



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

Date: May 10, 2023

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

Introduced by Committee: Planning

ORDINANCE

entitled

AN ORDINANCE TO AMEND THE OFFICIAL
ZONING MAP OF THE CITY OF BINGHAMTON
TO REZONE SECTIONS OF PARK AVENUE
FROM R-3 MULTI-UNIT DWELLING DISTRICT
TO C-4 NEIGHBORHOOD COMMERCIAL
DISTRICT

WHEREAS, the Planning, Zoning & Historic Preservation Department recommends an amendment to the Code of the City of Binghamton, Chapter 410, *Zoning*, to amend the Official Zoning Map of the City of Binghamton to rezone sections of Park Avenue from R-3 Multi-unit Dwelling District to C-4 Neighborhood Commercial District; and

WHEREAS, on May 2, 2023, the Planning Commission considered the proposed rezoning, and as a result, recommended the approval of the proposed rezoning without changes, as the amendment was in harmony with the adopted land use plan for the area; and

WHEREAS, the Planning Commission also recommended a Negative Declaration under SEQRA, which passed unanimously; and

WHEREAS, on May 10, 2023 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 City of Binghamton Planning Department is hereby directed to amend the Official Zoning Map of the City of Binghamton to rezone sections of Park Avenue from R-3 Multi-unit Dwelling District to C-4 Neighborhood Commercial District as shown in the attached map.

Section 2. That this Ordinance shall take effect immediately.

Introductory No. 023-79

Permanent No. 023-78

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

AN ORDINANCE TO AMEND THE OFFICIAL ZONING MAP OF THE CITY OF BINGHAMTON TO REZONE SECTIONS OF PARK AVENUE FROM R-3 MULTI-UNIT DWELLING DISTRICT TO C-4 NEIGHBORHOOD COMMERCIAL DISTRICT

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

5/10/23
Date

[Signature]
City Clerk

5/11/23
Date Presented to Mayor

5/11/23
Date Approved

[Signature]
Mayor

	Ayes	Nays	Abstain	Absent
Councilwoman Resciniti	✓			
Councilwoman Riley	✓			
Councilwoman Friedman	✓			
Councilman Burns	✓			
Councilman Strawn	✓			
Councilman Scanlon	✓			
Councilman Scaringi	✓			
Total	<u>7</u>	<u>0</u>	<u>0</u>	<u>0</u>

Code of the City of Binghamton

Adopted Defeated

7 Ayes 0 Nays 0 Abstain 0 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 5/10/23. Approved by the Mayor on 5/11/23 [Signature]

Park Ave C-4 Rezoning



Parcels

- R-1 Residential Single-Unit Dwelling Zone
- R-3 Residential Multi-Unit Dwelling Zone
- Existing C-4 Neighborhood Commercial Zone
- New C-4 Neighborhood Commercial Zone

1 inch = 167 feet

0 100 200
ft

Broome County, NY
GIS
www.broomecountyny.gov

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

Short Environmental Assessment Form

Part 1 - Project Information


Instructions for Completing

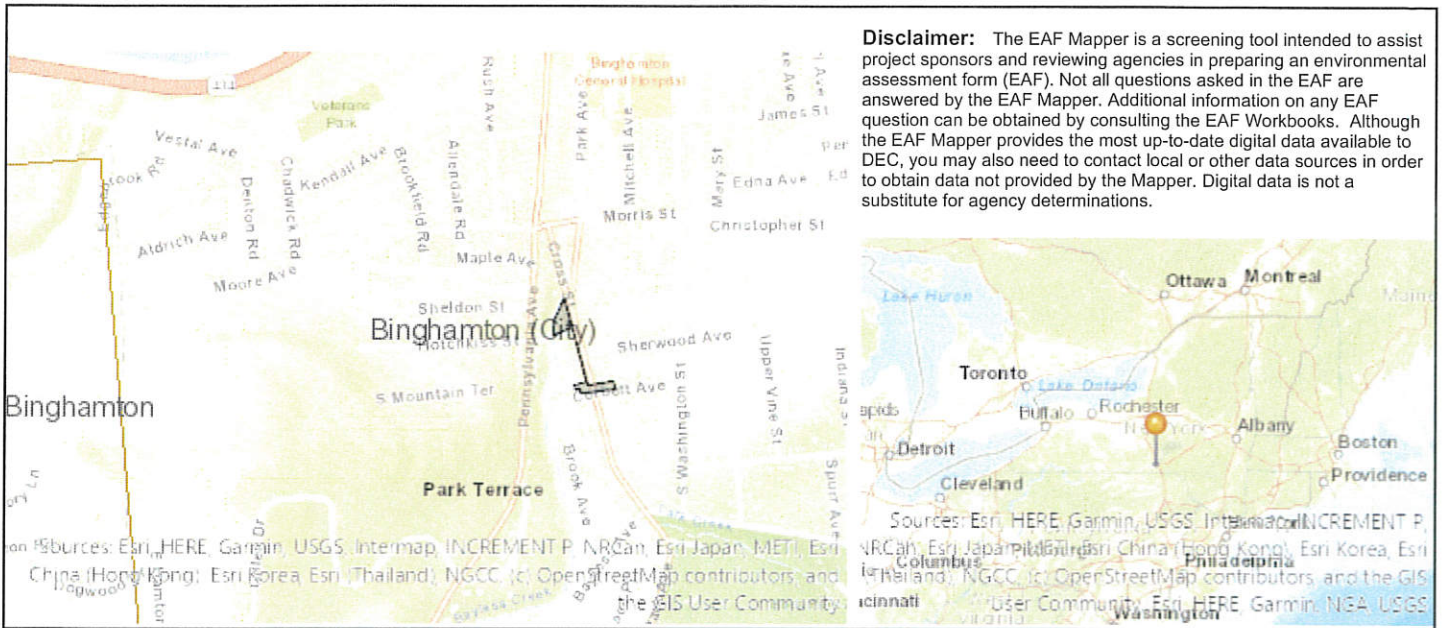
Part 1 – Project Information. The applicant or project sponsor is responsible for the completion of Part 1. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification. Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information.

Complete all items in Part 1. You may also provide any additional information which you believe will be needed by or useful to the lead agency; attach additional pages as necessary to supplement any item.

Part 1 – Project and Sponsor Information			
City of Binghamton			
Name of Action or Project: Rezoning Portion of Park Ave			
Project Location (describe, and attach a location map): Park Ave between Hotchkiss St and Cross St, Intersection of Park Ave and Corbett Ave			
Brief Description of Proposed Action: Rezoning 7 parcels from residential to Neighborhood Commercial in accordance with the adopted land use plan from the 2014 Comprehensive Plan.			
Name of Applicant or Sponsor: City of Binghamton Planning Dept.		Telephone: 6077727028	
		E-Mail: planning@cityofbinghamton.gov	
Address: 38 Hawley St			
City/PO: Binghamton		State: NY	Zip Code: 13901
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation? If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.			NO <input type="checkbox"/>
			YES <input checked="" type="checkbox"/>
2. Does the proposed action require a permit, approval or funding from any other government Agency? If Yes, list agency(s) name and permit or approval:			NO <input type="checkbox"/>
			YES <input type="checkbox"/>
3. a. Total acreage of the site of the proposed action? _____ acres			
b. Total acreage to be physically disturbed? _____ acres			
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? _____ acres			
4. Check all land uses that occur on, are adjoining or near the proposed action:			
5. <input type="checkbox"/> Urban <input type="checkbox"/> Rural (non-agriculture) <input type="checkbox"/> Industrial <input type="checkbox"/> Commercial <input type="checkbox"/> Residential (suburban)			
<input type="checkbox"/> Forest <input type="checkbox"/> Agriculture <input type="checkbox"/> Aquatic <input type="checkbox"/> Other(Specify):			
<input type="checkbox"/> Parkland			

5. Is the proposed action,	NO	YES	N/A
a. A permitted use under the zoning regulations?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b. Consistent with the adopted comprehensive plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?	NO	YES	
	<input type="checkbox"/>	<input type="checkbox"/>	
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area? If Yes, identify: _____	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
8. a. Will the proposed action result in a substantial increase in traffic above present levels? b. Are public transportation services available at or near the site of the proposed action? c. Are any pedestrian accommodations or bicycle routes available on or near the site of the proposed action?	NO	YES	
	<input type="checkbox"/>	<input type="checkbox"/>	
	<input type="checkbox"/>	<input type="checkbox"/>	
	<input type="checkbox"/>	<input type="checkbox"/>	
9. Does the proposed action meet or exceed the state energy code requirements? If the proposed action will exceed requirements, describe design features and technologies: _____ _____	NO	YES	
	<input type="checkbox"/>	<input type="checkbox"/>	
10. Will the proposed action connect to an existing public/private water supply? If No, describe method for providing potable water: _____ _____	NO	YES	
	<input type="checkbox"/>	<input type="checkbox"/>	
11. Will the proposed action connect to existing wastewater utilities? If No, describe method for providing wastewater treatment: _____ _____	NO	YES	
	<input type="checkbox"/>	<input type="checkbox"/>	
12. a. Does the project site contain, or is it substantially contiguous to, a building, archaeological site, or district which is listed on the National or State Register of Historic Places, or that has been determined by the Commissioner of the NYS Office of Parks, Recreation and Historic Preservation to be eligible for listing on the State Register of Historic Places? b. Is the project site, or any portion of it, located in or adjacent to an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory?	NO	YES	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
13. a. Does any portion of the site of the proposed action, or lands adjoining the proposed action, contain wetlands or other waterbodies regulated by a federal, state or local agency? b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody? If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres: _____ _____ _____	NO	YES	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
	<input type="checkbox"/>	<input type="checkbox"/>	

14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply:		
<input type="checkbox"/> Shoreline <input type="checkbox"/> Forest <input type="checkbox"/> Agricultural/grasslands <input type="checkbox"/> Early mid-successional <input type="checkbox"/> Wetland <input type="checkbox"/> Urban <input type="checkbox"/> Suburban		
15. Does the site of the proposed action contain any species of animal, or associated habitats, listed by the State or Federal government as threatened or endangered?	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
16. Is the project site located in the 100-year flood plan?	NO	YES
	<input type="checkbox"/>	<input type="checkbox"/>
17. Will the proposed action create storm water discharge, either from point or non-point sources? If Yes,	NO	YES
	<input type="checkbox"/>	<input type="checkbox"/>
a. Will storm water discharges flow to adjacent properties?	<input type="checkbox"/>	<input type="checkbox"/>
b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)?	<input type="checkbox"/>	<input type="checkbox"/>
If Yes, briefly describe: _____ _____		
18. Does the proposed action include construction or other activities that would result in the impoundment of water or other liquids (e.g., retention pond, waste lagoon, dam)? If Yes, explain the purpose and size of the impoundment: _____	NO	YES
	<input type="checkbox"/>	<input type="checkbox"/>
19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility? If Yes, describe: _____	NO	YES
	<input type="checkbox"/>	<input type="checkbox"/>
20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste? If Yes, describe: _____	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE Applicant/sponsor/name: <u>Tito Martinez</u> Date: <u>5-5-2023</u> Signature: <u></u> Title: <u>Assistant Dir. of Planning</u>		



Part 1 / Question 7 [Critical Environmental Area]	No
Part 1 / Question 12a [National or State Register of Historic Places or State Eligible Sites]	Yes
Part 1 / Question 12b [Archeological Sites]	No
Part 1 / Question 13a [Wetlands or Other Regulated Waterbodies]	Yes - Digital mapping information on local and federal wetlands and waterbodies is known to be incomplete. Refer to EAF Workbook.
Part 1 / Question 15 [Threatened or Endangered Animal]	No
Part 1 / Question 16 [100 Year Flood Plain]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
Part 1 / Question 20 [Remediation Site]	No

