



Legislation Details (With Text)

File #: Res 0501-2010 **Version:** * **Name:** LU 224 - Zoning, Changes to Zoning Resolution (N 100408 ZRX)
Type: Resolution **Status:** Adopted
In control: Committee on Land Use

On agenda: 10/13/2010

Enactment date: **Enactment #:**

Title: Resolution approving the decision of the City Planning Commission on Application No. N 100408 ZRX, for 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), Section 23-90, and Appendix F (Inclusionary Housing Designated Areas), inclusive, relating to the extension of the Inclusionary Housing Program to proposed R7A, R7X, and R8A districts; and, Article XII, Chapter 3 (Special Mixed Use District), Section 123-63, 123-90, and Appendix D specifying a Special Mixed Use District (MX-14), Borough of the Bronx (L.U. No. 224).

Sponsors: Leroy G. Comrie, Jr., Mark S. Weprin

Indexes:

Attachments: 1. Committee Report, 2. Hearing Transcript - Stated Meeting 10-13-10

Date	Ver.	Action By	Action	Result
10/7/2010	*	Committee on Land Use	Approved by Committee	
10/13/2010	*	City Council	Approved, by Council	Pass

THE COUNCIL OF THE CITY OF NEW YORK
RESOLUTION NO. 501

Resolution approving the decision of the City Planning Commission on Application No. N 100408 ZRX, for 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), Section 23-90, and Appendix F (Inclusionary Housing Designated Areas), inclusive, relating to the extension of the Inclusionary Housing Program to proposed R7A, R7X, and R8A districts; and, Article XII, Chapter 3 (Special Mixed Use District), Section 123-63, 123-90, and Appendix D specifying a Special Mixed Use District (MX-14), Borough of the Bronx (L.U. No. 224).

By Council Members Comrie and Weprin

WHEREAS, the City Planning Commission filed with the Council on September 17, 2010 its decision dated September 15, 2010 (the "Decision"), pursuant to Section 201 of the New York City Charter, regarding an application submitted by the New York City Department of City Planning, for 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), Section 23-90, and Appendix F (Inclusionary Housing Designated Areas), inclusive, relating to the extension of the Inclusionary Housing Program to proposed R7A, R7X, and R8A districts; and, Article XII, Chapter 3 (Special Mixed Use District), Section 123-63, 123-90, and Appendix D specifying a Special Mixed Use District (MX-14). The proposed Zoning Text Amendment will establish a Special Mixed Use District (MX-14) and make the Inclusionary Housing Program applicable in the proposed C4-4A (R7A), C4-5X (R7X), C4-4D (R8A), M1-4/R7A, and M1-4/R7X districts in the Borough of the Bronx,

Community District 6 (Application No. N 100408 ZRX), (the "Application");

WHEREAS, the Application is related to Application Number N 100407 ZMX (L.U. No. 223), a zoning map amendment changing all, or portions of, seventy-five blocks from R7-1, R7-1/C1-4, R7-1/C2-4, C4-4, C8-3, M1-1, and M1-4 districts to R5, R6A, R7X/C1-4, C4-4A, C4-5X, C4- 4D, M1-4/R7A and M1-4/R7X districts;

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 October 5, 2010;

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 Revised Negative Declaration, issued on September 15, 2010 (CEQR No. 10DCP043X);

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, and based on the environmental determination and consideration described in this report, N 100408 ZRX, incorporated by reference herein, the Council approves the Decision.

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

Matter in underline 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

23-90

INCLUSIONARY HOUSING

* * *

23-933

Inclusionary housing designated areas

The Inclusionary Housing Program shall apply in #Inclusionary Housing designated areas#.

The Inclusionary Housing Program shall also apply in special purpose districts when specific zoning districts or areas are defined as #Inclusionary Housing designated areas# within the special purpose district.

#Inclusionary Housing designated areas# are listed in APPENDIX F of this Resolution.

* * *

Article XII - Special Purpose Districts

**Chapter 3
Special Mixed Use District**

* * *

**123-63
Maximum Floor Area Ratio and Lot Coverage Requirements for Residential Buildings in R6, R7, R8 and R9 Districts**

Where the designated #Residence District# is an R6, R7, R8 or R9 District, the minimum required #open space ratio# and maximum #floor area ratio# provisions of Sections 23-142, 23-143 and paragraph (a) of Section 23-147 shall not apply. In lieu thereof, all #residential buildings#, regardless of whether they are required to be #developed# or #enlarged# pursuant to the Quality Housing Program, shall comply with the maximum #floor area ratio# and #lot coverage# requirements set forth for the designated district in Section 23-145, or paragraph (b) of Section 23-147 for #non-profit residences for the elderly#. For purposes of this Section, #non-profit residences for the elderly# in R6 and R7 Districts without a letter suffix, shall comply with the provisions for R6A or R7A Districts, respectively, as set forth in paragraph (b) of Section 23-147.

Where the designated district is an R7-3 District, the maximum #floor area ratio# shall be 5.0 and the maximum #lot coverage# shall be 70 percent on an #interior# or #through lot# and 80 percent on a #corner lot#.

Where the designated district is an R9-1 District, the maximum #floor area ratio# shall be 9.0, and the maximum #lot coverage# shall be 70 percent on an #interior# or #through lot# and 80 percent on a #corner lot#.

The provisions of this Section shall not apply on #waterfront blocks#, as defined in Section 62-11. In lieu thereof, the applicable maximum #floor area ratio# and #lot coverage# requirements set forth for #residential uses# in Section 62-30 (SPECIAL BULK REGULATIONS) through 62-32 (Maximum Floor Area Ratio and Lot Coverage on Waterfront Blocks), inclusive, shall apply.

However, in #Inclusionary Housing designated areas#, as listed in the table in this Section, the maximum permitted #floor area ratio# shall be as set forth in Section 23-952. The locations of such districts are specified in APPENDIX F of this Resolution.

<u>Special Mixed Use District</u>	<u>Designated Residence District</u>
MX 2- Community District 2, Brooklyn	R7A R8A
MX 8- Community District 1, Brooklyn	R6 R6A R6B R7A
MX 11- Community District 6, Brooklyn	R7-2
MX 14 - Community District 6, the Bronx	<u>R7A, R7X</u>

* * *

**123-90
SPECIAL MIXED USE DISTRICTS SPECIFIED**

The #Special Mixed Use District# is mapped in the following areas:

#Special Mixed Use District# - 1: Port Morris, the Bronx

The #Special Mixed Use District# - 1 is established in Port Morris in The Bronx as indicated on the #zoning maps#.

* * *

#Special Mixed Use District# - 13: Lower Concourse, the Bronx

The #Special Mixed Use District# - 13 is established in the Lower Concourse in The Bronx as indicated on the #zoning maps#.

#Special Mixed Use District# - 14: Third Avenue, the Bronx

The #Special Mixed Use District# - 14 is established along Third Avenue in the Bronx as indicated on the #zoning maps#.

* * *

**APPENDIX D
Index of Special Purpose Districts**

SPECIAL DISTRICT (SYMBOL)	SECTION NUMBER	ZONING MAP(S)	CP/ULURP NUMBER*	CPC ADOPTION	BOE/COUNCIL ADOPTION
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* * *

Mixed Use District-11 (MX-11) Gowanus, Brooklyn	123-00	16a	090049 ZRK	2/17/09	3/11/09
Mixed Use District-13 (MX-13) Lower Concourse, the Bronx	123-00	6a	090302 ZRX	5/20/09	6/30/09
Mixed Use District-14 (MX-14) Third Avenue, the Bronx	123-00	3c 3d	100408 ZRX	9/15/10	(effective date of adoption)
Natural Area District-1 (NA-1)	105-00	21b 26a 26b 26c 26d 27a 27b	22748(A)	11/18/74	12/19/74

* * *

APPENDIX F

Inclusionary Housing Designated Areas

The boundaries of #Inclusionary Housing designated areas# are shown on the maps listed in this Appendix F. The #Residence Districts# listed for such areas shall include #Commercial Districts# where #residential buildings# or the #residential# portion of #mixed buildings# are governed by #bulk# regulations of such #Residence Districts#.

The Bronx, Community District 1

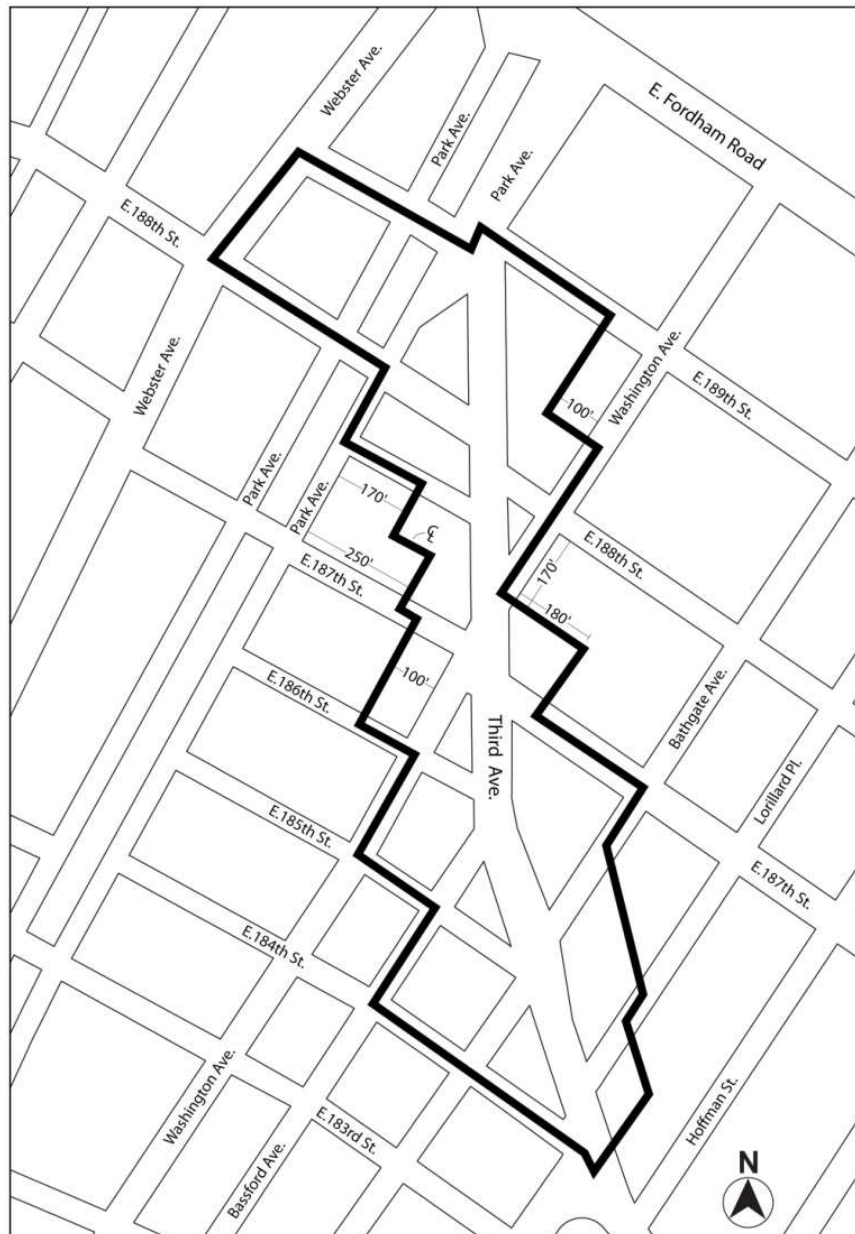
In the R6A, R7-2, R7A, R7X and R8A Districts within the areas shown on the following Map 1:

* * *

The Bronx, Community District 6

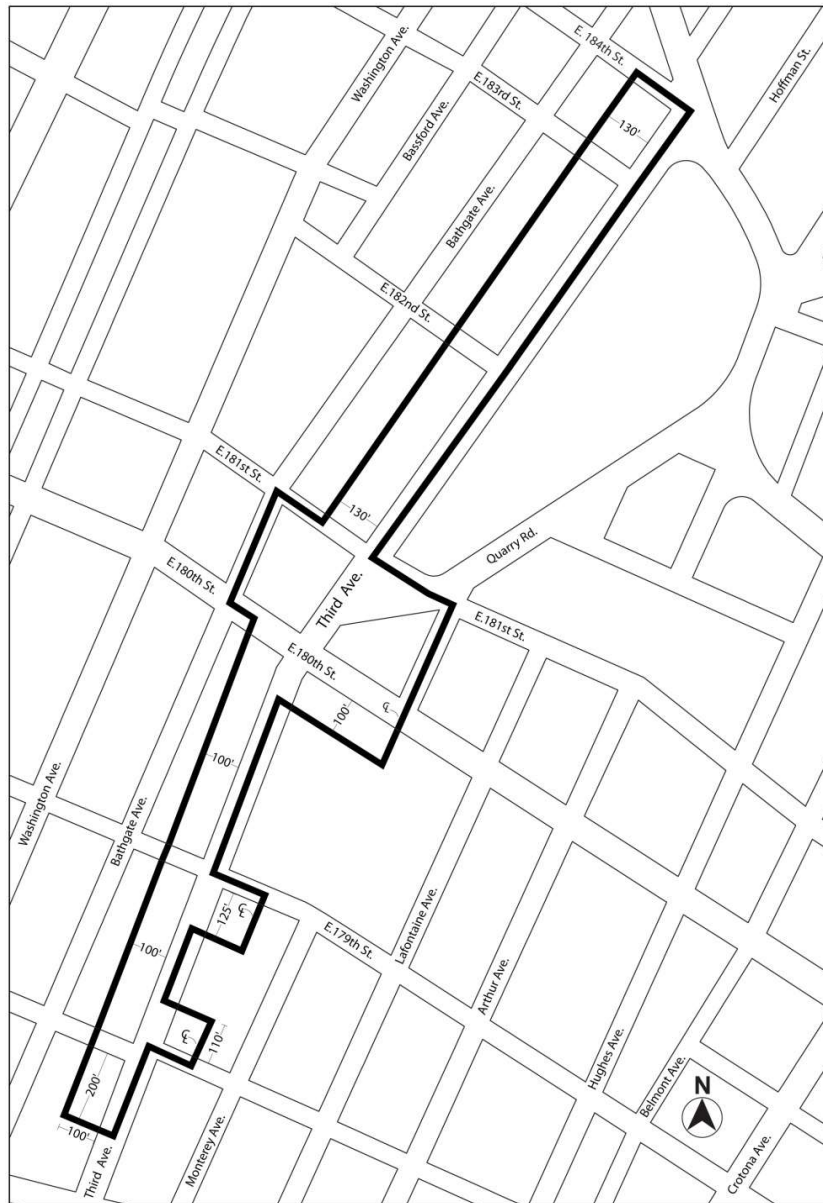
In the R7A, R7X and R8A Districts within the areas shown on the following Maps 1, 2, 3 and 4:

Map 1-



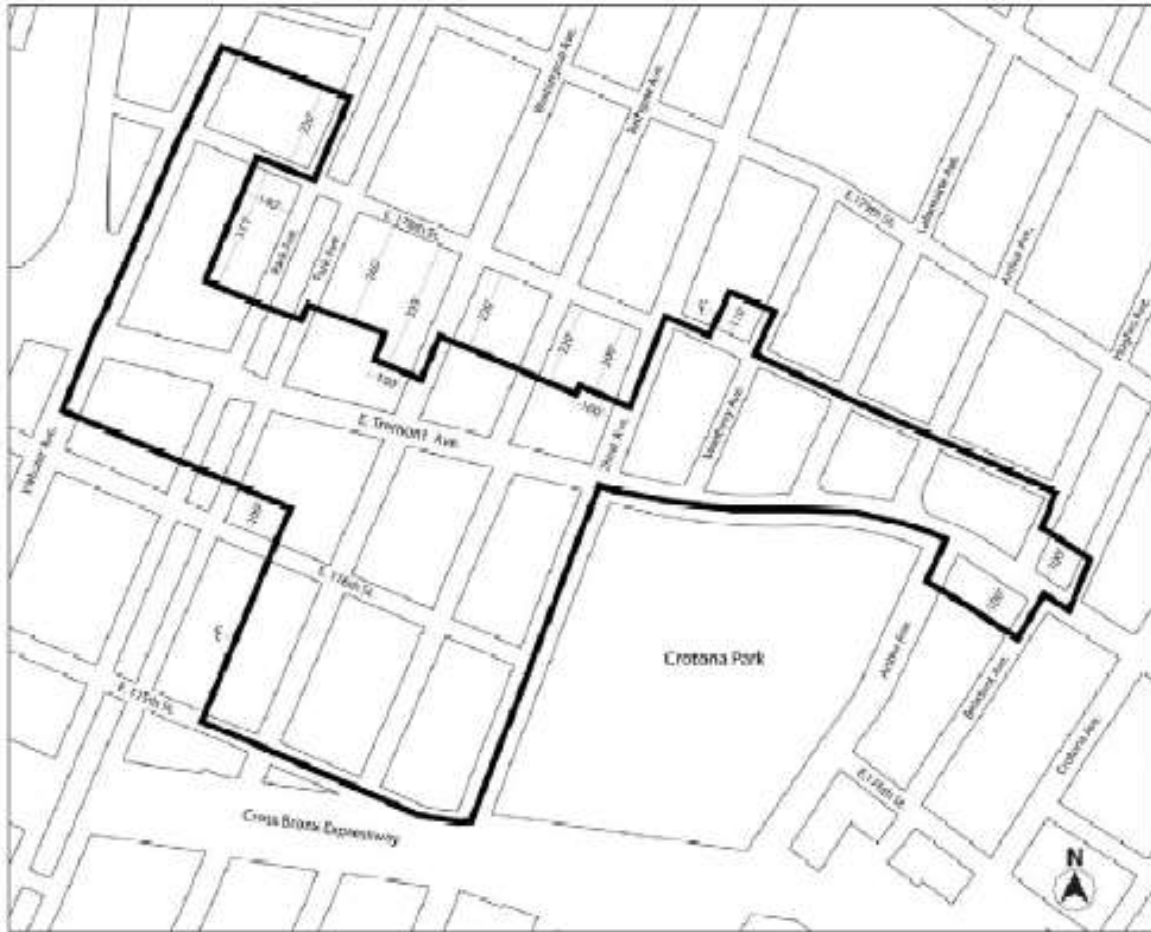
Portion of Community District 6, the Bronx

Map 2-



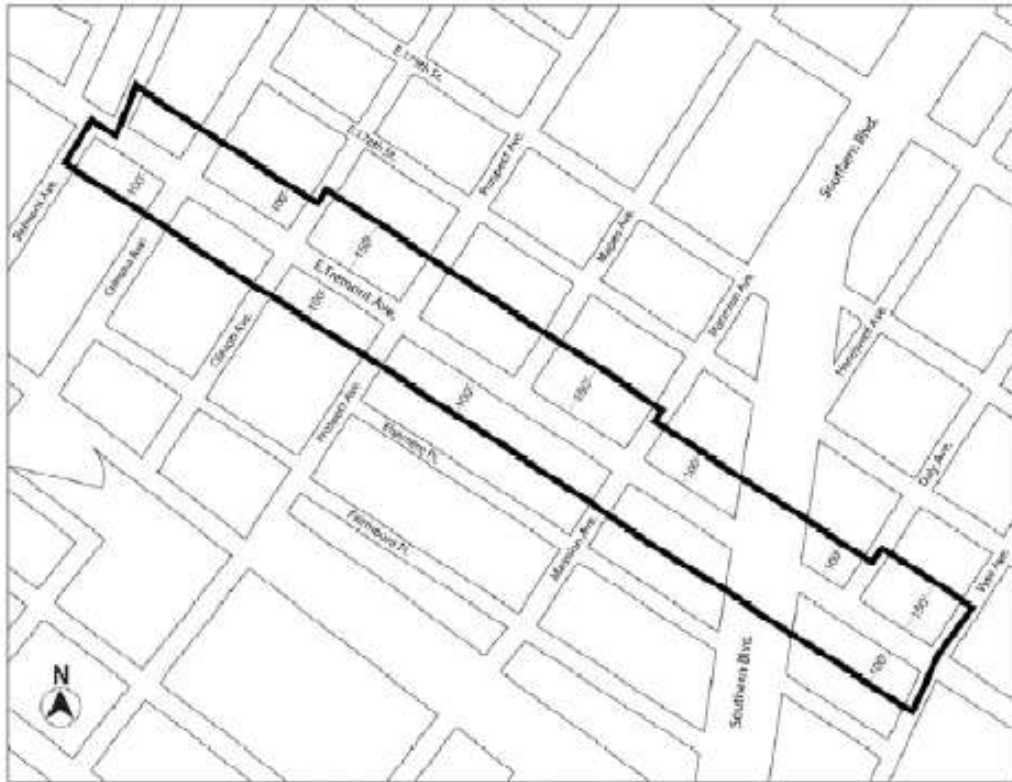
Portion of Community District 6, the Bronx

Map 3-



Portion of Community District 6, the Bronx

Map 4-



Portion of Community District 6, the Bronx

* * *

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 October 13, 2010, on file in this office.

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City Clerk, Clerk of The Council