



Legislation Text

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By the Public Advocate (Mr. Williams) and Council Members Salamanca, Reynoso, Chin, Levine, Levin, Lander, Menchaca, Van Bramer, Kallos, Rosenthal, Louis, Ampry-Samuel, Adams, Gibson, Miller, Barron, Rose, Cornegy, Moya, Koo, Ayala, Riley, Cumbo and D. Diaz

A Local Law to amend the New York city charter, in relation to requiring a racial disparity report for certain land use applications

Be it enacted by the Council as follows:

Section 1. Chapter 8 of the New York city charter is amended by adding a new section 207 to read as follows:

§ 207. Racial disparity report for certain land use applications. a. Definitions. For the purposes of this section the following terms have the following meanings:

Affordable housing. The term “affordable housing” has the meaning set forth in section 26-2101 of the administrative code.

Block. The term "block" has the meaning given to that term in section 12-10 of the zoning resolution.

Conversion. The term “conversion” has the meaning given to that term in section 12-10 of the zoning resolution.

Floor Area. The term “floor area” has the meaning given to that term in section 12-10 of the zoning resolution.

Rent burden. The term “rent burden” means a household pays more than 30 percent of its income for housing.

b. Whenever an application submitted to the department of city planning pursuant to

subdivision a of section 197-c involves at least four adjacent blocks of real property, proposes to increase permitted floor area by at least 50,000 square feet, or proposes a conversion of use of at least 50,000 square feet, the applicant shall prepare a racial disparity report. During the review of the application pursuant to the uniform land use review procedure established by section one hundred ninety-seven -c the affected community board and borough president, as defined in section one hundred ninety-six, the affected council member, the public advocate, and speaker of the council shall receive copies of such report, which shall also be promptly posted on the department's website.

c. Such racial disparity report shall include, but need not be limited to, the following categories:

1. analysis of existing demographic, social, economic, and housing conditions, including but not limited to median household income, rent burden, labor force participation, educational attainment, new construction permits, median rent, median home prices, the number and share of rent-stabilized or other rent-regulated units, overcrowded housing as measured by housing units with more than two occupants per bedroom, and eviction filings rates, and existing disparities between racial and ethnic groups in the aforementioned categories in a study area defined as within a one-half mile radius of the project area, based on the most recently available census or American community survey data or other publicly available data;

2. analysis of trends in neighborhood racial and ethnic composition and social and economic indicators pursuant to paragraph 1 in the 20 years preceding the year of the filing of the application, broken down in four increments of five years;

3. for projects with residential floor area, a statement of the projected rent amounts for all units and an analysis of corresponding household incomes needed to afford such units without incurring rent burden and an analysis of the racial and ethnic composition of households at the household incomes described above at both the citywide level and within a one-half mile radius of the project area to identify potential racial and ethnic disparities in income eligibility for the proposed housing units;

4. for projects with commercial floor area, an analysis of projected industry sectors and occupations,

projected number of jobs in each sector or occupation, and median wage levels of such jobs based on the most recently available quarterly census on employment and wages data or other publicly available data, and an analysis of the racial and ethnic composition of households working in those sectors and occupations at both the citywide level and within a one-half mile radius of the project area and their educational attainment levels, to identify potential racial and ethnic disparities in eligibility for employment at the proposed project;

5. for projects with community facility projects, an analysis of the population expected to be served and a demographic analysis of households by racial and ethnic composition, age, household income, education, and any other factors relevant to the proposed community facility at both the citywide level and within a one-half mile radius of the project area to identify potential racial and ethnic disparities in service at the proposed community facility; and

6. identification of potential measures that may address any identified disparities or displacement risk including but not limited to certificate of no harassment protections, right to counsel protections, workforce development programs, or other programs or policies that would achieve greater racial and ethnic equity.

d. Such racial disparity report shall describe the methodology used to obtain the information and complete the analyses in subdivision c of this section.

§ 2. This local law takes effect 90 days after it becomes law.

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