



West Clinton Rezoning - Approved!

Overview

Update June 14, 2011:

On June 14, 2011 the City Council adopted the West Clinton Rezoning. The zoning map and text changes are now in effect.  [View the adopted text amendment.](#)

The Department of City Planning (DCP) and Community Board 4 (CB 4) propose to rezone all or portions of 18 blocks located in Community District 4, Manhattan. The rezoning area, in the West Clinton neighborhood, is generally bounded by West 55th Street to the north, West 43rd Street to the south, a variable line between Tenth and Eleventh avenues to the east, and Twelfth Avenue (Route 9A) to the west.

Increased residential development in the broader Clinton neighborhood has demonstrated that the western portion of Clinton, generally the area west of Tenth Avenue, is a desirable place to live. In the past decade, a number of as-of-right residential buildings have been constructed in the existing residential and commercial districts between Tenth and Eleventh avenues.



 [View the slideshow presentation](#)

While residential construction has increased between Tenth Avenue and Eleventh Avenue, new commercial, office, utility and other manufacturing-district compatible use construction has taken place on the blocks between Eleventh Avenue and Twelfth Avenue. The expanded facilities of utility companies such as Verizon and ConEd, and of vehicle-distribution companies such as FedEx, are important in that they serve the adjacent midtown business district, and the city as a whole. In addition, new office development provides space for companies at a lower rent than what is typically found in the central midtown business district.

To address these recent trends, DCP and CB 4 propose a zoning map amendment to extend the residential districts from Tenth Avenue to the east side of Eleventh Avenue, and to increase the density permitted on certain blocks zoned for manufacturing and manufacturing-district compatible uses from the west side of Eleventh Avenue to Twelfth Avenue. Proposed text amendments would ensure new development in the rezoning area would be in context with the surrounding built environment.

Through zoning text and zoning map amendments, the Department's proposal would:

- **Provide new opportunities for residential development**, including new affordable housing, in the West Clinton neighborhood;
- **Encourage new manufacturing-district compatible uses** between Eleventh Avenue and the Twelfth Avenue; and
- **Ensure that the form of new buildings relates to and enhances neighborhood character.**

To achieve these goals, the Department proposes the following actions:

Zoning map amendment to change the zoning for approximately 18 blocks currently zoned M1-5, M2-3 and M3-2. Under the proposed action, new R8, R8A/C2-5, R9, R9/C2-5 and M2-4 districts would be mapped in the rezoning area; and

Zoning text amendment to the Special Clinton District to establish the Inclusionary Housing program in the proposed R8A and R9 districts, to modify the boundaries of the Areas within the Special Clinton District and to place certain bulk restrictions on new development within the West Clinton neighborhood.

The proposal is the result of a collaborative process with Community Board 4 and local officials and fosters Mayor Bloomberg's sustainable planning goals by promoting the preservation of neighborhoods character while also providing opportunities for modest growth and affordable housing along wide corridors.



DeWitt Clinton Park



UPS facility at Eleventh Avenue
and West 44th Street



West side of Eleventh Avenue

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Existing Context & Zoning

West Clinton is a neighborhood with a wide range of uses from residential to auto repair, and horse stables to theaters. The neighborhood is developed with a mix of building types including large loft buildings along Eleventh Avenue and the West Side Highway, single-story auto dealerships and auto repair shops, full-block vehicle distribution and utility facilities, and a small number of walk-up tenement-style buildings.

Existing Zoning

The proposed West Clinton rezoning area consists of M1-5, M2-3 and M3-2 zoning districts. Residential uses are not permitted in manufacturing zones. The Special Clinton District covers the entire rezoning area, with the exception of three blocks currently zoned M2-3 and M3-2 to the west of Eleventh Avenue, and portions of two blocks currently zoned M1-5 east of Eleventh Avenue. The Special Clinton District was established in 1974 to provide specific programmatic and building bulk regulations within the unique geographical location of the Clinton community, which is situated between the waterfront on the west and a central business district on the east.

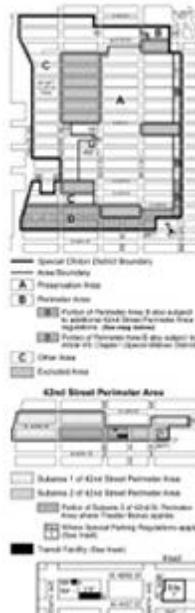


Existing Zoning Map - [View a larger image](#)



Land Use Map - [View a larger image](#)

Special Clinton District
Zoning Map
2015.03.02



Special Clinton District Map - [View a larger image](#)

The following outlines some of the important requirements of each existing district within the rezoning area:

M1-5

An 11-block area currently zoned M1-5 comprises half of the proposed rezoning area. These blocks contain a mix of uses, including warehouses, self-storage, auto repair shops, automobile dealerships, commercial loft buildings, and vehicle-distribution based businesses. M1-5 districts generally permit light industrial, commercial, hotels and limited community facility uses. Manufacturing and commercial uses have a maximum floor-area ratio (FAR) of 5.0 and community facilities have a maximum FAR of 6.5. There are no height limits, and building heights and setbacks are governed by the sky exposure plane.

M2-3

An eight-block area located to the west of Eleventh Avenue is currently zoned M2-3. This area contains a mix of uses including parking lots, self-storage, warehouses, vehicle-distribution based businesses, auto repair shops, commercial loft buildings and a ConEdison substation. The existing M2-3 district has a maximum commercial/manufacturing FAR of 2.0. M2-3 districts occupy the middle ground between light and heavy industrial areas. A range of manufacturing uses are permitted, but most community facilities are not allowed in M2-3 zoning districts. There are no height limits, and building heights and setbacks are governed by the sky exposure plane.

M3-2

A portion of one block west of Eleventh Avenue between West 45th and West 46th streets is currently zoned M3-2. This block is owned by the New York State Department of Transportation and is currently used as a surface parking lot and a landing for the pedestrian bridge across the West Side Highway to the Intrepid Museum. M3-2 districts permit the heaviest industrial uses and community facilities are not allowed. The existing M3-2 district has a maximum commercial/manufacturing FAR of 2.0. There are no height limits, and building heights and setbacks are governed by the sky exposure plane.

In all three existing districts, parking is not required because the rezoning area is located in the Manhattan Core, south of 60th Street. A maximum amount of parking is permitted based on the size of the use on the zoning lot.

Summary of Existing Allowed Density and Building Form

| EXISTING ZONING | | | | | |
|-----------------------|----------------|-------------------------------------|--------------------|---------------|-----------------|
| Allowed Density (FAR) | | | | Building Form | |
| Zoning District | Residential | Commercial/Industrial/Manufacturing | Community Facility | Street wall | Building Height |
| M1-5 | Not applicable | 5.0 | 6.5 | Not required | Not Required |
| M2-3 | Not applicable | 2.0 | Not applicable | Not required | Not Required |
| M3-2 | Not applicable | 2.0 | Not applicable | Not required | Not Required |

West Clinton Rezoning - **Approved!** Proposed Zoning

The proposed actions would maintain the existing mix of uses in West Clinton while encouraging new residential development, including affordable housing, on the east side of Eleventh Avenue and encouraging the growth of businesses west of Eleventh Avenue. The proposed actions would also ensure that the form of new buildings relates to and enhances the neighborhood character.

DCP and CB 4 propose a zoning map amendment to extend the residential districts from Tenth Avenue to the east side of Eleventh Avenue, and to increase the density permitted on certain blocks zoned for manufacturing and manufacturing compatible uses to the west of Eleventh Avenue. The proposed text amendments would ensure that new development in the rezoning area be in context with the surrounding built environment.

[View the zoning comparison chart.](#)

Zoning Map Changes



Proposed Zoning Map - [View a larger image](#)

Proposed R8, Change from M1-5 to R8

The proposed R8 district would extend the existing R8 district located in the area east of the rezoning area to portions of six blocks currently zoned M1-5 located east of Eleventh Avenue. Uses found in this portion of the rezoning area are varied and include auto repair shops, a Salvation Army warehouse, office space and a few multi-family residences. Building types within this area are also varied, and range from large warehouse buildings, to one- and two-story garages.

In addition to the zoning map change, the proposed text amendment would also extend the existing Preservation Area of the Special Clinton District to cover this expanded R8 district between West 45th Street and West 50th Street, and would extend the Other Area of the Special Clinton District on the east side of Eleventh Avenue between West 50th and West 52nd streets to cover the remainder of the expanded R8 district. R8 districts in the Preservation Area and Other Area permit residential and community facility uses. The maximum FAR for residential and community facility uses is 4.2, and the maximum height for all buildings on narrow streets is 66 feet, or seven stories, whichever is less. Further regulations applicable in the Preservation Area include special lot coverage and open space regulations, with maximum lot coverage of 60 percent, and a minimum of 20 percent of the lot must be available to the tenants of the zoning lot. No parking is permitted as-of-right in the Preservation Area.



South side of West 47th Street near Eleventh Avenue

Proposed R8A/C2-5, Change from M1-5 to R8A/C2-5

The proposed R8A district with a C2-5 commercial overlay would extend the existing R8A district with a C2-5 overlay at a depth of 100 feet along the eastern side of Eleventh Avenue. The R8A zoning district with the C2-5 commercial overlay would provide opportunities for residential development with ground floor retail on the east side of Eleventh Avenue at an appropriate height and density for the existing built context of the R8A district to the north. The eastern frontage of Eleventh Avenue is developed with single-story auto dealership and repair buildings, a gas station, a ConEd facility and some walk-up, multi-family residential buildings.



East side of Eleventh Avenue looking south

R8A districts permit residential and community facility uses and the C2-5 commercial overlay permits local retail and commercial uses at the ground floor. The proposed zoning text amendment will make the [Inclusionary Housing](#) provisions applicable in this area. The maximum base FAR for residential uses is 5.4. A maximum FAR of 7.2 would be achievable if affordable housing is provided on or off-site. R8A zoning districts are contextual zoning districts requiring buildings to be built at or near the street line with maximum base height of 60 feet and a maximum building height of 120 feet. Accessory parking for 20% of new residential uses is permitted as-of-right, but parking is not required. The block frontages south of West 50th Street would remain in the Other Area of the Special Clinton District and the block frontages north of West 50th Street would remain in the Excluded Area

Proposed R9/C2-5, Change from M1-5 to R9 and R9/C2-5

The proposed R9 district would cover a portion of one block between West 43rd and West 44th Streets to the east of Eleventh Avenue. A C2-5 commercial overlay at a depth of 100 feet would be mapped in conjunction with the R9 district on the Eleventh Avenue frontage. This block is developed with multi-story warehouses, single-story auto-repair shops, an auto rental facility, a single-story restaurant and an uncovered, below-grade rail cut. The R9 zoning district with the C2-5 commercial overlay would provide opportunities for residential development with ground floor retail on the east side of the Eleventh Avenue frontage at a height and density that would provide an appropriate transition from the high-density development on West 42nd Street to the lower-density development found to the north and east.



North side of West 43rd Street between Tenth Avenue and Eleventh Avenue

R9 districts permit residential and community facility uses and the C2-5 commercial overlay permits local retail and commercial uses on the ground floor. The proposed zoning text amendment will make the Inclusionary Housing provisions applicable in this area. The maximum base FAR for residential uses is 6.0. A maximum FAR of 8.0 would be achievable if affordable housing is provided on or off-site. The typical building envelope for development within the R9 district would be modified by a proposed text amendment that would require any development or enlargement within an R9 district within the Other Area of the Special Clinton District west of Tenth Avenue would follow the height and setback regulations of the R9A zoning district. The maximum building height would be 135 to 145 feet and the maximum base height would be 95 to 102 feet. Accessory parking for 20% of new residential uses is permitted as-of-right, but parking is not required. The block would remain in the Other Area of the Special Clinton District.

Proposed M2-4, Change from M1-5, M2-3 and M3-2 to M2-4

The proposed M2-4 district would cover a ten-block area bound by the West Side Highway to the west, West 55th Street to the north, Eleventh Avenue to the east, and West 43rd Street to the south. A portion of one block east of Eleventh Avenue between West 46th and West 47th streets would be rezoned from M1-5 to M2-4. This block contains a large loft building that is currently used as headquarters for the advertising agency Ogilvy and Mather. The blocks west of Eleventh Avenue is developed with a mix of warehouses, mini-storage, vehicle distribution-based businesses, auto-repair shops, auto dealerships, loft office buildings, a ConEd facility and a hotel. This rezoning is proposed to permit existing and new industrial and commercial uses to expand in an area where they can provide essential services to Midtown Manhattan and the city as a whole.



West side of Eleventh Avenue between West 50th Street and West 51st Street.

Light industrial uses and commercial uses are permitted in M2-4 zoning districts at a maximum FAR of 5.0. Hotels are not permitted. The proposed text amendment would limit the height of buildings in the proposed M2-4

district in the Other Area of the Special Clinton District to 135 feet. Parking is not required, but a certain amount of parking is permitted based on the size of a use on a zoning lot. The M2-4 rezoning area would remain in the Other Area of the Special Clinton District, and three blocks between West 44th and West 47th streets would be included in the Special Clinton District, in the Other Area.

Extension of the Existing Special Clinton District

The existing Special Clinton District would be extended to include two full blocks and a portion of one block west of Eleventh Avenue between West 44th and West 47th Streets and extend the applicability of certain regulations of the Other Area of the Special Clinton District from the blocks to the north, east, and south.

Zoning Text Amendments

Zoning text amendment to the Special Clinton District to:

- Extend the Preservation Area of the Special Clinton District generally to within 100 feet of the east side of Eleventh Avenue between West 45th and West 50th Streets to provide opportunities for residential development at a density and height in context with the area immediately to the east;
- Extend the Other Area of the Special Clinton District to a depth of 175 feet on the east side of Eleventh Avenue between West 50th and West 51st streets and a depth of 200 feet on the east side of Eleventh Avenue between West 51st and West 52nd streets;
- Establish two new subareas within the Other Area of the Special Clinton District: the Northern Subarea and the Western Subarea. The Northern Subarea (C1) would include all of the blocks in the Other Area north of West 55th Street, and the Western Subarea (C2) would include all of the blocks in the Other Area south of West 55th Street.
- Place R9A contextual building envelope restrictions on developments within the proposed R9 district (maximum height of 145 feet) to ensure future development would be in context with the large warehouse buildings existing on the block;
- Establish a maximum height (135 feet) and street wall requirements (minimum height of 50 feet and a maximum height of 95 feet) for developments in the proposed M2-4 district to ensure future development would be in context with the loft buildings existing in the area.
- Require street walls in the Preservation Area of the Special Clinton District to ensure new development is in context with the existing built environment; and
- Allow existing legal adult uses to remain in the Other Area of the Special Clinton District through zoning text amendment.

Sidewalk Café Regulations

Zoning text amendment to sidewalk café regulations to specify that enclosed sidewalk cafés are not permitted within the Special Clinton District.

Inclusionary Housing Program

Finally, the West Clinton rezoning proposal would apply the [Inclusionary Housing Program](#) to the proposed R8A and R9 zoning districts in the rezoning area and establish incentives for the creation and preservation of affordable housing in conjunction with development of new housing.

Under the Inclusionary Housing Program, for residential development without an affordable housing component, the maximum FAR would be limited to a base FAR of 5.4. Developments providing affordable housing are eligible for a floor area bonus, within contextual height and bulk regulations tailored to this area. Developments could qualify for a maximum FAR of 7.2 (within the 60'-85' street wall limit and the 120-foot overall building height limit) by providing 20 percent of the residential floor area in the development as permanently affordable housing for low- and moderate-income households, or by constructing or preserving off-site affordable units for low-income households. Off-site units must be located within Community District 1, or within one half-mile of the

bonused development if outside of Community District 1. Other city, state and federal housing finance programs may be used to provide further assistance in creating affordable units.

 [View the adopted text amendment](#)

West Clinton Rezoning - **Approved!**

Public Review

The West Clinton rezoning proposal began formal public review on January 3, 2011 with the Department of City Planning's Certification of the [Uniform Land Use Review \(ULURP\)](#) application (110177 ZMM and text amendment N 110176 ZRM).

| <i>Milestones</i> | <i>Target Dates</i> |
|--|---|
| Department of City Planning certification | January 3, 2011 -  View the presentation |
| Community Board 4 Approval with Conditions | March 4, 2011 |
| Manhattan Borough President Approval with Conditions | April 5, 2011 |
| City Planning Commission Hearing | April 13, 2011 |
| City Planning Commission Approval (Read the CPC Reports) | May 11, 2011 |
| City Council Approval | June 14, 2011 |

For more information about this proposal please contact the Manhattan Office of the Department of City Planning at (212) 720- 3480.

Related Notes

-  Items accompanied by this symbol require the [free Adobe Acrobat Reader](#).
- Brief explanations of terms in *green italics* can be viewed by [visiting glossary page](#). Words and phrases followed by an asterisk (*) are defined terms in the Zoning Resolution, primarily in Section 12-10. Consult the Zoning Resolution for the official and legally binding definitions of these words and phrases.