

city of **yes**

Overview

September 2024





city of **yes**
for Carbon
Neutrality

Approved 12/6/2023



city of **yes**
for Economic
Opportunity

Approved 6/6/2024



city of **yes**
for Housing
Opportunity

Referred April 2024

city of **yes**

city of **solar**
city of **health**
city of **energy**
city of **carbon neutrality**
city of **resilience**



Updating our zoning to support decarbonization

A citywide zoning text amendment to **remove impediments** to, and **help support**, ongoing decarbonization of:



our grid

supporting the greening of our grid by broadly allowing for wind, solar, and storage



our buildings

supporting the retrofitting of NYC's buildings to become energy-efficient and electrified



our vehicles

supporting EV adoption, biking, and e-mobility, by broadly allowing for charging



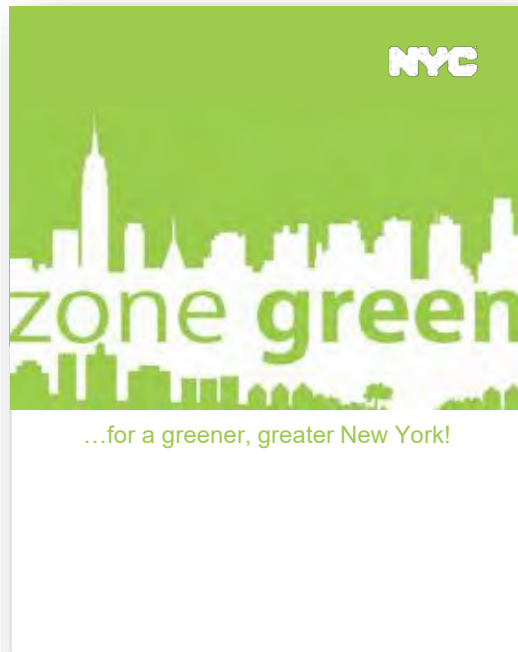
our waste

supporting other City efforts to grow composting and rainwater collection

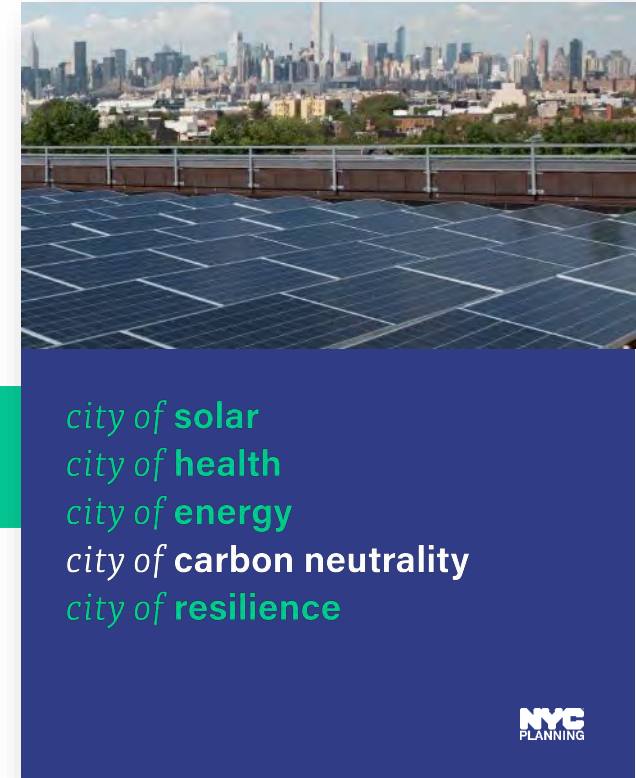
...in order to reduce New York City's operational carbon emissions 80% by 2050, in line with the Paris Agreement.



Building on a strong foundation: 2012 Zone Green text amendment



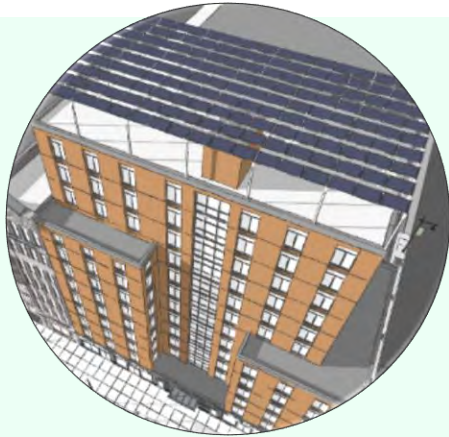
2012: Designed to support elective, progressive experiments with “green building features”



2023: Respond to the climate crisis by removing zoning impediments to urgent retrofitting work, solar, energy storage, and EVs

Goal 1

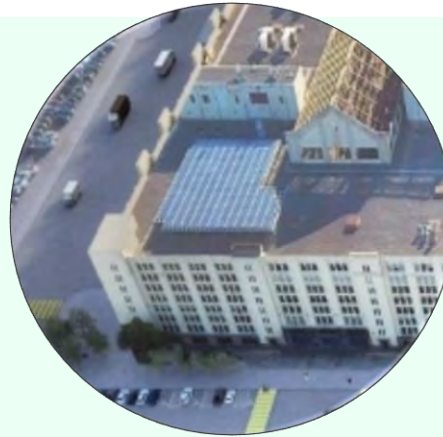
Decarbonize our energy grid



1. Rooftop solar:
remove zoning
impediments to
allow up to 100%
coverage



2. Parking lots:
ensure zoning
always allows
solar canopies



3. Community Solar:
allow renewable
energy generation in
all zoning districts



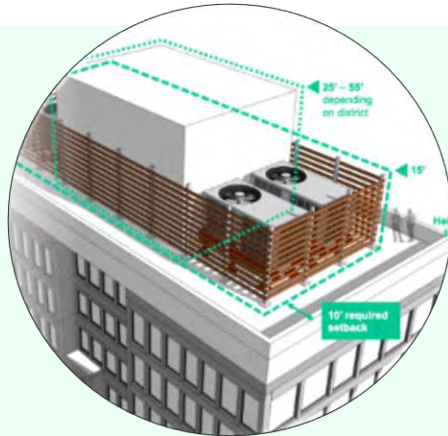
4. Energy Storage:
allow some facilities
as-of-right in all
zoning districts



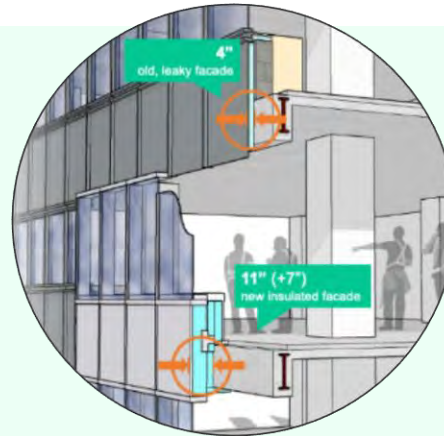
5. On-shore wind:
create a tool for
future review of
proposed wind

Goal 2

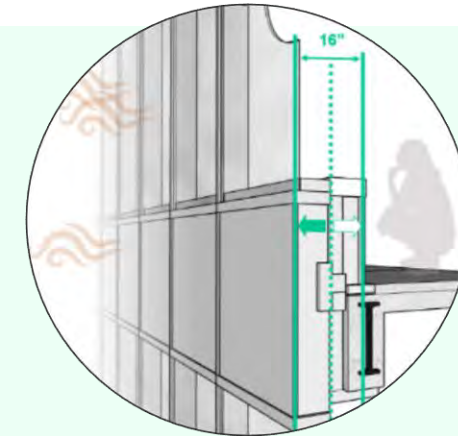
Decarbonize our building stock



6. Electrification retrofits: expand rooftop and yard allowances to accommodate increased need for outdoor electrified equipment like heat pumps



7. Building exterior retrofits: fix rules to ensure that the widest range of exterior retrofits are allowed.



8. Fix Zone Green: update and improve this floor area exemption to ensure it continues to promote better-than-code performance.

Goal 3

Decarbonize our vehicles



9. Vehicle charging:
expand allowance to
all Commercial
Districts



10. Charge-sharing:
allow a % of
residential spaces
to be shared w/
the public



11. Parking flex:
streamline car-
sharing, car rental,
and commercial
parking rules in non-
residential facilities



12. Automated parking:
expand rules to
encourage more
automated facilities
outside the
Manhattan Core



13. Bike parking:
add rules for
storage and
charging

Goal 3

Decarbonize our vehicles

Less than 1% of the 2,000,000 cars registered in NYC are zero-emission.

see: [NYS DMV, 2021](#)



(RPA)



Charging an EV
(DOT)

One of the biggest hurdles to achieving **EV adoption** is finding a place to charge overnight.

see: [The New York Times](#)

By 2035, all vehicles sold in NYS must be EV; demand for charging will rapidly increase

see: [NYS Adv. Clean Cars II](#)



(Citibike)

A one-to-one transition to EVs is not the solution. We also need to promote greater use of **bicycles**, **e-mobility**, and **mass transit**.

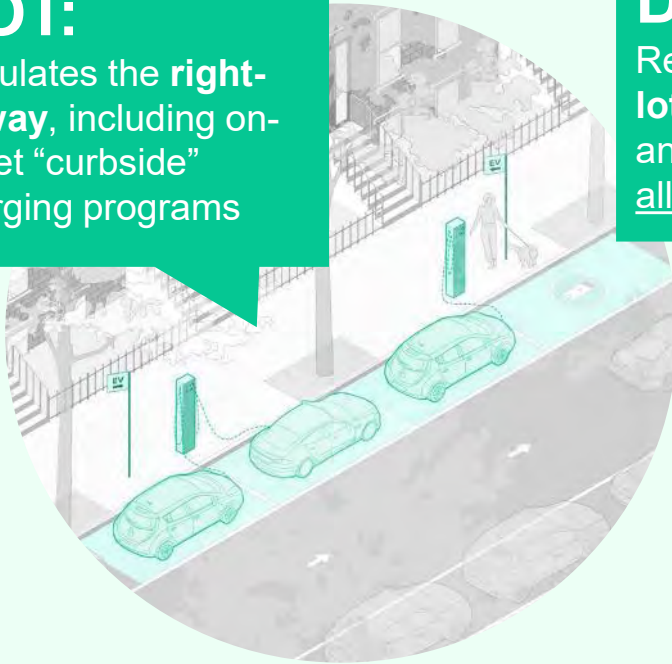
see: [2016 PlaNYC](#)

Goal 3

Decarbonize our vehicles

DOT:

Regulates the **right-of-way**, including on-street “curbside” charging programs



(RPA)

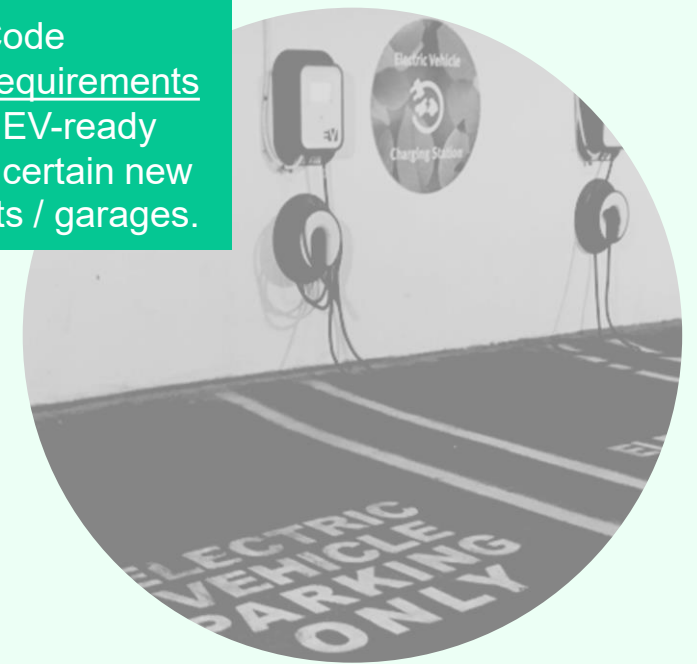
DCP:

Regulates the **zoning lot**: off-street parking, and off-street charging allowances.



DOB:

Building Code contains requirements to include EV-ready spaces at certain new parking lots / garages.



Proposal 9

Open-to-the-public EV charging facilities

- **Currently:** Zoning considers open-to-the-public EV charging facilities as “Use Group 7” commercial uses.
- **Issue:** These facilities aren’t allowed in many C Districts commonly mapped closest to where people live.
- **Proposal:** Reclassify these facilities as Use Group 6 uses that are permitted in all Commercial Districts, more than doubling the commercial land area available for EV charging facilities.



Proposal 9

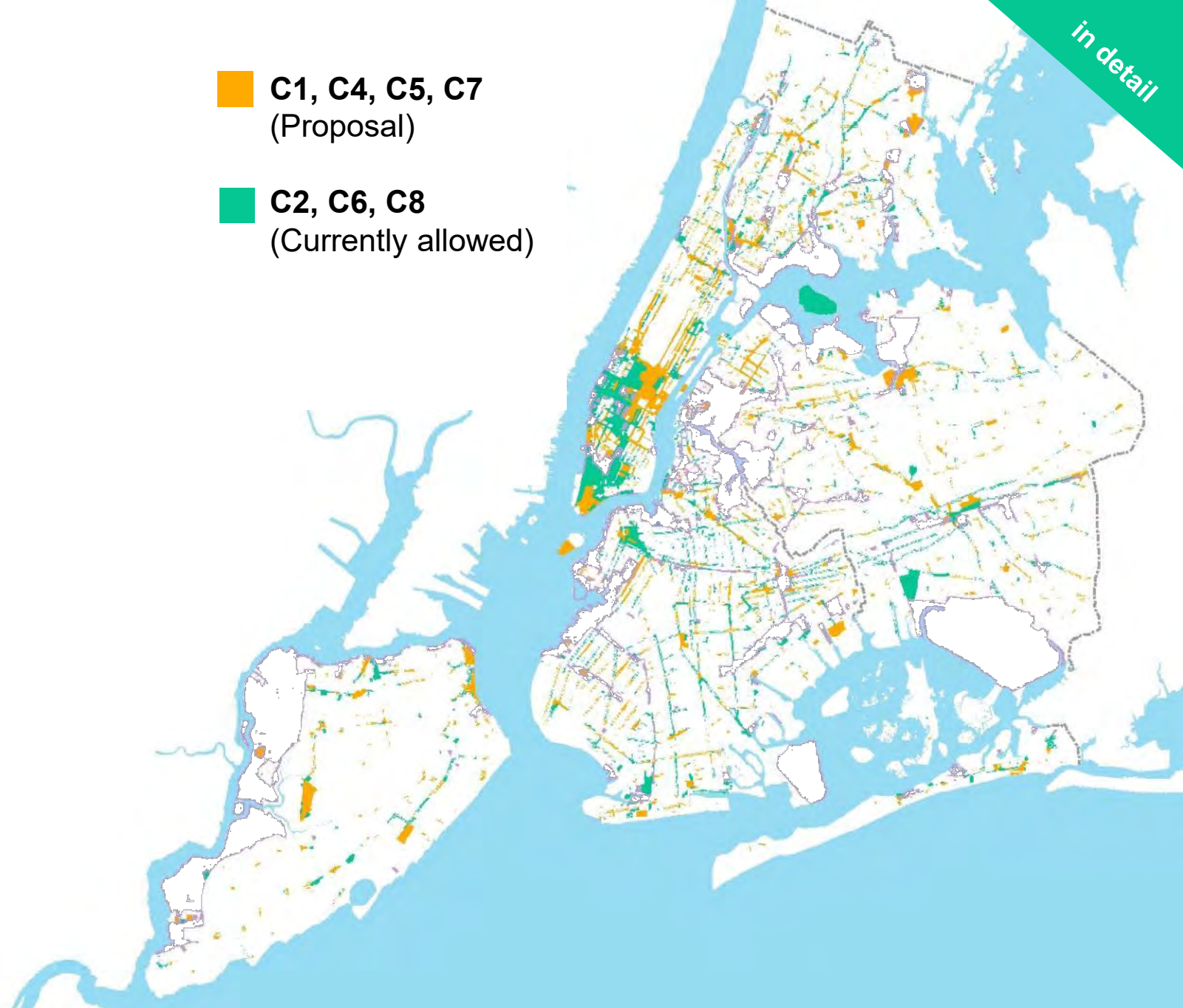
Open-to-the-public EV charging facilities

	Currently	Proposed
C1, C4, C5, C7	No	Yes
C2, C6, C8	Yes	Yes
All M Districts	Yes	Yes
All R Districts	No	Limited*

* See next proposal

C1, C4, C5, C7
(Proposal)

C2, C6, C8
(Currently allowed)



Proposal 10

Expanding car sharing: public EV charger sharing

- **Currently:** Zoning generally requires parking spaces serving uses, such as retail stores, or apartment buildings. Accessory charging is permitted in all of these spaces. Some of these spaces are permitted to be occupied by commercial car share program vehicles.
- **Issue:** EV chargers installed in accessory spaces are not available to the public, per zoning rules.
- **Proposal:** Expand existing car share rules to allow property owners to **designate up to 20% of their spaces** (or 5, whichever is greater) for flexible, public EV ‘charger-sharing’, *or* car sharing, *or* any combination thereof.



Goal 4

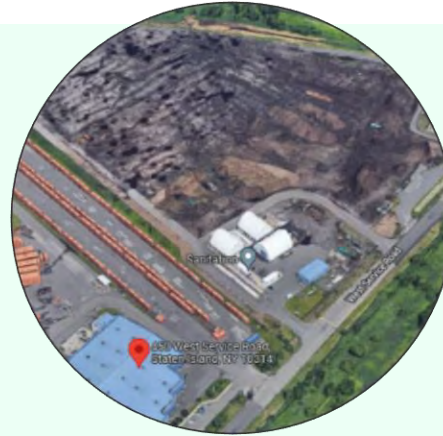
Decarbonize our waste streams



14. Porous paving:
clarify language to ensure permeable paving is allowed.



15. Street Trees:
update rules to accommodate new rain garden prototypes



16. Organics:
add new use regulations clarifying when composting and recycling are allowed.



17. Rooftop greenhouses:
simplify the process for adding them by allowing as-of-right

city of **yes**

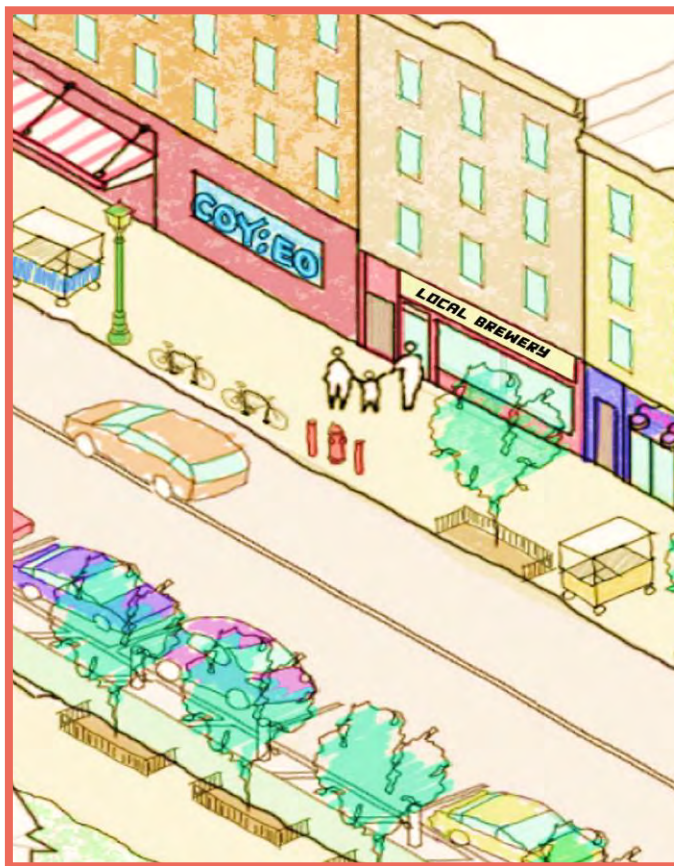
**for Economic
Opportunity**



How does zoning affect businesses in NYC neighborhoods?



Where can I open my business?



What can I do in my space?



Where can I expand?

Zoning often presents a barrier to opening, operating, and expanding a business in NYC

There are way too many storefront vacancies. Can't we do something?

If I don't bother anyone, why can't I start a business in my home?

I have so many new customers. Please let me expand my bakery.

I'm confused: can I do my critical life sciences work in New York City or not?

A comedy night would be a great addition to my restaurant.

Why does the City not allow me to have my office on the 2nd floor?

City of Yes for Economic Opportunity: Goals

Goal 1:

Make it easier for businesses to find space and grow

Lift barriers so businesses can be closer to their customers.

Goal 2:

Boost growing industries

Reduce obstacles for new types of businesses.

Goal 3:

Enable more business-friendly streetscapes

Deliver active, safe, and walkable streets for businesses and residents

Goal 4:

Create new opportunities for businesses to open

Establish new zoning tools to boost job growth and business expansion

Summary of proposals

Goal 1

Make it easier for businesses to find space and grow

1. **Lift time limits** to reactivating vacant storefronts
2. **Simplify rules** for business types allowed on commercial streets
3. Expand opportunities for **small-scale clean production**
4. Modernize **loading dock** rules so buildings can adapt over time
5. Enable commercial activity on **upper floors**
6. **Simplify and modernize** how businesses are classified in zoning

Goal 2

Boost growing industries

7. Clarify rules to permit indoor **urban agriculture**
8. Give **life sciences** companies more certainty to grow
9. **Support nightlife** with common-sense rules for dancing and live entertainment
10. Create more opportunities for **amusements** to locate
11. Enable entrepreneurship with modern rules for **home-based businesses**

Goal 3

Enable more business-friendly streetscapes

12. Introduce **corridor design rules** that promote better activate ground floors
13. Reduce conflicts between **auto repair** shops and pedestrians
14. Encourage safe and sustainable deliveries with **micro-distribution**

Goal 4

New opportunities for businesses

15. Facilitate **local commercial space** on residential campuses
16. Create process for allowing **corner stores** in residential areas
17. Rationalize **waiver process** for adapting spaces for industries like film
18. Create **new kinds of zoning districts** for future job hubs

Goal 1 Make it easier for businesses to find space and grow

NYC has thousands of **vacant storefronts**. Zoning can make it harder to fill these spaces.



Modern, **clean manufacturing businesses** can't locate in central areas because our rules haven't kept up with environmental regulations.



We make **arbitrary distinctions** about where businesses can locate—even on opposite sides of the same street.



Zoning terms classifying **businesses haven't been updated since the 1960s**, leading to confusion.

Proposal 4

Modernize loading dock rules so buildings can adapt over time

- **Currently:** Zoning requires that the number of loading berths be based on the mix of uses currently occupying a building, unlike parking requirements which do not change as buildings evolve over time.
- **Issue:** When existing businesses expand or new types of businesses move into an existing building, they may be required to provide more loading bays than they need. This is often unnecessary and cost-prohibitive.
- **Proposal:** Remove the mandate for new tenants in *existing* buildings to provide additional loading berths based on a change in use, allowing building occupancy to evolve over time. Includes other organizational changes to clarify and consolidate loading rules.



Source: DCP Staff

Goal 2 Boost growing industries

Life science laboratories face confusing and outdated rules that slow their growth in NYC.



Businesses with **amusements** -- like mini golf or virtual reality gaming -- need clearer rules about where they can locate



Dancing and comedy shows are stymied in commercial areas



Businesses with **indoor agriculture** in commercial areas face too much uncertainty today.

Goal 3 Enable more business-friendly streetscapes

Long blank walls and drive-throughs create unpleasant and unsafe conditions for people, and an unfriendly environment for business.



When **auto-related businesses spill out onto the sidewalk**, it creates safety concerns for pedestrians and breaks up commercial corridors.

Professional delivery activity frequently resorts to sidewalks because it is not allowed in buildings, except in industrial areas.



Introduce design rules that ensure buildings contribute to surroundings

- **Currently:** Dozens of Special Districts have streetscape regulations, but they inconsistently regulate conditions based on time they were adopted. Outside of Manhattan and in some Special Districts, most areas of the city do not have any zoning rules guiding street level design.
- **Issue:** Lack of consistent streetscape regulations diminishes economic vibrancy of commercial areas and can create unsafe or unpleasant conditions for pedestrians and customers.
- **Proposal:** Establish a consistent and easy to understand citywide framework for commercial ground floor design requirements that is more stringent in places with greater pedestrian activity and more flexible in auto-oriented corridors.



Planting along West Farms Road in the Bronx



Bank with parking to the side on Hylan Boulevard in SI

Source: © Cyclomedia 2022

Encourage safe and sustainable deliveries with micro-distribution

- **Currently:** Zoning does not allow for most forms of goods delivery to occur within buildings in Commercial Districts.
- **Issue:** Delivery activity often occurs only on sidewalks and streets, exacerbating truck congestion and leading to conflicts with pedestrians and cyclists.
- **Proposal:** Create a new use for Micro-Distribution Facilities so delivery activity can locate at a small scale closer to homes and offices.
- Limited to 2,500 SF in C1/C2 districts, and up to 5,000 SF on the ground floor in C4-C7 districts.
- Larger spaces available only by BSA Special Permit or CPC Special Permit.
- Streetscape rules would prohibit papering over of windows to deter “dark stores.”



Source: DCP Staff

Goal 4 Create new opportunities for businesses to open

Residential campuses like NYCHA should provide residents better **access to goods and services**



Our manufacturing districts need to better reflect needs of current and future businesses



Our rules **limit the shape of certain new buildings**, such as film studios



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city of **yes**

city of **diversity**

city of **affordability**

city of **neighbors**

city of **housing opportunity**

city of **families**





Image credit: Alfred Twu

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.
- **Over 50% of renters are “rent burdened,”** meaning they spend over 30% of income on rent
- **92,879 homeless New Yorkers**, including **33,399 children**, slept in the shelter system on a given night in December 2023



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

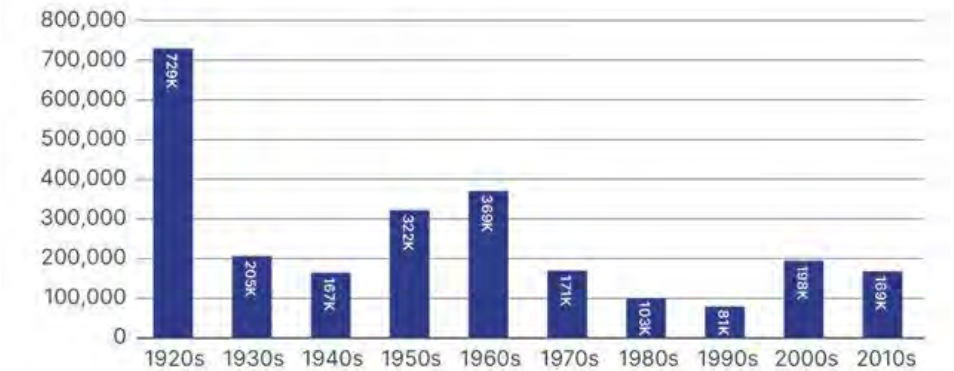
New York City is creating far less housing than it used to, and less than other major metropolitan areas

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

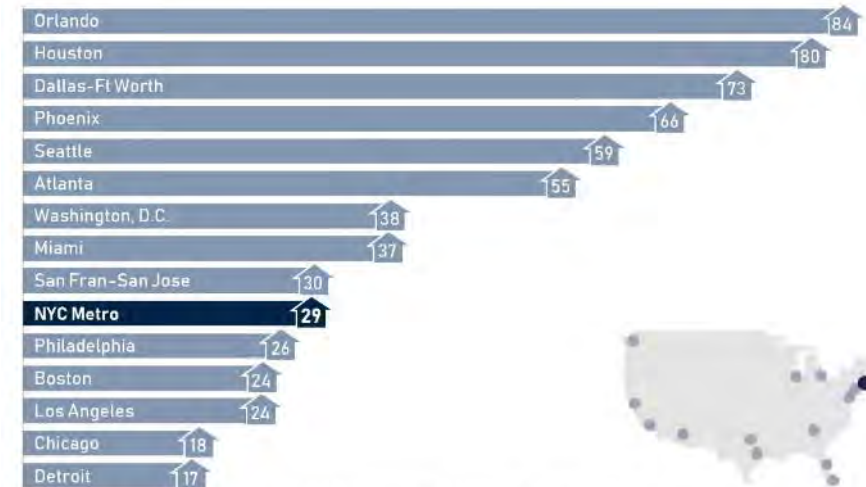
The housing shortage is due in part to restrictive zoning rules that limit the number and types of homes that can be built

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

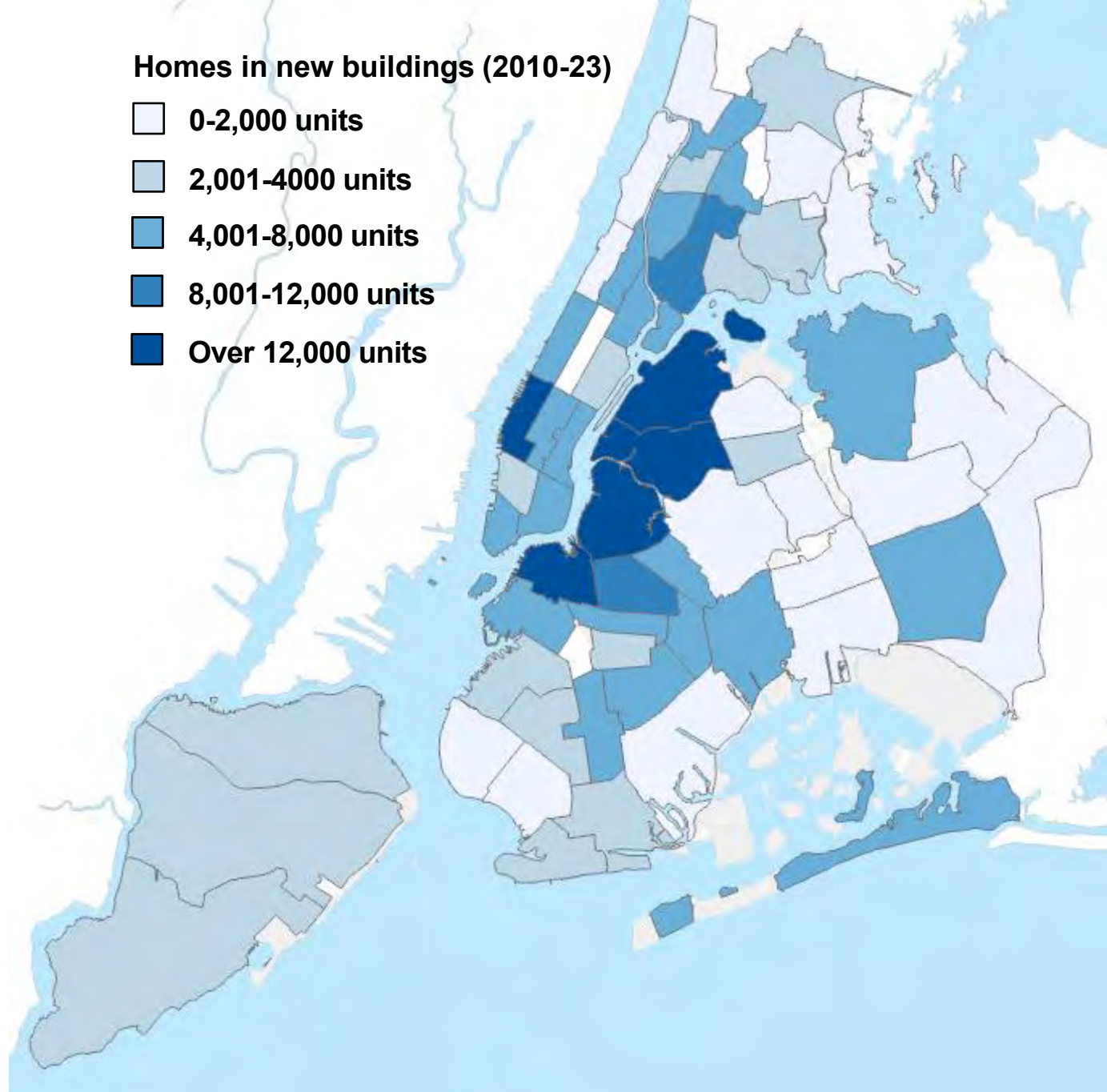
New housing is concentrated in just a few neighborhoods

Almost all of New York City's recent housing production has been concentrated in a few neighborhoods

- Some neighborhoods have created virtually zero new housing

This puts additional pressure on just a few parts of the city to produce almost all new housing

Homes in new buildings (2010-23)



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**

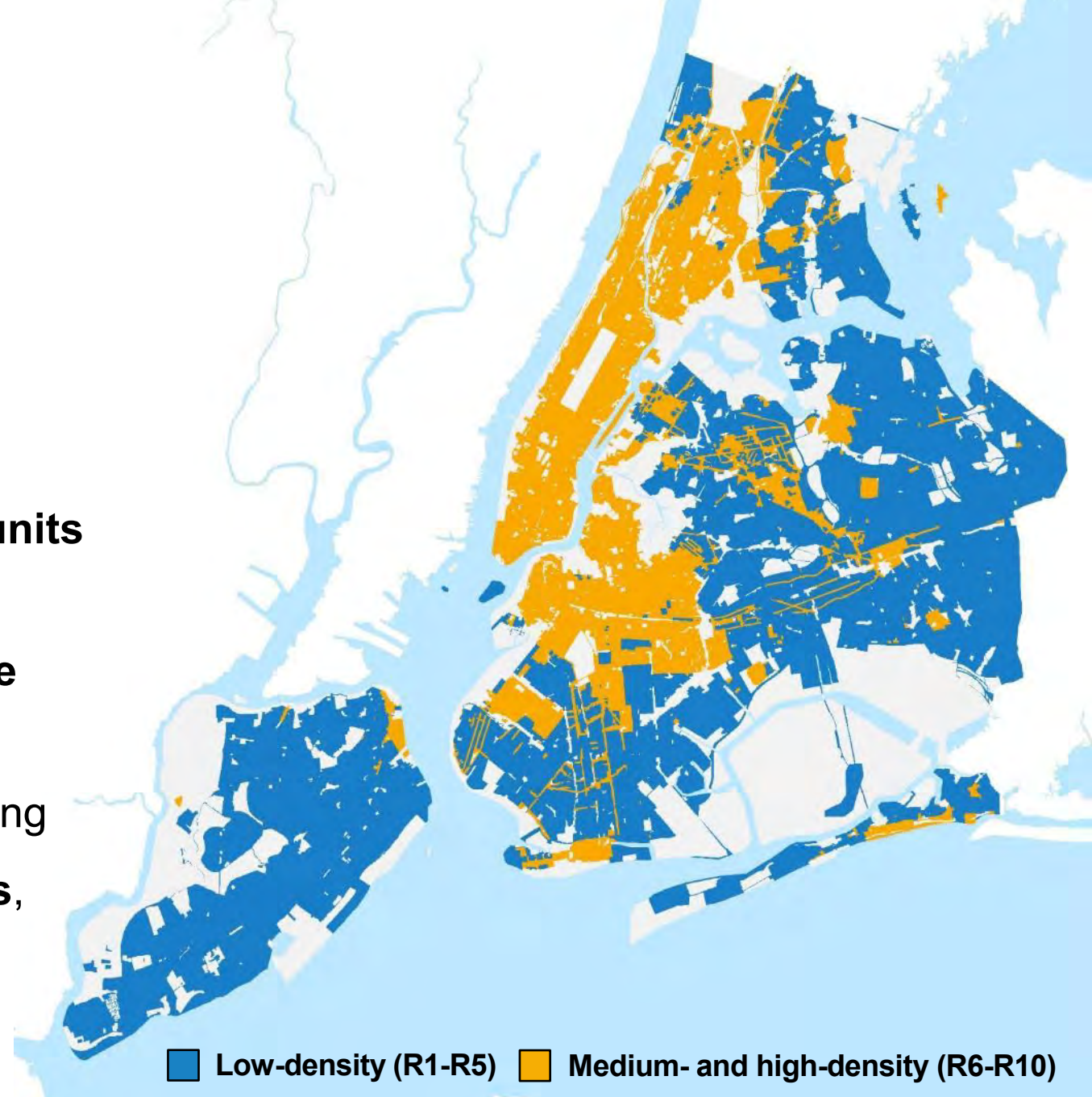
Medium- and high-density proposals

- Create a **Universal Affordability Preference**

Parking proposals

- **Lift costly parking mandates** for new housing

Other citywide actions to enable **conversions**, **small and shared apartments**, and **infill**



An aerial watercolor illustration of a city grid. The buildings are mostly low-rise, with a few taller ones. There are many green trees scattered throughout the blocks. The streets are light blue, and the overall style is soft and painterly. The word "Low-density" is written in large, bold, blue letters across the center of the image.

Low-density

Image credit: Alfred Twu

Overview

Due to restrictive zoning, most low-density areas have stopped building new homes, contributing to our city's housing shortage

- We want to allow for the creation of a little more housing across low-density areas, in ways that won't impact neighborhood look and feel



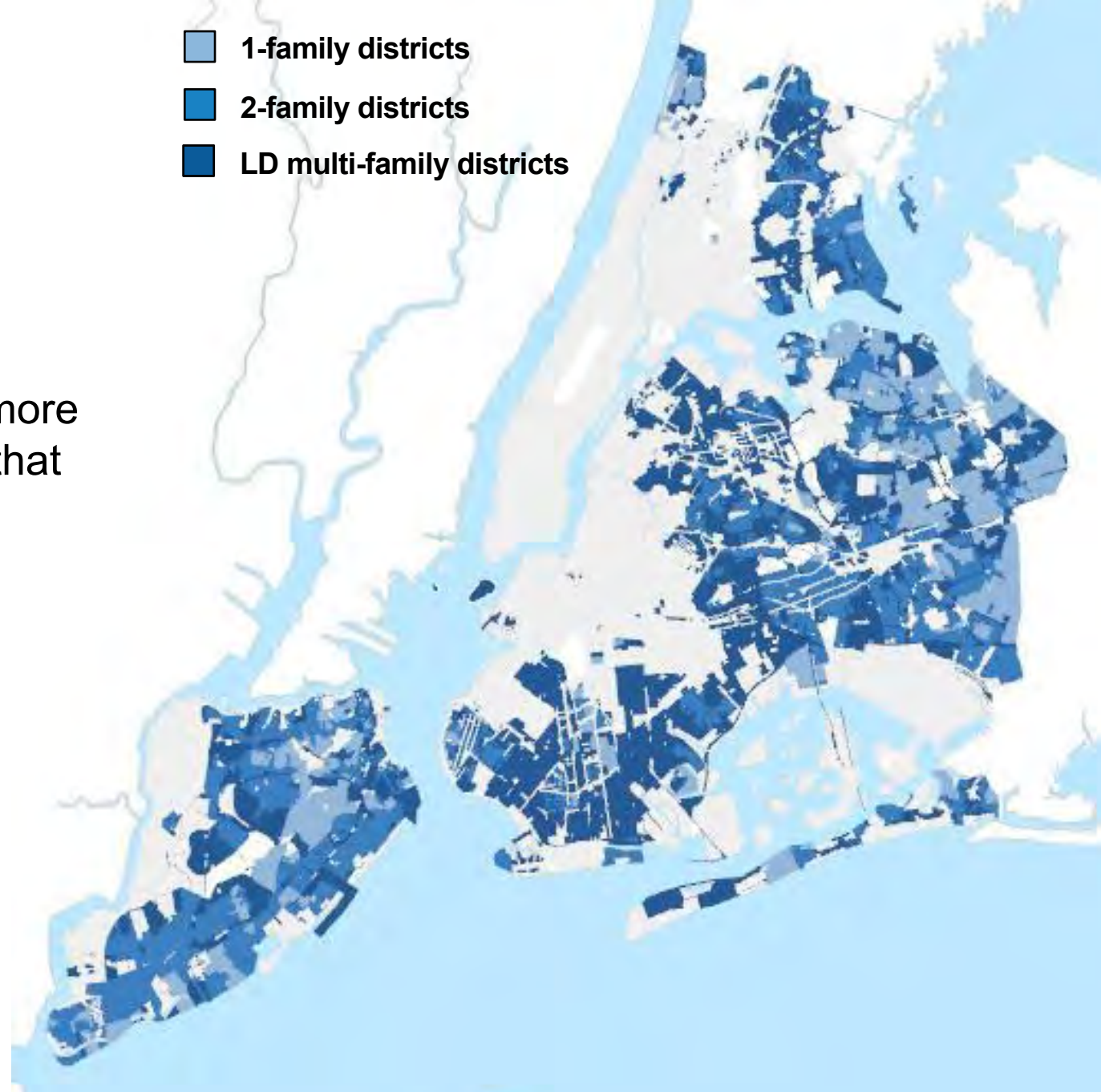
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Modest apartment buildings define low-density neighborhoods but could not be built today

- 1-family districts
- 2-family districts
- LD multi-family districts



Town center zoning

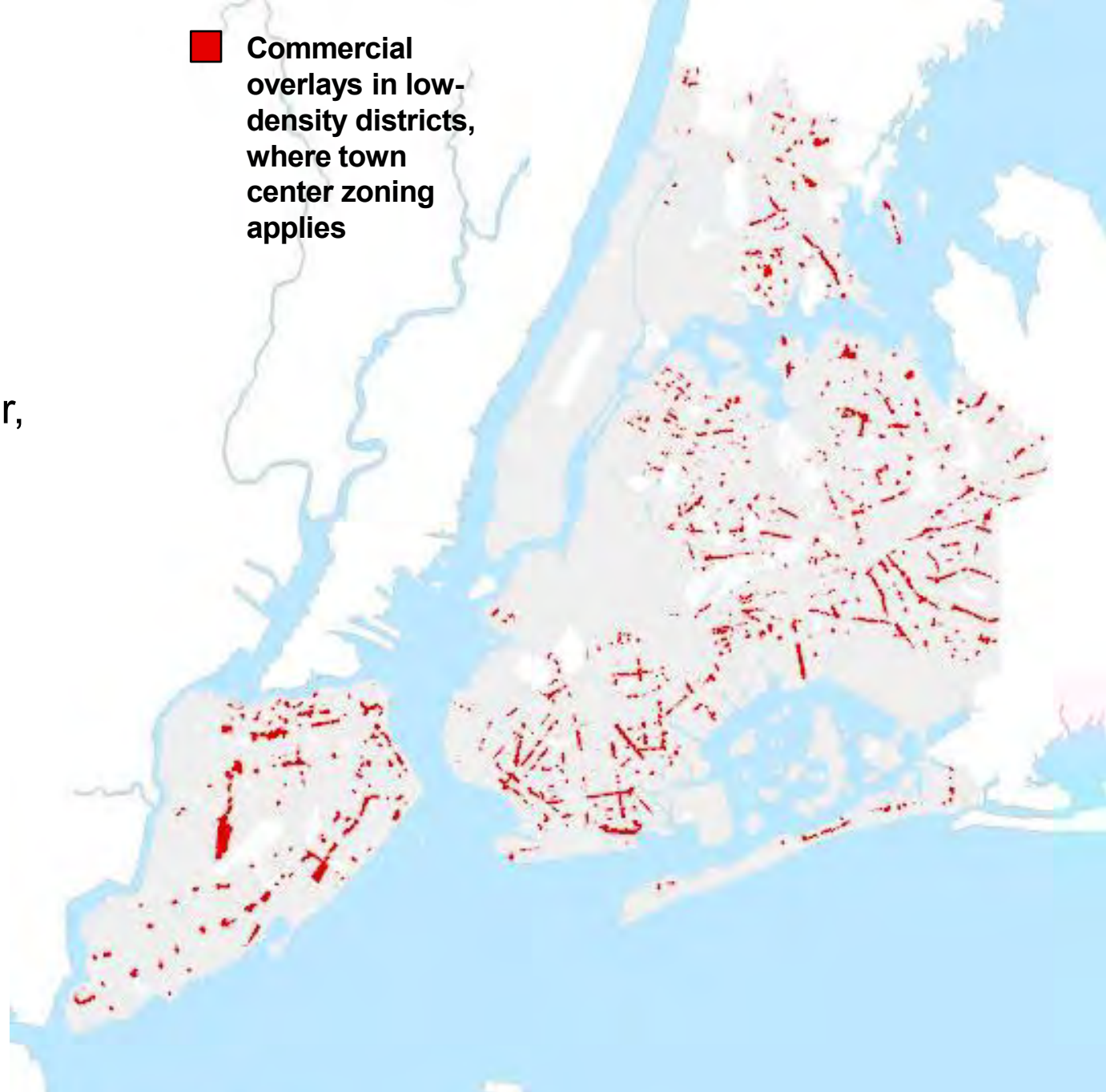
Relegalize housing above businesses on commercial streets in low-density areas

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



© New York City Economic Development Corporation, 2023

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



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



© New York City Economic Development Corporation, 2023



Medium- and High-density

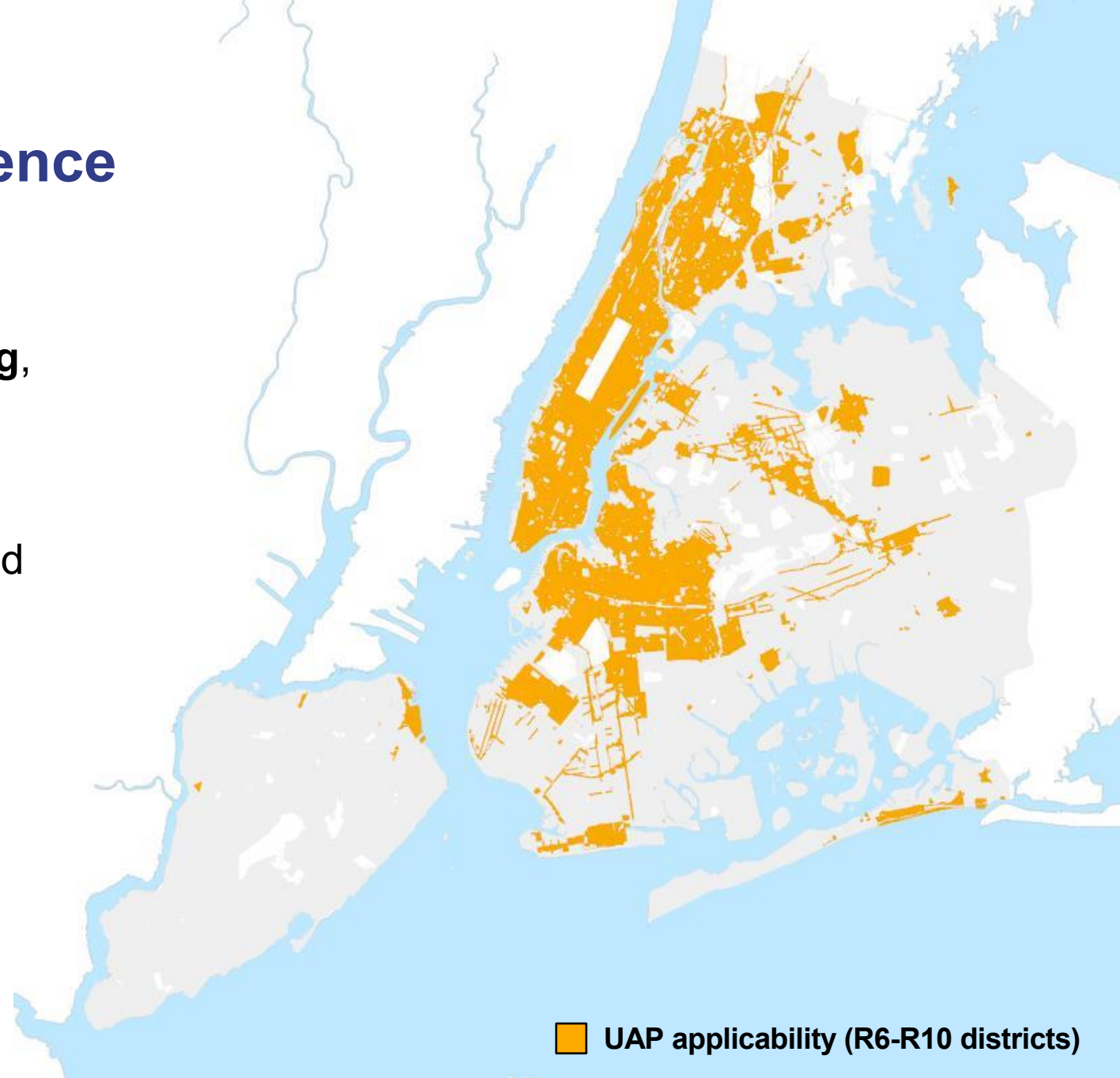
Image credit: Alfred Twu

Universal Affordability Preference

UAP will allow buildings to add at least **20% more housing** if the additional homes are **permanently affordable housing**, including supportive housing

UAP will enable **incremental affordable housing growth** throughout the medium- and high-density parts of the city

This will encourage **affordable housing throughout the city**, rather than concentrating it in a few neighborhoods



An aerial watercolor illustration of a city skyline, likely New York City, featuring various skyscrapers and dense urban development. The word "Citywide" is overlaid in a large, bold, blue sans-serif font in the center of the image.

Citywide

Image credit: Alfred Twu

End parking mandates

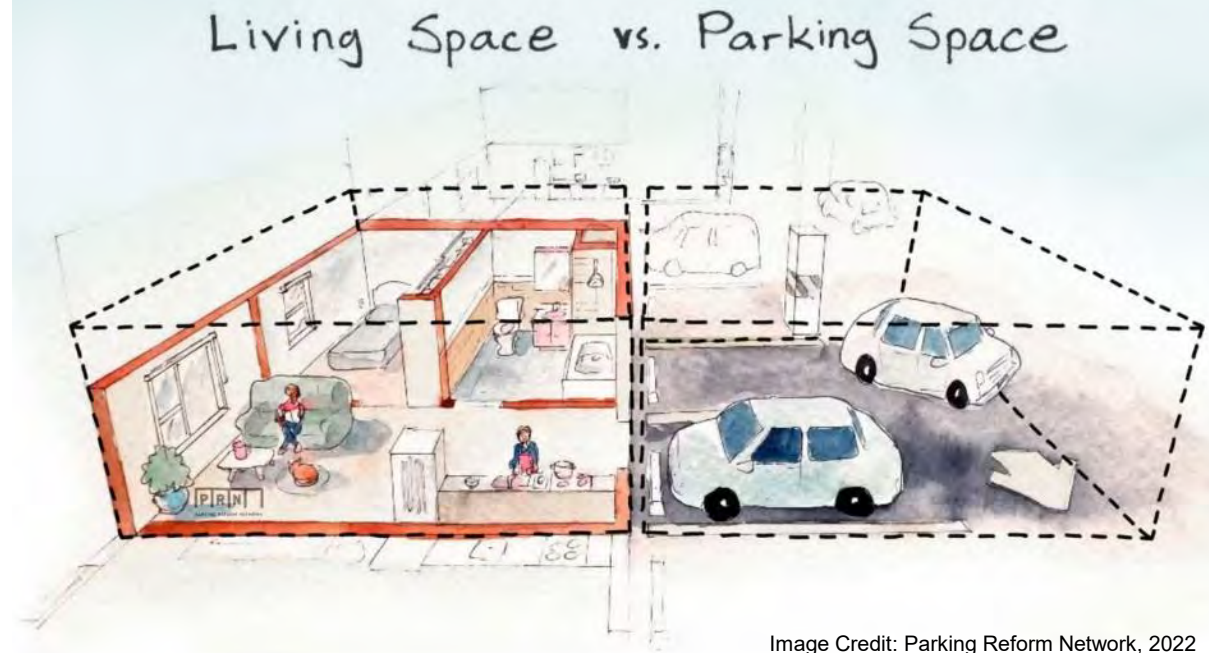
Make parking optional in new buildings,
as many other cities have done

**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

- Outdated zoning rules do not reflect current conditions



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

End parking mandates

Example: A developer wants to build a **16-unit** apartment building a 4-minute walk from the nearest subway station

Today: The developer would **stop at 10 units**, because the 11th unit would trigger a **6-space parking requirement**

Proposal: Without parking mandates, they can build the **16-unit building**, providing 6 more urgently needed homes near transit

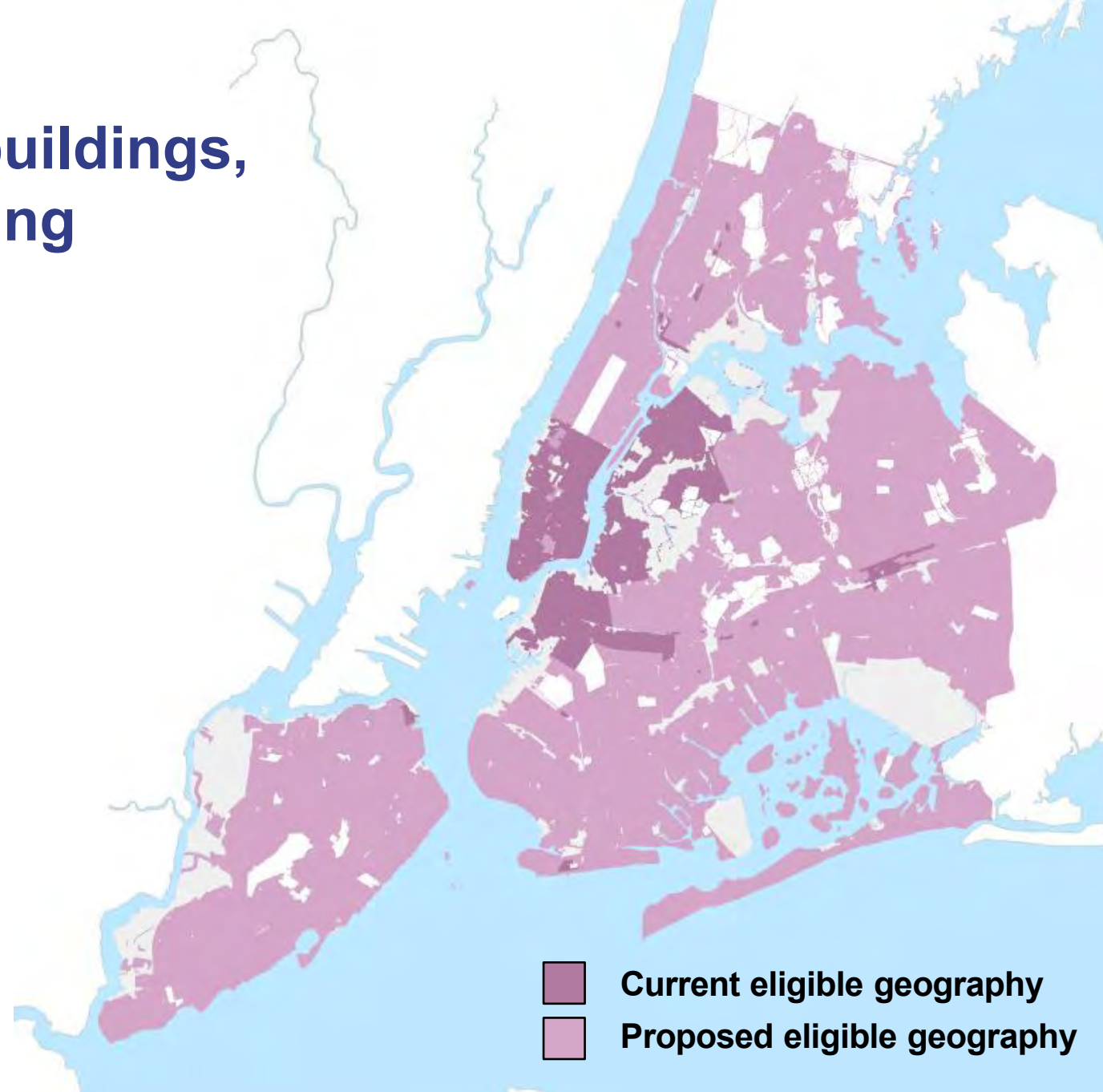


Enable vacant nonresidential buildings, like offices, to convert to housing

Today, outdated rules prevent many underused, non-residential buildings from converting to housing.

City of Yes would facilitate residential conversions by:

- **Expanding eligible geography** citywide, facilitating the conversion of former schools or religious buildings
- **Moving the eligibility date up to 1991**, allowing more recent buildings to convert
- Allowing buildings to convert to **all types of housing**

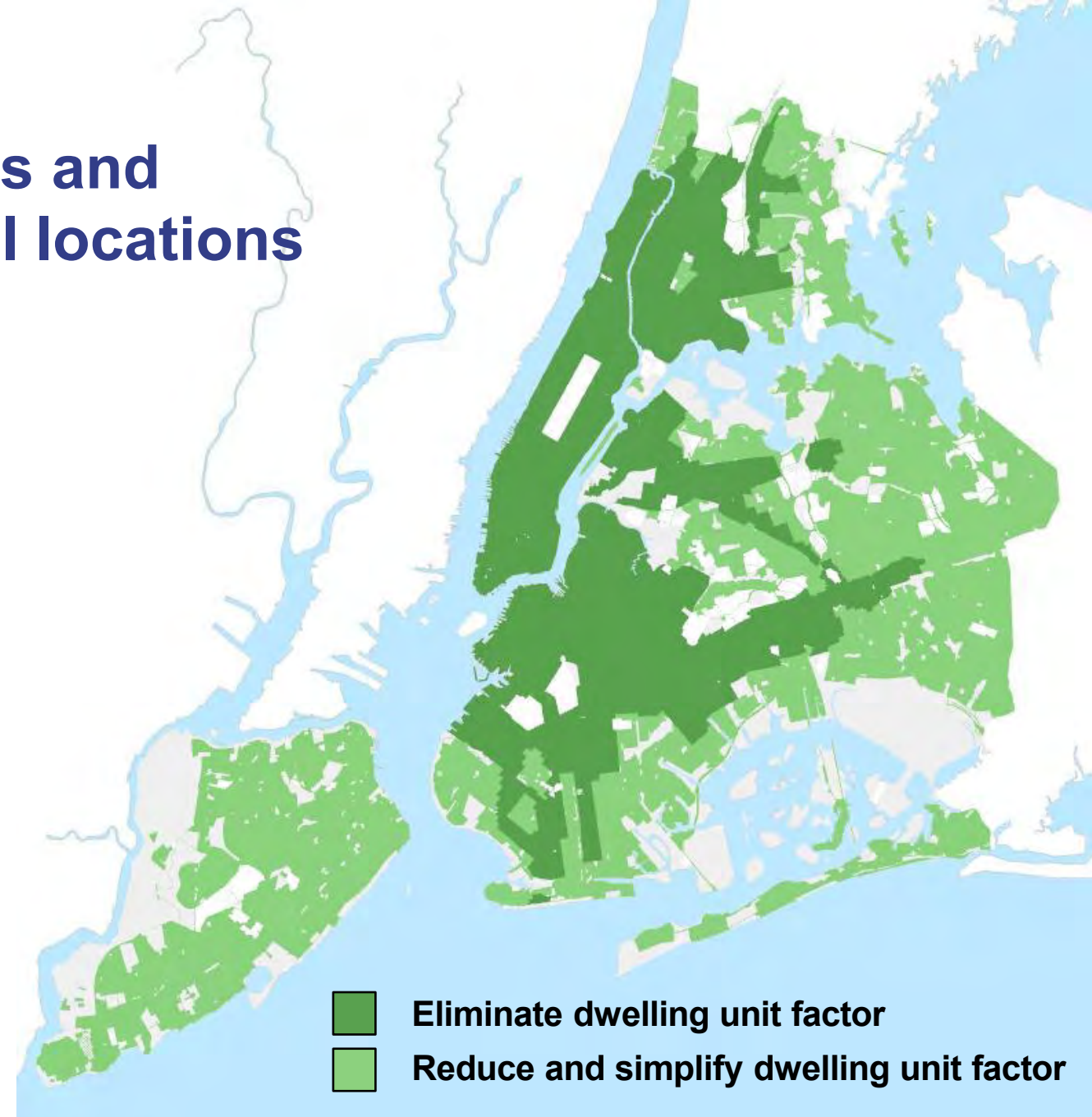


Allow buildings with only studios and 1-bedroom apartments in central locations

Today, a zoning rule known as **dwelling unit factor** prevents buildings from including small units

This proposal would **remove the dwelling unit factor in central locations and reduce it elsewhere**, allowing for buildings with more studio and one-bedroom apartments

This will **re-legalize buildings with only studios and 1-bedrooms**, providing an important entry point to the New York City housing market

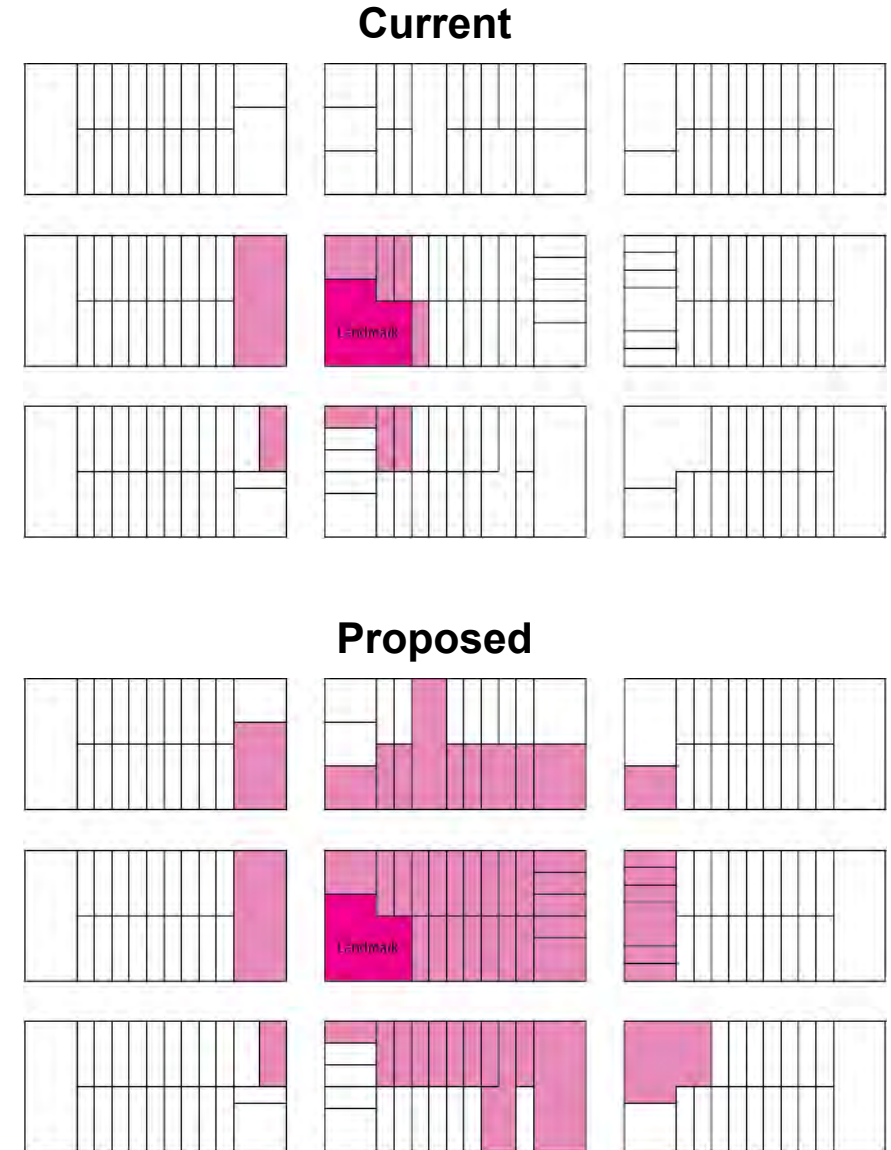


Expand the Landmark TDR program

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



An aerial watercolor illustration of a city skyline, likely New York City, featuring various skyscrapers and buildings. The text "Thank you!" is overlaid in a large, bold, blue font in the center of the image.

Thank you!

Image credit: Alfred Twu

But first - what can (and can't) zoning do?

Zoning regulations are adopted by the City Planning Commission in order to:

- ✓ Regulate the **use** of a property (e.g., residential, commercial, industrial)
- ✓ Regulate the height and size of a building or structure (called '**bulk**')
- ✓ Regulate the number and location of off-street **parking** spaces
- ✓ Regulate the distance and relationship of a building to the street
- ✓ Regulate open space and yards on lots
- ✓ Incentivize other building features through floor area deductions or bonuses
- ✗ Retroactively require things
- ✗ Enact aesthetic requirements
- ✗ Entirely prohibit the use of a property
- ✗ Regulate State or Federal land/buildings
- ✗ Regulate streets (DOT) or parks (DPR)
- ✗ Require things within the purview of other laws such as the Building Code, Fire Code, Noise Code, or Health Code

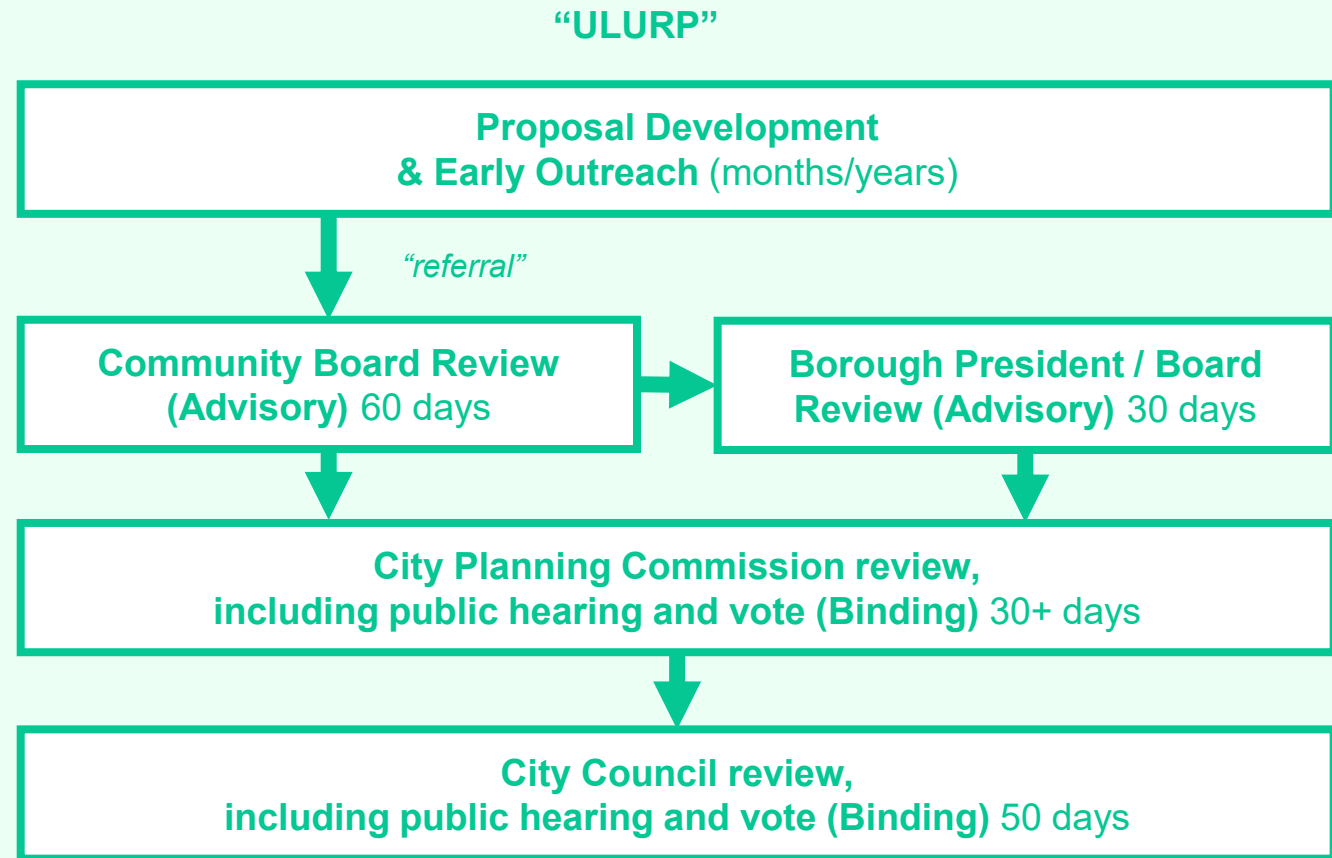
How does zoning get amended?

ZONING CHANGES:

- Localized private applications
- DCP neighborhood studies
- Citywide text amendments

ONE-OFF MODIFICATIONS:

- Special permits from the CPC
- Special permits from the BSA
- Variances (also from the BSA)
- Mayoral zoning overrides



The Mayor then has 5 days to veto; if not, then it is adopted.