



CITY OF NEW YORK
MANHATTAN COMMUNITY BOARD 10
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Mandatory Inclusionary Housing (MIH) Zoning Resolution
No. MIH 2016

WHEREAS, the City Council on Tuesday, March 22, 2016 voted overwhelmingly to approve Mayor Bill de Blasio’s mandatory inclusionary housing program (MIH) which will apply to any new buildings in Up-zoned neighborhoods and any new spot rezoning; and

WHEREAS, pursuant to MIH, the City Planning Commission and ultimately the City Council would apply one or both of the following two requirements to each Mandatory Inclusionary Housing area: 1) 25% of residential floor area must be for affordable housing units for residents with incomes averaging 60% AMI (\$46,620 per year for a family of three) and 10% of housing to be affordable at 40% AMI(\$31,080 per year for a family of three); or 2) 30% of residential floor area must be for affordable housing units for residents with incomes averaging 80% AMI (\$62,150 per year for a family of three); and

WHEREAS, in addition to one or both of the options, the City Council and the City Planning Commission could decide to apply one or both of the Deep Affordability Option and/or the Workforce Option; and

WHEREAS, the Deep Affordability Option provides that 1) 20% of the total residential floor area must be for housing units for residents with incomes averaging 40% AMI (\$31,080 per year for a household of three); and 2) No direct subsidies could be used for these units except where needed to support more affordable housing; and

WHEREAS, the Workforce Option provides that 1) 30% of the total residential floor area must be for housing units for residents with incomes averaging 115% AMI (\$89,355 per year for a household of three); 2) No units could go to residents with incomes above 135% AMI (\$104,895/year for a household of 3); 3) No direct subsidies could be used for these affordable housing units; and 4) The Workforce Option would not apply to Manhattan Community Districts 1-8, which cover south of 96th Street on the east side and south of 110th Street on the west side; and

WHEREAS, MIH allows for: a) Permanent affordability; b) that MIH requirements would kick in above 10 units; c) that a “Fee in Lieu” option is available for buildings between 11-25 units; d) that a BSA waiver is available for projects that can show financial hardship; and e) that Off-site options available for the affordable housing; and

WHEREAS, Manhattan Community Board 10 has repeatedly heard from residents of the

District of their concerns and fears that the high and escalating cost of housing is forcing long standing Residents to move from the District or into over-crowded or rent-burdened living conditions and that the supply of rental housing has been shrinking, especially for extremely low and very low income families due to a variety of factors, including but not limited to a robust housing market in Community Board 10, rising costs of construction, rising land prices, land-use restrictions and conversions of units to market rate condominium and cooperative housing; and

WHEREAS, according to a 2015 NYU Furman Center study on housing affordability based on Community Board districts, Central Harlem's severely rent-burdened households represent 38.8% of CB 10 households, has an unemployment rate of 13%; median household income of \$40,615, poverty rate of 29.2%, with a household income distribution (2015 dollars) as follows: 30% less than \$20,000; 21% less than \$40,000; 16% less than \$60,000; 17% less than \$100,000; and 4% less than \$250,000 for CB 10's 132,027 residents (2014 estimate).

WHEREAS, estimates are that for every 100 low-income households (which earn less than 50 percent of the area median income (AMI) Nationwide and in Community Board 10, there are only 30 homes that are affordable and available to those households.

NOW THEREFORE, BE IT RESOLVED:

- 1) That Manhattan Community Board 10's Land Use Committee will welcome any ULURP Applicant seeking Community Board 10 approval of its application if that project provides 50% of residential floor area to be for affordable housing units for residents with incomes averaging 80% AMI for Harlem (\$62,150 per year for a household of three); and
- 2) That Manhattan Community Board 10's Land Use Committee will welcome any ULURP Applicant seeking Community Board 10 approval of its application under any of the four MIH options if that project provides 10% to 20% of residential floor area to be for affordable housing units for residents with incomes averaging between 40% to 60% AMI; and
- 3) That Manhattan Community Board 10's Land Use Committee will highly recommend any ULURP Applicant seeking Community Board 10 approval of its application that seeks to utilize the "Fee in Lieu Option" if the Applicant demonstrates that the fee proposed be dedicated to physical, social and/or historic preservation efforts within Community Board 10; and
- 4) That Manhattan Community Board 10's Land Use Committee will welcome any ULURP Applicant seeking Community Board 10 approval of its application that seeks to utilize the "Offsite Development Option" if the Applicant demonstrates that the offsite development proposed is to be located within Community Board 10 and constructed contemporaneously with the primary development project; and
- 5) That Manhattan Community Board 10's Land Use Committee will welcome any ULURP Applicant seeking Community Board 10 approval of its application for homeownership housing if that application provides 20% to 25% of its units for moderate and middle

income Residents within Community Board 10; and

- 6) That the Mayor of the City of New York, the City Council and all Administrative Agencies having oversight of the application of MIH require an Impact Study be prepared prior to approval of the Application that reviews the impacts on schools, traffic, and parking with respect to any development project proposed within Community Board 10 and that a public presentation is made prior to ULURP certification by the Department of City Planning; and
- 7) That the Mayor of the City of New York, the City Council and all Administrative Agencies having oversight of the application of MIH work with the US Department of Housing and Urban Development to make appropriate adjustments in the AMI for Central Harlem to more accurately reflect real household incomes within Community Board 10; and
- 8) That the New York City Department of Housing, Preservation and Development monitor and enforce compliance with Section 3 of the US Housing Act of 1936 requiring employment and training opportunities particularly construction jobs, property management jobs and all jobs tied to the development being approved for Residents and Businesses within Community Board 10; and
- 9) That Manhattan Community Board 10's Land Use Committee will welcome any ULURP Applicant seeking Community Board 10 approval of its application that seeks to set aside 5 to 10% of its units for homeless or those individuals receiving homeless assistance within CB10; and
- 10) That Manhattan Community Board 10's Land Use Committee will welcome any ULURP Applicant seeking Community Board 10 approval of its application that seeks to require that there are homeownership opportunities for the working class in Harlem for first-time homebuyers with units reflecting 2 bedrooms based on salaries started at incomes ranging from \$65,000 (80% AMI for a household of three) to \$110,000 (130% AMI for a household of three); and
- 11) That Manhattan Community Board 10's Land Use Committee will welcome any ULURP Applicant seeking Community Board 10 approval of its application that mitigates displacement and provides a mechanism that quantitatively monitors the real access of Central Harlem lower-income and long-term Residents, particularly seniors, to the new affordable housing proposed within Manhattan CB10.

BE IT FURTHER RESOLVED that on June 1, 2016, Manhattan Borough Community Board 10 supports the aforementioned resolution with a vote of 41 in favor, 0 opposed and 3 abstentions.

BE IT FURTHER RESOLVED that Manhattan Community Board 10 partner and collaboratively work with the Real Estate Development Industry, Community Stakeholders and our Elected Officials to advance the goals articulated in this Resolution.