

## 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 110<sup>th</sup> St on the West Side and 96<sup>th</sup> 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*

***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*

## Contextual Height Changes

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

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

\*\*Within Manhattan Core

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**Height Changes –  
Affordable Senior Housing and Inclusionary Housing**

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

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