Equitable Development Certification

Hunter College 2017-2018

HUNTER URBAN POLICY & PLANNING
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EXECUTIVE SUMMARY

The Equitable Development Certification Studio (EDCS) comprised of eight Master of Urban Planning graduate students at Hunter College. EDCS’s overall task was to measure and quantify best practices in promoting social equality in real estate development. The client for this year-long studio was the CUNY Institute for State and Local Governance (ISLG). Established in 2013, ISLG is a City University of New York think tank that analyzes governmental policy and social issues, using data-driven research to improve public services.

ISLG’s overall goal is to develop a certification system by which new developments can be measured by their impact on social equality, similar to the way that United States Green Building Council uses the LEED certification to measure developments based on their positive impacts on the environment. Equitable development in this context is measured through identifying vulnerable and disadvantaged populations, and examining how developers can leverage tools to better bridge the gap to provide better equitable outcomes for those populations.

ISLG, in developing this certification, separated the work into three distinct phases.

• Phase 1: ISLG identified the best practices in promoting social equality.
• Phase 2: EDCS operationalized those best practices by creating metrics to measure adherence to those practices.
• Phase 3: ISLG will score and weigh the responses to the metrics.

Real estate development can affect equality on both an individual and neighborhood scale. Cities attempt to mitigate inequality through a variety of governmental policies. Still, many low-income and disadvantaged New Yorkers are threatened by ever-expanding private real estate development. As a result, New York’s most vulnerable populations are facing primary and secondary displacement.¹

Real estate development is quantitatively one of the biggest yearly changes to the city landscape. In 2017, there were 2,545 New Building Permits issued in NYC for buildings with more than 3 units.² Despite the general understanding of the profound impact that private development has on individuals and their neighborhoods, there still exists a gap in our ability to measure a development’s effect on social equality. While the Uniformed Land Use Review Process (ULURP) does give the public an opportunity to attend hearings and voice their concerns, their input and the community board’s recommendations are non-binding.³ Moreover, if a development does not trigger the land review process, then the public is officially left out of the process entirely.

EDCS’s goal was to produce metrics that could be tailored to different types of development. The metrics needed to be comprehensive and realistic. The process to formulate the metrics consisted of two basic stages:

1. Research and Formulation of Metrics
2. Pilot testing of Metrics and Editing

Research and Formulation of Metrics

The research portion of this process included a comprehensive literature review of other comparable certifications and technical research into the best practices of ISLG’s identified best practices, with the focus of how to measure and quantify best practices. A final step in the research process was reaching out to experts in the field, such as real estate developers and
investigators. The developers gave feedback on the metrics and explained the limitations and current practices in the current real estate market.

Based on the literature review and technical research, EDCS formulated a list of over 400 quantifiable metrics. For example, the metrics inquire as to the number of languages into which the developer translated the notification of community meetings. This will determine whether the real estate developer provided adequate equitable community outreach during the pre-construction phase of development. Similarly, the metrics ask the developer to quantify the amount of light bulbs in the development’s stairways in order to determine whether the building meets high enough standards of safety and potential for active use by its residents and guests.

Pilot Testing of Metrics and Editing
Concurrent with the developer outreach phase of the metrics development process, EDCS set out to test the initial iteration of the metrics package on a collection of carefully-chosen pilot sites across New York City. EDCS selected sites which represented a wide variety of land uses and building typologies across four of the city’s five boroughs. The sites included everything from a commercial office tower at Manhattan’s immense Hudson Yards development to a big-box retail development on the west side of Staten Island.

EDCS made sure to choose sites being developed by a retail development on the west side of Staten Island. EDCS also attempted to choose sites which were at different stages in their development process, from pre-construction to completed, to see what impact this had on the findings. EDCS tested a total of seven sites in two rounds of testing, four sites in round one and three sites in round two. Each round of pilot testing had separate, specific goals for the metrics. Round one was performed without partnership with developers, attempting to see how much data was publicly available at different stages of the development process for the various development typologies. The publicly available data consulted included financing mortgage agreements recorded in the City Registrar, Site Plans from ULURP applications, and comments received from the community during the environmental review process. EDCS used findings from round one testing, coupled with input from developers as it was received, to make pertinent changes to the metrics package. Round two of pilot testing was performed using these updated metrics as well as a concerted effort to partner with the relevant developers involved in the projects being tested. The goal of round two was to confirm the accuracy of publicly-available data as well as to incorporate any additional information provided by developers. Again, using findings from the testing, EDCS made pertinent changes to the metrics package.

The editing process allowed EDCS to tailor the metrics to specific development types, make actual changes to the wording of certain metrics, and make recommendations to ISLG for changes which could be considered for implementation in phase three of the project. Each round of pilot testing informed the final metrics package in unique ways, and each round of edits helped to create a metrics package that would be more useful and usable in the future.

Round one testing was entered into with raw and unproven metrics which were based exclusively on the equality standards set by ISLG in phase one of the project. After round one testing, EDCS created a cover sheet for the metrics which filtered out inapplicable metrics based on the type of development and the stage at which the development was in its construction process. This prevented, for instance, a development which lacked a housing component altogether from having to fill out the housing guideline portion. For a commercial-only project, housing would be filtered out as inapplicable. Round two testing was performed using this new cover page filter. The edited metrics were tested with edits made based on input from developers in addition to findings made in round one.

After both rounds of pilot testing were concluded, EDCS moved on to the task of building what was referred to as a “Decision Tree.” The metrics package is a large and comprehensive document, and the pilot testing proved that many variables could come into play when trying to measure a development’s contribution to social equality. These variables differed from development to development, and the Decision Tree would act as a sort of pathway through the metrics, winnowing out which metrics were applicable to a development and which were not. The Decision Tree also gives guidance as to when certain metrics should carry more weight than others based on a development’s particular attributes. For instance, if a development is being constructed in an area experiencing a shortage of affordable residential units, the housing metrics would be weighted more heavily.

After completing the Decision Tree, EDCS made final revisions to the metrics package, annotating it with recommendations for ISLG to consider for phase 3 of the project. In this exercise, EDCS defined a subset of representative metrics within each of the target areas, flagged potentially problematic metrics, identified metrics that are easily answered using public records, and called out metrics with origins in other certification programs. This annotation will make the transition of the metrics package from EDCS to ISLG as smooth as possible, with the greatest chance of success for the certification project of the future.

Recommendations:
- Process of gathering metrics: ISLG should have the following process for gathering the data for input into the metrics (in no particular order): gather publicly available data, work with developer to gather data, and determine whether more subjective metrics are met by neighborhood committee.
- Balance needed for metrics: Keep the certification metrics complex, but to make the process palatable to developers. The metrics are detailed and account for several different facets of equitable development. However, since ISLG’s target audience is the developer community, they should aim to make the certification process easy for them to engage in.
- Partner with the government and developers: ISLG can partner with developers to refine the metrics further and to make the certification more palatable to the developer community. Furthermore, a partnership with local government can help standardize these best practices.
- Make the certification known to the public: ISLG should brand individual buildings & developments with the certification logo, similar to the way LEED certified buildings are branded. This will help to make Equitable buildings recognizable.
- Raw Equity Score: Using raw metrics, ISLG could develop an Equity score that could be visible on real estate search engines such as Zillow or StreetEasy, giving potential tenants the ability to make decisions on where to live based on a building’s equity. This takes some of the power out of the hands of developers, and makes average citizens more aware of their neighborhood’s equity.
INTRODUCTION

Client: Institute for State and Local Governance

The client responsible for the inception of this project is the Institute for State and Local Governance (ISLG), a think tank created by the City University of New York (CUNY) in 2013 to act as a nonprofit body capable of applying data-driven approaches to challenges and opportunities confronting government. ISLG’s mission is to work with government and non-government organizations to improve systems to produce better results that are worthy of public investment and trust. ISLG accomplishes its goals through the following methods:

- Applying a data-driven approach to the challenges and opportunities confronting government
- Focusing on government at the state and local levels, working both nationally and internationally.
- Working with government agencies, as well as nonprofit organizations, philanthropic institutions, and the private sector to improve the structure, financing, delivery, measurement, and evaluation of vital public services.

Project: Creating a Tool to Measure Social Equality

The real estate industry currently lacks a comprehensive system of standards for equitable development. Most existing certification systems are geared toward architects, local government, and community organizations. However, best practices are not always recognized or incentivized. ISLG is in the process of developing an analytical tool that will quantify the contribution of a real estate development project to equality. Ultimately, this tool will evaluate and award certification to development projects based on how well they incorporate equitable development practices, similar to the way LEED certifies a building’s environmental performance.

In this process, ISLG partnered with Hunter College’s studio program at the department of Urban Planning and Policy. The Equitable Development Guidelines are the first phase of a larger project, the goal of which is to identify, measure, and incentivize best practices in real estate development that can have a positive impact on the social and economic wellbeing of individuals and communities. These guidelines will provide developers with a comprehensive list of decisions, activities, and strategies that can contribute to greater equality for disadvantaged groups or for the neighborhoods in which they build. If the developer meets a satisfactory number of these guidelines, the development will be certified as “equitable.”

As a part of the partnership between ISLG and Hunter College, the Equitable Development Certification Studio (EDCS) was created by the department of Urban Planning and Policy. EDCS’s expressed role in ISLG’s project was to identify the data points that will serve as the primary inputs for this analysis and certification process. The following report outlines the process of the project, the final metrics product, findings gleaned from EDCS’s academic year of research, and recommendations made to ISLG as they move forward with the project into its final phase.
While there are numerous types of certifications available to real estate developments, few recognize the industry’s effects on social equality. As a consequence, potential impacts of developments are overlooked until they are realized, often to the detriment of the surrounding neighborhood and greater public. For example, in 2016, a residential development with designated affordable housing was decried in the public for creating a “poor door,” a separate entrance for those living in affordable housing. Despite the use of techniques, such as community benefits agreements, to encourage equitable practices, there remains little accountability and scarce standards to create equitable real estate developments.

With the increased migration to urban centers and rising land costs, real estate developers typically tailor their developments to the most wealthy tenants, slighting the rest of the population. The result is an increase in the socioeconomic divide, seen in the rise of homelessness, dangerous housing situations, and goods and services that are priced beyond the reach of most of the city’s population.

“ISLG identified, through their equality indicators, communities that are vulnerable through looking at significant disparities in areas such as economy, education, health, housing, justice, and services”

Equitable development may be defined as best practices in real estate development that can have a positive impact on the social and economic wellbeing of individuals and communities. ISLG identified, through their equality indicators, communities that are vulnerable through looking at significant disparities in areas such as economy, education, health, housing, justice, and services. This certification aims to measure a real estate development’s impact on social equality and encourage developers to build more equitable developments.

Guidelines for Equitable Development

The Equitable Development project is a part of ISLG’s overall project to research and advance the system of Equality Indicators. ISLG further defines social equality as a situation in which “everyone has the same outcomes regardless of race, ethnicity, disability, sexual orientation, gender, single parenthood, age, immigration status, criminal record, place of resident, and other characteristics.”

In Phase I of the project, ISLG outlined and defined five key areas of impact, as follows:

**Development Process:**

What steps is a developer taking to ensure that a project is responsive to the neighborhood? Primary methods in the development process include researching the neighborhood, partnering with community organizations, and engaging the community.

**Employment and Procurement:**

Developments can provide economic opportunities for local communities and disadvantaged groups by ensuring that those involved (including, developers, designers, contractors, suppliers) adhere to equity goals.

**Designated Space:**

Should a developer provide spaces that are accessible to the public, this space has the potential to contribute to overall social and economic well-being of a vulnerable adjacent neighborhood or community.

**Housing:**

Lack of affordable housing is an issue in all cities across the country. Equitable developments should incorporate affordable housing to ensure long-term equitable impacts.

**Design Standards:**

Upholding Design Standards can impact the health and wellbeing of tenants and neighboring communities.
A survey of other existing certifications was instrumental in the process of determining how to measure best practices in real estate development. Although there is no explicit certification for measuring social equality, a variety of other certifications measure various facets of real estate development. Each certification aims to measure something specific, and while no certification aims to measure social equality as defined by ISLG, looking at both the process of developing metrics and the challenges of implementing them still provided valuable insight. At times, specific metrics did represent the best practices for social equality; and in that case, we borrowed the metric wholesale, with its source noted. In other cases, we modified and adapted metrics to align with ISLG’s (and the studio’s) goals.

The studio looked at a number of other certifications including Enterprise, LEED, and B Corps, profiled in greater detail below. Each certification elucidated different ways to measure given practices while still allowing flexibility for variables such as differing neighborhoods, development types, and limits of the field itself. For example, depending on the type of development, certain metrics were optional. Some questions allowed for narrative responses, some asked for a quantifiable amount, and others simply asked whether a certain element was in existence. Looking at the reasoning behind these decisions helped form the foundation of our metrics package.

**Enterprise Green Communities**

Enterprise Green Communities (Enterprise) is similar to LEED, but only looks at “green” development practices for affordable housing projects. Enterprise certification is available to developers of all types of affordable housing. The certification is meant to be rigorous and holistic, providing health, economic, and environmental benefits. Per Enterprise’s certification criteria, greener building practices yield significant cost savings to tenants through lowered utility bills. They also provide a healthier indoor environment and increased durability for the development. One of the stated goals of Enterprise is to encourage development of affordable homes closer to public transportation and community amenities. Enterprise covers the costs of certification, allowing developers of affordable housing projects to incorporate energy performance improvement practices without spending additional capital.

While the Enterprise metrics do promote equality, the focus is limited to sustainable energy standards in affordable housing. New York City mandates that all affordable housing units attain the Enterprise standard. However, as Enterprise focuses specifically on affordable housing, it does not include small businesses or other types of vulnerable developments which could benefit from greener design standards as well.

In many ways, Enterprise helped inform these metrics, including by elucidating the gap that the ISLG’s certification can fill. For example, Enterprise has a mandatory requirement called “Design for Health.” Developers are asked to use community health data sets and/or community engagement processes to identify at least one “Relevant Health Campaign” for the project. The developer then identifies which building design and programming factor should be used to optimize the health of the residents.

While Enterprise does have a pre-construction application process, the final review for compliance occurs after the development is fully constructed and complete. If an affordable housing development in NYC does not meet the certification requirements at a first glance, it is often still stamped as compliant, as the city’s need for affordable housing often trumps a hard line on green certification standards.

By analyzing the metrics used by Enterprise to encourage greener design standards in affordable housing development, EDCS learned a great deal about a certification process aimed at helping vulnerable communities. Enterprise’s standards are hemmed in by their specificity, however. The ISLG standards, by contrast, aim to take a more general approach, calling for developers to use higher-level design standards to cultivate a greater degree of public access, health, and wellbeing to any population that uses the space throughout time.

**B Corps**

The B Corps certification is issued by B Lab, a private non-profit global organization. The certificate is issued to for-profit organizations that meet certain standards of “social and environmental performance, accountability, and transparency.” Unlike the equitable development certification, which aims to evaluate the impact of individual real estate projects, the B Corps certificate measures the performance of an entire organization. Companies must complete an assessment, integrate their commitments into their governing documents, and pay an annual fee ranging from $500 - $50,000.

### 2011 Patagonia, Inc.

**B Impact Report**

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Source: B Corps

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Source: Enterprise
In the online assessment, companies must achieve a minimum score of 80 out of 200 points to be certified and provide supporting documents. The assessment strives to measure the company and its product’s impact in the areas of governance, workers, and the community. The questions are weighted depending on the company’s industry, geographic location, and number of employees. As a legal obligation, companies are required to integrate their commitments into their governing documents. This process varies by state, but generally the company makes a legally binding commitment to adhere to certain social and environmental standards.

Leadership in Energy and Environmental Design

Originally started in the 1990s by a group of industry leaders looking to incentivize green and environmentally friendly building, Leadership in Energy and Environmental Design (LEED) was created to operationalize and incentivize environmentally friendly buildings. Funding for the creation of the metrics package came from the United States Department of Energy, which provided a grant to the United States Green Buildings Council (USGBC) for $300,000. The money financed 19 pilots of LEED v. 1.0 and created the LEED v. 1.0 Reference guide. From 1990 to 1998, industry leaders and staff created metrics, the releasing the initial version in 1998. The original version focused on old construction, but then expanded in 2000 to new construction to incorporate all types of construction. The certification went through four iterations. In the later versions, more categories were added to tailor the certifications to regions, and certain sections (such as Energy and Atmosphere) were reweighted on the certifications.

The LEED certification system promotes healthier indoor environments, utility costs savings, and improved building performance. LEED can affect equality when the population receiving the benefits is disadvantaged or a small business that could reinvest in their business due to the cost savings. LEED also has a standard called LEED Neighborhood Development (LEED ND) that aims to encourage development within existing communities. LEED ND hopes to limit a development footprint, and reduce waste by encouraging the development of existing neighborhoods.

LEED and LEED ND (Neighborhood Development) are successful because developers invest time and money seeking out both certifications. However, neither certification focuses on equality. While LEED ND aimed to provide more equity in neighborhoods overall, many critics of LEED ND take issue with the fact that affordable housing is an optional credit for the LEED ND certification. Without affordable housing credit requirements, LEED ND has been blamed with enriching already gentrified and wealthy neighborhoods.

Social Economic Environmental Design

SEED, a metric that originated in 2005 at the Harvard Design School, stands for Social Economic Environmental Design. SEED highlights the need for community-based design, and promotes social equity through a unique process which gives those with limited voices a forum to speak and weigh in on community policies. However, SEED does not use a system of quantitative metrics. Instead, SEED asks that a developer hire a SEED evaluator who then designs standards specific for each project. If a developer wants SEED certification, a SEED evaluator must first be hired, a step that does not guarantee certification.
MEASURING SOCIAL EQUALITY

Having done its due diligence in researching existing, comparable certification systems in the field, EDCS set about the task of breaking down how exactly social equality could be quantified, measured, and tested on real-world sites. Each certification system the studio looked at was capable of measuring a certain aspect of equality or standards, but none sought to capture and grade the across-the-board social impact of development which was the goal of ISLG’s project. With this in mind, EDCS produced a series of technical memorandums (Tech Memos) to collect and define in excruciating detail each of the guidelines by which the metrics package would be bound and constructed. These tech memos served as the foundations for the eventual metrics package, and were therefore supremely important in their thoroughness and veracity. Each of the memos are outlined briefly below.

Housing

Housing is a vital component of the equality measurement rubric. Residential developments have the power to impact the lives not just of residents living in the immediate vicinity of the new structure, but to impact the lives of those living within the structure itself. Housing by its nature is tied closely to residents and their income, and has the potential to impact the lives of residents for a lifetime.

The Housing guideline is comprised almost entirely of variables measuring various standards of income, rent cost, and longevity of equitable practices. The metrics measuring Housing equality seek to understand the lengths to which a developer has gone to provide housing for residents below standard market rate, and their commitment to preserving the affordability of those units long-term. There are extensive sections regarding rent as a percentage of the local AMI, broken down by various income categories and family sizes. There are also portions which ask the developer to verify whether the affordable units provided are protected as affordable for a set amount of time or in perpetuity. These exhaustive metrics help to ensure a comprehensive understanding of a development’s commitment to equality in residential inclusion.

The Housing section of the metrics, while generally straightforward in confronting issues of equality in housing affordability, does have some shortcomings. These revolve around the nebulous nature of attempting to categorize groups or communities of people for the purpose of quantifying them and ultimately, hopefully, helping them. For instance, there is a section in the metrics regarding “supportive housing” for individuals with specific issues, including those with severe physical handicaps, those suffering from mental illness, and those who have been recently homeless. The metrics currently rely on self-identification of individuals in verifying that units have been granted to members of these communities. The risk here is that there is no official verification process in place to ensure that the people for whom these units are intended are actually receiving them beyond trusting in their word.

“The metrics measuring Housing equality seek to understand the lengths to which a developer has gone to provide housing for residents below standard market rate, and their commitment to preserving the affordability of those units long-term.”
Similarly, the Housing section of the metrics hits a weak spot when addressing protection for “existing members of a community.” In theory, developers would be considered more equitable if they reserved a number of units for residents of a community who were at risk of being displaced by the development’s construction. There is currently no quantitative metric in place to determine how long a person must have lived in a neighborhood to qualify as an “existing resident,” nor instructions for how this could or should be proven. Like the supportive housing segment, there is a reliance on self-identification which opens the door for abuse of the system by both developers and residents over time.

The metrics chosen for design standards are geared to cover a wider range of issues. For example, one of the areas in which the design of a building can affect a disadvantaged community is through improving health risks endemic to disadvantaged populations. The certification ought to measure if a development is both providing a healthy environment, through encouraging a more active lifestyle, and also keeping out harmful materials that could put communities at risk. For the prevention of harmful materials, most of the metrics ask a yes or no question. For encouraging active design, such as use of staircases when applicable, the certification can look at both quantifiable amounts, such as the amount of lighting in a stairway, and other yes or no questions, such as whether there is a door to the stairway blocking access.

“The design of a building only provides equality if the people using its features are used by those in need of equality.”

Design Standards
Equitable design is a strategy of reforming the environment in a way which will promote equality. This strategy is unique among other guidelines in the certification in that the target group is a moving target. The design of a building only provides equality if the people using its features are used by those in need of equality. Since the design is tied to the place and not the occupants or residents themselves, it is important to define where and in which contexts these standards will provide equality. While there are many resources for design standards such as Active Design Guidelines1 and Universal Design2, none of the existing guidelines are distinctly aimed at providing social equality on a neighborhood scale.

The metrics chosen for design standards are geared to cover a wider range of issues. For example, one of the areas in which the design of a building can affect a disadvantaged community is through improving health risks endemic to disadvantaged populations. The certification ought to measure if a development is both providing a healthy environment, through encouraging a more active lifestyle, and also keeping out harmful materials that could put communities at risk. For the prevention of harmful materials, most of the metrics ask a yes or no question. For encouraging active design, such as use of staircases when applicable, the certification can look at both quantifiable amounts, such as the amount of lighting in a stairway, and other yes or no questions, such as whether there is a door to the stairway blocking access.

“The design of a building only provides equality if the people using its features are used by those in need of equality.”

ISLG can also identify needs of a target community or neighborhood, providing solutions through design that can address those needs. In many cases, the development process or Environmental Review will elucidate several needs within an area, and a developer can use design solutions for those needs. There are limits to this strategy, since a community’s needs can change over time, and the design of a building can outlive that change. Still, determining a disadvantaged community’s needs, and providing design elements that serve that need, demonstrates a developer’s aspiration toward providing social equality within a neighborhood.

Another issue specific to design standards is a maintenance plan. While ISLG emphasized that the indicators will not measure equality throughout time, design elements are worthless if they are not maintained. For example, a wide and accessible ramp demonstrates an element of universal design, but if there is not plan to maintain the ramp and ensure its usability in inclement weather, then the design element is worthless. Therefore, it is essential that there be a metric for operating procedures included in design elements that require intermittent if not constant maintenance.

The metrics for designated space focus on known community concerns taken from a variety of sources including community meeting minutes, published academic or advocacy literature, and secondary sources such as news articles and opinion pieces. The metrics include subjective criteria such as “cultural relevance,” which can be difficult to accommodate. The community asset should serve the neediest groups of a community, which may or may not be the group that is most vocal about their needs. EDCS envisions that an independent body will be able to determine which groups within a community are in most need of resources, and whether a development meets this need through designated space.

Promoting equality through the built environment requires the developer to provide a space that addresses the needs of the community. The first step in promoting equality by way of providing...
community-benefiting designated space is for the developer to identify the affected community or communities most in need of assistance. Next, the developer should seek to identify that community’s most pressing needs. Finally, the developer must understand what type of designated space would mitigate community needs and provide that space in their development. Providing a designed space that meets the needs of a community can require a significant investment by a developer, but EDCS metrics give them clear guidelines for doing so.

To operationalize these guidelines, numerous concepts were quantified. For example, EDCS examined and specified what a living wage should provide for, the threshold for wage equity, and the definitions of demographic classifications like “diverse,” “local,” and “disadvantaged.” To quantify the living wage, EDCS used metrics from the MIT living wage calculator researchers. Data on each component of the living wage is publicly available through agencies like the Bureau of Labor Statistics. EDCS also borrowed from the JUST program to determine the metrics related to wage equity, which include gender pay equity and family friendliness among their guidelines. Demographic classifications were determined using Bureau of Labor Statistics’ data on groups that are overrepresented in unemployment figures, such as members of the veteran community.

Employment & Procurement

Employment and procurement present significant opportunities to foster social equality through development. A developer can hire from diverse, local, and disadvantaged groups and allow these groups to benefit from the economic growth that can result from a development. In the metrics package, EDCS evaluates the quality of jobs created through the project by determining whether or not these jobs provide a living wage, whether employers take steps to ensure wage equity, and whether they attempt to bridge potential skill divides through apprenticeship or other such job training programs. Another significant component of this target area is procurement. Procuring products and/or services from local and/or disadvantaged businesses likewise grants these businesses opportunities to participate in the growth of the real estate industry.

The greatest tension that emerges is between metrics which can be evaluated using publicly available data and metrics that require developer cooperation to evaluate. Data for about half of the metrics in this target area are publicly accessible, but the remainder require some level of developer cooperation to acquire.

Development Process

The development process promotes social equality at the pre-development stages of a project. Through the use of community research, partnerships, and engagement, developers can ensure that a project will be responsive to existing neighborhood conditions and the various stakeholders connected to the project. This process is integral for equitable development because it lays the groundwork to ensure that specific community needs are addressed as the project progresses through the remaining phases, and ultimately determines the social impact of the completed project. An effective development process has the potential to identify social equality opportunities in the remaining guidelines, employment and procurement, design standards, designated space, and housing.

The development process metrics focus on community research, the pursuit of partnerships with community-based organizations, and community engagement. Within each guideline, multiple techniques are identified as metrics. The development process metrics are extensive in order to allow the developer to make good-faith efforts in achieving social equality in the development process. The metrics also seek to determine the extent to which developers use these techniques, and to measure the developer’s commitment to equitable results. For example, the metrics require the developer to provide details about the frequency, location, time, and attendance of stakeholder outreach events in order to determine the legitimacy of the community engagement effort. The metrics also go a step further to require proof that the community feedback was incorporated into the project revisions. As a result, the metrics can be used to easily identify developers who are truly invested in the social impact of their project.

Thorough research of the community and neighborhood is necessary for informing developers about the project’s community. The development process metrics asks the developer if a community needs assessment has been consulted and/or if the developer conducted a new community needs assessment. However, incorporating the needs of the community may negatively impact the project’s financial feasibility. For example, if the community needs assessment required a developer to reserve a large portion of a development for a nonprofit health clinic instead of a market-rate retail space, it may not make the project financially feasible for the developers to pursue. Another tension is between incorporating the needs identified by the community assessment and the original goal of the project. For
example, a developer seeking to build affordable housing might decide to allocate a portion of the site for dedicated space as indicated in the community needs assessment, but would result in decreasing the number of buildable affordable units.

### Examining Questions of Development Type

Verbiage regarding development classification varies widely across the real estate industry. For the purposes of this project, EDCS attempted to match classifications and applicable city zoning labels used in official New York City documents and processes. It should be noted, however, that terminology differs even within New York City, so many final classifications used by EDCS were derived from industry-focused organizations such as the Urban Land Institute.3 A primary component of all classifications is the relationship between the development and applicable city zoning labels used in official New York City documents and processes. It should be noted, however, that terminology differs even within New York City documents and processes. For example, a development labeled “industrial” would not be held responsible for housing metrics.

Likewise, size is a critical way to label and sort developments because it can justifiably define how far a developer must go in order to be considered equitable in its inclusion of designated space or outreach must be done. A 100-unit apartment complex has a far greater impact on its surrounding neighborhood than a 3-unit building, and would therefore be reasonably asked to provide designated space for the community it will be impacting by its construction. To accommodate this question of development size disparity, the cover sheet of the metrics package incorporates a drop-down menu asking for the size of the development being measured. This will remove any metrics which are not applicable to the development based on its size.

### Examining Questions of Geography and Scale

Many of the metrics produced to evaluate developments’ contributions to social equality rely upon the answers to geographic and scale-related questions in order to yield consistent standards and results. When discussing a project’s goals the “community,” for example, who makes up that community and what are its geographic boundaries? In the context of project employment, how far may an employee live from the project site before he or she ceases to be a “local hire”? Does a cluster of buildings constructed at the same time and in the same general area comprise a single development, or should these buildings be evaluated as discrete developments?

To answer these and other cross-cutting geography and scale questions, the EDCS looked to other U.S. cities’ local ordinances, Federal standards, Community Benefits Agreements, and other certification programs for guidance. These geographic and scale definitions can be summarized as follows:

**Within the Development Process, Housing, and Designated Space metrics groups, the EDCS defines “the community” as residents of the development site’s surrounding Neighborhood Tabulation Area (NTA).** Developed by the New York City Department of City Planning to capture the demographic characteristics of the city’s numerous neighborhoods, NTAs are groups of U.S. Census Tracts made up of ~30,000 people that approximate the city’s Community Districts.4

For the affordable Housing metrics specifically, the EDCS uses the NTA Area Median Income (AMI) rather than the New York City AMI because the former accurately reflects the incomes of residents living in the area surrounding the project. The citywide AMI, by contrast, is calculated using income data from the five boroughs and Putnam County5, and fails to reflect the vast differences in household income across New York City’s many neighborhoods.

Within the Employment and Procurement metrics, the EDCS defines “local workers” as employees residing within the five boroughs of New York City. This definition, city residents, is consistent with local hiring ordinances from San Francisco6, New Orleans7, and Syracuse8, as well as local hiring guidelines for Federal infrastructure projects from Washington, D.C.9, Baltimore10, and Chicago11.

Finally, when considering a group a buildings for certification, EDCS borrows standards from LEED’s Campus Guidance to determine whether or not such a group may be considered a single development. Per LEED, a group of buildings may be considered a single project if they are:

1. constructed on a shared site by a single controlling entity,
2. under construction at the same time and on the same construction contract, and
3. include all buildings within the site limits, without excluding any structures meeting the previous two criteria.12

EDCS agrees that such a cluster of structures meeting these criteria should be considered a single development for certification purposes.
FINDINGS AND RECOMMENDATIONS

Stakeholder Outreach
Real Estate professionals were key stakeholders in this process. EDCS contacted 50 developers over a period of three months. Half of the developers contacted were for-profit entities (with large portfolios in New York City), and the other half were non-profit organizations with various orientations.1 Those interviewed held positions within the development companies as either project managers or directors of the development teams; all were considered subject matter experts in their fields.

The for-profit developers interviewed had a wide range of existing and current projects in the five boroughs, including one with a strong reputation for developing affordable housing. The non-profit developers interviewed also had a range of projects, but most concentrated their efforts on outer boroughs. All of the developers interviewed requested confidentiality and all but one declined to participate in pilot testing.

Findings from Outreach

1. Developers felt that there was a general public mistrust of their intentions and the way they used their capital, and they saw the certification process as potentially helpful. By showing their commitment to equity, the developers could change their public perception. Moreover, if ISLG’s certification strives for transparency and documentation, the public would be able to view the developers’ steps to promote equity. On the other hand, some developers were wary of the community engagement aspect of the certification, as they were hesitant to expose themselves to more public scrutiny. Still, they relayed that they would engage in the certification process if it meant being able to complete their developments in a more timely manner.

INTERVIEW PROCESS
EDCS prepared information sheets for each stakeholder, to be read prior to the interviews. After the stakeholder gained familiarity with the project, EDCS conducted interviews that consisted of the following questions:

- What practices and processes are currently employed to provide equality in a development?
- How could these existing processes and practices be altered to increase their contribution to social equity, and what would be the costs of doing so?
- Which guidelines/techniques have you implemented into your projects?
- Which guidelines/techniques are more challenging to implement and why?
- How can the metrics account for these challenges?
- Are there other practices that you incorporate into your projects that are not currently captured by the metric framework?
- In which areas of guidelines/techniques do you think there is more room to push developers to do more?
2. Developers expressed that they were already required to comply with government mandates to promote equity, and that the certification is insufficiently incentivized to merit their engagement. As non-profit developers operate mainly through government funding and tax credits, they would be more open to the equitable certification process if appropriate incentives were provided. For example, if additional funding were available through certification. In addition, non-profit developers stated that compliance with the requirements for tax credits was their primary goal. Both types of developers felt similarly that their projects had significant requirements from the city and state (e.g., Minority and Women-owned Business Enterprise hiring requirements and affordable housing), and generally found extra certifications to be unrealistic and too exhaustive. One non-profit developer stated, “If these metrics are intended to be used as a research tool for an intensive look at a development, then I could see how you could gather this information. But if it’s supposed to be populated from available info retroactively,” then it would be impossible to get this info retroactively.

Developers also conveyed that the main reason they pursue certifications like LEED and Neighborhood Enterprise was that such certifications are often required to achieve some other benefit, and not because the certificates align with their overall missions.

3. Developers felt that some of proposed metrics were unreasonable, as they required information that may be beyond their access or control. For example, one housing director for a non-profit said, “I think there needs to be realistic expectations of what affordable housing can accomplish.” Additionally, all the developers interviewed found the “Employment and Procurement” section unreasonable as out of their control, claiming they do not have any control over their subcontractors. Developers also opined that the size and scale of the development should factor into the metrics package. A representative of a non-profit developer commented that the day-to-day operations and maintenance of the buildings could have a larger impact towards equity than the construction of new buildings.

4. The neighborhood context is important: The surrounding neighborhood demographics affects how a real estate development can affect the overall social equality of the neighborhood. A developer building affordable housing in a neighborhood full of luxury developments and access to jobs can focus on the population moving into the affordable housing and should ensure that those residents will have proper access to appropriate amenities in the neighborhood. However, a developer who builds market rate housing in a neighborhood that feels at risk for gentrification, the developer can provide current residents with certain amenities and space that can protect them from the detrimental effects from gentrification, such as a culturally appropriate grocery store.

Pilot Testing
EDCS conducted pilot testing throughout the second semester of the yearlong studio course. The overarching goal for this process was to assess the efficacy of the complete metrics package, and the applicability of individual metrics within it, by evaluating different building typologies at various stages of development and located in diverse neighborhood settings. Seven development sites were selected and tested over the course of the spring semester.

Pilot testing was conducted in two separate rounds, each with distinct goals. In the first round of testing, EDCS sought to determine how many of the metrics could be adequately answered using publicly-available data alone. This first round of testing simulated a hostile evaluation of the projects tested, and did not include developer input. In the second round of testing, EDCS sought to conduct a more comprehensive evaluation, one that included input from cooperative developers. In this round of testing, EDCS intended to first collect data from publicly-available resources, then to verify this data through contact with the developers responsible for each project, and finally to supplement the data collected with developer input and through access to materials not available to the general public.

Summary of Findings
1. Developers felt that there was a general public mistrust of their intentions and the way they used their capital, and they saw the certification process as potentially helpful.

2. Developers expressed that they were already required to comply with government mandates to promote equity, and that the certification is insufficiently incentivized to merit their engagement.

3. Developers felt that some of proposed metrics were unreasonable, as they required information that may be beyond their access or control.

4. The neighborhood context is important.
1. Sunset Park Library Redevelopment
   - Mixed-use development located at 5108 4th Avenue, Brooklyn, NY 11220.
   - Being developed by Brooklyn Public Library and the non-profit developer, Fifth Avenue Committee.

   The Sunset Park Library redevelopment will create forty-nine affordable housing units atop the new library branch on 4th Avenue, with anticipated financing coming from the New York City Department of Housing Preservation and Development. All forty-nine new housing units in this development will be affordable and will be offered to tenants with incomes ranging from 30% to 80% of the Area Median Income (AMI). The majority of the units being constructed will be reserved for tenants with incomes at or below 50% of the AMI, and most apartments will rent for between $500 to $1,000 per month. Up to 50% of the apartments will be reserved for Community Board 7 residents, 10% for city employees, and 10% for those with physical disabilities. In addition, nine of the units constructed at the site will be reserved for survivors of domestic violence.2

2. Mount Eden
   - Residential building located at 1561 Walton Avenue, Bronx, NY 10452.
   - Developed by Settlement Housing Fund, a non-profit housing developer.

   The Mount Eden development provides 50 units of affordable housing to low-income tenants in the Bronx, and it includes nine supportive housing units for formerly homeless families. The project was completed in 2017, and offers housing to tenants earning between 40 and 80 percent of the AMI. The building features a large common room with community programming, including a college application assistance program. Residents of the Mount Eden building also have access to a host of amenities - a community center, a library, gym, cafeteria, and health clinic - at the nearby Settlement Community Campus, a separate site previously developed by Settlement Housing Fund.3

3. 10 Hudson Yards
   - Commercial office building located at 10 Hudson Yards, New York, NY 10001.
   - Developed by The Related Companies, a for-profit developer.

   Opened in 2016, 10 Hudson Yards was constructed as a part of Related’s larger Hudson Yards redevelopment project. An upscale building of 52 floors and 1.8 million square feet of Class A commercial space, 10 Hudson Yards is currently the 15th tallest building in New York City.4 The LEED Platinum-certified office building offers office tenants open floor plans, luxurious common spaces, and provides direct access to the nearby High Line linear park.5, 6

4. BJ’s Wholesale Club
   - Retail strip mall located on South Avenue near Forest Avenue, Staten Island, NY 10303
   - Being developed by Josif A LLC, a for-profit developer.

   The 219,377-square-foot big-box retail development will be located in the wetlands of western Staten Island.7 The retail site will include an outlet of BJ’s Wholesale Club as its primary tenant, and will also feature a supermarket, a gas station, and additional smaller retail spaces. Construction is scheduled to begin later in 2018, and is expected to last approximately 18 months.8
Three additional sites were evaluated in the second round of pilot testing. A short description of the sites are below.

1. **Intervale Green**
   - Mixed-use development located at 1330 Intervale Avenue, Bronx, NY 10459.
   - Developed by Women’s Housing and Economic Development Corporation (WHEDco), a non-profit developer.

   The Intervale Green project, completed in 2009, features 128 units of affordable housing offered to tenants earning up to 60% of Area Median Income. The Intervale Green site also includes ground floor commercial space, a portion of which is occupied by the Bronx Heritage Music Center, and a rooftop garden that features nutrition and health programming for tenants. WHEDco’s intention for the site was to provide affordable housing to vulnerable populations in the South Bronx - particularly families transitioning from homeless shelters - while also implementing sustainable building practices. Intervale Green is the largest affordable, multifamily high-rise building in the United States that is Energy Star-certified.9

2. **St. Barnabas Hospital Redevelopment**
   - Mixed-use development located at 4507 Third Ave, Bronx, NY 10457.
   - Developed by a partnership of L+M Development Partners, a for-profit developer, and the St. Barnabas Hospital (SBH) Health System.

   St. Barnabas is a mixed-use development currently under construction in the Belmont neighborhood of the Bronx. L+M Development Partners teamed with SBH Health System for the project, which will develop supportive housing that will also provide basic and preventative health services to the community. The 450,000 square feet development will consist of two residential towers connected by a second landscaped terrace over the ground floor retail. The finished development is set to have 173,054 square feet of residential space, 53,391 square feet of community facilities, and 17,000 square feet of retail.

3. **Riverside Boulevard**
   - Residential building located at 40-50 Riverside Boulevard, New York, NY 10069.
   - Developed by Extell, a for-profit developer.

   Riverside Boulevard is a 650,000 square-foot, 33-story residential development that was completed in 2016.10 The residential site is divided into two structures at two separate addresses, with market-rate condominiums located at 50 Riverside Boulevard and the site’s affordable housing component listed at 40 Riverside Boulevard. Upon opening, the Riverside Boulevard development sparked controversy over its use of “poor doors,” the infamous separate entrances for market rate and affordable housing tenants11. Residents of the market-rate units are provided access to numerous high-end amenities -- including a swimming pool, screening room, a children’s play area, a gathering space with a caterer’s kitchen, and outdoor patios -- that are not made available to the affordable housing tenants, creating a climate of economic segregation at the site.12

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**Pilot Testing Challenges**

Both the first and second rounds of the EDCS’s pilot testing informed the final metrics package delivered to the client at the conclusion of the studio project. Through Round 1 testing, EDCS identified metrics that were consistently challenging to answer using public records and flagged these as requiring developer input to produce satisfactory responses. The first round of pilot testing also highlighted how the stage of a project’s development impacted the quantity and quality of publicly-available data for the site, with pre-construction projects posing particular challenges for data collection in many of the target areas (as many of the decisions that would inform the responses to EDCS’s metrics had either not yet been made or not yet been made public).

In response to these findings from Round 1, EDCS included a “Decision Tree” functionality in the metrics package, which filters out metrics that are not applicable to a site based on the project’s phase of development and building typology.

In the second round of testing, EDCS intended to partner with developers to produce more thorough site evaluations than could be achieved by using publicly-available information alone. While EDCS selected the three Round 2 sites based on initial developer responsiveness and enthusiasm for the project, ultimately only one developer contact, Judy Herbstman of Settlement Housing Funding, provided responses to metrics as they related to a specific site (as opposed to the general feedback on the metrics package provided during developer outreach portion of the project).

Such limited developer responses for Round 2 testing undermined EDCS’s effort to produce the three comprehensive development analyses the studio desired. That said, the developer feedback that was received during Round 2 pilot testing was incorporated into the final metrics package. In addition, the "Decision
Findings from Pilot Testing

Development Process

• For most projects, the community outreach and engagement process is not publicly documented. Though many developers do conduct some form of community engagement, the specifics of this process are not generally available without developer contact. While EDCS did find one instance of community outreach in the public realm during pilot testing – WHEDco conducted needs surveys related to their Intervale Green development – these surveys were distributed to building residents after the development had been constructed and was fully-leased. That EDCS did not find a single documented instance of pre-development community outreach during pilot testing suggests this outreach often does not occur in the absence of government mandates.

• EDCS did receive valuable feedback from one not-for-profit developer about the disconnect between the results of the public engagement process and what gets built in the final project. Per this developer, the Development Process metrics must acknowledge the chasm between what the developer is realistically able to provide to the community – based on the project’s financial limitations, site conditions, and other project-specific constraints – and what the community identifies as needs or wants during the community outreach phase. While the Development Process metrics assume strong linkage between the community’s needs and the conditions in the final development, often developers have a limited means for offering the community its desired concessions at the site.

Employment & Procurement

• EDCS had difficulty collecting employee compensation data for the payscale equity and living wages metrics during both rounds of pilot testing. One developer contact explained that the developers lack control over how their construction subcontractors pay their employees during the project build-out, and that it is rare for the developers themselves to even have access to a subcontractor’s wage records. (As subcontractors are private companies, they are not legally obligated to release data about their wage practices.) Thus, meaningful responses to most of the Employment & Procurement metrics require extensive developer cooperation from the very beginning of construction, to ensure that this data is collected from the subcontractors over the life of the build and that it is available for analysis during the certification process.

• Following the construction period, living wage metrics were not applicable to projects without commercial or retail components that are supported by large numbers of employees.

Designated Space

• Definitions of cultural relevance and community need were difficult to determine in the Designated Space target area, particularly in the absence of documented community outreach and findings.

• Zoning, site conditions, and building typology limit the type of designated space that a new development can provide. A development located in a residential district with a small site footprint has less capacity to offer designated space than a larger site in a mixed-use zone; the latter has a greater capacity for offering ground space amenities like gardens, gathering spaces, etc. and can designate commercial space to a business that meets the community’s specific needs. A smaller residential site, lacking sufficient groundwater or any retail square footage, is less equipped to offer these amenities to the community.

Housing

• Certain types of tenant information requested in the metrics package – such as the tenant’s race, ethnicity, or veteran status – are not commonly tracked by developers or building managers. Except for developments focused on supportive housing, such as the Sunset Park Library Redevelopment and the St. Barnabas Hospital site, development sites typically did not reserve units for any specific populations other than low-income New Yorkers, generally.

• Metrics evaluating the expanded homeownership opportunities did not seem applicable to New York City affordable housing goals. In all seven sites, there were no alternative models for homeownership implemented, despite a majority of sites (four of seven) being owned and operated by non-profit affordable housing developers.

Design Standards

• Detailed responses to the Design Standards metrics for developments that are in pre-development stage were difficult to retrieve during document research. A large portion of the questions for design standards sought details about the specific products used to equip the buildings, such as light bulbs and plumbing, which developers generally do not procure until the final stages of the development process. While some public records did speak to broad energy efficiency goals, generally, the particulars of these interventions were frequently unavailable without developer input.

• Except for sites that specifically focused on producing a “green” building or accessible building, the particular details about those design elements were typically not released to the public or included in public records. While the developers of St. Barnabas and Intervale Green mentioned the living walls and rooftop farms in their developments in some press releases, typically these details were tied to marketing efforts identifying these structures as “green” buildings. Design details that were not explicitly tied to a development’s mission were often difficult to find in the public record, particularly for buildings in the early stages of development.

• Responses to active design metrics were difficult to locate in the public record for sites that are in the pre-development phase. Metrics specific to how individuals perceive a space – such as if signs are easy to read or if stairwells are inviting – cannot be determined without a certifier physically entering the site and providing a qualitative assessment.

Tailoring Metrics to Development Types and Contexts

From the beginning of the research process, there was a goal put in place to create what was referred to as a “Decision Tree,” a system of overlays in the metrics that could tailor the metrics to specific categories or attributes within the development. The Metrics Package is a large and comprehensive document, and the two rounds of Pilot Testing demonstrated that many contextual aspects of a development affect its ability to contribute to social equality. While these factors differed from development to development, some consistent themes emerged from the data collection EDCS highlighted seven specific categories, and formed a decision tree that either blocks out metrics that are non-applicable to that entire category, or highlights metrics that should be measured on a different threshold, based on the specific category.
The categories are as follows:

**Major Use:** This portion of the Decision Tree asks what the overall purpose of the development will be, whether residential, commercial, or multi use. EDCS found that not all metrics could be applied to all developments. For instance, when EDCS pilot tested 10 Hudson Yards, the housing section of the metrics was non applicable since Hudson Yards lacks a housing component. This variable in the Decision Tree will help funnel developments to only the portions of the Metrics Package that pertain to its intended function.

**Stage of Development:** This portion of the Decision Tree asks how far along the development is in its construction process. For example, EDCS found that questions pertaining to employment were most relevant to a development that was mid-construction and actively hiring construction workers and subcontractors.

**Neighborhood Context:** This portion of the Decision Tree for the neighborhood context of the tested development; is it low-income, high-income, or actively gentrifying neighborhood. A development’s location within one of these neighborhood types impacts the relevance of Designated Space and Housing metrics. For example, a development in a gentrifying neighborhood would be judged based on whether it provided designated space specifically for long-term low-income residents of the area.

**Size:** Developments are separated into “large” and “small” categories based on size, height, or cost. Large developments have a greater potential impact on a neighborhood than smaller developments, and conversely, their potential to do harm or good is greater.

**Developer Type:** A developer’s role as a non-profit and for-profit developer is relevant, because those who are non-profit will likely already be required to follow equitable practices, and would therefore may fulfill segments of the Metrics Package regardless of their desire to become certified as equitable.

**Other Certifications:** Often, other certifications such as Enterprise or LEED can require metrics similar to those some metrics required by EDCS. Notifying what a development has already achieved will prevent doubling the work on both ends.

**Public Funding:** This portion of the Decision Tree is similar to the “Other Certifications” section above, as those developments receiving public funding are generally required by the city to meet certain requirements which are included in the EDCS Metrics Package.

### Tensions in Measuring Equality

Despite the exhaustiveness of the Metrics Package and the accompanying Decision Tree, tensions remained regarding how certain metrics can be measured fairly and accurately. The certification needs to strike a balance between accurately measuring best practices in real estate development and also guiding developer behavior towards those best practices. EDCS worked to formulate metrics that in some way conformed to current practices in the field while still pushing developers towards the highest form of social equality.

For example, one of the more consistent conflicts encountered throughout both rounds of Pilot Testing was pushback from developers regarding the portions of the metrics package pertaining to employment, such as the family leave policy and living wage. Developers who outsource labor to subcontractors felt they had no control over the hiring practices of these separate entities.

EDCS chose to formulate a question that asks developers what their process is in choosing contractors and subcontractors. A developer can mention that he or she chooses the contractors that have the most equitable practices, the lowest bid, or the best reputation in terms of working within a specific deadline. In a pre-build phase, the certification can also guide developers to call at least three subcontractors and inquire about their employment practices, allowing these equitable practices to enter as a factor when choosing contractors. This method of asking about subcontractors and hiring practices will give more insight into how a developer makes decisions, and will also guide the developer towards considering more equitable hiring practices.

Another conflict arose in regards to community outreach. Some developers expressed interest in a certification that could easily communicate to communities that as developers, they were practicing social equality. Specifically in gentrifying neighborhoods, real estate developers often feel vilified, and spend a lot of time negotiating with community boards and neighborhood groups. Ironically, though, this certification could assist a developer in avoiding certain forms of community engagement.

While in theory, yes, this certification process should help communities’ fears be allayed. If a developer seeks and receives certification in social equality, then perhaps there would be no need to engage in potential pushback from the community. However, this ignores the notion that community input remains a vital and valuable tool in building developer-community trust and in making sure the community being affected by the development is being served as well as possible. The metrics need to ensure that a developer is looking to engage the community in a meaningful way.

“Developers who outsource labor to subcontractors felt they had no control over the hiring practices of these separate entities.”

This raised another difficult question: Who constitutes a “community”? Defining the bounds of a community for the purpose of studying and quantifying it is an important but difficult task. For instance, when measuring AMI for Housing measurements, the numbers vary depending on the boundaries one uses to measure the AMI. More specifically, several sections in the metrics package encourage the preservation of “existing communities” or “immigrant communities.” How can these communities...
be fairly measured and counted so that their voices can be accurately heard during the certification process? If there are to be parameters set regarding years lived in the neighborhood or language spoken at home in order to verify a person’s inclusion in a “community,” then the question arises: who will have the power to set these parameters? Much is at stake when measuring a group of people without first defining what constitutes inclusion in that group.

This tension in defining community arose also when deciding on potentially sensitive metrics, like on how to design for safety. Design elements such as security cameras have the potential to give some groups a feeling of safety but make other groups feel threatened. One developer mentioned that when building in low income communities, it is important to speak to residents in order to determine the proper safety design guidelines. However, this developer also mentioned that providing a sense of security to residents in a development can mean providing private green space for a development that is not open to the general community. This developer cited an example of recent low income development in the Bronx where the residents requested a locked public garden in the building’s courtyard. The neighborhood of this specific development is primarily low income, and many residents feel that the public parks do not provide adequate safety due to high crime rates in the neighborhood.

Recommendations for Refining Metrics

In the final revision to the metrics package, the EDCS annotated the Excel book with metric-specific recommendations for phase 3 of the Equitable Development Certification project and reported metric-specific findings from the pilot testing process. In this exercise, EDCS defined a subset of representative metrics within each of the five target areas, flagged potentially problematic metrics, identified metrics that are easily answered using public records, and called out metrics with origins in other certification programs. EDCS first identified a subset of metrics within each target area that encapsulated that target area’s metrics (marked light blue in the rightmost columns of the metrics book). In EDCS’s view, these metrics best reflect the overarching goals of the target area in which they appear in a straightforward and comprehensive manner. EDCS recommends this subset of metrics be used for a rudimentary, high-level analysis of developments, for the purpose of either previewing a subsequent in-depth analysis or succinctly conveying the project’s goals to an audience of laypersons.

EDCS next highlighted metrics presenting logistical difficulties or contextual considerations, as identified through the pilot testing process. The issues identified in this process took one of three forms — 1. the metric, while necessary for a complete analysis of a development, was either subjective or required qualitative study for its response (marked orange); 2. the metric required substantial developer participation, beyond the reach of this studio, to yield an adequate response (marked yellow); or 3. the metric was only applicable in certain contexts, or the equity impact of its response depended upon extenuating factors not captured in the metrics package (marked purple). As a part of this analysis, EDCS also identified metrics with relatively straightforward responses that could generally be found in the public record, which were highlighted in green.

Finally, EDCS marked red the metrics that were pulled from other certification systems, including LEED and Enterprise Design Standards. These metrics were limited to the Design Standards target area, and generally pertained to environmental standards requiring scientific knowledge beyond the typical purview of urban planners.

Recommendations for Phase 3

EDCS constructed four broad recommendations for ISLG as they move forward with this project into Phase 3. The durability of these recommendations is generally in opposition to their feasibility, with those which are most difficult to execute providing the greatest opportunity for long-term change in the field. Therefore, the recommendations are listed below in the following order:

1. Data gathering
2. Partnerships with developers
3. Balancing thorough metrics with acceptability to developers
4. Working towards codifying the certification system into local policy

1. Data gathering process: ISLG should have the following process to gather data for certification (in no particular order):
   I. Gather publicly available data
   II. Work with developer to gather data
   III. Determine whether more subjective metrics are met by an independent body

Working with a developer to gather metrics data will ensure that they document all they need to document, and will increase the amount of data available to certify a development as “equitable”. Having an independent body decide whether a development meets more subjective metrics allows the certification to retain subjective criteria.

2. Partnerships with developers: Implied in the last recommendation is the next. EDCS recommend for the client to partner with developers in ways that the studio could not. EDCS was limited in the amount of data it could collect because EDCS did not have the time to cultivate relationships with developers. As a visible research organization, ISLG has the legitimacy to approach developers to build partnerships.

The developers that EDCS did contact provided instrumental guidance that informed the Metrics package. Still, there are metrics that could use more feedback from a larger sample of stakeholders. In order to ensure that the metrics continue to reflect the best practices in the field, ISLG should continue to gain feedback on the metrics.

3. Balancing thorough metrics with acceptability to developers: EDCS’s next recommendation is to keep the certification metrics complex, but to make the process palatable to developers. The metrics are detailed and account for several different facets of equitable development. However, since ISLG’s target audience is the developer community, they should aim to make the certification process easy for developers to engage in. EDCS hopes that this would not only lead to a greater number of buildings certified as equitable, but could also change a developer’s relationship to the concept of social equality. Instead of dealing with questions of social equality in the abstract, our metrics give them clear metrics for which to aim.

4. Working towards codifying the certification system into local policy: Ultimately, EDCS recommends to the client to partner with local government to use this as a tool to push developers...
Equitable Development Certification
Hunter College of the City University of New York

Vision for the Future
Informed by EDCS metrics and recommendations, ISLG will produce a certification system that will be desirable to developers, recognizable to the general population, and malleable enough to be applied nationwide.

The potential for the certification system to enact real change on the development landscape depends on its ability to be disseminated as clearly and widely as possible over time. This could be accomplished in phases, executed with increasing visibility as the certification gains wider acceptance.

Initially, ISLG can aim to brand individual buildings and developments with the equity logo, similar to the way LEED certified buildings are currently branded. This will help to make equitable buildings recognizable as such.

Beyond branding, the equity score that a development receives could be visible on real estate search engines such as Zillow or StreetEasy, giving potential tenants the ability to make decisions on where to live based on a building’s equitable impact.

Ultimately, community members could log into a website and look up any building or development and pull up that building’s equity score, as well as its score in context on a map. This takes some of the power out of the hands of developers, and makes average citizens more aware of equitable and inequitable impacts.

Conclusion
ISLG’s goal is to develop a certification system by which developments can be evaluated on their impact on social equality. The client divided the work on this project into three distinct phases. In the first phase, ISLG identified the best practices in promoting social equality, which EDCS then used as guidelines for Phase 2. In the second phase, EDCS operationalized those best practices by creating metrics to measure adherence to those practices. In third and final phase, ISLG will develop a system of weighing developer’s responses to the studio’s metrics and ultimate produce a certification process that will be available to developers.

The studio took this on the second phase of this project because real estate development quantitatively represents one of the most significant changes to the New York City landscape. In the studio’s portion of this project, EDCS produced metrics that could be tailored to all types of development at different stages of development. Through a process which included research, gathering developer feedback, and pilot testing, EDCS developed metrics that are comprehensive without being burdensome. EDCS’s vision for Phase 3, and beyond, is that ISLG’s certification can change the relationship that developers have with the seemingly nebulous concept of social equality. EDCS is also hopeful that communities will be able to trust that certified developments are truly equitable due to the undeniable rigor of the 406 metrics produced.
GLOSSARY

**Equitable Development Certification**
Hunter College of the City University of New York

**Area Median Income (AMI):** An amount defined by the United States Department of Housing and Urban Development that is used to determine eligibility for housing programs. AMI varies geographically and is often calculated using the median income of the county or counties of a residential area.

**Brownfield:** A former industrial or commercial site where future use is affected by real or perceived environmental contamination.

**Community:** A group of people living in the same place or having a particular characteristic in common. For the purposes of the project, a community’s geographic boundaries are smaller than a neighborhood, and can be further defined by socioeconomic characteristics.

**Community Groups/Organizations:** Organizations that directly represent the interests of defined communities.

**Community Land Trust:** A nonprofit corporation that develops and stewards affordable housing, community gardens, civic buildings, commercial spaces and other community assets on behalf of a community.

**Community Need:** Service, investment, or type of development that a community defines as essential and lacking in their community. Community needs can be identified through community need assessments, community organizations, or through ad-hoc events.

**Community Space:** A space that can be accessed by the public for a fee or free.

**Density Bonus:** Additional Floor-to-Area given to specific developments, either through variances or through Voluntary Inclusionary Housing.

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**Disadvantaged Business Owner:** A Minority and Women-Owned Business Enterprise (MWBE) is a business that is at least half owned, controlled and operated by a member (or members) of one or more designated minority group including Black, Hispanic, Asian Pacific, and Asian-Indian, or by a woman (or women). An Emerging Business Enterprise (EBE) is a business that is at least half owned, operated, and controlled by a person (or people) who can demonstrate social and economic disadvantage, such as chronic and substantial negative treatment due to diminished access to capital and credit. The net worth of disadvantaged owner(s) must be less than $1 million. A Locally Based Enterprise (LBE) is a business that conducts at least one-quarter of its work in an economically depressed area, or employs economically disadvantaged individuals in at least one-quarter of its workforce.

**Direct Displacement:** Also known as primary displacement is the displacement of residents or businesses from a site or sites directly affected by a proposed project or recent project.

**Displaced or Displacement:** Also known as secondary displacement is the involuntary displacement of residents or businesses or employees that results from a change in socioeconomic conditions created by a proposed project or recent project.

**For-Profit Developers:** An organization whose primary goal is making money (a profit), from the acquisition; redevelopment and disposition of real estate.

**Indirect Displacement:** Also known as secondary displacement is the involuntary displacement of residents or businesses or employees that results from a change in socioeconomic conditions created by a proposed project or recent project.

**Leaseback:** Real estate transaction that occurs when a business owner sells their property to a developer, and leases the property back from the developer as a lessee or tenant.

**Limited Equity Housing Cooperative:** A resident owned and operated homeownership model where residential units are leased to cooperative shareholders. The residents operates as a “tenant” as they hold a lease to a unit and an “owner” who owns shares of the building. The model limits the tenant/owner to low equity returns on point of sale based on the initial participation agreement.

**Living Wage:** Wages that are sufficient to meet the “local” cost of living. “Local” refers to county-level costs of the following: food cost, childcare cost, housing cost, transportation cost, other necessities, and tax rate of the local area.

**Low Income Housing Tax Credit (LIHTC):** Created by the federal government in 1986, the program provides tax incentives, written into the Internal Revenue Code, to encourage developers to create affordable housing. These tax credits are provided to each State based on population and are distributed to the State’s designated tax credit allocating agency. In turn, these agencies distribute the tax credits based on the State’s affordable housing needs with broad outlines of program requirements from the federal government. This is done through the Qualified Allocation Plan (QAP) process.

**Mandatory Inclusionary Housing (MIH):** Housing Policy that requires a share 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. The specifications are further defined here.

**Neighborhood:** A geographic location within the context of a larger city or town. Boundaries are subject to change as the neighborhood increases or decreases in size.

**Neighborhood Tabulation Areas (NTAs):** Small geographic areas created by PlaNYC to project populations, reducing the error level associated with Census data.

**Non-Profit Developer:** An Organization that whose mission is to provide for the needy, the elderly, working households, and others that the private housing market does not adequately serve.

**Outreach:** Methods used to gather and engage community members in the development process.

**Permanently Affordable:** Space that is deed restricted to remain at a price point that is deemed affordable to the immediate or lowest income area residents.

**Secondary Stakeholders:** A person, group, or political representatives with indirect interest in the neighborhood or type of development.

**Stakeholders:** Individuals and organizations that are economically, geographically and/or socially invested in the community or neighborhood.

**Supportive Housing:** Affordable, independent and permanent housing combined with social services to support individuals and families who are transitioning from a social or systemic stressor such as domestic violence, homelessness, incarceration or substance abuse.
Introduction

The design, construction and location of development projects impact the health and well-being of its residents, users, and neighboring community. Many guidelines and standards are already in place that measure the impact of these design standards. The goal of these standards fall at the intersection of public health and urban planning, aiming to enhance the environmental, social and economic performance of buildings. Many existing measurements affect the overall equity of a development. In many instances, disadvantaged groups live in environments of subpar quality. Therefore, a development that encourages physical activity and improves the environment helps to build equity. Other systems, most notably the Leadership in Energy and Environmental Design certification (LEED), have the potential to provide equity only if they are used in combination with the guidelines in other sections, such as providing affordable housing.

Techniques For Promoting Equity

The memo will discuss the best practices of the following four topics:

1. Public Health
2. Public Safety
3. Green Energy
4. Accessibility

While there are many standards not mentioned in this memo that have the potential to affect equity, a clear focus on these four areas has potential for more effective change for the overall equity of a building and neighborhood. Standards within these four areas are chosen because they either provide cost savings to occupants, or they provide protection and accessibility to communities that generally suffer from greater degrees of physical and mental ailments. There are many metrics and certifications in existence for much of this criterion. This memo first summarizes those standards, suggesting advantages and possible pitfalls of each existing system. The second part of this memo will suggest metrics for the four areas outlined above and provide a rationale for the areas chosen.

Existing Design Standards

Architects and Developers have numerous tools at their disposal that regulate and encourage specific design standards that have the potential to affect equity. For example, New York City published both a handbook that encourages Active Design, and a handbook that encourages Universal Design. Companies like LEED and Enterprise have designed certification systems for developers that incorporate many of the features of active and universal design, in addition to many other building performance standards required for each certification.

Existing Certifications:

The LEED certification system promotes healthier indoor environments, utility costs savings, and improved building performance. LEED can affect equity when the population receiving the benefits is disadvantaged...
or a small business that could reinvest in their business due to the cost savings. LEED also has a standard called LEED Neighborhood Development (LEED ND) that aims to encourage development within existing communities. LEED ND hopes to limit a development footprint, and reduce waste by encouraging the development of existing neighborhoods. LEED and LEED ND are successful because developers invest time and money seeking out both certifications. However, neither certification focuses on equity. While LEED ND aimed to provide more equity in neighborhoods overall, many critics of LEED ND take issue with the fact that affordable housing is an optional credit for the LEED ND certification. Without affordable housing credit requirements, LEED ND has been blamed with enriching already gentrified and wealthy neighborhoods.

Enterprise Green Communities, known also as Enterprise, is like LEED, but only for affordable housing certification, a SEED evaluator must first be hired, a step that does not guarantee certification. Enterprise Green Communities, known also as Enterprise, is like LEED, but only for affordable housing developments. Enterprise ensures that affordable housing is held to high standards, therefore offering benefits to the surrounding community. Enterprise also covers the costs of certification, allowing developers of affordable housing projects to incorporate energy performance improvement practices without spending additional capital. While the Enterprise metrics do provide equity, the focus of the standard is bringing sustainable energy standards to affordable housing.

Universal Design are guidelines that assist products and environments to be inherently accessible to all people. Universal Design emerged from a broader accessibility movement. Providing universal design in public areas improves equity because individuals with accessibility needs can access a space on a more equitable level than spaces that simply fulfill ADA requirements. Furthermore, many disadvantaged communities suffer from greater health challenges that limit regular physical activity. Therefore, spaces that aim to provide equity ought to provide more universally accessible spaces. The Universal Design techniques are specific, but also extensive. Determining the balance between equity and the reach of the developer will be essential to ISLG standards.

The NYC Department of Design and Construction recently published a set of guiding principles for the design and construction of public buildings. Among the guiding principles is a section devoted to equity that highlights the concept of "design for all." Designing for all does not just mean flexibility in design, but also a process that contains significant community engagement. For example, public space, according to the Department of Design and Construction, should be inclusive and flexible with clear wayfinding, a safe and comfortable environment, and transportation connections.

Crime Prevention Through Environmental Design (CPTED) provides developers with tools that can deter crime through environmental design. The guidelines were originated by a criminologist in the 1970s based on research into criminal actions and decisions. While the guidelines have international recognition, it is still questionable whether the techniques actually prevent criminal activity. The goals of CPTED are not to provide equity, but to protect neighborhoods. Design standards for equity can adopt some of CPTED’s techniques that will create a sense of safety amongst disadvantaged neighborhoods.

Existing Guidelines:

Active Design are a set of guidelines that encourage its users to be more active through the built environment. New York City developed guidelines for Active Design in the hope that these elements would promote active lifestyles and improved access to healthy food. Disadvantaged groups often suffer from inferior health as a result of the built environments of the communities they live in. Therefore, infrastructure and neighborhood design that promote health, provides equity for that community.

The active design guidelines, implemented under Mayor Bloomberg in New York City, provide limited metrics for equity. The techniques listed do not provide quantifiable metrics, but use imprecise wording like “appealing” and “prominent” in a checklist, language that leaves wide latitude for subjective judgment. However, the attributes in the techniques are well researched and not always intuitive. For example, placing benches along a path encourage physical activity because people are more likely to walk if they feel there is opportunity to rest. Finally, while many of the Active Design attributes are proven to improve physical activity, it is still unclear whether the increased activity is sufficient to impact the public health as the main cause of poor health in impoverished communities is poverty.

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Design Standards: Place Based Strategy

Achieving equity through design is a strategy that reforms the environment in a way that will provide equity. This strategy is unlike other categories in the certification in that the group themselves is a moving target. Unlike employment standards or increasing the affordability of housing, the design of a building only provides equity if the people using its features are used by those who need equity. Since the design is tied to the place and not the occupants or residents themselves, it is important to define where these techniques will provide equity. A second strategy for achieving equity through design is to identify needs of a target community and neighborhood, and provide solutions through design that can address those needs. In many cases, the development process or Environmental Review will elucidate several needs within an area, and a developer can use design solutions for those areas. The four focus areas for design standards discussed in this memo all respond to four central needs of disadvantaged communities.

Four Areas Of Design Standards For Equity

This section discusses and explains the rationale behind the following four areas of design that affect equity: Public Health, Public Safety, Green Energy/Cost Savings and Accessibility.
Measuring Equity:

Public Health

Need: disadvantaged communities suffer from significantly worse health, however, there are design elements that can improve the health of a community. These elements fall into two broad categories:

1. Prevention of potentially harmful materials
2. Implementation of active design

Design standards alone cannot solve health issues disadvantaged communities. Yet poor design standards of buildings in disadvantaged neighborhoods often exacerbate existing health issues.

Standards that mandate preferable materials can improve air quality, prevent mold, pests and allergens, and help control temperature. These elements improve the respiratory health of a community, and help prevent asthma, a disease that has high prevalence among disadvantaged groups in NYC. The standards also reduce exposure to toxins and are connected to improved cancer outcomes.

Standards that guide towards Active Design can encourage a more active lifestyle. Sedentary lifestyles are often a core cause of diseases like diabetes and obesity. However, it is important that prioritizing active design does not conflict with principles of accessibility. For example, while active design encourages the use of stairs by making stairs highly visible to users, the elevator must be equally accessible to those who cannot walk the stairs. The equitable guidelines can be sensitive to this balance.

### Prevention of Harmful Materials

<table>
<thead>
<tr>
<th>Guideline</th>
<th>Metric</th>
</tr>
</thead>
<tbody>
<tr>
<td>Environmentally preferable flooring</td>
<td>All wood products, including flooring and cabinetry, cannot emit Formaldehyde. Yes/No</td>
</tr>
<tr>
<td>Sizing of Heating and Cooling Equipment</td>
<td>Equipment should be in accordance with the Air Conditioning Contractors of America Manuals 2 and 5 or ASHRAE handbooks. Yes/No</td>
</tr>
<tr>
<td>Mold Prevention and Mitigation Strategies</td>
<td>Proper waterproofing. Proper sealing from liquid and condensation during construction. Use of Moisture Tolerant Materials. Yes/No</td>
</tr>
<tr>
<td>Integrated Pest Management</td>
<td>All entry points should be sealed. Install rodent proof material. Yes/No</td>
</tr>
</tbody>
</table>

### Active Design

<table>
<thead>
<tr>
<th>Bike Storage</th>
<th>Provides storage for bikes for affordable units</th>
</tr>
</thead>
<tbody>
<tr>
<td>Bike Racks</td>
<td>Provide bike racks in public spaces</td>
</tr>
<tr>
<td>Stairs</td>
<td>Visible from Entrance Yes/No</td>
</tr>
<tr>
<td>Signage for Stairs</td>
<td>Signs in the lobby indicating the location of the stairs. Stairs should either not have a doorway or doorway should be easy to open. Yes/No</td>
</tr>
</tbody>
</table>

### Smoke Free Buildings

<table>
<thead>
<tr>
<th>Guideline</th>
<th>Metric</th>
</tr>
</thead>
<tbody>
<tr>
<td>Reduce Lead hazards in pre -.1978 buildings</td>
<td>Use of a high efficiency filter equipped vacuum cleaner. (HEPA) Remove dust from heating and air conditioning ducts that could contain lead. Yes/No</td>
</tr>
</tbody>
</table>

### Brownfield Remediation

<table>
<thead>
<tr>
<th>Guideline</th>
<th>Metric</th>
</tr>
</thead>
<tbody>
<tr>
<td>Site development at a project site identified as a brownfield or where soil or groundwater contamination has been identified, and the local, state, or national authority (whichever has jurisdiction) requires its remediation, perform remediation to the satisfaction of that authority</td>
<td>This removes environmental contaminants from post-industrial, potentially underserved neighborhoods. Infill development can also create more connectivity and encourage pedestrian travel, yielding more active lifestyles and associated health benefits.</td>
</tr>
</tbody>
</table>

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Appendix
Public Safety:
Design elements can increase the public safety of a disadvantaged neighborhood. For the purposes of design standards, potential harm to residents and neighborhoods is described as falling into two broad categories: natural disasters and crime.

Need: While Hurricane Sandy wreaked havoc on New Yorkers, both affluent and poor, the hurricane also exposed the deep inequalities in the design and resilience of building. Sandy left 300,000 units damaged, and 100,000 of those units were occupied by struggling New Yorkers. This is no accident; in the 1960’s, many of the city’s affordable housing units were placed away from the city’s core and in areas more likely to flood.14

There are also many evidence based techniques to reduce crime through Urban Design; a criminologist named C. Ray Jeffery coined the term Crime Prevention Through Environmental Design (CPTED). Preventing crime saves lives and saves money. These techniques are not simply close monitoring and locks on doors, but manipulating the environment in such a way that reduces the propensity for crime. It is proven that changing a neighborhood’s physical environment can help prevent crime, and therefore these strategies must be implemented in the pre-planning phase.15

CPTED recommends installing security cameras as a way to deter crime. However, it is important to implement strategies that will assist the community to feel that their environment is safer, and it is possible that the presence of cameras will add unneeded stress to a community, especially when that community is disadvantaged economically. With this, the developer should consult with the community to determine what environmental measures could help deter crime and provide an overall feeling of safety from crime.

CPTED guidelines that are accepted internationally as understood as useful in deterring crime. However, CPTED is also criticized for its conflicts with other planning values and goals. First, often crime is overly political, and CPTED must understand that while keeping out crime may seem like objective stance, often there are desires within communities to keep out certain types of people, without proper evidence that this group is at all of a danger to the neighborhood at hand. Second, certain design techniques suggested for safety conflict with other design standards that would promote walkability and connectivity. Therefore, it is important to consider the elements of CPTED that will uniquely benefit a disadvantaged community in NYC.

<table>
<thead>
<tr>
<th>Safety from Natural Disasters</th>
<th>Standard</th>
<th>Performance</th>
<th>Building Condition</th>
<th>Water and Air Conditioning</th>
<th>Sustainability</th>
</tr>
</thead>
<tbody>
<tr>
<td>Proximity to Wetlands</td>
<td>Should not be located within a certain radius of wetlands</td>
<td>Yes/No</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Stormwater Management</td>
<td>Biowaters and other landscaped elements can reduce downstream flooding</td>
<td>Capacity should exceed 1 inch rainfall that falls on the entire site.</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Floodplain Guidance</td>
<td>Site should be outside any flood hazard area</td>
<td>Yes/No</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Safety from Crime</td>
<td>All four facades of a building should have windows</td>
<td>Yes/No</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Windows</td>
<td>Pathways, entrances, and area around building should be well lit.</td>
<td>*** Need a metric for this</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Concealed Spaces</td>
<td>There should be no concealed stairways, tunnels, or passageways, remove shelving</td>
<td>Yes/No</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Community Engagement</td>
<td>Engage with community to identify high crime areas and how to create a sense of safety</td>
<td>Yes/No</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Water and Air Conditioning:

<table>
<thead>
<tr>
<th>Heat Island Effect</th>
<th>Raising should reduce the heat island effect, which would decrease the need for air conditioning in the summer</th>
<th>Yes/No</th>
</tr>
</thead>
<tbody>
<tr>
<td>Water</td>
<td>Bathroom’s water fixtures should save water</td>
<td>Toilets-1.6 gpf flush (gpf)</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Urinals-.5 gpf</td>
</tr>
<tr>
<td>Kitchen</td>
<td>Faucets-.5 gpm</td>
<td></td>
</tr>
<tr>
<td>Windows</td>
<td>Insulated to lower heat and cooling costs</td>
<td></td>
</tr>
<tr>
<td>Rainwater capture mechanisms</td>
<td>Use of greywater</td>
<td></td>
</tr>
</tbody>
</table>

Building Performance Standard:

<table>
<thead>
<tr>
<th>Energy Star</th>
<th>Enterprise Mandates that multifamily residential units follow the Energy Star Prescriptive Path. This standard results in cost savings, and should be implemented for small businesses, ie, retail areas as well.</th>
<th>Yes/No</th>
</tr>
</thead>
<tbody>
<tr>
<td>Lighting</td>
<td>LED or energy efficient lighting, Motion sensor lighting</td>
<td></td>
</tr>
</tbody>
</table>

Accessibility:
Affordable housing, and the spaces used by disadvantaged communities, ought to be accessible to those with disabilities and the elderly. Many affordable housing residents are elderly, or have physical or intellectual ailments that cause them to need more accessibility from their physical environments. While the American Disabilities Act (ADA) legally mandates a minimum level of accessibility, concepts such as Universal Design encourages developers to create environments that are equally accessible to all individuals, notwithstanding any physical or intellectual impairments.

Furthermore, multifamily buildings are not required to provide accessible units. All public areas, such as the lobby, the rental office, and the entrances to the building must comply with Fair Housing laws, but there is no legal mandate for individual units. One technique, therefore, for a developer to provide equity is through creating individual units that are ready for residents with broader accessibility needs.

People’s abilities are bound to change throughout their lives; the elderly have different needs than younger people, and disabilities can appear and reappear throughout an individual’s life. Many cities and buildings are adopting techniques of universal design in order to allow the widest range of users to benefit from a city’s structures and space. A development is providing more equity if its space is usable to a wider range of people.

Appendix
There is a difference between universal design and accessible design. While accessible design ensures that a space is accessible to those with disabilities, techniques of universal design will benefit those with and without disabilities. For example, many people will benefit from showers that are slip resistant, or door knobs that can be opened while wearing mittens. Curb cuts do not just benefit the disabled, but any individual pushing a stroller or a suitcase benefits from curb cuts as well. The universal design guidelines ensure a seamless environment for all users.

However, measuring accessibility is complex because there are many techniques that can provide equity. Feasibility is also a consideration; will it be possible to determine accessibility techniques in individual units? A developer can be expected to prove that he or she built a certain percentage of units in compliance with ADA standards. Emphasis should be put on the public spaces of a building.

Measuring Equity:

Measuring Universal Design is a complex topic with a lack of finite standards, since there is no minimum level of compliance. In this way, Universal Design distinguishes itself from ADA compliance, which does have a measurable and predefined standard. The Universal Design guidebook for New York City suggests that success is measured by how well a building meets the Universal Design principles gives the resources available and the socio-physical context of the project.

Another way to measure success is through community involvement. Imaginative forms of participation that include a variety of community stakeholders can help inform whether a design is truly inclusive. Another way to measure success is through community involvement. Imaginative forms of participation that include a variety of community stakeholders can help inform whether a design is truly inclusive.

<table>
<thead>
<tr>
<th>Indoor Accessibility: Certain Percentage of units?</th>
<th>Handles</th>
<th>Easy to grip lever door handles</th>
<th>Easy to grip cabinet and drawer loop handles</th>
<th>Easy to Grip single lever faucet handles</th>
<th>Yes/No</th>
</tr>
</thead>
<tbody>
<tr>
<td>Motion detectors</td>
<td>Light with motion detectors upon entry</td>
<td>Should be on option to turn off automation</td>
<td>Yes/No</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Visibility</td>
<td>High contrast print for controls in home</td>
<td>Yes/No</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Entryway</td>
<td>Minimum 32 inches wide</td>
<td>Tread in doorway</td>
<td>Zero Step entryway</td>
<td>Yes/No</td>
<td></td>
</tr>
<tr>
<td>Flooring</td>
<td>Slip resistant and easy to maneuver a wheelchair</td>
<td>Yes/No</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Indoor Public Space</th>
<th>Entryway</th>
<th>Seating near entry way easily accessible</th>
<th>Audible elevators</th>
<th>Accessible drinking fountain</th>
<th>Ramps</th>
<th>Handrails on both sides of ramps and stairwells</th>
<th>Yes/No</th>
</tr>
</thead>
<tbody>
<tr>
<td>Outdoor Public Space</td>
<td>Entryway</td>
<td>Safe Space to Unload from cars</td>
<td>Benches for seating</td>
<td>Wayfinding</td>
<td>Curbcuts</td>
<td>Tactile sidewalks before streets begin</td>
<td>Benches along the way</td>
</tr>
</tbody>
</table>

The Gehl Center led a project that measured public plazas with 74 metrics to understand the ways in which design and ongoing management affected issues of inclusion, equity, aesthetics, access, among others. The study looked at design but also how the design affected the usability and how the neighborhood used the space.

The SEED Network offers a SEED Evaluator as a tool to measure the social, economic and environmental impacts of a development project. The evaluator is a hired staff member who is tasked with assessing the project, creating a customized system of benchmarks for measurement, and guiding the process of community engagement. While investing in hiring an evaluator is cited as a worthwhile end unto itself, a SEED evaluator will not guarantee certification or necessary to achieve SEED certification.

The Enterprise Green Community Certification provides a checklist that has both mandatory and optional criteria that a development must fulfill to attain certification. The mandatory criteria vary depending on the project’s goals and the type of development. Also, certain projects require a quota of optional attributes in addition to the mandatory criteria.

Contextual Issues:

When properly applied, most elements of design can help promote equity. While many design standards metrics already exists for measuring equity, the challenge in incorporating design standards is identifying ways in which design elements will truly affect equity in a given project.

Most of the metrics in place already are flexible in that they do not require a rigid set of guidelines for each project. Also, a development can meet a variety of guidelines and benchmarks but leave out others and still attain certification. ISLG will have to determine how flexible the certification can be, and whether to highlight certain elements.

Another issue specific to design elements is a maintenance plan. While ISLG emphasized that the indicators will not measure equity throughout time, design elements are worthless if they are not maintained. For example, a wide and accessible ramp demonstrates an element of universal design. But, if there is no plan to maintain the ramp and ensure its use through inclement weather, then the design element is worthless. Therefore, it is essential that there be a metric for careful operating procedures included in design elements that require intermittent if not constant maintenance.

There are checklists available, which are intended to audit already built facilities. The Universal Design NY has a checklist, which has three levels of usability for each feature, with one indicating the basic level of compliance, and three indicating total accommodation. A facility is measured based on a percentage, meaning that it is understood that not all sections will be rated, so the score should reflect how well the site did for the variable measured.


<table>
<thead>
<tr>
<th>Entry:</th>
<th>Level 1: Accessible circulation to doorways, sufficient door width, and maneuvering clearances, opening force below limits (As per code) Level 2: all entries are accessible (Rather than separate paths from different access points) Level 3: Principal entries have automated doors and on grade access (If there is a ramp, it is used by all visitors)</th>
<th>Score:</th>
</tr>
</thead>
</table>

The Gehl Center led a project that measured public plazas with 74 metrics to understand the ways in which design and ongoing management affected issues of inclusion, equity, aesthetics, access, among others. The study looked at design but also how the design affected the usability and how the neighborhood used the space.

The SEED Network offers a SEED Evaluator as a tool to measure the social, economic and environmental impacts of a development project. The evaluator is a hired staff member who is tasked with assessing the project, creating a customized system of benchmarks for measurement, and guiding the process of community engagement. While investing in hiring an evaluator is cited as a worthwhile end unto itself, a SEED evaluator will not guarantee certification or necessary to achieve SEED certification.

The Enterprise Green Community Certification provides a checklist that has both mandatory and optional criteria that a development must fulfill to attain certification. The mandatory criteria vary depending on the project’s goals and the type of development. Also, certain projects require a quota of optional attributes in addition to the mandatory criteria.

Contextual Issues:

When properly applied, most elements of design can help promote equity. While many design standards metrics already exists for measuring equity, the challenge in incorporating design standards is identifying ways in which design elements will truly affect equity in a given project.

Most of the metrics in place already are flexible in that they do not require a rigid set of guidelines for each project. Also, a development can meet a variety of guidelines and benchmarks but leave out others and still attain certification. ISLG will have to determine how flexible the certification can be, and whether to highlight certain elements.

Another issue specific to design elements is a maintenance plan. While ISLG emphasized that the indicators will not measure equity throughout time, design elements are worthless if they are not maintained. For example, a wide and accessible ramp demonstrates an element of universal design. But, if there is no plan to maintain the ramp and ensure its use through inclement weather, then the design element is worthless. Therefore, it is essential that there be a metric for careful operating procedures included in design elements that require intermittent if not constant maintenance.
Introduction
The purpose of this memo is to define designated space; identify different types of designated space; explain how different types of designated space can promote equity; explore approaches to measuring the presence and qualities of designated space; identify existing metrics and their shortcomings; and to create new metrics, if necessary.

Within this document, designated space is defined as privately-owned non-residential square footage available for public use. In most projects, designated space is open to the wider community, and spaces that are exclusively accessible to the occupants of the building are not counted as designated space (ISLG). The public is defined as individuals and groups who are non-lease holders but who still have access to the space.

The degree of the public’s access to designated space will vary based on the type of space produced and, if applicable, the lessee of the space. The access may be free and universal, as in the case of parks and plazas. There may also be some limitations on access but at no cost to individual users, which is the case for spaces leased to the government for schools, libraries, or community centers. The public may also have limited access to spaces occupied by commercial enterprises that serve specific neighborhood needs, such as grocery stores and community-specific businesses.

Techniques for Promoting Equity
A developer can promote equity by designating space for a community asset that meets a demonstrated need; creating a space that is accessible, affordable and culturally relevant; producing a space for a local nonprofit or community based organization; and space for disadvantaged business owners.

1. Designate space for a community asset that meets a demonstrated need: as determined during the development process from research, partnerships, and engagement with existing stakeholders.

2. Designate space that is accessible, affordable and culturally relevant: these are all subjective terms that are defined below.

3. Designate space for local nonprofit or community based organizations: organizations in the area may need space for civic engagement, providing needed community services, or for their daily operations.

4. Designate space for disadvantaged business owners: without capital, leasing an office or manufacturing space is difficult, especially in communities that have experienced disinvestment.¹

Measuring Equity
Our goal in this technical memo is to understand how best to identify whether developers have used equity-promoting practices in creating designated space. In other words, what would we need to see to be confident that designated space included in a development project will promote equity? What aspects of designated space will vary based on the use of the designated space? For example, a community center and a manufacturing space are both community assets as categorized by ISLG, but the attributes that should be measured will be different. One attribute that is relevant to every form of designated space is the amount of square feet allotted to the designated space in comparison to the building’s square footage dedicated to other uses.

Existing Metrics
Studies that explicitly measure the equity-promoting aspects of designated spaces are limited in number, and the methods that do exist require complex geographical and statistical analyses that are time-consuming and expensive. Discussed below are five studies that measure equity-promoting aspects of designated space, first presented in table format, followed by a narrative discussion.

<table>
<thead>
<tr>
<th>Author</th>
<th>Title</th>
<th>Purpose</th>
<th>Variables</th>
<th>Finding</th>
<th>Contextual Issues</th>
</tr>
</thead>
<tbody>
<tr>
<td>Sarah Nicholls</td>
<td>Measuring the accessibility and equity of public parks: a case study using GIS.</td>
<td>To find out if need based access is being met by the parks in Bryan, Texas.</td>
<td>Type of park, Location of parks, Size of parks, Age distribution under 18 and over 64, Racial composition, Housing tenure, Median housing value, Occupied units, median contract rent, income</td>
<td>The parks in Bryan, Texas are well distributed.</td>
<td>In relation to designated space as a whole the demographics will be used to assess during the development process to determine which spaces reflect the community needs.</td>
</tr>
<tr>
<td>Delafromntaine, Matthias, Tij Neutens, Tim Schwanen, and Nico Van De Weghe</td>
<td>The impact of opening hours on the equity of individual space–time accessibility</td>
<td>To find out if opening and closing hours impact accessibility and further promote or reduce closing hours.</td>
<td>Public library locations, Candidate set (full-time student, part-time student, student and worker), Opening hours</td>
<td>The opening hours do have an impact on how accessible a public library is and people with the most constrained schedules have a harder time accessing the library.</td>
<td>All of the variables from this study but they will be used in a simpler form.</td>
</tr>
</tbody>
</table>

¹ The opening hours do have an impact on how accessible a public library is and people with the most constrained schedules have a harder time accessing the library.
Sarah Nicholls’ 2001 study, “Measuring the accessibility and equity of public parks: a case study using GIS” used a variety of variables and methods to determine whether there were racial, age and class inequities in accessibility to parks in Bryan, Texas. The metrics used to characterize the parks included: the type of park; the number of the types of parks; description of park; location (the catchment area of service) and the size of the population served. The nine variables utilized to understand racial, age and class difference in access to parks were: i) population density in the catchment area; ii) percent non-White (i.e., Blacks, Asians, American Indians, and all other races); iii) percent Black; iv) percent Hispanic; v) percent under age 18; vi) percent over age 64; vii) percent of housing units renter occupied; viii) mean housing value (for owner-occupied units); and ix) mean contract rent (for rental units). The Nicholls’ study analyzed differential access to parks based on race, age and class.

Matthias Delafontaine et. al.’s 2010 study, “The impact of opening hours on the equity of individual space–time accessibility,” analyzed the relationship between accessibility, equity and the opening hours of public service facilities on the basis of space–time accessibility measures. The variables for this study were public library locations, opening hours and type of user candidate. This paper extends the existing literatures about space–time accessibility analysis, of parks; description of park; location (the catchment area of service) and the size of the population served.

A 2013 study, published by Cities, titled “An integrated framework to evaluate the equity of urban facilities using spatial multi-criteria analysis,” by M. Taleai, R. Sliuzas and J. Flacke, introduced the Integrated Spatial Equity Evaluation (ISEE) framework to assess spatial equity. This framework measures the balance between demands generated by residential areas and supply offered by urban services at various spatial scales. The framework defines the catchment area based on the type of facility: i.e., a hospital will have a larger catchment area than a grocery store, and a grocery store will have a wider catchment area than a pocket park. This framework uses cost of travel as another variable, defined as distance and time and money that are spent traveling from a service facility to a residential parcel. The analysis examined the spatial relationship between facility type and location to determine if an area was adequately supplied, oversupplied or undersupplied with specific types of facilities.

Given the challenges of conducting complex data analysis, this memo will employ the variables described in the above studies in a simpler capacity. The common consistent metrics among the studies are proximity of the designated space to the relevant population, programming (the activities offered at a place), and scheduling (hours of operation for businesses and services). Though a developer cannot guarantee the quality or longevity of the programming, developers can partner with local organizations and stakeholders to source the most needed tenants whose missions and programming will provide the greatest benefit to the community.

Below, we describe each guideline in more detail and suggest metrics for determining performance on that guideline.

**Guideline 1: Designated space for a community asset that meets a demonstrated need**

Spatial equity is understood as the degree to which services are distributed spatially in an equal way over different areas corresponding to the spatial variation of “need” for those services. Equity can be promoted if a developer signs a lease with a business or organization that meets a determined need as opposed to leasing space to the highest bidder. Responding to the spatial variation of need will also reduce the oversupply and undersupply of certain services.

After determining the needs of the community through the development process, the developer should demonstrate how the designated space responds to one or more of identified needs (ISLG).
Types of community assets that can meet demonstrated needs:
1. Community centers
2. Adult Learning Centers/Schools
3. Arts or cultural institutions
4. Libraries
5. Manufacturing space
6. Adult Day Centers (senior centers)
7. Daycare centers
8. Parks/Plazas (indoor and outdoor)
9. Retail Diversity

Possible metrics for determining how well designated spaces respond to community needs:
1. Does designated space exist? (Yes/No)
2. What type of designated space is it?
3. How many square feet of designated space exists?
4. What is the ratio of designated space square footage to square footage for other uses in the development?
5. Was there a systematic process for identifying the community need? (Yes/No)
6. (a) how strong is the evidence for the community need? (Very strong evidence, strong evidence, neither strong nor weak evidence, weak evidence, very weak evidence)
7. What role did the local community play in identifying the need? (Extensive community input, Some community input, Minimal community input, No community input)
8. Does the designated space duplicate uses already in the area? Identify similar assets and their proximity to the site:
   (a) If there are similar assets near the site, are they known to be overcrowded or lacking adequate resources?
   (b) Identify instances of homogeneous retail: retail diversity can allow the community to have access to more products and services.
9. Identify the labor force: labor force identification is useful in both creating needed jobs or in determining if leasing space to an adult learning center is a better fit.

Guideline 2: Designated Space that is Accessible, Affordable, and Culturally Relevant
The study area defined in the development process must be used to identify what is accessible, affordable, and culturally relevant for that community. Transportation information derived from the development process will also tell how accessible this project is for the wider community.

Accessibility
Extent to which a consumer or user can obtain a good or service at the time it is needed.9 Space-time research has concluded that the scheduling of businesses and facilities strongly affects the distribution of individual accessibility and the equity of accessibility.10

Culturally Relevant
Cultural relevance will be defined as goods, services and spaces that are familiar to the people who are identified in the development process as “defenders” (people who have low influence but high interest in the development process).

Types of accessible, affordable and culturally relevant uses for designated space
1. All of community assets listed above
2. Affordable grocery stores
3. Health Clinics
4. Fitness Centers

Metrics for accessibility, affordability and cultural relevance
Accessibility
1. Business hours:
   (a) Are the business hours of the space more accessible than normal? e.g.: a gym or grocery store that opens at 6 am and closes at midnight; a school that is open after-school or on weekends for the community’s use as a community center or an adult learning center. This can be identified during the community asset-mapping process. What are the typical business hours of the businesses in the neighborhood?
2. Transportation
   (a) Is the space close to transit?
      I. The distance accessibility metric is still being developed*
      II. Are nearby transit routes indicated with signage?
      III. Are the streets provided with adequate lighting?
   (b) Is bike and car parking available?
      I. Is this parking free or paid? If paid parking, what is the price?
3. Parks and plazas
   (a) Is there seating, are there picnic tables?

Affordability
1. Is the cost of the admission, goods and services provided by the lessee reflective of the community’s income, as defined in the development process?
   (a) Membership dues for community centers and gym
   (b) Grocery store and other retail prices
   (c) Cost of attending the adult day center or daycare cost for children
2. Will the grocery or fresh food stores accept Supplemental Nutrition Assistance Program (SNAP) benefits and/or Women, Infant and Children (WIC) benefits as form of payment?
Guideline 4: Designated Space for disadvantaged business owners

Metrics for space designated for disadvantaged business owners
1. Is the business owner a member of the community?
2. Is the business that has recently been displaced or on the verge of displacement?
3. Are leases affordable and do they have transparent terms?
   - Which transparent lease terms are included?
     (a) The amount of rent due and due dates
     (b) Defined terms (dates)
     (c) Defined occupancy limits
     (d) Deposits and fees
     (e) Maintenance and repairs
     (f) Infraction descriptions
     (g) 501(c)(3) tax deduction on space rental due to the owner having a non-profit tenant, should be known and acknowledged by the tenant.

Cultural Relevance

1. Will this space house a local business that was recently directly or indirectly displaced? Direct or primary displacement is the involuntary displacement of residents or businesses from a site or sites directly affected by a proposed project or recent project. Indirect displacement is the involuntary displacement of residents or businesses that results from a change in socioeconomic conditions created by a proposed project or recent project.
2. Will this space provide or sell goods and services that are needed by the community?
3. Are the activities or programming reflective of the community as defined in the development process, who are the “defenders” and how much of the population are “defenders”?
   - (a) If this is an immigrant community, will the new business sell goods or foods that the community eats?
   - (b) If this is a community center does it have a gym, will it have programs such as computer lessons during the day for the elderly?
   - (c) If this is a library or learning center, is the mission of that tenant aligned with the interest of the community?

Guideline 3: Designated Space for local nonprofits and community based organizations (CBOs)

Local nonprofits and community based organizations are an important part of supporting a community’s success. Designating space for such organizations can contribute to increased equity.

Metrics for space designated for nonprofits and CBOs
1. Has this organization been defined by the community as helpful? Was its capacity previously limited due to lack of physical space?
2. Is it located within five miles of community members seeking jobs?

Guideline 2: Designated Space for businesses that house local industries

Local industries are an important part of supporting a community’s success. Designating space for such businesses can contribute to increased equity.

Metrics for space designated for local industries
1. Are there local businesses that are recently displaced or on the verge of displacement?
2. Will this space provide or sell goods and services that are needed by the community?
3. Will this space house a local business that was recently directly or indirectly displaced?
4. Is this a business that has recently been displaced or on the verge of displacement?

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DEVELOPMENT PROCESS MEMORANDUM

To:     CUNY Institute for State and Local Governance (ISLG)
From:   Equitable Development Certification Studio (EDCS)
Re:     Development Process: Responding to Existing Neighborhood Conditions

Introduction

Broadly, the real estate development process encompasses the following phases: 1) land acquisition; 2) market analysis; 3) visioning stages: project design and development, including environmental and neighborhood/cultural impact studies; 4) approvals and permits, including land review process; and 5) construction and operation.

The Equitable Development Process primarily focuses on phase 3, the visioning stages. During this stage, the developer incorporates into the project specific considerations for the surrounding neighborhood and community. This process is integral for equitable development because it lays the groundwork to ensure that the specific community’s needs and assets are addressed as the project progresses through the remaining phases.

To approach equity during the development process, a developer should use certain techniques to ensure that a project is responsive to existing neighborhood conditions and the various stakeholders connected to the project. The extent to which a developer uses these techniques is a measurement of the developer’s commitment to equitable results. Measurement is the process of deliberate observation for the purpose of describing events and behaviors in terms of designated variables. This memo discusses collectible and observable data points that reflect a developer’s behavior in the development process. These data points may then be used to measure the developer’s commitment to equity. Equity in the development process has been broken out into techniques, which are described below.

There are three main areas of techniques for promoting equity in the development process. These areas of techniques are as follows: (1) research of the neighborhood and/or community; (2) pursuit of partnerships with community-based organizations (CBOs); (3) and engagement of the community. Expanded upon below, each technique is divided into variables, then attributes (that serve as data points for collection).

This memo identifies existing approaches (variables) to the techniques listed above. For each approach, this memo includes metrics (attributes / data points) to assess the extent of a developer’s adherence to the approach. Additionally, this memo suggests methods for addressing shortcomings in existing approaches to create a more robust system for measuring equity in the development process.

Techniques for Promoting Equity

The techniques that developers can use to promote equity in the development process fall into the following three broad areas: Research, Partnerships, and Engagement.

1. Research: Through the research of a neighborhood and relevant community, including identification of stakeholders, consultation of existing plans/studies, and analysis of existing data/maps, developers equip themselves with an understanding of the needs and opportunities within the subject community. These techniques should be applied during phase two of the real estate development process, market analysis.

2. Partnerships: Partnerships with community-based organizations (CBOs) increases community involvement and
accountability in the development process. The techniques that address partnerships should be applied during phase three of the real estate development process, the visioning stages.

3. Engagement: Community engagement ensures outreach and accessible communication to all stakeholders, while providing opportunities to engage at different stages in the process, and ensuring a transparent process and responsive project. These techniques should be applied during phase three of the real estate development process, the visioning stages.

Measuring Equity

Technique 1: Research of Neighborhood and/or Community

Research of a neighborhood or community is a foundational technique in the equitable development process. The variables that comprise this technique include: (i) identification of stakeholders; (ii) consultation of existing neighborhood plans/studies; (iii) and analysis of existing data and maps.

(i) Identification of Stakeholders.

Identification of stakeholders is a necessary component or variable to an equitable project because it lays the foundation for engagement, ensuring that the developer hears the voices of all community sectors, especially sectors that are often underserved or unheard. Identifying stakeholders provides the developer with a clear community foundation for engagement, ensuring that the developer hears the voices of all community sectors, especially sectors that may also be stakeholders. During these interviews and meetings, participants identify their own interests and the importance of this process by mandating public participation as a threshold requirement in 197-a plans. Interviews and meetings should be held at various times of day to provide the opportunity to participate to people with varying schedules. The location of interviews and meetings should be easily accessible and within the geographic community. During the process, the developer should maintain a list of those invited to participate and date of invitation, those actually interviewed and date of interview/meeting, and those identified during each interview/meeting.

Stakeholder mapping involves impact zoning. There are four suggested steps to this process:

1. Draw a sketch map or use an aerial photo of the key design components of the project, both on and off site, that may give rise to local environmental or social impacts (e.g., the project site; ancillary infrastructure such as roads, power lines, and canals; sources of air, water, and land pollution);
2. Identify the broad impact zones for each of these components (e.g., the area of land take, air and water pollution receptors);
3. After identifying and mapping broad stakeholder groups, overlay those groups over the impact zones; and
4. Through consultation with relevant stakeholder representatives, verify which groups are potentially affected by which impacts.

Advertising is an additional method helpful to determine the identities of stakeholders. Advertisements invite potential stakeholders to participate in the stakeholder identification process by advising them of the project and how to become involved in the process, particularly, by attending stakeholder identification meetings.

How are the identities of stakeholders determined?

Stakeholders may be identified in many ways, including the following methods:

1) Interviews and meetings;
2) Stakeholder mapping; and
3) Advertising.

A combination of these methods yields the most robust results, as each method enhances the others.

Interviews and meetings take place when developers invite participants to discuss the process of stakeholder identification. These participants include individuals and organizations that have knowledge of the community and who may also be stakeholders. During these interviews and meetings, participants identify their own interests and help the developer identify others who may also have an interest in the project. As new stakeholders are identified, the developer holds interviews and meetings with them as well, and the process continues as the stakeholder pool grows. Interviews and meetings should be held at various times of day to provide the opportunity to participate to people with varying schedules. The location of interviews and meetings should be easily accessible and within the geographic community. During the process, the developer should maintain a list of those invited to participate and dates of invitation, those actually interviewed and dates of interview/meeting, and those identified during each interview/meeting.
Materials for stakeholders, as well as the comprehensiveness of that data, can measure the developer’s adherence to the techniques involve, a developer should give defenders a more powerful voice while ensuring that apathetics have been appropriated and actually apprised with sufficient information to decide whether to become interested.

**Contextual issues.** Conflicts are an inevitable part of the development process; stakeholders have different levels of power and varying, if not conflicting, interests. While a developer may be tempted to allow the stakeholders’ levels of influence to control (as to aid in the project approval process), an equitable developer must seek to ameliorate the imbalance of power, paying special attention to the defenders and apprising the apathetics. Such attention may take the form of additional community meetings and prioritizing the issues raised by defenders. To apprise apathetics, a developer should use multiple forms of advertising and provide information about the project in clear terms. If a notable portion of the community speaks a language other than English, the advertisements should include a translation in that language. To include as much of the community as possible, meetings should be held at various times of the day. The location of the meetings should be accessible by multiple transit methods and be easy to find.

**Attributes of stakeholder identification: data points for collection.** The data resulting from stakeholder identification, as well as the comprehensiveness of that data, can measure the developer’s adherence to the technique. Here, these data points are attributes of the variable of stakeholder identification. Sample data points that a developer can produce include:

- **Methods of identification:** which methods of were used (interviews, stakeholder mapping, advertising)
  - How many people were interviewed?
  - How many additional stakeholders did each interviewee identify?
  - Number and type of stakeholders:
    - Total:
    - Number of primary stakeholders
    - Number of secondary stakeholders
    - Identification of key stakeholders
    - Enumeration of the distinct groups (e.g., local residents, commuters, local businesses, CBOs, municipal officials)
    - Number of promoters, defenders, latents, and apathetics
    - Identification of common qualities among stakeholders with little influence (defenders and apathetics)
    - How was the imbalance of power addressed?
  - Interests
    - Description of distinct interests identified by stakeholders, sorted by stakeholder type and group
    - Description of relative strength of these interests, on an ordinal scale
    - Who will be adversely affected by potential environmental and social impacts in the project’s area of influence?
    - Who are the most vulnerable among the potentially impacted, and are special engagement efforts necessary?
  - At which stage of project development will stakeholders be most affected (e.g. procurement, construction, operations, decommissioning)?
  - Which stakeholders can best assist with the early scoping of issues and impacts?
  - Who strongly supports or opposes the changes that the project will bring and why?
  - Who is it critical to engage with first, and why?

- **Impact zoning assessment:**
  - List of social and environmental impacts identified
  - Geographical area of each of the impact zones
  - Total stakeholders expected to be affected by each of the impacts
  - Types of stakeholders expected to be affected
A developer should research a neighborhood using existing plans and studies. Many types of entities, from academic and government institutions to private and not-for-profit organizations, conduct area studies. These studies will apprise A developer should research a neighborhood using existing plans and studies. Many types of entities, from academic and government institutions to private and not-for-profit organizations, conduct area studies. These studies will apprise

Where are existing plans/studies found? Sources are numerous. Several communities in NYC have created official community plans, called “197-a plans” (named for the section of the City Charter that provides for their existence), which are created and submitted by the local community board. 197-a plans contain a wealth of information about the community and are built upon strict technical requirements, including community participation. (Although these plans are official, their decrees are not dispositive, but rather serve as guidelines for the City’s planning agencies). Once approved by the NYC Department of City Planning (DCP), these plans are available on DCP’s website. However, if there is no relevant 197-a plan apparent on DCP’s website, communities may still have a plan. In some cases, a plan may be in progress or still in the approval phases. Further, some community boards may find the DCP approval process and strict technical requirements of a 197-a plan unsuitable to their goals. In such cases, the community board may create a plan that is not officially submitted to DCP but still reflective of the community. Because existing plans/studies may not be available through DCP, a developer should inquire directly with the relevant community board(s).

The DCP has many other plans/studies that are potentially applicable. Some plans are community-specific, such as the aforementioned 197-a plans, or those conducted as part of the initiative called, Planning for Livability, Affordability, Community, Economic opportunity, and Sustainability (PLACES). In the neighborhoods that have been selected as part of the PLACES initiative, DCP works with other municipal agencies and community stakeholders to conduct research and devise growth strategies. Still other DCP plans are broader, addressing issues that span several neighborhoods, such as plans for waterfront access or bicycle lanes. Such plans may have relevant information where a development project implicates the issues that the plans address.

In addition to DCP, other City agencies produce useful community studies. The Department of Design and Construction (DDC) makes available several guidelines for general design, as well as some area-specific studies. Likewise, the New York City Housing Authority (NYCHA) and the Department of Transportation (DOT) published studies and reports. As part of the seeking out existing plans/studies, a developer should consult these and other City agencies.

In addition to studies conducted by community boards and municipal agencies, there are other compilations of community information. For example, a developer can benefit from reviewing land use applications subject to the Uniform Land Use Review Procedure (ULURP) where those applications belong to nearby or similar projects. Further, a developer may obtain additional, unpublished but public, pieces of a study by submitting a formal request to the relevant agency under the Freedom of Information Law (FOIL). Such requests are simple to submit with instructions on the relevant agency’s website, and the agency must timely respond with all pertinent information that is public and not confidential.

Academic institutions are another potential source of information. Academic research, such as professors’ publications and student theses, provides valuable insights. In addition, schools with departments related to community planning (e.g. urban/regional planning, architecture, civic engineering) often have studio classes where the students study a specific neighborhood/community or issue and publish the results. For example, CUNY Hunter publishes on its website the results of its graduate level urban planning studios. Materials published by academic institutions may have information useful for the immediate project.

The age of a study is also relevant. The more recent a study, the more likely its contents will be accurate and applicable to the immediate project. Therefore, recent studies should be prioritized over older ones.

What if there are no suitable existing plans/studies? In this case, a developer may conduct its own evaluation of a community’s needs and assets. A community needs assessment helps to identify the challenges facing a neighborhood and prioritize solutions to those challenges. In addition to collecting quantitative data, the engagement of community members is crucial to provide qualitative data in a needs assessment. Qualitative data here comes from community engagement. Methods of engagement include: mapping (invite community members put pins in a map of where services are needed); feedback forms or open-ended questionnaires; (a simple box in accessible locations (e.g., community board office, public libraries) for suggestions and complaints); video and audio recordings of stories and interviews (helps to reach diverse stakeholders); photographs; online/internet (e.g., municipal and developer’s website, social networking sites and forums); and community meetings/consultations. Another useful method of data collection is surveys, which are crafted around known community issues.

Community asset mapping is the process of indexing community assets, which then may be presented in many forms, from an actual map that locates physical assets to a database that includes social, economic, and institutional assets. An important non-physical asset of a community is its members. To better understand this asset, a developer can invite stakeholders to provide a description of their individual, business, and community-related skills. Toolkits

- Summary of data collection
  - Descriptive: Who will be positively/negatively and directly/indirectly impacted by this development?
  - What are the community’s needs and assets, and how will they be affected by the project?
  - Prescriptive: What additional forms of analysis are warranted? What conflicts are likely to arise? How will differences in power/influence be mitigated?

(ii) Consultation of Existing Neighborhood Plans/Studies
A developer should research a neighborhood using existing plans and studies. Many types of entities, from academic and government institutions to private and not-for-profit organizations, conduct area studies. These studies will apprise A developer should research a neighborhood using existing plans and studies. Many types of entities, from academic and government institutions to private and not-for-profit organizations, conduct area studies. These studies will apprise

Where are existing plans/studies found? Sources are numerous. Several communities in NYC have created official community plans, called “197-a plans” (named for the section of the City Charter that provides for their existence), which are created and submitted by the local community board. 197-a plans contain a wealth of information about the community and are built upon strict technical requirements, including community participation. (Although these plans are official, their decrees are not dispositive, but rather serve as guidelines for the City’s planning agencies). Once approved by the NYC Department of City Planning (DCP), these plans are available on DCP’s website. However, if there is no relevant 197-a plan apparent on DCP’s website, communities may still have a plan. In some cases, a plan may be in progress or still in the approval phases. Further, some community boards may find the DCP approval process and strict technical requirements of a 197-a plan unsuitable to their goals. In such cases, the community board may create a plan that is not officially submitted to DCP but still reflective of the community. Because existing plans/studies may not be available through DCP, a developer should inquire directly with the relevant community board(s).

The DCP has many other plans/studies that are potentially applicable. Some plans are community-specific, such as the aforementioned 197-a plans, or those conducted as part of the initiative called, Planning for Livability, Affordability, Community, Economic opportunity, and Sustainability (PLACES). In the neighborhoods that have been selected as part of the PLACES initiative, DCP works with other municipal agencies and community stakeholders to conduct research and devise growth strategies. Still other DCP plans are broader, addressing issues that span several neighborhoods, such as plans for waterfront access or bicycle lanes. Such plans may have relevant information where a development project implicates the issues that the plans address.

In addition to DCP, other City agencies produce useful community studies. The Department of Design and Construction (DDC) makes available several guidelines for general design, as well as some area-specific studies. Likewise, the New York City Housing Authority (NYCHA) and the Department of Transportation (DOT) published studies and reports. As part of the seeking out existing plans/studies, a developer should consult these and other City agencies.

In addition to studies conducted by community boards and municipal agencies, there are other compilations of community information. For example, a developer can benefit from reviewing land use applications subject to the Uniform Land Use Review Procedure (ULURP) where those applications belong to nearby or similar projects. Further, a developer may obtain additional, unpublished but public, pieces of a study by submitting a formal request to the relevant agency under the Freedom of Information Law (FOIL). Such requests are simple to submit with instructions on the relevant agency’s website, and the agency must timely respond with all pertinent information that is public and not confidential.

Academic institutions are another potential source of information. Academic research, such as professors’ publications and student theses, provides valuable insights. In addition, schools with departments related to community planning (e.g. urban/regional planning, architecture, civic engineering) often have studio classes where the students study a specific neighborhood/community or issue and publish the results. For example, CUNY Hunter publishes on its website the results of its graduate level urban planning studios. Materials published by academic institutions may have information useful for the immediate project.

The age of a study is also relevant. The more recent a study, the more likely its contents will be accurate and applicable to the immediate project. Therefore, recent studies should be prioritized over older ones.

What if there are no suitable existing plans/studies? In this case, a developer may conduct its own evaluation of a community’s needs and assets. A community needs assessment helps to identify the challenges facing a neighborhood and prioritize solutions to those challenges. In addition to collecting quantitative data, the engagement of community members is crucial to provide qualitative data in a needs assessment. Qualitative data here comes from community engagement. Methods of engagement include: mapping (invite community members put pins in a map of where services are needed); feedback forms or open-ended questionnaires; (a simple box in accessible locations (e.g., community board office, public libraries) for suggestions and complaints); video and audio recordings of stories and interviews (helps to reach diverse stakeholders); photographs; online/internet (e.g., municipal and developer’s website, social networking sites and forums); and community meetings/consultations. Another useful method of data collection is surveys, which are crafted around known community issues.

Community asset mapping is the process of indexing community assets, which then may be presented in many forms, from an actual map that locates physical assets to a database that includes social, economic, and institutional assets. An important non-physical asset of a community is its members. To better understand this asset, a developer can invite stakeholders to provide a description of their individual, business, and community-related skills. Toolkits
A developer should document its efforts in seeking out existing plans/studies, even if the efforts were not fruitful. It is possible to collect data about that process. These data, or attributes, may be used to measure the developer’s fulfillment of the variable of consultation of existing plans/studies. A developer should document its efforts in seeking out existing plans/studies, even if the efforts were not fruitful.

Sample data points that a developer would produce may include:

- **Sources**
  - List entities that were contacted
  - How many government
  - How many academic
  - How many independent
  - How many total
  - Method of contact (e.g., viewed website, called, submitted FOIL)
  - Number of studies each source provided

- **Studies**
  - Total number of studies collected
  - Number of studies reviewed
  - Type of studies consulted (e.g., 197-a, traffic report, design guidelines)
  - Date each study was produced
  - Describe for each plan which of its goals/concerns are affected by the project
  - If positive effect, describe how
  - If negative, how it will be ameliorated

- **Community Needs and Assets**
  - Was a community needs assessment conducted?
    - How many methods of data collection were used?
      - List the methods
    - How many surveys were distributed?
      - How many were collected?
    - How many languages were the surveys in?
    - How many questions were on the survey?
    - What was the method of survey distribution?
    - How many needs were identified?
    - Which needs were prioritized?
    - How does the immediate project affect those needs?

(iii) Analysis of Existing Data and Maps.

The analysis of existing data and maps is another variable within the technique of research of the neighborhood/community. This variable differs from previous one (consultation of existing plans/studies) because the information to be discovered here is less tailored; the information is not likely to explicitly state a community issue. Instead, it requires the observer (developer) to provide their own analysis and application, presumably in consultation with stakeholders and related professionals.

What are the sources and types of existing data and maps? The information conveyed in data and maps falls on a spectrum from raw data to polished. Data maps are available from the Department of City Planning (DCP) database, through its website, provided access to US Census data (including American Factfinder) and Open Data (searchable public data from all City agencies), as well as datasets for tax lots, zoning, waterfront, and administrative and political boundaries. Available maps include neighborhood boundaries, zoning/land-use (Zoning and Land Use Application (ZoLa)), flood hazards, and waterfront access.

Other City agencies provide more processed, descriptive data. For example, data sources on citywide inequality is available from the Department of Health and Mental Hygiene’s EpiQuery and Community Profiles, the Mayor’s Office of Operations’ Social Indicators Report, and the Center for Innovation through Data Intelligence’s Disparity Report. The Disparity Report is an example of information that falls on the more polished, descriptive side of the spectrum because, as its name implies, it includes a written report that draws conclusions based on the data collected.

Sources of data on citywide inequality include ISLG’s Equality Indicators and Measure for America’s Data2Go. Data on demographics and racial and economic inclusion from the 100 largest cities and 150 largest metropolitan areas are available from the National Equity Atlas maintained by PolicyLink and the Program for Environmental and Regional Equity. Academic institutions can also provide useful information. For example, the Pratt Center created the Neighborhood Data Portal, which provides interactive mapping based on a combination of several datasets. 

Citywide analysis provides greater context for the immediate project and can point to development decisions that may address a larger scale of community needs and priorities.

How is data and map analysis conducted? Although some revelations are clear when looking at data or a map, additional, more sophisticated conclusions require analysis. One approach is to use small area analysis. With this approach, the researcher (developer) selects a specific small area or community to detect differences between that area and a larger statistical pattern. The objective of this sort of analysis is to generate and answer questions that illuminate disparities between groups/areas and predict trends. Using this information, a developer can better assess the impact of the project, particularly on those populations who suffer from the disparities.
Map analysis requires community involvement, and therefore stakeholders must be enlisted in the process. Stakeholders will have knowledge about the area, will be most affected by the project, and can provide information that might not otherwise be accessible. To assemble a group of stakeholders, the same methods of notice can be used as for community meetings and stakeholder identification (e.g., advertisements). That group can then help to identify and recruit others whose participation would be helpful.

**Attributes of analysis of existing data and maps: data points for collection.** The data that results from this analysis, as well as the thoroughness of that data, may be used to measure a developer’s utilization of this technique. Here, these data points are attributes of the variable, analysis of existing data and maps. Sample data points that a developer would produce may include:

- **Sources**
  - List the names of the hosting organizations that provided the dataset
  - List the parties that contributed to the creation of the data or maps
- **Information**
  - Total number of datasets and maps viewed
  - Geographic area of each dataset
  - List the topics and type of datasets consulted
  - Age of each dataset and/or map
- **Analysis**
  - How many people were involved in the analysis?
    - How many were from the community initially?
    - How many were from the community ultimately?
    - How many were experts in a related field?
    - What were the experts’ fields?
  - How was the area geographically defined?
  - What is the basic demographic data for the subject area?
    - Is any demographic aspect disproportionate for the subject area compared to the larger context of neighborhood/borough/city?
  - How is the project likely to affect demographics?
  - Which demographics will be most affected by the project? Describe how
  - Describe analysis performed including:
    - List of questions/issues presented
    - Conclusions reached
    - List the areas of inequalities between the subject community and the larger context
      - Compared to the neighborhood?
      - Compared to the borough?
      - Compared to the City?
  - Summarize land use patterns (e.g., types of residences, types of businesses, types of industry, public facilities/land)
    - What is the dominant land use?
    - Are any areas isolated by lack of transit options?
  - Describe how the project will affect future land use
    - If positive effect, describe how
    - If negative, how it will be ameliorated
  - Describe how the project will affect the identified inequalities
    - If positive effect, describe how
    - If negative, how it will be ameliorated

**Community-based organizations (CBOs)** are those with missions to bring about change in the community. CBOs are theoretically more connected to “bottom-up” community planning than larger charitable organizations.

**How should potential CBO partners be cataloged?** After determining potential CBO partners, the developer should catalog them based on factors including, name, location, category, target community/areas, division of mission-driven targeted change(s) (explained below), anticipated level of project involvement, specific partnership task(s) anticipated, anticipated duration of partnership/involvement, and other relevant factors as they arise.

Generally, CBOs fall into the following categories: community service and action, health (mental and physical), education (children and adult), personal growth and improvement, social welfare, and self-help for the disadvantaged. Although CBOs may operate within any category, there are essentially three divisions of mission-driven targeted change: (i) programs (such as, after-school programs, prevention/rehabilitation programs, and adult education); (ii) policies (such as, charging fines for parking violations or banning hazardous activities in public spaces); and (iii) practices (such as, improved access to health services, increased opportunities for academic support in schools, and increased diversity in hiring practices). A CBO may function in any one or combination of these areas.

CBO involvement with the immediate project may take place at various levels, from serving as a co-developer to serving as a conduit between the developer and the community. Similarly, the involvement may be broad, for example, providing insight into a neighborhood to supplement the developer’s research into existing conditions; or it may be specific, for example, informing the design and use of physical spaces in the project.

Specific CBO partner tasks may include: expanding awareness of upcoming public engagement processes; co-hosting public input sessions in locations more familiar to community members; helping agency staff understand the community’s current level of understanding about an issue; helping adapt information about issues into language and a format that make sense to non-technical experts and people with varying levels of education; translating information and providing bilingual facilitation if appropriate; recruiting attendees and providing any needed support such as transportation and child care; and helping with reporting back to the community about how their input was used in the final decisions and ways that they can stay involved and informed.
Once the developer and a CBO reach an agreement as to their partnership, they should enter into a written memorandum of collaboration, which will memorialize their agreement, setting forth each party’s expectations, responsibilities, and remedies.

What are some of the common pitfalls and helpful practices for CBO partnerships? See chart below.

### Attributes of partnerships with community-based organizations: data points for collection

As a developer engages with CBOs, certain data points should become available, which will measure the extent to which the developer has satisfied this variable. Here, these data points are attributes of the variable of partnerships with CBOs. Sample data points include:

- **Number of CBOs**
  - Total number of stakeholders that are CBOs
  - What is the most common or uniting issue among them?
  - How many CBOs expressed interest in involvement with the project?
  - How many were directly invited to propose ideas for their involvement?
  - What method was used to contact them? (phone, email, etc.)
  - Do any CBOs oppose the project? On what grounds? How is this concern being addressed?

- **Meetings**
  - Number of meetings held with CBOs?
  - Types of meetings (in person, over the phone, or by email)?
  - Number of stakeholders (including non-CBOs) invited to the meetings?
  - List and describe methods of invitation (e.g., phone, email, advertising on website(s) (list), advertising in print (list publications), flyers (list locations distributed/displayed))

- **Partnerships**
  - Number of CBO partner tasks were addressed?
  - Number of partnerships were memorialized in writing?
  - How many memoranda of collaboration were created?
  - Anticipated duration of each partnership?
  - Quantify and describe the aspects of CBO involvement in the project (e.g., community outreach, translation services, design of physical space)
  - Into which category does each CBO fall?
  - Which area of change (division) is each partner CBO targeting? (program, policy, or practice)
  - What pitfalls/issues with the agreement were encountered?
  - How were they addressed?

### Technique 3: Engage the Community

Another key technique in the equitable development process is community engagement. Successful community engagement is achieved through (i) accessible outreach and communication for all stakeholders; (ii) opportunities to engage at various stages in the process; and (iii) a transparent process and a responsive project.

(i) Accessible outreach and communication to all stakeholders

The community engagement process establishes a framework for communication and outreach between the developers and community stakeholders. Throughout this process it is crucial that the developers rely on stakeholder research to ensure that all identified stakeholders are included in the engagement process. This involves providing a multi-dimensional and multi-lingual process that will target hard-to-reach populations.

How to engage hard-to-reach populations: In order to ensure a far-reaching community engagement effort, the team must be proactive and generate awareness through both existing and new communication networks, provide multi-lingual material, and offer flexible and accessible discussion forums. A multidimensional approach greatly increases participation and community buy-in. While a single developer will not be able to deliver on all community members request, the community engagement process can inform future development in the neighborhood.

Relying on existing community networks such as religious centers, schools, community organization or local networks increases outreach to hard-to-reach or underrepresented groups. Similarly, traditional field work methods such as word-of-mouth, flyers, canvassing, and on street surveys are quick and effective in informing and engaging community members who might not invest time in more formal community meetings and workshops. Non-traditional methods of outreach such as online crowd-sourced community tools and social media engagement are also effective but should be supplemental to traditional engagement methods.
Attributes of accessible outreach and communication to all stakeholders: data points for collection
Developers can demonstrate community engagement efforts through the following data:
- Number of community board meetings
- Number of community stakeholder meetings, workshops, online discussion etc.
- Conduct up-to-date neighborhood demographics research (#)
- Identify networks utilized for outreach to excluded groups (#)
  - Elderly
  - Youth
  - Non-English speaking
- Number of community groups and organizations contacted about the project
- Ratio of number of languages spoken in the area to number of languages the community engagement information was published in
- Number of engagement mediums available (i.e. online forums, meetings, hotline, information center, face-to-face canvassing)
- Response rate of development team to inquiries from community
- Rate of new community member engagement

Opportunities to engage at various stages in the process
When formulating a community engagement plan, it is important to develop a phased approach that moves the plan forward with each engagement effort. A well thought out community engagement plan with a timeline and milestones ensures accountability and regular engagement opportunities. Regular community engagement also builds trust between stakeholders and developers. Furthermore, early input during the visioning stages of a development process ensures ample time to incorporate community feedback.

Early and frequent engagement is necessary for the success of an equitable development project. Meaningful community engagement requires community feedback and revision at every stage of the project. City council member Antonio Reynoso recently took issue with the ULURP process for MIH private development projects. While private developer who seek additional zoning variances though MIH are required to obtain community input through the ULURP process, Reynoso argues the community input has little consequence as it takes place after the scope of the project has been determined. Therefore, any development project that truly seeks to be equitable must involve the community from the outset.

Contextual issues: Often developers are not truly interested in community feedback. Rather the community engagement process is an act of placation to satisfy powerful stakeholders or policy makers. These developers are only concerned with the appearance of community engagement and have no intention of incorporating community feedback into the development.

Attributes of opportunities to engage at various stages in the process: data points for collection
Developed can demonstrate meaningful community engagement at various stages throughout the stages of the development through the following efforts:
- Public and maintained detailed schedule of community meetings
- Public project timeline that is update regularly
- Number of opportunities for community to review revised plans
- Number of community meeting that coincide with major project milestones
- Number of revisions with community feedback incorporated

A transparent process and a responsive project
When done properly, a community engagement process can facilitate cooperation and transparency between a developer and community stakeholders to create a development that serves both the community as well as the developer’s interests.

How does a developer ensure a transparent process and a responsive project: The two variables described above, (i) accessible outreach and communication to all stakeholders and (ii) engagement at various stages in the process are necessary for producing a well-informed project that was adapted with community input. Transparency during this process is established through regular engagement efforts with all stakeholders and a public yet organized process. As mentioned previously, the engagement plan structure and milestones demonstrate a level of transparency and inspires confidence in the process.

When community engagement is done correctly, with forethought and meaningful outreach, a responsive project is the natural outcome. Incorporating a feedback loop into the engagement process is a useful tool to demonstrate how community participation will be integrated into the design of the development project. Providing regular feedback reassures community stakeholders that the developers value their input and will create a project in response to community input. Public meeting minutes and feedback report further illustrates the progress of the project.

Contextual issues: As stakeholder have different interests and hold varying levels of power, conflicts are inevitable in the community engagement process and can negatively affect transparency and the responsiveness of the project. Conflicts among stakeholders can erode the cooperation and the productivity of engagement techniques. Researchers have shown that there are several solutions for minimizing stakeholder conflict. The first step to a conflicts free platform for is creating a balance of power. When reward power players (i.e. developers and government officials) are more involved in the engagement process they have the potential to gain a better understanding of public opinion of project. Overall the reduction of expert power in group and focusing on engaging the stakeholders who will be affected by the development improves the group dynamic. Through the use of conflict prevention techniques, community engagement can be highly effective and responsive to more interests.

Attributes of a transparent process and a responsive project: data points for collection
Developers can demonstrate a transparent process and a responsive project though:
- Dedicated website to providing information to community
- Proof of integrating community input into project plans
- Establish achievable yet challenging goals with milestone dates based on community input to be utilized as indicators of engagement success - percentage of delivery on agreed upon goals
- Number of community groups with involved in engagement process
- Feedback loop
EMPLOYMENT AND PROCUREMENT MEMORANDUM

To: CUNY Institute for State and Local Governance (ISLG)
From: Equitable Development Certification Studio (EDCS)
Re: Employment and Procurement

Introduction
The goal of this memo is to identify how best to measure the application of the ISLG equitable development guidelines. Primarily, this memo identifies existing approaches to guidelines for promoting equity in employment and procurement, including ways they may be achieved and how to measure the extent of that achievement. This document also includes suggestions to address shortcomings in the existing approaches and to develop metrics where they do not yet exist.

Expanded upon below, each guideline is divided into variables, then attributes.

Guidelines for Promoting Equity
Guidelines for promoting equity through employment and procurement include the following:
1. Provide living wages to all employees.
2. Ensure wage equity.
3. Hire employees from diverse, local, and disadvantaged groups.
4. Prioritize local or disadvantaged businesses when procuring materials or services.
5. Incorporate the above practices into lease agreements of commercial tenants.
6. Provide apprenticeship programs (in partnership with labor unions).

Measuring Equity
Guideline 1: Provide living wages to all employees.
A “living wage” is defined as a wage that is sufficient to meet the “local” cost of living.1 The Massachusetts Institute of Technology (MIT) is a leader in the field of living wage research, and the Department of Urban Studies and Planning has created a Living Wage Calculator for 381 metropolitan areas and all 50 states.2

The Living Wage Calculator defines geographic areas at the county, metropolitan area, state, regional, and national level.3 Therefore “local” refers to county-level costs of the following:

- Food
- Childcare
- Medical
- Housing
- Transportation
- Contents
- Miscellaneous

The basic needs budget includes cost estimates for items not otherwise included in the major budget components, such as clothing, personal care items, and household supplies.

Food: This is calculated by using the USDA’s low-cost food plan national average, which is adjusted based on family size and a regional adjustment factor.4

Childcare: Childcare costs are based on state-level estimates published by National Association of Child Care Resource and Referral Agencies.5

Health: The health component of the basic needs budget includes: (1) health insurance costs for employer sponsored plans, (3) medical services, (3) drugs, and (4) medical supplies. Costs for medical services, drugs and medical supplies were derived from 2015 national expenditure estimates by household size provided in the 2015 Bureau of Labor Statistics Consumer Expenditure Survey.7 Regional differences are accounted for using a regional adjustment factor. Health insurance costs were calculated using the Health Insurance Component Analytical Tool provided online by the Agency for Healthcare Research and Quality, which provides state-level estimates derived from the insurance component of the 2015 Medical Expenditure Panel Survey.8

Housing: The housing costs captures the likely cost of rental housing in a given area in 2016 using HUD Fair Market Rents (FMR) estimates. The FMR estimates are produced at the sub-county and county levels.9

Transportation: Transportation costs are calculated using the 2015 national expenditure data by household size from the 2015 Bureau of Labor Statistics Consumer Expenditure Survey including: (1) Cars and trucks (used), (2) gasoline and motor oil, (3) other vehicle expenses, and (4) public transportation.10 Transportation costs cover operational expenses such as fuel and routine maintenance as well as vehicle financing and vehicle insurance, but do not include the costs of purchasing a new automobile.11

Other necessities: The basic needs budget includes cost estimates for items not otherwise included in the major budget components, such as clothing, personal care items, and household supplies.12

Expenditures for other necessities are based on 2015 data by household size from the 2015 Bureau of Labor Statistics Consumer Expenditure Survey including: (1) Apparel and services, (2) Housekeeping supplies, (3) Personal care products and services, (4) Reading, and (5) Miscellaneous.13

Taxes: Tax expenditures are calculated based on estimates for federal and state taxes.14

Healthcare: The health component of the basic needs budget includes: (1) health insurance costs for employer sponsored plans, (3) medical services, (3) drugs, and (4) medical supplies. Costs for medical services, drugs and medical supplies were derived from 2015 national expenditure estimates by household size provided in the 2015 Bureau of Labor Statistics Consumer Expenditure Survey.7 Regional differences are accounted for using a regional adjustment factor. Health insurance costs were calculated using the Health Insurance Component Analytical Tool provided online by the Agency for Healthcare Research and Quality, which provides state-level estimates derived from the insurance component of the 2015 Medical Expenditure Panel Survey.8

Guideline 2: Ensure wage equity.

Wage equity should be calculated using the metrics set out by Just Organizations. Under the Just Organization’s framework, wage equity is measured by considering whether an employer practices pay scale equity, is union friendly, offers a living wage, practices gender pay equity, and is family friendly.

Pay scale equity: An organization is determined to practice pay scale equity if:
- It has a written and publicly posted policy on compensation (pay) scale equity, and
- It has a maximum compensation scale ratio of 1:15, where 1 represents the compensation of the lowest-compensated full-time employee and 15 represents the compensation of the highest compensated employee/senior executive.15
Guideline 3: Hire employees from diverse, local, and disadvantaged groups.
Equitable hiring practices should be calculated by considering the proportion of positions that are granted to:

- Veterans
- Women
- Historically marginalized racial and ethnic groups
- Residents of low-income neighborhoods
- Formerly incarcerated individuals
- Disabled
- Individuals who have experienced long-term unemployment
- Local residents

These are the variables involved in assessing whether an employer has hired from diverse, local, and disadvantaged groups. These demographic groups have been historically marginalized, and are overrepresented in unemployment figures. Proportions of these demographic groups should be compared to national averages of the groups compared with total population. If data is available, comparison of those hired from these groups should be compared to local averages.

There are no existing metrics for the specific set of diverse, local, and disadvantaged groups.

Guideline 4: Prioritize local or disadvantaged businesses when procuring materials or services.
Determining whether priority in the procurement process is granted to disadvantaged businesses can be assessed by looking at:

- Whether vendors for the project during the development process are recruited locally,
- Whether vendors for the project after completion are recruited locally, and
- Whether the project has contributed to growth among local businesses that are minority, woman, or veteran-owned. This can be calculated by assessing how many minority, woman, or veteran-owned businesses existed in the neighborhood prior to the development, and how many exist after completion.

These are the variables involved in assessing whether a development has granted disadvantaged businesses priority in the procurement process. The attributes to these variables include the number of minority, woman, or veteran-owned businesses that have sold materials or services at any part of the development process.

There are some existing metrics for the procurement process, such as MWBE certification and the programs which ensure that materials and services are procured by MWBEs, but the variables outlined above include veteran-owned businesses, which are left out of MWBE certification and procurement.

Guideline 5: Incorporate the above practices into lease agreements of commercial tenants.
Calculated by determining how many of the aforementioned guidelines are incorporated into lease agreements applicable to the project site. This is difficult to measure, but a standard against which it could be evaluated could be over half of the guidelines applied. This shows a good faith effort to incorporate employment and procurement into a lease agreement.

There are no existing metrics for this guideline.
Guideline 6: Sign and enforce a project labor agreement, labor peace agreement, or community benefits agreement.

Successful application of this guideline should be calculated by determining if a project labor agreement, labor peace agreement, or community benefits agreement has been signed. The process for developing these agreements should be in line with what is covered in the development process technical memo. A few core tenets of the process have been included below.

The process should be inclusive of all affected community members. One way to ensure inclusiveness is to conduct the process in all languages spoken by community members. The resultant documents should also be published in these languages and through a medium that is most accessible to community members. The process should also be democratic and give all affected community groups an opportunity to voice concerns.

An accountability mechanism should be included in any agreement. Follow-up processes should be written into the agreement, and recourse for any aspects of the agreement that are not met should be established. Successful execution of the agreement should be calculated by comparing the number of jobs offered to whom at what wage set out to outcomes at completion, and perhaps three years after.

For specific variables, attributes, and existing metrics, please refer to the Development Process technical memo and metrics package.

Guideline 7: Provide apprenticeship programs (in partnership with labor unions).

Successful execution of this guideline should be calculated by determining the following:

- Amount of apprenticeships offered
- Whether wages offered to apprentices are in line with living wage and wage equity measures outlined in guidelines 1 and 2
- Rate of hire at workplace after apprenticeship is completed
- Rate of hire in related job or field after apprenticeship is completed
- How wage after apprenticeship completion compares to average wage of demographic group, and total population at neighborhood (if data is available), city (if data is available), county, metropolitan statistical area, state, and national levels.

These are the variables involved in assessing whether an apprenticeship program is successful in promoting equity. The attributes to these variables include the rate of hire at workplace post-apprenticeship, and rate of hire in related job or field post-apprenticeship.

There are no existing metrics for this guideline.

Contextual Issues

Identifying Spatial Mismatch

Spatial mismatch literature is as wide and varying as the study of the roots of poverty. Because the guidelines for promoting equity in employment and procurement are so closely tied to geographic scale (i.e. defining “local”), the concept of spatial mismatch presents a contextual issue. While defining the geographic scale for the appropriate guidelines clarifies the spatial issues that should be matched with employment and procurement guidelines, they should consistently be revisited to assess if the decided upon scale is appropriate. Spatial mismatch literatures should perhaps be more rigorously incorporated into this research to justify why a certain scale has been decided upon as appropriate.

Identifying Outcomes Attributable to a Development

Identifying outcomes of equitable economic growth that are attributable to the development against which these techniques are measured could present some difficulty. For example, if the amount of minority, women, or veteran-owned businesses in a neighborhood, city, or county increases, how can one determine that this growth is due to a certain development? The cause of the increase could be due to government policy or outreach about incentives by actors not affiliated with the development project. It could even be possible that actors not affiliated with the project would specifically target new developments for outreach and policy measures to mitigate possible negative effects of the development.
To: CUNY Institute for State and Local Governance (ISLG)  
From: Equitable Development Certification Studio (EDCS)  
Re: Housing

Introduction
Housing Equity refers to the attempt by developers to provide affordable housing opportunities in a development. Lack of affordable housing is a nationwide problem, with more than one-third of all U.S. households considered cost-burdened. The problem is even more acute for renters, and it affects minority populations disproportionately.

Affordability cannot be determined with a static number or range applied nationwide. What is affordable in one state may not be affordable the next state over. For the purposes of this study, this memo will focus on affordable housing, and all related questions of equity, in New York City.

Below, this section looks at what is desirable and possible in developing housing that is more equitable, catering to all income and demographic brackets.

Guidelines for Promoting Equity
Techniques for promoting equity through residential developments include the following guidelines:
1. Maximize the quantity of affordable housing units within residential developments
2. Make affordable housing units permanently affordable
3. Include deeply affordable units
4. Provide supportive housing units for at-risk populations in the community
5. Expand opportunities for homeownership through community ownership
6. Reserve a percentage of units for existing disadvantaged residents of the neighborhood
7. Provide protections for existing tenants in building redevelopment projects

Measuring Equity
GUIDELINE 1: Maximize the quantity of affordable housing units within residential developments
Development projects that include housing should maximize the number of units that are affordable. A project that is 100% affordable is the ultimate goal, but it is often more financially feasible to balance a combination of affordable and market rate units in one project. This section will look at existing policy mechanisms which aim to create affordable housing units, provide an outline of metrics for measuring equity in new developments, and look at some of the merits and weaknesses of this guideline.

Existing Policy Mechanisms
There are existing policy mechanisms to create more affordable housing units, which are discussed in greater detail below. Generally, these policy mechanisms encourage developers to include affordable housing in their developments by incentivizing their construction alongside market-rate housing.

Low Income Housing Tax Credit Program: Federal tax credits, given in exchange for the development of affordable housing units, are the nation’s biggest source of funding for affordable housing. "Created by the Tax Reform Act of 1986, the LIHTC program gives State and local LIHTC-allocating agencies the equivalent of nearly $8 billion in annual budget authority to issue tax credits for the acquisition, rehabilitation, or new construction of rental housing targeted to lower-income households."

Inclusionary Zoning: Offers bonuses to developers of new market-rate developments who include a percentage of affordable units which remain affordable for a set period of time. "New York City’s Inclusionary Housing programs aim to promote neighborhood economic diversity in the City’s highest-density districts and in neighborhoods planned for significant residential growth. The City’s voluntary programs – the R10 and the Designated Area programs – offer an optional floor area bonus in exchange for creation or preservation of affordable housing."

Mandatory Inclusionary Housing: Within New York City, “MIH Areas” are those in which rezonings significantly increases the neighborhood’s capacity for residential development. Within these areas, developments with more than 10 units or 12,500 square feet must set aside space for permanently affordable housing. In these zones, construction of affordable housing is mandatory, not voluntary, and there is no expiration to the affordability requirement of these units.

Under a March 2016 New York City MIH proposal, the City Planning Commission and ultimately the City Council would apply one or both of these two requirements to each Mandatory Inclusionary Housing area (All AMI listed here are citywide):
- 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), or
- 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)
In addition to one or both of the options above, the City Council and the City Planning Commission could decide to apply one or both of the following options:

**Deep Affordability Option** (More information on Deeply Affordable Housing under Guideline 3 below)
- 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 family of three)
- No direct subsidies could be used for these units except where needed to support more affordable housing

**Workforce Option**
- 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 family of three)
- No units could go to residents with incomes above 135% AMI ($104,895/year for a family of 3)
- No direct subsidies could be used for these affordable housing units
- This could 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

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From NYC.gov MIH summary page

**Metrics Outline**

In order to maximize the number of affordable housing units in any new development, there would first have to be an understanding of the context into which the development is insinuating itself. What is the socioeconomic makeup of the neighborhood being impacted by the development? The metrics analyzing this section will collect this data, determining what “affordable” means for the neighborhood in question, and determining the extent to which the development achieves equity in such a context.

**Contextual Merits and Shortcomings**

A primary concern when considering this guideline is the fact that AMI (Area Mean Income) is tabulated based on the income of the greater metropolitan area. This broad-brush economic analysis would not be capable of capturing the nuances of income disparity from neighborhood to neighborhood. To work around this issue, instead of the AMI, researchers could analyze the NTA (Neighborhood Tabulation Area, formerly Neighborhood Projection Area). The NTAs are searchable by income and other data, and reduce to scope of the information down to a more manageable neighborhood level.

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A more bricks-and-mortar concern when discussing the maximization of affordable housing is the question of off-site affordable housing. If a developer builds off-site affordable housing as part of an Inclusionary Housing deal elsewhere in the city, will that affordable building be counted on its own? Or as part of the larger multi-part development? If it is counted on its own, it might be looked at as containing 100% affordable housing, making it highly successful on the equity scale. This doesn’t capture the full story, however.

**GUIDELINE 2: Make affordable housing units permanently affordable**

One component of the affordable housing crisis in New York City and other places is the expiration of affordable housing units. This section will look at existing policy mechanisms which aim to create permanently affordable housing units, it will provide an outline of metrics for measuring equity in new developments, and it will look at some of the merits and weaknesses of this guideline.

**Existing Policy Mechanisms**

Many forms of publicly-subsidized, privately-owned affordable housing are only affordable for a set period of time. A 30-year life span is touted as long-term affordability, but the recent and upcoming expiration dates on projects developed in New York City in the last few decades will exacerbate an already dire need for affordable housing citywide. It is therefore critical to include permanently affordable units in projects.

Requiring developments to not only include affordable housing, but to guarantee that the affordable units will remain affordable permanently, will help to ensure long-term inclusive communities. Permanently affordable housing provides stability in addition to economic diversity to the community in which it is included.

Currently, under New York City’s Inclusionary Housing Policy, any affordable housing units developed to generate a zoning bonus must remain affordable as long as the market-rate housing that receives the bonus continues to use that bonus. In contrast, affordable units provided under 421-a currently must remain affordable for 35 years.

There is some concern about the long-term economic viability of developments containing permanently affordable units, particularly in developments where a majority of the units are affordable, and particularly after any temporary...
tax incentives expire. In theory, in year 36 of a 421-a building’s life, affordable units can become market-rate, the higher rents making up for the substantial rise in operating costs the building will experience due to the loss of its tax incentives. It is unlikely, however, that making units permanently affordable would put these developments at risk for financial insolvency in the absence of their economic incentives. Particularly in buildings with a majority of market-rate units, the income from those higher-paying units will generate more than enough income to cover the building’s operating costs.

**Metrics Outline**

### Contextual Merits and Shortcomings

The riskiest part of permanent affordability has to do with the economic viability of the housing in the long-term. Most time-limited affordable housing expires along with whatever subsidies were provided to the developer which made the affordable units able to be supported as part of a financially healthy building. There is a risk that, without some guarantee of the housing’s financial stability in addition to its contractual promise of permanent affordability, the development would become insolvent after the expiration of its subsidies. What would then happen to the affordable housing and its tenants?

**GUIDELINE 3: Include deeply affordable units**

This section will look at existing policy mechanisms which aim to create “deeply” affordable housing units and it will provide an outline of metrics for measuring equity to this effect in new developments.

**Existing Policy Mechanisms**

Over the last decade, the New York City affordable housing policies implemented by both the de Blasio and Bloomberg administration’s overlook a large population of low-income New Yorkers. Despite efforts to combat the affordable housing crisis, the majority of the units made available through housing policy are not accessible to the most vulnerable New Yorkers. Deeply affordable units available to low- and extremely-low income renters is an important factor when considering the equity of a development project. Under the current Mandatory Inclusionary Housing (MIH) plan, developers are able to build affordable housing at 60% to 120% of the Area Median Income (AMI) while excluding low- and extremely-low income renters is an important factor when considering the equity of a development project. Under the current Mandatory Inclusionary Housing (MIH) plan, developers are able to build affordable housing at 60% to 120% of the Area Median Income (AMI) while excluding low- and extremely-low income renters is an important factor when considering the equity of a development project. The Area Median Income is the combined average household income for a metropolitan area calculated annually by the U.S. Department of Housing and Development (HUD). The AMI of an area sets the rent of subsidized units and what income brackets qualify to rent those units. The New York City Metropolitan area is comprised on the five boroughs and the surrounding suburban counties such as Westchester. JOE NYC or other partnerships between nonprofit developers could greatly improve affordability of housing as non-profit developers offer deeply affordable unit for the lowest income household in New York City.

**Metrics Outline**

<table>
<thead>
<tr>
<th>Subsection</th>
<th>Variable</th>
</tr>
</thead>
<tbody>
<tr>
<td>Permanent Affordability</td>
<td>Does the lease clearly state the tenants’ ability to re-sign at affordable rate?</td>
</tr>
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The Real Affordability for All coalition proposed that the rezoning of a neighborhood should include the creation of a special-purpose districts which will take into consideration the need of the residents of the community. Furthermore, developers will be required to build affordable units based on the median income of the established district. The implementation of special-purpose districts would result in developments that are not only deeply affordable but respond to the needs of the existing community.

Traditionally, non-profit developers built the majority of New York City’s affordable housing units but as free and city-owned land has become scarce, non-profit developers have been forced to compete for land with for-profit developers for land. While recent affordable housing policies incentivize for-profit developers to provide affordable units, the units are converted to market rate as soon as the subsidies expire. Therefore, encouraging non-profit developers to build affordable housing will ensure lasting affordability. JOE NYC or other partnerships between nonprofit developers could greatly improve affordability of housing as non-profit developers offer deeply affordable unit for the lowest income household in New York City.
GUIDELINE 4: Provide supportive housing units for at-risk populations in the community

Supportive housing is deeply affordable housing that is specifically designated for at-risk populations and is supplemented with the on-site social services required to help these populations maintain healthy lifestyles.15 Candidate populations for supportive housing include people experiencing homelessness; individuals coping with mental illness, chronic physical illness, or addiction; and survivors of trauma or abuse, among others.16

As the scope of services required to support these at-risk populations is generally outside the expertise and organizational capacity of real estate developers, in most cases developers will need to partner with local community organizations to meet this requirement and serve vulnerable populations. The most appropriate community partner depends upon the geographic location of the project and the target population being served, as identified in the stakeholder analysis done during the Development Process. Similarly, the appropriate quantity of supporting housing units designated for at-risk populations within a given development depends on the level of community need.

Within New York City, the Supportive Housing Network of New York (“the Network”) is an association of nearly one hundred nonprofit organizations that provide essential health and wellness services to various demographic and geographic communities within the five boroughs.17 Potential partner organizations within the Network for supportive housing include:

• Nazareth Housing, a city-wide supportive housing organization that provides residents case management services, urgent needs assistance, translation services, financial literacy training, youth programs, and other essential services18
• WellLife Network (formerly PSCH, Inc.), a 501c(3) corporation that partners with businesses, government, community groups, and other organizations to provide over 25,000 New Yorkers substance abuse treatment, behavioral health services, support for intellectual and developmental disabilities, family support, career training, and other services.19
• Housing Works, a community organization serving people with HIV/AIDS that offers discounted primary care, mental health and addiction services, case management, legal services, and youth prevention programs.20
• Transitional Services for NY, Inc., a not-for-profit mental health corporation that has partnered with the city and state government to provide outpatient mental health services, professional development services, and independent living support to more than 4,000 New Yorkers each year.21

Contextual Merits and Shortcomings

Metrics will study neighborhood concentration of disadvantaged residents, linkage with community-based, direct services based organizations, and provision and lease agreements for deeply affordable units.

The guideline is aspirational, and the history of supportive housing indicates that without significant tax credits and homeless assistance federal grants (the McKinney Homeless Housing Assistance Program and the Low Income Housing Tax Credit Program has largely been credited for spurring the current flux of nonprofit housing developers), developers are not likely to build them of their own volition.

GUIDELINE 5: Expand opportunities for homeownership through community ownership

Facilitating the community’s ownership of residential property can contribute to social equity both by providing disadvantaged social groups access ownership stakes in their residences and also ensuring the long-term affordability of new residential units created. Two models of community ownership that can achieve these goals are community land trusts and limited equity housing cooperatives.

Any household earning less than $114,000 a year will have a tough time even considering homeownership in NYC. 78% of total NYC households earn less than $114,000. 51% of NYC households are low to moderate income. Only 3% of home sales are affordable to Low-Income Households, and only an additional 6%is affordable to Moderate Income households.22 23

A Community Land Trust is a model of collective ownership in which a local non-profit organization acquires a parcel of land in the community, forms a governing body (the trust), and then sells the residential units on the site to occupants while retaining the trust’s ownership of the land itself.24 Excluding the sale of the underlying land from the transaction reduces the cost of homeownership for prospective buyers and also allows the trust - governed by the residents of the units sold, outside community members, and experts from the organizing non-profit - to later set the resale prices of these residential units and keep the them affordable for future buyers from the community.25 In July of 2017, Enterprise awarded NYC $1.65 million to fund four initiative that will expansion or form Community Land Trusts.

A Community Land Trust can also provide other services to assist with homeownership for lower income residents. A CLT can forgive interest on the mortgages for the housing structures, thereby lowering monthly payments and increasing equity. Also, a CLT can also expand opportunities for financing.

A Limited Equity Housing Cooperative is an organization formed by a non-profit, government entity, or other organization owning a residential building. The cooperative sells shares in the building owned, which represent the unit being purchased, at prices well-below market value to community members whose incomes fall within a target range (generally, some fraction of the area median income).26 As with community land trusts, the cooperative has control over the future resale price of shares in the building, ensuring the units remain affordable for future buyers.

Contextual Merits and Shortcomings

In evaluating a development’s contribution to social equity through the lens of expanded opportunities for ownership via community ownership, the data collected on this indicator is likely to have a binary character -- either the developer is a non-profit facilitating collective ownership or it is not; collective ownership either makes homeownership possible for all of the residents of the building or there is no collective ownership at all; either collective ownership models ensure affordable home prices in the development for the future sales or private ownership dictates market prices prevailing; etc. Furthermore, this technique is likely only used by non profit real estate developers.

GUIDELINE 6: Reserve a percentage of units for existing disadvantaged residents of the neighborhood

Community-preference affordable housing - the practice of reserving half of the affordable units in a new...
development for current residents of the community board - is a controversial practice, one which critics charge perpetuates economic and demographic segregation in the city.27 In economically stable neighborhoods, on both ends of the economic spectrum, this is likely the case - preference for current community residents can prevent residents of color joining wealthier, white neighborhoods in different community boards and confine this population to economically-distressed communities.28

With that said, this affordable housing practice does have utility in transitioning neighborhoods, where gentrification is creating displacement in formerly lower-income communities. In such neighborhoods, prioritizing current residents for affordable housing units can allow a portion of these residents to remain in their current communities despite the rising rental market, yielding greater social equity by allowing these residents to benefit from neighborhood uplift, increased amenities and investment, and better social services.29

Since the benefits of community preference are highly context-dependent, and the practice has the potential to both increase and decrease social equity, it is important to distinguish between a gentrifying neighborhood -- where this intervention is appropriate and yields greater social equity -- and economically stable neighborhoods. The NYU Furman Center defines gentrifying neighborhoods as low-income neighborhoods experiencing rapid rent growth, as defined by the following two criteria:

- The neighborhood’s average income was in the bottom 40 percent of neighborhoods in 1990.30
- The neighborhood’s average rent growth from 1990 to 2014 exceeded the median average rent growth for all neighborhoods in the city over the same period (22.5%)31

In the Furman Center’s analysis, 15 of the city’s 22 low-income neighborhoods were identified as experiencing various degrees of gentrification, from the astounding 78.7% average rent increase in Williamsburg / Greenpoint to the relatively modest 18.1% average increase in South Crown Heights.32 In neighborhoods experiencing rent increases like these, community preference in affordable housing lotteries has the potential to mitigate the displacement of current residents and thereby increase social equity.

Thus, the variables to be assessed for this guideline are as follows:

- Does project site fall within one of the fifteen gentrifying neighborhoods identified within the NYU Furman Center report on gentrifying neighborhoods?
- Percentage of affordable housing units in the development reserved for existing residents of the community board.
- Number of total units reserved for existing residents of the community board.
- Percent of total affordable housing units reserved for existing residents of the community board. The attributes to these variables reflect the degree to which a developer is willing to house existing disadvantaged residents.

Contextual issues include the length of time that existing disadvantaged residents are offered units within the development, and how to account for shifting demographics as a result of the development.

GUIDELINE 7: Provide protections for existing tenants in building redevelopment projects

For development projects requiring the demolition or renovation of existing housing, and particularly existing affordable housing, it is imperative that the developers prevent the displacement of current tenants and minimize construction’s disruption to their daily lives. The Minnesota Housing Justice Center, an affordable housing advocacy group and legal resource based in St. Paul, recommends the following developer actions to mitigate disruption and prevent displacement:

- One-for-One Replacement: Developers should replace all units destroyed during renovation/demolition with an equal number of affordable housing units in the new project, in a separate project located in the same neighborhood, or by paying a fee (equal to the cost of redeveloping each unit destroyed) into a government fund for the development of affordable housing. In cases where developers are replacing the units themselves, new units developed should have the same number of bedrooms as the units demolished to reproduce the residential capacity of the units destroyed.33
- Right of First Refusal: Before the owner of a building may transfer its ownership to another party or issue a notice to vacate for demolition, residents of the building should be provided 120 days to negotiate a contract for sale and an additional 120 days to close that sale.34 Though this recommendation may be less applicable in New York City than Minneapolis, owing to the relative strength of the two cities’ real estate markets and the stronger rent culture in New York, this protection may -- in some cases -- allow tenants to retain control of their buildings rather than face eviction and displacement.

In addition, many American jurisdictions have ordinances applicable to the destruction and replacement of affordable housing, restrictions on the redevelopment of occupied rental housing, and mandates for relocation assistance for displaced tenants. These state and municipal ordinances prescribe behaviors for developers and landlords whose redevelopment plans impact current tenants, and help preserve social equity for those affected by redevelopment.

- The State of California requires cities permitting the destruction or replacement of affordable housing to adopt ordinances providing on-site replacement, the replacement of units within a three-mile radius, or the payment of a fee [in cases where meeting the previous requirements is not feasible].35
- Arlington, Virginia requires one-for-one replacement of affordable housing units destroyed within certain development corridors, as counted by the number of bedrooms in the old units demolished and new units built.36
- The City of Boston requires developers provide elderly, disabled, and low or moderate-income tenants a five-year notice period before converting rental housing units into condominiums. All other tenants must receive one year’s notice prior to conversion.
- The City of San Diego requires renters receive a 180-day notice to vacate when rental housing is converted into condominiums and a 90-day right of first refusal to purchase the condo unit being created. In addition, when the citywide rental vacancy is at 7% or below, the developer must provide rental relocation assistance equaling three months’ rent to tenants at 100% of AMI or below.37
- Los Angeles requires landlords redeveloping rental property to provide elderly tenants, tenants with disabilities and tenants with children a $5,000 relocation fee, all other tenants a relocation fee of $2,000. Landlords must also provide displaced tenants a list of comparable apartments for possible relocation, and free transportation to
• The State of Virginia allows its municipalities to require landlords to reimburse displaced tenants for their relocation costs, without limitation on the amount reimbursed.

Contextual Merits and Shortcomings

The metrics will measure physical replacement of new units for displaced tenants, appropriate notice to tenants regarding redevelopment or demolition plans, appropriate compensation for tenants, and provide the “right of first refusal to tenants.”

There have been some criticism about the effectiveness of one-for-one replacements. For example, larger units may get replaced by a smaller unit and displace larger households. Units have also been built off-site in outside sites, breaking existing relationships between the households, their neighbors, and their community.

The Contextual Issues

• Shortcomings of AMI as a measure of an area population’s wealth: an AMI could be skewed by a small number of luxury developments in a rapidly-gentrifying area, leading to questionable measures of what the area’s real average income might be. If AMI is unreliable, what alternatives are there that would better protect a neighborhood from being overcome by luxury development?

• How to measure affordability over time: whether to account for a neighborhood’s shifting demographics/tax base (gentrification) or not. What is considered affordable for a neighborhood this year might not be affordable in five or ten years, depending on the rapidity of the neighborhood’s change. Does the development’s measure of equity change over time?

• How to account for location of affordable units within a city with a widespread housing shortage: meaning, if there are affordable units built in one section of the city, but the tenants who need it live elsewhere and are forced to relocate to take advantage of the development, is this equitable? Or is the uprooting a mark against the project’s equitability?

• Potential for segregation, both economic and racial, when low-income housing is concentrated in a particular area. Should racial or ethnic diversity, and even diversity of ages be taken into consideration when measuring equity of a development? Can it be measured and quantified when a development is contributing to the ghettoization of a particular class of people?

To: CUNY Institute for State and Local Governance (ISLG)
From: Equitable Development Certification Studio (EDCS)
RE: Crosscutting Research on Geography & Scale

Introduction:

The CUNY Institute for State and Local Governance (ISLG) has assigned five target areas for which the Equitable Development Certification Studio (EDCS) is developing metrics for evaluating equity in real estate development projects. These target areas are: the Development Process, Employment and Procurement, Designated Space, Housing, and Design Standards.

This memorandum identifies possible geographies and scales to be incorporated into EDCS’s development of metrics across ISLG’s target areas. The document will focus on geographic and scale questions as they relate to Employment and Procurement, Designated Space, and Housing, as Design Standards are specific to the project site itself and the various stakeholder analyses and plans discussed in the Development Process already have built-in geographies. The document will conclude with an examination of developments by scale and possible standards to be applied to groups of buildings clustered on the same site.

Project Geography

Employment and Procurement:

In the October 4th meeting between ISLG and EDCS – during a discussion of what constitutes the community that should benefit from development – ISLG indicated EDCS’s employment and procurement standards should likely be applied to the city as a whole rather than a particular subsection of it. Focusing on local hiring preferences for city residents, without additional restriction on neighborhood of residence, is consistent with other large cities’ stipulations for publicly-funded work (both locally- and federally-funded projects). Among municipalities with local hiring preferences, the amount of work that must be performed by local (city) residents peaks at 50 percent:

• San Francisco: A 2010 city ordinance, which features a provision for escalating local participation in government-funded projects over time, will ultimately require that half (50%) of the work and apprenticeship hours on all publicly-funded projects to be completed by city residents.1

• New Orleans: During the rebuilding period following Hurricane Katrina, the city sought to curb unemployment within its limits by requiring at least 30 percent of work on city contracts be performed by city residents. Of that 30 percent, 10 percent was specifically reserved for impoverished city residents.2

• Syracuse, NY: A 2016 city ordinance requires 20 percent of workers employed by city contractors to reside within city limits.3

For projects funded under the FHWA’s Special Experimental Project No. 14, an Obama-era USDOT program providing incentives for local hiring for infrastructure projects, the geographic unit used is also no smaller than the city limits and the percentage of local hires is roughly 50 percent or less:4
• Washington, DC: The South Capitol Street Corridor project requires 51 percent of new hires to be local residents, defined as residents of the District of Columbia.5
• San Bernardino, CA: The I-10 Pepper Avenue Interchange project requires 20 percent of new hires to be local residents, defined as residents of San Bernardino County, and has a local hiring goal of 40 percent.6
• Baltimore: The West Baltimore/Fulton Avenue Bridge project requires 51 percent of new hires to be local residents, defined as Baltimore city residents.7
• Chicago: The Oakwood Viaduct project requires at least 20 percent of contract labor hours are performed by Chicago city residents.8

That said, many Community Benefits Agreements (CBAs) – from projects within New York City and across the United States – offer narrower conceptions of the local community to be targeted for employment opportunities resulting from development:

• Atlantic Yards CBA: The project’s First Source Hiring Program prioritizes low- and moderate-income residents of the Neighboring and Surrounding Communities for employment. In the context of the Atlantic Yards CBA, the Neighboring Community is defined as residents of Brooklyn Community Boards 2, 6, and 8, while the Surrounding Community consists of people residing within a 2-mile radius of the project.9
• San Diego Ballpark CBA: The ballpark developer was required to coordinate recruitment efforts with community leaders in the Neighboring Communities, defined in this CBA as the area bounded by Highway 94 to the north, the San Diego Bay to the southwest, Interstate 15 to the east, and the project site, plus the Centre City community planning area.10 This Neighboring Communities area is immediately east and southeast of the project site, and is approximately 6 square miles in size.
• Columbia West Harlem CBA: The target workforce for this project is 40% from Minority populations, Women, or Local Residents. Local Residents, in this CBA, constitute the residents of Manhattan Community Districts 9, 10, 11 and 12.11
• L.A. Live / STAPLES Center CBA: The developer prioritized training and employing individuals who fell within the following categories: those whose residence or place of employment has been displaced by the STAPLES Center project, low-income individuals living within a three-mile radius of the Project, and individuals living in low-income areas throughout the city.12

Given these smaller geographies identified within many CBAs, EDCS recommends first collecting baseline data on the number of employees who are city residents – as this is the preferred metric in many city ordinances and in various federally-funded projects – and supplementing that data with additional counts of employees that are residents of the project’s community board or live within a 2-mile radius of the project. Scoring could account first for the sheer percentage of workers living within city limits (or the percentage of work hours performed by city residents), and then provide bonuses for the subset of workers living within the project’s community board or within a 2-mile radius of the project site (to incentivize hiring within the community most directly affected by the project).

Desgnated Space:
Designated space may take many forms, such as a community center, health clinic, park, recreation center, or grocery store. To determine the impact of a project’s designate space, a metric is required that estimates the number of anticipated users of such a space. Ideally, this metric would account for not only the sheer number of beneficiaries of this space, but also the breadth of the space’s catchment area (i.e., it should determine the specific geographic communities being served by the space created).

The New York City Environmental Quality Review (CEQR) is the process by which the city’s agencies evaluate the environmental impacts of projects under their review. Among the environmental impacts considered is the number of trips – on foot, by transit, and by car – that the project will produce. The values in the following CEQR trip table estimates the number of trips, across all forms of transportation, associated with various facilities by size (in square feet or acres). To estimate the total number of users per unit of space created, the values in the CEQR table can be halved to adjust for the inherent double counting in a trip generation table, which accounts for both the trip to and from the asset created.

Alternative trip generation tables are available from Institute of Transportation Engineers (ITE), which also estimates the number of people using a built asset (to anticipate vehicular traffic flows). However, since ITE assumes automotive transportation in a suburban context, these measurements may be less applicable to projects in New York City than in the city.
After estimating the total users of the space being created through using the CEQR table or an alternative trip generation table, a decay model can estimate the geographic distribution of these users of designated space (i.e., whether they are coming to the designated space from within the neighborhood, the wider city, or points beyond). Decay models assume usage of the space is greatest among people living closest to it, and that the likelihood of a given person using the space decreases as their travel time to the space grows.

Matthew McGrail, of Monash University (Australia), offers a spatial accessibility model (the Two-Step Floating Catchment Area [2SFCA] method) for predicting the willingness of health care patients to travel various distances for their health care. McGrail’s decay model assesses the likelihood of patients traveling for intervals of under 10 minutes, 11-20 minutes, 20-30 minutes, and 30-60 minutes. Though this particular analysis is focused on access to primary health care, the underlying principles of decay models have wider application for identifying the likely user bases other community assets.

Decay model based on travel time: <10 mins, 10-20min, 20-30 mins, 30-60 mins
Fast step-decay: weightings \( w = 1, 0.60, 0.25, 0.05 \)
Slow step-decay: weightings \( w = 1, 0.80, 0.55, 0.15 \)
Continuous decay: weightings \( w = 1 \) for the first 10 minutes, \( w = 0 \) for more than 60 minutes, and \( w = (60-d)/(60–10)^{1.5} \) for distance/time (d) between 10 and 60 minutes.

Other existing decay models examine the distances area residents travel to urban parks and the distances consumers travel to shopping centers. These and other decay models can be used to approximate the number of community residents as defined in the following Housing section—will benefit from the project after determining a baseline estimate of the total number of users.

Housing:
A defining feature of equity in housing is affordability. One of the most pertinent scale questions related to affordable housing is the ideal geography for the baseline Area Medium Income (AMI) used in affordable housing calculations. Currently, AMI in New York City is calculated using income data from the five boroughs and Putnam County, per instruction from the U.S. Department of Housing and Urban Development (HUD). This metric is problematic; as the breadth of this dataset does not account for the vast differences in household income across New York City’s many neighborhoods.

In response to this issue, State Senator Tony Avella introduced bill S4455 to the New York State Senate on February 15, 2017. Senator Avella’s bill, if passed, would change the way AMI is calculated in New York City, as it will require all affordable housing programs in a city with a population over one million to calculate the AMI using data from the zip code where the project will be located rather than the metropolitan AMI.

The map to the right shows the size of a selection of zip code boundaries in southeastern Manhattan, western Queens, and northern Brooklyn.

However, postal codes were not developed with social science measurement in mind, and are not likely the best geographic unit for neighborhood evaluation. An alternative unit of measurement, one which is better suited to AMI calculation than zip codes, is the Neighborhood Tabulation Area (NTA), created by the NYC Department of City Planning (DCP).

The map to the left shows the NTAs for approximately the same areas. The NTAs are comparable in size to zip codes, but are generally more standard in shape (i.e., they look less gerrymandered than the ZIP codes, some of which are oblong shapes following waterfronts that don’t continue inland).

DCP’s NTAs are groups of Census Tracts made up of ~30,000 people that are entirely contained within one of the following demographic areas.
the city’s Public Use Microdata Areas (PUMAs), which approximate the city’s Community Districts. This alternative unit provides a more accurate assessment of community income levels than zip codes, as the NTA was specifically designed to measure neighborhood demographic characteristics within the city.

DCP has also built an interface around this unit of neighborhood measurement – the NYC Census FactFinder – that allows users to instantly retrieve Decennial and five-year American Community Survey Census data for a selected NTA. Neighborhood Tabulation Areas are thus the recommended neighborhood unit for use in this project, as they adequately approximate the city’s neighborhoods and the community data within this set of boundaries is available for immediate use.

**Project Scale**

**Individual Buildings:**

Turning to the developments themselves, relevant scale questions include:

1. Should there be a minimum development size for a project to be evaluated?
2. How should developments of different sizes be evaluated?

For these questions, the New York City’s standards for mandatory inclusionary housing (MIH) may be of use. Within the recently rezoned areas that are subject to MIH, “the [zoning] text amendment requires permanently affordable housing set-asides for all developments over 10 units or 12,500 zoning square feet.” The city set this threshold for MIH after a group of its consultants, led by BAE Urban Economics, Inc., determined that developments of this size would remain financially feasible (defined as providing a 6% yield for the developer) after incorporating affordable housing. ISLG may wish to use this development size as a minimum size threshold for some scoring categories, in particular affordable housing, or perhaps as a boundary between tiers of more and less stringent standards applied in Phase 3 of the project.

In conducting their financial feasibility analysis, the city’s consultants tested three “building prototypes” of different sizes, identified by DCP. These three sizes are: “low-rise” buildings, defined as seven-story structures within R7A zoning districts; “mid-rise” buildings, defined as 10-story buildings within R7D districts; and “high-rise” buildings, defined as 30-story buildings within R10 districts. These three size categories may be useful for the scoring of projects conducted in Phase III, as projects of different scales will have different capacities for offering concessions that contribute to social equity in their communities.

**Groups of Buildings:**

Another development question of scale concerns a group of buildings constructed on the same site, at the same time, by the same developer. That question is: can such a group of buildings be considered as a whole for the purposes of measuring equity, or should each individual building be considered in isolation?

LEED’s “Campus Guidance” – used to obtain LEED certification for an assemblage of buildings being constructed on the same site (either clustered on the same parcel, as a group, or within close physical proximity, comprising a campus) – may be instructive here.

LEED offers its certification to groups of buildings (or campuses) to foster a holistic approach to project development and to yield the developer economies of scale in the certification process. To be eligible for consideration as a group or campus, LEED requires the projects:

- Be situated on a shared site that is controlled by a single entity
- Undergo construction at the same time and on the same construction contract
- Each independently qualify for the selected LEED rating system
- Include all buildings within the site, without selectivity or exclusion (unless specifically exempted by LEED)

These criteria appear to be equally useful for determining whether groups of related buildings should be eligible for consideration as a group in the Equitable Development Certification program. Thus, similar standards, permitting the consideration of multi-building developments as a single project, are recommended for the future phases of this program.
**Introduction:**

This memo identifies various development classifications that are commonly used in the real estate industry. It should be noted that while these definitions and classifications were derived from industry-focused organizations (such as the Urban Land Institute), a primary component of all classifications is the relationship between the project and their immediate surroundings. Definitions and classifications are subject to change--new classifications of buildings are emerging as the country becomes more densely urbanized and less industrialized. For the purposes of this project, only New York City examples and applicable zoning for the different types of developments were included.

**Residential**

Residential development is primarily classified by ownership and height/density. Projections indicate that the demand for apartments and condominiums will increase as those from the baby boomer generation and generation X (individuals born from 1961-1981) move into cities.

Implications for Measuring Equitable Practices: To promote equity, multi-family housing would be the optimal route. Developers that are looking to build mid-rise or high-rise development in non-contextual zones (contextual zoning mandates that new development adhere to the existing heights of its surrounding homes) will be most amenable to equity requirements--additional units allow for a higher profit margin and therefore can absorb costs associated with equity focused interventions.

### Types of Residential Development

<table>
<thead>
<tr>
<th>Category</th>
<th>Sub-Type</th>
<th>Definition</th>
<th>Example</th>
<th>NYC Zoning</th>
</tr>
</thead>
<tbody>
<tr>
<td>Single-Family (Owned)</td>
<td>Townhouses</td>
<td>Attached, single-family units in separate lots.</td>
<td>R1 and R2 districts only allow detached residences.</td>
<td>R5, R6, R7, R8 R9 and R10</td>
</tr>
<tr>
<td>Multi-Family (Owned)</td>
<td>Condominium</td>
<td>Individuals or households own a unit. A unit is defined as the dwelling enclosed by the unit's interior walls and a share of the common areas. Condominiums are typically low-rise, mid-rise, or high-rise in terms of density.</td>
<td>363 Bond Street, Downtown, Brooklyn</td>
<td>Varies.</td>
</tr>
<tr>
<td>Multi-Family (Rental)</td>
<td>Cooperatives</td>
<td>Individuals or households do not own units, but own shares in the corporation that holds the titles to the buildings. In this arrangement, residents technically lease their units from the corporation. Cooperatives were originally built for high-income residents but have since shifted to provide housing for middle and low-income residents.</td>
<td>The Rembrandt, West Village, R5</td>
<td></td>
</tr>
<tr>
<td>Multi-Family (Rental)</td>
<td>Low-rise</td>
<td>Three-to-four story walk-ups or elevator buildings. Usually parking is provided either above the building or underground, depending on the zoning regulations. Densities range from 40 to 90 units per acre.</td>
<td>Three-story residential building, Kensington, R5</td>
<td></td>
</tr>
<tr>
<td>Multi-Family (Rental)</td>
<td>Mid-rise</td>
<td>Five-to-eight stories. Mid-rise multi-family housing have a elevators and central hallways, allowing access to all apartment units on each floor. Densities range from 60 to 120 units per acre.</td>
<td>Residential building, Brooklyn Heights, R6 and R7</td>
<td></td>
</tr>
<tr>
<td>Multi-Family (Rental)</td>
<td>High-Rise</td>
<td>More than eight stories, with a minimum of 80 units, elevator building. Depending on the parking requirements, parking may be located in the surface area around the building, below the first floor of the building, a separate full-fledged parking structure, or in a below-grade parking garage. High-rise residential units are typically the most expensive in terms of construction costs because a reinforced steel or concrete frames that must be used to support the height of the building.</td>
<td>One 57, Upper East Side, R8 R9 and R10</td>
<td></td>
</tr>
</tbody>
</table>

### Commercial

Office developments are characterized by both their types and class. Commercial building classes are determined by use/ownership, and location. However, the classes are primarily based on the regional market. For example, a Class A building in Pasadena, California will not necessarily be as taller or offer as many amenities as a Class A commercial building in New York City. Due to land costs, the value of the developments can vary widely--hence, the location of the office buildings can determine the types of tenants that the building can attract. The figure below outlines how a varying qualities contribution to commercial classifications.

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1. Of all types of real estate development, residential development is most influenced by federal tax policy.
2. Brownstones are brownstone-front townhouses.
3. Park Slope.
4. Cooperatives were originally built for high-income residents but have since shifted to provide housing for middle and low-income residents.
5. A Class A building in Pasadena, California will not necessarily be as tall or offer as many amenities as a Class A commercial building in New York City. Due to land costs, the value of the developments can vary widely--hence, the location of the office buildings can determine the types of tenants that the building can attract. The figure below outlines how a varying qualities contribution to commercial classifications.
Implications for Measuring Equitable Practices: Encouraging commercial building developers to seek equitable uses will be difficult. Although green buildings (and the subsequent LEED certifications) have recently helped developers classify their buildings as Class A buildings, developers have little to do with the type of tenants and the day-to-day operations. Commercial management companies (separate from real estate developers) often control leases and agreements with tenants and are incentivized financially to seek companies that can afford to pay higher rents, making it difficult to encourage them to service disadvantaged business owners. In addition, the fluidity of office spaces means that the impacts of one agreement with a tenant or developer could be short lived—the average New York City commercial lease varies from three-to-five years. However, pressure can be put on “anchor” tenants—commercial tenants who lease large amount of space. In some cases, commercial developers build out a building with a specific tenant in mind who have committed to a long-term lease. For example, Coach is considered an anchor tenant for a development in Hudson Yards.

Industrial

The decline of the manufacturing industry has decreased the development of heavy manufacturing developments. Heavy manufacturing developments are now primarily built away from large urban areas due to the higher land costs, space needed, and restrictive zoning. Negative environmental impacts have also prompted municipalities to encourage lighter, high-tech manufacturing.

Implications for Measuring Equitable Practices: Industrial developments differ from residential and commercial developments because manufacturing facilities are often built for a specific company’s process, and are not generally interchangeable. Tenants of manufacturing spaces will stay for longer periods of times than tenants of commercial or residential developments. Developers of industrial spaces are typically developers who built a project with a tenant in mind who have committed to a long-term lease. For example, PepsiCo is considered an anchor tenant for a development in Westchester.

<table>
<thead>
<tr>
<th>Building Type</th>
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</thead>
<tbody>
<tr>
<td>Garden Office</td>
<td></td>
<td>Low-rise office buildings that are often clustered together, often with an office park. These developments differ from corporate campuses because they serve a variety of different tenants.</td>
<td>N/A</td>
<td>N/A</td>
</tr>
<tr>
<td>Mixed-Use Development</td>
<td></td>
<td>A building with a combination of two significant revenue streams, which can a combination of retail, office, or residential. Typically suburban mixed use developments cover more area than urban (100 acres) and are composed of different buildings at various heights.</td>
<td>The Hub, Bronx</td>
<td>C4 and C5, but varies with special permits and zones.</td>
</tr>
<tr>
<td>Flex Space/ Business Parks</td>
<td></td>
<td>One or two story buildings in business parks that have a small office space with a majority of light industrial and warehouse space. Several buildings with varying tenants and uses, from light industrial to office. Developments usually span several acres. Flex-space office buildings that can be used for laboratory space and limited warehouse spaces are typically located in business parks.</td>
<td>Eastman Business Park, Rochester, NY</td>
<td>N/A</td>
</tr>
<tr>
<td>Neighborhood Offices</td>
<td></td>
<td>Neighborhood offices’ tenants serve local residents, providing professional services to local residents and other local businesses. Neighborhood offices can be integrated into the local shopping buildings or occupy free standing buildings.</td>
<td>447 6th Avenue, Park Slope</td>
<td>C1 and C2 zones, overlay in residential zones</td>
</tr>
<tr>
<td>Central Business District</td>
<td></td>
<td>Due to relatively higher land costs, office buildings in the central business district are generally taller. Companies that require high-quality prestigious space such as Fortune 500 companies, law firms, financial institutions, or government agencies are the typical tenants.</td>
<td>World Trade Center, Downtown Manhattan</td>
<td>C6</td>
</tr>
<tr>
<td>Suburban</td>
<td></td>
<td>The rise of suburbanization in post 1950s has also lead to the rise of office buildings in the suburbs. Suburban office buildings are usually built near freeway intersections or major suburban shopping centers. Tenants include regional offices of national corporations, high-tech and engineering firms, and service organizations that do not require a location in the central business district.</td>
<td>PepsiCo, Headquarters, Westchester</td>
<td>N/A</td>
</tr>
</tbody>
</table>
mind or are the manufacturer themselves. Agreements with industrial developers will most likely have a longer term impact than commercial developers. It should also be noted that new industrial developers have more influence over the day-to-day operations than traditional commercial developers because industrial developers often do not build speculatively but with a commitment from a tenant. Similar to an anchor tenant, both the developer and tenant can have early discussions and compromises about the long-term impacts of the development.

The high-cost of land has made it difficult for heavy manufacturing buildings to be built in dense urban areas, decreasing the negative environmental and public health impacts. However, with the rise of e-commerce and need to distribute goods in the city, there has been a rise of distribution centers and warehouses and related transportation pollution. This phenomenon should be closely monitored and studied for future discussions about equitable industrial development.

<table>
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<tr>
<td>Usage</td>
<td>Manufacturing/ heavy</td>
<td>A facility used for the conversion, fabrication, and/or assembly of raw or partly wrought materials into products/goods. Goods produced by heavy manufacturing are not necessarily for average consumers (i.e. steel manufacturing for construction firms).</td>
<td>106 Ferris Street, Red Hook</td>
<td>M2 and M3</td>
</tr>
<tr>
<td></td>
<td>Manufacturing/ light</td>
<td>A facility used to produce less capital-intensive and more labor-intensive goods targeted towards consumers.</td>
<td>Hall Street, Downtown Brooklyn</td>
<td>M1 and M2</td>
</tr>
<tr>
<td></td>
<td>Manufacturing/ storage</td>
<td>A facility used to store and distribute goods. Could be for bulk warehouse storage of cold/refrigerated goods, freezer storage, high cube, or bonded goods.</td>
<td></td>
<td>M1</td>
</tr>
<tr>
<td></td>
<td>Warehouse, distribution</td>
<td>Facility used for distribution. Goods are typically stored overnight and picked up for delivery to the consumer.</td>
<td>Amazon Distribution Center, Sunset Park</td>
<td>M1</td>
</tr>
<tr>
<td></td>
<td>Warehouse, truck terminal</td>
<td>Facility used to unload trucks/intermodal trailers/railroads/ships to local delivery trucks</td>
<td>Newark Truck Terminal, Newark</td>
<td>N/A</td>
</tr>
</tbody>
</table>

Implications for Measuring Equitable Practices: While the future of retail is uncertain, there will consistently be a need for commodity retail stores—i.e. stores that provide everyday goods. For example, grocery stores would be considered a commodity retail store (although smaller grocery stores have been struggling due to increasing rents). For lasting equity impact, ISLG should focus on retail developments that provide commodity goods and ensure that developers meet equity standards if they intend to sign on tenants who provide commodity goods. Retail development has implications for equity in employment and procurement. Entry level retail positions are often filled by disadvantaged residents.

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</thead>
<tbody>
<tr>
<td>Scale</td>
<td>Convenience Center</td>
<td>Anchored by personal/convenience stores. Typically 30,000 square feet. In New York City, due to a lack of space, the average retail space is significantly less, and continues to shrink.</td>
<td>Bed &amp; Bath, Park Slope</td>
<td>Varies</td>
</tr>
<tr>
<td>Scale</td>
<td>Neighborhood Center</td>
<td>Built around supermarkets, provide convenience goods and personal services. 60,000 square feet to 100,000 square feet.</td>
<td>H-Mart Plaza, Flushing</td>
<td>Varies</td>
</tr>
<tr>
<td>Scale</td>
<td>Community Centers</td>
<td>Provide convenience goods (such as apparel and hardware) and personal services (such as nail salons). Can be up to 250,000 square feet.</td>
<td>Whitepoint Shopping Center, Queens</td>
<td>Varies</td>
</tr>
<tr>
<td>Scale</td>
<td>Regional Centers</td>
<td>Tenants range from general merchandise, apparel, furniture, home furnishings, services, and recreational facilities. Can range from 250,000 square feet to 900,000 square feet.</td>
<td>Gateway Center, East New York</td>
<td>Varies</td>
</tr>
</tbody>
</table>

Retail

No other category of real estate development has rapidly evolved as much as retail. Urban retail was primarily considered as downtown department stores until the mid 1900s. However, with the rise of suburbanization, retail development was soon dominated by big-box retail, strip malls, and regional shopping malls by the 1980s. Currently, retail is in its third wave, and real estate developers have focused on building lifestyle centers, attracting high-end retailers and businesses that offer experiences and entertainment instead of tangible goods. Industry leaders, especially in New York City, predict that retail real estate development is due for a fourth wave—the rise of e-commerce has shifted real estate developers from investing in retail space, and it is uncertain what the future of retail development holds.
Equitable Development Certification
Hunter College of the City University of New York
End Notes

SECTION I


11. Ibid.

12. Community benefits agreements have served as contracts to ensure that a developer provides community jobs and the building-out phase of a development while mitigating potential negative impacts. However, enforcement and accountability for the employment and procurement initiatives within these agreements has been problematic. See: Wolf-Powers, Laura. “Community Benefits Agree- ments and Local Government.” Journal of the American Planning Association 76, no. 2 (2010): 141-59.


16. Ibid.


26. Ibid.


SECTION II


11. Ibid.


SECTION III

1. Examples of the non-profit developers’ orientations in city-driven development, rehabilitation of dilapidated housing, and management of affordable housing developments.


8. Licea, Melkorka. “‘Poor Door’ Tenants.”
Design Standards
2 “About SEED Network,” SEED Network. https://seednetwork.org/about/
8 “Designated Space”
11 Ibid.
18 Ibid.
Equitable Development Certification
Hunter College of the City University of New York


Employment and Procurement
3 Ibid.
16 “The AMI Cheat Sheet” (2017), Association for Neighbor-
Geography and Scale


31 Ibid.

32 Ibid.


34 Ibid., 3-4.


36 Ibid.

37 Ibid., 21.

38 Ibid., 28.

Geography and Scale


2 Ibid.


5 USDOT, “Construction Program Guide.”

6 Ibid.

7 Ibid.

8 Ibid.


16 Pavlis, Michalis, Les Dolega and Alex Singleton, “Estimating attractiveness, hierarchy and catchment area extents for a national set of retail centre agglomerations,” Journal of Retailing and Consumer Services 28 (2016) 78-90. https://ac.els-cdn.com/50969769195300412/1-a2.0-05969769195300412-main.pdf?_tid=1a401c7d3c31-11e7-a0f3-0000000ac3b0&acdnat=1511729885_1c0056d54f1e-7e52b077f43b7925


24 Ibid.

Real Estate Development


