

Practice Update

New York City Council Approves Midtown South Mixed-Use Plan

August 15, 2025

By Richard Bass

After securing the approval of the Zoning and Franchises Subcommittee, as well as the Land Use Committee of the New York City (NYC) Council on August 6, 2025, the full NYC Council voted on August 14, 2025, to approve the Midtown South Mixed-Use (MSMX) Plan (the Plan). The Plan seeks to permit greater density and housing within a 42+-block area in midtown Manhattan, now permitting residential use, either via conversion or new construction. The Plan additionally aims to expand housing opportunities, including affordable housing, to support economic activity, and to create more of a 24/7 environment for the neighborhood. Initially, the Plan included only M-zoned areas, also known as manufacturing or industrial districts. However, Akerman's Richard Bass, Senior Planning and Development Consultant, worked closely with City Planning Staff to expand the Plan's coverage to include additional commercial areas between 8th and 9th Avenues in the C6-4M zoning district.

The key amendments and features of the MSMX Plan include:

- **Allowing residential use:** Previously prohibited or severely restricted in much of the area, residential use is now permitted as-of-right under the MSMX Plan.

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- **Mandatory Inclusionary Housing:** All residential development within the MSMX district is required to include permanently affordable housing units.
- **Expansion of commercial, light industrial, and community facility uses:** The Plan allows for a broader range of these uses, aiming to support economic activity and create a dynamic community.
- **Establishment of a new “Special Midtown South Mixed-Use District”:** This new zoning district, along with mapped manufacturing/residential mixed-use districts, facilitates the implementation of the Plan’s objectives.
- **Special bulk regulations:** These regulations ensure that new construction maintains the architectural character of the area, requiring specific building forms, minimum street wall percentages, and base heights.

Amid a citywide housing crisis with historically low vacancy rates, the MSMX Plan will enable residential development in a part of midtown Manhattan, where housing is generally not currently allowed. In total, with this neighborhood rezoning, the MSMX Plan is anticipated to bring more than 9,500 new homes, including more than 2,800 permanently affordable homes, to Manhattan.

If you are interested in learning more about MSMX, its various features, or any New York City development project, please feel free to connect with Joshua J. Rinesmith, Co-Chair of Akerman’s Land Use and Development Practice, at joshua.rinesmith@akerman.com or Richard Bass, Senior Planning and Development Consultant, at richard.bass@akerman.com.

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