ZONING FOR QUALITY AND AFFORDABILITY

GOAL: Relax zoning requirements to make it easier to build affordable housing and market rate housing with a particular emphasis on seniors.

Original Proposal:

- Long list of zoning changes to make it easier to build
- Allow additional height, both for market rate housing & affordable housing
- Reduce parking requirements in specific areas (the "Transit Zone") for affordable housing and affordable housing for seniors
- Create 'bonus' for affordable senior housing and "long term care facilities" (nursing homes and assisted living)

Council Modifications:

The City Council's modifications to ZQA centered on ensuring robust public review, narrowing and focusing the proposal to maximize affordable and senior housing development, meeting the parking needs of communities with limited transit access, and protecting the character of our neighborhoods.

Focusing proposal on development of affordable housing and senior affordable housing
The Council will ensure that the stated goals of ZQA are fulfilled by requiring that any development on existing affordable or senior affordable housing parking lots must further the creation or preservation of affordable housing.

ZQA: BSA waiver for removing existing parking for affordable housing within the Transit Zone
Council: Any new development on these sites would be required to further the creation or preservation of affordable housing.

ZQA: BSA waiver for existing affordable senior housing parking outside the Transit Zone
Council: Modifying to require that any new housing built on parking lot be affordable.

ZQA: Would have allowed for waivers of height & setback for market rate buildings
Council: Remove BSA permit for irregular sites from ZQA

Parking
ZQA: "Transit Zone" (removing parking requirements for affordable and senior housing) includes large areas of the outermost outer boroughs
Council: Pare back the "Transit Zone" designated area at the outer edges of Brooklyn, Bronx, and Queens to ensure adequate parking for car-dependent neighborhoods.

ZQA: BSA waiver for market rate parking requirements in a mixed-income building within the Transit Zone
Council: Replace this BSA permit with full CPC Special Permit to ensure that no market-rate parking reductions take place without full ULURP and Council Member approval.

**This document is a simplified summary. For the actual regulations please consult the full modified Zoning Text.*

Protect fundamentals of neighborhood context

In order to protect the character, light, and air of New York City's communities, the Council will eliminate or scale back many of the proposed height increases, density increases, and changes to building form.

Height Changes

ZQA: proposed a 5' height increase for market-rate development in medium-high density Contextual Districts (R5D, R6-R8 districts)

Council: 5' increase only outside Manhattan Core (Manhattan Core is south of 110th St on the West Side and 96th St on the East Side), and R6A, R6B, R7A, R7D, R8A, or R8X districts buildings must have commercial or community facility ground floor space.

ZQA: Proposed building height increases up of up to 15 to 35 feet for Affordable Senior Housing and Inclusionary Housing

Council: R7A height limits with affordable/senior housing lowered to 95' from proposed 105' R7D lowered to 115' from proposed 125'.

ZQA: Proposed 65 ft height limit for affordable senior housing (AIRS) developments in low-density R3-2, R4 and R5 zones

Council: R3-2 – Maintain existing height limits (35 ft)

R4 -- 45 ft height allowed ONLY if the property is not or has not been occupied by a 1-2 family home during prior 3 years (otherwise current 35' height maintained)

R5 -- 45 ft height allowed ONLY if the property is not or has not been occupied by a 1-2 family home during prior 3 years (otherwise current 40' height maintained)

If the property is not or has not been occupied by a 1-2 family home during prior 3 years, 55 ft will be allowed if one of the following conditions is also met:

- *Less than 50% of the block consists of 1-2 family homes*
- *On or adjacent to zoning lot with an existing building taller than 45 ft*
- *Zoning lot larger than 1.5 acres*

Increasing Minimum Unit Size

ZQA: Proposal would have reduced the minimum size of units for seniors to 275 sq ft

Council: Increase the proposed minimum size to 325 sq ft

***Setbacks**:*

ZQA: Front Setback may decrease to minimum 5 ft front setback, Remove 10 ft rear setback from rear yard line

Council: Provide minimum 7 ft front setback

Sliver Rule:

ZQA: Proposal to allow buildings with affordable housing or senior housing to be exempt from the Sliver Law.

Council: Remove the proposed ZQA exemptions to Sliver Law

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Additional density for LTCF (nursing homes and assisted living)
ZQA: Proposal for 3.9 FAR in R6 and R6A and 5.01 FAR for R7 and R7A

Council: Allow 3.6 FAR in R6 and R6A and 4.6 FAR in R7 and R7A – matching the current inclusionary housing densities

Transition Rule:
ZQA: Proposal to allow 75 ft transition height where a higher density zoning district meets a lower density zoning district (for example, the corner of an R7A zoned avenue and a R6B zoned side street)

Council: Set a transition height limit of 45 ft, 55 ft, or 65 ft depending on the adjoining lower density zoning districts

Distance between Buildings:
ZQA: Reduce distance between buildings on same zoning lot from 60 ft to 40 ft

Council: Restore existing 60 ft minimum distance between buildings on same zoning lot

Rear Yard Obstructions:
ZQA: Proposal to broadly allow one story rear yard accessory spaces (building out into the rear yard) for inclusionary and affordable senior housing.

Council: Allow only for affordable senior housing on wide streets or commercial streets

Shallow Lot and Rear Yard:
ZQA: In R6-R10 Districts, increase the definition of a "shallow lot" to allow more flexibility in the size of the rear yard.

- Shallow Interior Lots: 95 ft
- Shallow Through Lots: 190 ft
    - *Council: Reduce the proposed definition to provide more protection for rear yards*
        - *Shallow Interior Lots: 90 ft*
        - *Shallow Through Lots: 180 ft*

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Contextual Height Changes

Residential District	Existing	ZQA	Council Modification
R5D	40	45	**40***
R6A	70	75	**70***
R6B	50	55	**50***
R7A	80	85	**80***
R7B	75	75	75
R7D	100	105	**100***
R7X	125	125	**120*** 125**
R8A	120	125	**120***
R8B	75	75	75
R8X	150	155	**150***
R9A wide street	145	155	**145**
R9A narrow street	135	145	**135**
R9X wide street	170	175	**170***
R9X narrow street	160	175	**160***
R10A wide street	210	215	**210***
R10A narrow street	185	195	**185**

*An additional five feet only allowed with qualifying ground floor outside Manhattan Core
**Within Manhattan Core

Height Changes – Affordable Senior Housing and Inclusionary Housing

District	Existing	ZQA Proposal	Council Modification
R6A	70	85	85
R7A	80	105	**95** (-10 less than ZQA)
R7D	100	125	**115** (-10 less than ZQA)
R7X	125	145 (AIRS)	145 (AIRS)
R8A	120	145	145
R8X	150	175	175
R9A wide street	145	175	175
R9A narrow street	135	165	165
R9X wide street	170	205	205
R9X narrow street	160	195	195
R10A wide street	210	235	235
R10A narrow street	185	215	215

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