

**City Council Zoning Subcommittee Hearing on
Mandatory Inclusionary Housing, Tuesday, February 9, 2016
Testimony of Carl Weisbrod, Chairman of the City Planning Commission**

Good morning, Chairman Richards, Chairman Greenfield, and Councilmembers. I am Carl Weisbrod, Chairman of the City Planning Commission. As Deputy Mayor Glen and Commissioner Been have noted, Mandatory Inclusionary Housing is an important new tool that will work together with the many other programs and initiatives of *Housing New York*. I will spend a moment describing how the program will be applied through the land use review process.

DCP and HPD are working together with communities to tailor an affordable housing strategy to the particular conditions and needs of each neighborhood where we are planning. This includes strategies for preservation and new construction, planning for the future use of City-controlled properties, and the use of HPD's subsidy programs. As part of each housing plan, the City will work actively with the local Councilmember and community to propose an MIH option (or options) that reflects area needs and priorities. The MIH program will set a floor, not a ceiling, for the

affordability that can be achieved in neighborhoods through this planning process.

For instance, in East New York, we have proposed Option 1, which prioritizes reaching lower incomes. On top of MIH, HPD will be using its ELLA program on City-owned sites and making it available on private sites to produce 100-percent affordable housing that reaches households with incomes as low as \$18,150. This is all in addition to a broad set of initiatives to protect current tenants and preserve existing affordable housing.

When a private application comes through the ULURP process, MIH will be applied as part of the holistic consideration of a project through the public land use review process. We encourage applicants to reach out early on to local Councilmembers and communities to identify and incorporate into their applications the MIH options that will work for the project and address local needs. During public review, the Community Board and Borough President will have the opportunity to review to proposed MIH options and comment. The City Planning Commission will take this

information into consideration in its vote, and the City Council will have the final vote.

If an application were submitted and sent to the Council with Options 1, the Council could select Option 2 instead, or allow either Option 1 or Option 2.

If the proposal included the Workforce Option, the Council could remove it.

And of course, the Council has the option of approving or disapproving the application itself. We will of course continue to work closely and

communicate with the Council on applications going through the land use process.

What is before you now is enabling legislation that establishes a framework. MIH will only be applied as each neighborhood is rezoned, or any private application adding significant housing capacity is mapped or receives a special permit.

When a special permit is reshaping a building – not creating new floor area, but moving around floor area that is already permitted – we would not apply MIH. But where the special permit is creating substantial new floor

area, we would apply MIH. For special permits, the specific MIH program options made available to the project will be set forth in the restrictive declaration attached to the permit. This, like the rest of the application, will be subject to the City Council's approval.