

DISPOSITION SHEET

SPECIAL MEETING:
MONDAY, JUNE 19, 1995
1:00 P.M. IN SPECTOR HALL

Lois McDaniel, Calendar Officer
 22 Reade Street, Room 2E
 New York, New York 10007-1216
 (212) 720-3370

CAL NO.	ULURP NO.	CD NO.	C.P.C. ACTION	CAL NO.	ULURP NO.	CD NO.	C.P.C. ACTION
1	AMENDMENT CEOR FEES		Favorable Report Adopted	23			
2	AMENDMENT APPLICATION FEES			24			
3				25			
4				26			
5				27			
6				28			
7				29			
8				30			
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COMMISSION ATTENDANCE:	Present (P)	Absent (A)	COMMISSION VOTING RECORD: Calendar Numbers																						
			1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	In Favor - Y Oppose - N Abstain - AB
Joseph B. Rose, <i>Chairman</i>	P	Y																							
Victor G. Alicea, <i>Vice Chairman</i>	P	Y																							
Eugenie L. Birch, A.I.C.P.	P	Y																							
Amanda M. Burden, A.I.C.P.	P	Y																							
Irwin Cantor, <i>P.E.</i>	P	Y																							
Alexander Garvin	P	Y																							
Anthony I. Giacobbe, Esq.	P	Y																							
Maxine Griffith	A																								
William Grinker	P	Y																							
Brenda Levin	P	Y																							
Edward T. Rogowsky	P	Y																							
Ronald Shiffman, A.I.C.P.	A																								
Jacob B. Ward, Esq., <i>Commissioners</i>	P	Y																							

COMPREHENSIVE
CITY PLANNING CALENDAR
of
The City of New York

CITY PLANNING COMMISSION

MONDAY, JUNE 19, 1995

SPECIAL MEETING AT 1:00 P.M.
in
SPECTOR HALL
22 READE STREET, MANHATTAN



Rudolph W. Giuliani, Mayor
City of New York
Prepared by Lois McDaniel, Calendar Officer

CITY PLANNING COMMISSION

22 Reade Street, New York, N.Y. 10007-1216

JOSEPH B. ROSE, *Chairman*
VICTOR G. ALICEA, *Vice-Chairman*
EUGENIE L. BIRCH, A.I.C.P.
AMANDA M. BURDEN, A.I.C.P.
IRWIN CANTOR, P.E.
ALEXANDER GARVIN
ANTHONY I. GIACOBBE, Esq.
MAXINE GRIFFITH
WILLIAM GRINKER
BRENDA LEVIN
EDWARD T. ROGOWSKY
RONALD SHIFFMAN, A.I.C.P.
JACOB B. WARD, Esq., *Commissioners*
LOIS MCDANIEL, *Calendar Officer*

The regular public meetings of the Commission shall be held twice monthly on Wednesday at 10:00 a. m. in City Hall, Manhattan, unless otherwise ordered.

REPORTS

No. 1

(Proposed Amendment to the City Planning Commission's rules governing the fees for City Environmental Quality Review (CEQR)).

IN THE MATTER OF, pursuant to the authority vested in the City Planning Commission by Section 1043 of the New York City Charter and in accordance with the requirements of Section 1043 of the New York City Charter and by Section 5-08(b) of Chapter 5, Title 62 of the Rules of the City of New York that the Commission intends to amend existing rules regarding the fee for CEQR Applications and Schedule of Charges.

Written comments regarding this amendment may be sent to the Director, Division of Environmental Assessment and Review, Department of City Planning, 4E, 22 Reade Street, New York, N. Y. 10007 or before May 26, 1995. A public hearing on the proposed amendment to the Rule was held on May 10, 1995 beginning at 10:00 a.m. in Spector Hall, 22 Reade Street, New York, N. Y. 10007. Written comments and a summary of oral comments received at the hearing will be available for public inspection within a reasonable time after receipt, between the hours of 9:00 a.m. and 5 p.m., at the Division of Environmental Assessment and Review, 22 Reade Street, Room 4E, New York, New York 10007.

Dated: April 6, 1995

City Planning Commission

Amended Rule

New material is indicated by underlining. Deleted material is indicated by bracketing.

Sections 3-01 and 3-02 of Chapter 3, Subchapter A of Title 62 of the Rules of the City of New York is amended to change the provisions relating to the fee for CEQR applications as follows:

§3-01 Fee for CEQR Applications. Except as specifically provided in this section, every application made pursuant to Executive Order No. 91 (August 24, 1977) and Chapter 5 of the rules on or after [September 26, 1988] July 1, 1995 shall include a non-refundable fee which shall be submitted to Land Use Review-Central Intake, 2E, 22 Reade Street, New York, New York, 10007-1216, and shall be in the form of a check or money order made out to the "Department of City Planning." The fee for an [initial] application shall be as prescribed in the following Schedule of Charges §3-02 of these rules. [The fee for any formal modification of an application shall be ten percent of the amount prescribed

in the Schedule of Charges for an initial application, except that the fee for any formal modification which increases the square footage of the project by more than 30% shall be equal to the fee for an initial application for such additional square footage.] The fee for modification of an application for an action not subject to Section 197-c of the New York City Charter shall be twenty percent of the amount prescribed in the Schedule of Charges for an initial application.

The fee for any modification of an application for an action subject to Section 197-c of the New York City Charter shall be the amount set forth in the Schedule of Charges (§3-02) as if the Modification were a new application for the action. Agencies of the federal, state or city governments shall not be required to pay fees nor shall any fees be charged if the owner of the building or property affected is a corporation or association organized and operated exclusively for religious, charitable, or educational purposes, or for one or more such purposes, no part of the earnings which inures to the benefit of any private shareholder or individual, and provided that the property affected is to be used exclusively by such corporation or association for one or more of such purposes. In addition, for applications made on or after July 1, 1987, no fees shall be charged for the project, or such portion thereof, if the Director of the Mayor's Office of Housing Coordination, or any individual succeeding to such Director's jurisdiction, certifies that the property affected, or such portion thereof, is to be used for the construction of housing affordable to low, moderate or middle income households. A fee abatement for a portion of such project shall be calculated upon the percentage of the square footage allocated to the affordable housing and shall proportionately reduce the standard fee attributable to the square footage of the entire project, including such affordable housing portion. In no event shall the portion allocated to the affordable housing part of a project be used to decrease the total project square footage so as to place the project into a lower fee category. Fees shall be paid when the application is filed, and these fees may not be combined in one check or money order with fees required pursuant to other land use applications submitted to the Department of City Planning or the City Planning Commission. No application shall be processed by the Department of City Planning [or the Department of Environmental Protection] until the fee has been paid and twenty-five copies of the application have been filed with the Department of City Planning.

SCHEDULE OF CHARGES

I. PROJECTS MEASUREABLE BY SQUARE FOOTAGE FEE (Square Footage of Total Project)

Less than 10,000 sq. ft.	\$350
10,000 - 19,999 sq. ft.	1,035
20,000 - 39,999 sq. ft.	[2,065] <u>2,250</u>

[40,000 - 69,999 sq. ft.]	[3,780]
[70,000 - 99,999 sq. ft.]	[5,850]
[100,000 - 249,999 sq. ft.]	[33,000]
[250,000 - 499,999 sq. ft.]	[73,000]
<u>40,000 - 59,999 sq. ft.</u>	<u>4,000</u>
<u>60,000 - 79,999 sq. ft.</u>	<u>6,000</u>
<u>80,000 - 99,999 sq. ft.</u>	<u>10,000</u>
<u>100,000 - 149,999 sq. ft.</u>	<u>20,000</u>
<u>150,000 - 199,999 sq. ft.</u>	<u>35,000</u>
<u>200,000 - 299,999 sq. ft.</u>	<u>50,000</u>
<u>300,000 - 499,999 sq. ft.</u>	<u>90,000</u>
500,000 - 1,000,000 sq. ft.	[123,000]
over 1,000,000 sq. ft.	<u>135,000</u>
	<u>220,000</u>

II. PROJECTS NOT MEASURABLE BY SQUARE FOOTAGE

(Ex: Bus Franchises, [Renewals of Special Permits])	[\$1,250]
	<u>\$1,375</u>

Subdivision (b) of §5-08 of the rules of the City Planning Commission is amended to read as follows:

(b) Except as otherwise provided by this section, fees in effect on the effective date of these rules pursuant to Executive Order No. 91 and codified as §3-02 of these rules shall continue to govern City Environmental Quality Review applications, unless the City Planning Commission shall by rule modify such fees. Such fees shall be submitted to the lead agency prescribed by these rules, or to an agency that could be the lead agency for the particular action pursuant to §5-03 of these rules, and shall be in the form of a check or money order made out to the "City of New York".

Statement of Basis and Purpose.

The proposed Amendment to the City Planning Commission Rule governing fees charged for filing CEQR applications would modify the existing Schedule of Charges in order to cover the City's increased costs associated with the CEQR process. The rule also makes a clarifying change to §5-08.

(On April 6, 1995, the Commission published in the City Record a Notice of Public Hearing and Opportunity to Comment on proposed Amendment to the City Planning Commission's rules governing the fees for City Environmental Quality Review (CEQR) On May 10, 1995, Cal. No. 16, the hearing was closed.)

For consideration.

 No. 2

(Proposed Amendment to the City Planning Commission's rules governing fees for Applications pursuant to City Charter §197-c and other Applications and the Schedule of Charges).

IN THE MATTER OF, pursuant to the authority vested in the City Planning Commission by Section 1043 of the New York City Charter and in accordance with the requirements of Section 1043 of the New York City Charter that the Commission intends to amend an existing rule regarding fees for applications pursuant to Chapter §197-c and other Applications.

Written comments regarding this amendment may be sent to the Director Division of Land Use Review, 22 Reade Street, 2E, New York, N. Y. 10007 or before May 26, 1995. A public hearing on the proposed amendment to the Rule was held on May 10, 1995 beginning at 10:00 a.m. in Spector Hall, 22 Reade Street, New York, N.Y. 10007. Written comments and a summary of oral comments received at the hearing will be available for public inspection within a reasonable time after receipt, between the hours of 9:00 a.m. and 5 p.m., at the Division of Land Use Review, 22 Reade Street, Room 2E, New York, New York 10007.

Dated: April 6, 1995

City Planning Commission

Amended Rule

New material is indicated by underlining. Deleted material is indicated by bracketing.

Section 3-06 and 3-07 of Subchapter B of Chapter 3 of Title 62 of the Rules of the City of New York is amended to revise the fee schedule for applications pursuant to Charter §197-c and other applications as follows:

§ 3-06 Fees For Applications Pursuant To City Charter §197-c and Other Applications. Except as specifically provided in this section, every application for a map change, landfill permit, special permit, zoning authorization or certification, [land use review report for an indirect source permit,] revocable consent for sidewalk cafe, or cable television franchise or for a [major] modification, or renewal thereof, made on or after [June 13, 1988] July 1, 1995 shall include a non-returnable fee which shall be paid by check or money order made out to the "Department of City Planning." The fee for an initial application, or for a [major] modification thereof, shall be as prescribed in the following Schedule of Charges, provided that if an applicant simultaneously submits applications for several actions relating to the same project, the maximum fee imposed shall be two hundred percent of the single highest fee. The fee for a modification which is subject to Section 197-c of the New York City Charter shall be the same as the fee for an initial application, as provided in §3-07, subd.(f) of these rules. The fee for renewal shall be one-half of the amount prescribed in the schedule of charges for an initial application. No fee shall be charged for an application to eliminate a paper street from the property of an owner-occupied, one- or two-family residence. Agencies of the federal, state or city governments shall not be required to pay fees [or] nor shall any fees be charged if the owner of the building or property affected is a corporation or association organized and operated exclusively for religious, charitable, or educational purposes, or for one or more such purposes, no part of the earnings which inures to the benefit of any private shareholder or individual, and provided that the property affected is to be used exclusively by such corporation or association for one or more of such purposes. In addition, for applications made on or after July 1, 1987, no fees shall be charged for the project, or such portion thereof, if the Director of the Mayor's Office of Housing Coordination, or any individual succeeding to such Director's jurisdiction, certifies that the property affected, or such portion thereof, is to be used for the construction of housing affordable to low, moderate or middle income households. A fee abatement for a portion of such project shall be calculated upon the percentage of the square footage allocated to the affordable housing and shall proportionately reduce the standard fee attributable to the square footage of the entire project, including such affordable housing portion. In no event shall the portion allocated to the affordable housing part of a project be used to decrease the total project square footage so as to place the project into a lower fee category. Fees shall be paid when the application is filed, and no application shall be processed by the Department until the fee has been paid.

Statement of Basis and Purpose. The proposed Amendment to the City Planning Commission's Rule would modify the existing fee Schedule for filing applications pursuant to §197-c of the New York City Charter and other applications in order to cover the City's increased costs associated with such filings.

3-07 SCHEDULE OF CHARGES

(a) **Applications for City Map changes, zoning map amendments or special permits, pursuant to Section 197-c of the City Charter:**

(1) **Applications relating to new development or enlargement or conversion of existing development:**

Total amount of floor area, or in the case of open uses, area of zoning lot; or for zoning map amendments, the area of all zoning lots in the area to be rezoned:

Less than 10,000 square feet	[\$900]	<u>\$ 1,125</u>
10,001 to 19,999 square feet	[1,350]	<u>1,700</u>
20,000 to 39,999 square feet	[1,800]	<u>2,250</u>
40,000 to 69,999 square feet	[2,250]	<u>2,850</u>
70,000 to 99,999 square feet	[2,700]	<u>3,375</u>
100,000 to 240,000] <u>239,999</u> square feet	[3,000]	<u>3,750</u>
[Over] 240,000 <u>to 500,000</u> square feet	[7,500]	<u>9,375</u>
<u>Over 500,000 square feet</u>		<u>15,000</u>

(2) **Other applications not measurable by floor area or lot area (e.g. street map change to remove clouds on title):**

Elimination of paper street	[\$ 750]	<u>\$ 950</u>
Establishment of Landfill	[1,500]	<u>1,875</u>
Any other change in city street map	[2,250]	<u>2,850</u>

- (3) Extension of previously approved special permits granted for a specific term: 1/2 of the fee schedule set forth in [paragraph] sub-division (a)(1) above.
- (b) Applications for franchises and revocable consents:
- (1) Applications pursuant to Section 197-c of the City Charter (\$ 1,500] \$ 1,875
- (2) Sidewalk cafes:
- Unenclosed: [~~\$13.75 per seat~~ \$15 per seat
minimum of ~~\$300~~] minimum of \$375
- Enclosed: [~~\$27.50 per seat~~ \$30 per seat
minimum of ~~\$600~~] minimum of \$750
- (3) Renewals of [previously approved applications:] Sidewalk Cafes: 1/2 of the fee schedule set forth in subdivision [(a) and (b) above and (c) below] subdivision (b) 2 above.
- (c) Application for zoning authorizations or certifications:
- (1) Pursuant to Article X, Chapter 5 (Natural Area) and Chapter 7 (South Richmond) of the Zoning Resolution:
- Certifications [\$ 150] \$ 200
Additional lots, addresses, or structures will be charged \$150 each.

Authorizations [\$ 450] \$ 575

Additional
lots, addresses,
or structures
will be
charged \$425
each.

school seat certifications \$ 100

(2) Pursuant to Section 95-04 (Transit Easements) of the Zoning Resolution: [\$ 125] \$ 175

(3) Pursuant to all other sections of the Zoning Resolution:

Total amount of floor area, or in the cases of open use, area of zoning lot:

Less than 10,000 square feet	[\$ 450]	<u> \$ 575</u>
10,001 to 19,999 square feet	[675]	<u> 850</u>
20,000 to 39,999 square feet	[900]	<u> 1,125</u>
40,000 to 69,999 square feet	[1,125]	<u> 1,450</u>
70,000 to 99,999 square feet	[1,350]	<u> 1,700</u>
100,000 square feet and over	[1,500]	<u> 1,875</u>

(d) Renewals of previously approved applications 1/2 of the fee schedule set forth in subdivisions (a) and (c) above.

(e) Modifications which are not subject to Section 197-c of the City Charter or follow-up actions required of the Chairperson, Commission or Department as conditions of previous action: [1/2] 1/4 of the fee set forth in subdivisions (a) and (b) and (c) above.

(f) Modifications which are subject to Section 197-c of the City Charter: Fee schedule set forth in subdivision (a) (1) above.

(On April 6, 1995, the Commission published in the City Record a Notice of Public Hearing and Opportunity to Comment on proposed amendment to the City Planning Commission's rules governing fees for Applications pursuant to City Charter Section 197-c and other Applications and the Schedule of Charges. On May 10, 1995, Cal. No. 17, the hearing was closed.)

For consideration.
