



# LAND USE TRAINING

**NYC City Council**  
**November 19, 2021**



# HESTER ST



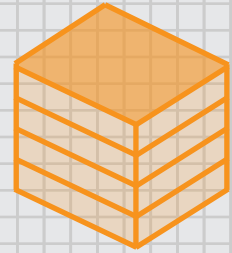
**Capacity Building**



**Planning + Design**



**Development**



# **AGENDA**

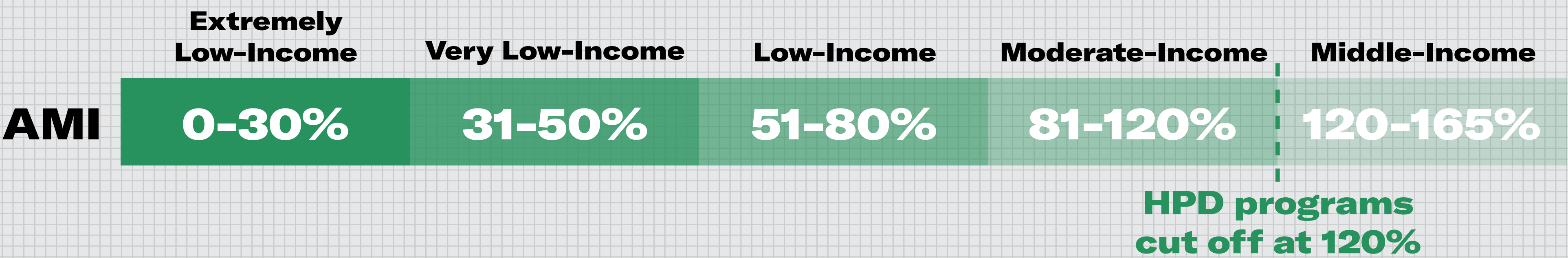
- 1. Affordable Housing**
- 2. Zoning: What is it? Why does it matter?**
- 3. Uniform Land Use Review Procedure (ULURP)**
- 4. Environmental Review**
- 5. Online Tools + Key Agencies**



# Area Median Income (AMI)

**The median household income for the region or neighborhood,** defined each year by the US Department of Housing and Urban Development. The [2021 AMI \(100%\) for the NYC region](#) for a 3-person family is **\$107,400.**

Households are defined as **“rent burdened”** if they spend **more than 30% of their income for housing.**





# Area Median Income (AMI)

## AMI

Family Size	Very Low-Income		Low-Income			Moderate-Income				Middle-Income			
	30%	40%	50%	60%	70%	80%	90%	100%	110%	120%	130%	165%	
	1	\$25,080	\$33,440	\$41,800	\$50,160	\$58,520	\$66,880	\$75,240	\$83,600	\$91,960	\$100,320	\$108,680	\$137,940
	2	\$28,650	\$38,200	\$47,750	\$57,300	\$66,850	\$76,400	\$85,950	\$95,500	\$105,050	\$114,600	\$124,150	\$157,575
	3	\$32,220	\$42,960	\$53,700	\$64,440	\$75,180	\$85,920	\$96,600	\$107,400	\$118,140	\$128,880	\$139,620	\$177,210
	4	\$35,790	\$47,720	\$59,650	\$71,580	\$83,510	\$95,440	\$107,370	\$119,300	\$131,230	\$143,160	\$155,090	\$196,845
	5	\$38,670	\$51,560	\$64,450	\$77,340	\$90,230	\$103,120	\$116,010	\$128,900	\$141,790	\$154,680	\$167,570	\$212,685
	6	\$41,520	\$55,360	\$69,200	\$83,040	\$96,880	\$110,720	\$124,560	\$138,400	\$152,240	\$166,080	\$179,920	\$228,360
	7	\$44,400	\$59,200	\$74,000	\$88,800	\$103,600	\$118,400	\$133,200	\$148,000	\$162,800	\$177,600	\$192,400	\$244,200
	8	\$47,250	\$63,000	\$78,750	\$94,500	\$110,250	\$126,000	\$141,750	\$157,500	\$173,250	\$189,000	\$204,750	\$259,875

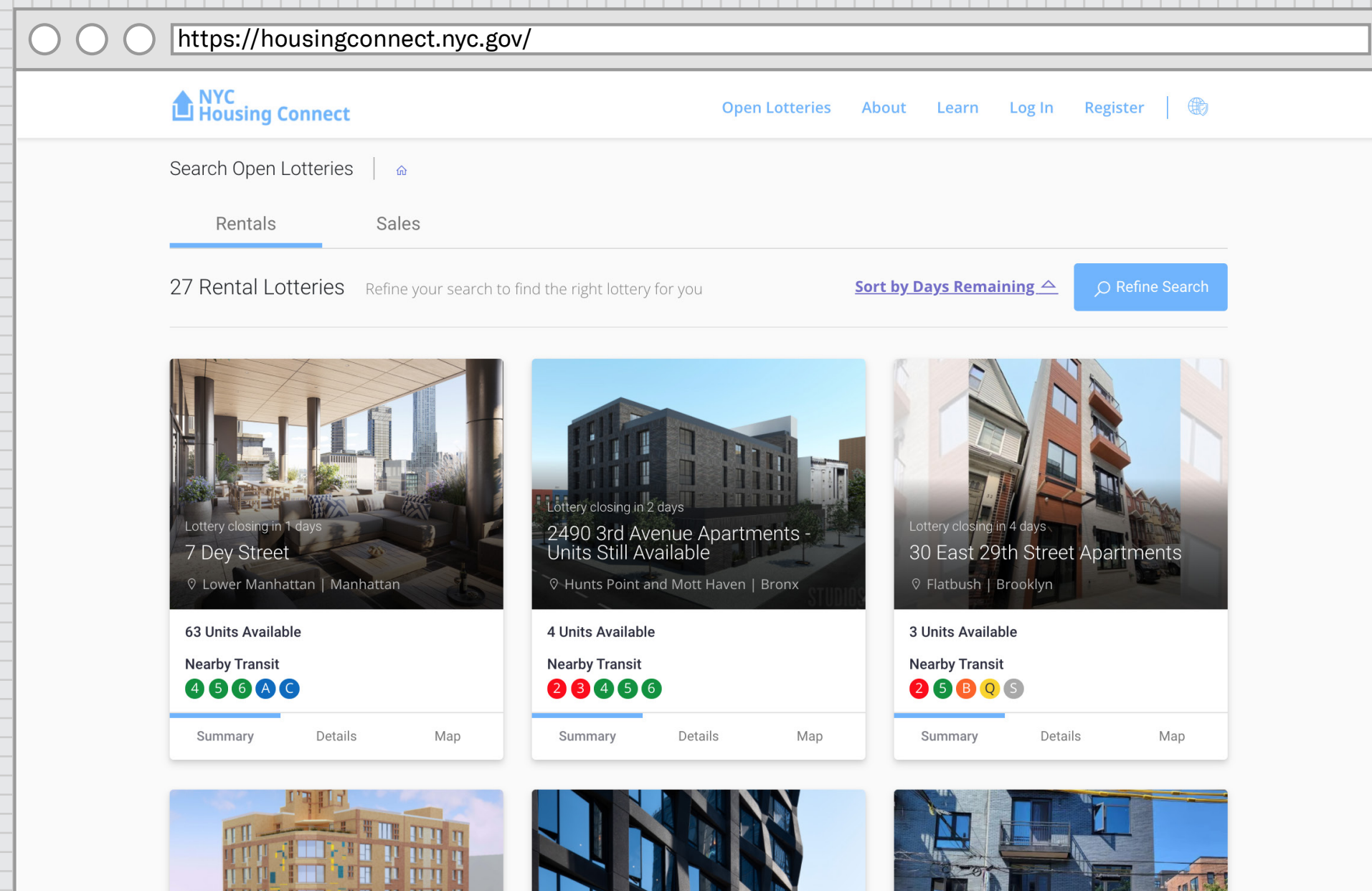
\* AMI is high in NYC because it includes the metro region

# Mandatory Inclusionary Housing (MIH)

A program in which **affordable housing would be mandatory and permanent** through a condition of residential development when developers build in an area zoned for MIH

	% 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%	60%	\$64,000
	+ 10%	40%	\$43,000
Option 2	30%	80%	\$86,000
Deep affordability	20%	40%	\$43,000
Workforce	30%	115%	\$122,000

# Affordable Housing Lottery + Community Preference



**Housing lotteries** for vacancies are held through the HPD online portal [NYC Housing Connect](https://housingconnect.nyc.gov/).

**Community Preference** is a longstanding NYC policy that reserves 50% of units in most subsidized affordable housing developments for residents of the local Community District.



# Types of Affordable Housing

[HPD Term Sheets](#) offer information on programs to preserve and construct multifamily housing at a range of affordability levels throughout New York City.

## New Construction Programs (New Buildings)

- Extremely Low- and Low-Income Affordability Program (ELLA)
- Mixed-Income Program (Mix & Match)
- Senior Affordable Rental Apartments Program (SARA)
- Supportive Housing Loan Program (SHLP)
- and more

## Preservation Programs (Existing Buildings)

- Participation Loan Program (PLP)
- Low Income Housing Tax Credit (LIHTC) Preservation (“Year 15”)
- Green Housing Preservation Program (GHPP)
- and more



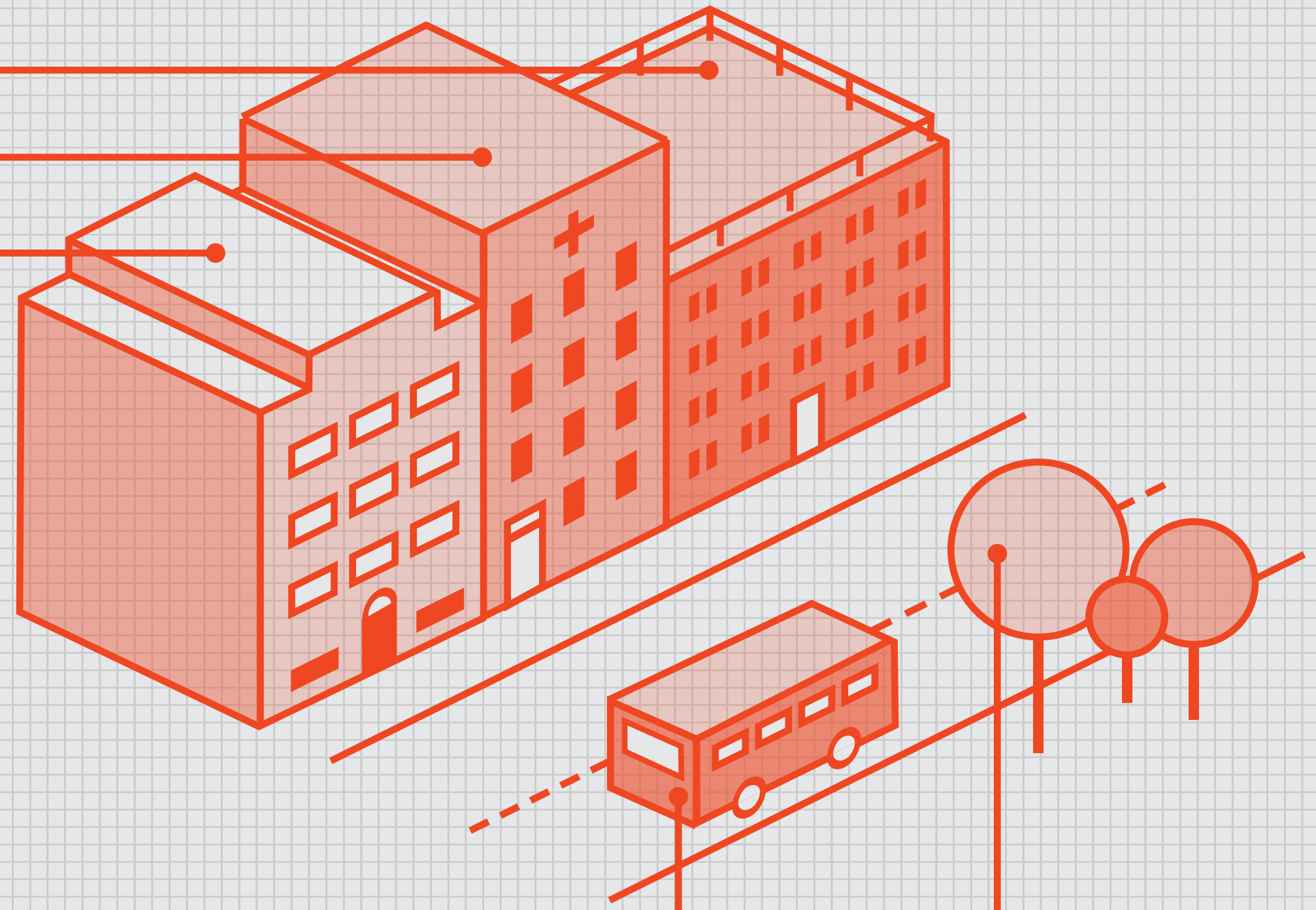
# What is zoning?

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

Zoning governs the size and use of buildings and has a huge impact on how the City looks and operates. The effects of zoning can be seen from individual buildings to neighborhood and city scales.

# Why does zoning matter?

**Housing**  
**Public Health**  
**Education**

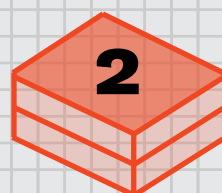


[www.menti.com](https://www.menti.com)

code: **1620 7990**

**Transportation**

**Environmental  
Health**







# Redlining + racial equity

**Zoning has a close relationship to redlining, where local governments legally enforced housing segregation through racist, exclusionary zoning laws.**

Zoning still has a massive impact on poor neighborhoods of color, such as the siting of public facilities and parks vs. factories, toxic uses, etc.



# What can zoning do?

## Regulate use groups

The Zoning Resolution lists 18 Use Groups (in Chapter 2 of Articles II, III and IV) that are characterized as:

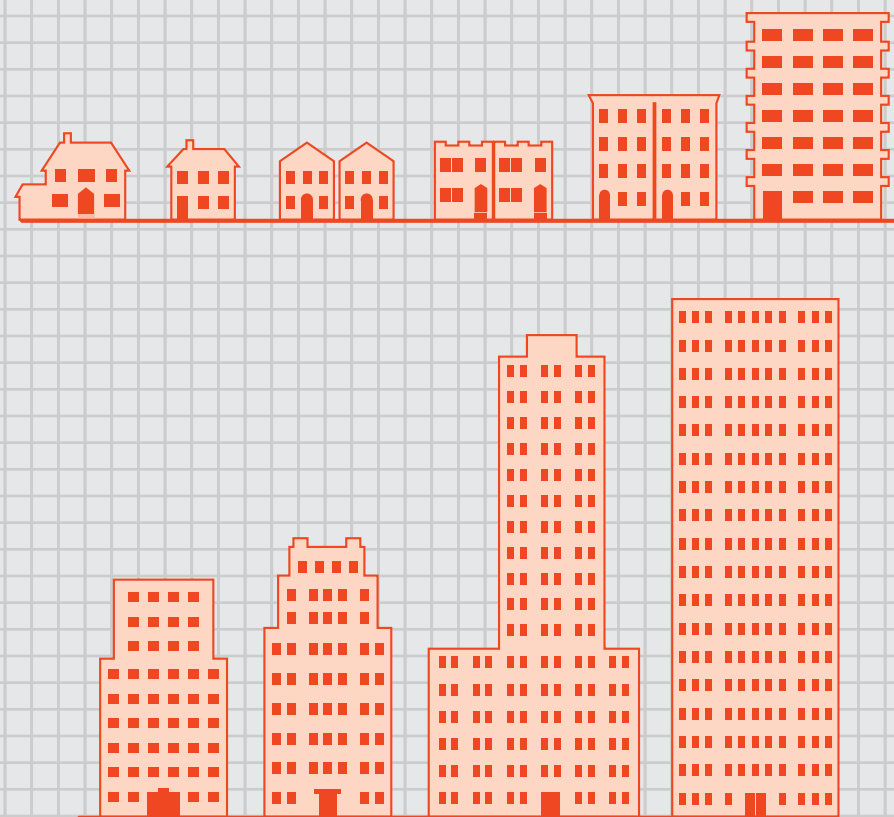
GROUPS	TYPE OF USE
1–2	Residential
3–4	Community Facility
5–9	Retail + Service
10–12	Commercial Center + Amusement
13–15	Waterfront + Recreation
16	Heavy Automotive
17–18	Industrial

# What can zoning do?

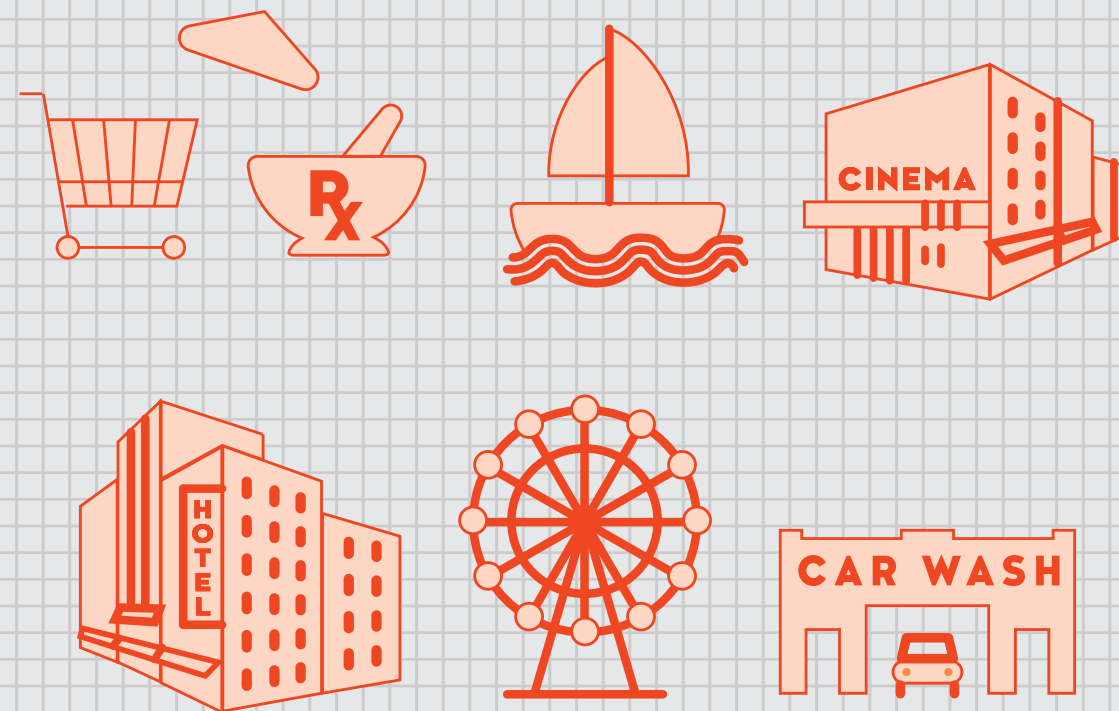
## Regulate districts

There are three primary District types:

### Residential



### Commercial



### Manufacturing



**+ Special Purpose Districts**



# What can zoning do?

**C2-5:** a commercial overlay on a primarily residential area. C2-5 zoning areas are typically found in Manhattan and Queens.



**Commercial use**

**Intensity**

**C2**

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

**Parking variations**

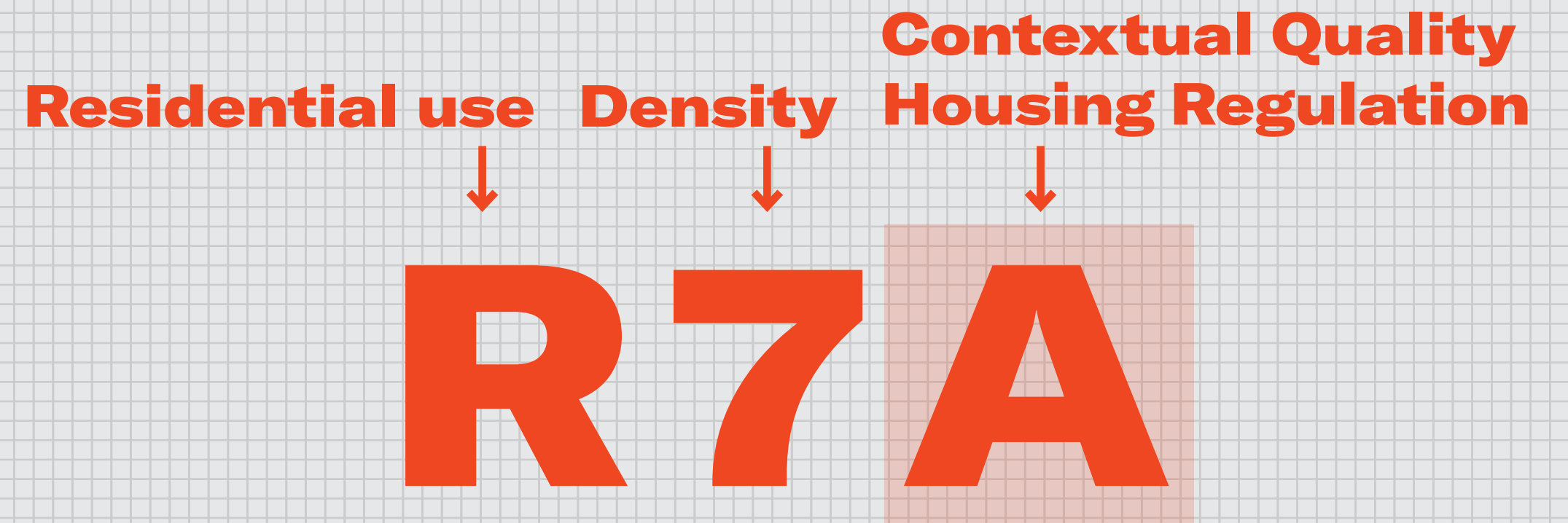
**-5**

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



# What can zoning do?

**R7A:** a medium density residential area, eg. Prospect Park (BK), Jackson Heights (Q), and Harlem + East Village (M).



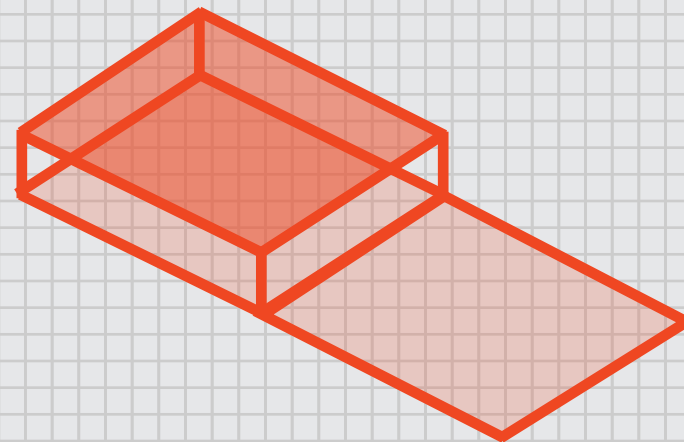
When the suffix is a **letter**, it relates to contextual quality housing regulations. Higher maximum FAR and heights are available for buildings participating in the Inclusionary Housing Program or that provide certain senior facilities.

# What can zoning do?

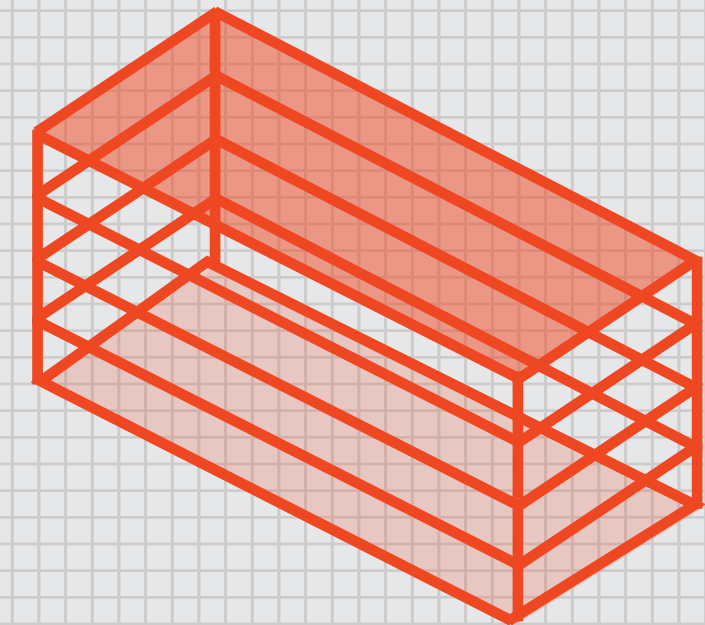
## Regulate building density and form

### Floor Area Ratio

Allowable floor area ratio (FAR) is the total square footage of a building divided by the square footage of the lot it's on. The higher the FAR, the more you can build on it.



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



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

### Lot coverage

The percentage of a lot area covered by a structure

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

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



# What can zoning do?

**Regulate the amount of open space and parking**

## **Building setback**

The distance that a building is setback from a street, road, or property line

## **Rear yards**

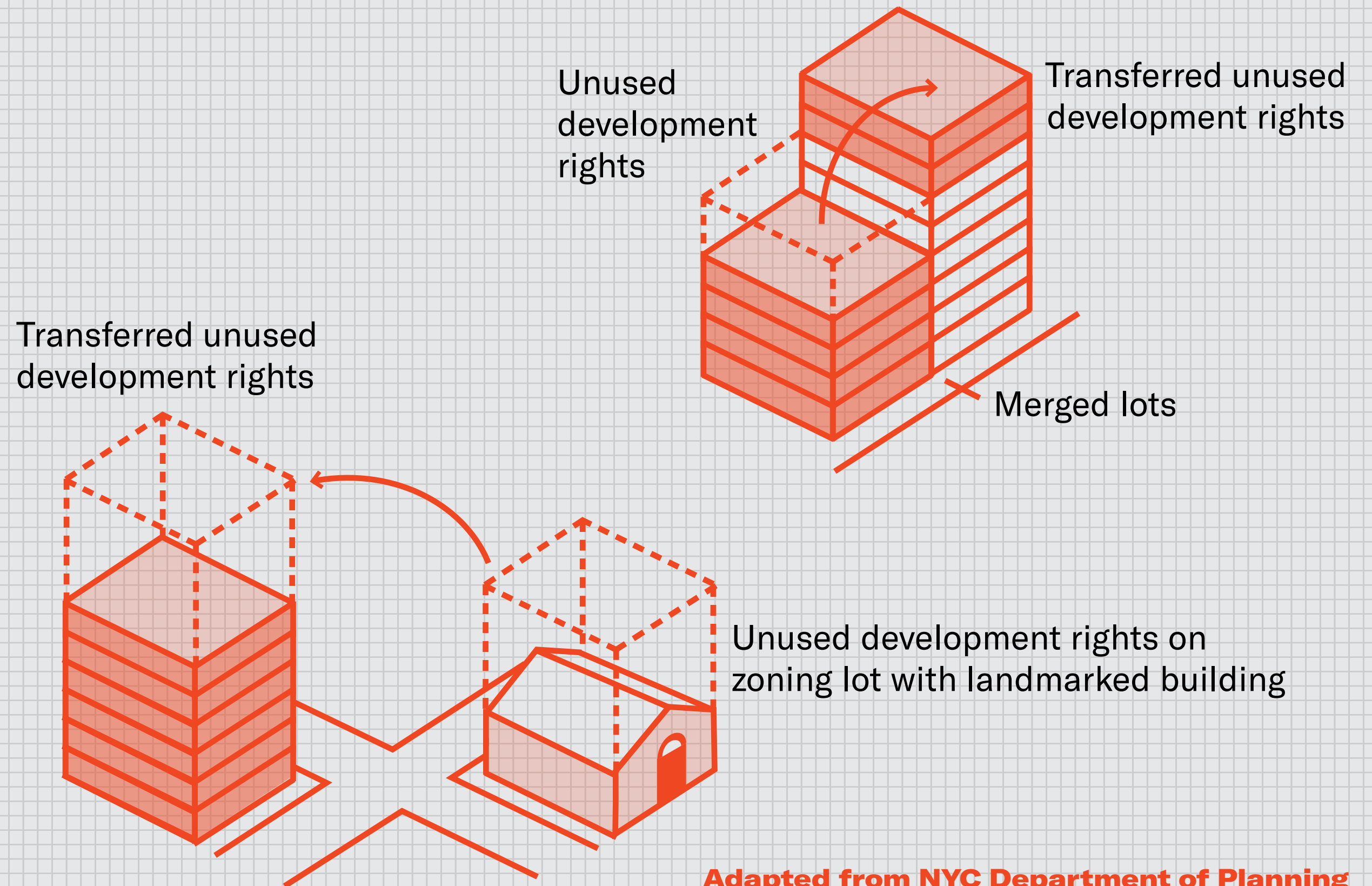
Regulating open space of the full width of a lot in between the nearest wall of any structure on the lot and the rear lot line



# What can zoning do?

## Generate air rights

**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.

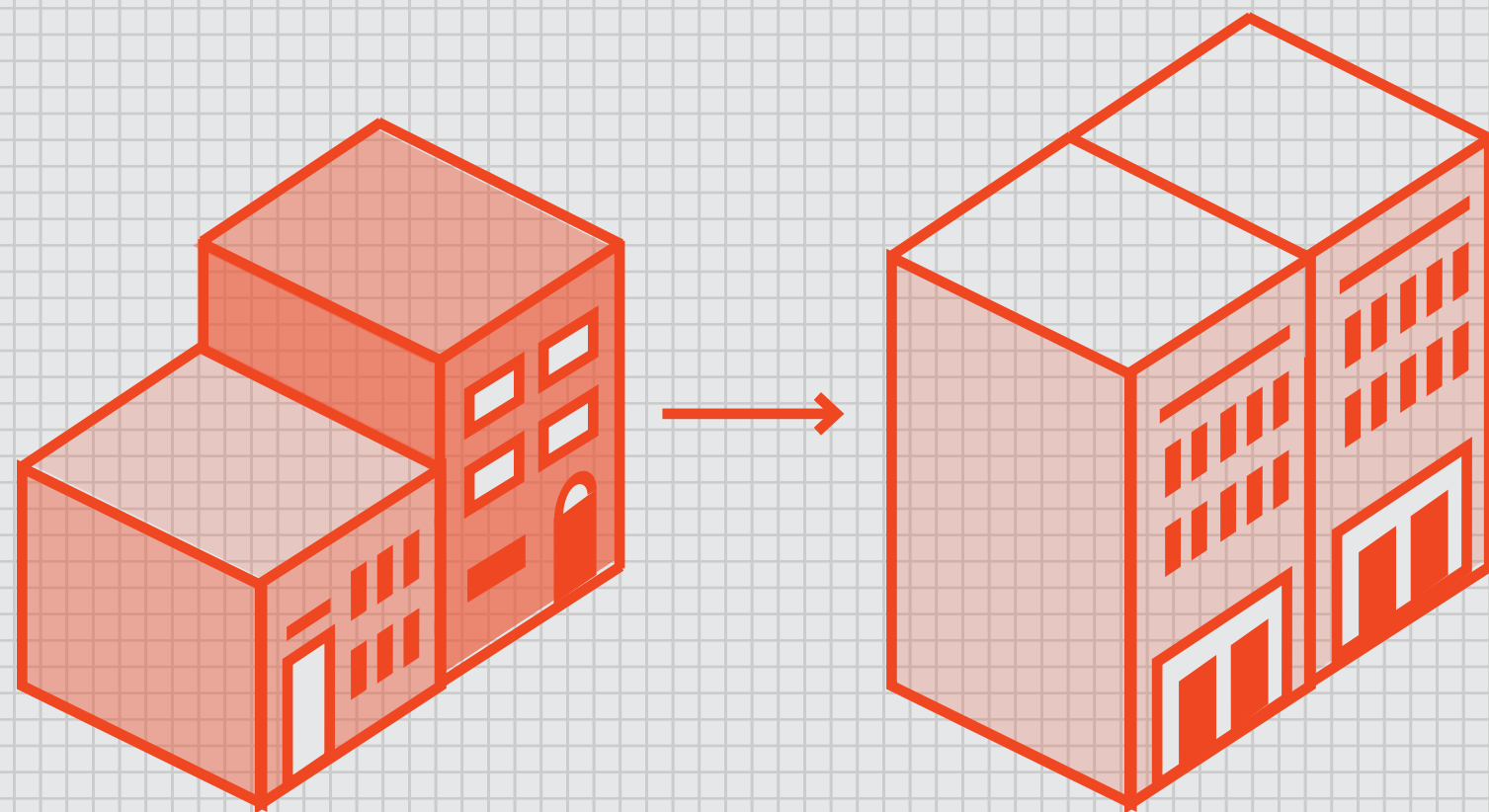


Adapted from NYC Department of Planning

# Types of zoning changes

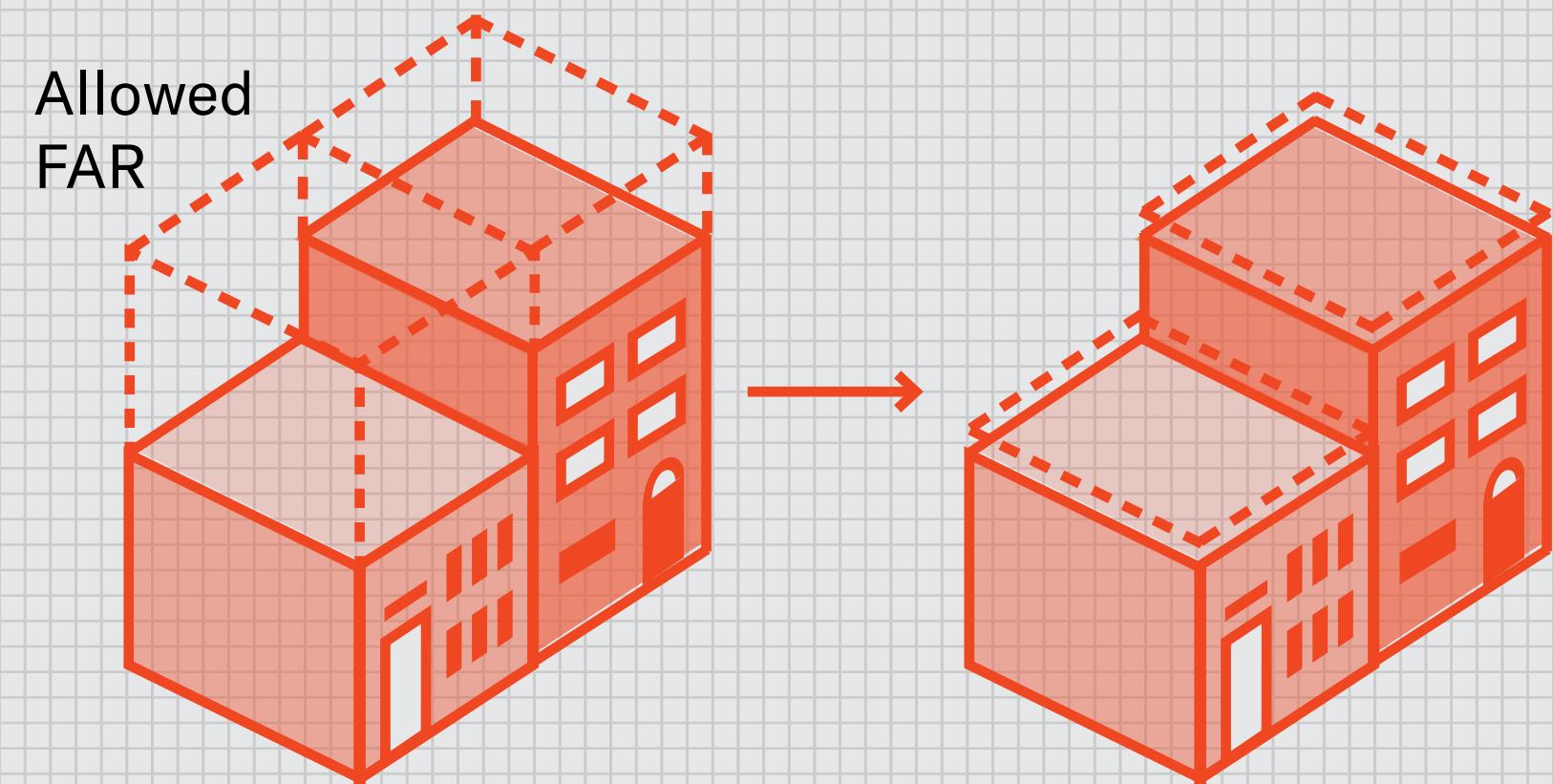
## Upzoning

Increasing zoning density in a particular neighborhood (i.e. upzoning on single residential lots to allow for multi-family buildings)



## Downzoning

Reducing zoning density is argued to preserve neighborhood character and enhance environmental benefits (congestion, pollution)



Adapted from Center for Urban Pedagogy



# What is the Uniform Land Use Review Procedure (ULURP)?

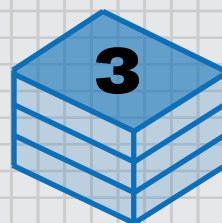
**ULURP is a standardized procedure whereby applications affecting the land use of the city would be publicly reviewed.**

The New York City charter requires that certain land use actions undergo ULURP.



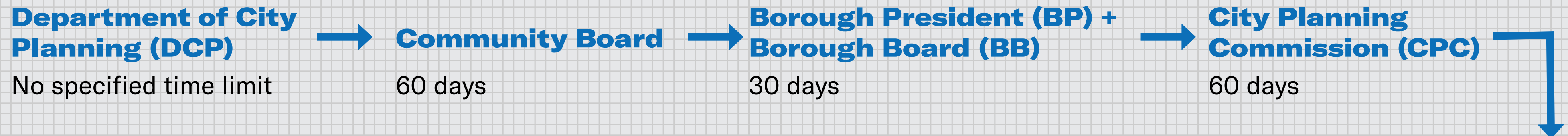
# **The City Charter requires ULURP for:**

- **Zoning map changes and zoning special permits**
- **Acquisitions and dispositions of City-Owned Property**
- **Site selection for Capital Projects**
- **Housing and urban renewal plans and projects pursuant to city, state and federal laws**
- **Revocable Consents, Request for Proposals, and other solicitations**

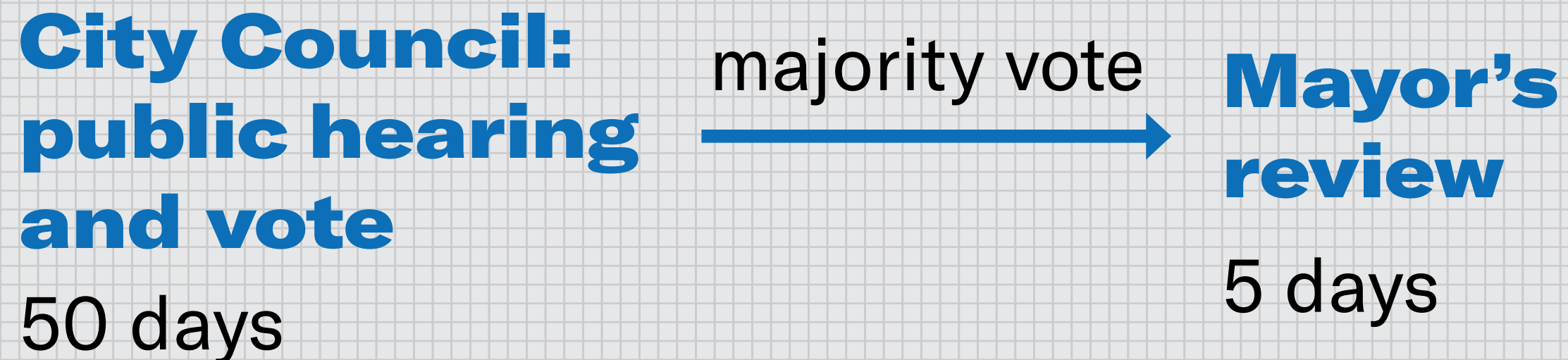




# ULURP timeline



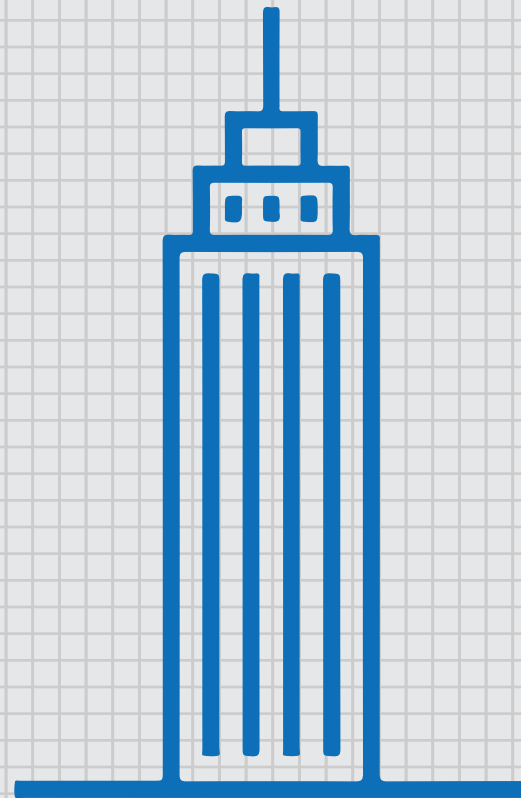
**If ULURP is approved:**



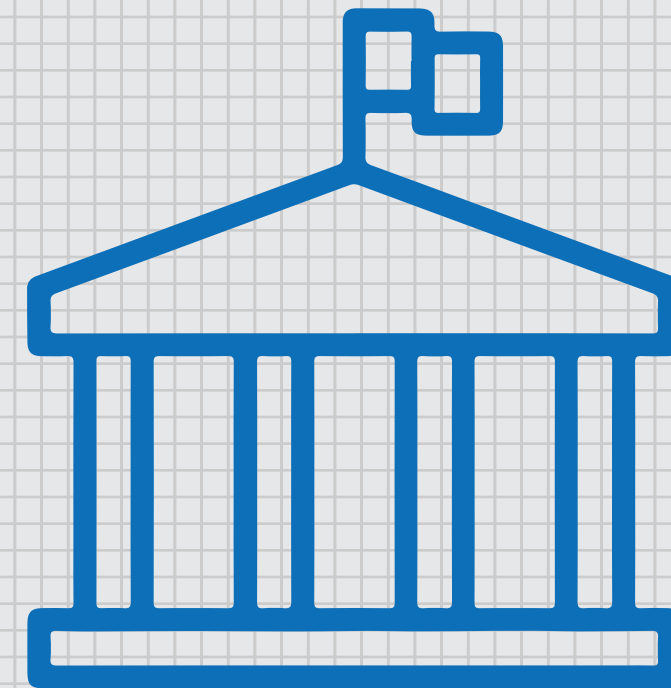
**\* Mayor can veto, though CC can override the veto with a 2/3 majority vote**

# Types of land use applications

## Private applications



## City-initiated applications





# Environmental Review: Fed, State, + City

**National Environmental Policy Act of 1969 (NEPA)**

**State Environmental Quality Review Act (SEQRA)**

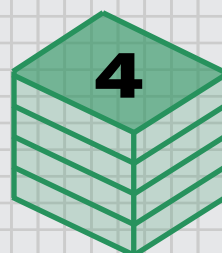
**City Environmental Quality Review (CEQR):** In addition to ULURP, most discretionary land use actions in New York City are subject to the City Environmental Quality Review (CEQR) process.

## What projects need review under CEQR?

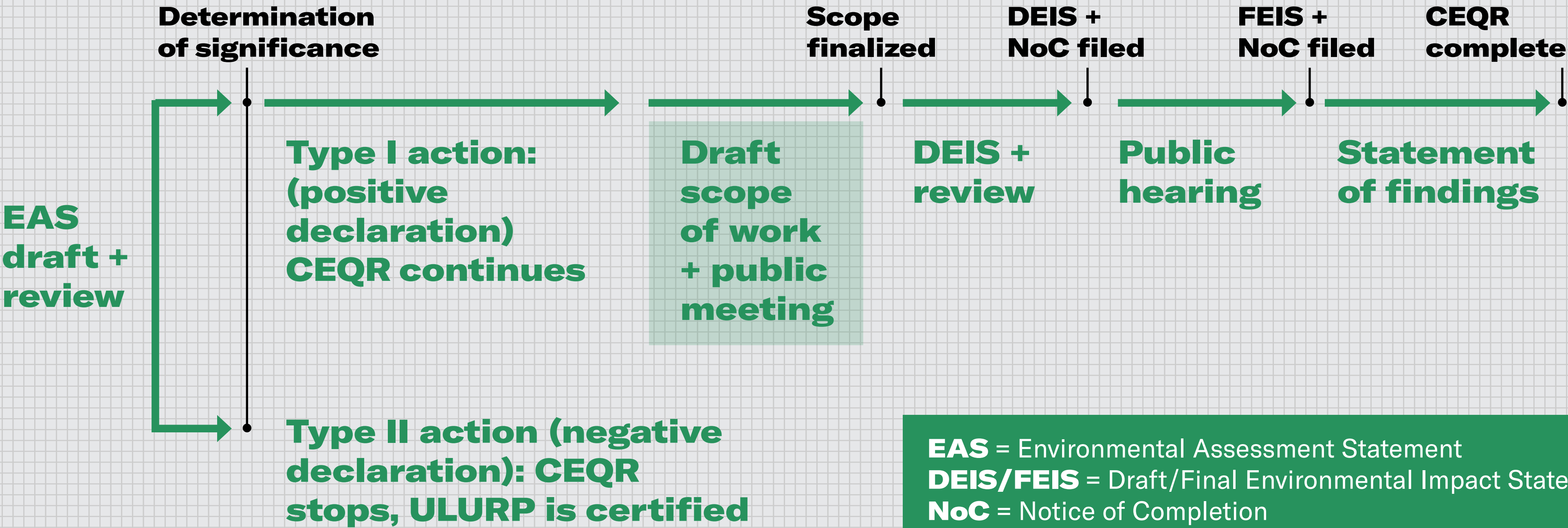
**Projects that need discretionary approvals or permits from a City agency**

**Projects that request City funding**

**Projects that are being directly undertaken by a city agency**

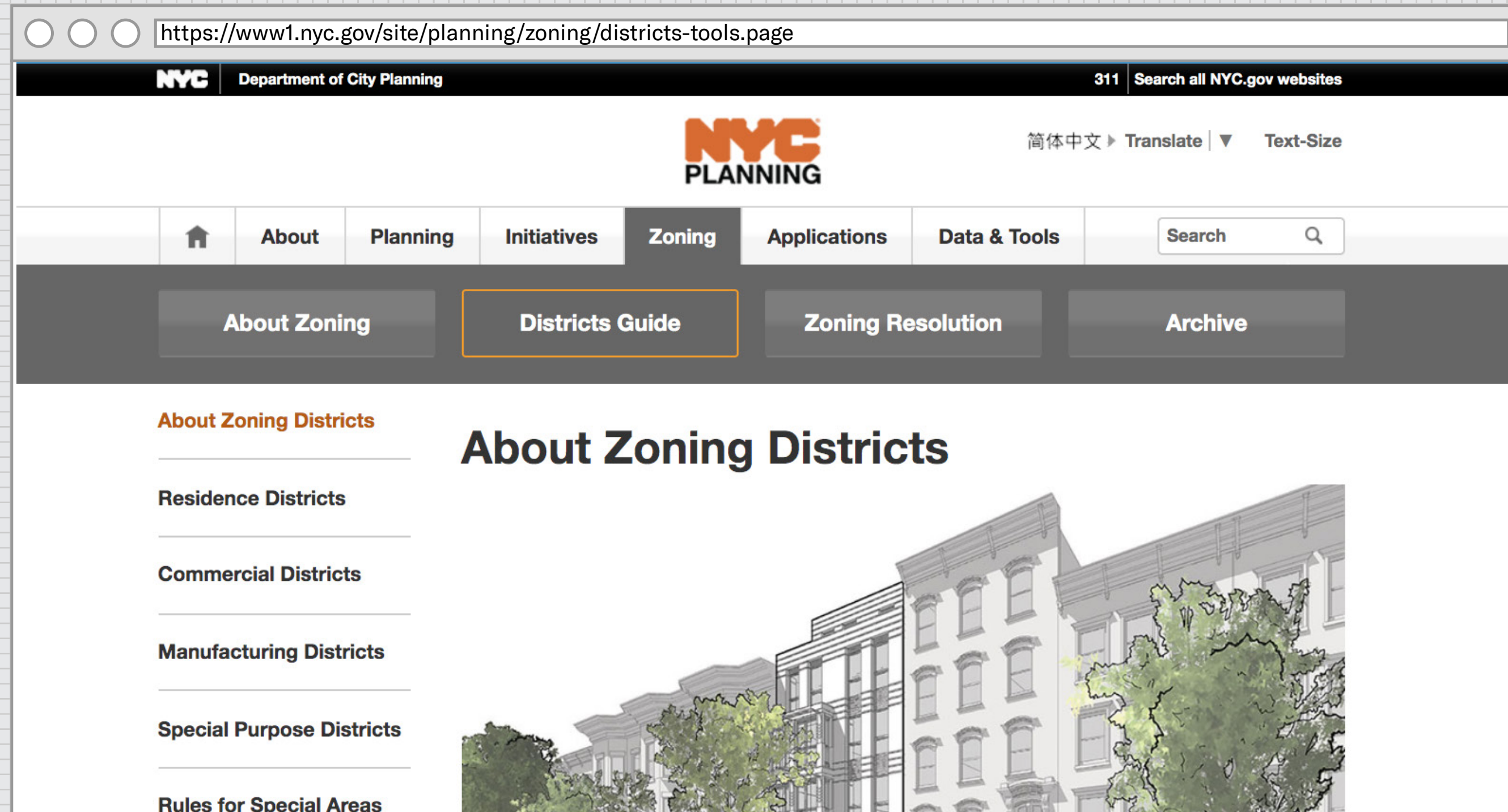


# CEQR Timeline

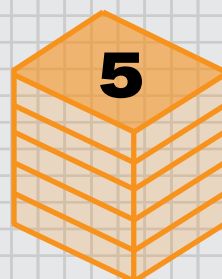




# NYC Zoning Districts Guide



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



**Online Tools + Key Agencies**

# Zoning Application Portal (ZAP)

https://zap.planning.nyc.gov/projects

A beta project of NYC Planning Labs

**NYC PLANNING** Zoning Application Portal

Find Projects Sign In

Zoom to Address...

Noticed  
Filed  
In Public Review  
Completed

Filter Projects

PROJECT STATUS ☐ Filed ☒ Noticed ☒ In Public Review ☐ Completed ☐ Unknown

TEXT MATCH Enter an exact phrase, name, or number...

RADIUS FILTER Click the map to add a point

DATE CERTIFIED / REFERRED 2016 2021

BOROUGH / BLOCK ☐ Citywide ☐ Manhattan ☐ Bronx ☐ Brooklyn ☐ Queens ☐ Staten Island

115 projects match your filters listing 1-115 Download

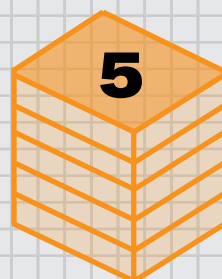
**103 Lee Avenue** November 8, 2021  
Noticed  
Sbeny Holdings LLC — A zoning map amendment from an R6 and R6/C1-3 to R7X/C2-4 district, and a zoning text amendment to establish an MIH area...  
Brooklyn | CD 1 ULURP CEQR 20DCP144K

**Castle III: 107-111 E 123rd Street** November 8, 2021  
In Public Review  
HPD - NYC Dept of Housing Preservation & Development — The applicant, HPD seeks seeks an UDAAP designation and disposition of city-owned land and a special permit (ZR 74-903) ...  
Manhattan | CD 11 ULURP CEQR 21HPD004M

**1930 Adee Avenue Rezoning** November 8, 2021  
Noticed  
Richard Lobel — A Zoning Map and Text Amendment from R4 to R6B with MIH to facilitate a two-story, 14,264 square-foot daycare community ...  
Bronx | CD 12 ULURP CEQR 21DCP150X

**1220 Avenue P Rezoning** November 8, 2021

Review and download land use applications currently in public review, including all related environmental review filings, issued recommendations, and dates of public hearings.



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Online Tools + Key Agencies



# NYC Zoning + Land Use Map (ZoLa)

**NYC PLANNING ZoLa** New York City's Zoning & Land Use Map

About Features Data Saved

Search... BBL Lookup

**Zoning and Land Use** 3

- ☐ Tax Lots
- ☐ Show Land Use Colors
- ☒ Zoning Districts
  - ☒ Commercial Districts
  - ☒ Manufacturing Districts
  - ☒ Residence Districts
  - ☒ Parks
  - ☒ Battery Park City
- ☐ Commercial Overlays
  - ☒ C1-1 through C1-5
  - ☒ C2-1 through C2-5
- ☐ Zoning Map Amendments
- ☐ Pending Zoning Map Amendments
- ☐ Special Purpose Districts
- ☐ Special Purpose Subdistricts

**Supporting Zoning Layers**

**Welcome to New York City's zoning & land use map.**

ZoLa provides a simple way to research zoning regulations. Find the zoning for your property, discover new proposals for your neighborhood, and learn where City Planning initiatives are happening throughout the City.

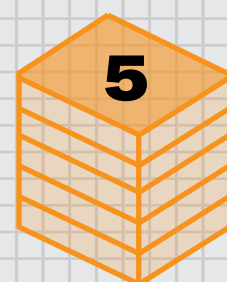
**Zoning Questions**

For general zoning questions, read the **Zoning Help Desk FAQ**. If your question isn't answered there, call **212-720-3291** during business hours (8:30AM–5:30PM, Monday–Friday, closed on legal holidays). Leave a detailed message with your block and lot information, and a zoning specialist will get back to you within two business days. Or fill out the **Zoning Information Inquiry Form**.

**Application Feedback**

To let **@NYCPlanningLabs** know how this app could be better, **add a GitHub Issue**, Tweet **#ReimagineZoLa**, or send an email to

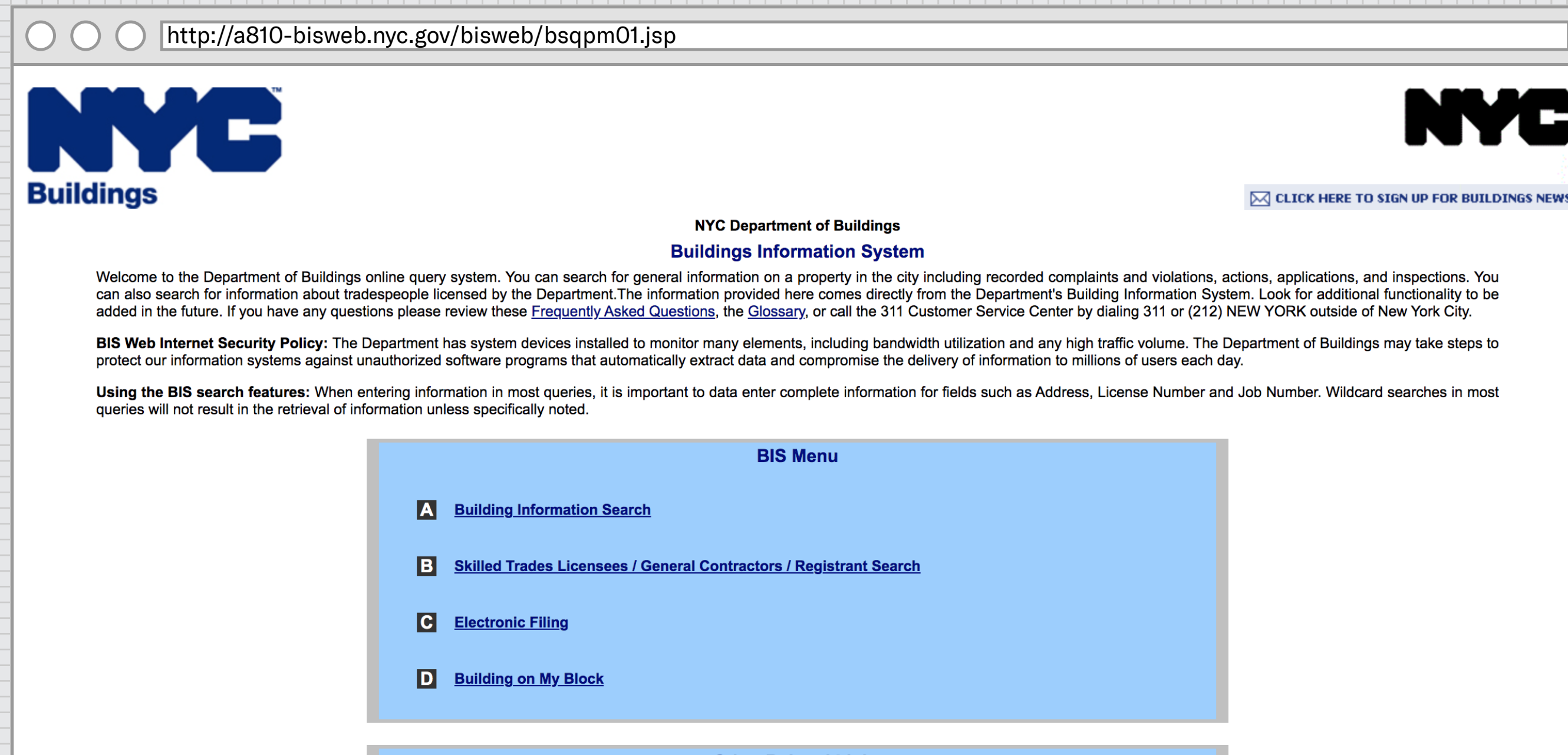
Research zoning regulations, community board boundaries, information for a district's elected officials, school and sanitation districts, and more. Property data connects to the Department of Buildings BISWEB.



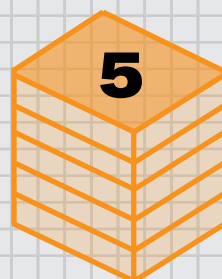
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**Online Tools + Key Agencies**

# Building Information System (BISWEB) - Department of Buildings



Search for general information on a property including complaints, violations, and actions such as demolition or new building permits.



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**Online Tools + Key Agencies**



# Key Agencies

**Department of City Planning (DCP):** 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, eg. changes to the city map and designation of districts.

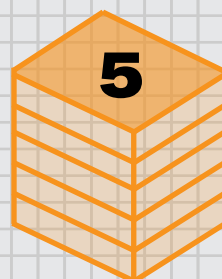
**Department of Buildings (DOB):** Primary regulator of residential and commercial construction and real estate.

**Economic Development Corporation (EDC):** A nonprofit organization that uses city resources to promote economic growth and arrange public-private partnerships between city agencies and private businesses.

**Housing Development Corporation (HDC):** The country's largest municipal housing finance agency, finances the development and preservation of affordable housing.

**Department of Housing Preservation and Development (HPD):** Responsible for developing and maintaining the city's stock of affordable housing, including enforcement of the Housing Maintenance Code.

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



**Q+A**