



**THE COUNCIL OF THE CITY OF BINGHAMTON
STATE OF NEW YORK**

Date: October 6, 2022

Sponsored by Council Members: Scaringi, Resciniti, Friedman, Burns, Scanlon, Strawn

Introduced by Committee: Planning

ORDINANCE

entitled

**AN ORDINANCE AMENDING THE CODE OF
THE CITY OF BINGHAMTON, CHAPTER 410,
ZONING, TO ADDRESS STUDENT HOUSING**

WHEREAS, the Planning, Zoning & Historic Preservation Department recommended an amendment to the Code of the City of Binghamton, Chapter 410, *Zoning*, to address student housing, and to rezone an area bound by Seminary Avenue, Riverside Drive, Oak Street, and Chestnut Street; and

WHEREAS, on August 1, 2022, City Council referred the proposed zoning amendments to the Planning Commission for its review and recommendation; and

WHEREAS, on or about September 12, 2022 the Planning Commission issued a recommendation regarding the proposed zoning amendments; and

WHEREAS, on October 6, 2022 City Council held a public hearing regarding the proposed zoning amendments.

NOW, THEREFORE, the Council of the City of Binghamton, duly convened in regular session, does hereby ordain as follows:

Section 1. That the Code of the City of Binghamton, Chapter 410, *Zoning*, is hereby amended to address student housing, and to rezone an area bound by Seminary Avenue, Riverside Drive, Oak Street, and Chestnut Street as attached in Exhibit A.

Section 2. That this Ordinance shall take effect immediately.

Introductory No. 022-137

Permanent No. 022-143

Sponsored by City Council Members:
Scaringi, Resciniti, Friedman, Burns, Scanlon, Strawn

AN ORDINANCE AMENDING THE CODE OF THE CITY OF BINGHAMTON, CHAPTER 410, ZONING, TO ADDRESS STUDENT HOUSING

The within Ordinance was adopted by the Council of the City of Binghamton.

10/19/22

Date

Michelle G. Scaringi
City Clerk

10/20/22

Date Presented to Mayor

10/20/22
Date Approved

Mayor

J. M. Strawn

	Ayes	Nays	Abstain	Absent
Councilman Scaringi	✓			
Councilwoman Resciniti	✓			
Councilwoman Riley		✓		
Councilwoman Friedman				✓
Councilman Burns				✓
Councilman Scanlon	✓			
Councilman Strawn	✓			
Total	4	1	0	2

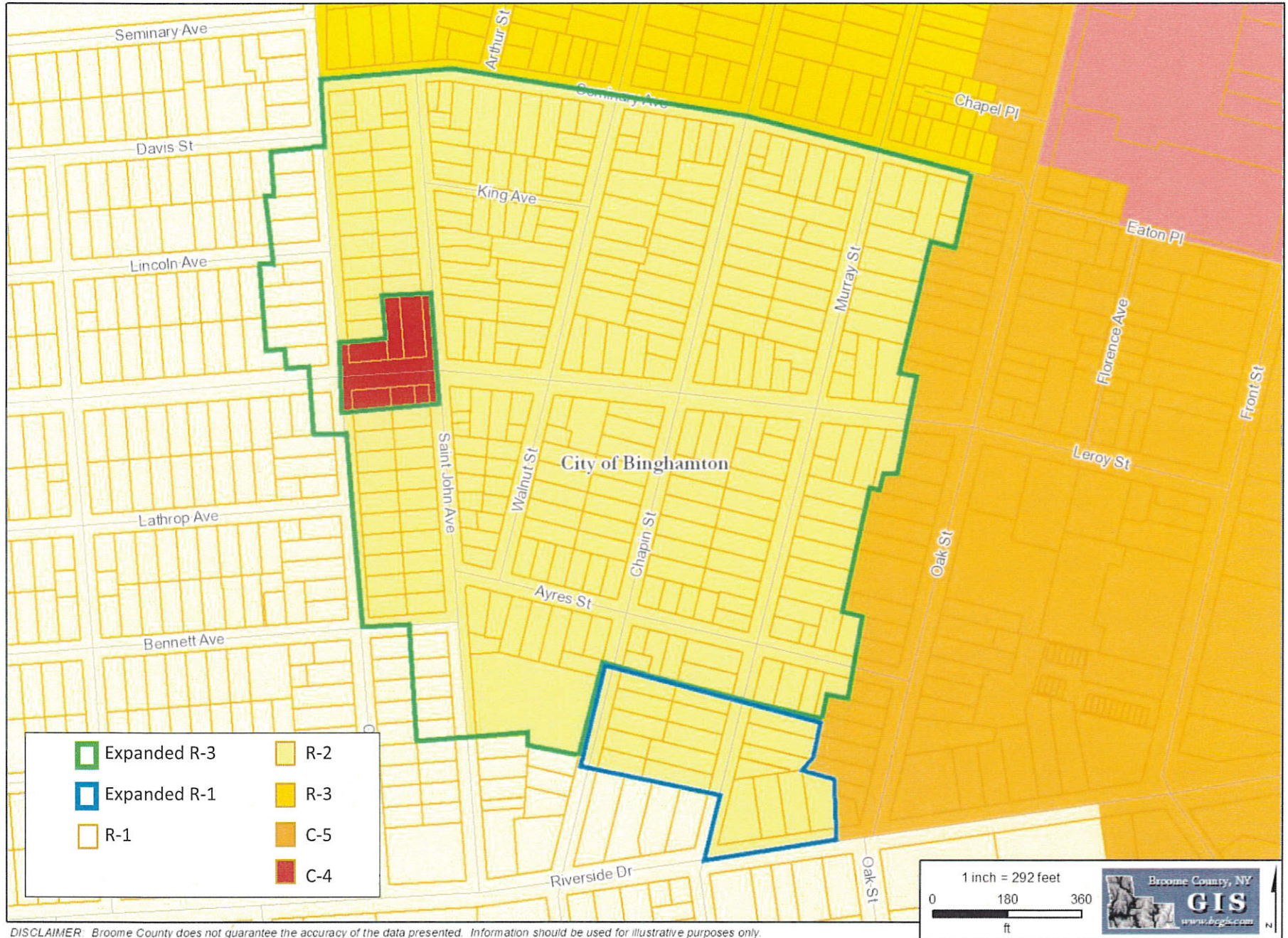
Code of the City of Binghamton

Adopted Defeated

4 Ayes 1 Nays 0 Abstain 2 Absent

I hereby certify the above to be a true copy of the legislation adopted by the Council of the City of Binghamton at a meeting held on 10/19/22. Approved by the Mayor on 10/20/22 (JF)

Student Housing Rezoning



DISCLAIMER: Broome County does not guarantee the accuracy of the data presented. Information should be used for illustrative purposes only.

State Environmental Quality Review
NEGATIVE DECLARATION
Notice of Determination of Non-Significance

Project Number: None

Date: October 6, 2022

This Notice is issued pursuant to Part 617 of the implementing regulations pertaining to Article 8 (State Environmental Quality Review Act) of the Environmental Conservation Law.

The City of Binghamton City Council as lead agency has determined that the proposed action described below will not have a significant effect on the environment and a Draft Environmental Impact Statement will not be prepared.

Name of Action: Amendment to the zoning ordinance to address student housing and amendment to the Official Zoning Map to rezone various lots from R-2 One- and Two-Unit Dwelling District and R-1 One-Unit Dwelling District to R-3 Residential Multi Unit Dwelling District.

SEQR Status: Type 1
 Unlisted

Conditioned Negative Declaration: Yes
 No

Description of Action:

The City of Binghamton wishes to amend Ch. 410 Zoning of the Code of Ordinances and the Official Zoning Map of the City of Binghamton to address student housing. The amendment to the zoning ordinance includes a change to the definition of "family" to exclude groups of 4 or more unrelated students, as well as a change to the definition of and regulations pertaining to Congregate Living. The area to be rezoned to R-3 is bound by Seminary Ave to the north, Ayres St to the south, Oak St to the east, and Chestnut St to the west. The area to be rezoned to R-1 is between Ayres St and Riverside Dr.

Location: City of Binghamton, Broome County, New York

Reasons Supporting This Determination:

The proposed amendment to the Zoning Map to rezone the above defined area is consistent with the existing uses on those lots, as well as with the general character of the surrounding area, where student rentals are the predominant residential type. The zoning change is supported by the City's Comprehensive Plan and, as such, has been determined to be a reasonable and logical change. In addition, the proposed change was reviewed by the City Planning Commission, which recommended approval of the amendment to the Zoning Map with no changes, and to the amendment to the Zoning Ordinance with one change regarding parking requirements. Therefore, City Council, acting as the lead agency, has found that the proposed rezoning will not have an adverse impact on the environment.

The lead agency has reviewed an Environmental Assessment Form and the criteria contained in 6 NYCRR 617.7 (c) to identify the relevant areas of environmental concern, thoroughly analyzed the identified relevant areas of environmental concern, and determined that the action will not have a significant adverse impact on the environment for the following reasons:

The proposed amendments are consistent with the City's Comprehensive Plan

The proposed amendments will not result in a significant change in the use or intensity of use of land.

The proposed amendments will not impair the character or quality of the existing community. The change will be consistent with existing neighborhood character.

The proposed amendments will not have an impact on the environmental characteristics that caused the establishment of a Critical Environmental Area (CEA).

The proposed amendments will not result in an adverse change in the existing level of traffic or affect existing infrastructure for mass transit, biking or walkway.

The proposed amendments will not cause an increase in the use of energy and it fails to incorporate reasonably available energy conservation or renewable energy opportunities.

The proposed amendments will not impact existing:

- A. public / private water supplies.
- B. public / private wastewater treatment utilities.

The proposed amendments will not impair the character or quality of important historic, archaeological, architectural or aesthetic resources.

The proposed amendments will not result in an adverse change to natural resources (e.g., wetlands, waterbodies, groundwater, air quality, flora and fauna).

The proposed amendments will not result in an increase in the potential for erosion, flooding or drainage Problems.

The proposed amendments will not create a hazard to environmental resources or human health.

For Further Information

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City of Binghamton City Council

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