Anti-Displacement Policy Toolkit

Development Moratorium

This tool would create a development moratorium which would suspend a landowner’s right to obtain approval for new residential development. This policy addresses rapid changes in the development of an area.

**For NYC:**

**POLICY OBJECTIVE:**
The primary objective of a Development Moratorium is to slow the pace of development that pushes up rents beyond the means of existing residents in rapidly changing communities. The objective is to decrease the displacement of affordable housing units and residents in rapidly gentrifying communities by temporarily halting new developments.

**HOW MIGHT IT WORK?**
The policy halts new development projects that adhere to the strict legal guidelines that qualify for the development moratoria and must:

- Have a valid public purpose justifying the moratorium;
- Have a reasonable time frame as measured by the action to be accomplished during the term;
- Establish a time when the moratorium will expire.

**WHO WOULD BENEFIT?**
Potential Impact: New York City affordable housing and market-rate development

**HOW WOULD IT BE ENACTED?**
City legislation
Development Moratorium

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For NYC:

HOW WOULD IT BE ENFORCED?

The Department of Buildings, the Department of Housing Preservation and Development, and/or the Department of City Planning.

WHAT IS THE FEASIBILITY FOR ACHIEVING THIS IN NYC?

Potential Proponents:
- Community Development Corporations
- Affordable housing advocates
- Tenants rights advocates

Potential Opponents:
- Real estate developers
- Real estate venture capital and investors

Challenges:
- Legal challenges to moratoria are common
- The strong influence of developers on city policy is strong and would be difficult to overcome
- Some opponents of a ban argue that development is needed to help bring down high rental prices

WHO’S INVOLVED?

N/A
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Example Policy: Redondo Beach, CA

HOW DOES IT WORK?
In September 2017, the Redondo Beach City Council placed a 10½-month moratorium on mixed-use development over concerns that such developments are wildly increasing traffic. The action halts projects that combine office and retail with housing.

Historically, moratoria have been used to prevent density increases and the building of affordable housing in wealthier areas.

WHO BENEFITS?
Stock: Existing housing stock in Redondo Beach

HOW WAS IT ENACTED?
Local legislation, in concert with State enabling legislation.

HOW IS IT ENFORCED?
Local administrative bodies like the Department of Buildings, Department of City Planning, and local Housing Authority.
Challenges to the law are being brought through the local courts.