



Legislation Text

File #: Res 0386-2006, Version: *

THE COUNCIL OF THE CITY OF NEW YORK RESOLUTION NO. 386

Resolution approving the decision of the City Planning Commission on Application No. N 060413 ZRK, an amendment of the Zoning Resolution of the City of New York, relating to Article II, Chapter 3 (Bulk Regulations for Residential Buildings in Residence Districts) and Article VI, Chapter 2 (Special Regulations Applying in the Waterfront Area), to apply the Inclusionary Housing Program to R7-3 Districts in Community District 1, Borough of Brooklyn (L.U. No. 171).

By Council Members Katz and Avella

WHEREAS, the City Planning Commission filed with the Council on May 22, 2006 its decision dated May 22, 2006 (the "Decision"), on the application submitted by the Department of City Planning, pursuant to Section 201 of the New York City Charter, for an amendment to the text of the Zoning Resolution (Application No. N 060413 ZRK) (the "Application");

WHEREAS, the Decision is subject to review and action by the Council pursuant to Section 197-d(b)(1) of the City Charter;

WHEREAS, upon due notice, the Council held a public hearing on the Decision and Application on June 1, 2006;

WHEREAS, the Council has considered the land use implications and other policy issues relating to the Decision and Application; and

WHEREAS, the Council has considered the relevant environmental issues and the Negative Declaration, issued on April 3, 2006 (CEQR No. 06DCP090K);

RESOLVED:

The Council finds that the action described herein will have no significant effect on the environment;

Pursuant to Sections 197-d and 200 of the City Charter and on the basis of the Decision and Application the Council approves the Decision; and

The Zoning Resolution of the City of New York, effective as of December 15, 1961, and as subsequently amended, is further amended as follows:

Underlined matter is new, to be added;

Matter in ~~Strikeout~~ is old, to be deleted;

Matter within # # is defined in Section 12-10;

* * * indicates where unchanged text appears in the Zoning Resolution

* * *

23-922

Community Districts 1 and 7, Borough of Brooklyn

The Inclusionary Housing Program shall apply in the following areas:

- (a) In the following areas of Community District 1, in the Borough of Brooklyn, located in an area bounded by South 5th Street, Grand Street Extension/Borinquen Place, Union Avenue, Metropolitan Avenue, Humboldt Street, Meeker Avenue, Russell Street, Engert Avenue, McGuinness Boulevard, the Newtown Creek, and the East River:
- (1) Waterfront Access Plan BK-1, as set forth in Section 62-352;
 - (2) all #Special Mixed Use Districts#;
 - (3) all R6A, R6B and R7A Districts; and
 - (4) R6 Districts within the following areas:
 - (i) the #block# bounded by Havemeyer Street, North Sixth Street, Metropolitan Avenue and North Fifth Street;
 - (ii) the #block# bounded by Roebling Street, North Fifth Street, Havemeyer Street, Metropolitan Avenue, and North Fourth Street;
 - (iii) those #blocks# bounded by Wythe Avenue, Grand Street, Berry Street and South Third Street;
 - (iv) those #blocks# and portions of #blocks# bounded by Bedford Avenue, North 1st Street, Driggs Avenue, Fillmore Place, Roebling Street, and a line coincident with the centerline of the long dimension of the #blocks# bounded by Bedford Avenue, Grand Street, Roebling Street and South First Street;
 - (v) that portion of the #block# bounded by Havemeyer Street, Hope Street, Marcy Avenue, and South First Street that is within 100 feet of Grand Street; and
 - (vi) that portion of the #block# bounded by Franklin Street, Huron Street, Manhattan Avenue and India Street that is within 100 feet of Franklin Street and 100 feet of India Street.
- (b) In Community District 1, in the Borough of Brooklyn, in all R7-3 districts.
- (b)(c) In Community District 7, in the Borough of Brooklyn, in all R8A districts.

* * *

23-942

In Community Districts 1 and 7, Borough of Brooklyn

The provisions of this Section 23-942 shall apply in the designated areas set forth in Section 23- 922, except within Waterfront Access Plan BK-1 and in R7-3 districts within Community District 1, Borough of Brooklyn.

* * *

Chapter 2 Special Regulations Applying in the Waterfront Area

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62-322 Residential development In R1, R2, R6, R7, R8, R9 and R10 Districts

For #residential buildings# in R1, R2, R6, R7, R8, R9 and R10 Districts, the regulations of Section 23-14 (Minimum Required Open Space, Open Space Ratio, Maximum Lot Coverage and Maximum Floor Area Ratio) through Section 23-15 (Maximum Floor Area Ratio in R10 Districts) shall not apply, ~~except as provided in Section 62-323. In lieu thereof, the maximum #floor area ratio# and #lot coverage# for any #building or other structure# on a #zoning lot# within a #waterfront block# shall be as specified in the following table, except as provided for in Sections 62-323 (Non-profit residences for the elderly in R3, R4, R5, R6 and R7 Districts) and 62-35 (Special Bulk Regulations in Certain Areas in Community District 1, Brooklyn):~~

MAXIMUM FLOOR AREA RATIO AND MAXIMUM LOT COVERAGE FOR RESIDENTIAL BUILDINGS

District	Maximum #Floor Area Ratio#	Maximum # Lot Coverage# (in percent)
R1 R2	.50	35
R6B	2.00	60
R6	2.43	65
R6A R7B	3.00	65
R7-1 R7-2	3.44	65
R7A R8B	4.00	70
R7-3 R7X	5.00	70
R8 R8A R8X	6.02	70
R9 R9A	7.52	70
R9-1 R9X	9.00	70
R10	10.00*	70

* In R10 Districts, the #floor area ratio# for any #building# on a #zoning lot# within a #waterfront block# may be increased to

a maximum of 12.0 pursuant to Section 23-90 (INCLUSIONARY HOUSING).

* * *

62-35

Special Bulk Regulations in Certain Areas Within Community District 1, Brooklyn within Waterfront Access Plan BK-1

In R7-3 Districts in Community District 1, Borough of Brooklyn, and Wwithin Waterfront Access Plan BK-1, the special #bulk# regulations of this Chapter are further modified as set forth in this Section, inclusive.

62-351

Special floor area regulations

- (a) Maximum permitted #floor area ratio#

In R6 Districts, the maximum permitted #floor area ratio# for any #zoning lot# containing #residences# shall be 2.43.

In R7-3 Districts, the maximum permitted #floor area ratio# for any #zoning lot# containing #residences# shall be 3.75.

In R8 Districts, the maximum permitted #floor area ratio# for any #zoning lot# containing #residences# shall be 4.88.

In R6, R7-3 and R8 Districts, the maximum permitted #floor area ratio# for any #zoning lot# containing #residences# may be increased for #developments# and #enlargements# that provide #lower income housing# pursuant to Section 62-352 (Inclusionary Housing).

- (b) #Buildings# used for #accessory# off-#street# parking spaces

Within Waterfront Access Plan BK-1, Tthe #floor area# of a #building# shall not include floor space used for #accessory# off-street parking spaces provided in any #story# located not more than 33 feet above the height of the #base plane#.

62-352

Inclusionary Housing

The provisions of Section 23-90 (INCLUSIONARY HOUSING) shall apply in R7-3 Districts in Community District 1, Borough of Brooklyn and in R6 and R8 Districts within Waterfront Access Plan BK-1 as modified in this Section.

* * *

- (b) #Floor area# increase

- (1) For #zoning lots# located in R8 Districts, or located partially in R8 Districts and partially in R6 Districts, the maximum permitted #floor area ratio# on such #zoning lots# may be increased in R6 Districts from 2.43 to 2.75, and in R8 Districts from 4.88 to 6.5; and for #zoning lots# located in R7-3 Districts, the maximum permitted #floor area ratio# on such #zoning lots# may be increased from 3.75 to 5.0; provided that:

- (i) at least 20 percent of the total #residential floor area# on the #zoning lot# is occupied by #lower income households#; or
- (ii) at least 10 percent of the total #residential floor area# on the #zoning lot# is occupied by #lower income households# and at least 15 percent of the total #residential floor area# on the #zoning lot# is occupied by #moderate income households#.

- (2) For #zoning lots# located entirely within R6 Districts, the maximum permitted #floor area ratio# may be increased

from 2.43 to 2.75 provided that:

- (i) at least 7.5% of the total #residential floor area# on the #zoning lot# is occupied by #lower income households#, or
- (ii) at least 5% of the total #residential floor area# on the #zoning lot# is occupied by #lower income households# and at least 5% of the total #residential floor area# on the #zoning lot# is occupied by #moderate income households#.

Where #lower# or moderate #income housing# is provided on a #zoning lot# other than the #zoning lot# occupied by the #compensated development#, the percentage of #residential floor area# required to be occupied by such households, pursuant to this Section, shall be determined as a percentage of the #residential floor area# on the #zoning lot# of such #compensated development#, inclusive of #floor area# bonused pursuant to this Section.

* * *

62-354

Special height and setback regulations

Within Waterfront Access Plan BK-1, ~~T~~the provisions of Section 62-341 (Developments on land and platforms) are modified as follows:

* * *

Adopted.

Office of the City Clerk, }
The City of New York, } ss.:

I hereby certify that the foregoing is a true copy of a Resolution passed by The Council of The City of New York on June 13, 2006, on file in this office.

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City Clerk, Clerk of The Council