

Practice Update

New York City Council Passes “City of Yes for Housing Opportunity”

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On December 5, 2024, the New York City Council approved the “City of Yes for Housing Opportunity” text amendment, as modified by the City Planning Commission, following recommendations from the Zoning and Franchises Subcommittee and Land Use Committee. The text amendment is widely considered the City’s most comprehensive zoning reform in over 60 years and is aimed at increasing the rate of affordable housing production by building “a little more housing in every neighborhood” as Mayor Eric Adams stated. The City’s goal is to expand opportunities for housing within all zoning districts and across all 59 the City’s Community Districts. Prior to the City Council’s approval, the proposal went through the City’s public review process in the spring and summer of 2024. The City Planning Commission approved the proposal in September.

“City of Yes for Housing Opportunity” is the final piece of Mayor Adams’s City of Yes plans, which are a series of legislative changes that seek to modernize the City’s zoning regulations. The first package includes the “City of Yes for Carbon Neutrality,” which aims to promote sustainability and passed in December 2023. The second is the “City of Yes for Economic Opportunity,” which seeks to encourage economic growth and resiliency and passed in June 2024.

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The housing plan includes a variety of changes to the New York City Zoning Resolution, the City's zoning code, which are summarized below:

- **Universal Affordability Preference (UAP):** UAP allows the addition of at least 20 percent more housing (residential floor area) if the additional homes are affordable to households earning 60 percent of the Area Median Income (AMI).
- **Residential Conversions:** City of Yes amendments will make it simpler for vacant offices and other non-residential buildings to be converted to residential housing.
- **Town Center Zoning:** These changes allow for more residential apartments above commercial space in lower density commercial districts, allowing for new housing while supporting local retail and business districts.
- **Removal of Parking Mandates:** City of Yes ends parking mandates across a wide area of the city and reduces parking requirements or leaves them unchanged elsewhere.
- **Accessory Dwelling Units (ADUs):** ADUs are smaller residential units such as basement apartments, backyard cottages, and garage conversions. City of Yes allows for ADUs in one- and two-family homes in all low-density districts, with certain restrictions.
- **Transit-Oriented Development:** City of Yes permits three- to five-story residential buildings in residential areas near train stations.
- **Campus Infill:** City of Yes allows infill development on campuses and other large sites with multiple buildings by removing certain zoning restrictions.
- **Small and Shared Housing:** The plan promotes development of buildings with more studio and one-bedroom units by eliminating strict limits and eliminating and reducing the dwelling unit factor in many areas.

Please contact Akerman's New York Land Use team to discuss these historic changes to New York City's zoning regulations.

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