



## Third Avenue/Tremont Avenue Rezoning - **Approved!**

### Overview

**Update October 13, 2010:**

On October 13, 2010, the City Council adopted the Third Avenue/Tremont Avenue Rezoning. View the [adopted text amendment](#). The zoning map and text changes are now in effect.



Intersection of Third Avenue and Tremont Avenue, looking east down Tremont Avenue.

The Department of City Planning proposes to amend the Zoning Map on all or portions of seventy-five blocks along the Third Avenue and Tremont Avenue corridors, Bronx Community District 6, to provide opportunities for new residential and commercial development in the “heart of the Bronx.” In addition to the rezoning, DCP would amend the Zoning Resolution to create *mixed-use* (MX) district for this area and apply the *Inclusionary Housing Program* to certain zoning districts to incentivize development of affordable housing in Bronx Community District 6.

The study area consists of two distinct but intersecting corridors, the Third Avenue corridor from Fordham Plaza in the north to the Cross-Bronx Expressway to the south, and the Tremont Avenue corridor from Webster Avenue in the west to Daly Avenue in the east. The existing zoning has been in place since 1961 and is outmoded since the elevated train which ran along Third Avenue was removed in 1973. In addition, a residential area to the west of Third Avenue is proposed to be rezoned to establish height limits and tailor the zoning to the existing built character of the neighborhood streets.



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The rezoning's main goals are to strengthen Third Avenue and Tremont Avenue as major corridors that will promote a healthy mix of uses including affordable housing, retail, and commercial while preserving the surrounding neighborhood character.

- Expand development potential along Third Ave and Tremont Ave corridors;
- Create new opportunities for housing and private investment;
- Retain viable light manufacturing and auto-related uses and create jobs;
- Incentivize permanently affordable housing;
- Knit together the neighborhoods of Tremont, Belmont, Fordham, and Bathgate;
- Provide support for major institutions – St. Barnabas Hospital;
- Unify urban design and preserve neighborhood character by imposing height limits.



 [View the presentation.](#)

The proposed actions would create opportunities for housing and commercial uses along Third Avenue in height-limited buildings; in limited areas of Third Avenue, light industrial uses would also be permitted. The proposed actions would increase the commercial and residential potential along Tremont Avenue in height-limited buildings. Maximum heights range from 80' to 125' in select locations near Fordham Plaza, Tremont Park, and Metro-North stations. Incentives to develop affordable housing would also be introduced through the Inclusionary Housing Program. The rezoning would protect the neighborhood character between Third Avenue and Park Avenue from out-of-scale development by mapping contextual zoning districts that more closely reflect the scale and form of existing buildings and set building height limits.



Low scale industrial development, underutilized lots, and parking lots are byproducts of the zoning created for the elevated train along Third Avenue which was removed in 1973.



Zoning along Tremont Avenue offers only limited commercial opportunities.



An Out-of-Scale thirteen story building in an R7 district along Washington Avenue.

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### Existing Zoning & Context

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The study area encompasses approximately one mile of both Third Avenue and Tremont Avenue, which form important crossroads in the central Bronx. Northeast of the study area is Belmont, a neighborhood residential and retail area known for its regional specialty food and restaurants. Bronx Park, including the zoological park, is a few blocks to the east of the study area. Southeast of the study area are Tremont Park and Crotona Park, a 15 and 127.5 acre, respectively, regional Public Park. To the south of the study area is the Cross-Bronx Expressway and the Bathgate Industrial Park. To the west is the Tremont community and Metro-North rail tracks. St. Barnabas Hospital is a major institution in the heart of the Third Avenue corridor.

The area is well served by public transportation. There are two Metro-North stations within or adjacent to the proposed rezoning area, Fordham station and Tremont station, and the proposed rezoning area is well served by bus. While there are no subway stops within the proposed rezoning area, the D/B, 4, 2, and 5 lines are all one bus transfer away. The Fordham Road Select Bus Service is also nearby, operating as one of the main east-west routes for public transportation through the Bronx.

The built character differs according to the subdistricts of Third Avenue, Tremont Avenue, and the neighborhood area to the west.

#### Third Avenue

The current zoning along Third Avenue was established in 1961 when the Third Avenue elevated "8" train ran along the corridor. Despite demolition of the elevated train in 1973, the zoning has remained unchanged; consequently, the Third Avenue corridor is primarily developed with single-story automotive and warehouse uses. Many of these uses are inactive in the off hours, which disrupts the continuity of the surrounding residential streets. There are also numerous underutilized properties within the study area, such as open parking lots and vacant land. St. Barnabas Hospital is located on Third Avenue at East 184th Street. East 180th Street and Third Avenue are notable as a retail node.


#### Tremont Avenue

The Tremont Avenue corridor is considered the "downtown" of Community District 6. Once a central shopping and theater district with a street car running down Tremont Avenue, the shopping corridor remains healthy today, serving the current population with a variety of discount retail stores and restaurants. However, several multistory theaters and office buildings have active retail uses on the ground floor with vacant upper stories. Many single-story retail establishments line the street, with some multi-story buildings at major intersections and a few mixed residential and retail buildings. Most of the corridor is currently zoned for residential use with local commercial on the ground floor.

#### Neighborhood area west of Third Avenue

The neighborhood west of Third Avenue is a stable residential community with a mix of four to six story apartment buildings with several blocks of row house development. In the past few years new apartment buildings have been constructed in this area, some of them significantly taller and out-of-context with the surrounding buildings.

### Existing Zoning

The Third Avenue corridor is primarily zoned C8-3 with a six block area at the southern end zoned M1-4. The Tremont Avenue corridor is primarily zoned R7-1 with a C1-4 commercial overlay. The west end of Tremont Avenue has several blocks of C4-4 zoning. The residential area west of Third Avenue is zoned R7-1. The various zoning designations and their locations are described below.  [View the zoning comparison chart.](#)

#### C8-3

The C8-3 district is currently mapped along Third Avenue from 189th Street, in the north, down near Tremont Avenue, in the south, containing part of twenty-three blocks. The zoning is reflective of the elevated train that was present along the Third Avenue corridor until 1973. The C8-3 district allows commercial and community facility uses in Use Groups 4-14 and 16. The most prevalent uses in C8 districts are automotive and heavy commercial uses such as auto-repair, warehouses, gas stations, and car washes. Residential uses are not permitted. There is no maximum building height, and the building envelope is regulated by the [sky exposure plane](#). The maximum commercial [floor area ratio \(FAR\)](#) in C8-3 districts is 2.0. Community



facilities are permitted an FAR of up to 6.5. Off-street parking requirements vary with the use, but generally most uses require one accessory parking space per 1,000 square feet of commercial space.

#### **C4-4**

The C4-4 district is mapped along Tremont Avenue from Webster Avenue, in the west, to Third Avenue, in the east, containing part of eight blocks. C4-4 districts are medium-density commercial districts which allow for Use Groups 1-6, 8-10, and 12, which permits commercial office and retail, residential, and community facility uses. Commercial uses have a maximum FAR of 3.4, residential uses have a maximum FAR of 4.0, and community facilities have a maximum FAR of 6.5. Residential uses have an R7-1 zoning equivalent which allows for both [Quality Housing program](#) and [height factor development](#) (see R7-1). For commercial and community facility uses, there are no height limits, and building heights and setbacks are governed by the sky exposure plane. The residential parking requirement provides one parking space for 50% of the number of residential units. The commercial and community facility parking requirements vary with use.

#### **R7-1**

The R7-1 district is the largest district, located throughout the rezoning and consisting of at least a portion of 51 of the 75 zoning blocks. The R7-1 district is a height factor district that allows residential uses to a maximum floor area ratio (FAR) of 3.44 and community facility uses up to 4.8 FAR. There is no maximum building height, and the building envelope is regulated by the sky exposure plane. The optional Quality Housing regulations allow residential development a maximum permitted FAR of 4.0 on a wide street and 3.44 on a narrow street. Under Quality Housing rules, for a wide street, the base height of the building at the street must be between 40-65 feet then must set back from the street before rising to a maximum building height of 80 feet. For a narrow street, the base height of the building at the street must be between 40-60 feet before rising to a maximum building height of 75 feet after the setback. Off-street parking is required for 60% of the residential units (50% for Quality Housing developments).

#### **M1-1**

The M1-1 district is currently mapped within a single zoning block within the rezoning area. M1-1 districts permit Use Groups 4-14, and 16-17, which include light manufacturing and industrial uses, many commercial uses and certain community facility uses. Residential uses are not permitted. The district has a 30-foot street wall height limit, before an initial setback of 15 feet on a wide street (streets greater than 75 feet), and 20 feet on a narrow street (streets less than 75 feet). There is no maximum building height, and the building envelope is regulated by the sky exposure plane. M1-1 permits a maximum FAR of 1.0 for manufacturing uses; however, buildings containing community facility uses are permitted up to 2.4 FAR. Off-street parking requirements vary with the use, but manufacturing or semi-industrial uses require 1 space per 1,000 square feet of floor area or 1 space per 3 employees whichever is greater.

#### **M1-4**

The M1-4 district is currently mapped within a six block area at the southernmost portion of the rezoning area, including Third Avenue, south of East Tremont Avenue, and areas to the west. M1-4 districts permit Use Groups 4-14, and 16-17, which include light manufacturing and industrial uses, many commercial uses and certain community facility uses. Residential uses are not permitted. There is no maximum building height, and the building envelope is regulated by the sky exposure plane. M1-4 permits a maximum FAR of 2.0 for manufacturing uses; however, buildings containing community facility uses are permitted up to a 6.5 FAR. Off-street parking is not required in this zoning district.

#### **Commercial Overlays**

Commercial overlays currently include C1 and C2 districts along retail corridors and nodes, such as along the Tremont Avenue and 183rd Street corridors and the 180th/Third Avenue and 188th/Webster Avenue nodes. The

C1 and C2 overlays are mapped in residence districts and serve the local retail needs (e.g., grocery stores, restaurants) of the surrounding residential neighborhood. C2 districts permit a slightly larger range of service uses (e.g., funeral homes, repair services). The maximum floor area in both C1-4 and C2-4 districts is 2.0 FAR with commercial uses limited to the R7 districts, though commercial uses are limited to the first floor when residences are located above. Parking requirements vary by use, but, in general, commercial uses are required to provide 1 space per 1,000 square feet of floor area.



Residential buildings, such as this one on 176th Street, have had to go through BSA to build in an M1 zone.



The outdated zoning is limiting the development potential along Third Avenue, such as this building on the 180th Street and Third Avenue intersection.



Stable neighborhoods are adjacent to the Third Avenue and Tremont Avenue corridors, including these homes along Bathgate Avenue.

## Third Avenue/Tremont Avenue Rezoning - Approved!

### Proposed Zoning

The rezoning proposal has three sections: Third Avenue Corridor, Tremont Avenue Corridor, and the Neighborhood Preservation Area. The proposed zoning map changes are tailored to address the goals of each section.

The first section is the north/south **Third Avenue Corridor**, which runs from Fordham Plaza in the north down to the Cross-Bronx Expressway in the south. The proposed zoning map and text changes would help expand the uses along the corridor from light manufacturing and auto-related uses to allow a mid-density mix of residential and commercial uses, featuring housing that serves a wide range of incomes.

The second section is the east/west **Tremont Avenue Corridor**, which runs from Webster Avenue in the west, one full block past Southern Boulevard, to Daly Avenue in the east. The proposed zoning map and text changes would help increase the development potential along this important “downtown” shopping corridor by allowing full commercial buildings while incentivizing housing that would serve a mix of incomes. New development would be height limited and required to create a standard street wall to unify this important corridor.

The third section is the **Neighborhood Preservation Area**. This residential area is located between Third Avenue, in the east, to Park Avenue, in the west, and Cyrus Avenue, in the north, to mid-block between 178th Street and Tremont Avenue, in the south; the area is currently zoned R7-1. The proposed zoning districts would better match the existing built character of these lower density residential areas and incorporate height limits, thereby, reducing the incentive to replace such housing with larger-scale, higher-density development.



[View a larger image](#)

#### Third Avenue and Tremont Avenue Corridors

##### **C4-5X (from R7-1/C2-4, C4-4, C8-3, and M1-1)**

The proposed C4-5X district includes all or portions of 19 blocks located in two areas. The first area is a four block node south of Fordham Plaza, and the second area is a 15 block area along Tremont Avenue between Webster Avenue, in the west, and Belmont Avenue, to the east. There is a northward extension along Webster Avenue that extends the C4-5X up just north of 178th Street and east to Park Avenue. The C4-5X district is a mid-density contextual district. The Inclusionary Housing Program would be applied to incentivize affordable housing. C4-5X is proposed for major intersections and wide streets with nearby access to public transportation.



C4-5X has similar bulk and height controls to R7X, its residential equivalent. The base residential FAR is 3.75, and can be increased to a maximum of 5.0 with the Inclusionary Housing bonus. Commercial uses are allowed up to a maximum FAR of 4.0 and community facility uses are allowed up to a maximum FAR of 5.0. The maximum building height is 125 feet, with a base height of between 60 and 85 feet. Parking varies for commercial use but is generally required at one space per 1,000 square feet of floor area for commercial uses. Residential uses require parking for 50% of the dwelling units.

Higher density development along the Third Avenue and Tremont Avenue intersection would be permitted in the proposed C4-5X district.

##### **C4-4A (from R7-1, R7-1/C1-4, R7-1/C2-4, and C8-3)**

The proposed C4-4A district includes all or portions of thirteen blocks located in two areas. The first area is a four block node surrounding the Third Avenue and 180th Street intersection. The second area is a nine block area along Tremont Avenue from Belmont Avenue, to the west, to Marmion Avenue, in the east. The C4-4A district is a mid-density contextual district that would allow for full commercial development where it is either currently not permitted or limited by the commercial overlay.



Residential development would also be permitted; the Inclusionary Housing Program would be applied to incentivize affordable housing.

New investment has been occurring along Third Avenue, such as this two-story building on 180th Street and Third Avenue in the proposed C4-4A district.

C4-4A has similar bulk and height controls to R7A, its residential equivalent. The base residential FAR is 3.45, and can be increased to a maximum of 4.6 with the Inclusionary Housing bonus. Commercial and community facility uses are allowed at a maximum FAR of 4.0. Maximum building height is 80 feet, with a base height between 40 and 65 feet. Parking varies for commercial use but is generally required at one space per 1,000 square feet of floor area. Residential uses require parking for 50% of the dwelling units.

#### **C4-4D (from C8-3)**

The proposed C4-4D district includes portions of three blocks on the west side of Third Avenue between 184th Street, to the north, and 181st Street, in the south. The C4-4D district is a mid- to high-density contextual district that includes a high community facility FAR, which is appropriate considering the proximity of St. Barnabas Hospital. The Inclusionary Housing Program would be applied to incentivize affordable housing.



Seven-story St. Barnabas Hospital building along Third Avenue in a proposed C4-4D district.

C4-4D has similar bulk and height controls to R8A, its residential equivalent. The base residential FAR is 5.4, and can be increased to 7.2 with the Inclusionary Housing bonus. Commercial uses are allowed up to a maximum FAR of 3.4 and community facility uses are allowed up to a maximum FAR of 6.5. The maximum building height is 120 feet, with a base height of between 60 and 85 feet. Parking varies for commercial use but is generally required at one space per 1,000 square feet of floor area. Off-street parking is required for 50% of the residential units.

#### **MX: M1-4/R7A (from C8-3 and M1-4)**

The proposed MX: M1-4/R7A district includes all or portions of 21 blocks located in three areas. The first area is an 11 block area along Third Avenue from Cyrus Place, to the north, down to 184th Street, to the south. The second area is a four block area along Third Avenue starting mid-block between 180th Street and 179th Street, in the north, and running just past 178th Street, in the south. The third area is a six block area just south of Tremont Avenue, in the north, down to 175th Street, in the south, and running just west of Washington Avenue to just east of 176th Street. These three areas all have viable light manufacturing and auto-related uses, and this mixed-use district would continue to allow these uses to exist, while allowing for residential, which is not permitted by the existing zoning. The Inclusionary Housing Program would also be applied to incentivize affordable housing.

The M1-4/R7A is a contextual district that allows for residential, commercial, community facility, and manufacturing/light industrial uses. The base residential FAR is 3.45, and can be increased to a maximum of 4.6 with the Inclusionary Housing bonus. Commercial and manufacturing uses have a maximum FAR of 2.0, with community facilities having a maximum FAR of 4.0. The maximum building height is 80 feet, with a base height of between 40 and 65 feet. Residential uses require parking for 50% of the dwelling units.



An active light-industrial use in the proposed M1-4/R7A district.

#### **MX: M1-4/R7X (from M1-4)**

The proposed MX: M1-4/R7X district includes a portion of two blocks located along Tremont Park. The district runs on the west side of Third Avenue starting just south of Tremont Avenue down to 175th street, to the south.

This zoning district would allow light industrial uses while permitting new residential development. The Inclusionary Housing Program would be applied to incentivize affordable housing. A taller building envelope is proposed for this area to take advantage of its proximity to Third Avenue, which is a wide street, as well as the significant grade change in the neighboring Tremont Park.

The M1-4/R7X is a contextual district that allows for residential, commercial, community facility, and manufacturing/light industrial uses. The base residential FAR is 3.75, and can be increased to a maximum of 5.0 with the Inclusionary Housing bonus. Commercial and manufacturing uses have a maximum FAR of 2.0, with community facilities having a maximum FAR of 5.0. The maximum building height is 125 feet, with a base height of between 60 and 85 feet. Residential uses require parking for 50% of the dwelling units.



A mix of uses line Third Avenue along the proposed M1-4/R7X district.

#### ***R7X/C1-4 (from R7-1/C1-4)***

The proposed R7X/C1-4 district includes portions of five blocks located on Tremont Avenue between Marmion Avenue, to the west, and Daly Avenue, in the east. The proposed zoning is a mid-density contextual residential district that would maintain the current commercial overlay. This district includes the Southern Boulevard and Tremont Avenue intersection, which is a central intersection providing strong public transportation access to the surrounding communities. The proposed zoning district would incorporate the Inclusionary Housing Program to incentivize affordable housing.

R7X/C1-4 has a base residential FAR of 3.75, which can be increased to a maximum of 5.0 with the Inclusionary Housing bonus. Commercial uses are allowed up to a maximum FAR of 2.0 and community facility uses are allowed up to a maximum FAR of 5.0. The maximum building height is 125 feet, with a base height of between 60 and 85 feet. Parking varies for commercial uses but is generally required for at one space per 1,000 square feet of floor area. Residential uses require parking for 50% of the dwelling units.



Five-story building on the intersection of Tremont Avenue and Southern Boulevard in a proposed R7X/C1-4 district.

#### ***Commercial Overlay – C1-4***

The proposal would establish a new C1-4 Commercial Overlay district along Third Avenue, extending 100 feet east, and along 181st Street, extending 400 feet north. The commercial overlay is on the southern end of St. Barnabas Hospital's campus and would permit ground floor retail within the hospital's proposed parking garage. The C1-4 overlay district requires the provision of one parking space per 1,000 square feet of general retail or service uses.

### **Neighborhood Preservation Areas**



**R5 (from R7-1)**

The proposed R5 district includes all or portions of seven blocks located in two areas west of the Third Avenue Corridor. These blocks are characterized by two- and three-story attached and semi-detached buildings.

The maximum FAR for all housing types is 1.25, which is consistent with the existing development. The maximum building height is 40 feet, with a maximum perimeter wall height of 35 feet. This scale would reflect the existing built character. Off-street parking is required for 85% of the dwelling units.



Two-story homes along 186th Street in a proposed R5 district.

**R6A (from R7-1)**

The proposed R6A district includes all or portions of twenty-six blocks located in three areas west of the Third Avenue Corridor. These blocks are characterized by four- to six-story buildings on large lots with high lot coverage.

The maximum FAR for all development is 3.0 and buildings are limited to 70 feet in height, with a base height of 40-60 feet above which a front setback is required. Front wall lineup is required. Parking must be provided for 50% of dwelling units.



A six-story building along 186th Street in a proposed R6A district.

**Proposed Zoning Text Amendments**

***Inclusionary Housing Program***

The [Inclusionary Housing Program](#) would be made applicable in the entire rezoning area, excluding the Neighborhood Preservation Areas, to encourage and incentivize the creation and preservation of affordable housing in conjunction with new development. As indicated in the table below, for residential development without an affordable housing component, the maximum FAR would be limited to the base FAR for that zoning district. Whereas, under the inclusionary housing program, a development providing permanently affordable housing is eligible for a floor area bonus within the underlying contextual height and bulk regulations. Developments could qualify for a 33 percent bonus to their maximum FAR by providing 20 percent of the residential floor area as permanently affordable for income-limited households. Affordable units can be provided either on-site or off-site. Off-site affordable housing units must be located within Community District 6 or within a half-mile of the site receiving the floor-area bonus. Other city, state and federal housing finance programs may be used to provide further assistance in the creation of the affordable units. The combination of a zoning bonus with housing programs would establish a powerful incentive for the development and preservation of affordable housing along the Third Avenue and Tremont Avenue Corridors.

Zoning District	Max FAR (Base)	Max FAR (With Bonus)
R7A & C4-4A (R7A Equivalent)	3.45	4.6
R7X & C4-5X (R7X Equivalent)	3.75	5.0
C4-4D (R8A Equivalent)	5.4	7.2

***Special Mixed Use District (MX)***

The Special Mixed Use District is a special zoning district that is mapped in several locations throughout the city, including Lower Concourse, Port Morris, and Morrisania in the Bronx. It combines a light industrial (M1) district with a residential district, and permits a mix of selected light industrial, commercial, residential, and community facility uses under the applicable regulations. The MX district permits mixed-use buildings, and includes an expanded definition of "home

occupations," permitting a broader variety of live-work accommodations than is allowed in standard zoning districts. The proposed MX district is intended to retain existing light industrial businesses while encouraging the redevelopment of vacant and underutilized land and lofts with residential uses.


View the  [adopted text amendment](#).

## Third Avenue/Tremont Avenue Rezoning - **Approved!**

### Public Review

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The Third Avenue and Tremont Avenue rezoning proposal began the formal review on May 24, 2010 with the Department of City Planning's Certification of the [Uniform Land Use Review \(ULURP\)](#) application (C 100407 ZMX and text amendment N 100408 ZRX).

<i>Milestones</i>	<i>Target Dates</i>
Department of City Planning certification	May 24, 2010 -  <a href="#">View the presentation.</a>
Community Board 6 Approval	June 9, 2010
Bronx Borough President Hearing	July 13, 2010
Bronx Borough President Review	July 28, 2010
City Planning Commission Hearing	August 11, 2010
City Planning Commission Approval ( <a href="#">Read the CPC Reports</a> )	September 15, 2010
City Council Approval	October 13, 2010

For more information about this proposal please contact the Bronx Office of the Department of City Planning at (718) 220-8500.

## Related Notes

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-  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.