



## CITY PLANNING COMMISSION

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May 21, 2008/Calendar No. 6

N 080247 ZRX

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**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, creating the Special Hunts Point District in Article X, Chapter 8, and amending related sections of the Zoning Resolution, Community District 2, Borough of the Bronx.

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The application for an amendment of the Zoning Resolution was filed by the Department of City Planning on January 2, 2008. The requested action, in conjunction with the related zoning map amendment, would facilitate the establishment of the Special Hunts Point District.

### **RELATED ACTION**

In addition to the proposed amendment to the Zoning Resolution, which is the subject of this report (N 080247 ZRX), implementation of the proposal also requires action by the City Planning Commission on the following application which is being considered concurrently with this application:

**C 080248 ZMX:** Amendment to the Zoning Map, rezoning from M1-1, M1-2, M2-1 and M3-1 districts to an M1-2 district, within the proposed Special Hunts Point District and to an R6 district; and to extend an existing C1-4 commercial overlay of C1-4.

### **Background:**

The Department of City Planning is proposing zoning map and zoning text amendments establishing the Special Hunts Point District in the Community District 2 of the Bronx.

The requested actions would affect approximately 70 blocks in the Hunts Point area

generally bounded by the Bruckner Expressway to the north, Edgewater Road and Halleck St. to the east, Ryawa and Oak Point avenues to the south, and the Oak Point Rail yards to the west.

The Hunts Point peninsula has long been one of the prominent manufacturing/industrial areas of New York City. Fifty years ago, Hunts Point was a center of steel mills and a solid base of jobs for the community. Around the mid-1960s, the steel mills started leaving the peninsula and manufacturing jobs started disappearing. Along with much of the South Bronx, the residential area of Hunts Point experienced severe disinvestment and abandonment of properties.

In recent years, the area has witnessed development of the Hunts Point Food Distribution Center, one of the largest food distribution centers in the world that occupies nearly half of the Hunts Point peninsula. The center has attracted many new wholesale food businesses and has generated increased revenue along with numerous seasonal and permanent jobs.

The Hunts Point peninsula, being part of South Bronx, was once thought of as an iconic case of urban problems. Government and community investment helped to restore a vibrant residential core over the past several years. Today approximately 12,000 people reside on the peninsula.

In 2003, the Mayor convened the Hunts Point Task Force comprised of several government agencies, elected officials, local residents, community groups and business representatives to provide a forum for addressing critical concerns about the future of the Hunts Point peninsula. Charged with collaboratively developing a plan and implementable goals for addressing the communities' needs, the Task Force released the Hunts Point Vision Plan in 2004, which identified the optimization of the area's land use as one of its primary goals.

Following the 2004 recommendations set forth by the Mayor's Hunts Point Task Force, the Department of City Planning identified several land use issues such as proximity of heavier industrial uses to residential community, mix of incompatible uses, lack of retail options, vacant and underutilized land, and lack of identity. To address these issues, the Department proposes the establishment of the Special Hunts Point District and related zoning map changes.

The proposed Special Hunts Point District (SHPD) would enhance the environment for the expanding food industry sector in Hunts Point and act as a buffer between the residential area and the heavier manufacturing district while preserving existing jobs and encouraging job growth. The SHPD would also provide a buffer and transition between the Hunts Point Food Market and heavier industries, and promote growth of retail services available to residents and employees. In addition, the Special District would improve the appearance of the industrial area of the Hunts Point peninsula.

## **Existing Context**

The Hunts Point peninsula is located in Community District 2, Borough of the Bronx, and is surrounded on three sides by the Bronx River, the East River and the Long Island Sound. The Bruckner Expressway and the CSX/Amtrak rail corridor create the northern boundary of the peninsula and separate it from the rest of Community District 2.

Two stations on the #6 subway line (Hunts Point Avenue and Longwood Avenue) are located along Southern Boulevard, which is located just west of the proposed rezoning area. In addition, the Bx 6 bus line runs along Hunts Point Avenue, Spofford Avenue and Food Center Drive. Freight rail serves the Hunts Point Food Distribution Center on the east side of the peninsula. The area has access to the Bruckner Expressway (I-278).

The Hunts Point peninsula covers approximately 690 acres out of which 329 acres are occupied by the Hunts Point Food Distribution Center. The distribution center consists of three markets – Produce Market, Meat Market and the newly built Fulton Fish Market.

The 22 block Hunts Point residential neighborhood is located on the north-western portion of the peninsula, and is predominately characterized by a mix of row-houses and medium density apartment buildings varying in height from two to eight stories. The neighborhood is completely surrounded by manufacturing uses, including non-compatible uses such as scrap yards and waste transfer stations.

There are some small local retail shops along Hunts Point Avenue, but the residential community and the employees lack retail options in the area. The peninsula is underserved by large grocery stores or supermarkets. Hunts Point is also home to a growing arts and culture scene, led by the Point, which has been a vibrant and pro-active community center in the neighborhood. The remainder of the peninsula is comprised of a diverse mix of small industrial businesses, including food-related, manufacturing, construction, utility, auto-related, warehousing /distribution, and waste-related uses such as waste transfer stations. About eight percent of the industrial area, excluding the Hunts Point Food Distribution Center, is vacant land/ buildings and about five percent consists of parking lots, salvage yards and waste-related uses.

There is an inherent conflict between food-related uses and waste-related and other heavy industrial uses on the peninsula. Waste-related businesses can generate odors and rodents that are detrimental to food-related businesses as well as the nearby residential uses. Current zoning allows new waste-related uses and food related uses to locate side by side which hinders the City's efforts to foster food industries in the area. Current zoning does not provide a transition of uses between Hunts Point Food Distribution Market and adjacent heavy industrial uses, which can be detrimental to the expansion and operation of the Market.

Other note-worthy land uses on the peninsula include: DEP's Hunts Point Water Pollution Control Plant; the New York Organic Fertilizer Company; a barge used by the Department of Corrections for detention of persons awaiting trial; a former Department of Sanitation marine transfer station; the new Barretto Point Park and Tiffany Street Pier; Hunts Point Riverside Park; and the Bronx Charter School for the Arts.

Hunts Point's negative image persists despite the fact that it houses one of the largest food distribution centers in the world and a thriving platform for small industrial businesses. Moreover, open industrial uses like scrap yards, storage of parts and materials, junk yards, etc. negatively impact the physical appearance of Hunts Point.

## **Zoning**

The peninsula primarily consists of manufacturing uses surrounding a 22 block residential area. For the most part, M1-1, M1-2, and M2-1 districts surrounds the residential neighborhood, which is zoned R6. An M3-1 district covers the remainder of the peninsula. Residential uses are not permitted in any of the manufacturing zones.

## **R6**

An R6 zoning district is currently mapped over 22 blocks at the heart of the Hunts Point peninsula. This residential district is made up of a mix of row-houses and medium-density apartment buildings varying in height from two to eight stories. R6 is a height factor district with no height limits, and encourages small apartment buildings on smaller

zoning lots and tower construction on larger zoning lots. The maximum FAR in R6 is 2.43 for residential buildings and 4.8 for community facilities. The optional Quality Housing program permits an FAR of 2.2 on narrow streets and 3.0 on wide streets but limits building heights to 55 feet and 70 feet, respectively. Off-street parking is required for a minimum of 70 percent of the dwelling units. The area currently zoned R6 will remain unchanged.

### **M1-1**

The 44-block area immediately surrounding the residential core is zoned M1-1 for the most part. These blocks contain a mix of uses, including warehouses, food distributors, auto-repair shops, sanitation related businesses, construction-related businesses, and scattered non-conforming residences, as well as several vacant lots. Drake Park is also located within this rezoning area. M1-1 districts generally permit light industrial, commercial and limited community facility uses. Manufacturing and commercial uses have a maximum FAR of 1.0 and community facilities have a maximum FAR of 2.4. There are no height limits, and building heights and setbacks are governed by the sky exposure plane. The commercial, manufacturing, and community facility parking requirements vary with use.

### **M1-2**

The half-block area east of the residential core is zoned M1-2. It includes single-story industrial buildings, contractor's yard, and two non-conforming residences. The existing

M1-2 district has a maximum commercial and manufacturing FAR of 2.0, and community facilities have a maximum FAR of 4.8. There are no height limits, and building heights and setbacks are governed by the sky exposure plane, and parking requirements vary by use.

### **M2-1**

The northeast corner of the peninsula is zoned M2-1. The 8-block area contains a mix of uses including single-story warehouses, wholesale distributors, industrial, auto and trucking repair and parking, and food manufacturers and distributors. The Bronx Charter School for the Arts is located on Longfellow Avenue just north of Garrison Avenue. The existing M2-1 district has a maximum commercial/manufacturing FAR of 2.0 and parking requirements vary by use. M2-1 districts often serve as buffers between light and heavy industrial areas. A range of manufacturing uses are permitted, but most commercial and community facilities are not allowed in the M2-1 zoning district.

### **M3-1**

Much of the Hunts Point peninsula is zoned M3-1, which allows the heaviest industrial uses. This area contains a mix of uses including a water-pollution control plant, a fertilizer manufacturer, food distributors and manufacturers, warehouses, woodworking shops, restaurants, retail, auto repair shops, and truck and bus parking lots. M3-1 districts are for heavy industries that generate noise, traffic, or pollutants. Even in M3 districts, uses with potential nuisance effects are required to conform to minimum performance



standards. Community facility uses are not permitted in M3 districts. The M3-1 district has a maximum commercial/manufacturing FAR of 2.0 and parking requirements vary by use.

#### **C1-4 Commercial Overlay**

Local retail is located along Hunts Point Avenue and Lafayette Avenue, which are mapped with a C1-4 commercial overlay within the R6 residential district. Local retail and service uses are permitted in the C1-4 overlay. Commercial overlays are mapped within residential districts. In mixed residential/commercial buildings, commercial uses are limited to the ground floor. In C1-4 overlays mapped in R6-R10 districts, the maximum commercial FAR allowed is 2.0.

Existing zoning within the vicinity of the rezoning area includes R7-1 and C8-3 to the west, R7-2 and C4-4 to the north-west and R7-1 and M1-1 to north of the Bruckner Expressway and the CSX/Amtrak rail corridor that physically divides Hunts Point peninsula from the rest of the surrounding neighborhoods. The Bronx River also separates the peninsula from the Sound View Park and M1-1 district on the east side.

#### **PROPOSED ACTIONS**

The Department is proposing the following actions to address the issues raised by the Hunts Point Task Force:

- **Zoning Text Amendment** (N 080247 ZRX) to establish the Special Hunts Point District.
- **Zoning Map Amendments** (C 080248 ZMX) to map the Special Hunts Point District and rezone the area.

**Zoning Text Amendment** (N 080247 ZRX)

The Special Hunts Point District would encompass the entire 70-block area to be rezoned to M1-2 as described below. The objectives of the Special Hunts Point District are:

- to provide a buffer of high-performance industrial and other commercial establishments around the residential area;
- to encourage the development of food related businesses and other compatible businesses;
- to create a transition between the Hunts Point Food Market and related businesses and the adjacent neighborhood;
- to retain jobs in New York City;
- to promote the development of retail businesses in the neighborhood;
- to foster local arts and crafts;
- to provide an opportunity for the physical improvement of Hunts Point;
- to promote the most desirable use of land and thus conserve the value of land and buildings and thereby protect City tax revenues.

To achieve these objectives, the Special District would modify underlying use regulations, enclosure requirements, and street-tree planting requirements as follows throughout the special district area.

The district would include special regulations that would:

- Prohibit new waste-related uses such as waste-transfer stations, and the storage of waste vehicles and dumpsters.
- Require that all activities including storage of automotive parts or materials be within a completely-enclosed structure (with the exception of building materials or contractor's yards as described in the Food Industry Subdistrict).
- Require in new developments, substantial enlargements, or changes of use, street tree plantings of one tree per 25 feet of street frontage for any use.

Within the Special Hunts Point District, two subdistricts would be established: the Residential Buffer Subdistrict and the Food Industry Subdistrict.

### **The Residential Buffer Subdistrict**

The Residential Buffer Subdistrict would be mapped over 33 full or partial blocks surrounding the residential neighborhood of Hunts Point. It is intended to act as a buffer to the residential neighborhood by prohibiting new heavier industrial uses. Within the subdistrict, all new heavier industrial uses and waste-related uses would be disallowed regardless of performance standards except breweries limited to 10,000 square feet. Breweries are compatible with surrounding food market and can provide job opportunities as well as retail options to the residential community.

To encourage more retail options in the area and to counter-balance use restrictions placed on these properties by the Special District, the Residential Buffer Subdistrict, as originally referred, would allow food stores (Use Group 6A) and the following retail uses in Use Group 10A to locate as of right regardless of size: carpet, rug, linoleum or other floor covering stores, clothing or clothing accessory stores, department stores, dry goods or fabric stores, furniture stores, television, radio, phonograph or household appliance stores, and variety stores. Currently these retail uses greater than 10,000 square feet require a special permit to locate in an M1 district. Other retail stores are currently permitted as of right and will continue to remain as-of-right uses in M1 districts.

To facilitate development of food stores and to help develop vacant and underutilized lots with more productive uses within the subdistrict, parking requirements for food stores including supermarkets, grocery stores, meat markets or delicatessen stores, would be reduced from one space per 200 square feet to one space per 300 square feet of the floor area. In addition, certain community facilities - libraries, museums or non-commercial art galleries, community centers (without settlement houses) and non-commercial recreational centers would be allowed as of right to promote local and regional arts and culture, and provide options for communal activities on the peninsula. Currently, these uses are only allowed in M1 districts by special permit. These uses would contribute to the growing art scene in Hunts Point.

### **The Food Industry Subdistrict**

The Food Industry Subdistrict is intended to promote the growth of food-related industries and thereby provide more job opportunities on the peninsula. The subdistrict would include 37 whole or partial blocks located adjacent to and continuing to the west of the Hunts Point Food Distribution Center. It will buffer existing concentrations of food-related businesses from incompatible waste-related and heavy industrial uses. It would also act as a transition area between the Hunts Point Food Distribution Center and heavy industrial uses.

This subdistrict would prohibit all new waste-related and heavy industrial uses regardless of performance standards, except some uses which are currently located within this district such as heavy machinery repair and plastics manufacturing. These businesses which have historically been located in Hunts Point, provide a substantial number of jobs, and seem to be compatible with food businesses. In addition, the Food Industry Subdistrict would allow refrigeration plants as they provide a valuable food-related service.

### **Zoning Map Amendments (C 080248 ZMX)**

In addition to mapping of the Special District, a 70-block area would be rezoned from M1-1, M2-1, and M3-1 to M1-2. This area is generally bounded by Bruckner Boulevard to the north, Oak Point Rail Yard to the west, and Oak Point Avenue to the south, and Halleck Street/Edgewater Road to the east. In addition, one lot would be rezoned from

M1-1 to R6 and C1-4 commercial overlays would be extended over portions of three blocks in order to bring existing retail uses into conformance.

### **Proposed M1-2**

The proposed M1-2 district permits light manufacturing uses and requires that industry meet the highest performance standards. M1 districts are often buffers between M2 and M3 districts and adjacent residential or commercial districts. The rezoning would expand the buffer between the Hunts Point residential area and the heavy industrial area on the peninsula by requiring the highest industrial performance standards and permitting new commercial establishments and community facilities to locate in the area. The proposed M1-2 would encourage the growth and expansion of the food-related industry by discouraging heavy industrial uses. The proposed M1-2 district allows the same 2.0 manufacturing and commercial FAR as the existing M3-1 and M2-1 district and doubles the permitted FAR in the existing M1-1 zone. The community facility FAR is 4.8 in M1-2 districts. The commercial, manufacturing, and community facility parking requirements vary with use.

### **Proposed R6**

One lot is proposed to be rezoned from M1-1 to R6. This vacant lot is located on the southwest corner of Seneca and Longfellow Avenues and is surrounded by residential uses and R6 zoning on three sides and rezoning of this single lot from M1-1 to R6 would

assure its development with residential use. The maximum FAR in R6 districts is 2.4 or 3.0 by using the optional quality housing regulations.

### **Extend the C1-4 Commercial Overlay**

C1-4 commercial overlays would be mapped over portions of three blocks along Lafayette Avenue between Faile Street and Byrant Avenue and along Hunts Point Avenue between Coster Avenue and Faile Street in the R6 residential district. This would bring existing commercial uses into conformance. The proposed C1-4 zoning allows for neighborhood retail including small food stores, salons and eating and drinking establishments. Required parking varies by use.

### **ENVIRONMENTAL REVIEW**

This application (N 080247 ZRX) in conjunction with the related application (C 080248 ZMX,) were 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 New York City Environmental Quality Review (CEQR) Rules of Procedure of 1991 and Executive Order No. 91 of 1977. The designated CEQR number is 08DCP034X. The lead agency is the City Planning Commission.

After a study of the potential environmental impacts of the proposed action, a negative declaration was issued on January 7, 2008.

## **PUBLIC REVIEW**

On January 07, 2008, the original application (N 080247 ZRX) was duly referred to Community Board 2 and the Borough President for information and review in accordance with the procedures for non-ULURP matters. The related application (C 080248 ZMX) was certified as complete by the Department of City Planning on January 07, 2008, and was duly referred to Community Board 2 and the Borough President in accordance with Title 62 of the Rules of the City of New York, Section 2-02(b).

### **Community Board Review**

Community Board 2 held a public hearing on the applications (C 080248 ZMX, N 080247 ZRX) on February 27, 2008, and on that date, by a vote of 26 in favor, 0 opposed and 0 abstaining, adopted a resolution recommending approval of this application.

### **Borough President Recommendation**

The applications (C 080248 ZMX, N 080247 ZRX) were considered by the Borough President, who issued a recommendation for conditional approval on April 01, 2008. The Borough President provided comments with the recommendations. The excerpts below highlight the chief comments which are fully described in the attached recommendation.

I support the conclusions of the Hunts Point Vision Plan and accordingly approve most aspects of the proposed Special Hunts Point District rezoning. Overall, the amendments would serve to implement the consensus of the Hunts Point Vision



Plan regarding land use. However, my endorsement excludes two significant provisions, concerning hotel and large scale retail uses that I believe would be detrimental to residents and businesses on the Hunts Point peninsula.

My support is contingent upon revising the text of the Special Hunts Point District to:

1. Allow as-of-right retail over 10,000 sq. ft. only on Garrison Avenue, retaining existing special permit provision elsewhere in the special district; and
2. Prohibit hotels in areas currently zoned M2 or M3; and
3. Create a special permit for hotels in portions of the district currently zoned M1; and
4. Retain the existing special permit provision for Use Group 4A uses in areas currently zoned M2 or M3; and
5. Retain the current FAR of 2.4 for as-of-right Use Group 4A uses throughout the special district and create special permit provisions to allow 4.8 FAR.

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

On March 26, 2008, (Calendar No. 23 and 3), the City Planning Commission scheduled April 9, 2008, for a public hearing on the application (N 080247 ZRX). The hearing was duly held on April 9, 2008 (Calendar No. 17), in conjunction with the hearing for the related action (C 080248 ZMX).

There were two speakers who spoke in favor of the project and none in opposition. The Deputy Director of Planning and Development from the Bronx Borough President's office reiterated the Bronx Borough President's recommendation. The Executive Director of Hunts Point Economic Development Corporation also concurred with the issues raised by the Bronx Borough President relating to hotels and motels and big-box retail uses.

There were no other speakers and the hearing was closed.

## **WATERFRONT REVITALIZATION PROGRAM CONSISTENCY REVIEW**

This application (N 080247 ZRX), in conjunction with those for related actions, was reviewed by the Department of City Planning for consistency with the policies of the New York City Revitalization Program (WRP), as amended by the City Council on October 13, 1999 and by the New York State Department of State on May 28, 2002, pursuant to the New York State Waterfront Revitalization and Coastal Act of 1981 (New York State Executive Law, Section 910 et seq.). The designated WRP number is 07-087.

This action was determined to be consistent with the policies of the New York City Waterfront Revitalization.

## **CONSIDERATION**

The City Planning Commission believes that the proposed zoning text amendment to establish the Special Hunts Point District (N 080247 ZRX) as modified herein, in conjunction with the proposed zoning map amendment (C 080248 ZMX), is appropriate.

The proposed Special Hunts Point District constitutes a comprehensive zoning framework for the manufacturing area of the Hunts Point peninsula - a 70-block area generally bounded by the Bruckner Expressway to the north, Edgewater Road and Halleck St. to the east, Ryawa and Oak Point avenues to the south, and the Oak Point Rail yards to the west.

The Commission commends the role of the Hunts Point Task Force, in the creation of the Hunts Point Vision Plan to address critical concerns about the Hunts Point peninsula. The Commission believes that the proposed zoning text amendment would meet the Hunts Point Vision Plan's goal of optimizing land use on the peninsula, promoting the most desirable use of land, promoting the food industry, and protecting the residents of Hunts Point.

The Commission believes that the Special District strikes an important balance between limiting industrial uses and protecting the residents from heavy industry on one hand and allowing the development of food industry, retail, and community facilities and promoting the creation of new jobs and services on the other.

The Commission believes that the rezoning of the special district area to M1-2 is appropriate. The change would double the permitted FAR for industrial uses and require industry to meet the highest performance standards.

The Commission believes that the rezoning of one lot from M1-1 to R6 is appropriate. The change would facilitate residential development on a lot that is surrounded by residential uses on three sides.

The Commission believes that the extension of the C1-4 overlay along Hunts Point Avenue and Lafayette Avenue is appropriate. The change to the zoning map would make several existing commercial uses conforming.

The Commission notes that issues about certain aspects of the proposed zoning text were raised during the public review, especially by the Borough President in his recommendation. After further review, the Commission is making certain modifications to the Special District text as described below.

As originally referred, the Special District would have allowed certain retail uses of any size within Use Group 10A to locate as of right within the Residential Buffer Subdistrict. To avoid the development of big-box retail stores that would generate traffic through the residential community, the Commission is modifying the text change by reducing the area where Use Group 10A uses, could locate as-of-right regardless of size, to within 500 feet of Garrison Avenue within the Residential Buffer Subdistrict. Elsewhere within the Residential Buffer Subdistrict, the underlying special permit provision for Use Group 10A retail uses greater than 10,000 SF would remain in effect. As proposed, food stores (Use Group 6A) could locate within the Residential Buffer Subdistrict without a special permit. The Commission recognizes that the need for a retail food store (grocery store) servicing the Hunts Point community is great and retail access to fresh food has been desired by the community for many years. The Commission also notes that the change in regulations governing food stores would apply to a limited area within the special district.

Since hotels and motels are allowed as of right in M1 districts, the rezoning from M2-1 and M3-1 to M1-2 would expand the area in Hunts Point where hotels and motels would be allowed to locate as of right. The Commission notes that it was not the Department's intent as part of the Hunts Point proposal, to expand the locations in Hunts Point where hotels could locate. Therefore, the Commission is modifying the proposed Special District text to prohibit hotels and motels within the areas that would be rezoned from M2-1 and M3-1. These areas are generally bounded by:

- Worthen Street to the north and east, Casanova Street to the east, mid-block parallel to Oak Point Avenue between Oak Point Avenue and Randall Avenue to the north, Longfellow Avenue to the east, Oak Point Avenue to the south, Oak Point Rail Yard to the west, Leggett Avenue to the south and Bruckner Boulevard to the west.
- East Bay Avenue to the north, Halleck Street to the east, Ryawa Avenue to the south, and Whittier Street to the west.
- Longfellow Avenue to the west, Bruckner Boulevard to the north, Bronx River to the east, Edgewater Road to the east, Whittier Street to the east as shown on the map, and Lafayette Avenue to the south.

The Commission notes that the recommendation of the borough president to “create a special permit for hotels in portions of the district currently zoned M1” is beyond the scope of this application.

The Commission notes that the changes to the community facility regulations proposed in the special district were requested by the community and that these changes are appropriate. The special district would allow a limited number of Use Group 4A uses in addition to houses of worship to locate as of right within the special district. These uses include: clubs, community centers not including settlement houses, and non-commercial recreational centers. The underlying special permit requirement for other uses within Use Group 4A to locate within the M1-2 zoning district would remain in effect. The additional as-of-right uses would provide services to the Hunts Point community.

## **RESOLUTION**

**RESOLVED**, that the City Planning Commission finds that the action described herein will have no significant impact on the environment; and be it further

**RESOLVED**, that the City Planning Commission, in its capacity as the City Coastal Commission, has reviewed the waterfront aspects of the 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 consideration described in this report, the Zoning Resolution of the City of New York, effective as of December 15, 1961, and as subsequently amended as follows:

### **Special Hunts Point District Text**

Matter in underline is new, to be added;

Matter in ~~strikeout~~ is to be deleted;

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

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

\* \* \*

## **11-12**

### **Establishment of Districts**

\* \* \*

Establishment of the Special Hudson Yards District

\* \* \*

Establishment of the Special Hunts Point District

In order to carry out the special purposes of this Resolution as set forth in Article X, Chapter 8, the #Special Hunts Point District# is hereby established.

Establishment of Special Limited Commercial District

\* \* \*

## **12-10**

### **DEFINITIONS**

\* \* \*

Special Hudson Yards District

\* \* \*

The "Special Hunts Point District" is a Special Purpose District designated by the letters "HP" in which special regulations set forth in Article X, Chapter 8, apply to all #developments#. The #Special Hunts Point District# appears on the #zoning maps# superimposed on other districts and its regulations supplement and supersede those of the districts on which it is superimposed.

Special Limited Commercial District

\* \* \*

*Note: No underlining, all text is new in Article X, Chapter 8.*

**Article X – Special Purpose Districts**  
**Chapter 8**  
**Special Hunts Point District**

**108-00**  
**GENERAL PURPOSES**

The #Special Hunts Point District# established in this Resolution is designed to promote and protect the public health, safety and general welfare of the Hunts Point community. These goals include, among others, the following specific purposes:

- (a) to provide a buffer of high-performance industrial and other commercial establishments around the residential area;
- (b) to encourage the development of food related businesses and other compatible businesses;
- (c) to create a transition between the Hunts Point Food Market and related businesses and the adjacent neighborhood;
- (d) to retain jobs in New York City;
- (e) to promote the development of retail businesses in the neighborhood;
- (f) to provide an opportunity for the physical improvement of Hunts Point;
- (g) to promote the most desirable use of land and thus conserve the value of land and buildings and thereby protect City tax revenues.

**108-01**  
**General Provisions**

In harmony with the general purposes and content of this Resolution and the general purposes of the #Special Hunts Point District#, the provisions of this Chapter shall apply to all #developments# and #enlargements# within the #Special Hunts Point District#. The regulations of all other Chapters of this Resolution are applicable except as modified, supplemented or superseded by the provisions of this Chapter. In the event of a conflict between the provisions of this Chapter and other regulations of this Resolution, the provisions of this Chapter shall control.

**108-02**



## **District Plan and Maps**

The District Plan for the #Special Hunts Point District# identifies specific areas comprising the Special District in which special zoning regulations are established in order to carry out the general purposes of the #Special Hunts Point District#.

These areas shall include the Residential Buffer and the Food Industry Subdistricts.

The District Plan includes the #Special Hunts Point District# Map located in Appendix A to this Chapter.

The map is hereby incorporated and made part of this Resolution for the purpose of specifying locations where the special regulations and requirements set forth in the text of this Chapter shall apply.

### **108-10 Use Regulations**

### **108-11 Use Modifications in the Special Hunts Point District**

In the #Special Hunts Point District#, hotels or motels shall not be permitted within the areas designated on the Special Hunts Point District Map in Appendix A.

### **108-12 Use Modifications in the Residential Buffer Subdistrict**

- (a) In the #Special Hunts Point District#, the #use# regulations of the underlying M1-2 District within the Residential Buffer Subdistrict shall be modified to permit the following #uses:

From Use Group 3A  
Libraries, museums or non-commercial art galleries

From Use Group 4A  
Clubs  
Community centers, not including settlement houses  
Non-commercial recreational centers

From Use Group 6A, with no limitation as to #floor area# per establishment

Food stores, including supermarkets, grocery stores, meat markets or delicatessen stores,

From Use Group 10A, with no limitation as to #floor area# per establishment within 500 feet of the center line of Garrison Avenue

Carpet, rug, linoleum or other floor covering stores

Clothing or clothing accessory stores

Department stores

Dry goods or fabric stores

Furniture stores

Television, radio, phonograph or household appliance stores

Variety stores

- (b) In the #Special Hunts Point District#, Use Group 18 #uses# shall not be permitted in the underlying M1-2 District within the Residential Buffer Subdistrict, except that breweries, limited to 10,000 square feet of #floor area# per establishment, shall be permitted.

### **108-13**

#### **Use Modifications in the Food Industry Subdistrict**

In the #Special Hunts Point District#, in the underlying M1-2 District within the Food Industry Subdistrict, #uses# listed in Section 42-15 (Use Group 18) shall not be permitted, except for the following:

From Use Group 18A:

Beverages, alcoholic or breweries

Machinery, heavy, including electrical, construction, mining, or agricultural, including repairs

Metal or metal products, treatment or processing, including enameling, japanning, lacquering, galvanizing or similar processes

Plastic, raw

Steel, structural products, including bars, girders, rails, wire rope or similar products

From Use Group 18B:

Refrigerating plants

### **108-14**

#### **Enclosure Regulations**

In the #Special Hunts Point District#, all #uses# listed in Use Groups 16, 17 and 18 shall be located within completely enclosed #buildings#, except that building materials or contractors' yards, listed in Use Group 17, may be open or enclosed.

## **108-15**

### **Applicability of Article V, Chapter 2 (Non-Conforming Uses)**

In the #Special Hunts Point District#, a #non-conforming use# may be changed only to a #conforming use#.

The following sections pertaining to #non-conforming uses# in the #Special Hunts Point District# shall not apply:

Section 52-32: (Land with Minor Improvements)

Section 52-33: (Manufacturing or Related Uses in Residence Districts), inclusive

Section 52-34: (Commercial Uses in Residence Districts)

Section 52-35: (Manufacturing or Related Uses in Commercial Districts)

Section 52-36: (Non-Conforming Commercial Uses in Commercial Districts)

Section 52-37: (Non-Conforming Commercial Uses in Manufacturing Districts)

Section 52-43: (C1 or C4 Districts)

Section 52-44: (Residence Districts Except R1 and R2 Districts)

Section 52-45: (Non-Conforming Residential Uses in M1 Districts)

Section 52-46: (Conforming and Non-conforming Residential Uses in M1-D Districts)

Section 52-54: (Buildings Designed for Residential Use in Residence Districts)

Section 52-56: (Multiple Dwellings in M1-D Districts)

Section 52-62: (Residential Buildings in M1-D Districts)

Section 52-72: (Land with Minor Improvements)

Section 52-731: (Advertising signs)

Section 52-732: (Signs on awnings or canopies)

Section 52-74: (Uses Objectionable in Residence Districts)

Section 52-75: (Certain Types of Uses Involving Open Storage or Salvage).

### **108-20**

#### **Modification of Parking Requirements in the Residential Buffer Subdistrict**

In the Residential Buffer Subdistrict, parking shall be provided at the rate of 1 space per 300 square feet of #floor area# for food stores, including supermarkets, grocery stores, meat markets or delicatessen stores. .#Cellar# space used for retailing shall be included for the purpose of calculating requirements for #accessory# off-street parking spaces and #accessory# off-street loading berths.

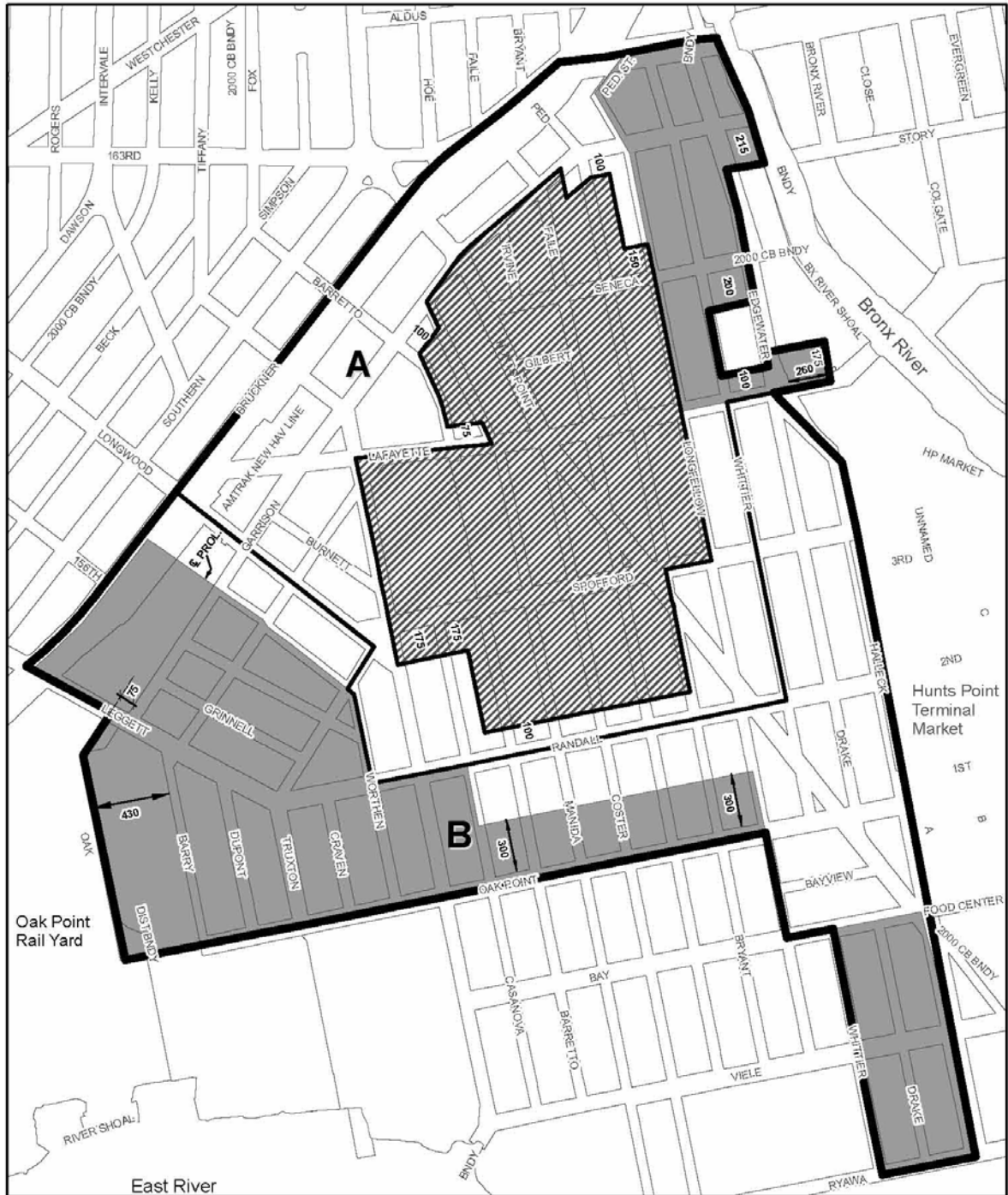
### **108-30**

#### **Modification of Street Tree Requirements**

Notwithstanding the provisions of Section 43-02 (Street Tree Planting in Manufacturing Districts), all #developments# or #enlargements# within the #Special Hunts Point District# that include #uses# listed in Use Group 17 or 18 shall provide #street# trees in accordance with Section 26-41 (Street Tree Planting). The #street# frontage used to calculate the number of required trees may exclude the #street# frontage occupied by curb cuts serving #uses# listed in Use Groups 17 or 18.

## **APPENDIX A**

### **Special Hunts Point District Map**



- Special Hunts Point District Boundary
- Sub-District Boundary
- ▨** Excluded Area
- Hotels or motels not allowed
- A** Residential Buffer Subdistrict
- B** Food Industry Subdistrict

\* \* \*

The above resolution (N 080247 ZRX), duly adopted, by the City Planning Commission on May 21, 2008 (Calendar No. 6), 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 Chair**  
**ANGELA M. BATTAGLIA, IRWIN G. CANTOR, P.E.,**  
**ANGELA M. CAVALUZZI, R.A., ALFRED C. CERULLO, III, BETTY Y. CHEN,**  
**MARIA M. DEL TORO, RICHARD W. EADDY, NATHAN LEVENTHAL,**  
**JOHN MEROLO, KAREN A. PHILLIPS, Commissioners**