Zoning Resolution

THE CITY OF NEW YORK
Zohran K. Mamdani, Mayor

CITY PLANNING COMMISSION
Sideya Sherman, Chair

27-151 - Additional requirements for MIH developments and UAP developments

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LAST AMENDED
12/5/2024

(a) #MIH development# or #UAP development# building permits#

(1) HPD# may issue a #permit notice# to the Department of Buildings at any time on or after the #restrictive declaration date#. The Department of Buildings may thereafter issue building permits to an #MIH development# or a #UAP development# based on the #affordable housing# or, in the case of an #MIH development#, contribution to the #affordable housing fund# described in such #permit notice#.

(2) If #HPD# does not receive confirmation that the #restrictive declaration# has been recorded within 45 days after the later of the #restrictive declaration date# or the date upon which #HPD# authorizes the recording of the #restrictive declaration#, #HPD# shall suspend or revoke such #permit notice#, notify the Department of Buildings of such suspension or revocation and not reinstate such #permit notice# or issue any new #permit notice# until #HPD# receives confirmation that the #restrictive declaration# has been recorded or any applicable alternate procedure has been completed. Upon receipt of notice from #HPD# that a #permit notice# has been suspended or revoked, the Department of Buildings shall suspend or revoke each building permit issued pursuant to such #permit notice# which is then in effect for any #MIH development# or #UAP development#.

(b) #MIH development# or #UAP development# certificates of occupancy

(1) The Department of Buildings shall not issue a permanent certificate of occupancy for any #MIH development# or #UAP development# until #HPD# has issued a #completion notice# with respect to the #affordable housing# that satisfies the requirements of this Chapter. However, where any #story# of an #MIH development# or #UAP development# contains one or more #affordable housing units#, the Department of Buildings may issue a temporary certificate of occupancy for such #story# if such temporary certificate of occupancy either includes each #affordable housing unit# located in such #story# or only includes #dwelling units# or #rooming units# that are #affordable housing units#. Nothing in the preceding sentence shall be deemed to prohibit the granting of a temporary certificate of occupancy for the standard #residential floor area# in a #UAP development# or the granting of a temporary or permanent certificate of occupancy for a #super's unit#.

(2) #HPD# shall not issue a #completion notice# with respect to any portion of any #MIH site# or #UAP site# unless:

(i) the Department of Buildings has issued temporary certificates of occupancy for all #affordable housing# described in such #completion notice# and such certificates of occupancy have not expired, been suspended or been revoked; or

(ii) where a #UAP site# contains #affordable housing# that had a valid certificate of occupancy on the #restrictive declaration date# and no new temporary or permanent certificate of occupancy is thereafter required for the creation of such #affordable housing#, #HPD# has determined that all renovation and repair work required by the applicable #restrictive declaration# has been completed and all obligations with respect to the creation of such #affordable housing# have been fulfilled in accordance with the applicable #restrictive declaration#.

(c) #UAP developments# and #MIH developments# that are restricted pursuant to an #affordable housing regulatory agreement# shall not be required to comply with this Section.