



## Legislation Text

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**File #:** Res 1078-2003, **Version:** \*

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THE COUNCIL OF THE CITY OF NEW YORK  
RESOLUTION NO. 1078

Resolution approving the decision of the City Planning Commission on Application No. N 030404 ZRM, an amendment to the text of the Zoning Resolution regarding Article VII, Chapter 8 (Large Scale Residential Developments) (L.U. No. 533).

By Council Members Katz and Avella

WHEREAS, the City Planning Commission filed with the Council on September 12, 2003 its decision dated September 10, 2003 (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 030404 ZRM) (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 September 23, 2003;

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 June 2, 2003 (CEQR No. 03DME012M);

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

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

Text Amendment to 78-06 (Ownership of a Large Scale Residential Development)

New text is underlined

Text within # # is defined in the Zoning Resolution

Chapter 8

10/27/99

78-06  
Ownership

Except as otherwise provided in this Section, any #large-scale residential development# for which application is made for an authorization or special permit in accordance with the provisions of this Chapter shall be on a tract of land that at the time of application is all under the control of the applicant(s) as the owner(s) or holder(s) of a written option to purchase. No authorization or special permit shall be granted for such #development# unless the applicant(s) acquired actual ownership (single fee ownership or alternate ownership arrangements according to the #zoning lot# definition in Section 12-10 (DEFINITIONS) for all #zoning lots# comprising the #development#) of, or executed a binding sales contract for, all of the property comprising such tract.

When a #development# is part or all of a designated urban renewal project, the City's urban renewal agency, or a person authorized by such agency, may make application for and be granted authorizations or special permits under the provisions of this Chapter, even though such #large-scale residential development# does not meet the ownership requirements set forth elsewhere in this Section. All parcels comprising such #large-scale residential development# shall be within the designated urban renewal area and subject to the urban renewal controls set forth in the approved urban renewal plan. In the event that the urban renewal plan has expired, the owner(s) of a vacant parcel(s) within such #large scale residential development#, if located in a former urban renewal area listed below, may make application for and be granted modifications of authorizations or special permits previously granted under the provisions of this chapter with respect to such parcel(s), provided that such modification does not seek: (i) the distribution of #floor area# from any #zoning lot# not included within such parcel(s); or (ii) to increase the total allowable #floor area# on any #zoning lot# included within such parcel(s) beyond the amount permitted by the applicable district regulations. Such modifications may include the withdrawal of such parcels from the boundaries of the #large scale residential development#, provided that such modification would not create a non-compliance within the #large scale residential development#.

West Side Urban Renewal Area - Community District #7 Manhattan

When a #residential large-scale development# is to be #developed# or #enlarged# through assemblage by any other governmental agency, or its agent, having the power of condemnation, authorizations or special permits may be applied for and granted under the provisions of this Chapter, even though such #large-scale residential development# does not meet the ownership requirements set forth elsewhere in this Section.

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 September 30, 2003, on file in this office.

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City Clerk, Clerk of The Council

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