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Title: Resolution calling on the New York City Planning Commission to commence public review of amendments to the New York City Zoning Resolution, pursuant to charter sections 200 and 201, to create one or more "Affordable Housing Zoning Districts" in order to establish additional inclusionary zoning provisions to provide for the creation of affordable housing for low- and moderate-income New Yorkers.

Sponsors: David Yassky, Hiram Monserrate, Charles Barron, Robert Jackson, Letitia James, G. Oliver Koppell, John C. Liu, Margarita Lopez, Bill Perkins, Christine C. Quinn, Larry B. Seabrook, Gale A. Brewer, Yvette D. Clarke, Alan J. Gerson, Sara M. Gonzalez, Michael C. Nelson, Annabel Palma, Eric N. Gioia, Bill De Blasio, Philip Reed, David I. Weprin, Joseph P. Addabbo, Jr., Miguel Martinez, Helen D. Foster, Eva S. Moskowitz, Diana Reyna, Domenic M. Recchia, Jr., Michael E. McMahon, Peter F. Vallone, Jr.

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Res. No. 373

By Council Members Yassky, Monserrate, Barron, Jackson, James, Koppell, Liu, Lopez, Perkins, Quinn, Seabrook, Brewer, Clarke, Gerson, Gonzalez, Nelson, Palma, Gioia, DeBlasio, Reed, Weprin, Addabbo Jr., Martinez, Foster, Moskowitz, Reyna, Recchia Jr., McMahon and Vallone Jr.

Resolution calling on the New York City Planning Commission to commence public review of amendments to the New York City Zoning Resolution, pursuant to charter sections 200 and 201, to create one or more "Affordable Housing Zoning Districts" in order to establish additional inclusionary zoning provisions to provide for the creation of affordable housing for low- and moderate-income New Yorkers.

Whereas, the City is in a state of housing emergency with a citywide vacancy rate of 2.94%; and

Whereas twenty five percent of renter households are paying more than fifty percent of their income for rent and nearly half of all New Yorkers pay more than thirty percent of their income in rent; and

Whereas it is almost five times more difficult for low-income families to find an apartment than it is for

those who can afford to pay over two thousand dollars a month on rent, according to the 2002 New York City Housing and Vacancy Survey; and

Whereas New York City and the region suffer from housing segregation, and New York is the most segregated metropolitan area for Hispanics and Latinos in the United States, according to the U.S. Census Bureau; and

Whereas, the Department of City Planning is proposing to change the zoning in dozens of New York City neighborhoods to encourage extensive new residential development to create more than sixty thousand new residential units; and

Whereas, these developments will overwhelmingly create market rate housing far beyond the means of most New Yorkers-with many developments selling units for five hundred thousand dollars to three million dollars; and

Whereas, these developments will also likely induce rent hikes and displacement in the areas affected by the proposed rezoning actions, and perpetuate segregation within New York City; and

Whereas, the existing inclusionary housing program in the New York City Zoning Resolution is inapplicable in the vast majority of communities in New York City; and

Whereas, Council Member David Yassky and Community Board 1 of Brooklyn submitted an application to the Department of City Planning on November 12, 2003 for an amendment to the text of the Zoning Resolution to create an “affordable housing zoning district” as a tool that could address these negative effects; and

Whereas this tool, also known as inclusionary zoning, would require developers to build a percentage of affordable housing in areas which are being rezoned from manufacturing to residential or being upzoned from a lower residential density to a higher residential density; and

Whereas other elected officials, community organizations, and policy research and advocacy groups have also proposed the establishment of affordable housing zoning in New York City; and

Whereas, requiring affordable housing in these circumstances would not create an undue hardship because according to the Independent Budget Office, upzoning or changing the zoning of land from manufacturing to residential can increase the value of the property many times over, thereby giving landowners a substantial windfall; and

Whereas there should be a public gain as a result of this windfall to private landowners; and

Whereas, similar inclusionary zoning programs are working successfully and creating affordable housing in communities with lower densities and weaker real estate markets such as Chicago, Cambridge and San Diego; and

Whereas, similar inclusionary zoning programs around the United States have been determined not to be an impediment to development; and

Whereas, mandatory inclusionary zoning programs have been demonstrated to be more effective at creating affordable housing units at a wide range of incomes than have voluntary programs; and

Whereas, implementation of such an affordable housing zoning program is a way to stretch scarce resources in a time of fiscal constraint and housing crisis by leveraging market rate housing to help subsidize affordable housing; therefore be it

Resolved, that the Council of the City of New York calls upon the New York City Planning Commission to commence public review of amendments to the New York City Zoning Resolution, pursuant to charter sections 200 and 201, to create one or more “Affordable Housing Zoning Districts” in order to establish additional inclusionary zoning provisions to provide for the creation of affordable housing for low- and moderate-income New Yorkers.