

Practices

New York Land Use and Zoning

Real estate development in New York City is subject to increasingly complex zoning regulations as the City attempts to strike a balance between the need for development – particularly affordable housing – and the preservation of the essential character of its neighborhoods. The professionals in Akerman’s New York Land Use and Zoning practice rely upon a comprehensive understanding of New York City zoning and land use regulations, process and policy to advise property owners, developers, lenders and financial institutions, architects and other real estate stakeholders in all aspects of New York City real estate development.

Akerman’s Land Use and Zoning attorneys have extensive private sector experience, and have also previously served as the Assistant General Counsel of the Department of Buildings, counsel to the Board of Standards and Appeals, General Counsel of the Department of Environmental Protection, General Counsel of the Industrial Development Agency, as well as held various positions within the New York City Law Department. In addition to the group’s land use attorneys, our planning and development consultants have extensive government experience and include a former Executive Director of the Department of City Planning and a former Planning Director for the Manhattan Borough President and Jersey City, New Jersey. In addition, we have served as counsel on a wide range of complex public and private developments in New York City.

Our Land Use professionals, who work hand-in-hand with Akerman’s transactional Real Estate and

Connect With Us



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Our Team

Related Work

California Land Use and
Entitlements
Construction
Economic
Development and
Incentives
Environment and
Natural Resources
Environment and
Natural Resources
Policy and Regulation
Environmental Litigation
Florida Land Use and
Entitlements
Illinois Land Use and
Entitlements
Land Use and
Development
Multifamily
Development and
Acquisitions
Real Estate
Real Estate Acquisitions
and Sales
Real Estate Litigation
Residential Land
Acquisitions and
Development

Economic Incentives practices, assist clients in understanding the as-of-right development potential of their properties and, in appropriate cases, develop strategies and pursue discretionary approvals to increase the properties' entitlements. We place great emphasis on the initial analysis to ensure selection of the most effective and efficient method to maximize a property's value and to attain our clients' goals. Our comprehensive and full service group is one of the largest in New York City.

Akerman's New York Land Use and Zoning group handles all actions requiring approval pursuant to the City's Uniform Land Use Review Procedure (ULURP), including rezonings, special permits and zoning text amendments, and Board of Standards and Appeals proceedings such as variances, special permits and administrative appeals. In connection with the discretionary approval process, our Land Use and Zoning group oversees and manages the related environmental review process. Beyond these discretionary applications, our professionals review available zoning bonuses and other potential enhancements to a development, including the City's affordable housing initiatives in voluntary and Mandatory Inclusionary Housing areas, the FRESH food program, and the creation of new zoning designations for live/work and new manufacturing "maker" space.

We also have extensive experience in land use and environmental litigation arising from the granting or denial of applications at both the trial court and appellate level in state and federal courts.

Our New York Land Use and Zoning practice also provides the post-approval services necessary to implement all zoning and land use actions and facilitate the completion of our clients' developments, including working closely with Akerman's Economic Incentives practice to obtain as-of-right and discretionary incentives.

What We Do

- Zoning analyses and opinions
- Rezoning, including zoning map and zoning text amendments
- Special permits, authorizations, and certifications from the City Planning Commission and Board of Standards and Appeals
- Variances from the Board of Standards and Appeals
- Zoning lot merger and transfer of development rights (air rights) transactions
- Economic development and tax incentive programs, including 421-a, 420-c, ICAP
- Certificates of appropriateness and no effect for historic districts and landmarked buildings
- Environmental review pursuant to CEQR and SEQRA
- Tax lot and zoning lot subdivision
- Land use litigation
- Street closing and demappings
- Franchises
- Revocable Consents