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Uniform Land Use Review Procedure (ULURP) Application

CITY OF YES FOR HOUSING OPPORTUNITY – N240290ZRY

IN THE MATTER OF a proposal by the NYC Department of City Planning (DCP) for a citywide zoning amendment to expand opportunities for housing within all zoning districts, and across all 59 of the City's Community Districts. These changes to the City's Zoning Resolution would enable more housing and a wider variety of housing types in every neighborhood, from the lowest-density districts to the highest, to address the housing shortage and high cost of housing in New York City.

CITYWIDE, BROOKLYN COMMUNITY DISTRICTS 1-18

RECOMMENDATION

☐ APPROVE
☒ APPROVE WITH MODIFICATIONS/CONDITIONS
☐ DISAPPROVE
☐ DISAPPROVE WITH MODIFICATIONS/CONDITIONS

RECOMMENDATION FOR: CITY OF YES FOR HOUSING OPPORTUNITY – N240290ZRY

The City of Yes for Housing Opportunity is the third proposal within a package of zoning changes put forward by the Adams administration, including Carbon Neutrality and Economic Opportunity. As a set of citywide text amendments, this proposal affects much of the zoning code including residential zones, parking requirements, commercial conversions, and incentive programs in an effort to accelerate market rate and affordable housing production, permit a greater variety of housing units, and allow for greater flexibility in building form (i.e., bulk, height, lot coverage, etc.).

Though the proposal is described as a means to "address the housing shortage and high cost of housing in New York City," the proposal should be best understood as a housing supply strategy rather than a housing affordability strategy. The citywide amendments are designed to address a wide range of issues through relaxing rules that would increase the flexibility of what can be built, stimulate new as-of-right development in all areas of the city, and to relegalize non-conforming uses (i.e., reallowing residential uses above commercial). While the proposal does put forward a voluntary affordable housing production program, its means for requiring the production of affordable housing does not meet the city's gaps in the supply of housing for people at all income levels, especially for deeply affordable housing. Despite this

shortcoming, the proposal does include some important strategies for incentivizing the production of affordable housing, particularly for development undertaken by non-profit and mission-driven developers who would benefit from additional housing capacity on projects that are already deeply affordable.

This citywide proposal is unique in that it touches each community, bringing an approach to increasing housing production that is not targeted to one particular neighborhood, rather a set of text amendments that cut across boroughs, special districts, and zoning categories to rethink how the built form can be updated while still being compatible with neighborhood character. City of Yes for Housing Opportunity is characterized by the applicant into four main categories, which serve as a framework for the review of the application by the Brooklyn Borough President:

1. **Citywide**
    - Lift Costly Parking Mandates
    - Convert Non-Residential Buildings to Housing
    - Small and Shared Housing
    - Campus Infill
2. **Low-Density**
    - Transit Center Zoning
    - Transit-Oriented Development
    - Accessory Dwelling Units
    - District Fixes
3. **Medium- and High-Density**
    - Universal Affordability Preference
4. **Miscellaneous**
    - Establish New Zoning Districts
    - Update to Mandatory Inclusionary Housing
    - Sliver Law
    - Quality Housing Amenity Changes
    - Landmark Transferable Development Rights
    - Railroad Right-of-Way

As a package of amendments, careful consideration is required to assess how any potential amendments or edits stand to impact housing production as well as which neighborhoods and areas of the city will receive zoning changes that make development more feasible. The Borough President agrees with the applicant that too few neighborhoods have been overburdened with new housing growth and market pressure while other areas of the city have been slow to produce new housing. Zoning is a contributing factor to this citywide pattern. A citywide text amendment is a viable strategy to begin to address shortcomings, remove outdated barriers to housing production, and to update our expectations of what can be built across the city.

Community & Borough Boards Recommendations & Discussion

Staff from the Borough President's Office attended discussions, hearings, and presentations at every Brooklyn Community Board during the review period between May 8, 2024, and July 8, 2024. As a citywide text amendment application, it is subject to concurrent review by the Borough Presidents and Community Boards.

Borough President Reynoso held a public hearing for this application on Monday, June 17, 2024. Three members of the public testified and 15 submitted written testimony. The Brooklyn Borough Board held a public hearing for this application on Tuesday, June 4, 2024. The Brooklyn Borough Board anticipates revisiting their recommendation on this application during their September meeting, after voting to table the discussion during the June meeting.

As of July 8, 2024, eight Brooklyn CBs have uploaded their recommendations to the Zoning Application Portal, including the following recommendations:

- *Unfavorable*: CB 8, CB 9, CB 10, CB 11, CB 15
- *Favorable* : CB 6
- *Conditional Favorable*: CB 1, CB 14

Key Discussion Themes

Process

Community Boards expressed concerns about the limited time provided to review the proposal, spanning nearly 1,400 pages of the zoning resolution as well as hundreds of pages within the Draft Environmental Impact Statement and Racial Equity Report. DCP made efforts to make the proposal more accessible and break the materials down, including providing an annotated draft zoning text, FAQs, a proposal feedback worksheet, virtual town halls, and applicability maps and presentations to help local communities better understand which aspects of the proposal would affect their area. DCP staff provided presentations to all Community Boards and answered their questions, both in person and in writing.

Community Boards took different approaches to deliberations around the proposal, with some utilizing DCP's proposal feedback worksheet as a guide and others setting discussion priorities more organically in response to Board interest or public comments. Members of the Borough Board expressed challenges making a recommendation prior to action being taken by their local Community Board or unresolved discussion to determine an appropriate Board position. Some Community Boards, such as Brooklyn Community Board 9, established a separate City of Yes Committee to review the application outside of their already established land use committee. It is difficult to capture all of the nuances of the community discussion, but the following section attempts to lift up some of the critical discourse that helps to shape the Borough President's recommendation.

Coordinated Planning & Citywide Growth Strategy

Many Brooklyn Community Boards' discussions referenced a desire for a more coordinated planning effort. CB 6 offered support for City of Yes, noting that their support for Carbon Neutrality, Economic Opportunity, and Housing Opportunity does not replace "a more comprehensive planning process." CB 15 was seeking assurance that "infrastructure enhancements [would] accompany any increase in housing capacity to prevent overburdening existing facilities" (i.e., transportation, utilities, schools, and healthcare services).

Given the citywide nature of the proposal, Community Boards have different experiences with growth and change. This was evident at the Borough Board meeting in which a CB 5 representative spoke to the disparity of affordable housing production and the concentration within their district, while other Community Boards have seen little to no new affordable housing projects. Representatives from CB 17 and CB 9 raised concerns on overconcentration of new development in low- and moderate-income communities of color. This concern was echoed at CB 9 in discussing the relative rates of change in mid-to-high-density neighborhoods relative to changes in low-density neighborhoods, comparing changes to allow ADUs and expanded building forms relative to a 20% floor area increase available through the proposed Universal Affordability Program (UAP). There was a desire to more equitably distribute new housing capacity across the city. Some discussion identified Town Center Zoning as a strategy to alleviate market pressure from rapidly growing neighborhoods like Bushwick.

The Boards broadly supported using transit as a growth strategy. Even in the Community Board recommendations seeking to limit the scope or degree of proposed changes, they supported concentrating changes within those areas with the highest level of transit access.

We heard discussion and received recommendations that affirmed the use of street width and lot size as a mechanism for codifying missing middle housing. In some cases, this pointed to restricting zoning changes for smaller lots, though discussion varied on which new building forms and modifications make be compatible with lower density areas (ADUs, multiplexes, attached housing).

Community Boards and members of the public expressed skepticism of increasing supply as a viable strategy to address the housing challenges across the city. As a result, much criticism was centered on the mechanisms for encouraging and requiring more affordable housing, the uncertainty if lowered construction costs would translate to lower rents, and trouble quantifying the scope of housing need by income level, household and bedroom size, and tenure (homeownership or rentals). Many Community Board members referenced challenges tenants face to find and secure high-quality, affordable housing as well as the need for greater tenant protections, particularly in reference to the Rent Guidelines Board and recently adopted changes in Albany.

As a component of increased supply, some Community Boards indicated fears of speculative development, a rapid increase in the number of demolitions, and uncertainty about the opportunities to intervene should there be unanticipated patterns of development resulting from this proposal. CB 9 expressed concerns about a shift in development economics as additional available FAR, particularly in R6 zones provided under UAP, may lead to accelerated demolitions and redevelopment.

There was considerable discussion on how to interpret "a little bit of housing everywhere" between Community Boards. In some areas, neighbors saw the value of "unlocking" additional housing capacity in areas around the city. In areas experiencing more growth, there were fears of accelerated development and demolition. Further still, communities questioned if this proposal was significant enough to make an impact on housing costs or choice for tenants and potential homeowners, relative to the tight housing market and timeline for producing new housing. While some agreed that more zoned capacity would be helpful, there were questions about more immediate interventions, particularly for lower-income households.

Some Community Board members conveyed worries about less community review if more projects would be moving forward as-of-right with expanded development capacity and flexibility resulting from this proposal.

Housing Choice & Affordability

Boards undertook considerable deliberation on affordability, particularly around the UAP proposal. CB 11 indicated that "sixty percent of AMI was too high for older residents" despite the proposal allowing for income-averaging, hopefully resulting in a greater depth of affordability as some units could be provided at both sub 60% and up to 100% of AMI. CB 7 also is seeking a greater depth of affordability under UAP to reduce the average AMI from 60% to 30% to better match community incomes and local needs.

Community Boards also sought out opportunities to increase requirements of affordability through other proposals as they questioned the community benefits from increasing buildable FAR or removing the requirement for providing parking. CB 7 has requested that the Town Center Zoning proposal be accompanied by an affordability requirement, saying that "any artificial increase in property value should require the creation of affordable units." Perhaps this requirement could be scaled to the amount of additional development potential, rather than mimic MIH or UAP.

Unit diversity was a theme that persisted. While the primary means for enabling the production of a greater diversity of unit sizes within the proposal are the dwelling unit factor and Quality Housing amenity incentives that encourage family-sized units, much discussion centered around neighborhood preferences, anticipated demand for smaller units, and the likelihood of additional new studio and one-bedroom units being able to free up larger units that are currently occupied by non-familial households (roommates). CB 15 included discussion at their Full Board meeting of accessible housing for people with disabilities as an important factor to prioritize with all new housing opportunities, from ADUs to high-rises.

Parking

Discussion on parking varied, as is expected, given the diversity across the borough. Some Community Boards responded swiftly to object to the removal of parking requirements. Others engaged in discussions around the need for parking relative to the cost of providing parking, acknowledging both anecdotal patterns of new residents and expectations of new tenants. CB 11 "recognized the goals of eliminating mandatory parking mandates" and outlined a set of additional policies to coordinate and clarify needed to receive their support. Some Boards discussed using building size or affordability levels as mechanisms to help regulate parking need, pointing to DCPs examples on smaller buildings that underbuild rather than building required parking.

Neighborhood Character

Neighborhood character was discussed across the borough. There continues to be confusion between the existing uses and underlying zoning (i.e., a two-story building within a zoning district that may allow for a six-story building). In areas with unused floor area, the potential difference between existing zoning and proposed changes was perceived to be higher (i.e., a change in use from two stories to eight stories, rather than the change in zoning from six stories to eight stories). Some communities expressed a

preference that new development match the current built forms and heights. CB 11, in discussing the Town Center Zoning proposal, suggested in their opposition that "where there is no residential above commercial on the block, the new residential building should be no higher than existing residential buildings." They also commented that relief available through the BSA is sufficient for individual homeowners who need additional flexibility. It would be expected that areas that have experienced higher BSA applications would see a reduction resulting from City of Yes, as there would be more allowed as-of-right.

Ongoing Discussion

The Borough President encourages members of the CPC and City Council to continue to wrestle with some of the questions that emerged from Community Board discussion, including:

- Does this proposal introduce enough variety of "missing middle" housing to allow for more housing in areas that have been slow to grow?
- Is the proposal right-sized or are there areas of the city that are taking on an outsize portion of new housing capacity?
- Are there additional approaches to facilitate new development that are more consistent with the City's de facto growth strategy that focuses growth near transit?
- What is the right approach to balance producing a higher volume of housing units versus being more targeted to reflect the needs of communities (unit size: family-sized housing; depth of affordability: targeting very low-income households; and accessibility: basement and backyard ADUs)?

Approval Rationale

Borough President Reynoso believes that the proposed actions are appropriate, though insufficient. There is too little housing produced under this proposal to make significant dents in alleviating housing pressure, not enough affordability, and some inconsistency in policy approach.

Process, Referral Resources, and Environmental Review

On the whole, Borough President Reynoso appreciates the quantity and quality of resources, review, and information provided by the Department of City Planning throughout the proposal. DCP staff have been available and forthcoming in providing answers, clarifications, or further data about the proposal. The Borough President also recognizes that the Draft Environmental Impact Statement (DEIS) generated by this proposal is substantial; it deploys a methodology not only to estimate impacts of the proposal, but also to characterize the built environment and housing market of each of the city's neighborhood tabulation areas (NTAs).

That said, Borough President Reynoso is disappointed that the data, vocabulary, and methodology of the DEIS largely did not extend beyond the pages of report or the CEQR process. For both this text amendment and City of Yes for Economic Opportunity, DCP invited public review participants and the general public to provide itemized feedback for each part of the proposal. Unfortunately, the analysis in the DEIS does not facilitate this kind of itemized analysis. Members of the public looking to understand how many residential units might be added by an individual part of that proposal will struggle to find this information, as the likely effects of the proposal are bundled together through various Prototypical Sites and Representative Neighborhoods.

In a vacuum, this methodology makes sense, as a single site would be affected by multiple proposals should the entire text amendment come to pass – but combining the analysis of all proposals together is at odds both with the premise that DCP is eagerly seeking feedback to individual parts of proposal and with the reality that piecemeal modifications will likely be made by City Council at the end of public review. The unfortunate impression given by the DEIS is that the time for analysis and meaningful feedback is actually already over. In that sense, it is perhaps understandable why DCP would choose not to further

incorporate the DEIS into the way it presents the proposal as not to risk giving the wrong impression that public review is a mere formality.

The result is that this text amendment is another case where the environmental review process feels separate from how the City, its residents, and its elected officials actually talk about planning. Throughout the public review period, DCP has stated that the origins of this proposal were in the Where We Live Fair Housing report. This proposal was a missed opportunity to create a unified methodology, vocabulary, and geographies connecting this zoning and supply strategy with the City's fair and affordable housing plans and long-term capital planning.

In other words, the City is still in need of a truly comprehensive planning effort.

Alignment with the Comprehensive Plan for Brooklyn

In October 2023, Borough President Reynoso published the Comprehensive Plan for Brooklyn. The plan included four frameworks to guide the development, policymaking, and land use decisions across the borough. The Housing Growth and Parking Demand Management framework identified a series of Housing Priority Areas, defined as areas where housing production has lagged behind other parts of the borough and population growth overall. Within these areas, the framework calls for a transit-oriented development strategy, with mixed-use nodes of housing and neighborhood amenities in a quarter mile of rail stations, increased residential density within a half-mile walkshed, and "gentle density" housing changes such as accessory dwelling units (ADUs) and "missing middle" housing typologies for areas beyond.

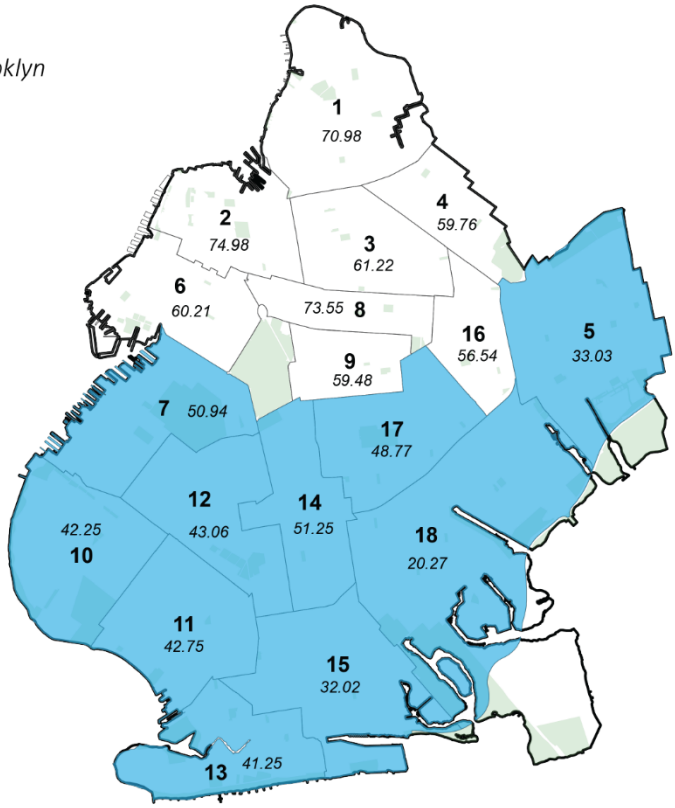
Housing Priority Areas

As identified in the Comprehensive Plan for Brooklyn

Housing Priority Areas

Community Districts with fewer than 55 residential units per acre of buildable land.

Each Community District is labeled with currently existing residential units per acre of buildable land.



The Comprehensive Plan for Brooklyn is a living document; as new data (both quantitative and qualitative) becomes available, these Housing Priority Areas will continue to be updated to consider additional factors such as the spatial distribution of unit consolidations, vacancy rates, and rent-stabilized and Section 8 housing, among others. For the purpose of reviewing this text amendment, the plan provides a simple

guidepost: **does City of Yes for Housing Opportunity further the goal of increasing housing supply in the parts of the borough where housing growth has not kept pace?**

The framework also identified a few key areas for transit-oriented development informed by expansion opportunities analyzed in the MTA's 20-Year Needs Assessment. Utica Avenue, currently served by the heavily used B46-SBS bus, has long been eyed for a subway expansion. The Interborough Express would be a new transit service utilizing the existing Bay Ridge Branch freight line to connect Brooklyn and Queens. While much of the proposed route would connect areas with existing transit service, the route would also include several infill stations near East Flatbush and Canarsie that are currently beyond the subway network. Finally, a proposed extension of the 3 train south of Linden Boulevard would bring new subway service to parts of East New York.

As outlined in the Plan, Borough President Reynoso supports investment and expansion of the subway and bus networks and believes that the City should proactively plan for higher densities along these corridors. Unfortunately, the Department of City Planning has not been given the mandate to conduct comprehensive planning. This text amendment is a supply strategy based on a few changes to the Zoning Resolution. In lieu of a true comprehensive planning effort, Borough President Reynoso will instead consider: **does City of Yes for Housing Opportunity provide useful tools, concepts, or precedents to proactively plan for transit-oriented development in these parts of the borough?**

Rationalizing the Transit Zone

Much of the proposal revolves around an amended "Greater Transit Zone," comprising two parts:

- Inner: the currently existing Transit Zone, plus the Manhattan Core and Long Island City Areas
- Outer: all new areas to be added, falling into two categories:
    - Fixes: All blocks not already within the transit zone within a half mile radius of a subway station
    - Commuter rail stations: All blocks within a half mile radius of LIRR, MNR, and SIR stations

There are four proposals that use the Greater Transit Zone to assign various allowances, zoning changes, or new waivers: Town Center Zoning, Transit-Oriented Development, Small and Shared Housing, and Lift Costly Parking Mandates. The various policies and zoning allowances per transit zone are depicted below in Table 1.

Table 1: DCP Proposed Transit Zones

<table>
<tr><td colspan="2" rowspan="3">Geography</td><td colspan="5">Proposal</td></tr>
<tr><td colspan="2">Low Density</td><td colspan="3">Citywide</td></tr>
<tr><td>Town Center Zoning</td><td>Transit-Oriented Development</td><td>Small and Shared Housing</td><td colspan="2">Lift Costly Parking Mandates</td></tr>
<tr><td rowspan="2">Greater Transit Zone</td><td>Inner Transit Zone</td><td rowspan="2">R5 equivalent above commercial</td><td rowspan="2">3-5 stories in low density residential</td><td>Eliminate dwelling unit factor</td><td rowspan="3">Parking requirements lifted</td><td>Mixed-use parking waiver for all sites;
Maximums remain in Manhattan Core and LIC</td></tr>
<tr><td>Outer Transit Zone</td><td rowspan="2">Reduce and simplify dwelling unit factor</td><td>Mixed-use parking waived for sites < 10,000 sf</td></tr>
<tr><td colspan="2">Outside of Greater Transit Zone</td><td>~R4 equivalent above commercial</td><td></td><td>Mixed-use parking waived for sites < 5,000 sf</td></tr>
</table>

The boundaries and definitions of these new transit zones greatly affect the proposal. Borough President Reynoso believes the new Greater Transit Zone should be altered in three ways:

1) Fixing the Existing Transit Zone
2) Repurposing the Outer Transit Zone for SBS Corridors
3) Adding Additional "Core" Transit Zones to Brooklyn

The result of these changes will be to create a clearer, graduated hierarchy between the Core, Inner, and Outer Transit Zones. These zones would be used to assign different zoning proposals to be elaborated under each proposal in this recommendation. Table 2 outlines the Borough President's proposed hierarchy of transit zones and corresponding proposals. All items in bold and italicized represent amendments or additions to DCP's proposal.

Table 2: BBPO Proposed Transit Zones

<table>
<tr><td colspan="2" rowspan="3">Geography</td><td colspan="4">Proposal</td></tr>
<tr><td colspan="2">Low + Medium Density</td><td colspan="2">Citywide</td></tr>
<tr><td>Town Center Zoning</td><td>Transit-Oriented Development</td><td>Small and Shared Housing</td><td colspan="2">Lift Costly Parking Mandates</td></tr>
<tr><td rowspan="3">Greater Transit Zone</td><td>Core Transit Zones*</td><td>**</td><td>**</td><td>Maximum dwelling unit factor</td><td rowspan="4">Residential parking requirements lifted

Flexible parking</td><td>Existing Manhattan Core, LIC parking maximums

New parking maximums</td></tr>
<tr><td>Inner Transit Zone</td><td>R6 equivalent above commercial</td><td>5-6 stories in low density residential</td><td rowspan="2">Eliminate dwelling unit factor</td><td>Mixed-use parking waiver for all sites;</td></tr>
<tr><td>Outer Transit Zone</td><td>R5 equivalent above commercial</td><td>3-5 stories in low density residential</td><td>Mixed-use parking waived for sites < 10,000 sf</td></tr>
<tr><td colspan="2">Outside of Greater Transit Zone</td><td>~R4 equivalent above commercial</td><td>Add greater flexibility to R1-R3</td><td>Reduce and simplify dwelling unit factor</td><td>Mixed-use parking waived for sites < 5,000 sf</td></tr>
</table>

*Would include Manhattan Core and Long Island City Area
**Follow-up actions not to be included in this proposal

Fixing the Existing Transit Zone

The existing Transit Zone established in 2016 loosely corresponds with the subway network. However, the relationship between the transit zone boundary and actual transit stations is hazy and includes several conspicuous carveouts. In Brooklyn, the Transit Zone roughly corresponds to a half-mile radius surrounding subway lines north of the Bay Ridge Branch rail line, the freight right-of-way proposed as the future Interborough Express (IBX) transit service. South of this line, the transit zone roughly corresponds to a quarter-mile radius.[1] Several neighborhoods are excluded from the zone altogether: much of Borough Park, Brighton Beach, Bensonhurst, and the entirety of Bay Ridge are excluded despite much of these neighborhoods being a stone's throw from a rail station. The land use rationale for these inconsistencies and exclusions is not stated in the Zoning Resolution or other planning documents.

[1] A similar pattern occurs in Queens, where south of the Port Washington Branch of the LIRR, the Transit Zone corresponds to a roughly quarter mile corridor along Queens Boulevard.

In this text amendment, DCP is proposing to patch the holes of the existing Transit Zone through the creation of a new "Outer Transit Zone." Borough President Reynoso supports the general effort to fill in these gaps but believes that these areas should have been included in the Transit Zone from the beginning. This text amendment is an opportunity to correct these unclear and arbitrary exclusions and clearly state a land use rationale for what the Inner and Outer Transit Zones represent. Including these excluded areas in an "Outer" Transit Zone would preserve the exclusion of these areas from the original transit zone by maintaining a distinction in the Zoning Resolution. As will be elaborated below, the Outer Transit Zone should be a distinct geography with its own land use rationale and vision, not just a corrective measure for carveouts to previous versions of the Transit Zone.

Currently, the Transit Zone is defined in the Zoning Resolution by a handful of static maps that remain unchanged regardless of any changes to the transit network. As part of the updated definition of the Greater Transit Zone, City of Yes is proposing a new mechanism that would automatically define any block within a half-mile of a mass transit station as within the Greater Transit Zone. Borough President Reynoso supports this method of expansion. As outlined in the Comprehensive Plan for Brooklyn, the Borough President believes the City should anticipate and plan for growth around future transit expansions such as a subway expansion under Utica Avenue and the IBX. The proposal as written would achieve this recommendation.

Additionally, Borough President Reynoso strongly supports including commuter rail stations in the new definition of the Greater Transit Zone. This change will be particularly impactful in eastern Queens, which is widely mapped with low density R1-R3 residential districts that are more restrictive than the lowest density parts of Brooklyn. Though these districts are outside of the borough, they re-direct market pressure on to Brooklyn neighborhoods and tenants by excluding the potential for transit-oriented development across a significant part of the city. Transit-oriented development around commuter stations, both within and beyond city limits, is an essential step towards easing the region's housing crisis.

As outlined in the Comprehensive Plan, Borough President Reynoso believes the region's commuter rail networks should begin functioning as a regional rail network oriented toward moving people across the region throughout the day, rather than oriented toward traditional commuting trips between "bedroom communities" and Manhattan. The proposed addition of LIRR, MNR, and SIR stations to the transit zone is aligned with this framework for regional transportation: more housing choice near rail stations will facilitate more local job density and demand for regional rail trips.

Repurposing the Outer Transit Zone for SBS Corridors

As presented, the difference between the Inner and Outer Transit Zones is minimal in terms of the differing policies assigned to each geography. As seen in Table 1, the Inner and Outer Transit Zones apply the same allowances for the Town Center Zoning and Transit-Oriented Development proposals. The Lift Costly Parking Mandates proposal includes some distinctions between the two zones for mixed-use parking waivers but the brunt of the proposal, the lifting of residential parking requirements, is identical across the entire city.

Perhaps the most substantial difference between the Inner and Outer zones is in the Small and Shared Housing proposal, where Dwelling Unit Factor is proposed to be eliminated in the Inner Transit Zone, but only simplified and reduced in the Outer Transit Zone. For this proposal, there is no step down between the Outer Transit Zone and areas outside of the Greater Transit Zone altogether.

Overall, there are few aspects of the proposal that apply exclusively to the Outer Transit Zone. Rather than defining any unified principles of transit-oriented development or urban design, the Outer Transit Zone's main function is to correct the gaps in the previous Transit Zone.

Borough President Reynoso believes the Outer Transit Zone should be repurposed around Select Bus Service (SBS) corridors: areas with access to frequent, express-style bus service with dedicated travel

lanes but further than a 10-15 minute walk to the rail network. Many of these areas are mixed-use local retail corridors, as highlighted in the Town Center Zoning proposal.

In Brooklyn, these areas correspond to three corridors: the B44-SBS along Nostrand Avenue south of Brooklyn College, the B46-SBS along Utica Avenue south of Church Avenue, and the B82-SBS along Flatlands Avenue and Kings Highway between Canarsie and Midwood.

An Outer Transit Zone based on SBS corridors would most significantly affect Brooklyn. In the Bronx, the effect would be to close the small gap in the zone between Webster Avenue and Boston Road. In Staten Island, the S79-SBS route is in the shadow of the Staten Island Railroad, which would already be added to the Transit Zone. In Queens, most of the SBS corridors are interlaced with rail lines that are either already in the zone or would be added under the proposed definition. The most significant addition would be the Q44-SBS corridor in Kew Gardens Hills and College Point, following in the footsteps of the discontinued World's Fair subway line and LIRR Whitestone Branch.

Unlike with the Inner Transit Zone, the boundaries of the Outer Transit Zone should be manually established in the Zoning Resolution rather than automatically defined by the placement of bus stops. The MTA and DOT should be able to act nimbly and efficiently when planning and adjusting SBS routes. For example, the B46-SBS originally extended to Williamsburg Bridge Plaza along Broadway. It was adjusted to terminate at Woodhull Hospital, as the Broadway section of the route turned out to be redundant to J/M/Z train service. The fundamental premise of adding boosted transit service along Utica Avenue was correct but required adjustments at the margins. Attaching zoning implications to such decisions would complicate transportation planning and add additional scrutiny and public review expectations to the MTA and DOT.

Additionally, defining the Outer Transit Zone manually offers an opportunity to tailor boundaries around unique conditions present along several SBS routes. For example, an as-the-crow-flies calculation of the B46-SBS or Q44-SBS routes might include several blocks in Mill Basin and Whitestone, despite being separated from bus services by a body of water and the on-ramp of the Whitestone Bridge, respectively.

By implementing these changes, the transit zones would be succinctly described as follows:

> The **Inner Transit Zone** should be understood as all parts of the city with access to the subway and rail network.
>
> The **Outer Transit Zone** should be understood as all parts of the city with access to frequent bus service, but beyond the extent of the rail network.

Additional Core Transit Zones

In addition to the Inner and Outer Transit Zones, Borough President Reynoso believes an additional "core" geography should be expanded to Brooklyn and other outer boroughs to further facilitate transit-oriented development near significant transit and jobs hubs such as Downtown Brooklyn, Atlantic Terminal, and the Northside of Williamsburg. This zone should include an additional tier of policies aimed at encouraging transit-oriented development. In the context of the current proposal, this would correspond to a higher tier of TOD and Town Center Zoning bonuses, parking maximums in addition to waiving all minimums, and the introduction of a maximum dwelling unit factor to stymy the ongoing loss of housing units to consolidations.

There is already precedent for a Core Transit Zone in the Zoning Resolution: the Manhattan Core and Long Island City geographies include various controls on parking. Borough President Reynoso believes this precedent should be extended to Brooklyn.

Transit Zone Recommendations:

In summary, Borough President Reynoso recommends the following changes to the Greater Transit Zone:

The **Inner Transit Zone** should be amended to include all blocks within a half-mile radius of a rail (subway, LIRR, MNR, SIR) station, as well as all blocks west of Colonial Road in CD 10, and all blocks west of Bedford Avenue in CDs 14 and 15. The opening of any new rail stations should automatically expand the boundaries of this zone.

The Inner Transit Zone would include the following proposals:

Inner Transit Zone Comparison		
Proposal	**DCP Proposal**	**BP Recommendation**
Town Center Zoning	R5 equivalent above commercial	R6 equivalent above commercial
Transit-Oriented Development	3-5 stories in low density residential districts	5-6 stories in low density residential districts
Small and Shared Housing	Eliminate dwelling unit factor	
Lift Costly Parking Mandates	Parking requirements lifted	
	Mixed use development parking waivers available for all sites	
		Flexible parking definition added

The **Outer Transit Zone** should be amended to include areas within a half-mile of SBS bus route corridors as of July 2024 and not already within the Inner Transit Zone. In Brooklyn, this corresponds to:

- B44 SBS: Nostrand Avenue south of Avenue K
- B46 SBS: Utica Avenue south of Church Avenue
- B82 SBS:
    - Flatlands Avenue between Remsen Avenue and Utica Avenue
    - Avenue K between Utica Avenue and Troy Avenue/Kings Highway
    - Kings Highway between Troy Avenue and Bedford Avenue

The boundaries of this zone should be defined manually, and not automatically expanded upon the opening of a new SBS route or stop.

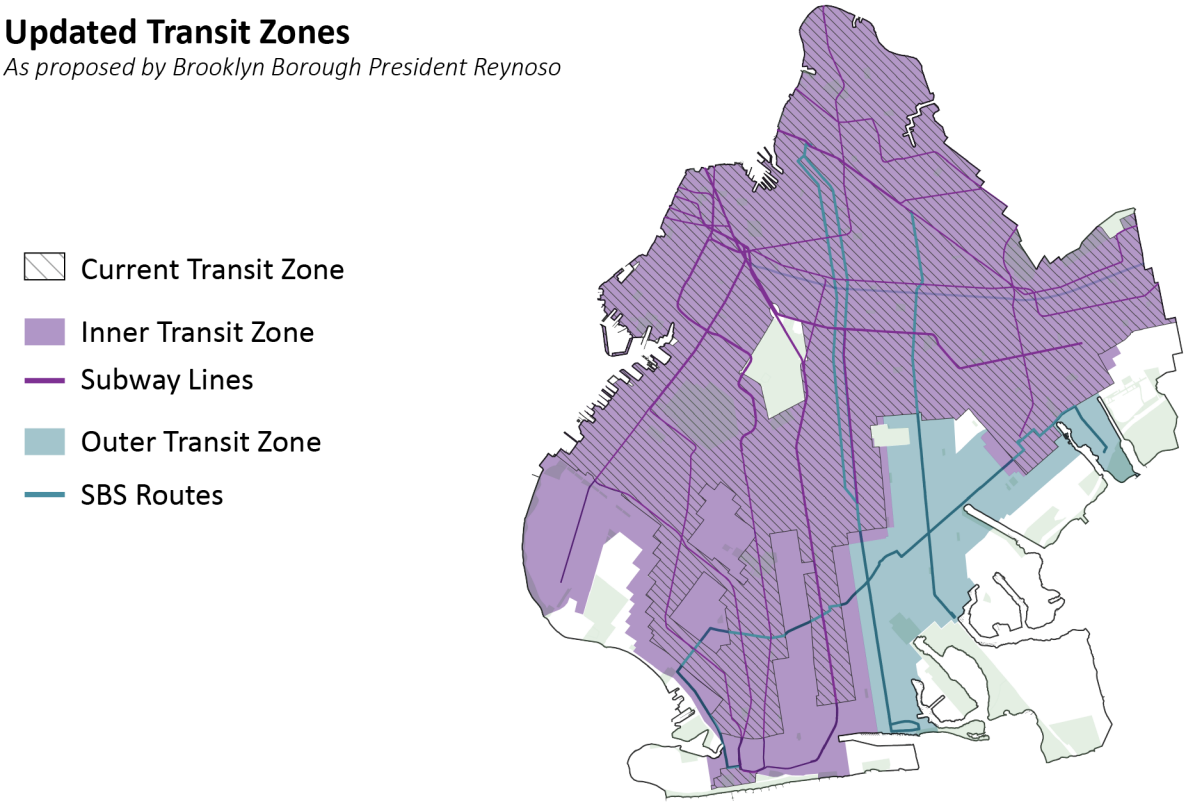
The Outer Transit Zone would include the following proposals:

Outer Transit Zone Comparison		
Proposal	**DCP Proposal**	**BP Recommendation**
Town Center Zoning	R5 equivalent zoning	
Transit-Oriented Development	3-5 stories in low density residential districts	
Small and Shared Housing	Reduce and simplify dwelling unit factor	Eliminate dwelling unit factor
Lift Costly Parking Mandates	Parking requirements lifted	
	Mixed use development parking waivers available for sites > 10,000 sf	
		Flexible parking definition added

In follow-up actions, a new **Core Transit Zone** be established that includes areas such as Downtown Brooklyn, Atlantic Terminal, and the Northside of Williamsburg. This zone would include a parking maximum policy modeled after existing maximums in Manhattan and Long Island City, a maximum dwelling unit factor to control against unit consolidations, and a higher tier of town center zoning and transit-oriented development regulations.

Updated Transit Zones

As proposed by Brooklyn Borough President Reynoso



Low-Density Proposals:

Transit Oriented Development (Approve with modifications)

Borough President Reynoso believes that the proposal should be amended to provide more density within the Inner Transit Zone. The densities currently proposed by DCP should apply to a larger Outer Transit Zone defined around SBS corridors in the outer boroughs (as outlined above).

As presented, the proposal would increase housing capacity in the low-growth, low-density parts of the borough. According to our analysis, this proposal would add zoning capacity for approximately 57,000 residential units.[2] Ninety-four percent of these units would be within Community Districts identified as Housing Priority Areas in the Comprehensive Plan for Brooklyn.

However, Borough President Reynoso believes the proposed growth in these districts is still rather modest, both in terms of the magnitude of the new proposed densities and the spatial distribution of where these new densities would apply. While there are nearly 90,000 parcels identified in Brooklyn's low-density districts within DCP's proposed Greater Transit Zone, fewer than 4,000 meet the criteria of being larger than 5,000 square feet and being located either on the short end of a block or facing a wide street. While this figure may slowly increase as consolidations increase the number of parcels meeting the minimum lot size, these parameters will still drastically reduce the footprint of the proposed changes.

[2] This analysis is an estimate of new zoning floor area only and does not account for or forecast market conditions.

In many cases, the buildings on these parcels are currently overbuilt. Of the 3,637 eligible parcels in Brooklyn, one quarter are currently overbuilt and would remain overbuilt with the new proposed densities. No new development would be facilitated by the proposed changes at these sites. At another quarter of eligible parcels, a portion of the proposed density bonus would be eaten up by merely legalizing the existing building. Aggregated at the borough level, about 36% of the proposed density bonus on these sites would be spent in this way.

At many of these sites, the new floor area leftover after legalizing the existing density would be small, and also unlikely to facilitate any new construction. For example, 3001 Fort Hamilton Parkway is a mixed-use multifamily building in an R5 district within the Greater Transit Zone and currently overbuilt by 0.69 FAR. After receiving the proposed FAR boost, this parcel would have only 300 square feet of floor area left over to develop, less than the dwelling unit factor of 870 in this zoning district. These bits and pieces add up: although the proposal is adding 4.6 million square feet of residential floor area to these overbuilt lots, this area is only estimated to allow a little over 5,000 residential units. While critical to bring existing units into compliance, we should be clear-sighted that additional zoning capacity is needed to unlock additional development in these areas.

As such, Borough President Reynoso recommends that this proposal should go further. First, it should allow slightly higher densities of 5-6 stories within the Borough President's proposed Inner Transit Zone. The fact that a quarter of eligible sites would still be overbuilt after the proposed changes shows that buildings of this scale are already common in these areas of the borough. The lot size and street width parameters would ensure that buildings of this scale would not dominate these areas, but rather complement the existing housing stock in a similar manner to the already existing overbuilt buildings. Second, DCP's proposed density of 3-5 stories should apply to the Borough President's proposed Outer Transit Zone, defined around the SBS bus corridors of Nostrand, Utica, and Flatlands Avenues.

Town Center Zoning (Approve with modifications)

Borough President Reynoso believes the proposed actions should be strengthened. As with the Transit-Oriented Development proposal above, there should be additional housing capacity by increasing the residential equivalency from R5 to R6 in Town Center areas.

This additional capacity can better balance growth across the city and take advantage of market preferences to be close to business districts, transit, and other amenities that are already collocated in these areas.

Accessory Dwelling Units (Approve with modifications)

The Borough President is supportive of new standards for ADUs. This is a straightforward method to add new density with minimal impacts to neighborhoods' look and feel. Other cities have expanded their allowances for accessory units, including permitting two ADUs provided that one is detached and the other one is within the existing structure (i.e., attic, garage, or basement). Additional flexibility could be considered to allow an additional unit if one of them is affordable (at or under 60% AMI).

The Borough President is concerned about fair housing protections for tenants seeking this new housing type. It is critical to extend fair housing protections to these units in one- and two-family houses. There have been increases in reports of housing discrimination, particularly for sources of income and use of vouchers, in recent years. ADUs need to be accessible to all potential tenants and free of discrimination.

ADUs are a critical part of a comprehensive approach to increasing housing supply in every neighborhood. From the perspective of facilitating an equitable distribution of new housing growth, removing this proposal would prevent lower-density areas from contributing to the solution. Further still, ADUs allow potential relief from financial pressures on homeowners of color who wish to create housing options for relatives or children, increase property value, and generate additional rental income.

The Borough President agrees with several Community Boards who raised concerns around safety for tenants in basement ADUs in areas vulnerable to stormwater flooding but are outside of the coastal zone.

District Fixes (Approve)

Borough President Reynoso believes the proposed actions are appropriate. The proposed district fixes would facilitate additional housing capacity in low-density districts, which are predominantly located in the low-growth Housing Priority Areas identified in the Comprehensive Plan for Brooklyn.

Medium- and High-Density Proposals

Universal Affordability Preference (Approve with modifications)

Borough President Reynoso recommends that the proposal be amended to encourage deeper levels of affordability, apply to lower density districts, and exempt specific areas due to nearby sensitive resources.

The proposal would be strengthened by aligning the AMI of qualifying units with income averaging outlined in HPD term sheets. This amendment results in encouraging deeper affordability by altering qualifying units to include up to 80% of AMI instead of 100% of AMI.

UAP should be expanded to include large lots in R5 districts. Borough President Reynoso is concerned that, as presented, UAP will replicate uneven development patterns by applying only to higher density districts. Neighborhoods such as Williamsburg and Downtown Brooklyn that have been upzoned to R6 districts and above would qualify for additional FAR bonuses, while lower-density neighborhoods zoned R5 and below will not. To mitigate this potential disparity, Borough President Reynoso recommends that DCP extend UAP to R5 districts, which are widely mapped across the Housing Priority Areas identified in the Comprehensive Plan. In order to accommodate the challenges of building affordable housing at lower densities, DCP should develop a tier of UAP bonuses catered specifically to large parcels 10,000 sf or larger within R5 districts.

The lots adjacent to Brooklyn Botanic Garden (BBG) should be removed from the UAP geography. The area next to BBG has been subject to various private applications that have sought to raise the capacity of the surrounding sites. These applications have been met with community opposition due to unavoidable shadow impacts on the garden, particularly its greenhouses. Given the sensitivity of this resource, these sites should be removed from the UAP geography. Borough President Reynoso believes this is a unique resource and should not be seen as a precedent for further carveouts to the UAP geography.

Projects that have applied to use the Voluntary Inclusionary Housing (VIH) program should be given a grace period that permits projects to move forward under the existing VIH program.

Citywide Proposals

Lift Costly Parking Mandates (Approve with modifications)

Borough President Reynoso is supportive of the removal of parking minimums as costly barriers to development. Though removal of parking requirements makes housing less costly to build, there are no guarantees that the resulting housing will be more affordable. In some cases, the expectation would be that removal of parking requirements will make development feasible where it currently is not. This is consistent with Recommendation 2.2.1 in the Comprehensive Plan for Brooklyn, to eliminate residential parking requirements across the whole borough.

Borough President Reynoso is sensitive to concerns that there is no mechanism to ensure that the savings from not building parking infrastructure is passed on to tenants in the form of reduced rents. While such a mechanism may sound appealing as a way to inject additional affordability into the proposal, it may be short-sighted. At the heart of this proposal is the idea that it should be easier to build additional housing

rather than car storage. Currently, the opposite is true: developers looking to build more housing than parking are required to pursue special waivers. In many cases, developers choose to build only 10 units (just below the threshold where projects are required to build parking) when they could build more so they can automatically waive out of parking requirements rather than pursuing this separate, discretionary permit.

Attaching affordability requirements to parking reductions could threaten to produce a similar dynamic: even if reducing parking for additional units would "pencil out" better on the balance sheets, added complexity and legal fees for pursuing a special permit may discourage developers from pursuing this pathway. Ultimately, Borough President Reynoso prioritizes the production of housing, whether market rate or affordable, over the provision of car storage.

Affordable Housing > Market Rate Housing > Parking

The proposal is limited in its policy goal to encourage the production of housing not parking. The proposal should be amended to introduce parking maximums that could be tiered relative to the Transit Zone. The City already has established parking maximums within the Manhattan Core and Long Island City Area. This amendment is more aligned with City policy around transit to discourage car trips.

Borough President Reynoso recommends that DCP create a new "flexible-use" parking definition within the Zoning Resolution. A new designation would provide a mechanism for better parking demand management by enabling extra parking spaces in new and existing developments to be leased or used by other nearby developments, including neighbors and commercial uses. This modification would allow for the market to right-size parking and provide a mechanism for underutilized residential parking to help meet local parking needs.

The Borough President also recognizes that it is critical to unbundle parking to better align cost-savings to tenants without cars. While understanding that developers handle the leasing of parking in different ways, currently, the cost of building parking is incorporated into the costs that all tenants pay in rent, whether they use it or not. While some buildings operate under a combined rental cost for a unit including parking space, a better policy would be to require separate leases for off-street parking and the unit. This policy shift would help to better align the reduction in parking requirements with the reduction in rent.

The Borough President supports increased transparency on housing development costs so that policy makers, Community Board members, and potential tenants can understand the relationship between providing parking (or other amenities) and the financial impact on development feasibility, projected rent, and parking utilization.

Conversions (Approve)

Borough President Reynoso believes the proposed changes are appropriate. Given the complexity of converting such sites, it may not be realistic to include an affordability requirement through the Zoning Resolution.

The Borough President remains concerned about the pressures on industrial land uses and jobs within the borough and is encouraged that Industrial Business Zones are excluded from the proposed expanded geography for conversions.

Small and Shared Housing (Approve with modifications)

Borough President Reynoso is supportive of amendments to allow more small and shared housing with modifications to better align with the transit zones. As presented, dwelling unit factors would only be eliminated in the Transit Zone as it exists today. As elaborated above, Borough President Reynoso believes this geography is flawed; areas wrongly excluded from the Transit Zone in 2016 should not be

grandfathered into a different dwelling unit factor policy. Instead, dwelling unit factors should be eliminated within the boundaries of the Borough President's proposed Inner and Outer Transit Zones.

Small and shared units have an important role in the outer, lower-density parts of the borough. A recent survey by the Citizen's Housing and Planning Council (CHPC) found that the existing housing stock is not meeting residents needs in these districts: 19% of respondents reported dissatisfaction with the privacy of their living situation or the ability to live with who they please. Small and shared housing units would provide more options for seniors who want to downsize or young adults who may want to branch out and live on their own, but still want to be near family and friends in their neighborhood. This same survey found that 42% of residents in low-density neighborhoods live in multi-family buildings that can no longer be built. Allowing small and shared units in these areas could help fill this demand and allow more people to live closer to their existing social networks.

In addition to reducing and eliminating dwelling unit factors, Borough President Reynoso recommends that DCP include a maximum dwelling unit factor that would apply in Core Transit Zones. A maximum dwelling unit factor would protect multi-family buildings (e.g., brownstones) from being consolidated into single-family mansions.

Many census tracts in Brooklyn have *lost* housing units since 2014. Currently, it is easier for a property owner/developer to eliminate a residential unit than to eliminate a parking space required by zoning. In other words, parking is more protected by the current Zoning Resolution than housing. Removing parking minimums citywide, introducing parking maximums in additional core geographies, and introducing a maximum dwelling unit factor will de-privilege parking spaces over people.

Campus Infill (Approve with modifications)
Borough President Reynoso supports additional flexibility on large sites and campuses. The standards are appropriate to encourage good building spacing while allowing sites to take advantage of their existing allowed floor area. This is a critical improvement to facilitate faith-based redevelopment for community partners who are looking to build projects on underutilized parking lots.

The Borough President proposes removing publicly owned sites (including schools, hospitals, and NYCHA campuses) from the proposal. These sites would benefit from a greater public input process. Removing public lands from this proposal would not preclude future strategies for development on public land.

Flexibility within a large campus may be granted under Large Scale Developments. This current process is a more nuanced procedure designed to encourage good urban design and applicant flexibility with input from the City Planning Commission. By creating a one-size fits most strategy, there may be unintended consequences. In some cases, the new minimum distance may be appropriate, while it may be out of scale in others.

Miscellaneous Proposals

New Zoning Districts (Approve with modifications)

The Borough President is supportive of developing new zones that can better respond to new opportunities and conditions in the code. New zoning designations are helpful to lay out a vision, but can be difficult to discuss without the context of where they will be mapped. This runs the risk of limiting creativity and responsiveness to the reality on the ground.

While the proposal gives new standards to take advantage of a raising of the FAR cap, it does not exhaust the possibilities for expanding the range of missing middle housing types. One key example is the provision of multiplexes, courtyard housing, and attached housing that would add much needed unit and tenure diversity to lower-density areas of the city. The Borough President recommends updating zoning standards on larger lots or corner lots within R1-R3 zones to allow these needed forms of missing middle

housing that are compatible with established neighborhoods. A threshold of lots above 10,000 sq ft could help introduce or reintroduce these building forms into one- and two-family neighborhoods. The diagram below, from Opticos Design, Inc., demonstrates a more complete range of missing middle housing types.

This is consistent with Comprehensive Plan Recommendation 2.2.5, to develop more "missing middle" housing such as three- and four-family homes.

Updates to MIH (Approve)
The Borough President commends the proposal to allow the deeper affordability option as a standalone option.

Sliver Law (Approve)
The Borough President supports activating narrow lots in R7-R10 districts by allowing them to achieve underlying Quality Housing heights.

Quality Housing Amenity Changes (Approve)
The Borough President supports the changes to the Quality Housing amenity incentives. This is one of the few areas within the proposal that advances the production of family-sized units and responds to strategies to provide additional amenities for tenants and the successful operation of larger buildings.

Landmark Transferable Development Rights (Approve with modifications)
The Borough President supports the proposal to allow for a larger set of receiving sites for unused development rights for landmarked buildings. The proposed geography should be extended further to include all parcels on adjacent blocks rather than just those parcels facing the surrounding streets. This would provide further support to landmarks in areas with limited infill opportunities.

Railroad Right-of-Way (Approve)
The Borough President supports changes to facilitate development on these sites.

Recommendation

Be it resolved that the Brooklyn Borough President, pursuant to Sections 197-c and 201 of the New York City Charter, recommends that the City Planning Commission and City Council approve this application with the following modifications and conditions:

Modifications: The following tables outline the Borough President's proposed modifications to the citywide text amendment as described above by their desired outcomes as they relate to each proposal.

Table 3. Increase Supply of Housing through Good Urban Design		
A little bit of housing in every neighborhood does not move the needle substantially. More is needed to increase housing production. This can be accomplished through concentrating additional growth around transit and incorporating more missing middle housing that is compatible with neighborhood character.		
Proposal	**DCP Proposal**	**Modification/Amendment**
Town Center Zoning	R5 equivalent residential above commercial within Greater Transit Zone, ~R4 equivalent residential above commercial elsewhere.	Permit R6 equivalency through an expanded Inner Transit Zone, R5 equivalent in an expanded Outer Transit Zone, ~R4 equivalent elsewhere.
Transit-Oriented Development	3-5 stories in low-density residential districts within the Greater Transit Zone.	Permit 5-6 stories in low-density residential in the Inner Transit Zone. Permit 3-5 stories in low-density residential in an expanded Outer Transit Zone.
New Zoning Districts	New zoning districts provide framework for new zoning allowed by lifting residential FAR cap. These zones still need to be mapped in a separate land use and environmental review.	Consider developing additional zoning designations in the low- to moderate-density category to facilitate more missing middle housing, including courtyard apartments and multiplexes.
Small and Shared Housing	Re-introduce housing with shared kitchens or other common facilities. Eliminate strict limits on studios and one-bedroom apartments.	Eliminate the dwelling unit factor within expanded Inner Transit Zone. Reduce and simplify dwelling unit factor outside of the Inner Transit Zone. Introduce maximum dwelling unit factor within the Core Transit Zones.
Campus Infill	Make it easier to add new housing on large sites that have existing buildings on them and already have ample space to add more, (e.g., a church with an oversized parking lot).	Remove public land (NYCHA, schools, hospitals, etc.) from Campus Infill proposal.
Landmark Transfer of Development Rights	Make it easier for landmarks to sell unused development rights by expanding transfer radius and simplifying procedure.	Increase receiving sites to include all tax lots on adjacent blocks.

Table 4. Decrease Construction Cost and Increase Affordability		
There is an implicit understanding that reducing the cost of construction will facilitate additional development for projects that are currently too costly to build. While reduced development costs do not guarantee reduced rents, additional development across the city brings a cooling effect to the overall housing market. While increasing supply is critical to addressing the housing crisis, this proposal should maximize all opportunities to introduce additional affordability, namely through encouraging deeper affordability and expanding the UAP area.		
Proposal	**DCP Proposal**	**Modification/Amendment**
Universal Affordability Preference (UAP)	Allow buildings to add at least 20% more housing if the additional homes are permanently affordable. This proposal extends an existing rule for affordable senior housing to all forms of affordable and supportive housing.	Expand UAP to R5 zones with additional FAR to facilitate affordable units. Extend a grace period to projects currently within the Voluntary Inclusionary Housing (VIH) program. Exclude parcels adjacent to Brooklyn Botanic Garden from UAP.
Update to MIH	Allow the deep affordability option in Mandatory Inclusionary Housing to be used on its own.	Lower the AMI of qualifying units from 100% AMI to 80% AMI, while retaining the income averaging to 60% AMI.
Lift Costly Parking Mandates	Eliminate mandatory parking requirements for new buildings. Parking would still be allowed, and projects can add what is appropriate at their location	Introduce new parking maximums in Core Transit Zones. Create a new "flexible parking" designation to allow excess parking to be greater utilized within communities. Unbundle the costs of parking from tenant rent and leases.

Conditions: The following items of discussion refer to ideas and policy proposals that fall outside of the scope of the City of Yes proposal but are nonetheless compatible to help address community concerns and the shortcomings of zoning alone.

Support is provided on the requirement of the City to ***affirmatively further fair housing***. Any removal or substantial alteration to the suite of proposals, especially within the Low-Density proposals, would unduly call on areas of the City which are already significantly contributing to housing production. The City Council can demonstrate further leadership by ensuring that policies, incentives, and procedures are aligned to contribute to more housing choice and access to opportunity by leveraging:

- Local Law 167 of 2023: Speaker Adams' Fair Housing legislation will require City agencies to conduct a fair housing assessment and plan every five years beginning in October 2025. This newly required plan will assess the underlying housing need, evaluate housing production, and establish housing production targets consistent with the requirements under the federal Fair Housing Act. This assessment and goal setting will assist New York in establishing a locational strategy to better align with housing needs. HPD's *Where We Live* outlines the following as contributing factors to the City's fair housing challenges:
    - "Siting and type of affordable and accessible housing in NYC and the region"
    - "Community opposition to housing and infrastructure investments that accommodate growth in NYC and the region"

  The fair housing planning required by Local Law 167 must address and overcome these factors to deliver a growth strategy that creates more choices for tenants and home buyers.
- Intro 0078-2024: Councilmember Restler's Public Land for Public Good bill would require that when the City disposes of land, it will prioritize not-for-profit developers and community land

trusts. These developers have been able to consistently deliver deeper affordability and more social services that meet the needs of low- to moderate-income New Yorkers.
- Increased enforcement for the Certification of No Tenant Harassment and the Fair Housing Act, including increased budget for the City Commission on Human Rights.

The Borough President reaffirms that ***City of Yes is only a chapter in a larger book***. Increasing housing supply is critical to addressing the city's housing crisis, but more also must be done to increase tenant choices and protections, as well as the preservation and production of affordable housing. Such strategies include:

- Passing needed legislation to reduce barriers for tenants and homeowners to access housing. More action is needed to make sure that it is both easier to build and easier to rent or buy.
    - Intro 0360-2024: Councilmember Ossé's FARE Act Bill is a commonsense bill that reduces barriers to New Yorkers who could otherwise afford housing.
    - Intro 0407-2024: Public Advocate Williams' Co-op Disclosure Bill brings new transparency to purchasing to help discourage discrimination and allow new homeowners to have an even playing field.

The Borough President asserts ***that character is insufficient on its own to prevent additional housing capacity***. We cannot have a scenario that allows our communities to physically look the same while ignoring the displacement of communities who have long called them home. We need strategies that are complementary, not restrictive. Such strategies include:

- Designating more individual landmarks in Brooklyn. There are significant structures that do not benefit from the protections and financing available through designation. Community beloved buildings, like the Dangler Mansion at 441 Willoughby Avenue in Bedford Stuyvesant, are good examples of history that could have been preserved while allowing for greater transfer of development rights.
- While City of Yes brings greater flexibility to transfer landmark development rights, there is not an equivalent mechanism for increasing housing production and flexibility within established Historic Districts.

The Borough President celebrates the elimination of parking requirements as a critical strategy to reduce the cost of construction. Additional tools are needed to ***develop a more comprehensive and coordinated system for parking demand management*** to help communities transition from a scenario where parking is free and scarce to priced and available. We must find solutions that continue to create access for those who rely on automobiles while balancing our ability to prioritize other activities within the public realm, increase access to the places people need to get to, and allow more people to be able to afford to live closer to where they work.

July 8, 2024

BROOKLYN BOROUGH PRESIDENT

DATE