DEPARTMENT OF CITY PLANNING, CITY OF NEW YORK
TECHNICAL REVIEW DIVISION

TO: Land Use Participants

FROM: Steven Lenard

Date: December 6, 2024

RE: Effects of City of Yes for Housing Opportunity (CHO) on 441 & 467 Prospect Avenue Rezoning (C 240280 ZMK)

Dear Land Use Participant,

The above project was certified into ULURP on June 24, 2024. Subsequent to certification, the Department of City Planning's City of Yes for Housing Opportunity (CHO) zoning text amendment was adopted with modifications by the City Council, on December 5, 2024. This wide-ranging text amendment will help alleviate the city's acute housing crisis by facilitating a little more housing in every neighborhood. The text amendment accomplishes this through changes to the regulations for zoning districts across the city.

Therefore, the regulations for the zoning districts proposed in this project have changed since its certification. The information in the application materials for this project reflect regulations that were in effect at the time of certification, before CHO was adopted, and are no longer accurate. Further, a footnote in the project description of the application noted what changes could have resulted from adoption of the CHO proposal that was referred into public review on April 29, 2024. However, the footnote is no longer up to date due to modifications to CHO by the City Planning Commission and the City Council.

Now that CHO is in effect, we are providing the table below, which represents the regulations for these districts that will be in place should this project be approved. Further, the related application for a special permit for waiver of required parking (C 240282 ZSK) is no longer necessary because parking is no longer required for new residences in the proposed zoning district. Therefore, the application for this special permit will be terminated.

Steven Lenard, Director
Ken Ramnarine, Deputy Director
120 Broadway, 31st Floor
New York, NY 10271
212-720-3306
www.nyc.gov/planning

	Existing Zoning R5B		Proposed Zoning R7-1	
	ZR Section	Required/Permitted	ZR Section	Required/Permitted
Uses				
Permitted Use Groups	22-10	I, II, III	22-10	I, II, III
Maximum Floor Area Ratio (FAR)				
Residential	23-21	1.50\2.00[1]	23-22	5.01[1,3]
Community Facility	24-11	2.00	24-11	4.80
Commercial	NA	NA	NA	NA
Manufacturing	NA	NA	NA	NA
Yards				
Minimum Front Yard	23-321	5 feet	23-32	none required
Minimum Side Yard	23-331	none required	23-334	none required
Minimum Rear Yard[2]	23-342	20 or 30 feet	23-342	20 or 30 feet
Height and Setbacks				
Minimum Base Height	23-422\23-424	NA	23-432	40
Maximum Base Height	23-422\23-424	NA\45[1]	23-432	85[1,3]
Maximum Building Height	23-422\23-424	35\55[1]	23-432	105[1], 115[1,3],155[4]
Lot Coverage				
Interior Lot/Through Lot	23-361	60%	23-362	80%,50%-65%[4]
Corner Lot	23-361	80%	23-362	100%,50%-65%[4]
Parking/Loading				
Residential Required Parking	25-211	none required	25-211	none required

[1] Values listed are for #qualifying residential sites# (R5B) and for #qualifying affordable housing#(R7-1)

[2] Required rear yards are the same for every residential district. Minimum lot depths are 20 or 30 feet depending on building type and height and lot width. For more detail see ZR 23-342.

[3] Values listed for lots within 100 feet of a wide street.

[4] Values listed for #eligible sites# as defined in 23-434(a). Eligible sites are generally large or irregularly shaped, making typical bulk massing difficult.

NA = Not applicable.