



Legislation Text

File #: Res 1567-2008, Version: *

THE COUNCIL OF THE CITY OF NEW YORK
RESOLUTION NO. 1567

Resolution approving with modifications the decision of the City Planning Commission on Application No. N 080247 ZRX, 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 (L.U. No. 787).

By Council Members Katz and Avella

WHEREAS, the City Planning Commission filed with the Council on May 23, 2008 its decision dated May 21, 2008 (the "Decision"), pursuant to Section 201 of the New York City Charter, regarding an application submitted by the Department of City Planning, 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 (Application No. N 080247 ZRX), (the "Application");

WHEREAS, the Application is related to ULURP Application Number C 080248 ZMX (L.U. No. 787), an 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;

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 17, 2008;

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 January 7, 2008 (CEQR No. 08DCP034X);

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 with the following modifications:

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 to be deleted;
Matter with # # is defined in Section 12-10;
* * * indicates where unchanged text appears in the Zoning Resolution

Matter in double underline is new; to be added by City Council;
Matter in [brackets] is to be deleted by City Council

* * *

11-12
Establishment of Districts

* * *

Establishment of the Special Hudson Yards District

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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

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12-10
DEFINITIONS

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Special Hudson Yards District

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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] a limitation [as to] of 40,000 square feet of #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.

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 July 23, 2008, on file in this office.

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City Clerk, Clerk of The Council