Zoning Resolution

THE CITY OF NEW YORK
Zohran K. Mamdani, Mayor

CITY PLANNING COMMISSION
Sideya Sherman, Chair

104-51 - General Requirements for Transfer

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104-51 - General Requirements for Transfer

LAST AMENDED
12/19/2007

For any transfer of #floor area# by notice or by authorization pursuant to Section 104-50, inclusive, the requirements of this Section shall apply.

(a) Notification

Prior to any transfer of #floor area#, pursuant to Sections 104-52 (Transfer of Floor Area by Notice) or 104-53 (Transfer of Floor Area by Authorization), the owners of the granting site and the receiving site(s) shall jointly notify or apply to the Department of City Planning, as applicable, in writing, of such intent to transfer #floor area#. Such notification or application shall be signed by the owners of the granting site and the receiving site(s) and shall include site plans.

(b) Notices of restriction

Notices of restrictions shall be filed by the owners of the granting site and the receiving site(s) in the Office of the Register of the City of New York, indexed against the granting site and the receiving site(s), certified copies of which shall be submitted to the Department of City Planning. Notice by the Department of City Planning of its receipt of certified copies thereof shall be a condition to issuance by the Commissioner of Buildings of a building permit for a #building# on the receiving site containing any such transferred #floor area#.

(c) #Floor area#

The amount of #floor area# to be transferred from a granting site shall not exceed the

maximum amount of #floor area# permitted on the #block# containing the granting site for #community facility uses#, pursuant to Section 104-12 (Community Facility Use Modifications), less the total floor area of all existing #buildings# on such #block#. The transfer of #floor area#, once completed, shall irrevocably reduce the maximum #floor area# permitted on the granting site for any #use# by the amount of #floor area# transferred.

(d) #Use#

#Floor area# transferred pursuant to the provisions of Section 104-50 through 104-53, inclusive, shall only be used for #community facility uses# and shall be in addition to the #floor area# permitted for #community facility uses# on the receiving site.

(e) Height and setback

Any #building# on a receiving site that uses the #floor area# so transferred shall comply with the special #bulk# regulations of this Chapter.