

COY HOUSING ISSUES FOR LOW-DENSITY DISTRICTS

The following evaluates selected proposals impacting for R1 through R5 Districts. Issues of concern appear in bold face. Suggested changes are capitalized and bold.

General Comments

Challenge assertion that “restrictive zoning is by far the leading cause of the dire housing shortages...” There are many other causes, including financing and local opposition. Furthermore, **the assumption that just increasing supply will generate lower cost housing has not held true, especially amidst gentrification trends in New York City.**

If construction of “missing middle” housing dwindled because of “prejudice and exclusion”, zoning was not the cause of that gap.

Despite COY for Housing Opportunity’s stated objective, there is no guarantee that any housing built will be affordable! 20% FAR increase for “affordable” housing (not defined) is voluntary. **ADD MANDATES FOR AFFORDABLE HOUSING.**

“One size fits all” approach is misguided for a city of distinct neighborhoods. MANY PROPOSED MEASURES NEED REFINING TO SUIT LOCAL CONTEXTS.

ELIMINATING PARKING REQUIREMENTS FOR ALL NEW RESIDENTIAL DEVELOPMENT CITYWIDE MAY BE TOO BROAD, CONSIDER ADJUSTMENTS.

City’s purpose is to allow space for more housing units. Reducing automobile traffic is worthy-- although not the goal here—but not suitable for all neighborhoods. Furthermore, developers may still provide parking where the market demands.

R1 through R5 Districts

Density Measures

COY proposal would increase FAR (floor area ratio) in low-density districts, allow Ancillary Dwelling Units (ADUs), increase perimeter and maximum height limits, reduce yard requirements, eliminate open space ratio, reduce minimum lot size and lot widths.

The proposed reduction in minimum lot sizes and lot widths, especially in R1 and R2 Districts where they would be halved, would significantly affect neighborhood character. ELIMINATE CHANGES TO BULK REGULATIONS IN LOW-DENSITY DISTRICTS. (ZR 23-00 Bulk Regulations in Residential Districts) See District Fixes Table from the Department of City Planning, attached.

Single and two-family residences could add ADUs up to 800 sq. ft., 2 stories or 25 feet high, covering 50% of rear yard (or rear yard equivalent on through lots) and if free-standing only 5 feet from rear or side lot line.

- ADUs can be free standing buildings, garage conversions/additions, basement apartments, extension of existing house (within FAR limit).

- **While the administration touts ADUs as a source of affordable housing, they are not likely to generate many units and there is no affordability requirement.**
- **ADUs are a good option, but 50% of rear yard should is too high. REDUCE ALLOWABLE REAR YARD COVERAGE TO 25%.** Allowing ADUs only 5 feet from a lot line could impact neighbors. (ZR 23-341 (4))

Relax regulations on Landmark Transfer of Development Rights

- Add R1 through R5 Districts to TDR program.
- Allow transfers on same block or across street or intersection (not just adjacent).
- **Authorization (non-ULURP) instead of special permits for bulk modifications.**
- Expand program to historic districts.
- **Good to promote preservation, but could add density outside landmark context.**

Transit Zones (newly defined term replaces “Transit Oriented Development”):

The amendments are designed to encourage small apartment buildings near subway or rail stations in R1-R5 districts, by creating a new concept #qualifying residential sites# where additional density would be permitted, even in zones that allow single family houses only.

Although convoluted, the following terms from the ZR text are integral to understanding the proposed rules.

A “qualifying residential site” is a #zoning lot# that is:

(a) in an R1 through R5 District, and meets the following criteria:

(1) has a minimum #lot area# of at least 5,000 square feet;

(2) is located with the #Greater Transit Zone# (i.e. within ½ mile of transit station; or

(3) has frontage along a #wide street# or along the #short dimension of a block#; or

(b) in an R1 through R5 District, is located within the #Greater Transit Zone# and contains a #community facility# #use#; or

(c) in an R1 through R5 District outside of the #Greater Transit Zone#, has a minimum #lot area# of at least 5,000 square feet and contains a #community facility# #use# existing on [adoption date]; or

(d) in a C1, C2 or C4 District mapped within, or with a #residential equivalent# of, an R1 through R5 District; or

(e) in an M1 District paired with an R1 through R5 District.

Transit Zones:

1. The Inner Transit Zone incorporates certain areas where reduced parking provisions for income restricted housing would apply:

(a) within the boundaries shown in Appendix I of Zoning Resolution: all of Manhattan Community Districts 9, 10, 11, 12; all of Bronx CDs 1, 2, 4, 5, 6, 7; all of Brooklyn CDs 1,2, 3, 4, 6, 7, 8, 9, 16;

- (b) within the #Manhattan Core#, CDs 1-8 as defined in Section 12-10, with the exception of Governors Island in Community District 1;
 - (c) within the #Long Island City area#, as defined in Section 16-02;
 - (d) Portions of other Community Districts as shown on Transit Zone Maps 1 through 15 in Appendix I. (Note: Appendix I does not appear in the text.)
2. The Outer Transit Zone is the area outside of the Inner Transit Zone that is comprised of #blocks# that are wholly or partially within a half-mile of a #mass transit station#.
 3. The #Greater Transit Zone# is the area comprised of both the #Inner Transit Zone# and #Outer Transit Zone#.

On qualified sites the following would be allowed:

- **Apartment buildings in R1-R5 Districts within ½ mile of a transit station.**
- **Apartment buildings in R1-R5 Districts on sites over 5,000 sq ft. and facing a wide street (over 75 feet wide) or located on the short end of a block.** (Newly defined term—the “short dimension of a block” shall be a #block# frontage measuring less than 230 feet in length between two intersecting #streets#.)
- **Relaxed regulations for infill on campuses over 1.5 acres and full-block sites by relaxing regulations,** e.g. rear yard equivalents no longer required; height-limited infill residential coverage up to 50% of lot (45’ R3-2, 55’ R4, 65’ R5).
- **ADUs within ½ mile of transit in R1-R5 throughout the Greater Transit Zone on sites at least 5,000 sq. ft. located on a 75’ wide street or on the short end of a block.**
- **Most importantly: it would allow “any type of residence”, even if district allows only single family detached homes.**
- **Multifamily dwellings could be built to FAR 1.0 in R1 and R2 Districts (instead of 0.75) and R5 levels in R3, R4 and R5 (1.5).**
- Eliminate dwelling unit factor (minimum average size), to allow smaller units in the Inner Transit Zone.
- Outside of the Inner Transit Zone the maximum number of units in multiple dwellings shall equal the maximum residential floor area permitted on the zoning lot divided by 500. (ZR 23-52)
- Further bulk relaxation for “transportation infrastructure-adjacent frontage” containing elevated rail line, etc. (reflects COY EO modifications).

Town Centers

- In R1 and R2 Districts with commercial overlays, and C4-1 Districts (R5 residential equivalent), increase allowed FAR for buildings with residential units above ground floor businesses—total FAR 1.5 R1, R2 and R3, 2.0 R4, 2.5 in R5. Also increase base height and maximum height.
- Within the Greater Transit Zone, regardless of underlying zoning, allow 2.5 FAR for mixed commercial/residential buildings in all commercial corridors.
- Remove off-street parking mandates.

These Town Center measures do not appear problematic. In some places they are consistent with what already exists, and a few additional residential floors above storefronts is a reasonable way to provide more housing.

Conclusion

Beyond the issues outlined above, the COY for Housing Opportunity zoning text is littered with relaxed regulations, primarily regarding bulk. They seem designed to provide developers with maximum flexibility. Without scrutinizing every item—which the DEIS certainly does not do—it is difficult to judge the overall impact. The zoning text is packed with details, both generic and specific, that may be positive, innocuous or detrimental. It is simply too fraught to merit support.

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Attachment

District Fixes Table

Resources

The table below shows the maximum FAR, as well as the base building heights and maximum building heights for each zoning district. In gray are the proposed zoning changes that would expand flexibility to build more housing in these districts. Highlighted columns represent examples show on Page 22.

| | | Min. Lot Size | | Min. Lot Width | | FAR | | Max Base Height | | Max Height | |
|-------------------------|--------------------------|---------------|----------|----------------|----------|---------|----------|-----------------|----------|------------|----------|
| | | Current | Proposed | Current | Proposed | Current | Proposed | Current | Proposed | Current | Proposed |
| Single-Family Districts | Allowed Housing Typology | | | | | | | | | | |
| | R1-1 | 9,500 | 4,750 | 100 | 50 | 0.50 | 0.75 | 25 | 25 | 25 | 35 |
| | R1-2 | 5,700 | 4,750 | 60 | 50 | 0.50 | 0.75 | 25 | 25 | 25 | 35 |
| | R1-2A | 5,700 | 4,750 | 60 | 50 | 0.50 | 0.75 | 25 | 25 | 35 | 35 |
| | R2X | 2,850 | 2,850 | 30 | 30 | 1.00 | 1.00 | 21 | 25 | 35 | 35 |
| | R2 | 3,800 | 2,850 | 40 | 30 | 0.50 | 0.75 | 25 | 25 | 25 | 35 |
| R2A | 3,800 | 2,850 | 40 | 30 | 0.50 | 0.75 | 21 | 25 | 35 | 35 | |
| Two-Family Districts | R3-1* | 3,800 | 2,375 | 40 | 25 | 0.60 | 0.75 | 21 | 25 | 35 | 35 |
| | R3A | 2,375 | 2,375 | 25 | 25 | 0.60 | 0.75 | 21 | 25 | 35 | 35 |
| | R3X | 3,325 | 2,850 | 35 | 30 | 0.60 | 0.75 | 21 | 25 | 35 | 35 |
| | R4-1* | 2,375 | 2,375 | 25 | 25 | 0.90 | 1.00 | 25 | 25 | 35 | 35 |
| | R4A | 2,850 | 2,375 | 30 | 25 | 0.90 | 1.00 | 21 | 25 | 35 | 35 |
| | R4B* | 2,375 | 2,375 | 25 | 25 | 0.90 | 1.00 | -- | -- | 24 | 25 |
| R5A | 2,850 | 2,375 | 30 | 25 | 1.10 | 1.50 | 25 | 25 | 35 | 35 | |
| Multi-Family Districts | R3-2* | 3,800 | 2,375 | 40 | 25 | 0.60 | 0.75 | 21 | 25 | 35 | 35 |
| | R4* | 3,800 | 2,375 | 40 | 25 | 0.90 | 1.00 | 25 | 25 | 35 | 35 |
| | R5* | 3,800 | 2,375 | 40 | 25 | 1.25 | 1.50 | 30 | 35 | 40 | 45 |
| | R5B* | 2,375 | 2,375 | 25 | 25 | 1.35 | 1.50 | 30 | 30 | 33 | 35 |
| | R5D* | 2,375 | 2,375 | 25 | 25 | 2.00 | 2.00 | -- | -- | 40 | 45 |

*If other permitted housing type not listed in table no change to minimum lot size at 1,700 square feet and no change to minimum lot width at 18 feet.

R1-2A, R4-1, and R5B examples on page 22

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