

Mandatory Inclusionary Housing (MIH) was adopted in March 2016 under the New York City Zoning Resolution. Under this new policy, MIH Areas are created in all five boroughs where zoning changes significantly increase permitted residential density. Within MIH Areas, 20-30% of residential floor area in new developments, enlargements, and conversions to residential use above 10 units and 12,500 square feet must be permanently affordable for low- and moderate-income New Yorkers.

MIH OPTIONS

MIH Areas include one or more compliance options determined through the City’s Uniform Land Use Review Procedure (ULURP). Where more than one option is made available, the developer may choose from among those options. MIH units can be rental or homeownership. If MIH units are provided on a different zoning lot, they must be in the same Community District or within half a mile into an adjacent district. In such cases, an additional 5% is added to the applicable floor area requirement.

	Option 1 or Option 2 will always be made available		Options 3 and/or Option 4 may be made available		Available when eligible
Options	<u>Option 1</u>	<u>Option 2</u>	<u>Option 3</u>	<u>Option 4</u>	<u>Affordable Housing Fund Option</u>
Affordable Floor Area Required +5% when off-site	25% of residential floor area	30% of residential floor area	20% of residential floor area	30% of residential floor area	
Weighted Average of Income Bands	60% Area Median Income (AMI) or lower	80% AMI or lower	40% AMI or lower	115% AMI or lower	
Limitations	No more than 3 income bands 10% floor area at 40% AMI No income band above 130% AMI	No more than 3 income bands No income band above 130% AMI	No more than 3 income bands No income band above 130% AMI No public funding without HPD approval	No more than 4 income bands 5% floor area at 70% AMI, 5% floor area at 90% AMI No income band above 135% AMI No public funding Not available in Manhattan south of 96th Street	Available for projects that do not exceed 25 dwelling units and 25,000 square feet Amount paid must be comparable to the cost of providing affordable floor area in the same Community District

APARTMENT DISTRIBUTION REQUIREMENTS

Vertical Distribution

For rental buildings, MIH units must be distributed throughout at least 65% of the building’s stories.



BEDROOM MIX REQUIREMENTS

1. At least 50% of MIH units must be two-bedrooms or greater, and 75% of MIH units must be one-bedroom or greater.
- OR**
2. The bedroom mix between affordable and market-rate dwelling units must be proportional.

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