

Office of Planning Introduces Phase 2 of IZ XL to Apply to Non-Residential Conversions

March 8, 2021

The Office of Planning ("OP") has introduced its second phase of proposed amendments to the Inclusionary Zoning ("IZ") regulations intended to increase the applicability of IZ ("IZ XL"). Phase 2 of IZ XL, known as Z.C. Case No. 21-05, will be first considered for setdown by the Zoning Commission at their March 11, 2021 public meeting. This follows the first phase of IZ XL, summarized [here](#).

The proposed Phase 2 of IZ XL would apply mandatory IZ to conversions of existing buildings from non-residential to residential use in any zone where IZ already applies provided that such conversion contains 10 or more residential units. This amendment would expand IZ by applying IZ even where the gross floor area ("GFA") of the building does not increase. Also, for conversions with additions of GFA, the proposed amendment would apply IZ to the entire converted and expanded building. As proposed, the only exception will be buildings to be converted to fewer than ten residential units.

A third phase of IZ XL that would eliminate the exemption from IZ for D zones is expected to be proposed in late spring.