

Commission shall request the Metropolitan Transportation Authority and the Departments of Transportation of the State of New York and the City of New York to indicate within 30 days whether said agencies have any plan to use such property or portion thereof for a railroad or transit #use#.

(2/2/11)

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Certification of Certain Community Facility Uses

R1 R2 R3 R4 R5 R6 R7 R8 R9 R10

In all #Residence Districts#, for any nursing homes and health-related facilities or #enlargement#, #extension# or change in #use# thereof, the City Planning Commission shall certify to the Department of Buildings, prior to the filing of any plans by the applicant for a building permit for such #use#, that none of the following conditions applies to the Community District within which such #use# or #enlargement#, #extension# or change in such #use# is to be located:

- (a) the ratio between the number of beds for such #uses# in existence, under construction or approved toward construction by the appropriate Federal or State governmental agency, to the population of the Community District compared to such ratio for other Community Districts shows a relative concentration of facilities covered in this Section in the affected district; or
- (b) a scarcity of land for general community purposes exists; or
- (c) the incidence of construction of facilities for the last three years warrants review over these facilities because they threaten to disrupt the land use balance in the community.

If the Commission finds that one or more of the conditions set forth in this Section applies to the Community District within which such #use# or #enlargement#, #extension# or change in such #use# is to be located, a special permit pursuant to Section 74-90 shall be required.

(2/2/11)

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