

LAND USE GLOSSARY

HESTER ST

LOCAL PROGRESS

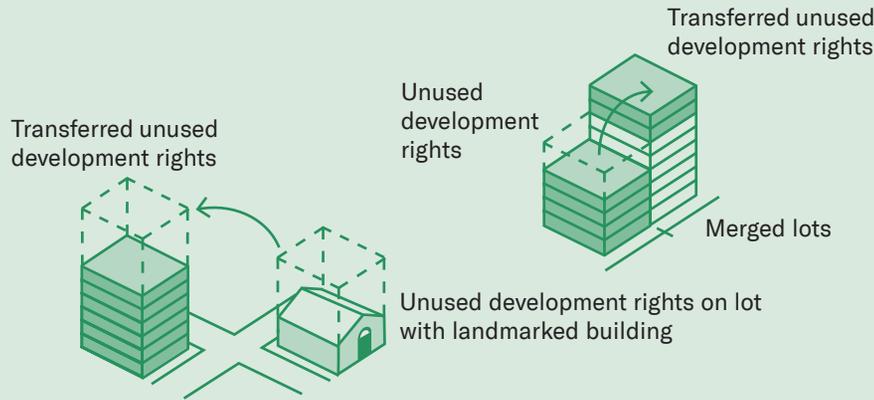


197-A Plan

197-A plans provide guidance for future actions of city agencies through a document that lists a community’s shared vision for a neighborhood.

Affordable Housing

Housing units that are subsidized in order to be affordable to lower-income households.



Air Rights (Transferrable Development Rights [TDR])

Air rights are the unused potential development rights on any given property, in other words, the difference between the actual built floor area and the maximum permitted floor area.

	Extremely Low-Income	Very Low-Income	Low-Income	Moderate-Income	Middle-Income
AMI	0-30%	31-50%	51-80%	81-120%	120-165%
				Most HPD programs cut off at 120%	

Area Median Income (AMI)

The median household income for the region or neighborhood.

Article XI (“Private Housing Law of the State of NY”)

Administered by HPD, the City Council may exempt real property from taxation for up to forty years in return for an agreement to rent only to eligible tenants at affordable rents.

Article 78 Proceeding

A proceeding used to appeal the decision of a New York State or local agency to the New York courts.

As-of-Right

A proposed development that complies with all applicable zoning codes. This development would not require to undergo ULURP, special permits, variances, or any discretionary action from the City Planning Commission or the Board of Standards and Appeals.

Authorizations

A discretionary action that modifies specified zoning requirements if certain findings have been met.

Base Height

Maximum permitted height of building’s street wall before required setbacks.

Board of Standards and Appeals (BSA)

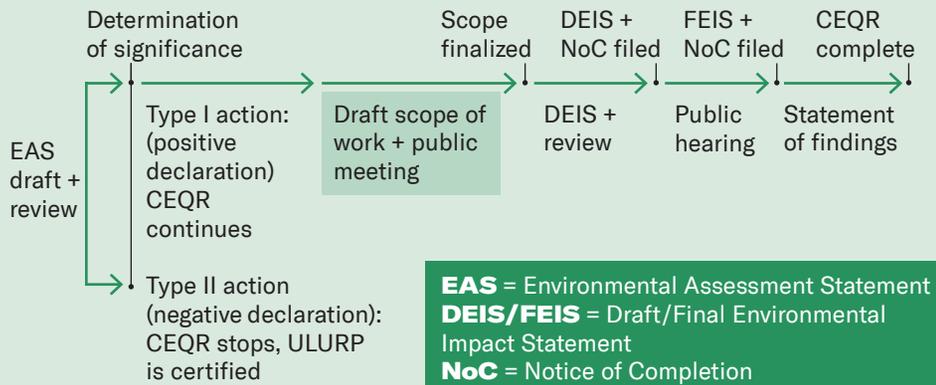
The Board of Standards and Appeals regulates land use, development, and construction to evaluate and authorize relief through special permits and variances from zoning code in unique situations.

Bulk

The mass and shape of a building attributed to the culmination of its required zoning.

Certificate of Appropriateness (CoA)

Issued by the Landmarks Preservation Commission to determine that work done on a landmarked property or in historic districts is architecturally appropriate.



City Environmental Quality Review (CEQR)

CEQR is the process by which New York City agencies determine what effect, if any, a discretionary action they approve may have upon the environment.

Commercial use Intensity Variations

C2

The first letter and number determines the District and allowable Uses.

-5

The suffix indicates variations in uses, bulk or parking requirements. A **low suffix number** typically means lower scaled development and higher parking requirements.

Commercial Overlay

A C1 or C2 district mapped within residential districts to serve local retail needs and create commercial corridors.

Commission on Human Rights (CCHR)

The Commission on Human Rights enforces NYC Human Rights Law and educates the public on their rights, including protections against housing discrimination.

Community Benefits Agreement (CBA)

Legal agreements between community groups and developers, stipulating benefits that a developer would agree to fund or furnish in exchange for community support of a project.

Community Preference

Allows housing developments to prioritize certain applicants (i.e. current residents) when leasing or selling units in neighborhoods.

Department of Buildings (DOB)

The Department of Buildings is the primary regulator of residential and commercial construction and real estate in NYC.

Department of City Planning (DCP)

The Department of City Planning is responsible for land use and environmental review of proposed urban plans and policies and advises government offices and bodies on the macro-scale development of the city, including changes to the city map and designation of districts.

Department of Design and Construction (DDC)

As NYC's primary capital construction project manager, the Department of Design and Construction builds many of the city's civic facilities.

Department of Homeless Services (DHS)

The Department of Homeless Services operates the emergency shelter system and provides services and resources to unhoused people and shelter residents.

Department of Housing Preservation and Development (HPD)

The Department of Housing Preservation and Development is responsible for developing and maintaining the city's stock of affordable housing, including enforcement of the Housing Maintenance Code.

Disposition

Any sale, exchange, lease, assignment, award by lottery, or other transaction of a subdivision in a lot, piece, or parcel of land.

Economic Development Corporation (EDC)

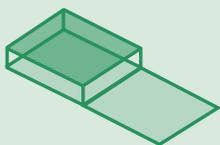
The Economic Development Corporation is a nonprofit organization that uses city resources to promote economic growth and arrange public-private partnerships between city agencies and private businesses.

Environmental Impact Statement (EIS)

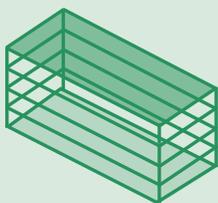
A report filed in the CEQR process that details a project’s executive summary, description, technical analyses, mitigation measures, and project alternatives.

Extremely Low- and Low-Income Affordability Program (ELLA)

Subsidy for new construction of low-income multi-family rental projects in which a minimum of 80% of the units are affordable to households earning up to 80% AMI, up to 20% are affordable to moderate income households between 90-100% AMI and at least 15% of units are set aside for formerly homeless households.



$$\frac{2,500 \text{ sf building}}{5,000 \text{ sf lot}} = .5 \text{ FAR}$$



$$\frac{20,000 \text{ sf building}}{5,000 \text{ sf lot}} = 4 \text{ FAR}$$

Floor Area Ratio (FAR)

The principal bulk regulation controlling the size of buildings. FAR is the total building floor area in relation to the area of its zoning lot.

Green Housing Preservation Program (GHPP)

Low and no interest loans to finance energy efficiency and water conservation improvements, treatment of lead-based paint hazards, and rehabilitation work to ensure safe and healthy buildings while reducing greenhouse gas emissions.

Housing Development Corporation (HDC)

The Housing Development Corporation, the country’s largest municipal housing finance agency, finances the development and preservation of affordable housing.

Human Resources Administration or Department of Social Services (HRA/DSS)

The Human Resources Administration (or Department of Social Services), the largest social service agency in the country, administers public assistance programs, including food assistance.

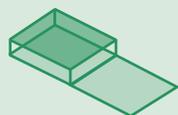
	% of housing made affordable	Available to households at % of AMI for a household of 3	Average household income at AMI for household of 3 (2021 AMI bands)
Option 1	25% + 10%	60% 40%	\$64,000 \$43,000
Option 2	30%	80%	\$86,000
Deep affordability	20%	40%	\$43,000
Workforce	30%	115%	\$122,000

Inclusionary Housing Program

Provides additional floor area incentives for developments that preserve a percentage of their units for affordable housing. NYC adopted Mandatory Inclusionary Housing (MIH) in 2016.

Landmarks Preservation Commission (LPC)

The Landmarks Preservation Commission administers the city’s Landmarks Preservation Law to protect architecturally, historically, and culturally significant buildings and sites by granting them landmark or historic district status, and regulating them after designation.



$$\frac{2,500 \text{ sf footprint}}{5,000 \text{ sf lot}} = \mathbf{50\% \text{ lot coverage}}$$



$$\frac{5,000 \text{ sf footprint}}{5,000 \text{ sf lot}} = \mathbf{100\% \text{ lot coverage}}$$

Lot Coverage

Portion of a zoning lot which, when viewed from above, is covered by a building.

Low Income Housing Tax Credit (LIHTC) Preservation (“Year 15”)

Preserves the long-term affordability of LIHTC properties that are reaching the end of the initial tax credit compliance period that may include tax exemptions, loan subsidies, mortgage extension or modifications, or securing additional subsidies through debt.

Minor Modifications (to Prior ULURPs)

Changes that alter elements of a prior approval but do not alter or require waivers from the underlying zoning. Minor modifications are referred to the Community Board for a recommendation.

Mixed-Income Program (Mix + Match)

Subsidy for new construction of mixed-income multi-family rental projects in which 40-60% of units are affordable to households earning up to 80% AMI and the other 40-60% of units are affordable to moderate or middle income households earning up to 120% AMI.

National Environmental Policy Act (NEPA), 1970

NEPA requires federal agencies to assess the environmental effects of their proposed actions prior to making decisions.

New York City Housing Authority (NYCHA)

The New York City Housing Authority is the largest public housing authority in North America with more than 400,000 residents.

Participation Loan Program (PLP)

Low-interest loans and/or tax exemptions to rehabilitate housing for low to moderate-income households in multiple dwellings, including rentals, Mitchell-Lama developments, and HDFC co-ops with 3+ units.

Qualifying Ground Floor

A ground floor of a quality housing development where the second story is 13 feet or more above the level of the sidewalk.



When the suffix is a **letter**, it relates to contextual quality housing regulations. Higher maximum FAR and heights are available for buildings participating in the Inclusionary Housing Program or that provide certain senior facilities.

Quality Housing Program

The Quality Housing Program is a set of zoning regulations that intend to maintain the existing character of neighborhoods by giving incentives to developers with potentially higher building floor areas.

Regulatory Agreement

A written agreement between the Department (i.e. HPD) and the Sponsor to control the monitor and enforce controls upon the operation of a Project or Exemption Area, such as restricting the rent and occupancy of the Assisted Units.

Rent Burdened Households

An affordability measure in which households are defined as rent burdened if they spend more than 30% of their income for housing.

Request for Proposal (RFP) and Qualifications (RFQ)

Request made by an agency or company interested in procurement of a commodity or service that asks potential suppliers or developers to submit proposals.

Restrictive Declaration

A document a property owner records against title that binds current and future site owners to undertake any required testing and remediation as part of the proposed development of a building.

Senior Affordable Rental Apartments Program (SARA)

Low-interest loans to support the construction and renovation of affordable housing projects for seniors ages 62 and older.

Setback, Building Base

Portion of the building that is set back above the base height.

Site Selection

The selection of sites for new city facilities such as sanitation garages, fire houses, libraries and sewage treatment plants. A capital project is the construction or acquisition of a public improvement classified as a capital asset of the City.

Special Permit

May modify use, bulk or parking regulations if certain conditions and findings specified in Zoning resolution are met.

Split Lot

A lot that contains two or more zoning districts and is divided by a zoning district boundary.

State Environmental Quality Review Act (SEQRA)

Under SEQRA, enacted in 1975, all state and local government agencies must consider environmental impacts equally with social and economic factors when engaging in decision-making.

Supportive Housing Loan Program (SHLP)

Low-interest loans to support the development of permanent supportive housing with on-site social services.

Term Sheets (by HPD)

Information on programs to preserve and construct multifamily housing at a range of affordability levels throughout New York City. Available term sheets can be found [here](#).



If ULURP is approved:

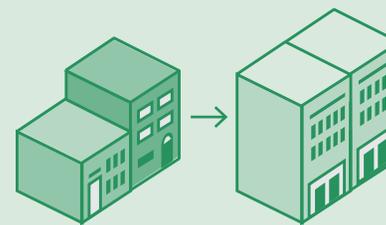


*** Mayor can veto, though CC can override the veto with a 2/3 majority vote**

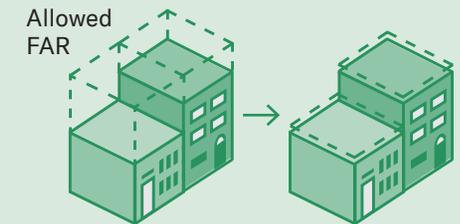
Uniform Land Use Review Procedure (ULURP)

ULURP is a standardized procedure whereby applications affecting the land use of the city would be publicly reviewed. The New York City Charter requires certain actions that are reviewed by the City Planning Commission to undergo a ULURP.

Upzoning



Downzoning



Upzoning and Downzoning

An increase or decrease of FAR in effort to promote development or preserve neighborhood scale respectively.

U.S. Department of Housing and Urban Development (HUD)

The Department of Housing and Urban Development administers programs that provide housing and community development assistance. The Department also works to ensure fair and equal housing opportunity for all.

Urban Development Action Area Program (UDAAP)

A tax exemption program for the rehabilitation or new construction of housing on formerly city-owned land that has been designated by the City as an urban renewal area.

Variances

Grants relief from the use and bulk provisions of the Zoning Resolution to the extent necessary to permit a reasonable or practical use of the land.

Zoning

Zoning is the classification of land through restrictions placed on its use (land use) and development.

Zoning Amendment

Modification of the zoning boundaries, districts and text, which affect individual and group lots.

RESOURCES

Buildings Information System (BISWEB)

Department of Buildings

The Department of Building's portal for researching specific properties and lots, including a building's complaints, violations, and actions such as demolitions or new building permits.

Zoning Application Portal (ZAP)

Department of City Planning

Online resource to review and download current and historical land use applications and find links to all related environmental review filings issued recommendations by Community Boards or Borough Presidents, the ULURP timeline for projects, and the dates of public hearings.

Zoning Districts Guide

Department of City Planning

Summary of zoning districts and uses including special purpose districts and rules for special areas.

Zoning and Land Use Map (ZoLa)

Department of City Planning

Research zoning regulations, community board boundaries, information for a district's elected officials, school and sanitation districts, and more. Property data connects to the Department of Buildings BISWEB.