

city of **yes**

*city of* **diversity**

*city of* **affordability**

*city of* **neighbors**

*city of* **housing opportunity**

*city of* **families**





## Overview

# City of Yes for Housing Opportunity

This **citywide text amendment** would make it possible to build **a little bit more housing** in every neighborhood

“**A little more housing in every neighborhood**” means we can make a big impact on the housing shortage without dramatic change in any one neighborhood

## Why do we need more housing in New York City?

New York City faces a severe housing shortage that makes homes scarce and expensive:

- The **apartment vacancy rate is 1.41%** – the lowest since 1968. 2.33% of Manhattan rental apartments are vacant
- **Over 50% of renters are “rent burdened,”** meaning they spend over 30% of income on rent
- **92,800 homeless New Yorkers**, including **33,350 children**, slept in the shelter system each night in 2023



# New York City is not building enough housing to meet New Yorkers' needs

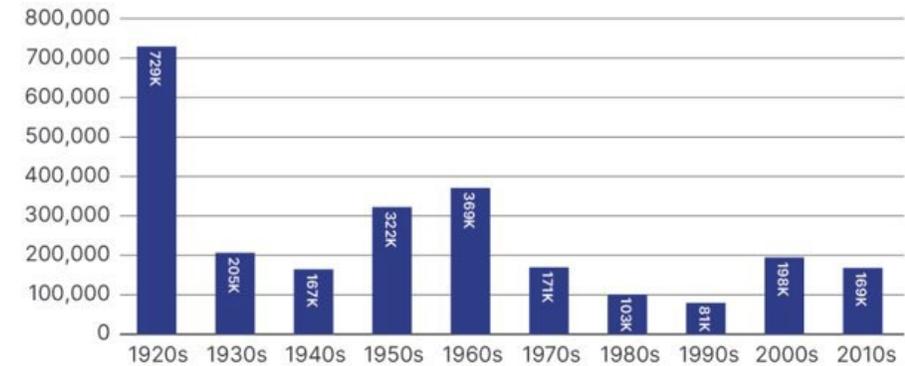
**New York City is creating far less housing than it used to, and less than other major metropolitan areas**

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

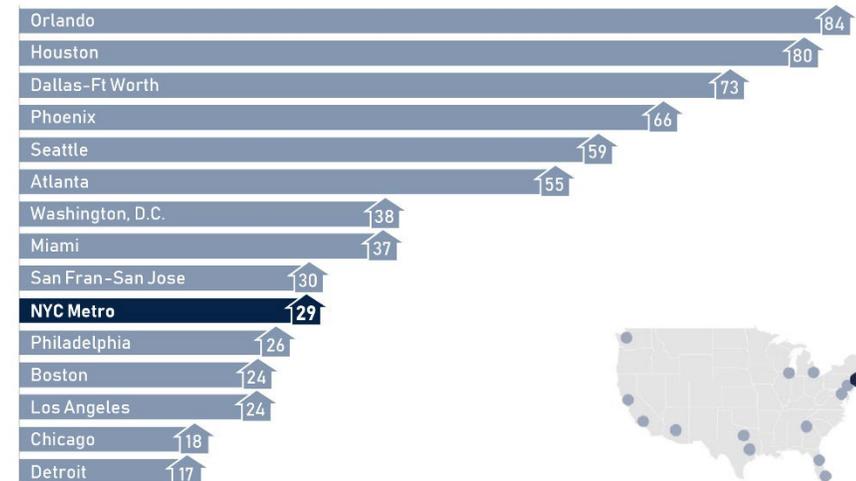
**The housing shortage is due in part to restrictive zoning rules that limit the number and types of homes that can be built**

**New York City is producing less housing than it used to**

New Housing Production by Decade



**... and less than other major metropolitan areas**



Housing Units Permitted per 1,000 Residents (2022), 2013 to 2022  
 Source: U.S. Census Bureau BPS Annual Files; NYC DCP Housing Database v22Q4; U.S. Census Bureau Population Estimates Program (PEP) 2022 Vintage; U.S. Census Bureau Delineation Files

# Proposal Overview

## Low-density proposals

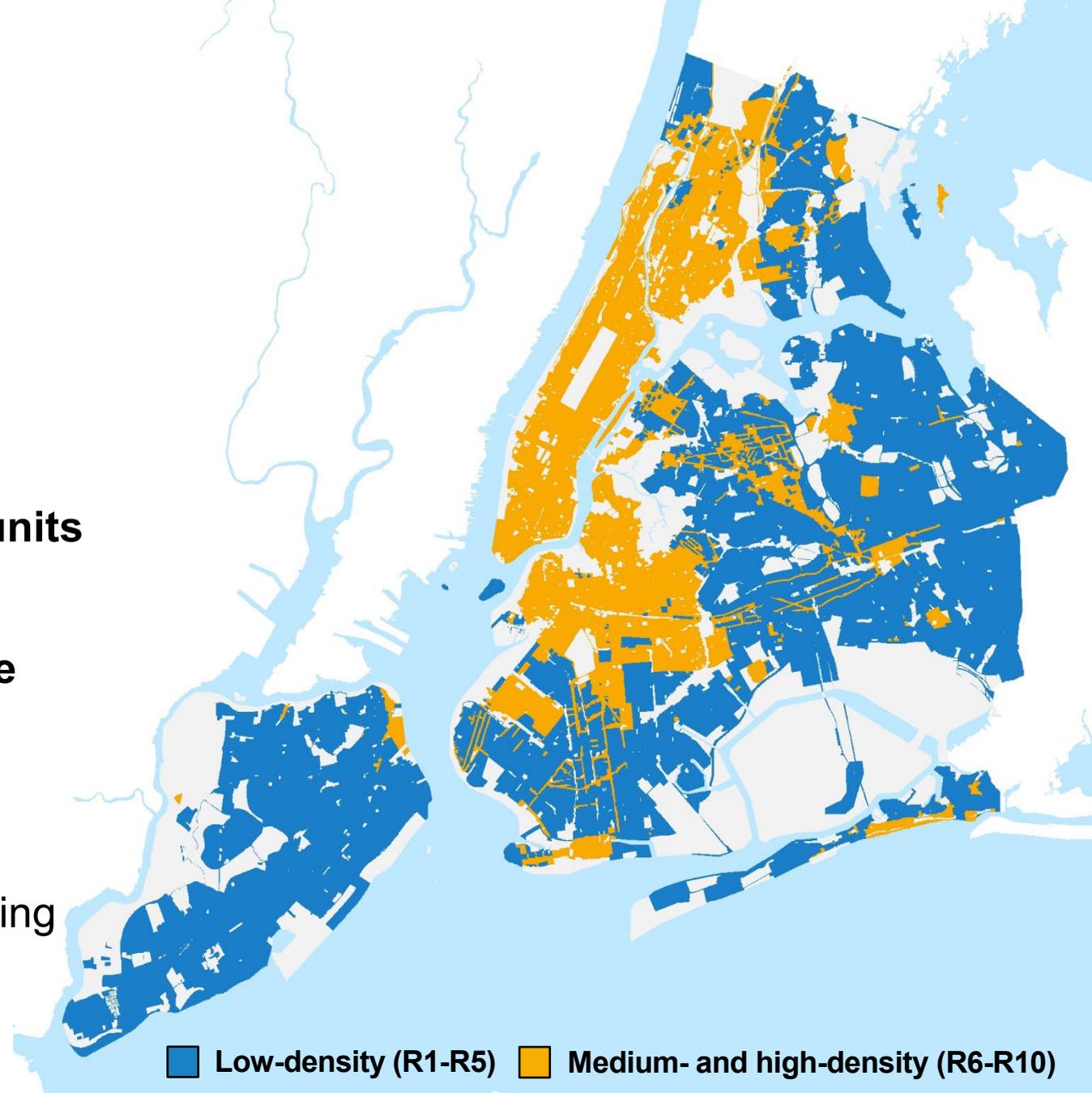
- Allow for "missing middle" housing, including **town center zoning** and **transit-oriented apartment buildings**
- Help homeowners by providing additional flexibility and allowing **accessory dwelling units**

## Medium- and high-density proposals

- Create a **Universal Affordability Preference**

## Citywide actions

- To enable **conversions, small and shared apartments, and infill**
- **Lift costly parking mandates** for new housing





# Low-density

Image credit: Alfred Twu

## Town center zoning

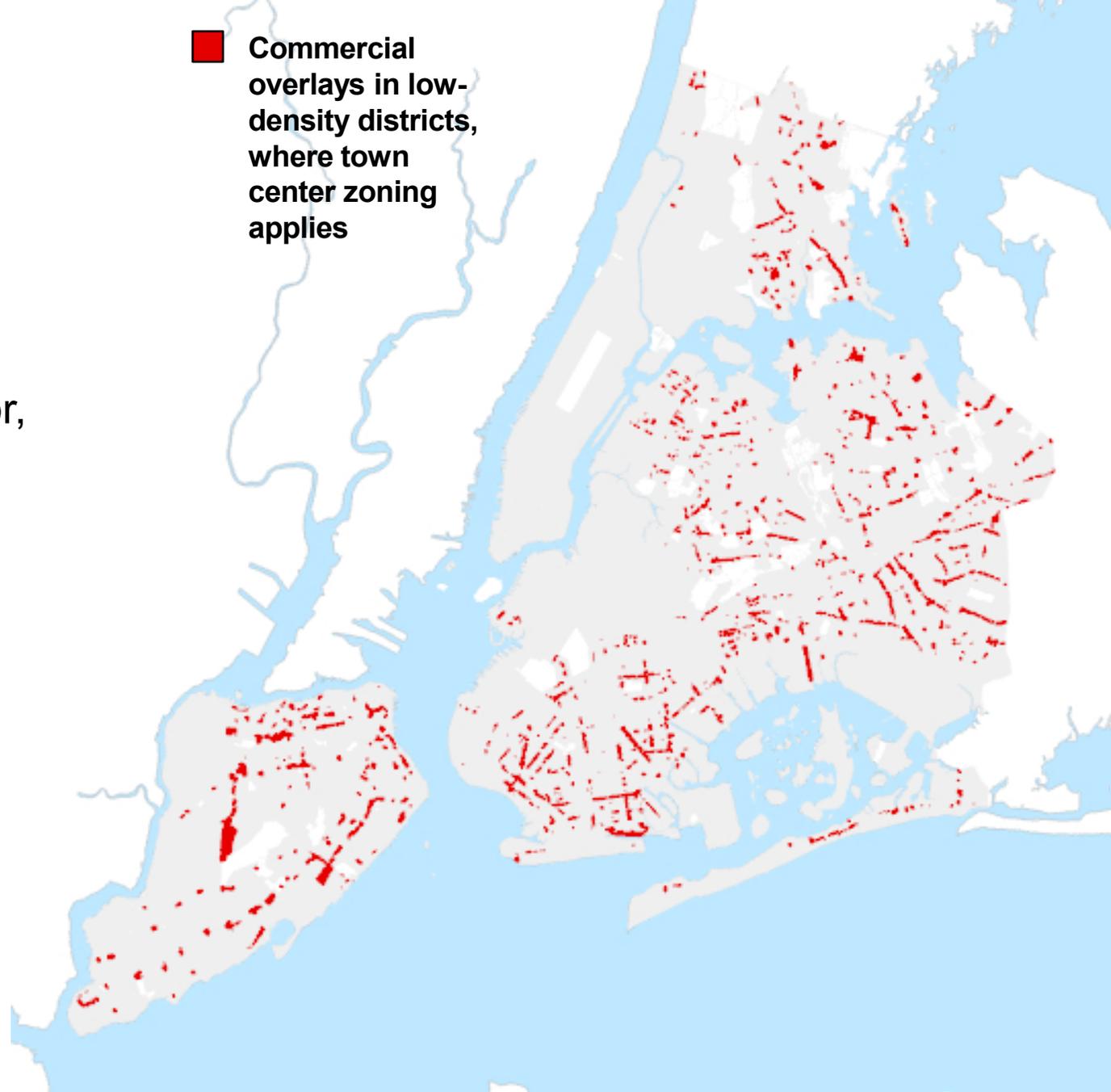
### Relegalize housing above businesses on commercial streets in low-density areas

- New buildings would have 2-4 stories of residential above a commercial ground floor, mirroring existing buildings



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■ Commercial overlays in low-density districts, where town center zoning applies



## Transit-oriented development

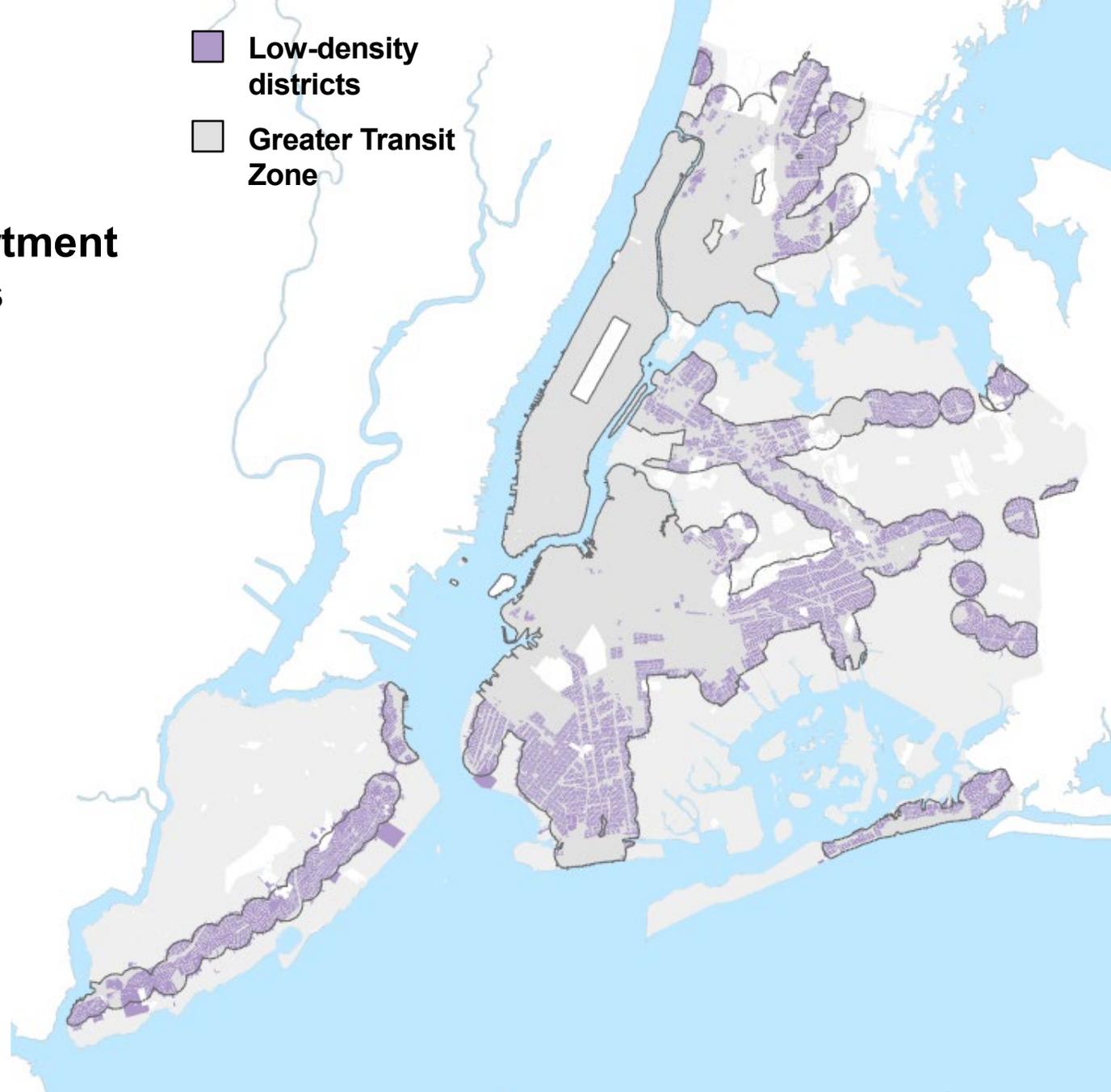
### Allow modestly-sized, transit-oriented apartment buildings in low-density residence districts

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



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- Low-density districts
- Greater Transit Zone



## Help homeowners

### Allow 1- or 2-family homes to add a small accessory dwelling unit (ADU)

- ADUs provide important housing options for small households in low-density areas
- ADUs give multi-generational families more space and help homeowners pay for household expenses
- Many other cities have already legalized ADUs and experienced these benefits

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



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# Medium- and High-density

Image credit: Alfred Twu

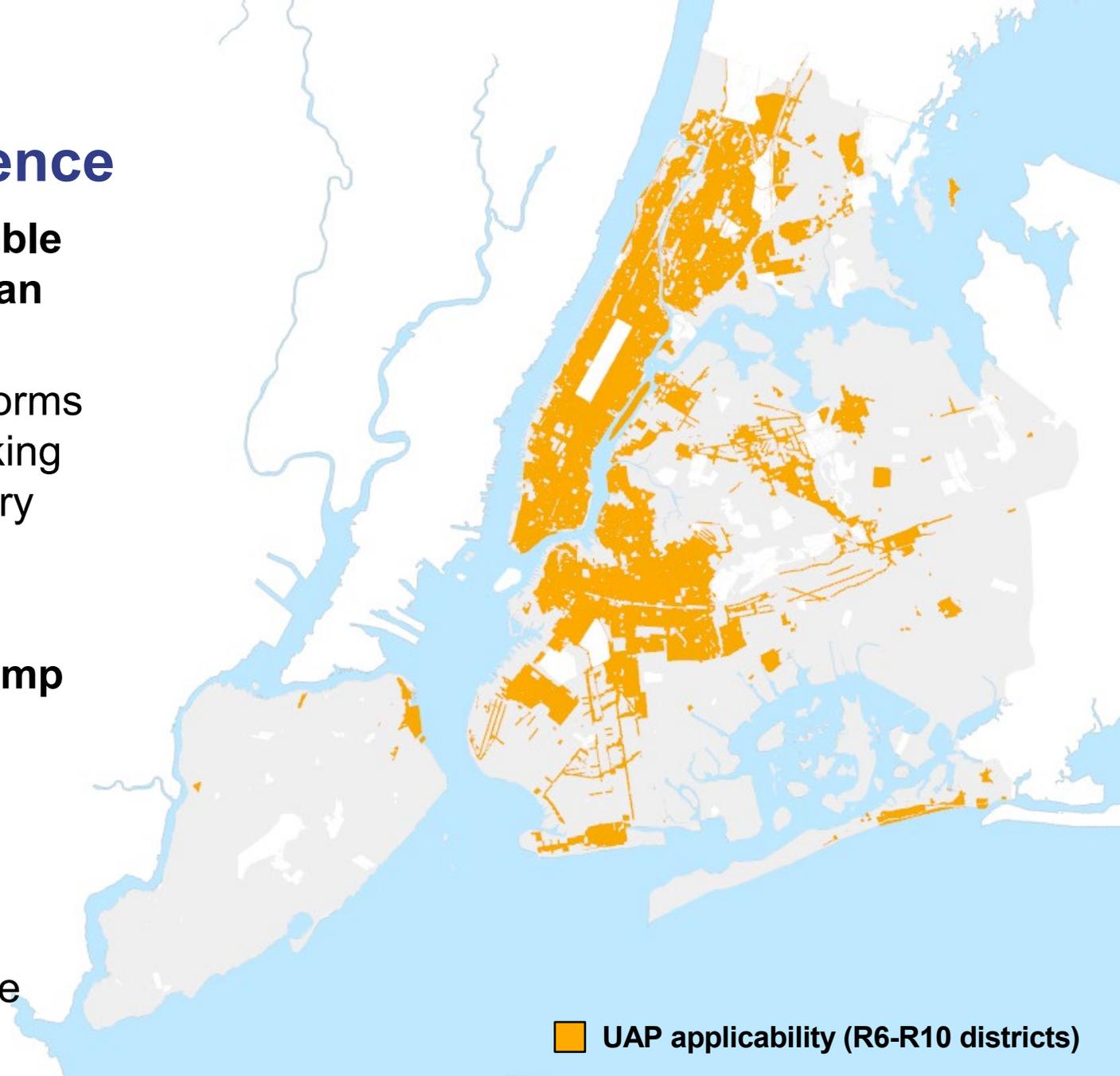
## Universal Affordability Preference

**Today, most zoning districts allow affordable senior housing to be about 20% bigger than other buildings**

- UAP would expand this framework to all forms of affordable and supportive housing, making it easier to build affordable housing in every medium- and high-density district

**This proposal would also create a 20% bump for affordable and supportive housing in districts that don't have a senior housing preference today**

- Some districts will also receive height increases, so that it's feasible for UAP buildings to fit their allowed square footage



■ UAP applicability (R6-R10 districts)

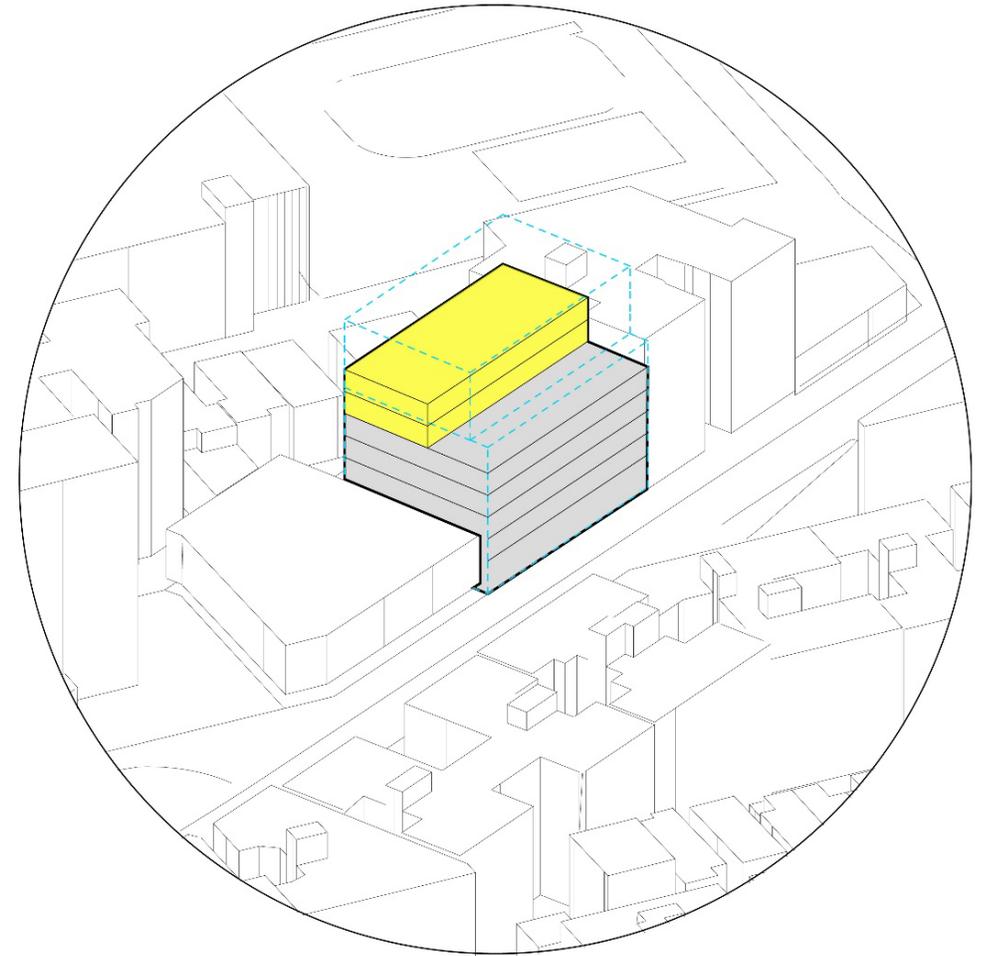
## UAP in new construction mixed-income housing

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

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

### Proposal:

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



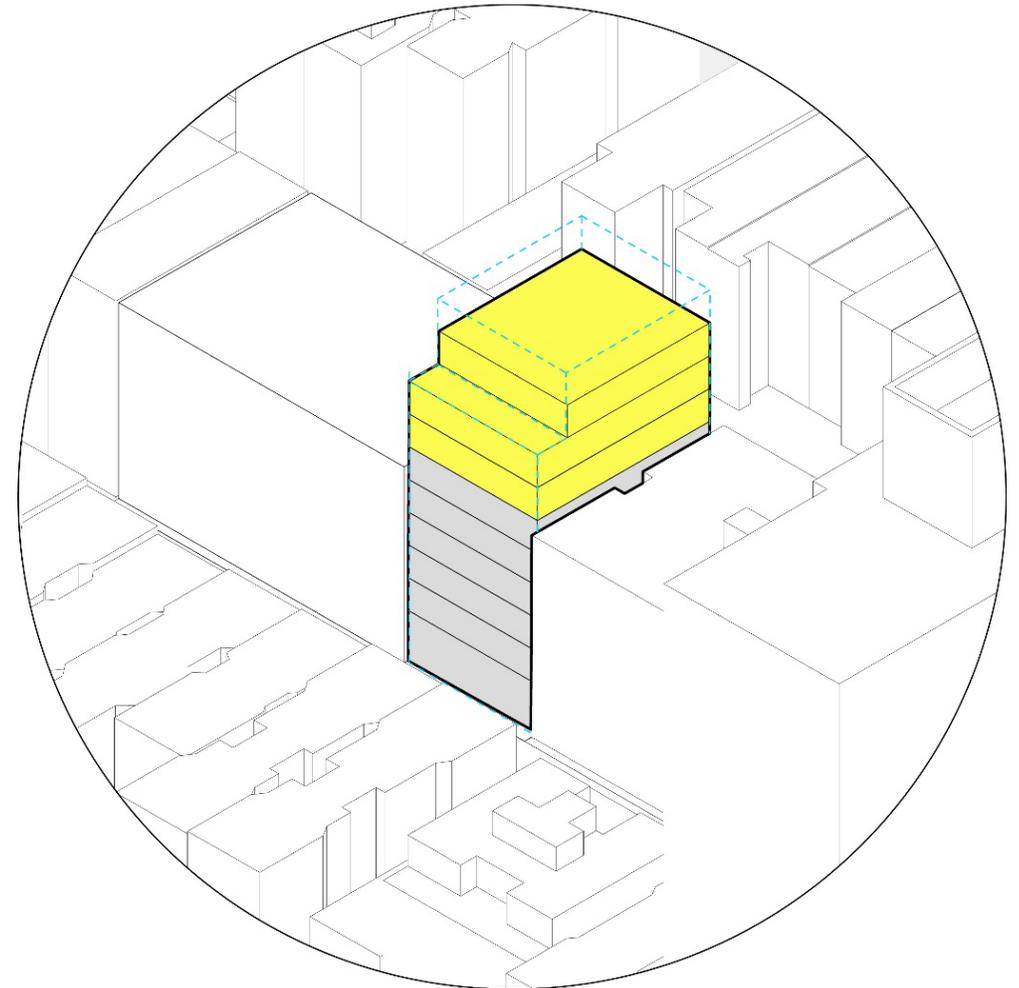
## UAP in new construction 100% affordable housing

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

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

### Proposal:

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



Medium- and high-density areas

UAP (R6-R8)

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

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

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

# UAP (R9-R12)

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

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

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

# Universal Affordability Preference

Without UAP



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With UAP



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## UAP and Inclusionary Housing

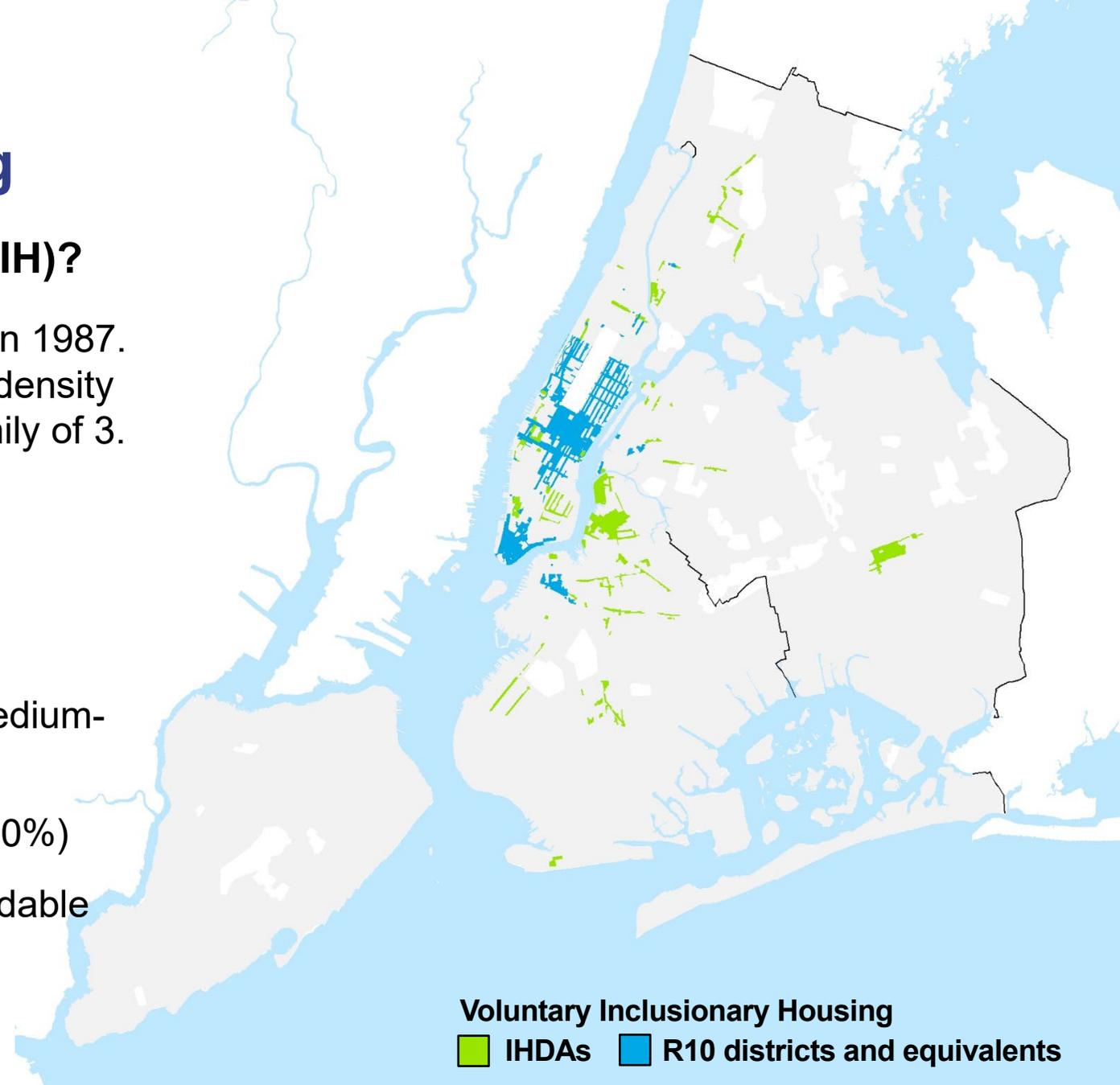
### What is Voluntary Inclusionary Housing (VIH)?

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

### What will happen to VIH?

UAP will replace VIH. Some advantages are:

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



# Universal Affordability Preference

**UAP will replace Voluntary Inclusionary Housing (VIH), achieving deeper affordability and allowing for income averaging.** Mandatory Inclusionary Housing will continue to be mapped and existing affordability requirements will remain in place.

**Voluntary Inclusionary Housing (VIH)**  
80% AMI with no income averaging

### What this meant for New Yorkers:

All income-restricted units in a VIH building were 80% AMI (\$101,686 for a family of 3 or \$2,796 for rent for a 2-bedroom home)

**Universal Affordability Preference (UAP)**  
60% AMI with income averaging

### What this means for New Yorkers:

Homes at a mix of incomes to reach 60% AMI, including more deeply affordable units. For example, a UAP building could include:

	Income for a family of 3	Rent for a 2-bedroom
<b>30% AMI</b>	\$38,130	\$1,084
<b>60% AMI</b>	\$76,260	\$2,097
<b>90% AMI</b>	\$114,390	\$3,142

*Estimates from HUD Guidelines 2024 and NYC HDC.  
Rents for specific projects may differ*

## Updates to Mandatory Inclusionary Housing

### Allow MIH Option 3 to be a standalone option

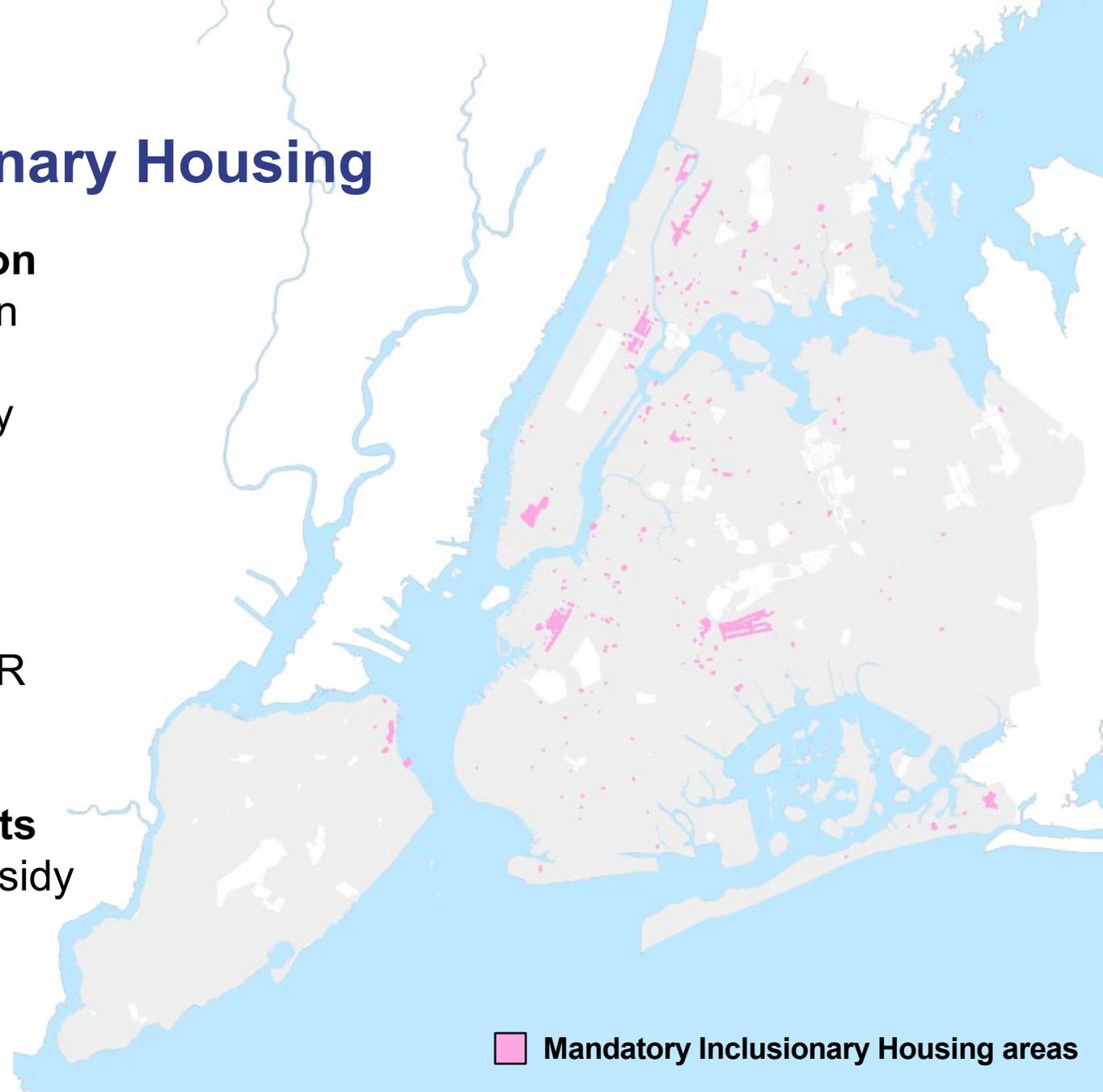
- MIH Option 3 requires a 20% set-aside at an average of 40% AMI
- Requested by the Speaker, members of City Council, and many housing advocates

### Equalize MIH FARs for districts where UAP FAR is higher

- Ex: R6A MIH will change from 3.6 to 3.9 FAR
- MIH Options will stay the same

### Streamline rules for 100% affordable projects

- Reduces conflicts with term sheets and subsidy programs
- Facilitates affordable homeownership



■ Mandatory Inclusionary Housing areas

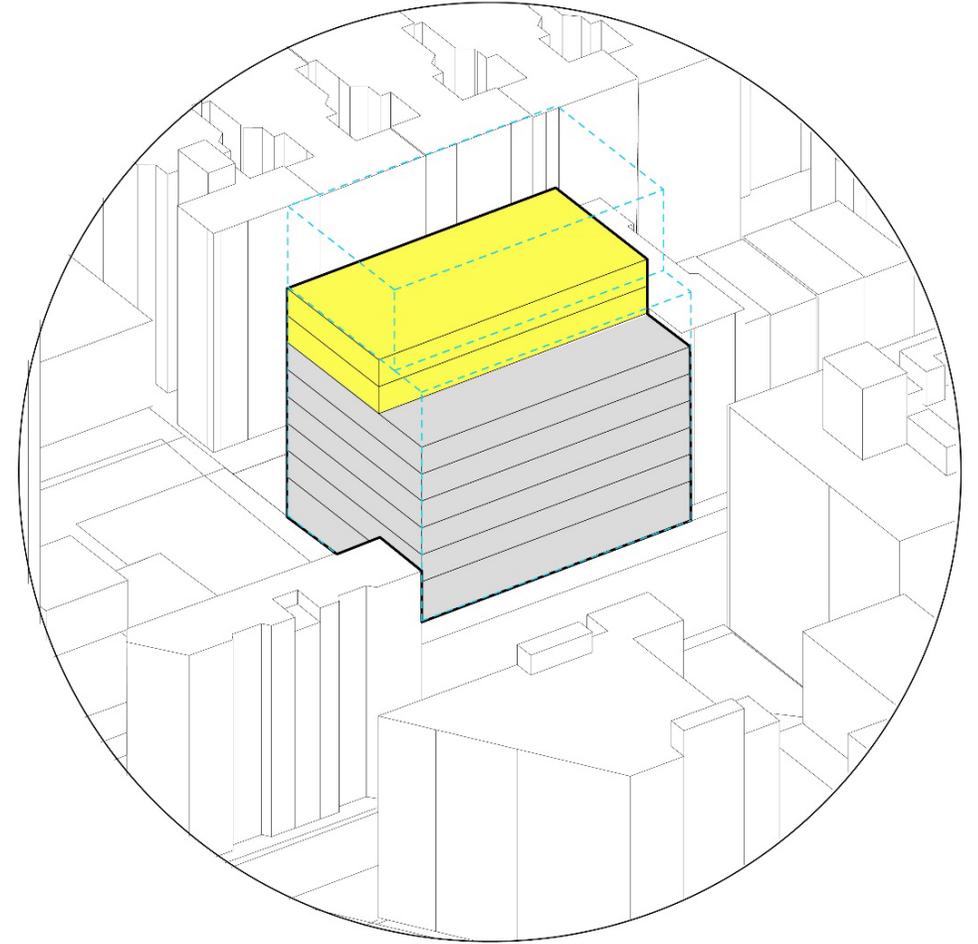
## Mixed-income building in an MIH area

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

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

### Proposal:

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





# Citywide

Image credit: Alfred Twu

## Create new zoning districts

### Create new zoning districts with FARs above 12 FAR

- These zoning districts could only be mapped with Mandatory Inclusionary Housing

### Create new medium-density zoning districts to fill gaps in the range of zoning districts

Mapping any of these district would require a future action

New zoning district	Basic FAR	UAP/MIH FAR
R6-2	2.5	3.0
R6D	2.5	3.0
R11	--	15.0
R11A	--	15.0
R12	--	18.0

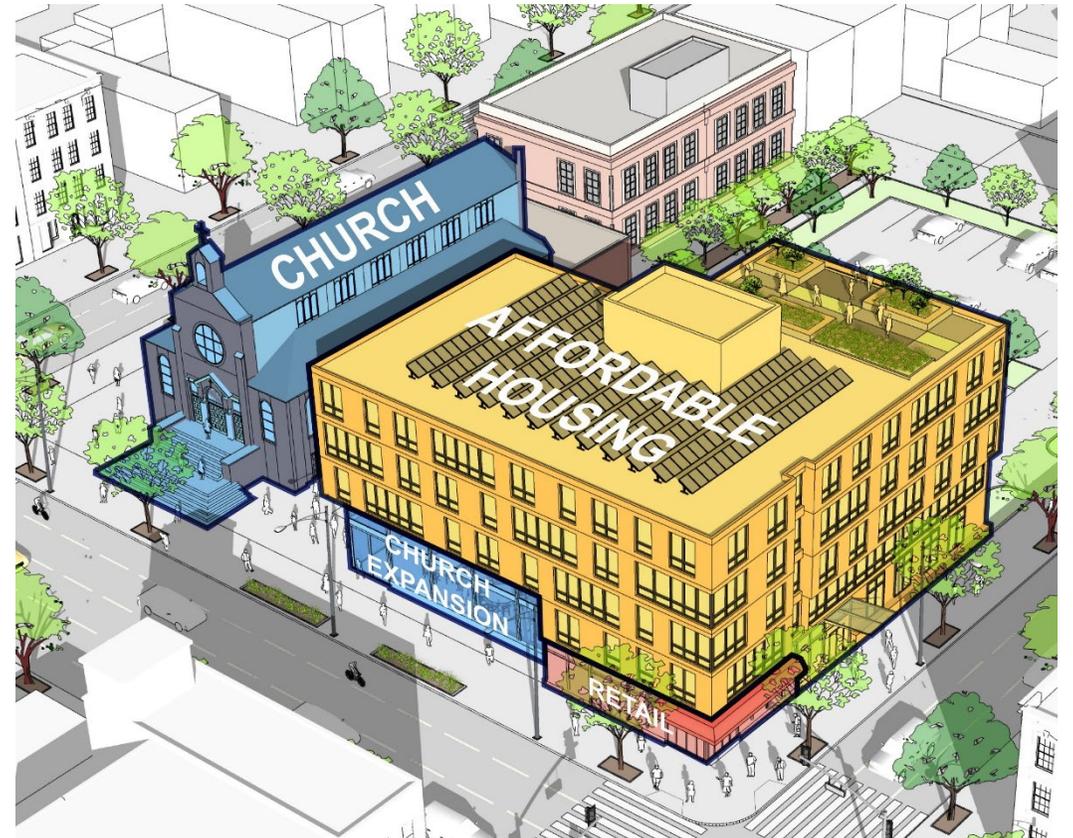
## Allow contextual infill on campuses and irregular sites

### Allow new contextual housing on campuses

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

### Other changes to enable contextual infill on irregular or challenged sites

- Expand the applicability of flexible contextual envelopes
- Eliminate the outdated Sliver Law in favor of height-limited contextual height limits



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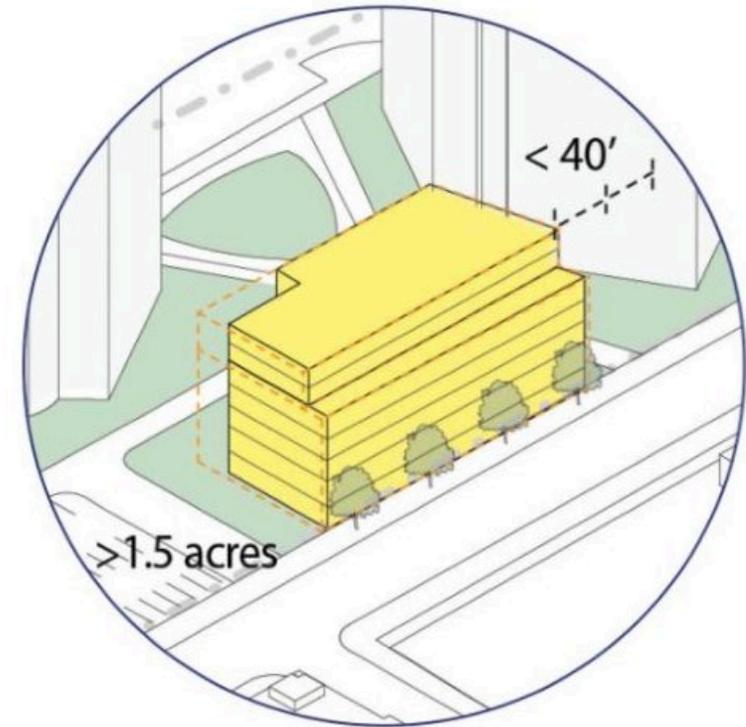
## Campus infill rules

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

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

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

High-Density Campuses (R6-R10)



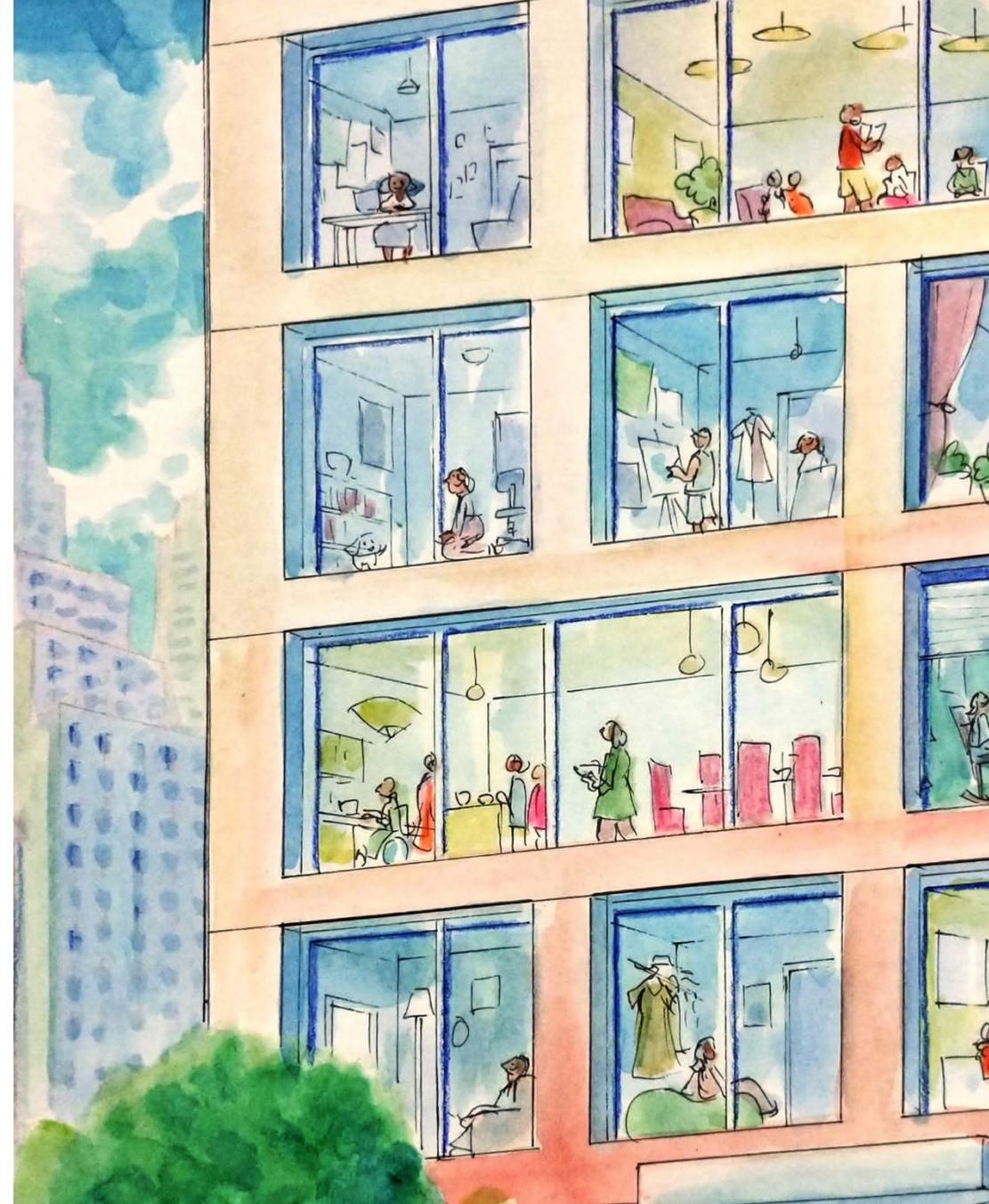
## Small and shared apartments

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

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

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

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



## Zoning changes for shared housing

**Zoning currently does not have a clear path for building shared housing**

Creating clear definitions and rules would:

- Make it possible to build shared housing in any multi-family zoning district
- Enable a range of new shared housing projects, including affordable shared housing
- Help legalize existing, unregulated shared housing

**Eliminating dwelling unit factor in high-density districts will also enable shared housing**

Shared Housing



- Shared Spaces within Units
- Shared Communal Spaces across Floor
- Private Rooms

## Zoning changes for conversions

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

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

# Expand the Landmark TDR program

**Loosen restrictions on the ability of designated landmarks to transfer development rights to zoning lots in the immediate vicinity**

- Extend existing transfer opportunities to zoning lots on the same zoning block as the landmark or across a street or intersection
- Streamline the approval process
- Expand the program to historic districts and lower density areas

**This will help landmarks fund necessary maintenance requirements while also generating new housing opportunities**



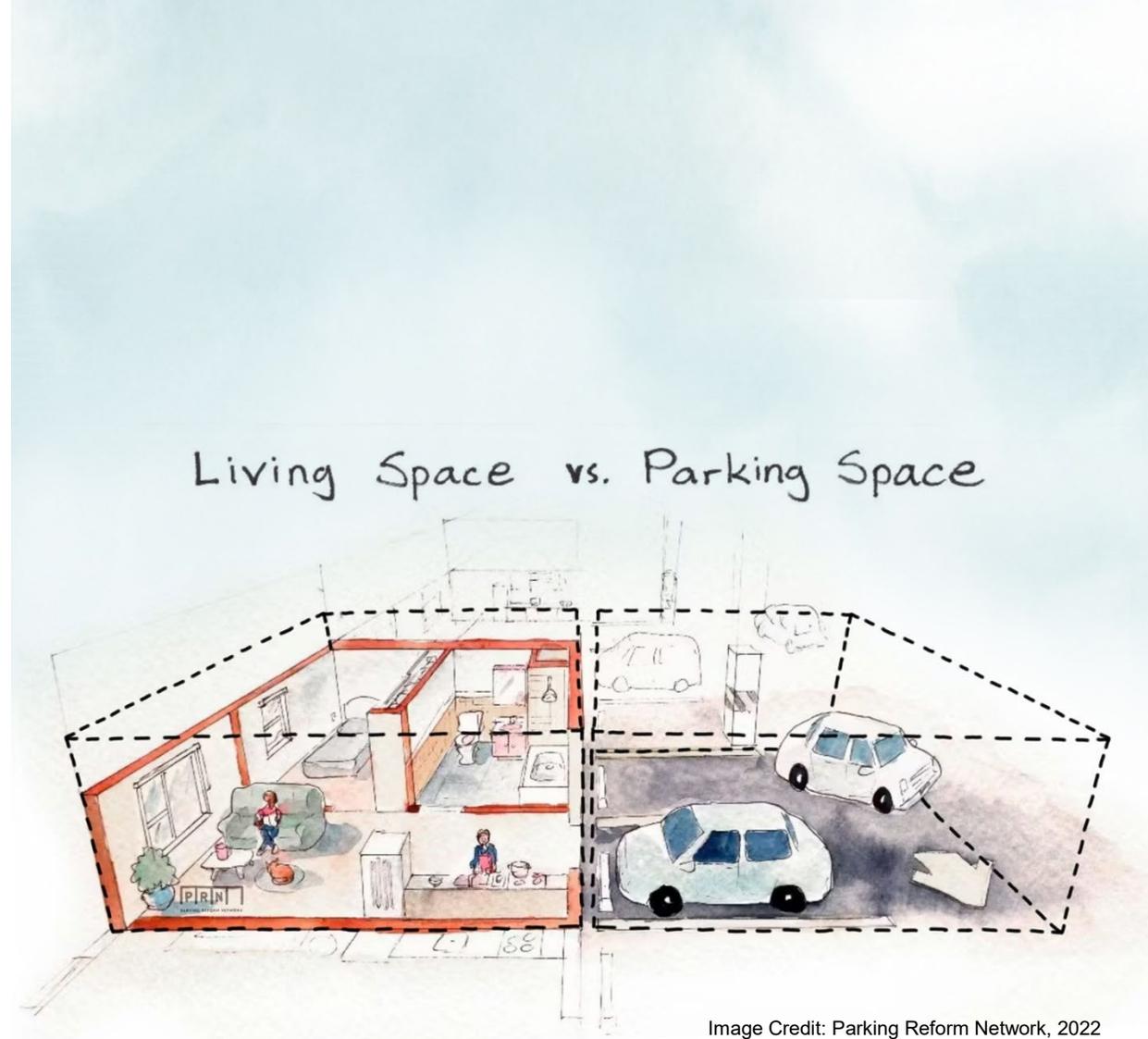
## End parking mandates

**Make parking optional in new buildings,**  
as many other cities have done

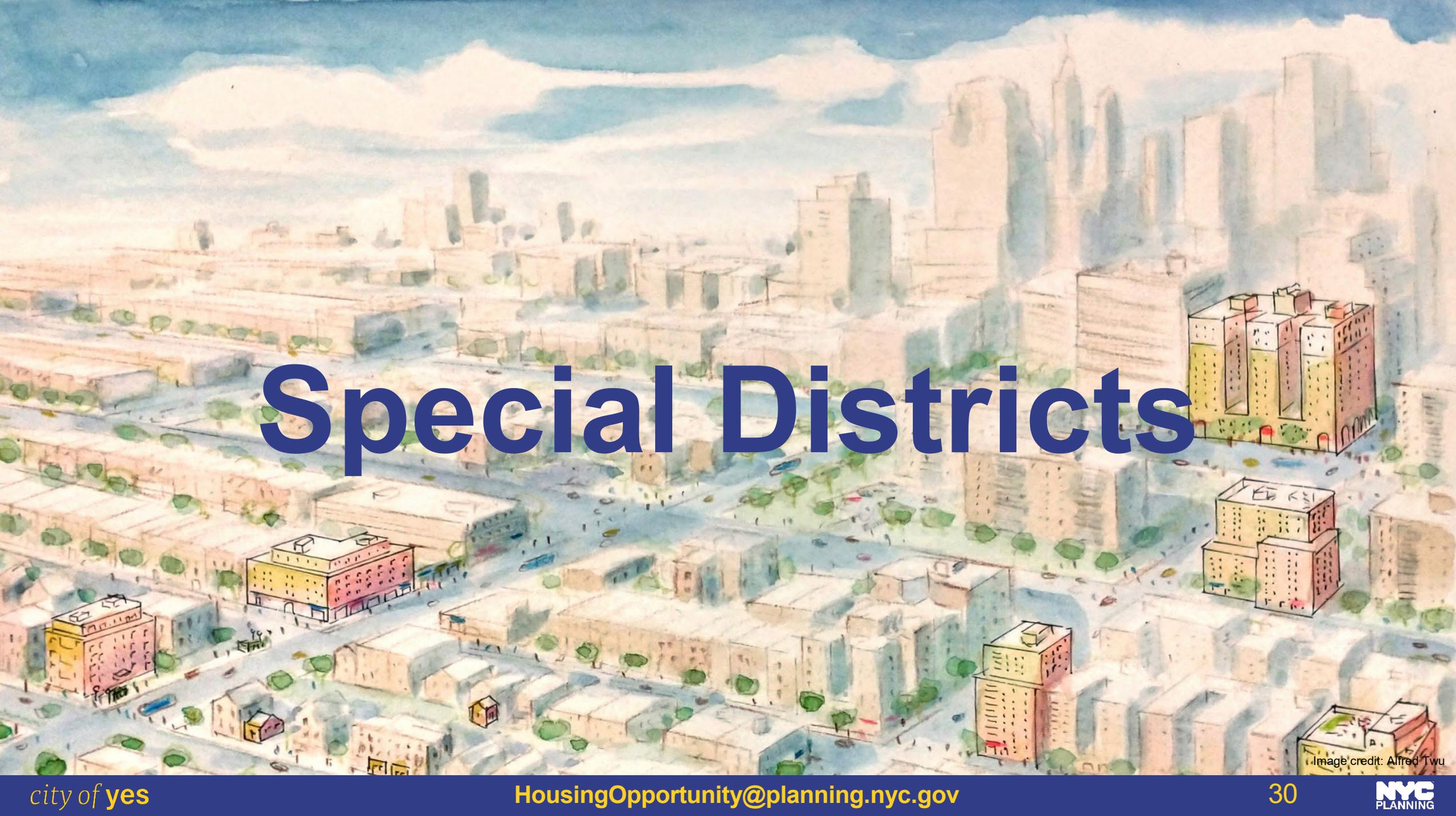
**Mandated parking is extremely  
expensive to provide**

- These costly mandates drive up rents and prevent new housing from being built
- This is an obstacle to housing growth, especially affordable housing

**Parking will still be allowed,** and projects can add what is appropriate at their location



**Two parking spaces take up nearly the same space  
as a studio apartment**



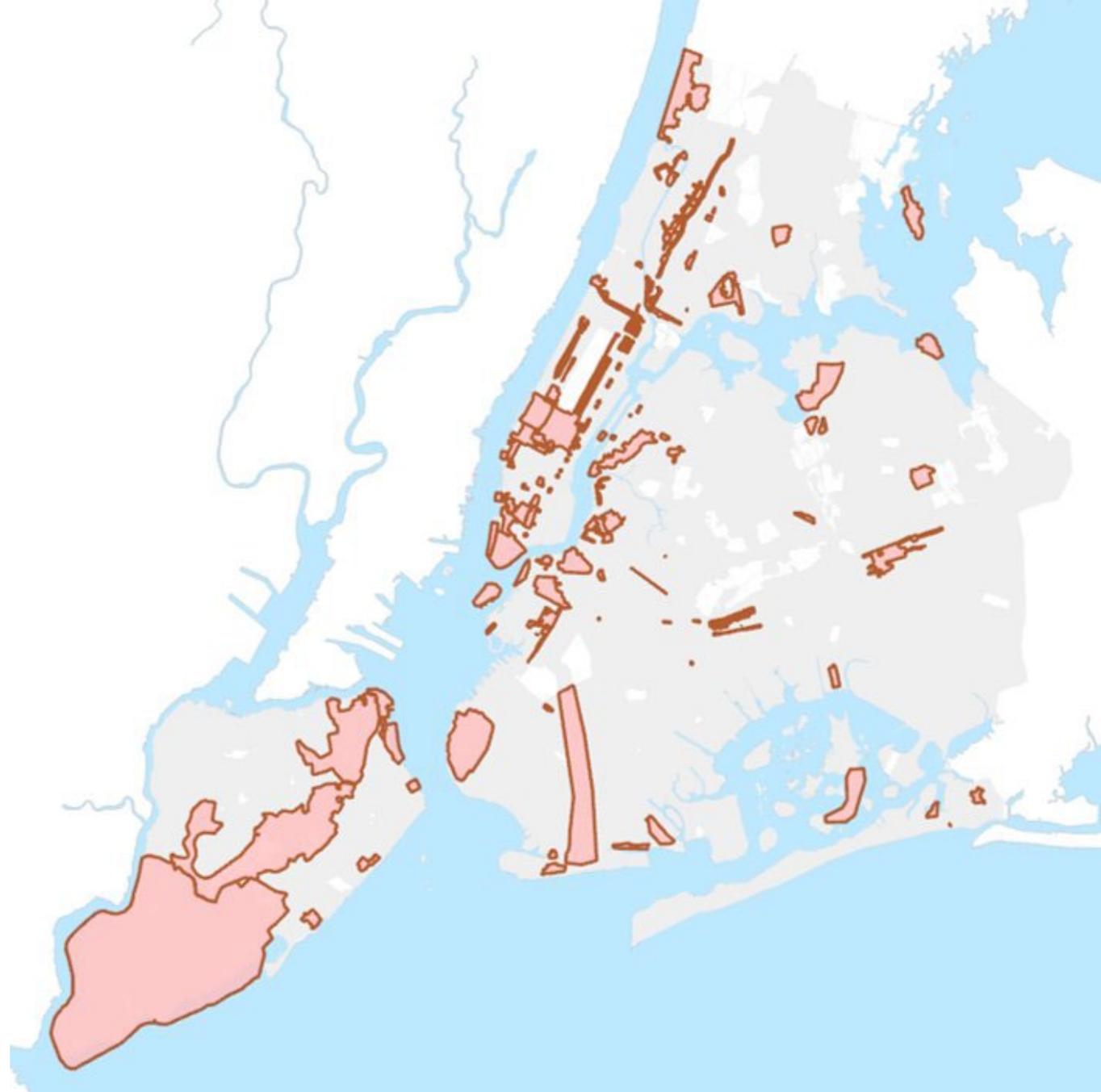
# Special Districts

## Special districts

### **Intent: Apply changes while respecting planning goals**

- The city has a diversity of special districts enacted over the last five decades
- In general, the proposal will seek to carry changes through to special districts

**The proposal will accommodate special districts where this approach would result in conflicts with essential planning goals**



# CD2 Special Districts Overview

## **Align Special Districts with UAP**

- Replace Inclusionary Housing programs with Universal Affordability Preference (UAP) program
- FAR increase of 20% for UAP in general
- Update height limits to accommodate additional FAR

## **Update regulations to underlying zoning districts**

- Eliminate redundant bulk regulations to reference underlying, i.e., yard, lot coverage, street wall, etc.
- Eliminate rules that conflict with citywide proposals, e.g., minimum dwelling unit size, open space, etc.
- Eliminate bespoke rules for residential conversions to align with updated citywide conversion regs

# Special Little Italy District – Preservation Area A and Mulberry Street Regional Spine Area A1

## 1. Preservation Area A

- **Masonry wall requirement:** Maintaining
- **Max lot coverage:** Aligning regs with underlying
- **Rear height limit plane:** Eliminating as we have rear yard equivalent requirements now
- **Rear yard requirement:** Eliminating 30-foot rear yard requirement to align with new underlying rule (20 feet)
- **Align with underlying:** Floor area per room requirement, street wall, permitted recesses, setback, open space, landscaping, street trees, and conversion regulations
- **Height:**
  - Old: 75' max. Height (No base height rules)
  - New:
    - Corner lot (R7D)
      - Basic: 60'-85' base; 105' max
      - Affordable: 60'-95' base; 125' max
    - Interior/through lot (R8B)
      - Basic: 55'-65' base; 75' max
      - Affordable: 55'-85' base; 105' max

## 2. Mulberry Street Regional Spine Area A1

- Removing 100% commercial lot coverage allowance to align with underlying permitted obstruction regs

[APPLYING FLOOR AREA REGULATIONS FOR QUALIFYING AFFORDABLE AND SENIOR HOUSING]

Within Area A, the maximum #floor area ratio# for a #zoning lot# shall not exceed the following:

Lot Type	Maximum Permitted #Floor Area Ratio#	Maximum #Floor Area Ratio# for #qualifying affordable housing# or #qualifying senior housing#
#Corner lots#	4.8	5.76
#Interior# or #through lots#	4.1	4.92

Within Area A1, the maximum #floor area ratio# on a #zoning lot# shall not exceed the following:

#Use#	#Floor Area Ratio#	
	#Corner Lot#	#Through Lot# or #Interior Lot#
#Commercial#	5.1	4.5
#Community facility# or #residential# other than #qualifying affordable housing# or #qualifying senior housing#	4.1	3.5
#Qualifying affordable housing# or #qualifying senior housing#	4.92	4.2

Increasing FARs to align with UAP framework in Area A and A1

# Special Little Italy District – Houston Street Corridor Area B

1. **Masonry wall requirement:** Maintaining
2. **Increasing FARs to align with UAP framework**
  - Old: residential = 7.52; commercial = 6.0; community facility = 7.5
  - New (C6-3A): residential (basic) = 7.52; residential (affordable) = 9.02; commercial = 6.0; community facility = 7.5
3. **Base height:**
  - Old
    - Narrow street: 23'/55'-100' (ambiguous min. base height regulation here)
    - Wide street: 60'-100'
  - New
    - Narrow street (basic): 60'-95'
    - Wide street (basic): 60'-105'
    - All streets (affordable): 60'-135'
4. **Max building height:**
  - Old: 1.5:1 sky exposure plane ratio above base height
  - New
    - Narrow street (basic): 135'
    - Wide street (basic): 145'
    - All streets (affordable): 185'
5. **Rear sky exposure:** Eliminating regs
6. **Aligning with underlying regulations:**
  - Eliminating open space
  - Landscaping
  - Street tree regulations

# Special Little Italy District – Bowery, Canal, Kenmare Street Corridor Area C

## 1. Height:

- Old: 85' max (max base of underlying C6-2 is also 85')
- New (C4-4A/R7A)
  - Base height
    - Basic: 40'-75'
    - Affordable: 40'-85'
  - Max height
    - Basic: 85'
    - Affordable: 115'

## 2. Aligning with underlying:

- Lot coverage
- Open space; and
- Landscaping regulations

# Special Hudson Square District

1. **Eliminating bespoke IH provisions to align with UAP**
2. **Height & Setback:** Maintains 290' height limit on wide streets. Removes redundant provisions and aligns with R10A/C6-4A regs
  - Old: All buildings regardless of use had to comply with modified R10A bulk rules
  - New: Residential buildings must comply with modified R10A bulk regs; non-residential building comply with non-contextual C6-4A regs
3. **Other Regulations:** Maintaining some special rules, but generally aligning with new underlying regulations for:
  - Street Wall
  - Permitted Recesses
  - Permitted Obstructions
  - Court & Rear Yard regulations

# Special Union Square District

## 1. Increasing FARs to align with UAP framework:

- Northern subdistrict:
  - Existing & proposed basic FAR: 8.0
  - Proposed affordable FAR: 9.6
- Southern subdistrict:
  - Existing & proposed basic FAR: 10.0
  - Proposed affordable FAR: 12.0

## 2. Residential density regulations: Aligning with the citywide framework

## 3. Street wall regulations:

- Maintaining most special district rules found in Appendix A, but also applying new line-up provisions of 23-431

## 4. Heights: Maintaining existing special district framework for non-affordable housing developments, but allowing for contextual max building heights for affordable developments

- Northern subdistrict max height = 185'
- Southern subdistrict max height = 235'

# Special SoHo-NoHo Mixed Use District

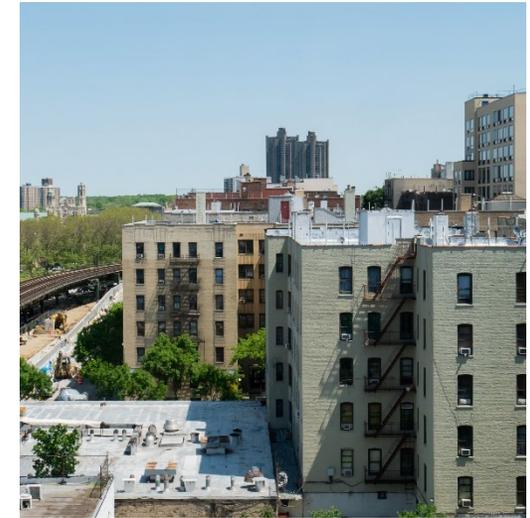
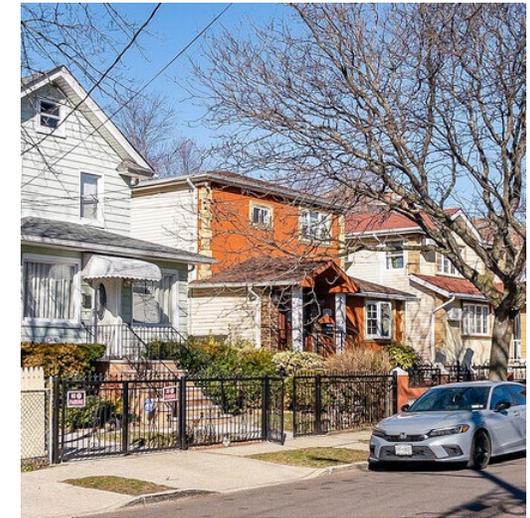
- 1. Staying the same:** Bespoke FAR and height & setback regulations rather than apply standard UAP framework
- 2. Density regulations:** Aligning with citywide proposal to eliminate dwelling unit factor
- 3. Quality Housing requirement:** Eliminating requirement that all new buildings be developed/enlarged pursuant to Quality Housing Standards since QH is becoming new baseline
- 4. Rear yard regulations:** Eliminating rear yards on shallow lots and rear yard equivalents regs to align with new underlying
- 5. Eliminating:**
  - Historic district base height line-up allowance
  - Dormer provisions
  - Reduced minimum distance between window provisions since those are becoming the new standard citywide



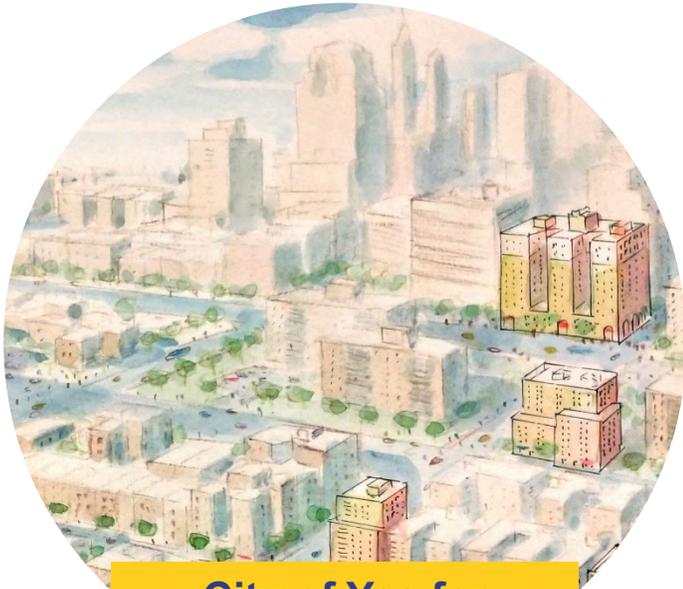
# Conclusion

# How will these changes address our housing needs?

- **A little more housing** in every neighborhood and **more housing types** for the full range of New Yorkers
- Significantly **more affordable housing**
- **Less pressure on gentrifying neighborhoods** and areas hit hardest by the housing shortage and exclusionary zoning
- **Ending exclusionary zoning** in low-density areas
- **Accessory dwelling units** will support homeowners and multigenerational families
- More **sustainable** transit-oriented development



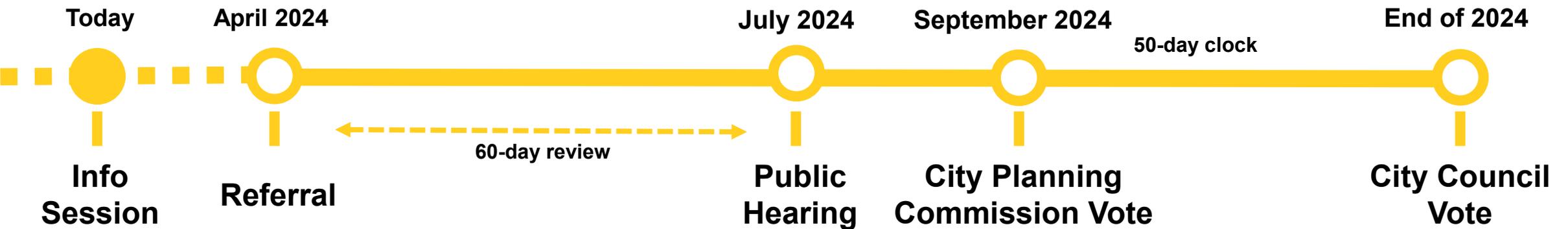
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**City of Yes for Housing Opportunity**

**Stay in touch!**

Email the project team at **[HousingOpportunity@planning.nyc.gov](mailto:HousingOpportunity@planning.nyc.gov)** with questions, concerns, and to be signed up for email alerts on this project.



*Approximate schedule of public review, for illustrative purposes only*