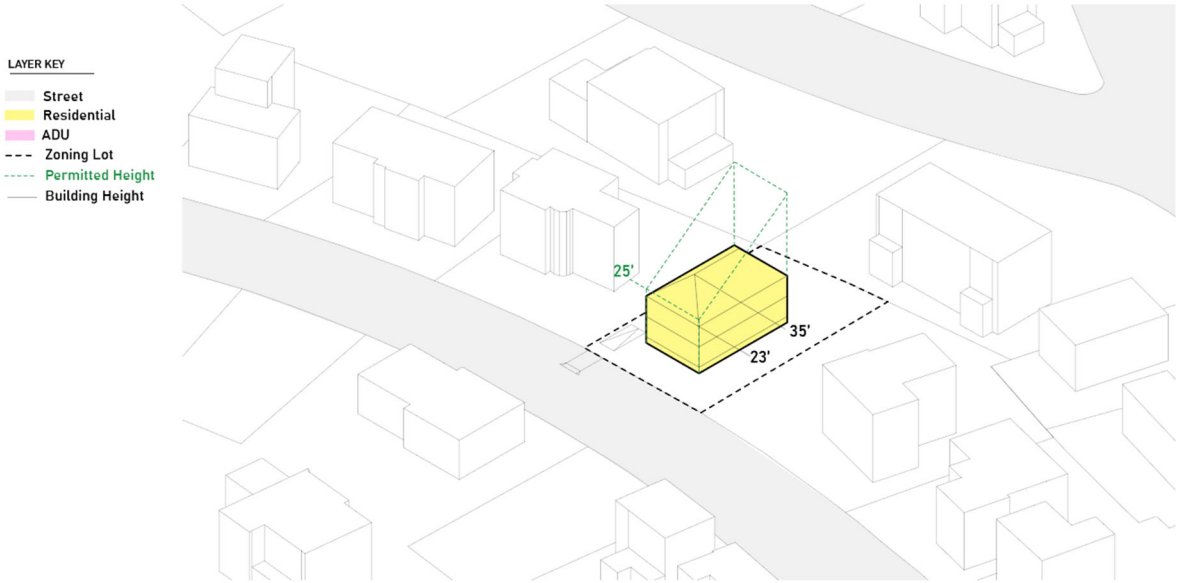
Increment: The Proposed Action would allow for the addition of one detached accessory dwelling unit. This ADU would have 800 s.f. of gross floor area.

Table 17 Prototypical Analysis Site 5-1 RWCDS

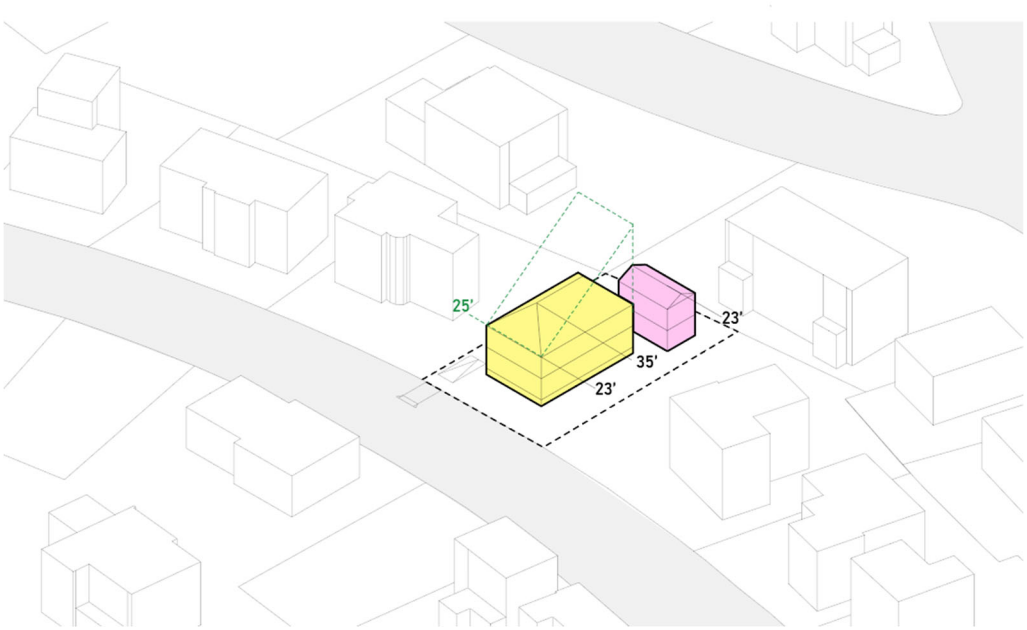
	No-Action	With-Action	Increment
Lot Area	6,000 s.f.	6,000 s.f.	0
FAR	0.5	0.75	0.25
Zoning Floor Area	3,000 s.f.	3,800 s.f.	+800 s.f.
Gross Floor Area	3,150 s.f.	3,950 s.f.	+800 s.f.
Exempted Floor Area	150 s.f.	150 s.f.	0
Perimeter Wall/ Base Height	23 ft.	23 ft.	0
Overall Height	35 ft.	35 ft.	0
Number of Stories	2	2	0
Number of Dwelling Units	1	1	0
Number of Accessory Dwelling Units	N/A	1	+1
Lot Coverage	26%	33%	7%
Front Yard	20 ft.	20 ft.	0
Side Yard 1/ Side Yard 2	15 ft. / 13.5 ft.	15 ft. / 13.5 ft.	0
Rear Yard	30 ft.	30 ft.	0
Parking Spaces	1	1	0

Figure 16 Illustrative Representation of RWCDS for Prototypical Analysis Site 5-1

No-Action Condition



With-Action Condition



Prototypical Analysis Site 5-2 (Based on Ozone Park, Queens)

As illustrated in **Table 18** and **Figure 17**, this prototypical analysis site demonstrates the effects of the Proposed Action on a semi-detached building in an R4-1 zoning district. Prototypical Analysis Site 4-2 represents a detached rear yard ADU converted from a detached garage on an interior lot with a detached building.

The Proposed Action would:

- Allow one accessory dwelling unit of up to 800 s.f. on any zoning lot with a single- or two- family homes, regardless of the maximum number of units in the zoning district. (Proposal 2.3: Accessory Dwelling Units)
- Allow ADUs as permitted obstruction in required rear yards, limited to 50 percent of the yard area. (Proposal 2.3: Accessory Dwelling Units)
- Set a minimum distance of 10 feet between a detached ADU and other buildings on the zoning lot. (Proposal 2.3: Accessory Dwelling Units)
- Set a minimum distance of 5 feet between an ADU and any lot lines, except where ADUs are permitted to be attached with a building on an adjacent lot. (Proposal 2.3: Accessory Dwelling Units)
- Allow noncompliant spaces to be converted into an ADU, as long as the degree of noncompliance is not increased. (Proposal 2.3: Accessory Dwelling Units)
- Provide additional FAR and adjust floor area rules for low-density districts (Proposal 2.3: Accessory Dwelling Units)
- Adjust side yard requirements to 5 feet and reduce rear yard requirements to 20 feet up to two stories in low-density districts. Remove lot coverage rules and replace with yard requirements in non-contextual districts. (Proposal 2.1: Low-Density Basic – 2.1c)
- Eliminate parking requirements citywide for new residential development. (Proposal 3: Parking)

Existing: Prototypical Analysis Site 4-2 is located in an R4-1 district and is developed with an approximately 2,385 s.f. two-unit building with a 335 s.f. detached garage.

No-Action Condition: Under the No-Action condition, this site has reached the maximum number of dwelling units permitted in an R4-1 district. Conversion of the detached garage, a permitted obstruction, would introduce a noncompliance for side and rear yards.

With-Action Condition: The Proposed Action would allow for the conversion of the detached garage into a detached ADU. The ADU is allowed as a permitted obstruction in the rear yard. The detached garage can be converted despite new yard noncompliances. The ADU typically would need to be beyond 5 feet of the lot line but the existing garage is less than that. The proposal would allow the space within the existing structure to be converted. However, the enlargement, also part of the ADU, must be at least 5’ from all lot lines. No additional parking would be required for this ADU. No parking is required for ADUs.

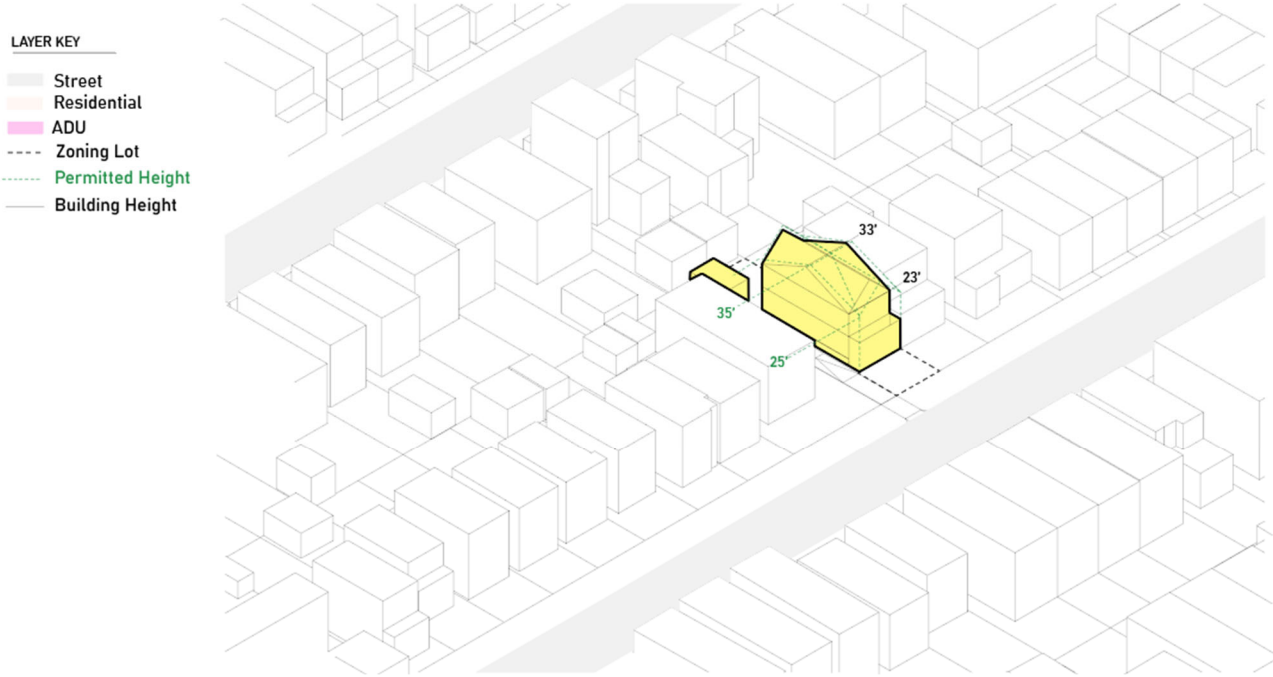
Increment: The Proposed Action would allow for the conversion of a detached garage into an accessory dwelling unit. This would also involve the conversion of 335 s.f. of exempt floor area and the addition of 395 s.f. of zoning floor area.

Table 18 Prototypical Analysis Site 5-2 RWCDS

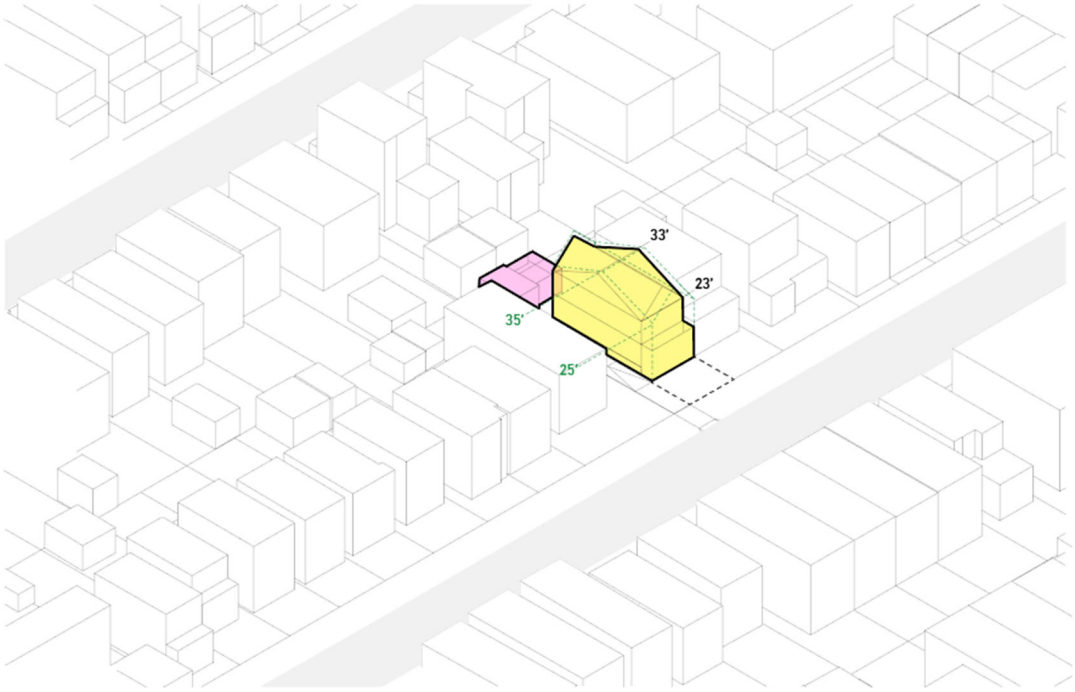
	No-Action	With-Action	Increment
Lot Area	3,000 s.f.	3,000 s.f.	0
FAR	0.9	1.0	0.1
Zoning Floor Area	2,265 s.f.	2,660 s.f.	+395 s.f.
Gross Floor Area	2,385 s.f.	2,795 s.f.	+410 s.f.
Exempted Floor Area	335 s.f.	140 s.f.	(195 s.f.)
Perimeter Wall/ Base Height	23 ft.	23 ft.	0
Overall Height	33 ft.	33 ft.	0
Number of Stories	3	3	0
Number of Dwelling Units	2	2	0
Number of Accessory Dwelling Units	N/A	1	+1
Lot Coverage/ Open Space	N/A	N/A	N/A
Front Yard	20 ft.	20 ft.	0
Side Yard	9 ft.	9 ft.	0
Rear Yard	30 ft.	30 ft.	0
Parking Spaces	2	2	0

Figure 17 Illustrative Representation of RWCDS for Prototypical Analysis Site 5-2

No-Action Condition



With-Action Condition



Prototypical Analysis Site 5-3 (Based on East Elmhurst, Queens)

As illustrated in **Table 19** and **Figure 18**, this prototypical analysis site demonstrates the effects of the Proposed Action on an attached building in an R4 district. Prototypical Analysis Site 4-3 represents the conversion of a first-floor recreation (rec) space into an ADU.

The Proposed Action would:

- Allow one accessory dwelling unit of up to 800 s.f. on any zoning lot with a single- or two- family homes, regardless of the maximum number of units in the zoning district. (Proposal 2.3: Accessory Dwelling Units)
- Enable the creation of a non-volumetric noncompliance when converting an existing space into an ADU (Proposal 2.3: Accessory Dwelling Units)
- Provide additional FAR and adjust floor area rules for low-density districts (Proposal 2.1: Low-Density Basic – 2.1a)
- Eliminate parking requirements citywide for new residential development. (Proposal 3: Parking)

Existing: Prototypical Analysis Site 4-3 is located in an R4 district and is developed with an approximately 3,000 s.f. two-unit building with a 650 s.f. rec space (a garage level room where the existing use of vehicular parking or access is not programmed), of which 500 s.f. is exempt floor area.

No-Action Condition: Conversion of the exempt floor area in the rec space into living area would not be permitted because the building is already above the maximum permitted FAR in an R4 district (.9 FAR).

With-Action Condition: Conversion of the exempt floor area in the rec space would be allowed, even though the conversion would exceed the newly permitted maximum FAR in an R4 district (1.0 FAR). The addition of an ADU does not require additional parking. No parking is required for ADUs.

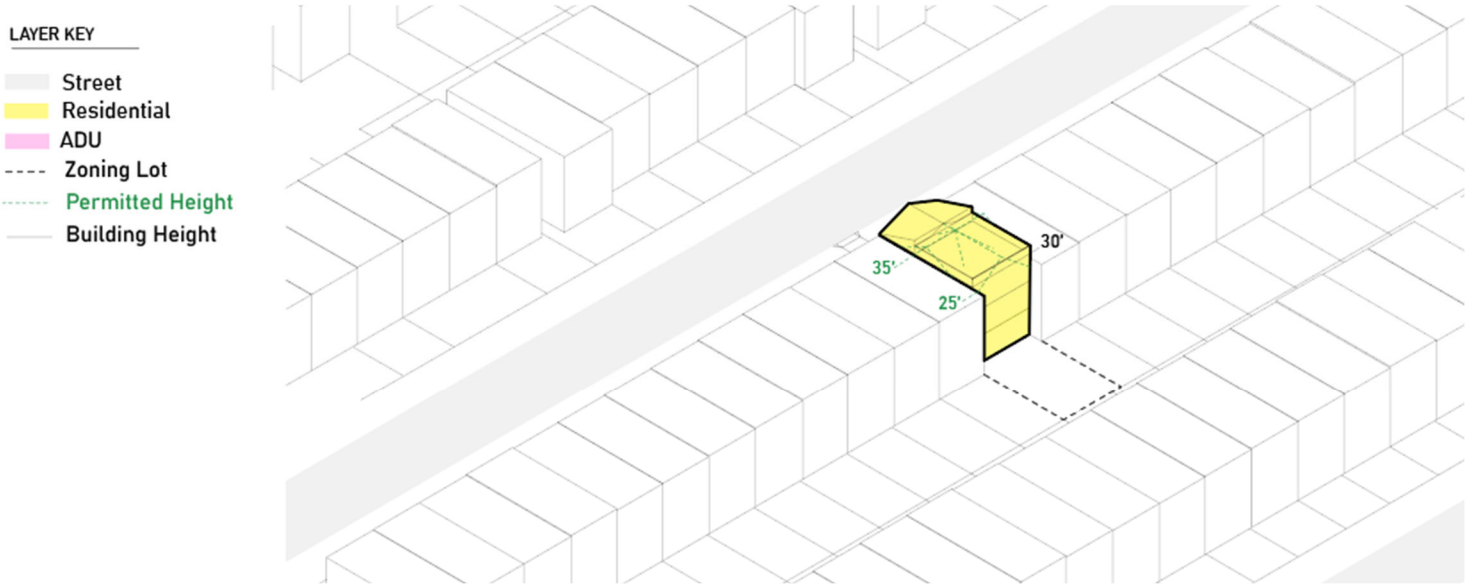
Increment: The Proposed Action would allow for the conversion of a rec space into an attached accessory dwelling unit. This involves the conversion of 500 s.f. of exempt floor area.

Table 19 Prototypical Analysis Site 5-3 RWCDS

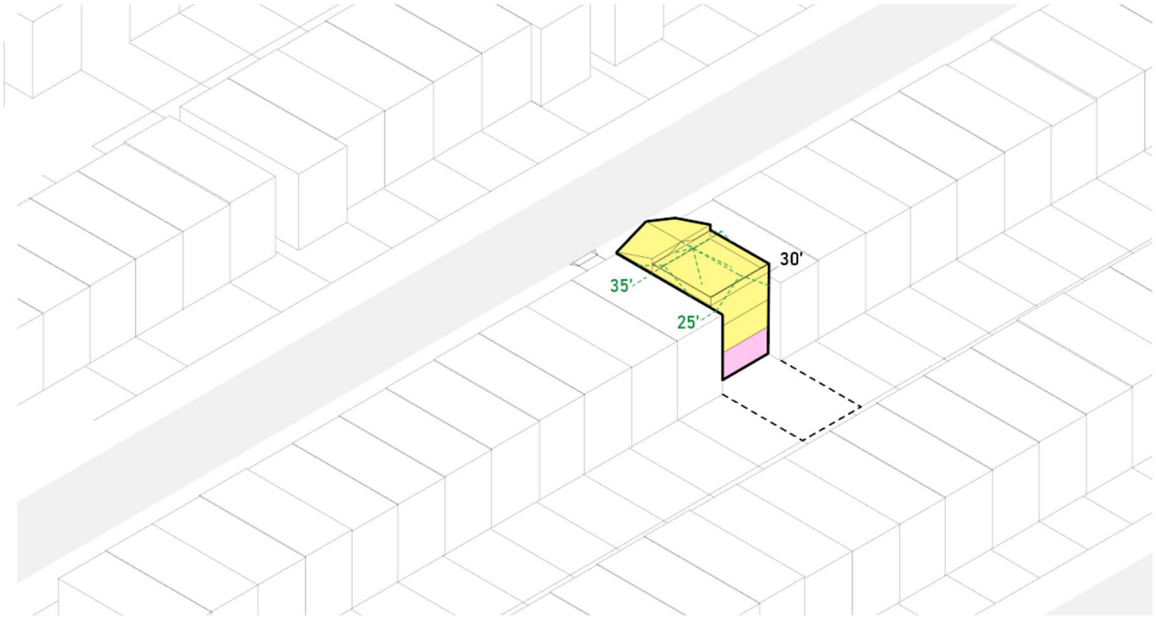
	No-Action	With-Action	Increment
Lot Area	2,500 s.f.	2,500 s.f.	0
FAR	0.9	1.0	0.1
Zoning Floor Area	2,375 s.f.	2,850 s.f.	+ 475 s.f.
Gross Floor Area	3,000 s.f.	3,000 s.f.	+500 s.f.
Exempted Floor Area	650 s.f.	150 s.f.	(500 s.f.)
Perimeter Wall/ Base Height	N/A	N/A	0
Overall Height	30 ft.	30 ft.	0
Number of Stories	3	3	0
Number of Dwelling Units	2	2	0
Number of Accessory Dwelling Units	N/A	1	+1
Lot Coverage/ Open Space	20%	20%	0
Front Yard	18 ft.	18 ft.	0
Side Yard	0	0	0
Rear Yard	42 ft.	42 ft.	0
Parking Spaces	2	2	0

Figure 18 Illustrative Representation of RWCDS for Prototypical Analysis Site 5-3

No-Action Condition



With-Action Condition



Category 6: Campus

Prototypical Analysis Site 6-1 (Based on Canarsie, Brooklyn)

As illustrated in **Table 20** and **Figure 19**, this prototypical analysis site demonstrates the effects of the Proposed Action on a residential campus in an R5 zoning district outside the Inner Transit-Oriented Development Area. Prototypical Analysis Site 5-1 represents new construction infill apartment buildings on an existing residential campus.

The Proposed Action would:

- Allow additional FAR for all low-density districts (Proposal 2.1: Low-Density Basic)
- Establish new height limits for campuses (Proposal 2.2 Low-Density Plus – 2.2c)
- Replace yard requirements for low-density campuses with a 50 percent lot coverage maximum (Proposal 2.2 Low-Density Plus – 2.2c)
- Reduce distance-between-buildings requirements to 40ft. (Proposal 2.2 Low-Density Plus – 2.2c)
- Eliminate parking requirements citywide for new residential development and create a discretionary action to remove existing parking (Proposal 3: Parking)

Existing: Prototypical Analysis Site 5-1 is in an R5 zoning district outside the Inner Transit-Oriented Development Area and is developed with a residential campus. There are 26 buildings with more than 1.5 million s.f. of residential space on the site, holding 1,610 dwelling units on site. There are approximately 600 parking spaces spread across five surface parking lots.

No-Action Condition: Under the No-Action Condition, the zoning lot cannot use all of its available FAR because of height, yard, parking, and distance-between-building requirements. The campus can add 8 4-story buildings with approximately 283,600 s.f. of zoning floor area. Combined with existing buildings – which would remain unchanged – a total of 1,629,358 s.f. of zoning floor area could be hosted on the site. There would be 300 dwelling units, including 60 affordable units, and parking spaces would be required for 85% of new market-rate units provided.

With-Action Condition: The Proposed Action would provide R5 districts with 1.5 FAR. It would replace yard requirements for low-density campuses with a 50 percent lot coverage maximum, reduce the distance-between-buildings requirement to 40 feet, and allow a base height of 50 feet and max height of 65 feet for R5 campuses. In addition to the existing, unchanged buildings, there would be 678,000 s.f. of new zoning floor area giving 718 dwelling units, including 144 affordable units. No parking would be required, but would be provided for 25% of new market-rate units. Existing parking would remain or be provided in a new area, unless the developers sought a discretionary action for its removal.

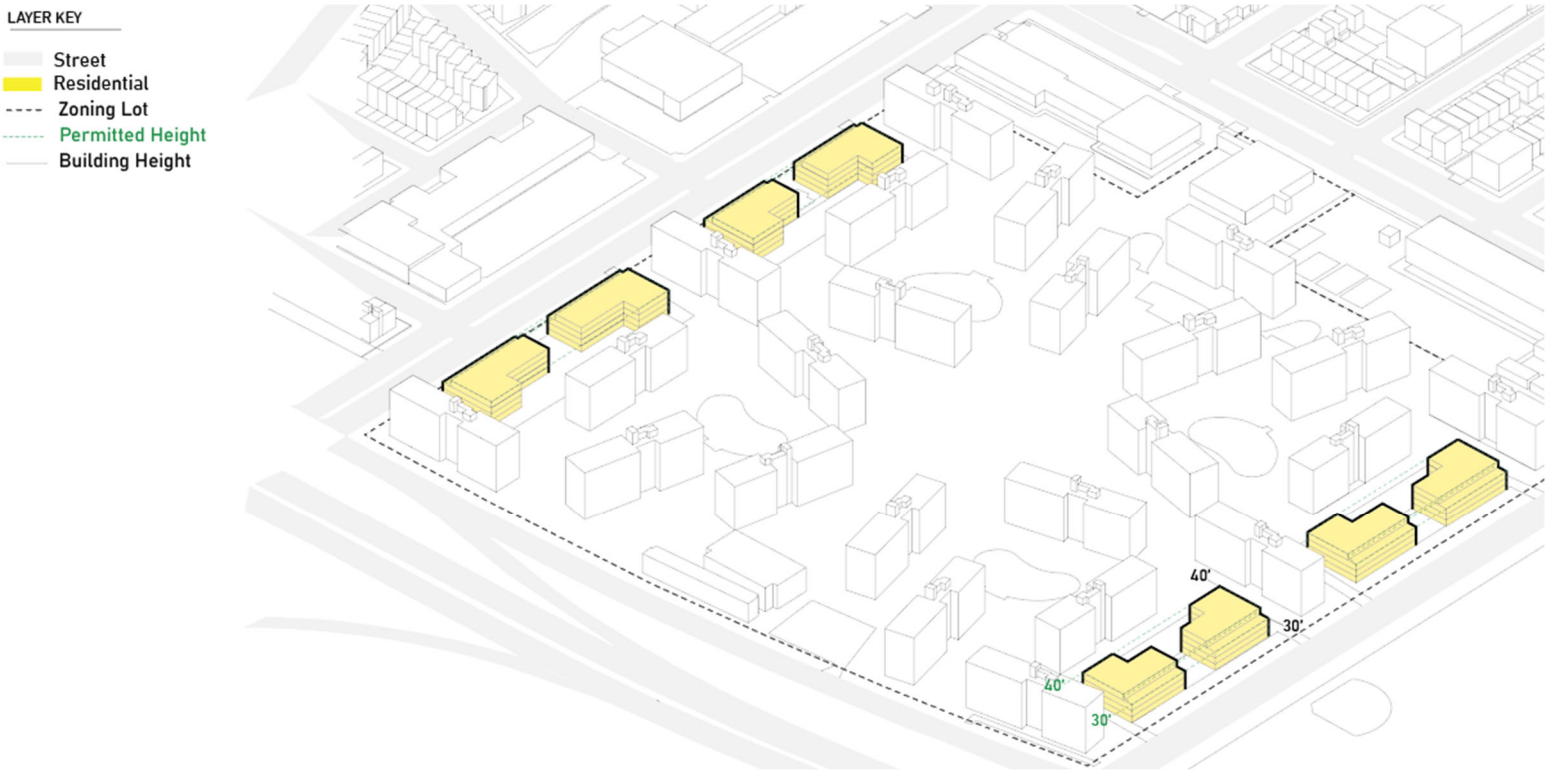
Increment: The Proposed Action would allow for the addition of units through an increase FAR and heights. This would result in an increase of 354,960 s.f. of zoning floor area, an increase of 20 ft. of base height, an increase 20 ft. of overall height, the addition of 418 dwelling units including 84 affordable units, and a decrease of at least 61 parking spaces.

Table 20 Prototypical Analysis Site 6-1 RWCDS

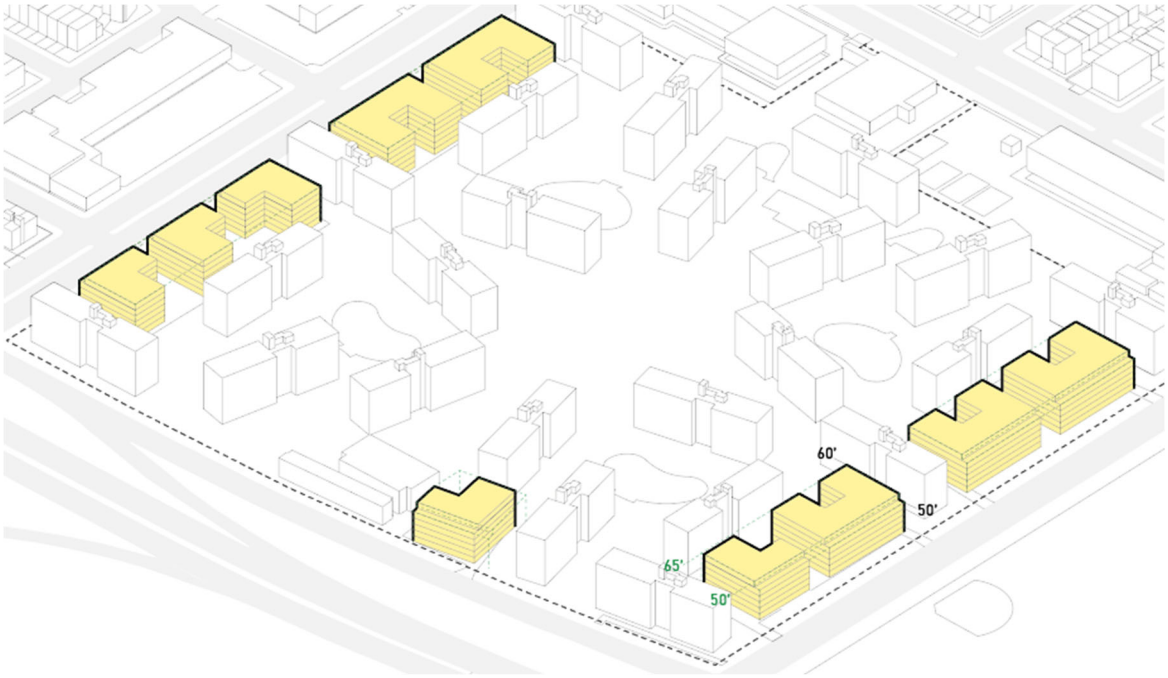
	No-Action	With-Action	Increment
Lot Area	1,410,820 s.f.	1,410,820 s.f.	0
	1.25	1.5	0.25
Zoning Floor Area	1,629,360 s.f.	1,984,320 s.f.	+354,960 s.f.
Gross Floor Area	1,810,400 s.f.	2,204,800 s.f.	+394,400 s.f.
Exempted Floor Area	181,040 s.f.	220,480 s.f.	+39,440 s.f.
New Buildings	8	10	+2
Perimeter Wall/ Base Height	30 ft.	50 ft.	+20 ft.
Overall Height	40 ft.	60 ft.	+20 ft.
Number of Stories	4	6	+2
Number of Dwelling Units	1,910	2,328	+418
Number of Affordable Dwelling Units	60	144	+84
Number of Accessory Dwelling Units	N/A	N/A	N/A
Lot Coverage	19%	23%	+4%
Front Yard	30	30	0
Side Yard	60	40	(20 ft.)
Rear Yard	60 ft.	40 ft.	(20 ft.)
Parking Spaces	804	743	(61)

Figure 19 Illustrative Representation of RWCDS for Prototypical Analysis Site 6-1

No-Action Condition



With-Action Condition



Category 7: Conversions

Prototypical Analysis Site 7-1 (Based on Third Avenue, Manhattan)

As illustrated in **Table 21** and **Figure 20**, this prototypical analysis site demonstrates the effects of the Proposed Action on fully non-residential development in a C5-3 district. Prototypical Analysis Site 7-1 represents a 42-story, entirely non-residential Midtown building built in 1970.

The Proposed Action would:

› Change the cutoff date for access to the most flexible conversions regulations from January 1,1977 in Lower Manhattan or December 15, 1961 in the rest of the geography defined in Article I Chapter 5 to December 31, 1990, throughout the city. (Proposal 1.4: Conversions)

Existing: Prototypical Analysis Site 7-1 is in a C5-3 district and developed with an approximately 444,474 s.f. of zoning floor area in a 42-story non-residential building. The site offers an example of a high-density office building built in 1970.

No-Action Condition: Under the No-Action Condition, the ground-floor spaces could be tenanted by a range of commercial uses, with upper floors allowing a range of primarily office-based uses. The building cannot be converted to residential under Article I Chapter 5 regulations because it was built after the 1961 cut-off date. No new parking is required due to being located in the Manhattan Core.

With-Action Condition: The Proposed Action would move the date for Article I Chapter 5 conversion to 1990, allowing this 1980 building to convert to residential uses under Article I Chapter 5. No new parking is required.

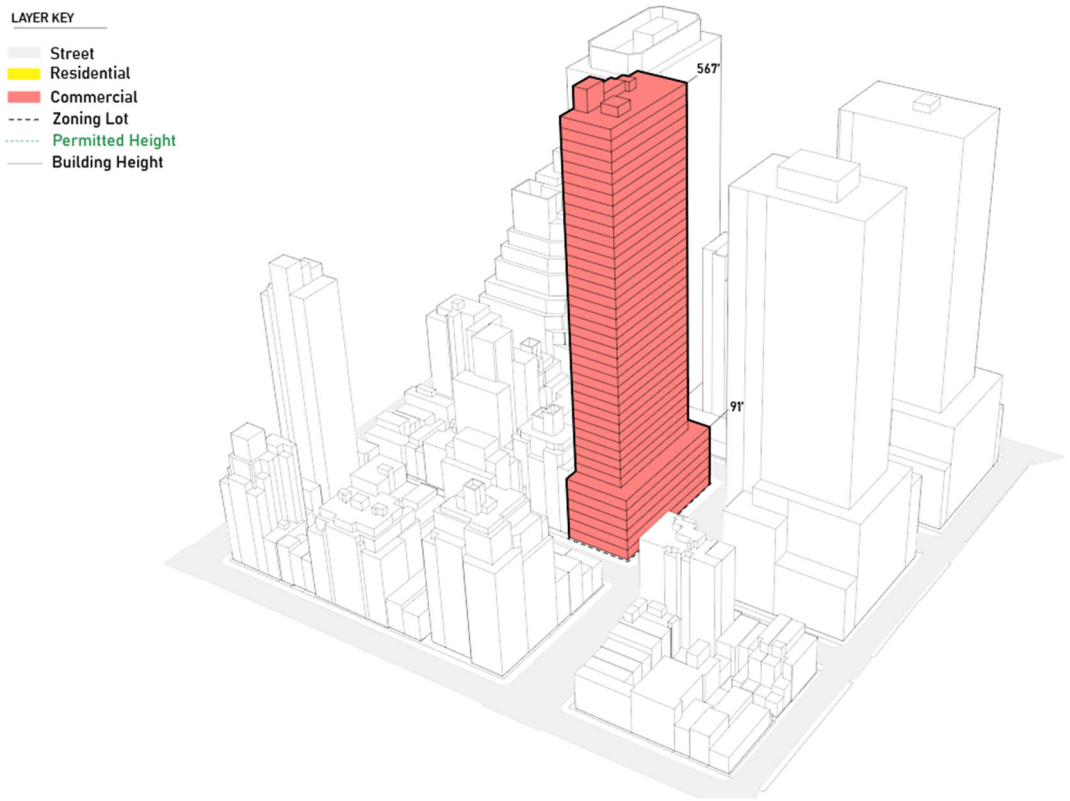
Increment: The Proposed Action would allow for the conversion of 444,475 s.f. of commercial zoning floor area into 444,474 s.f. of residential zoning floor area. Based on the average unit size of past office conversions (1,500 s.f.), this would account for 296 dwelling units.

Table 21 Prototypical Analysis Site 7-1 RWCDS

	No-Action	With-Action	Increment
Lot Area	24,670 s.f.	24,670 s.f.	0
FAR	12.0	12.0	0
Zoning Floor Area	444,475 s.f.	444,475 s.f.	0
Gross Floor Area	493,860 s.f.	493,860 s.f.	0
Exempted Floor Area	49,385 s.f.	49,385 s.f.	0
Perimeter Wall/ Base Height	91 ft.	91 ft.	0
Overall Height	567 ft.	567 ft.	0
Number of Stories	42	42	0
Number of Dwelling Units	0	296	+296
Number of Accessory Dwelling Units	N/A	N/A	N/A
Lot Coverage	70%	70%	0
Front Yard	N/A	N/A	N/A
Side Yard	N/A	N/A	N/A
Rear Yard	0 ft.	0 ft.	0
Parking Spaces	0	0	0

Figure 20 Illustrative Representation of RWCDS for Prototypical Analysis Site 7-1

No-Action Condition



With-Action Condition