



## **CITY PLANNING COMMISSION**

February 16, 2011 / Calendar No. 10

N 110086 ZRX

**IN THE MATTER OF IN THE MATTER OF** an application submitted by the Department of City Planning pursuant to Section 201 of the New York City Charter, for an amendment of the Zoning Resolution of the City of New York, concerning Appendix F (Inclusionary housing designated areas) in Community district 7 in the Borough of the Bronx.

The application for an amendment to the Zoning Resolution was filed by the Department of City Planning on September 20, 2010. The proposed Zoning Text Amendment will make Inclusionary Housing Program applicable in the proposed R7D/C2/4 and C4-5D districts in the Borough of the Bronx, Community District 7.

### **RELATED ACTIONS**

In addition to the amendment of the Zoning Map, which is the subject of this report, implementation of the proposal also requires action by the City Planning Commission on the following application that is being considered concurrently with this application:

- C 110085 ZMX
- **Zoning map amendment** changing all or portion of 80 blocks from C8-2, C4-4, R8, R8/C2-3 R7-1, R7-1/C1-3 and R7-1/C2-3 to R4A, R5A, R5B, R5D/C1-4, R6B, R7A, R7A/C1-3, R7A/C1-4, R7A/C2-4, R7B, R7B/C1-3, R7B/C2-4, R7D/C2-4, R8/C2-4 C4-5D and C4-4 districts

### **BACKGROUND**

A full background discussion and description of this application appears in the report on the related zoning map amendment application (C 110085 ZMX).

### **ENVIRONMENTAL REVIEW**

This application (C 110086 ZRX), in conjunction with the related application (N 110085 ZMX), was reviewed pursuant to the New York State Environmental Quality Review Act (SEQRA), and the SEQRA regulations set forth in Volume 6 of the New York Code of

Rules and Regulations, Section 617.00 et seq. and the City Environmental Quality Review (CEQR) Rules of Procedure of 1991 and Executive Order No. 91 of 1977. The designated CEQR number is 10DCP035X. The lead is the New York City Planning Commission.

A summary of the environmental review and the Final Environmental Impact Statement appears in the related report for a zoning map amendment (C 110085 ZMX).

## **PUBLIC REVIEW**

On September 27, 2010, this application (N 110086 ZRX) was referred to Bronx Community Board 7, Community Board 12, the Bronx Borough President and the Bronx Borough Board in accordance with the procedures for non-ULURP matters, along with the application for a Zoning Map Amendment which was certified as complete by the Department of City Planning in accordance with Title 62 of the Rules of the City of New York, Section 2-02(b).

### **Community Board Public Hearing**

Community Board 7 held a public hearing on this application (N 110086 ZRX) on October 28, 2010, and on that day, by a vote of 29 in favor, 0 against, and 0 abstentions, adopted a resolution recommending approval of this application.

Community Board 12 held a public hearing on this application (N 110086 ZRX) on November 16, 2010, and on that day, by a vote of 25 in favor, 0 against, and 0 abstentions, adopted a resolution recommending approval of this application.

### **Borough President Recommendation**

This application (N 110086 ZRX) was considered by the Borough President of the Bronx, which issued a recommendation approving the application on January 4, 2010.

### **Borough Board Recommendation**

The Borough Board held a public hearing on December 16, 2010, and on that day, by a vote of 8 in favor, 0 against, and 0 abstentions recommended approval of this application (N 110086 ZMX).

### **City Planning Commission Public Hearing**

On December 15, 2010 (Calendar No. 1 of the Supplemental) the City Planning Commission scheduled January 5, 2011 for a public hearing on this application (N 110086 ZRX). The hearing was duly held on January 5, 2011 (Calendar No. 30) in conjunction with the hearing on the related action (C 110085 ZMX) and the draft environmental impact statement (10DCP35X).

There were three speakers in favor, as described in the report on the related zoning map amendment application (C 110085 ZMX).

### **CONSIDERATION**

The Commission believes that this amendment to the zoning text (N 110086 ZRX) is appropriate, along with the related Zoning Map Amendment (C 110085 ZMX).

A full consideration and analysis of the issues, and the reasons for approving this application appear in the report on the related zoning map amendment application (C 110085 ZMX).

### **RESOLUTION**

**RESOLVED**, that having considered the Final Environmental Impact Statement (FEIS), for which a Notice of Completion ratified herein was issued on February 4, 2011, with respect to this application (CEQR No. 10DCP035X), the City Planning Commission

finds that the requirements of the New York State Environmental Quality Review Act and Regulations have been met and that

1. Consistent with social, economic, and other essential considerations, from among the reasonable alternatives thereto, the action is the one which minimizes or avoids adverse environmental impacts to the maximum extent practicable; and

2. The adverse environmental impacts disclosed in the FEIS will be minimized or avoided to the maximum extent practicable by incorporating as conditions to the approval, those mitigation measures that were identified as practicable.

This report of the City Planning Commission, together with the FEIS, constitute the written statement of facts, and of social, economic and other factors and standards, that form the basis of the decision, pursuant to Section 617.11(d) of the SEQRA regulations; and be it further

**RESOLVED**, that the City Planning Commission, in its capacity as the City Coastal Commission, has reviewed the waterfront aspects of this application and finds that the proposed action is consistent with WRP policies; and be it further

**RESOLVED**, by the City Planning Commission, pursuant to Section 200 of the New York City Charter, that based on the environmental determination, and the consideration described in this report, the Zoning Resolution of the City of New York, effective as of December 15, 1961 and as subsequently modified, is further amended as follows:

Matter in underline is new, to be added;

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

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

**Article II**  
**Residence District Regulations**

\* \* \*

**Chapter 3**  
**Bulk Regulations for Residential Buildings in Residence Districts**

\* \* \*

**23-144**

**In designated areas where the Inclusionary Housing Program is applicable**

In #Inclusionary Housing designated areas#, as listed in the following table, the maximum permitted #floor area ratios# shall be as set forth in Section 23-942 (In Inclusionary Housing designated areas). The locations of such districts are specified in Section 23-922 (Inclusionary Housing designated areas).

<u>Community District</u>	<u>Zoning District</u>
Community District 1, Bronx	R6A R7-2 R7A R7X R8A
Community District 4, Bronx	R8A R9D
<u>Community District 7, Bronx</u>	<u>R7D</u>
Community District 1, Brooklyn	R6 R6A R6B R7A R7-3
Community District 2, Brooklyn	R7A R8A R9A
Community District 3, Brooklyn	R7D
Community District 6, Brooklyn	R7-2
Community District 7, Brooklyn	R7A R8A
Community District 14, Brooklyn	R7A
Community District 3, Manhattan	R7A R8A R9A
Community District 6, Manhattan	R10
Community District 7, Manhattan	R9A
Community District 1, Queens	R7A
Community District 2, Queens	R7X

\* \* \*

**APPENDIX F: Inclusionary Housing Designated Areas**

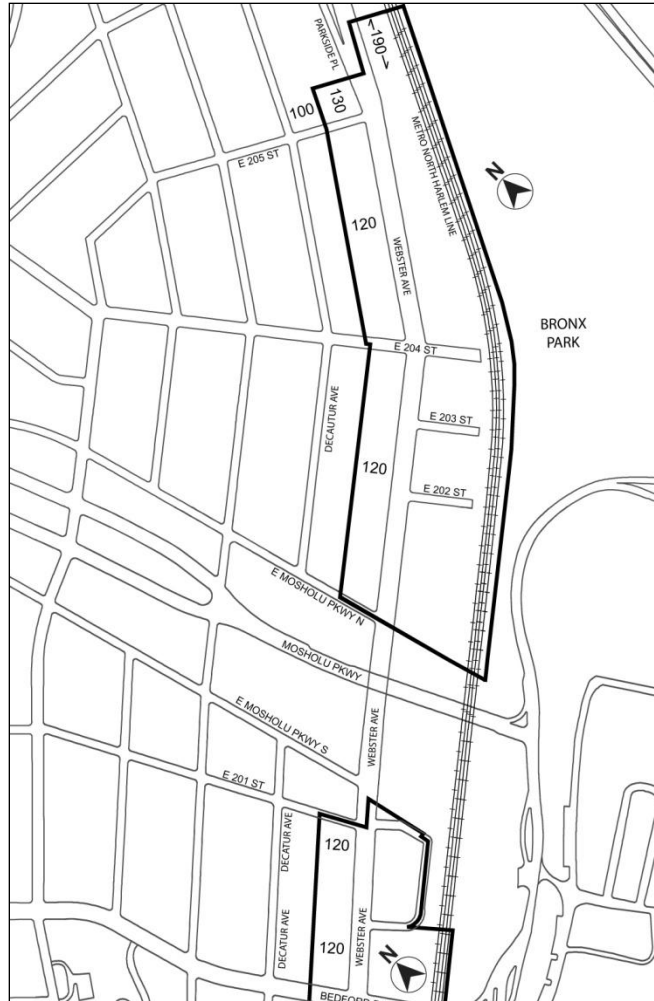
\* \* \*

**The Bronx**

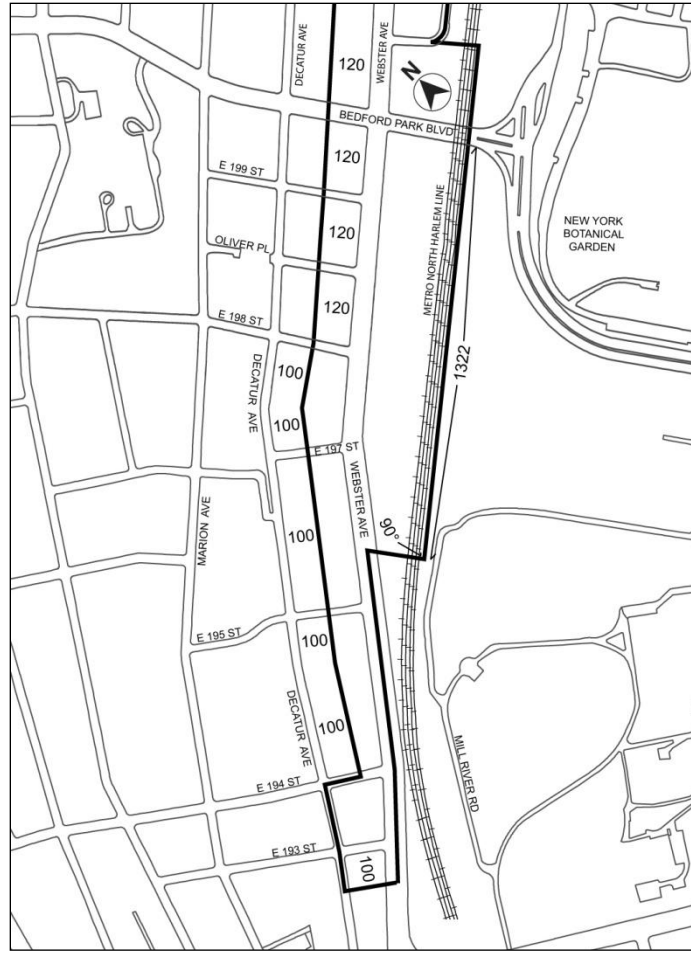
\* \* \*

The Bronx Community District 7

In the R7D Districts within the areas shown on the following Maps 1 and 2:



Map 1. Portion of Community District 7, Bronx



Map 2. Portion of Community District 7, Bronx

The above resolution (N 110086 ZRX), duly adopted by the City Planning Commission on February 16, 2010 (Calendar No. 10), is filed with the Office of the Speaker, City Council, and the Borough President in accordance with the requirements of Section 197-d of the New York City Charter.

**AMANDA M. BURDEN, FAICP**, Chair

**KENNETH J. KNUCKLES, ESQ.**, Vice Chairman

**ANGELA M. BATTAGLIA, RAYANN BESSER, ALFRED C. CERULLO, III,**

**BETTY Y. CHEN, MARIA M. DEL TORO, RICHARD W. EADDY,**

**NATHAN LEVENTHAL, ANNA HAYES LEVIN, SHIRLEY A. MCRAE,**

**KAREN A. PHILLIPS**, Commissioners