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## How "Housing New York" will impact residential real estate development

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Housing in New York City is becoming increasingly unaffordable. The Housing New York plan, released in May 2014, is the mayor's five-borough, ten-year plan to build and preserve affordable housing throughout New York City. The plan lays out a set of strategies to preserve and create 200,000 units of affordable housing. Among the issues it identifies is the need to modernize zoning regulations that are outdated and often impede the production of new affordable housing.

Since the release of Housing New York, the Department of City Planning, working with the Department of Housing Preservation and Development, nonprofit housing groups, architects, developers, and other practitioners, has identified a set of zoning barriers that constrain new housing creation and add unnecessary costs, and strategies to address them. The proposed amendments have four primary goals:

1. Remove barriers that constrain housing production and raise costs
2. Encourage better quality buildings that contribute to the fabric of neighborhoods
3. Promote senior housing to address the affordable housing needs of an aging population
4. Reduce unnecessary parking requirements for affordable housing to avoid excessive costs that hamper the creation of affordable and senior housing

Why are these changes needed?

Many of the City's zoning regulations are outdated and don't reflect today's housing needs or construction practices. Zoning can unintentionally force tradeoffs between housing creation and the quality of retail and community facility spaces, or between the quality of housing and the ability to provide affordable housing. The rules encourage buildings that are flat or dull, and fail to enliven the pedestrian environment. Zoning can also force buildings to incorporate costly and unnecessary features, such as impractical layouts for corridors and apartments, or more parking than is needed.

By removing obsolete provisions and modernizing others, zoning can foster diverse and livable neighborhoods with the development of new high-quality, mixed-income housing.

Promote senior housing

Senior New Yorkers are a diverse and rapidly growing segment of the city's population. By 2040, the population 65 and older is expected to increase by 40 percent. Today, life expectancy is at an all time high, which means that more long term care options are needed for the elderly in need of skilled nursing or other services. The aging of the post-World War II "baby boom" generation also has an important impact on housing models, demanding new housing types that can match their needs and lifestyles. Notwithstanding the growing need for housing targeted to an older population, zoning has failed to keep pace with evolving models for senior housing and care facilities.

Proposed modifications:

\* Modernize zoning definitions to accommodate today's housing models and recognize regulated

housing types;

- \* Rationalize Floor Area Ratios to make them consistent, with corresponding building height limits, to facilitate more and better housing for seniors;
- \* Allow flexibility for different types of senior housing and relax density restrictions that may prevent the creation of appropriately sized units; and
- \* Reduce administrative obstacles and eliminate redundant special permits that burden nursing home development.

Modernize the rules that shape buildings

Because of changing regulations, the rise of green technologies, and other best practices for construction, it can be costly or impossible to fit the permitted floor area within the existing building limitations - particularly for affordable housing. Today's residential buildings typically have floor-to-floor heights that are similar to those of older buildings, but greater than those in the buildings of 30 years ago, when current zoning height and setback regulations were established. Standards for retail space have also increased to provide an improved shopping environment and to allow space for modern ventilation and other mechanical systems. The challenges of fitting within the allotted limits are especially severe for buildings allowed additional floor area under the Inclusionary Housing Program.

These existing tight building envelope controls also limit good and sensitive design. Current requirements too often result in buildings that are flat or dull, fail to enliven the pedestrian environment, and lack the variation and texture that are typical of older apartment buildings.

The proposed changes would provide some additional flexibility to these regulations to promote housing production and affordability, and improve the interior and exterior quality of new buildings.

Proposed modifications:

- \* Modify building envelope regulations to accommodate best practices and affordable construction;
- \* Where zoning allows additional floor area for affordable senior housing or Inclusionary Housing, allow enough flexibility to fit all floor area without sacrificing the quality of units;
- \* Encourage variety and better design by allowing the variation and texture that typify older buildings in many neighborhoods; and
- \* Provide improved controls for lots that are irregularly shaped or on sloped sites.

Reduce unnecessary parking requirements for affordable housing

The cost of providing off-street parking can hamper the production of affordable housing. In transit-accessible neighborhoods, low-income households own far fewer cars, and frequently don't use the parking that has been provided. This is particularly true for low-income senior housing, where residents have extremely low levels of auto ownership. Even if residents were to use off-street parking, they cannot pay significant fees for it. The construction of unnecessary parking spaces increases costs, and may deter development or reduce the number of affordable units that can be produced.

Proposed modifications:

- \* Eliminate parking requirements for new affordable units and affordable senior housing in subway-accessible areas and where car ownership rates are low; and
- \* Allow affordable senior housing developments with existing parking facilities near the subway to eliminate their parking facilities.
- \* Reduce parking requirements for affordable units and affordable senior housing in neighborhoods

further from subway stations

\* Create a process to allow, where appropriate and on a case-by-case basis, reduction of parking requirements to facilitate mixed-income development, or affordable housing developments with existing underutilized parking facilities to be redeveloped.

For further information, please visit

<http://www.nyc.gov/html/dcp/html/zoning-qa/zoning-for-affordability-1.shtml>

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