



## NYC Department of Buildings Issues Rules for Major Project Development Program

02.11.2022

The New York City Department of Buildings (“DOB”) issued a notice of adoption of final rules for its Major Projects Development Program that will go into effect on May 1, 2022. According to the DOB’s press release, the intention of the Major Projects Development Program is “to help construction projects get off the ground safely and avoid work stoppages” by offering one-on-one consultation and support to owners of eligible projects.

The Major Projects Development Program will be supported by the creation of a Major Projects Development Unit within the DOB. Owners of eligible projects participating in the program will receive dedicated project coordination and guidance services from the DOB throughout the life of the project – from initial application through final signoff of the completed project. The DOB’s guidance may relate to zoning and code compliance, phasing of filings, permits, occupancy, construction, site safety, and public safety, and the issuance of a Temporary Certificate of Occupancy and Final Certificate of Occupancy.

The DOB's new initiative has the potential to reduce delays and extra costs that often result from insufficient filings, delayed permit issuance, violations on the project site and work stoppages. Questions remain, however, as to the level of service that will be offered by the Major Projects Development Unit. Fees for participation are steep (\$25,000-\$50,000) and it is not yet clear if participating owners will be able to reduce their reliance on private expediting services.

Participation in the Major Projects Development Program is voluntary and subject to both the payment of applicable fees and the DOB's capacity. Per the amended Section 101-03 of Title 1, Chapter 100, of the Rules of the City of New York, the fee for participation is \$50,000. For eligible affordable housing projects, the fee is reduced to \$25,000. Acceptance into the program will be on a first come, first serve basis.

Eligibility requirements for owners and developers who wish to participate in the Major Projects Development Program are identified in Section 101-17 of Title 1, Chapter 100, of the Rules of the City of New York, as follows:

- owners of proposed new buildings that will be 20 stories or greater, regardless of whether such proposed building preserves existing building elements;
- owners of proposed new buildings that preserve existing building elements and for which the resulting building includes additional floor area of 100,000 square feet or more;
- owners of proposed new buildings with a total floor area of 500,000 square feet or more; and
- owners of existing or proposed buildings designated by the [DOB] commissioner as eligible for this program due to unique hazards associated with the construction or demolition of the structure, including complex construction logistics potentially impacting adjoining properties or public safety.

[1] DOB Press Release, "Recovery: Proposed New Voluntary Development Program Announced For City Skyscrapers", October 21, 2021, <https://www1.nyc.gov/site/buildings/dob/pr-program-promote-safe-cons-and-economic-growth.page>.

This article also appeared in Commercial Construction & Renovation, [click here to read it](#).

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