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CITY OF NEW YORK MANHATTAN COMMUNITY BOARD 10

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Resolution Manhattan Community Board 10

RESOLUTION: To not support with recommendations the City of Yes Housing Opportunity Citywide Text Amendment.

WHEREAS, New York City Department of City Planning (hereafter known as DCP) is proposing the City of Yes for Housing Opportunity Citywide Text Amendment (N240290ZRY) that will implement changes to expand opportunities for housing within all zoning districts, and across all 59 of the City's Community Districts. These changes to the City's Zoning Resolution are designed to enable more housing and a wider variety of housing types in every neighborhood, from the lowest-density districts to the highest, to address the housing shortage and high cost of housing in New York City; and

WHEREAS, the City of Yes for Housing Opportunity Citywide Text Amendment is created to build more housing throughout the city in order to help address low apartment vacancy rates, the fact that 50% of renters are rent burdened, and there are approximately 93,000 individuals residing in homeless shelters; and

WHEREAS, there are total of fifteen (15) proposals that will impact low density and medium-high density communities, and the city at large that Manhattan Community Board 10 must consider:

Low Density (R1-R5 Districts)

1. Town Center Zoning – Re-introduce in areas where the classic building form of a commercial ground floor with two to four stories of housing above.
2. Transit-oriented Development – Allows for modest 3-5 story apartment buildings on large lots within a half mile of a subway or rail station.
3. Accessory Dwelling Units (ADUs) – permit ADUs in backyard cottages, garage conversions, and basement apartments.
4. District Fixes – Give homeowners additional flexibility to adapt their homes to meet family needs.

Medium – High Density

5. Universal Affordability Preference (UAP) – allow building to add at least 20% more housing if additional homes are permanently affordable with an average 60% AMI for these units.

Citywide

6. Lift Costly Parking Mandates – eliminates mandatory parking requirements for new buildings
7. Convert Non-Residential Buildings to Housing – make it easier for underused, nonresidential buildings, such as offices, to be converted into housing.
8. Small and Shared Housing – reintroduce housing with shared kitchens or other common facilities as well as eliminate strict limits on studios and one-bedroom apartments.
9. Campus Infill – make it easier to add new housing on large sites with 1.5 or more acres that have existing building on them.

Miscellaneous

10. New Zoning Districts – create new residential districts that require mandatory inclusionary housing that can be mapped in central areas in compliance with state requirements.
11. Update to Mandatory Inclusionary Housing – allow the deep affordability option (Option 3) to be used as a standalone.
12. Sliver Law – allow narrow lots to achieve underlying Quality Housing heights in R7-R10 districts
13. Quality Housing Amenity Changes – extend amenity benefits to family-sized apartment buildings with 9 or more units.
14. Landmark Transferable Development Rights – make it easier for landmarks to sell unused development rights by transferring radius and simplifying procedure.
15. Railroad Right-of-way – Simplify and streamline permissions for development involving former railroad rights of way.

WHEREAS, the City of Yes for Housing Opportunity is a dense (~1300 pages) document that will result in changes to zoning regulations throughout the City DCP facilitated three presentations on 5/16/24 and 5/23/24, and at a public forum on 6/20/24, as well as provided a Q&A documents from other community boards throughout the city, and:

WHEREAS, Manhattan Community Board 10 Land Use Committee facilitated two public hearings on 5/16/24 and 5/23/24, and public forum on 6/20/24; and

WHEREAS, Manhattan Community Board 10 agrees that the need for housing in the City is urgent, the committee believes that the type of housing developed as a result would be disproportionately market rate; and

WHEREAS, on May 23rd, 2024 Manhattan Community Board 10 Land Use Committee voted **4 Yes, 1 No, 1 Abstention, and 0 Recusal** to not support the City of Yes Housing for Opportunity with recommendations. The primary concerns of the committee and the community, as well as the recommendations were as follows:

Universal Affordability Preference (UAP) – this is a voluntary option that developers can use that will replace the voluntary inclusionary housing option. While this will provide at least 20% more housing that will be permanently affordable, the UAP requirement should mandate a greater percentage of affordability (30%) as well as mandate an average AMI of 40% instead of 60%.

Lift Costly City Parking Mandates – the inclusion of parking would be at the discretion of developers. Parking challenges already exist in Manhattan Community Board 10. Garage parking is costly and parking on the streets is limited due to a variety of reasons. As the City of Yes for Housing Opportunity eliminates parking mandates, the construction of developments in certain areas of the community, such as the previously proposed One45 project, would place an even greater strain on existing transportation hubs.

Small and Shared Housing - while this will support households of one or two individuals, it does not address the needs of families. Eliminating limits on studios and one-bedroom apartment might lead developers to create smaller units vs. units for families.

Campus Infill – Manhattan Community Board 10 has various locations throughout the district that are considered campuses such as our NYCHA developments, Esplanade Gardens, Lenox Terrace, and the site proposed for the One45 project. It is recommended that any new

development on these campuses should require 50% of the units to be permanently affordable and an average 40% AMI.

Overarching Concerns

- While more housing is needed throughout the city, the community board believes that more *affordable* housing is needed. The City of Yes for Housing Opportunity will result in the development of a disproportionate number of market rate units. UAP should require at least 30% permanently affordable units as developers will receive additional FAR (floor area ratio).
- The City of Yes for Housing Opportunity has an anticipated number of new housing units that will be produced in the next 15 years but it does not establish mandates/targets for various communities throughout the city. The City should establish mandates and targets for creation of new housing throughout the city, and should track progress against these targets.
- The City of Yes for Housing Opportunity provides significant benefits to developers with limited guarantees to renters that are financially challenged and rent burdened. It is recommended that changes to the zoning occur incrementally to allow for the city to assess their impact and effectiveness. It is recommended that changes outlined in the City of Yes for Housing Opportunity are implemented in phases.
- The City of Yes for Housing Opportunity is a large amendment that must be reviewed, discussed, and deliberated by community boards within a 60-day period. Unfortunately, the amendment does not clearly outline the changes to areas that the community board currently reviews indicating that some processes will change to a CPC Chair review. The city should provide a comparative analysis of current community board review areas versus new or eliminated areas by the City of Yes for Housing Opportunity.

The chart below outlines the committee decisions on each of the proposed actions:

Proposal	Support	Do Not Support	Requested Modification/Recommendation
Low-Density			Not found in CB
Town Center Zoning	X		
Transit-Oriented Development	X		
Accessory Dwelling Units	X		
District Fixes	X		
Medium - High Density			Density found in CB 10
Universal Affordability Preference (UAP)		X	Creates 20% affordable units at an average of 60% AMI with additional FAR. Committee recommends an increase in the affordability rate by lowering the AMI average to 40% instead of 60%. Additionally, increase the percentage of affordable units from 20% to 30% because the rate of market rate to affordable

			unit in each new development that uses UAP will be 80% to 20%. This is a disproportionate amount of market rate units that does not meet the needs of the community and will negative impact the way in which AMI is calculated.
Citywide			
Lift Costly Parking Mandates		X	Development of parking would be at the discretion of the developer – optional for new housing. Community already burdened with finding parking in the area. Existing parking lots are costly. Congestion pricing will have greater impact on the community as non-CB 10 residents will park their vehicles in the community in order to access the various transportation hubs located in the district.
Convert Non-Residential Buildings to Housing	X		CB 10 has no existing buildings that are eligible for conversions.
Small and Shared Housing	X		Community is concerned with the limited number of affordable units for families.
Campus Infill		X	CB 10 has many eligible campuses including the various NYCHA developments, Lenox Terrace, Esplanade Gardens, and the site previously designated for the One45 project. It is recommended that any new development should have a requirement that includes 50% of the units to be permanently affordable at the 40% AMI level.
Miscellaneous			
New Zoning Districts	X		
Update to Mandatory Inclusionary Housing	X		Option 3 would become a standalone for rezoning allowing for 20% affordable units at the 40% AMI. ULURP would still be required.
Sliver Law	X		
Quality Housing Amenity Changes	X		Will now require all buildings with 9 or more units to provide

			at least 3% of FAR amenities such as laundry room, indoor recreational space, mail room, etc.
Landmark Transferable Development Rights (LDTR)	X		This would become a CPC Chair certification. All action would still be approved by the Landmarks commission.
Railroad Right-of-Way	X		

NOW THEREFORE, BE IT RESOLVED

Manhattan Community Board 10 **does not support the City of Yes for Housing Opportunity Citywide Text Amendment**, with the recommendations listed below. During the June 26th, 2024 meeting, the board voted **32 Yes, 2 No, 0 Abstention, and 0 Recusal.**

1. Implementation of the proposed changes should occur incrementally to allow for an assessment of the impact/effectiveness, as well as the utilization of various options that are provided to increase housing development such as the Universal Affordability Preference and changes to requirements in low density communities.
2. Establish mandates/targets to evaluate the impact and effectiveness of the proposed changes.
3. Increase the Universal Affordability Preference to at least 30% instead of at least 20%.
4. Mandate development on campus infills to include 50% of newly developed units to be permanently affordable at the 40% AMI level.
5. Maintain existing parking requirements.
6. Include affordability mandates in the development of small and shared housing developments.
7. Provide community boards with an outline of existing functions compared to new or eliminated functions that will be created if the City of Yes for Housing Opportunity is passed.