



Zoning Resolution

THE CITY OF NEW YORK

Eric Adams, Mayor

CITY PLANNING COMMISSION

Daniel R. Garodnick, Chair

15-214 - Certification and other requirements of preservation and conversion

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LAST AMENDED

2/2/2011

- (a) Prior to the issuance of an alteration permit for the #conversion# of #floor area# to #residential use#, the Chairperson of the City Planning Commission shall certify compliance with the requirements of Section [15-21](#) upon proof of a legal commitment to preserve and maintain the required #floor area# for permitted #commercial# or permitted #manufacturing# #use#. Such legal commitment shall be executed by all parties having any interest in the #floor area# to be preserved as shown by a certificate issued by a title insurance company licensed to do business in the State of New York showing all such parties in interest.

A "party in interest" in the tract of land shall include only (W) the fee owner thereof, (X) the holder of any enforceable recorded interest superior to that of the fee owner and which could result in such holder obtaining possession of all or substantially all of such tract of land, (Y) the holder of any enforceable recorded interest in all or substantially all of such tract of land which would be adversely affected by the preservation as required herein, and (Z) the holder of any unrecorded interest in all or substantially all of such tract of land which would be superior to and adversely affected by the preservation required herein and which would be disclosed by a physical inspection of the tract of land.

A copy of the legal commitment required herein shall be recorded in the Conveyances Section of the Office of the City Register of New York County upon certification.

- (b) The #floor area# to be preserved shall not already have been preserved by a legal commitment under the provisions of Section [15-21](#), as evidenced by the report from the title company issued pursuant to (a) above.
- (c) When preservation obligations pursuant to Section [15-211](#) or [15-212](#) are transferred between #buildings#, the amount of #floor area# required to be preserved shall not be reduced by the existence of a previously issued legal commitment for preservation on a portion of the #floor area# in the #building#.
- (d) Any #building# that has been partially #converted# pursuant to Section [15-21](#) and has complied with the preservation requirements of such Section, shall not be required to preserve additional #floor area# for any subsequent #conversion#.