

Land Use, Landmarks & Zoning Review Information

The Housing & Land Use Committee is responsible for evaluating and coordinating recommendations related to actions requiring public review including, but not limited to:

Uniform Land Use Review Procedure (ULURP) Actions

Applications seeking these actions are referred by the Department of City Planning (DCP) to the Community Board (CB) for review and recommendation. CB review must be completed within 60 days of receiving a certified application from DCP. The CB is required to hold a public hearing with at least 20% of full board members present.

- **Zoning Special Permit (ZS)** - Granted by the City Planning Commission
- **Zoning Map Amendment (ZM*)** – A change in designation or a change in district boundaries for any zoning district on the New York City Zoning Map
- **Change in the City Map (MM*)** - City Map changes are applications to alter, add, or remove elements from the City Map.
- **Disposition of Non-Residential City-owned property (PP*)** – used to release property acquired by the city for use or development by another party. This includes the sale, lease, or exchange of real property.
- **Acquisition of Property by the City (PQ*)** - Acquisition of real property by the city occurs when the city endeavors to acquire real property for the purposes of community or city use.
- **Urban Development Action Area (UDAAP) (HA)** - Housing and urban renewal plans and projects, pursuant to city, state and federal laws are required to be reviewed by the City Planning Commission.
 - **Designation of Urban Development Action Area (UDAA)** – When an applicant is rehabilitating housing or building new housing on land that used to be owned by the City, they can qualify for a tax exemption if the area is designated as being in need of urban renewal by a City Council vote. These are typically attached to a UDAAP. The Community Board may choose to make a recommendation on the designation.
 - **Designation of Urban Development Action Area Projects (UDAAP)** — For specific projects within a UDAA, the City Council also approves the project application. The CB may choose to make a recommendation on the UDAA/UDAAP. UDAA/UDAAP recommendations must occur well before the City Council vote, as the Community Board recommendation can influence Council Members’ negotiations and decisions on these applications.
- **Site Selection City Facility (PS*)** - Site selection for capital projects includes the selection of sites for new city facilities such as sanitation garages, fire houses, libraries and sewage treatment plants.
- **Grant of Franchise/Major Concession (GF, MC)** - Revocable Consent: A revocable consent is a grant by the city, revocable at will, for private use on, over or under city property such as bridges over streets or street furniture. Major Concession: A major concession is a grant made by an agency for the private use of city-owned property, and which has significant land use impacts and implications, or which requires the preparation of an environmental impact statement.

*Potentially eligible for ELURP

Expedited Land Use Review Procedure (ELURP) Actions

The process for ELURP is the same as for ULURP, except that borough president review occurs concurrently with community board review.

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Non-ULURP Actions

These actions often come before the Community Board for a recommendation but are not required to undergo full ULURP. The CB may request an informational presentation.

- **Zoning Text Amendments** – Changes to the text of the NYC Zoning Resolution. The review period will be determined by the scheduling of a City Planning Commission hearing but can be as short as 30 days.
- **Minor Modifications to prior approved ULURP actions** – Changes that alter elements of a prior approval, but do not alter or require waivers from the underlying zoning. Minor modifications are referred to the Community Board, which typically have 45 days to make a recommendation.

Other Common Land Use Actions, Housing Applications, and Certifications

The following actions often come before the Community Board for a recommendation.

Zoning Variances and/or Special Permits – Variances and waivers to existing zoning can be sought through the NYC Board of Standards and Appeals (BSA) when an applicant identifies a potential hardship. Community Boards may choose to review and make a recommendation on these items within 60 days of receiving an application.

Site Control – The Site Authorization process is one process that the Department of Housing

Development and Preservation (HPD) uses to dispose of city-owned property to a potential developer. The Site Authorization process is used when a developer owns property that is adjacent to city-owned property and they want to acquire the city-owned property to develop a larger assemblage for housing or mixed-use developments. HPD's Site Authorization Committee will review the developer's proposed project to confirm compliance but HPD will not grant Site Authorization without a letter of support from the respective Community Board (CB). If the CB does not grant a letter of support, the developer can't proceed with the process. HPD's Site Authorization letter, if granted, allows the developer to commence with the initiation of the ULURP process. Subsequently, the developer will present the full proposal and renderings to the CB, prior to certification.

Inclusionary Housing Program applications

Projects developed under and subject to the New York City Zoning Resolution **prior** to the City of Yes for Housing Opportunity (COYHO) text amendment and administered by the Inclusionary Housing Program require that the development team notify their relevant community board at least 45 days prior to entering into a regulatory agreement or restrictive declaration. This applies to both the Mandatory (MIH) and Voluntary (VIH) programs.

Projects developed **under and subject** to the New York City Zoning Resolution under the City of Yes for Housing Opportunity (COYHO) text amendment and administered by the Inclusionary Housing Program require that the development team notify their relevant community board concurrent with application submission to HPD.

Universal Affordability Preference (UAP) applications - Projects developed under and subject to the New York City Zoning Resolution under the City of Yes for Housing Opportunity (COYHO) text amendment and administered by the Universal Affordability Preference require that the development team notify their relevant community board concurrent with application submission to HPD.

421-a Property Tax Exemption applications — Applications for 421-a Property Tax Exemptions in projects with more than 20 units require notification to the Community Board, which may review and make recommendations to NYC Department of Housing Preservation and Development (HPD). There are a number of different options available through this program, but generally, applicants receive up to a 35-year property tax exemption in exchange for 25- to 30-percent of dwelling units being set aside for affordable housing. There are 45 days for Community Board review and comment.

Certificates of No Harassment — A Certificate of No Harassment (CONH) is required when applicants seek changes in use or occupancy, alterations, or demolition for buildings (1) with Single Room Occupancy (SRO) units; or (2) where a "full vacate" order has been issued; or (3) are participants in HPD's Alternative Enforcement Program. This requires notification to Community Boards, which may review and make recommendations to the NYC Department of Housing Preservation and Development (HPD) within 45 days. In these cases, the Community Board office contacts community housing and tenant organizations for any history of harassment.

Certificates of Appropriateness - A Certificate of Appropriateness ("C of A") is needed if: the proposed work affects the significant protected architectural features of the landmark property; the proposed work does not conform to the Rules of the NYC Landmarks Preservation Commission (LPC). The types of work include, but are not limited to: (1) additions, (2) demolitions, (3) new construction, (4) removal of stoops, cornices, and other significant architectural features. The public review process requires the applicant to

present their proposals to the community board before presenting their proposals to the LPC at a public hearing. Applicants must present the same proposals to the community board and to the commission. The community board will send a letter to the LPC stating that the board supports, opposes or recommends modifications to the application.