

City of New Rochelle, N.Y.

Introduced On:

Introduced By:

Held:

Adopted:

No. _____

Moved:

(and)

Seconded: _____

Approved As To Form: _____



Corporation Counsel

52

Dist	Member	Yeas	Nays	Abstain	Absent
1st	Trangucci				
2nd	Tarantino				
3rd	Rice				
4th	Hyden				
5th	Fertel				
6th	Rackman				
Mayor	Bramson				

SUBJECT
OR
TITLE }

RESOLUTION ADOPTING THE COMMUNITY BENEFITS
BONUSES FUNDS POLICY.

WHEREAS, the City Council has adopted the Downtown Overlay Zone Amendments ("DOZ Amendments"), map changes and related actions intended to establish a Downtown Overlay Zone ("DOZ") to implement the redevelopment sought in the New Rochelle Recommended Action Plan ("RAP"); and

WHEREAS, the DOZ Amendments create six downtown overlay zones that allow varying uses and densities depending on the walking distance to the New Rochelle Transit Center and will use form-based standards and provide development incentives for property owners to achieve the redevelopment objectives set forth in the RAP; and

WHEREAS, the DOZ Amendments take the form of "opt-in" Overlay Districts, applying to eligible properties; and

WHEREAS, the DOZ Amendments reference (see Zoning Resolution § 186.11C) a Community Benefits Bonus policy to be adopted by the City Council that offers property owners the ability to develop beyond the individual development standards for each district in exchange for investment in public benefits, up to a maximum building height; and

WHEREAS, to ensure the fulfillment of the community benefit goals of the City, this policy may be modified at any time by resolution of the City Council; now, therefore,

BE IT RESOLVED by the City Council of the City of New Rochelle:

Section 1. The Community Benefits Bonus Policy is hereby adopted, as shown on the attached schedule entitled "Community Benefits Bonuses and Funds Policy".

Section 2. This Policy shall take effect upon adoption.

Authenticated and certified this

_____ day of _____ 20

11/25/15



Mayor

City Clerk

Community Benefit Bonuses and Funds Policy

This table provides a list of Community Benefit Bonuses, the formula for award of such bonuses, and the various eligibility requirements. An applicant opting into the DOZ has the option to provide Community Benefits in exchange for additional height, as outlined in Section 186.11.C of the proposed Code Amendments.

COMMUNITY BENEFIT BONUSES

Bonus Category	Bonus Eligibility	Formula ¹
Historic Preservation	25%, 50% or 100% of potential bonus, based on significance of preservation, at discretion of Commissioner of Development with approval by Historic Landmarks Review Board	Permanent preservation by developer, on- or off-site (or a combination thereof), of all or a portion of an “historically significant structure” in an “historically appropriate way” (as determined by the Commissioner of Development and approved by the Historic Landmarks Review Board)
Arts and Cultural Space	25%, 50% or 100% of potential bonus, based on significance of provision, at discretion of Commissioner of Development with approval by Planning Board	Provision by developer, on- or off-site, of a “meaningful space” for an arts and cultural organization at a “substantial discount” for a “substantial period of time” (as determined by the Commissioner of Development and approved by the Planning Board)
Community Facility	25%, 50% or 100% of potential bonus, based on significance of provision, at discretion of Commissioner of Development with approval by Planning Board	Provision by developer, on- or off-site, of a “meaningful space” for a civic or educational user at a “substantial discount” for a “substantial period of time” (as determined by the Commissioner of Development and approved by the Planning Board)
Transit and Parking	Up to 100% of potential bonus, pro rata based on contribution	Permanent provision by developer, on- or off-site, of a “substantial number” of parking spaces open to the public at costs per space consistent with public parking offered by the City, with operating terms and allocation of economics satisfactory the City (as determined by the Commissioner of Development and approved by the Planning Board)
Green	25%, 50% or 100% of potential bonus, based on significance of provision, at discretion of the Commissioner of Development with approval by Planning Board	Incorporation on-site of “meaningful green elements” (e.g., LEED certification, microgrid, etc.) beyond what is required by zoning or other regulation (as a determined by the Commissioner of Development and approved by the Planning Board)

¹ When action giving rise to bonus occurs on a different property from the property on which the bonus is being taken, the receiving site must be designated at the time of site plan approval.

Bonus Category	Bonus Eligibility	Formula ¹
Pedestrian Passage	25% or 50% of potential bonus, as per Formula	<p>33 Lecount Place ("New Roc City") Passage: 50% of potential bonus (which bonus may be taken on- or off-site) for permanent provision by developer of public passage (maintained by developer) between Lecount Place and Harrison Street, meeting guidelines set forth immediately following passage of Overlay Zone by Commissioner of Development and approved by the Planning Board</p> <p>Master Developer Passages: 50% of potential bonus (which bonus may be taken on- or off-site) for permanent provision by developer of public passages (maintained by developer) between Lecount Place and Memorial Highway, meeting guidelines set forth immediately following passage of Overlay Zone by the Commissioner of Development and approved by the Planning Board</p> <p>40 Memorial Highway ("Halstead New Rochelle") Passage: 25% of potential bonus (which bonus may be taken on- or off-site) for permanent provision by developer of public passage (maintained by developer) between Memorial Highway and Division Street, meeting guidelines set forth immediately following passage of Overlay Zone by the Commissioner of Development and approved by the Planning Board</p>
Open Space	25%, 50% or 100% of potential bonus, based on significance of provision, at discretion of Commissioner of Development with approval by Planning Board	Permanent provision by developer, on- or off-site, of a "meaningful public open space" (maintained by developer) open (as determined by the Commissioner of Development and approved by the Planning Board), meeting guidelines set forth immediately following passage of Overlay Zone by Commissioner of Development and approved by the Planning Board
Housing	25%, 50% or 100% of potential bonus, based on significance of provision, at discretion of Commissioner of Development with approval by Planning Board	<p>Permanent provision by developer of one of the following;</p> <ul style="list-style-type: none"> • Up to 5% of units @ 60% of AMI/5% of units @ 80% of AMI • 11%-20% of units @ 80% of AMI
Community Benefits Fund	Up to 100% of potential bonus, pro rata as per formula	Contribution by developer of applicable Community Benefits Fund Amount/gross bonus SF to Community Benefits Fund

Community Benefit Fund Administration

An applicant also has an option to pay into a Community Benefits Fund to achieve the additional height bonuses outlined in Section 186.11.C of the proposed DOZ Amendments. The Community Benefits Fund will be allocated to improvements located within the Overlay Zone, pursuant to the community benefit categories: (a) Historic Preservation, (b) Arts and Cultural Uses, (c) Community Facilities, (d) Transit and Parking, and (e) Open Space. The City is committed to developing a program to provide job training, job placement services and residential and business relocation assistance for properties developed under the DOZ. Community Benefit Fund revenues may be used to develop and administer this program. Additionally, the City Council will have the ability to evaluate additional Community Benefit programs or improvements, not previously identified, for their positive impact on the City and use funds from this program to support those efforts.

The fees associated with the Community Benefits Fund are provided below and the allocation of amounts in the Fund among the permitted uses will be proposed, from time to time, by the City Manager and approved by the City Council. The City will create a process for disbursing amounts in the Fund to specific projects. On the fifth anniversary of the adoption of this Policy, the Commissioner of Development will provide the City Council with a detailed analysis of the utilization to such date of the Community Benefit Bonus. Based upon this analysis and in the discretion of City Council, this Policy may be revised.

COMMUNITY BENEFITS FUND

Overlay District	Condition	Amount/SF
DO1	Development Standard 1	\$30
	Development Standard 2	\$40
	Development Standard 3	\$50
DO2	Development Standard 1	\$20
	Development Standard 2	\$30
	Development Standard 3	\$40
DO3	Development Standard 1	\$10
	Development Standard 2	\$20
	Development Standard 3	\$30
DO4	Development Standard 1	\$10
	Development Standard 2	\$20
	Development Standard 3	All, but North of Huguenot and East of River: \$30 North of Huguenot and East of River: \$20
DO5	Development Standard 1	\$10
	Development Standard 2	\$20
	Development Standard 3	\$30
DO6	Development Standard 1	\$10
	Development Standard 2	\$20
	Development Standard 3	\$20