

Making the Most out of

Racial Equity Reports

A Progress Report
on New York City's
Efforts to Measure
Displacement in
Land Use Decisions

Spring 2025

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DEVELOPMENT



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This report is a result of a Taconic Fellowship awarded in partnership with the Racial Impact Study Coalition (RISC), a group of community-based and planning organizations. Formed in 2019, RISC advocated for legislation that led to the creation of the valuable tools in this report that help democratize the planning process.

RISC MEMBERS:

Association for Neighborhood and Housing Development (ANHD)
Banana Kelly Community Improvement Association
Community Action for Safe Apartments (CASA)
Communities Resist
Housing Rights Initiative
Inwood Legal Action
Met Council on Housing
Municipal Art Society
People's Policy Shop
Pratt Center for Community Development
Regional Plan Association
Staten Island Urban Center

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Pratt Center for Community Development works to build community power and ensure the equitable distribution of resources for low-income BIPOC people in New York City. We do this by partnering with frontline community organizations to provide research, participatory planning, policy advocacy, and implementation support.

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Executive Summary

Background

In 2021, New York City passed Local Law 78, historic legislation in response to growing displacement caused by land use actions. The legislation required the creation of the Equitable Development Data Explorer (EDDE), a data tool that provides community members and decision-makers with neighborhood-level demographic information to better understand area needs. It also created a displacement risk map that assesses the risk of displacement throughout the City based on recent relevant data.

Specific land use applications trigger a requirement that applicants (public and private) create and submit a Racial Equity Report (RER). This legislation resulted from years of advocacy by the Racial Impact Study Coalition (RISC), a partnership of various community-based and planning groups that organize around ending racialized displacement and promoting the development of permanently affordable housing.

Purpose and Methods

This report is a snapshot—a look into where things stand four years after the legislation’s passage. How are community boards, elected officials, and other stakeholders using the RERs? How can the data tool and RERs be strengthened to ensure they are effective tools for community planning?

To explore these questions, Pratt’s Graduate Urban and Community Planning program, with support from RISC and Pratt Center for Community Development, analyzed RERs submitted between June 2022 and August 2024 and conducted interviews with community board members and elected official staff over the past year to understand how these tools were being used as they evaluated proposed land use actions in their communities.

Key Findings

An analysis of projects requiring RERs revealed that proposed land use actions vary across the boroughs in concentration of housing units, affordability of housing, and siting of projects in areas considered at risk for displacement.

- 56% of the proposed units are located in The Bronx;
- Less than 30% of the proposed units in The Bronx are classified as affordable;
- Over half of the proposed projects in Brooklyn are in areas with high or highest displacement risk.

The interviews and researchers' experiences revealed challenges in using the data tools for evaluating land use decisions.

- No formal training has been provided on how to use EDDE or RERs, making it difficult for community board members to understand the tools;
- RERs are not being presented by applicants or Department of City Planning (DCP) staff to community boards and other stakeholders, discouraging discussion of the report findings;
- Data updates are not frequent enough, limiting the functionality of the EDDE and restricting analysis and access to the most current data.

Recommendations

To ensure the RER and EDDE are promoted as useful tools that are important in evaluating proposed land use actions, Pratt Center and RISC recommend:

- DCP, in partnership with the Civic Engagement Commission, should incorporate training on the EDDE and RERs into annual land use training for community boards and make it available to elected officials, government staff and the public;
- DCP should require RERs to be presented to in-depth community boards, elected officials, and the City Planning Commission by applicants or City staff to ensure broader discussion. Expanding these presentations can ensure racial equity considerations are meaningfully addressed in the land use process;
- DCP and the Department of Housing Preservation and Development should improve EDDE functionality to allow users to generate data that better fits their needs.

Community Organizing and Advocacy to Prevent Racialized Displacement

The Racial Impact Study Coalition (RISC) is a group of community-based organizations, activists, tenant advocates, and planning organizations formed in 2019 to ensure the City collects the data needed to track displacement, account for racial equity, and make land use organizing more impactful. The coalition advocated for legislation requiring displacement to be measured as a form of accountability for the land use actions they felt were eroding and destabilizing their communities.

In 2019, Public Advocate Jumaane Williams introduced Local Law 78 to the City Council as a one-sentence bill “requiring a citywide equitable development data tool and racial equity reports on housing and opportunity.”² RISC and the Public Advocate’s office worked together to draft the legislation and engage City Council members as co-sponsors. Through their efforts, the bill gained 25 additional co-sponsors and was passed by City Council in 2021 with only two opposing votes.

Purpose and Scope of this Report

Dozens of RERs have been published since they became a requirement in June 2022, with more pending as land use applications move through public review. Pratt Center for Community Development, faculty and students from Pratt’s Urban and Community Planning program,³ Pratt’s Spatial Analysis and Visualization Initiative,⁴ and RISC developed this progress report to assess the status of the legislation today. This report examines what is included in the RERs to date, the user experience of the reports, and how they are being utilized by community boards and other key stakeholders.

The purpose of this report is to ensure that the tools enacted by Local Law 78 serve communities’ needs around local decision-making and inform a more racially equitable zoning policy.

Through conversations with some community board members and elected official staff, a review of the 64 RERs released for public review as of September 2024, and by analyzing the data aggregated in the public data tool, this snapshot of the early implementation will provide some insight into the law’s efficacy and recommendations that

could strengthen its implementation. Local Law 78 is groundbreaking legislation that explicitly acknowledges the connection between displacement and racial justice.

The purpose of this report is to ensure that the tools enacted by Local Law 78 serve the needs of communities around local decision-making and inform a more racially equitable zoning policy.

Local Law 78: Data Tools and Racial Equity Reports

Local Law 78 (Int. No. 1572-B) created a public data tool known as the Equitable Development Data Explorer (EDDE). The EDDE's Community Data feature aggregates citywide social, economic, and housing data that users can access to understand the existing conditions within a community and how a proposed project may impact the area. The EDDE also includes a Displacement Risk Map feature, using various indicators to determine whether there is a high or low risk of displacement within New York City neighborhoods. This tool is a major victory for communities that have long advocated for the City to acknowledge that displacement is happening and must make a more serious approach to address the impacts of land use actions across race, ethnicity, and income.

The Displacement Risk Map shows how housing costs rise and demographics change as more higher-income residents move into a community and challenge the housing stability of current residents. The risk of displacement levels is presented as an index ranging from lowest to highest. The indicators that inform this index are a combination of neighborhood-level data found in the EDDE's Community Data feature. The factors that contribute to displacement risk include but are not limited to: housing price appreciation, rent-burdened households,⁵ and change in median rents.

The legislation also requires a Racial Equity Report (RER) for certain land use actions. The RER is intended to provide additional information for community boards, borough presidents, other stakeholders, and the general public to use in their evaluation and decision-making on land use actions. The reports include data from the EDDE and information from the applicant about their proposed projects, bringing concerns about displacement, job creation, and housing affordability to the forefront. While these concerns are often raised during the land use process through public fora, there had never been a formal requirement for race and equity impacts to be examined and presented as part of the land use process before Local Law 78.

Read a sample Racial Equity Report and learn how the data can inform land use decisions in the case study on page 22.

A Snapshot of Racial Equity Reports to Date

Process for Reviewing Reports

Between December 2022 and September 1, 2024, 120 zoning applications in various stages of the City’s land use process met the criteria for an RER. Of the 120 reports, 64 were completed or are in public review. This report provides a comprehensive analysis of those 64 RERs.⁶ To date, all applicants who have entered into the public review process have submitted the required RERs.⁷

The team reviewed each of these applications to log information on the kinds of land use changes and the number of income-restricted housing units each proposed. The analysis

RERs provide valuable insights into housing affordability and the potential economic impacts of proposed projects. These reports are a useful starting point in conversations with developers, elected officials, community boards, and the public around displacement and land use actions.

provided insight into how RERs use the data from the EDDE and provided information about current levels of development throughout the city, with a specific focus on affordability—a key driver of displacement risk. This section also highlights challenges to the usability of the EDDE and RER tools and opportunities and how they can be improved for more widespread use.

While there are opportunities to refine the data and usage, we find that RERs provide valuable insights into housing affordability and the potential economic impacts of proposed projects. These reports are a useful starting point in conversations with developers, elected officials, community boards, and the public around displacement and land use actions.

The following analysis of the reports presents the geographic distribution of projects requiring RERs throughout the city, the types of land use actions, the affordability of housing being proposed, and how many projects are in areas with a high displacement risk.

120 Zoning Applications Required an RER as of September 1, 2024

- **Filed**
Project has been filed with DCP, but is not ready for public review.
- **Noticed**
Notice has been given to the relevant Community Board(s), Borough President, and City Council that the application will certify (begin public review) no sooner than 30 days per the City Charter^a
- **In Public Review**
ULURP for the application is underway
- **Completed**
ULURP has been completed, or the project has been closed due to an applicant not completing the paperwork to advance the application
- Public green space

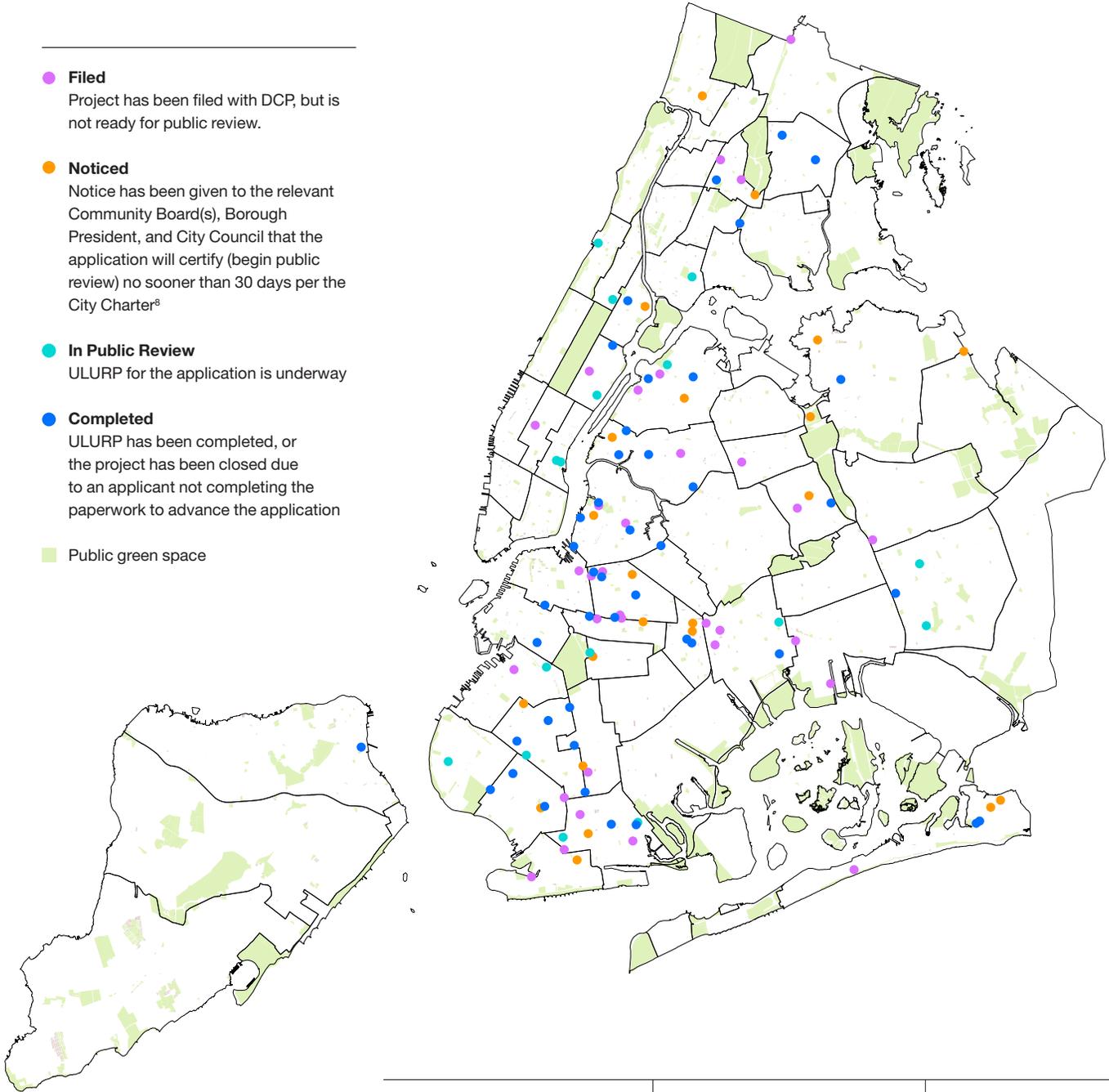


Table 1

Based on a content analysis of all applications that required a RER, available on the NYC Zoning Application Portal as of September 1, 2024.

Borough	All applications	Completed or in review
Bronx	10	5
Brooklyn	62	32
Manhattan	10	7
Queens	31	14
Staten Island	1	1
City-wide	6	5
<i>Total</i>	120	64

Land Use Changes by Borough and Use

Most proposed land use changes were concentrated in Brooklyn and focused on adding or increasing residential land use (See Appendix, Table 5). However, most of the proposed housing units in the RERs were located in the Bronx (56% of the total proposed units).

New Residential Developments and Affordability

- Across the surveyed reports, the zoning applications proposed a total of 16,583 new housing units. The proposed housing units were primarily located in the Bronx (56% of the total proposed units).
- Citywide, about one-third (5,481) of all proposed units were classified as affordable housing by the City’s definitions (see AMI and its limitations).
- The percentage of new units designated as affordable varies significantly by borough. The Bronx has the smallest proportion of affordable housing: 29% of the total units proposed for the Bronx are affordable to residents making between 0%-80% of Area Median Income. Proposals in Brooklyn and Manhattan included the highest proportion of affordable units among total housing units proposed. Nearly 60% of units proposed for Manhattan are classified as affordable housing.

Table 2

Percentage of Affordable Units of Proposed Projects

Based on a content analysis of all applications that required a RER, available on the NYC Zoning Application Portal as of September 1, 2024.

Borough	Total Number of Proposed Units Classified as Affordable (0-80% AMI)	Total Number of Proposed Units	Percentage of Proposed Units Classified as Affordable (0-80%AMI)
Bronx	2686	9308	28.9%
Brooklyn	1700	4677	36.3%
Manhattan	570	961	59.3%
Queens	506	1556	32.5%
Staten Island	19	81	23.5%
<i>Total</i>	<i>5481</i>	<i>16,583</i>	<i>33.1%</i>

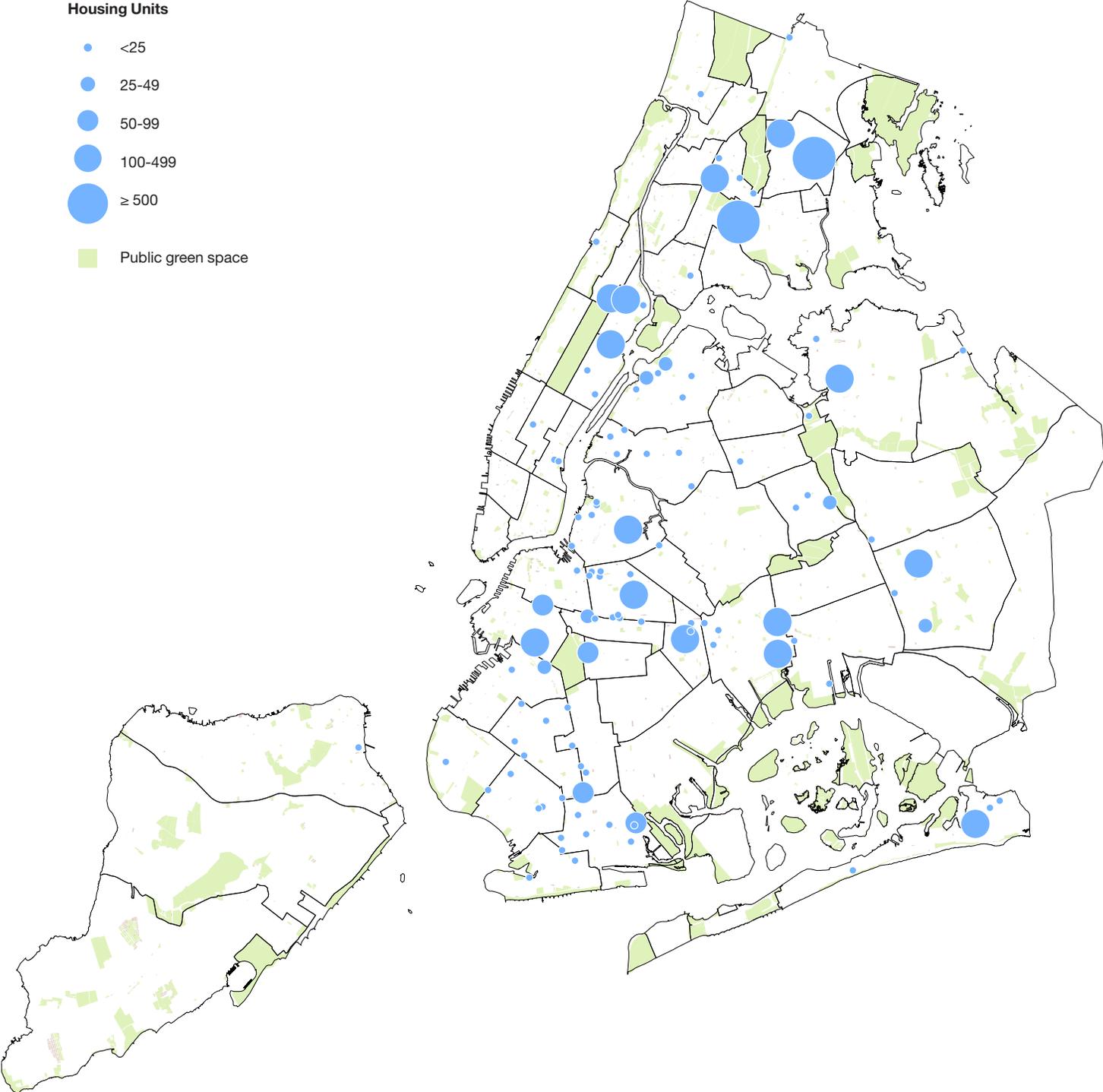
For a more detailed breakdown of affordable units, please see Appendix B.

Housing Being Proposed by the Projects

Income restricted housing units proposed in zoning applications requiring a Racial Equity Report. Sampled from NYC Zoning Application Portal as of Sept 1, 2024.

Housing Units

- <25
- 25-49
- 50-99
- 100-499
- ≥ 500
- Public green space



AMI and Its Limitations

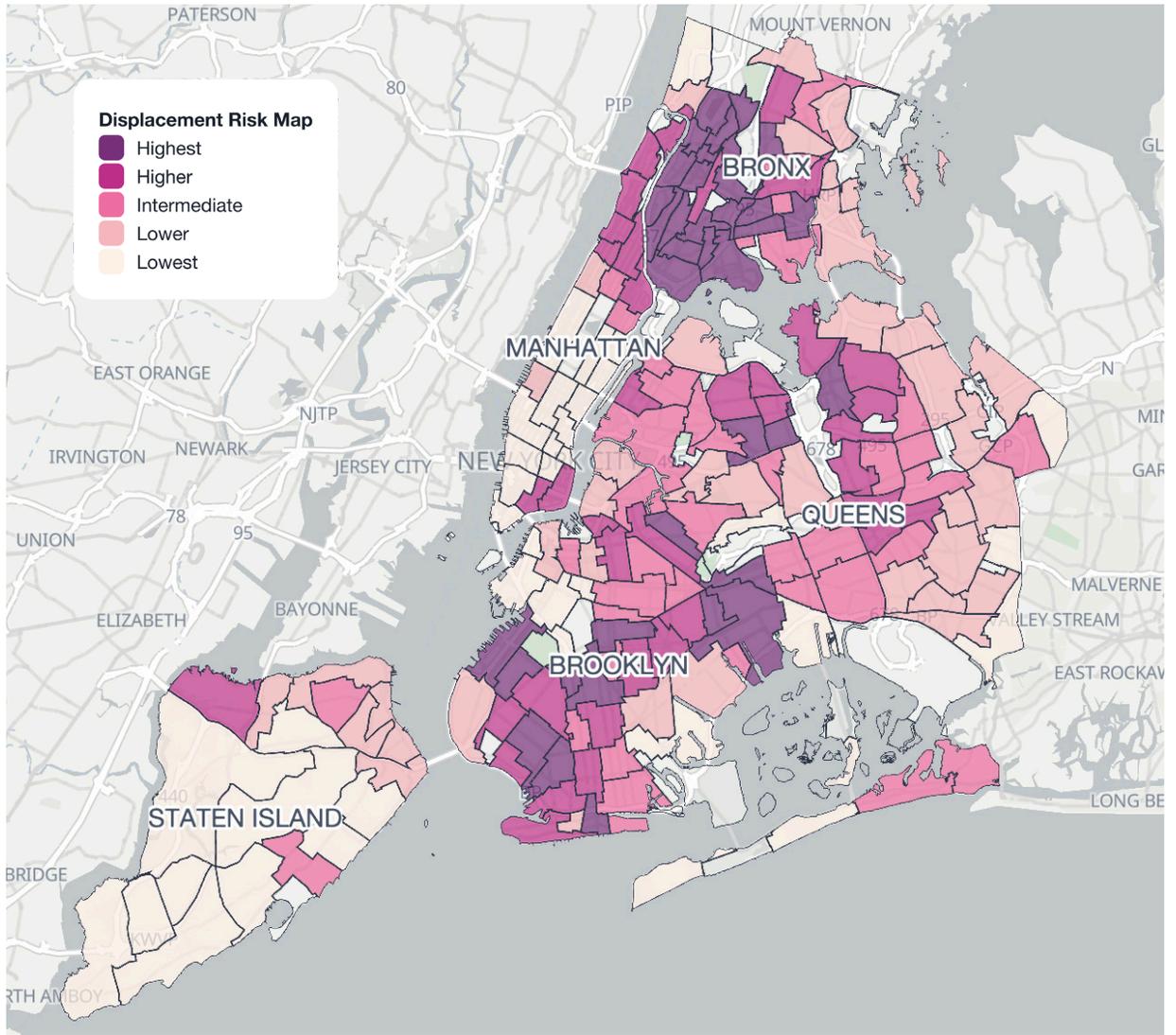
Area Median Income (AMI) refers to the measure determined by the U.S. Department of Housing and Urban Development (HUD), which administers federal housing funds, such as low income housing tax credits and rental assistance benefits (Section 8). The City also uses AMI to determine rents for housing development projects where it provides financing and as a benchmark to establish minimum and maximum eligible household incomes for new rentals or homes for sale.

While it is often noted that New York City's AMI includes income surrounding New York State Counties which is often higher than the AMI in many New York City Neighborhoods, the rents set for affordable units are further skewed because HUD uses a High Housing Cost Adjustment, which aims to address a need for more affordable housing in areas with high rents. Reports by the Association of Neighborhood Housing & Development and Community Service Society reveal this adjustment results in AMI levels that are higher than the real AMI of households in New York City.

RERs and Risk of Displacement

While the Displacement Risk Map cannot predict future risk, its strength is in providing a measurement of current conditions and vulnerabilities within a community. This information could prove critical in determining how proposed land use actions can mitigate displacement and provide housing and economic opportunities that align with community needs.

Over 40% of citywide applications reviewed are for projects that are sited in the higher and highest displacement risk categories. In Brooklyn, more than half of the applications are sited within areas with a high or highest risk of displacement. These risk designations are important to understand if the proposed projects' impacts—from housing affordability to economic opportunity—may contribute to displacement or provide housing and jobs that would assist vulnerable residents.



The Equitable Development Data Explorer (EDDE) includes a Displacement Risk Map, which measures displacement across NYC neighborhoods and assigns a level from Lowest to Highest.

Table 3 Displacement Risk Levels of Proposed Projects by Borough

Based on a content analysis of all applications that required a RER, available on the NYC Zoning Application Portal as of September 1, 2024.

Borough	Lowest	Lower	Intermediate	Higher	Highest	Total ⁹
Bronx	-	-	-	2 ¹⁰	3	5
Brooklyn	3	2	8	12	5	30 ¹¹
Manhattan	4		1	2	-	7 ¹²
Queens	1 ¹³	4	8 ^{14 15}	-	1	14
Staten Island	-	1	-	-	-	1
<i>Total</i>	8	7	17	16	9	57

How Communities and Elected Officials Use EDDE and RERs

Community boards and borough presidents have an important role to play in public land use review. They analyze land use applications, submit recommendations to approve or disapprove applications, and often include modifications to proposals in their recommendations. While these recommendations are advisory, they inform the City Planning Commission (CPC) and City Council hearings later in the process.

The EDDE and RER tools created by Local Law 78 were designed to provide better information to these decision-makers on how the action could positively or negatively affect the displacement risk of people of color, local inequality, or the City’s Fair Housing goals.

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In Winter 2023 and Spring 2024, we conducted interviews with community boards and their staff throughout New York City and land use staff from the Brooklyn Borough President’s office to understand how RERs and the EDDE were being used and what challenges exist in accessing and interpreting them. The following findings are intended to provide a preliminary analysis of the implementation of the law and raise questions and ideas for improvement.

General Awareness of RERs and the EDDE

Interviewees from community boards commonly noted that they were not aware of the RERs or EDDE, even in instances where multiple land use actions requiring RERs were presented to them for a decision. Those who did have knowledge of the tools did not feel adequately prepared to understand and use them effectively. City agency staff had not met directly with

the community board to brief members on the RERs or EDDE, nor had they received any training. Those interviewed were not clear on when during the public land use review process they should receive the RERs. Land use applicants submitted the reports as part of the overall application, but did not highlight them in presentations to the boards. Brooklyn Borough President staff confirmed that while they conduct formal training for members on their role in the ULURP, the EDDE, and RERs are not currently a part of this training, though they would contemplate incorporating them into future training.



Launch event for *Stories + Data = Power* at Governors Island in 2023. Photo credit: The Center for Urban Pedagogy (CUP).

Concerns About the Reliability of RER and EDDE Data

There was concern among some community board members about the reliability of the data within the RERs and EDDE. Some members were not sure how helpful the data would be if they were already aware of the displacement occurring within their community and wondered whether there was any additional power via the tools to gain traction in overall decision-making. Members also questioned the data sources for the reports and tools.

One community board reviewing a land use action bordering two community districts noted that the RER was created for only one of the districts. They did not think one report

was sufficient to understand the impacts of the project, given its location. It was unclear to members how RERs would factor into citywide land use applications such as City of Yes. All three City of Yes land use actions (Carbon Neutrality, Economic Opportunity, and Zoning for Housing Opportunity) required RERs, but given the broad geography, very little analysis was done to identify any impacts to specific parts of the City.

Inconsistency in How Racial Equity Reports and EDDE are Used in Decision-Making

Among the community boards already aware of the tools, their use varied. Some members saw the reports as one more document to read on top of the many others they review when presented with a land use action, overloading them with more data to consider.

Some community board members were recently made aware of the existence of RERs, and could not readily comprehend the reports, or needed clarification on how to use them. Many members noted that land use applicants did not discuss RER data during their presentations, leaving the onus on the members to read and interpret the reports. One community board district manager and chairperson noted that combing through RER data was difficult, preventing them from properly using the report in decision-making. Some members were unsure if elected officials used RER in their own analysis and decision-making. Others were unaware that the EDDE would allow them to perform their own analysis.

Though these findings are largely anecdotal, they could be further supported with a more comprehensive analysis of user experience across different audiences. For now, these observations are a starting point for improving the awareness, use, and efficacy of these new decision-making and planning tools.

Additional Findings

As the team worked through the RERs and the EDDE, some other points of concern were raised that could impact the usability of the tools:

- **Inconsistent report format**
The 64 RERs reviewed had inconsistencies in data presentation, which can be a challenge to community boards, elected officials, and other stakeholders in reviewing reports efficiently.
- **Project changes do not require RER updates**
According to the legislation, RERs are not required to be updated if a project changes after an application has been certified, referred by DCP, or designated by Landmarks Preservation Commission. As projects change, RERs may become less accurate and less useful.

- **Data updates**

Local Law 78 requires annual data updates to the EDDE. However, due to the varied updates and reporting periods of its different underlying data sources, indicators in the EDDE may not all align for the same period. Data for some indicators is more recent than data for others, which makes comparative analysis difficult. There may also be more recent data available between update periods, which could be useful for communities to access for analysis.

- **Cumbersome data comparison**

The EDDE has limitations as a comparative data tool. Users cannot generate a report with specific data points to select for comparison and analysis, and must manually compare data across races or locations. Users with more data literacy and digital access can download the source data as a Microsoft Excel file and sort through the data tables to create their own comparative analysis, but the EDDE lacks accessible comparative analysis features.

- **Geographic scale and measure of the EDDE features**

While the Displacement Risk Map presents a measure of how an area could be vulnerable to displacement, the underlying data is not broken down by race, which presents limitations in how the tool can be used to study racial equity. There are also differences in the geographic scales of the EDDE's Community Data and Displacement Risk Map features, which can make comparison analysis challenging.

The Community Data feature presents data on a geographic level from the U.S. Census American Community Survey (ACS)¹⁶ that is close to, but not the same as the boundaries of a community board (district) (see case study for an example).^{17 18} The Displacement Risk Map feature also uses ACS data but presents the data on a different geographic area than the Community Data feature.

The Displacement Risk Map presents geographic data on a level that is smaller than the community board (district) area.¹⁹ While using these smaller geographic areas is useful, neighborhood characteristics can vary block by block, and presenting data on an even smaller geographic area (such as census tract) may be more useful in identifying vulnerabilities of the existing populations. Using consistent geographic level data across both features and adding census-tract level data would strengthen the tool's ability to provide useful information and analysis for decision-makers.

Recommendations

Based on our review, while Local Law 78 is an important step to ensure racial equity is factored into land use decisions, there are opportunities to revisit how the legislation is implemented to make it a more effective community planning tool. Improving accessibility, encouraging broader use, and making adjustments to the data sources can make the Equitable Development Data Explorer and Racial Equity Reports stronger tools to democratize community planning.

1. Adjust data sources and perform more frequent updates

- New York City Department of Housing Preservation & Development (HPD) and Department of City Planning (DCP) should use data sources that present race and income data on a census tract level or Neighborhood Tabulation Area (NTA)-level to allow for a more detailed analysis of a proposed project's impacts on the immediate surrounding area.¹⁹
- HPD and DCP should adopt a more flexible approach to data updates and perform more throughout the year, consistent with all data sources within the EDDE. Only updating once a year, instead of when individual data sources update, defeats one of the major advantages of an online, interactive tool over a static report: access to the most current data.

2. Expand outreach and training opportunities for community boards and other stakeholders

As of the time of this report, DCP is in the process of developing training on the EDDE and RERs for Fall 2025, when new community board member terms begin. Additional recommendations for training and outreach include:

- HPD and DCP should provide annual refresher training to community boards, even if they received initial training on these tools.
- Borough president-level land use staff should be available to advise and provide technical assistance to community boards as they use RERs.

- Elected officials and their staff should facilitate training within their communities. RISC's *Stories + Data = Power* poster guide is a valuable training tool that has been translated into Spanish, but more language translations and distributions would be needed for broader outreach and training.
- The Civic Engagement Commission should facilitate training to the broader public in collaboration with HPD and DCP.
- In collaboration with the Fund for the City of New York's Community Planning Fellow program, students enrolled in urban planning programs should be trained on RERs so they can assist boards in their use.
- Training should be designed to include uses outside of land use decision-making. The data within the EDDE can be used for other purposes such as informing Community District Needs,²⁰ more comprehensive neighborhood-level planning, and providing information relevant to other community-based groups.

3. Improve usage and functionality of reports

- DCP should require applicants to present the contents of RERs at in-person community board meetings, which would assist in normalizing the reports as part of the land use process. The reports should also be presented to the City Planning Commission (CPC) during the public review session where the application is certified and/or the hearing for the proposed land use action.
- HPD and DCP should improve the EDDE by allowing users to generate data for more than one race or geographic location at a time.
- HPD and DCP should allow users to select which data they would like to download from the EDDE into a report.
- City Council members and borough presidents should make it clear to all land use applicants that they will not support any project for which the applicant does not provide a required RER and present RER content to them or their staff and the affected community boards.²¹

Case Study

A Bronx Racial Equity Report

The purpose of this case study is to break down the various sections and contents of an actual Racial Equity Report (RER) to demonstrate how community boards and other stakeholders can most effectively use the reports in their decision-making. This RER is from a rezoning that went through ULURP in 2023.

1460-1480 Sheridan Boulevard Rezoning

Project Overview

The applicants [Westfarms Realty LLC and 1480 Sheridan Realty LLC] are seeking various actions including waterfront authorizations for the development of a mixed-use project consisting of three buildings which would create approximately 21,000 square feet of commercial space, accessory parking, open space with waterfront access, and 970 residential units classified as affordable housing.

Why does the project need an RER?

The project requires an increase in the permitted residential floor area of at least 50,000 square feet.



Source: Project Renderings from CPC Pre-Hearing Session

Residential Space and Housing Affordability

The project will have an approximate total of 970 units, which are all considered affordable at AMI levels ranging from 0% to 120% of AMI.²²

The breakdown of the unit size of the development is not known. The applicant plans to build apartments ranging from 0-3 bedrooms.²³ The applicant is subject to Mandatory Inclusionary Housing requirements and has opted to map Options 1, 2, and 3 across the development site.²⁴ The RER includes income information on the area surrounding the project, which they obtain from EDDE.

Case Study: Table 1

Number of Units and Affordability Levels of Proposed Project

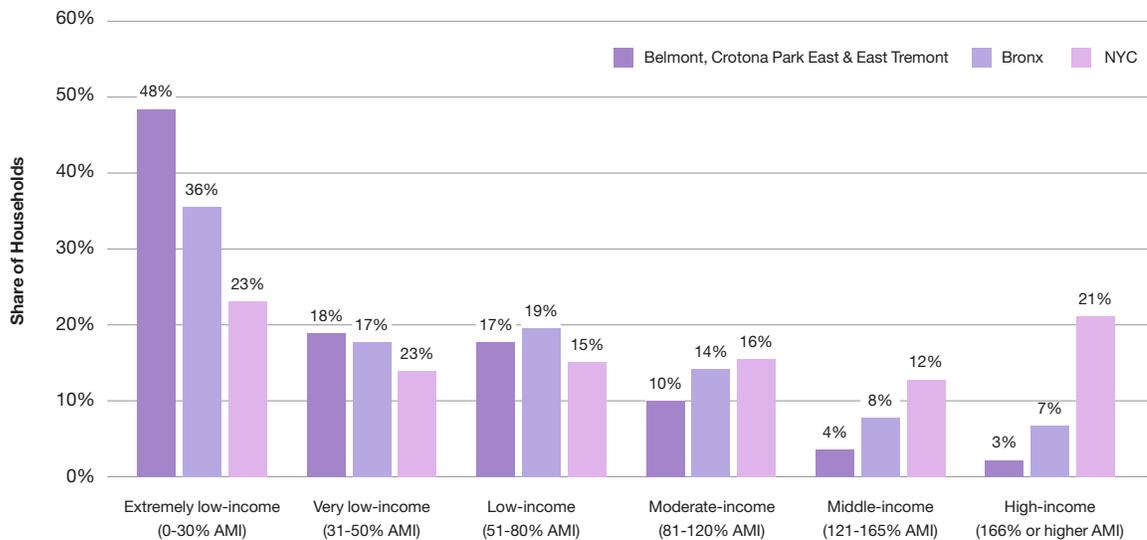
Source: 1460-1480 RER

Borough	Unit Cost	Percent of Development
Extremely Low Income (0%-30% AMI)	146	15%
Very Low Income (31%-50% AMI)	242	25%
Low Income (51%-80% AMI)	195	20%
Moderate Income	387	40%
Total	970	100%

Case Study: Chart 1

Household Income of Neighborhood Surrounding Project Site

Source: American Community Survey 2015-2019; Community Profile Table 2.03



There is a large population of households in the surrounding area that are extremely low-income; a majority of the surrounding area earns less than 80% AMI. While this project will have units for lower-income households, 40% of these units will be for households earning more than 80% AMI while presently, only 10% of the population earns over 80% AMI.

This information can help assess whether this project meets the need for affordable housing in the area.

Non-Residential Space and Jobs

The project plans to have approximately 21,229 square feet of non-residential space and 20,000 square feet of parking. These uses will result in jobs, which could contribute to the economic vitality of the area. After construction, the applicant anticipates several jobs as a result of the development due to the commercial space and parking lot, in addition to workers to service the residential building.²⁵

In the RER, the applicant provided the median household income for the surrounding area obtained from the EDDE.²⁶

Case Study: Table 2

Anticipated Jobs for Non-Residential Space with Known Tenants

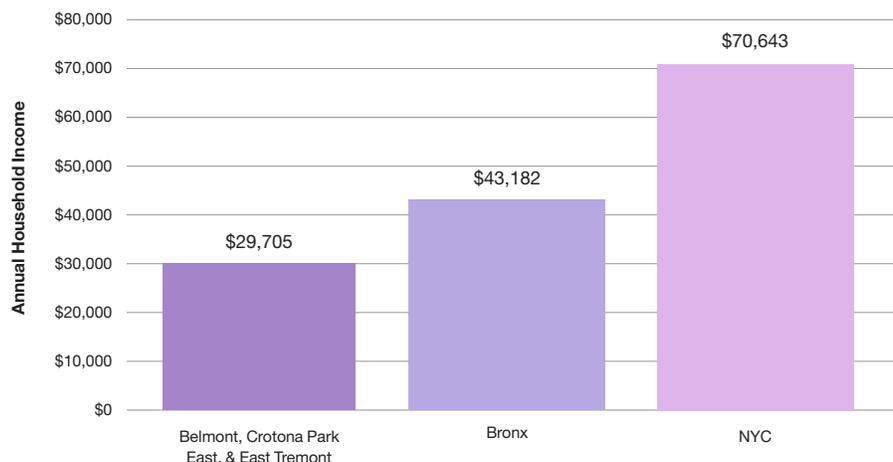
Source: 1460-1480 RER, EDDE, and Racial Equity Report Submission Guide - May 28, 2024

Sector	Job Count	Median Annual Wage for Sector
Construction	615 ²⁷	\$45,506
Food and Beverage Stores	64	\$24,328
Residential Uses	39	\$26,974
Parking	2	\$26,974
Total Job Count	105	

Case Study: Chart 2

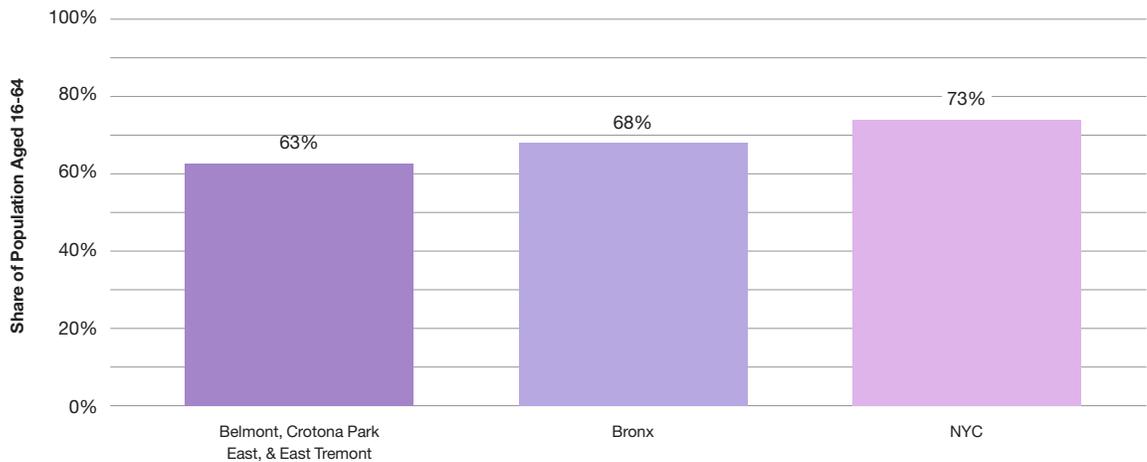
Estimated Median Household Income 2017 - 2021

Source: American Community Survey 2015-2019; Community Profile Table 2.02



Labor Force Participation 2017 - 2021

Source: American Community Survey 2015-2019; Community Profile Table 2.04



The labor force participation rate, which shows the share of the total population aged 16-64 who is employed or seeking work for the surrounding area, is 68%, which is lower than the rate for New York City. Construction jobs, though temporary, could introduce more employment opportunities for the neighborhood.

According to Chart 2, the median household income for New York City is \$70,642, which means construction jobs, if made available to local residents, would only have them earning 59% of AMI.

Using ACS data from the census, the RER shows the median annual wage for jobs in the food and beverage sector is \$24,238.²⁸

This information helps prompt questions about how many of the jobs pay a living wage and how many could be accessible to the community through local hiring and training efforts.

This information supports further discussion about how the jobs will contribute to the area's economic vitality by offering living wages.



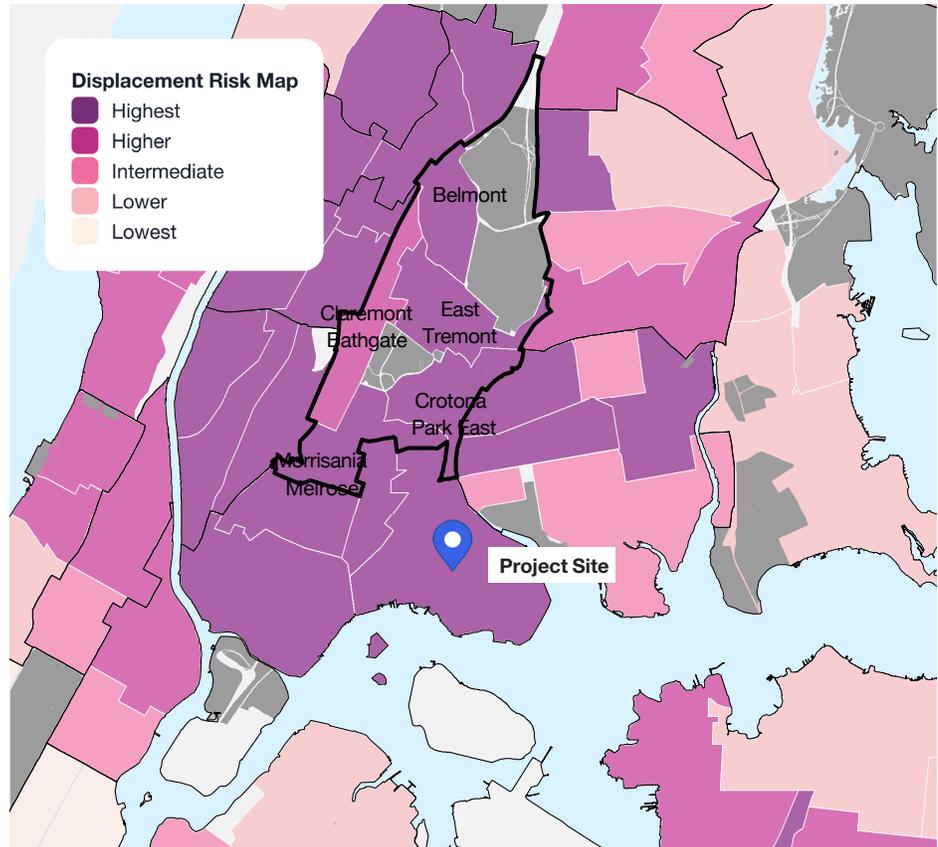
What is the risk of displacement for the area?

The project site is located in an area noted as having the highest displacement risk.

Case Study: Map 3

Displacement Risk Map for Surrounding Project Site

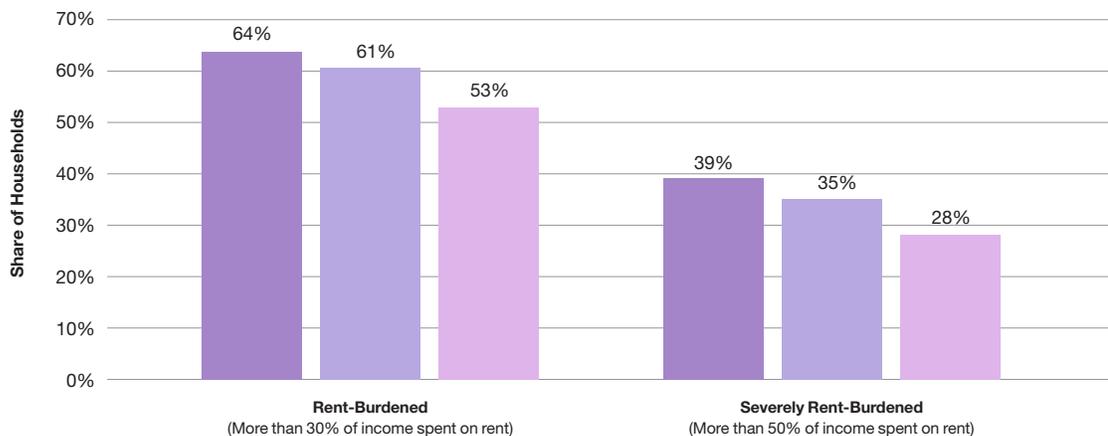
Source: 1460-1480 RER



Case Study: Chart 4

High Rates of Rent-Burden

Source: American Community Survey 2015-2019; Community Profile Table 3.04



Pulling data from the EDDE, the RER shows that many households in the area are rent-burdened and severely rent-burdened.

How does this project further fair housing?

In the RERs, there is a section where the applicant must write “a narrative statement of how the proposed project relates to the goals and strategies to affirmatively further fair housing and promote equitable access to opportunity identified within the City’s fair housing plan.”²⁹

In combination with the project’s affordability levels and its area designated at a high risk of displacement, this information helps assess the project’s potential impact on the existing population.

New York City’s Fair Housing Plan, *Where We Live NYC*, outlines the goals of the plan to affirmatively further fair housing. The goals include:

1. Fight housing discrimination in its many different forms;
2. Build more housing in all neighborhoods, including the suburbs;
3. Protect existing affordable housing and prevent displacement;
4. Ensure access to different types of neighborhoods for tenants using housing vouchers;
5. Expand and improve housing options and accommodations for people with disabilities;
6. Invest in neighborhoods that haven’t gotten their fair share.

The applicant asserts in the RER that the development supports Goals 2, 5, and 6 of *Where We Live NYC*.

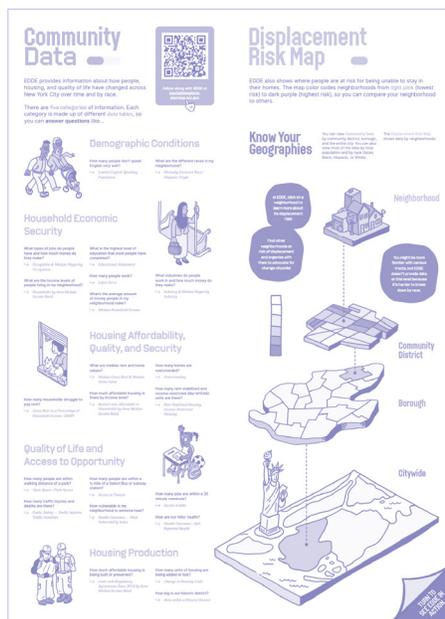
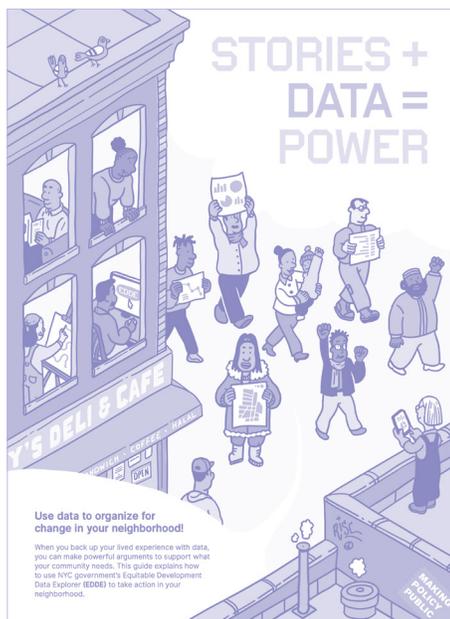
The applicant states Goal 2 (Build more housing in all neighborhoods, including the suburbs) produces more affordable housing in an area accessible by subway and bus. The applicant states that Goal 5 (Expand and improve housing options and accommodations for people with disabilities) as their development will include ADA-compliant uses, though they do not specify how many of these units will be built. The applicant states their development meets Goal 6 (Invest in neighborhoods that haven’t gotten their fair share), by creating jobs, open space, and public access to the Bronx River waterfront.

The narrative can serve as a starting point for questions on how the project may align with the plan’s goals and opportunities to deepen its impact.

Conclusion

Community members and advocacy groups have long mobilized against displacement caused by land use decisions through organizing, advocacy, and public testimony. Local Law 78 created tools and access to data sources that can help communities gain a deeper understanding of how proposed land use actions may impact resident displacement.

Improving the functionality of the EDDE and RERs, along with expanding training and support for using their data is key to fully integrating these tools into the land use review process. As this law enters its fourth year, we must strengthen its implementation and ensure it advances equitable, community-based planning.



Stories + Data = Power, a guide created in collaboration with Center for Urban Pedagogy to help New Yorkers organize for neighborhood change using the Equitable Development Data Explorer (EDDE).

Appendix A

The Racial Equity Tools

Created by Local Law 78

Equitable Development Data Explorer (EDDE)

The EDDE is managed by the New York City Department of Housing Preservation and Development (HPD) and the New York City Department of City Planning (DCP). The primary data sources include municipal datasets posted on NYC Open Data and demographic, economic, and housing surveys from the United States Census, primarily the Decennial Census and American Community Survey.³⁰

The EDDE's Community Data feature provides data across five categories:

Demographic Conditions

Demographic data across race, age, foreign-born population, and limited English-speaking ability.

Household Economic Security

Economic data, including occupation, median wages, education, employment rate, income, and industries.*

Housing Affordability, Quality, and Security

Housing data, including median rent and home values, rent burden, rent affordability, rent-stabilized and income-restricted housing, and overcrowding rate.*

Housing Production

Housing production data, such as changes in housing production over time, homes with new or extended affordability requirements by income band, and areas within a historic district, which may restrict housing production due to historic district requirements.

Quality of Life and Access to Opportunity

Quality of life data, including access to open space and parks, proximity to rapid transit and jobs, traffic injuries/deaths, vulnerability to extreme heat, and overall health outcomes.*

* This data is also broken out by race.

Racial Equity Reports

In addition to the EDDE, Local Law 78 required applicants for certain land use actions to prepare an RER on Housing and Opportunity as of June 1, 2022.

1. Applications submitted pursuant to section 201 of the City charter for citywide amendments to the zoning resolution affecting five or more community districts
2. Applications submitted for designation of historic district(s) pursuant to section 3020 of the City charter affecting at least four city blocks
3. Applications seeking approval of change to the permitted floor area for any use in a manufacturing district or change to the use regulations of a manufacturing district related to a building containing at least 100,000 square feet of floor area.
4. Applications pursuant to a subdivision of 197-c of the City charter are subject to ULURP. RERs are required for actions under this subdivision of 197-c that seek approvals for:
 - I. acquisition or disposition of land to facilitate a non-residential project containing at least 50,000 square feet of floor area.
 - II. an acquisition or disposition of land to facilitate a residential project containing at least 50,000 square feet of floor area other than a residential project consisting of a building to be preserved, provided that such equity report shall only be required related to a building in such project containing at least 50,000 square feet of floor area
 - III. an increase in permitted residential floor area of at least 50,000 square feet
 - IV. an increase in permitted non-residential floor area by at least 200,000 square feet
 - V. a decrease of permitted floor area or number of housing units on at least four contiguous city blocks

The relevant agency must upload the report to its Zoning Application Portal website and send copies of the RERs to the following:

- Affected Community Boards
- Affected Borough President
- Affected City Council member
- Public Advocate
- Speaker of City Council

Most of these land use actions are subject to public review through the Uniform Land Use Review Procedure (ULURP), a public review process spanning several months. The proposed land use actions are reviewed by the relevant Community Board(s), the office of the Borough President where the project is sited, the City Planning Commission, and is voted on by NYC City Council before it is reviewed by the Mayor for final approval.

HPD and DCP set the minimum standards for the RERs and provide instructions on what should be included in the report. If an applicant fails to submit an RER, this does not suspend or cancel public review of the application, nor is the applicant penalized; it is posted publicly that they did not provide the required report. Local Law 78 includes language that discourages private actors from suing to enforce the law.

For projects with residential floor area other than a designation of a historic district:

- List of the number of units per income level and units that are not income restricted that are expected to be created and their expected rents/prices, household incomes needed to afford such units without housing cost burden

For projects with non-residential floor area when specific non-residential uses are proposed, other than the designation of a historic district:

- List of projected number of jobs in each sector/occupation, median wage level of such jobs, and racial/ethnic composition and educational attainment of the project workforce

For all projects other than those pursuant to section 201 of the City Charter for citywide amendments to the zoning resolution affecting five or more community districts:

- Community profile (including a summary of the existing conditions data and 20-year trends)
- Comparison of community profile for the local study area with the borough and citywide data for all categories, data, and indicators provided in the data tool, disaggregated by race and Hispanic origin.

For projects with a residential floor area other than a historic district designation, the community profile must include a summary of the distribution of households by income levels disaggregated by race/ethnicity and a summary of the affordable housing lottery applicants and awardees.

What's in the Racial Equity Report?

Per the law, the contents of the report must include:

- Executive Summary written in plain language
- Narrative statement by the applicant of how the proposal related to the goals and strategies to further fair housing and promote equitable access to opportunity identified in the City's Fair Housing plan
- Estimate of the number of construction jobs created by the project

Appendix B

Maps and Tables

Table 4

Proposed Land Use Changes

Based on a content analysis of 64 completed applications that required a RER, available on the NYC Zoning Application Portal as of September 1, 2024.

Land Use Proposal	Bronx	Brooklyn	Manhattan	Queens	Staten Island	Total
Commercial						
Add use	4	14	3	7	0	28
Remove use	0	1	0	0	0	1
Increase square footage (sf)	3	17	2	10		32
Decrease sf	0	2	0	0	1	3
Manufacturing						
Add use	0	0	0	1	0	1
Remove use	6	12	2	3	0	23
Increase sf	1	11	1	2	0	15
Decrease sf	0	2	0	0	1	3
Residential						
Add use	6	18	1	3	1	29
Remove use	1	3	3	1	0	8
Increase sf	2	29	2	23	0	56
Decrease sf	0	0	0	0	0	0
Mixed Use						
Add use	5	19	1	6	1	32
Remove use	1	3	0	0	0	4
Total	29	128	15	56	4	232

Table 5

Proposed Residential Square Footage

Based on a content analysis of all applications that required a RER, available on the NYC Zoning Application Portal as of September 1, 2024.

Borough	Proposed Residential Area (sq. ft.)
Bronx	7,838,891
Brooklyn	3,977,138
Manhattan	729,980
Queens	3,122,351
Staten Island	88,484
Total	15,756,844

Table 6

Percentage of Affordable Units of Proposed Projects

Based on a content analysis of all applications that required a RER, available on the NYC Zoning Application Portal as of September 1, 2024.

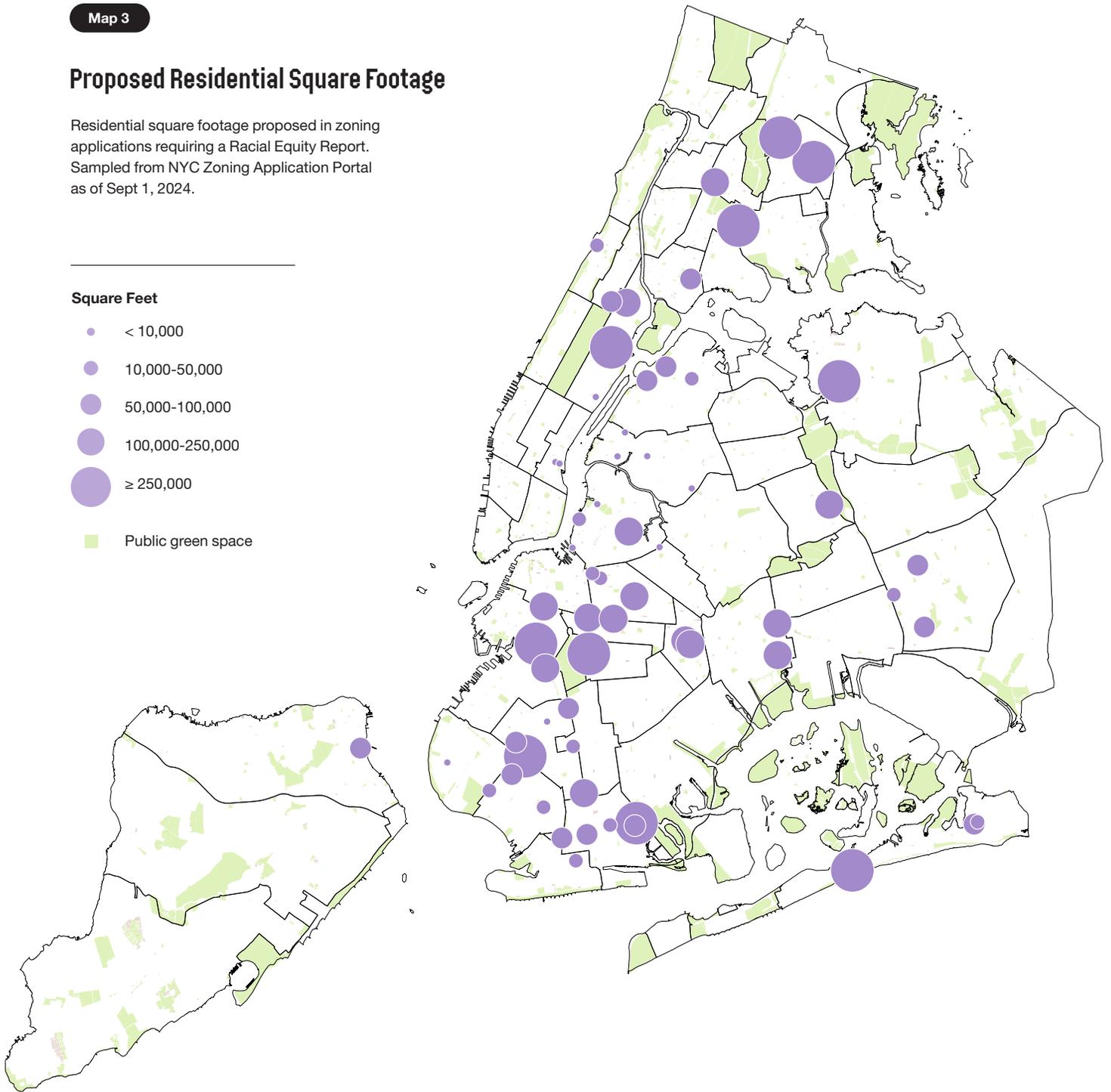
Borough	Total Number of Proposed Units	Proposed Low Income Units (51-80%AMI)	Proposed Very Low Income Units (31-50% AMI)	Proposed Extremely Low Income Units (0-30% AMI)	Total Number of Proposed Units that are Income Restricted (0-80% AMI)	% of All Proposed Units that are Income Restricted (LI/VLI/ELI)
Bronx	9308	1309	1152	225	2686	28.90%
Brooklyn	4677	782	671	247	1700	36.30%
Manhattan	961	198	158	214	570	59.30%
Queens	1556	249	195	62	506	32.50%
Staten Island	81	11	8	0	19	23.50%
Total	16,583	2549	2184	748	5481	33.10%

Proposed Residential Square Footage

Residential square footage proposed in zoning applications requiring a Racial Equity Report. Sampled from NYC Zoning Application Portal as of Sept 1, 2024.

Square Feet

-  < 10,000
-  10,000-50,000
-  50,000-100,000
-  100,000-250,000
-  ≥ 250,000
-  Public green space



Endnotes

1. CUFFH: Zoning & Racialized Displacement in NYC, 2015
2. <https://legistar.council.nyc.gov/LegislationDetail.aspx?ID=3963886&GUID=D2C9A25B-0036-416E-87CD-C3AED208AE1B&Options=ID%7CText%7C&Search=1572-B>
3. Associate Professor Eve Baron, Jerome Nathaniel, Alex de Rege (2024), Roman Lombardo (2024), Matt Meyer (2025).
4. Associate Professor and SAVI Director John Lauermann.
5. U.S. Department of Housing and Urban Development (HUD) classifies households spending more than 30% of its income on housing costs to be rent-burdened.
6. Initially, we surveyed a selected sample of 30 RERs created for zoning applications in community boards throughout Brooklyn experiencing varying degrees of development and gentrification. After conversations with community board members and staff in districts that had seen land use actions requiring RERs, including some others in Manhattan and Queens, the team expanded the analysis sample to include a comprehensive review of all projects that required a RER from the beginning of the program through September 1, 2024, which is a total of 64 completed reports.
7. One project in the analysis, 29-41 Wythe Avenue IBIA, required a RER but had not submitted the report in addition to other required documents. The project did not enter public review and in January 2024, DCP issued a letter formally closing the project record.
8. <https://codelibrary.amlegal.com/codes/newyorkcity/latest/NYCrules/0-0-0-89178>
9. Displacement Data for the 5 Citywide applications are excluded from this tabulation.
10. The Bronx Metro-North Station Area Study ULURP project area comprises a few areas in The Bronx. The project area for this ULURP spans an area that has both an intermediate and higher displacement risk. Most of the project area is in the higher displacement risk area so we placed the project in this category.
11. According to its RER, the 500 Kent ULURP is in an area with a population too small to calculate displacement risk, and the 29-41 Wythe IBIA ULURP has no housing. While a RER is still required for this project, none was provided and the project was closed by DCP in January 2024, not having completed the land use process.
12. SPARCS Kips Bay ULURP is an increase in non-residential space to facilitate a life sciences academic project. A RER was prepared, and the displacement risk was mapped.
13. 58-75 Queens Midtown Expressway Rezoning is an increase in non-residential space to facilitate the enlargement of a one-story warehouse building. A RER was prepared, and the displacement risk was mapped.
14. 24-02 49th Ave DEP ULURP is for the Acquisition of a non-residential site. A RER was prepared, and the displacement risk was mapped.
15. 47-25 34th Street Site ULURP is for the Acquisition of a non-residential site. A RER was prepared and displacement risk was mapped
16. U.S. Census American Community Survey Public Use Microdata Series (PUMS).
17. https://www.nyc.gov/assets/planning/download/pdf/data-maps/nyc-population/census2010/puma_cd_map.pdf
18. The Community Data feature in the EDDE also presents data on borough and citywide levels.
19. Displacement Risk Map data is presented on a neighborhood level is known as Neighborhood Tabulation Areas (NTAs). NTAs are created by NYC Dept of City Planning.
20. Every year, all of New York City's community boards prepare a statement of "Community District Needs", which identified funding priorities for their districts. These statements help inform the annual budget and future capital plans.
21. According to legislation, RERs are required to be submitted within 9 days of an application being certified or referred by DCP, which means the ULURP process is able to commence without the submission of the reports. There are no penalties outlined in the legislation for not submitting an RER. <https://www.nyc.gov/assets/planning/download/pdf/data-maps/edde/local-law-78.pdf>
22. 120% AMI for the New York Region for 2024 for a household of 4 is \$186,360
23. 1460-1480 Sheridan Blvd RER
24. Option 1 - 25% of residential floor area must be available to households earning an average 60% AMI
Option 2 - 30% of residential floor area must be available to households earning an average of 80% AMI
Option 3 - 20% of residential floor area must be available to households earning an average of 40% of AMI
25. If a project anticipates creating jobs after the development is complete, the applicant must specify the number and types of jobs they anticipate creating. They are only required to provide this information if the tenants have been secured; if they are unsure who will occupy any commercial space they are instructed not to make any assumptions and to leave this section blank.
26. According to the RER, the applicant anticipates 615 construction jobs over 3 years, with an average of 205 jobs for each year under construction.
27. In the applicant's narrative, the median income chart used 2015-2019 ACS data. This is likely due to the data updating after this RER was prepared. This information was obtained from the current EDDE data.
28. In the applicant's narrative, the median income was listed as \$21,972, using 2015-2019 ACS data. The EDDE data was likely updated

after this report was prepared. The RER submission guide provides median income information for certain industry sectors based on 2017-2021 ACS data, and lists the median as \$24,328.

29. New York City's Administrative Code § 25- 118(c)(5)

30. EDDE's methodology is documented at <https://equitableexplorer.planning.nyc.gov/methods>. For variable-specific details, see the data dictionary at <https://www.nyc.gov/assets/planning/download/pdf/data-maps/edde/edde-data-dictionary.pdf>

MAKING THE MOST OUT OF RACIAL EQUITY REPORTS

A Progress Report on
New York City's Efforts to
Measure Displacement in
Land Use Decisions

Spring 2025

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