THE
CHINATOWN
WORKING
GROUP
PLAN
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A Community Rezoning Plan to Protect Chinatown and the Lower East Side

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Introduction

The Lower East Side and Chinatown, two of the last predominantly working-class communities of color in Manhattan, have been left without meaningful protection against the rampant displacement and overdevelopment that threaten to destroy the fabric of our neighborhoods.

From NYCHA and the Two Bridges waterfront to the heart of Chinatown, the lack of adequate zoning protections has left our communities vulnerable to speculation and luxury residential towers.

Chinatown and the Lower East Side need a comprehensive plan.

A diverse spectrum of community members and organizations came together to create the Chinatown Working Group (CWG) Rezoning Plan after being denied the zoning protections that nearby whiter and wealthier communities like the East Village were granted, threatening our neighborhoods.

The CWG Plan is a comprehensive community-led rezoning plan that offers a series of recommendations to discourage overdevelopment and speculation. The CWG Plan promotes true affordability, contextual growth, and tenant and small business protection.

The CWG Plan is a plan for unity and racial equality. It recognizes that efforts for piecemeal changes to any one of the areas in the community will drive developers to unprotected adjacent areas. It stresses protections and development guidelines that not only benefit existing residents of Chinatown and the Lower East Side, but the city as a whole.

The many attempts to divide us have only galvanized our communities to stand together with greater conviction. As residents of the only remaining areas in Lower Manhattan without protection against speculation and displacement, we recognize that we cannot leave anyone behind.

And so, since the creation of the plan, thousands of community members from every corner of Chinatown to the Lower East Side waterfront have joined in support and have worked tirelessly to share this vision with their friends and neighbors. Our communities have waited long enough, we are ready to move forward with a plan for our neighborhoods that gives us the protection we deserve, so that our residents, workers, and small businesses can thrive.

“When I walk around Chinatown, there are a lot of businesses that are shut down, a lot of empty storefronts… Chinatown is dying”  - Jinming

“In a neighborhood where the prices are already increasing, [luxury towers] will just make everything a lot worse for working class people who have lived in this community for generations”  - Samantha
Background

Organizing
In 2008, the City passed protective zoning against luxury high-rises in the white, middle-class East Village and the northwest quadrant of the Lower East Side. The communities of Chinatown and the Lower East Side were outraged as this rezoning excluded the Bowery, Chinatown, and the subsidized housing along the waterfront, leaving those largely non-White, low-income areas vulnerable to overdevelopment and its accompanying landlord harassment and community displacement, despite the fact that East Village, Chinatown and the Lower East Side all belong to the same community board. Seeing the racism implicit in the zoning policy’s exclusion, Chinatown and the Lower East Side launched a petition, with 11,000 signatures, to demand equal protection and comprehensive and inclusive zoning that doesn’t pit one neighborhood against the other. This effort led to the formation of Chinatown Working Group.

Over the years, the impact of exclusion became evident as displacement in the unprotected communities of color escalated: high-end hotel after high-end hotel mushroomed along Bowery; real estate speculators bought tenement buildings and started to harass and evict low- and middle-income families; tenants and small businesses could not sustain the rapidly increasing rent; private developments were proposed on public land; an 80-story luxury tower was built on the Two Bridges waterfront, with four more proposed. The common threat of racist displacement brought people across racial boundaries together, culminating in their support of the CWG plan which gives protection to every part of the neighborhood. The vision of and mobilization for the plan had encouraged communities across the city organizing for community-led rezonings.

The mobilization to protect the community has kept CWG and its plan alive and growing even after Mayor de Blasio rejected the plan:

- In 2015, one thousand people marched twice—once in pouring rain—to City Hall demanding Mayor de Blasio stop Extell’s 80-story tower and pass the CWG plan.
- In 2018, the displaced tenants of 85 Bowery staged a hunger strike demanding the Mayor stop collusion with bad landlords and big developers.
- In 2019, the petition to demand Mayor de Blasio, Council Speaker Corey Johnson and Council Member Margaret Chin to stop the four megatowers in Two Bridges and pass the CWG plan got more than 5,000 signatures.
- In 2021, Democratic candidate Christopher Marte, running on the platform to stop displacement and pass the CWG plan, won by a large margin in both primary and general elections.
- Most recently, the petition to demand the most recent and newly elected Mayors and Council Members of District 1 to protect Chinatown and the Lower East Side, which includes passing the CWG plan, has received more than 10,000 signatures.

With the new administration, the community is more hopeful than ever that the plan can finally become a reality.

The Chinatown Working Group
In response to wide public outrage, especially from residents of Chinatown, and the petition with 11,000 signatures protesting the exclusionary rezoning and its racially discriminatory consequences, the City directed Community Boards 1, 2, and 3 to convene a community planning group for the purpose of developing a rezoning plan for Chinatown. This group, the Chinatown Working Group, brought together over sixty organizations within Chinatown, including a wide range of social service organizations, local tenants unions,
business support groups, nonprofit affordable housing organizations and private developers. At the table were also several distinguished zoning experts including one of the writers of the City’s Zoning Text, a former Department of City Planning employee, and a zoning educator.

Determined not to repeat the mistake of the 2008 EV/LES rezoning, the CWG chose a principled and forward-looking expansion of its boundaries to include the Two Bridges area and all the NYCHA properties along the waterfront.

CWG then began to develop a 197-a comprehensive community plan including proposals for education, traffic, safety, public space, recreation, arts, and immigrant and social services. These were presented in multiple public workshops while the proposals were still in process. The final proposal was to be a zoning plan, for which CWG sought an urban planning consultant.

CWG, having procured a $150,000 grant from the Lower Manhattan Development Corporation, issued an RFP and voted to hire the Pratt Center for Community Development. In 2014 the Center issued its Report on the state of Chinatown, including a comprehensive set of special district recommendations to the CWG. After careful scrutiny and discussion lasting another year, CWG selected from the options Pratt offered. Those selected options are the CWG Rezoning Plan.

The Plan, having been approved by the three Community Boards concerned, was delivered to the Department of City Planning (DCP) shortly after the inauguration of the then-new mayor, Bill de Blasio. Almost immediately the new Director of DCP, Carl Weisbrod, rejected the Plan as “too ambitious” despite the fact that the CWG special districts taken together are comparable in size to the 2008 EV/LES rezoning.

Viewing this rejection as final and irreversible, CWG meetings came to a temporary halt. However, understanding that the Lower East Side and Chinatown were still as vulnerable to community displacement as before—the Mayor having made no effort to protect these neighborhoods or their communities—the local tenants and labor group members of

CWG, along with Asian American Legal and Education Fund, reconvened the group to keep alive the Plan and its goals.

Since then, CWG has grown in membership and in public visibility. Thirteen years after its inception, its unprecedented and prescient goal of comprehensive, inclusive planning is at last understood as a necessary means of urban planning.

“We all come together to fight the high rise towers… They’re going to sell out Chinatown and the Lower East Side, so we’re here to protect Chinatown and the Lower East Side”  - Vincent

“We want to go against this narrative that there’s nothing we can do about it… Yes, we can do something about it!”  - Francisca
Area Context

Study Area: Neighborhood Tabulation Areas MN0301 and MN0302 (Chinatown-Two Bridges and Lower East Side) (or equivalent Census Tracts)
Data: NYC Open Data, American Community Survey 2015-2019 and 2006-2010

Demographics
Chinatown and the Lower East Side, the study area of this section, are well-known low-income and immigrant communities. While the following data illustrates such diversity, it also shows the changes that have occurred over the last ten years, and the threats of speculation and displacement that current residents face. These indicators demonstrate how real estate interests have impacted these neighborhoods, and what we can predict for the future.

The study area is primarily Asian, Hispanic/Latino, and white. The Asian community centered in Chinatown makes up the largest racial group at 43.2 percent, but has seen a significant decline in recent years. This can largely be attributed to outside forces threatening Chinatown as an affordable cultural center for Chinese-Americans and Chinese immigrants. These forces have led to an exodus of over 10,000 Asian residents over the last decade.

The area is also home to a decidedly immigrant population. 42.6 percent of residents of Chinatown and the Lower East Side are foreign-born, compared to 36.8 percent citywide.

The median household income in the area is nearly half the citywide median at $35,387. The poverty rate is also nearly double that of New York City as a whole, at 26 percent.

While many incomes have stagnated across the country over the last decade, wages have decreased in the study area by about 5.4 percent.

Housing
The study area contains over 40,000 homes, most of which are pre-war tenement and other high-density residences that define the built character of Chinatown and the Lower East Side. Roughly three quarters of residential buildings in the area are 20 or more units, compared to 50 percent citywide, making the area one of the most densely developed in the city.

86.6 percent of residents in the area rent their homes, at a median gross rent of $968 per month. While rent is relatively low for Manhattan, the area is still more rent-burdened than the city as a whole.

Rents have continued to spike in the area, increasing 13 percent over the last ten years. Without the incomes to cover these growing rents, local residents are feeling pressure to leave the area more than ever. Rent burden continues to rise with few efforts to ensure that new housing developed in the area is truly affordable to the community, and no means of protecting the affordable housing stock that already exists.
Land Use and Existing Zoning
Current land uses reflect a vibrant community of residences, businesses, institutions, parks, and open spaces. The area’s land use is characterized by lower density mixed uses to the west, and higher density residences, like cooperatives and public housing, to the east.

Existing zoning mostly reflects these uses, with commercial zoning districts making up the western portion, and residential zoning along the East River, with commercial overlays along some main corridors like Delancey and Clinton Streets.

Both existing commercial and residential zoning allow for fairly dense development throughout the area, with only a few sections zoned for height limits. While use is reflected in existing zoning, allowed density has left hundreds of sites at risk of redevelopment. These at-risk sites support important businesses and residences, but without height limits, they can redeveloped into much taller buildings, incentivizing demolitions, evictions, and deregulation across our communities.

Existing zoning also lacks any additional tenant protections, affordability requirements, or other regulations that can be implemented through a special district. Currently, no affordable units are required to be built in the area, while existing commercial and residential tenants are exposed to market forces that can cause rent hikes that displace longterm residents from the neighborhood.
Existing Historic and Special Districts

Historic and special districts already exist throughout Lower Manhattan, regulating development and protecting historic sites in neighborhoods like the Financial District, Little Italy, SoHo and NoHo, Battery Park City, the Seaport, and Greenwich Village.

measures to ensure that future development adequately meets the needs and existing character of that area. While the City does not have clear criteria for the designation of a special district, its purposes of preserving unique characteristics and achieving specific planning objectives certainly qualify Chinatown and the Lower East Side as affordable, culturally rich, and historic neighborhoods.

Speculation and Displacement

There are several indicators of speculation and displacement that apply to Chinatown and the Lower East Side, many of which demonstrate the mentioned threats current residents face, driven primarily by tenant harassment, unaffordable residential and commercial rents, and new development. Even those developments deemed “affordable” by the City only exacerbate these issues.

As previously stated, rents have increased drastically while incomes have stagnated and even decreased in the area over the last ten years. Given current median rent and household income, the average resident of the area is paying 33 percent of their paycheck toward rent, qualifying as rent-burdened. Low-income residents of the area are struggling to keep up with rent hikes and are being forced to relocate.

Speculation and gentrification ultimately lead to displacement of long term residents. Families who have called Chinatown and the Lower East Side home for years are being...
pushed out by harassment tactics and rent increases. Over the last ten years, 4,650 households, or 26 percent, who have lived in the area since 2000 or earlier, have left. This means that the area is seeing a rapid replacement of longterm residents with newer tenants, a fundamental indicator of gentrification.

As long term renters are leaving, new development has been increasing in the area, with nearly 6,000 new dwelling units submitted to the Department of Buildings since 2016. According to the Mayor’s Housing New York plan, the area has seen the construction or preservation of 8,233 “affordable” units since 2014. However, according to the median household income of Chinatown and the Lower East Side, only nine percent, or roughly 750, of these units are actually affordable to the local community. For comparison, 520 legal evictions have taken place in the study area since 2017.

Since 2011, the Department of Housing Preservation and Development has inspected 43,504 Housing Maintenance Code Violations in Chinatown and the Lower East Side. These violations range from a defective smoke detector to lack of heat or hot water, and generally reflect landlord neglect and tenant harassment. The number of these violations in the area has increased 2.5 times year to year.

Perhaps the greatest overall threat to the neighborhood are soft sites, properties that are underdeveloped under current zoning, incentivizing owners to demolish and redevelop these properties. An example is the Extell Tower in Two Bridges, once the one-story Pathmark that was regarded by developers as a soft site. No matter how important these buildings are to the community, with no affordability requirements or anti-demolition protections, they can be radically changed at any moment with no public review required. There are currently 338 soft sites within the proposed district area, defined as sites that are currently built only up to half of the density allowed on the site.
Recognizing the threats our community faces, the Chinatown Working Group devised the following purposes to guide a community plan that can protect current tenants and businesses while allowing for new development that addresses both citywide and local affordability needs:

1.  Protect the existing low income population from displacement through provisions such as anti-harassment and anti-demolition laws and enforcement.
2.  Encourage the provision of new housing that is affordable to low income residents.
3.  Retain the mixed-use character of our neighborhoods for residents and workers.
4.  Preserve and develop cultural and community facilities.
5.  Preserve the existing scale of development.
6.  Preserve small-scale character and variety of stores and activities, and prohibit or limit incompatible uses.
7.  Preserve the area’s unique urban design and streetscape.
8.  Recognize and preserve the area’s unique history and culture.

With these purposes in mind, the following five strategies define and drive the proposed Special Chinatown and Lower East Side District:

**Residential Affordability**
Anti-harassment and anti-demolition regulations, affordable housing reflecting local incomes, and affordability requirements in all residential developments.

**Built Form and Open Space**
Contextual height and density, diversity in land uses, preservation of urban design elements, resiliency requirements, and public waterfront access.

**Small Businesses and Manufacturing**
Protection and promotion of local and small commercial and manufacturing uses, prohibition of inconsistent uses, and restrictions on larger uses and stores.

**Culture and Historic Preservation**
Identification of select buildings and sites of significance, and strategic transfers of development rights to fund and protect these sites.

**Climate Change Resiliency and Mitigation**
Maximization of resiliency measures in areas vulnerable to flooding and storm surge.
Special District Boundary and Subdistricts

- Special District Boundary
- Subdistrict Boundary
- Non-Subdistrict Area

Note: Non-Subdistrict Areas are within the special district and subject to the general provisions.
General Provisions
A special purpose zoning district makes the most sense to implement given the purposes and strategies outlined previously, and the specific issues meant to be addressed by this proposal. A special district allows for regulations that cannot regularly be implemented by standard zoning districts. While zoning normally dictates use and density, special districts can add controls for affordability, tenant protection, contextuality, conversion, special permits, and others.

The following general provisions will apply across the special district, while additional regulations will apply to each subdistrict.

Anti-Harassment
Every building within the special district will be included in the Certificate of No Harassment program, requiring that the Department of Housing Preservation and Development confirm that there has been no harassment upon any substantial change in construction or occupancy approved by the Department of Buildings.

Anti-Demolition
Demolition poses a massive threat to any existing tenants as a means of displacement and deregulation of rent-stabilized units. Therefore no demolition will be permitted unless rehabilitation and preservation is not possible, a new affordable building plan is in place, and existing tenants are promised units in the new building.

Affordability
Affordability is a primary goal for this plan. Housing that is truly affordable to the local community will be required in every new residential development at a beginning rate of 20 percent of units, with additional requirements in certain subdistricts. By truly affordable we mean affordable to the median household income of the local area, which is roughly equivalent to 30 percent of the city’s Area Median Income.

Residential Conversion
In order to protect existing commercial and manufacturing uses vital to the local community and economy, residential conversions can only happen as long as thriving manufacturing and commercial uses are not unduly sacrificed.

Retail Size
To preserve and promote small businesses, every new retail establishment will be limited to 2,500 square feet in size, with an exception for grocery stores, which will be limited to 5,000 square feet.

NYCHA Protection
NYCHA and other large-scale housing developments span much of the rezoning area and need to be uniquely protected. Under this plan, any reduction of residential floor area on these properties is prohibited, and any new development must be 100 percent affordable, fit into the built context, and be sustainable and resilient to climate change.

Additionally, any changes in NYCHA management or lease structures can only happen in close collaboration with tenants. In the case of any substantial interior repairs, tenants must be temporarily relocated within the community for no more than six months, and be permanently relocated to their original unit once repairs are complete.

Sites of Significance
Finally, Chinatown and the Lower East Side are home to hundreds of historically, culturally, and architecturally significant buildings that serve as crucial landmarks, cultural and historic symbols, and contemporary community spaces. Included in this plan will be a list of these Sites of Significance and the specific protections allotted to them. One way of preserving these sites is by allowing unused development rights to be sold to other sites in certain subdistricts, to ensure that these sites are not redeveloped and have the preservation funds they need.

Examples of Sites of Significance include:

- The Manny Cantor Center, 197 East Broadway
- University Settlement, 184 Eldridge Street
- 5th Police Precinct, 19 Elizabeth Street
- Former Gouverneur Hospital, 621 Water Street
- 311 East Broadway
- 75 Essex Street
- 83 Mott Street
- 58 Rivington Street
**Subdistrict A1: Preservation Area**

**Zoning:** Modified C4-4A and R7A  
**Maximum Residential FAR:** 6.0  
**Height Limit:** 85 feet  
**Affordability:** 60-65% of units  
**Prohibited Uses:** Hotels, large retail, universities/dormitories  

Subdistrict A1 covers most of Chinatown, mostly characterized by five to seven story tenement buildings, first floor retail, and some other commercial uses. Designated as the first preservation area of the special district, A1 prioritizes protection of existing housing and businesses while allowing for affordable development where appropriate.

**Example:** 85 Henry Street

- **Existing Zoning**: 120 feet tall  
- **CWG Zoning**: 85 feet tall  
- **Affordable Units**: 0

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**Subdistrict A2: Preservation Area**

**Zoning:** Modified C4-4A and R7A  
**Maximum Residential FAR:** 6.0  
**Height Limit:** 85 feet  
**Affordability:** 60-65% of units  
**Prohibited Uses:** Hotels, large retail, universities/dormitories  

Subdistrict A2 covers the northern portion of the Lower East Side west of Pitt Street, mostly characterized by five to seven story tenement buildings, first floor retail, and some other commercial uses. Designated as the second preservation area of the special district, A2 closely follows the preservation and affordability efforts of Subdistrict A1.

**Example:** 208 Delancey Street

- **Existing Zoning**: 120 feet tall  
- **CWG Zoning**: 85 feet tall  
- **Affordable Units**: 0, 84
Subdistrict C: Higher Density Mixed Use

Zoning: Modified existing zoning  
Maximum Residential FAR: 10.0  
Height Limit: None  
Affordability: 60-70% of units  
Prohibited Uses: Hotels, large retail, universities/dormitories  

Subdistrict C comprises of parts of the Civic Center as well as western Chinatown, and contains the prospective site of the new Chinatown jail. This project represents that even the courthouses are at risk of redevelopment into harmful projects, and serves as the driver for additional affordability protections in this area.

Example: 90 White Street

Existing Zoning  
125 feet tall  
0 affordable units

CWG Zoning  
85 feet tall  
11 affordable units
Subdistrict D: Lower East Side Waterfront

Zoning: Modified C6-4, M1-6, Parkland
Maximum Residential FAR: 10.0
Height Limit: 350 feet
Affordability: 70% of units
Prohibited Uses: Hotels, large retail, universities/dormitories

Subdistrict D contains much of the Lower East Side waterfront, spanning from the western part of Two Bridges to the top of East River Park. In the face of four proposed luxury towers, the proposed height limit and affordability requirements would ensure that any new development does not harm this community, but serves it.

Subdistrict E: Bowery Corridor

Zoning: Modified C6-1
Maximum Residential FAR: 4.6
Height Limit: 85 feet
Affordability: 60% of units
Prohibited Uses: Hotels, large retail, universities/dormitories

Subdistrict E provides a unique subdistrict between Grand Street and St. Marks Place for the east side of the Bowery, the oldest street in the city. Additional regulations for the thoroughfare are meant to preserve its built character and commercial status while requiring affordable housing where residential development occurs on upper floors.
Visit bit.ly/stopdisplacement or scan this QR code to sign the petition to protect Chinatown and the Lower East Side!

Visit www.chinatownworkinggroup.com to learn more and to get involved!