

City of Yes: Catalyst for Change or Complication for NYC Communities?

Marc Ziarno



RPLJ OWNER

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A. Intro: The Affordable Housing Crisis in New York City

In a city where dreams are made, finding an affordable place to live has become a nightmare for far too many New Yorkers. As housing demand increasingly outpace the city's ability to supply it, many residents are struggling to secure a place to call home. Notably, the apartment vacancy rate has plummeted to 1.41% - the lowest figure since 1968 – pushing rental costs higher on the remaining homes available.^[1] With supply shrinking and demand soaring, landlords gain leverage, driving up rents across the five boroughs.^[2] As a result, over 50% of New Yorkers are now considered “rent-burdened,” meaning they spend more than 30% of their income on housing.^[3]

At the heart of this issue lies New York City's inability to build housing at a pace that meets the needs of its growing population.^[4] Despite being one of the largest and most robust metropolitan areas, NYC falls behind primarily due to the restrictive zoning laws prohibiting homeowners, developers, and commercial property owners from creating more affordable housing.^[5] This shortage of options leaves tenants with few alternatives, often resulting in economic distress, poor living conditions, and, in many cases, homelessness.^[6]

Moreover, the housing shortage doesn't just impact homeowners and landlords in a vacuum – it has far-reaching consequences for the entire economy. Indeed, high rental

burdens shrink disposable income, cutting into consumer spending and stalling economic growth across vital sectors like construction and services. ^[7] These ripple effects are often overlooked but have a profound impact on our city's economic health.

B. Solution: City of Yes Proposal and Its Key Components

Mayor Eric Adams' "City of Yes" proposal is a multifaceted initiative addressing carbon neutrality, economic opportunity, and affordable housing in NYC. ^[8] Outdated and restrictive zoning laws have limited the city's ability to create new housing. To address this issue, the City of Yes Affordable Housing Opportunity section introduces several key zoning reforms to tackle the rising affordable housing crisis. ^[9] These reforms incentivize and streamline the process for property owners and developers to create "a little more housing in every neighborhood." ^[10] Key measures include a Universal Affordability Preference (UAP) for new developments, an accelerator program for office-to-residential conversions, revitalizing town centers, and the removal of burdensome parking mandates. ^[11] Through these progressive zoning changes, Mayor Adams envisions a more inclusive, livable city that drives economic development and addresses the pressing demand for affordable housing, empowering every neighborhood to be a part of the solution.

1. Universal Affordability Preference (UAP)

A key measure in the proposed legislation is the Universal Affordability Preference (UAP), which permits developers to build 20% more housing, provided that the extra units are designated for affordable housing. ^[12] Unlike previous programs, the UAP would ensure these units remain permanently affordable, offering a long-term solution to counterbalance the overwhelming concentration of luxury developments. ^[13]

This model benefits both renters and developers by incentivizing builders to help address the city's housing crisis without relying on public subsidies or concessions. Notably, if the UAP had been implemented ten years ago, an estimated 20,000 affordable homes could have been built, housing an additional 50,000 New Yorkers.

However, the success of this initiative largely depends on developers choosing to opt into the UAP. Developers, however, are profit-driven; if the feasibility of building an additional 20% of livable square feet for affordable housing outweighs the anticipated building and carrying costs, this model may generate additional housing development. Nevertheless, the UAP remains a viable long-term solution to restore affordable housing to some of NY's most expensive neighborhoods.

2. Office to Residential Conversions Accelerator

The office conversions component of Mayor Adams' "City of Yes" initiative seeks to alleviate NYC's affordable housing shortage by allowing underused office spaces and other non-residential property to be converted into affordable housing. ^[15] Currently, zoning regulations prevent many buildings constructed after 1961 or outside the city's primary office districts from undergoing such conversions. ^[16] However, the "City of Yes" initiative aims to implement a re-zoning accelerator program to support office buildings undergoing necessary zoning changes to convert vacant or underused office assets into residential units. ^[17]

This approach is especially promising as it not only creates more affordable housing opportunities but also revitalizes areas primarily affected by the economic shift following the pandemic. By repurposing vacant or underused office spaces, landlords and developers can boost property values while addressing the housing crisis in a mutually beneficial way. The proposal expands eligibility to buildings constructed before 1991 and includes areas where residential uses are already permitted. ^[18] This strategy leverages the existing infrastructure without requiring extensive new construction or lengthy zoning changes. ^[19]

Converting office spaces into residential units offers a promising opportunity to address NYC's housing shortage, yet it comes with considerable challenges. Financially, these conversions can be costly with estimates ranging between \$300-\$ per square foot. ^[20] These costs arise from the need to repurpose buildings initially designed for commercial use, often featuring expansive floor plans and structural

columns that complicate their division into smaller residential spaces that meet natural light and ventilation requirements. [\[21\]](#) Additionally, retrofitting office space for residential use requires substantial upgrades to utilities like plumbing, electrical and HVAC systems to comply with residential building codes. [\[22\]](#)

Despite these challenges, the potential benefits remain promising, and several projects have already demonstrated success. For instance, the proposed conversion of 1663 Broadway is expected to reduce the original structures carbon footprint by 50% while introducing a mix of market rate, co-living, and micro-affordable units. [\[23\]](#) Additionally, 46 buildings have already enrolled in an accelerator program, with four buildings either converted or under construction, adding an anticipated 2,100 new apartments to the city's housing supply. [\[24\]](#)

3. Revitalizing Town Centers

Town centers - areas designated strictly for commercial purposes - are another commonly overlooked feature in many NYC neighborhoods. [\[25\]](#) These areas, often bustling with shops and small businesses, have the potential to serve as vibrant mix use spaces. However, restrictive zoning laws prevent housing from being built above these commercial districts.

The town center zoning reform under the "City of Yes" initiative attempts to unlock this potential for affordable housing. [\[26\]](#) By allowing residential units above commercial spaces, this reform would create new affordable housing and revitalize local economies, supporting small businesses and encouraging more foot traffic in these commercially zoned areas. [\[27\]](#)

4. Removing Burdensome Parking Mandates

Another often-overlooked obstacle in NYC housing development is the strict parking mandates for new projects, even in areas where they are unnecessary. These mandates drive up construction costs and reduce space and financing, which could be allocated

for more affordable housing.^[28] Since the 1960s, NYC’s zoning code has required developers to include off-street parking spaces in new residential and office buildings regardless of actual local demand for parking.^[29]

The cost of building a single underground parking space averages nearly \$68,000.^[30] Enforcing these burdensome parking requirements, the city increases construction costs and reduces the number of affordable housing units that can be built.^[31] Like many other cities have already done in the U.S., removing the parking mandates could boost affordable housing production while allowing parking to be included in new developments only where it is genuinely needed.^[32]

C. Opposition

1. Low-Density Neighborhood Pushback

Opposition to Mayor Adam’s “City of Yes” proposal has been powerful from community groups in lower-density neighborhoods like Queens and Staten Island, where fear of overdevelopment looms large. Residents in these areas value their suburban lifestyle and view the plan as a direct threat to their communities.^[33] Councilmember Joann Ariola from Queens echoed these notions, emphasizing that while she does not oppose housing, she and her constituents are against “mega-structures” that would disrupt the fabric of small, close-knit areas where families are raising children.^[34]

Community Board 13 in Queens unanimously rejected the proposal, with Chairmar Bryan Block voicing strong concerns about what residents perceive as an encroachment onto their way of life.^[35] He argued the proposal poses a “threat to the most valuable asset” people have in homeownership. Chairman Block’s statement reflects a broader fear that increased density could diminish property values and erode small-density neighborhood identities.^[36]

The sentiment in Staten Island is similar, with protesters labeling the proposal as a move to turn their neighborhoods into a “city of cement.” [\[37\]](#) Local architect Mark Anderson voiced concerns about the plan's infrastructural impact, particularly the Accessory Dwelling Units (ADUs) component. [\[38\]](#) This outcry highlights a fundamental disconnect between the city's broader housing goals and the desires of individual neighborhoods, where preserving the existing character is a main priority. [\[39\]](#)

2. Real Estate Board of New York's (REBNY) Concerns About the UAP

The Real Estate Board of New York (REBNY), one of the city's most influential real estate trade associations, representing various stakeholders from property owners to developers, has voiced general support for the “City of Yes” proposal. [\[40\]](#) REBNY acknowledges the potential benefits of the initiative, particularly in streamlining housing development across the city. [\[41\]](#) However, they have raised concerns about the plan's Universal Affordability Preference (UAP) portion, which would replace the current Voluntary Inclusionary Housing (VIH) program. [\[42\]](#)

The VIH program is attractive for developers because it allows them to build affordable housing off-site within the same district rather than the on-site requirement proposed by the UAP. [\[43\]](#) Also, REBNY fears that replacing the VIH with the UAP, without carefully considering the impact on ongoing and future projects, could disrupt the current affordable housing pipeline, ultimately undermining the intended goal of the proposal. [\[44\]](#)

To that end, several amendments have been proposed by REBNY and other stakeholders to mitigate potential disruptions caused by a shift to the UAP from the VIH program. [\[45\]](#) One suggestion includes a “phasing in period,” which would allow developers to continue using the current VIH program for a set period so current affordable housing projects would not be undermined. [\[46\]](#) Alternatively, REBNY has advocated for the option to sell development rights generated under the VIH program for a minimum of 15 years at the current bonus ratio of 3.5 square feet of additional

housing for every one square foot of affordable housing instead of the UAP's one-to-one ratio. [\[47\]](#)

D. Supporters of the UAP

1. REBNY & Real Estate Developers

While replacing the VIH program is a concern for owners and developers, REBNY largely supported the proposal. Basha Gerhards, REBNY's senior vice president of planning, highlighted the holistic benefits of the proposal, stating, "REBNY supports the goals of Housing Opportunity and commends the Department for aligning the City's zoning with the best practices around transit-oriented development, access to dwelling units, and parking mandates." [\[48\]](#) Gerhards further emphasized the importance of new residential density districts, such as R11 and R12, which will help unlock more housing opportunities throughout NYC. [\[49\]](#)

Reducing administrative hurdles allows developers to move forward with construction more efficiently, lowering the administrative costs and delays typically associated with navigating New York's complex zoning regulations. [\[50\]](#) By easing these barriers, the "City of Yes" proposal encourages developers to take on new projects that contribute to the city's affordable housing goals while boosting their overall return on investment by removing costly and timely obstacles. [\[51\]](#)

Moreover, the UAP allows an additional 20% affordable housing onsite without zoning hurdles like parking mandates or rezoning processes, significantly reducing construction and administrative costs and enabling developers to build more housing. [\[52\]](#) Additionally, office developers and property owners harmed by the pandemic may have the opportunity to participate in an accelerated rezoning program to convert office space into residential units. [\[53\]](#)

2. Small Business Owners

For small business owners and local communities, particularly in high-density neighborhoods, the City of Yes proposal offers a transformative opportunity to boost economic activity while addressing housing needs. ^[54] The town center zoning reform, which permits housing to be built above commercial spaces, is a crucial element that may foster more foot traffic and increased participation in local businesses. ^[55] By introducing a variety of mixed-use developments, small businesses may benefit from the influx of residents living in the same building or nearby properties. ^[56]

The Department of City Planning's Director, Dan Garodnick, reiterated this sentiment by noting that these changes are a significant step towards revitalizing the City's commercial corridors. ^[57] For too long, outdated zoning rules have stifled mom-and-pop shops and other local businesses. ^[58] Consequently, the newly adopted changes designed to reduce storefront vacancies and create vibrant, bustling neighborhoods across the city.

Moreover, the expanded uses of these commercial properties, such as trade schools, banquet halls, and restaurants, will allow small businesses to explore new revenue streams and attract diverse clientele. ^[59] This combination of increased residential opportunities above commercial districts and broader commercial opportunities offers small business owners a chance to grow alongside the city's evolving landscape.

3. Homeowners

The "City of Yes" proposal also benefits homeowners in single-family residences (SFRs). By allowing homeowners to add Accessory Dwelling Units (ADUs), whether a basement or as a detached livable space, they can maximize the value of their property while generating rental income from an existing asset. ^[60] Once it meets building codes, this new unit offers a flexible way for homeowners to accommodate family members, downsize without selling, or create an affordable rental unit in the community. ^[61]

Mayor Adams addressed the concerns about potential overdevelopment, assuring residents that adding ADUs will not drastically alter the character of their neighborhoods. ^[62] “You are not going to see a 14-story building in someone’s backyard,” Adams stated, emphasizing that ADUs utilize existing spaces to accommodate families in creative and manageable ways. ^[63]

Specifically, homeowners with an additional 800 square feet of living space on their property can offer a practical and cost-effective solution to generate income and help alleviate the affordable housing crisis. ^[64] This measure empowers property owners while contributing to a citywide effort to increase housing stock without significantly disrupting a neighborhood’s character. ^[65]

E. Market Comparison with Minneapolis

Over the past seven years, at least ten states have passed laws to simplify permitting and encourage housing development, demonstrating a growing national trend toward addressing housing shortages. ^[66] While each market has unique characteristics, the zoning reforms aim to increase housing supply, easing rent prices. ^[67] A prime example of this can be seen in the City of Minneapolis, which has emerged as a blueprint for other cities. ^[68]

Through a series of zoning reforms, Minneapolis was able to increase its housing stock by 12% between 2017 and 2022, resulting in just a 1% increase in rent prices during this period. ^[69] In contrast, the rest of Minnesota, where fewer reforms were enacted and housing stock grew by only 4%, experienced a 14% percent jump in rent prices during the same period. ^[70] Key reforms in Minneapolis, such as eliminating parking minimums, upzoning along transit corridors, and allowing duplexes and triplexes in previously zoned single-family neighborhoods, have provided developers and homeowners the flexibility to build more efficiently. ^[71]

It is important to recognize that NYC’s market is unique in both density and property values. However, the basic economic principle of supply and demand still applies.

Thus, increasing the housing supply is a significant factor in driving down rental costs. ^[72] The City of Yes for Housing Opportunity proposal mirrors Minneapolis' strategies by eliminating parking mandates, encouraging mixed-use development, and permitting additional accessory dwelling units. If implemented successfully, these reforms could help alleviate NYC's severe housing shortage and stabilize rent prices much like what occurred in Minneapolis. ^[73] By understanding the impact of these zoning reforms in other cities, NYC can anticipate similar benefits, even within its more complex housing market.

F. Stages of The Proposal

Mayor Adams' "City of Yes" proposal represents a comprehensive approach to addressing New York City's severe housing crisis. With its focus on zoning reform, removing outdated parking mandates, incentivizing affordable housing through the UAP, and encouraging the development of ADUs, the plan aims to unlock the city's potential for increased housing production. While opposition exists, particularly from lower-density neighborhoods and developers concerned about replacing the VIH on projects already in the affordable housing pipeline, the proposal offers significant benefits for developers, homeowners, and small business owners alike.

Looking at cities like Minneapolis provides a valuable comparison by showcasing how similar reforms can increase housing stock and stabilize rent prices in a respective market. ^[74] Although New York is unique in its density and market complexities, economically speaking, increasing the housing supply may drive down rent prices and make the city more affordable for residents across all income levels. ^[75]

Conclusion

The City of Yes for Housing Opportunity is still in its public review stage, with the process beginning on April 29th, 2024. ^[76] In July, a meeting involving 59 community boards and the five borough presidents demonstrated mixed reactions—Manhattan, Brooklyn, and the Bronx showed support, while Staten Island opposed, and Queens

abstained.^[77] This reflects the varying interests and densities across the boroughs. After public review, the city council will vote on the proposal by the end of 2024.^[78] successfully implemented, the “City of Yes’ ” proposal could mark a significant turning point in creating a more inclusive, affordable, and sustainable NYC, benefiting residents and developers alike for years to come.

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