City Environmental Quality Review
ENVIRONMENTAL ASSESSMENT STATEMENT (EAS) FULL FORM

Please fill out and submit to the appropriate agency (see instructions)

Part I: GENERAL INFORMATION

PROJECT NAME SoHo/NoHo Neighborhood Plan

1. *Reference Numbers*

CEQR REFERENCE NUMBER (to be assigned by lead agency)	BSA REFERENCE NUMBER (if applicable)
21DCP059M	
ULURP REFERENCE NUMBER (if applicable)	OTHER REFERENCE NUMBER(S) (if applicable)
Pending	(*e.g.*, legislative intro, CAPA)

2a. *Lead Agency Information*			**2b. *Applicant Information***		
NAME OF LEAD AGENCY			NAME OF APPLICANT		
NYC Department of City Planning			NYC Department of City Planning		
NAME OF LEAD AGENCY CONTACT PERSON			NAME OF APPLICANT'S REPRESENTATIVE OR CONTACT PERSON		
Olga Abinader, Director-DCP EARD			Edith Hsu-Chen, Director-DCP Manhattan Office		
ADDRESS 120 Broadway, 31st Floor			ADDRESS 120 Broadway, 30th Floor		
CITY New York	STATE NY	ZIP 10271	CITY Manhattan	STATE NY	ZIP 10271
TELEPHONE 212-720-3493	EMAIL oabinad@planning.nyc.gov		TELEPHONE 212-720-3480	EMAIL ehsuch@planning.nyc.gov	

3. *Action Classification and Type*

SEQRA Classification

☐ UNLISTED ☒ TYPE I: Specify Category (see 6 NYCRR 617.4 and NYC Executive Order 91 of 1977, as amended): 617.4(b)(2)

Action Type (refer to Chapter 2, "Establishing the Analysis Framework" for guidance)

☐ LOCALIZED ACTION, SITE SPECIFIC ☒ LOCALIZED ACTION, SMALL AREA ☐ GENERIC ACTION

4. *Project Description*

The applicant, the New York City Department of City Planning (DCP), is proposing zoning map amendments and zoning text amendments (the Proposed Actions) to implement land use and zoning changes to better reflect existing neighborhood conditions, strengthen mixed-uses, create opportunities for housing, including affordable housing, and celebrate the architectural character and creative legacy of the SoHo and NoHo neighborhoods. The Proposed Actions would affect an approximately 56-block, 146-acre area (the Project Area) of the SoHo and NoHo neighborhoods of Manhattan, Community District 2. The Project Area is generally bounded by Astor Place and Houston Street to the north; Bowery, Lafayette Street, and Baxter Street to the east; Canal Street to the south; and Sixth Avenue, West Broadway, and Broadway to the west. See Figure 1 and Attachment A for more details.

Project Location

BOROUGH Manhattan	COMMUNITY DISTRICT(S) 2	STREET ADDRESS N/A
TAX BLOCK(S) AND LOT(S) See Figures 2a and 2b		ZIP CODE 10003, 10012, 10013

DESCRIPTION OF PROPERTY BY BOUNDING OR CROSS STREETS: The Project Area is generally bounded by Astor Place and Houston Street to the north; Bowery, Lafayette Street, and Baxter Street to the east; Canal Street to the south; and Sixth Avenue, West Broadway, and Broadway to the west.

EXISTING ZONING DISTRICT, INCLUDING SPECIAL ZONING DISTRICT DESIGNATION, IF ANY See Figure 3	ZONING SECTIONAL MAP NUMBER 12a and 12c

5. *Required Actions or Approvals* (check all that apply)

City Planning Commission: ☒ YES ☐ NO ☒ UNIFORM LAND USE REVIEW PROCEDURE (ULURP)

☐ CITY MAP AMENDMENT	☐ ZONING CERTIFICATION	☐ CONCESSION
☒ ZONING MAP AMENDMENT	☐ ZONING AUTHORIZATION	☐ UDAAP
☒ ZONING TEXT AMENDMENT	☐ ACQUISITION—REAL PROPERTY	☐ REVOCABLE CONSENT
☐ SITE SELECTION—PUBLIC FACILITY	☐ DISPOSITION—REAL PROPERTY	☐ FRANCHISE
☐ HOUSING PLAN & PROJECT	☐ OTHER, explain:	

☐ SPECIAL PERMIT (if appropriate, specify type: ☐ modification; ☐ renewal; ☐ other); EXPIRATION DATE:

SPECIFY AFFECTED SECTIONS OF THE ZONING RESOLUTION

Board of Standards and Appeals: ☐ YES ☒ NO

☐ VARIANCE (use)
☐ VARIANCE (bulk)
☐ SPECIAL PERMIT (if appropriate, specify type: ☐ modification; ☐ renewal; ☐ other); EXPIRATION DATE:
SPECIFY AFFECTED SECTIONS OF THE ZONING RESOLUTION

***Department of Environmental Protection*:** ☐ YES ☒ NO If "yes," specify:

Other City Approvals Subject to CEQR (check all that apply)

☐ LEGISLATION
☐ RULEMAKING
☐ CONSTRUCTION OF PUBLIC FACILITIES
☐ 384(b)(4) APPROVAL
☐ OTHER, explain:
☐ FUNDING OF CONSTRUCTION, specify:
☐ POLICY OR PLAN, specify:
☐ FUNDING OF PROGRAMS, specify:
☐ PERMITS, specify:

Other City Approvals Not Subject to CEQR (check all that apply)

☐ PERMITS FROM DOT'S OFFICE OF CONSTRUCTION MITIGATION AND COORDINATION (OCMC)
☐ LANDMARKS PRESERVATION COMMISSION APPROVAL
☐ OTHER, explain:

***State or Federal Actions/Approvals/Funding*:** ☐ YES ☒ NO If "yes," specify:

6. *Site Description:* *The directly affected area consists of the project site and the area subject to any change in regulatory controls. Except where otherwise indicated, provide the following information with regard to the directly affected area.*

***Graphics*:** *The following graphics must be attached and each box must be checked off before the EAS is complete. Each map must clearly depict the boundaries of the directly affected area or areas and indicate a 400-foot radius drawn from the outer boundaries of the project site. Maps may not exceed 11 x 17 inches in size and, for paper filings, must be folded to 8.5 x 11 inches.*

☒ SITE LOCATION MAP ☒ ZONING MAP ☒ SANBORN OR OTHER LAND USE MAP
☒ TAX MAP ☒ FOR LARGE AREAS OR MULTIPLE SITES, A GIS SHAPE FILE THAT DEFINES THE PROJECT SITE(S)
☐ PHOTOGRAPHS OF THE PROJECT SITE TAKEN WITHIN 6 MONTHS OF EAS SUBMISSION AND KEYED TO THE SITE LOCATION MAP

Physical Setting (both developed and undeveloped areas)

Total directly affected area (sq. ft.): 6,360,000 sf (146 acres)
Waterbody area (sq. ft.) and type:
Roads, buildings, and other paved surfaces (sq. ft.): 6,360,000 sf (146 acres)
Other, describe (sq. ft.): NA

7. *Physical Dimensions and Scale of Project* (if the project affects multiple sites, provide the total development facilitated by the action)

SIZE OF PROJECT TO BE DEVELOPED (gross square feet): Refer to final table in Project Description for the RWCDS summary
NUMBER OF BUILDINGS:
GROSS FLOOR AREA OF EACH BUILDING (sq. ft.):
HEIGHT OF EACH BUILDING (ft.):
NUMBER OF STORIES OF EACH BUILDING:

Does the proposed project involve changes in zoning on one or more sites? ☒ YES ☐ NO
If "yes," specify: The total square feet owned or controlled by the applicant: N/A
The total square feet not owned or controlled by the applicant: N/A

Does the proposed project involve in-ground excavation or subsurface disturbance, including, but not limited to foundation work, pilings, utility lines, or grading? ☒ YES ☐ NO
If "yes," indicate the estimated area and volume dimensions of subsurface disturbance (if known):
AREA OF TEMPORARY DISTURBANCE: N/A sq. ft. (width x length)
VOLUME OF DISTURBANCE: N/A cubic ft. (width x length x depth)
AREA OF PERMANENT DISTURBANCE: N/A sq. ft. (width x length)

8. *Analysis Year* CEQR Technical Manual Chapter 2

ANTICIPATED BUILD YEAR (date the project would be completed and operational): 2031
ANTICIPATED PERIOD OF CONSTRUCTION IN MONTHS: N/A
WOULD THE PROJECT BE IMPLEMENTED IN A SINGLE PHASE? ☐ YES ☒ NO IF MULTIPLE PHASES, HOW MANY? N/A
BRIEFLY DESCRIBE PHASES AND CONSTRUCTION SCHEDULE: N/A

9. *Predominant Land Use in the Vicinity of the Project* (check all that apply)

☒ RESIDENTIAL ☒ MANUFACTURING ☒ COMMERCIAL ☒ PARK/FOREST/OPEN SPACE ☒ OTHER, specify: VACANT



Project Location

SOHO/NOHO NEIGHBORHOOD PLAN

Figure 1



SOHO/NOHO NEIGHBORHOOD PLAN

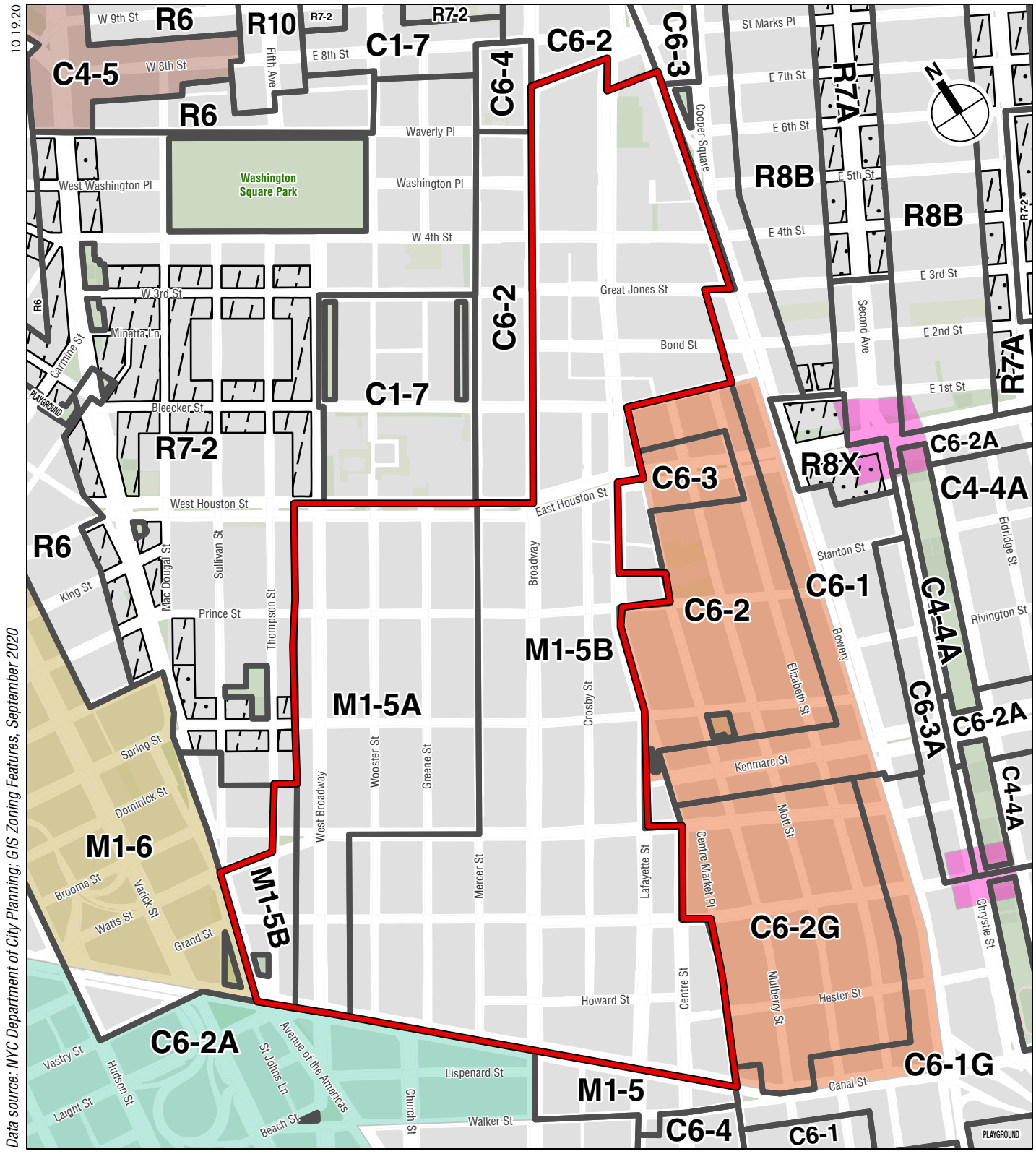
Tax Map

Figure 2a



Tax Map

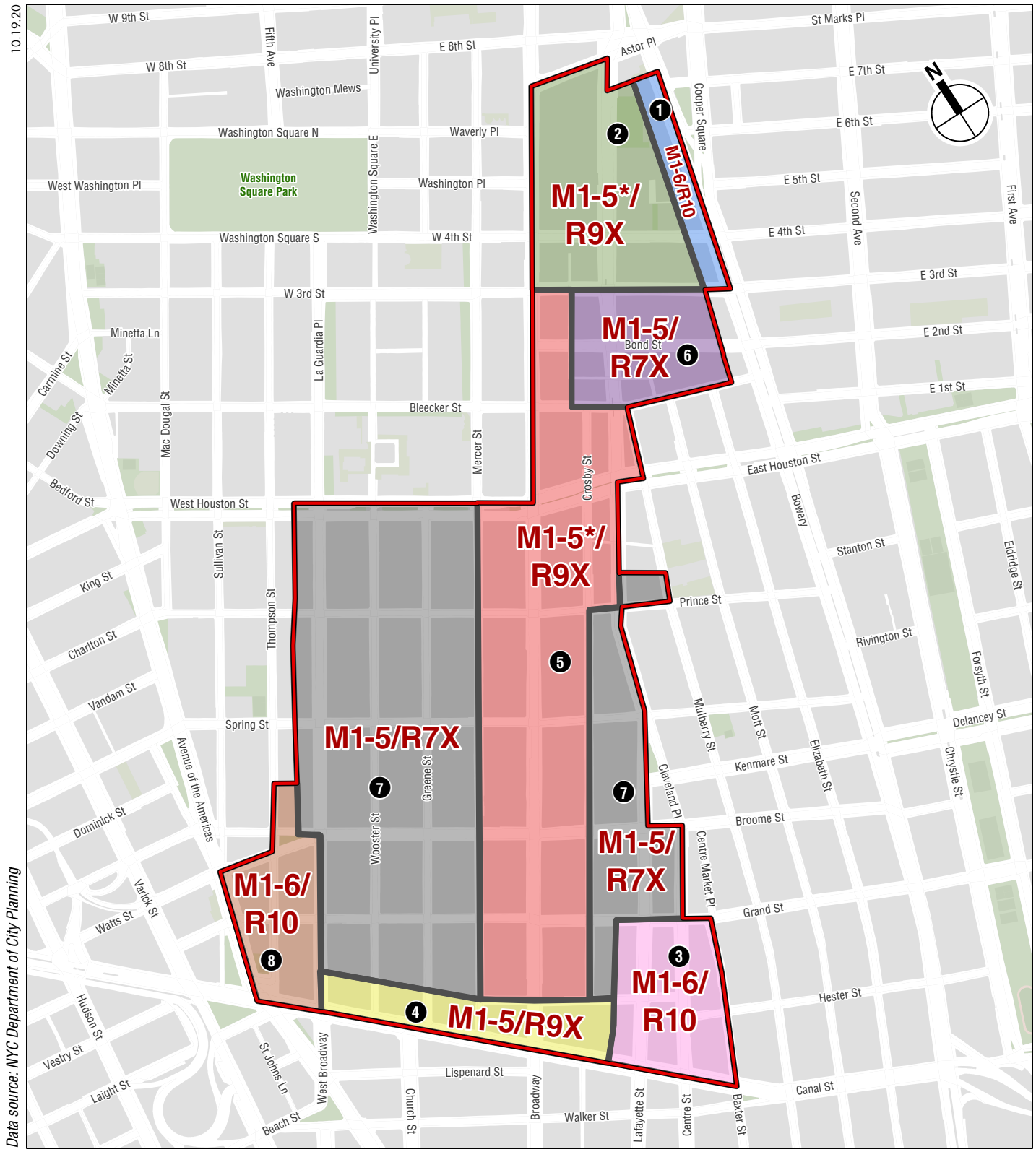
Figure 2b



Existing Zoning

SOHO/NOHO NEIGHBORHOOD PLAN

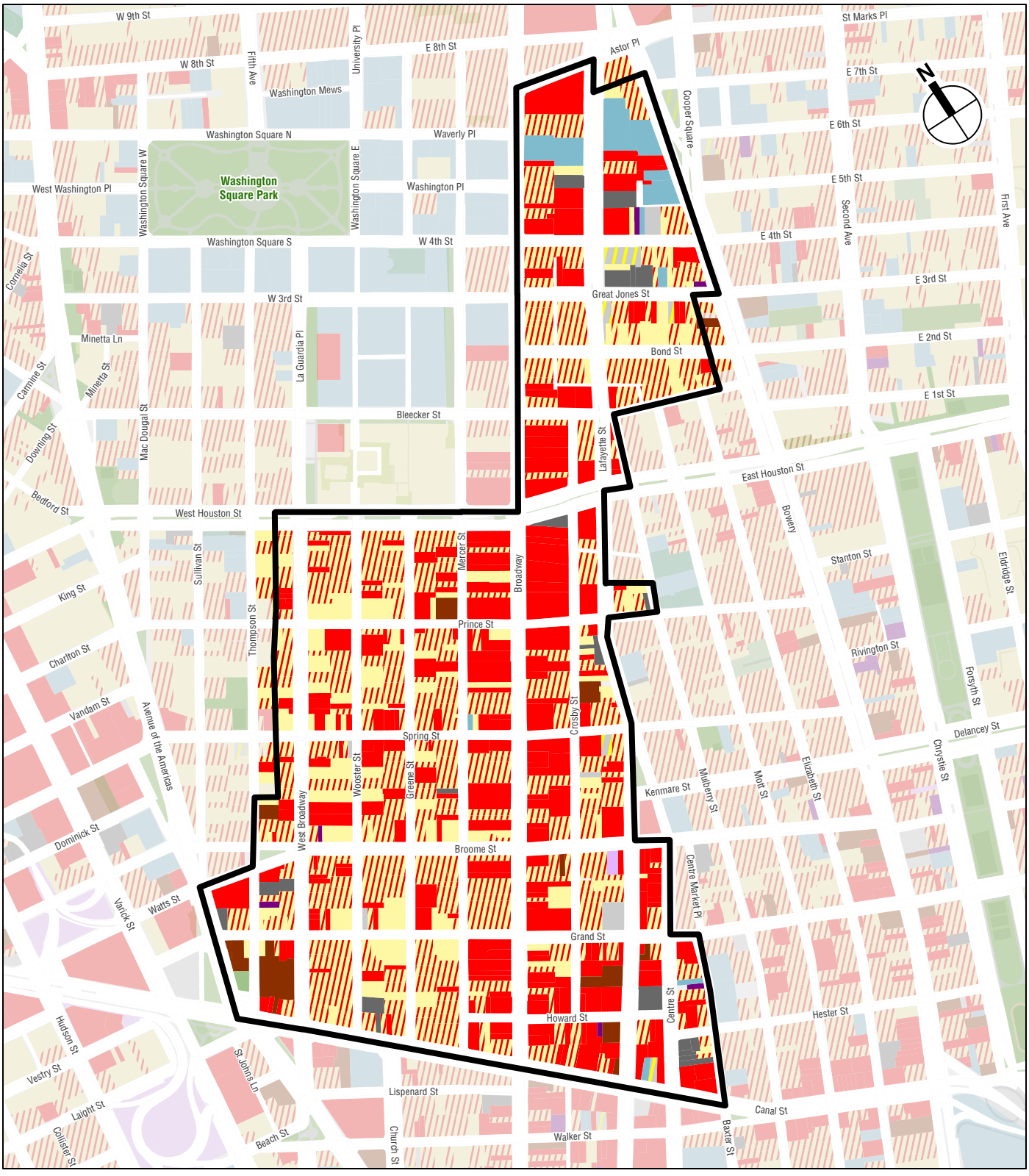
Figure 3



Proposed Zoning

SOHO/NOHO NEIGHBORHOOD PLAN

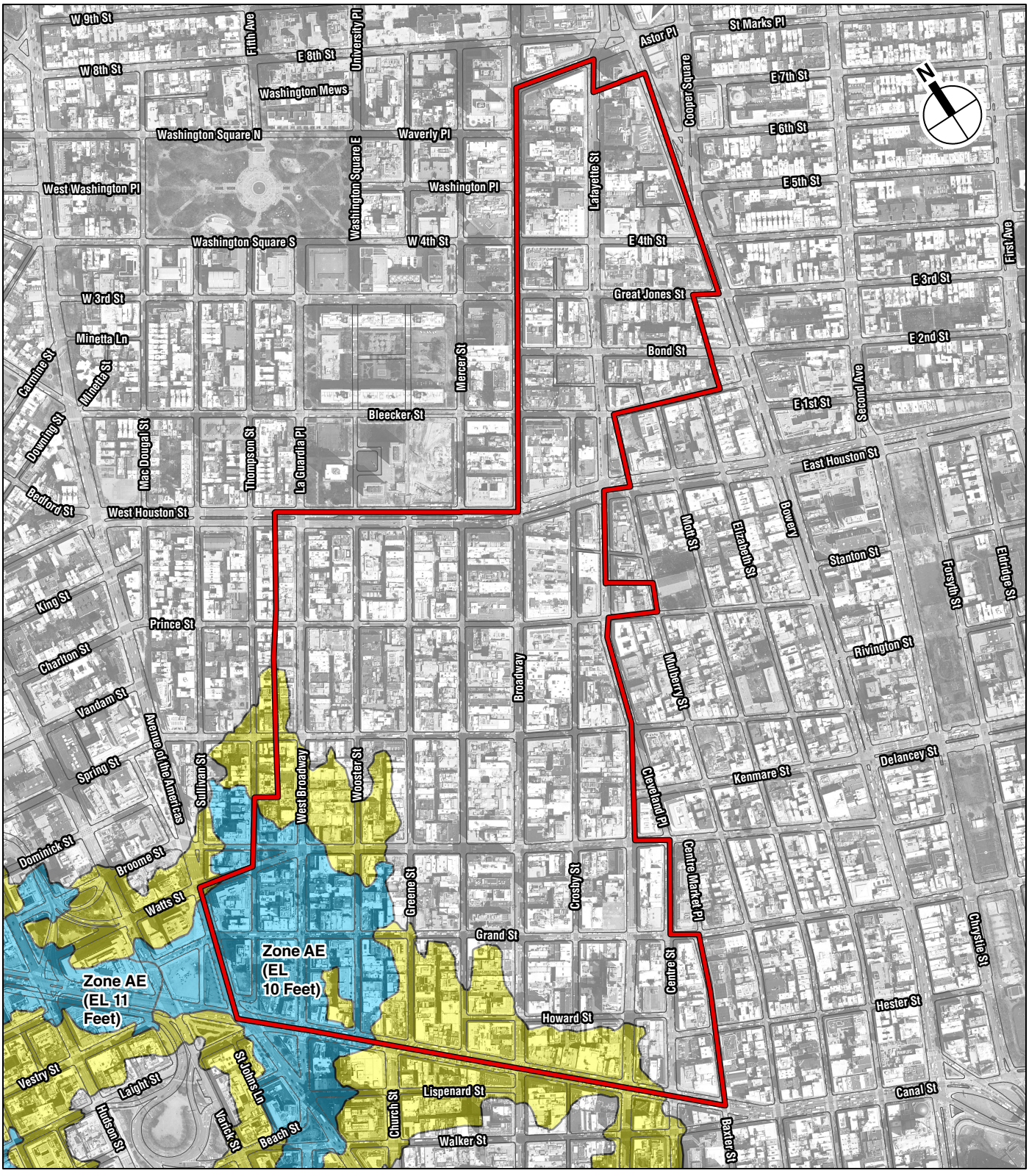
Figure 4



Existing Land Use

SOHO/NOHO NEIGHBORHOOD PLAN

Figure 5



Data source: NYC Department of City Planning; FEMA, January 2015 / NYS GIS Program Office. New York City Orthoimagery, 6-inch resolution, captured April 2018

10.16.20

FEMA Preliminary FIRM 2015

SOHO/NOHO NEIGHBORHOOD PLAN

Figure 6

DESCRIPTION OF EXISTING AND PROPOSED CONDITIONS

The information requested in this table applies to the directly affected area. The directly affected area consists of the project site and the area subject to any change in regulatory control. The increment is the difference between the No-Action and the With-Action conditions.

	EXISTING CONDITION	NO-ACTION CONDITION	WITH-ACTION CONDITION	INCREMENT
LAND USE				
Residential	☒ YES ☐ NO	☒ YES ☐ NO	☒ YES ☐ NO	
If "yes," specify the following:				
Describe type of residential structures	Apartment Houses	Apartment Houses	Apartment Houses	
No. of dwelling units	16	16	1,699	1,683
No. of low- to moderate-income units	2-4	2-4	330-498	328-494
Gross floor area (sq. ft.)	16,133	16,133	1,674,689	1,658,556
Commercial	☒ YES ☐ NO	☒ YES ☐ NO	☒ YES ☐ NO	
If "yes," specify the following:				
Describe type (retail, office, other)	Varies; to be described in the EIS	Varies; to be described in the EIS	Varies; to be described in the EIS	
Gross floor area (sq. ft.)	358,766	358,766	307,258	(51,508)
Manufacturing/Industrial	☒ YES ☐ NO	☒ YES ☐ NO	☐ YES ☒ NO	
If "yes," specify the following:				
Type of use	Varies; to be described in the EIS.	Varies; to be described in the EIS.		
Gross floor area (sq. ft.)	25,839	25,839	0	(25,839)
Open storage area (sq. ft.)				
If any unenclosed activities, specify:				
Community Facility	☐ YES ☒ NO	☐ YES ☒ NO	☒ YES ☐ NO	
If "yes," specify the following:				
Type			Varies; to be described in the EIS	
Gross floor area (sq. ft.)			19,598	19,598
Vacant Land	☒ YES ☐ NO	☒ YES ☐ NO	☐ YES ☒ NO	
If "yes," describe:				
Publicly Accessible Open Space	☒ YES ☐ NO	☒ YES ☐ NO	☒ YES ☐ NO	
If "yes," specify type (mapped City, State, or Federal parkland, wetland—mapped or otherwise known, other):	Varies; to be described in the EIS.	Varies; to be described in the EIS.	Varies; to be described in the EIS.	
Other Land Uses	☐ YES ☒ NO	☐ YES ☒ NO	☐ YES ☒ NO	
If "yes," describe:				
PARKING				
Garages	☒ YES ☐ NO	☒ YES ☐ NO	☐ YES ☒ NO	
If "yes," specify the following:				
No. of public spaces				
No. of accessory spaces	Approx. 130	Approx. 130		(130)
Operating hours				
Attended or non-attended				
Lots	☐ YES ☒ NO	☐ YES ☒ NO	☐ YES ☒ NO	
If "yes," specify the following:				
No. of public spaces				
No. of accessory spaces				
Operating hours				
Other (includes street parking)	☐ YES ☒ NO	☐ YES ☒ NO	☐ YES ☒ NO	
If "yes," describe:				
POPULATION				
Residents	☒ YES ☐ NO	☒ YES ☐ NO	☒ YES ☐ NO	

	EXISTING CONDITION	NO-ACTION CONDITION	WITH-ACTION CONDITION	INCREMENT
If "yes," specify number:	30	30	3,211	3,181
Briefly explain how the number of residents was calculated:	Assumes 1.89 residents per DU for Manhattan Community District 2 (2018 ACS PUMA Data)			
Businesses	☒ YES ☐ NO	☒ YES ☐ NO	☒ YES ☐ NO	
If "yes," specify the following:				
No. and type	Varies; to be described in EIS	Varies; to be described in EIS	Varies; to be described in EIS	
No. and type of workers by business	Office: 880 Local Retail: 337 Supermarket: 0 Other Commercial/Parking: 12 Mfg./Ind.: 26 Total: 1,205	Office: 880 Local Retail: 337 Supermarket: 0 Other Commercial/Parking: 12 Mfg./Ind.: 26 Total: 1,205	Office: 550 Local Retail: 356 Destination Retail: 22 Supermarket: 80 Other Commercial/Parking: 0 Community Facility: 20 Mfg./Ind.: 0 Residential: 68 Total: 1,096	Office: (280) Local Retail: 19 Destination Retail: 22 Supermarket: 80 Other Commercial/Parking: (12) Community Facility: 20 Mfg./Ind.: (26) Residential: 68 Total: (109)
No. and type of non-residents who are not workers				
Briefly explain how the number of businesses was calculated:	Estimate of workers based on standard industry rates, as follows: 1 employee per 250 sf of office; 1 employee per 333 sf of local retail, 1 employee per 875 sf of destination retail, 1 employee per 1,000 sf of other commercial, 1 employee per 400 sf supermarket, 1 employee per 1,000 sf of community facility, 1 employee per 25 DU, 1 employee per 2.67 hotel rooms (400 sf per hotel room), 1 employee per 1,000 sf of industrial/warehouse, and 1 employee per 25 dwelling units			
Other (students, visitors, concert-goers, *etc.*)	☒ YES ☐ NO	☒ YES ☐ NO	☒ YES ☐ NO	
If any, specify type and number:				
Briefly explain how the number was calculated:				
ZONING				
Zoning classification	SoHo Cast Iron, NoHo Historic, NoHo East Historic, Sullivan Thompson Historic, M1/5, M1/5A, M1/5B	SoHo Cast Iron, NoHo Historic, NoHo East Historic, Sullivan Thompson Historic, M1/5, M1/5A, M1/5B	Special SoHo/NoHo Mixed-Use District, M1-5/R7X, M1-5/R9X, and M1-6/R10	
Maximum amount of floor area that can be developed	Varies	Varies	Varies	
Predominant land use and zoning classifications within land use study area(s) or a 400 ft. radius of proposed project	Manufacturing, Commercial, Residential, Open Space, Community Facility	Manufacturing, Commercial, Residential, Open Space, Community Facility	See Attachment A.	
Attach any additional information that may be needed to describe the project. If your project involves changes that affect one or more sites not associated with a specific development, it is generally appropriate to include total development projections in the above table and attach separate tables outlining the reasonable development scenarios for each site.				

Part II: TECHNICAL ANALYSIS

INSTRUCTIONS: For each of the analysis categories listed in this section, assess the proposed project's impacts based on the thresholds and criteria presented in the CEQR Technical Manual. Check each box that applies.

- If the proposed project can be demonstrated not to meet or exceed the threshold, check the "no" box.
- If the proposed project will meet or exceed the threshold, or if this cannot be determined, check the "yes" box.
- For each "yes" response, provide additional analyses (and, if needed, attach supporting information) based on guidance in the CEQR Technical Manual to determine whether the potential for significant impacts exists. Please note that a "yes" answer does not mean that an EIS must be prepared—it means that more information may be required for the lead agency to make a determination of significance.
- The lead agency, upon reviewing Part II, may require an applicant to provide additional information to support the Full EAS Form. For example, if a question is answered "no," an agency may request a short explanation for this response.

	YES	NO
1. *LAND USE, ZONING, AND PUBLIC POLICY*: CEQR Technical Manual Chapter 4		
(a) Would the proposed project result in a change in land use different from surrounding land uses?	☒	☐
(b) Would the proposed project result in a change in zoning different from surrounding zoning?	☒	☐
(c) Is there the potential to affect an applicable public policy?	☒	☐
(d) If "yes," to (a), (b), and/or (c), complete a preliminary assessment and attach.		
(e) Is the project a large, publicly sponsored project?	☒	☐
○ If "yes," complete a PlaNYC assessment and attach. **An assessment will be provided in the EIS.**		
(f) Is any part of the directly affected area within the City's Waterfront Revitalization Program boundaries?	☒	☐
○ If "yes," complete the Consistency Assessment Form. **A portion of the Project Area is within New York City's Coastal Zone and an assessment will be provided in the EIS.**		
2. *SOCIOECONOMIC CONDITIONS*: CEQR Technical Manual Chapter 5		
(a) Would the proposed project:		
○ Generate a net increase of more than 200 residential units *or* 200,000 square feet of commercial space?	☒	☐
▪ If "yes," answer *both* questions 2(b)(ii) and 2(b)(iv) below.		
○ Directly displace 500 or more residents?	☐	☒
▪ If "yes," answer questions 2(b)(i), 2(b)(ii), and 2(b)(iv) below.		
○ Directly displace more than 100 employees?	☒	☐
▪ If "yes," answer questions under 2(b)(iii) and 2(b)(iv) below.		
○ Affect conditions in a specific industry?	☐	☒
▪ If "yes," answer question 2(b)(v) below.		
(b) If "yes" to any of the above, attach supporting information to answer the relevant questions below. If "no" was checked for each category above, the remaining questions in this technical area do not need to be answered.		
i. Direct Residential Displacement		
○ If more than 500 residents would be displaced, would these residents represent more than 5% of the primary study area population?	☐	☒
○ If "yes," is the average income of the directly displaced population markedly lower than the average income of the rest of the study area population?	☐	☐
ii. Indirect Residential Displacement – See "Socioeconomic Conditions" section of Attachment B.		
○ Would expected average incomes of the new population exceed the average incomes of study area populations?	☐	☐
○ If "yes:" **To be determined based on EIS analysis.**		
▪ Would the population of the primary study area increase by more than 10 percent?	☐	☐
▪ Would the population of the primary study area increase by more than 5 percent in an area where there is the potential to accelerate trends toward increasing rents?	☐	☐
○ If "yes" to either of the preceding questions, would more than 5 percent of all housing units be renter-occupied and unprotected?	☐	☐
iii. Direct Business Displacement – See "Socioeconomic Conditions" section of Attachment B.		
○ Do any of the displaced businesses provide goods or services that otherwise would not be found within the trade area, either under existing conditions or in the future with the proposed project?	☒	☐

	YES	NO
○ Is any category of business to be displaced the subject of other regulations or publicly adopted plans to preserve, enhance, or otherwise protect it?	☐	☐
iv. Indirect Business Displacement – See "Socioeconomic Conditions" section of Attachment B.		
○ Would the project potentially introduce trends that make it difficult for businesses to remain in the area?	☐	☒
○ Would the project capture retail sales in a particular category of goods to the extent that the market for such goods would become saturated, potentially resulting in vacancies and disinvestment on neighborhood commercial streets?	☐	☐
v. Effects on Industry – See "Socioeconomic Conditions" section of Attachment B.		
○ Would the project significantly affect business conditions in any industry or any category of businesses within or outside the study area?	☐	☐
○ Would the project indirectly substantially reduce employment or impair the economic viability in the industry or category of businesses?	☐	☐
3. *COMMUNITY FACILITIES*: CEQR Technical Manual Chapter 6		
(a) Direct Effects		
○ Would the project directly eliminate, displace, or alter public or publicly funded community facilities such as educational facilities, libraries, health care facilities, day care centers, police stations, or fire stations?	☐	☒
(b) Indirect Effects		
i. Child Care Centers		
○ Would the project result in 20 or more eligible children under age 6, based on the number of low or low/moderate income residential units? (See Table 6-1 in Chapter 6)	☒	☐
○ If "yes," would the project result in a collective utilization rate of the group child care/Head Start centers in the study area that is greater than 100 percent? **To be determined based on EIS analysis.**	☐	☐
○ If "yes," would the project increase the collective utilization rate by 5 percent or more from the No-Action scenario? **To be determined based on EIS analysis.**	☐	☐
ii. Libraries		
○ Would the project result in a 5 percent or more increase in the ratio of residential units to library branches? (See Table 6-1 in Chapter 6)	☒	☐
○ If "yes," would the project increase the study area population by 5 percent or more from the No-Action levels? **To be determined based on EIS analysis.**	☐	☐
○ If "yes," would the additional population impair the delivery of library services in the study area? **To be determined based on EIS analysis.**	☐	☐
iii. Public Schools		
○ Would the project result in 50 or more elementary or middle school students, or 150 or more high school students based on number of residential units? (See Table 6-1 in Chapter 6)	☒	☐
○ If "yes," would the project result in a collective utilization rate of the elementary and/or intermediate schools in the study area that is equal to or greater than 100 percent? **To be determined based on EIS analysis.**	☐	☐
○ If "yes," would the project increase this collective utilization rate by 5 percent or more from the No-Action scenario? **To be determined based on EIS analysis.**	☐	☐
iv. Health Care Facilities		
○ Would the project result in the introduction of a sizeable new neighborhood?	☐	☒
○ If "yes," would the project affect the operation of health care facilities in the area?	☐	☐
v. Fire and Police Protection		
○ Would the project result in the introduction of a sizeable new neighborhood?	☐	☒
○ If "yes," would the project affect the operation of fire or police protection in the area?	☐	☐
4. *OPEN SPACE*: CEQR Technical Manual Chapter 7		
(a) Would the project change or eliminate existing open space?	☐	☒
(b) Is the project located within an under-served area in the Bronx, Brooklyn, Manhattan, Queens, or Staten Island?	☒	☐
(c) If "yes," would the project generate more than 50 additional residents or 125 additional employees?	☒	☐
(d) Is the project located within a well-served area in the Bronx, Brooklyn, Manhattan, Queens, or Staten Island?	☐	☒
(e) If "yes," would the project generate more than 350 additional residents or 750 additional employees?	☐	☐
(f) If the project is located in an area that is neither under-served nor well-served, would it generate more than 200 additional residents or 500 additional employees?	☐	☐
(g) If "yes" to questions (c), (e), or (f) above, attach supporting information to answer the following: **To be determined based on EIS analysis.**		

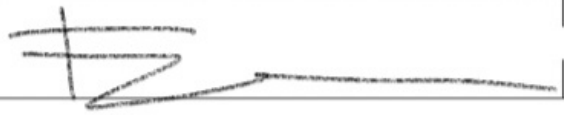
	YES	NO
○ If in an under-served area, would the project result in a decrease in the open space ratio by more than 1 percent?	☐	☐
○ If in an area that is not under-served, would the project result in a decrease in the open space ratio by more than 5 percent?	☐	☐
○ If "yes," are there qualitative considerations, such as the quality of open space, that need to be considered? Please specify:	☐	☐
5. *SHADOWS*: CEQR Technical Manual Chapter 8		
(a) Would the proposed project result in a net height increase of any structure of 50 feet or more?	☒	☐
(b) Would the proposed project result in any increase in structure height and be located adjacent to or across the street from a sunlight-sensitive resource?	☒	☐
(c) If "yes" to either of the above questions, attach supporting information explaining whether the project's shadow would reach any sunlight-sensitive resource at any time of the year. **To be determined based on EIS analysis.**		
6. *HISTORIC AND CULTURAL RESOURCES*: CEQR Technical Manual Chapter 9		
(a) Does the proposed project site or an adjacent site contain any architectural and/or archaeological resource that is eligible for or has been designated (or is calendared for consideration) as a New York City Landmark, Interior Landmark or Scenic Landmark; that is listed or eligible for listing on the New York State or National Register of Historic Places; or that is within a designated or eligible New York City, New York State or National Register Historic District? (See the GIS System for Archaeology and National Register to confirm)	☒	☐
(b) Would the proposed project involve construction resulting in in-ground disturbance to an area not previously excavated?	☒	☐
(c) If "yes" to either of the above, list any identified architectural and/or archaeological resources and attach supporting information on whether the proposed project would potentially affect any architectural or archeological resources. **See "Historic and Cultural Resources" section of Attachment B.**		
7. *URBAN DESIGN AND VISUAL RESOURCES*: CEQR Technical Manual Chapter 10		
(a) Would the proposed project introduce a new building, a new building height, or result in any substantial physical alteration to the streetscape or public space in the vicinity of the proposed project that is not currently allowed by existing zoning?	☒	☐
(b) Would the proposed project result in obstruction of publicly accessible views to visual resources not currently allowed by existing zoning?	☒	☐
(c) If "yes" to either of the above, please provide the information requested in Chapter 10. **To be provided in EIS.**		
8. *NATURAL RESOURCES*: CEQR Technical Manual Chapter 11		
(a) Does the proposed project site or a site adjacent to the project contain natural resources as defined in Section 100 of Chapter 11?	☒	☐
○ If "yes," list the resources and attach supporting information on whether the project would affect any of these resources. **The extent to which natural resources would be affected will be determined in the EIS analysis.**		
(b) Is any part of the directly affected area within the Jamaica Bay Watershed?	☐	☒
○ If "yes," complete the Jamaica Bay Watershed Form and submit according to its instructions.		
9. *HAZARDOUS MATERIALS*: CEQR Technical Manual Chapter 12		
(a) Would the proposed project allow commercial or residential uses in an area that is currently, or was historically, a manufacturing area that involved hazardous materials?	☒	☐
(b) Does the proposed project site have existing institutional controls (*e.g.*, (E) designation or Restrictive Declaration) relating to hazardous materials that preclude the potential for significant adverse impacts?	☒	☐
(c) Would the project require soil disturbance in a manufacturing area or any development on or near a manufacturing area or existing/historic facilities listed in Appendix 1 (including nonconforming uses)?	☒	☐
(d) Would the project result in the development of a site where there is reason to suspect the presence of hazardous materials, contamination, illegal dumping or fill, or fill material of unknown origin?	☒	☐
(e) Would the project result in development on or near a site that has or had underground and/or aboveground storage tanks (*e.g.*, gas stations, oil storage facilities, heating oil storage)?	☒	☐
(f) Would the project result in renovation of interior existing space on a site with the potential for compromised air quality; vapor intrusion from either on-site or off-site sources; or the presence of asbestos, PCBs, mercury or lead-based paint?	☒	☐
(g) Would the project result in development on or near a site with potential hazardous materials issues such as government-listed voluntary cleanup/brownfield site, current or former power generation/transmission facilities, coal gasification or gas storage sites, railroad tracks or rights-of-way, or municipal incinerators?	☒	☐
(h) Has a Phase I Environmental Site Assessment been performed for the site?	☐	☒
○ If "yes," were Recognized Environmental Conditions (RECs) identified? Briefly identify: **To be determined as part of the EIS analysis.**	☒	☐
(i) Based on the Phase I Assessment, is a Phase II Investigation needed? **To be determined as part of the EIS analysis.**	☒	☐
10. *WATER AND SEWER INFRASTRUCTURE*: CEQR Technical Manual Chapter 13		

	YES	NO
(a) Would the project result in water demand of more than one million gallons per day?	☒	☐
(b) If the proposed project located in a combined sewer area, would it result in at least 1,000 residential units or 250,000 square feet or more of commercial space in Manhattan, or at least 400 residential units or 150,000 square feet or more of commercial space in the Bronx, Brooklyn, Staten Island, or Queens?	☒	☐
(c) If the proposed project located in a separately sewered area, would it result in the same or greater development than that listed in Table 13-1 in Chapter 13?	☐	☐
(d) Would the project involve development on a site that is 5 acres or larger where the amount of impervious surface would increase?	☒	☐
(e) If the project is located within the Jamaica Bay Watershed or in certain specific drainage areas, including Bronx River, Coney Island Creek, Flushing Bay and Creek, Gowanus Canal, Hutchinson River, Newtown Creek, or Westchester Creek, would it involve development on a site that is 1 acre or larger where the amount of impervious surface would increase?	☐	☐
(f) Would the proposed project be located in an area that is partially sewered or currently unsewered?	☐	☒
(g) Is the project proposing an industrial facility or activity that would contribute industrial discharges to a Wastewater Treatment Plant and/or contribute contaminated stormwater to a separate storm sewer system?	☒	☐
(h) Would the project involve construction of a new stormwater outfall that requires federal and/or state permits?	☒	☐
(i) If "yes" to any of the above, conduct the appropriate preliminary analyses and attach supporting documentation. **See "Water and Sewer Infrastructure" section of Attachment B.**		
11. *SOLID WASTE AND SANITATION SERVICES*: CEQR Technical Manual Chapter 14		
(a) Using Table 14-1 in Chapter 14, the project's projected operational solid waste generation is estimated to be (pounds per week): 71,755		
○ Would the proposed project have the potential to generate 100,000 pounds (50 tons) or more of solid waste per week?	☒	☐
(b) Would the proposed project involve a reduction in capacity at a solid waste management facility used for refuse or recyclables generated within the City?	☐	☒
○ If "yes," would the proposed project comply with the City's Solid Waste Management Plan?	☐	☐
12. *ENERGY*: CEQR Technical Manual Chapter 15		
(a) Using energy modeling or Table 15-1 in Chapter 15, the project's projected energy use is estimated to be (annual BTUs): 226,758,815,500		
(b) Would the proposed project affect the transmission or generation of energy?	☐	☒
13. *TRANSPORTATION*: CEQR Technical Manual Chapter 16		
(a) Would the proposed project exceed any threshold identified in Table 16-1 in Chapter 16?	☒	☐
(b) If "yes," conduct the appropriate screening analyses, attach back up data as needed for each stage, and answer the following questions: **Refer to Draft Scope of Work.**		
○ Would the proposed project result in 50 or more Passenger Car Equivalents (PCEs) per project peak hour?	☒	☐
If "yes," would the proposed project result in 50 or more vehicle trips per project peak hour at any given intersection? ***It should be noted that the lead agency may require further analysis of intersections of concern even when a project generates fewer than 50 vehicles in the peak hour. See Subsection 313 of Chapter 16 for more information.*	☐	☐
○ Would the proposed project result in more than 200 subway/rail or bus trips per project peak hour?	☒	☐
If "yes," would the proposed project result, per project peak hour, in 50 or more bus trips on a single line (in one direction) or 200 subway/rail trips per station or line?	☐	☐
○ Would the proposed project result in more than 200 pedestrian trips per project peak hour?	☒	☐
If "yes," would the proposed project result in more than 200 pedestrian trips per project peak hour to any given pedestrian or transit element, crosswalk, subway stair, or bus stop?	☒	☐
14. *AIR QUALITY*: CEQR Technical Manual Chapter 17		
(a) *Mobile Sources*: Would the proposed project result in the conditions outlined in Section 210 in Chapter 17?	☒	☐
(b) *Stationary Sources*: Would the proposed project result in the conditions outlined in Section 220 in Chapter 17?	☒	☐
○ If "yes," would the proposed project exceed the thresholds in Figure 17-3, Stationary Source Screen Graph in Chapter 17? (Attach graph as needed) **Refer to Draft Scope of Work.**	☐	☐
(c) Does the proposed project involve multiple buildings on the project site?	☒	☐
(d) Does the proposed project require federal approvals, support, licensing, or permits subject to conformity requirements?	☐	☒
(e) Does the proposed project site have existing institutional controls (*e.g.*, (E) designation or Restrictive Declaration) relating to air quality that preclude the potential for significant adverse impacts? **To be described in the EIS.**	☐	☒
(f) If "yes" to any of the above, conduct the appropriate analyses and attach any supporting documentation. **To be provided in the EIS.**		
15. *GREENHOUSE GAS EMISSIONS*: CEQR Technical Manual Chapter 18		

	YES	NO
(a) Is the proposed project a city capital project or a power generation plant?	☐	☒
(b) Would the proposed project fundamentally change the City's solid waste management system?	☐	☒
(c) Would the proposed project result in the development of 350,000 square feet or more?	☒	☐
(d) If "yes" to any of the above, would the project require a GHG emissions assessment based on guidance in Chapter 18?	☒	☐
○ If "yes," would the project result in inconsistencies with the City's GHG reduction goal? (See Local Law 22 of 2008; § 24-803 of the Administrative Code of the City of New York). Please attach supporting documentation. **To be provided in the EIS.**	☐	☐
16. *NOISE*: CEQR Technical Manual Chapter 19 **Refer to Draft Scope of Work.**		
(a) Would the proposed project generate or reroute vehicular traffic?	☒	☐
(b) Would the proposed project introduce new or additional receptors (see Section 124 in Chapter 19) near heavily trafficked roadways, within one horizontal mile of an existing or proposed flight path, or within 1,500 feet of an existing or proposed rail line with a direct line of site to that rail line?	☒	☐
(c) Would the proposed project cause a stationary noise source to operate within 1,500 feet of a receptor with a direct line of sight to that receptor or introduce receptors into an area with high ambient stationary noise?	☒	☐
(d) Does the proposed project site have existing institutional controls (*e.g.*, (E) designation or Restrictive Declaration) relating to noise that preclude the potential for significant adverse impacts?	☐	☒
(e) If "yes" to any of the above, conduct the appropriate analyses and attach any supporting documentation. **To be provided in the EIS.**		
17. *PUBLIC HEALTH*: CEQR Technical Manual Chapter 20		
(a) Based upon the analyses conducted, do any of the following technical areas require a detailed analysis: Air Quality; Hazardous Materials; Noise?	☒	☐
(b) If "yes," explain why an assessment of public health is or is not warranted based on the guidance in Chapter 20, "Public Health." Attach a preliminary analysis, if necessary. **Refer to Draft Scope of Work.**		
18. *NEIGHBORHOOD CHARACTER*: CEQR Technical Manual Chapter 21		
(a) Based upon the analyses conducted, do any of the following technical areas require a detailed analysis: Land Use, Zoning, and Public Policy; Socioeconomic Conditions; Open Space; Historic and Cultural Resources; Urban Design and Visual Resources; Shadows; Transportation; Noise?	☒	☐
(b) If "yes," explain why an assessment of neighborhood character is or is not warranted based on the guidance in Chapter 21, "Neighborhood Character." Attach a preliminary analysis, if necessary. **Refer to Draft Scope of Work.**		
19. *CONSTRUCTION*: CEQR Technical Manual Chapter 22		
(a) Would the project's construction activities involve:		
○ Construction activities lasting longer than two years?	☒	☐
○ Construction activities within a Central Business District or along an arterial highway or major thoroughfare?	☒	☐
○ Closing, narrowing, or otherwise impeding traffic, transit, or pedestrian elements (roadways, parking spaces, bicycle routes, sidewalks, crosswalks, corners, *etc.*)?	☒	☐
○ Construction of multiple buildings where there is a potential for on-site receptors on buildings completed before the final build-out?	☒	☐
○ The operation of several pieces of diesel equipment in a single location at peak construction?	☒	☐
○ Closure of a community facility or disruption in its services?	☒	☐
○ Activities within 400 feet of a historic or cultural resource?	☒	☐
○ Disturbance of a site containing or adjacent to a site containing natural resources?	☒	☐
○ Construction on multiple development sites in the same geographic area, such that there is the potential for several construction timelines to overlap or last for more than two years overall?	☒	☐
(b) If any boxes are checked "yes," explain why a preliminary construction assessment is or is not warranted based on the guidance in Chapter 22, "Construction." It should be noted that the nature and extent of any commitment to use the Best Available Technology for construction equipment or Best Management Practices for construction activities should be considered when making this determination. **Refer to Draft Scope of Work.**		

20. *APPLICANT'S CERTIFICATION*

I swear or affirm under oath and subject to the penalties for perjury that the information provided in this Environmental Assessment Statement (EAS) is true and accurate to the best of my knowledge and belief, based upon my personal knowledge and familiarity with the information described herein and after examination of the pertinent books and records and/or after inquiry of persons who have personal knowledge of such information or who have examined pertinent books and records.

Still under oath, I further swear or affirm that I make this statement in my capacity as the applicant or representative of the entity that seeks the permits, approvals, funding, or other governmental action(s) described in this EAS.		
APPLICANT/REPRESENTATIVE NAME	SIGNATURE	DATE
Edith Hsu-Chen		10/23/2020

PLEASE NOTE THAT APPLICANTS MAY BE REQUIRED TO SUBSTANTIATE RESPONSES IN THIS FORM AT THE DISCRETION OF THE LEAD AGENCY SO THAT IT MAY SUPPORT ITS DETERMINATION OF SIGNIFICANCE.

Part III: DETERMINATION OF SIGNIFICANCE (To Be Completed by Lead Agency)

INSTRUCTIONS: In completing Part III, the lead agency should consult 6 NYCRR 617.7 and 43 RCNY § 6-06 (Executive Order 91 or 1977, as amended), which contain the State and City criteria for determining significance.

1. For each of the impact categories listed below, consider whether the project may have a significant adverse effect on the environment, taking into account its (a) location; (b) probability of occurring; (c) duration; (d) irreversibility; (e) geographic scope; and (f) magnitude.

IMPACT CATEGORY	Potentially Significant Adverse Impact YES	NO
Land Use, Zoning, and Public Policy	☒	☐
Socioeconomic Conditions	☒	☐
Community Facilities and Services	☒	☐
Open Space	☒	☐
Shadows	☒	☐
Historic and Cultural Resources	☒	☐
Urban Design/Visual Resources	☒	☐
Natural Resources	☒	☐
Hazardous Materials	☒	☐
Water and Sewer Infrastructure	☒	☐
Solid Waste and Sanitation Services	☒	☐
Energy	☒	☐
Transportation	☒	☐
Air Quality	☒	☐
Greenhouse Gas Emissions	☒	☐
Noise	☒	☐
Public Health	☒	☐
Neighborhood Character	☒	☐
Construction	☒	☐

2. Are there any aspects of the project relevant to the determination of whether the project may have a significant impact on the environment, such as combined or cumulative impacts, that were not fully covered by other responses and supporting materials? ☒ YES ☐ NO

If there are such impacts, attach an explanation stating whether, as a result of them, the project may have a significant impact on the environment.

3. Check determination to be issued by the lead agency:

☒ **Positive Declaration**: If the lead agency has determined that the project may have a significant impact on the environment, and if a Conditional Negative Declaration is not appropriate, then the lead agency issues a *Positive Declaration* and prepares a draft Scope of Work for the Environmental Impact Statement (EIS).

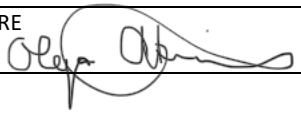
☐ **Conditional Negative Declaration:** A *Conditional Negative Declaration* (CND) may be appropriate if there is a private applicant for an Unlisted action AND when conditions imposed by the lead agency will modify the proposed project so that no significant adverse environmental impacts would result. The CND is prepared as a separate document and is subject to the requirements of 6 NYCRR Part 617.

☐ **Negative Declaration:** If the lead agency has determined that the project would not result in potentially significant adverse environmental impacts, then the lead agency issues a *Negative Declaration*. The *Negative Declaration* may be prepared as a separate document (see template) or using the embedded Negative Declaration on the next page.

4. ***LEAD AGENCY'S CERTIFICATION***

TITLE	LEAD AGENCY
Director, Environmental Assessment and Review Division	City Planning Commission
NAME	DATE
Olga Abinader	10/28/2020

SIGNATURE



Attachment A: Project Description

A. INTRODUCTION

The applicant, the New York City Department of City Planning (DCP), is proposing zoning map amendments and zoning text amendments (the Proposed Actions) to implement land use and zoning changes to better reflect existing neighborhood conditions, strengthen mixed uses, create opportunities for housing, including affordable housing, and celebrate the architectural character and creative legacy of the SoHo and NoHo neighborhoods. This proposal has been prepared in response to neighborhood-wide planning challenges brought by changing economic and demographic trends informed by local and citywide stakeholders during the Envision SoHo/NoHo process, a public engagement initiative undertaken in 2019 by the Manhattan Borough President, the Council Member for City Council District 1, and DCP.

The Proposed Actions would affect an approximately 56-block, 146-acre area (the Project Area) of the SoHo and NoHo neighborhoods of Manhattan, Community District 2. The Project Area is generally bounded by Astor Place and Houston Street to the north; Bowery, Lafayette Street, and Baxter Street to the east; Canal Street to the south, and Sixth Avenue, West Broadway, and Broadway to the west (see EAS Figures 1 and 2). The Reasonable Worst-Case Development Scenario (RWCDS) for the Proposed Actions identifies 27 projected development sites. On the projected development sites, the Proposed Actions are expected to result in a net increase of approximately 1,683 projected dwelling units (DUs) (including 328 to 494 affordable units); 57,473 gross square feet (gsf) (47,754 zoning square feet [zsf]) of projected retail space (local and destination retail and supermarket space); and 19,598 gsf (17,050 zsf) of projected community facility space. The RWCDS also identifies 57 potential development sites, which are considered less likely to be developed by the analysis year. On the potential sites, the Proposed Actions may result in a net increase of approximately 1,548 DUs, including 293 to 446 permanently affordable units; 50,744 gsf (44,142 zsf) of potential destination retail space; and 15,465 gsf (13,453 zsf) of potential community facility space. Development on some of these sites, due to their location within historic districts, would be subject to future review and approval by the New York City Landmarks Preservation Commission (LPC).

The Proposed Actions seek to accomplish the following land use and zoning objectives:

- Promote economic recovery, resiliency, and growth by allowing a wider range of commercial, community facility, and light industrial use.
- Expand housing opportunities by allowing residential use and requiring permanently affordable housing to ensure that the neighborhoods support income diversity and further the City's equity and Fair Housing goals.
- Establish appropriate densities and building forms that ensure new development harmonizes with neighborhood context and scale.

- Promote the preservation of historic resources and adaptive reuse of existing buildings by allowing for the conversion of existing buildings.
- Celebrate SoHo/NoHo's evolving role in the city's creative economy by continuing to accommodate and expanding live-work uses and supporting creative, arts and cultural uses.

B. REQUIRED APPROVALS

The Proposed Actions include discretionary approvals that are subject to review under the Uniform Land Use Review Procedure (ULURP), Section 200 of the City Charter, and CEQR process. The discretionary actions include:

- ***Zoning map amendments.*** The Proposed Actions would replace all or portions of existing M1-5A and M1-5B districts with medium- to high-density commercial and/or mixed-use districts, and establish a new Special SoHo NoHo Mixed-Use District in the Project Area.
- ***Zoning text amendments.*** The Proposed Actions include amendments to the text of New York City's Zoning Resolution (ZR) to establish regulations for the proposed Special SoHo NoHo Mixed-Use District and to amend Appendix F of the Zoning Resolution to apply the Mandatory Inclusionary Housing (MIH) program to the Special District.

C. BACKGROUND TO THE PROPOSED ACTIONS

PROJECT AREA HISTORY

THE EARLY HISTORY OF SOHO AND NOHO

The SoHo and NoHo neighborhoods were used as farm and pastureland up to and through the 17th century, including the significant establishment of Manhattan's first free black settlement in SoHo on land granted by the Dutch West India Company. Portions of the Project Area were developed with manufacturing use as early as the late 18th century and the subsequent draining of ponds in the area and transformation of Broadway into a paved thoroughfare initiated the transformation of the area into a residential district. In the mid-19th century, SoHo and NoHo emerged as an important manufacturing and commercial district, with Broadway again leading the way as new marquee retail stores, entertainment venues, and hotels were constructed. The neighborhoods' resulting iconic cast-iron loft buildings contain large, contiguous floor plates, high ceilings and sturdy floors that can accommodate a wide range of business activities. This flexibility made them particularly conducive to adaptive reuse in later years.

A DIVERSIFYING ECONOMY AND A GROWING RESIDENTIAL PRESENCE

Starting in the 1860s, fueled by the construction boom of non-residential buildings in Lower Manhattan and an industrializing economy, SoHo, shifted from a commercial and entertainment destination to a critical manufacturing and wholesale center for textiles and garments. Other types of industrial businesses, such as wood and metal production, hardware and paper wholesale, were also present. Post-World War II, influenced by changes within the manufacturing industry such as transportation and spatial needs, the number of manufacturing and related businesses in SoHo and NoHo contracted significantly in the 1950s through the 1970s. The dramatic decline of

manufacturing, wholesale and related uses in SoHo and NoHo left many former industrial lofts empty, presenting an opportunity for versatile, artist live-work spaces.

In 1971, the City amended SoHo/NoHo's basic M1-5 industrial zoning that had been in place since 1961. The 1971 rezoning sought to address the decline in manufacturing uses and recognize the growing presence of an artist community that was drawn to the area's vacant manufacturing loft buildings. Joint Living-Work Quarters for Artists (JLWQA) was created as a new manufacturing use within zoning Use Group 17 to allow certain artists and their households to live and practice their craft in such spaces. At first, the use was permitted only in SoHo, within two newly created zoning districts, M1-5A and M1-5B. In 1976, the M1-5B zoning was expanded to NoHo. The M1-5A and M1-5/B zoning required that spaces used as JLWQA must be occupied by an artist certified by DCLA. DCLA established criteria for artist certification based on the limited definition of "artist" in the New York State Multiple Dwelling Law (MDL).

In the following decades, as SoHo and NoHo gained increasing popularity as a loft district, residential occupancies not associated with artists and arts production became more prevalent. Elsewhere in Manhattan, as industrial sectors relocated to buildings and areas that could accommodate modern production and distribution, loft buildings were increasingly occupied with residential uses. In addition to residential use restrictions, M1-5A and M1-5B zoning further imposed controls on certain commercial uses, introduced in 1976 with the intent to ensure that the larger buildings and prime ground floor space be reserved for industrial purposes and to restrict large entertainment establishments.

In the early 1980s, the City and State introduced zoning and legislative changes to regulate the conversion of non-residential loft buildings after recognizing a growing trend of illegal residential loft conversions. The MDL was amended by the enactment of Article 7C (also known as the "Loft Law"), which enabled the creation of Interim Multiple Dwellings (IMDs), i.e., a temporary legal status conferred upon commercial or manufacturing buildings occupied by three or more families with the ultimate expectation that such buildings be upgraded as permanent housing, and established the New York City Loft Board to regulate such conversions to residential use. Article 7C provided that residential conversions were only permitted in areas where zoning allowed residential use as-of-right, which effectively excluded IMDs in SoHo and NoHo. In 1987, Article 7C was amended to allow IMDs in zoning districts where residential use was not permitted as-of-right, opening the doors for non-artist residents in SoHo and NoHo to seek Loft Law coverage. Subsequent Loft Law amendments extended filing windows and eligibility for coverage.

Recognizing that artists' occupations and circumstances could change and many residents did not qualify for artist certification, the City later granted amnesties for non-artist residents in SoHo/NoHo JLWQAs, noting that these units could be legalized as JLWQA and occupied by non-artists. In addition, familial successions of JLWQA by non-artists, sales and leasing of units to non-artists, as well as Use Group 2 residential conversions and new construction via zoning variances and special permits contributed to SoHo/NoHo's shift from a limited artist community to broader residential demographic with people engaged in a variety of professions. With a population approaching 8,000 according to the 2010 US Census, SoHo/NoHo has a much more significant residential presence than typical manufacturing districts across the City.

Traditional manufacturing and industrial uses have diminished in SoHo/NoHo as these uses have in most other areas of the City due to broader macroeconomic changes. Despite the area's manufacturing zoning, DCP fieldwork conducted between 2015 and 2016 found that there were

only about 20 industrial/semi-industrial businesses in operation in the neighborhoods at that time, half of which were semi-industrial or new types of "maker" uses that function in relation to a retail space or office setting (e.g., lighting design, sound recording studio, or 3D printing). According to the Quarterly census of Employment Wages in 2017, only about five percent of total jobs in SoHo/NoHo were in industrial sector businesses such as manufacturing, wholesale and construction. In contrast, the neighborhood's non-industrial employment base was sizable and exhibited consistent trends of growth, totaling over 50,000 private-sector jobs the same period. Office-based sectors, including professional and technical services, information, finance and insurance, and management of companies accounted for 30 percent of total jobs in the Project Area. Retail trade constituted 21 percent of the jobs in SoHo/NoHo and contributed an estimated $170 million in sales tax to New York City and State each year, reflective of the neighborhoods' position as the second highest-grossing retail market in New York City.

Driven by storefront demand and zoning that does not permit most ground floor uses beyond industrial or heavy commercial establishments, the area sees an extraordinarily high volume of applications for special permits and variances to locate or legalize retail uses. Based on DCP's survey of land uses, retail and other commercial uses (e.g., eating and drinking establishments, commercial art galleries, banks, showrooms) occupy ground floor space in most of the Project Area's buildings, with some multi-level stores concentrated along the Broadway corridor. Beyond the ground floor, retail and related uses make up 18 percent of total built floor area in existing buildings. Office uses, which are distributed in commercial and mixed-use buildings throughout SoHo/NoHo, make up a full third of total built floor area.

While the COVID-19 pandemic has impacted office occupancy and activity, retail, tourism and visitations, SoHo/NoHo's central location, transit accessibility, historic architecture, and retail ecosystem is such that office, retail, accommodation and food services and other non-industrial sectors are expected to remain core economic assets in the long term.

DEMOGRAPHICS

Approximately 7,800 residents live in SoHo/NoHo according to the 2010 census. Neighborhood residents own or rent units that fall into three general categories: (1) JLWQA—which is considered a manufacturing use in zoning and requires the presence of an artist certified by the DCLA; (2) Loft Buildings, such as IMDs and former IMDs that have been fully legalized under the State Loft Law (also known as Article 7C of the New York State Multiple Dwelling Law); and (3) converted or newly constructed residential units approved by CPC special permits or BSA variances. Some residents in the Project Area live in older residential buildings such as tenements that pre-dated the manufacturing zoning. While the exact number is difficult to estimate, the share of certified artist residents in the Project Area today is likely small. The number of artist certifications issued by DCLA has declined significantly in recent decades: since 2015, fewer than 10 certifications were issued annually.

According to the 2010 US Census, the share of the population identified as white non-Hispanic in the Project Area was 77.5 percent, compared to 48 percent in Manhattan. According to the 2013–2017 American Community Survey, SoHo/NoHo residents had high education attainment (over 80 percent at and over the age of 25 had a bachelor's degree or higher); the median household income for SoHo/NoHo was $144,508, compared to $79,781 for Manhattan overall. The neighborhood is characterized by high home-ownership rates: roughly 40 percent of the area's housing units are owner-occupied, nearly twice as high as the Manhattan average. The vast

majority of owner-occupied units are valued at over $1 million and almost half of rental units are priced above $2,000 per month.

COMMUNITY ENGAGEMENT AND INTERAGENCY PARTICIPATION

ENVISION SOHO/NOHO

The impetus for the SoHo/NoHo planning process began in 2015 with a joint letter to the DCP from the Manhattan Borough President and the local City Council Member noting, among other matters, the high volume of site-specific land use actions (e.g., special permits and zoning variances) being processed for the neighborhoods, outdated zoning, and the lack of a holistic planning strategy. The letter called for the creation of a new planning framework informed by "a robust public neighborhood process" to strengthen the varied retail character of the area, promote a diversity of uses and employment base, recognize the arts and creative foundation of the neighborhoods, and to encourage the development and preservation of affordable housing. The letter also identified three key issues to be examined: 1) the utility and functionality of the JLWQA use category vis-à-vis trends in today's creative sector; 2) retail regulations including size restrictions and the clarity, predictability, and enforceability of rules, and; 3) a potential zoning structure that contributes to the creation or preservation of affordable housing.

DCP, working in concert with the Manhattan Borough President and local City Council Member, began a series of technical studies that set a baseline for the community planning process to follow. The studies' findings provided specific data confirming the mismatch between existing zoning, longstanding perceptions of the nature of the SoHo and NoHo neighborhoods, and actual land use realities. In January 2019, DCP, alongside local elected officials, initiated the six-month Envision SoHo/NoHo public engagement process to examine key land use and zoning issues in the two neighborhoods, share with the public the results of the technical analysis, and seek community input to develop strategies to both honor SoHo/NoHo's history and ensure the continued vitality of the neighborhoods moving forward.

Guided by an 18-member stakeholder advisory group consisting of residents, business owners, elected officials, City agencies, and other advocacy organizations, the Envision SoHo/NoHo engagement process gathered local input on a range of topics, including housing, jobs, arts and culture, historic preservation, retail, quality of life, and creative industries. The process included over 40 meetings, including six public meetings/workshops, 17 advisory group meetings, and eight focus group meetings with various resident and stakeholder groups, as well as numerous other individual meetings with key stakeholders.

In November 2019, DCP, the Manhattan Borough President, and Council Member, in consultation with the stakeholder advisory group, issued a final report, *Envision SoHo/NoHo: A Summary of Findings and Recommendations* (the "Report"), which synthesized the comments and discussions from the public and stakeholder engagement process and provided a series of zoning, land use, and other recommendations and priorities. The report concluded that the current zoning and other land use controls fall short of producing the vision for a vibrant, mixed-use neighborhood. The report articulated the following broad goals to facilitate a successful, diverse and inclusive community:

- Promote mixed-use in ways that respect and support neighborhood diversity and character;

- Foster the small business community of SoHo/NoHo by reducing regulatory barriers and providing supportive resources;
- Create housing and live-work opportunities on underused land in ways that respect and support neighborhood diversity and character;
- Maintain, enforce and strengthen existing protections for residents including renters and those in rent regulated units;
- Support and promote the artist and maker communities while allowing people to live in SoHo/NoHo without artist certification;
- Preserve, promote, and create more spaces and uses for arts, maker uses, and cultural uses; and
- Improve quality of life of residents and workers in the SoHo/NoHo mixed-use environment.

Building on the Report's findings, DCP has established a planning framework which identifies a long-term vision for a balanced, coordinated approach to neighborhood planning. The framework includes areas prioritized for the preservation of neighborhood character, residential growth, and expansion of locations for job-generating commercial uses. The framework contains specific land use objectives to guide a vision for the future of SoHo and NoHo (discussed in greater detail in Sections E and F of this document), which recognizes the area's varied context and aims to meet multiple objectives. As the City proactively plans for the neighborhood's future, the framework also seeks to meet citywide goals of increasing housing production, including affordable housing, and directing growth to appropriate locations.

PROJECT AREA

The Proposed Actions would affect an approximately 56-block, 146-acre area of the SoHo and NoHo neighborhoods of Manhattan, Community District2. The Project Area is generally bounded by Astor Place and Houston Street to the north; Bowery, Lafayette Street, and Baxter Street to the east; Canal Street to the south; and Sixth Avenue, West Broadway, and Broadway to the west. Canal Street is the gateway to the SoHo neighborhood and Houston Street is the major artery separating NoHo to the north from SoHo to the south. Broadway is the primary north-south corridor that extends the entire length of the Project Area. Other secondary corridors within the Project Area include West Broadway, Lafayette Street, and Broome Street. The Project Area consists of distinct subareas of commercial corridors and residential blocks, with differing building typologies and character. Most of the Project Area is located within the SoHo–Cast Iron Historic District and its extension, the NoHo Historic District and its extension, and the NoHo East Historic District.

HISTORIC DISTRICTS

Over 80 percent of the Project Area is within City-designated historic districts. Proposed development projects in SoHo/NoHo historic districts are subject to LPC review, inclusive of any alteration, reconstruction, demolition or new construction affecting buildings. Areas outside of historic districts (for example, in the southeast and southwest corners of SoHo, and certain areas along Bowery) are generally transitional areas, and possess a different built character compared to the cores of the SoHo and NoHo historic districts where cast-iron loft buildings are concentrated.

The SoHo–Cast Iron Historic District was designated by the LPC in 1973, and listed on the National Register of Historic Places and declared a National Historic Landmark in 1978. The district is bounded by Canal Street, Broadway, Howard Street, Crosby Street, East Houston Street, West Houston Street and West Broadway and consists of 26 blocks and contains approximately 500 individual buildings. The SoHo–Cast Iron Historic District Extension, designated in 2010, consists of approximately 135 properties located on the blocks immediately adjacent to the east and west sides of the SoHo–Cast Iron Historic District. The SoHo–Cast Iron Historic District and Extension are significant not only for their historic role in the commercial development of New York City, but also for the survival of the largest concentration of full and partial cast-iron façades anywhere in the world.[1]

The NoHo Historic District, designated by the LPC in 1999, consists mainly of the blocks east and west of Broadway between Houston Street and 9th Street, and is comprised of approximately 125 buildings. The NoHo Historic District represents the period of New York City's commercial history from the early 1850s to the 1910s, when the area prospered as one of the city's major retail and wholesale dry goods centers. Today, the historic district is distinguished by unifying streetscapes of marble, cast iron, limestone, brick, and terra-cotta façades.[2] The NoHo Historic District was further extended to the east in 2008.

In 2003, the LPC created the NoHo East Historic District, which is centered on Bleecker Street between the Bowery and Lafayette Street, and consists of 42 buildings constructed between the early 19th and the early 20th centuries. The district's low-scale, early-19th century houses on Bleecker Street and Elizabeth Street are reminders of the area's early residential history, while the larger store and loft buildings testify to the New York's growing importance as a hub of commercial activity. Today, this diversity of small dwellings, apartment buildings, factories, lofts, and stables represent an intact and unusual historic mixed-use neighborhood in lower Manhattan.[3]

A small portion of the Project Area is within the Sullivan-Thompson Historic District. Designated in 2016, the historic district is characterized by a diversity of row houses, tenements, commercial structures, and institutional buildings that developed in the early 19th century.[4]

NEIGHBORHOOD CONTEXT

The SoHo and NoHo neighborhoods are unique in that they are almost uniformly mixed-use. Unlike most other neighborhoods in Manhattan and elsewhere that have commercial uses concentrated on avenues and wide streets and predominantly residential use in the midblock and along side streets, SoHo and NoHo have various uses side-by-side—and, in many cases, above and below within individual buildings—on nearly every street. This pervasive mixed-use character contributes to the charm and vibrancy of SoHo and NoHo and presents unique conditions related

[1] SoHo–Cast Iron Historic District Designation Report. NYC Landmarks Preservation Commission, August 14, 1973.

[2] NoHo Historic District Designation Report. NYC Landmarks Preservation Commission, June 29, 1999.

[3] NoHo East Historic District Designation Report. NYC Landmarks Preservation Commission, June 24, 2003.

[4] Sullivan-Thompson Historic District Designation Report. NYC Landmarks Preservation Commission, December 13, 2016.

to zoning, land use, and quality of life. Within SoHo and NoHo, built conditions, area context, and existing use patterns also combine to form several distinct subareas, as detailed below.

SoHo and NoHo Historic Cores

The historic center and core of SoHo and NoHo are generally located between West Broadway, Grand Street, Mercer Street, and Houston Street in SoHo, and East 4th Street, Bowery, Broadway, and Bleecker Street in NoHo. These core areas consist primarily of high lot coverage, well-preserved cast-iron and/or masonry loft buildings constructed during the mid- to late-19th century and are typically five to seven stories tall with FARs generally ranging between 3.0 to 6.5, but with FARs on certain blocks reaching 10.0 or more. The areas' unique character is distinguished by this building stock which existed prior to the M1-5A/B zoning districts, resulting in building bulk and envelopes that are not wholly consistent with the existing zoning but are preserved through the area's LPC-designated historic district. Much of the core areas' streets retain their original Belgium block pavers. These areas are overwhelmingly mixed-use residential and commercial. Smaller retail uses predominate on the ground floors while most of the upper floors of the loft buildings have been converted from their original light industrial uses to JLWQA, residential, and office uses. Bars and restaurants are interspersed across the Project Area, but are more prevalent along Lafayette Street, Great Jones Street, Bond Street, and West Broadway.

Commercial Corridors

While largely within historic districts and featuring cast-iron lofts, the Project Area's commercial corridors have distinct land use and built characters.

Broadway Corridor

Broadway is a major commercial corridor and a wide thoroughfare that runs through SoHo and NoHo. Buildings along Broadway, between Crosby and Mercer Street in SoHo, and along the adjacent Lafayette Street in NoHo, are generally taller and bulkier than those in the neighborhood cores: between six to 12 stories tall with FARs often exceeding 10.0— and consist of a mix of older loft buildings and more recent construction.. The Broadway corridor contains the Project Area's largest floorplates, with a high concentration of commercial uses, particularly offices and destination retail. This corridor is an employment hub and has the lowest concentration of residential uses in the Project Area. The Broadway corridor north of 4th Street in NoHo has a relatively high concentration of institutional uses, interspersed with a number of low-rise industrial uses, and low-intensity uses such as vacant land and garages.

Bowery Corridor

The Bowery, a major commercial corridor and wide street, is located at the northeast corner of the Project Area in NoHo between Great Jones Street and Astor Place. The stretch north of 4th Street is characterized primarily by mixed residential and commercial buildings and a large institutional presence, with heights ranging from four to 16 stories and FARs generally between 5.0 and 9.0. In the area outside of the historic district along and south of East 4th Street, there are a number of under-built sites, including vacant land, low-rise tenements, and single-story semi-industrial or formerly industrial buildings that have been converted to eating and drinking establishments. Ground-floor retail is more common south of East 4th Street than the area to the north.

Canal Street Corridor

The Project Area includes Canal Street, a thoroughfare and discount shopping corridor, characterized by a mix of tenements, federal-style rowhouses, historic cast-iron lofts, newly constructed residential buildings, low-rise retail stores, and some low-intensity semi-industrial

businesses and parking garages. As potential development sites become increasingly scarce in the SoHo core, interest in the Canal Street Corridor has grown. New residential development projects are transforming the corridor by replacing low-intensity uses, such as single-story discount retail buildings and parking lots. 341 Canal and 419 Broadway, at six and eight stories respectively, are establishing Canal Street as a gateway to the neighborhood and serve as a transition between SoHo and the taller commercial buildings south of Canal.

SoHo East and SoHo West

The areas along the periphery of the Project Area, including the area generally south of Grand Street and east of Crosby Street and the area generally south of Watt Street and west of West Broadway, are mostly outside of the historic districts. These areas tend to contain a high concentration of low-intensity uses relative to other parts of the Project Area, including tenement-style buildings, low-rise industrial buildings, parking lots and garages, and one-story eating and drinking establishments. FARs in the area generally range from 3.0 to 6.5, though some of the older commercial office buildings can far exceed this range and can reach to up to 12 stories.

Recently, a number of large hotels ranging between 16 and 26 stories have located in the area. While framed by major wide streets such as Sixth Avenue, Canal Street, Centre Street, and Lafayette Street, these areas are generally less residential and less built up than the other areas described above. SoHo West serves as a transitional area between the SoHo Historic Core and Hudson Square to the west. Hudson Square is known as a high-density mixed-use district characterized by high lot coverage large office buildings and new residential development. SoHo East, framed by multiple wide streets, is a transitional area where SoHo, Little Italy, Chinatown, and Lower Manhattan CBD intersect.

D. EXISTING ZONING

The Project Area consists of approximately 0.23 square miles, or approximately 146 acres, in the south-central part of Manhattan Community District 2. The Project Area's 56 blocks are split between the neighborhoods of NoHo (11 blocks) and SoHo (45 blocks). Existing zoning is shown in EAS Figure 3.

PROJECT AREA

M1-5A AND M1-5B

In general, M1-5A and M1-5B districts follow many of the same use and bulk regulations as standard M1-5 manufacturing district, except for certain use restrictions that apply only to SoHo/NoHo. The M1-5A zoning district is mapped exclusively in SoHo, across approximately 12.5 blocks along and east of West Broadway between East Houston Street and Canal Street. The M1-5B zoning district covers most of the Project Area and is mapped across 11 blocks in NoHo and approximately 32 blocks in SoHo.

Both districts permit a maximum FAR of 5.0 for commercial and manufacturing uses and 6.5 FAR for community facility uses. The maximum height of a building at the street wall is six stories or 85 feet, whichever is less, above which, an initial setback of 20 feet (narrow street) or 15 feet (wide street) is required. Maximum building height and setbacks are controlled by a sky exposure plane (2.7:1 on a narrow street or 5.6:1 on a wide street) which may be penetrated by a tower under

certain conditions. Although new industrial buildings are -usually low-rise structures that fit within the sky exposure plane, commercial and community facility buildings can be constructed as towers. A 20-foot rear yard is required is most cases.

M1-5A and M1-5B districts allow a broad range of light manufacturing and commercial uses as of right. Residential use, which is not permitted as-of-right, consists of residential lofts legalized under the Loft Law and residential units that are pre-existing non-conforming uses or were permitted by special permit granted by the CPC or by variance granted by the BSA. JLWQA, a Use Group 17 manufacturing use that provides for combined live and work space for artists with certification from DCLA, is permitted through conversion of existing floor area, however, buildings containing JLWQA units may not be enlarged as-of-right. Eating and drinking establishments are only permitted subject to size restrictions and other limitations. Non-commercial clubs, theaters of 100 seats or more, entertainment uses such as banquet halls are not permitted as-of-right anywhere in the building. Retail establishments of 10,000 sf or more, as in all M1 districts, are only permitted by special permit.

The primary distinction between M1-5A and M1-5B districts relates to the location of certain uses within a building. In the M1-5B district, only uses listed in Use Groups 7, 9, 11, 16, 17A, 17B, 17C or 17E, which exclude retail, eating and drinking, office, amusement and entertainment uses, are allowed below the floor level of the second story as-of-right. In the M1-5A district, the restrictions on the location of Use Groups 7, 9, 11, 16, 17A, 17B, 17C or 17E do not apply to buildings occupying less than 3,600 sf of lot area. Similarly, in the M1-5B district in buildings occupying less than 3,600 sf of lot area, JLWQA may not be located below the floor level of the second story unless modified by the CPC. In the M1-5A district, but not M1-5B, the CPC may authorize a museum or non-commercial art gallery where it is not permitted as-of-right.

SURROUNDING AREA

M1-5

An M1-5 manufacturing district is mapped across a small, four-block area south of Canal Street between Walker Street, Broadway, and Baxter Street south of the Project Area. Similar to M1-5A and M1-5B districts, M1-5 districts permit a maximum FAR of 5.0 for commercial and manufacturing uses and 6.5 FAR for community facility uses. The maximum street wall height is six stories or 85 feet, whichever is less; maximum building height and setbacks are controlled by a sky exposure plane. Although new industrial buildings are -usually low-rise structures that fit within the sky exposure plane, commercial and community facility buildings can be constructed as towers.

M1-5 districts permit a wide range of commercial and light industrial uses as of right, such as offices, repair shops, and wholesale service and storage facilities. Unlike the more restrictive M1-5A/M1-5B districts, most eating and drinking places and retail uses are allowed as of right. Certain community facilities, such as hospitals, are allowed in M1 districts only by special permit. Likewise, retail establishments of 10,000 square feet or more are only permitted by special permit. JLWQA are not an allowed use in M1-5 districts; other residential uses are not permitted unless paired with residence districts in a Special Mixed Use District.

M1-6 (SPECIAL HUDSON SQUARE DISTRICT)

An M1-6 manufacturing district is located to the west of the Project Area in the Hudson Square neighborhood. In general, many of the same use and building envelope rules of the M1-5 district apply, except that in M1-6 districts, the maximum permitted FAR is 10.0, or 12.0 with a public plaza bonus. The Special Hudson Square District, which is co-extensive with the M1-6 area, modifies some of the use and bulk controls of the underlying M1-6 district, encouraging new residential and retail development while also preserving larger commercial and light manufacturing buildings.

C6

Much of the Project Area is surrounded by C6 commercial districts to the south, east, and north, including C6-1, C6-1G, C6-2, C6-2G, C6-2A, C6-3, and C6-4. C6 districts permit a wide range of high-bulk commercial uses requiring a central -location, including large office buildings, large hotels, department stores, and entertainment facilities in high-rise mixed buildings. Most residential and community facility uses are also allowed as of right. Maximum commercial FAR in the surrounding areas ranges from 6.0 (C6-1, C6-2, C6-3) to 10.0 (C6-4). The C6-2A district is a contextual district with a contextual base and maximum building heights; all other C6 districts allow towers to penetrate a sky exposure plane and do not require a contextual base. C6-1G and C6-2G districts are mapped in Chinatown and Little Italy and have special rules for the conversion of non-residential space to residential use. Commercial districts have a corresponding residential district equivalent (e.g., R10 in C6-4), which regulates the bulk of residential or mixed-use buildings. The regulations of the Special Tribeca Mixed-Use District, mapped to the southwest of the Project Area within a C6-2A district, encourages mixed-use development, including residential and light industrial uses. The Special Little Italy District, mapped to the east of the Project Area within the underlying C6-1, C6-2, and C6-3 districts, has additional bulk controls designed to maintain the mixed-use character and mid-rise scale of the historic Little Italy neighborhood.

C1-7

A C1-7 commercial district is mapped in a portion of Greenwich Village north of Houston Street and west of Mercer Street. C1 districts are predominantly residential in character and are typically mapped along major thoroughfares in medium- and higher-density areas of the city. Typical retail and local service uses include grocery stores, dry cleaners, drug stores, restaurants, and local clothing stores that cater to the daily needs of the immediate neighborhood. The maximum commercial FAR is 2.0. The residential district equivalent for C1-7 is R8, which has a maximum FAR of 6.02 under height factor regulations. Quality Housing regulations with MIH allow for a maximum residential FAR of 7.2 and a maximum building height of 215 feet with a contextual base.

R7-2

An R7-2 district, which is mapped to the northeast of the project area, is a medium-density, non-contextual residential district generally characterized by mid-rise apartment buildings with a maximum FAR of 3.44 under height factor regulations. Quality Housing buildings with MIH allow for a maximum residential FAR of 4.6 and a maximum building height of 135 feet with a contextual base. C1-5 commercial overlays, mapped within the R7-2 district along streets that serve local retail needs, allow for a maximum commercial FAR of 2.0.

In addition to the above surrounding zoning districts, an approximately 2.5-block area southwest of the Project Area west of Thompson Street and north of Watt Street is zoned M1-5B. This area is largely within the Sullivan-Thompson Historic District and has a much more residential character compared to the SoHo-Cast Iron Historic District to the east and the rest of the M1-5A and M1-5B districts. These blocks contain a high concentration of one- and two-family buildings and a limited commercial presence. FARs within the boundaries of the historic district generally range from 2.0 to 4.5. Outside of the historic district, parcels have recently been developed as residential buildings, including a 16-story apartment building and townhouses.

E. PURPOSE AND NEED FOR THE PROPOSED ACTIONS

SoHo and NoHo are dynamic mixed-use neighborhoods with an established residential population and strong office, retail and creative sectors that have evolved beyond what was contemplated by the M1-5A and M1-5B zoning. The Proposed Actions are necessary to address neighborhood and citywide planning needs including supporting economic development and recovery and resilience and strengthening mixed-use, increasing access to housing—including affordable housing, and establishing harmonious built form.

As discussed in more detail below, the Proposed Actions were informed by existing land use and economic conditions in the Project Area, the community-driven recommendations from Envision SoHo/NoHo, and the anticipated neighborhood and citywide needs in light of the housing crisis and the COVID-19 pandemic. The Proposed Actions are intended to strengthen SoHo and NoHo as dynamic mixed-use neighborhoods by addressing the area's significant challenges, while respecting its unique historic character and cultural legacy. By removing zoning barriers for businesses and economic recovery, allowing residential use and requiring affordable housing, and supporting arts and cultural activities in a manner that reflects the current needs of the City's artists and creative workforce, the Proposed Actions would ensure SoHo/NoHo's continued economic vitality, adaptability and resiliency, support citywide housing and equity goals, increase access to the neighborhoods' amenities and infrastructure of opportunities, and reinvigorate SoHo/NoHo's creative community. In addition, although not part of the proposed zoning actions described below, strategies outside of zoning would be developed to work in unison to support broader planning goals such as improving public realm management (e.g., retail delivery and loading management) and supporting the arts and creative industries in SoHo and NoHo).

,REPLACE OUTDATED MANUFACTURING DISTRICTS WITH MIXED-USE REGULATIONS

In 1971, when the current zoning was adopted, the existing M1-5A and M1-5B zoning was intended to address a narrow issue: to provide a path for existing working artists to legalize their live-work occupancies while preserving space for shrinking manufacturing uses, including textile manufacturing and the wholesale sector. As described above, the Project Area's land use pattern and economic landscape have changed significantly since 1971, in keeping with citywide and regional macroeconomic trends and shift towards an office and service economy. However, SoHo/NoHo's manufacturing zoning and outmoded provisions continue to prioritize traditional light industrial and related uses that have largely relocated to other parts of the City, region and beyond, creating significant barriers and onerous burdens for property owners and businesses responding to market and industry changes. One such example of this mismatch between zoning and existing conditions is the restrictive zoning that generally only permits ground floors to be

occupied by light manufacturing uses. Any other uses on ground floors, such as retail, food and beverage, and many other commercial uses, require a special permit that typically requires storefronts to be kept vacant—sometimes for over a year—while an attempt is made to identify an industrial tenant to occupy the space. Despite zoning that restricts retail, food and beverage establishments, and many other commercial uses on the ground floors in most of the districts (excluding limited commercial spaces that pre-existed the current zoning), there has been a proliferation of such uses given SoHo/NoHo's central location, rich transit access, and adaptability of loft buildings. The shift away from manufacturing towards retail, office, creative production, and other commercial uses in SoHo/NoHo are consistent with economic conditions and land use trends around the Project Area.

Absent a zoning framework that accounts for these evolved market conditions, land use trends, and broader macroeconomic shifts, SoHo and NoHo have relied on individual land use applications and ad hoc approvals to keep up with a modernizing, post-industrial economy. For example, between 2000 and 2019, the City granted over 90 CPC special permits within the bounds of SoHo and NoHo, a portion of Community District 2, significantly more than the volume granted in the entire Community District 1 (21) or Community District 3 (51). The BSA has also granted numerous variances over the past decades in SoHo and NoHo. Many of these SoHo/NoHo special permits and variances were to allow retail and other commercial uses on the ground floors that are permitted as-of-right in these surrounding neighborhoods. The over-reliance on special permits and variances means that the regulatory burdens fall disproportionally on smaller businesses and property owners, who typically have fewer financial resources and less technical sophistication to navigate complex land use, environmental, and public review processes. The BSA has also granted numerous variances over the past decades in SoHo and NoHo. Many of these SoHo/NoHo special permits and variances were to allow retail and other commercial uses on the ground floors that are permitted as-of-right in these surrounding neighborhoods. The over-reliance on special permits and variances means that the regulatory burdens fall disproportionally on smaller businesses and property owners, who typically have fewer financial resources and less technical sophistication to navigate complex land use, environmental, and public review processes.

The obsolete and onerous zoning, including ground floor use restrictions and limitations on food and beverage uses, in the context of a rapidly evolving retail industry and the economic challenges and uncertainties brought by the COVID-19 pandemic, represents a significant barrier for businesses that wish to remain or locate in SoHo/NoHo, and contributes to high retail vacancies and the lack of storefront diversity. According to DCP's July 2020 study on retail activities across the five boroughs, while all major commercial corridors were found to have a higher share of inactive storefronts in light of the pandemic, SoHo and the Canal Street corridor were the only two areas with over 50 percent of the stores closed or vacant. The presence of outdated regulatory barriers will only serve to exacerbate challenges to recovery for two of New York City's most significant commercial areas.

The Proposed Actions would replace the outdated manufacturing zoning and rigid use restrictions with rational, appropriately flexible regulations that promote the mix of uses and support COVID-19 economic recovery, business adaptation, and long-term resiliency. The broad range of uses would support existing businesses in SoHo/NoHo as they continue to operate, expand, grow and evolve, while allowing a greater range of commercial, cultural, and civic activities within the existing highly adaptable loft buildings and new mixed-use developments. The Proposed Actions would also provide protection for the existing concentration of commercial and remaining light

manufacturing uses in large loft buildings to balance non-residential and residential uses and ensure that SoHo/NoHo—especially the Broadway corridor where major employers cluster—continues to thrive as an employment hub and critical Class B office reservoir.

INTRODUCE RESIDENTIAL USE AND PROMOTE EQUITY IN HOUSING

While residential conversions have occurred through various means, including legalizations under the Loft Law, as well as use changes, and new construction allowed by CPC or BSA approvals, SoHo/NoHo's manufacturing zoning does not allow residential use (Use Group 2) as-of-right. For units that are approved by discretionary actions, a minimum unit size of 1,200 sf is required by the M1-5A and M1-5B zoning. These are significant hindrances to the equitable production of market rate and affordable housing in two high-opportunity neighborhoods close to transit and employment centers. The neighborhood's existing stock of affordable housing is limited and consists primarily of units subject to rent regulation by way of the New York State Loft Law. The limited number of residential conversions and ground-up developments in the past few decades have only provided market-rate units and made marginal contributions to the City's overall housing supply.

The Proposed Actions would allow residential use in conversions and new construction and implement the City's MIH program within SoHo/ NoHo. Residential use would be allowed across the Project Area where the potential for residential conversion and infill development exists; while areas on the periphery of SoHo/NoHo that are largely outside of historic districts present additional opportunities for new residential development and affordable housing production. In addition, the Proposed Actions would shift away from a narrow allowance for only JLWQA manufacturing use to residential use without any occupation-based restrictions, as is typical in the rest of the city. A wider set of live-work arrangements would also be accommodated through expanded home occupation provisions. This is consistent with citywide housing policies and would address broader concerns about housing equity in the context of Fair Housing laws.

SUPPORT ARTS AND CULTURE

The unique JLWQA regulations in the M1-5A and M1-5B districts, established in 1971, played a role in facilitating the transformation of SoHo/NoHo from a declining manufacturing district to a vibrant mixed-use area and arts and culture hub. Today, while certified-artist-occupied JLWQA largely remains the sole as-of-right quasi-residential use (Use Group 17D, not Use Group 2), only about 30 percent of all SoHo/NoHo homes are still listed as JLWQA use on certificates of occupancy. Moreover, these units have a wide array of occupancy and legal statuses as a result of five decades of property transaction history and a confluence of factors, including changes to the original artist residents' occupation, marital status and life arrangements, subsequent amnesties of non-artist residents, as well as enforcement challenges and administrative impracticalities of the JLWQA provisions. The complex interactions between JLWQA zoning regulations and the existing residential landscape have been cited by some local residents—including certified artists and others that lack or do not qualify for certification—as a source of significant uncertainty and potential risk in planning for their families' futures. More broadly, with the emergence of other dynamic and attractive artist communities across New York's five boroughs, artists do not make up a significant segment of the current 8,000 person residential population or market demand in SoHo/NoHo. Evidence of this trend is the steady decline of the number of artist certifications by the DCLA from hundreds annually in the 70s and 80s to one in recent years.

The Proposed Actions would continue to permit JLWQA use and live-work arrangements that already exist in the Project Area, and establish a voluntary option to transition JLWQA to regular residential use with conditions that more broadly benefit the arts and creative industries. This would facilitate the legalization of existing non-artist occupancy, broaden live-work to be more inclusive and reflective of modern needs, regularize residential market transactions to align with the rest of the City, and support the preservation and creation of affordable studio space and other broadly accessible creative spaces that could continue SoHo/NoHo's cultural legacy into the future.

FACILITATE SUPERIOR URBAN DESIGN AND APPROPRIATE BUILDING FORM

The existing bulk regulations in M1-5A and M1-5B districts do not always facilitate building forms that relate harmoniously to the loft building context within and beyond the historic districts. In such instances, special permits and zoning variances are often needed to allow building forms appropriate for the historic district context and acceptable by the LPC. The Proposed Actions would establish bulk regulations that more appropriately respond to neighborhood context, provide flexibility to minimize the effects of new developments and enlargements on neighboring buildings and allow the LPC to shape the building form in a manner appropriate to the neighborhood and the immediate context without the need for separate land use actions.

F. DESCRIPTION OF THE PROPOSED ACTIONS

The Proposed Actions are intended to address the land use and zoning challenges raised during the SoHo/NoHo planning process with the objective of strengthening SoHo/NoHo as a vibrant mixed-use district and more inclusive community while striking an appropriate balance among residential and non-residential uses. The Proposed Actions would:

- Allow a wider range of non-residential uses and remove outdated ground floor commercial use restrictions, strengthen mixed-use, and support a healthy retail ecosystem;
- Allow residential use and apply MIH in a manner that addresses practical challenges presented by SoHo/NoHo's loft building typology and history;
- Establish appropriate bulk regulations to better reflect the existing character and enhance the historic built environment while also providing modern workable envelopes for new developments; and
- Support arts and culture and creative industries that serve the community and the public with use allowances and other appropriate provisions.

To accomplish these goals, DCP is proposing zoning map and zoning text amendments that would affect a total of approximately 56 blocks in SoHo/NoHo. The CPC has determined that an EIS for the Proposed Actions will be prepared in conformance with CEQR guidelines, with DCP acting on behalf of CPC as the lead agency. The environmental analyses in the EIS will assume a development period of 10 years for the RWCDS for the Proposed Actions (i.e., an analysis year of 2031). DCP will conduct a coordinated review of the Proposed Actions with involved and interested agencies. Each of these actions is discretionary and subject to review under ULURP, Section 200 of the City Charter, and the CEQR process. The Proposed Actions are described in further detail below.

ZONING MAP AMENDMENT

The zoning map amendment would replace all or portions of existing M1-5A and M1-5B districts within the Project Area with a range of paired districts. The zoning map amendment would also establish the Special SoHo NoHo Mixed-Use District (SNMD) in the Project Area.

PROPOSED ZONING DISTRICTS

As detailed in **Table A-1** and EAS Figure 4, M1-5/R7X, M1-5/R9X, and M1-6/R10 districts would be mapped in different areas to respond to the varied mix of uses and bulk context within the Project Area. Use and bulk regulations of the proposed paired districts apply, except as modified by the SNMD. The zoning districts, as modified by the SNMD, are proposed to reflect differing conditions between corridors and other parts of the neighborhood, achieve the right balance among uses, and facilitate appropriate building forms.

Table A-1
Proposed Use and Floor Area Regulations

	Broadway – Houston Corridor & NoHo North Subdistricts	Canal Corridor Subdistrict	SoHo/NoHo Cores – Preservation Subdistrict	SoHo West, SoHo East, and NoHo – Bowery Subdistricts
Use and Floor Area Regulations	M1-5/R9X with modifications 6 FAR for commercial/ manufacturing 9.7 FAR for residential with MIH 6.5 FAR for community facility	M1-5/R9X 5 FAR for commercial/ manufacturing 9.7 FAR for residential with MIH 6.5 FAR for community facility	M1-5/R7X 5 FAR for commercial/ manufacturing 6 FAR for residential with MIH 6.5 FAR for community facility	M1-6/R10 10 FAR for commercial/ manufacturing 12 FAR for residential with MIH 10 FAR for community facility

PROPOSED SPECIAL SOHO/NOHO MIXED-USE DISTRICT (SNMD)

The proposed SNMD would be mapped over the entire Project Area, encompassing 56 blocks, to establish special use and bulk regulations to address SoHo/NoHo's unique history, building typology, and the existing and anticipated mix of uses, and to support the above-specified planning goals. Subdistricts within the SNMD would be established to provide special use and bulk regulations. The SNMD and proposed zoning districts are shown in EAS Figure 4.

ZONING TEXT AMENDMENTS

The Proposed Actions include amendments to the text of the New York City Zoning Resolution. The SNMD would be established and would extend over the Project Area. MIH would be mapped across the special district, setting mandatory affordable housing requirements pursuant to the MIH program.

SPECIAL SOHO/NOHO MIXED-USE DISTRICT AND SUBDISTRICTS (SNMD)

The special district would modify the typical regulations of the paired mixed-use districts, establish additional requirements, and establish parameters for future development derived from and respond to block- and neighborhood-wide characteristics.

General Use Regulations

Within the SNMD, the proposed M1-5/R7X, M1-5/R9X, and M1-6/R10 districts' use regulations would apply, with modifications. The SNMD would also include provisions governing JLWQA, arts and cultural uses, and conversions of existing buildings. Large buildings, typically located along the Broadway commercial corridor and representing substantial concentration of commercial and production space, would be required to retain existing non-residential floor area.. Use Group 10 retail uses, such as department stores over 10,000 zsf, and physical culture establishments, would be permitted as-of-right. In addition, the SNMD would retain controls on transient hotels.

Joint Live-Work Quarters for Artists

The SNMD would allow existing JLWQA uses to remain. A mechanism would be established to facilitate the voluntary transition from Use Group 17D JLWQA to Use Group 2 residential use with expanded home occupation provisions. The mechanism would be paired with conditions that support arts and culture uses and establishments that broadly benefit the community and the public in and beyond the Project Area.

Non-Residential Floor Area Retention

For developments, enlargement and conversions containing significantly large existing buildings, new residential floor area would be permitted only upon certification by the Chairperson of the CPC that the amount of non-residential floor area in the existing building would be replaced at a one-to-one ratio with future non-residential uses on the zoning lot. In conjunction with such certification, a restrictive declaration would be required to be executed and recorded, requiring the amount of pre-existing non-residential floor area in the existing building to be maintained on the zoning lot. Non-residential uses include office, retail, storage, community facility (except community facility uses with sleeping accommodations), warehouse, light and industrial manufacturing.

Floor Area and Bulk Regulations

The SNMD would adjust the floor area and bulk regulations of the proposed paired districts to ensure a desirable mix of these uses and facilitate appropriate building forms. The modified floor area for each subdistrict is shown in **Table 1**. To reflect Broadway and the northern portion of NoHo's status as major commercial corridors, and employment hubs, and its concentration of larger loft buildings, commercial and manufacturing FAR would be 6.0 and full lot coverage would be allowed up to two stories. In the Broadway-Houston Corridor, NoHo North, Canal Corridor, SoHo/NoHo Cores subdistricts, characterized by five historic districts with varied built form, special subdistrict provisions would supplement the typical M1-5/R7X and M1-5/R9X bulk regulations to support loft-like building forms that reflect and respect the unique existing and historic character of these areas. In the SoHo West, SoHo East and NoHo Bowery Subdistricts where areas are framed by wide streets and generally located outside of historic districts, special subdistrict regulations would modify the bulk regulations of the typical M1-6/R10 district to allow

sufficient flexibility to achieve the development and housing goals while responding to neighborhood context within and around the Project Area. In addition, the SNMD would provide design flexibility to minimize the effects of new developments and enlargements on neighboring buildings, support harmonious relationship with existing context, and facilitate a desirable pedestrian environment.

(MANDATORY INCLUSIONARY HOUSING (MIH) PROGRAM

DCP proposes a zoning text amendment to apply the MIH program to the Project Area. The MIH program requires permanently affordable housing within new residential developments, enlargements, and conversions from non-residential to residential use within the mapped "MIH Areas." The program requires permanently affordable housing set-asides for all developments over 10 units or 12,500 zsf within the MIH designated areas or, as an additional option for developments between 10 and 25 units, or 12,500 to 25,000 zsf, a payment into an Affordable Housing Fund. In cases of hardship, where these requirements would make development financially infeasible, developers may apply to the Board of Standards and Appeals for a special permit to reduce or modify the requirements. Developments, enlargements, or conversions that do not exceed either 10 units or 12,500 zsf of residential floor area will be exempt from the requirements of the program.

The MIH program includes two primary options that pair set-aside percentages with different affordability levels to reach a range of low and moderate incomes while accounting for the financial feasibility trade-off inherent between income levels and size of the affordable set-aside. Option 1 would require 25 percent of residential floor area to be for affordable housing units for residents with incomes averaging 60 percent of the AMI. Option 1 also includes a requirement that 10 percent of residential floor area be affordable at 40 percent AMI. Option 2 would require 30 percent of residential floor area to be for affordable housing units for residents with incomes averaging 80 percent AMI. The City Council and CPC could decide to apply an additional, limited workforce option for markets where moderate- or middle-income development is marginally financially feasible without subsidy. For all options, no units could be targeted to residents with incomes above 130 percent AMI. In addition, a Deep Affordability Option could also be applied in conjunction with Options 1 and 2. The Deep Affordability Option would require that 20 percent of the residential floor area be affordable to residents at 40 percent AMI.

The text amendment may provide for some adjustments to make the existing MIH program work for conversions in SoHo/NoHo, where idiosyncratic building types and complex occupancies may result in atypical configurations.

WRP REVIEW PROCESS AND DETERMINATION

Portions of the Project Area are within the coastal zone and would therefore be reviewed by CPC, in its capacity as the CCC to determine if the Proposed Actions are consistent with the relevant WRP policies.

G. ANALYSIS FRAMEWORK

REASONABLE WORST CASE DEVELOPMENT SCENARIO

In order to assess the possible effects of the Proposed Actions, a RWCDS was developed, in accordance with the methodologies in the *CEQR Technical Manual*. The RWCDS was prepared to assess the future condition absent the Proposed Actions (No Action condition) and the future condition with the Proposed Actions (With Action condition) for a 10-year period (analysis year 2031). The incremental difference between the With Action and No Action conditions will serve as the basis for the impact analyses of the EIS. A 10-year period typically represents the amount of time developers would act on the proposed action for an area-wide rezoning not associated with a specific development. To determine the With Action and No Action conditions, standard site selection criteria have been used following the *CEQR Technical Manual* guidelines, described below. These methodologies have been used to identify the amount and location of future development in response to the Proposed Actions.

THE FUTURE WITHOUT THE PROPOSED ACTIONS (NO ACTION CONDITION)

In the No Action condition, the identified projected development sites are assumed to remain unchanged from existing conditions. Given the restrictive ground floor use regulations and the outdated manufacturing zoning, vacant parcels and sites occupied by low intensity uses are not likely to be developed as-of-right. The No Action condition on the projected development sites is shown in **Appendix 1**.

The limited number of recent developments in SoHo and NoHo have consisted of mid- to high-rise market-rate residential buildings pursuant to special permits, and to a lesser extent, zoning text amendments, approved by the CPC, variances granted by the BSA, or mid-rise commercial office/retail buildings have been allowed with CPC or BSA approvals to allow commercial uses below the level of the second story or destination retail over 10,000 sf on Broadway and Houston Street. A few sites as small as 1,700 sf have been developed as one-story restaurants and bars.

In the No Action condition, based on recent development trends, it is anticipated that there would be limited development in SoHo and NoHo. Residential development would not be able to occur without a zoning text amendment. Commercial development would require discretionary actions by the CPC or variances by the BSA to allow complementary and necessary commercial uses on the ground floor such as retail and office lobbies, and the inventory of sites sufficiently large to generate more marketable floor plate has diminished. Outside of historic districts, while underutilized sites could be developed pursuant to the existing M1-5A and M1-5B district regulations without LPC's review, outside of BSA variances, there is no provision under existing zoning to allow residential development, and commercial development would likely require special permits to allow economically viable uses on the ground floor.Without the proposed actions, it is anticipated that residential conversions and conversion of former industrial space to commercial uses would continue to occur on occasion, if CPC discretionary actions or BSA variances can be obtained. However, to present a conservative environmental analysis, these discretionary actions are not assumed to be granted in the No Action condition.

As detailed below, it is anticipated that, in the future without the Proposed Actions, existing conditions will remain. Under the RWCDS, the total No Action development would comprise 16 existing DUs with no affordability requirement, 112,190 gsf (99,841 zsf) of local retail space,

207,576 gsf (184,738 zsf) of office space, a 39,000 gsf (34,710 zsf) parking garage, and 25,839 gsf (22,995 zsf) of manufacturing space (warehouse and industrial). Based on the 2014 – 2018 American Community Survey, the average household size for residential units in Manhattan Community District 2 is 1.89. The No Action estimated population would remain unchanged.

THE FUTURE WITH THE PROPOSED ACTIONS (WITH ACTION CONDITION)

The Proposed Actions would allow for the development of new uses and higher densities at the projected and potential development sites. The Proposed Actions would allow residential use on an as-of-right basis and facilitate residential infill development, which is projected to result in significant housing production, including affordable housing. This residential development would include ground-floor retail across the rezoning area and second-story commercial use along major corridors. Several sites with wider street frontages that would accommodate larger building footprints are anticipated to be redeveloped with a mix of residential, community facility and/or commercial uses. One entirely non-residential building is projected in the western portion of the Project Area near Hudson Square, another strong office market. A few substantially built existing commercial buildings are assumed to be converted to residential use as representative examples of conversions that are anticipated to occur.

Under the Proposed Actions, the total development expected to occur on the 27 projected development sites would consist of approximately 2,001,545 gsf (1,741,230 zsf) of built floor area, including approximately 1,699 DUs, a substantial proportion of which are expected to be affordable, 169,663 gsf (147,595 zsf) of retail space (local and destination retail, supermarket), and 19,598 gsf (17,050 zsf) of community facility uses (see EAS Figure 5).

The net change between the With Action and No Action conditions that would result from the Proposed Actions would be a net increase of approximately 1,683 DUs (including 328 to 494 affordable units); 57,473 gsf (47,754 zsf) of projected retail space (local and destination retail, supermarket); 19,598 square feet of projected community facility space

Based on 2014–2018 American Community Survey, the average household size for residential units in Manhattan Community District 2 is 1.89. Based on these ratios and standard ratios for estimating employment for commercial, community facility, and industrial uses, **Table A-2** also provides an estimate of the number of residents and workers generated by the Proposed Actions. As indicated in **Table A-2**, the Proposed Actions would result in a net increment of 3,181 residents.

A total of 57 sites, with the potential to provide 1,548 incremental DUs, including between 293 and 446 MIH units, were considered less likely to be developed within the foreseeable future and were thus considered potential development sites. As noted earlier, the potential sites are deemed less likely to be developed because they did not closely meet the criteria described below. However, the analysis recognizes that a number of potential development sites could be developed under the Proposed Actions in lieu of one or more of the projected development sites in accommodating the development anticipated in the RWCDS. The potential development sites are therefore also analyzed in the EIS for site-specific effects.

Development shown on sites within historic districts is assumed to maximize the permitted FAR within the allowable building envelope for conservative analysis purposes. The represented building form does not reflect the LPC's future review and approval, which is required for actual development on all of the projected and potential sites on a site-by-site basis.

Table A-2
RWCDS No Action and With Action Land Uses

Land Use	No Action Condition	With Action Condition	Increment
Residential			
Residential	***16 DUs (2-4 affordable)***	***1,699 DUs (330–498 Affordable)***	***1,683 DUs (328–494 Affordable)***
Commercial			
Office	207,576 gsf / 184,738 zsf	137,595 gsf / 119,788 zsf	(69,981 gsf) / (64,950 zsf)
Local Retail	112,190 gsf / 99,841 zsf	118,699 gsf / 103,258 zsf	6,509 gsf / 3,417 zsf
Destination Retail	-	19,094 gsf / 16,611 zsf	19,094 gsf / 16,611 zsf
Supermarket	-	31,870 gsf / 27,726 zsf	31,870 gsf / 27,726 zsf
Other Commercial (Parking)	39,000 gsf / 34,710 zsf	-	(39,000 gsf) / (34,710 zsf)
Total Commercial	***358,766 gsf / 319,293 zsf***	***307,258 gsf / 267,383 zsf***	***(51,508 gsf) / (51,910 zsf)***
Other Uses			
Community Facility	***-***	***19,598 gsf / 17,050 zsf***	***19,598 gsf / 17,050 zsf***
Light Industrial/ Manufacturing	***25,839 gsf / 22,995 zsf***	***-***	***(25,839 gsf) / (22,995 zsf)***
Vacant	-	-	-
Population[1]			
Residents	30	3,211	3,181
Workers	1,205	1,096	-109

Notes: sf = square feet
[1] Assumes 1.89 persons per DU for residential units in Manhattan Community District2. Estimate of workers based on standard industry rates, as follows: 1 employee per 250 sf of office; 1 employee per 333 sf of local retail, 1 employee per 875 sf of destination retail, 1 employee per 1,000 sf of other commercial, 1 employee per 400 sf of supermarket, 1 employee per 1,000 sf community facility, 1 employee per 25 DU, 1 employee per 2.67 hotel rooms (400 sf per hotel room), 1 employee per 1,000 sf of industrial/warehouse, and 1 employee per 25 dwelling units.

GENERAL CRITERIA FOR DETERMINING DEVELOPMENT SITES

In determining the amount and location of new development, several factors have been considered in identifying likely development sites. These include known development proposals, past and current development trends, and the development site criteria described below. Generally, for area-wide rezonings that create a broad range of development opportunities, new development can be expected to occur on selected, rather than all, sites within the rezoning area. The first step in establishing the development scenario for the Proposed Actions was to identify those sites where new development could be reasonably expected to occur.

Development sites were initially identified based on the following criteria:

- Lots located in areas where a substantial increase in permitted FAR is proposed.
- Lots with a total size of 1,700 sf or larger (may include potential assemblages with two owners or fewer, if assemblage seems probable). This lot area threshold takes into account local market conditions, lot sizes of recent new developments in the rezoning area, the minimum lot area requirement for residential development in all medium and high density zoning districts, and building constructability.

- Underutilized lots which are defined as vacant, occupied as a parking lot/facility, a building with only a single occupied floor, or lots constructed to less than or equal to half of the maximum allowable FAR under the proposed zoning.
- Lots located in areas where changes in use would be permitted by the Proposed Actions, such as commercial to residential conversions, change of use between an expanded suite of commercial and light industrial uses permitted by the proposed zoning districts and special district regulations.
- Sites with non-residential uses in locations where residential uses will be newly allowed, including non-residential buildings with conditions conducive to residential conversion.

Certain lots that meet these criteria have been excluded from the development scenario based on the following conditions, in accordance with the guidance provided in the *CEQR Technical Manual*, and because they are very unlikely to be redeveloped as a result of the Proposed Actions:

- Lots occupied by buildings designated by the LPC as individual landmarks. Individual landmarks are subject to LPC review at significant level of scrutiny and are therefore highly unlikely to be altered or redeveloped.
- Lots where construction is actively occurring, or has recently been completed, as well as lots with recent alterations that would have required substantial capital investment. However, recently constructed or altered lots that were built to less than or equal to half of the maximum allowable FAR under the proposed zoning have been included for consideration as likely development sites.
- The sites of government facilities including environmental and transportation infrastructure, utilities, large institutions, homeless shelters, and houses of worship. These facilities may meet the development site criteria, because they are built to less than half of the permitted floor area under the current zoning and are on larger lots. However, these facilities have not been redeveloped or expanded despite the ability to do so, and it is extremely unlikely that the increment of additional FAR permitted under the proposed zoning would induce redevelopment or expansion of these structures. In addition, for government-owned properties, development and/or sale of these lots may require discretionary actions from the pertinent government agency.
- Multi-unit buildings with existing tenants, such as existing individual buildings with six or more residential units, and assemblages of buildings with a total of 6 or more residential units, are unlikely to be redeveloped because of the required relocation of tenants in rent-stabilized units).
- Certain substantially built and actively used commercial structures, such as multi-story office buildings, regional centers of national corporations, and hotels. Although these sites may meet the criteria for being built to less than half of the proposed permitted floor area, some of them are unlikely to be redeveloped due to their current or potential profitability, the cost of demolition and redevelopment, and their location.
- Lots whose highly irregular shape, insufficient depth and/or width would preclude or greatly limit future as of right development. Generally, development on highly irregular lots does not produce marketable floor space.
- Sites with recently granted CPC special permit for significant use and/or bulk changes that also involved discretionary review by the LPC. Costs and time associated with obtaining a

special permit, public review and environmental review process would have required substantial investment.

PROJECTED AND POTENTIAL DEVELOPMENT SITES

To produce a reasonable, conservative estimate of future growth, the development sites have been divided into two categories: projected development sites and potential development sites. The projected development sites are considered more likely to be developed within the 10-year analysis period. Projected and potential sites are considered less likely to be developed over the approximately 10-year analysis period. Potential development sites were identified based on the following criteria:

Projected Development Sites

- All identified development sites are considered as projected development sites except as described below.
- Sites partially located within and partially outside of historic districts will be considered in this EIS as projected development sites for conservative analysis purposes. Since these lots straddle historic district boundaries, it is assumed that it is possible to concentrate future development on portions of the lot outside of historic districts where LPC review is not required.

Potential Development Sites

- Lots with slightly irregular shapes or challenging configurations (overly narrow, deep), small (generally between 1,700 sf and 2,000 sf in lot area), or encumbrances which would make development more difficult will be considered potential development sites in the EIS.
- Sites located within historic districts that are occupied by existing buildings will be considered potential development sites in the EIS. The demolition, redevelopment and/or enlargement of these buildings are subject to LPC review and approval, which could contribute to higher development cost and longer timeframe.

Based on the above criteria, a total of 84 development sites (27 projected and 57 potential) have been identified in the rezoning area. These projected and potential development sites are depicted in EAS Figure 5 and the detailed RWCDS tables provided in Appendix 1 identify the uses expected to occur on each of these sites under No Action and With Action conditions.

The EIS will assess the potential for both density-related and site-specific significant adverse impacts from development on all projected development sites. Density-related analyses are dependent on the amount and type of development projected on a site, and include analysis categories such as traffic, air quality, community facilities, and open space.

Site-specific analyses relate to individual site conditions and are not dependent on the density of projected development. Site-specific analyses include potential noise impacts from development, the effects on historic resources, and the possible presence of hazardous materials. Development is not anticipated on the potential development sites in the foreseeable future. Therefore, these sites have not been included in the density-related impact assessments. However, review of site-specific impacts for these sites will be conducted in order to ensure to present conservative analysis in accordance with the *CEQR Technical Manual*.

DEVELOPMENT SCENARIO PARAMETERS

For the purposes of presenting a conservative analysis, and where applicable, reasonable factors based on recent development trends were utilized to approximate the gross square footage, zoning floor area, and DU size of each soft site analyzed in this document.

Dwelling Unit Factor

The number of projected dwelling units in apartment buildings is determined by dividing the total amount of residential floor area by 850 sf and rounding to the nearest whole number.

Floor-to-floor Height

The floor-to-floor heights for all non-residential use is assumed to be 15 feet. The floor-to-floor heights for all residential uses is assumed to be 10 feet.

Conversion Prototypes

It is anticipated that residential conversion of non-residential floor area would occur in the With Action condition, and that certain substantially built, mid-sized non-residential buildings are more conducive to residential conversions, due to building footprint, floor plate configuration, street frontage and yard conditions. For conservative analysis purposes, two of the conversion prototypes also include floor area reallocation and vertical bulk changes. Conversions are shown on several projected development sites distributed across the Project Area as representative examples for analysis purposes.

Development within Historic Districts on Projected and Potential Sites

Development shown on sites within historic districts is assumed to maximize the permitted FAR within the allowable building envelope for conservative analysis purposes. The represented building form does not reflect LPC's future review and approval, which is required for actual development on all of the projected and potential sites on a site-by-site basis. ✷

In order to assess the possible effects of the Proposed Actions, a Reasonable Worst-Case Development Scenario (RWCDS) was prepared for both the No Action and With Action conditions. Details and assumptions related to the development of the RWCDS can be found in the Draft Scope of Work. The Proposed Actions are expected to result in in a net increase of approximately 1,683 projected dwelling units (including 328 to 494 affordable units); 57,473 gross square feet (gsf) (47,754 zoning square feet [zsf]) of projected retail space (local and destination retail and supermarket) space; and 19,598 gsf (17,050 zsf) of projected community facility space. The Project Area is generally bounded by Astor Place and Houston Street to the north; Bowery, Lafayette Street, and Baxter Street to the east; Canal Street to the south; and Sixth Avenue, West Broadway, and Broadway to the west. (the Project Area) (see EAS Figure 1).

The projected development expected as a result of the Proposed Actions would occur on 27 development sites located throughout the Project Area. The development expected to result from the zoning changes and other land use approvals considered under the Proposed Actions is referred to herein as the Proposed Project. Provided below are preliminary screening analyses that were conducted for the Proposed Actions using the guidelines presented in the 2014 *City Environmental Quality Review (CEQR) Technical Manual*, to determine whether detailed analysis of a given technical area is appropriate.

A. LAND USE, ZONING, AND PUBLIC POLICY

Under CEQR, a land use analysis characterizes the uses and development trends in the area that may be affected by a proposed action. The analysis also considers the action's compliance with and effect on the area's zoning and other applicable public policies. Even when there is little potential for an action to be inconsistent with or affect land use, zoning, or public policy, a description of these issues is appropriate to establish conditions and provide information for use in other technical areas. A detailed assessment of land use is appropriate if an action would result in a significant change in land use or would substantially affect regulation or policies governing land use. CEQR also suggests a detailed assessment of land use conditions if a detailed assessment has been deemed appropriate for other technical areas, or in generic or area-wide zoning map amendments.

The Proposed Actions include zoning map and zoning text amendments that would affect an approximately 56-block, 146-acre area of the SoHo and NoHo neighborhoods of Manhattan, Community District 2. Figures 3 and 4 of the EAS present the existing and proposed zoning districts, respectively. Existing land uses in the Project Area are shown in Figure 5 of the EAS. The Proposed Actions would allow residential use in areas where it is currently not allowed. In addition, the Proposed Actions would allow an expanded range of commercial and community facility uses that are currently not allowed under zoning. Several public policies are applicable to portions of the Project Area and surrounding study area, including Housing New York: 2.0, the New York City Waterfront Revitalization Program (WRP), Vision 2020: New York City's

Comprehensive Waterfront Plan, Vision Zero, and the City's sustainability plan known as OneNYC. Therefore, an assessment of land use, zoning, and public policy is warranted, and will be provided in the EIS, as described in the Draft Scope of Work.

B. SOCIOECONOMIC CONDITIONS

According to the *CEQR Technical Manual*, the six principal issues of concern with respect to socioeconomic conditions are whether a proposed action would result in significant adverse impacts due to: (1) direct residential displacement; (2) direct business displacement; (3) indirect residential displacement; (4) indirect business displacement due to increased rents; (5) indirect business displacement due to retail market saturation; and (6) adverse effects on specific industries. A socioeconomic assessment should be conducted if an action may reasonably be expected to create substantial socioeconomic changes in an area. This can occur if an action would directly displace a residential population, affect substantial numbers of businesses or employees, or eliminate a business or institution that is unusually important to the community. It can also occur if an action would bring substantial new development that is markedly different from existing uses and activities in the neighborhood, and therefore would have the potential to lead to indirect displacement of businesses or residents from the area.

As detailed in the Draft Scope of Work, the following describes the level of assessment that is warranted and the scope of analysis for the six principal socioeconomic issues of concern.

DIRECT RESIDENTIAL DISPLACEMENT

If a project would directly displace more than 500 residents, it may have the potential to alter the socioeconomic character of a neighborhood; therefore, a preliminary assessment of direct residential displacement is appropriate.

The Proposed Actions have the potential to result in the direct displacement of existing residents from projected development sites identified as part of the RWCDS, but they are not expected to exceed the *CEQR Technical Manual* analysis threshold. Therefore, the Proposed Actions would not result in significant adverse impacts due to direct residential displacement. As described in the Draft Scope of Work, the EIS will disclose the number of residents to be directly displaced by the Proposed Actions and determine the amount of displacement relative to the study area population.

DIRECT BUSINESS DISPLACEMENT

If a project would directly displace more than 100 employees, a preliminary assessment of direct business displacement is appropriate. As the Proposed Actions have the potential to exceed the CEQR threshold of 100 displaced employees, a preliminary assessment of direct business displacement will be provided in the EIS, as described in the Draft Scope of Work.

INDIRECT RESIDENTIAL DISPLACEMENT

The Proposed Actions would result in a net increment of approximately 1,683 DUs, which is more than 200 new DUs, which is the *CEQR Technical Manual* threshold for assessing the potential indirect effects of an action. Therefore, an assessment of indirect residential displacement will be provided in the EIS, as described in the Draft Scope of Work.

INDIRECT BUSINESS DISPLACEMENT

The concern with respect to indirect business and institutional displacement is whether a proposed project could lead to increases in property values, and thus rents, making it difficult for some businesses or institutions to remain in the area. The Proposed Actions would generate an increase of 57,473 gsf (47,754 zsf) of retail space, with an overall net decrease of approximately 51,508 gsf (51,910 zsf) of commercial space, which is less than the 200,000 gross square feet (gsf) of new commercial uses to the Project Area, which is the CEQR threshold for "substantial" new development warranting assessment. However, the Proposed Actions would result in direct business displacement that, in turn, could have indirect effects. Therefore, a preliminary assessment of indirect business displacement will be provided in the EIS, as described in the Draft Scope of Work.

ADVERSE EFFECTS ON SPECIFIC INDUSTRIES

A preliminary assessment of effects on specific industries will be conducted to determine whether the Proposed Actions would significantly affect business conditions in any industry or category of businesses within or outside the study area, or whether the Proposed Actions would substantially reduce employment or impair viability in a specific industry or category of businesses. Therefore, an assessment of adverse effects on specific industries will be provided in the EIS, as described in the Draft Scope of Work.

C. COMMUNITY FACILITIES AND SERVICES

Community facilities are public or publicly funded schools, libraries, child care centers, health care facilities, and fire and police protection. An analysis examines an action's potential effect on the services provided by these facilities. An action can affect facility services directly, when it physically displaces or alters a community facility; or indirectly, when it causes a change in population that may affect the services delivered by a community facility.

The Proposed Actions would not result in the direct displacement of any existing community facilities or services, nor would they affect the physical operations of—or access to and from—any police or fire stations. Therefore, the Proposed Actions would not have any significant adverse direct impacts on existing community facilities or services.

New population added to an area as a result of an action would use existing services, which may result in potential indirect effects on service delivery. The demand for community facilities and services is directly related to the type and size of the new population generated by development resulting from a proposed action. Depending on the size, income characteristics, and age distribution of the new population, an action may have indirect effects on public schools, libraries, or child care centers. In the future with the Proposed Actions, the RWCDS would introduce an increment of approximately 1,683 additional dwelling units (DUs), of which up to 494 would be affordable, with an estimated 3,181 residents to the area, as compared to the No Action condition.[1]

A discussion of the Proposed Actions' potential effects on community facilities is provided below.

[1] The number of residents is based on 1.76 average household size for Manhattan Community District 2 (2010 U.S. Census).

PUBLIC SCHOOLS

If an action introduces fewer than 50 elementary and middle school age children, or fewer than 150 high school students, an assessment of school facilities is not warranted. In Manhattan, the 50-student threshold for analysis of elementary/middle school capacity is reached if an action introduces at least 1,049 DUs; the 150-student threshold for analysis of high school capacity is 7,500 DUs. As the RWCDS for the Proposed Actions would result in an increment of approximately 1,683 DUs (compared to the No Action condition), it exceeds the CEQR preliminary threshold for elementary and middle school assessments. Therefore, a detailed analysis of elementary and intermediate capacity will be provided in the EIS, as described in the Draft Scope of Work.

LIBRARIES

According to the guidelines established in the *CEQR Technical Manual*, if a proposed action increases the number of DUs served by the borough's library branches by more than five percentage points, then an analysis of library services may be necessary. In Manhattan, the introduction of 901 DUs would represent a five percent increase in DUs per branch. As the RWCDS associated with the Proposed Actions would result in the addition of approximately 1,683 DUs to the study area compared to the No Action condition, it exceeds the CEQR threshold for a detailed analysis, and an analysis will be provided in the EIS, as described in the Draft Scope of Work.

CHILD CARE CENTERS

A detailed analysis of child care centers is warranted when a proposed action would produce substantial numbers of subsidized, low- to moderate-income family DUs that may therefore generate a sufficient number of eligible children to affect the availability of slots at public child care centers. Typically, proposed actions that generate 20 or more eligible children under the age of six require further analysis. According to Table 6-1 of the *CEQR Technical Manual*, the number of DUs to yield 20 or more eligible children under age six in Manhattan would be 170 affordable DUs. The RWCDS associated with the Proposed Actions would result in a net increment of up to approximately 494 affordable DUs, well in excess of the 170-unit threshold. As such, the Proposed Actions exceed the threshold for an analysis of child care centers, and an analysis will be provided in the EIS, as described in the Draft Scope of Work.

POLICE/FIRE SERVICES AND HEALTH CARE FACILITIES

A detailed analysis of police and fire services and health care facilities is warranted if a proposed action would (a) introduce a sizeable new neighborhood where one has not previously existed, or (b) would displace or alter a hospital or public health clinic, fire protection services facility, or police station. As the Proposed Actions would not result in any of the above, no significant adverse impacts are expected to occur, and a detailed analysis of police/fire services and health care facilities is not required; however, for informational purposes, a description of existing police, fire, and health care facilities serving the Project Area will be provided in the EIS.

D. OPEN SPACE

The Open Space appendix of the *CEQR Technical Manual* identifies the Project Area as an area classified as an underserved area. In areas that are neither well-served nor underserved, the *CEQR*

Technical Manual threshold for project-generated residents and workers is 50 residents and 125 workers. The Proposed Actions would generate a net increase of approximately 3,181 new residents (with a reduction of approximately 109 workers), exceeding *CEQR Technical Manual* thresholds. Therefore, a detailed open space assessment for the residential population is warranted and will be included in the EIS, as described in the Draft Scope of Work.

E. SHADOWS

The *CEQR Technical Manual* requires a shadow assessment for a proposed action that would result in a new structure(s), or addition(s) to existing structure(s) that are greater than 50 feet in height and/or adjacent to an existing sunlight-sensitive resource. The Proposed Actions would replace all or portions of existing manufacturing zoning districts with M1-5/R7X, M1-5/R9X, and M1-6/R10 zoning districts, and allow greater building heights, density and bulk as compared to existing zoning. The proposed zoning would permit development of buildings greater than 50 feet in height, some of which could be located in the vicinity of sunlight-sensitive resources. Therefore, the Proposed Actions have the potential to cast new shadows on nearby sunlight-sensitive resources. As such, an analysis of the new buildings' potential to result in shadow impacts on sunlight-sensitive resources is warranted and will be included in the EIS, as described in the Draft Scope of Work.

F. HISTORIC AND CULTURAL RESOURCES

A historic and cultural resources assessment is performed if there is the potential to affect either archaeological or architectural resources. Under CEQR, impacts to historic resources are considered on those sites directly affected by a proposed action and in the areas surrounding identified development sites.

The Proposed Actions have the potential to impact designated and/or potential architectural resources. The Proposed Actions would also result in additional in-ground disturbance in the Project Area, specifically at the locations of the development sites identified in the RWCDS, and therefore have the potential to affect archaeological resources that may be present on or nearby those sites. Thus, assessments of architectural and archaeological resources will be provided in the EIS, as described in the Draft Scope of Work.

G. URBAN DESIGN AND VISUAL RESOURCES

As described in the *CEQR Technical Manual*, an assessment of urban design and visual resources should be undertaken when a project may have effects on one or more of the elements that contribute to a pedestrian's experience of public space. These elements include streets, buildings, visual resources, open spaces, natural resources, wind, and sunlight. A preliminary analysis of urban design and visual resources is considered appropriate when there is the potential for a pedestrian to observe, from the street level, a physical alteration beyond that allowed by existing zoning, including the following: 1) projects that permit the modification of yard, height, and setback requirements; and 2) projects that result in an increase in built floor area beyond what would be allowed "as-of-right" or in the future without the proposed action. The *CEQR Technical Manual* also recommends an analysis of pedestrian wind conditions for projects that result in the construction of large buildings at locations that experience high wind conditions (such as on the waterfront), which may result in an exacerbation of wind conditions due to "channelization" or "downwash" effects that may affect pedestrian safety.

The Proposed Actions would change the zoning in the Project Area and establish the Special SoHo/NoHo Mixed-Use District, which would create unique subdistricts along with special use, floor area, bulk, height, and setback regulations for buildings.

The Proposed Actions would generate development that would result in physical changes beyond the density, bulk, and form currently permitted as-of-right under existing zoning. These changes could affect a pedestrian's experience of public space, warranting an urban design assessment. Therefore, a preliminary assessment of urban design and visual resources will be provided in the EIS, as described in the Draft Scope of Work. Based on the Proposed Actions and the location of the Special SoHo/NoHo Mixed-Use District, it is assumed that an analysis of pedestrian wind conditions is not warranted.

H. NATURAL RESOURCES

Under CEQR, a natural resource is defined as the City's biodiversity (plants, wildlife, and other organisms); any aquatic or terrestrial areas capable of providing suitable habitat to sustain the life processes of plants, wildlife, and other organisms; and any areas capable of functioning in support of the ecological systems that maintain the City's environmental stability.

A natural resources assessment may be appropriate if a natural resource is present on or near the site of a project, and the project would, either directly or indirectly, cause a disturbance of that resource. The EIS will include an analysis of natural resources following CEQR guidance, as described in the Draft Scope of Work.

I. HAZARDOUS MATERIALS

Under CEQR, The potential for significant impacts related to hazardous materials can occur when: (a) elevated levels of hazardous materials exist on a site and the project would increase pathways to human or environmental exposures; (b) a project would introduce new activities or processes using hazardous materials and the risk of human or environmental exposure is increased; or (c) the project would introduce a population to potential human or environmental exposure from off-site sources. An analysis should be conducted for any site with the potential to contain hazardous materials or if any future redevelopment is anticipated. Construction activities associated with projected development would result in additional excavation and ground disturbing activities, which could increase exposure to subsurface contamination.

The EIS will contain an assessment of hazardous materials on the projected and potential development sites identified in the RWCDS, as described in the Draft Scope of Work.

J. WATER AND SEWER INFRASTRUCTURE

The *CEQR Technical Manual* outlines thresholds for analysis of a project's water demand and its generation of wastewater and stormwater. A preliminary analysis of a project's effects on the water supply system is warranted if a project would result in an exceptionally large demand for water (e.g., those that would use more than one million gallons per day [gpd]), or would be located in an area that experiences low water pressure (e.g., Rockaway Peninsula or Coney Island). A preliminary analysis of a project's effects on wastewater or stormwater infrastructure is warranted depending on a project's proposed density, its location, and its potential to increase impervious surfaces.

The Proposed Project would not result in an incremental demand for water of more than 1 million gpd and therefore, would not require an analysis of water supply. The Proposed Actions would result in a net increase of 1,683 DUs, approximately 19,598 gsf (17,050 zsf) of community facility space and a net decrease of approximately 51,508 gsf (51,910 zsf) of commercial space, which is more than 1,000 DUs, the applicable threshold for combined sewer areas in Manhattan. Therefore, an analysis of the Proposed Actions' effects on wastewater and storm water infrastructure is warranted. Further detail is provided in the Draft Scope of Work.

K. SOLID WASTE AND SANITATION SERVICES

A solid waste assessment is warranted if a proposed action would cause a substantial increase in solid waste production that has the potential to overburden available waste management capacity or otherwise be inconsistent with the City's Solid Waste Management Plan (SWMP) or with state policy related to the City's integrated solid waste management system. According to the *CEQR Technical Manual*, few projects have the potential to generate substantial amounts of solid waste (defined as 50 tons [100,000 pounds] per week or more), thereby resulting in a significant adverse impact. Based on the average daily solid waste generation rates provided in Table 14-1 of the *CEQR Technical Manual*, it is estimated that the RWCDS associated with the Proposed Actions would result in a net increase of approximately 71,755 lbs of solid waste per week (approximately 36 tons), compared to the No Action condition. Therefore, an analysis of solid waste and sanitation services is warranted and will be provided in the EIS, as detailed in the Draft Scope of Work.

L. ENERGY

According to the *CEQR Technical Manual*, a detailed assessment of energy impacts would be limited to actions that could significantly affect the transmission or generation of energy or that generate substantial indirect consumption of energy (such as a new roadway). Although significant adverse energy impacts are not anticipated for the Proposed Actions, the EIS will disclose the projected amount of energy consumption during long-term operation resulting from the Proposed Actions, as this information is required for the assessment of Greenhouse Gas Emissions (see below). Further detail is provided in the Draft Scope of Work.

Based on the rates presented in Table 15-1 of the *CEQR Technical Manual*, it is estimated that the RWCDS associated with the Proposed Actions would result in an increment of approximately 226,759 million BTUs over the No Action condition. As noted in the Draft Scope of Work, an analysis of the anticipated additional demand from the Proposed Actions' RWCDS will be provided in the EIS.

M. TRANSPORTATION

An assessment of transportation will be provided in the EIS. Based on a preliminary travel demand forecast, the Proposed Actions are expected to generate a total of more than 50 new vehicular trips in the weekday AM, midday, and PM peak hours, as well as the Saturday peak hour. The RWCDS may also generate 50 or more vehicles per hour during one or more peak hours at one or more study area intersections. Therefore, based on *CEQR Technical Manual* guidelines, a detailed traffic and parking analysis may be warranted and would be provided in the EIS, as detailed in the Draft Scope of Work.

Based on the preliminary travel demand forecast, the RWCDS is expected to generate a net increase of more than 200 additional transit trips (subway and bus) in one or more peak hours, and

therefore, detailed transit analyses are warranted and will be provided in the EIS, as detailed in the Draft Scope of Work.

Based on the preliminary travel demand forecast, the RWCDS would generate more than 200 new pedestrian trips during peak hours, including walk-only trips as well as pedestrians walking between projected development sites and other modes of travel. Therefore, a detailed pedestrian analysis is warranted and will be provided in the EIS, as described in the Draft Scope of Work.

N. AIR QUALITY

Under CEQR, an air quality analysis determines whether a proposed project would result in stationary or mobile sources of pollutant emissions that could have a significant adverse impact on ambient air quality, and also considers the potential of existing sources of air pollution to impact the proposed uses. As discussed below, the Proposed Actions would require an air quality analysis including both mobile and stationary sources.

The Proposed Actions are expected to result in the conditions outlined in Chapter 17, Section 210, of the *CEQR Technical Manual*. Specifically, the project-generated vehicle trips may exceed the peak vehicle traffic thresholds for conducting an air quality analysis of mobile sources. In addition, the Proposed Actions and associated RWCDS would result in the conditions outlined in Chapter 17, Section 220, of the *CEQR Technical Manual*, the projected and potential development sites would use fossil fuels for heat and hot water systems. Portions of the Project Area are located within 400 feet of areas zoned for manufacturing.

An air quality assessment of mobile and stationary sources will be provided in the EIS. As detailed in the Draft Scope of Work, the air quality assessment will consider the potential impacts on air quality from project-generated vehicle trips, as well as heat and hot water systems.

O. GREENHOUSE GAS EMISSIONS AND CLIMATE CHANGE

The *CEQR Technical Manual* notes that while the need for a greenhouse gas (GHG) emissions assessment is highly dependent on the nature of the project and its potential impacts, the GHG consistency assessment currently focuses on city capital projects, projects proposing power generation or a fundamental change to the City's solid waste management system, and projects being reviewed in an EIS that would result in development of 350,000 gsf or more (or smaller projects that would result in the construction of a building that is particularly energy-intense, such as a data processing center or health care facility). The Proposed Actions would result in a net increment of approximately 1.6 million gsf (1.38 million zsf) of new projected development, exceeding the 350,000-gsf threshold in the *CEQR Technical Manual*. Therefore, a GHG assessment will be provided in the EIS, as described in the Draft Scope of Work.

According to the *CEQR Technical Manual*, depending on a project's sensitivity, location, and useful life, it may be appropriate to provide a qualitative discussion of the potential effects of climate change on a proposed project in environmental review. Rising sea levels and increases in storm surge and coastal flooding are the most immediate threats in New York City for which site-specific conditions can be assessed, and an analysis of climate change may be deemed warranted for projects at sites located within the current 100- or 500-year flood zone, as delineated in the FEMA PFIRMs, or within future 100-year flood zones as projected by the New York City Panel on Climate Change, as appropriate. Portions of the Project Area are located within the special flood hazard area (one percent annual chance of flooding). Therefore, the Project Area may be

susceptible to storm surge and coastal flooding, and an assessment of climate change is warranted and will be provided in the EIS, as described in the Draft Scope of Work.

P. NOISE

Under CEQR, a noise analysis is appropriate if an action would generate any mobile or stationary sources of noise or would be located in an area with high ambient noise levels. Specifically, an analysis would be required if an action generates or reroutes vehicular traffic, if an action is located near a heavily trafficked thoroughfare, or if an action would be within one mile of an existing flight path or within 1,500 feet of existing rail activity (and with a direct line of sight to that rail facility). A noise assessment would also be appropriate if the action would result in a playground or would cause a stationary source to be operating within 1,500 feet of a receptor (with a direct line of sight to that receptor), or if the action would include unenclosed mechanical equipment for manufacturing or building ventilation purposes, or if the action would be located in an area with high ambient noise levels resulting from stationary sources.

A detailed noise analysis will be included in the EIS, as the Proposed Actions would result in additional vehicle trips to and from the Project Area; and would introduce new sensitive receptors in the vicinity of heavily trafficked roadways. Building attenuation measures required to provide acceptable interior noise levels for the Project Area and projected and potential development sites will also be examined and discussed in the EIS, as described in the Draft Scope of Work.

Q. PUBLIC HEALTH

Public health involves the activities that society undertakes to create and maintain conditions in which people can be healthy. Public health is the organized effort of society to protect and improve the health and well-being of the population through monitoring; assessment and surveillance; health promotion; prevention of disease, injury, disorder, disability, and premature death; and reducing inequalities in health status. The goal of CEQR with respect to public health is to determine whether adverse impacts on public health may occur as a result of a proposed project, and, if so, to identify measures to mitigate such effects. Many public health concerns are closely related to air quality, hazardous materials, construction and natural resources. The *CEQR Technical Manual* indicates that for most projects, a public health analysis is not necessary. Where no significant unmitigated adverse impact is found in other CEQR analysis areas, such as air quality, water quality, hazardous materials or noise, no public health analysis is warranted. If, however, an unmitigated significant adverse impact is identified in other CEQR analysis areas, such as air quality, water quality, hazardous materials or noise, the lead agency may determine that a public health assessment is warranted for that specific technical area.

A public health assessment may be warranted if an unmitigated significant adverse impact is identified in other CEQR analysis areas, such as air quality, hazardous materials, or noise. If unmitigated significant adverse impacts are identified for the Proposed Actions in any of these technical areas and DCP determines that a public health assessment is warranted, an analysis will be provided for the specific technical area or areas in the EIS, as described in the Draft Scope of Work.

R. NEIGHBORHOOD CHARACTER

Per the *CEQR Technical Manual*, a neighborhood character assessment considers how elements of the built environment combine to create the context and feeling of a neighborhood, and how a

project may affect that context and feeling. To determine a project's effects on neighborhood character, a neighborhood's contributing elements are considered together.

Under CEQR, an assessment of neighborhood character is generally needed when a proposed project has the potential to result in significant adverse impacts in the areas of land use, socioeconomic conditions, open space, urban design and visual resources, historic and cultural resources, transportation, and noise, or when the project may have moderate effects on several of these elements that define a neighborhood's character. If the Proposed Actions are expected to affect one or more of the constituent elements of the Project Area's neighborhood character, including land use patterns, urban design, historic and cultural resources, and levels of traffic and noise, a detailed analysis will be conducted and provided in the EIS, as described in the Draft Scope of Work.

S. CONSTRUCTION

Construction impacts, although temporary, can include the disruptive and noticeable effects of a project. Determination of their significance and need for mitigation is generally based on the duration and magnitude of the impacts. Construction impacts are usually important when construction activity could affect traffic conditions, archaeological resources, the integrity of historic resources, community noise patterns, and air quality conditions. In addition, because soils are disturbed during construction, any action proposed for a site that has been found to have the potential to contain hazardous materials should also consider the possible construction impacts that could result from contamination.

Under CEQR, projects involving the development of multiple sites with overall construction periods lasting longer than two years and which are near sensitive receptors should undergo a preliminary assessment. Therefore, this will be undertaken in the EIS, following the guidelines in the *CEQR Technical Manual*. The preliminary assessment will evaluate the duration and severity of the disruption or inconvenience to nearby sensitive receptors. If the preliminary assessments indicate the potential for a significant adverse impact during construction, a detailed construction impact analysis will be prepared for the EIS in accordance with guidelines contained in the *CEQR Technical Manual* as described in the Draft Scope of Work. ✷