

New York City Local Law 92/94 of 2019

What does the law require?

All new buildings and alterations of existing buildings where the entire existing roof deck or roof assembly is being replaced must provide a sustainable roofing zone covering 100% of the roof.

What is a sustainable roofing zone?

A “sustainable roofing zone” is defined by these laws as “areas of a roof assembly where a solar photovoltaic electricity generating system, a green roof system, or a combination thereof, is installed.”

What is in Local Law 92?

Local Law 92 defines what a roof area is. There are three roof types defined in the law:

- Continuous roof area > 200 sf and a slope < 2:12
- Continuous roof area < 200 sf and a slope < 2:12
- Continuous roof are with a slope >2:12

For each roof type there are different requirements.

What is in Local Law 94?

Local Law 94 defines exemptions.

The law applies to all new roof installations in the city and are based on the square footage of “continuous” or available space on the roof. In some cases, a roof or sections of a roof may be exempt from the requirements of these laws.

For more information

Building Energy Exchange

212.349.3900

info@be-exchange.org

NYC Department of Buildings

greenroofandsolar@buildings.nyc.gov

About this project

Green infrastructure on private properties outreach & education project is a partnership among the NYC Soil & Water Conservation District, Bronx Council for Environmental Quality, Green Roof Researchers Alliance and NYC Department of Environmental Protection. The project is funded by a grant from the NYS Pollution Prevention Institute.



Yard Planting Zoning Regulation

What is Yard Planting Zoning Regulation?

It is a NYC regulation requiring front yard planting in R1 through R5 zoning districts. Minimum standards for the amount of plantings and the dimensions for planted areas are based on the width of the zoning lot.

Planting Requirements

Street frontage	Minimum % of yard to be planted
< 20 ft	20
20 to 34 ft	25
35 to 59 ft	30
> 60 ft	50

For more information

NYC Buildings Department

212.566.5000

Web inquiry form:

<https://a810-efiling.nyc.gov/eRenewal/dobNowHelp.jsp>

To find your zoning district, go to:

<https://zola.planning.nyc.gov/>

What are R1 through R5 Zoning Districts?

NYC is divided into 3 major land use types (or zoning districts): Residential, Commercial and Manufacturing. Zoning districts specify building forms and uses.

- R1 are low-density neighborhoods with single-family detached homes on spacious lots (Riverdale)
- R2 are also single-family detached homes but in a density higher than R1 neighborhoods (Spuyten Duyvil)
- R3 are the lowest density neighborhoods that allow semi-detached one- and two-family homes as well as detached homes (Clason Point, City Island)
- R4 are all types of housing in a density slightly higher than permitted in R3 (Throgs Neck)
- R5 are variety of housing types in a higher density than R3 or R4 (Soundview)

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Green Roof Tax Abatement

What is Green Roof Tax Abatement?

It is a property tax abatement program for property owners who install green roofs on greater than 50% of the roof area in NYC.

Abatement amount is \$5.23 per square foot of green roof space in non-priority community districts and \$15.00 per square foot in priority community districts,

Maximum abatement is \$200,000. A tax abatement that exceeds the total tax liability for one year may be applied within the succeeding five years.

There are requirements to receive an abatement. Consult the Guide prepared by the NYC Buildings Department and a green roof professional.

Higher abatement districts

Properties in the following community districts are eligible for \$15.00 per square foot abatement

- Manhattan 10
- Bronx 1, 2, 3, 4, 5, 6, 11
- Brooklyn 3, 4, 5, 8, 9, 16, 17

What are the requirements?

Here are some of the requirements for the abatement. Consult the program guide for more details.

- At least 50% of the roof area must be covered by green roof
- A growth medium has to be at least 2' in depth in non-priority districts and 4" in priority districts
- A maintenance plan must be submitted
- At least 80% of the vegetation layer must be covered by live plants

For more information

NYC Department of Finance

Web inquiry form:

<https://www.nyc.gov/site/finance/about/contact-by-email/contact-solar-greenroof.page>

NYC Buildings Department Program Guide

https://www.nyc.gov/assets/buildings/pdf/green_roof_tax_abatement_info.pdf

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Image: www.brooklyngreenroof.com/

Green Roofs Benefit New York City

What is a green roof?

Green roofs are rooftops that are partially or completely covered by a protective membrane, growing medium (i.e., soil), and plants. Green roofs can be planted with anything from low-growing *Sedum* succulents to grasses and shrubs and even trees.

Frequently asked questions

Do green roofs need maintenance?

Green roofs need regular maintenance to prevent weeds, from taking over, like a garden or lawn.

Can I install a green roof on my own?

No, green roofs should be installed by professionals after they determine the weight bearing capacity of the roof.

What can I plant on my roof?

The plant palette installed on a roof depends on how much weight and soil the roof can hold, with deeper (6"+) roofs growing more plant types.

How much do green roofs cost?

Costs depend on roof access, size, and the type of green roof. In NYC the cost is at least \$17 - \$20/sq ft installed for rooms larger than 10,000 sq ft.

For more information

Visit GreenRoofsNYC.com for NYC specific green roof information or contact DPartridge@NYCAudubon.org

Benefits to private properties

Green roofs offer an impressive return-on-investment to private properties through stormwater capture, extending the lifespan of roofing membranes, and reducing heating and cooling needs by both insulating the building and cooling the air used by rooftop air conditioning units. Additionally, people are willing to pay more to have access to a green roof, since they offer a much-needed private green space for residents to access.

Benefits to the public

Green roofs are good for New York City. They reduce noise, capture stormwater, reduce energy use, and clean harmful particulate matter from the air. They also provide important habitat for native insects, like pollinators, and both nesting and migratory birds.

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Benefits of Green Infrastructure (GI)

Green Infrastructure

Green Infrastructure mimics nature to capture rain and direct it into the soil instead of over the land into the nearest waterbody or the sewer system. GI can be implemented at a variety of scales from property, block, neighborhood to landscape levels. The best GI infiltrates water into the ground and makes it available for plants to grow.

Native Plants & Soil as Sponges

The best part of native plants is that they do not require watering because they are adapted to NYC climate. Burrowing insects and plant roots create a tunnel system in the soil, leading water from the surface to the water table, allowing the soils to function like a sponge. Water is also filtered by soil with its plant roots, fungus, and diverse microorganisms taking up pollutants as water moves through the soil ecosystem.

For more information

NYC Soil & Water Conservation District

info@soilandwater.nyc

www.soilandwater.nyc

Bronx Council for Environmental Quality

<https://bceq.org/>

Benefits of GI

Green Infrastructure costs less, is more protective, and comes in many shapes and sizes. Green roofs, rain gardens, and rain barrels can be installed on individual properties. At the neighborhood scale, you may see living or natural shorelines, stream daylighting, community gardens or urban farms as GI.

GI has multiple benefits beyond sustainably managing stormwater. These benefits include removing pollutants from the air, cooling the ambient temperature, purifying water, providing habitat to native insects and birds, mitigating noise pollution, calming traffic, reducing flooding risks and improving quality of life for resident.

NYC has been installing thousands of GI practices throughout the city. Now we need to install thousands of GI on private properties!

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Unified Stormwater Rule (USWR)

Overview and Drivers

The Unified Stormwater Rule is an important tool for NYC water quality, sewer operations, and stormwater resiliency. The rule:



Reduces pollution from stormwater runoff and CSOs



Increases capacity of sewer and wastewater infrastructure through distributed on-site stormwater management on public & private lands



Increases green space, helps reduce urban heat island effect and creates more habitat for birds and pollinators



Creates a more absorbent and resilient city by more efficiently managing stormwater where it falls

For more information

NYC Department of Environmental Protection

nycrules@dep.nyc.gov

<https://www.nyc.gov/site/dep/water/unified-stormwater-rule.page>

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Stormwater Construction Permit

- Applies to projects that disturb 20,000 sf or more of soil, **OR** add 5,000 sf or more of new impervious surface
- Manage volume of 1.5-inch rainfall event

Site/House Connection Permit

- Applies to all projects that require a site/house connection proposal
- Generally, increases the detention volume that must be managed on-site and further restricts controlled-release rate based on project type

Key Elements

The Unified Stormwater Rule aligns stormwater management regulations citywide and improves the way that new and redeveloped properties manage stormwater on-site by requiring green infrastructure where feasible and updating detention volumes and controlled release rates for stormwater entering city sewers.



362 MGY CSO Volume Reduced

From new green infrastructure by 2030, contributing to CSO Order goals



10,515 Tons TSS* Removed

After 30 years of implementation, contributing to NYC MS4 Permit goals



Retention-First

Requires evaluation of stormwater retention/reuse to be the first option properties select



Design Flexibility

New stormwater management practice options and guidance to maximize design flexibility for the private sector