

The proposed amendments to the Zoning Ordinance are as follows (underlined text added; strikethrough text deleted):

A. With respect to the special use known as “Planned Urban Redevelopments”:

1. Amend Section 43-72C(1) and Section 43-74E(1) to read as follows: “Planned urban redevelopments (PURs) may be permitted in all designated urban renewal areas including in the former PDR District, on tracts of land of two or more acres in aggregate.”
2. Amend Section 43-72C(2) and Section 43-74E(2) to read as follows: “Notwithstanding §43-27 and §43-50, PURs shall not be required to meet the dimensional or use requirements for the district in which they are located.”
3. Amend Section 43-72C and Section 43-74 to add new subsection (5), as follows:

“(5) Uses established and buildings and structures constructed pursuant to a PUR special permit shall be deemed conforming to the provisions of this chapter.”

B. With respect to the regulations of the CB District:

1. Amend the table of “Residential Uses” of Table 43-1 (Schedule of Use Regulations) to add a new vertical column captioned “CB” and to make apartment houses “Permitted uses” and planned urban redevelopments “Permitted subject to special use requirements,” as follows:

Residential Uses	CB
Apartment houses	P
Planned urban redevelopments	S

2. Amend the table of “Business, Commercial and Office Uses” of Table 43-1 (Schedule of Use Regulations) with respect to the CB District to make: commercial recreation uses – indoor, commercial recreation – outdoor, department stores and planned shopping centers “Permitted uses”; building supply stores, cabarets and nightclubs, and garden centers “Permitted, with supplemental requirements”; and supermarkets and wholesale price clubs and big-box retail stores “Permitted subject to special use requirements,” as follows:

Business, Commercial and Office Uses	CB
Building supply stores	Ps
Cabarets and nightclubs	Ps
Commercial recreation uses – indoor	P
Commercial recreation uses – outdoor	P
Department stores	P
Garden centers	Ps

Planned shopping centers	P
Supermarket	S
Wholesale price clubs and big-box retail stores	S

3. Amend the table of “Residential Accessory Uses” of Table 43-1 (Schedule of Accessory Use Regulations) to add a new vertical column captioned “CB” and make: decks and patios, fences and walls, radio and TV antennas, refuse collection, storage and recycling facilities, signs, storage sheds, greenhouses and children’s playhouses, swimming pools and bathhouses and tennis courts and other sports courts “Permitted, with supplemental requirements”; and satellite antennas “Permitted subject to special use requirements,” as follows:

Residential Accessory Uses	CB
Decks and patios	Ps
Fences and walls	Ps
Radio and TV antennas	Ps
Refuse collection, storage and recycling facilities	Ps
Satellite antennas	S
Signs	Ps
Storage sheds, greenhouses and children’s playhouses	Ps
Swimming pools and bathhouses	Ps
Tennis courts and other sports courts	Ps

4. Amend the list of use regulations for the CB District of Table 43-2 (List of Use Regulations by District) to conform to Table 43-1, as amended.
5. Amend the “Schedule of Dimensional Regulations for Residential Uses” (Table 43-3) to add to add a new vertical column captioned “CB” and add new footnotes 4, 5 and 6, as follows:

Minimum Requirements for Residential Uses	CB⁶
Lot area (square feet)	
Single- and two-family dwellings	--
Multifamily dwellings	--
Lot width (feet)	
Single- and two-family dwellings	--
Multifamily dwellings	--
Front yard (feet)	
Single- and two-family dwellings	--
Multifamily dwellings	--
Rear yard (feet)	
Single- and two-family dwellings	--
Multifamily dwellings	--
Side yard; one/both (feet)	--

Single- and two-family dwellings	--
Multifamily dwellings	--
Side yard of corner lot (feet)	
Single- and two-family dwellings	--
Multifamily dwellings	--
Average lot area per family (square feet)	
Single-family dwellings	--
Two-family dwellings	--
Multifamily dwellings	--
Gross floor area (square feet)	
Apartments	350
Maximums Permitted for Residential Uses	
Building coverage (%)	
Single- and two-family dwellings	--
Multifamily dwellings	90 ⁴
Height (stories/feet)	
Single- and two-family dwellings	--
Multifamily dwellings	--/50 ⁵
Floor Area Ratio	
Single- and multi-family dwellings	--
Multifamily dwellings	6.00

Notes:

4. The maximum building coverage shall be 100% on a parcel having 10 or more acres in aggregate.
5. The minimum height shall be two stories or 25 feet, whichever is greater. The maximum height shall be 525 feet on a parcel having 10 or more acres of area in aggregate.
6. In the CB and GC Districts, a tract having 10 or more acres of area in the aggregate and comprised of one or more parcels and/or lots may be designated by the City Council as a single "Development Site." The dimensional regulations of this chapter, including but not limited to the supplementary regulations in Section 43-33 of this chapter, shall apply to the entire tract designated as a Development Site and not to any of the individual parcels and/or lots which comprise the Development Site or any of the individual lots into which the Development Site is subdivided, and regardless of the ownership of the parcels and/or lots, provided that in all events each of the parcels and/or lots shall be used only in accordance with the approved site plan for the Development Site. Notwithstanding any other provision of this chapter: (a) the parcels and/or lots which comprise a Development Site or the lots into which a Development Site is subdivided may be separated by public or private

streets or rights-of-way; (b) the individual lots into which a Development Site is subdivided shall not be required to comply with the dimensional requirements of this chapter, including but not limited to the supplementary regulations in Section 43-33 of this chapter; and (c) the individual lots into which a Development Site is subdivided may be comprised wholly or partially of subsurface land and/or volumes of air space.

6. Amend the “Schedule of Dimensional Regulations for Nonresidential Uses” (Table 43-3) and add new footnote 8 to increase floor area ratio in the CB District and eliminate the required rear yard and increase the maximum permitted building coverage for certain parcels in the CB District (and GC District – see item C. 1, below) and add new footnote 9 as follows:

Minimum Requirements for Nonresidential Uses	CB⁹
Rear yard (feet)	10 ⁸
Maximums Permitted for Nonresidential Uses	
Building coverage (%)	90 ⁸
Floor Area Ratio	6.00

Notes:

“8. There shall be no required rear yard and the maximum permitted building coverage shall be 100% on a parcel in the CB District having 10 or more acres in aggregate and on a parcel in the GC District having 4 or more acres in aggregate.”

9. In the CB and GC Districts, a tract having 10 or more acres of area in the aggregate and comprised of one or more parcels and/or lots may be designated by the City Council as a single “Development Site.” The dimensional regulations of this chapter, including but not limited to the supplementary regulations in Section 43-33 of this chapter, shall apply to the entire tract designated as a Development Site and not to any of the individual parcels and/or lots which comprise the Development Site or any of the individual lots into which the Development Site is subdivided, and regardless of the ownership of the parcels and/or lots, provided that in all events each of the parcels and/or lots shall be used only in accordance with the approved site plan for the Development Site. Notwithstanding any other provision of this chapter: (a) the parcels and/or lots which comprise a Development Site or the lots into which a Development Site is subdivided may be separated by public or private streets or rights-of-way; (b) the individual lots into which a Development Site is subdivided shall not be required to comply with the dimensional requirements of this chapter, including but not limited to the supplementary regulations in Section 43-33 of this chapter; and (c) the

individual lots into which a Development Site is subdivided may be comprised wholly or partially of subsurface land and/or volumes of air space.

C. With respect to the regulations of the GC District:

1. Amend the “Schedule of Dimensional Regulations for Nonresidential Uses” (Table 43-3) to eliminate the required rear yard, increase the maximum permitted building coverage for certain parcels and authorize the designation of Development Sites, in the GC District by referencing new footnotes 8 and 9 to Table 43-3*, as follows:

Minimum Requirements for Nonresidential Uses	GC⁹
Rear yard (feet)	10 ⁸
Maximums Permitted for Nonresidential Uses	
Building coverage (%)	90 ⁸

D. With respect to building height in both the CB District and GC District:

1. Amend footnote 2 of the “Schedule of Dimensional Regulations for Nonresidential Uses” (Table 43-3) to increase the maximum permitted height on certain parcels in the CB District and GC District by adding new second and third sentences, as follows: “In the CB District, the maximum height shall be 525 feet on a parcel having 10 or more acres of area in aggregate. In the GC District, the maximum height shall be 220 feet on a parcel having 4 or more acres in aggregate.”

E. With respect to supplemental requirements for accessory parking areas:

1. Amend Section 43-44A(9)(a) to read as follows: “Except where shared parking has been specifically authorized by the approving authority as per §43-132C, private garages and private open air parking areas serving multifamily uses shall be provided on the same lot as the principal use or building or on a separate lot ~~under the same ownership as the principal building~~, provided that such parking ~~spaces~~ garages and open air parking areas on a separate lot are no more than 300 feet, measured by the shortest available route for pedestrian travel, from the property line nearest the entrance of the principal use or building which such parking serves to the pedestrian entrance of such garage or open air parking area closest to such property line, ~~by the shortest publicly available route for pedestrian travel,~~ and further provided that as a condition of its approval, the agency approving a site plan shall require a legal instrument satisfactory to the Corporation Counsel of the City of Yonkers assuring the continued existence and

* See proposed new footnotes 8 and 9 to Table 43-3 as set forth in item B. 6, above.

use of such private parking for the duration of the principal use or building which such parking serves.”

2. Amend Section 43-44B(2) to read as follows: “Except where shared parking has been specifically authorized by the approving authority as per §43-132C, in all districts semipublic parking structures and semipublic open air parking areas shall be provided on the same lot as the principal use or building or on a separate lot under the same ownership as the principal building, provided that such parking spaces structures and open air parking areas on a separate lot are no more than 300 feet, measured by the shortest publicly available route for pedestrian travel, from the property line nearest the entrance of the principal use or building which such parking serves to the pedestrian entrance of such parking structure or open air parking area closest to such property line, by the shortest publicly available route for pedestrian travel, and further provided that as a condition of its approval, the agency approving a site plan shall require a legal instrument satisfactory to the Corporation Counsel of the City of Yonkers assuring the continued existence and use of such semipublic parking for the duration of the principal use or building which such parking serves.”
3. Amend Section 43-44 to add a new Section 43-44C and new subsection (1) thereof to read as follows:

“C. Public parking garages and public parking lots.

 - (1) Off-street parking accessory to a principal use or building in the CB District or the GC District may be provided in one or more public parking garages or public parking lots provided that such parking garages and parking lots are no more than 500 feet, measured by the shortest available publicly available route for pedestrian travel, from the property line nearest the entrance of the principal use or building which such parking serves to the pedestrian entrance of such parking garage or parking lot closest to such property line.”
4. Amend Section 43-44A(9)(d) as follows: “No private parking garage accessory to and below a multifamily building to which it is accessory shall contain more than five parking levels above lowest grade except in the CB District and GC District.”
5. Amend Section 43-44B(7) as follows: “No semipublic parking structure provided below the principal building to which it is accessory shall contain more than five parking levels above lowest grade except in the CB District and GC District.”

F. With respect to shared parking:

1. Amend Section 43-132C to read as follows: “Shared parking. The agency approving a site plan may allow off-street parking and loading spaces required for uses, buildings or structures on the same or ~~on adjacent~~ different lots to be provided in one or more semipublic parking lot, or more than one of said lots, or in a structure or semipublic open air parking garage area, and in the CB District

and GC District, one or more public parking garage or public parking lot, subject to the following:”

2. Amend Section 43-132C(3) to read as follows: “No shared semipublic parking facility shall be located more than 300 feet, and no shared public parking facility shall be located more than 500 feet, measured by the shortest publicly available route for pedestrian travel, from the property line of any of the uses, buildings or structures which it such shared parking facility serves as measured from the property line of the use, building or structure to the property line pedestrian entrance of the such-shared parking facilities facility closest to such property line.”

G. With respect to the schedule of off-street parking requirements:

1. Amend the Zoning Ordinance to add new Section 43-137, as follows:

“§ 43-137. Required parking in the CB District and GC District.

A. Notwithstanding §43-128 and Table 43-4, in the CB District and GC District, the minimum number of required off-street parking spaces for the following uses shall be as set forth below:

<u>Use</u>	<u>Minimum Number of Spaces</u>
<u>Apartments</u>	<u>1 per dwelling unit</u>
<u>Commercial recreation uses – outdoor – Minor League Baseball Park</u>	<u>1 per 4 spectator seats</u>
<u>Offices</u>	<u>1 per 500 square feet of gross floor area</u>
<u>Medical offices</u>	<u>1 per 400 square feet of gross floor area</u>
<u>Planned shopping centers</u>	<u>1 per 350 square feet of gross floor area</u>
<u>Restaurants</u>	<u>1 per 150 square feet of gross floor area</u>
<u>Retail craft uses</u>	<u>1 per 450 square feet of floor area</u>
<u>Retail establishments</u>	<u>1 per 350 square feet of gross floor area</u>
<u>Supermarkets</u>	<u>1 per 350 square feet of gross floor area</u>
<u>Wholesale price clubs and big-box retail stores</u>	<u>1 per 350 square feet of gross floor area</u>
<u>Theaters or movie theaters</u>	<u>1 per 3 seats</u>

B. For all other uses, the minimum required number of off-street parking spaces shall be as set forth in Table 43-4.”

H. With respect to the exceptions to height limitations of the Schedule of Dimensional Regulations (Table 43-3):

1. Amend the second sentence of Section 43-33O(1) to read as follows: “The total area covered by such features shall not exceed 20% of the horizontal area of the roof on which they are located or 10% of the lot area, whichever is the lesser, except that such limitation shall not apply in the CB District or GC District.”