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MCB4 Inclusionary Housing – Policy & Checklist

MCB4 Inclusionary Housing Policy

Policy adopted 9/5/08

Policy revised 2/2/2022

Manhattan Community Board 4 believes the purpose of Inclusionary Housing is to maintain and enhance a diverse community, ethnically, racially, and economically, for individuals and households who would otherwise be excluded from any opportunity to live in our community.

Definitions

The Inclusionary Housing Program (IHP)¹ is designed to preserve and promote affordable housing within neighborhoods where zoning has been modified to encourage new development. It includes the following programs:

- **Voluntary Inclusionary Housing (VIH)** - In areas where the Voluntary Inclusionary Housing Program, enacted in 1987, is applicable (R10 Districts or R10 equivalent Districts, IH Designated Areas and Special Districts), a development may receive a density bonus in return for the new construction, substantial rehabilitation, or preservation of permanently affordable housing. As adopted by the City Council in 2005, 20% of residential floor area would now be reserved for permanent affordable housing in exchange for a 33% floor area bonus. The density bonus generated can be utilized to increase residential floor area on-site and/or off-site. An on-site project is one where the density bonus is located in the same building as the affordable units that generate the bonus. An off-site project generates a density bonus by affordable units located within a one-mile radius of the proposed development.
- **Mandatory Inclusionary Housing (MIH)** - Mandatory Inclusionary Housing, enacted in March 2016, requires 20-30% of new housing in medium- and high-density areas that are rezoned to promote new housing production—whether rezoned as part of a city neighborhood plan or a private rezoning application—to be permanently affordable. In MIH-mapped areas, the program requires permanently affordable housing within new residential developments, enlargements, and conversions from non-residential to residential use.

Affordable Housing Production in Manhattan Community District 4

¹ [NYC Department of Housing Preservation and Development Inclusionary Housing Program](#)

The District has been and continues to be served by programs producing very low and low-income housing. Programs including: Tax Exempt Bond financing, Low Income Housing Tax Credits, and the Supportive Housing Program have been actively used for households earning between 40% and 60% of the Area Median Income (AMI)² and those with special needs. We continue to support the use of those programs. Since 1995, 8,649 units of low-income housing have been produced through private and public efforts for low-income individuals and households. However, those units are not permanently affordable, with rent regulation expiring at the end of the 30-year mortgage or the 15-to-30-year tax credit regulatory period. However, Inclusionary Housing produces permanently affordable units, creating a critical resource for MCD4.

History and Use in Manhattan Community District 4

Inclusionary Housing, permanently affordable housing produced through zoning mechanisms, now provides a much-needed source for the production of affordable housing in the neighborhoods of Chelsea and Hell's Kitchen/Clinton which comprise Manhattan Community District 4. The Clinton Special Zoning District (CSD), adopted in 1973 by the City Planning Commission, contained text which for the first time provided zoning incentives for building permanently affordable housing through the New York City Zoning Resolution. In 1986, the Voluntary Inclusionary Housing was proposed by City Planning and adopted by City Council. That provision replaced the original 1973 text. Mandatory Inclusionary Housing was adopted in 2016. In our district, both VIH and MIH zoning is mapped.

Beginning with the CSD in 1973 and continuing through the mapping and adoption of the Hudson Yards (HYSD) and West Chelsea (WCSD) Special Zoning Districts in 2005, Manhattan Community Board 4 has been actively engaged in promoting economic diversity and affordable housing. Working with the Department of Housing Preservation and Development and Department of City Planning, CB4 extended the benefits of inclusionary housing by geography and income group. In 2008, approximately 75% of Community District 4 was mapped with provisions for Inclusionary Housing Zoning.

Inclusionary Housing—a Targeted Tool for Moderate and Middle Housing Production in Manhattan Community District 4

The Board views Inclusionary Housing production as the prime current affordable housing tool in Community District #4 to reach moderate- and middle-income households earning between 80% and 165% of the Area Median Income (AMI) as determined annually by the Federal government.

However, the production of affordable units in the District has been overwhelmingly weighted to household earning less than 60% of the AMI. Since 2005, only 32% of the Inclusionary apartments constructed have served families of 80% AMI or greater. We thus feel that the Board seeks housing created through Inclusionary Housing in the future should focus on those underserved moderate and middle-income households.

The Board has and continues to welcome housing for the lowest income New Yorkers with a variety of social service needs including seniors, the mentally disabled, persons with living HIV/AIDS and the homeless. Sensitively sited, well designed and operated, such apartments and residences which contain on or off-site social services, are located throughout the District on residential and commercial blocks. These developments, well-funded by public and private sources, are considered community assets.

² Housing is considered affordable if it costs about one-third or less of what the people living there earn, also known as Area Median Income (AMI). The median income for all cities across the country is defined each year by U.S. Department of Housing and Urban Development (HUD). Percentage of the area median income determines eligibility for affordable housing units. The 2021 AMI for the New York City metropolitan area is \$107,400 for a three-person family (100% AMI). Source: [NYC HPD Area Median Income](#)

On a parallel path, the Board fully supports expansion of existing supportive housing programs that serve special needs to ensure that affordable housing targeted to that population continues to be built.

Therefore, given the lack of funding for affordable housing for families with incomes between 60% to 165% AMI and high local land acquisition cost, the Board has reached a policy consensus on the target population for Inclusionary Housing proposed for development within Manhattan Community Board 4.

Meeting Different Needs in Different Communities

As the mapping of Inclusionary Housing provisions have been extended to many areas throughout the City, the zoning text has been tailored to meet the vastly different needs of each community. In that same manner, Manhattan Community Board 4 believes that the nuanced application and practice in implementing Inclusionary Housing zoning by the Department of HPD can not only further the citywide goal of expanding the supply of affordable housing, but also meet the particular goals and aspirations of each community district.

Policy Guidelines for Review of Proposed Inclusionary Housing Developments

- **Target Inclusionary Housing production to moderate- and middle-income New Yorkers with household incomes ranging from 60% to 165% of the median income.**
- **Build apartments for families of all types and sizes.** Unit distribution should be weighted to 2 and 3-bedroom apartments. Studio and 1-bedroom apartments should comprise no more than 50% of any development.
- **Studio apartments should comprise no more than 25% of any development.**
- **Ensure that access to Inclusionary Housing is open to all households earning between 60%-165% of AMI, not restricted by age or special need.** Inclusionary housing should expand the affordable housing stock for the general population, not supplant or replace existing programs that serve special needs populations.
- **Give preference to financing mechanisms which serve the target population with household incomes ranging from 60% to 165% of the median income.** Do not use construction or permanent financing with Inclusionary Housing which require household incomes to be at 50% of AMI or lower.
- **Make apartments availability through lottery, with 50% community preference.**

Promote Economic Integration by apartment distribution throughout the entire building, not just on 65% of the floors as currently required by HPD guidelines.

- **Ensure market-rate and affordable apartment exposures, and the line they are in, are evenly distributed throughout the building.**
- **Ensure no discrimination exists against affordable housing tenants by providing the same apartment finishes, fixtures and appliances between market-rate and affordable units.**

- **Ensure all building amenities, including communal outdoor spaces, are available to both market rate and affordable housing tenants with no fee, except for gym or health club use. In gym, health club or pool use, provide percentage discounts for affordable units based on a sliding scale of AMI band.**

MCB4 Inclusionary Housing – Applicant Submission Checklist

Checklist adopted 2/2/2022

Project Street Address & Zip Code	Cross Streets
Applicant Name	Applicant Phone
Applicant Email	Applicant Address
Administering Agent Name	Administering Agent Phone
Administering Agent Email	Administering Agent Address
Owner Name	Owner Phone
Owner Email	Owner Address
General Contractor Name	General Contractor Phone
General Contractor Email	General Contractor Address
Architect & Firm Name	Architect Phone
Architect Email	Architect Address
Attorney and Firm Names	Attorney Phone
Attorney Email	Attorney Address

1. Application

- a. Has applicant owned or managed any similar projects in Manhattan Community District 4 (area between 14th and 59th Streets – to the west of Eighth Avenue north of 26th Street, and to the west of Sixth Avenue south of 26th Street)?
 Yes No

- b. If yes, please list Developer's Past Projects in Manhattan Community District 4 (affordable, market-rate, or mixed affordable and market-rate)

Development	Address	Date Developed

2. Overview

- a. Building Program Summary

Total Gross SF	
Office Condo SF	
Retail SF	
Gross Residential SF	
Net Rental SF	
Total Units in Project	
Total IH Units in Project	

Affordable Housing Types (Voluntary Inclusionary Housing, Mandatory Inclusionary Housing, Affordable New York)

Voluntary Inclusionary Housing (VIH) Units	Mandatory Inclusionary Housing (MIH) Units	Affordable New York Units	Total Affordable Units

- Are all units rental?
- Are any units home ownership? If so, please attach description of condo or cooperative structure.

- b. Construction Type

- New construction
- Preservation
- Substantial rehabilitation

- c. Location & Zoning

Is this development in a Special Zoning District? Yes No

If yes, please check:

- Clinton Special District
- West Chelsea Special District
- Hudson Yards Special District
- Garment Center Special District
- Hudson River Park Special District

d. Project Schedule

Demolition:

Projected Start date _____ Projected Completion date _____

Construction:

Projected Start date _____ Projected Completion date _____

Marketing and Leasing:

Projected Start date _____ Projected Completion date _____

3. Affordable Housing Plan

Area Median Income³

a. Income Bands and Percent of Area Median Income (AMI) Tiers⁴

Income Band	Percent of AMI
Extremely low-income	0-30%
Very low-income	31-50%
Low-income	51-80%
Moderate-income	81-120%
Middle-income	120-165%

b. 2021 AMI Tiers

AMI Tier	Family of one	Family of Two	Family of Three	Family of Four
30% AMI	\$25,080	\$28,650	\$32,220	\$35,790
40% AMI	\$33,440	\$38,200	\$42,960	\$47,720
50% AMI	\$41,800	\$47,750	\$53,700	\$59,650
60% AMI	\$50,160	\$57,300	\$64,440	\$71,580
80% AMI	\$66,880	\$76,400	\$85,920	\$95,440
100% AMI	\$83,600	\$95,500	\$107,400	\$119,300
125% AMI	\$104,500	\$119,375	\$134,250	\$149,125
165% AMI	\$137,940	\$157,575	\$177,210	\$196,845

c. Apartments by AMI Distribution

AMI Tier	Proposed # of Affordable Units
30% AMI	
40% AMI	
50% AMI	
60% AMI	
80% AMI	
100% AMI	
125% AMI	
165% AMI	
Total # of Affordable Units	

³ Area Median Incomes are determined annually by the US Department of Housing & Urban Development.

⁴ The 2021 AMI for the New York City metropolitan area is \$107,400 for a three-person family (100% AMI). Source: [NYC HPD Area Median Income](#)

Apartment Sizes

a. Apartment Distribution by Apartment Size

Apartment Size	# of Affordable Units	Percentage of Total Units
Studio		
1 Bedroom		
2 Bedroom		
3 Bedroom		
Total # of Affordable Units		

b. Apartment Sizes by Income Band

AMI Tier	Studio	1 Bedroom	2 Bedroom	3 Bedroom	# of Total Units	% of Total Units
30% AMI						
40% AMI						
50% AMI						
60% AMI						
80% AMI						
100% AMI						
125% AMI						
165% AMI						

Apartment Rents

a. Maximum Rents based on 2021 AMI

AMI Tier	Studio	1 Bedroom	2 Bedroom	3 Bedroom
30% AMI	\$419	\$532	\$631	\$722
40% AMI	\$598	\$756	\$900	\$1,032
50% AMI	\$777	\$980	\$1,168	\$1,343
60% AMI	\$956	\$1,204	\$1,437	\$1,653
80% AMI	\$1,314	\$1,651	\$1,974	\$2,273
100% AMI	\$1,726	\$2,166	\$2,592	\$2,987
125% AMI	\$2,532	\$2,708	\$3,246	\$3,608
165% AMI	\$2,889	\$3,621	\$4,337	\$5,004

b. Proposed Rents

AMI Tier	Studio	1 Bedroom	2 Bedroom	3 Bedroom	# of Total Units	% of Total Units
30% AMI						
40% AMI						
50% AMI						
60% AMI						
80% AMI						
100% AMI						
125% AMI						
165% AMI						

Tenant Relocation

Are there any residential tenant relocations required-? If yes, please attach relocation plan as Appendix E.

4. ADA Units (5% for mobility and 2% for hearing/vision)

Please complete Appendix A.

5. Distribution of affordable units

- a. Please attach stacking chart color coded by market-rate and AMI band for affordable apartments (please use different colors for different AMI bands) in Appendix B.
- b. Please attach floor plans using same color coding as stacking chart (please use different colors for different AMI bands) in the Dropbox link provided.

6. Apartment Finishes

MCB4’s Inclusionary Housing Policy ensures no discrimination exists against affordable housing tenants by providing identical apartment finishes, fixtures and appliances between market-rate and affordable units. If the proposed project is not in compliance with that policy, please list any proposed variations.

	Affordable Units	Market Rate Units
Floors		
Kitchen Cabinets		
Kitchen Counter and Backsplash		
Refrigerator		
Dishwasher		
Microwave		
Washer/Dryer		
Bathroom Floors		
Bathroom Walls		

7. Tenant Amenities

MCB4’s Inclusionary Housing Policy ensures all building amenities are available to both market rate and affordable housing tenants at no fee, except for gym, health club or pool use. In gym, health club or pool use, provide percentage discounts for affordable units based on a sliding scale of AMI band. All outdoor space should be open to all with no fee. If the proposed project is not in compliance with the policy, please list any proposed variations.

a. Amenities

Tenant Amenity	Square Footage	Location & Floor #	Subject to fee
Lounge			Yes <input type="checkbox"/> No <input type="checkbox"/>
Bike storage			Yes <input type="checkbox"/> No <input type="checkbox"/>
Terrace			Yes <input type="checkbox"/> No <input type="checkbox"/>
Roof			Yes <input type="checkbox"/> No <input type="checkbox"/>
Swimming pool			Yes <input type="checkbox"/> No <input type="checkbox"/>
Fitness Center			Yes <input type="checkbox"/> No <input type="checkbox"/>
Dog Park			Yes <input type="checkbox"/> No <input type="checkbox"/>
Garden			Yes <input type="checkbox"/> No <input type="checkbox"/>
Patio			Yes <input type="checkbox"/> No <input type="checkbox"/>
Playground			Yes <input type="checkbox"/> No <input type="checkbox"/>
Movie theatre/ Media room			Yes <input type="checkbox"/> No <input type="checkbox"/>
Children's Center/ Playroom			Yes <input type="checkbox"/> No <input type="checkbox"/>
Parking garage			Yes <input type="checkbox"/> No <input type="checkbox"/>
Laundry			Yes <input type="checkbox"/> No <input type="checkbox"/>
Package locker			Yes <input type="checkbox"/> No <input type="checkbox"/>
Storage			Yes <input type="checkbox"/> No <input type="checkbox"/>
Other			Yes <input type="checkbox"/> No <input type="checkbox"/>

b. Amenity Fee Structure

Approximate Proposed Annual Fee: _____

AMI Tier	% Discount
30% AMI	
40% AMI	
50% AMI	
60% AMI	
80% AMI	
100% AMI	
125% AMI	
165% AMI	

c. Event or Community Room

For one time rentals of event or community rooms, provide percentage discounts for affordable units based on a sliding scale of AMI band.

Approximate Proposed Fee: _____

AMI Tier	% Discount
30% AMI	
40% AMI	
50% AMI	
60% AMI	
80% AMI	
100% AMI	
125% AMI	
165% AMI	

8. Marketing Materials

Confirm that the applicant will share marketing materials with MCB4 after they are reviewed and approved by HPD.

a. Community Notification

Applicant agrees to send notification and marketing materials to community institutions, organizations and block associations. Please contact Community Board 4 District Manager to receive most recent community organizations list.

Yes No

b. Other notification and advertisements, please list in Appendix C.

9. Other Considerations

a. Employment Opportunities

Will applicant inform the Community Board office of its job openings and/or provide a hyperlink to applicant’s jobs webpage?

10. Streetscape and Ground Floor Design

- a. Please provide Perimeter Lighting plans in the Dropbox link provided.
- b. Please provide Street trees plans in the Dropbox link provided.

11. Sustainability

Please list proposed sustainability features in Appendix D.

B. Distribution of affordable units

Please attach stacking chart color coded by market-rate and AMI band for affordable apartments (please use different contrasting colors for different AMI bands) in Appendix.

