

New Preconstruction Requirements (and How to Pay for Them)

An Architect's View

**This outline lists only general talking points for the purposes of this workshop and is not definitive.*

Key Areas of Change:

1. Regulatory Changes
2. Quality of Available Property
3. Zoning Changes (NYC)
4. Government Agency Changes
5. Environmental Awareness

1. Regulatory Changes:

- Handicapped Accessibility: Heightened awareness of ADA, UFAS, FHA, ANSI 117.1 2003, LL58/87.
 - Larger bathrooms
 - Larger kitchens
 - Greater Liv/SI/Din space required; 150sf min.
- Larger elevators + possibility of emergency generator.
- Higher energy performance requirements: In addition to NYS Energy code, new NYC Energy Conservation Code.

Impacts:

- Greater need for experts in predevelopment planning
- Potential increase in unit size and layout
- Potential decrease in unit count.

2. Quality of Available Land: Site Issues

- More difficult sites have been left after the housing market boom; often needing environmental remediation, next to rail roads, subways or highways, irregular in shape.

Impacts:

- Increased predevelopment costs to investigate, remediate or design around these conditions.

3. Zoning Changes (NYC)

- Upzoning and rezoning; specific neighborhood zoning changes
 - increase availability of land – more units possible.
- Quality of life zoning changes
 - bike storage requirement, Bike Parking Text Amendment
 - street planting strips. Street Tree Planting Text Amendment
- Bonuses for Greener Developments: NYC DCP Zone Green Amendment (effective April 30th, 2012)
 - Floor area bonus for better insulated walls,
 - Greenhouses exempted from floor area,
 - Shade devices and solar panels less restricted.

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4. Government Agency Changes

- HPD: New Supportive Housing Design Guidelines:
 - greater emphasis on determining subsurface conditions.
 - prescribed social services spaces.
 - larger kitchenettes
 - Green Communities certification
 - New submissions check list with goal to faster, more streamlined submissions process.
- OMH buildings classified as institutional (I1) versus Residential (R2). HPD buildings classified as Residential. Building code differences w/respect to HC accessibility requirements.
- NYC DOB efforts to improve speed;
 - NYC Development Hub (launched May 2010) and "Get-it-Done" filing options.

5. Environmental Awareness & Energy Performance

- Green Funding Requirements have increased but vary: Verify sustainability threshold of your funding sources; Enterprise Green Communities, LEED, NYSERDA.
- Urban area projects increase sustainability points; transportation easier, easy access to utilities, walkability of neighborhoods, etc.
- NYC Requirements:
 - o DOB: Greener Greater Buildings Plan: new local laws 84 (Benchmarking), 85 (Energy Code), 87 (Audit and Retrocommissioning)