



Legislation Text

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Res. No. 66

Resolution calling upon the State Legislature to pass, and the Governor to sign, legislation that would increase the real property tax abatement for the installation of a green roof to \$15 per square foot

By Council Members Levin, The Speaker (Council Member Johnson), Brannan, Yeger, Cohen, Gibson, Rivera, King, Rosenthal and Kallos

Whereas, New York State law provides a one-time real property tax abatement for the installation of green roofs within New York City; and

Whereas, Section 499-bbb of the State Real Property Tax Law provides a real property tax abatement to the owners of class one, two, or four properties who install or have installed green roofs on such properties; and

Whereas, To be eligible for the tax abatement, the green roof must cover at least 50 percent of the eligible rooftop space and can include a weatherproof and waterproof roofing membrane layer; a root barrier layer; an insulation layer; a drainage layer that is designed so the drains can be inspected and cleaned; a growth medium with a depth of at least two inches; an independent water holding layer, for growth mediums less than three inches, that is designed to prevent the rapid drying of the growth medium; or certain vegetation layers; and

Whereas, The law currently provides for a tax abatement at varying levels depending on the year that the tax abatement is claimed; and

Whereas, According to the United States Environmental Protection Agency, the cost of installing a green roof could be \$25 per square foot; and

Whereas, However, the existing tax abatement is far less than this cost; and

Whereas, For tax abatements claimed between July 1, 2009 and June 30, 2014, the amount of the tax

abatement is \$4.50 per square foot of green roof, but not more than the lesser of \$100,000 or the amount of taxes owed that year for the eligible building; and

Whereas, For tax abatements claimed between July 1, 2014 and June 30, 2019, the amount of the tax abatement is \$5.23 per square foot of green roof, but not more than the lesser of \$200,000 or the amount of taxes owed that year for the eligible building; and

Whereas, While the existing tax abatement is helpful, because of the disparity between the cost to install a green roof and the amount of the tax abatement, it does not provide a meaningful incentive for people to build green roofs; and

Whereas, An increased tax abatement amount would provide a greater incentive for property owners to build green roofs and contribute to the greening of the City; and

Whereas, The City also recognizes the benefits of green roof installation and encourages their use; and

Whereas, For example, the City's Department of Environmental Protection offers a Green Infrastructure Grant Program which funds the design and construction of certain green infrastructure projects, including green roofs, on private property in certain areas of the City; and

Whereas, In 2014, the grant program awarded more than \$3,000,000 to fund six projects, five of which included a green roof component; and

Whereas, The State and the City both understand the importance of promoting green infrastructure and, therefore, the tax abatement to incentivize green roof installation should be deepened to reflect the actual cost of installing a green roof; now, therefore, be it

Resolved, That the Council of the City of New York calls upon the State Legislature to pass, and the Governor to sign, legislation that would increase the real property tax abatement for the installation of a green roof to \$15 per square foot.

01/09/2018