



New York City Planning Commission
Proposed City Planning Commission Rules:
Affordable Housing Fast Track Methodology
Hearing April 1, 2026

The following are comments from Village Preservation regarding the proposed City Planning Commission rules on Affordable Housing Fast Track Methodology. We are a 501(c)(3) neighborhood-based non-profit founded in 1980 with the mission of preserving the special architectural and cultural heritage of Greenwich Village, the East Village, and NoHo.

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We have multiple serious concerns about the proposed rules and the impact they would have on our city. Some of those concerns may extend beyond the jurisdiction of this body to address via this rule-making process, though some clearly do fall within them. These include:

- **The rules are designed to promote policies that may result in the destruction of existing affordable housing, and accelerate gentrification.** These rules are designed to make it easier to pass Mandatory Inclusionary Housing (MIH) rezonings based upon the promise that such rezonings will improve affordability in our city and neighborhoods. However, data and experience do not back up this claim, and there are many reasons why such rezonings actually work at cross-purposes with such expectations. First, by very significantly increasing the allowable size of new development, such rezonings increase incentives for the demolition of existing naturally-occurring affordable housing (i.e. generally older housing which is more affordable due to market conditions as opposed to regulatory agreements), as well as rent regulated housing. Second, the “affordable housing” produced by MIH often requires income levels higher than the median in surrounding communities, thus promoting gentrification. Even in higher-income communities like the ones we represent, MIH developments generally promote gentrification because the 20-30% of the housing which is income-restricted still typically requires income levels higher than the bottom 20-30% in those communities, while the 70-80% which is market-rate is so expensive as to be accessible to only the top 15-20% of earners in those communities, thus skewing higher incomes and socio-economic demographics even in wealthy communities. Finally, under standard MIH formulas, the price for every unit of income-restricted “affordable” housing is 2.33 to 4 units of market-rate housing, often extremely expensive and occupied by exceptionally wealthy individuals, further skewing neighborhood socio-economic demographics and promoting gentrification.
- **The rules’ definition of affordable housing includes housing which is unaffordable to the majority of New Yorkers and especially renters, and may well replace housing that actually is affordable.** Housing which can

be categorized as “affordable” under these rules can require income levels of 100% of “Area Median Income” (AMI) and above, which is substantially above the median income for New York City households, and even farther above that of New York City renters. By contrast, the developments in which they are found may replace rent-regulated and other forms of affordable housing whose prices may be more affordable and which may house people with lower incomes. Yet these rules entirely fail to take that into account.

- **Lack of accounting for existing affordable housing.** These rules as currently contemplated fail to take into account any existing affordable housing which was not built within the last five years. Therefore how much affordable housing there is in a community or how affordable the community is becomes completely irrelevant in this formula; the only real question is how much building has been going on in the last handful of years. In the end, this fails to address the underlying issue of the need for greater affordability that these rules purport to try to address. Given that one of the few ways to create housing that qualifies under this formula is to allow a substantially greater amount of very expensive market-rate housing to be built alongside it through the MIH program, this formula is really simply about ensuring that every community is allowing large amounts of construction to take place, without real regard to how much it actually addresses the question of affordability.
- **The proposed rules do not consider rent regulated or other forms of affordable housing as “affordable” unless there are income restrictions and regulatory agreements attached to them.** While there is no denying that income restrictions and regulatory agreements can play an important role in ensuring the true affordability of housing, by themselves they do not necessarily do so, and there are in fact other types of housing that doesn’t fall into these categories that do provide important affordable residences to New Yorkers of lower and moderate incomes. These rules completely fail to account for that, ignoring important existing stocks of affordable housing, and counting some kinds of housing as affordable that arguably is not.
- **The proposed rules make it easier to pass exactly the kind of rezonings that have often failed to deliver promised affordable housing, which may be the reason why a community board falls into this list of the 12 lowest-producing communities for new “affordable” housing.** The proposed rules completely fail to account for the fact that lower levels of “affordable housing” production in certain communities is a result of the failure of exactly the kinds of rezonings these rules would make easier to pass have had on delivering promised affordable housing. Case in point: Community Board 2, Manhattan had three major rezonings between 2013 and 2021 — all purportedly designed to produce affordable housing. All have thus far failed by significant amounts to deliver the promised “affordable housing.” For each of the three — the Hudson Square rezoning, the St. John’s terminal rezoning, and the Soho/NoHo rezoning — commercial development has taken place where residential development was projected, residential developments have moved ahead without the promised

“affordable housing,” and the amount of housing produced has simply not met projections. In the case of the Hudson Square rezoning, that shortfall will likely only get worse since the passage of City of Yes, since that zoning change stripped away the main incentive in this and other Voluntary Inclusionary Housing zones for including affordable housing in new construction. It’s deeply ironic that these rules would allow a failed system to have even greater sway over the future of our neighborhoods and city.

- **The flawed measure of affordable housing based upon units rather than square footage.** The proposed rules would determine how much affordable housing has been created in an area based upon number of units, rather than square footage of new affordable housing. This is an arbitrary and problematic metric which is particularly troubling in light of efforts to create larger housing units for families, as well as the perverse incentives in the 485-X program for developers to limit the number of units in new developments even as they maximize square footage, resulting in fewer larger units in the same square footage. It seems wrong-headed and counterproductive to count three studio apartments which may house only three individuals as three times the amount of affordable housing as a three bedroom apartment which may house five people and occupy the same square footage. Such a system penalizes communities where a priority has been placed on creating larger apartments for families, and punishes those communities where developers — not they — have chosen to utilize loopholes in the 485-X program to avoid labor wage requirements by creating fewer and larger units utilizing the same number of square feet. The fact that the lower number of units in the same number of square feet will count as less “affordable housing” under this system won’t in any way penalize the developers for utilizing this loophole, but will penalize the communities in which such developments are located.

These proposed rules will have a profound effect upon planning and development in New York City and its neighborhoods for many years to come. It’s critical that we get this right, and these proposed rules have multiple serious failings which should be addressed before they are adopted.